



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, November 17, 2016
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

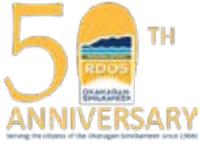
9:00 am	-	12:30 pm	Budget Meeting (with delegations)
12:30 pm	-	1:00 pm	Lunch
1:00 pm	-	1:45 pm	Environment and Infrastructure Committee
1:45 pm	-	2:15 pm	OSRHD Board
2:15 pm	-	4:30 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

Advance Notice of Meetings:

- December 1 Budget Meeting/RDOS Board/Committee Meetings
- December 2 Budget Meeting
- December 8 Budget Meeting (if required)
- December 15 RDOS Board/OSRHD Board/Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, November 17, 2016

1:00 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of November 17, 2016 be adopted.

B. Asset Management Investment Plan [Page 3]

C. Contract Award – Transportation and Processing of Recyclable Asphalt Shingles [Page 39]

1. Request for Qualifications – August 31, 2016 [Page 41]
2. Response to Request for Qualifications – Intercity Recycle Ltd. [Page 50]
3. Contract Agreement - Draft [Page 61]

To continue providing the diversion of recyclable old asphalt shingles (OAS) from disposal at Regional District administered Sanitary Landfills.

RECOMMENDATION 2

THAT the Board of Directors award a five year Contract for the Transportation and Processing of Recyclable Asphalt Shingles to Intercity Recycle Ltd.

D. Willowbrook Water – Crown Land Tenure Application [Page 70]

1. Map - Willowbrook Right of Way [Page 72]
2. Map - Willowbrook Crown Access Road [Page 73]

RECOMMENDATION 3

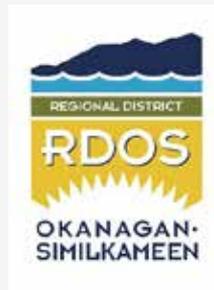
THAT the Board of Directors endorse the Crown Land Tenure Application for access over Crown land.

E. ADJOURNMENT



Asset Management Investment Plan

NOVEMBER 17TH, 2016





Agenda

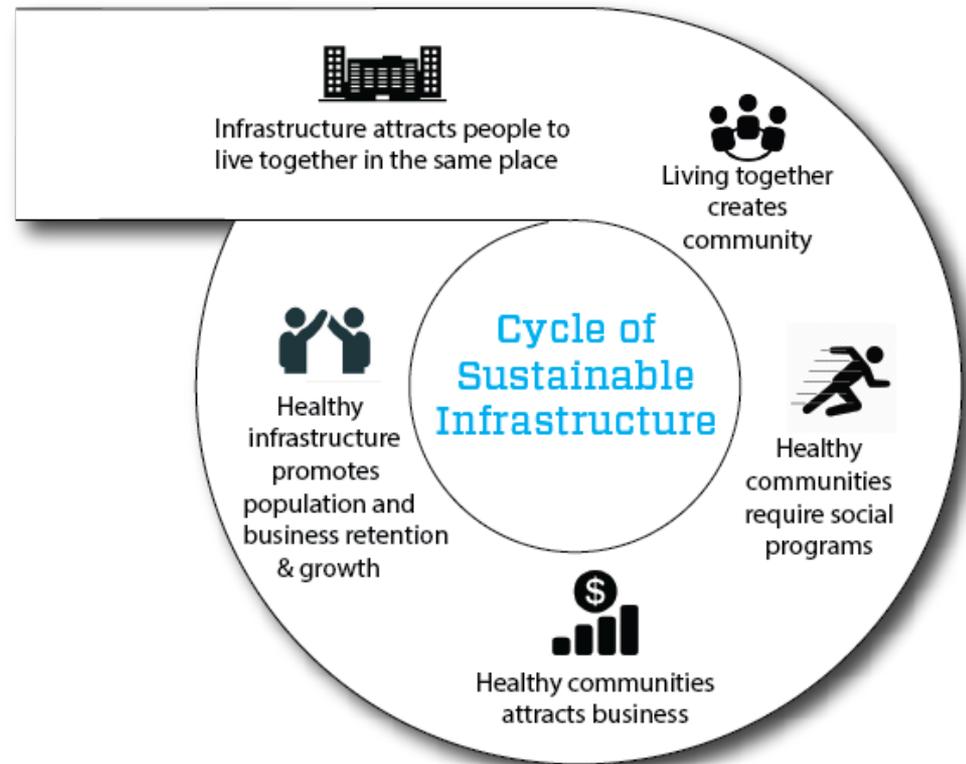
- } Background
- } Review Asset Management Investment Plan (AMIP)
 - Overall Results
 - Results by Area
- } Discuss Next Steps



Background

Community Infrastructure Investments

- } Renewal of Existing Infrastructure
- } Regulatory Requirements
- } Safety
- } Level of Service
- } Growth
- } Climate Change



Canada's Infrastructure Challenge

- } Majority of Canada's infrastructure was installed in the 1960s.
- } Little to no investment has been made in existing infrastructure since it was installed.
- } Assets are nearing the end of their life and local governments have not fully planned for their replacement.
- } Canada's Infrastructure deficit is estimated to be ~\$123 billion and growing (FCM).
- } Majority of water and sewer systems across BC are underfunded (BCCWA).

What is Asset Management?

The **process** of bringing together the skills and activities of **people**; with **information** about the community's physical **infrastructure assets** and **financial resources** to ensure long term **sustainable service delivery**.



Asset Management for Sustainable Service Delivery, A BC Framework

Why is Asset Management Important?

- } Meet **GTA** requirements
- } **Understand** what infrastructure needs to be replaced and how long it will last (improved access to data)
- } Understanding the **trade-offs** between available **resources** and **desired services using risk, service and cost**
- } **Defensible** way of prioritizing projects
- } Demonstrates accountability to residents and businesses

How do you implement Asset Management?



AMIP – Improving Understanding Cost

} The Asset Management Investment Plan is a **tool** which will help the RDOS begin to answer the following questions:

- 1) What assets does the RDOS own?
- 2) What is the cost to replace our assets and where should we invest?
- 3) How much money needs to be invested annually (on average) to sustain the RDOS's assets?

} **Outcome:** better understand costs to inform infrastructure investment decision-making

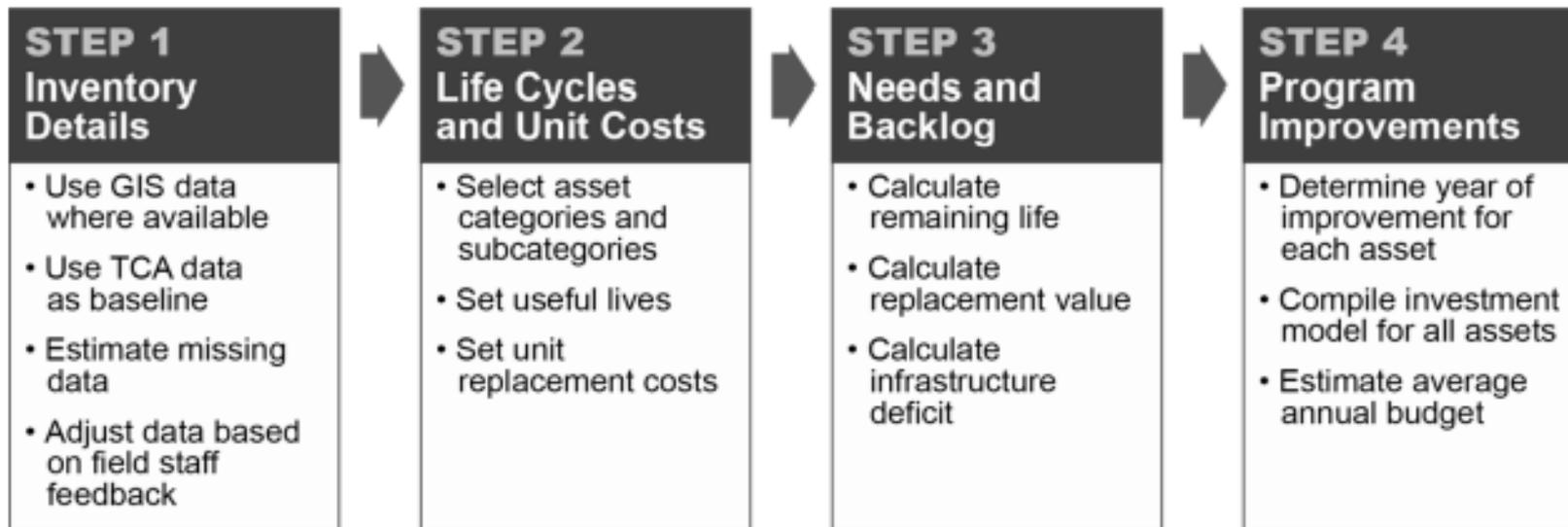




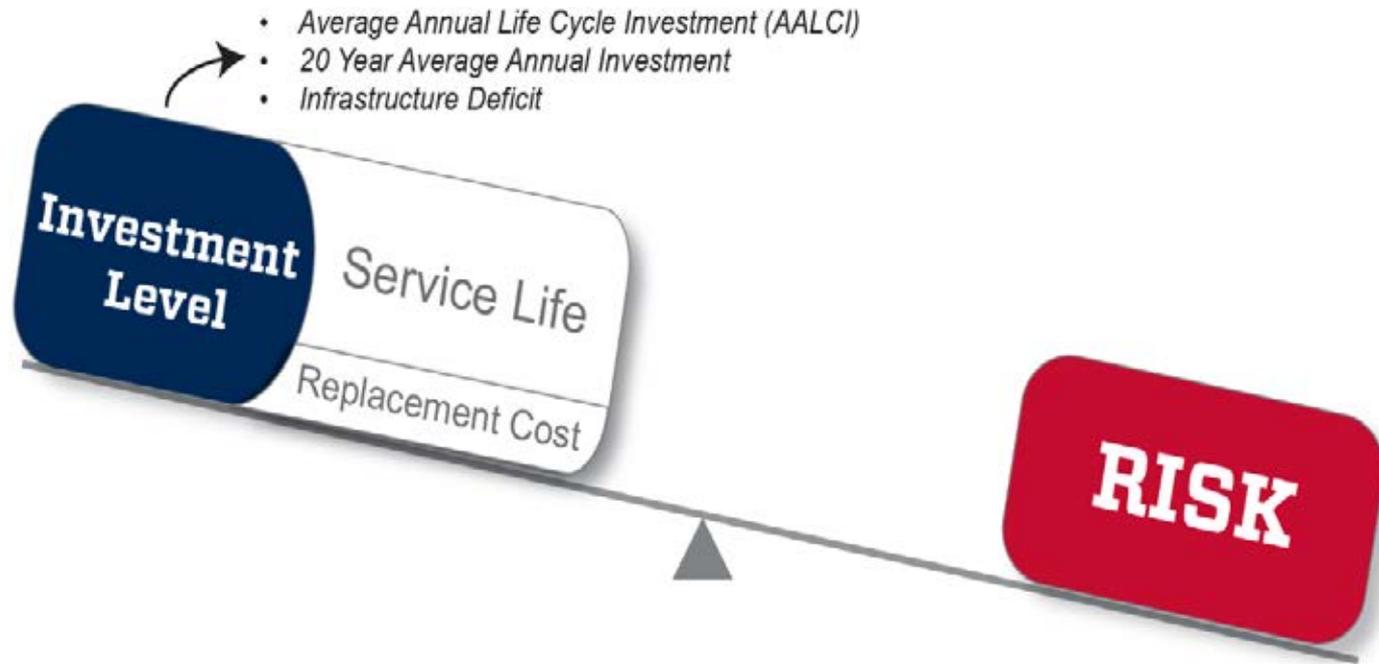
Asset Management Investment Plan (AMIP)

AMIP - Understanding Costs

- } 20 year renewal cost forecast and timing for all assets
- } Renewal costs summarized in one location
- } Presents three investment level indicators to inform infrastructure investment decision-making and setting funding levels – **based on service life and recently tendered prices**



AMIP – Understanding Costs





Overall Consolidated Results

How much infrastructure do we own?

Water System	
Description	Approx Quantity
Distribution Pipes (including hydrants, valves and tees)	80km
Reservoirs	7
Pumping Stations	8
Water Treatment Facilities	Various



How much infrastructure do we own?

Buildings/Landfill and Fleet System

Description	Approx Quantity
Buildings	40
Landfills and Scale	4
Heavy and Light Fleet	90



How much infrastructure do we own?

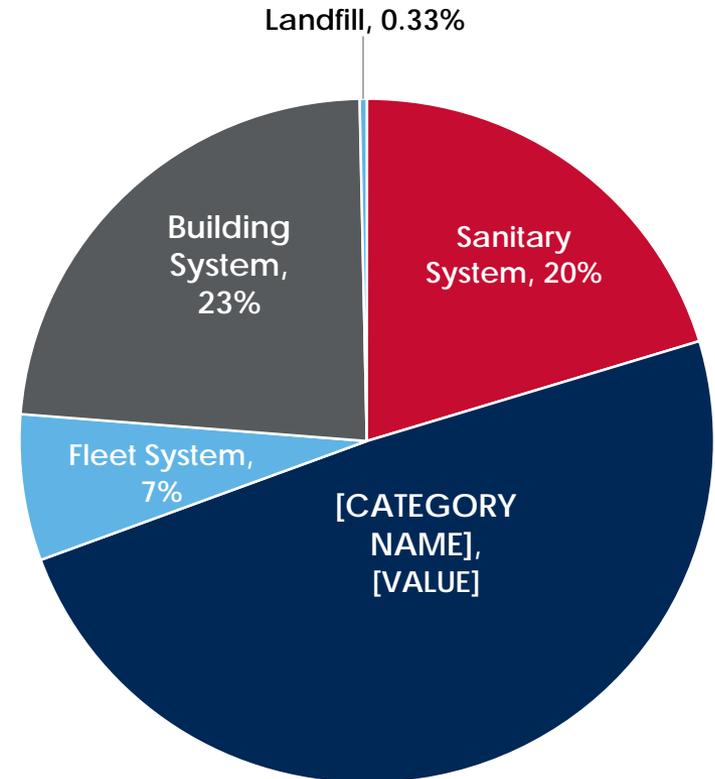
Sanitary Sewer System

Description	Approx Quantity
Collection Pipes	15km
Pumping Stations	4
WWTP	1



What is the replacement value of our assets?

Asset Category	Replacement Value
Sanitary System	\$27.8 million
Water System	\$67.3 million
Fleet System	\$9.5 million
Building System/Landfill	\$32.5 million
Total	\$137.1 million



90% of RDOS infrastructure is made up of Water, Sanitary and Building Assets

AMIP Results* - Overall

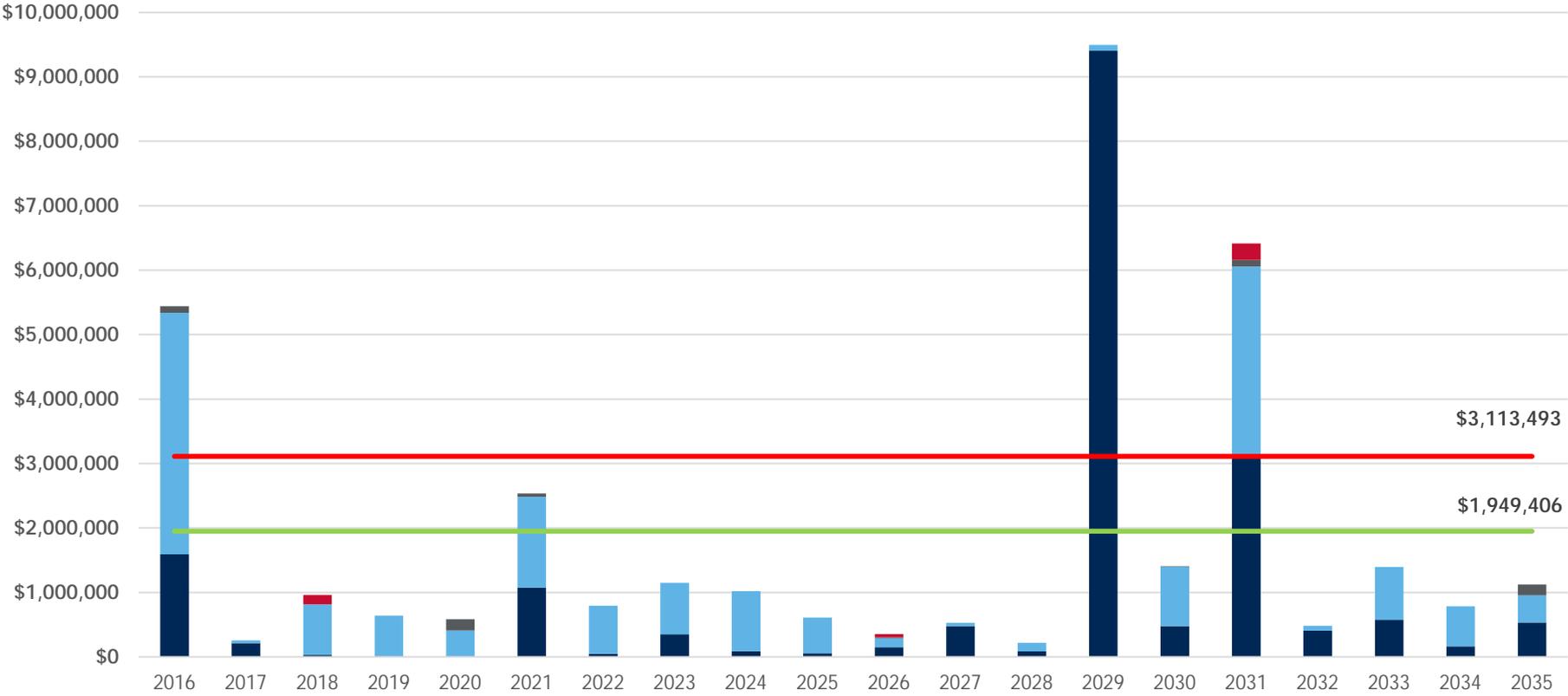
Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System	\$27.8 million	\$450,000 – \$670,000	\$7,500 – \$140,00	\$75,000
Water System	\$67.3 million	\$770,000 – \$1.2 million	\$88,500 – \$945,000	\$1.2 million – \$1.6 million
Fleet System	\$9.5 million	\$465,000 – \$716,000	\$512,000 – \$812,500	\$950,000 – \$3.7 million
Building/Landfill System	\$32.6 million	\$385,000 – \$570,000	\$8,000 – \$23,000	\$0 – \$100,000
Total	\$137.1 million	\$2.0 million – \$3.1 million	\$615,000 – \$1.9 million	\$2.2 million – \$5.5 million

***Service Life Scenario 1:** Industry Standard Service Lives (adjusted based on local knowledge)

Service Life Scenario 2: Service Lives increased by 25%

Service Life Scenario 3: Service Lives increased by 50%

AMIP Results – Renewal Cost Forecast



\$3,113,493

\$1,949,406

■ Water System
■ Building System
— 20 Year Average Annual Investment

■ Fleet System
■ Landfill
— Average Annual Life Cycle Investment

A construction worker wearing a yellow safety vest and a red hard hat is kneeling in a deep trench, working on the installation of blue pipes. The trench is filled with dark soil, and various tools and materials are scattered around. A long blue pipe runs vertically down the center of the trench. To the right, there are more blue pipes, a white bucket, and other construction equipment. The scene is set outdoors, with a concrete curb visible on the right side of the trench.

AMIP Results by Area

AMIP Results – Area A

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System				
Fleet System	\$1.25 million	\$55,000 – \$85,000	\$60,000 – \$65,000	\$20,000
Building/Landfill System	\$435,000	\$30,000 – \$40,000	\$0	\$0
Total	\$3.7 million	\$85,000 - \$125,000	\$60,000 - \$65,000	\$20,000

AMIP Results – Area C

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System	\$3 million	\$25,000 – \$40,000	\$5,000 – \$5,000	\$40,000 – \$75,000
Fleet System	\$175,000	\$10,000 – \$15,000	\$10,000 – \$20,000	\$75,000 – \$80,000
Building/Landfill System	\$720,000	\$10,000 – \$10,000	\$0	\$0
Total	\$3.8 million	\$45,000 – \$65,000	\$15,000 – \$25,000	\$110,000 – \$155,000

AMIP Results – Area C/Oliver

Area C-OLIVER – Oliver Parks & Recreation (pool, parks, etc)

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System				
Fleet System				
Building/Landfill System	\$13 million	\$150,000 – \$230,000	\$10,000 – \$20,000	\$100,000
Total	\$13 million	\$150,000 – \$230,000	\$10,000 – \$20,000	\$100,000

AMIP Results – Area D

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System	\$27.8 million	\$445,000 – \$665,000	\$10,000 – \$140,000	\$75,000
Water System				
Fleet System	\$3.5 million	\$160,000 – \$245,000	\$185,000 – \$315,000	\$160,000 – \$1.9 million
Building/Landfill System	\$1.9 million	\$20,000 – \$30,000	\$0	\$0
Total	\$33.3 million	\$625,000 – \$945,000	\$190,000 – \$455,000	\$235,000 – \$1.9 million

AMIP Results – Area E

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System	\$45.2 million	\$515,000 – \$775,000	\$55,000 – \$810,000	\$805,000 – \$1.1 million
Fleet System	\$1.9 million	\$100,000 – 150,000	\$105,000 – \$165,000	\$210,000 – \$1 million
Building/Landfill System	\$3.2 million	\$35,000 – \$55,000	\$0	\$0
Total	\$50.4 million	\$650,000 – \$980,000	\$160,000 – \$975,000	\$1 million – \$2.1 million

AMIP Results – Area F

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System	\$15.6 million	\$190,000 – \$290,000	\$30,000 – \$105,000	\$330,000
Fleet System				\$0
Building/Landfill System	\$165,000	\$5,000 – \$1,000	\$0	
Total	\$15.7 million	\$195,000 – \$290,000	\$30,000 – \$105,000	\$330,000

AMIP Results – Area G

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System	\$3.4 million	\$35,000 – \$50,000	\$1,500 – \$25,000	\$5,000
Fleet System				
Building/Landfill System				
Total	\$3.4 million	\$35,000 – \$50,000	\$1,500 – \$25,000	\$5,000

AMIP Results – Area H

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System				
Fleet System	\$185,000	\$10,000 – \$15,000	\$10,000 – \$15,000	\$55,000 – \$115,000
Building/Landfill System	\$1.9 million	\$20,000 – \$35,000	\$0	\$0
Total	\$2.1 million	\$30,000 – \$45,000	\$10,000 – \$15,000	\$55,000 – \$115,000

AMIP Results – All Areas (Shared)

Area ALL – 101 Martin St, fleet

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System				
Fleet System	\$295,000	\$20,000 – \$35,000	\$20,000 – \$35,000	\$125,000 – \$195,000
Building/Landfill System	\$2.5 million	\$30,000 – \$40,000	\$0	\$0
Total	\$2.8 million	\$50,000 – \$75,000	\$20,000 – \$35,000	\$125,000 – \$195,000

AMIP Results – Area B,G,Keremous

Area B,G,KEREMEOS – Fire, Keremeos Recreation Facility (pool, etc), Keremeos transfer station

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System				
Fleet System	\$1.4 million	\$60,000 – \$95,000	\$70,000 – \$120,000	\$70,000 – \$80,000
Building/Landfill System	\$6 million	\$70,000 – \$100,000	\$0 – \$2,500	\$0
Total	\$7.4 million	\$130,000 – \$200,000	\$70,000 – \$125,000	\$70,000 – \$80,000

AMIP Results – Area D,E,F

Area DEF – Campbell Mtn Landfill, Ok Falls Landfill, fleet associated with the landfills

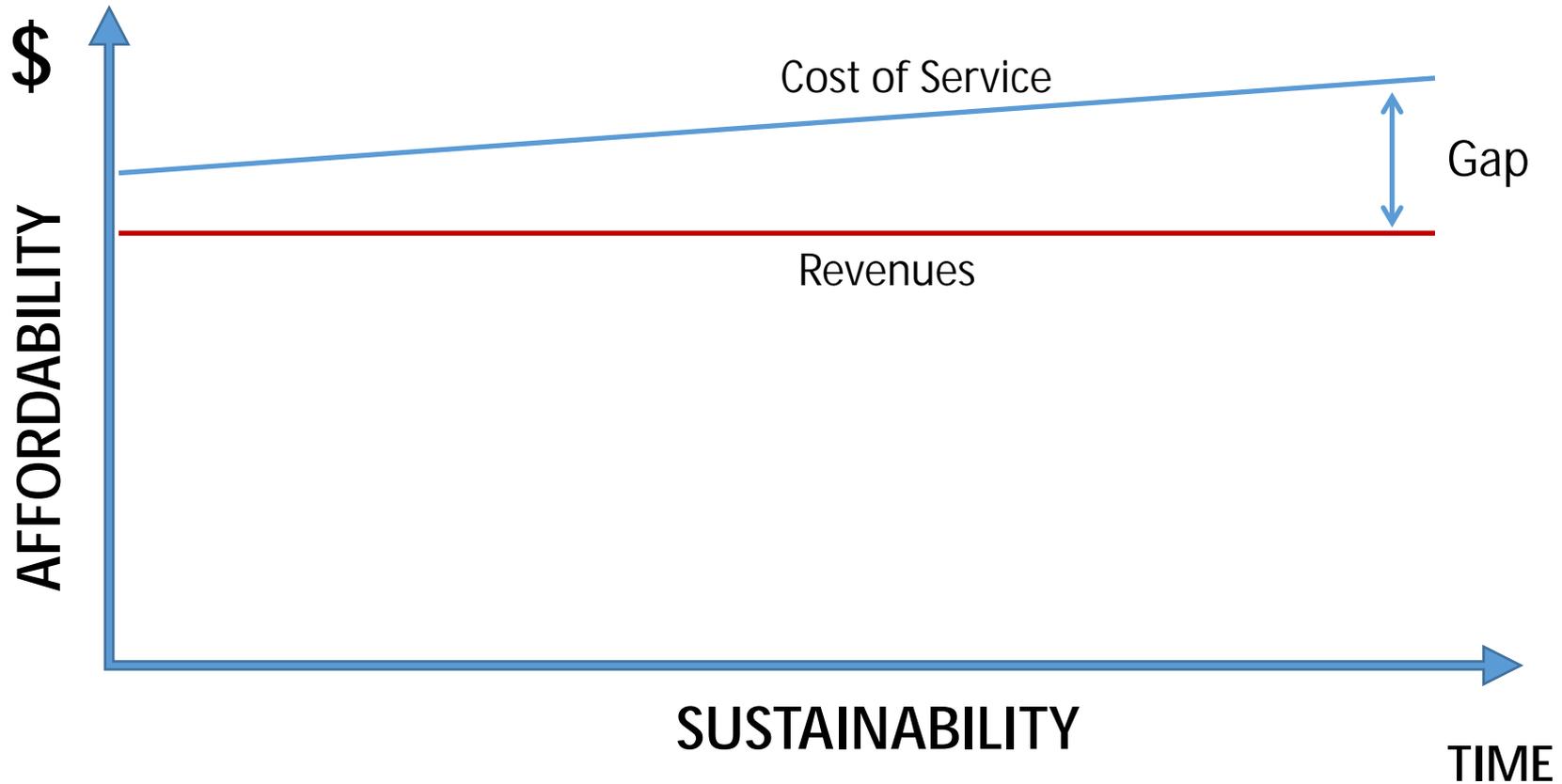
Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System				
Fleet System	\$110,000	\$10,000 – \$15,000	\$10,000 – \$15,000	\$80,000 – \$105,000
Building/Landfill System	\$435,000	\$15,000 – \$25,000	\$0 – \$30,000	\$0
Total	\$545,000	\$25,000 – \$40,000	\$10,000 – \$45,000	\$80,000 – \$105,000

AMIP Results – Shared Fleet Services (All EA's)

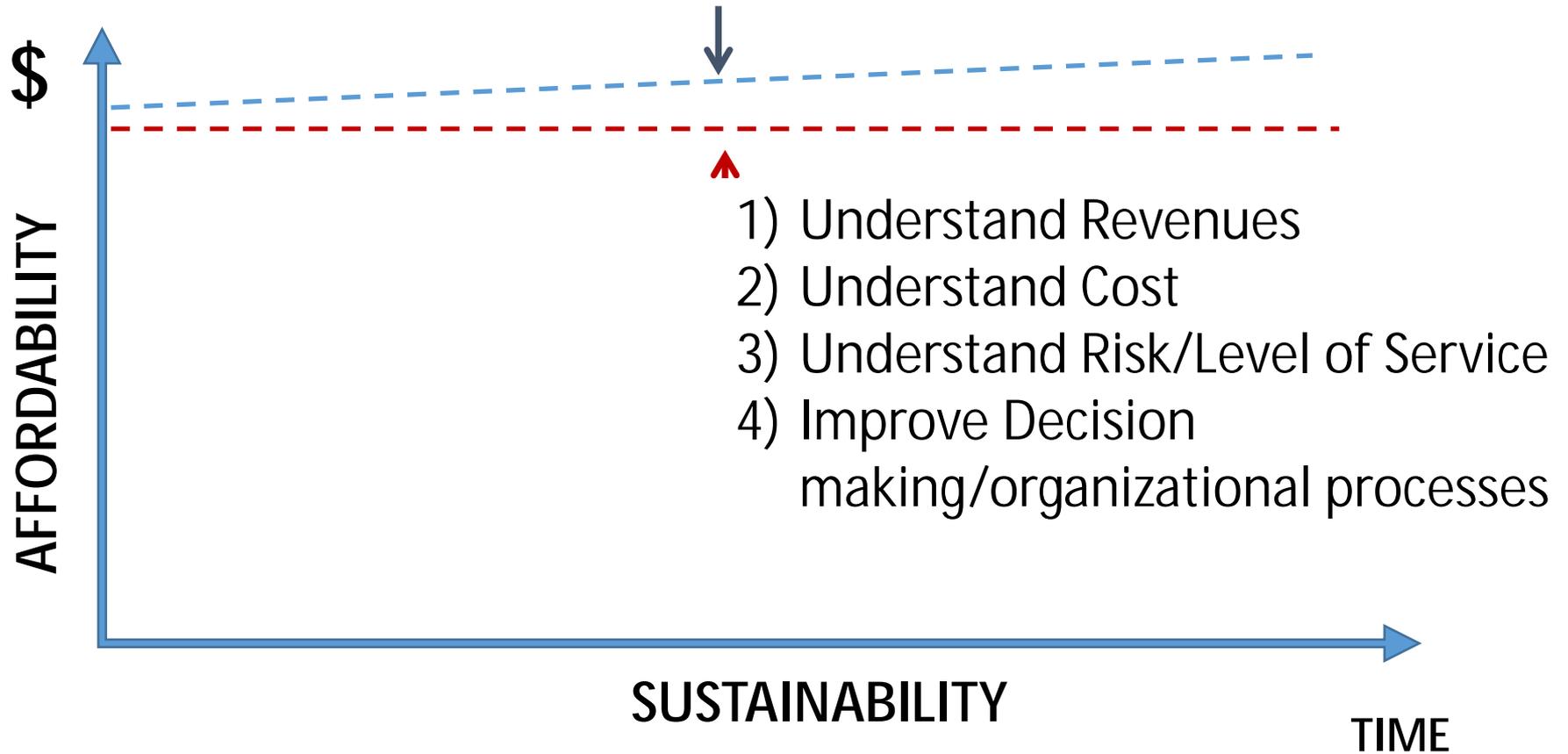
All EA'S – Shared Assets (RDOS Fleet)

Asset Category	Replacement Value	Average Annual Life Cycle Investment (AALCI)	20 Year Average Annual Investment (AAI)	Infrastructure Deficit (Backlog)
Sanitary System				
Water System				
Fleet System	\$450,000	\$40,000 – \$60,000	\$40,000 – \$65,000	\$155,000 – \$240,000
Building/Landfill System				
Total	\$450,000	\$40,000 – \$60,000	\$40,000 – \$65,000	\$155,000 – \$240,000

What do the results mean?



What choices are available to close the gap?



Key Next Steps

1. Understand Costs:

1. Collect condition data and processes for collecting this data

2. Understand Revenues:

1. Funding our actions (user fee/property/alternative revenue sources)
2. Link Asset MGMT Planning to Financial Planning

3. Understand Level of Service/Risk

1. Level of service assessment
2. Risk Assessment

4. Improve Decision Making/ Organizational Processes

1. Budgeting processes
2. Focus on regularly scheduled maintenance to extend service lives
3. Implementation of asset management into the organization
 1. policy/strategy/systems/reporting/change management
 2. Data handling, tracking and sharing
4. Performance measurement

An aerial photograph of a coastal city and marina. In the foreground, there are dense green trees. The middle ground shows a large marina filled with numerous sailboats and yachts. Behind the marina, a city is visible with several buildings, including a prominent tall apartment or office building. The background consists of rolling hills and mountains under a clear blue sky. The entire image has a semi-transparent white overlay in the center where the text is located.

Questions?

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Contract Award "Transportation And Processing Of Recyclable Asphalt Shingles"



Administrative Recommendation:

THAT the RDOS Board of Directors award a five year Contract for the 'TRANSPORTATION AND PROCESSING OF RECYCLABLE ASPHALT SHINGLES' to Intercity Recycle Ltd.

Reference Documents:

- RDOS/REQUEST FOR QUALIFICATIONS TRANSPORTATION AND PROCESSING OF RECYCLABLE ASPHALT SHINGLES - August 31, 2016
- INTERCITY RESPONSE TO REQUEST FOR QUALIFICATIONS September - 15, 2016
- Draft Contract Agreement
- RDOS Purchasing and Sales Policy

Purpose:

To continue providing the diversion of recyclable old asphalt shingles (OAS) from disposal at Regional District administered Sanitary Landfills.

Business Plan Objective:

Solid Waste Management Plan

Funding:

The funding for the provision of this service is available in:

2016 Budget Line Item 1-2-3000-3527 CONTRACT SRVCS-ASPHALT SHINGLES RECYLNG - \$39,000
2016 Budget Line Item 1-2-3500-3527 CONTRACT SERVICES - SHINGLE RECYCLING - \$45,000
2016 Budget Line Item 1-2-3400-3523 CONTRACT-SHINGLES, GLASS, CONCRETE RECYCLE - \$16,000

Background:

To further continuing the leadership role of the Regional District of Okanagan-Similkameen (RDOS) regarding protecting the local environment, in 2010 the RDOS established an old asphalt shingles (OAS) Recycling Program that diverts old asphalt shingles from being buried in landfills. The RDOS has played a key role in the development of a localized OAS industry; in 2009 the RDOS, in cooperation with the District of Summerland, Regional District of North Okanagan and Regional District of Columbia Shuswap initiated programs for the stockpiling of separated OAS in landfills. The Corporations together were able to generate a sufficient volume of raw materials (approximately 4,000 metric tonnes) enabling Intercity Recycle to process (sort, grind and screen) OAS to a specification making it financially viable for Commercial Asphalt Plants to upgrade their facilities to introduce the material into their process. Currently Vernon Paving and West Lake Paving are utilizing OAS in their asphalt manufacturing process. In addition Intercity has developed a product that provides dust control and enhances roadway durability currently being used in City of Vernon alleyways, the Rise Golf Course and two RDOS landfills.

Operationally, the existing contractor, Intercity Recycle, attends RDOS landfill sites on an “as requested” basis based on volume collected. The RDOS Operations Contractors load the OAS for transport to Intercity’s Processing Facility near Armstrong. In 2015, RDOS administered Landfills diverted approximately 1,200 metric tonnes (M.T.) of OAS.

Upon the expiry of the current five year contract the RDOS issued a Request for Qualifications for the ‘Transportation And Processing Of Recyclable Asphalt Shingles’. Intercity Ventures was the sole respondent. The proposed contract is for a five year term with an option to extend. There is an 11% increase over the 2011 Processing and Transportation Costs, from \$86 to \$95 per M.T. The disposal fee for clean source separated Asphalt Shingles is currently \$50 per M.T.

It should be noted that this contract is based on volume collected and the annual budget expense line may fluctuate throughout the years. It is further recommended that, in the 2017 Fees and Charges Bylaw, the fees for clean Source Separated Asphalt Shingles be considered to have an increase of 20%, raising existing rates from \$50 per M.T. to \$60 per M.T.

Alternatives:

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

Respectfully submitted:

Don Hamilton

Don Hamilton, Solid Waste Facilities Supervisor

Endorsed by:

Roger Huston

R. Huston, Public Works Manager



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

REQUEST FOR QUALIFICATIONS

TRANSPORTATION AND PROCESSING OF RECYCLABLE ASPHALT SHINGLES

August 31, 2016

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
REQUEST FOR QUALIFICATIONS
TRANSPORTATION AND PROCESSING OF RECYCLABLE ASPHALT SHINGLES

The Regional District of Okanagan-Similkameen (RDOS) requires a service provider for the Transportation and Processing of Recyclable Asphalt Shingles. The purpose for issuance of this Request for Qualifications (RFQ) is to determine the number of companies qualified to provide the services to operate an Asphalt Shingle Recycling Program.

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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
REQUEST FOR QUALIFICATIONS
TRANSPORTATION AND PROCESSING OF RECYCLABLE ASPHALT SHINGLES

DEFINITIONS

“**ASPHALT SHINGLES**” are a waterproof roof covering consisting of flat, rectangular shapes laid in courses from the bottom edge of the roof up, with each successive course overlapping the joints below. RECYCLABLE, ASPHALT SHINGLES must be free of contaminants including but not limited to; Tar Paper, Tar and Gravel Roofing, Torch-on or SBS roofing products, organic material and large metal and flashing materials.

“**RESPONDENT**” means the responder to this RFQ.

“**RESPONSE**” means a submission from a Respondent in response to this RFQ.

“**REGIONAL DISTRICT**” means the Regional District of Okanagan-Similkameen (RDOS).

“**RFQ**” means this Request for Qualifications.

1. INTRODUCTION

1.1 PURPOSE

This Request for Qualifications (RFQ) has been developed to solicit information from companies qualified to, transport stockpiled waste asphalt shingles to a processing site, where the asphalt shingles are either reused or converted into a usable product.

Based upon the number of Qualified Responses received, the Regional District may, through a formal RFP process, seek more detailed submissions from qualified individuals/firms offering alternatives that meet the needs and objectives of the Regional District.

Should only one or two suitable Expressions of Interest be received, the Regional District may elect to forego the RFP process and to negotiate directly with a selected proponent or proponents.

1.2. BACKGROUND

In order to maximize recycling opportunities and to foster the establishment of secondary industries the Regional District has established Recyclable Asphalt Shingle stockpiles at all RDOS administered waste facilities.

The focus of this RFQ is to determine the presence and number of companies with the qualifications and abilities to provide Asphalt Shingle Recycling Services to RDOS Waste Management Facilities.

1.3. FACILITY DETAILS

The RDOS Administers Four Waste Management Facilities, Campbell Mountain (Penticton), Oliver, Okanagan Falls Sanitary Landfills and the Keremeos Transfer Station. Each Site maintains an Asphalt Shingle Stockpile Area generating a combined total of approximately 1,000 Metric Tonnes of recyclable asphalt shingles per annum.

1.4 THE WORK

The qualified respondent is required to indicate the means by which they are to load (or have loaded) and transport the recyclable asphalt shingles from each site, the destination of the materials and the end use of the asphalt shingles.

2. INSTRUCTIONS TO RESPONDENTS

2.1 SUBMISSION OF RESPONSES

Responses will be accepted in hardcopy and/or by email. If submitting by hardcopy please enclose three (3) copies.

The Responses and their envelopes should be clearly marked with the name and address of the Responder, the RFQ program title, and be addressed to the following:

**Attention: Don Hamilton
Public Works Department
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9**

And/or

Responses, including the name and address of the Responder and the RFQ program title may be emailed to the following:

Attn. Don Hamilton info@rdos.bc.ca

Responses must be received on or before the **Closing Time** of:

TIME: 3:00 PM local time
DATE: Thursday, September 15, 2016

It is the Respondent's sole responsibility to ensure its Response is received at the address or email set out above by the Closing Time.

Respondents wishing to make changes to their Responses after submission but prior to the Closing Time may do so by submitting the revisions by fax, email or hard copy.

Fax: **250.492.0063 Attention: Don Hamilton**

Email: **Don Hamilton – info@rdos.bc.ca**

Hard copy: **Attention: Don Hamilton
Public Works Department
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9**

It is the Respondent's sole responsibility to ensure the revisions are received by the Regional District prior to the Time of Closing.

Responses and revisions received after the Closing Time will not be accepted or considered and will be returned.

2.2 INQUIRIES

Inquiries should be submitted no later than Monday, September 12th, 2016.

Respondents shall carefully examine the RFQ documents and shall fully inform themselves as to the intent, existing conditions and limitations which may affect their Response submission. No consideration will be given after submission of a Response to any claim that there was any misunderstanding with respect to the conditions imposed.

Respondents finding discrepancies or omissions, or having doubts as to the meaning or intent of any provision, should immediately notify the Regional District project contact. If there are any changes, additions, or deletions to the RFQ scope, conditions, or closing date, Respondents will be advised by means of an Addendum issued by the Regional District. All Addenda is to become part of the RFQ.

Verbal discussion between the Regional District directors, or staff and a Respondent shall not become a part of the RFQ or modify the RFQ unless confirmed by written Addendum.

3. GENERAL TERMS OF RFQ PROCESS

3.1 RFQ PREPARATION COSTS

All expenses incurred by the Respondent in preparation and submission of this Response are to be borne by the Respondent, with the express understanding that no claims for reimbursements against the Regional District, or any of its member municipalities, will be accepted. The Regional District shall not be responsible for any costs involved in or associated with any meetings, discussion or negotiation following submission that could lead to acceptance of the Response and award of a contract.

3.2 RESPONSE EVALUATION

The Regional District, at its sole discretion, reserves the right to:

- reject any or all Responses whether complete or not,
- reject any Response it considers not in its best interests,
- waive any minor irregularity or insufficiency in the Response submitted,
- not be liable for misunderstandings or errors in the RFQ,
- issue Addenda to the RFQ,
- contact references provided by the Respondents,
- retain independent persons or contractors for assistance in evaluating Responses,
- request points of clarification to assist the Regional District in evaluating Responses,
- negotiate changes with the successful Respondent,
- award separate contracts for separate work components, and
- withdraw the RFQ.

3.3 RESPONSE PRESENTATION

The Regional District reserves the right to request one or more of the Respondents whose submissions are of particular interest to the Regional District, to make an oral presentation to the Regional District.

3.4 RESPONSE CONFIDENTIALITY AND PROPRIETARY INFORMATION

All submissions become the property of the Regional District and will not be returned to the Respondent. The Regional District will consider all Responses submitted as confidential but reserves the right to make copies of all Responses received for its review and for review by its financial, accounting, legal, and technical consultants.

Respondents should be aware that the Regional District is a “public body” as defined in and subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

If the Respondent believes any of the information requested in this RFQ and provided by them is confidential, then they should identify it as such and provide a rationale as to why it should not be released under "Freedom of Information" legislation.

The rationale for keeping information confidential under this legislation includes:

- a) Trade secrets of the Respondent;
- b) Financial, commercial, scientific or technical information, the disclosure of which could reasonably be expected to result in material financial loss or gain or could reasonably be expected to prejudice the competitive position of the Respondent; or
- c) Information the disclosure of which could be reasonably expected to interfere with contractual or other negotiations of the Respondent.

3.5 CONFLICT OF INTEREST

A Respondent shall disclose in its Response any actual or potential conflicts of interest and existing business relationships it may have with the Regional District, its elected or appointed officials or employees, any property ownership direct or indirect in the Regional District. The Regional District may rely on such disclosure.

3.6 NO COLLUSION

There is no collusion or arrangement between the Respondent and any other actual or prospective Respondents in connection with Responses submitted for this project and the Respondent has no knowledge of the contents of other Responses and has made no comparison of figures or agreement or arrangement, express or implied, with any other party in connection with the making of the Response.

3.7 LITIGATION

Respondents who, either directly or indirectly through another corporation or entity, have been or are in litigation, or who have served notice with intent to proceed with court action against the Regional District in connection with any contract for works or services, may be considered ineligible Respondents. Receipt of Responses from such Respondents may be disqualified from the evaluation process.

3.8 NO CONTRACT

This RFQ is not a tender and does not commit the Regional District in any way to select a preferred Respondent. By submitting a Response and participating in the process as outlined in this RFQ, Respondents expressly agree that no contractual, tort or other legal obligation of any kind is formed under or imposed on the Regional District by this RFQ or submissions prior to the completed execution of a formal written Contract.

4. CONTENT OF RESPONSE

Responders for this RFQ must provide:

- Full name, address, email and telephone number of the submitting office of the Respondent and where applicable, the name, address, email and telephone number of any branch office, affiliate or sub consultant(s) that will be involved in the project.
- List relevant Experience, Corporate Facilities, Qualified Personnel, Transport Vehicles, Process Method and End User.
- Comment on preferred contract length. Local governments can enter into long term service agreements as required.
- The Response shall provide no less than two (2) references from similar services.
- Provide proof of good standing with Work Safe BC and relevant TDG, and Manifest Documents for previous service events.

5. STATEMENT OF UNDERSTANDING

In their own words, the Respondent must show that they have an understanding of what the Work involves and what is required to complete the project. It is the Respondent's responsibility to demonstrate that they possess the required knowledge, understanding and capacity to carry out the service as outlined in this RFQ. The respondent is encouraged to indicate any additional or innovative services that may be provided to enhance the proper recycling of Asphalt Shingles in the community.

Response to Request for Qualifications

Asphalt Shingle Recycling

To provide Asphalt Shingle Recycling Services.

Submitted to:

Regional District Okanagan Similkameen

Attention Waste Management Coordinator

101 Martin st.

Penticton, BC

V2A 5J9

Submitted by:

Intercity Recycle Ltd.

Brent Gatacre

E mail; icr@live.ca

Ph. 1-250-317-9873

Suite 371, 3104 30th ave

Vernon BC

V1T 9M9

July 10 2016

Re: Request for Qualificatio – Asphalt Shingle Recycling

Intercity Recycle Ltd. (hereinafter referred to as Intercity) is pleased to offer our proposal to the RDOS, to provide Asphalt Shingles Recycling Services including trucking, facilitating, recycling and reuse of Asphalt Shingles. The RDOS will be responsible for loading our trucks. The enclosed proposal is submitted by Brent Gatacre, owner and operator of Intercity Recycle Ltd.

Intercity is a local Okanagan based company, doing recycling business in the area for 7 plus years. We take great pride in our reputation as a local company providing exceptionable service and end use products throughout the BC Interior.

Intercity has held the local Asphalt Shingle recycling contract for over 5 years and looks forward providing its services for years to come.

This Request for Proposal will identify and address all requirements of the RFQ to the RDOS. We look forward to the opportunities this new endeavor could be.

Sincerely,

Brent Gatacre,
Intercity Recycle Ltd

Phone: 250-317-9873
E-mail: icr@live.ca

Executive Summary

The Okanagan has maintained strong growth in the housing and renovation market. Consequently, there is a need for alternate uses for the construction waste like Asphalt Shingles. Currently the only sustainable end use product for recycled asphalt shingles is used in hot mix asphalt.

Intercity Recycle has 7 years of recycling experience in diverting asphalt shingle waste into the hot mix asphalt market. The process requires specific recycling equipment and knowledge in order to properly produce the end product specifications.

The processed Asphalt Shingles has potential other uses, but currently, the most economic use is recycled material into hot mix asphalt. Some other uses we have been testing are outlined in this RFP. The possibilities of keeping the recycling operation local will support our local economy, and provide for a smaller environmental footprint.

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1. Experience, Reputation and Resources

1.1 Experience

Intercity is in its 7th year of relevant experience between pilot projects and contracts with CSRD, RDNO, RDCO, DOS, TNRD and RDOS for recycling tear-off asphalt shingles. We have successfully managed all aspects of collection, transportation, processing and storing the end use product before shipping, effectively achieving all the goals of the Regional Districts. Intercity has the necessary resources, manpower, equipment, and processes required to manage and process all Asphalt Shingles waste from all of the Regional Districts into a reusable end use product.

Intercity has been the pioneer of recycling asphalt shingles for reuse into hot mix asphalt in the BC interior and currently recycles 3000-4000 metric tonnes in the Okanagan Valley per year. Intercity holds the local asphalt shingle recycling contract and successfully collects, transports, and processes the waste tear-off shingles. Intercity works exclusively with Lafarge Canada and Dawson Construction to provide specific end use products for their asphalt materials.

Intercity has a comprehensive safety and quality control program in place with our existing shingle recycling operation. We have had zero accidents and 100% of our processed material has met or exceeded specifications.

1.2 Reputation

We have an excellent working relationship with the RDCO, RDOS, RDNO, CSRD, DOS, TNRD, Lafarge Canada, Vernon Paving, Westlake Paving and Dawson Construction. Intercity and Lafarge Canada have worked together to be leaders in asphalt shingle recycling in Western Canada and together have achieved this goal. Intercity prides itself on being reliable, responsible, and innovative and strives to exceed expectations. Intercity took the initiative to approach the RDNO on an idea to free up landfill airspace which has been highly successful.

1.3 Resources

Intercity is currently collecting, transporting and processing 3000-4000 metric tonne per year and has the capacity and resources to maintain or increase if necessary. This includes equipment, personnel and site capabilities.

2. Additional Information

2.1 Safety Program

Intercity's extensive safety program is available upon request

3. References

1. CSRD

Ben Van Nostrand, Waste Management Co-ordinator, Environment and Engineering Services

Phone: 250-832-8194

E mail: bvannostarnd@csrd.bc.ca

2. RDCO

Ken Muller

Phone: 250-469-8880

E mail: kmuller@kelowna.ca

3. RDNO

Dale Dannalenko

Phone: 250-550-3700

E mail: dale.danallanko@rdno.ca

4. RDOS

Don Hamilton

Phone: 250-492-2913

E mail: dhamilton@rdos.ca

5. Lafarge Canada:

Jody Bridge, Manager of Vernon Paving

Phone: 250-308-8929

E mail: jody.bridge@lafarge.com

Ken Flemming, Manager of West Lake Paving

Phone: 250-769-4166

E mail: ken.flemming@lafarge.com

5. Work Plan, Methodology and Schedule

4.1 Work Plan, Methodology and Schedule

It is understood that Intercity, if the successful bidder, will be responsible for the collection, transportation and processing of recyclable Asphalt Shingles. Intercity's current work plan, methodology and schedule has been approved by the RDOS.

We will dispatch to any landfill or transfer station a tractor-trailer unit as needed and/or on a set schedule as per the District's requirements. Intercity accepts there will be up to a 5% contamination on average in all material picked up at each site. If contaminated tolerance exceeds 5%, we will communicate this to the Districts to help reduce contamination in future loads. Intercity understands the Districts will have the necessary equipment to load live bottom trailers at each site. For the purpose of invoicing and quality control, all landfills that are equipped with scales to identify time, date, location, and weight of material received will be used. Any landfills or transfer stations not equipped with weigh scales will be weighed at an alternate scale approved by the Districts.

Intercity has long-term contracts with Lafarge Canada Inc and stores and processes all material on Lafarge's property. We have a similar contract with Dawson Construction and all material is stored and processed on Dawsons site. The choice to lease land directly from the end user was to lower transport costs and our environmental footprint at the same time. These savings allow us to keep the cost as low as possible to all the Districts.

Our employees will sort all recyclable Asphalt Shingles. Any rejected material will be separated into appropriate bins and appropriately disposed of.

Intercity will use our existing processing equipment to sort, grind and screen for specific end use applications for hot mix asphalt pavement. We currently have processed materials for the use of dust control in alleyways for the City of Vernon in 2015 and 2016 season. This same mix has been used at the Rise golf course and RDOS.

Intercity currently has and can provide proof of insurance which meets the individual Regional District's insurance requirements and proof of registration with WorkSafe BC.

4.2 Reporting Capabilities and current equipment and employee info.

We will provide the necessary reporting as required. We can report using mail, email, or telephone.

- Monthly Performance Report Cards
- Daily communication on problems or issues that need to be addressed.
- We will itemize those items for billing purposes that are not provided for in the contract.
- Quarterly update meeting may be held at the request of a District representative to review performance.

Current equipment used for transport and processing;

- Volvo tractor
- 49' belt floor trailer
- 53' walking floor trailer
- John Deere Loader
- Roto Chopper Grinder
- Trommel Screener
- Hyundai Excavator
- Freightliner Dump Truck

Employees

3-8 part and full time positions

4.3 Scope Items

We are agreeable to all the scope items listed in the RFQ.

We would like to propose the following to provide confidence to our end users that we can supply the products on a long term basis. There is ongoing investments that need to be made to allow us and the end user to stay efficient with the recycling program.

- Contract term of five years with the option to extend for another 5 year period.
- We will handle the collection, transport and recycling of Asphalt Shingles from the Regional District Facilities.
- We will provide all labour, equipment, materials, fuels, licenses and permits, insurance, safety precautions, security and all other things necessary to perform the services of the Agreement at the prices quoted in the proposal.
- We understand that volumes will fluctuate as per economic conditions.
- The District will be responsible for loading our trucks.

4 Remuneration Rates

Facility	Price (per metric tonne)	
CSRD - Golden Landfill		
CSRD - Revelstoke Landfill		
CSRD - Salmon Arm Landfill		
CSRD - Sicamous Landfill		
CSRD - Scotch Creek Transfer Station		
RDOS - Campbell Mountain Sanitary Landfill (Penticton)	\$92.19	
RDOS - Okanagan Falls DLC Site	\$92.19	
RDOS - Oliver Sanitary Landfill	\$98.21	
RDOS - Keromeous	\$98.21	
RDNO - Greater Vernon Recycling and Disposal Facility		

5 Additional Costs

Extra costs include fuel escalations, cost of living increases and unexpected levies or environmental regulations that may not be anticipated.

6. Confidential

Intercity would request the prices quoted be kept confidential. We feel it is in the best interest of all parties to allow any interested parties to do there own homework on costs of recycling.

CONTRACT AGREEMENT

THIS AGREEMENT made in triplicate this _____ day of _____ 2016

BETWEEN:

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
101 Martin Street
Penticton, B.C. V2A 5J9

(hereinafter called the "RDOS")

OF THE FIRST PART

AND:

INTERCITY RECYCLE LTD.
3205 39th Ave.
Vernon, B.C. V1T 3C9

(hereinafter called the "Contractor")

OF THE SECOND PART

WHEREAS the RDOS issued a "Request for Qualifications" for "Transportation and Processing of Recyclable Asphalt Shingles" dated August 31st, 2016. (the "RFQ");

AND WHEREAS the Contractor submitted a response dated September 15th, 2016 in response to the RFQ (the "Contractor's Response");

AND WHEREAS the RDOS and the Contractor wish to set out clearly their mutual rights and obligations;

NOW THEREFORE, in consideration of the covenants contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, the parties covenant and agree with each other as follows:

1. DEFINITIONS

"**Agreement**" means and includes the complete and completed set of all documents, specifications, drawings and addenda incorporated herein.

"**Contractor**" means Intercity Recycle Ltd.

"**Equipment**" means anything and everything except workers used by the Contractor in the performance of the work and except material as defined herein.

"**Facility**" and "**Facilities**" means the Campbell Mountain Sanitary Landfill (CMSL), the Okanagan Falls Sanitary Landfill (OFSL), the Keremeos Sanitary Landfill (KSL) and the Oliver Sanitary Landfill (OSL)

"Waste Asphalt Shingles" means asphalt shingles that have been delivered to a facility.

"Marshaling Area" means an area or areas at the Facilities where asphalt shingles are stockpiled for recycling.

"Regional District" means the Regional District of Okanagan-Similkameen.

"Supply" or "Provide" means supply and pay for and/or provide and pay for.

"Work" or "Works" means, unless the context otherwise requires, the whole of the work and materials, labour matters and things required to be done, furnished and performed by the Contractor under this Agreement.

2. FACILITY LOCATIONS

- a. Campbell Mountain Sanitary Landfill
901 Reservoir Road, Penticton, BC, V2A 8T3
- b. Okanagan Falls Sanitary Landfill
Allendale Lake Road, Okanagan Falls, BC, V0H 1R1
- c. Oliver Sanitary Landfill
SIBCO Landfill Road, Oliver, BC, V2A 5J9
- d. Keremeos Sanitary Landfill
El Rancho Road, Keremeos, BC

3. DUTIES OF THE CONTRACTOR

- a. The Contractor will transport waste asphalt shingles from the Facilities to the Contractor's processing facility. The Contractor will provide trucking acceptable to the Regional District for this purpose.
- b. The Contractor will transport waste asphalt shingles from the Facilities to the Contractor's processing facility on a schedule mutually agreed upon by the Contractor and the Regional District. The primary consideration in determining the schedule will be the transportation of full truck loads to minimize the environmental footprint of the transportation process and to enable the Contractor to effectively manage transportation costs.
- c. The Regional District may, at its discretion, contact the Contractor by telephone at the phone number(s) provided for that purpose, requesting transportation of waste asphalt shingles from the Facilities to the Contractor's processing facility. If the Regional District and the Contractor agree that a full load is available or that a full load may be achieved by combining the waste asphalt shingles from other facilities that reside along the trucking route, the Contractor will provide a truck for transportation within five (5) business days.

- d. The Contractor may contact the Regional District to request the estimated quantity of waste asphalt shingles stockpiled at its Facilities. If the estimated quantity of waste asphalt shingles is less than the Contractor's full truck load, both parties will mutually agree to delay transportation until a full truck load of waste asphalt shingles is available.
- e. The Contractor will transport the waste asphalt shingles from the Facilities to the Contractor's processing facility where the waste asphalt shingles will be processed into a reusable product. The waste asphalt shingles will be processed and recycled using methods acceptable to the Regional District. The Regional District may inspect the Contractor's recycling methods at any time by arranging an inspection in advance.
- f. The Contractor will supply the Regional District with fuel use data and energy consumption logs of the transportation and processing facility and any other information requested by the Regional District in order for the Regional District to calculate the carbon emissions related to the transportation and processing of waste asphalt shingles.

4. REGIONAL DISTRICT RESPONSIBILITIES

- a. The Regional District will establish Marshaling Areas at the Facilities for the storage of waste asphalt shingles.
- b. The Regional District will be responsible for reasonably segregating other waste materials from the waste asphalt shingles placed within the Marshaling Areas.
- c. The Regional District will arrange for the loading equipment and equipment operator at each of the Facilities for the purposes of loading the waste asphalt shingles stored in the Marshaling Areas into the Contractor's truck.
- d. The Regional District will work with the Contractor to minimize contamination of waste asphalt shingle loads.
- e. The Regional District will provide the Contractor with a scale ticket at each Facility indicating the weight of the loaded waste asphalt shingles prior to the Contractor's truck leaving each Facility. The scale ticket will be the only documentation provided for the Contractor's invoicing purposes.

5. GENERAL PROVISIONS

- a. The Contractor shall not sublet, sell, transfer, assign, or otherwise dispose of the Contract or any portions thereof, or his right, title or interest therein, or his obligations thereunder without written consent of the RDOS.
 - b. The Contractor is and will be an independent Contractor and nothing contained herein will be construed to create a partnership, joint venture or agency, and neither party hereto will be responsible for the debts or obligations of the other party.
 - c. This Agreement will enure to the benefit of, and be binding upon, the parties hereto and upon their respective successors and assigns.
-

- d. This Agreement constitutes the entire Agreement between the parties hereto and no representations, warranties, understandings or Agreements, oral or otherwise, exist between the parties hereto except as expressly set out in this Agreement.
- e. Notwithstanding the Contractor's responsibilities, the Regional District maintains the overall authority for management and control of the Facilities. Nothing in this Agreement grants the Contractor any interest in the Facilities and the Regional District may, in its discretion, retain others to carry out work on, and around, the waste asphalt shingle Marshalling Areas.
- f. This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia.
- g. The Contractor will be solely responsible for all Workers' Compensation, Employment Insurance, Canada Pension, Income Tax and any other applicable assessments or deductions levied by Federal, Provincial or Municipal Governments or any agency thereof.
- h. The Contractor will submit to the Regional District a copy of its occupational safety program, including a written safety policy and an accident investigation program in accordance with WorkSafe BC regulations.
- i. The Contractor agrees and covenants to handle, transport and process waste asphalt shingles in compliance with all Laws, including but not limited to Environmental Laws and Environmental Requirements. The Contractor will take ownership of the waste once it is removed from the Facility and relieve RDOS of any liability associated with the waste in so far as this is permissible under applicable Laws.

6. CONTAMINANTS

- a. Waste asphalt shingles are segregated from the waste stream in each facility. The RDOS will do its utmost best to identify and divert contaminants from the waste asphalt shingles stockpile this activity may not be monitored at a frequency that would prevent the deposit of contaminants such as wood, rocks, plastic, metal, torch-on and tar and gravel with the asphalt roofing material. It is therefore anticipated that some contaminants can be expected even though they will not be and are not permitted. The Contractor will not be compensated extra to remove contaminants, nor shall the RDOS be subject to any damages that may result due to contaminants. Any contaminants found in the asphalt roofing storage areas shall be set aside in appropriate piles for later removal. Disposal of contaminants found in a load of asphalt roofing once it has left the RDOS facility is the financial responsibility of the Contractor.

7. INSURANCE

- a. The Contractor will indemnify and save harmless the Regional District from all fines, suits, proceedings, claims, demands, or actions of any kind or nature or from anyone whomsoever, arising out of or resulting from any negligent acts, errors or omissions of the Contractor, its officers, employees, agents or subcontractors in the performance of their services and duties in regard to this Agreement.

- b. The Contractor will, prior to the commencement of operation and thereafter at all times during the Term of this Agreement, at its own expense, keep in force by advance payment of premiums, a general liability insurance policy in an amount not less than FIVE MILLION (\$5,000,000) DOLLARS.
- c. The Regional District will be named as an additional insured on said policy and the said policy will contain a waiver of cross liability clause and will provide that the Regional District will be notified, in writing, in advance of any cancellation of or material change to said policy. The insurance will be in a form satisfactory to the Regional District and confirmation of insurance coverage will be provided to the Regional District to be retained on file.
- d. The insurance policy will contain a clause stating "this policy will not be cancelled or materially changed without the insurer giving at least fifteen (15) days' notice, by registered mail, to the Regional District."
- e. It is understood and agreed that the Regional District will not be liable for any loss or damage to the Contractor's equipment including loss of use. Each and every policy insuring the Contractor's equipment to be used to carry out the duties contained herein will contain the following clause:

"It is agreed that the right to subrogation against the Regional District of Okanagan-Similkameen is hereby waived."
- f. The Contractor must provide proof of current WorkSafe BC coverage prior to commencing work and must maintain current WorkSafe BC coverage during the Term of this Agreement.

7. TERMINATION

- a. This Agreement may be terminated by either party without cause upon giving ninety (90) days' notice of its intention to do so at any time during the period that this Agreement is in effect by providing written notice to the respective party at the address herein contained, or without notice for cause.
- b. Upon delivery of the third (3rd) of three (3) written notices of non-compliance with the Terms contained herein, termination of this Agreement will be immediate. The third notice will contain notification of immediate termination. Notices will be in writing with the Regional District delivering such notices to the Contractor in person or by mailing to the address listed on the first page of this Agreement.
- c. The Regional District may immediately terminate this Agreement if the Contractor or its agents or employees does one or more of the following:
 - i. is intoxicated;
 - ii. uses foul, profane, vulgar or obscene language;
 - iii. solicits gratuities or tips from the public for services performed hereunder;
 - iv. wilfully or recklessly disregards the safety of persons or operational requirements;
 - v. acts in a manner which may constitute a public nuisance or disorderly conduct;
 - vi. fails to deal with the public and the Regional District in a courteous and respectful manner;
 - vii. fails to comply with Insurance requirements;

- viii. fails to submit the required performance security;
- ix. fails to remedy non-compliance within three (3) days of receipt of written notice of non-compliance;
- x. submits fraudulent invoices/payment requests;
- xi. acts in a fraudulent manner; or
- xii. fails to commence grinding within thirty (30) days of written notification.

8. TERM

- a. The Term of this Agreement is for a five (5) year period commencing November 1, 2016 to October 31, 2021
- b. The Contractor may request an extension to the Term of the Agreement provided a written request is received by the Regional District at least ninety (90) days, but no more than one hundred and twenty (120) days, prior to the expiry of the Term and the request for extension reflects a five (5) year extension of the Term of the Agreement. The Regional District shall have the absolute and unfettered discretion in determining whether it wishes to consider entering into an Amendment of Agreement to extend the Term. If the Contractor's Agreement extension request contains any other proposed changes to the terms and conditions of the Agreement, the Regional District shall consider the Contractor's request and advise the Contractor whether the Regional District wishes to enter into negotiations for an Amendment of Agreement. If the Regional District enters into negotiations with the Contractor for an Amendment of Agreement, the Regional District may abandon the negotiations with the Contractor at any point in time, and the Regional District will not in any way be construed as granting to the Contractor any right of renewal of this Agreement at the expiration of the Term, nor will the Regional District be responsible for any costs incurred by the Contractor to either supply the request or negotiate an Amendment of Agreement.
- c. Notwithstanding any suggestion to the contrary in this section, the Regional District will have no contractual obligations whatsoever to the Contractor in connection with a new Agreement, the negotiation of a new Agreement or a request by the Contractor to enter a new Agreement, until and unless a new Agreement is executed by the Regional District and the Contractor, and no duty of fairness, procedural or otherwise, is created by this section or owed by the Regional District to the Contractor in respect of the matters contemplated under this section.

9. PERFORMANCE SECURITY

- a. The Contractor currently has a Performance Security in the amount of ten thousand dollars (\$10,000) being held by the RDOS. The cash shall be retained for various purposes of the RDOS, including maintenance of a lien fund, along with any other deductions from each payment to the Contractor which may be warranted or may be required in accordance with the conditions for the fulfillment of the Contract and shall be retained for sixty (60) days after the completion of the Contract. Once the scope of work is complete to the satisfaction of the RDOS, the security will be released without interest.

- b. In case the Contractor shall fail in the due performance of any part of this Contract Agreement, or shall become bankrupt or insolvent or shall compound with his creditors, or propose any composition with his creditors for the settlement of his debts, or shall carry on or propose to carry on his business under inspectors on behalf of his creditors or shall commit any act of bankruptcy or relet or sublet the residue of any other portion or part of this Contract Agreement, without the permission in writing of the RDOS, it shall be lawful for the RDOS upon such conditions as it shall see fit, or from time to time to engage workmen and provide such material, implements and apparatus in completing the works and employ the same in such manner as the RDOS may think necessary and proper for completing the works or any part of them, without rendering the RDOS liable for any loss which the Contractor may sustain by reason of such.
- c. Any loss, damage or deficiency that may in consequence arise, shall be paid or deducted out of any monies retained by the RDOS on account of any work previously performed by the Contractor, and should said money so retained not be sufficient to indemnify and cover such losses, the deficiency then due shall be charged against the Contractor.

10. PAYMENT TO THE CONTRACTOR

- a. The Regional District agrees to pay the Contractor at the remuneration rate(s) as set out in Schedule 'A' hereto upon receipt of a completed invoice. Invoices are to be submitted monthly within fifteen (15) days of the end of the preceding calendar month and shall cover a period of one (1) calendar month.
- b. Invoices must indicate the facilities from which the waste asphalt shingles were transported, the dates on which the waste asphalt shingles were transported and the weight of waste asphalt shingles that were transported. Copies of the scale ticket for each load of waste asphalt shingles transported must accompany each invoice.
- c. The Contractor acknowledges that they are aware of the potential inaccuracies inherent in the scaling of vehicles whose length exceeds the length of the scale deck (Split-Draft Weighing). The Contractor further acknowledges and accepts the metric tonne(s) calculated and assessed via this scaling methodology as their payment due.
- d. If the Contractor neglects to execute the Work properly or fails to perform any provision of this Agreement, the Regional District may, without prejudices to any other right or remedy it may have, make good such deficiencies and may deduct the cost thereof from payments due the Contractor.
- e. The remuneration rates are all-inclusive and do not allow for any escalation of the Contractor's costs. The Contractor will not be entitled to extra payment for any escalation during the Term of this Agreement except as set out in Schedule 'A'.

SCHEDULE 'A'

PAYMENT SCHEDULE

The Regional District agrees to pay the Contractor at the rates listed below plus British Columbia Harmonized Sales Tax (HST), payable upon receipt of the Contractor's invoices and supporting documentation throughout the Term of this Agreement.

Facility	Total (\$/tonne + All Applicable Taxes)
Campbell Mountain	\$92.19
Okanagan Falls	\$92.19
Oliver	\$98.21
Keremeos	\$98.21

FUEL COST ADJUSTMENT

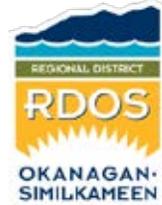
The rates listed above to be paid to the Contractor will be adjusted if the retail price of fuel exceeds \$1.50/litre.

The fee per Metric Tonne will increase \$1.50 (one dollar fifty cents) for every .05 (5 cent) increase in the price per litre above \$1.50.

The retail price per litre for diesel will be the weekly price per litre of fuel at the pump in Kelowna B.C. as determined every Tuesday by Natural Resources Canada.

http://www2.nrcan.gc.ca/eneene/sources/pripri/prices_bycity_e.cfm?PriceYear=0&ProductID=5&LocationID=66,8,39,6,17#PriceGraph

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Willowbrook Water System – Crown Land Tenure Application

Administrative Recommendation:

THAT the Board of Directors endorse the Crown Land Tenure Application for access over Crown land.

Purpose:

To obtain access to the Willowbrook Reservoir site.

Reference:

Willowbrook ROW Map

Business Plan Objective:

2016 Public Works Plan
Operate Willowbrook Water System

Background:

The Regional District Okanagan-Similkameen (RDOS) took ownership of the Willowbrook Water System on June 30, 2016. As part of the acquisition agreement, staff negotiated road access to the reservoir with the owner of the utility, Willowbrook Development. Willowbrook Development has residential property off of this reservoir road and requires it for their private property access, also. The road access to the reservoir traverses through Crown Land and in order for the RDOS to rightfully obtain access to the reservoir, an accompanying crown land tenure application is required to be filed in the name of the Regional District Okanagan-Similkameen. As noted, we have received a letter of support of access from Willowbrook Development for this joint crown land tenure through crown land.

As part of the Crown Land Tenure Application, the province requests that the Regional District Board endorses the application.

Analysis:

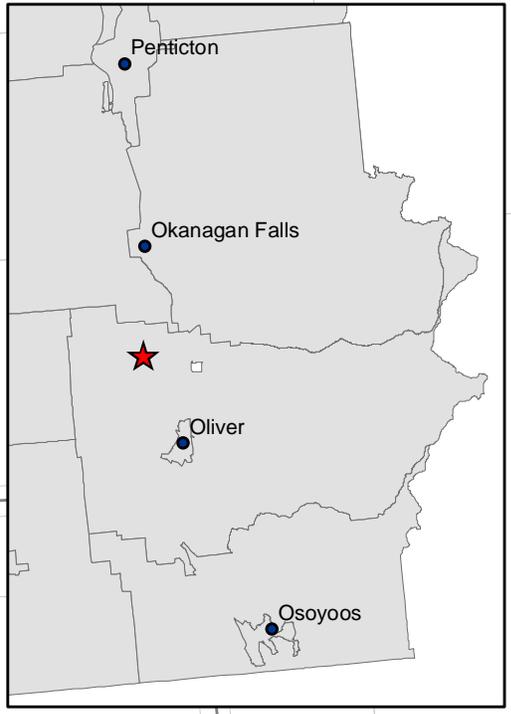
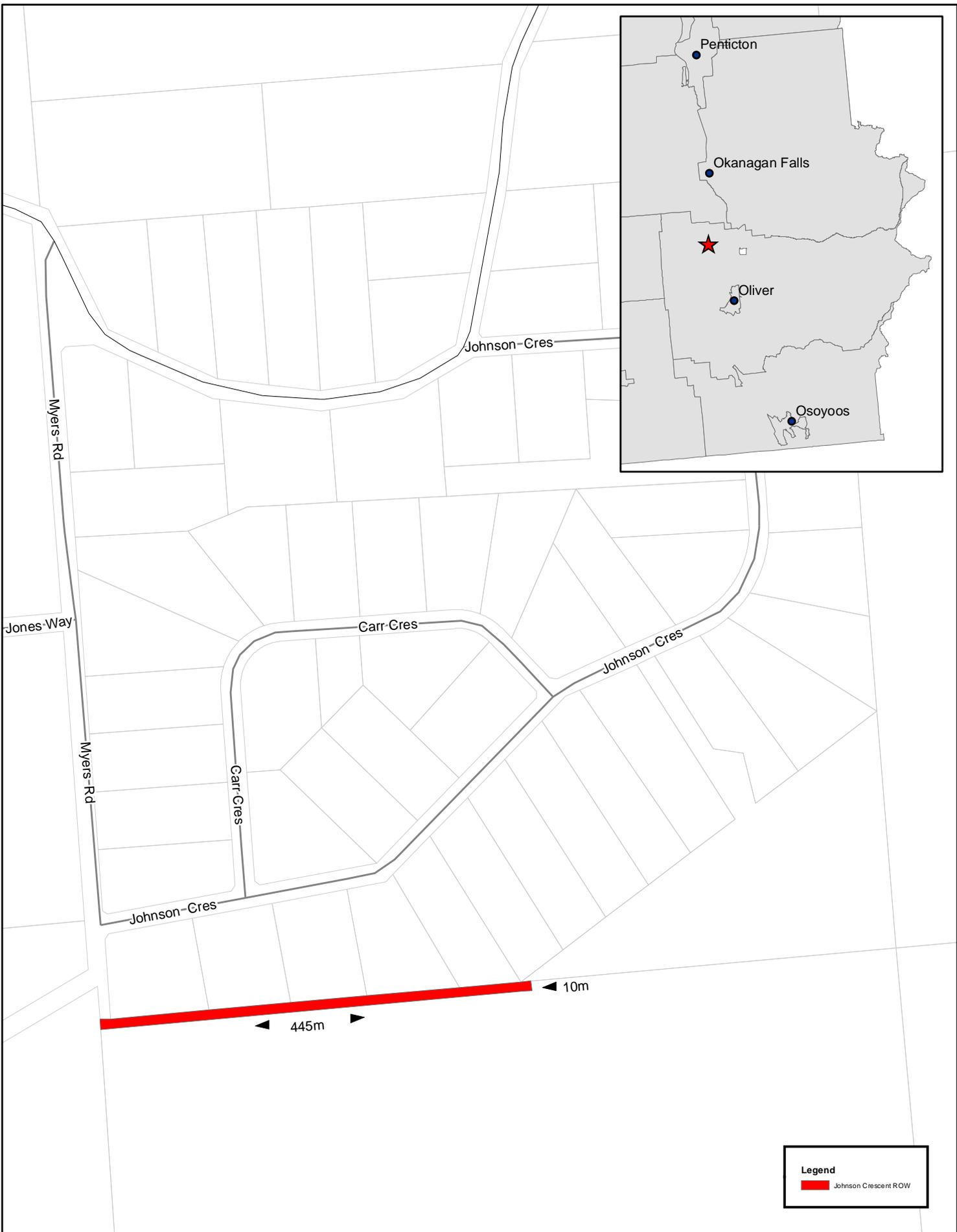
The RDOS will benefit from a secure access road to the Willowbrook reservoir site. The only other access point would require building another road.

Maintenance of this road access is supplied by others.

Respectfully submitted:

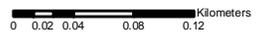
Roger Huston

R. Huston, Public Works Manager



Legend

Johnson Crescent ROW



Willowbrook Right of Way

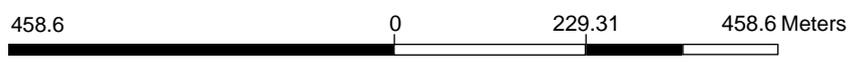
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- Legend**
- Major Highways
 - Electoral Area Boundaries
 - Interior Lot Lines
 - Indian Reserve
 - Parks

1: 9,028



WGS_1984_Web_Mercator_Auxiliary_Sphere
 © Regional District Okanagan-Similkameen

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

BOARD of DIRECTORS MEETING
Thursday, November 17, 2016
1:45 p.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 November 17, 2016 be adopted.

B. MINUTES

1. OSRHD Board Meeting – September 15, 2016 [Page 75]

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Minutes of the September 15, 2016 Okanagan-Similkameen Regional Hospital District Board Meeting be adopted.

2. OSRHD Inaugural Board Meeting – November 03, 2016 [Page 77]

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)

THAT the Minutes of the November 03, 2016 Inaugural Okanagan-Similkameen Regional Hospital District Board Meeting be adopted.

C. DELEGATIONS

1. **Interior Health Authority**

Susan Brown - Health Service Administrator for Community

Maureen Thomson - Patient Services for Acute

Cindy Regier - Health Service Administrator for Residential Services

Ms. Brown, Ms. Thomson, and Ms. Regier will address the Board to present an update on Interior Health's Five Key Strategies and Focus for 2016-2018.

i. Presentation – Interior Health Update: Keeping You Informed [Page 80]

2. **Interior Health Authority**

Dan Goughnour - Director of Business Support

Brent Kruschel - Chief Project Officer and Corporate Director for Capital Planning

Mr. Goughnour and Mr. Kruschel will address the Board to discuss the Penticton Regional Hospital patient care tower payment schedule.

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 1:15 pm on Thursday, September 15, 2016, in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

- | | |
|---|--|
| Director F. Armitage, Town of Princeton | Director S. McKortoff, Town of Osoyoos |
|---|--|

STAFF PRESENT:

- | | |
|--|--------------------------------|
| M. Woods, Manager of Community Services | S. Croteau, Manager of Finance |
| 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 September 15, 2016 be adopted. - **CARRIED**

B. MINUTES

1. OSRHD Board Meeting – July 21, 2016

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

C. FINANCE

1. 2015 Audited Financial Statements
 - a. Draft Financial Statements 2015
 - b. Findings Letter
 - c. Management Letter
 - d. Planning Letter

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

THAT the 2015 Audited Financial Statements of the Okanagan-Similkameen Regional Hospital District as of December 31, 2015 be received; and further

THAT the OSRHD Board adopt all reported 2015 transactions as amendments to the 2015 Final Budget. - **CARRIED**

D. ADJOURNMENT

By consensus, the meeting adjourned at 1:17 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
OSRHD Board Chair

B. Newell
Corporate Officer

BOARD of DIRECTORS MEETING

Minutes of the Inaugural Board Meeting of the Okanagan-Similkameen Regional Hospital Board (OSRHD) of Directors held at 3:57 pm on Thursday, November 3, 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 R. Mayer, Alt. Electoral Area "G"
 Director B. Coyne, Electoral Area "H"
 Director R. Hovanes, Town of Oliver

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

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

Director E. Christensen, Electoral Area "G"

STAFF PRESENT:

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

A. CALL TO ORDER

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

B. OSRHD CHAIR 2016 ANNUAL YEAR-END REPORT

Director Brydon, OSRHD Chair for 2016 presented the Chair's Annual Report.

C. ELECTION OF 2017 OSRHD BOARD CHAIR AND VICE CHAIR**C.1 OSRHD Board Chair**

Chief Administrative Officer Newell called for nominations for the position of OSRHD Board Chair.

Nomination: Director Schafer nominated Director Brydon.

Nomination: Director McKortoff nominated Director Sentes.

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

By consensus, the nominations for Board Chair were closed.

Nominees were given an opportunity to provide a brief speech.

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

C.2 OSRHD Board Vice Chair

Chief Administrative Officer Newell called for nominations for the position of OSRHD Board Vice Chair.

Nomination: Director Armitage nominated Director Sentes.

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

By consensus, nominations for Board Vice Chair were closed.

CAO Newell announced Director Sentes was acclaimed as OSRHD Vice Chair for the ensuing year.

It was MOVED and SECONDED

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

D. ADOPTION OF AGENDA

By consensus, the Agenda for the OSRHD Inaugural Board Meeting of November 3, 2016 was adopted.

E. 2017 OSRHD SCHEDULE OF MEETINGS

It was MOVED and SECONDED

THAT the 2017 Okanagan-Similkameen Regional Hospital District Board Schedule of Meetings as provided in the November 3, 2016 report from the Chief Administrative Officer, be approved. – **CARRIED**

F. 2017 OSRHD SIGNING AUTHORITY

It was MOVED and SECONDED

THAT the Board of Directors appoint the following Directors as signing officers for the Okanagan-Similkameen Regional Hospital District for the 2017 year:

OSRHD Board Chair: M. Brydon

OSRHD Board Vice Chair: J. Sentes

CARRIED

G. ADJOURNMENT

By consensus, the meeting adjourned at 4:07 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
OSRHD Board Chair

B. Newell
Corporate Officer

Interior Health Update: Keeping You Informed

Susan Brown, Health Service Administrator, Community

November 17, 2016



Interior Health
Every person matters

ESTIMATED POPULATION OF
750,000
IN THE SOUTHERN INTERIOR



WE COVER OVER
215,000
SQ. KILOMETRES



\$2.0 billion
ANNUAL BUDGET



OVER
1,500
PHYSICIANS

19,000+
STAFF

OVER
4,800
VOLUNTEERS



SYSTEM PRESSURES

Select* Population Segment	Share of IH Population	Share of Publicly Funded Health Care Resources
Non-User	13%	0%
Healthy	36%	5%
Chronic Conditions	38%	35%
MHSU	2%	4%
Cancer	1%	5%
Maternity	2%	3%
Frail in Community	2%	13%
Frail in Care	1%	22%
End of Life	1%	6%



“We’re trying to provide services for people at home as much as possible, to keep them at home longer so they don’t have to go into residential care or into the hospital at an earlier time.”

– Minister Terry Lake, September 2, 2015

5 KEY STRATEGIES

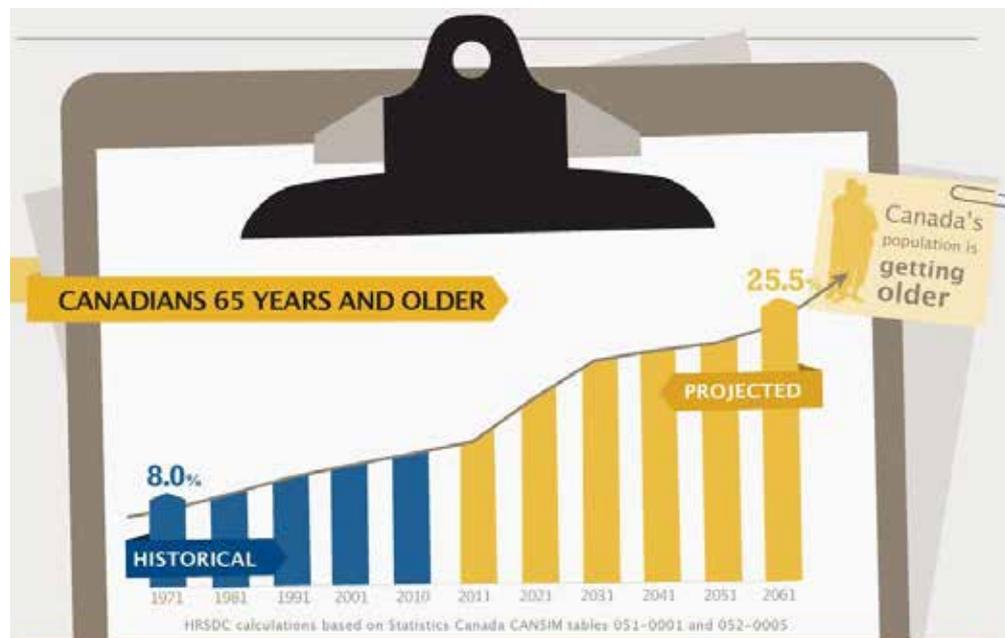
Shifting Our Focus for 2016-2018



- 1) Enhance access to appropriate primary health care
- 2) Improve primary & community care delivery and outcomes for frail seniors living with complex chronic conditions
- 3) Improve primary and community care delivery and outcomes for mental health and substance use clients
- 4) Improve timely access to elective surgery
- 5) Implement a renewed system of care for rural B.C.

WHY?

- People are living longer
- Medical conditions are more complex, but not necessarily acute
- Home is where we want to live, from birth to death



HOW?

- Focus on people who need us most
- Collaborate with our partners
- Strategically advance lessons learned
- Clearly identify key areas of priority



STRATEGY 1

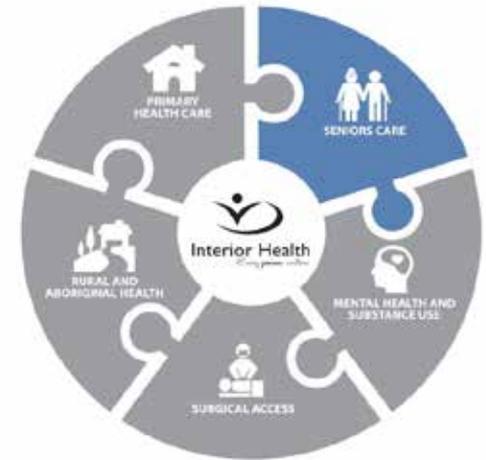


Enhance access to appropriate primary health care



STRATEGY 2

Improve primary and community care delivery and outcomes for frail seniors living with complex chronic conditions



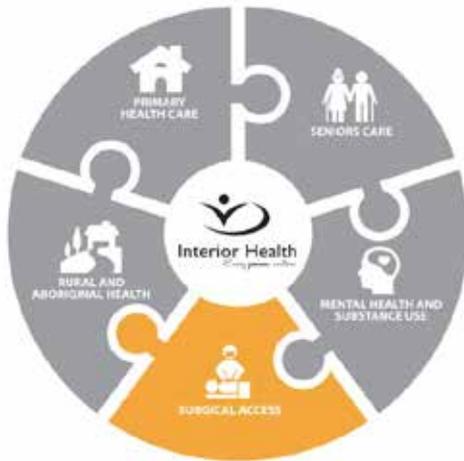
STRATEGY 3



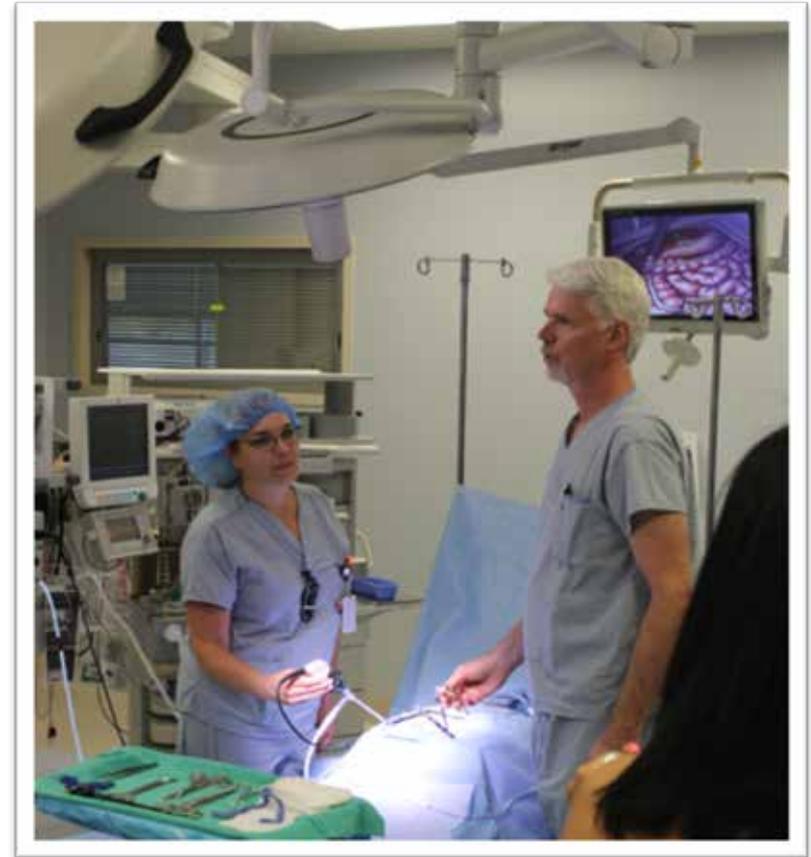
Improve primary and community care outcomes and delivery for mental health and substance use clients



STRATEGY 4



**Improve timely access
to elective surgery**



STRATEGY 5



Implement a renewed system of care across rural and remote communities & for Aboriginal partners



The West Chilcotin Health Centre in Tatla Lake has benefited from a \$50,000 grant from the Province for specialized medical equipment.

STRATEGY ACCOMPLISHMENTS

End of Life Care

- In late April funding was allocated to support enhancement of local hospice provision in a few communities across IH
- This included funds for the development of and access to Palliative Day Hospice
- Desert Valley Hospice Society received \$30,000 for the development of a Palliative Day Hospice in Osoyoos
- This funding supports the Ministry's commitment to double hospice spaces by 2020.

STRATEGY ACCOMPLISHMENTS

Substance Use Spaces

- 73 substance use treatment beds have been approved for IH
- South Okanagan will be receiving 10 Support Recovery Beds
- IH anticipates the contracts will be awarded in summer 2016.

STRATEGY ACCOMPLISHMENTS

Community Paramedicine Program

- This initiative is a key component of the plan to improve access to primary health-care services in rural B.C.
- Paramedics will provide basic health-care services, within their scope of practice, in partnership with local health-care providers
- Broadens the traditional focus of paramedics to include disease prevention, health promotion and basic health-care services
- In SOK there will be positions in Princeton & Keremeos

MEDICAL SCHOOLS CLOSER TO HOME

- Southern Interior Medical Program (UBC-Okanagan)
- First cohort of UBCO students graduated in 2015
- Distribution across Interior Health
- Exposure to rural medicine
- Increases potential for recruitment
- 27 permanent vacancies & 9 locum positions filled in 2015.*



* HealthMatch BC data

DIVISION OF FAMILY PRACTICE

South Okanagan Similkameen

- Funded by Doctors of BC & Province
- In SOK all GPs are members of the Division
- SOS Division leads projects on their own and collaborates with IH on joint projects

DIVISION OF FAMILY PRACTICE

South Okanagan Similkameen

- In-Patient Care Program
- Residential Care Program
- A GP for Me (included recruitment & retention as well as improved practice environments)
- Telemedicine
- Primary Maternity Care
- Emergency
- Child and Youth MHSU
- Access to Specialists in Princeton

POPULATION HEALTH

Health Promotion Portfolio

By working together, we can create policy and environmental changes, including:

- Active Transportation Planning
- Healthy City Strategies
- Smoke-Free spaces bylaws
- Food system planning
- Consultation for Sustainability & Official Community Plans



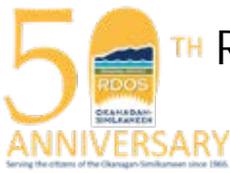
Community consultation in Clearwater helped guide the District's transportation planning process, which included IH's Healthy Built Environment team as well as Community Health Facilitator Jenny Green.

VALUABLE PARTNERSHIPS

- Regional District
- Regional Hospital District
- Local/Regional Foundations and Auxiliaries
- First Nations Health Authority and LOUs (Letter of Understanding) with IH's First Nations – Okanagan Nation Alliance
- Municipalities

QUESTIONS?





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, November 17, 2016

2:15 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of November 17, 2016 be adopted.

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee – October 20, 2016 [Page 108]

THAT the Minutes of the October 20, 2016 Corporate Services Committee be received.

THAT the Board of Directors withdraw the Regional District participation in the Lower Similkameen Community Forests Ltd (“Ltd”) and the Lower Similkameen Community Forest Limited Partnership (“LLP”), in consultation / approval of the Lower Similkameen Indian Band.

b. Community Services Committee – October 20, 2016 [Page 110]

THAT the Minutes of the October 20, 2016 Community Services Committee be received.

c. Environment and Infrastructure Committee – October 20, 2016 [Page 112]

THAT the Minutes of the October 20, 2016 Environment and Infrastructure Committee be received.

d. Planning and Development Committee – October 20, 2016 [Page 114]

THAT the Minutes of the October 20, 2016 Planning and Development Committee be received.

e. Protective Services Committee – October 20, 2016 [Page 116]

THAT the Minutes of the October 20, 2016 Protective Services Committee be received.

f. RDOS Regular Board Meeting – October 20, 2016 Page 118]

THAT the minutes of the October 20, 2016 RDOS Regular Board meeting be adopted.

g. RDOS Inaugural Board Meeting – November 03, 2016 [Page 125]

THAT the minutes of the November 03, 2016 RDOS Inaufural 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. **Temporary Use Permit Application – P. & M. Kappes, Bar T5 Trailers North Inc., 1146 Highway 3A, Kaleden, Electoral Area “D”** [Page 128]
 - i. Permit No. D2016.094-TUP [Page 132]
 - ii. Responses Received [Page 136]

To allow for a sales display area for agricultural trailers and equipment.

THAT the Board of Directors approve Temporary Use Permit No. D2016.094-TUP.

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters

1. **Zoning Bylaw Amendment – L. DeMelo, Electoral Area “A”** [Page 142]
 - a. Bylaw No. 2451.21, 2016 [Page 145]
 - b. Public Hearing Report – October 12, 2016 [Page 148]
 - c. Responses Received [Page 151]

To allow for a boundary adjustment between two parcels.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)
THAT the public hearing report be received.

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)
THAT Bylaw No. 2451.21, 2016, Electoral Area “A” Zoning Amendment Bylaw be read a third time.

C. ENGINEERING SERVICES

1. **Canada 150 Fund – Growing Strong Together Riparian Restoration Project** [Page 264]
 - a. Letters of Support [Page 266]

To secure \$50,000 in Federal Grant funding for intergenerational indigenous and non-indigenous rehabilitation and shared knowledge activities. Harvesting, preparing and planting of 1500 black cottonwood trees in threatened riparian areas as identified by project partners, the Okanagan Nation Alliance and South Okanagan Similkameen Conservation Program.

RECOMMENDATION 6 (Weighted Corporate Vote – Majority)
THAT the Board of Directors support the application to the Canada 150 Fund Program – Growing Strong Together Activities for engaging youth and community members to plant 150 cottonwood trees in each of the ten selected riparian areas both, on and off reserve lands, distributed throughout the region.

2. Parkland Dedication – Electoral Area “E”, Naramata [Page 268]

To determine the appropriate parkland dedication option as set out in the Local Government Act, Section 510, for the proposed subdivision on the parcel legally described as Lot A, Plan KAP91675, District Lot 2711, Land District Similkameen Division of Yale.

RECOMMENDATION 7 (Weighted Corporate Vote – Majority)

THAT the requirement of parkland dedication be accepted in the form of 5%, cash in lieu option rather than the dedication of parkland for the subdivision of Lot A, Plan KAP91675, District Lot 2711, Land District Similkameen Division of Yale.

D. COMMUNITY SERVICES – Recreation Services**1. 2017 Age-Friendly Community Planning and Project Grants Program [Page 272]**

RECOMMENDATION 8 (Weighted Corporate Vote – Majority)

THAT the Board support the application to UBCM for the 2017 Age-friendly Communities Grant Program for the community of Naramata.

E. OFFICE OF THE CAO**1. Electoral Area “G” Advisory Planning Commission Appointment [Page 273]**

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

THAT the Board rescind the appointment of Niel MacLeod from the Electoral Area “G” Advisory Planning Commission; and further,

THAT the Board of Directors appoint Melodie Kolisnyk as a member of the Electoral Area “G” Advisory Planning Commission for a term ending November 30, 2018.

2. Regional Economic Development Bylaw No. 2734, 2016 [Page 275]

a. Bylaw No. 2734, 2016 [Page 276]

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2734, 2016 Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw be adopted.

3. **South Okanagan Transit System Service Establishment Bylaw No. 2741, 2016 [Page 278]**
 - a. Bylaw No. 2741, 2016 [Page 279]
 - b. Bylaw No. 2741, 2016 – Schedule A [Page 282]

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2741, 2016 South Okanagan Transit System Service Establishment Bylaw be adopted.

4. **Alternative Approval Process for Okanagan Regional Library Contribution Service Bylaw No. 2756, 2016 [Page 283]**
 - a. Bylaw No. 2756, 2016 [Page 285]
 - b. Notice of Alternative Approval Process [Page 287]
 - c. Elector Response Form [Page 288]

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2756, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday January 6, 2017; and,

THAT the elector response form attached to the report dated November 17, 2016 be the approved form for Bylaw No. 2756, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 4210; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 421.

5. **Alternative Approval Process for Area “C” Loose Bay Campground Service Establishment Bylaw No. 2757, 2016 [Page 290]**
 - a. Bylaw No. 2757, 2016 [Page 292]
 - b. Notice of Alternative Approval Process [Page 294]
 - c. Elector Response Form [Page 295]

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2757, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday January 6, 2017; and,

THAT the elector response form attached to the report dated November 17, 2016 be the approved form for Bylaw No. 2757, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 3,055; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 306.

6. **Alternative Approval Process for Electoral Area “A” Victim Assistance Contribution Service Establishment Bylaw No. 2748, 2016 [Page 297]**
 - a. Bylaw No. 2748, 2016 [Page 299]
 - b. Notice of Alternative Approval Process [Page 301]
 - c. Elector Response Form [Page 302]

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2748, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday January 6, 2016; and,

THAT the elector response form attached to the report dated November 17, 2016, be the approved form for Bylaw No. 2748, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 1680; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 168.

-
7. **Alternative Approval Process for Area “C” Victim Assistance Contribution Service Establishment Bylaw No. 2749, 2016 [Page 304]**
 - a. Bylaw No. 2749, 2016 [Page 306]
 - b. Notice of Alternative Approval Process [Page 308]
 - c. Elector Response Form [Page 309]

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2749, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday January 6, 2017; and,

THAT the elector response form attached to the report dated November 17, 2016 be the approved form for Bylaw No. 2749, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 3,055; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 306.

-
- 8. Alternative Approval Process for Area “D”, “E”, and “F” Victim Assistance Contribution Service Establishment Bylaw No. 2750, 2016 [Page 311]**
- a. Bylaw No. 2750, 2016 [Page 313]
 - b. Notice of Alternative Approval Process [Page 315]
 - c. Elector Response Form [Page 316]

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)
THAT the deadline for submitting elector response forms in relation to Bylaw No. 2750, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday, January 6, 2017; and,

THAT the elector response form attached to the report dated November 17, 2016 be the approved form for Bylaw No. 2750, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 8,420; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 842.

-
- 9. Select Committees Appointments [Page 318]**

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)
THAT the Board of Directors approve the Chair’s recommendations for select committee appointments as contained within the November 17, 2016 report from the Chief Administrative Officer.

F. CAO REPORTS

- 1. Verbal Update

G. OTHER BUSINESS

- 1. Chair’s Report
-

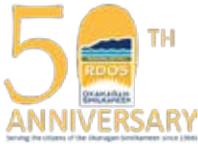
2. Board Representation

- a. Municipal Finance Authority (MFA) - *Pendergraft*
 - b. Okanagan Basin Water Board (OBWB) – *Hovanes, McKortoff, Waterman*
 - i. November 2016 Report
 - c. Okanagan-Kootenay Sterile Insect Release Board (SIR) - *Bush*
 - d. Okanagan Regional Library (ORL) - *Kozakevich*
 - e. Okanagan Film Commission (OFC) – *Jakubeit*
 - f. Rural Practices - *McKortoff*
 - g. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
 - h. Southern Interior Municipal Employers Association (SIMEA) - *Kozakevich*
 - i. Southern Interior Local Government Association (SILGA) – *Kozakevich*
 - j. Starling Control - *Bush*
 - k. UBC Water Chair Advisory Committee – *Bauer*
-

3. Directors Motions

4. Board Members Verbal Update

H. ADJOURNMENT



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, October 20, 2016

9:21 a.m.

Minutes

MEMBERS PRESENT:

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

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

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Corporate Services Committee Meeting of October 20, 2016 be adopted. - **CARRIED**

B. Lower Similkameen Community Forest Corporation

[Report](#)

It was MOVED and SECONDED

THAT the Board of Directors withdraw the Regional District participation in the Lower Similkameen Community Forests Ltd ("Ltd") and the Lower Similkameen Community Forest Limited Partnership ("LLP"), in consultation / approval of the Lower Similkameen Indian Band. - **CARRIED**

Opposed: Director Christensen

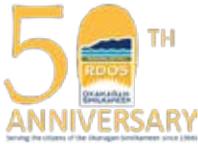
-
- C. 2016 Corporate Action Plan
The Committee reviewed the 2016 Corporate Action Plan.
-
- D. Q3 Budget Variance Analysis Report
The Committee reviewed the variance between the Income Statement and the Budget with forecasts to year-end.
-
- E. Third Quarter Activity Report
The committee was advised of the activities of the third quarter of 2016 and the planned activities for the fourth quarter.
-
- F. Social Media Update
The Committee was provided statistics regarding the RDOS Facebook page for the past year.
-
- G. Board Action Tracking
-
- H. **ADJOURNMENT**
By consensus, the meeting adjourned at 10:20 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
RDOS Board Chair

B. Newell
Corporate Officer



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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, October 20, 2016

10:52 a.m.

Minutes

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair R. Hovanes, Town of Oliver
Director F. Armitage, Town of Princeton
Director M. Bauer, Village of Keremeos
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
Director G. Bush, Electoral Area "B"
Director E. Christensen, Electoral Area "G"
Director B. Coyne, Electoral Area "H"

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

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Community Services Committee Meeting of October 20, 2016 be adopted. - **CARRIED**

B. Delegation

Angelique Wood, Coordinator, Okanagan Similkameen Healthy Living Coalition

[PowerPoint](#)

[Handout](#)

Ms. Wood presented an overview of food security.

C. Third Quarter Activity Report

The Committee was advised of the activities of the third quarter of 2016 and the planned activities of the fourth quarter.

D. ADJOURNMENT

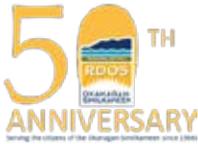
By consensus, the Community Services Committee meeting of October 20, 2016 adjourned at 12:05 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
Community Services Committee Chair

B. Newell
Chief Administrative Officer



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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, October 20, 2016

10:38 a.m.

Minutes

MEMBERS PRESENT:

Vice Chair K. Kozakevich, Electoral Area "E"
Director F. Armitage, Town of Princeton
Director M. Bauer, Village of Keremeos
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
Director G. Bush, Electoral Area "B"
Director E. Christensen, Electoral Area "G"
Director B. Coyne, Electoral Area "H"
Director R. Hovanes, Town of Oliver

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

MEMBERS ABSENT:

Chair T. Siddon, Electoral Area "D"

STAFF PRESENT:

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

R. Huston, Manager of Public Works

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of October 20, 2016 be adopted. - **CARRIED**

B. Third Quarter Activity Report

The Committee was advised of the activities of the third quarter of 2016 and the planning activities for the fourth quarter.

C. ADJOURNMENT

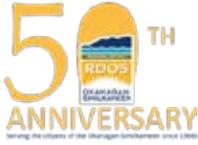
By consensus, the Environment and Infrastructure Committee meeting of October 20, 2016 adjourned at 10:38 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
Environment and Infrastructure Committee Vice Chair

B. Newell
Chief Administrative Officer



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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, October 20, 2016

9:00 a.m.

Minutes

MEMBERS PRESENT:

Chair M. Brydon, Electoral Area "F"

Vice Chair G. Bush, Electoral Area "B"

Director F. Armitage, Town of Princeton

Director M. Bauer, Village of Keremeos

Director T. Boot, District of Summerland

Director E. Christensen, Electoral Area "G"

Director B. Coyne, Electoral Area "H"

Director R. Hovanes, Town of Oliver

Director A. Jakubeit, City of Penticton

Director K. Kozakevich, Electoral Area "E"

Director H. Konanz, City of Penticton

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director M. Pendergraft, Electoral Area "A"

Director T. Schafer, Electoral Area "C"

Director J. Sentes, City of Penticton

Director T. Styffe, Alt. Electoral Area "D"

Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

D. Butler, Manager of Development Services

C. Garrish, Planning Supervisor

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of October 20, 2016 be adopted. - **CARRIED**

B. "Kaizen" Review Process, Rezoning Applications – For Information Only

The Committee was provided an update on the implementation of the recommendations of the Kaizen process review of zoning bylaw amendments.

C. Third Quarter Activity Report – For Information Only

The Committee was advised of the activities that occurred in the third quarter of 2016 and the planned activities for the fourth quarter.

D. ADJOURNMENT

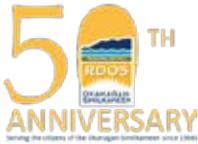
By consensus, the Planning and Development Committee meeting of October 20, 2016 adjourned at 9:21 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
Planning and Development Committee Chair

B. Newell
Corporate Officer



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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, October 20, 2016

10:39 a.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 M. Bauer, 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 E. Christensen, Electoral Area "G"	Director T. Styffe, Alt. Electoral Area "D"
Director B. Coyne, Electoral Area "H"	Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Protective Services Committee Meeting of October 20, 2016 be adopted. - **CARRIED**

B. Third Quarter Activity Report

The Committee was advised of the activities of the third quarter of 2016 and the planned activities of the fourth quarter.

The Committee was provided an update on the RCMP Superintendent hiring process

C. ADJOURNMENT

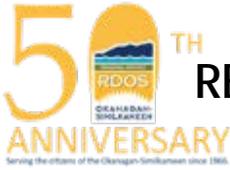
By consensus, the Protective Services Committee meeting of October 20, 2016 adjourned at 10:51 p.m.

APPROVED:

CERTIFIED CORRECT:

A. Jakubeit
Protective Services Committee Chair

B. Newell
Chief Administrative Officer



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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 12:32 p.m. Thursday, October 20, 2016 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

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

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the [Agenda](#) for the RDOS Board Meeting of October 20, 2016 be amended by:

- Adding Item D6 Rural Dividend Initiative Fund;
- Adding an update of Regional Hospital District meeting under F2 Board Representation;
- Moving endorsement of Electoral Area "D" boundary change from the Consent Agenda to Item D7 Items removed from Consent Agenda – Corporate Issues.

CARRIED

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee – October 6, 2016

THAT the Minutes of the October 6, 2016 Corporate Services Committee be received.

b. RDOS Regular Board Meeting – October 6, 2016

THAT the minutes of the October 6, 2016 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Consent Agenda – Corporate Issues be adopted.

CARRIED

2. Consent Agenda – Development Services
 - a. Development Permit Application (Industrial) – WW Logging, 1900 Oliver Ranch Road, Electoral Area “D”
 - i. Permit No. D2016.084-IDP
THAT the Board of Directors approve Development Permit No. D2016.084-IDP.

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

THAT the Consent Agenda – Development Services be adopted.

CARRIED

B. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Zoning Bylaw Amendment – Large Holdings Two (LH2) Electoral Area “D-1”
 - a. Bylaw No. 2457.15, 2016

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

THAT Bylaw No. 2457.15, 2016, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing. - **CARRIED**

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

THAT the holding of the public hearing be scheduled for November 16, 2016 in conjunction with the Electoral Area “D-1” OCP Bylaw No. 2683, 2016 public hearing; and further,

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

CARRIED

2. Zoning Bylaw Amendment – South Okanagan Ventures, Ltd., Electoral Area “C”
 - a. Bylaw No. 2453.29, 2016
 - b. Responses received

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2453.29, 2016, Electoral Area “C” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing. - **CARRIED**

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

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

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

THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*; and further,

THAT prior to adoption of Bylaw No. 2453.29, 2016, the applicant submit written confirmation of approval to connect to community water and sewer services.

CARRIED

C. FINANCE

1. Clean Water and Wastewater Fund Applications

RECOMMENDATION 8 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Board of Directors endorse the 2017 Naramata Water System Rehabilitation and Expansion project and commit to the use of Capital Reserve funds for the Regional District’s funding portion under the Canada-British Columbia Clean Water and Wastewater Fund; and,

THAT the Board of Directors endorse the 2017 Olalla Water System Rehabilitation project and commit to the use of Olalla Water System Reserve Funds for the Regional District’s funding portion under the Canada-British Columbia Clean Water and Wastewater Fund; and further,

THAT the Board of Directors endorse the 2017 Willowbrook Water System Rehabilitation project and commit to the use of Capital Funds from the Willowbrook water system 2017 budget for the Regional District’s funding portion under the Canada-British Columbia Clean Water and Wastewater Fund; and further,

THAT the Board of Directors endorse the 2017 Sunvalley Water System Upgrade project and commit to the use of Reserve Funds for the Regional District's funding portion under the Canada-British Columbia Clean Water and Wastewater Fund; and further,

THAT the Board of Directors endorse the 2017 Okanagan Falls Sewer System Upgrade project and commit to the use of Reserve funds for the Regional District's funding portion under the Canada-British Columbia Clean Water and Wastewater Fund.

CARRIED

2. Canada 150 Fund – Heritage Conservation

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors support the application to the Canada 150 Fund Program for heritage conservation activities in the Granite Creek Townsite and Cemetery as well as the West Bench Area. - **CARRIED**

D. OFFICE OF THE CAO

1. Board Procedure Bylaw Amendment
 - a. Bylaw No. 2620.03, 2016

RECOMMENDATION 10 (Unweighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2620.03, 2016 Regional District of Okanagan-Similkameen Regional Board Procedure Amendment Bylaw be read a first, second and third time and adopted. - **CARRIED**

2. Naramata Water Advisory Committee Resignation

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors accept the resignation of Chris Blann from the Naramata Water Advisory Committee and rescind his appointment to the Committee; and further

THAT a letter be forwarded to Mr. Blann thanking him for his contribution.

CARRIED

3. Alternate Director for Electoral Area "E"

Director Kozakevich has appointed Amanda Doyle-Fleishman as the new Alternate Director for Electoral Area "E".

4. Olalla Local Community Commission Appointment

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors rescind the appointment of Georgianne Sanders to the Olalla Local Community Commission; and,

THAT a letter be forwarded to Ms. Sanders thanking her for her contribution to the Olalla Local Community Commission; and further,

THAT the Board of Directors appoint Beverly Stewart to the Olalla Local Community Commission for the remainder of a four year term ending with the next local government election in October 2018.

CARRIED

5. Environmental Conservation Service Alternative Approval Process

- a. Notice
- b. Elector Response Form
- c. Bylaw No. 2690, 2016

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2690, 2016 to the Manager of Legislative Services is no later than 4:30 pm on December 5, 2016; and,

THAT the elector response form attached to the report dated October 20, 2016 be the approved form for Bylaw No. 2690, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 56,025; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 5,603.

CARRIED

6. [Rural Dividend Initiative Fund](#)
 - a. Request letter

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)
It was MOVED and SECONDED

THAT the Board of Directors support Structurlam Products Ltd. submission application to the BC Rural Dividend Program for the Pellet Plant System Project to be located in Area D - Okanagan Falls. - **CARRIED**

7. Items removed from Consent Agenda – Corporate Issues
 - a. Corporate Services Committee – October 6, 2016

It was MOVED and SECONDED

THAT the Regional District of Okanagan Similkameen proceed with an application for a boundary change for Electoral Area “D”; dividing the area into two parts consistent with Official Community Plan Service Areas D1 and D2. - **CARRIED**

Opposed: Director Konanz

E. CAO REPORTS

1. Verbal Update
-

F. OTHER BUSINESS

1. Chair’s Report
-

2. Board Representation (only for the third Thursday of the month)
 - a. Municipal Finance Authority (MFA) - *Pendergraft*
 - b. Okanagan Basin Water Board (OBWB) – *Hovanes, McKortoff, Waterman*
 - i. October Report
 - c. Okanagan-Kootenay Sterile Insect Release Board (SIR) - *Bush*
 - d. Okanagan Regional Library (ORL) - *Kozakevich*
 - e. Okanagan Film Commission (OFC) – *Jakubeit*
 - f. Rural Practices - *McKortoff*
 - g. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
 - h. Southern Interior Municipal Employers Association (SIMEA) - *Kozakevich*
 - i. Southern Interior Local Government Association (SILGA) – *Kozakevich*
 - j. Starling Control - *Bush*
 - k. UBC Water Chair Advisory Committee – *Bauer*
 - l. Regional Hospital District Board Update - *Sentes*
-

3. Directors Motions

- a. Fairview Heritage Townsite – Director Schafer

It was MOVED and SECONDED

THAT staff work with the Fairview Heritage Society on a sub-license of occupation with a 5-year term. - **CARRIED**

4. Board Members Verbal Update

G. CLOSED SESSION

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT in accordance with Section 90(1)(c), (e), (i), & (k) of the *Community Charter*, the Board close the meeting to the public on the basis of labour relations or other employee relations; the acquisition, disposition or expropriation of land or improvements if the Board considers that disclosure could reasonably be expected to harm the interests of the Regional District; the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and negotiations and related discussions respecting the proposed provision of a regional services that are at their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the Regional District if they were held in public. - **CARRIED**

The meeting was closed to the public at 1:43 p.m.

The meeting was opened to the public at 1:44 p.m.

H. ADJOURNMENT

By consensus, the meeting adjourned at 1:44 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
RDOS Board Chair

B. Newell
Corporate Officer



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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS INAUGURAL MEETING

Minutes of the Inaugural Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 3:30 p.m. Thursday, November 3, 2016 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"	Director E. Christensen, Electoral Area "G"
--	---

STAFF PRESENT:

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

A. CALL TO ORDER

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

B. RDOS CHAIR 2016 ANNUAL YEAR-END REPORT

Director Pendergraft, RDOS Chair for 2016, presented the Chair's Annual Report.

C. ELECTION OF 2017 BOARD CHAIR AND VICE CHAIR

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

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

Nomination: Director Armitage nominated Director Kozakevich.

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

By consensus, the nominations for Board Chair were closed.

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

b. RDOS Board Vice Chair

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

Nomination: Director Sentes nominated Director Jakubeit.

Nomination: Director Bush nominated Director Bauer.

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

By consensus, the nominations for Board Vice Chair were closed.

Nominees were given an opportunity to provide a brief speech.

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

It was MOVED and SECONDED

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

D. ADOPTION OF AGENDA

By consensus, the [Agenda](#) for the RDOS Inaugural Board Meeting of November 3, 2016 be adopted. - Carried

E. LEGISLATIVE ISSUES

1. 2017 RDOS Schedule of Meetings

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the 2017 Regional District of Okanagan-Similkameen Board and Committee Schedule of Meetings, as contained in the November 3, 2016 report from the Chief Administrative Officer, be approved. - **CARRIED**

2. 2017 Advisory Planning Commission Schedule of Meetings

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the 2017 Meeting Schedule for the Electoral Area Advisory Planning Commissions, as contained in the November 3, 2016 report from the Chief Administrative Officer, be approved. - **CARRIED**

3. 2017 Regional District Signing Authority

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors appoint the following Directors as signing officers for the Regional District of Okanagan-Similkameen for the 2017 year:

RDOS Board Chair Kozakevich

RDOS Board Vice Chair Bauer

CARRIED

F. ADJOURNMENT

By consensus, the meeting adjourned at 3:52 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Temporary Use Permit Application — Electoral Area “D”

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. D2016.094-TUP.

Purpose: To allow for a sales display area for agricultural trailers and equipment.

Owners: Peter & Merle Kappes

Applicant: Bar T5 Trailers North Inc Folio: D-02341.000

Civic: 1146 Highway 3A, Kaleden Legal: Lot 1, DL 228s, SDYD, Plan KAP11044

OCP: Commercial (C) Zoning: General Commercial (C1)

Proposal:

This application proposes to use a portion of the subject property as a display and sales area for agricultural trailers and equipment. The applicant is leasing an area of the subject property for this proposed sales area. The applicant states that no repair, manufacturing or mechanical work will be done on site. The display site will be fenced and the hours of operation are proposed to be 9 AM to 5 PM Monday to Saturday.

In support of this proposal the applicant states that “it is a perfect rural location for our farm and ranch trailers and financial viable location”.

Site Context:

The subject property is 5.54 ha in size and is located on the north side of Highway 3A near the junction of Twin Lakes Road. The leased sales area is approximately 6,070 m² in area and located along Highway 3A. The subject property contains the Twin Lakes service station and store that is located to the north of the proposed leased area.

The surrounding pattern of development is characterised by rural properties, with Twin Lakes Golf Course to the south of the highway. There is a rural residential subdivision to the north around Trout Lake and a large Resource Area parcel to the west.

Background:

The property was created by subdivision in 1960 and records indicate that a building permit was issued in 2006 for an addition to the convenience store.

Under the Electoral Area “D” Zoning Bylaw No. 2457, 2008, the property is currently zoned General Commercial (C1) and under the Official Community Plan (OCP) Bylaw No. 2456, 2008, the property is

designated as Commercial (C). A Watercourse Development Permit (WDP) area is identified within the subject property.

The "D-1" Zoning Bylaw lists "agricultural implement and trailer sales" in the definition of 'service industry' which is a permitted use only in the Industrial (Light) One zone (I1).

Public Process:

At its meeting of October 11, 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, "if it considers the proposal to be of a significant scale or nature warranting an additional opportunity for the public to access information and inquire about the proposal beyond that available through the regular application referral and public hearing process."

In this instance, Administration notes that this proposed use is generally commercial in nature with no significant impacts and that an open house is not 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 Ministry of Forests, Lands and Natural Resource Operations, Fortis, the Archeology Branch, and Interior Health Authority (IHA) and are included as a separate item on the Agenda.

All comments received including the APC minutes have been included as a separate item on the Board 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:

- a) *The use must be clearly temporary or seasonal in nature;*
- b) *Compatibility with adjacent uses;*
- c) *Impact on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas;*
- d) *Intensity of use;*
- e) *Opportunity to conduct the proposed use on land elsewhere in the community;*
- f) *Remedial measures to mitigate any damage as a result of the temporary use.*

In this case, the proposed use is being considered as a trial period and if viable a rezoning application will be applied for in order to change the zoning on the property to allow for the sales display use. Once the temporary use permit expires and zoning is not in place, the use will be discontinued.

The proposed use would be seen as fairly compatible to adjacent uses as the convenience store and service station are commercial in nature. The display area would not generate any extra noise or other negative impacts.

There is a WDP Area identified as being partially within or adjacent to the proposed least site area. The applicant hired a professional biologist to assess the proposed use with the environmental

impacts on the subject property. The report noted that the area of the proposed development is characterised by disturbed area including graded and compacted gravel road surface, non-native and invasive species and generally low ecological value. It is recommended that any use or fencing remain outside of a 30 metre buffer from the pond and Trout Lake.

The proposed use is generally static with display models to be located on site, therefore, the intensity of the use is minimal in terms of equipment use, noise or other typical negative industrial impacts. There are no buildings proposed at this time. There may be some extra traffic generated on Highway 3A. An access permit from MOTI was received on November 2, 2016.

Finally, the applicant will be required to remove display items and restore the area as found previously.

For the above reasons Administration supports the proposed Temporary Use permit application.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. D2016.094-TUP; OR
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. D2016.094-TUP subject to the completion of a Public Information Meeting to be organised by the applicant.

Respectfully submitted:

ERiechert
E. Riechert, Planner

Endorsed by:


C. Garrish, Planning Supervisor

Endorsed by:

Donna Butler
D. Butler, Dev. Services Manager

Attachments: No. 1 – Agency Referral List

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a p, prior to Board consideration of TUP No. D2016.094-TUP:

o	Agricultural Land Commission (ALC)	o	City of Penticton
p	Interior Health Authority (IHA)	o	District of Summerland
o	Ministry of Agriculture	o	Town of Oliver
o	Ministry of Community, Sport and Cultural Development	o	Town of Osoyoos
o	Ministry of Energy & Mines	o	Town of Princeton
p	Ministry of Environment	o	Village of Keremeos
o	Ministry of Forests, Lands & Natural Resource Operations	o	Okanagan Nation Alliance (ONA)
p	Archaeology Branch	p	Penticton Indian Band (PIB)
p	Ministry of Transportation and Infrastructure	o	Osoyoos Indian Band (OIB)
o	Integrated Land Management Bureau	o	Upper Similkameen Indian Bands (USIB)
o	BC Parks	o	Lower Similkameen Indian Bands (LSIB)
o	School District #53 (Okanagan Similkameen)	o	Environment Canada
o	School District #58 (Nicola Similkameen)	o	Naramata Water Utility
o	School District #67 (Okanagan Skaha)	p	Fortis



TEMPORARY USE PERMIT

FILE NO.: D2016.096-TUP

TO: Peter and Merle Kappes
Site 20B, Comp 6, RR1
Kaleden, BC
V0H 1K0

Applicant: Bar T5 Trailers North Inc
698 Eckhardt Ave W
Penticton, BC
BV2A 2B5

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: Lot 1, District Lot 228s, SDYD, Plan KAP11044

Civic Address/location: 1146 & 1066 Highway 3A

Parcel Identifier (PID): 009-530-304 Folio: D-02341.000

TEMPORARY USE

6. In accordance with Section 15.0 of the Electoral Area "D" Official Community Plan Bylaw No. 2457, 2008, on the land specified in Section 5, the following temporary use is permitted:
 - a) "agricultural implement and trailer sales", which is defined as the display and sales of agricultural trailers and equipment.

CONDITIONS OF TEMPORARY USE

7. The sales and display use of the land is subject to the following conditions:
- i) The location and operation of the sales and display area is approximately 6,070 m² in area and shall not occur beyond the area shown outlined in a red dashed line on Schedule 'B';
 - ii) The hours of operation shall be 9:00 a.m. to 5:00 p.m. Monday to Saturday;
 - iii) Parking will provided on the site area.
 - iv) Despite the map shown on Schedule 'B' no proposed use or fencing will encroach within 30 metres of the constructed pond or Trout Lake.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

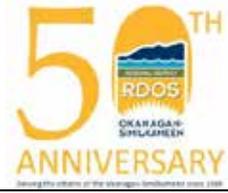
10. This Permit shall commence on November 18, 2016 and shall expire on November 17, 2019.

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

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

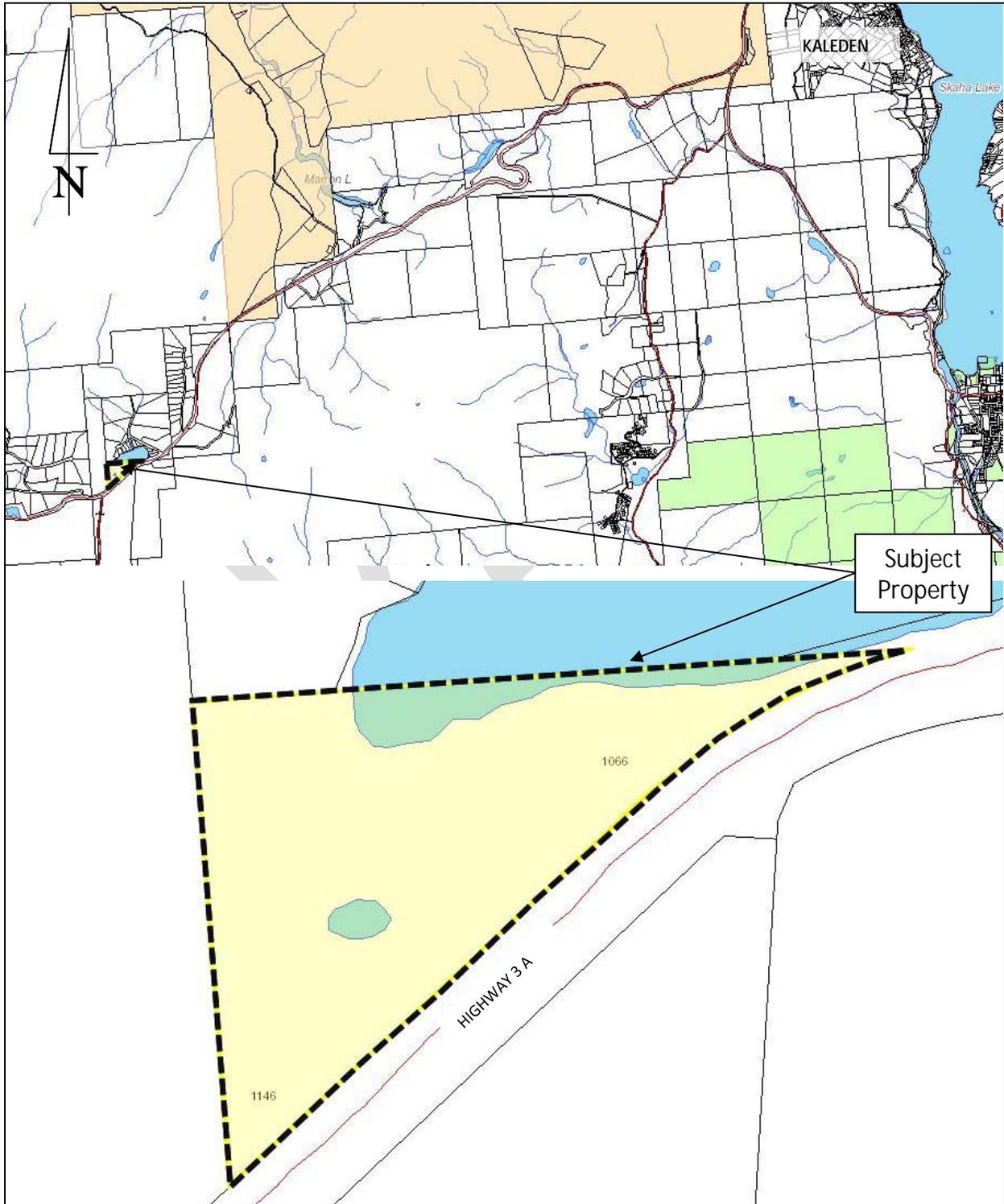
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Temporary Use Permit

File No. D2016.094-TUP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

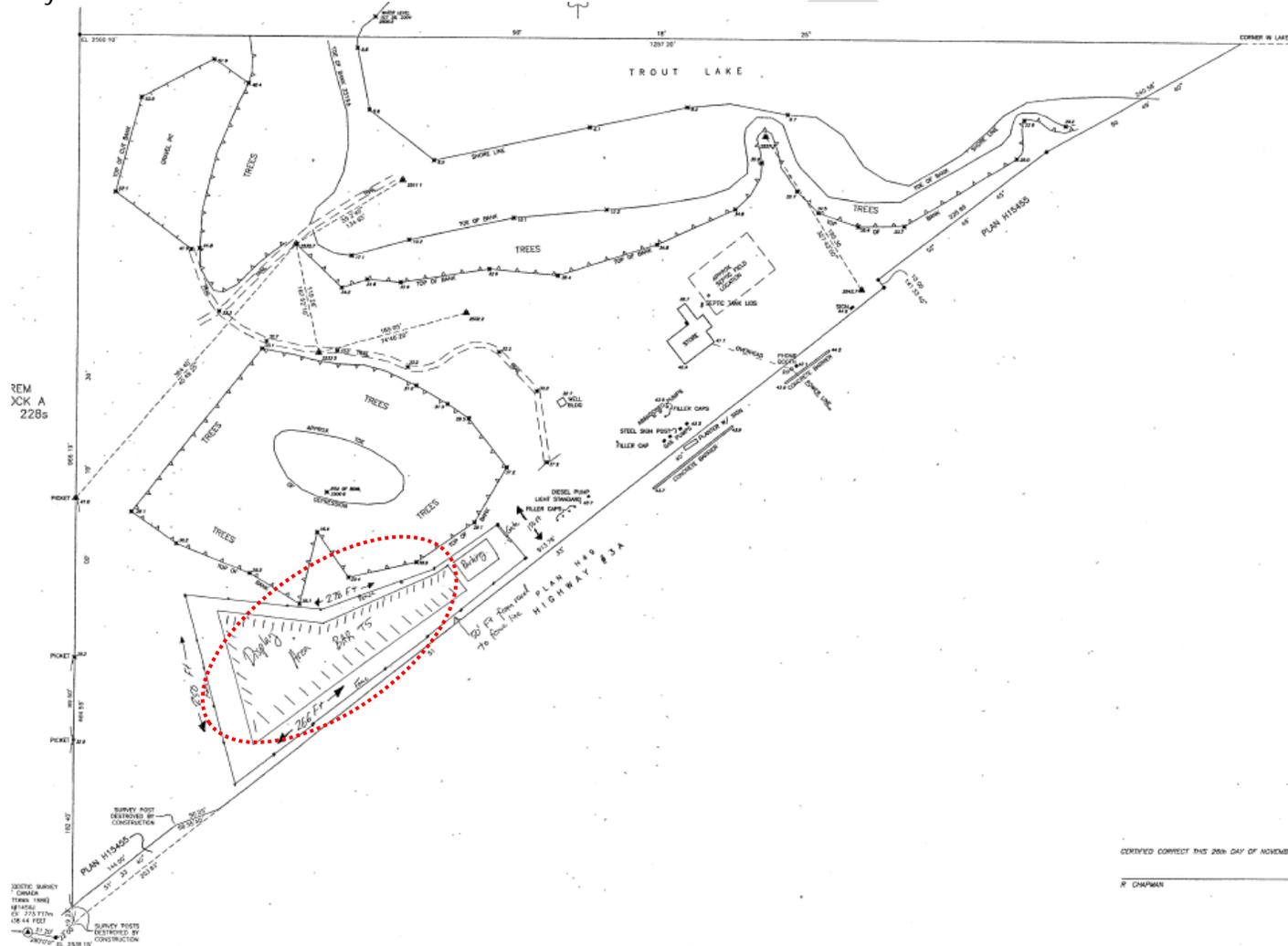
Tel: 250-492-0237 Email: info@rdos.bc.ca



Temporary Use Permit

Schedule 'B'

File No. D2016.094-TUP



CERTIFIED CORRECT THIS 26th DAY OF NOVEMBER

R. CHAPMAN



October 26, 2016

File: 58000-20/2016151
Your File: D2016.094-TUP

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

Attention: Evelyn Riechert, Planner

Re: Temporary Use Permit – Sales display of horse and stock trailers on Lot 1, DL 228s, SDYD, Plan KAP11044 located at 1146 and 1066 Highway 3A

The Ecosystems Section of the Ministry of Forests, Lands, and Natural Resource Operations (MFLNRO) provides the following recommendation in response to the above noted referral:

- Avoid activities that would impact wetlands or water receiving sites.

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

Please contact the undersigned at Amy.Nixon@gov.bc.ca or 250-490-8217 if you have any further questions.

Yours truly,

Amy Nixon
Ecosystem Biologist

AN/cl

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: October 27, 2016 2:27 PM
To: Planning
Subject: Highway 3A, 1146 & 1066 RDOS (D2016.094-TUP)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Highway 3A. 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: October 4, 2016 10:56 AM
To: Planning
Cc: Lauri Feindell
Subject: RE: TUP Referral D2016.094-TUP

Hello Evelyn,

Thank you for your referral regarding a temporary use permit (TUP) for the property located at 1446 and 1066 Highway 3A, PID 009530304, L 1 DL 228S SIMILKAMEEN DIVISION YALE DISTRICT PL 11044 EXC PL H15455. 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. In addition, there are two archaeological sites located within 25 meters of this property.

If there are no land alterations planned for the property, then the proponent does not have to do anything with regard to archaeological considerations.

If any land alterations are planned for the property (e.g., addition to home, property redevelopment, extensive landscaping, service installation), 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.

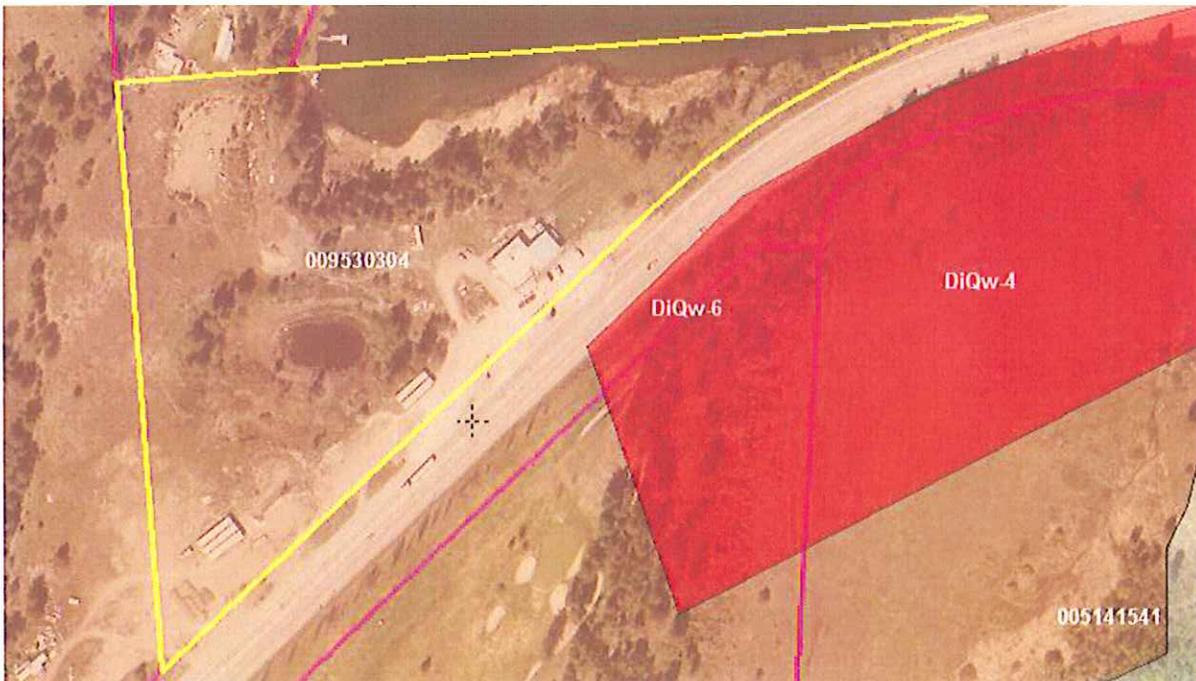
Below are two screenshots showing the property (outlined in yellow), first to confirm location of the property and second in relation to the archaeological potential (brown/orange areas).

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 Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3
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: Friday, September 30, 2016 2:54 PM

To: Cooper, Diana FLNR:EX; HBE@interiorhealth.ca; Referral Apps REG8 FLNR:EX; FLNR DOS Referrals CSNR:EX;



Interior Health
Every person matters

October 5, 2016

Evelyn Riechert
Regional District of
Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
planning@rdos.bc.ca

Dear Evelyn Riechert:

**RE: File # D2016.094-TUP
Our interests are unaffected**

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this development proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Healthy Built Environment Team





October 26, 2016

File: 58000-20/2016151
Your File: D2016.094-TUP

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

Attention: Evelyn Riechert, Planner

Re: Temporary Use Permit – Sales display of horse and stock trailers on Lot 1, DL 228s, SDYD, Plan KAP11044 located at 1146 and 1066 Highway 3A

The Ecosystems Section of the Ministry of Forests, Lands, and Natural Resource Operations (MFLNRO) provides the following recommendation in response to the above noted referral:

- Avoid activities that would impact wetlands or water receiving sites.

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

Please contact the undersigned at Amy.Nixon@gov.bc.ca or 250-490-8217 if you have any further questions.

Yours truly,

A handwritten signature in black ink, appearing to read "Amy Nixon".

Amy Nixon
Ecosystem Biologist

AN/cl

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Zoning Bylaw Amendment – Electoral Area “A”



Administrative Recommendation:

THAT Bylaw No. 2451.21, 2016, Electoral Area “A” Zoning Amendment Bylaw be read a third time.

Purpose: To allow for a boundary adjustment between two parcels.

Owner: Luis DeMelo Agent: Brad Elenko (McElhanney Ltd.) Folio: A-06047.010

Legal: Lot B Plan KAP72608 DL 2450S SDYD Civic: N/A

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

Proposal:

This proposal is seeking to amend the current zoning on part of the subject property in order to allow for a boundary adjustment.

Specifically, it is being proposed to consolidate an approximately 3.89 hectare (ha) section of the subject property situated on the west side of 104th Avenue with an adjacent parcel in order to create a new 7.89 ha property. This will result in an approximately 2.0 ha remainder parcel on the east side of 104th Avenue.

The applicant has indicated, amongst other things, that “as this parcel is surrounded on three sides by residential development, some residents in the neighbourhood have not respect[ed] the requirements of a farm operation, and have caused problems for the present farm owner. The proposed rezoning to allow a separate parcel to be created [and] will allow the farm to be sold to another farmer who may [conduct] alternate types of agriculture that may result in less resistance from the surrounding neighbourhood and may result in a less adversarial relationship between the farmer and the surrounding residents.”

Site Context:

The subject property is approximately 5.89 ha in area and is bisected by 104th Avenue, with approximately 3.89 ha of land situated on the west side of 10th Avenue and 2.0 ha situated on the east side.

Background:

At its meeting of August 11, 2016, the Electoral Area “A” Advisory Planning Commission (APC) failed to make a recommendation to the RDOS Board (NOTE: a motion to support the rezoning proposal failed on a tie vote and no other motion was put forward).

A Public Information Meeting was held ahead of the APC meeting on August 11, 2016, and was attended by approximately 30 members of the public. A number of objections were raised at the meeting including the intent of the rezoning, the potential for future exclusion and subdivision applications and potential loss of farmland to residential development. Written representations received as a result of this meeting are included as a separate item on the Board Agenda.

At its meeting of September 1, 2016, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing.

A Public Hearing was held on October 12, 2016, where approximately 25 members of the public attended.

Approval from the Ministry of Transportation and Infrastructure (MoTI) will be required prior to adoption as the proposal is situated within 800 metres of a controlled area (i.e. Highway 97).

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

Analysis:

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

In this instance, however, Administration recognises that it has previously supported proposals in other Electoral Areas seeking to undertake the subdivision of agricultural parcels along a road alignment (generally to separate agricultural from non-agricultural lands).

Importantly, no additional parcels will be created as a result of this rezoning, which is consistent with the OCP policies of only supporting subdivisions within the ALR where they will either result in a more efficient use of agricultural land, which includes the consolidation of parcels.

In addition, the ALC has previously indicated its support for this proposal on the basis that it will create a larger agricultural parcel (i.e. 7.89 ha) on the west side of 104th Avenue and will allow the current owner to sell the remainder to someone else.

For these reasons, Administration is generally supportive of the proposal, despite the creation of a 2.0 ha parcel on the east side of 104th Avenue that would normally be considered a rural-residential (i.e. Small Holdings) type of lot.

Alternative:

THAT the Board of Directors rescind first and second reading of Amendment Bylaw No. 2451.21, 2016, and abandon the bylaw.

Respectfully submitted:



C. Garrish, Planning Supervisor

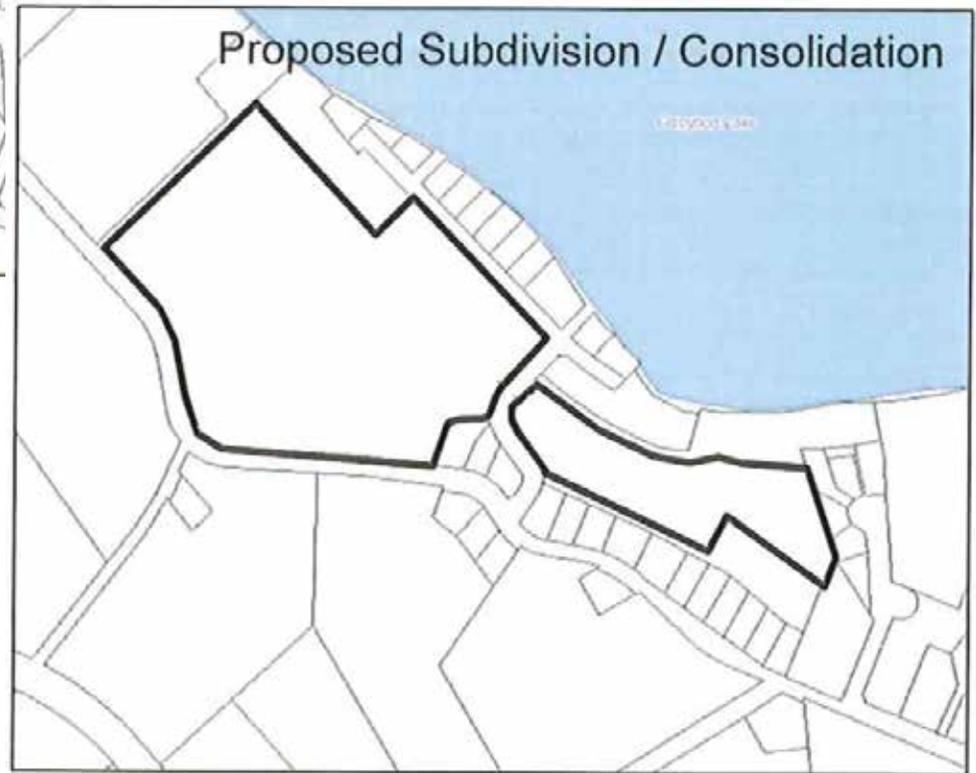
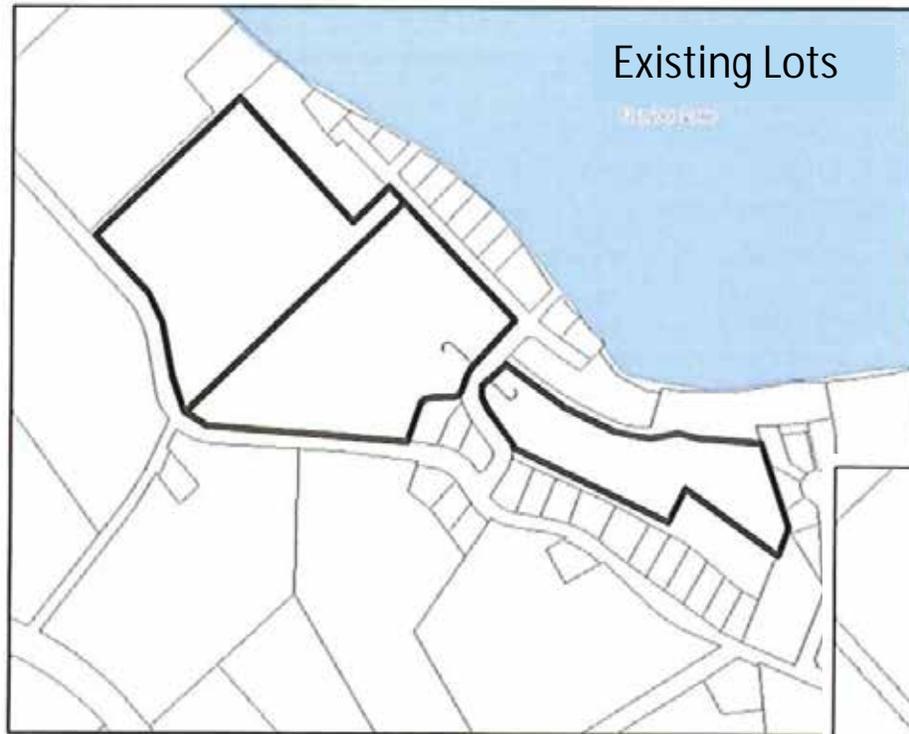
Endorsed by:



D. Butler, Development Services Manager

Attachments: No. 1 – Applicant’s Site Plans

Attachment No. 1 – Applicant's Site Plans



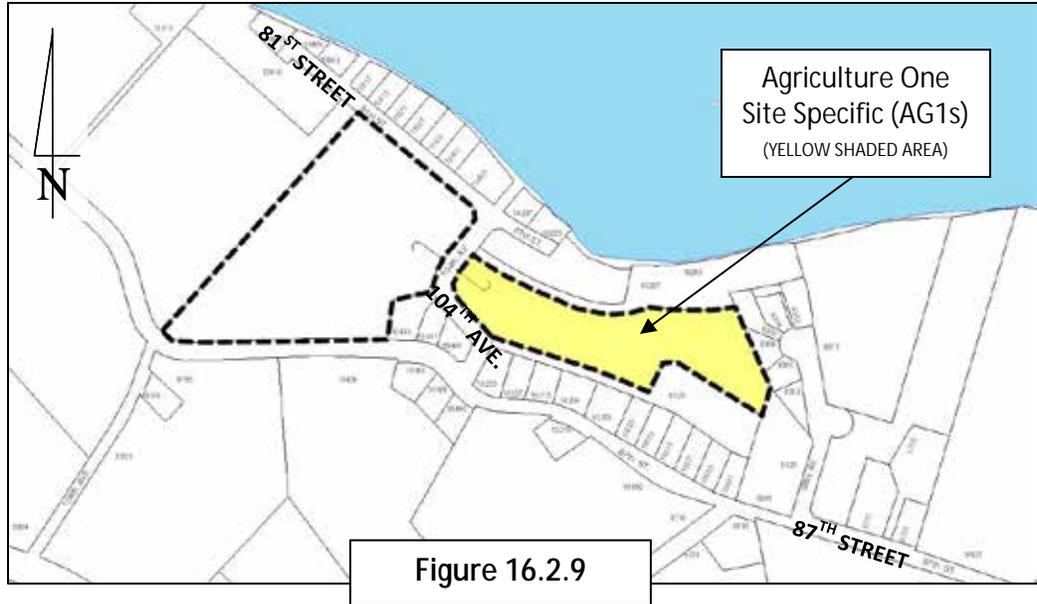
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2451.21, 2016

A Bylaw to amend the Electoral Area "A" Zoning Bylaw No. 2451, 2008

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "A" Zoning Amendment Bylaw No. 2451.21, 2016."
2. The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by changing the land use designation on an approximately 2.0 hectare part of the land described as Lot B, Plan KAP72608, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'Y-1', which forms part of this Bylaw, from Agriculture One (AG1) to Agriculture One Site Specific (AG1s).
3. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
 - i) adding a new section following 16.2.9 under Section 16.0 (Site Specific Designations) to read as follows:
 - .10 in the case of land described as Lot B, Plan KAP72608, District Lot 2450S, SDYD, and shown shaded yellow on Figure 16.2.10:
 - a) despite Section 10.2.3(a), the minimum parcel size shall be 2.0 ha.



READ A FIRST AND SECOND TIME this 1st day of September, 2016.

PUBLIC HEARING held on this 12th day of October, 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 "A" Zoning Amendment Bylaw No. 2451.21, 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

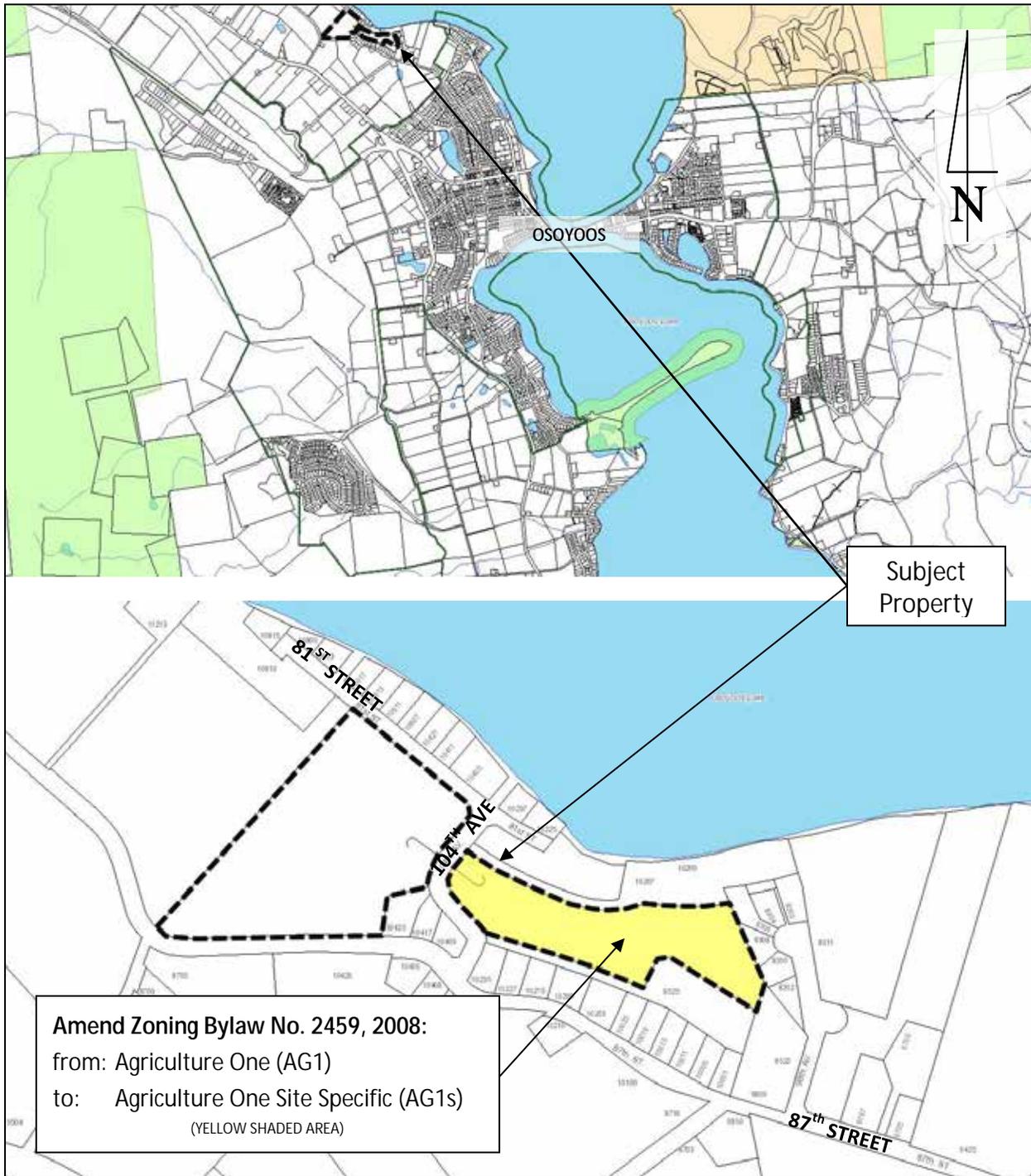
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2451.21, 2016

Project No: A2016.075-ZONE

Schedule 'Y-1'



PUBLIC HEARING REPORT

TO: Regional Board of Directors
FROM: Chair Mark Pendergraft, Electoral Area "A"
DATE: October 12, 2016
RE: Public Hearing Report on Amendment Bylaw No. 2451.21



Purpose of Amendment Bylaw:

The purpose of the amendment bylaw is to amend the zoning of the subject property in order to allow for a boundary adjustment so that an approximately 3.89 hectare (ha) section of the subject property situated on the west side of 104th Avenue can be consolidated with an adjacent parcel (described as Lot E, Plan KAP72608, District Lot 2450S, SDYD), in order to create a new 7.89ha property. This will result in approximately 2.0 ha remainder parcel on the east side of 104th Avenue.

Public Hearing Overview:

The Public Hearing for Amendment Bylaw No. 2451.21, 2016 was convened on Wednesday, October 12, at 7:00 p.m., at the Sonora Centre, 8505 – 68th Avenue, Osoyoos.

There were 25 members of the public present and, of those who spoke, approximately 14 members of the public stated opposition to the amendment bylaw, while one (1) stated their support for the amendment bylaw.

There was one (1) written brief submitted at the public hearing by the applicant comprising approximately 43 letters of support for the amendment bylaw.

NOTE: these 43 representations are included with the submissions considered by the Board prior to 1st reading, which are comprised of agency comments as well as approximately 14 submissions from 11 different members of the public expressing opposition to the rezoning.

Members of the Regional District Board present were:

- Chair Mark Pendergraft

Members of the Regional District staff present were:

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

Chair Pendergraft called the Public Hearing to order at 7:00 pm at the Sonora Centre, 8505 – 68th Avenue, Osoyoos.

The hearing convened pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Amendment Bylaw No. 2451.21, 2016.

In accordance with Section 466, the time and place of the public hearing was advertised in the September 28 and October 5 editions of the Osoyoos Times.

Copies of reports and correspondence received related to Amendment Bylaw No. 2451.21, 2016 were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

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

Christopher Garrish provided a summary of the amendment bylaw.

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

Brad Elenko, agent for the applicant, displayed two presentation boards outlining the property and the proposed project. He read from a letter from the ALC supporting the application. The application will not change the number of lots within the ALR nor facilitate further residential development on the parcel.

Neil Ericson stated that he did not understand the purpose of the application. He opposes the rezoning.

Josette Edwards stated that she is opposed to the rezoning.

Geraldine Minossa stated that she is opposed to the rezoning.

Rick Deis stated that he is opposed to the rezoning.

Scott Edwards stated that he is opposed to the rezoning.

Karen Edwards stated that she is opposed to the rezoning.

Gabriele Bueschkens stated that she is opposed to the rezoning.

Brock Jackson stated that he is opposed to the rezoning.

Allan Patton stated that he supports the rezoning.

Kevin Dockett stated that he is opposed to the rezoning.

Liz Dockett stated that she is opposed to the rezoning.

Tammy Ericson stated that she is opposed to the rezoning.

Peter Stafford stated that he is opposed to the rezoning.

Gerry Short stated that he is opposed to the rezoning.

Lorna Short stated that she is opposed to the rezoning.

Brad Elenko stated that the letters of support are in the binder provided at the public hearing.

Allan Patton stated that the term subdivision may be misunderstood and does not refer to an increased number of lots but a lot line adjustment in this application.

Rick Deis stated that it would be more efficient to farm from parcel to parcel rather than have a parcel in between.

Robert Silvers stated that he looks after machinery on the subject property and has previously discovered vandalism to and theft of the machinery.

Josette Edwards stated that the installation of sewers led to her think something is amiss because one doesn't put sewers in an orchard.

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

Chair Pendergraft asked a third time if there was anyone who wished to speak further to the proposed bylaws and hearing none, declared the public hearing closed at **8:02 p.m.**

Recorded by:

Gillian Cramm

Gillian Cramm
Recording Secretary

Confirmed:



Christopher Garrish
Planning Supervisor

Confirmed:

Mark Pendergraft

Mark Pendergraft
Chair



Your File #: A2016.075-
ZONE Lual
Orchards

eDAS File #: 2016-04083

Date: August 23, 2016

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

Attention: Lauri Feindell

**Re: Proposed Bylaw 2451.21 for:
Lot B, Plan KAP72608, District Lot 2450S, SDYD**

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

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

Yours truly,

Rob Bitte
District Development Technician

Local District Address

Penticton Area Office
102 Industrial Place
Penticton, BC V2A 7C8
Canada

Phone: (250) 490-8200 Fax: (250) 490-2231

From: [Cooper, Diana FLNR:EX](#)
To: [Christopher Garrish](#)
Subject: re: Project No. A2016.075-ZONE
Date: August 4, 2016 2:45:22 PM
Attachments: [image001.png](#)
[image002.png](#)

Hello Christopher,

Thank you for your referral regarding proposed rezoning of 2 parcels that comprise Lot B, DL2450s, SDYD, Plan KAP72608. 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.

Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch.

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.

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 entire area has high potential for unknown/unrecorded archaeological materials.

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 Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3
 Phone: 250-953-3343 | Fax: 250-953-3340 | Website: <http://www.for.gov.bc.ca/archaeology/>

Lauri Feindell

Subject: FW: Bylaw Referral - Rezoning A2016.075-ZONE
Attachments: RE_ Bylaw Referral - Rezoning A2016.075-ZONE.pdf

From: Collins, Martin J ALC:EX [<mailto:Martin.Collins@gov.bc.ca>]
Sent: August 8, 2016 2:38 PM
To: Christopher Garrish
Subject: RE: Bylaw Referral - Rezoning A2016.075-ZONE

Hi Chris

This is to advise that the ALC has no objection to the proposed Zoning Bylaw No. 2451.21, 2016 as it is consistent with the ALC's approval to allow subdivision of a 2.7 ha lot.

Regards

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



Lauri Feindell

Subject:

FW: Bylaw Referral - Rezoning A2016.075-ZONE

From: Skinner, Anne E AGRI:EX [<mailto:Anne.Skinner@gov.bc.ca>]

Sent: July 28, 2016 4:52 PM

To: Christopher Garrish

Cc: Lauri Feindell

Subject: RE: Bylaw Referral - Rezoning A2016.075-ZONE

Hi Chris,

This is a growing issue where agriculture lands interphase with urban residential - it seems like a reasonable solution as an alternative to exclusion. The Ministry has no concerns with this re-zoning for the purpose identified and will defer to any recommendations from the ALC with respect to buffers or other conditions.

Thanks,

Anne Skinner P.Ag | Regional Agrologist
BC Ministry of Agriculture - Kelowna | 250- 861-7272 | Cell: 250-309-2478
Email: anne.skinner@gov.bc.ca
1-888-221-7141 | AgriServiceBC@gov.bc.ca

"Wisdom is the reward for listening over a lifetime."



From: Danielson, Steven
To: Christopher Garrish
Subject: 104 Ave, Lot B Electoral A RDOS (A2016.075-ZONE)
Date: August 15, 2016 10:35:44 AM
Attachments: [image001.png](#)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along 104 Avenue. 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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Lauri Feindell

From: Christopher Garrish
Sent: August 15, 2016 3:08 PM
To: Lauri Feindell
Subject: FW: IH Response - Bylaw Referral - Rezoning A2016.075-ZONE
Attachments: IH-Response-OSRD-A2016-075-Zone-15Aug2016.pdf

From: Ely, Anita [<mailto:Anita.Ely@interiorhealth.ca>]
Sent: August 15, 2016 3:01 PM
To: Christopher Garrish
Subject: IH Response - Bylaw Referral - Rezoning A2016.075-ZONE

Hello Chris,

Please find my response attached. Also know, I forwarded this referral to Jill Worboys one of our Community Dieticians for comments from a food security perspective. As the ALC has already made their decision Jill didn't have any comments at this stage.

Sincerely,

Anita

Anita Ely, B.Sc., B.Tech., CPHI(C)
Environmental Health Officer
Healthy Built Environment Team

office: 250 - 833 - 4114
cell: 250 - 253 - 3679
fax: 250 - 833 - 4117

HBE direct: 1 - 855 - 744 - 6328 choose HBE Option #4

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Interior Health

Every person matters

August 15, 2016

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

Dear Chris Garrish:

RE: File # A2016.075-ZONE
Our interests are unaffected

Thank you for the opportunity to provide comments for this application to rezone the subject land from Agriculture 1 (AG1) to Agriculture One Site Specific (AG1s) to allow a subdivision which would create a lot smaller than the minimum allowable size in AG1.

I have reviewed this proposal and have not identified any health impacts associated with it. As such, our interests are unaffected by this development proposal.

If you have any questions, concerns, or require resources please feel free to contact me directly using the contact info below or our team at hbe@interiorhealth.ca or 1-855-744-6328 extension 4.

Sincerely,

Anita Ely, B.Sc., B.Tech., CPHI(C)
Environmental Health Officer

Healthy Built Environment Team
Population Health



Feedback Form

RECEIVED
AUG 18 2016

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: A2016.075-ZONE

FROM: Name: GERALD L. SHORT
(please print)

Street Address: 10011 87th STREET, 0504005, BC.

Tel/Email: i _____

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.21, 2016
Lot B Plan KAP72608 DL 2450S SDYD

My comments / concerns are:



- I do support the proposed development.
- I do support the proposed development, subject to the comments listed below.
- I do not support the proposed development.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2451.21.

THE SEPARATION OF LOT B EAST OF 104th STREET FROM LOTS B WEST OF 104th STREET IS JUST AN ATTEMPT AT REMOVING THE EAST SIDE FROM A/R OR AGRICULTURAL LAND TO RESIDENCIAL IN THE VERY NEAR FUTURE. THIS WOULD MAKE THE SELLER EXTRA MONEY AT THE LIKELY LOSS OF VIEW AND LAND VALUE OF A DOZEN PEOPLE ABOVE THAT 2HA. PROPERTY.

THE 2HA PROPOSED PIECE IS VIABLE AGRICULTURAL LAND AND SHOULD STAY AS SUCH.

Feedback Forms must be completed and returned to the Regional District no later than Thursday August 25, 2016

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

August 19, 2016

FEEDBACK

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

Dear Board Members,

RE: Project No. A2016.075-ZONE
Proposed Rezoning of Lot B, Plan KAP72608, District Lot 2450S, SDYD

With reference to the above application for rezoning a 2 ha parcel from AG1 to "site specific" AG1s, this is only one of three steps required for a successful outcome. Approval for the subdivision ("boundary adjustment") of Lot B and the amalgamation of a portion of Lot B with Lot E will also be required prior to the rezoning taking effect.

The following comments address both the present rezoning application and the potential subsequent applications for Lot B, including matters discussed at the Aug. 11th pre-APC meeting Q & A session between Mr. Garrish (Planning Supervisor), Mr. Elenko (agent for Mr. Demelo) and neighbors.

Rezoning application for a NON-EXISTING Parcel

At present, the AG1s application is for a non-existing legal parcel. There is NO approval to subdivide Lot B into two parcels of 2.0 ha and 3.89 ha (or any size).

Present boundaries of Lot B and Lot E are conforming

A site specific zoning applies to an individual piece of property much like a variance with the building code. Lot B is presently conforming and therefore does not require rezoning. How does creating two non-conforming parcels from Lot B provide any agricultural land use benefits to the property? The applicant has not given any explanation for this.

Division of Lot B by 104th Ave

Traffic on 104th Ave. can neither be described as busy nor a deterrent to safe, efficient agricultural practices of Lot B. This road is the primary access for two residences and a few non-residential orchards (owned by Mr. Demelo). The avenue connects to 81st St, a dead-end, which serves 12 residences; the majority are used only seasonally.

Trigger road expropriation reducing parcels sizes

Subdivision and amalgamation applications can trigger expropriation of road widening allowances by the Ministry of Transportation and Infrastructures (MoTI). The proposed 2.0 ha and 3.89 ha parcel sizes could be reduced by land expropriation for the widening of 104th Ave. The proposed 3.89 ha parcel boundary could also be affected along 81st St. causing further reduction.

In addition, Lot E's parcel size could be reduced through the amalgamation process with the proposed 3.89 parcel along 81st St.

With this regard, Mr. Garrish has advised that "it appears the Ministry has taken widening in the past from parcels on the south side" (of 104th Ave. on 81st St.). He is "not sure if they would look at taking from properties on the north side".

Purpose behind creating of 2.0 ha parcel from Lot B

The purpose behind this rezoning application for "boundary adjustment", as discussed by Mr. Elenko at the Q & A session, is for the sale of the property by owner, Mr. Demelo. No explanation was given as to why Lot B cannot be sold as is, without a parcel size reduction.

Closing

The present zoning of Lot B is in conformity with the AG1 by-laws. There does not appear to be any reason why the applicant should receive rezoning approval for a hypothetical, non-conforming site that does not create any advantages for the agricultural land use. The property division by 104th Ave is a non-issue, but the

possible parcel size reduction by the MoTI has a real potential negative impact on the agricultural land inventory.

Rezoning for the reason of resale of a portion of Lot B should not be a factor in approving this application.

Thank you for your consideration in this matter.

With regards,

Roberta Wight

V0H 1V2



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: A2016.075-ZONE

FROM: Name: Rick Deis
(please print)

Street Address: 10025 87th street, Osoyoos, V0H1V2

Tel/Email: _____

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.21, 2016
Lot B Plan KAP72608 DL 2450S SDYD

My comments / concerns are:

- I do support the proposed development.
- I do support the proposed development, subject to the comments listed below.
- I do not support the proposed development.

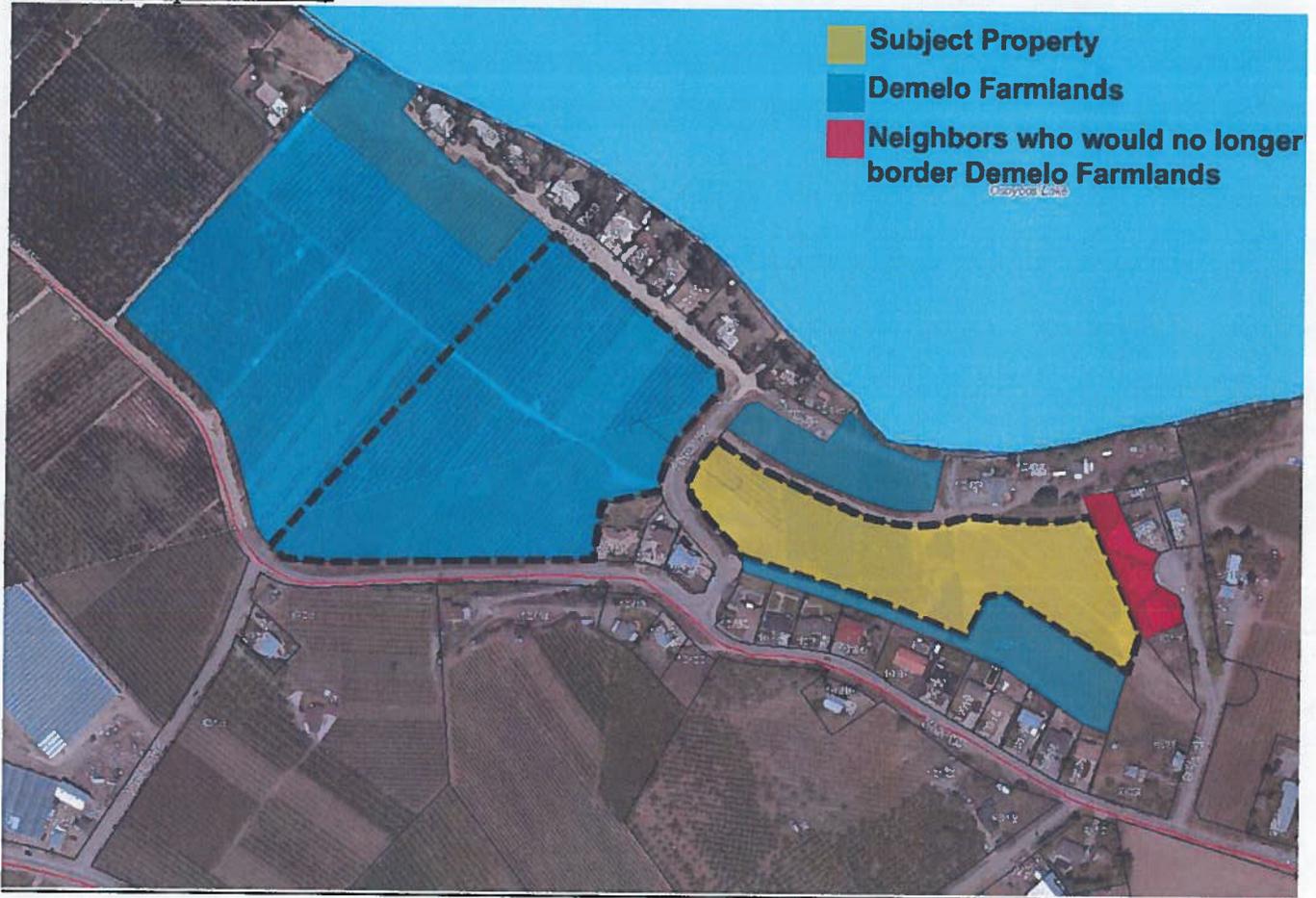
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2451.21.

1./ Applicant's reasoning is predicated on unproven allegations of Theft, Vandalism & Trespass by neighbors.

2./ Applicant's long history of applications to subdivide this and adjoining farmland into smaller parcels seeking homesite lots for family members is suspect. The applicant has not transferred ownership of those parcels to family members nor have they built homes on those sites. The major portion of those 3 small homesite lots continue to be farmed as part & parcel of the whole farm. Just this year lot "C" was replanted with new fruit trees as was the SW corner of the subject property.

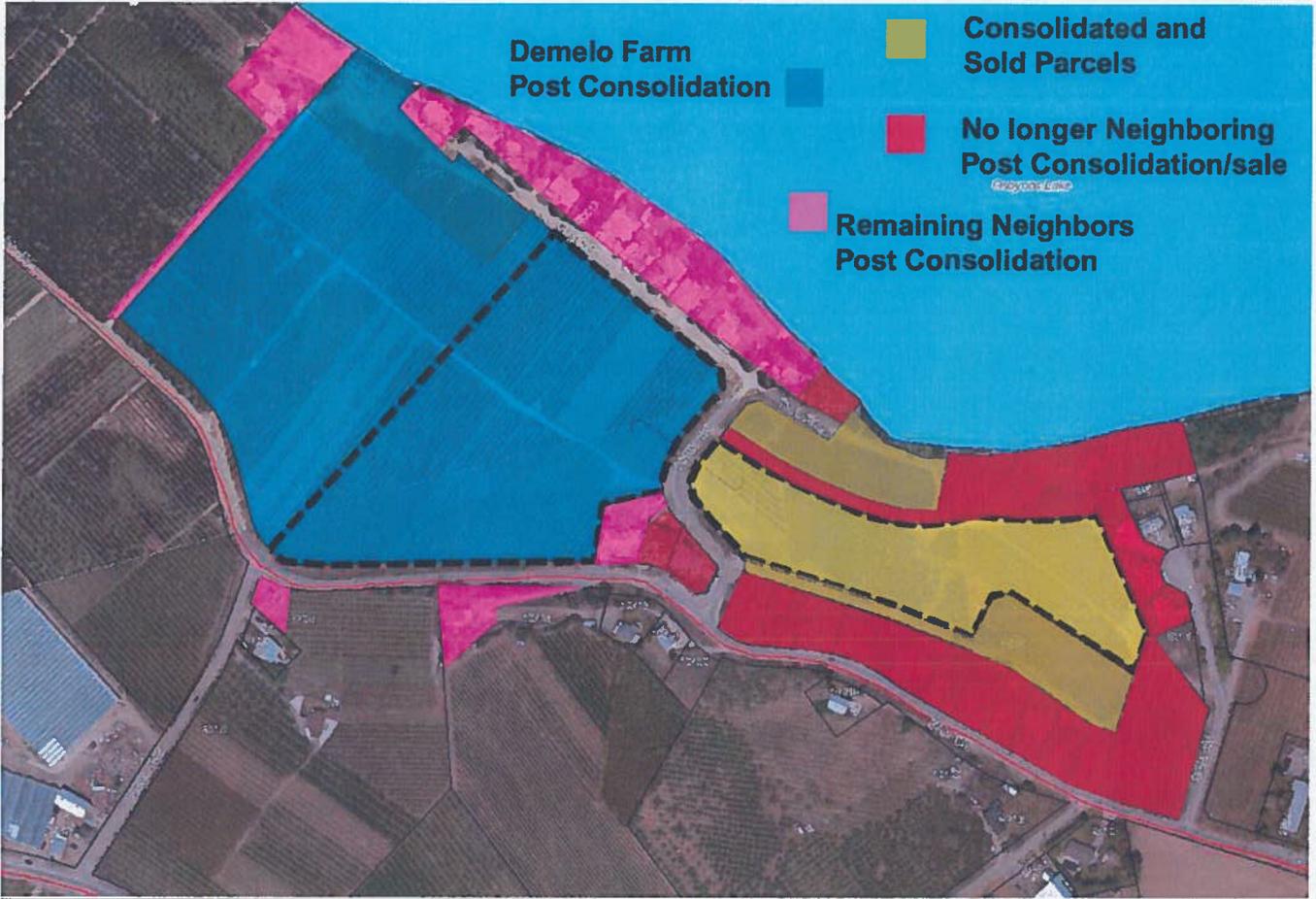


3./ Applicants rational that “selling the subject property and farming alternate crops may result in a better relationship between the farmer and the surrounding residents” is illogical in two respects. Firstly they are suggesting that farming cherries and nectarines creates a neighbor/farmer problem which is ridiculous. Secondly the net affect of a successful application, sale and conversion to alternate crops would be to provide desired separation to only three 98th street properties . The Demelo’s properties will continue to border the majority of those neighbors as before. (see plan below)

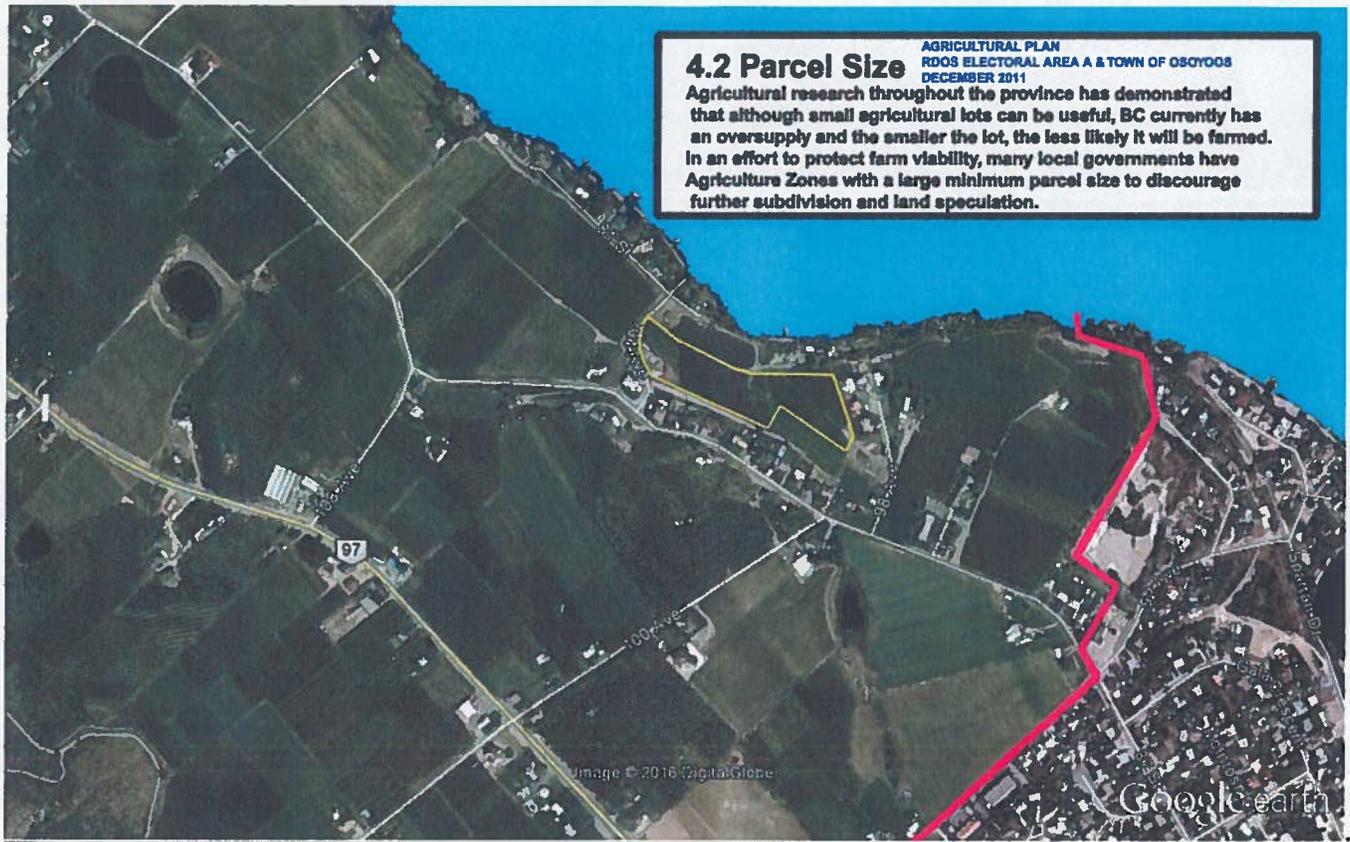


4./ We believe that previous Demelo actions together with a successful zoning change and subsequent severing from its sister parcel will put the Demelo’s one step closer to their ultimate goal. That being to convert these valuable agricultural properties including homesite A, homesite C and Louis Plut’s lot 4 into a residential subdivision. What next; then Nichols 11.235+ acres or the Demelo’s 13.269 acres at the edge of the town boundaries. It is the RDOS board’s duty to stop urban expansion especially for the flawed reasoning that “residential properties border agricultural land”. A truly sad example of urban sprawl that the RDOS has the power to prevent.

5./ If the Demelos are serious about not wanting to farm this parcel because of perceived "neighbor conflicts" I suggest they not only sell the subject property but firstly apply to consolidate it with homesite's A & C and then sell it. (yellow on map) That would leave them separated from Dumoret, the 98th avenue and most of the 87th street neighbors. (red on map) In retrospect their new consolidated parcel on the west side of 104th (blue) could also (using Demelo/Elenko logic) be considered "surrounded on 3 or more sides by neighbor homes (pink)



6./ Both the RDOS area A's Official Community Plan and their Agricultural Plan speak to minimum parcel sizes in agricultural zones. It is the duty of the RDOS board of directors to adhere to those policies and prevent severing and chopping up agricultural parcels.



Respectfully submitted

Rick Deis

Feedback Forms must be completed and returned to the Regional District
no later than Thursday **August 25, 2016**



Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** A2016.075-ZONE

FROM: Name: G. ALLAN PHILLIPS
(please print)

Street Address: 8308 98TH AVENUE, OSOYOOS

Tel/Email:

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.21, 2016
Lot B Plan KAP72608 DL 2450S SDYD

My comments / concerns are:

- I do support the proposed development.
- I do support the proposed development, subject to the comments listed below.
- I do not support these bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2451.21.

1. My home on 98th borders the subject agricultural property.
 2. I concur with the comments of Rick Deis in his Feedback Form submitted in this matter.
 3. Please also see the attached copy of my letter of 10 August 2016 to Christopher Garrish.
 4. I see no significant conflict between the operation of the Demelo Orchards and the enjoyment of my residential property. In fact, I see the orchards as an enhancement.
-
-
-
-
-
-
-
-

Feedback Forms must be completed and returned to the Regional District no later than **July 8, 2015**
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca



G. ALLAN PHILLIPS

August 10, 2016

BY EMAIL

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

Attention: Christopher Garrish

Dear Sir:

Re: Public Hearing 11 August 2016
Lot B Plan KAP72608 DL245OS SDYD (Elenko/Demelo application)

My wife and I purchased the lot at 8308 98th Avenue in 1993 and had a house built on it. I continue to own that property which is one of three residential properties adjacent to the Demelo parcel noted above.

When we purchased the property the existing orchard was in place and we expected there would be ongoing farming activity. I come from a farming background and was not surprised by nor have I ever complained of any farming activity. The location of the lot next to farm land was a major factor in our decision to purchase it. Similarly, the orchard property has had the same owner for many years. Given that this is a transition or border area between residential and farm areas it should not surprise anyone that there may be occasional inconveniences on both sides. So far as I am aware, there has been minimal conflict except in the context of the various applications to remove the subject lands from the ALR or to subdivide or otherwise modify them.

On a personal level, I met Luis Demelo shortly after arriving in Osoyoos and have always had cordial relations with him.

The current applications appear to have the ultimate objective of creating a non-conforming parcel which the owner will say is too small to be viable farm land and therefore should be used for residential development.

I note the relatively recent change to the minimum size of parcels in the RDOS and assume it was, at least in part, meant to preserve viable farm land and not to promote residential development on such parcels.

Accordingly, I oppose the current application.

Yours truly,

G. ALLAN PHILLIPS
cc: various recipients (per attached list)

From: Scott and Karen Edwards
Sent: August 6, 2016 7:09 PM
To: Christopher Garrish
Subject: Application A2016.075-Zone (Rezoning Lot B Plan KAP72608, District Lot 2450S SDYD)

Good afternoon, sir:

Thank you for your letter of July 9, 2016 regarding the proposed rezoning of Lot B Plan KAP72608, District Lot 2450S SDYD.

Quite frankly, I was appalled to receive notification of yet another application for rezoning of this property, especially considering that Mr Fry just sent out the findings of the last application regarding this property. As a taxpayer, I believe this application is a huge waste of government time and resources - commodities we are led to believe are scarce and under constant pressure - and I am shocked that the application has not been rejected at your level, on behalf of the Chief Executive Officer per the *Agriculture Land Commission Act Section 30.1* as part of a previous application within the past 5 years (last year, in fact (54317 (Exclusion) & 54318 (Inclusion) - DeMelo) and the latest in a series of similar applications in the past few years.) Further, unless there has been a huge change of opinion amongst the neighbours about which I am unaware, the comments you will receive will be likely be very similar - again, a needless duplication of efforts.

I will point out the obvious, which still bears repeating, that the size of the property in question is a direct result of the applicant's own past machinations to have property lines redrawn and adjacent land removed from the Agricultural Land Reserve for development purchases - which you can confirm by consulting your voluminous files on this area. (It should be noted that the adjacent land is still in agricultural use.) Further, if the proposed redrawing of property lines and consolidation of properties is being done for efficiency and continuity, the road dividing the property is a quiet residential road with no exit - not a major highway with which many orchardists have to content - and, in the past, the applicant has dealt with ease. (In fact, given that the applicant has been repeatedly applied for various consolidations, with this one still pending, I suggest that all the properties involved be consolidated into a single piece of property and even more efficient for agriculture.)

In closing, we will be attending the Question and Answer Session to be held 11 August but would rather that you or your manager exercise initiative and avoid any further expenditure of taxpayer dollars and staff resources by making the event unnecessary by denying the application entirely and telling the applicant not to apply again until at least 2020.

Regards,
Scott Edwards M.P.A, BSc.(For.), B.E.S. and Karen Edwards B.F.A.



Lauri Feindell

From: Scott and Karen Edwards
Sent: August 12, 2016 2:39 PM
To: Planning
Cc: Wallace, Ron ALC:EX; Fry, Colin ALC:EX; agr.minister@gov.bc.ca; Mark Pendergraft
Subject: Electoral Area "A" Zoning Amendment Bylaw No. 2451.21, 2016 Lot B Plan KAP72608 DL 2450S SDYD - Open House/APC Meeting and Feedback Form

Importance: High

Good afternoon, Christopher:

Thank you for holding the Open House on the proposed Bylaw amendment. We found the event both informative and useful. We certainly appreciated the clarifications on the process you provided and support the change in procedures to allow such information exchanges before the formal process occurs.

As you know, we do not support the proposed development and you noted that many of those in attendance are of the same mind. Outside the concerns voiced last night, we would provide the following comments/observations/process clarifications:

1) first and foremost are the allegations of theft, vandalism and interference with farming practices against the neighbours of the applicant. These have now been included in two applications and reiterated in at least one public forum by the agent of the applicant. We have asked for proof of such incidents, as have others, and none is forthcoming. Yet, without this proof, at least one of the members of the Agricultural Planning Commission referenced these problems as a reason to support the application. The inclusion of such unsubstantiated allegations should not form part of any approval for changes. (It has been suggested that, in fact, the neighbours have *prima facie* cases for legal actions for both slander and libel against both the applicant and the agent.) It is a bit ironic that many of the older neighbours remember very good relations with the applicant and family - when the applicant allowed neighbours to walk dogs or stroll through the orchards and were given permission to glean fruit remaining after the harvest with one even recounting how the applicant delivered fruit to the door - until around 2006;

2) unfortunately, there is little trust in the actions or promises of the applicant or his agent. The use of repeated applications for severing/amalgamating/adjusting properties, combined with the failure of the applicant to follow direction given by the Agricultural Land Commission (for example, failing to build fences to keep out the vandals and thieves), to whittle away at the Agricultural Land Reserve has left many of the neighbours suspicious of any proposal by the applicant. By way of example of this reduction of the ALR, there are now two homesites and a small holding on/adjacent to landholdings totalling less than ten (10) hectares. In short, we believe the applicant has little or no respect for the ALR and is making a mockery of the entire process;

3) related to the paragraph above, the lack of trust in the applicant is certainly not allayed in any way, by the artful interpretation of the history of the previous rulings of the ALC and RDOS and the installation of the sewage system. (As well, the agent's comments that the area to be "unhooked" could be converted to ground crops and/or greenhouses could be interpreted as a veiled threat - given the unsightliness of a nearby greenhouse (Paul's) which resembles an industrial garbage dump at the best of times.);

4) while we found the APC meeting to be of great interest, we were rather disappointed to discover that several members were unaware of the nature of the property lines through their declaration that they thought the



smaller area had already been unhooked and/or was a separate parcel already. We were also disappointed that at least one member of the APC appeared to be supporting the application based on his belief that the removal of the 2.0 ha from the ALR was inevitable anyway;

5) as to process, IF the proposal is approved and presuming the land is subsequently sold, an outcome which is by no means foreseen given the number of changes of plans by the applicant, will the new owner be allowed to have a homesite approved on this land - further reducing the agricultural land base and giving more justification to remove the area from the ALR? For that matter, if the proposal is approved, can the current owner then apply for yet another homesite - just in case the property is ever sold - thereby giving him four (4) sites on which to build homes and outbuildings? I know that ALC Policy #11 (Jan 2016) speaks to the process of homesite severance but, given this applicant's past practice of not building on existing homesites in the immediate area (or on the adjacent land already removed from the ALR, for that matter), we are very concerned about this possibility and the strong possibility of a subsequent application to remove the now-reduced farm from the ALR.

In conclusion, we tried to focus on this application, but, as you can see, it comes with a great deal of baggage - precedence as it were - and, although it was stated last night that the RDOS and the ALC do not look at precedents when making their decisions, history is important and is to be considered in any decision. Thank you, again, for the opportunity to comment.

Regards,

Scott Edwards M.P.A, BSc.(For.), B.E.S. and Karen Edwards B.F.A.

1-250-492-0063



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 6J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: A2016.075-ZONE

FROM: Name: VICKI A. STAFFORD
 (please print)

Street Address: _____

Tel/Email: _____

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.21, 2016
 Lot B Plan KAP72608 DL 2450S SDYD

My comments / concerns are:

- I do support the proposed development.
- I do support the proposed development, subject to the comments listed below.
- I do not support the proposed development.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2451.21

1. This appears to be the most recent in a series of efforts over many years on the part of Mr. De Melo to position himself or a related entity to eventually secure the release of this particular parcel from the A.
2. In the circumstances we refer to our many comments and responses over the years, which are on file with RDOS. We also associate ourselves with the comments on the Feedback Form submitted by Rick Deis.
3. The various reasons given by Mr. De Melo in this and previous applications are not convincing - even if the parcel concerned was released from the ALR, the larger adjoining parcel would still be in the immediate vicinity of the same neighbours, the allegations against whom are

Feedback Forms must be completed and returned to the Regional District any case unpi
no later than Thursday August 25, 2016

Board Agenda Item

B.2.b. A2016.075-ZONE (Responses – DeMelo)

ADDITIONAL RESPONSES RECEIVED

Lauri Feindell

Subject: FW: RDOS letters/Feedback due today Aug25

From: Kevin Primeau
Sent: August 25, 2016 12:17 PM
To: Planning
Subject: Fwd: RDOS letters/Feedback due today Aug25

----- Forwarded message -----

From: Kevin Primeau
Date: Thu, Aug 25, 2016 at 12:57 PM
Subject: Re: RDOS letters/Feedback due today Aug25
To: Rick Deis

We do not support any changes to the existing zoning or partitioning of the Demelo properties.

Regards,

Kevin and Cindy Primeau

Osoyoos, B.C.



Peter and Judy Gray

August 25, 2016

Dear Mr. Garrish,

We are writing to express our concern with Mr. Demelo's application for a zoning Amendment. .

Anyone who has studied the history of these parcels of land must realize that this is yet another attempt to exclude parcels from the ALR so that other development can take place: residential housing or condo development would seem to be the obvious choices.

The land in question is currently in food production so it must be viable agricultural land. To say that it is "surrounded" (on three sides) ignores the fact that the fourth side is a small secondary road across from the remainder of the orchard. Currently there are about 10 residential lots using this road. This can hardly be a hindrance to a farmer.

If there have been problems as stated in the application, "because this portion of land is surrounded by residential development and the adjacent residents do not understand and respect normal farm operations and have caused considerable problems to the farm operation ... then where is the documentation describing these incidents? If these incidents have occurred, it should not be difficult for Mr. Demelo to provide dates, names of people involved, RCMP police reports, insurance claims etc.

We wholeheartedly support and agree with the arguments put forward by Scott and Karen Edwards and Rick Deis, as well as others.

Once again, please consider this email as our response that Mr. Demelo's land re-zoning application should not be approved.

Sincerely,

Judy and Peter Gray





Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A 5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** A2016.075-ZONE

FROM: Name: Brock Jackson and Geraldine Manossa
(please print)

Street Address:

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.21, 2016
Lot B Plan KAP72608 DL 2450S SDYD

My comments / concerns are:

- support the proposed development. support the proposed development.
- support the proposed development, subject to the comments listed below.comments listed below.
- do not support the proposed development..

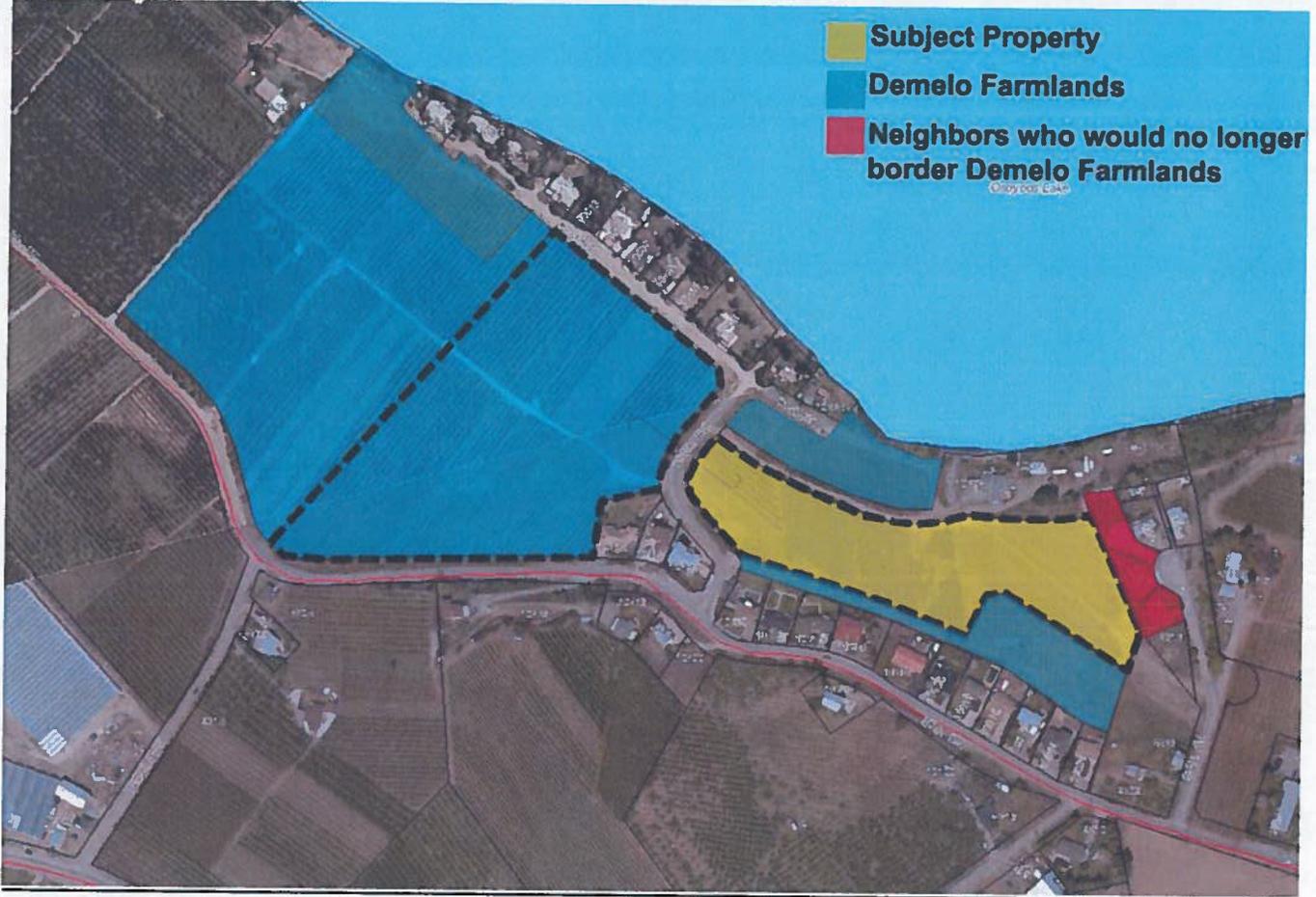
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2451.21.

1./ Applicant's reasoning is predicated on unproven allegations of Theft, Vandalism & Trespass by neighbors.

2./ Applicant's long history of applications to subdivide this and adjoining farmland into smaller parcels seeking homesite lots for family members is suspect. The applicant has not transferred ownership of those parcels to family members nor have they built homes on those sites. The major portion of those 3 small homesite lots continue to be farmed as part & parcel of the whole farm. Just this year lot "C" was replanted with new fruit trees as was the SW corner of the subject property.

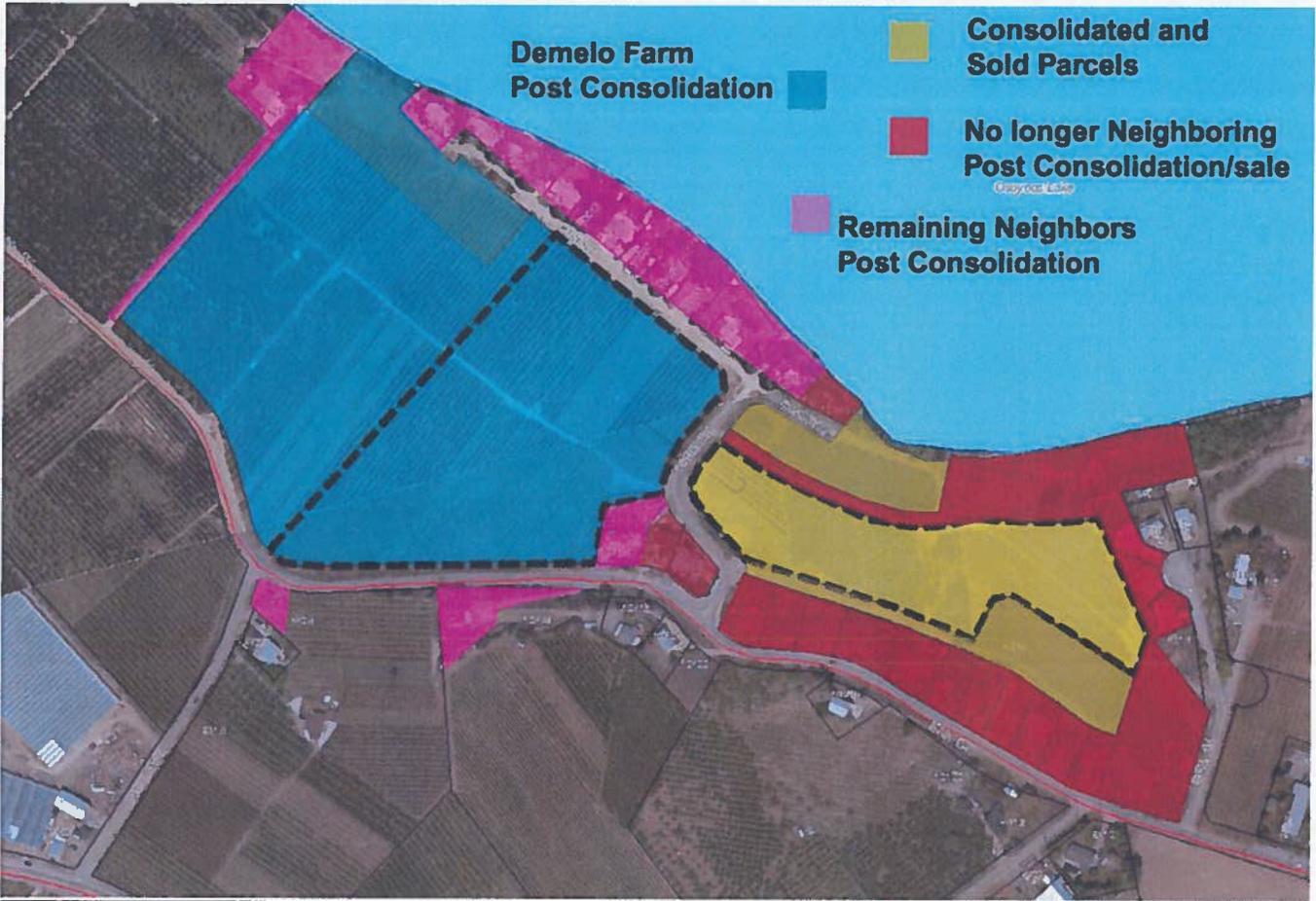


3./ Applicants rational that "selling the subject property and farming alternate crops may result in a better relationship between the farmer and the surrounding residents" is illogical in two respects. Firstly they are suggesting that farming cherries and nectarines creates a neighbor/farmer problem which is ridiculous. Secondly the net affect of a successful application, sale and conversion to alternate crops would be to provide desired separation to only three 98th street properties . The Demelo's properties will continue to border the majority of those neighbors as before. (see plan below)

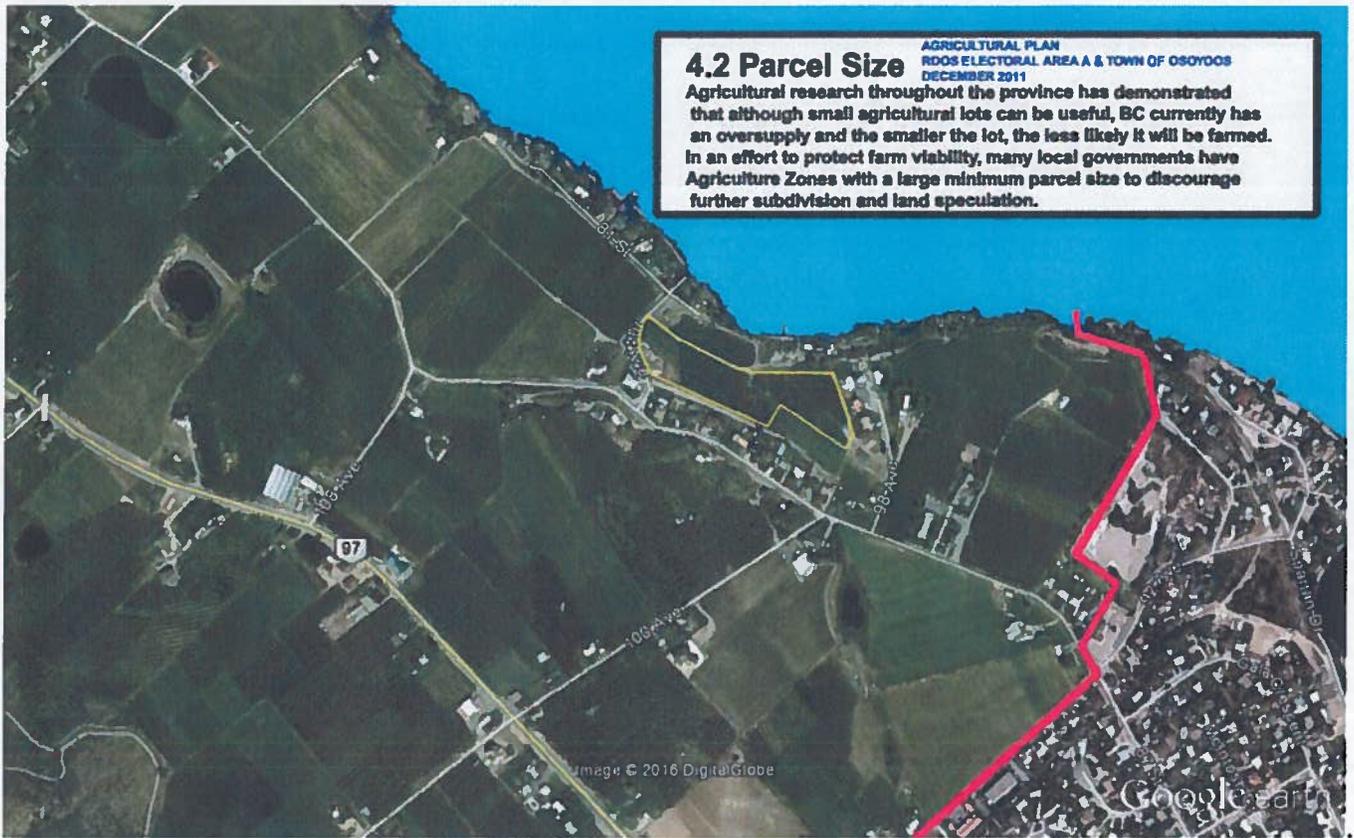


4./ We believe that previous Demelo actions together with a successful zoning change and subsequent severing from its sister parcel will put the Demelo's one step closer to their ultimate goal. That being to convert these valuable agricultural properties including homesite A, _____ homesite C and Louis Plut's lot 4 into a residential subdivision. What next; then Nichols 11.235+ acres or the Demelo's 13.269 acres at the edge of the town boundaries. It is the RDOS board's duty to stop urban expansion especially for the flawed reasoning that "residential properties border agricultural land". A truly sad example of urban sprawl that the RDOS has the power to prevent.

5./ If the Demelos are serious about not wanting to farm this parcel because of perceived "neighbor conflicts" I suggest they not only sell the subject property but firstly apply to consolidate it with homesite's A & C and then sell it. (yellow on map) That would leave them separated from Dumoret, the 98th avenue and most of the 87th street neighbors. (red on map) In retrospect their new consolidated parcel on the west side of 104th (blue) could also (using Demelo/Elenko logic) be considered "surrounded on 3 or more sides by neighbor homes (pink)



6./ Both the RDOS area A's Official Community Plan and their Agricultural Plan speak to minimum parcel sizes in agricultural zones. It is the duty of the RDOS board of directors to adhere to those policies and prevent severing and chopping up agricultural parcels.



Respectfully submitted

Brock Jackson and Geraldine Manossa

Feedback Forms must be completed and returned to the Regional District
no later than Thursday **August 25, 2016**

From: Rick Deis
To: Christopher Garrish
Cc: Wallace, Ron ALC:EX;
Subject: LotB Plan KAP72608 DL 2450S SDYD (Elenko/Demelo application)
Date: August 8, 2016 4:16:07 PM

Hello Chris:

Thanks for posting the appropriate documents. I have a few questions, concerns and/or observations below and look forward to your reply.

First off, I am a bit confused that the Edwards were aware of an application as early as July 9th while I and other neighbors were not advised until July 29th. What adds to the confusion is that the Elenko application is dated July 25th. I am sure there is a logical explanation as even the RDOS doesn't fast track applications in under a week?

The application form indicates that there are "*registered easements or right-of-ways over the subject property (if yes provide details)*". I trust the RDOS are in possession of those details which I expect would be an important consideration in the rezoning and subsequent salability of the property. The configuration of the sewer right of way through the subject property and lot C were negotiated to accommodate a Demelo residential development. Trees were torn out and not replanted but now used instead as an access route for the Demelo operation. Can trees now be planted over this ROW?

The application also states that "*a notice of development sign must be erected no less than (10) working days before the Board considers the Amendment Application*". To date there still is no sign on the property and with mail service iffy at best I am fearful that many concerned citizens may not be aware of the application or the Public Information Meeting. This all seems very rushed - is someone fast-tracking this through and if so, why? Also a 6:00 p.m. Public Information Meeting followed by a 6:30 p.m. APC meeting also appears somewhat unusual.

Concerning the Elenko prepared "Supplementary Information", the "History" paragraphs on page 2 misrepresent somewhat. He states that the subject property is "surrounded" by residential development whereas truthfully, there are only three residential homes (98th avenue) adjacent on the East side and the 2.3 acre Dumoret acreage on the North side bordering the perimeter. The ALC previously permitted the Demelo's three homesite lot severances two of which border the subject property and the third (lot D) lakeside between the consolidation parcel and 81st street residences. Homesite Lot C lies along the entire South perimeter as a buffer to the 87th St. properties and lakefront homesite lot (A) west of the Dumoret's acreage lies north of the subject property. The balance of the subject property lies adjacent to 104th avenue. (see map)

Yet again, Mr. Elenko makes blind accusations by saying "adjacent residents do not understand and respect normal farm operations and have caused considerable problems to the farm operation". A neighborhood survey was conducted last year which demonstrated that this was not the case. There may have been a few occasions over the past 23 years between the Demelos & neighbors (who have since left or died) but few if any problems occurred with the neighbors "adjacent" to the 2 ha parcel in question. He talks of "alternate crop choices" which is hogwash and the true reason for their smokescreens is simply to someday be able to develop their residential subdivision.

Mr. Elenko's supplementary information again misstates the facts by saying both the RDOS Board and Area "A" APC "passed a resolution to support the exclusion". In actuality, the minutes and an email from director Pendergraft will show that both bodies simply approved "forwarding" the exclusion application to the ALC. Mr. Elenko goes on to say that the ALC "approved the subdivision of the subject property" which again is overly optimistic. I am confident once the ALC has all the details they will regret opening the door to that possibility.

If the Demelos are sincere in their wish to sell the subject property and are willing to do so at fair market "orchard" prices the idea looks positive on the surface. But I am fearful that the expected asking price would be a much higher and the cost for any potential farmer unworkable and probably more in line with what a real estate speculator with deep pockets would be willing to pay. If this subdivision is successful how many more ALR exclusion battles will we have to fight?

A key point made by Mr. Elenko and mirrored by your administrative report was that "no new parcels would be created"; a statement which unfortunately does not show the true impact that such a subdivision would have. Over the years the Demelos have managed to carve off three homesite lots which were apparently for family homes however; they have not developed these and they continue to farm large portions of these properties. Even with a new owner farming the subject property these homesite lots will continue to be farmed by the Demelos. If the Demelos truly believe that they cannot get along with their 87th street neighbors a better solution would be to sell Homesite lot C. The new owner could install all the fences and tree buffers that were a ALC condition of the homesite severance and the "Demelo" perceived problem would be resolved. This is the only solution to putting a buffer between 87th street residents and Demelo farming operations.

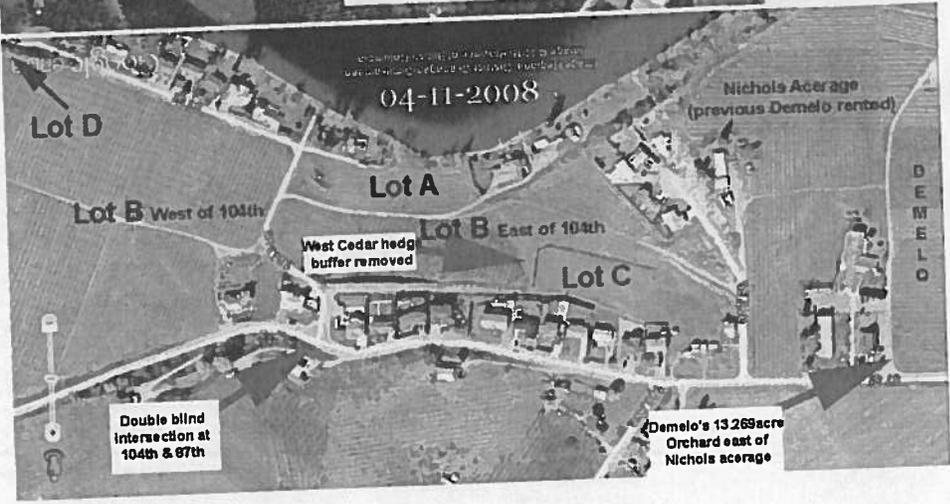
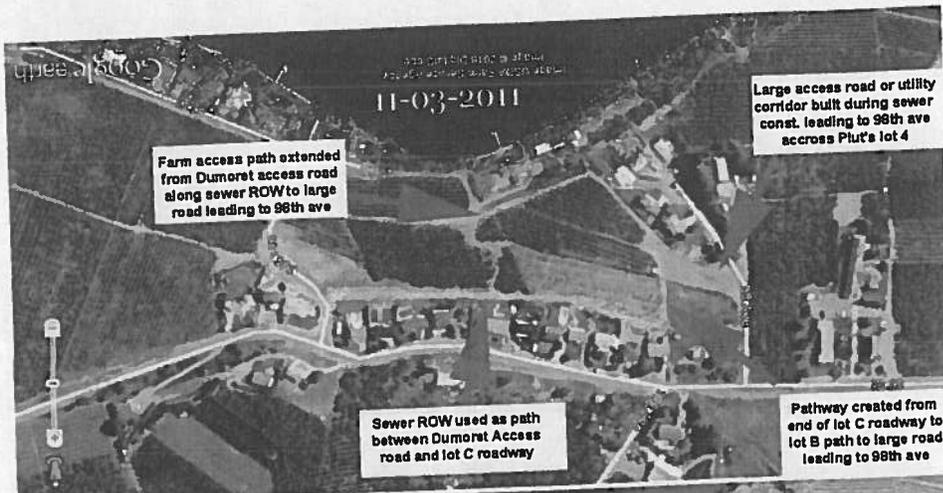
The Demelo operation seems to work very smoothly in it's present configuration using the Dumoret road, the subject property sewer ROW's, Lot C, the Plutt easement and 98th Avenue/87th street as access routes between this chain of properties and the Demelo's 13+ acre property (9425 87th street) south of the Nichols acreage.

Removing the subject property from the mix would be detrimental to the entire operation. Will adding another farmer with all the additional equipment and workers to the mix and restricting access through the property solve problems or create new ones? After all, the Demelos aren't known to be very neighborly.

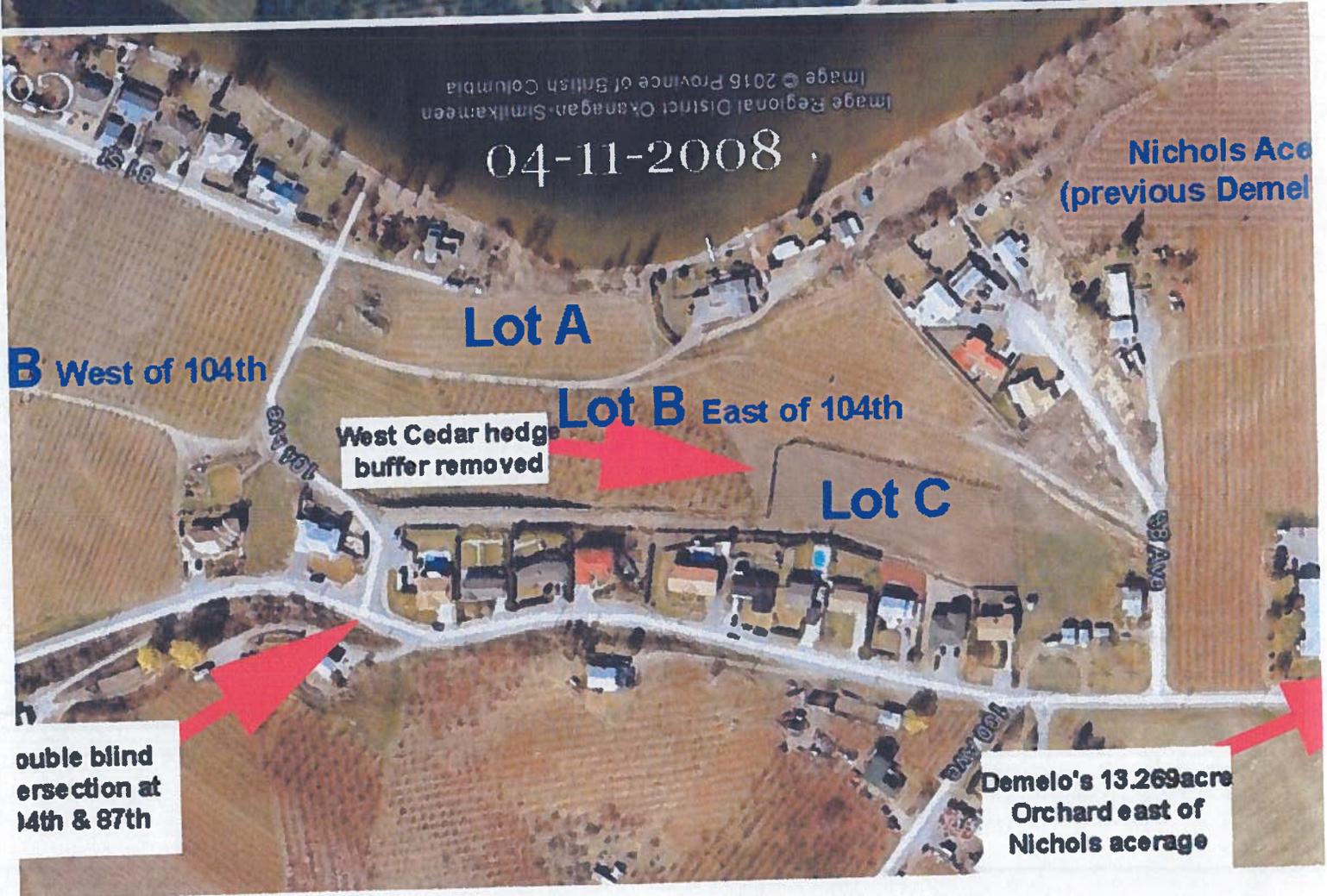
Loosing access through the subject property could cause a safety problem as 104th Avenue at 87th street is a double blind corner. Will both the Demelo operations and the new farmer be forced into using this intersection for both access and exit? 98th avenue is much safer, especially for slow moving vehicles exiting onto 87th street.

And what happens to the Demelo Homesite panhandle lot "C" that was created as a buffer between the 87th street residents and the the subject property? It sure isn't "fenced" & tree buffered as per ALC conditions. Just this year they replanted with new fruit trees so if kept by the Demelo family we are back to square one with Demelo farm operation adjoining residential neighbors.

Below/attached I have made some notes on a couple of Google Earth images.



Rick Deis
BA, FRI, WTFC



From: Cornish Don & Gillian
To: Christopher Garrish
Subject: Re: Rezoning of Lot B Plan KAP72608 District Lot 24505
Date: August 7, 2016 10:55:57 AM

Hi again Chris,
I mentioned before how adjacent properties to these subject ones also belong to this owner, I meant to point out how the value changes when the time comes to sell as he created a waterfront lot 108010 81st street currently valued at \$4742 and is vacant but the residential lots like ours is \$510,000. The property to the north of the green subject area 714-06047.005 I believe is also his and could be added to increase what ever numbers are needed to make it a viable piece. He wants to become a developer instead of a farmer, as I said before it's all the same pie.

Don

On Aug 5, 2016, at 11:06 AM, Christopher Garrish <cgarrish@rdos.bc.ca> wrote:

Hi Don,

Tanks for submitting these comments.

Sincerely,

Chris.

<image001.png>**Christopher Garrish MA, MSS, MCIP, RPP** <image002.png> Planning Supervisor

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

p. 250.490.4101 | tf. 1.877.610.3737 | f. 250.492.0063

www.rdos.bc.ca | cgarrish@rdos.bc.ca | [FACEBOOK](#) | [YOUTUBE](#) | Sign up for [REGIONAL](#)

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-----Original Message-----

From: Cornish Don & Gillian

Sent: August 5, 2016 11:04 AM

To: Christopher Garrish

Subject: Rezoning of Lot B Plan KAP72608 District Lot 24505

Dear Mr. Garrish,

I chuckle at the way this property rezoning has evolved as history will show that even

our own property on 81st street was once part of this same piece of land. The current owner has subdivided the property many times for what ever reason but it is still the same piece of land. As a business man he is only trying to make maximize his profit which is natural so you can't fault him there. He has had many government grants to test growing techniques to improve the industry, another plus, but he did remove 10 feet of topsoil which he reportedly sold to build the town airport which has impacted the lake quality ever since. I notice gray areas that border the coloured areas also belonging to this property owner are not showing as part of the pie so to say areas are no longer big enough to meet the minimum 4.0 parcel requirement was only created by who is in charge of cutting the pie. If the land were to go back as it originally was we wouldn't be having this discussion. The ALR needs overrule profit so I hope this little bit of history will help you make the right decision.

Sincerely,

Don Cornish
10809 81st st
Osyoos

(holiday home since 1952)

August 4, 2016

Mr. Christopher Garrish
Planning Supervisor
101 Martin Street
Penticton, B.C. V2A 5J9

Dear Christopher,

Proposed Rezoning, Project No. A2016.075-ZONE

I would appreciate some information with regards to the following aspects of the rezoning application prior to the Aug 11th meeting at the Sonora Community Center:

1) Comparing the parcel figures quoted in ALC decision File 54317 of Oct. 15, 2015, paragraphs #23 and #25, with the figures given in the July 29, 2016 RDOS rezoning notice for Project No. A2016.075-ZONE, there appears to be a difference (2.7 ha. versus 2.0 ha.). Is this correct? Yes. The legal survey plan for the property shows that portion on the east/south side of 104th Avenue as being only 2.0 ha in area. Why the larger size of 2.7 ha was used in the previous Exclusion application to the Commission is unclear.

FINDINGS

[23] The Panel assessed the proposal to subdivide Lot B and consolidate the ~4 ha remainder of Lot B lying north of 104th Avenue with the adjoining 4.3 ha property to the north. The Panel concurred that this subdivision proposal represented an agricultural benefit in that it permitted the 2.7 ha portion of Lot B to sold separately from the agricultural remainder and allowed for the creation of a larger (~8.1ha), more suitable farm parcel north of 104th Avenue.

DECISION

[25] However, the Panel will allow the subdivision of the 2.7 ha portion of Lot B lying south of 104th Avenue subject to the consolidation of the remainder lying north of 104th Avenue with the adjoining property to the north. The Panel believes that this subdivision permits the Applicants to sell the portion of the Properties lying south of 104th Avenue to another

etc.

RDOS REZONING LETTER TO ADJACENT PROPERTY OWNER(S)

"The purpose of the rezoning is to allow for a boundary adjustment that will result in an approximately 3.89 ha. section of the subject property (situated on the west side of 104th Ave) being consolidated with an adjacent parcel in order to create a new 7.89 ha. property. This will also result in an approximately 2.0 ha. remainder parcel on the east side of 104th"

2) Has the boundary adjustment already been approved OR is the boundary adjustment approval subject to successful rezoning? The boundary adjustment is subject to a successful rezoning.

3) Does the ALC/ALR have a parcel size that can be excluded from the ALR simply because it contains a minimum number of hectares? No. That said, parcels less than 2.0 acres in area that are in the Reserve and existed prior to December 21, 1972, are exempt from ALR regulations.

4) A copy of the permissible land uses in both AG1 and AG1s would be appreciated to be able to address any concerns/conflicts on the proposed rezoning. A copy of the current Electoral Area "A" Zoning Bylaw can be accessed at the following link:

http://www.rdosmaps.bc.ca/min_bylaws/bylaws/planning/consolidated/2451.pdf

The site specific AG1 zone that is being proposed for this property will not amend permitted uses, it will only deal with minimum parcel size requirements for subdivision. I am hoping to have a copy of the draft bylaw linked to the following web-page shortly: <http://www.rdos.bc.ca/departments/development-services/planning/current-applications-decisions/electoral-area-a/a2016075-zone/>

Thank you for your attention to this matter.

Roberta Wight

From: Kevin Dockett
Sent: August 25, 2016 12:45 PM
To: Christopher Garrish
Cc: Rick Deis
Subject: Fwd: RDOS letters/Feedback due today Aug25

Good afternoon Chris.

Please accept this email as my agreement with what my neighbours and friends have been saying.

I cannot write a more detailed reply/ response as i am currently in Victoria awaiting surgery and do not have access to my notes.

Thank you
Kevin @ Liz Dockett

Sent from my iPhone



OSOYOOS INDIAN BAND

1155, SEN*POK*CHIN BOULEVARD, OLIVER BC, V0H 1T8
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

August-26-16

Invoice: 5100-77-384

Referral ID: Bylaw. No.2451.21

Reference #: R-77-000688

RTS #868

Date: July-28-16

Luis & Alicida DeMelo
15210, Highway 97
Osoyoos, BC V0H 1V2

Attention: Tony DeMelo

We are in receipt of the above referral. This proposed activity is within the Osoyoos Indian Bands Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

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

The Osoyoos Indian Band has specific referral processing requirements for both government and proponents, which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management right. According to this policy, proponents are required to pay a \$500.00 processing fee for each referral. This fee must be paid within 30 days. Please make the cheque payable to the Osoyoos Indian Band re: RTS invoice: 5100-77-384. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, the Osoyoos Indian Band will notify you and all parties will negotiate a Memorandum of Agreement regarding a process for review of the proposed activity.

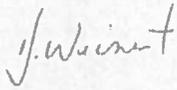


Luis & Alicida DeMelo
August-26-16
Page 2

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

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

liml0mt,



Yvonne Weinert
Lands Manager
Per:
Chief Clarence Louie
Osoyoos Indian Band

cc: Regional District of Okanagan-Similkameen (planning@rdos.bc.ca)



OSOYOOS INDIAN BAND

1155, SEN*POK*CHIN BOULEVARD, OLIVER BC, V0H 1T8
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

Office Review Results

August-26-16

Referral ID: Bylaw. No.2451.21
Reference #: R-77-000688

RTS #868
Date: July-28-16

Luis & Alicida DeMelo
15210, Highway 97
Osoyoos, BC V0H 1V2

Attention: Tony DeMelo

We are in receipt of the above referral. This proposed activity/development is within the Osoyoos Indian Bands Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Okanagan First Nation's people have Syilx names and legends associated with this area. Our people refer to this area as Txasqin, which translates to "good on top". Txasqin and its history have great cultural and heritage significance to the Osoyoos Indian Band. Some of the significances include but are not limited to archaeological resources, legends, spiritual use, hunting locations and gathering sites.

Based upon the results of our Preliminary Office Review of the proposed activity/development proper consultation and consideration of potential impacts and infringements to our Aboriginal Title and Rights cannot occur without the following recommendations. It is only with these recommendations that proper consultation can begin and the proposed activity/development can be reviewed

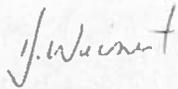
- The Lot B, Plan KAP72608, District Lot 2450S, SDYD, is located in a in a high potential archeological area. It is recommended that a PFR by a qualified Archaeologist and one OIB field technician be conducted on the proposed area prior to any ground disturbance. If there is no ground disturbance anticipated then we would like you to be made aware of our concerns that archaeological resources may be found at this location. In the event that archaeological resources are found we ask that, you stop all work and notify the Archaeology branch and the Osoyoos Indian Band.

Please advise the Osoyoos Indian Band in writing as to your ability to meet the above listed conditions as outlined. Failure to meet these conditions will result in our disapproval and objection of the proposed activity/development. We will not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated Date: July-27-16.

Please note that our participation in the referral and consultation process does not define or amend the Osoyoos Indian Bands 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.

limlert



Yvonne Weinert
Lands Manager
Per:
Chief Clarence Louie
Osoyoos Indian Band
cc:

Lauri Feindell

From: Dilys Huang <DHuang@osoyoos.ca>
Sent: August 29, 2016 1:12 PM
To: Planning
Subject: FW: Bylaw Referral - Rezoning A2016.075-ZONE

From: Dilys Huang
Sent: Monday, August 29, 2016 1:09 PM
To: Christopher Garrish <cgarrish@rdos.bc.ca>
Subject: Bylaw Referral - Rezoning A2016.075-ZONE

Hi Chris,

The Town does not have comments with respect to the proposed Zoning Bylaw Amendment. However, while the subject property (Lot B, Plan KAP72608, DL 2450s, SDYD) is located within the North-West Sector Sewer Service Area, the portion of land to be consolidated (Lot E, Plan KAP72608) currently appears to be outside of the Service Area boundaries.

Kind regards,

Dilys Huang, BES, MPL, LEED Green Assoc. | Senior Planner | **Town of Osoyoos** | 8711 Main Street, Box 3010, Osoyoos BC V0H 1V0
T 250.495.4615 | **F** 250.495.2400 | **TF** 1.888.495.6515 | **E** dhuang@osoyoos.ca | **W** www.osoyoos.ca

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Advisory Planning Commission Minutes

RDOS Electoral Area A

Thursday August 11, 2016

Sonora Centre, Osoyoos, B.C.

Present: Chair Peter Beckett, Gerry Hesketh, Grant Montgomery, Bonnie Douglas (Secretary)

Absent: Vice Chair Mark McKenney, Dwayne Svendsen, Bill Plaskett

In Attendance: Area A Director Mark Pendergraft, RDOS Planning Supervisor, Christopher Garrish

Guests: Fred and Sue Babyn, Brock Jackson, Geraldine Manossa, Karen Edwards, Pela and Vicki Stafford, Gerry and Lorna Short, Rick and Deb Deis, Julie Hamilton

Meeting was called to order at 6:40 pm

Minutes of the previous meeting were adopted by consensus

Proposed Zoning Bylaw Amendment Application (DeMelo)

A06047.010/A2016.075-ZONE

Chair Peter Beckett explained the role of the APC to the guests. He talked about the zoning application and Chris clarified it. Grant asked if small acreages have ever come out of the ALR. Director Pendergraft said the only one he knows of was Reflection Point. There was some concern about the wording in the agenda about whether it was 2 or 2.7 H. that was being subdivided off. Chris explained about this and procedures of the zoning. Resident Karen Edwards spoke of her concern that a smaller parcel could be taken out of the ALR and subdivided. Rick Deis spoke on his concern as well. Brad Elenko spoke about the application and this was not about being taken out of the ALR but a lot line adjustment.

Motion by Grant Montgomery, seconded by Gerry Hesketh.

That the APC recommends to the RDOS that the subject development application be approved.

Vote: 2-2, defeats motion

Meeting adjourned 7:08

Bonnie Douglas, Secretary

Peter Beckett, Chair

Monday, October 03, 2016

RE: Amendment Bylaw No. 2451.21, 2016 Lot B, Plan KAP72608, District Lot 2450S, SDYD

We would like to express our concern over the proposed re-zoning of this parcel of land. After attending the first meeting regarding this we found it ridiculous that owners of this property blame the surrounding neighbors as reasons for not being able to farm this land and that further they feel selling the property to another farmer would alleviate their problems.

The RDOS has to be fully aware that the only reason this parcel is being separated is so that it will become easier to remove from the ALR and thus re-zone for a housing development in the future. Isn't it interesting that the owners in question only have a problem on the small parcel and not on the larger areas of their property? Surely the entire 10 Ha farm would be more desirable to sell to another farmer including the 2.0 Ha parcel than just the 2.0 Ha by itself, and surely the aforementioned "disgruntled neighbors" would make it difficult for the entire property, not just the 2.0 ha. The other problem we have is why, when the neighbors are fighting to keep the farm as is, would they then go ahead cause problems for the existing farmer.

We have recently purchased our home on 87th street, and we wish to see the subject property remain as farmland forever. We understand that in order to farm, there will be spraying, there will be loud bird recordings and other things that go along with farming...but that is what we have chosen and it is in fact the main reason that we purchased our home.

As a concerned neighbor please understand that we recently purchased our property for the peaceful rural setting and outstanding view. We feel that this re-zoning is just a step towards having the parcel ultimately removed from the ALR.

Sincerely,

Ken Bruniski and Joanne Muirhead

Lauri Feindell

From: Christopher Garrish
Sent: October 11, 2016 2:52 PM
To: Lauri Feindell
Subject: FW: FW: Agenda Package missing feedback forms + previous emails/letters (Demelo)

From: Rick Deis [mailto:rickdeis@gmail.com]
Sent: October 11, 2016 11:19 AM
To: Christopher Garrish
Subject: Re: FW: Agenda Package missing feedback forms + previous emails/letters (Demelo)

Good morning Chris

Thanks for the follow up.

1./ Unfortunately I am still not sure if my August 8th email to you was shared with the board. It brought up some important questions/concerns that I did not feel needed to be repeated in my August 16 email/feedback document. The 8/8/2016 email was

n
o
t included with the letters that made it into the agenda and as it does not seem to fit the late items category " **representations received between the publication of the Agenda and the Board meeting**" Just makes me wonder how many other emails didn't make the cut?

2./ Regarding the Aug 11 APC Administrative report and the Sept 1 BOD Administrative report I was wondering why the 1st two and last paragraphs under "Background" in the APC version were excluded from the BOD version?

3./ The Admin Report Analysis

concerning reasons for support "previously supported proposalsto undertake subdivision of agricultural parcels along a road alignment (generally to separate agricultural from non-agricultural lands) should not have been used as a reason. This proposed subdivision only serves to separate agricultural from agricultural.

4./ The Admin Report Analysis

concerning reasons for support concerning "no additional parcels will be created" I believe is flawed and not a legitimate consideration. If I have missed the "no additional parcels will be created" clause in the OPC please point it out to me. What I did find was the following section:

6.3.6 Will consider applications to subdivide parcels smaller than 4 hectares within the Agricultural Land Reserve, subject to approval of the provincial Agricultural Land Commission, in the following cases:

- a) for a homesite severance under the Agricultural Land Commission's homesite severance policy; v
- b) where the subdivision or boundary adjustment will allow for more efficient use of agricultural land or the better utilization of farm buildings for farm purposes; and
- c) where the community interests in the subdivision of the land outweigh the community interests in the retention of the land in a larger parcel.

In these cases, the individual parcel sizes within the 'Agriculture' designation are subject to approval by the provincial Agricultural Land Commission, and must meet minimum parcel size required to meet the relevant Provincial regulations for septic disposal fields.

6.3.7 Supports the consolidation of legal parcels that support more efficient agricultural operations.

5./ I also do not believe that " more efficient use of agricultural land " should be considered as the contrary is in fact true. When you consider that the Demelo's are also farming Lot E, lakefront Lot A, PANHANDLE lot C and Lot 1 Plan KAP60712 (next to the town boundary)

6./ I would also like to bring your attention to a previous analysis you made in 2009 where you pointed out some important considerations which I believe also relate in part to the Demelo application and should be included in your final administrative report to the BOD

"Analysis:

It is generally not considered good planning practice to encourage the fragmentation of viable agricultural land, and the OCP generally seeks to discourage this type of subdivision by supporting and encouraging "agriculture in the community through the preservation of the agricultural land base" and the consolidation of parcels in order to create more efficient agricultural operations.

Moreover, Administration generally does not support the creation of ad hoc or spot zonings where they are divorced from broader strategic land use objectives. In such instances, spot zonings grant privileges to a single parcel which are not granted or extended to other parcels in the vicinity, and which individually may seem harmless, but could incrementally establish a pattern of development that will erode an area's existing rural character.

Only in certain circumstances will the Board consider supporting applications to subdivide parcels within the ALR to a size of less than 4.0 hectares, and include: a homesite severance; where subdivision will allow for a more efficient use of agricultural land and/or buildings; and where the community interest favours subdivision over retention of the land in a larger parcel.

.....Administration is also concerned that subdivision will result in the alienation of agricultural land through the introduction of additional development rights

.....
parcel adjacent to Osoyoos Lake is likely to be more attractive for non-farm purposes (i.e. rural residential use) than for agricultural pursuits.

On the third criteria, it is not clear that there exists a community interest in seeing an agricultural parcel adjacent to the lake subdivided.

The OCP specifically speaks to the need to "encourage future residential development to locations away from Osoyoos Lake to protect this important resource", and, when asked in a 2007 community survey, residents of Electoral Area 'A' indicated that they generally did not favour increasing residential development adjacent to Osoyoos Lake (i.e. 50.7% opposed vs. 29.5% in favour).

In conclusion, this proposal is not supported by either the OCP Bylaw, the Zoning Bylaw (which requires a 4 ha minimum parcel size). Moreover, the basic tenets of the ALC's decision on the previous subdivision application — the land proposed for subdivision has a degree of agricultural suitability and the impact of introducing additional residential lots to the area would be detrimental to agriculture on the subject property and surrounding lots — are still seen to be relevant.

7./ My final points concern the process thus far:

(a) Having another open House is somewhat anti-climatic as those who already attended are unlikely to re-attend (unless Mr. Elenko is prepared to provide support for his allegations of Trespass, Vandalism & Theft by neighbors.) Plus the lack of an accurate record of participation by those at the last open house has left a number of us frustrated with the process.

(b) The ALC's implied support for this subdivision was predicated on unsubstantiated allegations of Theft, Vandalism & Trespass by neighbors. The RDOS has become part & parcel to the spreading of this rumor.

(c) Handing BOD late item letters minutes before their meeting does not provide a fair

opportunity for those members to read those letters. I believe there are additional letters which they still have not seen.

(d)

This application should not be considered based on an assumption that the west remainder of B would be consolidated with lot E

. Should the application not have covered both the subdivision, rezone and consolidation together.

Kind regards

Rick Deis
BA, FRI, WTFC

On Wed, Oct 5, 2016 at 12:58 PM, Christopher Garrish <cgarrish@rdos.bc.ca> wrote:

Hi Rick,

I checked with our Administrative staff again this morning about your concerns and have been assured that all the representations received between the publication of the Agenda and the Board meeting were presented to Directors in the usual form of "late items" (i.e. handed out on pink paper).

I trust that this is of assistance.

Sincerely,

Chris.

From: Christopher Garrish
Sent: October 4, 2016 12:37 PM
To: Rick Deis
Subject: Agenda Package missing feedback forms + previous emails/letters (Demelo)

Hi Rick,

I was out of the office the week of the August 25th Board meeting so am not as familiar with what happened with "missed" representations. As you are also aware, the contact details provided on the Feedback Forms due August 25th were departmental (i.e. planning@rdos.bc.ca) and not specific to me, so I was not anticipating my leave being an issue with the submission of any forms.

Also, please understand that the Agenda for a Board meeting is set two weeks before the meeting, and finalised (published) the Friday before the Board meeting. This raises obvious logistical challenges with any representations on a land use application that we receive between the Agenda being published and the Board date. In the past, we have walked these representations into the Board meeting as "late items" (on pink paper) so that the Board is apprised of them.

Going forward, and as I think I have mentioned before, those representations that may have been received between the publication of the Agenda and 1st reading will be included with the materials considered at the public hearing and presented to the Board again prior to 3rd reading. This won't be an issue with the next Agenda (3rd reading) as the Board cannot consider representations received after the close of the public hearing.

The APC meeting was separate to the Open House and I would not expect their minutes to reflect what happened at the public meeting. You will also recall that I advised meeting attendees that the event was informal, no minutes were being taken and if they wished to convey their concerns to the Board I needed it in the form of written representations. It is not customary for staff to comment on the sentiments expressed at public hearings or meetings as this is seen to be a matter for the Board to adjudicate.

As for proof reading of reports, your points are valid and I will make sure the references are corrected in the 3rd reading report.

Sincerely,

Chris.



Christopher Garrish MA, MSS, MCIP, RPP · Planning Supervisor

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

p. 250.490.4101 | tf. 1.877.610.3737 | f. 250.492.0063

www.rdos.bc.ca | cgarrish@rdos.bc.ca | [FACEBOOK](#) | [YOUTUBE](#) | Sign up for [REGIONAL CONNECTIONS](#)

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From: Rick Deis [<mailto:rickdeis@gmail.com>]

Sent: September 30, 2016 4:55 PM

To: Christopher Garrish

Subject: Re: 20160901 Agenda Package missing feedback forms + previous emails/letters (Demelo)

Hello Chris:

I finally had time to look through the documents posted on the RDOS website and am a bit concerned. By not including the missed letters/emails that Donna indicated would be given to the BOD before their September 1 meeting leaves us (neighbors whose letters/emails were received by you/your office on or before August 25/16) wondering if they actually made it into the BOD's hands before they dealt with their 320 page agenda. Was the

BOD able to view my August 8 email and attached images prior to the meeting? Is feedback from the neighbors an important consideration, and if so; someone dropped the ball big time. It's unfortunate that a August 25 feedback deadline was set and then you were not in the office to ensure everything that should have been included was. (Email vacation responder indicated that you were away til September 6). Maybe this is another case of "jumped the gun in scheduling."

Speaking of jumping the gun, I would suggest a proof read on your administrative reports so that the next one is corrected. Under your Background heading you say, " In 2015, a proposal to exclude that part of the property on the west side of 104th Avenue was refused by the ALC. The Commission advised, however, that they would be willing to "allow the subdivision of the 2.7 ha portion of Lot B lying south of 104th Avenue subject to the consolidation of the remainder lying north of 104th Avenue with the adjoining property to the north." The current proposal is seeking to act upon this direction provided by the Commission. The Exclusion application was to exclude the "south" portion of Lot "B" plus Lot C but its actually more east than south . Also under Site Context you state " The subject property is approximately 5.89 ha in area and is bisected by 104th Avenue, with approximately 3.8.9 ha of land situated on the west side of 10th Avenue and 2.0 ha situated on the east side. I believe 104th Avenue is correct .

I also felt that the APC minutes and your administrative report regarding the August 11 meetings was minimal and did not represent the overwhelming objection to this proposal. Other than Mr. Elenko (and possibly Director Pendergraft) there was no mention of the lack of support for the zoning. At least 10 members of the public spoke against the proposal and Mr. Elenko was challenged to provide evidence for his accusations against the neighbors but was unwilling to do so.

Also,should the BOD not have been made aware that Director Pendergraft overstepped his authority undermining the APC 's chairman by threatening to ask me to leave and shutting down the meeting? I had been given permission to speak from the chair - did the director feel I spoke too long or maybe he just did not like what was being said?

I do have a couple of thoughts on your rationalization supporting the zone change but will cover those at a later date.

Regards

Rick Deis

BA, FRI, WTFC

Representations Received at Public Hearing



**LUAL ORCHARDS – SITE SPECIFIC ZONE AMENDMENT
PUBLIC HEARING – OCTOBER 12, 2016**

History

- For years, the owners have had problems with vandalism of farm equipment, verbal abuse, and trespass on the property. As a result the owners have no desire to continue to try farm the portion of Lot B lying south of 104th Ave.
- The owners applied for ALR exclusion of that portion of Lot B lying south of 104th Ave. The ALC refused the exclusion but allowed a lot line adjustment that would create a 2.0 ha. parcel on the south side of 104th Ave.



Proposed Zone Amendment to Agriculture 1 Site Specific

- **The site specific zone amendment application is a request to reduce the minimum parcel size of the portion of Lot B lying south 104th Avenue to 2 ha.**
- **The purpose of the application is to facilitate a lot line adjustment as approved by the ALC, between two adjacent parcels to create a 2 ha. farm parcel and a 7.9 ha . farm parcel.**
- **The proposed 2 ha. farm parcel is physically separated from the balance of the parcel by 104th Avenue.**



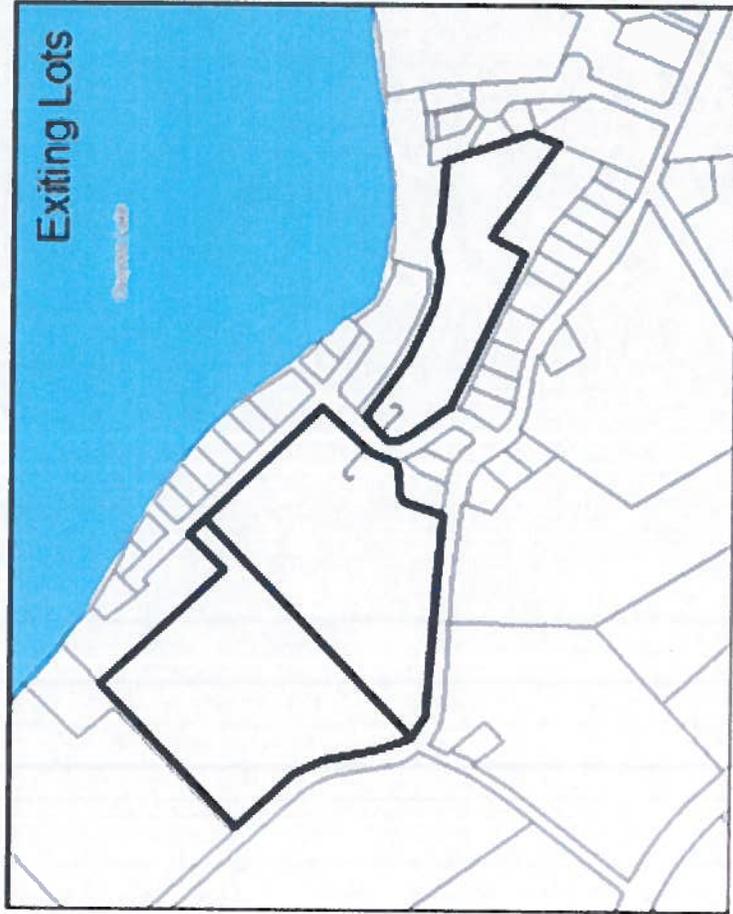
Existing Lots



LUAL ORCHARDS – Site Specific Zone Amendment



Proposed Lots Before and After Lot Line Adjustment



Rationale and Justification to Support Zoning Amendment

- 1. In a letter dated October 15, 2015, the Agricultural Land Commission advised that they support the lot line adjustment between Lot B and Lot E to create a 7.9 ha farm parcel and a 2.0 ha. farm parcel. In accordance with the ALC's support, the owners have applied for a site specific zone amendment to facilitate the ALC supported lot line adjustment.**
- 2. The ALC's decision to refuse a previous exclusion application effectively solidified the property's agricultural future, which is what the adjacent property owners want.**



Rationale and Justification to Support Zoning Amendment

- 3. The ALC has recently provided additional correspondence regarding the proposed lot line adjustment clearly articulating their reason for their decision to allow the lot line adjustment.**
- 4. The consolidation of the north portion of Lot B with the adjacent north Lot E will result in a 7.9 ha. farm parcel which is, in the opinion of the ALC, a benefit to agriculture.**



Rationale and Justification to Support Zoning Amendment

- 5. No new lots will be created and no land use changes will occur as a result of the site specific zone amendment and subsequent lot line adjustment. Right now there are two agricultural parcels and after the lot line adjustment there will still be two agricultural parcels.**
- 6. This application does not in any way support or further the potential residential development of the land.**



Rationale and Justification to Support Zoning Amendment

7. The common underlying concern found in all the opposition letters to the site specific zone amendment from the adjacent residents is they feel the lot line adjustment will result in the conversion of the Demelo property for residential use. The proposed zone amendment does not confer any development rights to the Demelos, and residential development will not be allowed on either farm parcel after the lot line adjustment is completed.



Rationale and Justification to Support Zoning Amendment

- 8. As this application is not a request to change the agricultural land use of the property or advance the possibility of future residential use on the property, the arguments or statements about future residential development are really irrelevant to this rezoning.**
- 9. Concerns about a zone amendment should be based on real potential impacts and not based on speculation of future applications and future decisions of the ALC and RDOS.**



Rationale and Justification to Support Zoning Amendment

- 10. There are 44 parcels in Area 'A' that are in the ALR, zoned AG1 and are between 0.8 ha. and 1.9 ha. I don't believe there have been any concerns raised about future residential development on any other 2 ha. farm parcel that is in the ALR.**
- 11. The reality is, if the lot line adjustment is completed, the RDOS Regional Growth Strategy, the OCP, the Zoning, and the provisions of the Agricultural Land Commission Act all dictate that the lands will remain for farm use.**



Rationale and Justification to Support Zoning Amendment

12. 43 letters of support have been received pertaining to the proposed site specific zone amendment to allow for the lot line adjustment.

13. In total there are 63 submissions for the proposed site specific zone amendment.

- 49 submissions (78%) support or have no concerns with the zone amendment;**
- 12 oppose (19%) oppose the zone amendment and;**
- 2 (3%) had no comments.**



Rationale and Justification to Support Zoning Amendment

- 14. The proposed zone amendment will have no impacts of any kind on the use and enjoyment of the adjacent properties.**
- 15. The proposed zone amendment to allow the lot line adjustment will not in any way change the permitted uses allowed on the readjusted parcels. They will remain agriculture, which is exactly what the adjacent residents want.**



Lual Orchards Public Hearing

Letters of Support

1. Bhupinder Gill
2. Steve Pendergraft
3. Wayne Pendergraft
4. Wayne Dawson
5. Terry Dawson
6. Tom Fernandes
7. Ken Thibault Farms less than 5 acres
8. Mel Thibault Farms less than 5 acres
9. Stan Kelliher
10. Tony Carvalheiro
11. Roger Borges
12. Peter Peril
13. R. D. Ferguson
14. Jaswant Kailay
15. Balwinder Aulakh
16. Pam Van Kalkerem
17. James Campbell Farms less than 5 acres
18. Kirandeep Singh Brar
19. Fred Farinha
20. Greg Fernandes
21. Allan Patton Farms less than 5 acres
22. Harmandeep and Harpreet Cheema Farms less than 5 acres
23. Bob Knight
24. Paul Gill
25. Sarabjeet Rai
26. Harden Sidhu
27. Robert Cleave Farms less than 5 acres
28. Roy Avila
29. Marvin Kilback Farms less than 5 acres
30. Lakhvie Singh Sidhu

31. Dave Hartman ◦
32. Robert Hulton ◦
33. Jack Gaspar ◦
34. Anna Relvas ◦
35. Colin Stevens ◦
36. Devinder Tiejax ◦
37. Marprett Aujla ◦
38. Jasvir Sandhu ◦
39. Manmohan Gill ◦
40. Harjeewan Sandhu ◦
41. Tony Laranjo ◦
42. Edgar and Pat Costa ◦
43. Paul Dumoret ◦

Brad Elenko

From: Collins, Martin J ALC:EX <Martin.Collins@gov.bc.ca>
Sent: Tuesday, October 11, 2016 3:47 PM
To: Brad Elenko
Subject: 54317

Brad

Thank you for your Oct 11, 2016 e-mail which requested clarification of the ALC's views about the 2 ha lot permitted to be subdivided by Resolution #299/2015.

The ALC would like to emphasize that its decision to allow a 2 ha (5 acre) lot lying south of 104th Ave was not to preclude its agricultural use, but rather to enhance and encourage its use for agriculture. The ALC refused the exclusion of the subject properties because it believed they had an agricultural future.

The ALC believed that the existing configuration of the subject properties was inefficient for agriculture because of the severance of Lot B by 104th Ave. The consolidation of the remainder of Lot B with the adjoining similar size parcel would enhance agricultural efficiencies north of 104th Ave. The subdivision and sale of the 2 ha lot south of 104 would likely result in its purchase by another owner and the construction of a home. However, the 2 ha lot is similar in size to many agricultural lots in the south Okanagan which contain a residence and are developed for agriculture. In addition the construction of a home and perimeter fence might limit trespass and permit better oversight of the 2 ha property.

Finally, if the existing 0.7 ha lot is sold to another owner, it offers a single lot residential/farm buffer between the residences to the west and the 2 ha farm parcel.

If you have any questions, please contact me

Regards

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

October 3, 2016

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

Attention: RDOS Chair and Area 'A' Director Mark Pendergraft

Dear Mr. Pendergraft:

Re: Proposed Site Specific Rezoning to Accommodate Agricultural Land
Lot Line Adjustment: Lot B, Plan KAP72608

I am aware of the Demelo's desire to adjust the lot lines between two of their agricultural parcels located on and near 104th Avenue, and I understand that a site specific rezoning is required to allow one of the farm parcels to be 5 acres (2 ha.) in area. I support the rezoning application as this will create a large 19.5 acre (7.9 ha.) parcel on the north side of 104th Avenue and a good sized farm parcel on the south side of 104th Avenue.

I am in the farm industry and I know that a 2 ha. parcel of agricultural land is a viable farm size and can be commercially farmed.

Yours Truly,

BHUPINDER S. GILL

civic address of property I own in the area

October 3, 2016

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Yours Truly,

Steve Pendergraft

October 3, 2016

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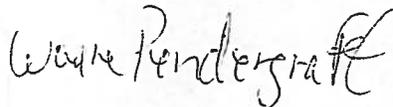
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Yours Truly,



WAYNE DAWSON
civic address of property I own in the area

October 3, 2016

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Penticton, B.C.
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Yours Truly,

TERRY DAWSON

C

October 3, 2016

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

Attention: RDOS Chair and Area 'A' Director Mark Pendergraft

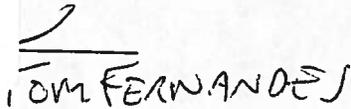
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Yours Truly,


TOM FERNANDEZ

October 3, 2016

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Yours Truly,

KEN THIBAUET

October 3, 2016

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Yours Truly,

Mel Thibault

October 3, 2016

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Yours Truly,

Stan Kelliher

October 3, 2016

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Yours Truly,

Ⓟ

Tony Carnevalheiro

October 3, 2016

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101 Martin Street
Penticton, B.C.
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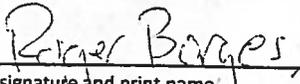
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Yours Truly,


signature and print name

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Penticton, B.C.
V2A 5J9

Attention: RDOS Chair and Area 'A' Director Mark Pendergraft

Dear Mr. Pendergraft:

Re: Proposed Site Specific Rezoning to Accommodate Agricultural Land
Lot Line Adjustment: Lot B, Plan KAP72608

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Yours Truly,

K.D. Ferguson

October 3, 2016

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

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Jaswan + Kaitay

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Yours Truly /

Bulwinder Aulakh

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Yours Truly,

Pam Van Kalkeren

October 3, 2016

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✓ JAMES CAMPBELL

October 3, 2016

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KIRANDEEP SINGH BOKAR

October 3, 2016

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Fred Farinhou

October 12, 2016

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Yours Truly

GREG FERNANDES
FERNANDES HOLDING

'6.

October 3, 2016

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ALLAN PATTON

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Yours Truly

HARMAN DEEP CHEEMA

signature name

HARPREET CHEEMA

civic address

in the area

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Bob Knight

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Paul Gille
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~~SARABJIT RAJ~~

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Robert Cleave

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Ree Anita

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MARVIN KILBACK

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akhvir Singh Sidhu
signature and print name

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Dave Hartmann
signature and print name

October 3, 2016

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ROBERT HULTON
signature and print name

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civic address of property I own in t

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ANNA RELVAS

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Colin Stevens

October 3, 2016

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DIVINDER TIESAX

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MARSHAL AUJLA
signature and print name

October 3, 2016

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MAN MOHAN GILL

October 3, 2016

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HARJEEWAN
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October 12, 2016

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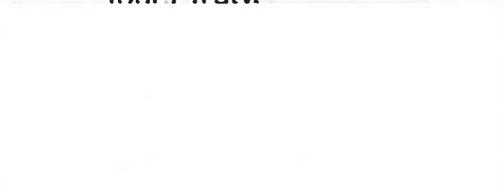
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Tony Laranjo

civic address of property I own in the area

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EDGAR & PATRICIA COSTA

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Re: Proposed Site Specific Rezoning to Accommodate Agricultural Land
Lot Line Adjustment: Lot B, Plan KAP72608

I am aware of the Demelo's desire to adjust the lot lines between two of their agricultural parcels located on and near 104th Avenue, and I understand that a site specific rezoning is required to allow one of the farm parcels to be 5 acres (2 ha.) in area. I support the rezoning application as this will create a large 19.5 acre (7.9 ha.) parcel on the north side of 104th Avenue and a good sized farm parcel on the south side of 104th Avenue.

I am in the farm industry and I know that a 2 ha. parcel of agricultural land is a viable farm size and can be commercially farmed.

Yours Truly,



signature and print name
Paul Dumoret

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Canada 150 Fund – Growing Strong Together Riparian Restoration Project



Administrative Recommendation:

THAT the Board of Directors support the application to the Canada 150 Fund Program – Growing Strong Together Activities for engaging youth and community members to plant 150 cottonwood trees in each of the ten selected riparian areas both, on and off reserve lands, distributed throughout the region.

Purpose:

To secure \$50,000 in Federal Grant funding for intergenerational indigenous and non indigenous rehabilitation and shared knowledge activities. Harvesting, preparing and planting of 1500 black cottonwood trees in threatened riparian areas as identified by project partners, the Okanagan Nation Alliance and South Okanagan Similkameen Conservation Program.

Business Plan Objective:

Goal 3.3 By Developing an Environmentally Sustainable Region

Reference:

Government of Canada – Canada 150 Fund

<http://canada.pch.gc.ca/eng/1424795454758/1434974349768>

Analysis:

The Canada 150 Fund is administered through the Department of Canadian Heritage. The fund encourages Canadians to come together to celebrate our diversity and the 150th Anniversary of Confederation. The fund is looking for projects that connect our two cultures, are interactive and include traditional (edler) wisdom and youth.

The objective of the RDOS is to identify, recognize and engage youth and community members to plant 150 cottonwood trees in each of ten selected riparian areas both on and off reserve lands, distributed throughout the region. The RDOS, with project partners, the Okanagan Nation Alliance and Enow'kn Centre, will commemorate the shared resources of land and water paving the way forward to a more sustainable future for the South Okanagan.

The proposed funding application would support and contribute to the environmental stewardship of our Okanagan waterways by educating students and community members on the importance of our riparian ecosystem. Preparation for planting sessions will begin in the classroom and/or lecture hall to discuss how the Black Cottonwood ecosystem functions and its important role in indigenous culture.

Financial:

The Canada 150 fund can support up to 100% of eligible expenses, therefore no RDOS funding is being requested for this application. RDOS will note in-kind contributions of volunteer hour contributions along with any additional supportive funding that emerges from community partners. This grant augments the already existing "Protecting our Natural Assets – Riparian workshop series" funded by the RBC Blue Water Grant. The Canada 150 Grant provides the additional capacity to bring the indigenous and non-indigenous youth together to work on planting projects

Alternatives:

The Board of Directors could choose not to support the application towards Canada 150 Fund Program – Growing Strong Together Activities in the region.

Respectfully submitted:

Zoe Kirk

Z. Kirk, Projects Coordinator, Public Works

Manager approved:

Roger Huston

R. Huston, Public Works Manager

Thursday, October 20, 2016

Mr. Claude Heppelle
Senior Program Advisor
Western Region
Department of Canadian Heritage, Government of Canada
9700 Jasper Avenue, Suite 1132, Edmonton, Alberta, T5J 4C3

Re: Regional District Okanagan Similkameen's Canada 150 proposal entitled *Community to Community Celebration*

On behalf of the En'owkin Centre's ECommunity Department, I am writing to express support for the collaborative project *Community to Community Celebration* proposed by the Regional District Okanagan Similkameen (RDOS).

The En'owkin Center is a non-profit Aboriginal organization and education centre located on-reserve in Penticton, BC. The centre's ECommunity Department is charged with developing and delivering innovative programs and projects that serve to fulfill our organization's core mandate to assist Syilx (Okanagan) people in the recovery, revitalization and perpetuation of Syilx culture, language, community and environment. ECommunity programs, projects and places also serve to engage all people in experiences that teach us about our individual and collective roles and responsibilities in caring for one-other and caring for the land for current and future generations.

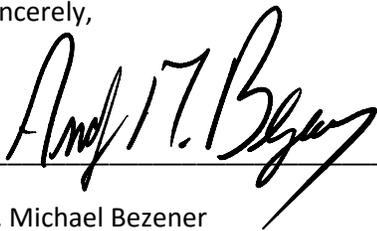
We welcome this opportunity to partner with RDOS to bring Aboriginal and non-aboriginal youth and community together to help restore Endangered cottonwood forest habitats at our ECommunity Place Locatee Lands site which we are actively working to protect and restore for multiple species at risk and species of cultural significance and use to Syilx people.

Our organization's existing educational partnerships with local and regional public schools, independent schools and band-operated schools through the Syilx Indigenous Land-Based Learning Program will be a great asset in engaging youth in Canada 150 ***Community to Community Celebration*** events. Our staff and facilities will assist with delivery of seed collection and cottonwood planting field trips, community events, public presentations, and tours. Our staff will also assist with the creation of commemorative interpretive signage that incorporates local Traditional Ecological Knowledge and n'syilxcən language.

Through contributions from our additional funding partners, the En'owkin Centre anticipates providing up to \$3,000 in additional cash and/or in-kind contributions to support school field trips and support cottonwood seedling propagation at our greenhouse and nursery facilities to ensure successful cottonwood planting events.

Thank you for this opportunity to bring healing to our communities and local environment through collaborative exchange and celebration.

Sincerely,



A. Michael Bezener
ECommunity Director, En'owkin Centre



OKANAGAN NATION ALLIANCE

101 - 3535 Old Okanagan Hwy, Westbank, BC V4T 3L7
Phone 250-707-0095 Toll Free 1-866-662-9609 Fax 250-707-0166 www.syilx.org

October 20, 2016

Department of Canadian Heritage, Government of Canada
Suite 1132, - 9700 Jasper Avenue
Edmonton, Alberta T5J 4C3

Attention: Mr. Claude Heppelle
Senior Program Advisor, Western Region

Re: Regional District Okanagan Similkameen's Canada 150 proposal entitled
Community to Community Celebration

On behalf of the Okanagan Nation Alliance (ONA), we offer our support for the project *Community to Community Celebration* being developed by the Regional District Okanagan Similkameen (RDOS).

The Okanagan Nation Alliance was formed in 1981 as the inaugural First Nations government representing 8 member communities, including Okanagan Indian Band, Upper Nicola Band, Westbank First Nation, Penticton Indian Band, Osoyoos Indian Band, Lower Similkameen Indian Band, Upper Similkameen Indian Bands and the Colville Confederated Tribes. The ONA Territory extends over 69,000 square kilometres in the southern interior of British Columbia.

Within this dynamic and complex landscape, the Syilx people of the Okanagan Nation have a wealth of Indigenous knowledge that spans many thousands of years. This knowledge is critical towards the social, economic, cultural and environmental well-being of the Okanagan Nation membership. Syilx Indigenous knowledge has been applied within the regional landscape of the Syilx Nation since time immemorial and has proved its utility through many thousands of years of sustainable lands stewardship.

The Black Cottonwood of the southern interior hold cultural significance to Syilx people and provides key habitat for a number of species which are considered to be endangered or sensitive. With current rates of resource extraction, increasing land uses, population increases and the effects of climate change, a collaborative approach to better inform the broader society and contribute towards the sustainability of this resource is critical. Therefore the Okanagan Nation Alliance is pleased to work with the Regional District Okanagan Similkameen on this important project.

Please contact Lisa Wilson, Natural Resource Department Manager by email: nrmanager@syilx.org or phone: 250-707-0095 ext. 221 if you have questions or require anything further.

Sincerely,

OKANAGAN NATION ALLIANCE

Pauline Terbasket
Executive Director



ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Parkland Dedication Electoral Area 'E', Naramata



Administrative Recommendation:

THAT the requirement of parkland dedication be accepted in the form of 5%, cash in lieu option rather than the dedication of parkland for the subdivision of Lot A, Plan KAP91675, District Lot 2711, Land District Similkameen Division of Yale.

Purpose:

To determine the appropriate parkland dedication option as set out in the Local Government Act, Section 510, for the proposed subdivision on the parcel legally described as Lot A, Plan KAP91675, District Lot 2711, Land District Similkameen Division of Yale.

Reference:

Local Government Act, Section 510

Naramata Area Official Community Plan Bylaw No. 2458, 2008

Regional District Okanagan-Similkameen, Electoral Area 'E' Zoning Bylaw No. 2459, 2008

Parkland Dedication, RDOS Board Policy

Business Plan Objective: (Tie to current RDOS Business Plan)

Key Success Driver 2.0: Optimize the Customer Experience

2.1 To meet public needs through the provision and enhancement of key services

Key Success Driver 3.0: Build a Sustainable Community

3.1 To develop a socially sustainable region

Background:

Under Section 510 of the *Local Government Act*, and Board Policy a subdivision applicant can be required to provide an area of parkland of up to 5% of the total area of subdivided land, or provide cash in lieu of land of up to 5% of the land value; which must then be used to purchase land for public park space.

It has been determined that the proposed bare land strata land being subdivided did not lend itself to the creation of adequate public parkland. A 'Narrative Report' appraisal was prepared by an Accredited Appraiser to determine the value of the existing land and the required 5 percent of that value.

Analysis:

The applicant is seeking to create a forty-two lot, bare land strata subdivision on the existing parcel of land that is 7.90 hectares in size. The land is currently designated as Low Density Residential (LR) under the Naramata OCP Bylaw No. 2458; and zoned as Single Family Residential One Zone, site specific (RS1s), under the Naramata Zoning Bylaw No. 2459. The site specific designation allows for a minimum parcel size of 464.5 square metres and agricultural use.

The Naramata OCP Bylaw No. 2458 has policies around the consideration of parkland dedication. This proposed subdivision did not lend itself to the acquisition of parkland the proposed subdivision being a bare land strata and steep topography. The cash in lieu option was the preferred direction for the parkland dedication process.

The subdivision applicant did commission an appraisal of the lands subject proposed to be subdivided as required by the RDOS Parkland Dedication Policy. In support of this parkland dedication the applicant has indicated they are in agreement with the appraisal report and the Administration also accepts the report's findings. The Administration is therefore recommending that the 5% value stated in the appraisal for the subject lands be accepted as the parkland dedication requirement under the *Local Government Act* and the Regional District Board Policy on Parkland Dedication.

Alternatives:

1. THAT the Board does not accept the parkland dedication, cash in lieu option.

And THAT the Board request the up to 5% land for the subdivision of Lot A, Plan KAP91675, District Lot 2711, Land District Similkameen Division of Yale.

Referral Comments:

Advisory Planning Commission:

As no land for parkland dedication was being considered, the Electoral Area Director chose to waive the referral report to the APC.

Respectfully submitted:

Stephen Juch

S. Juch, Subdivision Supervisor

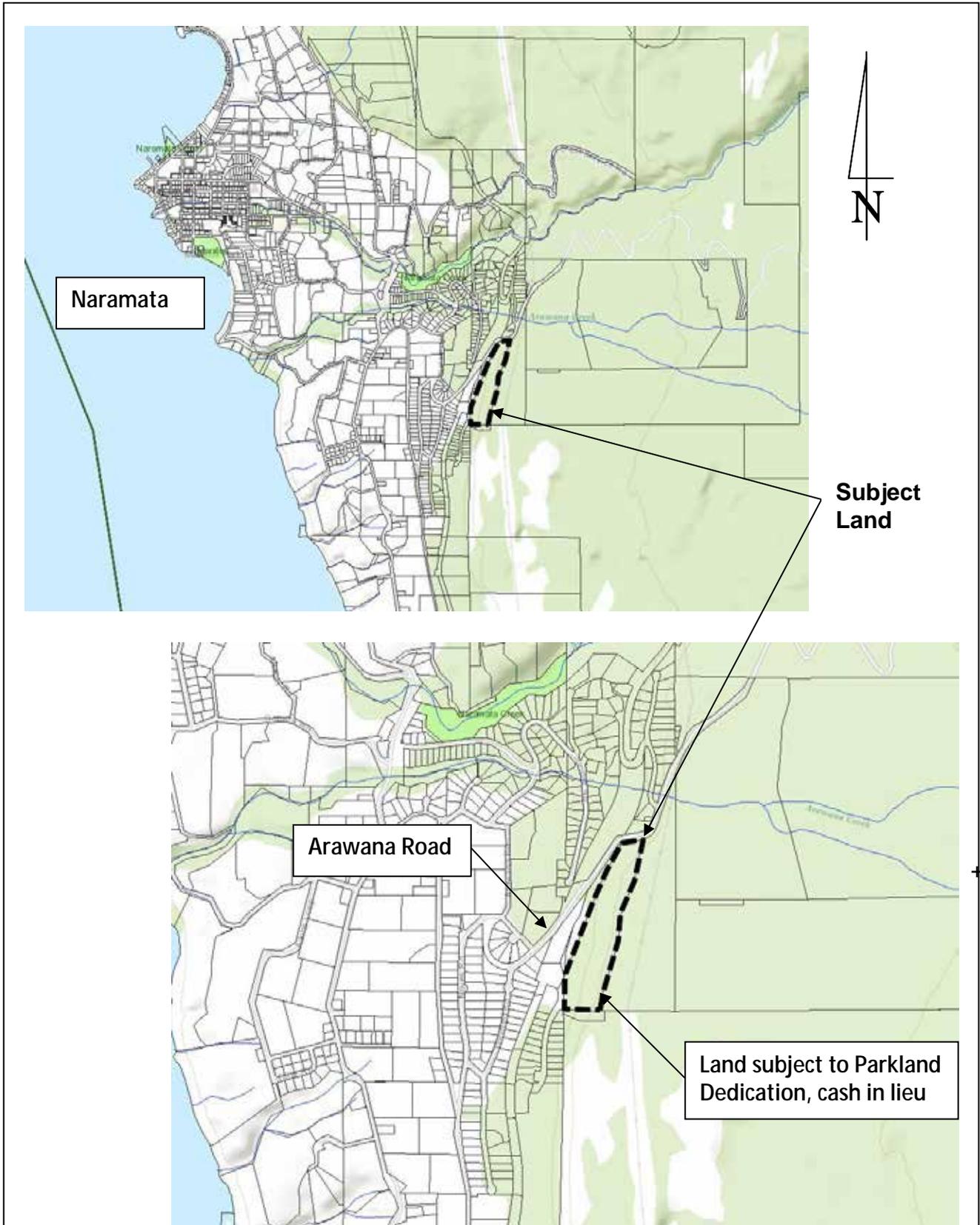
Manager approved:

Roger Huston

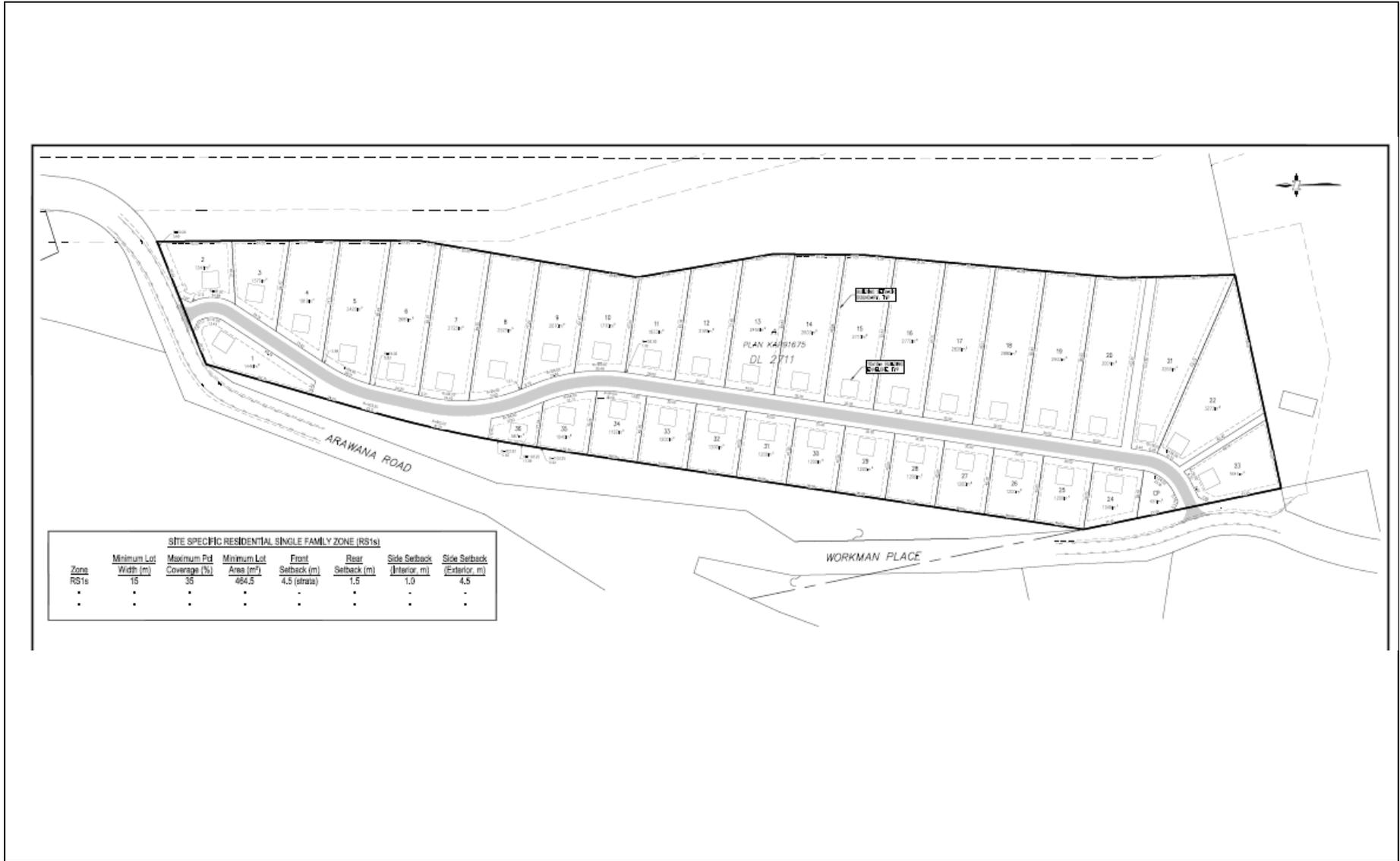
R. Huston, Public Works Manager

Attachments: No. 1 –Context Maps
No. 2 – Subdivision Reference Plan

Attachment No. 1 — Context Maps



Attachment No. 2 — Subdivision Reference Plan



ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: 2017 Age-friendly Community Planning and Project Grants Program



Administrative Recommendation:

THAT the Board support the application to UBCM for the 2017 Age-friendly Communities Grant Program for the community of Naramata.

Reference:

2017 Age-Friendly Communities Grant Program Application Form

Business Plan Objective:

Key Success driver 2 – Optimize the customer experience – fostering dynamic and effective community relations.

Key Success driver 3 – To build a sustainable community – developing an environmentally sustainable community.

Background:

The Union of British Columbia Municipalities (UBCM), in co-operation with the Province of British Columbia, has a maximum of 30 grants of up to \$20,000 available for 2017 for community planning initiatives or community projects. Only one application is allowed per local government. There is no requirement for matching funding. The application window closes November 4th, 2016.

Analysis:

The community of Naramata, supported by the Parks and Recreation Commission has requested the Board's support to submit an application to create an accessibility pathway in Manitou Park and for age-friendly community planning/projects and activities that focus on age-friendly community components such as outdoor spaces, social inclusion and social participation for senior citizens in the community.

Alternatives:

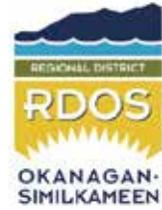
The Board not support the grant application for the community of Naramata

Respectfully submitted:

Justin Shuttleworth

J. Shuttleworth, Park/Facilities Coordinator

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 04, 2016
RE: Electoral Area "G" Advisory Planning Commission Appointment

Administrative Recommendation:

THAT the Board of Directors rescind the appointment of Neil MacLeod from the Electoral Area "G" Advisory Planning Commission; and further,

THAT the Board of Directors appoint Melodie Kolisnyk as a member of the Electoral Area "G" 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.

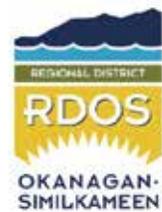
On October 21, 2016, Director Christensen advised administration of his intent to recommend Melodie Kolisnyk for appointment to the Electoral Area "G" Advisory Planning Commission due to the passing of Neil MacLeod.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Regional Economic Development Bylaw No. 2734, 2016

Administrative Recommendation:

THAT Bylaw No. 2734, 2016 Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw be adopted.

Reference:

1. Bylaw No. 2734, 2016 (attached)
2. Staff reports of June 2, 2016 and September 1, 2016

History:

On June 2, 2016, the Board of Directors gave three readings to **Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw No. 2734, 2016**, to establish and operate the promotion of economic development as a regional service.

The Inspector of Municipalities provided statutory approval on August 5, 2016 and Administration received consent from the Board on September 1, 2016 to proceed with an Alternative Approval Process.

Analysis:

The October 17, 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. 2734, 2016:

Number of eligible electors within the affected area – 70,890
Number of elector response forms needed to prevent adoption of the bylaw – 7,089
Valid elector response forms received prior to deadline - 50

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 Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw No. 2734, 2016.

Respectfully submitted:

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2734, 2016

A bylaw to establish and operate the promotion of economic development as a regional service in the Regional District of Okanagan-Similkameen.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen may, in accordance with the *Local Government Act*, operate a service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of Directors wishes to establish a service for Regional Economic Development within 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 the approval of the electors was 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, in open meeting assembled, **ENACTS** as follows:

1 CITATION

1.1 This bylaw may be cited as the Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw No. 2734, 2016.

2. ESTABLISHMENT OF THE SERVICE

2.1 The promotion of economic development, including without limitation the promotion of tourism and grants for the promotion of economic development, is established as the Regional District Economic Development Service.

2.2 The Board may operate the service in the Regional District of Okanagan-Similkameen and, without limitation, enter into a contract with a third party to implement the service.

3 BOUNDARIES OF THE SERVICE AREA

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

4 PARTICIPATING AREAS

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

5. COST RECOVERY

5.1 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.

6. LIMIT

- 6.1 The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$35,000 or \$0.0020 per \$1,000 net taxable value of land and improvements in the service area.

7. WITHDRAWAL

- 7.1 A participant may withdraw from the service by providing at least 16 months notice in writing to the Board prior to September 1 of a given year; thereby taking effect December 31 of the following year.

READ A FIRST, SECOND, AND THIRD TIME on the 2nd day of June, 2016.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 11th day of August, 2016.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH ALTERNATIVE APPROVAL this 18th day of October, 2016.

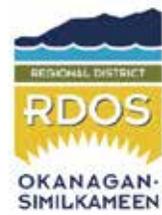
ADOPTED this xxx day of xxx, 2016

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this xxx day of xxx,.

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: South Okanagan Transit System Service Establishment Bylaw No. 2741, 2016

Administrative Recommendation:

THAT Bylaw No. 2741, 2016 South Okanagan Transit System Service Establishment Bylaw be adopted.

Reference:

1. Bylaw No. 2741, 2016 (attached)
2. Staff reports of July 7, 2016 and September 1, 2016

History:

On July 7, 2016, the Board of Directors gave three readings to **South Okanagan Transit System Service Establishment Bylaw No. 2741, 2016**, to establish and operate a transit system in the South Okanagan.

The Inspector of Municipalities provided statutory approval on August 8, 2016 and Administration received consent from the Board on September 1, 2016 to proceed with an Alternative Approval Process (AAP).

Analysis:

The October 17, 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. 2741, 2016:

Number of eligible electors within the affected area – 15,962
Number of elector response forms needed to prevent adoption of the bylaw – 1,596
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 South Okanagan Transit System Service Establishment Bylaw No. 2741, 2016.

Respectfully submitted:

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2741 2016

A bylaw to establish and operate a transit system in the South Okanagan portion of the Regional District of Okanagan-Similkameen

WHEREAS the Regional District of Okanagan-Similkameen by B.C. Reg. 128/92 dated April 9, 1992 was granted the additional power to provide Transit Systems as local services;

AND WHEREAS the Board of Directors for the Regional District of Okanagan-Similkameen wishes to establish a transit service in the South Okanagan portion of the Regional District;

AND WHEREAS the approval of the electors in the service area was obtained 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 'South Okanagan Transit System Service Establishment Bylaw No. 2741, 2016.'

2. ESTABLISHMENT OF THE SERVICE

2.1 The Board of the Regional District of Okanagan-Similkameen, is empowered and authorized to undertake and carry out, or cause to be undertaken and carried out, provisions of the Transit System Service, and without limiting the generality of the foregoing:

- (a) to acquire all such licenses, rights or authorities as may be required or desirable for or in connection with the provision of the said Transit System Service, and
- (b) to enter into contracts with such authorities and companies as may be necessary or appropriate to implement the said Transit System Service.

3. BOUNDARIES OF THE SERVICE AREA

3.1 The boundaries of the South Okanagan Transit System Service Area include the boundaries of the Town of Oliver, the Town of Osoyoos, and Electoral Areas “A”, “C” of the Regional District of Okanagan-Similkameen in their entirety and a portion of Electoral Area “D”, known as Area D1; as outlined on the service area map, attached as Schedule ‘A’.

4. PARTICIPATING AREA

4.1 The participating areas in the South Okanagan Transit System Service are the Town of Oliver, the Town of Osoyoos, Electoral Areas “A”, “C”, and “D” of the Regional District of Okanagan-Similkameen.

5. COST RECOVERY METHOD

5.1 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.

6. LIMIT

The maximum amount that may be requisitioned shall not exceed the greater of \$75,000 or \$0.0177 per \$1,000 net taxable value of land and improvements in the service area

7. APPORTIONMENT

The requisition amount, based on assessed values shall be apportioned as follows:

Electoral Area “A” (All)	11.79%
Electoral Area “C” (All)	15.83%
Electoral Area “D” (Service Area)	15.46%
Town of Oliver (All)	20.39%
Town of Osoyoos (All)	36.53%

READ A FIRST, SECOND, and THIRD TIME this 7th day of July, 2016.

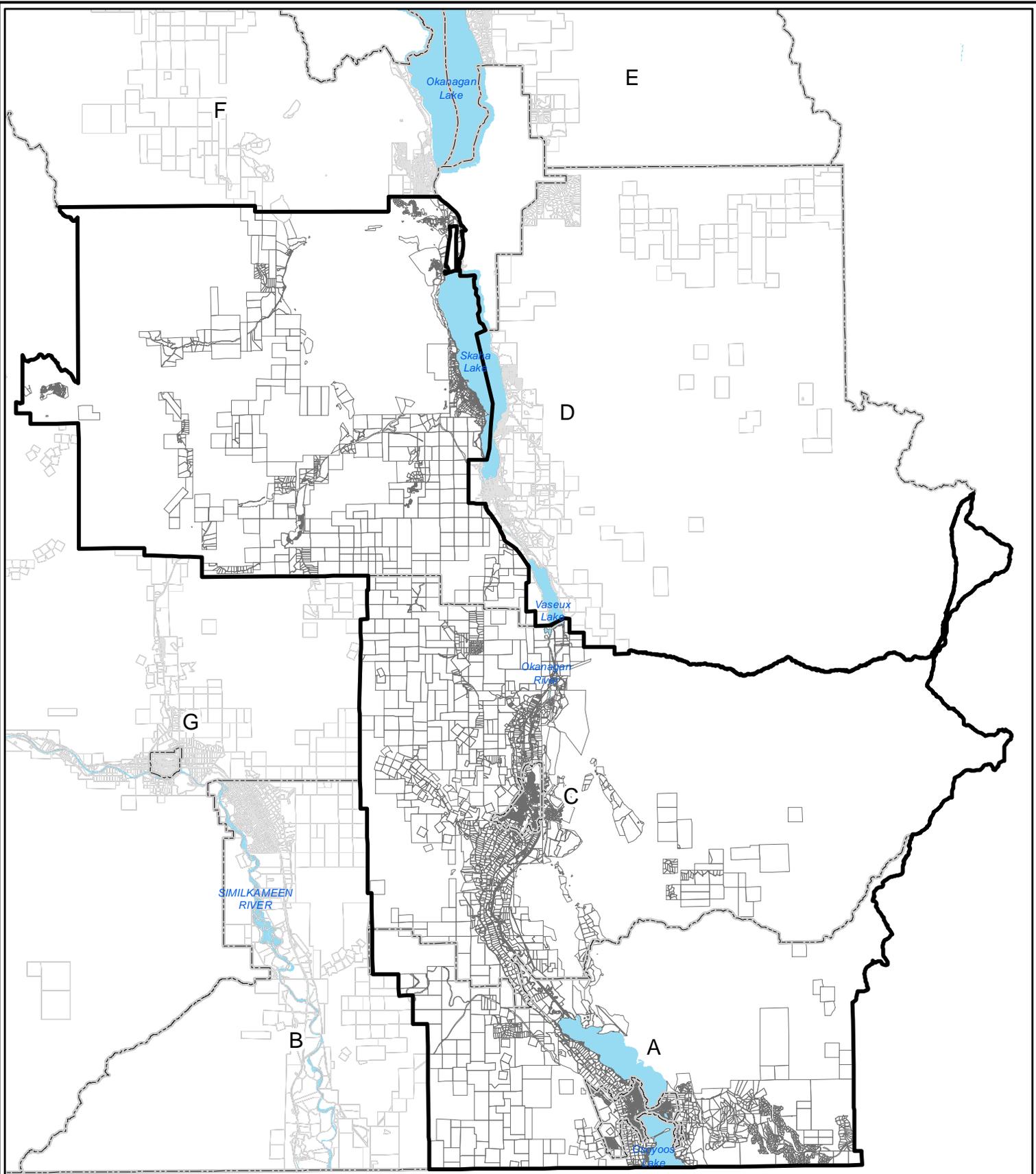
APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 11th day of August, 2016.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH ALTERNATIVE APPROVAL this 18th day of October, 2016

ADOPTED this xxx day of xxx, 2016

RDOS Board Chair

Corporate Officer



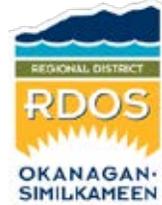
Legend

-  Transit Bylaw - 2741
-  Electoral Boundary

Regional District of Okanagan-Similkameen
 South Okanagan Transit System Service Establishment Bylaw No.
 2741, 2016



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Alternative Approval Process for Okanagan Regional Library Contribution Service Bylaw No. 2756, 2016

Administrative Recommendation:

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2756, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday January 6, 2017; and,

THAT the elector response form attached to the report dated November 17, 2016 be the approved form for Bylaw No. 2756, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 4210; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 421.

Reference:

Bylaw No. 2756, 2016
Local Government Act
Community Charter

History:

Regional District of Okanagan-Similkameen Okanagan Regional Library Contribution Service Establishment Bylaw No. 2756, 2016 received three readings August 18, 2016, and then received approval by the Inspector of Municipalities. Pursuant to Section 345 of the *Local Government Act*, the Board may now proceed with the alternative approval process (AAP).

Analysis:

Section 345 of the *Local Government Act* and Section 86 of the *Community Charter* outline the requirements of the AAP. The Board must establish a deadline for elector response forms, establish an elector response form and determine the number of eligible electors in the service area.

Staff proposes advertising as follows:

<u>Newspaper</u>	<u>Publication Dates</u>
Keremeos Review	November 23 & 30, 2016
Western News	November 30, 2016

The deadline for elector response forms must be thirty days after the second publication date; therefore, the deadline date will be Friday January 6, 2017.

The Regional District does not maintain a voter's list. The Information Services Department has determined the eligible electors within the Regional District. The number of electors in the proposed service area is estimated to be 2756.

If the number of elector response forms signed is less than 10% of the estimated electors, the Board may consider adopting the bylaw. If the number of elector response forms signed is more than 10% of the estimated eligible electors, the bylaw would require elector assent through referendum.

Communication Strategy:

1. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, it is acknowledged that many residents of smaller communities refer frequently to the small paper or online publications created within those communities. To ensure optimal coverage, the Regional District will advertise the AAP in the Keremeos Review as well as the Penticton Western News. The Notice will also be posted to the RDOS Facebook page.
2. A data sheet containing the details of the Okanagan Regional Library Contribution Service will be included on the AAP webpage, along with all of the required forms and bylaws.
3. The Ministry of Community, Sport and Cultural Development has developed a guide for local governments in BC on the Alternative Approval Process - [AAP - Guide for Local Governments](#). The guide, although created primarily for Local Government staff and Elected Officials, contains information which is an excellent resource for the public in helping to understand why an AAP is held instead of an Assent vote (referendum).

Staff has developed a more condensed guide geared specifically towards the public and a copy will be available on the AAP webpage.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

Attachments: Notice
Elector Response Form

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2756, 2016

A bylaw to establish a contribution service for the provision of funds to the Okanagan Regional Library.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen may, in accordance with the *Local Government Act*, operate a service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of Directors wishes to establish a contribution service for the provision of funds to the Okanagan Regional Library to assist with operations at the Keremeos Branch;

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 the approval of the electors was 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, in open meeting assembled, **ENACTS** as follows:

1 CITATION

1.1 This bylaw may be cited as the Regional District of Okanagan-Similkameen Okanagan Regional Library Contribution Service Establishment Bylaw No. 2756, 2016.

2. ESTABLISHMENT OF THE SERVICE

2.1 The service established by this bylaw is for the provision of funds to the Okanagan Regional Library to assist with operations at the Keremeos Branch.

3 BOUNDARIES OF THE SERVICE AREA

2.1 The boundaries of the service area are the boundaries of the Village of Keremeos, and Electoral Areas "B" and "G" of the Regional District of Okanagan-Similkameen.

4 PARTICIPATING AREAS

4.1 The participants in this service are the Village of Keremeos and Electoral Areas "B" and "G" of the Regional District of Okanagan-Similkameen.

5. COST RECOVERY

5.1 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) fees and charges imposed under section 397 [*imposition of fees and charges*];
- (c) revenues raised by other means authorized under this or another Act;
- (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. LIMIT

6.1 The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$33,000 or \$0.0624 per \$1,000 net taxable value of land and improvements in the service area.

7. SERVICE REVIEW AND DISPUTE RESOLUTION

7.1 A participant may initiate a bylaw-based service review if the following circumstances apply:

- (i) the participant has been a participant in the service for at least two years; and,
- (ii) the participant considers that the effectiveness and/or value of the service is not satisfactory.

7.2 To initiate a service review, a participant must provide written notice to the Board, all other participants, and the Corporate Officer.

7.3 The notice under 7.2 must describe the conditions of involvement in the service that the participant finds unsatisfactory and provide reasons relating to those conditions as to why the participant wishes to initiate a review.

7.4 Upon receipt of the notice, the Corporate Officer will secure a date for the participants to review the service.

7.5 If a review does not result in resolution of the matter, a participant may withdraw from the service by providing notice in writing to the Board prior to September 1 of a given year; with the withdrawal taking effect December 31 of the following year.

READ A FIRST, SECOND, AND THIRD TIME on the 18th day of August, 2016.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 17th day of October, 2016.

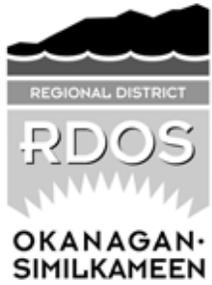
RECEIVED APPROVAL OF THE ELECTORATE THROUGH ALTERNATIVE APPROVAL this xxx day of xxxx, 2017.

ADOPTED this xxx day of xxx, 2017

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this __ day of __.



ATTENTION RESIDENTS OF ELECTORAL AREAS "B", "G" AND VILLAGE OF KEREMEOS

Regional District of Okanagan-Similkameen Okanagan Regional Library Contribution Service Establishment Bylaw No. 2756, 2016

Notice of Alternative Approval Process

NOTICE IS HEREBY GIVEN pursuant to Section 86 of the Community Charter, that the Board of Directors of the Regional District of Okanagan-Similkameen seek the approval of the electors with the boundaries of Village of Keremeos and Electoral Areas "B" and "G" of the Regional District for the adoption of Regional District of Okanagan-Similkameen Okanagan Regional Library Contribution Service Establishment Bylaw No. 2756, 2016.

In general terms, the bylaw establishes a contribution service for the provision of funds to the Okanagan Regional Library to assist with operations at the Keremeos Branch. The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$33,000 or \$0.0624 per \$1,000 net taxable value of land and improvements.

The alternative approval process applies to qualified electors within the Village of Keremeos, and Electoral Areas "B" and "G" of the Regional District of Okanagan-Similkameen (the "Service Area").

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Regional District of Okanagan-Similkameen Okanagan Regional Library Contribution Service Establishment Bylaw No. 2756, 2016 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within the Service Area indicate their opposition by signing the Elector Response Form.

The Regional District has estimated the total number of qualified electors in the service area to be 4,210 and that 10% of that number, or 421 qualified electors, must submit signed Elector Response Forms to prevent the Regional District from adopting the bylaw without the full assent of the electors by referendum.

An elector response form must be in the form established by the Regional District. Elector Response Forms are available from the Regional District office, including by mail, fax, or email, on request or on the Regional District website at www.rdos.bc.ca.

The deadline for delivering the original signed Elector Response Form to the Regional District is 4:30 pm on Friday January, 6, 2017.

The only persons entitled to sign an Elector Response Form are those who meet the following criteria:

Resident electors must:

- (a) be 18 years of age or older;
- (b) be a Canadian citizen;
- (c) be a resident of British Columbia, for at least 6 months;
- (d) be a resident of the Village of Keremeos, Electoral Area "B" or Electoral Area "G" for at least 30 days; and
- (e) not be disqualified by an Provincial enactment, or otherwise disqualified by law, from voting in an election.

Non-Resident property electors must:

- (a) not be entitled to register as a resident elector of the Village of Keremeos, Electoral Area "B" or Electoral Area "G";
- (b) be 18 years of age or older;
- (c) be a Canadian citizen;
- (d) be a resident of British Columbia, for at least 6 months;
- (e) be a registered owner of real property in the jurisdiction for at least 30 days;
- (f) not be disqualified by any Provincial enactment or otherwise disqualified by law, from voting in an election; and
- (g) only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

The bylaw is available for public inspection at the Regional District Office **101 Martin Street, Penticton, BC**, weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m., or alternatively, on our website at www.rdos.bc.ca. Please note the Regional District office will be closed between Christmas and New Year's Day.

For more information on the alternative approval process please contact:

Christy Malden, Manager of Legislative Services
101 Martin Street, Penticton, BC V2A 5J9
250-490-4146 1-877-610-3737 [toll free]
cmalden@rdos.bc.ca



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
OKANAGAN REGIONAL LIBRARY CONTRIBUTION SERVICE
ESTABLISHMENT BYLAW NO. 2756, 2016
Elector Response Form**

I am **OPPOSED** to the adoption of Regional District of Okanagan-Similkameen Okanagan Regional Library Contribution Service Establishment Bylaw No. 2756, 2016 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to provide funds to the Okanagan Regional Library to assist with operations at the Keremeos Branch, and

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian Citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been a registered owner of real property in Electoral Areas "B", "G" or Village of Keremeos for at least 30 days; and
- I am not disqualified by law from voting in local elections; and
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to Bylaw No. 2756, 2016.

ELECTOR'S FULL NAME (print)
RESIDENTIAL ADDRESS¹ (AND mailing address if different from residential address)
SIGNATURE OF ELECTOR

See the reverse side of this form for further information regarding the petition process.

¹ Non-resident Property Electors must include the address of their property in order to establish their entitlement to sign the petition.



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
OKANAGAN REGIONAL LIBRARY CONTRIBUTION SERVICE
ESTABLISHMENT BYLAW NO. 2756, 2016
Elector Response Form**

Pursuant to Section 269 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen is proposing to seek the assent of the electors of the Regional District by alternative approval process in accordance with Section 86 of the *Community Charter*. The question before the electors is whether they are opposed to the adoption of Regional District of Okanagan-Similkameen Okanagan Regional Library Contribution Service Bylaw No. 2756, 2016, which, if adopted, will authorize the Regional Board to provide funds to the Okanagan Regional Library to assist with operations at the Keremeos Branch.

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2756, 2016, you can sign an elector response form **if you qualify as an elector of designated service area.**
 2. If you are NOT opposed to the adoption of the bylaw, you need do nothing.
 3. To sign an elector response form you MUST meet the qualifications as either a Resident Elector or a Non-Resident (Property) Elector of the Regional District. If you are unsure if you qualify, please contact the Regional District Office at 492-0237.
 4. Each Elector Response form may be signed by one elector of the Regional District.
-

1.

All Elector Response Forms must be received by the Regional District on or before 4:30 p.m. on **Friday January 6, 2017** to be considered.

No faxed elector response forms will be accepted; must be **original signatures**.

2.

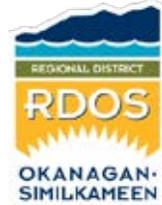
The number of electors in the service area is estimated to be 4210. If ten (10%) percent [421 electors] of the estimated number of electors in the Regional District sign an elector response form in opposition to the adoption of the said bylaw, Regional District cannot adopt the bylaw without receiving the assent of the electors by referendum.

3.

For further information, contact:

Christy Malden
Manager of Legislative Services
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
250-490-4146
1-877-610-3737 [toll free]
cmalden@rdos.bc.ca

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 17, 2016

RE: Alternative Approval Process for Area "C" Loose Bay Campground Service Establishment Bylaw No. 2757, 2016

Administrative Recommendation:

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2757, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday January 6, 2017; and,

THAT the elector response form attached to the report dated November 17, 2016 be the approved form for Bylaw No. 2757, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 3,055; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 306.

Reference:

Bylaw No. 2757
Local Government Act
Community Charter

History:

Regional District of Okanagan-Similkameen Electoral Area "C" Loose Bay Campground Service Establishment Bylaw No. 2757, 2016 received three readings August 18, 2016, and then received approval by the Inspector of Municipalities. Pursuant to Section 345 of the *Local Government Act*, the Board may now proceed with the alternative approval process (AAP).

Analysis:

Section 345 of the *Local Government Act* and Section 86 of the *Community Charter* outline the requirements of the AAP. The Board must establish a deadline for elector response forms, establish an elector response form and determine the number of eligible electors in the service area.

Staff proposes advertising as follows:

<u>Newspaper</u>	<u>Publication Dates</u>
Oliver Chronicle	November 23 & 30

The deadline for elector response forms must be at least thirty days after the second publication date; therefore, the deadline date will be Friday January 6, 2017.

The Regional District does not maintain a voter's list. The Information Services Department has determined the eligible electors within the Regional District. The number of electors in the proposed service area is estimated to be 3,055.

If the number of elector response forms signed is less than 10% of the estimated electors, the Board may consider adopting the bylaw. If the number of elector response forms signed is more than 10% of the estimated eligible electors, the bylaw would require elector assent through referendum.

Communication Strategy:

1. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, it is acknowledged that many residents of smaller communities refer frequently to the small paper or online publications created within those communities. To ensure optimal coverage, the Regional District will advertise the AAP on Oliver Daily News as well as the RDOS Facebook page.
2. A data sheet containing the details of the Electoral Area "C" Loose Bay Campground Service will be included on the AAP webpage, along with all of the required forms and bylaws.
3. The Ministry of Community, Sport and Cultural Development has developed a guide for local governments in BC on the Alternative Approval Process - [AAP - Guide for Local Governments](#). The guide, although created primarily for Local Government staff and Elected Officials, contains information which is an excellent resource for the public in helping to understand why an AAP is held instead of an Assent vote (referendum).

Staff has developed a more condensed guide geared specifically towards the public and a copy will be available on the AAP webpage.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

Attachments: Notice
Elector Response Form

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2757, 2016

A bylaw to establish a Loose Bay Campground Service in Electoral Area "C" of the Regional District of Okanagan-Similkameen.

WHEREAS the *Local Government Act* authorizes the Regional District of Okanagan-Similkameen to operate any service that the Board of the Regional District considers desirable or necessary for all or part of the Regional District.

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen considers it desirable and necessary to operate a service to provide recreation and campground services to Loose Bay Campground in Electoral Area "C" of the Regional District;

AND WHEREAS the approval of the Electors in Electoral Area "C" was obtained by the alternative approval process in accordance with Section 345 of 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 shall be cited as the Regional District of Okanagan-Similkameen Electoral Area "C" Loose Bay Campground Service Establishment Bylaw No. 2757, 2016.

2. ESTABLISHMENT OF THE SERVICE

2.1 The service is being established to manage and operate a campground service at the Loose Bay recreation site in Electoral Area "C" for the purpose of providing recreational campground use and short-term accommodations for fruit-pickers in the area.

3. BOUNDARIES OF THE SERVICE AREA

3.1 The boundaries of the Service Area are the boundaries of Electoral Area "C" in the Regional District of Okanagan-Similkameen.

4. PARTICIPANTS

4.1 Electoral Area "C" of the Regional District of Okanagan-Similkameen is the participating area for the service.

5. COST RECOVERY METHOD

5.1 The annual costs for the Electoral Area "C" Loose Bay Campground Service shall be recovered pursuant to Section 378 of the *Local Government Act* as follows:

- (a) by the requisition of money to be collected by a property value tax on the net taxable value of land and improvements within the service area, to be levied and collected in accordance with Division 2 of Part 11 of the *Local Government Act*;
- (b) by the requisition of money to be collected by a parcel tax on those properties within the service area, to be levied and collected in accordance with Division 2 of Part 11 of the *Local Government Act*;
- (c) by the imposition of fees or other charges that may be fixed by separate bylaw for the purpose of recovering those costs; or
- (d) by a combination of one or more of a, b, and c above.

6 LIMIT

6.1 The annual maximum amount that may be requisitioned under Division 2 of Part 11 of the *Local Government Act* for the Electoral Area "C" Loose Bay Campground Service shall not exceed the greater of \$20,000 or \$0.0425 cents per thousand dollars of net taxable value of land and improvements in Electoral Area "C".

READ A FIRST, SECOND, AND THIRD TIME this 18th day of August, 2016.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 6th day of October, 2016.

OBTAINED APPROVAL OF THE ELECTORS BY ALTERNATIVE APPROVAL PROCESS this ___ day of ___, 201_.

ADOPTED this ___ day of ___, 201_.

RDOS Board Chair

Corporate Officer



Regional District of Okanagan-Similkameen Electoral Area "C" Loose Bay Campground Service Establishment Bylaw No. 2757, 2016

Notice of Alternative Approval Process

NOTICE IS HEREBY GIVEN pursuant to Section 86 of the Community Charter, that the Board of Directors of the Regional District of Okanagan-Similkameen seek the approval of the electors with the boundaries of Electoral Area "C" of the Regional District for the adoption of Regional District of Okanagan-Similkameen Electoral Area "C" Loose Bay Campground Service Establishment Bylaw No. 2757, 2016.

In general terms, the bylaw establishes a service to manage and operate a campground service at the Loose Bay recreation site in Electoral Area "C" for the purpose of providing recreational campground use and short-term accommodations for fruit pickers in the area. The annual maximum amount that may be requisitioned for the Service shall not exceed the greater of \$20,000 or \$0.0425 per \$1,000 of net taxable value of land and improvements in Electoral Area "C".

The alternative approval process applies to qualified electors within Electoral Area "C".

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Regional District of Okanagan-Similkameen Electoral Area "C" Loose Bay Campground Service Establishment Bylaw No. 2757, 2016 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within Electoral Area "C" indicate their opposition by signing the Elector Response Form.

The Regional District has estimated the total number of qualified electors in the service area to be 3,055 and that 10% of that number, or 306 qualified electors, must submit signed Elector Response Forms to prevent the Regional District from adopting the bylaw without the full assent of the electors by referendum.

An elector response form must be in the form established by the Regional District. Elector Response Forms are available from the Regional District office, including by mail, fax, or email, on request or on the Regional District website at www.rdos.bc.ca.

The deadline for delivering the original signed Elector Response Form to the Regional District is 4:30 pm on Friday January 6, 2017.

The only persons entitled to sign an Elector Response Form are those who meet the following criteria:

Resident electors must:

- (a) be 18 years of age or older;
- (b) be a Canadian citizen;
- (c) be a resident of British Columbia, for at least 6 months;
- (d) be a resident of Electoral Area "C" for at least 30 days; and
- (e) not be disqualified by an Provincial enactment, or otherwise disqualified by law, from voting in an election.

Non-Resident property electors must:

- (a) not be entitled to register as a resident elector of the Electoral Area "C";
- (b) be 18 years of age or older;
- (c) be a Canadian citizen;
- (d) be a resident of British Columbia, for at least 6 months;
- (e) be a registered owner of real property in the jurisdiction for at least 30 days;
- (f) not be disqualified by any Provincial enactment or otherwise disqualified by law, from voting in an election; and
- (g) only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

The bylaw is available for public inspection at the Regional District Office **101 Martin Street, Penticton, BC**, weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m., or alternatively, on our website at www.rdos.bc.ca. Please note the Regional District office will be closed between Christmas and New Year's Day.

For more information on the alternative approval process please contact:

Christy Malden, Manager of Legislative Services
101 Martin Street, Penticton, BC V2A 5J9
250-490-4146 1-877-610-3737 [toll free]
cmalden@rdos.bc.ca



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
ELECTORAL AREA "C" LOOSE BAY CAMPGROUND SERVICE
ESTABLISHMENT BYLAW NO. 2757, 2016
Elector Response Form**

I am **OPPOSED** to the adoption Regional District of Okanagan-Similkameen Electoral Area "C" Loose Bay Campground Service Establishment Bylaw No. 2757, 2016 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to establish a service to manage and operate a campground service at the Loose Bay recreation site in Electoral Area "C" for the purpose of providing recreational campground use and short-term accommodations for fruit-pickers in the area, and

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian Citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been a registered owner of real property in Electoral Area "C" for at least 30 days; and
- I am not disqualified by law from voting in local elections; and
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to Bylaw No. 2757, 2016.

ELECTOR'S FULL NAME (print)
RESIDENTIAL ADDRESS¹ (AND mailing address if different from residential address)
SIGNATURE OF ELECTOR

See the reverse side of this form for further information regarding the petition process.

¹ Non-resident Property Electors must include the address of their property in order to establish their entitlement to sign the petition.



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
ELECTORAL AREA "C" LOOSE BAY CAMPGROUND SERVICE
ESTABLISHMENT BYLAW NO. 2757, 2016
Elector Response Form**

Pursuant to Section 269 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen is proposing to seek the assent of the electors of the Regional District by alternative approval process in accordance with Section 86 of the *Community Charter*. The question before the electors is whether they are opposed to the adoption of Regional District of Okanagan-Similkameen Electoral Area "C" Loose Bay Campground Service Establishment Bylaw No. 2757, 2016, which, if adopted, will authorize the Regional Board to establish a service to manage and operate a campground service at the Loose Bay recreation site in Electoral Area "C" for the purpose of providing recreational campground use and short-term accommodations for fruit-pickers in the area.

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2757, 2016, you can sign an elector response form **if you qualify as an elector of designated service area.**
 2. If you are NOT opposed to the adoption of the bylaw, you need do nothing.
 3. To sign an elector response form you MUST meet the qualifications as either a Resident Elector or a Non-Resident (Property) Elector of the Regional District. If you are unsure if you qualify, please contact the Regional District Office at 492-0237.
 4. Each Elector Response form may be signed by one elector of the Regional District.
-

1.

All Elector Response Forms must be received by the Regional District on or before 4:30 p.m. on **Friday, January 6, 2017** to be considered.

No faxed elector response forms will be accepted; must be **original signatures**.

2.

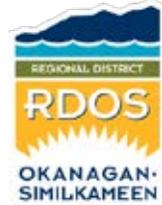
The number of electors in the service area is estimated to be 3,055. If ten (10%) percent [306 electors] of the estimated number of electors in the Regional District sign an elector response form in opposition to the adoption of the said bylaw, Regional District cannot adopt the bylaw without receiving the assent of the electors by referendum.

3.

For further information, contact:

Christy Malden
Manager of Legislative Services
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
250-490-4146
1-877-610-3737 [toll free]
cmalden@rdos.bc.ca

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Alternative Approval Process for Electoral Area "A" Victim Assistance
Contribution Service Establishment Bylaw No. 2748, 2016

Administrative Recommendation:

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2748, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday January 6, 2016; and,

THAT the elector response form attached to the report dated November 17, 2016, be the approved form for Bylaw No. 2748, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 1680; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 168.

Reference:

Bylaw No. 2748, 2016
Local Government Act
Community Charter

History:

Regional District of Okanagan-Similkameen Electoral Area "A" Victim Assistance Contribution Service Establishment Bylaw No. 2748, 2016 received three readings August 4, 2016, and then received approval by the Inspector of Municipalities. Pursuant to Section 345 of the *Local Government Act*, the Board may now proceed with the alternative approval process (AAP).

Analysis:

Section 345 of the *Local Government Act* and Section 86 of the *Community Charter* outline the requirements of the AAP. The Board must establish a deadline for elector response forms, establish an elector response form and determine the number of eligible electors in the service area.

Staff proposes advertising as follows:

<u>Newspaper</u>	<u>Publication Dates</u>
Osoyoos Times	November 23 & 30, 2016

The deadline for elector response forms must be at least thirty days after the second publication date; therefore, the deadline date will be Friday January 6, 2017.

The Regional District does not maintain a voter's list. The Information Services Department has determined the eligible electors within the Regional District. The number of electors in the proposed service area is estimated to be 1680.

If the number of elector response forms signed is less than 10% of the estimated electors, the Board may consider adopting the bylaw. If the number of elector response forms signed is more than 10% of the estimated eligible electors, the bylaw would require elector assent through referendum.

Communication Strategy:

1. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, it is acknowledged that many residents of smaller communities refer frequently to the small paper or online publications created within those communities. To ensure optimal coverage, the Regional District will advertise the AAP on Osoyoos Today website as well as the RDOS Facebook page and.
2. A data sheet containing the details of the Electoral Area "A" Victim Assistance Contribution Service will be included on the AAP webpage, along with all of the required forms and bylaws.
3. The Ministry of Community, Sport and Cultural Development has developed a guide for local governments in BC on the Alternative Approval Process - [AAP - Guide for Local Governments](#). The guide, although created primarily for Local Government staff and Elected Officials, contains information which is an excellent resource for the public in helping to understand why an AAP is held instead of an Assent vote (referendum).

Staff has developed a more condensed guide geared specifically towards the public and a copy will be available on the AAP webpage.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

Attachments: Notice
Elector Response Form

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2748, 2016

A bylaw to establish a contribution service for provision of funds to the Osoyoos Victim Services Program.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen may, in accordance with the *Local Government Act*, operate a service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of Directors wishes to establish a service to contribute funds to the Osoyoos Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "A";

AND WHEREAS the approval of the electors was 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, in open meeting assembled, **ENACTS** as follows:

1 CITATION

1.1 This bylaw may be cited as the Regional District of Okanagan-Similkameen Electoral Area "A" Victim Assistance Contribution Service Establishment Bylaw No. 2748, 2016.

2. ESTABLISHMENT OF THE SERVICE

2.1 The service established by this bylaw is to contribute funds to the Osoyoos Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "A".

3 BOUNDARIES OF THE SERVICE AREA

3.1 The boundaries of the service area are the boundaries of Electoral Area "A" of the Regional District of Okanagan-Similkameen.

4 PARTICIPATING AREAS

4.1 The participating area is Electoral Area "A" of the Regional District of Okanagan-Similkameen.

5. COST RECOVERY

5.1 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) fees and charges imposed under section 397 [*imposition of fees and charges*];

- (c) revenues raised by other means authorized under this or another Act;
- (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. LIMIT

6.1 The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$5,000 or \$0.0105 per \$1,000 net taxable value of land and improvements in the service area.

READ A FIRST, SECOND, AND THIRD TIME on the 4th day of August, 2016.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 6th day of October, 2016.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH ALTERNATIVE APPROVAL this xxx day of xxxx, 2016.

ADOPTED this xxx day of xxx, 2016

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this xxx day of xxx,.



Regional District of Okanagan-Similkameen Electoral Area "A" Victim Assistance Contribution Service Establishment Bylaw No. 2748, 2016

Notice of Alternative Approval Process

NOTICE IS HEREBY GIVEN pursuant to Section 86 of the Community Charter, that the Board of Directors of the Regional District of Okanagan-Similkameen seek the approval of the electors with the boundaries of Electoral Area "A" of the Regional District for the adoption of Regional District of Okanagan-Similkameen Electoral Area "A" Victim Assistance Contribution Service Establishment Bylaw No. 2748, 2016.

In general terms, the bylaw establishes a service to contribute funds to the Osoyoos Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "A". The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$5,000 or \$0.0105 per \$1,000 net taxable value of land and improvements.

The alternative approval process applies to qualified electors within Electoral Area "A".

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Regional District of Okanagan-Similkameen Electoral Area "A" Victim Assistance Contribution Service Establishment Bylaw No. 2748, 2016 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within the Electoral Area "A" indicate their opposition by signing the Elector Response Form.

The Regional District has estimated the total number of qualified electors in the service area to be 1,680 and that 10% of that number, or 168 qualified electors, must submit signed Elector Response Forms to prevent the Regional District from adopting the bylaw without the full assent of the electors by referendum.

An elector response form must be in the form established by the Regional District. Elector Response Forms are available from the Regional District office, including by mail, fax, or email, on request or on the Regional District website at www.rdos.bc.ca.

The deadline for delivering the original signed Elector Response Form to the Regional District is 4:30 pm on Friday January 6, 2017.

The only persons entitled to sign an Elector Response Form are those who meet the following criteria:

Resident electors must:

- (a) be 18 years of age or older;
- (b) be a Canadian citizen;
- (c) be a resident of British Columbia, for at least 6 months;
- (d) be a resident of Electoral Area "A" for at least 30 days; and
- (e) not be disqualified by an Provincial enactment, or otherwise disqualified by law, from voting in an election.

Non-Resident property electors must:

- (a) not be entitled to register as a resident elector of Electoral Area "A";
- (b) be 18 years of age or older;
- (c) be a Canadian citizen;
- (d) be a resident of British Columbia, for at least 6 months;
- (e) be a registered owner of real property in the jurisdiction for at least 30 days;
- (f) not be disqualified by any Provincial enactment or otherwise disqualified by law, from voting in an election; and
- (g) only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

The bylaw is available for public inspection at the Regional District Office **101 Martin Street, Penticton, BC**, weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m., or alternatively, on our website at www.rdos.bc.ca. Please note the Regional District office will be closed between Christmas and New Year's Day.

For more information on the alternative approval process please contact:

Christy Malden, Manager of Legislative Services
101 Martin Street, Penticton, BC V2A 5J9
250-490-4146 1-877-610-3737 [toll free]
cmalden@rdos.bc.ca



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN ELECTORAL
AREA "A" VICTIM ASSISTANCE CONTRIBUTION SERVICE
ESTABLISHMENT BYLAW NO. 2748, 2016
Elector Response Form**

I am **OPPOSED** to the adoption Regional District of Okanagan-Similkameen Electoral Area "A" Victim Assistance Contribution Service Establishment Bylaw No. 2748, 2016 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to contribute funds to the Osoyoos Victim Services Program, and

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian Citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been a registered owner of real property in Electoral Area "A" for at least 30 days; and
- I am not disqualified by law from voting in local elections; and
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to Bylaw No. 2748, 2016.

ELECTOR'S FULL NAME (print)
RESIDENTIAL ADDRESS¹ (AND mailing address if different from residential address)
SIGNATURE OF ELECTOR

See the reverse side of this form for further information regarding the petition process.

¹ Non-resident Property Electors must include the address of their property in order to establish their entitlement to sign the petition.



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN ELECTORAL AREA "A" VICTIM ASSISTANCE CONTRIBUTION SERVICE ESTABLISHMENT BYLAW NO. 2748, 2016

Elector Response Form

Pursuant to Section 269 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen is proposing to seek the assent of the electors of the Regional District by alternative approval process in accordance with Section 86 of the *Community Charter*. The question before the electors is whether they are opposed to the adoption of Regional District of Okanagan-Similkameen Electoral Area "A" Victim Assistance Contribution Service Establishment Bylaw No. 2748, 2016, which, if adopted, will authorize the Regional Board to contribute funds to the Osoyoos Victim Services Program.

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2748, 2016, you can sign an elector response form **if you qualify as an elector of designated service area.**
 2. If you are NOT opposed to the adoption of the bylaw, you need do nothing.
 3. To sign an elector response form you MUST meet the qualifications as either a Resident Elector or a Non-Resident (Property) Elector of the Regional District. If you are unsure if you qualify, please contact the Regional District Office at 492-0237.
 4. Each Elector Response form may be signed by one elector of the Regional District.
-

1.

All Elector Response Forms must be received by the Regional District on or before 4:30 p.m. on **Friday, January 6, 2017** to be considered.

No faxed elector response forms will be accepted; must be **original signatures**.

2.

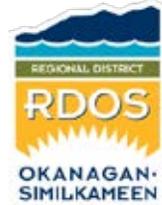
The number of electors in the service area is estimated to be 1,680. If ten (10%) percent [168 electors] of the estimated number of electors in the Regional District sign an elector response form in opposition to the adoption of the said bylaw, Regional District cannot adopt the bylaw without receiving the assent of the electors by referendum.

3.

For further information, contact:

Christy Malden
Manager of Legislative Services
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
250-490-4146
1-877-610-3737 [toll free]
cmalden@rdos.bc.ca

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Alternative Approval Process for Area "C" Victim Assistance Contribution Service Establishment Bylaw No. 2749, 2016

Administrative Recommendation:

THAT the deadline for submitting elector response forms in relation to Bylaw No2749, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday January 6, 2017; and,

THAT the elector response form attached to the report dated November 17, 2016 be the approved form for Bylaw No. 2749, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 3,055; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 306.

Reference:

Bylaw No. 2749
Local Government Act
Community Charter

History:

Regional District of Okanagan-Similkameen Electoral Area "C" Victim Services Contribution Service Establishment Bylaw No. 2749, 2016 received three readings August 4, 2016, and then received approval by the Inspector of Municipalities. Pursuant to Section 345 of the *Local Government Act*, the Board may now proceed with the alternative approval process (AAP).

Analysis:

Section 345 of the *Local Government Act* and Section 86 of the *Community Charter* outline the requirements of the AAP. The Board must establish a deadline for elector response forms, establish an elector response form and determine the number of eligible electors in the service area.

Staff proposes advertising as follows:

<u>Newspaper</u>	<u>Publication Dates</u>
Oliver Chronicle	November 23 & 30, 2016

The deadline for elector response forms must be at least thirty days after the second publication date; therefore, the deadline date will be Friday January 6, 2017.

The Regional District does not maintain a voter's list. The Information Services Department has determined the eligible electors within the Regional District. The number of electors in the proposed service area is estimated to be 3,055.

If the number of elector response forms signed is less than 10% of the estimated electors, the Board may consider adopting the bylaw. If the number of elector response forms signed is more than 10% of the estimated eligible electors, the bylaw would require elector assent through referendum.

Communication Strategy:

1. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, it is acknowledged that many residents of smaller communities refer frequently to the small paper or online publications created within those communities. To ensure optimal coverage, the Regional District will advertise the AAP on Oliver Daily News as well as the RDOS Facebook page.
2. A data sheet containing the details of the Electoral Area "C" Victim Assistance Contribution Service will be included on the AAP webpage, along with all of the required forms and bylaws.
3. The Ministry of Community, Sport and Cultural Development has developed a guide for local governments in BC on the Alternative Approval Process - [AAP - Guide for Local Governments](#). The guide, although created primarily for Local Government staff and Elected Officials, contains information which is an excellent resource for the public in helping to understand why an AAP is held instead of an Assent vote (referendum).

Staff has developed a more condensed guide geared specifically towards the public and a copy will be available on the AAP webpage.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

Attachments: Notice
Elector Response Form

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2749, 2016

A bylaw to establish a contribution service for provision of funds to the Oliver Victim Services Program.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen may, in accordance with the *Local Government Act*, operate a service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of Directors wishes to establish a service to contribute funds to the Oliver Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "C";

AND WHEREAS the approval of the electors was 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, in open meeting assembled, **ENACTS** as follows:

1 CITATION

1.1 This bylaw may be cited as the Regional District of Okanagan-Similkameen Electoral Area "C" Victim Assistance Contribution Service Establishment Bylaw No. 2749, 2016.

2. ESTABLISHMENT OF THE SERVICE

2.1 The service established by this bylaw is to contribute funds to the Oliver Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "C".

3 BOUNDARIES OF THE SERVICE AREA

3.1 The boundaries of the service area are the boundaries of Electoral Area "C" of the Regional District of Okanagan-Similkameen.

4 PARTICIPATING AREAS

4.1 The participating area is Electoral Area "C" of the Regional District of Okanagan-Similkameen.

5. COST RECOVERY

5.1 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) fees and charges imposed under section 397 [*imposition of fees and charges*];

- (c) revenues raised by other means authorized under this or another Act;
- (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. LIMIT

6.1 The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$5,000 or \$0.0098 per \$1,000 net taxable value of land and improvements in the service area.

READ A FIRST, SECOND, AND THIRD TIME on the 4th day of August, 2016.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 6th day of October, 2016.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH ALTERNATIVE APPROVAL this xxx day of xxxx, 2016.

ADOPTED this xxx day of xxx, 2016

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this xxx day of xxx,.



Regional District of Okanagan-Similkameen Electoral Area "C" Victim Assistance Contribution Service Establishment Bylaw No. 2749, 2016

Notice of Alternative Approval Process

NOTICE IS HEREBY GIVEN pursuant to Section 86 of the Community Charter, that the Board of Directors of the Regional District of Okanagan-Similkameen seek the approval of the electors with the boundaries of Electoral Area "C" of the Regional District for the adoption of Regional District of Okanagan-Similkameen Electoral Area "C" Victim Assistance Contribution Service Establishment Bylaw No. 2749, 2016.

In general terms, the bylaw establishes a service to contribute funds to the Oliver Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "C". The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$5,000 or \$0.0098 per \$1,000 net taxable value of land and improvements.

The alternative approval process applies to qualified electors within Electoral Area "C".

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Regional District of Okanagan-Similkameen Electoral Area "C" Victim Assistance Contribution Service Establishment Bylaw No. 2749, 2016 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within Electoral Area "C" indicate their opposition by signing the Elector Response Form.

The Regional District has estimated the total number of qualified electors in the service area to be 3,055 and that 10% of that number, or 306 qualified electors, must submit signed Elector Response Forms to prevent the Regional District from adopting the bylaw without the full assent of the electors by referendum.

An elector response form must be in the form established by the Regional District. Elector Response Forms are available from the Regional District office, including by mail, fax, or email, on request or on the Regional District website at www.rdos.bc.ca.

The deadline for delivering the original signed Elector Response Form to the Regional District is 4:30 pm on Friday January 6, 2017.

The only persons entitled to sign an Elector Response Form are those who meet the following criteria:

Resident electors must:

- (a) be 18 years of age or older;
- (b) be a Canadian citizen;
- (c) be a resident of British Columbia, for at least 6 months;
- (d) be a resident of Electoral Area "C" for at least 30 days; and
- (e) not be disqualified by an Provincial enactment, or otherwise disqualified by law, from voting in an election.

Non-Resident property electors must:

- (a) not be entitled to register as a resident elector of Electoral Area "C";
- (b) be 18 years of age or older;
- (c) be a Canadian citizen;
- (d) be a resident of British Columbia, for at least 6 months;
- (e) be a registered owner of real property in the jurisdiction for at least 30 days;
- (f) not be disqualified by any Provincial enactment or otherwise disqualified by law, from voting in an election; and
- (g) only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

The bylaw is available for public inspection at the Regional District Office **101 Martin Street, Penticton, BC**, weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m., or alternatively, on our website at www.rdos.bc.ca. Please note the Regional District office will be closed between Christmas and New Year's Day.

For more information on the alternative approval process please contact:
Christy Malden, Manager of Legislative Services
101 Martin Street, Penticton, BC V2A 5J9
250-490-4146 1-877-610-3737 [toll free]
cmalden@rdos.bc.ca



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN ELECTORAL
AREA "C"
VICTIM ASSISTANCE CONTRIBUTION SERVICE
ESTABLISHMENT BYLAW NO. 2749, 2016
Elector Response Form**

I am **OPPOSED** to the adoption Regional District of Okanagan-Similkameen Electoral Area "C" Victim Assistance Contribution Service Establishment Bylaw No. 2749, 2016 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to establish a service to contribute funds to the Oliver Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "C", and

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian Citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been a registered owner of real property in Electoral Area "C" for at least 30 days; and
- I am not disqualified by law from voting in local elections; and
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to Bylaw No. 2749, 2016.

ELECTOR'S FULL NAME (print)
RESIDENTIAL ADDRESS¹ (AND mailing address if different from residential address)
SIGNATURE OF ELECTOR

See the reverse side of this form for further information regarding the petition process.

¹ Non-resident Property Electors must include the address of their property in order to establish their entitlement to sign the petition.



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN ELECTORAL
AREA "C"
VICTIM ASSISTANCE CONTRIBUTION SERVICE
ESTABLISHMENT BYLAW NO. 2749, 2016
Elector Response Form**

Pursuant to Section 269 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen is proposing to seek the assent of the electors of the Regional District by alternative approval process in accordance with Section 86 of the *Community Charter*. The question before the electors is whether they are opposed to the adoption of Regional District of Okanagan-Similkameen Electoral Area "C" Victim Assistance Contribution Service Establishment Bylaw No. 2749, 2016, which, if adopted, will authorize the Regional Board to establish a service to contribute funds to the Oliver Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "C".

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2749, 2016, you can sign an elector response form **if you qualify as an elector of designated service area**.
 2. If you are NOT opposed to the adoption of the bylaw, you need do nothing.
 3. To sign an elector response form you MUST meet the qualifications as either a Resident Elector or a Non-Resident (Property) Elector of the Regional District. If you are unsure if you qualify, please contact the Regional District Office at 492-0237.
 4. Each Elector Response form may be signed by one elector of the Regional District.
-

1.

All Elector Response Forms must be received by the Regional District on or before 4:30 p.m. on **Friday January 6, 2017** to be considered.

No faxed elector response forms will be accepted; must be **original signatures**.

2.

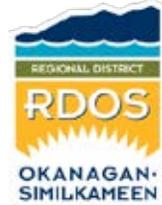
The number of electors in the service area is estimated to be 3,055. If ten (10%) percent [306 electors] of the estimated number of electors in the Regional District sign an elector response form in opposition to the adoption of the said bylaw, Regional District cannot adopt the bylaw without receiving the assent of the electors by referendum.

3.

For further information, contact:

Christy Malden
Manager of Legislative Services
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
250-490-4146
1-877-610-3737 [toll free]
cmalden@rdos.bc.ca

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 17, 2016

RE: Alternative Approval Process for Areas "D", "E" and "F" Victim Assistance
Contribution Service Establishment Bylaw No. 2750, 2016

Administrative Recommendation:

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2750, 2016 to the Manager of Legislative Services is no later than 4:30 pm on Friday, January 6, 2017; and,

THAT the elector response form attached to the report dated November 17, 2016 be the approved form for Bylaw No. 2750, 2016 alternative approval process; and

THAT the total number of eligible electors to which the alternative approval process applies is 8,420; and,

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 842.

Reference:

Bylaw No. 2750
Local Government Act
Community Charter

History:

Regional District of Okanagan-Similkameen Electoral Areas "D", "E", and "F" Victim Services Contribution Service Establishment Bylaw No. 2750, 2016 received three readings August 4, 2016, and then received approval by the Inspector of Municipalities. Pursuant to Section 345 of the *Local Government Act*, the Board may now proceed with the alternative approval process (AAP).

Analysis:

Section 345 of the *Local Government Act* and Section 86 of the *Community Charter* outline the requirements of the AAP. The Board must establish a deadline for elector response forms, establish an elector response form and determine the number of eligible electors in the service area.

Staff proposes advertising as follows:

<u>Newspaper</u>	<u>Publication Dates</u>
Penticton Western News	November 23 & 30, 2016

The deadline for elector response forms must be at least thirty days after the second publication date; therefore, the deadline date will be Friday, January 6, 2017.

The Regional District does not maintain a voter's list. The Information Services Department has determined the eligible electors within the Regional District. The number of electors in the proposed service area is estimated to be 8,420.

If the number of elector response forms signed is less than 10% of the estimated electors, the Board may consider adopting the bylaw. If the number of elector response forms signed is more than 10% of the estimated eligible electors, the bylaw would require elector assent through referendum.

Communication Strategy:

1. Although the statutory requirement for advertising AAPs is limited to two ads in a single newspaper, it is acknowledged that many residents of smaller communities refer frequently to the small paper or online publications created within those communities. To ensure optimal coverage, the Regional District will advertise the AAP on MyNaramata, and Skaha Matters as well as the RDOS Facebook page.
2. A data sheet containing the details of the Electoral Areas "D", "E", and "F" Victim Assistance Contribution Service will be included on the AAP webpage, along with all of the required forms and bylaws.
3. The Ministry of Community, Sport and Cultural Development has developed a guide for local governments in BC on the Alternative Approval Process - [AAP - Guide for Local Governments](#). The guide, although created primarily for Local Government staff and Elected Officials, contains information which is an excellent resource for the public in helping to understand why an AAP is held instead of an Assent vote (referendum).

Staff has developed a more condensed guide geared specifically towards the public and a copy will be available on the AAP webpage.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

Attachments: Notice
Elector Response Form

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2750, 2016

A bylaw to establish a contribution service for provision of funds to the Penticton Victim Services Program.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen may, in accordance with the *Local Government Act*, operate a service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of Directors wishes to establish a service to contribute funds to the Penticton Victim Services Program for provision of Victim Assistance services to the residents of Electoral Areas “D”; “E”, and “F”.

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 the approval of the electors was 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, in open meeting assembled, **ENACTS** as follows:

1 CITATION

1.1 This bylaw may be cited as the Regional District of Okanagan-Similkameen Electoral Areas “D”, “E”, and “F” Victim Assistance Contribution Service Establishment Bylaw No. 2750, 2016.

2. ESTABLISHMENT OF THE SERVICE

2.1 The service established by this bylaw is to contribute funds to the Penticton Victim Services Program for provision of Victim Assistance services to the residents of Electoral Areas “D”, “E”, and “F”.

3 BOUNDARIES OF THE SERVICE AREA

3.1 The boundaries of the service area are the boundaries of Electoral Areas “D”, “E”, and “F” of the Regional District of Okanagan-Similkameen.

4 PARTICIPATING AREAS

4.1 The participating area is Electoral Areas “D”, “E”, and “F” of the Regional District of Okanagan-Similkameen.

5. COST RECOVERY

5.1 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) fees and charges imposed under section 397 [*imposition of fees and charges*];
- (c) revenues raised by other means authorized under this or another Act;
- (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. LIMIT

6.1 The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$10,000 or \$0.0039 per \$1,000 net taxable value of land and improvements in the service area.

READ A FIRST, SECOND, AND THIRD TIME on the 4th day of August, 2016.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 6th day of October, 2016.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH ALTERNATIVE APPROVAL this xxx day of xxxx, 2016.

ADOPTED this xxx day of xxx, 2016

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this xxx day of xxx,.



Regional District of Okanagan-Similkameen Electoral Areas "D", "E", and "F" Victim Assistance Contribution Service Establishment Bylaw No. 2750, 2016

Notice of Alternative Approval Process

NOTICE IS HEREBY GIVEN pursuant to Section 86 of the Community Charter, that the Board of Directors of the Regional District of Okanagan-Similkameen seek the approval of the electors with the boundaries of Electoral Areas "D", "E", and "F" of the Regional District for the adoption of Regional District of Okanagan-Similkameen Electoral Areas "D", "E", and "F" Bylaw No. 2750, 2016.

In general terms, the bylaw establishes a service to contribute funds to the Penticton Victim Services Program for provision of Victim Assistance services to the residents of Electoral Areas "D", "E", and "F". The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$10,000 or \$0.0039 per \$1,000 net taxable value of land and improvements.

The alternative approval process applies to qualified electors within Electoral Areas "D", "E", and "F".

PLEASE TAKE NOTICE THAT the Regional District may proceed with the approval of Regional District of Okanagan-Similkameen Electoral Areas "D", "E", and "F" Victim Assistance Contribution Bylaw No. 2750, 2016 unless at least ten percent (10%) of the qualified electors (those meeting the criteria below) within the Electoral Areas "D", "E" and "F" indicate their opposition by signing the Elector Response Form.

The Regional District has estimated the total number of qualified electors in the service area to be 8,420 and that 10% of that number, or 842 qualified electors, must submit signed Elector Response Forms to prevent the Regional District from adopting the bylaw without the full assent of the electors by referendum.

An elector response form must be in the form established by the Regional District. Elector Response Forms are available from the Regional District office, including by mail, fax, or email, on request or on the Regional District website at www.rdos.bc.ca.

The deadline for delivering the original signed Elector Response Form to the Regional District is 4:30 pm on Friday January 6, 2017.

The only persons entitled to sign an Elector Response Form are those who meet the following criteria:

Resident electors must:

- (a) be 18 years of age or older;
- (b) be a Canadian citizen;
- (c) be a resident of British Columbia, for at least 6 months;
- (d) be a resident of Electoral Areas "D", "E", or "F" for at least 30 days; and
- (e) not be disqualified by a Provincial enactment, or otherwise disqualified by law, from voting in an election.

Non-Resident property electors must:

- (a) not be entitled to register as a resident elector of Electoral Areas "D", "E", or "F";
- (b) be 18 years of age or older;
- (c) be a Canadian citizen;
- (d) be a resident of British Columbia, for at least 6 months;
- (e) be a registered owner of real property in the jurisdiction for at least 30 days;
- (f) not be disqualified by any Provincial enactment or otherwise disqualified by law, from voting in an election; and
- (g) only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

The bylaw is available for public inspection at the Regional District Office **101 Martin Street, Penticton, BC**, weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m., or alternatively, on our website at www.rdos.bc.ca. Please note the Regional District office will be closed between Christmas and New Year's Day.

For more information on the alternative approval process please contact:

Christy Malden, Manager of Legislative Services
101 Martin Street, Penticton, BC V2A 5J9
250-490-4146 1-877-610-3737 [toll free]
cmalden@rdos.bc.ca



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN ELECTORAL
AREAS "D", "E", AND "F"
VICTIM ASSISTANCE CONTRIBUTION SERVICE
ESTABLISHMENT BYLAW NO. 2750, 2016
Elector Response Form**

I am **OPPOSED** to the adoption Regional District of Okanagan-Similkameen Electoral Areas "D", "E", and "F" Victim Assistance Contribution Service Establishment Bylaw No. 2750, 2016 by the Regional Board of the Regional District of Okanagan-Similkameen, whereby the said bylaw would authorize the Regional Board to establish a service to contribute funds to the Penticton Victim Services Program for provision of Victim Assistance services to the residents of Electoral Area "D", "E", and "F" and

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian Citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been a registered owner of real property in Electoral Areas "D", "E", or "F" for at least 30 days; and
- I am not disqualified by law from voting in local elections; and
- I am entitled to sign this elector response form, and have not previously signed an elector response form related to Bylaw No. 2750, 2016.

ELECTOR'S FULL NAME (print)
RESIDENTIAL ADDRESS¹ (AND mailing address if different from residential address)
SIGNATURE OF ELECTOR

See the reverse side of this form for further information regarding the petition process.

¹ Non-resident Property Electors must include the address of their property in order to establish their entitlement to sign the petition.



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN ELECTORAL
AREAS "D", "E", AND "F"
VICTIM ASSISTANCE CONTRIBUTION SERVICE
ESTABLISHMENT BYLAW NO. 2750, 2016
Elector Response Form**

Pursuant to Section 269 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen is proposing to seek the assent of the electors of the Regional District by alternative approval process in accordance with Section 86 of the *Community Charter*. The question before the electors is whether they are opposed to the adoption of Regional District of Okanagan-Similkameen Electoral Areas "D", "E", and "F" Victim Assistance Contribution Service Establishment Bylaw No. 2750, 2016, which, if adopted, will authorize the Regional Board to establish a service to contribute funds to the Penticton Victim Services Program for provision of Victim Assistance services to the residents of Electoral Areas "D", "E", and "F".

INSTRUCTIONS

1. If you are opposed to the adoption of Bylaw No. 2750, 2016, you can sign an elector response form **if you qualify as an elector of designated service area.**
 2. If you are NOT opposed to the adoption of the bylaw, you need do nothing.
 3. To sign an elector response form you MUST meet the qualifications as either a Resident Elector or a Non-Resident (Property) Elector of the Regional District. If you are unsure if you qualify, please contact the Regional District Office at 492-0237.
 4. Each Elector Response form may be signed by one elector of the Regional District.
-

1.

All Elector Response Forms must be received by the Regional District on or before 4:30 p.m. on **Friday, January 6, 2017** to be considered.

No faxed elector response forms will be accepted; must be **original signatures**.

2.

The number of electors in the service area is estimated to be 8,420. If ten (10%) percent [842 electors] of the estimated number of electors in the service area sign an elector response form in opposition to the adoption of the said bylaw, Regional District cannot adopt the bylaw without receiving the assent of the electors by referendum.

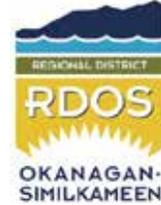
3.

For further information, contact:

Christy Malden
Manager of Legislative Services
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
250-490-4146
1-877-610-3737 [toll free]
cmalden@rdos.bc.ca

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 17, 2016
RE: Select Committees Appointments



Administrative Recommendation:

THAT the Board of Directors approve the Chair's recommendations for select committee appointments as contained within the November 17, 2016 report from the Chief Administrative Officer.

Analysis:

Each year members of the Board of Directors are asked to submit expressions of interest to determine which appointments to Board select committees and external agencies would be of interest to them.

Typically; changes to these positions have not occurred midway through an election term unless a Director wishes to step down from a committee or there is a change in Chair and/or Vice Chair of the Board.

For 2017, the Chair and Vice Chair of the Board have changed, which has resulted in some movement in committees. Below is a list of recommendations based on that movement:

Committee Chairs:

Corporate Services:

- Karla Kozakevich, Chair (Board Chair) formerly Mark Pendergraft
- Manfred Bauer, Vice Chair (Board Vice Chair) formerly Andrew Jakubeit

Community Services:

- Ron Hovanes, Chair (moved from Vice) (Committee Chair was formerly Karla Kozakevich, moved to Board Chair)
- Manfred Bauer, Vice Chair

Environment and Infrastructure:

- Tom Siddon, Chair (no change)
- Mark Pendergraft, Vice Chair (Committee Vice Chair was formerly Karla Kozakevich, moved to Board Chair)

Protective Services:

- Andrew Jakubeit, Chair (no change)
- Terry Schafer, Vice Chair (no change)

Planning and Development:

- Michael Brydon, Chair (no change)
- George Bush, Vice Chair (no change)

Respectfully submitted:

C. Malden, Manager of Legislative Services



Okanagan Basin
WATER BOARD

BOARD REPORT: November 3, 2016

1450 KLO Road, Kelowna, BC V1W 3Z4

P 250.469.6271 F 250.762.7011

www.obwb.ca

OBWB Directors

Doug Findlater - Chair,
Regional District of Central
Okanagan

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

Doug Dirk, Regional District of
North Okanagan

Bob Fleming, Regional District
of North Okanagan

Cindy Fortin, Regional District
of Central Okanagan

Tracy Gray, Regional District
of Central Okanagan

Ron Hovanes, Regional
District of Okanagan-
Similkameen

Sue McKortoff, Regional
District of Okanagan-
Similkameen

Peter Waterman, Regional
District of Okanagan-
Similkameen

Lisa Wilson, Okanagan Nation
Alliance

Toby Pike, Water Supply
Association of B.C.

Rob Birtles, Okanagan Water
Stewardship Council

**The next regular meeting of the
OBWB will be at 10 a.m. Dec. 6,
2016 at the Regional District of
Okanagan-Similkameen in
Penticton.**

Okanagan Basin Water Board Meeting Highlights

Okanagan Lake mapping aims to help manage shoreline development: The board heard a presentation from Jason Schleppe of Ecoscape Environmental who has been conducting Foreshore Inventory Mapping along the central portion of Okanagan Lake. The Regional District of Central Okanagan project, funded in part through an OBWB Water Conservation & Quality Improvement Grant, is in response to concerns about the cumulative effects of foreshore development and the impacts on aquatic habitat. Mapping in 2010 found up to two percent of the Central Okanagan shoreline is being changed each year and only 43 per cent (125 km of 289 km total) remained in a natural state. The project will help RDCO develop Shoreline Management Guidelines.

OBWB receives \$50K to continue groundwater research: Environment Canada has awarded the Water Board a \$50,000 grant to extend its research into the groundwater-surface water interactions on Mission Creek, the largest contributor of water to Okanagan Lake. The research will help develop a greater understanding of how this interaction relates to the long-term sustainability of groundwater as a drinking water source for Kelowna residents, habitat conditions for fish, and climate adaptation.

Priorities for water project funding set: Directors voted on this year's annual funding priorities for its 2016-17 Water Conservation & Quality Improvement (WCQI) Grant intake. Each year the OBWB welcomes applications for water projects from local governments, improvements districts and non-profits, and awards grants up to \$30,000 with a total \$300,000 available. This year's priorities include projects that address: Drought and Flood Preparedness, Water Flow Monitoring, Groundwater Studies, Restoration, or Water Quality. Additional categories that will be considered include: Education, Irrigation, Mapping, Metering, System Improvement, Water Treatment Study, Water Management Planning, Source Water Protection and Xeriscape. More details coming soon. For more information on the grant program visit www.obwb.ca/wcqi.

Water Board welcomes CBC's Bob McDonald to Okanagan: We are pleased to be co-hosting a special workshop, "FLOW 'n GROW - Balancing Economy, Ecology and Settlement in the Okanagan," on Nov. 29 in Kelowna with the Partnership for Water Sustainability BC and the Irrigation Industry Association of BC (IIABC). Keynote speakers include Bob McDonald, host of the award-winning radio program "Quirks and Quarks," Bob Sandford with the UN University Institute for Water, Environment & Health, plus others. Early registration deadline is Nov. 15. Details at www.irrigationbc.com/page/convention-seminars. Special rates are available to students and First Nations community members – contact IIABC directly.

Board of Directors approves annual budget: Directors adopted the budget for the upcoming fiscal year, April 1, 2017 - March 31, 2018, with a 0.2 percent net increase over 2016-17. The overall budget of \$3.4 million covers the [Watermilfoil Control Program](#), [Sewerage Facilities Grants Program](#), and the [Water Management Program](#) (which includes water research, the WCQI Grant Program, and communications and outreach including the [Don't Move a Mussel](#) and [Make Water Work](#) initiatives). The small increase will assist with milfoil equipment replacement.

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