

PUBLIC NOTICE

CHANGE IN MEETING LOCATION April 19, 2018

Due to the active Emergency Operations Centre at the Regional District office, please be advised that the following meetings scheduled for April 19, 2018 have been relocated from 101 Martin Street to The Penticton Lakeside Resort & Convention Centre, Salon D, 21 Lakeshore Drive West, Penticton:

- Planning and Development Committee
- Community Services Committee
- Corporate Services Committee
- Environment and Infrastructure Committee
- Protective Services Committee
- RDOS Board

We apologize for any inconvenience this change may cause.

*NOTE: The above meetings are open to the public. Please refer to the Schedule of Meetings for start times.

Karla Kozakevich Chair, Board of Directors

The Okanagan-Similkameen Regional Hospital District (OSRHD) Board meeting of April 19, 2018 has been cancelled

The next scheduled meeting is May 17, 2018



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, April 19, 2018

The Penticton Lakeside Resort & Convention Centre, Salon D 21 Lakeshore Drive West, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	10:00 am	Planning and Development Committee
10:00 am	-	10:30 am	Community Services Committee
10:30 am	-	11:00 am	Corporate Services Committee
11:00 am	-	11:30 am	Protective Services Committee
11:30 am	-	12:30 pm	Environment and Infrastructure Committee
12:30 pm	-	1:00 pm	Lunch
1:00 pm	-	4:30 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich RDOS Board Chair

Advance Notice of Meetings:							
May 03, 2018	RDOS Board/Committee Meetings						
May 17, 2018	RDOS Board/OSRHD Board/Committee Meetings						
June 07, 2018	RDOS Board/Committee Meetings						
June 21, 2018	RDOS Board/OSRHD Board/Committee Meetings						
July 05, 2018	RDOS Board/Committee Meetings						
July 19, 2018	RDOS Board/OSRHD Board/Committee Meetings						



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee Thursday, April 19, 2018 9:00 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1 THAT the Agenda for the Planning and Development Committee Meeting of April 19, 2018 be adopted.

B. Q1 ACTIVITY REPORT – For Information Only

C. **RESIDENTIAL ZONE REVIEW** – For Information Only

This report proposes amendments to the Residential Zones as part of work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

D. REVIEW OF RESIDENTIAL ZONES AT APEX (ELECTORAL AREAS "D-1")

- 1. Bylaw No. 2683.03, 2018 Draft
- 2. Bylaw No. 2457.26, 2018 Draft

To propose amendments to the Residential Zones at Apex Mountain and is part of work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 2

THAT staff be directed to initiate the Electoral Area "D-1" Official Community Plan (OCP) Amendment Bylaw No. 2683.03, 2018, and Electoral Area "D-2" Zoning Bylaw No. 2457.26, 2018.

E. NARAMATA TOWN CENTRE & TOWNSITE DEVELOPMENT PERMIT AREA REVIEW

- 1. Bylaw No. 2458.13, 2018 Draft
 - a. Naramata Development Permit Area Draft
- 2. Bylaw No. 2459.30, 2018 Draft

This report relates to the proposed creation of a Town Centre (TC) designation and a review of the Naramata Townsite Development Permit Area found in the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, as well as the creation of a Naramata Town Centre (NTC) Zone in the Electoral Area "E" Zoning Bylaw No. 2459, 2008.

RECOMMENDATION 3

THAT staff be directed to initiate the Electoral Area "E" Official Community Plan (OCP) Amendment Bylaw No. 2458.13, 2018, and Electoral Area "E" Zoning Bylaw No. 2459.30, 2018.

F. GALLAGHER LAKE AREA PLAN – INCORPORATION INTO ELECTORAL AREA "C" OCP BYLAW

- 1. Bylaw No. 2452.20, 2018 Draft
 - a. Schedule A Draft
 - b. Schedule B Draft
 - c. Schedule C Draft

This report relates to the proposed incorporation of the Gallagher Lake Area Plan into Schedules 'A' (Oliver Rural OCP Text) and 'B' (Oliver Rural OCP Map) of the Electoral Area "C" OCP Bylaw No. 2452, 2008.

At present, the Area Plan resides outside of the OCP Bylaw as a separate appendix and its incorporation into the bylaw is being proposed as part of on-going work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 4

THAT staff be directed to initiate the Electoral Area "C" Official Community Plan (OCP) Amendment Bylaw No. 2452.20.

G. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: First Quarter, 2018 Activity Report – Development Services Department

For information only

Purpose:

The purpose of this report is to present the Board with an overview of activities undertaken by the Development Services Department during the previous quarter.

Background:

The Development Services Department provides a quarterly update to the Regional District Board in April (Q1), July (Q2), October (Q3) and January (Q4) of each year.

Overview:

The Development Services Department comprises Planning, Building Inspection and Bylaw Enforcement and is generally responsible for planning for and regulating development within the Regional District. The following is an overview of activities undertaken by the Department by division:

PLANNING:

Q1 Activities (January to March)

- Electoral Area "F" Official Community Plan Review is ongoing. Round 3 survey results completed and will be soon presented to public at information session. A working draft has been initiated.
- The following reports were prepared for consideration by the Planning and Development Committee:
 - Lean Kaizen Rezoning Process Discussion Professional Planner Requirement & Results Found
 - Ø Overview of recreational cannabis legislation, to-date.
 - Small Holdings One (SH1) Zone Review
 - Solution Zoning Bylaw Consolidation Amendments APC Consideration; and
 - Ø Medical Cannabis Production Facilities Industrial Zone Consolidation Bylaw
 - The following reports were prepared for consideration by the Board:
 - **Ø** 2 Joint Official Community Plan Bylaw & Zoning Bylaw Amendments*;
 - 7 Zoning Bylaw Amendments*;
 - **Ø** 2 Development Variance Permits;



- Ø 1 Development Permit;
- Ø 1 Temporary Use Permit
- **Ø** 1 Agricultural Land Commission (ALC) referral.

* may include multiple readings of same amendment bylaw(s)

- 17 Development Permits (i.e. Environmentally Sensitive, Watercourse, Industrial, etc.) were issued under delegated authority.
- 8 referrals from the Province regarding proposed use of Crown land were processed.
- 6 Advisory Planning Commission (APC) Meetings were scheduled.
- 3 Public Information Meetings for Bylaw Amendments or Temporary Use Permits were scheduled.
- 3 Public Hearings were scheduled.
- A total of 6 Liquor License referral for Lounge and Special Event Area Applications:
 - Stag's Hollow Winery & VIneyard (Electoral Area "D")
 - Arterra Wines Canada for See Ya Later Ranch (Electoral Area "D") (3 referrals)
 - Ø Noble Ridge Vineyard & Winery (Electoral Area "D")
 - Apex Mountain Resort Gunbarrel Pub (Electoral Area "D").
- Provision of planning services to the Town of Oliver, including:
 - I Zoning Bylaw Amendment;
 - 2 Industrial Development Permits;
 - Ø 3 Subdivision referrals;
 - Ø 1 Liquor Licence referral;
 - Ø Preparation of a new Zoning Bylaw No. 1380; and
 - Ø Preparation of a new Land Use Procedures Bylaw No. 1367.
- Provision of planning services to the Village of Keremeos, including:
 - **1** Zoning Bylaw Amendment (update of General Regulations and AG Zone).

<u>Planned Activities for Q2 – 2018 (April to June)</u>

- Continue work on the Electoral Area "F" Official Community Plan Bylaw Review
- Present the OCP amendments in support of Okanagan Falls Town Centre Plan;
- Review of Provincial and Federal legislation on Recreational Marijuana (when released);
- Continue work on Zoning Bylaw Update (Small Holdings & Residential zones, etc.);
- Exploration of consideration of land use controls within the lakeshore for the Okanagan Valley lakes.
- Continue to provide planning services to the Town of Oliver and Village of Keremeos.

RDOS also recently signed a new contract with the Town of Princeton to provide planning services. A number of applications from Princeton have been recently submitted which will add to already high application volumes for 2018. In response, looking to hire a temporary relief Planner to help with workload.

BUILDING INSPECTION:

Q1 Activities (January to March)

- 99 permits were issued to March 31, 2018 which is the same number of permits issued for the same time frame in 2017 (see Attachment No. 2 for the summary of issued Building Permits in Q1).
- Kennedy Lake inspections are ongoing. 77 permits remain outstanding at varying degrees of completeness. 140 permits have been closed. A review of remaining permits is being conducted to determine additional structures to demolish.
- Many action items from the Building Inspection Services Kaizen have been implemented and results are already being found in a reduction in Building Permit turn-around timeline. A few "quick hit" actions have been delayed due to support staffing matters

Planned Activities for Q2 – 2018 (April to June)

- The sample core building bylaw has been released from MIABC and Building Services will be reviewing this bylaw and preparing a new version of a building bylaw for Board consideration. This bylaw takes into consideration greenhouse gas emission requirements as well as the Step Code provisions which are currently a voluntary requirement in the BC Building Code but will be a requirement in the next version of the BC Building Code which is anticipated to come into effect in December, 2018.
- Continue exploration of external software providers related to the strategic goal of the Building Permit Kaizen. Book seminars from providers with key staff on the potential functionality and fit with department process needs.

BYLAW ENFORCEMENT:

Q1 Activities (January to March)

- Finalized and entered into a contract with Service Provider for Bylaw Enforcement Services
- · Finalized and entered into a contract with Service Provider for Animal Control Services
- Drafted new fine amounts for Bylaw Enforcement Notice Bylaw to conform with new Dog Control and Animal Control Bylaw (adopted by the Board Jan. 4, 2018);
- Initiated sale of 2018 dog licences at RDOS and Okanagan Falls office.
- Initiated Bylaw Enforcement Policy Review and provide discussion report to Board Committee on policy options. The updated Bylaw Enforcement Procedures Policy is proceeding to the Board for consideration of adoption at its meeting of April 19, 2018.

Planned Activities for Q2 – 2018 (April to June)

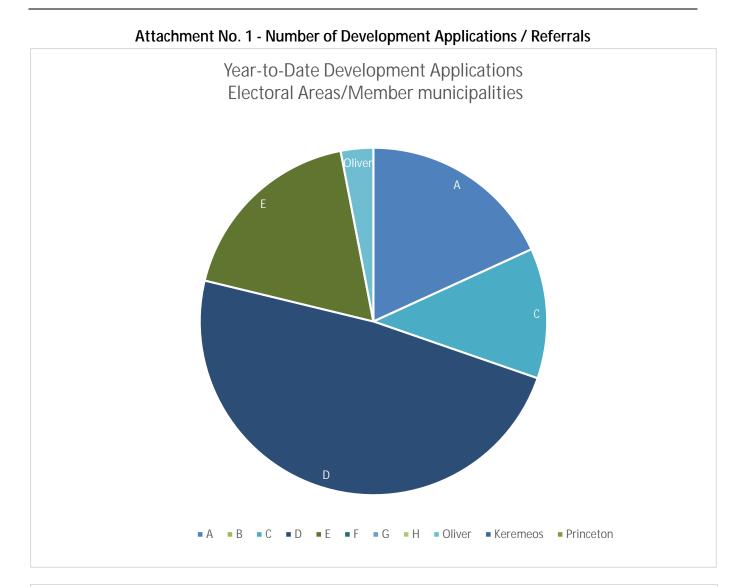
- Distribute new dog bylaw regulations through media and updated information brochures.
- Following adoption of Bylaw Enforcement Procedures Policy, start work on drafting an internal enforcement assessment procedure (identified in Bylaw enforcement procedures policy)
- Initiate amendments to Bylaw No. 2507 Bylaw Notice Enforcement Bylaw No. 2507, 2010, to recognize and incorpate fines for amendments recently completed to Electoral Area Zoning bylaws.
- · Update Bylaw Enforcement webpage following recommendations of the Office of the Ombudsperson's report.
- · Continue to work with newly contracted Animal Control Service provider to streamline and improve this service.

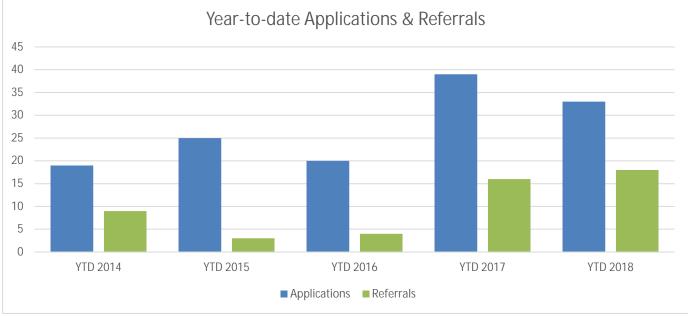
Respectfully Submitted,

Brad Dollevoet, Development Services Manager

Attachments: No. 1 – Number of Development Applications / Referrals (1st Quarter)

- No. 2 Summary of Building Permits (YTD March)
- No. 3 Summary of Bylaw Enforcement Complaints (1st Quarter)





https://portal.rdos.bc.ca/departments/officeofthecao/BoardReports/2018/20180419/PlanningAndDevelopment/B. First Quarter Activity Report.docx Page 5 of 7

Attachment No. 2 – Summary of Building Permits Issued, 2018 **REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN** SUMMARY OF BUILDING PERMITS FOR THE MONTH OF MARCH 2018 NUMBER OF PERMITS ISSUED DESCRIPTION TOTAL 2018 С D Н 2017 RENEWAL/DEFICIENCY 1 1 1 10 9 3 2 2 2 S.F.D 3 1 10 18 25 MOBILE/MANU HOMES 5 1 11 10 6 CABINS/RFC 0 1 0 SEMI-DETACHED, DUPLEX, MULTI 0 1 1 1 **DEMOLITION / MOVE** 4 4 1 1 1 3 ACCESSORY USES 1 2 2 1 6 20 15 ADDITIONS / REPAIRS / PLUMBING 2 2 9 23 28 1 4 COMMERCIAL 0 8 5 INDUSTRIAL 0 0 0 FARM BUILDING EXEMPTION 2 3 5 1 1 INSTITUTIONAL 0 0 0 SOLID FUEL APPLIANCE 0 0 0 MONTHLY TOTAL 6 7 11 8 4 4 40 99 101 YEAR TO DATE 2018 19 99 16 21 22 7 14 Q SAME MONTH 2017 .3 13 5 3 5 38 YEAR TO DATE 2017 15 22 40 9 9 101 6 DOLLAR VALUE OF PERMITS DESCRIPTION Α С D Ε F н TOTAL TOTAL YEAR RENEWAL/DEFICIENCY \$10,000 \$12,000 \$0 \$22,000 \$51.000 S.F.D. \$822,425 \$335,260 \$889,305 \$606,140 \$789,340 \$3,442,470 \$5,244,910 \$1,051,610 MOBILE/MANU HOMES \$189,690 \$1,241,300 \$2,257,510 CABINS/REC \$0 \$72,720 SEMI-DETACHED, DUPLEX, MULTI \$515,176 \$515,176 \$515,176 **DEMOLITION / MOVE** \$1,000 \$1,000 \$1,000 \$3,000 \$4,000 \$24,960 \$10,000 \$787,180 \$1,238,380 ACCESSORY USES \$728,000 \$24,220 ADDITIONS / REPAIRS / \$323,510 \$15,000 PLUMBING \$14,760 \$76,480 \$429,750 \$1,131,250 COMMERCIAL \$4,502,650 \$0 INDUSTRIAL \$0 \$0 FARM BUILDING EXEMPTION not valued / no revenue INSTITUTIONAL \$0 \$0 SOLID FUEL APPLIANCE \$0 \$0 MONTHLY TOTAL \$837,185 \$1,076,570 \$1,845,606 \$1,248,035 \$631,140 \$802,340 \$6,440,876 \$15,017,596 YEAR TO DATE 2018 \$1,206,780 \$15,017,596 \$2,355,195 \$4,884,210 \$2,554,806 \$3,344,365 \$672.240 SAME MONTH 2017 \$708,730 \$1,296,750 \$1,385,778 \$461,495 \$324,965 \$889,375 \$5,067,093 YEAR TO DATE 2017 \$1,972,965 \$2,483,525 \$5,252,403 \$574,495 \$790,550 \$968,375 \$12,042,313 BUILDING INSPECTION REVENUE MONTH 2012 2013 2014 2015 2016 2017 2018 JANUARY \$16,098.23 \$15,847.48 \$8,965.60 \$17,905.98 \$38,090.55 \$39,602.01 \$55,887.27 \$19,575.32 FEBRUARY \$14,200.42 \$18,055.76 \$25,842.00 \$29,419.02 \$44,897.41 \$37,396.10 MARCH \$38,322.59 \$28,007.02 \$30,397.81 \$32,251.07 \$41,406.24 \$62,053.58 \$72,804.20 \$15,209.80 APRII \$18,059,44 \$20,973.73 \$28,055.24 \$47,883.66 \$35 550 35 MAY \$30,849.83 \$43,054.17 \$47,678.54 \$34,819.01 \$88,336.89 \$335,459.36 JUNE \$44,166.92 \$42,069.21 \$78,964.49 \$62,473.80 \$105,215.54 \$66,954.09 \$46,889.56 \$48,610.54 \$93,218.43 \$70,891.24 \$95,394.43 JULY \$57.024.83 AUGUST \$58,020.08 \$35,669.63 \$41,182.51 \$59,620.80 \$73,568.01 \$47,165.53 \$121,384.59 \$90,566.53 SEPTEMBER \$24,513.20 \$24,607.81 \$68,044.72 \$102,226.37 OCTOBER \$34,125,76 \$28,791.57 \$36,694.11 \$39,069.81 \$44,894.56 \$43,695.30 \$25,620.64 NOVEMBER \$29,782.64 \$58,845.97 \$58,442.60 \$40,766.83 \$32,663.33 DECEMBER \$33,035.38 \$16,484.32 \$39,792.14 \$40,132.41 \$29,147.95 \$41,432.10 \$627,180.85 TOTAL \$398.199.32 \$346.070.90 \$494.994.53 \$671.069.50 \$961.213.29 \$166.087.57

https://portal.rdos.bc.ca/departments/officeofthecao/BoardReports/2018/20180419/PlanningAndDevelopment/B. First Quarter Activity Report.docx

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F	REGIO		-	_	-	-	I-SIMII Action		EEN		
1ST QUARTER (Jan-Mar 2018)											
					•						
COMPLAINTS RECE	IVED	Januar	v - Mar	ch 201	8						
DESCRIPTION	Α	В	С	D	E	F	G	Н	TOTAL	2018	2017
LAND USE	1		-	_		_			1	1	5
ESDP									_	-	
WDP			2						2	2	
MULTIPLE											3
UNTIDY/UNSIGHTLY											2
BUIDING BYLAW	1			1				1	3	3	2
ANIMAL CONTROL	1	2	5	5			1		14	14	1
NOISE CONTROL			5	1					6	6	5
BURNING BYLAW											
Totals	3	2	12	7	0	0	1	1	26	26	18
COMPLAINTS RESOLVED January - March											
DESCRIPTION	Α	В	C	D	E	F	G	Н	TOTAL	2018	2017
LAND USE			2	16	3	5	1	3	30	30	3
ESDP											
WDP			2						2	2	
MULTIPLE											
UNTIDY/UNSIGHTLY				3	3	3	1	1	11	11	
BUIDING BYLAW	1							2	3	3	
ANIMAL CONTROL	1	2	5	5			1		14	14	
NOISE CONTROL			5	1	1				7	7	1
BURNING BYLAW											
Totals	2	2	14	25	7	8	3	6	67	67	4
TOTAL ACTIVE CON	NPLAI	NTS									
DESCRIPTION	Α	В	С	D	E	F	G	Н	TOTAL	2018	
LAND USE	2		7	13	1	7	1	1	32	32	
ESDP			1	2					3	3	
WDP	1		1	1		1			4	4	
MULTIPLE				1					1	1	
UNTIDY/UNSIGHTLY			4	3	1		6	3	17	17	
BUIDING BYLAW				2	1				3	3	
ANIMAL CONTROL		3	2	2		1	1		9	9	
NOISE CONTROL				2					2	2	
BURNING BYLAW											
Totals	3	3	15	26	3	9	8	4	71	71	

Attachment No. 3 – Summary of Bylaw Enforcement Complaints, 1st Quarter

ADMINISTRATIVE REPORT

TO:	Planning and Development Committee
FROM:	B. Newell, Chief Administrative Officer
DATE:	April 19, 2018
RE:	Residential Zone Review – For Information Only

Purpose:

This report proposes amendments to the Residential Zones as part of work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

Background:

At its meeting of October 16, 2008, the Board considered an <u>Administrative Report</u> proposing the creation of a single Electoral Area Zoning Bylaw and directed staff to investigate the preparation of such a bylaw.

In anticipation of bringing forward a draft zoning bylaw for consideration by the Board, a series of draft amendments (by zone category) are being presented over the coming months intended to update various zones and facilitate their eventual consolidation in a new bylaw.

In undertaking this review of the various Residential zones currently found in the Okanagan Electoral Area Zoning Bylaws, Administration's guiding principle has been to *generally* minimize the impact on of the proposed changes on permitted uses and zoning regulations.

Analysis:

Due to slight variances that exist between the various Residential Zones across Electoral Areas (i.e. setbacks, uses, height, etc.), Administration considers there to be approximately 20 different residential zones (i.e. five different versions of the RS1 Zone), but that these can be reduced to a main core of five (5) low density residential zones and one (1) medium density residential zone as follows:

Low Density Residential Zones	Medium Density Residential Zones
Low Density Residential One (RS1)	Medium Density Residential (RM1)
Low Density Residential Two (RS2)	
Low Density Residential Three (RS3)	
Low Density Residential Duplex (RD1)	
Low Density Residential MHP (RSM1)	

Although not shown in this table, the provision of "vacation rentals" as a permitted use at Apex has necessitated the creation of separate residential zones for this area, and it is being recommended to continue this practice (i.e. through the use of an RS4 and RD2 Zone).

For reference purposes, tables are included as Attachment Nos. 1-5 showing the transition of these zones as well as how existing zones compare to the proposed new zones.

Single Detached Dwelling Zones:

With regard to those residential zones that allow a maximum of one (1) principal dwelling per parcel – denoted by the use of an "RS" in the zone acronym — it is being proposed to re-order these based upon the following parcel sizes:

Proposed Zone	Proposed Parcel Size	Area "A" (current zone)	Area "C" (current zone)	Area "D-1" (current zone)	Area "D-2" (current zone)	Area "E" (current zone)	Area "F" (current zone)
RS1	350 m ²	N/A	350 m ² (RSM2)*	N/A	N/A	N/A	N/A
RS2	500 m ²	505 m ² (RS1)	505 m² (RS1)	500 m ² (RS1)	667 m ² (RS1)	N/A	505 m² (RS1)
КJZ	500 m-	505 HF (K31)	505 m² (RS2)	500 m ² (RS2)	667 m² (RS2)	N/A	505 m² (RS2)
RS3	1,000 m ²	N/A	N/A	N/A	N/A	1,010 m ² (RS1)	N/A

* current RSM2 Zone makes provision for 350 m² and 500 m² minimum parcel sizes

In determining where to apply these zones, Administration is proposing, again, that parcel size be considered the principal consideration. For instance, while an equivalent of the proposed RS1 Zone currently exists only within the Electoral Area "C" Zoning Bylaw, Administration considers that there is scope for applying this zone in other Electoral Areas, particularly where there are existing small parcels as these would likely benefit from the building envelope associated with this zone (i.e. lakeshore properties in Osoyoos as well as Naramata).

Due to the significant overlap that exists between the RS1 & RS2 Zones in Electoral Areas "C", "D" and "F", Administration is proposing that these be consolidated into the proposed RS2 Zone and, in Electoral Area "D-2" the minimum parcel size of 500 m² be applied (instead of 667 m²).

Given the significant divergence of the RS1 Zone in Electoral Area "E" from the minimum parcel size requirements found in the other Electoral Areas (i.e. 1,000 m² vs 500 m²), Administration is proposing that a new RS3 Zone be created and applied to properties in the Naramata, as well as other Electoral Areas (where applicable).

Finally, Administration notes that prior to the adoption of the "1.0 ha Policy" by the Regional District in 2007-08, the default minimum parcel size for subdivisions serviced by private septic systems was a "half acre" (i.e. 2,020 m²).

Accordingly, when a subdivision was pursued for residential purposes prior to 2007, it was common practice to apply an "RS" zone in order to limit principal uses to "single detached dwellings" only.

As a result, there are numerous occurrences within the Regional District where an RS1 Zone has been applied to parcels in excess of 2,020 m² in area that are un-serviced (i.e. no community sewer system connection) and are outside of defined growth areas.

It is also noted that since the adoption of the "1.0 ha. Policy", the Small Holdings Five (SH5) Zone has been introduced to a majority of the Electoral Area Zoning Bylaws and, as a result, parcels in excess of 2,000 m² are generally considered to be a Small Holdings (SH) type of land use.

To ensure coherence and consistency between the RS and SH Zones, Administration is further proposing to review the RS zoning of properties in excess of 2,000 m² and potentially transition these to the SH5 Zone. Examples include Twin Lakes, Arawana Road in Naramata and Pinehill Road in Kaleden.

Duplex Zone:

The principle change that is being proposed with the proposed RD1 Zone is the removal of single detached dwellings as a permitted form of dwelling type.

Administration is concerned that an allowance for single detached dwellings in the RD1 Zone may inhibit the development of duplex dwelling units and further creates uncertainty at the time of rezoning as to whether a site will ultimately be developed to duplexes.

In order to address the discrepancy in parcel size requirements across Electoral Areas, it is being proposed to introduce a standard requirement of 550 m² for the parent parcel and 225 m² for any strata lot that might subsequently be created (see Attachment No. 4 for current zone requirements) — when connected to a community sewer and water system.

Manufactured Home Park Zones:

Due to a review of the Manufactured Home Park (RSM1) Zone that was completed in 2012, Administration is not proposing to make any changes to this zoning.

Medium Density Residential Zones:

Administration considers the primary intent of the RM1 Zone to provide for apartments and townhouse type dwelling units and is proposing to simplify the range of permitted uses across Electoral Areas to reflect this.

It is further being proposed to standardize minimum densities, maximum densities, floor area ratios, setbacks and parcel coverage across Electoral Areas (see Attachment No. 5).

As an aside, despite Schedule '1' of the Electoral Area "C" Zoning Bylaw including reference to an RM1 and Integrated Housing (RM2) Zone, neither of these zones currently apply to a property on the Zoning Map (being Schedule '2' of the bylaw).

Under the *Local Government Act*, in such situations the zone should be removed from the bylaw if it does not apply to any property. Accordingly, Administration is proposing to delete the RM1 and RM2 Zones from Zoning Bylaw No. 2452, 2008.

Comprehensive Development (CD) Zone – Electoral Area D-2:

The CD Zone that exists within the Electoral Area "D-2" Zoning Bylaw is considered to be a residential zone as the only permitted uses include single detached dwellings, duplexes and apartment buildings.

The origins of this zone are unclear and it is thought that it might have been introduced at the time of the 1996-98 review of the OCP and Zoning Bylaws in Electoral Area "D-2".

Of the three parcels that retained this zoning (NOTE: a fourth parcel zoned CD was recently acquired by the Nature's Trust of BC and rezoned to Conservation Area), two have been developed exclusively to single detached dwellings and could have been accommodated under other zonings.

Accordingly, Administration is proposing to remove the CD Zone from these parcels (i.e. at Racette Way and Bighorn Mountain Estates) and replace it with residential and small holdings zones. For the remaining CD Zone at 4899 Eastside Road, Administration is proposing to consult with the property on possible alternate zonings.

NOTE: it is being proposed to retain the existing North Beach Comprehensive Development Zone in Electoral Area "F".

West Bench:

Due to the geo-technical classification of the West Bench area in Electoral Area "F" and a recommendation that residential densities should not be increased here, the RS1 Zone in this area further diverges from the other Electoral Areas in that it does not permit "secondary suites" as a permitted form of accessory dwelling type.

Administration is also aware that a subdivision has not occurred in the West Bench for the past quarter century due to the recommendation that residential densities not be increased.

In recognition of this, it is being proposed that a West Bench specific zone excluding accessory dwelling types (i.e. secondary suites and carriage houses) and subdivision be drafted and applied to those areas of the West Bench currently zoned RS1 and that this be extended to those areas also zoned SH5.

Consultation:

As part of the consultation for these amendments, Administration is proposing to advise property owners of the proposed changes and to submit feedback.

Respectfully submitted:

Endorsed by:

C. Garrish, Planning Supervisor

B. Dollevoet, Development Services Manager

Attachments: No. 1 — Proposed Residential Zone Transition Matrix

- No. 2 RS1 Zone Comparison
- No. 3 RS2 Zone Comparison
- No. 4 RS3 (Duplex) Zone Comparison
- No. 5 RM1 Zone Comparison

AREA	EXISTING ZONE	PROPOSED ZONE
"A"	Residential Single Family One (RS1)	Low Density Residential Two (RS2)
"A"	Residential Two Family (Duplex) (RS3)	Low Density Residential Duplex (RD1)
"A"	Residential Multiple Family (RM1)	Medium Density Residential One (RM1)
"C"	Residential Single Family One (RS1)	Low Density Residential Two (RS2)
"C"	Residential Single Family Two (RS2)	
"C"	Residential Two Family (Duplex) (RS3)	Low Density Residential Duplex (RD1)
"C"	Residential Manufactured Home Park (RSM1)	Low Density Residential Manufactured Home Park (RSM1)
"C"	Residential Manufac. Home Subdivision (RSM2)	Low Density Residential One (RS1)
"C"	Residential Multiple Family (RM1)	Medium Density Residential One (RM1)
"C"	Integrated Housing (RM2)	Wediam Density Residential One (RWT)
"D-1"	Residential Single Family One (RS1)	Low Density Residential Two (RS2)
"D-1"	Residential Single Family Two (RS2)	
"D-1"	Residential Apex Alpine (RS4)	Low Density Residential Apex Alpine (RS4)
		Low Density Residential Apex Alpine Duplex (RD2)
"D-1"	Residential Manufactured Home Park (RSM1)	Low Density Residential Manufactured Home Park (RSM1)
"D-1"	Residential Multiple Family (RM1)	Medium Density Residential One (RM1)
"D-1"	Residential Multiple Unit Three (RM3)	Medium Density Residential Apex Alpine (RM2)
"D-1"	Mixed Use Apex Alpine (RMU)	TBD
"D-2"	Residential Single Family One (RS1)	Low Density Residential Two (RS2)
"D-2"	Residential Single Family Two (RS2)	
"D-2"	Residential Two Family (Duplex) (RS3)	Low Density Residential Duplex (RD1)
"D-2"	Residential Manufactured Home Park (RSM1)	Low Density Residential Manufactured Home Park (RSM1)
"D-2"	Residential Multiple Family (RM1)	Medium Density Residential One (RM1)
"E"	Residential Single Family One (RS1)	Low Density Residential Three (RS3)
"E"	Residential Two Family (Duplex) (RS3)	Low Density Residential Duplex (RD1)
"E"	Residential Multiple Family (RM1)	Medium Density Residential One (RM1)
"F"	Residential Single Family One (RS1)	Low Density Residential Two (RS2)
"F"	Residential Single Family Two (RS2)	
"F"	Residential Multiple Family (RM1)	Medium Density Residential One (RM1)
"F"	Integrated Housing (RM2)	· · · ·

Attachment No. 1 – Proposed Residential Zone Transition Matrix

ELECTORA	L AREA "A"	ELECTORA	AL AREA "C"	ELECTORAL	AREA "D-1"	ELECTORA	L AREA "D-2"	ELECTOR/	AL AREA "E"	ELECTORA	AL AREA "F"	PROPOSED	RS2 ZONE
Principal Uses:		Principal Uses:		Principal Uses:		Principal Uses:		Principal Uses:		Principal Uses:		Principal Uses:	
single detached	dwelling;	single detached	d dwelling;	single detached	dwelling;	single detached	d dwelling;	single detached	d dwelling;	single detached	d dwelling;	single detached	dwelling;
Accessory Uses:	:	Accessory Uses	S:	Accessory Uses:		Accessory Uses	5:	Accessory Uses	5:	Accessory Uses	S:	Accessory Uses	
bed and breakfa	ist;	bed and breakf	ast;	bed and breakfa	ist;	bed and breakf	ast;	bed and breakf	ast;	bed and breakf	ast;	bed and breakfa	ist;
home occupatio	on;	home occupati	on;	home occupation	n;	home occupati	on;	home occupati	on;	home occupation	on;	home occupation	n;
secondary suite	•	secondary suite	Э;	secondary suite	;	secondary suite	e;	secondary suite	e;	N/A;		secondary suite	•
accessory buildi	ngs/structures.	accessory build	lings/structures.	accessory buildi care centre min		accessory build	lings/structures.	accessory build	lings/structures.	accessory build docks.	lings/structures;	accessory buildi care centre min	•
Minimum Parce	el Size:	Minimum Parc	el Size:	Minimum Parce	l Size:	Minimum Parc	el Size:	Minimum Parc	el Size:	Minimum Parc	el Size:	Minimum Parce	el Size:
505 m ²		505 m ²		500 m ²		667 m ²		1,010 m ²		505 m ²		500 m ²	
Minimum Parce	l Width:	Minimum Parc	el Width:	Minimum Parce	l Width:	Minimum Parc	el Width:	Minimum Parc	el Width:	Minimum Parc	el Width:	Minimum Parce	l Width:
16.0 metres		16.0 metres		16.0 metres		Not less than 2	5% parcel depth	Not less than 2	5% parcel depth			% parcel depth	
Max. Number o one (1) principal	0	Max. Number of one (1) principa	0	Max. Number o one (1) principa	0	Max. Number one (1) principa	•	Max. Number	of Dwellings: al dwelling; and	Max. Number of Dwellings: Max. Number of Dw		0	
one (1) seconda	0	one (1) second	0	one (1) seconda	•	one (1) second	0	one (1) second	0		one (1) principal dwelling. one (1) principal dwell one (1) secondary suit		0
Minimum Setba	icks:	Minimum Setb	acks:	Minimum Setba	icks:	Minimum Setb	acks:	Minimum Setb	acks:	Minimum Setb	nimum Setbacks: Minimum Setbacks:		icks:
<u>Principal buildir</u>	<u>ngs</u> :	Principal build	ings:	Principal buildir	ngs:	Principal build	ings:	Principal build	ings:	Principal buildi	ings:	Principal buildin	<u>ngs</u> :
Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres
Rear:	7.5 metres	Rear:	7.5 metres	Rear:	7.5 metres	Rear:	7.5 metres	Rear:	7.5 metres	Rear:	7.5 metres	Rear:	7.5 metres
Interior side:	1.5 metres	Interior side:	1.5 metres	Interior side:	1.5 metres	Interior side:	1.5 metres	Interior side:	3.0 metres	Interior side:	1.5 metres	Interior side:	1.5 metres
Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres
Accessory buildi		Accessory build		Accessory buildi		Accessory build		Accessory build		Accessory build		Accessory build	
Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres	Front:	7.5 metres
Rear:	1.0 metres	Rear:	1.0 metres	Rear:	1.0 metres	Rear:	1.0 metres	Rear:	3.0 metres	Rear:	1.0 metres	Rear:	1.0 metres
Interior side:	1.0 metres	Interior side:	1.0 metres	Interior side:	1.0 metres	Interior side:	1.5 metres	Interior side:	3.0 metres	Interior side:	1.0 metres	Interior side:	1.0 metres
Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres
Maximum Heig		Maximum Heig	•	Maximum Heig		Maximum Hei	,	Maximum Heig	,	Maximum Heig	•	Maximum Heig	
10.0 metres (pri	•	10.0 metres (pr	•	10.0 metres (pri		10.0 metres (pr		10.0 metres (pr		10.0 metres (pr	1 1	10.0 metres (pri	• •
4.5 metres (acce	5.	4.5 metres (acc	cessory)	5.5 metres (acce	essory)	5.5 metres (acc	essory)	4.5 metres (acc	essory)	4.5 metres (acc	cessory)	4.5 metres (acce	essory)
Maximum Parce	el Coverage:	Maximum Parc	el Coverage:	Maximum Parce	el Coverage:	Maximum Paro	el Coverage:	Maximum Parc	cel Coverage:	Maximum Parc	el Coverage:	Maximum Parce	el Coverage:
35%		35%		35%		35%		35%		30%		35%	

Attachment No. 2 – RS1 Zone Comparison

ELECTORAL AREA "A"	ELECTORA	LAREA "C"	ELECTORAL	AREA "D-1"	ELECTORA	L AREA "D-2"	ELECTORAL AREA "E"	ELECTOR	AL AREA "F"	PROPOSEI) RS2 ZONE
Principal Uses:	Principal Uses:		Principal Uses:		Principal Uses:		Principal Uses:	Principal Uses:		Principal Uses:	
N/A	single detached	l dwelling;	single detached	dwelling;	single detache	d dwelling;	N/A	single detache	d dwelling;	single detached	dwelling;
Accessory Uses:	Accessory Uses	:	Accessory Uses		Accessory Use	S:	Accessory Uses:	Accessory Use	S:	Accessory Uses	:
N/A	bed and breakf	ast;	bed and breakfa	ast;	bed and break	fast;	N/A	bed and break	fast;	bed and breakfa	ast;
	home occupation	on;	home occupation	on;	home occupati	on;		home occupati	ion;	home occupation	on;
	accessory build	ings/structures.	secondary suite		secondary suit			N/A;		secondary suite	
			accessory buildi	•	accessory build	lings/structures.		accessory build	lings/structures;	accessory build	•
			care centre min	or.				docks.		care centre min	or.
Minimum Parcel Size:	Minimum Parce	el Size:	Minimum Parce	el Size:	Minimum Parc	el Size:	Minimum Parcel Size:	Minimum Parc	el Size:	Minimum Parce	el Size:
N/A	505 m ²		500 m ²		667 m ²		N/A	505 m ²		500 m ²	
Minimum Parcel Width:	Minimum Parce	el Width:	Minimum Parce	el Width:	Minimum Parc	el Width:	Minimum Parcel Width:	Minimum Parc	el Width:	Minimum Parce	el Width:
N/A	14.0 metres		16.0 metres		Not less than 2	5% parcel depth	N/A	15.0 metres		Not less than 25	5% parcel depth
Max. Number of Dwellings:	Max. Number of	of Dwellings:	Max. Number o	f Dwellings:	Max. Number	of Dwellings:	Max. Number of Dwellings:	Max. Number of Dwellings:		Max. Number of Dwellings:	
N/A	one (1) principa	al dwelling	one (1) principa	I dwelling; and	one (1) princip	al dwelling; and	N/A	one (1) principal dwelling one (1) principal dwelling		I dwelling; and	
			one (1) seconda	ry suite.	one (1) second	ary suite.				one (1) seconda	iry suite.
Minimum Setbacks:	Minimum Setb	acks:	Minimum Setba	acks:	Minimum Sett	acks:	Minimum Setbacks:	Minimum Setbacks: N		Minimum Setba	acks:
N/A	Principal buildi	ngs:	<u>Principal buildi</u>	ngs:	Principal build	ings:	N/A	Principal build	lings:	Principal buildi	ngs:
	Front:	6.0 metres	Front:	7.5 metres	Front:	7.5 metres		Front:	7.5 metres	Front:	7.5 metres
	Rear:	4.5 metres	Rear:	7.5 metres	Rear:	6.0 metres		Rear:	7.5 metres	Rear:	7.5 metres
	Interior side:	1.5 metres	Interior side:	1.5 metres	Interior side:	1.5 metres		Interior side:	1.5 metres	Interior side:	1.5 metres
	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres		Exterior side:	4.5 metres	Exterior side:	4.5 metres
	Accessory build		Accessory build		Accessory build			Accessory build		Accessory build	-
	Front:	6.0 metres	Front:	7.5 metres	Front:	7.5 metres		Front:	7.5 metres	Front:	7.5 metres
	Rear:	1.0 metres	Rear:	1.0 metres	Rear:	1.0 metres		Rear:	1.0 metres	Rear:	1.0 metres
	Interior side:	1.0 metres	Interior side:	1.0 metres	Interior side:	1.5 metres		Interior side:	1.0 metres	Interior side:	1.0 metres
	Exterior side:	4.5 metres	Exterior side:	4.5 metres	Exterior side:	4.5 metres		Exterior side:	4.5 metres	Exterior side:	4.5 metres
Maximum Height:	Maximum Heig		Maximum Heig		Maximum Heig	5	Maximum Height:	Maximum Heig	0	Maximum Heig	
N/A	10.0 metres (pr		10.0 metres (pr	• •	10.0 metres (p		N/A	10.0 metres (p	• •	10.0 metres (pr	
	4.5 metres (acc	essory)	5.5 metres (acc	essory)	5.5 metres (acc	cessory)		4.5 metres (acc	cessory)	4.5 metres (acc	essory)
Maximum Parcel Coverage:	Maximum Parc	el Coverage:	Maximum Parc	el Coverage:	Maximum Pare	cel Coverage:	Maximum Parcel Coverage:	Maximum Pare	cel Coverage:	Maximum Parc	el Coverage:
N/A	35%		35%		35%		N/A	30%		35%	

Attachment No. 3 – RS2 Zone Comparison

ELECTORAL AREA "A"	ELECTORAL AREA "C"	ELECTORAL AREA "D-1"	ELECTORAL AREA "D-2"	ELECTORAL AREA "E"	ELECTORAL AREA "F"	PROPOSED RD1 ZONE	
Principal Uses:	Principal Uses:	Principal Uses:	Principal Uses:	Principal Uses:	Principal Uses:	Principal Uses:	
duplex;	duplex;	N/A	duplex;	duplex;	N/A	duplex.	
single detached dwelling;	single detached dwelling;		single detached dwelling;	single detached dwelling;			
Accessory Uses:	Accessory Uses:	Accessory Uses:	Accessory Uses:	Accessory Uses:	Accessory Uses:	Accessory Uses:	
home occupation;	home occupation;	N/A	Bed and breakfast;	home occupation;	N/A	home occupation;	
accessory buildings/structures.	accessory buildings/structures.		home occupation;	accessory buildings/structures.		accessory buildings/structures.	
			secondary suite;				
			accessory buildings/structures.				
Minimum Parcel Size:	Minimum Parcel Size:	Minimum Parcel Size:	Minimum Parcel Size:	Minimum Parcel Size:	Minimum Parcel Size:	Minimum Parcel Size:	
670 m ² (parent parcel)	670 m ² (parent parcel)	N/A	670 m ² (parent parcel)	2,020 m ² (parent parcel)	N/A	550 m ² (parent parcel)	
350 m ² (strata parcel)	335 m ² (strata parcel)		400 m ² (strata parcel)	1,010 m ² (strata parcel)		225 m ² (strata parcel)	
Minimum Parcel Width:	Minimum Parcel Width:	Minimum Parcel Width:	Minimum Parcel Width:	Minimum Parcel Width:	Minimum Parcel Width:	Minimum Parcel Width:	
22.0 metres (parent parcel)	22.0 metres (parent parcel)	N/A	22.0 metres (parent parcel)	Not less than 25% parcel depth	N/A	Not less than 25% parcel depth	
11.0 metres (strata parcel)	11.0 metres (strata parcel)		11.0 metres (strata parcel)				
Max. Number of Dwellings:	Max. Number of Dwellings:	Max. Number of Dwellings:	Max. Number of Dwellings:	Max. Number of Dwellings:	Max. Number of Dwellings:	Max. Number of Dwellings:	
two (2) dwelling units in one (1)	two (2) dwelling units in one (1)	N/A	two (2) dwelling units in one (1)	two (2) dwelling units in one (1)	N/A	two (2) dwelling units in one (1	
building	building		building; and one (1) suite.	building		building	
Minimum Setbacks:	Minimum Setbacks:	Minimum Setbacks:	Minimum Setbacks:	Minimum Setbacks:	Minimum Setbacks:	Minimum Setbacks:	
Principal buildings:	Principal buildings:	N/A	Principal buildings:	Principal buildings:	N/A	Principal buildings:	
Front: 7.5 metres	Front: 7.5 metres		Front: 7.5 metres	Front: 7.5 metres		Front: 7.5 metres	
Rear: 7.5 metres	Rear: 7.5 metres		Rear: 7.5 metres	Rear: 7.5 metres		Rear: 7.5 metres	
Interior side: 1.5 metres	Interior side: 1.5 metres		Interior side: 1.5 metres	Interior side: 3.0 metres		Interior side: 1.5 metres	
Exterior side: 4.5 metres	Exterior side: 4.5 metres		Exterior side: 4.5 metres	Exterior side: 4.5 metres		Exterior side: 4.5 metres	
Accessory buildings:	Accessory buildings:		Accessory buildings:	Accessory buildings:		Accessory buildings:	
Front: 7.5 metres Rear: 1.0 metres	Front: 7.5 metres Rear: 1.0 metres		Front: 7.5 metres Rear: 1.0 metres	Front: 7.5 metres Rear: 3.0 metres		Front: 7.5 metres Rear: 1.0 metres	
Rear:1.0 metresInterior side:1.0 metres	Interior side: 1.0 metres		Interior side: 1.5 metres	Interior side: 3.0 metres		Interior side: 1.0 metres	
Exterior side: 4.5 metres	Exterior side: 4.5 metres		Exterior side: 4.5 metres	Exterior side: 3.0 metres		Exterior side: 4.5 metres	
Maximum Height:	Maximum Height:	Maximum Height:	Maximum Height:	Maximum Height:	Maximum Height:	Maximum Height:	
10.0 metres (principal)	10.0 metres (principal)	N/A	10.0 metres (principal)	10.0 metres (principal)	N/A	10.0 metres (principal)	
4.5 metres (accessory)	4.5 metres (accessory)	19/73	5.5 metres (accessory)	4.5 metres (accessory)	19/73	4.5 metres (accessory)	
Maximum Parcel Coverage:	Maximum Parcel Coverage:	Maximum Parcel Coverage:	Maximum Parcel Coverage:	Maximum Parcel Coverage:	Maximum Parcel Coverage:	Maximum Parcel Coverage:	
45%	45%	N/A	45%	45%	N/A	45%	

Attachment No. 4 – RS3 (Duplex) Zone Comparison

ELECTORAL AREA "A"	ELECTORAL AREA "C"	ELECTORAL AREA "D-1"	ELECTORAL AREA "D-2"	ELECTORAL AREA "E"	ELECTORAL AREA "F"	PROPOSED RD1 ZONE	
Principal Uses:	Principal Uses:						
boarding homes;	N/A;	N/A;	boarding homes / group home;	boarding homes;	N/A;	apartment building;	
N/A;	N/A;	N/A;	churches;	N/A;	N/A;	townhouse;	
community care or social care;	special needs/afford. housing;	special needs/afford. housing;	congregate care housing;	community care or social care;	community care or social care;		
duplex;	duplex;	duplex;	duplex;	duplex;	duplex;		
multi-dwelling units;	multi-dwelling units;	rowhouse;	multi-dwelling units;	multi-dwelling units;	multi-dwelling units;		
single detached dwelling.							
Accessory Uses:	Accessory Uses:						
N/A;	N/A;	N/A;	bed and breakfast;	N/A;	N/A;	home occupation;	
home occupation;	accessory buildings/structures.						
N/A;	N/A;	N/A;	retail sales;	N/A;	N/A;		
accessory buildings/structures.							
Minimum Parcel Size:	Minimum Parcel Size:						
1,010 m ²	1,010 m ²	505 m ²	1,000 m ²	2,020 m ²	670 m ²	1,000 m ²	
Minimum Parcel Width:	Minimum Parcel Width:						
30.0 metres	25.0 metres	16.0 metres	Not less than 25% parcel depth	Not less than 25% parcel depth	[various]	30.0 metres	
Density:	Density:	Density:	Density:	Density:	Density:	Density:	
Minimum: 3 dwellings	Minimum: N/A	Minimum: N/A	Minimum: N/A	Minimum: 3 dwellings	Minimum: N/A	Minimum: 3 dwellings	
Maximum: 50 dwellings/ha	Maximum: 40 dwellings/ha	Maximum: 20 dwellings/ha	Maximum: 60 dwellings/ha	Maximum: 50 dwellings/ha	Maximum: various	Maximum: 50 dwellings/ha	
Floor Area Ratio: N/A	Floor Area Ratio: N/A	Floor Area Ratio: N/A	Floor Area Ratio: 0.45	Floor Area Ratio: N/A	Floor Area Ratio: 0.45	Floor Area Ratio: 0.45	
Minimum Setbacks:	Minimum Setbacks:						
Principal buildings:	Principal buildings:						
Front: 7.5 metres	Front: 7.5 metres	Front: 6.0 metres	Front: 7.5 metres	Front: 7.5 metres	Front: 6.0 metres	Front: 7.5 metres	
Rear: 4.5 metres	Rear: 4.5 metres	Rear: 6.0 metres	Rear: 7.5 metres	Rear: 4.5 metres	Rear: 4.5 metres	Rear: 4.5 metres	
Interior side: 3.0 metres	Interior side: 3.0 metres	Interior side: 1.5 metres	Interior side: 6.0 metres	Interior side: 3.0 metres	Interior side: 3.0 metres	Interior side: 3.0 metres	
Exterior side: 4.5 metres	Exterior side: 3.5 metres	Exterior side: 4.5 metres					
Accessory buildings:	Accessory buildings:						
Front: 7.5 metres	Front: 7.5 metres	Front: 6.0 metres	Front: 7.5 metres	Front: 7.5 metres	Front: 3.0 metres	Front: 7.5 metres	
Rear: 1.0 metres	Rear: 1.0 metres	Rear: 1.5 metres	Rear: 1.5 metres	Rear: 3.0 metres	Rear: 1.0 metres	Rear: 1.0 metres	
Interior side: 1.0 metres	Interior side: 1.0 metres	Interior side: 1.5 metres	Interior side: 1.5 metres	Interior side: 3.5 metres	Interior side: 1.0 metres	Interior side: 1.0 metres	
Exterior side: 4.5 metres	Exterior side: 3.5 metres	Exterior side: 4.5 metres					
Maximum Height:	Maximum Height:						
10 m (principal) / 4.5 m (acce.)	10 m (principal) / 4.5 m (acce.)	10 m (principal) / 5.5 m (acce.)	12 m (principal) / 5.5 m (acce.)	10 m (principal) / 4.5 m (acce.)	10 m (principal) / 4.5 m (acce.)	10 m (principal) / 4.5 m (acce.)	
Maximum Parcel Coverage: 40%	Maximum Parcel Coverage: 40%	Maximum Parcel Coverage: 40%	Maximum Parcel Coverage: 35%	Maximum Parcel Coverage: 50%	Maximum Parcel Coverage: 30% (1 storey)/22.5% (2 storey)	Maximum Parcel Coverage:	

Attachment No. 5 – RM1 Zone Comparison

ADMINISTRATIVE REPORT

TO:Planning and Development CommitteeFROM:B. Newell, Chief Administrative OfficerDATE:April 19, 2018RE:Review of Residential Zones at Apex (Electoral Area "D-1")

Administrative Recommendation:

THAT staff be directed to initiate the Electoral Area "D-1" Official Community Plan (OCP) Amendment Bylaw No. 2683.03, 2018, and Electoral Area "D-2" Zoning Bylaw No. 2457.26, 2018.

Purpose:

This report proposes amendments to the Residential Zones at Apex Mountain and is part of work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

Background:

Under the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, the zones that generally apply to properties at Apex Mountain have been classified as residential and comprise the Residential Apex Alpine (RS4), Residential Multiple Unit Three (RM3) and Mixed Use Apex Alpine (RMU) Zones.

Despite this, Administration considers the RMU Zone to be a mixed-use zone akin to the Town Centre Zone in Okanagan Falls (albeit on a much smaller scale) and the proposed Naramata Town Centre Zone.

Accordingly, the RMU Zone is seen to straddle the Residential, Commercial and Tourist Commercial Zone Reviews that have previously been before the Planning and Development (P&D) Committee and as such, warranting separate consideration.

Analysis:

In undertaking a review of the RMU Zone as part of the broader review of the Residential, Commercial and Tourist Commercial Zones, Administration notes that developed RMU properties outside of the Village core area are almost exclusively residential (with the exception of the many vacation rentals that occur in this community).

Administration also notes that the community has previously expressed concerns regarding the composition of the RMU Zone (most notably during the review process that lead to the introduction of vacation rentals as a permitted use) and the extent to which it contemplates the spread of commercial uses into residential areas and to the possible detriment of the Village core area.

Administration also recognises that the community expressed a desire during the recent review of the Electoral Area "D-1" OCP Bylaw to "consolidate and improve the village centre as the community's service centre and social heart".

Administration is also aware of the challenges facing commercial businesses in the Okanagan Falls and Naramata areas as well as in member municipalities such as Oliver and Keremeos and similar desires in these areas for vibrant and revitalised town centre cores.



While the preparation of a Local Area Plan for Apex exceeds the scope of the current work being undertaken in support of a single zoning bylaw for the Okanagan Electoral Areas (as well as available staff resources), Administration considers there to be merit in reconsidering the RMU Zone as part of this process.

Specifically, it is being proposed that direction be taken from the Town Centre approaches being applied to Okanagan Falls and Naramata and that an "Apex Mountain Village" Zone replace the RMU Zone and that the extent of this zone be reduced to the village area shown on Attachment No. 2.

In support of this, it is being proposed to re-draft the RMU designation in the OCP Bylaw to a "Resort Village" designation and to apply this to properties surrounding the "parking lot" at Apex (see Attachment No. 2). NOTE: this change would also require a change in the name of the RMU designation at Twin Lakes to Village Centre (VC).

With regard to those areas currently zoned RMU outside of the village area, such as Clearview Road, north of Strayhorse Road and west of Snow Mountain Place, Administration is proposing the extension of the RM3 Zone for undeveloped parcels.

For developed parcels, the zoning will be determined based on existing dwelling types (i.e. RS4 for single detached dwellings, RD1 for duplexes and RM3 for apartment buildings/condos). A comparison of the current zoning map versus a possible alternate zoning map incorporating these zoning changes is presented at Attachment Nos. 1 & 2.

Further to the Residential Zone Review, it is being proposed to remove "single detached dwellings" and "duplexes" as permitted dwelling types in the RM3 Zone as they are seen to be low density dwelling types.

This has necessitated a further review of existing parcels zoned RM3 and where these are undeveloped and less than 1,000 m² in area (being the minimum parcel size required for an apartment building or townhouse) it is being proposed to apply the RD2 Zone (which allows duplexes and single detached dwellings). For developed parcels, an RS4, RD2 or RM3 zone will be applied depending on the existing dwelling type.

Consultation:

The Board is asked to be aware that the attached draft amendment bylaws will be used as a starting point for discussion with affected property owners, who will be directly contacted and feedback sought on the proposed amendments prior to consideration of 1st reading.

Alternative:

THAT staff not be directed to initiate the Electoral Area "D-1" Official Community Plan (OCP) Amendment Bylaw No. 2683.03, 2018, and the Electoral Area "D-1" Zoning Bylaws No. 2457.26, 2008.

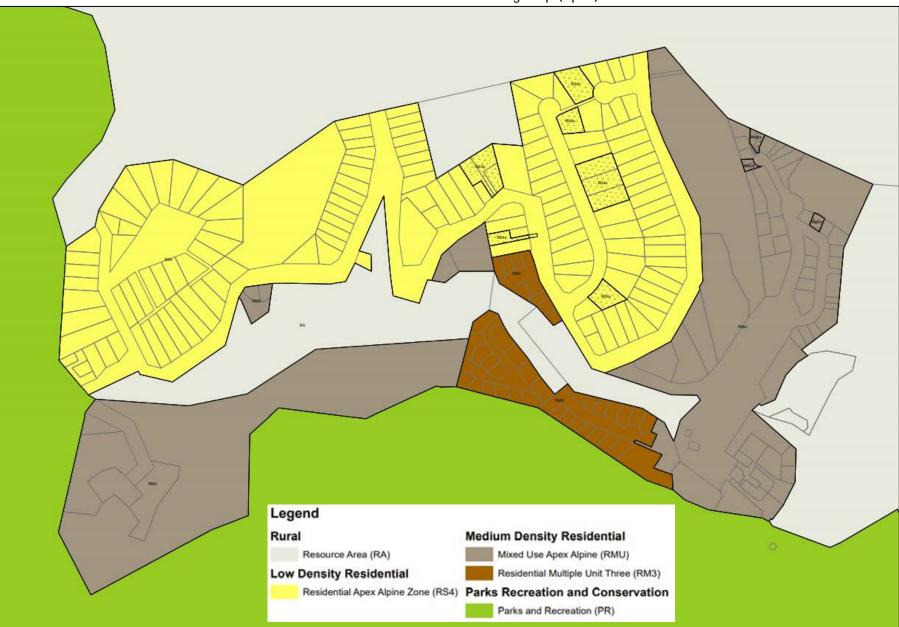
Respectfully submitted:

C. Garrish, Planning Supervisor

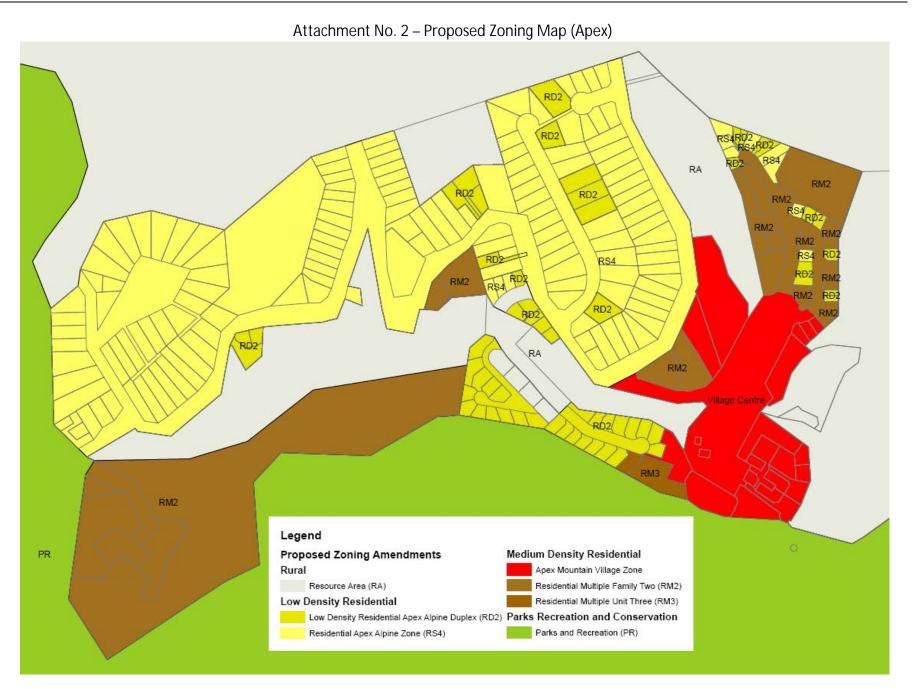
<u>Attachments</u>: No. 1 – Current Zoning Map (Apex) No. 2 – Proposed Zoning Map (Apex) Endorsed by:

B. Dollevoet, Dev. Services Manager

No. 3 – Draft Amendment Bylaw No. 2683.03 No. 4 – Draft Amendment Bylaw No. 2457.26



Attachment No. 1 – Current Zoning Map (Apex)



BYLAW NO. 2683.03

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2683.03, 2018

A Bylaw to amend the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 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 "Apex Mountain Commercial and Residential Zone Update Amendment Bylaw No. 2683.03, 2018."
- 2. The Electoral Area "D-1" Official Community Plan (OCP) Bylaw No. 2683, 2016, is amended by:
 - i) replacing Section 11.1 (Background) under Section 11.0 (Residential) in its entirety with the following:

11.1 Background

Residential development in the Plan Area has occurred in four primary locations -- Kaleden, St. Andrews, Twin Lakes and Apex. Low-density single detached dwellings are the predominant housing form throughout the Plan Area including these settlement areas. Other forms of low-density residential housing include semi-detached, and manufactured homes.

The Plan Area contains a significant amount of medium density residential housing in the Apex area. The Twin Lakes Golf Resort also contains lands which are designated Medium Density Residential, but which are not yet developed. The St. Andrews Land Use Contract includes 'rowhouses' and 'semi-detached' housing.

There are two residential land use designations recognized within this Plan. Rural Holdings (i.e., Large Holdings and Small Holdings) are not included as residential designations.

• Low Density Residential (LR): generally includes single detached dwellings, mobile homes, duplexes, and complementary secondary uses such as

daycares, preschools, and small parks which are integral to a low density residential neighbourhood.

- Medium Density Residential (MR): generally includes townhouses, duplexes, triplexes, fourplexes, and those complementary secondary uses such as daycares, preschools, and small parks, which are integral to a medium density area.
- ii) replacing Section 11.6 (Policies Residential Mixed Use) under Section 11.0 (Residential) in its entirety with the following:

11.6 *deleted*.

iii) adding a new Section 12.0 (Village Centre) to read as follows and renumbering all subsequent sub-sections:

12.0 VILLAGE CENTRE

12.1 Background

The Village Centre designation generally incorporates mixed medium density residential, institutional and commercial lands in Apex and the designated Rural Growth Area in Twin Lakes. The designation also includes a range of higher density housing types from row housing to apartments, mixed use recreation and commercial uses, natural open spaces, and administrative, cultural or institutional uses

The Village Centre designation supports this by focusing medium density residential growth which, in turn, will promote a more compact urban form and a more complete community.

To meet these objectives, the Village Centre designation includes a strong emphasis on encouraging commercial, tourist commercial, mixed-use commercial, and medium density residential development.

12.2 Objectives

- i) Reinforce the role of lands designated Village Centre as the commercial, institutional and social heart of a community.
- ii) Retain existing business and institutional uses, while supporting their expansion and attracting additional cultural, entertainment, and commercial development to areas designated Village Centre.
- iii) Support mixed-use, commercial/office/residential uses, including development that includes medium density residential dwelling types.
- iv) Encourage the integration of medium density residential dwelling types above ground floor commercial uses.

12.3 Policies - General

The Regional Board:

- .1 Generally supports the use of lands designated Village Centre (VC) identified in Schedule 'B' *Official Community Plan Map* for medium density mixed use developments with residential and commercial components that fit with the mixed use intent of the designation.
- .2 Considers the maximum density of lands designated Village Centre (VC) to be between 50 and 55 dwelling units (townhouses and apartments) per gross hectare, subject to servicing requirements.
- .3 Directs the development of existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more development on non-residential and non-commercial designations in identified Rural Growth Areas.
- .4 Should not support new designation of Village Centre (VC) areas outside of designated Rural Growth Areas.
- .5 Supports the following types of special housing in areas designated Village Centre (VC), subject to the creation of a local service area for fire protection:
 - a) community care housing; and
 - b) seniors and special needs housing.
- .6 Will avoid locating Village Centre (VC) development next to land designated as Agriculture. Low Density Residential (LR) uses will be preferred as a transition between Agriculture and Village Centre (VC) development. If residential mixed use development is to be located near land designated as Agriculture (AG), the following steps must be taken:
 - a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;
 - b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and
 - the building should be designed to step back away from designated Agriculture (AG) land as the building increases in height.
- .7 Commercial uses in Village Centre (VC) development are encouraged that cater to the local neighbourhood service and retail needs or provide small scale tourist accommodation services.

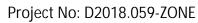
- 3. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by:
 - i) changing the land use designation of an approximately 12.5 ha area of land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Medium Density Residential (MR).
 - ii) changing the land use designation of the land described as Lot 2, Plan KAP78308, District Lot 395S, SDYD, and Lots A & B, Plan KAP92902, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Low Density Residential (LR).
 - iii) changing the land use designation of the land shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Medium Density Residential (MR).
 - iv) changing the land use designation of the land shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
 - v) changing the land use designation of the land described as Lots 3-6, Plan KAP68689, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
 - vi) changing the land use designation of the land shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Medium Density Residential (MR).
 - vii) changing the land use designation of the land described as Lots 1-2, 4, 6-8, 10-11 & 12-15 Plan KAS1487, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Low Density Residential (LR).
 - viii) changing the land use designation of the land described as Lots 1-3, Plan KAS3073, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Medium Density Residential (MR) to Residential Mixed Use (RMU).
 - ix) changing the land use designation of the land shown shaded yellow on Schedule 'l', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
 - x) changing the land use designation of the land shown shaded yellow on Schedule 'J', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
 - changing the land use designation of the land shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Village Centre (VC).

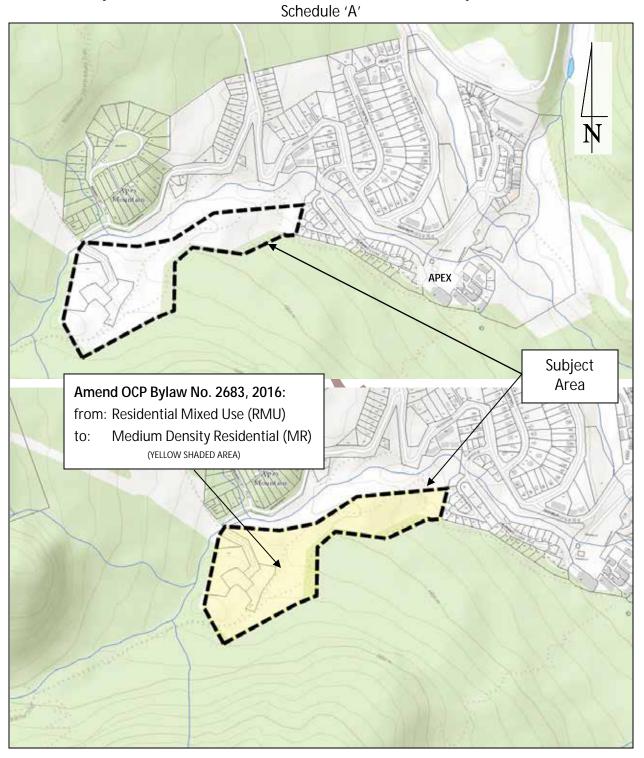
- xii) changing the land use designation of the land shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Village Centre (VC).
- xiii) changing the land use designation of the land shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Village Centre (VC).

READ A FIRST AND SECOND TIME this day of, 2018.
PUBLIC HEARING held on this day of, 2018.
READ A THIRD TIME this day of, 2018.
ADOPTED this day of, 2018.
Board Chair Chief Administrative Officer

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>

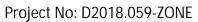


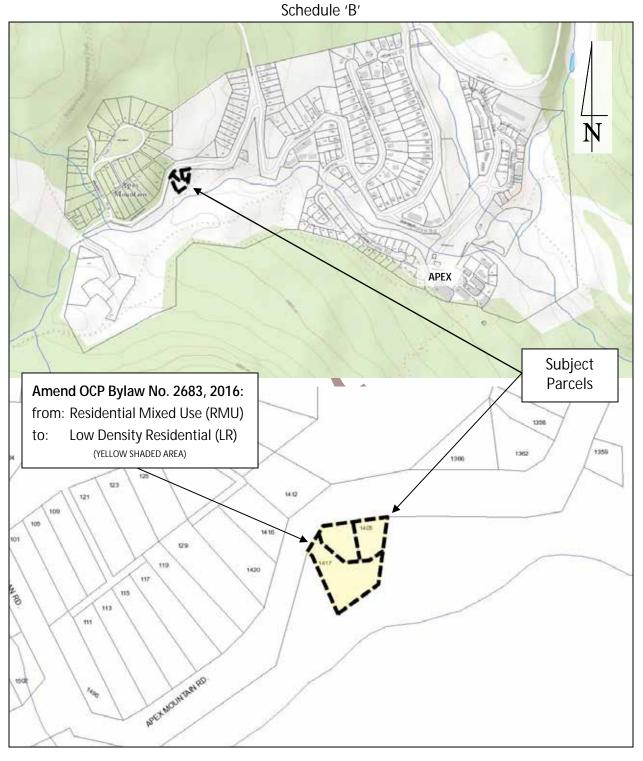




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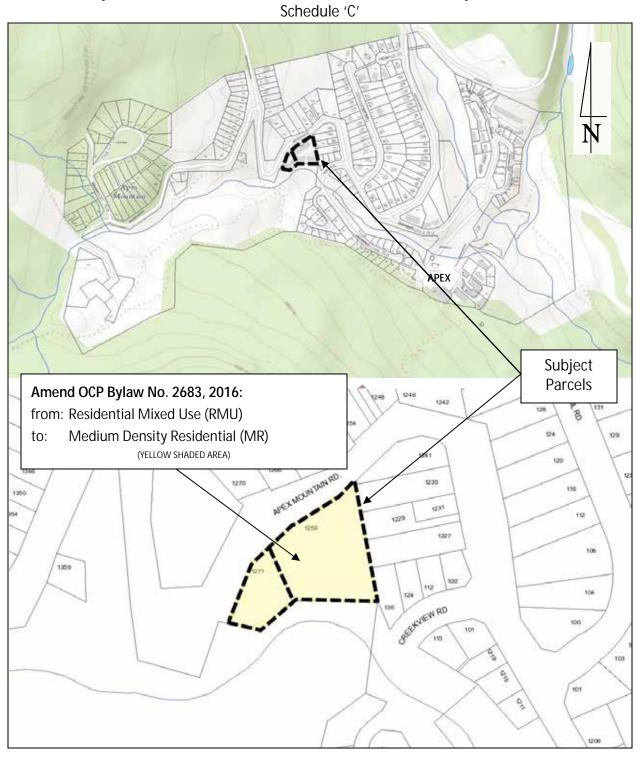




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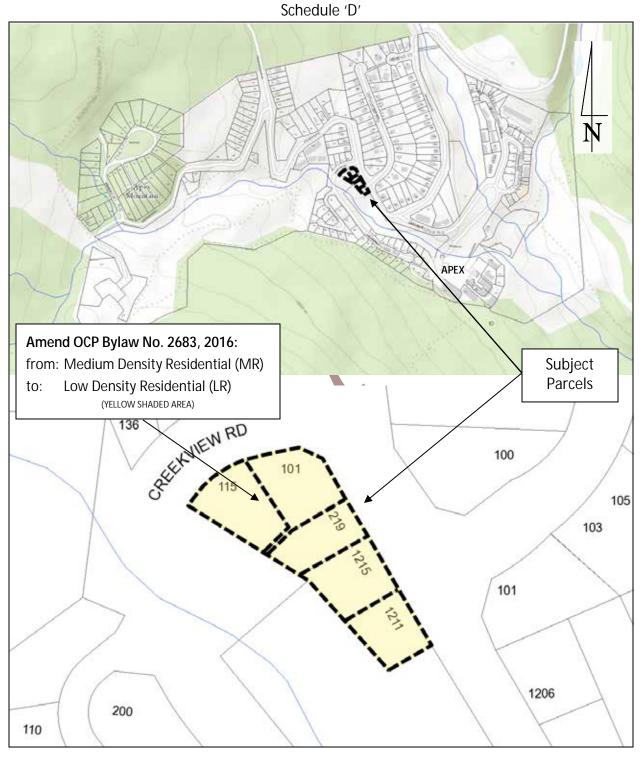




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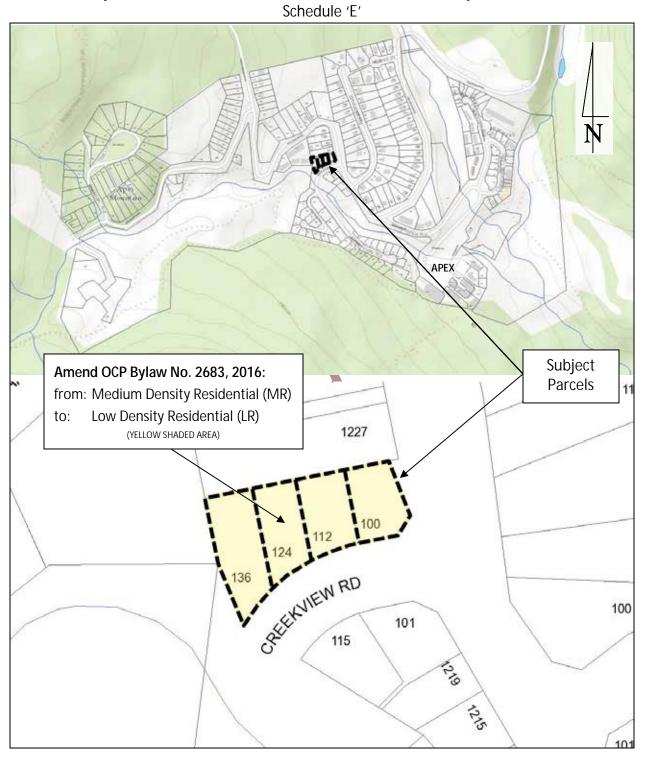




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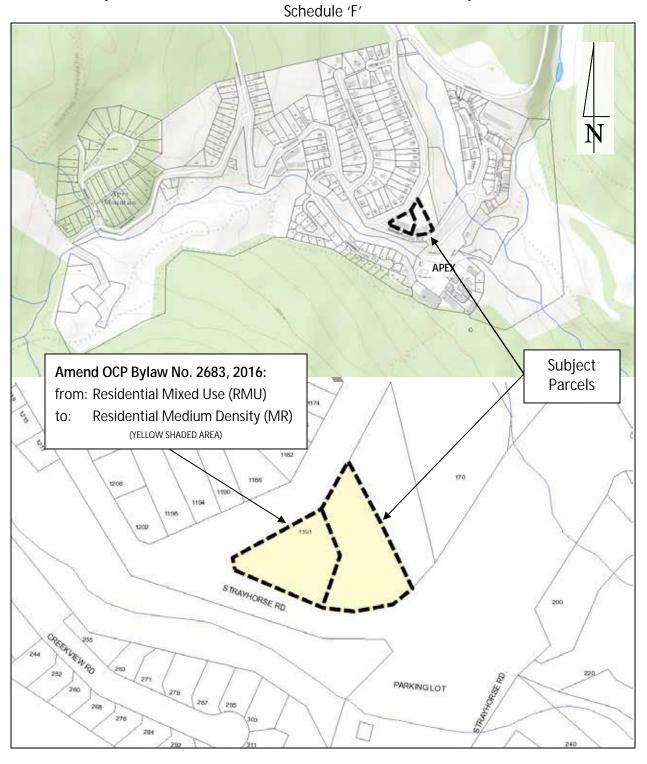




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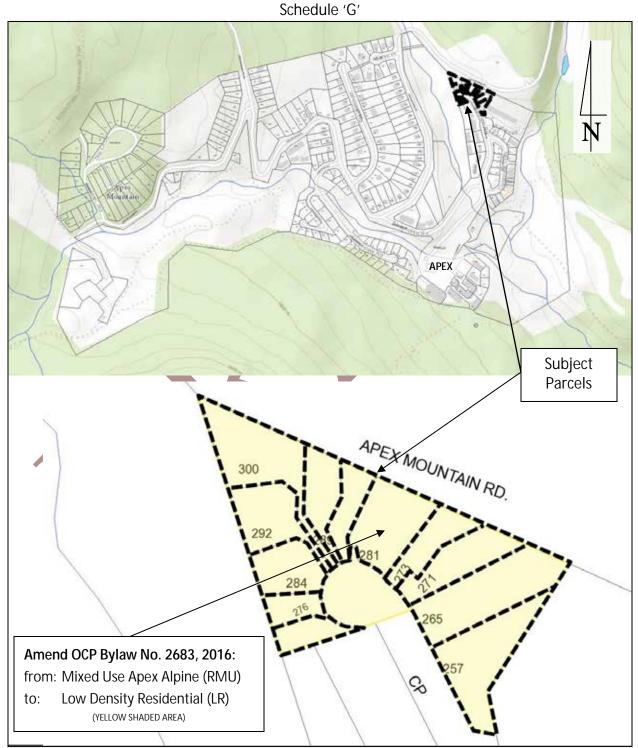


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Amendment Bylaw No. 2683.03, 2018 ZONE

Project No: D2018.059-



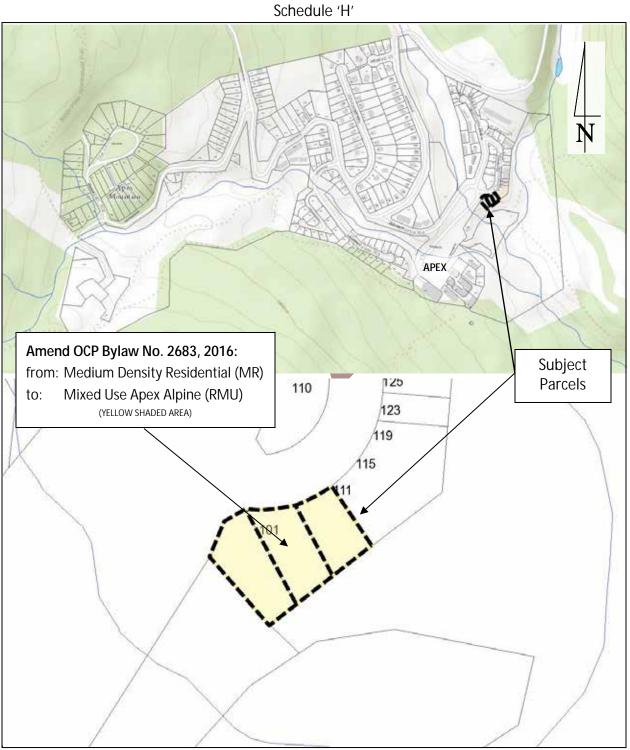
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Amendment Bylaw No. 2683.03, 2018 ZONE

Project No: D2018.059-



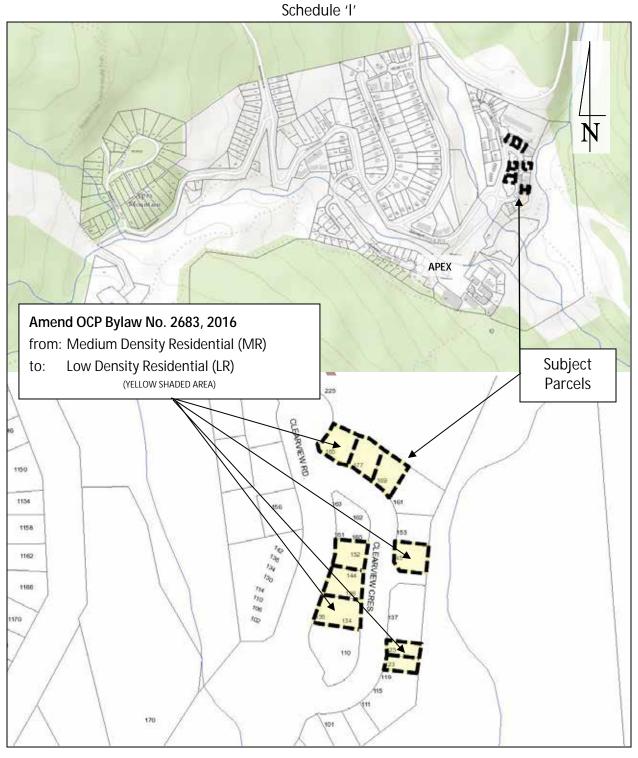
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Amendment Bylaw No. 2683.03, 2018

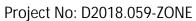
Project No: D2018.059-ZONE

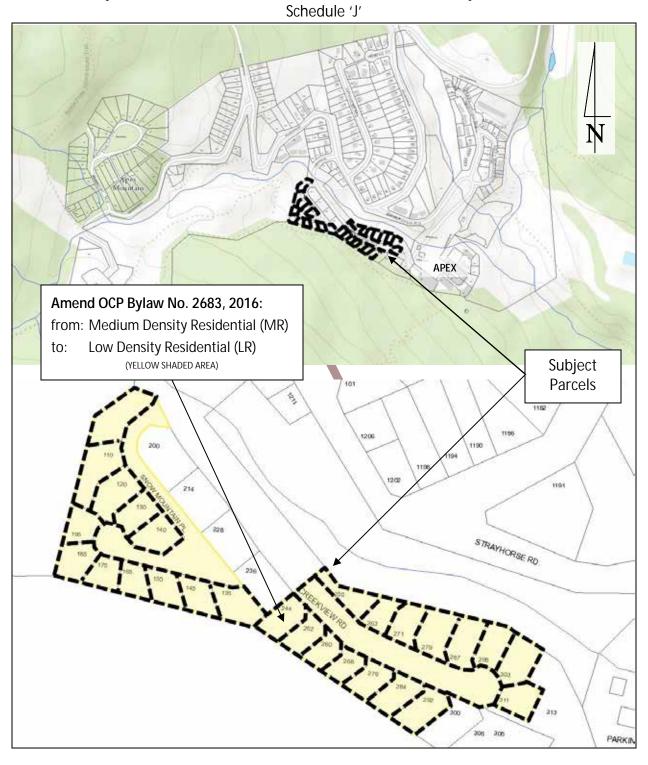


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Amendment Bylaw No. 2683.03, 2018

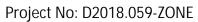


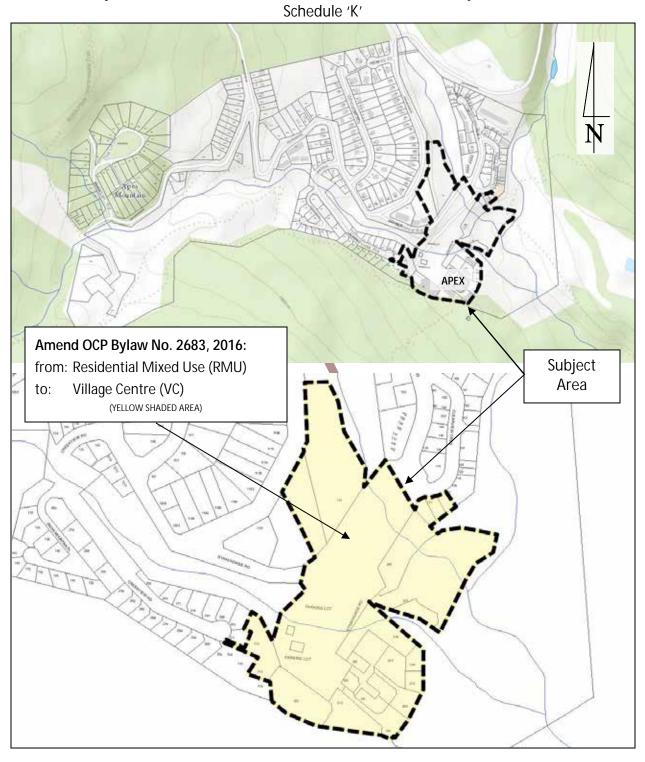


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Amendment Bylaw No. 2683.03, 2018



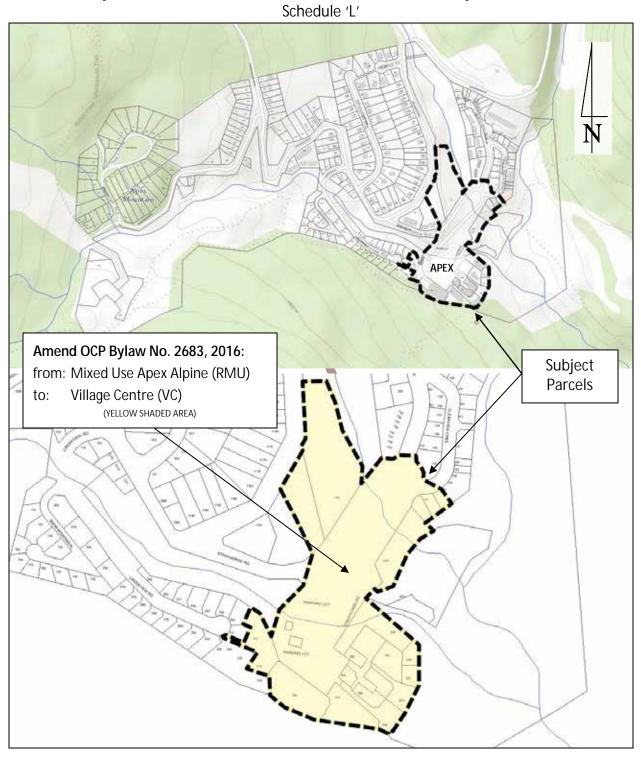


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Project No: D2018.059-ZONE

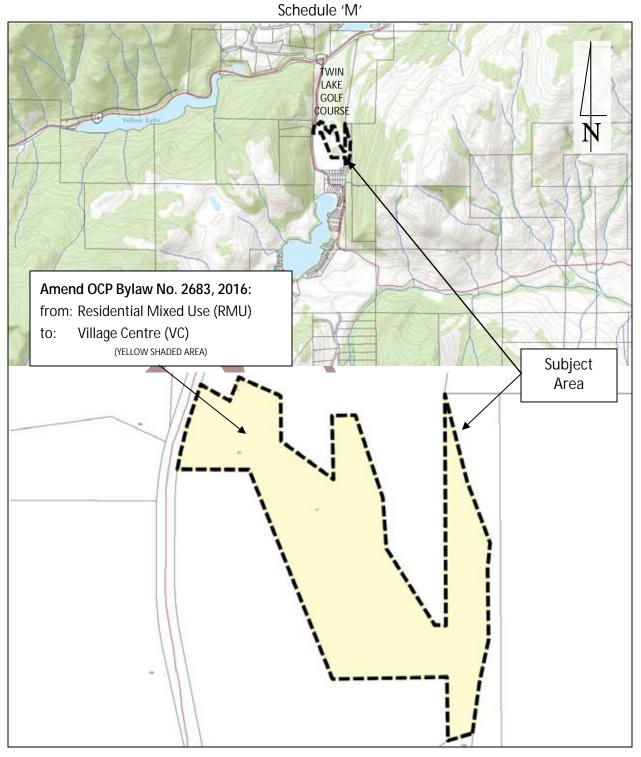


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Amendment Bylaw No. 2683.03, 2018

Project No: D2018.059-ZONE



BYLAW NO. 2457.26

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.26, 2018

A Bylaw to amend the Electoral Area "D-1" Zoning Bylaw No. 2457, 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 "Apex Mountain Commercial and Residential Zone Update Amendment Bylaw No. 2457.26, 2018."
- 2. The Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) replacing the reference to "Low Density Residential Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Low Density Residential Zones	
Low Density Residential One Zone	RS1
Low Density Residential Two Zone	RS2
Low Density Residential Apex Alpine Zone	RS4
Low Density Residential Manufactured Home Park Zone	RSM1
Low Density Residential Apex Alpine Duplex Zone	RD2

ii) replacing the reference to "Medium Density Residential Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Medium Density Residential Zones

Medium Density Residential One Zone	RM1
Medium Density Residential Apex Alpine Zone	RM2

iii) adding a new reference to "Town Centre Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Town Centre Zones

Apex Mountain Village Zone

AMV

iv) adding a new Section 11.5 (Residential Apex Alpine Duplex Zone) under Section 11.0 (Low Density Residential) to read as follows:

11.5 LOW DENSITY RESIDENTIAL APEX ALPINE DUPLEX ZONE (RD2)

11.5.1 Permitted Uses:

Principal uses:

- a) single detached dwelling;
- b) duplex;
- c) vacation rental, subject to Section 7.28;

Secondary uses:

- d) secondary suite, subject to Section 7.12;
- e) home occupations, subject to Section 7.17;
- f) bed and breakfast operation, subject to Section 7.19;
- g) accessory buildings and structures, subject to Section 7.13.
- 11.5.2 Site Specific Residential Apex Alpine Duplex (RD2s) Provisions:
 - a) see Section 16.30

11.5.3 Minimum Parcel Size:

- a) 600 m², subject to servicing requirements;
- b) 300 m², for the purpose of subdivision of *duplexes* into their individual units, subject to servicing requirements.

11.5.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

11.5.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) principal dwelling units, provided that both dwellings are located in one (1) residential building; and
- b) one (1) secondary suite in a single detached dwelling.

11.5.6 Minimum Setbacks:

a) Principal buildings:

i)	Front parcel line:		7.5 metres		
ii)	Rear parcel line:		7.5 metres		
iii)	Interior side parcel line:		3.0 metres		
iv)	Exterior side parcel line:		4.5 metres		
Accessory buildings and structures:					
i)	Front parcel line:	•	7.5 metres		

- ii) Rear parcel line:
- iii) Interior side parcel line:

- 1.0 metres 1.5 metres
- iv) Exterior side parcel line:

4.5 metres

11.5.7 Maximum Height:

b)

- a) No building and structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 5.5 metres.
- 11.5.8 Maximum Parcel Coverage:
 - a) 45%
- 11.5.9 Minimum Building Width:
 - a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.
- v) replacing Section 12.2 (Mixed Use Apex Alpine (RMU) Zone) under Section 12.0 (Medium Density Residential) in its entirety with the following:

12.2 deleted.

vi) replacing Section 12.3 (Residential Multiple Unit Three Zone) under Section 12.0 (Medium Density Residential (MR) in its entirety with the following:

12.3 MEDIUM DENSITY RESIDENTIAL APEX ALPINE ZONE (RM2)

12.3.1 Permitted Uses:

Principal uses:

- a) multi-unit residential;
- b) vacation rental, subject to Section 7.28;

Secondary uses:

- c) home occupation, subject to Section 7.17; and
- d) accessory buildings and structures, subject to Section 7.13.

	a) see Section 16.14	
12.3.3	Minimum Parcel Size:	
	a) 1,000 m ² , subject to servicing requirements.	
12.3.4	Minimum Parcel Width:	
12.3.4		*
	a) 30.0 metres	
12.3.5	Maximum Density:	
	a) 55 dwelling units per ha, subject to servicing req	uirements.
12.3.6	Minimum Setbacks:	
12.3.0		
	a) Buildings and Structures:	
	i) Front parcel line:	6.0 metres
	ii) Rear parcel line:	3.0 metres
	iii) Exterior side parcel line:	5.0 metres
	iv) Interior side parcel line:	3.0 metres
	b) Accessory Buildings or Structures:	
	i) Front parcel line:	6.0 metres
	ii) Rear parcel line:	1.0 metres
	iii) Interior side parcel line:	1.5 metres
	iv) Exterior side parcel line:	5.0 metres
12.3.7	Maximum Height:	
	a) No building or structure shall exceed a height of	12.0 metres; or
	c) No accessory building or structure shall exceed a	a height of 5.5 metres.
12.3.8	Maximum Parcel Coverage:	
	a) 50%	
12.3.9	Dwelling Unit Regulations:	

Site Specific Medium Density Residential Apex Alpine (RM2s) Provisions:

12.3.2

- a) The amenity area provided for each multi-dwelling units shall be as follows:
 - i) 7.0 m² per unit for bachelor units;
 - ii) 12.0 m² per unit for one bedroom units; and
 - iii) 18.0² per unit for two or more bedroom units.
- vii) adding a new Section 13.0 (Town Centre) to read as follows and renumbering all subsequent sub-sections:

13.0 VILLAGE CENTRE

13.1 APEX MOUNTAIN VILLAGE ZONE (AMV)

13.1.1 Permitted Uses:

Principal uses:

- a) art galleries, libraries, museums;
- b) community hall;
- c) eating and drinking establishment;
- d) indoor recreational facilities;
- e) multi-dwelling units, subject to Section 13.1.10;
- f) office;
- g) personal service establishment;
- h) retail store, general;
- i) tourist accommodation;
- j) vacation rental, subject to Section 7.28;

Secondary uses:

- k) accessory dwelling, subject to Section 7.11;
- I) home occupation, subject to Section 7.17; and
- m) accessory buildings and structures, subject to Section 7.13.

13.1.2 Site Specific Apex Mountain Village (AMVs) Provisions:

a) see Section 16.13

13.1.3 Minimum Parcel Size:

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

13.1.4 Minimum Parcel Width:

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

13.1.5 Maximum Density:

a) 55 dwelling units per ha, subject to servicing requirements.

13.1.6 Maximum Floor Area Ratio:

a) 2.0

13.1.7 Minimum Setbacks:

- a) Buildings and Structures:
 - i) Front parcel line:
 - ii) Rear parcel line:
 - iii) Interior side parcel line:
 - iv) Exterior side parcel line:
- b) Accessory Buildings or Structures:
 - i) Front parcel line:
 - ii) Rear parcel line:
 - iii) Interior side parcel line:
 - iv) Exterior side parcel line: 4.5 metres

13.1.8 Maximum Height:

- a) No building or structure shall exceed a height of 19.0 metres;
- b) No accessory building or structure shall exceed a height of 5.5 metres.
- 13.1.9 Maximum Parcel Coverage:

13.1.10 Dwelling Unit Regulations:

75%

a)

- a) Dwelling units located in the same building as a commercial use shall have separate entrances from the exterior of the building and shall not share a common hallway with a commercial use.
- b) The amenity area provided for each multi-dwelling units shall be as follows:
 - i) 7.0 m² per unit (bachelor units);

3.0 metres

3.0 metres

3.0 metres

4.5 metres

3.0 metres

1.5 metres

1.5 metres

- ii) 12.0m² per unit (one bedroom units); and
- iii) 18.0 m² per unit (two or more bedroom units).
- viii) replacing Section 16.9 (Site Specific Residential Apex Alpine (RS4s) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

16.9 Site Specific Low Density Residential Apex Alpine (RS4s) Provisions:

- .1 deleted.
- ix) replacing Section 16.13 (Site Specific Mixed Use Apex Alpine (RMUs) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

16.13 Site Specific Apex Mountain Village (AMVs) Provisions:

- .1 deleted.
- .2 deleted.
- .3 deleted.
- x) replacing Section 16.14 (Site Specific Multiple Family Three (RM3s) Provisions) under Section 16.0 (Site Specific Designations) to read as follows:
 - 16.14 Site Specific Medium Density Residential Apex Alpine (RM2s) Provisions:
 - .1 blank
- xi) adding a new Section 16.30 (Site Specific Residential Apex Alpine Duplex (RD2s) Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

16.30 Site Specific Residential Apex Alpine Duplex (RD2s) Provisions:

.1 blank

- 3. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) changing the land use designation of an approximately 4.2 ha area of land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Resource Area (RA).
 - ii) changing the land use designation of an approximately 12.5 ha area of land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex Alpine(RM2).
 - iii) changing the land use designation of the land described as Lot 2, Plan KAP78308, District Lot 395S, SDYD, and Lots A & B, Plan KAP92902, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Apex Alpine Duplex (RD2).

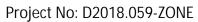
- iv) changing the land use designation of the land shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex Alpine (RM2).
- v) changing the land use designation of the land shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Apex Medium Density Residential (RM3) to Low Density Residential Apex Alpine Duplex (RD2).
- vi) changing the land use designation of the land described as Lots 3-5, Plan KAP68689, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Apex Medium Density Residential (RM3) to Low Density Residential Apex Alpine (RS4).
- vii) changing the land use designation of the land described as Lot 6, Plan KAP68689, District Lot 395S, SDYD, and shown shaded purple on Schedule 'F', which forms part of this Bylaw, from Apex Medium Density Residential (RM3) to Low Density Residential Apex Alpine Duplex (RD2).
- viii) changing the land use designation of the land shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex Alpine (RM2).
- ix) changing the land use designation of the land shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex Alpine (RM2).
- x) changing the land use designation of the land shaded yellow on Schedule 'l', which forms part of this Bylaw, from Mixed Use Apex Alpine Site Specific (RMUs) to Low Density Residential Apex Alpine Duplex (RD2).
- xi) changing the land use designation of the land shown shaded yellow on Schedule 'J', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Apex Alpine Duplex (RD2).
- xii) changing the land use designation of the land shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Apex Alpine (RS4).
- xiii) changing the land use designation of the land shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex Alpine (RM2).
- xiv) changing the land use designation of the land shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex Alpine (RM2).
- changing the land use designation of the land shown shaded yellow on Schedule 'N', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Apex Alpine (RS4).

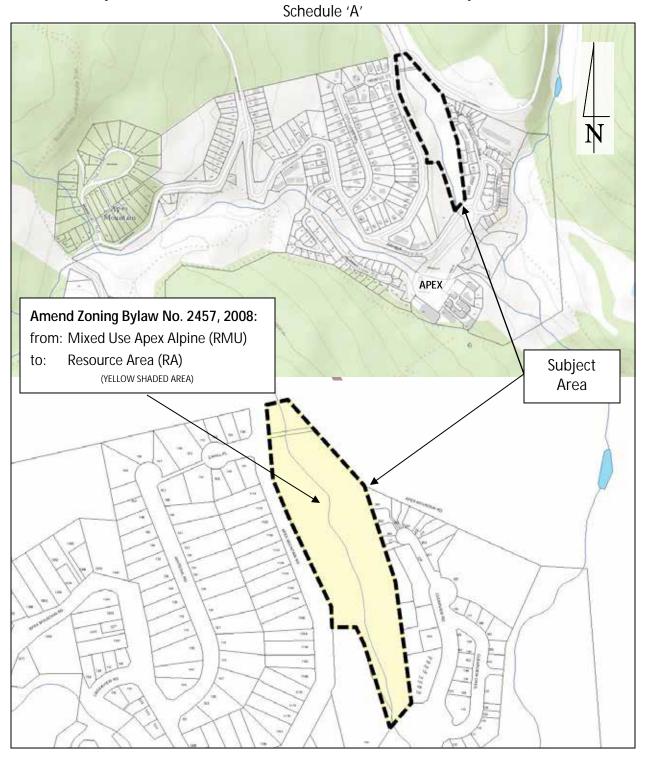
- xvi) changing the land use designation of the land shown shaded yellow on Schedule 'O', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Apex Alpine Duplex (RD2).
- xvii) changing the land use designation of the land shown shaded yellow on Schedule 'P', which forms part of this Bylaw, from Residential Multiple Unit Three (RM3) to Low Density Residential Apex Alpine Duplex (RD2).
- xviii) changing the land use designation of the land shown shaded yellow on Schedule 'Q', which forms part of this Bylaw, from Residential Apex Alpine Site Specific (RS4s) to Low Density Residential Apex Alpine Duplex (RD2).
- xix) changing the land use designation of the land shown shaded yellow on Schedule 'R', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Apex Mountain Village (AMU).

READ A FIRST AND SECOND TIME this day of, 2018.
PUBLIC HEARING held on this day of, 2018.
READ A THIRD TIME this day of, 2018.
ADOPTED this day of, 2018.
Board Chair Chief Administrative Officer

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>

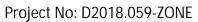


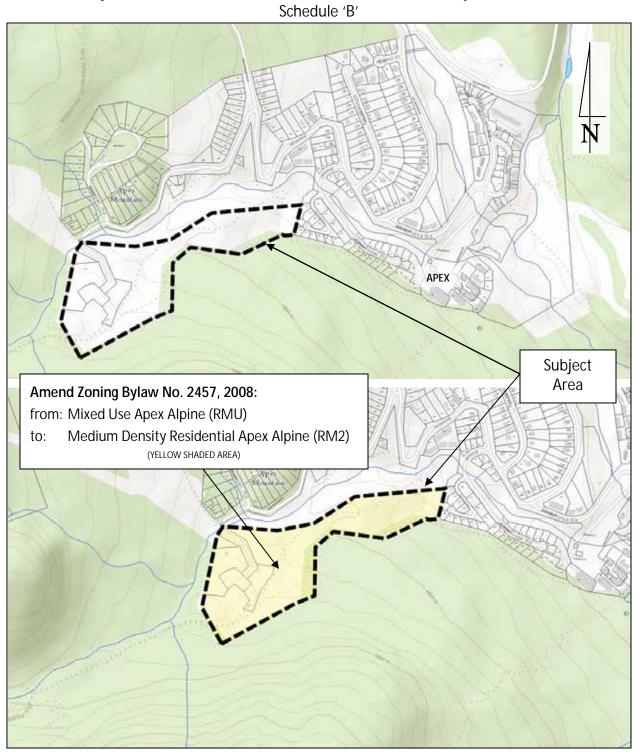




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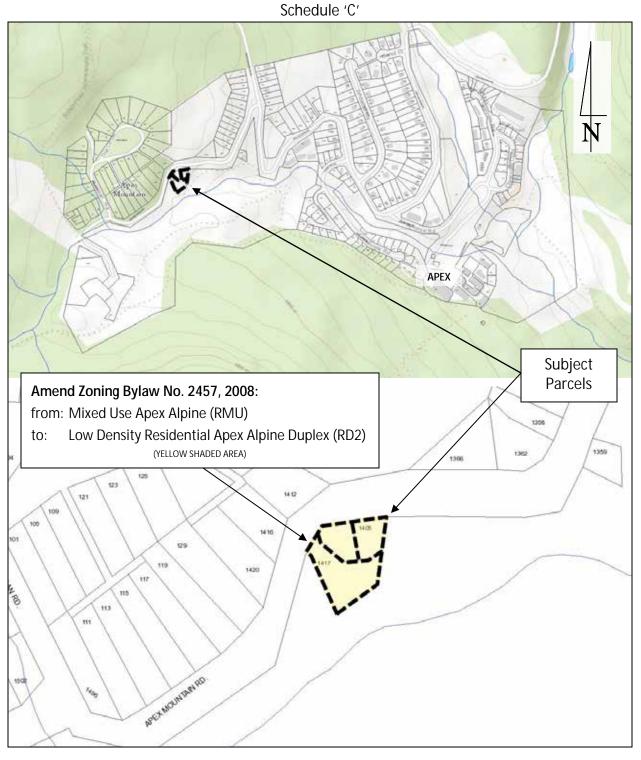




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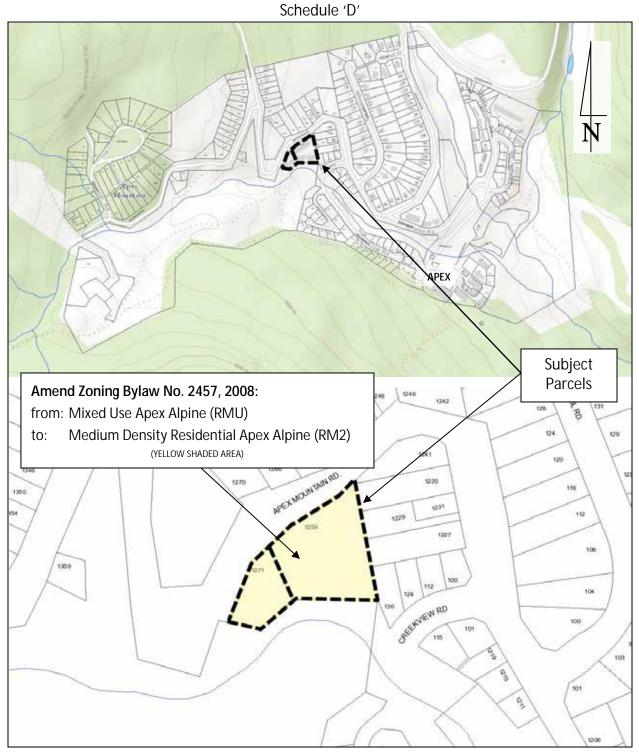




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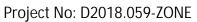


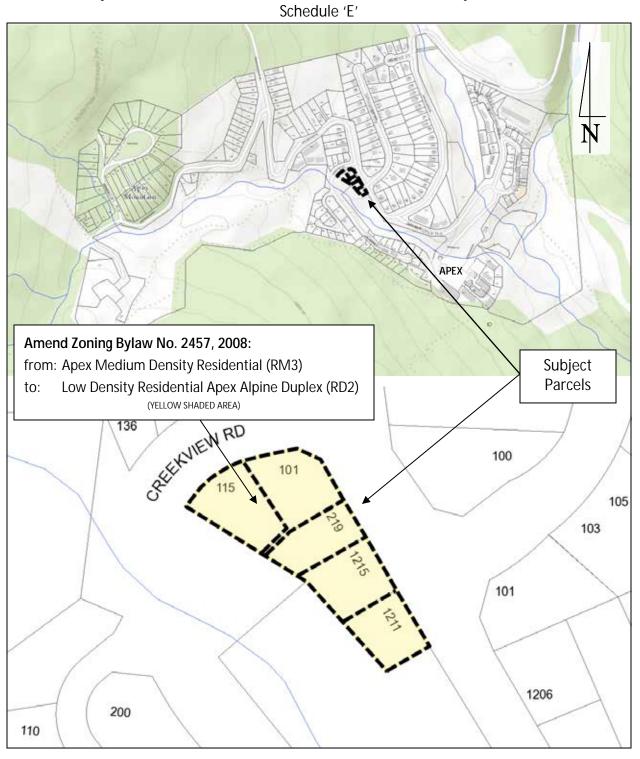




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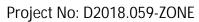


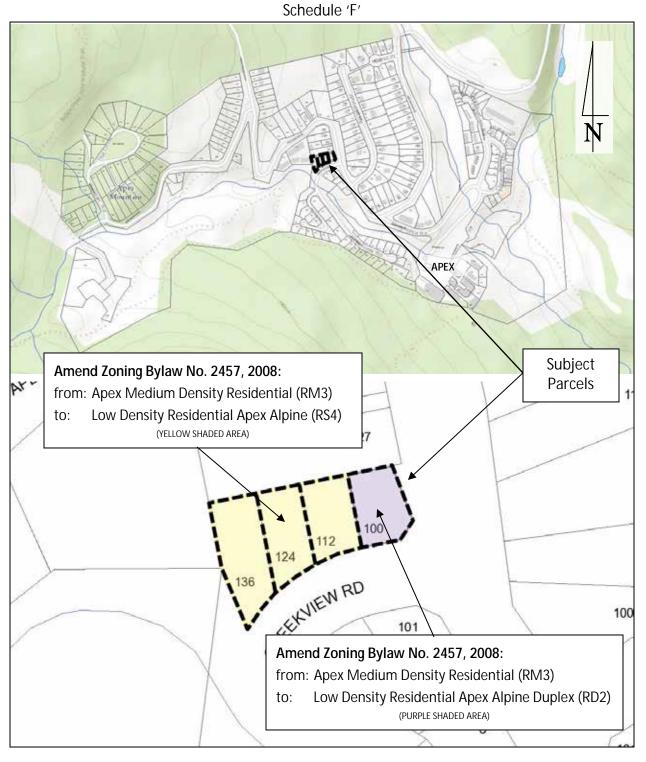




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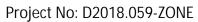


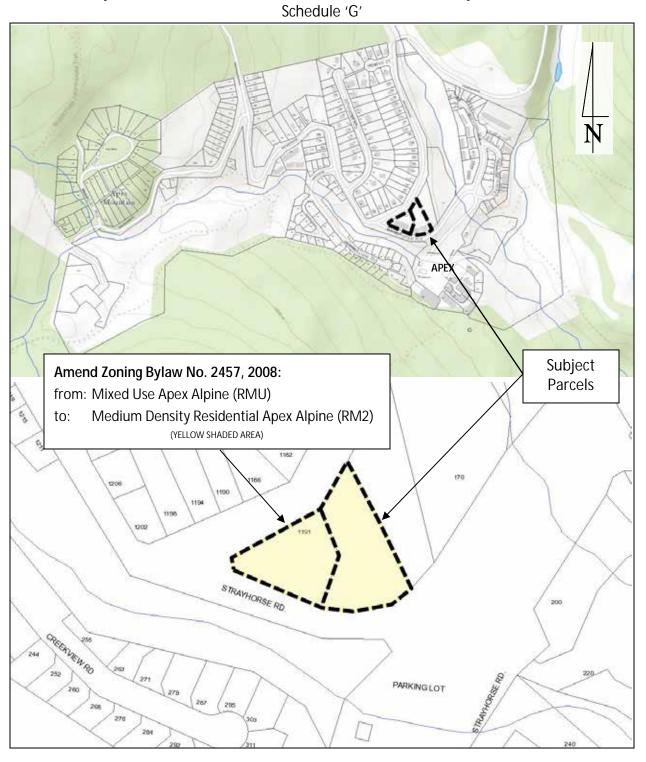




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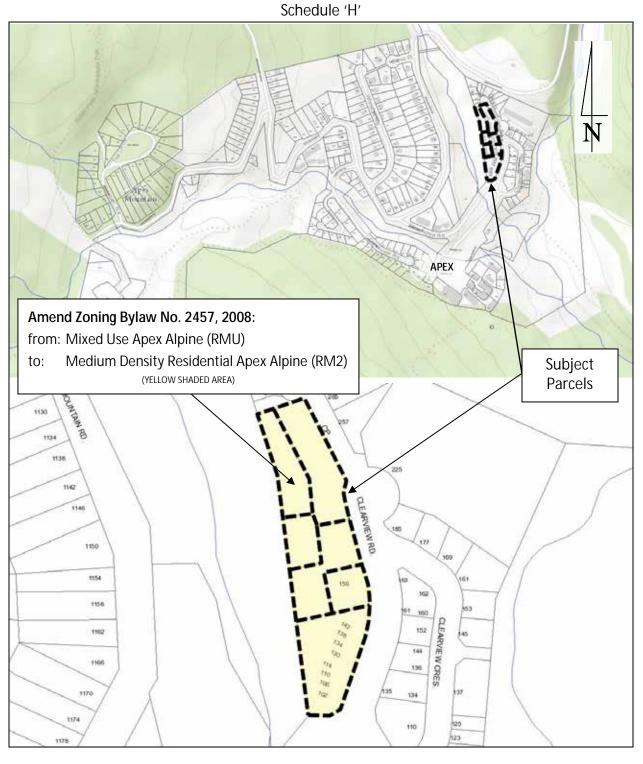




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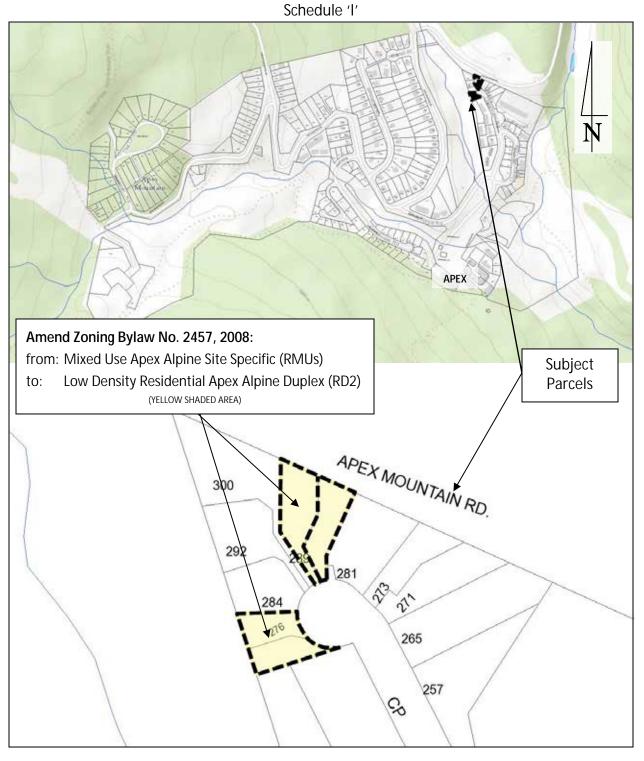




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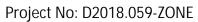


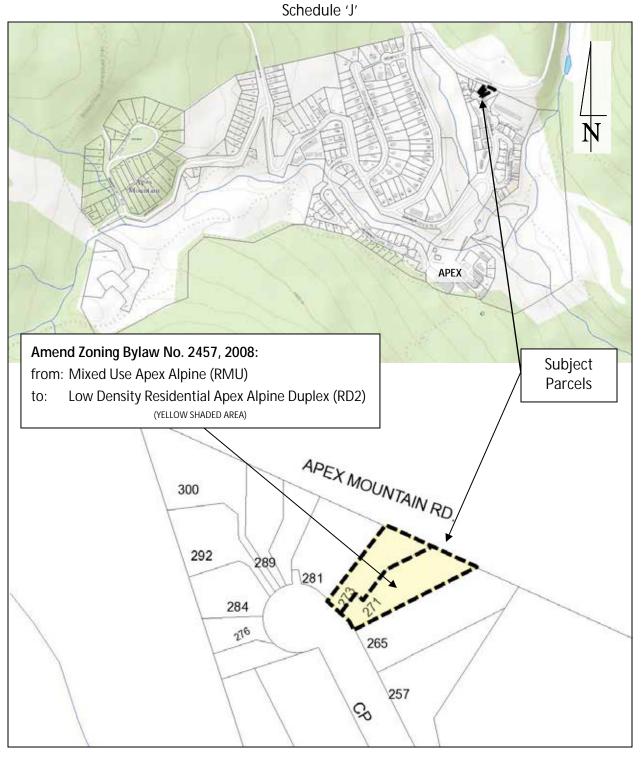




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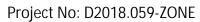


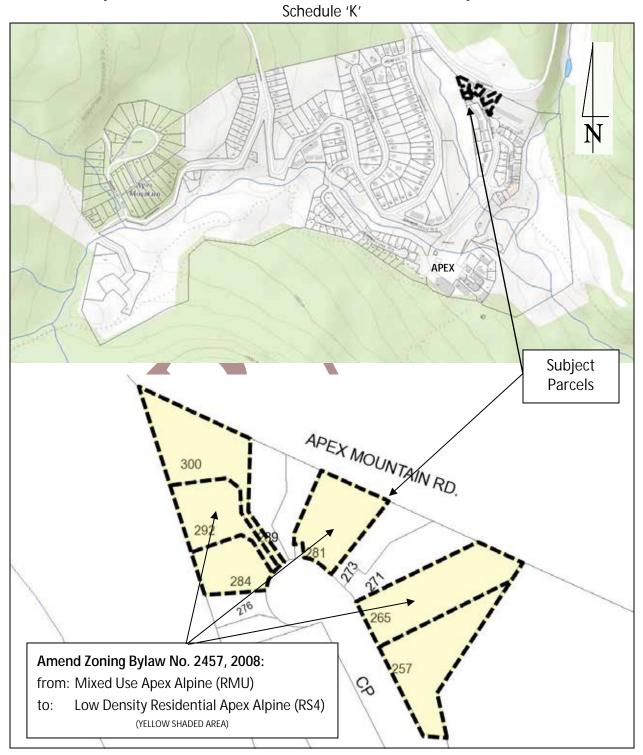




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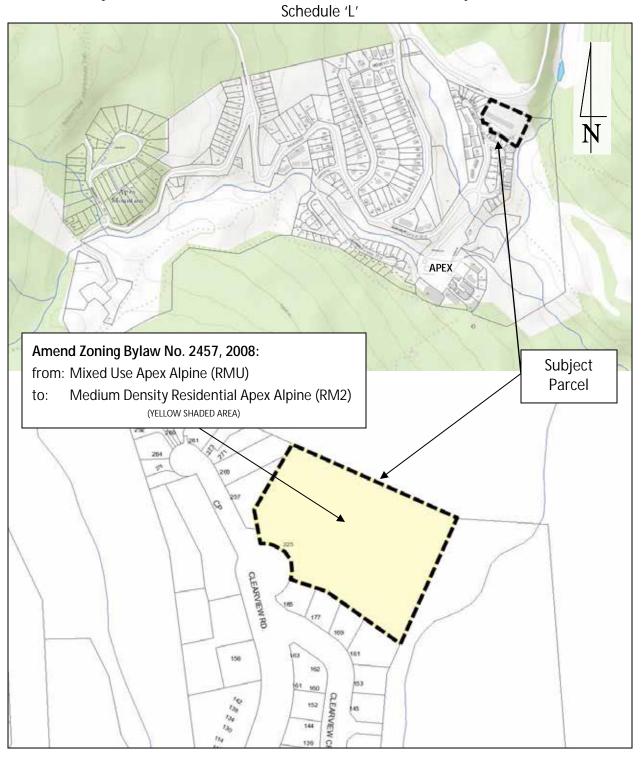




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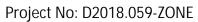


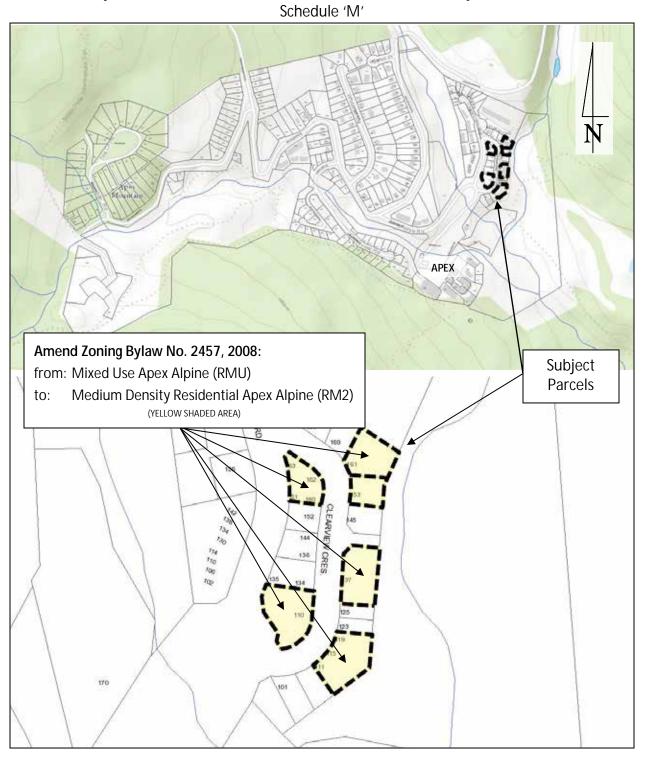




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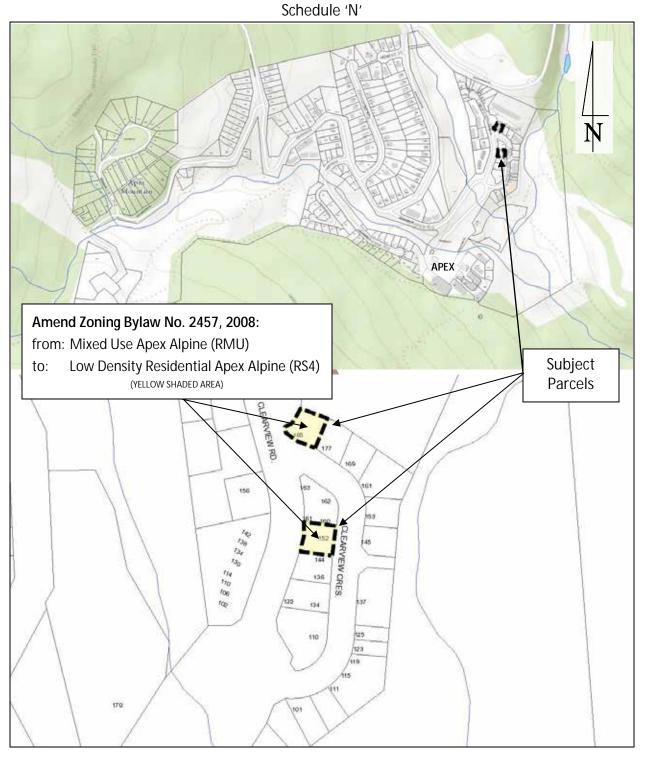




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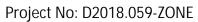


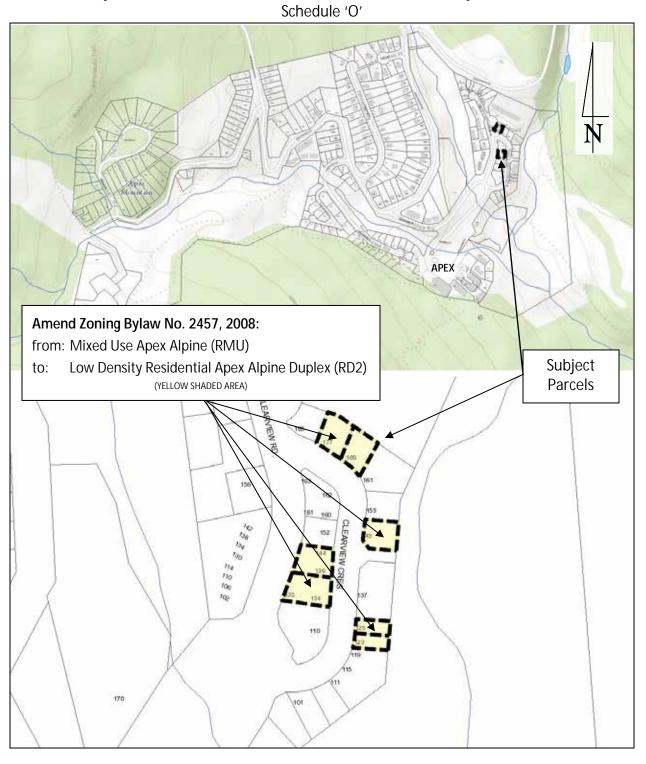




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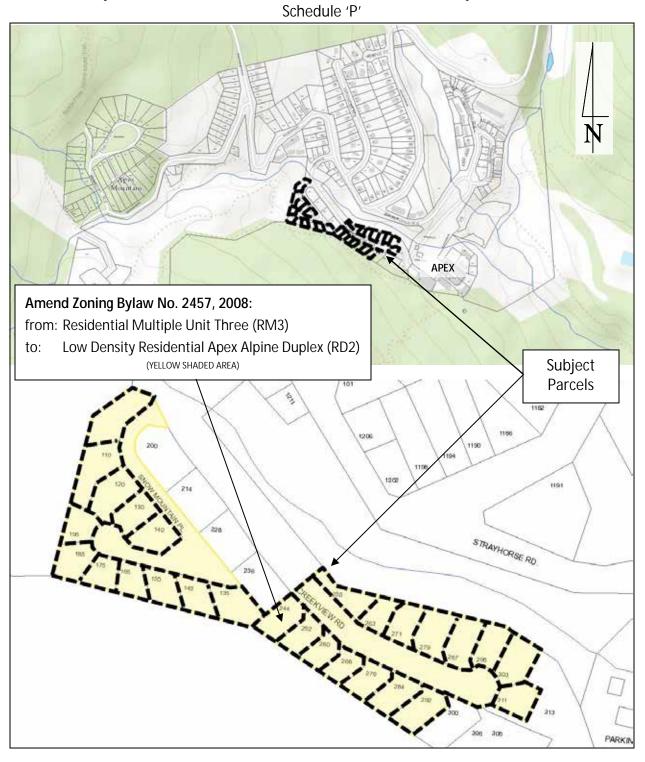




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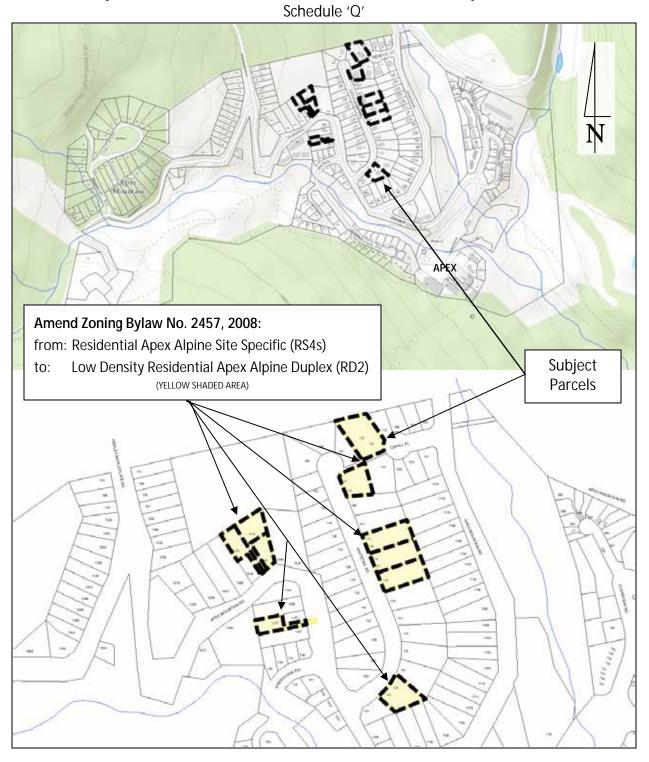


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Amendment Bylaw No. 2788, 2018



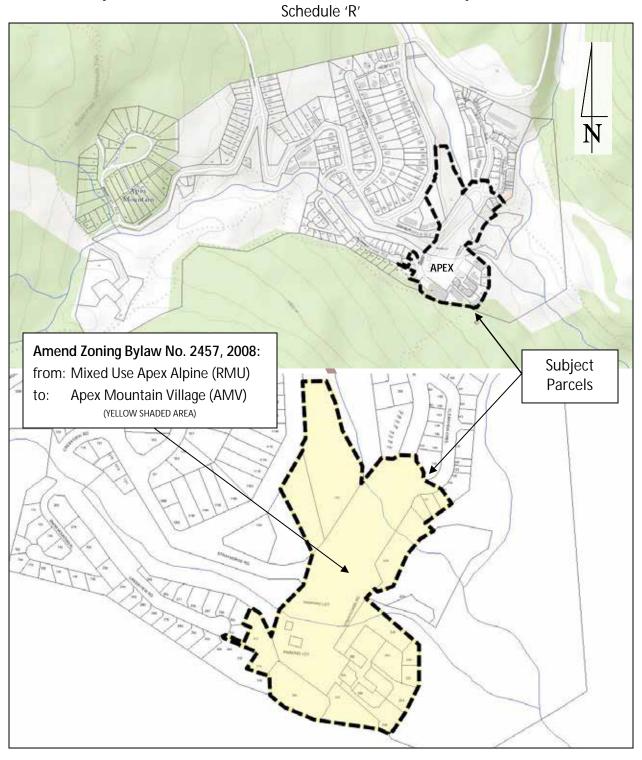


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Amendment Bylaw No. 2457.26, 2018

Project No: D2018.059-ZONE



ADMINISTRATIVE REPORT

TO:Planning and Development CommitteeFROM:B. Newell, Chief Administrative OfficerDATE:April 19, 2018RE:Naramata Town Centre & Townsite Development Permit Area Review

Administrative Recommendation:

THAT staff be directed to initiate the Electoral Area "E" Official Community Plan (OCP) Amendment Bylaw No. 2458.13, 2018, and Electoral Area "E" Zoning Bylaw No. 2459.30, 2018.

Purpose:

This report relates to the proposed creation of a Town Centre (TC) designation and a review of the Naramata Townsite Development Permit Area found in the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, as well as the creation of a Naramata Town Centre (NTC) Zone in the Electoral Area "E" Zoning Bylaw No. 2459, 2008.

Background:

At its meeting of August 17, 2017, the Planning and Development (P&D) Committee of the Regional District Board considered an Administrative Report related to the "Commercial Zone Review and Consolidation" as part of on-going work related to the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

One of the proposals contained in that report was the creation of a "Naramata Town Centre Zone" patterned after the zoning applied to the Okanagan Falls townsite in 2014. It is proposed to apply this zoning to the commercial, tourist commercial, administrative and multi-unit residential properties generally fronting Robinson Avenue in Naramata (see Attachment No. 1).

Administration considers that this create a more coherent approach to the area and, as with Okanagan Falls, it would be consistent with the tone of the Electoral Area "E" OCP to have the townsite develop as a "cohesive, identifiable, accessible town centre with a strong pedestrian orientation." Moreover, it would also be consistent with Naramata's designation as a Primary Growth Area under the Regional Growth Strategy (RGS) Bylaw.

The Committee was further advised that "Administration also favours re-drafting the Naramata Townsite Development Permit (NTDP) Area to focus on this same area (NOTE: since the adoption of the current OCP Bylaw in 2006, the Regional District has issued one NTDP)."

Analysis:

Town Centre Designation and Zone:

Administration maintains its previous support for the creation of a Town Centre designation and Town Centre Zone.



However, and in light of the proposed review of the Naramata Townsite DP Area (discussed further below), these amendments are seen to warrant their own consultation process independent of that associated with the Commercial and Tourist Commercial Zone Reviews.

Naramata Townsite Development Permit Area:

Since the Commercial Zone Review was considered by the Committee in August, a building permit was submitted to the Regional District and involved a very minor alteration to a commercial building (i.e. a canopy over a door) within the Naramata Townsite DP Area.

This building permit highlighted a number of shortcomings with the DP Area, including the absence of any formal triggers or exemptions for minor works to a building or structure.

For instance, while the "Background" Section (21.4.1) of the DP Area suggests that "development" triggers the need for a permit, the Zoning Bylaw defines "development" as meaning "any activity carried out in the process of clearing or preparing a site or constructing or erecting structures."

Administration considers this far too expansive a list of triggers for a form and character development permit and is proposing that this be replaced with a more specific reference to the "construction of, addition to or alteration of a building or other structure."

Similarly, the Naramata Townsite DP Area is unique amongst Regional District DP Areas in that it does not include a list of exemptions. Again, Administration is proposing to address this through the introduction of exemptions for internal renovations, routine building maintenance and repairs (i.e. new roofing, residing, windows and doors), the installation of canopies, awnings or signs and required Building Code upgrades (i.e. fire exits, ramps for persons with disabilities, etc.).

Administration is also concerned that the current guidelines for this DP Area provide insufficient guidance to developers and contain a number of provisions unrelated to the form and character of a building (i.e. the use of a building, encouraging infill of vacant parcels before rezoning for additional residential development and encouraging only those commercial uses that will revitalise the area).

Administration considers that this can be improved upon and is proposing to update the guidelines to focus on the siting and massing of buildings, pedestrian-orientated architecture and building facades, parking, screening and landscaping and energy conservation.

Finally, Administration notes that the *Local Government Act* limits the scope of a form and character development permit to "commercial, industrial or multi-family residential development." Despite this, the current Naramata Townsite DP Area has predominantly been applied to lands designated low density residential, administrative and institutional, and parkland (see Attachment No. 2).

To address this, Administration is proposing that the DP Area only be applied to those lands proposed for the Naramata Town Centre Zone (see Attachment No. 1).

While it is recognised that this represents a significant reduction in the scope of the DP Area, it is proposed to offset this by including a policy statement in the OCP supporting the introduction of a Multi-Family Development Permit Area to any property rezoned to allow a medium density residential dwelling type (i.e. apartment building or townhouse) and also located outside the Naramata Town Centre Zone.

Consultation:

As part of the consultation for these amendments, Administration is proposing to advise property owners of the proposed changes and to submit feedback.

Alternative:

THAT staff not be directed to initiate the Electoral Area "E" Official Community Plan (OCP) Amendment Bylaw No. 2458.13, and Zoning Amendment Bylaw No. 2459.30.

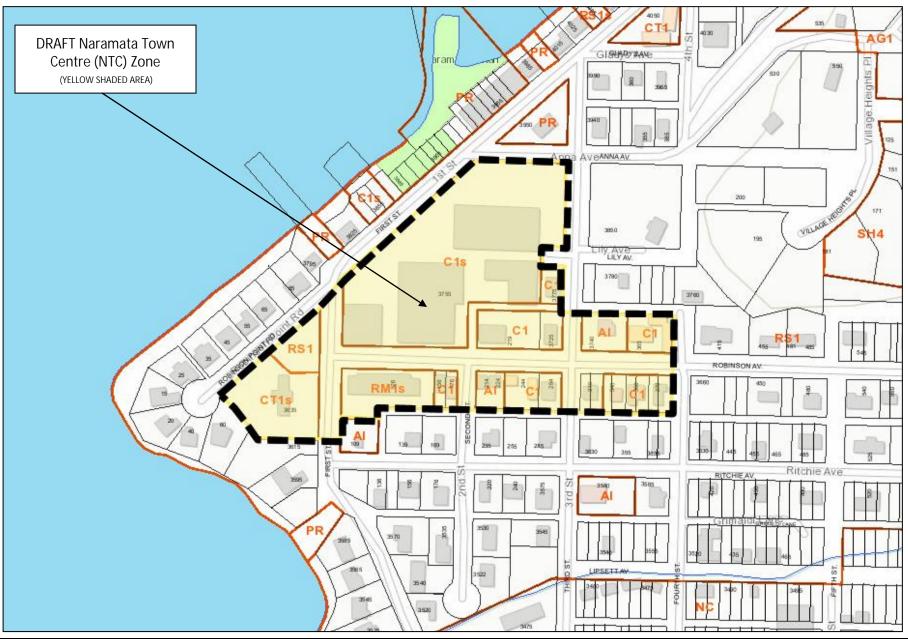
Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

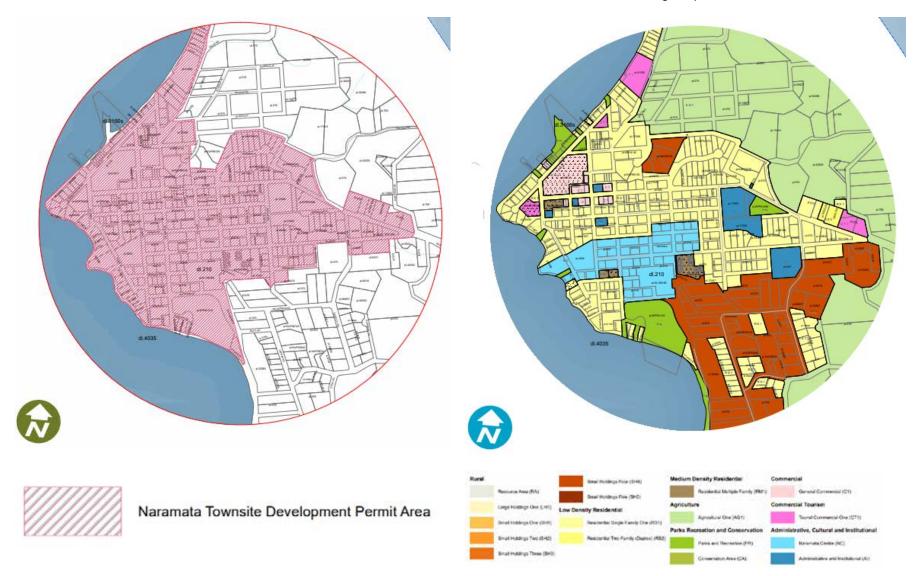
B. Dollevoet, Dev. Services Manager

- <u>Attachments</u>: No. 1 Draft Naramata Town Centre (NTC) Zone (considered at P&D Committee meeting of August 17, 2017)
 - No. 2 Naramata Townsite DP Area vs. Naramata Zoning Map
 - No. 3 Draft Amendment Bylaw No. 2458.13
 - No. 4 Draft Amendment Bylaw No. 2459.30



Attachment No. 1 – Draft Naramata Town Centre (NTC) Zone (considered at P&D Committee meeting of August 17, 2017)

Project Number: E2018.060-ZONE



Attachment No. 2 – Naramata Townsite DP Area vs. Naramata Zoning Map

BYLAW NO. 2458.13

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2458.13, 2018

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

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

- 1. This Bylaw may be cited for all purposes as the "Naramata Town Centre Amendment Bylaw No. 2458.13, 2018."
- 2. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:
 - i) adding a reference to "Town Centre Designations" under Section 4.0 (Official Community Plan Map Designations) to read as follows:

Town Centre Designations:

Town Centre

ii) adding a new Section 11.5.9 under Section 11.5 (Medium Density Residential Policies) to read as follows:

Requires a high standard of architectural building design and landscaping for medium density residential development by requiring any new lands to be designated as Medium Density Residential (MR) also be included in a Multi-Family Development Permit Area designation.

TC

iii) adding a new Section 12.0 (Town Centre) to read as follows and renumbering all subsequent sub-sections:

12.0 TOWN CENTRE

12.1 Background

The Naramata Town Centre is a small but relatively diverse, mixed-use area that is valued by residents and serves as an important business, service and

recreational area for the community. It accommodates a range of commercial and institutional uses as well as some residential uses.

The Town Centre area comprises Robinson Avenue between First Street to the west and Fourth Street to the east. The area also includes the former BC Tree Fruits packinghouse site, which has remained underutilized and predominantly vacant following the closure of the facility in 2008.

Naramata is designated as a Primary Growth Area under the South Okanagan Regional Growth Strategy Bylaw and is the only urban area in Electoral Area "E".

The Town Centre designation supports this by focusing medium density residential growth which, in turn, will promote a more compact urban form and a more complete community. It will also increase support for local businesses in the Town Centre.

To meet these objectives, the Town Centre designation includes a strong emphasis on encouraging commercial, tourist commercial, mixed-use commercial, and medium density residential development.

12.2 Objectives

- 1. Maintain the Naramata Town Centre area as the commercial, institutional and social core of the community.
- 2. Retain existing business and institutional uses, while supporting their expansion.
- 3. Support mixed-use, commercial/office/residential uses, including development that includes multi-family uses.
- 4. Encourage the inclusion of residential uses above ground floor commercial uses.
- 5. To ensure that developments in the Town Centre contribute to a unique sense of place and identity, and are sited, scaled and designed to enhance and complement the existing natural setting and views towards the lake and improve public access to the lakefront.

12.3 Policies

The Regional Board:

.1 Supports the use of lands designated Town Centre (TC) identified in Schedule 'B' (Official Community Plan Map) for pedestrian oriented, mixed-use retail, office, food and beverage, tourist commercial, and medium density residential uses.

- .2 Requires a high standard of architectural building design and landscaping for development within the Town Centre by designating this area as the Naramata Town Centre Development Permit Area.
- .3 Encourages the continued intensification and growth of commercial activities in the Town Centre.
- .4 Encourages the development of seniors housing, group homes and community care housing within the Town Centre.
- .5 Supports public events in the Town Centre.
- iv) replacing Section 12.0 (Commercial) in its entirety with the following and renumbering all subsequent sections:

13.0 COMMERCIAL

13.1 Background

Traditional commercial development in the Plan area was generally limited to the Naramata Town Centre designation, however, a thriving service industry centred around the wineries of Naramata has supplanted this, offering visitors and locals varied eating, drinking, recreational and accommodation opportunities on agricultural lands.

The Plan will continue, however, to recognize commercial and tourist commercial developments under the same Commercial land use designation and as occurring on lands outside of the Agricultural Land Reserve (ALR).

The Plan recognizes that large scale service, industrial, and commercial development will be directed to Primary Growth Areas, such as the City of Penticton, as they are better able to function as regional service centers.

9.2 Objectives

- Maintain the current level of local commercial sites to serve the existing communities and tourists, and expand services as future growth may dictate.
- .2 Direct major commercial development to Primary Growth Areas.
- .3 Support existing and new recreation and resort commercial opportunities.
- .4 To minimize land use incompatibility between commercial activities and surrounding land uses.
- .5 To ensure the scale of all commercial developments harmonize with the natural surroundings and the rural character of the Plan area.

9.3 Policies – General Commercial

The Regional Board:

- .1 Generally supports the use of lands designated Commercial (C) identified in Schedule 'B' (Official Community Plan Map) for smaller-scale, neighbourhood-serving commercial activities.
- .2 Limits local commercial uses to those existing designated areas, or to areas where they may be developed in conjunction with future residential or commercial tourism developments.
- .3 Limits commercial development along Naramata Road to parcels already zoned accordingly, or designated as Commercial (C) or Commercial Tourist (CT).
- .4 Directs major office, service and general business commercial uses to Primary Growth Areas such as the City of Penticton, which have the necessary infrastructure and support services.
- .5 Encourages an attractive and safe streetscapes by including provisions for adequate off-street parking requirements, landscaping and screening, height requirements, signage and drainage within the implementing bylaws for commercial uses.
- .6 Encourages, through responsible environmental practices, future commercial development to locate away from Okanagan Lake and other watercourses in order to reduce human impacts on the lake, and in order to maintain and improve water quality and habitat.

9.4 Policies – Tourist Commercial

The Regional Board:

- .1 Generally supports the use of lands designated Commercial Tourist (CT) identified in Schedule 'B' Official Community Plan Map for commercial services and activities catering to tourists, including campgrounds, resorts, RV parks, and golf courses.
- 2 Encourages open space recreation and resort commercial opportunities, such as guest ranches, trail rides and/or wilderness guides in areas designated as Resource Area provided they do not impact on abutting land uses and meet Watercourse Development and/or Environmentally Sensitive Development Permit Area requirements.
- .3 May support proposed tourist and resort developments that:
 - a) are located outside the Agricultural Land Reserve;
 - b) can accommodate on-site domestic water and sewage disposal, or have community water or sewer available;

- c) enhance adjacent land uses or the character of the existing area;
- d) can be accessed safely from local roads;
- e) can be adequately serviced by emergency services, in particular fire protection;
- f) meet any Watercourse or Environmentally Sensitive Development Permit Area requirements;
- g) are outside areas susceptible to natural hazards, including but not limited to, steep slopes, flooding, soil instability, or rock fall; and
- h) indicate an adequate wildfire hazard interface area if located in or near an identified high-risk wildfire hazard area.
- v) replacing Section 21.4 (Naramata Townsite Development Permit Area) in its entirety with the following:

21.4 Naramata Town Centre Development Permit Area

21.4.1 Category

The Town Centre Development Permit Area is designated for the establishment of objectives for the form and character of commercial and mixed-use commercial residential buildings, and to promote energy conservation, water conservation and the reduction of greenhouse gas emissions, pursuant to Sections 488(1)(f)(h)(i) and (j) of the *Local Government Act*.

21.4.2 Area

The areas designated within the Naramata Town Centre Development Permit Area are shown on Schedule 'E' (Form and Character Development Permit Areas Map).

21.4.3 Justification

Naramata's Town Centre is the primary commercial area and is geographically central to the community. The form and character of buildings here can have a significant impact on the overall image of the community, the pedestrian experience, and on the adjacent residential areas.

21.4.4 Objectives

The objectives of this designation are to create an environment of mixed land uses of high quality design, which will contribute to the creation of a cohesive, identifiable, accessible town centre with a strong pedestrian orientation.

It has been recognized that the following features of the village core should be respected, encouraged and enhanced:

- .1 historic character;
- .2 economic base as a commercial and occupational centre;
- .3 social, recreational, and cultural character;
- .4 natural environment and pedestrian character; and
- .5 unique built form and infrastructure.

21.4.5 Development Requiring a Permit

In the Naramata Town Centre Development Permit Area, except where exempted below a Development Permit is required for the following:

.1 Construction of, addition to or alteration of a building or other structure

21.4.6 Guidelines

- .1 Siting and Massing of Buildings
 - a) Buildings must be oriented to face the street.
 - b) Corner buildings must face both adjacent streets.
 - c) The ground floor and second floor of a building must not be set back from the public sidewalk, except where:
 - i) it is required, such as recessed building entrances;
 - ii) a setback provides space for pedestrian amenities such as small plazas or outdoor seating areas; or
 - iii) a setback provides space for a porch or patio for a ground floor residential unit.
 - d) Any storey above the second floor must be articulated in a manner that reduces the appearance of the size of the building. This could include upper floor setbacks from the front and sides of the building; awnings, pergolas, cornices, balconies, or other architectural features which visually screen the upper floors from the public sidewalk; and/or changes in exterior materials.

.2 Pedestrian-oriented Architecture

- a) The principal entrance to a building should be accessible by persons with disabilities.
- b) Front and side entrances should be an architectural focal point for the building and should be recessed from the main façade of the building.
- c) Building entrances should be accessed directly from the public sidewalk without crossing any parking areas. This means that building entrances should be on the front of the building (facing the street), or

on the side of the building where a pathway leads from the sidewalk directly to the entrance without crossing any internal roads, driveways, or parking areas.

- d) Ground floor units, both commercial and residential, should have individual entrances from the street.
- e) Awnings that extend over the public sidewalk should be included wherever the building abuts the sidewalk.

.3 Form and Character of Buildings

- a) Building facades should be articulated in a regular pattern at least every 7.5 metres in order to reflect the historic pattern of lot and building widths along Robinson Avenue.
- b) Buildings should not present blank walls to any public road. Instead they should include a regular pattern of vertically and horizontally aligned, windows on all walls that face a public road. The ground floor window area should be at least 75% of the total wall area, and upper floor window areas should be 50-75% of the total wall area on each floor.
- c) The shape, rooflines, architectural features and exterior finish should be sufficiently varied to create interest and avoid a monotonous appearance.

.4 Private Outdoor Spaces

All residential units should have access to private or semi-private outdoor space or on balconies or roof decks.

.5 Parking

a) Parking areas should be located to the rear or side of the building and should not be located between the building and a public road.

- b) Parking area entrances should be from a side street or rear lane wherever possible. Parking area entrances from Robinson Avenue are discouraged.
- c) Any surface parking or internal driveways or roads should be set back from the public road. This set back area should include landscaping but should not completely block the view between the public road and the parking area.
- d) Off-street surface parking should incorporate walkways as an integral element of the design in order to ensure safe separation of pedestrians and vehicles.
- e) Parking within a structure should be screened from view at sidewalk level.

.6 Screening and Landscaping

- a) Outdoor storage areas, waste disposal containers, and heating and cooling equipment should be screened from view with fencing or landscaping.
- b) Site design should seek opportunities to incorporate a low impact approach to managing stormwater. This may include swales, bioretention and rain gardens to reduce both peak stormwater flows and contaminant loadings.

.7 Energy and Conservation

- a) The use of solar panels and geothermal energy technology is encouraged.
- b) The construction of buildings using advanced building technologies and industry certified programs such as Leadership in Energy and Environmental Design (LEED) and BUILT GREEN® to reduce their environmental impact, lower energy consumption, and improve longevity is encouraged.

21.4.7 Exemptions

.4

The following do not require a Development Permit:

- .1 Routine building repairs / maintenance including new roofing, residing, and window and door replacement;
- .2 Internal renovations;
- .3 Installation of canopies, awnings, or signs; and
 - Building Code and safety requirements and upgrades such as the installation of fire protections systems, installation of fire exits, construction of ramps for persons with disabilities, etc.
- vi) replacing Schedule 'E' (Naramata Townsite Development Permit Area), with a new Schedule 'E' (Naramata Town Centre Development Permit Area), as shown on the attached Schedule 'G' (which forms part of this bylaw).
- 3. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:
 - i) changing the land use designation of the land described as Lot 1, Plan KAP79439, District Lot 210, SDYD, and as shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Commercial (C) to Town Centre (TC).
 - ii) changing the land use designation of the land described as Lot 1, Plan KAP41817, District Lot 210, SDYD; and Lots 1-3, Plan KAP73160, District Lot 210 & 4225, SDYD,

and as shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Commercial (C) to Town Centre (TC).

- changing the land use designation of the land described as Parcel A, Plan KAP519, Block 55, District Lot 210, SDYD, Portion KF125731; Lots 1-2, Plan KAP519, District Lot 210 & 4225, SDYD; and Lot A, Plan KAP33890, District Lot 210, SDYD, and as shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Commercial (C) to Town Centre (TC).
- iv) changing the land use designation of the land described as Lots 1-12, Plan KAS540, District Lot 210, SDYD, and as shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Medium Density Residential (MR) to Town Centre (TC).
- v) changing the land use designation of the parcels shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Commercial (C) to Town Centre (TC).
- vi) changing the land use designation of the land described as Parcel A, Block 3, Plan KAS519, District Lot 210, SDYD; and Lots 5-8, Block 54, Plan KAP519, District Lot 210, SDYD and as shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Administrative, Cultural and Institutional (AI) to Town Centre (TC).

READ A FIRST AND SECOND TIME this day of, 2018.
PUBLIC HEARING held on this day of, 2018.
READ A THIRD TIME this day of, 2018.
ADOPTED this day of, 2018.
Board Chair Chief Administrative Officer

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>

Amendment Bylaw No. 2458.13, 2018



Project No: E2018.060-ZONE

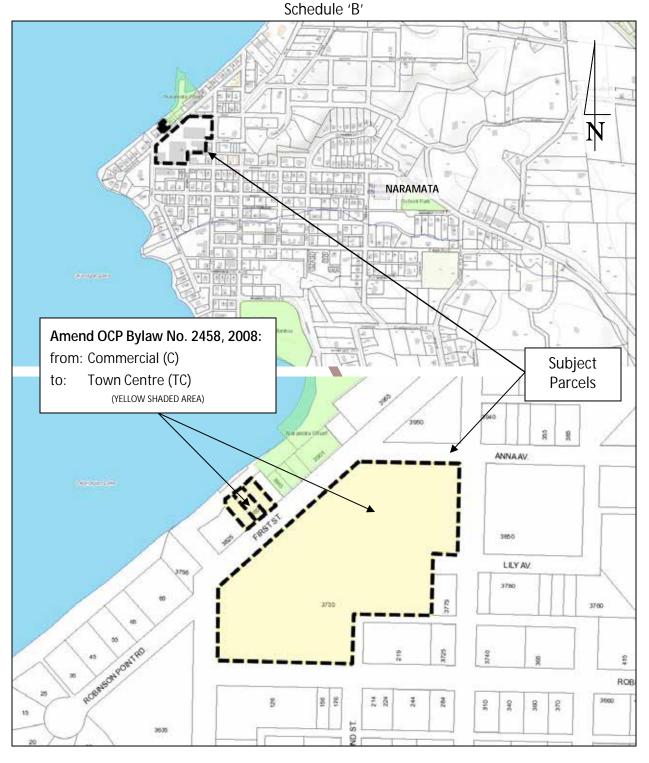
Schedule 'A' NARAMATA 14 14 Amend OCP Bylaw No. 2458, 2008: from: Commercial (C) Subject Town Centre (TC) to: Parcel (YELLOW SHADED AREA) 65 ROBINSON POINT RD. 55 35 25 126 15 3635 20 60 40 109 139 ST ST. 3615

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Amendment Bylaw No. 2458.13, 2018



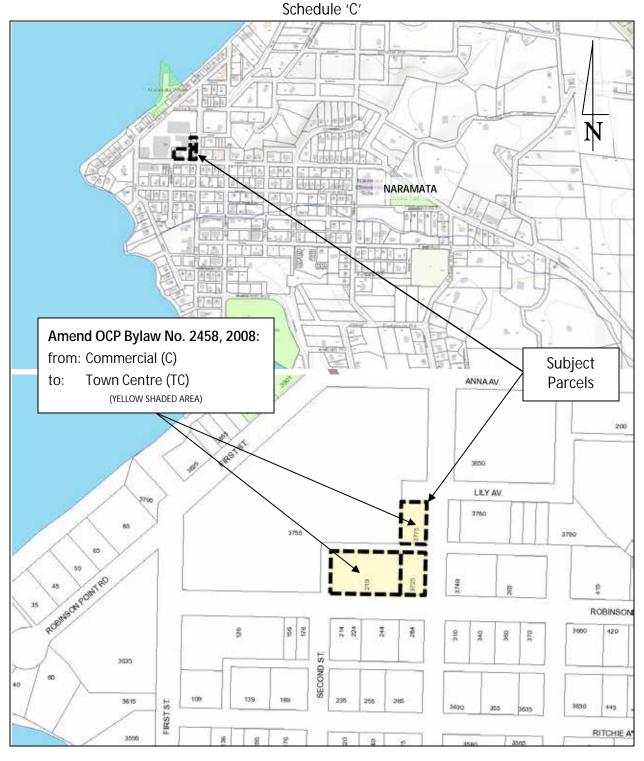


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Amendment Bylaw No. 2458.13, 2018



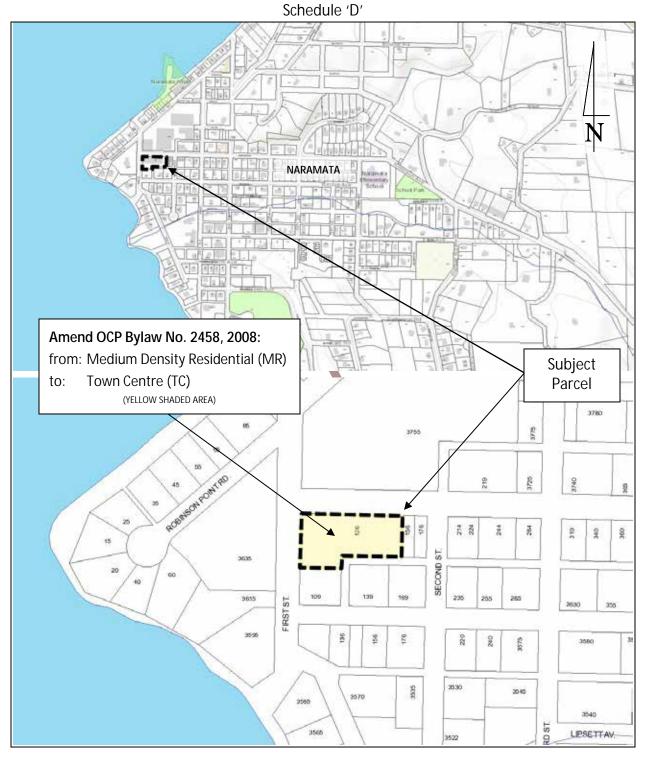


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Amendment Bylaw No. 2458.13, 2018

Project No: E2018.060-ZONE

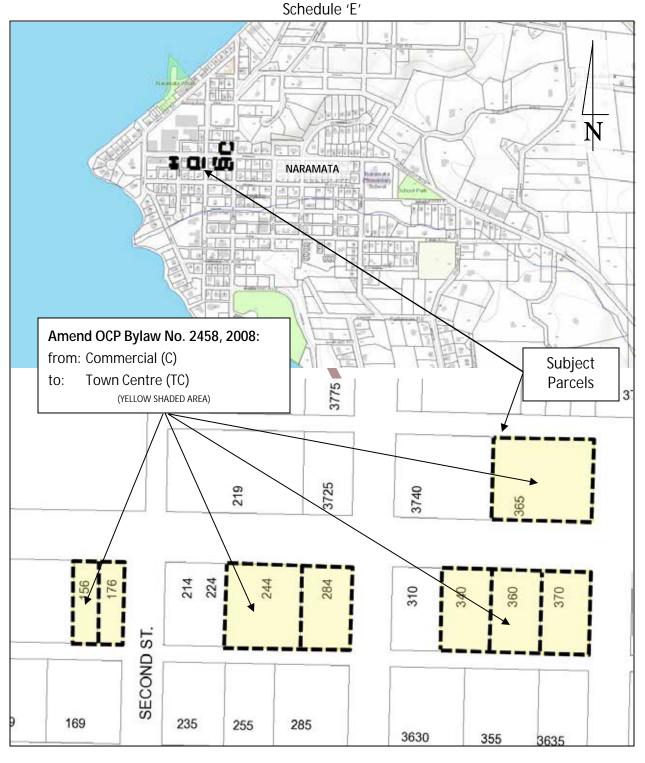


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Amendment Bylaw No. 2458.13, 2018

Project No: E2018.060-ZONE

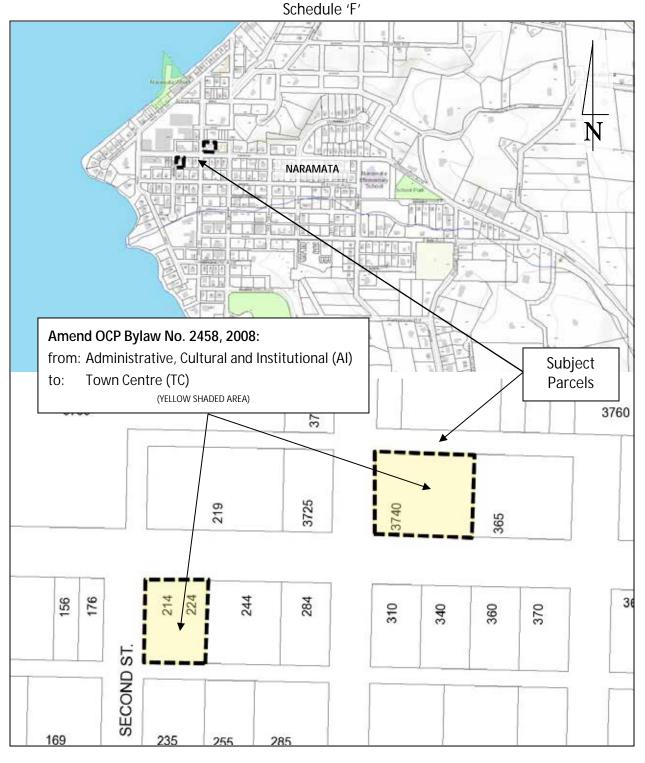


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Amendment Bylaw No. 2458.13, 2018





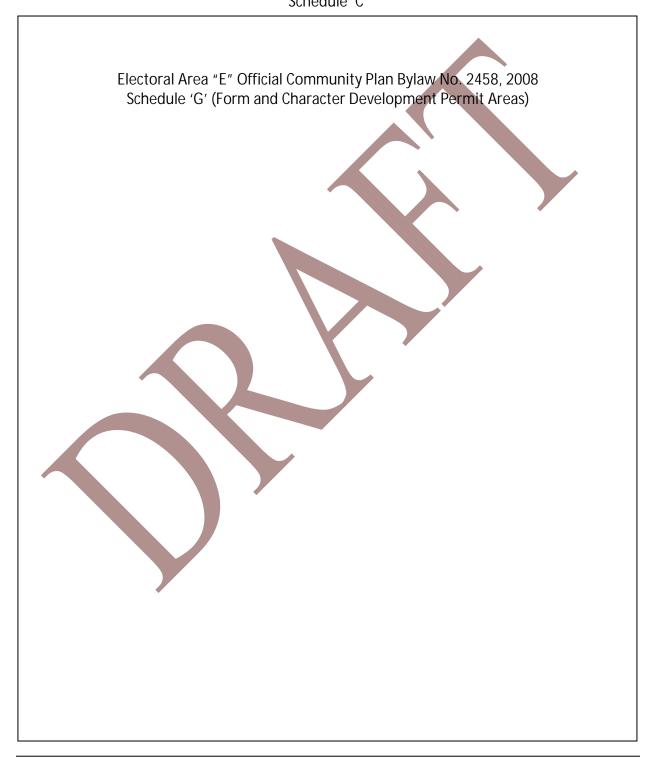
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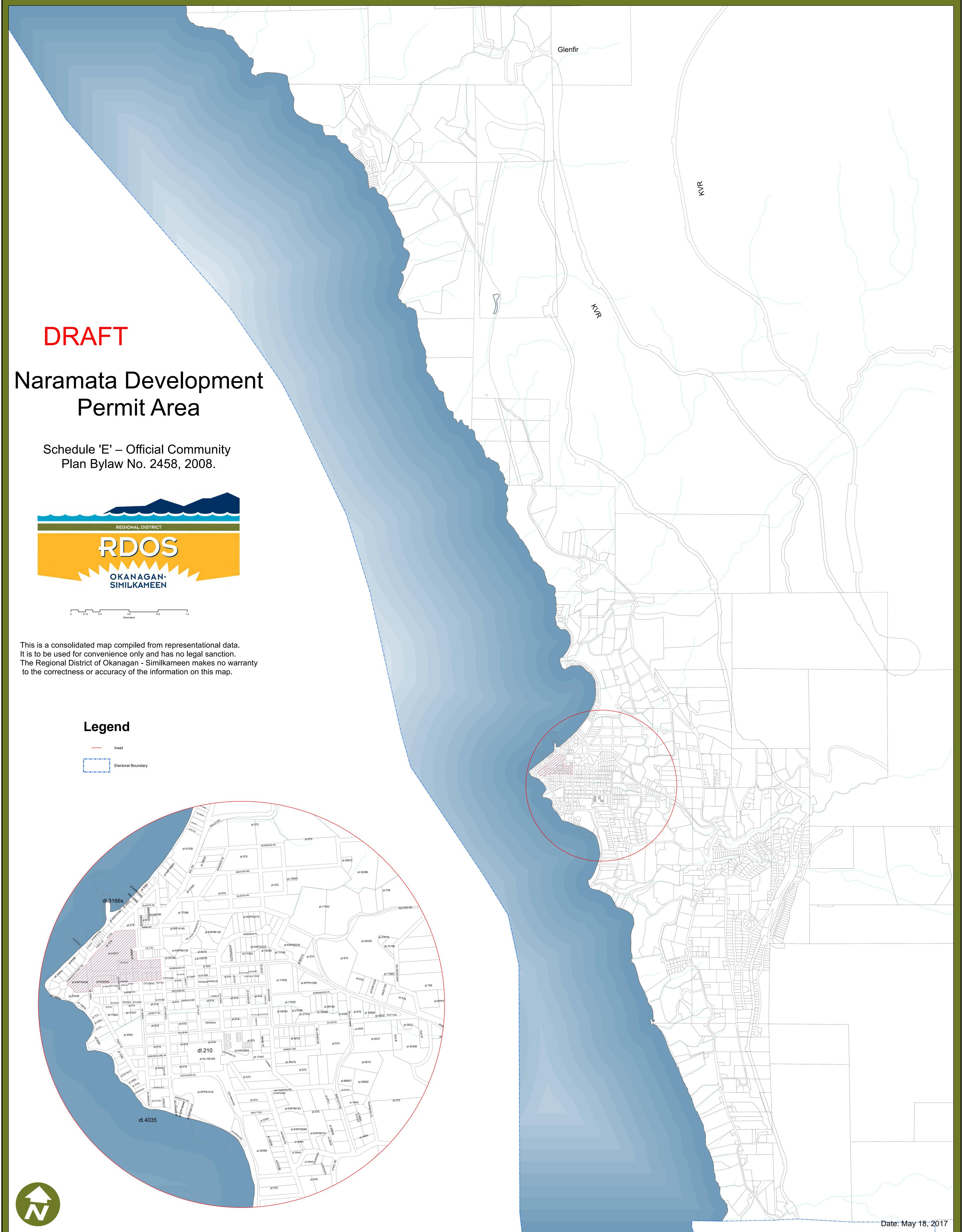


Amendment Bylaw No. 2458.13, 2018

Schedule 'C'

Project No: E2018.060-ZONE







BYLAW NO. 2459.30

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2459.30, 2018

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

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

- 1. This Bylaw may be cited for all purposes as the "Naramata Town Centre Amendment Bylaw No. 2459.30, 2018."
- 2. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
 - i) adding a reference to "Town Centre Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Town Centre Zones

Naramata Town Centre Zone

NTC

ii) adding a new Section 13.0 (Commercial Zones) to read as follows and renumbering all subsequent sections:

13.1 NARAMATA TOWN CENTRE ZONE (NTC)

13.1.1 Permitted Uses:

Principal Uses:

- a) art galleries, libraries, museums
- b) brewery, cidery, distillery or winery;
- c) eating and drinking establishments;
- d) indoor recreational facilities;
- e) multi-dwelling units, Subject to Section 13.1.5;
- f) offices;

- g) outdoor market;
- h) personal service establishment;
- i) retail stores, general;
- j) tourist accommodation;

Secondary Uses:

- k) accessory dwelling, subject to Section 7.11;
- I) bed and breakfast operation, subject to Section 7.19;
- m) home occupations, subject to Section 7.17; and
- n) accessory buildings and structures, subject to Section 7.13.

13.1.2 Site Specific Naramata Town Centre (NTCs) Provisions:

a) see Section 15.18.

13.1.3 Minimum Parcel Size:

a) 500 m², subject to servicing requirements.

13.1.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

13.1.5 Minimum Setbacks:

ii)

iv)

- a) Buildings and structures:
 - i) Front parcel line
 - Rear parcel line 4.5 metres
 - iii) Interior side parcel line 0.0 metres
 - Exterior side parcel line 4.5 metres

13.1.6 Maximum Height:

- a) No building or structure shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

13.1.7 Maximum Parcel Coverage:

a) 80%

13.1.8 Dwelling Unit Regulations:

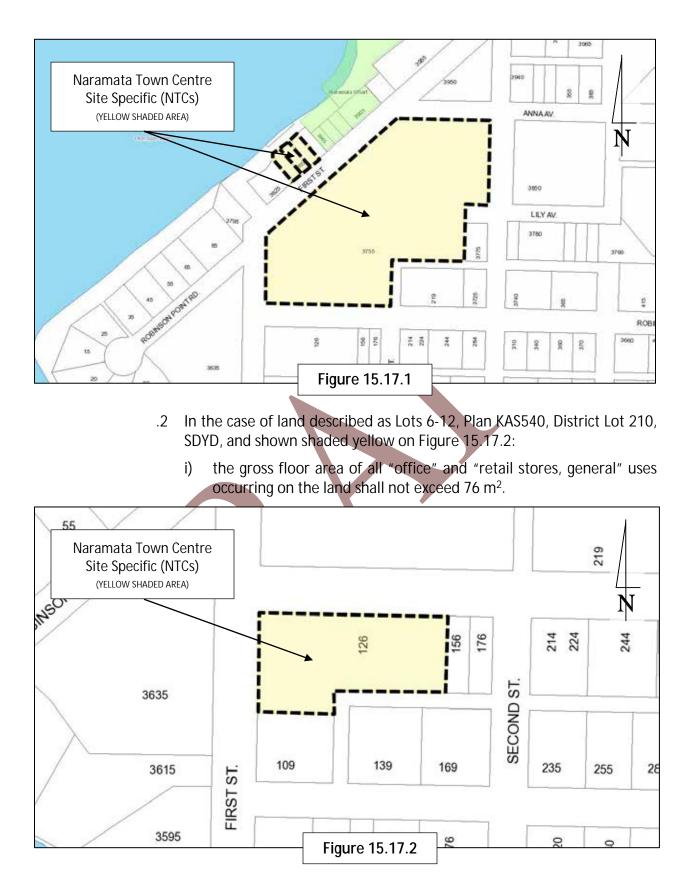
a) the residential use of the ground floor of a building fronting Robinson Avenue is prohibited.

1.5 metres

- b) a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.
- iii) adding a new Section 15.18 (Naramata Town Centre Site Specific (NTCs) Provisions) under Section 15.0 (Site Specific Designations) to read as follows:

15.18 Site Specific Naramata Town Centre (NTCs) Provisions:

- .1 in the case of land described as Lot 1, Plan KAP41817, District Lot 210, SDYD; and Lots 1-3, Plan KAP73160, District Lot 210 & 4225, SDYD, and shown shaded yellow on Figure 15.17.1:
 - i) the following principal uses and no others shall be permitted on the land:
 - a) packing, processing and storage of farm and off-farm products; and
 - b) brewery, cidery, distillery, meadery or winery, subject to Section 7.24.
 - ii) the following accessory uses and no others shall be permitted on the land:
 - retail sales of farm and off-farm products, subject to Section 7.24; and
 - b) accessory buildings and structures, subject to Section 7.13.
 - despite Section 13.2.3, the minimum parcel size shall be 2,020 m², subject to servicing requirements.
 - iv) despite Section 13.2.8, the maximum parcel coverage shall be 60%.



- 3. The Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
 - i) changing the land use designation of an approximately 3,700 m² area of the land described as Lot 1, Plan KAP79439, District Lot 210, SDYD, and as shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Naramata Town Centre (NTC).
 - changing the land use designation of an approximately 1,250 m² area of the land described as Lot 1, Plan KAP79439, District Lot 210, SDYD, and as shown shaded purple on Schedule 'A', which forms part of this Bylaw, from Residential Single Family One (RS1) to Naramata Town Centre (NTC).
 - iii) changing the land use designation of the land described as Lot 1, Plan KAP41817, District Lot 210, SDYD; and Lots 1-3, Plan KAP73160, District Lot 210 & 4225, SDYD, and as shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from General Commercial Site Specific (C1s) to Naramata Town Centre Site Specific (NTCs).
 - iv) changing the land use designation of the land described as Parcel A, Plan KAP519, Block 55, District Lot 210, SDYD, Portion KF125731; Lots 1-2, Plan KAP519, District Lot 210, SDYD; and Lot A, Plan KAP33890, District Lot 210, SDYD, and as shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from General Commercial (C1) to Naramata Town Centre (NTC).
 - v) changing the land use designation of the land described as Lots 1-12, Plan KAS540, District Lot 210, SDYD, and as shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Residential Multiple Family Site Specific (RM1s) to Naramata Town Centre Site Specific (NTCs).
 - vi) changing the land use designation of the parcels shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from General Commercial (C1) to Naramata Town Centre (NTC).

vii) changing the land use designation of the land described as Parcel A, Block 3, Plan KAS519, District Lot 210, SDYD; and Lots 5-8, Block 54, Plan KAP519, District Lot 210, SDYD and as shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Administrative and Institutional (AI) to Naramata Town Centre (NTC).

READ A FIRST AND SECOND TIME this _____ day of ______, 2018.

PUBLIC HEARING held on this _____ day of _____, 2018.

READ A THIRD TIME this	day of	, 2018.
	auy or	, 2010.

ADOPTED this _____ day of _____, 2018.

Board Chair

Chief Administrative Officer

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>

Amendment Bylaw No. 2459.30, 2018



Project No: E2018.060-ZONE

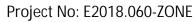
Schedule 'A' NARAMATA 1 110 Amend Zoning Bylaw No. 2459, 2008: from: Residential Single Family One (RS1) Subject to: Naramata Town Centre (NTC) Parcel (PURPLE SHADED AREA) 65 55 ROBINSON POINTRD 35 Amend Zoning Bylaw No. 2459, 2008: 26 from: Tourist Commercial One Site Specific (CT1s) Naramata Town Centre to: 3635 (NTC) (YELLOW SHADED AREA) 60 40 109 3615 ST. ST

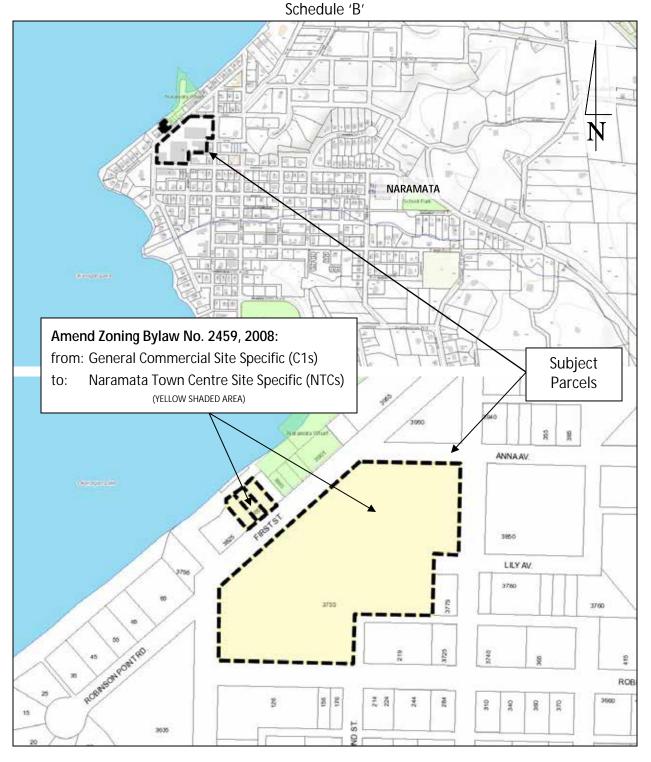
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Amendment Bylaw No. 2459.30, 2018

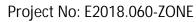


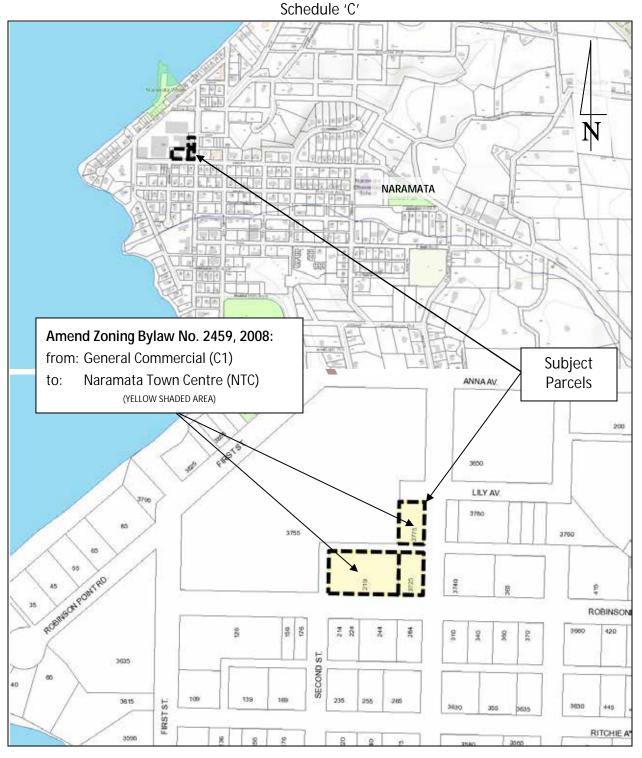


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Amendment Bylaw No. 2459.30, 2018



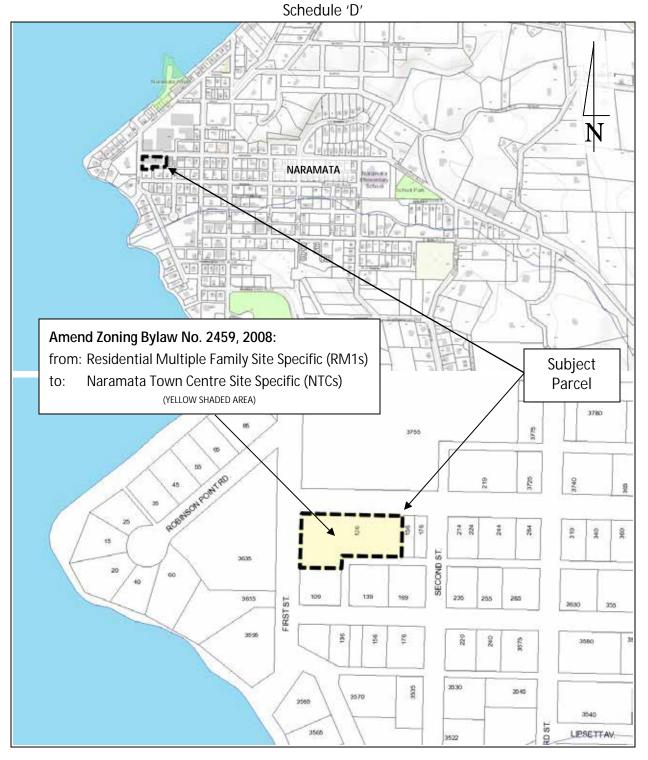


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Amendment Bylaw No. 2459.30, 2018

Project No: E2018.060-ZONE

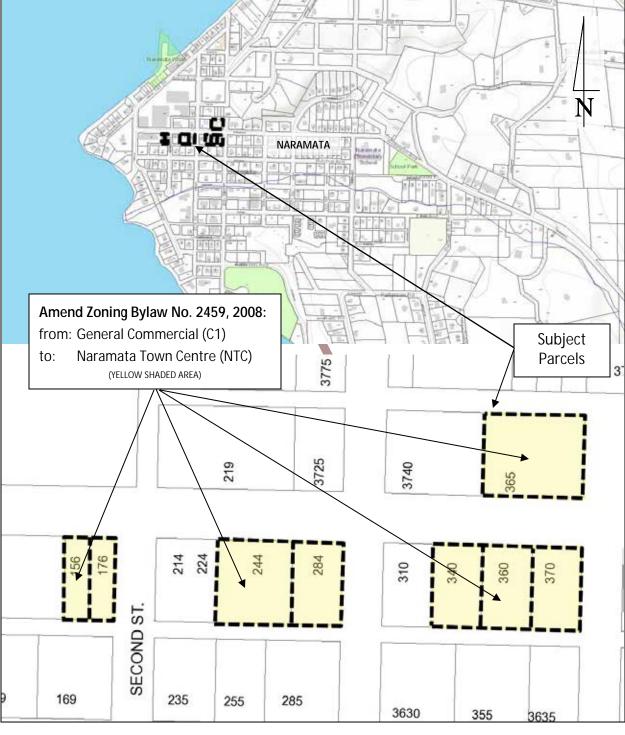


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Project No: E2018.060-ZONE

Amendment Bylaw No. 2459.30, 2018 Schedule 'E'

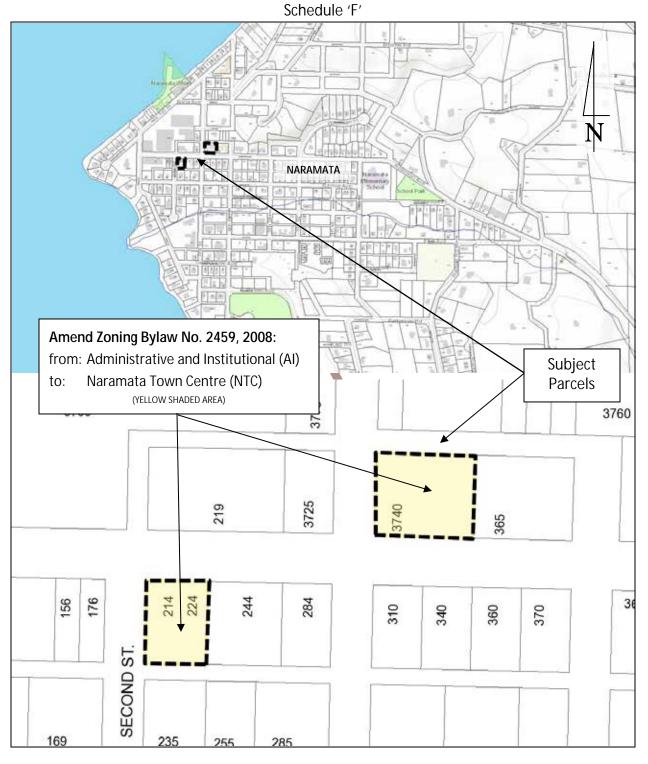


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Amendment Bylaw No. 2459.30, 2018





ADMINISTRATIVE REPORT

TO:Planning and Development CommitteeFROM:B. Newell, Chief Administrative OfficerDATE:April 19, 2018RE:Gallagher Lake Area Plan – Incorporation into Electoral Area "C" OCP Bylaw

Administrative Recommendation:

THAT staff be directed to initiate the Electoral Area "C" Official Community Plan (OCP) Amendment Bylaw No. 2452.20.

Purpose:

This report relates to the proposed incorporation of the Gallagher Lake Area Plan into Schedules 'A' (Oliver Rural OCP Text) and 'B' (Oliver Rural OCP Map) of the Electoral Area "C" OCP Bylaw No. 2452, 2008.

At present, the Area Plan resides outside of the OCP Bylaw as a separate appendix and its incorporation into the bylaw is being proposed as part of on-going work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

Background:

At its meeting of December 15, 2016, the Regional District Board adopted Amendment Bylaw No. 2452.16, 2016, being the Gallagher Lake Area Plan.

The Plan was initiated by the Regional District in order to address policy, growth and development trends that are influencing the Gallagher Lake Area and to address its designation as a "Rural Growth Area" under the South Okanagan Regional Growth Strategy (RGS) Bylaw.

The Area Plan provides policies on a broad range of topics including land-use, transportation, housing, parks and infrastructure specific to the Gallagher Lake community.

Analysis:

While Administration remains wholly supportive of the Gallagher Lake Area Plan and the policy directions contained therein, the decision to have the Area Plan exist as an appendix to the OCP Bylaw as opposed to being directly incorporated within the OCP is proving a challenge in the context of the various amendments being pursued in support of a single zoning bylaw for the Okanagan Electoral Areas.

Foremost amongst these challenges is a recognition that two separate plans for Electoral Area 'C' now need to be maintained (and updated). More specifically, any required amendment to the OCP as it relates to the Residential, Commercial or Tourist Commercial zones needs to be repeated for Appendix 1 (being the Gallagher Lake Area Plan).

In addition, Administration has also become aware of the potential inconvenience of having to refer the public to two separate documents in order to find applicable information and/or regulations (i.e.

SIMILKAMEEN

Commercial Development Permit Area guidelines in the Area Plan Appendix versus Watercourse and Environmentally Sensitive Development Permit Area guidelines in Schedule 'A' of the OCP Bylaw).

Administration further notes that having the Gallagher Lake Area Plan exist as a separate appendix diverges from the approach taken in other Electoral Areas (i.e. "H", "D-1" and "D-2") where such Area Plans are contained within the OCP Bylaw as "Local Area Policies".

It further diverges from the approach taken in Okanagan Falls with the Town Centre Plan, which is being incorporated directly into the OCP Bylaw and also runs counter to the central objective of the single zoning bylaw for the Okanagan Electoral Areas; which is the efficiencies to be gained by reducing the number of land use bylaws being administered.

For these reasons, Administration is proposing to amend the Electoral Area 'C' OCP Bylaw to incorporate the Area Plan. Administration believes that this can be done without losing any of the goals, objectives or policies that the Gallagher Lake community supported in the Area Plan. In order to accomplish this, Administration is proposing the following amendment be undertaken:

- that a new Section 2.0 (What is an Official Community Plan?) be updated in order to incorporate some of the information currently found in Section 1.0 of the Area Plan;
- that a new Section 3.0 (Community Profile) be added in order to incorporate the information currently found in Section 2.0 of the Area Plan (NOTE: Administration is also proposing to provide additional context to this section that speaks to the remainder of the Electoral Area);
- the Section 4.0 (Growth Management) be updated in order to incorporate similar information found at Section 2.3 of the Area Plan and also to incorporate more recent Census data (NOTE: when the OCP was drafted it primarily relied on information from the 1996 Census);
- that a new Section 5.0 (Local Area Policies) be added to the OCP in order to capture the objectives and policies contained at Section 3.0, 5.0, 6.0, 7.0, 8.0, 9.0, 10.0 and 11.0 of the Area Plan;
- that Section 9.0 (Commercial) be updated to incorporate some of the proposed amendments related to the review of the Commercial and Tourist Commercial Zones;
- that Section 15.0 (Transportation) be updated to incorporate the equivalent sections from the Area Plan;
- that Section 16.0 (Infrastructure and Servicing) be updated to incorporate the equivalent sections from the Area Plan;
- that the Gallagher Lake Commercial Development Permit Area be included as a new Section 18.5 and that the accompanying map be incorporated as a new Schedule 'H';
- that Section 20.0 (Implementation) be updated to include the action items from the Area Plan;
- that the OCP Map (being Schedule 'B' of the OCP Bylaw) be updated to include the land use designation currently found in the Area Plan and to denote the Gallagher Lake Rural Growth Area Boundary; and
- that the Road and Trail Network map be incorporated as a new Schedule 'G' to the bylaw.

Alternative:

THAT staff not be directed to initiate the Electoral Area "C" Official Community Plan (OCP) Amendment Bylaw No. 2452.20.

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 — Draft Amendment Bylaw No. 2452.20

BYLAW NO. 2452.20

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2452.20, 2018

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

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

- 1. This Bylaw may be cited for all purposes as the "Electoral Area "C" Official Community Plan Amendment Bylaw No. 2452.20, 2018."
- 2. The Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:
 - i) adding a new Section 2.0 (What Is an Official Community Plan?) to read as follows and renumbering all subsequent sections:

2.0 WHAT IS AN OFFICIAL COMMUNITY PLAN?

2.1 Background

An Official Community Plan (OCP) is a planning document that provides policies on a broad range of topics including land-use, transportation, housing, parks and infrastructure. OCPs designate land for specific purposes, such as commercial/retail, residential, park, and industrial. OCPs are developed through public consultation and the objectives and policy statements within them reflect the collective desires of the people within the planning area.

Effectively, OCPs provide a blueprint and map for the community's future. They are created to guide decisions on planning and land use management by establishing a long-term vision, supporting goals and objectives, and policies to achieve them.

Local governments in British Columbia are given the authority to adopt an OCP through the *Local Government Act* (LGA), which describes what must be included in the OCP, what may optionally be included, and what steps need to

be followed for the OCP to be adopted. The required content of an OCP is defined in Section 473 of the *Local Government Act.*

This OCP should be re-examined and updated every seven to 10-years to ensure that it continues to reflect the long-range planning objectives of Plan Area residents, local government staff, and the Regional Board. Occasional updates also ensure the OCP remains consistent with other procedures, bylaws and government implementation tools.

2.2 Planning Process

2002 and wa

This OCP was originally prepared between 2000 to 2002 and was subsequently repealed and re-enacted in its entirety in 2008. More recently, a substantive amendment in the form of the "Gallagher Lake Area Plan" was undertaken between 2014-2016 and included the establishment of a Citizens Committee, mail out newsletters, website information, public information meetings and consultation with stakeholders and agencies. Public meetings were well attended with active citizen engagement.

2.3 Amending the Plan

An OCP is not a static document. Rather, it is intended to be adaptable to new trends within society and responsive to changing circumstances within the community. As such, following careful consideration by the Regional District Board, policies and land use designations in this OCP may be revised by an amending bylaw pursuant to provisions outlined within the *Local Government Act.* A comprehensive review of the OCP should occur every seven to 10 years, with public open houses being held to review all major development proposals prior to the formal public hearing process.

ii) adding a new Section 3.0 (Community Profile) to read as follows and renumbering all subsequent sections:

3.0 COMMUNITY PROFILE

3.1 Location and Geography

The Plan Area is bounded by Electoral Area "A" (Osoyoos Rural) to the south, Electoral Area "D" (Okanagan Falls) to the north, Electoral Areas "B" (Cawston) and "G" (Hedley/Olalla) to the west, and the Kootenay Boundary Regional District to the east.

The Electoral Area is bisected by the Okanagan River while the Town of Oliver and a large proportion of the Osoyoos Indian Band (OIB) Reserve lands area situated within its boundaries

The Plan Area is mostly rural with two main communities – Gallagher Lake and Willowbrook – and several smaller, rural areas, including Fairview Road and Camp McKinney Road. The majority of the population is found on the farms in the valley bottom.

The area is a semi-arid, mountain-to-valley landscape with human settlements and agriculture clustered in the valley bottoms, and cattle grazing in the native grasslands between the valleys and the treeline above.

3.2 Population and Demographics

The 2016 Census indicates that the permanent population for Electoral Area "C" was 3,557. While this represents an annualised increase of 0.48% over the figures from the 2011 Census, and represents the first increase in population since the 2001 Census, the long-term trend since 1991 has been population decline buffeted by periods of limited population growth. The following table shows population growth for the fifty year period starting in 1966:

	Table 3.2.1 - Popu	ulation Growt	h
Year	Population	Population Growth	Average Annual Growth
1966	2,965	_	_
1971	3,475	510	3.23%
1976	4,139	664	3.56%
1981	4,763	624	2.85%
1986	5,026	263	1.08%
1991	4,041	(985)	-4.27%*
1996	4,077	36	0.18%
2001	4,154	77	0.37%
2006	3,874	(280)	-1.39%
2011	3,473	(401)	-2.16%
2016	3,557	84	0.48%

* Figure has not be adjusted to reflect a boundary expansion undertaken by the Town of Oliver in the late 1980s.

The actual figures for the period 1996 to 2016 differ markedly from the estimates used for this same period during the drafting of this Plan (i.e. 2000-02), and which estimated annual growth rates of 1.5% to 2.5% (based upon historical trends) and anticipated a population of between 6,000 and 7,700 person for the Electoral Area by 2020.

The age and gender distribution of the Plan Area is illustrated in Table 3.2.2. Overall, approximately 50.2% of the population of the Plan Area is male, while 49.8% is female. In the Plan Area, the "baby boomer" generation makes up the most significant proportion of the population, particularly in comparison to the number of residents aged 20-39. This data indicates the population of the Plan Area is aging, which is a consistent trend across the Regional District and the province as a whole.

This age profile suggests an increasing need for housing and services that are appropriate for an aging population.

Table 3.2.2 – Age Group Characteristics									
Age Group	1981	1986	1991	1996	2001	2006	2011	2016	% change
< 15	945	895	855	n/a	690	545	410	375	-60.3%
15 – 24	615	615	435	n/a	455	395	315	275	-55.3%
25 – 54	1,650	1,760	1,445	n/a	1,475	1,350	1,145	1,020	-38.2%
55 – 74	1,045*	1,175*	860*	n/a	1,185	1,240	1,215	1,450	38.8%*
75 and over	405*	560*	480*	n/a	355	360	370	430	6.2%*
Total Population:	4,750	5,005	4,075	4,077	4,160	3,890	3,455	3,550	-25.3%

* Estimates based upon available Census information

Of the eight electoral areas that comprise the Regional District, just three saw growth between 2006 and 2011; Electoral Areas "B", "F" and "G". Overall, the population of the Regional District grew by just 1.6%, less than half the growth experienced in the Regional District of Central Okanagan. This low growth rate is consistent with other similar areas in BC and influenced by both an aging population and decreasing fertility rates.

Although the population of Electoral Area "C" as a whole has declined since 1991 and has returned to the same level recorded in 1971, some population growth is expected over the next twenty to thirty years.

When the historic population data is combined with future growth projections for the region, this would suggest that a permanent population growth projection of negative or between 0.25% to 0.50% per year over the next 20 years would be reasonable.

Table 3.2.2 — Permanent Population Growth Projections						
	2016	2021	2026	2031	2036	
0.25% Growth	3,557	3,611	3,665	3,720	3,777	
0.50% Growth	3,557	3,666	3,777	3,892	4,010	

At a community level, it is known that, as of 2016, Gallagher Lake is primarily comprised of manufactured home developments as follows:

- Cottonwood Mobile Home Park on east side of Highway 97 with 23 units, developed in the 1970's.
- Country Pines Mobile Home Park also located on the east side, with about 125 units, developed in the 1970's.

- Deer Park, an 80 unit strata development originally built in the 1990's located on the west side of Gallagher Lake on the north side of Vaseux Creek. A new Developer acquired the final phase of Deer Park and created an additional 30 lots in 2015. At the subdivision approval stage in 1994, a walkway was dedicated along Vaseux Creek and the Okanagan River up to the KVR.
- Gallagher Lake Village modular home development located in the south west is supplied with water and sanitary sewer services through agreement with the Osoyoos Indian Band. As of 2016 the Village is currently approximately threequarters developed, with a total of 100 units at full build out. The Developer has also proposed to expand development on lands to the north up to Vaseux Creek.
- There are also 12 single family dwellings located on lecton Crescent, at the north of the Lake and on larger lots in the north east sector. The population of the community is approximately 550 based on dwelling unit count of 314 and an average household size of 1.8. There are Census statistics available for Electoral Area "C", but not for Gallagher Lake which is largely a retirement area, with some working residents and few children. Many residents spend part of their winters in southern locations, while others use the properties during the summer months, returning annually from their northern homes.
- iii) replacing Section 4.0 (Growth Management) in its entirety with the following:

4.0 GROWTH MANAGEMENT

4.1 Background

Growth Management is a critical aspect of planning for a community's future. It allows a community to forecast growth, based on trends and aspirations and to direct anticipated growth to areas that align with the community's vision and broad goals.

In 2010, the Regional District adopted a Regional Growth Strategy (RGS) for the South Okanagan. Under the *Local Government Act*, once an RGS has been adopted, OCPs must be consistent. The goal of the RGS is to direct the substantial majority of future growth in the south Okanagan Valley area to designated Primary Growth Areas (e.g., Town of Oliver and Okanagan Falls). The RGS envisions maintaining the rural character of the Plan Area, but anticipates directing growth to designated Rural Growth Areas, which the RGS specifically identifies as areas with:

 Established rural settlement areas with a minimum of 200 lots and/or dwelling units;

- · Community water or community sewer services in place;
- Existing commercial or industrial; or
- Where development has been pre-determined through zoning, but not yet developed.

Within the Plan Area, the South Okanagan RGS designates Gallagher Lake as a Rural Growth Area, while the Town of Oliver is a Primary Growth Area. Gallagher Lake was designated based on existing zoning, OCP designations and service areas.

The South Okanagan RGS recognizes that "some infill development may be anticipated in rural area", provided that development "does not significantly increase the number of units or the established density of them area" and "respects the character of the communities."

4.2 Rural Growth Areas and Capacity

Based on population projections (see Section 3.2), it was determined that the Plan Area could become home to between 220 and 453 additional residents (low and high projections) by 2036. Based on 2.3 people per household (Census Canada figures), there is a projected need for between 96 to 196 homes by 2036, or between five to ten new homes per year.

	0.25% growth rate	0.5% growth rate
Additional population estimate (2031)	220	453
Persons per household	2.3	2.3
New dwellings required	96	196

Figure 4.2: New Dwelling Unit Requirements Projections

It is estimated that there is sufficient development capacity available to accommodate projected population growth. This estimate was based on existing zoning established through Zoning Bylaw No. 2453, 2008, and which is primarily found at Gallagher Lake (see Section 4.3).

4.3 Gallagher Lake Rural Growth Area

Future growth and development in the Gallagher Lake Rural Growth Area will be influenced by a number of potential development constraints and considerations.

The Regional Board recognizes that to create a continuous boundary to contain growth there are properties within the boundary that are protected from development by provincial legislation and Development Permit Area regulations. It is not the intention of the Regional Board to encourage development of land within designated Agricultural areas or land identified as Parks/Recreation, Conservation Area, environmentally sensitive areas, watercourses, or steep slopes and terrain hazards within the defined growth boundary. Land with these designations or characteristics should continue to be protected from development.

As of 2016, future development opportunities have been identified in the Gallagher Lake Rural Growth Area and include:

- 30 units (approx.) remaining in the Gallagher Village Modular Home Development;
- 25 units (approx.) remaining in the Deer Park development;
- 35 units (approx.) on a 3.0 ha area of land south of Vaseux Creek / west of Hwy 97 that is proposed to be re-designated from Tourist Commercial to Low Density Residential;
- 65 units (approx.) on a 4.5 ha area of land north of the Gallagher Village development that is proposed to be re-designated from Small Holdings to Low Density Residential;
- 200 units (approx.) on a 14.5 ha part of an existing gravel quarry (i.e. 10 ha developable, potential mixed residential);
- 30 units (approx.) on a 2.0 ha area of land between campground on Gallagher Lake Road; and
- 40 units (approx.) of infill housing on lands north of the Lake and adjacent to the Frontage Road commercial (i.e. 4 units per lot).

<u>Note</u>: Based on 15 single family units per ha, and 20 mixed single & multiple units per ha

The future capacity to accommodate growth at Gallagher Lake is for an additional population of approximately 765 persons, based on full build out potential of approximately 425 new units and an average household size of 1.8. This would more than double the current population of Gallagher Lake.

Over the past 40 years, the population has grown sporadically with the addition of new manufacture home developments. Assuming a 1980 population of 300, the average growth of Gallagher Lake has been about 2% per year. At the same rate of growth there is over 30 years of development capacity in Gallagher Lake. Nevertheless, a more rapid rate of growth is anticipated in coming years with the introduction of urban services and new employment opportunities in the area.



Figure 4.3: Gallagher Lake Rural Growth Area Containment Boundary

4.4 Objectives

.1 Manage growth within the Plan Area by directing residential development to designated Primary and Rural Growth Areas.

- .2 Accommodate anticipated growth while maintaining the rural character and conserving the natural environment of the Plan Area.
- .3 Consider limited new development in other existing settlement areas where appropriate and in keeping with this OCP's broad goals and policies.

4.5 Policies

The Regional Board:

- .1 Recognizes the Town of Oliver as the designated Primary Growth Area and Gallagher Lake as the designated Rural Growth Area in the Plan Area.
- .2 Will direct growth to designated Primary and Rural Growth Areas, by discouraging the re-designation or re-zoning of land that permits residential uses outside of the Rural Growth Area containment boundaries.
- .3 Recognizes that there is an appropriate amount of residential land designated to permit residential development within the Rural Growth Area containment boundaries to accommodate anticipated growth to 2036.
- .4 Recognizes the Town of Oliver as a designated Primary Growth Area that has the community infrastructure, community services, economic and employment opportunities to sustain higher densities and residential growth than the Plan Area.
- 5 Will ensure any new development in designated Rural Growth Areas to provide community services pursuant to the Regional District's Subdivision Servicing Bylaw.
- .6 Directs development away from hazard lands, critical habitat areas, watercourses and the Dominion Radio Astrophysical Observatory Radio Frequency Interference (RFI) area.
- .7 Directs residential development away from designated Agricultural AG areas.
- .8 Requires that all new parcels of less than one hectare in size connect to a community sewer system.
- .9 Supports water metering and other residential water conservation measures.
- iv) adding a new Section 5.0 (Local Area Policies) to read as follows and renumbering all subsequent sections:

5.1 Background

The Plan Area is comprised of a number of distinct communities and several smaller rural areas. While they each have much in common, including a strong desire to maintain and protect the larger Plan Area's rural qualities and environmental values, each community is also unique. While this section of the Plan only outlines policies for the Gallagher Lake area (as a result of the Gallagher Lake Area Plan completed in 2016), it is anticipated that the other communities will be addressed at the time of the next comprehensive review of this bylaw.

5.2 Gallagher Lake

The community takes its name from Gallagher Lake, a small fresh water lake approximately 3.8 miles north of Oliver and 40 kilometers south of Penticton. The community is located on both sides of Highway 97 in the south Okanagan valley and adjacent to, NSaylintn, (formerly McIntyre Bluff), an area landmark. Over the years, the lake, area camping, seasonal accommodation and roadside service helped create a small tourist destination.

The Gallagher Lake campground was complemented by seasonal accommodation which ultimately became permanent residential units in the form of trailers and modular homes. Although the lake does not have public access, visitors to the campground and motels can enjoy the beaches, swimming and fishing. Today, Gallagher Lake includes motels, camping, a restaurant/pub, a distillery and other services, mainly located along the Gallagher Lake Frontage Road parallel to the Highway.

It is recognized that Highway 97 divides the community in half. The west side contains the most recent development with new homes, utilities and commercial uses. The east side is largely made up of long-standing manufactured homes/trailers, camp ground facilities and motel.

There is a Fortis Gas facility located to the north of Deer Park, a gravel quarry in the north east area and a larger Fortis power substation just north east and outside of the community. A Fortis natural gas and electric power right-of-way passes through the west side of the community. The quarry operation has several years of gravel resources but is deemed to have future redevelopment opportunities for other urban uses.

The community benefits from Okanagan River and Vaseux Creek flowing through and along the edge of the residential areas. Such features enhance the open space, parks and trail system and provide drainage corridors through the community. The Town of Oliver retains ownership and management responsibility for the irrigation canal that is passes through the eastern portion of the Gallagher Lake. Due to slide damage in the summer of 2016, relocation of the irrigation canal is under consideration.

The lands north of the community contain very environmentally sensitive Antelope-brush on the McIntryre Ranch property. These lands are in the process of being acquired by the Nature Trust and will complement other Nature Trust lands, the Vaseux Bighorn National Wildlife Area and Provincial Protected Areas. The McIntyre Bluff Natural Park, owned by the RDOS, is located at the northern edge of Gallagher Lake.

5.2.1 Vision – Gallagher Lake

During the preparation of the Gallagher Lake Area Plan, residents expressed their vision for the future of the community:

Gallagher Lake will continue to evolve as a small and quaint community made up of predominantly low density residential homes, surrounded by the natural beauty of the South Okanagan landscape and streams. Managed growth will be accommodated in an environmentally sustainable manner, allowing for infill and redevelopment opportunities of older properties and underutilized land. The appeal and charm of the community is experienced by both its residents and visitors travelling along Highway 97. Local retail and tourism-oriented services will complement the aesthetically pleasing character of Gallagher Lake. The community will continue to work towards its goal of community cohesion amongst its neighborhoods, achieving a safe and pedestrian friendly community in the South Okanagan. Safe crossing of the highway will continue as a predominant quest by the residents of Gallagher Lake.

5.2.2 Broad Goals – Gallagher Lake

The following broad goals reflect the input and priorities of Gallagher Lake residents and are the guiding principles of this Official Community Plan for this community. These goals will be used by the Regional District and senior government agencies to help guide future decisions on development proposals, environmental protection initiatives, and infrastructure development in the Gallagher Lake area:

- .1 Residential development areas on the west side of the highway will continue to be built out in comprehensive single family unit neighborhoods.
- .2 The frontage properties on the west side of the highway between Vaseux Creek and the south border of the Area Plan will continue to provide commercial space for tourist and retail and other services for locals and the travelling public. This use should not preclude some addition of mixed use

with residential units above the commercial, but ensuring that the primacy of local and tourist services is maintained in that area.

- .3 The east side of the highway contains residential uses in the form of both manufactured homes and trailers, along with camping and fixed roof tourist accommodation, in the form of small motels. Changes to this precinct should only occur in a comprehensively planned manner, ensuring owners of homes and property are engaged and consulted.
- .4 An important element in achieving the vision stated in sub-section 3 is the design character along the Gallagher Lake Frontage Road. Streetscape improvements will be encouraged in the form of landscaping, pedestrian facilities, lighting and upgrades to buildings and properties. Design Guidelines will respect some of the basic architectural design and materials already included in the Ye Old Welcome Inn Pub and the Dubh Glas Distillery.
- .5 As the gravel quarry is exhausted in the future, the vision is to consider uses that will be compatible with residential uses to the south. A comprehensive plan would be required to address access, phasing, servicing, as well as the proposed land use. Potential future uses include business park, tourist commercial and mixed use residential. At the time of adoption, the Area Plan will retain an Industrial designation at the quarry site.
- .6 The most northerly lands on the east side of and adjacent to Highway 97 have potential for residential or tourist commercial uses. Any proposed development will require a comprehensive plan to address access management, floodplain, riparian objectives, highway widening and compatibility with adjacent existing development. At the time of adoption, the Area Plan is proposing an Low Density Residential designation.
- .7 The most northerly foreshore of Gallagher Lake is a critical interface between aquatic environment and human habitation. Collaboration between all property owners, Provincial government and Osoyoos First Nation will be required to ensure the future health and protection of Gallagher Lake. The feasibility of public access deserves further study, but in the meantime, preserving the integrity of this natural asset is paramount in the quest to maintain the character of the community.
- .8 Parks and trails will form an important part of the amenity base at Gallagher Lake. The interrelationship with streams and connections to natural areas beyond the community, along with the protection of the KVR right of way for public use, will allow for an interconnected community and promote pedestrian friendly neighborhoods. Pedestrian facilities for safe crossing of Highway 97 will also be critical to the character envisioned for this community.

- .9 Extension of community water and sanitary services will occur over time in conjunction with new development or to serve existing uses as required.
- .10 Access points will be managed and road connectivity will be established for residential areas on both sides of Highway 97 to serve new growth and to provide secondary access to existing development in consultation with the Ministry of Transportation and Infrastructure. Enhancing pedestrian safety in crossing Highway 97 is very important to the community.
- .11 RDOS will continue to collaborate with the Osoyoos Indian Band to maintain and enhance provision of water and sanitary services to the community.

5.2.3 Policies – Gallagher Lake

The Regional Board:

Resource Area:

- .1 Encourages the quarry operation on the lands described as Lots A & B, Plan KAP87618, District Lots 28S & 4108S, SDYD (8583 & 8713 Highway 97) to operate in a manner that is sensitive to adjacent residential uses.
- .2 Supports the re-designation of the lands described as Lots A & B, Plan KAP87618, District Lots 28S & 4108S, SDYD (8583 & 8713 Highway 97) to a light industrial/business park; mixed use residential; and/or tourist commercial use when the existing quarry operation ceases.

Residential:

- .3 Supports the re-development of lands adjacent to existing commercial areas along the Gallagher Lake Frontage Road to multiple family uses in the form of 2 storey town house units.
- .4 Requires that a Multiple Family Development Permit Area for form and character be designated on lands amended to a Medium Density Residential (MR) designation.
- 5 Requires that new residential development involving more than 20 hectares of land or the creation of 20 or more housing units prepare a Comprehensive Development Plan to ensure land use is compatible with the vision of the community and adjacent development and addresses access, servicing and environmental aspects.

Commercial:

.6 Supports the main commercial area on the west side of Highway 97 (along Gallagher Lake Frontage Road) remaining the focus for future commercial development serving the community, and to reduce pedestrian highway crossing.

- .7 Supports convenience retail and services, tourist destination and highway commercial uses including a general store. Automotive and other service uses that are compatible with the existing uses and scale of commercial development will be supported.
- .8 Supports residential uses being incorporated into commercial developments in order to broaden the range of housing options and add to the pedestrian character of the community.
- .9 Will consider new small-scale local commercial or tourist commercial development on the east side of the community in new development areas.
- .10 Supports the evolution of the commercial development character along the Gallagher Lake Frontage Road over time with urban design elements, improved pedestrian access and streetscape beautification, such as landscaping.
- .11 Designates a Commercial Development Permit Area for the purposes achieving a high standard of architectural building design and landscaping for commercial areas adjacent the Gallagher Lake Frontage Road and parts of Highway 97.

Industrial:

- .12 Supports existing industrial use and employment opportunities at their current scale of intensity.
- .13 Does not support future heavy industrial development occurring at Gallagher Lake

Natural Environment:

- .14 Supports the establishment of low impact trails corridors and natural parks in designated riparian areas on Schedule 'B' of the Plan along Vaseux Creek and the Okanagan River Channel.
- .15 Supports initiatives to enhance stream and lake shorelines and protect water quality in Gallagher Lake.
- .16 Will collaborate with the Osoyoos Indian Band regarding the health and protection of Gallagher Lake.

Parks, Recreation and Trails:

- .17 Supports neighbourhood parks being integrated into new developments as the community population grows due to the limited amount of parks available to community residents and for day use activities.
- .18 Will seek future neighbourhood park locations in the context of a community wide parks plan or as a result of development reviews and approvals.

- .19 Supports trail development allowing for access to destinations such as McIntyre Bluff, connections to the KVR system and natural areas and water courses areas shown on Schedule 'G' of this bylaw.
- .20 Supports trail development also connecting to the sidewalk/walkway system in newly developed residential areas, and ultimately to the existing commercial area.
- .21 Will explore the use of the 5% park dedication requirement at subdivision stage and other means available including donations, agreements, or outright purchase to secure sensitive waterfront areas for open space as well as small local parks.
- .22 Will explore the protection of the KVR right of way as a public corridor and any private impediments to passage, and designates the KVR as a Park (P) in this bylaw.
- .23 Will explore the opportunity for a trail/walkway connection under the Vaseux Creek (McIntyre) bridge at Highway 97 in collaboration with the Ministry of Transportation and Infrastructure.
- .24 Supports improvements within parks, along trails and near water incorporating opportunities for seating /contemplative spaces, fishing and wildlife viewing areas.
- .25 Will undertake consultation with the community prior to any future securing of public access to Gallagher Lake.
- v) replacing Section 9.0 (Commercial) in its entirety with the following:

9.0 COMMERCIAL

9.1 Background

Commercial development in the Plan area is generally limited to existing commercial sites along Highway 97, primarily south of the Town of Oliver, at Gallagher Lake and near Inkaneep Provincial Park.

9.2 Objectives

- .1 Maintain the current level of local commercial sites to serve the existing communities and tourists, and expand services as future growth may dictate.
- .2 Direct major commercial development to Primary Growth Areas.
- .3 Support existing and new recreation and resort commercial opportunities.
- .4 To minimize land use incompatibility between commercial activities and surrounding land uses.

.5 To ensure the scale of all commercial developments harmonize with the natural surroundings and the rural character of the Plan area.

9.3 Policies – General Commercial

The Regional Board:

- .1 Generally supports the use of lands designated Commercial (C) identified in Schedule 'B' (Official Community Plan Map) for smaller-scale, neighbourhood-serving commercial activities.
- .2 Limits local commercial uses to those existing designated areas, or to areas where they may be developed in conjunction with future residential or commercial tourism developments.
- .3 Limits highway commercial development along Highways 97 to parcels already zoned accordingly, or designated as Commercial (C) or Commercial Tourist (CT).
- .4 Will work with the Ministry of Transportation and Infrastructure to help ensure safe access and egress for commercial areas fronting Highway 97.
- .5 Directs major office, service and general business commercial uses to Primary Growth Areas such as the Town of Oliver, which have the necessary infrastructure and support services.
- .6 Encourages an attractive and safe highway streetscape by including provisions for adequate off-street parking requirements, landscaping and screening, height requirements, signage and drainage within the implementing bylaws for commercial uses.

9.4 Policies – Tourist Commercial

The Regional Board:

- .1 Generally supports the use of lands designated Commercial Tourist (CT) identified in Schedule 'B' Official Community Plan Map for commercial services and activities catering to tourists, including campgrounds, resorts, RV parks, and golf courses.
- .2 Encourages open space recreation and resort commercial opportunities, such as guest ranches, trail rides and/or wilderness guides in areas designated as Resource Area provided they do not impact on abutting land uses and meet Watercourse Development and/or Environmentally Sensitive Development Permit Area requirements.
- .3 May support proposed tourist and resort developments that:
 - a) are located outside the Agricultural Land Reserve;

- b) are located outside the Radio Frequency Interference (RFI) areas as shown on Schedule 'F' (Dominion Radio Astrophysical Observatory RFI Area);
- c) can accommodate on-site domestic water and sewage disposal, or have community water or sewer available;
- d) enhance adjacent land uses or the character of the existing area;
- e) can be accessed safely from local highways (Highway 97);
- f) can be adequately serviced by emergency services, in particular fire protection;
- g) meet any Watercourse or Environmentally Sensitive Development Permit Area requirements;
- h) are outside areas susceptible to natural hazards, including but not limited to, steep slopes, flooding, soil instability, or rock fall; and
- i) indicate an adequate wildfire hazard interface area if located in or near an identified high-risk wildfire hazard area.
- vi) replacing Section 15.0 (Transportation) in its entirety with the following:

15.0 TRANSPORTATION

15.1 Background

The Plan recognizes the South Okanagan Corridor Management Plan under preparation by the Province, as the Province is responsible for the regulation, design, implementation and maintenance of existing and future roads within the Plan area. The outcome of this work will identify highway management and improvement priorities. The Plan also recognizes the importance of a mutually supportive partnership to acknowledge the plans and policies of both the Regional District and the Province.

As a result of the 2016 Gallagher Lake Area Plan, the division of the community by Highway 97 and the need for a safe crossing and access management were identified as critical to the future development of the community.

The local transportation system at Gallagher Lake also includes internal roads and pedestrian mobility along these roads. The residents confirmed that safe movement across Highway 97 is of utmost importance. Past efforts have included petitions to the Ministry of Transportation and Infrastructure to slow traffic along the highway. Expected growth in the community is likely to increase movement across the highway, in turn increasing the need for safe crossings. The Regional Growth Strategy suggests working with the Provincial Transportation authorities to ensure public safety and transportation efficiency. The community survey continued to echo this sentiment through high support for changing the speed limit, implementing pedestrian crossings, initiating streetscape enhancements and developing Frontage Road pedestrian walkways. The concept of a walkway under McIntyre bridge was also strongly endorsed and is under review by the Ministry.

15.2 Objectives

- .1 To provide a highway and side road system that ensures the current and future role, performance goals and functional needs for Highway 97 to support the intra- and inter-regional movement of people and goods.
- .2 To ensure that future development patterns and land use decisions recognize and support highway safety and mobility objectives.
- .3 To recognize and minimize the impacts of transportation corridors on farmland, and important wildlife and fish habitat in environmentally sensitive areas.

15.3 Policies - General

The Regional Board:

- .1 Discourages continuous strip development along the highway and other major roads in order to achieve a more efficient use of land and a proper distribution of traffic flow throughout the road network.
- .2 Encourages the development of land uses compatible with highway noise and speed along the highway.
- 3 Supports the improvement of safety for walking and cycling along major network roads, while encouraging incorporation of sufficient buffering consistent with provincial Agricultural Land Commission specifications and accommodation of the movement of agricultural machinery.
- 4 Will work with the Province to define access management agreements where applicable.
- .5 Encourages the Province to ensure that traffic impact studies are undertaken for major development proposals so that:
 - a) the proposals are in accordance with the objectives of the Corridor Management Plan;
 - b) existing and future roads and alignments are designed with due consideration for the protection of fish and wildlife habitat;
 - c) safety and mobility is maintained through access management;
 - d) disruption to farming operations is minimized; and

- e) projected traffic volumes do not reduce the present service levels for the existing roadway.
- .6 Recognizes the various interests, in particular those of the Province, in the future use of the Kettle Valley Railway right-of-way. The right-of-way is designated as Parks and Recreation (PR) on the Official Community Plan Map in order to protect options for future use as a continuous traffic, utility and/ or recreation corridor. The context for review and referrals for future use of the Kettle Valley Railway will be the 'Management Strategy for Abandoned Right-of-way of Kettle Valley Railway', KVR Planning Committee, 2000.

15.4 Policies – Gallagher Lake

The Regional Board:

- .1 Will continue communication with Ministry of Transportation and Infrastructure regarding safety, traffic speed and development along Highway 97, and to coordinate Ministry Access Management Plans for the Corridor and improve safe crossing.
- .2 Will require all new major development that will result in greater vehicular movement onto and off the Highway 97 to include a Traffic Impact Assessment as a condition of rezoning approval.
- .3 Will require that future development proposals provide an interconnected road network and provide secondary access to existing development areas on either side of Highway 97 as shown on Schedule 'B'.
- 4 Will work with the Ministry of Transportation and Infrastructure to focus access to Highway 97 at existing intersections by closing other accesses to Highway 97.
- .5 Supports a future crosswalk or controlled pedestrian access across Highway 97 if foot traffic counts warrant such a crossing.
- 6 Supports a review of access to the property in the north east section of the community at 8703 Highway 97, to determine safe and appropriate access routes if re-development is proposed.
- .7 Supports enhancing pedestrian mobility via sidewalks, shoulder widening, walkways and trails that are interconnected for the entire community and for both existing and new development areas as shown on Schedule 'B'.
- .8 Supports streetscape improvements along the Gallagher Lake Frontage Road that provide pedestrian mobility and safety, enhanced aesthetics by landscaping between the Frontage Road and Highway 97, improved street lighting, signage and related amenities. (These improvements are conceptually illustrated on the drawing below).

vii) replacing Section 16.0 (Servicing) in its entirety with the following:

16.0 INFRASTRUCTURE AND SERVICING

16.1 Background

A well-planned community ensures services are able to meet the needs of its residents, with development occurring in a manner that allows infrastructure and utilities to be provided efficiently and cost-effectively.

By having a more compact form of growth, it is more affordable to provide infrastructure to the community. Sewer and water lines do not have to be extended over long distances, and there will be a population base in a defined area, large enough to fund infrastructure and services.

Infrastructure and services within the jurisdiction of the Regional District include water distribution, liquid waste management, stormwater and solid waste management. As electrical, gas and communication utilities are also important to the community, the Regional District has an interest in helping guide the provision of these services.

A finding of the 2016 Gallagher Lake Area Plan was that the community has the benefit of access to community water and sanitary sewer systems but not the entire community is serviced. Over the years, the various neighborhoods have developed private on-site systems and some of these systems are in need of improvements. The first agreement for water and sewer services was between Osoyoos Indian Band, Senkulmen Utilities Ltd. (SUL), and the Gallagher Village Modular Home Development.

By 2013, the RDOS and the Osoyoos Indian Band (OIB) entered into an agreement through SUL to provide domestic water and sanitary sewer services to the Gallagher Lake Community. This Agreement provides for an additional 300 dwellings units (or equivalent commercial use). The initial intent was to service the Deer Park bare land strata subdivision at the northeast corner of the community and then expand the system. The service now consists of the Senkulmen providing potable water and sewer treatment facility to the OIB boundary and the RDOS is responsible for the pipes and collection system in the Frontage Road. At present connections to the RDOS system are limited, but there are several other owners interested in connecting to the system.

Water and sewer mains have also been extended to the east side of Highway 97, but there are no properties connected in this area. To date, residents from the Country Pines development are not supportive of extending sewer pipe mains or paying for the service due to concerns about the potentially high cost. There is interest in domestic water service.

The Regional District supports the introduction of a community-wide sanitary sewer system over the long term to ensure protection of the lake and ground water. Residents have been generally supportive of fire protection through the use of hydrants on the water system, but there have been mixed views on the extension of the overall-all domestic community water system. At this time the RDOS is in discussions with the OIB about provision of domestic water service to the Country Pines area. The preparation of this Area Plan has been a good forum for discussing new policy direction on this important matter.

16.2 Objectives

- .1 To ensure the coordinated and phased development of water, sewer and drainage.
- .2 To direct development to areas that can be best serviced by existing or planned utility services.
- .3 To ensure that water, sewer and drainage systems support good health and safety, and meet recognized standards of service.
- .4 To encourage the cooperation and coordination in the provision of other utilities that services existing and future developments, such as telephone, hydro and gas service.
- .5 To require that all new parcels of 1 hectare or less in size connect to a community sewer system.

16.3 Policies - Water Supply and Distribution

The Regional Board:

- 1 Requires that all new developments are adequately serviced by a water supply system in accordance with the Regional District's servicing bylaw.
- .2 Directs that new developments not restrict or limit the availability of water supply for agricultural irrigation.
- 3 Will liaise with the relevant Provincial agencies and the Plan area water purveyors to ensure an overall coordinated water management strategy for water quality and quantity.

16.4 Policies - Sewage Collection and Disposal

The Regional Board:

.1 Encourages Registered Onsite Wastewater Practitioners to design onsite sewage systems that avoid the placement of dispersal areas within environmentally sensitive areas.

- .2 Works with the Province to assess the need for alternative systems and consider evaluating the feasibility of a future community system in the Sawmill Road and Gallagher Lake areas.
- .3 Will consider amending the RDOS servicing bylaw to allow alternative sewerage system evaluation studies done at the time of subdivision.
- .4 Co-operates with the Town of Oliver and government agencies to consider future options and proposals regarding the need for expansion of the Town's reclaimed water irrigation system.

16.5 Policies - Drainage

The Regional Board:

- .1 Encourages the review of stormwater management in new and existing developments by the relevant Provincial agencies.
- .2 Encourages the Regional Subdivision Approving Authority to require that each parcel of land within a proposed subdivision have a plan to address storm water runoff.
- .3 Coordinates efforts with the Province to monitor water quality runoff into major watercourses.
- .4 Will consider regulations that control or prevent discharge of construction silts, gravel and debris into natural drainage courses, streams, or onto agricultural lands or highways.

16.6 Policies - Other Utilities

3

The Regional Board:

- 1 Encourages the cooperation and coordination of utility companies in utilizing existing corridors for multiple uses.
- .2 Encourages public utility companies and the Province to locate and develop utility corridors and roads in a way that will not have a negative impact on environmentally sensitive areas, as shown on Schedule 'C'.
 - Recognizes the various interests, in particular those of the Province, in the future use of the Kettle Valley Railway right-of-way. The right-of-way is designated as 'Public Corridor (PC)' on the Official Community Plan Map in order to protect options for future use as a continuous traffic, utility and/ or recreation corridor. The context for review and referrals for future use of the Kettle Valley Railway will be the 'Management Strategy for Abandoned Right-of-way of Kettle Valley Railway', KVR Planning Committee, 2000. The abandoned irrigation canal right-of-way is also designated 'PC' in order to protect options for future use as a continuous utility and/or recreation corridor.

16.7 Policies – Gallagher Lake

The Regional Board:

- 1. Requires that any new development or subdivision of land less than 1.0 hectare in area in the Gallagher Lake Area Plan must be connected to the sanitary sewer system.
- 2. Will prioritize the extension of community sewer services to development on the west side of Highway 97 and, as demand warrants, phasing in community sewer services on the east side of Highway 97 at a later date.
- 3. Requires that new development petition the Regional District in order to formally enter into water and sewer service areas.
- 4. Will work closely with the Osoyoos Indian Band and residents of Gallagher Lake to explore the option of extending the domestic water system throughout the community in the short term.
- 5. Will work closely with other responsible agencies to monitor the functional and environmental aspects of ground water and any potential impacts of existing development and attendant septic systems on the natural and aquatic environment.
- 6. Will work with responsible Provincial agencies to implement a long term lake water quality testing/monitoring program that serves to confirm water quality for the benefit of tourism and the environmental integrity of the lake.
- 7. Will continue to investigate sources of funds and financing mechanisms to lessen the financial burden on all residents that may ultimately need to connect to a community sanitary sewer system.
- 8. Will continue a close working relationship with OIB with regard to system upgrades to their main water and sanitary sewer treatment plants and to extend the Servicing Agreement to accommodate growth and development at Gallagher Lake.
 - Will continue to engage community residents in their ongoing needs for infrastructure improvements and changes as the community evolves and circumstances arise.
- 10. Will collaborate with the Town of Oliver regarding the protection, access and use of the Irrigation Canal running through the community.
- viii) adding a new sub-section 18.5 (Gallagher Lake Commercial Development Permit Area) under Section 18.0 (Development Permit Areas) to read as follows:

18.5 Gallagher Lake Commercial Development Permit (GLCDP) Area

18.5.1 Category

The Gallagher Lake Commercial Development Permit Area is designated under Section 488(1)(f) of the *Local Government Act*, for the establishment of objectives for the form and character of commercial development

18.5.2 Area

The lands shown as Gallagher Lake Commercial Development Permit Area on Schedule 'H' are designated as "Gallagher Lake Commercial Development Permit Area".

18.5.3 Justification

The Gallagher Lake commercial area is located on the west side of the Frontage Road with a focus on local, tourist commercial uses and other service. With Highway 97 running right through the community it is highly visible to many motorists. The commercial area serves as a strong focal point and it provides a sense of identity for the community. Residents would like to encourage the commercial area to develop as a pedestrian oriented, vibrant hub of mixed use commercial and residential land uses. Future development should be harmonious and in keeping with the current scale and character of Gallagher Lake.

18.5.5 Development Requiring a Permit

- .1 A development permit is required, except where exempt under Section 18.5.7 (Exemptions), for the following:
 - a) construction of, addition to or alteration of a building or other structure; and
 - alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

18.5.6 Guidelines

- .1 A Development Permit is required for development within a GLCDP Area, and shall be in accordance with the following guidelines:
 - a) Buildings and Structures:
 - i) Buildings should define a pedestrian oriented first floor with canopies, window and door trim, varied building facades, and similar design features.
 - ii) Variety, continuity and pedestrian interest should be expressed in the design of buildings, especially at ground level and articulated roof lines are encouraged.
 - iii) Front entrances should be well defined and provide a focal point to the building.

- iv) Monolithic structures and long expanses of straight walls should be avoided.
- v) Large buildings should be designed in a way that creates the impression of smaller units and less bulk, by using building jogs and irregular faces.
- vi) Building finish should be consistent in terms of appearance and colour on all elevations, and should be comprised largely of stucco, rock, stone, brick, and wood materials.
- vii) Earth tones and natural colour schemes are encouraged but with some contrasting colours for accentuating architectural details, façade elements or change in materials.
- b) Signage:

V)

Notwithstanding the requirements of the Electoral Area "C" Zoning Bylaw, additional signage may be assessed and approved in keeping with the guidelines below:

- i) As part of an overall comprehensive sign plan, businesses may erect a combination of sign types. Signs must be of high quality and must be appropriately scaled to positively contribute to the community's visual appeal and people's overall experience.
- ii) Awning, canopy signs or projecting signs, must be located on the first storey of a building and must not project 2.5 metres beyond the face of the building.
- iii) Fascia signs should not exceed more than 15% of a building face.
- iv) Window signs should not exceed more than 15% of a window face.
 - Businesses located on corners of intersecting streets may place signs on each building's frontage.
- vi) Only one sidewalk sandwich board sign per business is permitted and must be no larger than 1.0 m². Sandwich board signs must be located directly in front of the business it advertises and must not block pedestrian traffic.
- vii) Signs on roof tops, signs with flashing lights, outdoor neon signs, and signs with moving parts are not permitted.
- viii) Free standing signage is permitted if it is low, front lit or unlit, with a landscaped base, and free standing signage will not be permitted on Highway right-of-way without Ministry of Transportation and Infrastructure approval.
- c) Access and Parking:

- i) New development must provide safe and efficient vehicle entrances, exits and site circulation as approved by Ministry of Transportation and Infrastructure.
- Sites should be designed in a way that accommodates alternative modes of transportation, with provisions made for such features as pedestrian sidewalks, bicycle and walking paths or lanes, and bicycle parking racks on the site. Networks on the site would link with networks off the site.
- Parking lots should be located at the side or rear of the principal buildings. Large parking areas should be broken into smaller groups that are screened and shaded with landscaping. Site distances at parking area aisle intersections must be preserved to ensure safety of vehicles and pedestrians.
- d) Screening, Landscaping and Amenities:
 - i) Sites should be provided with screening in the form of walls, decorative fencing, hedging, planting, other screening materials or a combination of materials in the following areas:
 - .1 between parking areas and roadways; and
 - .2 between buildings and parking areas.
 - ii) Landscaping design plans prepared by a landscape professional will be required with landscaping densities designed to industry standards.
 - iii) Landscaping comprised of plant material that has high decorative value and is drought tolerant and indigenous is encouraged.
 - iv) Boulevards, landscaped areas, and setback areas adjacent to streets and boulevards should be planted with boulevard trees and a combination of shrubs, perennials and groundcover with mulch to conserve water and discourage weed growth.

Landscaping areas should include an underground irrigation system which should be programmed to maximize efficient water use.

vi) Any existing mature trees or remnant ecosystems that enhance the amenity and ecological functioning of the urban environment should be incorporated into the site design wherever possible.

18.5.7 Exemptions

A Development Permit is not required under this section for any of the following:

- a) routine building repairs / maintenance including new roof, residing, restuccoing, window and door replacement;
- b) internal renovations;
- c) canopies, awnings and decks;
- d) Building Code and safety requirements / upgrades such as fire alarms, fire exits, disabled ramps, etc.;
- e) building additions less than 20.0 m²;
- f) open roofed structures, gazebos and trellises;
- g) glass balcony enclosures;
- h) subdivision;
- i) construction of fences; and
- j) signs attached to businesses they are advertising and not installed at the same time as the building construction.
- ix) adding new sub-sections 20.5.5-.8 under Section 20.5 (Other Studies and Initiatives) to read as follows:
 - .5 Consideration of gaining public access to Gallagher Lake for local residents. (A more definitive survey of the public or properly defined study of the merits of public access is warranted).
 - .6 Design of frontage road streetscape and pedestrian facilities.
 - .7 Over time, review the extension of community water and sewer services throughout Gallagher Lake with the Osoyoos Indian Band and the local community and with recognition of the concerns of Country Pines residents about the potentially high costs of sewer service.
 - .8 Acquisition and ongoing development and of trail corridors and local parks identified in the Plan.
- x) replacing Section 20.6 (Other Agencies) under Section 20.0 (Implementation) to read as follows:

20.6 Other Agencies

The Regional District will need to work with Provincial agencies, the School District and other agencies to help implement and complement portions of the Plan.

With regard to the recommendations of the 2016 Gallagher Lake Area Plan, the Regional District will communicate with all necessary levels of government,

First Nations, local developers and institutions that will provide assistance, direction or cooperation in addressing the studies or initiatives in the Plan and:

- .1 Will coordinate with the Ministry of Transportation and Infrastructure regarding pedestrian safety, highway crossings, highway traffic speeds, and access along the highway and the Gallagher Lake Frontage Road design of streetscape and pedestrian facilities.
- .2 Will continue communication with all agencies regarding the use of the KVR right-of-way and river walkway to connect Gallagher Lake to a regional trail system.
- .3 Will develop the Vaseux Creek trail network, the Vaseux Creek Bridge underpass and walkways along either side of Highway 97 / Frontage Road to connect the community to the KVR.
- .4 Will coordinate with the Osoyoos Indian Band regarding provision of sanitary sewer treatment and water services in the short term and long term.
- .5 Will work with the Ministry of Environment and/or other Provincial agencies on establishing a water quality testing program for Gallagher Lake.
- xi) replacing Schedule 'B' (Official Community Plan Map) with a new Schedule 'B' (Official Community Plan Map), as shown on the attached Schedule 'A' (which forms part of this bylaw).
- xii) adding a new Schedule 'G' (Road and Trail Network Plan), as shown on the attached Schedule 'B' (which forms part of this bylaw).
- xiii) adding a new Schedule 'H' (Form and Character Development Permit Areas), as shown on the attached Schedule 'C' (which forms part of this bylaw).

READ A FIRST AND SECOND TIME this _____ day of ______, 2018.

PUBLIC HEARING held on this _____ day of ______, 2018.

READ A THIRD TIME this _____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2452.20, 2018 Project No: C2018.061-ZONE Schedule 'A' Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008 Schedule 'B' (Official Community Plan Map)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2452.20, 2018 Project No: C2018.061-ZONE Schedule 'B' Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008 Schedule 'G' (Road and Trail Network Plan)

Regional District of Okanagan-Similkameen

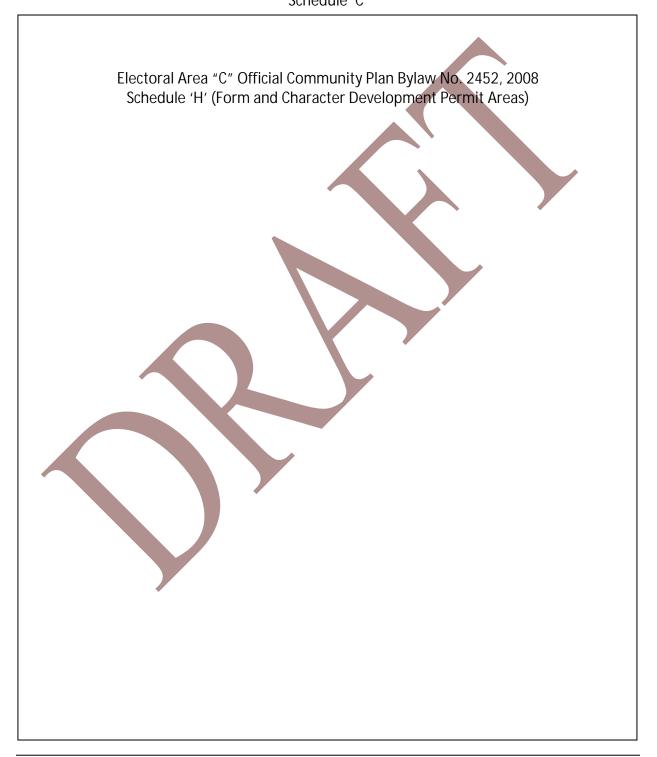
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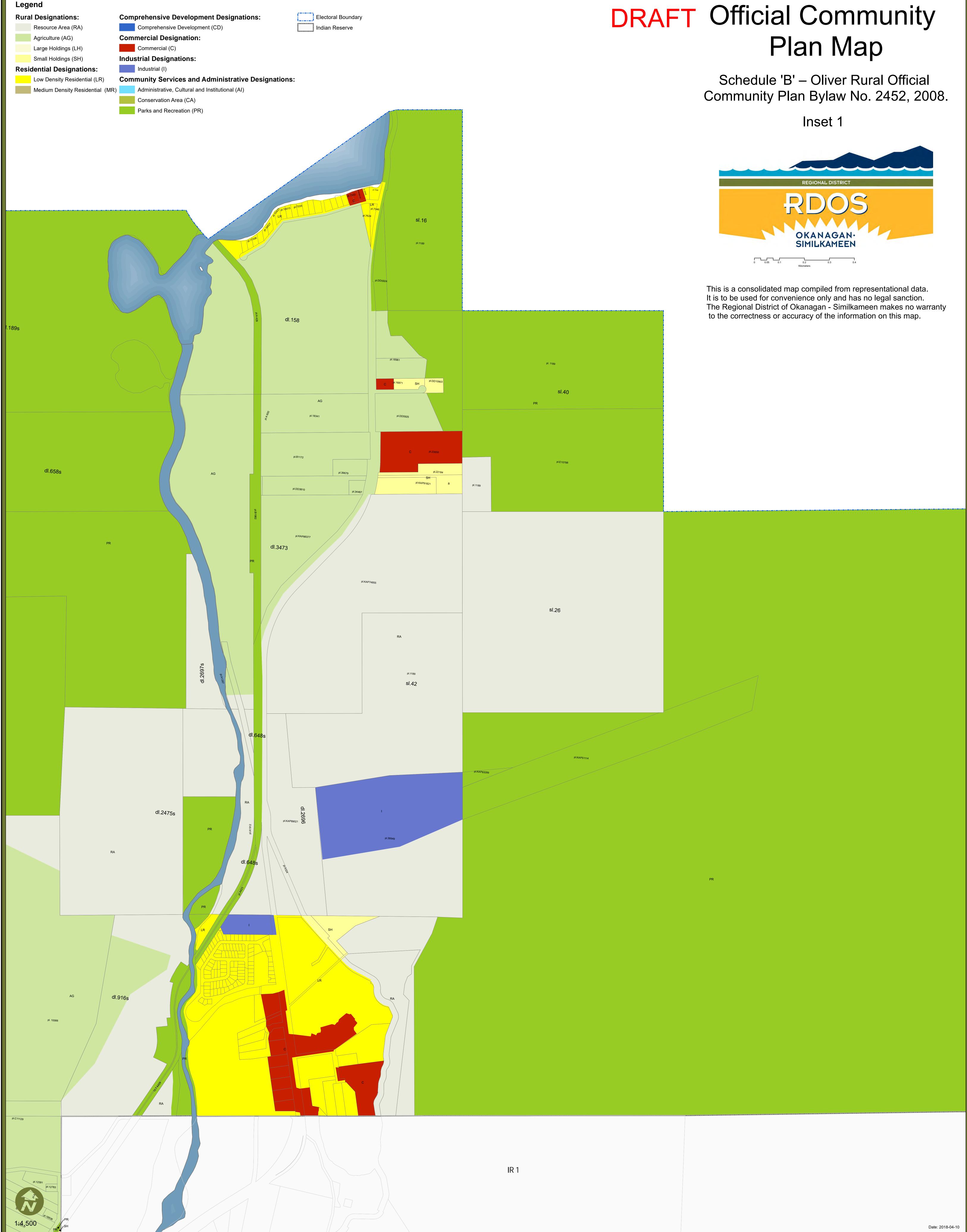


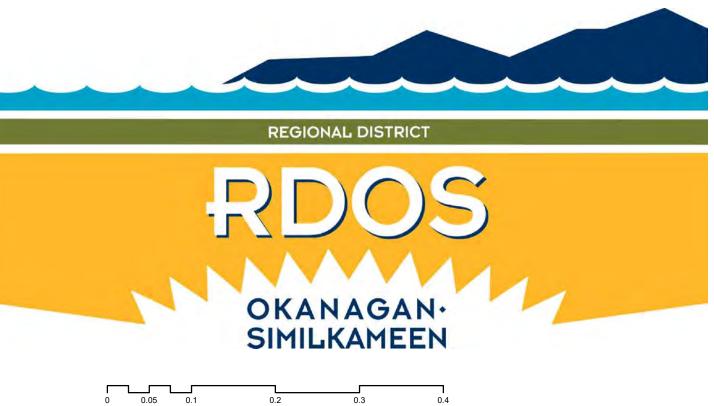
Amendment Bylaw No. 2452.20, 2018

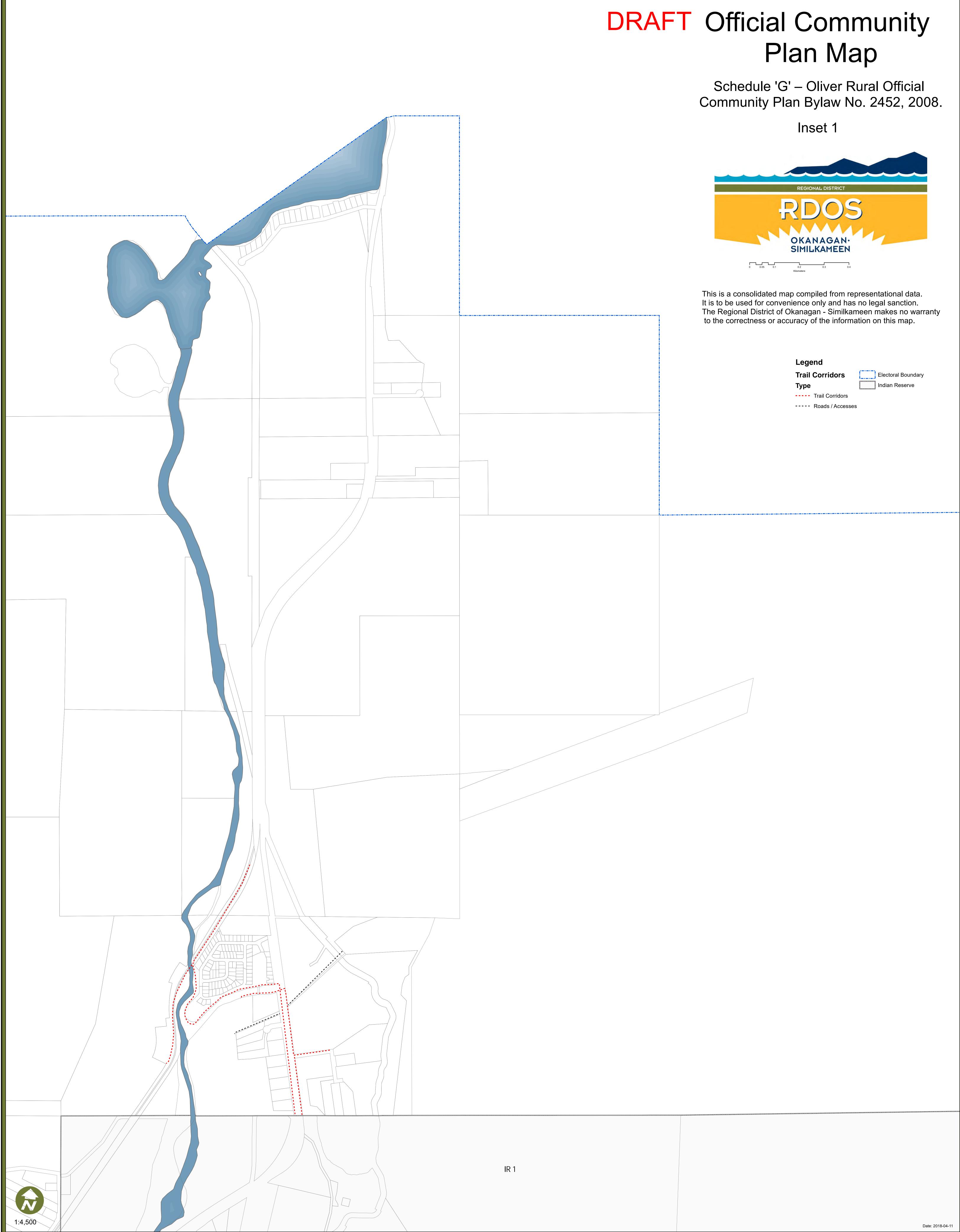
Schedule 'C'

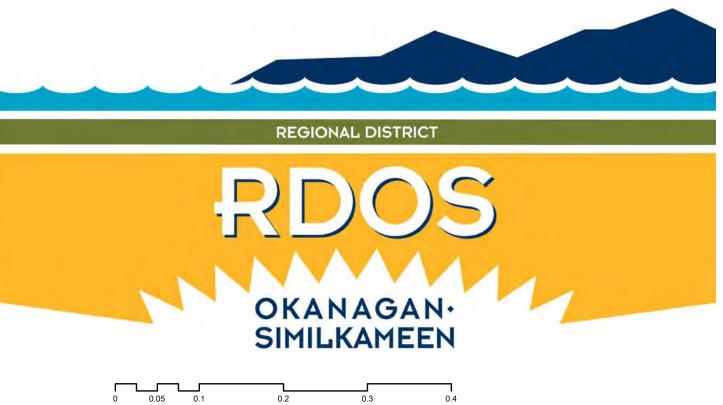
Project No: C2018.061-ZONE

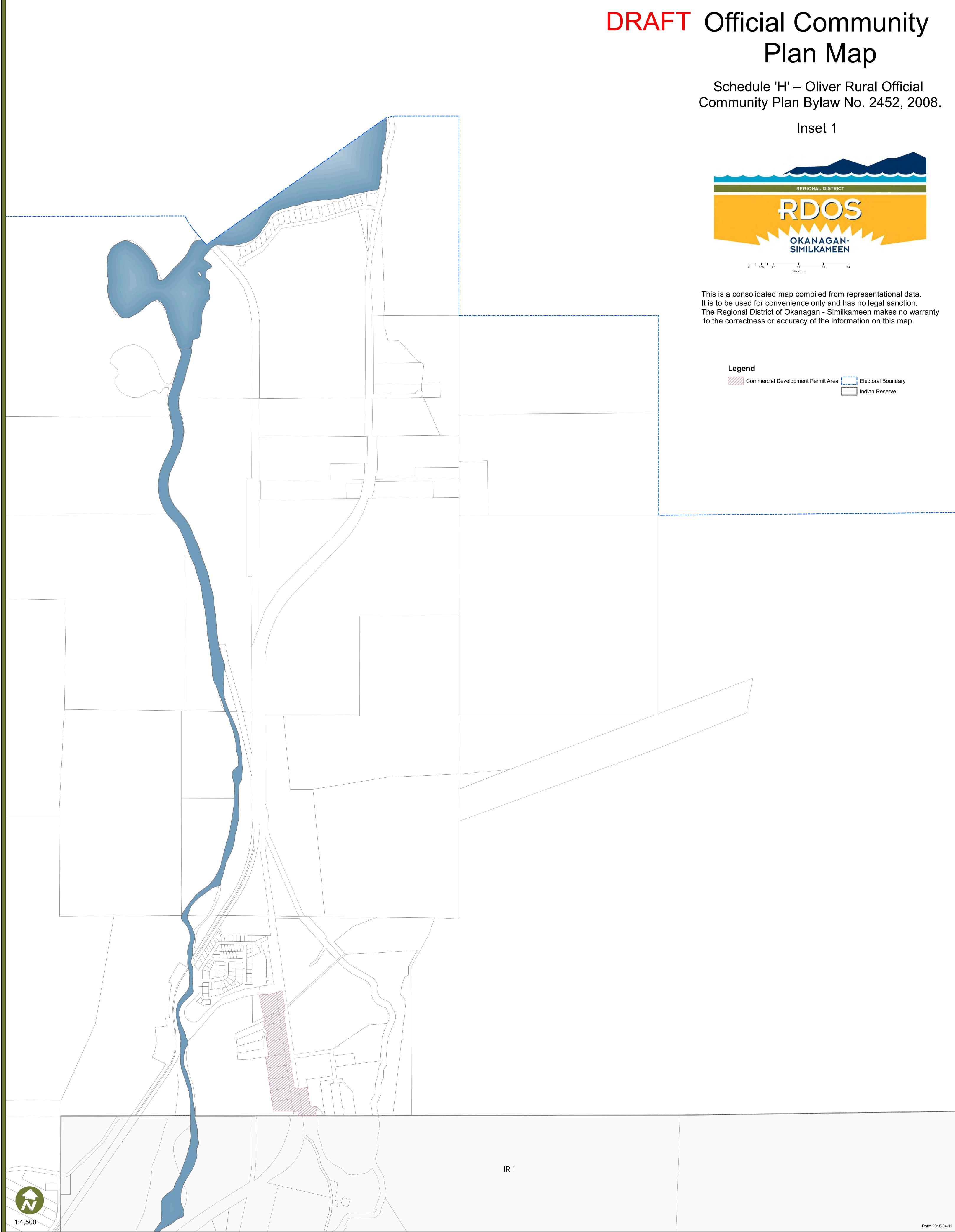
















REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee Thursday, April 19, 2018 10:00 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1 THAT the Agenda for the Community Services Committee Meeting of April 19, 2018 be adopted.

- B. Q1 ACTIVITY REPORT For Information Only
- C. ADJOURNMENT



ADMINISTRATIVE REPORT

TO: Community Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: First Quarter Activity Report – For Information Only

COMMUNITY SERVICES DEPARTMENT

Parks, Recreation, Heritage, Culture, Transit and Rural Projects

Activities Completed for Q1 2018

Parks, Recreation and Trails

 Completed construction of the Road 22 KVR trail boardwalk project



- Facilitated the Annual Parks and Recreation Commission's AGM's and Orientations
- Compelted the planning and design of the irrigation mainline at Kobau Parks (Area B)
- Began design and drilled water-well for the Osoyoos Lake Park washroom project
- Initiated application for Provincial License of Occupation for Kaleden foreshore parcels
- Initiated design phase of Pioneer Park Boat Launch (Area D) and parking lot project
- Conducted Tulameen Community Ice Rink Facility inspection and met with Community Club
- Secured 2017 Disaster Financial Assistance Funds for Wharf and Manitou Parks (Area E)
- Carried out Park spring cleaning in preparation for Easter weekend
- Competed seeding and landscape rehab Similkameen Trail along Highway 3 in Keremeos/Cawston
- Relocated the Manitou Park (Area E) Old Main parking lot entrance
- Delivered Winter Recreation Programs in Okanagan Falls, Kaleden, Naramata and West Bench
- Destributed Spring Recreation Program schedules to the public
- Met with Similkameen Recreation to conduct a needs assessment for Similkameen recreation programs in anticipation of the Regional Approach to Recreation

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180419/Communityservices/B. Q1 Activity Report.Docx File No:



Initiated the Wharf Park - First Street (Area E) closure with the Province (MoTI)



- Finalizing public interface design for regional recreation registration software (Book King) for Okanagan Falls, Kaleden, Naramata, West Bench and the Similkameen
- Conducting community physical activity survey mailed out 8,000 post cards with survey information
- Spring Explorer Program (after school outdoor recreation) continues in Okanagan Falls, Kaleden, Naramata and West Bench
- Negotiations continue with School District 67 to establish a School Use agreement with West Bench Elementary
- New Horizons for Seniors grant (\$11,400) received for Okanagan Falls Seniors Play in the Park events
- Continued with the Regional Approach to Recreation: Fundamental Movement Skills Workshop, Physical Activity Trailer (PAT) made first appearance at Healthy Living Fair and has over 30 bookings for spring and summer

Electoral Area "D" Community Service Office

- Received funding for Physical Literacy for Communities via BC Physical Activity Strategy and Sport for Life
- Received funding for BCRPA Green Student to assist with Regional Approcah to Recreation
- Assisting with the coordination of a Provincial Engagement Consultation on physical activity inclusion via Interior Health
- Producing a Visitor Guide for Okanagan Falls and Area D

Transit

• Participated in the evaluation of Transit RFP primary operating contract, coordinated by BC Transit

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180419/Communityservices/B. Q1 Activity Report.Docx File No:



- Presented Service Development Plan MOU for Penticton-Kelowna expansion to Committee
- Met with Town of Oliver to discuss local transit options

Heritage and Culture

- Keogan Chimney received \$10,000 for assessment on preservation via Rural Dividend partner with Okanagan Falls Heritage and Mueseum society
- Met with Fairview Heritage Townsite Society to discuss next steps, and provided materials for the society to complete their 2018 work plan
- Presented to the South Okanagan Naturalist's Club as a first step in future collaboration on natural heritage
- Designed heritage storyboards for the Granite Creek Preservation Society
- Consulted with legal counsel to finalize a standard Heritage Services Agreement (in lieu of Sub Licence Agreements)

Rural Projects

- Continued class-C estimate for Mclean Creek Pedestrian Corridor with MOTI and Engineer
- Continue to work with PIB identify Naramata's Syilx traditional place name "House of Bald Eagle"

Planned Activities for Q2 2018

Parks, Recreation and Trails

- Parks and Recreation Commission Strategic Planning workshops
- Design and tender of Osoyoos Lake restroom
- Replace swim platform at Manitou Park (Area E)
- Install new irrigation mainline at Kobau Park
- Design and tender of Pioneer Park (Area D) boat launch and parking lot
- Tender Wharf Park (Area E) armoring DFA funded reclamation
- Begin Naramata Park enhancement designs (school park and Manitou)
- Initiate next phase of Heritage Hills (Area D) Park Development
- Finalize Creek Park land acquisition, commence subdivision and re-zoning application (Naramata)
- Continue with roll out of the Regional Aproach to Recreation: PAT's community visits, website, Walk and Roll week, Appetite to Play, Urban Polling, compile survey data, Unity Run (OIB, PIB) and XplorIt Sport camps
- Spring programming for recreation in Ok Falls, Kaleden, Naramata, West Bench and sampler series in Similkameen



Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180419/Communityservices/B. Q1 Activity Report.Docx File No:



- Continue with the KVR/Okanagan River Channel trail development planning for Areas A&C
- Continue negotiations with SD 67 regarding Joint Use Agreement for West Bench
- Hire summer students for Recreation and Trails programs
- Roll-out Book King software for processing online recreation registrations

Area "D" Community Service Office

- Oversee and support regional recreation strategies
- Open Visitor Centre, complete and distribute Okanagan Falls and Area "D" visitor guide

Transit

- Complete 2018 Transit Marketing Plan
- Identify and install transit signage at additional locations along Route 40
- Facilitate transition of operating company for Route 40/60 as needed
- Work with BC Transit to solidify options for West Bench Transit
- Work with Town of Oliver to explore local transit options

Heritage and Culture

- Revise Community Heritage Register Nomination Process
- Complete Community Heritage Guide
- Finalize agreement with Granite Creek Preservation Society towards completion of heritage signage
- Finalize agreement with Fairview Historical Townsite Society for to make heritage improvements
- Finalize agreement with the South Okanagan Naturalists Club towards development of natural heritage aspect of the Heritage program
- Continued work on completion of Statements of Significances identified in 2017 workshops
- Explore with respective groups possibility of including heritage sites included within municipal heritage registers in the RDOS Story Map feature
- Assist Okanagan Falls Heritage and Museum to hire a consultant to conduct assessment and provide recommendations on Keogan Chimney

Rural Projects

- · Present a second draft Corporate Donations/Naming policy to Board
- Coordinate RDOS involvement in Bike to Work Week

Respectfully submitted:

Mark Woods

M. Woods, Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee Thursday, April 19, 2018 10:30 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1 THAT the Agenda for the Corporate Services Committee Meeting of April 19, 2018 be adopted.

- B. Q1 ACTIVITY REPORT For Information Only
- C. 2018 CORPORATE ACTION PLAN
- D. ADJOURNMENT



ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: Q1 2018 Activity Report

LEGISLATIVE SERVICES

2018 Q1 Completed Activities

- Completed review of fire department establishment bylaws.
- Assisted Conservation Fund Technical Advisory Committee.
- Administered the award of Conservation Fund submissions.
- Conducted Privacy Impact Assessment on Naramata Water/Fire Video initiatives.
- Conducted Privacy Impact Assessment on BookKing Recreation Software.
- Continued development of Business Continuity Plan for 101 Martin Street.
- Hosted public engagement events in Area "B", "C" (2) and Area "D".
- Hosted the Spring Regional District CAO Group Meeting
- Completed revisions to the Appointment of Officers and Delegation Bylaw
- Introduced the 2018 Fees & Charges Bylaw
- Introduced the Election Officials compensation policy and Elections bylaw
- Organized the ValleyWide Chair/CAO meeting.
- Produced the 2017 Business Plan Evaluation Results
- Introduced the 2018 Business Plan
- Developed an implementation strategy and communication plan for CivicReady

2018 Q2 Planned Activities

- Finalize Business Continuity Plan for 101 Martin Street and commence plan for Water Facilities
- Go Live with CivicReady
- Facilitate RDOS/FN meetings.
- · West Bench transit, Naramata Cemetery, Sun Valley ID bylaw update
- Complete culling process for all records reaching a final retention of D in 2017
- Promote Local Government Awareness Week
- Obtain approval for Skaha Estates Sewer Project
- Obtain approval for Keremeos Fire Truck Loan
- Create service area for Chute Lake Dam

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180419/Corporateservices/B. Q1 Activity Report.Docx File No:



2.0 **INFORMATION SERVICES DEPARTMENT**

2018 Q1 – Completed Activities

- Electronic Document Management System (EDMS)
 - o Research requirements to move records management to Collabware 2016
 - o HR and Finance now using EDMS for Electronic Documents
- GIS and IT support for EOC
- Implement Building Inspection Kaizen results
- Start work on adding new orthos (aerial photos) to GIS mapping apps
- Work on new Wellness Points tracker
- Participate in building business continuity plan
- · Participate in internal organization review
- Participate in Shared Services IT pilot project with Penticton, Summerland and SD67
- · Reseach requirements for new format (XML) of BC Assessment data
- Hire new GIS/IT Assistant to replace Xavier Semmelink

2018 Q2 – Planned Activities

- Research moving public internet mapping applications to the cloud
- Electronic Document Management System (EDMS)
 - o Move records management to Collabware 2016
 - Conduct training on new records management system in conjunction with City of West Kelowna
- Continue GIS and IT support for EOC
- Decommission old (Storage Area Network) device
- Research and purchase new main colour copier
- Research new physical server to host virtual servers
- Investigate webcasting options for Board meetings
- Move public website to new Content Management System
- Implement Building Inspection Kaizen results
- Add new orthos (aerial photos) to GIS mapping apps
- Upgrade GIS software to current version
- Roll out new Wellness Points tracker
- Participate in PIA (Privacy Impact Assessments) for some of our applications
- Participate in internal organization review
- Participate in Shared Services IT pilot project with Penticton, Summerland and SD67
- Build translator for new format (XML) of BC Assessment data
- Decommission old backup machine



FINANCE DEPARTMENT

2018 Q1 Completed Activities

- Completed Public Consulation on 2018 Budget
- Provided Board updates on 2017 Budget to Actual status for Q4
- Final Budget amendments for 2017-2021 Five Year Financial Plan
- Completed 2018 Budget process with adoption of 2018-2022 Five Year Financial Plan
- Implemented process for dealing with Contractor (deemed employee for CRA purposes)

2018 Q2 Planned Activities

Present the 2017 Audit, Management Letter and SOFI

4.0 HUMAN RESOURCES DEPARTMENT

2018 Q1 Completed Activities

- Commenced the internal Organization Review/ data collection complete
- 2017 Staff Performance Evaluations complete
- Long Service Awards complete
- Moved all HR files into EDMS
- One Administrative Directive was reviewed, revised and updated
- Continuing to update Safe Work Procedures big project for 2018
- WHMIS training for all staff is underway
- Continued to provide HR assistance to external departments as required.

2018 Q2 Planned Activities

- Continue internal organizational review –completion scheduled for June 2018
- · Job Evaluation Process (JEP) maintenance review
- Recruitment for staff approved in budget and seasonal hiring
- Review and update one Administrative Directive
- Continue the update of Safe Work Procedures (ongoing in 2018)
- Complete EOC training
- Roll out Landfill shift scheduling process
- Recruit Manager of Public Works and Manager of Financial Services



2018 Corporate Action Plan

(Adopted 18 January 2018)

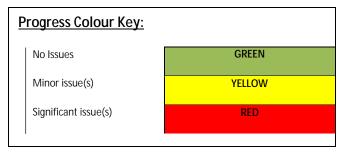
Dashboard

#	Objective	Status	Points Available	KSD Total	Page
1.1.1	By providing the Board with accurate, current financial information.		3	15	4
1.1.2	By being an effective local government		3		4
1.2.1	By implementing the 2018 joint occupational health and safety action plan		5		4
1.3.1	By implementing an Organizational Development Program		4		5
2.1.1	By promoting regional district facilities and services		3	20	5
2.1.2	By promoting citizen engagement		3		5
2.2.1	By continuously improving bylaws, policies and process within the organization		7		6
2.2.2	By submitting an intervention to the BCUC into the 2018 FortisBC Rate Structure Application		4		6
2.2.3	By implementing the regional transit future plan		3		7
3.1.1	By implementing the regional fire service master plan		4	50	7
3.1.2	By establishing a Naramata Fire Service Satellite Fire Hall		2		7
3.1.3	By developing the Erris Volunteer Fire Department		2		8
3.1.4	By reviewing and updating the emergency management program		6		8
3.1.5	By implementing the Regional Trails Program		3		8
3.1.6	By implementing the 2018 phase of the parks program		3		9
3.1.7	By providing public recreational opportunities		3		9
3.2.1	By developing an Asset Management Plan		2		9
3.2.2	By Investigating the Business Case to Acquire Authority to Issue Business Licenses		2		10
3.3.1	By completing the Electoral Area "F" Official Community Plan update		2		10



#	Objective	Status	Points Available	KSD Total	Page
3.3.2	By implementing the 2018 Phase of the Solid Waste Management Plan		8		10
3.3.3	By enhancing the Okanagan Falls Waste Water Treatment System		5		11
3.3.4	By enhancing Regional District Water System Delivery		4		11
3.3.5	By addressing recreational marijuana legalization		2		11
3.3.6	By investigating the benefit of establishing land use controls for docks		2		13
4.1.1	By executing the Strategic Planning and Enterprise Risk Management Programs		5	15	12
4.2.1	By assisting the Board to operate in an effective manner		5		12
4.2.2	By conducting a legislatively compliant General Local Election		5		12
		Total	100	100	

Dashboard



For the full detail on each corporate objective refer to the appropriate # or page # in the document attached hereto.

Action Plan Definitions:

- CAO = Chief Administrative Officer
- MCS = Manager of Community Services
- MDS = Manager of Development Services
- MFS = Manager of Financial Services
- MHR = Manager of Human Resources
- MIS = Manager of Information Systems
- MLS = Manager of Legislative Services
- MPW = Manager of Public Works

- Status Colour Key: Q1 – Black
- $Q_2 Red$
- Q3 Blue
- Q4 Green



2018 Corporate Action Plan

Q1 Report

Corporate Action Plan Adopted by the Board on<u>18 January 2018</u> Corporate Action Plan Reviewed at Corporate Services Committee <u>4 January 2018</u> 2018 Business Plan Adopted by the Board of Directors on <u>18 January 2018</u>

KSD 1 HIGH PERFORMING ORGANIZATION (15 Points)

Goal 1.1 To Be an Effective, Fiscally Responsible Organization

Objective 1.1.1 - By providing the Board with accurate, current financial information.

#	Points	ACTION	WHO	WHEN	STATUS
1.1.1.1	1	Provide the Board with a Management Discussion and Analysis Report	MFS	Q3	This project has been postponed to Q3 to allow recruitment of a Manager of Finance.
1.1.1.2	1	Receipt of an unqualified independent audit for 2017	MFS	Q2	Audit in progress
1.1.1.3	1	Successfully meet budget in 95% of established services	MFS	Q4	

#	Points	ACTION	WHO	WHEN	STATUS
1.1.2.1	1	Complete phase 2 (Water Facilities) of the Business Continuity Plan	MLS	Q3	In progress
1.1.2.2	1	Develop a Naming and Donation Policy for RDOS properties	MCS	Q2	
1.1.2.3	1	Develop an e-communication plan	MLS	Q3	

Goal 1.2To Be a Healthy and Safe OrganizationObjective 1.2.1By implementing the 2018 joint occupational health and safety action plan								
#	Points	ACTION	WHO	WHEN	STATUS			
1.2.1.1	2	Complete the 2018 phase of the Safe Work Procedures Plan	MHR	Q4	In progress			
1.2.1.2	1	Keep the RDOS injury rate below the average for our WorkSafeBC classification unit	MHR	Q3	2017/2018 Report anticipated for July			
1.2.1.3	2	Establish and support a Fire Services OH&S Committee to meet Regulatory Requirements	MCS <u>Fire</u> <u>Chiefs</u>	Q3				

Goal 1.3 Objectiv	Goal 1.3To Cultivate a High Performing Organizational CultureObjective 1.3.1By implementing an Organizational Development Program							
#	Points	ACTION	WHO	WHEN	STATUS			
1.3.1.2	3	Conduct an Internal Organizational Review	CAO	Q2	 Benchmarking complete Staff interviews commencing 			
1.3.1.4	1	Show improved results on the 2018 Staff Perception Survey over 2017 Survey	MHR	Q4				

KSD 2		FOCUS ON THE CUSTOMER EXPERIENCE	(20 Points)	
Goal 2.1		To Elevate Customer Use of RDOS Services			
Objective 2.1.1 By promoting regional district facilities and services					
#	Points	ACTION	WHO	WHEN	Status
# 2.1.1.1	Points 1	ACTION Participate in Local Government Awareness Week	WHO MLS	WHEN Q2	Status

#	Points	ACTION	WHO	WHEN	STATUS
2.1.2.1	1	Develop a social media program and present it to the Board for discussion	MLS	Q3	
2.1.2.2	1	Conduct a benchmarking program to determine public engagement best practices	CAO	Q3	
2.1.2.3	1	Investigate web-casting technology for Board meetings	MIS	Q3	In Progress

Goal 2.2	То	Meet Public Needs Through the Continuous Improve	ement of I	Key Servic	es				
Objective 2.2.1 By continuously improving bylaws, policy and process within the organization									
#	Points	ACTION	WHO	WHEN	Status				
2.2.1.1	2	Transfer all irrigation district bylaws to RDOS format	MLS	Q3					
2.2.1.2	1	Implement the actions identified in the 2017 Subdivision Referral Process Kaizen.	MHR	Q3	In progress – progressing with Action Plan				
2.2.1.3	2	Implement the actions identified in the 2017 Building Permit Process Kaizen.	MHR	Q3	In progress – progressing with Action Plan				
2.2.1.4	1	By investigating the business case on having one engineering firm on retainer rather than going out for proposals	MPW	Q4					
2.2.1.5	2	Review Best Practices for bylaw enforcement, identify gaps and prepare revised procedures and policies for Board consideration	MDS	Q2	In Progress Committee on April 5 th . Potential adoption on April 19.				

Objective	e: 2.2.2:	By submitting an intervention to the BCUC into the 2017 FortisBC Rate Structure Application					
#	Point	ACTION	WHO	WHEN			
2.2.2.1	1	Review FortisBC Rate Structure application to determine position on Residential Conservation Rate	CAO	Q1	Complete		
2.2.2.2	1	Advocate with the Provincial Government to rescind the Residential Conservation Rate	MLS	Q2	Complete		

#	Points	ACTION	WHO	WHEN	Status
2.2.3.1	1	Undertake a Transit Ridership Satisfaction Survey for future marketing and route planning	MCS	Q1	
2.2.3.2	2	Develop a transit marketing strategy based on survey results	MCS	Q3	
2.2.3.3	1	Conduct a feasibility study into the establishment a Penticton – Kelowna Multi-Regional shared transit service	MCS	Q3	

KSD 3: Goal 3.1	Goal 3.1 To Develop a Socially Sustainable Region					
Objectiv	ve 3.1.1	By implementing the regional fire service master	plan			
#	Points	ACTION	WHO	WHEN	Stat	
3.1.1.1	2	By Developing a Firefighter Training Program for each Fire Dept. that meets Regulatory Requirements	MCSFire Chiefs	Q3	Repeal of 2566	
3.1.1.2	2	By reviewing the records management software program and develop a standard for all RDOS Fire Departments	<u>Fire</u> <u>Chiefs</u> M CS	Q2	Repeal of 2566	

Objecti	ve 3.1.2:	By establishing a Naramata Fire Service Satellite Fire Hall					
#	Points	ACTION	WHO	WHEN	STATUS		
3.1.2.1	1	Acquire an appropriate site for the satellite fire hall	MCS	Q2			
3.1.2.2	1	Finalize building site design and contract for construction	Fire Chief MCS	Q3	Repeal of 2566		

Objecti	ve 3.1.3	By developing the Erris Volunteer Fire Department					
#	Points	ACTION	WHO	WHEN	Status		
3.1.3.1	1	Implement the Service Establishment process for the proposed Erris Fire Service Area	MLS	Q3	Suspended pending request from Erris		
3.1.3.2	1	Provide Erris Fire Department membership with RDOS orientation	MCS	Q3	Suspended pending request from Erris		

Objective 3.1.4 By reviewing and updating the emergency management program					
#	Points	ACTION	WHO	WHEN	
3.1.4.1	1	Review and update the emergency program bylaw	MCS	Q1	In progress
3.1.4.2	2	Review and update the emergency response plan	MCS	Q2	In progress
3.1.4.3	1	Enhance Community partnership opportunities by establishing reporting framework with member municipalities and the Board of Directors	MCS	Q3	
3.1.4.4	2	Implement two emergency response plan exercises	MCS	Q3	

Objective 3.1.5:		By implementing the regional trails program					
#	Points	ACTION	WHO	WHEN			
3.1.5.1	1	Assist the Province with a critical habitat inventory management plan for the KVR trail from Vaseux Lake to Osoyoos	MCS	Q3			
3.1.5.2	1	Obtain Provincial tenure for the KVR trail for Areas A, C and D	MCS	Q3			
3.1.5.3	1	Establish a partnership with OIB and PIB for the completion of the KVR trail	MCS	Q3			

Objective 3.1.6 - By implementing the 2018 Phase of the Parks Program							
#	Points	ACTION	WHO	WHEN			
3.1.6.1	1	Implement the service establishment process for an Electoral Area H parks service	MCS	Q2			
3.1.6.2	1	Undertake a complete parks and trails signage inventory and replacement process	MCS	Q1	In progress		
3.1.6.3	1	Develop an RDOS parks, facilities, trails and programs online GIS storybook	MCS	Q2	In progress		

Objecti	ve 3.1.7:	By providing public recreational opportunities						
#	Points	ACTION	WHO	WHEN	STATUS			
3.1.7.1	1	Participate in the South Okanagan Aquatic Facility and Similkameen Recreation Commission Aquatic Facility feasibility studies	MCS	Q3	In Progress			
3.1.7.2	1	Introduce a recreation programming component to the Similkameen Recreation Commission service area	MCS	Q1	Complete			
3.1.7.3	1	Implement a Regional approach to recreation via the Plan H Grant	MCS	Q4	Complete			

Goal 3.2	Goal 3.2 To Develop an Economically Sustainable Region								
Objecti	Objective: 3.2.1: By Developing an Asset Management Plan								
#	Points	ACTION	WHO	WHEN					
3.2.1.2	2	Development of Phase 3 of the Asset Management Plan	MPW	Q4	Received Strategic Priorities Fund Grant				

Objective: 3.2.2:		By Investigating the Business Case to Acquire Authority to Issue Business Licenses					
#	Points	ACTION	WHO	WHEN			
3.2.1.2	2	Research and present a Business Case to the Board on the benefit and process to apply for authority to issue Business Licenses	MDS	Q3			

Goal 3.3	Goal 3.3 To Develop an Environmentally Sustainable Region								
Objectiv	Objective: 3.3.1: By completing the Electoral Area "F" Official Community Plan Update								
#	# Points ACTION WHO WHEN								
3.3.1.1	1	Complete a robust public engagement process	MDS	Q1	Public engagement completed				
3.3.1.2	1	Present the draft/final plans to the Board for review	MDS	Q3	In progress of developing draft.				

#	Points	ACTION	WHO	WHEN	
3.3.2.1	2	Evaluate options and develop a plan to construct a regional organics facility	MPW	Q3	Suspended indefinitely
3.3.2.2	2	Complete the leachate collection project at CMLF	MPW	Q4	Lagoon construction in progress
3.3.2.3	2	Complete the Biocover pilot project at CMLF and submit a report and substituted requirements application to MoE for approval	MPW	Q4	Biocover pilot project continues
3.3.2.4	2	Implement the operations and closure plan for Keremeos Landfill	MPW	Q4	Draft closure plan submitted to Ministry of Environment. Waiting for comments or approval.

Objecti	Objective: 3.3.3: By enhancing the Okanagan Falls Waste Water Treatment System							
#	Points	ACTION	WHO	WHEN				
3.3.3.1	1	Completing a Water Quality and Sediment Assessment on Vaseux Lake	MPW	Q3	Phase 1 Report Complete OBWB grant application submitted for Phase 2 work. OBWB grant denied.			
3.3.3.2	2	Design & Commence Construction on the Wetland Project	MPW	2019	In progress			
3.3.3.3	2	Design and establish a Service for the Skaha Estates Waste Water Collection System.	MPW	Q3	Design work underway.			

Objecti	Objective: 3.3.4: By enhancing Regional District Water System Delivery							
#	Points	ACTION	WHO	WHEN				
3.3.4.1	2	Implement recommendations from the 2017 AGLG Water Audit, including the Cross Connection Control Bylaw and the Regional Water Use Regulation and Conservation Bylaw	MPW	Q3	In progress			
3.3.4.2	2	Investigate water system acquisitions, including Missezula Lake, Tulameen and Sage Mesa	MPW	Q1	Missezula Lake in progress. Tulameen and Sage Mesa on hold.			

Objecti	ve: 3.3.5:	By addressing recreational marijuana legalization			
#	Points	ACTION	WHO	WHEN	
3.3.5.1	1	Review legislation from Province and Federal Government, when released	MDS	Q2	Completed for legislation provided to date.
3.3.5.2	1	Gap analysis on Electoral Area Zoning Bylaws	MDS	Q2	In progress.

Objective: 3.3.6: By investigating the benefit of establishing land use controls for docks					
#	Points	ACTION	WHO	WHEN	
3.3.6.1	1	Liaise with provincial representative to determine current regulations on dock development	MDS	Q2	Completed. Presentation to Board on April 5.
3.3.6.2	1	Evaluate the benefit of including regulations on docks in Okanagan Valley zoning bylaws for committee discussion	MDS	Q2	In progress.

KSD 4 Goal 4.1	l	PROVIDE GOVERNANCE & OVERSIGHT IN A REPRESENTATIVE DEMOCRACY (15 Points) To Execute a Well-Defined Strategic Planning Cycle					
	/e: 4.1.1:	By executing the Strategic Planning and Enterprise Risk Management Programs.					
#	Points	ACTION	WHO	WHEN	STATUS		
4.1.1.1	3	Development of the 2019 Corporate Business Plan	CAO	Q4			
4.1.1.2	2	Update the Enterprise Risk Management Register and present to 2018-2022 Board of Directors	CAO/ MIS	Quarterly			

Goal 4.2 To Promote Board and Chair Effectiveness						
Objective: 4.2.1: By assisting the Board to operate in an effective manner						
#	Points	ACTION	WHO	WHEN		
4.2.1.1	5	Plan and implement a Board orientation program for the 2018 – 2022 elected officials	MLS	Q4		

Objective: 4.2.2:		By conducting a legislatively compliant General L			
#	Points	ACTION	WHO	WHEN	
4.2.2.1	2	Develop and present the 2018 election bylaws and process	MLS	Q1	Complete
4.2.2.2	3	Conduct the 2018 election	MLS	Q3	



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee Thursday, April 19, 2018 11:00 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1 THAT the Agenda for the Protective Services Committee Meeting of April 19, 2018 be adopted.

- B. Q1 ACTIVITY REPORT For Information Only
- C. EMERGENCY MANAGEMENT UPDATE For Information Only
- D. ADJOURNMENT



ADMINISTRATIVE REPORT

TO: Protective Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: First Quarter Activity Report – For Information Only

Fire Services, Emergency Management, Policing, 911

Activities Completed in Q1 2018:

- Continued consultation with the Regional Fire Departments for 2018 operational planning, budgeting, Office of the Fire Commissioner's (OFC) Playbook requirements and bylaw updates
- Fire Underwriters Reviewed current status of Regional FDs
- Renewed the Penticton/West Bench (Area F) Service Area Agreement
- Received an EMBC ESS Grant for \$25,000
- Hosted a Regional Joint Fire Chiefs Committee meeting
- Facilitated an RDOS Fire Chiefs meeting
- Presented the Board with the revised Fire Services Bylaw
- Continue to consult with partner agencies on the updated Regional Fire Mutual Aid Agreement
- Facilitated a Regional Fire Radio User Group meeting
- Spring Freshet Preparedness
- Host the EMBC facilitated Spring Emergency Preparedness workshop
- Received an EMBC EOC grant for \$24,000
- Activated the RDOS EOC to support localized flooding, including a Declaration of State of Local Emergency

Planned Activities for Q2 2018:

- Continue to support the communities effected by flooding through the Regional EOC
- Continue with land acquisition for the Naramata satellite Fire Hall
- Complete the Kaleden Fire Volunteer Department training site development plan process
- Complete the Sasquatch Pond Park water retention project
- Finalize a 2018 Regional Emergency Preparedness training schedule
- Draft one-time E911 maintenance agreement 2018 and full RFP for 2019



- Re-establish E911 faults mapping system with Intermapper
- Present the Board with an updated Fire Mutual Aid Agreement

Respectfully submitted:

Mark Woods

M. Woods, Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee Thursday, April 19, 2018 11:30 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of April 19, 2018 be adopted.

B. DELEGATION

Allan Langdon, Manager Director Jordan Best, Director – Collection, Recycle BC

Mr. Langdon and Mr. Best will address the board to discuss blue bag recycling collection.

C. Q1 ACTIVITY REPORT – For Information Only

D. ORGANICS FACILITY SITING DISCUSSION

E. ADJOURNMENT



ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: First Quarter Activity Report

ACTIVITIES COMPLETED IN Q1 2018:

SOLID WASTE

- Organic Feasibility Study Additional information provided as required.
- Campbell Mountain Landfill Biocover Pilot Round 5 of the pilot project measuring events occurred in February.
- Campbell Mountain Landfill Drainage and Leachate Construction of the drainage collection and pond storage system put on hold for winter months due to freezing temperatures. Holding pond construction requires week long periods of temperatures above zero due to liner placement requirements. Construction resumed in the last week of March.
- Keremeos Landfill Closure Plan Closure plan finalized and submitted to the Ministry of Environment for review and approval. Waiting for feedback.
- Apex Mountain Transfer Station –Amendment to Solid Waste Management Plan regarding capital costs sent to Minister of Environment. Still waiting for approval of amendment to allow for construction to proceed. Information session held with residents on March 17th, 2018 at Apex Property Owners Association meeting.
- Curbside Collection Contract –Contract finalized to Waste Connections of Canada (current service provider) for 7 years.
- Recycle BC Consultation ongoing regarding potential changes to curbside and landfill depots.
- Business and Multi-Family Recycling Consultation GreenStep Solutions, hired by the RDOS, conducted business audits and a survey to identify barriers and potential programs to increase recycling.
- Request for Proposals was issued for completion of Landfill Emergency Response Plans. Contract awarded to Tetra Tech with work ongoing.
- 2018 compost bin sale and compost education campaign launched.
- The WildSafeBC program is continuing, with a ramp up for spring, in all 8 regions and municipalities with presentations at schools, local Guides and Scouts, SPCA, youth groups, and kindergarteners. Special events are planned for 2nd quarter during Earth week(s).



WATER

- Olalla Water System Upgrades Phase 2 Construction has been completed on the Phase 2 watermain replacement project. Minor Landscaping deficiencies to be completed in the spring. This project has been completed under budget.
- Regional Water Use Regulation and Conservation Bylaw and Cross Connection Control Bylaw– In October 2017 a summary of the project was given to the Environment Committee along with six (6) open houses were provided for RDOS Water Users. The final draft of the bylaw is currently being edited and sent for legal review.
- Missezula Lake Water Works District Updated Draft report on assessment of water system and operations received. Development of operational cost estimates ongoing into Q2.
- Naramata Water System Rehabilitation Project Construction has been completed on the Hayman Road, Stonehouse, Naramata Road and Side Road projects. Continuous communications have been occurring with residents and businesses of Naramata. Deficiencies will continue into the spring of 2018. It is expected that these projects will be on budget.
- Mill Road Watermain Replacement and DFA Application work resulting from cover being washed away during the 2017 flooding. DFA application submitted to the Province. Construction complete, patch paving to be completed in the spring of 2018. Received confirmation of 80% funding for repair works completed. The 80% DFA funds will be placed in emergency reserve funds.
- Sun Valley Water System A consultant has been selected to install SCADA and communications equipment at the reservoir and pumphouse as part of the CWWF grant works. Additional gas tax funding was allocated for system upgrades and an RFP was issued for pumps and controls with construction expected to begin in fall.
- Willowbrook Water System Crown Land Tenure application continuing for road access to the reservoir site. A consultant has been selected for the design and construction of SCADA and communications upgrades as part of the CWWF grant works. Additional gas tax was allocated to the system for other upgrades. A consultant has been selected to develop a master plan for the water system to provide methodology and design of upgrades for effectively dealing with GARP assessment from Interior Health. Construction for the system upgrades is expected to begin this fall.

SEWER

- Okanagan Falls sewer liftstations Communications, monitoring equipment and alarming has been added to 3 lift stations along Skaha Lake as part of the CWWF grant works. The new equipment is currently completing final commissioning and operators are being trained on the new systems.
- Skaha Estates Sewer Expansion Tetra Tech was awarded pre-design work and is actively completing required survey work as well as initial environmental, geotechnical and archeological investigations. Cost estimates are expected by the end of April 2018 to present to the public.



- OK Falls Waste Water Treatment / Constructed Wetland Project A RFP was issued for the design component of the project. Award of contract for required design and services work is anticipated in April.
- OK Falls Waste Water Treatment / Solids Dewatering Project Notice was received that the RDOS was successful in obtaining over \$2 million in funding for this project.

OTHER PROJECTS/PROGRAMS

- Similkameen Watershed Plan Final financials for the project are showing potential remaining funds of approximately \$53,000. Discussions are ongoing to determine the most effective use of these funds. All of the funds must be spent by the extended deadline of Gas Tax funds to September 30, 2018. No additional extensions are possible.
- Mosquito Program Program is ramping up for 2018. Mosquito control crew are in process of being hired with start date anticipated for early April. Flooding conditions will most likely result in similar efforts and expenditures as 2017 season.
- OBWB Drought and Flood Risk Mitigation and Management Plan Phase 3. Work has begun on the Plan(s) component of the project with expected completeion summer 2018.
- Heritage Canada Canada 150 grant Cottonwood restoration project with ONA, Enowk'n Centre, the four local Indian Bands and 2 School Districts has completed. The Board enjoyed a presentation by Syilx members and details of the final wrap up report Jan 18, 2018.
- The annual OBWB "Make Water Work" program regional planning meeting was held and the program set to begin for the season in April 2018.
- "Don't Move A Mussel" program completed all outreach objectives related to the program in 2017 and is set to begin in earnest late May 2018 for the upcoming water recreation months.
- Asset Management Received notification of success in obtaining \$225,000 in grant monies to further work on asset management planning for the RDOS, including investigations into software.
- Vaseux Lake Land Use and Water Quality Assessment Phase 1 of the project has been completed with finalized report and additional work recommended. An application was made for OBWB grant funding to continue the project, however it was unsuccessful. Some funds are still available from Phase 1 that will be used to complete a truncated Phase 2 only looking at a few items.
- Shinish Creek Diversion Notice received that the water licence for the diversion works also includes responsibility for the dam. A dam classification study is required to be completed by May 2018. Further work on this project will require a full investigation into service area required to capture all residents or organizations which benefit from the diversion and dam so that long term funding can be determined.



SUBDIVISION

Subdivision Referrals

- 21 referrals received for 2017 and 9 referrals received from January to March 31, 2018.
- 36 referrals ongoing and pending applicants' action as of March 31, 2018.

Ongoing Major Subdivisions:

- Naramata Benchlands
 - o Ongoing
- Kettle Ridge
 - o Phase 3A, 17 fee simple lots, under construction
 - o Phase 3B, 20 fee simple lots, pending Phase 3A completion
- Reflection Point
 - o Phase 2, Proposed bare land strata pending developer
- Twin Lakes Golf Resort
 - OCP and Zoning amendment for a 50 unit building strata development (first phase) and consideration for other existing land use designations to be relocated.
- Grace Estates, North Naramata
 - o 11 lot bare land strata
 - Hayman Road and Patterson
 - o 5 lot boundary adjustment

Other Projects:

- Fire Flow Responsibility and Authorities
 - o In discussions with Okanagan Falls Irrigation District
- Service Area Petitions
 - o Street Lighting petitions for Hertiage Hills and Naramata
- Planning development application referrals, on-going
- Naramata DCC and Capital Plan
 - Confirm direction with Province
 - (Subdivision) Works and Services Bylaw
 - o Pending, Project again going out to RFP for new consultant in 2018
- Village of Keremeos
 - o Subdivision review, Preliminary Layout Approval provided for multiple applications.

ACTIVITIES PLANNED FOR Q2 2018:

SOLID WASTE

- Development of educational brochures and campaign to reduce contamination of recyclables and divert materials from landfills.
- Compost education workshops and video.
- School based education programs across RDOS for solid waste and wildsafe.



- Release of 2018/2019 Curbside Calendars and finalizing days of collection for commencement of new curbside contract on July 1st.
- Campbell Mountain Landfill Biocover Pilot Monitoring of biocover test plots will continue over Q2 2018.
- Campbell Mountain Landfill Drainage and Leachate Construction of drainage system and leachate pond should be completed. One leachate extraction well will be brought into service. Analysis will begin on leachate flowrate and final design needed for additional wells, electrical and piping needs for the leachate extraction system.
- Keremeos Landfill Closure Plan Waiting for plan approval from Ministry of Environment.
- RDOS WildSafeBC continues to be active throughout the winter with outreach and collaboration. A WildSafeBC - BCCF grant application for a subsidized Canada Summer Jobs student has been approved and the student will be on the ground in late May 2018 to assist RDOS Coordinator in raising attractant management awareness and conducting garbage audits and door-to-door in Oliver and Summerland in anticipation of new carts being utilized in those locations.
- Business and Multi-Family Recycling Consultation GreenStep Solutions to provide initial consultation report regarding improving recycling from businesses and multi-family units.
- Request for Proposals to be prepared for Landfill Commercial Recycling Collection.

WATER

- Naramata Water System Rehabilitation Project Complete outstanding deficiencies from all projects that had to wait until the spring. Communications will be ongoing with residents and businesses of Naramata. All grant reporting will be completed.
- Mill Road Watermain Replacement and DFA Application Complete outstanding deficiency (patch paving) that had to wait until the spring.
- Olalla Water System Upgrades Phase 2 Complete outstanding deficiencies from the project that had to wait until the spring. Communications will be ongoing with residents of Olalla. All grant reporting will be completed.
- Sun Valley Water System A contractor will be selected to install new pumps and control systems with the allocated gas tax funds. This contractor in addition to the SCADA contractor will begin cooperative work on the upgrades.
- Willowbrook Water System Crown Land Tenure application continuing for road access to the reservoir site. Contractor will be hired and work will commence on communications system. The consultant will be finalizing the water system master plan and the design for system upgrades. Tender documents will drafted by the contractor based on the finalized design.
- Missezula Water Completion of condition assessment is anticipated for Q2. Report will be brought to the Board in Q3 2018.

SEWER



- Okanagan Falls sewer liftstations Final commissioning of lift station communication upgrades and the training of operators on the new systems will be completed.
- Skaha Estates Sewer Expansion Predesign work to be continued into Q2. Overall costing for project ideally will be determined by end of April 2018 to allow for service establishment and referendum in fall 2018 (tied into the election). Public information meeting will be held in Q2 to present all costs and predesign work.
- OK Falls Waste Water Treatment / Wetland Project Consultant to be selected and contract will be awarded. Design work to begin.

OTHER PROJECTS/PROGRAMS

- Asset Management Received notification of success in obtaining \$225,000 in grant monies to further work on asset management planning for the RDOS, including investigations into software. RFP will be in development with assistance from the other RDOS departments.
- Similkameen Watershed Plan Plan will be determined for utilizing the remaining available grant funds and work will begin. Funds will expire at the end of September 2018.
- OBWB Drought and Flood Risk Mitigation and Management Plan Phase 3 Work will continue on plan development.
- Water Conservation Outreach will continue in Q2 executing outreach activities in 2018. Two
 water related grants have been awarded. These grants will leverage projects planned for the
 season. The RDOS, South Okanagan Real Estate Board (and other partners) were successful
 in obtaining a \$60,000 grant to develop materials for real estate agents, the general public,
 architects, builders and developers. These will address moving to, or living in, the 'Semi-arid'
 Okanagan and Similkameen, and cover issues around mindful water management,
 biodiversity consideration, riparian stewardship and wildfire preparedness. Workshops will
 also be provided as part of this project.
- West Bench Leak Detection Program is continuing in Q2. Leaks have been reducing in numbers as the program continues; coordinated educational inserts into utility bills and workshops are planned.
- BC Climate Adaptation for Agriculture Initiative The RDOS has completed it's obligations to the phase 1 of the oversight committee and in-kind partnership. Five Provincially funded projects totalling \$430,000 targeting on farm water management are now being documented and information prepared for distribution to all agricultural industry agencies, local governments and available on-line. Q2 will include a presentation the RDOS Board on the success of the collaboration and discussions on how the next round of funding from the Province can be utilized.
- Annual OBWB WQWI grants applications will be announced in Q2.
- Vaseux Lake Land Use and Water Quality Assessment Wrap up of the phase one sampling program using remaining grant funding from 2017.
- Shinish Creek Diversion Plans for future work associated with the diversion and the dam and budget implications will continue to be investigated.

SUBDIVISION

Subdivision Referrals



• 36 referrals ongoing and pending applicants' action

Ongoing Major Subdivisions:

- Naramata Benchlands
 - Phase 3, pending subdivision application
- Kettle Ridge
 - o Phase 3A, 17 fee simple lots, under construction
 - o Phase 3B, 20 fee simple lots, pending Phase 3A completion
- Reflection Point
 - o Phase 2, Proposed bare land strata pending developer
- St Andrews Phase 4 25 bare land strata lots
 - Existing Land Use Contract development, issued revised Letter or Requirement (LoR)
- Twin Lakes Golf Resort
 - OCP and Zoning amendment for a 50 unit building strata development (first phase) and consideration for other existing land use designations to be relocated
- Willow Beach
 - o Proposed 80 unit development, current zoning amendment waiting on applicant

Other Projects:

- · Planning development application referrals, on-going
- Fire Flow Responsibility and Authorities
 - o In discussions with Okanagan Falls Irrigation District
- Service Area Petitions
 - o Gallagher Lake water and sewer Gallagher Lake Resort (Parkbridge Development)
 - Naramata Street Lighting (subdivision)
 - o Heritage Hills Street Lighting (subdivision)
- Naramata DCC and Capital Plan
 - o Review and revise consultant report
 - o New DCC Bylaw
- (Subdivision) Works and Services Bylaw
 - o Pending, Project going out to RFP for new consultant

Respectfully submitted:

Janine Dougall

J. Dougall, Public Works Manager



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, April 19, 2018

1:00 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority) **THAT the Agenda for the RDOS Board Meeting of April 19**, **2018 be adopted**.

- 1. Consent Agenda Corporate Issues
 - a. Okanagan Falls Parks & Recreation Commission February 8, 2018 THAT the Minutes of the February 8, 2018 Okanagan Falls Parks & Recreation Commission be received.
 - b. Naramata Parks & Recreation Commission February 26, 2018 THAT the Minutes of the February 26, 2018 Naramata Parks & Recreation Commission Committee be received.
 - c. Similkameen Recreation Commission March 27, 2018 THAT the Minutes of the March 27, 2018 Similkameen Recreation Committee be received.
 - d. Community Services Committee April 5, 2018 THAT the Minutes of the April 5, 2018 Community Services Committee be received.

THAT the Board of Directors endorse the Service Plan Memorandum of Understanding for the Penticton–Kelowna service transit expansion.

- e. Corporate Services Committee April 5, 2018 THAT the Minutes of the April 5, 2018 Corporate Services Committee be received.
- f. Environment and Infrastructure Committee April 5, 2018 THAT the Minutes of the April 5, 2018 Environment and Infrastructure Committee be received.

g. Planning and Development Committee – April 5, 2018

THAT the Minutes of the April 5, 2018 Planning and Development Committee be received.

THAT staff be directed to initiate the Electoral Area "E" Official Community Plan (OCP) Amendment Bylaw No. 2458.12, and the Electoral Area "E" Zoning Amendment Bylaw No. 2459.29.

THAT staff be directed to incorporate provisions within the Building Bylaw for building permits for farm buildings with a reduced fee structure and a limited inspection process for bona fide farm buildings, with exemptions from permit fees and inspections for structures less than 20 m2 (215 ft2) which meet the definition of a low human occupancy farm building, and for unenclosed hay storage structures and animal shelters less than 600 m2 (6,458 ft2), both of which are located on land classed as farm through BC Assessment.

- h. Protective Services Committee April 5, 2018 THAT the Minutes of the April 5, 2018 Protective Services Committee be received.
- i. RDOS Regular Board Meeting April 5, 2018 THAT the minutes of the April 5, 2018 RDOS Regular Board meeting be adopted.

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

- 2. Consent Agenda Development Services
 - a. Development Variance Permit 9710 42nd Avenue, Electoral Area "A" i. Permit No. A2018.047-DVP

To allow the siting of an accessory structure within the exterior side yard setback.

THAT the Board of Directors approve Development Variance Permit No. A2018.047-DVP.

- b. Development Variance Permit 4575 Mill Road, Naramata, Electoral Area "E"
 - i. Permit No. E2018.042-DVP
 - ii. Responses Received

To allow for the construction of a new single detached dwelling.

THAT the Board of Directors approve Development Variance Permit No. *E2018.042-DVP.*

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

B. DELEGATIONS

1. Andy Orr – Principal, Atcorr Development, Consulting on behalf of South Skaha Housing Society (SSHS)

Mr. Orr will address the Board to provide an update on the status of the affordable housing project, BC Housing financing requirements, and to be available to answer any questions the Board may have regarding the staff reports presented relative to the Society's recent request to the Board for consideration of equity contributions to the project.

C. DEVELOPMENT SERVICES – Building Inspection

1. Building Bylaw Infraction – 250 Thorp Road, Electoral Area "C"

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority) THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3, District Lot 2450S, Plan 3458 except Plan 16834, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT the Board of Directors direct staff to commence injunctive action.

2. Building Bylaw Infraction – Permit #18447, 189 Resolute Road, Electoral Area "D"

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 20, Plan KAP92537, District Lot 411, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

D. DEVELOPMENT SERVICES – Rural Land Use Matters

- 1. South Skaha Housing Society (OK Falls) Not-for-Profit Housing
 - a. Bylaw No 2803, 2018
 - b. SSHS Letter to RDOS dated March 23, 2018
 - c. Bylaw No. 2806, 2018
 - d. Property Tax Exemption Policy
 - e. Conceptual Design
 - f. Okanagan Falls Irrigation District Letter dated April 3, 2018

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2803, 2018 Regional District of Okanagan-Similkameen Development Cost Charge Waiver Bylaw be adopted.

RECOMMENDATION 7 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No. 2806, 2018 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted.

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors support in principle a 10 year property tax exemption for the South Skaha Housing Society located at 5080 9th Avenue and that this property tax exemption is to be applied for on an annual basis in accordance with the Property Tax Exemption Policy.

RECOMMENDATION 9 (Weighted Corporate Vote – Majority)

THAT Development Cost Charges in the amount of \$109,200 for the South Skaha Housing Society Affordable Housing Project (26 units) be waived in accordance with Regional District Bylaw No. 2803.

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

THAT a Grant-in-Aid of \$21,165 be provided to South Skaha Housing Society to be applied to the Development and Building Permit Fees of the Affordable Housing Project (26 units) located at 5080 9th Avenue, Okanagan Falls and funded from Electoral Area D Grant in Aid and Contingency.

2. Bylaw Enforcement Procedures Policy

a. Bylaw Enforcement Procedures Policy

To ensure our bylaw enforcement procedures are in compliance with best practices of the Office of the Ombudsperson's March 2016 report entitled "Bylaw Enforcement: Best Practices Guide for Local Governments."

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

THAT the Board of Directors adopt the Bylaw Enforcement Procedure Policy (as presented to the Planning and Development Committee April 5, 2018) as its guiding policy for the enforcement of all RDOS regulatory bylaws and directs Administration to report back on the results of the new Policy by April 5, 2019; and

THAT the previous Bylaw Enforcement Policy (adopted December 19, 2013) be repealed.

- 3. Development Variance Permit 3949 16th Avenue, Electoral Area "A"
 - a. Permit No. A2018.022-DVP

To allow for the creation of a "hooked" parcel where each of the 3 parts of the parcel will not meet the minimum parcel size requirement of the zoning.

RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority) THAT the Board of Directors deny Development Variance Permit No. A2018.022-DVP.

- 4. Zoning Bylaw Amendment 445 & 449 Sagewood Lane, Electoral Area "D-1"
 - a. Bylaw No. 2457.22, 2018
 - b. Responses Received

To allow for 1 "livestock" and 25 "small livestock" (including one rooster) on a parcel less than 2,500 m2 in area and to reduce the parcel line setbacks for a livestock structure from 15.0 M to 2.5 M.

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2457.22, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied.

- 5. Zoning Bylaw Amendment "Regal Ridge" Site Specific Zoning Review, Electoral Area "A"
 - a. Bylaw No. 2451.23, 2018
 - b. Responses Received

Amendment Bylaw No. 2451.23 seeks to amend the Electoral Area "A" Zoning Bylaw No. 2451, 2008, in order to remove a number of site specific zoning regulations that relate to the Small Holdings Two (SH2) and Conservation Area (CA) Zones at "Regal Ridge" on Anarchist Mountain. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 14 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2451.23, 2018, Electoral Area "A" Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

- 6. Official Community Plan & Zoning Bylaw Amendments Large Holdings Three (LH3) Zone Review, Electoral Area "D-2"
 - a. Bylaw No. 2455.30, 2018
 - b. Bylaw No. 2603.13, 2018

To amend the Electoral Area "D-2" Official Community Plan and Zoning Bylaws in order to generally consolidate the Large Holdings Three (LH3) Zone with the Resource Area (RA) Zone, however, there are instances where other zonings such as Large Holdings One (LH1), Large Holdings Two (LH2) and Small Holdings Three (SH3) are being proposed.

RECOMMENDATION 15 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2455.30, 2018, Electoral Area "D-2" Zoning Amendment Bylaw be adopted; and

THAT Bylaw No. 2603.13, 2018, Electoral Area "D-2" Official Community Plan Amendment Bylaw be adopted.

7. Early Termination of a Land Use Contract – Electoral Area "D-1"

- a. Bylaw No. 2457.23, 2018
- b. Responses Received

To replace Land Use Contract No. LU-10-D with a Resource Area (RA) zone and a Small Holdings Five (SH5) zone.

RECOMMENDATION 16 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2457.23, 2018, Electoral Area "D-1" Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

- 8. Zoning Bylaw Amendment 102 Saliken Drive, Electoral Area "D"
 - a. Bylaw No. 2455.33, 2018
 - b. Responses Received

To allow for development of an accessory dwelling unit in lieu of a secondary suite.

RECOMMENDATION 17 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2455.33, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing.

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority) **THAT the holding of the public hearing be delegated to Director Siddon or delegate**; and

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

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

- 9. Zoning Bylaw Amendment 100 4th Street, Kaleden, Electoral Area "D"
 - a. Bylaw No. 2457.24, 2018
 - b. Responses Received

To allow for the construction of a secondary suite on a parcel less than 2020 m².

RECOMMENDATION 19 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2457.24, 2018, Electoral Area "D-1" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing; and

THAT the holding of the public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

- 10. Zoning Bylaw Amendment 137 Saddlehorn Drive, St. Andrews, Electoral Area "D-2"
 - a. Bylaw No. 2457.25, 2018 Draft
 - b. Responses Received

To facilitate a boundary adjustment between two existing legal parcels.

RECOMMENDATION 20 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2457.25, 2018, Electoral Area "D" Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

11. Zoning Bylaw Amendment – 1752 Alba Road, Okanagan Falls, Electoral Area "D-2"

- a. Bylaw No. 2455.35, 2018
- b. Responses Received

To allow for the development of a second kitchen in an existing principal dwelling unit.

RECOMMENDATION 21 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2455.35, 2018, Electoral Area "D" Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

 12. Official Community Plan & Zoning Bylaw Amendments – Industrial Zone Update, Electoral Areas "A", "C", "D", "E" & "F"
 a. Bylaw No. 2783, 2018

To amend the Electoral Area "A", "C", "D", "E" and "F" Official Community Plan and Zoning Bylaws in order to update the industrial zones found in these electoral areas.

RECOMMENDATION 22 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2783, 2018, Regional District of Okanagan-Similkameen Industrial Zone Update Amendment Bylaw be adopted.

- 13. Official Community Plan & Zoning Bylaw Amendments Small Holdings One (SH1) Zone Review, Electoral Areas "D-2" & "E"
 - a. Bylaw No. 2797, 2018

Amendment Bylaw No. 2797 seeks to amend the Electoral Area "D-2" and "E" Official Community Plan and Zoning Bylaws in order to consolidate the Small Holdings One (SH1) Zone with the Large Holdings One (LH1) Zone.

RECOMMENDATION 23 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2797, 2018, Regional District of Okanagan-Similkameen Small Holdings One (SH1) Zone Review Amendment Bylaw be adopted.

E. PUBLIC WORKS

1. Award of Contract – Sun Valley Pump Replacement and Upgrades Project

Award of the contract to replace the currently failing centrifugal pumps at the Sun Valley pump house with new, higher efficiency inline vertical multistage pumps and new variable frequency drive pump controls to replace the outdated cycle stop valve controls.

RECOMMENDATION 24 (Weighted Corporate Vote – Majority)

THAT the Board of Directors approve the expenditure of up to \$120,600 for construction services to Mearl's Mechanical Works LTD. for the "Sun Valley water system pump replacement and upgrades"; and

THAT the Board of Directors execute a construction services agreement with Mearl's Mechanical Works LTD. for the services detailed in the Request for Proposals and submitted Proposal; and

THAT the Board of Directors further approve a contingency for the "Sun Valley water system pump replacement and upgrades" project in the amount of \$20,300 to complete value added or required upgrades.

2. Award to Consultant – Okanagan Falls Constructed Wetland Project

To retain a consultant to carry out professional services required to prepare the design, carry out inspection services, perform construction contract administration and successfully close out the project to establish a new constructed wetland for extra polishing of the effluent produced from the Okanagan Falls Wastewater Treatment Plant.

RECOMMENDATION 25 (Weighted Corporate Vote – Majority)

THAT the Board of Directors approve the expenditure of up to \$326,740 for the consulting services associated with design and construction of the Okanagan Falls Constructed Wetland Project to Native Plant Solutions - Ducks Unlimited Canada; and

THAT the Board of Directors execute a consulting services agreement with Native Plant Solutions – Ducks Unlimited Canada for the services detailed in the Request for Proposals and the submitted Proposal for the Okanagan Falls Constructed Wetland Project.

F. COMMUNITY SERVICES – Protective Services

- 1. Repeal of Emergency Services Bylaw No. 2566, 2011
 - a. Bylaw No. 2087, 2018
 - b. Bylaw No. 2566, 2011

RECOMMENDATION 26 (Unweighted Corporate Vote – 2/3 Majority) THAT Bylaw No. 2807, 2018, being a bylaw of the Regional District to repeal

Emergency Services Bylaw No. 2566, 2011 be read a first, second, third time and be adopted.

G. LEGISLATIVE SERVICES

- 1. Keremeos Fire Truck Acquisition Loan Authorization Bylaw
 - a. Bylaw No. 2802, 2018

RECOMMENDATION 27 (Unweighted Corporate Vote – Simple Majority) THAT Keremeos Fire Truck Acquisition Loan Authorization Bylaw No. 2802, 2018 be read a first, second and third time and be forwarded to the Inspector of Municipalities for Ministry approval prior to electoral approval; and,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an assent vote in accordance with Part 4 of the Local Government Act, and

THAT the assent vote process be conducted in conjunction with the General Local Election on October 20, 2018; and

THAT the question on the assent vote ballot be "Are you in favour of the Regional District of Okanagan-Similkameen adopting Bylaw No. 2802, 2018, a bylaw to authorize the long-term borrowing of \$350,000 for the acquisition of a fire truck for the Keremeos Fire Protection Service Area?"

H. CAO REPORTS

1. Verbal Update

I. OTHER BUSINESS

1. Chair's Report

2. Board Representation

- a. Developing Sustainable Rural Practice Communities McKortoff
- b. Intergovernmental First Nations Joint Council Kozakevich, Bauer, Pendergraft
- c. Municipal Finance Authority (MFA) Kozakevich, Bauer
- d. Municipal Insurance Association (MIA) Kozakevich, Bauer
- e. Okanagan Basin Water Board (OBWB) *McKortoff, Hovanes, Waterman* a) Board Report – April 6, 2018
- f. Okanagan Film Commission (OFC) Jakubeit
- g. Okanagan Regional Library (ORL) Kozakevich
- h. Okanagan Sterile Insect Release Board (SIR) Bush
- i. Okanagan-Similkameen Healthy Living Coalition Boot
- j. Okanagan-Similkameen Regional Hospital District (OSRHD) Brydon
- k. Southern Interior Beetle Action Coalition (SIBAC) Armitage
- I. Southern Interior Local Government Association (SILGA) Konanz
- m. Southern Interior Municipal Employers Association (SIMEA) Kozakevich, Martin
- n. Starling Control Bush
- o. UBCO Water Chair Advisory Committee Konanz

3. Directors Motions

4. Board Members Verbal Update

J. ADJOURNMENT

Okanagan Falls Parks & Recreation Commission

February 8, 2018 Okanagan Falls, Community Centre

Members Present:	Alf Hartviksen (Chair), Kevin Tom, Ron Obirek, Carole Barker
Regrets:	Tom Siddon, Brian Jackson, Matt Taylor
RDOS Staff:	Shona Schleppe
Guests:	
Recording Secretary:	Shona Schleppe

1.0 CALL TO ORDER

The meeting was called to order at 7:01p.m.

2.0 ADOPTION OF AGENDA

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for February 8, 2018 be adopted.

3.0 APPROVAL OF PREVIOUS MEETING MINUTES

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for Okanagan Falls Parks and Recreation of January 11, 2018 be approved.

4.0 BUSINESS ARISING FROM PREVIOUS MINUTES

- 4.1 Discussion on Rural Dividend grant submission for the Area "D" Boat Launches. Staff to circulate grant submission.
- 4.2 Discussion on the Lamb Property path and HH Park Development two capital priority projects. Request for staff to prepare details on recommended next steps for both projects for the March meeting.

5.0 CORRESPONDENCE

5.1 Shari Saysomsack – emails dated Sept. 8, 2017 and January 18, 2018 related to ideas for a wind break for picnic gazebo in Kenyon Park and a nature playground in Christie Memorial Park.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That these two park improvement requests be tabled indefinitely.

CARRIED



CARRIED



CARRIED



Okanagan Falls Parks & Recreation Commission



February 8, 2018 Okanagan Falls, Community Centre

5.2 Email requests for Bench and Table Donations (Menzies and Taylor) – process, forms, discussion on cost, type, location, etc.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That both of the above donations (Menzies - Bench in Dog Park and Taylor – Picnic Table in Lion's Park) be approved.

CARRIED

5.3 Letter from Music in the Park (Feb. 7, 2018)

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Music in the Park request for support be tabled to March 8. Letter of request to be circulated to Commission members for further consideration.

CARRIED

6.0 COMMISSION MEMBER REPORTS

- 6.1 Chair Alf Hartviksen
 - will provide April report of the Community Partners Meeting as it is held on March 21.
- 6.2 Treasurer Report Kevin Tom
 - provided update on anticipated surplus and discussed 2018 budget.
- 6.3 Committees: Heritage Hills Ron Obirek
 - discussed the BC Gaming Capital Projects decline letter, circulated a list of organizations and projects that received funding.

7.0 RDOS STAFF REPORTS

- 7.1 Parks Report Justin Shuttleworth
 - No report.
- 7.2 Recreation Report Janet Black
 - Report received and the Commission would like to receive a presentation on the Framework for Recreation at the April Meeting.

8.0 RDOS DIRECTOR REPORT

No report received.

9.0 NEW BUSINESS ARISING

10.0 ADJOURNMENT

RECOMMENDATION



Okanagan Falls Parks & Recreation Commission

February 8, 2018 Okanagan Falls, Community Centre



That the meeting be adjourned at 9:05 pm.

Recreation Commission Chair

Recording Secretary



MINUTES Naramata Parks & Recreation Commission

> Monday, February 26, 2018, 6:30 p.m. Naramata Fire Hall

Dennis Smith (Chair), Jacqueline Duncan, Maureen Balcaen, Jeff Gagnon, Lyle Resh, Richard Roskell, Adrienne Fedrigo	
Justin Shuttleworth (RDOS Parks & Facilities Coordinator)	
Karla Kozakevich (RDOS Area 'E' Director) arrived to meeting at 6:45 p.m.	
Deb Linton (Recreation Contractor), Heather Lemieux (Recording Secretary)	
None	
None	

1. APPROVAL OF AGENDA - Call to Order 6:32 p.m. Quorum Present. Added 7.1 Woodwackers report to 7. Commission Member Report and 6.1 Circus to 6. Recreation Contractor Report.

RECOMMENDATION

IT WAS MOVED AND SECONDED That the Agenda for the Naramata Parks & Recreation Meeting of February 26, 2018 be adopted as amended and all presentations and reports be received.

CARRIED (UNANIMOUSLY)

2. APPROVAL OF LAST MEETING MINUTES

RECOMMENDATION

IT WAS MOVED AND SECONDED That the minutes for the Naramata Parks & Recreation Meeting of January 22, 2018 be adopted as presented.

CARRIED

3. CORRESPONDENCE/DELEGATIONS - None



MINUTES Naramata Parks & Recreation Commission

Monday, February 26, 2018, 6:30 p.m. Naramata Fire Hall

- 4. RDOS DIRECTOR REPORT Karla Kozakevich reported on the following
 - 4.1. Creek Park Acquisition ONGOING
 - **4.2.** Park Name Sign plans underway. Discussed sign locations. ACTION Deb Linton to publish story on mynaramata on park names.
- 5. RDOS STAFF REPORT Justin Shuttleworth absent, report submitted.
 - **5.1. Boat Storage Operations** ONGOING. **ACTION** Deb Linton to consult with neighbours.
 - 5.2. 1st Street MOTi has invited the RDOS to submit an application.
 - 5.3. KVR Trail Funding has been received to restore recent washout.
 - 5.4. Projects On hold until disaster funding is determined for Wharf Park rehabilitation.
- 6. RECREATION CONTRACTOR REPORT Deb Linton (Recreation Coordinator Contractor), report submitted.
 - 6.1. Circus Discussed alternate locations.
 - **6.2.** Boat Storage A contract template will be used for a sailing association to manage the boat storage operations.
 - 6.3. Easter Egg Drop Jacqueline Duncan will ride in helicopter.

7. COMMISSION MEMBER REPORTS

- 7.1. Woodwackers Report Lyle Resh presented a verbal report. The Woodwackers are waiting for spring.
- 7.2. 2018 Priority Projects Wharf Park armouring is priority.
- **7.3. Wharf Park Rehab** Discussed potential funding, planning, funding criteria, swimming area tenure, **ACTION** Karla Kozakevich to check on tenure.



MINUTES Naramata Parks & Recreation Commission

Monday, February 26, 2018, 6:30 p.m. Naramata Fire Hall

- 8. BUSINESS ARISING
 - 8.1. Manitou BMX Track ACTION Justin Shuttleworth to remove culvert and other debris from BMX track. Discussed BMX park exit area safety.
 - 8.2. Park Contractor Requests Goose Management and potential promotional budget increase.

9. ADJOURNMENT 7:25 p.m.

NEXT MEETING: March 26th, 2018, 6:30 p.m., Naramata Fire Hall

Recreation Commission Chair

Recording Secretary



Similkameen Recreation Commission

March 27, 2018 at 7.00 Similkameen Recreation Centre 214th meeting

Members Present:	Charlene Cowling, Wendy Stewart, Jennifer Roe, T. Robins
Absent:	
Area Representatives	G. Bush (Area B), E. Christensen (Area G), J. Evans (Keremeos)
Staff:	Karl Donoghue,
Recording Secretary:	Karl Donoghue
Guests:	

1. Approval of Agenda

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Similkameen Recreation Meeting of March 27, 2018 be adopted and all presentations and reports be accepted. – CARRIED

2. Approval of Last Meeting Minutes

Minutes not presented by RDOS in any format.

3. Correspondence/Delegations/Public Questions

Resignations from the Rec. Commission received from Marnie Todd and Marie Marven.

4. Staff Reports

Management report accepted as presented.

5. Commission Member Reports

Christmas lights – agreed to defer for later discussions. Fee structure – agreed to defer until August.



Similkameen Recreation Commission

March 27, 2018 at 7.00 Similkameen Recreation Centre 214th meeting

6. Adjournment

RECOMMENDATION

IT WAS MOVED AND SECONDED - CARRIED or DEFEATED Opposed:

NEXT MEETING: April 24, 2018

Similkameen Recreation Centre

Recreation Commission Chair

Recording Secretary



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee Thursday, April 05, 2018

11:50 a.m.

Minutes

MEMBERS PRESENT:

Chair R. Hovanes, Town of Oliver Vice Chair M. Bauer, Village of Keremeos Director F. Armitage, Town of Princeton 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

MEMBERS ABSENT:

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 M. Pendergraft, Electoral Area "A" Director T. Schafer, Electoral Area "C" Director J. Sentes, City of Penticton Director T. Siddon, Electoral Area "D" Director P. Waterman, District of Summerland

STAFF PRESENT:

B. Newell, Chief Administrative Officer C. Malden, Manager of Legislative Services M. Woods, Manager of Community Services C. Gartner, Rural Projects Coordinator

A. APPROVAL OF AGENDA RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Community Services Committee Meeting of April 5, 2018 be adopted. - CARRIED

B. PENTICTON-KELOWNA TRANSIT SERVICE EXPANSION

1. Memorandum of Understanding

To provide an overview of costs and risks associated with a potential Penticton-Kelowna transit service expansion.

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Board of Directors endorse the Service Plan Memorandum of Understanding for the Penticton–Kelowna service transit expansion. - **CARRIED**

By consensus, the Community Services Committee meeting adjourned at 12:22 p.m.

APPROVED:

CERTIFIED CORRECT:

R. Hovanes Committee Chair B. Newell Chief Administrative Officer Minutes are in DRAFT form and are subject to change pending approval by the Regional District Board



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee Thursday, April 05, 2018

12:48 p.m.

Minutes

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E" Vice Chair M. Bauer, Village of Keremeos Director F. Armitage, Town of Princeton 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

MEMBERS ABSENT:

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

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 April 5, 2018 be adopted. - CARRIED

B. BOARD MEETING PROTOCOL

The Committee discussed protocol and rules of etiquette as they relate to committee and board meetings.

C. ADJOURNMENT

By consensus, the meeting adjourned at 1:24 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich Committee Chair B. Newell Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, April 05, 2018 1:25 p.m.

Minutes

MEMBERS PRESENT:

Chair M. Pendergraft, Electoral Area "A" Vice Chair T. Siddon, Electoral Area "D" 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"

MEMBERS ABSENT:

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

STAFF PRESENT:

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

A. APPROVAL OF AGENDA RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of April 5, 2018 be adopted. – CARRIED

By consensus, the order of the meeting was changed to bring forward Item C Closed Session.

C. CLOSED SESSION RECOMMENDATION 2 It was MOVED and SECONDED

THAT in accordance with Section 90(1)(g) of the *Community Charter*, the Board close the meeting to the public on the basis of litigation or potential litigation affecting the Regional District. - **CARRIED**

The meeting was closed to the public at 1:25 p.m.

The meeting was opened to the public at 1:56 p.m.

B. ORGANICS FACILITY SITING DISCUSSION

Due to time constraints, this item was deferred to the next Environment and Infrastructure Committee meeting.

D. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting adjourned at 1:59 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft Environment and Infrastructure Committee Chair B. Newell Chief Administrative Officer

REGIONAL DISTRICT RDOS OKANAGAN-SIMILKAMEEN

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, April 05, 2018 9:53 a.m.

Minutes

MEMBERS PRESENT:

Chair M. Brydon, Electoral Area "F" Vice Chair G. Bush, Electoral Area "B" Director M. Bauer, Village of Keremeos Director F. Armitage, Town of Princeton 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

MEMBERS ABSENT:

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

STAFF PRESENT:

B. Newell, Chief Administrative Officer C. Malden, Manager of Legislative Services B. Dollevoet, Development Services Manager 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 April 5, 2018 be adopted. - CARRIED

B. DELEGATION – MINISTRY OF FOREST, LANDS, AND NATURAL RESOURCE OPERATIONS Patrick Tobin – Regional Manager, Compliance and Enforcement

Mr. Tobin addressed the Board to discuss moorage as a land use on Crown land, riparian rights, the role of the Crown and the possible roles for local governments in managing foreshore development on the Crown portion of the foreshore.

Director Waterman vacated the meeting at 10:20 a.m.

C. ZONE REVIEW – 7005 INDIAN ROCK ROAD, ELECTORAL AREA "E"

- 1. Bylaw No. 2458.12, 2018 Draft
- 2. Bylaw No. 2459.29, 2018 Draft

Proposed amendments would replace the Tourist Commercial One (CT1) Zone that applies to the property at 7005 Indian Rock Road (legally described as Lot A, Plan KAP58846, District Lot 391, 3986S & 4018S, SDYD) with a new "Sunset Acres Comprehensive Development (CD7)" Zone in the Electoral Area "E" Zoning Bylaw.

RECOMMENDATION 2

It was MOVED and SECONDED

THAT staff be directed to initiate the Electoral Area "E" Official Community Plan (OCP) Amendment Bylaw No. 2458.12, and the Electoral Area "E" Zoning Amendment Bylaw No. 2459.29. - CARRIED

D. BUILDING BYLAW – PROVISIONS FOR FARM BUILDINGS

To provide information and receive direction from the Board with respect to farm building exemptions.

RECOMMENDATION 3

It was MOVED and SECONDED

THAT staff be directed to incorporate provisions within the Building Bylaw for building permits for farm buildings with a reduced fee structure and a limited inspection process for bona fide farm buildings, with exemptions from permit fees and inspections for structures less than 20 m² (215 ft²) which meet the definition of a low human occupancy farm building, and for unenclosed hay storage structures and animal shelters less than 600 m² (6,458 ft²), both of which are located on land classed as farm through BC Assessment. - **CARRIED**

Opposed: Directors Pendergraft, Bush

E. BYLAW ENFORCEMENT POLICY REVIEW DISCUSSION

- 1. Bylaw Enforcement: Best Practices Guide for Local Governments The Office of the Ombudsperson, Special Report No. 36 (March, 2016)
- 2. RDOS Bylaw Enforcement Procedures Policy December 19, 2013
- 3. Bylaw Enforcement Procedures Policy 2018 Update

To present Bylaw Enforcement Procedures Policy which is to replace the previous Bylaw Enforcement Procedures Policy adopted by the Board on December 19, 2013

RECOMMENDATION 4

It was MOVED and SECONDED

THAT the Board of Directors adopt the Bylaw Enforcement Procedure Policy (Dated April 5, 2018) as its guiding policy for the enforcement of all RDOS regulatory bylaws and directs Administration to report back on the results of the new Policy by April 5, 2019. - CARRIED

F. DAVID SUZUKI FOUNDATION BLUE DOT DECLARATION

- 1. Briefing Note
- 2. Proclamation Policy dated July 16, 2015

To provide RDOS support for the David Suzuki Foundation Blue Dot campaign.

RECOMMENDATION 5

It was MOVED and SECONDED

THAT the Chief Administrative Officer's report dated April 5, 2018 entitled David Suzuki Foundation Blue Dot Declaration be received for information;

AND THAT the Regional District adopt the following declaration:

Whereas the Regional District of Okanagan-Similkameen recognizes that the mutual importance and interconnectedness of a healthy environment is inextricably linked to the well-being of our communities; and,

Whereas the Regional District of Okanagan – Similkameen recognizes that environmental protection is a fundamental value held by its citizens; and,

Whereas the Regional District of Okanagan – Similkameen has a structured sphere of influence and a defined jurisdiction; and,

Whereas in proclaiming this declaration, the Board of Directors are articulating public policy principles, but not creating or guaranteeing any legal rights or obligations; and

Whereas the Regional District of Okanagan – Similkameen supports the recognition of the right to a healthy environment in the Canadian Charter of Rights and Freedoms;

Now therefore the Board of Directors of the Regional District of Okanagan – Similkameen declares that:

- 1. All people have the right to live in a healthy environment; including the right to breathe clean air; drink and access clean water; eat safe and healthy food; and access nature.
- 2. Within its jurisdiction, the Regional District of Okanagan Similkameen has certain authority to respect, protect, fulfill and promote these rights and commits to encourage the respect, protection, fulfillment and promotion of these rights.

The Regional District of Okanagan – Similkameen shall apply the precautionary principle by taking measures to prevent the degradation of the environment and protect the health of its citizens where threats of serious or irreversible damage to human health or the environment exist.

DEFEATED

Opposed: Brydon, Bush, Armitage, Christensen, Coyne, Hovanes, Jakubeit, Kozakevich, Konanz, Martin, McKortoff, Pendergraft, Schafer, Sentes, Siddon

G. ADJOURNMENT

By consensus, the Planning and Development Committee meeting adjourned at 11;;45 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon Planning and Development Committee Chair B. Newell Corporate Officer Minutes are in DRAFT form and are subject to change pending approval by the Regional District Board



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, April 05, 2018 2:00 p.m.

Minutes

MEMBERS PRESENT:

Chair A. Jakubeit, City of Penticton Vice Chair T. Schafer, Electoral Area "C" 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"

MEMBERS ABSENT:

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 M. Pendergraft, Electoral Area "A" Director J. Sentes, City of Penticton Director T. Siddon, Electoral Area "D" Director P. Waterman, District of Summerland

STAFF PRESENT:

B. Newell, Chief Administrative Officer	M. Woods, Manager of Community Services
C. Malden, Manager of Legislative Services	P. Edmonds, Emergency Management Program Coordinator

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Protective Services Committee Meeting of April 5, 2018 be adopted. - CARRIED

B. BYLAW NO. 2566, 2011

- 1. Electoral Area "A" Comment
- 2. Electoral Area "D" Comment
- 3. Electoral Area "G" Comment

RECOMMENDATION 2

It was MOVED and SECONDED

THAT Bylaw No. 2566, 2011 be forwarded to the April 19, 2018 Board Meeting to be repealed. - CARRIED

Opposed: Directors Konanz, Coyne, Martin

C. EMERGENCY MANAGEMENT UPDATE

Due to time constraints, this item deferred to the Board meeting to follow later today.

D. ADJOURNMENT

By consensus, the Protective Services Committee meeting adjourned at 2:32 p.m.

APPROVED:

CERTIFIED CORRECT:

A. Jakubeit Protective Services Committee Chair B. Newell Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 2:33 p.m. Thursday, April 5, 2018 at the Penticton Lakeside Resort and Convention Centre, 21 Lakeshore Drive, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E" Vice Chair M. Bauer, Village of Keremeos Director F. Armitage, Town of Princeton 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 A. Martin, City of Penticton Director S. McKortoff, Town of Osoyoos Director M. Pendergraft, Electoral Area "A" Director J. Sentes, City of Penticton Director T. Schafer, Electoral Area "C" Director T. Siddon, Electoral Area "D" Director P. Waterman, District of Summerland

Director A. Jakubeit, City of Penticton

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer

G. Cramm, Administrative Assistant

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

THAT the <u>Agenda</u> for the RDOS Board Meeting of April 5, 2018 be amended by adding Item E2 Approval of Declarations of State of Local Emergency and removing Item C3 Zoning Bylaw Amendment. - **CARRIED**

- 1. Consent Agenda Corporate Issues
 - a. Electoral Area "E" Advisory Planning Commission Appointment THAT the Board of Directors appoint Brent Rowland as a member of the Electoral Area "E" Advisory Planning Commission for a term ending November 30, 2018.
 - b. Electoral Area "A" Advisory Planning Commission March 19, 2018 THAT the Minutes of the March 19, 2018 Electoral Area "A" Advisory Planning Commission be received.
 - c. Electoral Area "C" Advisory Planning Commission February 20, 2018 THAT the Minutes of the February 20, 2018 Electoral Area "C" Advisory Planning Commission be received.
 - d. Electoral Area "E" Advisory Planning Commission March 12, 2018 THAT the Minutes of the March 12, 2018 Electoral Area "E" Advisory Planning

- e. Electoral Area "H" Advisory Planning Commission February 20, 2018 THAT the Minutes of the February 20, 2018 Electoral Area "H" Advisory Planning Commission be received.
- f. Kaleden Recreation Commission March 6, 2018 THAT the Minutes of the March 6, 2018 Kaleden Recreation Commission be received.
- g. Community Services Committee March 15, 2018 THAT the Minutes of the March 15, 2018 Community Services Committee be received.
- h. Planning and Development Committee March 15, 2018 THAT the Minutes of the March 15, 2018 Planning and Development Committee be received.

THAT the Board of Directors authorize the inclusion of text amendments to the Industrial Zone Update Amendment Bylaw No. 2783 to include "cannabis production" as a permitted type of "manufacturing" in the General Industrial (I1) and Heavy Industrial (I2) Zones.

i. RDOS Regular Board Meeting – March 15, 2018 THAT the minutes of the March 15, 2018 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

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

- 2. Consent Agenda Development Services
 - a. Development Variance Permit Application 148 Alder Avenue, Electoral Area "D"
 - i. Permit No. D2017.173-DVP
 - ii. Responses Received Additional Responses

To vary the minimum exterior side setback from 4.5 metres to 2.6 metres.

THAT the Board of Directors approve Development Variance Permit No. D2017.173-DVP.

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

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

B. DEVELOPMENT SERVICES – Building Inspection

1. Building Bylaw Infraction: Permit 18260 – Addition and Renovations to Dwelling, 2434 Oliver Ranch Road, Electoral Area "D"

The Chair enquired whether the property owner was present to speak to the application; however, no one was present.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 2710, Plan 32089, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced. **CARRIED**

2. Building Bylaw Infraction: Permit 18085 – Winery Retail, 2434 Oliver Ranch Road, Electoral Area "D"

The Chair enquired whether the property owner was present to speak to the application; however, no one was present.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 2710, Plan 32089, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced. **CARRIED**

3. Building Bylaw Infraction: Permit 18928 – 8093 Princeton-Summerland Road, Electoral Area "F"

The Chair enquired whether the property owner was present to speak to the application; however, no one was present.

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3 and an undivided 1/3 share in Lot 1 Plan KAP55324, District Lot 2893, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. **CARRIED**

4. Building Bylaw Infraction: Permit 18340 – 2016 West Bench Drive, Electoral Area "F"

The Chair enquired whether the property owner was present to speak to the application; however, no one was present.

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 23, Plan KAP8224, District Lot 5076, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

- 5. Building Bylaw Amendment
 - a. Bylaw No. 2333.10, 2018

To incorporate changes to the 2018 Fees and Charges Bylaw with respect to calculating Building Permit Fees.

RECOMMENDATION 8 (Unweighted Rural Vote – 2/3 Majority) It was MOVED and SECONDED

THAT Bylaw No. 2333.10, 2018 Regional District of Okanagan-Similkameen Building Amendment Bylaw be read a first, second and third time and be adopted. - CARRIED

C. DEVELOPMENT SERVICES – Rural Land Use Matters

- 1. Zoning Bylaw Amendment 2404 87th Street, Electoral Area "A"
 - a. Bylaw No. 2451.22, 2018
 - b. Responses Received

To allow for the construction of a secondary suite on a parcel less than 2020 m².

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

THAT Bylaw No. 2451.22, 2018, Electoral Area "A" Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the holding of the public hearing be scheduled for the Regional District Board meeting of May 3, 2018;

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

- 2. Zoning Bylaw Amendment "Regal Ridge" Site Specific Zoning Review, Electoral Area "A"
 - a. Bylaw No. 2451.23, 2018
 - b. Responses Received

To amend the Electoral Area "A" Zoning Bylaw No. 2451, 2008, in order to remove a number of site specific zoning regulations that relate to the Large Holdings One (LH1), Small Holdings Two (SH2) and Conservation Area (CA) Zones at "Regal Ridge" on Anarchist Mountain. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 10 (Unweighted Rural Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

THAT the matter of Zoning Bylaw Amendment – "Regal Ridge" Site Specific Zoning Review, Electoral Area "A" be deferred until the April 19, 2018 Board meeting. **CARRIED**

- Zoning Bylaw Amendment 445 & 449 Sagewood Lane, Okanagan Falls, Electoral Area "D-1"
 - a. Bylaw No. 2457.22, 2018
 - b. Responses Received

This item was removed from agenda.

- 4. Official Community Plan & Zoning Bylaw Amendments Industrial Updates, Electoral Areas "A", "C", "D", "E" & "F"
 - a. Bylaw No. 2783, 2018
 - b. Responses Received
 - Additional Responses

The public hearing for this item was held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.

To amend the Electoral Area "A", "C", "D", "E" and "F" Official Community Plan and Zoning Bylaws in order to update the industrial zones found in these electoral areas. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

THAT Bylaw No. 2783, 2018, Regional District of Okanagan-Similkameen Industrial Zone Update Amendment Bylaw be read a third time. - **CARRIED** Opposed: Directors Siddon, Bush, Christensen

- 5. Official Community Plan & Zoning Bylaw Amendments Small Holdings One (SH1) Zone Review, Electoral Areas "D-2" and "E"
 - a. Bylaw No. 2797, 2018
 - b. Responses Received Additional Responses

The public hearing for this item was held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.

To amend the Electoral Area "D-2" and "E" Official Community Plan and Zoning Bylaws in order to consolidate the Small Holdings One (SH1) Zone with the Large Holdings One (LH1) Zone. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority) <u>It was MOVED and SECONDED</u>

THAT Bylaw No. 2797, 2018, Regional District of Okanagan-Similkameen Small Holdings One (SH1) Zone Review Amendment Bylaw be read a third time. - **CARRIED**

- 6. Official Community Plan & Zoning Bylaw Amendments Large Holdings Three (LH3) Zone Review, Electoral Areas "D-2"
 - a. Bylaw No. 2455.30, 2018
 - b. Bylaw No. 2603.12, 2018
 - c. Bylaw No. 2603.13, 2018
 - d. Responses Received Additional Response

The public hearing for this item was held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.

To amend the Electoral Area "D-2" Official Community Plan and Zoning Bylaws in order to generally consolidate the Large Holdings Three (LH3) Zone with the Resource Area (RA) Zone, however, there are instances where other zonings such as Large Holdings One (LH1), Large Holdings Two (LH2) and Small Holdings Three (SH3) are being proposed. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 13 (Unweighted Rural Vote – 2/3 Majority) <u>It was MOVED and SECONDED</u>

THAT Bylaw No. 2603.12, 2018, Electoral Area "D-2" Official Community Plan Amendment Bylaw, be read a third time and adopted.

AND THAT Bylaw No. 2603.13, 2018, Electoral Area "D-2" Official Community Plan Amendment Bylaw and Bylaw No. 2455.30, 2018, Electoral Area "D-2" Zoning Amendment Bylaw be read a third time. - **CARRIED**

D. FINANCE

- 1. Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure
 - a. Bylaw No. 2801, 2018
 - b. Grant Application Form

RECOMMENDATION 14 (Weighted Corporate Vote – 2/3 Majority) It was MOVED and SECONDED

THAT Bylaw No. 2801, 2018, Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure Bylaw be read a first, second and third time and be adopted. - CARRIED

E. LEGISLATIVE SERVICES

- 1. Enabling Waiver of Development Cost Charges
 - a. Bylaw No. 2803, 2018

To define, and make provision for, those circumstances where a Development Cost Charge may be waived.

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

THAT the Regional District Bylaw 2803, 2018, being a bylaw of the Regional District of Okanagan Similkameen to provide for Development Cost Charges to be waived or reduced be read a first, second and third time. - **CARRIED**

ADDENDUM 2. Approval of Declaration of State of Local Emergency (Unweighted Corporate Vote – Simple Majority)

PowerPoint presentation

It was MOVED and SECONDED

THAT the Board of Directors consent to the Declaration of a State of Local Emergency issued by the Chair on March 27, 2018 to remain in force for seven days until April 3, 2018 at midnight unless cancelled in the vicinity of Kearns Creek at Willowbrook in the Regional District of Okanagan-Similkameen, Electoral Area C, due to the threat of flooding and debris flow that may threaten life, safety and cause significant property damage; and

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration of the State of Local Emergency in the vicinity of Kearns Creek at Willowbrook due to expire on April 3, 2018 at midnight for a further seven days to April, 10 2018, at midnight. **CARRIED**

Paul Edmonds, Emergency Management Program Coordinator, provided an overview of the flooding situation in the south Okanagan.

F. CAO REPORTS

1. Verbal Update

G. OTHER BUSINESS

1. Chair's Report

- 2. Directors Motions
- 3. Board Members Verbal Update

H. ADJOURNMENT

By consensus, the meeting adjourned at 4:25 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich RDOS Board Chair B. Newell Corporate Officer

TO:	Board of Directors	
FROM:	B. Newell, Chief Administrative Officer	
DATE:	April 19, 2018	
RE:	Development Variance Permit — Electoral Area "A"	

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. A2018.047-DVP

Purpose:	To allow the siting of an accessory structure within the exterior side yard setback	
Owner:	Jose and Pilar Rodriguez	<u>Folio</u> : A06238.510
<u>Civic</u> :	9710 42 nd Avenue	Legal: Lot A, DL 2450S, SDYD, Plan 31351
OCP:	Agriculture (AG)	Zone: Agriculture One (AG1)
Variance Request: To vary the exterior side yard setback from 7.5 m to 4.5 m for an accessory structure.		

Proposed Development:

This application seeks to vary the minimum exterior side parcel line setback from 7.5 metres to 4.5 metres in order to accommodate the construction of an accessory structure on the location of an existing fruit stand.

The applicant has stated that the intent "is not to defeat any standard but rather to build a new larger building to replace an existing deteriorating and insufficient fruit stand presently used for the storage of farm products and equipment for the purpose of maintaining the existing onsite cherry orchard."

In support of this proposal, the applicant has stated, amongst other things, that "the proposed building is only of sufficient size to meet the needs to maintain the existing orchard. I strongly believe that this proposal has no impact on the environment and only enhances the property in terms of safety and aesthetics."

Site Context:

The subject property is approximately 3894 m² in area and is located on the south side of Highway 97 immediately adjacent to the boundary of the Town of Osoyoos. The property is comprised of a single detached dwelling and a former fruit stand.

Background:

The subject property was created by a subdivision plan deposited with the Land Titles Office in Kamloops on November 3rd 1980, and available Regional District records indicate the previous issuance of building permits for a single Detached Dwelling Addition (2006-2010), Retaining wall (2006) and accessory structure (1985).



Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, the subject property is designated as Agriculture (AG), and under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is zoned AG1.

This property is also within the Agricultural Land Reserve (ALR) and has a small orchard on it, but does not appear to have farm status.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

Analysis:

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

The purposes of the setback regulation is to provide physical separation between neighbouring properties. With regards to exterior parcel lines, the Province has specified a minimum setback of 4.5 metres from all highway rights-of-way under Ministry jurisdiction. The proposal meets the minimum 4.5 metre ministry setback.

In this instance, Administration considers the requested variance to be minor in nature and is unlikely to adversely affect the use of other properties or uses, as the requested variance does not abut another lot. Further the structure will be used as storage for the orchard currently operating on the site which is supported by the lots inclusion in the ALR, and on other similarly sized lots in the Regional District exterior side yard setbacks are commonly 4.5 metres.

Conversely, the applicant should be able to site a smaller structure within the required setbacks, but has indicated that they require a structure of this size.

Alternatives:

- 1. THAT the Board of Directors deny Development Variance Permit No. A2018.047-DVP; or
- 2. THAT the Board of Directors defer consideration of Development Variance Permit No. A2018.047-DVP and refer the application to the Electoral Area "A" Advisory Planning Commission.

Respectfully submitted

Endorsed by:

Endorsed by:

K. Taylor, Planning Technician

C. Garrish, Planning Supervisor B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Site Photo

Attachment No. 1





Development Variance Permit

FILE NO.: A2018.047-DVP

Owner: Jose & Pilar Rodriguez 9710 42nd Avenue Osoyoos, BC, VOH-1V1

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot A, DL 2450S, SDYD, Plan 3135	1
Civic Address:	9710 42 nd Avenue	
Parcel Identifier (PID):	003-744-604	Folio: A-06238.510

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "A" Zoning Bylaw No. 2451, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The minimum Exterior side parcel line setback for a building in the Agriculture One (AG1) zone, as prescribed at Section 10.2.6(a)(iv), is varied:
 - i) from: 7.5metres

to: 4.5 metres, as measured to the outermost projection.

7. COVENANT REQUIREMENTS

a) Not applicable

8. SECURITY REQUIREMENTS

a) Not applicable

9. EXPIRY OF PERMIT

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

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on ______, 2018.

B. Newell, Chief Administrative Officer

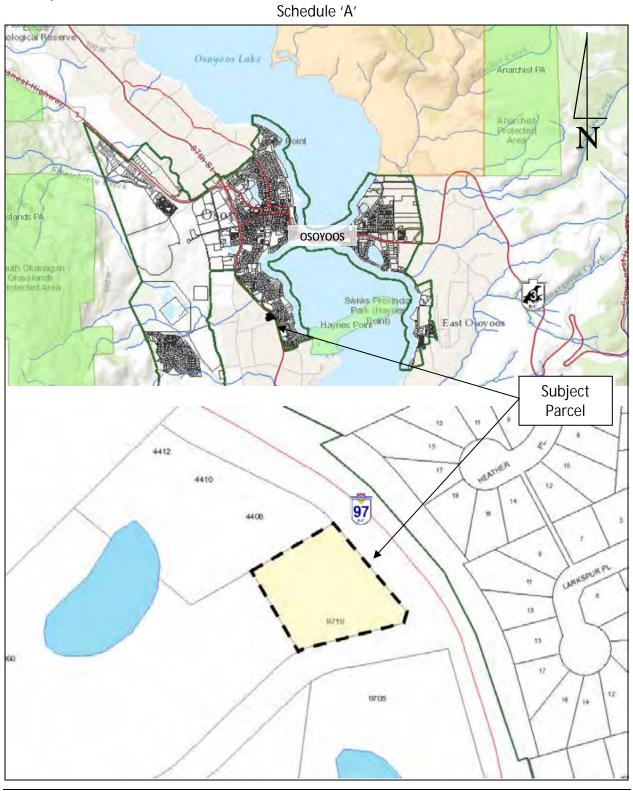
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Development Variance Permit

File No. A2018.047-DVP



File No. A2018.047-DVP Page 3 of 4

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Development Variance Permit







- TO: Board of Directors
- FROM: B. Newell, Chief Administrative Officer
- **DATE:** April 19, 2018

RE: Development Variance Permit Application — Electoral Area "E"

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. E2018.042-DVP.

Purpose:	To allow for the construction of	a new single detached dwelling.	
Owners:	Valerie Durman	Agent: NA	<u>Folio</u> : E-02285.000
<u>Civic</u> :	4575 Mill Road, Naramata	Legal: Lot 25, Plan KAP3889, DL 21, SDYD, exce	ept Plan 14494
OCP:	Low Density Residential (LR)	Zone: Residential Single Family One (RS1) Zone	<u>)</u>

<u>Requested</u> to reduce the minimum front parcel line setback from 7.5 metres to 1.17 metres; and <u>Variances</u>: to reduce the minimum interior side parcel line setback from 3.0 metres to 1.88 metres.

Proposed Development:

The applicant is seeking to vary the front parcel line setback for a principal dwelling in the Residential Single Family One (RS1) Zone from 7.5 metres to 1.17 metres and to also vary the interior side parcel line setback from 3.0 metres to 1.88 metres.

In support of the application, the applicant has stated that "Our home, built in 1946, has significant trees around it, which we wish to keep, and therefore prevents the moving of the house away from the road. The new home is to be built approximately on the original foundations [of the existing single detached dwelling]. Due to the riparian zone and the small site area between the road and the trees, the house plans as presented are the best solution, having considered many options."

Site Context:

The subject property is approximately 4,140 m² in area and is located on the west side of Mill Road on Okanagan Lake, approximately 500 metres north of the Naramata townsite. The property is seen to contain a single detached dwelling (to be removed) and cabin (to be converted into a garage) and no other buildings or structures.

The surrounding pattern of development is generally characterized by similar low density residential development to the north and east and agriculture to the east across Mill Road.

Background:

The current boundaries of the subject property were created by a subdivision plan deposited with the Land Titles Office on October 14, 1964. Regional District records indicate that a building permit was issued in 1979 for a carport. No other building or development permits have been issued.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008 the property is designated as Low Density Residential (LR), and under Schedule 'D' has been identified as lands designated as a Watercourse Development Permit (WDP) area.

A WDP application has been submitted for the proposal and is currently in process, including a Riparian Area Regulation (RAR) Assessment Report, dated November 14, 2017, prepared by David Cassidy, R.P. Bio., of Valley Environmental, which has determined a Streamside Protection and Enhancement Area (SPEA) setback of 10.0 metres.

Under Section 20.3.7 Variances to Protect the SPEA states "the Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA."

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is zoned as Residential Single Family One (RS1), wherein a "single detached dwelling" is a permitted use and the minimum front and interior side setbacks for such is 7.5 metres and 3.0 metres, respectively.

On March 9, 2018, the Ministry of Transportation issued a "Permit to Reduce Building Setback Less than 4.5 metres from the Property Line Fronting a Provincial Public Highway.

Public Process:

Adjacent property owners have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

Analysis:

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

Setbacks are used to provide a physical separation between the road and residential dwellings, to improve traffic and pedestrian safety, to maintain an attractive streetscape, to discourage overshadowing and loss of privacy on adjacent parcels, and to provide opportunities for openness and landscaping.

In this instance, Administration notes that siting options for development are limited by the presence of trees to the west of the dwelling, which the applicant wishes to keep. The applicant's site plan indicates the nearest tree to be approximately 0.3 meters to the west of the proposed dwelling.

It is also noted that the proposed dwelling will be further back from the front parcel line than the existing dwelling, which is currently in the setback. Placement of the dwelling in the setback is also unlikely to impact streetscape characteristics as the presence of existing trees and landscaping along Mill Road would minimize the impact, and there are no immediate neighbours to the east at the same elevation (they are all higher up on the bench).

Conversely, Administration considers that the property is of sufficient size to locate the dwelling outside of the setbacks and that the property owner could explore redesigning the building or reducing its size, or even removing some trees to relocating the building to the west in order to avoid the need for a variance.

A relaxation of the side setback is also not seen to be necessary in order to protect the SPEA, as the proposed dwelling is at least 10 metres beyond the west SPEA boundary. Finally, as the proposal is to replace an existing one-storey rancher with a relatively larger two-storey dwelling, a relaxation of the side setback may compromise the amenity of the adjacent parcel to the east, which currently contains a relatively small one-storey "cabin" (as described by the cabin owner) near the side parcel line.

Alternatives:

- .1 THAT the Board of Directors deny Development Variance Permit No. E2018.042-DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "E" Advisory Planning Commission (APC).

Respectfully submitted

Endorsed by:

Endorsed by:

imothy Donegan

T. Donegan, Planning Technician C. Garrish, Planning Supervisor

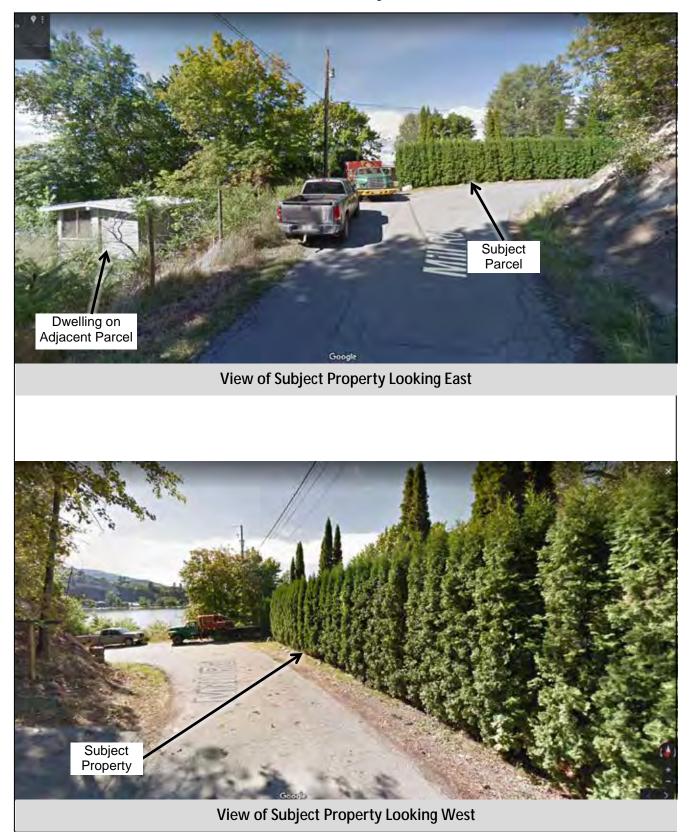
B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Google Street View

No. 2 – Applicant's Site Photos

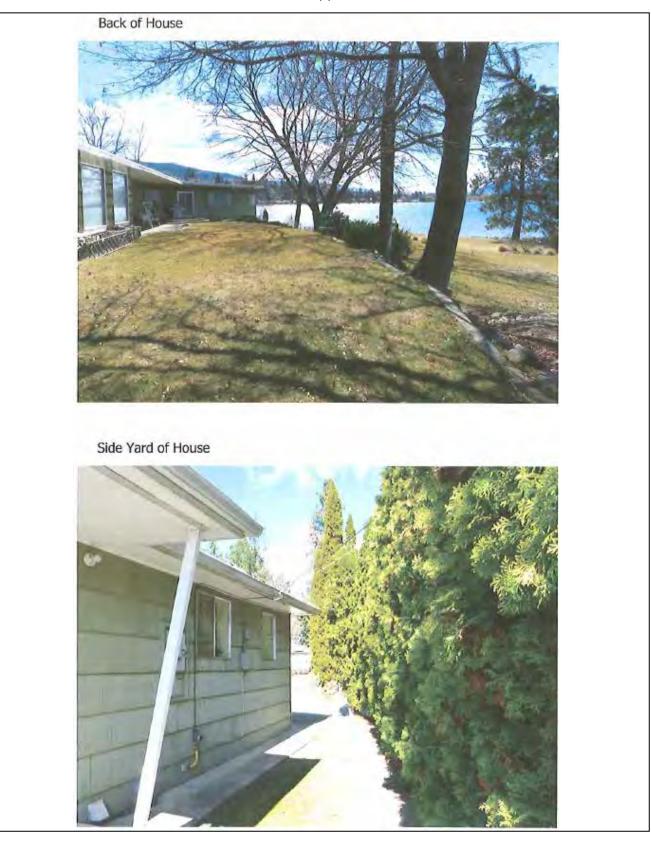
No. 3 – Applicant's Site Photos

Attachment No. 1 – Google Street View





Attachment No. 2 – Applicant's Site Photos



Attachment No. 3 – Applicant's Site Photos



Development Variance Permit

FILE NO.: E2018.042-DVP

Owner: Valerie Durman 4575 Mill Road P.O. Box 285 Naramata, BC VOH 1N0

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot 25, Plan KAP38	89, District Lot 21, SDYD, except Plan 14494
Civic Address:	4575 Mill Road	
Parcel Identifier (PID):	001-974-297	Folio: E02285.000

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The minimum front parcel line setback for a single detached dwelling in the Residential Single Family One (RS1) zone, as prescribed at Section 11.1.6(a)(i), is varied:
 - i) from: 7.5 metres.

- to: 1.17 metres, as measured to the outermost projection and as shown on Schedule 'B'.
- b) The minimum interior side parcel line setback for a single detached dwelling in the Residential Single Family One (RS1) zone, as prescribed at Section 11.1.6(a)(iv), is varied:
 - i) from: 3.0 metres.
 - to: 1.88 metres, as measured to the outermost projection and as shown on Schedule 'B'.

7. COVENANT REQUIREMENTS

a) Not Applicable

8. SECURITY REQUIREMENTS

a) Not applicable

9. **EXPIRY OF PERMIT**

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

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on ______, 2018.

B. Newell, Chief Administrative Officer

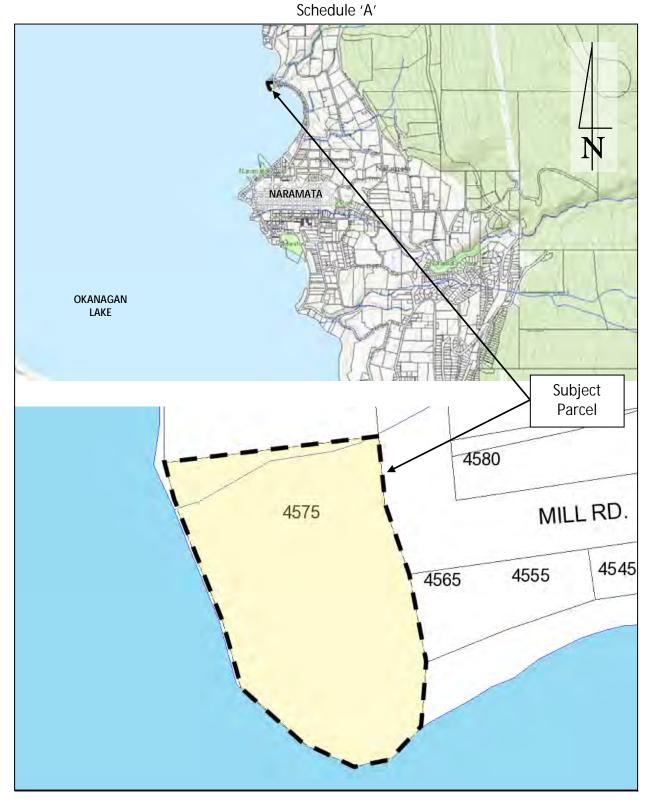
Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Development Variance Permit

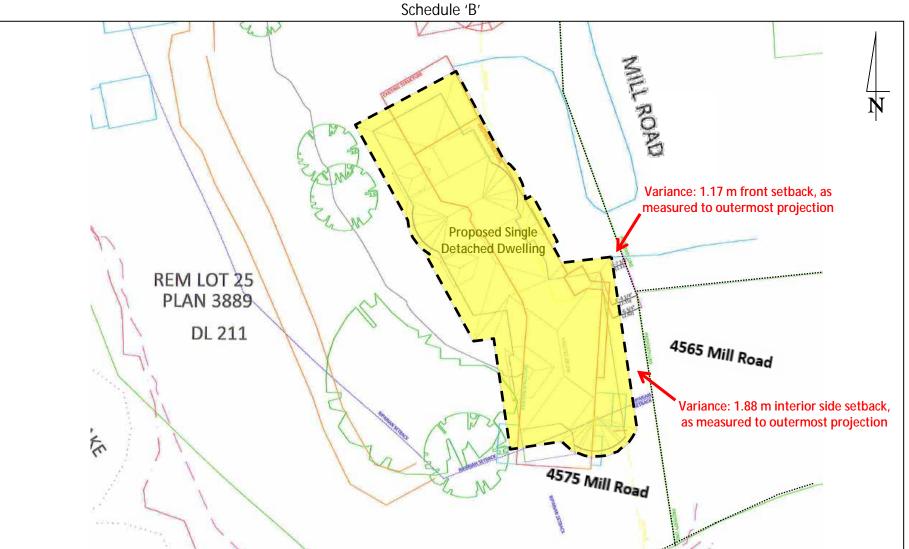
File No. E2018.042-DVP



Regional District of Okanagan-Similkameen

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

Development Variance Permit







March 29, 2018

To the Board of Directors, Regional District of Okanagan-Similkameen (RDOS):

Re: Development Variance Permit (DVP) application No. E2018.042-DVP 4575 Mill Road, Naramata (Lot 25, Plan KAP3889, District Lot 21, SDYD, except Plan 14494)

I am writing to provide input on the DVP application and request for variance to the minimum parcel line setbacks for a single detached dwelling at 4575 Mill Road. I am the owner of the immediately adjacent smaller property to the east (Lot 4565/4555) and as such am the most affected neighbour of the proposed DVP.

Opposition to Minimum Interior Side Parcel Line Setback Request

I am opposed to varying the minimum interior side parcel line setback from 3.0 metres to 1.88 metres. The proposed building will have a significant negative impact on my property since it will be built much closer to the property line than the footprint of the current dwelling and will extend along the majority of my interior side property line. Because the lot level of 4575 Mill Road is several feet higher than my lot, the impact of the building on the enjoyment of my property will be very great. In addition, this interior property line makes up the wider side of my 4565 lot. This widest west side of my property would be the logical area for me to either extend or rebuild my cabin. Reducing the interior side parcel line set back as proposed to 1.88 metres could result in two buildings on either side of the interior property line closer together than most houses on small city lots. The property at 4575 Mill Road is very large and has ample room to accommodate a new home without reducing the minimum interior side parcel line setback.

Minimum Front Parcel Line Setback Request

I am in favour of varying the minimum front parcel line setback of 7.5 metres but limited to a minimum of 2 metres. I think a reduction of the minimum setback at the front of the property to 2 metres is reasonable because there are no neighbours immediately across the road at street level and this decreased setback would be a sufficient distance from the road. This would allow the owners of 4575 Mill Road to maximize their use and enjoyment of the lake side of their property without impacting neighbours.

1.1

Thank you for considering my input.

Gail Cossentine, Owner, Lot 4555/4565 Mill Road



ADMINISTRATIVE REPORT

TO:	Board of Directors
FROM:	B. Newell, Chief Administrative Officer
DATE:	April 19, 2018
RE:	Building Bylaw Infraction Folio: C-05796.000 Lot: 3 Plan: KAP3458 DL: 2450S PID: 010-853-260 Civic Address: 250 Thorp Road

Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3, District Lot 2450S, Plan 3458 except Plan 16834, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT the Board of Directors direct staff to commence injunctive action.

Reference:

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

History:

The Contravention of Building Regulations Report dated January 3, 2017 from the Building Official indicates that on March 3, 2013, a Stop Work Notice was placed on a large roof erected over two steel storage containers, by the Building Official. A follow up letter was sent March 7, 2013. The structure is also within a Watercourse Development Permit area.



History con't

The owners applied for farm status through BC Assessment which would have eliminated the need for a building permit and a Watercourse Development Permit. The enforcement file was held in abeyance until determination from BC Assessment on the farm status. Farm class status was denied in December, 2013. Therefore, a building permit and Watercourse Development Permit are required.

A further letter was sent out December 12, 2016 in an effort to resolve this matter. To date, there has been no contact by the owners.

In order to close the permit file, a Watercourse Development Permit must first be obtained, then a building permit would have to be issued and completed.

This Building Bylaw infraction is considered to be Category 3, per Board Policy (Resolution B354/09).

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

Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.



Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 302 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

Respectfully submitted:

"L. Miller"

Laura Miller, Building Inspection Services Supervisor

Endorsed by:

"B. Dollevoet"

B. Dollevoet, Development Services Manager









https://portal.rdos.bc.ca/departments/officeofthecao/BoardReports/2018/20180419/BoardReports/C.1. Building Infraction C05796.000.docx File No: C-05796.000 Page 4 of 4



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: Building Bylaw Infraction Folio: D-02777.330 Lot: 20 Plan: KAP92537 DL: 411 PID: 028-724-011 Civic Address: 189 Resolute Road (Permit #19447)

Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 20, Plan KAP92537, District Lot 411, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

Reference:

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

History:

The Contravention of Building Regulations Report dated March 6, 2017 from the Building Official indicates that Permit #19447 was issued on September 24, 2015. This permit was issued for a single family dwelling with non-conventional construction methods.

A sub-slab plumbing inspection was done on September 28, 2015, however the water supply line was not installed at that time. The dwelling was partially framed and left abandoned and the elements have done damage. No further inspections were done on the structure as the RDOS did not receive the required field reports from the project engineers.

On April 4, 2016 the Homeowner Protection Office withdrew their New Home Authorization.



History con't

On April 19, 2016 the permit was cancelled per Section 15.4.2 of the RDOS Building Bylaw as the work had discontinued for a period longer than six months.

The permit has expired without the required inspections. It is unknown whether there are health & safety related deficiencies.

In order to re-start the work, a new building permit must be applied for and granted.

This Building Bylaw infraction is considered to be Category 2.

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

Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 302 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

Alternatives:

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

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

Category 2 (Major Deficiencies) – Place Section 302 Notice on title.

Category 3 (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.



Respectfully submitted:

"L. Miller"

Laura Miller, Building Inspection Services Supervisor

Endorsed by:

- "B. Dollevoet"
- B. Dollevoet, Development Services Manager



https://portal.rdos.bc.ca/departments/officeofthecao/BoardReports/2018/20180419/BoardReports/C.2. Building Infraction D02777.338.docx







https://portal.rdos.bc.ca/departments/officeofthecao/BoardReports/2018/20180419/BoardReports/C.2. Building Infraction D02777.338.docx

File No: D-02777.330



ADMINISTRATIVE REPORT

TO:	Board of Directors
FROM:	B. Newell, Chief Administrative Officer
DATE:	April 19, 2018
RE:	South Skaha Housing Society Not-for-Profit Housing Project Request

Administrative Recommendation:

THAT Bylaw No. 2803, 2018 Regional District of Okanagan-Simikameen Development Cost Charge Waiver Bylaw be adopted.

THAT Bylaw No. 2806, 2018 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted.

THAT the Board of Directors support in principle a 10 year property tax exemption for the South Skaha Housing Society located at 5080 9th Avenue and that this property tax exemption is to be applied for on an annual basis in accordance with the Property Tax Exemption Policy.

THAT Development Cost Charges in the amount of \$109,200 for the South Skaha Housing Society Affordable Housing Project (26 units) be waived in accordance with Regional District Bylaw No. 2803.

THAT a Grant-in-Aid of \$21,165 be provided to South Skaha Housing Society to be applied to the Development and Building Permit Fees of the Affordable Housing Project (26 units) located at 5080 9th Avenue, Okanagan Falls and funded from Electoral Area D Grant in Aid and Contingency.

Reference:

Local Government Act Section 559 Local Government Act Section 391 Taxation (Rural Area) Act Section 15 Property Tax Exemption Policy OK Falls Sanitary Sewer Development Cost Charge Bylaw (No. 2486) Development Cost Charges Waiver Bylaw (No. 2803)

Background:

The South Skaha Housing Society is working towards the construction of an Affordable Housing Project located at 5080 9th Avenue, Okanagan Falls. BC Housing has provided provisional project approval (PPA) to provide a capital grant of \$5.4 million towards the overall project costs of \$6.7

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180419/Boardreports/D.01. SSHS -Skaha Housing Society Exemptions Request (Report).Docx File No: Click here to enter text.

Page 1 of 4



million. Planned is a 3 storey, 26 unit (24 one bed, 2 two bed units) apartment building to be constructed in a north-south orientation with access coming off of 9th avenue. Attached to this report is the submitted conceptual design plan of the building.

On March 23, 2018, the South Skaha Housing Society provided a formal request letter directed to the RDOS. The society requests that the Regional District provide three "equity contributions" to the project, summarized below:

- 1. Property tax exemption for 2019 and for an extended 10 year period.
- 2. Waiver of Development Cost Charges (DCC's) applicable to the project for connecting to the Okanagan Falls Sewer system.
- 3. Waiving (or Grant-in-aid of equal contribution) of all development and building permit fees for the project.

Analysis:

Each requested "equity contribution" will be analyzed separately below for how the Board may choose to specifically deal with each request:

Property Tax Exemption:

The Board, at its discretion, may grant an exemption to eligible organizations from taxes payable to the RDOS for the upcoming tax year. Annually, the RDOS invites qualifying non-profit organizations to apply for a Property Tax Exemption. Normally, notifications of the exemption application process and the July 31 deadline are advertised in local area newspapers in early June and again in early July. On or before October 31st in any year, a board may, by bylaw adopt a property tax exemption bylaw. The request being received from the South Skaha Housing Society is the first of its nature and is out of the normal sequence of the exemption application process.

The South Skaha Housing Society would meet the eligibility criteria as set out in the Property Tax Exemption Policy (attached) as well as Section 15 of the Taxation (Rural Area) Act. Historically the Board has relied upon the amount of demonstrative benefits each exempted group provides to the community.

Draft Bylaw No. 2806 has been prepared for the consideration of the South Skaha Housing Society (located at 5080 9th Avenue, Okanagan Falls) to be property tax exempt for the 2019 year. In addition, a second resolution is being requested for the Board of Directors to provide "support in principle" of a property tax exemption being applied for on an annual basis for the next 10 years, in accordance with the Property Tax Exemption Policy.

Development Cost Charges:

In 2009, the RDOS adopted the "Okanagan Falls Sanitary Sewer Development Cost Charge Bylaw No. 2486, 2009" (Bylaw 2486) that allows the RDOS to impose a development cost charge (DCC) on subdivision or issuance of building permits.

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180419/Boardreports/D.01. SSHS -Skaha Housing Society Exemptions Request (Report).Docx File No: Click here to enter text.



The South Skaha Housing Society – Okanagan Falls Affordable Seniors Housing Project, at 5080 9th Avenue, is proposing to construct 26 units of not-for-profit housing. Under Bylaw 2486, the DCC calculation would be \$4,200.00 for each "apartment" style dwelling unit for a total of <u>\$109,200.00</u>.

The Local Government Act (LGA), s.563, defines what it considered "eligible development" for the ability to waive a DCC; "not-for-profit rental housing, including supportive living housing" is included as one of the categories. The RDOS also must by an applicable bylaw substantiates what is considered eligible developments based on the LGA definitions and any requirements that must be met prior to the granting of the waiver.

At its meeting of April 5, 2018, the Regional District provided three readings to Bylaw No. 2803 to provide for Development Cost Charges to be waived or reduced for not-for-profit rental housing, including supportive living housing. As such, the request to waive the DCCs for the South Skaha Affordable Housing Project would be in accordance with this bylaw.

Development and Building Permit Fees:

For the South Skaha Housing Society Affordable Housing Project, the application fees expected, based on a total construction value of \$4.129 million, is provided below:

- Temporary Use Permit = \$700.00
- Building Permit = \$22,614.00
- Sanitary sewer connection fee = \$350.00

Total application fees for the South Skaha Housing project are expected to be <u>\$23,664.00</u>.

Under the Local Government Act, and through the Regional District Fees and Charges Bylaw, the Regional District cannot "waive" the development and building permit fees associated with a development proposal unless it is set out in a bylaw and falls within the following criteria (section 397 (2) (e)):

provide for the reduction, waiving or refund of a fee or charge if, as specified in the bylaw, a person:

(i) has already paid towards the costs to which the fee or charge relates,

(ii) does not require the service to which the fee or charge relates,

(iii) no longer undertakes the activity or thing for which a licence, permit or approval was required, or

(iv) has prepaid towards the costs of the service to which the fee or charge relates and use of the service by the person is discontinued;

Unfortunately, the South Skaha Housing project request for "waiver" of development or building permit fees does not apply to any of the above four criteria, as the project will still be requiring planning (TUP) and building inspection services. Therefore, the Board cannot "waive" the

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180419/Boardreports/D.01. SSHS -Skaha Housing Society Exemptions Request (Report).Docx File No: Click here to enter text.



requirement for the fee. However, if the Board of Directors so chooses, it can provide a grant-in-aid back to a development applicant of an equal amount of the application fees.

For Electoral Area D, the amount of funding available to provide a "grant-in-aid" to the South Skaha Housing Society is summarized in the chart below:

Area D			
	2018	2018 Spent	
	Budget	To Date	Available
Grant in Aid	15,000	-	15,000
Contingency	10,000	3,835	6,165
Total Available			\$21,165

The Board of Directors can elect to provide a "grant-in-aid" up to a maximum of \$21,165 to South Skaha Housing Society in order to maintain the 2018 budget.

Alternatives:

That Bylaw No. 2806, 2018 Regional District Okanagan-Similkameen Property Tax Exemption Bylaw be denied.

That the request to waive Development Cost Charges in the amount of \$109,200 for the South Skaha Housing Society Affordable Housing Project (26 units) be denied.

THAT a Grant-in-Aid of \$23,664 to assist with Development and Building Permit Fees be denied.

Respectfully submitted:

B. Dollevoet, Development Services Manager

Attachments:	No. 1 – Letter from South Skaha Housing Society – March 23, 2018
	No. 2 – Draft Property Tax Exemption Bylaw No. 2806
	No. 3 – Property Tax Exemption Policy
	No. 4 – Proposed Conceptual Design

No. 5 – Letter from Okanagan Falls Irrigation District – April 3, 2018

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW 2803, 2018

A bylaw to enable development cost charges to be waived or reduced for not-for-profit rental housing, including supportive living housing.

WHEREAS pursuant to the Local Government Act (the "Act"), Section 559, RSBC 2015, c. 1, a local government may, by bylaw, impose development cost charges on every person who obtains approval of a subdivision or a building permit for a building or structure;

AND WHEREAS the Regional District of Okanagan Similkameen has established Development Cost Charges, by bylaw, for eligible services;

AND WHEREAS there is a general prohibition against waiving or reducing charges except as authorized under Section 563 of the Act;

AND WHEREAS the Board of Directors for the Regional District of Okanagan-Similkameen may choose to consider the reduction or waiver of development cost charges;

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 Development Cost Charge Waiver Bylaw No. 2803, 2018".

2 Interpretation

- 2.1 In this bylaw:
 - (a) **"Eligible Development**" means not-for-profit rental housing, including supportive housing that meets all of the following:
 - (i) The applicant has demonstrated to the reasonable satisfaction of the Regional District of Okanagan-Similkameen that the development is eligible for a housing subsidy (either rent or capital) from the government of British Columbia, the government of Canada, or a Public Housing Authority.

(b) *"Public Housing Authority"* means the BC Housing Management Commission or another public authority established by the government of British Columbia or the government of Canada.

3 Waiving or Reduction of Development Cost Charges

- 3.1 The Regional District of Okanagan-Similkameen may waive or reduce development cost charges that:
 - (a) are otherwise payable under a current Development cost charge bylaw;
 - (b) have an appropriate land use designation for the proposed development; and
 - (c) meet the definition of Eligible Development under this bylaw.

READ A FIRST, SECOND, AND THIRD TIME this 5th day of April, 2018

ADOPTED this ____ day of ____, 20___

RDOS Board Chair

Corporate Officer



South Skaha Housing Society P.O. Box # 1 - 1530 5350 9th Ave Okanagan Falls, BC V0H 1R0

Board Chair and Members Regional District of Okanagan-Similkameen 101 Martin Street Penticton BC V2A 5J9 March 23, 2018

<u>Re: South Skaha Housing Society – Okanagan Falls Affordable Seniors Housing Project – 5080 9th Avenue</u>

Please accept this letter as the South Skaha Housing Society's formal request to the Regional District of Okanagan-Similkameen to become a partner and equity contributor to the Society's 26 unit affordable independent seniors housing project in Okanagan Falls at the above noted property on 9th Avenue.

The South Skaha Housing Society has received a Provisional Project Approval (PPA) from BC Housing under the Innovation in Housing Initiative (IHI) program in March 2017. This conditional approval from BC Housing includes the provision of interim construction financing, CMHC loan insurance, arrangement of take-out financing at project completion and a capital grant of \$5.4M towards the \$6.7M project. The Society and their development team continue to work through the conditions of approval including receipt of all municipal approvals to allow the project to proceed to construction. The Society has made an application to the Regional District for a Temporary Use Permit in order for the project to proceed and remain in keeping with the approved Town Centre Revitalization Plan. This suggested approach was undertaken in anticipation of the forthcoming amendments to OCP and the existing zoning bylaw for Okanagan Falls by District Planning staff that will reflect design and planning principles adopted within the Town Centre Revitalization Plan.

The South Skaha Housing Society would respectfully request that the Regional District of Okanagan-Similkameen consider waiving their portion of the development cost charges (DCC's) for our project. This residential building will provide affordable housing for low to moderate income households (independent seniors) within the Regional District of Okanagan-Similkameen. The rental rates of the residential units will be offered at "low-end-of-market" affordable rates based on CMHC rental rates for the Osoyoos/Oliver area. The project will be providing a total of 26 affordable housing units consisting of a mix of both one bedroom (24) and two bedrooms (2) including some of the one bedroom units designed to be fully handicapped accessible and/or adaptable.

The waiving of the DCC's for affordable and social housing is supported under Regional District of Okanagan-Similkameen Bylaw No. 2486. Section 4.1 (c) that allows for 100% exemption of development cost charges with respect to a building that is exempt from taxation under Section

220 (1) h and 224 (2) f of the Community Charter. The 'lands and improvements' are 'owned and held' by the South Skaha Housing Society, a registered 'not for profit corporation' to which they qualify under the Community Charter and Bylaw No. 2486.

The OK Falls project has been designed to be energy efficient and sustainable relative to overall energy consumption. The design team has proposed that the OK Falls building will achieve a Step 3 Level under the new BC Building Code. Notwithstanding that the OK Falls project qualifies under Bylaw 2486, the South Skaha Housing Society would also respectfully request the Regional District of Okanagan-Similkameen to consider waiving of property taxes through Bylaw 2784 for an extended 10 year period as permitted under the Municipal Charter and consider the waiving of all permit and connection fees (development and building) for the project.

Equity contributions from the Regional District of Okanagan-Similkameen, through Bylaw's 2486/2784 and/or through further consideration and direction of the Board will directly affect the affordability of rental rates for the OK Falls project and the future senior tenants of the community who will reside there. Equity contribution by the Regional District of Okanagan-Similkameen through the waiving of DCC's, all permit fees and the provision of a 10 year property tax exemption will allow the Society to reduce the proposed average rents for the project by 11% (average \$85 per unit per month) and allow the project to meet the Step Code 3 Level of the new BC Building Code while still meeting the financing and funding criteria of BC Housing.

Equity contributions from multiple partners will allow the South Skaha Housing Society to establish and maintain affordable residential rental rates immediately when the building is ready for occupancy. The Society will be making a similar equity contribution request to the Okanagan Falls Irrigation District for waiving of their portion of the DCC's applicable to this affordable seniors housing project.

The South Skaha Housing Society and their development team are available to the Board and Members and of course District staff to answer any questions about this exciting affordable independent seniors housing project. We would like to thank you in advance for your consideration and hope that the Regional District of Okanagan-Similkameen is enthusiastic to participate in this important community initiative and become a partner in this much needed affordable housing project for seniors in Okanagan Falls.

Sincerely,

Am-Lid

R. H. McLeod Chairman South Skaha Housing Society

cc. Danna Locke, Director Regional Development Interior Region, BC Housing Brad Dollevoet, Development Services Manager, Regional District of OkanaganSimilkameen Linda Larson, MLA, Boundary-Similkameen

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2806, 2018

A bylaw to exempt property tax assessments.

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

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

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

1 Citation

- 1.1 This Bylaw shall be cited as the "Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw No. 2806, 2018".
- 2.1 Pursuant to Section 15 of the Taxation (Rural Area) Act, the following parcels of land shall be exempt from taxation with respect to land and improvements for the year 2019;

Owners Name

Legal Description

Society Skaha Housing Society

Lot 1, Plan KAP12558, District Lot 374, Land District Similkameen Div of Yale, OKANAGAN FALLS TOWNSITE

READ A FIRST, SECOND, AND THIRD TIME this ____day of _____, 20___

ADOPTED this ____ day of ____, 20___

RDOS Board Chair

Corporate Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

- **POLICY:** Property Tax Exemption Policy
- AUTHORITY: Board Resolution No. B212/10 dated April 15, 2010 Administrative Review June 5, 2015

POLICY STATEMENT

The Regional District of Okanagan-Similkameen recognizes the significant value of volunteers, volunteer groups and agencies to the spiritual, educational, social, cultural, and physical well-being of the region. A property tax exemption is a means for the Board to support organizations within the region that further the Board's objective to enhance the quality of life while delivering services economically to the citizens of the Regional District.

1.0 PURPOSE

To provide clarity, consistency and certainty to the Regional District, the public and prospective applicants in processing applications for exemption from property taxes pursuant to section 809 and 810 of the *Local Government Act.*

2.0 **RESPONSIBILITIES**

- 2.1 Board of Directors may:
 - Make revisions, additions or deletions to the Policy.
 - Receive delegations from non-profit organizations requesting a tax exemption under this policy.
 - Consider property tax exemption applications on an annual basis.

2.2 The CAO shall:

- Review the policy, from time to time, and provide the Board with changes, if required.
- 2.3 <u>The Manager of Finance shall</u>:
 - Establish an application deadline.
 - Advertise the opportunity to apply for a property tax exemption in the local newspaper twice prior to the application deadline.
 - Ensure application forms are available on the Regional District website.
 - Review all applications for completeness and contact the applicant if additional information is necessary.
 - Prepare a summary report of applications and bylaw for presentation to the Board at their mid-September meeting for consideration, approval and adoption prior to October 31st of each year.
 - Ensure the advertising and public notice processes comply with Section 94 of the *Community Charter.*
 - Submit a public notice of the proposed bylaw to be placed in local newspapers. The notice will include:
 - Property subject to bylaw
 - Description of the proposed exemption
 - Number of years the exemption will be provided
 - Estimate of the amount of taxes that would be imposed on the property if it were not exempt for the year of exemption.

https://portal.rdos.bc.ca/departments/officeofthecao/0100-0699Administration/0340PoliciesDirectives/0340_50BoardPolicyCurrent/Property_Tax_Exemption_Policy.docx File No: 0340.50 Page 1 of 7

- 2.4 The Applicant shall:
 - Submit a complete application to the Manager of Finance on the approved form prior to the established deadline.
 - Provide the information required to adjudicate the application.
 - Appear before the Board, if required by the Board.
 - Provide records and/or property to verify information provided in support of application.

3.0 PROCEDURES

3.1 Eligibility Criteria

To be eligible for a property tax exemption an organization must comply with all of the eligibility criteria outlined below. The application forms and supporting documentation are an integral part of this policy. There is no obligation on the part of the Board to grant property tax exemptions in any given year.

The applicant(s) must:

- qualify for an exemption under the provisions of the *Local Government Act*, general authority for property tax exemptions. (Section 809 and 810);
- be in compliance with regional district policies, plans, bylaws, and regulations (i.e. zoning);
- be a Non-Profit Organization;
- not be in competition with for-profit business.
- provide services or programs that are compatible or complementary to those offered by the Regional District. When a service or program is offered by a non-profit group or club, the community benefits from a more cost-effective provision of services;
- provide a service that fulfills some basic need, or otherwise improves the quality of life for residents of the Regional District.
- 3.2 The principal use of property must meet the Board's objectives. The "principal use of the property" refers to the use related directly to the principal purpose of the organization owning the property. Property tax exemptions will be based on the principal use of the property, not on the non-profit or charitable services of the organization.
- 3.3 The organization will provide benefits and accessibility to the residents of the Regional District. Specifically, members of the public, within the appropriate age range, are able to join a club or organization and participate in its activities for a nominal rate or fee;

Regional District residents must be the primary beneficiaries of the organization's services. The services provided on the property must be accessible to the public. The Board may, at its discretion, provide partial exemptions.

- 3.4 Organizations that provide liquor and/or meal services as their primary function and/or source of revenue will not be eligible for property tax exemption;
- 3.5 Organizations that provide short term housing with length of stay up to a maximum of two years, including emergency shelters, transitional housing, supportive housing for people with special needs, and group homes are eligible.

- 3.6 Organizations that have a residence in the building or on the property will only be exempt if a caretaking function is performed and the property owner (organization) can provide a copy of an agreement demonstrating:
 - rent is not collected on the residence; and,
 - there is a caretaker agreement in place.

4.0 PUBLIC NOTICE

Successful applicants may be asked to publicly acknowledge the exemption.

5.0 DISCLAIMER

- 5.1 The Board may, at its discretion, reject any or all applicants in any given year.
- 5.2 Applications received after the deadline will not be considered until the following year's submissions to the Board.

Application For Property Tax Exemption

1.	Name of Organization:	Date:
2.	Society Number:	Email:
3.	Contact Person:	Position:
	Mailing Address:	
	Postal Code:	Tel:
4.	Purpose of Organization:	
5.	Legal Description of	
6.	Executives of Your Organization:	
	President/Chairperson:	
	Vice President/Vice Chairperson:	
	Treasurer:	
7.	Current Membership:	
8.	Number of Meetings per year What types of services does your organization provide:	
9.	What portion of your activities are considered:	
	Non-Profit	
	Recreational/Athletic	
	Commercial	

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10. What are your current fees? (if applicable)

	General
Members:	Public:
What was your last fee	
increase:	

11. Has your organization received any of the following in the past:

	NO	YES			
Grant-in-aid			Amount	\$ Year	Purpose
Property tax exemption			Amount	\$ Year	Purpose
Waiver/reduction of fees and charges			Amount	\$ Year	Purpose

12. Describe how a permissive tax exemption will benefit the community:

13. Please include with your application, copies of the following:

- (a) Year to date and the immediately preceding years' financial statements;
- (b) Budget for the year in which the permissive tax exemption is being requested;
- (c) If available, the most recent annual report;
- (d) Copy of current year Property Assessment notice;
- (e) Copy of current years property Tax notice, if available

Signature of Applicant

Date

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OKANAGAN FALLS IRRIGATION DISTRICT

P.O. BOX 110 OKANAGAN FALLS, B.C. V0H 1R0

April 3, 2018

Mr. Robert McLeod Board Chairman South Skaha Housing Society PO Box 251 Okanagan Falls, BC VOH 1R0

Dear Sir:

Re: Okanagan Falls Affordable Seniors Housing Project

The Okanagan Falls Irrigation District is in receipt of your letter dated March 23, 2018.

Unlike the Regional District Okanagan Similkameen the Okanagan Falls Irrigation District does not have the authority under the Local Government Act to waive Capital Expenditure Charges.

The District therefore is unable to become a partner and/or equity contributor to the project.

Sincerely,

OKANAGAN FALLS IRRIGATION DISTRICT

Judy Morris Manager

1109 WILLOW STREET, OKANAGAN FALLS, B.C. TELEPHONE: 250-497-8541 FAX: 250-497-5817 EMAIL: ofid@telus.net WEBSITE: www.okanaganfallsirrigationdistrict.ca



ADMINISTRATIVE REPORT

RE:	Bylaw Enforcement Procedures Policy
DATE:	April 19, 2018
FROM:	B. Newell, Chief Administrative Officer
TO:	Board of Directors

Administrative Recommendation:

THAT the Board of Directors adopt the Bylaw Enforcement Procedure Policy (as presented to the Planning and Devopment Committee April 5, 2018) as its guiding policy for the enforcement of all RDOS regulatory bylaws and directs Administration to report back on the results of the new Policy by April 5, 2019;

AND THAT the previous Bylaw Enforcement Policy (adopted December 19, 2013) be repealed.

Purpose:

To ensure our bylaw enforcement procedures are in compliance with best practices of the Office of the Ombudsperson's March 2016 report entitled "Bylaw Enforcement: Best Practices Guide for Local Governments."

Reference:

<u>Bylaw Enforcement: Best Practices Guide for Local Governments</u> – The Office of the Ombudsperson. Special report No. 36 (March, 2016) Regional District of Okanagan-Similkameen Policy Manual

Analysis:

At the April 5, 2018 Planning and Development Committee meeting, the Committee reviewed the above-noted policy. The changes from the previous policy include the following:

- Removal of "Observed Infractions" section. Enforcement actions will be mainly enacted through written complaint submissions (other than for health and safety matters).
- In-depth Roles and Responsibilities section. The policy suggests that Board member responsibilities are to create policy and provide direction on significant enforcement proceedings and to not influence normal, routine operations of Bylaw enforcement staff.
- Removal of location criteria of when a complaint can be submitted (i.e. property located within 100 m of subject property, or two complaints within an Electoral Area).
- More detailed written complaint processing procedure provide assurance to complainants that their complaints will be followed up with in a timely fashion.



- Ability to not proceed with enforcement action in the case of frivolous, repeat and/or multiple complaints (Clause 5.10)
- Third party complaints (i.e. provincial jurisdiction) will no longer be handled by RDOS staff. Just provision of contact information (Clause 5.11)
- Offenders will be given 30 days notice (as a standard, with discretion of more or less time to staff due to situational context) to achieve voluntary compliance (Clause 6.2).
- Inclusion of a new "Appeals" section to provide formal process of how the Board can hear appeals to enforcement decisions.

Alternatives:

- 1. To not adopt the revised Bylaw Enforcement Procedures Policy dated April 5, 2018 and maintain the current policy for guidance to Administration.
- 2. To propose revisions to Administration to review and then present a revised policy to Planning and Development Committee at a future date:

Communication Strategy:

The new Bylaw Enforcement Procedures policy will be posted on RDOS's website. In addition, as per the best practices recommendation, all Board decisions on appeals will also be placed on the RDOS website.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

POLICY: Bylaw Enforcement Procedures

AUTHORITY: Board Resolution dated _____

INTRODUCTION

Respecting the rights of our neighbours and preserving the quality of life in our unincorporated communities and electoral areas are important aspects of community living. The goal of any proactive Bylaw Enforcement program is not to penalize residents but rather to achieve voluntary compliance with reasonable standards through increased public education and awareness of our regulations and the rationale for them.

While certain areas of enforcement are health and safety related that may require proactive enforcement, the majority of our regulations are enforced on a complaint only basis. RDOS may investigate complaints received from the public about alleged violations of various regulatory bylaws and regulations such as property maintenance, excessive noise, animal and dog control, and land use issues.

Some complaints may be considered either as a civil dispute between property owners, such as storm drainage, or as a minor non-enforceable issue, such as trees overgrowing property lines. These will not be acted upon by the Regional District.

In all cases, the Regional District supports balancing accountability and confidentiality among the parties in the bylaw enforcement process.

1. POLICY STATEMENT

It is the policy of the RDOS to rely primarily on written citizen complaints as a means of enforcing regulatory bylaws; and, to refuse disclosure of complainant or responder information unless consent is obtained from the person who supplied the information or ordered to do so by a higher authority.

The Regional District has no duty to take enforcement action with respect to every contravention of every bylaw that may be occurring within its jurisdiction, allowing discretion based on need and urgency.

2. PURPOSE

The purpose of this policy is to provide guidance to staff, elected officials, and members of the public on the receipt of complaints and initiation of investigation and enforcement proceedings as they related to contravention of designated RDOS regulatory bylaws.

3. ROLES & RESPONSIBILITIES

.1 Board of Directors:

 Adopts bylaws and policy and any amendment thereto. Regulatory bylaws shall identify the enforcement jurisdiction and the person and/or agent authorized to enforce those regulations.

- The Board shall consider all enforcement matters that may require Supreme Court decision or Direct Enforcement action. Direct Enforcement action is referred to cases where the Regional District requires a person to take action to comply with a bylaw, and if not completed, the Regional District will complete the action and then recover compliance costs (as per the *Local Government Act*).
- The Board shall hear and make decision on valid appeals of enforcement actions.
- All Board inquiries related to bylaw enforcement shall be directed to the Chief Administrative Officer. Individual members of the Board shall not sanction, direct, investigate or assess a complaint.
- .2 Chief Administrative Officer, or designate, shall:
 - Enforce regulatory bylaws, make recommendations to the Board for policy amendments and shall keep the Board advised of any significant enforcement actions.
 - Direct enforcement functions relating to voluntary compliance and quasi-criminal proceedings in Provincial Court.
 - Consider the validity of appeals prior to authorizing a Board hearing of the appeal. The validity of an appeal may be based on the following factors:
 - That the RDOS has a bylaw that deals with the subject issue.
 - That the subject issue is not a civil matter.
 - That the subject issue occurs within the jurisdiction of where a bylaw's powers reside.
 - That the subject issue is not frivolous and may have an impact to a person's enjoyment of their personal property or well-being.
- .3 Designated Officer:
 - The Designated Officer shall coordinate all regulatory bylaw enforcement actions and shall act as the contact for contracted Bylaw Enforcement Officers engaged in carrying out enforcement.
 - The Designated Officer may attend or accompany a Bylaw Enforcement Officer on site investigations when a situation warrants it or when requested by the Officer.
- .4 Bylaw Enforcement Officer(s):
 - Bylaw Enforcement Officer(s) shall attend at site to investigate complaints and carry out enforcement actions.
 - Where a Bylaw Enforcement Officer has reasonable and probable grounds to believe and does believe that a violation exists, he or she may enter upon private property to further an investigation or resolve any violation. The Regional District will take all reasonable steps to notify the owner or occupant before an Officer conducts an onsite inspection. Officers will only conduct business on the property related to the issue of the complaint.
 - Bylaw Enforcement Officer(s) shall maintain a detailed reporting of enforcement activity in a database format, and provide a monthly report on enforcement activity for submission to the Designated Officer.

4. SUBMISSION OF A COMPLAINT

- .1 All bylaw enforcement complaints are required to be made in writing and all complaints are to be submitted by the complainant to the Designated Officer.
- .2 Each individual complaint shall be in writing a letter, an email or the Regional District's Bylaw Complaint Form (see attached) and shall contain the complainant's:
 - i) name;
 - ii) address;
 - iii) phone number; and
 - iv) a description of the nature and location of the alleged infraction as well as its impact on the complainant.
- .3 Complaints will be prioritized on the basis of the date the complaint was received, unless the complaint is determined to involve a matter that may adversely impact the environment or the health, safety, and security of citizens or may result in a liability incurred by the Regional District of Okanagan-Similkameen.
- .4 The Designated Officer may commence an investigation without written complaint where:
 - i) notification of bylaw violations related to an Animal Control, Dog Control, or Noise Bylaw that are directed to a Bylaw Enforcement Officer;
 - ii) bylaw violations are observed by an employee or agent of the Regional District;
 - iii) involves a matter that may adversely impact the environment or the health, safety, and security of citizens or may result in a liability incurred by the Regional District of Okanagan-Similkameen;
 - iv) a notification or referral is received from an external agency that identifies bylaw violations on a subject property;
 - v) advertisements for uses believed to be illegal have been observed; and
 - vi) correspondence and/or communications undertaken with the Regional District that identify a bylaw violation (i.e. property and zoning inquires, requests for comfort letters, etc.).
- .5 Anonymous complaints or observed infractions may not be acted upon unless the alleged infraction is a life, safety or environment matter.
- .6 A complainant may be requested to sign an affidavit and/or be prepared to stand as a witness should an enforcement proceed to court.
- .7 All written complaints are to be acknowledged of receipt within five (5) business days.

5. PROCESSING PROCEDURE – WRITTEN COMPLAINTS

- .1 The procedures contained within this section apply to all regulatory bylaws, except those that contain specific procedures for processing complaints included within the bylaw (i.e. Untidy and Unsightly), as well as the Animal Control, Dog Control, Building and Electoral Area Noise Bylaws. In all cases, procedures provided in a bylaw will take precedence over those provided in this policy.
- .2 All bylaw enforcement complaints shall be directed to the Designated Officer to be logged, recorded, and acknowledged. On receipt of a written complaint, a preliminary review of the complaint is undertaken to ensure that the complaint is well founded.

- .3 If upon preliminary review, it is determined that a complaint is not well founded or and that no violation exists, the Designated Officer will advise the complainant of such within a written letter format, together with reasons provided for making this determination.
- .4 If the Designated Officer determines the alleged violation may be in relation to the Building Bylaw, the complaint will be forwarded to a Building Official for assessment, investigation, and enforcement of the Building Bylaw provisions.
- .5 If the Designated Officer determines that the alleged violation may be in violation of a regulatory bylaw, an Enforcement Assessment Form will be completed. A site inspection may be requested of a Bylaw Enforcement Officer to confirm the infraction and to provide a report of findings. The Bylaw Enforcement Officer's report, together with an Enforcement Assessment Form will be referred to the applicable department that manages the regulatory bylaw for comments and provision of options to rectify.
- .6 Upon receipt of the completed Enforcement Assessment form, the content will be reviewed by the Designated Officer who will determine whether to proceed with enforcement action. The Designated Officer shall determine the appropriate action in accordance with this policy.
- .7 If no action is determined, a letter will be provided to the complainant that describes any additional steps taken to assess the complaint (i.e. on-site inspections), the reasons for no enforcement, and provide any other relevant information to the complainant.
- .8 If action is initiated, the process as set out in Section 6.0 Investigation and Enforcement will be implemented.
- .9 When exercising discretion for determining a course of action, the following factors shall be considered:
 - i) the scale, number and duration of the infraction(s);
 - ii) the current, short and long term impacts caused by the infraction;
 - iii) frivolous, repeat and/or multiple complaints of an alleged infraction;
 - iv) the potential for precedent; and
 - v) the resources available to resolve the matter.

The Regional District retains the right to not commence enforcement proceedings in accordance with one or more of these criteria.

- .10 In the case of frivolous, repeat and/or multiple complaints, each complaint will be dealt with on its own merits and according to this policy. However, Regional District staff and contractors will endeavour to focus on balancing fairly the interests of both the individual making the complaint and the broader community. The Regional District retains the right to not intervene in civil matters that are clearly disputes between individuals. The Regional District may consider responding to repeat complaints only where the complainant provides new information or raises a new issue. New information may be referred to the appropriate department for further assessment.
- .11 Complaints not related to a Regional District bylaw will not be investigated and no file will be opened. Staff will make best efforts to educate complainants of the applicable regulatory agency that may address their concerns and how complainants can lodge their concerns with the applicable regulatory agency for their information and follow-up.

6. INVESTIGATION AND ENFORCEMENT

- .1 Should a violation be determined to have occurred, the person(s) who committed the infraction (i.e. offender) and/or the property owner will be notified in writing with a warning letter. The required elements to be included in the warning letter include:
 - i) explaining the terms of confidentiality for both the complainant and offender;
 - ii) providing an explanation of the relevant bylaw and how the person is alleged to have contravened it;
 - iii) the time limit for voluntary compliance;
 - iv) notification of fines and other potential enforcement measures associated with the offence.

Depending on the severity of the infraction, offenders may be given the opportunity to respond and achieve voluntary compliance before further action is taken. Offenders should cease the activity or construction immediately until the necessary action to rectify is completed.

- .2 The offender/property owner may be requested to take action within thirty (30) days, or a time limit determined by the Designated Officer. Additional time may be authorized by the Chief Administrative Officer, upon receipt of a written request for such extension from the offender/property owner.
- .3 Intermediate enforcement steps may include a second field inspection or monitoring of the property following the initial time set for voluntary compliance and negotiation of further time to comply.
- .4 Enforcement action may be taken without providing notice where a violation requires immediate action in response to an immediate risk to health, safety or the environment. After enforcement action is taken, the affected person will be provided with a written letter explaining the reasons to commence the enforcement action.
- .5 Enforcement action may be taken without providing notice in cases where a previously enforced violation is on file that is similar to the current violation.
- .6 Where unlawful activity has not ceased or where compliance is not being actively pursued (i.e. submission of a land use application to the Regional District) within the time period provided for voluntary compliance, the following action(s) may occur:
 - a) The Designated Officer directs the Bylaw Enforcement Officer(s) to proceed with the enforcement action set out in the warning letter, including, but not limited to, issuing Notices for bylaws listed within the Bylaw Notice Enforcement Bylaw.
 - b) The Designated Officer will prepare a report indicating that legal proceedings or direct enforcement action should be initiated. The report should identify whether the proceedings should involve:
 - i) prosecution under the Offence Act;
 - ii) Direct Enforcement action in accordance to the Local Government Act;
 - iii) an application for a Provincial Court compliance order under the Local Government Act; or
 - iv) an application for a Supreme Court injunction.

If legal proceedings are recommended, the report will identify options to the recommended course of action and the implication of those options.

If Direct Enforcement action is recommended, the report will outline the recommended action by the Regional District, the anticipated expense, and the process to recover the costs incurred by the Regional District from the offender as debt.

- .7 Enforcement through the courts is a Board decision and a report will be processed in accordance with the Regional District's Decision-Making Guidelines Policy.
- .8 If legal proceedings are to be withheld, through resolution of the Board, for cause (i.e. budget, investment of staff time, not deemed to be in the public interest, etc.), the complainant and offender will be so advised in writing, and the enforcement file closed.
- .9 If legal proceedings are approved, through resolution of the Board, the file will be assigned to legal counsel with all reports, correspondence, title documents and a certified bylaw, and preparation of a witness list.
- .10 At the end of legal proceedings or direct enforcement action, the Designated Officer will advise the complainant and the Board of the outcome, and close the enforcement file once compliance has been established or the court decision renders continuing enforcement unnecessary.
- .11 An enforcement file may be reactivated if the Regional District is made aware through either the monitoring of the Bylaw Enforcement Officer, or receipt of new information, that the offender/property owner is no longer in compliance after closure of the initial investigation.

7. APPEALS

- .1 The Regional District will consider the inclusion of an appeals section in the review and update of all regulatory bylaws to ensure a mechanism and process for members of the public to appeal the provisions of these bylaws to the Board.
- .2 For all bylaw notices issued under the Bylaw Notice Enforcement Bylaw, appeals will be subject to the bylaw notice adjudication system as set out in the *Local Government Bylaw Notice Enforcement Act.*
- .3 For all bylaw enforcement actions other than bylaw notices or legal proceedings (i.e. direct action, notices on title, etc.) the alleged offender may appeal to the Board of Directors for reconsideration of the action by submitting a letter (with reasons cited to justify reconsideration) to the Chief Administrative Officer. The Chief Administrative Officer, after considering the reasons of appeal and the validity of justification, may schedule a time for the alleged offender to appear before the Board to present its case to reconsider the action. Following the presentation and submission of any evidence, the Board of Directors has full discretion to either uphold the action or revoke the action.
- .4 Following the hearing of an appeal, staff will prepare a letter of correspondence to the appellant to provide notice of the decision of the Board and the reasons for the decision.

8. CONFIDENTIALITY

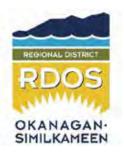
.1 The identity of a complainant and the written complaint itself shall not be disclosed to the alleged offender or any member of the public. It is not necessary for the complainant to request confidentiality. Likewise, the response of the alleged offender shall not be disclosed to the complainant, whether it is in writing or made orally. It is recognized that

many complaints take place in the context of other disputes between neighbours and the motivation for the complaint itself may be retribution. Disclosure could serve to exacerbate the dispute and may put persons or property at risk of harm.

- .2 While the investigation is ongoing, or while a resulting matter is before the courts, only information regarding the matter shall be made available to the public or the complainant.
- .3 If persons apply to the Regional District for disclosure of personal information about them in complaints and responses to the complaints under the *Freedom of Information and Protection of Privacy Act*, the Regional District shall refuse disclosure unless consent is obtained from the person who supplied the information and who would otherwise be assured of confidentiality under this policy.
- .4 Despite the foregoing, the Regional District will not guarantee the anonymity and confidentiality of complainants and may disclose personal information in bylaw enforcement files in the following circumstances:
 - i) If the investigation results in RCMP enforcement proceedings;
 - ii) If disclosure is required pursuant to the provisions of the *Freedom* of *Information and Protection of Privacy Act;*
 - iii) If an order for disclosure is issued by the Information and Privacy Commissioner under the *Freedom of Information and Protection of Privacy Act;*
 - iv) As otherwise required by law.

9. STAFF SAFETY

.1 The safety of staff and/or agents of the Regional District is of upmost importance. If a Bylaw Enforcement Officer or other Regional District staff is verbally or physically threatened while administering the bylaws of the Regional District, then no further investigative action shall be carried out until a private security firm can be hired or RCMP accompanies the Bylaw Enforcement Officer or other Regional District staff.



Regional District of Okanagan-Similkameen101 Martin Street, Penticton, B.C., V2A-5J9Telephone: (250) 492-0237Fax: (250) 492-0063Email: info@rdos.bc.caWebsite:www.rdos.bc.caWebsite:

Office use only
File No:
Date:
Received by:
Туре:

Bylaw Complaint Form

Personal information contained on this form is received by the Regional District in confidence. This confidentiality cannot be guaranteed if this complaint results in court proceedings. Release of this information is governed by the provisions of the *Freedom of Information and Protection of Privacy Act.*

COMPLAINANT:	
Name:	
Address:	
City/Town:	
Province:	Postal Code:
Day Phone:	Cell Phone:
Email:	

INCIDENT INFORMATION:

Address (where alleged bylaw violation is taking place):

Name of Occupier of Property (if known):

Name of Registered Property Owner (if known):

Detailed description of alleged bylaw violation and how it affects you, your property, or daily life. (*attach as a separate sheet if required*):

Date(s) and Time(s) of alleged bylaw violation:

DECLARATION:

By signing this complaint form, I confirm that I understand that the Regional District of Okanagan-Similkameen will be unable to guarantee confidentiality of the above information if this matter results in court action or an order from the Provincial Information and Privacy Commission.

Signature

Date

Print name

TO:	Board of Directors	RDOS
FROM:	B. Newell, Chief Administrative Officer	OKANAGAN SIMILKAMEEN
DATE:	April 5, 2018	
RE:	Development Variance Permit — Electoral Area "A"	

Administrative Recommendation:

THAT the Board of Directors deny Development Variance Permit No. A2018.022-DVP

Purpose:	To allow for the creation of a "hooked" parcel where each of the 3 parts of the parcel will not meet the minimum parcel size requirement of the zoning.		
Owner:	Satpal Kalkat	Agent: Brad Elenko (McElhanney Consulting)	Folio: A-01343.000
<u>Civic</u> :	3949 16 th Avenue	Legal: Lot 2, Plan KAP3345, District Lot 42, SDYD	
<u>OCP</u> :	Agriculture (AG)	Zone: Agriculture One (AG1)	

Proposed Development:

This application seeks to vary the requirement that all parts of a hooked parcel comply with the minimum parcel size requirements of the applicable zoning which, in this case, is the 4.0 ha minimum parcel size required in the Agriculture One (AG1) Zone.

The applicant has stated that this request is in relation to "the subject property owner [wishing] to acquire approximately 4.75 ha of farmland from one of his neighbours and consolidate the land with his property."

In support of this proposal, the applicant has stated, amongst other things, that the property owner "desires to increase his agricultural parcel size to increase its farming potential" and that the applicant "is not trying to create a new parcel, but rather desires to increase his agricultural parcel size to increase its farming potential."

Site Context:

The subject property is approximately 1.94 ha in area and is located on the south side of 16th Avenue approximately 1.0 km south of the boundary of the Town of Osoyoos. The property is comprised of a single detached dwelling and is currently under agricultural production. The surrounding pattern of development is predominantly agricultural operations.

Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on April 26, 1946, while available Regional District records indicate the previous issuance of building permits for a single detached dwelling (1993) and farm equipment storage shed.

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, the subject property is designated as Agriculture (AG) and has also been partially designated as a Watercourse Development Permit (WDP) Area along its northern boundary.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is zoned AG1, which requires a minimum parcel size for subdivision of 4.0 ha. Under Section 6.5 "a hooked parcel may be created where each portion satisfies the minimum parcel area requirements of the applicable zone."

The property is also situated within the Agricultural Land Reserve (ALR), and despite subdivisions normally requiring the approval of the Agricultural Land Commission (ALC), Section 10 (Subdivision Approval) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation allows the Provincial Approving Officer to approve a plan of subdivision without ALC approval under certain circumstances. This includes boundary adjustments involving not more than four parcels, each of which is a minimum of 1.0 ha, and results in *all* of the following:

- i) no increase in the number of parcels;
- *ii)* boundary adjustments that, in the opinion of the approving officer, will allow for the enhancement of the owner's overall farm or for the better utilization of farm buildings for farm purposes;
- iii) no parcel in the reserve of less than 1 hectare.

Section 10 of *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* is seen to apply in this case, as no new parcels are planned to be created.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

At its special meeting of March 19, 2018, the Electoral Area "A" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

Analysis:

The Regional District's Electoral Area Zoning Bylaws generally define a "hooked parcel" as meaning a parcel of which one portion is physically separated from the other portion by a highway or another parcel.

Importantly, hooked parcels are a legal form of subdivision layout under the *Land Title Act*, and are quite common within the Regional District. For new subdivisions, however, hooked parcels are considered to be undesirable and the Electoral Area Zoning Bylaws discourage their use by requiring that all hooked parts of a parcel meet the minimum parcel size requirement of the zone.

This is required because hooked parcels have, on occasion, been used to create parcels that may not be consistent with site densities intended by a zoning; that result in physically discontiguous parts of a property that owners no longer wish to maintain and create pressure to approve subdivisions not consistent with a zoning.

In considering this proposal, Administration is very concerned that the proposed boundary adjustment is going to result in the fragmentation of farmland through the creation of a hooked parcel comprising three separate and distinct "parts" that will not meet the 4.0 ha minimum parcel size requirements of the AG1 Zone.

Administration considers this to be inconsistent with the intent of the Hooked Parcel provisions of the Zoning Bylaw (Section 6.5) as well as the Official Community Plan (OCP) Bylaw where it speaks to supporting the consolidation of legal parcels to support their more efficient agricultural operation (6.3.7) and where the boundary adjustment has been the subject of ALC approval (Section 6.3.6)

Given all three parts of the proposed new parcel at 3949 16th Avenue will each enjoy their own frontage to 16th Avenue, Administration is further concerned that this will create pressure in the future to "un-hook" these parts so that they can each form their own legal parcel.

Historically, Administration has been supportive of "un-hooking" these types of parcels as roads and watercourses that bisect a property are seen to form a "natural" boundary line for subdivision purposes as well as a physical barrier between two (or more parts).

Moreover, property owners routinely cite the presence of these barriers (i.e. roads and watercourses) as impeding their ability to efficiently farm a parcel and as the main justification for "un-hooking". For these reasons, Administration seeks to avoid the creation of hooked parcels.

There is also a concern that this proposal to hook the parcels has not been approved by the ALC, whose recent decisions on similar types of subdivision applications have *generally* been to deny subdivision on the basis that a parcel has a greater long-term viability as single unit. (NOTE: it is understood that the Provincial Approving Officer is prepared to consider this subdivision under Section 10 of the ALR Regs).

Conversely, Administration recognises that this proposal is not proposing to create any additional parcels and that the applicant is pursing this boundary adjustment in order to increase the agricultural output of their current property, which is only 1.97 ha in area, and that increased agricultural viability is generally supported by the OCP Bylaw.

As an aside, should this subdivision proceed, the owners of 1801 45th Avenue should ensure that there is no cross connection between the two legal parcels and that both pieces have sufficient water supply to support a continued agricultural use.

Alternative:

THAT the Board of Directors approve Development Variance Permit No. A2018.022-DVP

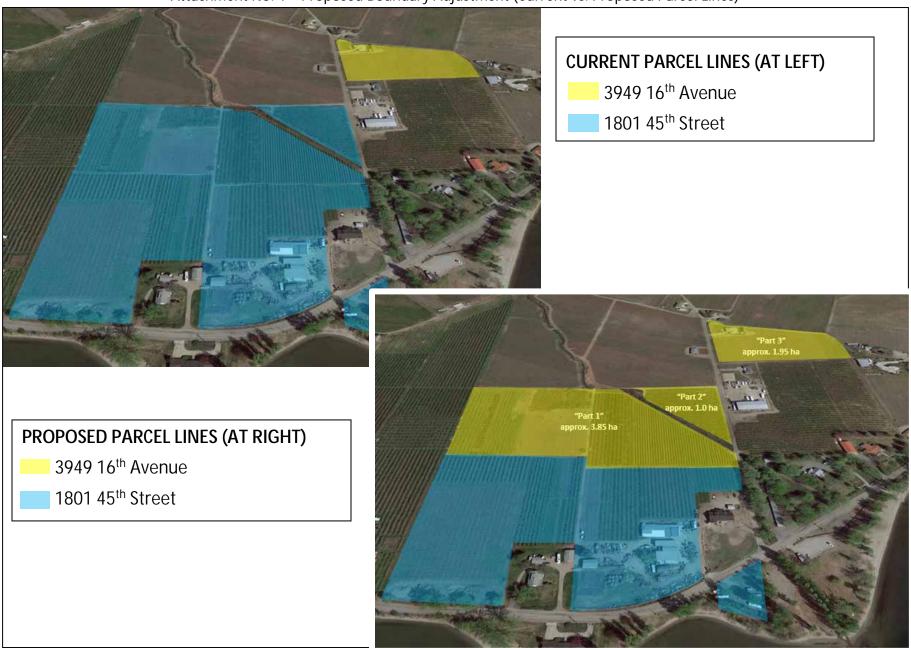
Respectfully submitted

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Development Services Manager

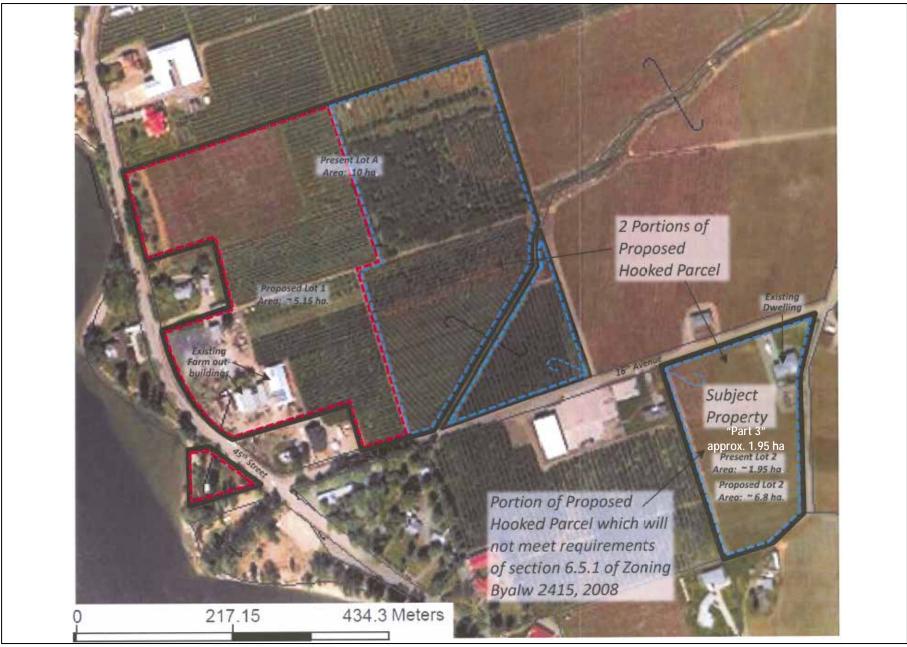
<u>Attachments</u>: No. 1 – Proposed Boundary Adjustment (Current vs. Proposed Parcel Lines) No. 2 – Applicant's Site Plan



Attachment No. 1 – Proposed Boundary Adjustment (Current vs. Proposed Parcel Lines)

File No: A2018.022-DVP

Attachment No. 2 – Applicant's Site Plan



File No: A2018.022-DVP



Development Variance Permit

FILE NO.: A2018.022-DVP

Owner: Saptal Kalkat 3949 16th Avenue Osoyoos, BC, V0H-1V6 Agent: Brad Elenko McElhanney Consulting Services Ltd. 290 Nanaimo Avenue West Penticton, PBC, V2A-1N5

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot 2, Plan KAP3345, District Lot 4	2, SDYD
Civic Address:	3949 16 th Avenue, Osoyoos	
Parcel Identifier (PID):	005-234-701	Folio: A-01343.000

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "A" Zoning Bylaw No. 2451, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The minimum portion size of a hooked parcel in the Agriculture One (AG1) Zone, as prescribed at Section 6.5, is varied:

- i) from: 4.0 ha
 - to: 3.85 ha for "Portion 1", as shown on Schedule 'B'.
- ii) from: 4.0 ha
 - to: 1.0 ha for "Portion 2", as shown on Schedule 'B'.
- iii) from: 4.0 ha
 - to: 1.95 ha for "Portion 3", as shown on Schedule 'B'.

7. COVENANT REQUIREMENTS

a) Not Applicable

8. SECURITY REQUIREMENTS

a) Not applicable

9. **EXPIRY OF PERMIT**

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

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on ______, 2018.

B. Newell, Chief Administrative Officer

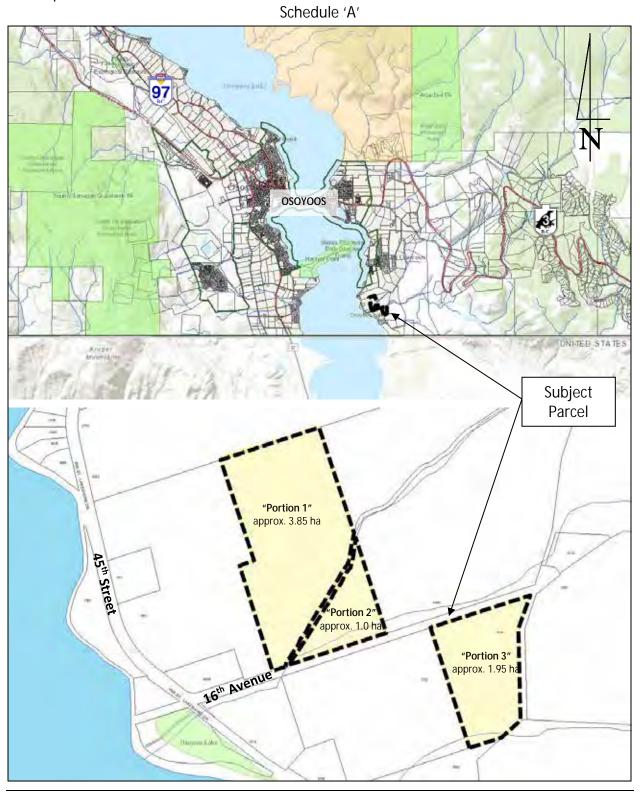
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Development Variance Permit

File No. A2018.022-DVP



File No. A2018.022-DVP Page 3 of 3 TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: Zoning Bylaw Amendment – Electoral Area "D-1"

Administrative Recommendation:

THAT Bylaw No. 2457.22, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied.

Purpose:	To allow for 1 "livestock" and 25 "small livestock" (including one rooster) on a parcel less than 2,500 m ² in area and to reduce the parcel line setbacks for a livestock structure from 15.0 M to 2.5 M.		
Owners:	R. Esperanza & T. Christie / Derek Be	ws <u>Agent</u> : Renae Esperanza <u>Folios</u> : D-02473.000 / 02474.000	
<u>Civic</u> :	445 & 449 Sagewood Lane	Legal: Lots 8 & 9, Plan KAP11043, District Lot 280, SDYD	
Zone:	Single Family Residential Two (RS2)	Proposed Zoning: Small Holdings Five Site Specific (SH5s)	

Proposed Development:

This application is seeking to formalise the keeping of 1 "livestock" and up to 25 "small livestock", including one (1) rooster, on a parcel less than 2,500 m² in area and to further reduce the setbacks for a livestock structure from 15.0 metres to 2.5 metres.

In order to allow for this, it is being proposed to amende the zoning of the property from Single Family Residential Two (RS2) to Small Holdings Five Site Specific (SH5s), with the site specific regulation allowing the number of requested livestock and location of the livestock structure.

In support of the rezoning, the applicant has stated that "many of the residents here feel strongly about meeting their own personal sustenance requirements by growing their own food in forms of gardens and we wish to include some livestock for personal use. We wish to amend the current Bylaws banning all livestock from our residential areas to meet our needs and food security objectives as a basic human right to access and produce our own food. We would like to emphasize that this application is not intended for commercial farm use and rather personal use only."

Site Context:

The subject properties are approximately 1,400 m² in area each and are situated on the north side of Sagewood Lane near the south end of Nipit Lake. Both properties are currently comprised of a single detached dwelling while the property at 449 Sagewood Lane has recently erected an oversized fence along each parcel line.

The surrounding pattern of development to the north is generally characterised by similar sized residential parcels while development to the south, west and east appears to be ranching and grazing lands.



Public Process:

A Public Information Meeting was held on February 20, 2018, at the Community Centre in Okanagan Falls and two (2) members of the public attended.

At its meeting of February 20, 2018, the Electoral Area "D" Advisory Planning Commission (APC) failed to achieve a quorum.

At its meeting of March 13, 2018, the Electoral Area "D" APC again failed to achieve a quorum.

Referral comments on this proposal have been received from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch), FortisBC (Electric), Penticton Indian Band (PIB) and the Interior Health Authority (IHA) and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the subject property is situated beyond 800 metres of a controlled area (i.e. Highway 3A).

Background:

The subject properties were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on December 1, 1960. Available Regional District records indicate that a building permit for a single detached dwelling at 445 Sagewood Lane was previously issued in 1997, while a double-wide mobile home was placed at 449 Sagewood Lane in 1998.

At its meeting of July 20, 2017, the Regional District adopted Amendment Bylaw No. 2728, 2017, which updated the regulations related to the Agriculture (AG) Zone, and included new provisions related to the keeping of livestock.

Prior to the adoption of Amendment Bylaw No. 2728, the keeping of livestock, including chickens, was prohibited in all Residential (RS) Zones. Following the adoption of this bylaw, it became possible to maintain up to 5 "small livestock" on parcels between 625 m² and 2,500 m² in area, which the bylaw defines as meaning "poultry, rabbit or other small animals similar in size and weight but does not include farmed fur bearing animals or roosters."

Under the Electoral Area "D-1" Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject properties are currently designated Small Holdings (SH), an objective of which is to "retain and enhance the rural character of these lands." The property is also within the Radio Frequency Interference (RFI) Area associated within the Dominion Radio Astrophysical Observatory (DRAO).

Under the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, the property is currently zoned Single Family Residential Two (RS2), which permits a maximum of one (1) "single detached dwelling" as the

only principal permitted use.	PARCEL AREA	MAXIMUM NUMBER OF LIVESTOCK	MAXIMUM NUMBER OF SMALL LIVESTOCK	MAXIMUM NUMBER OF HONEYBEE HIVES
Under Section 7.23	Less than 625 m ²	0	0	0
(Keeping of	625 m ² to 2,500 m ²	0	5	2
Livestock and	2,500 m ² to 0.4 ha	0	25	Not applicable
Honeybees) of the zoning bylaw,	0.4 ha to 1.0 ha	2	50	Not applicable
where "single	1.0 ha to 1.5 ha	3	75	Not applicable
detached	1.5 ha to 2.0 ha	4	100	Not applicable

dwellings" are a permitted use the permitted number of livestock, small livestock and honeybee hives per parcel are show in the table at right.

The Regional District has received a number of written complaints regarding the use of the property at 449 Sagewood Lane for agricultural purposes, including livestock numbers and barking dogs. Both of which resulted in bylaw enforcement working with the property owner throughout 2017 in order to achieve compliance. In the case of the livestock, this was either through a reduction in animals or the submission of an application to formalise current numbers.

The property has also been the subject of a Stop Work Notice for constructing a greenhouse without a building permit (a permit was subsequently issued on July 14, 2017) and a rear deck addition without a permit (a permit was subsequently issued on June 16, 2016).

At its meeting of April 5, 2018, the Regional District Board resolved to defer consideration of this application to its meeting of April 19, 2018, in order to allow the applicant to be able to attend and speak to the proposal.

Analysis:

In considering this proposal, Administration notes that the keeping of livestock in residential areas can become a point of conflict between neighbours and that the Regional District has received complaints in the past related to excessive horses, chickens, roosters and honeybees in residential neighbourhoods.

By way of example, impetus for the review of AG Zone regulations undertaken by the Regional District between 2014-16 were from complaints regarding the keeping of horses on the West Bench and excessive noise, smell and animal welfare concerns.

Similarly, the Village of Keremeos Council recently (2017) abandoned a proposal regarding the introduction of backyard chickens as a permitted use in residential zones following significant public opposition to the proposal.

Accordingly, in drafting the new regulations allowing up to 5 "small livestock" on parcels between 625 m² and 2,500 m², the Regional District attempted to balance the interests of those residents seeking the ability to produce a small amount of their own food against residents who may have moved to a particular neighbourhood for its residential amenity (and absence of nuisance livestock).

To this end, the limit on 5 "small livestock" is an attempt to strike an acceptable balance between these competing interests and is seen to be an appropriate regulation. (NOTE: the City of Penticton limits the number of chickens in its residential zones to five, whereas the District of Summerland prohibits poultry and bees in its residential zones).

Similarly, the zoning bylaw previously required a 30.0 metre setback for livestock structures whereas the current 15.0 metres setback requirement — which is the lowest setback recommended by the Ministry of Agriculture's standards — is an attempt to balance the desire to have livestock.

While Administration understands the applicant's desire to provide for as much of their food needs from their property as possible, this cannot occur to the detriment of their neighbours or the surrounding area (as witnessed by the complaints that have been received for these uses).

Administration also considers that other options are available to the applicant, such as limiting the number of livestock to that allowed by the zoning bylaw while using the land that otherwise would have been occupied by animals for the growing of food.

Similarly, the applicant is encouraged to consider relocating to an appropriately sized and zoned property – potentially in the Agricultural Land Reserve (ALR) — in order to further their agricultural pursuits.

Alternatives:

.1 THAT Bylaw No. 2457.22, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

.2 THAT Bylaw No. 2457.22, 2018, Electoral Area "D" Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 3, 2018;

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

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed By:

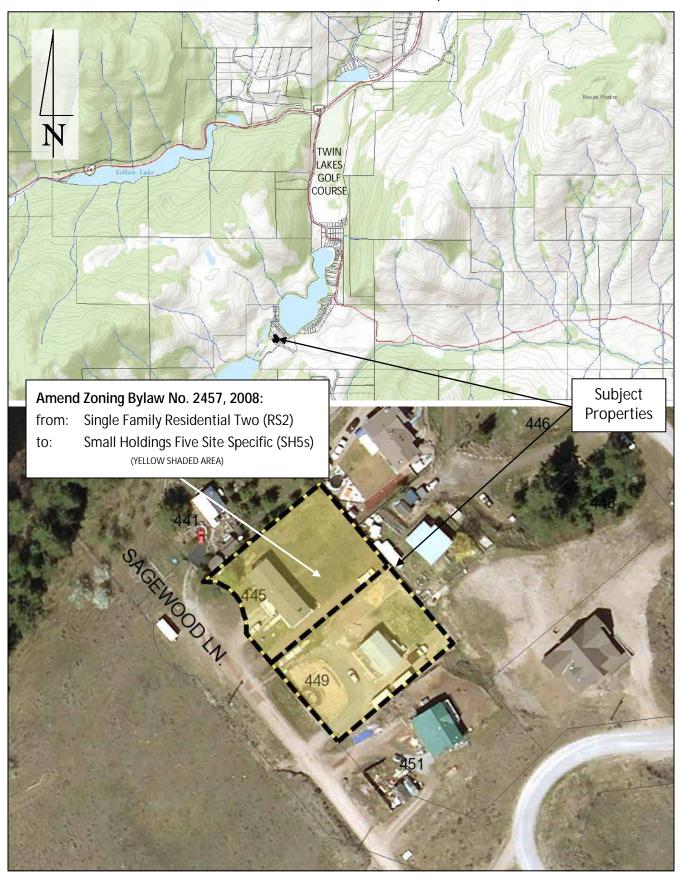
B. Dollevoet, Development Services Manager

<u>Attachments</u>: No. 1 – Context Maps

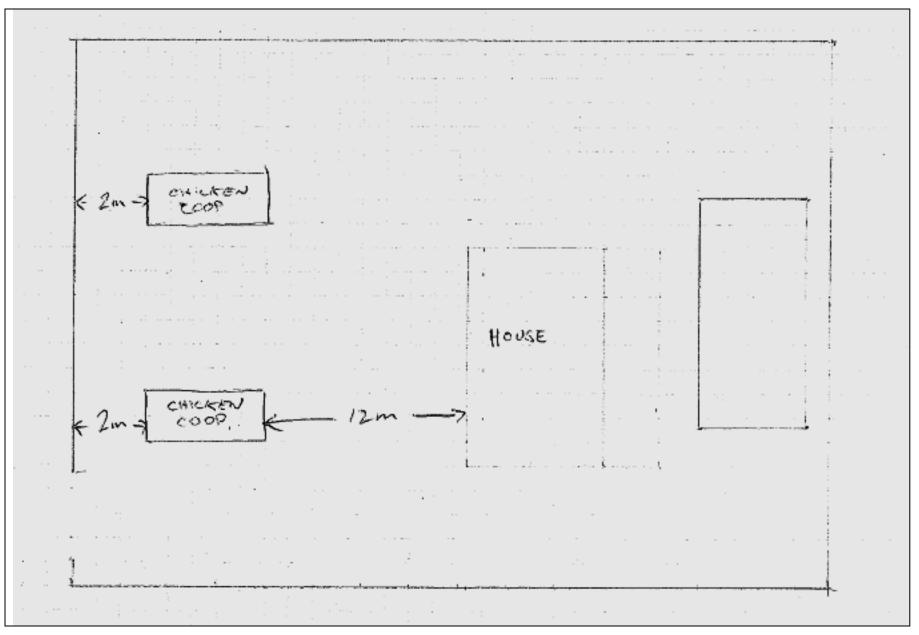
No. 2 – Applicant's Site Plan (449 Sagewood Lane)

No. 3 – Site Photos (449 Sagewood Lane)

Attachment No. 1 – Context Maps



File No: D2017.147-ZONE



Attachment No. 2 – Applicant's Site Plan (449 Sagewood Lane)





BYLAW NO. 2457.22

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.22, 2018

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2457, 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 "D" Zoning Amendment Bylaw No. 2457.22, 2018."
- 2. The Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) adding a reference to "Small Holdings Five Zone SH5" under Section 6.1 (Zoning Districts).
 - ii) adding a new Section 10.9 (Small Holdings Five Zone) under Section 10.0 (Rural) to read as follows:

10.9 SMALL HOLDINGS FIVE ZONE (SH5)

10.9.1 Permitted Uses:

Principal uses:

- a) agriculture, subject to Section 7.23;
- b) single detached dwellings;

Secondary uses:

- c) secondary suite, subject to Section 7.12;
- d) home occupations, subject to Section 7.17;
- e) bed and breakfast operation, subject to Section 7.19; and
- f) accessory buildings and structure, subject to Section 7.13.

10.9.2 Site Specific Small Holdings Five (SH5s) Provisions:

a) see Section 16.28

10.9.3 Minimum Parcel Size:

a) 2,500 m²; subject to servicing requirements.

10.9.4 Minimum Parcel Width:

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

10.9.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling per parcel; and
- b) one (1) secondary suite per parcel.

10.9.6 Minimum Setbacks:

d)

a)	Buildings and structures:
----	---------------------------

i)	Front parcel line:	7.5 metres
ii)	Rear parcel line:	7.5 metres
iii)	Interior side parcel line:	1.5 metres

iv) Exterior side parcel line: 4.5 metres

b) Accessory buildings and structures:

i)	Front parcel line:	7.5 metres
ii)	Rear parcel line:	1.5 metres
iii)	Interior side parcel line:	1.5 metres
iv)	Exterior side parcel line:	4.5 metres

c) Despite Section 10.9.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:

i)	Front parcel line:	15.0 metres
ii)	Rear parcel line:	15.0 metres
iii)	Exterior side parcel line:	15.0 metres
iv)	Interior side parcel line:	15.0 metres
Despite Section 10.9.6(a) and (b), incinerator or compost facility:		

i) Front parcel line: 30.0 metres

ii)	Rear parcel line:	30.0 metres
iii)	Exterior side parcel line:	30.0 metres
iv)	Interior side parcel line:	30.0 metres

10.9.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 5.5 metres.

10.9.8 Maximum Parcel Coverage:

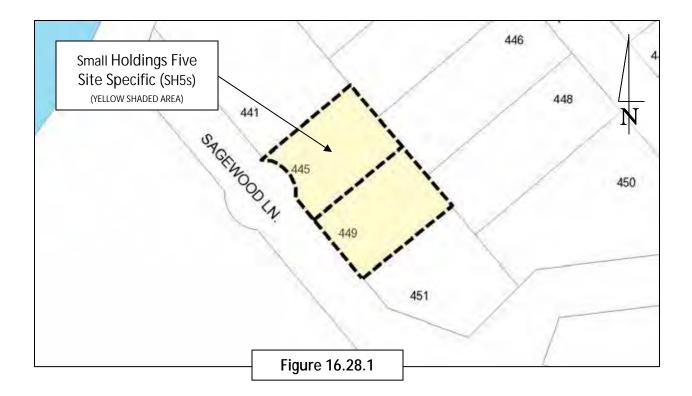
a) 35%

10.9.9 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.
- iii) adding a new Section 16.28 (Site Specific Small Holdings Five (SH5s) Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

16.28 Site Specific Small Holdings Five (SH5s) Provisions:

- .1 In the case of land described as Lots 8 & 9, Plan KAP11043, District Lot 280, SDYD, and shown shaded yellow on Figure 16.28.1:
 - a) despite Section 7.23 (Keeping of Livestock and Honeybees), the number of livestock and small livestock permitted on a parcel between 625 m² to 2,500 m² in area shall be one (1) livestock and 25 small livestock.
 - b) despite Section 4.0 (Definitions), "small livestock" means poultry, rabbit or other small animals similar in size and weight, including not more than one (1) rooster, but does not include farmed fur bearing animals.
 - c) despite Section 10.9.6(c), the minimum setback for a livestock structure from a parcel line shall be 2.5 metres.



3. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by changing the land use designation on the land described as Lots 8 & 9, Plan KAP11043, District Lot 280, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings Five Site Specific (SH5s).

READ A FIRST AND SECOND TIME this ____ day of _____, 2018.

PUBLIC HEARING held on this ____ day of _____, 2018.

READ A THIRD TIME this ____ day of _____, 2018.

ADOPTED this ____ day of _____, 2018.

Board Chair

Corporate Officer

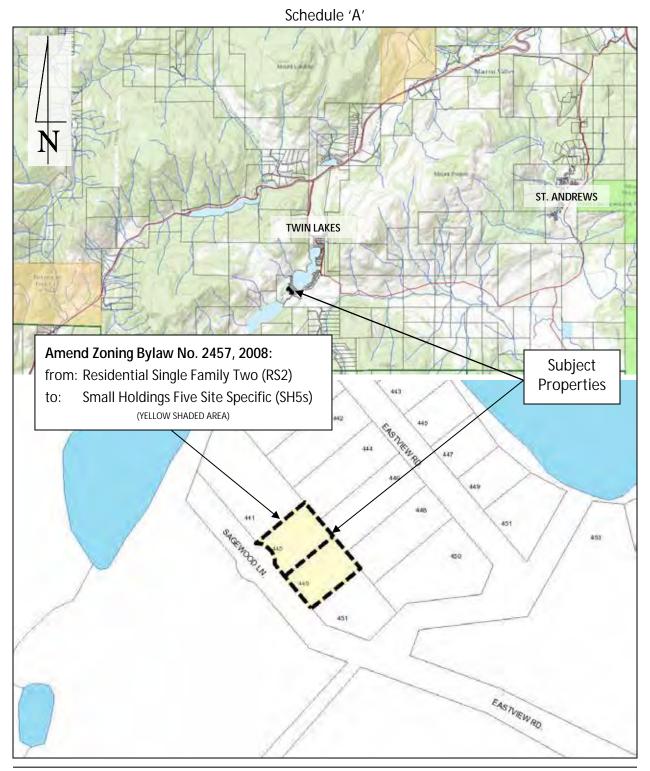
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2457.22, 2018

Project No: D2017.147-ZONE



Amendment Bylaw No. 2457.22, 2018 (D2017.147-ZONE) Page 5 of 5

Outlined Below Approval Recommended Subject to Conditions Below RAO has no objection to the proposed rezoning, as it does not opear to significantly increase the risk of radio-frequency nterference (RFI), which is generally associated with esidential density.	 □ Approval Recommended for Reasons Outlined Below □ Approval Recommended Subject to Conditions Below □ Approval Not Recommended Due to Reasons Outlined Below □ Approval Not Recommended Due to Reasons Outlined Below □ Proval Not Recommended Due to Reasons Outlined Below □ Approval Not Recommended Due to Reasons Outlined Below 	 □ Approval Recommended for Reasons Outlined Below □ Approval Recommended Subject to Conditions Below □ Approval Not Recommended Due to Reasons Outlined Below □ Approval Not Recommended Due to Reasons Outlined Below □ Proval Not Recommended Due to Reasons Outlined Below □ Approval Not Recommended Due to Reasons Outlined Below 	RESPO	ONSE SUMMARY
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ature:	gnature: SEAN DOUGHERTY	gnature:	ency: DRAD	Title: DIRECTOR

ee-Appi. Ozli4/18

Lauri Feindell

From: Sent:	Cooper, Diana FLNR:EX <diana.cooper@gov.bc.ca> February 14, 2018 11:19 AM</diana.cooper@gov.bc.ca>
То:	Planning
Cc:	Lauri Feindell
Subject:	RE: Bylaw Referral - D2017.147-ZONE
Categories:	Zoning Bylaw amendments

Hello Christopher Garrish and the other RDOS Planners!

Thank you for your referral D2017.147-ZONE regarding 445 and 449 Sagewood Lane, L 9 and L 8, DL 280 SIMILKAMEEN DIVISION YALE DISTRICT PL 11043 According to Provincial records there are no known archaeological sites recorded on either subject property. However, archaeological potential modeling for the area indicates there is the possibility for unknown/unrecorded archaeological sites to exist on both of the properties.

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 (*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 properties 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 (<u>www.bcapa.ca</u>) or through local directories.

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

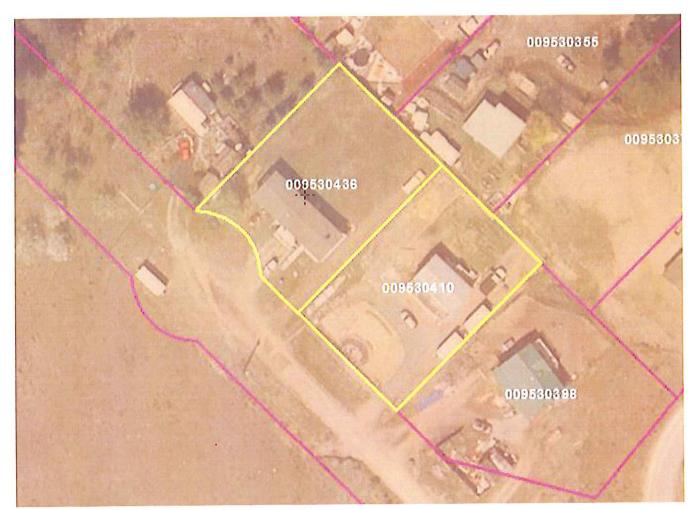
In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

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

Please review the screenshot of the properties below (outlined in yellow) in relation to the archaeological potential. In this case, the entire area within which the properties are located has high potential for unknown/unrecorded archaeological materials, as indicated by the brown/orange colouration of the screenshot. If this does not represent the properties 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, Natural Resource Operations and Rural Development 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: <u>http://www.for.gov.bc.ca/archaeology/</u>

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]
Sent: Wednesday, January 24, 2018 10:55 AM
To: HBE@interiorhealth.ca; 'fbclands@fortisbc.com'; Pellett, Tony ALC:EX; Skinner, Anne E AGRI:EX; Cooper, Diana
FLNR:EX; nrc.drao-ofr.cnrc@nrc-cnrc.gc.ca; Referral Apps REG8 FLNR:EX
Cc: Christopher Garrish
Subject: Bylaw Referral - D2017.147-ZONE

Good Morning,

Re: Project No. D2017.147-ZONE Bylaw No. D2457.22 Legal: Lots 8 & 9, Plan KAP11043, DL280, SDYD Address: 445 & 449 Sagewood Lane, Twin Lakes



Your File #: D2017.147-ZONE (Esperenza) eDAS File #: 2018-00441 Date: January 26, 2018

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

Attention: Lauri Feindell, Planning Secretary

Re: Proposed Text Amendment Bylaw 2457.22, 2018 for: Lot 8 and 9, District Lot 280, SDYD, Plan KAP11043

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*, subject to the following conditions:

1. The landowner must submit an application to this Ministry to obtain a Setback Permit pursuant to *Provincial Public Undertakings Regulation 513/2004*, prior to this Ministry's approval of the Text Amendment Bylaw.

Please include the Ministry's signature block on the Bylaw form prior to sending it after 3rd reading.

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) 712-3660 Fax: (250) 490-2231

Page 1 of



February 21, 2018

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

Dear Christopher Garrish,

RE. File Number: D2017.147-ZONE

Thank you for the opportunity to provide comments for Regional District Board and staff consideration regarding the above referenced zoning bylaw amendment. It is our understanding that the zoning bylaw amendment of the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008 would for changing the current Residential Single Family Two (RS2) to Small Holding Five Site Specific (SH5s) to permit up to 25 "small livestock" and 1 "livestock" on a parcel less than 2,500m² in area as well as reducing the parcel line setbacks for livestock structures from 15.0 meters to 2.5 meters. This referral has been reviewed from a Healthy Built Environment, Healthy Food Systems, and Environmental Public Health perspectives and will be outlined below with the exception of Healthy Built Environment lens for which the interests are unaffected. The following information is for your consideration.

Healthy Food Systems

Food systems determine how we choose food and what food we have access to. The food we eat is critical to our health. Land use decisions can influence food production which can thereby impact the accessibility, quality and variety of food available to us. Research suggests that small-scale agriculture activities have the potential to build community and influence food knowledge and preferences, in addition to contributing to the local food supply. Having access to healthy and safe food helps to protect the population from chronic disease and infectious illnesses.

• It appears this application for site specific rezoning to allow agriculture has the potential to support a healthy food system as it may present a learning experience for families and neighbours and foster an understanding of where food comes from. Children learn first-hand about food, biology, geography and community.

 Having chickens allows people to know how the hens producing the eggs have been raised, fed and treated.

Backyard chickens allow regular, convenient access to eggs that are of higher nutritional value than
non-free range eggs.

Environmental Public Health

• Concerns related to noise, odour and fecal waste disposal can be minimized if proper practices are followed. Where properly set up, composting of chicken manure and bedding is a possibility. It should be recognized that failure to control aesthetic concerns may increase opposition to agriculture in the immediate neighbourhood area.

• Risk for pathogen transmission (e.g. Salmonella and Campylobacter) is present, but can be mitigated with proper housing and hygiene when handling chickens and eggs.

• The risk of avian influenza development is not appreciably increased by backyard hen. It would be suggested that the applicant follow the advice of <u>CFIA: Bird Health Basics - How to Prevent and Detect</u> <u>Disease in Backyard Flocks and Pet Birds.</u>

Bus: 250-549-5758 janelle.rimell@interiorhealth.ca www.interiorhealth.ca POPULATION HEALTH 1440 14th Avenue Vernon BC V1B 2T1 Please feel free to contact me directly if you have any further questions or comments.

Sincerely,

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All Werberp

Janelle Rimell, B.Sc, B.Tech, C.P.H.I.(C) Environmental Health Officer Healthy Communities Development Team

Jill Worboys Public Health Dietitian Healthy Eating and Food Security

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Lauri Feindell

From:Danielson, Steven < Steven.Danielson@fortisbc.com>Sent:February 15, 2018 4:43 PMTo:PlanningSubject:Sagewood Lane, 445 & 449 Twin Lakes (D2017.147-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Westview Road and secondary services within Sagewood Lane. 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.

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements

http://fortisbc.com/ServiceMeterGuide

FortisBC Underground Design Specification http://www.fortisbc.com/InstallGuide

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- · Electrician's Name and Phone number
- FortisBC Total Connected Load Form
- Other technical information relative to electrical servicing

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

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.

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

Best Regards,

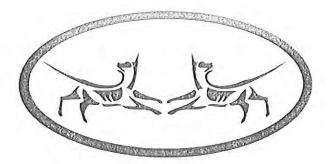
Steven Danielson, Contract Land Agent for:

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

A

FORTIS BC



Penticton Indian Band

Natural Resources Department R.R. #2, Site 80, Comp.19 Penticton, B.C. CAN V2A 6J7 Referrals@pib.ca | www.pib.ca Telephone: 250-492-0411 Fax: 250-493-2882

January-30-18

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

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

RTS ID: 2949 Referral ID: 2018-01-22 ZON Referral Date: January-22-18 Reference ID: BL2457.22 D2017.147-Zone Summary: Subject property under Schedule '2' (Zoning Map) of the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, from Residential Single Family Two (RS2) to Small Holding Five Site Specific (SH5s).

ATTENTION: Christopher Garrish

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

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

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

This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be fully reviewed.

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

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

cc App1 - 02/14/18



If the proposed activity requires a more in-depth review, Penticton Indian Band will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

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

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

Invoice Number: 924

	SubTotal	Tax	Total
Admin (12%)	\$ 52.50	\$ 0.00	\$ 52.50
G.I.S. Tracking and Review (GIS Project Technican)	\$ 110.00	\$ 0.00	\$ 110.00
R.T.S. Data Entry (Technical Services)	\$ 80.00	\$ 0.00	\$ 80.00
Referral Assessment (Band Administrator)	\$ 67.50	\$ 0.00	\$ 67.50
Referral Coordination (Referrals Coordinator)	\$ 190.00	\$ 0.00	\$ 190.00
Total	\$ 500.00	\$ 0.00	\$ 500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00 Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #2949

limlamt,

Lavonda Nelson Referrals Administrator P: 250-492-0411 Referrals@pib.ca

RTS ID: 2949 CC: Osoyoos Indian Band (Referrals@oib.ca),Penticton Indian Band (jpepper@pib.ca),ONA (nrmanager@syilx.org)

Penticton Indian Band

Natural Resources Department 773 Westhills Drive | R.R. #2, Site 80, Comp.19 Penticton, British Columbia Canada V2A 6J7 Referrals@pib.ca | www.pib.ca Telephone: 250-492-0411 Fax: 250-493-2882

> WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

January-30-18

Regional District of Okanagan Similkameen 101 Martin Street PentictonBC V2A 5J9

RTS ID: 2949 Referral Date: January-22-18 Referral ID: 2018-01-22 ZON Reference ID: BL2457.22 D2017.147-Zone Summary: Subject property under Schedule '2' (Zoning Map) of the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, from Residential Single Family Two (RS2) to Small Holding Five Site Specific (SH5s).

Attention: Christopher Garrish

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on January-30-18. This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

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

I appreciate your co-operation.

Limləmt, Lavonda Nelson Referrals Administrator

RTS ID: 2949 CC: Osoyoos Indian Band (Referrals@oib.ca),Penticton Indian Band (jpepper@pib.ca),ONA (nrmanager@syilx.org)

CC Appl. 02/14/

ACCOULD FOR THE CHANA SIMILKA	Regional District of Okanagan Similkameen 101 Martin Street, Penticton, BC, V2A-5J9 GAN- Tel: 250-492-0237 / Email: planning@rdos.hc.ca
TO:	Regional District of Okanagan Similkameen FILE NO.: D2017.147-ZONE
FROM:	Name: DEVORAH TICHA
	(please print)
	Street Address:
	Tel/Email:
RE:	Electoral Area "D" Zoning Amendment Bylaw No. 2457.22 445 & 449 Sagewood Lane Rezone from Residential Single Family Two (RS2) to Small Holdings Five Site Specific (SH5s) Both - These properties hittinto 446 Eastwrew Rol
My comn	nents / concerns are:
	I <u>do</u> support the proposed development.
$\overline{\Box}$	I do support the proposed development, subject to the comments listed below.
X	I <u>do not</u> support the proposed development.
Ţ	Vritten submissions received from this information meeting will be considered by the Regional District Board prior to 1 st reading of Amendment Bylaw No. 2457.22.

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REGIONAL DISTRICT	
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Feedback Form

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

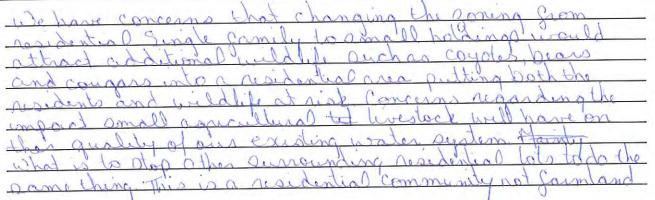
то:	Regional District of Okanagan Similkameen	FILE NO.: D2017.147-ZONE
FROM:	Name: <u>wale M'Ginis</u> Veis (please print)	Pahlavan,
	Street Address:	
	Tel/Email:	
RE:	Electoral Area "D" Zoning Amendment Bylaw No. 445 & 449 Sagewood Lane Rezone from Residential Single Family Two (RS2) to Small F	
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Feedback Forms must be completed and returned to the Regional District no later than Friday **February 20, 2018**

Esperanza.

REGIONAL D RDC OKANA SIMILKA	Regional District of Okanagan Similkameen 101 Martin Street, Penticton, BC, V2A-5J9 Tel: 250-492-0237 / Email: planning@rdos.bc.ca	RECEIVED Regional District ORM APR 1 2 2018 101 Martin Street Penticton BC V2A 5J9
то:	Regional District of Okanagan Similkameen	FILE NO.: D2017.147-ZONE
FROM:	Name: <u>Christine + Bick Ber</u>	pel
	Street Address:	· · · · · · · · · · · · · · · · · · ·
	Tel/Email:	
RE:	Electoral Area "D" Zoning Amendment Bylaw N 445 & 449 Sagewood Lane Rezone from Residential Single Family Two (RS2) to Small	
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Feedback Forms must be completed and returned to the Regional District no later than Friday **February 20, 2018**

		RECEIVED Regional District
REGIONAL D RDC OKANA SIMILKA	Regional District of Okanagan Similkameen 101 Martin Street, Penticton, BC, V2A-5J9 Tel: 250-492-0237 / Email: planning@rdos.bc.ca	
TO:	Regional District of Okanagan Similkameen	FILE NO.: D2017.147-ZONE
FROM:	Name: _ DAVE SMITH	
	Street Address:	1
	Tel/Email: <u>2</u>	
RE:	Electoral Area "D" Zoning Amendment Bylaw No 445 & 449 Sagewood Lane Rezone from Residential Single Family Two (RS2) to Small 1	
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Feedback Forms must be completed and returned to the Regional District no later than Friday **February 20, 2018**

				RECEIVED
-				Regional District
	Fee	edback	Forr	APR 1 2 2018
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TO:	Regional Distric	et of Okanagan Similkameen	FILE NO.:	D2017.147-ZONE
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1 fine	1. The res	ident applying	for this	rezoning
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no later than Friday February 20, 2018

REGIONAL DISTR RDO OKANAGA SIMILKAME	Regional District of Okanagan Similkameen 101 Martin Street, Penticton, BC, V2A-5J9 Tel: 250-492-0237 / Email: planning@rdos.bc.ca	RECEIVED Regional District 1 2 2018 101 Martin Street Penticton BC V2A 5J9
TO:	Regional District of Okanagan Similkameen FI	LE NO.: D2017.147-ZONE
FROM:	Name: KEUY MERCER (please print)	/
	Street Address:	<u>r</u>
	Tel/Email: _	
RE:	Electoral Area "D" Zoning Amendment Bylaw No. 245 445 & 449 Sagewood Lane Rezone from Residential Single Family Two (RS2) to Small Hold	
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AUAIN ROOSTER ROWING IS 24/7 NON-STOP CAN IFEAR INSIDE OUR HOUSE-Feedback Forms must be completed and returned to the Regional District no later than Friday February 20, 2018

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SIMILKAMEEN

TO:Board of DirectorsFROM:B. Newell, Chief Administrative OfficerDATE:April 19, 2018RE:Zoning Bylaw Amendment – Electoral Area "A"
"Regal Ridge" Site Specific Zoning Review

Administrative Recommendation:

THAT Bylaw No. 2451.23, 2018, Electoral Area "A" Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018;

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

Purpose:

Amendment Bylaw No. 2451.23 seeks to amend the Electoral Area "A" Zoning Bylaw No. 2451, 2008, in order to remove a number of site specific zoning regulations that relate to the Small Holdings Two (SH2) and Conservation Area (CA) Zones at "Regal Ridge" on Anarchist Mountain. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

Background:

At its meeting of October 16, 2008, the Board considered an <u>Administrative Report</u> proposing the creation of a single Electoral Area Zoning Bylaw and directed staff to investigate the preparation of such a bylaw. The 2018 Business Plan includes a direction to "continuously improving bylaws, policy and process within the organization ..."

In anticipation of bringing forward a draft zoning bylaw for consideration by the Board, a series of amendment bylaws (by zone category) will be presented over the coming months intended to update various zones and facilitate their eventual consolidation in a new bylaw.

At its meeting of July 20, 2017, the Planning and Development (P&D) Committee of the Board considered an Administrative Report related to an updating of the Commercial Zones in the Okanagan Valley Electoral Area zoning bylaws.

In undertaking further work on this review of the Commercial zones – including existing site specific regulations at "Regal Ridge" – Administration identified further site specific regulations that were either redundant (i.e. no longer reflected in more recent Board policy directions) or represented significant overlap with other existing zones. To address these, Draft Amendment Bylaw 2451.23 has been prepared.

At its meeting of April 5, 2018, the Regional District Board resolved to defer consideration of this proposal to its meeting of April 19, 2018.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) will be required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway.

Public Process:

On February 15, 2018, the Regional District sent letters to all registered property owners with land zoned LH1s, SH2s and CAs advising of the proposed changes to the land use bylaws and seeking feedback. Approximately 17 feedback forms were returned and are included as a separate item on the Board's Agenda.

Agency comments have been received from the Osoyoos Indian Band and he Regional District of Kootenay Boundary and these are included as a separate item on the Committee's Agenda.

Analysis:

Many of the site specific zoning regulations that are being proposed for deletion from the zoning bylaw were introduced during the subdivision of the "Regal Ridge" development between 2004-2008.

In the intervening years, the Regional District has updated a number of regulations in the Electoral Area "A" Zoning Bylaw as they relate to:

- hooked parcels;
- keeping of livestock and honeybees;
- modular homes (A277) and mobile homes (Z240);
- 1.0 ha Policy" (i.e. applied to minimum parcel size of Small Holdings Three (SH3) Zone); and
- permitted uses in Conservation Area (CA) Zone (undertaken as part of Environmentally Sensitive Development Permit Area update).

As a result, Administration considers many of the site specific zoning regulations that apply to parcels at "Regal Ridge" to have now become redundant or are no longer seen to be reflective of current Regional District Board land use policies and objectives and should not be carried forward into any new Okanagan Valley Zoning Bylaw.

Staff also note that the Regional Growth Strategy (RGS) Bylaw was adopted in 2010 and identified "Regal Ridge" as a Rural Growth Area. While staff are aware of some of the concerns expressed by residents regarding the proposed reduction in minimum parcel sizes from 1.25 ha in the SH2s Zone to 1.0 ha in the SH3 Zone and that this may result in a modest increase in density at "Regal Ridge", this is, nevertheless, seen to be consistent with the direction of the RGS.

With regard to the proposed deletion of the site specific regulation related to the keeping of livestock, Administration is proposing that this not be carried forward as it is not coherent in that it speaks to limiting the number of livestock to no more than two (2) animals on parcels greater than 2.0 ha in area despite the zoning bylaw allowing up to three (3) animals and 75 small livestock (i.e. chickens/rabbits) on parcels between 1.0 ha and 1.5 ha (and even more animals on parcels between 1.5 and 2.0 ha).

In relation to the decision provided by the Board at its meeting of April 5, 2018 to defer this bylaw amendment to the April 19, 2018 meeting, Amendment Bylaw No. 2451.23, 2018, no longer proposes to delete the LH1s zoning at Regal Ridge from the Zoning Bylaw.

Alternative:

.1 THAT Bylaw No. 2451.23, 2018, Electoral Area "A" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

.2 THAT Bylaw No. 2451.23, 2018, Electoral Area "A" Zoning Amendment Bylaw be denied

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

<u>Attachments</u>: No. 1 - Comparison of Current SH2s Zone vs. Proposed SH3 Zone No. 2 - Comparison of Current CAs Zone vs. Proposed CA Zone

Attachment No. 1 – Comparison of Current SH2s Zone vs. Propos	ed SH3 Zone
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CURRENT SH	2S ZONE	PROPOSED	SH3 ZONE	
Permitted Uses:		Permitted Uses:		
Principal Uses:		Principal Uses:		
agriculture;		agriculture;	· · · · ·	
single detached dwellings;		single detached dwelling;		
Accessory Uses:		Accessory Uses:		
bed and breakfast operation;		bed and breakfast operation;		
home occupations;		home occupations;		
secondary suites; and		secondary suites; and		
accessory buildings and struct	ures.	accessory buildings and struc	tures.	
Minimum Parcel Size:		Minimum Parcel Size:		
1.25 ha		1.0 ha		
Minimum Parcel Width:		Minimum Parcel Width:		
Not less than 25% of parcel de	enth	Not less than 25% of parcel d	epth	
Maximum Number of Dwellin		Maximum Number of Dwelli		
a) one (1) principal dwelling;		a) one (1) principal dwelling		
b) one (1) secondary suite.		b) one (1) secondary suite.	,,	
Minimum Setbacks:		Minimum Setbacks:		
Buildings and Structures:		Buildings and Structures:		
front parcel line:	7.5 metres	front parcel line:	7.5 metres	
rear parcel line:	4.5 metres	rear parcel line:	4.5 metres	
interior side parcel line:		interior side parcel line:		
exterior side parcel line:		exterior side parcel line:		
Accessory buildings and struct		Accessory buildings and structures:		
front parcel line:	7.5 metres	front parcel line:	7.5 metres	
rear parcel line:	4.5 metres	rear parcel line:	4.5 metres	
interior side parcel line:	4.5 metres	interior side parcel line:	4.5 metres	
exterior side parcel line:	4.5 metres	exterior side parcel line:	4.5 metres	
livestock shelters, equestrian		livestock shelters, equestrian		
boilers or walls with fans, and		boilers or walls with fans, and		
production facilities:		medium production facilities		
front parcel line:	15.0 metres	front parcel line:	15.0 metres	
rear parcel line:	15.0 metres	rear parcel line:	15.0 metres	
interior side parcel line:	15.0 metres	interior side parcel line:	15.0 metres	
exterior side parcel line:	15.0 metres	exterior side parcel line:	15.0 metres	
Incinerator or compost facility		Incinerator or compost facilit	V:	
front parcel line:	30.0 metres	front parcel line:	30.0 metres	
rear parcel line:	30.0 metres	rear parcel line:	30.0 metres	
interior side parcel line:	30.0 metres	interior side parcel line:	30.0 metres	
exterior side parcel line:	30.0 metres	exterior side parcel line:	30.0 metres	
Maximum Height:		Maximum Height:		
10.0 metres		10.0 metres		
Maximum Parcel Coverage:		Maximum Parcel Coverage:		
15%		20%		
Minimum Building Width:		Minimum Building Width:		
Principal Dwelling Unit: 5.0 m	etres as originally	Principal Dwelling Unit: 5.0 metres as originally		
designed and constructed.		designed and constructed.		
Keeping of Livestock:		Keeping of Livestock:		
Keeping of Livestock:		<i>Not applicable</i> [to be governed by Section 7.23 –		
Keeping of Livestock: No more than two livestock of	n parcels greater than 2.0		ed by Section 7.23 –	

CURRENT CONSERVATION AREA SITE SPECIFIC (CAs) ZONE		PROPOSED CONSE (CA) ZO	
Permitted Uses:		Permitted Uses:	
Principal Uses:*		Principal Uses:	
conservation area, restricted	to hiking trails, cross-	conservation area;	
country ski trails and horse ba	ack riding trails;	Accessory Uses:	
Accessory Uses:*		interpretative centre;	
interpretative centre.		accessory dwelling; and	
		accessory buildings and stru	ctures.
Minimum Parcel Size:		Minimum Parcel Size:	
Not applicable		Not applicable	
Minimum Parcel Width:		Minimum Parcel Width:	
Not applicable		Not applicable	
Maximum Number of Dwelli	ngs Per Parcel:	Maximum Number of Dwellings Per Parcel:	
a) one (1) accessory dwelling	g	one (1) accessory dwelling	
Minimum Setbacks:		Minimum Setbacks:	
Buildings and Structures:		Buildings and Structures:	
front parcel line:	7.5 metres	front parcel line:	7.5 metres
rear parcel line:	7.5 metres	rear parcel line:	7.5 metres
interior side parcel line:	4.5 metres	interior side parcel line:	4.5 metres
exterior side parcel line:	7.5 metres	exterior side parcel line:	4.5 metres
Maximum Height:		Maximum Height:	
Not applicable		Not applicable	
Maximum Parcel Coverage:		Maximum Parcel Coverage:	
5%		5%	

Attachment No. 2 – Comparison of Current CAs Zone vs. Proposed CA Zone

BYLAW NO. 2451.23

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

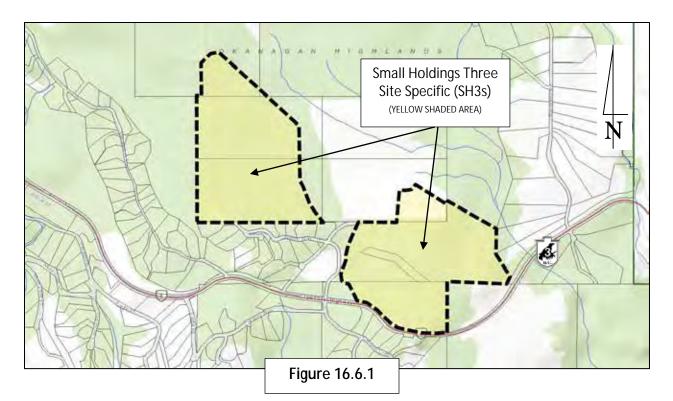
BYLAW NO. 2451.23, 2018

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. 2451.23, 2018."
- 2. The "Electoral Area 'A' Zoning Bylaw No. 2451, 2008" is amended by:
 - i) replacing Section 16.5.1 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .1 *deleted*.
 - ii) replacing Section 16.5.2 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .2 *deleted*.
 - iii) replacing Section 16.5.3 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .3 *deleted*.
 - iv) replacing Section 16.5.4 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .4 deleted.
 - v) replacing Section 16.5.5 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .5 *deleted*.

- vi) replacing Section 16.5.6 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .6 *deleted*.
- vii) replacing Section 16.5.7 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .7 deleted.
- viii) replacing Section 16.5.8 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .8 *deleted*.
- ix) replacing Section 16.5.9 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .9 *deleted*.
- x) replacing Section 16.5.10 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .10 *deleted*.
- xi) replacing Section 16.5.11 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .11 *deleted*.
- xii) replacing Section 16.5.12 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .12 *deleted*.
- xiii) replacing Section 16.5.13 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .13 *deleted*.
- xiv) replacing Section 16.5.14 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .14 *deleted*.
- xv) replacing Section 16.6.1 (Site Specific Small Holdings Three (SH3s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .1 In the case of an approximately 120 ha area land shown shaded yellow on Figure 16.6.1:
 - i) despite Section 10.6.3, the minimum parcel size shall be 0.6 ha, subject to servicing requirements.



- xvi) replacing Section 16.16.1 (Site Specific Conservation Area (CAs) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .1 *deleted*.
- xvii) replacing Section 16.16.2 (Site Specific Conservation Area (CAs) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
 - .2 *deleted*.
- 3. The Official Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
 - changing the land use designation on the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Small Holdings Three (SH3).
 - ii) changing the land use designation on the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Conservation Area Site Specific (CAs) to Conservation Area (CA).

READ A FIRST AND SECOND TIME this <u>day of</u>, 2018.

PUBLIC HEARING held on this <u>day of</u>, 2018.

READ A THIRD TIME this <u>day of</u>, 2018.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "A" Zoning Amendment Bylaw No. 2451.23, 2018" as read a Third time by the Regional Board on this ____day of ____, 2018.

Dated at Penticton, BC this ____ day of ____, 201_

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this <u>day of</u>, 201_.

For the Minister of Transportation & Infrastructure

AND ADOPTED this ____day of ____, 2018.

Board Chair

Corporate Officer

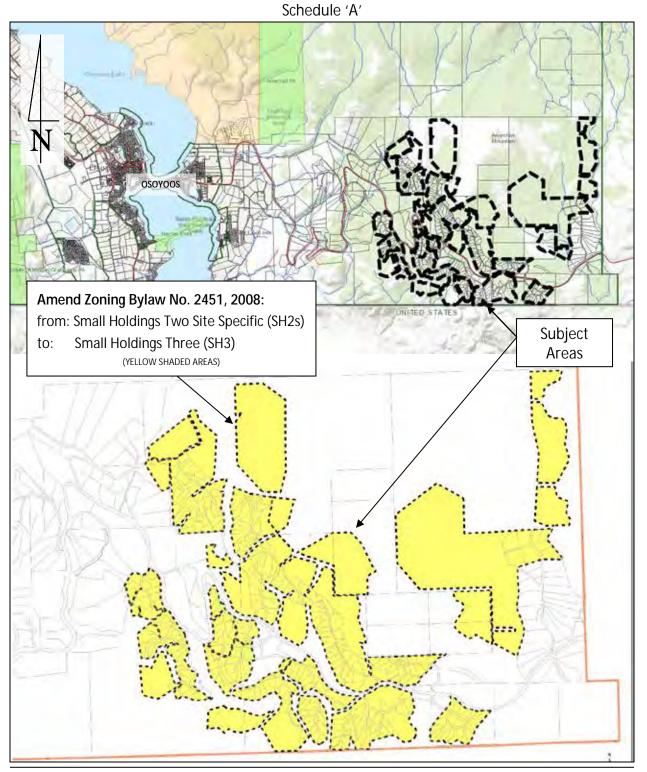
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2451.23, 2018

Project No: A2018.021-ZONE



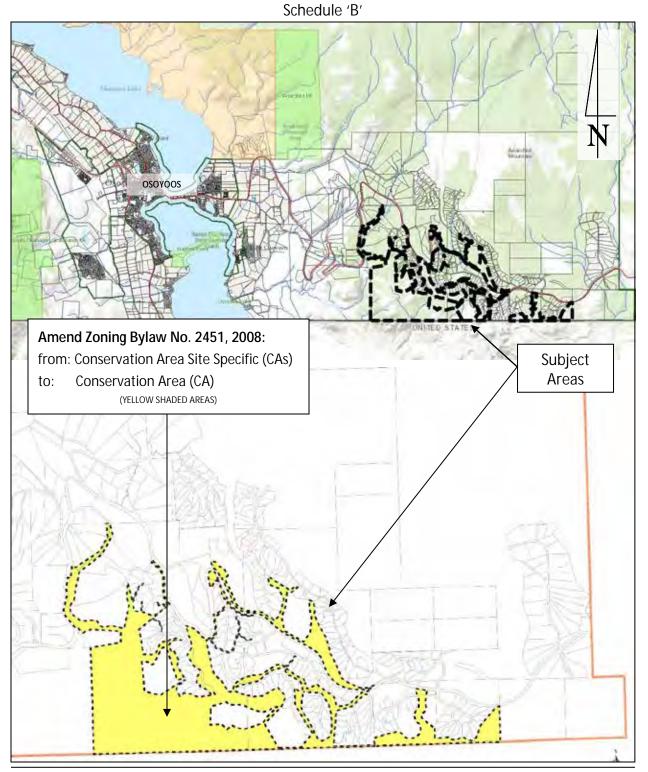
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2451.23, 2018

Project No: A2018.021-ZONE





OSOYOOS INDIAN BAND

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

March-05-18

Referral ID: A2018.021-ZONE Bylaw 2451.23 RTS #: 1336 Date:February-15-18 Reference#: R-77-001041

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

RE: 60 (sixty) day extension

Thank you for the above application that was received on February-15-18.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the *Tsilquot'in* case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title. Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

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

We appreciate your co-operation.

limlamt,

Aurante Andersed

Amanda Anderson Referrals Officer Osoyoos Indian Band cc:

UMMARY			
AMENDMENT BYLAW NO. 2451.23			
Interests Unaffected by Bylaw			
Approval Not Recommended Due to Reasons Outlined Below			
Signed By: <u>COUVIY</u> RIVNell			
Title: Senior Planner			

RDC	
TO:	
FROM:	Name: DAVID JULLIS (please print)
	Street Address:
	Tel/Email:
RE:	Electoral Area "A" Zoning Amendment Bylaw No. 2451.23 "Regal Ridge" Site Specific Zone Review
-/	listed below. I <u>do not</u> support the proposed amendments to the zoning bylaw.
	Written submissions will be considered by the Regional District Board prior to 1 st reading of Amendment Bylaw No. 2451.23.
	e prehased here for residential purpose
<u>c</u> c	hy de you (RD=S) continues to make our lives a milery? Electruite Costs what appet for year, large of consico, extra costs a reedback Forms must be completed and returned to the Regional District no later than Friday March 16, 2018
Protecting your per	sonal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to with the privacy provisions of the <i>Freedom of Information and Protection of Privacy Act</i> (British Columbia) ("FIPPA"). Any personal or tion you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A SJ9, 250-492-0237.

TO:	Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE		
FROM:	Name: Michael and Linda Tumchewics		
	(please print) Street Address:960 Eagle Place, Osoyoos BC		
	Tel/Email:		
RE:	Electoral Area "A" Zoning Amendment Bylaw No. 2451.23 "Regal Ridge" Site Specific Zone Review		
My comr	nents / concerns are:		
	I <u>do</u> support the proposed amendments to the zoning bylaw.		
	I <u>do</u> support the proposed amendments to the zoning bylaw, subject to the comments listed below. I <u>do not</u> support the proposed amendments to the zoning bylaw.		
Please	see attached document expressing our concerns		

no later than Friday March 16, 2018

Feedback Form RDOS File No: A2018.021-ZONE

To Whom It May Concern:

We strongly object to the deletion of the SH2s zoning and replacement with SH3 zone, specifically 'Keeping of Livestock'. As it stands now, limits are in place in Regal Ridge/Osoyoos Mountain Estates regarding livestock numbers. The number of livestock is restricted to 2 on any parcel greater than 2 ha despite Section 7.23.1.

It would appear that abolishing the SH2s in favor of SH3 would completely remove this livestock limit. This proposed change is not a duplication as described in your letter of February 15, 2018. In fact the wording of "Not Applicable" and "duplication" appear misleading and suspect.

According to the zoning bylaw this change actually means that any number of livestock can be kept on parcels exceeding 2 ha. Therefore, our neighbours, with about .02 ha over the threshold, could potentially have an unlimited number of pigs, horses, cattle, goats etc. in what is intended to be a rural residential section of the development.

Our decision to purchase our lot in the Regal Ridge development was predicated on the concepts put in place by the original developer. Wildlife corridors, conservation areas, and moderation in agricultural use in a rural residential setting are what attracted us to the area. Removing this site-specific bylaw will inevitably lead to decreased property values, increased conflicts between neighbours and abolishes the original intent and spirit of the developer's site specific conditions.

Sincerely,

Mike and Linda Tumchewics

REGIONAL RD OKANA SIMILKA		
TO:	Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE	
FROM:	Name: Arnold & Maureen Kettenacker	
	(please print)	
	Street Address:	
	Tel/Email:	
RE:	Electoral Area "A" Zoning Amendment Bylaw No. 2451.23 "Regal Ridge" Site Specific Zone Review	
My com	ments / concerns are:	
	I do support the proposed amendments to the zoning bylaw.	
	I <u>do</u> support the proposed amendments to the zoning bylaw, subject to the comments listed below.	
\checkmark	I do not support the proposed amendments to the zoning bylaw.	
	Written submissions will be considered by the Regional District Board prior to 1 st reading of Amendment Bylaw No. 2451.23.	
e personally a ne SH3 proper inte walk betw ification gloss matter could ween 2 and 2.3 someone to te e proposed ch chasers and n he personally a himal. For som 2S is provided one sends in t	gotten off to a flawed start: - All resident property owners did not receive a personally addressed notification. addressed notification received implies minimal changes in magnitude between SH2s and the proposed SH3. rties will be just over 2ha and others just under 2 ha. The cap for livestock is currently 2 for SH2s. Within a two even proposed SH3 properties, several would now be capped at 4 livestock while others will be unlimited! The teed this over as "not applicable". This is not a minor change in magnitude and should be scaled proportionally. rectified with an asterisk or exception in section 7.23 of the bylaw citing a max of 5 livestock for SH3 properties 5 ha in the former Regal Ridge Development. The cap is needed. Do not rely on common sense; it is an invitatio est the limits of unlimited. Neighbours will be unhappy to say the least. manges to the CAS undermine the initial developer's efforts to create an environment that many then property ow current residents may want to retain. We run adjacent to the CAS and see no need to change current bylaws addressed notification we received focuses only on the comparison between SH2s vs SH3 and imply changes a nee, that would be the end of the matter and the letter in the trash. However, no mention of changes to CAS and In the letter. It is unclear if no response is considered neutral to all proposed changes. The Feedback Form thinking they are only supporting what is addressed in the letter, it is unclear if that specific is accepted as blanket support to proposed CAS and LH2s changes as well. Feedback Forms must be completed and returned to the Regional District	
	no later than Friday March 16, 2018	

From:	heather
To:	Christopher Garrish
Subject:	Concerns re: LH1s Zone Review
Date:	March 8, 2018 7:48:21 PM

Hello Mr Garrish,

My husband and I live up on Raven Hill Rd that was part of Regal Ridge. We are not happy about some of the proposed changes being suggested for the LH1s zoned areas.

First off we do not wish to see changes allowing Mobile homes to be either principal, secondary or accessory dwellings. We also do not want to see forestry or kennels allowed. Veterinary establishment may be okay if no kenneling is allowed on the site. Definitely do not want to see any area where you could have 75% coverage in greenhouses. This would definitely be a major source of light pollution as well as other things which have already happened in other areas.

We moved away from the coast to get away from the coast to a quieter area where things were newer and looked after more. We do not want to see these beautiful lots with mobile homes on them or having to listen to a lot of noise from such things as forestry operations and dog kennels.

I hope you will take into consideration ours and others opinions and suggestions and not make these changes as we would be the people effected but these changes.

Thank-you for your time.

Heather Hayward

Alice Zinowki
Christopher Garrish
large holdings one site specific (LH1s) zone review
March 10, 2018 5:12:19 PM

Dear Mr Garrish,

We have 2 objections to the proposed changes - kennels and mobile homes. The building code is very strict regarding insulation for stick built homes and this code would not be met in a mobile home. Having spent the winter in a mobile home on Anarchist Mtn we can attest to the fact that they are not suitable dwellings for our harsh winter climates.

We also feel that a kennel would not be an appropriate business for this area. The building sites on our side of Raven Hill Rd run parallel to the ridge and are not that far apart. Also most of the flat area that would be suitable for a kennel is close to the building site. We feel that it would be excessively noisy - we moved here to get away from noise.

Otherwise we have no other objections.

Thank you for taking our views into consideration,

Alice & Walter Zinowki

-
REGIONAL DISTRICT
RDOS
a contraction
OKANAGAN. SIMILKAMEEN

X

Feedback Form

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

TO:	Regional Distric	t of Okanagan Similkameen	FILE NO.: A2018.021-ZONE
FROM:	Name:	Glenn & Daljit Stewart	
	Street Address:	50 Blacktail Place, Osoyoos, BC	V0H 1V6
	Tel/Email:		
RE:		A″ Zoning Amendment Bylaw Site Specific Zone Review	No. 2451.23
My comm	ents / concerns are:		

I do support the proposed amendments to the zoning bylaw.

I <u>do</u> support the proposed amendments to the zoning bylaw, subject to the comments listed below.

I <u>do not</u> support the proposed amendments to the zoning bylaw.

Written submissions will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2451.23.

We would also support inclusion of accessory buildings such as carriage houses/small residential buildings to provide lodging/rentals to support provincial and regional housing policies as part of the amended bylaw.

Feedback Forms must be completed and returned to the Regional District no later than Friday March 16, 2018

-	100
REGIONAL	DISTRICT
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- NW	WYYN
OKAN.	

Feedback Form

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

TO:	Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE
FROM:	Name: Hinda REIMER (please print)
	Street Address:
	Tel/Email:
RE:	Electoral Area "A" Zoning Amendment Bylaw No. 2451.23 "Regal Ridge" Site Specific Zone Review
My comm	nents / concerns are:
	l <u>do</u> support the proposed amendments to the zoning bylaw.
	I <u>do</u> support the proposed amendments to the zoning bylaw, subject to the comments listed below.
X	I <u>do not</u> support the proposed amendments to the zoning bylaw.
	Written submissions will be considered by the Regional District Board prior to 1 st reading of Amendment Bylaw No. 2451.23.
Ple	ase refer to attached letter.
n	

no later than Friday March 16, 2018

March 12, 2018

File No.: A2018.021-ZONE

Hello Mr Garrish,

My husband and I live up on Raven Hill Rd that was part of Regal Ridge. We are not happy about some of the proposed changes being suggested for the LH1s zoned areas.

In the following link to the RDOS website that lays out the A2018.021-ZONE changes:

http://www.rdos.bc.ca/departments/development-services/planning/strategic-projects/regal-ridge-site-specific-zone-review/

it states that:

"As a result, many of the site specific zoning regulations that apply to parcels at "Regal Ridge" have now become redundant or are no longer seen to be reflective of current Regional District Board land use policies and objectives."

This may be the policy of the Regional District Board, but those of us who purchased up here live here for the reasons reflected by the original zoning as set forth by Regal Ridge.

We are particularily opposed to:

1. "Permitted Uses: Principal Uses: mobile home"

(OK with Modular Home as per Project No. X2016.057-ZONE but in my opinion allowing a mobile home as a principal use would encourage a seasonal, transient population to come up and thus devalue those homes that are up here and who built with the original Regal Ridge LH1s building codes – this then in turn would not only reduce our values but also the tax funds on the properties. Also, in doing some research about mobile homes CSA Z240 MH, I have read that Alberta does not accept these as homes and that they can not be sited in their province – there must be a good reason.....)

- 2. "Permitted Uses: Principal Uses: forestry" (what about reducing the carbon foot print???)
- 3. "Permitted Uses: Accessory Uses: kennel" (we already have enough barking back and forth to each other with all of the coyotes up here)
- 4. "Maximum Parcel Coverage: c) for parcels greater that 2.0 ha in area ii) 75% for greenhouse uses" (we moved up here because of the dark skies as we wanted to leave behind the light pollution of the FV)

I would also like to state that I have spoken to some LH1s residents who have properties located as per the maps, that said they did not receive letters notifing them of the proposed changes

Sincerely,

RECEIVED

MAR 15 2018

Porticion BC V2A 5J9

tin Street



SIMILKAMEEN

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

FILE NO .: A2018.021-ZONE

FROM:

TO:

Name:

MONE PONNE (please print)

Street Address:

Tel/Email:

RE: Electoral Area "A" Zoning Amendment Bylaw 1NO. 2401.23 "Regal Ridge" Site Specific Zone Review

Regional District of Okanagan Similkameen

My comments / concerns are:

I do support the proposed amendments to the zoning bylaw.

I <u>do</u> support the proposed amendments to the zoning bylaw, subject to the comments listed below.



I do not support the proposed amendments to the zoning bylaw.

Written submissions will be considered by the Regional District Board prior to 1ª reading of Amendment Bylaw No. 2451.23.

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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 519, 250-492-0237.

	下にのEIVED augional District
	LAR 1 5 2018
	Regional District of Okanagan Similkameen 101 Martin Street, Penticton, BC, V2A-5J9 AGAN: Tel: 250-492-0237 / Email: planning@rdos.bc.ca
то:	Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE
FROM:	Name: <u>Jan Ponne Annie Ponne</u> (please print)
	Street Address:
	Tel/Email:
RE:	Electoral Area "A" Zoning Amendment Bylaw No. 2451.23 "Regal Ridge" Site Specific Zone Review
My com	nents / concerns are:
	I <u>do</u> support the proposed amendments to the zoning bylaw.
AL	I <u>do</u> support the proposed amendments to the zoning bylaw, subject to the comments listed below.
	I do not support the proposed amendments to the zoning bylaw.
	Written submissions will be considered by the Regional District Board prior to 1ª reading of Amendment Bylaw No. 2451,23.
1354	e with LHI
Mobile	-homes/Kennels/green pases No Not fit
that	the community of Reage Ridge.
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MUNE	in multion or nomes make up heighbourheads
	Feedback Forms must be completed and returned to the Regional District no later than Friday March 16, 2018

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March 22, 2018.

Fax 1-250-492-0063

From Susan and Terry Otto,

Re; Small Holdings Two Site Specific (SH2S) Zone Review, Regal Ridge area.

Dear Christopher Garrish,

My name is Susan Otto, and my husband Terry and I are the owners of 870 Eagle Place, Osoyoos, B.C. We were out of the country until March 20, 2018 and so did not receive your letter regarding rezoning until then. Please consider our response even though it is past your deadline of March 16th, as we were

We are opposed to the rezoning from SH2S to SH3 for the following reason;

Our lot at 870 Eagle Place is a size of 5 acres which is 2plus hectares. We purchased it in 2007 as a 5 acre parcel allowing up to 2 livestock. We have a horse farm in Ontario and in preparation for the future, purchased this lot and fenced it to allow for horses on the property. We had previously purchased a 10 acre parcel in Ravenhill, a Regal Ridge development further cast along Hwy 3, but arranged the creation of the 5 acre 870 Eagle Place location as closer to Osoyoos and also to the community trails on the south side of Hwy 3.

To our understanding, the lot beside ours to the east is also a size of 5 acres and under the same zoning, allowing up to 2 livestock on the property. Both lots are bordered by conservation area. We believe the remaining lots on the same side (South) of Hwy 3 are all approximately 1 hectare in size, also with

This SH2S zoning is consistent with all the permitted uses etc, and the keeping of 2 livestock only applies to a parcel greater than 2 hectares in any case.

So please do not change the zoning from SH2S to SH3, as the current zoning does not create a problem for any of those parcels, and ours and our neighbors', at 5 acres in size still allow up to 2 livestock, which was the reason for our purchase in the first place.

Please let us know if further steps are required in order to protect our investment.

Sincerely,

Susan and Terry Otto,

OTTO

From:	Laura Haslett	
To:	Christopher Garrish	
Subject:	Draft Amendment ByLawNo.2431.23 - Regal Ridge	
Date:	February 27, 2018 12:25:49 PM	

Hello Christopher,

I live at 751 Raven Hill Road and my husband and I are strongly opposed to allowing mobile homes to be placed on lots in my neighborhood. Could you please let me know why you are proposing these changes.

I followed the links as outlined in a recent letter I received from you, but could not locate the feedback form through your links.

Please advise me if I am required to do anything further to ensure my opposition to the proposed changes is noted in your upcoming Board Meeting.

Laura Haslett

Donna Ferguson
Christopher Garrish
Re: Large Holdings One Site Specific (LH1s) Zone Review
March 15, 2018 3:03:03 PM

March 15, 2018

Regional District of Okanagan -Similkameen 101 Martin Street Penticton, BC V2A 1V6

Re: Large Holdings One Site Specific Zone Review

Attention; Christopher Garrish, Planning Supervisor

Dear Sir,

We wish to address your proposed changes as outlined in your February 15, 2018 letter sent out by the RDOS. Please be advised that we, Rudy and Donna Ferguson DO NOT approve of these proposed changes.

We purchased 16 acres on Anarchist Mountain in 1988 and in 2000, retired and moved here to live the rest of our lives. Shortly after we came here, we sub-divided our land, sold 5 acres and now reside on the remaining 11. During that time we witnessed the development of Regal Ridge. Adrian Erickson had a vision to make this mountain a retirement "Dream come true" for anyone who purchased land and moved here. His vision was perfect and he made sure the rules and regulation set forth in this development were approved by everyone and should not be changed. We ALL now live in peace and find it hard to understand why you should want to "fix something which isn't broken" ...?...

We DO NOT agree with your proposed changes...to allow Mobile Homes, Greenhouses, Veterinary Establishments and Kennels on this mountain.

The noise, pollution, traffic, and negative aspects would take away the tranquility we now have come to appreciate living here.

Your proposals are too vague and open a wide range of questionable scenarios that anyone can apply for...definitely not acceptable.

Thank you, Rudy and Donna Ferguson

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		state and District
	Fee	COACK For Marsin Circot
OKANA	101 Martin Street	rict of Okanagan Similkameen , Penticton, BC, V2A-5J9 7 / Email: <u>planning@rdos.bc.ca</u>
SIMILKA TO:		of Okanagan Similkameen FILE NO.: A2018.021-ZONE
FROM:	Name:	ABRIAN ERICKSON
		(please print)
	Street Address: _	1300 BULLMODSE WAY, 0504005
	Tel/Email: .	
RE;		" Zoning Amendment Bylaw No. 2451.23 e Specific Zone Review
My comm	ments / concerns are:	
	I do support the prop	posed amendments to the zoning bylaw.
M	I <u>do</u> support the prop listed below.	posed amendments to the zoning bylaw, subject to the comments
		proposed amendments to the zoning bylaw.
		tten submissions will be considered by the ard prior to 1ª reading of Amendment Bylaw No. 2451,23,
10	o not suppor	- GREENHOUSE CONFIRMER TOP
		- KRNNRLS
WH OF FR	AN I DAVALO QUITIT SARA CAR OF NOISA RAAN HOUSAS). ST NRANSSAN SOMM	MA RAGAL REDGE I HAD A VISION ENITY, ZMMARTAD IN MATURIE AND E (RANNALS) AND LIGHT POLLUTION RETAL ATTIMITION ON BUTKDING SCHANK OF THIS, MOST DUYERS PURCHASAD FOR
	Feedback Forms	THESE REASONS. nust be completed and returned to the Regional District no later than Friday March 16, 2018
Protecting your	r personal information is an obligation ance with the privacy provisions of t	on the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to 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 519, 250-492-0237.

Hilary Cargill
Christopher Garrish
Small Holdings Two Site Specific (SH2s) Zone Review Regal Ridge Area
March 12, 2018 10:34:38 AM

Dear Mr. Garrish,

We are writing to strongly object to the proposed amendments to the zoning for properties on Regal Ridge specifically to the "Keeping of Livestock".

We have been homeowners at 955 Eagle Place, Osoyoos (Regal Ridge Area) for approx 8 months. One of the principal reasons we bought here was the generous sized lots and the fact the area is zoned residential.

The proposed changes to the zoning, while minimal overall, have caused us a lot of alarm with respect to the change proposed to the "Keeping of Livestock".

The fact that for those here with larger lots can have unlimited amounts of animals defeats the original purpose for all homeowners in Regal Ridge, suggesting now a more agricultural vs residential zone. We believe, and would support, a change proposing a maximum number of 6 livestock regardless of the size of each property.

Moreover we strongly object to the proposed change to opening up the protected areas around here. This will cause adverse affects on noise and environmental pollution, higher risk of fires, increased threat to wildlife and criminal behaviour...all of which is a detriment to our property values!

Clearly you need to re-assess your proposal with all the above in mind. We are a small community and very proud of what we have and what life here offers us. We want to maintain our current way of life without threat of damaging changes from those who do not know nor appreciate the distinctive and exceptional area which we cherish.

We are available to discuss should you choose to do so.

Sincerely,

Geoff and Hilary Cargill

Sent from my iPad

ADMINISTRATIVE REPORT

TO:	Board of Directors	OK	
FROM:	B. Newell, Chief Administrative Officer		
DATE:	April 19, 2018		
RE:	Official Community Plan & Zoning Bylaw Amendments – Electoral Areas "D-2" Large Holdings Three (LH3) Zone Review		
Administrative Recommendation:			

Administrative Recommendation:

THAT Bylaw No. 2455.30, 2018, Electoral Area "D-2" Zoning Amendment Bylaw be adopted;

AND THAT Bylaw No. 2603.13, 2018, Electoral Area "D-2" Official Community Plan Amendment Bylaw be adopted.

Purpose:

The proposed amendment bylaws seek to amend the Electoral Area "D-2" Official Community Plan and Zoning Bylaws in order to generally consolidate the Large Holdings Three (LH3) Zone with the Resource Area (RA) Zone, however, there are instances where other zonings such as Large Holdings One (LH1), Large Holdings Two (LH2) and Small Holdings Three (SH3) are being proposed.

Background:

At its meeting of March 15, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur on April 5, 2018, at the Regional District office in Penticton.

All comments received through the public process have been compiled and included as a separate item on the Board Agenda.

A Public Hearing was held on April 5, 2018, and was attended by 31 members of the public, and this was followed by approval of third reading by the Board at its meeting of that same date.

Approval from the Ministry of Transportation and Infrastructure (MoTI) due to the amendment applying to land within 800 metres of a controlled area, was obtained on April 10, 2018.

Alternative:

THAT the Board of Directors rescind first, second and third readings of Amendment Bylaw No. 2603.13, 2018, Electoral Area "D-2" Official Community Plan Amendment Bylaw and Bylaw No. 2455.30, 2018, Electoral Area "D-2" Zoning Amendment Bylaw and abandon the bylaws.

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

BYLAW NO. 2455.30

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.30, 2018

A Bylaw to amend the Electoral Area "D-2" Zoning Bylaw No. 2455, 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 "D-2" Large Holdings Update Zoning Amendment Bylaw No. 2455.30, 2018."
- 2. The "Electoral Area 'D-2' Zoning Bylaw No. 2455, 2008" is amended by:
 - i) delete the definition of "landscaped strip" under Section 4.0 (Definitions).
 - ii) replacing the "Rural Zones" part of Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zone) in its entirety with the following:

RURAL ZONES	
Resource Area Zone	RA
Agriculture One Zone	AG1
Agriculture Three Zone	AG3
Large Holdings One Zone	LH1
Large Holdings Two Zone	LH2
Small Holdings One Zone	SH1
Small Holdings Two Zone	SH2
Small Holdings Three Zone	SH3
Small Holdings Four Zone	SH4
Small Holdings Five Zone	SH5

iii) replacing Section 7.9 (Screening and Landscaping) under Section 7.0 (General Regulations) in its entirety with the following:

7.9 Screening and Landscaping

- 1. Screening or landscape buffers are required for all Commercial and Industrial zoned parcels adjacent to a Residential zone.
- 2. Screening and landscaping buffers shall be provided and maintained by an owner of a parcel at the owner's sole cost in accordance with the following regulations:
 - a) Where it is proposed to install screening, this shall be to a height of not less than 1.8 metres.
 - b) Where it is proposed to install landscape buffers, these shall:
 - i) be a minimum of 1.5 metres in width;
 - ii) include a screen a minimum of 2.0 metres in height comprised of at least:
 - .1 three shrubs or trees capable of attaining a height of 4.0 metres or more;
 - .2 planted at least every 5.0 metres, and
 - .3 interrupted only for walkways or driveways.
 - iii) be continuous along the affected property boundaries, interrupted only by walkways and driveways providing access to the property; and
 - iv) on a corner parcel contiguous to a highway intersection, no hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the parcel at the intersection of the highway.
- iv) replacing Section 7.13.3 (Accessory Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities or other living facilities, with the exception of an accessory building or structure in the RA, AG1, AG3, LH1 and LH2 Zones where one (1) shower is permitted.
- v) replacing Section 7.13.4 (Accessory Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .4 The maximum number of bathrooms permitted in an accessory building or structure shall be one (1) and shall not exceed a maximum floor area of 3.0 m², with the exception of an accessory building or structure in the RA, AG1, AG3, LH1 and LH2 Zones where the maximum floor area of a bathroom may be 6.0 m².

vi) replacing Section 10.4 (Large Holdings Three Zone) under Section 10.0 (Rural Zones) in its entirety with the following:

10.4 LARGE HOLDINGS ONE ZONE (LH1)

10.4.1 Permitted Uses:

Principal uses:

- a) agriculture, subject to Section 7.24;
- b) equestrian centres;
- c) forestry;
- d) single detached dwelling or mobile home;
- e) veterinary establishments;

Secondary uses:

- f) accessory dwelling or mobile home, subject to Section 7.11;
- g) bed and breakfast operation, subject to Section 7.19;
- h) home industry, subject to Section 7.18;
- i) home occupation, subject to Section 7.17;
- j) kennels, subject to Section 7.25;
- k) packing, processing and storage of farm and off-farm products;
- I) retail sales of farm and off-farm products, subject to Section 7.24
- m) secondary suites, subject to Section 7.12;
- n) accessory buildings and structures, subject to Section 7.13.

10.4.2 Site Specific Large Holdings One (LH1s) Provisions:

a) see Section 17.4

10.4.3 Minimum Parcel Size:

a) 4.0 ha

10.4.4 Minimum Parcel Width:

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

10.4.5 Maximum Number of Dwellings Permitted Per Parcel:

a) the number of principal dwellings and the number of accessory dwellings or mobile homes permitted per parcel shall be as follows:

Parcel Size Maximum Number of Accessory	Maximum Number of
Dwellings or Mobile Homes	Principal Dwellings

Less than 8.0 ha	1	1
8.0 ha to 11.9 ha	2	1
12.0 ha to 15.9 ha	3	1
16.0 ha or greater	4	1

b) one (1) secondary suite.

10.4.6 Minimum Setbacks:

a) Buildings and structures:

i)	Front parcel line:	7.5 metres
ii)	Rear parcel line:	7.5 metres
iii)	Interior side parcel line:	4.5 metres
iv)	Exterior side parcel line:	4.5 metres

b) Despite Section 10.4.6(a), livestock shelters, equestrian centre, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:

i)	Front parcel line:	15.0 metres
ii)	Rear parcel line:	15.0 metres

II)	Rear parcel line:	15.0 metres

iii)	Interior side parcel line:	15.0 metres

iv) Exterior side parcel line: 15.0 metres

c) Despite Section 10.4.6(a), incinerator or compost facility:

i)	Front parcel line:	30.0 metres
ii)	Rear parcel line:	30.0 metres
iii)	Interior side parcel line:	30.0 metres
iv)	Exterior side parcel line:	30.0 metres

10.4.7 Maximum Height:

a) No building, accessory building or structure shall exceed a height of 10.0 metres.

10.4.8 Maximum Parcel Coverage:

- a) 35% for parcels less than 2,500 m² in area;
- b) 20% for parcels greater than 2,500 m² and less than 2.0 ha in area; and
- c) for parcels greater than 2.0 ha in area:
 - i) 10%; and

- ii) 75% for greenhouse uses.
- vii) adding a new Section 10.5 (Large Holdings Two Zone) under Section 10.0 (Rural Zones) to read as follows and renumbering all subsequent sub-sections:

10.5 LARGE HOLDINGS TWO ZONE (LH2)

10.5.1 Permitted Uses:

Principal uses:

- a) agriculture, subject to Section 7.23;
- b) equestrian centre;
- c) forestry;
- d) single detached dwelling or mobile home;
- e) veterinary establishment;

Secondary uses:

- f) accessory dwelling or mobile home, subject to Section 7.11;
- g) bed and breakfast operation, subject to Section 7.19;
- h) home industry, subject to Section 7.18;
- i) home occupation, subject to Section 7.17;
- j) kennels, subject to Section 7.25;
- k) packing, processing and storage of farm and off-farm products;
- I) retail sales of farm and off-farm products, subject to Section 7.24;
- m) secondary suite, subject to Section 7.12; and
- n) accessory buildings and structures, subject to Section 7.13.
- 10.5.2 Site Specific Large Holdings Two (LH2s) Provisions:
 - a) see Section 17.34

10.5.3 Minimum Parcel Size:

a) 8.0 ha

10.5.4 Minimum Parcel Width:

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

10.5.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit;
- b) one (1) secondary suite; and
- c) one (1) mobile home or accessory dwelling.

10.5.6 Minimum Setbacks:

a) Buildings and structures:

i)	Front parcel line:	7.5 metres
ii)	Rear parcel line:	7.5 metres
iii)	Interior side parcel line:	4.5 metres
iv)	Exterior side parcel line:	4.5 metres

b) Despite Section 10.5.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:

i)) Front parcel line:		15.0 metres
ii	i) Rear parcel line:		15.0 metres
ii	ii) Interior side parcel	line:	15.0 metres
i١	v) Exterior side parcel	line:	15.0 metres

c) Despite Section 10.5.6(a), incinerator or compost facility:

i)	Front parcel line:	30.0 metres
ii)	Rear parcel line:	30.0 metres
iii)	Interior side parcel line:	30.0 metres
iv)	Exterior side parcel line:	30.0 metres

10.5.7 Maximum Height:

a) No building, accessory building or structure shall exceed a height of 10.0 metres.

10.5.8 Maximum Parcel Coverage:

- a) 35% for parcels less than 2,500 m² in area;
- b) 20% for parcels greater than 2,500 m^2 and less than 2.0 ha in area; and
- c) for parcels greater than 2.0 ha in area:
 - i) 10%; and

- ii) 75% for greenhouse uses.
- viii) adding a new Section 10.6 (Small Holdings Two Zone) under Section 10.0 (Rural Zones) to read as follows and renumbering all subsequent sub-sections:

10.6 SMALL HOLDINGS TWO ZONE (SH2)

10.6.1 Permitted Uses:

Principal uses:

- a) agriculture, subject to Section 7.23;
- b) single detached dwelling;

Secondary uses:

- c) bed and breakfast operation, subject to Section 7.19;
- d) equestrian centre;
- e) home industry, subject to Section 7.18;
- f) home occupation, subject to Section 7.17;
- g) retail sales of farm and off-farm products, subject to Section 7.24;
- h) secondary suite, subject to Section 7.12; and
- i) accessory buildings and structures, subject to Section 7.13.

10.6.2 Site Specific Small Holdings Two (SH2s) Provisions:

a) see Section 17.32

10.6.3 Minimum Parcel Size:

a) 2.0 ha

10.6.4 Minimum Parcel Width:

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

10.6.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite.

10.6.6 Minimum Setbacks:

i)

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

	ii)	Rear parcel line:	7.5 metres
	iii)	Interior side parcel line:	4.5 metres
	iv)	Exterior side parcel line:	4.5 metres
b)	Acc	essory buildings and structures:	
	i)	Front parcel line:	7.5 metres
	ii)	Rear parcel line:	4.5 metres
	iii)	Interior side parcel line:	4.5 metres
	iv)	Exterior side parcel line:	4.5 metres
c)	ger	spite Section 10.6.6(a) and (b), livestock shelters nerator sheds, boilers or walls with fans, and on-f iduction facilities:	•
	i)	Front parcel line:	15.0 metres
	ii)	Rear parcel line:	15.0 metres
	iii)	Interior side parcel line:	15.0 metres
	iv)	Exterior side parcel line:	15.0 metres
d)	Des	spite Section 10.6.6(a) and (b), incinerator or cor	npost facility:
	i)	Front parcel line:	30.0 metres

i)	Front parcel line:	30.0 metres
ii)	Rear parcel line:	30.0 metres
iii)	Interior side parcel line:	30.0 metres
iv)	Exterior side parcel line:	30.0 metres

10.6.7 Maximum Height:

a) No building, accessory building or structure shall exceed a height of 10.0 metres.

10.6.8 Maximum Parcel Coverage:

a) 15%

10.6.9 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.
- ix) adding a new Section 10.8 (Small Holdings Four Zone) under Section 10.0 (Rural Zones) to read as follows and renumbering all subsequent sub-sections:

10.8 SMALL HOLDINGS FOUR ZONE (SH4)

10.8.1 Permitted Uses:

Principal uses:

- a) agriculture, subject to Section 7.23;
- b) single detached dwelling;

Secondary uses:

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

10.8.2 Site Specific Small Holdings Four (SH4s) Provisions:

a) see Section 17.33.

10.8.3 Minimum Parcel Size:

a) 0.5 ha, subject to servicing requirements

10.8.4 Minimum Parcel Width:

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

10.8.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite.

10.8.6 Minimum Setbacks:

a) Buildings and structures:

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

iii)	Interior side parcel line:	4.5 metres

- iv) Exterior side parcel line: 4.5 metres
- c) Despite Section 10.8.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:

	i)	Front parcel line:	15.0 metres
d)	ii)	Rear parcel line:	15.0 metres
	iii)	Interior side parcel line:	15.0 metres
	iv)	Exterior side parcel line:	15.0 metres
	Despite Section 10.8.6(a) and (b), incinerator or compost facility:		
	i)	Front parcel line:	30.0 metres
	ii)	Rear parcel line:	30.0 metres
	iii)	Interior side parcel line:	30.0 metres
	iv)	Exterior side parcel line:	30.0 metres

10.8.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 7.5 metres.

10.8.8 Maximum Parcel Coverage:

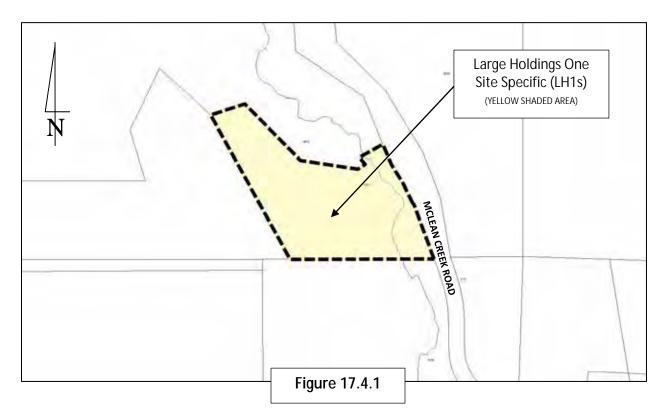
a) 15%

10.8.9 Minimum Building Width:

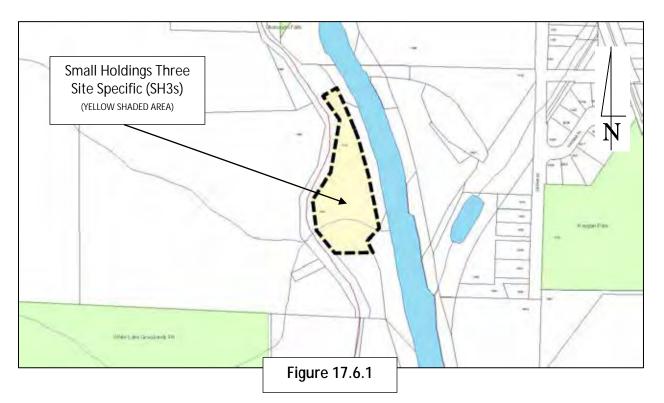
- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.
- x) replacing Section 17.4 (Site Specific Large Holdings Three (LH3s) Provisions) under Section 17.0 (Site Specific Designation) in its entirety with the following:

17.4 Site Specific Large Holdings One (LH1s) Provisions:

- .1 in the case of the land described as Lot B, Plan EPP12661, District Lot 681S, SDYD, and shown shaded yellow on figure 17.4.1:
 - a) despite Section 10.4.5, the maximum number of dwelling permitted per parcel shall be one (1) principle dwelling, one (1) secondary suite and no accessory dwellings.



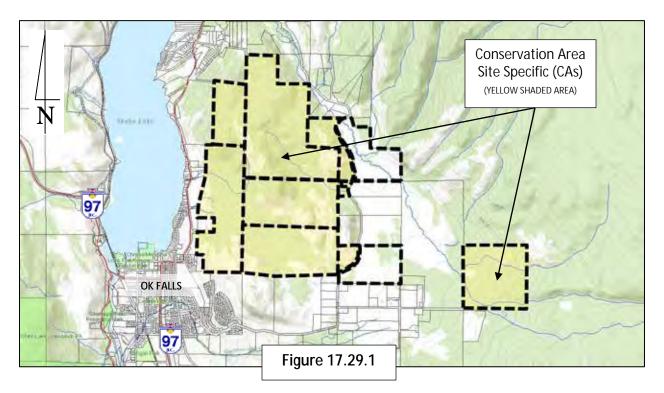
- xi) replacing Section 17.6.1 (Site Specific Small Holdings Three (LH3s) Provisions) under Section 17.0 (Site Specific Designation) in its entirety with the following:
 - .1 in the case of the land described as Lot 3, Plan KAP3404, District Lot 195S, SDYD, Except Plan PCL21 and Except Plan A1266 (1419 Green Lake Road), and shown shaded yellow on figure 17.6.1:
 - a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 10.6.1:
 - i) home industry, subject to Section 7.18.
 - b) despite Section 10.4.5, the maximum number of dwellings permitted per parcel shall be:
 - i) one (1) principal dwelling; and
 - ii) one (1) accessory dwelling or mobile home.



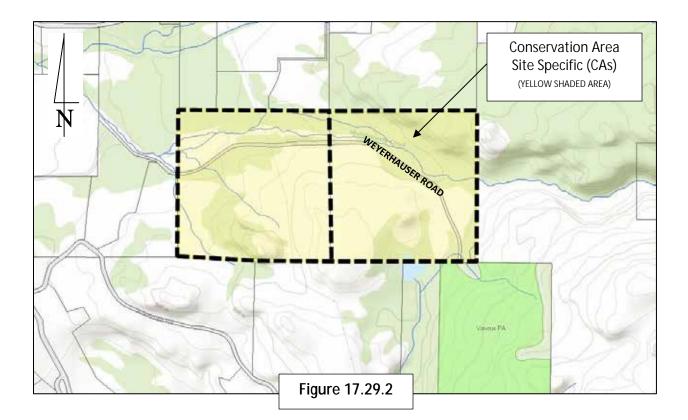
xii) replacing Section 17.29 (Site Specific Conservation Area (CAs) Provisions) under Section 17.0 (Site Specific Designation) in its entirety with the following:

17.29 Site Specific Conservation Area (CAs) Provisions:

- .1 in the case of the land shown shaded yellow on figure 17.29.1:
 - a) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 15.3.1:
 - i) agriculture, subject to Section 7.23 and 7.24.



- .2 in the case of the land described as District Lot 31S, SDYD, Except Plan A11286; and Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 7, Except Plan A11286, and shown shaded yellow on figure 17.29.2:
 - a) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 15.3.1:
 - i) agriculture, subject to Section 7.23 and 7.24; and
 - ii) one (1) single detached dwelling or one (1) mobile home.



xiii) adding a new Section 17.32 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

17.32 Site Specific Small Holdings Two (SH2s) Provisions:

- .1 Not applicable.
- xiv) adding a new Section 17.33 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

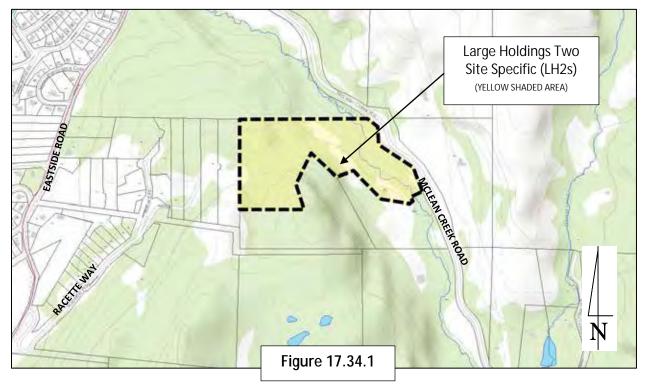
17.33 Site Specific Small Holdings Four (SH4s) Provisions:

- .1 Not applicable.
- xv) adding a new Section 17.34 (Site Specific Large Holdings Two (LH2s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

17.34 Site Specific Large Holdings Two (LH2s) Provisions:

- .1 in the case of the land described as Lot 1, Plan KAP34762, District Lot 681S, SDYD, Except Plan EPP12661, and shown shaded yellow on figure 17.32.1:
 - a) the following principal uses and no others shall be permitted on the land:
 - i) agriculture, subject to Section 7.23 and 7.24;

- ii) equestrian centre;
- iii) open land recreation;
- iv) single detached dwelling or mobile home; and
- v) veterinary establishment.
- b) despite Section 10.5.5, the maximum number of dwelling permitted per parcel shall be one (1) principle dwelling, one (1) secondary suite and no accessory dwellings.



- xvi) The Zoning Bylaw Map, being Schedule '2' of the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by:
 - a) changing the land use designation on the land described as:
 - · Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 8;
 - Subsidy Lots 1-4, Plan KAP1193, District Lot 3639, SDYD, AFB; and
 - Subsidy Lot 7, Plan KAP1193, District Lot 3639, SDYD, AFB FOREST RESERVE 23-8-60,

and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).

b) changing the land use designation on the land described as Lot 1, Plan KAP74449, District Lot 190 2710, SDYD (3200 Evergreen Drive), and shown

shaded yellow on Schedule 'B', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).

- c) changing the land use designation on the land described as Lot 2, Plan KAP60911, District Lot 2710, SDYD; and Lot 1, Plan KAP35151, District Lot 2710, SDYD, Subsidy Lot 38, and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- d) changing the land use designation on the land described as Lot C, Plan KAP27801, District Lot 2710, SDYD, Subsidy Lot 48, and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Comprehensive Development (CD) to Conservation Area (CA).
- e) changing the land use designation on the land shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area (CA).
- f) changing the land use designation on the land described as Lot A, Plan KAP67022, District Lot 461, SDYD (3515 McLean Creek Road), and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Three (SH3).
- g) changing the land use designation on the land shown shaded yellow on Schedule 'G-1', but excluding Lot 1, Plan KAP47497, District Lot 462, SDYD, which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- h) changing the land use designation on the land described as Lot 1, Plan KAP47497, District Lot 462, SDYD, and shown shaded yellow on Schedule 'G-2', which forms part of this Bylaw, from Large Holdings Three (LH3) to Large Holdings One (LH1).
- i) changing the land use designation on the land described as Lot A, Plan EPP12661, District Lot 681S, SDYD, and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Large Holdings Three Site Specific (LH3s) to Conservation Area (CA).
- j) changing land use designation on the land described as Lot 1, Plan KAP34762, District Lot 681S, SDYD, Except Plan EPP12661 (3670 McLean Creek Road), and shown shaded blue on Schedule 'H', which forms part of this Bylaw, from Large Holdings Three Site Specific (LH3s) to Large Holdings Two Site Specific (LH2s).
- k) changing land use designation on the land described as Lot B, Plan EPP12661, District Lot 681S, SDYD (3682 McLean Creek Road), and shown shaded purple on Schedule 'H', which forms part of this Bylaw, from Large Holdings Three Site Specific (LH3s) to Large Holdings One Site Specific (LH1s).
- changing land use designation on the land described as Lot A, Plan KAP10306, District Lot 337, SDYD, Except Plan H11293 (389 Eastside Road), and shown shaded blue on Schedule 'I', which forms part of this Bylaw, from Large Holdings Three (LH3) to Large Holdings One (LH1).

- m) changing land use designation on the land shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- n) changing land use designation on the land shown shaded yellow on Schedule 'J-1', which forms part of this Bylaw, from Agriculture Three (AG3) to Conservation Area Site Specific (CAs).
- changing land use designation on the land shown shaded yellow on Schedule 'J-2', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area Site Specific (CAs).
- p) changing land use designation on the land described as Lot 4, Plan KAP4074, District Lot 2193, SDYD, Except Plan H933, and shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- q) changing land use designation on the land described as an approximately 3,700 m² part of Lot 2, Plan KAP9597, District Lot 2883S 3147S, SDYD, Except Plan 13984 (5361 9th Avenue) and shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Large Holdings Three (LH3) to Residential Single Family One (RS1).
- r) changing land use designation on the land described as Lot 3, Plan KAP9597, District Lot 2883S 3147S, SDYD, Except Plan 13984 (5444 Hawthorne Place); and an approximately 400 m² part of Lot 1, Plan KAP13984, District Lot 2883S 3147S, SDYD (5445 Hawthorne Place) and shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Large Holdings Three (LH3) to Residential Single Family One (RS1).
- s) changing land use designation on the land described as Lot 5, Plan KAP9597, District Lot 3147S, SDYD; and Lot A, Plan KAP6113, District Lot 3147S, SDYD, and shown shaded blue on Schedule 'N', which forms part of this Bylaw, from Large Holdings Three (LH3) to Parks and Recreation (PR).
- t) changing land use designation on the land described as Lot A, Plan KAP37420, District Lot 2193, SDYD, and shown shaded yellow on Schedule 'O', which forms part of this Bylaw, from Agriculture Three (AG3) to Resource Area (RA).
- u) changing land use designation on an approximately 3.6 hectare part of the land described as Lot 3, Plan KAP4074, District Lot 2193, SDYD, Except Plan 37420; and an approximately 54.0 hectare part of the land described as Lot A, Plan KAP28209, District Lot 195S, SDYD, and shown shaded yellow on Schedule 'P', which forms part of this Bylaw, from Agriculture Three (AG3) to Resource Area (RA).
- v) changing land use designation on the land described as Lot 1, Plan KAP8130, District Lot 195S, SDYD, and shown shaded yellow on Schedule 'Q', which forms part of this Bylaw, from Agriculture Three (AG3) to Conservation Area (CA).

- w) changing land use designation on the land described as Lot 3, Plan KAP3404, District Lot 195S, SDYD, Except Plan PCL 21 and Plan A1266 (1419 Green Lake Road), and shown shaded purple on Schedule 'R', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Three Site Specific (SH3s).
- x) changing land use designation on the land shown shaded purple on Schedule 'S', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area (CA).
- y) changing land use designation on the land described as Plan KAP4397, Block 14, District Lot 2883S, SDYD, Except Plan A1217 H933 (904 Green Lake Road), and shown shaded yellow on Schedule 'T', which forms part of this Bylaw, from Agriculture Three (AG3) to Small Holdings Three (SH3).
- z) changing land use designation on the land described as District Lot 195S, SDYD, Except Plan A775 3404 4012 8130 13406 28209 (1420 Green Lake Road), and shown shaded yellow on Schedule 'U', which forms part of this Bylaw, from Large Holdings Three (LH3) to Large Holdings Two (LH2).
- aa) changing land use designation on the land described as Lot C, Plan KAP44059, District Lot 2710, SDYD (2158 Highway 97), and shown shaded yellow on Schedule 'V', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Four (SH4).
- bb) changing land use designation on the land described as Lot D, Plan KAP44059, District Lot 2710, SDYD (2216 Highway 97), and shown shaded blue on Schedule 'V', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Two (SH2).
- cc) changing land use designation on the land described as District Lot 31S, SDYD, Except Plan A11286; and Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 7, Except Plan A11286, and shown shaded yellow on Schedule 'W', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area Site Specific (CAs).
- dd) changing land use designation on an approximately 1.4 hectare part of the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 39, Except Plan 21215, and shown shaded yellow on Schedule 'X', which forms part of this Bylaw, from Agriculture Three (AG3) to Conservation Area (CA).
- ee) changing land use designation on an approximately 25.7 hectare part of the land described as Lot 2, Plan KAP69941, SDYD, District Lot 2710 3203, and shown shaded yellow on Schedule 'X', which forms part of this Bylaw, from Agriculture Three (AG3) to Conservation Area (CA).
- ff) changing land use designation on the land described as Lot 2, Plan KAP1331, District Lot 2710, SDYD, Subsidy Lot 58 (Park Reserve), and shown shaded yellow on Schedule 'Y', which forms part of this Bylaw, from Agriculture Three (AG3) to Parks and Recreation (PR).

- gg) changing land use designation on the land described as Lot 4, Plan KAP1434, District Lot 2710, SDYD, Subsidy Lot 14, Except Plan KAP44587, and shown shaded yellow on Schedule 'Z', which forms part of this Bylaw, from Large Holdings Three (LH3) to Large Holdings Two (LH2).
- hh) changing land use designation on the land described as Lot 1, Plan KAP27588, SDYD, Subsidy Lot 14, District Lot 697S 2710, and shown shaded yellow on Schedule 'AA', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- changing land use designation on the land described as Lot 2, Plan KAP27588, District Lot 697S, SDYD, and shown shaded yellow on Schedule 'BB', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Three (SH3).
- jj) changing land use designation on the land described as Lot 1, Plan KAP1434, SDYD, District Lot 697S 2710, and shown shaded yellow on Schedule 'CC', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area (CA).

READ A FIRST AND SECOND TIME this 15th day of March, 2018.

PUBLIC HEARING HELD this 5th day of April, 2018.

READ A THIRD TIME this 5th day of April, 2018.

Approved pursuant to Section 52(3) of the *Transportation Act* this 10th day of April, 2018.

ADOPTED this _____ day of _____, 2018.

Board Chair

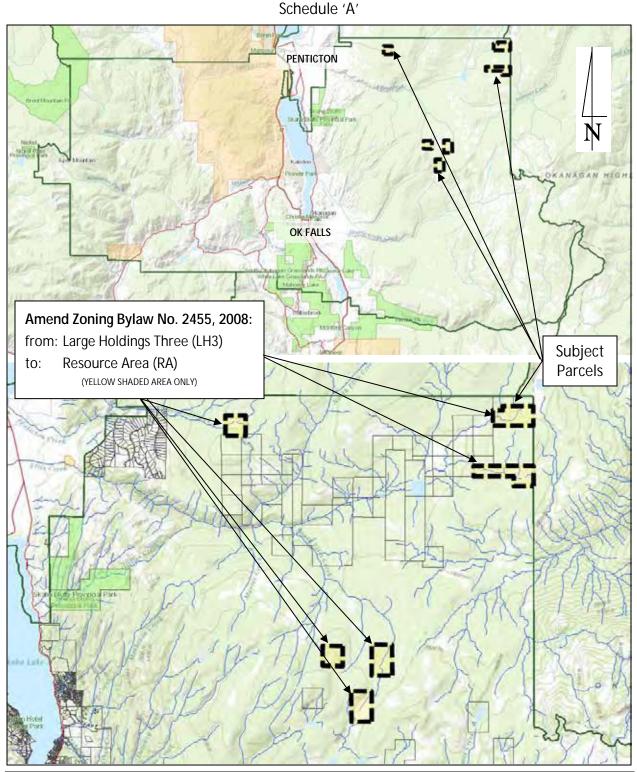
Chief Administrative Officer

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



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE



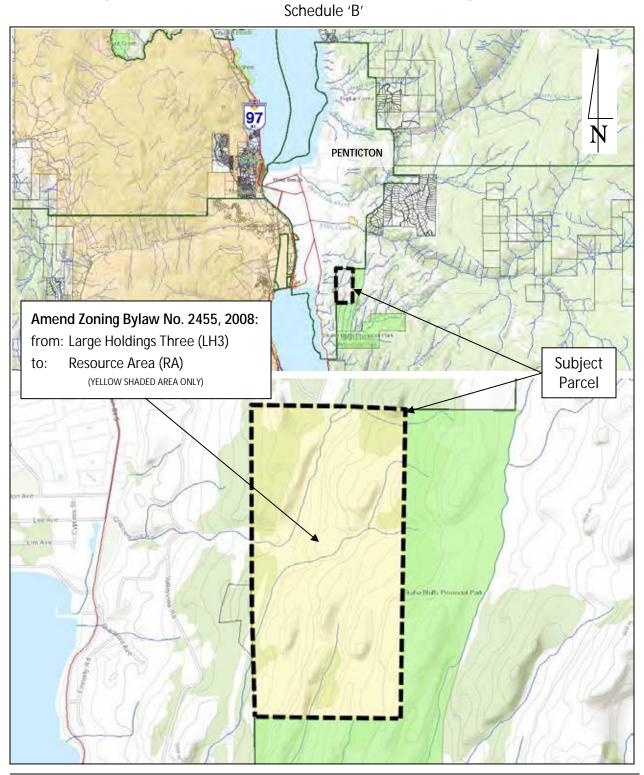
DRAFT VERSION – 2018-02-21

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Amendment Bylaw No. 2455.30, 2018

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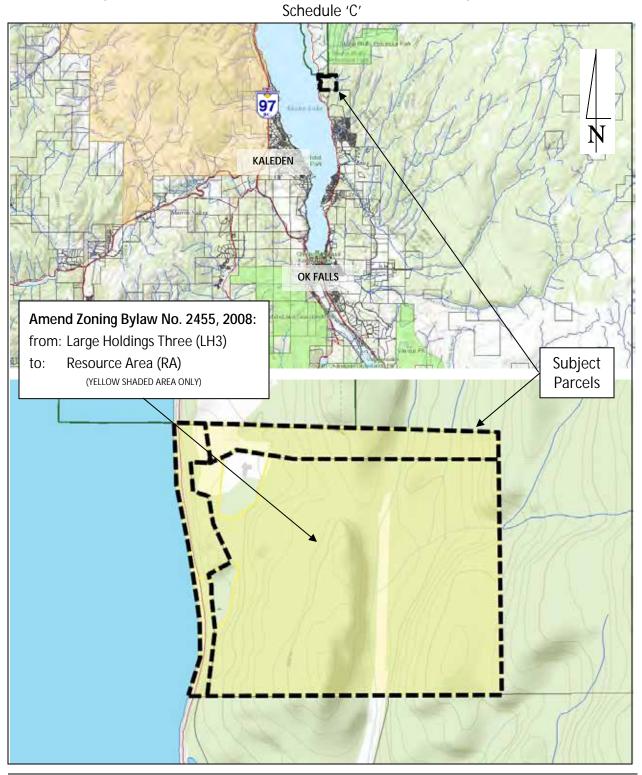


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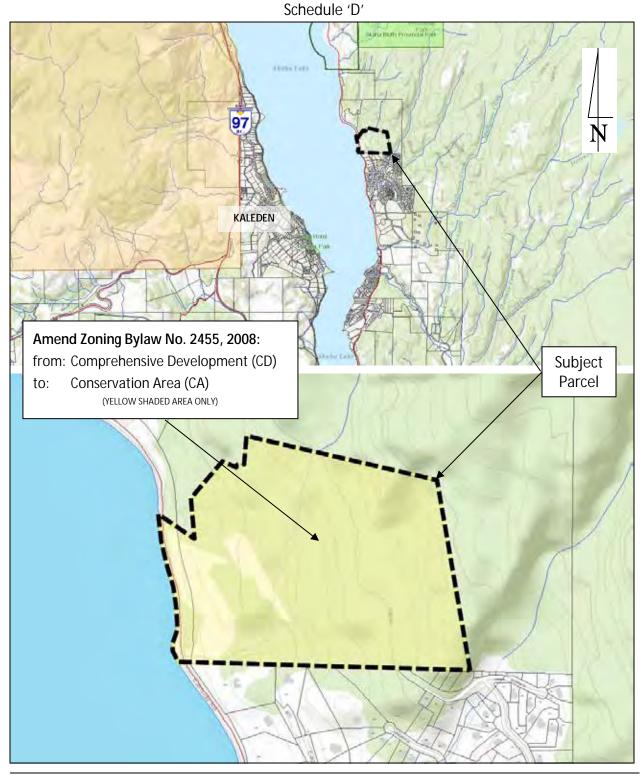


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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE



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Project No: D2017.157-ZONE Amendment Bylaw No. 2455.30, 2018 Schedule 'E' KALEDEN Amend Zoning Bylaw No. 2455, 2008: from: Large Holdings Three (LH3) to: Conservation Area (CA) Subject (YELLOW SHADED AREA ONLY) Parcel

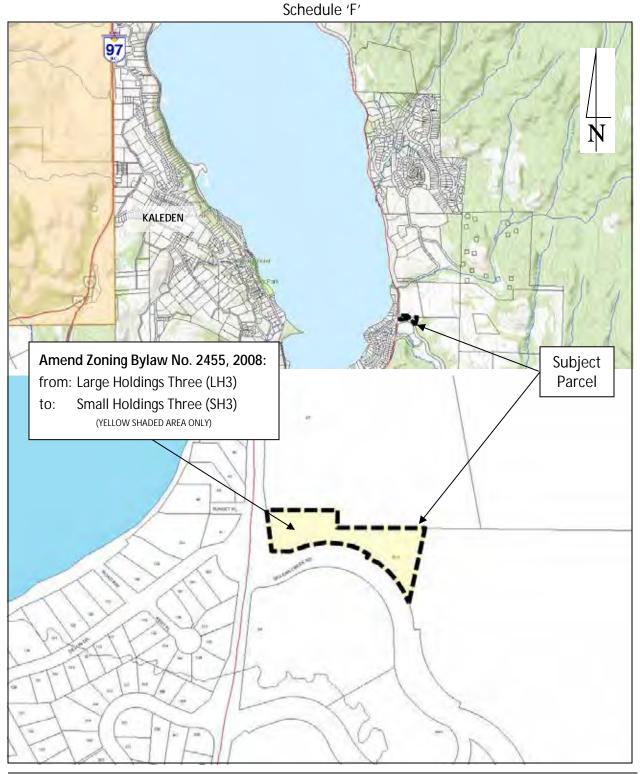
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Amendment Bylaw No. 2455.30, 2018

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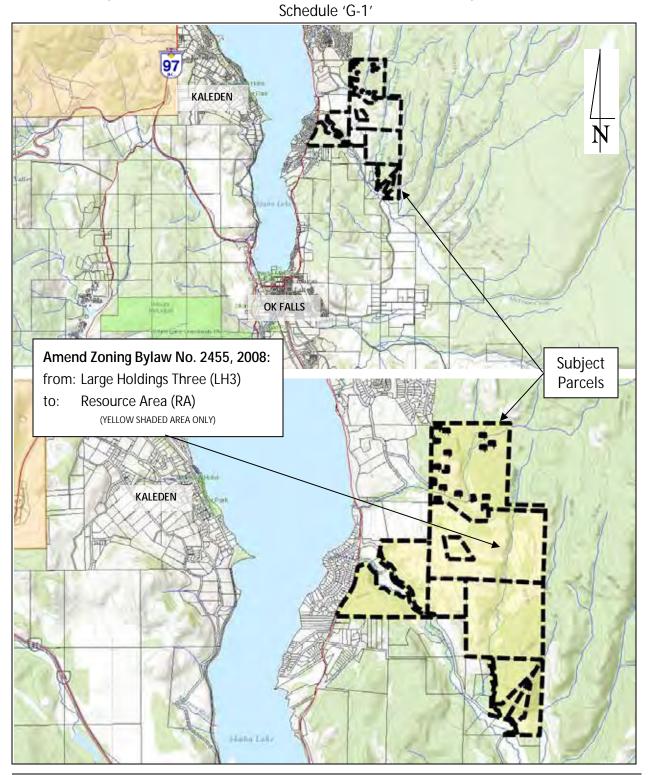


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Amendment Bylaw No. 2455.30, 2018

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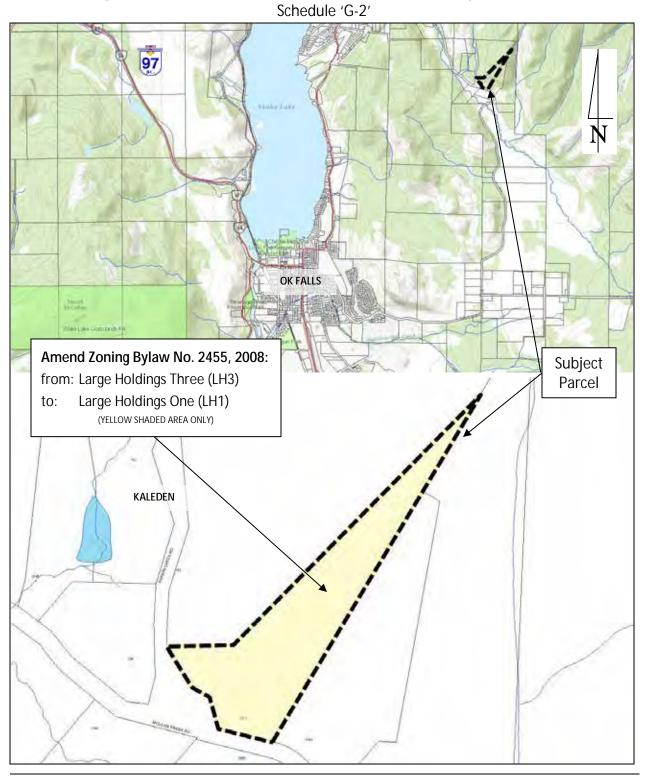


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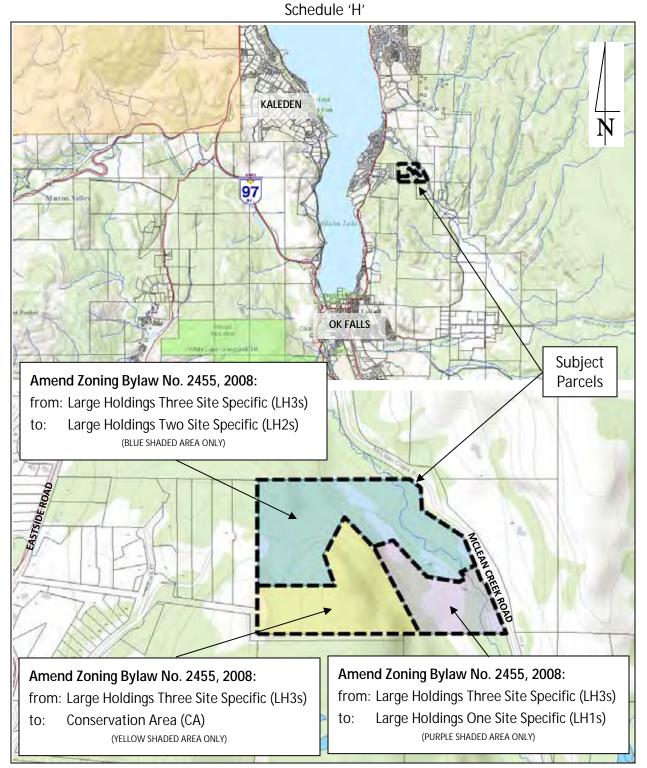
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Project No: D2017.157-ZONE



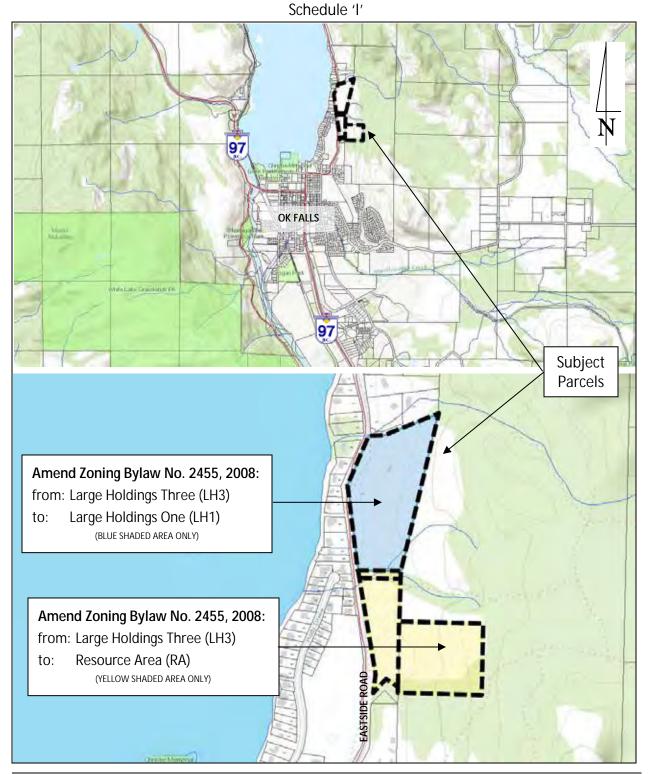
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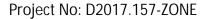


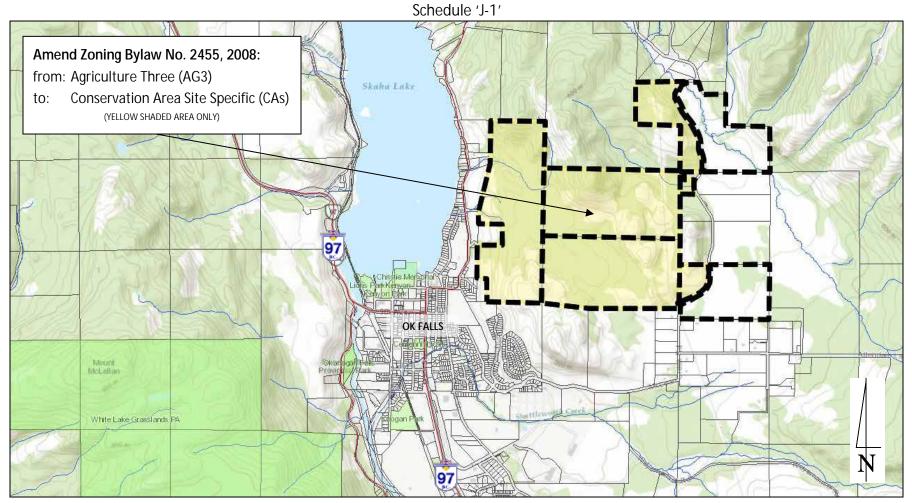
DRAFT VERSION - 2018-02-21

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Amendment Bylaw No. 2455.30, 2018





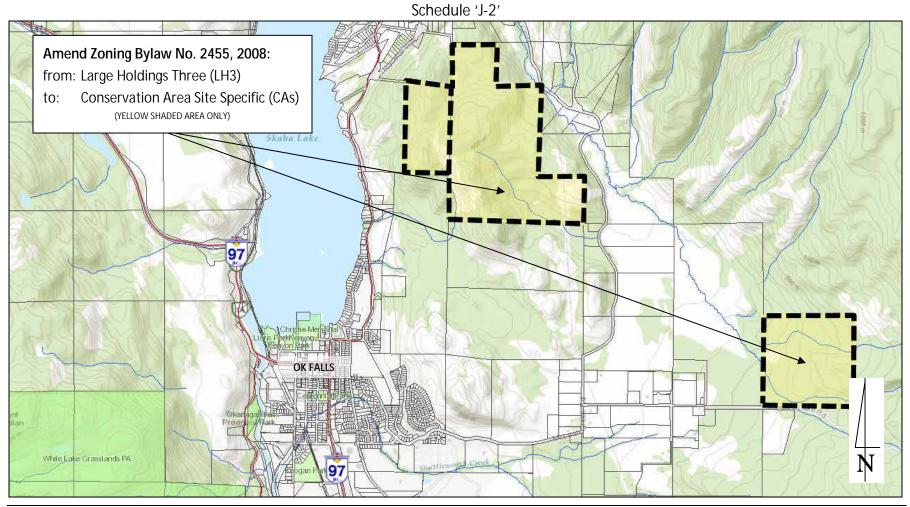
Amendment Bylaw No. 2455.30, 2018 (D2017.157-ZONE) Page 31 of 51

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Project No: D2017.157-ZONE

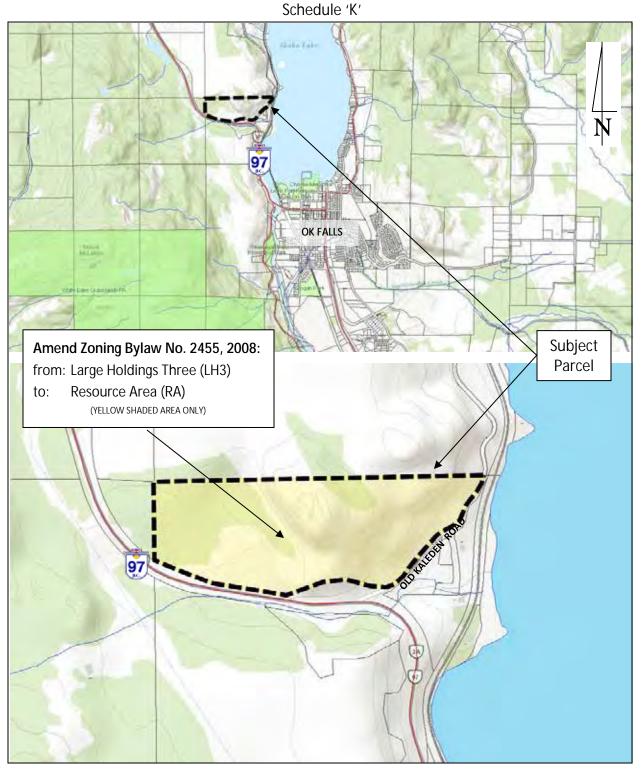


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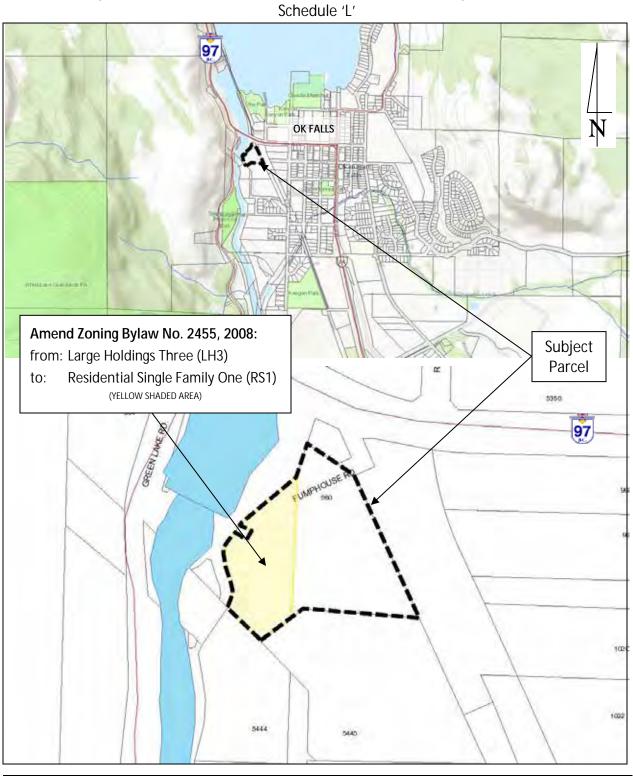


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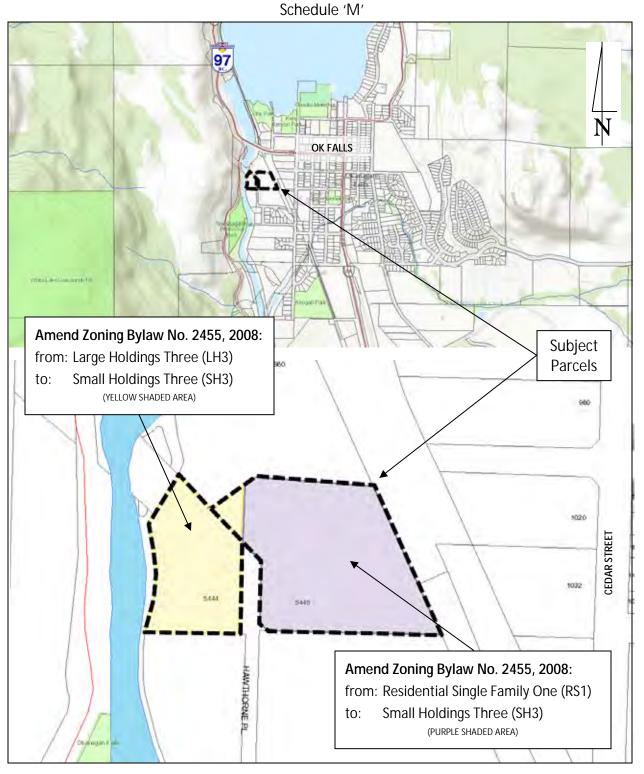
Amendment Bylaw No. 2455.30, 2018 (D2017.157-ZONE) Page 34 of 51

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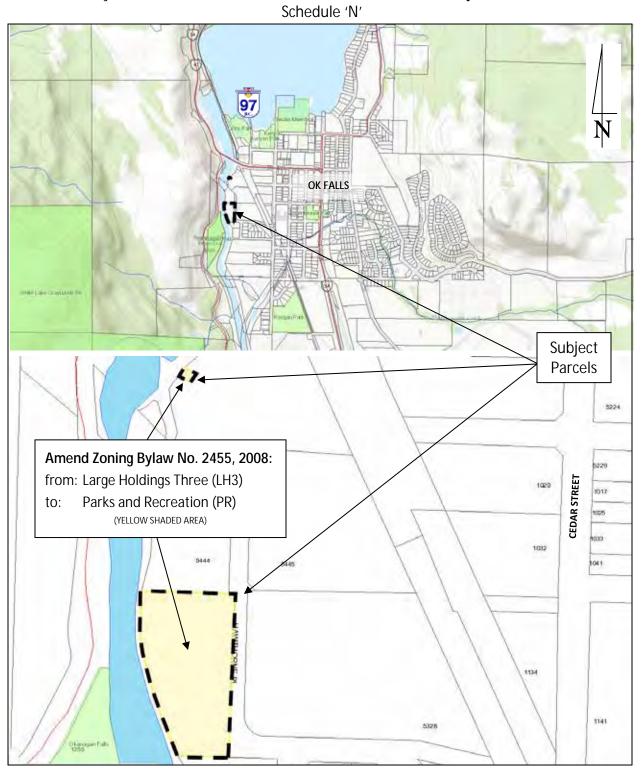
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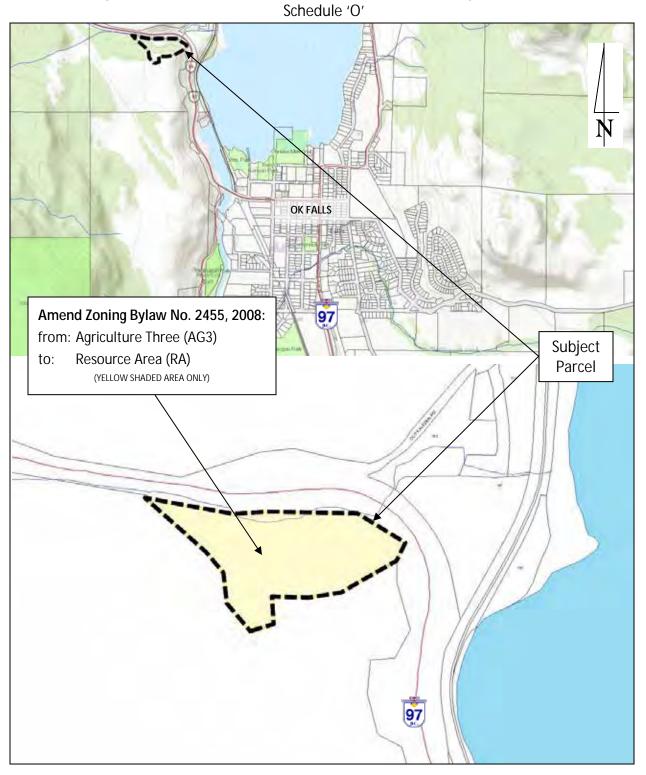


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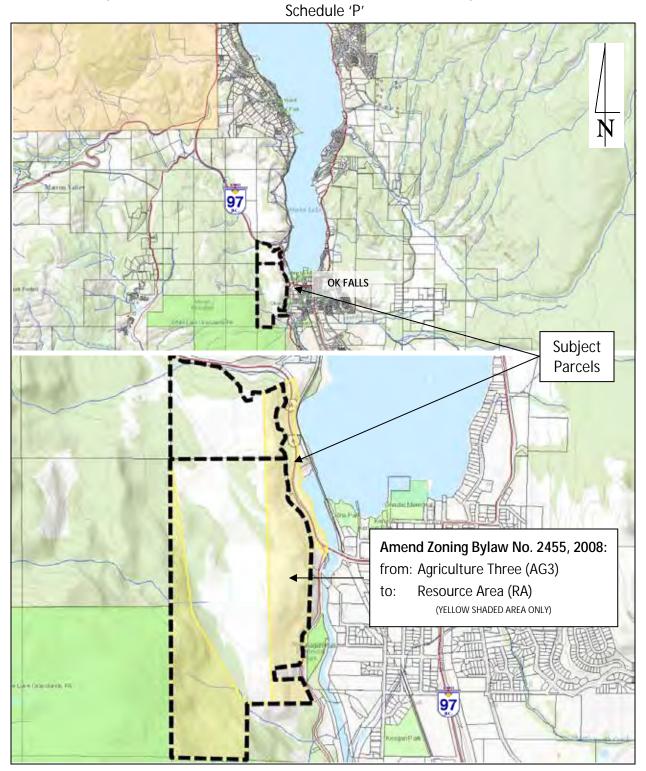


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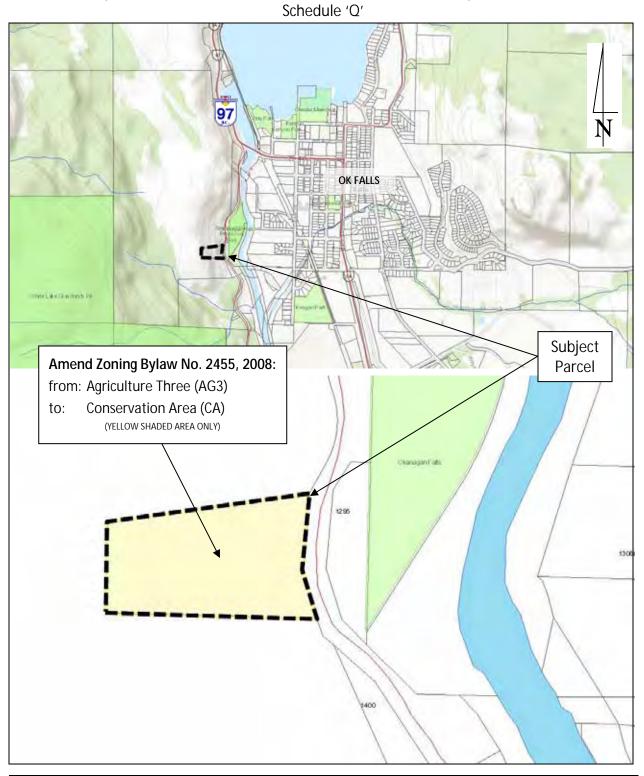


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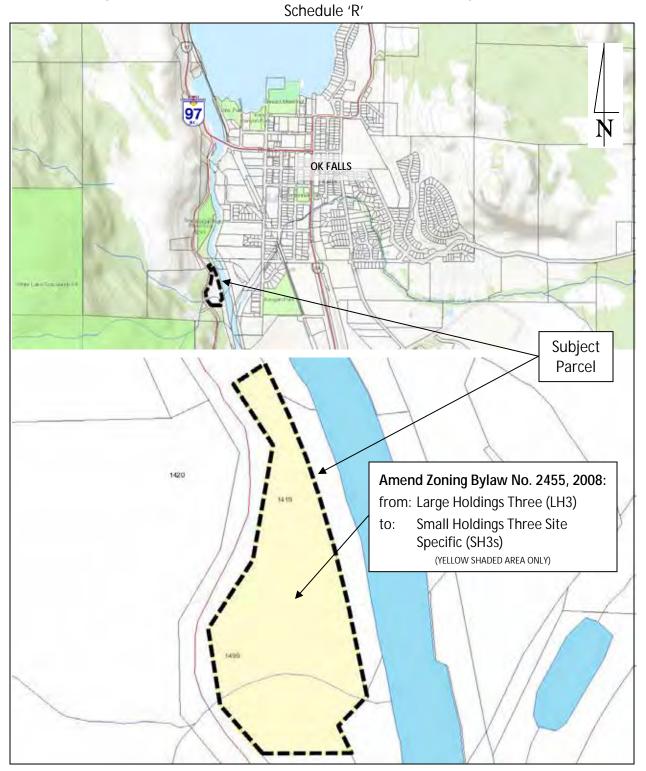
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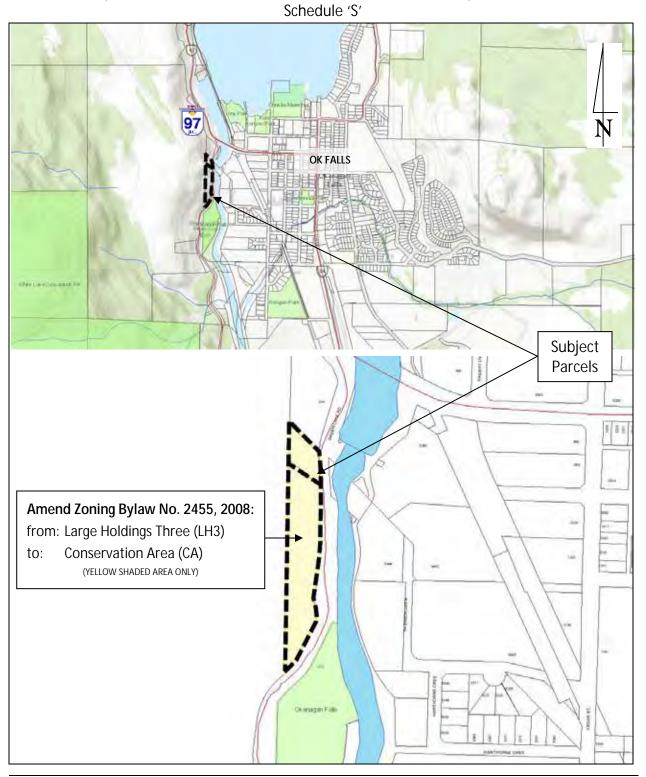


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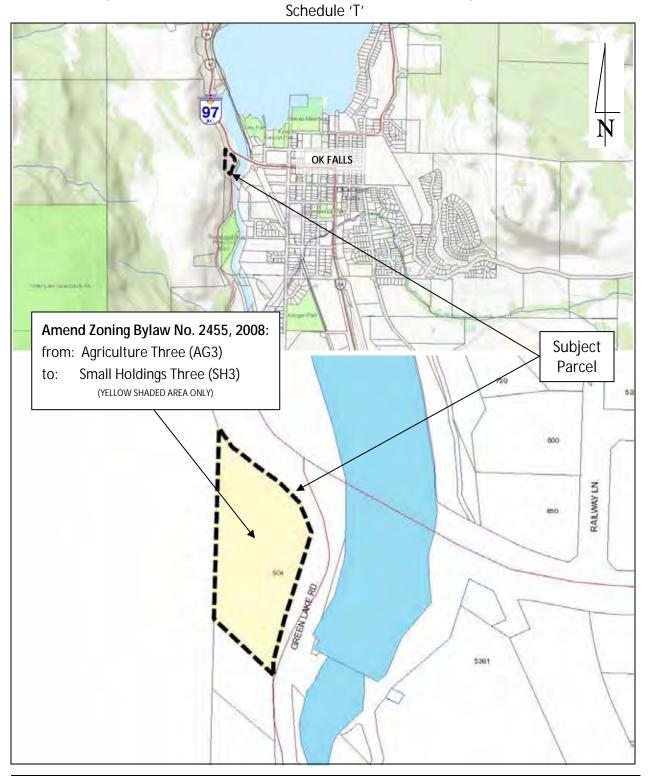


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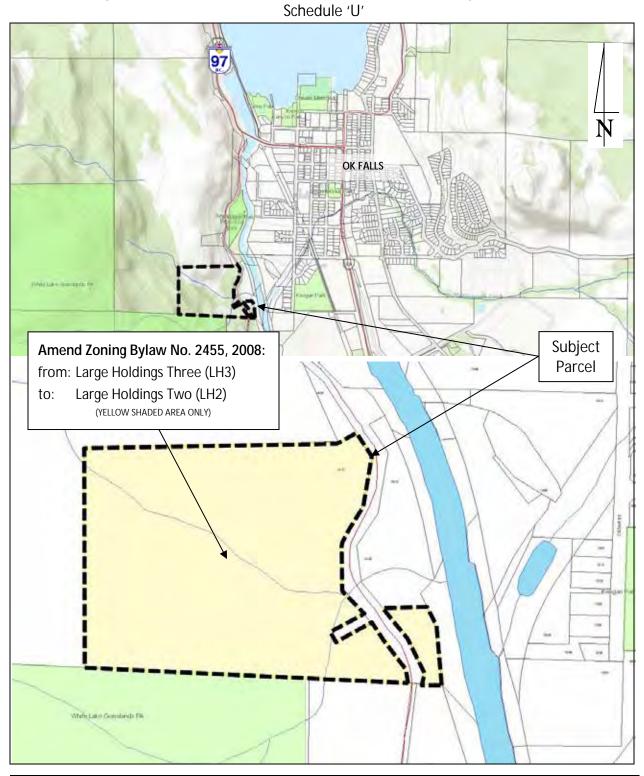


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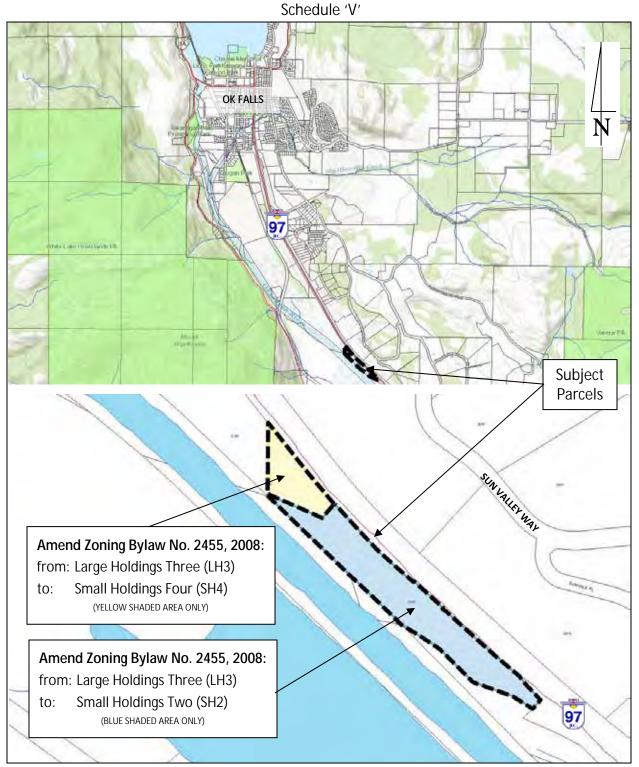
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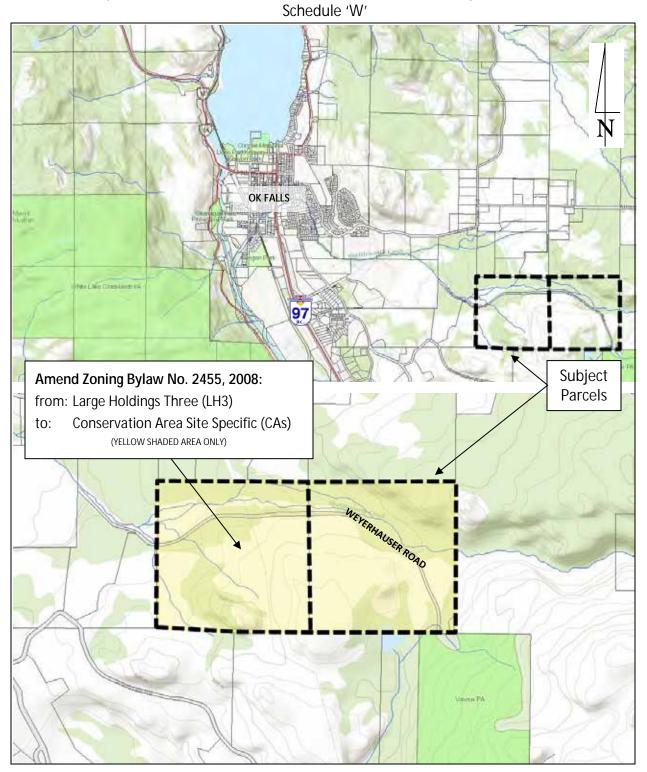
Amendment Bylaw No. 2455.30, 2018 (D2017.157-ZONE) Page 44 of 51

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Project No: D2017.157-ZONE

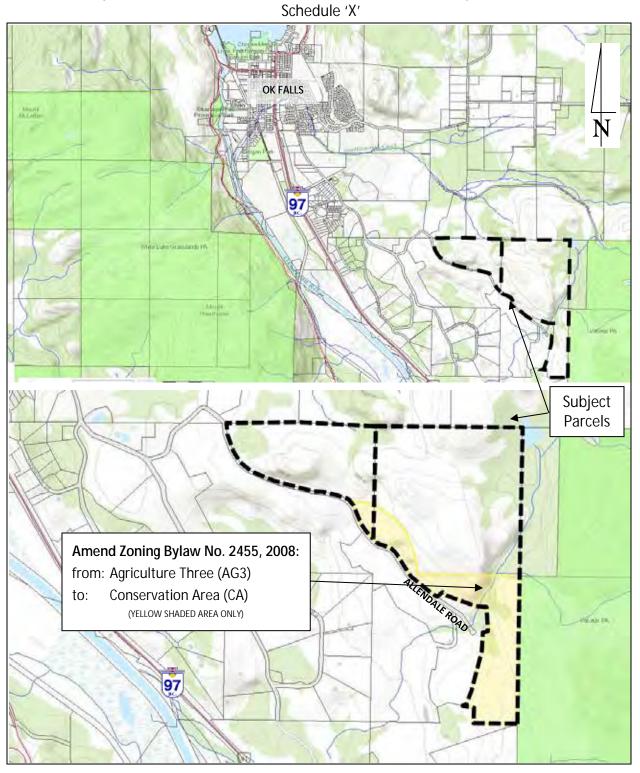


Amendment Bylaw No. 2455.30, 2018 (D2017.157-ZONE) Page 45 of 51

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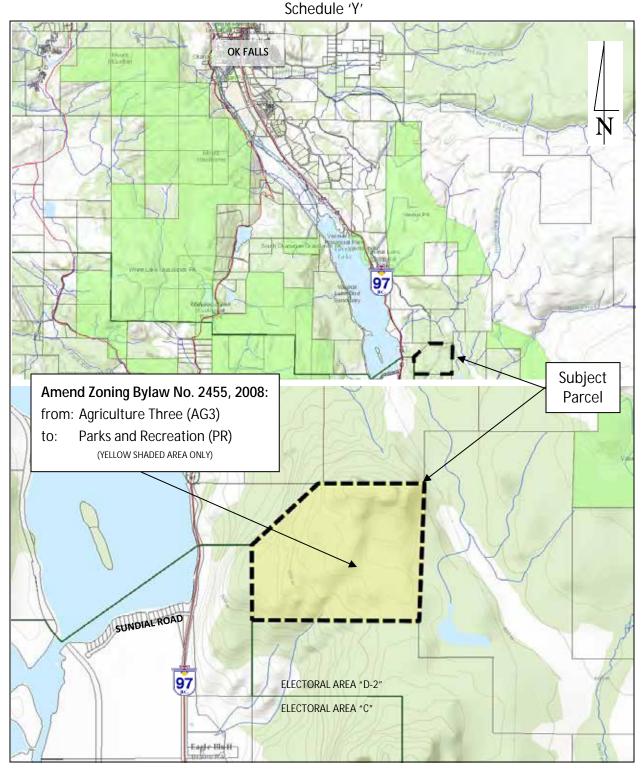
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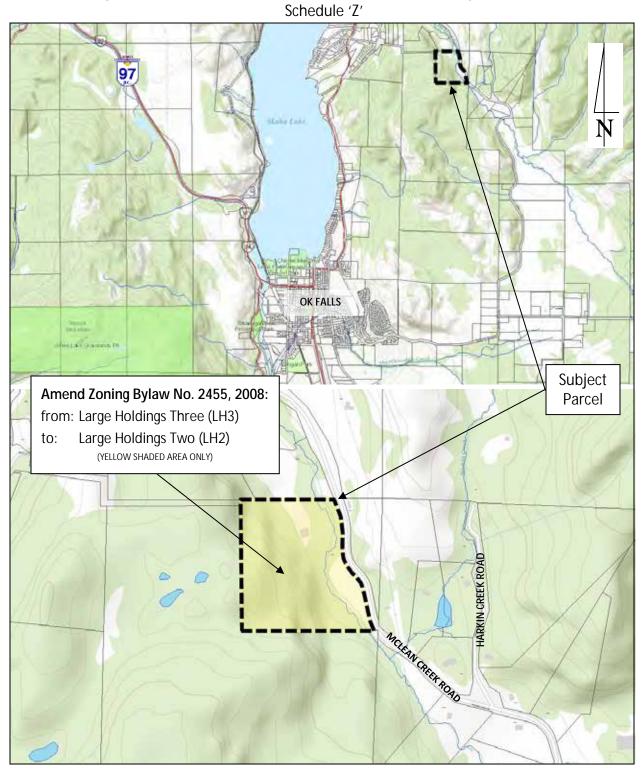
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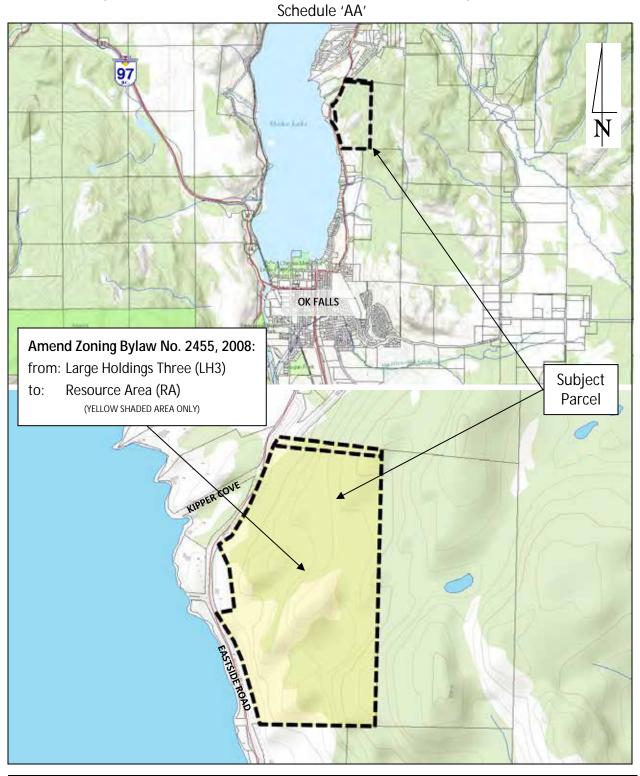
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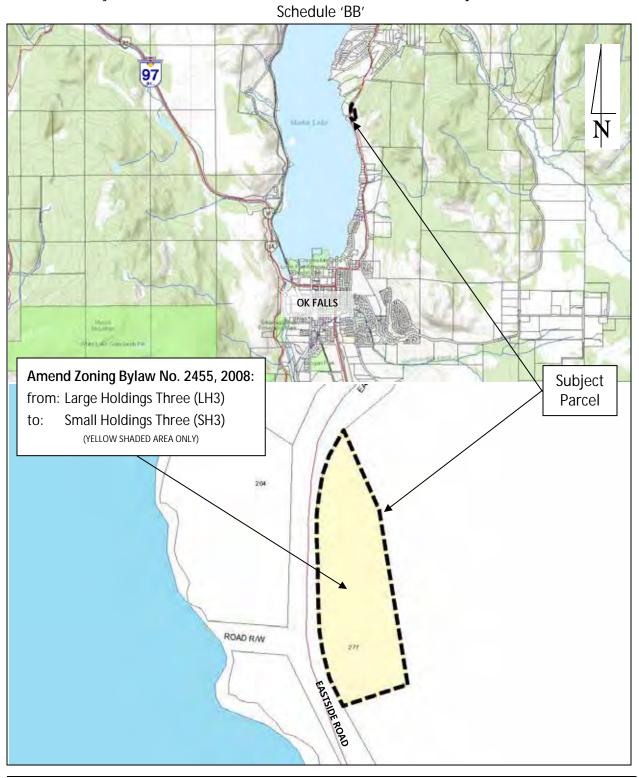
Amendment Bylaw No. 2455.30, 2018



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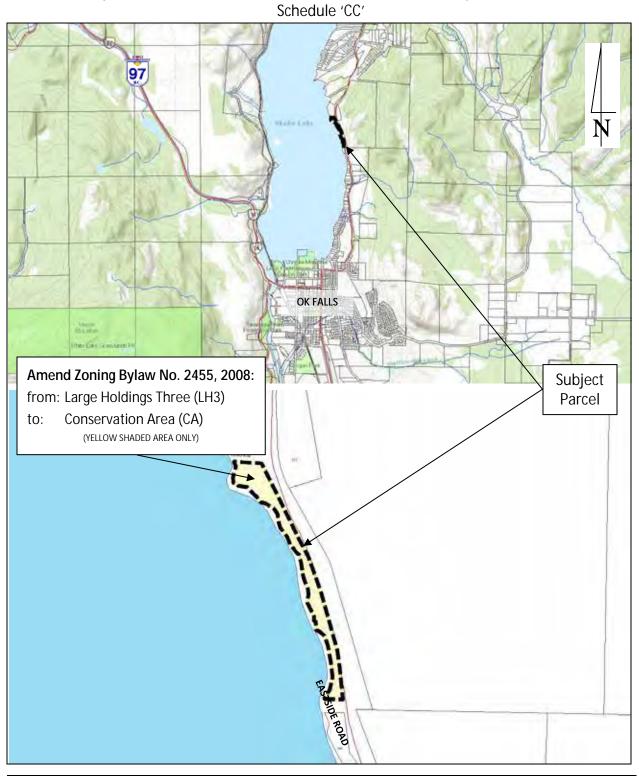


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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE



Amendment Bylaw No. 2455.30, 2018 (D2017.157-ZONE) Page 51 of 51

BYLAW NO. 2603.13

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.13, 2018

A Bylaw to amend the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013

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

- 1. This Bylaw may be cited for all purposes as the "Electoral Area "D-2" Large Holdings Update Official Community Plan Amendment Bylaw No. 2603.13, 2018."
- 2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by:
 - i) changing the land use designation on an approximately 8,000 m² part of the land described as Lot 2, Plan KAP9597, District Lot 2883S 3147S, SDYD, Except Plan 13984 (5361 9th Avenue), shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Low Density Residential (LR) to Medium Density Residential (MR).

READ A FIRST AND SECOND TIME this 15th day of March, 2018.

PUBLIC HEARING HELD this 5th day of April, 2018.

READ A THIRD TIME this 5th day of April, 2018.

ADOPTED this _____ day of _____, 2018.

Board Chair

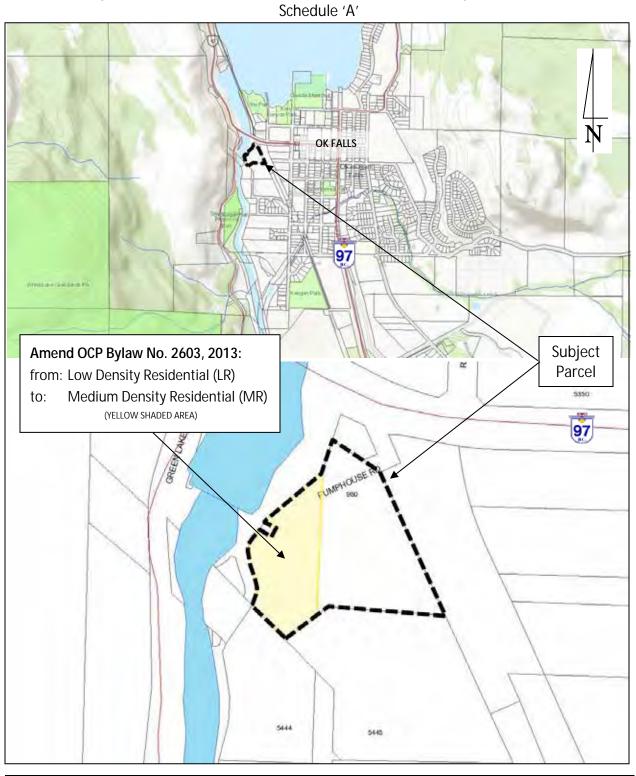
Chief Administrative Office

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2603.13, 2018

Project No: D2017.157-ZONE



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: Early Termination of a Land Use Contract – Electoral Area "D-1"

Administrative Recommendation:

THAT Bylaw No. 2457.23, 2018, Electoral Area "D-1" Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018;

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

Purpose:	To replace Land Use Contract No. LU-10-D with a Resource Area (RA) zone and a Small Holdings Five
	(SH5) zone.

Zone: Not applicable (Land Use Contract) <u>Proposed Zoning</u>: Resource Area (RA) and Small Holdings Five (SH5)

Proposed Development:

Administration is proposing that the Regional District Board resolve to initiate an amendment bylaw in order to terminate Land Use Contract (LUC) No. LU-10-D (being Bylaw No. 218 and all amendments thereto) from the properties outlined in Attachment No. 1 and to zone the properties under the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008.

Specifically, it is being proposed to introduce the Resource Area (RA) Zone over the property at 1609 Green Lake Road, as this is consistent with the Resource Area (RA) designation of the property under the Electoral Area "D-1" Official Community Plan (OCP) Bylaw No. 2683, 2016.

It is further proposed to introduce a Small Holdings Five (SH5) Zone over the properties at 1714, 1730, 1746 and 1752 Green Lake Road as this is consistent with the Small Holdings (SH) designation of these properties under the OCP Bylaw.

The RA and SH5 Zones closely reflect the LUC and should not create any legal non-conformities as the regulations are equal to, or less restrictive than.

Site Context:

The subject properties comprise five legal titles representing a land area of approximately 26.8 hectares and are situated on the west side of the Okanagan river bisected by Green Lake Road, approximately 1 kilometre south west of the Okanagan Falls town centre area. Of the five parcels, the property at 1609 Green Lake Road comprises the significant majority of the land area within the LUC.



The surround pattern of development is predominantly Agriculture on the east side of the Okanagan River. The parcels in the contract abut the White Lake Grasslands Protected Area to the west and south.

Background:

The Regional District Board, at its meeting of June 20, 1974, adopted Bylaw No. 218, which introduced LUC No. LU-10-D and permitted, amongst other things, the creation of 4 small residential lots and 1 remainder parcel. Permitted uses include agriculture, single family dwellings, and home occupations. Under the Electoral Area "D-1" OCP Bylaw No. 2683, 2016, the property at 1609 Green Lake Road is designated as Resource Area (RA), and is also designated as part of the Environmentally Sensitive Development Permit (ESDP) area, while the properties at 1714, 1730, 1746 and 1752 Green Lake Road are designated as Small Holdings (SH), but are not included in the ESDP area.

In 2014, the provincial government amended the *Local Government Act* in order that all remaining land use contracts will automatically be terminated, and shall be deemed to be discharged from the title of the applicable parcel by June 30, 2024.

Section 547 of the Act allows the Regional District to terminate, by bylaw, a Land Use Contract prior to 2024 provided it does so in accordance with the standard procedures for amending a land use bylaw (i.e. public hearing). Importantly, the provisions of any new zoning applied to a property currently subject to a LUC will not come into effect for one (1) year following adoption.

Public Process:

A Public Information Meeting was held on April 10, 2018, at the Community Centre in Okanagan Falls and approximately 9 members of the public were in attendance.

At its meeting of April 10, 2018, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this application be approved.

Referral comments on this proposal have been received from the Ministry of Transportation, Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch and Ecosystem Section) and FortisBC (Electrical) and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposed amendment affects land within 800 metres of a controlled area (i.e. Highway 97).

Analysis:

Administration considers that the principal challenge associated with the termination of a Land Use Contract is going to be the transition of a parcel into the zoning bylaw, given its use under the provisions of the LUC may be completely incongruous with available zonings.

In resolving this, two options are seen to be available and these include:

- 1. recreating the provisions of the LUC in the form of a new zone; or
- 2. applying an existing zone, which *may* result in the use of the land becoming lawfully nonconforming use under section 533 of the *Local Government Act*.

In this instance, Administration believes this question can best be resolved by applying the existing Resource Area (RA) Zone to the property at 1609 Green Lake Road as this zone generally mirrors the regulations contained with the LUC, and would actually be more permissive.

With regard to the four (4) rural-residential parcels at 1714, 1730, 1746 and 1752 Green Lake Road, Administration is proposing that these be zoned Small Holdings Five (SH5) as this zone best reflects the rural residential nature of the lots.

For reference purposes, a summary comparison of LU-10-D versus the RA Zone is included as Attachment No. 2 and LU-10-D versus the SH5 Zone is included as Attachment No. 3.

Alternatives:

.1 THAT Bylaw No. 2457.23, 2018, Electoral Area "D-1" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

.2 THAT Bylaw No. 2457.23, 2018, Electoral Area "D-1" Zoning Amendment Bylaw be read a first and second time;

AND THAT pursuant to sub-section 464 of the *Local Government Act*, the Regional District Board resolves to waive the holding of a public hearing for Zoning Amendment Bylaw 2457.23, 2018;

AND THAT pursuant to sub-section 467 of the *Local Government Act*, staff give notice of the waiving of the public hearing for Zoning Amendment Bylaw 2457.23, 2018.

.3 THAT Bylaw No. 2457.23, 2018, Electoral Area "D-1" Zoning Amendment Bylaw be denied.

Respectfully submitted

Endorsed by:

Endorsed by:

K.Taylor, Planning Technician

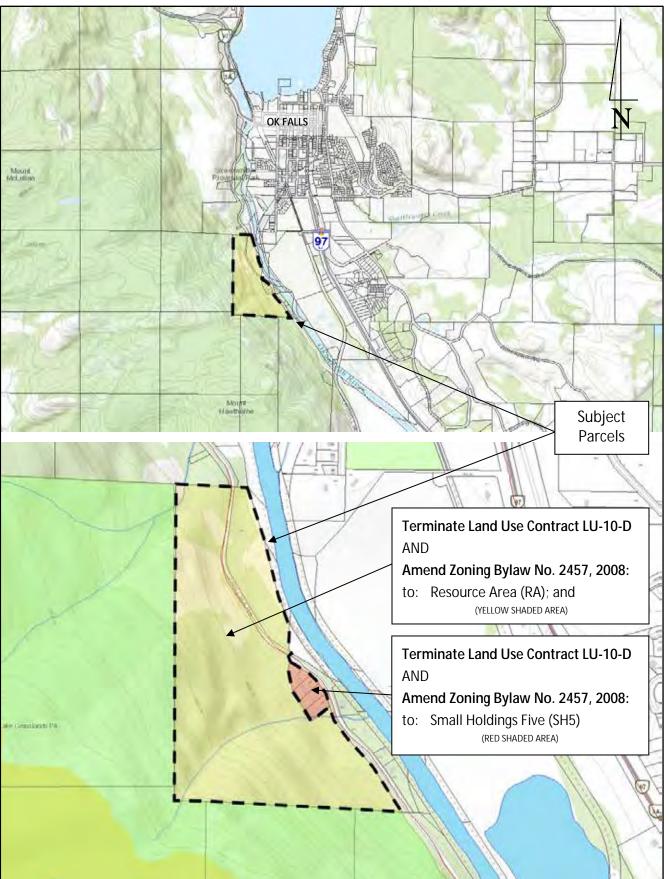
C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Context Maps

- No. 2 Summary comparison of LU-10-D to RA zone
- No. 3 Summary comparison of LU-10-D to SH5 zone

No. 4 – Aerial Photo (2007)



Attachment No. 1 – Context Maps

File No: D2018.004-ZONE

PRO	LAND USE CONTRACT LU-10-D
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Perm	Permitted Uses:
itted	Agriculture:
Uses:	a) No farm animals on lots less than two acres in area.
Princ	b) The processing, packing and sale of produce grown on the same lot or site only shall be permitted.
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<u>USes:</u>	Single Family Dwellings;
agric	Mobile homes provided they have a minimum width s originally designed and manufactured of not less than 16
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Attachment No. 2 – Comparison of RA & LU-10-D Provisions

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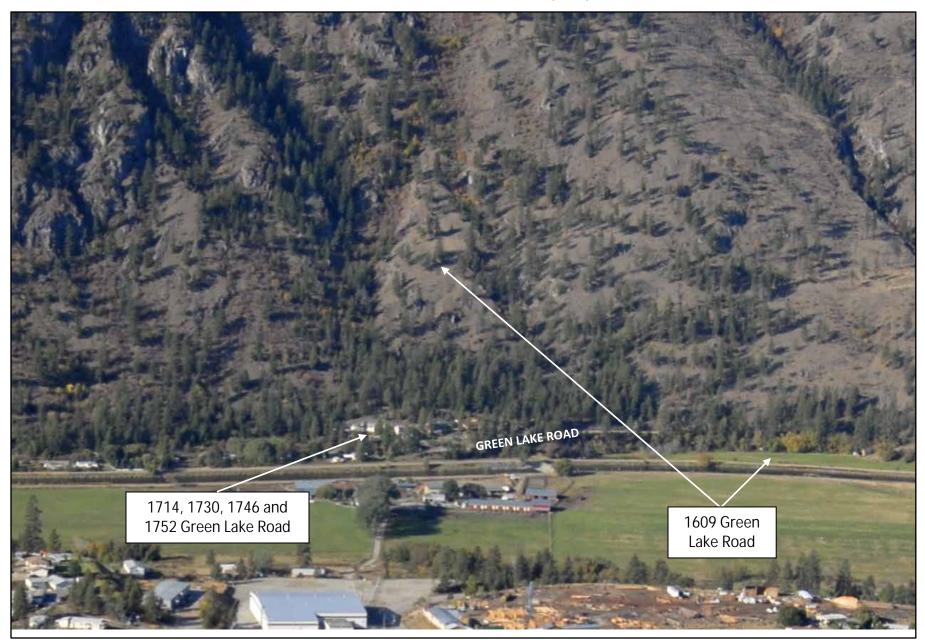
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Attachment No. 3 – Comparison of SH5 & LU-10-D Provisions

PROPOSED SH5 ZONE	LAND USE CONTRACT LU-10-D
Permitted Uses:	Permitted Uses:
Principal uses:	agriculture:
agriculture;	a) no farm animals on lots less than two acres in area.
single detached dwellings;	b) the processing, packing and sale of produce grown on
Secondary uses:	the same lot or sit eonly shall be permitted.
secondary suite;	single family dwellings;
home occupation;	mobile homes;
bed and breakfast operation; and	home occupations; and
accessory buildings and structures.	accessory buildings and structures.
Minimum Parcel Size:	Minimum Parcel Size:
2,020 m ² , subject to servicing requirements	Not applicable (As shown on map)
Minimum Parcel Width:	Minimum Parcel Width:
Not less than 25% of the parcel depth	Not applicable
Maximum Density:	Maximum Density:
Not Applicable	one (1) lot per acre
Maximum Number of Dwellings Per Parcel:	Maximum Number of Dwellings Per Parcel:
one (1) principal dwelling unit	one (1) dwelling per parcel
one (1) secondary suite	
Minimum Setbacks:	Minimum Setbacks:
Principal buildings:	Principal buildings:
i) Front parcel line: 7.5 m	i) Front parcel line: 25 feet (7.6m)
ii) Rear parcel line: 7.5 m	ii) Rear parcel line: 25 feet (7.6m)
iii) Interior side parcel line: 1.5 m	iii) Exterior side parcel line: 10 feet (3.0m)
iv) Exterior side parcel line: 4.5 m	iv) Interior side parcel line: 10 feet (3.0m)
Accessory buildings and structures:	
i) Front parcel line: 7.5m ii) Rear parcel line: 1.5m	
iii) Interior side parcel line: 1.5m	
iv) Exterior side parcel line: 4.5m	
Livestock shelters, generator sheds, boilers or walls with	
fans, on-farm soil-less medium production facilities:	
i) Front parcel line: 15.0 m	
ii) Rear parcel line: 15.0 m	
iii) Interior side parcel line: 15.0 m	
iv) Exterior side parcel line: 15.0 m	
Incinerator or compost facility	
i) Front parcel line: 30.0 m	
ii) Rear parcel line: 30.0 m	
iii) Interior side parcel line: 30.0 m	
iv) Exterior side parcel line: 30.0 m	
Maximum Height:	Maximum Height:
10 metres (principal)	9.1 metres (principal)
4.5 metres (accessory)	4.5 metres (Accessory)
Maximum Parcel Coverage:	Maximum Parcel Coverage:
35%	35% site area
Minimum Floor Area:	Minimum Floor Area:
Not applicable	No dwelling unit shall have a floor area of less than 750 ft ² .

Attachment No. 4 – Aerial Photo (2007)



BYLAW NO. 2457.23

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.23, 2018

A Bylaw to terminate Land Use Contract No. LU-10-D and to amend the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008

WHEREAS pursuant to s. 548 of the *Local Government Act*, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government;

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

- 1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Land Use Contract LU-10-D Termination and Zoning Amendment Bylaw No. 2457.23, 2018."
- 2. The Land Use Contract No. LU-10-D, registered in the Kamloops Land Title Office under charge number K5799 against title to the land described as District Lot 30S, SDYD and shown shaded yellow and red on the attached Schedule 'A' (which forms part of this Bylaw), is terminated.
- 3. The land described as District Lot 30S, SDYD Except Plans B4130, 21048, 17512 and KAP75356; Parcels D, 15 and 17 on Plan A1266, and shown shaded yellow on the attached Schedule 'A' (which forms part of this Bylaw) is zoned Resource Area (RA) in Regional District Okanagan-Similkameen, Electoral Area "D-1" Zoning Bylaw No. 2457, 2008 and the Zoning Map, being Schedule '2' of the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, is amended accordingly.
- 4. The lands described as, Lot A, District Lot 30S SDYD, PLAN KAP75356; Lot 1, District Lot 30S, SDYD, PLAN 27512; Lot 2, District Lot 30S, SDYD, PLAN 27512; Lot 3, District Lot 30S, SDYD, PLAN 27512, and shown shaded red on the attached Schedule 'A' (which forms part of this Bylaw) is zoned Small Holdings Five (SH5) in Regional District Okanagan-Similkameen, Electoral Area "D-1" Zoning Bylaw No. 2457, 2008 and the Zoning Map, being Schedule '2' of the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, is amended accordingly.

- 5. The "Electoral Area 'D-1' Zoning Bylaw No. 2457, 2008" is amended by:
 - i) adding a reference to "Small Holdings Five Zone SH5" under Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones).
 - ii) adding a reference to "Small Holdings Four Zone SH4" under Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones).
 - iii) adding a new Section 10.9 (Small Holdings Five Zone) under Section 10.0 (Rural Zones) to read as follows and renumbering all subsequent sub-sections:

10.7 SMALL HOLDINGS FIVE ZONE (SH5)

10.7.1 Permitted Uses:

Principal uses:

- a) agriculture, subject to Section 7.23;
- b) single detached dwelling;

Secondary uses:

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

10.7.2 Site Specific Small Holdings Four (SH5s) Provisions:

a) see Section 16.28

10.7.3 Minimum Parcel Size:

a) 2,020 m², subject to servicing requirements

10.7.4 Minimum Parcel Width:

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

10.7.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite.

10.7.6 Minimum Setbacks:

a) Buildings and structures:			
	i)	Front parcel line:	7.5 metres
	ii)	Rear parcel line:	7.5 metres
	iii)	Interior side parcel line:	1.5 metres
	iv)	Exterior side parcel line:	4.5 metres
b)	Accessory buildings and structures:		
	i)	Front parcel line:	7.5 metres
	ii)	Rear parcel line:	1.5 metres
	iii)	Interior side parcel line:	1.5 metres
	iv)	Exterior side parcel line:	4.5 metres

c) Despite Section 10.7.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:

	i)	Front parcel line:	15.0 metres
	ii)	Rear parcel line:	15.0 metres
	iii)	Interior side parcel line:	15.0 metres
	iv)	Exterior side parcel line:	15.0 metres
Despite Section 10.7.6(a) and (b), incinerator or compost facili		npost facility:	
	i)	Front parcel line:	30.0 metres
	ii)	Rear parcel line:	30.0 metres
	iii)	Interior side parcel line:	30.0 metres
	iv)	Exterior side parcel line:	30.0 metres

10.7.7 Maximum Height:

d)

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

10.7.8 Maximum Parcel Coverage:

a) 35%

10.7.9 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.
- iv) adding a new Section 16.28 (Site Specific Small Holdings Five (SH5s) Provisions) under Section 16.0 (Site Specific Designation) to read as follows:

16.28 Site Specific Small Holdings Five (SH5s) Provisions:

- .1 blank.
- 6. This Bylaw shall come into force on the day that is one year and one day after the date this Bylaw is adopted.

READ A FIRST AND SECOND TIME this _____ day of _____, 2018.

PUBLIC HEARING held on this _____ day of ______, 2018.

READ A THIRD TIME this _____ day of _____, 2018.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Land Use Contract LU-10-D Termination and Zoning Amendment Bylaw No. 2457.23, 2018" as read a Third time by the Regional Board on this ____day of ____, 2018.

Dated at Penticton, BC this ____ day of ____, 2018.

Corporate Officer

Approved pursuant to section 52(3)(a) of the *Transportation Act* this _____ day of _____, 2018.

For Minister of Transportation & Infrastructure

Approved pursuant to Section 546(4) of the *Local Government Act* this _____ day of _____, 2018.

For Minister of Transportation & Infrastructure

ADOPTED this _____ day of _____, 2018.

Board Chair

Corporate Officer

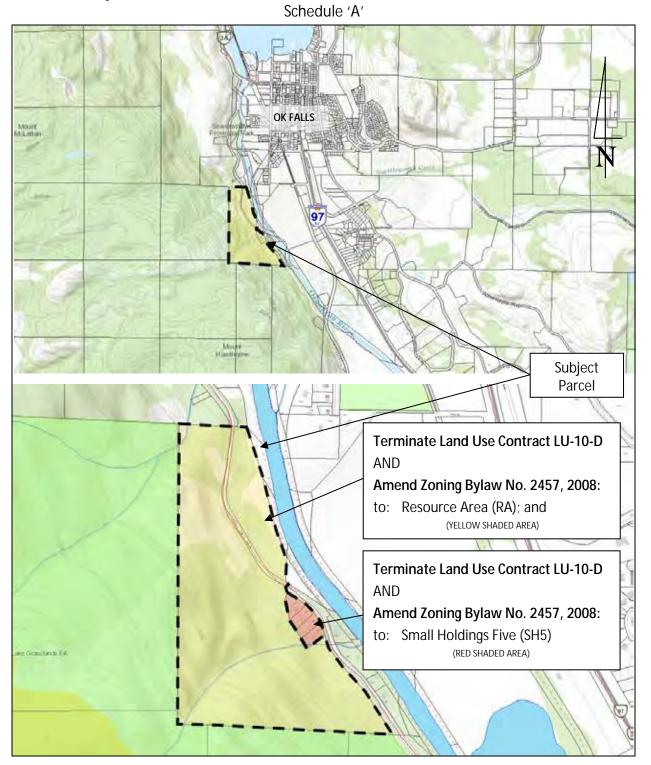
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2457.23, 2018

File No. D2018.004-ZONE



Amendment Bylaw No. 2457.23, 2018 (D2018.004-ZONE) Page 6 of 6



Ministry of Transportation and Infrastructure

Your File #: LU-10-D eDAS File #: 2018-01674 Date: April 4, 2018

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

Attention: Lauri Feindell, Planning Secretary

Re: Proposed Bylaw 2457.23, 2018 for: Lot A, District Lot 30s, SDYD, Plan KAP75356 Lot 1, 2 and 3, District Lot 30s, SDYD, Plan KAP27512 District Lot 30s, SDYD, Except Plans B4130, A1266, 21048, 27512 & KAP75356 – Green Lake Road, Okanagan Falls, BC

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act* and section 546(4) of the *Local Government Act*.

If you have any questions please feel free to call Rob Bitte at (250) 490-8200.

Yours truly,

Rob Bitte District Development Technician

Local District Address

Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231

H1183P-eDAS (2009/02)

Page 1 of 1

To: Subject: Referral Apps REG8 FLNR:EX RE: Bylaw Referral (LU-10-D) D2018.004-ZONE

From: Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca> Sent: March 29, 2018 11:42 AM To: Lauri Feindell <lfeindell@rdos.bc.ca> Subject: RE: Bylaw Referral (LU-10-D) D2018.004-ZONE

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Hi Lauri,

The Ecosystems Senior Biologist, Lora Nield, with the Ecosystems Section of the Ministry of Forest, Lands, Natural Resource Operations and Rural Development has reviewed the above noted referral and has "No Comment".

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Thank you

Cathy Lacey Admin Support MFLNRO Penticton

From:	Cooper, Diana FLNR:EX <diana.cooper@gov.bc.ca></diana.cooper@gov.bc.ca>
Sent:	April 4, 2018 9:03 AM
То:	Planning
Cc:	Lauri Feindell
Subject:	RE: Bylaw Referral (LU-10-D) D2018.004-ZONE

Hello RDOS Planners,

Thank you for your referral regarding an early termination of Land Use Contract (LUC) No. LU-10-D from properties along Green Lake Road in Electoral Area "D-1" to be replaced by a Resource Area (RA) Zone and Small Holdings Five (SH5) zone under the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008.

The properties involved are:

DL 30S, SDYD, Except Plans B4130 A1266 21048 27512 KAP75356, PID 006240097 (1609 Green Lake Road) (RA zone); Lot 1-3, Plan KAP27512, DL 30S, SDYD, PIDs 004827643, 004827651 and 004827660 (1714, 1730, 1746 Green Lake Road) (SH5 zone) and

Lot A, Plan KAP75356, DL 30S, SDYD, PID 025905066 (1752 Green Lake Road) (SH5 zone.

According to Provincial records there are no known archaeological sites recorded on any of the properties. 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 (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 properties to determine whether the work may impact protected archaeological materials.

An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

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

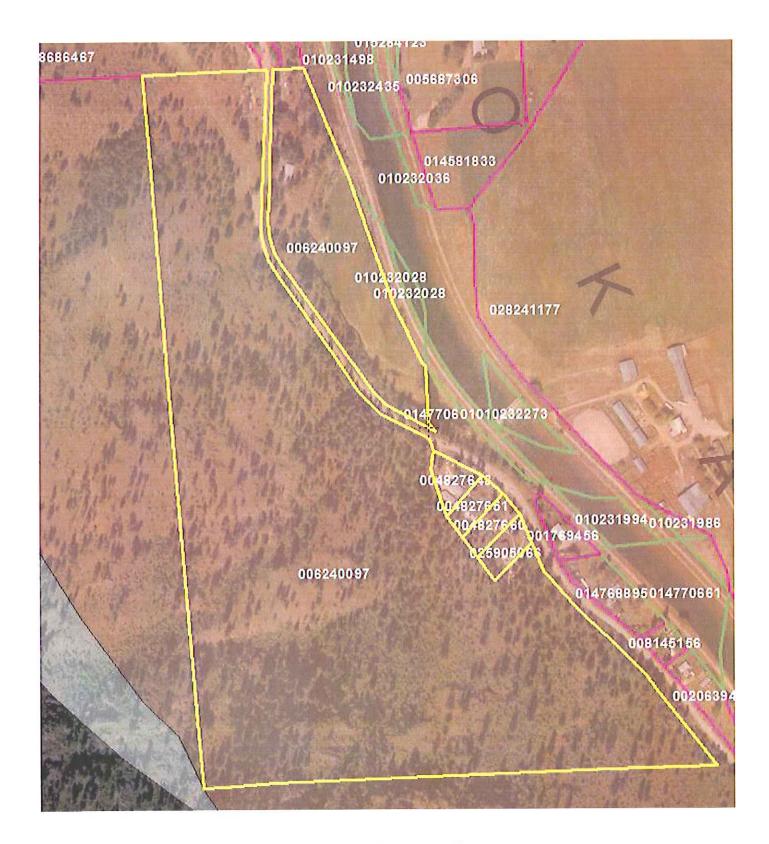
In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

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

Please review the screenshot of the properties below (outlined in yellow) in relation to the archaeological potential (brown/orange areas). In this case, the properties are all located in an area of high potential, hence the brown/orange colouration of everything in the screenshot. If this does not represent the properties listed in the data request please contact me.

Kind regards,

Diana



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

Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development 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: <u>http://www.for.gov.bc.ca/archaeology/</u>

From:	Danielson, Steven < Steven.Danielson@fortisbc.com>
Sent:	February 20, 2018 3:01 PM
То:	Planning
Subject:	Highway 97, 781 Elec D RDOS (D2018.013-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Highway 97. The subject property appears to be serviced via an extension along the adjacent property's eastern boundary. 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.

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

FORTIS BC

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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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TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 19, 2018
RE: Zoning Bylaw Amendment – Electoral Area '

RE: Zoning Bylaw Amendment – Electoral Area "D"

Administrative Recommendation:

THAT Bylaw No. 2455.33, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

Purpose:	To allow for development of an a	ccessory d	welling unit in lieu of a seconda	ry suite
Owner:	Warren & Beverley Lee	Applicant:	Donna Butler (Ecora)	<u>Folio:</u> D06752.280
<u>Legal</u> :	Lot 19, Plan 23178, DL 2710, SDY	D, Except	Plans KAP61627 and KAP86573	<u>Civic</u> : 102 Saliken Drive
Zoning:	Large Holdings One Site Specific ((LH1s) <u>I</u>	Proposed Zoning: Large Holding	s One Site Specific (LH1s)

Proposed Development:

This application proposes to amend the zoning bylaw in order to allow for the legitimization of an accessory dwelling unit contained within an existing workshop building. Specifically, the proposal seeks to allow an accessory dwelling unit as a replacement of a secondary suite that is required to be located within the principal dwelling. No increase in density is proposed.

In support of the proposal the applicants stated that "the amendment does not change the permitted density of the [LH1] zone, has no impact on neighbouring properties and provides for a special-needs family." The accessory dwelling unit is being requested in order to house a caretaker for a family member. The applicant also submitted a signed petition from seven neighbours in support of the proposed amendment.

Site Context:

The subject property is approximately 4.0 ha in area and is located at the corner of Carmi Rd and Saliken Drive, adjacent to the City of Penticton's boundary, in the area known as Upper Carmi.

There is currently one dwelling unit on the property with several accessory structures, including a workshop within which the proposed 'suite' is located. The surrounding pattern of development is



characterized as rural residential with similar sized properties. To the west across from Carmi Avenue is the City of Penticton with potential future residential development.

Background:

Available Regional District records indicate a building permit for the construction of a single family dwelling in 1979, and another building permit in 2007 issued for a shop and storage building. There has been ongoing enforcement action on the subject property regarding outdoor storage, building without a permit, and various industrial uses not permitted on a LH1 zoned parcel. The subject application is to consider the 'legalizing' of the suite contained within the shop/ storage building only.

Under the Electoral Area "D-2" Official Community Plan (OCP) Bylaw No. 2603, 2013, the property is designated Large Holdings (LH), therefore the proposal will not require an OCP amendment. The subject property is identified as being within a Hillside / Steep slope Development Permit area and partially within the Environmentally Sensitive Development Permit (ESDP) area. It appears the subject shop/storage building is located outside of the ESDP area.

Under the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, the property is zoned Large Holdings One Site Specific (LH1s), which permits a secondary suite but restricts the location to be contained within the principal dwelling unit.

NOTE: the Board is to consider adoption of Amendment Bylaw Nos. 2603.12 and 2455.30 at its meeting of April 19, 2018, and which will amend the zoning of the Upper Carmi area from Small Holdings One (SH1) to Large Holdings One Site Specific (LH1s).

In 2009, the Regional Board considered a request to increase the density in the Upper Carmi area and resolved to maintain the Small Holdings zone with a 4.0 ha minimum parcel size. At that time, the main geotechnical concerns were the lack of infrastructure and services, the uncertainty around impacts of water and septic use, the overall environmentally sensitivity, and access for emergency vehicles given the relatively steep terrain.

In 2017, a request to establish a fire service area in the Upper Carmi area was unsuccessful; therefore, there is still no fire service outside the City of Penticton limits.

Prior to 2015, secondary suites were not a permitted use in the Upper Carmi SH zone. However, since then, a broader housekeeping zoning bylaw amendment adopted in 2015 that included defining secondary suites consistently across electoral area bylaws and allowing secondary suites in a number of zones that previously excluded that use, now permits secondary suites in the SH1 (now LH1) zone.

Referrals:

Referral comments on this proposal have been received from Archeology Branch, Fortis, Interior Health Authority, and Ministry of Forest Lands, and Natural Resource Operations, and these are included as a separate item on the Board Agenda.

Public Process:

At its meeting of April 10, 2018, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this development proposal be approved.

A Public Information Meeting was held on April 9, 2018, and was attended by 2 members of the public (plus 3 representing the applicant).

Analysis:

In considering this proposal, Administration notes that the proposal is not increasing the overall density permitted but is instead requesting that the secondary suite that is permitted within the principle dwelling be located instead in an accessory structure.

The Board should be aware that the Regional District has received a number of inquires regarding permission to develop 'carriage houses' on properties in Upper Carmi, and that Administration plans to assess options across Electoral Areas in terms of permitting this type of accessory housing.

Concerns regarding 'carriage houses' on un-serviced properties include issues such as water supply, and how septic is disposed (e.g. will it tie into an existing system or require a new one?), where it is to be located on a property, and future potential to subdivide.

In this instance, Administration is supporting a site specific zone that will pertain only to the subject property as it will be investigating the issue of 'carriage houses' in the future. Any future enforcement related matters regarding use of the property will be dealt with under a separate application or processes as required.

Alternatives:

- .1 THAT Bylaw No. 2455.33, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied; OR
- .2 THAT Bylaw No. 2455.033, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first ad second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018;

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

Respectfully submitted

ERiechert

E. Riechert, Planner

1

C. Garrish, Planning Supervisor

Endorsed by:

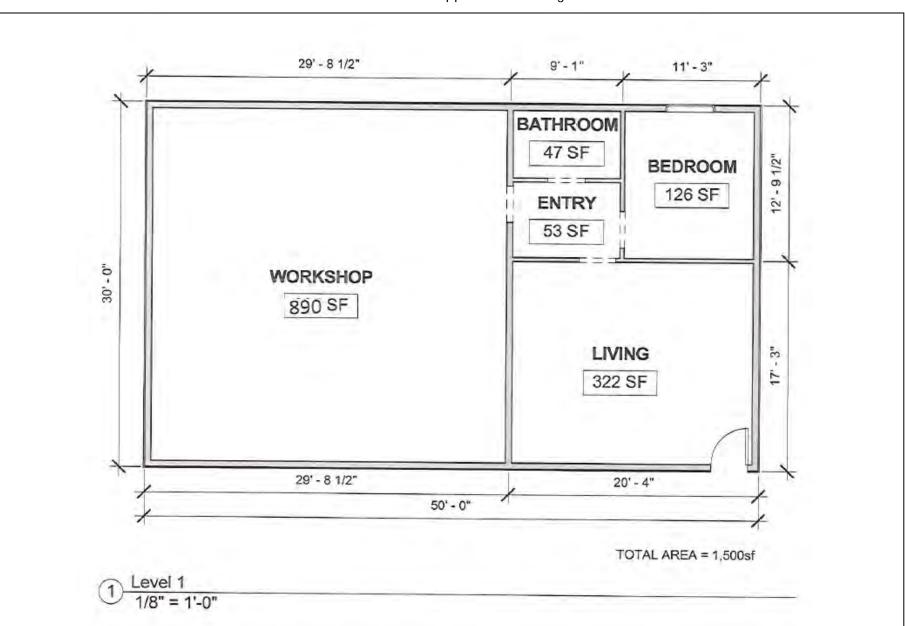
Endorsed by:

B. Dollevoet, Dev. Services Manager

<u>Attachments</u>: No. 1 – Applicant's Site Plan No. 2 – Applicant's Building Plan

Attachment No. 1 – Applicant's Site Plan





Attachment No. 2 – Applicant's Building Plan

BYLAW NO. 2455.33

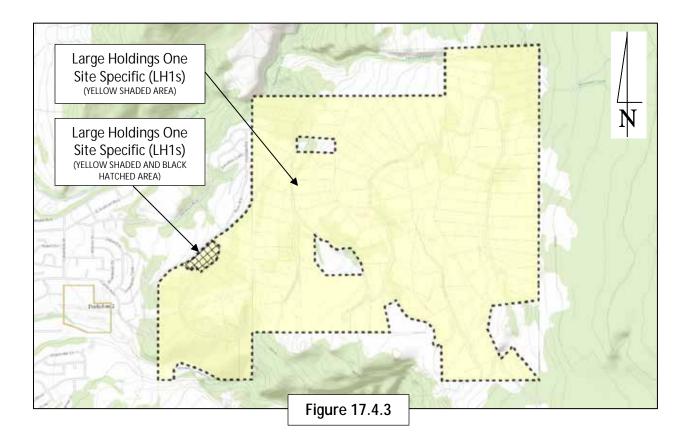
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.33, 2018

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 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 "D" Zoning Amendment Bylaw No. 2455.33, 2018."
- 2. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:
 - i) adding a new Section 17.4.4 under Section 17.4 (Site Specific Large Holdings One (LH1s) Provisions) to read as follows:
 - .4 In the case of land described as Lot 19, District Lot 2710, SDYD, Plan 23178 Except Plans KAP61627 and KAP86573, and shown shaded yellow and hatched black on Figure 17.4.3:
 - a) despite Section 7.12.1, a secondary suite shall be located in either a principal single detached dwelling unit or an accessory structure; and
 - b) the regulations contained at Section 17.4.3 shall apply.
 - ii) replacing Figure 17.4.3 in its entirety with the following Figure 17.4.3:



READ A FIRST AND SECOND TIME this ____day of ____, 2018.

PUBLIC HEARING held on this ____day of ____, 2018.

READ A THIRD TIME this ____day of ____, 2018.

AND ADOPTED this ____day of ____, 2018.

Board Chair

Corporate Officer

From: Sent: To: Cc: Subject: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca> March 20, 2018 2:57 PM Planning Lauri Feindell RE: Bylaw Referral - D2018.028-ZONE (2455.33, 2018)

Hello RDOS planners!

Thank you for your referral regarding proposed rezoning for 102 Saliken Road, PID 006557651, L 19 DL 2710 SIMILKAMEEN DIVISION YALE DISTRICT PL 23178 EXC PLS KAP61627 & KAP86573. According to Provincial records there are no known archaeological sites recorded on the subject property.

There is always a possibility for unknown archaeological sites to exist on the property. Archaeological sites (both recorded and unrecorded) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. If any land-altering development is planned for the property, 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.

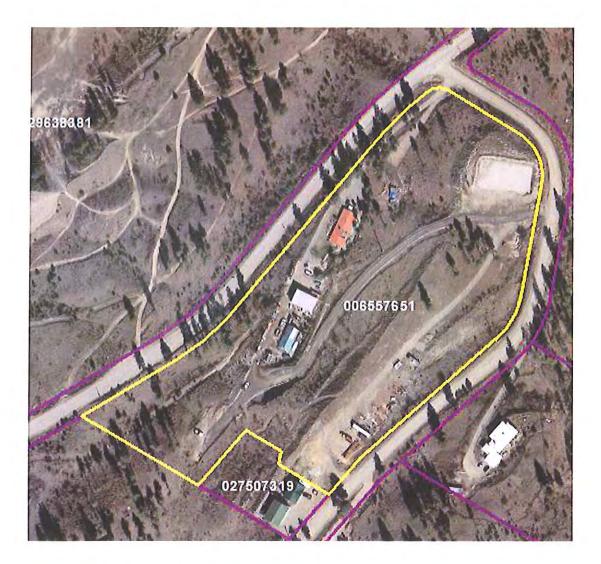
Please review the screenshot of the property below (outlined in yellow). If this does not represent the property listed in the referral please contact me.

Do not hesitate to contact me if you have any further questions.

Kind regards,

Diana

CCAGENT. APr9



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

Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development 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: Tuesday, March 6, 2018 11:57 AM
To: HBE@interiorHealth.ca; FLNR DOS Referrals CSNR:EX; 'development@penticton.ca'; Cooper, Diana FLNR:EX; 'fbclands@fortisbc.com'; Referral Apps REG8 FLNR:EX; lucy.reiss@canada.ca
Subject: Bylaw Referral - D2018.028-ZONE (2455.33, 2018)

Re: Project No. D2018.028-ZOE Bylaw Referral Amendment Notification Bylaw No. 2455.33, 2018

Please find attached a Bylaw Referral for the above noted amendment with a link to the wesite that has the relevant documents (link below as well). Please forward any comments/concerns you may have to <u>planning@rdos.bc.ca</u>.

If you have any questions, please contact Evelyn Riechert at eriechert@rdos.bc.ca.

To: Subject: Referral Apps REG8 FLNR:EX RE: Bylaw Referral - D2018.028-ZONE (2455.33, 2018)

From: Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca> Sent: March 13, 2018 2:14 PM To: Lauri Feindell <lfeindell@rdos.bc.ca> Cc: Evelyn Riechert <eriechert@rdos.bc.ca> Subject: RE: Bylaw Referral - D2018.028-ZONE (2455.33, 2018)

Hi,

Ecosystems Biologist, Brian Robertson, with the Ministry of Forest Lands Natural Resources and Rural Development has reviewed the above noted referral and has "No Comment".

Thank you

Cathy Lacey Admin Support MFLNRO Penticton

CCAGENT-Apr 9

RESPONSE SUMMARY AMENDMENT BYLAW NO. 2455.33, 2018 Interests Unaffected by Bylaw Approval Recommended for Reasons **Outlined Below** □ Approval Not Recommended Due Approval Recommended Subject to to Reasons Outlined Below **Conditions Below** internots chappened. Signed By: Manon RSSON Signature: calle mith Title: ZAVHONINE Agency: Date:

CC-Agent-Apr91

C:\Users\makd3\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\ORB8VURO\D2018.028-ZONE (Lee).docx Page 2 of 2

From: Sent: To: Subject: Danielson, Steven <Steven.Danielson@fortisbc.com> April 5, 2018 2:25 PM Planning Saliken Dr, 102 RDOS (D2018.028-ZONE)

With respect to the above noted file,

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

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements

http://fortisbc.com/ServiceMeterGuide

FortisBC Underground Design Specification http://www.fortisbc.com/InstallGuide

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician's Name and Phone number
- FortisBC Total Connected Load Form
- Other technical information relative to electrical servicing

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

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, SR/WA 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

FORTISBC

ecagent Apra

1 _

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: Zoning Bylaw Amendment – Electoral Area "D"

Administrative Recommendation:

THAT Bylaw No. 2457.24, 2018, Electoral Area "D-1" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of the public hearing be scheduled for the Regional District Board meeting of May 17, 2018;

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

Purpose:	To allow for the construction of a secondary suite on a parcel less than 2020 m ²				
Owner:	Ian & Edith Johnson	Applicant: Owners	<u>Folio</u> : D-01389.300		
<u>Civic</u> :	100 4 th Street, Kaleden	Legal: Lot 27, Plan KAP763 Block 10, DL 105s, SDYD,			
Zoning:	Residential Single Family (RS1)	Proposed Zoning: Residential Single Family Site	te Specific (RS1s)		

Proposed Development:

This application proposes to amend the zoning bylaw in order to allow for the construction of a secondary suite on a parcel that is less in area than the permitted 2,020 m² and is not connected to a community sanitary sewer system.

Specifically, it is being proposed to construct an approximate 73 m² suite on the bottom floor of an existing single family dwelling.

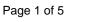
Site Context:

The subject property is approximately 1,089 m² in area and is located at the south east side of the intersection of Fourth St and Oak Avenue in Kaleden, and approximately 189 metres from Skaha Lake.

There is currently one dwelling unit on the property. The surrounding pattern of development is characterized by a residential subdivision with single family dwellings on similar sized parcels. To the west across from Oak Avenue, there are larger and steeper residential lots with less development.

The subject property is identified under the GG Runka Soil Stability report as having hazards of slumps and slides.

Background:



There are no Regional District records of when the parcel was subdivided, although, it is known that this is an older parcel, possibly one of the earliest subdivisions in Kaleden. Building Permit records indicate a Permit was issued in 2004 for a single family dwelling.

In 2016, the owners applied for a Temporary Use Permit (TUP) to allow for a vacation rental; however, the application was returned as incomplete due to the absence of confirmation that the existing septic is capable of accommodating the proposed vacation rental use, and lack of information about off street parking provisions.

Under the Electoral Area "D-1" Official Community Plan (OCP) Bylaw No. 2630, 2016, the property is designated Low Density Residential (LR) therefore the proposal will not require an OCP amendment. The OCP also indicates that Kaleden is a "Rural Growth Area", however, is limited in terms of further development until such time that a community sewer system is in place.

Under the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, the property is zoned Residential Single Family One (RS1). Under the general regulations contained in the zoning bylaw, no secondary suite is permitted without connection to community sanitary sewer unless the lot is at least 2,020 m² in area and meets the relevant Provincial requirements for on-site sewage disposal for the secondary suite.

The applicant submitted a Sewage System Assessment completed by Deans Tech Consulting in support of this rezoning application.

The applicant will be required to apply for a Building Permit in order to ensure that the suite, if approved, meets the BC Building Code requirements for a legal secondary suite.

There is an enforcement file open for the subject property regarding the unauthorized secondary suite.

Referrals:

Referral comments on this proposal have been received from Ministry of Forests, Lands, and Natural Resource Operations, Interior Health Authority, and Archeology Branch, and these are included as a separate item on the Board Agenda.

Public Process:

At its meeting of April 10, 2018, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this development proposal be approved.

A Public Information Meeting was held on April 10, 2018, and was attended by 6 members of the public.

Analysis:

Administration does not generally support the creation of ad hoc or spot zonings where they are divorced from broader strategic land use objectives. In considering this proposal, however, Administration notes that the Electoral Area "D-1" OCP Bylaw supports housing for a range of income levels, lifestyles and ages including rental housing and secondary suites where appropriate and feasible.

In this instance, a secondary suite is a permitted use within the zone, provided the parcel is greater than 2,020 m² in area. As the size of subject property is only 1,089 m², the applicant has had an assessment completed on the sewage system. The Registered Onsite Wastewater Practitioner

(ROWP) noted that the existing system will meet SPM standards upon completion of two outlined recommendations: the existing septic tank be fitted with risers; and, to install monitoring wells and cleanout access ports in the dispersal field area.

The 2020m² area zoning requirement originated from earlier (pre- one hectare policy) subdivisions that allowed septic on parcels half an acre in area.

The applicant has provided a plan showing parking can be accommodated both in front of the dwelling unit as well as from behind, through an alley access.

Although Administration is generally supportive of secondary suites, it is also concerned if secondary suites were to become a frequent development in the Kaleden area due to the high number of fairly small sized residential parcels. Cumulative impacts on groundwater and soil stability is not known at this point and that may pose potential risks. A community sewer system is proposed for Kaleden; however, it is not known at this time when construction will begin.

In summary, however, as the applicant has submitted a sewage system assessment report that indicates the system, with certain upgrades, will accommodate the number of bedrooms, and the dwelling currently exists with no proposed expansion, Administration generally supports the proposed rezoning.

Alternatives:

- .1 THAT Bylaw No. 2455.33, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied; OR
- .2 THAT Bylaw No. 2455.31, 2017, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

Respectfully submitted

Endorsed by:

Endorsed by:

ERiechert

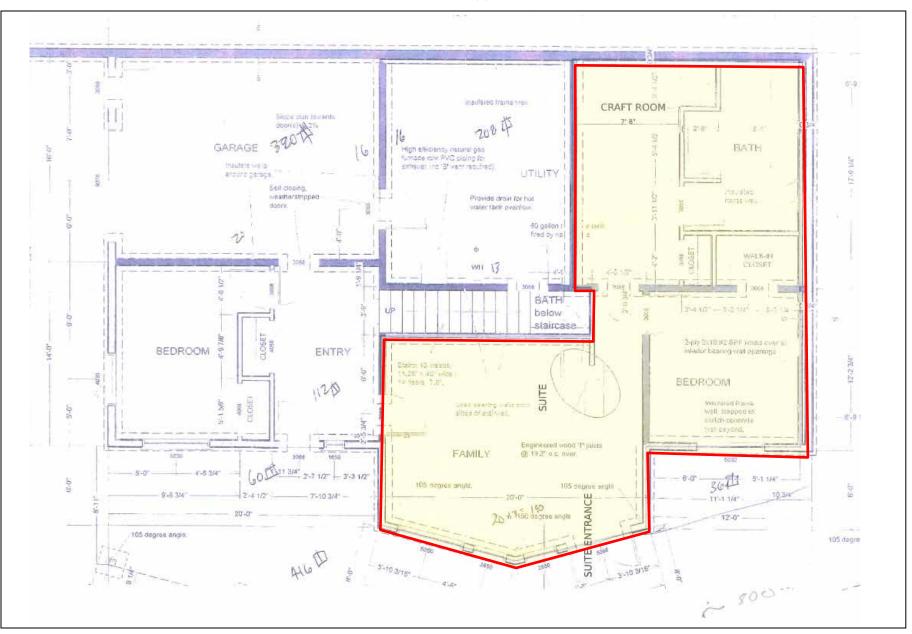
E. Riechert, Planner

C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Applicant's Plan

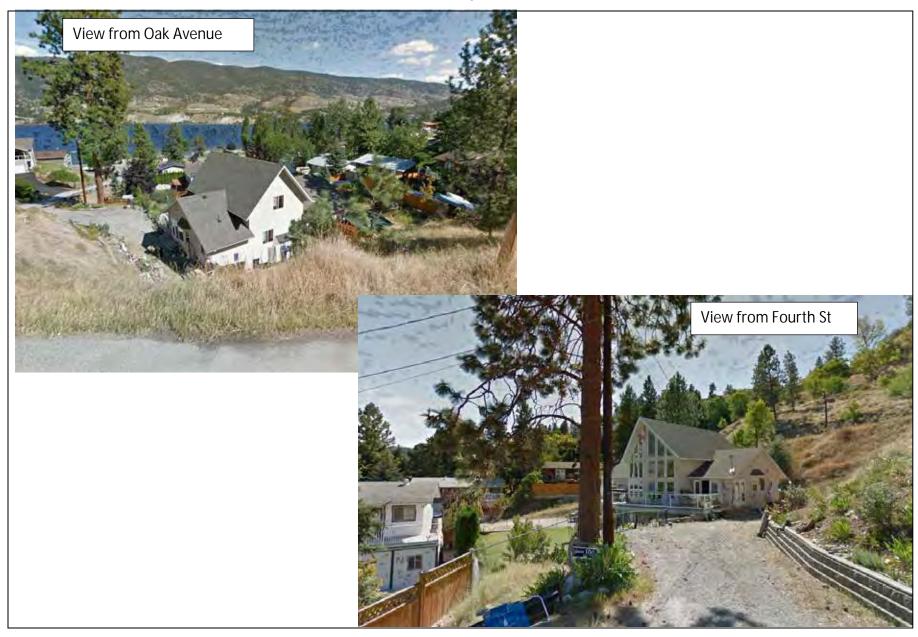
No. 2 – Google Earth (Streetview)



Attachment No. 1 – Applicant's Plan

File No: D2018.039-ZONE

Attachment No. 2 – Google Earth (Streetview)



BYLAW NO. 2457.24

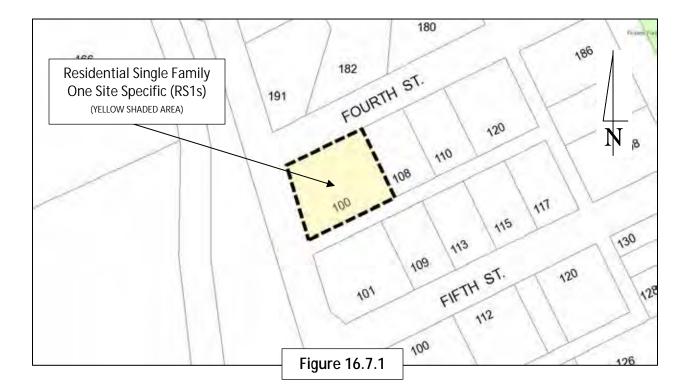
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.24, 2018

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2457, 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 "D" Zoning Amendment Bylaw No. 2457.24, 2018."
- The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by changing the land use designation on the land described as Lot 27, Block 10, Plan KAP763, District lot 105s, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family One (RS1) to Residential Single Family One Site Specific (RS1s).
- 3. The "Electoral Area "D" Zoning Bylaw No. 2457, 2008" is amended by:
 - i) replacing Section 16.7.1 under Section 16.7 (Site Specific Residential Single Family One (RS1s) Provisions) in its entirety with the following:
 - .1 in the case of land described as Lot 27, Block 10, Plan KAP763, District Lot 105s, SDYD, and shown shaded yellow on Figure 16.7.1:
 - a) despite Section 7.12.4, a secondary suite is permitted without connection to a community sanitary sewer on a lot less than 2,020 m² in area.



READ A FIRST AND SECOND TIME this ____day of ____, 2018.

PUBLIC HEARING held on this ____day of ____, 2018.

READ A THIRD TIME this <u>day of</u>, 2018.

AND ADOPTED this ____day of ____, 2018.

Board Chair

Corporate Officer

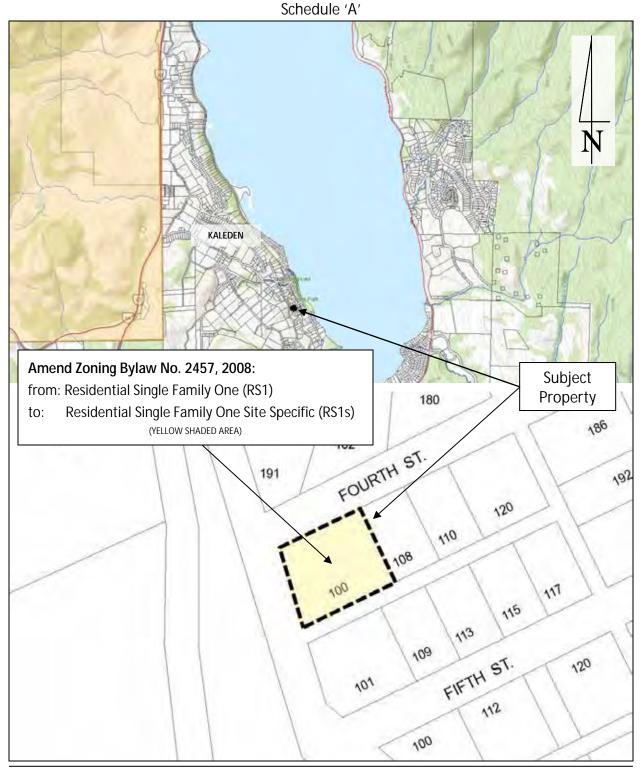
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2457.24, 2018

Project No: D2018.039-ZONE



Amendment Bylaw No. 2457.24, 2017 (D2018.039 -ZONE) Page 3 of 3



March 29, 2018

File: 58000-20/2018033 Your File: D2018.039-ZONE

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

Attention: Evelyn Riechert

Re: Amend Zoning Bylaw to allow a secondary suite at 100 4th Street, Kaleden, B.C.

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

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

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

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

Yours truly,

Lora Nield Senior Ecosystems Biologist

LN/cl

Ministry of Forests, Lands and Natural Resource Operations

1

Resource Management Thompson Okanagan Region 102 Industrial Place Penticton, BC V2A 7C8

C - Applicant - Apn

Telephone: (250) 490-8200 Facsimile: (250) 490-2231

Lauri Feindell

From: Sent: To: Cc: Subject: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca> April 4, 2018 12:14 PM Planning Lauri Feindell RE: Bylaw Referral D2018.039-ZONE

Hello RDOS Planners Extraordinaire!

Thank you for your referral D2018.039-ZONE regarding 100 4th Street, Kaleden, PID 012084450, L 27 BK 10 DL 105S SIMILKAMEEN DIVISION YALE DISTRICT PL 763. 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.

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 (*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 (<u>www.bcapa.ca</u>) or through local directories.

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

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

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

Please review the screenshot of the property below (outlined in yellow) in relation to the archaeological potential which covers the entirety of the screenshot and is indicated by the brown/orange hue. 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, Natural Resource Operations and Rural Development 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: <u>http://www.for.gov.bc.ca/archaeology/</u>

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca] Sent: Friday, March 23, 2018 12:24 PM To: HBE@interiorHealth.ca; Cooper, Diana FLNR:EX; 'fbclands@fortisbc.com'; FLNR DOS Referrals CSNR:EX; Referral Apps REG8 FLNR:EX; lucy.reiss@canada.ca; k.i.d@shaw.ca Subject: Bylaw Referral D2018.039-ZONE

Re: Bylaw Referral Project No. D2018.039-ZONE 100 – 4th Street, Kaleden Lot 27, Block 10, DL105s, SDYD, Plan 763

Please find attached a bylaw referral, with a link to our website with the necessary documentation. Please review and forward any comments you may have to <u>planning@rdos.bc.ca</u>.

Kind Regards,

	RESPONSE SU	JMMARY	
	AMENDMENT BYLAW NO. 2457.24, 2018		
	Approval Recommended for Reasons Outlined Below	Interests Unaffected by Bylaw	
4	approval Recommended Subject to Conditions Below	Approval Not Recommended Due to Reasons Outlined Below	
	u for the opportunity to provide comments on t point of our policies and regulations.	the above referenced Rezoning Application from	
The prop	osed rezoning would allow for a secondary suite	e within the principal dwelling.	
under the sewage d 1 trench :	e BC Sewerage System Regulation that the propu- lispersal system suitable for the intended increa- system for when the existing system fails.	ase in daily design flow as well as a back-up type	
design flo s recomr performa t is able f	nended that an Authorized Person under the BC nce and compliance inspections on the existing	herefore may require upgrades to the system. It C Sewerage System Regulation conduct sewage disposal system in order to ensure that health hazard prior to construction of the suite.	
gnature	Mandlan	Signed By: Marion Masson	
	Man Man Interior Health Authority	Signed By: <u>Marion Masson</u> Title: <u>Environmental Health</u>	

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ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: Zoning Bylaw Amendment – Electoral Area "D-2"

Administrative Recommendation:

THAT Bylaw No. 2457.25, 2018, Electoral Area "D" Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018;

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

Purpose:	To facilitate a boundary adjustment between two existing legal parcels.			
Owners:	Bruce and Lorna Ramage	Agent: Bruce Ramage	<u>Folio</u> : D-06582.065	
<u>Civic</u> :	137 Saddlehorn Drive, St. Andrews	Legal: Lot A, Plan KAP72013, Section 10, To	wnship 88, SDYD	
<u>Zone</u> :	part Small Holdings Two (SH2); & part Small Holdings Three (SH3)	Proposed Zoning: part Small Holdings Three part Small Holdings Two		

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to adjust the boundaries of the Small Holdings Two (SH2) and Small Holdings Three (SH3) zones that apply to the property so as to facilitate a boundary adjustment with the adjacent property at 110 Saddlehorn Drive.

In order to accomplish this, it is being proposed to amend the land use designation on an approximately 1.3 ha part of the property from Small Holdings Two (SH2) to Small Holdings Three (SH3) and to further amend the land use designation on an approximately 1.84 ha part from Small Holdings Three (SH3) to Small Holdings Two (SH2).

In support of this request, the applicant has stated that "we are selling our home and building a new home across the street (within view) of [137 Saddlehorn]. We want to ensure that no development occurs on this property and that it is not used for storage or any other purpose. We want the property to remain completely natural (as it is now) to protect the property values of the residents of Kittley Lake Estates. It is home to many species of birds, turtles, salamanders and the resident deer population."

Site Context:



The subject property is approximately 4.97 ha in area and is situated on the south side of Saddlehorn Drive near its intersection with White Lake Road. It is understood that the parcel is comprised of a single detached dwelling and a number of accessory structures.

The surrounding pattern of development is characterised by rural-residential parcels and the St Andrews golf course development further to the south.

Public Process:

A Public Information Meeting was held on April 10, 2018, at the Community Centre in Okanagan Falls and one (1) members of the public attended.

At its meeting of April 10, 2018, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this application be approved.

Referral comments on this proposal have been received from the Dominion Radio Astrophysical Observatory (DRAO) and the Archaeology Branch and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the subject property is situated beyond 800 metres of a controlled area (i.e. Highway 3A).

Background:

The subject property was originally created by a plan of subdivision deposited at the Land Title Office in Kamloops on April 9, 1997, while the current boundaries of the property date to a revised plan of subdivision deposited at the Land Title Office on October 15, 2002, and which was undertaken in order to facilitate a boundary adjustment involving the parcels at 105 Saddlehorn Drive and 370 White Lake Road (both of which became smaller while the subject property increased in area from 2.8 ha to 4.97 ha).

As a result of this boundary adjustment, the SH3 zoning that applied to 105 Saddlehorn Drive and 370 White Lake Road was carried forward onto the subject property (which was zoned SH2) and the zone boundaries were never updated to reflect the new legal boundaries. It is unknown why this boundary adjustment was undertaken.

Under the Electoral Area "D-1" OCP Bylaw No. 2683, 2016, the subject property is designated as Small Holdings (SH), is within the Environmentally Sensitive Development Permit (ESDP) Area, Watercourse Development Permit (WDP) Area, but is outside of the Radio Frequency Interference (RFI) Area associated with the Dominion Radio Astrophysical Observatory (DRAO).

Under the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, the property is currently split-zoned part SH2, which establishes a minimum parcel size of 2.0 ha and part SH3, which establishes a minimum parcel size of 1.0 ha.

When a subdivision proposes to create a new parcel split by a zone boundary, the more onerous minimum parcel size requirement of the applicable zones shall apply. In this instance, the more onerous requirement is the 2.0 ha parcel size required by the SH2 Zone and, as the proposed "Part Lot 1" (see Attachment No. 2) is less than 2.0 ha in area, an amendment to the zoning bylaw is required.

Analysis:

In considering this proposal, Administration notes that the proposed adjustment is consistent with the OCP designation of the property for rural-residential uses and subdivision (i.e. in parcels sized between 1.0 to 2.0 ha) and will further allow for a correction to the zone boundaries to reflect the proposed boundary adjustment as well as the adjustment completed in 2002.

With regard to the use of a "hooked parcel" in order to facilitate this boundary adjustment, Administration recognises that such parcels are a legal form of subdivision layout under the *Land Title Act*, and are quite common within the Regional District. They are, however, considered to be undesirable and the zoning bylaw discourages their use by requiring that all hooked parts of a parcel meet the minimum parcel size requirement of the zone.

This is because hooked parcels have, on occasion, been used to create parcels that may not be consistent with site densities intended by a zoning; that result physically discontiguous parts of a property that owners no longer wish to maintain and create pressure to approve subdivision not consistent with a zoning.

In this instance, however, the proposed part of what will be incorporated into 110 Saddlehorn Drive will comply with the 1.0 ha minimum parcel size requirement of the SH3 Zone that is to be applied and any proposal seeking to "un-hook" this parcel in future should comply and not require another amendment to the zoning bylaw.

Conversely, Administration notes that the property owner could have avoided the need for an amendment to the zoning bylaw by simply increasing the land area of the "Proposed Part Lot 1" (shown at Attachment No. 2) from 1.7 ha to 2.0 ha as this would then comply with the minimum parcel size requirements of the SH2 Zone.

This would also have the added benefit of negating the need to "hook" the "Proposed Part Lot 1" to 110 Saddlehorn Drive and *potentially* allow for its donation to a conservation organisation capable of preserving the environmental values associated with this area.

Administration notes that, other than the current property owner's desire to conserve this land, there is presently no land use regulation in place (i.e. zoning, restrictive covenant, etc.) that will ensure its preservation long-term and that the proposed SH3 zoning contemplates the opposite as it represents a preferred future land use of rural-residential.

Due to the designation of the property as WDP and ESDP Areas, a riparian and environmental assessment will be required to be completed prior to the completion of the subdivision.

In summary, Administration considers the proposed boundary adjustment to be consistent with the Small Holdings designation of the property as well as the zoning regulations related to the creation of hooked parcels and supports the proposed amendment to the zoning bylaw.

Alternatives:

.1 THAT Bylaw No. 2457.25, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

.2 THAT Bylaw No. 2457.22, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied.

Respectfully submitted:

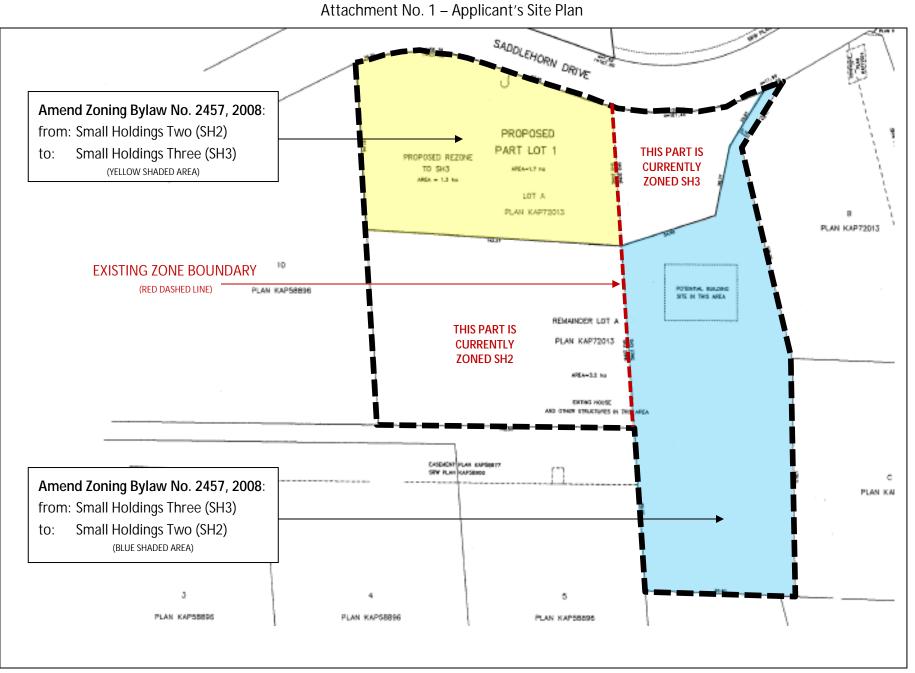
Endorsed by:

C. Garrish, Planning Supervisor

B. Dollevoet, Development Services Manager

<u>Attachments</u>: No. 1 – Applicant's Site Plan

No. 2 – Site Photo





BYLAW NO. 2457.25

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.25, 2018

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2457, 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 "D" Zoning Amendment Bylaw No. 2457.25, 2018."
- 2. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
 - (i) changing the land use designation on an approximately 1.3 ha part of the land described as Lot A, Plan KAP72013, Section 10, Township 88, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Three (SH3).
 - (ii) changing the land use designation on an approximately 1.84 ha part of the land described as Lot A, Plan KAP72013, Section 10, Township 88, SDYD, and shown shaded blue on Schedule 'A', which forms part of this Bylaw, from Small Holdings Three (SH3) to Small Holdings Two (SH2).

READ A FIRST AND SECOND TIME this ____ day of _____, 2018. PUBLIC HEARING held on this ____ day of _____, 2018. READ A THIRD TIME this ____ day of _____, 2018. ADOPTED this ____ day of _____, 2018.

Board Chair

Corporate Officer

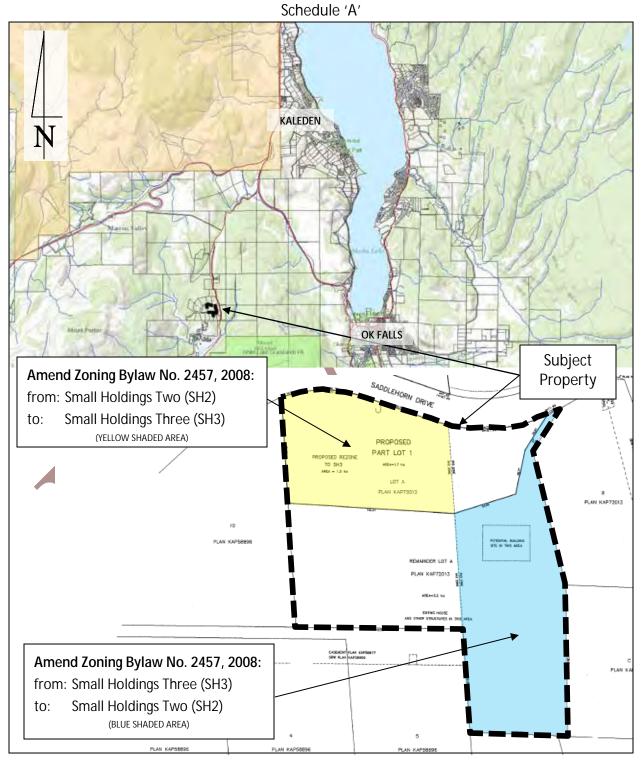
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2457.25, 2018





RESPONSE SU	JMMARY	
AMENDMENT BYLAW NOS. 2457.25		
Approval Recommended for Reasons Outlined Below	区 Interests Unaffected by Bylaw	
Approval Recommended Subject to Conditions Below	Approval Not Recommended Due to Reasons Outlined Below	
As noted above, the subject property does not I	ie within the RFI Area.	
n the NW corner, but we do not object to a cha provided that this does not result in a net increa within the RFI area.		
Signature:	Signed By: <u>Michael Rupe</u>	

Lauri Feindell

To: Subject: Cooper, Diana FLNR:EX RE: Bylaw Referral D2018.040-ZONE

Hello to the Planners of RDOS.

Thank you for your referral regarding changing the zoning at 137 Saddlehorn Drive, PID 025505645, L A SEC 10 TP 88 SIMILKAMEEN DIVISION YALE DISTRICT PL KAP72013. 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.

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 (*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 (<u>www.bcapa.ca</u>) or through local directories.

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

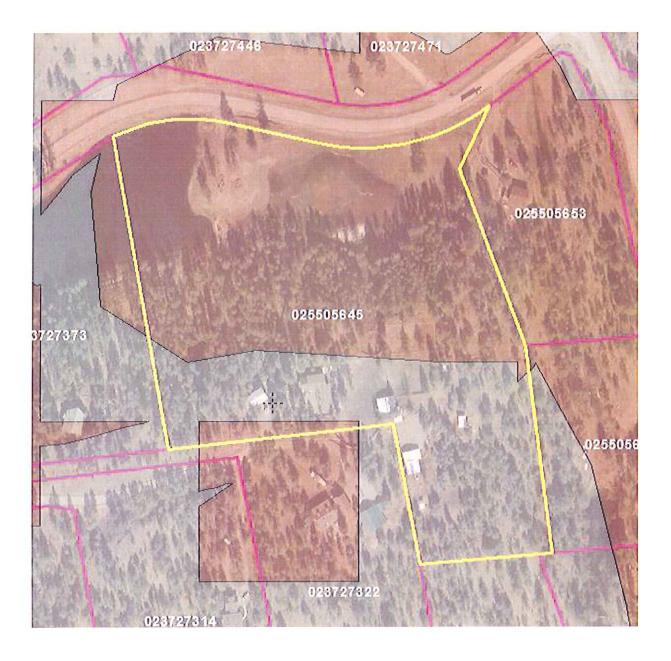
In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

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

Please review the screenshot of the property below (outlined in yellow) in relation to the archaeological potential (brown/orange areas indicate high potential and beige indicates moderate potential). If this does not represent the property listed in the referral please contact me.

Kind regards,

Diana



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

Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development 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: <u>http://www.for.gov.bc.ca/archaeology/</u>

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca] Sent: Wednesday, March 14, 2018 11:17 AM To: HBE@interiorHealth.ca; 'fbclands@fortisbc.com'; nrc.drao-ofr.cnrc@nrc-cnrc.gc.ca; Cooper, Diana FLNR:EX; Referral Apps REG8 FLNR:EX Cc: Christopher Garrish Subject: Bylaw Referral D2018.040-ZONE

Re: Project No. D2018.040-ZONE Bylaw No. 2457.25 Lot A, Plan KAP72013, Section 10, Township 88, SDYD (137 Saddlehorn Drive)

ADMINISTRATIVE REPORT

TO:Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: Zoning Bylaw Amendment – Electoral Area "D-2"

Administrative Recommendation:

THAT Bylaw No. 2455.35, 2018, Electoral Area "D" Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018;

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

Purpose:	To allow for the development of a second kitchen in an existing principal dwelling unit.			
Owners:	Heidi Robinson	Agent: Shaun Robinson	<u>Folio</u> : D-01120.015	
<u>Civic</u> :	1752 Alba Road, OK Falls	Legal: Lot 1, Plan KAP90957, District Lot 10	& 228S, SDYD	
Zone:	Agriculture Three (AG3)	Proposed Zoning: Agriculture Three Site Sp	ecific (AG3s)	

Proposed Development:

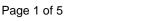
This application is seeking to amend the zoning of the subject property in order to allow for the development of a second kitchen within an existing principal dwelling unit.

In order to accomplish this, it is being proposed to amend the zoning of the property from Agriculture Three (AG3) to Agriculture Three Site Specific (AG3s) in order to apply a new definition of "principal dwelling unit" that will read as follows:

one or more habitable rooms constituting one self-contained unit which has a separate entrance, and which contains washroom facilities, and not more than <u>two sets</u> [revised wording] of cooking facilities (unless a secondary suite is permitted in the applicable zone), and which is designed to be used for living and sleeping purposes.

In support of this request, the applicant has stated that the current owner is recently widowed and requires the assistance of family members with the on-going operation of the ranch, and that allowing a second kitchen in the existing dwelling will allow family members to reside on the ranch and assist with its operation while also providing companionship to the property owner. The applicant has also advised that "this has been a family ranch since 1980 and want it to remain in the family for a long time."

Site Context:



The subject property is approximately 22.4 ha and is situated at the western terminus of Alba Road immediately south of Keogan Park in Okanagan Falls and is bounded by the KVR Trail to the east and the Okanagan River Channel to the west. It is understood that the parcel is comprised of a single detached dwelling and various accessory structures associated with the agricultural use of the property.

The surrounding pattern of development is generally characterised by agricultural operations to the south, park and residential uses to the north, the Okanagan River Channel to the east and a mix of residential and light industrial uses to the east.

Public Process:

A Public Information Meeting was held on April 10, 2018, at the Community Centre in Okanagan Falls and five (5) members of the public attended.

At its meeting of April 10, 2018, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this application be approved.

Referral comments on this proposal have been received from the Okanagan Falls Irrigation District, and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the subject property is situated beyond 800 metres of a controlled area (i.e. Highway 3A).

Background:

The current boundaries of the subject property were established by a subdivision deposited at the Land Title Office in Kamloops on June 16, 2010, and available Regional District records indicate Building Permits having previously been issued for a garage (2015) and a farm hay shed.

Under the Electoral Area "D-2" OCP Bylaw No. 2603, 2013, the subject property is designated as Agriculture (AG), is subject to a Hillside and Steep Slope Development Permit (HSSDP) and Watercourse Development Permit (WDP) Area designations and is also partially within the floodplain associated with the Okanagan River Channel.

Under the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, the property is currently zoned Agriculture Three (AG3), while the definition of "dwelling unit" limits the number of cooking facilities (i.e. kitchens) that can be included in a dwelling to no more than one.

The property is within the Agricultural Land Reserve (ALR), and has been classified by BC Assessment as part "residential" (Class 01) and part "farm" (Class 09).

Analysis:

In considering this proposal, Administration notes that an objective of the AG designation is to preserve agricultural land, with a supporting policy being to "restrict residential development in the Agricultural Land Reserve to single farm residences and homesite severances, and only if it does not create a situation that encourages a proliferation of non-farm residential development."

The current proposal is seen to be consistent with this direction as it is seeking to accommodate two "families" within an existing dwelling unit, thereby negating the need to construct an additional accessory dwelling unit on the property (the construction of which could have resulted in the alienation of productive agricultural land).

In addition, allowing the development of a second kitchen in the dwelling will facilitate the current property owner being able to "age in place" (being the "ability to live in one's own home and community safely, independently, and comfortably, regardless of age, income, or ability level").

The applicant has further indicated that the dwelling will remain interconnected and free flowing (i.e. no internal alterations will be undertaken in order to create separate dwelling units for the family members). Administration notes that any internal alterations to create separate dwelling units may result in the structure being considered a "duplex", which is not a permitted type of dwelling unit in the AG3 Zone.

Conversely, other options are seen to be available to the property owner should they wish to have additional family members reside on the property, such as a secondary suite (with a maximum floor area of 90 m²) or an accessory dwelling (to a maximum floor area of 360 m²).

Either of these two options would not require an amendment to the zoning bylaw and would provide the flexibility of residing in the main dwelling unit (in the form of a secondary suite) or in a detached dwelling unit.

In summary, Administration considers the refurbishment of the existing principal dwelling unit to allow additional family members to reside on the subject property to generally be consistent with the direction set for agriculturally designated properties under the OCP Bylaw and is recommending support.

Alternatives:

.1 THAT Bylaw No. 2455.35, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

.2 THAT Bylaw No. 2455.32, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied.

Respectfully submitted:

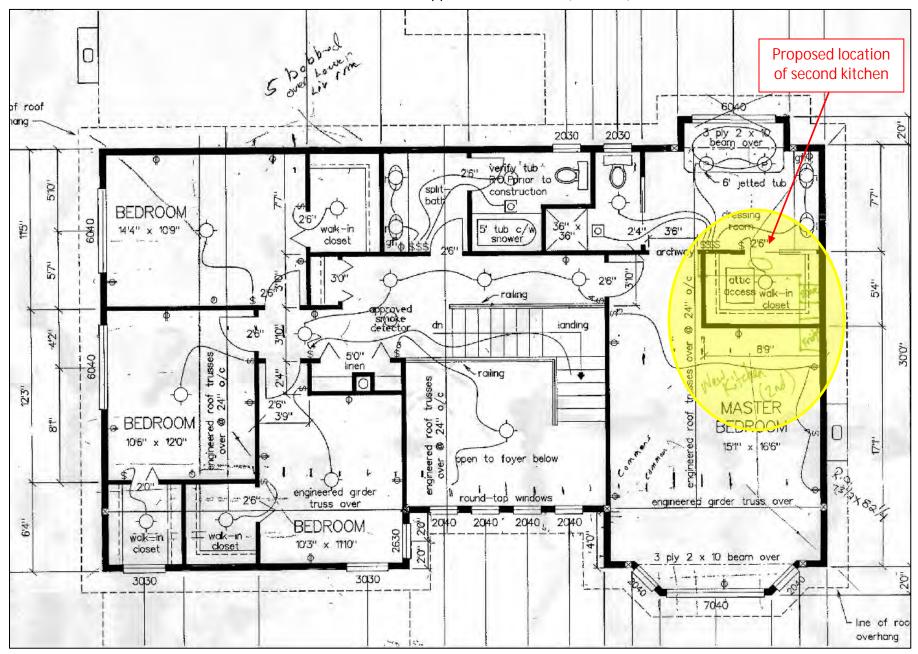
Endorsed by:

C. Garrish, Planning Supervisor

B. Dollevoet, Development Services Manager

Attachments:

No. 1 – Applicant's Floor Plan (2nd Floor) No. 2 – Aerial Photo (2014)



Attachment No. 1 – Applicant's Floor Plan (2nd Floor)

File No: D2018.044-ZONE

Attachment No. 2 – Aerial Photo (2014)



BYLAW NO. 2455.35

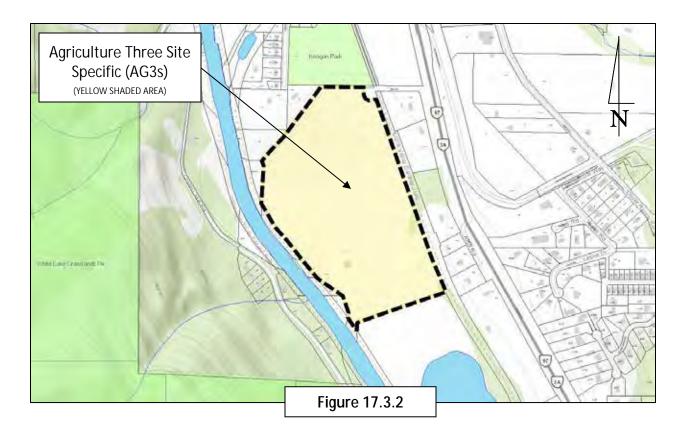
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2453.35, 2018

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 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 "D" Zoning Amendment Bylaw No. 2455.35, 2018."
- 2. The Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) adding a new Section 17.3.2 (Site Specific Agriculture Three (AG3s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows:
 - .1 In the case of land described as Lot 1, Plan KAP90957, District Lot 10 & 338S, SDYD (1752 Alba Road) and shown shaded yellow on Figure 17.3.2:
 - a) despite Section 4.0 (Definitions), a "principal dwelling unit" shall mean one or more habitable rooms constituting one self-contained unit which has a separate entrance, and which contains washroom facilities, and not more than two sets of cooking facilities (unless a secondary suite is permitted in the applicable zone), and which is designed to be used for living and sleeping purposes.



3. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation of the land described as Lot 1, Plan KAP90957, District Lot 10 & 338S, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Agriculture Three (AG3) to Agriculture Three Site Specific (AG3s).

READ A FIRST AND SECOND TIME this ____ day of _____, 2018.

PUBLIC HEARING held on this ____ day of _____, 2018.

READ A THIRD TIME this <u>day of</u>, 2018.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.35, 2018" as read a Third time by the Regional Board on this _____ day of ______, 2018.

Dated at Penticton, BC, this ____ day of _____, 2018.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2018.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2018.

Board Chair

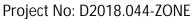
Corporate Officer

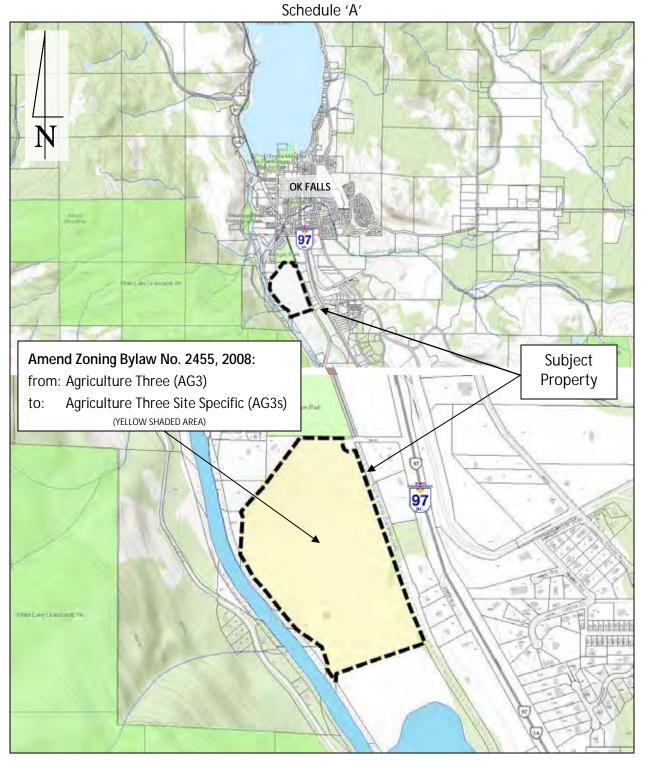
Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2455.35, 2018





Lauri Feindell

To: Subject: Judy Morris RE: Bylaw Referral - Project D2018.044-ZONE

From: Judy Morris <ofid@telus.net> Sent: April 5, 2018 10:24 AM To: Lauri Feindell <lfeindell@rdos.bc.ca> Subject: RE: Bylaw Referral - Project D2018.044-ZONE

Thank you Lauri, this property is not within the boundaries of the Okanagan Falls Irrigation District; therefore we will have no comment.

Judy

Okanagan Falls Irrigation District

Judy Morris Manager OKANAGAN FALLS IRRIGATION DISTRICT PO Box 110 – 1109 Willow Street Okanagan Falls,BC VOH 1R0 Phone: 250.497.8541 Fax: 250.497.5817 Email: ofid@telus.net www.okanaganfallsirrigationdistrict.ca

RODINSON.

ADMINISTRATIVE REPORT

TO:	Board of Directors
FROM:	B. Newell, Chief Administrative Officer
DATE:	April 19, 2018
RE:	Official Community Plan & Zoning Bylaw Amendments Industrial Zone Update - Electoral Areas "A", "C", "D", "E" & "F"

Administrative Recommendation:

THAT Bylaw No. 2783, 2018, Regional District of Okanagan-Similkameen Industrial Zone Update Amendment Bylaw be adopted.

Purpose:

Amendment Bylaw No. 2783 seeks to amend the Electoral Area "A", "C", "D", "E" and "F" Official Community Plan and Zoning Bylaws in order to update the industrial zones found in these electoral areas.

Background:

At its meeting of March 15, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur on April 5, 2018, at the Regional District office in Penticton.

A Public Hearing was held on April 5, 2018, and was attended by 31 members of the public, and this was followed by approval of third reading by the Board at its meeting of that same date.

Approval from the Ministry of Transportation and Infrastructure (MoTI) due to the amendment applying to land within 800 metres of a controlled area, was obtained on April 10, 2018.

Alternative:

THAT the Board of Directors rescind first, second and third readings of Amendment Bylaw No. 2783, 2018, and abandon the bylaw.

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

BYLAW NO. 2783

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2783, 2018

A Bylaw to amend the Electoral Area "A", "C", "D", "E" and "F" Official Community Plan and Zoning Bylaws

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 "Industrial Zone Update Amendment Bylaw No. 2783, 2018."

Electoral Area "A"

- 2. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by:
 - i) changing the land use designation on the land described as Lot A, Plan KAP17537, District Lot 2450S, SDYD, Portion L 467, ROAD, and shown shaded yellow on Schedule 'A-1', which forms part of this Bylaw, from Industrial (I) to Agriculture (AG).
 - ii) changing the land use designation on the land described as part of Section 3, Township 65, SDYD, Portion SE ¼, Except Part Lying north and west of Highway shown on Plan H415, and shown shaded yellow on Schedule 'C-1', which forms part of this Bylaw, from Industrial (I) to Resource Area (RA).
- 3. The "Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

"agriculture" means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

ii) adding a new definition of "asphalt plant" under Section 4.0 (Definitions) to read as follows:

"asphalt plant" means the processing and manufacturing of road paving materials from raw material and petroleum products;

iii) adding a new definition of "cannabis" under Section 4.0 (Definitions) to read as follows:

"cannabis" means any plant of the genus cannabis; including:

- any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- iv) adding a new definition of "cannabis production" under Section 4.0 (Definitions) to read as follows:

"cannabis production" means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

v) adding a new definition of "cannabis products" under Section 4.0 (Definitions) to read as follows

"cannabis products" means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

vi) adding a new definition of "commercial card-lock facility" under Section 4.0 (Definitions) to read as follows:

"commercial card-lock facility" means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

vii) adding a new definition of "concrete plant" under Section 4.0 (Definitions) to read as follows:

"concrete plant" means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

viii) adding a new definition of "construction supply centre" under Section 4.0 (Definitions) to read as follows:

"construction supply centre" means the retail sale or wholesale of building material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and may include accessory rental of home construction, maintenance or repair equipment;

ix) adding a new definition of "food and beverage processing" under Section 4.0 (Definitions) to read as follows:

"food and beverage processing" means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a brewery, cidery, distillery or meadery and winery;

x) adding a new definition of "fleet service" under Section 4.0 (Definitions) to read as follows:

"fleet service" means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes a freight terminal;

xi) adding a new definition of "freight terminal" under Section 4.0 (Definitions) to read as follows:

"freight terminal" means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

xii) replacing the definition of "gravel processing" under Section 4.0 (Definitions) with the following:

"gravel processing" means screening, sorting, crushing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

xiii) adding a new definition of "manufacturing" under Section 4.0 (Definitions) to read as follows:

"manufacturing" means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production; xiv) adding the definition of "natural resource extraction" under Section 4.0 (Definitions) with the following:

"natural resource extraction" means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

xv) adding a new definition of "outdoor storage" under Section 4.0 (Definitions) to read as follows:

"outdoor storage" means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

xvi) adding a new definition of "refuse disposal site" under Section 4.0 (Definitions) to read as follows:

"refuse disposal site" means an area of land for the disposal of municipal solid waste, as permitted under the *Waste Management Act* (British Columbia);

xvii) adding a new definition of "salvage operation" under Section 4.0 (Definitions) to read as follows:

"salvage operation" means a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including more than two derelict vehicles, are stored or kept, for private or commercial purposes;

xviii) adding a new definition of "self storage" under Section 4.0 (Definitions) to read as follows:

"self-storage" means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

xix) adding a new definition of "service industry establishment" under Section 4.0 (Definitions) to read as follows:

"service industry establishment" means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair; xx) adding a new definition of "storage and warehouse" under Section 4.0 (Definitions) to read as follows:

"storage and warehouse" means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

xxi) replacing the definition of "vehicle sales and service establishment" under Section 4.0 (Definitions) to read as follows:

"vehicle sales and rentals" means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a "vehicle" includes automobiles, recreational vehicles (RV's), boats, all-terrain vehicles (ATV's), and motorcycles;

xxii) adding a new definition of "wholesale business" under Section 4.0 (Definitions) to read as follows:

"wholesale business" means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to retail users, industrial users, commercial users, institutional users or wholesale users;

xxiii) replacing the Industrial zone references under Section 6.1 (Zoning Districts) with the following:

INDUSTRIAL ZONES

General Industrial Zone	11
Community Waste Management Zone	13

- xxiv) adding a new sub-section 10.1.1(g) under Section 10.1 (Resource Area Zone) with the following and renumbering all subsequent sections:
 - g) natural resource extraction;
- xxv) replacing Section 13.1.1(c) under Section 13.1 (General Commercial Zone) in its entirety with the following:
 - c) vehicle sales and rentals;
- xxvi) replacing Section 13.1.1(g) under Section 13.1 (General Commercial Zone) in its entirety with the following:
 - g) service industry establishment;
- xxvii) replacing Section 14.0 (Industrial) in its entirety with the following:

14.0 INDUSTRIAL

14.1 GENERAL INDUSTRIAL ZONE (I1)

14.1.1 Permitted Uses:

Principal Uses:

- a) construction supply centre;
- b) fleet service;
- c) food and beverage processing;
- d) freight terminal;
- e) manufacturing;
- f) outdoor storage;
- g) packing, processing and storage of farm products;
- h) salvage operation;
- i) self-storage;
- j) service industry establishment;
- k) storage warehouse;
- I) vehicle sales and rentals;
- m) veterinary establishment;
- n) wholesale business;

Secondary Uses:

- o) accessory buildings and structures, subject to Section 7.13;
- p) accessory dwelling, subject to Section 7.11;
- q) offices; and
- r) retail sales.

14.1.2 Site Specific General Industrial (I1s) Provisions:

a) see Section 16.13

14.1.3 Minimum Parcel Size:

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

14.1.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.1.5 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) accessory dwelling.

14.1.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel lineii) Rear parcel line7.5 metres7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

b) Accessory buildings and structures:

- iv) Exterior side parcel line 4.5 metres

14.1.6 Maximum Building Height:

- a) No building or structure shall exceed a height of 15.0 metres;
- b) No accessory building or structure shall exceed a height of 7.0 metres.

14.1.7 Maximum Parcel Coverage:

a) 40%

14.2 COMMUNITY WASTE MANAGEMENT ZONE (I3)

14.2.1 Permitted Uses:

Principal Uses:

- a) refuse disposal site;
- b) composting operation;

Secondary Uses:

c) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Community Waste Management (I3s) Provisions:

a) see Section 16.17

14.2.3 Minimum Parcel Size:

a) 10.0 ha.

14.2.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.2.5 Maximum Number of Dwellings Permitted Per Parcel:

a) Not applicable.

14.2.6 Minimum Setbacks:

a) Buildings and structures:

i)	Front parcel line	30.0 metres
ii)	Rear parcel line	30.0 metres

- iii) Interior side parcel lineiv) Exterior side parcel line30.0 metres30.0 metres
- iv) Exterior side parcel line 3b) Accessory buildings and structures:

i)Front parcel line30.0 metresii)Rear parcel line30.0 metresiii)Interior side parcel line30.0 metres

- iv) Exterior side parcel line 30.0 metres
- c) despite Section 14.2.6(a) and (b), the distance between the external boundary of a composting operation and the natural boundary of a watercourse such as a river, stream, marsh, or estuary must not be less than 100.0 metres.

14.2.7 Maximum Building Height:

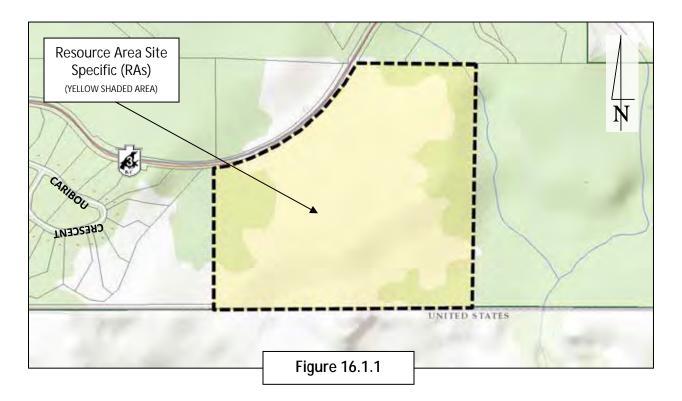
a) No building or structure shall exceed a height of 15.0 metres.

14.2.8 Maximum Parcel Coverage:

a) 25%

xxviii)replacing sub-section 16.1.1 (Site Specific Resource Area Provisions) under Section 16.0 (Site Specific Designations) with the following:

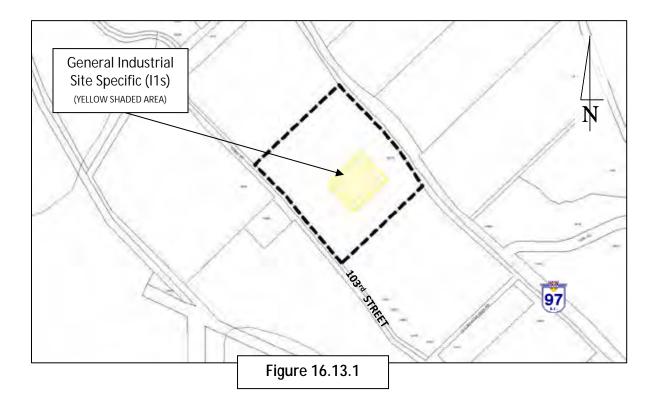
- .1 In the case of land described as Section 3, Township 65, SDYD, Portion SE ¼, Except Part Lying north and west of Highway shown on Plan H415, and shown shaded yellow on Figure 16.1.1:
 - a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 10.1.1:
 - i) concrete plant.



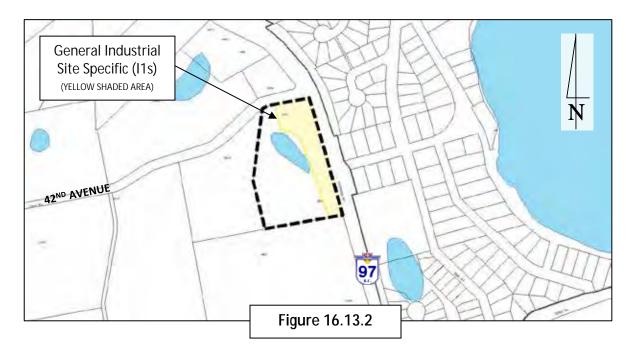
xxix) replacing Section 16.13 (Site Specific Industrial (Light) One Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

16.13 Site Specific General Industrial (I1s) Provisions:

- .1 In the case of an approximately 0.5 ha part of the land described as Lots A & B, Plan KAP2155, District Lot 2450S, SDYD, and shown shaded yellow on Figure 16.13.1:
 - a) the following principal uses and no others shall be permitted on the land:
 - i) service industry establishment;
 - b) the following accessory uses and no others shall be permitted on the land:
 - i) "retail sales"; and
 - ii) "offices".



- .2 In the case of an approximately 0.8 ha part of the land described as Plan KAP5896B, District Lot 2450S, SDYD, Parcel A, Portion Lot 600 Plan 1950, and shown shaded yellow on Figure 16.13.2:
 - a) the following principal uses and no others shall be permitted on the land:
 - i) manufacturing;
 - ii) outdoor storage;
 - iii) packing, processing and storage of farm products;
 - iv) service industry establishment; and
 - v) winery.
 - b) the following accessory uses and no others shall be permitted on the land:
 - i) retail sales; and
 - ii) offices.



xxx) adding a new Section 16.17 (Site Specific Community Waste Management Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

16.17 Site Specific Community Waste Management (I3s) Provisions:

- .1 blank
- 4. The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2450, 2008, is amended by:
 - changing the land use designation on the land described as Lot A, Plan KAP17537, District Lot 2450S, SDYD, Portion L 467, ROAD, and shown shaded yellow on Schedule 'A-2', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Agriculture One (AG1).
 - changing the land use designation on the land described as Lot 1, Plan KAP60396, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'B-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to General Industrial (I1).
 - iii) changing the land use designation on the land described as part of Section 3, Township 65, SDYD, Portion SE ¼, Except Part Lying north and west of Highway shown on Plan H415, and shown shaded yellow on Schedule 'C-2', which forms part of this Bylaw, from part Industrial (Light) One Site Specific (I1s) and part Resource Area (RA) to Resource Area Site Specific (RAs).
 - iv) changing the land use designation on the land described as:
 - Lot 993, Plan KAP22982, District Lot 2450S, SDYD, Portion PLUS BLK S DL 2450S, Lease/Permit/Licence # 342745, District Lot 2450S, SDYD, Lot 993 of District Lot 2450s, Plan 22982 and Block S of District Lot 2450s for Waste Disposal Site;

- Lot 829, Plan KAP5102, District Lot 2450S, SDYD; and
- an approximately 3.5 ha part of Block AB, District Lot 2450S, SDYD,

and shown shaded yellow on Schedule 'D-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Community Waste Management (I3).

v) changing the land use designation of all parcels zoned Industrial (Light) One (I1) to General Industrial (I1).

Electoral Area "C"

- 5. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:
 - i) changing the land use designation on an approximately 1,700 m² part of the land described as Lot A, Plan KAP57770, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'G-1', which forms part of this Bylaw, from Industrial (I) to Agriculture (AG).
 - changing the land use designation on an approximately 7,250 m² part of the land described as Lot A, Plan KAP57770, District Lot 2450S, SDYD, and shown shaded blue on Schedule 'G-1', which forms part of this Bylaw, from Agriculture (AG) to Industrial (I).
 - iii) changing the land use designation on the land described as District Lot 3098S, SDYD; District Lot 3582S, SDYD; and part of District Lot 3581S, SDYD, and shown shaded yellow on Schedule 'H-1', which forms part of this Bylaw, from Industrial (I) to Resource Area (RA).
 - iv) changing the land use designation on the land described as Lot 987, Plan KAP19702, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'I-1', which forms part of this Bylaw, from Industrial (I) to Resource Area (RA).
 - v) changing the land use designation on an approximately 3.4 ha part of the land described as Lot A, Plan KAP39949, District Lot 2710, SDYD, and shown shaded blue on Schedule 'K-1', which forms part of this Bylaw, from Industrial (I) to Resource Area (RA).
 - vi) changing the land use designation on an approximately 5.8 ha part of the land described as Lot A, Plan KAP39949, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'K-1', which forms part of this Bylaw, from Resource Area (RA) to Industrial (I).
 - vii) changing the land use designation on the land described as Lot 1, Plan KAP52063, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'S-1', which forms part of this Bylaw, from Industrial (I) to Low Density Residential (LR).
- 6. The "Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:

- i) deleting the definitions of "heavy industrial" and "light industrial" under Section 4.0 (Definitions).
- ii) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

"agriculture" means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

iii) adding a new definition of "asphalt plant" under Section 4.0 (Definitions) to read as follows:

"asphalt plant" means the processing and manufacturing of road paving materials from raw material and petroleum products;

iv) adding a new definition of "cannabis" under Section 4.0 (Definitions) to read as follows:

"cannabis" means any plant of the genus cannabis; including:

- any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- v) adding a new definition of "cannabis production" under Section 4.0 (Definitions) to read as follows:

"cannabis production" means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

vi) adding a new definition of "cannabis products" under Section 4.0 (Definitions) to read as follows

"cannabis products" means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

vii) adding a new definition of "commercial card-lock facility" under Section 4.0 (Definitions) to read as follows:

"commercial card-lock facility" means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

viii) adding a new definition of "concrete plant" under Section 4.0 (Definitions) to read as follows:

"concrete plant" means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

ix) adding a new definition of "construction supply centre" under Section 4.0 (Definitions) to read as follows:

"construction supply centre" means the retail sale or wholesale of building material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and may include accessory rental of home construction, maintenance or repair equipment;

x) adding a new definition of "fleet service" under Section 4.0 (Definitions) to read as follows:

"fleet service" means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

xi) adding a new definition of "food and beverage processing" under Section 4.0 (Definitions) to read as follows:

"food and beverage processing" means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a brewery, cidery, distillery or meadery and winery;

xii) adding a new definition of "freight terminal" under Section 4.0 (Definitions) to read as follows:

"freight terminal" means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

xiii) replacing the definition of "gravel processing" under Section 4.0 (Definitions) with the following:

"gravel processing" means screening, sorting, crushing, washing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

xiv) adding a new definition of "manufacturing" under Section 4.0 (Definitions) to read as follows:

"manufacturing" means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

xv) adding a new definition of "natural resource extraction" under Section 4.0 (Definitions) to read as follows:

"natural resource extraction" means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

xvi) adding a new definition of "outdoor storage" under Section 4.0 (Definitions) to read as follows:

"outdoor storage" means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

xvii) adding a new definition of "refuse disposal site" under Section 4.0 (Definitions) to read as follows:

"refuse disposal site" means an area of land for the disposal of municipal solid waste, as permitted under the *Waste Management Act* (British Columbia);

xviii) adding a new definition of "self storage" under Section 4.0 (Definitions) to read as follows:

"self-storage" means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

xix) adding a new definition of "service industry establishment" under Section 4.0 (Definitions) to read as follows:

"service industry establishment" means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

xx) adding a new definition of "storage and warehouse" under Section 4.0 (Definitions) to read as follows:

"storage and warehouse" means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

xxi) replacing the definition of "vehicle sales and service establishment" under Section 4.0 (Definitions) to read as follows:

"vehicle sales and rentals" means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a "vehicle" includes automobiles, recreational vehicles (RV's), boats, all-terrain vehicles (ATV's), and motorcycles;

xxii) adding a new definition of "wholesale business" under Section 4.0 (Definitions) to read as follows:

"wholesale business" means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to retail users, industrial users, commercial users, institutional users or wholesale users;

xxiii) replacing the Industrial zone references under Section 6.1 (Zoning Districts) with the following:

INDUSTRIAL ZONES

General Industrial Zone	11
Heavy Industrial Zone	12
Community Waste Management Zone	13

- xxiv) adding a new sub-section 10.1.1(g) under Section 10.1 (Resource Area Zone) with the following and renumbering all subsequent sections:
 - g) natural resource extraction;
- xxv) replacing Section 13.1.1(i) under Section 13.1 (General Commercial Zone) in its entirety with the following:
 - i) vehicle sales and rentals;
- xxxi) replacing Section 13.1.1(j) under Section 13.1 (General Commercial Zone) in its entirety with the following:

- j) service industry establishment;
- xxxii) replacing Section 13.1.1(k) under Section 13.1 (General Commercial Zone) in its entirety with the following:
 - k) deleted;
- xxvi) replacing Section 14.0 (Industrial) in its entirety with the following:

14.0 INDUSTRIAL

14.1 GENERAL INDUSTRIAL ZONE (I1)

14.1.1 Permitted Uses:

Principal Uses:

- a) construction supply centre;
- b) fleet service;
- c) food and beverage processing;
- d) freight terminal;
- e) manufacturing;
- f) outdoor storage;
- g) packing, processing and storage of farm products;
- h) salvage operation;
- i) self-storage;
- j) service industry establishment;
- k) storage warehouse;
- I) vehicle sales and rentals;
- m) veterinary establishment;
- n) wholesale business;

Secondary Uses:

- o) accessory buildings and structures, subject to Section 7.13;
- p) accessory dwelling, subject to Section 7.11;
- q) offices; and
- r) retail sales.

14.1.2 Site Specific General Industrial (I1s) Provisions:

a) see Section 16.21

14.1.3 Minimum Parcel Size:

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

14.1.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.1.5 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) accessory dwelling.

14.1.6 Minimum Setbacks:

b)

a) Buildings and structures:

	5	
i)	Front parcel line	7.5 metres
ii)	Rear parcel line	7.5 metres
iii)	Interior side parcel line	4.5 metres
iv)	Exterior side parcel line	4.5 metres
Асс	essory buildings and structures:	
i)	Front parcel line	7.5 metres
ii)	Rear parcel line	4.5 metres
iii)	Interior side parcel line	4.5 metres
iv)	Exterior side parcel line	4.5 metres

14.1.7 Maximum Building Height:

- a) No building or structure shall exceed a height of 15.0 metres;
- b) No accessory building or structure shall exceed a height of 7.0 metres.

14.1.8 Maximum Parcel Coverage:

a) 40%

14.2 HEAVY INDUSTRIAL ZONE (I2)

14.2.1 Permitted Uses:

Principal Uses:

- a) commercial card-lock facility;
- b) concrete plant;
- c) power sub-stations, including generating plants;

- d) gravel processing;
- e) manufacturing;
- f) public maintenance and works yards;
- g) salvage operation;
- h) sewage treatment plant;
- i) stockyard and abattoirs;

Secondary Uses:

- j) accessory buildings and structures, subject to Section 7.13;
- k) accessory dwelling, subject to Section 7.11;
- I) offices.

14.2.2 Site Specific Heavy Industrial (I2s) Provisions:

a) see Section 16.22

14.2.3 Minimum Parcel Size:

a) 2,000 m², subject to servicing requirements.

14.2.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.2.5 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) accessory dwelling.

14.2.6 Minimum Setbacks:

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

14.2.6 Maximum Building Height:

a) No building or structure shall exceed a height of 15.0 metres.

14.2.7 Maximum Parcel Coverage:

a) 60%

14.3 COMMUNITY WASTE MANAGEMENT ZONE (I3)

14.3.1 Permitted Uses:

Principal Uses:

- a) refuse disposal site;
- b) composting operation;

Secondary Uses:

c) accessory buildings and structures, subject to Section 7.13.

14.3.2 Site Specific Community Waste Management (I3s) Provisions:

a) see Section 16.23

14.3.3 Minimum Parcel Size:

a) 10.0 ha.

14.3.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.3.5 Maximum Number of Dwellings Permitted Per Parcel:

a) not applicable.

14.3.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line 30.0 metres
 - ii) Rear parcel line 30.0 metres
 - iii) Interior side parcel line 30.0 metres
 - iv) Exterior side parcel line 30.0 metres

b) Accessory buildings and structures:

- i) Front parcel line 30.0 metres
- ii) Rear parcel line 30.0 metres

iii) Interior side parcel line

30.0 metres

- iv) Exterior side parcel line 30.0 metres
- c) despite Section 14.2.6(a) and (b), the distance between the external boundary of a composting operation and the natural boundary of a watercourse such as a river, stream, marsh, or estuary must not be less than 100.0 metres.

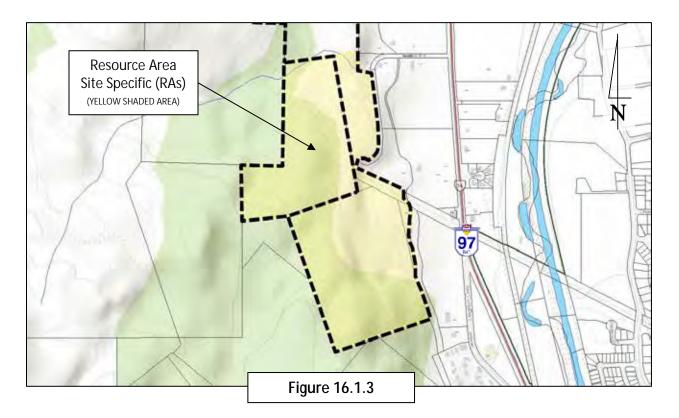
14.3.7 Maximum Building Height:

a) No building or structure shall exceed a height of 15.0 metres.

14.3.8 Maximum Parcel Coverage:

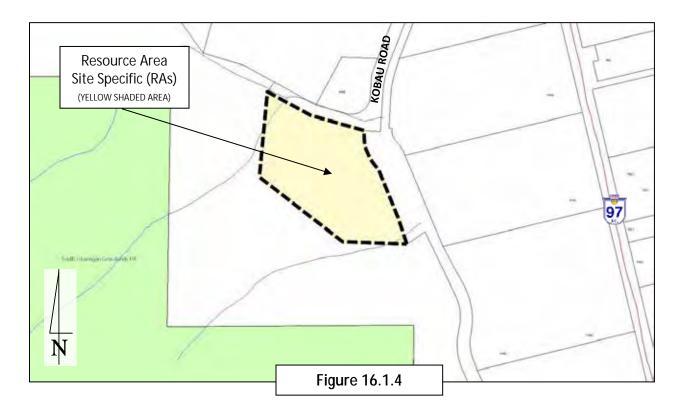
a) 25%

- xxvii) adding a new sub-section 16.1.3 (Site Specific Resource Area Provisions) under Section 16.0 (Site Specific Designations) to read as follows:
 - .3 in the case of land described as District Lot 3098S, SDYD; District Lot 3582S, SDYD; and part of District Lot 3581S, SDYD, and shown shaded yellow on Figure 16.1.3:
 - i) the following principal uses and no others shall be permitted on the land:
 - a) gravel processing.
 - ii) despite Section 10.1.6, gravel processing uses shall be setback a minimum of 50.0 metres from all parcel lines.



xxviii) adding a new sub-section 16.1.4 (Site Specific Resource Area Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

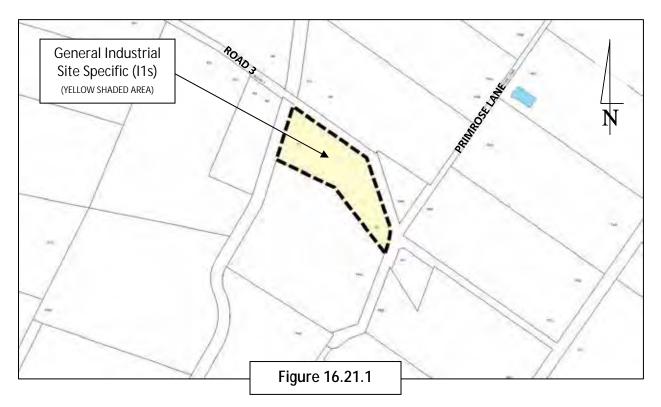
- .4 in the case of land described as Lot 987, Plan KAP19702, District Lot 2450S, SDYD, and shown shaded yellow on Figure 16.1.4:
 - i) the following principal uses and no others shall be permitted on the land:
 - a) gravel processing.
 - ii) despite Section 10.1.6, gravel processing uses shall be setback a minimum of 50.0 metres from all parcel lines.



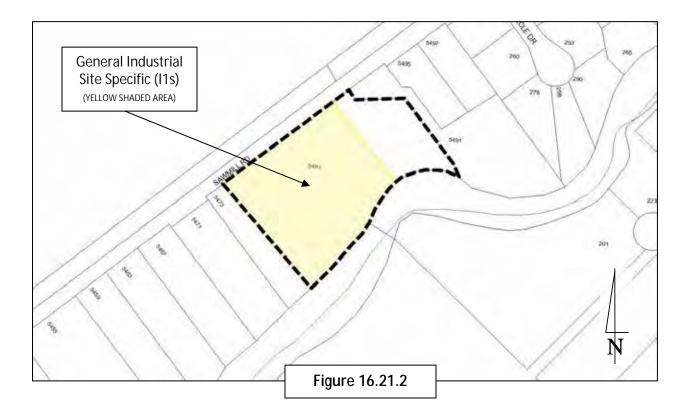
xxix) replacing Section 16.21 (Site Specific Industrial (Light) Two Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

16.21 Site Specific General Industrial (I1s) Provisions:

- .1 in the case of land described as Lot A, Plan KAP91732, District Lot 2450S, SDYD, and shown shaded yellow on Figure 16.21.1:
 - i) the following principal uses and no others shall be permitted on the land:
 - a) "agriculture"; and
 - b) "storage and processing of food products".
 - ii) the following accessory uses and no others shall be permitted on the land:
 - a) "recreational vehicle site", to a maximum of 12;
 - b) "one (1) accessory dwelling", subject to Section 7.11; and
 - c) "accessory buildings and structures", subject to Section 7.13.



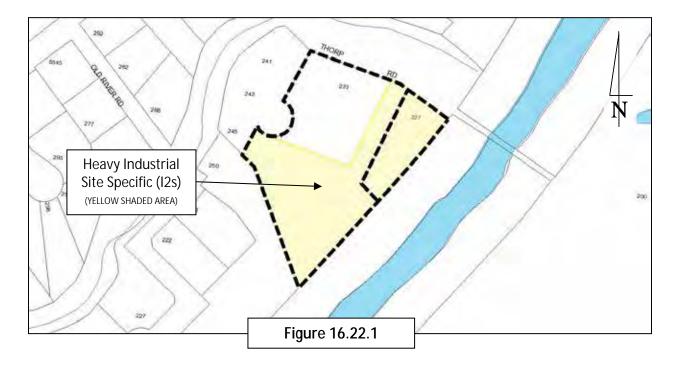
- .2 in the case of an approximately 1.4 ha part of the land described as Lot 323, Plan KAP1862, District Lot 2450S, SDYD (5481 Sawmill Road), and shown shaded yellow on Figure 16.21.2:
 - i) the following principal uses and no others shall be permitted on the land:
 - a) "salvage operation".
 - ii) the following accessory uses and no others shall be permitted on the land:
 - a) "accessory buildings and structures", subject to Section 7.13.



xxx) replacing Section 16.22 (Site Specific Industrial (Heavy) Two Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

16.22 Site Specific Heavy Industrial (I2s) Provisions:

- .1 in the case of an approximately 1.0 ha part of land described as Lots 1 & 2, Plan 17428, DL 2450s, Portion Lot 717, SDYD, and shown shaded yellow on Figure 16.22.1:
 - i) the following principal uses and no others shall be permitted on the land:
 - a) concrete plant, including portable concrete plants.
 - ii) despite Section 14.2.6, buildings and structures shall be setback 5.0 metres from all parcel lines.
 - iii) despite Section 14.2.7, no building or structure shall exceed a height of 10.0 metres.
 - iv) despite Section 14.2.8, maximum parcel coverage shall be 20%.



xxxi) replacing Section 16.23 (Site Specific Industrial (Specialised) Three Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

16.23 Site Specific Community Waste Management (I3s) Provisions:

.1 blank

- 7. The Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
 - i) changing the land use designation on an approximately 0.8 ha part of the land described as Lot 2, Plan KAP17428, District Lot 2450S, SDYD, Portion Lot 717, and shown shaded yellow on Schedule 'E-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Heavy Industrial Site Specific (I2s).
 - ii) changing the land use designation on an approximately 0.5 ha part of the land described as Lot 2, Plan KAP17428, District Lot 2450S, SDYD, Portion Lot 717, and shown shaded yellow on Schedule 'F-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to General Industrial (I1).
 - iii) changing the land use designation on an approximately 1,700 m² part of the land described as Lot A, Plan KAP57770, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'G-2', which forms part of this Bylaw, from Industrial (Light) One (I1) to Agriculture One (AG1).
 - iv) changing the land use designation on an approximately 7,250 m² part of the land described as Lot A, Plan KAP57770, District Lot 2450S, SDYD, and shown shaded blue on Schedule 'G-2', which forms part of this Bylaw, from Agriculture One (AG1) to Industrial (Light) One (I1).

- v) changing the land use designation on the land described as District Lot 3098S, SDYD; District Lot 3582S, SDYD; and part of District Lot 3581S, SDYD, and shown shaded yellow on Schedule 'H-2', which forms part of this Bylaw, from Industrial (Specialised) Three (I3) to Resource Area Site Specific (RAs).
- vi) changing the land use designation on the land described as Lot 987, Plan KAP19702, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'I-2', which forms part of this Bylaw, from Industrial (Specialised) Three (I3) to Resource Area Site Specific (RAs).
- vii) changing the land use designation on the land described as Lot 954, Plan KAP14590, District Lot 2450S, SDYD, Except Plan 31702, and Plan EPP57458, District Lot 2450S, SDYD, Except Plan KAP66905 & KAP81433, That Part of Lot 1; shown on Plan EPP57458, and shown shaded yellow on Schedule 'J-1', which forms part of this Bylaw, from Industrial (Heavy) Two (I2) to Community Waste Management (I3).
- viii) changing the land use designation on an approximately 2,700 m² part of the land described as Lot A, Plan KAP39949, District Lot 2710, SDYD, and shown shaded blue on Schedule 'K-2', which forms part of this Bylaw, from Industrial (Heavy) Two (I2) to Resource Area (RA).
- ix) changing the land use designation on an approximately 3,500 m² part of the land described as Lot A, Plan KAP39949, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'K-2', which forms part of this Bylaw, from Resource Area (RA) to Heavy Industrial (I2).
- x) changing the land use designation on the land described as Lot 1, Plan KAP52063, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'S-2', which forms part of this Bylaw, from Industrial (Light) One (I1) to Residential Single Family One (RS1).
- xi) changing the land use designation of all parcels zoned Industrial (Light) One (I1) to General Industrial (I1).
- xii) changing the land use designation of all parcels zoned Industrial (Heavy) Two (I2) to Heavy Industrial (I2).

Electoral Area "D-1"

- 8. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by:
 - i) changing the land use designation of the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD, and shown shaded yellow on Schedule 'L-1', which forms part of this Bylaw, from Agriculture (AG) to Low Density Residential (LR).
- 9. The "Electoral Area "D" Zoning Bylaw No. 2457, 2008" is amended by:
 - i) deleting the definitions of "industrial/utilities-oriented office" and "light industry" under Section 4.0 (Definitions).

ii) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

"agriculture" means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

iii) adding a new definition of "asphalt plant" under Section 4.0 (Definitions) to read as follows:

"asphalt plant" means the processing and manufacturing of road paving materials from raw material and petroleum products;

iv) adding a new definition of "cannabis" under Section 4.0 (Definitions) to read as follows:

"cannabis" means any plant of the genus *cannabis*; including:

- any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- v) adding a new definition of "cannabis production" under Section 4.0 (Definitions) to read as follows:

"cannabis production" means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

vi) adding a new definition of "cannabis products" under Section 4.0 (Definitions) to read as follows

"cannabis products" means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

vii) adding a new definition of "commercial card-lock facility" under Section 4.0 (Definitions) to read as follows:

"commercial card-lock facility" means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

viii) adding a new definition of "concrete plant" under Section 4.0 (Definitions) to read as follows:

"concrete plant" means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

ix) adding a new definition of "construction supply centre" under Section 4.0 (Definitions) to read as follows:

"construction supply centre" means the retail sale or wholesale of building material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and may include accessory rental of home construction, maintenance or repair equipment;

x) adding a new definition of "fleet service" under Section 4.0 (Definitions) to read as follows:

"fleet service" means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

xi) adding a new definition of "food and beverage processing" under Section 4.0 (Definitions) to read as follows:

"food and beverage processing" means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a brewery, cidery, distillery or meadery and winery;

xii) adding a new definition of "freight terminal" under Section 4.0 (Definitions) to read as follows:

"freight terminal" means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

xiii) replacing the definition of "gravel processing" under Section 4.0 (Definitions) with the following:

"gravel processing" means screening, sorting, crushing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

xiv) adding a new definition of "manufacturing" under Section 4.0 (Definitions) to read as follows:

"manufacturing" means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

xv) replacing the definition of "natural resource extraction" under Section 4.0 (Definitions) in its entirety with the following:

"natural resource extraction" means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

xvi) adding a new definition of "outdoor storage" under Section 4.0 (Definitions) to read as follows:

"outdoor storage" means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

xvii) adding a new definition of "refuse disposal site" under Section 4.0 (Definitions) to read as follows:

"refuse disposal site" means an area of land for the disposal of municipal solid waste, as permitted under the *Waste Management Act* (British Columbia);

xviii) adding a new definition of "salvage operation" under Section 4.0 (Definitions) to read as follows:

"salvage operation" means a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including more than two derelict vehicles, are stored or kept, for private or commercial purposes;

xix) adding a new definition of "self storage" under Section 4.0 (Definitions) to read as follows:

"self-storage" means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

xx) replacing the definition of "service industry" under Section 4.0 (Definitions) with the following:

"service industry establishment" means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

xxi) adding a new definition of "storage and warehouse" under Section 4.0 (Definitions) to read as follows:

"storage and warehouse" means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

xxii) adding the definition of "vehicle sales and rentals" under Section 4.0 (Definitions) to read as follows:

"vehicle sales and rentals" means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a "vehicle" includes automobiles, recreational vehicles (RV's), boats, all-terrain vehicles (ATV's), and motorcycles;

xxiii) adding a new definition of "wholesale business" under Section 4.0 (Definitions) to read as follows:

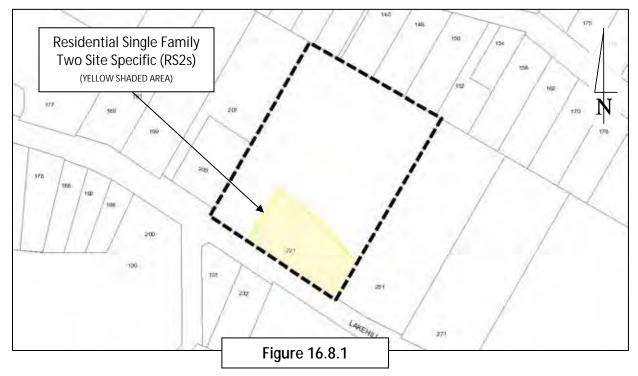
"wholesale business" means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to retail users, industrial users, commercial users, institutional users or wholesale users;

- xxiv) replacing the reference to Industrial (Light) One Zone (I1) with General Industrial Zone (I1) under Section 6.0 (Creation of Zones).
- xxv) replacing Section 14.1 (Industrial (Light) One Zone) under Section 14.0 (Industrial) in its entirety with the following:

14.1 *deleted*.

xxvi) replacing Section 16.8.1 (Site Specific Residential Single Family Two (RS2s) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

- .1 in the case of land described as Lot 96, Plan KAP719, District Lot 104S, SDYD (221 Lakehill Road), and shown shaded yellow on Figure 16.8.1:
 - i) the following accessory uses accessory use(s) shall be permitted on the land in addition to the permitted uses listed in Section 11.2.1:
 - a) home industry, subject to Section 7.18.
 - ii) despite Section 7.18.1, a home industry shall be permitted on a parcel less than 2.0 ha in size.



10. The "Electoral Area "D-1" Zoning Bylaw No. 2457, 2008" is amended by:

- i) changing the land use designation on an approximately 2,100 m² part of the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD, and shown shaded yellow on Schedule 'L-2', which forms part of this Bylaw, from Industrial (Light) One (I1) to Residential Single Family Two Site Specific (RS2s).
- changing the land use designation on an approximately 1,650 m² part of the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD, and shown shaded purple on Schedule 'L-2', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Residential Single Family Two Site Specific (RS2s).
- iii) changing the land use designation on an approximately 2,000 m² part of the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD, and shown shaded blue on Schedule 'L-2', which forms part of this Bylaw, from Industrial (Light) One (I1) to Residential Single Family Two (RS2).

Electoral Area "D-2"

- 11. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:
 - i) deleting the definition of "industrial/utilities-oriented office" under Section 4.0 (Definitions).
 - ii) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

"agriculture" means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

iii) adding a new definition of "cannabis" under Section 4.0 (Definitions) to read as follows:

"cannabis" means any plant of the genus cannabis; including:

- any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- iv) adding a new definition of "cannabis production" under Section 4.0 (Definitions) to read as follows:

"cannabis production" means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

v) adding a new definition of "cannabis products" under Section 4.0 (Definitions) to read as follows

"cannabis products" means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

vi) adding a new definition of "commercial card-lock facility" under Section 4.0 (Definitions) to read as follows:

"commercial card-lock facility" means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

vii) replacing the definition of "concrete plant" under Section 4.0 (Definitions) with the following:

"concrete plant" means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

viii) adding a new definition of "construction supply centre" under Section 4.0 (Definitions) to read as follows:

"construction supply centre" means the retail sale or wholesale of building material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and may include accessory rental of home construction, maintenance or repair equipment;

ix) adding a new definition of "fleet service" under Section 4.0 (Definitions) to read as follows:

"fleet service" means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

 adding a new definition of "food and beverage processing" under Section 4.0 (Definitions) to read as follows:

"food and beverage processing" means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a brewery, cidery, distillery or meadery and winery;

xi) adding a new definition of "freight terminal" under Section 4.0 (Definitions) to read as follows:

"freight terminal" means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

xii) adding a new definition of "manufacturing" under Section 4.0 (Definitions) to read as follows:

"manufacturing" means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

xiii) adding a new definition of "natural resource extraction" under Section 4.0 (Definitions) to read as follows:

"natural resource extraction" means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

xiv) adding a new definition of "outdoor storage" under Section 4.0 (Definitions) to read as follows:

"outdoor storage" means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

xv) adding a new definition of "salvage operation" under Section 4.0 (Definitions) to read as follows:

"salvage operation" means a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including more than two derelict vehicles, are stored or kept, for private or commercial purposes;

xvi) adding a new definition of "self storage" under Section 4.0 (Definitions) to read as follows:

"self-storage" means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

xvii) replacing the definition of "service industry" under Section 4.0 (Definitions) with the following:

"service industry establishment" means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair; xviii) adding a new definition of "storage and warehouse" under Section 4.0 (Definitions) to read as follows:

"storage and warehouse" means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

xix) adding the definition of "vehicle sales and rentals" under Section 4.0 (Definitions) to read as follows:

"vehicle sales and rentals" means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a "vehicle" includes automobiles, recreational vehicles (RV's), boats, all-terrain vehicles (ATV's), and motorcycles;

xx) adding a new definition of "wholesale business" under Section 4.0 (Definitions) to read as follows:

"wholesale business" means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to retail users, industrial users, commercial users, institutional users or wholesale users;

- xxi) replacing Section 13.9.1(e) under Section 13.9 (Service Commercial One Zone) in its entirety with the following:
 - e) vehicle sales and rentals;
- xxii) adding a new sub-section 13.1.1(f) under Section 13.9 (Service Commercial One Zone) to read as follows and renumbering all subsequent sub-sections:
 - f) service industry establishment;
- xxiii) replacing Section 17.15.1(i)(a) under Section 17.0 (Site Specific Designations) with the following:
 - a) vehicle sales and rentals;
- xxiv) adding a new sub-section 17.15.1(i)(b) under Section 17.0 (Site Specific Designations) to read as follows:
 - b) service industry establishment;

xxv) replacing Section 14.0 (Industrial) in its entirety with the following:

14.0 INDUSTRIAL

14.1 GENERAL INDUSTRIAL ZONE (I1)

14.1.1 Permitted Uses:

Principal Uses:

- a) construction supply centre;
- b) fleet service;
- c) food and beverage processing;
- d) manufacturing;
- e) outdoor storage;
- f) packing, processing and storage of farm products;
- g) salvage operation;
- h) self-storage;
- i) service industry establishment;
- j) storage warehouse;
- k) vehicle sales and rentals;
- I) veterinary establishment;
- m) wholesale business;

Secondary Uses:

- n) accessory buildings and structures, subject to Section 7.13;
- o) accessory dwelling, subject to Section 7.11;
- p) offices; and
- q) retail sales.

14.1.2 Site Specific General Industrial (I1s) Provisions:

a) see Section 17.22

14.1.3 Minimum Parcel Size:

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

14.1.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.1.5 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) accessory dwelling.

14.1.6 Minimum Setbacks:

a) Buildings and structures:

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

14.1.6 Maximum Building Height:

- a) No building or structure shall exceed a height of 15.0 metres;
- b) No accessory building or structure shall exceed a height of 7.0 metres.

14.1.7 Maximum Parcel Coverage:

a) 40%

14.2 HEAVY INDUSTRIAL ZONE (I2)

14.2.1 Permitted Uses:

Principal Uses:

- a) commercial card-lock facility;
- b) concrete plant;
- c) power sub-stations, including generating plants;
- d) gravel processing;
- e) manufacturing;
- f) public maintenance and works yards;
- g) salvage operation;
- h) sewage treatment plant;
- i) stockyard and abattoirs;

Secondary Uses:

- j) accessory buildings and structures, subject to Section 7.13;
- k) accessory dwelling, subject to Section 7.11;
- I) offices.

14.2.2 Site Specific Heavy Industrial (I2s) Provisions:

a) see Section 17.23

14.2.3 Minimum Parcel Size:

a) 2,000 m², subject to servicing requirements.

14.2.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.2.5 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) accessory dwelling.

14.2.6 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line
 - iii) Interior side parcel line 4.5 metres

7.5 metres

iv) Exterior side parcel line 4.5 metres

b) Accessory buildings and structures:

- i) Front parcel line 7.5 metres
- ii) Rear parcel line 4.5 metres
- iii) Interior side parcel line 4.5 metres
- iv) Exterior side parcel line 4.5 metres

14.2.6 Maximum Building Height:

a) No building or structure shall exceed a height of 15.0 metres.

14.2.7 Maximum Parcel Coverage:

a) 60%

14.3 COMMUNITY WASTE MANAGEMENT ZONE (I3)

14.3.1 Permitted Uses:

Principal Uses:

- a) refuse disposal site;
- b) composting operation;

Secondary Uses:

c) accessory buildings and structures, subject to Section 7.13.

14.3.2 Site Specific Community Waste Management (I3s) Provisions:

a) see Section 17.24

14.3.3 Minimum Parcel Size:

a) 10.0 ha

14.3.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.3.5 Maximum Number of Dwellings Permitted Per Parcel:

a) not applicable

14.3.6 Minimum Setbacks:

- a) Buildings and structures:
 - i)Front parcel line30.0 metresii)Rear parcel line30.0 metres
 - iii) Interior side parcel line 30.0 metres
 - iv) Exterior side parcel line 30.0 metres

b) Accessory buildings and structures:

i)	Front parcel line	30.0 metres
ii)	Rear parcel line	30.0 metres
iii)	Interior side parcel line	30.0 metres
iv)	Exterior side parcel line	30.0 metres

c) despite Section 14.3.6(a) and (b), the distance between the external boundary of a composting operation and the natural boundary of a watercourse such as a river, stream, marsh, or estuary must not be less than 100.0 metres.

14.3.7 Maximum Building Height:

a) No building or structure shall exceed a height of 15.0 metres.

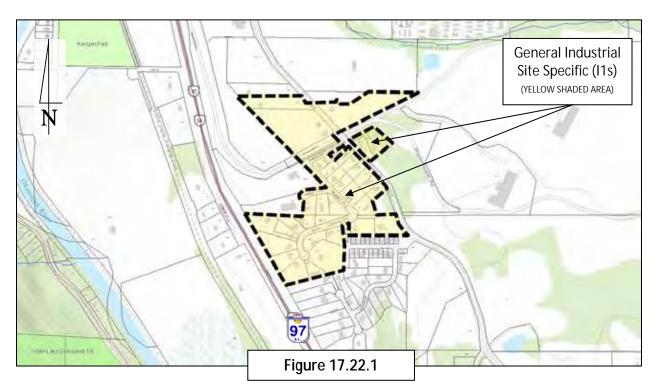
14.3.8 Maximum Parcel Coverage:

a) 25%

xxvi) replacing Section 17.22 (Site Specific Industrial (Light) One Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.22 Site Specific General Industrial (I1s) Provisions:

- .1 in the case of land shown shaded on Figure 17.22.1:
 - i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 14.1.1:
 - a) "single detached dwelling";
 - b) "home occupation", subject to Section 7.17; and
 - c) "bed and breakfast operation", subject to Section 7.19.
 - ii) despite Section 14.1.5, the maximum number of dwellings shall be one (1) accessory dwelling or one (1) single detached dwelling.



xxvii) replacing Section 17.23 (Site Specific Industrial (Heavy) Two Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

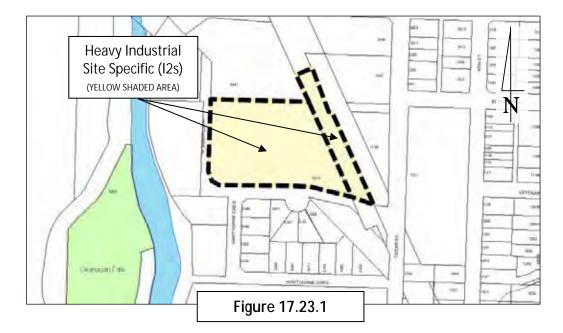
17.23 Site Specific Heavy Industrial (I2s) Provisions:

- .1 in the case of land shown shaded on Figure 17.23.1:
 - i) the following principal uses and no others shall be permitted on the land:
 - a) "stockyard".

- ii) despite Section 14.2.3, the minimum parcel size shall be 2.0 ha.
- iii) despite Section 14.2.6, the minimum setbacks for all buildings and structures shall be:

i)	Front parcel line	7.5 metres
ii)	Rear parcel line	30.0 metres
iii)	Interior side parcel line	20.0 metres

iv) Exterior side parcel line 20.0 metres



xxviii)replacing Section 17.24 (Site Specific Industrial (Specialised) Three Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.24 Site Specific Community Waste Management (I3s) Provisions:

.1 blank

xxix) replacing Section 17.25 (Site Specific Industrial (Mixed) Four Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.25 deleted.

xxx) replacing Section 17.26 (Site Specific Community Waste Management Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.26 deleted.

- 12. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:
 - i) changing the land use designation on the lands described as:

- Lot 12, Plan KAP32322, District Lot 551, SDYD;
- Lot B, Plan KAP22388, District Lot 551 & 10, SDYD;
- Lot C, Plan KAP34246, District 10, SDYD;
- Lot A, Plan KAP33765, District 551, SDYD; and
- Lot 1, Plan KAP30053, District 551, SDYD, Except Plan 323322.

and shown shaded yellow on Schedule 'M-1', which forms part of this Bylaw, from Industrial (Mixed) Four (I4) to General Industrial (I1).

- ii) changing the land use designation on the land described as:
 - Lots 1-10, Plan KAP32322, District Lot 551, SDYD;
 - Lot 1, Plan KAP30053, District Lot 551, SDYD, Except Plan 32322;
 - Lots 2-7, Plan KAP30053, District Lot 551, SDYD;
 - Lot A, Plan KAP33765, District Lot 551, SDYD;
 - · Lots A & B, Plan KAP41143, District Lot 2710, SDYD, Subsidy Lot 37;
 - . Lots 1-3, 5-7 & 9-10, Plan KAP43303, District Lot 10, SDYD;
 - Lot 4, Plan KAP43303, District Lot 10, SDYD, Except Plan KAP64286;
 - · Lot A, Plan KAP64286, District Lot 10, SDYD;
 - · Lot 8, Plan KAP43303, District Lot 10, SDYD, Except Plan KAP53351,
 - Lot A, Plan KAP53351, District Lot 10, SDYD;
 - · Lot A, Plan KAP22388, District Lot 551, SDYD;
 - · Lot 2, Plan KAP17702, District Lot 551, SDYD;
 - an approximately 1.78 ha area of Lot 3, Plan KAP14822, District Lot 551, SDYD;

and shown shaded yellow on Schedule 'N-1', which forms part of this Bylaw, from Industrial (Mixed) Four (I4) to General Industrial Site Specific (I1s).

- iii) changing the land use designation on the land described as Lot A, Plan EPP42355, District Lot 10, SDYD, and shown shaded yellow on Schedule 'O-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Heavy Industrial (I2).
- iv) changing the land use designation on the land described as Parcel A, Plan KAP27045, District Lot 3147S 2883S, SDYD, LEASE C13056; and Parcel A, Plan KAP12862B, Portion Plan A434, District Lot 2883S, SDYD, Formerly Osoyoos IR No 11 (Dog Lake) and shown shaded yellow on Schedule 'P-1', which forms part of this Bylaw, from Industrial (Specialised) Three (I3) to Heavy Industrial Site Specific (I2s).
- v) changing the land use designation on the land described as Lots 1-3, Plan KAP49852, District Lot 551, SDYD, and shown shaded yellow on Schedule 'Q-1', which forms part of this Bylaw, from Industrial (Heavy) Two (I2) to General Industrial Site Specific (I1s).
- vi) changing the land use designation of all parcels zoned Industrial (Light) One (I1) to General Industrial (I1).
- vii) changing the land use designation of all parcels zoned Industrial (Heavy) Two (I2) to Heavy Industrial (I2).

Electoral Area "E"

- 13. The "Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008" is amended by:
 - i) replacing Section 13.0 (Aggregate and Mineral Resources) in its entirety with the following:

13.0 INDUSTRIAL

13.1 Background

There are currently no designated Industrial areas in the Plan Area, however, the principal industrial activity in the Plan Area is logging, which generally occurs on Crown lands that are subject to the Resource Area designation. Small-scale resource extraction also occurs within the Plan Area.

Limited and small-scale industrial home-occupations (e.g., small scale sawmilling) can occur in Resource Areas and Rural Holdings. Larger industrial activities, including light manufacturing and fabricating are encouraged to locate in designated, serviced industrial areas in the City of Penticton which are better suited to accommodate them.

Accordingly, the Regional District is not designating any areas for proposed industrial uses. The Regional District may consider designating land for proposed industrial uses on a case-by-case basis if or when demand warrants.

13.2 Objectives

- .1 Support the City of Penticton as the industrial centre for the larger area (i.e., outside of the Plan Area).
- .2 Support small-scale home industry activities in Resource Areas and Rural Holdings where appropriate.

13.3 Policies

The Regional Board:

- .1 Encourages larger-scale industrial and light manufacturing activities to locate in the City of Penticton and other serviced and designated industrial areas in the Regional District.
- .2 May consider designating land Industrial, where appropriate, on a case-by-case basis.
- .3 May consider accommodating time limited industrial uses through Temporary Use Permits if compatible with adjacent uses.

ii) adding a new Section 20.0 (Aggregate and Mineral Resources) to read as follows and renumbering all subsequent sections:

20.0 AGGREGATE AND MINERAL RESOURCES

20.1 Background

The Regional District has limited influence on the location of mineral and aggregate resource extraction. The objectives and policies of this section remain broad in nature to offer guidance to senior governments in their decision-making process. Figure XX illustrates *potential* aggregate areas in the Plan Area (i.e., where aggregate resources are located, not that they should be extracted wherever they are located).

20.2 Objectives

- .1 Protect sand and gravel aggregate supplies for anticipated future needs.
- .2 Protect non-agricultural lands having recoverable aggregate or mineral resources from development or adjacent uses that would limit or prohibit extraction.
- .3 Minimize conflicts between sand and gravel processing operations and adjacent land uses.
- .4 Support the Province to require rehabilitation and remediation of resource extraction sites.
- .5 Direct sand and gravel extraction proposals toward sites that have no adverse environmental impact or where the impact can be adequately mitigated.

20.3 Policies

The Regional Board:

- .1 Encourages the Province to continue referrals of mineral exploration proposals to the Regional District for comment and due consideration of the impact of resource extraction activities on surrounding land uses and development.
- .2 Supports the use of designated Resource Areas for sand and gravel extraction, where the uses will not cause a significant visual or environmental disturbance.
- .3 Will consider rezoning applications for the processing of aggregate resources based on any or all of the following criteria:
 - a) extent of visual screening, and other mitigation works proposed;
 - b) type of processing proposed;

- c) prevailing wind direction, and the potential for noise and dust;
- d) compatibility with adjacent land uses;
- e) environmental sensitivity of the site, and lands adjacent to potential aggregate resource processing site;
- f) accessibility; and
- g) characteristics of aggregate deposits and groundwater resources.
- .4 Encourages the Province not to issue new surface leases and permits for mineral processing within 1,000 metres of designated residential areas unless effective mitigation measures can be implemented to significantly reduce or nullify the effects of the proposed activity.
- .5 Encourages the Province not to issue leases or permits for aggregate or mineral extraction or processing.
- .6 Encourages the Province to include in their licensing, the rehabilitation of aggregate extraction and processing sites after extraction and processing are completed.
- .7 May consider implementing conditions set by the ALC to mitigate the impact of aggregate extraction and processing sites on lands outside the ALR.
- .8 Supports additional product end-use consideration for areas slated for gravel and sand extraction. Specifically: gravel or rock crushing sites characteristic of radon rich materials should be avoided for concrete mix, otherwise the concrete used in the foundation could import an indoor radon gas problem into the house for centuries. Likewise, material taken from sites high in crystalline silica or containing significant clay/silt fines used as winter road grit may cause an outdoor air dust problem, and associated air quality advisory, that could otherwise be avoided if equally or better quality road grit was used with a lesser capacity for airborne fines.
- .9 Does not support the exploration and mining of uranium within the Plan Area.
- 14. The "Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:
 - i) deleting the definition of "vehicle service establishment" under Section 4.0 (Definitions).
 - ii) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

"agriculture" means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but

excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

iii) adding a new definition of "asphalt plant" under Section 4.0 (Definitions) to read as follows:

"asphalt plant" means the processing and manufacturing of road paving materials from raw material and petroleum products;

iv) adding a new definition of "cannabis" under Section 4.0 (Definitions) to read as follows:

"cannabis" means any plant of the genus cannabis; including:

- any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- v) adding a new definition of "cannabis production" under Section 4.0 (Definitions) to read as follows:

"cannabis production" means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

vi) adding a new definition of "cannabis products" under Section 4.0 (Definitions) to read as follows

"cannabis products" means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

vii) adding a new definition of "commercial card-lock facility" under Section 4.0 (Definitions) to read as follows:

"commercial card-lock facility" means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

viii) adding a new definition of "concrete plant" under Section 4.0 (Definitions) to read as follows:

"concrete plant" means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

ix) adding a new definition of "fleet service" under Section 4.0 (Definitions) to read as follows:

"fleet service" means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

x) adding a new definition of "freight terminal" under Section 4.0 (Definitions) to read as follows:

"freight terminal" means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

xi) replacing the definition of "gravel processing" under Section 4.0 (Definitions) with the following:

"gravel processing" means screening, sorting, crushing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

xii) adding the definition of "manufacturing" under Section 4.0 (Definitions) to read as follows:

"manufacturing" means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

xiii) replacing the definition of "natural resource extraction" under Section 4.0 (Definitions) with the following:

"natural resource extraction" means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

xiv) replacing the definition of "service industry" under Section 4.0 (Definitions) with the following:

"service industry establishment" means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of

electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

xv) adding the definition of "vehicle sales and rentals" under Section 4.0 (Definitions) to read as follows:

"vehicle sales and rentals" means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a "vehicle" includes automobiles, recreational vehicles (RV's), boats, all-terrain vehicles (ATV's), and motorcycles;

- xvi) replacing sub-section 10.1.1(g) under Section 10.1 (Resource Area Zone) in its entirety with the following:
 - g) natural resource extraction;
- xvii) replacing sub-section 10.3.1(d) under Section 10.3 (Large Holdings One Zone) in its entirety with the following:
 - d) natural resource extraction;
- xviii) replacing Section 13.1.1(h) under Section 13.1 (General Commercial Zone) in its entirety with the following:
 - h) service industry establishment;

Electoral Area "F"

- 15. The "Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008" is amended by:
 - i) replacing Section 10.0 (Industrial) in its entirety with the following:

10.0 INDUSTRIAL

10.1 Background

There are currently no designated Industrial areas in the Plan Area, however, the principal industrial activity in the Plan Area is logging, which generally occurs on Crown lands that are subject to the Resource Area designation. Small-scale resource extraction also occurs within the Plan Area.

Limited and small-scale industrial home-occupations (e.g., small scale sawmilling) can occur in Resource Areas and Rural Holdings. Larger industrial activities, including light manufacturing and fabricating are encouraged to locate in designated, serviced industrial areas in the City of Penticton and District of Summerland, which are better suited to accommodate them. Accordingly, the Regional District is not designating any areas for proposed industrial uses. The Regional District may consider designating land for proposed industrial uses on a case-by-case basis if or when demand warrants.

10.2 Objectives

- .1 Support the City of Penticton and District of Summerland as the industrial centres for the larger area (i.e., outside of the Plan Area).
- .2 Support small-scale home industry activities in Resource Areas and Rural Holdings where appropriate.

10.3 Policies

The Regional Board:

- .1 Encourages larger-scale industrial and light manufacturing activities to locate in the City of Penticton or District of Summerland and other serviced and designated industrial areas in the Regional District.
- .2 May consider designating land Industrial, where appropriate, on a case-by-case basis.
- .3 May consider accommodating time limited industrial uses through Temporary Use Permits if compatible with adjacent uses.
- 16. The Official Community Plan Map, being Schedule 'B' of the Regional District Okanagan-Similkameen, Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008, is amended by:
 - i) changing the land use designation on the land described as Plan KAP7082B, District Lot 2537, ODYD, Parcel A, Portion DD 154994F, Except Plan H621 KAP77074 KAP77636; and Lot A, Plan KAP77636, District Lot 2537, ODYD, and shown shaded yellow on Schedule 'R-1', which forms part of this Bylaw, from Industrial (I) to Resource Area (RA).
- 17. The "Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:
 - i) deleting the reference to the Industrial Zone (I1) under Section 6.1 (Creation of Zones).
 - ii) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

"agriculture" means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes

producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

iii) adding a new definition of "asphalt plant" under Section 4.0 (Definitions) to read as follows:

"asphalt plant" means the processing and manufacturing of road paving materials from raw material and petroleum products;

iv) adding a new definition of "cannabis" under Section 4.0 (Definitions) to read as follows:

"cannabis" means any plant of the genus cannabis; including:

- any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- v) adding a new definition of "cannabis production" under Section 4.0 (Definitions) to read as follows:

"cannabis production" means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

vi) adding a new definition of "cannabis products" under Section 4.0 (Definitions) to read as follows

"cannabis products" means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

vii) adding a new definition of "commercial card-lock facility" under Section 4.0 (Definitions) to read as follows:

"commercial card-lock facility" means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

viii) adding a new definition of "concrete plant" under Section 4.0 (Definitions) to read as follows:

"concrete plant" means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

ix) adding a new definition of "fleet service" under Section 4.0 (Definitions) to read as follows:

"fleet service" means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

x) adding a new definition of "freight terminal" under Section 4.0 (Definitions) to read as follows:

"freight terminal" means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

xi) replacing the definition of "gravel processing" under Section 4.0 (Definitions) with the following:

"gravel processing" means screening, sorting, crushing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

xii) adding the definition of "manufacturing" under Section 4.0 (Definitions) to read as follows:

"manufacturing" means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

xiii) replacing the definition of "natural resource extraction" under Section 4.0 (Definitions) with the following:

"natural resource extraction" means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

xiv) replacing the definition of "service industry" under Section 4.0 (Definitions) with the following:

"service industry establishment" means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of

electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

xv) adding the definition of "vehicle sales and rentals" under Section 4.0 (Definitions) to read as follows:

"vehicle sales and rentals" means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a "vehicle" includes automobiles, recreational vehicles (RV's), boats, all-terrain vehicles (ATV's), and motorcycles;

- xvi) replacing Section 7.8.1(a) under Section 7.8 (Fence Heights) in its entirety with the following:
 - a) in the Rural zones all fences may be up to 1.8 metres in height;
- xvii) replacing Section 14.1 (Industrial (Light) One Zone) under Section 14.0 (Industrial) in its entirety with the following:

14.1 *deleted*.

xviii) replacing Section 16.19 (Site Specific Industrial (Light) One (I1s) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

16.19 deleted.

- 18. The Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
 - i) changing the land use designation on the land described as Plan KAP7082B, District Lot 2537, ODYD, Parcel A, Portion DD 154994F, Except Plan H621 KAP77074 KAP77636; and Lot A, Plan KAP77636, District Lot 2537, ODYD, and shown shaded yellow on Schedule 'R-2', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Resource Area (RA).

READ A FIRST AND SECOND TIME this 15th day of March, 2018.

PUBLIC HEARING HELD this 5th day of April, 2018.

READ A THIRD TIME this 5th day of April, 2018.

Approved pursuant to Section 52(3) of the *Transportation Act* this 10th day of April, 2018.

ADOPTED this _____ day of _____, 2018.

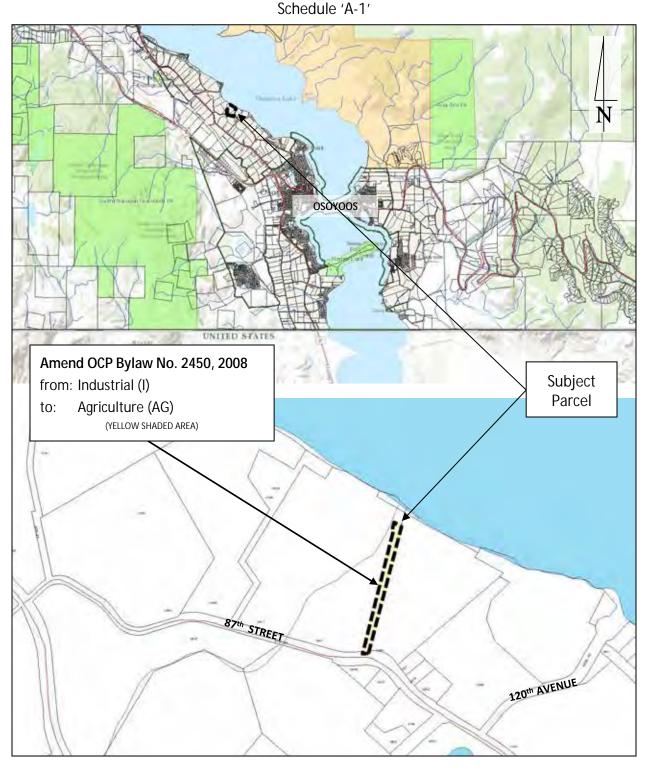
Board Chair

Chief Administrative Officer

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



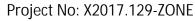
Amendment Bylaw No. 2783, 2017

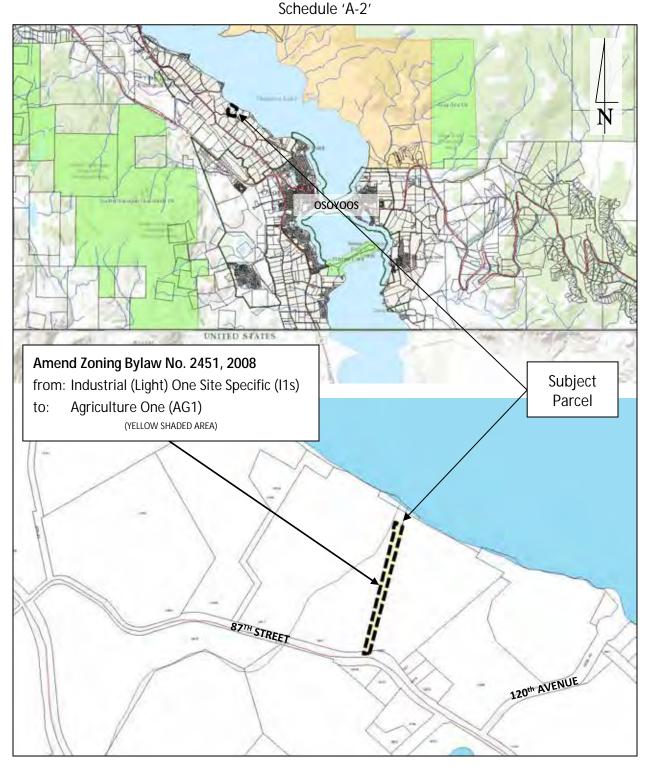


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Amendment Bylaw No. 2783, 2017

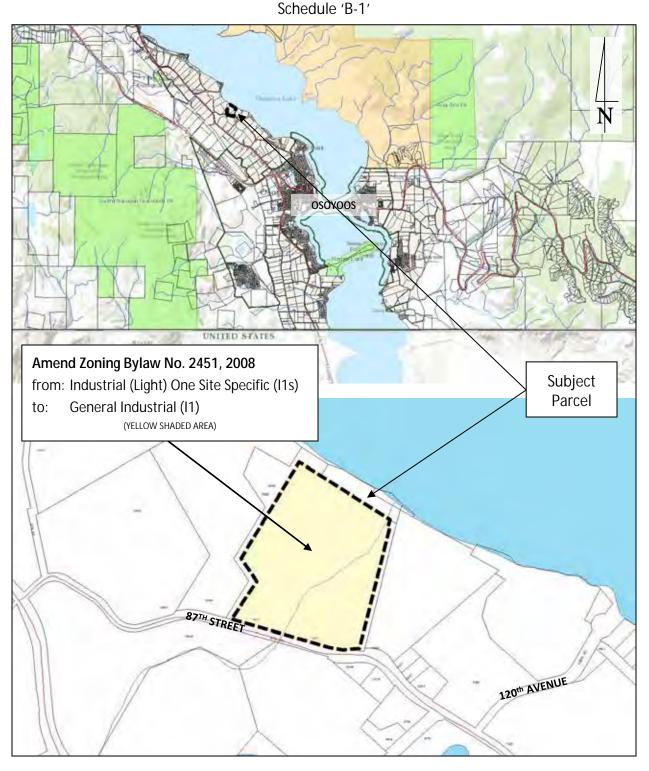




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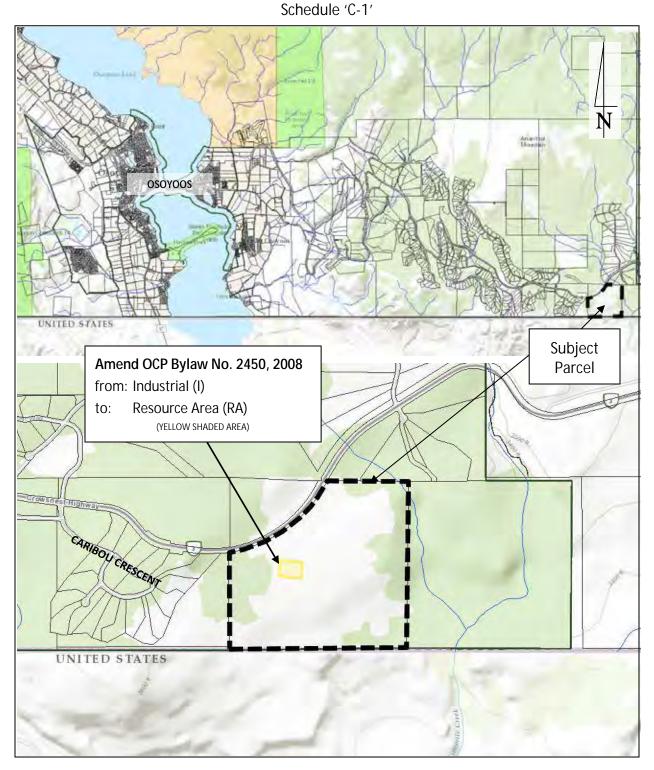
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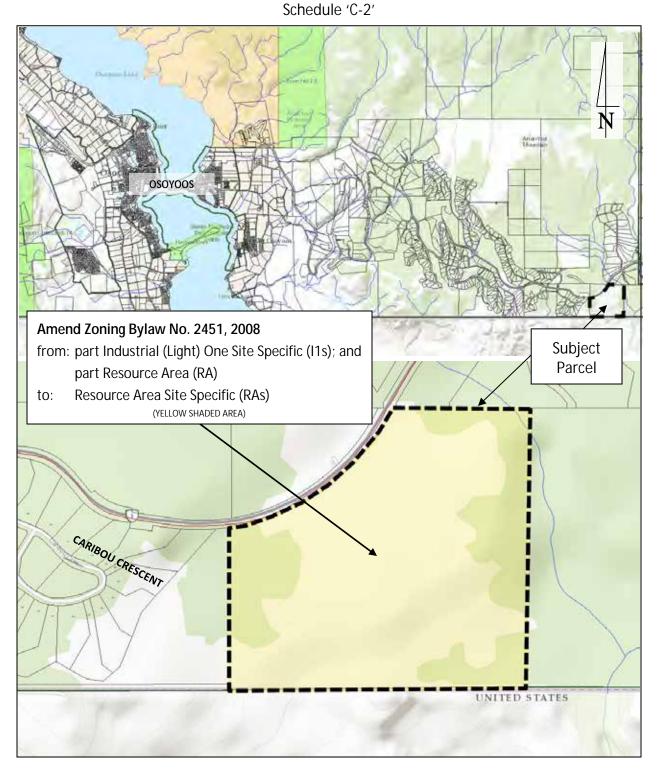
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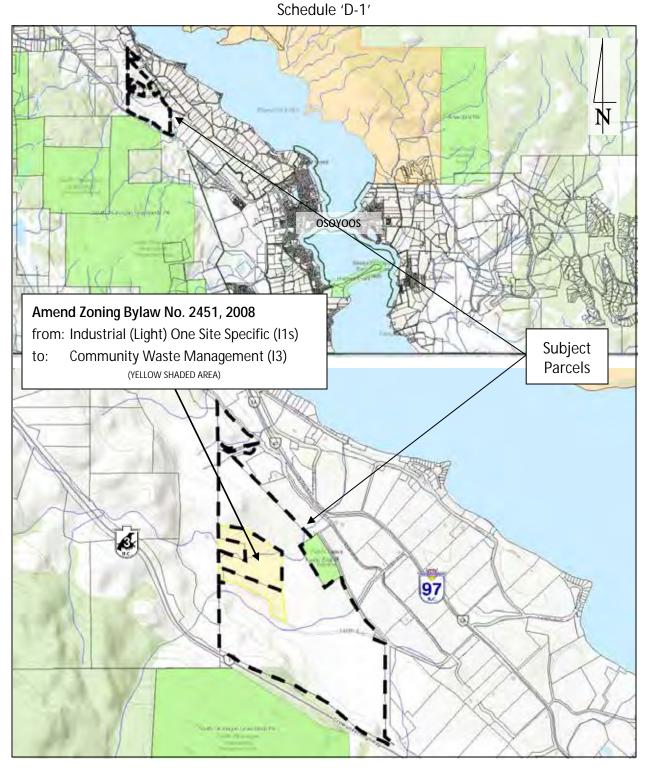
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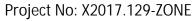
Amendment Bylaw No. 2783, 2017

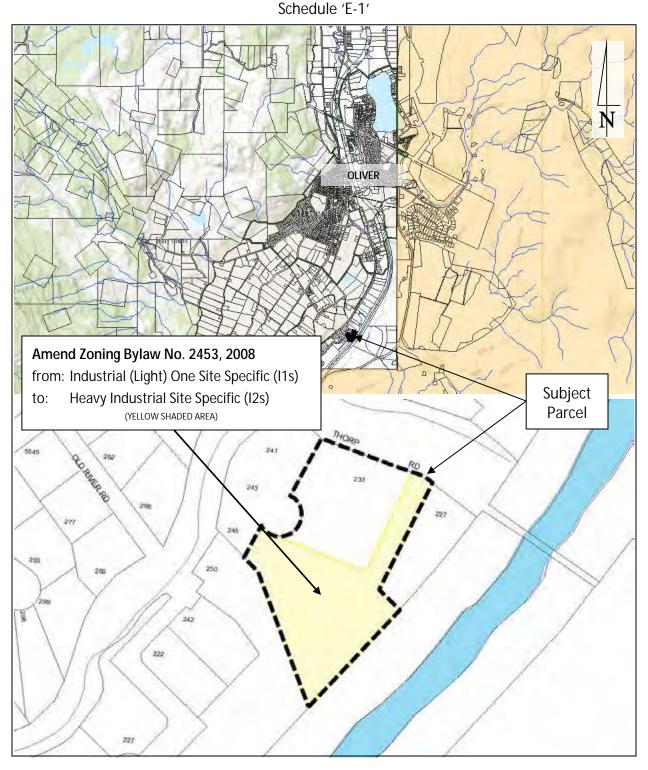


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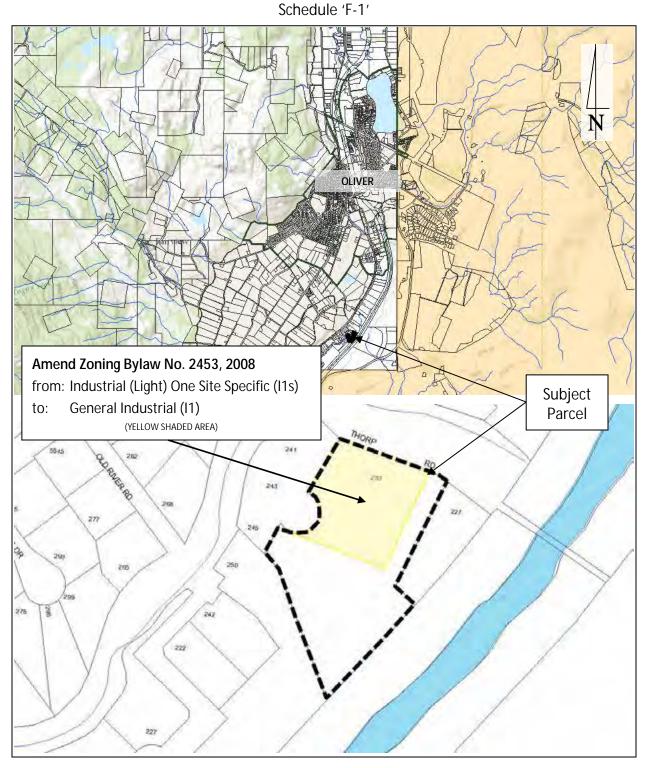




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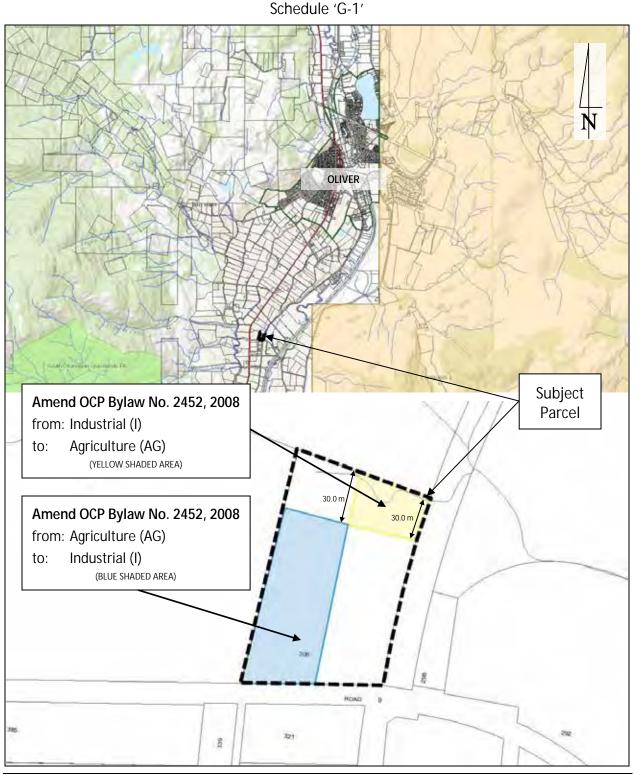


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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE



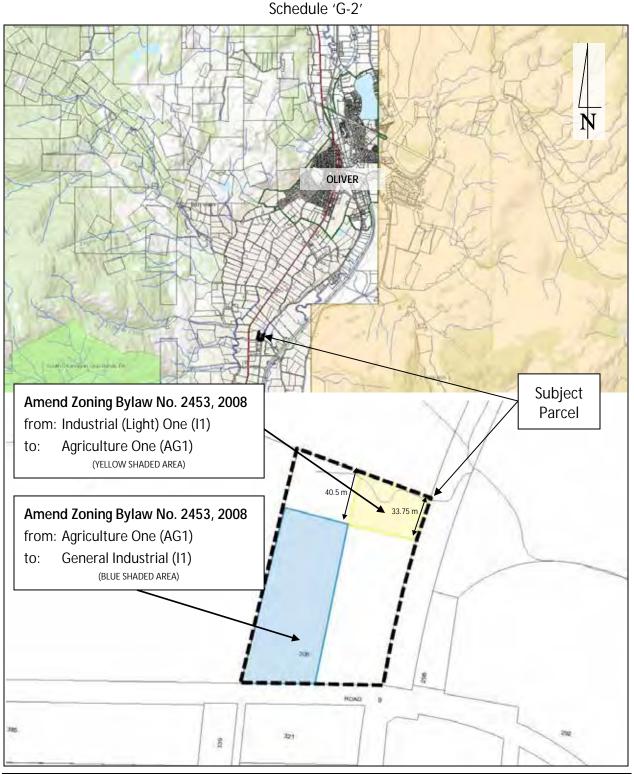
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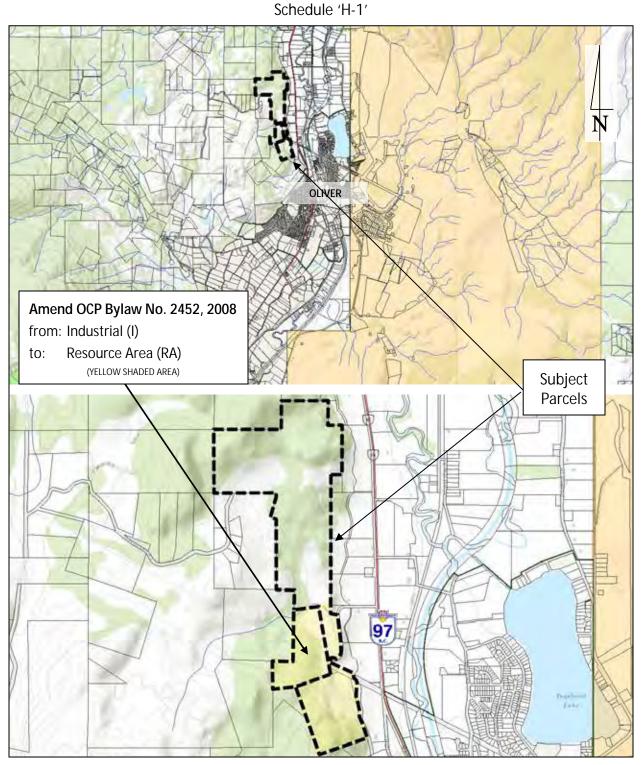


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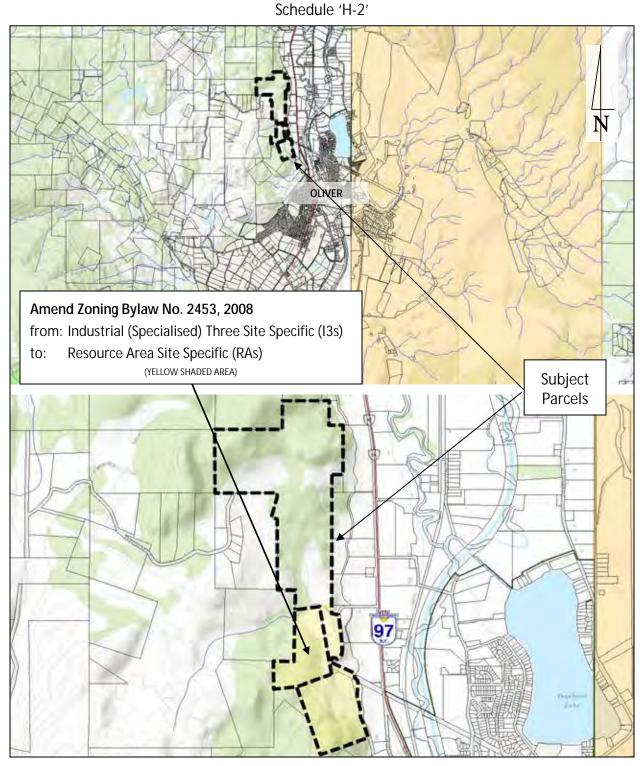
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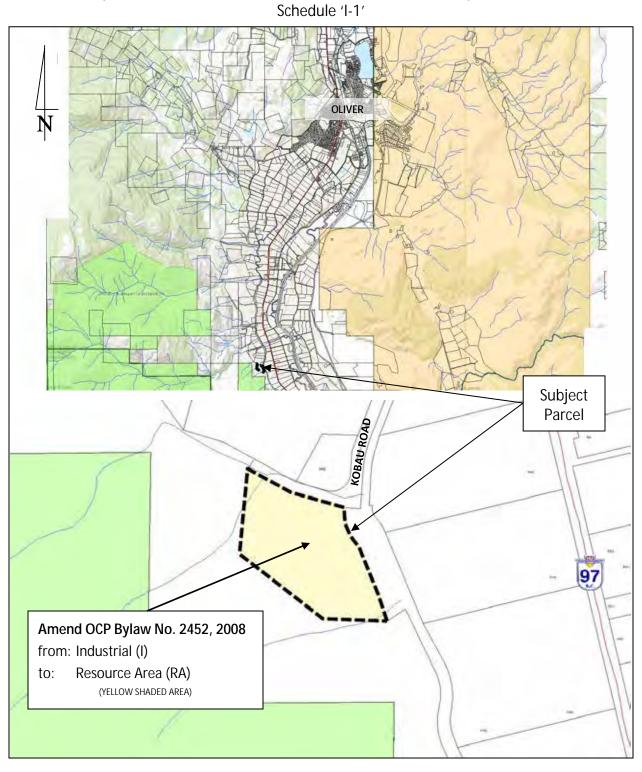
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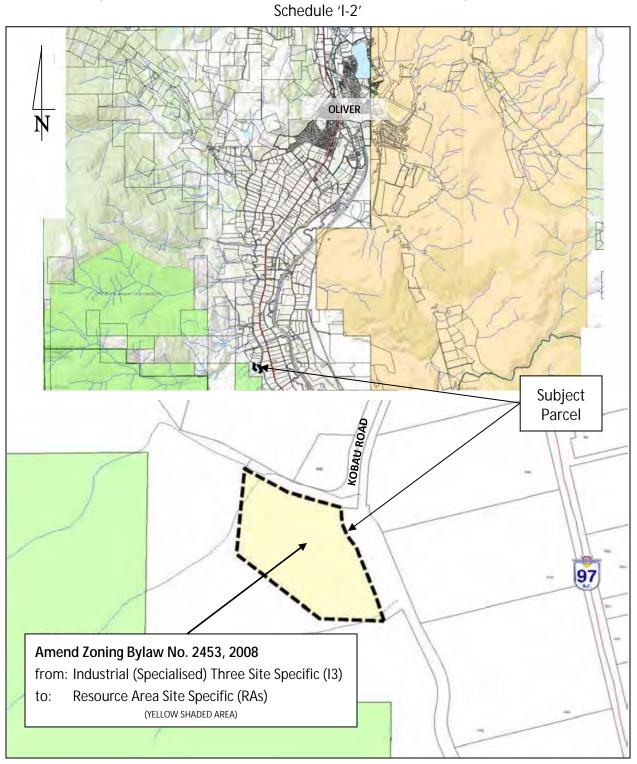
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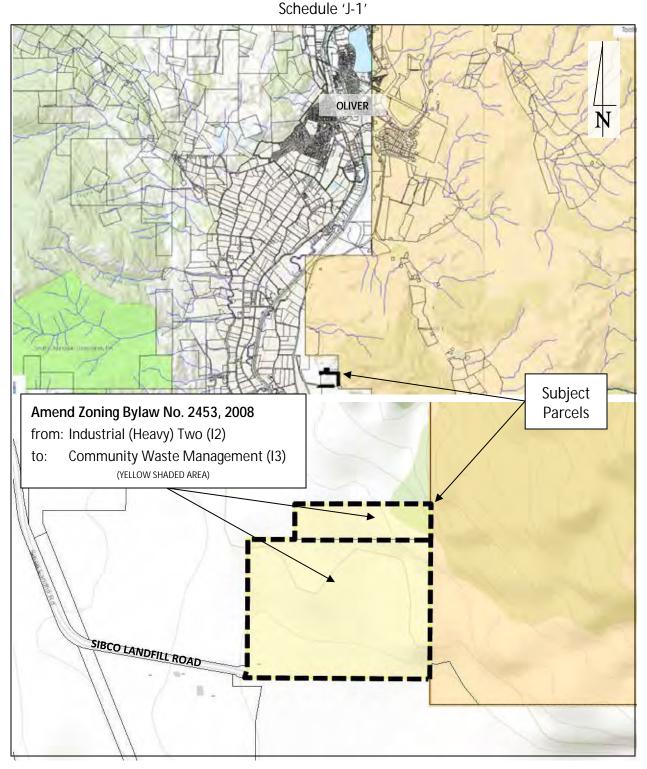


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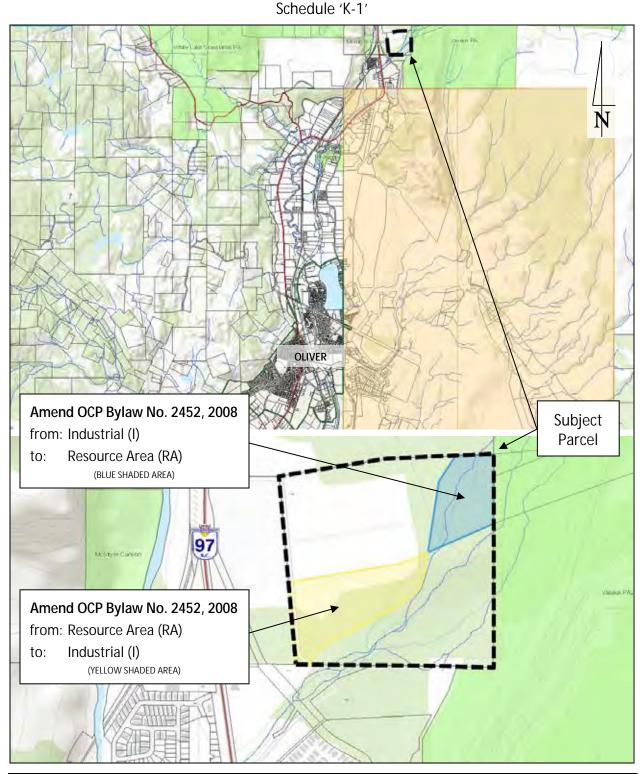


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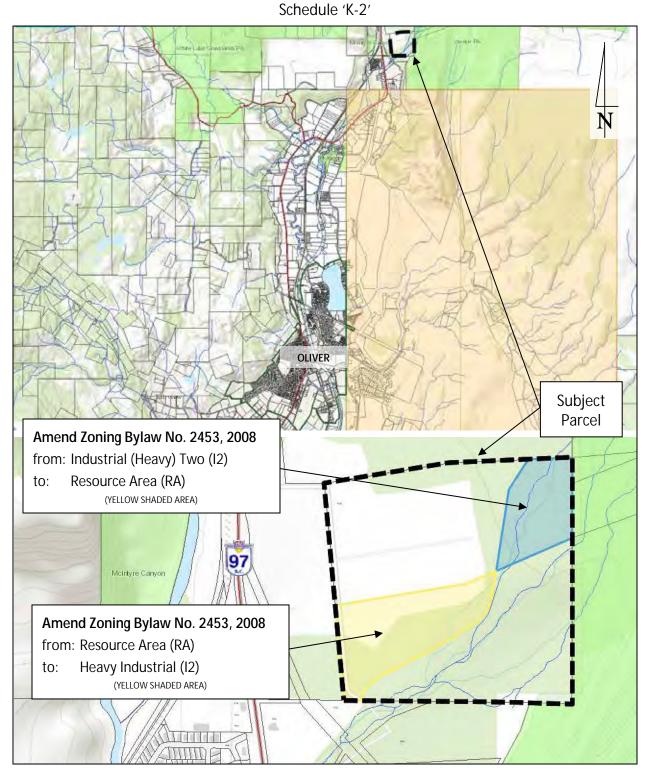
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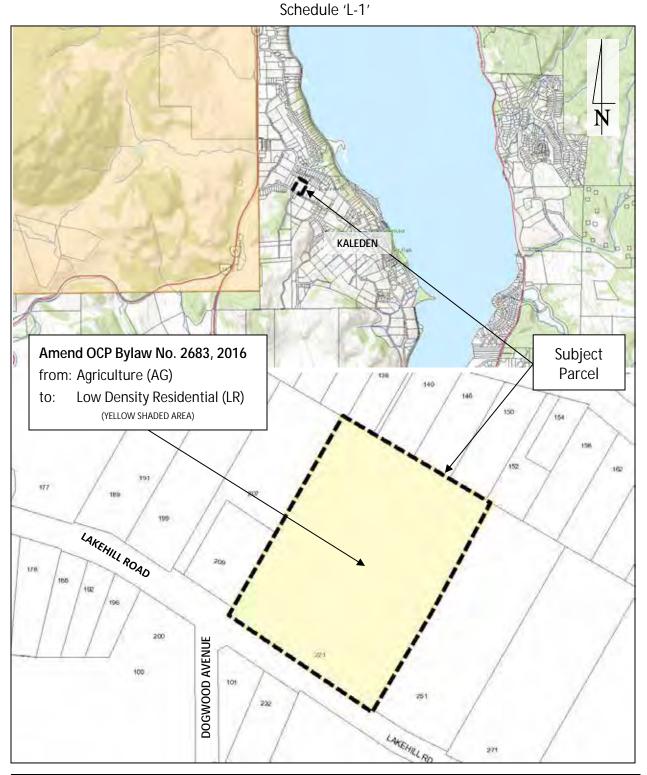
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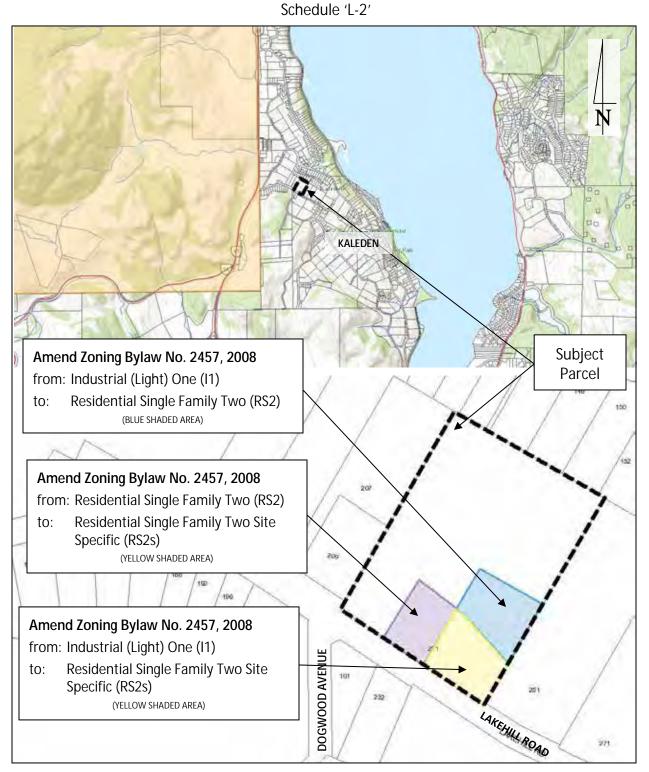


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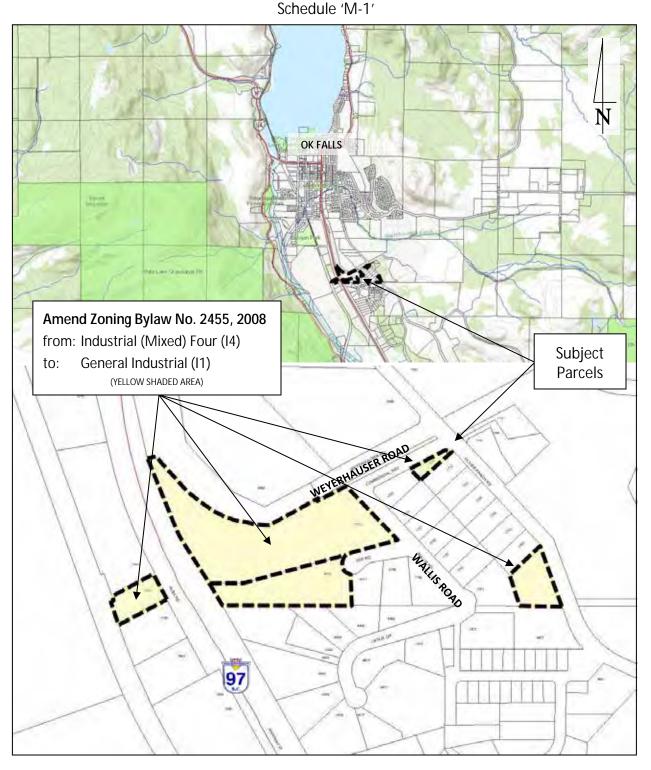


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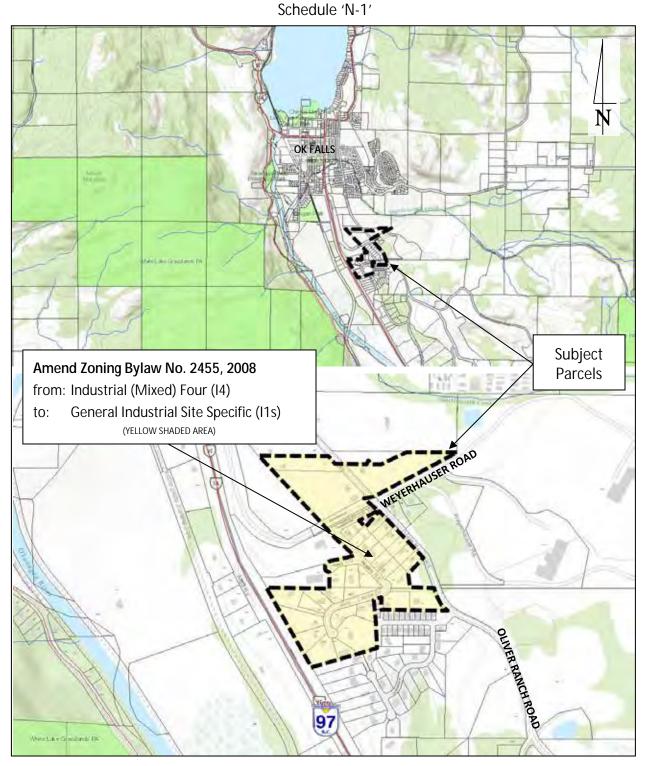
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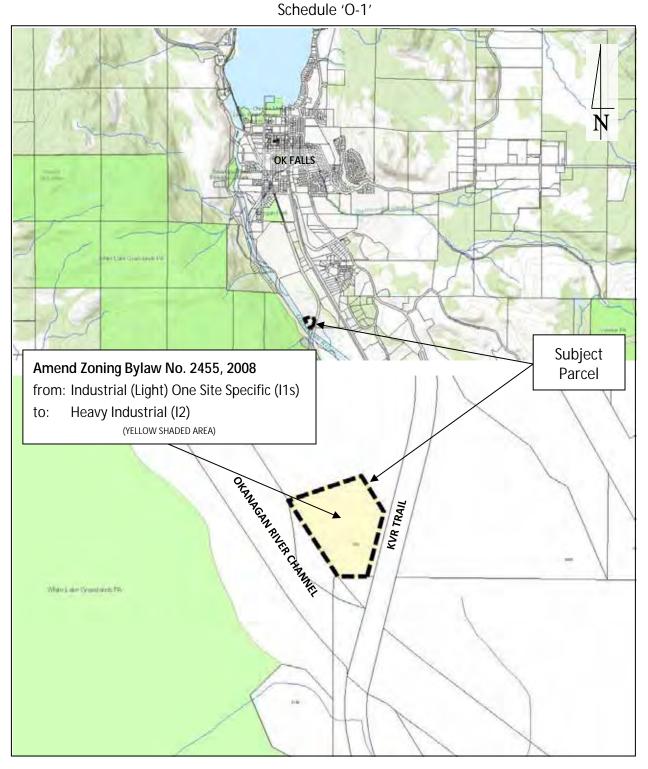
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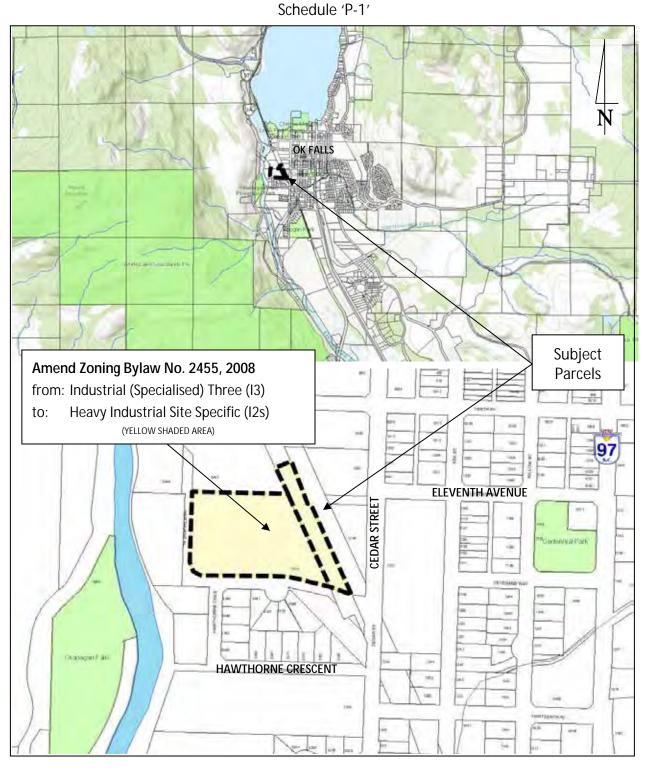
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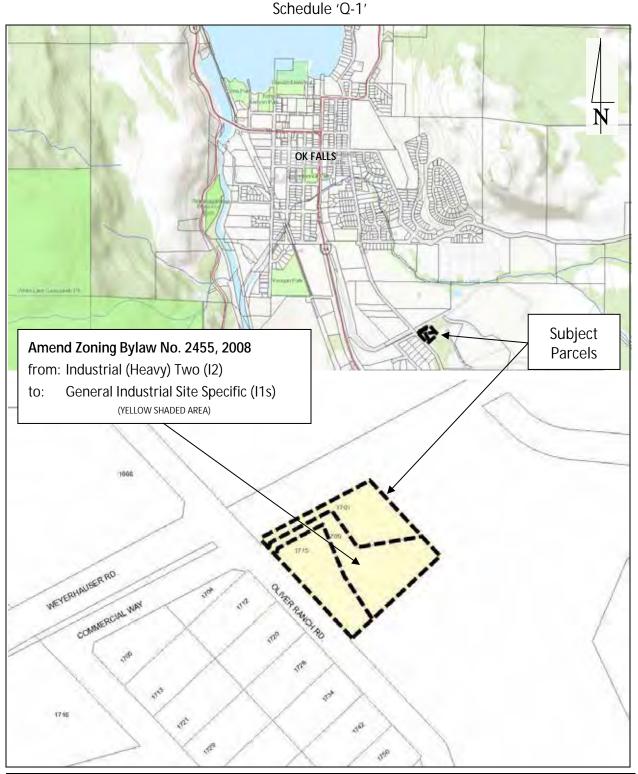


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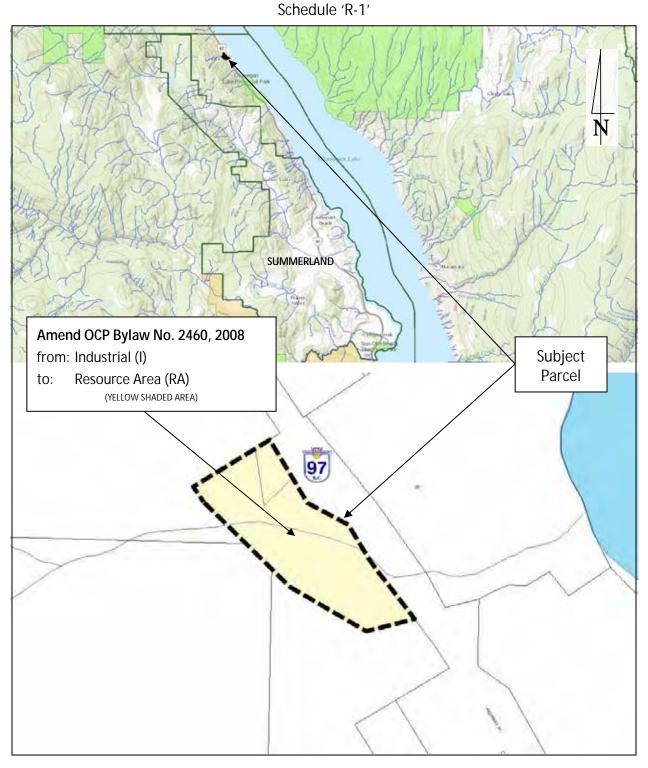
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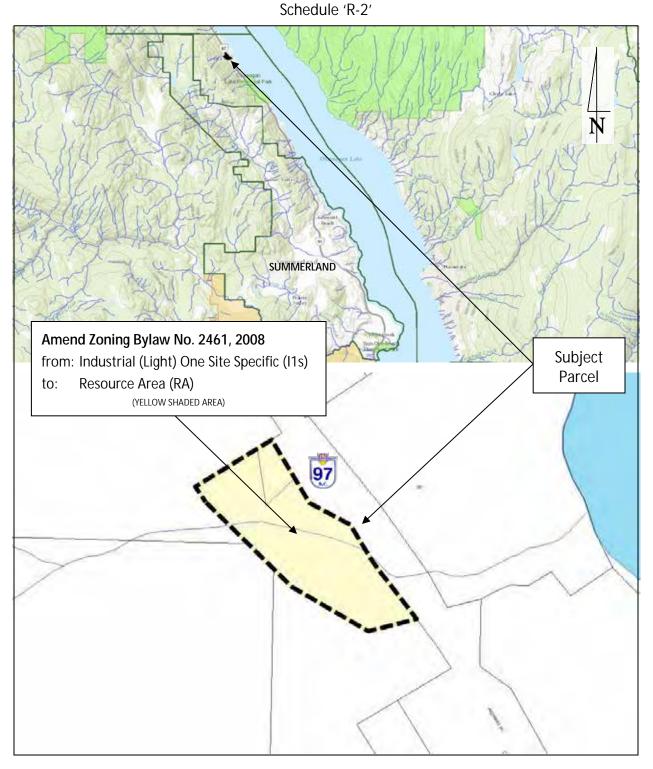


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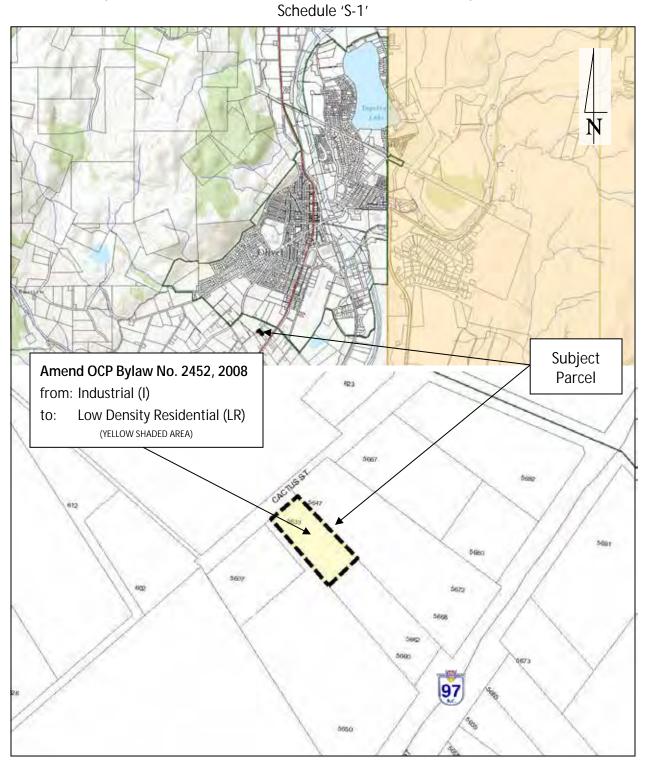


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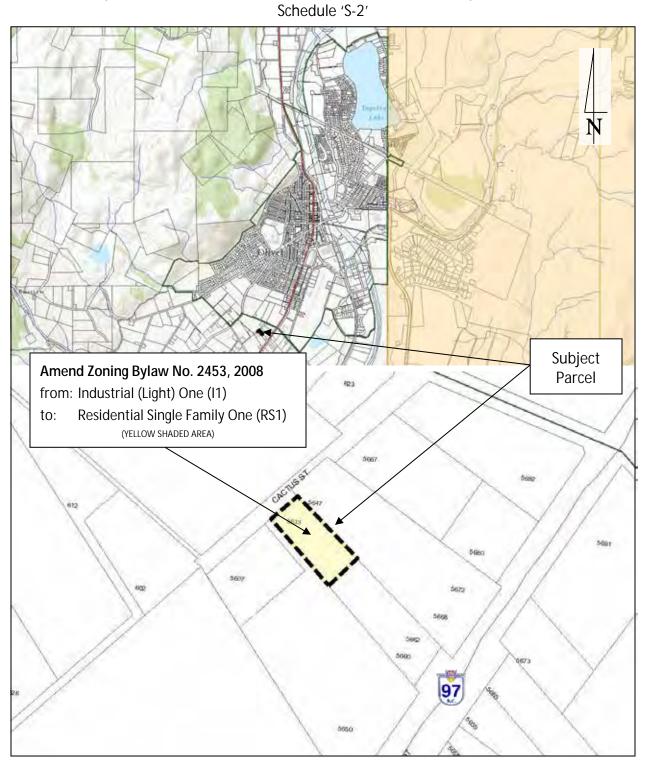


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Amendment Bylaw No. 2783, 2017





ADMINISTRATIVE REPORT

TO:	Board of Directors	RD
FROM:	B. Newell, Chief Administrative Officer	OKAN
DATE:	April 19, 2018	
RE:	Official Community Plan & Zoning Bylaw Amendments – Electoral Areas "D-2" Small Holdings One (SH1) Zone Review	& "E"
Administro	tive Decommendation.	

Administrative Recommendation:

THAT Bylaw No. 2797, 2018, Regional District of Okanagan-Similkameen Small Holdings One (SH1) Zone Review Amendment Bylaw be adopted.

Purpose:

Amendment Bylaw No. 2797 seeks to amend the Electoral Area "D-2" and "E" Official Community Plan and Zoning Bylaws in order to consolidate the Small Holdings One (SH1) Zone with the Large Holdings One (LH1) Zone.

Background:

At its meeting of March 15, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur on April 5, 2018, at the Regional District office in Penticton.

A Public Hearing was held on April 5, 2018, and was attended by 31 members of the public, and this was followed by approval of third reading by the Board at its meeting of that same date.

Approval from the Ministry of Transportation and Infrastructure (MoTI) due to the amendment applying to land within 800 metres of a controlled area, was obtained on April 10, 2018.

Alternative:

THAT the Board of Directors rescind first, second and third readings of Amendment Bylaw No. 2797, 2018, and abandon the bylaw.

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

BYLAW NO. 2797

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2797, 2018

A Bylaw to amend the Electoral Areas "D-2" & "E"

Regional District of Okanagan-Similkameen Official Community Plan Bylaws & Zoning Bylaws

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Small Holdings One (SH1) Zone Review Amendment Bylaw No. 2797, 2018."

Electoral Area "D-2"

- 2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by changing the land use designation on:
 - i) the land shown shaded yellow on Schedule 'A-1', which forms part of this Bylaw, from Small Holdings (SH) to Large Holdings (LH).
 - ii) the land described as Lot B, Plan KAP72393, District Lot 2710, SDYD (2027 Carmi Road), shown shaded yellow on Schedule 'B-1', which forms part of this Bylaw, from Small Holdings (SH) to Large Holdings (LH).
 - iii) an approximately 7.5 hectare part of the land described as Lot B, Plan KAP44059, District Lot 292, SDYD (2170 Highway 97), shown shaded yellow on Schedule 'C-1', which forms part of this Bylaw, from Small Holdings (SH) to Large Holdings (LH).
- 3. The "Regional District Okanagan-Similkameen, Electoral Area "D-2" Zoning Bylaw No. 2455, 2008" is amended by:
 - i) removing the reference to "Small Holdings One Zone SH1" under Section 5.1 (Zoning Districts).

ii) replacing the fifth line in the second column of Table 7.9 (Screening and Landscaping Requirements) under Section 7.0 (General Regulations) in its entirety with the following:

Across a highway from any zone except RA, AG1, AG3, LH1, LH2, I2 or I4.

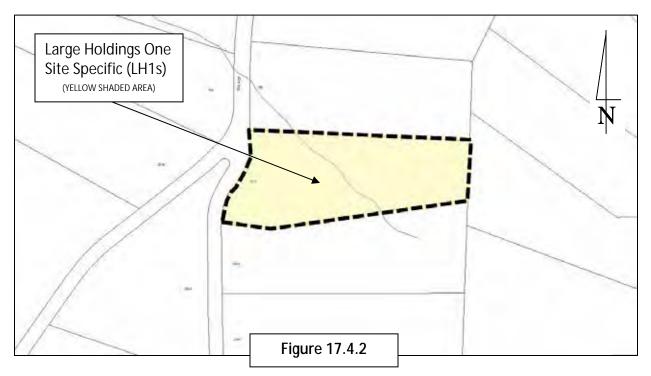
iii) replacing the sixth line in the second column of Table 7.9 (Screening and Landscaping Requirements) under Section 7.0 (General Regulations) in its entirety with the following:

Abuts any zone except RA, AG1, AG3, LH1, LH2, I2 or I4.

iv) replacing Section 10.5 (Small Holdings One (SH1) Zone) under Section 10.0 (Rural Zones) in its entirety with the following:

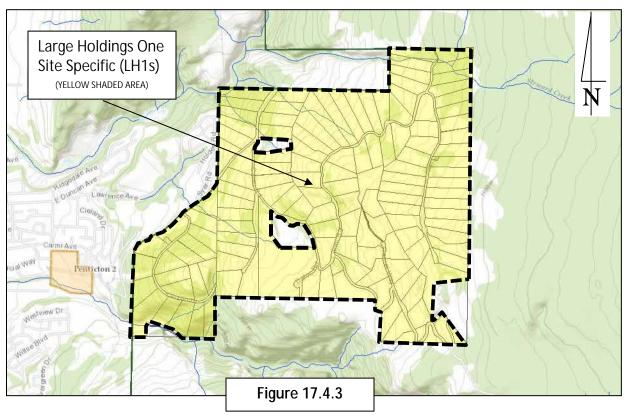
10.5 *deleted*.

- v) adding a new Section 17.4.2 under Section 17.4 (Site Specific Large Holdings One (LH1s) Provisions) to read as follows:
 - .2 in the case of land described as Lot B, Plan KAP72393, District Lot 2710, SDYD, and shown shaded yellow on Figure 17.4.2:
 - a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 10.4.1:
 - i) kennel, which is defined as meaning the care of no more than fifteen (15) dogs, cats or other domestic animals or pets whether such animals are kept commercially for board, propagation, training, sale or for personal and private enjoyment.
 - b) despite Section 10.4.6, the minimum setback for buildings, structures and areas utilized in association with a kennel from all parcel lines shall be 30.0 metres.
 - c) the gross floor area of a building or structure used in association with a kennel shall not exceed 90 m^2 .



- vi) adding a new Section 17.4.3 under Section 17.4 (Site Specific Large Holdings One (LH1s) Provisions) to read as follows:
 - .3 in the case of land shown shaded yellow on Figure 17.4.3:
 - a) the following principal uses and no others shall be permitted on the land:
 - i) agriculture, subject to Section 7.23;
 - ii) charitable, fraternal or philanthropic institution;
 - iii) forestry;
 - iv) single detached dwelling or mobile home;
 - v) veterinary establishment;
 - b) the following accessory uses and no others shall be permitted on the land:
 - i) bed and breakfast operation, subject to Section 7.19;
 - ii) home industries, subject to Section 7.18;
 - iii) home occupations, subject to Section 7.17;
 - iv) secondary suite, subject to Section 7.12;
 - v) retail sales of farm and off-farm products, subject to Section 7.24;
 - vi) accessory buildings and structures, subject to Section 7.13.
 - c) despite Section 10.4.5, the maximum number of dwellings permitted per parcel shall be as follows:
 - i) one (1) principal dwelling; and

- ii) one (1) secondary suite.
- d) despite Section 10.4.8, the maximum parcel coverage for greenhouse uses shall be 10%.



vii) replacing Section 17.5 (Site Specific Small Holdings One (SH1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.5 *deleted*.

- 4. The Official Zoning Map, being Schedule '2' of the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation on:
 - i) the land shown shaded yellow on Schedule 'A-2', which forms part of this Bylaw, from Small Holdings One (SH1) to Large Holdings One Site Specific (LH1s).
 - ii) the land described as Lot B, Plan KAP72393, District Lot 2710, SDYD (2027 Carmi Road), shown shaded yellow on Schedule 'B-2', which forms part of this Bylaw, from Small Holdings One Site Specific (SH1s) to Large Holdings One Site Specific (LH1s).
 - an approximately 7.5 hectare part of the land described as Lot B, Plan KAP44059, District Lot 292, SDYD (2170 Highway 97), shown shaded yellow on Schedule 'C-2', which forms part of this Bylaw, from Small Holdings One (SH1) to Large Holdings One (LH1).

Electoral Area "E"

- 5. The "Regional District Okanagan-Similkameen, Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008" is amended by:
 - i) replacing Section 10.0 (Rural Zones) in its entirety with the following:

10.0 RURAL HOLDINGS

10.1 Background

The Plan Area's rural character and lifestyles are some of the most valued aspects to area residents. While the majority of future residential growth will be directed to designated Rural Growth Areas, there is potential for limited rural development.

Within the Plan Area, Rural Holdings are generally grouped into two categories, Large Holdings (LH) and Small Holdings (SH).

The Large Holdings designation, applies to typically privately-held properties smaller than Resource Area parcels and includes large parcels of land generally used for acreages, hobby farms, limited agriculture, ranching, grazing, and other uses that fit with the character of this area. Large Holdings should have a range of minimum parcel sizes but no less than of 4.0 hectares.

The Small Holdings designation includes medium sized parcels of land generally used for rural residential, part time farming, limited agriculture, home industry uses and other uses that fit with the character of the area.

As with Large Holdings, Small Holdings are generally located outside of the Agricultural Land Reserve.

10.2 Objectives

- .1 Retain and enhance the rural character of lands designated for Large Holdings and Small Holdings.
- .2 Prevent rural sprawl, by limiting development on Small Holdings properties to rural residential densities and agricultural uses.
- .3 Reduce potential conflicts between rural residential developments and agricultural operations on Rural Holdings.
- .4 Reduce the wildfire hazard threat to residential areas located within the Small and Large Holdings designations.

10.3 Policies - General

The Regional Board:

.1 Supports home occupation and home industry uses on lands designated Small Holdings (SH) and Large Holdings (LH), provided the uses are compatible with the surrounding rural character.

- .2 Will evaluate new Rural Holdings developments against the implications and impacts on the agricultural uses in the area.
- .3 Generally does not support additional development outside of designated Rural Growth Areas.
- .4 Requires any proposal to create additional land designated or zoned either Large Holdings or Small Holdings to:
 - a) Clearly demonstrate and articulate the need for it in the context of its impact on the community and the objectives of this OCP; and
 - b) Provide an assessment of the proposal against the following criteria:
 - i) availability of vacant land currently designated as either Large Holdings or Small Holdings;
 - ii) capability of the natural environment to support the proposed development;
 - impact on environmentally sensitive areas, as illustrated on Schedule 'I' (Environmentally Sensitive Development Permit Areas);
 - iv) capability of accommodating on-site domestic water and sewage disposal, or availability of community water or sewer, and submission of an assessment from a qualified professional in accordance with the Regional District Subdivision Servicing Bylaw;
 - v) proximity to existing roads and other community and essential services;
 - vi) susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
 - vii) compatibility with adjacent land uses and designations, and the character of the existing area;
 - viii) consideration of visual impacts where development is proposed on hillsides and other visually sensitive areas; and
 - ix) type, timing and staging of the development.
- .5 Protects and conserves agriculturally productive land, and environmentally sensitive areas within designated Small Holdings and Large Holdings areas.
- .6 Should work collaboratively with the Subdivision Approving Authority to ensure that rural developments and subdivisions allow for public access to Crown land.
- .7 Encourages voluntary environmental stewardship on private lands within Small and Large Holdings areas.

- .8 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .9 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighborhood residential needs and other land use needs can be addressed.
- .10 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit for rezoning. The Regional Board may use the following criteria to asses applications:
 - a) Capability of accommodating on-site domestic water and sewage disposal;
 - b) Mitigating measures such as screening and fencing;
 - c) Provision of adequate off-street parking;
 - d) Confirmation that the structure proposed for use as a vacation rental complies with the BC Building Code; and
 - e) Benefits that such accommodation may provide to the community.

10.4 Policies – Large Holdings

The Regional Board:

- .1 Supports the use of lands designated Large Holdings identified in Schedule 'B' (Official Community Plan Map) for agriculture, ranching, grazing, keeping of livestock, veterinary establishments, kennels, outdoor recreation, open space, limited residential use and other uses that will have minimal environmental impact and preserve the lands in a largely undeveloped state.
- .2 Will establish a range of densities and parcel sizes, to be no less than 4 ha in area, for land designated Large Holdings in the Plan area through the Zoning Bylaw.
- .3 Allows secondary suites and may consider additional accessory dwellings based on the size of parcel.
- .4 Discourages changes in land designation or zoning that will allow for incompatible land uses or the subdivision of Large Holdings parcels to less than four hectares in size.

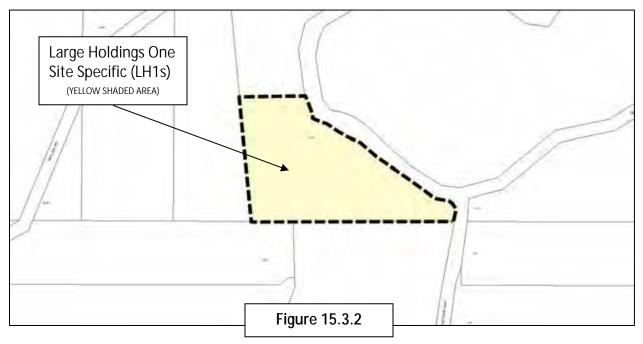
10.5 Policies – Small Holdings

The Regional Board:

.1 Generally supports a range of uses on the lands designated Small Holdings in Schedule 'B' (Official Community Plan Map), including: rural residential, hobby farming, limited agriculture and others uses that fit within the rural character of the surrounding area.

- .2 Will establish a range of densities and parcel sizes for lands designated Small Holdings in the Plan Area through the Zoning Bylaw.
- .3 Supports a minimum parcel size of one hectare for lands without community sewer within the Small Holdings (SH) designation.
- 6. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by changing the land use designation on:
 - an approximately 2.1 hectare part of the land described as Lot 1, Plan KAP15856, District Lot 2551, SDYD, Except Plan 35480 (1225 Spiller Road), and shown shaded yellow on Schedule 'D-1', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH);
 - ii) the land described as Lots 1-3, Plan KAS2440, District Lot 3314, SDYD (4052, 4074 & 4086 Hook Place), and shown shaded yellow on Schedule 'G-1', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH); and
 - iii) the land described as Lot 1, Plan KAP61111, SDYD, District Lot 156 3314 (4290 North Naramata Road); Lot A, Plan KAP61979, SDYD, District Lot 156 3314 (4230 North Naramata Road) and an approximately 2,460 m² area of Plan KAP497A, District Lot 156, SDYD, Parcel A, Portion OF LOT B PL 706, Except Plan KAP57361 KAP62873, and shown shaded yellow on Schedule 'H-1', which forms part of this Bylaw, from Agriculture (AG) to Small Holdings (SH).
- 7. The "Regional District Okanagan-Similkameen, Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:
 - i) removing the reference to "Small Holdings One Zone SH1" under Section 5.1 (Zoning Districts).
 - ii) replacing Section 10.4 (Small Holdings One (SH1) Zone) under Section 10.0 (Rural Zones) in its entirety with the following:
 - 10.4 *deleted*.
 - iii) adding a new Section 15.3.2 under Section 15.3 (Site Specific Large Holdings One (LH1s) Provisions) to read as follows:
 - .2 In the case of land described as Lot 2, Plan KAP86176, District Lot 2551, SDYD (1278 Spiller Road), and shown hatched on Figure 15.3.2:
 - i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 10.3.1:
 - a) vacation rental, subject to the following regulations:

- .1 no more than three (3) dwelling units may be used for the purposes of a vacation rental;
- .2 the maximum floor area of a dwelling unit used for a vacation rental shall not exceed 112.0 m²;
- .3 the units are fully contained within one building which includes the principal dwelling unit on the parcel;
- .4 no more than six (6) patrons shall be accommodated within each dwelling unit used for a vacation rental use;
- .5 cooking facilities may be provided for within the dwelling unit used for a vacation rental use;
- .6 no patron shall stay within the same each dwelling unit used for a vacation rental use for more than thirty (30) days in a calendar year; and
- .7 only the permanent residents or permanent occupants of the principal dwelling unit may carry on the vacation rental on the site.



iv) replacing Section 15.4 (Site Specific Small Holdings One (SH1s) Provisions) under Section 15.0 (Site Specific Designations) in its entirety with the following:

15.4 *deleted*.

- 8. The Official Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on:
 - i) an approximately 2.1 hectare part of the land described as Lot 1, Plan KAP15856, District Lot 2551, SDYD, Except Plan 35480 (1225 Spiller Road), and shown shaded

yellow on Schedule 'D-2', which forms part of this Bylaw, from Small Holdings One Site Specific (SH1s) to Small Holdings Three (SH3).

- ii) the land described as Lot 2, Plan KAP86176, District Lot 2551, SDYD (1278 Spiller Road), and shown shaded yellow on Schedule 'E-1', which forms part of this Bylaw, from Small Holdings One Site Specific (SH1s) to Large Holdings One Site Specific (LH1s).
- iii) the land shown shaded yellow on Schedule 'F-1', which forms part of this Bylaw, from Small Holdings One (SH1) to Large Holdings One (LH1).
- iv) the land described as Lots 1-3, Plan KAS2440, District Lot 3314, SDYD (4052, 4074 & 4086 Hook Place), and shown shaded yellow on Schedule 'G-2', which forms part of this Bylaw, from Small Holdings One (SH1) to Small Holdings Three (SH3).
- v) the land described as Lot 1, Plan KAP61111, SDYD, District Lot 156 3314 (4290 North Naramata Road); Lot A, Plan KAP61979, SDYD, District Lot 156 3314 (4230 North Naramata Road) and an approximately 2,460 m² area of Plan KAP497A, District Lot 156, SDYD, Parcel A, Portion OF LOT B PL 706, Except Plan KAP57361 KAP62873, and shown shaded yellow on Schedule 'H-2', which forms part of this Bylaw, from Agriculture One (AG1) to Small Holdings Three (SH3).
- vi) the land described as Plan KAP4945B, Block A, District Lot 3314, SDYD (4460 North Naramata Road); Lots 4-5, Plan KAS2440, District Lot 156, 3314, SDYD (4036 & 4040 Hook Place) and an approximately 0.65 hectare part of Plan KAP497A, District Lot 156, SDYD, Parcel A, Portion of Lot B, Plan 706, Except Plan KAP57361 KAP62873, and shown shaded yellow on Schedule 'I-1', which forms part of this Bylaw, from Small Holdings One (SH1) to Large Holdings One (LH1).
- vii) an approximately 0.97 hectare part of the land described as Lot 2, Plan KAP27775, District Lot 211, SDYD, Except Plan 28750 (4765 Mill Road), and shown shaded yellow on Schedule 'J-1', which forms part of this Bylaw, from Small Holdings One (SH1) to Small Holdings Three (SH3).

READ A FIRST AND SECOND TIME this 15th day of March, 2018.

PUBLIC HEARING HELD this 5th day of April, 2018.

READ A THIRD TIME this 5th day of April, 2018.

Approved pursuant to Section 52(3) of the *Transportation Act* this 10th day of April, 2018.

ADOPTED this _____ day of _____, 2018.

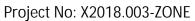
Board Chair

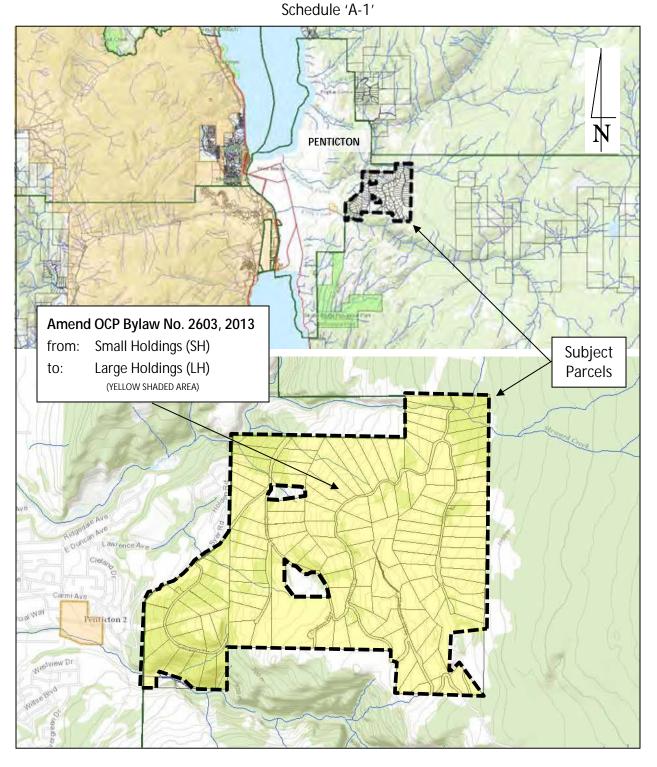
Chief Administrative Officer

101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Amendment Bylaw No. 2797, 2018

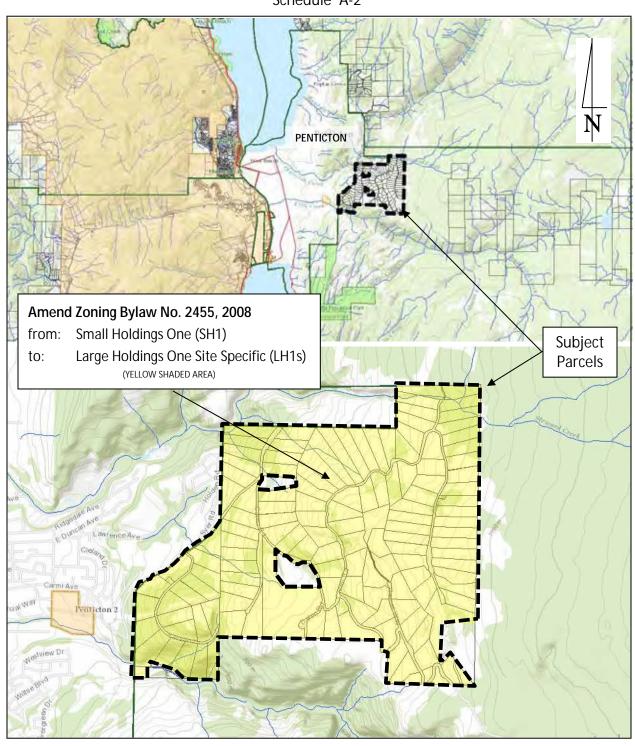




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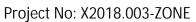
Amendment Bylaw No. 2797, 2018 Project No: X2018.003-ZONE Schedule 'A-2'

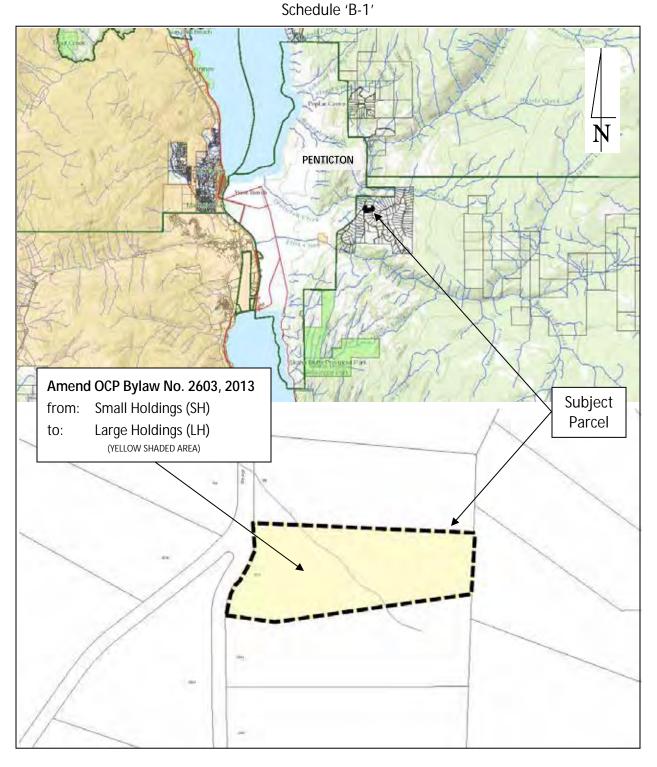


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Amendment Bylaw No. 2797, 2018

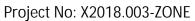


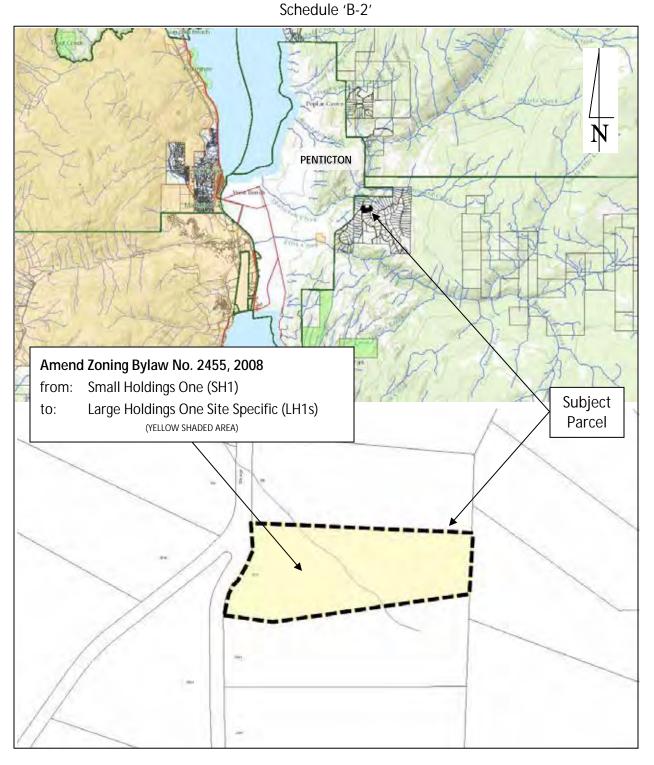


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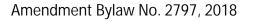


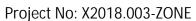
Amendment Bylaw No. 2797, 2018

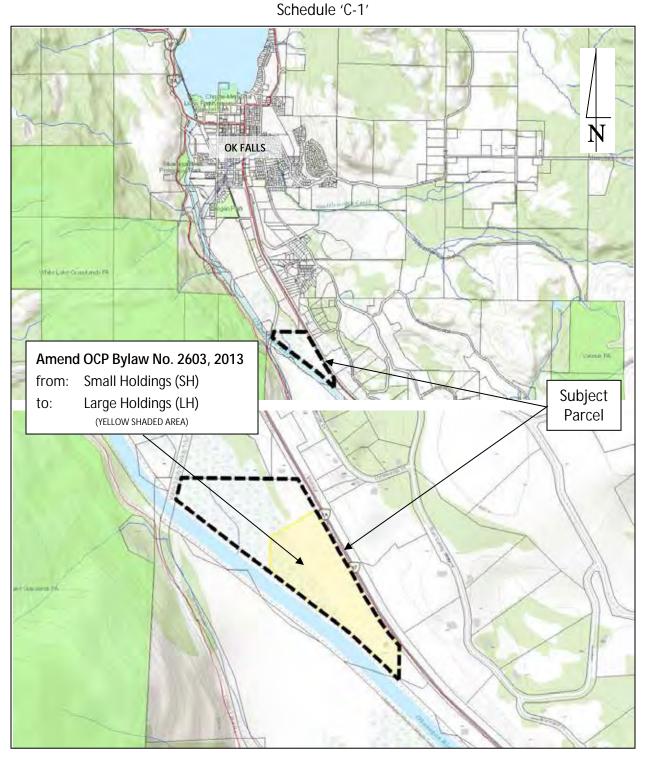




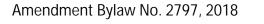




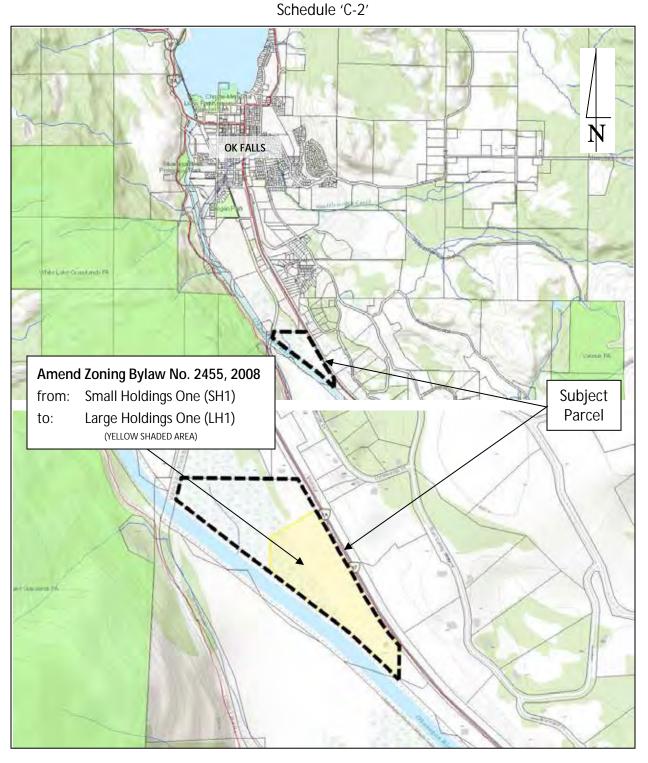










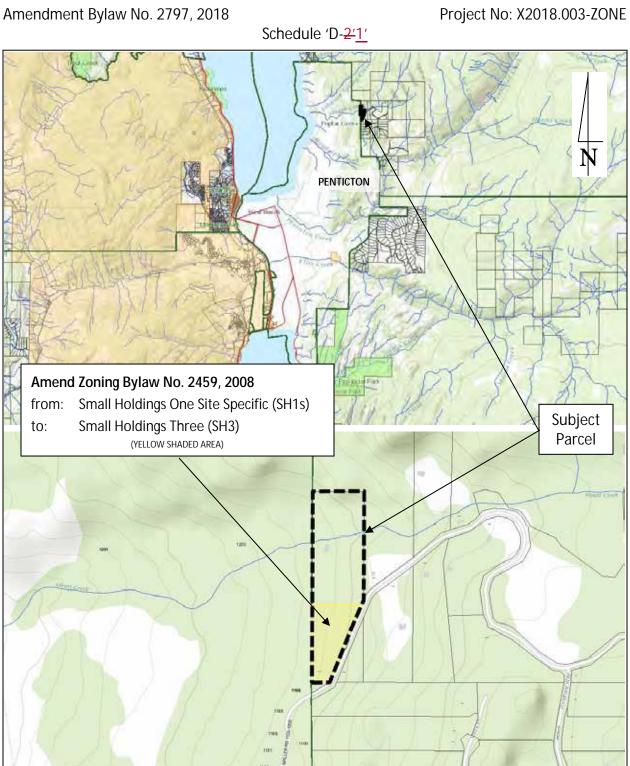


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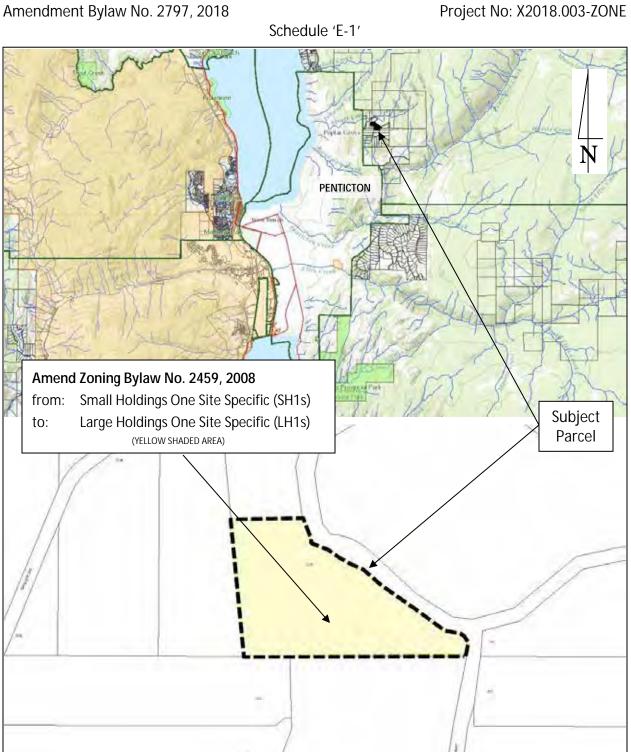


Amendment Bylaw No. 2797, 2018 Project No: X2018.003-ZONE Schedule 'D-1' AA. PENTICTON Amend OCP Bylaw No. 2603, 2013 from: Large Holdings (LH) Subject Small Holdings (SH) to: Parcel (YELLOW SHADED AREA)

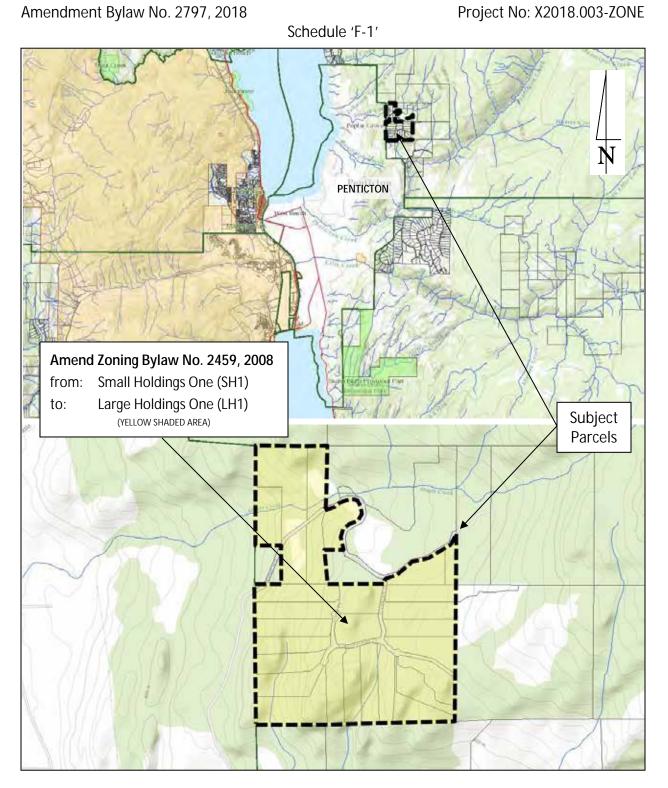




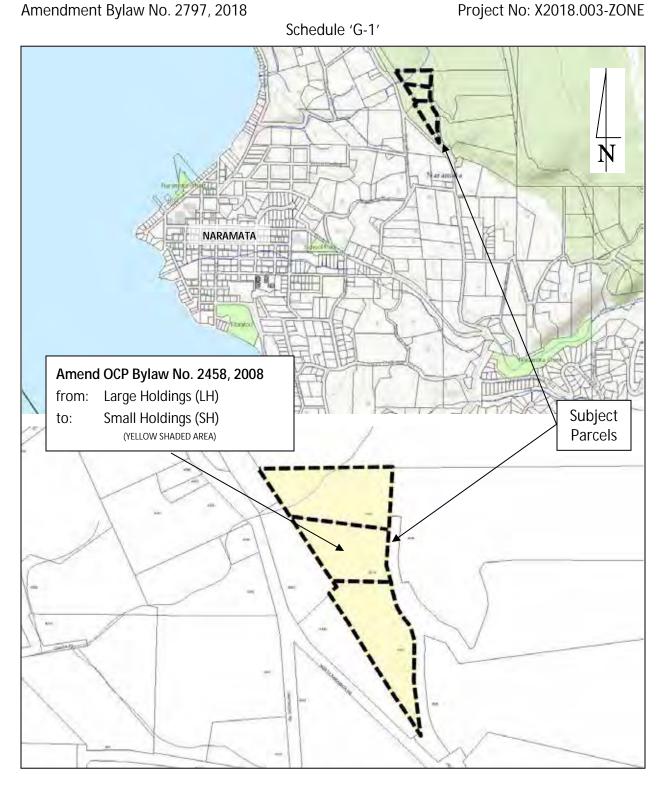




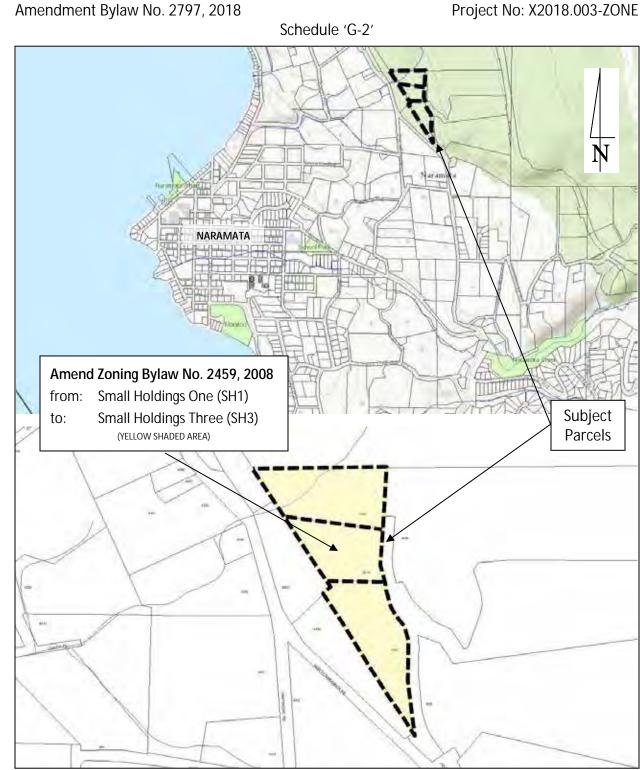










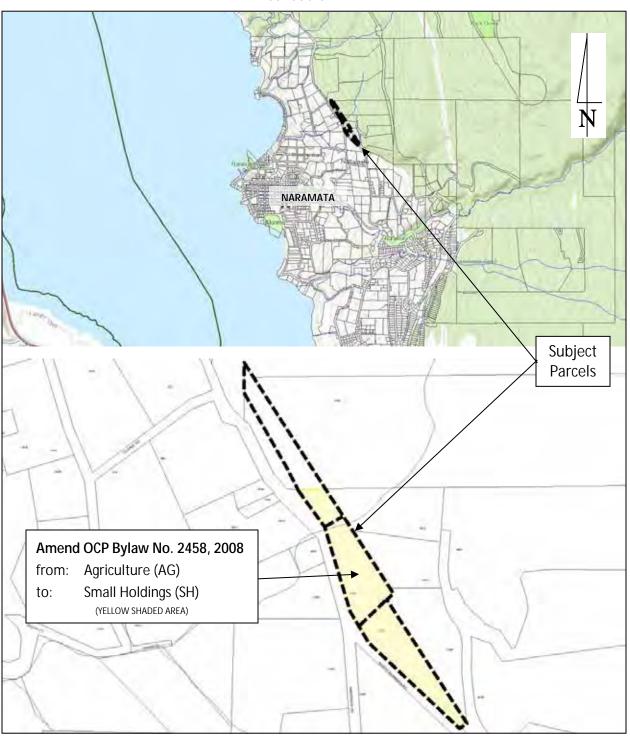


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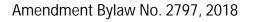


Amendment Bylaw No. 2797, 2018 Schedule 'H-1'

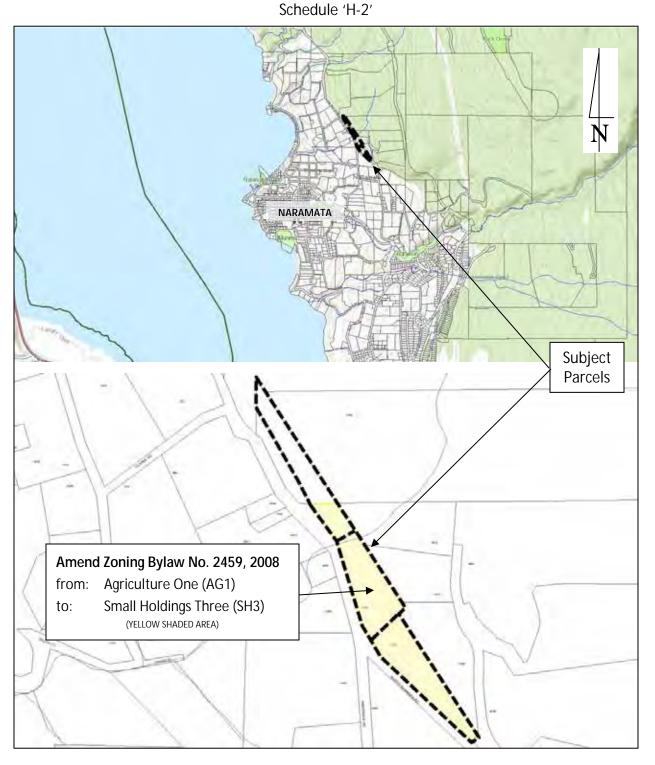




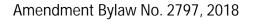


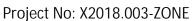


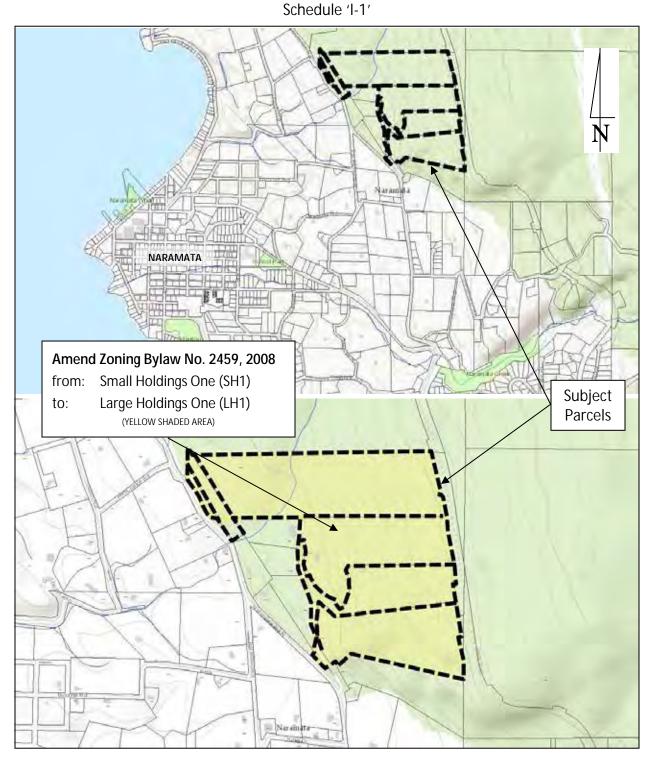
Project No: X2018.003-ZONE



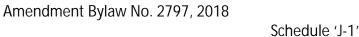


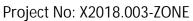


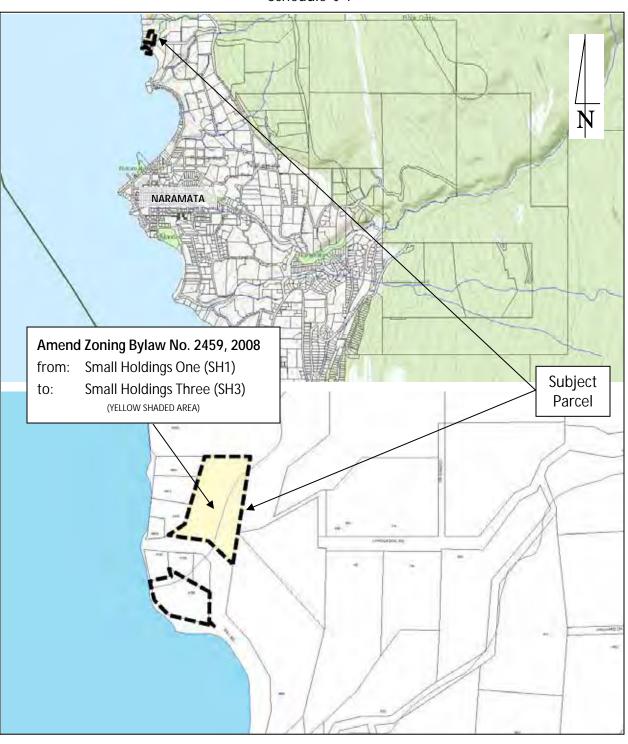














ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 19, 2018

RE: Award of Contract for the Sun Valley Pump Replacement and Upgrades Project.

Administrative Recommendation:

THAT the Board of Directors approve the expenditure of up to \$120,600 for construction services to Mearl's Mechanical Works LTD. for the "Sun Valley water system pump replacement and upgrades"; and

THAT the Board of Directors execute a construction services agreement with Mearl's Mechanical Works LTD. for the services detailed in the Request for Proposals and submitted Proposal; and

THAT the Board of Directors further approve a contingency for the "Sun Valley water system pump replacement and upgrades" project in the amount of \$20,300 to complete value added or required upgrades.

Purpose:

Award of the contract to replace the currently failing centrifugal pumps at the Sun Valley pump house with new, higher efficiency inline vertical multistage pumps and new variable frequency drive pump controls to replace the outdated cycle stop valve controls.

Reference:

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

Business Plan Objective:

2017 Key Success Driver #3 – Build a Sustainable Region
Business Plan Goal 3.3: To develop an environmentally sustainable region.
2018 Key Success Driver #2 – Optimize Customer Experience
Business Plan Goal 2.2: To meet the public needs through the continuous improvement of key services.



Background:

Sun Valley Water System

Ownership of the system was transferred from the Sun Valley Irrigation District to the RDOS on January 1, 2017. The Sun Valley Water System is located in the southeast area of Okanagan Falls in Electoral Area D and provides domestic and irrigation water to 28 connections. The water source is a deep well with a 50 hp pump installed that feeds into a reservoir.

The water demand on the system ranges from 7.5 US gpm in the winter, to 550 US gpm during the summer months. The system is designed as a constant pumped system as the reservoir is located below all the customers. As a result, several pumps are needed to maintain operations during the low and peak seasons. The Sun Valley system currently operates 5 pumps that turn on when the demand changes over each day. The pumps and the control systems are in need of upgrades to keep the system operational and meet demand. Two of the pumps are not currently operational, the autotransformer is not functioning properly and the main header pipe leading to the pumps from the reservoir is in need of replacement. There are eight fire hydrants on the water system and fire protection is provided by OK Falls Fire Department.

The current pumps are inefficient and not reliable. Every pump breakdown is a costly repair and requires significant operations hours to manage pump replacements and reintegration of the aging pumps into the system. The existing cycle stop valve controls for the pumps must be reprogrammed by specialized personnel on an annual basis prior to irrigation season. The new variable frequency drive pump controls and new pumps will lead to lower operations and maintenance costs.

Funding Source

On November 16, 2017, a resolution was passed by the Board to reallocate \$360,911 of Regionally Significant Projects (RSP) Gas Tax Funds allocated for the "Gallagher Lake Sewer, to the Willowbrook Water System Upgrades and Sun Valley Water System Upgrades. Engineering staff chose to allocate \$220,000 for upgrades to the Willowbrook water system and \$140,911 to the Sun Valley water system based on estimated costs for required system upgrades. The deadline to complete the works under the RSP Gas Tax Fund is September 2018.

Analysis:

Consultant Selection

Two contractors attended a site meeting on March 22nd at the Sun Valley pump house and reservoir to inspect the existing equipment to ask questions and ensure their understanding of the scope of work. The RDOS received 2 Proposals prior to the April 3rd closing date; one from Corix Water Products and one from Mearl's Machine Works Ltd.



A team of four RDOS staff members met to discuss the proposals and the qualifications of the contractors and rank the proposals out of 100. Each proposal had strengths and weaknesses. The most significant issues identified in the received proposals included insufficient detail on some of the methodology and deliverables that were included. Significant strengths observed in the proposals included an analysis of specific project challenges, and opportunities for improvements to system efficiency. All questions and issues were clarified with the proponents before a recommendation was made.

In the RFP, the overall budget of \$140,000 for the project was provided. As a result, maximizing the value of the upgrades which could be completed within the budget was a critical aspect of the work.

The following table provides the overall ranking of received Proposals:

Proponent	Price (excluding GST)	Score
Mearl's Machine Works Ltd.	\$120,600.00	88/100
Corix Water Products	\$129,856.17	85/100

The recommendation is to award the project to Mearl's Machine Works for \$120,600 with a contingency available of \$20,300 in case of unknown issues or value added options for the system.

Alternatives:

1. The Board may choose to not award the contract to Mearl's Machine Works Ltd. and provide alternate direction to staff.

Communication Strategy:

Community involvement will be key to successfully completing this project. The RDOS will work with the community of Sun Valley to schedule water supply shutdowns at agreed upon times that will have minimized adverse effects on irrigation and allow water users to take the necessary steps to minimize the impact of the lack of water availability.

Respectfully submitted:	Endorsed By:
Liisa Bloomfield	Janine Dougall

L. Bloomfield, Engineer

J. Dougall, Public Works Manager



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 5, 2018

RE: Award to Consultant for Okanagan Falls Constructed Wetland Project

Administrative Recommendation:

THAT the Board of Directors approve the expenditure of up to \$326,740 for the consulting services associated with design and construction of the Okanagan Falls Constructed Wetland Project to Native Plant Solutions - Ducks Unlimited Canada; and

THAT the Board of Directors execute a consulting services agreement with Native Plant Solutions – Ducks Unlimited Canada for the services detailed in the Request for Proposals and the submitted Proposal for the Okanagan Falls Constructed Wetland Project.

Purpose:

Retain a consultant to carry out professional services required to prepare the design, carry out inspection services, perform construction contract administration and successfully close out the project to establish a new constructed wetland for extra polishing of the effluent produced from the Okanagan Falls Wastewater Treatment Plant.

Reference:

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

Business Plan Objective: (Tie to current RDOS Business Plan)

Key Success Driver #3 – Build a Sustainable Region

Goal 3.3: To develop an environmentally sustainable region with Objective 3.3.3 to enhance the Okanagan Falls Wastewater Treatment System with the creation of a Constructed Wetland

Background:

The Regional District of Okanagan-Similkameen owns and operates the Okanagan Falls sewer collection system and treatment plant. The Okanagan Falls Constructed Wetland Project has been in the future vision for wastewater treatment in the area since the idea was initially discussed during the development of the 'Okanagan Falls Sewage Treatment Plant - Strategic Review' in 2005.



The constructed wetland is considered an enhancement to potentially remove contaminants of concern, such as endocrine disruptors and trace metals, prior to the discharge from the treatment plant to the river channel.

In 2015, the Regional District purchased a property for developing a constructed wetland system located across Rail Road (KVR trail) west of the treatment plant property.

A detailed Request for Proposals was released in January 2018 to solicit a consulting firm to complete the full design and oversee the construction and commissioning of the new constructed wetland.

Analysis:

Three proposals were received prior to the closing time. A team of staff members evaluated the three proposals and prepared an analysis. One proposal was very simple and did not accurately reflect the details required of the work in design and construction of the wetland. Significant gaps in the methodology left too many uncertainties when compared to the other two proposals. Additionally the proposed project team did not have comparable experience and qualifications with constructed wetlands. A constructed wetland is not a typical infrastructure component but instead requires significant biological considerations. The other two proposals were superior when these requirements were considered.

The other two proposals were compared and found to be similar in scope but with different strengths. The preferred proposal was selected and a few clarifications were requested to ensure the full scope of work would be included. The following table provides the ranking of the three received proposals as evaluated.

Consultant	Ranking	Cost
Native Plant Solutions – Ducks Unlimited Canada	1	\$ 326,740
Associated Engineering	2	\$ 432,760
CIMA	3	Insufficient information for comparison

The proposal from Native Plant Solutions – Ducks Unlimited Canada provided an excellent team for all aspects of the wetland, including experience and design.

It is recommended that the award for the consulting work associated with design and construction services for the Constructed Wetland project be awarded to Native Plant Solutions – Ducks Unlimited Canada.

Alternatives:

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20180419/Boardreports/E.2. Wetland Award Design.Docx File No: Click here to enter text.



The Board of Directors may choose to not award the consulting services for the wetland project to the recommended proponent and provide a different direction for staff.

Communication Strategy:

Upon confrmation of award, the successful proponent will be contacted to begin the agreement process. Various communications will be released to the public throughout the process to keep the community informed.

Respectfully submitted:

Endorsed By:

Liisa Bloomfield

Janine Dougall

L. Bloomfield, Engineer

J. Dougall, Public Works Manager



ADMINISTRATIVE REPORT

TO:Board of DirectorsFROM:B. Newell, Chief Administrative OfficerDATE:April 19, 2018RE:Repeal of Bylaw 2566

Administrative Recommendation:

THAT Bylaw No. 2807, 2018, being a bylaw of the Regional District to repeal Emergency Services Bylaw No. 2566, 2011 be read a first, second, third time and be adopted.

Reference:

Emergency Services Bylaw No. 2566, 2011

Background:

At their meeting of 5 April 2018, the Protective Services Committee reviewed Bylaw 2566, 2011, being the Emergency Services Bylaw, and determined that it would be advantageous to repeal Bylaw 2566 and return to use of individual Fire Department Regulatory Bylaws that are still currently active.

Alternatives:

- 1. Keep Bylaw 2566 and repeal the following Fire Department Regulatory Bylaws:
 - a. 2335 Anarchist Mountain
 - b. 1580 Tulameen
 - c. 2094 Keremeos
 - d. 1652 Naramata
 - e. 1579 Willowbrook
 - f. 1571 Okanagan Falls
 - g. 1572 Kaleden

Analysis:

Generally, the Fire Chiefs Group has not readily accepted the standardization, central reporting model contemplated in Bylaw 2566. The recent conversation at the Board, the postponements, and the direct dialogue between the Chiefs with elected officials would all indicate that the Board would be more comfortable reverting to the individual regulatory bylaws, thereby requiring that Bylaw 2566 be repealed.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BYLAW NO. 2807, 2018

A bylaw to repeal Emergency Services Bylaw No. 2566, 2011.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wishes to repeal the Emergency Services Bylaw 2566, 2011;

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

1.0 <u>CITATION</u>

1.1 This bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Emergency Services Repeal Bylaw No. 2807, 2018".

2.0 REPEAL OF BYLAW

- 2.1 The following Regional District of Okanagan-Similkameen bylaw is repealed:
 - Emergency Services Bylaw No. 2566, 2011.

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

ADOPTED BY AT LEAST 2/3 OF THE VOTES this xxx day of xxx, xxx.

RDOS Board Chair

Corporate Officer

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN BYLAW NO. 2566, 2011

A bylaw to provide for the prevention of fires, the prevention of the spread of fire, and for the preservation of life and property within the Regional District of Okanagan-Similkameen (the "RDOS").

WHEREAS section 796(1) of the *Local Government Act*, Chapter 323, R.S.B.C. 1998 provides that subject to the specific limitations and conditions established under this or another Act, a regional district may operate any service that the board considers necessary or desirable for all or part of the regional district; and

WHEREAS Fire Protection is a Regional District Service authorized by Supplementary Letters Patent (SLP) dated March 16, 1976; and

WHEREAS the Board of the RDOS, by bylaw, has established fire protection service areas to provide fire prevention and suppression and other approved services; and

WHEREAS the Board of the RDOS deems it expedient to operate and regulate Fire Departments to provide emergency services within the RDOS;

NOW THEREFORE, the Board of the RDOS in open meeting assembled enacts as follows:

Short Title

1. This Bylaw may be cited as the "Emergency Services Bylaw No. 2566, 2011".

Definitions

- 2. In this bylaw, unless the context otherwise requires,
 - (a) "AUTO EXTRICATION SERVICE" means a road rescue service using various methods and equipment to disentangle a victim from a vehicle as a result of a motor vehicle incident;
 - (b) "BOARD" means the Board of Directors of the RDOS;
 - (c) "CAO" means the Chief Administrative Officer for the RDOS;
 - (d) "DANGEROUS GOODS" means any material or substance as defined by the *Transport of Dangerous Goods Act*, as amended from time to time;
 - (e) "EMERGENCY EQUIPMENT" means any vehicle, firefighting apparatus, tools and equipment providing a service to the Fire Department;
 - (f) "EMERGENCY SERVICES SUPERVISOR" means the position responsible for supporting the RDOS Fire Service;

- (g) "FIRE CHIEF" means the officer in charge of a fire department, or his designate, as appointed by the CAO from time to time;
- (h) "FIRE DEPARTMENT" means the established volunteer Fire Department for a given Fire Protection Service Area;
- (i) "FIRE PROTECTION" means all aspects of fire safety including but not limited to fire prevention, fire suppression, pre-fire or pre- emergency planning, fire investigation, public education and information;
- (j) "FIRE PROTECTION SERVICE AREA" means the service area as established by the relevant Fire Protection Service Establishment Bylaw of the RDOS, as amended from time to time;
- (k) "FIRE SERVICE" means all of the established volunteer Fire Departments that are services of the RDOS;
- (I) "FIRST RESPONDER PROGRAM" means pre-ambulatory care by a Member trained by a recognized accredited agency and licensed by the BC Ministry of Health – Emergency Medical Assistant Licensing Branch (EMALB);
- (m) "INCIDENT" means a situation, including but not limited to:
 - (i) where a fire or explosion has occurred or has the potential of being imminent;
 - (ii) a motor vehicle incident; or
 - (iii) where hazardous goods may reasonably be expected to present a danger to persons, property or the environment; and, other classes of emergencies as designated herein;
- (n) "IC" means INCIDENT COMMANDER, means MEMBER in charge of an incident under the Incident Command System (ICS), as set forth under the B.C. Emergency Response Management System (BCERMS);
- (o) "MANAGER OF COMMUNITY SERVICES" means the Manager of Community Services for the RDOS;
- (p) "MEMBER" means any person appointed by the Fire Chief as a Member of the Fire Department and includes without limitations the officers, firefighters, and administrative staff of the department;
- (q) "OFFICER" means a Member appointed by the Fire Chief as an Officer of the Fire Department, but nothing in this Bylaw makes such persons officers for the purposes of S. 196 of the *Local Government Act*;
- (r) "RESCUE" means any situation where a person or persons are saved by quick and forceful action from immediate or threatened danger such as death or injury;

(s) "RDOS" means the Regional District of Okanagan-Similkameen;

Administration

3. The Manager of Community Services of the RDOS shall administer this Bylaw.

Fire Department Establishment

4. The Fire Departments identified in Schedule "A" shall be known by the name listed and be responsible for the Fire Protection Service Area established by separate bylaw.

Limits of Jurisdiction

- 5. The jurisdiction of a Fire Department is restricted to the boundaries of the Fire Protection Service Area. The Fire Department shall not respond to any calls for Fire Protection under this Bylaw outside of the boundaries of the Fire Protection Service Area except as follows:
 - (a) When, in the opinion of the IC, an Incident that occurred in the Fire Protection Service Area or outside the Fire Protection Service Area is considered to be a threat to persons or property within the Fire Protection Service Area; or
 - (b) When a mutual aid agreement is in place for the area requiring assistance, in which case, the response would be restricted to the area covered by the mutual aid agreement; or
 - (c) When a fee for service agreement (contract) is in place for a specified fire protection service area; or
 - (d) When there is a conscription of apparatus and manpower during declaration of a provincial emergency under the *Emergency Program Act*.

Adoption of the Fire Services Act – Chapter 144 and British Columbia Fire Code 2006

6. It is hereby declared that the current editions of the *Fire Services Act* – Chapter 144 and the British Columbia *Fire Code 2006* and its regulations thereto, (which is based on the *National Fire Code of Canada*), issued by the Province of British Columbia, as amended from time to time, or any subsequent British Columbia Fire Code(s) which may be enacted, shall be in force in the RDOS.

Authority of the Fire Chief

- 7. The Fire Chief shall have complete operational responsibility and authority over the Fire Department, subject to the administrative direction and control of the CAO or his designate.
- 8. The Fire Chief and/or other members of a Fire Department may be nominated to assume responsibility of the local assistant to the Fire Commissioner ("LAFC") upon request from the Fire Chief to the CAO and with the approval of the CAO or his designate.

- 9. The Fire Chief, or in the absence of the Fire Chief, the highest ranking Member present, shall have control, direction and management of all emergency equipment and personnel assigned to an incident.
- 10. The Fire Chief is empowered to cause any building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
- 11. The Fire Chief is empowered to enter any premises or property where an Incident has occurred and to authorize any Member, apparatus or equipment of the Fire Department to enter, as deemed necessary, in order to control, combat or deal with the Incident.
- 12. The Fire Chief is empowered to order the evacuation of persons or establish boundaries or limits and keep persons from entering the hazardous area.
- 13. The Fire Chief is empowered to order all adults present at a fire to assist in its suppression, if required. All persons present at or assisting in the suppression of a fire shall obey the commands of the Fire Chief.
- 14. Any Member acting in good faith in the discharge of the duties required by this bylaw shall not be personally liable for any damage that may accrue to persons or property as a result of any act or omission in the discharge of those duties.
- 15. The RDOS shall indemnify any Member or former Member who acts or acted in the discharge of duties required by this bylaw, against all costs, charges and expenses, including amounts paid to settle an action or to satisfy a judgment, reasonably incurred by the Member in respect of any civil, criminal or administrative action or proceeding to which the Member is made a party by reason of being or having been a Member, if:
 - (a) the Member acted honestly and in good faith in the discharge of the Member's duties;
 - (b) in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, the member had reasonable grounds for believing that his or her conduct was lawful; and
 - (c) the RDOS was put on notice of the action and was permitted to assume carriage and control thereof on behalf of the Member.

Scope of the Fire Service

- 16. The Emergency Services Supervisor is authorized to establish an appropriate training program for the Fire Service and ensure Members are qualified to safely perform the scope of work authorized by this bylaw.
- 17. The Emergency Services Supervisor is authorized to design & implement standards for the fire service with regard to emergency equipment, fire protection and first responder programs.

Scope of Fire Departments

- 18. Fire Departments are hereby authorized to provide fire protection and other emergency services as follows:
 - (a) Those Fire Departments listed in Schedule "A", attached to and forming part of this bylaw, are authorized to provide Fire Protection s ervices in accordance with this bylaw.
 - (b) Those Fire Departments listed in Schedule "B", attached to and forming part of this bylaw, are authorized to provide A u t o E xtrication Services in accordance with this bylaw.
 - (c) Those Fire Departments listed in Schedule "C", attached to and forming part of this bylaw, are authorized to provide First Responder Program services in accordance with this bylaw.
 - (d) Those Fire Departments listed in Schedule "D", attached to and forming part of this bylaw, are authorized to provide Rescue services in accordance with this bylaw.

Fire Departments' may only provide those services they are duly qualified to provide.

Correction of Immediate Hazards

- 19. Whenever the Fire Chief finds combustible or explosive material, flammable liquids or hazardous chemicals being used, stored or kept in such a manner as to constitute a threat to persons or property, the Fire Chief may, verbally or in writing, order the owner, tenant, occupant or agent responsible to remove the combustible or explosive material, flammable liquid, or hazardous chemical immediately from the building or premises.
- 20. Whenever the Fire Chief finds a building, structure or premise or part thereof which is unoccupied and which, in the opinion of the Fire Chief, is not being kept in a safe condition to guard against fire or the risk of fire or other dangerous risk or accident, the Fire Chief may order the owner, tenant, occupant or agent responsible to remedy the dangerous condition and to secure the building, structure or premise or part thereof in such a manner as to prevent any unauthorized use by any person while it is unoccupied.
- 21. In the event of an immediate hazard, if the owner, tenant, occupant or agent responsible refuses or neglects to comply with the order of the Fire Chief to remedy the hazardous condition, or if the owner, tenant, occupant or agent responsible for the building or area cannot be located, the Fire Chief may take such action as is appropriate, without notice and at the expense of the owner, and the RDOS shall recover the expense thereof with costs, in a like manner as property taxes.
- **22.** Without limiting the generality of the foregoing, when immediate measures must be taken to avoid imminent danger of fire or risk of accident, the Fire Chief may cause the evacuation of any building or area, he may order that the building or area remain evacuated until the hazard is removed, and the Fire Chief may direct the RCMP and other municipal officials to assist in this regard.

Offences

- 23. No person at an Incident shall obstruct, hinder or delay a Member or other person assisting or acting under the direction of the Fire Chief.
- 24. No person shall drive any vehicle over any equipment or fire hose without the permission of the Fire Chief.
- 25. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire incident, fire hydrant, cistern, or any connections provided to a fire main, pipe, standpipe, sprinkler system or any body of water designated for firefighting purposes.
- 26. No person shall falsely represent himself as a Fire Department Officer or Member.

Bylaw Enforcement

- 27. The Fire Chief shall be responsible for the enforcement of the provisions of this bylaw.
- 28. Without limiting the right of entry of a Member during an Incident, the Fire Chief may inspect any building or premises, and for such purpose may at all reasonable hours, and upon producing proper identification, enter into and upon the building or premises to conduct an inspection to determine compliance with the provisions of this bylaw.
- 29. The Fire Chief may order any person who contravenes this bylaw to take such measures as are specified in the order to forthwith remedy the non-compliance with this bylaw.

Information in an Order

- 30. An order issued pursuant to this bylaw shall contain at least the following information:
 - (a) The name and address of the person upon whom the order is served;
 - (b) The day on which the offence is alleged to have been committed;
 - (c) The address of the premises under consideration;
 - (d) Reasonable particulars of this bylaw with respect to which the noncompliance is alleged;
 - (e) A requirement that the person served shall remedy the non-compliance; and
 - (f) A prescribed time frame during which the non-compliance must be remedied.

Right to Appeal

31. All appeals may be appealed to the CAO.

Penalties

- 32. Every person commits an offence who:
 - (a) Fails to comply with an order issued pursuant to this bylaw; or,
 - (b) Fails to provide information or assistance as required by this bylaw; or,

- (c) Knowingly states anything false in information delivered or furnished to the Fire Chief or any Member of the Fire Department; or,
- (d) Obstructs or interferes with an inspection under this bylaw.
- 33. Nothing in this Bylaw shall restrict the RDOS from utilizing any other remedy that would otherwise be available to the RDOS at law.
- 34. Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.
- 35. A person commits an offence who violates any provision of this bylaw and shall be liable, on conviction:
 - (a) to a fine in the maximum amount of Ten Thousand Dollars (\$10,000.00) or to imprisonment; for no more than Six (6) months, or both; and
 - (b) in case of a continuing offence, to a further penalty for each day during which the offence continues as provided by the Offence Act.

The penalties hereunder shall be in addition to and in substitution for any other penalty or remedy available under this bylaw, the *Local Government Act*, other Bylaw of the RDOS, the *Fire Services Act* or law.

36. Notwithstanding any section of this bylaw, where a person upon whom an order has been served fails to comply with the order and has not appealed from the order, or has appealed from the order and a decision has been rendered against him, the Board may take the necessary action to perform the work required by the order, and the Board may recover the expenses thereof with costs, in a like manner as property taxes.

Severability

37. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Superiority Clause

38. Wherever this Bylaw sets out Fire Service Regulations with respect to Fire Departments and other such RDOS bylaws contain Fire Service Regulations, this Bylaw is deemed to prevail.

Coming into Force

39. This bylaw shall come into full force and effect upon final passage thereof.

READ A FIRST, SECOND AND THIRD TIME this 4th day of August, 2011.

ADOPTED by at least 2/3 of the Votes this 4th day of August, 2011

RDOS Board Chair

Chief Administrative Officer

Bylaw No. 2566, 2011

Schedule "A"

Fire Protection Services

The following Fire Departments are authorized to provide all aspects of fire protection in accordance with this bylaw:

Anarchist Mountain Volunteer Fire Department Kaleden Volunteer Fire Department Keremeos and District Volunteer Fire Department Naramata Volunteer Fire Department Okanagan Falls Volunteer Fire Department Tulameen Volunteer Fire Department Willowbrook Volunteer Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is qualified to provide.

Bylaw No. 2566, 2011

Schedule "B"

Auto Extrication Services

The following Fire Departments are authorized to provide auto extrication services in accordance with this bylaw:

Anarchist Mountain Volunteer Fire Department Kaleden Volunteer Fire Department Naramata Volunteer Fire Department Okanagan Falls Volunteer Fire Department Keremeos and District Volunteer Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

Bylaw No. 2566, 2011

Schedule "C"

First Responder Program Services

The following Fire Departments are authorized to provide First Responder Program Services in accordance with this bylaw:

Anarchist Mountain Volunteer Fire Department Kaleden Volunteer Fire Department Naramata Volunteer Fire Department Okanagan Falls Volunteer Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

Bylaw No. 2566, 2011

Schedule "D"

Fire Inspection Service

The following Fire Departments are authorized to provide a Fire Prevention Program in accordance with this bylaw:

Okanagan Falls Volunteer Fire Department Keremeos and District Volunteer Fire Department

The program to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

Bylaw No. 2566, 2011

Schedule "E"

Rescue Services

The following Fire Departments are authorized to provide the following specialized rescue services in accordance with this bylaw:

Still Water Rescue

Naramata Volunteer Fire Department Kaleden Volunteer Fire Department Okanagan Falls Volunteer Fire Department

Swiftwater Rescue

None at this time

Ice Rescue

None at this time

Low Angle Rescue

Anarchist Mountain Volunteer Fire Department Kaleden Volunteer Fire Department Keremeos and District Volunteer Fire Department Naramata Volunteer Fire Department Okanagan Falls Volunteer Fire Department

Hi-AngleTechnical Rope Rescue

None at this time

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 19, 2018
RE: Keremeos Fire Truck Acquisition Loan Authorization Bylaw

Administrative Recommendation:

THAT Keremeos Fire Truck Acquisition Loan Authorization Bylaw No. 2802, 2018 be read a first, second and third time and be forwarded to the Inspector of Municipalities for Ministry approval prior to electoral approval; and,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an assent vote in accordance with Part 4 of the *Local Government Act*, and

THAT the assent vote process be conducted in conjunction with the General Local Election on October 20, 2018; and

THAT the question on the assent vote ballot be "Are you in favour of the Regional District of Okanagan-Similkameen adopting Bylaw No. 2802, 2018, a bylaw to authorize the long-term borrowing of \$350,000 for the acquisition of a fire truck for the Keremeos Fire Protection Service Area?"

Reference:

Keremeos & District Fire Prevention and Suppression Local Service Establishment Bylaw No. 2178, 2002

History:

In 2002, Bylaw No. 2178 was adopted to convert the function of providing and operating fire protection facilities for Keremeos and defined areas of Electoral Areas "B" and "G" into a service.

The residents of Keremeos and Electoral Areas "B" and "G" have enjoyed reduced insurance premiums with Fire Underwriters recognition of the Keremeos Fire Department as a fire protection provider. The criteria for this discount are primarily (but not limited to) based on factors such as: available water supply for firefighting purposes, availability of trained staff and personnel, availability of reliable fire apparatus and its water pumping capacity. The current in-service Fire Truck is reaching its maximum recognized serviceability by the Fire Underwriters.

Analysis:

The Keremeos Fire Department would like to purchase a new fire truck to stay in compliance with Fire Underwriters requirements. The cost of the Fire Truck is approximately \$504,000.00 and the department has \$180,000.00 in their reserves for the purchase.



Although the remaining cost is \$324,000, a borrowing amount of \$350,000. 00 is recommended, to ensure that a reasonable contingency is included, to allow for any unanticipated costs or higher quote amounts which may arise during the RFQ process. This borrowing amount would be amortized over 15 years.

Elector Approval:

<u>Section 84</u> of the *Community Charter* contains the provisions for elector approval. If elector approval is required under the *Community Charter* or *Local Government Act* in relation to a particular matter, that approval may be obtained either by assent of the electors (i.e., a referendum vote), or by alternative approval process (AAP). An AAP may only be used when the maximum amount to be requisitioned is equivalent to 50 cents for each \$1,000 of net taxable value of land and improvements in the service area. That amount is exceeded in this instance, therefore, electoral approval is to be though an assent vote, which will be held in conjunction with the 2018 general local elections.

Respectfully submitted,

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2802 2018

A bylaw to authorize the long-term borrowing for the acquisition of a Fire Truck for the Keremeos Fire Protection Service Area.

WHEREAS pursuant to Section 406 of the Local Government Act and Section 179 of the Community Charter, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No.2178, 2002, a service for the purpose of providing fire prevention and inspection services, and fire suppression and other emergency responses, in and for the Keremeos Fire Protection Service Area;

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

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

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

1. AUTHORIZATION OF PURCHASE

The Regional Board is hereby empowered and authorized, under Bylaw No. 2178, 2002, to provide fire prevention and suppression services in and for the Keremeos Fire Protection Service Area and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

2. LOAN AUTHORIZATION

- a) To borrow upon the credit of the Regional District a sum not more than the greater of three hundred and fifty thousand dollars (\$ 350,000).
- b) To acquire and have installed all such materials as may be requisite or desirable in connections with the purchase of a fire truck in and for the Naramata Fire Prevention and Suppression Local Service.

3. TERM OF DEBENTURE

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

4. <u>CITATION</u>

This bylaw may be cited as Keremeos Fire Truck Acquisition Loan Authorization Bylaw No. 2802, 2018

READ A FIRST, SECOND, AND THIRD TIME this xxx day of xxx, 2018

APPROVED by the Inspector of Municipalities this xxx day of xxx, 2018

RECEIVED APPROVED BY THE ELECTORS IN THE KEREMEOS FIRE PROTECTION SERVICE AREA THROUGH ALTERNATIVE APPROVAL this XXX day of XXX, 2018

ADOPTED this XXX day of XXX, 2018

RDOS Board Chair

Corporate Officer



BOARD REPORT: April 6, 2018

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

WATER BOARD

Okanagan Basin

OBWB Directors

Tracy Gray - **Chair**, Regional District of Central Okanagan

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

Doug Dirk, Regional District of North Okanagan

Rick Fairbairn, Regional District of North Okanagan

Doug Findlater, Regional District of Central Okanagan

Cindy Fortin, 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.

Brian Guy, Okanagan Water Stewardship Council

The next regular meeting of the OBWB will be 10 a.m. May 1, 2018 at the Ramada Kelowna Hotel and Conference Centre.

Okanagan Basin Water Board Meeting Highlights

BC Flood and Wildfire Review Committee meets with Water Board: At the request of the BC Flood and Wildfire Review Committee, the Water Board convened a roundtable discussion with its Water Stewardship Council, local government staff and elected officials on March 29. The committee, commissioned by the B.C. government and cochaired by Chief Maureen Chapman and Mr. George Abbott, is collecting feedback on last year's flooding, management efforts, and recommendations to address flood planning and mitigation. The committee is expected to deliver its final report with recommendations by April 30.

OBWB helping Okanagan communities prepare for spring freshet: The board was updated on the valley's above-average snowpack and efforts by the province and local water managers to prepare for spring freshet and potential flooding. The OBWB is hosting free Water Supply Webinars April 16 and May 8, 11 a.m., looking at the current and forecasted water supply for 2018 in the Okanagan. The webinars will include updates from Environment and Climate Change Canada, the BC River Forecast Centre, B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development, and others. Topics include precipitation/weather, water flow and storage, groundwater levels, international Osoyoos Lake levels, and fire preparedness. The webinars will be of interest to local government staff and consultants, agriculturalists, elected officials, tourism operators, and the public. Register at https://bit.ly/2JqWgUm.

Toolkit database for planning sustainable communities open for business: The Water Board has teamed up with CivicInfo BC to offer a new online resource with almost 60 planning guides and toolkits to help build climate resilient communities. The resources provide legal mechanisms, innovative policies, and best practices to help communities address climate change, protect green infrastructure, and carry out sustainable land and water use practices. The toolkits are intended for local government and consulting planners, engineers, biologists, environmental consultants, conservationists and elected officials. Coming soon: a *Constructed Wetland Guidebook*. Find the database at <u>https://</u> www.civicinfo.bc.ca/planning-guides.

Water Conservation & Quality Improvement (WCQI) Grants awarded: Directors approved \$300,000 in funding to 18 projects in the Okanagan through its WCQI grant program. Twenty-three applications were received this year with a total request of over \$467,000. Those receiving funds include the Okanagan Collaborative Conservation Program to build-out an Okanagan-based school curriculum on water and include traditional Syllx knowledge, the Mission Creek Restoration Initiative to ensure flood protection and wildlife habitat restoration objectives are met, and the En'owkin Centre for a floodplain re -engagement project. More details available soon at www.OBWB.ca.

Rain barrels make splash in Central Okanagan: The OBWB's Okanagan WaterWise program has teamed up with Regional District of Central Okanagan's Waste Reduction Office to host a one-day-only rain barrel and composter sale for Central Okanagan residents on Earth Day, April 22. Limited product available. More details at www.OkWaterWise.ca. For those interested in a Do-It-Yourself rain barrel project check out this video, created with Regional District North Okanagan: https://bit.ly/2HgyoC2.

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