

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, October 18, 2018 RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	9:15 am	Public Hearing: Amendment Bylaw No. 2830, 2018 – Electoral Area Update. Electoral Areas "A", "C", "D", "E" & "H"
9:15 am	-	10:15 am	Protective Services Committee [Closed Session]
10:15 am	-	10:30 am	Planning and Development Committee
10:30 am	-	10:45 am	Community Services Committee
10:45 am	-	11:00 am	Break
11:00 am	-	12:00 pm	Corporate Services Committee
12:00 pm	-	12:30 pm	Lunch
12:30 pm	-	1:00 pm	Protective Services Committee
1:00 pm	-	1:15 pm	Environment and Infrastructure Committee
1:15 pm	-	1:30 pm	OSRHD Board
1:30 pm	-	4:30 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich RDOS Board Chair

Advance Notice of Meetings:							
November 15, 2018	RDOS Board/OSRHD Board/Committee Meetings						
December 06, 2018	RDOS Board/Committee Meetings						
December 20, 2018	RDOS Board/OSRHD Board/Committee Meetings						



Notice is hereby given that all persons who believe that their interest in property is affected by the **Regional District of Okanagan-Similkameen Official Community Plan Amendment Bylaw No. 2830**, **2018**, will be afforded a reasonable opportunity to be heard before the Regional District Board or to present written submissions respecting matters contained in the proposed bylaw at a public hearing to be held on:

Date:Thursday, October 18, 2018Time:9:00 a.m.Location:RDOS, Board Room, 101 Martin Street, Penticton

The Regional District is proposing to update a number of Electoral Area Official Community Plan (OCP) Bylaws to reflect the pending division of Electoral Area "D" (i.e. "D-1" & "D-2") into a new Electoral Area "D" and Electoral Area "I". In addition, it is further proposed that these OCP Bylaws be updated to reflect a 2016 revision of the *Local Government Act*.

Accordingly, Amendment Bylaw No. 2830, 2018, proposes, amongst other things, the following:

- the "Context Map" found in each bylaw is amended to reflect the new boundaries of Electoral Area "D" and Electoral Area "I";
- textual references to Electoral Area "D" in each of the bylaws are amended to reflect the new boundaries of Electoral Area "D" and Electoral Area "I"; and
- textual references to the *Local Government Act* in each bylaw are updated to reflect the new section numbers of the Act introduced in 2016.

These amendments will be applied to the:

- Electoral Area "A" OCP Bylaw No. 2450, 2008;
- Electoral Area "C" OCP Bylaw No. 2452, 2008;
- Electoral Area "D-1" OCP Bylaw No. 2683, 2016;
- Electoral Area "D-2" OCP Bylaw No. 2603, 2013;
- Electoral Area "E" OCP Bylaw No. 2458, 2008; and
- Electoral Area "H" OCP Bylaw No, 2497, 2012.

For further information about the content of **Amendment Bylaw No. 2830, 2018**, and the land affected by it, persons are encouraged to inspect a copy of the proposed Bylaws at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information related to this proposal is also available at: <u>www.rdos.bc.ca</u> (Departments \rightarrow Development Services \rightarrow Planning \rightarrow Strategic Projects \rightarrow Creation of Electoral Area "I" & LGA Revisions Update).

Anyone who considers themselves affected by **Amendment Bylaw No. 2830, 2018**, can speak at the public hearing or present written information prior to or at the public hearing. No letter, report or representation from the public will be received after the conclusion of the public hearing.

NOTE: 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.

Postal: 101 Martin St, Penticton, BC, V2A-5J9 | Tel: 250-492-0237 | Fax: 250-492-0063 | Email: planning@rdos.bc.ca



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee Thursday, October 18, 2018 10:15 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee meeting of October 18, 2018 be adopted.

B. 2018 Q3 ACTIVITY REPORT – For Information Only

C. LEAN KAIZEN UPDATE: SUBDIVISION REFERRALS – For Information Only

To provide the Board with an overview of the recently completed Lean Kaizen review of the subdivision referral process.

D. ADJOURNMENT

ADMINISTRATIVE REPORT

TO:	Planning & Development Committee	RDO
FROM:	B. Newell, Chief Administrative Officer	OKANA
DATE:	October 18, 2018	
RE:	Third 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 the functional areas Planning, Building Inspection, Bylaw Enforcement, and Development Engineering and is generally responsible for planning and regulating development within the Regional District. The following is an overview of activities undertaken by the Department by division:

PLANNING:

Q3 Activities

- Electoral Area "F" Official Community Plan Review is ongoing. The final two public open houses were to held to show the Round 3 survey results and provide feedback as to what is moving forward to the Draft Plan. The OCP draft plan was completed and advertised to the public and put on RDOS website. Expectation is a mid-summer Board report for first reading.
- The following reports were prepared for consideration by the Planning and Development Committee:
 - Foreshore Stewardship
 - ø Climate Change Staff Grant
 - ø RGS Legislation
 - ø Policy changes Area F OCP
 - ø Zoning for retail Sales of Cannabis
 - ø Referral Procedures for Cannibis and Liquor
 - ø Cannibis Production in the ALR

- ø Electoral Area "I" & LGA Update
- **ø** The following reports were prepared for consideration by the Board:
 - ø 20 Official Community Plan and/or Zoning Bylaw Amendments*;
 - ø 5 Development Variance Permits;
 - ø 1 Temporary Use Permits; and
 - ø 1 Covenant.

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

- Ø 25 Development Permits (i.e. Environmentally Sensitive, Watercourse, etc.) were issued under delegated authority.
- **ø** 9 Advisory Planning Commission (APC) Meetings were scheduled.
- Ø 10 Public Information Meetings for Bylaw Amendments or Temporary Use Permits were scheduled.
- ø 14 Public Hearings were scheduled.
- Ø A total of 2 Liquor License referral for Lounge and Special Event Area Applications:
 - ø 436167 BC Ltd. (Rising Tide)
 - ø Twisted Hills Craft Cider
- Ø Provision of planning services to the Town of Oliver, including:
 - ø 1 Zoning Bylaw Amendments;
 - ø 1 Development Variance Permit;
 - 1 Watercourse Development Permit;
 - ø 3 Subdivision Referrals;
 - Discussion Paper Zoning Regulations for Building Projections;
 - Discussion Paper & Amendment Bylaw Termination of LUC No. LU-3-C-77;
 - Discussion Paper & Amendment Bylaw Bicycle & Mobilty Scotter DP Area Guidelines;
 - Discussion Paper & Amendment Bylaw Procedures for LCRB Referrals.
- Ø Provision of planning services to the Village of Keremeos, including:
 - 1 Zoning Amendment;
 - 1 Development Variance Permit;
- **ø** Provision of planning services to the Town of Princeton, including:
 - 1 Development Variance Permit; and
 - ø 2 Development Permits.

Planned Activities for Q4 – 2018

- Bring forward Zoning Amendment Bylaw related to Okanagan Falls Town Centre Plan for Board review and consideration of 1st reading;
- Continue work in support of South Okanagan Electoral Area Zoning Bylaw No. 2800 (i.e. Small Holdings & Residential zones, etc.);
- Exploration and research of zoning bylaw options for within the lakeshore of the Okanagan Valley lakes; and
- Continue to provide planning services to the Town of Oliver, Village of Keremeos and Town of Princeton.

BUILDING INSPECTION:

Q3 Activities

- A total of year-to-date of 357 permits were issued to September 30, 2018, compared to 427 which were issued to September 30, 2017 (see Attachment No. 2 for the summary of issued Building Permits in Q2).
- Building Bylaw #2805, 2018 has been prepared and is ready for Board first reading review and public consultation.
- The 2018 Building Code has been adopted and will be effective December 10, 2018.
- New fees have been added to the Fees and Charges Bylaw for additional services that are being introduced in the new building bylaw.
- Active enforcement of Building bylaw violations and continued work on bringing all enforcement files up to date. A total of ten (10) Board reports seeking a notice on title or injunction actions were brought forward in Q3.

Planned Activities for Q4 – 2018

• Public consultation, review and adoption of Building Bylaw #2805, 2018.

BYLAW ENFORCEMENT:

Q3 Activities

• Continued work with new Animal Control provider to streamline service and provide enhanced level of service within the contract.

Planned Activities for Q4 – 2018

- Amend Untidy and Unsightly Premises Bylaws by rescinding schedules and to allow these bylaws to follow the newly adopted Bylaw Enforcement Procedures Policy.
- Revision of internal land use assessment referral procedure following the consolidation of Building Inspection and Bylaw enforcement under one Manager (Internal Org. Review recommendation).

DEVELOPMENT ENGINEERING:

Q3 Activities

- MoTI Subdivision Referrals
 - ø 15 Received from Jan to Sept 2017 and a total of 21 for 2017
 - ø 19 Received from Jan to Sept 2018
 - ø 44 Active subdivision referrals pending applicants' action
 - Ø Review of off-site infrastructure requirements at two Building Permit application
 - Expansion of the Okanangan Falls sanitary infrastructure and requiring two Works and Services Agreements and a Service Area petition for a major development (Sunniva).
 - Expansion of the Okanagan Falls sanitary infrastructure and requiring one Works and Services Agreement for seniors housing facility.
 - Ø Provision of Development Engineering services to the Village of Keremeos, including:
 - 2 reviews of off-site infrastructure requirements at Building Permit application for seniors housing facility.
 - 1 Preliminary review of subdivision requirement
 - 1 Review of Subdivision Application for PLA
 - ø Twin Lake Golf Resort
 - ø Water and sewer infratrustructre review
 - Water Monitoring Terms of Reference
 - ø Service Area Petitions
 - ø Sanitary Sewer petition of Okanagan Falls
 - ø Water and Sanitary Sewer for Gallagher Lake
 - Street Lighting petitions for Heritage Hills and Naramata
 - ø (Subdivision) Works and Services BylawProject being initiated with consultants identified.

Planned Activities for Q4 – 2018

- Sunniva Development Servicing Agreement preparation
- Twin Lakes Golf Resort Terms of Reference for Monitoring Service, Servicing Agreement.
- Works and Services Bylaw Schedule preparation.
- · Continue to provide development engineering services to the Village of Keremeos.

Respectfully Submitted

B. Dollevoet, Development Services Manager

Attachments: No. 1 – Number of Development Applications / Referrals (3rd Quarter)

No. 2 – Summary of Building Permits (YTD – September) No. 3 – Summary of Bylaw Enforcement Complaints (3rd Quarter)

https://portal.rdos.bc.ca/departments/officeofthecao/BoardReports/2018/20181018/PlanningAndDevelopment/B. Q3 Activity Report.docx Page 5 of 8



Attachment No. 1 - Number of Development Applications / Referrals

https://portal.rdos.bc.ca/departments/officeofthecao/BoardReports/2018/20181018/PlanningAndDevelopment/B. Q3 Activity Report.docx Page 6 of 8

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Attachment No. 2 – Summary of Building Permits Issued, 3rd Quarter 2018

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Attachment No. 3 – Summary of Bylaw Enforcement Complaints, 3 rd Quarter											
F	REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN										
		SUM	MARY	OF B	YLAW	INFR	ACTIO	VS			
	3RD QUARTER (July-September 2018)										
					ary-JC	pterm		10)			
COMPLAINTS RECEIVED July - September 2018											
DESCRIPTION	A	B	C	Der 20	E	F	G	Н	TOTAL	2018	2017
LAND USE	<u>А</u> 1	D	2	6	E	г 1	0	п 0	101AL	11	12
ESDP	0	0	0	0	0	0	0	0	0	0	0
WDP	3	0	0	1	0	0	0	0	4	4	2
MULTIPLE	0	0	0	0	0	0	0	1	1	1	1
UNTIDY/UNSIGHTLY	0	0	0	1	1	0	0	2	4	4	12
BUIDING BYLAW	0	0	1	2	0	0	0	3	6	6	1
ANIMAL CONTROL	7	3	5	12	6	0	4	0	37	37	2
NOISE CONTROL	0	0	1	60	7	7	0	0	75	75	1
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0
Totals	11	3	<u>9</u>	82	15	8	4	6	138	138	31
TOLAIS	11	3	9	02	15	0	4	0	130	130	31
COMPLAINTS RESO		lube (Conton	abor 20	10						
DESCRIPTION		B	Septen C			F	G	Н	ΤΟΤΑΙ	2010	2017
LAND USE	A 0	<u>В</u>	-	D	E	F	0		TOTAL	2018	2017
ESDP	0	0	0	5 1	1	0	0	0	7	7	9 0
WDP	0	0	0	0	0	1	0	0	2	2	1
MULTIPLE	0	0	0	0	0	0	0	0	0	0	0
UNTIDY/UNSIGHTLY	0	0	0	0	1	1	1	1	4	4	4
BUIDING BYLAW	0	0	1	0	0	0	0	0	4	4	1
ANIMAL CONTROL	1	1	0	2	0	0	0	0	4	4	0
NOISE CONTROL	0	0	1	60	7	7	0	0	75	75	0
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0
	-	-	-	-	-	-	-		-	-	-
Totals	1	1	3	68	10	10	1	1	95	95	15
				tombo	r 2010						
TOTAL ACTIVE CON			<u> </u>			F	<u> </u>		TOTAL	2010	2017
	A 7	B	C	D	E	F	G	H	TOTAL	2018	2017
LAND USE	0	0	11 1	16 1	3	10 0	1 0	2 0	50 2	50 2	10 2
ESDP WDP	4	0	0	3	0	0	0	0	7	 7	2
MULTIPLE	<u> </u>	0	0	2	0	0	0	1	3	3	 1
UNTIDY/UNSIGHTLY	0	0	4	2	4	1	4	4	25	3 25	10
BUIDING BYLAW	0	0	4	0 4	4	0	4	4	25 7	 7	2
ANIMAL CONTROL	2	3	5	4	2	1	2	0	22	22	0
NOISE CONTROL	0	0	1	60	7	7	0	0	75	75	1
BURNING BYLAW	-					-					
	0	0	0	0	0	0	0	0	0	0	0
Totals	13	3	22	101	17	19	7	9	191	191	28

ADMINISTRATIVE REPORT

TO: Planning and Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Lean Kaizen Update – Subdivision Referrals

Administrative Recommendation:

For Information only.

Purpose:

The purpose of this report is to provide the Board with an overview of the recently completed Lean Kaizen review of the subdivision referral process.

Background:

In the 2017 Corporate Business Plan, the Board provided Administration direction to: "Facilitate two Kaizens under the Lean Management Program". One of the processes identified was the Subdivision Referral process.

Lean is a methodology for "Accountability in a No Blame Environment". In simple terms Lean is a process to:

- Develop and follow standard work
- · Work productively and minimize waste
- Handle or communicate abnormalities
- · Participate in process improvement
- · Update / train new work standards
- Respect the customer / Act on problems

In September of 2017, an internal team of key staff from the departments Development Services, Public Works, in addition to staff from the Ministry of Transportation and Infrastructure (MOTI) participated in a 2 day Kaizen. The intent was to find efficiencies, reducing the time needed to complete the process, and improving customer service and transparency.

A presentation on the outcomes of this process was made to the Planning and Development (P&D) Committee on September 21, 2017.

Following the Subdivision referral process in Fall of 2017, the organization underwent an Internal Organizational review in Spring of 2018. A review of how the other Regional District benchmark communities process Subdivision referrals was undertaken. As a result, a recommendation out of the Internal Organization review was the moving of the Subdivision Servicing service area from the department of Public Works to Development Services.



Analysis:

Through the Kaizen process, a number of bottlenecks and issues were identified which included: multiple points of entry and contact with customers, one singular staff resource managing the process, an undefined role leading to work prioritization in areas away from the subdivision process, the RDOS Letter of requirements template being overly complicated, and the process being complicated to communicate to customers.

Administration considers that all of the actions required to address these identified bottlenecks have been addressed or will be addressed shortly following the transition of Subdivision referrals from Public Works to Development Services. Attachment No. 1 provide a list of all Kaizen action items.

In particular, the recommendations of the Organizational Review allowed for most of the remaining Kaizen actions to be completed, specifically:

- The Subdivision Supervisor's role and job description was reviewed and re-titled to "Development Engineering Supervisor". The intent of this change was to remove the Subdivision referral process being the responsibility of only one staff resource.
- The Subdivision referral process has been delegated to the Planning Department, to be managed similar to any other land use approval process.
- A new procedure to be included in the Development Procedure Bylaw for processing Subdivision referrals was drafted, which removed the need for the previous "RDOS fee letter". Instead payment of fees will be the first requirement to be completed in the Letter of Requirements, prior to RDOS initiating any other work.
- Subdivision referral file management is delegated from the Planning Supervisor to Planning Technicians. This will allow cross-training on Subdivision referrals to occur within the Planning Department.
- The draft procedures also clarify the role of the Development Engineering Supervisor to act as the in-department advisor on the servicing aspects of subdivisions.
- The draft procedures were developed to achieve a target timeline of <u>4 weeks</u> to issue a "Notice of Requirements" (past Letter of Requirements) referral letter back to MOTI.
- Providing notification to Directors is a step included in the draft procedures.

The one item not completed was to investigate with MoTI a one point of entry and fee payment. This may not be achievable, as fees are paid to the province to the Ministry of Finance, and to require RDOS fee payment at the same time may be too difficult to insert into the provincial bureaucratic process. Rather, requiring fee payment as a requirement of the "Notice of Requirements" letter achieves the same process efficiency gain that was proposed to have RDOS fees paid up front at MOTI offices (i.e. removal of the Fee letter requirement bottleneck).

Overall, Administration feels that the Subdivision Referral Kaizen was a success that led to some significant changes to the RDOS organization for the betterment of staff and customers.

Respectfully submitted:

B. Dollevoet, Dev. Services Manager

Attachment No.1Action Items identified in Subdivision Referral KaizenAttachment No. 1: Action Items identified in Subdivision Referral Kaizen

- 1. <u>Improve the customer experience by achieving a time reduction</u>
 - Eliminate the referral step to Fortis, approx. 2 day time savings for the customer (Completed)
 - · Update RDOS fee letter to request earlier payment (Not required)
 - Review roles / current duties of the Subdivision Supervisor position to speed up process.
 (Completed)
 - Investigate with MOTI one point of entry and fee payment (Not completed)
 - · Crosstrain staff for subdivision coverage (Completed)
 - Include target timelines for Letter of Requirements issuance (Completed).
- 2. Improve the customer experience by reducing the complexity of the process
 - Review and update the Subdivision brochure (Completed)
 - · Create a new "Letter of Requirements" template (Completed)
 - Formalize the internal subdivision process policy (Completed to still include in Development Procedures Bylaw)
 - Educate staff on properly directing inquiries (Completed)
- 3. <u>Clarify roles and responsibilities</u>
 - Formalize the internal subdivision process policy (Completed to still include in Development Procedures Bylaw)
 - Provide notification to Directors for information only (Completed)
 - Review Organizational structure for Planning and Engineering functions (Completed)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee Thursday, October 18, 2018 10:30 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1

THAT the Agenda for the Community Services Committee meeting of October 18, 2018 be adopted.

- B. 2018 Q3 ACTIVITY REPORT For Information Only
- C. ADJOURNMENT



ADMINISTRATIVE REPORT

TO: Community Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Third Quarter Activity Report – For Information Only

COMMUNITY SERVICES DEPARTMENT

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

Activities Completed for Q3 2018

Parks, Recreation and Trails

- Completed 2019 strategic planning, budget workshops and fees and charges bylaw updates with Parks and Recreation Commissions
- Completed design phase of Pioneer Park, KVR trail, boat launch and parking lot project in Kaleden
- Installed fencing around the Tulameen Community ice rink site
- Completed grading and installed irrigation at Heritage Hills Park
- Replace Manitou swim platform through DFA funding in Naramata
- Installed stop and speed control signs on the KVR trail in Tulameen and Coalmont
- Tendered and began construction of the Spirit Park Tennis/Pickle ball courts in Naramata
- Tendered Osoyoos Lake Park washroom project
- Tendered the repair of Wharf Park shoreline through DFA funding in Naramata
- Delivered summer recreation programs in Okanagan Falls, Kaleden, Naramata, Similkameen and West Bench
- Distributed Fall Recreation Program guides to the public via print, social media, website and civic ready
- Met with Cawston, West Bench and Similkameen school principals to discuss recreation programs in anticipation of the Regional Approach to Recreation
- Initiated the Wharf Park First Street closure with the Province (MoTI) in Naramata
- Regional recreation registration software (Book King) is live for Fall Recreation program and RDOS facility bookings. On-line payment feature enabled
- Fall Explorers Programs (after school outdoor recreation) now regional: continues in Okanagan Falls, Kaleden, Naramata and West Bench. New program for Keremeos and Cawston
- Renewed SD 53 shared use agreement for Okanagan Falls School for recreation program
- New Horizons for Seniors grant (\$11,400) received for Okanagan Falls Seniors Play in the Park events held throughout the summer and into September
- Continued with the Regional Approach to Recreation: Fundamental Movement Skills Workshop, First Nation play boxes, regional walking, Physical Activity Trailer (PAT) had over 50 bookings. A few more initiatives planned for Sept, Oct and November including Try It Sports days

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20181018/Communityservices/B. Q3 Activity Report.Docx File No:



- Hosted Physical Literacy for Communities launch on Sept. 26 (projected supported by BC Physical Activity Strategy and Sport for Life)
- Hired BCRPA Green Student to assist with Regional Approach to Recreation
- Standardized participant, instructor, volunteer forms and facility agreements for recreation
- Working with RDOS Finance and MIABC to utilize insurance portal for facility bookings

Transit

- Carried out public open houses throughout the Region to support the proposed Penticton Kelowna Regional Transit service
- Completed the AAP for the upcoming 2019 Penticton Kelowna Regional Transit service
- Completed the Service Development Plan MOU for Penticton-Kelowna expansion with Bc Transit

Heritage and Culture

- Working with Okanagan Falls Heritage Society and engineering consultant on the restoration of the Keogan Chimney (received \$10,000 for assessment on preservation via Rural Dividend)
- Completed an MOU with the South Okanagan Naturalist's Club as a first step in future collaboration on natural heritage

Rural Projects

- Received final report regarding the class-C estimate for Mclean Creek Pedestrian Corridor, next step is to determine funding source.
- Supported the South Skaha Housing Society for their 'ground-breaking' ceremony in October

Planned Activities for Q4 2018

Parks, Recreation and Trails

- Parks and Recreation Commission advertising for commission members, 2019 budget and capital projects
- Manage the KVR trail slope repair project on behalf of the Province
- Replace dock at Okanagan Falls boat launch
- Re-tender of Osoyoos Lake restroom
- Install sod and pathway at the Heritage Hills Park
- Pave Similkameen Recreation Center parking lot
- Winterize parks and Keremeos outdoor pool
- Begin application phase for Investing in Canada Infrastructure Program (ICIP) Deadline Jan. 23
- Install new irrigation mainline at Kobau Park in Cawston
- Tender and construction of Pioneer Park, KVR Trail, boat launch and parking lot in Kaleden
- Complete Wharf Park armoring in Naramata DFA funded reclamation
- Finalize Creek Park land acquisition, commence subdivision and re-zoning application (Naramata)
- Complete final report of the Regional Approach 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

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20181018/Communityservices/B. Q3 Activity Report.Docx File No:



- Advertise Winter programming for recreation in Ok Falls, Kaleden, Naramata, West Bench and Similkameen
- Develop community plan and identify sector leaders for the PL4C project
- Continue to refine Book King software for processing online recreation registrations, facility rentals and standardized forms
- Assisting the Okanagan Falls Heritage and Museum on Keogan Chimney assessment and recommendation for preservation
- Submit naming options to the Board for the Heritage Hills Park and Naramata Park

Transit

- Work with the Transit working group and BC Transit to develop an implementation plan for the 2019 Penticton – Kelowna Regional transit service
- Work with BC Transit to solidify options for West Bench Transit

Rural Projects

Install Naramata community entrance sign celebrating Naramata's Syilx traditional place name
 "House of Bald Eagle"

Respectfully submitted:

Mark Woods

M. Woods, Manager of Community Services



REGIONAL RECREATION IS...

Q3 Initiatives included:

- Utilized BCRPA Green Job initiative to hire Summer Student. .
- Sport Try it Day Event in Kaleden-Fencing.
- Naramata Summer Camp, Ok Falls-Terrific Tuesdays and What's on Wednesdays, Kaleden-Sun and Sand Thursdays, Canada Day events.
- Over 50 community visits (Summer), impacting over 200 individuals. ٠
 - Summerland Movie in the Park. ٠
 - 49 used online registration.
 - Standardizing forms, waivers and agreements.
 - Utilizing MIABC insurance portal.
 - Physical Literacy for Communities (PL4C) project.















- 514 individuals at Drop in Program offerings
- 99 Fitness Passes (Ok Falls, Naramata and Keremeos)

Get active...rec.rdos.bc.ca

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20181018/Communityservices/B. Q3 Activity Report.Docx File No:



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee Thursday, October 18, 2018 11:00 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1

THAT the Agenda for the Corporate Services Committee meeting of October 18, 2018 be adopted.

- B. 2018 Q3 ACTIVITY REPORT For Information Only
- C. 2018 Q3 CORPORATE ACTION PLAN REPORT For Information Only
- D. 2018 Q3 VARIANCE REPORT For Information Only 1. Presentation

E. ADJOURNMENT



ADMINISTRATIVE REPORT

TO:	Corporate Services Committee
FROM:	B. Newell, Chief Administrative Officer
DATE:	October 18, 2018
RE:	Q3 2018 Activity Report

LEGISLATIVE SERVICES

2018 Q3 Completed Activities

- Coordinated the Public Information portfolio in the Emergency Operations Centre
- Administered the Conservation Fund submissions process.
- Completed review of Fire Department regulatory bylaws.
- Conducted Privacy Impact Assessment on Naramata Water/Fire Video initiatives and BookKing Recreation Software.
- Continued development of Business Continuity Plan for 101 Martin Street.
- Went live with CivicReady emergency messaging
- Hosted or participated in public engagement events in Area "C" (2), "D", "E" and "H"
- Developed an implementation strategy and communication plan for CivicReady
- Repealed 300+ Improvement District bylaws
- Created Regional Transit bylaw (Penticton/Kelowna Route) three readings
- Reviewed and amended Naramata Cemetery Bylaw
- Commenced plan to relocate and/or execute retention schedule for records in offsite storage

2018 Q4 Planned Activities

- Complete RFQ and award process for bi-weekly advertising
- Conduct AAP for Regional Transit
- Finalize Business Continuity Plan for 101 Martin Street and commence plan for Water Facilities
- Go Live with CivicReady for non-emergency messaging
- Finalize Election and Referendum Planning
- Finalize Orientation Schedule for new Board
- Complete culling process for all records reaching a final retention of D in 2017
- Create service area for Chute Lake Dam



2.0 INFORMATION SERVICES DEPARTMENT

2018 Q3 – Completed Activities

- Electronic Document Management System (EDMS)
 - o Training for records manager on new software
 - Research methods and implications of implementing automatic declaration of records
 - o Research how to split Area D folio teamsites into D and I
- GIS and IT support for EOC
- · Decommission old Exchange (email) server
- Decommission old SAN(Storage Area Network) device
- Research new main colour copier
- Investigate webcasting options for Board meetings
- Research new physical server to host virtual servers
- Setup new backup server
- Update Elections app for use at polling stations
- · Create a GIS hub (portal) for the public to download GIS data
- Research best practices for adding new orthos (aerial photos) to GIS mapping apps
- Implement Building Inspection Kaizen results
- Build translator for new format (XML) of BC Assessment data
- Participate in internal organization review

2018 Q4 – Planned Activities

- Electronic Document Management System (EDMS)
 - o Implementing automatic declaration of records
 - o Split Area D folio teamsites into D and I
- Continue GIS and IT support for EOC
- Add new orthos (aerial photos) to GIS mapping apps
- Setup new physical server to host virtual servers
- Decommission old backup machine
- Setup new main colour copier
- Setup new physical server to host virtual servers
- · Create a new RDOS Parks story map for the public
- Move public website to new Content Management System
- Implement Building Inspection Kaizen results
- · Add new orthos (aerial photos) to GIS mapping apps
- IT support for elections
- Set up new IT equipment for Board member
- Participate in Board orientation process



FINANCE DEPARTMENT

2018 Q3 Completed Activities

- Provided 2018 Q3 Variance report with initial MD&A
- Forwarded package to auditors of 2018 OSRHD Audit
- 2019 Budget Guidelines circulated
- Commence 2018 Budget preparation
- Review & revised purchasing policy
- Created RDOS investment policy
- Implemented EFT for staff expense reimbursement
- Converted ??? Vendors to EFT
- · Implemented web based payments for recreation programs
- Filed \$1.8M in EOC claims to government of which \$1.2M have been paid
- · Provided input on Organizational Review
- EOC Support

2018 Q4 Planned Activities

- Finalize 2019 Budget package
- Commence Budget Committee meetings
- Finalize OSRHD 2018 Audit
- Orient new RDOS Board
- Develop signing authorities Matrix & Policy
- Develop RDOS reserve policy
- Convert ??? vendors to EFT
- File remaining EOC Reimbursement Claims

4.0 HUMAN RESOURCES DEPARTMENT

2018 Q3 Completed Activities

- Concluded and presented the internal Organizational Review to staff and Corporate Services
- 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
- Rolled out Landfill shift scheduling process



2018 Q4 Planned Activities

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20181018/Corporateservices/B. Q3 Activity Report.Docx File No:



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		11



#	Objective	Status	Points Available	KSD Total	Page
3.3.2	By implementing the 2018 Phase of the Solid Waste Management Plan		8		11
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		12
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

Q3 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	Q3 Report presented in MD&A format
1.1.1.2	1	Receipt of an unqualified independent audit for 2017	MFS	Q2	Complete
1.1.1.3	1	Successfully meet budget in 95% of established services	MFS	Q4	On track

Objectiv	Objective 1.1.2 - By being an effective local government									
#	Points	ACTION	WHO	WHEN	STATUS					
1.1.2.1	1	Complete phase 2 (Water Facilities) of the Business Continuity Plan	MLS	Q4	In progress					
1.1.2.2	1	Develop a Naming and Donation Policy for RDOS properties	MCS	Q2	Complete					
1.1.2.3	1	Develop an e-communication plan	MLS	Q4	In progress					

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	Successfully completed			
1.2.1.3	2	Establish and support a Fire Services OH&S Committee to meet Regulatory Requirements	Fire Chiefs	Q3	Authority shifted			

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

KSD 2		FOCUS ON THE CUSTOMER EXPERIENCE			
Goal 2.1 To Elevate Customer Use of RDOS Services					
Objective 2.1.1 By promoting regional district facilities and servic			S		
#	Points	ACTION	WHO	WHEN	Status
# 2.1.1.1	Points	ACTION Participate in Local Government Awareness Week	WHO MLS		Status Project cancelled due to EOC activity

#	Points	ACTION	WHO	WHEN	STATUS
2.1.2.1	1	Develop a social media program and present it to the Board for discussion	MLS	Q4	In progress
2.1.2.2	1	Conduct a benchmarking program to determine public engagement best practices	CAO	Q4	Completed during organizational review
2.1.2.3	1	Investigate web-casting technology for Board meetings	MIS	Q3	Complete

Goal 2.2 To Meet Public Needs Through the Continuous Improvement of Key Services							
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	Complete		
2.2.1.2	1	Implement the actions identified in the 2017 Subdivision Referral Process Kaizen.	MHR	Q3	Complete		
2.2.1.3	2	Implement the actions identified in the 2017 Building Permit Process Kaizen.	MHR	Q3	Complete		
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	Complete		
2.2.1.5	2	Review Best Practices for bylaw enforcement, identify gaps and prepare revised procedures and policies for Board consideration	MDS	Q2	Complete		

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	BC Transit completed annual passenger survey and will report out in Q1-2019 due to election schedule
2.2.3.2	2	Develop a transit marketing strategy based on survey results	MCS	Q3	Deferred to 2019
2.2.3.3	1	Conduct a feasibility study into the establishment a Penticton – Kelowna Multi-Regional shared transit service	MCS	Q3	Complete

KSD 3:	KSD 3: BUILDING A SUSTAINABLE REGION (50 points)				
Goal 3.1	Goal 3.1 To Develop a Socially Sustainable Region				
Objective 3.1.1 By implementing the regional fire service master plan					
#	Points	ACTION	WHO	WHEN	Status
3.1.1.1	2	By Developing a Firefighter Training Program for each Fire Dept. that meets Regulatory Requirements	Fire 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	Fire Chiefs	Q2	Repeal of 2566

Objectiv	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	Waiting for Province to respond		
3.1.2.2	1	Finalize building site design and contract for construction	Fire Chief	Q3	Referred to Fire Chief		

Objecti	Objective 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	Erris determined to maintain status as a Brigade
3.1.3.2	1	Provide Erris Fire Department membership with RDOS orientation	MCS	Q3	Erris determines to remain a Brigade

Objective 3.1.4		By reviewing and updating the emergency mana	gement pr	ogram	
#	Points	ACTION	WHO	WHEN	
3.1.4.1	1	Review and update the emergency program bylaw	MCS	Q3	Deferred to 2019 due to extended EOC and position vacancy
3.1.4.2	2	Review and update the emergency response plan	MCS	Q3	Deferred to 2019 due to extended EOC and position vacancy
3.1.4.3	1	Enhance Community partnership opportunities by establishing reporting framework with member municipalities and the Board of Directors	MCS	Q3	Conducted during 2018 Flood Event, but further work needed
3.1.4.4	2	Implement two emergency response plan exercises	MCS	Q3	Replaced with extended EOC with mult- party involvement

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	Complete
3.1.5.2	1	Obtain Provincial tenure for the KVR trail for Areas A, C and D	MCS	Q3	Federal resistance makes this unlikely
3.1.5.3	1	Establish a partnership with OIB and PIB for the completion of the KVR trail	MCS	Q3	Progress unlikely due to FN priorities

Objecti	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	Terminated by Director		
3.1.6.2	1	Undertake a complete parks and trails signage inventory and replacement process	MCS	Q1	Complete		
3.1.6.3	1	Develop an RDOS parks, facilities, trails and programs online GIS storybook	MCS	Q2	Complete		

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	RDOS participation in both studies, but unlikely to proceed in 2018
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 3.2To Develop an Economically Sustainable RegionObjective: 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 for Phase III RFP issued 		

Objective: 3.2.2:		By Investigating the Business Case to Acquire Authority to Issue Business Licenses				
#	Points	ACTION	WHO	WHEN		
3.2.2.1	2	Research and present a Business Case to the Board on the benefit and process to apply for authority to issue Business Licenses	MDS		Not required for cannabis retail. Project complete	

Goal 3.	Goal 3.3 To Develop an Environmentally Sustainable Region						
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	Complete		
3.3.1.2	1	Present the draft/final plans to the Board for review	MDS	Q3	Complete		

#	Points	ACTION	WHO	WHEN	
3.3.2.1	2	Evaluate options and develop a plan to construct a regional organics facility	MPW	Q3	Complete, but rejected at Board
3.3.2.2	2	Complete the leachate collection project at CMLF	MPW	Q4	Lagoon and collection system complete
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 complete Report submitted to MoE for comments
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	Design CompleteConstruction in 2019		
3.3.3.3	2	Design and establish a Service for the Skaha Estates Waste Water Collection System.	MPW	Q3	 Design work complete. Project estimate is high Application to repurpose the grant to Kaleden submitted 		

#	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	Q4	 In progress Report out in 2019 due to election schedule
3.3.4.2	2	Investigate water system acquisitions, including Missezula Lake, Tulameen and Sage Mesa	MPW	Q1	Investigations complete Referred back to purveyors for decisior

Objectiv	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	Complete
3.3.5.2	1	Gap analysis on Electoral Area Zoning Bylaws	MDS	Q2	Complete

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Objecti	ve: 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	Complete. 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	 Complete. P & D report provided on May 3. Rules for commercial docks coming in 2019

KSD 4PROVIDE GOVERNANCE & OVERSIGHT IN A REPRESENTATIVE DEMOCRACY (15 Points)Goal 4.1To Execute a Well-Defined Strategic Planning CycleObjective: 4.1.1:By executing the Strategic Planning and Enterprise Risk Management Programs.					
#	Points	ACTION	STATUS		
4.1.1.1	3	Development of the 2019 Corporate Business Plan	CAO	Q4	On Schedule
4.1.1.2	2	Update the Enterprise Risk Management Register and present to 2018-2022 Board of Directors	CAO/ MIS	Q3	 Complete Report to Committee July 19th.

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	 Scheduled for Nov. 15/16th In progress 	

Objective: 4.2.2: By conducting a legislatively compliant General Local Election				ion	
#	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	Q4	On target


ADMINISTRATIVE REPORT

RE:	Q3 2018 Budget Variance Analysis Report – For Information Only
DATE:	October 18, 2018
FROM:	B. Newell, Chief Administrative Officer
TO:	Corporate Services Committee

Purpose: A key responsibility for the Board of Directors is to provide oversight on the financial position of the corporation. In addition to the development and approval of the annual business plan and budget, is a quarterly review of the variance between the Income Statement and the Budget. Administration provides this to the Board in a narrative format with forecasts for year-end.

The Q3 Report is significant in that it provides a realistic picture as to where our program budgets may end the year. Most seasonal variations have been accounted for and the remaining 3-month period is foreseeable. Where budgets are higher than anticipated, they should either be explainable or corrections will be made to bring them back within estimates. The caveat on this is Fire Departmens, which report directly to the Board.

Business Plan Objective:

1.1.1 By providing the Board with accurate, current financial information

Analysis:

Managers have reviewed the actual revenues and expenditures as of September 30, 2018 and performed a forecast to year-end in order to identify significant variances to the annual budget.

General Government and Electoral Area Administration

The overall budget for General Government is forecast to have a deficit of \$87K to the end of 2018. Areas that are projected to be over budget are Crime Stoppers \$9K, audit fees \$12K, advertising \$25K and salaries \$32K. Advertising includes relocation expenses which were not budgeted for.

Electoral Area Administration has a projected surplus of \$149K to the end of 2018 due to a positive variance in salaries to this point of \$188K offset by grant expenditures projected to exceed budget by \$28K.

Information Services

Information Services is projecting a surplus of \$18K for the year due to lower than budgeted staff costs.

Development Services

Animal Control

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20181018/Corporateservices/D. Q3 Variance Report.Docx2018 Q2 Variance Report Page 1 of 5



Dog licensing revenue is up this year by \$7K over budget.

Building Inspection

Building permit revenue is project to exceed budget by \$284K generating a projected surplus of almost \$300K for this Branch.

Bylaw Enforcement

This department is projecting a surplus of \$34K due to the 2017 year-end surplus being larger than what was budgeted.

Electoral Area Planning

Electoral Area Planning is forecasting a year-end surplus of \$116K. Forecast savings with respect to legal costs and consulting fees are behind the forecast surplus.

Subdivision Servicing

Subdivision servicing is projecting a surplus of \$31K to year-end due to higher than budgeted servicing fees and lower expenses in legal and consulting.

Public Works and Engineering

Recycling/Garbage

All areas are projecting modest surpluses due to lower than budgeted contract service expense.

Solid Waste

Apex Mountain – Due to capital project deferral to 2019 projecting a surplus of \$13K to year-end.

All other areas are presently projecting a balanced budget.

Sewage Disposal

All areas are projecting a balanced budget to this point in time with the exception of OK Falls which is projecting a defict of \$72K which will partially recover the deficit carried over from 2017.

Water Services

All areas are forecasting to balance their budgets at this point in time with the exception of Willowbrook which has a projected deficit of \$26K due to the 2017 deficit of \$37K being larger than the 2017 budgeted deficit.

Mosquito Control

Mosquito control is presently anticipating a year-end deficit of \$40K due largely to extra helicopter spraying.

Destruction of Pests

Forecast to be balanced at year-end.



Illegal Dumping

Forecast to have a slight surplus at year-end

Invasive Species

Forecast to have a slight deficit at year-end due to wages.

Community Services

Cemetaries

The Naramata Cemetary is projecting a surplus of \$11K this year due to higher than budgeted plot revenue.

Museums

Museums are projecting to have balanced budgets at year-end.

Emergency Services-911

Projecting a slight deficit of \$5K at year-end

Emergency Planning

This service is projecting to be balanced at year-end.

Victim Services

Victim Services are all projecting balanced budgets to year-end.

Recreation Services

Similkameen Recreation Commission – Projected to have a \$30K surplus at year-end due to lower than budgeted wage costs.

Similkameen Pool – projected to have a balanced budget by year-end.

Kaleden Recreation Commission – this service is projecting a slight deficit of \$5K.

Parks Commission Area F – projecting a slight surplus to year-end.

Regional Trails - projecting a balanced budget for year-end.

Naramata Parks – projected deficit of\$16K will be made up in the last quarter of 2018.

OK Falls Recreation Commission – projecting at \$16K surplus for year-end.

The remaining recreation services are trending to budget to this point.



Transit

All transit services are tracking close to budget to this point.

All other community services are trending to budget.

Fire Services (Reporting directly to the Board)

Anarchist Mountain Fire Service is projected to have a \$24K deficit at year-end. This is largely due to the 2018 Budget projecting a 2017 surplus of \$30,000, which evidenced as a \$14,000 deficit. That deficit is carried into 2018. This deficit is partially offset by RDOS wages that are under budget.

Keremeos/Area B-G Fire Service is projecting a \$159K surplus due largely to receipt of a Forest Service wildfire firefighting revenue of \$140K and RDOS wages that are under budget.

Coalmont/Tulameen department is projecting a surplus of \$57K at year-end due to lower RDOS wages and other savings.

The Naramata Fire Service is projecting a year-end deficit of \$110K due largely to firefighter honorariums. Fire Fighter honourariums for Naramata evidenced a 3-year average at \$110,000 for 2014 – 2016, then jumped to \$175,000 in 2017. It was anticipated that 2017 was an anomaly due to the out-of-area revenue earned by the Department from EMBC for the 2017 fires. The 2018 Budget reverted to the historical average. The 2018 Fire Fighter Honourarium line for Naramata stands at \$218,000 for Q3, while the average for other similar Departments is less than \$100,000.00. The deficit for 2018 will be carried into the 2019 Fire Department Budget.

The Kaleden department is forecasting a \$21K surplus due largely to RDOS wages that are under budget.

The OK Falls Fire Department is forecasting a surplus at year-end of \$13K due to lower than budgeted RDOS wages.

The West Bench fire service is projecting a \$34K deficit due to Penticton fire protection contract costs in excess of budget.

The Willowbrook Fire Department is projecting a surplus of \$22K to year-end due to lower than budgeted RDOS wages.

Area H1 is projecting a balanced budget for 2018.

Respectfully submitted:

"John Kurvink"

J. Kurvink, Finance Manager

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Management Discussion & Analysis

Q3 Variance Report





Overall Financial Results

Area	Service	Yearend Proj
AREA A	Anarchist Mountain Fire	\$24K
	Recycling/Garbage	\$7K
AREA B	Recycling/Garbage	\$2K
	All other Services	Balanced
AREA C	Willowbrook Fire	\$22K
	Willowbrook Water	\$26K
AREA D	Fire Service – Kaleden	\$21K
	OK Falls Sewage Disposal	\$72K
AREA E	Cemetary	\$11K
	Fire Service	\$110k
AREA F	Parks Commission	\$4K
	Fire Service (Contracted)	\$35K
AREA G	All Services	Balanced
AREA H	All Services	Balanced



Overall Financial Results

AREA	SERVICE	YEAREND PROJECTION
REGIONAL SERVICES	General Government	\$87K
	All other Services	Balanced
RURAL SERVICES	Mosquito Control	\$40K
	Building Inspection	\$299K
SHARED SERVICES	Venables Theatre Service	\$4K
	Fire B/G/Keremeos	\$159K



BALANCE SHEET HIGHLIGHTS

ASSET CLASS	CURRENT VALUE
CASH ON DEPOSIT OSRHD	\$4.8M
INVESTMENTS – OSRHD	\$13M
CASH OF DEPOSIT – RDOS	\$4.8M
INVESTMENTS – RDOS @ Valleyfirst	\$5M
INVESTMENTS – RDOS @ MFA	\$18.8M
INVESTMENTS @ MFA (OSRHD)	\$986K
SHORT TERM DEBT @ MFA (OSRHD)	\$54M
LONG TERM DEBT @ MFA (OSRHD)	\$364K
LONG TERM DEBT @ MFA (RDOS)	\$18.4M
SHORT TERM DEBT @MFA (RDOS)	\$120k
EQUIPMENT FINANCING @ MFA (RDOS)	\$29k



Impact of Fire & Floods

Regular Staff Hours (2017) = 2,900 Regular Staff Hours (2018) = 4,819 66% increase!

EOC Overtime Hours

- 2017 2,700 hours or \$184K
- 2018 4,130 hours or \$288K
 53% increase!



Human Resources







Human Resource Metrics

- Sick Leave
 - 1,874 hours in 2017
 - 1,193 hours YTD in 2018 which is 64% of prior year.

Conclusion: Lower rate of sick leave utilization in 2018.











Construction Activity

Number of Permits





Construction Activity

Dollar Value of Permits





Human Resources

YTD OT Breakdown Hrs





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee Thursday, October 18, 2018 12:30 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1

THAT the Agenda for the Protective Services Committee meeting of October 18, 2018 be adopted.

- B. **DELEGATION** BC Emergency Health Services
 - 1. Blaine Wiggins –Manager, First Responder Program & Indigenous Health, Strategy and Transformation
 - 2. Nancy Kotani Chief Transformation Officer

Mr. Wiggins and Ms. Kotani will address the Board to present an overview of the First Responder Dispatch Evaluation Process.

C. 2018 Q3 ACTIVITY REPORT – For Information Only

D. ADJOURNMENT



ADMINISTRATIVE REPORT

TO:	Protective Services Committee
FROM:	B. Newell, Chief Administrative Officer
DATE:	October 18, 2018
RE:	Third Quarter Activity Report – For Information Only

Fire Services, Emergency Management, Policing, 911

Activities Completed in Q3 2018:

- Maintained activation of the RDOS EOC to support localized wildfires and carry out the recovery process for widespread flooding throughout the District for all Q3
- Continued discussions with the Province on flood relief for residents
- Carried out upgrades to the E911 emergency telecommunications network
- Drafted an RDOS Spring Freshet Emergency Plan
- Drafted a 2018 EOC Recovery Plan
- Recruited for the Emergency Services Manager position
- Award the E911 maintenance agreement 2018 and full RFP for 2019
- Submit Emergency Support Services (ESS) grant to UBCM

Planned Activities for Q4 2018:

- Continue to support the communities effected by flooding through the Regional EOC
- Carry out recovery and demobilization for the 2018 Spring Freshet event
- Continue with land acquisition for the Naramata satellite Fire Hall
- Complete the Kaleden Fire Volunteer Department training site land transfer
- Finalize a 2018 Regional Emergency Preparedness training schedule
- Re-establish E911 faults mapping system with Intermapper

Respectfully submitted:

Mark Woods

M. Woods, Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee Thursday, October 18, 2018 1:00 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee meeting of October 18, 2018 be adopted.

- B. 2018 Q3 ACTIVITY REPORT For Information Only
- C. ADJOURNMENT



ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Third Quarter Activity Report

ACTIVITIES COMPLETED IN Q3 2018:

SOLID WASTE

- Campbell Mountain Landfill Biocover Pilot Final report prepared for analysis of test plot data including temperature, media analysis and microbial DNA studies. Report to be distributed for review and provided to the Ministry of Environment for consideration on the application for Substituted Requirements.
- Campbell Mountain Landfill Drainage and Leachate Construction of the drainage collection and pond storage system, including all electrical work, is completed. Leachate extraction well pump is being put into place for commissioning. This pump will extract leachate from the ground into the collection pond. The next stage of the project will commence by Q1 2019 to look at the treatment options once the leachate quantity and characteristics are determined.
- Keremeos Landfill Closure Plan Closure plan finalized and submitted to the Ministry of Environment for review and approval. Waiting for feedback.
- Oliver landfill scale house replacement Sourcing layout options and pricing from local manufacturers. Defining scope of work required to complete the upgrade and draft RFQ.
- Oliver landfill gas assessment Report completed by consultant. Methane generation is well below regulatory threshold and therefore LFG management design plan is not required by the MOE at this time.
- Okanagan Falls landfill gas assessment Report underway by consultant.
- The WildSafeBC program has been busy doing school presentations, garbage audits and events. To date, over 1200 people have been directly engaged with during outreach activities.

WATER

- Regional Water Use Regulation and Conservation Bylaw–The final draft of the bylaw was sent for legal review and updates were made. The bylaw is expecting to come to the Board in Q1 2019 for the next reading.
- Cross Connection Control Bylaw–The final draft of the bylaw is being developed and will be sent for legal review. A draft budget will be brought forward as part of the review in Q4.



- Missezula Lake Water Works District resolution from the waterworks district received.
 Water system assessment report completed and brought to the Board to review. Service Area creation steps initiated.
- Naramata Water System Rehabilitation Project Project completed under the CWWF grant program. Grant claims are being submitted with Finance.
- Sun Valley Water System Investing in Canada Infrastructure Program grant application submitted for water meter and backup power upgrades.
- Sun Valley Water System Design and construction of new SCADA and communication upgrades is underway through the CWWF grant program. Additional funds through the Regionally Significant Program gas tax has more upgrades being designed for pumps, pump control equipment and pump house piping. Pumps have been ordered and we are expecting construction to begin this fall.
- Willowbrook Water System Crown Land Tenure application continuing for road access to the reservoir site. Design and construction of SCADA and communications upgrades underway as part of the CWWF grant works. A Master Plan has been completed for the water system to provide methodology and design of upgrades for effectively dealing with GARP assessment from Interior Health. Construction for selected system upgrades is expected to begin this fall.
- Ground Water License Applications- Ground water license applications are being made for the Ollala, Faulder, Willowbrook, Sun Valley and Okanagan Falls Waste Water Treatment Plant wells. Mapping and future water use estimates are being made. This is new Province regulation requirement.

SEWER

- Okanagan Falls sewer lift stations Installation is complete on communications, monitoring equipment and alarming to 3 lift stations along Skaha Lake as part of the CWWF grant works. Grant claims are underway with Finance.
- Skaha Estates Sewer Expansion Tetra Tech Canada completed predesign report for the sewer expansion project. Cost estimate is approximately \$15M. Additional funding resources are being investigated. Report will be brought to the Board for review in Q4.
- OK Falls Constructed Wetland Project Design work is underway. Construction is anticipated to begin in early 2019.
- OK Falls Waste Water Treatment / Solids Dewatering Project RFP prepared for selecting a consultant and has been released. Award for the design work is expected in late Q4.

OTHER PROJECTS/PROGRAMS

• Mosquito Program – The program is completed for 2018. Mosquito control crews were extremely busy having completed 5 helicopter flights, adding 40 new sites. Flooding conditions resulted in the need for more helicopter use and increased expenditures in



supplies. A new updated RDOS Pest Management Plan was written. Endorsed by the Ministry, it allows the RDOS the Permit to Operate until 2023.

- OBWB Drought and Flood Risk Mitigation and Management Plan Phase 3. Work continues and is 80% complete.
- The OBWB Make Water Work (MWW) program has finished for the year.
- Asset Management RFP document is currently under development and being reviewed by various departments. Award of project work to a consultant is expected in early 2019.
- Vaseux Lake Land Use and Water Quality Assessment –Phase 2 is currently ongoing with a report expected in Q4 of 2018.
- Shinish Creek Diversion/Chain Lake Dam The Chain Lake dam classification review and inundation mapping study is underway. The ownership of the dam is being investigated by the RDOS and the Province.
- Chute Lake Dam The owners of the Chute Lake dam are rebuilding their dam and have approached the RDOS to take ownership of the dam upon its completion.

ACTIVITIES PLANNED FOR Q4 2018:

SOLID WASTE

- Campbell Mountain Landfill Biocover Pilot Wait for response from Ministry of Environment regarding the substituted requirements of the Landfill Gas Regulation.
- Campbell Mountain Landfill Drainage and Leachate Commissioning completion of one leachate extraction well. Analysis to begin on leachate flowrate and final design initiated for additional wells and treatment options.
- Keremeos Landfill Closure Plan Waiting for plan approval from Ministry of Environment.
- Apex Waste Transfer Station Waiting for plan approval from Ministry of Environment.

WATER

- Naramata Water System Rehabilitation Project Grant reporting and claim submission will continue with CWWF grant.
- Olalla Water System Upgrades Phase 2 All grant reporting for CWWF program will be completed.
- Sun Valley Water System Installation of new pumps, pump controls and communications equipment will be completed. Grant reporting will begin for claims to Gas Tax and CWWF programs.
- Willowbrook Water System SCADA/communication upgrade work will be completed. Grant reporting will begin for claims to Gas Tax and CWWF programs.
- Regional Water Use Regulation and Conservation Bylaw and Cross Connection Control Bylaw–The final drafts of the bylaws will be brought to the Board for adoption by early 2019.
- Missezula Water Work to continue on potential water system acquisition.



• The RDOS is required to register any and all groundwater wells as part of the new Provincial Water Sustainability Act. The final applications will be submitted to the ministry in Q4.

SEWER

- Okanagan Falls sewer lift stations Complete final grant reporting for CWWF program
- Skaha Estates Sewer Expansion Predesign and cost estimates to be presented to the public for information. Plan will be made for the next steps.
- OK Falls Constructed Wetland Project Design will continue. Preparations will get underway on tender documents for early 2019 construction start.
- OK Falls WWTP Solids Processing facility RFP process will complete and consultant will be selected to begin design of grit removal and dewatering infrastructure.

OTHER PROJECTS/PROGRAMS

- Asset Management RFP will be released to obtain a consultant to complete the work for the funds received under the Strategic Priorities Fund through UBCM.
- OBWB Drought and Flood Risk Mitigation and Management Plan Phase 3. Work continues and is 80% complete. The Water Use Bylaws are integral to the plan(s) and once adopted, will be integrated into the final documents. Project completion in Q4.
- Water Conservation Outreach will continue in Q4. The main activities will be to complete and distribute the new "compendium for living in the South Okanagan" The RDOS, South Okanagan Real Estate Board (and other partners) were successful in obtaining a \$60,000 grant to develop materials (and the compendium) 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. Q4 will see the compendium completed and final workshops slated for Q1 2019
- The 2018/19 OBWB WQWI grant that the RDOS received, leverages the MWW program and is continuing to complete site visits and surveys of RDOS residents in Q4, to unlock the barriers to behavioural change as it relates to landscape and water use. Completion set for Q1 2019.
- West Bench Leak Detection Program is continuing in Q4. Leaks have been reducing in numbers as the program continues; coordinated educational inserts into utility bills and workshops are planned in Q4.
- BC Climate Adaptation for Agriculture Initiative continues to be a resource for the RDOS. The five wholly funded projects totalling \$430,000 (in the Okanagan) in 2018 has now been re-infused with an additional two years of funding for 3 of the most beneficial projects. The RDOS has been chosen for a pilot project for farm level fire/flood preparedness, and added components to the new Invasive Species website (OASISS and RDOS), and for continued drought outreach messaging to agriculture (for drought). Project launches begin Q4
- WildSafeBC will continue with presentations in schools and events into December. It will go into hibernation Dec 1 to January 15th



- Public Works Project coordinator to present year end reports to the Board on Invasive Species, Mosquito Control, WildSafeBC, Tree Fruits, Goose Control, in Q4
- Vaseux Lake Land Use and Water Quality Assessment Wrap up of the phase one sampling program using remaining grant funding from 2017. Final report expected in Q4.
- Shinish Creek Diversion Plans for future work associated with the diversion and the dam and budget implications will continue to be investigated.
- A draft utility acquisition policy will be developed for review and comment.

Respectfully submitted:

N. Webb

N. Webb, Public Works Manager

REGIONAL HOSPITAL DISTRICT

BOARD of DIRECTORS MEETING

Thursday, October 18, 2018

1:15 p.m.

BOARD MEETING AGENDA

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority) THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of October 18, 2018 be adopted.

B. MINUTES

1. OSRHD Board Meeting – September 20, 2018

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority) THAT the Minutes of the September 20, 2018 Okanagan-Similkameen Regional Hospital District Board meeting be adopted.

C. LEGISLATIVE ISSUES

- 1. Discussion at Interior Health Meeting: October 31, 2018 For Information Only
 - a. Interior Health's harm reduction strategies are contributing to the number of inappropriately discarded needles. While trying to address one enormous issue, could Interior Health possibly look at different retractable needles.
 - b. Prepared food is being brought to downtown locations in the evening to feed the homeless. What controls would Interior Health's food safe requirements have in this regard?

D. ADJOURNMENT

OKANAGAN – SIMILKAMEEN

REGIONAL HOSPITAL DISTRICT

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

BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Okanagan-Similkameen Regional Hospital Board (OSRHD) of Directors held at 12:30 pm on Thursday, September 20, 2018, in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

Director H. Konanz, City of Penticton Director K. Kozakevich, Electoral Area "E" Director A. Martin, City of Penticton Director R. Mayer, Electoral Area "G" Director C. Rhodes, Alt. Town of Osoyoos Director M. Pendergraft, Electoral Area "A" Director T. Schafer, Electoral Area "C" Director T. Siddon, Electoral Area "D" Director P. Waterman, District of Summerland

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority) <u>IT WAS MOVED AND SECONDED</u>

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board Meeting of September 20, 2018 be adopted. - CARRIED

B. MINUTES

1. OSRHD Board Meeting – August 16, 2018

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority) IT WAS MOVED AND SECONDED

THAT the Minutes of the August 16, 2018 Okanagan-Similkameen Regional Hospital District Board Meeting be adopted. - CARRIED

C. DELEGATION – Interior Health Authority

Susan Brown, Health Services Administrator, SOK Community (Interior Health) Tracy St. Claire, Executive Director, SOS Divisions of Family Practice Dr. Tim Phillips, Physician Lead, SOS Divisions of Family Practice Karla Warkotsch, Transformation Lead (Interior Health)

Ms. Brown, Ms. S. Claire, Dr. Phillips, and Ms. Warkotsch addressed the Board to present an overview of the Provincial and South Okanagan Primary and Community Care Transformation Projects.

D. ADJOURNMENT

By consensus, the meeting adjourned at 1:10 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon OSRHD Board Chair B. Newell Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, October 18, 2018 1:30 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority) THAT the Agenda for the RDOS Board Meeting of October 18, 2018 be adopted.

- 1. Consent Agenda Corporate Issues
 - a. Corporate Services Committee October 04, 2018 THAT the Minutes of the October 04, 2018 Corporate Services Committee meeting be received.

THAT the Board of Directors adopt the Business Continuity Plan - Phase 1 as presented to the Corporate Services Committee on October 4, 2018.

- b. Environment and Infrastructure Committee October 04, 2018 THAT the Minutes of the October 04, 2018 Environment and Infrastructure Committee meeting be received.
- c. Planning and Development Committee October 04, 2018 THAT the Minutes of the October 04, 2018 Planning and Development Committee meeting be received.

THAT Committee bring Bylaw No. 2805, 2018, being a bylaw of the Regional District of Okanagan Similkameen for the administration of the building code and regulation of construction, forward for 1st Reading, then proceed with public consultation.

- d. Protective Services Committee October 04, 2018 THAT the Minutes of the October 04, 2018 Protective Services Committee meeting be received.
- e. RDOS Regular Board Meeting October 04, 2018 THAT the minutes of the October 04, 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. Temporary Use Permit Application 130 Hallis Road, Electoral Area "A"
 - i. Permit No. A2018.135-TUP
 - ii. Responses Received

To allow for the operation of an outdoor commercial events venue.

THAT the Board of Directors approve Temporary Use Permit No. A2018.135-TUP.

- b. Temporary Use Permit Renewal Application 3180 McKay Road, Electoral Area "E"
 - i. Permit No. E2018.165-TUP
 - ii. Responses Received

To allow for the renewal of an existing Temporary Use Permit (TUP) authorizing a short-term vacation rental use.

THAT the Board of Directors approve Temporary Use Permit No. E2018.165-TUP.

c. Development Variance Permit Application – Lot 9-125 Cabernet Drive, Electoral Area "D"

i. Permit No. D2018.147-DVP

To allow for the development of a swimming pool in a converted metal storage container.

THAT the Board of Directors approve Development Variance Permit No. D2018.147-DVP.

d. Development Variance Permit Application – 2830 Outlook Way, Electoral Area "E" i. Permit No. E2018.146-DVP

To allow for the development of an over-height retaining wall.

THAT the Board of Directors approve Development Variance Permit No. *E2018.146-DVP.*

- e. Development Variance Permit Application 614 West Bench Drive, Electoral Area "F"
 - i. Permit No. F2018.160-DVP
 - ii. Responses Received

THAT the Board of Directors approve Development Variance Permit No. F2018.160-DVP.

f. Development Variance Permit Application – 8706 122nd Avenue, Electoral Area "A"
 i. Permit No. A2018.168-DVP

To allow for structural alterations and upgrades to an accessory structure.

THAT the Board of Directors approve Development Variance Permit No. A2018.168-DVP.

- g. Development Variance Permit Application 4505 McLean Creek Road, Electoral Area "D"
 - i. Permit No. D2018.166-DVP

To allow for the placement of retaining walls within prescribed parcel line setbacks.

THAT the Board of Directors approve Development Variance Permit No. D2018.166-DVP.

Development Variance Permit Application – 3060 Hayman Road, Electoral Area "E"
 i. Permit No. E2018.158-DVP

To allow over-height retaining walls related to the construction of a new home.

THAT the Board of Directors approve Development Variance Permit No. *E2018.158-DVP.*

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

B. DEVELOPMENT SERVICES – Building Inspection

1. Building Bylaw Infraction – 1995 Green Mountain Road, Electoral Area "D"

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 4, Plan KAP70897, District Lot 1799 1801, 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.

2. Building Bylaw Infraction – 306 Newton Drive, Electoral Area "F"

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 156, District Lot 5076, Plan 8166, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

- 3. Building Bylaw No. 2805, 2018
 - a. Bylaw No. 2805, 2018

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority) THAT Bylaw No. 2805, 2018, being a bylaw of the Regional District of Okanagan-Similkameen for the administration of the building code and regulation of construction be read a first time.

C. DEVELOPMENT SERVICES – Rural Land Use Matters

 Development Variance Permit Application – 5408 107th Street, Electoral Area "A" a. Permit No. A2018.156-DVP

To allow for the construction of a secondary suite to the rear of the existing dwelling.

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority) THAT the Board of Directors deny Development Variance Permit No. A2018.156-DVP.

- 2. Development Variance Permit Application 2431 Workman Place, Electoral Area "E"
 - a. Permit No. E2018.130-DVP
 - b. Responses Received

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

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority) THAT the Board of Directors deny Development Variance Permit No. E2018.130-DVP.

- 3. Development Variance Permit Application 901 Sunglo Drive, Electoral Area "F"
 - a. Permit No. F2018.141-DVP
 - b. Responses Received

To allow for the development of an over-height accessory structure (i.e. garage).

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority) THAT the Board of Directors deny Development Variance Permit No. F2018.141-DVP.

- 4. Development Variance Permit Application 2661 Nicola Avenue, Electoral Area "H"
 - a. Permit No. H2018.140-DVP
 - b. Responses Received

To allow for the development of a single detached dwelling.

RECOMMENDATION 10 (Unweighted Rural Vote – Simple Majority) THAT THAT the Board of Directors approve Development Variance Permit No. H2018.140-DVP

- 5. Zoning Bylaw Amendment 449 Sagewood Lane, Electoral Area "D-1"
 - a. Bylaw No. 2457.27, 2018
 - b. Responses Received

To allow for 1 "livestock", 15 "small livestock" and 1 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 metres to 2.5 metres.

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2457.27, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied.

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

THAT Administration be directed to commence injunctive action against the property owner of 449 Sagewood Lane if the number of livestock kept on the property is not in conformance with Zoning Bylaw No. 2457, 2008, by October 25, 2018.

- 6. Official Community Plan & Zoning Bylaw Amendments Okanagan Falls Town Centre Plan Implementation – Electoral Area "D-2"
 - a. Bylaw No. 2455.39, 2018
 - b. Bylaw No. 2603.16, 2018
 - c. Responses Received

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2603.16, 2018, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.39, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing; and

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated October 18, 2018, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.16, 2018, in conjunction with its Financial and applicable Waste Management Plans; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of December 6, 2018; and

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

 Zoning Bylaw Amendments – Tourist Commercial Zone Review and Consolidation – Electoral Areas "A", "C", "D", "E" & "F"
 a. Bylaw No. 2808, 2018

To amend the Okanagan Valley Electoral Area Zoning Bylaws in order to update the Tourist Commercial Zones. 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. 2808, 2018, Regional District of Okanagan-Similkameen Tourist Commercial Zone Update Amendment Bylaw be adopted.

8. Campground Regulations Bylaw No. 2779, 2018

a. Bylaw No. 2779, 2018

To replace the Regional District's Campsite Bylaw No. 713, 1982, with a new a Campground Regulations Bylaw No. 2779 in order to ensure consistency with a proposed new Campground Commercial (CT2) Zone to be applied to the Okanagan Electoral Area zoning bylaws.

RECOMMENDATION 15 (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2779, 2018, Regional District of Okanagan-Similkameen Campground Regulations Bylaw, be re-read a third time, as amended, and adopted.

- 9. Land Use Bylaw Amendments Electoral Area "I" and Local Government Act Revisions
 - a. Bylaw No. 2339.02, 2018
 - b. Bylaw No. 2482.01, 2018
 - c. Bylaw No. 2494.02, 2018
 - d. Bylaw No. 2597.02, 2018
 - e. Bylaw No. 2770.01, 2018
 - f. Bylaw No. 2830, 2018
 - g. Bylaw No. 2831, 2018
 - h. Responses Received

The public hearing for this item will have been held Thursday, October 18, 2018 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.

RECOMMENDATION 16 (Unweighted Participant Vote – 2/3 Majority

Participants: Electoral Areas "A", "C", "D", "E", "F", District of Summerland, City of Penticton, Town of Oliver, Town of Osoyoos

THAT Bylaw No. 2770.01, 2018, South Okanagan Regional Growth Strategy Minor Amendment Bylaw be read a first, second and third time and be adopted.

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

THAT Bylaw No. 2830, 2018, Regional District of Okanagan-Similkameen Official Community Plans Amendment Bylaw be read a third time and adopted.

RECOMMENDATION 18 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2831, 2018, Regional District of Okanagan-Similkameen Zoning Amendment Bylaw be read a third time.

RECOMMENDATION 19 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2339.02, 2018, Regional District of Okanagan-Similkameen Advisory Planning Commission Amendment Bylaw, be adopted.

RECOMMENDATION 20 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2482.01, 2018, Regional District of Okanagan-Similkameen Minimum Parcel Size that may be Subdivided for a Relative Amendment Bylaw, be adopted.

RECOMMENDATION 21 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2494.02, 2018, Regional District of Okanagan-Similkameen Board of Variance Amendment Bylaw, be adopted.

RECOMMENDATION 22 (Unweighted Rural Vote – Simple Majority) THAT Bylaw No. 2597.02, 2018, Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Amendment Bylaw, be adopted.

D. PUBLIC WORKS

1. Updated Resolution for Reallocation of Regionally Significant Project Funds

To reallocate grant money that will be expiring in November 2018 to high priority capital projects within the 2 water systems and the sewer liftstation.

RECOMMENDATION 23 (Weighted Corporate Vote – Majority) THAT the Regional District of Okanagan Similkameen approve the reallocation of a portion of the Regionally Significant Project Gas Tax Funds that were previously assigned to Willowbrook Water System Upgrades to include an upgrade to the Cedar Street Liftstation for the Okanagan Falls Sewer System.

- 2. Pre-Purchase of Sheet Piles for Wetland Construction
 - a. Ducks Unlimited Canada Letter dated October 11, 2018

To pre-purchase of the sheet pile structural units necessary for the construction of the wetland at the Okanagan Falls Wastewater Treatment Plant site in order to fully utilize the Regionally Significant Project gas tax fund already allocated to the wetlands project prior to the November 30, 2018 deadline.

RECOMMENDATION 24 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the contract to pre-purchase sheet pile structural units for the Okanagan Falls Wetland construction project to Samuel Roll Form Group at a cost of \$207,292.12.
- 3. Net Zero Waste Organics Infrastructure Program Funding
 - a. Net Zero Waste Letter dated October 5, 2018

RECOMMENDATION 25 (Unweighted Corporate Vote – Simple Majority) THAT the Regional District of Okanagan Similkameen provide their support to Net Zero Waste for their submission for organics infrastructure program funding to upgrade their composting facility between Eastgate and Princeton.

E. COMMUNITY SERVICES – Rural Projects

1. Heritage Hills Park Naming

RECOMMENDATION 26 (Unweighted Corporate Vote – Simple Majority) THAT the RDOS Board endorse the name "Ted Garnett Park" for a public park located on Lot 2, Plan EPP61041, District Lot 2710, Land District Similkameen Div. of Yale, PID: 029-841-372.

2. Naramata Park Naming

RECOMMENDATION 27 (Unweighted Corporate Vote – Simple Majority) THAT the RDOS Board endorse the name "Spirit Park" for a public park located on Lot A, Plan EPP61599, District Lot 210, Land District Similkameen Div. of Yale, PID: 029-969-549.

F. FINANCE

- 1. Bylaw No. 2834 Community Works Gas Tax Reserve Expenditure Electoral Area "F"
 - a. Bylaw No. 2834, 2018

RECOMMENDATION 28 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No. 2834, 2018, Electoral Area "F" Community Works Program Reserve Fund Expenditure Bylaw to allocate \$31,000 to install solar lighting on pedestrian pathway in West Bench be read a first, second and third time and be adopted.

G. LEGISLATIVE SERVICES

1. Petition to Enter Gallagher Lake Water & Sewer Service Area

To bring an additional property into the Gallagher Lake Water and Sewer Service Area.

RECOMMENDATION 29 (Unweighted Corporate Vote – Simple Majority) THAT Bylaw No. 2630.06, 2018 Gallagher Lake Water and Sewer Service Area Extension Bylaw be read a first, second and third time.

2. RDOS Fees and Charges Bylaw No. 2787, 2018

- a. Bylaw No. 2787, 2018 Marked-up Copy
- b. Bylaw No. 2787.01, 2018

RECOMMENDATION 30 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No. 2787.01, 2018 Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw be read a first, second, and third time, and be adopted.

3. Declaration of State of Local Emergency Approval

RECOMMENDATION 65 (Unweighted Corporate Vote – Simple Majority) <u>Electoral Area "C":</u>

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 8 October 2018, at midnight for a further seven days to 15 October 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 15 October 2018, at midnight for a further seven days to 22 October 2018, at midnight.

Electoral Area "D":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 9 October 2018, at midnight for a further seven days to 16 October 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 16 October 2018, at midnight for a further seven days to 23 October 2018, at midnight.

H. CAO REPORTS

1. Verbal Update

I. OTHER BUSINESS

- 1. Chair's Report
 - a. Chair Wrap Up

2. Board Representation

- a. BC Rural Centre (formerly Southern Interior Beetle Action Coalition) Armitage
- b. Developing Sustainable Rural Practice Communities McKortoff
- c. Intergovernmental First Nations Joint Council Kozakevich, Bauer, Pendergraft
- d. Municipal Finance Authority (MFA) Kozakevich, Bauer
- e. Municipal Insurance Association (MIA) Kozakevich, Bauer
- f. Okanagan Basin Water Board (OBWB) *McKortoff, Hovanes, Waterman* a) Board Report – October 2018
- g. Okanagan Film Commission (OFC) Jakubeit
- h. Okanagan Regional Library (ORL) Kozakevich
- i. Okanagan Sterile Insect Release Board (SIR) Bush
- j. Okanagan-Similkameen Healthy Living Coalition Boot
- k. South Okanagan Similkameen Fire Chief Association (SOSFCA) Bush, Pendergraft, Kozakevich, Schafer, Mayer, Siddon
- I. Southern Interior Local Government Association (SILGA) Jakubeit
- m. Southern Interior Municipal Employers Association (SIMEA) Kozakevich, Martin
- n. Starling Control Bush

3. Directors Motions

4. Board Members Verbal Update

J. ADJOURNMENT



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, October 04, 2018 10:15 a.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 B. Coyne, Electoral Area "H" Director R. Hovanes, Town of Oliver Director A. Jakubeit, City of Penticton

MEMBERS ABSENT:

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 October 4, 2018 be adopted. - CARRIED

B. BUSINESS CONTINUITY PLAN – PHASE 1

1. Business Continuity Plan

To ensure that the Regional District has a plan in place to maintain services that are provided at or through the RDOS office at 101 Martin Street, Penticton.

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Board of Directors adopt the Business Continuity Plan - Phase 1 as presented to the Corporate Services Committee on October 4, 2018. - CARRIED

Director H. Konanz, City of Penticton Director A. Martin, City of Penticton Director R Mayer, Electoral Area "G" 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"

C. ADJOURNMENT

By consensus, the Corporate Services Committee meeting adjourned at 10:32 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich Committee Chair B. Newell Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, October 04, 2018 10:55 a.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 B. Coyne, Electoral Area "H" Director A. Jakubeit, City of Penticton

MEMBERS ABSENT:

Director P. Waterman, District of Summerland

STAFF PRESENT:

B. Newell, Chief Administrative Officer C. Malden, Manager of Legislative Services 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 R. Mayer, Electoral Area "G" Director S. McKortoff, Town of Osoyoos Director T. Schafer, Electoral Area "C" Director J. Sentes, City of Penticton

A. APPROVAL OF AGENDA

RECOMMENDATION 1

IT WAS MOVED AND SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of October 4, 2018 be adopted. - CARRIED

B. DELEGATION – Forest Enhancement Society of British Columbia

- 1. Steve Kozuki, Executive Director
 - a. Presentation

Mr. Kozuki addressed the Board to present an overview of the Forest Enhancement Society of British Columbia and projects throughout the province and in the local area, and discussed funding opportunities.

- 1. Bryn White, Program Manager
 - a. Presentation

Ms. White addressed the Board to present the progress of the currently funded projects under the South Okanagan Conservation Fund.

D. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting adjourned at 10:04 p.m.

APPROVED:

C.

CERTIFIED CORRECT:

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



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, October 04, 2018 9:48 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 B. Coyne, Electoral Area "H" Director R. Hovanes, Town of Oliver Director A. Jakubeit, City of Penticton Director H. Konanz, City of Penticton

MEMBERS ABSENT:

Director P. Waterman, Dist. of Summerland

STAFF PRESENT:

B. Newell, Chief Administrative Officer C. Malden, Manager of Legislative Services Director K. Kozakevich, Electoral Area "E" Director A. Martin, City of Penticton Director R. Mayer, Electoral Area "G" 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"

B. Dollevoet, Manager of Development Services L. Miller, Building Department Supervisor

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of October 4, 2018 be adopted. - CARRIED

B. RELEASE OF THE 2018 BC BUILDING CODE & ENERGY STEP CODE – For Information Only The Board of Directors was provided information regarding the release of the 2018 BC Building Code and the BC Energy Step Code.

C. BUILDING BYLAW No. 2805, 2018

To introduce the draft Building Bylaw for review and discussion. The proposed bylaw applies to the design, construction or occupancy of new buildings or structures, and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures.

RECOMMENDATION 2

It was MOVED and SECONDED

THAT Committee bring Bylaw No. 2805, 2018, being a bylaw of the Regional District of Okanagan Similkameen for the administration of the building code and regulation of construction, forward for 1st Reading, then proceed with public consultation. - CARRIED

D. ADJOURNMENT

By consensus, the Planning and Development Committee meeting adjourned at 10:12 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon Planning and Development Committee Chair B. Newell Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, October 04, 2018 9:02 a.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 B. Coyne, Electoral Area "H" Director R. Hovanes, Town of Oliver

MEMBERS ABSENT:

Director P. Waterman, District of Summerland

STAFF PRESENT:

B. Newell, Chief Administrative OfficerC. Malden, Manager of Legislative ServicesM. Woods, Manager of Community Services

A. APPROVAL OF AGENDA RECOMMENDATION 1 It was MOVED and SECONDED

THAT the Agenda for the Protective Services Committee Meeting of October 4, 2018 be adopted. - CARRIED

B. CLOSED SESSION

RECOMMENDATION 2 It was MOVED and SECONDED

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

The meeting was closed to the public at 9:02 a.m. The meeting was opened to the public at 9:47 a.m.

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

C. ADJOURNMENT

By consensus, the Protective Services Committee meeting adjourned at 9:47 a.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 12:33 p.m. Thursday, October 4, 2018 in the Boardroom, 101 Martin Street, 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 B. Coyne, Electoral Area "H" Director R. Hovanes, Town of Oliver Director A. Jakubeit, City of Penticton

MEMBERS ABSENT:

Director P. Waterman, District of Summerland

STAFF PRESENT:

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

J. Kurvink, Manager of Finance

A. APPROVAL OF AGENDA

Director H. Konanz, City of Penticton Director A. Martin, City of Penticton Director R. Mayer, Electoral Area "G" 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"

B. Dollevoet, Manager of Development Services M. Woods, Manager of Community Services

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority) IT WAS MOVED AND SECONDED

THAT the <u>Agenda</u> for the RDOS Board Meeting of October 4, 2018 be amended by adding Item C3 Purchase of Photocopier. - **CARRIED**

- 1. Consent Agenda Corporate Issues
 - a. Electoral Area "D" Advisory Planning Commission September 11, 2018 THAT the Minutes of the September 11, 2018 Electoral Area "D" Advisory Planning Commission meeting be received.
 - b. Electoral Area "E" Advisory Planning Commission September 10, 2018 THAT the Minutes of the September 10, 2018 Electoral Area "E" Advisory Planning Commission meeting be received.
 - c. Electoral Area "F" Advisory Planning Commission Resignation THAT the Board of Directors accept the resignation of Ms. Hillary Ward as a member of the Electoral Area "F" Advisory Planning Commission; and

THAT a letter be forwarded to Ms. Ward thanking her for her contribution to the Electoral Area "F" Advisory Planning Commission.

- d. Kaleden Parks & Recreation Commission July 3, 2019 THAT the Minutes of the July 3, 2018 Kaleden Parks and Recreation Commission meeting be received.
- e. Kaleden Parks & Recreation Commission August 7, 2019 THAT the Minutes of the August 7, 2018 Kaleden Parks and Recreation Commission meeting be received.
- f. Okanagan Falls Parks & Recreation Commission July 12, 2018 THAT the Minutes of the July 12, 2018 Okanagan Falls Parks & Recreation Commission meeting be received.
- g. Naramata Parks & Recreation Commission July 23, 2018 THAT the Minutes of the July 23, 2018 Naramata Parks & Recreation Commission meeting be received.
- h. Community Services Committee September 20, 2018 THAT the Minutes of the September 20, 2018 Community Services Committee meeting be received.
- i. Protective Services Committee September 20, 2018 THAT the Minutes of the September 20, 2018 Protective Services Committee meeting be received.
- j. RDOS Regular Board Meeting September 20, 2018 THAT the minutes of the September 20, 2018 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority) IT WAS MOVED AND SECONDED

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

- 2. Consent Agenda Development Services
 - a. Agricultural Land Commission Referral (Non-Farm Use) 14580 146th Avenue, Osoyoos, Electoral Area "A"

To allow an "interpretive centre" as a non-farm use within the Agricultural Land Reserve (ALR).

THAT the Regional District Board "authorize" the application to allow an "interpretative centre" as a "non-farm use" on an approximately 27.5 ha part of the parcel described as Block AB, District Lot 2450S, SDYD to proceed to the Agricultural Land Commission.

 b. Agricultural Land Commission Referral (Non-Farm Use) – 4315 Black Sage Road, Oliver, Electoral Area "C" Response Received

To allow an "eating and drinking establishment" as a permitted use at Phantom Creek Estates Winery.

THAT the Regional District Board "authorize" the application to operate a restaurant as a "non-farm use" on the property at 4315 Black Sage Road in Electoral Area "C" to proceed to the Agricultural Land Commission.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority) IT WAS MOVED AND SECONDED

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters

- Zoning Bylaw Amendment 4849 and 4844 Bassett Avenue, Okanagan Falls, Electoral Area "D"
 - a. Bylaw No. 2455.34, 2018
 - b. Responses Received

To allow for development of duplexes on two residential parcels.

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2455.34, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing. - CARRIED

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

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

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

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

- 2. Official Community Plan & Zoning Bylaw Amendments Commercial Zone Review and Consolidation, Electoral Areas "A", "C", "D", "E" & "F"
 - a. Bylaw No. 2788, 2018

To amend the Okanagan Valley Electoral Area Official Community Plan and Zoning Bylaws in order to update the Commercial Zones. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority) <u>IT WAS MOVED AND SECONDED</u>

THAT Bylaw No. 2788, 2018, Regional District of Okanagan-Similkameen Commercial Zone Update Amendment Bylaw be adopted. - **CARRIED**

- 3. Zoning Bylaw Amendments Tourist Commercial Zone Review and Consolidation, Electoral Areas "A", "C", "D", "E" & "F"
 - a. Bylaw No. 2808, 2018
 - b. Public Hearing Report September 17, 2018
 - c. Public Hearing Report August 16, 2018
 - d. Responses Received

To amend the Okanagan Valley Electoral Area Zoning Bylaws in order to update the Tourist Commercial Zones. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

Director Siddon advised that the public hearing report dated September 17, 2018 reflects an accurate account of what took place at the public hearing held on September 17, 2018.

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority) <u>IT WAS MOVED AND SECONDED</u>

THAT the public hearing reports be received. - CARRIED

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority) <u>IT WAS MOVED AND SECONDED</u>

THAT Bylaw No. 2808, 2018, Regional District of Okanagan-Similkameen Tourist Commercial Zone Update Amendment Bylaw be read a third time, as amended. **CARRIED**

Opposed: Director Siddon

 Board Policy Update – Communication Towers/Antenna Systems Approval Process and Location & Design Guidelines <u>Response Received</u>

To include a requirement for the placement of a 'development' sign to be erected at the proposed tower/antenna site. This development sign will provide additional notification to the public of an application and the ability to provide input into the consultation process.

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority) <u>IT WAS MOVED AND SECONDED</u>

THAT the Board of Directors amend the May 7, 2015 Communication Towers / Antenna Systems Approval Process and Location & Design Guidelines Policy by adding "notice of development" sign requirements. - **CARRIED**

5. Liquor Licensing Application Policy

To propose the repeal of the Regional District's *Liquor Licensing Application* Policy.

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority) IT WAS MOVED AND SECONDED

THAT the Board of Directors repeal the Liquor Licensing Application Policy. - CARRIED

C. FINANCE

Electoral Area "D" Community Works Program Reserve Expenditure Bylaw

 Bylaw No. 2832, 2018

RECOMMENDATION 11 (Weighted Corporate Vote – 2/3 Majority) <u>IT WAS MOVED AND SECONDED</u>

THAT Bylaw No. 2832, 2018, Electoral Area "D" Community Works Program Reserve Fund Expenditure Bylaw to allocate \$220,000 towards the upgrades and repairs of boat launches be read a first, second and third time and be adopted. - **CARRIED**

2. Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure Bylaw a. Bylaw No. 2833, 2018

RECOMMENDATION 12 (Weighted Corporate Vote – 2/3 Majority) <u>IT WAS MOVED AND SECONDED</u>

THAT Bylaw No. 2833, 2018, Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure Bylaw to allocate \$32,878.83 towards the upgrades and repairs of the Missezula Lake Boat Launch be read a first, second and third time and be adopted. - CARRIED

- 5 -

ADDENDUM **3**. **Purchase of Photocopier**

RECOMMENDATION 13 (Weighted Corporate Vote – Majority) It was MOVED and SECONDED

THAT the Board of the Regional District of the Okanagan Similkameen authorizes up to \$15,972.80 to be borrowed, under Section 403 of the *Local Government Act*, from the Municipal Finance Authority, for the purpose of purchasing a Ricoh MP C8003 Photocopier and that the loan be repaid within five years, with no rights of renewal. **CARRIED**

D. LEGISLATIVE SERVICES

1. Declaration of State of Local Emergency Approval

Electoral Area "C":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 24 September 2018, at midnight for a further seven days to 1 October 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 1 October 2018, at midnight for a further seven days to 8 October 2018, at midnight.

Electoral Area "D":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 25 September 2018, at midnight for a further seven days to 2 October 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 2 October 2018, at midnight for a further seven days to 9 October 2018, at midnight. - CARRIED

IT WAS MOVED AND SECONDED

2. Closed Session

RECOMMENDATION 30 (Unweighted Corporate Vote – Simple Majority) <u>IT WAS MOVED AND SECONDED</u>

THAT in accordance with Section 90(1) of the *Community Charter*, the Board close the meeting to the public to receive minutes of previous In-Camera meetings; and,

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

THAT in accordance with Section 90(1)(f)of the *Community Charter*, the Board close the meeting to the public on the basis of law enforcement, if the Board considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and

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; and

THAT in accordance with Section 90(1)(i) of the *Community Charter*, the Board close the meeting to the public on the basis of the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. - **CARRIED**

The meeting was closed to the public at 1:04 p.m. The meeting was opened to the public at 1:05 p.m.

E. CAO REPORTS

1. Verbal Update

F. OTHER BUSINESS

- 1. Chair's Report
- 2. Directors Motions
- 3. Board Members Verbal Update

G. ADJOURNMENT

By consensus, the meeting adjourned at 1:13 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich RDOS Board Chair B. Newell Corporate Officer

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Temporary Use Permit Application — Electoral Area "A"

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. A2018.135-TUP.

Purpose:	To allow for the operation of an outdoor commercial events venue.		
Owners:	R & K Burk	<u>Agent</u> : n/a	<u>Folio</u> : A-06748.375
<u>Civic</u> :	130 Hallis Road, Osoyoos	Legal: Lot 4, DL 2709, SDYD, Plan 38225	
<u>OCP</u> :	Large Holdings (LH)	Zoning: Large Holdings One (LH1)	

Proposal:

This application seeks approval for the operation of a commercial outdoor 'special events' venue to hold special events such as weddings at the subject property. The venue will operate from May 1st to Oct 31st and will not include any overnight accommodation or vacation rentals.

Specifically, the applicant is proposing the use of outdoor space with tents and gazebo, along with BBQ, grill, fridge and a pizza oven, all located outside that can be rented to hold an event of up to 100 people. The applicant states that music will be turned down by 11 pm (NOTE: there is no noise bylaw in Electoral Area "A").

Site Context:

The subject parcel is approximately 5.28 hectares (ha) in area and is located on the east side of Highway 3 and accessed through Hallis Road, approximately 2.7 km east of the Town of Osoyoos.

The property is seen to contain one single detached dwelling, an accessory building, a gazebo and a pool. The surrounding pattern of development is characterized by similar sized larger rural properties.

The subject property is not within a community water or sanitary service area, and it is located within the Anarchist Fire Service area.

Background:

The subject property was created by subdivision in 1987 and Regional District records indicate building permits were issued for a Gazebo, a pool, an accessory building, and a single detached dwelling.

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, the property is designated Large Holdings (LH) and identifies an Environmentally Sensitive Development Permit



(ESDP) area over approximately 75% of the property, and a Watercourse Development Permit (WDP) area over the southern edge of the property.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is currently zoned Large Holdings One (LH1) that does not permit the operation of a commercial special events venue.

The OCP Bylaw provides a list of criteria when evaluating a TUP, including:

- a) the use must be clearly temporary or seasonal in nature;
- b) compatibility of the proposal with adjacent uses;
- *c) impact of the proposed use on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas;*
- d) intensity of the proposed use;
- e) opportunity to conduct the proposed use on land elsewhere in the community; and
- f) the remedial measures to be carried out to mitigate any damage to the natural environment as a result of the temporary use.

Public Process:

A Public Information Meeting was held on October 9, 2018, prior to the APC meeting, at which six (6) members of the public were in attendance (excluding APC members and Area Director).

At its meeting of October 9, 2018, the Electoral Area "A" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the proposed temporary use be approved.

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.

In accordance with Section 2.5 of Schedule '5' of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed at Attachment No. 1. To date, comments have been received from Interior Health Authority and the Archeology Branch, and are included as a separate item on the Agenda.

Analysis:

In assessing this proposal, Administration notes that the Zoning Bylaw does not specify or define a use such as a seasonal outdoor commercial venue. However, this use is often seen as an allowable 'special event' on wineries within the ALR, or hotels that would also provide indoor meeting space. The proposed use will not include using space within the single detached dwelling as 'commercial' space.

The OCP Bylaw includes a Broad Goal of promoting economic development that not only supports the unique character of the rural area but also adapts to business and personal needs of the community, and it encourages small-scale business of an appropriate scale to fit the rural character of the area.

In reviewing the TUP evaluation criteria outlined in the OCP Bylaw, the following assessment comments are provided:

• The proposed use is clearly seasonal in nature, as it will be only operating from May 1st to October 31st.

- In terms of compatibility, there aren't any other commercial facilities in the area; however, the nearby properties are all fairly large (4 ha +) and the subject property is located near Highway 3. Compatibility may be considered more an element of managing noise and off street parking, which can be done through a Temporary Use Permit.
- Parking spaces have been calculated to be adequate for the 20 spaces required for the maximum number of 100 people. The applicant has shown the areas where parking will be located on the property.
- Impact on natural environment no permanent structures are being proposed, the use is limited to areas already developed and outside of the ESDP area. As the subject property is not within a community sanitary service area, the on-site sewage disposal will need to be dealt with through the use of portable toilet facilities, except for one required universally accessible washroom that will be located within the single detached dwelling. In accordance with the Building Code, the number of water closets required depends on the number of people attending an event and will be outlined in the Permit.
- In terms of buildings and structures, the proposed use will not be intensifying through new development; however, the intensity of use relates to the number of events and number of people arriving for each event. The applicant states that on average, an event would be for 50 -80 people, and that they are proposing only one event a week as a maximum.
- The proposed use is unique within the immediate neighbourhood, although there are numerous venues in and around Osoyoos to host an outdoor event.
- As the site where the proposed use is to take place is currently already developed there would not be any additional damage to the natural environment. Fire risk is a potential concern, and the applicant has submitted a Fire Management Plan outlining the equipment available on site and methods of preventing and extinguishing any fires.

In summary, Administration feels that this Temporary Use Permit, with given parameters of use, is supportable. In this way, the primary use of the property remains a rural residential property and the commercial aspects remain as outside temporary structures and subordinate. If in the future, if the applicant wishes to rezone the property to one that is commercial in a nature, a full assessment will be completed on the proposal at that time.

Alternative:

THAT the Board of Directors deny Temporary Use Permit No. A2018.135-TUP.

Respectfully submitted:

Endorsed by:

ERiechert

E. Riechert, Planner

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

Attachments:

No. 1 – Agency Referral List No. 2 – Applicant's site plan

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **b**, prior to Board consideration of TUP No. A2018.135-TUP:

ο	Agricultural Land Commission (ALC)	ο	City of Penticton	
þ	Interior Health Authority (IHA)	0	District of Summerland	
ο	Ministry of Agriculture	0	Town of Oliver	
0	Ministry of Community, Sport and Cultural Development		Town of Osoyoos	
ο	Ministry of Energy & Mines	0	Town of Princeton	
ο	Ministry of Environment	0	Village of Keremeos	
þ	Ministry of Forests, Lands & Natural Resource Operations	0	Okanagan Nation Alliance (ONA)	
þ	Archaeology Branch	0	Penticton Indian Band (PIB)	
ο	Ministry of Transportation and Infrastructure	0	Osoyoos Indian Band (OIB)	
ο	Integrated Land Management Bureau	0	Upper Similkameen Indian Bands (USIB)	
ο	BC Parks	0	Lower Similkameen Indian Bands (LSIB)	
0	School District #53 (Okanagan Similkameen)	0	Environment Canada	
ο	School District #58 (Nicola Similkameen)	0	Fisheries and Oceans Canada	
ο	School District #67 (Okanagan Skaha)	þ	Fortis	
ο	Canadian Wildlife Service			

Attachment No. 2 – Applicant's Site Plan





TEMPORARY USE PERMIT

FILE NO.: A2018.135-TUP

Owners: Robert and Kimberley Burk 130 Hallis Road Osoyoos, BC, VOH 1V6

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot 4, District Lot 2709, SDYD, Plan 38225		
Civic Address/location:	130 Hallis Road, Osoyoo	DS	
Parcel Identifier (PID):	007-733-461	Folio: A-06748.375	

TEMPORARY USE

6. In accordance with Section 17.0 of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, the land specified in Section 5 may be used for an "outdoor commercial events" which is defined as meaning "a use providing for the assembly of persons during the term of a defined event or activity, including but limited to a party, wedding, or

corporate retreat, where an exchange of mony or ther consideration for the use of the property for the said event."

CONDITIONS OF TEMPORARY USE

- 7. The 'outdoor commercial event' use of the land is subject to the following conditions:
 - (a) the use shall occur only between May 1st and October 31st;
 - (b) The use must meet the following requirements:
 - i) No further permanent buildings shall be constructed, and the use is limited to the outside land area on the subject property;
 - ii) Noise will be diminished by 11:00 p.m.;
 - iii) The number of events throughout the season shall be limited to an average of one per week;
 - iv) One universally accessible washroom will be available at all events;
 - (c) the maximum number of people that may be present at a special event is 100.
 - (d) All parking must be accommodated within the subject property, in accordance with Schedule 'B';
 - (e) An universally accessible washroom will be available at all events, plus the number of washrooms for events shall be as follows:

Number of People	Minimum number of water closets
1-25	2
26-50	3
51-75	5
76-100	6

- (f) Activities will follow the Fire Management Plan, attached as Schedule 'C';
- (g) Camping and the use of recreational vehicles, accessory buildings and accessory structures on the property for vacation rental occupancy are not permitted.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

10. This Permit shall expire on October 18, 2021.

Authorising resolution passed by Regional Board on _____ day of _____, 2018.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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



Temporary Use Permit

File No. A2018.135-TUP



Temporary Use Permit No. A2018.135-TUP Page 4 of 6

Regional District of Okanagan-Similkameen

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

Temporary Use Permit





Schedule 'C' – Fire Management Plan Prepared by Ron Burk (retired Fire Chief), dated September 26, 2018

Fire plan for The Look Out

The manager/ owner is Robert Burk 250-485-7082

- · This is an out door venue
- The property is fire smart designed, with rock around the entire perimeter, stucco siding, and concrete roof to prevent ground fire spread.
- The entire event area is concrete and paving stone.
- · Occupant load 100 guests
- Anarchist Mountain Volunteer Fire Dept protected Owner is a retired Fire Chief with 1041 NFPA fire instructor level 1 and 2, and has 29 years fire fighting experience .

Venue fire fighting equipment

- 1 1/2" forestry hose connected to electric pump with 25000 gal water supply at the rear of house 100' of garden hose on the left side of the house near the BBQ , Pizza Oven, and Grill.
- 50' of garden hose on the right side of house beside the smoking area.
- 100' garden hose at the front of house.
- 4 gallons of Barricade fire fighting foam with nozzle to connect to garden hose.
- Several ABC dry chemical fire extinguishers located in the house, shop, and gazebo.
- The house has smoke detectors as per BC building code.

Emergency Procedures In case of fire

- · leave area immediately,
- sound the alarm , instruct staff to escort guests to safety.
- dial 911 to notify Anarchist Mountain Fire Dept -ensure all quests are out of danger -if fire is controllable, attack with fire fighting equipment until Fire Dept arrives.
- · do not allow quests to put themselves in a dangerous situation.

Related duties and hazards

- Do not permit combustible material to accumulate in quantities or locations that would constitute a fire hazard.
- Keep driveway clear to allow fire dept access -Maintain the fire protection equipment in good operating condition at all times.
- If medical emergency occurs, call 911 to notify B.C. ambulance and Fire Dept.
- · Inform quest smoking is only allowed in smoking area, on the side of house.(which is concrete paving stone) Absolutely no smoking in other areas.
- No fire works permitted.

Lauri Feindell

From: Sent: To: Subject: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca> September 26, 2018 1:44 PM Planning FW: TUP Referral A2018.135-TUP

Hello Evelyn and the other RDOS Planners,

Thank you for your referral A2018.135 TUP regarding 130 Hallis Road, Osoyoos, PID 007733461, L 4 DL 2709 SIMILKAMEEN DIVISION YALE DISTRICT PL 38225. 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 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: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]
Sent: Sunday, September 23, 2018 10:12 AM
To: HBE@interiorhealth.ca; 'fbclands@fortisbc.com'; Cooper, Diana FLNR:EX; FLNR DOS Referrals CSNR:EX
Subject: TUP Referral A2018.135-TUP
Re: Project No. A2018.135-TUP
Lot 4, DL2709, SDYD, Plan 38225
130 Hallis Road, Osoyoos
Please find attached a referral for a temporary use permit with a link to the necessary documentation (link below as well).

http://www.rdos.bc.ca/departments/development-services/planning/current-applications-decisions/electoral-areaa/a2018135-tup/

Please review and forward any comments/concerns you may have to <u>planning@rdos.bc.ca</u>. If you have any questions, please contact Evelyn, file manager at <u>eriechert@rdos.bc.ca</u>. Kind Regards,



SIMILKAMEEN

Lauri Feindell, Administrative Assistant,

Planning Services

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

p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063

www.rdos.bc.ca • Ifeindell@rdos.bc.ca

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RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. A2018.135-TUP

□ Approval Recommended for Reasons Outlined Below

□ Interests Unaffected by TUP

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Interior Health appreciates the opportunity to comment on the Temporary Use Permit for a special events venue.

This venue could potentially require the applicant to comply with health and safety requirements to protect the users from potential health hazards. I have provided information on items which may require compliance and therefore a review through our Health Protection office.

The drinking water servicing this venue would be required to comply with the Drinking Water Protection Act and Regulation. <u>Drinking Water</u>

Any related food premises would require approval and permitting. The venue operator should ensure they are operating as outlined on the attached IH website for guidelines on <u>Food Premises</u>.

The applicant has a swimming pool at this site. The proposal does not provide a clear indication if this amenity is part of the public use package. <u>Recreational Waters</u>

The onsite sewerage disposal system design might require an assessment to accommodate additional flows for the proposed venue. <u>Onsite sewerage System.</u>

Portable toilets for the event users might only become a portion of the waste water flow depending on the type of event.

Title:

This special events venue could have impacts on local traffic, as well as noise and light disturbance within this neighbourhood.

Signature:

Signed By: Clare Audet

Agency: Interior Health

Page 2 of 2

Environmental Health Officer

Date: October 4, 2018

CC Applicant. Oct s/18

Arlyn Greig

Osoyoos, BC VOH 1V6

October 5, 2018

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

- To: Evelyn Riechert, Planner Mark Pendergraft, Director, Electoral Area "A"
- Re: Public Information Meeting Temporary Use Permit Application "outdoor special events venue" 130 Hallis Road, Osoyoos, BC V0H 1V6

This letter will inform you that I am in favor of this venue being made available for weddings, retirements, divorces, reunions, etc.

Any effort to bring visitors and income to our area should be regarded as important to our community and there should be no hesitation about allowing this venue to showcase the beauty and splendor of Anarchist Mountain and Osoyoos Lake and Town.

Sincerely,

Arlyn Greig Adjacent Property Owner

cc: Robert and Kim Burk

Colin McCubbin & Frankie Rees

Osoyoos BC V0H 1V6

October 06, 2018.

To whosoever it may concern,

We are joint owners of the next door property (108 Hallis Rd) to 130 Hallis Rd, Osoyoos, and are aware of the owner's application for a temporary use permit, as a "special outdoor event venue" to which we have no objection.

Thank you,



. Frances Rees



RDOS 101 Main St Penticton BC V2A 5J9 October 5, 2018

Attention; Mark Pendergraft Area A Representative

Good Afternoon Mark, this letter will serve as a letter of support towards the *Look Out* Wedding Venue located east of Osoyoos off Highway 3 for their upcoming review. Destination Osoyoos would like to reinforce the value of having a unique venue such as the *Look Out* to offer locals and visitors alike a beautiful setting to host events and weddings. The *Look Out* attracts visitors to our community by serving as the venue for such events as weddings, meetings and reunions. These visitors are utilizing our restaurants, hotels, campgrounds and other area attractions such as wineries and golf courses. It is businesses like the *Look Out* that help Osoyoos and area build on increased employment opportunities and add to the inventory of quality, unique attractions and assets in the South Okanagan.

We wish success for all of our entrepreneurs and believe that these are the types of businesses that set our region apart from other destinations when visitors are making their traveling or destination wedding decisions.

Sincerely,

Kelley Glazer Executive Director Destination Osoyoos



Kelley Glazer Executive Director Destination Osovoos


To RDOS planning and develop committee. Regarding The Lookout Wedding Venue. October 3, 2018

My name is Mandy Purssey, I am a local Osoyoos event coordinator. There is a need for this venue within our community. Having been one of two founders of the Osoyoos Wedding Advisory Council of Osoyoos, it was then agreed that The Lookout could fill the need, to relieve pressure from the resorts with out creating a conflict of interest regarding weddings parties etc.

The Lookout sponsored the Osoyoos Oyster Festival 2016, Hosting the oyster wine pairing and the oyster craft beer pairing competitions. Absorbing the cost of shuttling the judges, supplying required equipment.

They have already proven to be a contributing business to our local economy. Giving the other local vendors such as myself the opportunity to profit as well.

Please contact me if you have further comments or concerns I can be reached at (250) 485 3013.

Sincerely Mandy Purssey

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Temporary Use Permit Renewal Application — Electoral Area "E"

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. E2018.165-TUP.

Purpose:	To allow for the renewal of an existing TUP authorising a short-term vacation rental use.			
Owner:	Gary Macdonald & Marianne St	olberg	Applicant: Gary Macdonald	<u>Folio</u> : E-02212.020
<u>Civic</u> :	3180 McKay Road	<u>Legal</u> : Lot 2	, Plan KAP52397, District Lot 210, S	DYD.
<u>OCP</u> :	Agriculture (AG)	Zoning: Agriculture One Zone (AG1)		

Proposal:

This application seeks approval for the renewal of Temporary Use Permit (TUP) No. E2017.089-TUP, which authorises the operation of a short-term vacation rental use at the subject property, for a three-year term from October 31, 2018 to October 31, 2021.

Site Context:

The subject parcel is approximately 4.24 ha in area and is situated approximately 0.6 km east of the Naramata Townsite and is comprised of a single detached dwelling and an accessory dwelling which includes storage space underneath. The property is currently under agricultural production. The surrounding pattern of development is characterised by similar agricultural land uses.

Background:

At its meeting of July 10, 2017, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that TUP application No. E2017.089-TUP be approved.

Public Process:

At its meeting of October 15, 2018, the Electoral Area "E" Advisory Planning Commission (APC) is scheduled to consider this proposal. Due to the proximity of this meeting to the Board's meeting of October 18, 2018, a verbal update of the APC's recommendation will be provided to the Board.

A Public Information Meeting (PIM) is also to held prior to the APC meeting on October 15, 2018. Due to the proximity of this meeting to the Board's meeting of October 18, 2018, a verbal update of the PIM will be provided to the Board.

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.



In accordance with Section 2.5 of Schedule '5' of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed on Attachment No. 1.

Analysis:

In assessing this proposal, Administration notes that there have been no recorded complaints received in relation to the operation of this vacation rental use and that the applicant has indicated that there have been no changes to the use since the permit was issued in 2017 (i.e. the use remains limited to two (2) bedrooms and four (4) paying guests between May 1st and October 31st).

While it is recognised that the Electoral Area "E" OCP Bylaw No. 2458, 2008, contains a number of specific criteria against which vacation rental TUPs are to be assessed (i.e. septic capacity, screening, health & safety assessment and on-site vehicle parking provisions), this criteria was previously considered by the Board when it approved TUP No. E2017.089-TUP in 2017.

Accordingly, and in light of the absence of any change to the use or received complaints regarding its operation, Administration supports the renewal of this permit for a further three years (to October 31, 2021).

Alternative:

THAT the Board of Directors not approve Temporary Use Permit No. E2018.165-TUP.

Respectfully submitted:

Endorsed by:

C. Garrish, Planning Supervisor

B. Dollevoet, Development Services Manager

<u>Attachments</u>: No. 1 – Agency Referral List No. 2 – Aerial Photo (2007)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, prior to Board consideration of renewing TUP No. E2018.165-TUP:

þ	Agricultural Land Commission (ALC)	ο	City of Penticton
þ	Interior Health Authority (IHA)	0	District of Summerland
ο	Ministry of Agriculture	0	Town of Oliver
ο	Ministry of Community, Sport and Cultural Development	0	Town of Osoyoos
ο	Ministry of Energy & Mines	0	Town of Princeton
ο	Ministry of Environment	0	Village of Keremeos
0	Ministry of Forests, Lands & Natural Resource Operations	0	Okanagan Nation Alliance (ONA)
ο	Archaeology Branch	0	Penticton Indian Band (PIB)
0	Ministry of Transportation and Infrastructure	0	Osoyoos Indian Band (OIB)
ο	Integrated Land Management Bureau	0	Upper Similkameen Indian Bands (USIB)
ο	BC Parks	0	Lower Similkameen Indian Bands (LSIB)
0	School District #53 (Okanagan Similkameen)	0	Environment Canada
ο	School District #58 (Nicola Similkameen)	0	Fisheries and Oceans Canada
ο	School District #67 (Okanagan Skaha)	0	Fortis
ο	Canadian Wildlife Service		

Attachment No. 2 – Aerial Photo





TEMPORARY USE PERMIT

FILE NO.: E2018.165-TUP

Owner: Gary MacDonald 3260 McKay Road Naramata, BC, VOH 1N0

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot 2, District Lot 210,	SDYD, Plan KAP52397
Civic Address/location:	3180 & 3260 McKay Road	
Parcel Identifier (PID):	018-787-762	Folio: E-02212.020

TEMPORARY USE

6. In accordance with Section 20.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a vacation rental use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the accommodation of paying guests occupying the dwelling unit for a period of less than 30 days.

CONDITIONS OF TEMPORARY USE

- 7. The vacation rental use of the land is subject to the following conditions:
 - (a) the vacation rental use shall occur only between May 1st and October 31st;
 - (b) the following information must be posted within the dwelling unit while the vacation rental use is occurring:
 - i) the location of property lines by way of a map;
 - ii) a copy of the Regional District's Electoral Area "E" Noise Regulation and Prohibition Bylaw;
 - iii) measures to address water conservation;
 - iv) instructions on the use of appliances that could cause fires, and for evacuation of the building in the event of fire;
 - v) instructions on the storage and management of garbage;
 - vi) instructions on septic system care; and
 - vii) instructions on the control of pets (if pets are permitted by the operator) in accordance with the Regional District's Animal Control Bylaw.
 - (c) the maximum number of bedrooms that may be occupied by paying guests shall be two (2);
 - (d) the number of paying guests that may be accommodated at any time shall not exceed Four (4);
 - (e) a minimum of two (2) on-site vehicle parking spaces shall be provided for paying guests, in accordance with Schedule 'B';
 - (f) camping and the use of recreational vehicles, accessory buildings and accessory structures on the property for vacation rental occupancy are not permitted; and
 - (g) current telephone contact information for a site manager or the property owner, updated from time to time as necessary, as well as a copy of this Temporary Use Permit shall be provided to the owner of each property situated within 100 metres of the land and to each occupant of such property if the occupier is not the owner.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

10. This Permit shall expire on October 31, 2021.

Authorising resolution passed by Regional Board on _____ day of _____, 2018.

B. Newell, Chief Administrative Officer

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



Temporary Use Permit

File No. E2018.165-TUP



Temporary Use Permit No. E2018.165-TUP Page 4 of 6

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

Telephone: 250-492-0237 planning@rdos.bc.ca



Temporary Use Permit

Schedule 'B'



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

File No. E2018.165-TUP

Temporary Use Permit



Schedule 'C'

From:	HBE
То:	
Subject:	RE: TUP Referral - E2018.165-TUP
Date:	October 11, 2018 3:39:07 PM

Hello Lauri,

Our comments from the 2017 response remain the same. If you have any questions, please feel free to let me know.

Kind regards,

Sanelle Rimell, B.Sc, B.Tech, C.P.H.I.(C) **Healthy Communities** Interior Health Authority Vernon Health Centre 1440 14th Avenue, Vernon, BC V1B 2T1 Office: 250-549-5758

Office: 250-549-5758 Cell: 250-540-8380 Email: janelle.rimell@interiorhealth.ca www.interiorhealth.ca

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June 28, 2017

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

mailto:planning@rdos.bc.ca

Dear Mr. Taylor:

RE: File #: E2017.089-TUP Our interests are unaffected

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

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

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

Sincerely,

MM

Healthy Built Environment Team

Bus: 1-855-744-6328 Email: <u>hbe@interiorhealth.ca</u> Web: interiorhealth.ca Kamloops Health Unit 519 Columbia Street Kamloops, BC V2C2T8





- **TO:** Board of Directors
- FROM: B. Newell, Chief Administrative Officer
- DATE: October 18, 2018

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

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. D2018.147-DVP.

Purpose:	To allow for the development of swimming pool in a converted metal storage container.		
Owners:	Jasel & Nicole Peters	<u>Agent</u> : n/a	<u>Folio</u> : D06800.116
<u>Civic</u> :	Lot 9-125 Cabernet Drive	Legal: Strata Lot 9, Plan KAS3813, District Lo	ot 2710, SDYD.
<u>OCP</u> :	Low Density Residential (LR)	Zone: Residential Single Family One (RS1) zo	one
<u>Variance</u> <u>Requests</u> :	to vary the maximum parcel coverage from 35 % to 39%; and to reduce the separation between buildings from 1.0 metres to 0.076 metres		

Proposed Development:

This application proposes to vary the maximum parcel coverage and minimum separation between buildings in order to allow for the placement of an accessory structure (i.e. metal storage container) that is to be used as an above ground swimming pool.

Specifically, that maximum parcel coverage is increased from 35% to 39%, and that the minimum separation between buildings is reduced from 1.0 meter to 0.076 metres.

In support of the application the applicant states that:

- "the variance is to increase parcel coverage by 3.28% to accommodate a set of unenclosed metal stairs to access our roof, as well as an above ground pool";
- Both stairs and pool will be painted to blend in with the colour of the house";
- "The stairs are located at the rear of property... adjoining properties are also located uphill of our property and their views will not be further impaired";
- "The house is designed with a flat roof which will be used as a roof top garden area. The property is small, steep and rocky which limits the area we can use for recreational activities"; and
- "by eliminating an internal staircase this provides us more space in the interior of the house and thus not requiring a second floor. This would have impeded the neighbours view."

Site Context:

The subject property is approximately 665 m² in area and is located on the north side of Cabernet Drive. The property is located in the subdivision known as Vintage Views and is approximately 5.8

kilometres north of the unincorporated community of Okanagan Falls and 7 kilometres south of the City of Penticton. The property is part of the Vintage Views strata subdivision.

The surrounding pattern of development is predominantly low density residential with similarly sized and zoned lots with steep slope considerations.

Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on August 16, 2010, while available Regional District records indicate that a building permit has currently been applied for in order to construct a single detached dwelling.

Under the Electoral Area "D-2" Official Community Plan (OCP) Bylaw No. 2603, 2013, the property is designated Low Density Residential (LR), and is subject to the Hillside / Steep Slope Development Permit (HSSDP) Area. Currently, this development permit is not being considered at time of building permit and is only be required at the time of subdivision.

Under the Electoral Area "D" Zoning Bylaw No. 2455, 2008, the property is zoned Residential Single Family One (RS1), which permits "single detached dwelling" as a principal use and "accessory buildings and structures" as a secondary use.

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 intent behind the Zoning Bylaw's use of parcel coverage is to ensure that properties are not overbuilt and that land is retained free of buildings for open space and amenity areas.

In this instance, Administration notes that the subject property is quite steep and rocky and has limiting physical features for development. Further, the proposed increase in parcel coverage does not appear to be a significant negative impact for the adjacent uses. The additional parcel coverage can be seen to be contributed by a set of external stairs at the rear of the house. The proposed dwelling otherwise meets the required setbacks and height for the RS1 Zone and, therefore, does not create any additional building mass that may be detrimental to the neighbourhood characteristics.

The intent of the requirement of a 1.0 metre separation between buildings on the same property may historically have had to do with manoeuverability around buildings and fire safety separation. The building code; however, deals with any construction requirements for fire protection.

In this instance, it is being proposed that this separation requirement be reduced for the space between the principal dwelling and an accessory steel structure that abuts the dwelling at the side yard. This accessory structure will be used in conjunction with the rooftop garden and pool area proposed for the residence. The material will need to meet any fire separation code requirements, but in terms of building code considerations, the proposed distance is not a concern. The design of the dwelling with an abutting accessory structure creates what can be seen as a more compact development on a limited site.

Therefore, generally, Administration supports the proposed variances.

Alternative:

THAT the Board of Directors deny Development Variance Permit No. D2018.147-DVP.

Respectfully submitted

Endorsed by:

Endorsed by:

E. Reichert

G

E. Riechert, Planner

C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Site Elevations

Attachment No. 1 – Site Elevations





Development Variance Permit

FILE NO.: D2018.147-DVP

Owners: Jasel & Nicole Peters 3521 Dunbacton Road West Kelowna, V4T 1J2 Agent:

GENERAL CONDITIONS

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

APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A' & 'B', 'C' and 'D' 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:	Strata Lot 9, DL 2710, SDYD, Plan KAS3813, Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V.	
Civic Address:	Lot 9 – 125 Cabernet Drive	
Parcel Identifier (PID):	028-497-422	Folio: D-06800.116

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "D" Zoning Bylaw No. 2455, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The maximum parcel coverage, as prescribed at Section 11.1.8, is varied:
 - i) from: 35%
 - to: 39%

- b) The distance between buildings and structures, as prescribed at Section 7.13.2, is varied:
 - i) from: 1.0 metres
 - to: 0.076 metres

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

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



Development Variance Permit

File No. D2018.147-DVP



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



Development Variance Permit

File No. D2018.147-DVP



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

Development Variance Permit

Schedule 'D' (2) 1 3 (4) (5) 2.000 42° black metal geardral typical Top-of Seed Bridgett ___hallower/back____ 16-27 -959 **(**) na el Miñ O (5)2 4 (3) 1 25120-0 Ħ Β Top of Sect MIC FOR THE O 100/27 In the state of the second sec 122 223



File No. D2018.147-DVP

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

Development Variance Permit

File No. D2018.147-DVP





File No. D2018.147-DVP Page 6 of 7

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

Development Variance Permit

Schedule (B) (1)(2) (4) (5) 25' - 8 1/2" Top of Steel Structure Floor Plan Top of Feating (1) AIDB (C) (A Roof Plan 25' - 8 1/2" Top of Steel Structure Main Floor Plan 1.32 Top of Fasting







ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Development Variance Permit (DVP) Application — Electoral Area "E"

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. E2018.146-DVP.

Purpose:	To allow for the development of an over-height retaining wall		
Owners:	Max & Marguarite DeOliveira	Agent: Rebecca Ogden	<u>Folio</u> : E-06834.125
<u>Civic</u> :	2830 Outlook Way	Legal: Lot 25, DL 2711, SDYS, Plan EPS4038	
<u>OCP</u> :	Low Density Residential (LR)	Zone: Residential Single Family Site Specific (RS1s)
Variance Request: To vary the maximum height of two stepped retaining walls			

Proposed Development:

This application seeks to vary the maximum height for retaining walls in order to construct a new single detached home.

Specifically, the proposed variances include going from 2.0 metres to 2.91 metres for one wall, and from 1.2 metres to 1.5 metres and 1.2 metres to 2.26 metres, for the second wall.

The applicant has stated in support for the requested variances that "This retaining wall is required to build this house... There are no neighbours whose views/lines of site that will be affected" and further "we have plotted every advance to the house and there is no driveway solution that makes retaining unnecessary... allowing this retaining wall will prevent unnecessary excavations to recontour the lot.

Site Context:

The subject property is approximately 3386 m² in area and is located on the east side of Outlook Way, and is in the Outlook Properties strata subdivision, off of Arawana Rd in Naramata. The subject property is approximately 2.7 km south east of Naramata's town centre.

The property is steeply sloped upward from Outlook Way and the surrounding pattern of development is characterised by similar type of parcels to the west, north and partially to the south. To the east is a large undeveloped property that forms part of the Naramata Benchlands development lands.

Background:

The subject property was created by a plan of subdivision registered on July 13, 2017, while available Regional District records indicate that a building permit for a single detached dwelling has been received in 2018.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Low Density Residential (LR) and has been zoned Residential Single Family One Site Specific (RS1s) under the Electoral Area "E" Zoning Bylaw No. 2459, 2008. The RS1s Zone permits a single detached dwelling, and under General Regulations, retaining walls are permitted under certain conditions, including height.

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.

An Advisory Planning Commission (APC) meeting for Electoral Area "E" is to be held on October 15, 2018 and a verbal update of the recommendation of the APC will be provided to the Board.

Analysis:

In order to provide clearer guidance on the development of retaining walls within the Electoral Area Zoning Bylaws, the Regional District has recently approved a number of amendments related to retaining wall regulations. These amendments included new definitions, setting of maximum height requirements, and horizontal separation distances.

When assessing variance requests a number of factors are taken into account, including the intent of the regulation; 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.

In this instance, Administration notes that the subject property, although quite large for an RS1 zoned parcel, is very steeply sloped upwards from Outlook Way, making a reasonable building pad and driveway grade challenging to construct.

The design of the house and retaining wall around it are proposed to be somewhat 'lowered' into the natural grade resulting in the series of stepped back retaining walls surrounding the house on 3 sides.

The area immediately north of the subject property is a 6.0 metres wide section of "common property" held by the strata and used for buried services. It, therefore, creates a buffer to the adjoining parcel.

The resulting retaining wall would, therefore, not be blocking adjacent property views or creating a detrimental impact on the amenity of the area and adjoining uses.

The options for achieving a reasonable driveway grade would be to either wind a longer route through the property in order to reduce the grade, or to create a lesser grade by creating a building pad for the house in a way that makes for acceptable access.

The applicant proposes a series of retaining wall that meet the general regulations; however, the area of the driveway requires additional height on sections of the retaining walls.

Administration does not feel that the proposed development will adversely affect the amenity of the area or adjoining uses, and therefore supports this application.

Alternative:

That the Board of Directors deny Development Variance Permit E2018.146-DVP.

Respectfully submitted

Endorsed by:

FRiechert

E. Riechert, Planner

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Applicant's Site Plan

- No. 2 Applicant's Retaining Wall Elevations
- No. 3 Applicant's Building Rendering
- No. 4 Applicant's Building Rendering
- No. 5 Applicant's Building Rendering
- No. 6 Site Photo

Attachment No 1 – Applicant's Site Plan





Attachment No.2 – Applicant's Retaining Wall Elevations

Attachment NO. 3 – Building Rendering



Attachment No. 4 – Site Photo





FILE NO.: E2018.146-DVP

Owner: Max & Marguerite De Oliveira Agent: 601-175 Kinney Avenue Penticton, BC V2A 0C6 Rebecca Ogden 365 Van Horne St Penticton, BC V2A 8S4

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	with an interest in the co	SDYD, Strata Plan EPS4038, together ommon property in proportion to the trata lot as shown on Form V
Civic Address:	2830 Outlook Way, Naramata, BC	
Parcel Identifier (PID):	030-192-986	Folio: E-06834.125

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 maximum height for a retaining wall in the Residential Single Family One (RS1s) zone, as prescribed in General Regulations Section 7.27.4, is varied:

- i) from: 2.0 metres
 - to: 2.91 metres, as shown on Schedule 'C'; and
- ii) from: 1.2 metres
 - to: 2.26 metres, as shown on Schedule 'C'; and
- iii) from: 1.2 metres
 - to: 1.5 metres, as shown on Schedule 'C'.

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

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



Development Variance Permit

File No. E2018.146-DVP



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

Development Variance Permit

DISTURBED SLOPE TO HOAD (++) 2 (1) UNDISTURBED UPHILL SLOPE (+/-) 2 : 1) (+n) 10-10 3/87(3.3m) TO EDGE OF ROAD 51'-3 1(2" (15.63m) TO FOUNDATION 40'-0" CHO RETAINING WAT SUP () TW 672 3 TW 578.85m 8W 574.64m PROPERTY LINE 103.360 W 574,66m TW 570.82 10.10 PLANTED REAR VARD RETAINING THE INTO HOUSE FOUNDATION IG TIES CONDRETE DRIVEWAY ETTSOM GARAGE SLAB 57.000 10% SLOPE Varying retaining ESINCIPAL BUILDING wall height CRETE PLANT AND ENTRY EPED BALCO * 573 78m LOVIER FLOOR W 576.97 10/ 676 07 BEPTIC TANK CONFIRM STREET CONNECTION AND ADJUST TANK LOCATION AS NECESSARY SETBACK 15 TO #0UNED#10 7W 575 80H BW 575 94n PORTION OF 1 +m 221 210 RECONTRACT TIE OF SETERCH N SIDEYA BETBACK SHALL NOT SEXCELD 1.2M IN EXPOSED SUSCIE tow . 2 anton 2.1 SITE DETAILS ZONING REQUIREMENTS FROPOSED PROJECT GENERAL NOTES 9515 1 BASED ON TOPOORAPHIC SITE PLAN OF PART OF STRATA LOT 26. DL 2711. SOYD, STRATA PLAN EPS4038 PREPARED BY MANDEVILLI LAND SURVEYING INC., DATED JANUARY 15, 2018

Schedule 'B'



File No. E2018.146-DVP

File No. E2018.146-DVP Page 4 of 5

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

Development Variance Permit

Backside of wall 12" from 1.06m property line (to account for variance, only potential footing projection) at this corner Garage door reduced to 16' Wide from 18' 0.3m variance m16.0 variance 1.2m exposed Om exposed 18" planting buffer Wall inside buildable zone to soften appearance of wall 10% slope on driveway apron. transitions to 17.4% to road

File No. E2018.146-DVP

File No. E2018.146-DVP Page 5 of 5




ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Development Variance Permit (DVP) Application — Electoral Area "F"

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. F2018.160-DVP.

Purpose:	To allow for the development of	a retaining wall	
Owners:	Mark & Dorothy Wagstaff	<u>Agent</u> : n/a	Folio: F-07327.000
<u>Civic</u> :	614 West Bench Drive	Legal: Lot A, DL 5076, SDYD, Plan 16758	
<u>OCP</u> :	Small Holdings (SH)	Zone: Small Holdings Five (SH5)	
Variance Request: To vary the height of a retaining wall from 1.2 metres to 3.8 metres.			

Proposed Development:

This application seeks to vary the height of a retaining wall that is to be sited adjacent an interior side parcel from 1.2 metres to 3.8 metres. The proposed retaining wall is to be approximately 61.0 metres (200 ft) in length.

The applicant has stated that "this variance is for a wall that can't be seen as it will be behind a high cedar hedge", and has submitted a letter from the adjacent neighbours (740 West Bench Drive) stating that they are in support of the retaining wall.

Site Context:

The subject property is approximately 5,422 m² in area and is located on the west side of West Bench Drive, approximately 50 metres south of the intersection of Bartlett Drive and West Bench Drive. The subject property is seen to contain a recently demolished single detached dwelling.

The surrounding neighbourhood can be characterized by similar sized parcels being used as rural residential. Immediately to the west is Penticton Indian Band land.

Background:

The subject property was created by a plan of subdivision that was deposited with the Land Titels Office in Kamloops on November 22, 1966, while available Regional District records indicate that a Building Permit has been applied for the demolition of a single family dwelling in September 2018.

Under the Electoral Area "F" Official Community Plan (OCP) Bylaw No. 2790, 2018, the property is designated Small Holdings and has been zoned Small Holdings Five (SH5) under the Electoral Area "F" Zoning Bylaw No. 2461, 2008. Section 7.28.4 (Retaining Walls) of the Zoning Bylaw requires that retaining walls within a side yard setback not exceed a height of 1.2 metres.



The property is identified in the Klohn Leonoff Geohazard mapping as being in the 'green' zone (gravel or bedrock).

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 a variance request a number of factors are taken into account. These include the intent of the regulation; 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 use of large retaining walls in residential areas can create negative visual impacts and potential loss of amenity, particularly where they are not well integrated into the topography of a site or are located near a parcel line.

The introduction of retaining wall regulations has occurred fairly recently, with amendments to all of the Electoral Areas zoning bylaws being approved in January 2018. The intent of these regulations is to encourage integration of retaining walls into the terrain and to encourage the "stepping" of retaining walls.

In this instance, the local topography, although not particularly steep, is fairly hilly but is seen to have a significant drop in elevation between 614 and 702 West Bench Drive. The proposed wall on the interior side yard will not be directly facing the street but will be immediately adjacent to the neighbouring property. The proposed wall is to be located approximately 40 metres back from West Bench Drive. Currently, there is a cedar hedge on the neighbouring property that will provide a visual screen for the wall.

The proposed retaining wall should not create a negative impact on the amenity of the neighbourhood, although will directly affect the adjacent property. The adjacent neighbour has submitted a letter of support for the proposed wall stating that "we look forward to this installation of a lock block retaining wall to greatly clean-up this area that only we look at."

Conversely, given that the applicant plans to demolish the existing residence and build a new one, it is plausible that the retaining wall could be stepped back from the property line and therefore avoiding such a large monolithic lock block wall. The new residence could be placed to accommodate the stepped retaining walls.

In summary; however, it appears that the proposed retaining wall should not pose a detriment to the amenity of the neighbourhood, therefore, Administration supports this variance request.

Alternatives:

- 1. That the Board of Directors deny Development Variance Permit F2018.160-DVP; or
- 2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "F" Advisory Planning Commission (APC).

Respectfully submitted	Endorsed by:	Endorsed by:
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<u>ERiechert</u>

E. Riechert, Planner

C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

<u>Attachments</u>: No. 1 – Site Photos No. 2 – Site Photos Attachment No. 1 – Site Photos



Attachment No. 2 – Site Photos





Development Variance Permit

FILE NO.: F2018.160-DVP

Owners: Mark & Dorothy Wagstaff 68-3333 South Main St Penticton, BC, V2A-8X8

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot A, District Lot 5076, ODOY, Plan 16758	
Civic Address:	614 West Bench Drive, Penticton	
Parcel Identifier (PID):	008-548-552	Folio: F-07327.000

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "F" Zoning Bylaw No. 2461, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The maximum height for a retaining wall, as prescribed in Section 7.28.4 (a) of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is varied:
 - i) from: 1.2 metres

to: 3.8 metres, and as shown on Schedules 'B', and 'C'.

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

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



Development Variance Permit

File No. F2018.160-DVP



File No. F2018.160-DVP Page 3 of 5

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

Development Variance Permit

File No. F2018.160-DVP Page 4 of 5





File No. F2018.160-DVP

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

Development Variance Permit

Schedule 'C' EXTERIOR WALL OF PROPOSED NEW HOUSE LOCK BLOCK RETAINING WALL FINISHED GRADE 9 4.5 M 3.5 M SECTION: A 130' FROM PROPERTY LINE ON FINISHED GRADE WEST BENCH DR. SCALE: 1/4" = 1'0" m Z 1 614 WEST BENCH DR. 740 WEST BENCH DR.



File No. F2018.160-DVP Page 5 of 5

August 1, 2018

Pat Wand Mike Smith 740 West Bench Drive Penticton, B.C. V2A 8Y4

To whom it may concern:

We are in support of our neighbours at 614 West Bench Drive putting a retaining wall along a portion of our adjoining properties. The area involved has been a constant thorn in our side with wind blown tree branches damaging our chain link fence and leaves constantly covering our back lawn. It has always been an unsightly area with uncontrolled weed growth.

We look forward to this installation of a lock block retaining wall to greatly clean-up this area that only we look at.

Yours sincerely,

Pat Wand

Mike Smith



- TO: Board of Directors
- FROM: B. Newell, Chief Administrative Officer
- **DATE:** October 18, 2018

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

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. A2018.168-DVP.

Purpose:	To allow for structural alterations a	and upgrades to an accessory structure	
Owner:	Alexander Harrower & Susan Bell	Agent: Alexander Harrower & Susan Bell	<u>Folio</u> : A-06018.000
<u>Civic</u> :	8706 122 nd Avenue	Legal: Lot A, Plan KAP11604, DL 2450S, SDY	D, Portion L 466
<u>OCP</u> :	Small Holdings (SH)	Zone: Agriculture One (AG1)	
Requested Variances: to reduce the interior side parcel line setback from 7.5 metres to 5.5 metres			

Proposed Development:

This application seeks to vary the minimum setback from an interior side parcel line in the Agriculture One (AG1) Zone from 7.5 metres to 5.5 metres in order to allow for structural alterations to be undertaken on an existing building that is legally non-conforming in terms of siting.

In support of this proposal, the applicant has stated that because of the way the zoning bylaw defines a front parcel line, the setback from the property line nearest the structure is considered as the rear instead of side, which increases the setback from 4.5 metres to 7.5 metres. Had it been a side parcel line, no variance would have been required. In addition, the building needs to be repaired for safety reasons and "tearing down is cost prohibitive and replacing building would infringe on agricultural land."

Site Context:

The subject property is approximately 3,682 m² in area and is located at the north-west corner of the intersection of 122nd Avenue and 87th Street. The property is comprised of a single detached dwelling and the subject accessory structure.

The surrounding pattern is characterised by a mix of rural-residential development fronting 87th street surrounded by agricultural operations, including the former BC Tree Fruits packinghouse facility.

Background:

The subject property was created by a plan of subdivision that was deposited with the Land Titles Office in Kamloops on July 10, 1961, while available Regional District records indicate that no building permits have previously been issued for this property. Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, the subject property is designated as Small Holdings (SH), and is within the Agricultural Protection Area.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the subject property has been zoned Agriculture One (AG1), which permits accessory buildings and structures as an accessory use, subject to compliance with setbacks.

The property is also situated within the Agricultural Land Reserve (ALR) and has been assessed a "Farm" (Class 09) and "Residential (Class 01) by BC Assessment.

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:

In considering this proposal, Administration notes that when structural alterations are required to a building whose siting is legally non-conforming (i.e. "grandfathered"), that this is the point at which compliance with the bylaw should be sought. Namely, that the building be replaced and any new structure be sited in accordance with the applicable setback requirements of the zone.

Moreover, the use of setbacks from parcel lines in the zoning bylaw is to maintain a minimum space between houses in a residential neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

In agricultural zones, setbacks are further used to mitigate the potential for conflict between land uses with the Ministry of Agriculture recommending that setbacks be used to "avoid farming right up to the back wall of [a] residence."

In light of these considerations, it is noted that the accessory structure is not to be used for residential purposes (limiting the potential conflict with adjacent agricultural uses), nor is it likely to adversely impact on the streetscape characteristics to the adjacent residential use to the south of 122nd Avenue.

It is also recognised that granting the requested variance will allow some of the materials in the existing structure to be re-used, to avoid its complete demolition and to utilise the existing disturbed footprint and not requiring encroachment onto other parts of the property.

Conversely, there are not seen to be any specific physical or other limiting site characteristics that speak in favour of a variance and that sufficient land area exists on the property for the applicant to meet the required setbacks.

In summary, and for the aforementioned reasons, Administration supports the requested variance as a reduction of 2.0 metres to the rear parcel line setback is unlikely to adversely impact any adjacent uses.

Alternatives:

- 1. THAT the Board of Directors deny Development Variance Permit No. A2018.168-DVP; or
- 2. THAT the Board of Directors resolves to defer consideration of Development Variance Permit No. A2018.168-DVP and refers the application to the Electoral Area "A" Advisory Planning Commission (APC) for a recommendation.

Respectfully submitted

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C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Development Services Manager

Attachments: No. 1 – Site Photos

Attachment No. 1 – Site Photos



File No: A2018.168-DVP



Development Variance Permit

FILE NO.: A2018.168-DVP

Owner: Susan Bell & Alexander Harrower 8706 122nd Avenue Osoyoos, BC, V0H-1V2

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, Plan KAP11604, DL 2450S, S	DYD, Portion L 466
Civic Address:	8706 122nd Street, Osoyoos	
Parcel Identifier (PID):	009-481-711	Folio: A-06018.000

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 setback for a building or structure from an interior parcel line in the Agriculture One (AG1) Zone, as prescribed in Section 10.2.6(a)(ii) of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is varied as follows:
 - i) from: 7.5 metres
 - to: 5.5 metres, as measured to the outermost projection and shown on Schedule 'C'.

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

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



Development Variance Permit

File No. A2018.168-DVP



File No. A2018.168-DVP Page 3 of 8

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

Development Variance Permit

Schedule 'B'

C 22/08/2018 2 of ? As Indicated Date: Page: Scale: Ben 734, Crosper, 3C pit (220) 449-5360 Abril, CRU, CRA **3D RENDERINGS** -Representative Only DRAMING PAGE INDEX GENERAL NOTES TITLE PAGE / RENDERINGS SITE PLAN FOUNDATION/BASEMENT PLAN NAIN FLOOR PLAN UPPER FLOOR PLAN 8 ELEVATIONS ELEVATIONS : ELEVATIONS 3 ELEVATIONS 4 CODE RSI INFO ZONES 5,6,1A ASSEMBLY RSI VALUES CROSS SECTION(5) ñ -ð 14 3 These Plans only for use at: ő. HARROWER FARM SHOP 8706 - 122nd Avenue Osoyoos, BC (RDOS 'A')



File No. A2018.168-DVP

File No. A2018.168-DVP Page 4 of 8

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

Development Variance Permit

Schedule 'C'

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File No. A2018.168-DVP



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

Development Variance Permit

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File No. A2018.168-DVP

File No. A2018.168-DVP Page 6 of 8





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

Development Variance Permit

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File No. A2018.168-DVP

File No. A2018.168-DVP Page 7 of 8



Schedule 'E'

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

Development Variance Permit

See Page A2 for General Notes 431-01 22/08/2018 7 of ? As Indicated Date: Page: Scale: 8 Cas Chopped, Cent. GEILING HT, = 11.58 nom 100 ASCT. 31 PROPOSED SHOP Grant 12" Havi on Trimes 2 Design 10 tina m These Plans only for use at: HARROWER FARM SHOP MAIN FLOOR PLAN - Proposed Ε 8706 - 122nd Avenue Scale: 3/16" = 1' - 0" 201 Osoyoos, BC (RDOS 'A')

File No. A2018.168-DVP

File No. A2018.168-DVP Page 8 of 8



Schedule 'F'

TO:	Board of Directors	RDOS
FROM:	B. Newell, Chief Administrative Officer	OKANAGAN
DATE:	October 18, 2018	
RE:	Development Variance Permit Application — Electoral Area "D"	

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. D2018.166-DVP.

Purpose:	: To allow for the placement of retaining walls within prescribed parcel line setbacks.			
Owners:	Magdelena Enterprises	Agent: Terry Clarke	<u>Folio</u> : D-03461.005	
<u>Civic</u> :	4505 McLean Creek Road	Legal: Lot 1, Plan KAP81234, SDYD, District Lot 37	4 551 2710	
<u>OCP</u> :	Low Density Residential (LR)	Zone: Residential Manufactured Home Park Site S	pecific (RSM1s)	
Variance Request: To vary the maximum height for retaining walls from 1.2 metres to 1.53 metres.				

Proposed Development:

This application seeks to increase the maximum height for a retaining wall that has been sited within a prescribed parcel line setback from 1.2 metres to 1.53 metres, as measured from lowest finished grade to the uppermost point of the wall.

In support of the application the applicant has stated that "the retaining walls are needed to retain the dirt and land where a home has been built ... [and that] the retaining wall is to be built to make the home safe, and to add visually a good look to the property."

Site Context:

The subject property is approximately 12.4 ha in area and is located on the south side of McLean Creek Road and is bounded by Shuttleworth Creek along its southern boundary. The property comprises the Peach Cliff Estates mobile home park and the specific area under application represents an approximately 787.7 m² manufactured home park space ("Lot G-18") within the park.

The surrounding pattern of development is generally characterised by undeveloped manufactured home park spaces that are of a similar size to the subject property.

Background:

The current boundaries of the subject property date to a plan of subdivision that was deposited with the Land Title Office in Kamloops on June 16, 2006, and are the result of a consolidation with an adjacent parcel to the west. Available Regional District records indicate a building permit for the placement of a manufactured home on "Lot G-18" was issued on May 7, 2018.

Under the Electoral Area "D-2" Official Community Plan (OCP) Bylaw No. 2603, 2013, the property is designated Low Density Residential (LR), and is subject to the Hillside / Steep Slope Development Permit (HSSDP) Area and Watercourse Development Permit (WDP) Area designations.

The property is also within the Growth Area Boundary for Okanagan Falls established through the OCP Bylaw and as designated within the Regional Growth Strategy.

Under the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, the property is zoned Residential Manufactured Home Park One Site Specific (RSM1), with the site specific regulation establishing a minimum separation between manufactured homes and minimum amenity area requirements.

At Section 7.27 of the Zoning Bylaw, the height of retaining walls is limited to 2.0 metres, with a minimum separation requirement between retaining walls of the height of the lowest retaining wall, while retaining walls within setbacks are limited to 1.2 metres in height.

That part of the property adjacent Shuttleworth Creek is subject to the floodplain regulation of the zoning bylaw.

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.

The Electoral Area "D" Advisory Planning Commission (APC) was scheduled to consider this application at its meeting October 9, 2018, but was unable to achieve quorum and the meeting was cancelled.

Analysis:

The use of large retaining walls in residential areas can create negative visual imparts and potential loss of amenity, particularly where they are not well integrated into the topography of a site or are placed on or near a parcel boundary.

To address this, the Regional District has, since 2013, attempted to mitigate the impact of residential development on hillsides through the use of development permit area guidelines in Electoral Area "D". In January of 2018, this was expanded to all of the Okanagan Valley Electoral Areas through the introduction of retaining wall regulations in the zoning bylaws.

These zoning regulations attempt to encourage the integration of retaining walls into the terrain and to respect the natural character of a site by limiting the height to 2.0 metres and encouraging the "stepping" of retaining walls.

Further limiting the height of a retaining wall within a front setback area is also intended to ensure that the site distances for adjacent traffic on a public road are not impacted, particularly at intersections, and that the visual amenity of streetscape is not "hardened" by the high, solid aesthetics of a large wall.

In light of these considerations, Administration notes that the subject manufactured home park space does not meet the general criteria for a hillside or steep slope parcel (i.e. grades in excessive of 30%) and that the use of retaining walls appear to be related to the backfilling of the southern part of the space to create a level building pad and outdoor area to occur at the same grade as the dwelling unit.

Moreover, the applicant's requested variance is seen to be minor in that it represents a 0.32 metre increase over what is currently allowed by the zoning bylaw and is unlikely to affect streetscape as only part of the wall is within the front setback and tappers as the road continues to incline to the north as it forms a cul-de-sac head.

Conversely, there do not appear to be any limiting physical features that would warrant an overheight retaining wall within the setback areas and that the applicant could step the wall back in order to comply with the zoning regulations. Doing so, however, is likely to result in a loss of private open space area, particularly adjacent the southern side boundary.

For these reasons, Administration is supportive of formalising the existing retaining wall and the requested variances.

Alternative:

THAT the Board of Directors deny Development Variance Permit No. D2018.166-DVP.

Respectfully submitted

C. Garrish, Planning Supervisor

Attachments: No. 1 – Site Photos

Endorsed by:

B. Dollevoet, Dev. Services Manager

Attachment No. 1 – Site Photos





Development Variance Permit

FILE NO.: D2018.166-DVP

Owner: Magdelena Enterprises 36070 McKee Road Abbottsford, BC, V3G-2L6 Agent: Terry Clark

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot 1, Plan KAP81234, SDYD, District Lot 374 551 2710	
Civic Address:	G-18, 4505 McLean Creek Road	
Parcel Identifier (PID):	026-711-524	Folio: D-03461.005

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "D" Zoning Bylaw No. 2455, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The maximum height for a retaining wall, as prescribed at Section 7.27.4, is varied:
 - i) from: 1.2 metres.
 - to: 1.53 metres, as shown on Schedule 'C'

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

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



Development Variance Permit

File No. D2018.166-DVP



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



Development Variance Permit File No. D2018.166-DVP Schedule 'B' MOLEAN CREEK Subject Manufactured Home Park Space (YELLOW SHADED AREA) ם נ 內 25 J 26 NTRANCE 414.8 m STREET A KAP81234 BAR OF SHITLINGS OF 30% FRO SHUTTLEWORTH CREEK

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



Development Variance Permit

File No. D2018.166-DVP



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



Schedule 'D'





File No. D2018.166-DVP

File No. D2018.166-DVP Page 6 of 6

ADMINISTRATIVE REPORT

Administrative Recommendation:		
RE:	Development Variance Permit Application — Electoral Area "E"	
DATE:	October 18, 2018	
FROM:	B. Newell, Chief Administrative Officer	
TO:	Board of Directors	

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. E2018.158-DVP.

Purpose:	e: To allow over-height retaining walls related to the construction of a new home.			
Owners:	Debra Burkhardt	Agent: Debra Burkhardt	<u>Folio</u> : E-02198.020	
<u>Civic</u> :	3060 Hayman Road	Legal: Lot 4, Plan KAP575, Block 34, District Lot 21	0, SDYD	
OCP:	Small Holdings (SH)	Zone: Small Holdings Four (SH4)		
Variance Request: To vary the maximum height for retaining walls from 2.0 metres to 4.12 metres.				

Proposed Development:

This application seeks to increase the maximum height for a retaining wall from 2.0 metres to 4.12 metres, as measured from lowest finished grade to the uppermost point of the wall.

In support of the application the applicant has stated that "the walls are intended to allow access to the garage and basement doors and do not encroach on neighbouring properties or public lands ... [that] it is necessary due to the natural topography to provide access via walls to retain the earth ... [and that there is] no other way to access the basement."

The applicant has further provided a report prepared by Interior Testing Services Limited and signed professional engineers that speak to the structural requirements of constructing the proposed retaining walls at the subject property.

Site Context:

The subject property is approximately 5,382 m² in area and is bounded by Steel Road (which is unmade) to the east and Hayman Road to the west. The property is currently being developed to a single detached dwelling.

The surrounding pattern of development is characterised by a mix of larger agricultural properties, similarly size rural-residential properties and lower density residential development to the north of Lowe Debeck Road.

Background:

The subject property was created by a plan of subdivision dated February 1909, while available Regional District records indicate a building permit for a single detached dwelling and retaining wall was issued in March of 2018.



Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Small Holdings (SH), and is zoned Small Holdings Four (SH4) under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, which allows for a "single detached dwelling" as a principal permitted use.

At Section 7.27 of the Zoning Bylaw, the height of retaining walls is limited to 2.0 metres, with a minimum separation requirement between retaining walls of the height of the lowest retaining wall:



The property has a geotechnical classification of "hazard of slumps and slides. Site specific engineering investigations recommended where high density development is anticipated."

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.

The Electoral Area "E" Advisory Planning Commission (APC) is due to consider this proposal at its meeting of October 15, 2018. Due to the proximity of this meeting to the Board's meeting of October 18, 2018, a verbal update of the APC's recommendation will be provided when the Board considers this application.

Analysis:

The use of large retaining walls in residential areas can create negative visual imparts and potential loss of amenity, particularly where they are not well integrated into the topography of a site or are placed on or near a parcel boundary.

To address this, the Regional District has, since 2013, attempted to mitigate the impact of residential development on hillsides through the use of development permit area guidelines (in Electoral Area "D" only). In January of 2018, this was expanded to all of the Okanagan Valley Electoral Areas (including Electoral Area "E") through the introduction of retaining wall regulations in the zoning bylaws.

These zoning regulations attempt to encourage the integration of retaining walls into the terrain and to respect the natural character of a site by limiting the height to 2.0 metres and encouraging the "stepping" of retaining walls (see diagram above).

In light of these considerations, Administration notes that the subject property does not meet the general criteria for a hillside or steep slope area (i.e. grades in excessive of 30%) and that the use of retaining walls appears to be related to the excavation of a localised mound for the house site and adjacent outdoor amenity area (i.e. patio).

Further, the design of the retaining walls will be mitigated by back-filling around the perimeter and by the location of the dwelling unit – which will conceal the largest sections of the wall. Consequently, the impact of the walls on adjacent residential uses is anticipated to be inconsequential. In fact, it appears that the greatest impact will be immediately adjacent the applicant's own proposed dwelling at the eastern elevation where access to the lower level of the house and garage are proposed (see Attachment No. 4).

Similarly, the retaining walls will not be visible from Hayman Road so will have no impact on established streetscape characteristics.

It is also noted that the applicant is undertaking a form of "stepping" the retaining walls (as encouraged by the zoning bylaw) by having patio sections occur at different elevations (see Attachment No. 5).

Conversely, at over 0.5 ha in area the subject property provides a sufficient land area to allow for the stepping of retaining walls as required by the zoning bylaw. There also do not appear to be any limiting physical features that would warrant an over-height retaining wall or that prevent the stepping of the retaining wall.

Nevertheless, and for these reasons previously outlined, Administration supports the requested variance.

Alternative:

THAT the Board of Directors deny Development Variance Permit No. E2018.158-DVP.

Respectfully submitted

C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Site Photos

- No. 2 Aerial Photo (2017)
- No. 3 Applicant's Cross Section & 3D modeling of proposed retaining walls

Endorsed by:
Attachment No. 1 – Site Photos



File No: E2018.158-DVP

Attachment No. 2 – Aerial Photo (2017)



File No: E2018.158-DVP



Attachment No. 3 – Applicant's Cross Section & 3D modeling of proposed retaining walls

File No: E2018.158-DVP



Development Variance Permit

FILE NO.: E2018.158-DVP

Owner: Debra Burkhardt PO Box 1191 Peachland, BC, VOH-1X0

GENERAL CONDITIONS

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

APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A', 'B', 'C' and 'D' 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 4, Plan KAP575, Block 34, District Lot 210, SDYD	
Civic Address:	3060 Hayman Road	
Parcel Identifier (PID):	012-195-642	Folio: E-02198.020

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 maximum height for a retaining wall, as prescribed at Section 7.27.4, is varied:
 - i) from: 2.0 metres.
 - to: 4.12 metres, as shown on Schedules 'C' and 'D'.

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

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





File No. E2018.158-DVP Page 3 of 6

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

Development Variance Permit

Schedule 'B'

358:32 [109.216m] 4.5m SETBACK HAYMAN 10 169.52 PLAN 578 ROAD 5 24-7% [7.50 671ml RO OBRERAY GRAPE WINES APPROX. SEPTIC LOCATION SETBACK 356.31' [108.602m] ROAD

File No. E2018.158-DVP Page 4 of 6





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

Development Variance Permit





File No. E2018.158-DVP

File No. E2018.158-DVP Page 5 of 6

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



Schedule 'D'





File No. E2018.158-DVP



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Building Bylaw Infraction Folio: D4-04931.000 Lot: 4 Plan: KAP70897 DL: 1799 1801 SDYD PID:025-384-236 Civic Address: 1995 GREEN MOUNTAIN RD (Permit #18352)

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 4, Plan KAP70897, District Lot 1799 1801, SDYD that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

Reference:

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

Background:

The Contravention of Building Regulations Report dated January 8, 2018 from the Building Official indicates that Permit #17203 was issued on April 20, 2010. This permit was issued for a new single family dwelling. The permit was extended and expired on April 20, 2013. On April 11, 2013 Permit #18352 was issued to complete the work that was remaining. This permit was extended and expired on April 11, 2016.

The last inspection was performed for insulation & vapour barrier on September 7, 2013, which identified that the exterior decks were not completely framed and the following documents were outstanding: Schedule C from structural engineer, mechanical ventilation checklist, plumbing test certificate sheet, WETT certification for the fireplaces & letter of certification for septic system.



Background con't:

The permit has expired without required Final Inspection. It is unknown whether there are further health & safety related deficiencies.

In order to close the permit file all required documentation would have to be provided and a Final Inspection passed.

This Building Bylaw infraction is considered to be Category 3.

A map showing the location of this property is attached.

Analysis:

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.

title and seek compliance through injunctive action.

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:

- 1. Do not proceed with enforcement action
- 2. Place a notice of deficiencies on the folio file (Category 1)
- 3. Place a Section 302 Notice on title (Category 2)

Respectfully submitted:

"L. Miller"

Laura Miller, Building Inspection Services Supervisor

Endorsed by:

"B. Dollevoet"

B. Dollevoet, Development Services Manager









ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 18, 2018
RE: Building Bylaw Infraction Folio: F-07453.000 Lot: 156 Plan: KAP8166 DL: 5076 PID: 009-876-685 Civic Address: 306 Newton Drive

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 156, District Lot 5076, Plan 8166, ODYD, 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.

Background:

On May 23, 2017, during routine inspections, construction of a treehouse, larger than 10m², was noted. A voice mail message was left with the owner advising them to contact the RDOS to discuss the structure. On May 30, 2017, as no response had been received to the voice mail, a letter was sent to the owner/occupier of the property. The owner phoned upon receiving the letter.

On August 28, 2017, a final notice letter went out advising we would be proceeding to enforcement action. A bylaw offence violation notice was also sent with a penalty of \$200. The owner has indicated that he would take steps to resolve this matter.

The fine was paid on September 14, 2017 but no permit has been applied for.



Background con't:

In order to close the file the structure can be reduced to smaller than 10m², removed, or obtain a building permit.

This Building Bylaw infraction is considered to be Category 2. Typically a treehouse does not exceed 10m² and because it is a child's "project" it is viewed as temporary and does not constitute a hazard.

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

Analysis:

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.

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:

Do not proceed with enforcement action

- 1. Place a notice of deficiencies on the folio file (Category 1)
- 2. Place a Section 302 Notice on title and proceed with injunctive action (Category 3)
- 1.

Respectfully submitted:

"L. Miller"

Laura Miller, Building Inspection Services Supervisor

Endorsed by:

"B. Dollevoet"

B. Dollevoet, Development Services Manager









ADMINISTRATIVE REPORT

RE:	Building Bylaw #2805, 2018
DATE:	October 18, 2018
FROM:	B. Newell, Chief Administrative Officer
TO:	Board of Directors

Administrative Recommendation:

THAT Bylaw No. 2805, 2018, being a bylaw of the Regional District of Okanagan-Similkameen for the administration of the building code and regulation of construction be read a first time.

Purpose:

As discussed a the Planning and Development Committee on October 4, 2018, the proposed bylaw applies to the design, construction or occupancy of new buildings or structures, and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures.

Reference:

 Municipal Insurance Authority of British Columbia (MIA) Core Building Bylaw for Regional Districts

Background:

Upon adoption of the Building Act in 2015, MIA commenced preparation of an update to the core sample Building Bylaw that was originally introduced in 2002 as a result of the leaky condo situation in the lower mainland.

In the spring of 2018, sample bylaws were released to members of MIA. One of the sample bylaws is designed for medium to large municipalities with fully staffed building departments. One is a simplified versions for towns with only one or two inspectors. The third sample bylaw is tailored to regional districts. All three bylaws follow the same core principles derived in part from the original core bylaw that MIA published in 2002. These bylaws were created to provide a more modern and consistent approach across the province of implementing the Building Act across local governments. Their development has taken into consideration input from the Ministry of Municipal Affairs & Housing, BC Building & Safety Standards Branch for conformity with the Building Act.



Analysis:

The current RDOS Building Bylaw #2333 was modelled after the 2002 MIA core sample bylaw and has undergone many amendments since it's adoption in 2005. Although many of the principles are the same in the newly revised core bylaws released in 2018, the sections have been expanded upon, wording clarified, new sections added and any sections which were ultra vires of the Building Act have been removed.

Building Bylaw #2805/18 reflects the 2018 MIA core sample bylaw for regional districts. In comparing the draft Bylaw to the previous Building Bylaw #2333 no sections have been removed but there has been expansion and clarification to many of the sections which were discussed at the Planning and Development Committee on October, 4, 2018. A summary of key changes proposed in Building Bylaw #2805 is provided below:

- Expansion of sections on the purpose of the bylaw (part 2), scope and exemptions (part 3), powers of a building official (part 6), registered professional's responsibilities (part 9), permit requirements (part 10), obligations of owner's constructor (part 8), and numbering of buildings (part 13).
- New section on temporary buildings.
- A new section on the Step Code provisions for future consideration.
- A new section for plumbing (only) permits.
- Revised provisions for farm buildings. The key change here is a expedited building permit for bona-fide farm buildings less than 600 m² on land classed as farm by BC Assessment. These buildings were previously exempt of requiring a permit through application to the RDOS. The proposed fee for these permits is \$250.00 to cover the cost of administration of the permit and one inspection to ensure it is sited correctly and verification of use.

Alternatives:

- 1. That the Board send Building Bylaw #2805/18 back to Administration for further review
- 2. That the Board refer Building Bylaw #2805/18 to the 2018 2022 Board of Directors

Communication Strategy:

- 1. Summary of proposed changes to be posted on the RDOS Hot topics and Internet pages;
- 2. Provide summary to designers, contractors, member municipalities and CHBA;
- 3. Potentially meet with farming and ranching community to present changes to the farm building exemption process in addition to providing written materials setting out the change in the farm building exemption process; (Okanagan-Similkameen Cattlemen's Association, BC Fruit Growers' Association, BC Tree Fruits Cooperative)
- 4. Provide an information pamphlet or brochure at permit issuance regarding the farm building process and potential penalty and steps to take if occupancy or use of the building changes;

Respectfully submitted:

nuler

L. Miller, Building Department Supervisor

Endorsed by:

B. Dollevoet, Development Services Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BUILDING BYLAW NO. 2805, 2018

A Bylaw for the Administration of the Building Code and Regulation of Construction

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BUILDING BYLAW NO. 2805, 2018

A Bylaw for Administration of the Building Code and Regulation of Construction

GIVEN that

- A. The Regional District provides a building regulation service in Electoral Areas A, C, D, E, F, H and I;
- B. The Regional Board may by bylaw regulate, prohibit and impose requirements in respect to buildings and structures for the following:
 - (a) The provision of access to a building or other structure, or to part of a building or other structure, for a person with disabilities;
 - (b) The conservation of energy or water;
 - (c) The reduction of greenhouse gas emissions;
 - (d) The health, safety or protection of persons or property;
- C. The Regional Board is enacting this bylaw to regulate construction and administer the British Columbia *Building Code* in the Regional District in accordance with the *Local Government Act* and the *Building Act*;
- D. The Regional District has employed trained building officials for the purposes of this bylaw;

NOW THEREFORE the Regional Board of the Regional District of Okanagan-Similkameen enacts as follows:

PART 1: TITLE

Citation

1.1 This bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Building Bylaw No. 2805, 2018"

PART 2: PURPOSE OF BYLAW

- 2.1 Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part.
- 2.2 Every permit issued under this bylaw is issued expressly subject to the provisions of this Part.
- 2.3 This bylaw is enacted to regulate, prohibit and impose *construction* requirements in the Regional District in the public interest.
- 2.4 The purpose of this bylaw does not extend to
 - (a) The protection of *owners, designers* or *constructors* from economic loss;
 - (b) The assumption by the Regional District or any *Building Official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees,

constructors or *designers* retained by the *owner*, with the *Building Code*, the requirements of this bylaw, or other applicable enactments, codes or standards;

- (c) Providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a *building permit* or *occupancy permit* is issued under this bylaw;
- (d) Providing any person a warranty or assurance that *construction* undertaken under *building permits* issued by the Regional District is free from latent, or any, defects; or
- (e) The protection of adjacent real property from incidental damage or nuisance.

PART 3: SCOPE AND EXEMPTIONS

Application

- 3.1 This bylaw applies to the geographical area of Electoral Areas A, C, D, E, F, H and I of the Regional District and to land, the surface of water, air space, *buildings* or *structures* in the Electoral Areas.
 - (a) This bylaw applies to the design, construction or *occupancy* of new *buildings* or *structures*, (including on site preparations, interconnection of modules, connection to services and installation of appliances for mobile homes and factory built houses) and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures (including on site preparations, interconnection of modules, connection to services and installation of appliances for mobile homes and factory built houses).
- 3.2 This bylaw does not apply to:
 - (a) The following matters exempted by Section 1.1 of Division A Part 1 of the **Building Code**:
 - i. Sewage, water electrical, telephone, rail or similar public infrastructure systems located in a street or a public transit right of way,
 - ii. Utility towers and poles, and television, radio and other communication aerials and towers, excepts for loads resulting for their being located on or attached to buildings,
 - iii. Mechanical or other equipment and appliances not specifically regulated in these regulations,
 - iv. Flood control and hydro electric dams and structures,
 - v. Accessory buildings less than 10m² (107 ft²) in building area that do not create a hazard,
 - vi. Factory built housing and components complying with CAN/CSA Z240 MH Series standard or A277 series, but this exemption does not extend to on site preparations (foundations, mountings), connection to services and installation of appliances, and
 - vii. Areas that are specifically exempted from provincial building regulations by provincial or federal enactments,

- (b) Non-structural alterations and repairs to single and two-family residential dwelling which alterations do not affect the building envelope, including:
 - i. Re-covering existing roofs;
 - ii. Re-cladding existing exterior walls;
 - iii. Repainting;
 - iv. The repair or replacement of a valve, faucet, fixture or sprinkler head in a *plumbing system* if no change in piping is required;
 - v. Re-covering existing floors;
 - vi. Replacing windows and doors in existing openings (as long as the size does not change);
 - vii. Installation or replacement of gas or electric powered space or water heating fixtures or appliances;
- (c) buildings or structures on a mine site, other than buildings used or intended to be used for residential occupancy and buildings accommodating cooking or sleeping facilities;
- (d) game fences of any height on land classed as farm under the Assessment Act or fences 1.83 metres or less in height except as provided in Part 14 (pools)
- (e) signs with less than 4 square metres of total sign area;
- (f) unroofed residential decks if the deck surface is 600 mm (24 inches) or less above the adjacent ground level, or the adjacent surface within 1.2 m of the walking surface of the deck has a slope of more than 1 in 2;
- (g) public utility water reservoirs, valve chambers, piping and pump-houses and underground tanks;
- (h) Except as set out in Part 11 (Retaining Walls) of this bylaw, a fence;
- (i) A trellis, an arbour, a wall supporting soil that is less than 1.2 metres in height, or other similar landscape *structures* on a parcel zoned for single-family *residential occupancy* uses under the Regional District's zoning bylaw;
- (j) Areas outside of Electoral Areas A, C, D, E, F, H and I.

Limited Application to Existing Buildings

- 3.3 Except as provided in the *Building Code* or to the extent an *existing building* is under *construction* or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the *building* must be *reconstructed* and *altered*, unless it is expressly so provided by this or another bylaw, regulation or statute
- 3.4 This bylaw applies if the whole or any part of an *existing building* is moved either within or into the Regional District, including relocation relative to parcel lines created by subdivision or consolidation. Part 12 applies to *building* moves.
- 3.5 If an *alteration* is made to an *existing building* the *alteration* must comply with this bylaw and the *Building Code* and the entire building must be made to comply with this bylaw and the *Building Code*, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the *alteration*.
- 3.6 If an *alteration* creates an *addition* to an *existing building*, the *alteration* or *addition* must comply with this bylaw and the *Building Code* and the entire building must be made to comply

with this bylaw and the *Building Code*, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the *alteration* or *addition*.

PART 4: PROHIBITIONS

- 4.1 A person must not commence or continue any *construction, alteration, excavation,* reconstruction, demolition, removal, relocation or change the use or *occupancy* of any *building* or *structure*, including other work related to construction
 - (a) except in conformity with the requirements of the *Building Code* and this bylaw; and
 - (b) unless a *Building Official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 4.2 A person must not *occupy* or *permit* the *occupancy* of any *building* or *structure* or part of any *building* or *structure*
 - (a) unless a subsisting *final inspection notice* has been issued by a *Building Official* for the *building* or *structure* or the part of the *building* or *structure*; or
 - (b) contrary to the terms of any *permit* issued or any notice given by a *Building Official*.
- 4.3 A person must not knowingly submit false or misleading information to a *Building Official* in relation to any *permit* application or construction undertaken pursuant to this bylaw.
- 4.4 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *Building Official*, or plans and supporting documents which have been filed for reference with the *Building Official* after a *permit* has been issued.
- 4.5 A person must not, unless authorized in writing by a *Building Official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, *permit* or certificate posted or affixed to a *building* or *structure* pursuant to this bylaw.
- 4.6 A person must not do any work that is substantially at variance with the *accepted* design or plans of a *building, structure* or other works for which a *permit* has been issued, unless that variance has been authorized in writing by a *Building Official*.
- 4.7 A person must not interfere with or obstruct the entry of a *Building Official* or other authorized official of the Regional District on property in the administration of this bylaw.
- 4.8 A person must not *construct* on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so that it may be easily read from the public highway from which it takes its address.
- 4.9 A person must not contravene an administrative requirement of a *Building Official* made under section 6.6 or any other provision of this bylaw.
- 4.10 A person must not change the use, *occupancy* or both of a *building* or *structure* or a part of a *building* or *structure* without first applying for and obtaining a *building permit* under this bylaw.

PART 5: PERMIT CONDITIONS

- 5.1 A *permit* is required if work regulated under this bylaw is to be undertaken.
- 5.2 Neither the issuance of a *permit* under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the Regional District will in any way

- (a) Relieve the *owner* (and if the *owner* is acting through an *agent*, the *agent* of the *owner*) from full and sole responsibility to perform the work in respect of which the *permit* was issued in strict compliance with this bylaw, the *Building Code*, and all other applicable codes, standards and enactments;
- (b) Constitute a representation, warranty, assurance or statement that the *Building Code*, this bylaw or any other applicable enactments respecting safety, protection, land use and zoning have been complied with; or
- (c) Constitute a representation or warranty that the *building* or *structure* meets any standard of materials or workmanship;
- 5.3 No person shall rely on any *permit* as establishing compliance with this bylaw, assume, or conclude that this bylaw has been administered or enforced according to its terms.
- 5.4 Without limiting section 5.2(a), it is the full and sole responsibility of the *owner* (and if the *owner* is acting through a representative, the representative of the *owner*) to carry out the work in respect of which the *permit* was issued in compliance with the *Building Code*, this bylaw and all other applicable codes, standards and enactments.

PART 6: POWERS OF A BUILDING OFFICAL

Administration

- 6.1 Words defining the authority of a *Building Official* are to be construed as internal administrative powers and not as creating a duty.
- 6.2 A Building Official may
 - (a) Administer this bylaw, but owes no public duty to enforce or administer this bylaw;
 - (b) Keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
 - (c) Establish or require an *owner* to establish whether a method or type of construction or material used in the construction of a *building* or *structure* complies with the requirements and provisions of this bylaw and the *Building Code*; and
 - (d) Direct that tests of materials, equipment, devices, construction methods, structural assemblies or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or *foundation* condition complies with this bylaw and the *Building Code*.

Refusal and Revocation of Permits

- 6.3 A *Building Official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *Building Code* or the provisions of this or any other bylaw of the Regional District, and must state the reason in writing.
- 6.4 A Building Official may revoke a permit if,
 - (a) There is a violation of any condition under which the permit was issued;
 - (b) There is a violation of any provision in the Building Code, this bylaw or any other bylaw of the Regional District;

- (c) The permit was issued in error or on the basis of false or incorrect information; or
- (d) In their opinion, the results of tests on materials, devices, construction methods, structural assemblies or *foundation* conditions contravene the *Building Code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

Right of Entry

6.5 Subject to applicable enactments, a *Building Official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met, or if the *Building Official* has any reason to believe that an unsafe condition exists.

Powers

- 6.6 Subject to applicable enactments, a *Building Official* may by notice in writing require
 - (a) A person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
 - (b) An owner to stop work on a building or structure, or any part of a building or structure, if the work is proceeding in contravention of this bylaw, the Building Code, or any other enactment of the Regional District or other applicable enactments, or if there is deemed to be an unsafe condition, and may enter on property to affix or post a stop work order in the form prescribed by the Building Official;
 - (c) An *owner* to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way or easement, or a setback or yard required under an enactment;
 - (d) An *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, *constructed* in contravention of a provision of this bylaw;
 - (e) An *owner* to have work inspected by a *Building Official* prior to covering;
 - (f) An *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *Building Official;*
 - (g) A person to cease any *occupancy* in contravention of a provision of this bylaw;
 - (h) A person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete and where the *Building Official* has not issued a final inspection notice for the work;
 - (i) An *owner* to correct any *unsafe condition*; and
 - (j) An *owner* to correct any work that contravenes this bylaw, the *Building Code*, or any other enactment.
- 6.7 Every reference to "*owner*" in section 6.6 includes a reference to the *owner's* agent or *constructor*.
- 6.8 Every person served with a notice under this Part must comply with that notice
 - i. Within the time ordered, or
 - ii. If no time is ordered, immediately.

PART 7: OWNER'S RESPONSIBILITIES

Permit Requirements

- 7.1 Subject to Part 10 of this bylaw, every *owner* must apply for and obtain a *permit*, prior to
 - (a) *constructing*, repairing or *altering* a *building* or *structure*, including a *pool* or *retaining wall*;
 - (b) moving a *building* or *structure* into or within the Regional District;
 - (c) demolishing a *building* or *structure*;
 - (d) occupying a new building or structure;
 - (e) *constructing* a masonry fireplace or installing a solid fuel-burning appliance or chimney, whether attached to, part of or detached from a *building*;
 - (f) changing the use or *occupancy* of a *building*,

unless the works are the subject of another valid and subsisting building permit.

7.2 Every *owner* must ensure that plans submitted with a *permit* application bear the name, phone number, address and email address of the *designer* of the *building* or *structure*.

Owner's Obligations

- 7.3 Every *owner* must
 - (a) comply with the *Building Code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit any work required by the *Building Code*, this bylaw or the conditions of a *permit*;
 - (b) ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all municipal inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *Building Official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work; and
 - (c) prior to the issuance of a *building permit*, execute and submit to the Regional District an *owner's* undertaking in the form attached as Appendix C, where required by the *Building Official*.
- 7.4 Every *owner* and every owner's *agent*, must carry out *construction* or have the *construction* carried out in accordance with the requirement of the *Building Code*, this bylaw and other bylaws of the Regional District and none of the issuance of a *permit* under this bylaw, the review of plans and supporting documents, or inspections made by a *Building Official* or a *registered professional* shall relieve the *owner*, or his or her *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *Building Code* and all other applicable codes, standards and enactments.
- 7.5 Every *owner* must allow a *Building Official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw. Every *owner* to whom a *permit* is issued must, during construction,
 - (a) Post the civic address on the property so that it may be easily read from the public highway from which the property takes its address; and

- (b) Post the *permit* card on the property so that it may be easily read from the public highway from which the property takes its address
- (c) Provide building officials with safe access to the work site and all areas requiring inspection

Damage to Municipal Works

- 7.6 Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the *permit*.
- 7.7 Every *owner* must pay to the Regional District, within 30 days of receiving an invoice for same from the Regional District, the cost to repair any damage to public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

Demolition

- 7.8 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner*, must
 - (a) Provide to the Regional District a vacancy date; and
 - (b) Ensure that all Regional District services and other services are capped and terminated at the property line in a Regional District standard inspection chamber and valve arrangement.
- 7.9 Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared and the *site* is levelled or graded, or made safe if levelling and grading are not possible.
- 7.10 No owner shall permit noxious or deleterious materials to escape from any demolition site by any means.

Notice

- 7.11 Every *owner* must, at least 48 hours prior to commencing work at a *building site*, give written or online notice to a *Building Official* of the date on which the *owner* intends to begin such work.
- 7.12 Every *owner* must give written or online notice to a *Building Official* of any change in or termination of engagement of a *registered professional*, including a *coordinating registered professional*, during construction, within 24 hours of when the change or termination occurs.
- 7.13 If an *owner* or a *registered professional* terminates the engagement of a *registered professional*, including a *coordinating registered professional*, the *owner* must terminate all work under a *building permit* until the *owner* has engaged a new *registered professional*, including a *coordinating registered professional*, and has delivered to a *Building Official* new letters of assurance.
- 7.14 Without limiting sections 10.30 to 10.44, every *owner* must give at least 48 hours' online or written notice to a *Building Official*
 - (a) Of intent to cover work that is required or ordered to be corrected during *construction*;
 - (b) Of intent to cover work that is required under this bylaw to be, or has been ordered to be, inspected prior to covering; and
 - (c) When the work has been completed so that a final inspection can be made.

- 7.15 Every *owner* must give notice in writing to a *Building Official* and pay the non-refundable fee set out in the RDOS Fees and Charges Bylaw immediately upon any change in ownership or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.
- 7.16 Every *owner* must give such other notice to a *Building Official* as may be required by the *Building Official* or by a provision of this bylaw.

PART 8: OBLIGATIONS OF OWNER'S CONSTRUCTOR

- 8.1 Every *constructor* must ensure that all *construction* is completed in compliance with all requirements of the *Building Code*, this bylaw and all other applicable codes, standards and enactments.
- 8.2 Every *constructor* must ensure that no *excavation* or other work is undertaken on public property, and that no public is disturbed, no *building* or *structure* erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public property.
- 8.3 For the purposes of the administration and enforcement of this bylaw, every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

PART 9: REGISTERED PROFESSIONAL'S RESPONSIBILITIES

Professional Design and Field Review

- 9.1 The provision by the *owner* to the Regional District of Letters of Assurance in accordance with the requirements of the *Building Code* shall occur prior to
 - (a) The pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
 - (b) A final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *Building Code*, in which case the *owner* must provide the Regional District with Letters of Assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7., Division C, of the *Building Code*.
- 9.2 If a *registered professional* provides letters of assurance in accordance with the B*uilding Code*, they must also provide proof of professional liability insurance to the *Building Official* in the form and amount set by the Appendix D to this bylaw.

Requirement for a Registered Professional

- 9.3 The *owner* must retain a *registered professional* to provide a *professional design* and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7., Division C, of the *Building Code*, in respect of a *permit* application
 - (a) Prior to the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
 - (b) Prior to a final inspection for a *simple building* in circumstances where letters of assurance have been received in accordance with the requirements of the *Building Code*, in which case the *owner* must provide the Regional District with letters of

assurance in the form of Schedules C-A or C-B as appropriate, referred to in subsection 2.2.7., Division C, of the *Building Code;*

- (c) a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* in accordance with the *Building Code*;
- (d) prior to *alterations* to a *building*, or to a structural component of a *building* described in paragraph (b);
- (e) for a *building* in respect of which the *Building Official* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property under the *Building Code*;
- (f) if the *building* envelope components of the *building* fall under Division B Part 3 of the *Building Code*, the *building* contains more than two dwellings, or if the *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 or the *Building Code*, and
- (g) for a parcel of land on which a *building* or *structure* is proposed if the *Building Official* believes the parcel is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*
 - i. for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended, and
 - ii. that the plans submitted with the application comply with the relevant provisions of the *Building Code* and applicable bylaws of the Regional District.
- 9.4 The *Building Official* may require any *registered professional* carrying out the *professional design* and *field review* required under section 9.3 to provide evidence that they have experience and expertise in respect of the *professional design* and *field review* of the context and scope required.

Professional Plan Certification

- 9.5 The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7., Division C, of the *Building Code* referred to in sections 9.1 and 9.3 are relied upon by the Regional District and its *Building Officials* as certification that the design and plans to which the letters of assurance refer comply with the *Building Code*, this bylaw and other applicable enactments.
- 9.6 Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *Building Code*.
- 9.7 For a building permit issued for the construction of a *complex building*, the *Building Official* shall provide the *owner* with a notice that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *Building Code* and other applicable enactments. Any failure on the part of the *Building Official* to provide the *owner* with the notice will not diminish or invalidate the reliance by the Regional District or its *Building Officials* on the *registered professionals*.
- 9.8 When a *building permit* is issued for a *complex building* in accordance with this bylaw, the permit fee required by the RDOS Fees and Charges Bylaw shall be reduced by 25%.

9.9 When a *building permit* is issued for a *simple building* in accordance with Part 9 of this bylaw, the permit fee required by the RDOS Fees and Charges Bylaw shall be reduced by 10%.

Alternative Solutions

9.10 An *owner* who wishes to provide alternative solutions to satisfy one or more of the requirements of the *Building Code* or this bylaw, must submit sufficient evidence, certified by a professional engineer or architect, to demonstrate that the proposed alternative solutions will provide the level of performance required by the *Building Code* or this bylaw and pay the fee specified in the RDOS Fees and Charges bylaw.

PART 10: BUILDING APPLICATION REQUIREMENTS

Requirements Before Applying for a Building Permit

- 10.1 Prior to issuance of a *building permit*, the *owner* must satisfy the following requirements or conditions:
 - (a) the *owner* must apply for and obtain a development permit if the *building* or *structure* is in an area designated by the Regional District's Official Community Plan as a development permit area;
 - (b) the *owner* must ensure that the proposed *building* or *structure* complies with all bylaws of the Regional District, except to the extent a variance of a bylaw is authorized by a development permit, development variance permit or order of the Board of Variance;
 - (c) an approving officer must have approved the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*, and the subdivision plan must have been registered in the Land Title Office;
 - (d) the *owner* must provide evidence to the *Building Official* showing that the person applying for the *building permit* is either the *owner* of the parcel that is the subject of the proposed *building permit*, or is the *agent* of the *owner*, in which case, the *agent* must provide the name and contact information of the *owner*;
 - (e) if the parcel that is the subject of the *building permit* application is not intended to be connected to the Regional District's sewage disposal system, the *owner* must apply for and obtain approval from the Regional District and other applicable public authorities for an alternate *private sewage disposal system*;
 - (f) if the parcel that is the subject of the *building permit* application is not intended to be connected to the Regional District's waterworks system, the *owner* must apply for and obtain approval from the Regional District and other applicable public authorities for an alternative water supply system; and
 - (g) if all on site and off site works and services required by a Regional District bylaw or other enactment have not been completed in accordance with the enactments, the *owner* must enter into a completion agreement with the Regional District and deliver to the Regional District letters of credit or cash security for completion of the works and service.

Building Permit Applications for Complex Buildings

- 10.2 An application for a *building permit* with respect to a *complex building* must
 - (a) be made in the prescribed form and signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - (b) be accompanied by the *owner's* acknowledgement of responsibility and undertaking made in the form attached as Appendix C to this bylaw and signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
 - (d) include a *Building Code* compliance summary including the applicable edition of the *Building Code*, such as without limitation whether the building is designed under Part 3 or Part 9 of the *Building Code*, *major occupancy* classification(s) of the *building, building area* and *building height*, number of streets the *building* faces, and *accessible* entrances, work areas, washrooms, firewalls and facilities;
 - (e) include a copy of a survey plan prepared by a British Columbia land surveyor;
 - (f) include a site plan prepared by a *registered professional* showing
 - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
 - iv. the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - vi. north arrow;
 - vii. if applicable, location of an approved *existing* or proposed private or other alternative sewage disposal system, water supply system or storm water drainage system;
 - viii. zoning compliance summary;
 - ix. the location, dimensions and gradient of parking and parking access;
 - x. proposed and *existing* setbacks to property lines;
 - xi. natural and finished grade at *building* corners and significant breaks in the building plan and proposed grade around the *building* faces in order to ascertain *foundation* height;
 - xii. first storey floor elevation;
 - xiii. location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
 - xiv. line of upper floors;
 - xv. location and elevation of curbs, sidewalks, manholes, and service poles;
 - xvi. location of *existing* and proposed service connections;
 - xvii. location and species of all trees greater than 10 centimetres in diameter;
 - xviii. location of top bank and water courses;
 - xix. access routes for firefighting;
 - xx. *accessible* paths of travel from the street to the *building*;

xxi. geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Regional District's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation;

except that the *Building Official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;

- (g) include floor plans showing the dimensions and uses and *occupancy* classification of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; fire separations; plumbing fixtures; structural elements; and stair dimensions;
- (h) include a cross-section through the *building* or *structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights and construction systems;
- (i) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished *grade*, spatial separations and ridge height to comply with the *Building Code* and to illustrate that the *building* or *structure* conforms with the Regional District zoning bylaw and development permit;
- (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *Building Code*;
- (k) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the *Building Code*;
- (I) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and ministry of health approvals;
- (m) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7. Division C, of the *Building Code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional;*
- (n) include letters of assurance in the form of Schedule B referred to in subsection 2.2.7 Division C, of the *Building Code*, each signed by such *registered professionals* as the *Building Official* or *Building Code* may require to prepare the design for and conduct *field reviews* of the construction of the *building*;
- (o) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (g) to (k) of this section; and
- (p) include illustration of any slopes on the subject parcel that exceed 20%.
- 10.3 In addition to the requirements of section 10.2 of this bylaw, a *Building Official* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building* or *structure* or siting circumstances warrant
 - (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the Regional District's subdivision and development servicing bylaw;
 - (b) a section through the site showing grades, *buildings, structures*, parking areas and driveways; and
(c) any other information required by the *Building Official* or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the *building* or *structure*.

Building Permit Applications for Simple Buildings

- 10.4 An application for a *building permit* with respect to a *simple building* must
 - (a) be made in the form prescribed by the *Building Official* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - (b) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form attached as Appendix C and signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
 - (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *Building Official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
 - (e) include a site plan showing
 - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
 - iv. the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - vi. north arrow;
 - vii. if applicable, location of an approved *existing* or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;
 - viii. the location, dimensions and gradient of parking and parking access;
 - ix. proposed and *existing* setbacks to property lines;
 - x. natural and finished grade at *building* corners and datum determination points;
 - xi. *first storey* floor elevations;
 - xii. location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
 - xiii. line of upper floors;
 - xiv. location and elevation of curbs, sidewalks, manholes and service poles;
 - xv. location of *existing* and proposed service connections;
 - xvi. location and species of all trees greater than 10 centimetres in diameter;
 - xvii. location of top bank and water courses;
 - xviii. access routes for firefighting;
 - xix. *accessible* paths of travel from the street to the *building*;
 - xx. zoning compliance summary; and
 - xxi. the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Regional District's

land use regulations or provincial floor mapping regulations establish siting requirements related to minimum floor elevation,

except that for a *simple building* the *Building Official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building*;

- (f) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- (g) include a cross-section through the *building* illustrating *foundations*, drainage, ceiling heights and construction systems;
- (h) include elevations of all sides of the *building* showing finish details, roof slopes, windows, doors, the *grade*, the maximum *building height* line, ridge height, spatial separations and natural and finished *grade* to comply with the *Building Code* and to illustrate that the *building* or *structure* conforms with the Regional District zoning and development permit;
- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *Building Code*;
- (j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approvals;
- (k) except for garages, carports and garden structures located on land, include a *foundation* and *excavation* design prepared by a *registered professional* in accordance with the *Building Code*;
- (I) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *Building Official* determines that the site conditions so warrant;
- (m) include two sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section; and
- (n) include a *Building Code* compliance summary including the applicable edition of the *Building Code*, such as, without limitation, whether the *building* is designed under Part 3 or Part 9 and compliance with article 2.2.2.1.(2), Division C of the *Building Code*.
- 10.5 In addition to the requirements of section 10.4 of this Part, if a *project* involves
 - (a) two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 square metres;
 - (b) two or more *buildings* that will contain four or more dwelling units; or
 - (c) otherwise if the complexity of the proposed *buildings* or *structure* or siting circumstances warrant,

a *Building Official* may require the following be submitted with a permit application for the construction of each *simple building* in the *project*;

(d) a section through the site showing grades, *buildings, structures*, parking areas and driveways;

- (e) a roof plan and roof height calculations;
- (f) structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a *registered professional;*
- (g) letters of assurance in the form of Schedule B referred to in Division C of the *Building Code*, signed by a *registered professional; and*
- (h) any other information required by the *Building Official* or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the *building* or *structure*.
- 10.6 The *Building Official* may waive requirements of this section in whole or in part, where the permit is sought for a project of limited scope.

Size and Location Information

- 10.7 Without limiting sections 10.2(f) or 10.4(d) of this Part, the *Building Official* may in writing require an *owner* to submit an up-to-date plan or survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any *building* to
 - (a) establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
 - (b) verify, on completion of the *construction*, that all provisions of this and other applicable bylaws have been complied with;
 - (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
 - (d) in relation to *construction* of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location and elevation,

and every person served with a written requirement under this section must comply with the requirement.

Building Permit Fee

- 10.8 Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the Regional District
 - a non-refundable plan-processing fee in accordance with the RDOS Fees and Charges Bylaw. If a permit is issued the plan processing fee shall be credited to the building permit fee;
 - (b) the *building permit* fee prescribed in the RDOS Fees and Charges Bylaw; and
 - (c) any fees, charges, levies or taxes imposed by the Regional District and payable under an enactment at the time of issuance of the *building permit*.

Permit Fee Refunds

- 10.9 No fee or part of a fee paid to the Regional District may be refunded if construction of the *building* has started.
- 10.10 The building official may approve a refund of an application fee or portion thereof only if plan checking has not commenced.
- 10.11 A *building permit* or other *permit* fee may be partially refunded as set out in paragraph 10.53, only if
 - (a) the *owner* has submitted a written request for a refund;
 - (b) the *Building Official* has certified a start has not been made on the construction of the *building* or *structure;* and
 - (c) the *permit* has not expired.
- 10.12 A *building permit* or other *permit* fee is not refundable after the *permit* has been extended under section 10.48 of this Part.
- 10.13 Except as otherwise provided in this bylaw, all fees and charges paid or payable under this bylaw shall be non-refundable.

Design Modification

10.14 If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the value of the work does not increase or the value of the work decreases, the *owner* must pay to the Regional District a *building permit* fee based on the plan review hourly rate set out in the RDOS Fees and Charges Bylaw.

Construction Before Permit Issued

- 10.15 If any construction for which a permit is required by this by-law has commenced before a building permit is issued by the *Building Official*, the *owner* of the real property on which the *construction* is being done shall pay to the Regional District as follows:
 - (a) An additional charge equal to 25% of the building permit fee as prescribed in the RDOS Fees and Charges Bylaw prior to obtaining the required building permit if a completed application is received within 30 days of notification that a building permit is required;
 - (b) If a Stop Work Order or Do Not Occupy Notice is issued and remains outstanding for 30 days, the permit fee pursuant to the RDOS Fees and Charges Bylaw shall be doubled, to a maximum of \$10,000.00;
- 10.16 If construction has advanced without inspection to a stage where compliance with this bylaw or other applicable bylaws or enactments cannot be readily determined, the building official may require tests and investigations by an independent agency at the owner's expense to establish compliance or provided recommended remedial measures to be taken, prior to the issuance of a permit.

Expiration of Application for a Permit

10.17 A *building permit* or other *permit* application expires 180 days from the date a complete application is received under this Part if the *building permit* or other *permit* is not issued by the application expiration date, unless the *permit* is not issued only due to delays caused by the Regional District.

- 10.18 When a *building permit* or other *permit* application is cancelled:
 - (a) The application fee is forfeited to the Regional District; and
 - (b) The plans and related documents submitted with the application may be destroyed.

Issuance of a Building Permit

10.19 Each building, structure or part thereof constructed on a site requires a separate permit and shall be assessed a separate permit fee based on the value of that building, structure or part thereof.

10.20 If

- (a) a completed application in compliance with sections 10.2 and 10.3 or sections 10.4 and 10.5 of this Part, including all required supporting documentation, has been submitted;
- (b) the *owner* has paid all applicable fees set out in sections 10.8 to 10.16 of this Part and the RDOS Fees and Charges Bylaw;
- (c) the *owner* or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw;
- (d) the *owner* has retained a professional engineer or geoscientist if required under this bylaw;
- (e) the *owner* has retained an architect if required under this bylaw;
- (f) the owner has provided a hazardous materials assessment and remediation compliance letter or clearance letter for additions, alterations or demolitions to buildings constructed prior to 1992; and
- (g) no covenant, agreement, resolution or regulation of the Regional District requires or authorizes the *permit* to be withheld,

the *Building Official* must issue the *permit*, in the form prescribed by the *Building Official*, for which the application is made, and the date of issuance is deemed to be the date the Regional District gives written notice to the *owner* that the *permit* is ready to be picked up by the *owner*.

Issuance of Partial Permits

10.21 The *Building Official* may issue a permit for a portion of a *building* or *structure* before the design, plans and supporting documents for the entire *building* or *structure* have been reviewed provided sufficient information has been provided to the Regional District to demonstrate to the Building Official that the portion authorized to be constructed substantially complies with this and any other applicable Regional District bylaws and the permit fee applicable to that portion of the *building* or *structure* has been paid. Notwithstanding the issuance of the permit, the requirements of this bylaw shall apply to the remainder of the *building* or *structure* as if the permit for the portion of the *building* or *structure* had not been issued.

Refusal to Issue Building Permit

- 10.22 Despite section 10.20, the *Building Official* may refuse to issue a *permit* when
 - (a) the *owner* has been notified of a violation of this bylaw about the construction, occupancy or use of any other *building* or *structure* or part thereof, by the *owner* on the property, and such violation has not been remedied;

- (b) the results of the tests referred to in Section 6.2(d) are not satisfactory to the *Building Official*; or
- (c) the parcel referred to in the permit application does not have vehicular access

Compliance with the Homeowner Protection Act

- 10.23 If the application is in respect of a *building* that includes, or will include, a *residential occupancy* governed by the *Homeowner Protection Act*, the *building permit* must not be issued unless the *owner* provides evidence under section 30(1) of the *Homeowner Protection Act*, that the proposed *building*
 - (a) is covered by home warranty insurance; and
 - (b) the *constructor* is a licensed "residential builder" as defined in that Act.
- 10.24 Section 10.23 of this Part does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20(1) or 30(1) of the *Homeowner Protection Act.*
- 10.25 Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act* and negotiations under it during the term of the *permit*.

Partial Construction

- 10.26 If a site has been *excavated* under a *building permit* issued under this bylaw and a *building permit* is not subsequently issued or a subsisting *building permit* has expired under section 10.46, but without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the Regional District to do so.
- 10.27 If a *building permit* has expired and partial construction has progressed, with no extension requested of the *Building Official* under section 10.48, permanent type fencing with privacy screen complying with the Regional District's Zoning Bylaw, must be erected around the *building* site for protection to the public.

Conditions of a Building Permit

- 10.28 A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned until the *owner* has notified the *Building Official* in writing, the *Building Official* has authorized the transfer or assignment in writing and the *owner* has paid the non-refundable fee required under the RDOS Fees and Charges Bylaw. The transfer or assignment of a *building permit* is not an extension of a *building permit*.
- 10.29 The review of plans and supporting documents and issuance of a *building permit* do not prevent the *Building Official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building* construction or *occupancy* being carried on when in violation of this or another bylaw.

Inspections

10.30 Despite the requirement for the *Building Official's* acceptance of the work outlined in Section 10.33, if a *registered professional* provides letters of assurance the Regional District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance

submitted pursuant to this bylaw and the *Building Code* as assurance that the aspects of the *construction* referenced by those letters of assurance substantially conforms to the design, plans and specifications and the construction complies with the *Building Code*, this bylaw and other applicable enactments respecting safety. Copies of all field reviews must be submitted to the Regional District.

- 10.31 Despite section 10.30 of this Part, a *Building Official* may attend the site from time to time during the course of construction to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.
- 10.32 A *Building Official* may attend periodically at the site of the construction of *simple buildings* or *structures* to ascertain whether the work is being carried out in substantial conformance with the *Building Code*, this bylaw and any other applicable enactments concerning safety.
- 10.33 For all work in respect of *simple buildings* the *owner* must give at least 48 hours' notice to the Regional District when requesting an inspection and must obtain an inspection and receive a *Building Officials'* written acceptance of the following aspects of the work prior to concealing them
 - (a) after demolition, the grading and removal of debris from the site;
 - (b) Footings, after preparation for footings or alternative methods are complete, prior to placement of concrete;
 - (c) Foundation, after forms for foundation walls are complete, prior to placement of concrete;
 - (d) After damp-proofing and foundation drainage are in place, prior to backfilling;
 - (e) Under-slab plumbing;
 - (f) Under-slab, after slab preparation for soil gas requirements, the preparation of ground, including ground cover when required, perimeter insulation on inside of concrete *foundation* walls prior to covering;
 - (g) installation of rough-in plumbing, when complete and under test, prior to covering;
 - (h) factory built chimneys and fireplaces and solid fuel burning appliances:
 in new structures: rough-in of factory built chimneys, fireplaces and solid fuel burning appliances, and prior to use; in the case of masonry fireplaces prior to completion of the smoke chamber and again prior to cover up of the masonry flue(s). The manufacturer's written instructions and specifications must be made available to the *Building Official* at the time of the inspection(s), including the make, model and specified clearance requirements.
 - (i) framing, sheathing, fire stopping (including drywall in fire separations), fire blocking, bracing, rough plumbing, rough heating, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;
 - (j) insulation, air and vapour barrier;
 - (k) Occupancy and final, after the *health and safety aspects of the work* when the *building* or *structure* is substantially complete, ready for *occupancy* but prior to occupancy.
- 10.34 A *Building Official* will only carry out an inspection under section 10.33 if the *owner* or the *owner's agent* has requested the inspection in accordance with this bylaw.
- 10.35 No person may conceal any aspect of the work referred to in section 10.33 of this bylaw until a *Building Official* has *accepted* it in writing.

- 10.36 For work in respect of *complex buildings*, the *owner* must
 - (a) give at least 48 hours' online or written notice to the Regional District when requesting a preconstruction meeting with the *Building Official* prior to the start of *construction*, and the *owner* or his or her representative must ensure that the *coordinating registered professional*, the *constructor*, as well as representatives of major trades, are in attendance;
 - (b) give at least 48 hours' online or written notice to the Regional District when requesting a pre-occupancy review coordinated by the *coordinating registered professional* or other *registered professional* to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *Building Official* and Fire Services the compliance with the *health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable Regional District requirements and other enactments respecting safety and accessibility aspects of the work; and
 - (c) cause the *coordinating registered professional*, at least 48 hours prior to the preoccupancy coordinated site review coordinated by the *coordinating registered professional*, to deliver to the *Building Official* the Confirmation of Required Documentation described in the Appendix E, complete with all documentation in a hard covered three ring binder and in digital pdf format on a memory stick.

Stop Work Order

- 10.37 The *Building Official* may direct the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice in the prescribed form on the premises when it is found that the work is not being performed in accordance with the requirements of the *Building Code*, any applicable bylaw of the Regional District or the applicable provisions of the *Homeowner Protection Act*.
- 10.38 The *coordinating registered professional* may request, in writing, that the *Building Official* order the immediate suspension or correction of all or a portion of the *construction* on a *building* or *structure* by attaching a stop work order notice on the premises. The *Building Official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.
- 10.39 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to the *registered professional's design* or *field review* and the *Building Official* is deemed to have issued a stop work order under section 10.37.
- 10.40 The *owner* must immediately, after the posting of a notice under section 10.37, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the Regional District.
- 10.41 Subject to Section 10.37, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.37 until the stop work order notice has been removed by the *Building Official*.
- 10.42 The notice referred to in section 10.37 must remain posted on the premises until that which is contrary to the enactments has been remedied.

Do Not Occupy Notice

- 10.43 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw, a *Building Official* may post a Do Not Occupy Notice in the prescribed form on the affected part of the *building* or *structure*.
- 10.44 If a notice is posted under section 10.43, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building* or *structure* immediately and refrain from further *occupancy* until all applicable provisions of the *Building Code* and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a *Building Official*.

Inspection and Other Fees

- 10.45 In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee set out in the RDOS Fees and Charges Bylaw for
 - (a) each subsequent re-inspection where it has been determined by the *Building Official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than two site visits are required for any required inspection;
 - (b) a special inspection during the Regional District's normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location or construction techniques; and
 - (c) An inspection that requires transportation other than by Regional District vehicles or other than during regular hours, the owner shall make arrangements in advance for such inspections and shall pay the Regional District's actual costs.

Permit Expiration

- 10.46 Every *permit* is issued on the condition that the *permit* expires and the rights of the *owner* under the *permit* terminate if
 - (a) the work authorized by the *permit* is not commenced within six months from the date of issuance of the *permit*;
 - (b) work is discontinued for a period of six months; or
 - (c) the work is not completed within two years of the date of issuance of the *permit*.
- 10.47 When a permit has expired, no *construction* or other work may continue or commence until a valid permit authorizes the work.

Permit Extension

- 10.48 A *Building Official* may extend the period set out under section 10.46 for only one period, not to exceed twelve months, if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the *owner's* control, or if the size and complexity of the construction warrants, if
 - (a) application for the extension is made prior to the date of *permit* expiration; and
 - (b) the non-refundable fee set out in the RDOS Fees and Charges Bylaw has been paid.

Building Permit Revocation

- 10.49 The Building Official may revoke a building permit if
 - (a) there is a violation of
 - i. a condition under which the *permit* was issued; or
 - ii. a requirement of the *Building Code o*r of this or another bylaw of the Regional District,
 - (b) the permit was issued in error;
 - (c) the *Building Official* determines than an *owner*, or his or her *agent*, has provided false or misleading information on the application or otherwise obtained the permit fraudulently;

such *permit* revocation must be in writing and sent to the *permit* holder by signature mail to, or personal service on, the *permit* holder.

Building Permit Cancellation

- 10.50 A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *Building Official*.
- 10.51 On receipt of the written cancellation notice, the *Building Official* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".
- 10.52 If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *Building Official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *Building Official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".
- 10.53 If a *building permit* application or *permit* is cancelled, and construction has not commenced under the *permit*, the *Building Official* must return to the *owner* any fees paid pursuant to the RDOS Fees and Charges Bylaw, less
 - (a) any non-refundable portion of the fee; and
 - (b) 15% of the refundable portion of the fee

Occupancy

- 10.54 No person may occupy a *building* or *structure* or part of a *building* or *structure* until a final inspection notice has been issued by a *Building Official for*
 - (a) The first occupancy of a *building* or *structure* or part thereof after completion *construction*; or
 - (b) Any change of class of occupancy of any *building* or *structure* or part thereof.
- 10.55 A final inspection notice will not be issued unless
 - (a) All letters of assurance have been submitted when required in accordance with this bylaw;
 - (b) All aspects of the work requiring inspection and acceptance pursuant to this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;

- (c) The *owner* has delivered to the Regional District as-built plans of works and *services* in digital formal as required by the Regional District;
- (d) The owner has provided to the Regional District a building survey prepared by a British Columbia Land Surveyor, as required by a Building Official, showing the building height, size, location and elevation determined in accordance with the Regional District's land use regulations;
- (e) All other documentation required under applicable enactments has been delivered to the Regional District; and
- (f) The *owner* has delivered to the Regional District as-built drawings of the *building* or *structure* in digital format as required by the Regional District.
- 10.56 Where any of the requirements for life and fire safety have been deemed to be satisfied by an alternate solution pursuant to the provisions of the *Building Code*, the *owner* shall submit to the *Building Official*, prior to use or occupancy of the *building* or *structure*, certification from the *registered professional* responsible for the equivalency, that the construction substantially complies with the requirements set out in the alternate solution report.
- 10.57 When a *registered professional* provides letters of assurance in accordance with this bylaw, the Regional District will rely solely on the letters of assurance when issuing a final report authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *design, the Building Code*, this bylaw and other applicable enactments respecting safety.
- 10.58 A *Building Official* may issue a final inspection notice for partial *occupancy* of a portion of a *building* or *structure* under construction when
 - (a) That portion of the *building* or structure is self-contained and provided with essential services respecting *health and safety aspects* of the work, and if applicable, accessibility, GHG emissions and conservation; and
 - (b) The requirements set out in section 10.55 have been met with respect to it.
- 10.59 A final inspection notice may not be issued unless
 - (a) All letters of assurance and the Confirmation of Required Documentation described in Appendix E have been submitted when required in accordance with the requirements of this bylaw;
 - (b) All aspects of the work requiring inspection and review pursuant to Part 9 and sections 10.30 through 10.36 of this bylaw have both been inspected and *accepted*;
 - (c) The *owner* has executed and delivered to the Regional District every agreement, instrument or form required by the Regional District in relation to the work or the site; and
 - (d) All required offsite works respecting safety have been completed.

Temporary Buildings

- 10.60 Subject to the bylaws and orders of the Regional District, the *Building Official* may issue a *building permit* for the erection of a *temporary building or structure* for *occupancy* if
 - (a) The *permit* is for a period not exceeding one year; and
 - (b) The *building* or *structure* is located in compliance with the Regional District's zoning bylaw, built in compliance with the *Building Code* and this bylaw, and connected, as required by enactments, to Regional District utility services.

- 10.61 An application for a *building permit* for the erection or placement of a *temporary building* or *structure* must be made in the form of a temporary *permit* application in the form prescribed by the *Building Official*, signed by the *owner* or *agent*, and must include
 - (a) Plans and supporting documents showing the location and *building height* of the *building* or *structure* on the parcel;
 - (b) Plans and supporting documents showing construction details of the *building* or *structure*;
 - (c) A statement by the *owner* indicating the intended use and duration of the use;
 - (d) Plans and supporting documents showing the proposed parking and loading space;
 - (e) A written description of the *project* explaining why the *building* is temporary;
 - (f) A copy of an issued development *permit*, if required;
 - (g) In the case of a manufactured *building*, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel *building* must be certified in accordance with CSA Standard A660;
 - (h) A report or drawing by an engineer, architect or designer confirming compliance with the *Building Code*, this bylaw, the Regional District's zoning bylaw and other applicable bylaws; and
 - (i) In the case of a *temporary building*, information to comply with article 1.1.1.1(2)(f), Division C of the *Building Code*.
- 10.62 Before receiving a *building permit* for a *temporary building* or *structure* for *occupancy*, the *owner* must pay to the Regional District the applicable *building permit* fee set out in the RDOS Fees and Charges Bylaw.
- 10.63 A *permit fee* for a *temporary building* or *structure* is not refundable.

Siting Permit

- 10.64 An application for a *siting permit* for the erection or placement of a portable self contained container must be made in the prescribed form and signed by the owner or *agent*, or a signing officer if the owner is a corporation and must include:
 - (a) Plans and supporting documents showing the location and *building* height of the *building* or *structure* on the parcel;
 - (b) Plans and supporting documents showing construction details of the *building* or *structure*;
 - (c) A statement by the *owner* indicating the intended use;
 - (d) Plans and supporting documents showing the proposed parking and loading space (if applicable;
 - (e) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form attached as Appendix C and signed by the *owner*, or a signing officer if the *owner* is a corporation; and
 - (f) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application

Inspections

- 10.65 Despite section 10.33, the *owner* must give at least 48 hours' notice to the Regional District when requesting an inspection and must obtain a inspection and receive a *Building Official's* written acceptance of the following aspects of the work prior to concealing them:
 - (a) Verification of siting before concrete is poured or construction commences;
 - (b) Verification of use when the *building* or *structure* is substantially complete.
- 10.66 A *Building Official* may attend periodically at the site of the construction to ascertain whether the work is being carried out in substantial conformance with this bylaw and the *building permit*

PART 11: RETAINING WALLS AND GRADES

- 11.1 No person may construct, or structurally repair, a *retaining wall* without a *building permit*.
- 11.2 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a parcel, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.
- 11.3 Without limiting section 11.2, no person may occupy a *building* unless the finished *grade* complies with all applicable enactments.
- 11.4 If a *Building Official* determines that an unsafe condition exists as a result of the construction of a retaining wall requiring a building permit, a guard or fence may be required.

PART 12: BUILDING MOVE

- 12.1 No person may move a *building* or *structure* into or within the Regional District building regulation service areas
 - (a) Except where certified by a *registered professional* that the *building*, including its *foundation*, will substantially comply with the current version of the *Building Code*; and
 - (b) A *building permit* has been issued for the *building* or *structure*.

PART 13: NUMBERING OF BUILDINGS

- 13.1 Immediately upon issuance of a *building permit* governing the *construction, alteration* or repair of a *building*, or prior to and during the *occupancy* of a *building*, the *owner* or occupant must display the address number assigned to it by the Regional District
 - (a) On or over the entrance to the *building* or where landscaping or *structures* obscure the visibility of a *building* entrance from the adjacent highway, on the *building* property within sight of the adjacent highway; and
 - (b) Until such time as the *building* is removed from the site or has been demolished.
- 13.2 Despite section 13.1, the Regional District may renumber or alter the assigned numbers in respect of any *building* on any parcel, including those already in existence or numbered.
- 13.3 Without limiting sections 13.1 or 13.2, the *Building Official* must, on the issuance of a *building permit*, designate a house number or set of house numbers related to the *building* authorized by the *permit*. The *owner* or occupier must post the number or numbers on the site immediately

after obtaining the *building permit* and keep the numbers posted in a conspicuous location at all times during construction.

13.4 Without limiting sections 13.1 through 13.3, on issuance of an *occupancy permit*, the *owner* or occupier of the parcel must affix the numbers permanently in a conspicuous place on the *building* such that the number is visible from an adjacent highway that is not a lane.

PART 14: SWIMMING POOLS

Swimming Pool Permit and Fencing

- 14.1 Without limiting section 5.1 of this bylaw, a person must not construct, or structurally repair, a swimming *pool* without a valid *building permit*.
- 14.2 A permit application for a pool must be accompanied by a plan showing:
 - (a) The location of the proposed pool and any accessory *buildings* in relation to all existing *buildings* on the parcel and the parcel boundaries;
 - (b) The type of *construction* and the proposed method of enclosure.
- 14.3 A swimming *pool* must be enclosed within a fence constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.2 metres and no openings greater than 100 mm at their greatest dimension.

Pool Gate

- 14.4 Access through a fence enclosing a swimming *pool* other than through a dwelling, must be through a self-closing and self-latching gate designed and constructed or installed so as to cause the gate to return to a closed position when not in use and secured by a latch located on the swimming *pool* side of the gate.
- 14.5 A swimming *pool* which is located above ground and has vertical sides of at least 1.2 metres may be protected from access by fencing the access ladder with fencing in accordance with section 14.3.

Maintenance

14.6 A person may not use or *occupy* a swimming *pool* unless the *owner* or *occupier* of property on or in which a *pool* is located maintains every fence required under sections 14.3 to 14.5 in good order and without limitation maintains and repairs in good order at all times all sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members.

Drainage

14.7 Drainage from pools must be contained and disposed of on the same property as the pool is located and discharged to the ground where practical to do so.

PART 15: ENERGY CONSERVATION AND GHG EMISSION REDUCTION

15.1 Reserved

PART 16: DEMOLITION PERMITS

16.1 Without limiting section 5.1 of this bylaw, a person must not demolish or partially demolish a building or structure without making application and receiving a valid permit.

Application Requirements

- 16.2 An application for a building permit with respect to a demolition permit must:
 - (a) Be made in the prescribed form and signed by the *owner*, or a signing officer if the owner is a corporation;
 - (b) Pay applicable fees pursuant to the RDOS Fees and Charges Bylaw;
 - (c) Provide a site plan showing all buildings and structures and servicing locations;
 - (d) Provide vacancy date;
 - (e) Provide a hazardous materials assessment and clearance letter for *buildings* or *structures* constructed prior to 1992;
 - (f) Include a Waste Disposal Plan or a Waste Disposal Application for Demolition and Renovation Waste in a form prescribed by the Regional District
- 16.3 Applications for demolition permits will not be processed until the Disposal Plan or Waste Disposal Application is approved by the Regional District.

Demolition Sites

- 16.4 The demolition of buildings and structures shall be in accordance with Part 8 of the *Building Code* "Safety Measures at Construction and Demolition Sites".
- 16.5 Where required for industrial and commercial demolition sites the *Environmental Management Act* shall apply.

PART 17: PLUMBING PERMITS

- 17.1 Without limiting section 5.1 of this bylaw, a person must not install, replace or alter a plumbing without making application and receiving a valid building permit.
- 17.2 An application for a plumbing permit shall
 - (a) Be made in the prescribed form and signed by the *owner*, *agent* or a signing officer if the owner is a corporation;
 - (b) Include the applicable fee as set out in the RDOS Fees and Charges Bylaw;
 - (c) Include two (2) isometric drawings
- 17.3 The design, installation and maintenance of plumbing systems shall conform to the BC Plumbing Code.

PART 18: FARM BUILDINGS

- 18.1 Despite section 3.1 and section 5.1, building permit fees and inspections do not apply to the following buildings:
 - (a) Low human occupancy farm buildings or structures less than 20 m² (215 ft²);

- (b) Unenclosed hay storage structures or animal shelters less than 600 m² (6,458 ft²);
- (c) Greenhouses up to 190 m² (2045 ft²) used for the production of agricultural and horticultural produce or feeds

located on land classed as "farm" under the *Assessment Act* for a *bona fide agricultural operation* on the date on which the application was made. Farm buildings must be constructed and sited in compliance with all applicable bylaws, enactments and regulations affecting the property.

- 18.2 Subject to the bylaws and orders and requirements contained herein, the *Building Official* may issue a *building* permit for the erection of placement of a *farm building* if
 - (a) The *building* or *structure* is a bona fide *farm building* less than 600 m² (6458 ft²) located on land classed as "farm" under the *Assessment Act* that are designed for *"low human occupancy"* which fall outside the parameters of section 18.1;
 - (b) The *building* or *structure* is located in compliance with the Regional District's zoning bylaw and built in compliance with the *Building Code* or the *National Farm Building Code* of *Canada;*
- 18.3 An application with respect to a *building* or *structure* referred to in sections 18.1 and 18.2 must be made in the prescribed form and signed by the *owner* or *agent*, or a signing officer if the owner is a corporation and must include:
 - (a) Plans and supporting documents showing the location and *building* height of the *building* or *structure* on the parcel;
 - (b) Plans and supporting documents showing construction details of the *building* or *structure*;
 - (c) A statement by the *owner* indicating the intended use;
 - (d) Plans and supporting documents showing the proposed parking and loading space (if applicable;
 - (e) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form attached as Appendix C and signed by the *owner*, or a signing officer if the *owner* is a corporation; and
 - (f) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application

Inspections

- 18.4 Despite section 10.33, the *owner* must give at least 48 hours' notice to the Regional District when requesting an inspection and must obtain a inspection and receive a *Building Official's* written acceptance of the following aspects of the work prior to concealing them:
 - (a) Verification of siting before concrete is poured or construction commences;
 - (b) Verification of use when the *building* or *structure* is substantially complete.
- 18.5 A *Building Official* may attend periodically at the site of the construction to ascertain whether the work is being carried out in substantial conformance with this bylaw and the *building permit*.

Permit Fees

- 18.6 Before receiving a *building permit* for a *farm building* or *structure*, the *owner* must first pay to the Regional District the building permit fee pursuant to the RDOS Fees and Charges Bylaw.
- 18.7 A *permit fee* for a *farm building* or *structure* is not refundable.

PART 19: CLIMATIC DATA

19.1 The climatic data for the design of *buildings* and *structures* are set out in the attached AppendixA. The *Building Official* shall determine the applicable zone in respect of any particular *building* location.

PART 20: OFFENCES

Violations

- 20.1 Without limiting Part 4 of this bylaw, every person who
 - (a) Violates a provision of this bylaw;
 - (b) Permits, suffers or allows any act to be done in violation of any provision of this bylaw; and
 - (c) Neglects to do anything required to be done under any provision of this bylaw,

commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000, or a term of imprisonment not exceeding three months, or both, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.

- 20.2 Every person who fails to comply with any order or notice issued by a *Building Official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 20.3 Every person who commences work requiring a *building permit* without first obtaining such a *permit* must, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional fee as outlined in Section 10.15 of this bylaw.

Deemed Offence

- 20.4 An *owner* is deemed to have knowledge of and be liable under this bylaw in respect of any construction on the parcel the *owner* owns and any change in the use, *occupancy* or both of a *building* or *structure* or part of a *building* or *structure* on that parcel.
- 20.5 No person is deemed liable under section 20.4 who establishes, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.
- 20.6 Nothing in section 20.5 affects
 - (a) The Regional District's right to require and the *owner's* obligation to obtain a *permit*; and
 - (b) The obligation of the *owner* to comply with this bylaw.

Ticketing

- 20.7 The offences in Schedule A, Appendix 5(a) of the RDOS Bylaw Enforcement Bylaw No. 2507 are designated for enforcement.
- 20.8 The following persons are designated as bylaw enforcement officers for enforcing the offences in the Bylaw Enforcement Notice Bylaw:
 - (a) Building Officials,
 - (b) and persons designated by the Regional Board as Bylaw Enforcement Officers.

Notice on Title

- 20.9 Where the Regional District has caused a notice to be filed on the title of a property in accordance with Section 57 of the Community Charter, the notice may be removed provided:
 - (a) The owners has obtained a new permit for the correction of the deficient construction;
 - (b) The deficient construction has been corrected and completed so that the conditions which gave rise to the filing of the notice have been rectified; and
 - (c) The owner has paid the applicable fee set out in the RDOS Fees and Charges Bylaw.

PART 21: INTERPETATION

21.1 In this bylaw the italicized words and terms have the meanings set out in Section 21.2 of this bylaw.

Definitions

21.2 In this bylaw:

Accepted means reviewed by the *Building Official* under the applicable provisions of the *Building Code* and this bylaw;

Addition means an alteration to any building which will increase the total aggregate floor area or the *building height* (in storeys), and includes the provision of two or more separate *buildings* with openings between each other for intercommunication;

Agent includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence;

Alternative solution means an alternative solution authorized under the Building Code;

Alteration means a change, repair or modification of the *construction* or arrangement of or use of any *building* or *structure*, or to an *occupancy* regulated by this bylaw;

Architects Act means the Architects Act RSBC 1996, c. 17;

Bona fide Agricultural Operation means an operation classified as a farm by the Assessor under the *Assessment Act*;

Building Code means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

Building Official means the person designated in or appointed to that position by the Regional District, and includes a building inspector, plan checker, plumbing inspector, designated or appointed by the Regional District, and for certainty the *Building Official* is the "building inspector" referred to in the *Community Charter* and *Local Government Act*;

Complex building means:

- (a) A *building* used for a *major occupancy* classified as:
 - i. Assembly occupancy;
 - ii. *Care occupancy;*
 - iii. Detention occupancy;
 - iv. High hazard industrial occupancy;
 - v. *Treatment occupancy;* or
 - vi. Post-disaster building,
- (b) A *building* exceeding 600 square metres in *building area* or exceeding three storeys in *building height* used for a *major occupancy* classified as
 - i. residential occupancy;
 - ii. business and personal services occupancy;
 - iii. mercantile occupancy; or
 - iv. medium and low hazard industrial occupancy,

coordinating registered professional means a *registered professional* retained pursuant to the *Building Code* to coordinate all design work and field reviews of the *registered professionals* required for a development;

construct includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, *excavate* or shore;

constructor means a person who constructs;

Engineers and Geoscientists Act means the Engineers and Geoscientists Act RSBC 1996, c. 116;

Existing, in respect of a *building*, means that portion of a *building constructed* prior to the submission of a *permit* application required under this bylaw;

Farm Buildings means a building or part thereof which

- (a) does not contain a residential occupancy and is
 - i. associated with and located on land dedicated to farming, and
 - ii. used exclusively for the housing of equipment or livestock, or the growing or production, storage or processing of agricultural and horticultural produce or feeds,
- (b) is a stand alone barn, agricultural storage facility, greenhouse or silo located on land dedicated to farming,
- (c) does not include
 - i. covered riding arenas;

- ii. structures associated with cannabis production;
- iii. structures associated with the production of manufactured derivatives from agricultural raw materials (wine, sausages, fruit leathers, jams); or
- iv. structures which may be used for assembly occupancies.

Farm Building Code means the National Farm Building Code of Canada as referenced by the Building Code.

Foundation means a system or arrangement of *foundation* units through which the loads from a *building* are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building that lie below the finished grade immediately adjacent to the building;

GHG means greenhouse gas;

Health and safety aspects of the work means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9 and 10, Division B, of the *Building Code;* and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B;

Low Human Occupancy (as applying to *farm buildings*) means a *occupancy* having an *occupant load* of not more than one person per 40 m² (430 ft²) of *floor area* during normal use.

Owner means the registered *owner* in fee simple, or an *agent* duly authorized by the *owner* in writing in the form attached as Appendix C;

Permit means permission or authorization in writing by the *Building Official* to perform work regulated by this bylaw and, in the case of a final inspection notice, to occupy a *building* or part of a *building*;

Pool means any artificial body of water intended for recreational use and having a surface area exceeding 12 square metres in which the depth of water could attain at least 60 centimetres.

Professional design means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*;

Project means any construction operation;

Retaining wall means a *structure*, or series of structurally interdependent *structures*, exceeding 1.2 metres in height, measured between the elevation of the ground at the lowest and highest points adjacent to the *structure* or any portion of the *structure*, that holds or retains *soil* or other material behind it. Multiple terraced retaining structures at a ratio of less than 2 horizontal to 1 vertical shall be considered a single structure for calculating height;

Simple building means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square metres and used for a *major occupancy* classified as

- (a) residential occupancy;
- (b) business and personal services occupancy;
- (c) *mercantile occupancy;*
- (d) medium hazard industrial occupancy; or

(e) *low hazard industrial occupancy,*

structure means a *construction* or portion of *construction*, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving and retaining *structures* less than 1.22 meters in height;

temporary building includes a sales office, construction office or a *structure* in which tools are stored during construction of a *building* or other *structure*;

unenclosed (as applying to farm buildings) means less than 40% of the total perimeter is enclosed by walls, doors or windows;

value of the work means that amount that is calculated as follows:

- (a) for construction of a *building* containing a *residential occupancy* that is served by only one stove, or two stoves if permitted as an auxiliary and secondary *residential occupancy*, the greater of
 - i. the declared *value of the work*; or
 - ii. the value calculated pursuant to the RDOS Fees and Charges Bylaw; or
- (b) for all other construction, the greater of
 - i. the declared *value of the work*; or
 - v. the value calculated using a method stipulated in the "Marshall Valuation Service" or "RS Means".
- 21.3 In this bylaw the following words and terms having the meanings:
 - (a) set out in section 1.4.1.2. of the *Building Code* as of the date of the adoption of this bylaw: accessible, assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, excavation, field review, firewall, first storey, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, plumbing system, post disaster occupancy, private sewage disposal system, registered professional, residential occupancy, treatment occupancy, or unsafe condition;
 - (b) subject to this bylaw, set out in the Schedule to the *Community Charter*: assessed value, *highway, land, occupier, parcel, public authority, service* and *soil*; and
 - (c) subject to this bylaw, set out in section 29 of the *Interpretation Act: may, must, obligation, person, property, writing, written* and *year.*
- 21.4 Every reference to this bylaw in this or another bylaw of the Regional District is a reference to this bylaw as amended to the date of the reference.
- 21.5 Every reference to
 - (a) the *Building Code* is a reference to the current edition as of the date of issuance of the *building permit*; and
 - (b) a section of the *Building Code* is a reference to the applicable successor sections,

as the code or section may be amended or re-enacted from time to time.

21.6 Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

Appendices

21.7 Appendices A through E are attached to and form part of this bylaw.

Severability

21.8 If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this bylaw.

PART 22: REPEAL

- 22.1 Building Regulation Bylaw No. 2333, 2005, as amended, is repealed effective December 10, 2018.
- 22.2 Despite Section 22.1, with respect to a *building permit* issued on or before December 10, 2018, provisions of Bylaw No. 2333, 2005 shall apply as if the bylaw remained in force.

PART 23: IN FORCE

23.1 This bylaw comes into force on December 11, 2018.

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

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

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

ADOPTED this _____ day of _____, 2018.

Chair

Chief Administrative Officer

Appendix A – Climatic Data

Location	Elevation			peratu		Degree Days Below 18°C	15 min rain, mm	One day rain, 1/50, mm	Annual Rain, mm	Moist. Index	Annual Total Prec.	Il Wind Pressure,		Ground Hourly wind Snow Load, pressure kPa, 1/50			Frost Depth
		Janua 2.5%	ary	July 2 Dry	2.5%	-							Ss	Sr	1/10	1/50	
Town of Osoyoos	285 m	-14	-17	35	21	3100	10	48	275	0.28	310	60	1.1	0.1	0.31	0.4	600 mm
Vaseux, Oliver, Osoyoos, Anarchist Richter Pass	Up to 500 m	-16	-18	33	20	3250	10	48	275	0.28	310	60	1.1	0.1	0.31	0.5	600 mm
Vaseux, Oliver, Osoyoos, Anarchist Richter Pass	500-750 m	-16	-18	33	20	3900	10	48	275	0.28	310	60	2.0	0.1	0.3	0.5	600 mm
Vaseux, Oliver, Osoyoos, Anarchist Richter Pass	750-1000 m	-19	-22	30	20	4400	10	50	320	0.36	500	70	2.9	0.3	0.31	0.4	600 mm
Vaseux, Oliver, Osoyoos, Anarchist Richter Pass	Over 1000 m	-20	-22	29	18	4900	10	50	320	0.36	510	70	4.1	0.3	0.31	0.4	600 mm*
City of Penticton	350	-15	-17	33	20	3350	10	48	275	0.28	300	60	1.3	0.1	0.35	0.45	600 mm
OK Falls, Kaleden & Skaha Lake	Up to 600 m	-16	-18	33	20	3500	10	48	275	0.28	300	60	1.3	0.1	0.4	0.59	600 mm
OK Falls, Kaleden & Skaha Lake	Over 600 m	-16	-18	33	20	3800	10	48	275	0.28	300	60	2.0	0.1	0.4	0.59	600 mm
West Bench/Sage Mesa/Husula	Up to 600 m	-16	-18	33	20	3500	10	48	275	0.28	300	60	1.3	0.1	0.4	0.59	600 mm
Carmi, Falconridge & Twin Lakes	Up to 800 m	-20	-22	31	19	4000	10	50	280	.28	390	60	2.4	0.2	0.35	0.45	600 mm
Carmi, Falconridge & Twin Lakes	Over 800 m	-24	-26	30	19	4350	10	50	280	0.28	430	60	3.1	0.2	0.35	0.45	600 mm
Apex	1840 m	-25	-28	25	19	5850	10	49	200	0.24	580	60	5.5	0.3	0.31	0.40	1200 mm
Naramata, Summerland North & Faulder	Up to 600 m	-18	-20	31	19	3700	10	48	275	0.28	300	60	2.0	0.2	0.34	0.45	600 mm
Naramata, Summerland North & Faulder	600-800 m	-20	-22	31	19	3800	10	50	280	0.28	360	60	2.2	0.2	0.35	0.45	600 mm

Location	Elevation	Design Temperature			Degree Days Below 18°C	15 min rain, mm	One day rain, 1/50, mm	Annual Rain, mm	Moist. Index	Annual Total Prec.	Driving Rain Wind Pressure, Pa, 1/5	Grour Snow kPa, 1	Load,	Hourly pressure		Frost Depth	
		Janua	ary	July 2	2.5%								Ss	Sr	1/10	1/50	
		2.5%	1%	Dry	Wet	-											
Naramata, Summerland North & Faulder	Over 800 m	-24	-26	30	19	4200	10	50	280	0.28	410	60	2.8	0.2	0.35	0.45	600 mm
Town of Princeton	655	-24	-29	33	19	4250	10	43	235	0.35	350	80	2.9	0.6	0.28	0.36	600 mm
Princeton area	Up to 850 m	-24	-29	33	19	4250	10	43	235	0.35	350	80	2.9	0.6	0.28	0.36	600 mm
Allison Lake, Tulameen, Coalmont, Chain Lakes, Osprey Lake, Missezula	850-950 m	-24	-29	29	19	4500	10	43	235	0.35	350	80	3.6	0.6	0.28	0.36	600 mm
Allison Lake, Tulameen, Coalmont, Chain Lakes, Osprey Lake, Missezula	950-1100 m	-24	-29	29	19	4700	10	45	260	0.37	500	80	4.4	0.6	0.29	0.37	600 mm
Eastgate, Pasayten Valley, Kennedy Lake	1100 m	-24	-29	29	19	4600	10	45	290	0.39	500	80	4.4	0.6	0.29	0.37	600 mm*
Headwaters/ Elkhart	1300 m	-24	-29	28	19	5000	10	45	220	0.25	490	60	4.2	0.3	0.31	0.41	1200 mm
Manning Park*	Up to 1200 m	-23	-26	29	19	5000	9	90	500	0.63	1200	120	6.8	0.7	0.39	0.50	1200 mm

NOTE: For areas and/or elevations not specifically mentioned in Schedule A, the Ground Snow load shall be determined by the Building Official.

Climate zones:

Zone 5 – 3000 to 3999 HDD

Zone 6 - 4000 to 4999 HDD

Zone 7A – 5000 to 5999 HDD

Appendix B – Letter of Authorization

TO WHOM IT MAY CONCERN:
Property address:
Legal description:
I am the owner, as defined in the current "Building Bylaw", of the above referenced property and hereby authorize:
Representative/Contact:
Telephone No: Cell No Fax No:
E-mail:
Please check where applicable.
To represent me in an application for:
 g Building Permit Application (If Registered Professional is involved, use Appendix C, Owner's Undertaking) g Demolition Permit Application g Sub trade Permit? g Plumbing Permit g Solid fuel fired appliance g Moving/relocation permit g ??
To obtain copies of:
q Building Permit Plans (Archive Copies)
Owner's Information:
Name:
Address:
Telephone No: Cell No Fax No:
E-mail:
Date: Signature:

(this form may be faxed, mailed or delivered in person)

Appendix C – Owner's Undertaking

Property address:			
Legal description:			_

- 1. This undertaking is given by the undersigned, as the owner of the property described above, with the intention that it be binding on the owner and that the Regional District will rely on same.
- 2. I confirm that I have applied for a building permit pursuant to "Regional District Building Bylaw No. 2805, 2018 (the "Bylaw") and that I have carefully reviewed and fully understand all of the provisions of the Bylaw and in particular, understand, acknowledge and accept the provisions describing the purpose of the Bylaw, the conditions under which permits are issued, the disclaimer of warranty or representation and the limited extent of the scope of the Bylaw and inspections thereunder.
- 3. Without in any way limiting the foregoing, I acknowledge fully that it is my responsibility to ensure compliance with the Building Code and the Bylaw whether any work to be performed pursuant to the permit applied for is done by me, a contractor or a registered professional.
- 4. I am not in any way relying on the Regional District or its building officials, as defined under the Bylaw, to protect the owner or any other persons as set out in Part 3 of the Bylaw and I will not make any claim alleging any such responsibility or liability on the part of the Regional District or its building officials.
- 5. I hereby agree to indemnify and save harmless the Regional District and its employees from all claims, liability, judgments, costs and expenses of every kind which may result from negligence or from the failure to comply fully with all bylaws, statutes and regulations relating to any work or undertaking in respect of which this application is made.
- 6. I am authorized to give these representations, warranties, assurance and indemnities to the Regional District.

Owner's Information:			
Name (print):			
Name (print):			
Address:			
Telephone No:	Cell No	Fax No:	
E-mail:			
Date:		Signature:	

Where owner is an individual:	Signed, sealed and delivered in the presence of:
Owner's Signature	Witness's Signature
Owner's Name (print)	Witness's Name (print)
	Witness's Address
Where owner is a corporation: Name of Corporation	Signed, sealed and delivered in the presence of:
Per: Authorized Signatory	Witness's Signature
Name	Witness's Name (print)
(PRINT)	Witness's Address
Where owner is a partnership:	
Name of Partnership	Signed, sealed and delivered in the presence of:
Per: Authorized Signatory	Witness's Signature
Name	Witness's Name (print)
(PRINT)	Witness's Address

Appendix D – Confirmation of Professional Liability Insurance

- 1. This Confirmation Letter must be submitted along with each BC Building Code Schedule A and Schedule B before issuance of a building permit. A separate Confirmation Letter must be submitted for each registered professional.
- 2. This Confirmation Letter must be submitted with each BC Building Code Schedule C after completion of the building but before a final inspection is made by the Building Official. A separate Confirmation Letter must be submitted for each registered professional.
- 3. Only an original Confirmation Letter, printed by the Regional District, or an unaltered photocopy of this document is to be completed and submitted.

Attention: Manager, Inspections

Property Address:

Legal Description:

The undersigned hereby gives assurance that:

- a) I have fulfilled my obligation for insurance coverage as outlined in the Regional District Building Bylaw 2805, 2018;
- b) I am insured by a policy of insurance covering liability to third parties for errors and omissions in respect to the above project, in the amount of at least One Million Dollars (\$1,000,000.00);
- c) I have enclosed a copy of my certificate of insurance coverage indicating the particulars of such coverage;
- d) I am a registered professional; and
- e) I will notify the building official in writing immediately if the undersigned's insurance coverage is reduced or terminated at any time during construction.

Name:

Name (print)

Date

Signature

(Affix professional seal here)

Address

Phone

If the registered professional is a member of a firm, complete the following: I am a member of this firm:

Name of Firm

Address

I sign this letter on behalf of myself and the firm.

Note: This Confirmation Letter must be signed by a registered professional. The BC Building Code defines a registered professional as a person who is registered or licensed to practice (a) as an architect under the Architects Act, or (b) as a professional engineer under the Engineers and Geoscientists Act.

Appendix E – Confirmation of Required Documentation

Note:

- 1. The Confirmation of Required Documentation and all required documentation must be submitted to the Chief Building Inspector 48 hours prior to the pre-occupancy Co-ordinated Review.
- 2. The Confirmation of Required Documentation and all required documentation must be submitted in a tabbed ringed binder, with tab sections as per this Appendix.

	g		
	Provided		
	No Vo	N/A	
		Z	
TAB 1	q	q	CONFIRMATION OF REQUIRED DOCUMENTATION
TAB 2	P	q	DIRECTORY OF PRINCIPALS (Role/Firm/Name/Telephone)
	q	q	Owner
	q	q	Co-ordinating Registered Professional
	q	q	Registered Professionals
	q	q	Warranty Provided
	q	q	Licensed Builder
	q	q	Sub-Contractors
TAB 3	q	q	LETTERS OF ASSURANCE (A, B, C-A, C-B)
	q	q	Co-ordinating Registered Professional
	q	q	Architectural
	q	q	Structural
	P	q	Mechanical
	q	q	Plumbing
	q	q	Electrical
	q	q	Geotechnical Temporary
	q	q	Geotechnical Permanent
	q	q	Fire Suppression
	q	q	(Other – specify)
TAB 4	q	q	PROFESSIONAL REVIEW LETTERS
	q	P P	Alternative Solution (Confirmation of Field Review – sealed)
	q	q	Site Services – Civil Engineer
	q	q	Building Envelope Specialist
	q	q	Roofing Consultant
	q	q	Generator Test Report / Certificate
		q	(Other – specify)
	P		
TAB 5	P a	P	(Other – specify) FIRE ALARM
TAD D	P	P	Fire Alarm Verification Certificate (include field work sheets)
	q	q	Letter of Signed Contract from ULC Listed Monitoring Agency
TAD 4	P	q	SPRINKLER SYSTEMS
TAB 6	P Q	P	
	P a	P Q	Material and Test Certificate – Above ground piping
	P	P	Material and Test Certificate – Underground piping
	P	P	Fire Pump Test Report
TAB 7	P	P	PROVINCIAL APPROVALS
	P	P	Certificate to Operate Elevating Device (one per each device)
	P	P	Health Approval (on-site sewage disposal)
	P	q	Health Approval (food services)
TAB 8	q	q	REGIONAL DISTRICT APPROVALS
	P	q	Sprinkler Permit – pre-occupancy Co-ordinated Review
	q	q	Fire Department Acceptance (Fire Safety Plan)
	P	q	Final Inspection (Building Inspector – pre-occupancy review)
	P	q	Developmental Engineering Final Inspection

	q	q	Planning Technicians Final Inspection
TAB 9	q	q	DEFICIENCY LIST
	q	q	
	q	q	
	q	q	
	q	q	

Submitted by Coordinating Registered Professional

Name:

Name (print)

Date

Signature

Address

Phone

(Affix professional seal here)

TO:Advisory Planning CommissionFROM:B. Newell, Chief Administrative OfficerDATE:October 18, 2018RE:Development Variance Permit — Electoral Area "A"

Administrative Recommendation:

THAT the Board of Directors deny Development Variance Permit No. A2018.156-DVP.

Purpose:	To allow for the construction of a secondary suite to the rear of the existing dwelling							
Owner:	Rae & Merlin Wimmer	Agent: Rae & Merlin Wimmer	<u>Folio</u> : A-06197.100					
<u>Civic</u> :	5408 107 th Street	Legal: Lot A, Plan KAP30344, District Lot 2450S, SI	DYD					
<u>OCP</u> :	Agriculture (AG)	Zone: Agriculture One (AG1)						
Requested Variances: to reduce the rear parcel line setback from 7.5 metres to 0.813 metres								

Proposed Development:

This application seeks to vary the minimum setback from a rear parcel line in the Agriculture One (AG1) Zone from 7.5 metres to 0.813 metres in order to allow the development of a secondary suite that will be attached to the principal dwelling unit and be further attached to an accessory structure.

In support of this proposal, the applicant has stated, amongst other things, that they would like to build the suite to accommodate a family member and that a reduced setback will allow them to "work around existing building and house structures as well as old septic and room for new septic field etc. plus make proper use of the driveway, suit access etc."

Site Context:

The subject property is approximately 2,080 m² in area and is located on the west side of 107th Avenue approximately 300 m south of the intersection of 170th Street and Highway 97. The property is comprised of a single detached dwelling and accessory structure.

The surrounding pattern of development is predominantly comprised of larger parcels under agricultural production.

Background:

The subject property was created as a "homesite severance" through a plan of subdivision deposited with the Land Titles Office in Kamloops on October 12, 1979, and which had previously been approved by the Agricultural Land Commission (ALC) on April 5, 1979.

Available Regional District records indicate the previous issuance of building permits for a mobile home (1976), an addition (1977), renovation and deck (1987), workshop (2002) and deck (2013).

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

The property is also situated within the Agricultural Land Reserve (ALR) and an application to subdivide the property into two new parcels was submitted to the Ministry of Transportation and Infrastructure (MoTI) in 1991 but was not approved due to the absence of approval from the Agricultural Land Commission (ALC).

At its meeting of February 21, 2002, the Regional District Board approved Development Variance Permit (DVP) to reduce the rear setback from 7.5 metres to 0.6 metres in order to allow for the development of an accessory structure (i.e. workshop) at the south-west corner of the property.

At its meeting of June 6, 2002, the Regional District's Board of Variance (BoV) approved an application to vary the maximum parcel coverage from 15% to 20% to allow for the construction of a deck on the principal dwelling. The plans approved by the BoV indicated the workshop approved on February 21, 2002, had been relocated to the north-west corner of the property.

At its meeting of July 20, 2017, the Regional District Board adopted Amendment Bylaw 2728, 2017, which updated the Agriculture zones and including a provision for 35% parcel coverage on parcels less than 2,500 m² in area.

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 meeting of October 9, 2018, the Electoral Area "A" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that the proposed development be denied.

Analysis:

Minimum setbacks from parcel lines are used to maintain a minimum space between houses in a residential neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

In the agricultural zones, setbacks are further used to mitigate the potential for conflict between land uses with the Ministry of Agriculture recommending that setbacks be used to "avoid farming right up to the back wall of [a] residence."

In this instance, it is noted that the subject property is surrounded by a parcel currently under agricultural production with farming occurring immediately adjacent its north (side), south (side) and western (rear) parcel lines and that the requested variance will not provide a sufficient separation between the proposed suite and adjacent farming operations.

While Administration recognises that a variance was previously granted to allow the workshop to be situated within 0.6 metres of the rear parcel line, this building was not intended to be used for habitable purposes and poses less of a potential conflict to adjacent agricultural uses.

With a land area of approximately 2,080 m², Administration considers that other options are available to the property such as siting the proposed suite so that it does not encroach into a required setback.

At its closest, the principal dwelling is approximately 6.25 metres from a parcel line and that a similar setback may be supportable for the proposed suite but that a setback of 0.813 metres is excessive and is not supportable.

Conversely, Administration recognises that the location of existing structures, septic field and driveway do present certain challenges to the siting of new development – particularly given the zoning requirement that a secondary suite be comprised within the footprint of the principal dwelling.

In addition, reducing the rear setback is unlikely to have a detrimental impact on any adjacent residential uses, however, the impact on adjacent agricultural uses (as mentioned above) is more likely.

Due to the addition of bedrooms to the principal dwelling as well as the secondary suite, the applicant will be required to confirm septic compliance prior to the issuance of a building permit for this development (i.e. that the existing or proposed septic system is capable of accommodating the intended flows). Administration notes that only a limited part of the property will remain to accommodate a septic system.

Alternative:

THAT the Board of Directors approve Development Variance Permit No. A2018.156-DVP.

Respectfully submitted

C. Garrish, Planning Supervisor

<u>Attachments</u>: No. 1 – Site Photos (Google Earth)

Endorsed by:

B. Dollevoet, Development Services Manager

Attachment No. 1 – Site Photos (Google Earth)



File No: A2018.156-DVP



Development Variance Permit

FILE NO.: A2018.156-DVP

Owner: Merlin & Rae Wimmer 5408 107th Street Osoyoos, BC, VOH-1V4

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, Plan KAP30344, District Lot	2450S, SDYD
Civic Address:	5408 107 th Street, Osoyoos	
Parcel Identifier (PID):	003-997-065	Folio: A-06197.100

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 setback for a building or structure from a rear parcel line in the Agriculture One (AG1) Zone, as prescribed in Section 10.2.7(a)(ii) of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is varied as follows:
 - i) from: 7.5 metres
 - to: 0.8 metres, as measured to the outermost projection and 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
101 Martin St, Penticton, BC, V2A-5J9 Telephone: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Development Variance Permit

File No. A2018.156-DVP



File No. A2018.156-DVP Page 3 of 8

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



File No. A2018.156-DVP

Development Variance Permit



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

Development Variance Permit

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Schedule 'C'

File No. A2018.156-DVP



File No. A2018.156-DVP Page 5 of 8

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

Development Variance Permit

1 ď SUPER DEPROVAN ine sense EXISTING 40FT X 50 60FT GARAGE 2 MATE HALL OAMAGE 8. 12YT COURS Date: Page: Scele: SATE AN PLOYNE SUITELMING THEF INTERIOR AREA 30 FL00W SUITE RECHEN OFFICE C ASTTBC PIALL LEGEND **HEDROOM** Exterior Plat - Existing BATH. eterior Plat - Existing HEADINGSON MAR. 2-6 Edutor Intel 2 24b Interfor Plat 2x8 Plumbing Pilot 18 OFCK. 2x4 Interfor Mail 1+0 2x8 Dearing 3Not ŶQ. BAD Sign **BEDBOOM** Il' Conc. Poundation (Exist & Des MALL 6" Conc. ultin 2x6 Inter INTE 1021 Drafting 8 GER BRO HT. + T.50 room. 5" Conc. with R17 High hand LIVERS MASTER DOGS 248 Interior Plat - Public by Gra These Plans only for use at WIMMER ADDITION MAIN FLOOR PLAN - PROPOSED 5408 - 107th Street 아머니 Scale: 3/16" = 1' - 0" Oscupos, BC (RDO5 'A')

Schedule 'D'

OKANAGAN-SIMILKAMEEN



File No. A2018.156-DVP Page 6 of 8

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



File No. A2018.156-DVP

Development Variance Permit



File No. A2018.156-DVP Page 7 of 8

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

Development Variance Permit

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Schedule 'F'

File No. A2018.156-DVP

File No. A2018.156-DVP Page 8 of 8



TO:	Board of Directors	RDO
FROM:	B. Newell, Chief Administrative Officer	OKANAGA SIMILKAME
DATE:	October 18, 2018	
RE:	Development Variance Permit Application — Electoral Area "E"	

Administrative Recommendation:

THAT the Board of Directors deny Development Variance Permit No. E2018.130-DVP

Purpose:	To allow for the construction of a new single detached dwelling.		
Owners:	Henry Unruh	<u>Agent</u> : Donna Butler (Ecora)	<u>Folio</u> : E02025.240
<u>Civic</u> :	2431 Workman Place	Legal: Lot 15, PLAN EPP71589, District Lot 206 & 2	07, SDYD
OCP:	Low Density Residential (LR) Zone: Residential Single Family One (RS1)		
Variance Request: To reduce the minimum front parcel line setback from 7.5 metres to 4.4 metres			

Proposed Development:

This application seeks to decrease the minimum front parcel line setback for a principal building in the Residential Single Family One (RS1) zone in the Electoral Area "E" zoning bylaw No. 2459, 2008, from 7.5 metres to 4.4 metres as measured to the outmost projection.

The application proposes to construct a single detached dwelling on the property. The application states that the reduction of setbacks is due to a steep slope on the property.

In support of the application the applicant has stated that "the property meets all other zoning provisions and provide a reasonable front setback from the road. The area is new with only one existing house, the lots are large and have a 3.0 metre boulevard on Workman Place. The reduced setbacks for part of the home should have limited impact on the area."

Site Context:

The subject property is approximately 1,012 m² in area and is located on the west side of Workman Place, adjacent to the KVR and is approximately 3.05 kilometres south east of the Naramata Townsite and 2.16 kilometres north of the Penticton border.

The surrounding pattern of development is predominantly low density residential with similarly sized and zoned lots with steep slope considerations.

Background:

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Low Density Residential (LR), and has a geological hazard rating of "limited or no hazard of slumps and slides. No development problems anticipated" or "Green".

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is zoned Residential Single Family One (RS1), which permits single detached dwellings as a permitted principal use.

Public Process:

At its September 10, 2018 meeting, the Electoral Area "E" Advisory Planning Commission made a motion to recommend to the Board of Directors to deny the subject application.

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. Any comments will be on the agenda as separate item.

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 intent behind the Zoning Bylaw's use of setbacks is varied, however, in the context of a residential front setback it is generally to provide a physical separation between the road and residential dwellings; to improve traffic and pedestrian safety and to maintain an attractive streetscape by ensuring a uniform building line and discouraging encroachments.

Generally, staff do not support the placement of structures within front setback areas on the basis that this is considered to represent poor urban design and is usually incongruent with the development of adjacent parcels.

Where staff have supported reduced setbacks in the past, this is generally in relation to a significant difference in elevation between the road and the proposed building footprint, or where a neighbourhood was developed before the introduction of zoning and adherence to the prescribed setback would be inconsistent with an established building line.

In this instance, Administration notes that Workman Place is a new subdivision, recently registered at land titles, and that the front setback area is generally at the same grade as the road dedication.

The parcels on this section of Workman Place are also still largely undeveloped and that establishing a setback of 4.4 metres (5.0 metres to the wall) at this early stage of build-out could create an expectation that the Regional District supports this setback for all proposed new dwellings on Workman Place. Alternately, such a setback could result in this dwelling projecting forward of all future dwellings on this section of Workman Place.

Administration further notes that the average parcel size of properties on Workman Plan is approximately 1,100 m², which is seen to provide a sufficient building envelope without the need for reduced setbacks.

While Administration recognises that there is a slope at the mid-point of this property and that reducing the front setback *may* allow part of the dwelling to avoid building over this slope, based on the applicant's submitted plans excavation of the site will still be required in order to accommodate the proposed split-level house design.

Administration further considers that other options are available to the property owner, such as redesigning the dwelling to fit within the prescribed building envelope for this property or by shifting

it 2.0 metres to the west in order to avoid a front setback encroachment (as shown on Attachment No. 2).

Conversely, reducing the front setbacks will provide the property owner with an additional 2.0 metres of space to the rear of the property for amenity and open space purposes.

In summary, Administration recommends that the development variance permit be denied.

Alternative:

That the Board approve Development Variance Permit No. E2018.130-DVP.

Respectfully submitted

Endorsed by:

Endorsed by:

FRiechert

Balloal

E. Riechert, Planner

C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo





Development Variance Permit

FILE NO.: E2018.130-DVP

Owner: Henry & Julie Unruh 8712 Stewart St Summerland, BC VOH 1Z6 Agent: D

Donna Butler, Ecora Engineering 599 Winnipeg St Penticton, BC V2A 5M8

GENERAL CONDITIONS

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

APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A' & 'B', and 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 15, District Lots 206 and 207, SDYD, Plan EPP71589	
Civic Address:	2150 Naramata Road	
Parcel Identifier (PID):	030-216-427	Folio: E-02025.240

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The minimum setback for a principal building from the front parcel line in the Residential Single Family One (RS1) zone, as prescribed in Section 11.6.6(a)(i), is varied:
 - i) from: 7.5 metres.
 - to: 4.4 metres to the outermost projection 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

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



Development Variance Permit

File No. E2018.130-DVP



File No. E2018.130-DVP Page 3 of 5

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

Development Variance Permit

Schedule 'B' AUT SILEYARD SETBACK Vary minimum setback from the front parcel line RESIDENCE SLOPE from 7.5 m to 4.4 5 m CREST 76.9% SLOPE 1.3H:1V 18 8 F GARAGE 22 3.0m SIDEYARD SETBACK



File No. E2018.110-DVP

File No. E2018.130-DVP Page 4 of 5

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

Development Variance Permit







File No. E2018.130-DVP

October 10, 2018

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

To Evelyn Riechert, Planner

RE: Development Variance Permit (DVP) application No.E2018.130-DVP 1431 Workman Place, Naramata (Lot 15, DL 206 & 207, SDYD, Plan EPP71589)

Dear Evelyn,

We received the letter dated Sept 26, 2018 outlining the request from one of our neighbours located at 2431 Workman Place to have the setback of his property adjusted from 7.5 metres to 4.4 metres.

My husband Rene VanderRoest and I are the owners of lots 13 (2439) & 14 (2445) and are very much in favour of the above noted request.

When these properties were purchased, prior to any blasting and fill work was complete, the grade of the slope was not as pronounced as it is today. While the developer did provide a drawing of the final outlook, it was not as evident then as it is now that the slope had significant drop off making it very difficult to build without having to go out over the slope.

The additional space would allow for us to pull back the positioning of our home (we are in the process of having drawings completed) on the lot allowing for some "breathing room" and less overhang.

We are hoping that allowing for this variance will set precedence and allow others to move the set back on our properties as well.

I hope you will take our thoughts into consideration and approve the above noted request.

Regards,

3

Leslie "Simone" VanderRoest

ADMINISTRATIVE REPORT

TO:	Board of Directors	REGIONAL
FROM:	B. Newell, Chief Administrative Officer	OKAN
DATE:	October 18, 2018	SIMILK
RE:	Development Variance Permit (DVP) Application — Electoral Area "F"	

Administrative Recommendation:

THAT the Board of Directors deny Development Variance Permit No. F2018.141-DVP

Purpose:	To allow for the development of an over-height accessory structure (i.e. garage)		
Owners:	Taylor Browne & Jen Murai	Agent: Darcy Browne	<u>Folio</u> : F-07319.010
<u>Civic</u> :	901 Sunglo Drive	Legal: Lot A, Plan KAP41537, District Lot 5076	o, ODYD
<u>OCP</u> :	Small Holdings (SH)	Zone: Small Holdings Five (SH5)	
Variance Request: To vary the maximum height of an accessory structure from 4.5 metres to 7.4 metres			

Proposed Development:

This application seeks to vary the maximum height for an accessory building or structure in the Small Holdings Five (SH5) Zone from 4.5 metres to 7.4 metres in order to allow for the development of a 4-bay garage and attached covered parking area capable of accommodating over-sized vehicles (i.e. recreation vehicles) and that will have a footprint of approximately 310 m² (3,440 sq. ft.).

The applicant has stated that "the variance would allow the garage to match the physical appearance (roof pitch, asphalt shingles, vinyl siding) of the existing house ... the garage will be located at the far end of the property. Neighbours views and private space will not be affected ... [and] the variance would allow us to have 12 ft garage doors needed to park our personal pick-up trucks and rec. vehicles."

Site Context:

The subject property is approximately 2,711 m² in area and is located on the south side of Sunglo Drive in the West Bench. The property is seen to be comprised of a single detached dwelling with an attached garage. The surrounding pattern of development is represented by rural-residential type land use on similar sized parcels.

Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Victoria on August 10, 1989, while available Regional District records indicate the issuance of a building permit for a 4-bedroom single detached dwelling with a floor area of 176.5 m² (1,900 sq. ft) in 1989.

Under the Electoral Area "F" Official Community Plan (OCP) Bylaw No. 2790, 2018, the property is designated Small Holdings (SH) and has been zoned Small Holdings Five (SH5) under the Electoral Area "F" Zoning Bylaw No. 2461, 2008. The SH5 Zone permits accessory buildings and structures, but limits their height to 4.5 metres.

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 meeting of October 4, 2018, the Electoral Area "F" Advisory Planning Commission (APC) failed to achieve quorum and was unable to make a recommendation to the Regional District Board regarding this application.

Analysis:

Regulating the height of accessory structures through the Zoning Bylaw is done to ensure that a building does not impact the shade and outdoor privacy of adjacent properties, or views to significant landmarks, water bodies or other natural features.

Building height is also an important component of the built form of a neighbourhood and, depending upon the location of an accessory structure (i.e. near a street frontage) an excessive height can have an impact upon established streetscape characteristics.

Accordingly, when assessing variance requests a number of factors are taken into account, including the intent of the regulation; 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.

In this instance, Administration notes that the intent of the lesser height allowance for accessory structures (4.5 metres) vis-à-vis principal structures (10.0 metres) in the SH5 Zone is to allow these structures to be erected for storage purposes but to ensure that their use remains suboridinate to the principle residential (dwelling) use.

The requested variance represents an increase of 64% over what is currently permitted (i.e. 7.4 metres vs. 4.5 metres) for height, and would be comparable to the height of the principle dwelling (which is approximately 7.7 metres based on the 1989 building permit).

Although unrelated to the requested variance, the footprint of the proposed structure will exceed that of the existing single family dwelling (excluding the attached garage) by a potential factor of 2:1, raising questions to what constitutes the principal structure and use on the property.

While accessory structures appear to be common near the rear of properties on the south side of Sunglo Drive, the scale of these structures is seen to be less than what is proposed by the applicant.

It is unclear the extent to which the proposed structure may, or may not impact the amenity of adjacent properties, but it is noted that, being situated at the rear of the property, the structure will not have an impact on the Sunglo Drive streetscape.

While Administration understands that the outdoor storage of over-sized vehicles is a concern in the West Bench, the development of over-sized accessory structures was an equally important concern expressed during the public consultation undertaken in support of the new Official Community Plan.

Administration considers that other options are available to the applicant, such as redeveloping the existing attached garage in order to take advantage of the 10.0 metre height allowance permitted for principal structures.

Alternative:

THAT the Board of Directors approve Development Variance Permit No. F2018.141-DVP.

Respectfully submitted

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

<u>Attachments</u>: No. 1 – Applicant's Site Photos





File No: F2018.141-DVP



Development Variance Permit

FILE NO.: F2018.141-DVP

Owners: Taylor Browne & Jen Murai 901 Sunglo Drive Penticton, BC, V2A-8X8 Agent: Darcy Browne 519 Bartlett Drive Penticton, BC, V2A-8Y2

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

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

Legal Description:	Lot A, Plan KAP41537, District Lot 5076, ODYD	
Civic Address:	901 Sunglo Drive, Penticton	
Parcel Identifier (PID):	014-542-161	Folio: F-07319.010

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "F" Zoning Bylaw No. 2461, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The maximum height for an accessory building or structure in the Small Holdings Five (SH5) Zone, as prescribed in Section 10.8.8(b) of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is varied:

- i) from: 4.5 metres
 - to: 7.4 metres, and as shown on Schedules 'B', 'C', 'D' & 'E'.

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

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



Development Variance Permit

File No. F2018.141-DVP



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





File No. F2018.141-DVP



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

Development Variance Permit

File No. F2018.141-DVP

Schedule 'C' TOR HEIGHT VARIANCE 14-10 3 SCALE NORTH . ASP HAFT 110 ROOF VENTS 11 11 nn HOLD DOW 3×3 ТП RU PARKING-3 FINISH GRADE GLASS IN 1 PANEL GARAGE DOORS ALL Th NORTH SIDE



File No. F2018.141-DVP Page 5 of 7

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

Development Variance Permit

F 21

24

ASONAT

SHINGLES 1'0" 12.5 4 11 1 LI. RV SIDING VINYL PANKING CONCRETE ROOF VENTS bu ASPHALT SHINGLES ROOFIC APROL -1R155 12 PLY WOOD ENGINEERED TRUSSES 20 BWL POLY VAROUR BARRISE HIGH BOOF VENTS 10'0' hann onna unminin 5" ALOMINIUM 24'2" Gorral. ALUMINIUM SOFFIT KROPOSED GARAGE VINYL SIDNG 1410" 2x6 on 16" of \$8 JIPROCK GML Buy ADONE BAARNER 1/2 PLywooD La -FINISH GBODE The 30 1/2 ANCHOR 800 51/2" CONCRETE 32 MPA ¥ BML Pary Massing Borg €! 7 40'0' WEST SIDE

Schedule 'D'

File No. F2018.141-DVP

File No. F2018.141-DVP Page 6 of 7



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

Development Variance Permit

File No. F2018.141-DVP Page 7 of 7





File No. F2018.141-DVP

Ken & Liz Davis

.

October 11, 2018

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

Re: Development Variance Permit application No. F2018.141-DVP 901 Sunglo Dr., Penticton, BC

We have reviewed this permit and recommend the permit be denied.

901 Sunglo Drive is a carefully constructed residential home in a residential area.

A 4 door vehicle center, with an additional RV parking, and variance request to increase the proposed garage to 24 feet, will create a second floor a 40ft and 80 reaching beyond the need for this resident. The home already has a attached garage.

This proposed building appears to be a full size garage to be used for commercial repair and service, in a residential district of area F.

The next door property

has been vacant for some time.

This letter encourages denial of this proposed permit.

Regards

Ken Davis

Liz Davis



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101 Martin Street Penticton BC V2A 5J9



OCT 102018

October 9, 2018

101 Martin Street Penticton BC V2A 5J9

Regional District of Okanagan-Similkameen

101 Martin Street

Penticton, B. C.

V2A 5J9

Attention: Chris Garrish, Planning Supervisor

Re: Taylor Browne & Jen Murai, Development Variance Permit

Hello. My name is Lori Bailey and I have my parents Power of Attorney to legally act on their behalf. They are the registered

owners of 717 Sunglo Drive, Penticton, B.C.

This letter will confirm that I have discussed the proposed accessory building and the Variance request with Taylor and I am in

favor of the variance application. The structure will not affect the view from my parents home or affect the enjoyment of their

property.

Regards

Lori Bailey

V

\$

Karey Jenner

Penticton, BÇ V2A 8X8

October 3, 2018

To whom it may concern,

I have been asked by my neighbor, Mr. T. Browne, to write this letter in order to verify that I am not opposed to his proposed construction of a garage.

Mr. Browne has shown me the plans for his garage, and over the course of the last few months, we have spoken about it on several occasions.

We do not have a view and our almost one acre lots back on to First Nations land. Mr. Browne's proposed outbuilding will in no way interfere with my property.

Should you have any further questions, please do not hesitate to contact me /

Sincerely, Karey Jenner

1

- V-

ADMINISTRATIVE REPORT

TO:	Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Development Variance Permit (DVP) Application — Electoral Area "H"

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. H2018.140-DVP.

Purpose:	To allow for the development of a single detached dwelling.		
Owners:	LEH Holdings Ltd	Agent: Lorne Henrikson	<u>Folio</u> : H-00555.000
<u>Civic</u> :	2661 Nicola Avenue	Legal: Lot 1, Block 31, DL 125, YDYD, Tulame	en Townsite
OCP:	Low Density Residential (LR)	Zone: Residential Single Family One (RS1)	
<u>Variance</u> <u>Requests</u> :	to vary the minimum exterior side yard setback from 4.5 metres to 1.2 metres; and to vary the minimum interior side yard setback from 1.5 metres to 0.4 metres.		

Proposed Development:

This application seeks to vary the minimum setbacks from an exterior and interior side parcel line for a principal building in the Residential Single Family One (RS1) zone.

The exterior side setback is proposed to be varied from 4.5 m to 1.2 m to the outermost projection, and the interior side setback from 1.5 m to 0.4 m to the outermost projection. The interior side yard variance is to accommodate an overhang of the roof into the setback, as only 0.6 metre of the roof eave is permitted to project into the setback. In this case, the roof overhang is proposed to project 1.1 m, leaving a 0.4 distance to the parcel line.

The applicant has stated that the variance "will allow building to face same direction on Nicola St, as rest of buildings, while still maintaining a reasonable square footage for 3 bedroom residence" and further "the building lot has 2 roadways and a laneway, this design best fits this lot and still faces same way as neighbours".

Site Context:

The subject property is approximately 561 m² in area and is located on the north east corner of Nicola Ave and Sixth St in the Tulameen townsite. The parcel is currently vacant and the surrounding pattern of development encompasses similarly size parcels with single detached dwellings.

Background:

It is not known when the Tulameen townsite subdivision was created; however, given the history of the area, the townsite would have been established around 1901. Regional District records indicate a



building permit was applied for a single family dwelling on this property in 2007 but was cancelled. There is currently a building permit application for the proposed residence.

Under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012, the property is designated Low Density Residential (LR) and has been zoned Residential Single Family One (RS1) under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, which permits single detached dwelling as a principal permitted use.

Under Section 7.5 (Projections) of the zoning bylaw, no feature shall project into a setback except minor projections such as gutters, eaves, etc., may project into required setbacks to a maximum of 0.6 metres measured horizontally.

The subject parcel is within the Otter Lake/ Tulameen River floodplain, as is much of the Tulameen townsite area. Therefore, the building permit application will be required to be constructed in accordance to RDOS's floodplain regulations.

Public Process:

An Advisory Planning Commission (APC) meeting is expected to be held on October 16, 2018, and a verbal update of this meeting will be provided at the Board.

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 a variance request a number of factors are taken into account. These include the intent of the regulation; 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 intent behind the Zoning Bylaw's use of setbacks is varied; however, in the context of a residential neighbourhood, the setbacks are generally to provide a physical separation between the road and the adjacent properties. Setbacks to roads are also to improve traffic and pedestrian safety and maintain an attractive streetscape and discourage encroachments. Setbacks from adjacent properties maintains a certain level of privacy, plus allows for the maintenance of the owner's home, and allows for rain and snow runoff to locate on the subject property.

Where staff have supported reduced setbacks in the past, this is generally in relation to a significant difference in elevation between the road and the proposed building footprint, or where a neighbourhood was developed before the introduction of zoning and adherence to the prescribed setback would be inconsistent with an established building line.

In this instance, Administration notes that although the lots are relatively small, the building setbacks have been maintained along Sixth Street. The house immediately adjacent on Nicola Ave, received a Development Variance Permit in 2011 permitting the minimum front yard setback to be varied from 7.5 m to 4.4 m, due to the size of septic disposal area located in the rear.

The subject property is also seen to be flat with no apparent limiting physical features that would require a variance to the exterior and interior setbacks.

Administration has concerns regarding an interior setback of 0.4 m to an adjacent parcel in terms of a lack of physical separation regarding privacy but also regarding maintenance and precipitation runoff for the proposed dwelling. Further, a 1.2 metre setback from Sixth Street is also a concern given the streetscape characteristic and potential conflicts arising for having a building so close to a road, such as road maintenance and noise.

While Administration recognizes that the subject property is a 561 m² corner lot and will need room for a septic disposal area, along with a well location, it also notes that there are other options available to the property owner. Options include redesigning the dwelling to fit into the prescribed setbacks.

As the subject property is located within a floodplain area, any living space must be constructed above the 1:200 year Flood Construction Level (FCL). The building permit plans show that the lower level of the proposed dwelling will be only used for garage space, so the habitable space should be well above the flood construction levels. This area of Tulameen has seen fairly regular flooding events and has had numerous evacuation alerts and orders issued through the Regional District's Emergency Operations Centre.

In summary, Administration recommends that the development variance permit be denied.

Alternatives:

That the Board of Directors approve Development Variance Permit H2018.140-DVP.

Respectfully submitted

Endorsed by:

Endorsed by:

ERiechert

E. Riechert, Planner

C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

<u>Attachments</u>: No. 1 – Site Photos (Google Streetview)

Attachment No. 1 – Site Photos (Google Streetview)



File No: H2018.140-DVP



Development Variance Permit

FILE NO.: H2018.140-DVP

Owner: LEH Holdings Ltd 12097 269th St Maple Ridge, BC V2W 1N8 Agent: Lorne Henrikson

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description:	Lot 1, Block 31, District Lot 128, YDYD Townsite of Tulameen	
Civic Address:	2661 Nicola Avenue, Tulameen, BC	
Parcel Identifier (PID):	012-916-200	Folio: H-00555.000

CONDITIONS OF DEVELOPMENT

- 6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "H" Zoning Bylaw No. 2498, 2012, in the Regional District of Okanagan-Similkameen:
 - a) The minimum setback for a principal building from the exterior parcel line in the Residential Single Family One (RS1) zone, as prescribed in Section 12.1.5 (iv), is varied:
 - i) from: 4.5 metres.

- to: 1.2 metres, to the outermost projection as shown on Schedule 'B'.
- b) The minimum setback for a principal building from the interior parcelline in the Residnetial Single Family One (RS1) zone, as prescribed in Section 12.1.5 (iii), is varied
 - i) from: 1.5 metres
 - to: 0.4 metres, to the outermost projection 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
101 Martin St, Penticton, BC, V2A-5J9 Tel: 250-492-0237 Email: <u>info@rdos.bc.ca</u>



Development Variance Permit

File No. H2018.140-DVP



Schedule 'A'

File No. H2018.140-DVP Page 3 of 6

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

Development Variance Permit







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

Development Variance Permit



File No. H2018.140-DVP



Page 5 of 6

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



Development Variance Permit

File No. H2018.140-DVP



Lauri Feindell

To: Subject: Evelyn Riechert RE: DVP application No. H2018.140-DVP

From: Remo Maddalozzo < Sent: October-08-18 9:39 AM To: Evelyn Riechert <<u>eriechert@rdos.bc.ca</u>> Subject: Re: DVP application No. H2018.140-DVP

We are writing to you to express our support for this application. We will believe it will improve our neighborhood and don't foresee any negative effects. Yours Truly Remo and Chervl Maddalozzo

Tulameen BC

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Zoning Bylaw Amendment – Electoral Area "D-1"

Administrative Recommendation:

THAT Bylaw No. 2457.27, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied;

AND THAT Administration be directed to commence injunctive action against the property owner of 449 Sagewood Lane if the number of livestock kept on the property is not in conformance with Zoning Bylaw No. 2457, 2008, by October 25, 2018.

Purpose:	To allow for 1 "livestock", 15 "small livestock" and 1 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 metres to 2.5 metres.		
Owners:	R. Esperanza	Agent: Renae Esperanza	Folios: D-02473.000
<u>Civic</u> :	449 Sagewood Lane	Legal: Lot 8, 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 legalize the keeping of 1 "livestock", 15 "small livestock" and 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 amend 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, amongst other things, 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 property is approximately 1,400 m² in area and is situated on the north side of Sagewood Lane near the south end of Nipit Lake. The property is currently comprised of a single detached dwelling as well as a recently erected oversized fence.



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.

Background:

The subject property was created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on December 1, 1960, while available Regional District records indicate that a building permit for a double-wide mobile home was issued in 1998.

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.

At its meeting of July 20, 2017, the Regional District Board adopted Amendment Bylaw No. 2728, 2017, which updated the regulations related to the keeping of livestock as follows:

PARCEL AREA	MAXIMUM NUMBER OF LIVESTOCK	MAXIMUM NUMBER OF SMALL LIVESTOCK	MAXIMUM NUMBER OF HONEYBEE HIVES
Less than 625 m ²	0	0	0
625 m ² to 2,500 m ²	0	5	2
2,500 m ² to 0.4 ha	0	25	Not applicable
0.4 ha to 1.0 ha	2	50	Not applicable
1.0 ha to 1.5 ha	3	75	Not applicable
1.5 ha to 2.0 ha	4	100	Not applicable

Prior to the adoption of Amendment Bylaw No. 2728, the keeping of livestock, including chickens, was prohibited in all low density residential (RS) Zones.

The bylaw defines "small livestock" as meaning "poultry, rabbit or other small animals similar in size and weight but does not include farmed fur bearing animals or roosters."

The property has 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).

The Regional District has received numerous written complaints over a two year period regarding the number of livestock on the subject property, as well as for barking dogs and an over-height fence.

After some time of enforcement correspondence on the part of RDOS, in September of 2017, the property owner submitted a rezoning application to the Regional District in order to legalize the number of livestock on the parcel.

At its meeting of April 19, 2018, the Regional District Board refused Amendment Bylaw No. 2457.22, 2018, which would have legalised the keeping of 1 "livestock", 25 "small livestock" and 1 rooster on the subject property.

At its meeting of August 2, 2018, the Board approved, at the property owner's request, the waiving of the prohibition against re-submitted an application that has been refused within the past 12 months.

At its meeting of September 6, 2018, the Board resolved to set an expiry date of September 21, 2018, for the re-submission of a rezoning application for 449 Sagewood Lane, after which staff were directed to commence injunctive action if an application was not submitted.

This action was prompted by on-going complaints regarding the number of livestock at the property and correspondence from the applicant indicating that they no longer intended to re-apply for a zoning application to legalize their livestock numbers.

The current rezoning application was submitted to the Regional District on September 20, 2018.

Referrals:

Referral comments on this proposal have been received from the Ministry of Forest, Lands, Natural Resource Operations and Rural Development (Archaeological Branch) and these are included as a separate item on the Board Agenda.

Public Process:

A Public Information Meeting was held on October 9, 2018, at the Okanagan Falls Community Centre at 1141 Cedar Street in Okanagan Falls and was attended by three (3) members of the public.

The Electoral Area "D" Advisory Planning Commission (APC) was scheduled to consider this application at its meeting October 9, 2018, but was unable to achieve quorum and the meeting was cancelled.

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 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 numerous complaints that have been received by the Regional District 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.

Given the previous enforcement action related to this issue and the on-going receipt of complaints from adjacent property owners and residents, Administration is further recommending that staff be directed to commence injunctive action against the property if, after 7 days, the number of livestock is not brought into compliance with the requirements of the Zoning Bylaw.

Alternatives:

1. THAT Bylaw No. 2457.27, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the holding of the public hearing be delegated to the Electoral Area "I" Director, or delegate;

AND THAT staff schedule the date, time, and place of the public hearing in consultation with the Electoral Area "I" Director;

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

AND THAT prior to the scheduling of a public hearing, the application be considered by the Electoral Area "I" Advisory Planning Commission (APC).

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed By:

B. Dollevoet, Development Services Manager

Attachments: No. 1 – Site Photos (2017)

Attachment No. 2 – Site Photos (2017)



File No: D2018.164-ZONE

BYLAW NO. 2457.27

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.27, 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. 2457.27, 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) bed and breakfast operation, subject to Section 7.19;
- d) home occupations, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12;
- 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) 2,020 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
Des	pite Section 10.9.6(a) and (b), incinerator or cor	mpost 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 4.5 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 15 small livestock and one (1) rooster.
 - b) despite Section 10.9.6(c), the minimum setback for a livestock structure from a parcel line shall be 2.5 metres.



 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 Lot 8, 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

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



Amendment Bylaw No. 2457.27, 2018

Project No: D2018.164-ZONE



Amendment Bylaw No. 2457.27, 2018 (D2018.164-ZONE) Page 5 of 5 We, the undersigned property owners residing in Twin Lakes, Kaleden, BC, petition the Regional District Okanagan-Similkameen to <u>NOT</u> consider the recently submitted rezoning proposal of 449 Sagewood Lane, Twin Lakes - change the zoning of properties from Residential Single Family Two (RS2) to Small Holding Five Site Specific (SH5s) in order to allow for the keeping of up to 15 "small livestock", 1 rooster and 1 "livestock" on a parcel less than 2,500 m2 in area as well as the further proposal to reduce the parcel line setback for livestock structures from 15.0 metres to 2.5 metres.

449 Sagewood Lane, Twin Lakes is in a residential subdivision, we feel that the size of the property is too small to accommodate the amount of livestock that the land owner is requesting; is an invitation to attract wildlife into the area such as bears and coyotes putting residents and their pets at risk; increased noise; and potential adverse effects to current area's water quality.

If this rezoning was to go ahead, it is not just allowing this one applicant to maintain this amount of livestock but also will allow for any current and future land owners in the area to be able to maintain this amount of livestock.

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NAME	ADDRESS	PHO	NE#	SIGNATURE
KELLY MERCER	446 E	ASTVIEWRD.		
DEVORAHTICHA	4 44	tashte	Rol	
Ton MCEwen	45/5	ye wood		
DAVE SMITH	444 E	ASTVIEW R.	D.	
Christine Rempel	442 Eo	strien Road	<u>}_</u> '	
VEIS PAHLAVAN	441 Sc	icjeurood LN	-	
Wade McGinnis	<u>44(</u>	ngewood Can	<u> </u>	
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DATED THIS 10TH DAY OF OCTOBER, 2018

OCT 11, 2018 THIS IS IN REGARDS TO 449 SAGE WOOD LANE. THIS LOT 15 Too SMALL FOR A FARM AS IT WILL Pollute All OUR WELLS FOR NEIGHBOURS WE DIS AGREE WITH PROPOSAL. m Eweni. зţ

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SIMILKAMEEN

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 District of Okanagan Similkameen FILE NO.: D2018.164-ZONE
FROM:	Name: Devorah Ticha
	(please print)
	Street Address: 446 EastVIW Rd Kaleden
RE:	Electoral Area "D" Zoning Amendment Bylaw No. 2457.27
	449 Sagewood Lane Rezone from Residential Single Family Two (RS2) to Small Holdings Five Site Specific (SH5s)

My comments / concerns are:

I <u>do</u> support the proposed development.

I <u>do</u> support the proposed development, subject to the comments listed below.

I <u>do not</u> support the proposed development.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2457.27.

Feedback Forms must be completed and returned to the Regional District no later than Friday October 9, 2018

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 Pratection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

Lauri Feindell

From: Sent: To: Subject: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca> September 26, 2018 1:43 PM Planning Bylaw Referral - Project No. D2018.164-ZONE

Hello RDOS planners,

Thank you for your referral D2018.164-ZONE regarding 449 Sagewood Lane, Twin Lakes, L 8 DL 280 SIMILKAMEEN DIVISION YALE DISTRICT PL 11043. According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling 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. 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.

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.

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. In this case, the entire area within which the property is 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 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: 2S0-953-3343 | Fax: 250-953-3340 | Website: <u>http://www.for.gov.bc.ca/archaeology/</u>

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]
Sent: Friday, September 21, 2018 4:56 PM
To: HBE@interiorhealth.ca; Pellett, Tony ALC:EX; Forbes, Christina D AGRI:EX; 'fbclands@fortisbc.com'; Cooper, Diana
FLNR:EX; nrc.drao-ofr.cnrc@nvc-cnrc.gc.ca
Cc: Christopher Garrish
Subject: Bylaw Referral - Project No. D2018.164-ZONE
Re: Project No. D2018.164-ZONE
Proposed Bylaw Amendment No. 2457.27
Lots 8, Plan KAP11043, DL280, SDYD
449 Sagewood Lane, Twin Lakes
Attached you will find the Bylaw Referral Sheet with a link to the documentation for the amendment Bylaw. Additional information regarding this proposal can be found at the following link as well.
Please review and forward any comments or concerns you may have with regards to the proposed amendments by October 12, 2018 to planning@rdos.bc.ca.

http://www.rdos.bc.ca/departments/development-services/planning/current-applications-decisions/electoral-aread1/d2018164-zone

If you have any questions, please contact the file manager, Christopher Garrish, 250-490-4101 or cgarish@rdos.bc.ca.

Lauri Feindell

To: Subject: Phillips, Kory RE: Bylaw Referral - Project No. D2018.164-ZONE

From: Phillips, Kory <Kory.Phillips@nrc-cnrc.gc.ca>
Sent: September 25, 2018 5:47 AM
To: Lauri Feindell <lfeindell@rdos.bc.ca>; 'planning@rdos.bc.ca.' <planning@rdos.bc.ca.>; 'cgarish@rdos.bc.ca.'
<cgarish@rdos.bc.ca.>
Cc: Rupen, Michael <Michael.Rupen@nrc-cnrc.gc.ca>; Gray, Andrew <Andrew.Gray@nrc-cnrc.gc.ca>; Phillips, Kory
<Kory.Phillips@nrc-cnrc.gc.ca>
Subject: RE: Bylaw Referral - Project No. D2018.164-ZONE

Lauri/Christopher. I am emailing you directly, as I see the planning email address is no longer valid and does not accept emails.

The DRAO has no objections to the attached zoning amendment request. Thank you. Kory.

Kory Phillips Site Operations Supervisor Administrative Services and Property Management / Direction des services administratifs et gestion de l'immobilier National Research Council Canada / Conseil national de recherches Canada P.O. Box 248, Penticton, BC V2A 6J9/C.P. 248, Penticton (C.-B.) V2A 6J9 Tel/Tél: (250) 497-2361 Facsimile/Télécopieur: (250) 497-2355 Cel:(250) 488-1256 E-mail/Courrier électronique: <u>kory.phillips@nrc-cnrc.gc.ca</u> Government of Canada/Gouvernement du Canada TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area "D" Okanagan Falls Town Centre Plan Implementation

Administrative Recommendation:

THAT Bylaw No. 2603.16, 2018, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.39, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated October 18, 2018, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.16, 2018, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of December 6, 2018;

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

Purpose:

The proposed amendments to the Electoral Area "D" Official Community Plan (OCP) Bylaw and Zoning Bylaw are related the on-going implementation of the Okanagan Falls Town Centre Plan (2017).

Specifically, Amendment Bylaw No. 2455.39, 2018, proposes to replace the current Okanagan Falls Town Centre (C4) Zone with a new "Okanagan Falls Town Centre (OFTC)" Zone on those parcels of land generally situated north of Highway 97 in Okanagan Falls between the Okanagan River Channel to the west, Skaha Lake to the north and Main Street to the east.

The proposed amendment to the Electoral Area "D" OCP Bylaw relate to introducing a policy statement supporting the proposed densities as well as applications to increase height in the OFTC Zone between 8th and 9th Avenues, subject to the provision of affordable housing, community infrastructure or the provision of other community benefits.

Background:

The Okanagan Falls Town Centre Plan was commenced in 2014 with the objective of helping to "reverse the economic fortunes of Okanagan Falls" by creating a land use plan to guide strategic public and private investments and partnerships, and to foster positive streetscape improvements and quality urban design that together will provide a distinctive sense of place.



At its meeting of November 16, 2017, the Planning and Development (P&D) Committee of the Board directed Administration to complete a review of the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, to ensure conformance to the Okanagan Falls Town Centre Plan as a strategic project for 2018.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as Amendment Bylaw No. 2455.39, 2018, involves land within 800 metres of a controlled access highway (i.e. Highway 97).

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

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

Public Process:

On September 7, 2018, the Regional District sent letters to all registered property owners of land proposed to be included in the new OFTC Zone (approximately 135 owners) advising of the proposed changes.

On September 25, 2018, a public information meeting was held for property owners of land proposed to be included in the new OFTC Zone was attended by approximately seven (7) persons.

At its meeting of September 11, 2018, Amendment Bylaw No. 2455.39, 2018, was considered by the Electoral Area "D" Advisory Planning Commission (APC), who resolved to recommend to the RDOS Board that it be supported.

Administration is also proposing another public open house prior to the Board's meeting of December 6, 2018, in order to, again, present the proposed OFTC Zone to the public.

Administration recommends that the written notification of affected property owners, the public meetings as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*.

To date, agency comments have been received from the Ministry of Transportation and Infrastructure and Interior Health Authority and these are included as a separate item on the Board Agenda.

Analysis:

Further to the direction provided by the P&D Committee on November 17, 2017, Administration is proposing the introduction of a new OFTC Zone to generally be applied to the Okanagan Falls Town Centre Plan Study Area. This new OFTC Zone will, amongst other things:

• expand the range of permitted uses in the proposed OFTC Zone over what is currently permitted in the C4, CT1, RS1, and RM1 zones that apply to the Study Area;

- eliminate the requirement for the provision of ground floor retail/commercial uses currently mandated by the C4 and CT1 zones (meaning residential uses would be permitted on the ground floor);
- establish a minimum residential density of 40 units/ha;
- establish a maximum residential density of 100 units/ha;
- apply a minimum parcel size for subdivision of 1,000 m² versus 500 m² (C4), 667 m² (RS1), 1,000 m² (RM1) and 1,010 m² (CT1) that currently apply to the Study Area;
- not specify minimum setbacks from parcel lines and rely on the Okanagan Falls Town Centre Development Permit Area Guidelines to govern the siting of buildings on a parcel; and
- apply a maximum building height of 15.0 metres versus 10.0 metres (RS1 & CT1) and 12.0 metres (C4 & RM1) that currently apply to the Study Area.

For reference purposes, a comparison of the proposed OFTC Zone versus the zones that currently apply to lands within the Study Area is included at Attachment No. 1, while the area to be zoned OFTC is shown at Attachment No. 2.

Administration considers the proposed OFTC Zone to provide the necessary incentives and flexibility to allow the development of the Study Area in a way that is consistent with the recommendations of the Okanagan Falls Town Centre Plan.

Density:

Specifically, the removal of the requirement for ground floor retail addresses a common criticism of the current C4 Zone, while the proposed maximum density of 100 units/ha should make the multi-storey form of development envisioned by the Plan more economically viable for developers.

A maximum density of 100 units/ha should will also set the Town Centre area apart from surrounding areas designated Medium Density Residential (MR), and which are limited to a maximum density of 60 units/ha.

In support of these proposed densities, it is also being proposed to establish a minimum density of 40 units/ha. When applied to a parcel 500 m² in area, this minimum density requirement would ensure the development of no less than 3 units — which accords with the "multi-dwelling unit" use permitted in the zone.

Built Form:

Additional flexibility is also being proposed through the use of the Okanagan Falls Development Permit Area guidelines to govern the establishment of parcel line setbacks as opposed to having these comprised within the zoning bylaw.

The guidelines require that buildings be orientated in a north-south axis and be stepped down toward the Skaha lakefront in order to allow for sunlight penetration and view corridors toward the lake.

In support of this, the guidelines also speak to having the height of buildings descend towards Skaha Lake. While the zoning bylaw is proposing a uniform height of 15.0 metres, the guidelines will be used to ensure this stepping occurs. Administration is, however, proposing the inclusion of a supportive policy within the OCP Bylaw that speaks to supporting a greater height between 9th and 8th

Avenues where a community benefit is being proposed (i.e. affordable housing, upgrading of community infrastructure, etc.).

Implications & Exceptions:

Implementing this OFTC Zone will result in a number of uses becoming non-conforming, such as existing campgrounds and single detached dwellings (of which there are currently 13 in the Study Area).

There are a few properties within the Town Centre designated area that are proposed to not be rezoned to the new OFTC zone. Administration is proposing to not apply the OFTC Zone to part of the properties at 5350 Highway 97 (IGA shopping centre), which will retain the General Commercial (C1) Zone, 5228 9th Avenue (service station), which will retain the Service Commercial (CS1) Zone and 5356 8th Avenue ("Sun & Sands"), which will retain a Campground Commercial (CT2) Zone.

Alternatives:

1. THAT Bylaw No. 2603.16, 2018, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.39, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated October 18, 2018, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the Local Government Act, the Board of Directors has considered Amendment Bylaw No. 2603.16, 2018, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of the public hearing be delegated to the Electoral Area "D" Director, or delegate;

AND THAT staff schedule the date, time, and place of the public hearing in consultation with the Electoral Area "D" Director;

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

- 2. THAT first reading of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.16, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.39, 2018, be deferred.
- 3. THAT first reading of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.16, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.39, 2018, be denied.

Respectfully submitted:

(70 C. Garrish, Planning Supervisor

Endorsed by

B. Dollevoet, Development Services Manager

Attachments:

No. 1 – Agency Referral List No. 2 – Commercial Zone Transition to OFTC Zone No. 3 - Residential Zone Transition to OFTC Zone No. 4 – Map of proposed OFTC zoned area

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **b**, regarding Amendment Bylaw No. 2603.16:

ο	Agricultural Land Commission (ALC)	þ	Fortis
þ	Interior Health Authority (IHA)	ο	City of Penticton
ο	Ministry of Agriculture	ο	District of Summerland
ο	Ministry of Energy & Mines	ο	Town of Oliver
0	Ministry of Community, Sport and Cultural Development	0	Town of Osoyoos
ο	Ministry of Environment	ο	Town of Princeton
ο	Ministry of Forest, Lands & Natural Resource Operations	0	Village of Keremeos
ο	Ministry of Jobs, Tourism and Innovation	0	Okanagan Nation Alliance (ONA)
þ	Ministry of Transportation and Infrastructure	Þ	Penticton Indian Band (PIB)
ο	Integrated Land Management Bureau	þ	Osoyoos Indian Band (OIB)
ο	BC Parks	ο	Upper Similkameen Indian Bands (USIB)
þ	School District 53 (Okanagan Similkameen)	ο	Lower Similkameen Indian Bands (LSIB)
ο	School District 58 (Nicola Similkameen)	ο	Environment Canada
ο	School District 67 (Okanagan Skaha)	ο	Fisheries and Oceans Canada
ο	Central Okanagan Regional District	ο	Archaeology Branch
ο	Kootenay Boundary Regional District	0	Dominion Radio Astrophysical Observatory
ο	Thompson Nicola Regional District	ο	Canadian Wildlife Services
ο	Fraser Valley Regional District	þ	Okanagan Falls Irrigation District
þ	Okanagan Falls Volunteer Fire Dep't		

Current Okanagan Falls Town Centre (C4)	Current Tourist Commercial (CT1)	Proposed OK Falls Town Centre (OFTC)
Principal Uses:	Principal Uses:	Principal Uses:
art gallery library, museum;	n/a	art gallery library, museum;
n/a	n/a	brewery, cidery, distillery or winery;
n/a	n/a	church;
n/a	n/a	
		community hall;
eating and drinking establishment;	eating and drinking establishment;	eating and drinking establishment;
n/a	n/a	educational facility;
amusement establishment, indoor;	indoor / outdoor recreation;	indoor recreational facilities;
hotels / motels;	tourist accommodation;	tourist accommodation;
multi-dwelling units;	n/a	multi-dwelling units;
offices;	[see accessory uses]	offices;
outdoor market;	n/a	outdoor market;
personal services establishment;	[see accessory uses]	personal services establishment;
retail stores, general;	[see accessory uses]	retail stores, general;
Accessory Uses:	Accessory Uses:	Secondary Uses:
accessory dwelling;		
	accessory dwelling;	accessory dwelling;
bed and breakfast;	n/a	bed and breakfast operation;
home occupation;	n/a	home occupation;
[see principal uses]	office;	[see principal uses]
[see principal uses]	personal service establishment;	[see principal uses]
[see principal uses]	retail stores, general;	[see principal uses]
accessory buildings/structures.	accessory buildings/structures.	accessory building/structures.
Minimum Parcel Size:	Minimum Parcel Size:	Minimum Parcel Size:
500 m ²	1,000 m ²	1,000 m ²
Minimum Parcel Width:	Minimum Parcel Width:	Minimum Parcel Width:
Not less than 25% of parcel depth.	Not less than 25% of parcel depth.	Not less than 25% of parcel depth.
Maximum Number of Dwellings/Parcel:	Maximum Number of Dwellings/Parcel:	Maximum Number of Dwellings/Parcel:
n/a	one (1) accessory dwelling	n/a
Maximum Density:	Maximum Density:	Maximum Density:
n/a	n/a	100 units per hectare
Minimum Density:	Minimum Density:	Minimum Density:
n/a	n/a	40 units per hectare
Minimum Setbacks:	Minimum Setbacks:	Minimum Setbacks:
Buildings and structures:	Buildings and structures:	Buildings and structures:
Front: (with lane access) 3.0 metres	Front: 7.5 metres	Front: 0.0 metres
(without lane access) 4.5 metres	Rear: 7.5 metres	Rear: 0.0 metres
Rear: (adjacent a residential zone) 4.5 metres	Interior side: 4.5 metres	Interior side: 0.0 metres
(adjacent all other zones) 0.0 metres	Exterior side: 4.5 metres	Exterior side: 0.0 metres
Interior side: 0.0 metres		Accessory buildings:
Exterior side: 3.0 metres		Front: 6.0 metres
Accessory buildings:		Rear: 1.0 metres
Front: 3.0 metres		Interior side: 1.5 metres
Rear: (adjacent a residential zone) 6.0 metres		Exterior side: 3.0 metres
(adjacent all other zones) 0.0 metres		
Interior side: 1.5 metres		For a parcel line adjacent
Exterior side: 3.0 metres		Highway 97: 4.5 metres
	Maximum Height:	Maximum Height:
Maximum Height		
Maximum Height:		15.0 motros (principal)
12.0 metres (principal)	12.0 metres (principal)	15.0 metres (principal)
12.0 metres (principal) 4.5 metres (accessory)	12.0 metres (principal)	4.5 metres (accessory)
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage:	12.0 metres (principal) Maximum Parcel Coverage:	4.5 metres (accessory) Maximum Parcel Coverage:
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage: 80%	12.0 metres (principal) Maximum Parcel Coverage: 35%	4.5 metres (accessory) Maximum Parcel Coverage: 80%
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage:	12.0 metres (principal) Maximum Parcel Coverage:	4.5 metres (accessory) Maximum Parcel Coverage: 80% Other Regulations
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage: 80% Dwelling Unit Regulations	12.0 metres (principal) Maximum Parcel Coverage: 35%	4.5 metres (accessory) Maximum Parcel Coverage: 80% Other Regulations
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage: 80% Dwelling Unit Regulations multi-dwelling units shall be located above	12.0 metres (principal) Maximum Parcel Coverage: 35% Dwelling Unit Regulations	4.5 metres (accessory) Maximum Parcel Coverage: 80% Other Regulations a minimum area of 10.0 m² of amenity space
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage: 80% Dwelling Unit Regulations multi-dwelling units shall be located above the first floor or at the rear of a building	12.0 metres (principal) Maximum Parcel Coverage: 35% Dwelling Unit Regulations	4.5 metres (accessory) Maximum Parcel Coverage: 80% Other Regulations a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage: 80% Dwelling Unit Regulations multi-dwelling units shall be located above	12.0 metres (principal) Maximum Parcel Coverage: 35% Dwelling Unit Regulations	4.5 metres (accessory) Maximum Parcel Coverage: 80% Other Regulations a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit. where commercial and residential uses occur
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage: 80% Dwelling Unit Regulations multi-dwelling units shall be located above the first floor or at the rear of a building	12.0 metres (principal) Maximum Parcel Coverage: 35% Dwelling Unit Regulations	4.5 metres (accessory) Maximum Parcel Coverage: 80% Other Regulations a minimum area of 10.0 m ² of amenity space shall be provided per dwelling unit. where commercial and residential uses occur in the same building or structure, residential
12.0 metres (principal) 4.5 metres (accessory) Maximum Parcel Coverage: 80% Dwelling Unit Regulations multi-dwelling units shall be located above the first floor or at the rear of a building	12.0 metres (principal) Maximum Parcel Coverage: 35% Dwelling Unit Regulations	4.5 metres (accessory) Maximum Parcel Coverage: 80% Other Regulations a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit. where commercial and residential uses occur

Attachment No. 2 – Commercial Zone Transition to OFTC Zone

Principal Uses: Principal Uses: Principal Uses: Principal Uses: n/a n/a n/a at gallery library, museum: n/a n/a n/a baarding homes; n/a brewery, cidery, distillery or winery; n/a n/a n/a brewery, cidery, distillery or winery; n/a n/a n/a brewery, cidery, distillery or winery; n/a n/a n/a community hall; n/a n/a n/a n/a n/a n/a n/a indoor recreational facilities; n/a n/a n/a orticas multi-fawelling units; n/a n/a n/a orticas multi-fawelling units; n/a n/a n/a orticas couldoor market;	Current Residential Single Fami	ly One (RS1)	Current Residential Multiple F	amily (RM1)	Proposed OK Falls Town C	entre (OFTC)	
n/a n/a n/a art gailery illeray, museum; n/a boarding homes; n/a n/a n/a brewery, cidery, distillery or winery; n/a n/a brewery, cidery, distillery or winery; n/a n/a community halt; n/a n/a community halt; n/a n/a community halt; n/a n/a n/a n/a n/a odfoor recreational facilities; n/a n/a n/a n/a n/a odfoor recreational facilities; n/a n/a n/a <td></td> <td>J ()</td> <td></td> <td>, j, j, j,</td> <td></td> <td></td>		J ()		, j, j, j,			
n/aboarding homes: n/an/an/an/an/an/abrewery, cidery, distillery or winery; church; n/an/an/an/abrewery, cidery, distillery or winery; church; n/an/an/an/acompregate care house; n/aoutdoor recreational facilities; touristics; outdoor market; n/an/an/an/an/an/aoutdoor market; personal services establishment; retail stores, general; rates single detached dwelling;n/an/an/an/an/an/an/an/an/an/an/an/accessory Uses; accessory dwelling;bed and breakfast; bed and bre	•						
n/an/an/abrevery: (dery, distillery or winery: church; n/an/achurch; n/acommunity hall; n/acommunity hall; n/an/acongregate care house; duplex dwellings: n/an/an/an/an/an/aeating and drinking establishment; educational facility; n/an/an/an/aeating and drinking establishment; educational facility; n/an/an/an/aeating and drinking establishment; educational facilities; indoor recreational facilities; n/an/an/an/aindoor recreational facilities; indoor recreational facilities; indoor market; personal services establishment; envice setablishment; n/an/an/an/aoutdoor market; personal services establishment; in/an/an/an/aindoor recreational facilities; indoor market; personal services establishment; in/an/an/an/aoutdoor market; personal services establishment; in/an/an/an/aindoor recreations; bed and breakfast; home occupation; n/abed and breakfast; home occupation; secondary suite; n/aAccessory Uses; accessory building/structures, accessory building/structures, <b< td=""><td colspan="2"></td><td colspan="2"></td><td colspan="2"></td></b<>							
n/an/acommunity hall; congregate care house; compagate care house; on/acommunity hall; n/an/an/an/an/an/an/an/an/an/an/aeating and drinking establishment; educational facility;n/an/an/an/aindoor recreational facility; tourist accommodation;n/an/aindoor recreational facility; tourist accommodation;n/an/aindoor recreational facilities; tourist accommodation;n/an/aindoor recreational facilities; tourist accommodation;n/an/aoutif-amily dwelling units; n/an/an/aindoor recreational facilities; tourist accommodation;n/an/aoutif-amily dwelling; tourist accommodation;n/an/an/an/an/aoutif-amily dwelling; tourist accommodation;n/an/an/an/an/aoutif-amily dwelling; tourist accomy Uses; accessory Uses; accessory Uses; accessory Uses; accessory Uses; accessory buildings/structures, accessory buildings/structure					brewery, cidery, distillery or winery;		
n/a congregate care house: n/a n/a duplex dwellings: n/a n/a n/a eating and drinking establishment; n/a n/a eating and drinking establishment; n/a n/a eating and drinking establishment; n/a n/a indoor recreational facilities; n/a n/a indoor recreational facilities; n/a n/a indoor recreational facilities; n/a n/a multi-family dwelling units; multi-facilities; n/a n/a ourist accommodation; n/a n/a outdoor market; n/a n/a personal services establishment; n/a n/a retail stores; general; n/a n/a retail stores; general; n/a n/a cecessory dwelling; bed and breakfast; bed and breakfast; bed and breakfast; bed and breakfast; bed and breakfast; bed and breakfast; home occupation; n/a retail sales; general accessory buildings/structures. accessory duildings/structures. accessory buildings/structures. accessory buildings/structures. Minimum Parcel Size: n/a Minimum Parcel Size: 1,000 m² 1,000 m			church;		church;		
n/a duplex dwellings: n/a n/a n/a eating and drinking establishment: n/a n/a eating and drinking establishment: n/a n/a indoor recreational facility: n/a n/a indoor recreational facility: n/a n/a indoor recreational facility: n/a n/a tourist accommodation; n/a n/a offices; n/a n/a outif-door recreational facilities; n/a n/a outif-door recreational facilities; n/a n/a outif-door market; n/a n/a n/a n/a n/a outif-door market; n/a n/a n/a n/a n/a n/a n/a n/a n/a n/a accessory dwelling; accessory dwelling; bed and breakfast; bed and breakfast; bed and breakfast; hore occupation; n/a n/a n/a n/a n/a accessory buildings/str			n/a		community hall;		
n/a n/a n/a n/a n/a etting and drinking establishment: n/a n/a etucational facility; n/a n/a n/a n/a n/a indoor recreational facility; n/a n/a outidoor market; n/a n/a outidoor market; n/a n/a outidoor market; n/a n/a n/a n/a n/a outidoor market; n/a n/a n/a n/a n/a n/a n/a n/a accessory Uses: n/a accessory dwelling; accessory dwelling; bed and breakfast; bed and breakfast; bed and breakfast; home occupation; n/a n/a n/a retail sales, general accessory buildings/structures. Minimum Parcel Size: Minimum Parcel Size: Minimum Parcel Size: 1000 m² 1000 m² accessory buildings/structures. Minimum Parcel Width: Mol tess than 25% of parcel depth. Not less than 25% of parcel depth.			congregate care house;		n/a		
n/a n/a educational facility; n/a n/a n/a n/a n/a indoor recreational facility; n/a n/a indoor recreational facilities; n/a n/a tourist accommodation; n/a n/a multi-family dwelling units; multi-family dwelling units; n/a n/a n/a ottourist accommodation; n/a n/a n/a outloor recreational facilities; n/a n/a n/a personal services establishment; n/a n/a n/a personal services establishment; n/a n/a accessory Uses: accessory Uses: n/a accessory Uses: accessory Uses: accessory Uses: n/a accessory Uses: accessory Uses: accessory Uses: n/a n/a retail sales, general [see principal uses] accessory buildings/structures. accessory Uses: accessory Uses: n/a <td>n/a</td> <td></td> <td colspan="2"></td> <td colspan="2"></td>	n/a						
n/an/an/an/an/an/an/aindoor recreational facilities;n/an/an/aindoor recreational facilities;n/an/an/aoutil-dwelling units;n/an/an/aoutil-dwelling units;n/an/an/aoutil-dwelling units;n/an/aoutil-dwelling units;outil-dwelling units;n/an/aoutiloor market;n/an/apersonal services establishment;n/an/apersonal services establishment;n/an/apersonal services establishment;n/an/an/asingle detached dwelling;accessory dwelling;bed and breakfast;bed and breakfast;home occupation;home occupation;home occupation;n/an/aretail sales, generalaccessory buildings/structures.accessory buildings/structures.accessory buildings/structures.accessory buildings/structures.accessory buildings/structures.accessory buildings/structures.667 m²1,000 m²466 m² (single detached dwellings)1,000 m²677 m²1,000 m²Maximum Number of Dwellings/Parcel:Maximum Number of Dwellings/Parcel:one (1) principal dwellingmaximum Number of Dwellings/Parcel:n/aMaximum Number of Dwellings/Parcel:Maximum Number of Dwellings/Parcel:n/aMaximum Number of Dwellings/Parcel:Maximum Number of Dwellings/Parcel:n/aMaximum Number of Area Ratio: <td< td=""><td colspan="2"></td><td colspan="2"></td><td colspan="2"></td></td<>							
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n/a n/a n/a outdoor market; n/a n/a personal services establishment; outdoor market; n/a n/a personal services establishment; retail stores, general; n/a n/a n/a n/a n/a n/a n/a personal services establishment; n/a single detached dwelling; n/a n/a Accessory Uses: Accessory Uses: accessory dwelling; bed and breakfast operation; home occupation; home occupation; bed and breakfast; bed and breakfast operation; n/a retail sales, general accessory buildings/structures. accessory buildings/structures. accessory buildings/structures. accessory buildings/structures. Minimum Parcel Size: Minimum Parcel Size: 667 m ² 1,000 m ² 466 cm ² (single detached dwellings) 1,000 m ² Minimum Parcel Width: Not less than 25% of parcel depth; Not less than 25% of parcel depth. Not less than 25% of parcel depth. Not less than 25% of parcel depth; Not less than 25% of parcel depth. N/a m/a Maximum Number of Dwellings/Parcel: Maximum Number of Dwellings/Parcel:			n/a				
n/a n/a outdoor market; n/a n/a personal services establishment; n/a n/a retail stores, general; single detached dwelling; single detached dwelling; n/a Accessory Uses: Accessory Uses: Accessory Uses: n/a accessory Uses: Accessory Uses: n/a accessory Uses: accessory dwelling; bed and breakfast; bed and breakfast; bed and breakfast; home occupation; home occupation; home occupation; n/a retail sales, general [see principal uses] accessory buildings/structures. accessory buildings/structures. accessory buildings/structures. Minimum Parcel Size: Minimum Parcel Size: Minimum Parcel Vidth: Minimum Parcel Vidth: Not less than 25% of parcel depth. Mol ess than 25% of parcel depth. Not less than 25% of parcel depth. Not less than 25% of parcel depth. N/a n/a n/a n/a n/a Maximum Number of Dwellings/Parcel: maximum Number of Dwellings/Parcel: n/a n/a 0 units per hectare (duplexes) Maximum Number of Dwellings/Parcel: n/a			multi-family dwelling units;				
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n/a n/a retail stores, general; single detached dwelling: single detached dwelling; n/a Accessory Uses: Accessory Uses: accessory Uses: n/a accessory Uses: accessory Uses: n/a accessory Uses: accessory Uses: home occupation; bed and breakfast; bed and breakfast; home occupation; n/a n/a n/a retail sales, general [see principal uses] accessory buildings/structures. accessory buildings/structures. Minimum Parcel Size: 667 m² Minimum Parcel Size: Minimum Parcel Size: Minimum Parcel Size: 667 m² 1,000 m² 1,000 m² 466 m² (single detached dwellings) 1,000 m² 550 m² (duplexes) Minimum Parcel Width: Not less than 25% of parcel depth. Not less than 25% of parcel depth; 15.0 metres (single detached dwellings) n/a 0ne (1) principal dwelling Maximum Number of Dwellings/Parcel: n/a Maximum Number of Dwellings/Parcel: n/a Maximum Density: n/a Maximum Density: n/a n/a Maximum Density: Maximum Density: n/a 100 units per hectare 36 units per hectare (single detached)	n/a		n/a				
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		.5 metres	Front:	7.5 metres	Front:	0.0 metres	
						0.0 metres	
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		1.5 metres				0.0 metres	
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				7.5		6.0 metres	
						1.0 metres	
						1.5 metres	
	Exterior side: 4	1.5 metres				3.0 metres	
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						4.5 metres	
Maximum Height: Maximum Height: Maximum Height:	IVIAXIMUM Height:						
	10.0 metres (principal)		12.0 metres (principal)		15.0 metres (principal)		
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Attachment No. 3 – Residential Zone Transition to OFTC Zone

Current Residential Multiple Family (RM1)	Proposed OK Falls Town Centre (OFTC)
Maximum Parcel Coverage:	Maximum Parcel Coverage:
35%	80%
Dwelling Unit Regulations Minimum Principal Dwelling Unit Width: 5.0 metres, as originally designed and constructed. [various amenity and open space requirements]	Other Regulations a minimum area of 10.0 m ² of amenity space shall be provided per dwelling unit. where commercial and residential uses occur in the same building or structure, residential uses shall have a separate entrance from the exterior of the building and shall not share a common hallway with
	35% Dwelling Unit Regulations Minimum Principal Dwelling Unit Width: 5.0 metres, as originally designed and constructed. [various amenity and open space



Attachment No. 4 – Okanagan Falls Town Centre (OFTC) Zone

BYLAW NO. 2455.39

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.39, 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" Okanagan Falls Town Centre Update Zoning Amendment Bylaw No. 2455.39, 2018."
- 2. The Electoral Area "D" Zoning Bylaw No. 2455, 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

Okanagan Falls Town Centre Zone

ii) by replacing the reference to "Okanagan Falls Town Centre Zone C4" under Section 5.1 (Zoning Districts) with the following:

Okanagan Falls Town Centre Transition Zone C4

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

13.1 OKANAGAN FALLS TOWN CENTRE ZONE (OFTC)

13.1.1 Permitted Uses:

Principal Uses:

- a) art gallery, library, museum;
- b) brewery, cidery, distillery or winery;
- c) church;
- d) community hall;
- e) eating and drinking establishment;

OFTC

- f) educational facility;
- g) indoor recreational facilities;
- h) multi-dwelling units, Subject to Section 13.1.8;
- i) offices;
- j) outdoor market;
- k) personal service establishment;
- I) retail stores, general;
- m) tourist accommodation;

Secondary Uses:

- n) bed and breakfast operation, subject to Section 7.19;
- o) home occupations, subject to Section 7.17; and
- p) accessory buildings and structures, subject to Section 7.13.

13.1.2 Site Specific Okanagan Falls Town Centre (OFTCs) Provisions:

a) see Section 15.18.

13.1.3 Minimum Parcel Size for Subdivision:

a) 1,000 m^2 , subject to servicing requirements.

13.1.4 Minimum Parcel Width for Subdivision:

a) Not less than 25% of parcel depth.

13.1.5 Maximum Density:

a) 100 dwelling units per hectare

13.1.6 Minimum Density:

a) 40 dwelling units per hectare

13.1.7 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 0.0 metres
 - ii) Rear parcel line: 0.0 metres
 - iii) Interior side parcel line: 0.0 metres
 - iv) Exterior side parcel line: 0.0 metres
 - v) for a parcel line adjacent Highway 97 4.5 metres

b) Accessory buildings and 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:	3.0 metres
v)	for a parcel line adjacent Highway 97	4.5 metres

NOTE: the Ministry of Transportation and Infrastructure (MoTI) requires that any building or structure be a minimum of 4.5 metres from a parcel line to a provincial road right-of-way. Obtaining approval from MoTI to place a building or structure within 4.5 metres of a provincial road right-of-way is the responsibility of a property owner.

13.1.8 Maximum 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 4.5 metres.

13.1.9 Maximum Parcel Coverage:

a) 80%

13.1.10 Other Regulations:

- a) a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.
- b) where commercial and residential uses occur in the same building or structure, residential uses shall have a separate entrance from the exterior of the building and shall not share a common hallway with commercial uses.
- iv) renaming Section 13.2 (Okanagan Falls Centre Zone (C4)) as follows:

13.2 Okanagan Falls Town Centre Transition Zone (C4)

v) replacing Section 13.2.2 (Site Specific Okanagan Falls Centre Zone (C4s) Provisions) under Section 13.2 (Okanagan Falls Centre Zone) in its entirety with the following:

13.2.2 Site Specific Okanagan Falls Town Centre Transition Zone (C4s)

a) see Section 17.15

vi) replacing Section 17.15 (Site Specific Highway Commercial Zone (C4s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.15 Site Specific Okanagan Falls Town Centre Transition (C4s) Provisions:

- .1 In the case of land described as Lot 1, Plan KAP3828, District Lot 374, SDYD (5129 9th Avenue), and shown shaded yellow on Figure 17.15.1:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 14.2.1:
 - a) vehicle sales and rentals;
 - b) service industry establishment.



- vii) replacing Section 17.20.1 (Site Specific Tourist Commercial One Zone (CT1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:
 - .1 *deleted*.
- viii) replacing Section 17.20.2 (Site Specific Tourist Commercial One Zone (CT1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:
 - .2 *deleted*.
- 3. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:
 - i) changing the land use designation of the area shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Okanagan Falls Town Centre (C4) to Okanagan Falls Town Centre (OFTC).

- ii) changing the land use designation of the area shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Residential Multiple Family (RM1) to Okanagan Falls Town Centre (OFTC).
- iii) changing the land use designation of the area shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Okanagan Falls Town Centre (OFTC).
- iv) changing the land use designation of the area shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Residential Single Family One (RS1) to Okanagan Falls Town Centre (OFTC).
- v) changing the land use designation of the area shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Okanagan Falls Town Centre (OFTC).
- vi) changing the land use designation of the area shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Okanagan Falls Town Centre (OFTC).
- vii) changing the land use designation of the area shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Parks and Recreation (PR).
- viii) changing the land use designation of the area shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Okanagan Falls Town Centre (C4) to General Commercial (C1).
- ix) changing the land use designation of all parcels zoned Okanagan Falls Town Centre (C4) to Okanagan Falls Town Centre Transition (C4).
- x) changing the land use designation of all parcels zoned Okanagan Falls Town Centre Site Specific (C4s) to Okanagan Falls Town Centre Transition Site Specific (C4s).

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

PUBLIC HEARING HELD 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-2" Okanagan Falls Town Centre Update Zoning Amendment Bylaw No. 2455.39, 2018" as read a Third time by the Regional Board on this ____day of ____, 2018.

Dated at Penticton, BC this ____ day of ____, 2018.

Chief Administrative Officer

Approved pursuant to Section 52(3) of the *Transportation Act* 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. 2455.39, 2018

Project No: D2018.100-ZONE



Amendment Bylaw No. 2455.39, 2018 (D2018.100-ZONE) Page 7 of 14

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Amendment Bylaw No. 2455.39, 2018

Project No: D2018.100-ZONE



Amendment Bylaw No. 2455.39, 2018 (D2018.100-ZONE) Page 8 of 14

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Amendment Bylaw No. 2455.39, 2018

Project No: D2018.100-ZONE



Amendment Bylaw No. 2455.39, 2018 (D2018.100-ZONE) Page 9 of 14

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Amendment Bylaw No. 2455.39, 2018

Project No: D2018.100-ZONE



Amendment Bylaw No. 2455.39, 2018 (D2018.100-ZONE) Page 10 of 14

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Amendment Bylaw No. 2455.39, 2018

Project No: D2018.100-ZONE



Amendment Bylaw No. 2455.39, 2018 (D2018.100-ZONE) Page 11 of 14

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Amendment Bylaw No. 2455.39, 2018

Project No: D2018.100-ZONE



Amendment Bylaw No. 2455.39, 2018 (D2018.100-ZONE) Page 12 of 14

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Amendment Bylaw No. 2455.39, 2018

Project No: D2018.100-ZONE



Amendment Bylaw No. 2455.39, 2018 (D2018.100-ZONE) Page 13 of 14

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Amendment Bylaw No. 2455.39, 2018





Amendment Bylaw No. 2455.39, 2018 (D2018.100-ZONE) Page 14 of 14

BYLAW NO. 2603.16

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.16, 2018

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

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

- 1. This Bylaw may be cited for all purposes as the "Electoral Area "D2" Okanagan Falls Town Centre Update Official Community Plan Amendment Bylaw No. 2603.16, 2018."
- 2. The Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:
 - i) by replacing Section 12.3.1 under Section 12.0 (Town Centre) in its entirety with the following:
 - .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 & high density residential (i.e. triplex, fourplex and apartment building) uses.
 - ii) by replacing Section 12.3.6 under Section 12.0 (Town Centre) in its entirety with the following:
 - .6 May support increased building heights (i.e. greater than 15.0 metres) between 8th Avenue and 9th Avenue where a high standard of architectural design and public amenity (i.e. affordable housing, public infrastructure upgrades, etc.) can be demonstrated.
 - iii) by replacing the first sentence of Section 17.2.4 under Section 17.0 (Natural Environment & Conservation) in its entirety with the following:
 - .14 Requires that a public access corridor of not less than 7.0 metres in width (measured from the high-water mark of Skaha Lake), be provided along the waterfront of new developments on lands designated Town Centre (TC) in Okanagan Falls.

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

PUBLIC HEARING HELD this _____ day of _____, 2018.

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

ADOPTED this _____ day of _____, 2018.

Board Chair

Chief Administrative Officer

RESPONSE SI	UMMARY	
AMENDMENT BYLAW NOS. 2455.39		
Approval Recommended for Reasons Outlined Below Interests Unaffected by Byl		
Approval Recommended Subject to Conditions Below	Approval Not Recommended Dut to Reasons Outlined Below	
	ł	
ature: AUR:11	Signed By:Janelle Rimell	
ncy:Interior Health Authority	Title: Environmental Health Officer	

From:	Clifford, Robyn M TRAN:EX
To:	Christopher Garrish
Cc:	Mitch Benke; Rob Bitte
Subject:	Bylaw 2455.39 - OFTC zone
Date:	September 25, 2018 3:12:11 PM

Our file: 2018-05022 Your file: D2018.100- Zone

Good afternoon Chris,

As per our earlier discussions, we have the following concerns relating to the proposed OFTC zone:

- Page 1, Sec. 2.iii reference to new "Sec. 9.5 Off-Street Vehicle Parking Exemption", specifically regarding the 50% reduction in on-site parking for commercial uses. As discussed, this reduction in parking is not supported by the Ministry. All public roads in the Okanagan Falls area are provincial highways under Ministry jurisdiction therefore ministry parking standards apply as a minimum.
- Page 2, Sec. 13.1.2.a) reference to Sec. 15.18: where is this located in the bylaw?
- Page 3, Sec. 13.1.7.b) Accessory building setback: please add an additional item v) to reflect a 4.5 metre minimum setback adjacent any public road (as per the preceding paragraph).
- Page 4, reference to deletion of Sec. 17.20.1 and Sec. 17.20.2 however there doesn't appear to be any schedule for rezoning the affected properties once these sections are deleted.

Please call if you have any questions in this regard.

Yours truly,

Robyn M. Clifford Sr. District Development Technician Ministry of Transportation & Infrastructure, Okanagan Shuswap District tel 250.712-3665 cell 250.878-4518 email <u>robyn.clifford@gov.bc.ca</u>



OKANAGAN.

SIMILKAMEEN

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:

D: Regional District of Okanagan Similkameen

FROM:

(please print)

Street Address: * also

Name:

RE:

Electoral Area "D" Zoning Amendment Bylaw No. 2455.39 OK Falls Town Centre Plan Implementation – Phase 2 (Zoning Amendments)

FILE NO .: D2018.100-ZONE

My comments / concerns are:



I do support the proposed amendments to the Electoral Area "D" Zoning Bylaw.

l <u>do</u> support the proposed amendments to the Electoral Area "D" Zoning Bylaw, subject to the comments listed below.

I do not support the proposed amendments to the Electoral Area "D" Zoning Bylaw.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2455.39.

Feedback Forms must be completed and returned to the Regional District no later than Friday October 5, 2018

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 *Freedam of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

ADMINISTRATIVE REPORT

TO:	Board of Directors
FROM:	B. Newell, Chief Administrative Officer
DATE:	October 18, 2018
RE:	Zoning Bylaw Amendments – Electoral Areas "A", "C", "D", "E" & "F" Tourist Commercial Zone Review and Consolidation

Administrative Recommendation:

THAT Bylaw No. 2808, 2018, Regional District of Okanagan-Similkameen Tourist Commercial Zone Update Amendment Bylaw be adopted.

Purpose:

Amendment Bylaw No. 2808 seeks to amend the Okanagan Valley Electoral Area Zoning Bylaws in order to update the Tourist Commercial Zones. 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 July 20, 2017, the Planning and Development (P&D) Committee of the Board considered an Administrative Report (for information) related to a proposed update of the Tourist Commercial Zones.

On May 11, 2018, the Regional District sent letters to all registered property owners with land zoned Tourist Commercial advising of the proposed changes to the land use bylaws and seeking feedback.

At its meeting of July 19, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of August 16, 2018.

On August 16, 2018, a public hearing was held at 101 Martin Street, Penticton (RDOS offices) and was attended by approximately twelve (12) members of the public.

At its meeting of August 16, 2018, the Board resolved to defer consideration of Bylaw No. 2808, 2018 "until the Oct 4, 2018, Board Meeting to enable a public information meeting and a second statutory public hearing to which be delegated to the Electoral Area "D" Director."

On September 17, 2018, a public hearing was held at 101 Martin Street, Penticton (RDOS offices) and was attended by approximately 21 members of the public. The public hearing was proceeded by an informal Question and Answer (Q&A) session on the amendment bylaw that was attended by approximately 21 members of the public.

At its meeting of October 4, 2018, the Regional District Board resolved to approve third reading, as amended, of the amendment bylaw.

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 October 9, 2018.

SIMILKAMEEN

Alternatives:

THAT first, second and third reading of Bylaw No. 2808, 2018, Regional District of Okanagan-Similkameen Commercial Zone Update Amendment Bylaw, be rescinded and the bylaw abandoned.

Respectfully submitted:

Endorsed by:

C. Garrish, Planning Supervisor

B. Dollevoet, Development Services Manager

BYLAW NO. 2808

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2808, 2018

A Bylaw to amend the Electoral Area "A", "C", "D", "E" and "F" 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 Okanagan Electoral Area Tourist Commercial Zone Update Amendment Bylaw No. 2808, 2018."

Electoral Area "A"

- 2. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
 - i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

"motorsports facility" means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Commercial Zones

General Commercial Zone

C1

iii) adding a new section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Tourist Commercial Zones

Tourist Commercial Zone	CT1
Campground Commercial Zone	CT2

iv) amending Section 13.2 (Tourist Commercial One Zone) to read as follows

13.2 *deleted*.

v) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

14.0 TOURIST COMMERCIAL ZONES

14.1 TOURIST COMMERCIAL ZONE (CT1)

14.1.1 Permitted Uses:

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) office;
- g) personal service establishment, not to exceed 200 m² in gross floor area;
- h) retail store, general, not to exceed 250 m² in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:

a) see Section 16.12

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 the 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
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

14.1.7 Maximum Height:

a) No building or structure shall exceed a height of 12.0 metres.

14.1.8 Maximum Parcel Coverage:

a) 35%

14.2 CAMPGOUND COMMERCIAL ZONE (CT2)

14.2.1 Permitted Uses:

Principal Uses:

a) campground;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m^2 in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Campground Commercial (CT2s) Provisions:

a) see Section 16.17

14.2.3 Minimum Parcel Size:

a) 2.0 ha

14.2.4 Minimum Parcel Width:

a) Not less than 25% of the 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 line7.5 metresii)Rear parcel line7.5 metresiii)Interior side parcel line4.5 metresiv)Exterior side parcel line4.5 metres

14.2.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 13.3.7(a), a tourist cabin shall not exceed one storey and a maximum height of 5.0 metres.

14.2.8 Maximum Parcel Coverage:

a) 20%

14.2.9 General Provisions:

- a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;
- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of tourist cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m² including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.
- vi) replacing Section 16.12 (Site Specific Tourist Commercial One (CT1s) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

16.12 Site Specific Tourist Commercial (CT1s) Provisions:

- .1 in the case of land described as Lot 2, Plan KAP7911, District Lot 2450S, SDYD (9506 6th Avenue), and shown shaded yellow on Figure 16.12.3:
 - a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 14.2.1:



i) "single detached dwelling".

vii) adding a new Section 16.17 (Site Specific Campground Commercial (CT2s) Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

16.17 Site Specific Campground Commercial (CT2s) Provisions:

- .1 Not applicable
- 3. The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
 - i) changing the land use designation on an approximately 2.25 ha part of the land described as Lot 640, Plan KAP1950, District Lot 2450S, SDYD, Except Plan B3527, 3705, 5125 and B7120 (401 2nd Avenue), and as shown shaded yellow on Schedule 'A-1', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Campground Commercial (CT2).
 - changing the land use designation on an approximately 1.67 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion Lot 677 (9330 202nd Avenue), and as shown shaded yellow on Schedule 'A-2', which forms part of

this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Campground Commercial (CT2).

- iii) changing the land use designation of the land described as Lot A, Plan KAP10545, District Lot 100, SDYD, Portion Plus Lot 1, Plan 19864, Except Plan 19864; and Lot A, Plan KAP81557, District Lot 100, SDYD (2231 45th Street), and as shown shaded yellow on Schedule 'A-3', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Campground Commercial (CT2).
- iv) changing the land use designation of the land described as Lot 1, Plan KAP5097, District Lot 42, SDYD (1219 45th Street); and part of Lot 3, Plan KAP3345, District Lot 42, SDYD, Except Plan 5097, and as shown shaded yellow on Schedule 'A-4', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Campground Commercial (CT2).
- v) changing the land use designation of the land described as Lot 3, Plan KAP3345, District Lot 42, SDYD, Except Plan 5097, and as shown shaded purple on Schedule 'A-4', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Campground Commercial (CT2).
- vi) changing the land use designation of all parcels zoned Tourist Commercial One (CT1) to Tourist Commercial (CT1).

Electoral Area "C"

- 4. The Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
 - i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

"motorsports facility" means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Commercial Zones	
General Commercial Zone	C1
Service Commercial Zone	CS1

iii) adding a section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Tourist Commercial Zones

Tourist Commercial Zone

Campground Commercial Zone	CT2
Golf Course Commercial Zone	CT3

iv) replacing Section 13.5 (Tourist Commercial One Zone) in its entirety with the following:

13.5 *deleted*.

v) replacing Section 13.6 (Tourist Commercial Four (Campground) Zone) in its entirety with the following:

13.6 *deleted*.

vi) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

14.0 TOURIST COMMERCIAL ZONES

14.1 TOURIST COMMERCIAL ZONE (CT1)

14.1.1 Permitted Uses:

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) office;
- g) personal service establishment, not to exceed 200 m² in gross floor area;
- h) retail stores, general, not to exceed 250 m² in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:

a) see Section 16.17

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 the 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 line7.5 metresii)Rear parcel line7.5 metresiii)Interior side parcel line4.5 metresiii)Extended to the set of the set
 - iv) Exterior side parcel line 4.5 metres

14.1.7 Maximum Height:

a) No building or structure shall exceed a height of 12.0 metres.

14.1.8 Maximum Parcel Coverage:

a) 35%

14.4 CAMPGOUND COMMERCIAL ZONE (CT2)

14.2.1 Permitted Uses:

Principal Uses:

a) campground;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m^2 in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Campground Commercial (CT2s) Provisions:

a) see Section 16.18

14.2.3 Minimum Parcel Size:

a) 2.0 ha, subject to servicing requirements.

14.2.4 Minimum Parcel Width:

a) Not less than 25% of the 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	7.5 metres
iii)	Interior side parcel line	4.5 metres
iv)	Exterior side parcel line	4.5 metres

14.2.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 13.4.7, a tourist cabin may not exceed a height of 5.0 metres.

14.2.8 Maximum Parcel Coverage:

a) 20%

14.2.9 General Provisions:

- a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;
- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m² including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

14.3 GOLF COURSE COMMERCIAL ZONE (CT3)

14.3.1 Permitted Uses:

Principal Uses:

a) golf course;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11; and
- c) accessory buildings and structures, subject to Section 7.13.

14.3.2 Site Specific Golf Course Commercial (CT3s) Provisions:

a) see Section 16.19

14.3.3 Minimum Parcel Size:

a) 20.0 ha

14.3.4 Minimum Parcel Width:

a) Not less than 25% of the parcel depth

14.3.5 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) accessory dwelling.

14.3.6 Minimum Setbacks:

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

14.3.7 Maximum Height:

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

14.3.8 Maximum Parcel Coverage:

a) 5%

- vii) replacing Section 16.1.1 (Site Specific Resource Area (RAs) Provisions) under Section 16.0 (Site Specific Provisions) with the following:
 - .1 *deleted*.
- viii) replacing Section 16.17 (Site Specific Neighbourhood Commercial (C3s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:

16.17 Site Specific Tourist Commercial (CT1s) Provisions:

- .1 In the case of part of the land described as Lot 1, Plan KAP10731, District Lot 2450S, SDYD, Except Plan KAP11492 and KAP16769 (5457 Highway 97), and shown shaded yellow on Figure 16.17.1:
 - a) the following accessory use shall be permitted in addition to the permitted uses listed in Section 14.1.1:
 - i) campground, accessory to a motel use and subject to all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018,* as amended from time to time that have not been specified in this particular bylaw.



.2 In the case of part of the land described as Lot 1, Plan KAP68288, District Lot 2450S, SDYD (5650 Highway 97), and shown shaded yellow on Figure 16.17.2:

- a) the following accessory use shall be permitted in addition to the permitted uses listed in Section 14.1.1:
 - i) campground, accessory to a motel use and subject to all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw.



ix) replacing Section 16.18 (Site Specific Commercial Amusement (C6s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:

16.18 Site Specific Campground Commercial (CT2s) Provisions:

- .1 Not applicable
- x) replacing Section 16.19 (Site Specific Tourist Commercial One (CT1s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:

16.19 Site Specific Golf Course Commercial (CT3s) Provisions:

- .1 Not applicable
- xi) replacing Section 16.20 (Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:

16.20 deleted.

- 5. 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 of the land described as Lot 1, Plan KAP42096, District Lot 28S, SDYD (8374 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-1', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Campground Commercial (CT2).
 - ii) changing the land use designation on an approximately 4.8 ha of the land described as Lot 3, Plan KAP3579, District Lot 28S, SDYD, Portion Lying North of Plan 4507; and Lot 3, Plan KAP3579, District Lot 28S, SDYD, Except Plan 4057, 19130, Except Part Lying North of 4507 (8487 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-2', which forms part of this Bylaw, from Tourist Commercial Four (Campground) Site Specific (CT4s) to Campground Commercial (CT2).
 - iii) changing the land use designation of the land described as Lot A, Plan KAP91344, District Lot 2450S, SDYD (8112 Highway 97), and as shown shaded yellow on Schedule 'C-3', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
 - iv) changing the land use designation of the land described as Lot 1, Plan KAP10731, District Lot 2450S, SDYD, Except Plan KAP11492 & KAP16769 (5457 Highway 97), and as shown shaded yellow on Schedule 'C-4', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Tourist Commercial Site Specific (CT1s).
 - v) changing the land use designation of the land described as Lot 1, Plan KAP68288, District Lot 2450S, SDYD (5650 Highway 97), and as shown shaded yellow on Schedule 'C-5', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Tourist Commercial Site Specific (CT1s).
 - vi) changing the land use designation of the land described as Lot 1, Plan KAP62023, District Lot 2450S, SDYD, and as shown shaded yellow on Schedule 'C-6', which forms part of this Bylaw, from Resource Area Site Specific (RAs) to Golf Course Commercial (CT3).
 - vii) changing the land use designation of the land described as Lot 2, Plan KAP42096, District Lot 28S, SDYD (8464 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-7', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).

Electoral Area "D-1"

6. The Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, is amended by:

i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

"motorsports facility" means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Commercial Zones	
General Commercial Zone	C1
Service Commercial Zone	CS1

iii) adding a section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Tourist Commercial Zones	
Tourist Commercial Zone	CT1
Campground Commercial Zone	CT2
Golf Course Commercial Zone	CT3

- iv) replacing Section 10.1.1(b) under Section 10.1 (Resource Area Zone) with the following:
 - b) *deleted*;
- v) replacing Section 13.3 (Tourist Commercial One Zone) in its entirety with the following:

13.3 *deleted*.

vi) replacing Section 13.4 (Tourist Commercial Four (Campground) Zone) in its entirety with the following:

13.4 deleted.

vii) replacing Section 13.6 (Tourist Commercial Six Zone) in its entirety with the following:

13.6 *deleted*.

viii) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

14.0 TOURIST COMMERCIAL ZONES

14.1 TOURIST COMMERCIAL ZONE (CT1)

14.1.1 Permitted Uses:

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) office;
- g) personal service establishment, not to exceed 200 m² in gross floor area;
- h) retail stores, general, not to exceed 250 m² in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:

a) see Section 16.17

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 the 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
ii)	Rear parcel line	7.5 metres
iii)	Interior side parcel line	4.5 metres

iv) Exterior side parcel line

14.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 12.0 metres.
- 14.1.8 Maximum Parcel Coverage:
 - a) 35%

14.2 CAMPGOUND COMMERCIAL ZONE (CT2)

14.2.1 Permitted Uses:

Principal Uses:

a) campground;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m² in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Campground Commercial (CT2s) Provisions:

a) see Section 16.18

14.2.3 Minimum Parcel Size:

a) 2.0 ha, subject to servicing requirements.

14.2.4 Minimum Parcel Width:

a) Not less than 25% of the 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 7.5 metres

iii)	Interior side parcel line	4.5 metres
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iv) Exterior side parcel line 4.5 metres

14.2.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 13.4.7, a tourist cabin may not exceed a height of 5.0 metres.

14.2.8 Maximum Parcel Coverage:

a) 20%

14.2.9 General Provisions:

- a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;
- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m² including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

14.3 GOLF COURSE COMMERCIAL ZONE (CT3)

14.3.1 Permitted Uses:

Principal Uses:

a) golf course;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11; and
- c) accessory buildings and structures, subject to Section 7.13.

14.3.2 Site Specific Golf Course Commercial (CT3s) Provisions:

a) see Section 16.26

14.3.3 Minimum Parcel Size:

a) 20.0 ha

14.3.4 Minimum Parcel Width:

a) Not less than 25% of the parcel depth

14.3.5 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) accessory dwelling.

14.3.6 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

14.3.7 Maximum Height:

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

14.3.8 Maximum Parcel Coverage:

- a) 5%
- ix) replacing Section 16.17 (Site Specific Tourist Commercial One (CT1s) Provisions) under Section 16.0 (Site Specific Designation) to read as follows:

16.17 Site Specific Tourist Commercial (CT1s) Provisions:

- .1 Not applicable
- x) replacing Section 16.18 (Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions) under Section 16.0 (Site Specific Designation) to read as follows:

16.18 Site Specific Campground Commercial (CT2s) Provisions:

- .1 Not applicable
- xi) replacing Section 16.26 (Site Specific Tourist Commercial Six (CT6s) Provisions) under Section 16.0 (Site Specific Designation) to read as follows:

16.26 Site Specific Golf Course Commercial (CT3s) Provisions:

.1 Not applicable

- 7. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
 - changing the land use designation of the land described as Lot A, Plan KAP79769, District Lot 103S, SDYD (100 Ash Avenue), and shown shaded yellow on Schedule 'I-1', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
 - ii) changing the land use designation of an approximately 3.0 ha part of the land described as Parcel Z, Plan KAP719, District Lot 3757, SDYD, Except Plan EPP59624 (928 Pineview Drive), and shown shaded yellow on Schedule 'I-2', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
 - iii) changing the land use designation of an approximately 45.0 ha part of the land described as Parcel A, Plan KAP46761, District Lot 228S, 2169 & 4098S, SDYD, Except Plan KAP53180 (79 Twin Lakes Road), and shown shaded yellow on Schedule 'I-3', which forms part of this Bylaw, from Tourist Commercial Six (CT6) to Golf Course Commercial (CT3).
 - iv) changing the land use designation of the land shown shaded purple on Schedule 'I-4', which forms part of this Bylaw, from Residential Single Family One (RS1) to General Commercial (C1).
 - v) changing the land use designation of all parcels zoned Tourist Commercial One (CT1) to Tourist Commercial (CT1).

Electoral Area "D-2"

Commercial Zones

- 8. The Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by:
 - i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

"motorsports facility" means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

General Commercial Zone	C1
Okanagan Falls Town Centre Zone	C2
Recreational Vehicle Park Zone	C7

Service Commercial Zone

iii) adding a new section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Tourist Commercial Zones	
Tourist Commercial Zone	CT1
Campground Commercial Zone	CT2
Penticton Speedway Zone	CT5

iv) replacing Section 13.4 (Commercial Amusement Zone) in its entirety with the following:

13.4 *deleted*.

v) replacing Section 13.7 (Tourist Commercial One Zone) in its entirety with the following:

13.7 *deleted*.

vi) replacing Section 13.8 (Tourist Commercial Four (Campground) Zone) in its entirety with the following:

13.8 *deleted*.

vii) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumber all subsequent sub-sections:

14.0 TOURIST COMMERCIAL ZONES

14.1 TOURIST COMMERCIAL ZONE (CT1)

14.1.1 Permitted Uses:

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

e) accessory dwelling, subject to Section 7.11;

- f) office;
- g) personal service establishment, not to exceed 200 m² in gross floor area;
- h) retail stores, general, not to exceed 250 m² in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:

a) see Section 17.20

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 the 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
ii)	Rear parcel line	7.5 metres

- iii) Interior side parcel line 4.5 metres
- iv) Exterior side parcel line 4.5 metres

14.1.7 Maximum Height:

a) No building or structure shall exceed a height of 12.0 metres.

14.1.8 Maximum Parcel Coverage:

a) 35%

14.2 CAMPGOUND COMMERCIAL ZONE (CT2)

14.2.1 Permitted Uses:

Principal Uses:

a) campground;

Accessory Uses:
- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m² in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Campground Commercial (CT2s) Provisions:

a) see Section 17.21

14.2.3 Minimum Parcel Size:

a) 2.0 ha, subject to servicing requirements.

14.2.4 Minimum Parcel Width:

a) Not less than 25% of the 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 7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

14.2.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 14.2.7, a tourist cabin may not exceed a height of 5.0 metres.

14.2.8 Maximum Parcel Coverage:

a) 20%

14.2.9 General Provisions:

a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;

- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m² including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

14.3 PENTICTON SPEEDWAY ZONE (CT5)

14.3.1 Permitted Uses:

Principal Uses:

a) motorsports facility;

Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) equestrian centres;
- e) indoor recreation;
- f) outdoor recreation;
- g) retail store, general, not to exceed 200 m² gross floor area; and
- h) accessory buildings and structures, subject to Section 7.13.

14.3.2 Site Specific Penticton Speedway (CT5s) Provisions:

a) see Section 17.17

14.3.3 Minimum Parcel Size:

a) 5.0 ha

14.3.4 Minimum Parcel Width:

a) Not less than 25% of parcel depth.

14.3.5 Maximum Number of Dwellings Permit Per Parcel:

a) one (1) accessory dwelling.

14.3.6 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	3.0 metres
iv)	Exterior side parcel line	4.5 metres

iv) Exterior side parcel line

14.3.7 Maximum Height:

a) No building or structure shall exceed a height of 12.0 metres.

14.3.8 Maximum Parcel Coverage:

a) 35%

viii) replacing Section 17.17 (Site Specific Commercial Amusement (C6s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

17.17 Site Specific Penticton Speedway (CT5s) Provisions:

- .1 Not applicable
- ix) replacing Section 17.21 (Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

17.21 Site Specific Campground Commercial (CT2s) Provisions:

- .1 Not applicable
- x) replacing Section 17.20 (Site Specific Tourist Commercial (CT1s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

17.20 Site Specific Tourist Commercial (CT1s) Provisions:

- .1 In the case of land described as Lot 1, Plan KAS666, District Lot 337, SDYD (5133 7th Avenue); Lot A, Plan 19990, District Lot 337, SDYD (5220 8th Avenue); and Lot 6, Plan 12468, District Lot 337, Except Plan 19990, SDYD (5205 7th Avenue), and shown shaded yellow on Figure 17.20.1:
 - a) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 14.1.1:
 - i) multi-family dwelling units or groups of multi-family dwelling units.

- b) despite Section 14.1.7, no building or structure shall exceed a height of 18.0 metres beyond 150.0 metres of the High Water Mark of Skaha Lake;
- c) despite Section 14.1.8, the maximum parcel coverage shall be 40%; and



d) the maximum floor area ratio is 1.0.

xi) replacing Section 17.21 (Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

17.21 Site Specific Campground Commercial (CT2s) Provisions:

- .1 Not applicable
- xii) adding a new Section 17.32.2 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:
 - .2 in the case of land described as Lot 1, Plan KAP7681, District Lot 10, SDYD, Except Plan H950 (1902 Highway 97), and shown shaded yellow on Figure 17.32.1:
 - i) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 10.6.1:
 - .1 retail stores, general, not to exceed 250 m² in gross floor area.



- 9. 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 KAP23219, District Lot 2710, SDYD, Subsidy Lot 17 (2070 Carmi Road), and as shown shaded yellow on Schedule 'D-1', which forms part of this Bylaw, from Commercial Amusement (C6) to Penticton Speedway (CT5).
 - changing the land use designation of an approximately 2.5 ha area of the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 17, Except Plan 23219 26390 28957 31444 31786 32942 KAP44266 KAP49472 KAP50708, & EXC PL: KAP50709 KAP51358 KAP57111 KAP58268 KAP63730 (2301 Beaverdell Road), and as shown shaded yellow on Schedule 'D-2', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
 - iii) changing the land use designation of the land described as Lot 2, Plan KAP44365, District Lot 2710, SDYD, Subsidy Lot 15 (3216 Vaseux Lake Crescent), and as shown shaded yellow on Schedule 'D-3', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
 - iv) changing the land use designation of the land described as Lot 9, Plan KAP15861B, District Lot 697S, SDYD, Portion of Plan 1434 (590 Sovereign Road), and as shown shaded yellow on Schedule 'D-4', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).

- v) changing the land use designation of the land described as Parcel D, Plan KAP5225B, District Lot 374, SDYD, Portion of Plan 4 (808 Main Street), and as shown shaded yellow on Schedule 'D-5', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
- vi) changing the land use designation of the land described as Lots A & B, District Lot 2883S, Plan KAP64527, SDYD (5356 8th Avenue) shown shaded yellow on Schedule 'D-6', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
- vii) changing the land use designation of an approximately 1.7 ha part of the land described as Lot 1, Plan KAP1340, Township 85, SDYD, Section 16 & 21 (3500 Highway 97), and as shown shaded yellow on Schedule 'D-7', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
- viii) changing the land use designation of the land described as Lot 1, Plan KAP7681, District Lot 10, SDYD, Except Plan H950 (1902 Highway 97), and as shown shaded yellow on Schedule 'D-8', which forms part of this Bylaw, from Tourist Commercial One (C) to Small Holdings Two Site Specific (SH2s).
- ix) changing the land use designation of all parcels zoned Tourist Commercial One (CT1) to Tourist Commercial (CT1).

Electoral Area "E"

10. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:

i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

"motorsports facility" means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Commercial Zones

General Commercial Zone

C1

iii) adding a section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Tourist Commercial Zones

Tourist Commercial Zone

CT1

- iv) replacing Section 10.1.1(b) under Section 10.1 (Resource Area Zone) with the following:
 - b) *deleted*;
- v) replacing Section 13.2 (Tourist Commercial One Zone) in its entirety with the following:

13.2 *deleted*.

vi) adding a Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

14.0 TOURIST COMMERCIAL ZONES

14.1 TOURIST COMMERCIAL ZONE (CT1)

14.1.1 Permitted Uses:

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) office;
- g) personal service establishment, not to exceed 200 m² in gross floor area;
- h) retail stores, general, not to exceed 250 m² in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:

a) see Section 15.12

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 the 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
	ii)	Rear parcel line	7.5 metres
	iii)	Interior side parcel line	14.5 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	1.5 metres
	iii)	Interior side parcel line	14.5 metres
	iv)	Exterior side parcel line	4.5 metres

14.1.7 Maximum Height:

a) No building shall exceed a height of 12.0 metres.

14.1.8 Maximum Parcel Coverage:

- a) 35%
- vii) replacing Section 15.12 (Site Specific Tourist Commercial One (CT1) Provisions) under Section 15.0 (Site Specific Designations) in its entirety with the following:

15.12 Site Specific Tourist Commercial (CT1s) Provisions:

- .1 *deleted*.
- 11. 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 3,725 m² area of the land described as Lot 1, Plan KAP79439, District Lot 210, SDYD (3635 1st Street), and shown shaded yellow on Schedule 'E-1', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Tourist Commercial (CT1).
 - ii) changing the land use designation of an approximately 1,230 m² area of the land described as Lot 1, Plan KAP79439, District Lot 210, SDYD (3635 1st Street), and

shown shaded purple on Schedule 'E-1', which forms part of this Bylaw, from Residential Single Family One (RS1) to Tourist Commercial (CT1).

iii) changing the land use designation of all parcels zoned Tourist Commercial One (CT1) to Tourist Commercial (CT1).

Electoral Area "F"

- 12. The Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
 - i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

"motorsports facility" means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Commercial Zones

General Commercial Zone

C1

iii) adding a section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Tourist Commercial Zones	

Tourist Commercial Zone	CT1
Campground Commercial Zone	CT2
Golf Course Commercial Zone	CT3
Marina Commercial Zone	CT4

- iv) replacing Section 10.1.1(c) under Section 10.1 (Resource Area Zone) with the following:
 - c) deleted;
- v) replacing Section 10.1.1(g) under Section 10.1 (Resource Area Zone) with the following:
 - g) deleted;
- vi) replacing Section 10.1.5 under Section 10.1 (Resource Area Zone) with the following:

10.1.5 *deleted*

vii) replacing Section 13.2 (Marina Commercial Zone) in its entirety with the following:

13.2 deleted.

viii) replacing Section 13.3 (Tourist Commercial One Zone) in its entirety with the following:

13.3 *deleted*.

ix) replacing Section 13.4 (Tourist Commercial Two (Limited) Zone) in its entirety with the following:

13.4 *deleted*.

x) replacing Section 13.5 (Tourist Commercial Three (Limited) Zone) in its entirety with the following:

13.5 *deleted*.

xi) replacing Section 13.6 (Tourist Commercial Five Zone) in its entirety with the following:

13.6 *deleted*.

xii) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

14.0 TOURIST COMMERCIAL ZONES

14.1 TOURIST COMMERCIAL ZONE (CT1)

14.1.1 Permitted Uses:

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) docks, subject to Section 7.26;

- g) office;
- h) personal service establishment, not to exceed 200 m² in gross floor area;
- i) retail stores, general, not to exceed 250 m² in gross floor area; and
- j) accessory buildings and structures, subject to Section 7.13.

14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:

a) see Section 16.15

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 the 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

14.1.7 Maximum Height:

a) No building or structure shall exceed a height of 12.0 metres.

14.1.8 Maximum Parcel Coverage:

a) 35%

14.2 CAMPGOUND COMMERCIAL ZONE (CT2)

14.2.1 Permitted Uses:

Principal Uses:

a) campground;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m² in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Campground Commercial (CT2s) Provisions:

a) see Section 16.16

14.2.3 Minimum Parcel Size:

a) 2.0 ha, subject to servicing requirements.

14.2.4 Minimum Parcel Width:

a) Not less than 25% of the 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 7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

14.2.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 13.4.7, a tourist cabin may not exceed a height of 5.0 metres.

14.2.8 Maximum Parcel Coverage:

a) 20%

14.2.9 General Provisions:

a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;

- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m² including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

14.3 GOLF COURSE COMMERCIAL ZONE (CT3)

14.3.1 Permitted Uses:

Principal Uses:

a) golf course;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11; and
- c) accessory buildings and structures, subject to Section 7.13.
- 14.3.2 Site Specific Golf Course Commercial (CT3s) Provisions:
 - a) see Section 16.17
- 14.3.3 Minimum Parcel Size:
 - a) 20.0 ha
- 14.3.4 Minimum Parcel Width:
 - a) Not less than 25% of the parcel depth
- 14.3.5 Maximum Number of Dwellings Permitted Per Parcel:
 - a) one (1) accessory dwelling.

14.3.6 Minimum Setbacks:

- a) Buildings and structures:
 - i)Front parcel line7.5 metresii)Rear parcel line7.5 metresiii)Interior side parcel line4.5 metres

iv) Exterior side parcel line

4.5 metres

14.3.7 Maximum Height:

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

14.3.8 Maximum Parcel Coverage:

a) 5%

14.4 MARINA COMMERCIAL ZONE (CT4)

14.4.1 Permitted Uses:

Principal Uses:

a) marina;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11; and
- c) accessory buildings and structures, subject to Section 7.13.

14.4.2 Site Specific Marina Commercial (CT4s) Provisions:

a) see Section 16.14

14.4.3 Minimum Parcel Size:

a) 1.0 ha, subject to servicing requirements.

14.4.4 Minimum Parcel Width:

a) Not less than 25% of the parcel depth

14.4.5 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) accessory dwelling.

14.4.6 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

14.4.7 Maximum Height:

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

14.4.8 Maximum Parcel Coverage:

- a) 30%
- xiii) replacing Section 16.1.2(b)(vii) under Section 16.1 (Site Specific Resource Area (RAs) Provisions) with the following:
 - vii) *deleted*;
- xiv) replacing Section 16.1.2(b)(xii) under Section 16.1 (Site Specific Resource Area (RAs) Provisions) with the following:
 - xii) *deleted*;
- xv) adding a new Section 16.1.3 (Site Specific Resource Area (RAs) Provisions) under Section 16.0 (Site Specific Provisions) to read as follows:
 - .1 in the case of land described as Lot A, Plan KAP40762, District Lots 702 & 5136, ODYD (3610 Pine Hills Road), and shown hatched on Figure 16.1.3:
 - i) the following principle use shall be permitted on the land in addition to the permitted uses listed in Section 10.1.1:
 - a) golf course.



- xvi) replacing Section 16.7.1 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:
 - .1 in the case of land described as Lot 3, Plan KAP51211, District Lot 2893, ODYD (8132 Princeton-Summerland Road), and shown hatched on Figure 16.7.1:
 - i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 10.7.1:
 - a) eating and drinking establishment; and
 - b) retail store, convenience.



xvii) replacing Section 16.14 (Site Specific Marina Commercial (C5s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

16.14 Site Specific Marina Commercial (CT4s) Provisions:

- .1 in the case of an approximately 1.0 ha part of land described as Lot 1, Plan KAP83541, District Lot 2537, ODYD, Except Plan KAP85241, and shown hatched on Figure 16.14.1, the following provisions shall apply:
 - ii) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 14.2.1:
 - a) eating and drinking establishment;
 - b) retail store, convenience;
 - iii) despite the requirements of Section 7.23:
 - a) a "dock" shall not extend a distance greater than 93.0 metres from the natural boundary of the upland parcel;
 - b) the maximum length of the dock which is parallel to the shoreline shall not exceed a distance greater than 270.0 metres; and
 - c) the dock may extend beyond the setback projected from the southern side property line by no more than 95.0 metres.



xviii) replacing Section 16.15 (Site Specific Tourist Commercial One (CT1s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

16.15 Site Specific Tourist Commercial (CT1s) Provisions:

- .1 in the case of land described as Lot A, Plan EPP5204, District Lot 2695, ODYD (365 Callan Road), and shown shaded yellow on Figure 16.15.1:
 - a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 14.1.1:
 - i) single detached dwelling.
 - b) the maximum number of tourist accommodation units permitted per parcel shall not exceed 10.
 - c) despite Section 14.1.3, the minimum parcel size for subdivision shall be 2.0 ha.



xix) replacing Section 16.16 (Site Specific Tourist Commercial Two (Limited) (CT2s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

16.16 Site Specific Campground Commercial (CT2s) Provisions:

- .1 in the case of land shown shaded yellow on Figure 16.16.1:
 - a) the following accessory use shall be permitted on the land in addition to the permitted accessory uses listed at Section 14.2.1:
 - i) "motel".
 - b) the maximum floor area ratio for a motel shall not exceed 0.5.



xx) replacing Section 16.17 (Site Specific Tourist Commercial Three (Limited) (CT3s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

16.17 Site Specific Golf Course Commercial (CT3s) Provisions:

- .1 in the case of land described as Lot A, Plan KAP45722, ODYD, District Lot 5076 5087 (3215 Pine Hills Drive), and shown shaded yellow on Figure 16.17.1:
 - a) the following accessory use shall be permitted on the land in addition to the permitted accessory uses listed at Section 14.3.1:
 - i) "tourist accommodation", subject to the following regulations:
 - .1 The maximum number of sleeping units permitted per parcel shall be 10.
 - .2 All sleeping units shall be contained under the same roof.
 - .3 No sleeping unit shall have an area of greater than 30.0 m².
 - .4 No cooking facilities shall be provided for within individual sleeping units.
 - .5 One (1) parking space per sleeping unit is required.



xxi) replacing Section 16.18 (Site Specific Tourist Commercial Five (CT5s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

16.18 *deleted*.

- 13. 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 of the land described as Lots 10-11, Plan KAP621, District Lot 2536, ODYD, Except Plan H578 36630 KAP75352; Lot 1, Plan KAP83579, District Lot 2536, ODYD; Lot A, Plan KAP83581, District Lot 2536, ODYD; District Lot 5127, ODYD, Except Plan 36630 KAP75352 (619 & 625 Highway 97), and shown shaded yellow on Schedule 'F-1', which forms part of this Bylaw, from Commercial (C) to Commercial Campground Site Specific (CT2s).
 - changing the land use designation of the land described as Lot 3, Plan KAP51211, District 2893, ODYD (8132 Princeton-Summerland Road), and shown shaded yellow on Schedule 'F-2', which forms part of this Bylaw, from Tourist Commercial Three (Limited) (CT3) to Small Holdings Four Site Specific (SH4s).
 - iii) changing the land use designation of an approximately 11.49 ha part of the land described as Lot A, Plan EPP5204, District 2695, ODYD (365 Callan Road), and shown shaded yellow on Schedule 'F-3', which forms part of this Bylaw, from Tourist Commercial Five (CT5) to Tourist Commercial Site Specific (CT1s).

- iv) changing the land use designation of an approximately 7.0 ha part of the land described as Lot A, Plan KAP40762, District 702, ODYD, and District Lot 5136 (3610 Pine Hills Road), and shown shaded yellow on Schedule 'F-4', which forms part of this Bylaw, from Resource Area (RA) to Resource Area Site Specific (RAs).
- v) changing the land use designation of the land described as Lot A, Plan KAP45722, District 5076 & 5087, ODYD (3215 Pine Hills Road), and shown shaded purple on Schedule 'F-5', which forms part of this Bylaw, from Small Holdings Five (SH5) to Golf Course Commercial Site Specific (CT3s).

READ A FIRST AND SECOND TIME this 19th day of July, 2018.

PUBLIC HEARING held on this 16th day of August, 2018.

PUBLIC HEARING held on this 17th day of September, 2018.

READ A THIRD TIME, AS AMENDED, this 4th day of October, 2018.

Approved pursuant to Section 52(3) of the *Transportation Act* this 9th day of October, 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





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Amendment Bylaw No. 2808, 2018



Project No: X2018.069-ZONE

Schedule 'A-2' OSOYOOS Amend Zoning Bylaw No. 2451, 2008: Subject from: part Tourist Commercial One Site Specific (CT1s) Parcel part Campground Commercial (CT2) to: (YELLOW SHADED AREA)

> Amendment Bylaw No. 2808, 2018 (X2018.069-ZONE) Page 45 of 72

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Amendment Bylaw No. 2808, 2018





2057

2019

2034

2000

2028

Schedule 'A-3'

Project No: X2018.069-ZONE

Amendment Bylaw No. 2808, 2018 (X2018.069-ZONE) Page 46 of 72

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Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE



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Amendment Bylaw No. 2808, 2018 Project No: X2018.069-ZONE Schedule 'C-3' GALLAGHER LAKE L Subject Amend Zoning Bylaw No. 2453, 2008: Parcel from: Tourist Commercial Four (Campground) (CT4) Campground Commercial (CT2) to: (YELLOW SHADED AREA)

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Amendment Bylaw No. 2808, 2018



Project No: X2018.069-ZONE

Schedule 'D-3' **OK FALLS** Amend Zoning Bylaw No. 2455, 2008: from: Tourist Commercial Four (Campground) (CT4) Subject Campground Commercial (CT2) to: Parcel (YELLOW SHADED AREA) 110 3 3172 3176 3221 all 32.32 3236 3240 1244 1246 3262
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Amendment Bylaw No. 2808, 2018

HIGHWAY 97



Project No: X2018.069-ZONE

Schedule 'D-5' **OK FALLS** Amend Zoning Bylaw No. 2455, 2008: Subject from: Tourist Commercial Four (Campground) (CT4) Parcel to: Campground Commercial (CT2) 737 (YELLOW SHADED AREA) 748 816 809 MAIN ST 808 821 824 829 832 832 5080 837 5004 4908





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Amendment Bylaw No. 2808, 2018 Project No: X2018.069-ZONE Schedule 'D-7' **OK FALLS** 97 Amend Zoning Bylaw No. 2455, 2008: from: Tourist Commercial Four (Campground) (CT4) Subject Parcel Campground Commercial (CT2) to: (YELLOW SHADED AREA)

Amendment Bylaw No. 2808, 2018 (X2018.069-ZONE) Page 61 of 72









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Amendment Bylaw No. 2808, 2018 Project No: X2018.069-ZONE Schedule 'F-1' SUMMERLAND Amend Zoning Bylaw No. 2461, 2008: from: Tourist Commercial Two (Limited) (CT2) Subject Campground Commercial Site Specific (CT2s) to: Parcels (YELLOW SHADED AREA)

> Amendment Bylaw No. 2808, 2018 (X2018.069-ZONE) Page 64 of 72

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Amendment Bylaw No. 2808, 2018 Project No: X2018.069-ZONE Schedule 'F-2' SUMMERLAND NARAMATA Amend Zoning Bylaw No. 2461, 2008: from: Tourist Commercial Three (Limited) (CT3) Subject Small Holdings Four Site Specific (SH4s) to: Parcel (YELLOW SHADED AREA)









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Amendment Bylaw No. 2808, 2018 Project No: X2018.069-ZONE Schedule 'F-5' PENTICTON Subject Parcel 97









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Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE







ADMINISTRATIVE REPORT

TO:Board of DirectorsFROM:B. Newell, Chief Administrative OfficerDATE:October 18, 2018RE:Campground Regulations Bylaw No. 2779, 2018

Administrative Recommendation:

RECIGNAL DISTRICT RDOS RDOS OKANAGAN-SIMILKAMEEN

THAT Bylaw No. 2779, 2018, Regional District of Okanagan-Similkameen Campground Regulations Bylaw, be re-read a third time, as amended, and adopted.

Purpose:

It is being proposed to replace the Regional District's Campsite Bylaw No. 713, 1982, with a new a Campground Regulations Bylaw No. 2779 in order to ensure consistency with a proposed new Campground Commercial (CT2) Zone to be applied to the Okanagan Electoral Area zoning bylaws.

Background:

At its meeting of July 19, 1982, the Regional District Board adopted a Campsite and Mobile Home Park Bylaw (No. 713) for the purposes of regulating the development of these uses within Electoral Areas 'A', 'C', 'D', 'E', 'F' and 'H'.

At its meeting of July 20, 2017, the Planning and Development (P&D) Committee of the Board considered an administrative report related to the proposed replacement of Bylaw No. 713 with Bylaw No. 2779.

At its meeting of July 19, 2018, the Regional District Board approved first, second and third reading of Bylaw No. 2779.

Analysis:

Administration considers the benefits of replacing the current Campsite Bylaw with a new Campground Regulations Bylaw will be:

- updated definitions to be consistent with those used by the Regional District in other, more modern bylaws (i.e. zoning, fees and charges, bylaw enforcement, etc.);
- updated application requirements and processing procedures consistent with those found in the Development Procedures Bylaw and Manufactured Home Park Regulations Bylaw;
- the removal of provisions otherwise contained in the Electoral Area zoning bylaws (i.e. permitted uses, density, site area requirements, setbacks, etc.); and
- modernised infrastructure and servicing requirements (i.e. roadways, access and parking, water systems, sewage disposal systems and storm water drainage); and
- the removal of requirements that the Regional District does not impose on other providers of tourists accommodation (i.e. requirement to establish rates for each camping space, to record the "vehicle, licence identification, colour, make, type and year" of guests vehicles, etc.).

With regard to the request to re-read the bylaw a third time, as amended, this is related to the inclusion of a reference to Electoral Area "I" at Section 1.2 (Application) and the replacement of Figure 1 with a new map that shows the new boundaries of Electoral Areas "D" & "I".

Alternative:

THAT first, second and third readings of Bylaw No. 2779, 2018, Regional District of Okanagan-Similkameen Campground Regulations Bylaw, be rescinded and the bylaw abandoned.

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

CAMPGROUND



Bylaw No. 2779, 2018 – Regional District of Okanagan-Similkameen

REGULATIONS BYLAW



Regional District of Okanagan-Similkameen Campground Regulations Bylaw No. 2779, 2018

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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN CAMPGROUND REGULATIONS BYLAW NO. 2779, 2018

A Bylaw to regulate campgrounds under Section 298 of the *Local Government Act*.

WHEREAS the *Local Government Act* enables regulations that apply to the construction and layout of campgrounds and the provision of facilities therein;

NOW THEREFORE the Regional Board of the Regional District of Okanagan-Similkameen in open meeting assembled HEREBY ENACTS AS FOLLOWS:

1.0 TITLE AND APPLICATION

1.1 Title

This bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Campground Regulations Bylaw No. 2779, 2018".

1.2 Application

This Bylaw applies to all lands, including the surface of water and all uses, buildings and structures located within that portion of Electoral Area "A", "C", "D", "E", "F", "H" and "I" of the Regional District of Okanagan-Similkameen as shown by map reference on Figure 1.



2.0 TRANSITION

The Regional District of Okanagan-Similkameen Campsite Bylaw No. 713, 1982, as amended, is repealed.

READ A FIRST TIME on the 19th day of July, 2018.

READ A SECOND TIME on the 19th day of July, 2018.

READ A THIRD TIME on the 19th day of July, 2018.

RE-READ A THIRD TIME, AS AMENDED, on the _____ day of _____, 2018.

ADOPTED this ____ day of ______, 2018.

Board Chair

Chief Administrative Officer

3.1 Interpretation

.1 A reference in this bylaw to any enactment of British Columbia is a reference to the enactment as amended, revised, consolidated or replaced from time to time, and a reference to any bylaw of the Regional District is a reference to the bylaw as amended, revised, consolidated or replaced from time to time.

3.2 Prohibitions

.1 No person shall locate, establish, construct, alter, extend, expand, subdivide, or operate a Campground in contravention of this Bylaw.

3.3 Exclusions

.1 No persons shall be compelled to upgrade existing Campgrounds to the standards of this Bylaw but any upgrading shall not lessen the compliance with this Bylaw and expansion shall meet Bylaw provisions.

3.4 Enforcement

.1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

3.5 Prohibition and Penalties

- .1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorized under Section 3.4.1 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.
- .2 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.
- .3 Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.

3.6 Severability

.1 If any section, sub-section, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

4.0 **DEFINITIONS**

In this bylaw:

"Board" means the Board of Directors for the Regional District of Okanagan-Similkameen;

"campsite" means an area in a campground used or intended to be used, leased or rented for seasonal occupancy of tents, recreational vehicles or tourist cabins;

"campground" means a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist cabins or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an office as part of the permitted use but does not include hotels, manufactured homes, manufactured home parks, motels or park model trailers;

"Chief Administrative Officer" or "CAO" means the person appointed by the Regional Board as CAO and any person who, from time to time, is the deputy CAO or is appointed by the Regional Board to act in the capacity of the CAO in the CAO's absence;

"Development Services" means the Regional District of Okanagan-Similkameen's Department of Development Services;

"Fees and Charges Bylaw" means the Regional District of Okanagan-Similkameen's Fees and Charges Bylaw;

"Inspector" means the CAO or authorised designate appointed to administer this Bylaw;

"owner" means the registered owner's listed on the State of Title of the subject property; or a person authorised in writing as the owner's agent;

"Permit Application" means an application for a Campground Permit;

"recreational vehicle" means a vehicle designed to be towed behind a motor vehicle or selfpropelled, and includes such vehicles commonly known as travel trailers, fifth wheels, camper trailers, pick-up coaches, motorized campers, motorized homes, park model trailers and other similar vehicles, which provide temporary recreational accommodation for the traveling public;

"tourist cabin" means the use of land for a detached building containing a maximum of one sleeping unit used exclusively for tourist accommodation for the temporary accommodation of the traveling public, and may include washroom facilities;

"**Zoning Bylaw**" means a Zoning Bylaw or Land Use Bylaw adopted by the Board of Directors for the Regional District of Okanagan-Similkameen.

5.0 APPLICATION REQUIREMENTS

This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed.

5.1 Application Requirements

- .1 Authorisation
 - (a) An application for a Campground Permit shall be made to the Chief Administrative Officer in writing and on the appropriate form, and shall be:
 - (i) made by the owner(s) of the subject property or by a person authorized by all property owner(s);
 - (ii) if a numbered company holds the property, a corporate search shall accompany the application illustrating the company directors. The signatory on the application form shall be a company director;
 - (iii) made on the appropriate form designated by the CAO; and
 - (iv) accompanied by the appropriate application fee outlined in the Fees and Charges Bylaw.
- .2 Proposal Summary
 - (a) An outline of the development proposed, including demonstration of substantial compliance with the current zoning bylaw.
- .3 State of Title Certificate
 - (a) a copy of the Land Title Office search print, issued not more than thirty (30) days prior to the application date for any parcel of land subject to the application; and
 - (b) a copy of all non-financial charges (i.e. covenants, easements and rights-of-way, etc.) registered on the subject property(s).
- .4 Development Plan (drawn to scale, in metric)
 - (a) a development plan(s) of the proposed campground drawn to scale and showing dimensions, shall include the following (as applicable):
 - (i) north arrow and scale;
 - (ii) boundaries of property lines, rights-of-way, covenant areas and other easements;
 - (iii) location and dimensions of proposed structures (i.e. washroom and laundry facilities, garbage facilities) and setbacks (including projections and overhangs) to parcel lines, rights-of-way, and easements;
 - (iv) location, dimensions and area of proposed campsites;

- (v) location and dimensions of required buffer area, including the types of screening and landscaping to be applied;
- (vi) location and dimensions of required amenity area;
- (vii) location of existing and proposed access roads, driveways, vehicle parking spaces and pathways;
- (viii) natural and finished grades of site (indicate source of grade data);
- (ix) location of any physical or topographical constraints (e.g., watercourses, shorelines, ravines, wetlands, steep slopes, bedrock outcrops, etc.);
- (x) location of all existing and proposed utilities, including water system, sewage treatment and disposal systems and storm drain facilities, including sizes.
- (b) a project summary sheet outlining density and number of campsites.
- .5 Site Surveys
 - (a) if a proposed development involves a variance to the siting or building envelope of an existing structure a current sketch plan, certified by a BC Land Surveyor, in metric, shall be required.
- .6 Utility System Designs
 - (a) a pre-design report for utility infrastructure (i.e. water, sewer and storm water systems) to be installed to support the proposed campground shall include the following:
 - (i) site plan;
 - (ii) layouts; and
 - (iii) design calculations.

NOTE: as a condition of approval of a Campground Permit, revised and/or detailed design drawing may be required to be submitted to the Regional District.

5.2 Application Processing Procedures

A Campground Permit application submitted in accordance with this bylaw will be processed as follows:

- .1 Upon receipt of an application accompanied by the required fees and attachments, Development Services staff will open a file and issue a fee receipt to the applicant.
- .2 Development Services staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant.

- .3 Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies. Staff may conduct a site visit to view the property as part of the evaluation process.
- .4 Development Services staff will refer the application to all applicable Regional District departments, government ministries and agencies for comment. Development Services staff will also notify the relevant Area Director(s).
- .5 The referral agencies' comments will then be incorporated into a staff report to the CAO.
- .6 The staff report and draft Campground Permit will be provided to the CAO, or their delegate for review.
- .7 Where all relevant conditions have been satisfied (e.g. a letter of credit has been submitted for security), the CAO, or their delegate will issue the Campground Permit.
- .8 Development Services staff shall administer any further conditions of the Campground Permit as specified within each individual permit as required. Development Services staff may conduct inspections, on an as-required basis, to ensure that the terms of the Campground Permit are being satisfied.

6.1 Form of Permits

.1 The Chief Administrative Officer may designate the form of permits.

6.2 Form of Application Forms

.1 The Chief Administrative Officer may designate the form of application forms and in so doing may prescribe different forms for different categories of applications based on the nature or complexity of the application.

6.3 Change of Ownership

.1 If there is a change of ownership of a parcel of land that is the subject of an Amendment Application or a Permit Application, the Regional District will require an updated title certificate and written authorisation from the new owner prior to proceeding further with the application.

6.4 Application Fees

- .1 At the time of application, the applicant shall pay to the Regional District an application fee in the amount as set out in the Fees and Charges Bylaw.
- .2 The fees prescribed in the Fees and Charges Bylaw apply to each parcel of land for which the application is made, as follows:
 - (a) if an application involves two or more contiguous parcels of land, they shall be treated as one proposal;
 - (b) if an application involves two or more parcels of land that are not contiguous, they will be treated as separate applications and the fee prescribed in the Fees and Charges Bylaw applies to each parcel of land for which the application is made.

6.5 Refund of Application Fees

.1 If an application is incomplete or withdrawn prior to formal assessment by staff, 80% of the application fee shall be refunded.

6.6 Lapse of Application

.1 If Development Services staff determines that an application is incomplete, the applicant will be requested to provide the required information. If an applicant does

not provide the required information within three (3) months of the request, the application and fee will be returned.

- .2 In the event that an application made pursuant to this bylaw is one (1) year old or older and has been inactive for a period of six (6) months the application will be deemed to be abandoned and will be closed.
- .3 If applicable, a refund will be paid to the applicant in accordance with Section 6.5 of this bylaw for proposals that have been deemed to have lapsed.
- .4 In order for an application that has lapsed under sub-sections 6.6.1 or 6.6.2 to proceed, a new application (including fee), will be required.

6.7 Renewal

.1 A Campground Permit which has expired before construction begins may be renewed for a period of 6 months from the date of expiry provided a request for renewal is made in writing within 30 days of the expiry date, and a renewal fee is paid in accordance with the Regional District's Fees and Charges Bylaw. A permit may only be renewed one time.

6.8 Notice of Approval

.1 Written notice of a permit approval shall be mailed or otherwise delivered to an applicant at the address provided on the application form within thirty (30) days immediately following the date of the decision.

6.9 Performance Security

- .1 Security required by permits shall be in the form of cash or an irrevocable letter of credit, effective for the term of the permit. Such irrevocable letter of credit shall be clean and unconditional, automatically renewing and redeemable at a local bank.
- .2 The amount of security may be calculated using:
 - (a) such methodologies as the CAO may prescribe from time to time; or
 - (b) an estimate or quote provided at an applicant's expense by a professional qualified to undertake or supervise the works for which the securities are required.
- .3 Where security is a condition of a permit,
 - (a) in the case of a condition in a permit respecting landscaping, the amount shall be 120% of the cost of the landscaping works, payable before the permit will be issued;
 - (b) in the case of an unsafe condition that might result from a contravention of a permit condition, the amount of security shall reflect the nature of the permit condition, the nature of the unsafe condition, and the cost to the Regional

District of entering on the land, undertaking work to correct the unsafe condition, including the cost of repairing any damage to land and improvements that may have been caused by the unsafe condition or that may have occurred in connection with the repair work; and

- (c) in the case of damage to the natural environment that might result from a contravention of a permit condition, the amount shall reflect the nature of the permit condition, the nature of the damage, and the cost to the Regional District of entering on the land, correcting the damage to the environment, and restoring or enhancing the natural environment to compensate for the damage that has been caused by the contravention of the permit condition.
- .4 In accordance with Section 502 of the *Local Government Act*, the amount of security required under Sections 6.9.3(b) or 6.9.3(c) shall be determined by the CAO using the following guidelines:
 - (a) the amount of security may be calculated using such methodologies as the CAO may prescribe from time to time; or
 - (b) an estimate or quote provided at the applicant's expense by a professional qualified to undertake or supervise the works for which the securities are required. An estimate or quote under this subsection may be obtained by the applicant and submitted with the application.

7.0 DESIGN STANDARDS

7.1 General Layout Standards

7.1.1 Parcel Area Requirements

- .1 The minimum area on which a campground use may be undertaken shall be specified in the applicable Electoral Area zoning bylaw.
- .2 Where more than one parcel of land is required to accommodate a proposed campground, a campground permit shall not be issued until:
 - a) the parcels are consolidated by plan of subdivision or by cancellation of interior parcel lines; or
 - b) a statutory covenant under Section 219 of the *Land Title Act* between the Regional District and the owner is registered in the Land Title Office against the titles of the parcels required for the campground, which would prevent the parcels from being sold or transferred separately.

7.1.2 Campsite Space

- .1 Each campsite within a campground shall:
 - a) be clearly distinguishable from adjacent campsites on a campground plan;
 - b) be accessible from the internal road system of the campground; and
 - c) not be directly accessible from a highway.

7.1.3 Maximum Number of Recreational Vehicles per Campsite Space

.1 The maximum number of recreational vehicles permitted within a campsite space shall be one (1).

7.1.4 Maximum Campsite Density

.1 The maximum campsite density in a campground shall be specified in the applicable Electoral Area zoning bylaw and shall be calculated on the total area of the parcel on which the campground is located.

7.2 On-site Facilities

7.2.1 Washroom Facilities

- .1 Washroom facilities shall be provided in every campground, and:
 - a) shall be located in a separate building or buildings;
 - b) shall be located a maximum of 150.0 metres from any camping space and a minimum of 4.5 metres from any camping space;

c) the quantity of toilets, urinals, wash basins and showers shall be provided in accordance with the following table:

Number of	Toilets		Urinals	Washbasins		Showers	
Camping Spaces	Male	Female	Male	Male	Female	Male	Female
1 – 15	1	1	1	1	1	1	1
16 – 30	1	2	1	2	2	1	1
31 – 45	2	2	1	3	3	1	1
46 – 60	2	3	2	3	3	2	2
61 – 80	3	4	2	4	4	2	2
81 - 100	3	4	2	4	4	3	3
101 - 130	4	5	3	5	5	4	4
131 – 150	5	6	3	5	5	5	5

7.2.2 Laundry Facilities

- .1 Laundry facilities shall be provided in every campground that contains more than 60 camping spaces in the following ratio:
 - a) one (1) clothes washing machine for every 30 camping spaces; and
 - b) one (1) clothes dryer for every 30 camping spaces.

7.2.3 Garbage Disposal

- .1 The owner of a campground shall dispose or arrange for disposal of garbage or refuse.
- .2 If the owner of a campground establishes one or more garbage disposal areas within the campground for the collection of garbage and refuse, they shall:
 - a) provide fly-tight metal containers in ample number; and
 - b) maintain the containers so that they shall not become foul-smelling, unsightly, or a breeding place for flies.

7.3 Landscaping and Amenity Areas

7.3.1 Screening and Landscaping

- .1 Every campground shall have immediately within all its boundaries, a 4.5 metre wide buffer area comprising a landscape screen in the form of a hedge or other similar vegetation that will create a visual barrier about the campground within which the following are not permitted:
 - a) required recreation or amenity areas;
 - b) buildings or structures, except permitted signs and fences;

- c) garbage disposal areas;
- d) private sewage disposal system, other than the underground part of the system;
- e) vehicle parking area(s).
- .2 Except where a hazard has been identified by a suitably qualified individual (e.g. arborist), no plant material may be removed nor may any substance of which land is composed be deposited or removed from a buffer area except as part of an approved landscaping plan.
- .3 The only roads permitted in a buffer area are those which cross it as close to right angles as practical and connect directly with the road system contained within the remainder of the manufactured home park. No road shall traverse a buffer area and give direct access from a public highway to a manufactured home park.

7.3.2 Amenity Area

- .1 A campground shall have open space for playground, park, sports, games and similar amenity areas to serve the campground in the amount of not less than 5% of the area of the campground.
- .2 The recreation areas shall not include buffer areas, parking areas, ancillary buildings, camping spaces, driveways, and storage areas.

7.4 Roadways, Access and Parking

7.4.1 Roads

- .1 Access to and from a campground shall have a minimum roadway width of 13.0 metres and a minimum hard surfaced or gravelled width of 7.0 metres. No parking shall be allowed on the access roadway.
- .2 All camping spaces, owner's or operator's residence, service buildings, as well as other facilities where access is required shall have access by an internal roadway system.
- .3 Roadways giving access to and from camping spaces shall have a minimum roadway width of 7.0 metres and a minimum hard surfaced or gravelled width of 4.3 metres.
- .4 Roadways in a campground shall be well drained, and maintained in such a manner as to render them free from dust at all times.
- .5 Dead end roadways and cul-de-sacs shall have a turning circle at the end with a radius of at least 14.0 metres, or of a sufficient width to accommodate emergency vehicles and recreational vehicles accessing campsite spaces.

7.4.2 Access

.1 At least one highway access shall be provided to a campground containing fifty (50) or less camping spaces.
.2 A second access from a public highway, separated by at least 50.0 metres from the first access shall be provided to each campground containing fifty-one (51) or more camping spaces.

7.4.3 Vehicle Parking

.1 Within 30.0 metres of the campground entrance or office, there shall be provided customer's parking/holding area in an amount of 18.0 m² for each ten (10) camping spaces up to a maximum of 140.0 m² for the convenience and safety of the customers.

7.5 Utilities

7.5.1 Water Supply

.1 The owner of the campground shall provide a potable water system in compliance with the *Drinking Water Protection Act*.

7.5.2 Sewage Treatment and Disposal Systems

- .1 The owner of the campground shall provide for the disposal of all wastewater to be discharged into a community sewer system or into a private sewerage system in compliance with the Sewerage System Regulation (*Public Health Act*) or *Municipal Wastewater Regulation* (*Environmental Management Act*).
- .2 The disposal of waste generated by recreational vehicles may be provided through connection to a wastewater system at individual campsites or centralized sewage disposal stations.
- .3 If provided, recreational vehicle sewage disposal stations shall be located in an area apart from any roadway and out of which a recreational vehicle may be easily and conveniently moved.
- .4 Tourist cabins within a campground must be connected to a wastewater system for the disposal of sewage when provided with individual washroom facilities.
- .5 Despite sub-sections 1-4, privies may be permitted in accordance with the Interior Health Privy and Vault Privy Guidelines and Sewerage System Regulation (*Public Health Act*) if there is an insufficient supply of water available within the campground to operate flush toilets.
- .6 Holding tanks are not a permitted form of waste water disposal.

7.5.3 Storm Water Drainage

.1 All campground shall be provided with a storm water drainage system installed according to a design by an appropriately registered professional to contain runoff on site, or discharge it to a storm runoff system in accordance with relevant provincial guidelines.

SUMMARY OF AMENDMENTS

Bylaw No.	Adopted	Amendment	Purpose

ADMINISTRATIVE REPORT

SIMILKAMEEN

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Land Use Bylaw Amendments - Electoral Area "I" and Local Government Act Revisions

Administrative Recommendations:

- .1 THAT Bylaw No. 2770.01, 2018, South Okanagan Regional Growth Strategy Minor Amendment Bylaw be read a first, second and third time and be adopted.
- .2 THAT Bylaw No. 2830, 2018, Regional District of Okanagan-Similkameen Official Community Plans Amendment Bylaw be read a third time and adopted.
- .3 THAT Bylaw No. 2831, 2018, Regional District of Okanagan-Similkameen Zoning Amendment Bylaw be read a third time.
- .4 THAT Bylaw No. 2339.02, 2018, Regional District of Okanagan-Similkameen Advisory Planning Commission Amendment Bylaw, be adopted.
- .5 THAT Bylaw No. 2482.01, 2018, Regional District of Okanagan-Similkameen Minimum Parcel Size that may be Subdivided for a Relative Amendment Bylaw, be adopted.
- .6 THAT Bylaw No. 2494.02, 2018, Regional District of Okanagan-Similkameen Board of Variance Amendment Bylaw, be adopted.
- .7 THAT Bylaw No. 2597.02, 2018, Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Amendment Bylaw, be adopted.

Purpose:

Administration is proposing the Regional District Board initiate a number of amendments to the various Electoral Area land use bylaws as well as the South Okanagan Regional Growth Strategy in order to update these bylaws to reflect the pending division of Electoral Area "D" (i.e. "D-1" & "D-2") into a new Electoral Area "D" and Electoral Area "I".

In addition, Administration is proposing that these amendment bylaws be used to make amendments to a number of these bylaws to reflect a 2016 revision of the *Local Government Act*.

Background:

On April 27, 2018, the Lieutenant Governor approved Order in Council No. 216, dividing Electoral Area "D" into two separate Electoral Areas (i.e. a new "D" & "I"), and that this will come into effect on November 15, 2018.

On January 1, 2016, a revised version of the *Local Government Act* came into effect. Under the prior version of the Act, the rules governing regional districts were spread throughout nine unrelated parts of the Act with those sections separated by hundreds of other, unrelated sections. The revised Act now has specific parts for regional district rules, but which are now found under different section numbers.

At its meeting of September 6, 2018, the Planning and Development (P&D) Committee of the Board resolved Amendment Bylaw No. 2770.01, 2018, to be a minor amendment to the South Okanagan Regional Growth Strategy (RGS) Bylaw.

At its meeting of September 20, 2018, the Board approved first and second reading of Amendment Bylaw Nos. 2830 & 2831 as well as first, second and third readings of amendments to Bylaw Nos. 2339, 2482, 2494 and 2597.

Referrals:

Approval of Zoning Amendment Bylaw No. 2831, 2018, from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments apply to lands within 800 metres of a controlled access (i.e. Highways 3 & 97).

Public Process:

In accordance with the consultation plan endorsed by the Board at its September 6, 2018, P&D Committee meeting, Amendment Bylaw No. 2770.01, 2018, has been notified as follows:

- formal referral to the City of Penticton, District of Summerland and the Towns of Oliver & Osoyoos no less than 30 days prior to 1st reading;
- notification in two issues of the Regional District's bi-weekly newspaper advertisement; and
- notification on the Regional District's web-site and social media accounts.

At its meeting of September 20, 2018, the Board resolved to schedule a public hearing for Amendment Bylaw 2830 on October 18, 2018, and further waived the holding of a public hearing for Amendment Bylaw No. 2831.

Analysis:

Administration considers the proposed amendments to the various Electoral Area land use bylaws to be minor in nature and as having no affect on the intent, objectives, policies or regulations currently contained within these bylaws.

Similarly, the proposed amendments to the RGS Bylaw are confined to three map changes and single textual inclusion of references to Electoral Area "I" and are very minor in nature.

Alternative:

- .1 THAT first reading of the various Electoral Area land use amendment by laws be denied; OR
- .2 THAT consideration of the various Electoral Area land use amendment by laws be deferred.

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet, Dev. Services Manager

BYLAW NO. 2339.02

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2339.02, 2018

A Bylaw to amend the Regional District of Okanagan-Similkameen Advisory Planning Commission Bylaw 2339, 2006

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 Advisory Planning Commission Amendment Bylaw No. 2339.02, 2018."
- 2. The Regional District of Okanagan-Similkameen Advisory Planning Commission Bylaw No. 2339, 2006 is amended by:
 - (i) replacing Section 1.2 under Section 1.0 (Title) in its entirety with the following:
 - 1.2 In this Bylaw:
 - a) "Commission" means an advisory planning commission.
 - b) "Board" means the Regional District of Okanagan-Similkameen Board of Directors.
 - c) "Regional District" means the Regional District of Okanagan-Similkameen.
 - (ii) replacing Section 2.1 under Section 2.0 (Establishment) in its entirety with the following:
 - 2.1 One Commission may be established for each of the electoral areas shown on attached Schedule 'A'.
 - (iii) replacing Section 3.1 under Section 3.0 (Role of Commission) in its entirety with the following:
 - 3.1 The role of the Commission is to provide recommendations to the Regional District on all matters referred to it by the Regional District or by its Electoral Area Director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw and permits under Part 14 of the *Local Government Act*.
 - (iv) replacing Schedule 'A' (Regional District of Okanagan Similkameen Advisory Planning Commissions) with a new Schedule 'A' (Regional District of Okanagan Similkameen

Advisory Planning Commissions) as shown on the attached Schedule 'A' (which forms part of this bylaw).

READ A FIRST TIME on the 20th day of September, 2018.

READ A SECOND TIME on the 20th day of September, 2018.

READ A THIRD TIME on the 20th day of September, 2018.

ADOPTED on the _____ day of _____, 2018.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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



Amendment Bylaw No. 2339.02, 2018





BYLAW NO. 2482.01

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2482.01, 2018

A Bylaw to amend the Regional District of Okanagan-Similkameen Minimum Parcel Size that may be Subdivided for a Relative Bylaw, 2009

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 Minimum Parcel Size that may be Subdivided for a Relative Amendment Bylaw No. 2482.01, 2018."
- 2. The Regional District of Okanagan-Similkameen Minimum Parcel Size that may be Subdivided for a Relative Bylaw No. 2482, 2009, is amended by:
 - (i) replacing the heading in its entirety with the following:

A Bylaw to establish the minimum parcel size of a parcel that may be subdivided pursuant to Section 514 (Subdivision to provide residence for a relative) of the *Local Government Act*.

(ii) replacing the first paragraph of the recital in its entirety with the following:

WHEREAS Section 514 of the *Local Government Act* provides that a local government may, by bylaw, establish the minimum size for a parcel that may be subdivided under Section 514;

(iii) replacing Section 2 (Area of Application) in its entirety with the following:

2. AREA OF APPLICATION

1. This bylaw shall apply to Electoral Areas "A", "B" "C", "D", "E", "F", "G", "H" and "I" of the Regional District of Okanagan-Similkameen, and as shown on Schedule 'A', except to:

- a) land within an agricultural land reserve established under the *Agricultural Land Commission Act*, with the exception of land to which section 21(1) or 21(2) of that Act applies.
- (iv) replacing Section 3.2 under Section 3 (Enactment) in its entirety with the following:

The minimum size of a parcel that may be subdivided pursuant to Section 514 of the *Local Government Act* shall be 50 hectares (ha).

(v) adding a new Schedule 'A' (Regional District of Okanagan-Similkameen Electoral Areas) as shown on the attached Schedule 'A' (which forms part of this bylaw).

READ A FIRST TIME on the 20th day of September, 2018.

READ A SECOND TIME on the 20th day of September, 2018.

READ A THIRD TIME on the 20th day of September, 2018.

ADOPTED on the _____ day of _____, 2018.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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



Amendment Bylaw No. 2482.01, 2018





BYLAW NO. 2494.02

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2494.02, 2018

A Bylaw to amend the Regional District of Okanagan-Similkameen Board of Variance Bylaw 2494, 2009

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 Board of Variance Amendment Bylaw No. 2494.02, 2018."
- 2. The Regional District of Okanagan-Similkameen Board of Variance Bylaw No. 2494, 2009, is amended by:
 - (i) replacing the recital in its entirety with the following:

WHEREAS Division 15 of Part 14 of the *Local Government Act* requires a local government that has adopted a zoning bylaw to establish a Board of Variance;

AND WHEREAS Electoral Area "A"; Electoral Area "C", Electoral Area "D", Electoral Area "E", Electoral Area "F", Electoral Area "G", Electoral Area "H" and Electoral Area "I" have adopted a zoning bylaw;

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

- (ii) replacing Section 1 (Establishment) in its entirety with the following:
 - 1. Establishment

A Board of Variance having jurisdiction for Electoral Area "A"; Electoral Area "C", Electoral Area "D", Electoral Area "E", Electoral Area "F", Electoral Area "G", Electoral Area "H" and Electoral Area "I" of the Regional District of Okanagan-Similkameen, and as shown on Schedule 'A', is hereby established.

(iii) adding a new Schedule 'A' (Regional District of Okanagan-Similkameen Electoral Areas) as shown on the attached Schedule 'A' (which forms part of this bylaw).

READ A FIRST TIME on the 20th day of September, 2018.

READ A SECOND TIME on the 20th day of September, 2018.

READ A THIRD TIME on the 20th day of September, 2018.

ADOPTED on the _____ day of _____, 2018.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2494.02, 2018





BYLAW NO. 2597.02

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2597.02, 2018

A Bylaw to amend the Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Bylaw 2597, 2012

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

- 1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Amendment Bylaw No. 2597.02, 2018."
- 2. The Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Bylaw No. 2597, 2012, is amended by:
 - (i) replacing the header in its entirety with the following:

A Bylaw to regulate manufactured home parks under Section 298(j) of the *Local Government Act*

(ii) replacing Section 1.2 (Application) in its entirety with the following:

This bylaw shall apply to Electoral Areas "A", "C", "D", "E", "F", "H" and "I" of the Regional District of Okanagan-Similkameen, and as shown on Schedule 'A'.

(iii) replacing the definition of "Fees and Charges Bylaw" under Section 1.4 (Definitions) in its entirety with the following:

"Fees and Charges Bylaw" means the Regional District's Fees and Charges Bylaw;

(iv) replacing the first sentence of Section 2.9.4 under Section 2.9 (Performance Security) in its entirety with the following:

In accordance with Section 502 of the *Local Government Act*, the amount of security required under Sections 3.7.3(b) or (c) shall be determined by the CAO using the following guidelines:

(v) adding a new Schedule 'A' (Regional District of Okanagan-Similkameen Electoral Areas) as shown on the attached Schedule 'A' (which forms part of this bylaw).

READ A FIRST TIME on the 20th day of September, 2018.

READ A SECOND TIME on the 20th day of September, 2018.

READ A THIRD TIME on the 20th day of September, 2018.

ADOPTED on the _____ day of _____, 2018.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2597.02, 2018





BYLAW NO. 2770.01

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2770.01, 2018

A Bylaw to amend the South Okanagan Regional Growth Strategy Bylaw No. 2770, 2017

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 "South Okanagan Regional Growth Strategy Minor Amendment Bylaw No. 2770.01, 2018."
- 2. The South Okanagan Regional Growth Strategy Bylaw No. 2770, 2017, is amended by:
 - (i) replacing the second paragraph under Part 1 (Introduction and Context) in its entirety with the following:

The South Okanagan RGS applies to the southern-most reaches of the Okanagan Valley (see map 1) and includes the municipalities of Oliver, Osoyoos, Penticton and Summerland, and Electoral Areas "A", "C", "D", "E", "F" and "I".

(ii) replacing Map 1 (South Okanagan RGS area) in its entirety with the following:



(iii) replacing Map 2 (Existing Settlement Areas) in its entirety with the following:



(iv) replacing Map 3 (Designated Regional Growth Strategy Primary and Rural Growth Areas) in its entirety with the following:



READ A FIRST TIME on the _____ day of _____, 2018.

READ A SECOND TIME on the _____ day of _____, 2018.

READ A THIRD TIME on the _____ day of _____, 2018.

ADOPTED on the _____ day of _____, 2018.

Board Chair

Corporate Officer

BYLAW NO. 2830

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2830, 2018

A Bylaw to amend the Electoral Area "A", "C", "D", "E" & "H" Official Community Plan 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 Official Community Plan Amendment Bylaw No. 2830, 2018."

Electoral Area "A"

- 2. The Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by:
 - i) replacing all references to Electoral Area 'A' with Electoral Area "A".
 - ii) replacing the recital found at page 8 of the bylaw in its entirety with the following:

Regional District of Okanagan-Similkameen Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008

A Bylaw to guide land use decisions within Electoral Area "A" pursuant to Division 4 under Part 14 of the *Local Government Act of British Columbia, R.S.B.C. 2015.*

WHEREAS the Regional District of Okanagan-Similkameen wishes to adopt an Official Community Plan pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS the Regional Board may adopt an Official Community Plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that bylaw;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan,

and economic strategy plan that is applicable in the Regional District to ensure consistency between them, in accordance with the *Local Government Act*;

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under the *Agricultural Land Reserve Act*, the Regional Board shall refer the Official Community Plan to the provincial Agricultural Land Commission for comment;

AND WHEREAS the Regional Board has provided one or more opportunities for consultation with persons, organizations and authorities it considers affected in the development of the Official Community Plan in accordance with Section 475 of the *Local Government Act*;

AND WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen has complied with all requirements of the *Local Government Act* prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

AND WHEREAS upon adoption of this bylaw, the plan is an Official Community Plan of the Regional District of Okanagan-Similkameen.

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

The Electoral Area "A" Official Community Plan attached hereto as Schedule 'A' and Map Schedules 'B', 'C', 'D' and 'E' forming part of this bylaw are adopted as the Regional District of Okanagan-Similkameen Electoral Area "A" Official Community Plan.

The bylaw shall apply only to that portion of the Regional District of Okanagan-Similkameen shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008".

iii) replacing the first sentence under Section 1.1 (Purpose) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

The Electoral Area "A" Official Community Plan is intended to ensure that decisions of the use and development of property within that part of the electoral area shown on Schedule 'B', are made with regard to land capabilities and constraints, growth trends, the interrelationship of land uses, and the aspirations of the people, for the benefit of the whole community.

iv) replacing Map 1 (General Context Map) under Section 1.0 (Interpretation and Administration) in its entirety with the following:



- v) replacing Section 17.3.1 under Section 17.0 (Temporary Use Permits) in its entirety with the following:
 - .1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.
- vi) replacing Section 18.3.1 (Category) under Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Watercourse Development Permit (WDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

- vii) replacing Section 18.3.4.1 (Guidelines) under Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:
 - .1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or

industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.

- a) removal, alteration, disruption or destruction of vegetation;
- b) disturbance of soils;
- c) construction or erection of buildings and structures;
- d) creation of non-structural impervious or semi-impervious surfaces;
- e) flood protection works;
- f) construction of roads, trails, docks, wharves and bridges;
- g) provision and maintenance of sewer and water services;
- h) development of drainage systems;
- i) development of utility corridors;
- j) subdivision as defined in Section 455 of the *Local Government Act*.
- viii) replacing the second paragraph under Section 18.3.5 (Security and Environmental Monitors) of Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- ix) Schedule 'B' (Official Community Plan Bylaw Map) of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by replacing all references to "Osoyoos Rural" with Electoral Area "A".
- x) Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area Map) of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by replacing all references to "Osoyoos Rural" with Electoral Area "A".
- xi) Schedule 'D' (Watercourse Development Permit Area Map) of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by replacing all references to "Osoyoos Rural" with Electoral Area "A".
- xii) Schedule 'E' (Road and Trail Network Plan) of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by replacing all references to "Osoyoos Rural" with Electoral Area "A".

Electoral Area "C"

3. The Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:

- i) replacing all references to Electoral Area 'C' with Electoral Area "C".
- ii) replacing the recital found at page 6 of the bylaw in its entirety with the following:

Regional District of Okanagan-Similkameen Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008

A Bylaw to guide land use decisions within Electoral Area "C" pursuant to Division 4 under Part 14 of the *Local Government Act of British Columbia, R.S.B.C. 2015.*

WHEREAS the Regional District Okanagan-Similkameen wishes to adopt an Official Community Plan pursuant to Division 4 under Part 14 of the *Local Government Act;*

AND WHEREAS the Regional Board may adopt an Official Community Plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that bylaw;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan, and economic strategy plan that is applicable in the RDOS to ensure consistency between them, in accordance with the *Local Government Act*;

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Province for comment;

AND WHEREAS the Regional Board has provided one or more opportunities for consultation with persons, organizations and authorities it considers affected in the development of the Official Community Plan in accordance with Section 475 of the *Local Government Act*;

AND WHEREAS the Regional Board of the RDOS has complied with all requirements of the *Local Government Act*, prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

AND WHEREAS upon adoption of this bylaw, the Plan is an Official Community Plan of the RDOS;

NOW THEREFORE the Regional Board of the RDOS, in open meeting assembled, enacts as follows:

The Electoral Area "C" Official Community Plan attached hereto as Schedule 'A' and Map Schedules 'B', 'C', 'D', 'E' and 'F' forming part of this bylaw are adopted as the Regional District of Okanagan-Similkameen Electoral Area "C" Official Community Plan.

The bylaw shall apply only to that portion of the RDOS shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008".

iii) replacing the first sentence under Section 1.1 (Purpose) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

The Electoral Area "C" Official Community Plan is intended to ensure that decisions of the use and development of property within that part of the electoral area shown on Schedule 'B', are made with regard to land capabilities and constraints, growth trends, the interrelationship of land uses, and the aspirations of the people, for the benefit of the whole community.

iv) replacing Map 1 (General Context Map) under Section 1.0 (Interpretation and Administration) in its entirety with the following:



v) replacing the first paragraph under Section 5.0 (Broad Goals) in its entirety with the following:

The Regional District of Okanagan-Similkameen aims to achieve the goals set out for the Oliver Rural area as a foundation for the objectives and policies of the Electoral Area "C" Official Community Plan.

- vi) Replacing Section 20.3.1 under Section 20.0 (Temporary Use Permits) in its entirety with the following:
 - .1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.
- vii) Replacing Section 21.3.1 (Category) under Section 21.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Watercourse Development Permit (WDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

- viii) Replacing Section 21.3.4.1 (Guidelines) under Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:
 - .1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.
 - a) removal, alteration, disruption or destruction of vegetation;
 - b) disturbance of soils;
 - c) construction or erection of buildings and structures;
 - d) creation of non-structural impervious or semi-impervious surfaces;
 - e) flood protection works;
 - f) construction of roads, trails, docks, wharves and bridges;
 - g) provision and maintenance of sewer and water services;
 - h) development of drainage systems;
 - i) development of utility corridors;
 - j) subdivision as defined in Section 455 of the *Local Government Act*.
- ix) replacing the second paragraph under Section 21.3.5 (Security and Environmental Monitors) of Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- x) Schedule 'B' (Official Community Plan Bylaw Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xi) Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xii) Schedule 'D' (Watercourse Development Permit Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xiii) Schedule 'E' (Protection of Farming Development Permit Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xiv) Schedule 'F' (Dominion Radio Astrophysical Observatory (DRAO) Radio Frequency Interference (RFI) Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xv) Schedule 'G' (Road and Trail Network Plan) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xvi) Schedule 'H' (Gallagher Lake Development Permit Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".

Electoral Area "D-1"

- 4. The Electoral Area "D-1" Official Community Plan (OCP) Bylaw No. 2683, 2016, is amended by:
 - i) replacing all references to Electoral Area "D-1" with Electoral Area "I".
 - ii) replacing the first sentence of Section 3.1 (Location and Geography) under Section 3.0 (Community Profile) in its entirety with the following:

The Plan Area extends north along the boundary of Electoral Area "F" and Penticton Indian Reserve No. 1; south and west along the boundary of Electoral Area "G" and "C"; and east to Skaha Lake and Electoral Area "D".

iii) replacing Figure 2 (Plan Area Regional Context) under Section 3.0 (Community Profile) in its entirety with the following:



Figure 1: Plan Area Regional Context

iv) replacing the first paragraph of Section 3.5 (Population and Demographics) under Section 3.0 (Community Profile) in its entirety with the following:

The population of Electoral Area "D" Census District was 5,717 residents in 2011. It is estimated that approximately 40% of Electoral Area "D" residents were, as of 2011, living in what is now Electoral Area "I", for a population of about 2,400.

v) replacing the third paragraph of Section 3.5 (Population and Demographics) under Section 3.0 (Community Profile) in its entirety with the following:

As population data for the Plan Area is not available for past years, the population growth pattern of what was Electoral Area "D" as a whole has been used as a proxy to help understand the trends in the region and to project future population growth.

vi) replacing the seventh paragraph of Section 3.5 (Population and Demographics) under Section 3.0 (Community Profile) in its entirety with the following:

Although the population of the Electoral Area "D" Census District as a whole has declined, some population growth is expected over the next twenty to thirty years. According to projections, the population of the Electoral Area "D" Census District could grow to 5,910 by 2021, an increase of 3.3% over 2011, and a return to 2006 levels (see Figure 7). By 2031, the population of Electoral Area "D" Census District could total 6,115 (about a 2% growth rate). A more conservative growth rate (1.5% below the projected rate) would see the Electoral Area "D" Census District return to 2006 population levels by 2026.

vii) replacing the third paragraph under Section 13.1 (Background) of Section 13.0 (Industrial) in its entirety with the following:

The Plan recognizes the importance — to Electoral Areas "I" & "D" — of the former Weyerhaeuser site in Okanagan Falls as an industrial park and supports this initiative by directing more intensive industrial development to this site, which is also better able to function as a service centre.

- viii) Schedule 'B' (Official Community Plan Bylaw Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- ix) Schedule 'C' (Dominion Radio Astrophysical Observatory (DRAO) Radio Frequency Interference (RFI) Area Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- x) Schedule 'D' (Parks, Recreation and Trails Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- xi) Schedule 'E' (Hazard Lands Soil Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- Schedule 'F' (Hazard Lands Steep Slopes Insets Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- xiii) Schedule 'G' (Hazard Lands Wildfire Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".

- xiv) Schedule 'H' (Transportation Network Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- xv) Schedule 'I' (Environmentally Sensitive Development Permit Areas Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- xvi) Schedule 'J' (Watercourse Development Permit Area Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".

Electoral Area "D-2"

- 5. The Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by:
 - i) replacing all references to Electoral Area 'D-2' with Electoral Area "D".
 - ii) replacing all references to Electoral Area D-2 with Electoral Area "D".
 - iii) replacing all references to Area D-2 with Electoral Area "D".
 - iv) replacing all references to area D-2 with Electoral Area "D".
 - v) replacing the recital found at page 8 of the bylaw in its entirety with the following

Regional District of Okanagan-Similkameen Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013

A Bylaw to guide land use decisions within Electoral Area "D" pursuant to Division 4 under Part 14 of the *Local Government Act of British Columbia, R.S.B.C. 2015.*

WHEREAS the Regional District of Okanagan-Similkameen wishes to adopt an Official Community Plan pursuant to Division 4 under Part 14 of the *Local Government Act*;

AND WHEREAS the Regional Board may adopt an Official Community Plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that bylaw;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, consider the plan in conjunction with its financial plan, and any waste management plan that is applicable in the regional district, in accordance with Section 477 of the *Local Government Act*;

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Agricultural Land Commission for comment; AND WHEREAS the Regional Board has provided one or more opportunities for consultation with persons, organizations and authorities it considers affected in the development of the Official Community Plan in accordance with Section 475 of the *Local Government Act*;

AND WHEREAS the Regional Board of the RDOS has complied with all requirements of the *Local Government Act*, prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

AND WHEREAS upon adoption of this bylaw, the Plan is an Official Community Plan of the RDOS;

NOW THEREFORE the Regional Board of the RDOS, in open meeting assembled, enacts as follows:

The Electoral Area "D" Official Community Plan attached hereto as Schedule 'A' and Map Schedules 'B', 'C', 'D', 'E', 'F', 'G', 'H' and 'l' forming part of this bylaw are adopted as the Regional District of Okanagan-Similkameen Electoral Area "D" Official Community Plan.

The bylaw shall apply only to that portion of the RDOS shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013".

vi) replacing the second paragraph under Section 2.1 (What is an Official Community Plan) of Section 2.0 (Background) in its entirety with the following:

An OCP must be prepared and adopted within the statutory provisions of the *Local Government Act* (LGA). The required content of an OCP is defined in Section 473 of the Act. Optional content provisions are set out in Section 474, while provisions relating to due process and adoption procedures are listed in Sections 475 and 477 respectively.

vii) replacing Section 3.1 (RDOS Electoral Areas) under Section 3.0 (Regional Context) in its entirety with the following:

3.1 RDOS Electoral Areas

Electoral Area "D" includes Okanagan Falls, Skaha Estates and Eastside Road while the other seven electoral areas in the Regional District of Okanagan-Similkameen are as follows:

Electoral Area "A" (Osoyoos Rural) Electoral Area "F" (West Bench/Faulder/Meadow Valley)

Electoral Area "B" (Cawston)	Electoral Area "G" (Keremeos Rural/Hedley)
Electoral Area "C" (Oliver Rural)	Electoral Area "H" "Princeton Rural"
Electoral Area "E" (Naramata)	Electoral Area "I" (Kaleden/Apex)

A map showing the extent of the RDOS, as well as the electoral areas and major communities is provided in Figure 4.1. As shown, Electoral Area "D" is bordered by Electoral Area "C" to the south, Electoral Area "E" to the north and Electoral Area "I" and the City of Penticton to the west.



Figure 3-1: RDOS Electoral Areas Map

viii) replacing Section 4.1 (Area D Population Profile, Demographics, Housing, Employment and Schools) under Section 4.0 (Local Context) in its entirety with the following:

4.1 Overview

This section provides an overview of the Electoral Area "D" Census Subdivision as it existed in 2011 and prior to its subdivision into new Electoral Areas "D" & "I" in 2018.

A general understanding of this Census Subdivision's demographics, housing market and local employment was used to establish general trends for what is now Electoral Area "D".

It should be noted that Census and building information is not available for individual unincorporated communities in the RDOS. As a result, this section presents data that pertains to all of Electoral Area "D" Census Subdivision, including communities such as Kaleden and Apex that are now within Electoral Area "I".

ix) replacing Section 4.1.1 (Population) under Section 4.0 (Local Context) in its entirety with the following:

4.1.1 Population

In 2011, Statistics Canada recorded the Electoral Area "D" Census Subdivision area's population as 5,717 residents¹, which was a -3.3% decline from the 2006 census population of 5,913. The following sections breakdown different population characteristics from the 2011 census data to provide a contextual overview for the Electoral Area "D" Census Subdivision area.

Using the 'GeoSearch 2011' tool through Statistics Canada, the population for the Electoral Area "D" Census Subdivision area was determined to be approximately 2,337 in 2011, which represents 41% of the entire the Electoral Area "D" Census Subdivision area's population.

The Electoral Area "D" Census Subdivision Population Profile

The Electoral Area "D" Census Subdivision area was the most populated electoral area, and the third most populated jurisdiction within the RDOS, behind the City of Penticton and District of Summerland. Table 4.1 and Figure 3.1 display the annual population growth for the Electoral Area "D" Census Subdivision area from 1966 to 2011. Figure 3.1 shows that, after a period of rapid growth in the 1970's and 1980's, population growth in the general area has become relatively steady. For the 20 years between 1991 and 2011, the annual growth rate in Area D was approximately 0.66%.

Year	Electoral Area "D" Census Subdivision Population	5 Year Average Annual Growth Rate
1966	1,626	-
1971	2,032	4.6%
1976	3,422	11.0%
1981	4,130	3.8%
1986	4,689	2.6%
1991	5,017	1.4%

¹ Statistics Canada – 2011 Census: Okanagan-Similkameen D

1996	5,315	1.2%
2001	5,703	1.4%
2006	5,913	0.7%
2011	5,717	
1991-2011		0.66% (20 year growth rate)

Table 4:1: Electoral Area "D" Census Subdivision Historical Growth Profile



Year



x) replacing Section 4.1.2 (Age Distribution) under Section 4.0 (Local Context) in its entirety with the following:

4.1.2 Age Distribution

The age distribution within the Electoral Area "D" Census Subdivision area is displayed in Figure 4.2. Compared to provincial averages, the Electoral Area "D" Census Subdivision area is home to a higher proportion of residents aged 50 to 70 years of age, and a significantly smaller proportion aged 20 to 30. In the Electoral Area "D" Census Subdivision area, residents aged 50 to 70 outnumber residents aged 20 to 40 by approximately two to one. Males aged 70 to 80 outnumber females of the same age, while females aged 40 to 60 outnumber males in the same age cohort.


Figure 4-3: Electoral Area "D" Census Subdivision Age Distribution

xi) replacing Section 4.1.4 (Households and Housing) under Section 4.0 (Local Context) in its entirety with the following:

4.1.4 Households and Housing

In 2011, single detached housing was the most common type of dwelling in the Electoral Area "D" Census Subdivision area comprising 85% of the housing stock. The next highest proportion was movable housing (typically manufactured and mobile homes) and row housing at about 7%, followed by apartments at 3.5%. Figure 4.3 shows the proportion of housing types in the Electoral Area "D" Census Subdivision area in 2011 as determined by Statistics Canada.



Figure 4-4: Electoral Area "D" Census Subdivision Dwelling Unit Split (2011 Stats BC)

It should be noted that a more current land inventory analysis, undertaken as part of the creation of this OCP, indicates that the proportion of single detached housing stock in Electoral Area "D" specifically has decreased since 2006 to approximately 70%.

xii) replacing Section 4.1.5 (Household Size) under Section 4.0 (Local Context) in its entirety with the following:

4.1.5 Household Size

Average household size statistics for the Electoral Area "D" Census Subdivision area are displayed in Figure 4.4. It is shown that two-person households comprise approximately 52% of all households in the Electoral Area "D" Census Subdivision area, and single person households make up an additional 21%. This is consistent with the age distribution in the area, which indicates a high proportion of empty nesters and elderly seniors. The overall average is 2.3 persons per household.



Figure 4-5: Electoral Area "D" Census Subdivision Household Size (2011 Stats BC)

xiii) replacing Section 4.1.6 (Housing Size) under Section 4.0 (Local Context) in its entirety with the following:

4.1.6 Housing Stock

Figure 4.5 provides an indication of the age of the housing stock in the Electoral Area "D". The graph shows that a significant amount of housing was constructed between 1971 and 1980, and between 1991 and 2000. These housing construction boom periods correspond largely to the historic population growth of the Electoral Area "D" Census Subdivision area. The historic growth of the Electoral Area "D" Census Subdivision area is displayed in Section 3.2.





Table 4.2 displays the annual approved building permits for Electoral Area "D" from 2001 to 2010. The numbers shown correspond with the decrease in residential construction seen in Figure 3.10 from 2001 to 2006. New housing construction has been holding steady since 2007 at approximately 20 single family dwellings or mobile homes per year.

Type of Unit	Year									
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Single Family Dwelling/Mobile Home	9	33	31	30	25	11	22	17	22	23
Multi-Family Dwelling	1	2	-	-	-	-	-	-	-	-
Commercial	-	1	3	2	1	2	-	-	-	-
Industrial/Institutional	-	-	1	-	1	-	2	-	-	2
Total	10	36	35	32	27	13	24	17	22	25

Table 4:2: Building Permit Applications 2001 - 2010

xiv) replacing Section 4.1.7 (Employment) under Section 4.0 (Local Context) in its entirety with the following:

4.1.7 Employment

Census data indicates that the average annual after-tax income of households in the Electoral Area "D" Census Subdivision area is approximately \$30,300. This is approximately \$26,000 less than the provincial average. The lower than average household income reflects the older population, predominately within the retirement age, living in the Electoral Area "D" Census Subdivision area.

Figure 4.6 provides a comparison of employment sectors in the Electoral Area "D" Census Subdivision area for the years 2001 and 2006. It should be noted that the Weyerhaeuser Plant in Okanagan Falls has since closed, which represented a significant proportion of the manufacturing and construction industry sector in both years.



Figure 4-7: Electoral Area "D" Census Subdivision Employment Statistics 2001 - 2006

xv) replacing Figure 4-7 (Context Map) under Section 4.0 (Local Context) in its entirety with the following:



Figure 4-8: Context Map

xvi) replacing the first paragraph under Section 7.1 (Growth) of Section 7.0 (Growth Management) in its entirety with the following:

Section 473(1)(a) of the *Local Government Act* requires that the OCP include a statement regarding the "approximate location, amount, type and density of residential developments required to meet anticipated housing needs over a period of at least 5 years."

xvii) replacing the second sentence of the fourth paragraph under Section 7.1.1 (Population Projections) of Section 7.0 (Growth Management) in its entirety with the following:

Given the 2011 Census showed the average number of persons per household in the Electoral Area "D" Census Subdivision area was 2.3, approximately 107 to 353 new dwelling units will be required to accommodate permanent population growth of 0.5% and 1.5%.

xviii) replacing the first sentence of the first paragraph under Section 14.0 (Industrial) in its entirety with the following:

Utilizing industrial land base of Electoral Area "D" to its fullest potential will support a vibrant and resilient community.

xix) replacing the second sentence of the first paragraph under Section 15.0 (Social Well Being) in its entirety with the following:

In order for the communities of Electoral Area "D" to become more complete where people can live, work and play, social well-being and quality of life are crucial for the well-being of its residents.

- xx) replacing Section 15.1.1 (Objectives) of Section 15.0 (Social Well Being) in its entirety with the following:
 - .1 To ensure that the needs of each of the communities in Electoral Area "D" are sufficiently met, through the retention or expansion of arts, cultural, social and institutional programs and facilities.
- xxi) replacing Section 23.2.1 under Section 23.0 (Temporary Use Permits) in its entirety with the following:
 - .1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.
- xxii) replacing the first sentence of the first paragraph under Section 24.1 (Background) of Section 24.0 (Development Permit Areas) in its entirety with the following:

Pursuant to the provisions of Section 488 of the *Local Government Act*, an Official Community Plan (OCP) may designate development permit areas within the RDOS.

xxiii) replacing the first paragraph under Section 24.3.1 (Category) of Section 24.3 (Watercourse Development Permit Area) in its entirety with the following:

The Watercourse Development Permit (WDP) area is designated under Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

- xxiv) replacing Section 24.3.4.1 (Guidelines) under Section 24.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:
 - .1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.
 - a) removal, alteration, disruption or destruction of vegetation;
 - b) disturbance of soils;
 - c) construction or erection of buildings and structures;
 - d) creation of non-structural impervious or semi-impervious surfaces;
 - e) flood protection works;
 - f) construction of roads, trails, docks, wharves and bridges;
 - g) provision and maintenance of sewer and water services;
 - h) development of drainage systems;
 - i) development of utility corridors;
 - j) subdivision as defined in Section 455 of the *Local Government Act*.
- xxv) replacing the second paragraph under Section 24.3.5 (Security and Environmental Monitors) of Section 24.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

xxvi) replacing the first paragraph under Section 24.4.1 (Category) of Section 24.4 (Okanagan Falls Commercial Development Permit Area) in its entirety with the following:

The Okanagan Falls 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.

xxvii) replacing the first paragraph under the "Signage" sub-section of Section 24.4.5 (Design Guidelines) in its entirety with the following:

Notwithstanding the requirements of the applicable Electoral Area Zoning Bylaw, additional signage may be assessed and approved given guidelines below.

xxviii) replacing Section 24.4.6.1 under Section 24.4.6 (Bonding and Security) of Section 24.4 (Okanagan Falls Commercial Development Permit Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- a) a condition in a permit respecting landscaping has not been satisfied; and
- b) an unsafe condition has resulted as a consequence of contravention of a condition in a permit.
- xxix) replacing the first paragraph under Section 24.5.1 (Category) of Section 24.5 (Multiple Family Development Permit Area) in its entirety with the following:

The Multiple Family 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 multi-family residential development.

xxx) replacing Section 24.5.5.1 under Section 24.5.5 (Bonding and Security) of Section 24.5 (Multiple Family Development Permit Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- a) a condition in a permit respecting landscaping has not been satisfied; and
- b) an unsafe condition has resulted as a consequence of contravention of a condition in a permit.
- xxxi) replacing the first paragraph under Section 24.6.1 (Category) of Section 24.6 (Hillside / Steep Slope Development Permit Area) in its entirety with the following:

The Hillside / Steep Slope Development Permit Area is designated under Section 488(1)(a)&(b) of the *Local Government Act*, for the purpose of establishing objectives for the protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions.

xxxii) replacing the first paragraph under Section 24.6.4 (Development Permit Triggers) of Section 24.6 (Hillside / Steep Slope Development Permit Area) in its entirety with the following:

Unless otherwise indicated as an exemption in 24.6.8, a development permit must be obtained when any of the following types of development activity occur, in accordance with Section 489 of the *Local Government Act*, as generally stated below:

- a) subdivision of land
- b) construction, addition or alteration of a building or other structure; or
- c) alteration of land.
- xxxiii) Replacing Section 24.7.4.7 (Guidelines Form and Character) under (Industrial Development Permit Area) in its entirety with the following:
 - .7 deleted.
- xxxiv) replacing the first paragraph under Section 24.7.1 (Category) of Section 24.7 (Industrial Development Permit Area) in its entirety with the following:

The Industrial Development Permit Area is designated for the establishment of objectives for the form and character of industrial development, pursuant to Section 488(1)(f) of the *Local Government Act*; and, to establish objectives for the protection of the natural environment, pursuant to Section 488(1)(a) of the *Local Government Act*.

xxxv) Replacing Section 24.7.4.10 (Guidelines – Form and Character) under (Industrial Development Permit Area) in its entirety with the following:

.10 *deleted*.

- xxxvi) Schedule 'B' (Official Community Plan Bylaw Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xxxvii) Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xxxviii) Schedule 'D' (Watercourse Development Permit Area Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".

- xxxix) Schedule 'E' (Form and Character Development Permit Area Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xl) Schedule 'F' (Hillside Steep Slope Development Permit Area Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xli) Schedule 'G' (Transportation, Parks and Trail Networks Plan) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xlii) Schedule 'H' (Aggregate Potential Plan) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xliii) Schedule 'H' (Wildfire Hazard Plan) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".

Electoral Area "E"

- 6. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:
 - i) replacing all references to Electoral Area 'E' with Electoral Area "E".
 - ii) replacing all references to Area 'E' with Electoral Area "E".
 - iii) replacing the recital found at page 8 of the bylaw in its entirety with the following:

Regional District of Okanagan-Similkameen Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008

A Bylaw to guide land use decisions within Electoral Area "E" pursuant to Division 4 under Part 14 of the *Local Government Act of British Columbia, R.S.B.C. 2015.*

WHEREAS the Board of the Regional District of Okanagan-Similkameen wishes to adopt an Official Community Plan pursuant to Division 4 under Part 14 of the *Local Government Act*;

AND WHEREAS the Regional Board may adopt an Official Community Plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that bylaw;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan,

and economic strategy plan that is applicable in the RDOS to ensure consistency between them, in accordance with the *Local Government Act*;

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Province for comment;

AND WHEREAS the Regional Board has provided one or more opportunities for consultation with persons, organizations and authorities it considers affected in the development of the Official Community Plan in accordance with Section 475 of the *Local Government Act*;

AND WHEREAS the Regional Board of the RDOS has complied with all requirements of the *Local Government Act*, prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

AND WHEREAS upon adoption of this bylaw, the Plan is an Official Community Plan of the RDOS;

NOW THEREFORE the Regional Board of the RDOS, in open meeting assembled, enacts as follows:

The Electoral Area "E" Official Community Plan attached hereto as Schedule 'A' and Map Schedules 'B', 'C', 'D', 'E' and 'F' forming part of this bylaw are adopted as the Regional District of Okanagan-Similkameen Electoral Area "E" Official Community Plan.

The bylaw shall apply only to that portion of the RDOS shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008".

iv) replacing the first sentence under Section 1.1 (Purpose) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

The Electoral Area "E" Official Community Plan is intended to ensure that decisions of the use and development of property within that part of the electoral area shown on Schedule 'B', are made with regard to land capabilities and constraints, growth trends, the interrelationship of land uses, and the aspirations of the people, for the benefit of the whole community.

v) replacing the first paragraph under Section 1.2 (Interpretation) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

An Official Community Plan means a community plan as referred to in the *Local Government Act*, and as adopted by the Regional Board of the Regional District of

Okanagan-Similkameen (hereafter referred to as the Regional Board), in accordance with the requirements of the *Local Government Act*.

vi) replacing the first paragraph under Section 1.3.3 (Administration) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

This Plan will be reviewed on a yearly basis and, in order that the document continues to accurately reflect the long-range planning objectives of Electoral Area "E", the Plan will undergo a comprehensive review every five to ten years.

- vii) renaming Section 3.0 (Naramata Area (Area 'E') Context) to "Community Profile".
- viii) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



ix) replacing the first paragraph under Section 4.0 (Official Community Plan Map Designations) in its entirety with the following:

The future use and development of land within Electoral Area "E" must be consistent with the overall pattern of land use depicted on Schedule 'B', and based on the following land use designations:

x) replacing the first sentence under Section 6.0 (Broad Goals) in its entirety with the following:

The following broad goals reflect the input and priorities of Plan Area residents and are the guiding principles of this Official Community Plan. 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 Plan Area.

xi) replacing the second sentence in the second paragraph under Section 7.1 (Context) of Section 7.0 (Growth Management) in its entirety with the following:

As a comparison, since 1981, Electoral Area "E" has seen an increase of 621 new residents (Figure 1), with a slight decline in population from 1996 to 2001.

xii) replacing the first sentence in the third paragraph under Section 7.1 (Context) of Section 7.0 (Growth Management) in its entirety with the following:

Electoral Area "E" is capable of accommodating a 1.5% per year rate of population growth with its existing land use designations and capacity for subdivision and infilling of existing lots, over the next 20 years.

xiii) replacing the third sentence in the third paragraph under Section 7.1 (Context) of Section 7.0 (Growth Management) in its entirety with the following:

However, it is recognized that Electoral Area "E" is presently experiencing a relatively high rate of growth compared to previous years.

- xiv) replacing Section 20.1.5.1 (Drainage Policies) of Section 20.0 (Servicing) in its entirety with the following:
 - a) Encourages the Province, with support from the RDOS, to create a "Drainage Master Plan" in Electoral Area "E" that accommodates anticipated growth, outlined in Section 7.0 (Growth Management).
- xv) replacing Section 21.3.1 (Policies) under Section 21.0 (Temporary Use Permits) in its entirety with the following:
 - .1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which temporary use permits may be issued.
- xvi) replacing Section 22.3.1 (Category) under Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Watercourse Development Permit (WDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

- xvii) replacing Section 22.3.4.1 (Guidelines) under Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:
 - .1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.
 - a) removal, alteration, disruption or destruction of vegetation;
 - b) disturbance of soils;
 - c) construction or erection of buildings and structures;
 - d) creation of non-structural impervious or semi-impervious surfaces;
 - e) flood protection works;
 - f) construction of roads, trails, docks, wharves and bridges;
 - g) provision and maintenance of sewer and water services;
 - h) development of drainage systems;
 - i) development of utility corridors;
 - j) subdivision as defined in Section 455 of the *Local Government Act*.
- xviii) replacing the second paragraph under Section 22.3.5 (Security and Environmental Monitors) of Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- xix) replacing Section 25.5.5 (Follow-up Studies and Initiatives) under Section 25.0 (Implementation) in its entirety with the following:
 - .5 Review of the Electoral Area "E" OCP for the purpose of clarification after its first year of use.

Electoral Area "H"

- 7. The Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012, is amended by:
 - i) replacing all references to Electoral Area 'H' with Electoral Area "H".
 - ii) replacing the recital found at page 8 of the bylaw in its entirety with the following:

Regional District of Okanagan-Similkameen Electoral Area "H" Official Community Plan Bylaw No. 2497, 2008

A Bylaw to guide land use decisions within Electoral Area "H" pursuant to Division 4 under Part 14 of the *Local Government Act of British Columbia, R.S.B.C. 2015.*

WHEREAS the Board of the Regional District of Okanagan-Similkameen wishes to adopt an Official Community Plan pursuant to Division 4 under Part 14 of the *Local Government Act*;

AND WHEREAS the Regional Board may adopt an Official Community Plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that bylaw;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan, and economic strategy plan that is applicable in the RDOS to ensure consistency between them, in accordance with the *Local Government Act*;

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Province for comment;

AND WHEREAS the Regional Board has provided one or more opportunities for consultation with persons, organizations and authorities it considers affected in the development of the Official Community Plan in accordance with Section 475 of the *Local Government Act*;

AND WHEREAS the Regional Board of the RDOS has complied with all requirements of the *Local Government Act*, prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

AND WHEREAS upon adoption of this bylaw, the Plan is an Official Community Plan of the RDOS;

NOW THEREFORE the Regional Board of the RDOS, in open meeting assembled, enacts as follows:

The Electoral Area "H" Official Community Plan attached hereto as Schedule 'A' and Map Schedules 'B', 'C', 'D', 'E', 'F', 'G', 'H' and 'l' forming part of this bylaw are adopted as the Regional District of Okanagan-Similkameen Electoral Area "H" Official Community Plan.

The bylaw shall apply only to that portion of the RDOS shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid

by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012".

iii) replacing Map 1 (General Context Map) under Section 3.0 (Community Profile) in its entirety with the following:



iv) replacing the first sentence under Section 7.2 (Growth) of Section 7.0 (Growth Management) in its entirety with the following:

Section 473(1)(a) of the *Local Government Act* requires that the OCP include a statement regarding "the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years."

v) replacing the sixth sentence under Section 7.3 (Land Capacity) under Section 7.0 (Growth Management) in its entirety with the following:

For the purposes of Section 473 of the *Local Government Act*, Table 7.3(b) indicates the amount of land designated Commercial, Industrial, Institutional, Agricultural and Recreational under the Plan at the time of its adoption.

vi) replacing Section 15.3.6 (Policies) under Section 15.0 (Administrative, Cultural and Institutional) in its entirety with the following:

Will explore the implementation of a Heritage Designation Bylaw under Part 15 of the *Local Government Act* in order that voluntary heritage site designations may be considered within the community for sites such as the Old Tulameen School; Coalmont Hotel; Coalmont Liquor Store; as well as heritage cemeteries.

- vii) replacing Section 16.3.9 (Policies Parkland Dedication) under Section 16.0 (Parks, Open Spaces & Trails) in its entirety with the following:
 - .9 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- viii) Replacing the first sentence of Section 16.3.11 (Policies Parkland Dedication) under Section 16.0 (Parks, Open Spaces & Trails) in its entirety with the following:
 - .11 May determine, in accordance with Section 510 of the *Local Government Act*, at the time of a subdivision to which Section 510 applies, whether the owner of land being subdivided must:
- ix) Replacing the first sentence of Section 16.3.11 (Policies Parkland Dedication) under Section 16.0 (Parks, Open Spaces & Trails) in its entirety with the following:
 - .11 May consider, when determining a potential park land dedication under Section 510 of the *Local Government Act*, the following policies:
- x) replacing Section 21.3.1 under Section 21.0 (Temporary Use Permits) in its entirety with the following:
 - .1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.
- xi) replacing Section 22.2.1 (Category) under Section 22.2 (Environmentally Sensitive Development Permit (ESDP) Area) in its entirety with the following:

The Environmentally Sensitive Development Permit (ESDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

xii) replacing the first sentence under Section 22.2.7 (Bonding and Environmental Monitors) of Section 22.2 (Environmentally Sensitive Development Permit (ESDP) Area) in its entirety with the following:

The Regional District Board may require security as a condition of issuance of a development permit in accordance with Section 502 of the *Local Government Act* to pay for remediation if:

xiii) replacing Section 22.3.1 (Category) under Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Watercourse Development Permit (WDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

- xiv) replacing Section 22.3.4.1 (Guidelines) under Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:
 - .1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.
 - a) removal, alteration, disruption or destruction of vegetation;
 - b) disturbance of soils;
 - c) construction or erection of buildings and structures;
 - d) creation of non-structural impervious or semi-impervious surfaces;
 - e) flood protection works;
 - f) construction of roads, trails, docks, wharves and bridges;
 - g) provision and maintenance of sewer and water services;
 - h) development of drainage systems;
 - i) development of utility corridors;
 - j) subdivision as defined in Section 455 of the *Local Government Act*.
- xv) replacing the second paragraph under Section 22.3.5 (Security and Environmental Monitors) of Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

READ A FIRST AND SECOND TIME this 20th day of September, 2018.

PUBLIC HEARING held on this 18th day of October, 2018.

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

ADOPTED this _____ day of _____, 2018.

Board Chair

Chief Administrative Officer

BYLAW NO. 2831

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2831, 2018

A Bylaw to amend the Electoral Area "A", "C", "D", "E", "F", "G" & "H" 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 Zoning Amendment Bylaw No. 2831, 2018."

Electoral Area "A"

- 2. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
 - i) replacing all references to Electoral Area 'A' with Electoral Area "A".
 - ii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iii) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- iv) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.

Electoral Area "C"

- 3. The Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
 - i) replacing all references to Electoral Area 'C' with Electoral Area "C".
 - ii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iii) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- iv) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.

Electoral Area "I"

- 4. The Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) replacing all references to Electoral Area 'D' with Electoral Area "I".
 - ii) replacing all references to Electoral Area "D" with Electoral Area "I".
 - iii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iv) replacing Section 1.1 under Section 1.0 (Title and Application) in its entirety with the following:

- 1.1 This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen, Electoral Area "I" Zoning Bylaw No. 2457, 2008".
- v) replacing Section 1.2 under Section 1.0 (Title and Application) in its entirety with the following:

This Bylaw includes:

Schedule '1'	Electoral Area "I" Zoning Text					
Schedule '2'	Electoral Area "I" Zoning Map					
Schedule '3'	Dominion Interferenc		Astrophysical	Observatory	Radio	Frequency

vi) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



vii) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:

- .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.
- viii) Schedule '2' (Zoning Map) of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by replacing all references to Electoral Area "D" with Electoral Area "I".
- ix) Schedule '3' (Dominion Radio Astrophysical Observatory (DRAO) Radio Frequency Interference (RFI) Area) of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by replacing all references to Electoral Area "D" with Electoral Area "I".

Electoral Area "D"

- 5. The Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by:
 - i) replacing all references to Electoral Area 'D' with Electoral Area "D".
 - ii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iii) replacing the second paragraph under Section 1.2 of Section 1.0 (Title and Application) in its entirety with the following:

This Bylaw includes:

Schedule 1 - Electoral Area "D" Zoning Text

Schedule 2 - Electoral Area "D" Zoning Map

iv) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- v) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.
- vi) Schedule '2' (Zoning Map) of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".

Electoral Area "E"

- 6. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
 - i) replacing all references to Electoral Area 'E' with Electoral Area "E".
 - ii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iii) replacing Section 1.1 under Section 1.0 (Title and Application) in its entirety with the following:

- 1.1 This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen, Electoral Area "E" Zoning Bylaw No. 2459, 2008".
- iv) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- v) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.

Electoral Area "F"

- 7. The Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
 - i) replacing all references to Electoral Area 'F' with Electoral Area "F".
 - ii) replacing all references to Electoral Area F with Electoral Area "F".

- iii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
- iv) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- v) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.
- vi) replacing the definition of "Official Community Plan" under Section 17.1.3 (Definitions) of Section 17.0 (Comprehensive Development) in its entirety with the following:

" Official Community Plan" means the Electoral Area "F" Official Community Plan Bylaw.

vii) replacing the definition of "zoning bylaw" under Section 17.1.3 (Definitions) of Section 17.0 (Comprehensive Development) in its entirety with the following:

"zoning bylaw" means the Electoral Area "F" Zoning Bylaw.

Electoral Area "G"

- 8. The Electoral Area "G" Zoning Bylaw No. 2781, 2017, is amended by:
 - i) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



Electoral Area "H"

- 9. The Electoral Area "H" Zoning Bylaw No. 2498, 2012, is amended by:
 - i) replacing all references to Electoral Area 'H' with Electoral Area "H".
 - ii) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- iii) adding a new Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) to read as follows and renumbering all subsequent sub-sections:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.

READ A FIRST AND SECOND TIME this 20th day of September, 2018.

PUBLIC HEARING waived this 20th day of September, 2018.

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

I hereby certify the foregoing to be a true and correct copy of the "Regional District of Okanagan-Similkameen Zoning Amendment Bylaw No. 2831, 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

ADOPTED this _____ day of _____, 2018.

Board Chair

Chief Administrative Officer



Your File #: X2018.143-ZONE (Area "I" Creation) eDAS File #: 2018-05013 Date: Sep. 11, 2018

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

Attention: Lauri Feindell, Planning Secretary

Re: Proposed Amendment Bylaw for: <u>The Creation of Electoral Area "I"</u>

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

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

Yours truly,

Rob Bitte District Development Technician

Local District Address

Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231



RESPONSE SU	JMMARY				
AMENDMENT BYLAW	AMENDMENT BYLAW NO. 2830 & 2831				
Approval Recommended for Reasons Outlined Below	☑ Interests Unaffected by Bylaw				
Approval Recommended Subject to Conditions Below	Approval Not Recommended Du to Reasons Outlined Below				
	(4) 10				
5					
ature: 1. S. Manani on	Signed By: JUBRA PACTAPPA				
ncy: <u>SD 53</u>	Title: SECRETARY TREASURER				
e: 19th September 2018					

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ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Updated Resolution for Reallocation of Regionally Significant Project Funds

Administrative Recommendation:

THAT the Regional District of Okanagan Similkameen approve the reallocation of a portion of the Regionally Significant Project Gas Tax Funds that were previously assigned to Willowbrook Water System Upgrades to include an upgrade to the Cedar Street Liftstation for the Okanagan Falls Sewer System.

Purpose:

Reallocate grant money that will be expiring in November 2018 to high priority capital projects within the 2 water systems and the sewer liftstation.

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 – to strive in meeting this goal, there are high priority projects at several of the Regional District water systems that need addressing

Background:

In 2012, funds were allocated from the Regionally Significant Projects (RSP) Fund into construction of sewers on the east side of the highway in Gallagher Lake. The total allocation was \$360,911.

On November 16, 2017 these funds were reallocated to capital projects for the Willowbrook and Sun Valley Water Systems, to be expended prior to the September 30, 2018 deadline. Capital projects then proceeded into design work for both systems.

Analysis:

The initial capital project proposed for Willowbrook water system included replacement of the pumphouse building. No bids were received on the pumphouse tender and the complete replacement of the building was put on hold as work could no longer be completed prior to November 30th.

Other capital upgrade components were then re-examined for the Willowbrook system and other key infrastructure. The Willowbrook Water System Advisory Commission has expressed a desire for a permanent back up generator to be installed. However, given the grant deadline and the work

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involved in installation of a generator, the funds are insufficient to complete all of the work required.

As an alternative, a portable generator is proposed to be purchased that will be available to the Willowbrook System as well as some other Regional District systems. In the future, once the Willowbrook Pumphouse is upgraded and treatment requirements are installed, a permanent generator should be added for the Willowbrook water system.

The portable generator proposed will be utilized in the Okanagan Falls sewer system and the Olalla Water System. Both of these systems have critical infrastructure that will benefit from the availability of a portable generator.

The projects now planned for the Willowbrook and Sun Valley Water Systems have been determined to be as follows:

Willowbrook Water System:

- Purchase of chlorine injection system for disinfection purposes
- Additional electrical work for connection of a portable backup generator to pumphouse
- Well protection on ground surface
- Replacement of the pumphouse building siding only

Sun Valley Water System:

- Replacement of aging pumps
- Replacement of leaking header pipes

After these revised works were determined and actual costs were received, the purchase of a portable generator was determined to be the most appropriate use of remaining funds. In order to utilize the portable generator, some electrical works are required at the critical infrastructure locations, specifically in Willowbrook and Okanagan Falls. The Olalla water system is already configured to accept the generator.

The Cedar Street Liftstation in Okanangan Falls is the location that all the wastewater gets pumped from Okanagan Falls to its Wastewater Treatment plant. The existing onsite generator is being scheduled for replacement in 2020, however it is at a high risk of failure due to its prolonged life. If this generator fails, no wastewater will be pumped to the treatment plant and sewers could overflow. To prevent this emergency situation the following work is proposed from the remaining part of the Regionally Significant Project funding.

Generator & Electrical Upgrades:

• Willowbrook water pumphouse: additional electrical connections and programming required to utilize a portable generator



- Cedar Street Liftstation: Replacement/installation of upgraded electrical works to allow for connection to a portable back up power generator. All of this new electrical work will be utilized when the permanent generator is upgraded in 2020.
- Purchase of a portable backup generator that can be used in Willowbrook, Okanagan Falls Sewer system and Olalla Water system and as needed at other locations by the operators.

Discussions with UBCM indicate the RSP funding is eligible to be extended until November 30, 2018. A resolution from the Board of Directors is required to modify the current agreement and extend the deadline. The use of the RSP funding does not require matching funds from the specific water or sewer system budget as it covers 100% of the eligible costs.

Respectfully submitted:

"Liisa Bloomfield"

L. Bloomfield, Engineer

Sun Valley Water, Willowbrook	Water a	nd OK Falls	Sewer	1
Total RSP Funds available	\$	360,912		
Sun Valley				
Mearle's - Pump and controls	\$	162,700	Committed	3-2-3980-5501
Ecora Review of design	\$	6,000	Committed	3-2-3980-3001
Pump starter	\$	6,100	Committed	3-2-3980-2900
Willowbrook				
WSP consulting fees	\$	34,545	Committed	3-2-3930-3001
SCADA hardware	\$	12,600	Committed	3-2-3930-2900
Building resided (tin siding)	\$	5,400	quote received	3-2-3930-2900
AHS Pre-Demo Survey	\$	1,000	Committed	3-2-3930-2900
OK Falls				
Electrical work at Cedar Street	\$	42,600	Quote received	
Portable generator	\$	90,000	Quote received	
TOTAL SPENT/COMMITTED	\$	360,945		

APPENDIX "A"



ADMINISTRATIVE REPORT

RE:	Pre-purchase of Sheet Piles for Wetland Construction
DATE:	October 18, 2018
FROM:	B. Newell, Chief Administrative Officer
TO:	Board of Directors

Administrative Recommendation:

THAT the Board of Directors award the contract to pre-purchase sheet pile structural units for the Okanagan Falls Wetland construction project to Samuel Roll Form Group at a cost of \$207,292.12.

Purpose:

Pre-purchase of the sheet pile structural units necessary for the construction of the wetland at the Okanagan Falls Wastewater Treatment Plant.

Business Plan Objective: (Tie to current RDOS Business Plan)

Key Success Driver #3 – Build a Sustainable Region

Complete the Wetland project for the Okanagan Falls Wastewater Treatment Plant

Background:

The Regional District of Okanagan-Similkameen owns and operates the Okanagan Falls sewer collection system and treatment plant. 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. In April 2018, a consultant, Ducks Unlimited - Native Plant Solutions, was retained to complete the design and oversee the construction of the wetland.

The Regionally Significant Program funds that must be spent prior to November 30, 2018 are approximately \$360,000. In order to fully utilize the funds, prepurchase of sheet piles for the construction is recommended by the consultant.

Analysis:

During the pre-design of the wetland, the onsite material was assessed for geotechnical suitability. It was determined that using the onsite material for sidecast berm construction would pose a higher seepage and contamination risk than other methods. Additionally, the


berm design would result in only a 51% usage of the viable area thereby reducing the wetland treatment potential.

In order to mitigate the contamination risk, it was proposed to import clay to construct the berm which would improve the containment potential. Preliminary efforts to source suitable clay soil determined importing costs would make this option financially unfeasible. As the suitable alternative, the use of sheet piles for construction was recommended by the consultant.

The sheet pile design option for the construction of the wetland offers several benefits over a sidecast berm design. The sheet pile design:

- provides maximum usage of the area thereby achieving the maximum treatment potential;
- is the the lowest capital cost per hectare;
- offers the lowest operation and maintenance factor;
- requires a shorter construction duration;
- offers the most conservative environmental impact with the smallest disturbance width and lowest risk of seepage/contamination; and
- provides narrowest profile which blends into the natural area and is more aesthetically pleasing.

Sheet pile berm design proved to be the most desirable option with the lowest environmental impact and highest treatment potential for the most economical cost.

Supplier	Cost
Skyline PHP Canada ULC	\$356,661.82
Skyline PHP Canada ULC	\$312,488.62
Wolf Remediation Ltd.	\$216,561.54
Samuel Roll Form Group	\$178,948.12

The following table provides the sheet pile quotes received

Because the low bid has come in below the budget, the consultant has reviewed the alternative of using the sheet pile for the central berm in addition to the perimeter berm. The extra material cost would be \$28,344. Using sheet pile for all berms would reduce future maintenance costs and would take full advantage of the available Regionally Significant Projects funds.

The recommendation is to prepurchase the sheet pile for all berms for the wetland construction from Samuel Roll Form Group for \$207,292.12.



Respectfully submitted:

"Liisa Bloomfield"

L. Bloomfield, Engineer

Https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2018/20181018/Boardreports/D.2. Wetland Sheet Piles Award.Docx File No: 1220.20 D Purchase of Sheet Piles Wetland Page 3 of 4



APPENDIX "A"

\$ 360,912	From RSP
\$ 700,000	From Community Works (See NOTE)
\$ 140,000	Committed to be spent by November 30, 2018
\$ 208,000	Quotes received
\$ 348,000	From RSP fund
	\$ 360,912 \$ 700,000 \$ 140,000 \$ 208,000

November 30, 2018 expiry date like the Regionally Significant Program funds





17504 111Ave Edmonton, AB T56 0A2 Phone: 780-930-1257 www.nativeplantsolutions.com

October 11, 2018

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

ATTENTION: Liisa Bloomfield, P.Eng. PMP Engineering Supervisor, Regional District of Okanagan-Similkameen RE: Okanagan Falls Treatment Wetland Sheet Pile Quotations

Dear Liisa;

We requested quotations from three suppliers for sheet piles for the above noted project. The specifications were based on strength and stability requirements and all products meet these requirements. Quotes were received from all 3 suppliers.

Skyline Steel was not able to meet the delivery schedule for their lightest section that met the specifications and so they submitted 2 quotes – one for a heavier section that can be delivered in time and a second for the lighter section that can't be delivered before December 15.

Copies of all quotations are attached.

The quotations are compared on the attached spreadsheet and summarized as:

Wolf Remediation	\$216,561.54	+21%	(FRP Composite Pile Series 1580)
Skyline Steel	\$356,661.82	+99%	(SKS 13 Steel – Heavier than req'd)
Skyline Steel 2	\$312,488.62	+75%	(SKS 11 Steel – Can't be on time)
Roll Form Group	\$178,948.12	0%	(RFG L-50)

Skyline Steel and Roll Form Group both quoted on cold rolled steel piles. These piles have an estimated life of 30-50 years. The Wolf Remediation quote is for a FRP Composite pile that has an expected life of over 80 years.

The installation cost of all products should be virtually the same. The FRP Composite section will give us the option of not building berms on all visible sections.

Because the low bid has come in below the budget, we have reviewed the alternative of using the sheet pile for the central berm as well. The extra material cost would be \$20,344 plus delivery. We will need to obtain a delivery price from Roll Form Group, but we expect it to be \$4000-\$8000 depending on the number of trucks required. We will have a revised delivery price prior to your council meeting next week. The advantages to this would be to reduce future maintenance costs on the central berm and to take full advantage of the available Regional Significant Projects grant money.

Based on the above we recommend proceeding with ordering the required material from Roll Form Group for all the sheet pile. Our current estimate for this is \$205,000 and we should be able to provide a firm price before the October 18 board meeting.

If you have any questions or concerns please contact the writer at (780) 239-4211.

Yours truly

∕∂avid Mar(tz, P.Eng. National Manger Engineering Services Ducks Unlimited Canada



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Net Zero Waste Organics Infrastructure Program Funding

Administrative Recommendation:

THAT the Regional District of Okanagan Similkameen provide their support to Net Zero Waste for their submission for organics infrastructure program funding to upgrade their composting facility between Eastgate and Princeton.

Background:

The site is currently zoned for composting, has lost a primary customer, and needs to repurpose. This project provides jobs and attracts investment within the Regional District and the Board has previously indicated support for organic recycling.

Analysis:

This request for support requires no financial commitment or work from the Regional District.

Alternatives:

1. Deny the Request



October 5th, 2018

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

Attention: Newell, Bill Chief Administrative Officer

Re: Regional District Support – Organics Infrastructure Program Funding

As you may know, Net Zero Waste Inc. (NZW) currently owns and operates four composting facilities within BC. We recently submitted a proposal to the RDOS in February of 2016 when you went to RFP for your own facility and we continue to work with staff and some of your communities as you work towards finding suitable sites for your food waste and source separated organics processing. We have toured 3 of your Directors and one of your City Councilors through our Net Zero Waste Abbotsford Composting Facility and they were all thoroughly impressed with our operation, the quality of our compost and the lack of odour or negative impacts to the community.

Our facilities are all operated with Best Management Practices and for the last 5 years Net Zero Waste has been teaching the Operator Training Course in co-operation with the Composting Council of Canada (CCC) and the Solid Waste Association of North America (SWANA). Our next course is to be held in Kelowna at the end of October 2018 and is currently sold out with 15 participants including staff from within the RDOS. Our team has successful experience with the implementation of multiple small to medium scale composting projects within BC and we are currently in the process of upgrading an existing composting operation within the RDOS.

As outlined in our call earlier today and with your staff over the past few days, our team is currently applying to Provincial Government to obtain some of the "organics infrastructure program funding" being offered to upgrade composting and organics management facilities. We are writing you now to ask for RDOS support (in principal) to our application to obtain this funding.

Our site is located between East Gate and Princeton and for the past 10+ years was used to make "mushroom" compost. It is our intent to utilize the funding towards the education and training of local staff as well as towards upgrading site infrastructure. We require no commitments from the RDOS or your member municipalities including no financial obligation of any kind or any organic waste feedstocks. Our aim would be to provide organic processing services to you should you require it, either as a regional facility or as an overflow facility should you experience an issue or unexpected shut down at other sites. At this time, only an expression of interest is required for the funding application, however in the months ahead, we welcome the opportunity to provide a presentation to the Regional District on our design and planned investment for the upgrades planned to this existing composting operation.

Very truly yours,

NET ZERO WASTE INC. Per:

Mateo Ocejo, P.Eng. Director



ADMINISTRATIVE REPORT

TO:	Board of Directors
FROM:	B. Newell, Chief Administrative Officer
DATE:	October 18, 2018
RE:	Heritage Hills Park Naming

Administrative Recommendation:

THAT the RDOS Board endorse the name "Ted Garnett Park" for a public park located on Lot 2, Plan EPP61041, District Lot 2710, Land District Similkameen Div. of Yale, PID: 029-841-372.

Reference:

RDOS Corporate Donations and Naming Rights Policy, May 3, 2018

Background:

On July 16, 2015 the RDOS Board accepted a donation of parkland at Heritage Hills within Electoral Area "D". The donation was part of a purchase/donation agreement with Vintage Views Development Ltd. (Jasmine and John Aantjes) which resulted in a total of 3.8 acres of parkland.



Since that time, Okanagan Falls Parks and Recreation Commission, supported by the Heritage Hills/Lakeshore Highlands Homeowner's Association and RDOS staff have developed a long-term park plan for the land.



The parkland donation/purchase agreement with Vintage Views Development Ltd. included a clause offering the donor an option to propose a name for the park. It was understood that this would be a recommendation to the Board only and that the final decision would be left to the Boards' discretion.

On May 3, 2018 the Board passed its' Corporate Donations and Naming Rights Policy. The policy futher supports a donor who has contributed towards a special project to be permitted to have input into the naming rights of the specified project.

Analysis:

Jasmine and John Aantjes of Vintage Views Development Ltd. has submitted and strongly support the name "Ted Garnett Park" for this public space in recognition of the contributions Mr. Ted Garnett and his family have made towards the development of Vintage Views.

Additional Information regarding Ted Garnett: <u>https://www.castanet.net/news/Penticton/228880/Ted-Garnett-bigger-than-life</u>

The Okanagan Falls Parks and Recreation Commisison and the Heritage Hills/Lakeshore Highlands Homeowner's Association have deliberated on the proposed name and have no objection.



Alternatives:

Do not endorse the name of "Ted Garnet Park" and direct staff to commence with a public naming process for the park.

Communication Strategy:

- 1. Work with the community, associated park groups and the donor to carry out a formal recognition event at the site.
- 2. Press Release
- 3. Recognition Plaque

Respectfully submitted:

"Mark Woods"

M. Woods, Manager of Community Services



ADMINISTRATIVE REPORT

TO:	Board of Directors
FROM:	B. Newell, Chief Administrative Officer
DATE:	October 18, 2018
RE:	Naramata Park Naming

Administrative Recommendation:

THAT the RDOS Board endorse the name "Spirit Park" for a public park located on Lot A, Plan EPP61599, District Lot 210, Land District Similkameen Div. of Yale, PID: 029-969-549.

Reference:

RDOS Corporate Donations and Naming Rights Policy, May 3, 2018

Background:

In October 2016, RDOS purchased land from School District No.67 for additional parkland in Naramata. Purchased through Electoral Area "E" park reserves, the site was formally part of the Naramata Elementary School grounds.

This strategic acquisition was undertaken to provide local control of maintenance and upgrades of the public space. A park development plan was undertaken by the Naramata Parks and Recreation Commission which identified preferred upgrades and new amenities for the park.

Analysis:

In 2017, Naramata Parks & Recreation Commission surveyed residents of Naramata for name ideas for the newly acquired park space. Many suggestions were provided and the name that scored the highest was "Eagles House."

"Eagle House" was suggested by several residents who had been told it was the first nations place name for Naramata. In consultation with the Penticton Indian Band (PIB) it was determined that the correct wording is "House of Bald Eagle" or citx^ws paqəlqyn in the Nsyilicen language.

The name was well received by the community and presented an opportunity to work with local first nations, to share their history in the area. It was decided however that it would be more appropriate to identify the entire community to celebrate this heritage instead of the park. So, in collaboration with PIB, the community is working to have a sign placed at the entrance to the community on Naramata Road.

For the parkland adjacent to the school, it was felt the name "Spirit Park" was fitting as it would represent school spirit, First Nations Spirt, sportsmanship and community spirit.

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Through the naming process, three popular names were identified which it was felt could be utilized to identify various park amenities. For example, the new park will have a playground area which will have a small sign indicating "Peacock Playground."



Alternatives:

Not endorse the name "Spirit Park" and direct staff to research addition naming options

Communication Strategy:

- 1. Work with the community and associated park groups to carry out a formal recognition event at the site
- 2. Press Release
- 3. Recognition Plaque

Respectfully submitted:

"Mark Woods"

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M. Woods, Manager of Community Services



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Bylaw 2834 Community Works Gas Tax Reserve Expenditure – Area F

Administrative Recommendation:

THAT Bylaw No. 2834, 2018, Electoral Area "F" Community Works Program Reserve Fund Expenditure Bylaw to allocate \$31,000 to install solar lighting on pedestrian pathway in West Bench be read a first, second and third time and be adopted.

Reference:

Bylaw 2405, 2006 - Regional District Okanagan Similkameen Electoral Area "F" Community Works Program Reserve Fund Establishment Bylaw.

Bylaw 2834, 2018 – Electoral Area "F" Community Works Program Reserve Fund Expenditure Bylaw

Background:

This project involves the installation of solar light bollards adjacent to the pedestrian pathway on the West Bench.

A pilot exercise that we undertook over the past several months to test the quality and quantity of light on the path has proved a success. The 35" light bollard provides excellent lighting coverage to the path without interfering with the roadway.

We have mapped out the proposed location of lights we would like to install. These are areas where no light is available from overhead streetlights.

Analysis:

This project falls within the recreational category of the Community Works Gas Tax Guidelines.

The current uncommitted balance in the Electoral Area "F" Community Works Program Reserve account is \$575,663.85.

Alternatives:

Status Quo – project does not move forward.



Respectfully submitted:

"John Kurvink, Manager of Finance, CFO"

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2834, 2018

A bylaw to authorize the expenditure of monies from the Electoral Area 'F' Community Works Program Reserve Fund for the installation of solar lights on the West Bench pedestrian pathway

WHEREAS Section 377 of the Local Government Act, and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;

AND WHEREAS the 'Electoral Area 'F' Community Works Program Reserve Fund' has sufficient monies available for community capital projects;

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

1 Citation

1.1 This Bylaw shall be cited as the "Electoral Area 'F' Community Works Program Reserve Fund Expenditure Bylaw No. 2834, 2018"

2. The expenditure of \$31,000.00 from the Electoral Area 'F' Community Works Program Reserve Fund is hereby authorized for the installation of solar lights on the West Bench pedestrian pathway

READ A FIRST, SECOND, AND THIRD TIME this ____ day of ____, 2018

ADOPTED this ____ day of ____, 2018

RDOS Board Chair

Corporate Officer



ADMINISTRATIVE REPORT

RE:	Petition to enter Gallagher Lake Water & Sewer Service Area
DATE:	October 18, 2018
FROM:	B. Newell, Chief Administrative Officer
TO:	Board of Directors

Administrative Recommendation:

THAT Bylaw No. 2630.06, 2018 Gallagher Lake Water and Sewer Service Area Extension Bylaw be read a first, second and third time.

Purpose:

To bring an additional property into the Gallagher Lake Water and Sewer Service Area.

Reference:

Petition documents. Gallagher Lake Water and Sewer Service Area Bylaw No. 2630, 2018, RDOS Fees and Charges Bylaw 2787, 2018.

Business Plan Objective:

To bring additional properties into the Gallagher Lake Water and Sewer Service Area.

Background:

The Gallagher Lake Water and Sewer Service Area was established at the Septemeber 5, 2013 Board meeting by Bylaw No.2630, 2013.

The applicant has petitioned the Regional District to allow the entry of the parcel legally described as: Lot 3, Plan KAP 11959, District Lot 28S, SDYD.

Alternatives:

THAT readings of Bylaw No. 2630.06, 2013 be abandoned.

Analysis:

Under Regional District Establishing Bylaw Approval Exemption Regulation 113/2007, the Board may adopt a bylaw without approval of the Inspector of Municipalities if a sufficient petition and consent from the Electoral Area Director is received. The petition received in relation to this bylaw has been certified sufficient and Director consent has been obtained; accordingly, the Board may now adopt the bylaw.



Communication Strategy:

The property owner will be advised of the Board's decision.

Respectfully submitted:

S. Juch, Development Engineering Supervisor

ADMINISTRATIVE REPORT

TO: Corporate Services Committee
FROM: B. Newell, Chief Administrative Officer
DATE: October 18th, 2018
RE: RDOS Fees and Charges Bylaw No. 2787, 2018



For Information.

Reference:

Local Government Act

Background:

Through the *Local Government Act*, the Regional District has the authority to impose fees and charges for services that are provided. Prior to 2010, the Regional District fees and charges were located within a number of different bylaws; however, in that same year an all-encompassing Fees and Charges Bylaw was brought in for ease of reference and review on an annual basis.

Although, the bylaw can be amended throughout the year, administration brings the bylaw forward for review and amendment in conjunction with the budget process.

Analysis:

SCHEDULE 2 (BUILDING INSPECTION SERVICES FEES)

- Section 3.0 to introduce a fee for temporary buildings and siting permits
- Section 4.0 to introduce a fee for farm buildings
- Section 13 to introduce a fee for reviewing alternative solutions

Section 15 – increasing the fees for removal of a notice filed against a property title to more accurately reflect the resources required in this process

SCHEDULE 3 (LIQUOR AND CANNABIS REGULATION BRANCH (LCRB) REFERRALS)

Section 17.0 – Liquor and Cannabis Regulation Branch (LCRB) Referrals

• To add a new schedule for Liquor and Cannabis Regulation Branch Referral application fees.

SCHEDULE 5 (PUBLIC WORKS AND ENGINEERING SERVICES FEES)

Section 5 – Cemetery Fees

- General housekeeping, reformatting
- Fees to comply with Naramata Cemetery Regulation Bylaw 2816, 2018

Section 7 – Sanitary Landfills:

- Under 1.2 Demolition, Renovation, Construction Mixed Load Solid Waste delete charge variable
- Under 1.3 Recyclables Correction of residential volumes from imperial to metric (oil and paint), and to provide an exact number to assist in determining "Residential Volume" for Mercury containing material fluorescent tubes (10 tubes per load per day)
- Under 1.3 Recyclables Residential Recycling-Unsorted Residential recycling update all recyclables must be source separated

SCHEDULE 6 (PARKS AND RECREATION FEES)

- New fee structures implemented to minimize on site cash collection
- To provide optional prepaid fee structure
- Encourage more members of the area to utilize our facilities. Major concern that has come up is how out of touch the prices are with other facilities as well as how unaffordable they are for this area as the demographic is largely made up of seniors and low income families. Our goal is to exceed our regular revenue with a significant increase in users
- Add a new section Park Donation program as part of implementing the new regionalized RDOS

SCHEDULE 8 (FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY REQUEST FEES)

- Update of definitions and fees as per *Freedom of Information and Protection of Privacy Regulation*
- Removal of obsolete formats
- Addition of available formats

SCHEDULE 9 (STREET LIGHTING)

• To add a new Schedule for 'street lighting' fees

Communication Strategy:

The Regional District of Okanagan-Similkameen Fees and Charges bylaw is posted annually on the RDOS Website and will be the topic of a future Regional Reflections article to help citizens understand the various fees and charges they may be subject to.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

Fees and Charges Bylaw No. 2787, 2018

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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN	Formatted: Font: (Default) Arial
BYLAW NO. 2787, 2018	
A bylaw to set fees and charges for Regional District services and information.	Formatted: Font: (Default) Arial
WHEREAS the <i>Local Government Act</i> provides that the Board may by bylaw establish fees and charges for various Regional District services and information;	Formatted: Font: (Default) Arial, 11 pt
AND WHEREAS in accordance with Section 397 [imposition of fees and charges] and Section 462 [fees related to applications and inspections] of the <i>Local Government Act</i> ; the Regional Board wishes to establish fees and charges which reflect cost recovery for service and information provided;	'S
NOW THEREFORE , the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:	
1 - Citation	Formatted: Font: (Default) Arial, 11 pt
1.1 This Bylaw shall be cited as the Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2787, 2018.	
2 – Fees and Charges	
2.1 Wherever this Bylaw sets out fees and charges with respect to other Regional District bylaws and such other bylaws contain similar fees and charges, the Fees and Charge Bylaw shall prevail.	
2.2 Wherever this Bylaw sets out fees and charges for work done or services provided to la or improvements, the Regional District may recover the costs of undertaking the work the same manner and with the same remedies as property taxes.	
2.3 The schedule of fees to be imposed for the provision of goods, services and information as specified in Appendix 'A' Schedules 1 to <u>8</u> 7 attached hereto, and forming part of the bylaw, is hereby established.	
3 – Effective Date	Formatted: Font: (Default) Arial, 11 pt
3.1 This bylaw shall come into effect on April 15, 2018.	
4 - Repeal	Formatted: Font: (Default) Arial, 11 pt
4.1 Bylaw No. 2771, 2017 is repealed as of April 15, 2018.	
READ A FIRST AND SECOND TIME this day of 1 st day of February, 2018. READ A THIRD TIME AND ADOPTED this 15 th day of February, 2018.	

RDOS Board Chair	Corporate Officer	 Formatted: Font: (Default) Arial, 11 pt

Schedule 1 – Corporate Services Fees

1.0 - Photocopies

8.5" x 11"	\$0.25/page
8.5" x 14"	\$0.35/page
11" x 17"	\$0.50/page
24" x 36"	\$2.50/page

2.0 - Finance Fees and Charges

- 2.1 Utility Search Fee \$20.00
- 2.2 Utility rates will be billed as set out in this bylaw and if remain unpaid after the due date, a percentage addition of ten percent of the amount thereof shall be added on the following working day.

In default of any such owner making any such payment or payments as in such agreement made and provided, the Collector for the Regional District shall add such amount in default to the taxes of such lot or parcel of land on the Collector's Real Property Tax Roll and thereafter such amount shall be deemed to be taxes against the said property and shall be dealt with in the same manner as taxes against the said property would be dealt with under the provisions of the *Local Government Act* and *Community Charter*.

2.3 Processing fee for payments returned by the financial institution - \$30.00

3.0 - Mapping

- 3.1 Legal, civic and zoning 1:5,000 scale maps are available to the public in the following formats:
 - Hardcopy maps at a price of \$15 per map.
 - · Digital format (Adobe PDF) set of maps for price of \$30 per CD.
- 3.2 Cost for miscellaneous hard copy maps in GIS warehouse directory is \$35 per map.
- 3.3 Cost for creation of custom maps is \$80/hr. A minimum charge of \$140 is required with a minimum notice of 15 working days by the applicant.

4.0 - Digital Data

4.1 RDOS will provide GIS data available at no charge on the RDOS FTP site as per Item 1.0 of Enterprise Unit Data and Services Policy.

5.0 - GIS Services for Municipalities, Provincial and Federal Government

- 5.1 Access to existing RDOS internal internet mapping application will be \$2,933 /year.
- 5.2 Creation of a municipal specific internet mapping application with functionality in addition to or different from the RDOS internal application as per Item 2.1 of Enterprise Unit Data and Services Policy will be available at a cost of \$4,989 per year.

- 5.3 Specific GIS services as per items 2.2 and 2.3 of Enterprise Unit Data and Services Policy will be available at a cost of \$45.90 /hr for the GIS Assistant, \$58.73/hr for GIS Analyst/Programmer \$80.47 /hr for IS Manager, \$53.28/hr for the Systems Administrator and \$44.67/hr for the IT Technician/Programmer.
- 5.4 GIS Services will be available to the public at a cost of \$ 100/hr with a minimum payment of 2 hours provided the Information Services Manager determines the RDOS has the resources to complete the project.

6.0 - Human Resources Services for Municipalities

6.1 Human Resources services will be available to municipalities as per items 3.1 and 3.2 of Enterprise Unit Data and Services Policy. Services will be available at a cost of \$71.19/hr for the HR Manager and \$48.38/hr for HR Coordinator.

7.0 - IT Services for Municipalities

7.1 IT services will be available to municipalities as per items 4.1 and 4.2 of the Enterprise Unit Data and Services Policy will be available at a cost of \$53.28 /hr for the Systems Administrator and \$ 44.67/hr for IT Technician/Programmer, \$45.90/hr for the GIS Assistant and \$80.47/hr for the IS Manager.

Schedule 2 – Building Permit Fees

1.0 - Plan Processing Fee

1.1 The fee for plan processing shall be \$150.00 for projects with an estimated construction value less than \$100,000. The fee for plan processing for projects valued over \$100,000.00 shall be \$500.00.

2.0 - Building Permit – to be determined as follows:

- 2.1 \$12.00 for each \$1,000.00 of construction value up to \$500,000.00;
 \$10.00 for each \$1,000.00 of construction value between \$500,000.01 and \$1,000,000.00; and
 \$6.00 for each \$1,000.00 of construction value after \$1,000,000.01
- 2.2 The minimum permit fee for a permit, or a series of permits on the same parcel of land, issued at the same time is \$150.00 (with the exception of a permit for a solid fuel-fired appliance).
- 2.2 using Table A-1 for detached single family dwellings, duplex dwellings where one dwelling is not located above the other dwelling and buildings that are accessory to these buildings; or,
- 2.3 using the declared contract value for all construction other than that work included in paragraph 1. above, except that if the declared value is contested by the building official the value will be established using the Marshal & Swift Residential Cost Hand Book or the RS Means Square Foot Costs Handbook.

Proposed <i>construction</i>	Value per square meter	Value per square foot
One storey*	\$1453	\$135
Finished basement	\$538	\$50
Each Additional Storey	\$807	\$75
Enclosed structure or Garage**	\$430	\$40
Sundeck (no roof)	\$323	\$30
Roof only	\$215	\$20
Unenclosed structure or carport	\$269	\$25
Pool	\$377	\$35

Table A-1

*The fee covers slab on grade, crawlspaces and unfinished basements **The minimum permit fee for a structure over 55 m² shall be \$300

<u>3.0</u>	Permit fees for temporary buildings and siting permits	\$150.00
4.0	Permit fees for farm buildings	\$250.00
	(relevant to Building Bylaw #2805)	

35.0 - Plan Review Fee

35.1 Submissions of revised drawings once a zoning or building code review has been

completed will result in a minimum charge of \$100. In addition, an hourly rate of \$50 will be charged if the revised drawings require more than 1 hour of review.

46.0 - Locating/Relocating a Building

- 46.1 The fee for a permit authorizing the locating or relocating of a building or structure including the value of any additions or modifications, shall be calculated at 0.7 of the fees set out in Table A-1.
- 46.2 A modular home or manufactured home installed in accordance with Z-240.10.1, including the value of any additions or modifications shall be calculated at 0.5 of the fees set out in Table A-1.

57.0 - Demolishing a Building or Structure

57.1 The fee for a permit authorizing the demolition of a building or structure shall be \$150.00.

68.0 - Plumbing Permits

68.1 The permit fee for each plumbing fixture shall be \$10.00 per fixture, when the plumbing permit is issued in conjunction with a building permit, and \$10.00 per fixture plus an administration fee of \$100 when a plumbing permit is issued separately.

8.2

6.2 The plumbing permit fee may be reduced up to 25% (minimum fee \$150) with submission and approval of plumbing system layout drawings by a TQ certified tradesperson (plumber) for single family new construction and renovation projects.

79.0 - Solid Fuel Burning Devices

79.1 The permit fee for the installation of solid fuel burning appliances, fireplaces and chimneys shall be \$100.00 per appliance.

810.0 - Re-inspection Fees

810.1 The fee for a re-inspection shall be \$100.00.

911.0 – Health and Safety Inspection

<u>11</u>9.1The fee for any inspection to confirm health & safety requirements as set out in the BC Building Code shall be \$100.00.

102.0 - Transfer Fee

1<u>92</u>.1The fee for the transfer of a permit as set out in the RDOS Building Bylaw shall be \$100.00.

143.0 - File Searches* and Comfort Letters (*for routinely releasable records only)		
143.1 Information recovery from archived files	\$30.00	
143.21nformation recovery from building permit files and property folio files:		
i) first $\frac{1}{2}$ hour of time spent	\$0.00	
ii) each additional $\frac{1}{4}$ hour spent after first $\frac{1}{2}$ hour of time	\$10.00	
143.3Digital copies of archived files materials (if available)	\$15.00	

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(includes approved RDOS USB memory stick)

143.4 The fee for comfort letters shall be \$100.00 per property to determine building bylaw compliance.

124.0 - Deficiency Inspection Permit for Removal of Notice on Title

124.1 Remove Notice on Title (no lawyer involvement)	<u>\$1000.00</u>
14.2 Deficiency Inspection Permit and subsequent removal of Notice of lawyer has been involved)	f Title (where \$1500.00
14.3 Each deficiency re-inspection fee for a deficiency inspection permit and subsequent removal of a N shall be \$250.00. The fee for a deficiency re-inspection shall be \$10	

135.0 - Permit Extension Fee

135.1The fee for permit extension shall be \$100.00

146.0 - Legal Documents

14 <u>6</u> .1Titl	e search		\$25.00
14 <u>6</u> .2	Covenants, Right of Ways, Easements,		

Plans and similar documents: actual cost of document (minimum \$25.00)

157.0 - Covenants

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on of a Covenant	Preparati \$500.00
15 <u>7</u> .2	<i>4000.000</i>
t Discharge	Covenan \$250.00

1.0	Offic	Official Community Plan (OCP) amendment				
	1.1	Application fee	\$1,000.00			
	1.2	Joint Zoning Bylaw Amendment fee	\$1,500.00			
		plus: i) \$25.00 per dwelling unit and/or parcel in excess	of four (4)			
2.0	Zon	Zoning Bylaw or Land Use Contract (LUC) amendment				
	2.1	Application fee	\$1,000.00			
		plus: i) \$25.00 per dwelling unit and/or parcel in excess o	f four (4)			
3.0	Tem	porary Use Permit				
	3.1	\$700.00				
	3.2	Renewal fee	\$350.00			
4.0	Dev	elopment Permit				
	4.1	Application fee:				
		i) Delegated Development Permit	\$300.00			
		ii) Non-Delegated Development Permit	\$600.00			
		iii) Expedited Development Permit	\$150.00			
	4.2	Amendment to a Permit fee:				
		i) Delegated Development Permit	\$300.00			
		ii) Non-Delegated Development Permit	\$300.00			
		iii) Expedited Development Permit	\$150.00			
5.0	Dev	elopment Variance Permit				
	5.1	Application fee	\$400.00			
6.0	Воа	Board of Variance Appeal				
	6.1	Application fee	\$500.00			
7.0	Floodplain Exemption					
	7.1	Application fee	\$400.00			
8.0	0 Strata Title Conversion					
	8.1	Application fee	\$150.00			
9.0	Carr	plus: i) \$150.00 for each additional unit Campsite Permit (Bylaw 713)				
	9.1	Application fee	\$150.00			
		plus: i) \$15.00 for each camping space				
	9.2	Renewal fee	\$150.00			

10.0 Mobile Home Park Permit (Bylaw 2597)					
10.1 Application fee	\$150.00				
plus: i) \$30.00 for each mobile home space					
10.2 Renewal fee	\$150.00				
11.0 Applications to the Agriculture Land Commission					
11.1 Application fee	\$1500.00				
12.0 File Searches (for routinely releasable records only)					
12.1 Information recovery from archived files	\$30.00				
12.2 Information recovery from a property folio:					
i) first ½ hour of time spent	\$0.00				
ii) each additional $\frac{1}{4}$ hour spent after first $\frac{1}{2}$ hour of time	\$10.00				
13.0 Legal Documents					
13.1 Documents from Land Titles Office and BC Registries and Online Se	rvices:				
i) State of Title	\$25.00				
 Covenants, Right of Ways, Easements, Plans and similar documents: actual cost of document (minir 	mum \$25.00)				
14.0 Covenants					
14.1 Discharge of a Statutory Covenant	\$250.00				
14.2 Preparation or Amendment of a Statutory Covenant	\$500.00				
15.0 Comfort Letters					
15.1 "Comfort Letter" for compliance with bylaws or zoning	\$100.00				
16.0 Letter of Concurrence for Communication Towers	\$400.00				

NOTE: The number of dwelling units and/or parcels referred to at Sections 1.2 and 2.1 shall be determined by either using the maximum density of dwelling units permitted per hectare of land in the proposed zone or designation, or by dividing the area of the land proposed to be redesignated or zoned by the minimum parcel size requirement of the proposed zone or designation, whichever yields the greatest number.

17.0 Liquor and Cannabis Regulation Branch (LCRB) Referrals

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17.1	Application Fee – Liquor License	\$100.00
17.2	Application Fee – Cannabis License	\$1,000.00

1.0	۸n:-	edule 4 – Bylaw Enforcement Fees			
1.0	Animal Control Fees 1.1. Impoundment Fees – Dogs (other than Dangerous Dogs)				
	1.1.	 first impoundment in any calendar year 	\$ 50.00		
		 second impoundment in any calendar year 	\$100.00		
		 third impoundment in any calendar year 	\$250.00		
		 each subsequent impoundment in any calendar year 	\$500.00		
	1.2	Impoundment Fees – Dangerous Dogs			
		each impoundment	\$1,000.00		
	1.3	Maintenance Fees			
		 each twenty-four (24) hour period, or part thereof 	\$ 20.00		
		Dangerous Dog	\$30.00		
	1.4 Veterinary Costs Incurred costs as invoiced by Veterinarian.costs as invoiced by Veterinarian				
2.0	Dog	Dog Licensing Fees:			
	2.1	Intact Males and Non Spayed Females	\$ 50.00		
		Spayed Females and Neutered Males	\$ 20.00		
		Certified Guide or Assistance Dog	no charge		
2.2 notwithstanding 2.1, the licence fee for a dog that has reached 24 same licencing year shall be prorated to a minimum amount of \$5.00					
	2.3	Where an owner presents proof that a dog was spayed or ne calendar year as the dog licence, the difference in licence fee s for that calendar year, provided that the reimbursement is re same calendar year as the licence.	shall be reimburse		
3.0		acement of Lost, Destroyed or Mutilated Tags:	• • • • •		
	3.1	replacement of any lost, destroyed or mutilated tag	\$ 5.00		
l.0		ning Permit Fees	Bylaw 2364		
	4.1	Open Air Burning Permit (valid for one year)	\$30.00		
.0	-	overy of Collection Fees For Fines	Bylaw 2507		

Recovery of Collection Fees For Fines5.1To recover costs during collection process Bylaw 2507 as incurred

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Schedule 5 – Public Works and Engineering Services Fees

Section 1- Development Fees Bylaw 20			
		\$ 400.00	
1.2	Simple lot intended to be created	\$ 500.00	
1.3	Strata lot/unit intended to be created	\$ 500.00	
1.4	Boundary Adjustments, per lot altered	\$ 100.00	
1.5	Revision of subdivision referrals, each	\$ 150.00	
	Exa 1.1 1.2 1.3 1.4	Examination Fees for the Subdivision of Land:1.1Subdivision Administration Fee1.2Simple lot intended to be created1.3Strata lot/unit intended to be created	

If the revision results in additional lots to be created then 1.2 or 1.3 shall apply. If the revision results in a reduction of lots then no refund is given.

1.6 Review Fee

A development/subdivision design review fee of whichever the greater between \$500 or equal to one percent of the construction cost (approved estimate by the Regional District) of works and services which are reviewed by the Regional District, shall be paid to the Regional District before a development/subdivision is approved.

1.7 Inspection Fee

An inspection fee equal to three percent of the construction cost (approved estimate by the Regional District) of works and services which are owned and operated by the Regional District and that are reviewed or inspected by the Regional District, shall be paid to the Regional District before a subdivision is approved.

The inspection fee is not payable if the owner submits a certificate from a professional engineer that all works and services have been inspected by the engineer and have been completed in accordance with the requirements of this bylaw.

2.0 Water Meter Vault, Appurtenances and Installation Fees

2.1 For all newly created lots a fee will be paid a time of subdivision for each lot that lies within a Water Service Area owned and operated by the Regional District as follows:

2.1.1	3/4 to 1 1/2 inch Service	\$1,500/lot
2.1.2	2 inch Service	\$2,000/lot
2.1.3	4 inch Service	\$3,000/lot

The fee includes the cost for the water meter and meter installation.

2.2 The fees in 2.1 may also apply to zoning amendment applications.

Schedule 5 – Public Works and Engineering Services Fees

Section 2 - Development Cost Charges & Capital Expenditure Fees

1.0	Oka 1.1		alls Sewer Development Cost Charges letached dwelling per lot/per dwelling unit	Bylaw 2486 \$9,500.00	
	1.2	Duplex	per dwelling unit	\$9,	500.00
	1.3	Townho	use per dwelling unit	\$6,800.00	
	1.4	Apartme	ent per dwelling unit	\$6,800.00	
	1.5	Comme	rcial per m ² gross floor area	\$	30.00
	1.6	Industria	al per m² gross floor area	\$	30.00
	1.7	Institutio	onal per m ² gross floor area	\$	27.00
2.0		ital Expe	ater System Development Cost Charges and nditure Charges oment Cost Charges Zone A	Bylaw 1804 NID Bylaw 443	
		2.1.1 2.1.2	Single Family Residential at Subdivision Multi Family Residential at Building Permit		700/parcel 700/dwelling
	2.2	Capital	Expenditure Charges – Zone A, B & C		
		2.2.1 2.2.2 2.2.3	Single Family Residential Multi-Family Residential Cottage	\$5,	700/service 700/lot 700/service
3.0	 Olalla Water System Capital Expenditure Charges 3.1 Mobile Home Capital Expenditure Charge 3.2 Capital Expenditure Charge 			\$1,	Bylaw 24 &32 000/unit 00/parcel
4.0		Faulder Community Water System Development Cost Charges 4.1 Single Family Residential			w 1894 200/parcel
5.0	West Bench Water System Capital Expenditure Charge 5.1 Capital Expenditure Charge			D Bylaw 101 000/parcel	
6.0	Gallagher Lake Water Connection Cost 6.1 Each water service			Bylaw 2644 \$1,500.00	
7.0	Willowbrook Water New Connection Cost 7.1 Each domestic service			Water Tariff No. 5 \$1,000.00	
8.0	Sun Valley Water 8.1 Capital Expenditure Charge Subdivision) Bylaw 14 000.00/Lot
9.0 Gallagher Lake Connection Costs

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Bylaw 2645

9.1 Sewer – Single Family Equivalent Units (SFU)

Each SFU equivalent unit in this section will have a Connection Cost of \$6,000.00.

Use	Person per Unit	SFU Equivalency	\$6000.00 Per
Residential	2.50 ¹	1.000	Dwelling
Motel Unit			2 Units
Camp/RV Site			2 Sites
Commercial	0.013 ²	0.0052	193 m^2
Industrial	0.006 ²	0.0024	417 m^2
Institutional	0.01 ²	0.004	250 m^2
		0 Manager Labor	has a linuial Marcia

Note: 1: RDOS' Gallagher Lake & Vaseux Lake Areas Liquid Waste Management Plan

2: The Ministry of Community, Sport of Cultural Development, *Provincial* Best Practices for Development Cost Charges

Schedule 5 – Public Works and Engineering Services Fees

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<u>Sect</u>	ion 3	– Water System Fees – not to exceed maximum of:		-	
1.0	Nara	mata Community Water System and Street Lighting	Byl	aw 2377	
	1.1	Basic User Fee	\$	1,035/house	
	1.2	Grade A Domestic	\$	288/acre	
	1.3	Grade A Irrigation	\$	275/acre	
	lf lane repor	d is deemed to be non-irrigable, residents may apply for exemption based on t	ı an	agrologist's	
	1.4	Grade B	\$	178/parcel	
	1.5	Development Charge – applicable when no Basic User Fee attached to property	\$	146/parcel	
	1.6	Street Lighting	\$	6/parcel	
	In ad	ldition to the above user fees, the following will also apply:			
	1.7	each garage, service station, coffee shop, cafe, business office, beauty salon, dog kennel, neighbourhood pub, hobby shop, an annual charge of	\$	214	
	1.8	each farm winery and/or store and winery with restaurant, an annual charge of	\$	426	
	1.9	each Packing house an annual charge of	\$	1,153	
	1.10	each school an annual charge of	\$	4,785	
	1.11	each Naramata Centre an annual charge of	\$	10,880	
	1.12	each guesthouse, summer cabin or picker's cabin an annual charge of	\$	178/unit	
	1.13	each residence where the owner has for year round use (or rental) living units, suites, guest cottages or cabins, an annual per unit charge of	\$	889/unit	
	1.14	each motel or auto court an annual charge of	\$	157/unit	
	1.15	each resort an annual charge of	\$	157/unit	
	1.16	each bed and breakfast an annual charge of	\$	314	
	1.17	each tent and trailer court an annual charge of	\$	825	
	1.18	each multiple family dwelling, duplex, apartment block or condominium, an annual charge of	\$	889/unit	
		for each family unit, except that one such unit in each building shall be	be e	xempt.	
	1.19	each bunkhouse an annual charge of	\$	364	
	1.20	each single irrigation service connection a charge in accordance wit	h th	e following:	
	1.2	0.1 Three quarter inch (3/4")	\$	90	
	1.2	0.2 One Inch (1")	\$	90	
	1.2	0.3 One and One Quarter Inch (1 1/4")	\$	90	
				10	

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1.20.4	One and One Half Inch (1 1/2")	\$ 90
1.20.5	Two Inches (2")	\$ 90

Bylaw 2381 2.0 Olalla Water System 2.1 User Fees Single Family Dwelling Businesses 2.1.1 \$ \$ \$ 381/each 381/each 2.1.2 2.1.3 Trailer Space 381/unit \$ 381/unit \$ 200/unit 2.1.4 Motels 2.1.5 Apartments

3.0 Faulder Water System 3.1 User Rates

4.0 West Bench Water System User Rates

Bylaw 2555

Bylaw 1179 By taxation

CATEGORY	BASE RATE	METERED CONSUMPTION USAGE
4.1 Water – Single Family	190.41/quarter	plus 0.309/cubic meter
4.2 Water - Vacant Lot	177.48/quarter	unmetered
4.3 Water - Multi Family	190.41/quarter	plus 0.309/cubic meter
4.4 Water - Park	190.41/quarter	plus 0.309/cubic meter
4.5 Water - School	190.41/quarter	plus 0.309/cubic meter
4.6 Water - Farm	190.41/quarter	plus 0.154/cubic meter
4.7 Water - Business	190.41/quarter	plus 0.309/cubic meter
4.8 Water - Utility	182.10/quarter	unmetered

4.9 Water - WBID Loan Payment (Debt ends 2023)

4.10 Water - Reserve Fund

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\$23.25 quarter/parcel \$28.75 quarter/parcel

5.0 Gallagher Lake Water System

5.1 Flat Rates

.1 Flat	Rates		
	Type of Use	Unit of Charge	Annual Rates
5.1.1	Residential		
5.1.1.1	Single Family, Duplex, or mobile home not in a mobile home park	dwelling unit	\$ 663
5.1.1.2	3-plex, 4-plex, townhouse, mobile home in a mobile home park	dwelling unit	\$ 520
5.1.1.3	Apartment, secondary suite, cabin	dwelling unit	\$ 252
5.1.1.4	Assisted Living Care Unit	under 50 square meters gross area	\$ 332
5.1.2	Commercial	-	
5.1.2.1	Office, Hall, Bakery, Hair Salon, Funeral Home, other small commercial Businesses	per unit	\$ 293
5.1.2.2	Motel or Hotel	per room	\$ 221
5.1.2.3	Campground	per site	\$ 78
5.1.2.4	Restaurant, Beverage Room, or Distillery:	less than 25 seats	\$637
		25 to 49 seats	\$ 946
		each additional 25 seats or increment	\$ 315
5.1.2.5	Garage, Service Station, Theatre, Bowling Alley, Supermarket	per unit	\$ 633
5.1.2.6	Laundromat	per machine	\$ 192
5.1.2.7	Car Wash	per wand	\$ 192
5.1.2.8	Church	per unit	\$ 411
5.1.2.9	Hospital, Extended Care or Long- Term Care Facility		
5.1.2.10	School	per classroom	\$ 411
5.1.2.11	Community Hall, Arena, Curling Rink, Swimming Pool	per unit	\$ 2,088

Where two or more types of uses are made of a single property or building, multiples or combinations of the user rate shall be determined by the RDOS, acting reasonably. In the case of a residence accompanying a commercial use, the applicable rate shall be the higher of the two rates but not both.

The rate for churches and halls is only intended where the premises are used for holding regular meetings. Where other uses are made of the building the appropriate user rates shall also apply.

5.2 Metered Rates

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All consumption shall be charged at the rate of \$0.57 per cubic metre.

6.0	Willowbrook Water \$ 6.1 Per property con	•	\$ 1	I,008.50
7.0	Sun Valley Water Sy	rstem		
	7.1 Annual Domestic gallon per minute	Rate (Grade A) per Parcel includes a 6 water allotment.	\$	1,475
		above Annual Base Rate Per Parcel with the le I the following Irrigation rates apply:		
	Grade A1	Shall comprise of every parcel of land with a 3 gallon per minute dole valve.	\$	137
	Grade B	Shall comprise of every parcel of land with a 12 gallon per minute dole valve.	\$	546
	Grade C	Shall comprise of every parcel of land with an 18 gallon per minute dole valve.	\$	819
	Grade D	Shall comprise of every parcel of land with a 24 gallon per minute dole valve.	\$	1,092
	Grade E	Shall comprise of every parcel with a 30 gallon per minute dole valve.	\$	1,364
	Grade F	Shall comprise of every parcel of land with a 36 gallon per minute dole valve.	\$	1,637
	Grade G	Shall comprise of every parcel of land with a 39 gallon per minute dole valve.	\$	1,774
	Grade H 1	Shall comprise of every parcel of land with a 175 gallon per minute dole valve.	\$	7,970
	Grade H 2	Shall comprise of every parcel of land with a 120 gallon per minute dole valve.	\$	5,466
	Grade I	Shall comprise of every parcel of land to which water cannot be supplied.	\$	781
	7.3 Out of Season Irrigation	1.25/day x gpm delivered per dole valve	\$	98
8.0	General Water Servi	ces		
8.1 8.2 8.3 8.4 8.5 8.6 8.7	Hydrant Permit Hydrant Permit – Bar Deposit for Hydrant I Connection Charge Inspection and Admi Water Turn-On Fee Valve Turn Request		\$ 30 / d \$ 30 / d \$ 500 / r \$ 350 / e \$ 100 / e \$ 20 \$ 20	ay ental each

8.1	Hydrant Permit
8.2	Hydrant Permit – Backflow Prevention Device
8.3	Deposit for Hydrant Use
8.4	Connection Charge
8.5	Inspection and Administration Fee
8.6	Water Turn-On Fee
8.7	Valve Turn Request

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Schedule 5 – Public Works and Engineering Services Fees

Section 4 - Sewer System Fees not to exceed a maximum of:

1.0 Okanagan Falls Sewer User Rates

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Bylaw 1707

The following rates do not apply if the owner is in possession of a Sewer Use Contract of Section 14 of the Okanagan Falls Special Service Area Sewerage Regulation Bylaw.

Cate	egory	Annual Billing Rate		
Sing	le Family Dwelling/Townhouse/Duplex	\$ 862		Formatted: Font: 1
Apar	tment per unit	\$ 732		Formatted: Font: 1
Mob	ile home park/per unit	\$ 775	\frown	Formatted: Font: 1
Mote	el/Hotel per unit	\$ 345	\vee /	
Rest	aurant/Lounge/Pub	\$ 2,585	$\langle \rangle \rangle$	Formatted: Font: 1
Scho	ool per classroom	\$ 775	\mathbb{N}	Formatted: Font: 1
Chu	rch, Library, Community Hall & Drop-in Centres	\$ 948	$\Lambda / /$	Formatted: Font: 1
Sma	Il Business, office building (20 employees or less)	\$ 948	$\mathbf{M}(1)$	Formatted: Font: 1
Larg	er Business, office building (greater than 20 employees)	\$ 1,981	11//	Formatted: Font: 1
Supe	ermarket	\$ 2,498	()	
Serv	ice Station	\$ 1,551	11/1	Formatted: Font: 1
Indu	strial/Commercial (20 employees or less)	\$ 1,034		Formatted: Font: 1
Indu	strial/Commercial (20 to 50 employees)	\$ 1,981		Formatted: Font: 1
Indu	strial/Commercial (greater than 50 employees)	\$ 2,585		Formatted: Font: 1
Coin	operated car wash	\$ 5,169		Formatted: Font: 1
Laur	ndromat (per washing machines)	\$ 689		<u></u>
Cam	pground/Washroom per site	\$ 345		Formatted: Font: 1
Sho	wer/washroom	\$ 345		Formatted: Font: 1
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2.0 Gallagher Lake Sewer System

2.1. Flat Rates

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1. Flat			
	Type of Use	Unit of Charge	Annual Rates
2.1.1	Residential		
2.1.1.1	Single Family, Duplex, or mobile home not in a mobile home park	dwelling unit	\$ 414
2.1.1.2	3-plex, 4-plex, townhouse, mobile home in a mobile home park	dwelling unit	\$ 324
2.1.1.3	Apartment, secondary suite, cabin	dwelling unit	\$ 159
2.1.1.4	Assisted Living Care Unit	under 50 square meters gross area	\$ 206
2.1.2	Commercial		
2.1.2.1	Office, Hall, Bakery, Hair Salon, Funeral Home, other small commercial Businesses	per unit	\$ 414
2.1.2.2	Motel or Hotel	per room	\$ 304
2.1.2.3	Campground	per site	\$ 53
2.1.2.4	Restaurant , Beverage Room or Distillery:	less than 25 seats	\$ 757
		25 to 49 seats	\$ 1,131
		for each additional 25 seats or increment	\$ 377
2.1.2.5	Garage, Service Station, Theatre, Bowling Alley, Supermarket	per unit	\$ 754
2.1.2.6	Laundromat	per machine	\$ 224
2.1.2.7	Car Wash	per wand	\$ 224
2.1.2.8	Church	per unit	\$ 439
2.1.2.9	Hospital, Extended Care or Long- Term Care Facility	Long- per bed \$439	
2.1.2.10	School	per classroom \$	
2.1.2.11	Community Hall, Arena, Curling Rink, Swimming Pool	per unit	\$ 2,076

Where two or more types of uses are made of a single property or building, multiples or combinations of the user rate shall be determined by the RDOS, acting reasonably. In the case of a residence accompanying a commercial use, the applicable rate shall be the higher of the two rates but not both.

The user rate for churches and halls is only intended where the premises are used for holding

regular meetings. Where other types of uses are made of the building the appropriate user rates shall also apply.

2.2 Metered RatesETERED RATES

Where sewer flows for a particular property or use are determined, by the RDOS or designate, to be in excess of the recoverable flat rate, the property in question will be invoiced based on one of the following:

- 2.2.1 Sewer users with an effluent or sewage flow meter shall be charged at the rate of \$0.78 per cubic metre of measured effluent.
- 2.2.2 For metered water users without effluent flow meters, the charge for use of the sewage system shall be calculated as 80% of the recorded volume of metered water used times a rate of \$0.78 per cubic metre.

3.0 General Sewer Services

- 3.1 Connection Charge
- 3.2 Inspection & Administration Fee

\$ 100/each

\$ 350

Schedule 5 – Public Works and Engineering Services Fees

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<u>tion:</u>	<u>5 – Cemetery Fees</u>		Formatted: Font: 12 pt
Nar	ramata Cemetery	–Bylaw <u>2023</u> 2816	Formatted: Font: 10 pt
	gional District of Okanagan-Similkameen, 101 Martin Street, Penticton, BC V2A 5. amata Cemetery located at 3315 Bartlett Road, Naramata, BC.		
1.1	PLOT RESERVATION LICENSE FEES:		Formatted: Font: 10 pt
	Burial Plot: resident (\$124 allocated to reserve)	\$495	
	Burial Plot non-resident (\$240 allocated to reserve)	\$660	
	Cremation Plot: resident (\$42 allocated to reserve)	\$165	
	Cremation Plot non-resident (\$80 allocated to reserve)	\$220	
1.2	INTERMENT OPENING AND CLOSING FEES:		Formatted: Font: 10 pt
	Burial Plot: 240 cm depth or greater	\$660	
	Cremation Plot:	\$110	
1.3	EXHUMATION OR DISINTERMENT OPENING		Formatted: Font: 10 pt
	AND CLOSING FEES: Burial Plot:	\$650	
	Cremation Plot:	\$150	
1.4	OPENING OR CLOSING FOR INTERMENT/		Formatted: Font: 10 pt
<u>.</u>	EXHUMATION/DISINTERMENT OTHER THAN DURING NORMAL BUSINESS HOURS: Fee in addition to that applicable under item 1.2 or 1.3 above		
	for burial plot:	\$220	
	Fee in addition to that applicable under item 2 or 3 above for cremation plot:	\$220	
1.5	ISSUANCE OF LICENSE/PERMIT OTHER THAN DURING NORMAL		Formatted: Font: 10 pt
	BUSINESS HOURS, OR LESS THAN 24 HOURS PRIOR TO SCHEDU	JLED INTERMENT: \$100	
	Fee in addition to that applicable under item 1, 2 or 4 above:	\$100	
1.6	INSTALLATION OF MEMORIAL MARKER:	\$ 94	Formatted: Font: 10 pt
	(\$10 allocated to reserve)		
1.7	GRAVE LINER:	\$275	Formatted: Font: 10 pt
1.8	CREMATION URN VAULT:		Formatted: Font: 10 pt
	Small	\$ 55	
	Regular Large	\$65 \$80	
1.9	PICTURE OF INTERRED FOR INTERNET		Formatted: Font: 10 pt
•	one time charge (optional)	\$ 50	

2.0	TEXT for internment to a maximum of 200 words, (optional)	\$ 50	Formatted: Font: 10 pt
2.1	SCATTERING GARDEN		Formatted: Font: 10 pt
	Fee for Scattering Garden Plaque	\$200	(
	Fee for Scattering Gardens Care Fund	\$ 50	

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Schedule 5 – Public Works and Engineering Services Fees

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Section 6 Curbside Solid Waste Collection and Drop-Off Service Fees

Fees for improved residential premises and non-residential premises as set out in the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw to receive waste collection service by defined service area:

6.1	Electoral Area "A".	\$125 per premise per year
6.2	Electoral Area "B".	\$125 per premise per year
6.3	Electoral Area "C".	\$140 per premise per year
6.4	Participating areas of Electoral Area "D" excluding Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$125 per premise per year
6.5	Participating areas of Electoral Area "D" within Upper Carmi, Heritage Hills, Lakeshore Highlands and Kaleden.	\$145 per premise per year
6.6	Participating areas of Electoral Areas "E".	\$145 per premise per year
6.7	Participating areas of Electoral Area "F".	\$145 per premise per year
6.8	Electoral Area "G".	\$150 per premise per year
6.9	Village of Keremeos.	\$115 per premise per year
6.10	Tag-a-Bag as defined by the RDOS Solid Waste Collection and Drop-Off Service Regulation Bylaw	\$1.50 each
6.11	Properties that have active commercial bin collection of refuse located on the property in question that request residential collection of recycled materials only	\$45.00 per premise per year.

Section 7- Sanitary	<u>Landfills</u>			By	/law 2796	Formatted: Font: 11 pt
Campbell Mountain Station	n, Okanagan	Falls, Oliver L	andfills and	Keremeos Wa	ste Transfer	
1.0 The general TIP each SOLID WA in the DESIGNA Waste Managen TIPPING FEE cl 1.1 to 1.4 are ide	STE is SOUF TED LOCATI nent Service F narges that ar	RCE SEPARAT ON. Capitalizat Regulatory Byla e in addition to	ED, not CON ion of a word w <u>2796.</u> -	TAMINATED a indicates that	nd DISPOSED it is defined in the	Formatted: Font: 11 pt
REFUSE	Comphall	Okanagan	Oliver	Keremeos	Charge Information	Formatted: Font: 11 pt
REFUSE	Campbell Mountain Landfill		Landfill	Waste	Charge Information Charge per metric ton per load and see 1.0	Formatted Table
FUSE	\$110.00	\$110.00 Must not contain items listed in Section 2.13.	\$110.00	Must not contain	5.00 minimum charg Okanagan Falls Landf cannot accept FOOD WASTE.	
DEMOLITION, NOVATION, NSTRUCTION MIXED AD SOLID WASTE	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	Charge Informatio Charge per metric t per load and see 1.	onne
SESSED MOLITION AND NOVATION MIXED AD	\$90.00 to 500 kg; \$500.00 <u>\$50</u> 0.00 portion above 500 kg	\$125.00\$90.00 to 500 kg; \$125.00 portion above 500 kg	\$90.00 to 500 kg; \$500.00 portion above 500 kg\$500.00	Not Accepted	required.	rm Darge Formatted: Space After: 0 pt Formatted: Left
N-SERVICE AREA SESSED MOLITION AND NOVATION MIXED AD and NSTRUCTION MIXED AD	Not Accepted	\$150.00	Not Accepted	Not Accepted	RDOS approval fo required. Materials generated outside t SERVICE AREA of	he
N-ASSESSED MOLITION AND NOVATION MIXED AD	\$ <u>7</u> 200.00 to 500 kg; \$700.00 portion above 500 kg	\$15 <u>0</u> 0.00 up to 500 kg; \$500.00 portion above 500 kg	\$ <u>7</u> 200.00 up to 500 kg; \$700.00 portion above 500 kg	Not Accepted	\$50.00 minimum ch	narge.

CONSTRUCTION MIXED	\$ <u>7</u> 200.00-to 500-kg;	\$ <u>12905</u> .00 to 500 kg;	\$ <u>7</u> 200.00 to 500 kg;	Not Accepted	RDOS approval form required.
	\$700.00 portion above 500 kg	\$ 125.00 portion above 500 kg	\$700.00 portion above 500 kg		\$25.00 minimum charge Formatted: Left
1.3 RECYCLABLES	Campbell	Okanagan	Oliver	Keremeos	Charge Information
(see Charge Information with each SOLID WASTE)	Mountain Landfill	Falls Landfill	Landfill	Waste Transfer Station	Charge per metric tonne per load, or as stated per unit, and see 1.0
Alarms (smoke, CO detectors)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted.
Antifreeze (liquid & containers)	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted.
ASPHALT	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
ASPHALT SHINGLES	\$60.00	\$60.00	\$60.00	\$60.00	\$5.00 minimum charge.
BATTERIES LEAD-ACID, BATTERIES - HOUSEHOLD	\$0.00	\$0.00	\$0.00	\$0.00	Lead acid, Household.
CERAMIC FIXTURES and Ceramic Tile	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
CONCRETE	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge.
CONCRETEBULKY (including ROCKS over 40 cm)	\$60.00	\$60.00	\$60.00	Not Accepted	Means CONCRETE measuring greater than 1 m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm. \$50.00 minimum charge.
CORRUGATED CARDBOARD	\$0.00	\$0.00	\$0.00	\$0.00	Not CONTAMINATED.
ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities.
FRUIT WASTE	\$0.00 up to 500 kg \$60.00 portion above 500 kg	Not Accepted	\$0.00 up to 500 kg \$60.00 portion above 500 kg	Not Accepted	\$5.00 minimum charge for loads greater than 500 kg
FRUIT/GRAIN BY- PRODUCT	\$0.00 up to 500 kg \$60 portion above 500 kg	Not Accepted	\$0.00 up to 500 kg \$60 portion above 500 kg	Not Accepted	\$5.00 minimum charge for loads greater than 500 kg
GLASS CONTAINERS	\$0.00	\$0.00	\$0.00	\$0.00	Clean, empty. Commercial volumes accepted in DESIGNATED LOCATION
GYSPUM BOARD-NEW	\$110.00	\$110.00	\$110.00	\$110.00	\$5.00 minimum charge.

GYSPUM BOARD NON- RECYCLABLE	\$110.00	\$110.00	\$110.00	\$110.00	\$5.00 minimum charge
Lighting (fixtures and bulbs)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted.

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1.3 RECYCLABLES continued (see Charge Information with each SOLID WASTE)	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	Charge Information Charge per metric tonne per load, or as stated per unit, and see 1.0
MASONRY	\$20.00	\$20.00	\$20.00	\$20.00	\$5.00 minimum charge
Mattress or Box Spring Mercury containing materials (<u>fluorescent</u> <u>tubes</u> , thermostat switches)	\$10.00 per unit \$0.00	\$10.00 per unit \$0.00	\$10.00 per unit \$0.00	\$10.00 per unit \$0.00	Any size. Residential quantities (ten fluorescent tubes per load per day) accepted HHW Facility.
METAL	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$0.00 up to 500 kg; \$60.00 M/T portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg. Under 2.4 meters (8 ft.) in length and/or width.
Oil (used motor oil, filters and containers)	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted. HHW Facility. (Limit of 20 <u>litresgallons</u> per load per day).
OPERATIONALLY BENEFICIAL	\$0.00	\$0.00	\$0.00	\$0.00	As determined by the MANAGER.
Paint - residential	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted (limit of 20 gallons <u>litres</u> per load per day).
PRESSURIZED TANKS - Large	\$1.00 per unit	\$1.00 per unit	\$1.00 per unit	\$1.00 per unit	4.5 kg (10 lb.) capacity or greater.
PRESSURIZED TANKS - Small	\$0.00	\$0.00	\$0.00	\$0.00	Less than 4.5 kg (10 lb.) capacity.
PRODUCT STEWARDSHIP MATERIALS	\$0.00	\$0.00	\$0.00	\$0.00	Acceptable PRODUCT STEWARDSHIP MATERIALS and acceptable quantities from within the SERVICE AREA.
REFRIGERATION UNIT (Fridges, Freezers, AC units etc.)	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	\$10.00 per unit	For removal of OZONE DEPLETING SUBSTANCES. If ODS is removed provide acceptable certification.
RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE	\$0.00	Not Accepted	See Oil, Paint Antifreeze, Lighting	Not Accepted	Residential quantities accepted. Oliver LF accepts only what is listed.
RESIDENTIAL PACKAGING	\$0.00	\$0.00	\$0.00 [°]	\$0.00	Not CONTAMINATED.

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RESIDENTIAL POLYSTYRENE PACKAGING	\$0.00	Not Accepted	\$0.00	\$0.00 see Charge Information	Not CONTAMINATED.
RESIDENTIAL PLASTIC FILM	\$0.00	Not Accepted	\$0.00	\$0.00	Not CONTAMINATED.
1.3 RECYCLABLES continued (see Charge Information with each SOLID WASTE)	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	Charge Information Charge per metric tonne per load, or as stated per unit, and see 1.0
RESIDENTIAL PRINTED PAPER	\$0.00	\$0.00	\$0.00	\$0.00	Not CONTAMINATED.
RESIDENTIAL RECYCLING- UNSORTED	<u>\$0.00-Not</u> <u>Aaccepted</u>	Not Accepted	<u>\$0.00-Not</u> <u>Aaccepted</u>	\$0.00 <u>Not</u> <u>Aaccepted</u>	\$5.00 minimum charge. Not CONTAMINATED.
ROCKS	\$20.00	\$20.00	\$20.00	\$20.00	Not greater than 40 cm in any direction. \$5.00 minimum charge.
TAR AND GRAVEL ROOFING	\$60.00	\$60.00	\$60.00	\$60.00	\$5.00 minimum charge.
TIRE	\$0.00	\$0.00	\$0.00	\$0.00	Maximum 10 per load/day.
TIRE – with rims	\$3.00 per unit	\$3.00 per unit	\$3.00 per unit	\$3.00 per unit	Maximum 10 per load/day.
TIRE-OVERSIZE	\$500.00	\$500.00	\$500.00	\$500.00	Per Metric Tonne
WOOD PRODUCT CONTAMINATED	\$0.00 up to 500 kg; \$60.00 portion above 500	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500	\$0.00 up to 500 kg; \$60.00 above 500 kg	\$5.00 minimum charge for loads greater than 500 kg.
WOOD WASTE	kg \$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	kg \$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$5.00 minimum charge for loads greater than 500 kg.
WOOD WASTE-TREE STUMP	\$50.00	\$50.00	\$50.00	\$50.00	\$10.00 minimum charge.
YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 above 500 kg	\$5.00 minimum charge for loads greater than 500 kg. <u>Under 2.4 meters (8 ft) in</u> <u>length</u>
YARD WASTE SMALL DIMENSION	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	No Charge when loads contain only chipped yard waste, grass, and/or leaves.
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Compost Sales

For Campbell Mountain Landfill compost sales, contact City of Penticton. Compost site is operated by the City of Penticton.

1.4 Authorized	Campbell	Okanagan	Oliver	Keremeos	Charge Information
CONTROLLED WASTE	Mountain Landfill	Falls Landfill	Landfill	Waste Transfer Station	Charge per metric tonne per load or as indicated and see 1.0
AGRICULTURAL ORGANIC MATERIAL	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required. Penalties will apply if not suitably prepared See Section 2.2
AGRICULTURAL PLASTIC	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required. Penalties will apply if not suitably prepared. See Section 2.14
ASBESTOS CONTAINING MATERIALS (ACM)	\$0.00 see Charge Information	Not Accepted	\$0.00 see Charge Information	Not Accepted	RDOS approval required. PROHIBITED WASTE when not suitably contained and DISPOSED of.
BULKY WASTE	\$200.00	\$200.00	\$200.00	Not Accepted	\$50.00 minimum charge.
BURNED MATERIALS that have been allowed to cool for no less than a two-week period.	\$200.00	Not Accepted	\$200.00	Not Accepted	RDOS approval required. \$5.00 minimum charge.
CARCASSES	\$50.00	Not	\$50.00	Not Accepted	\$10.00 minimum charge.
CLINICAL/ LABORATORY STERIZLED WASTE	\$200.00	Accepted Not Accepted	\$200.00	Not Accepted	\$50.00 minimum charge
Condemned foods	\$200.00	Not Accepted	\$200.00	Not Accepted	RDOS approval required. \$50.00 minimum charge.
Foundry Dust	\$150.00	Not Accepted	\$150.00	Not Accepted	\$50.00 minimum charge
ILLEGALLY DUMPED WASTE	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required. Regular charges will apply if not RDOS approved prior to DISPOSAL.
INFESTED VEGETATION	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	Penalties will apply if not DISPOSED of in DESIGNATED LOCATION.
INVASIVE PLANTS	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	Penalties will apply if not DISPOSED of in DESIGNATED LOCATION.
LEAD-BASED PAINT coated materials	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	PROHIBITED WASTE when not suitably DISPOSED of.
PROHIBITED WASTE – authorized	\$200.00	\$200.00	\$200.00	Not Accepted	\$50.00 minimum charge. RDOS approval required.
Sludge and Screenings from municipal sewage treatment plants	\$110.00 see Charge Information	Not Accepted	\$110.00 see Charge Information	Not Accepted	\$50.00 minimum charge. RDOS approval required. If not RDOS approved prior to DISPOSAL a

1.4 Authorized CONTROLLED WASTE continued	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	charge of \$200 M/T will apply with a \$50.00 minimum. Charge Information Charge per metric tonne per load or as indicated and see 1.0
SOIL CLEAN	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	RDOS approval required.
SOIL CONTAMINATED	\$25.00	\$25.00	\$25.00	Not Accepted	Soil Relocation Application required.
Soil Relocation Application	\$250.00 per application	\$250.00 per application	\$250.00 per application	Not Applicable	RDOS approval required.
SOIL SMALL VOLUME CONTAMINATED	\$25.00	\$25.00	\$25.00	Not Accepted	RDOS approval required.
WOOD-PRESERVED	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	\$0.00 see Charge Information	PROHIBITED WASTE when not suitably DISPOSED of.
WOOD WASTE INDUSTRIAL	\$300.00	\$300.00	\$300.00	Not Accepted	\$50.00 minimum charge.
WOOD WASTE-SMALL DIMENSION	\$200.00	\$200.00	\$200.00	Not Accepted	

- 2.0 The following charges are in addition to the general charges outlined above in 1.0 to 1.4, shall also apply:
- 2.1 Any REFUSE that is deposited at the ACTIVE FACE or REFUSE BINS, with the exception of DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD that contains CONTROLLED WASTE or RECYCLABLE WASTE, shall be charged two times the rate for REFUSE, or two times the highest rate for any material contained in the load, whichever is greater.
- 2.2 Any SOLID WASTE load that is deposited in a DESIGNATED LOCATION and that is CONTAMINANTED or does not meet RECYCLABLE specifications shall be charged three times the rate for REFUSE, or three times the highest rate for any material contained in the load, whichever is greater.
- 2.3 DISPOSING of unauthorized PROHIBITED WASTE in a manner contrary to the RDOS approved protocol shall be charged \$500 per tonne with a \$300 minimum charge, or as determined by the MANAGER.
- 2.4 Any MIXED LOAD deposited at the SITE shall be charged at the rate for the component of the load with the highest applicable rate.
- 2.5 The fee for each load of SOLID WASTE that arrives at the SITE that is not properly covered or secured shall be charged double the normal fee set out in this Schedule with a \$10 minimum charge.
- 2.6 The charge payable under this Schedule shall be paid following the weighing of the empty VEHICLE after the load is DISPOSED and shall be based on the WEIGHT- NET,

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difference in weight between the WEIGHT - GROSS and the WEIGHT - TARE of the empty VEHICLE.

- 2.7 In the event the weigh scale is not operational, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a fee shall be charged as outlined in this Schedule.
- 2.8 All Agricultural Properties having materials ground or chipped in the SERVICE AREA under the In-Situ Agricultural Chipping Program shall pay a fee as determined by the REGIONAL DISTRICT.
- 2.9 Each offence committed against the current Waste Management Service Regulatory Bylaw shall be deemed a separate and distinct offence and shall be charged double the normal fee with a \$10 minimum charge as set out in this Schedule.
- 2.10 SOLID WASTE generated by LOCAL GOVERNMENT IMPROVEMENTS are exempt from tipping fees when prepared and DISPOSED of in a manner approved by the MANAGER.
- 2.11 Any SOLID WASTE generated outside the designated Landfill SERVICE AREA that is DISPOSED of at a SITE shall be charged two times the rate for REFUSE, or two times the highest rate for any SOLID WASTE contained in the load, whichever is greater, with a \$20 minimum charge, or as indicated in Section 1.2.
- 2.12 DISPOSAL of SOLID WASTE including but not limited to, ASBESTOS CONTAINING MATERIAL, BURNED MATERIAL, CONSTRUCTION MIXED LOAD, DEMOLITION AND RENOVATION MIXED LOAD, FRUIT WASTE, FRUIT /GRAIN BY-PRODUCTS is not authorized for DISPOSAL at the Keremeos SITE.
- 2.13 DISPOSAL of SOLID WASTE including but not limited to, ASBESTOS CONTAINING MATERIAL, BURNED MATERIAL, FOOD WASTE, FRUIT WASTE, FRUIT /GRAIN BY-PRODUCTS is not authorized for DISPOSAL at the Okanagan Falls SITE.
- 2.14 The fee for each load of AGRICULTURAL PLASTIC that arrives at the SITE that is not suitably prepared as per RDOS policy shall be charged REFUSE with a \$5.00 minimum charge.
- 2.15 Any SOLID WASTE material over 2.4 metres (8 feet) is charged as BULKY WASTE.

Schedule 6 –	 Parks and 	Recreation	Fees
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1.0 Naramata Parks	and Recreation	
1.1 Wharf Park		
1.1.1	Park Rental (No Power) daily	\$100
1.2 Manitou Park		
1.2.1	Park Rental (No Power) daily	\$100
1.2.2	Power daily	\$25
1.3 Deposit for Park	Rental	\$500
1.4 Recreation Prog		
1.4.1	Instructed Programs (per series – price not to exceed)	\$175
	1.4.1.1 Drop-in (per session – price not to exceed)	\$15
1.4.2	Summer Day Camp - daily	\$25
1.4.5	Summer Camp Weekly	\$100
2.0 Okanagan Falls	Parks and Recreation	
2.1 Kenyon House		
2.1.1	Kenyon House - Monday to Friday daily	\$ 75
2.1.1	Kenyon House - Saturday or Sunday daily	\$110
2.1.2	Kenyon House - Full Weekend	\$110 \$200
2.1.3 2.2 Community Cen		⊅ ∠00
2.2 Community Cen 2.2.1		¢225
2.2.1	Full Facility Kitchen Activity Room and Gym - Saturday or	\$325
0.0.0	Sunday	Ф 4 F Q
2.2.2	Full Facility Kitchen Activity Room and Gym - Full	\$450
	Weekend	\$ 00
2.2.3	Gym or Activity Room - Monday to Friday 3pm to 9pm daily	
2.2.4	Gym or Activity Room - Weekend Saturday or Sunday	\$150
0.05	daily	* ~~~
2.2.5	Gym or Activity Room - Full Weekend (Friday 3pm to	\$250
	Sunday 9pm)	•
2.2.6	Kitchen with Rental of Activity Hall or Gym	\$75
2.2.7	Children's Birthday Party - 3hr max	\$60-75
2.2.8	Kitchen Only - Daily	\$100
2.2.9	Kitchen Only - Full Weekend	\$150
2.3 Zen Center		
2.3.1	Day Rate	\$60
2.3.2	Full Weekend	\$100
2.4 Children Program	ns	
2.4.1	Drop in rate - floor hockey, game night and Multisport	\$3
2.4.2	Active Kids ProgramsRecreation Programs per visit	\$3-\$10
2.4.3	Special Onetime Events	\$10-\$20
2.4.4	Summer Day Camp - daily	\$25
2.4.5	Summer Camp Weekly	\$100
2.5 Adult Programs		
2.5.1	Instructed Programs - Drop in	\$10
2.5.2	Instructed Programs - 5 Pass Package	\$40
2.5.3	Instructed Programs - 10 Pass Package	\$65
2.5.4	Instructed Programs - 20 Pass Package	\$120
2.5.5	Drop –In	\$3
2.6 Lions		φυ
2.6.1	Wedding Vows - Ceremonies	\$75
2.0.1 2.7 Keogan	Wodding Vowo Ocromonica	ψισ
2.7 Reogan 2.7.1	Youth / Teen	\$10
2.7.1	Cricket / Baseball Adult Exclusive	\$75
2.1.2	UTICKET / DASEDATI AUUT EXCIUSIVE	φισ
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3.0 Kaleden Parks and Recreation

3.1 Parks			
	3.1.1	Kaleden Hotel Half Day Rate (Includes power)	\$400
3.2 Comm	unity Hall(rer	ntal includes Hall, Bar and Sound System)	
	3.2.1	Day Rate	
		3.2.1.1.—Weddings (Saturday morning to Sunday	\$2,000
		morning)	
		3.2.1.2 Hotel Park and Hall	\$2,300
		3.2.1.3 Meetings and Events	\$415
	3.2.2	Weekend Rate (6 pm Friday to noon Sun, incl kitchen)	
		day)	AO 400
		<u>3.2.2.1 Hall</u>	\$2,400
	0.0.0	3.2.2.2 Hall and park	<u>\$2,600</u>
	3.2.3	Hourly Rate	\$50
		3.2.3.1. Hall (3 hour minimum)	\$150 \$250
		3.2.3.2. Add Kitchen (\$200)	\$350 \$400
		3.2.3.3. Children's Birthday Parties (hall only) 3.2.3.4 Kitchen Hourly Rate (4hr minimum)	\$100
		Kaleden Residents receive a 25% discount on all	<u>\$ 25</u>
		Rentals	
	3.2.4	Damage Deposit – required	30%
	3.2.5	Volunteer Led Sports Club (2 hours) Sports Rental Rates	\$25
	0.2.0	(2 Hours)	<u>\$4</u>
		3.2.5.1 Drop In Per Person	\$ <u>2.50</u>
		-3.2.5.2 Individual Fee paid in advance per class	<u>\$25</u>
	3.2.6	-3.2.5.3 Club Fee	No Chq
	3.2. <mark>67</mark>	Kaleden Youth Organized Groups	20%
	3.2. <mark>78</mark>	Discount for Non-Profit Organizations	No Chg
	3.2. <mark>89</mark>	Discount for Local Charitable Fundraising	No Chg
	_	Local Groups Providing Community Events	•
	<u>3.2.9</u>	Instructed Programs Open to Public (businesses)	<u>\$20</u>
3.3 Equipm	nent for Rent	Off Premise	
	3.3.1	Rectangular Tables (each)	\$8
	3.3.2	Chairs (each)	\$2
	3.3.3	Portable Sound System (mp3, iPod compatible (per	\$150
		day)	
	3.3.7	10x10 Awnings (each)	\$60
	3.3.8	Administration Fee on all Off Premise Rentals	\$55
		3.3.8.1 Weekday	\$40
0.41		3.3.8.2 Weekend	\$60
3.4 Insurar		tory Coverage	Ф
	3.4.1	Church Group	\$5 \$20
	3.4.2	Children's Party	\$30 \$20
	3.4.3	Wedding or Adult Party 3.4.3.1 Addtl. Insurance if Alcohol served	\$60 \$100
3.5 Donosit			30%
3.5 Deposit	for All Types	0 UI IVEIIIa15	30%
****Special	Requests ca	n be submitted to the Kaleden Recreation Commission Bo	ard***
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3.6 Recreation Programs

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3.6.1	Adult Drop in Rrate	\$ <u>34</u>
	10 prepaid - floor hockey, game night and Multisport	<u>\$25</u>
3.6.2	Active Kids Programs – per visit	\$3-\$10

3.6.3	Special Onetime Events	\$10-\$20
3.6.4	Instructed Programs - Drop in	\$10
3.6.5	Fitness / Yoga businesses providing instruction	\$10-\$15
	- 30% of gross revenue paid to Kal-Rec	

4.0 Keremeos

4.1 Facility Re	entals			Formatted Table
4.1.1		(for 3 hours and does not include shoe rental)	\$80	
	4.1.1.1 2 Schoo		\$60	
4.1.2		etball (is included with monthly fitness pass)	\$55	
4.2.3		rental for private classes (yoga, Zumba, etc)	\$20/hr	
	Climbing Wall -	- (time is determined by the certified instructor)	\$405	
	Community Poo		• · <u>-</u> -	
4.2.1	Single Admissi			
	4.2.1.1	Pre-school - under 5	\$1.25 Free	
	4.2.1.2	<u>Youth Child</u> – 5 – 1 28 years	\$4 .25	
	4.2.1.3	Teen – 13 – 19 years	\$4.50	
	<u>4.2.1.3</u> 4.2.1.4	Adult – 19+	\$5	
	4.2.1.45	10 Flex PassFamily Rate	\$36 \$11	
	4.2.1.5	10 Flex Pass	\$36	
	4.2.1.66	Family RateSeason Pass (only during public	\$11.50	
		swimming and toonie swim)		
		Family	<u>\$200</u>	
		Adult	<u>\$100</u>	
		Youth/Senior	<u>\$ 80</u>	
4.2.2	Red Cross			
		ck Level 7Pre-school to Level 6	\$56 <u>\$55</u>	
		vel <u>6 - 10</u> 8 - 10	\$76<u></u>\$75	
4.2.3		*changed from 3 days per week to 2 days	\$115	
4.2.4	Adult Fitness		\$115	
4.2.5	Aqua <u>sizecise</u>		\$115	
4.2.6	Aqua <u>s</u> eizse Co		\$170	
4.2.7	Pool Rental – p	ber hour	\$80	
	Fitness Room			
4.3.1	Single Admissi		0 04 75	
	4.3.1.1	Youth	\$ <u>3</u> 4.75	
	4.3.1.2	Adult	\$ <u>5</u>	
400	4.3.1.3	<u>Senior (+60)</u>	<u>\$3</u> 7	
4.3.2	1 Month Pass	Vouth and Carier (+CO)	© 2052	
	4.3.2.1	Youth and Senior (+60)	\$ <u>30</u> 53	
122	4.3.2.2 3 Month Pass	Adult	\$ <u>40</u> 75	
4.3.3	3 Month Pass 4.3.3.1	Youth	\$125	
	4.3.3.1 4.3.3.2	Adult	\$125 \$153	
	4.3.3.13	Family	\$ 255	
4.3.4	4.3.3.13 6 Month Pass	r anniy	φ 200	
4.5.4	4.3.4.1	Youth and Senior (+60)	\$ <u>150-190</u>	
	4.3.4.1	Adult	\$-210 50	
	4.3.4.3	Family	\$417	
4.3.5	1 Year Pass	<u>i anny</u>	<u>יודע</u>	
4.0.0	4.3.5.1	Youth and Senior (+60	\$ 240 320	
	4.3.5.2	Adult (per year)	\$-3604 25	
	4.3.5.3	Family	\$ 635	
4.3.6	Lost Card Repl		\$1 52	
	rganizations (pai	ramedics, fire, police) - \$100.00 per year	•••	
4.4 Keremeos		, <u>, , , , , , , , , , , , , , , ,</u>	•	Formatted Table
4.4.1	Single Admissi	on Rates		
	4.4.1.1	Child – Under 4	Free	
			32	
			0-	

		4.4.1.24	Youth Child – 5 – 12 years	\$ 4 .00
		4.4.1.2	Teen 13 19 years	\$ 4.50
		4.4.1. 33	Adult – 19+	\$ 5 .00
		4.4.1.44	Family	\$10. 50
		4.4.1.5	Parent/Tot	\$ 6.25
		4.4.1. <u>5</u> 6	10 Flex Pass	\$32 .00
	4.4.2	Learn to Skate		
		4.4.2.1	3 – 6 Years	\$65 .00
		4.4.2.2	7 and up	\$65 .00
	4.4.3	Mite's Hockey -	– Boys and Girls 5 – 8 Years old	\$5.25
	4.4.4	Sticks and Puc	ks <u>- Youth 9 -14 Years old</u>	\$ <u>45.25</u>
	4.4.5	Sticks and Puc	ks – Adult	\$ <u>5</u> 8.50
	4.4.6	Ice Rental – Pe	er hour	
		4.4.6.1	School Age Keremeos	\$ 80 .00
		4.4.6.2	Adult	\$100 .00
	4.4.7		Skate Rental	\$2.50
4.5 Ke	eremeos	Bowling		
	4.5.1	League Bowling	g	
		4.5.1.1	Adult	\$11.50
		4.5.1.2	Senior	\$11 .00
		4.5.1.3	Fun Bowl	\$9.50
	4.5.2	Drop- In		
		4.5.2.1	Adult	\$ 5 .25
		4.5.2.2	Youth	\$ 4 .25
		4.5.2.3	Family	\$10 .50
	4.5.3	Shoe Rental		\$ 2 .00
4.6		<u>gClimbing</u>		
	4.7.1	Child		\$ 3 .00
	4.7.2	Teen		\$ 4 .00

<u>Note:</u> All Program fees are set at a level sufficient at minimum to cover all instructors, expendable and consumable materials and extraordinary costs.

5.0 Park Donations

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Standard Amenities (types)	Donation Amount (cost estimate*)	Formatted Table
Tree Planting	<u>\$250.00 and up</u>	
Bicycle Rack	<u>\$1700.00 and up</u>	
Park Bench	<u>\$2000.00 and up</u>	
Park Table	<u>\$2500.00 and up</u>	
Garbage Bins (bear proof)	<u>\$1000.00 and up</u>	
Pet Stand Dispenser	<u>\$500.00 and up</u>	

<u>*Items costs will be based on furniture standards for the select Park, including the item price,</u> delivery charges, taxes, installation, pad and if applicable, plaque PLUS a 10% maintenance fee.

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Schedule 7 – Transit Fees

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1.0	Local Routes	3	
	1.1	Single Fare Tickets	\$2.25
	1.2	Sheet of Ten Tickets	\$20.25
	1.3	Day Pass	\$4.50
	1.4	Adult Monthly Pass	\$45.00
	1.5	Student/Senior Monthly Pass	\$35.00
2.0	Regional Ro	utes (Multi-Zone)	
	2.1	Single Fare Tickets	\$4.00
	2.2	Sheet of Ten Tickets	\$36.00
	2.3	Day Pass	\$8.00
	2.4	Adult Monthly Pass	\$60.00
	2.5	Student/Senior Monthly Pass	\$40.00

Students enrolled on a full-time basis and persons of the age 65 and over are eligible for the discounted rate, as outlined in the schedule. Discounted rates apply to monthly passes, only.

Schedule 8 – Freedom of Information and Protection of Privacy Request Fees

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Schedule of Maximum Fees

1. For all applicants: other than commercial		Formatted: Font: (Default) Arial
applicants:		
(a) for locating and retrieving a record	\$7.50 per ¼ hour or portion thereof after th first 3 hours.	Formatted: Font: (Default) Arial
(b) for producing a record manually	\$7.50 per ¼ hour.	Formatted: Font: (Default) Arial
(c) for producing a record from a machine	\$16.50 per minutes for cost of use	Formatted: Font: (Default) Arial
readable	mainframe processor on all locally attac	hed
record excluding records produced on the	devices plus \$7.50 per 1/4 hour for develop	bing
Geographic Information System (GIS)	a computer program to produce the record	÷ T
(d)(c) for preparing a record for disclosure	\$7.50 per ¼ hour	Formatted: Font: (Default) Arial
and handling a record		
(e)(d) for shipping copies	actual costs of shipping method chosen	b Formatted: Font: (Default) Arial
	applicant.	
(f)(e) for copying records:		Formatted: Font: (Default) Arial
(i) photocopies and computer printouts	\$0.25 per page (8.5 x 11, 8.5 x 14)	Formatted: Font: (Default) Arial
	\$0.30 per page (11 x 17)	
(ii) floppy disks	\$10.00 per disk	Formatted: Font: (Default) Arial
(iii) computer tapes	\$40.00 per tape, up to 2400 feet	Formatted: Font: (Default) Arial
(iv) microfilm/fiche to paper duplication	\$0.50 per page	Formatted: Font: (Default) Arial
(vii) photographs (colour or black & white)	\$5.00 to produce a negative	Formatted: Font: (Default) Arial
	\$12.00 each for 16" x 20" \$9.00 each for 11" x 14" \$4.00 each for 8" x 10" 3.00 each for 5" x 7"	
(vi) hard copy laser print, B/W 300 dots/inch	\$0.25 per page	Formatted: Font: (Default) Arial
 hard copy laser print, B/W 1200 dots/inch 	\$0.40 per page	
	\$1.65 each	
(vii) photographic print of textual, graphic or	\$12.50 each	Formatted: Font: (Default) Arial
cartographic record (8"x10" black & white)		
(viii) slide duplication	\$0.95 each	Formatted: Font: (Default) Arial
(ix) plans	\$1.00 per square metre	Formatted: Font: (Default) Arial
(x) video cassette (1/4" or 8mm)	\$11.00 per 60 minute cassette plus \$7.00	ng
	¹ / ₄ hour of recording \$20.00 per 120 mir	
	cassette plus \$7.00 per 1/4 hour of recordin	9
(xi) video cassette (1/2") duplication	\$15.00 per cassette plus \$11.00 per 1/4 hgu	
	recording	
(xii) video cassette (3/4") duplication	\$40.00 per cassette plus \$11.00 per 1/4 hgu	Formatted: Font: (Default) Arial
	recording	
(xi) photomechanical reproduction of 1055mm	\$3.00 each	Formatted: Font: (Default) Arial
cartographic record/plan		
2. For Commercial Applicants		Formatted: Font: (Default) Arial
for each service listed in Item 1	the actual cost of providing that service	
(iii) compact disc CD or DVD	<u>\$10.00 each</u>	Formatted: Font: (Default) Arial
(iv) USB stick	\$15.00 each	Formatted: Font: (Default) Arial

Schedule 9 - Street Lighting Bylaw 2025,2001

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1.0 Naramata Street Lighting

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\$15.00/yr

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2787.01, 2018

A bylaw to amend Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2787, 2018.

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

1.0 <u>CITATION</u>

1.1 This Bylaw shall be cited as the **Regional District of Okanagan-Similkameen Fees** and Charges Amendment Bylaw No. 2787.01, 2018.

2.0 INTERPRETATION

2.1 Schedule 3 – Liguor and Cannabis Regulation Branch (LCRB) Referrals

Section 17.0 – Liquor and Cannabis Regulation Branch (LCRB) Referrals - to add a new Schedule for 'Liquor and Cannabis Regulation', as detailed in Appendix 'A' attached to and forming part of this bylaw.

2.2 <u>Schedule 5 – Public Works and Engineering Service Fees</u>

Section 5 – Cemetery Fees – general housekeeping, reformatting and fees to comply with new Naramata Cemetery Regulation Bylaw No. 2816, 2018, as detailed in Appendix 'B', attached to and forming part of this bylaw.

Section 7 – Sanitary Landfills –

Sub-Section 1.2 Demolition, Renovation, Construction Mixed Load Solid Waste:

- The current Software Program cannot indicate the charge variables which has lead to confusion and resulted in Appeals. Small volumes at the higher rate are still very reasonable.

Sub-Section 1.3 Recyclables:

- Under CONCRETE BULKY added (including ROCKS over 40 cm) for clarification
- Under Mercury containing items added Fluorescent Tubes: to provide an exact number to assist in determining (Residential Volume)
- Under Oil and Paint: correction of residential volumes from imperial to metric.
- Under Residential Recycling-Unsorted: Not Accepted the current market does not allow our service provider to market co-mingled recyclables, all recyclables must be Source Separated.
- Under Yard and Garden Waste: added for clarification (under 2.4 meters (8 feet) in length). Over 2.4 meters is a major grinding processing concern, but diameter does not impact the Grinding Process.

Sub-Section 2.0:

- Added for clarification: 2.15 Any SOLID WASTE material over 2.4 metres (8 feet) is charged as BULKY WASTE.

As detailed in Appendix 'C', attached to and forming part of this bylaw.

2.3 Schedule 6 – Parks and Recreation Fees

new fee structures implemented to minimize on site cash collection
add a new section Park Donation program as part of implementing the new regionalized RDOS, as detailed in Appendix 'D', attached to and forming part of this bylaw.

2.4 <u>Schedule 8 – Freedom of Information and Protection of Privacy Request Fees</u>

- to update definitions and fees as per Freedom of Information and Protection of Privacy Regulation; removal of obsolete formats and addition of available formats, as detailed in Appendix 'E' attached to and forming part of this bylaw.

2.5 <u>Schedule 9 – Street Lighting</u>

- to add a new Schedule for 'street lighting' fees, as detailed in Appendix 'F' attached to and forming part of this bylaw.

READ A FIRST, SECOND, AND THIRD TIME this xxx day of xxx, 2018.

ADOPTED this xxx day of xxx, 2018.

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RDOS Board Chair

Corporate Officer

APPENDIX 'A' – Schedule 3 – Section 17.0 Liquor and Cannabis Regulation Branch (LCRB) Referrals Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2787.01, 2018

Section 17.0 Liquor and Cannabis Regulation Branch (LCRB) Referrals					
17.1	Application Fee – Liquor License	\$100.00			
17.2	Application Fee – Cannabis License	\$1,000.00			

APPENDIX 'B' – Schedule 5 - Section 5 Cemetery Fees Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2787.01, 2018

Section 5 – Cemetery Fees

1.0 Naramata Cemetery 1.1 PLOT RESERVATION LICENSE FEES: Burial Plot: resident (\$120 allocated to reserve) \$495 Burial Plot non-resident (\$240 allocated to reserve) \$660 Cremation Plot: resident (\$40 allocated to reserve) \$165 Cremation Plot non-resident (\$80 allocated to reserve) \$220 1.2 INTERMENT OPENING AND CLOSING FEES: Burial Plot: 240 cm depth or greater \$660 Cremation Plot: \$110 **EXHUMATION OR DISINTERMENT OPENING** 1.3 AND CLOSING FEES: Burial Plot: \$650 Cremation Plot: \$150 1.4 **OPENING OR CLOSING FOR INTERMENT/ EXHUMATION/DISINTERMENT OTHER THAN** DURING NORMAL BUSINESS HOURS: Fee in addition to that applicable under item 1.2 or 1.3 above for burial plot: \$220 Fee in addition to that applicable under item 2 or 3 above for cremation plot: \$220 **ISSUANCE OF LICENSE/PERMIT OTHER THAN DURING NORMAL** 1.5 BUSINESS HOURS, OR LESS THAN 24 HOURS PRIOR TO SCHEDULED INTERMENT: Fee in addition to that applicable under item 1, 2 or 4 above: \$100 **INSTALLATION OF MEMORIAL MARKER:** \$ 94 1.6 (\$10 allocated to reserve) 1.7 **GRAVE LINER:** \$275 **CREMATION URN VAULT:** 1.8 \$ 55 Small \$ 65 Regular \$ 80 Large 1.9 PICTURE OF INTERRED FOR INTERNET one time charge (optional) \$ 50 2.0 TEXT for internment to a maximum of 200 words, (optional) \$ 50 2.1 SCATTERING GARDEN Fee for Scattering Garden Plaque \$200 Fee for Scattering Gardens Care Fund \$ 50

APPENDIX 'C' – Schedule 5 - Section 7 – Sanitary Landfills Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2787.01, 2018

1.2 DEMOLITION, RENOVATION, CONSTRUCTION MIXED LOAD SOLID WASTE	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	Charge Information Charge per metric tonne per load and see 1.0
ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$500.00	\$125.00	\$500.00	Not Accepted	RDOS approval form required. \$25.00 minimum charge.
NON-SERVICE AREA ASSESSED DEMOLITION AND RENOVATION MIXED LOAD and CONSTRUCTION MIXED LOAD	Not Accepted	\$150.00	Not Accepted	Not Accepted	RDOS approval form required. Materials generated outside the SERVICE AREA of a SITE.
NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD	\$700.00	\$500.00	\$700.00	Not Accepted	\$50.00 minimum charge.
CONSTRUCTION MIXED LOAD	\$700.00	\$125.00	\$700.00	Not Accepted	RDOS approval form required. \$25.00 minimum charge.

1.3 RECYCLABLES continued (see Charge Information with each SOLID WASTE)	Campbell Mountain Landfill	Okanagan Falls Landfill	Oliver Landfill	Keremeos Waste Transfer Station	Charge Information Charge per metric tonne per load, or as stated per unit, and see 1.0
CONCRETE BULKY (including ROCKS over 40 cm)	\$60.00	\$60.00	\$60.00	Not Accepted	Means CONCRETE measuring greater than 1 m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm. \$50.00 minimum charge.
LIGHTING (FIXTURES AND BULBS)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities accepted.
MERCURY CONTAINING MATERIALS (FLUORESCENT TUBES, THERMOSTAT SWITCHES)	\$0.00	\$0.00	\$0.00	\$0.00	Residential quantities (ten fluorescent tubes per load per day) accepted HHW Facility.
OIL (USED MOTOR OIL, FILTERS AND CONTAINERS)	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted. HHW Facility. (Limit of 20 litres per load per day).
PAINT - RESIDENTIAL	\$0.00	Not Accepted	\$0.00	Not Accepted	Residential quantities accepted (limit of 20 litres per load per day).
RESIDENTIAL RECYCLING- UNSORTED	Not accepted	Not accepted	Not accepted	Not accepted	\$5.00 minimum charge. Not CONTAMINATED
YARD AND GARDEN WASTE	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 portion above 500 kg	\$0.00 up to 500 kg; \$60.00 above 500 kg	\$5.00 minimum charge for loads greater than 500 kg. Under 2.4 meters (8 ft) in length

APPENDIX 'D' – Schedule 6 – PARKS AND RECREATION FEES Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2787.01, 2018

3.0 Kaleden Parks and Recreation

3.1 Parks		
3.1.1	Kaleden Hotel Day Rate (Includes power)	\$400
3.2 Community Ha	II(rental includes Hall, Bar and Sound System)	
3.2.1	Day Rate	
	3.2.1.1. Weddings	\$2,000
	3.2.1.2 Hotel Park and Hall	\$2,300
	3.2.1.3 Meetings and Events	\$415
3.2.2	Weekend Rate (6 pm Friday to noon Sunday)	\$2,400
3.2.3	Hourly Rate	\$50
	3.2.3.1. Hall (3 hour minimum)	\$150 \$250
	3.2.3.2. Add Kitchen (\$200)	\$350 \$400
	3.2.3.3. Children's Birthday Parties Kaleden Residents receive a 25% discount on all	\$100
	Rentals	
	Kentais	
3.2.4	Damage Deposit – required	30%
3.2.5	Volunteer Led Sports Club (2 hours)	\$25
3.2.6	Kaleden Youth Organized Groups	20%
3.2.7	Discount for Non-Profit Organizations	No Chg
3.2.8	Discount for Local Charitable Fundraising	No Chg
	Local Groups Providing Community Events	•
3.2.9	Instructed Programs Open to Public (businesses)	\$20

4.0 Keremeos Parks and Recreation

4.1 Fa	acility Re	ntals		
	4.1.1	Bowling la	nes (for 3 hours and does not include shoe rental)	\$80
		4.1.1.1 Sc	chool Rates	\$60
	4.1.2	Squash/Ra	acquetball (is included with monthly fitness pass)	
	4.1.3	Racquet C	Court rental for private classes (yoga, Zumba, etc)	\$20/hr
	4.1.4	Climbing V	Vall – (time is determined by the certified instructor)	\$40
4.2 Ke	eremeos	Community	/ Pool	
	4.2.1	Single Adr	mission Rates	
		4.2.1.1	Pre-school - under 5	Free
		4.2.1.2	Youth – 5 – 18 years	\$4.00
		4.2.1.3	Adult – 19+	\$5
		4.2.1.4	Family Rate	\$11.50
		4.2.1.5	10 Flex Pass	\$36.00
		4.2.1.6	Season Pass (only during public swimming and toonie swim)	
			Family	\$200.00
			Adult	\$100.00
			Youth/Senior	\$ 80.00
	4.2.2	Red Cros	S	
		4.2.2.1	Pre-school to Level 6	\$55
		4.2.2.2	Level 6 - 10	\$75

4.2	3 Early Bir	d Club *changed from 3 days per week to 2 days	\$115
4.2			\$115
4.2			\$115
4.2		e Combined	\$170
4.2		ntal – per hour	\$80
	neos Fitness R		φ0U
4.3 Keren		dmission Rates	
4.3	4.3.1.1		\$3.00
	4.3.1.1		\$5.00
	4.3.1.2		\$3.00
4.3			\$3.00
4.5	4.3.2.1		\$30
	4.3.2.1		\$40
4.3			J \$40
4.3			<u>ф огг</u>
4.0	4.3.3.1	Family	\$ 255
4.3			#450
		Youth and Senior (+60)	\$150
	4.3.4.2		\$210
	4.3.4.3		\$417
4.3			
		Youth and Senior (+60)	\$240
	4.3.5.2		\$360
	4.3.5.3		\$635
4.3		d Replacement	\$15
		ns (paramedics, fire, police) - \$100.00 per year	
	neos Ice Rink		
4.4	Ŭ	dmission Rates	
	4.4.1.1	Child – Under 4	Free
	4.4.1.2		\$ 4.50
	4.4.1.3	Adult – 19+	\$5
	4.4.1.4	Family	\$10
	4.4.1.5	10 Flex Pass	\$32
4.4			
	4.4.2.1	3 – 6 Years	\$65
	4.4.2.2	7 and up	\$65
4.4	.3 Mite's Ho	ockey – Boys and Girls 5 – 8 Years old	\$5.25
4.4	.4 Sticks ar	nd Pucks- Youth	\$4
4.4	.5 Sticks ar	nd Pucks – Adult	\$5
4.4	.6 Ice Rent	al – Per hour	
	4.4.6.1	School Age Keremeos	\$80
	4.4.6.2	Adult	\$100
4.4	.7	Skate Rental	\$2.50
4.5 Keren	neos Bowling		·
4.5		Bowling	
	4.5.1.1	Adult	\$11.50
	4.5.1.2		\$11
			\$9.50
4.5			T
			\$5
4 5			
	nbing		Ψ <u>~</u>
4.5	4.5.2.1 4.5.2.2 4.5.2.3 .3 Shoe Re	Fun Bowl Adult Youth Family	\$9.50 \$5 \$4 \$10 \$ 2

4.7.1	Child	\$ 3.00
4.7.2	Teen	\$ 4.00

5.0 Park Donations

Standard Amenities (types)	Donation Amount (cost estimate*)
Tree Planting	\$250.00 and up
Bicycle Rack	\$1700.00 and up
Park Bench	\$2000.00 and up
Park Table	\$2500.00 and up
Garbage Bins (bear proof)	\$1000.00 and up
Pet Stand Dispenser	\$500.00 and up

*Items costs will be based on furniture standards for the select Park, including the item price, delivery charges, taxes, installation, pad and if applicable, plaque PLUS a 10% maintenance fee.

APPENDIX 'E' – Schedule 8 – FOIPPA Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2787.01, 2018

1. For all applicants:		
(a) for locating and retrieving a record	\$7.50 per ¼ hour or portion thereof after the first 3 hours.	
(b) for producing a record manually	\$7.50 per ¼ hour.	
 (c) for preparing a record for disclosure and handling a record 	\$7.50 per ¼ hour	
(d) for shipping copies	actual costs of shipping method chosen by applicant.	
(e) for copying records:		
(i) photocopies and computer printouts	\$0.25 per page (8.5 x 11, 8.5 x 14) \$0.30 per page (11 x 17)	
(ii) photographs (colour or black & white)	\$5.00 to produce a negative \$12.00 each for 16" x 20" \$9.00 each for 11" x 14" \$4.00 each for 8" x 10" 3.00 each for 5" x 7"	
(iii) compact disc CD or DVD	\$10.00 each	
(iv) USB stick	\$15.00 each	

APPENDIX 'F' – Schedule 9 – Street Lighting Regional District of Okanagan-Similkameen Fees and Charges Amendment Bylaw No. 2787.01, 2018

Schedule 9 – Street Lighting Bylaw 2025, 2001

1.0 Naramata Street Lighting

\$15.00/yr



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 18, 2018

RE: Declaration of State of Local Emergency Approval

Enabling Legislation:

The Emergency Program Act provides:

12(1) A local authority or the head of the local authority, may, at any time that the local authority of the head of the local authority, as the case may be, is satisfied that an emergency exists or is imminent in the jurisdictional area for which the local authority has responsibility, declare a state of local emergency relating to all or any part of the jurisdictional area.

12(3) The head of a local authority must, before making a declaration under subsection (1), **use best efforts to obtain the consent of the other members of the local authority to the declaration** and must, as soon as practicable after making a declaration under subsection (1), convene a meeting of the local authority to assist in directing the response to the emergency.

Administrative Recommendation:

Electoral Area "C":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 8 October 2018, at midnight for a further seven days to 15 October 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 15 October 2018, at midnight for a further seven days to 22 October 2018, at midnight.

Electoral Area "D":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 9 October 2018, at midnight for a further seven days to 16 October 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 16 October 2018, at midnight for a further seven days to 23 October 2018, at midnight.



Reference: *Emergency Program Act, Section 12*

Background:

2018 Spring Freshet

The State of Local Emergency for Electoral Area "B" was **cancelled** on May 28th 2018. The State of Local Emergency for Electoral Area "E" was **cancelled** on May 28th 2018. The State of Local Emergency for Electoral Area "H" was **cancelled** on May 28th 2018. The State of Local Emergency for Electoral Area "F" was **cancelled** on July 13th 2018. The State of Local Emergency for Electoral Area "G" was **cancelled** on July 18th 2018. The State of Local Emergency for Electoral Area "G" was **cancelled** on July 18th 2018. The State of Local Emergency for Electoral Area "A" was **cancelled** on July 23rd 2018.

Inclement weather conditions on March 22nd 2018, coupled with significant snowpack, higher than average seasonal ground water levels and rain on snow events led to extensive Freshet flooding in the RDOS. The RDOS Emergency Operations Centre (EOC) was activated on March 22nd 2018 to support emergency responders and residents dealing with issues related to the flooding. The EOC remained active on a daily basis, offering support to our partners throughout the region, until Friday June 15, 2018, when operations were scaled back.

The EOC was active for support to wildfires and now continues to provide ongoing support with response work and recovery efforts in the region. State of Local Emergency remains needed in Electoral Areas "C" and "D" until emergency repairs and works are completed that necessitate the use of SOLE authority.

2018 Wildfires

The State of Local Emergency for Electoral Area "F" was **cancelled** on July 25th 2018. The State of Local Emergency for Electoral Area "B" was **cancelled** on September 12th 2018. The State of Local Emergency for Electoral Area "G" was **cancelled** on September 12th 2018.

Lightning in the south Okanagan region on July 17th, coupled with high temperatures resulted in several new wildfire starts over a period of 48 hours in Electoral Areas B, C, D, E, F and G. The BC Wildfire Service (BCWS) worked on all of the fires, focusing resources first to those presenting risk to structures and people. The RDOS EOC was activated on July 18th 2018 to support emergency response to the Mt. Eneas wildfire and residents who were evacuated. The week of August 3rd to 8th, wildfires in the Snowy Mountain Protected Area and near Cathedral Lakes Provincial Park prompted evacuation orders and alerts to residents nearby. On August 15th, the Cool Creek and Old Tom Creek fires started which prompted additional evacuation orders primarily to afford assistance to ranchers to remove cattle from grazing areas. The wildfires in the region were actioned and eventually stabilized with cooler weather and higher humidity levels. The risk of wildfires diminished with all wildfire related State of Local Emergency and evacuation alerts cancelled on September 12th.



The EOC has now concluded operations to support wildfires in the region. The RDOS is now awaiting Post-Wildfire Risk Hazard Assessments from BC Wildfire to highlight any areas that may be at risk as a result of the impact of the fires, i.e., landslide / debris flows.

Respectfully submitted:

Bill Newell Emergency Operations Centre Director



BOARD REPORT: October 4, 2018

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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.

Denise Neilsen, Okanagan Water Stewardship Council

The next regular meeting of the OBWB will be 10 a.m. <u>Wednesday</u>, <u>December 12</u>, <u>2018</u>, at Regional District of Central Okanagan in Kelowna.

Okanagan Basin Water Board Meeting Highlights

Last meeting of current board acknowledged: This was the last meeting of the current board before upcoming local government elections. At least three of the nine local government representatives will not be returning: Chair Tracy Gray (representing Regional District of Central Okanagan), Vice-Chair Juliette Cunningham (RD North Okanagan) and Dir. Peter Waterman (RD Okanagan-Similkameen). Chair Gray noted board accomplishments over the last four years, including a review of the Water Conservation & Quality Improvement Grant Program, stronger invasive mussel protection including approval of stable provincial funding for inspection stations, valley floodplain mapping, and more. A new board will be convened in December once elections are held and appointments are made by the three Okanagan regional districts.

Board updated on Okanagan flood mapping project: Directors were updated on the floodplain mapping project, first announced in April. The mapping is using LiDAR (Light Detection and Ranging), a radar technology that is a form of aerial imaging, as well as georeferenced aerial photos to map the landscape. The intention is to map where water is likely to flow and help communities plan and prepare for future flooding. The project has had a few setbacks, with wildfires, rain and heavy cloud impeding the work. But tragically, there was also the unfortunate death of the pilot and mapping technician on Aug. 1 when the plane they were using crashed on its way home to Alberta. The board forwarded a letter of condolence to the families through the company contracted to do the work. Efforts to recover the data on the plane are underway but some of the LiDAR may need to be redone. The board also approved a contract to proceed with lake level modeling.

Drought Trigger project for valley-bottom lakes outlined: Staff presented on a project to help water utilities that draw off the Okanagan's mainstem (valley-bottom) lakes to determine water restrictions based on lake levels and severity of drought. The drought triggers project was prompted by the 2015 drought. These purveyors requested assistance from the Water Board since they do not control the levels of the lakes, their reservoir: the Province of B.C. does. The project included input from water utilities, the Province, hydrology experts and others. The intention is to have these triggers integrated into local drought plans to help utilities respond to water demands during water-short years.

Water Board pushes for B.C. legislation to check all incoming watercraft: In reviewing the latest provincial mussel inspection stats, the board agreed to repeat their call for legislation that requires all watercraft entering B.C. to report to an inspection station before launching in provincial waters. The board first called for this legislation in 2016. As of Sept. 23, 22 mussel-fouled watercraft were intercepted coming into B.C. The watercraft were coming from: Ontario (12), Manitoba (2), Arizona (4), Michigan (2), Utah (1), and Nevada (1). They were headed to: the Lower Mainland (9), Vancouver Island (5), Thompson-Nicola/Shuswap (4), the Okanagan (3), and Kootenays (1). B.C.'s inspection team received advance notice on 17 of the 22 watercraft from other state or provincial inspection teams or Canada Border Services Agency officers.

Registration for Environmental Flow Needs conference strong: Registration for the "siwłk" (WATER) FOR ALL - OUR RESPONSIBILITY... Environmental Flow Needs Conference 2018: Science, Policy & Practice," Oct. 17-18, 2018 in Kelowna is nearing capacity. For details and to register, please visit <u>www.EFN2018.ca</u>.

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