



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, January 7, 2021
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am		9:15 am	<i>Public Hearing</i>
			<ul style="list-style-type: none"> • Electoral Area “D” Zoning Bylaw Amendment – 5081 8th Avenue • Electoral Area “H” Zoning Bylaw Amendment – 1500 Blakeburn Road
9:15 am	-	9:30 am	Planning and Development Committee
9:30 am	-	10:30 am	Environment and Infrastructure Committee
10:30 am	-	11:30 am	Corporate Services Committee
11:30 am	-	11:45 am	Break
11:45 am	-	12:30 pm	OSRHD
12:30 pm	-	2:00 pm	RDOS Board

“Karla Kozakevich”

Karla Kozakevich
RDOS Board Chair

2021 Notice of Meetings			
January 21	RDOS Board	OSRHD Board	Committee Meetings
February 4	RDOS Board		Committee Meetings
February 18	RDOS Board	OSRHD Board	Committee Meetings
March 4	RDOS Board		Committee Meetings
March 18	RDOS Board	OSRHD Board	Committee Meetings





NOTICE OF PUBLIC HEARING

Amendment Bylaw No. 2455.43, 2020

Electoral Area “D” Zoning Bylaw Amendment

5081 8th Avenue, Okanagan Falls

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area “D” Zoning Amendment Bylaw 2455.43, 2020**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a public hearing to be held by electronic means on:

Date: Thursday, January 7, 2021

Time: 9:00 a.m.

Location: <https://rdos.webex.com> **Event number:** 146 887 7472 **Password:** RD@S

INSTRUCTIONS ON HOW TO PARTICIPATE

To participate in the electronic public hearing, please enter the text provided under “Location” (above) into the address bar of an internet browser (e.g. Chrome, Firefox, Safari, Edge). The Regional District is utilizing Cisco’s Webex videoconferencing services and individuals interested in participating in the public hearing are encouraged to test this service on their computer or mobile device prior to the date of the hearing.

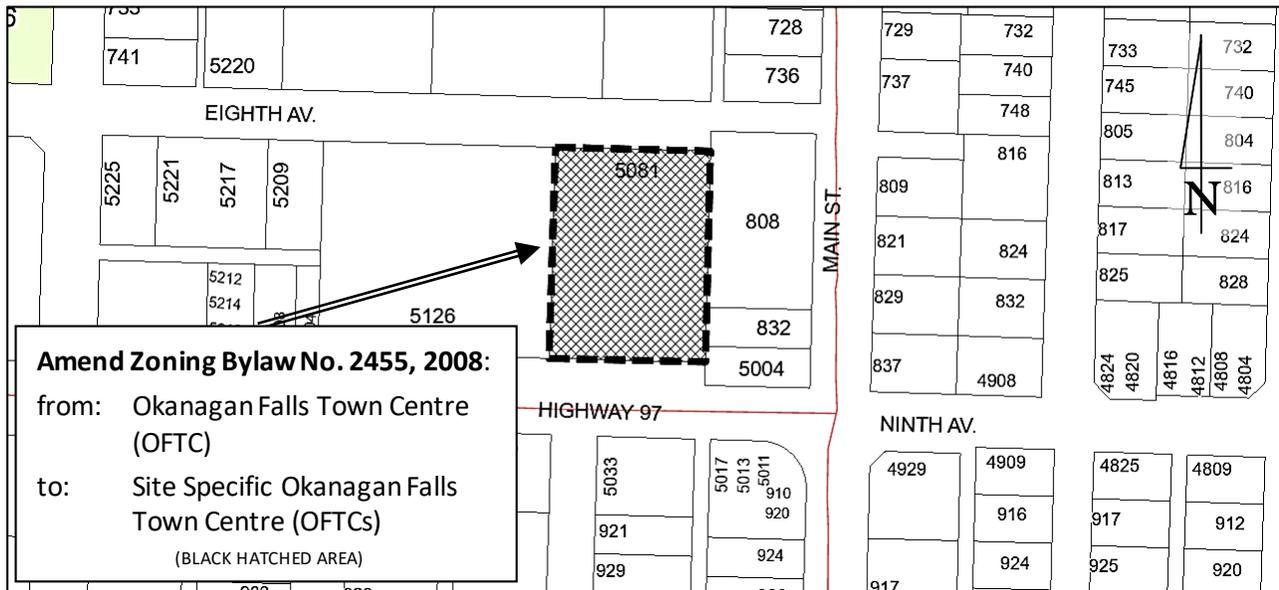
Interested individuals may also participate in the public hearing by calling **1-833-311-4101**. Additional instructions on how to participate in an electronic public hearing are available on the Regional District’s website: www.rdos.bc.ca.

Anyone who considers themselves affected by the amendment bylaws can present written information to the Regional District prior to or during the public hearing and may also speak at the public hearing. No letter, report or representation from the public will be received after the conclusion of the public hearing.

PURPOSE OF THE BYLAW:

The purpose of the proposed amendment is to allow for the development of an additional 30 multi-dwelling units in the form of an apartment building. More specifically **Amendment Bylaw No. 2455.43, 2020**, proposes to:

- amend Schedule ‘1’ (Zoning Text) by introducing a new Okanagan Falls Town Centre Site Specific regulation at the subject property in order to increase the maximum density from 110 to 112 dwelling units per hectare, reduce the minimum setback for a parcel line adjacent to Highway 97 from 4.5 metres to 0.0 metres, and reduce the required number of parking spaces for Residential (apartment building, townhouse) uses from 1.75 to 1.0 space per dwelling unit.
- amend Schedule ‘2’ (Official Zoning Map) of the Electoral Area “D” Zoning Bylaw No. 2455, 2008, by changing the zoning of 5081 8th Avenue, Okanagan Falls (which is legally described as Lot 1, Plan 12558, District Lot 374, SDYD), from Okanagan Falls Town Centre (OFTC) to Site Specific Okanagan Falls Town Centre (OFTCs).



FURTHER INFORMATION

For further information about the content of **Amendment Bylaw No. 2455.43, 2020**, 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 holiday office closure from Friday, December 25, 2020 through Sunday, January 3, 2021) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information related to this proposal is also available at: www.rdos.bc.ca (Property & Development → Planning, Zoning & Subdivision → Current Applications → Electoral Area “D” → D2020.015-ZONE).

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

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 | **Email:** planning@rdos.bc.ca



NOTICE OF PUBLIC HEARING

Amendment Bylaw No. 2498.19, 2019

Electoral Area “H” Zoning Bylaw Amendment

1500 Blakeburn Road, Coalmont

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area “H” Zoning Amendment Bylaw 2498.19, 2019**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a public hearing to be held by electronic means on:

Date: Thursday, January 7, 2021

Time: 9:00 a.m.

Location: <https://rdos.webex.com> **Event number:** 146 887 7472 **Password:** RD@S

INSTRUCTIONS ON HOW TO PARTICIPATE

To participate in the electronic public hearing, please enter the text provided under “Location” (above) into the address bar of an internet browser (e.g. Chrome, Firefox, Safari, Edge). The Regional District is utilizing Cisco’s Webex videoconferencing services and individuals interested in participating in the public hearing are encouraged to test this service on their computer or mobile device prior to the date of the hearing.

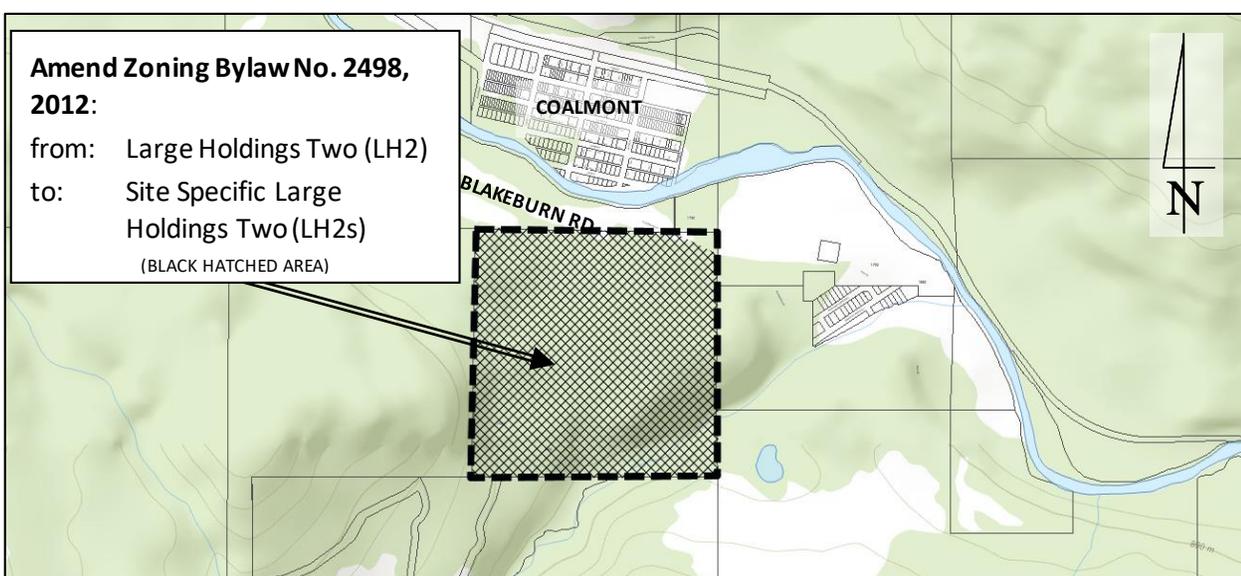
Interested individuals may also participate in the public hearing by calling **1-833-311-4101**. Additional instructions on how to participate in an electronic public hearing are available on the Regional District’s website: www.rdos.bc.ca. (Property & Development > Planning, Zoning & Subdivision > Application Forms & Resources > Official Community Plan and Zoning Bylaw Amendments > Public Hearings).

Anyone who considers themselves affected by the amendment bylaws can present written information to the Regional District prior to or during the public hearing and may also speak at the public hearing. No letter, report or representation from the public will be received after the conclusion of the public hearing.

PURPOSE OF THE BYLAW:

The purpose of the proposed amendment is to facilitate the development of an additional eight (8) single detached dwellings on the subject parcel. More specifically **Amendment Bylaw No. 2498.19, 2019**, proposes to:

- amend Schedule ‘1’ (Zoning Text) by introducing a new Large Holdings Two Site Specific regulation at the subject property in order to increase the maximum number of principal dwellings permitted per parcel from 2 to 8, increase the maximum number of accessory dwellings from 0 to 1, and increase the minimum lot size from 8.0 ha to 60.0 ha; and
- amend Schedule ‘2’ (Zoning Map) by changing the land use designation of 1500 Blakeburn Road (which is legally described as Northeast ¼, District Lot 376, YDYD) from Large Holdings Two (LH2) to Site Specific Large Holdings Two (LH2s).



FURTHER INFORMATION

For further information about the content of **Amendment Bylaw No. 2498.19, 2019**, 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 holiday office closure from Friday, December 25, 2020 through Sunday, January 3, 2021) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information related to this proposal is also available at: www.rdos.bc.ca (Property & Development → Planning, Zoning & Subdivision → Current Applications → Electoral Area “H” → H2019.011-ZONE).

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Committee

Thursday, January 7, 2021
9:15 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of January 7, 2021 be adopted.

B. Proposed Amendments to the Subdivision Service Bylaw No. 2000, 2002

1. Bylaw No. 2000.10

RECOMMENDATION 2

THAT the Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw No. 2000.10 be initiated.

C. ADJOURNMENT

ADMINISTRATIVE REPORT



TO: Planning and Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: Proposed Amendments to the Subdivision Servicing Bylaw No. 2000, 2002
For Information Only

Purpose:

To introduce proposed amendments to the Regional District's Subdivision Servicing Bylaw No. 2000, 2002, as it relates to Roads, Storm Drainage Systems, Electrical Services, Levels of Services as well as a number of other amendments.

Background:

At its meeting of September 19, 2002, the Board adopted the *Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw No. 2000, 2002*, which sets out the Regional District's requirements for the provision of "works and services" that are needed as part of the subdivision or development of land in unincorporated areas.

"Works and services" is generally defined in these types of bylaws to include the establishment of minimum standards for:

- the dimensions, locations, alignments and gradients for highways or roads;
- the location and construction standards for roads, sidewalks, boulevards and crossings, transit bays, street lighting or underground wiring; and
- design criteria for systems for water distribution, fire hydrants, sewage collection and disposal, and drainage and storm drainage collection and disposal.

Importantly, in electoral areas, authority for the establishment of design criteria used for roads, bridges and thoroughfares is vested with the Ministry of Transportation and Infrastructure (MoTI). The Ministry has further authority for managing storm water and drainage in electoral areas.

Despite this, Section 6.0 (Required Works and Services) of the Regional District's Subdivision Servicing Bylaw No. 2000, 2002, currently establishes requirements for Highway Widths, Roads and Storm Drainage. The bylaw further purports to require that storm water drainage systems be provided for certain types of development and comply with Regional District standards.

Analysis:

While Administration is currently working on a major update of the Regional District's Subdivision Servicing Bylaw No. 2000, 2002, the proposed amendments contained in Bylaw No. 2000.10 are seen to be an important interim step that will improve the current bylaw and also help inform the drafting of the new Subdivision and Development Servicing Bylaw No. 2900.

While an annotated version of the amendment bylaw is included with this report for reference purposes, the following provides a brief overview of some of the challenges with the current bylaw that Administration is seeking to address at this time.

Provincial Authority:

The current design requirements for highway widths, roads and storm water drainage systems contained in the Regional District's Subdivision Servicing Bylaw represents a potentially confusing duplication of the design criteria established by the Ministry, inserts the Regional District into fields in which it has no jurisdiction and creates expectations that the Regional District can apply its standards in these fields.

For these reasons, all design requirements related to highway widths, roads and storm water drainage should be removed from the bylaw.

"Power":

With regard to the provision of electrical services, the requirement that written confirmation be provided of "arrangements [having] been made to supply electrical power to each parcel being created by the subdivision" is unenforceable and should be deleted from the bylaw as this was previously deemed by the courts to be invalid and, as a result, has fallen into disuse.

It is further being proposed to delete references to the provision of overhead wiring and natural gas connections as these are, again, services that the Regional District cannot compel property owners subdividing or developing their land to provide.

Levels of Service:

To improve the clarity and ease of use of the bylaw by the public and staff, the two tables outlining Levels of Service at Schedule "B" could be combined. At present, there is significant duplication between these two tables, while their applicability is unclear (NOTE: Table B1 is to be applied at building permit stage, while Table B2 applies at the subdivision stage).

There appears to be further merit in updating Schedule "B" so that the parcel sizes and references to land uses correspond with the language being applied to the Electoral Area zoning bylaws (e.g. "Single and Two Family Residential" be replaced with "Low Density Residential").

Exemptions:

To improve clarity and ease of use, all exemptions should be consolidated within a dedicated section of the bylaw and ambiguities related to exemptions (e.g. the bylaw suggests that some requirements "may be waived" for certain types of development/subdivision but does not provide guidance on how this may occur) should be removed.

Administration of the Bylaw:

The administration section of the bylaw should be revised to include updated language found in the Regional District's other land use bylaws regarding compliance, severability, authorizations for inspections and prohibitions and penalties. It is further proposed to introduce new provisions clarifying the relationship of the bylaw to strata lots and services administered by irrigation districts.

There seems to be an over-reliance on a generic definition of "Local Authority", which can make it difficult to identify the proper approving authority being referenced. Due to the extensive use of this term throughout the bylaw's schedules and appendices, its elimination is not seen to be practical at this time, however, it is recommended that "Local Authority" be deleted from the "front-end" of the bylaw and replaced with references to the Regional District, where applicable.

Respectfully submitted:



C. Garrish, Planning Manager

Attachments: No. 1 – Amendment Bylaw No. 2000.10 (annotated version)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2000.10, 2020

**A Bylaw to amend the Regional District of Okanagan Similkameen
Subdivision Servicing Bylaw No. 2000, 2002**

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 Subdivision Servicing Amendment Bylaw No. 2000.10, 2021.”
2. The “Regional District of Okanagan Similkameen Subdivision Servicing Bylaw No. 2000, 2002” is amended by:
 - i) replacing sub-section 2.2 under Section 2.0 (Application) in its entirety with the following:
2.2 ~~deleted~~.
 - ii) replacing sub-section 2.3 under Section 2.0 (Application) in its entirety with the following:
2.3 ~~deleted~~.
 - iii) replacing sub-section 2.4 under Section 2.0 (Application) in its entirety with the following:
2.4 ~~deleted~~.
 - iv) replacing sub-section 2.5 under Section 2.0 (Application) in its entirety with the following:
2.5 ~~deleted~~.

Commented [CG1]: Current provision reads as follows:
This Bylaw applies to all subdivisions except:
a) subdivisions involving only the consolidation of existing parcels, or the consolidation of existing parcels with closed highways; and
b) subdivisions involving only the adjustment of boundaries between existing parcels and not increasing the number of parcels; so that the level of services provided may, despite this Bylaw, conform to the level of existing services provided to any parcel abutting the parcel being adjusted at the time of approval of the subdivision
This is seen to be an exemption that should be listed under the Exemptions section of the bylaw.

Commented [CG2]: Current provision reads as follows:
In the case of a subdivision in all Electoral Areas the standards in Table B2 of Schedule “B” shall apply.
This is seen to be an exemption that should be listed under the Exemptions section of the bylaw.

Commented [CG3]: Current provision reads as follows:
Notwithstanding section 2.3 of this Bylaw, in the case of a subdivision approved under s.946 of the Local Government Act, the standards in Table B1 of Schedule “B” shall apply.
This is seen to be an exemption that should be listed under the Exemptions section of the bylaw.

Commented [CG4]: Current provision reads as follows:
Notwithstanding sections 2.3 of this Bylaw, in the case of a subdivision within the Agricultural Land Reserve for home site severance type subdivision, this bylaw may defer to the Agricultural Land Commission recommendation if the existing dwelling and servicing meet the servicing standards in Table B1 of Schedule “B” are met.
This is seen to be an exemption that should be listed under the Exemptions section of the bylaw.

- v) replacing sub-section 2.6 under Section 2.0 (Application) in its entirety with the following:

2.6 ~~deleted~~

- vi) replacing sub-section 2.7 under Section 2.0 (Application) in its entirety with the following:

2.7 ~~deleted~~

- vii) replacing sub-section 2.8 under Section 2.0 (Application) in its entirety with the following:

2.8 ~~deleted~~

- viii) deleting the definitions of “Community Drainage System” and “Local Authority” under Section 4.0 (Definitions).

- ix) replacing the definition of “works and services” under Section 4.0 (Definitions) in its entirety with the following:

“WORKS AND SERVICES” means any public service, facility or utility which is required by this Bylaw including, but not limited to highways, lanes, sidewalks, boulevards, boulevard crossings, transit bays, street lighting, underground wiring, a water treatment or water distribution system, a fire hydrant system, a sewage collection system or a sewage disposal system be provided, located and constructed in accordance with the standards established by this Bylaw.

- x) replacing Section 5.0 (General Regulations) under Section 5.0 (General Provisions) in its entirety with the following:

5.0 ADMINISTRATION

5.1 Compliance with this Bylaw

- .1 No person may subdivide land or develop land for which a building permit is required unless in conformance with the regulations, provisions, and requirements set out in this bylaw and other bylaws of the Regional District.

5.2 Severability

- .1 If any section, subsection, sentence, clause or phrase of this bylaw is held to be invalid by a court of competent jurisdiction, that section,

Commented [CG5]: Current provision reads as follows:
This Bylaw applies to development authorized by the issuance of a building permit except where the permit authorizes the construction of a building containing fewer than 3 dwelling units.
This is seen to be an exemption that should be listed under the Exemptions section of the bylaw.

Commented [CG6]: Current provision reads as follows:
In the case of a building permit authorizing the construction of a building on a parcel of land with an area of less than 4,040 m² existing on May 10, 2007, the servicing standards in Table B1 of Schedule “B” shall apply.
This is seen to be an exemption that should be listed under the Exemptions section of the bylaw.

Commented [CG7]: Current provision reads as follows:
In the case of a building permit authorizing the construction of a building on a parcel that is located within or abuts an area that is provided with a community water system or a community sanitary sewage system, the building inspector may require the connection of the building to the system regardless of the area of the parcel.
This is seen to be an exemption that should be listed under the Exemptions section of the bylaw.

Commented [CG8]: Proposed deletion is related to removal of storm water management regulations from the bylaw.

Commented [CG9]: Proposed deletion is related to convoluted nature of the definition referencing the RDOS, MoTI, local improvement/irrigation districts and the Ministry of Health as seemingly co-equal administrators of the bylaw.

Commented [CG10]: Proposes to revise the definition of “Works and Services” in order to remove references to drainage.

Commented [CG11]: Proposed amendments seek to modernize this section of the bylaw and are based on the provisions found in other land use bylaws.

subsection, sentence, clause or phrase, as the case may be, shall be severed and the validity of the remaining portions of the bylaw shall not be affected.

5.3 Authorization for Inspection

- .1 The Regional District's Chief Administrative Officer (CAO) is hereby authorized to designate officers to enter, at all reasonable times, and on any property subject to this bylaw to inspect and determine whether all regulations, prohibitions and requirements are being met.

5.4 Prohibitions 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 5.3 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.

5.5 Compliance with Other Regulations

1. The regulations and standards set out in this bylaw are minimum standards and requirements, and do not prevent the Provincial Approving Officer from requiring higher standards in respect of any particular subdivision of land in the exercise of jurisdiction under the *Land Title Act* or *Bare Land Strata Regulations*.
2. In cases where an improvement district provides a fire hydrant system or a water distribution, sewage collection, sewage disposal, drainage collection or drainage disposal service and has established requirements and standards under Section 700 of the *Local Government Act*, the standards and requirements of the improvement district apply in place of the standards in this bylaw.

5.6 Application to Strata Lots

- .1 The design criteria, standards and procedures set out within this bylaw do not apply to a strata lot.

- .2 For a bare land strata *development*, where the *Strata Property Act* exempts on-site services from the requirements of this bylaw, off-site services must still be constructed in accordance with the standards and procedures set out in this bylaw.
- .3 While not applicable to subdivisions under the *Strata Property Act*, the standards set out in this bylaw in respect of the matters specified in subsections 506(1)(b) and (c) of the *Local Government Act* are recommended by the Board as appropriate standards for such works.

5.7 Duty of Care

- .1 This bylaw does not create any duty at law on the part of the Regional District, its Regional Board, officers, employees, or other representatives concerning anything contained in this bylaw.
- .2 All works, services, improvements, and all matters required pursuant to this bylaw are the responsibility of the *developer* and all persons acting on their behalf.
- .3 No Approval of any kind, certificate, permit, review, inspection, or other act or omission by the Regional District or any of its representatives, including any enforcement or lack of enforcement of the provisions of this bylaw, shall relieve the *developer* and all persons acting on their behalf from this duty pursuant to this bylaw and shall not create any cause of action in favour of any person.

xi) replacing Section 6.2 (Highway Width) under Section 6.0 (Required Works and Services) in its entirety with the following:

6.2 ~~deleted~~

xii) replacing Section 6.3 (Roads) under Section 6.0 (Required Works and Services) in its entirety with the following:

6.3 Roads

All highways, sidewalks and boulevards within the Regional District are administered by Ministry of Transportation and Infrastructure (MoTI) and should be designed and constructed to the relevant provincial specifications.

xiii) replacing Section 6.6 (Drainage) under Section 6.0 (Required Works and Services) in its entirety with the following:

Commented [CG12]: Section 6.2 deals with highway widths and there is no role for the RDOS in setting standards for road design. As this is at the discretion of the provincial government, it is proposed to delete this section.

Commented [CG13]: Section 6.3 currently suggests that roads be constructed to standards set out in Schedules "A" & "B" of the bylaw. It is proposed to amend this section in order to clarify road standards or sidewalks are the responsibility of the provincial government.

6.6 Storm Drainage

Where private on-site or strata owned drainage systems including retention/detention ponds and associated apparatus are required at the discretion of the Provincial Approving Officer as part of a subdivision approval, these should be designed and constructed to the relevant provincial specifications.)

- xiv) replacing Section 6.7 (Streetlighting) under Section 6.0 (Required Works and Services) in its entirety with the following:

6.7 Street Lighting

Where street lighting is required under Schedule "B", it shall be constructed and installed in accordance with the standards set out in Schedule "A".

- xv) replacing Section 6.8 (Power) under Section 6.0 (Required Works and Services) in its entirety with the following:

6.8 Electrical Services

Where underground electrical services are required under Schedule "B", all underground vaults, conduits, ducts and related infrastructure shall be constructed and installed in accordance with the standards set out in Schedule "A".

- xvi) replacing Section 6.9 (Overhead Wiring and Natural Gas) under Section 6.0 (Required Works and Services) in its entirety with the following:

6.9 ~~deleted~~

- xvii) replacing Section 7.0 (Security) in its entirety with the following:

7.0 SECURITY

.1 Security required for works and services to be constructed or installed at the expense of a developer and that have not been constructed or installed prior to the Approval of the Subdivision Plan or issuance of a Building Permit, shall be in the form of a cash deposit or an irrevocable (and automatically renewable) letter of credit from a financial institution.

.2 The amount of the security may be calculated using:

Commented [CG14]: Current provision reads as follows:

In all subdivisions and developments where a drainage collection system or a drainage disposal system is required, each shall be located, constructed and otherwise meet the standards found in Schedules "A" and "B" which are attached to and form part of this Bylaw. A drainage study may be required at the discretion of the Local Authority.

Proposed amendment seeks to clarify that storm drainage is provincial responsibility and that there is no role for the Regional District in setting standards.

Commented [CG15]: Current provision reads as follows:

In all subdivisions and developments where a streetlighting system is required, each shall be located, constructed and otherwise meet the standards found in Schedules "A" and "B" which are attached to and form part of this Bylaw. The developer will be required to appoint a Consultant, at no cost to the Local Authority, to set up the relevant Local Service Area and prepare the necessary Bylaw for enactment by the Local Authority.

Proposed amendment seeks to simplify provision by removing reference to "Local Authority" as well as the requirements for a proponent to prepare the necessary bylaws for a service area creation as this is historically done by RDOS staff.

Commented [CG16]: Current provision reads as follows:

Every proposed subdivision shall have written confirmation that arrangements have been made to supply electrical power to each parcel being created by the subdivision. This confirmation shall be provided to the Regional District with the proposed plan of subdivision.

a) [†]Underground Wiring ...

b) [†]Overhead Wiring ...

c) [†]Natural Gas ...

Proposed amendment seeks to remove overhead wiring and natural gas requirements as the RDOS has no authority to set standards. It is further proposed to remove requirement for written confirmation of power being provided to new parcels as the Regional District does not have authority to require this.

Commented [CG17]: Proposed amendment seeks to remove references to design standards for overhead wiring and natural gas as the Regional District does not have authority to set such standards.

Commented [CG18]: Proposed amendments seek to modernise the requirements for the provision of a security.

- a) such methodologies as the Regional District may prescribe from time to time; or
 - b) an estimate of 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 a security is required in relation to works and services that have not been constructed or installed prior to the Approval of the Subdivision Plan or issuance of a Building Permit, the amount shall be 120% of the estimated construction costs.
- .4 Upon receipt of this payment the Regional District and applicant shall enter into a Works and Services Agreement acknowledging that the Works and Services are constructed and installed by a specified date, or the Developer forfeits to the Regional District the amount secured by the cash deposit or the irrevocable letter of credit.

xviii) replacing Section 8.0 (Fees) in its entirety with the following:

8.0 FEES

8.1 Application Fees

Subdivision application fees are prescribed in the applicable Regional District Fees and Charges Bylaw.

xix) replacing Section 9.0 (Oversizing of Work) in its entirety with the following:

9.0 EXCESS CAPACITY OF WORKS AND SERVICES

- .1 Where a Developer in accordance with this bylaw provides "Excess or Extended Services" such as a portion of a water or sewage system that will serve land other than the land being Subdivided and:
- a) The Regional District has required that the Developer provides "Excess or Extended Services";
 - b) The Regional District has considered the cost of the Regional District providing such Excess or Extended Services in whole or in part would be excessive; and
 - c) The Regional District has:
 - i) determined the portion of the cost of providing Excess or Extended Services, that it considers Excess or Extended Services; and

Commented [CG19]: Proposed amendments seek to update the reference to the Regional District's Fees and Charges Bylaw by no longer referring to "Bylaw No. 906" (which was previously repealed by the Board).

Commented [CG20]: Current provision reads as follows:
Where an owner in accordance with this Bylaw provides a highway or water, sewage or drainage facilities that serve land other than the land being subdivided or developed, and
 a) *The Local Authority has required that the owner provide excess or extended highway, water, sewage or drainage facilities; and*
 b) *The Local Authority has considered the cost of the Local Authority providing such facilities in whole or in part would be excessive; and*
 c) *The Local Authority has:*
 i) *determined the portion of the cost of providing excess or extended services,*
 ii) *determined which part of excess or extended services will benefit each parcel served; and*
 iii) *imposed, as a condition of an owner connecting to or using the excess or extended service, a charge related to the benefit under (ii)*
all in accordance with Section 939 of the Local Government Act; the interest rate on the charge payable under (c)(iii) shall be at Prime + 2% at the time of the execution of the latecomer agreement, calculated annually.
 Proposed amendment seeks to replace references to "Local Authority" with "Regional District", updates the section numbers from the Local Government Act and makes a number of other minor changes (e.g. deletion of references to "Prime + 2%, etc.).

- ii) determined which part of Excess or Extended Services will benefit each Parcel served; and
- iii) imposed, as a condition of a Developer connecting to or using the excess or extended service, a charge related to the benefit determined under 9.1.1(c)(ii).

then, in accordance with Sections 507 & 508 of the *Local Government Act*; the interest rate on the charge payable under Section 9.1.1(c)(iii) shall be at the rate established by Regional District bylaw.

- xx) replacing Section 10.0 (Subdivision Where Servicing Requirements May Be Waived) in its entirety with the following:

10.0 Exemptions

- 10.1 A subdivision involving the consolidation of existing parcels, or the addition of closed roads to an existing parcel is exempt from the requirements of this bylaw.
- 10.2 A subdivision involving the alteration of lot lines between two or more parcels where no additional parcels are created upon completion of the alteration is exempt from the requirements of this bylaw.
- 10.3 A subdivision approved by the Agricultural Land Commission (ALC) under its Homesite Severance on ALR Lands Policy (L-12) is exempt from the "Community Water System" and "Community Sewer System" requirements listed at Schedule "B" of this bylaw if provided with an on-site water source and on-site sewage disposal system.
- 10.4 A subdivision to create a parcel for the use of unattended equipment necessary for the operation of a utility use is exempt from the requirements of this bylaw subject to the registration on title of a statutory covenant under the Land Title Act in favour of the Regional District restricting the use to the utility.
- 10.5 A building permit authorizing the construction of a building containing no more than two (2) dwelling units.

- xxi) replacing the definition of "accepted" under Section 1.2 (Definitions) of Schedule "A" (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

"ACCEPTED" means as accepted by the Regional District of Okanagan-Similkameen.

Commented [CG21]: These exemptions were previously contained at Section 2.0 of the bylaw.

Commented [CG22]: The current definition reads as follows: "ACCEPTED" means as accepted by the Local Authority and the Ministry of Transportation Approving Officer. Proposed amendment seeks to replace reference to "Local Authority and the Ministry of Transportation Approving Officer" with the "Regional District of Okanagan-Similkameen."

xxii) adding a new definition of “Local Authority” under Section 1.2 (Definitions) of Schedule “A” (Design Criteria, Specifications and Standard Drawings) to read as follows:

“**LOCAL AUTHORITY**” means a provincial ministry or department, an irrigation district, an improvement district, a local government, a first nation government, a private entity or the Regional District.

Commented [CG23]: Proposed new definition to this Schedule that is intended to provide clarity as to what is meant by “Local Authority” (NOTE: there are 51 references in Schedule “A” to “Local Authority”).

xxiii) adding a new definition of “Low Density Residential” under Section 1.2 (Definitions) of Schedule “A” (Design Criteria, Specifications and Standard Drawings) to read as follows:

“**LOW DENSITY RESIDENTIAL**” means one (1) residential dwelling unit with a maximum of one (1) secondary suite or one (1) accessory dwelling unit, located on a single parcel, or a duplex dwelling unit, being two (2) dwellings located in one (1) residential building located on a single parcel.

Commented [CG24]: Proposed new definition to reflect proposed changes to Schedule “B” as well as to ensure consistency with language in Zoning Bylaw.

xxiv) adding a new definition of “Medium Density Residential” under Section 1.2 (Definitions) of Schedule “A” (Design Criteria, Specifications and Standard Drawings) to read as follows:

“**MEDIUM DENSITY RESIDENTIAL**” means a residential building or development with more than three (3) dwelling units, and includes townhouses and apartments.

Commented [CG25]: Proposed new definition to reflect proposed changes to Schedule “B” as well as to ensure consistency with language in Zoning Bylaw.

xxv) replacing Section 2.0 (Roads and Walkways) under Schedule “A” (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

2.0 ~~deleted~~

Commented [CG26]: The current definition reads as follows:
The design and construction of roads and walkways shall conform to current standards of the Ministry of Transportation. Information regarding these standards can be obtained from the Local District office of the Ministry of Transportation. Notwithstanding the standards of the Ministry of Transportation, the following shall also apply:

xxvi) replacing the fourth paragraph of Section 3.2.1 (Per Capita Flows, Fire Flow Demands) under Schedule “B” (Level of Works and Services) in its entirety with the following:

Notwithstanding the above, the following minimum fire flows shall be met:

<u>Land Use</u>	<u>Fire Flow</u>
Low Density Residential	60 litres/sec
Medium Density Residential	150 litres/sec
Commercial	260 litres/sec
Industrial	230 litres/sec
Administrative and Institutional	85 litres/sec

1. Driveways accessing a parcel of land shall be constructed at or near a right angle (70°-110°) to the road and at a maximum grade of 2% for the first 5 metres. Driveway grades shall not exceed 8% within the right-of-way and 10% from property line to the building site or as approved by the Ministry of Transportation.
2. No more than 2 (two) contiguous panhandles on abutting parcels shall be permitted.
3. No fee simple subdivision shall be permitted with access by common lot.

Proposed amendment seeks to reinforce that road design standards are the purview of the Ministry. Proving driveway access at subdivision stage has been difficult, while the panhandle provision is currently in the zoning bylaw.

Commented [CG27]: Proposes to replace reference to “Single and Two Family Residential”

Commented [CG28]: Proposes to replace reference to “Multiple Family Residential”

Commented [CG29]: Proposes to replace reference to “Institutional”

xxvii) replacing Section 5.0 (Storm Drainage) under Schedule “A” (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

5.0 ~~(deleted)~~

Commented [CG30]: Current regulations for Storm Drainage run 8 pages in Schedule “A”. Proposed amendment seeks to delete the storm water regulations from the bylaw and reflects that the Regional District does not have authority to regulate this item.

xxviii) replacing Section 7.0 (Non-Municipal Utilities) under Schedule “A” (Design Criteria, Specifications and Standard Drawings) in its entirety with the following:

7.0 ~~(deleted)~~

Commented [CG31]: This section relates to Natural Gas, Power and Telephone and Cable. As the RDOS can only influence “Power” by requiring underground provision of services in defined circumstances, and this is already set-out at Section 6 of the bylaw, the reference at Section 7 is not required.

xxix) the following Standard Drawings listed under Section 8.2 (List of Standard Drawings) under Schedule “A” (Design Criteria, Specifications and Standard Drawings) are deleted:

- a) ~~Catch Basin Detail (ST1)~~
- b) ~~Storm Drainage Drywell (ST2)~~
- c) ~~Local Urban Road – Typical Location of Utilities (G1)~~
- d) ~~Local Urban Road – Open Shoulders (G2)~~

Commented [CG32]: Proposed amendments seek to delete these drawing as they relate to Road and Stormwater standards that the Regional District has no authority to influence.

xxx) replacing all references to “Local Authority” under Schedule “A” (Design Criteria, Specifications and Standard Drawings) with “applicable Local Authority”.

xxxi) replacing Schedule “B” (Level of Works and Services) in its entirety with the ~~Table 1 (Levels of Service)~~ comprised at Schedule ‘A’ of this bylaw.

Commented [CG33]: Proposed amendment seeks to combine and modernize the existing Levels of Service tables (e.g. B1 & B2 in Schedule ‘B’ of the current bylaw.

xxxii) renaming sub-Section A.4.4 (Storm and Sanitary Sewers, Watermains) under Appendix A to ~~Sanitary Sewers & Water Mains~~.

Commented [CG34]: Proposed amendment seeks to remove reference to storm water

xxxiii) deleting ~~Appendix B (Typical Forms and Agreement)~~ in its entirety.

Commented [CG35]: The preamble to Appendix B states: *These forms are included for information only and do not form part of the Regional District of Okanagan-Similkameen Subdivision Servicing Bylaw.* It is noted that the forms in this Appendix have not been updated in 20 years and are no longer utilised by staff. Accordingly, their utility is seen to be limited and it is proposed that they be deleted from the bylaw in order to avoid any confusion.

xxxiv) adding a new definition of “Local Authority” under Section 1.0 (Definitions) of Appendix “C” (Administrative Provisions) to read as follows:

“LOCAL AUTHORITY” means a provincial ministry or department, an irrigation district, an improvement district, a local government, a first nation government, a private entity or the Regional District.

Commented [CG36]: Proposed new definition to this Schedule that is intended to provide clarity as to what is meant by “Local Authority” (NOTE: there are 69 references in Appendix C to “Local Authority”).

xxxv) replacing all references to “Local Authority” under Appendix “C” (Administrative Provisions) with ~~“applicable Local Authority”~~.

Commented [CG37]: Proposed amendment seeks to clarify how the term “Local Authority” is to be interpreted.

READ A FIRST, SECOND AND THIRD TIME this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

DRAFT

Regional District of Okanagan-Similkameen

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



Amendment Bylaw No. 2000.10, 2021

File No. X2021.001-SUB

Schedule 'A'

TABLE 1 – LEVELS OF SERVICE

Service Level Area	Parcel Area	Minimum Required Works and Services					
		Proven Water System	Community Water Supply	On-Site Sewage Disposal System	Community Sewer System	Street Lighting	Underground Wiring
Low Density Residential	1.0 ha or greater	✓		✓			
	0.5 ha to 0.99 ha	✓			✓		
	0.25 ha to 0.499 ha		✓		✓		
	Less than 0.25 ha		✓		✓	✓	✓
Medium Density Residential	Greater than 0.25 ha		✓		✓	✓	✓
	Less than 0.25 ha		✓		✓	✓	✓
All other landuses	1.0 ha or greater	✓		✓			
	0.5 ha to 0.99 ha	✓			✓		
	0.25 ha to 0.499 ha		✓		✓		✓
	Less than 0.25 ha		✓		✓		✓



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Environment and Infrastructure Committee

Thursday, January 7, 2021

9:30 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Protective Services Meeting of January 7, 2021 be adopted.

B. South Okanagan Conservation Fund – Continuation of Discussion

1. 2020 SOCF TAC Recommendations

RECOMMENDATION 2

THAT the Board of Directors approve the Technical Advisory Committee recommendations for the South Okanagan Conservation Fund 2020 intake (2021 delivery) projects for an amount up to \$441,745.

C. Cross Connection Control Bylaw Implementation – For Information Only

1. Cross Connection Control Draft Bylaw
-

D. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: 7 January 2021

RE: South Okanagan Conservation Fund Update and Technical Advisory Committee Recommendations for 2020 Applications

Administrative Recommendation:

THAT the Regional District approve the South Okanagan Conservation Fund 2020 intake (2021 delivery) projects recommendations as proposed by the Technical Advisory Committee for an amount up to \$441,745.

References (attached):

SOCF 2020 Technical Advisory Committee Report (SOCF Administration)

Business Plan Objective:

- Key Success Driver 2, Goal 2.3 – to meet public needs through the provision and enhancement of key services

- Key Success Driver 3, Goal 3.3 – to develop an environmentally sustainable region

Background:

On December 15th 2016, the RDOS Board adopted Bylaw No. 2690 to establish an Environmental Conservation Service. The bylaw establishes an Environmental Conservation Service for the Electoral Areas “A”, “C”, “D”, “E”, “F” and “I” and the City of Penticton, District of Summerland, and Town of Oliver (the participating areas). The annual maximum amount that may be requisitioned for the cost of the service will not exceed the greater of \$450,000 (or \$0.0292 per thousand dollars of net taxable value of land and improvements in the RDOS).

These requisitioned funds are in support of undertaking and administering activities, projects, and works that will include, but is not limited to, water, environment, wildlife, land and habitat conservation efforts to protect natural areas within the participating areas of the Regional District of Okanagan-Similkameen.

The Fund is guided by a [Terms of Reference](#) that addresses all aspects of fund detail including the purpose, administration, themes/goals, guiding principles, timelines, governance, fund design, and supporting appendices relating to criteria for ineligible activities, terms for a Technical Advisory Committee and conflict of interest guidelines.

The RDOS has entered into an agreement with a contractor to administer the fund. The SOCF Administrator is responsible for drafting fund design and guidance documents, preparing and advertising call for proposals, responding to enquiries, overseeing the technical review of applications and projects, project evaluation and overall program evaluation.

All decision making related to direct financial management, including allocation of funds and approval of projects are with the RDOS Board. The RDOS Manager of Legislative Services/Corporate Officer is the main contact for the SOCF Administrator, and provides oversight to the Fund program including internal Senior Management Team review of project applications.

The RDOS appointed a Technical Advisory Committee (TAC) through selection of applications received in response to an open call, and qualification criteria. The purpose of the TAC is to ensure that all proposals to the Fund receive a sound technical review, based on a fair assessment of merit and project effectiveness, and that there is a high level of accountability in the review process. The TAC is guided by the Terms of Reference and makes a list of recommended projects for funding to the RDOS Board.

Analysis:

Three Year Update:

- ❖ Since the fund began, \$1.4 million has been disbursed from the Fund to 15 projects (8 multi-year, 7 single-year).
- ❖ This local investment has leveraged \$4.6 million in matching cash and in-kind funding (3x initial investment).
- ❖ All participating service areas are represented in projects.
- ❖ The most recent acquisition project supported by the SOCF, Nature Conservancy of Canada's Sage and Sparrow Expansion, has just completed. This brings the total to over 550 acres protected forever in the SOCF area.

Update on Current Delivery Year - 2019 Intake, 2020 Delivery:

- ❖ Eight projects were approved by the RDOS Board in 2019 (3 new and 5 continuing). Just over \$214,000 was approved for disbursement.
- ❖ Two projects were delayed getting started due to COVID-19, one was unable to go forward at all (Contribution Agreement not signed/funding not disbursed). All other recipients have completed interim progress reports, final reports are due Feb 2021.
- ❖ One project with formal Board-approved extension from the 2018 intake (2019 delivery) still underway (deadline for completion/final report Dec 31 2020).

New SOCF Applications - 2020 Intake, 2021 Delivery:

The attached report is a detailed summary of the Technical Advisory Committee review and recommendations to the Board for this 2020 intake.

- ❖ Twelve proposals were received seeking \$988,414 in funding. Of these proposals, the Technical Advisory Committee (TAC) recommends that funding up to \$441,745 be granted to eight proponents (three new projects and five continuing multi-year projects).

- ❖ Two projects may be reduced in amount, two have funding conditions.
- ❖ Two projects are not recommended for funding, one is ineligible as a multi-year beyond the 3 year funding limit as per the Terms of Reference, and one project was deferred for recommendation pending more information required.

Recommended for Funding:

New Projects

- ❖ Restoration of diverse habitat features in the Okanagan River, Okanagan Falls Vertical Drop Structure section - Okanagan Nation Alliance \$46,200 (may be reduced)
- ❖ Antelope-brush Ecosystem Conservation and Restoration - Osoyoos Desert Society \$20,833
- ❖ Road Mortality of a Threatened Snake Community in the South Okanagan - Thompson Rivers University \$29,600

Continuing Projects

- ❖ South Okanagan Bat Habitat Conservation Project (Year 3 of 3) – BC Bat Education and Ecological Protection Society \$9,593 (with conditions)
- ❖ Invasive Plant Management on NCC's South Okanagan Conservation Areas (Year 3 of 3) – Nature Conservancy of Canada \$25,856
- ❖ k'əmcənɪtkw Floodplain Re-engagement Project - Experiential Outdoor Learning Opportunities–En'owkin Centre \$25,000
- ❖ Penticton Creek Restoration Initiative: Construction of Reach 3A Upper and 3B - Freshwater Fisheries Society of BC \$252,560
- ❖ Love Your Lakes - Personalized Shoreline Assessments & Restoration Demonstration Sites – Southern Interior Land Trust - \$32,103 (may be reduced, with conditions)

Deferred:

- ❖ Save Sickie Point in Perpetuity - Kaleden Community Association \$450,000

Not Recommended:

- ❖ Vaseux Lake Siltation Issue - Vaseux Lake Stewardship Association \$30,500
- ❖ Conserving South Okanagan Habitats through an Invasive-free Certification Program – Okanagan Similkameen Invasive Species Society - \$18,169

Ineligible:

- ❖ Habitat Stewardship and Enhancement in the South Okanagan – Okanagan Similkameen Stewardship Society - \$48,000 (3 year maximum)

Alternatives:

1. That Administration obtain additional information from a specific applicant and report back to the Board.
2. That Administration invite a specific applicant to appear before the Board to discuss their submission in more detail

Communication Strategy:

The website for the South Okanagan Conservation Fund can be found here:

www.soconservationfund.ca and provides detailed information for public, decision makers as well as applicants and other funders. The RDOS website also provides basic information including a link to www.sosconservationfund.ca for additional information, eligibility criteria and application information. Administration will also be providing a news release in early 2021 with highlights of the first three years of accomplishments under this Fund.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

SOUTH OKANAGAN

CONSERVATION FUND



Photo: A. Michael Bezener

Funding Recommendations for 2020 Proposals

**Report Submitted to RDOS Board by:
Bryn White, SOCF Administrator
December 17th 2020**

Executive Summary

This report outlines the South Okanagan Conservation Fund Technical Advisory Committee recommendations to the RDOS Board related to project applications to the SOCF. The South Okanagan Conservation Fund received 12 proposals seeking \$988,414. Of these proposals, the Technical Advisory Committee (TAC) recommends that funding up to \$441,745 be granted to 8 proponents. Of those, two may be reduced in amount, and two are with conditions. Three are new projects, and five are continuing multi-year proposals. Two projects are not recommended for funding, and one is ineligible as a multi-year beyond the 3 year funding limit as per the SOCF Terms of Reference. One project was deferred for recommendation pending more information required.

2020 Project Application Process

August 17th, 2020, the request for proposals opened for the submission of funding proposals to the South Okanagan Conservation Fund. Advertisements were placed in local print media, online (RDOS and SOSCP websites), and circulated via conservation organization networks. Applications closed on September 30th and all applications were received by the closing date and time. Applications are reviewed internally by the RDOS Senior Management Team and the SOCF Administrator, then by the SOCF Technical Advisory Committee for an independent, then collective group review to score the proposals and make recommendations to the RDOS Board.

Technical Advisory Committee

The Technical Advisory Committee is guided by the [SOCF Terms of Reference](#) including TAC Composition, Proposal Ranking Guidelines, and Technical Evaluation Criteria. The purpose of the Technical Advisory Committee is to ensure that:

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

The TAC members represent over 170 years of combined experience, multiple post secondary degrees/diplomas and 5 are members of professional associations with expertise in each theme area – including Indigenous knowledge, forestry, hydrology, ecology, conservation biology, ecosystems (sensitive terrestrial and aquatic ecosystems, management, enhancement and restoration), restoration and enhancement of habitat, fish and wildlife conservation including species at risk.

Members who conducted this review include (bios at the end of this report):

- Steve Matthews, R.P.Bio and Retired Provincial Okanagan Fisheries Section Head (Chair).
- Orville Dyer, R.P Bio and Retired Senior Provincial Okanagan Species and Ecosystems at Risk Biologist.
- Laura Machial, MSc., R.P.Bio. Environmental Consultant.
- Ellen Simmons MSc. (Ph.D. candidate), UBC Okanagan; Instructor, Nicola Valley Institute of Technology.
- Darcy Henderson, Ph.D. Senior Species at Risk Biologist, Environment and Climate Change Canada.

- Eva Durance, Naturalist and Volunteer; Vaseux Lake Important Bird Area, BC Nature Conservation Committee, South Okanagan Similkameen Stewardship Society and Burrowing Owl Society of BC.
- Tim Gray, B.Sc, M.E.T, R.P.Bio. Environmental consultant and South Okanagan Naturalists' Club Executive.

Project Suitability

As per the SOCF Terms of Reference (2017) projects must first meet a series of mandatory requirements.

The project must:

- Fall within the Fund participating areas (RDOS Electoral Areas, A, C, D, E, I and F, District of Summerland, City of Penticton, Town of Oliver);
- Projects must address IUCN threats to biodiversity targets and fall into at least one theme area;
- Be an eligible activity under the Terms of Reference; and,
- Provide a letter of support, project map and agree to present and report on an annual basis.

The proponent must:

- Be an incorporated non-profit society in good standing or must partner with an organization that has registered society status.

If the project fulfills these requirements, they are reviewed and scored out of a total of 40 points.

- Feasibility - Maximum 10 Points;
- Cost Effectiveness- Maximum 5 Points;
- Cost Sharing- Maximum 5 Points; and,
- Project Effectiveness - Maximum 20 Points.

Continuing projects are also assessed for recommendation based on criteria related to satisfaction with progress to date. Interim Reports for all projects were received by the SOCF administrator in early-September. Interim report results for continuing projects have been incorporated in the evaluation of applications by the TAC.

2020 Technical Advisory Committee Recommendations

Project	Proponent	Points /40	Amount Requested	Amount Recommended
New Projects Proposed				
Restoration of diverse habitat features in the Okanagan River, Okanagan Falls VDS section.	Okanagan Nation Alliance (Single Year)	37	\$46,200	\$46,200* May be reduced
Antelope-brush Ecosystem Conservation and Restoration	Osoyoos Desert Society (Year 1 of 3)	33	\$20,833	\$20,833
Vaseux Lake Siltation Issue	Vaseux Lake Stewardship Association (Single Year)	12	\$30,500	Not Recommended for Funding
Road Mortality of a Threatened Snake Community in the South Okanagan	Thompson Rivers University (Year 1 of 3)	35	\$29,600	\$29,600
Save Sickle Point in Perpetuity	Kaleden Community Association (Single Year Acquisition)	Deferred	\$450,000	Deferred
Continued Projects (Multi – Year)		Continue to Fund?		
South Okanagan Bat Habitat Conservation Project	Bat Education and Ecological Protection Society (Year 3 of 3)	Y*	\$9,593	\$9,593* With Conditions
Invasive Plant Management on Nature Conservancy of Canada's South Okanagan Conservation Areas	Nature Conservancy of Canada (Year 3 of 3)	Y	\$25,856	\$25,856
k'əmçənitkw Floodplain Re-engagement Construction	The Okanagan Indian Educational Resources Society (OIERS / En'owkin Centre) (Year 3 of 3)	Y	\$25,000	\$25,000

Penticton Creek Restoration Initiative: Construction of Reach 3A Upper and 3B	Freshwater Fisheries Society of BC (Year 2 of 2)	Y	\$252,560	\$252,560
Conserving South Okanagan Habitats through an Invasive-free Certification Program	Okanagan and Similkameen Invasive Species Society (Year 3 of 3)	N	\$18,169	Not Recommended for Continued Funding
Love Your Lakes - Personalized Shoreline Assessments & Restoration Demonstration Sites	Southern Interior Land Trust (Year 3 of 3)	Y*	\$32,103	\$32,103* May be Reduced with Conditions
Habitat Stewardship and Enhancement in the South Okanagan	Okanagan and Similkameen Stewardship Society (Year 4)	N	\$48,000	Not Eligible (multi-year funding limit is 3 years)
			Total Requested	Total Recommended
Total			\$988,414	\$441,745

Project Application and TAC Review/Recommendation Details

New Project Applications

1. Restoration of diverse habitat features in the Okanagan River, Okanagan Falls Vertical Drop Structure section.

New Application (Single Year)

Total Points: 37

Funding History: ONA has undertaken multiple different instream restoration projects and received a total of \$181,408 since 2017.

Funding Requested: \$46,200

Recommended: \$46,200

Submitted by: Okanagan Nation Alliance

Project Location: RDOS Electoral Area D

Project Description:

The Okanagan River Restoration Initiative (ORRI), is an ecosystem based collaborative approach, assembling Okanagan First Nations, governments and local stakeholders. Major flood control works in the 1950's channelized the majority (84%) of qawsitk^w (Okanagan River) severely impacting its health, biodiversity, fish bearing capacity, and linked natural vegetation and wildlife. In the Okanagan Falls reach, four vertical drop structures were added during channelization to stabilize the river bed under the increased slope of channel straightening, resulting in a drastic loss of in-stream and riparian habitats diversity and quality.

Project Objectives:

- The project will replace, or backwater, one of the vertical drop structures with diverse, complex, and functional river features.
- Restoring natural river features will improve fish migration and enhance the quantity and quality of spawning and rearing habitat for Sockeye, Chinook, Steelhead/Rainbow Trout, and other native resident fish species; create essential habitat for the endangered Rocky Mountain Ridged Mussel and adjacent spawning habitat for its host.
- Restoring riparian plant communities will also enhance habitat for native wildlife species, stabilize stream banks, improve water quality, and increase ecosystem resilience.

Committee Comments:

- Recommended for funding.
- 94% of funding coming from outside and confirmed sources, strong benefits for the investment - probability for success is high.
- Administration notes: non-applicable admin fees will need to be reduced.

- In-stream works are expensive, and while cost is high in the short-term, the benefits grow throughout time in the long-term.
- There are multi-species benefits addressing one of the major aquatic threats in the system. Overall a good project to support.
- ONA is proven to complete projects like this, within regulatory bounds, within budgets, and incorporating local Indigenous knowledge at design, construction, and evaluation phases. Reputation is very thorough and professional and well experienced.
- Would have liked to have seen the learning outcomes of the work on the drop structure in Oliver applied to this project proposal.
- Appreciated the detailed account of the proposed monitoring and evaluation. Question if five years of monitoring will be sufficient.
- Would like proponent to address in detail potential project impacts to other SAR and potential benefits including Rocky Mountain Ridged Mussel, Olive Clubtail dragonfly, Yellow-breasted Chat, Lewis' Woodpecker, and Western Screech-owl.

2. Antelope-brush Ecosystem Conservation and Restoration

New Application (Multi Year 1 of 3)

Total Points: 33

Funding History: New applicant

Funding Requested: \$20,833

Recommended: \$20,833

Submitted by: Osoyoos Desert Society

Project Location: Area A, C, D, E, I, Town of Oliver, City of Penticton.

Project Description:

The Antelope-brush - needle and thread grass ecosystem in globally imperilled and provincially red listed. In Canada, nearly all of this community occurs only in the Regional District of Okanagan Similkameen creating a high national and provincial conservation responsibility in the RDOS. This ecological community supports 42 species listed by the Species at Risk Act (SARA) including two species that cannot survive without antelope-brush. Over 68% has been destroyed by urban and agricultural development, and only 13% of the remaining habitat is formally protected. All remaining antelope-brush sites (except on Indian Reserve tenures) are identified as critical habitat for one or more species.

Project Objectives:

- This project will develop an antelope-brush conservation and restoration action plan, develop guidelines for antelope-brush restoration and management, establish a coordinated antelope-brush action team of strategic partners to implement the action plan and undertake planned recovery actions/evaluate and adapt annually/continue implementation.

Committee Comments:

- Recommended for funding.

- Well presented proposal with excellent info on biodiversity risks; methodology utilizes established strategies for antelope brush management including monitoring/measures of success.
- Extremely well referenced. Strong science expertise leading project, and partnerships providing in-kind assistance; work plan provides reasonable detail; good outreach and communications strategy - follows established protocols, and good opportunity for outreach through Desert Center.
- Establishing strong connections with First Nations and strong science team involved in the project - valuable ecosystem and high species dependence.
- 30% contributions from outside sources, considerable in-kind contributions. Low cost project providing potential for significant benefits with some inherent uncertainties regarding antelope brush recovery.
- There are challenges in conserving this ecosystem and moving from the planning to conservation on private land will be a challenge. Would like to encourage an outreach and education component for private land.
- Very high conservation priority - one of top two priorities for conservation in the region, led by capable team. Good involvement of OIB, PIB and En'owkin Centre).
- More detail as to how the team would be set up and function would have made a stronger proposal.
- Evaluation strategy is multi-pronged, with quantitative measures of project implementation, and social metrics of satisfaction on outcomes.
- Overall an excellent project to support.

3. Vaseux Lake Siltation Issue

New Application (Single Year)

Total Points:	12
Funding History:	New applicant
Funding Requested:	\$30,500
Recommended:	Not Recommended for Funding
Submitted by:	Vaseux Lake Stewardship Association
Project Location:	Area D

Project Description:

The channelization and creation of dams on the Canadian portion of the Okanagan River took place in the 1950's and the River has been significantly modified. Vaseux Lake was traumatically altered as a result of the Channelization. Confining the river to a single straight channel from Okanagan Falls to Vaseux Lake eliminated the natural flood plains, reduced the length of the river and increased water flow. This has resulted in the River acting as a sling shot for the silt from Shuttleworth Creek, just south of the Okanagan Falls dam, to be directly deposited into Vaseux Lake causing an unprecedented degree of siltation at the north end of Vaseux Lake.

Project Objectives:

The purpose of the project is to assess the effect of channelization and damming on the rapid accumulation of sedimentation at the north end of Vaseux Lake and to determine what remedial steps can be taken to alleviate this dramatic change to the natural hydrological flow.

Committee Comments:

- Not recommended for funding.
- Proposal poorly presented - including minimal info on the problem, biodiversity threats, work plan, measures of success, expertise and how it applies to this project.
- Resulting report unlikely to provide any new information or significant value in addressing the issue at a significant cost.
- Concern that statutory decision makers and others have not been included or involved in this proposal.
- No in-kind or funding partnerships; only 7% outside funding identified.
- Shuttleworth Creek is primary sediment source and there are limited options for addressing the fine sediment transport/deposition issue (very expensive and difficult to address). The Shuttleworth Basin does a good job of collecting sediment - sand and larger materials, but finer materials remain in suspension, and viable strategies to capture these sediments are extremely limited.
- Project of limited value considering outcomes from work directed at this issue to date and has many challenges in coming up with answers beyond what has already been determined in previous studies. There is information already available on hydrology, sediment sources, causes and locations of sediment deposition, and limited options to address fine sediment transport/deposition in a large watershed like Ok River without addressing source problems in Shuttleworth Creek which would be very expensive and difficult to address.
- Sedimentation is a natural process within the watershed - likely the level of transport/deposition has been reduced with channelization. This scenario is repeated in Ellis Creek where no solution has been found to address fine sediment transport/deposition.
- Important to understand that a significant amount of work has been done on the Okanagan River system, especially Shuttleworth Creek, and sediment sources including logging, residential, agricultural, and natural slide sources of sediments have been studied. Concerned that an expensive report generated will come to same conclusion related to solutions - expensive and not feasible.
- Feasible strategies to reduce sediment transport are likely limited to actions within Shuttleworth Creek, however high cost compared to potential downstream improvements would make this a questionable investment.

4. Road Mortality of a Threatened Snake Community in the South Okanagan

New Application (Multi – year 1 of 3)

Total Points:	35
Funding History:	New applicant
Funding Requested:	\$29,600
Recommended:	\$29,600

Submitted by: Thompson Rivers University

Project Location: Area I

Project Description:

This project will substantially improve our ability to successfully mitigate the challenges facing the conservation of species in the South Okanagan. This project addresses road impacts, one of the most significant threats facing many species-at-risk in the South Okanagan, BC, and the developed world. Road impacts including mortality ('roadkill') are consistently listed as a substantial threat to the persistence and recovery of many species, with snakes and other reptiles deemed particularly susceptible. Under-road tunnels ('ecopassages') are seen as an important mitigation tool, yet these structures are expensive and their effectiveness for many species is unknown.

Project Objectives:

- Fully assess the response of rattlesnakes (a threatened species) to the substantial mitigative efforts (ecopassages) deployed in the White Lake Basin using road mortality rates, population trajectory, and ecopassage use.
- Monitor similar parameters for 4 other at-risk reptile and amphibian species in the community.
- Develop recommendations for governments regarding the use of ecopassages to lower road impacts, along with recommendations for improvements such as the provisioning of ecopassages with fences to channel animals.

Committee Comments:

- Recommended for funding.
- The proposal is well written, and techniques/methods are appropriate.
- Relatively low-cost project for SOCF with potential for contributing to threat reduction for important species. Reasonable rates and cost sharing at 40% funding from outside sources. Several partners providing significant in-kind and funding contributions.
- Project clearly identifies a strong scientific approach to better understanding the threat, and effectiveness of mitigation strategies, which have potential for broad application; excellent evaluation program; strong outreach/communications approach; the identified long term monitoring program will be key to ensuring high value from this project.
- The proponent has excellent experience and several previous years of experience dealing with challenges at the project site. Proposal could have been strengthened by more clearly highlighting previous work and science that indicates this population could be extirpated within 100 years, and that this proposed work is focused on building on previous work through ongoing monitoring and adaptation for actions on the ground.
- Proponent will need to ensure that this project remains central to conservation action goals.
- Project is strongly science-based, with substantial previous research at this site, and will help direct pro-active management, locally and provincially.
- Project would benefit from greater engagement with En'owkin Centre and Penticton Indian Band.
- Project would also benefit from consideration of how COVID will impact outcomes.
- Continued focus on outreach and extension/applicability of this information extremely important. This kind of work has been very challenging to fund, crossing multiple tenures, crossing conservation and regulatory issues, as well as research and application. It is worthy of supporting and has practical outcomes.

5. Save Sickle Point in Perpetuity

New Application (Single Year Acquisition)

Total Points:	Deferred Recommendation
Funding History:	New applicant
Funding Requested:	\$450,000
Recommended:	\$Deferred Decision
Submitted by:	Kaleden Community Association
Project Location:	Area I

Project Description:

Sickle Point has been threatened with development for 30 years. The property is currently listed for sale, and it is essential that Sickle Point be preserved. The property is recognized to have the highest conservation ranking (Class I) by the South Okanagan Similkameen Biodiversity Conservation Strategy [Keeping Nature in Our Future). It is also a provincially red-listed water birch and wild rose community, which supports endangered wildlife and aquatic species such as Yellow Breasted Chat, Lewis's Woodpecker, Western Rattlesnake and Pallid Bat. Sickle Point is also part of the migratory path for both resident and migrant wildlife including the American White Pelican and the Sandhill Crane.

Project Objectives:

This sale provides an opportunity to save this land as a nature preserve/conservation area. The community of Kaleden envisions Sickle Point as a nature park.

Committee Comments:

The TAC supports the protection of Sickle Point from an ecological perspective- but would like to defer a recommendation on this proposal at this time to have some clarification around a number of items.

- There needs to be clarification regarding the outcome of a establishing a service and approval to borrow the full amount for purchase, and including which organization would purchase the property, who would be on legal title, the nature of the agreement between the Kaleden Community Association and RDOS, and future management as a conservation area.
- This is a unique and rare property in the Okanagan. High value and priority for conservation even though some areas have been altered, there is potential for restoration.
- Includes sensitive, high priority ecosystems, and Critical Habitat for Species at Risk.
- High cost for a small property; an island in terms of connectivity values.
- Not significant matching funds secured; not much detail with respect to other funding sources being sought.

- Fair market value appraisal not included in application, concern in gap between budget identified for acquisition and sale price.
- Main aim should be to keep it natural, predominantly for habitat, limited human use and strong management to retain ecological integrity. Significant amount of work to manage human use levels.
- Concern about proponent's land management qualifications, experience, and capacity; including ability to address full breadth of issues related to a conservation acquisition and future management.
- Unclear the relationship, or agreement with RDOS around purchase, RDOS service establishment proposal, legal organization on title and future management direction (including focus on human recreation vs conservation/preservation).
- A conservation covenant registered to another party (e.g. the Province of BC or a Land Trust) on title would assist to ensure future security, management, and intention for conservation.
- Administration (SMT) notes: The “marsh road” is not situated on the proposed property and could present a challenge in the future if this is tied to the application. It would be important to understand the expectations of this proposed agreement to ensure those expectations can be met at a later date i.e. ongoing local government resources. The main potential for possible conflicts is foreseen to do with differing public aspirations and concerns as to usage of the property. Restoration and protection of habitat may be challenging to maintain and enforce once the site is open to the public, and there are ongoing challenges with illegal camping.

Continuing Project Applications

6. South Okanagan Bat Habitat Conservation Project

Continuing Application, Multi-Year (3 of 3)

Funding History: BEEPS has received a total of \$27,028 for year 1 and 2 of this project in (2018 and 2019)

Funding Requested: \$9,593

Recommended: \$9,593

Submitted by: Bat Education and Ecological Protection Society

Project Location: All SOCF Participating Areas

Project Description: Bats provide pest control services that are important to our environment and economy, and many are at risk due to human caused threats. This project mitigates these threats by protecting and enhancing bat habitat in the region through education and stewardship on private land. The project will develop and deliver outreach materials, establish partnerships and landowner relationships; identify and protect maternity roosts and important foraging habitats through improved use of existing best practices and stewardship contact, and develop formal Bat Friendly Community partnerships to support ongoing bat conservation.

Project Objectives:

- Increase residents' knowledge, understanding, and stewardship of bats and their habitats, to ultimately reduce the effects of residential, commercial, and agricultural development.
- Mitigate threats to bats by protecting and enhancing bat habitat in the region through education and stewardship on private land.
- Develop and deliver outreach materials, establish partnerships and landowner relationships.
- Identify and protect maternity roosts and important foraging habitats through improved use of existing best practices and stewardship contact.
- Develop formal Bat Friendly Community partnerships to support ongoing bat conservation.
- Reduce human caused fungal transport.
- Distribute and support the use of existing best practices (e.g. bats in buildings, bat boxes, wildlife trees, Bat Friendly Communities) with target audiences.
- Establish a process for ongoing social action to conserve or enhance bats and bat habitats with local organizations and partners.

Committee Comments:

- Recommended for continued funding with conditions.
- Bat conservation work is a priority for this region.
- Some questions about the progress to date, however difficult to assess specified deliverables with only 2 of 8 measures of success discussed in reporting. No discussion regarding efforts to address progress related to "potential partners" participation in working group.
- Important for proponent to clarify the nature of the stewardship agreements being sought with landowners (who will hold these, monitor, follow up, terms and conditions, how can they be sustained, recognized and consequences of contravention), and also what "official recognition" constitutes in terms of the bat friendly community programs with local governments.
- Understood from interim report that COVID has complicated some delivery, may limit outreach components, and the opportunity to improve outreach with Indigenous communities, public and engage local governments. Proponent needs to identify specifically how that will be addressed.
- Administration (SMT) noted: absence of any recognition of SOCF funding on the website and have raised concerns about delivery outside of RDOS SOCF service area. Confirm that both are mandatory elements of continued SOCF funding.

Funding conditions: 1) delivery be conducted in the SOCF service area, 2) SOCF is appropriately acknowledged in materials as funder and 3) that the proponent provide supplemental information to address how progress towards deliverables will be achieved in light of COVID (identified as a barrier in report).

7. Invasive Plant Management on NCC's South Okanagan Conservation Areas

Continuing Application, Multi-Year (3 of 3)

Funding History:	NCC has received a total of \$25,000 for this project in year 1 and 2 (2018 and 2019)
Funding Requested:	\$25,856
Recommended:	\$25,856

Submitted by: The Nature Conservancy of Canada

Project Location: RDOS Area A

Project Description: Invasive species present a global threat to biodiversity. They change plant community composition, displace native plant species, alter hydrological regimes and degrade ecosystems which in turn negatively impact wildlife species that rely upon them. This project will undertake invasive plant management and control activities, including documentation, monitoring and reporting, on high priority sites on NCC's Sage and Sparrow Conservation Area and the Osoyoos Oxbows Conservation Area.

Project Objectives:

- This project will have a direct and effective impact on reducing the threat of invasive plants on the Nature Conservancy of Canada's Sage and Sparrow and Osoyoos Oxbows Conservation Areas, and surrounding conservation lands.
- Monitor invasive plant outbreaks identified and/or treated in 2013 – 2020, and (re) treat as required using chemical, mechanical, biological or combinations thereof.
- Monitor efficacy of 2020 treatments.
- Monitor bioagent activity for invasive plants that are responsive to such action; release new agents as required and available.
- Plant native shrubs or grasses in areas previously treated for high density invasive plant infestations or converted to agriculture prior to securement to reduce opportunities for additional future invasive plant establishment and promote restoration of more bio-diverse habitats for species at risk.
- Map all existing and new invasive plant infestations and treatment sites; Cross reference known occurrences of rare plants or animal species to ensure invasive plant treatments do not impact them; Collect and enter all invasive plant survey, treatment and monitoring data into IAPP;
- Inventory the new Sage and Sparrow Expansion property for invasive plant species and develop a Property Management Plan.
- Produce summary report detailing activities undertaken, including maps and photos.
- Monitor and/or improve fencing to reduce livestock trespass and potential introduction of additional invasive plant species.

Committee Comments:

- Recommended for continued funding.
- Quality project. Well developed, has strong delivery team, strong science-based approach including effectiveness monitoring, and a high level of partner funding. Project continuing as per original submission. Project continues to deliver strong results.
- Good cost sharing with over 50% from outside sources.
- Measures of success are very good and diverse as well. Well written, well planned, executed and evaluated.
- Given invasive plant management is an on-going effort of monitoring, detection and eradication, proponents are encouraged to diversify support for long term objectives.

8. k'əmçənītkw Floodplain Re-engagement - Experiential Outdoor Learning Opportunities

Continuing Application, Multi-Year (3 of 3)

Funding History: This project was led by ONA in previous phases and received a total of \$67,177 for Year 1 and 2 (2017 and 2019).

Funding Requested: \$25,000

Recommended: \$25,000

Submitted by: En'owkin Centre

Project Location: PIB IR #1, adjacent to City of Penticton and Area F.

Project Description:

K'əmçnitkw Floodplain Re-engagement occurs on PIB IR#1, on land legally conserved in-perpetuity under Indigenous stewardship, part of the En'owkin Center's Locatee Lands Project integrated with ECOmmunity's environmental and Indigenous cultural programming. The k'əmçnitkw Floodplain Re-engagement Project aims to address the realized threat of habitat loss and degradation by re-engaging an ~8,800 m² portion of the historic Okanagan River floodplain previously degraded and developed for agricultural use (croplands) and recreational use (golf course) after it was cut off from the Okanagan River when the river was channelized in the 1950s. Habitat securement and completion of the first phases of restoration construction allow for progression of the project to the final restoration phase that includes final pre-planting site preparation activities and habitat restoration plantings of propagated plants and direct application of seeds and cuttings.

Project Objectives:

- Complete final habitat restoration activities for the re-contoured and off-channel chinook rearing and amphibian ponds created in previous floodplain reconnection project phases.
- Complete pre-planting site preparation activities including: invasive plant management; placement of large woody debris and other "habitat jewelry" to support target fish and wildlife; re-contouring of vegetated berms; and, addition of soil mix and mulch amendments to planting treatment zones requiring additional material.
- Planting of over 50,000 propagated Indigenous trees, shrubs and flowering plants over ~1.4 hectares with project partner staff, K-12 and post-secondary students, community members and volunteers following up-to-date COVID-19 prevention measures.
- Provide plant protection, irrigation and nutrition support for select plants requiring support.
- Collect, process and direct seed of a variety of Indigenous plant seeds and cuttings with help from partner staff, K-12 and post-secondary students, community members and volunteers following up-to-date COVID-19 prevention measures.

Committee Comments:

- Recommended for continued funding.
- Well written, clear objectives, appropriate methods, experience to understand and deal with challenges, reasonable timelines, good track record. Cost effectiveness: Value for money and realistic rates.
- Project has the potential to contribute to improve habitat conditions for a wide range of aquatic and terrestrial species including many Species at Risk, as well as traditional use of the fish,

wildlife, plant and water resources. Ongoing care and maintenance of plantings will be key to success.

- Low cost project with very strong partnerships contributes to high potential for significant benefits both toward fish/wildlife and community. Strongly compliments, provides added value to the related floodplain reconnection project.
- Excellent cost sharing - 87% from outside sources and lots of in-kind as well. Good value for investment.
- Volunteer involvement is a good community model, could be strengthened by pre-and post outcomes for volunteer participants. E.g. knowledge outcomes and retention etc.
- Project has progressed despite complexity and challenges. Encourage more public outreach on the overall project and ways to increase recognition of the funding.
- Proposal would have been strengthened by specifically including how invasive plants would be addressed.
- Overall project would benefit from longer term evaluation related to plant survival (important in the Okanagan and requires follow up and care), and feasibility and effectiveness of the Chinook rearing and amphibian ponds.

9. Penticton Creek Restoration Initiative: Construction of Reach 3A Upper and 3B

Continuing Application, Multi-Year (2 of 2)

Funding History: This project was led by the Penticton Fly Fishers in previous phase, received \$16,000 for Year 1 and 2 (2018).

Funding Requested: \$252,560
Recommended: \$252,560

Submitted by: Freshwater Fisheries Society of BC

Project Location: City of Penticton

Project Description:

Flood protection measures in the 1950s created a smooth concrete-lined channel in Penticton Creek, damaging fish and riparian habitat. The proposed project is for the restoration of a 266 m section of Penticton Creek directly upstream from previous restoration works and includes removal of the concrete channel and an impassable drop structure which currently prevents fish access from lake to spawning grounds. Construction of a deeper and wider channel lined with river rock, incorporation of pools for fish to rest and installation of native vegetation along the banks to provide shade for fish. This section of restoration will be far larger than previous sections and is viewed as the most important habitat restoration section within the stream and is expected to have the largest production impact on Okanagan Lake fish populations of any potential project in the RDOS.

Project Objectives:

- Improve the stream's capacity to support wild fish populations, and enhanced wildlife habitat, through the removal of the existing concrete channel and replacement with habitat suitable for fish and fish production.
- Creek designs will address threats to biodiversity from climate change by constructing fish habitats that are also capable of withstanding the full range of expected flood flows.
- Promote a partnership approach in the delivery of all restoration activities to facilitate a high level of engagement, participation, and ownership from all governments, First Nations, stakeholders and the public.

Committee Comments:

- Recommended for continued funding.
- Important project - largest section of creek and high value section with good values for biodiversity. Potential for largest Penticton Creek production impacts for Okanagan Lake fish populations and resident fish. Excellent results with previous restoration works in regard to fish and riparian area response and associated community support. High level of expertise and experience delivering this project.
- Strong monitoring and evaluation program will provide good information on long term benefits and learnings for future projects.
- Strong outreach and education program will contribute to continued government, stakeholder and community support.
- This is a high cost project and a large amount of funding from the SOCF, however, 91% of total project cost coming from outside funding sources which is positive, but also raises concerns if those unconfirmed sources are not realized. Proponent needs to provide information related to how the project will or will not proceed if those funding sources are not successful, including potential to phase if full funding not secured.
- Would like to see the proponent outline contingencies for risks related to potential lack of landowner support.
- 2020 restoration project (Reach 12) on Penticton Creek lacked public information and on-site signage, would not like to see that be the case for this project.
- Would encourage the proponent to include increased instream riparian habitat improvements as a part of this project.
- Proponent is encouraged to report (and include in any future application) quantified habitat and fish population targets.

10. Conserving South Okanagan Habitats through an Invasive-free Certification Program

Continuing Application, Multi – Year (3 of 3)

Funding History: OASISS has received \$26,559 for this project in year 1 and 2 (2017 and 2018. Approved for year 3 funding in 2019, but did not go forward/directed to re-apply in 2020)

Funding Requested: \$18,169
Recommended: Not recommended for continued funding.

Submitted by: Okanagan and Similkameen Invasive Species Society

Project Location: SOCF - RDOS Areas A, C, D, E, F, I Summerland, Penticton, and Oliver

Project Description:

Invasive species are moving across Canada and BC at a rapid pace. In Canada, invasive species include at least 27% of all vascular plants. The program will continue to promote and integrate targeted invasive plant prevention and management into the practices of horticulture and landscaping in the South Okanagan, including improving knowledge of invasive plant ID, control and disposal methods, and provide recommendations for alternative plantings for local governments, homeowners and gardening organizations. In addition to workshops and re-certification, two new components include development of recommended grass seed mixes to reduce invasive plant establishment and creation of signs for the landfills to discourage invasive plants being disposed in yard waste or compost.

Project Objectives:

- Increase the amount of habitat conserved and decrease the introduction, spread and establishment of invasive species, namely plants, in the South Okanagan.
- Increase the invasive species knowledge and provide clear preventative and management options to a minimum of 25 landscapers, horticulturalists, earth-moving businesses or related service providers, a minimum of two gardening organizations and an additional 30 municipal staff in the South Okanagan in 2021.
- Increase the invasive species knowledge and provide clear preventative and management options for up to 500 homeowners or developers in the South Okanagan during 2021.

Committee Comments:

- Not recommended for continued funding.
- Invasive plants and programs to address them are a serious concern and a priority conservation issue here, however TAC is concerned about previous progress and strength of this current proposal.
- Low level of cost-sharing with almost all funding from SOCF. Concern about the cost-benefit and cost effectiveness related to the results of this project.
- Past concerns have been raised in relation to strength of passive information approach from a social marketing point of view, and current proposal does not address strategies to identify and achieve higher level outcomes. Recommend requiring future applications/reporting identify

higher level outcomes, a maintenance strategy for re-enforcement of information and intended outcomes.

- The project progress from previous year of delivery is disappointing. Concern that mid-stream tactics and strategies were not adjusted accordingly. New proposal does not appear to address barriers to progress including but not limited to, adjustments required during the time of COVID.
- Appears to be a sustained delay with achieving previous project deliverables and associated benefits; some project deliverables from 2019 delivery year were reduced or not completed and were further delayed due to COVID issues. Not many changes or adjustments included in this application to address issues identified as barriers to progress.
- Administration notes: late reporting; some deliverables from 2018 intake (2019 delivery) have not been completed.

11. Habitat Stewardship and Enhancement in the South Okanagan

Continuing Application, Multi – Year (4th year request)

Funding History: OSSS received \$116,000 for this project in years 1, 2 and 3 (2017, 2018, 2019)

Funding Requested: \$48,000

Recommended: Ineligible as TOR indicates 3-year funding limit.

Submitted by: Okanagan and Similkameen Stewardship Society

Project Location: SOCF - RDOS Areas A, C, D, E, F, I Summerland, Penticton and Oliver

Project Description: Within the South Okanagan valley, 1/3 of the land base is privately owned and managed and the population is rapidly growing. Our towns, cities, agriculture and recreation cause habitat loss, degradation and fragmentation, the spread of invasive species, climate change and pollution. Empowering private landowners and residents to undertake conservation on their own lands and in their communities is critical to maintaining healthy ecosystems and thriving native wildlife populations. Okanagan Similkameen Stewardship will continue to engage residents in electoral areas A, C, D, E, F, I Summerland, Penticton and Oliver in habitat stewardship, restoration and enhancement by providing information, training, and technical assistance, and increasing the amount of habitat set aside under written management agreements.

Project Objectives:

- Conserve, restore and enhance sensitive habitats that support local wildlife and species at risk.
- Empower and engage residents in environmental understanding, resource stewardship and conservation projects in their neighbourhoods.
- Work with interested landowners towards developing written management agreements and implementation of BMPs (200 new landowners contacted, 3 new stewardship agreements negotiated, 3 new ecological baselines developed, increase in area stewarded each year).
- Deliver training initiatives re. wildlife, habitat, and/or conservation issues facilitated for residents in each of Areas A, C, D, E, F, I Summerland, Penticton and Oliver with at least 100 participants total.

- Plan and implement habitat enhancement projects for a minimum of 10 habitat improvement projects completed per year, improving/restoring over 50 acres of wildlife habitats.

Committee Comments:

- Administration (SMT) notes: multi - year grants are to be funded to a maximum of 3 years as per the Terms of Reference. Other granting policies limit multi- year disbursements.
- If organizations are looking for longer term program they need to approach the Board to address the SOCF Terms of Reference and the RDOS granting policy and or request that the Board establish a "service" to requisition funds on an ongoing basis to support a longer-term program.

12. Love Your Lakes - Personalized Shoreline Assessments & Restoration Demonstration Sites

Continuing Application, Multi-Year (3 of 3)

Funding History: SILT received \$78,603 for year 1 and 2 of this project (2018 and 2019)

Funding Requested: \$32,103
Recommended: \$ Recommended for continued funding, may be reduced, with conditions.

Submitted by: Southern Interior Land Trust

Project Location: SOCF – RDOS Area D, I, F, City of Penticton, District of Summerland,

Project Description: A healthy lake starts with healthy shorelines. Our goal is to maintain ecological functions provided by shorelines by increasing landowner understanding of how they influence water quality and wildlife; by identifying and prescribing opportunities for protecting and enhancing shoreline habitats and; by inspiring and achieving landowner action to restore and protect their shoreline while maintaining, and perhaps enhancing, their property values and views.

Project Objectives:

- Maintain ecological functions provided by shorelines by increasing landowner understanding of how they influence water quality and wildlife.
- Identify and prescribe opportunities for protecting and enhancing shoreline habitats.
- Inspire and achieve landowner action to restore and protect their shoreline while maintaining, and enhancing, their property values and views.
- Maintain lakeshore restoration demonstration sites.
- Assess and report on 85 parcels at Tuc-el-nuit Lake in Oliver, provide personalized property reports and make available to landowners for each property assessed, and prepare a summary report for Tuc-el-nuit Lake.

- Present up to three 10 to 30-minute presentations; one each for RDOS and the Town of Oliver; and one public presentation on summary results and outcomes, along with additional stewardship outreach material (locally relevant handouts).
- Continue to monitor and maintain the restoration demonstration sites established in Years 1 and 2, and continue to provide simple, inexpensive, in-kind benefits (e.g. professional advice, a few free plants or detailed buffer design) to encourage up to two interested shoreline owners on all/each assessed lake to improve their shoreline (e.g. by creating or expanding a vegetation buffer or by other means).
- Continue to engage and follow-up with known (200+) landowner contacts (mostly from Year 1 & 2) to assess landowner response to the program, and undertake a follow-up evaluation of overall project success, and continue working with interested owners and stewardship groups on all assessed lakes to jumpstart up to 3 effective and visible shoreline improvement activities on each lake.

Committee Comments:

- Recommended for continued funding, reduced, with conditions.
- Recognize that threats to foreshore habitat are significant, importance of foreshore protection and habitat improvement are needed.
- Administration (SMT) notes: RDOS has not confirmed or formalized in-kind commitment in relation to mapping, marketing, mailing. That request may not be able to be accommodated due to capacity and privacy concerns. Concerns in relation to privacy issues in sharing landowner contact information remain. Proponent is encouraged to find other means of accessing landowner contact information.
- Funding conditions from previous year "That SILT reduce the number of planned new assessments and direct a portion of funds intended for new assessments toward implementing a voluntary stewardship program to support follow up for landowners with current assessments, facilitate uptake of positive shoreline management changes, and assess landowner response to the program." Concern that these conditions and technical comments were not taken seriously as the proponent undertook additional assessments over what was proposed.
- Concerned about the proponent not being able to access easily, or in a cost-effective manner, addresses for landowners. This effectively makes the project efforts useless if landowners don't know the reports exist.
- Only 14% from outside funding, but large amount of partner in-kind support. Seems expensive, includes significant proportion of professional fees.
- Difficulty interpreting the evaluation aspects of this project, including reconciling numbers provided in the report (some results were confusing or unclear). Proponent needs to provide much clearer detail related to the outcomes.
- Concerns about the cost effectiveness of this project. Is this a cost-effective way of engaging landowners? Would like to see a clearer cost-effectiveness evaluation of this project in relation to higher level outcomes (protection or restoration of habitat) from the proponent. Very important to know how successful this program is terms of on the ground participation of land owners (categorized by government and private) and quantify higher level outcomes (e.g. how much riparian was actually protected and enhanced) for the costs committed.
- Would like to see a stronger social marketing focus, with focus on supporting uptake of ultimate outcomes (protection or restoration of habitat). Concern about the effectiveness of a passive information approach. These concerns were raised in previous year with conditions to undertake less assessments and focus on providing support for uptake and evaluation.

- Very positive numbers related to download of reports at Vaseux Lake (79%) and Summerland (40%) and encourage the focus to be more on follow-up, evaluations, and monitoring than on adding properties for assessments. Encourage continued strong communications program.
- Unsure of the value of additional investment in further assessments (and specifically on Tuc el Nuit) with the returns described so far. Would have also liked to see engagement of indigenous communities and partners as part of this project.

Funding Conditions: modify the year 3 approach and project proposal to focus solely on the uptake and support towards higher level outcomes related to the existing assessments only. No additional shoreline assessments to be supported at this time.

Appendix A: South Okanagan Conservation Fund Technical Advisory Committee 2020



Steve Matthews R.P.Bio. (TAC Chair) Steve has over 34 years of experience in provincial freshwater fisheries management in all habitat types (large lakes, small lakes, rivers and streams), including extensive experience in sport fishery management, fish and fish habitat inventory, fish stock assessment, habitat restoration/enhancement, fish culture, and habitat impact evaluations. Steve spent 8 years as primary decision authority for all aspects of fish and wildlife management for the Province of BC in the Thompson Okanagan Region including 4 years managing multiple government programs (Fish and Wildlife, Ecosystems and Parks Sections). Steve has chaired and participated in a large number of regional and provincial fish and wildlife committees, and has led the development and delivery of many large scale projects and initiatives including the Okanagan River Restoration Initiative (Premiers Award), and the Okanagan Lake Kokanee Recovery Plan (HCTF Silver Award). Following retirement from the provincial government in March 2012, he has been providing consulting services specializing in program planning, project management, and large-scale fish habitat restoration.



Laura Machial (MSc., R.P.Bio.) Laura has over 15 years of extensive practical experience working on projects that protect and restore ecosystem health, with a focus on species at risk, source water protection planning, and climate change vulnerability assessments. She has collaborated with Indigenous groups, landowners, community groups and rural governments and has over 10 years' experience working in the non-profit sector. Laura is a successful fundraiser in her own right, garnering almost \$1 M in grants for environmental projects. Her experience is diverse, developing written and verbal environmental outreach and stewardship materials, organizing and delivering hundreds of information-sharing sessions, open houses, and events.



Ellen Simmons MSc. (Ph.D. candidate). Ellen is a forester and educator with extensive environmental experience in the field of research, surveys, extension and outreach in forestry and the ecological conservation arena. Her experience includes forestry extension with natural resource professionals, habitat enhancement and restoration for species at risk, project management, post-secondary instruction (Natural Resources/Forestry, Math and Sciences), community engagement and stewardship. Ellen is deeply focused on 'narrowing the gap' between the current constructs of what is seen to be 'effective ecosystem management' from a Eurocentric science discipline, and how Indigenous people see this. Ellen has supported the exploration of methodologies that strive for comprehensive inquiry, the inclusion of multi-partite decision makers, and where decisions for sustainable solutions incorporate and find a balance for cultural, social, economic and environmental outcomes.



Darcy Henderson Ph.D. Conservation, management, restoration, and enhancement of fish and wildlife populations and habitats have been Darcy's vocation for more than 26 years. This includes practical experience working in commercial forestry, fisheries, wetlands and waterfowl, livestock and range management, and parks management. Over that time he has been employed by Provincial, Federal, and First Nations governments as well as corporations and not-for profit groups. Darcy's initial training and experience grew into teaching at post-secondary colleges and universities, including currently as an Adjunct Professor of Biology at UBC Okanagan. Darcy has been employed by the Canadian Wildlife Service (Environment and Climate Change Canada) since 2006, and as a grasslands restoration ecologist, protected areas biologist and now as a senior species at risk biologist. Darcy has experience with fund management, as signing authority for \$7 million annually under four federal funding programs to support a variety of stewardship, outreach, traditional ecological knowledge, and land securement initiatives delivered by non-profit and municipal government sectors.



Eva Durance. Since relocating to the Penticton area from Ontario in 1990, Eva has been involved in a wide variety of environmental, naturalist, agricultural, and community initiatives and projects, in some instances as a private contractor and in others as a volunteer. Having retired from paid work last year, Eva continues in a volunteer capacity as Caretaker for the Vaseux Lake Important Bird & Biodiversity Area and as an active member of BC Nature's Conservation Committee as well as assisting with projects of the South Okanagan Similkameen Stewardship Society and Burrowing Owl Society of BC. She looks forward to working with other committee members and administrators on the Conservation Fund Technical Advisory Committee.



Orville Dyer R. P. Bio. is a wildlife and ecosystems biologist with 35 years of experience, specifically in species and ecosystems at risk with the Province of BC in the South Okanagan region. Inventory, monitoring species re-introduction, wildlife/agriculture conflicts, environmental education, habitat restoration, enhancement, science based conservation planning, species at risk recovery planning and implementation have been at the centre of Orville's work. He has participated in many significant conservation initiatives in the South Okanagan and including the designation of the South Okanagan Wildlife Management Area, the Critical Areas Program, the Habitat Atlas, South Okanagan Conservation Strategy, and the Biodiversity Conservation Strategy *Keeping Nature in Our Future*. Orville has chaired, co-chaired or participated in recovery/management planning for over 40 federal SARA listed species, the SOSCP Science Team, the SOSCP Executive, and the Habitat Conservation Trust Foundation Technical Review Committee. Orville is a member of the College of Applied Biology in BC, and recently received a BC Nature Recognition Award in 2017.



Tim Gray (B.Sc, M.E.T, R.P.Bio.) Tim has nine years of experience as an environmental consultant with areas of focus including environmental assessment, contaminated site investigation and remediation, species at risk assessments, env permitting for infrastructure projects and environmental management for major construction and land development projects. Tim has worked with multi – disciplinary teams across Canada, liaising with First Nations, municipal, provincial, and federal authorities, and working with industries including land development, transportation, and oil and gas. Tim has completed environmental assessments to meet the requirements of Official Community Plans throughout the Okanagan.

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: Cross Connection Control (CCC) Bylaw - **For Information Only**

Purpose:

The Cross Connection Control (CCC) Program will set out terms and conditions required for a connection to be made onto a District Operated & Maintained Water Supply System.

Reference:

- **Water Audit** [Local Government's Role in Ensuring Clean Drinking Water](#) – Regional District of Okanagan-Similkameen – May 29th, 2017
 - Recommendation 21. The Regional District of Okanagan-Similkameen should implement a formal cross connection control program and evaluate it as necessary to prevent drinking water contamination.
- **Operating Permit** Conditions for water systems
- **Regional Water Use Regulation Bylaw**. Adopted May 2019

Business Plan Objective:

Key Success Driver 3: Build a Sustainable Region

Goal 3.3: To Develop an environmentally sustainable region

Background:

The Regional District currently owns and operates several water systems (Faulder, Gallagher Lake, Missezula Lake, Naramata, Olalla, Sun Valley, Willowbrook and West Bench). Bylaw No. 2824, the Regional Water Use Regulation Bylaw, was enacted in May 2019 having reference to cross connection control. Previously each electoral area had an individual water bylaw with some having provisions for cross connection control. This bylaw is to consolidate cross connection controls for all water systems owned by the RDOS.

Some systems have a backflow prevention device requirement. A CCC Bylaw and Program will reduce water contamination risks in water infrastructure where a potential link between our drinking water systems and non-potable water exists. Loss or reduction of pressure in a water main can cause backflow (back-siphoning) into the distribution system from a potentially non-potable source resulting in a contaminated system.

Analysis:

The proposed CCC bylaw will apply to any industrial, commercial, agricultural or institutional water connections in any RDOS owned water system. The Bylaw will also apply to any residential connections that have been evaluated as high risk. In the future, the bylaw could be updated to apply to all connections if desired.

All identified properties will be required to have a backflow prevention device installed on the main water service to their property. All backflow prevention devices must be inspected and tested annually, at the customer's expense, to ensure it continues to meet or exceed the minimum standards. Inspection and testing is to be completed by a certified backflow assembly tester with the resulting report supplied to the RDOS.

For commercial and agricultural irrigation use, the annual inspection and testing report for the backflow prevention devices will be required by the RDOS prior to irrigation turn on. An approved Reduced Pressure Backflow Assembly will be required whenever fertilizers, chemicals or any other substance detrimental to health are introduced to a commercial or agricultural irrigation system.

All temporary use permits of fire hydrants or stand pipes will require the use of an Approved Backflow Prevention Assembly.

In the case of potential or existing cross connection non-compliance, the property owner will be provided written notification requesting correction of the cross connection at the owner's expense within a specified time. It is proposed that if the potential or existing cross connection issue is not rectified within the allotted time frame, the RDOS may shut off the water supply to the property and/or install an approved backflow prevention assembly at the service connection with all costs being charged to the property owner. The water would be turned back on only after all the requirements were met with full documentation to the RDOS as well as paying all fees, including the cost and installation of a device, decontamination of the water system and turn on fees.

The CCC Bylaw includes the ability to apply fines to any person who fails to comply with the Bylaw. The fines will be integrated into the bylaw utilized by Bylaw Enforcement.

Communication Strategy:

Public Information Meetings were conducted in 2017. During these meetings a summary presentation was provided detailing the proposed CCC Bylaw.

Once the bylaw has been adopted in 2021, the Cross Connection Control program will be developed and rolled out to customers within the next few years.

Respectfully Submitted By:

Liisa Bloomfield

L. Bloomfield, Engineering Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO 2851, 2020

A Bylaw of the Regional District of Okanagan Similkameen to protect public health by controlling backflow and cross connections to water supply systems owned and operated by the Regional District of Okanagan-Similkameen.

WHEREAS the Regional District of Okanagan-Similkameen may by bylaw operate and maintain a *Water Supply System Cross Connection Control Program*.

AND WHEREAS, under the *Local Government Act*, subject to the *Public Health Act*, a Regional District may, by bylaw;

- a) regulate and prohibit for the purposes of maintaining, promoting or preserving public health or maintaining sanitary conditions; and
- b) undertake any other measures it considers necessary for these purposes;

AND WHEREAS, the Regional District wishes to protect public health by minimizing *Backflow* and controlling *Cross Connections* in all Regional District *Water Supply Systems* owned, operated and maintained by the Regional District; by providing for the oversight of installation, testing and maintenance of *Backflow Preventers* and other devices required by this Bylaw

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

1. CITATION

- 1.1. This Bylaw may be cited as the “Cross Connection Control Bylaw No. 2851, 2020”

2. ADMINISTRATION

- 2.1. This Bylaw applies to all agricultural, industrial, commercial, and institutional *Water Service Connections* in a *Water Service*. This Bylaw also applies to residential buildings and structures that are evaluated to have a high *Degree of Hazard* and are supplied with water by the Regional District within the *Water Service areas*.
- 2.2. The *Manager* is responsible for administration and oversight of the operation of the Regional District *Water Supply Systems* and to administer and enforce this *Bylaw*.

3. INTERPRETATION

- 3.1. In this Bylaw:

- “Approved Backflow Prevention Assembly” or “Assembly”* means a *Backflow Preventer* containing two isolation valves and test ports that is designed to be tested and repaired while in service;
- “Authorized Personnel”* means a Regional District employee or agent appointed by the *Manager* for the purposes of this Bylaw;
- “Auxiliary Water Supply”*- any water available on or to a premises originating from a source or system, other than that from the Regional District *Water Supply System*
- “Backflow”* means a flowing back or reversal of the normal direction of flow;
- “Backflow Preventer”* means an assembly, device or method to prevent *Backflow* as selected and installed in conformance with the CSA B64.10 or a standard otherwise required under the *BC Plumbing Code*;
- “Backflow Prevention Assembly Test Report”* means a form provided by or approved for use by the Regional District to be used when testing an *Approved Backflow Prevention Assembly* to record all pertinent information and test data;
- “Backflow Prevention Assembly Tester”* means a person holding a valid certificate from a recognized approval agency as approved by the Regional District for the purpose of testing *backflow prevention assemblies*;
- “Backflow Prevention Device” or “Device”* means a non-testable type of *Backflow Preventer*;
- “Board”* means the Board of Directors of the Regional District of Okanagan-Similkameen;
- “Bylaw”* means the *Regional District of Okanagan-Similkameen Cross Connection Control Bylaw No.2851, 2019* as amended from time to time;
- “Contaminant”* means any physical, chemical, biological or radiological substance or matter in water which may render the water *Non-Potable* under the *Drinking Water Protection Act* (British Columbia) and Regulations;
- “Contamination”* means an impairment of the water in a Water Supply System or Private Waterworks by the introduction or admission of a foreign material that may compromise the safety or aesthetic characteristics of that water;
- “Cross Connection”* means any actual or potential physical arrangement whereby a Water Supply System is connected, directly or indirectly, to any device or source which is capable of imparting *contamination* into the Water Supply System as a result of Backflow;
- “Cross Connection Control Inspector”* means a person holding a valid certificate from British Columbia Water and Wastewater Association or as approved by the Regional District for the purpose of identifying new or existing *cross connections* within a facility by conducting a comprehensive cross connection risk assessment;
- “Cross Connection Control Program”* means the most current Regional District Cross Connection Control Program and Guidelines which provide further reference and direction, standard

operating procedures, bulletins and other program updates and amendments relevant to this *Bylaw*;

“CSA” is the abbreviation for the Canadian Standards Association;

“CSA B64.10” is the CSA “Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers” as adopted in the *Plumbing Code* and amended from time to time. This document will be referenced for degrees of hazard, device selection and installation requirements.

“Customer” means an owner or occupant whose land or premises is being provided *Water Services*, or who has filed an application for *Water Services* with the Regional District that has been approved by the Regional District;

“Degree of Hazard” means a minor, moderate or severe hazard as determined by *Authorized Personnel* as referenced in the CSA B64.10;

“Discontinue” means to terminate the arrangement between the Regional District and the *Customer* for the *Water Services*;

“Farm Use” means the use of land for farm operations, including farming of land, plants and animals and any other similar activities designated as farm uses by enactment, including the *Agricultural Land Commission Act*, and the *Farm Practices Protection (Right to Farm) Act*;

“Inspect” means an on-site review conducted by the *Authorized Personnel* of a premise’s water use, meters, piping, equipment, *Auxiliary Water Supply*, operating conditions and maintenance records for the purpose of evaluating conformity with the terms and conditions of this *Bylaw*;

“Irrigation Service” means the provision of *Water Service* to an *Irrigation System* for a *Farm Use* pursuant to the *Water Use Regulation Bylaw*;

“Irrigation System” means the *Private Waterworks* delivering and distributing water for *Farm Use* on a parcel;

“Irrigation Water Service Connection” means the point where a *Water Supply System* connects to any parcel and includes all pipes, taps, valves, connections and other things used to connect the *Irrigation System* to the *Water Supply System*, typically located at the downstream side of a *Water Meter* near the boundary or property line of the parcel;

“Manager” means the Chief Administrative Officer or their designate;

“Non-Potable Water” means water that is not approved by Interior Health Authority as *potable water*;

“Non-Potable Water System” means an assembly of pipes, fittings, valves, and appurtenance that collects and distributes *non-potable water*;

“Plumbing Code” means the part of the *British Columbia Building Code* currently in force that pertains to plumbing systems;

“*Potable Water*” means water that has been deemed fit for human consumption by the Interior Health Authority as defined in the *Drinking Water Protection Act* and Regulations;

“*Premise Isolation*” means a *Backflow Preventer* for protection provided at the entrance to a building or property;

“*Private Waterworks*” means any privately owned pipe and fittings intended to receive water from a *Water Service Connection* and deliver or distribute the water to and within a parcel;

“*Regional District*” means the Regional District of Okanagan-Similkameen;

“*Test Tag*” means an approved identifier attached to and displayed on an *Approved Backflow Prevention Assembly* displaying the purpose of the device, type of device, manufacturer, serial number, size, test date, and tester’s company, initials and testers certification number;

“*Temporary Water Use Permit*” means a permit issued by the Regional District authorizing the use of a Regional District owned fire hydrant, stand pipe, or temporary *Water Service Connection*, for purposes other than emergency fire protection, for a specified period of time and under specified conditions;

“*Used Water*” means any *Potable Water* which is no longer in the water supply system including *Potable Water* that has moved downstream or past the *Water Service Connection* (water meter) to the premises or parcel;

“*Water Meter*” means a device supplied, owned and maintained by the Regional District which measures the quantity of water delivered to a parcel;

“*Water Meter Pit*” means an underground enclosure and related equipment (including pipes, valves and couplers) to house a *Water Meter* or *Backflow Preventer* at or near a *Water Service Connection*;

“*Water Use Regulation Bylaw*” means the *Regional District of Okanagan-Similkameen Water Use Regulation Bylaw* as amended from time to time;

“*Water Service*” means the supply of water from the Regional District to a *Customer* pursuant to the *Water Use Regulation Bylaw*;

“*Water Service Connection*” means the point where a *Water Supply System* connects to any parcel and includes all pipes, taps, valves, connections and other things used to connect the *Private Waterworks* to the *Water Supply System*, typically located at the downstream side of a *Water Meter* near the boundary or property line of the parcel;

“*Water Supply System*” means the Regional District owned system of all physical works used to provide and deliver water in all *Water Service* areas.

- 3.2. Except as otherwise defined in this Bylaw, words or phrases herein have the same meanings as in the *British Columbia Building Code*, the *Plumbing Code*, the *Interpretation Act*, the *Community Charter*, and the *Local Government Act*.

- 3.3. The headings used in this Bylaw are for convenience only and shall not affect the construction or interpretation of this Bylaw.
- 3.4. Any enactment referred to in this Bylaw is a reference to that enactment and its regulations, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein (as may be cited by short title or otherwise) is a reference to a bylaw of the Regional District, as amended, revised, consolidated or replaced from time to time.
- 3.5. The word "person" includes an individual, partnership, firm, body corporate or politic, government or department thereof.
- 3.6. The words "include" and "including", when following any general statement, term or matter, shall not be construed to limit that general statement, term or matter to the specific items or matters set forth immediately following those words or to similar items or matters following those words or to similar items or matters.

4. REQUIREMENT FOR CROSS CONNECTION CONTROL

- 4.1. Every applicable *Customer* of a property supplied with water by the Regional District must ensure that:
 - (a) a *Backflow Preventer* is installed and maintained in good working order for every *Water Service Connection*; and
 - (b) a *Cross Connection* inspection and hazard assessment survey is conducted by a *Cross Connection Control Inspector* for every building, structure or parcel where a *Backflow Preventer* is required in accordance with this Bylaw.
- 4.2. Any failure to have delivered or received a notice under this Bylaw, or any failure of a *Cross Connection Control Inspector* to identify a *Cross Connection* or related hazard does not relieve a *Customer* from meeting the requirements of this Bylaw.

5. CROSS CONNECTION PROHIBITED

Subject to the provisions of this Bylaw:

- 5.1. No person shall create a *Cross Connection* by connecting, causing to be connected, or allowing to remain connected to the *Water Supply System*, any device, piping, fixture, fitting, container, appliance or any other chattel or thing which may under any circumstances allow non-potable water, used water, wastewater or any chemical, liquid, gas, *contaminant* or other substance to enter the *Water Supply System*.

6. NOTICE OF CROSS CONNECTIONS

- 6.1. If the *Authorized Personnel* determines that the configuration of any *Private Waterworks* creates a risk of *contamination* to the *Water Supply System*, the *Customer*, on being notified by *Authorized Personnel*, must promptly and at the sole expense of the *Customer*, have installed a *Backflow Preventer* on the *Private Waterworks* in accordance with *CSA B64.10* at a location where the

Water Service Connection enters the premise and downstream of the *water meter*, at the property line of the parcel, or at another location as directed by the *Authorized Personnel*.

- 6.2. Where any *Cross Connection* condition is found to exist that exposes the *Water Supply System* to risk of *contamination*, or the *Water Service* of any *Customer* is at such risk, the *Manager* or *Authorized Personnel* may take one or more of the following actions:
- (a) if the risk of *contamination* appears to be imminent, shut off the *Water Service* immediately, providing notice to the *Customer* or others who may be affected as soon as possible thereafter;
 - (b) in other circumstances, notify the *Customer* to correct the condition or *Cross Connection(s)* within 30 days or a time period that *Authorized Personnel* considers reasonable in relation to the Degree of Hazard that is identified;
 - (c) shut-off *Water Service*, after providing notice under paragraph (b), until satisfied that the condition has been fully remedied, and that any amount of costs and expenses incurred by the Regional District and owed by a *Customer* are fully paid.
- 6.3. A person to whom a notice under subsection 6.2 is delivered must promptly comply with requirements set out in the notice so as to eliminate, mitigate and prevent the condition or *Cross Connection* identified in the notice by installing, maintaining or repairing a *Backflow Preventer* approved by *Authorized Personnel*.
- 6.4. The *Customer* whose *Water Service* has been shut-off pursuant to this *Bylaw* is solely responsible for all costs associated with remedying a condition on their property resulting in shut-off, and, as a condition of the *Water Service* being restored, must:
- (a) ensure the condition resulting in the shut-off is fully remedied, inspected and reported as approved by a *Backflow Preventer Assembly Tester*; and
 - (b) pay to the Regional District all costs and expenses incurred by the Regional District associated with the restoration of *Water Service*, including the cost of the water shut-off, in the amount set out on an invoice, within 30 days of an invoice being delivered to the *Customer*
- 6.5. Any and all costs, damages or losses sustained by the Regional District as a result of an incident involving *Backflow* of a *contaminant* originating from a *parcel* or premises shall be borne by the *Customer*.

7. TESTING, MAINTENANCE AND REPAIR OF APPROVED BACKFLOW PREVENTION ASSEMBLIES

- 7.1. Every *Customer* must arrange for an *Approved Backflow Prevention Assembly* required under this *Bylaw* to be inspected and tested by a certified *Backflow Preventer Assembly Tester*, upon installation, after repair and at least once in every twelve (12) month period, or more often if required by the *Manager* or *Authorized Personnel*. The *Customer* or *Backflow Assembly Tester* shall ensure that the completed *Backflow Assembly Test Report* is submitted to the Regional

District or its *Authorized Personnel* within thirty (30) days of the test date confirming the following:

- (a) the installation and test date of the *Assembly*;
- (b) the specific location of the *Assembly* and what *Cross Connection* or hazard it is intended to isolate;
- (c) the manufacturer, model, size and serial number of the *Assembly* installed; and
- (d) that it is an *Assembly*, installed correctly and in proper operating condition.

7.2. A *Backflow Preventer Assembly Tester* is required to physically attach a Regional District *Test Tag* to the *Approved Backflow Prevention Assembly* initially installed or tested indicating the information required in paragraphs (a) to (c) of subsection 7.1.

7.3. Where a *Customer* fails to have an *Approved Backflow Prevention Assembly* tested, the *Manager* or *Authorized Personnel* may notify the *Customer* that the *Assembly* must be tested within a specified time period or further actions would be taken.

7.4. Before removing an *Approved Backflow Prevention Assembly* from a plumbing system, a person must obtain prior written consent of the *Manager* or *Authorized Personnel* unless an *Assembly* is removed and is immediately replaced with an equivalent *Assembly*, in which case the details of removal and replacement must be submitted to the Regional District on a *Backflow Prevention Assembly Test Report*.

7.5. Where an *Approved Backflow Prevention Assembly* appears to be malfunctioning or damaged, fails to function as designed or does not meet the test criteria set forth by the CSA B64.10.1, the *Customer* must notify the *Manager* and have the *Assembly* repaired or replaced and then retested within thirty (30) days of the initial test date in accordance with this section 7.

7.6. Further to the testing requirements of section 7.1, the *Manager* or *Authorized Personnel* may require more frequent testing of an *Approved Backflow Prevention Assembly* if concern arises as to the *Degree of Hazard* associated with a *Cross Connection* or related condition at a property.

8. ASSEMBLIES FOR COMMERCIAL, AGRICULTURAL IRRIGATION AND SPRAYER USE

8.1. Where the *Water Supply System* provides *Irrigation Services* to a parcel, in addition to the general provisions stated in this *Bylaw* and the *Water Use Regulation Bylaw*, the *Customer* shall also comply with the following:

- (a) No person, other than *Authorized Personnel*, shall turn on an *Irrigation Water Service Connection* to be used for *Farm Use* purposes;
- (b) A *Customer* operating the *Irrigation System* shall have an *Approved Backflow Prevention Assembly* in accordance with CSA B64.10 and with the provisions of this *Bylaw* prior to obtaining an *Irrigation Water Service Connection*;

- (c) A Customer must install and use an Approved Backflow Prevention Assembly for high *Degree of Hazard* conditions;
- (d) A Customer must apply for and receive prior written approval from *Authorized Personnel* before installing and using substance injection or mixing equipment in accordance with this *Bylaw*;
- (e) A Customer wishing to change, modify or vary the previously approved injection equipment in the *Private Waterworks* must notify the *Manager* or *Authorized Personnel* in writing of their intentions to do so and receive prior written approval from the *Manager* or *Authorized Personnel*; and
- (f) For Seasonal Irrigation: A Customer must ensure that testing, inspection and submission of the test report on seasonal *Approved Backflow Prevention Assemblies* used for the seasonal *Irrigation Water Service Connection* has been completed and submitted within fourteen (14) days after the *Irrigation Water Service Connection* is turned on. Bench testing of the *Approved Backflow Prevention Assembly* is not allowed unless pre-approval has been obtained from *Authorized Personnel* prior to turning on the *Irrigation Water Service Connection*.

8.2. Any person operating a sprayer tank filling station shall maintain a minimum air gap vertical separation of 30cm (12in.) between the end of the filler hose and the top overflow rim of the sprayer tank. If this air gap cannot be maintained or if the sprayer filling station is constructed or operated in a manner that constitutes any actual or potential *Cross Connection* with the *Water Supply System*, an *Approved Backflow Prevention Assembly* for high *Degree of Hazard* conditions must be installed in accordance with *CSA B64.10*, and the provisions of this *Bylaw*.

9. ASSEMBLIES FOR TEMPORARY WATER USE CONNECTION

- 9.1. No person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container, tanker truck or appliance to a fire hydrant, stand pipe or any other temporary water connection:
- (a) in a manner which, under any circumstances, may allow *Used Water, Non-Potable water, wastewater* or any liquid or substance of any kind to enter the *Water Supply System*;
 - (b) without using an *Approved Backflow Prevention Assembly* which has been approved and installed in accordance with the Regional District's *Cross Connection Control Program*; and
 - (c) without first obtaining a *Temporary Water Use Permit*.
- 9.2. A person who wishes to use a Fire Hydrant, standpipe, or temporary water connection, for purposes other than emergency fire protection, must apply to the *Manager* in a form approved by the *Manager for a Temporary Water Use Permit*, and must pay all fees that apply for the use.

- 9.3. The *Manager* may issue a temporary permit for such use if satisfied as to its safety and consistency with this and other applicable bylaws; and may specify the period of time for which the hydrant, standpipe or water connection may be used and impose such terms, conditions, restrictions and requirements that the *Manager* deems appropriate in the circumstances.

10. AUXILIARY AND NON-POTABLE WATER SUPPLIES

- 10.1. A *Customer* of a premise that contains or has access to an *Auxiliary Water Supply* system must ensure *Premises Isolation* of such facility with a *Backflow Preventer* corresponding to the *Degree of Hazard* as stipulated in CSA B64.10.
- 10.2. A *Customer* must ensure there is no direct connection between a *non-potable Auxiliary Water Supply System* and any other *Potable Water* system except with the approval in writing of the *Manager* or *Authorized Personnel*.
- 10.3. All piping, exposed standpipes, fittings, valves and outlets for *Non-Potable Water Systems* must be permanently identified and marked in conformance with the CSA B128.1 "Design and Installation of Non-Potable Water Systems".

11. ACCESS AND ENFORCEMENT

- 11.1. The *Manager* or *Authorized Personnel* is provided the authority to enter on property, and to enter into property, without the consent of the owner and occupier, when the *Community Charter*, Section 16, applies.
- 11.2. Except in the case of an emergency, the *Manager* or *Authorized Personnel* may only exercise the authority at reasonable times and in a reasonable manner and must take reasonable steps to advise the owner or occupier before entering the property.
- 11.3. The *Manager* or *Authorized Personnel* may enter on property for the purpose of:
- (a) inspecting a portion of a *Water Supply System* that is located on the parcel;
 - (b) inspecting, investigating or repairing *Private Waterworks* if they are reasonably believed to be creating a disturbance with a *Water Supply System*;
 - (c) identifying or inspecting potential or existing *Backflow* into the *Water Supply System*;
 - (d) issuing notifications, warnings, or educational materials pursuant to the provisions of this Bylaw; and
 - (e) verifying that the *Customer* is compliant with the provisions of this Bylaw.

12. OFFENCE AND PENALTY

- 12.1. Every person who:
- (a) contravenes any provision of this Bylaw;

- (b) causes, suffers, or permits any act or thing to be done in contravention of any provision of this Bylaw;
- (c) neglects or refrains from doing anything required to be done by any provision of this Bylaw;
- (d) fails to comply with any order, direction, or notice given under this Bylaw; or
- (e) fails to grant access for an inspection

is guilty of an offence.

- 12.2. Each day that an offence continues amounts to a separate and distinct offence.
- 12.3. Offences listed in the Regional District's Bylaw Notice Enforcement Bylaw, as amended from time to time, are designated for enforcement.
- 12.4. In addition to any prosecution and penalties imposed in relation to a violation of this Bylaw, where any *Customer* fails to comply with a provision of this Bylaw, or a requirement contained in any notice issued pursuant to this Bylaw, the *Manager* may arrange to have carried out any physical works considered necessary to remedy the violation. The Regional District may recover all costs and expenses incurred by it from the *Customer*. An amount owing for work done or services provided by the Regional District is payable by December 31st. Any amount not paid by December 31st will be treated as for taxes in arrears.
- 12.5. Any penalty imposed pursuant to this Bylaw will be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

13. SEVERABILITY

- 13.1. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw, and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this day of , 2021.

ADOPTED this day of 2021

Chair

Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, January 7, 2021

10:30 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Meeting of January 7, 2021 be adopted.

B. Municipal Facility Co-location Study/Long Range Planning

RECOMMENDATION 2

THAT the Regional District of Okanagan Similkameen petition the City of Penticton to jointly investigate the feasibility of developing a shared corporate office facility.

C. Southern Interior Local Government Association – Information Only

1. SILGA Call for Resolutions
 2. Call for Nominations – Information Only
 3. Community Excellence Awards – Information Only
 4. Letter to members re: Constitutional Resolutions – Information Only
-

D. Board Policy – Abandoned Vehicles

1. Draft Policy – Abandoned Vehicles

RECOMMENDATION 3

THAT the Regional District adopt the Abandoned Vehicles Policy as presented in the January 7, 2020 Corporate Services committee report.

E. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: 7 January 2021

RE: **Municipal Facility Co-Location Study/ Long Range Planning**

Administrative Recommendation:

THAT the Regional District of Okanagan Similkameen petition the City of Penticton to jointly investigate the feasibility of developing a shared corporate office facility.

Business Plan Objective:

2020 Business Plan Performance Indicator 1.1.2.3

Background:

The Corporate Office for the Regional District of Okanagan Similkameen is located at 101 Martin Street in Penticton. RDOS has fee simple title to this property, which contains a single-level office building on two adjoining lots, with a combined area of 0.95 acres. The building was constructed in 1981 and has 10,800 square feet of floor space. A structural assessment and a geotechnical assessment were commissioned in 2014, prior to the 2015/16 renovation and structural amendment.

While serving the Regional District well over the years, the facility has deteriorated and will require additional investment if the organization intends to stay in this location over the longer term.

Analysis:

Of more concern, the facility envelope no longer provides the necessary space to provide a welcoming environment for elected officials and the public; or for the staff housed within. The Board Room is too small for members, staff, public, delegations and the media; the public reception area and common areas are limited; storage has been exceeded; the requirement for meeting space has been exceeded and work spaces are too tightly packed to be efficient or to provide a welcoming environment. Moreso, the investment necessary to maintain this facility in a safe manner make a consideration of options more urgent.

Over the past few years, the organization has experimented with satellite office space, working from home, rotating staff in and out of the office and other diversionary measures. Additional space is needed.

From recent meetings with the City of Penticton, they experience the same concerns with their facility at 171 Main Street and are proceeding with a relocation study in 2021 to develop a long-range plan.

Proceeding into a long-range planning process with the City may lead to economies of scale, shared space, bulk purchasing, more efficient working relationships and other yet undetermined opportunities.

This is not the short-term solution to already existing issues, but it will help inform future decisions.

Alternatives:

1. Do Nothing
2. Proceed unilaterally

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: **Southern Interior Local Government Association (SILGA) – Call for Resolutions And Additional Correspondence - For Information Only**

Purpose:

To seek Board input on proposed [Southern Interior Local Government Association](#) (SILGA) resolutions for the 2021 Annual General Meeting and Convention.

SILGA has also, in recent weeks, forwarded correspondence on the 2021 Call for Nominations, Community Excellence Awards, and Constitution Update. A copy of each is attached to this report for the Board's information.

Reference:

- Call for Resolutions for 2021 Convention (December 18 letter attached)
- Call for Nominations (December 15 letter attached)
- Community Excellence Awards (undated letter attached)
- Constitution Update (December 15 letter attached)

Background:

The 2021 SILGA Annual General Meeting and Convention is scheduled to held in Vernon from April 27 to April 30, 2021. However, a final decision on an in-person convention will not be made until the end of January.

The deadline for SILGA resolutions is February 26, 2021. Resolutions not received by this date will be considered late resolutions and must go through a late resolution procedure at the Annual General Meeting.

Resolutions must be endorsed by the Board and should be relative to regional issues and should not pertain to a finite local interest.

2020 RDOS SILGA resolutions included:

- Venting Index Requirements and Efficiency of Burns
- Indigenous People's Representation
- Hazardous Material Recycling Regulation

All resolutions should be ratified by the Board at the February 18, 2021 Board meeting to ensure they meet the SILGA deadline.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

SILGA Southern Interior Local Government Association

December 12, 2020

To: All SILGA Members

Call for Resolutions for 2021 Convention

The SILGA Annual General Meeting and Convention is scheduled to be held virtually sometime between April 27th and April 30th, 2021. The SILGA Constitution requires that resolutions to be considered at the Annual Meeting are to be received by the Secretary-Treasurer no later than 60 days prior to this meeting. Friday February 26th, 2021 will be the deadline for receipt of resolutions.

If your local government wishes to submit a resolution for consideration at the 2021 SILGA Convention, please forward by email your resolution to yoursilga@gmail.com. Any background information on the resolution would be helpful. Each resolution should be endorsed by the sponsoring Member's Municipal Council or Regional Board. The resolution should be relative to regional issues and should not pertain to a finite local interest.

If you do not receive a confirmation email regarding your resolution, please contact the SILGA office at 250 851 6653.

For information on how to properly write a resolution please refer to the UBCM website below.

<http://www.ubcm.ca/EN/main/resolutions/resolutions/resolutions-procedures.html>

or go to the resolutions page on the SILGA website at

<http://www.silga.ca/convention/resolutions/>

Resolutions not received by February 26th, 2021 will be considered late resolutions and must go through the following procedures to be considered at the AGM.

Late Resolutions

- (1) Resolutions submitted following the expiry of the regular deadline noted in section 10.4 shall be considered "Late Resolutions" and shall comply with all other submission requirements, except that a copy of the resolution shall be provided to SILGA by noon on the Friday preceding the date of the Annual General Meeting. The resolutions committee will meet on the Tuesday preceding the Annual General Meeting to provide recommendations as to whether the late resolution(s) should be brought to the Members for inclusion in the resolution debate. All late resolutions must be adopted by a Special

SILGA Southern Interior Local Government Association

Resolution of the Member Representatives in attendance at the Annual General Meeting to be included in the discussion.

- (2) Late resolutions will be reviewed by the Resolutions Committee prior to the Meeting and only those of a subject matter which could not have been submitted by the normal deadline date outlined in section 10.4 will be considered.
- (3) Late Resolutions shall be available for discussion after resolutions printed in the resolutions book have been considered.
- (4) Late Resolutions admitted for plenary discussion shall be dealt with in the order presented in the Late Resolutions report.
- (5) In the event that a late resolution is recommended to be admitted for discussion, the sponsoring member of the late resolution shall produce sufficient copies for distribution to the Members at the Annual General Meeting.
- (6) The Late Resolution will, after reading, be properly before the meeting, and the regular procedures for handling resolutions will apply.

Alison Slater
SILGA

SILGA *Southern Interior Local Government Association*

December 15, 2020

To: All SILGA Members

Re: SILGA Convention – Call for Nominations 2021

As per the Constitution of the Southern Interior Local Government Association (amended 2017), the “Call for Nominations” is now going out to all member Mayors, Councillors, Regional Chairs and Directors who wish to seek a position on the SILGA Executive for the 2021/22 term. Elections will be held virtually prior to the SILGA Convention in late April. Dates TBD.

Offices to be filled are President, 1st Vice President, 2nd Vice President and seven Directors. One member of the SILGA board must be an Electoral Area Director of a member Regional District. Those presently serving may run for another term if they so wish.

Excerpt from the SILGA constitution regarding new voting procedures:

7.10 The election of Officers to the Executive shall be held at the Annual General Meeting on a first ballot and that of the Directors at Large subsequently on a second ballot. Any candidate that is unsuccessful in obtaining an Officer position on the first ballot may become a candidate for a Director at Large position on the second ballot.

7.11 If, in the election of the Officers to the Executive on the first ballot, an Electoral Area Director of a regional district is elected, the Director at Large positions will then be filled by the candidates with the most votes.

7.12 If, in the election of the Officers to the Executive on the first ballot, an Electoral Area Director of a regional district is not elected, then in the election of the Directors at Large, the candidate - of those candidates that are Electoral Area Directors of a regional district - with the most votes will be elected as a Director at Large and the balance of the Director at Large positions will be filled by the remaining candidates with the most votes. If only one Electoral

Area Director of a regional district candidate runs for a Director at Large position, that candidate will be acclaimed.

Deadline for nominations is Friday, February 28, 2021. You will be asked to complete a biography and submit a photo for the printing of the official Nominating Committee Report to be contained in the Convention Package.

Please note there will be no nominations accepted “from the floor”.

The SILGA nomination committee is chaired by Past President Shelley Sim, District of Clearwater.

All those interested in serving are asked to contact Councillor Sim by email at shelleysim@telus.net or the SILGA office at 250-851-6653. All information should be forwarded to both Councillor Sim and the SILGA office (yoursilga@gmail.com).

Alison Slater
SILGA

SILGA

Community

Excellence Awards

Are you proud of your community or regional area's accomplishments? Would you like it to be recognized at our convention and more broadly through social media and the news?

To promote the environmental, social, and economic well being of our member communities and to share ideas and best practices throughout the SILGA area, we have created awards to showcase a community in each of these categories.

To nominate your local government, simply provide a brief letter describing a fantastic project, event, or activity that you are proud of. A winner will be chosen in each category and presented an award during our AGM. We are intentionally making this process as easy and seamless as possible. If your community or area has excelled in any of the following categories, let us know:

- **Environmental Sustainability**
- **Social Responsibility**
- **Economic Development**

The Rules:

Nominations must come in the form of a letter to the SILGA Executive Director (no requirements as to length, and letters should be emailed).

1. Nomination Letters must be received by February 1st, 2021.
2. Letters must clearly state which award the nomination is for.
3. Nominations should be one page in length and should succinctly describe the project and itemize the beneficial outcomes. SILGA wants to share best practices in our region with the hope that every local government can learn from the winning submissions. In that regard, please provide contact information for the key individual(s) who worked on the projects/events.
4. These awards are for local governments, not individuals. Recipients must be SILGA members in good standing.
5. Nomination letters can come from anyone representing a local government, and there is no limit on the amount of nominations per community. An official resolution is not required.
6. Submissions from previous years may be reused.

What you get if your local government wins:

1. Your local government will be officially recognized at the upcoming AGM.
2. A representative from your local government will have an opportunity to speak (5 minutes) to all assembled delegates about the project or event.
3. Your local government will receive a beautiful plaque to permanently display at your government office.
4. Award recipients will have their achievements highlighted more broadly through our social media channels, newsletter and via press release to the entire SILGA media network.

These awards are an opportunity for us to share best practices, to get others from local governments thinking outside the box, and to promote knowledge sharing amongst our members. It is our firm belief that our SILGA local governments continue to implement remarkable, unique projects that make their communities a better place to live time and time again. We want to make sure we share our successes as much as possible, so others might benefit.



*Southern Interior Local
Government Association*

December 15, 2020

The SILGA Constitution needed updating and at the December 4th SILGA Executive meeting the SILGA board passed the following constitutional amendment resolutions. These resolutions will be debated during the resolutions session at the 2021 SILGA AGM and need to be given to its members 60 days prior to the AGM.

The current constitution can be found on the SILGA website at <https://www.silga.ca/aboutus/constitution/>. If any member requires clarification on a resolution, please contact the SILGA office at 250-851-6653.

(1) TITLE: SILGA Constitution –Section 2 – Purposes

SPONSOR: SILGA

WHEREAS SILGA’s scope of purpose has broadened to achieve the associations’ goals of “Connect – Educate – Advocate”;

THEREFORE BE IT RESOLVED that the SILGA Constitution Section 2.34.2 be amended as follows:

2.3 to support and advance to the Union of British Columbia Municipalities (UBCM) on behalf of the membership proposed changes in legislation, regulations or Government policy;

Amended to read:

to support and advance to the Union of British Columbia Municipalities (UBCM) and/or Provincial Ministries on behalf of the membership proposed changes in legislation, regulations or Government policy;

2.4 to coordinate communications between Members and the other Local Government Associations;

Amended to read:

to coordinate communications between Members, other Local Government Associations and various governmental organizations;

(2) TITLE: SILGA Constitution –Section 4 Amendment - Officers

SPONSOR: SILGA

WHEREAS SILGA staff is paid as an Independent Contractor with the job title of General Manager;

THEREFORE BE IT RESOLVED that the SILGA Constitution Section 4.2 be amended as follows:

- 4.2 The Secretary-Treasurer will be the Executive Director of SILGA, to be employed and paid a salary in an amount and on employment terms and conditions authorized by unanimous decision of the Directors.

Amended to read:

The Secretary-Treasurer will be the General Manager of SILGA, to be paid a contracted fee in the amount and on the terms and conditions authorized by the majority of the Directors.

(3) TITLE: SILGA Constitution –Section 8 Amendment – Meeting of the Members

SPONSOR: SILGA

WHEREAS if under Public Health Orders the SILGA convention is unable to be held in person;

THEREFORE BE IT RESOLVED that the SILGA Constitution Section 8.2 be amended as follows:

8.2 One general meeting shall be held every year in the month of April or May which shall be known as the Annual General Meeting.

Amended to read:

8.2 One general meeting shall be held every year in the month of April or May which shall be known as the Annual General Meeting. If a virtual Annual General Meeting is deemed necessary by the SILGA board, the SILGA board or staff will choose a third party virtual meeting platform as well as a third party electronic voting platform to allow confidential online voting for all aspects of the Annual General Meeting. Member Representatives will be provided in advance with detailed instructions on how to access the virtual platform and the voting procedures.

(4) TITLE: SILGA Constitution –Section 10 amendments – Submission of AGM resolutions

SPONSOR: SILGA

WHEREAS the SILGA bylaws need to be updated to reflect more clearly the current procedures for submitting and vetting resolutions by member local governments.

THEREFORE BE IT RESOLVED that the SILGA Constitution Section 10 be amended as follows:

10.2 The President shall appoint a Resolutions Committee of three Members of the Executive at least sixty (60) days prior to the Annual General Meeting.

Amended to read:

10.2 The President shall appoint a Resolutions Committee of three or more Members of the Executive at least sixty (60) days prior to the Annual General Meeting.

10.4 Resolutions Submitted Prior to the Annual Meeting

(1) Each resolution shall be prepared on a separate sheet of 8½" by 11" paper under the name of the sponsoring Member local government and shall bear a short descriptive title;

Amended to read:

Each resolution shall be prepared on the sponsoring Member local government's letterhead and shall bear a short descriptive title;

10.6 Resolutions Submitted Prior to the Annual Meeting

The Executive will have resolutions printed and circulated to Member Representatives in the Annual Meeting Member Representatives' packets.

Amended to read:

The Executive will have the resolutions available on the SILGA website as well as circulated to Member Representatives via email.

(5) TITLE: SILGA Constitution Fee Amendment – Appendix A

SPONSOR: SILGA

WHEREAS SILGA's membership fees do not have a provision for inflation;

THEREFORE BE IT RESOLVED that SILGA request an amendment to the SILGA Bylaws to reflect the following fee structure for each member:

2021 and beyond \$300 plus \$0.075 per capita* with a 2% CPI annual increase

*based on most recently available Statistics Canada census information

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: 7 January 2021

RE: Abandoned Vehicles Policy

Recommendation:

THAT the Regional District adopt the Abandoned Vehicles Policy dated January 7, 2021.

Reference:

1. Draft Policy
2. RDOS illegal dumping program
3. Abandoned Vehicle Process – Highway Scenic Improvement Act

Business Plan Objective:

Goal 2.2 of the RDOS Corporate Action Plan is to meet public needs through continuous improvement of key services.

History:

The Regional District covers 10,400 km² and has no authority on the administration or regulatory enforcement of Highways, Road Rights-of-Way, Forest Service Roads Crown Land or Indian Reserves. The growth in the number of abandoned vehicles in, or adjacent to, our unincorporated communities is problematic and the numbers and types of complaints registered with our Bylaw Enforcement Branch is growing. Research has shown that there is overlapping, missing or often confusing, jurisdiction on enforcement authority or responsibility in these cases. The RCMP, Ministry of Transportation & Infrastructure (MoTI) and Forests, Lands and Natural Resource Operations (FLNRO) are the main contacts. It would be beneficial if we could provide a consistent response to our citizens on the Regional District role in enforcement.

Analysis:

A policy provides direction for a consistent response to recurring issues.

- FLNRO state that the Ministry of Environment (MoE) RAPP line is the tool for reporting abandoned vehicles on Crown Land, including a Forest Service Road, without a VIN. Besides the RAPP Line (1-877-952-7277), the online RAPP reporting and the BC Wildlife Federation app are easy to use.

- RCMP state that complaints about abandoned vehicles within a road right-of-way should be referred to the RCMP non-emergency line. The RCMPs power are defined in the Transportation Act.
- The RDOS Illegal Dumping Program does not cover the cost to remove refuse or abandoned vehicles. The program is designed to cover the landfill fees for refuse collected in a community clean up on crown land. Derelict vehicles, trailers, or anything with a VIN number can not be accepted at the landfill.
- Towing/Ticketing abandoned, unlicensed vehicles and illegally parked vehicles on a road allowance is under the authority of the Motor Vehicle Act and enforced by the RCMP. The Ministry does not have the ability to delegate this authority and there is no provision in the Local Government Act allowing regional districts to regulate, prohibit or impose requirements in relation to highways.
- The Ministry of Transportation and Infrastructure only manages abandoned vehicles on its rights of way. If a vehicle on a RoW is not claimed by the owner, then the Form MV1479 is used to transfer ownership to the company/person performing the vehicle recovery and provides notification to ICBC.

Alternatives:

1. Status Quo
2. Request a legal opinion on options for regional district enforcement

Communication Strategy:

The Board Policy Index on the RDOS website is updated as policies are adopted, revised or rescinded. Additionally, staff is advised of any change in policy through the staff Intranet.

Respectfully submitted:

“Laura Miller”

L. Miller, Building & Enforcement Services Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY**

POLICY: Abandoned Vehicles

AUTHORITY: Board Resolution dated _____.

POLICY STATEMENT

The Regional District of Okanagan Similkameen will refer complaints about vehicles which have been abandoned on Crown Land, Forest Service Roads, Highways, Trails or Road Rights-of-Way to the authority having jurisdiction.

PURPOSE

To clarify the process when calls for service are received by staff or elected officials with respect to abandoned vehicles.

DEFINITIONS

“Derelict Vehicle” includes a vehicle, except a farm vehicle, that is not displaying a current licence, pursuant to Provincial regulations, and which is not enclosed within a garage or carport;

“Highway” includes a street, road, lane, bridge, viaduct or any other way open to public use other than a private right-of-way on private property;

PROCEDURES

Determine whether the vehicle is located on private property, Crown Land, Forest Service Road, Highway, Road-right-of-way, Trail or Reserve and process as follows:

Vehicles located on private property:

- Enforcement through Land Use Zoning Bylaws or Untidy and Unsightly Premises Bylaw – enquiries and complaints to be referred to Bylaw Enforcement Services.

Vehicles located on crown land or forest service road:

- If the vehicle has a license plate or Vehicle Identification Number (VIN) the complainant will be referred to the RCMP non-emergency line.
- If the vehicle is on crown land or a forest service road without a VIN or license plate the complainant will be referred to the Province of British Columbia through the RAPP line (Report All Poachers and Polluters) (1-877-952-7277) or the BC Wildlife Federation.

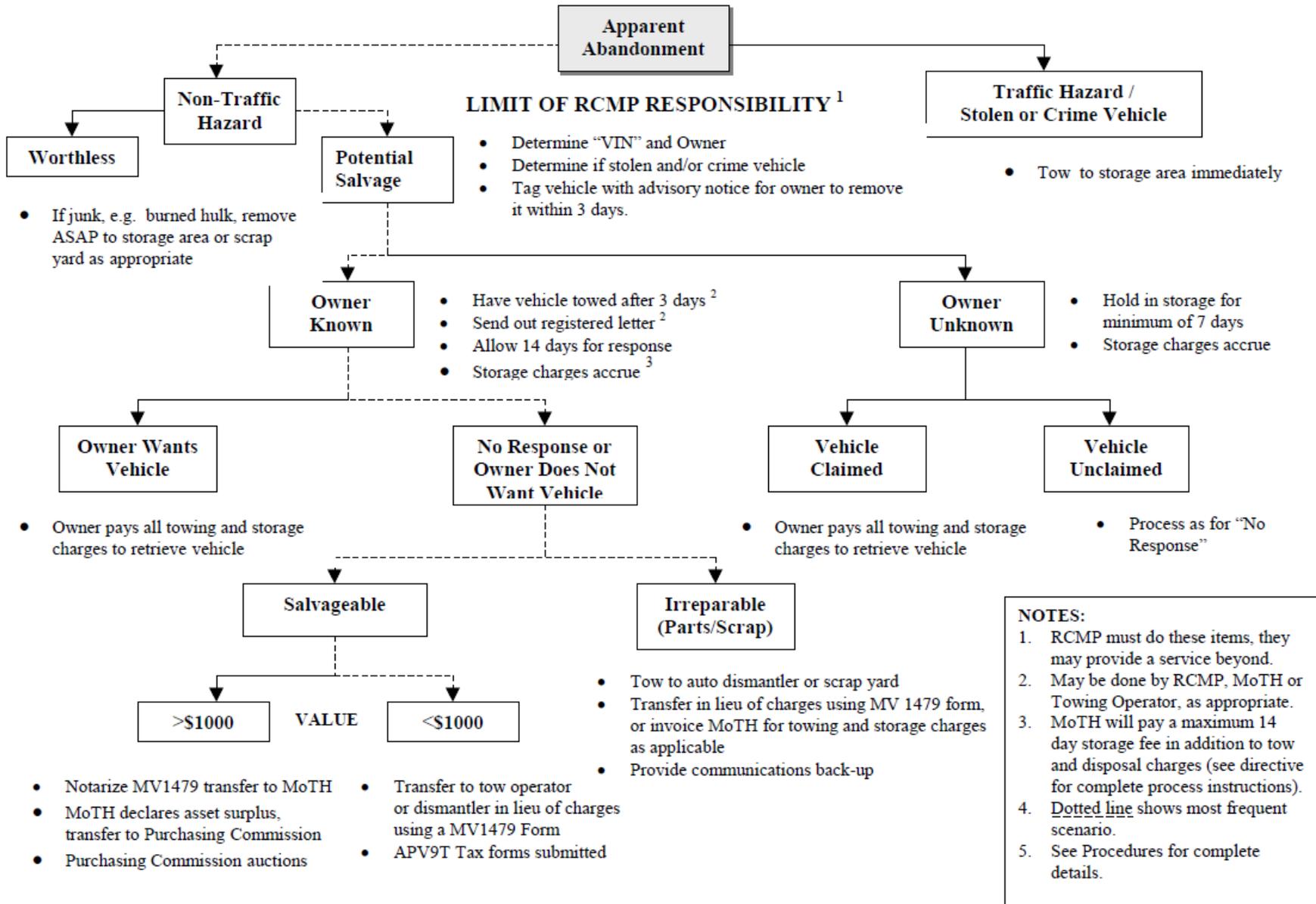
RAPP - The complaint would be under the “Dumping” category which includes illegal dumping of construction debris, industrial/business waste, waste oil and other chemicals, household garbage, sewage, vehicles, furniture, appliances, electronics, batteries or paints.

BC Wildlife Federation – the complaint would be in reference to blocking public access including blocking access to a public road by a vehicle.

Vehicles located on a highway or road-right-of-way:

The handling of vehicle abandonments under the *Highway Scenic Improvement Act* typically involves co-operation between the RCMP, MoTI and a towing company.

Process for Dealing with Abandoned Vehicles -- Highway Scenic Improvement Act --



BOARD OF DIRECTORS MEETING

Thursday, 7 January 2021

11:45 am

BOARD MEETING AGENDA

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of 7 January 2021 be adopted.

B. MINUTES

1. **OSRHD Board Meeting** – October 1, 2020

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Minutes of the 17 December 2020 Okanagan-Similkameen Regional Hospital District Board meeting be adopted.

C. PRIMARY CARE CLINIC

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)

That the Okanagan Similkameen Regional Hospital District maintain their current financial model, which does not include funding clinics to facilitate physician recruitment.

D. ADJOURNMENT

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

BOARD OF DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Okanagan-Similkameen Regional Hospital District Board (OSRHD) of Directors held at 1:13 p.m. on Thursday, December 17, 2020, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair J. Sentes, City of Penticton	Director S. Monteith, Electoral Area "I"
Director M. Bauer, Village of Keremeos	Director R. Obirek, Electoral Area "D"
Director G. Bush, Electoral Area "B"	Director M. Pendergraft, Electoral Area "A"
Director B. Coyne, Electoral Area "H"	Director T. Roberts, Electoral Area "G"
Director S. Coyne, Town of Princeton	Director K. Robinson, City of Penticton
Director R. Gettens, Electoral Area "F"	Director E. Trainer, District of Summerland
Director D. Holmes, District of Summerland	Director J. Vassilaki, City of Penticton
Director M. Johansen, Town of Oliver	Director C. Watt, City of Penticton
Director R. Knodel, Electoral Area "C"	Alt. Director C. J. Rhodes, Town of Osoyoos
Director K. Kozakevich, Electoral Area "E"	

MEMBERS ABSENT:

Vice Chair S. McKortoff, Town of Osoyoos

STAFF PRESENT:

B. Newell, Chief Administrative Officer	C. Malden, Manager of Legislative Services
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A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of December 17, 2020 be adopted. - **CARRIED**

B. MINUTES

1. OSRHD Board Meeting – October 1, 2020

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Minutes of the October 1, 2020 Okanagan-Similkameen Regional Hospital District Board meeting be adopted. - **CARRIED**

2. OSRHD Board Meeting – November 5, 2020

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Minutes of the November 5, 2020 Okanagan-Similkameen Regional Hospital District Inaugural Board meeting be adopted. - **CARRIED**

C. OSRHD BUDGET – INFORMATION ONLY

D. PRIMARY CARE CLINIC

Director Gettens declared a conflict of interest because she works at Division of Family Practice and recused herself from the meeting.

It was MOVED and SECONDED

THAT the Board not proceed with funding for primary care facilities.

It was MOVED and SECONDED

THAT the matter of primary care facilities be deferred until the new year. - **CARRIED**

Opposed: Directors Roberts, Bauer

E. ADJOURNMENT

By consensus, the meeting adjourned at 2:07 p.m.

APPROVED:

CERTIFIED CORRECT:

J. Sentes
OSRHD Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: 7 January 2021

RE: Primary Care Clinic Funding

RECOMMENDATION:

That the Okanagan Similkameen Regional Hospital District maintain their current financial model, which does not include funding clinics to facilitate physician recruitment.

BACKGROUND:

During discussions around the 2019 Business Plan, the Board indicated that access to healthcare providers in the South Okanagan and Similkameen was of interest, and that they would like to explore Regional District participation in physician recruitment.

Regional conversations around access to primary care were spearheaded by the South Okanagan Similkameen Division of Family Practice (SOSDFP). SOSDFP is a membership corporation for primary care providers covering the same geographic area as the regional district and supports a full-service physician network, team-based care, long-term care, maternity care and many more healthcare functions. They are also very involved in physician recruitment.

While SOSDFP was investigating which factors motivated physicians to choose one location to practice over another, they found that—among other variables—professional support was a key factor. If a young doctor can locate in a community that has clinic space available; doesn't require a capital investment; has other providers in the clinic to assist with advice and patient support; and if they can focus on being a physician rather than a business owner, they may prefer that solution.

Through the Ministry of Health and Health Authorities, Primary Care Networks (PCNs) and Urgent and Primary Care Centre's (UPCCs) are being initiated and established throughout the province to meet the conditions that are attractive to general practitioners.

The SOSDFP has presented to the Regional Hospital District on how financial participation by the RHD in future primary care clinics could lessen the implementation time. The delegation also suggested that five clinics were required in the RDOS region, in addition to one or two more in Penticton. (Ponderosa Primary Care Centre has since been established in Penticton.)

There are different operating models for existing Urgent Care and Primary Care Clinics. Some are managed by physicians directly, some through IHA and, in the case of the Ponderosa Primary Care Clinic in Penticton, through SOSDFP. An operating mechanism would need to be discussed in future.

The Bigger Picture

The initial focus of this project was to investigate what the Regional District could do to assist in the recruitment of physicians to our area. The shortage of family doctors in the Regional District is prevalent and increasing. Several areas identified as needing a Primary Care Clinic lie throughout the RDOS and best efforts should be made to ensure that future Clinics meet the needs of the community in which they are located.

According to the SOSDFP, there are approximately 12,000 citizens in the region without access to a general practitioner, and climbing. Further, of those GPs currently seeing patients, 1/3 are expected to retire within the next five years.

Should the Board of Directors choose to participate in funding primary care clinics or some other mechanism of physician recruitment, funds must go to facilities designated under the Hospital Act. Representatives from Interior Health attended at the Hospital Board Meeting to discuss process on how this has occurred in other areas.

ALTERNATIVES:

1. That the OSRHD budget to facilitate participation in the development of Primary Care Clinics.
2. That the Board receive this report for information and defer future discussion indefinitely



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD of DIRECTORS MEETING**

Thursday, January 7, 2021
12:30 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of January 7, 2021 be adopted.

1. Consent Agenda – Corporate Issues

a. Electoral Area “A” Advisory Planning Commission (APC) Appointment

THAT the Board of Directors appoint Jim Thornton as a member of the Electoral Area “A” Advisory Planning Commission until October 31, 2022.

b. Naramata Parks and Recreation Commission – November 23, 2020

THAT the Minutes of the November 23, 2020 Naramata Parks and Recreation Commission meeting be received.

c. Kaleden Parks and Recreation Commission – December 1, 2020

THAT the Minutes of the December 1, 2020 Kaleden Parks and Recreation Commission meeting be received.

d. Okanagan Falls Parks and Recreation Commission – December 10, 2020

THAT that Minutes of the December 10, 2020 Okanagan Falls Parks and Recreation Commission meeting be received.

e. Corporate Services Committee – December 17, 2020

THAT the Minutes of the December 17, 2020 Corporate Services Committee meeting be received.

f. Environment and Infrastructure Committee – December 17, 2020

THAT the Minutes of the December 17, 2020 Environment and Infrastructure Committee meeting be received.

THAT the matter of the South Okanagan Conservation Fund Technical Advisory Committee Recommendations be deferred to the January 7, 2021 Environment and Infrastructure Committee meeting.

g. Planning and Development Committee – December 17, 2020

THAT the Minutes of the December 17, 2020 Planning and Development Committee meeting be received.

h. RDOS Regular Board Meeting – December 17, 2020

THAT the minutes of the December 17, 2020 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Consent Agenda – Corporate Issues be adopted.

2. Consent Agenda – Development Services**a. Development Variance Permit Application – 2991 Gophertail Road, Electoral Area “H”**

- i. Permit**
- ii. Representations**

THAT Development Variance Permit No. H2020.017-DVP be approved

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

THAT the Consent Agenda – Development Services be adopted.

B. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Agricultural Land Commission Referral (Non-Adhering Residential Use) – 376 Road 6, Electoral Area “C”**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 376 Road 6 (Lot 170, Plan 1728, District Lot 2450S, SDYD) to proceed to the Agricultural Land Commission.

2. Agricultural Land Commission Referral (Non-Adhering Residential Use) – 300 Road 20, Electoral Area “C”

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 300 Road 20 (Lot A, Plan 74196, DL 2450S, SDYD) to proceed to the Agricultural Land Commission.

3. Official Community Plan (OCP) & Zoning Bylaw Amendments

Residential Zone Update – Comprehensive Development (CD) Zones (Phase 3) - Electoral Area “D”

- a. Bylaw No. 2603.20, 2020**
- b. Bylaw No. 2455.42, 2020**

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2603.20, 2020, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area “D” Zoning Amendment Bylaw be adopted.

4. Zoning Bylaw Amendment – 5081 8th Avenue, Electoral Area “D”

- a. Bylaw No.2455.43, 2020

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2455.43, 2002, Electoral Area “D” Zoning Amendment Bylaw be read a third time.

5. Agricultural Land Commission Referral (Subdivision) – 2860/2864 Arawana Road/3256 Juniper Drive, Electoral Area “E”

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors not “authorize” the application to subdivide the parcels located at 2860/2864 Arawana Road (Lot 13, Plan 576, District Lot 207, SDYD, Except Parcel A Shown on Plan A62, Parcel B Shown on Plan B5981, KAP81407 and EPP30242) and 3256 Juniper Drive (Lot 8, KAP46231, District Lot 2711, SDYD) to proceed to the Agricultural Land Commission.

6. Zoning Bylaw Amendment, Electoral Area “H”

- a. Bylaw No. 2498.16
b. Representations

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2498.16, 2021, Electoral Area “H” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of February 4, 2021;

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

7. Zoning Bylaw Amendment, 1500 Blakeburn Road, Electoral Area “H”

- a. Bylaw No. 2498.19

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

THAT Bylaw No. 2498.19, 2019, Electoral Area “H” Zoning Amendment Bylaw be read a third time and adopted.

8. Zoning Bylaw Amendment, 165 Snow Mountain Place, Electoral Area "I"

- a. Bylaw No. 2457.35, 2020

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2457.35, 2020, Electoral Area "I" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of February 4, 2021;

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

9. Official Community Plan (OCP) and Zoning Bylaw Amendments

Proposed Dock Regulations – Okanagan Basin Lakes

- a. Bylaw No. 2862
- b. Representations

RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2862, 2020 the Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw, be adopted.

10. Zoning Bylaw Amendment, Electoral Areas "A", "C", "D", "E", "F" & "I"

- a. Bylaw No. 2895, 2020
- b. Public Hearing Report – November 19, 2020
- c. Public Hearing Report – December 15, 2020
- d. Representations

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)

THAT the public hearing report of November 19, 2020 be received.

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT the public hearing report of December 15, 2020 be received.

RECOMMENDATION 15 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw be read a third time.

C. PUBLIC WORKS**1. Winecrush – Letter of support**

- a. Request

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District provide a Letter of Support for Winecrush for the application for the 2021 Food Waste Reduction Challenge

D. LEGISLATIVE SERVICES**1. SOSArts Board Liaison – For Information Only**

2. Fire Protection Mutual Aid Agreement**Delegation: Denis Gaudry****a. Fire Protection Mutual Aid Agreement****RECOMMENDATION 17** (Weighted Corporate Vote – Majority)**THAT the Regional District extend the expired Fire Protection Mutual Aid Agreement to December 31, 2021.**

3. 2021 Business Plan**a. Administrative Report****b. 2021 Draft Business Plan****RECOMMENDATION 18** (Unweighted Corporate Vote – Simple Majority)**THAT the Regional District adopt the 2021 Business Plan, dated January 7, 2021.**

4. Kaleden Recreation Programming, Parks and Facility Maintenance Service**a. Bylaw 2924****RECOMMENDATION 19** (Unweighted Corporate Vote – Simple Majority)**THAT Bylaw No. 2924, 2021, being a bylaw to add Parks to the Kaleden Recreation Programming and Facility Maintenance Service, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval.**

E. CAO REPORTS**1. Verbal Update**

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

2. Directors Motions**a. COVID-19 Safe Restart Grant Program for Local Governments****i. Administrative Report****MOVED BY DIRECTOR ROBERTS** (Weighted Corporate Vote – Simple Majority)**THAT the per capita amounts received by the Regional District of Okanagan Similkameen under the COVID-19 Safe Restart Grant for Local Governments Program be distributed to the nine electoral areas based on population data from BCStats as at October 1, 2020.**

b. Service Reviews

i. Administrative Report

Directors Motion 1 – Director Monteith

THAT a boundary, financial allocation and service level review be done on the BC Transit Service.

Directors Motion 2 – Director Monteith

THAT a bylaw review be done on the financial distribution for the Mosquito Control Service with consideration to how the Okanagan Regional Library funding model is used.

3. Board Members Verbal Update

G. ADJOURNMENT

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Electoral Area "A" Advisory Planning Commission (APC) Appointment

Administrative Recommendation:

THAT the Board of Directors appoint Jim Thornton as a member of the Electoral Area "A" Advisory Planning Commission until October 31, 2022.

Purpose:

The purpose of this report is to seek direction from the Regional District Board regarding the appointment of Jim Thornton as a member of the Electoral Area "A" Advisory Planning Commission (APC).

Background:

The role of Area Planning 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 Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*.

Section 4 of Bylaw 2339 (Advisory Planning Commissions) provides for the appointment of members, requiring the Board, by resolution, to appoint members to each Commission on the recommendation of the respective Electoral Area Director.

At least two-thirds of the members of a Commission for an Electoral Area shall be residents of that electoral area. Commission appointments shall be made by the Board for terms which run concurrent with the Board term, and no term of appointment shall extend beyond the term of the Electoral Area Director unless re-appointed by the Board.

Analysis:

Mr. Thornton has submitted a request to sit on the APC for Electoral Area "A" and Director Pendergraft has recommended that this request be brought forward for appointment by the Board.

Respectfully submitted:

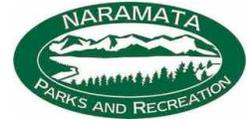
A handwritten signature in blue ink, appearing to read 'C. Garrish', is written over a horizontal line.

C. Garrish, Planning Manager



Minutes

Naramata Parks & Recreation Commission
Meeting of November 23, 2020, 6:30 p.m.
WebEx Virtual Meeting - Naramata, BC



Present: Karla Kozakevich, Director, Electoral Area “E”
Members: Dennis Smith (Chair), Maureen Balcaen, Nicole Verpaelst, Ashley Selwood, Cynthia Enns, Richard Roskell, Jacqueline Duncan
Absent: Tom Hoenisch
Staff: None
Guests: Adrienne Fedrigo
Recording Secretary: Heather Lemieux (Recording Secretary)
Delegates: None

1. CALL TO ORDER

The meeting was called to order at 6:41 p.m. Quorum present.

ADOPTION OF AGENDA — Removed 3.2. Added 6.1 Goose Deterrents and 6.2 Dog Park Signage.

1.1 **RECOMMENDATION**

It was Moved and Seconded that the Agenda for the Naramata Parks & Recreation Meeting of November 23, 2020 be adopted as amended and all presentations and reports be received.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

Amended 3.1 Terry McWhirter (President, Penticton Area Cycling Association, PACA), 3rd paragraph amended to:

PACA offered support to preserve and designate Three Blind Mice access points in Naramata. PACA offered to assess the BMX track at Manitou for improvements in Spring 2021.

2.1 **RECOMMENDATION**

It was Moved and Seconded that the Minutes for Naramata Parks and Recreation Commission of October 28, 2020 be approved as amended.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

- 3.1 Skatepark Delegation** — A. Selwood presented correspondence from the Naramata skatepark delegation consisting of approximately 12 local youths who are seeking a designated skatepark and/or skateboarding area.

Discussed long-term vs. short term plans, skate spots vs. skate parks, scope of project and goal of having a temporarily skateboarding surface by spring 2021. There is existing movable skateboard ramps in the Naramata Elementary School storage container.

RECOMMENDATION

It was Moved and Seconded that the RDOS staff obtain quotes to resurface the existing sports court at Spirit Park for consideration in the 2021 budget.

CARRIED

ACTION — A. Selwood to look into the current status and ownership of the skateboard ramps in storage.

4. RDOS STAFF REPORTS — Staff Absent

None

5. COMMISSION MEMBER REPORTS

- 5.1 Goose Deterrents** — M. Balcaen presented on a goose deterrent device that consist of non-intrusive LED lights that flash in eyes of geese to deter them from Manitou Park. Discussed other options and possibilities of regional cost-sharing.

RECOMMENDATION

It was Moved and Seconded that two LED Goose Lights be purchased and installed at Manitou Park.

CARRIED

- 5.2 Dog Park Signage** — C. Enns presented inconsistencies of the signage at Manitou Park regarding dog bylaws. A recommendation was heard to run an article on MyNaramata to remind the community of of current bylaws and that consistent signage be placed in all parks in Naramata. Discussion on bylaws and enforcement.

RDOS staff are requested to ensure signage is consistent regarding the rules for dogs in Naramata parks.

ACTION — K. Kozakevich to look into dog signage, bylaws and facilitate community consultation.

5.3 RDOS & NPR Communication — D. Smith presented on communication flow between RDOS Staff and commission members. Discussed if the RDOS should provide scheduled accountability reports to the commission to increase volunteer engagement.

ACTION — K. Kozakevich to contact Mark Woods (RDOS, General Manager of Community Services) about implementing a communication plan.

6. RDOS DIRECTOR REPORT — Karla Kozakevich (RDOS Area “E” Director)

6.1 Naramata Recreation Coordinator — A. Fedrigo, previous recreation coordinator seeks to rejoin the Naramata Parks and Recreation Commission as a volunteer.

RECOMMENDATION

It was Moved and Seconded that A. Fedrigo be appointed to the Naramata Parks and Recreation Commission.

CARRIED

6.2 Naramata Yacht Club — The yacht club seeks financial assistance. The NPR has a reserve set aside for dredging. The NPR is unable to fund repairs and upgrades to the dock structure because it is privately owned. Assistance can be provided to dredge the lake because the area is accessed by a public boat launch which the Naramata marine rescue boat also uses. Discussed tenure, budget and possibly increasing support for dredging for future.

ACTION — K. Kozakevich to check on budgets and report at the next NPR meeting.

7. BUSINESS ARISING

7.1 WebEx Meetings — Discussed the upcoming Annual General Meeting and if elections can be held via WebEx.

ACTION — K. Kozakevich to check Bylaws for clarification on holding elections via WebEx.

8. ADJOURNMENT

8.1 RECOMMENDATION

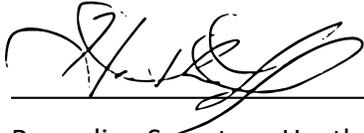
It was Moved and Seconded that the Naramata Parks & Recreation Meeting be adjourned at 7:40 p.m.

CARRIED

NEXT MEETING: January 25, 2020 at 6:30 p.m.
Annual General Meeting & Regular Meeting
Location TBD



Chair, Dennis Smith, Naramata Parks and Recreation Commission – Electoral Area “E”



Recording Secretary, Heather Lemieux

Naramata Parks & Rec

Communications Strategy Proposal

Purpose:

To improve communication between Regional District (RD) staff, community representatives and others to keep us all better informed of the happenings in our parks. And to help keep volunteers engaged in a meaningful way. To establish protocols that enhance communication regarding park and recreation activities within our community.

Background:

Monthly meetings provide most of the communication and are a requirement of our bylaw (“at least 6 times per year”). They provide an opportunity for community members to share ideas and requests, to hear from and speak to our Area Director and it’s also the forum for dialog between community and RD staff. High-level activities and long-range goals are discussed, recreation events are also considered at monthly meetings. Advice is given to the Area Director and to the RD Board by resolutions passed at our meetings. This forum appears to be functioning well.

Currently a gap in communication exists at the ground-level. Little information is shared between the RD staff and the NP & Rec Commission members on RD activities in the parks. This has the potential to disconnect and discourage the volunteer commission members who have stepped up to contribute to their community.

There is no protocol or process for communication between RD staff and NP & Rec Commission members that addresses the activities the RD performs in our parks. Typically, NP & Rec discovers RD activities by finding them.

Recommendation:

That RD staff inform NP & Rec by email each Friday, briefly outlining the work plans for the coming week as well as the accomplishments of the past week in Area E.

Benefits:

- Better engagement of community advisors
- Opportunity for RD staff to promote their value and brand
- Reduce potential conflict between users and RD operations
- Improve accountability and transparency



Minutes



Kaleden Parks & Recreation Commission

Webex Meeting of December 01, 2020

Kaleden Community Hall – 320 Lakehill Road, Kaleden, BC

- Present:** Ms. S. Monteith, Director, Electoral Area “I”
- Members:** Doug King, Vice Chair, Jaynie Malloy, Neal Dockendorf, Margaret O’Brien, Dave Gill, Gail Jeffery, Randy Cranston, Debbie Shillitto, Eve-Marie Lamarche, Rick Johnson
- Absent:** N/A
- Staff:** Justin Shuttleworth, Manager of Parks and Facilities (Host)
Danny Francisco (Co-Host)
- Recording Secretary:** Margaret O’Brien
- Delegates / Guests:** N/A

1. CALL TO ORDER

The meeting was called to order at 6:38 p.m.

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of December 1, 2020 be adopted with additions.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for Kaleden Parks and Recreation Commission Meeting of October 6, 2020 be approved.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

3.1 None

4. RDOS STAFF REPORTS

- 4.1 Pioneer Park Lombardy Poplars – Justin Shuttleworth
- 4.2 Parks Master Plan – Justin Shuttleworth
- 4.3 Volunteer Sign-in Sheet for Kaleden Community Hall – Justin Shuttleworth

5. COMMISSION MEMBER REPORTS

- 5.1 Commission Members are requesting an amendment to Agenda format to include an area for Ongoing or Continuing Business

6. RDOS DIRECTOR’S REPORT

- 6.1 First Meeting of Twin Lakes Sub-committee has been held.
- 6.2 Update re the support of the RDOS Board regarding the purchase of Sickie Point.
- 6.3 Regional Recreation Guideline has not been widely distributed in the Kaleden area. Feedback from Community has not been favourable.

7. BUSINESS ARISING

- 7.1 Follow-up Discussion of 2021 Budget – Commission and RDOS Staff

RECOMMENDATION

It was Moved and Seconded that RDOS Staff meet with the Kaleden Tennis Club. An invitation is to be extended to the Club Members to attend the February Kal-Rec Commission Meeting.

CARRIED

RECOMMENDATION

It was Moved and Seconded that the Kal-Rec Commission is requesting information from RDOS Staff on Children’s programing that have occurred in Kaleden in the past.

CARRIED

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 8:20 pm.

CARRIED

NEXT REGULAR MEETING: Tuesday, January 19, 2021

Chair, Kaleden Parks and Recreation Commission

Recording Secretary



Minutes

Okanagan Falls Parks & Recreation Commission
Webex Meeting of December 10, 2020
Okanagan Falls Community Centre, 1141 Cedar Street,
Okanagan Falls, BC



Present: Mr. R. Obirek, Director, Electoral Area “D”
Members: Kelvin Hall, Chair, Matt Taylor, Daniela Fehr, Alf Hartviksen, Judy Garner, Barbara Shanks
Absent: Shari Rowland, Jillian Johnston; Doug Lychak, Joanne Kleb
Staff: Recording Secretary: Sue Gibbons
Delegates: None

1. CALL TO ORDER

The meeting was called to order at 6:42 p.m.

ADOPTION OF AGENDA

By consensus the Agenda of December 10, 2020 was approved.

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for Okanagan Falls Parks and Recreation Commission meeting of November 12, 2020 be approved.

CARRIED

3. CORRESPONDENCE / DELEGATIONS

3.1 None

4. RDOS STAFF REPORTS

4.1 None

5. COMMISSION MEMBER REPORTS

- 5.1 K. Hall – letter to RDOS Board Chair regarding Garnett Family Park name and presented sign
- K. Hall reported that he sent a letter to the RDOS Board Chair, however, he was directed to submit the letter to Director Obirek who would forward it to the RDOS Board as per process

6. RDOS DIRECTOR'S REPORT

- 6.1 None

7. BUSINESS ARISING

- 7.1 Grant for trail system
- Discussion regarding local and regional trail opportunities for Grant
- 7.2 Update on request for Incorporation
- Director Obirek provided an update

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 7:47 pm.

CARRIED

NEXT MEETING – Thursday, XX, 2020

Chair, Parks and Recreation Commission – Electoral Area “D”

Sue Gibbons

Recording Secretary



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee**

Thursday, December 17, 2020

11:17 a.m.

MINUTES

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair S. Coyne, Town of Princeton
Director M. Bauer, Village of Keremeos
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director R. Gettens, Electoral Area "F"
Director D. Holmes, District of Summerland
Director M. Johansen, Town of Oliver
Director R. Knodel, Electoral Area "C"
Alt. Director C.J. Rhodes, Town of Osoyoos

Director S. Monteith, Electoral Area "I"
Director R. Obirek, Electoral Area "D"
Director M. Pendergraft, Electoral Area "A"
Director T. Roberts, Electoral Area "G"
Director K. Robinson, City of Penticton
Director J. Sentes, City of Penticton
Director E. Trainer, District of Summerland
Director J. Vassilaki, City of Penticton
Director C. Watt, City of Penticton

MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos

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 Meeting of December 17, 2020 be adopted. - **CARRIED**

B. Information Services Assessment

1. Presentation

The Committee was advised of the findings of the Information Services assessment.

C. Restart Funding - COVID

1. Administrative Report

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the expenditures proposed for funding from the Covid-19 Safe Restart Funds be approved as per schedule "A" of the report dated December 17, 2020 from CAO Newell. - **CARRIED**

D. Indigenous/Intergovernmental Relations

RECOMMENDATION 3

It was MOVED and SECONDED

THAT the Regional District commence consultation with the four Indian Bands within our geographic area to determine the most effective mechanism to establish strong working relationships. - **CARRIED**

E. ADJOURNMENT

By consensus, the meeting adjourned at 12:34 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN Environment and Infrastructure Committee

Thursday, December 17, 2020

9:28 a.m.

Minutes

MEMBERS PRESENT:

Chair R. Gettens, Electoral Area "F"
Vice Chair G. Bush, Electoral Area "B"
Director M. Bauer, Village of Keremeos
Director B. Coyne, Electoral Area "H"
Director S. Coyne, Town of Princeton
Director D. Holmes, District of Summerland
Director M. Johansen, Town of Oliver
Director R. Knodel, Electoral Area "C"
Director K. Kozakevich, Electoral Area "E"
Alt. Director C.J. Rhodes, Town of Osoyoos

Director S. Monteith, Electoral Area "I"
Director R. Obirek, Electoral Area "D"
Director M. Pendergraft, Electoral Area "A"
Director T. Roberts, Electoral Area "G"
Director K. Robinson, City of Penticton
Director J. Sentes, City of Penticton
Director E. Trainer, District of Summerland
Director J. Vassilaki, City of Penticton
Director C. Watt, City of Penticton

MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was **MOVED** and **SECONDED**

THAT the Agenda for the Environment and Infrastructure Committee Meeting of December 17, 2020 be adopted. - **CARRIED**

B. Mosquito Control Program Expense Allocation

The Committee discussed the protocols and funding apportionment for the Mosquito Control Program.

C. Agricultural Wood Chipping Program

The Committee was provided an overview of the Agricultural Wood Chipping Program.

D. South Okanagan Conservation Fund Update and Technical Advisory Committee Recommendations for 2020 Applications

1. Funding Recommendations

RECOMMENDATION 2

It was **MOVED** and **SECONDED**

THAT the matter of the South Okanagan Conservation Fund Technical Advisory Committee Recommendations be postponed to the January 7, 2021 Environment and Infrastructure Committee meeting. - **CARRIED**

E. Cross Connection Control Bylaw Implementation – Information Only

Due to time constraints, this item was moved to the January 7, 2021 Environment and Infrastructure Committee meeting.

F. ADJOURNMENT

By consensus, the Committee adjourned at 11:12 a.m.

APPROVED:

CERTIFIED CORRECT:

R. Gettens
Committee Chair

B. Newell
Chief Administrative Officer

- f. RDOS Regular Board Meeting – December 3, 2020
THAT the minutes of the December 3, 2020 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. Temporary Use Permit – 3161 Hayman Road, Electoral Area “E”
- i. Permit
- ii. Representations

THAT the Board of Directors approve Temporary Use Permit No. E2020.006-TUP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

B. DELEGATIONS

1. Road Issues
- a. AIM Roads – Rick Wright
- b. Ministry of Transportation and Infrastructure – Erik Lachmuth
- Messrs. Wright and Lachmuth discussed road maintenance issues in the South Okanagan and Similkameen valleys.
-

C. DEVELOPMENT SERVICES – Building Inspection

1. Appeal of Enforcement of Non-Conforming Use – 118 Arlayne Road, Electoral Area “I”
The property owner addressed the Board.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title be placed on title for 118 Arlayne Road. – **CARRIED**

Opposed: Watt, Vassilaki, Pendergraft, S. Coyne, Sentes, Rhodes

D. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Agricultural Land Commission Referral (Non-Adhering Residential Use) – 105 Park Rill Road, Electoral Area “C”

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS Board “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 105 Park Rill Road (Lot 67, Plan 2030, District Lot 2450S, SDYD) to proceed to the Agricultural Land Commission. - **CARRIED**

2. Agricultural Land Commission Referral (Non-Adhering Residential Use) – 7622 Highway 97, Electoral Area “C”

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 7622 Highway 97 (Lot 25, Plan 1729, DL 2450S, SDYD) to proceed to the Agricultural Land Commission. - **CARRIED**

3. Electoral Area “G” Official Community Plan (OCP) Project – Citizen’s Advisory Committee – Terms of Reference

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Electoral Area “G” Official Community Plan (OCP) Project Citizen’s Advisory Committee Terms of Reference be adopted. - **CARRIED**

4. Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D” Residential Zone Update – Comprehensive Development (CD) Zones (Phase 3)
- a. Bylaw No. 2603.20, 2020
 - b. Bylaw No. 2455.42, 2020

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2603.20, 2020, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area “D” Zoning Amendment Bylaw be read a third time. **CARRIED**

5. Electoral Area Official Community Plan (OCP) Bylaw Review Schedule

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT, following the completion of the Electoral Area “A” Official Community Plan (OCP) Bylaw Review, the remaining Electoral Area OCP Bylaws be reviewed or prepared in the following order:

1. Electoral Area “E”;
2. Electoral Area “C”;
3. Electoral Area “H”;
4. Electoral Area “D”;
5. Electoral Area “I”;
6. Electoral Area “F”;
7. Electoral Area “G”.

CARRIED

E. LEGISLATIVE SERVICES**1. Apex Mount Fire Protection**

- a. Bylaw No. 2920
- b. Bylaw No. 2920 Map
- c. Bylaw No. 2921

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2920, 2020 Apex Mountain Fire Protection Service Establishment Bylaw and Bylaw No. 2921, 2020 Apex Mountain Fire Protection Loan Authorization Bylaw be read a first, second and third time; and further that,

THAT the Board of Directors authorize that electoral approval for the adoption of Bylaw No. 2920, 2020 and Bylaw No. 2921, 2020 be obtained through assent vote (referendum) in accordance with the *Local Government Act*; and further,

THAT the assent vote take place on Saturday March 27, 2021; and further,

THAT Christy Malden be appointed as the Chief Election Officer and Gillian Cramm be appointed as Deputy Chief Election Officer for the Apex Mountain Fire Protection Service Establishment and Loan Authorization Assent Vote; and further,

THAT the assent vote question be:

‘Are you in favour of the Regional District of Okanagan-Similkameen adopting Apex Mountain Fire Protection Service Establishment Bylaw No. 2920, 2020 to provide for fire protection services for the community of Apex Mountain and Apex Mountain Fire Protection Loan Authorization Bylaw No. 2921, to authorize the long-term borrowing of up to \$3,000,000 (three million dollars) for the purchase of a fire truck and to acquire property and construct a fire hall at Apex Mountain?’

CARRIED

F. CAO REPORTS

1. Verbal Update
-

G. OTHER BUSINESS

1. Chair’s Report
-

2. Board Representation

- a. Developing Sustainable Rural Practice Communities - *McKortoff*
 - b. Municipal Finance Authority – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
 - c. Municipal Insurance Association – *Kozakevich (Chair), Coyne (Vice Chair, Alternate)*
 - d. Okanagan Basin Water Board - *McKortoff, Holmes, Knodel, Pendergraft (Alternate to McKortoff), Obirek (Alternate to Holmes), Monteith (Alternate to Knodel)*
 - e. Okanagan Film Commission – *Gettens, Obirek (Alternate)*
 - f. Okanagan Regional Library – *Monteith, Obirek (Alternate)*
 - g. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
 - h. Southern Interior Local Government Association – TBD
 - i. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
 - j. Starling Control – *Bush, Knodel (Alternate)*
 - k. Fire Chief Liaison Committee – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - l. Intergovernmental Indigenous Joint Council – *Kozakevich, Coyne, Roberts*
-

3. Directors Motions

Notice of Motion – Director Roberts

THAT the per capita amounts received by the Regional District of Okanagan Similkameen under the COVID-19 Safe Restart Grant for Local Governments Program be distributed to the nine electoral areas.

Notice of Motion – Director Monteith

THAT a boundary, financial allocation and service level review be done on the BC Transit Service.

Notice of Motion – Director Monteith

THAT a bylaw review be done on the financial distribution for the Mosquito Control Service with consideration to how the Okanagan Regional Library funding model is used.

4. Board Members Verbal Update

H. ADJOURNMENT

By consensus, the meeting adjourned at 3:45 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Development Variance Permit Application — Electoral Area “H”

Administrative Recommendation:

THAT Development Variance Permit No. H2020.017-DVP be approved

Purpose: To allow for development of principal residence (cabin), driveway and septic field.

Owners: Bill, Erna, Riley & Dayna Dingwall Agent: NA Folio: H-01207.000

Civic: 2991 Gophertail Road Legal: Lot 5, Plan 11484, DL 2697, KDYD

OCP: Low Density Residential (LR) Zone: Residential Single Family One Zone (RS1)

Variance Request: to reduce the minimum front parcel line setback from 7.5 meters to 0.0 meters

Proposed Development:

This application is seeking a variance to the minimum front parcel line setback that applies to the subject property in order to undertake a dwelling addition, new driveway and new septic field.

Specifically, it is being proposed to reduce the front parcel line setback from 7.5 meters to 0.0 meters to accommodate the cabin.

In support of this request, the applicant has stated that “the lot is extremely challenging with a limited building envelope given its pie-shape coupled with riparian, Statutory Water Right-of-way, RDOS and Hwy 5A and the MOTI setbacks at the end of Gophertail Road. The DVP application is seeking a “front line parcel” variance for the Gophertail Road property onward by MOTI from 7.5 m to 0.2 m [to the wall]”

Site Context:

The subject property is approximately 1,753 m² in area and is situated on end of Gophertail Road cul-de-sac and fronting Allison Lake towards west side. The property is currently developed to 600 ft² cabin (1960s).

The surrounding pattern of development is characterised by similar residential development with single family dwellings (cabins) on either side of gophertail road.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on May 18, 1961, while available Regional District records indicate that a building permit(s) for an accessory building (2002) and addition to existing cabin (2016) have been issued for this property.

Under the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Low Density Residential (LR), and is the subject of a Watercourse Development Permit (WDP).

A Qualified Environmental Professional (QEP) has submitted a report identifying the SPEA as being 15 meters from Alison Lake, while Section 22.3.7 of the OCP states that the Regional District “encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA” (Streamside Protection and Enhancement Area).

Under Section 11 (Undue Hardship) of the *Riparian Areas Protection Regulation*, an “undue hardship” is only seen to exist if, amongst other things, a property owner “has sought and received a decision on every variance that would reduce the legally restricted area of the site.” Accordingly, the property owner has submitted the current DVP application to seek a “decision on every variance” that would allow development to occur outside of the SPEA.

Under the Electoral Area “H” Zoning Bylaw No. 2498, 2012, the property is currently zoned Residential Single Family One Zone (RS1) which allows for single detached dwelling as a principal permitted use.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Allison Lake, and has further been assessed as “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. Any comments will be on the agenda as separate item.

At its meeting of December 15, 2020, the Electoral Area “H” Advisory Planning Commission (APC) reviewed the subject application. APC’s recommendation will be provided verbally by the Administration at its Board meeting on January 7, 2021.

Analysis:

In considering this proposal, Administration notes that a front setback is generally the most public aspect of a property with development along a front setback directly influencing the character of the streetscape. A well defined setback can set the overall tone for a street. In other instances, front setbacks can be used to ensure adequate sightlines for vehicle traffic movements are maintained.

In this case, Administration notes that the subject property is located at the end of the cul-de-sac and the impact of cabin located closer to the street is mitigated by the open area of the cul-de-sac itself as it aids in visual separation from other dwellings along the street.

Further, the closest dwelling located along Gophertail Road is approximately 30 meters (100 feet) from the proposed cabin, thereby reducing the impact of cabin being closer to the front parcel line.

Administration will also consider other factors such as site topography or limiting features, such physical encumbrances or irregular parcel lines when evaluating variance requests.

In this instance, reducing the setback will allow for the development to occur outside of the SPEA and is considered the best alternative to other building locations that would require further encroachment into the SPEA.

The irregular shape of the parcel is also seen to present a limiting feature as is the location of the existing septic system, a right-of-way (ROW) and location of Highway 5A (which is used by heavy truck traffic).

Finally, varying the front setback will free the property owner from attempting to utilize the existing dwelling's footprint — which is partially within the SPEA — for construction purposes and to locate the proposed new dwelling entirely outside of the SPEA, which is seen to be an improvement.

Conversely, a setback of zero metres is seen to be a significant reduction and other options are available to the property owner, such as moving the cabin further east and closer to Highway 5A.

Allowing development to be setback immediately adjacent to the road dedication will also change the nature of the streetscape on this road and *may* also create expectations amongst surrounding property owners that they will similarly be supported if they seek to reduce their front parcel line to 0.0 metres.

In summary, given the unique complexity of the subject site, its location at the end of a cul-de-sac in an irregularly shaped parcel, the nature of development (single family dwelling) and its (minimum) impact on the natural environment, Administration does not anticipate any concerns from subject proposal and is supportive of requested variance. For these reasons, Administration supports the requested variances and is recommending approval.

Alternative:

1. That the Board deny Development Variance Permit No. H2020.017-DVP.

Respectfully submitted

R. Gadoya

Rushi Gadoya, Planning Technician

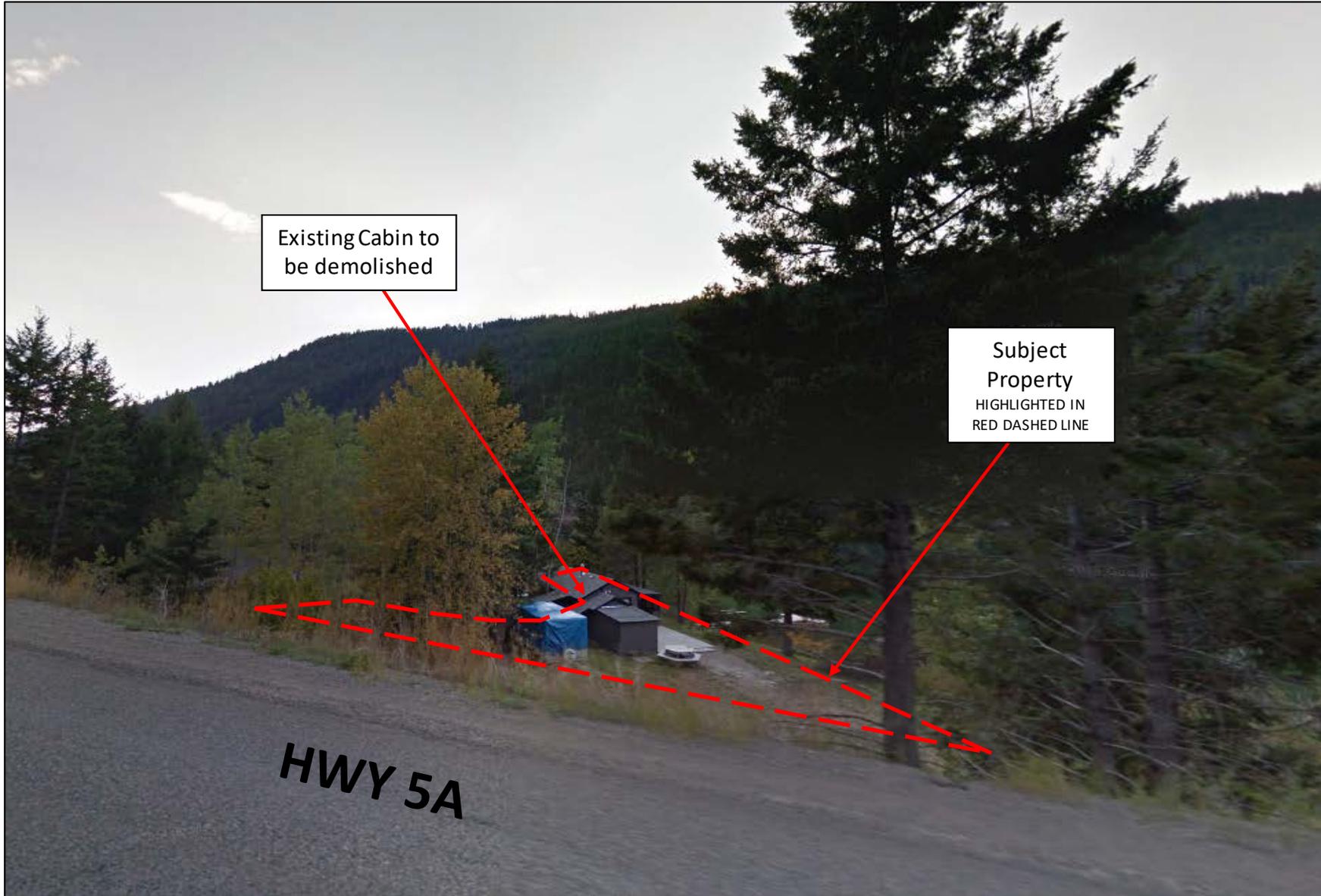
Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)

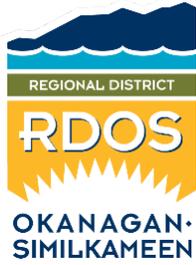


Existing Cabin to be demolished

Subject Property
HIGHLIGHTED IN RED DASHED LINE

HWY 5A

View looking towards subject site (southwest facing) from Hwy 5A



Development Variance Permit

FILE NO.: H2020.017-DVP

Owner: William, Erna, Riley & Dayna Dingwall

:
|

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 5, Plan 11484, District Lot 2697, KDYD

Civic Address: 2991 Gophertail Road

Parcel Identifier (PID): 009-513-892 Folio: H-01207.000

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 front parcel line setback for a principal building in the Residential Single Family One (RS1) Zone, as prescribed in Section 12.1.5(a)(i) is varied:
 - i) from: 7.5 metres

to: 0.0 metres to the outermost projection as shown on Schedule 'B'.

COVENANT REQUIREMENTS

7. Not Applicable

SECURITY REQUIREMENTS

8. Not applicable

EXPIRY OF PERMIT

9. 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 _____, 2021.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

Development Variance Permit

File No. H2020.017-DVP

Schedule 'B'

ALLISON LAKE SITE PLAN
SCALE: 1/8"=1'-0"

DATE	NO.	REVISION BY	NO.	REVISION

CROSS SECTION A

SPECIFICATIONS

ROOF:
 TYPE: 12/12 GABLE
 FINISH: 1/2" OSB SHEATHING
 INSULATION: R-19 FIBERGLASS BATT INSULATION
 VENTING: 1/2" DIA. VENTING THROUGH ROOF

EAVES:
 TYPE: OPEN EAVES
 FINISH: ALUMINUM SOFFIT
 INSULATION: R-19 FIBERGLASS BATT INSULATION

EXTERIOR WALLS:
 TYPE: 8\"/>

INTERIOR WALLS:
 TYPE: 5/8\"/>

EXTERIOR OPENINGS:
 TYPE: 2\"/>

FLOOR:
 TYPE: 4\"/>

STAIRS:
 TYPE: 12\"/>

CRAWLSPACE SLAB:
 TYPE: 4\"/>

FOUNDATION DRAINAGE:
 TYPE: PERFORATED SLAB DRAINAGE (SEE NOTES DOWN)

INTERIOR FOUNDATION:
 TYPE: 12\"/>

EXTERIOR FOUNDATION:
 TYPE: 12\"/>

BEARING:
 TYPE: ALL FOUNDATION ELEMENTS TO BE CONSTRUCTED ON NATURAL BOUNDARY AS SHOWN ON PLAN 11484

NOTE:
 ALL FOUNDATION ELEMENTS TO BE CONSTRUCTED ON NATURAL BOUNDARY AS SHOWN ON PLAN 11484

GENERAL NOTES

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN AND ANY OTHER APPLICABLE AGENCIES.

2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN AND ANY OTHER APPLICABLE AGENCIES.

3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN AND ANY OTHER APPLICABLE AGENCIES.

4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN AND ANY OTHER APPLICABLE AGENCIES.

5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN AND ANY OTHER APPLICABLE AGENCIES.

KFN HOLLAND DESIGNS
 (250) 492-1111
 101 MARTIN ST, PENTICTON, BC V2A 5J9

ALLISON LAKE

SITE PLAN

CROSS SECTION

1 of 6

Regional District of Okanagan-Similkameen

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

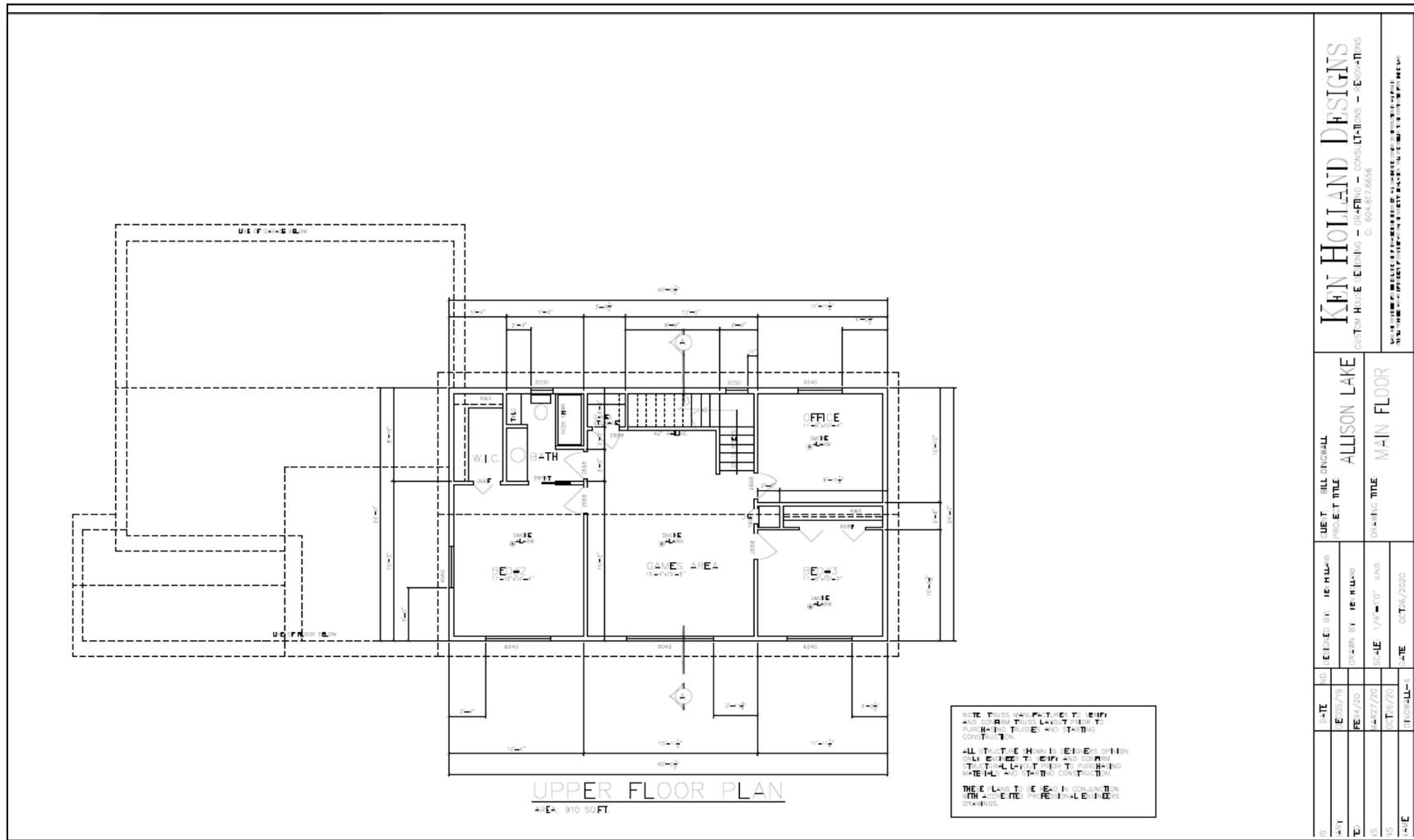
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. H2020.017-DVP

Schedule 'D'





Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** H2020.017-DVP

FROM: Name: William (Bill) Michael Ozeroff
(please print)

Street Address: 3004 Highway 5A Allison Lake B.C.
35850 Eaglecrest Dr. Abbotsford B.C.

RE: Development Variance Permit (DVP) Application
2991 Gophertail Road, Electoral Area "H"

My comments / concerns are:

- I do support the proposed variances at 2991 Gophertail Road.
- I do support the proposed variances at 2991 Gophertail Road, subject to the comments listed below.
- I do not support the proposed variances at 2991 Gophertail Road.

All written submissions will be considered by the Regional District Board

The owner of this property has tremendously cleaned and maintained the property over the past year. Further improvements in constructing a new seasonal dwelling on property should not be denied.

It must be recognized that this is a challenging lot and it is difficult to meet all municipal and provincial regulations.

I fully support the approval of this application knowing the owner has shown great diligence.

Thank you
Bill Ozeroff

Feedback Forms must be submitted to the RDOS office prior to the Board meeting.
All representations will be made public when they are included in the Board Agenda.

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “C”

Administrative Recommendation:

THAT the RDOS Board not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 376 Road 6 (Lot 170, Plan 1728, District Lot 2450S, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for farm labour accommodation in the Agricultural Land Reserve ALR.

Owners: Mohinder & Surinderpal Mann Agent: NA Folio: C-05482.000

Legal: Lot 170, Plan KAP1728, District Lot 2450S, SDYD Civic: 376 Road 6

OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20.1(2) of the *Agricultural Land Commission Act* (the Act) has been referred to the Regional District, in order to allow the development of farm labour housing on a parcel of land within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission’s approval to construct farm labour housing of approx. 256 m² in floor area.

In support of this proposal, the applicant has stated that “the purpose of this project is to place a 12 bedroom modular home for seasonal agriculture workers to help during the spring and summer seasons and help alleviate pressure placed on existing housing due to new COVID-19 regulations.”

Statutory Requirements:

Under Section 34(4) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) applies wherein the Board has the ability to refuse to “authorise” an application.

In this instance, Section 25(3) is seen to apply as the property “is zoned by bylaw to permit [an] agricultural or farm use” and an amendment to the Electoral Area “C” Zoning Bylaw will be required in order for the development to proceed.

Site Context:

The subject property is approximately 4.5 ha in area and is situated on the northeastern corner of Highway 97 and Road 6. It is understood that the parcel is comprised of a single detached dwelling with agricultural productivity on approx. 2.5 ha.

The surrounding pattern of development is generally characterised by similarly agricultural parcels used primarily for farming purposes.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on December 17, 1920, while available Regional District records indicate that a building permit for single detached dwelling has been issued in the past.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG). Under the Electoral Area “C” OCP Bylaw policies for Agriculture-designated lands the Board “supports establishing housing for year round farm help and seasonal farm workers” (Section 9.3.20).

Under Section 6.5 – Growth Management of the Electoral Area “C” OCP Bylaw, the Board “will direct growth to designated Primary and Rural Growth Areas, by discouraging the re-designation or re-zoning of land that permits residential uses outside of the Rural Growth Area containment boundaries” (Section 6.5.2) and “directs residential development away from designated Agricultural AG areas” (Section 6.5.7).

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One Zone (AG1) which allows for maximum number of two (2) dwellings (one principal and one accessory) for parcels less than 8.0 ha in size.

The Regional District has received written complaints regarding “untidy/unsightly premises” on site which was later resolved on October 29, 2020.

The property is within the Agricultural Land Reserve (ALR) and is classified as part Residential (Class 01) and part “Farm” (Class 09) by BC Assessment.

Analysis:

In considering this proposal, Administration notes that the Electoral Area “C” OCP Bylaw speaks to supporting “housing for year round farm help and seasonal farm workers” (e.g. farm labour housing).

The Zoning Bylaw supports this policy direction by permitting a maximum density in the AG1 Zone of one (1) principal dwelling along with one (1) accessory dwelling, the latter of which may have a floor area allowance not to exceed 90 m².

The Regional District has historically used parcel size as the basis for determining the need for additional dwellings “for farm use”, with larger parcels allotted a greater number of units and smaller parcels with fewer.

In this instance, the subject property is considered to be small, with a limited area of agricultural land in production (~2.5 ha), however, the applicant has indicated ownership of five (5) other agricultural parcels and four (4) leased parcels in Electoral Area “C” (see Attachment No. 4) with a total (farm-land) area of 47.1 ha (116 acres) where these farm workers will be employed.

At present, these nine (9) parcels are seen to comprise 8 dwelling units of unknown floor area and number of bedrooms. There may already be sufficient dwelling units on the applicant's various parcels to accommodate the labour requirements of their farm operation.

Administration is also concerned with the intensity of the current proposal (~256 m² residential footprint) and the potential use of the units by persons unrelated to the agricultural operation of the property, particularly in the off-season.

Should this proposal be authorised and subsequently approved by the ALC, the applicant will be required to seek an amendment to the Electoral Area "C" Zoning Bylaw in order to proceed.

This is due to how the zoning bylaw defines "accessory dwelling", as one residential living unit containing private cooking and bathroom facilities, and limits the total floor area to 90 m² for the subject parcel, whereas the applicant is proposing a modular with shared cooking and bathroom facilities, multiple rooms (12), and total floor area of approximately 256 m².

The provision of additional farm labour housing may help alleviate pressure placed on existing housing due to COVID-19 (*housing*) regulations.

In the end, the application to allow the proposed dwelling of 256 m² is inconsistent with the OCP Bylaw, which aims to limit residential development on agricultural lands.

Alternatives:

1. THAT the Board of Directors "authorize" the application for a "non-adhering residential use – Additional Residence for Farm Use" at 376 Road 6 (Lot 170, Plan 1728, District Lot 2450S, SDYD) to proceed to the Agricultural Land Commission]; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "C" Advisory Planning Commission (APC).

Respectfully submitted:

R. Gadoya

Rushi Gadoya, Planning Technician

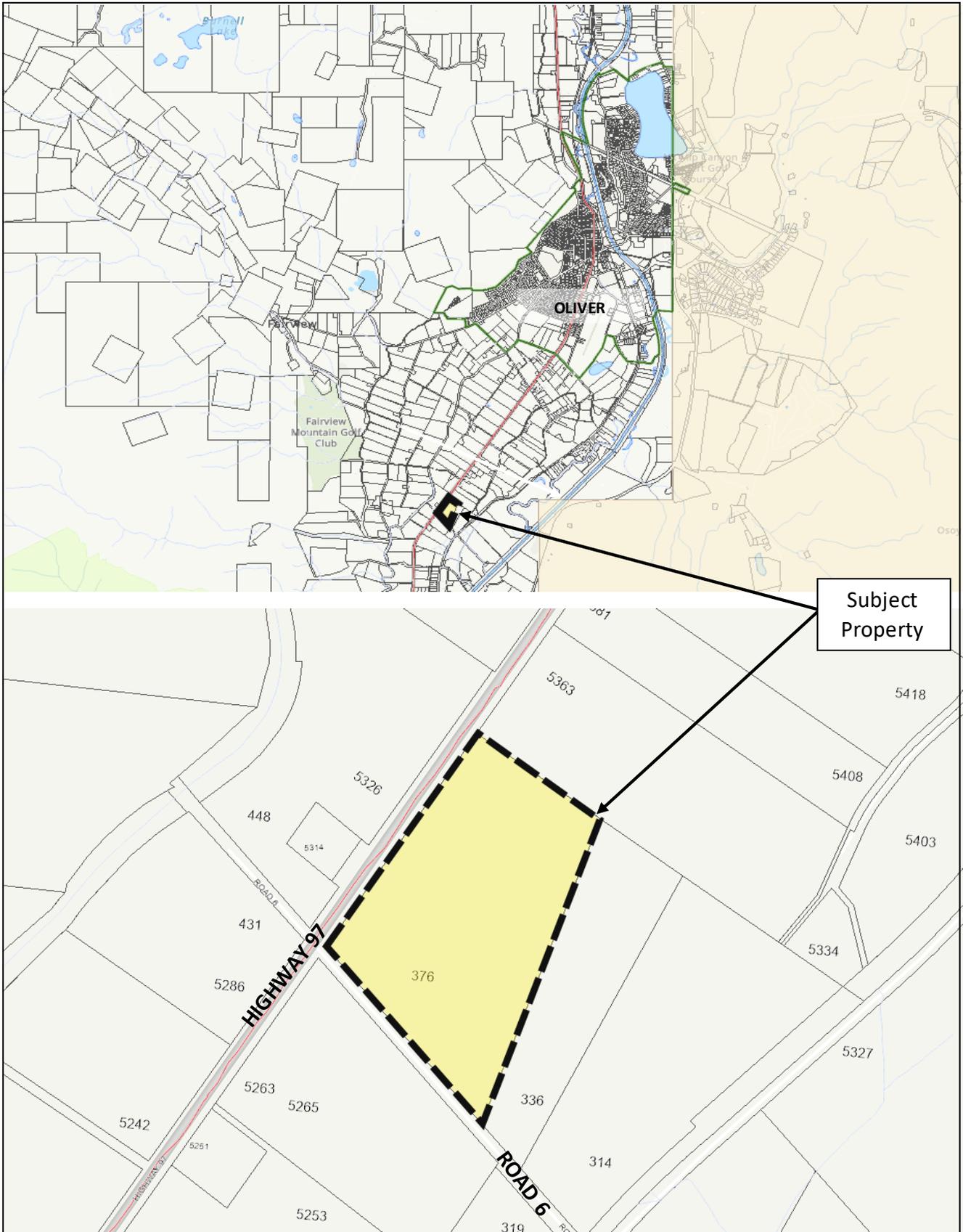
Endorsed By:



C. Garrish, Planning Manager

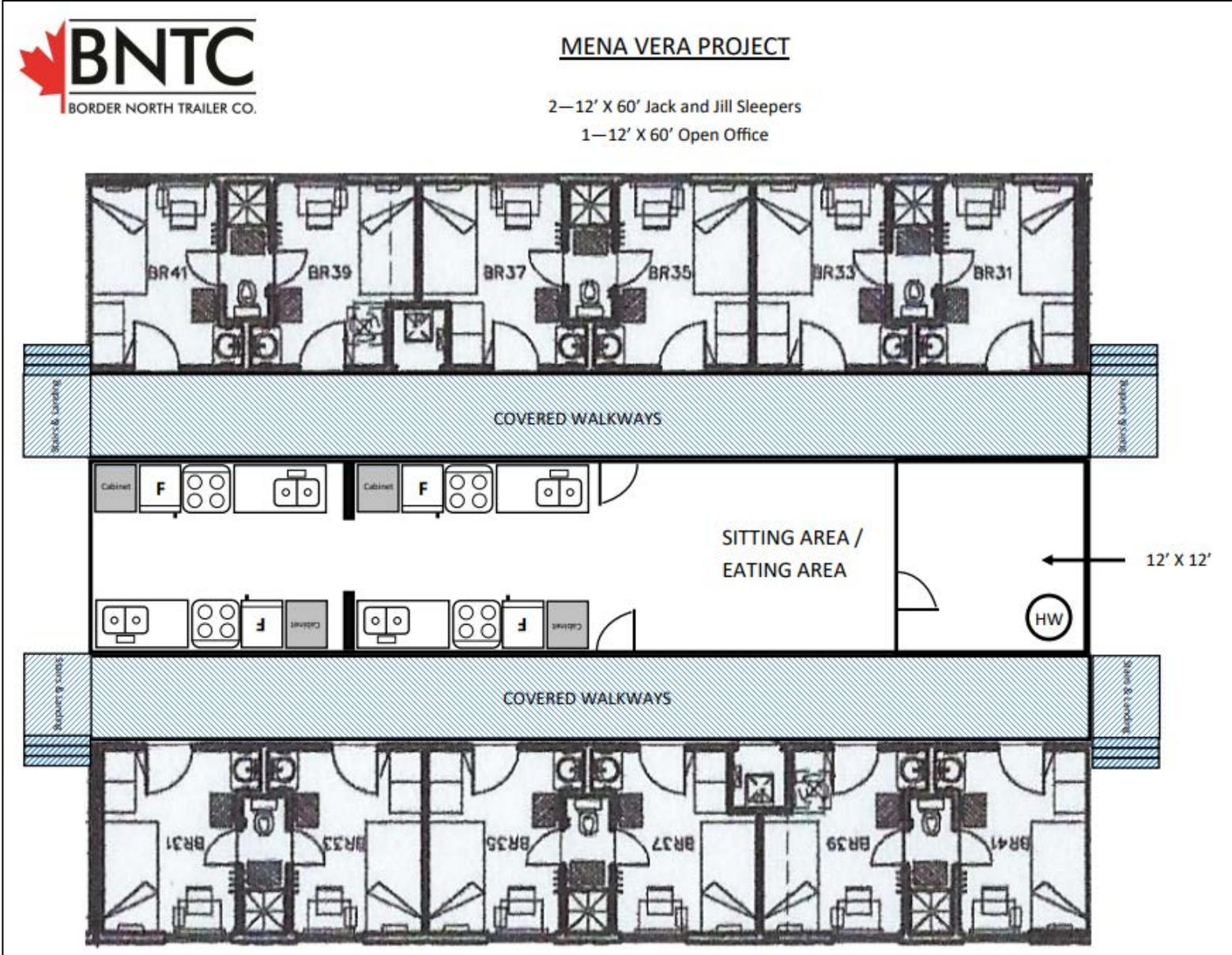
Attachments: No. 1 – Context Maps
No. 2 – Floor Plan
No. 3 – Site Photo
No. 4 – Other properties (Owned and Leased)

Attachment No. 1 – Context Maps

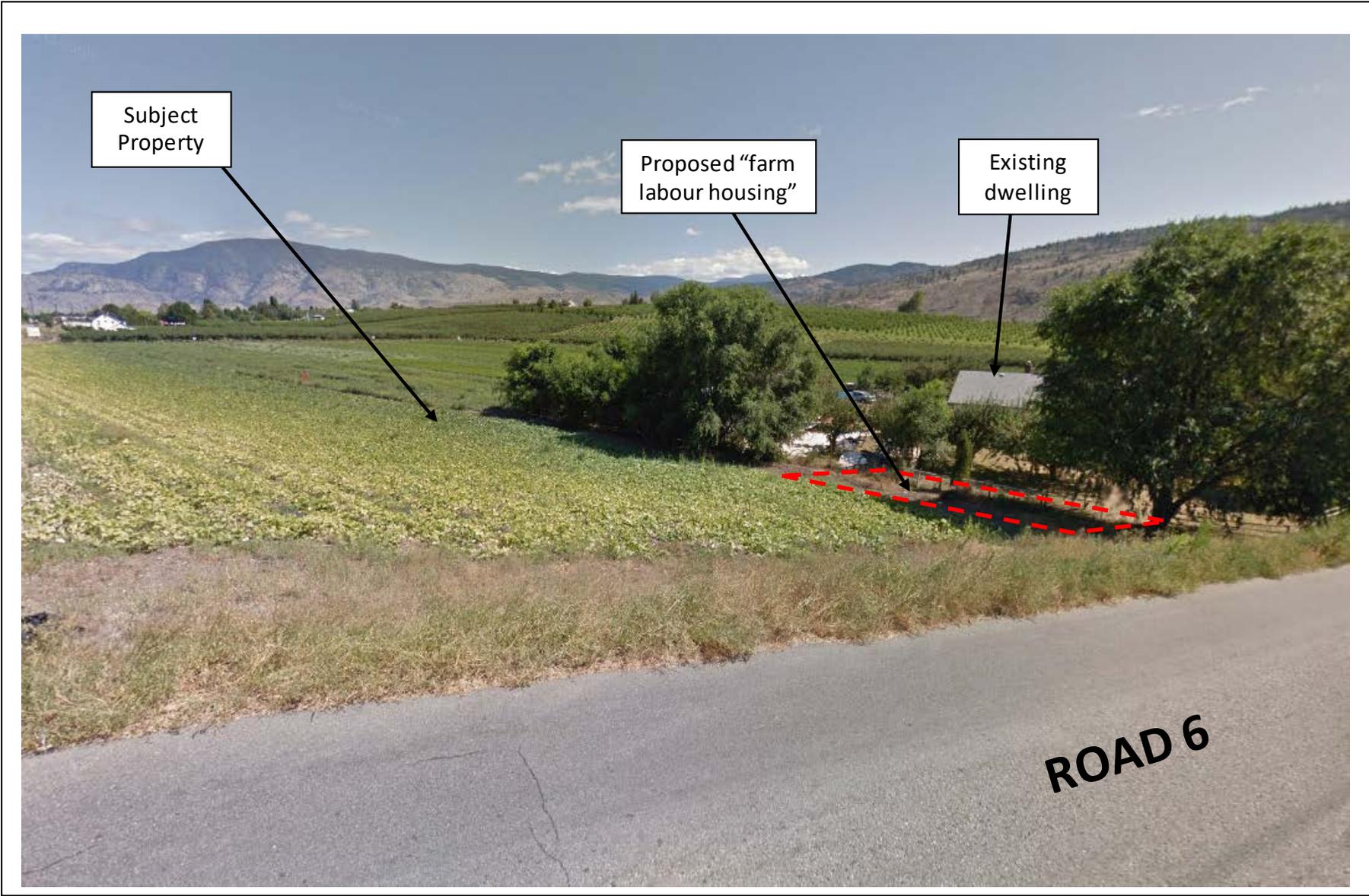


Subject Property

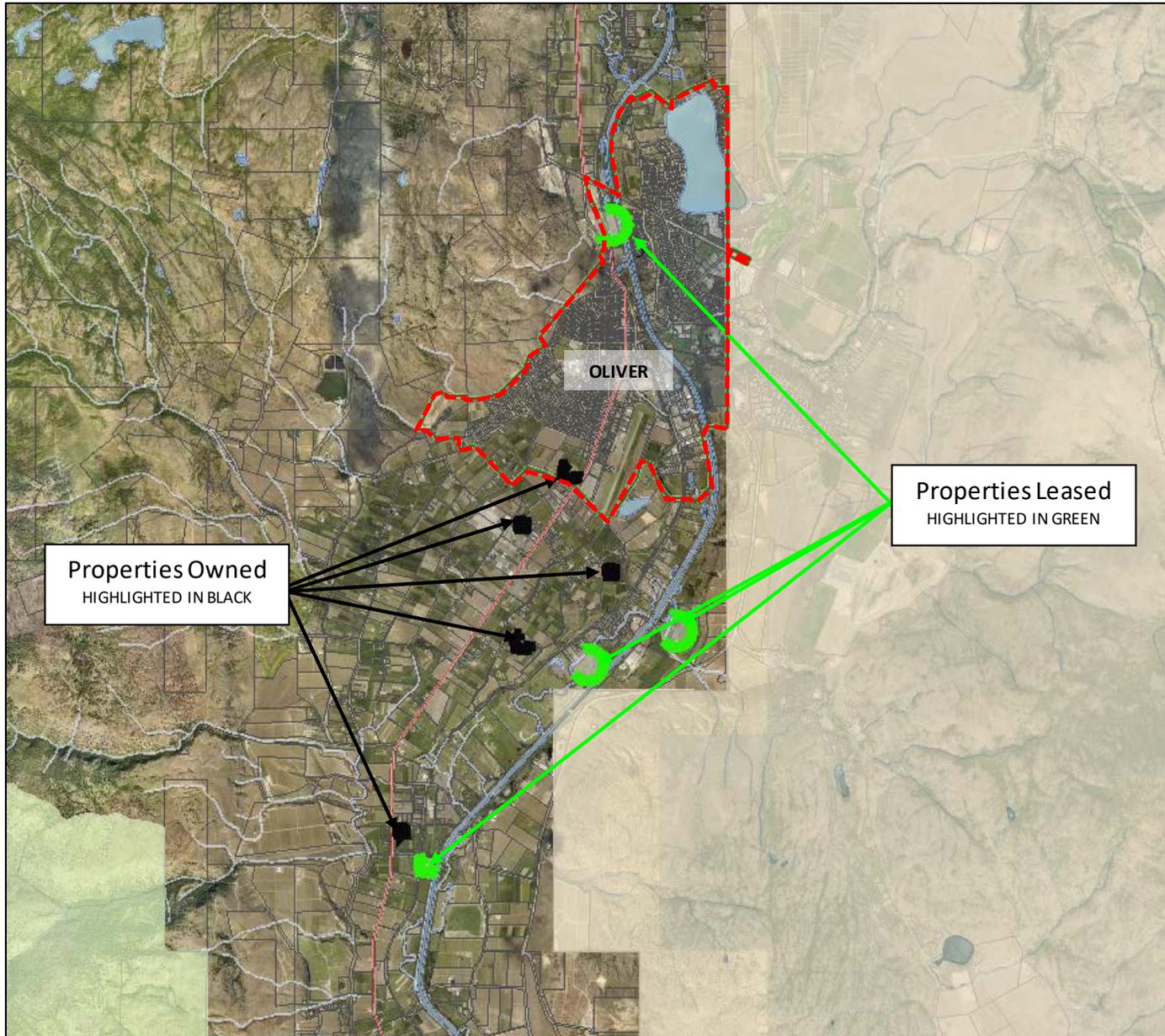
Attachment No. 2 – Proposed Floor Plan



Attachment No. 3 – Site Photo



Attachment No. 4 – Other properties in Electoral Area “C” (owned and leased)



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “C”

Administrative Recommendation:

THAT the RDOS Board not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 300 Road 20 (Lot A, Plan 74196, DL 2450S, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for a farm labour housing in the ALR.

Owners: Rockpit Vineyard LTD Agent: NA Folio: C-05873.050

Legal: Lot A, Plan 74196, DL 2450S, SDYD Civic: 300 Road 20

OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20.1(2) of the *Agricultural Land Commission Act* (the Act) has been referred to the Regional District, in order to allow the development of farm labour housing on a parcel of land within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission’s approval to construct farm labour housing with floor area of approximately 256 m².

In support of this proposal, the applicant has stated that *“we would like to add additional space to house farm workers throughout the year. There are very limited spaces available in the community to house farm workers. With the current government requirements to house the workers separately due to contain the spread of COVID we would like to provide each work with dedicated living space.”*

Statutory Requirements:

Under Section 34(4) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) applies wherein the Board has the ability to refuse to “authorise” an application.

In this instance, Section 25(3) is seen to apply as the property “is zoned by bylaw to permit [an] agricultural or farm use” and an amendment to the Electoral Area “C” Zoning Bylaw will be required in order for the development to proceed.

Site Context:

The subject property is approximately 4 ha in area and is situated on the east end of Road 20. It is understood that the parcel is comprised of a mobile home.

The surrounding pattern of development is generally characterised by agricultural operations to the north, south and west and part conservation area and part agricultural lands to the east.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 3, 2008, while available Regional District records indicate that a building permit for mobile home (2012) have previously been issued for this property.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG). Under the Electoral Area “C” OCP Bylaw policies for Agriculture-designated lands the Board “supports establishing housing for year round farm help and seasonal farm workers” (Section 9.3.20).

Under Section 6.5 – Growth Management of the Electoral Area “C” OCP Bylaw, the Board “will direct growth to designated Primary and Rural Growth Areas, by discouraging the re-designation or re-zoning of land that permits residential uses outside of the Rural Growth Area containment boundaries” (Section 6.5.2) and “directs residential development away from designated Agricultural AG areas” (Section 6.5.7).

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One Zone (AG1) which allows for maximum number of two (2) dwellings (one principal and one accessory) for parcels less than 8.0 ha in size.

The property is within the Agricultural Land Reserve (ALR) and is classified Residential (Class 01) and Farm (Class 09) by BC Assessment.

Analysis:

The Electoral Area “C” OCP Bylaw speaks to supporting “housing for year round farm help and seasonal farm workers. The Zoning Bylaw supports this policy direction by permitting a maximum density in the AG1 Zone of one (1) principal dwelling along with one (1) accessory dwelling, the latter of which may have a floor area allowance not to exceed 90 m².

The Regional District has historically used parcel size as the basis for determining the need for additional dwellings “for farm use”, with larger parcels allotted a greater number of units and smaller parcels with fewer. In this instance, the subject property is relatively small, with a limited area of agricultural land in production (~3.5 ha), however, the applicant has indicated that additional farm workers are required to perform farm activities on roughly 48.5 ha (120 acres) that they own and/or lease.

A concern has also been identified with the intensity of the current proposal (~256 m² residential footprint) and the potential use of the units by person unrelated to the agricultural operation of the property, particularly in the off-season.

Should this proposal be authorised and subsequently approved by the ALC, the applicant will be required to seek an amendment to the Electoral Area “C” Zoning Bylaw in order to proceed. This is due to the zoning bylaw defines “accessory dwelling” as one residential living unit containing private

cooking and bathroom facilities, and limits the total floor area to 90 m² for subject parcel, whereas the applicant is proposing a modular with shared cooking and bathroom facilities, multiple rooms (12), and total floor area of approximately 256 m².

The provision of additional farm labour housing may help alleviate pressure placed on existing housing due to COVID-19 (housing) regulations.

In summary, the application to allow proposed dwelling of size 256 m² is inconsistent with the OCP Bylaw, which aims to limit residential development on agricultural lands.

Alternatives:

1. THAT the Board of Directors “authorize” the application for a “Non-Adhering Residential Use – Additional Residence for Farm Use” at 300 Road 20 (Lot A, Plan 74196, DL 2450S, SDYD) to proceed to Agricultural Land Commission; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “C” Advisory Planning Commission (APC).

Respectfully submitted:

R. Gadoya

Rushi Gadoya, Planning Technician

Endorsed By:



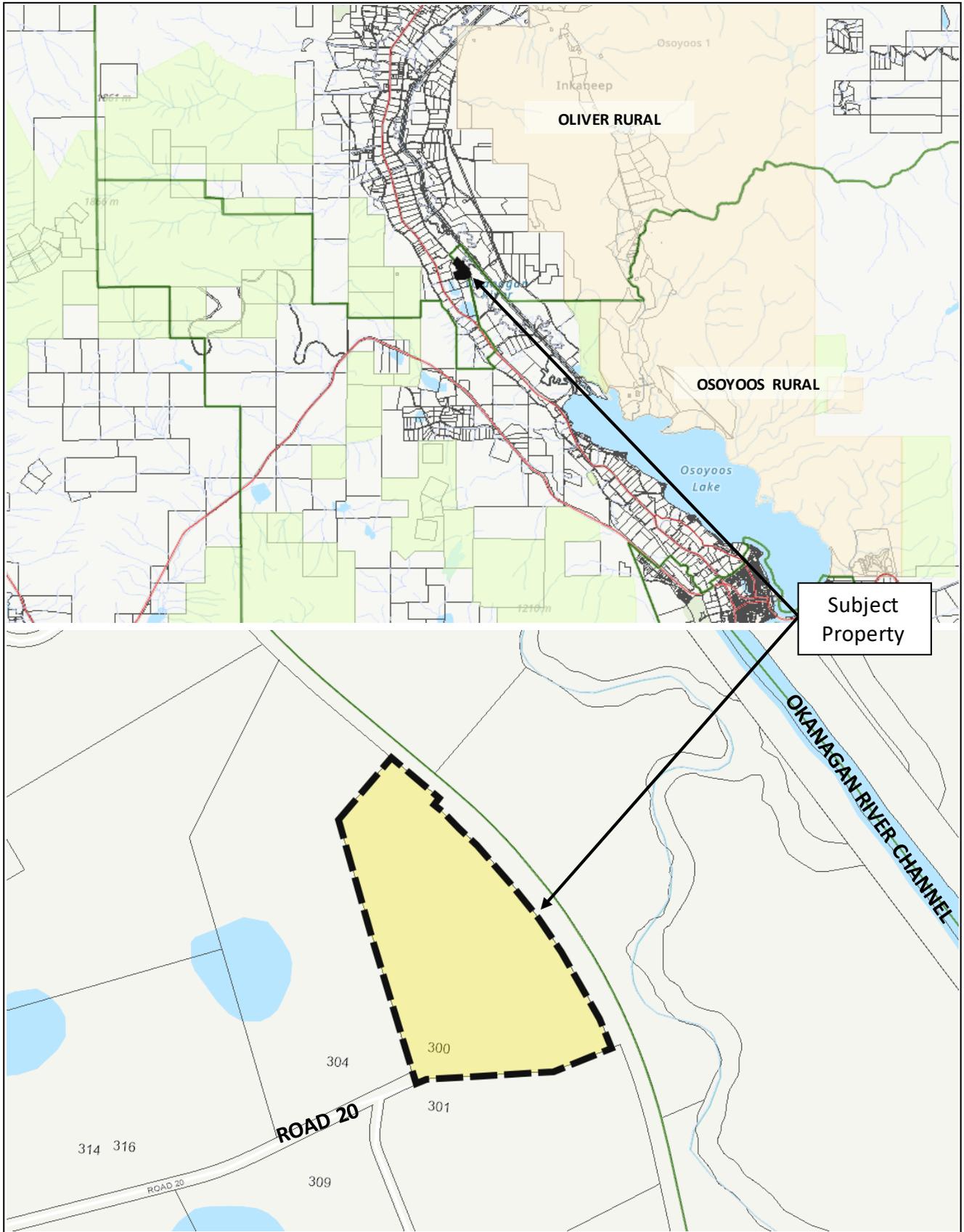
C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

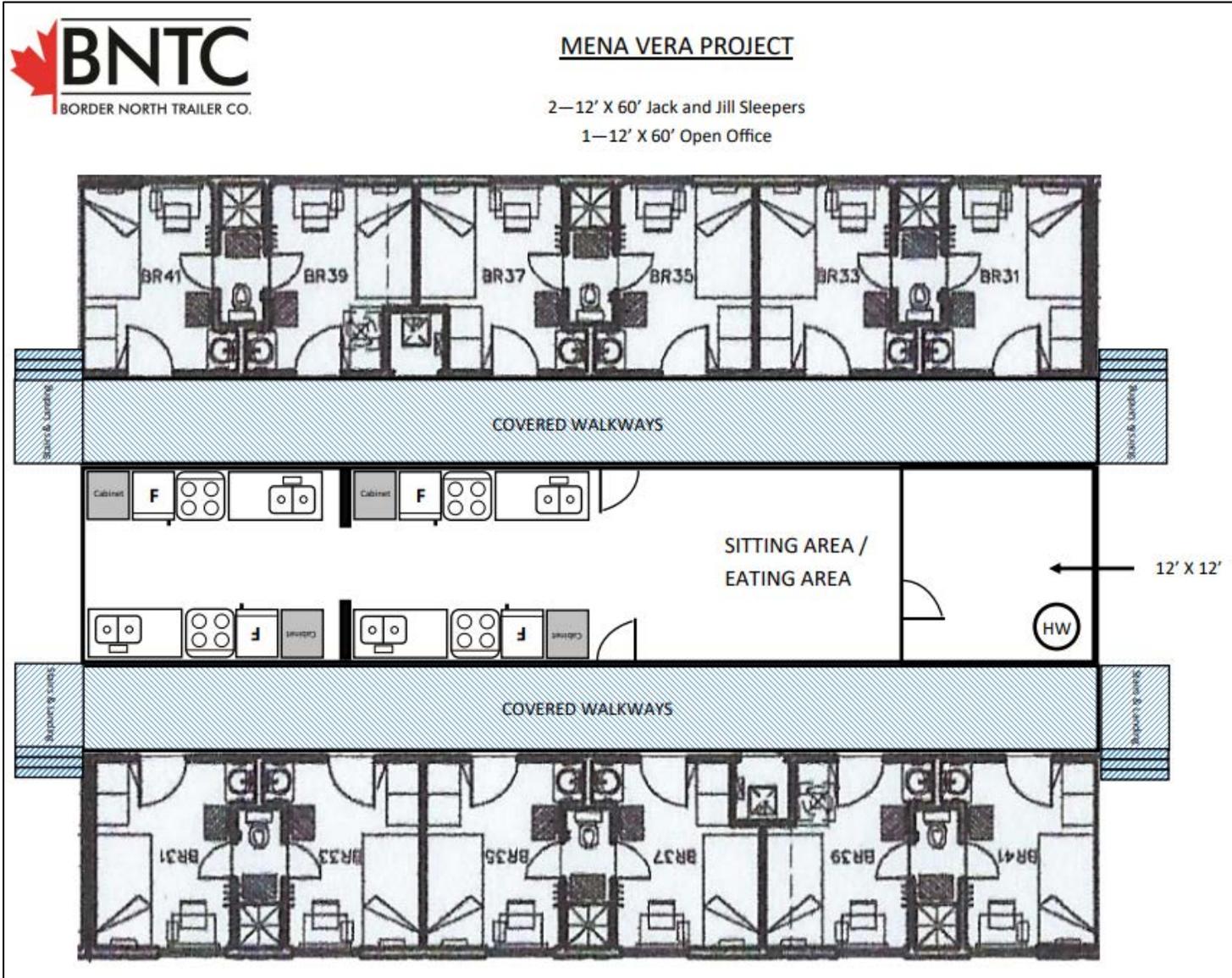
No. 2 – Applicant’s Floor Plan

No. 3 – Interior Plan

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Floor Plan



Attachment No. 3 – Interior Plans



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D”
Residential Zone Update – Comprehensive Development (CD) Zones (Phase 3)

Administrative Recommendation:

THAT Bylaw No. 2603.20, 2020, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area “D” Zoning Amendment Bylaw be adopted.

Proposed Development:

The amendment bylaws are proposing to update the Comprehensive Development (CD) Zone in Electoral Area “D” as part of on-going work related to the preparation of a single zoning bylaw for the South Okanagan Valley Electoral Areas.

Background:

At its meeting of November 19, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of December 17.

A Public Hearing was subsequently held on December 17, 2020, and no members of the public attended. This was followed by Board approval of third reading of the amendment bylaw at its meeting of that same date.

Approval from the Ministry of Transportation and Infrastructure (MoTI) due to the amendment applying to land within 800 metres of a controlled area, was obtained on December XX, 2020.

Alternatives:

1. THAT adoption of Bylaw No. 2603.20, 2020, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area “D” Zoning Amendment Bylaw be deferred; or
2. THAT first, second and third readings of Bylaw No. 2603.20, 2020, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area “D” Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'C. Garrish', is written over a horizontal line.

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.20, 2020

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 “D” Official Community Plan Amendment Bylaw No. 2603.20, 2020.”
2. The Electoral Area “D” Official Community Plan Bylaw No. 2603, 2013, is amended by:
 - i) adding a new Section 10.4.3 (Policies – Large Holdings) under Section 10.0 (Rural Holdings) to read as follows and re-numbering all subsequent sections:
 - .3 Supports a maximum density of one (1) principal residential dwelling unit per parcel and one (1) secondary suite or one (1) accessory dwelling in the Upper Carmi area.
 - ii) adding a new Section 10.4.4 (Policies – Large Holdings) under Section 10.0 (Rural Holdings) to read as follows and re-numbering all subsequent sections:
 - .4 Does not support the subdivision of lots in the Upper Carmi area until such time that detailed plans and studies conclude that lots smaller than 4.0 ha can be satisfactorily accommodated given the servicing constraints in the area and the high ecosystem values, and until the Regional Growth Strategy is amended to reflect future growth in this area.
 - iii) adding a new Section 10.5.4 (Policies – Small Holdings) under Section 10.0 (Rural Holdings) to read as follows:
 - .4 Supports secondary suites and accessory dwellings, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.

- iv) adding a new Section 11.3.8 (Policies – Low Density Residential) under Section 11.0 (Residential) to read as follows:
 - .8 Supports the use of a comprehensive development zone to allow a range of Medium Density Residential (MR) and Low Density Residential (LR) densities and dwelling types on the land described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD (187 & 195 Eastside Road). As this land is developed, the comprehensive development zone should be replaced with existing zones found in the applicable zoning bylaw.

 - v) adding a new Section 11.3.9 (Policies – Low Density Residential) under Section 11.0 (Residential) to read as follows:
 - .9 Supports the use of a comprehensive development zone to allow a maximum of 6 principal dwellings in a variety of dwelling types on the land described as Lot 14, Plan KAP82660, District Lot 2710, SDYD (187 Racette Way). As this land is developed, the comprehensive development zone should be replaced with existing zones found in the applicable zoning bylaw.

 - vi) adding a new Section 11.3.10 (Policies – Low Density Residential) under Section 11.0 (Residential) to read as follows:
 - .10 Supports the use of a comprehensive development zone to allow a range of Medium Density Residential (MR) and Low Density Residential (LR) densities and dwelling types on the land described as Plan KAP90314, District Lot 2710, SDYD (175 Eastside Road). As this land is developed, the comprehensive development zone should be replaced with existing zones found in the applicable zoning bylaw.
3. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by changing the land use designation of:
- i) the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Low Density Residential (LR) to Small Holdings (SH).
 - ii) an approximately 8,000 m² area part of the land described as Lot 1, Plan KAP35151, Sublot 38, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Low Density Residential (LR) to Resource Area (RA).

READ A FIRST AND SECOND TIME this 19th day of November, 2020.

PUBLIC HEARING held on this 17th day of December, 2020.

READ A THIRD TIME this 17th day of December, 2020.

ADOPTED this this _____ day of _____, 2021.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

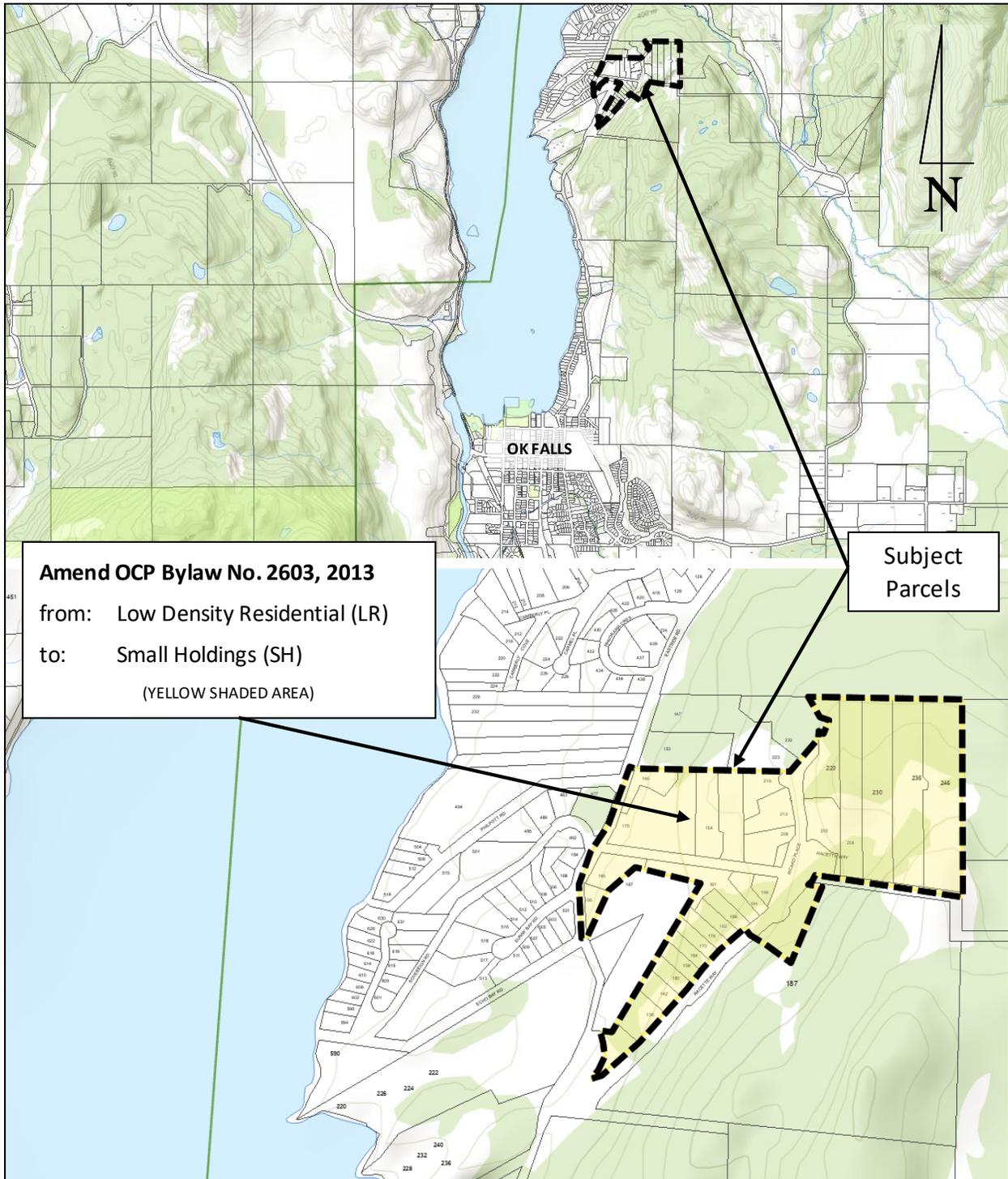
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.20, 2020

File No. D2020.004-ZONE

Schedule 'A'



Regional District of Okanagan-Similkameen

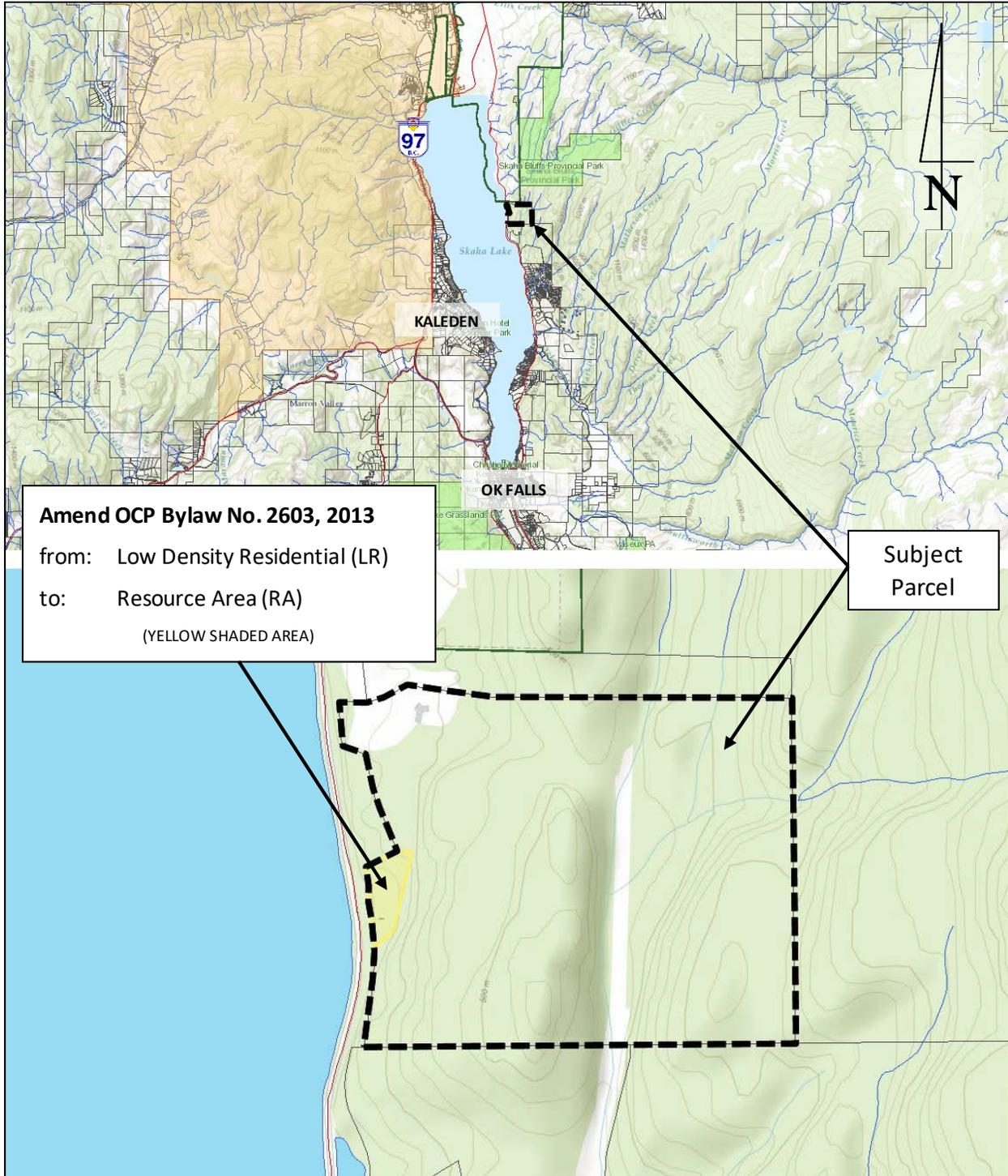
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.20, 2020

File No. D2020.004-ZONE

Schedule 'B'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.42, 2020

A Bylaw to amend the Electoral Area “D” Zoning Bylaw No. 2455, 2008

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “D” Zoning Amendment Bylaw No. 2455.42, 2020.”
2. The “Electoral Area “D” Zoning Bylaw No. 2455, 2008” is amended by:

- i) Replacing the “Low Density Residential Zones” part of Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) in its entirety with the following:

Low Density Residential Zones

Low Density Residential Two Zone	RS2
Low Density Residential Duplex Zone	RD1
Residential Manufactured Home Park Zone	RSM1

- ii) Replacing the “Comprehensive Development Zones” part of Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) in its entirety with the following:

Comprehensive Development Zones

Maple Street Comprehensive Development Zone	CD5
Eagle’s Rock Comprehensive Development Zone	CD9
Eastside Road South Comprehensive Development Zone	CD10
Eastside Road North Comprehensive Development Zone	CD11

- iii) replacing Section 7.15 (Cluster Development) under Section 7.0 (General Regulations) in its entirety with the following:

7.15 *deleted*

- iv) replacing Section 11.1 (Residential Single Family One (RS1) Zone) under Section 11.0 (Low Density Residential) in its entirety with the following:

11.1 *deleted*

- v) replacing Section 11.2 (Low Density Residential Two (RS2) Zone) under Section 11.0 (Low Density Residential) in its entirety with the following:

11.2 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.2.1 Permitted Uses:

Principal uses:

- a) single detached dwellings;

Secondary uses:

- b) accessory dwelling, subject to Section 7.11;
c) secondary suite, subject to Section 7.12;
d) home occupations, subject to Section 7.17;
e) bed and breakfast operation, subject to Section 7.19;
f) accessory buildings and structures, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 19.9.

11.2.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

11.2.4 Minimum Parcel Width:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel; and
b) one (1) secondary suite or one (1) accessory dwelling per parcel.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 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: 1.0 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

11.2.7 Maximum Height:

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

11.2.8 Minimum Building Width:

- a) Dwelling Unit: 5.0 metres, as originally designed and constructed.

11.2.9 Maximum Parcel Coverage:

- a) 45%

vi) replacing Section 13.1.1(i) (Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) in its entirety with the following:

- i) apartment building, subject to Section 13.1.10;

vii) adding a new Section 13.1.1(n) (Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) to read as follows and renumbering all subsequent sections:

- n) townhouse, subject to Section 13.1.10;

viii) replacing Section 14.2.1(d) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) in its entirety with the following:

- d) apartment building, subject to Section 14.2.5;

ix) replacing Section 14.2.1(i) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) to read as follows and renumbering all subsequent sections:

i) townhouse, subject to Section 14.2.5;

x) replacing Section 14. 2.1(i) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) in its entirety with the following:

14.2.5 Dwelling Unit Regulations

a) dwelling units shall be located above the first floor or at the rear of a building containing a principal commercial use.

xi) replacing Section 18.1 (Comprehensive Development (CD) Zone) under Section 18.0 (Comprehensive Development) in its entirety with the following:

18.1 *deleted*

xii) adding a new Section 18.3 (Eagle’s Rock Comprehensive Development (CD9) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

18.3 EAGLE’S ROCK COMPREHENSIVE DEVELOPMENT (CD9) ZONE

18.3.1 Purpose

The purpose of the Eagle’s Rock Comprehensive Development Zone is to create site-specific land use regulations for the parcel located at 187 Racette Way, which is legally described as Lot 14, Plan KAP82660, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.3.2 Location

The property is situated on the east side of Racette Way near its intersection with Eastside Road.



Figure 18.3.2

18.3.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on December 14, 2006, while available Regional District records indicate that buildings permits have no previously been issued for the property (as of 2020).

The property is within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but is not serviced by a community sewer system (as of 2020).

18.3.4 Permitted Uses:

Principal Uses:

- a) duplex;
- b) single detached dwelling;
- c) townhouse;

Accessory Uses:

- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory buildings and structures, subject to Section 7.13.

18.3.5 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.3.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.3.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel for single detached dwellings;
- b) two (2) dwelling units per parcel for duplexes, provided that both dwellings are located in one (1) residential building; or
- c) despite Section 18.3.7(a) & (b), on parcels greater than 2.3 ha in area, the maximum number of principal dwelling units shall not exceed six (6).

18.3.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

18.3.9 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.

18.3.10 Maximum Parcel Coverage:

- a) 75% for townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.3.11 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

18.3.12 Conditions of Use:

- a) the minimum land area on which a townhouse use may be undertaken shall be 1,000.0 m².
- b) a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.

xiii) adding a new Section 18.4 (Eastside Road South Comprehensive Development (CD10) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

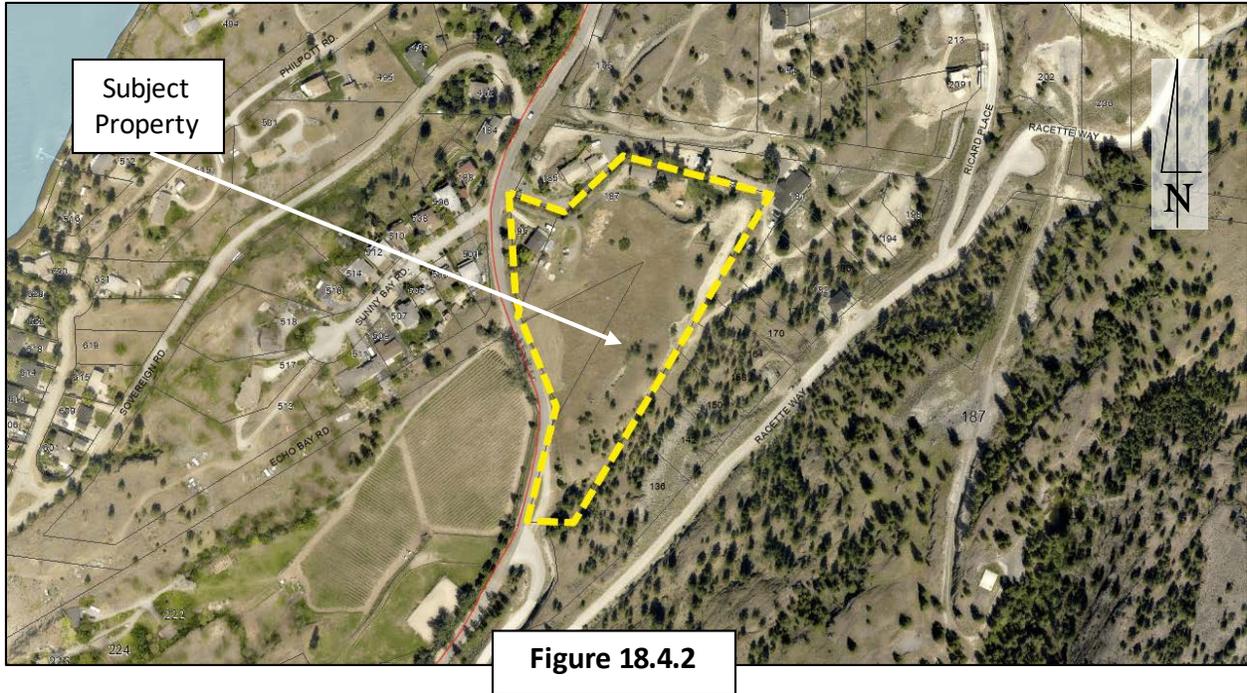
18.4 EASTSIDE ROAD SOUTH COMPREHENSIVE DEVELOPMENT (CD10) ZONE

18.4.1 Purpose

The purpose of the Eastside Road South Comprehensive Development Zone is to create site-specific land use regulations for the parcels located at 187 & 195 Eastside Road, which are legally described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.4.2 Location

The parcels are situated on the east side of Eastside Road adjacent its intersection with Echo Bay Road (an unmade road).



18.4.3 Background:

The subject property was originally created by a plan of subdivision deposited with the Land Titles Office in Kamloops on December 31, 1914, and further subdivided in subsequent decades resulting in the current parcels.

Available Regional District records indicate that a buildings permit was previously issued for an addition to a dwelling in 1988, and that the property has historically been used as a farm.

The parcels are within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but are not serviced by a community sewer system (as of 2020).

18.4.4 Permitted Uses:

Principal Uses:

- a) agriculture;
- b) apartment building;
- c) duplex;
- d) single detached dwelling;
- e) townhouse;

Accessory Uses:

- f) bed and breakfast operation, subject to Section 7.19;
- g) home occupation, subject to Section 7.17;
- h) secondary suite, subject to Section 7.12;
- i) brewery, cidery, distillery, meadery or winery, subject to Section 7.24, and on the same parcel as an agriculture use; and
- j) accessory buildings and structures, subject to Section 7.13.

18.4.5 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 450.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.4.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.4.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel for single detached dwellings;
- b) two (2) dwelling units per parcel for duplexes, provided that both dwellings are located in one (1) residential building; or
- c) 25 dwellings per hectare for apartment buildings and townhouses, subject to servicing requirements.

18.4.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres

- ii) Rear parcel line: 1.5 metres
- iii) Interior side parcel line: 1.5 metres
- iv) Exterior side parcel line: 4.5 metres

18.4.9 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.

18.4.10 Maximum Parcel Coverage:

- a) 75% for apartment buildings and townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.4.11 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

18.4.12 Amenity Space Requirements:

- a) the following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

18.4.13 Conditions of Use:

- a) the minimum land area on which an apartment building or townhouse use may be undertaken shall be 1,000.0 m².

xiv) adding a new Section 18.5 (Eastside Road North Comprehensive Development (CD11) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

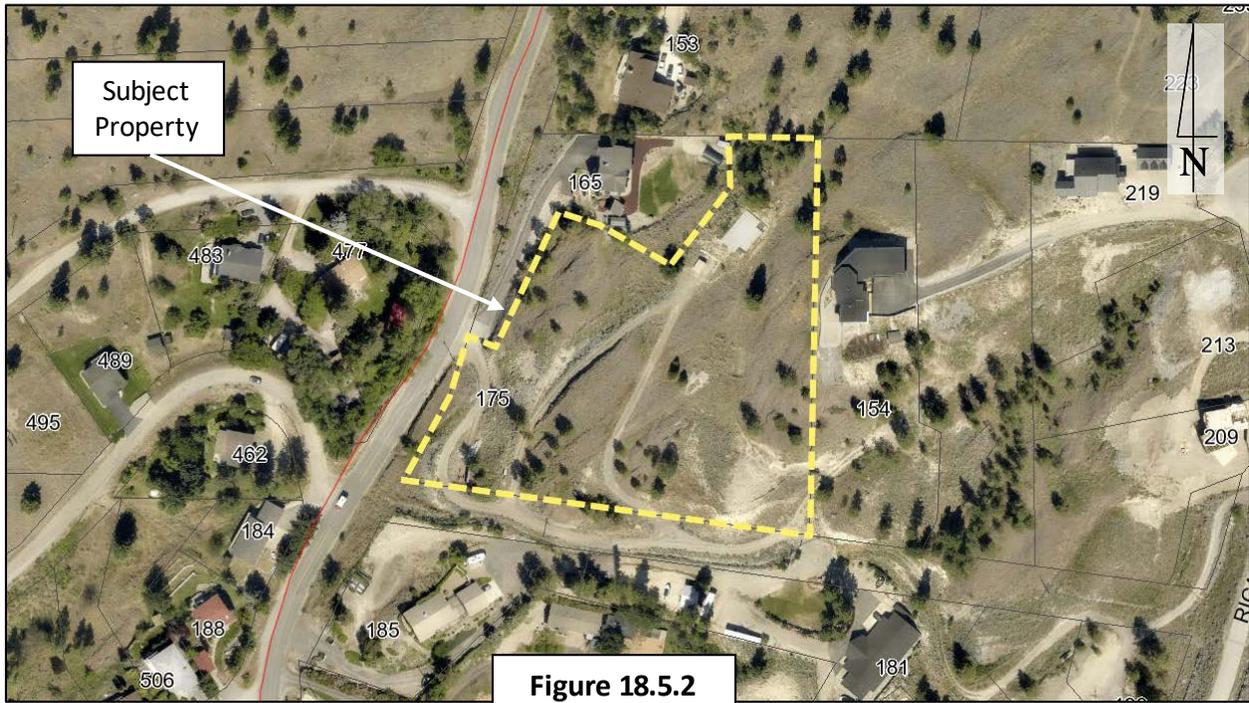
18.5 EASTSIDE ROAD NORTH COMPREHENSIVE DEVELOPMENT (CD11) ZONE

18.5.1 Purpose

The purpose of the Eastside Road North Comprehensive Development Zone is to create site-specific land use regulations for the parcel located at 175 Eastside Road, which is legally described as Plan KAP90314, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.5.2 Location

The property is situated on the east side of Eastside Road near its intersection with Philpott Road.



18.5.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on January 29, 2010, while available Regional District records indicate that buildings permits have not previously been issued for the property (as of 2020).

The property is within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but is not serviced by a community sewer system (as of 2020).

18.5.4 Permitted Uses:

Principal Uses:

- a) duplex;
- b) single detached dwelling;
- c) townhouse;

Accessory Uses:

- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory buildings and structures, subject to Section 7.13.

18.5.5 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 500.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.5.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.5.7 Maximum Density:

- a) 18 dwellings/ha, subject to servicing requirements.

18.5.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres

- iii) Interior side parcel line: 1.5 metres
- iv) Exterior side parcel line: 4.5 metres

18.5.9 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.

18.5.10 Maximum Parcel Coverage:

- a) 75% for townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.5.11 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

18.5.12 Conditions of Use:

- a) the minimum land area on which a townhouse use may be undertaken shall be 1,000.0 m².
- b) a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.

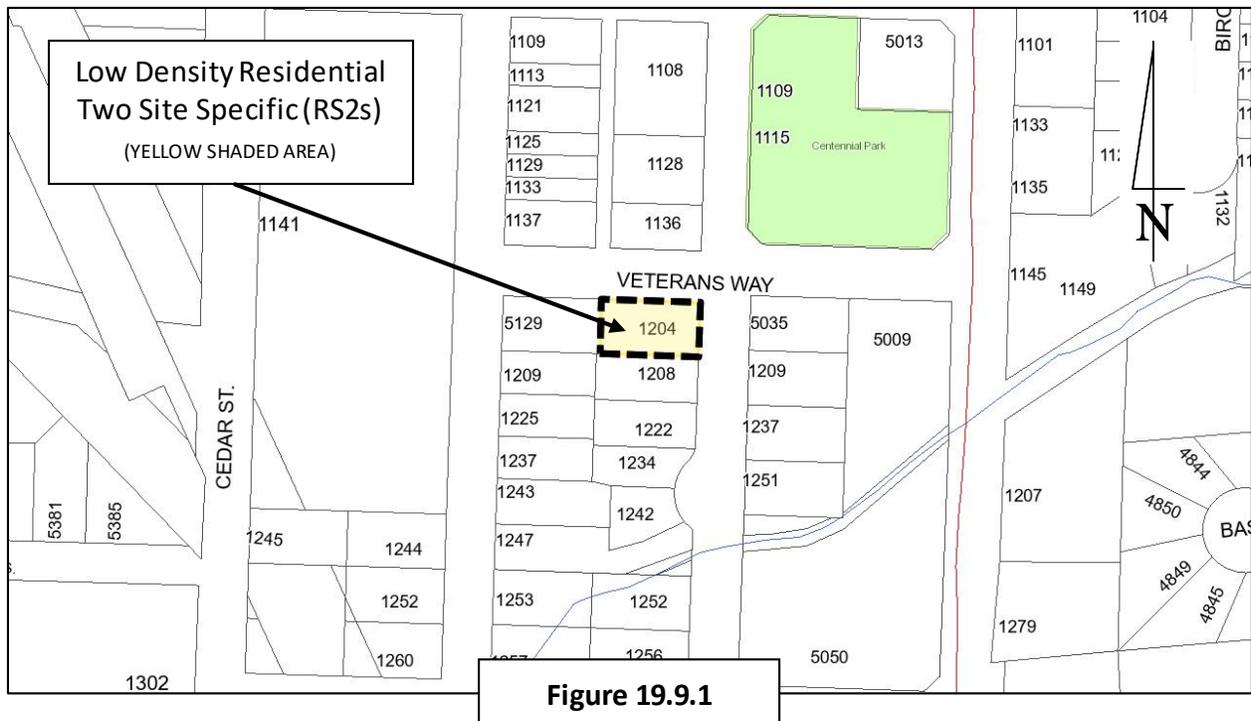
xv) replacing Section 19.8 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.8 *deleted*

xvi) replacing Section 19.9 (Site Specific Low Density Residential Two (RS2s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.9 Site Specific Low Density Residential Two (RS2s) Provisions:

- .1 in the case of the land described as Lot 14, Plan 1280, Block 5, District Lot 374, SDYD (1204 Willow Street), and shown shaded yellow on Figure 19.9.1:
 - i) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 11.2.1:
 - a) “veterinary establishment”.



xvii) replacing Section 19.30 (Site Specific Comprehensive Development (CDs) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.30 deleted

3. The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation of:
 - i) the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Comprehensive Development Site Specific (CDs) to Low Density Residential Two (RS2).
 - ii) the land shown shaded purple on Schedule 'A', which forms part of this Bylaw, from Comprehensive Development (CD) to Low Density Residential Two (RS2).
 - iii) land shown shaded purple on Schedule 'B', which forms part of this Bylaw, from Comprehensive Development (CD) to Small Holdings Four (SH4).
 - iv) the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Comprehensive Development (CD) to Small Holdings Five (SH5).
 - v) an approximately 2.3 ha area of the land shown shaded green on Schedule 'C', which forms part of this Bylaw, from Comprehensive Development Site Specific (CDs) to Eagle's Rock Comprehensive Development (CD9).

- vi) the land described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Comprehensive Development Site Specific (CD) to Eastside Road South Comprehensive Development (CD10).
- vii) the land described as Plan KAP90314, District Lot 2710, SDYD (175 Eastside Road) and shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Comprehensive Development Site Specific (CD) to Eastside Road North Comprehensive Development (CD11).
- viii) an approximately 8,000 m² area part of the land described as Lot 1, Plan KAP35151, Sublot 38, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Comprehensive Development (CD) to Resource Area (RA).
- ix) the land described as Lot 14, Plan 1280, Block 5, District Lot 374, SDYD (1204 Willow Street) and shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two Site Specific (RS2s).
- x) the land described as Lot 5, Plan 9324, District Lot 337, SDYD (716 Mosley Place) and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two (RS2).
- xi) all parcels zoned Residential Single Family One (RS1) to Low Density Residential Two (RS2).

READ A FIRST AND SECOND TIME this 19th day of November, 2020.

PUBLIC HEARING held on this 17th day of December, 2020.

READ A THIRD TIME this 17th day of December, 2020.

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of December, 2020.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

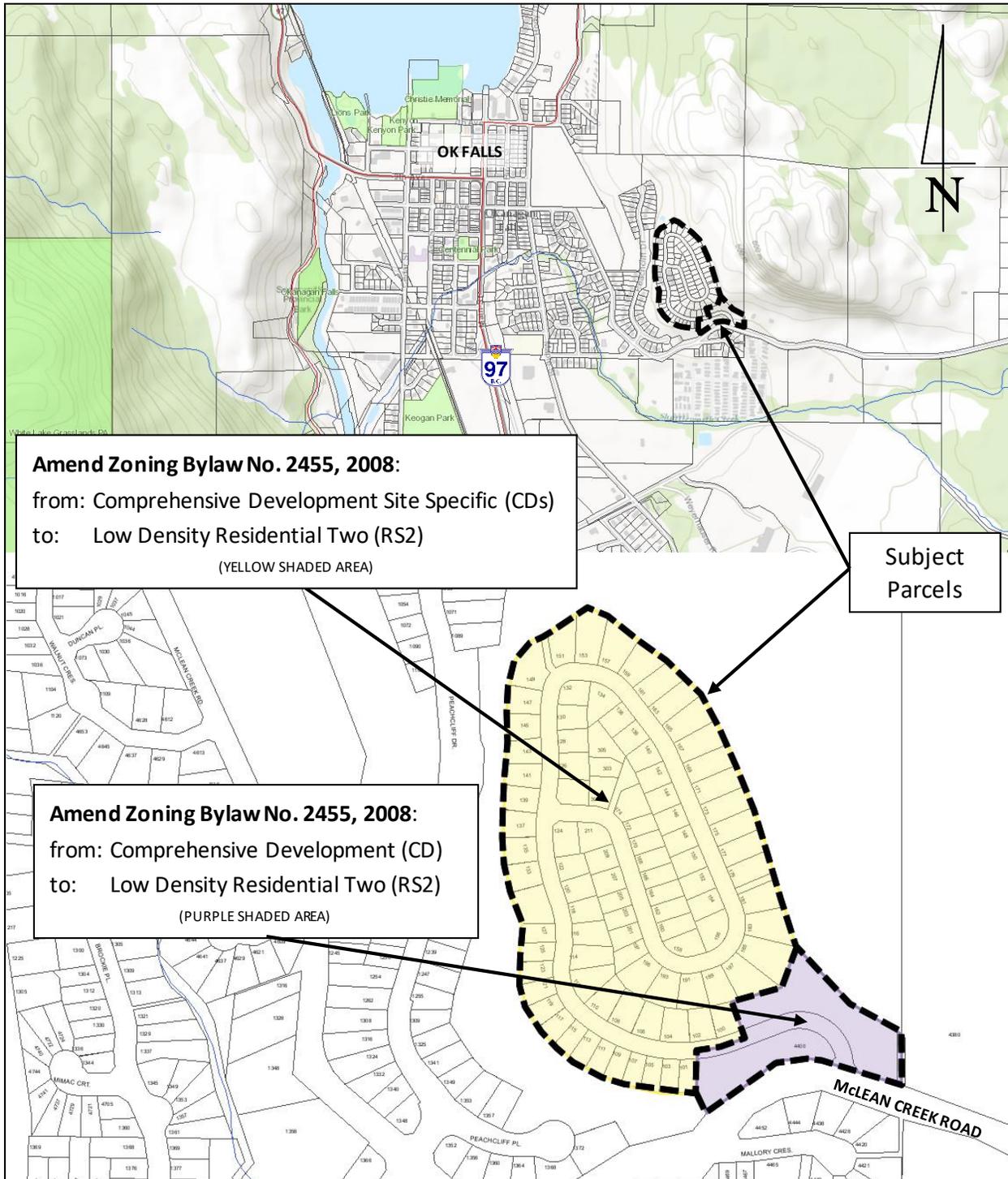
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'A'



Regional District of Okanagan-Similkameen

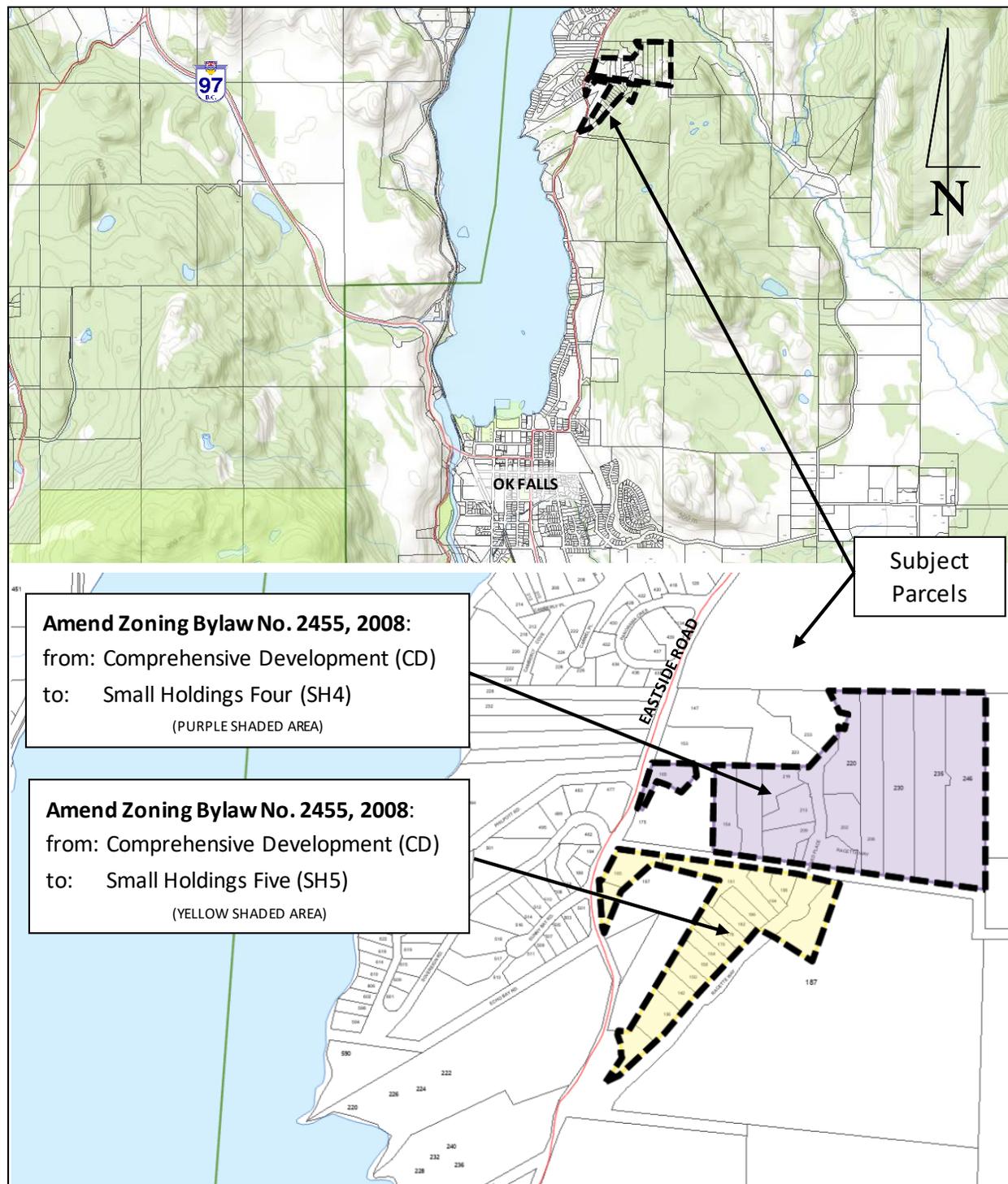
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'B'



Regional District of Okanagan-Similkameen

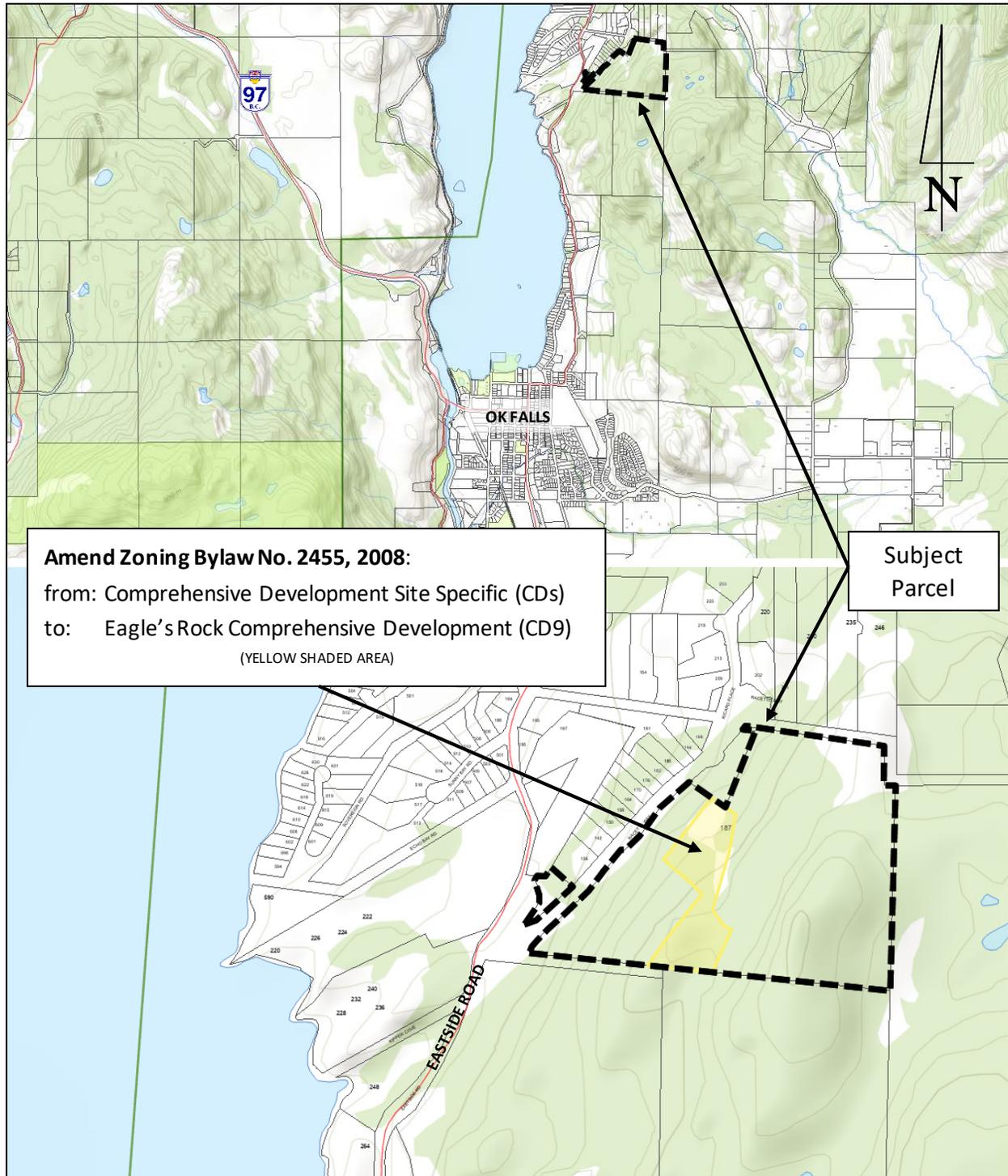
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'C'



Regional District of Okanagan-Similkameen

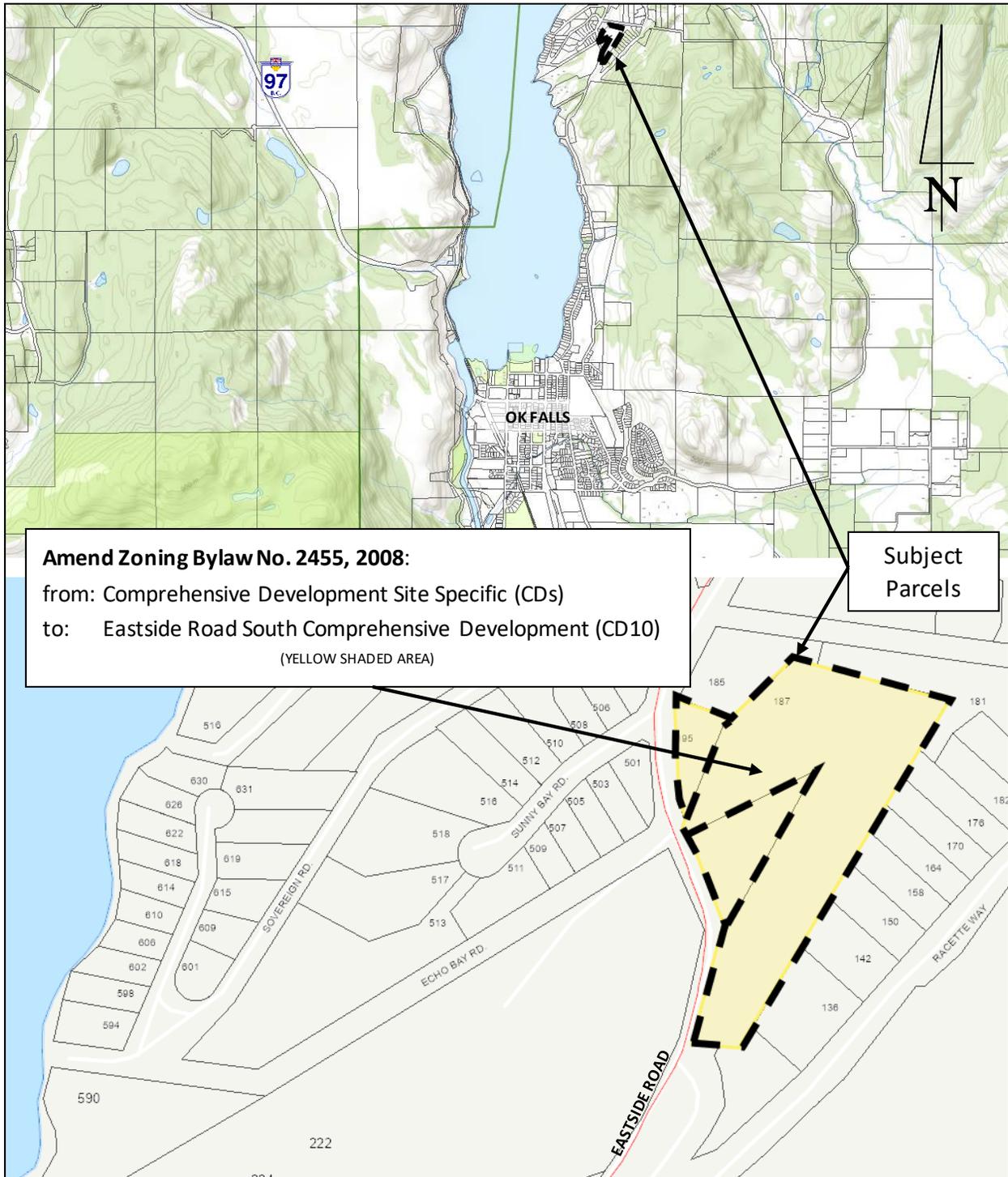
101 Martin St, Penticton, BC, V2A-5J9
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'D'



Regional District of Okanagan-Similkameen

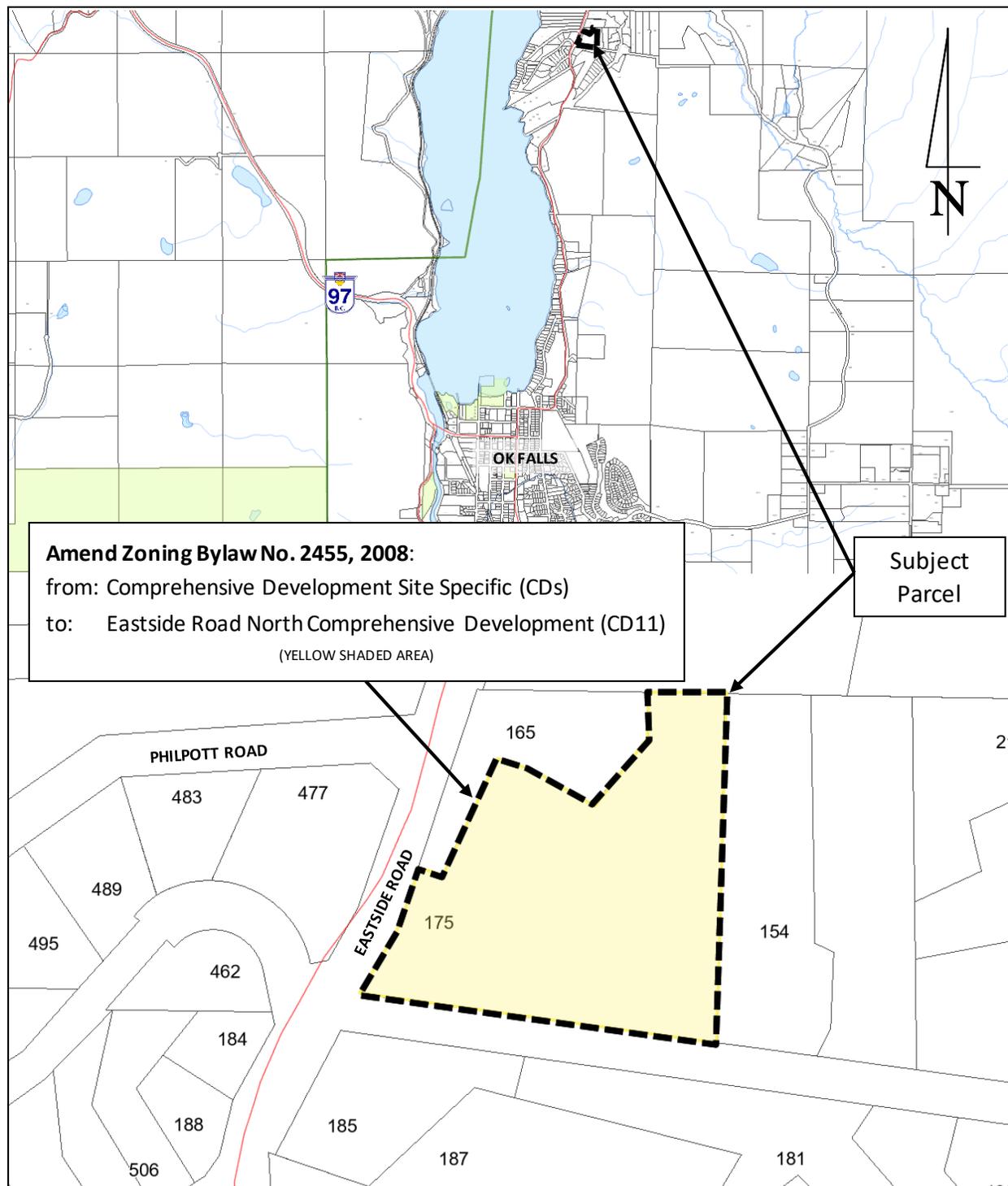
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'E'



Regional District of Okanagan-Similkameen

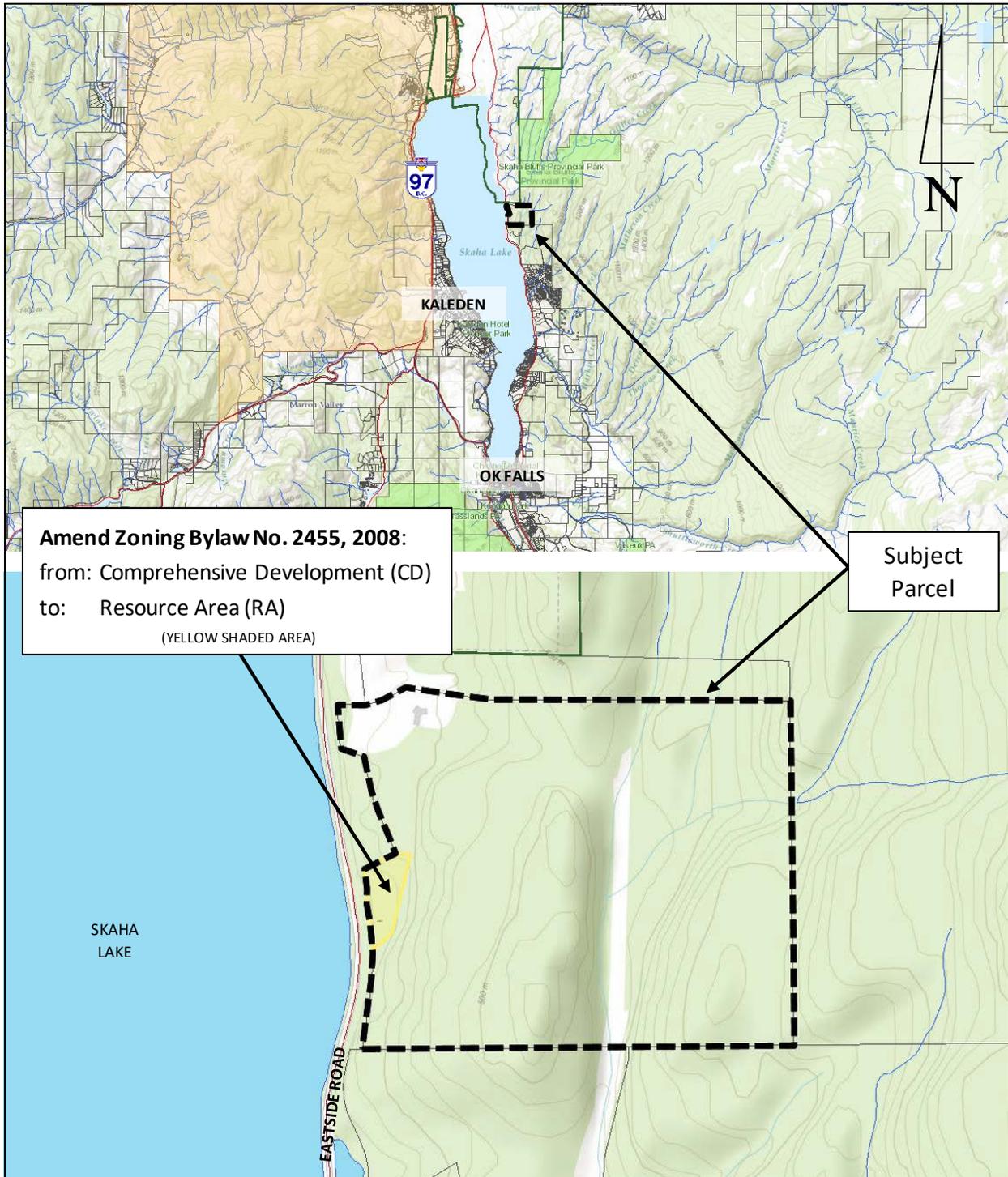
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'F'



Regional District of Okanagan-Similkameen

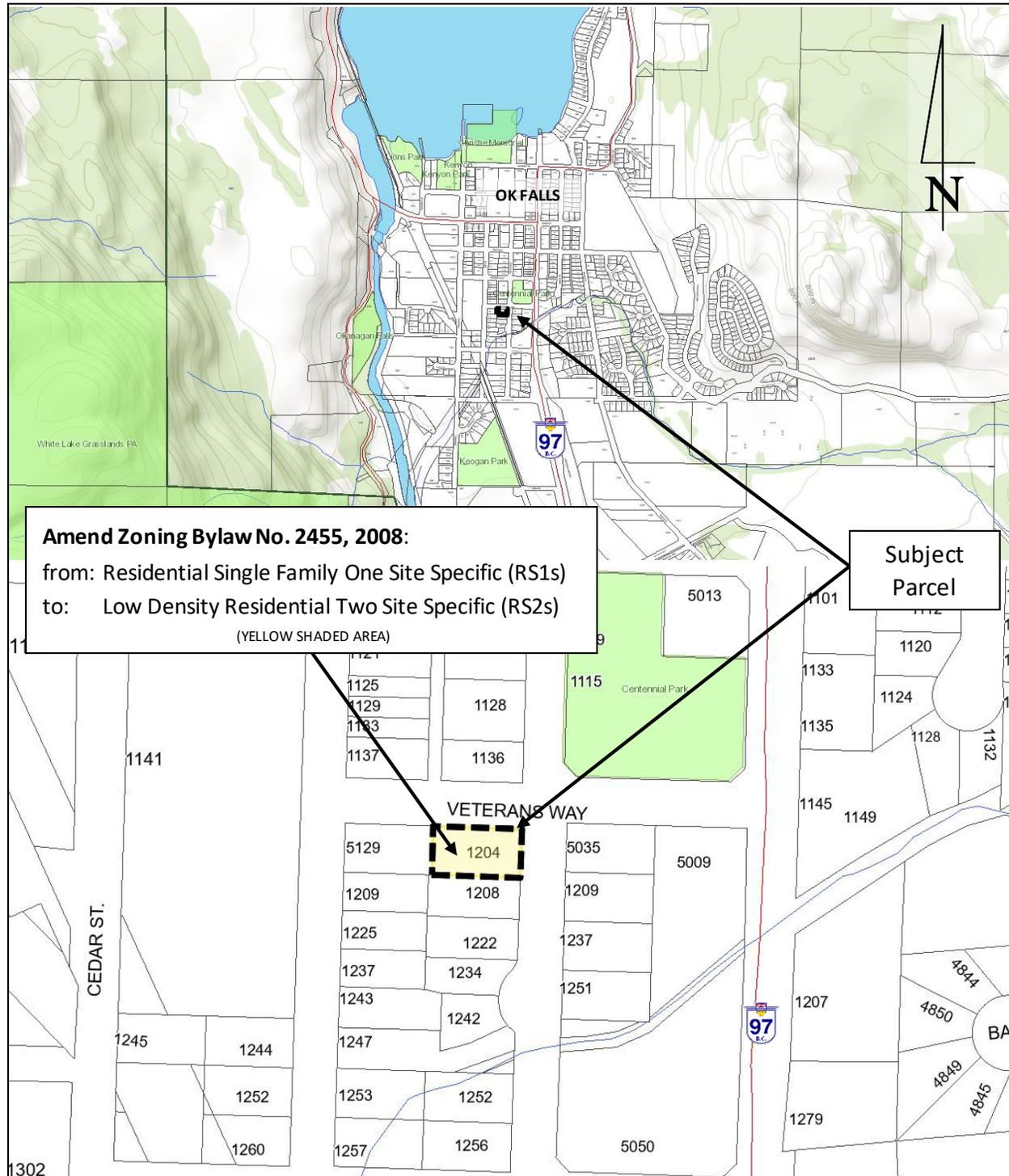
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'G'



Regional District of Okanagan-Similkameen

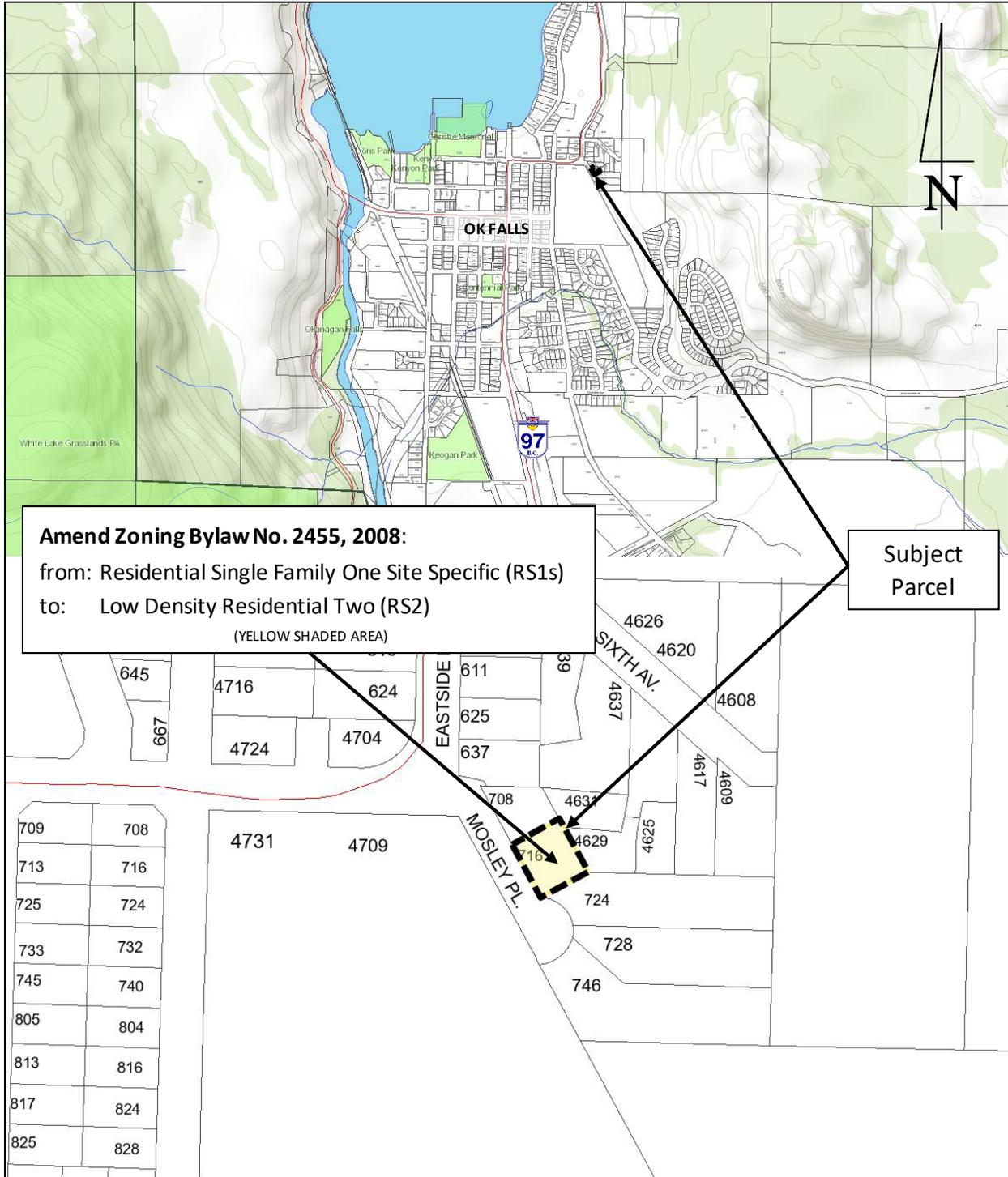
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



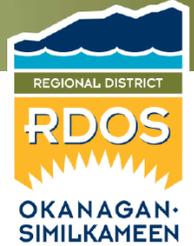
Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'H'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Zoning Bylaw Amendment – Electoral Area “D”

Administrative Recommendation:

THAT Bylaw No. 2455.43, 2020, Electoral Area “D” Zoning Amendment Bylaw be read a third time.

Purpose: To allow for a 30 unit apartment building (Phase 2 of South Skaha Housing Society Project)

Owners: South Skaha Housing Society Agent: HDR Architecture Associates, Inc. Folio: D-00998.010

Legal: Lot 1, Plan 12558, District Lot 374, SDYD Civic: 5081 8th Avenue

OCP: Town Centre (TC) Zone: Okanagan Falls Town Centre (OFTC)

Proposed OCP: Town Centre (TC) Proposed Zoning: Okanagan Falls Town Centre Site Specific (OFTCs)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to allow for the development of an additional 30 multi-dwelling units in the form of an apartment building.

In order to accomplish this, following amendments to Electoral Area “D” Zoning Bylaw No. 2455, 2008 are being proposed by the applicant:

- amend the zoning under Schedule ‘2’ (Zoning Map) of the Electoral Area “D” Zoning Bylaw No. 2455, 2008, Okanagan Falls Town Centre (OFTC) to Site Specific Okanagan Falls Town Centre (OFTCs);
- increase the maximum density from 100 to 112 dwelling units per ha on the subject parcel
- reduce the minimum setback for a parcel line adjacent to Highway 97 from 4.5 m to 0.0 m on the subject parcel; and
- reduce the required number of parking spaces for Residential (apartment building, townhouse) uses from 1.75 to 1.0 spaces per dwelling unit for the subject parcel.

In support of the rezoning, the applicant has stated that “BC Housing projects support lower income tenants ... Increased density in this location of OK Falls will benefit local businesses and sense of community in a historically under-utilized area in a high profile location ...”

“The 0.0 m setback would allow for the construction of a 4 storey, 30 unit, multi-family residential building ... the proposed development would otherwise not fit within the confines of the property boundary ... all residents will be provided with 1 dedicated parking spot, with 4 additional parking spaces that can be designated as “Visitor Parking”.”

Site Context:

The subject property is approximately 5,014.05 m² in area and is situated on the north side of Highway 97 in the town centre of Okanagan Falls. It is understood that the parcel is comprised of a 26 multi-dwelling unit building (Phase 1 of a BC Housing project for seniors) with 27 surface parking stalls.

The surrounding pattern of development is generally characterised by a mix of uses including commercial businesses fronting Highway 97 and residential uses towards Skaha Lake and Christie Memorial Provincial Park.

Background:

On November 16, 2020, a Public Information Meeting (PIM) was held electronically and was attended by approximately one member of the public (as well as the applicants and six members of the South Skaha Housing Society Board).

At its meeting of November 10, 2020, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board to consider the impacts of the three big changes to the zoning bylaw (parking, front setback and density) in this development application.

At its meeting of December 3, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur at the Board meeting of January 7, 2021.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97).

Analysis:

In considering this proposal, Administration notes that the application aligns with the goals of the Regional Growth Strategy (RGS) and Electoral Area “D” OCP Bylaw to promote low-rise apartments and affordable units in the Okanagan Falls Town Centre.

The development will further provide a range of affordable units in a central location and attract a mix of socio-economic groups and household types. Affordability will range from deep subsidy rental rates, rent geared to income (RGI), and affordable market (CMHC average for moderate income). The proposed increase in density will contribute to both meeting housing needs and supporting growth in Okanagan Falls.

In response to the proposed reduction of parking stalls, affordable housing projects tend to have less parking demand, as the projects are geared towards lower income tenants with fewer personal vehicles per household and it is common planning practice to have parking reductions for affordable housing development.

In this instance, 63 parking stalls will be provided, including one per dwelling unit and an additional seven visitor parking stalls for the site, as well as bicycle racks. In addition, the site is within walking

distance of the parks and businesses located in Okanagan Falls to promote alternative transportation (i.e. walking, cycling, scootering).

In response to the proposed reduction of the setback fronting Highway 97, the building is improved by being located closer to the sidewalk as it strengthens the connection between the public and private realms. The physical separation of 11.5 m from the edge of the paved road and proposed building alleviates any potential concerns with proximity of building access to a busy roadway.

Conversely, Administration recognises that it is not generally considered good planning practice to allow “spot zoning” as this introduces discrepancies between permitted uses within a specific area.

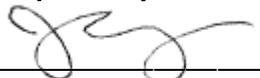
Specifically, this site will contain more density than is permitted on surrounding parcels with fewer vehicle parking and building setback requirements. Of the 30 units proposed, 18 of those units (60%) are 2 or 3 bedroom units which would cater to larger households without the benefit of multiple parking stalls servicing the unit and without nearby on-street parking to accommodate overflow.

In summary, Administration supports the proposed Zoning Bylaw amendments to enable additional affordable rental accommodation with the Okanagan Falls Town Centre.

Alternatives:

1. THAT third reading of Bylaw No. 2455.43, 2020, Electoral Area “D” Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2455.43, 2020, Electoral Area “D” Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



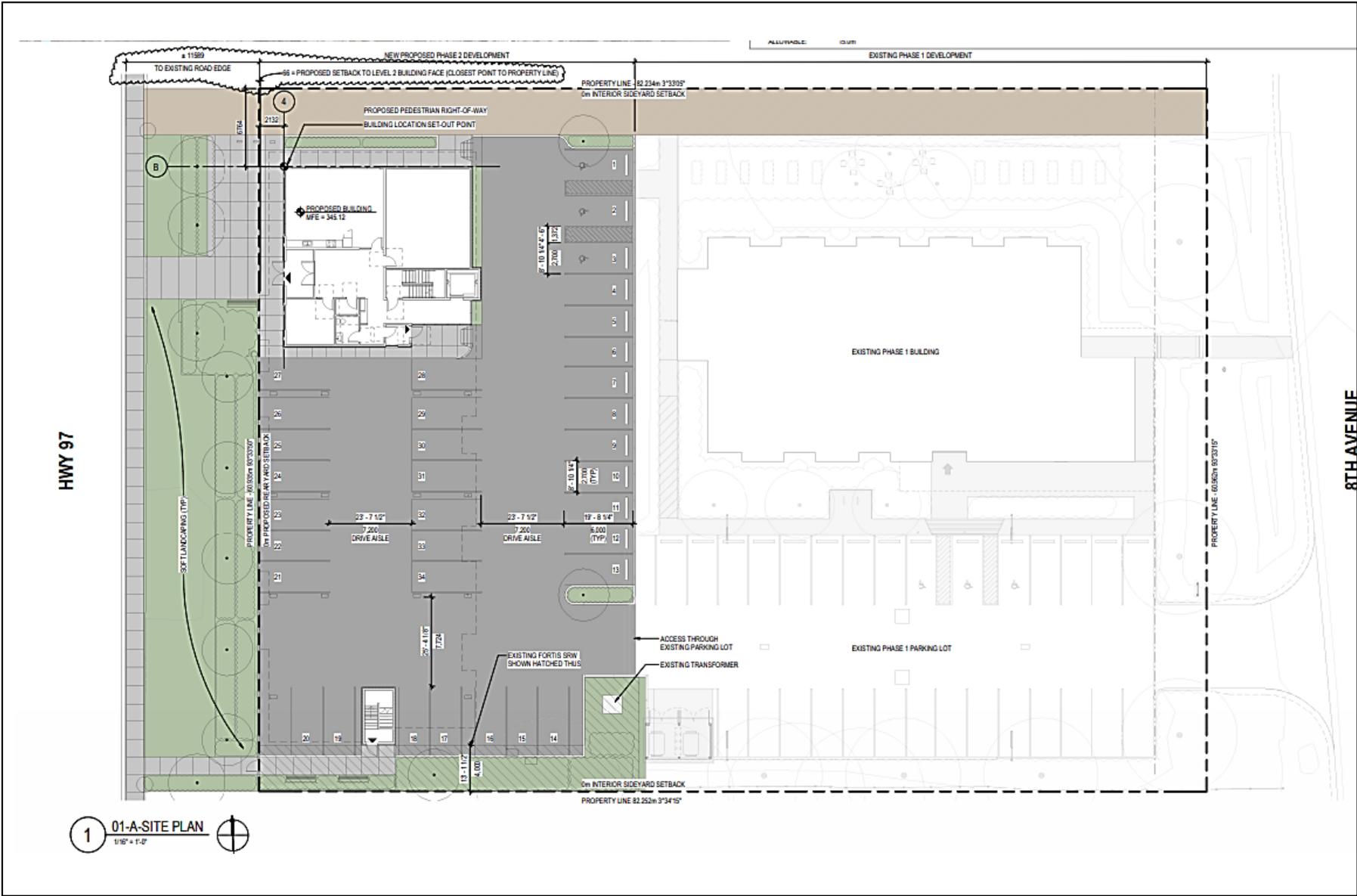
C. Garrish, Planning Manager

Attachments: No. 1 – Applicant’s Site Plan

No. 2 – Applicant’s Building Renderings

No. 3 – Site Photo

Attachment No. 1 – Applicant’s Site Plan



Attachment No. 2 – Applicant’s Building Renderings



VIEW LOOKING NORTH EAST



VIEW LOOKING WEST



VIEW LOOKING NORTH WEST



VIEW LOOKING SOUTH EAST

Attachment No. 3 – Site Photo



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.43, 2020

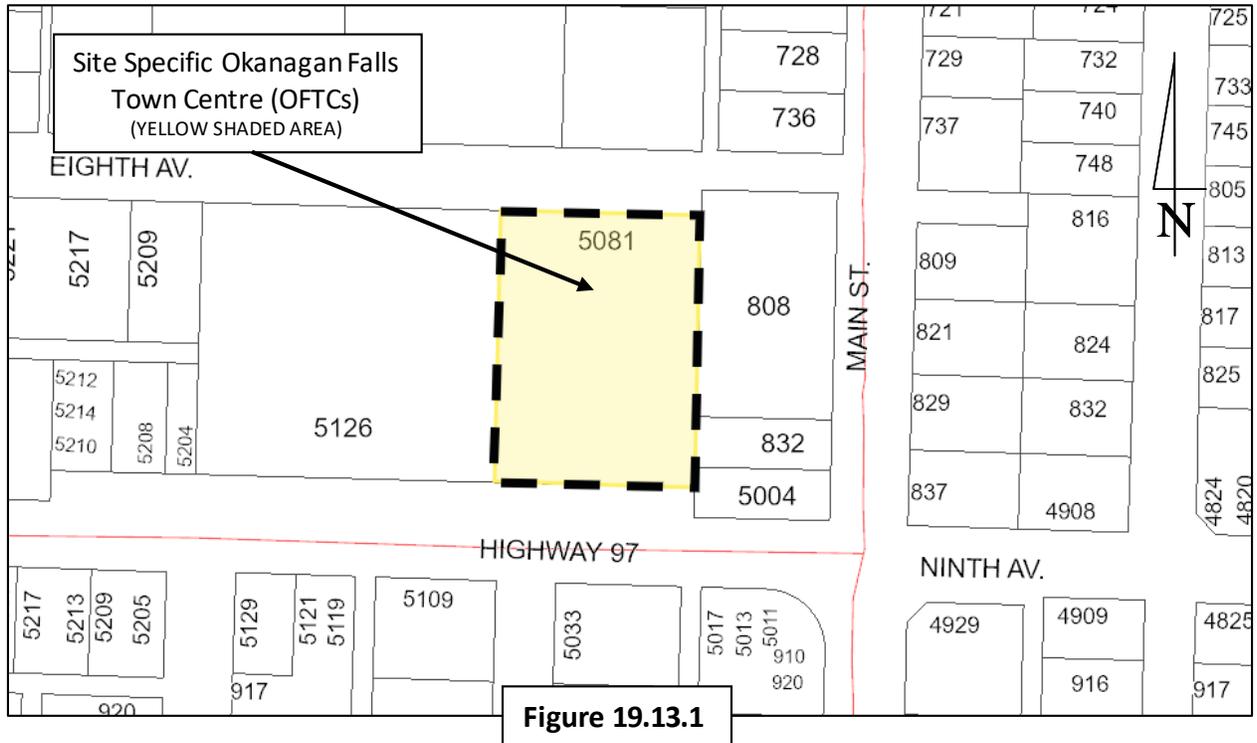
A Bylaw to amend the Electoral Area “D” Zoning Bylaw No. 2455, 2008

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “D” Zoning Amendment Bylaw No. 2455.43, 2020.”
2. The “Electoral Area “D” Zoning Bylaw No. 2455, 2008” is amended by:
 - i) replacing Section 13.1.2(a) under Section 13.1 (Okanagan Falls Town Centre Zone) in its entirety with the following:
 - a) see Section 19.13
 - ii) replacing Section 19.13 under Section 19.0 Site Specific Designations in its entirety with the following:

19.13 Site Specific Okanagan Falls Town Centre (OFTCs) Provisions:

- .1 in the case of land described as Lot 1, Plan 12558, District Lot 374, SDYD, and shown shaded yellow on Figure 19.13.1:
 - i) despite Section 13.1.5, the maximum density shall be 112 dwelling units per hectare.
 - ii) despite Section 13.1.7(a)(v), the minimum setback for a parcel line adjacent to Highway 97 shall be 0.0 metres.
 - iii) despite Section 9.6 (Table 9.2), the required number of parking spaces for Residential (apartment building, townhouse) use shall be 1.0 space per dwelling unit.



3. The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:
 - i) changing the land use designation on the land described Lot 1, Plan 12558, District Lot 374, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Okanagan Falls Town Centre Zone (OFTC) to Site Specific Okanagan Falls Town Centre Zone (OFTCs).

READ A FIRST AND SECOND TIME this 3rd day of December, 2020.

PUBLIC HEARING held on this 7th day of January, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.43, 2020" as read a Third time by the Regional Board on this ____ day of _____, 2021.

Dated at Penticton, BC this ____ day of _____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Agricultural Land Commission Referral (Subdivision)– Electoral Area “E”

Administrative Recommendation:

THAT the RDOS Board not “authorize” the application to subdivide the parcels located at 2860/2864 Arawana Road (Lot 13, Plan 576, District Lot 207, SDYD, Except Parcel A Shown on Plan A62, Parcel B Shown on Plan B5981, KAP81407 and EPP30242) and 3256 Juniper Drive (Lot 8, KAP46231, District Lot 2711, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for a subdivision within the ALR.

Owners: Lawrence Josey / Randall Kozak Agent: Randall Kozak Folio: E-02088.000 / E-06824.185

Legal: Lot 13, Plan 576, District Lot 207, SDYD, Except Parcel A Shown on Plan A62, Parcel B Shown on Plan B5981, KAP81407 and EPP30242 / Lot 8, KAP46231, District Lot 2711, SDYD

Civic: 2860/2864 Arawana Road / 3256 Juniper Drive

OCP: Agriculture (AG) / Zone: Agriculture One (AG1) /
Low Density Residential (LR) Residential Single Family (RS1)

Proposed Development:

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

Specifically, the applicant is seeking the Commission’s approval to allow for lot line adjustment between the parcel at 2860/2864 Arawana Road and 3256 Juniper Drive to add approximately 0.3 ha to the parcel at 3256 Juniper Drive.

In support of this proposal, the applicant has stated that “this is so this portion can then be used by the owner (*of 3256 Juniper Drive*) because it is accessible to him...the owner can then farm and plant a vineyard which is the purpose of the application”.

Statutory Requirements:

Under Section 34.1 (2) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) applies wherein the Board has the ability to refuse to “authorise” an application.

In this instance, Section 25(3) is seen to apply as the property at 2860/2864 Arawana Road is zoned by bylaw to permit [an] agricultural or farm use”.

Section 34.1 (2) of the Act grants the Board the authority to not “authorise” an application to proceed to the ALC if the land is zoned by bylaw to permit an agricultural or farm use, or an amendment to an Official Community Plan (OCP) Bylaw or Zoning Bylaw would be required for the proposal to proceed.

Site Context:

The subject property at 2860/2864 Arawana Road is approximately 4.4 ha in area and is situated on the east side of Arawana Road. It is understood that the parcel is comprised of a micro cannabis production facility, two single family dwellings, vineyard and various accessory structures.

The subject property at 3256 Juniper Drive is approximately 1,574 m² in area and is situated on the west side of Juniper Drive.

The surrounding pattern of development is generally characterised by larger agricultural parcels to the west and smaller residential parcels to the north, east and south intermixed with vacant, environmentally sensitive hillsides and ravines. Arawana Creek lies to the north of the subject properties.

Background:

2860/2864 Arawana Road

The current boundaries of the subject properties were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 10, 2013, while available Regional District records indicate that building permits for storage (1979), roof/deck extension (1997), single family dwelling renovation (2014), auxiliary single family dwelling (2016) and cannabis micro grow facility (2019) have been issued.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No.2458, 2008, the subject property is currently designated Agriculture (AG), and the southeast portion of the parcel is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Agriculture One (AG1) which requires a minimum parcel size of 4.0 ha.

The property is within the Agricultural Land Reserve (ALR), and has been classed as “Residential” (Class 01) and part “Farm” (Class 09) by BC Assessment.

3256 Juniper Drive

The current boundaries of the subject properties were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on November 28, 1991, while available Regional District records indicate that building permits for a single family dwelling (1992), carport alteration (2018) and window alteration (2020) have been issued.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No.2458, 2008, the subject property is currently designated Low Density Residential (LR), and a portion of the parcel along the northern parcel line is the subject of a Watercourse Development Permit (WDP) Area designation.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which requires a minimum parcel size of 1,010 m², subject to servicing requirements.

The property is not within the Agricultural Land Reserve (ALR) and has been classified as “Residential” (Class 01) by BC Assessment.

Public Process

At its meeting on November 19, 2020, the Regional District Board resolved to refer this ALC referral application (subdivision) to the Electoral Area “E” Advisory Planning Commission (APC).

At its meeting on December 14, 2020, the Electoral Area “E” APC resolved to recommend to the RDOS Board of Directors that the subject application be “authorized” to proceed to the ALC.

Analysis:

The proposed subdivision seeks to fragment a small unit of farmland (i.e. 3,000 m²) and consolidate this potentially uneconomic unit with an adjacent residential use.

It is a broad goal of the OCP to preserve agricultural lands (Section 6.3.4), which is echoed further in the South Okanagan Regional Growth Strategy’s supporting policy to “discourage further subdivision of farm parcels” (Policy 1D-3).

The lands at 2860/2864 Arawana Road are seen to benefit from larger parcel size, as they contain active farming operations and agricultural uses.

The viability of such a small amount of farmland operating in conjunction with a residential parcel (3256 Juniper Drive) is reduced and it is unlikely that future owners of a primarily residential parcel in an established residential street will continue farming.

The existing parcel line is congruent with the boundaries of the ALR and the agricultural designation of the parcel and the proposed lot line adjustment would inadvertently increase the development potential of the parcel at 3256 Juniper Drive through split-zoning.

Conversely, the 0.3 ha portion of the parcel is not accessible by machinery from 2860/2864 Arawana Road due to a steep ravine. Adjusting the lot line would allow the owner of 3256 Juniper Drive to farm and plant a vineyard on his own property.

Under Section 9.0 Agriculture of the Electoral Area “E” OCP Bylaw, there are instances where the Board may consider the subdivision of parcels smaller than 4.0 ha within the ALR, including where boundary adjustment will allow for more efficient use of agricultural land and where community interests in the subdivision outweigh the community interests of retaining a larger parcel (Section 9.3.5).

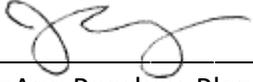
However, there would seem to be a community of interest to retain larger parcel sizes for agricultural lands and to coincide with the established boundaries of the OCP and zoning designations, and ALR (and avoid development pressure that may not otherwise be present).

In summary, this application will encourage the fragmentation of an agricultural parcel and that should be prevented, where possible.

Alternatives:

-
1. THAT the RDOS Board not “authorize” the application to subdivide the parcels located at 2860/2864 Arawana Road (Lot 13, Plan 576, District Lot 207, SDYD, Except Parcel A Shown on Plan A62, Parcel B Shown on Plan B5981, KAP81407 and EPP30242) and 3256 Juniper Drive (Lot 8, KAP46231, District Lot 2711, SDYD) to proceed to the Agricultural Land Commission.

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

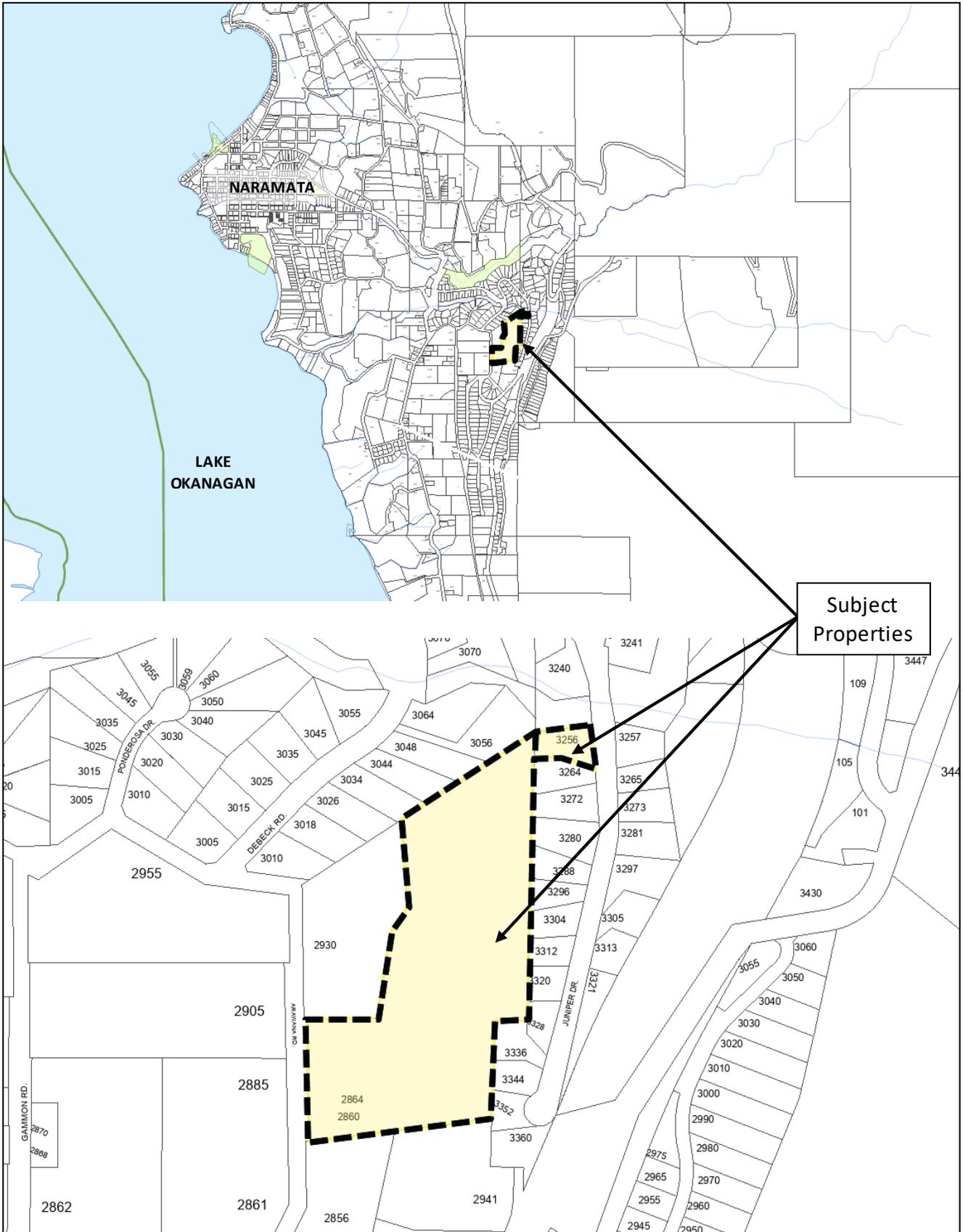
Attachments: No. 1 – Context Maps

No. 2 – Applicant’s Site Plan

No. 3 – Site Photo (October 2020)

No. 4 – Aerial Photo

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan

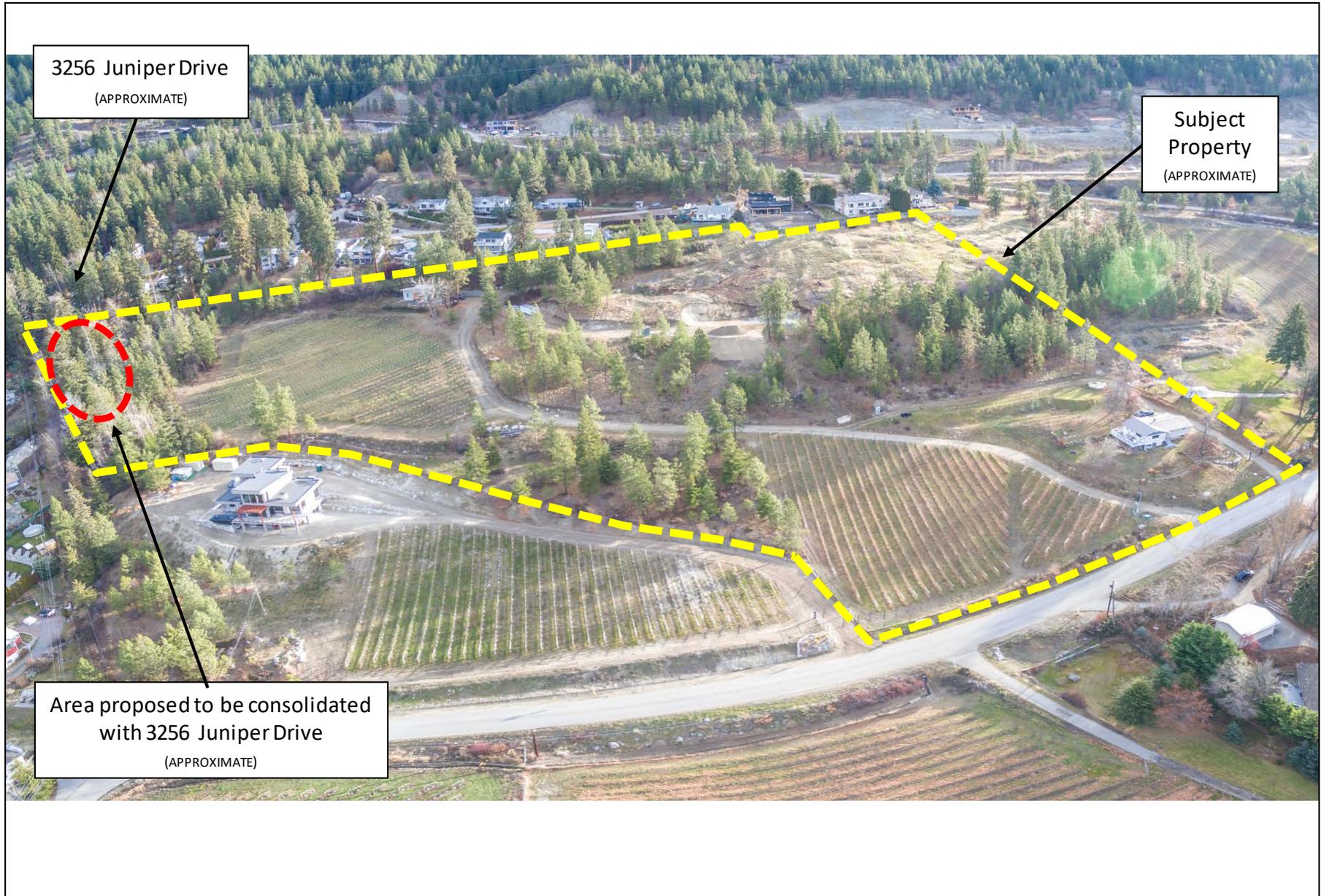


Attachment No. 3 – Site Photo (October 2020)



View looking of 3256 Juniper Drive parcel from
Juniper Drive

Attachment No. 4 – Aerial Photo



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Zoning Bylaw Amendment – Electoral Area “H”

Administrative Recommendation:

THAT Bylaw No. 2498.16, 2021, Electoral Area “H” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of February 4, 2021;

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

Purpose:

Administration is proposing that an amendment to the Electoral Area “H” Zoning Bylaw No. 2498, 2012, be initiated by the Regional District Board in order to:

- correct a number of typographical errors;
- revise the maximum floor area permitted for secondary suites and accessory dwellings;
- revise the allotment of secondary suites and accessory dwellings permitted per parcel in the Rural Zones; and
- introduce scientific research facilities as a permitted use in the Resource Area (RA) Zone.

Background:

At its meeting of April 18, 2013, the Regional District Board adopted the Electoral Area “H” Zoning Bylaw No. 2498, 2012. Administration notes that zoning bylaws are updated by the RDOS Board from time to time to ensure that they are accurate, relevant, and responds to evolving planning needs of the day.

At its meeting of June 2, 2016, the Board adopted Amendment Bylaw No. 2730, 2016, which introduced a regulation that allows for one (1) shower in accessory buildings within the AG1 and AG2 zones, when the intention was for this to apply to the AG3 Zone.

At its meeting of July 20, 2017, the Board adopted Amendment Bylaw No. 2728, 2017, which, amongst other things, introduced a new density regulation intended to provide greater flexibility for secondary suites and accessory dwelling units in the Agriculture (AG) zones. This bylaw did not apply to Electoral Area “H”.

At its meeting of August 3, 2017, the Board adopted Amendment Bylaw No. 2498.11, 2017, which introduced a Resource Area Site Specific (RAS) for the property legally described as Lot 2, District Lot

2076, Plan KAP78220, KDYD. This included an incorrect reference to “one” accessory dwelling with a floor area of 150 m², when the intention was for “two (2)” accessory dwellings with a floor area of 150 m².

At its meeting of September 17, 2020, the Board approved Temporary Use Permit (TUP) No. H2020.009-TUP, which allowed for a “radio astrophysical observatory” as a permitted use on the property described as District Lot 1838, SDYD.

At its meeting of October 15, 2020, the Board directed that the maximum floor area of a secondary suite and accessory dwelling be set at 125.0 m² in the Draft South Okanagan Electoral Area Zoning Bylaw No. 2800. This direction did not apply to Electoral Area “H”.

On December 12, 2019, the BC Building Code was revised, which included the removal of all floor area limits to secondary suites from the code.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 3 & 5A).

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaw.

Public Process:

On December 9, 2020, a Public Information Meeting (PIM) was held electronically on the RDOS WebEx meeting platform, and was attended by no members of the public.

At its meeting of December 15, 2020, the Electoral Area “H” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The draft Amendment Bylaw includes a measured response to BC Building Code changes that removed floor area limits from the code. The following table is included in the draft bylaw for zones that currently permit secondary suites and accessory dwellings, including the Resource Area (RA), Agriculture Three (AG3), and Large Holdings One (LH1) zones:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

As per the table, a maximum floor area has been re-established in the bylaw, and has been increased from 90m² to 125m². The maximum gross area for all secondary suites and accessory dwellings per parcel becomes progressively larger in relation to size of the subject parcel. As such, the proposed bylaw would help ensure that larger suites could be constructed to meet growing demand for suitable housing in the region.

The table also sets out a consistent approach for the maximum allowable number of accessory dwellings or secondary suites. It provides progressively greater additional dwellings for larger parcels, ranging from one (1) accessory dwelling or secondary suite for parcels less than 8.0 ha, to up to four (4) additional units for properties that 16 hectares or greater.

Furthermore, “Scientific Research Facility” is introduced into the Zoning Bylaw and defined as “buildings or structures used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or retail sale of products.”

By defining and allowing for scientific research facilities within the Resource Area (RA) zone, the Amendment Bylaw provides opportunities for compatible institutional development associated with science and research to be a permitted use on lands in rural Resource Area lands. This change means that the “radio astrophysical observatory” would become a permitted use on the property described as District Lot 1838, SDYD, without requiring a Temporary Use Permit in the future.

Finally, correcting previous typographical errors ensures that the zoning bylaw accurately reflects the previous decisions and intentions of the RDOS Board, and helps ensure that the zoning bylaw can be implemented correctly while making planning decisions in Electoral Area “H”.

In summary, RDOS Planning staff recommends that the APC recommend to the RDOS Board that Zoning Amendment Bylaw No. 2498, 2012 be approved.

Alternatives:

1. THAT Bylaw No. 2498.16, 2020, Electoral Area “H” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;
AND THAT the holding of the public hearing be delegated to Director Coyne, or their delegate;
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Coyne;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

-
2. THAT Bylaw No. 2498.16, 2021, Electoral Area "H" Zoning Amendment Bylaw be deferred; or
 3. THAT Bylaw No. 2498.16, 2021, Electoral Area "H" Zoning Amendment Bylaw be, be denied.

Respectfully submitted:

Cory Labrecque

C. Labrecque, Planner II

Endorsed By:

CG

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.16, 2021

A Bylaw to amend the Electoral Area “H” Zoning Bylaw No. 2498, 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 “Electoral Area “H” Zoning Amendment Bylaw No. 2498.16, 2021.”
2. The Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by:
 - i) adding the following definition of “scientific research facilities” under Section 4.0 (Definitions):

“scientific research facilities” means buildings or structures used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or retail sale of products;
 - ii) replacing sub-section 7.10.2 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:
 - .2 The maximum floor area of a secondary suite shall not exceed 125 m².
 - iii) replacing sub-section 7.12.3 under Section 7.12 (Accessory Buildings and Structures) in its entirety with:
 - .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities or other living facilities, with the exception of an accessory building or structure in the RA, AG3 and LH Zones where one (1) shower is permitted.
 - iv) replacing sub-section 11.1.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.1 (Resource Area Zone (RA)) in its entirety with the following:

11.1.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- c) Despite Section 11.1.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.1.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.
- v) replacing sub-section 11.1.8(d)(2) (Site Specific Resource Area (RA) Regulations) under Section 11.0 (Rural) in its entirety with the following:
 - .2 two (2) seasonal cabins, which may have a floor area not greater than 150 m².
 - vi) adding a new sub-section 11.1.1(h) (Permitted Uses - Resource Area Zone) under Section 11.0 (Rural) to read as follows and renumbering all subsequent sub-sections:
 - h) scientific research facilities;
 - vii) replacing sub-section 11.3.4(c) (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.3 (Agriculture Three (AG3) Zone) in its entirety with the following:
 - c) Despite Section 11.3.4 (b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.3.4 (b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

viii) replacing sub-section 11.4.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.4 (Large Holdings One Zone (LH1)) in its entirety with the following:

11.4.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- c) Despite Section 11.4.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.4.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

ix) replacing sub-section 11.5.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.5 (Large Holdings Two Zone (LH2)) in its entirety with the following:

11.5.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²

Greater than 16.0 ha	4	500 m ²
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- c) Despite Section 11.5.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.5.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

READ A FIRST AND SECOND TIME this ____ day of _____, 2021.

PUBLIC HEARING held on this ____ day of _____, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "H" Zoning Amendment Bylaw No. 2498.16, 2021" as read a Third time by the Regional Board on this ____ day of ___, 2021.

Dated at Penticton, BC this __ day of ___, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the Transportation Act this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this __ day of ___, 2021.

Board Chair



Your File #: H2019.002-
ZONE Area H
eDAS File #: 2019-00699
Date: Dec. 10, 2020

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

Attention: Planning Department

Re: Proposed Text Amendment Bylaw 2498.16, 2020 for Area "H"

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 Penticton Development Services at (250) 712-3660.

Yours truly,

Rob Bitte
Development Officer

Local District Address
Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231



November 18, 2020

File: 0280-30

Local Government File: H2019.002-ZONE

Cory Labreque, Planner II
Regional District Okanagan Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Dear Cory Labreque,

Re: Bylaw 2498.16

Thank you for providing British Columbia Ministry of Agriculture (Ministry) staff the opportunity to comment on the proposed zoning amendments to Bylaw 2498. Overall ministry staff consider the amendments to be positive given that one intent appears to be bringing the regulations surrounding additional dwellings into line with the *Agricultural Land Commission Act* (ALCA) and Regulations. We offer the following comments for your consideration:

Additional dwellings:

We note that the bylaw will limit additional dwellings in the Agriculture Three (AG 3) zone to one, provided a Non-Adhering Residential Use (NARU) application is approved by the Agricultural Land Commission (ALC). From an agriculture perspective, this is an improvement over the existing bylaw that allows up to four additional dwellings regardless of purpose. However, ministry staff have concerns that there is currently no provision in the bylaw or the amending bylaw for allowing housing for Temporary Farm Worker Housing (TFWH). This would mean that legitimate farms that have a requirement to house workers on site would have to go through a rezoning process. Given that the ALC has oversight on TFWH through the NARU process, it would be preferable to allow TFWH as a permitted use accessory to a farm operation on lots greater than 4ha in size as outlined in the TFWH Minister's Bylaw Standard in the Ministry's [Guide for Bylaw Development in Farming Areas](#).

The amending bylaw will still allow for up to four additional dwellings in the Resource Area (RA), Large Holdings One (LH1), and Large Holdings Two (LH2) zones. It is unclear to ministry staff whether these zones intersect with the Agricultural Land Reserve (ALR), but given the sections listed below under "Secondary suites", it appears that at least some parcels in each zone may. If this is the case, four additional dwellings for any purpose is unlikely to be consistent with the priority use of the ALR being for agriculture. The exception could be if the purpose of the additional housing is to house farm workers, in which case this should be made clear. In order to avoid the issue of zones that intersect with the ALR that contain uses not

consistent with agriculture as the priority use in an effort to accommodate non-ALR properties within the zone, we suggest that it may be prudent to encapsulate all of the ALR in Electoral Area H within a purpose-built Agriculture (AG) zone or zones.

Secondary suites:

The use of land in the ALR for one secondary suite is a permitted use if located within the principal residence (see section 31 of the Agricultural Land Reserve Use Regulation); therefore, a NARU application is not required for this use. We recommend changing sections 11.1.4(c), 11.3.4(c), 11.4.4(c), and 11.5.4(c) to reflect the fact that a NARU application is not required for one secondary suite within a principal residence but would be required for any other additional dwellings.

The Ministry has an interest in ensuring that farm workers have access to essential hygiene facilities while working on local farms. This is critical from both food safety and public health perspectives. We suggest that hygiene and cooking facilities be allowed in buildings that are accessory to farm operations. COVID-19 has demonstrated the necessity for these facilities to be provided for the health and safety of domestic farm workers.

The Ministry of Agriculture has been looking at ways of increasing residential flexibility in the ALR, which included public and local government consultation in mid-2020. Work on this may continue under the new government; if it is determined that there should be regulatory changes, this could happen as early as spring 2021.

If you have any questions, please contact us directly at the email addresses or numbers below.

Sincerely,



Alison Fox, P.Ag.
Land Use Agrologist
B.C. Ministry of Agriculture
Email: Alison.Fox@gov.bc.ca
Office: (778) 666-0566



Christina Forbes, P.Ag
Regional Agrologist
B.C. Ministry of Agriculture - Kelowna
E-mail: Christina.Forbes@gov.bc.ca
Office: (250) 861-7201

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

November 20, 2020

Reply to the attention of Sara Huber
ALC Planning Review: 46744
Local Government File: H2019.002-ZONE

Cory Labrecque
Planner 2, RDOS
planning@rdos.bc.ca

**Re: Regional District of Okanagan Similkameen Electoral Area H Zoning
Amendment Bylaw No. 2498.16**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area H Zoning Amendment Bylaw No. 2498.16 (the “Bylaw”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the *ALC Act* (ALC Act), the Agricultural Land Reserve (ALR) General Regulation, (the “ALR General Regulation”), the ALR Use Regulation (the “ALR Use Regulation”), and any decisions of the ALC.

The Bylaw proposes a series of text amendments, including the following, underneath which, ALC staff have provided comment where applicable:

- Creates a definition and regulations for a “scientific research facility”.
- Implements a maximum size for a secondary suite of 125 m².

ALC staff support the inclusion of a maximum size for a secondary suite. In 2018, the BC Building Code was amended, and secondary suites were no longer required to be a maximum of 90 m². Due to this change, secondary suites could potentially be the same size as the rest of the residence, thus resulting in duplexes, rather than a residence with a secondary suite. The 125 m² maximum for a secondary suite seems reasonable as the secondary suite would account for 25% of the space if a proponent built a residence up to the 500 m² maximum residence size, thus would remain “secondary”.

- Restricts accessory buildings or structures from having showers, bathtubs, bedrooms, sleeping facilities or other living facility, but allows one shower in an accessory building or structure in the RA, AG3, and LH zones.

ALC staff generally do not object to this but note that some farm uses may require washing facilities. ALC staff note that the AG3 zone does have the provision for one shower, which may be sufficient to address this concern.

- Prescribes a maximum number of secondary suites or accessory dwellings and maximum gross floor area based on parcel size, including the following:

Parcel Size	Number of Secondary Suites or Accessory Dwellings	Maximum Gross Floor Area
< 8 ha	1	125 m ²
8 – 11.9 ha	2	250 m ²
12 – 15.9 ha	3	375 m ²
>16 ha	4	500 m ²

- For lands within the ALR, the Bylaw specifies that a secondary suite or accessory dwelling in excess of one may be permitted only if approved by the ALC as a non-adhering residential use.

ALC staff note that under the ALC’s current legislation, only one residence up to 500 m² with the possibility of a secondary suite contained within is permitted in the ALR. The accessory dwelling being proposed in the Bylaw would therefore not currently be permitted. Given the Ministry of Agriculture’s residential flexibility policy intentions, ALC staff do not object to this provision, but note that once the Ministry of Agriculture has concluded any regulatory changes (if applicable), the Bylaw should be amended to reflect those provisions. If an accessory dwelling is permitted in regulation in future, the RDOS may also wish to consider whether it would allow a secondary suite in the principal residence, as well as an accessory dwelling. However, the RDOS retains the ability to further restrict residential use in the ALR beyond what is permitted by regulation.

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

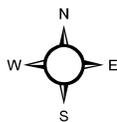
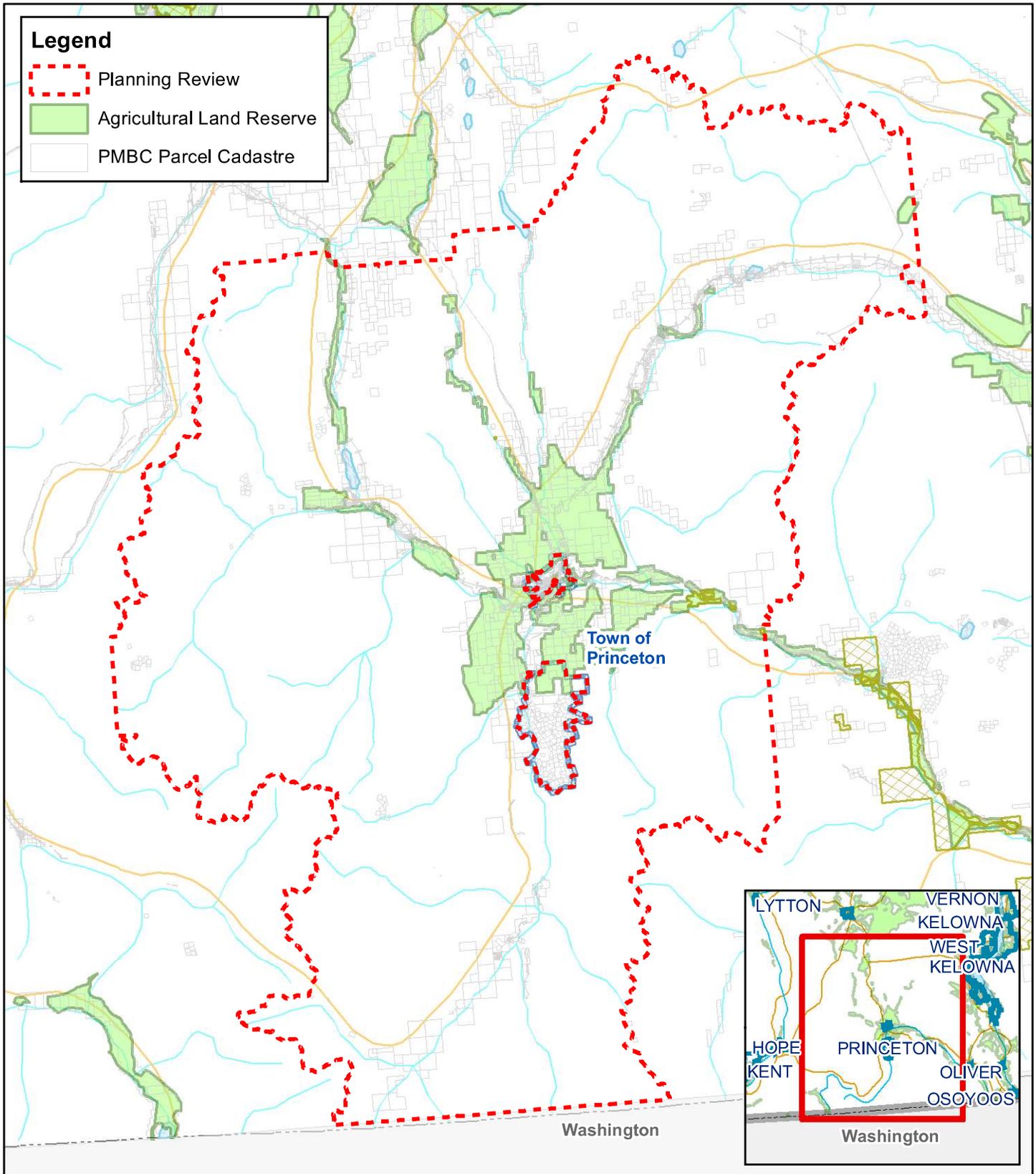


Sara Huber, Regional Planner

Enclosure: Referral of RDOS BL2498-16

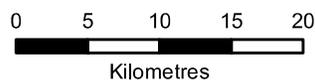
CC: Ministry of Agriculture – Attention: Alison Fox

46744m1



ALR Context Map

Map Scale: 1:525,000



ALC File #:	46744
Mapsheet #:	92H
Map Produced:	October 28, 2020
Regional District:	Okanagan-Similkameen

Note - Subject property location is approximate. Map for reference only. Accuracy not guaranteed.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.16, 2020

A Bylaw to amend the Electoral Area “H” Zoning Bylaw No. 2498, 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 “Electoral Area “H” Zoning Amendment Bylaw No. 2498.16, 2020.”
2. The Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by:
 - i) adding the following definition of “scientific research facilities” under Section 4.0 (Definitions):

“scientific research facilities” means buildings or structures used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or retail sale of products;
 - ii) replacing sub-section 7.10.2 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:
 - .2 The maximum floor area of a secondary suite shall not exceed 125 m².
 - iii) replacing sub-section 7.12.3 under Section 7.12 (Accessory Buildings and Structures) in its entirety with:
 - .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities or other living facilities, with the exception of an accessory building or structure in the RA, AG3 and LH Zones where one (1) shower is permitted.
 - iv) replacing sub-section 11.1.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.1 (Resource Area Zone (RA)) in its entirety with the following:

11.1.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- c) Despite Section 11.1.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.1.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.
- v) replacing sub-section 11.1.8(d)(2) (Site Specific Resource Area (RA) Regulations) under Section 11.0 (Rural) in its entirety with the following:
 - .2 two (2) seasonal cabins, which may have a floor area not greater than 150 m².
- vi) adding a new sub-section 11.1.1(h) (Permitted Uses - Resource Area Zone) under Section 11.0 (Rural) to read as follows and renumbering all subsequent sub-sections:
 - h) scientific research facilities;
- vii) replacing sub-section 11.3.4(c) (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.3 (Agriculture Three (AG3) Zone) in its entirety with the following:
 - c) Despite Section 11.3.4 (b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.3.4 (b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

viii) replacing sub-section 11.4.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.4 (Large Holdings One Zone (LH1)) in its entirety with the following:

11.4.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
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12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- c) Despite Section 11.4.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.4.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

ix) replacing sub-section 11.5.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.5 (Large Holdings Two Zone (LH2)) in its entirety with the following:

11.5.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
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Greater than 16.0 ha	4	500 m ²
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- c) Despite Section 11.5.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.5.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

READ A FIRST AND SECOND TIME this ____ day of _____, 2020.

PUBLIC HEARING held on this ____ day of _____, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "H" Zoning Amendment Bylaw No. 2498.16, 2020" as read a Third time by the Regional Board on this ____ day of ____, 2020.

Dated at Penticton, BC this __ day of ____, 2020.

Corporate Officer

Approved pursuant to Section 52(3) of the Transportation Act this ____ day of _____, 2020.

For the Minister of Transportation & Infrastructure

ADOPTED this __ day of ____, 2020.

Board Chair

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2498.16

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Thank you for the opportunity to review and this referral from a healthy community development perspective. It is my understanding that the textual amendments to the Area H Zoning bylaw would allow for cannabis production to be a permitted use in the I1 and I2 zones in electoral area H. The following comments are noted and should be given consideration regarding cannabis production facilities:

1. Water Supply:

The water supply system that services the facility may be subject to the approval and permitting requirements of the BC Drinking Water Protection Act and Regulation.

2. Waste Water Disposal:

Waste water generated by these operations is not considered "domestic sewage." Domestic Sewage would include washroom, food preparation, dishwashing and showering waste. Interior Health enforces the BC Sewerage System Regulation.

Industrial Waste is managed by the Ministry of Environment, under the Environmental Waste Management Act, Municipal Sewage Regulation.

3. Location:

Industrial operations are expected to follow best practices for protecting the environment and public health. Best practices, however, may not be adequate to contain all odors from the operation. As such, proximity and impact on adjacent land uses need to be considered:

- proximity to residences and schools
- The size and configuration of the property, including access to the property
- Proposed scale of the production facility and accessory usage
- Potential noise, glare and vibration issues
- Air quality – prevailing winds, ventilation, odors

4. Agricultural Land Reserve:

Consider food security in cannabis production on Agricultural Land Reserve (ALR) lands. Interior Health supports retention of ALR food producing lands for food production. See the [Agricultural Land Commission](#) website for further information on regulatory requirements.

Signature: 

Agency: IHA

Date: March 8, 2015

Signed By: Janelle Rime

Title: Environmental Health Officer



Interior Health
Every person matters

November 25, 2020

Regional District of Okanagan-Similkameen
Attn: Planning Services
101 Martin Street
Penticton BC V2A 5J9

<mailto:planning@rdos.bc.ca>

Dear Cory Labrecque:

**RE: File #: Amendment Bylaw #2498.16
(File# H2019.002-Zone)
Our interests are unaffected**

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

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

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

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority

On November 12, 2020, a Public Information Meeting (PIM) was held electronically and was attended by approximately one member of the public (as well as six of the property owners).

This item was referred to the Electoral Area “H” Advisory Planning Commission (APC) in the October 20, 2020 agenda; however, the meeting was cancelled due to lack of quorum.

At its meeting of December 3, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of January 7, 2021.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97/3).

Analysis:

Further to the direction provided by the Board at its meeting of December 3, 2020, Administration is recommending in favour of third reading and adoption of the amendment bylaws.

The merits of the application previously considered by the Board, include:

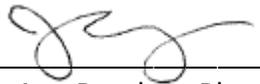
- the proposed site plan sites dwellings away from environmentally sensitive and riparian areas and reduces the amount of land impacted by development
- more than half of the parcel is shown as undeveloped land
- future subdivision is restricted by increasing the minimum parcel size to 60.0 ha
- the applicant has demonstrated the ability to provide on-site water and septic disposal and has assessed fire hazard risk.

Administration does, however, maintain its previous concerns about permitting additional principal residences on a single parcel under a “shared ownership” model, including deviation from typical infrastructure requirements and the intent of the LH designation. “Shared ownership” is seen to undermine the intent of the OCP and zoning bylaws, which are structured to support one principal residence per parcel, or subdivision.

Alternatives:

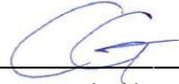
1. THAT third reading of Bylaw No. 2498.19, 2019, Electoral Area “H” Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2498.19, 2019, Electoral Area “H” Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachments:

- No. 1 – Applicant’s Site Plan
- No. 2 – Aerial Photo (Google Earth)

Attachment No. 1 – Applicant’s Site Plan



Copyright reserved. All rights reserved. Property of AUSBRIDGE DESIGN. Use or reproduction without the express written permission of AUSBRIDGE DESIGN is prohibited.

21/03/2020 - ISSUED FOR CLIENT REVIEW
 DRAWN BY:
 AUSBRIDGE DESIGN
 PHONE NUMBER:
 604-730-4244
 ADDRESS:
 4724 VISTA PLACE
 CHELSEA, BC
 V3R 6R3

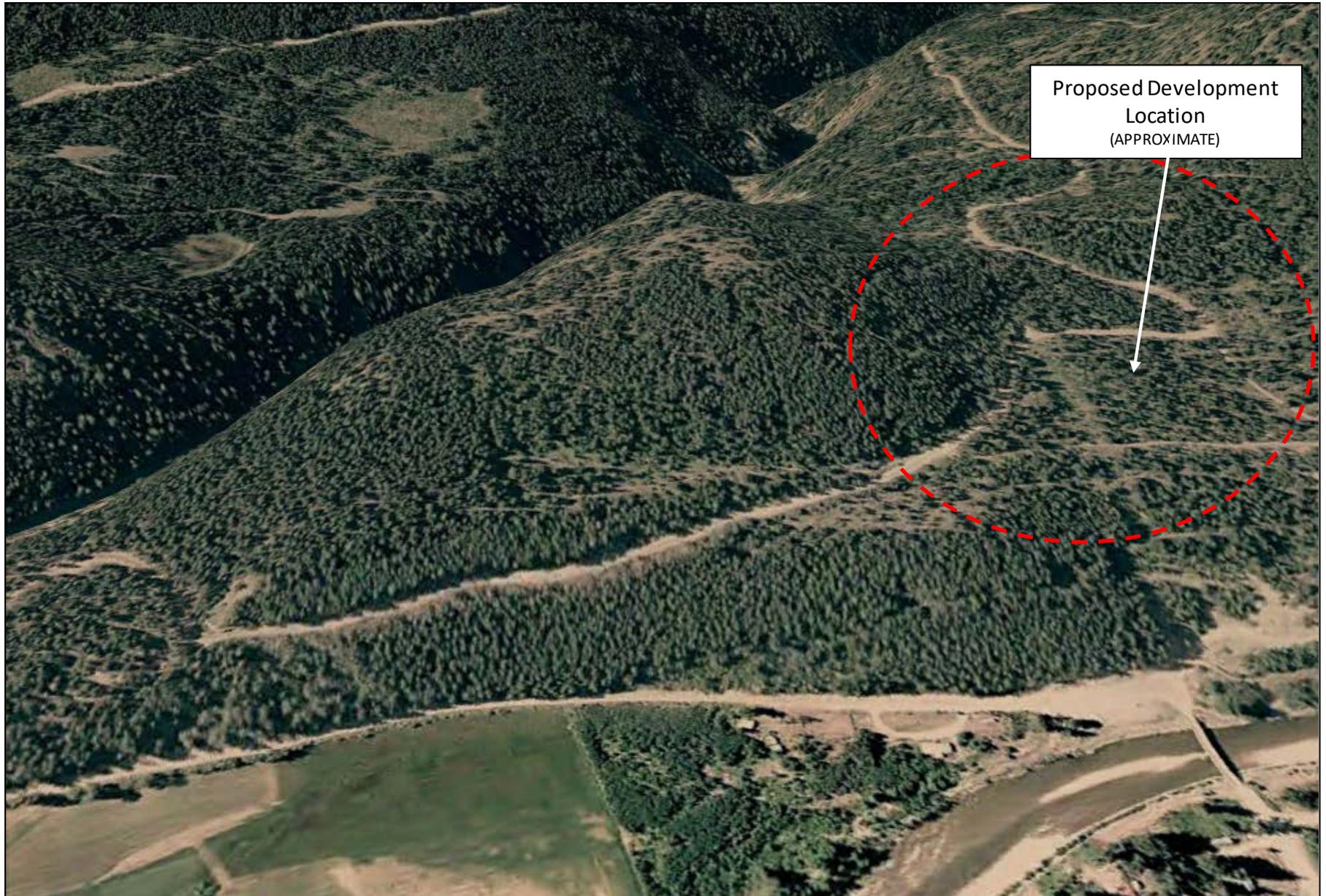
 SCALE: 1/32" = 1'-0"
 DATE: 21 FEB 2020

CLIENT:
 DICK WESTERLINGH
 GRANITE CREEK

PROJECT TITLE:
 HECTARE AREAS LAYOUT
 1000 BLAKEBURN ROAD
 COALMONT, B.C.
 SHEET TITLE:
 AREA LAYOUTS

DRAWING NO.:
 01-01

Attachment No. 2 – Aerial Photo (Google Earth)



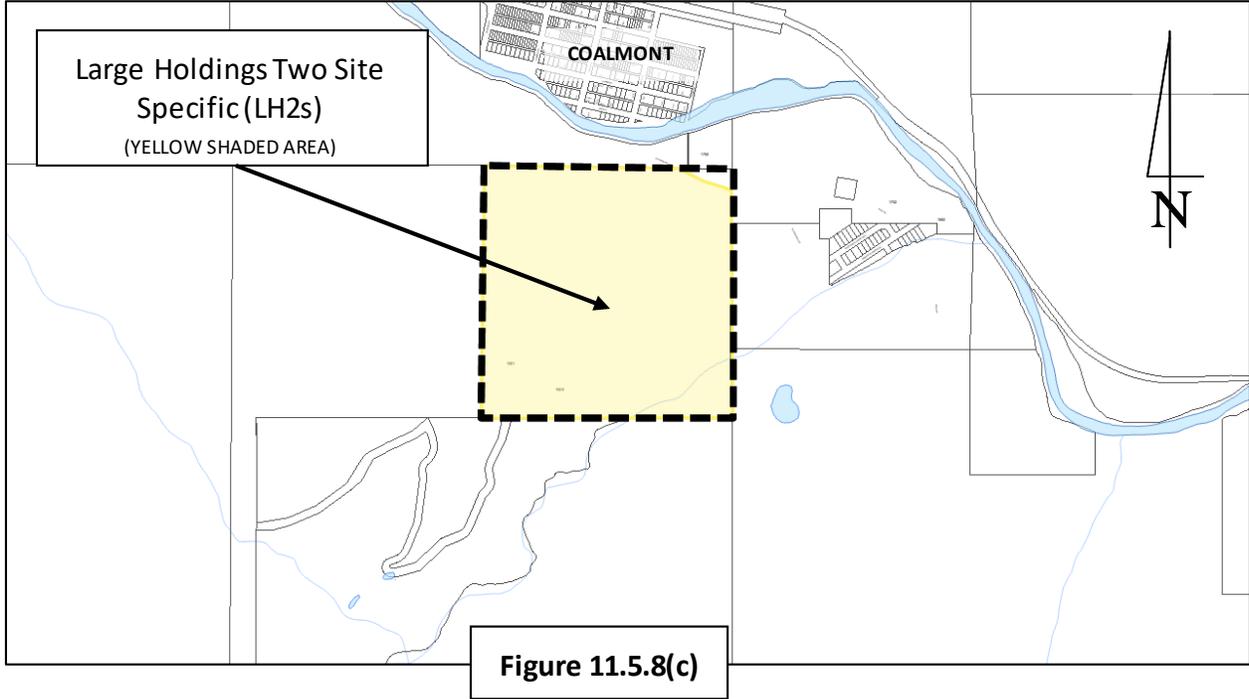
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.19, 2019

A Bylaw to amend the Electoral Area “H” Zoning Bylaw No. 2498, 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 “Electoral Area “H” Zoning Amendment Bylaw No. 2498, 2012.”
2. The Official Zoning Map, being Schedule ‘2’ of the Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by changing the land use designation on a portion of the land described Northeast ¼ District Lot 376, YDYD, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Large Holdings Two (LH2) to Site Specific Large Holdings Two (LH2s).
3. The Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by adding the following under 11.5.8 Site Specific Large Holdings Two (LH2s) Regulations:
 - c) In the case of the land described as a portion of Northeast ¼ District Lot 376, YDYD, and shown shaded on Figure 11.5.8(c):
 - i) despite Section 11.5.2, the minimum parcel size shall be 60.0 ha.
 - iii) despite Section 11.5.4, the maximum number of principal dwellings permitted per parcel is eight (8) and the maximum number of accessory dwellings per parcel is one (1).



READ A FIRST AND SECOND TIME this 3rd day of December, 2020.

PUBLIC HEARING held on this 7th day of January, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

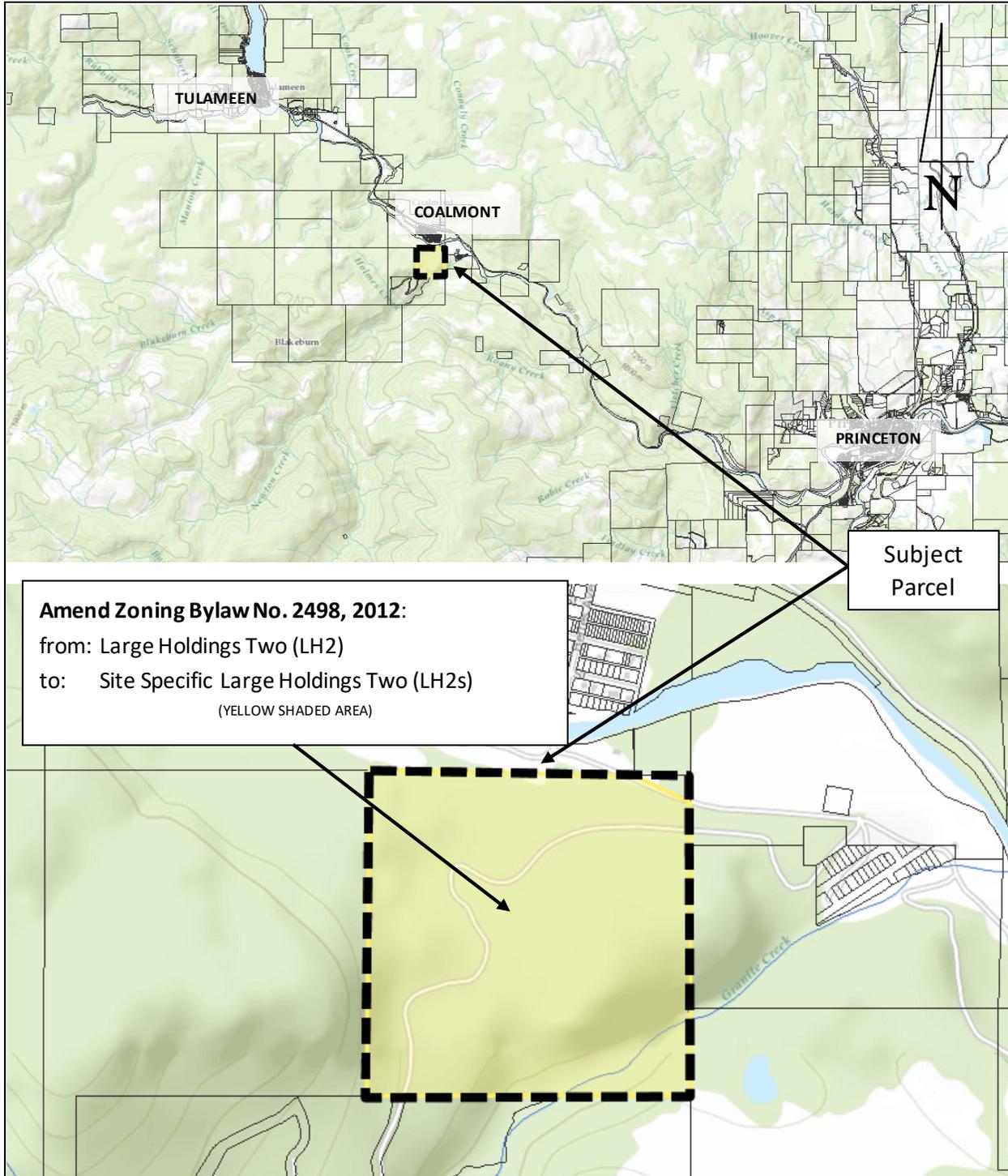
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2498.19, 2019

File No. H2019.011-ZONE

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Zoning Bylaw Amendment – Electoral Area “I”

Administrative Recommendation:

THAT Bylaw No. 2457.35, 2020, Electoral Area “I” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of February 4, 2021;

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

Purpose: To subdivide an existing duplex in order to create two bare land strata lots.

Owners: Carlos & Rafael Sola Agent: Sharon Sola Folio: I-02807.864

Legal: Strata Lot 8, Plan KAS3172, DL 3955, SDYD Civic: 165 Snow Mountain Place, Apex

OCP: Low Density Residential (LR) Proposed OCP: Low Density Residential (LR)

Zone: Low Density Residential Duplex Apex (RD2) Proposed Zoning: Site Specific Low Density Residential Duplex Apex (RD2s)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to subdivide existing duplex to create two bare land strata lots.

In order to accomplish this, the applicant is proposing to amend the zoning of the property under Electoral Area “I” Zoning Bylaw No. 2457, 2020, from Low Density Residential Duplex Apex (RD2) to Site Specific Low Density Residential Duplex Apex (RD2s). The site specific regulation will allow for the creation of two strata lots of sizes 236 m² and 281 m², whereas the minimum parcel size under existing RD2 zone requires 300 m².

In support of the rezoning, the applicant has stated “We are looking to create separate title for each duplex unit for mortgage purposes. We have paid snow removal including the driveways of each unit”

Site Context:

The subject property is approximately 518 m² in area and is situated on the south side of Snow Mountain Place. It is understood that the parcel is comprised of a recently built (2017) duplex dwelling.

The surrounding pattern of development is generally characterised by similarly sized low-density residential parcels that are currently vacant and area allowed duplex dwellings.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on January 29, 2007, while available Regional District records indicate that a building permit for a duplex dwelling (2017).

Under the Electoral Area “1” Official Community Plan (OCP) Bylaw No. 2683, 2016 the subject property is currently designated Low Density (LR).

Under the Electoral Area “1” Zoning Bylaw No. 2457, 2008, the property is currently zoned Low Density Residential Duplex Apex (RD2) which allows for duplex dwellings and minimum parcel size of 300 m², for the purpose of subdivision of duplexes into their individual units.

The subject parcel was created from a subdivision and zoning at the time (RMU) allowed for parcel size of 505 m² for single detached and duplex dwellings. Subsequently, in 2015 the RMU zone was amended to reflect RM3 zone (Bylaw 2457.14, 2015) which allowed duplex dwellings with a minimum parcel size of 1,000 m².

In 2016, during Electoral Area “1” OCP Bylaw review, both the OCP and Zoning Bylaw were amended to update a number of residential zones at the Apex Mountain and resulted in creation of RD2 zone, which was improvement over the previous (RMU and RM3) zones, both of which required a significant land area for strata subdivision of a duplex compared to existing RD2 zone.

BC Assessment has classified the property as “Residential” (Class 01).

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97 & 3).

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. 67 have been made aware of the proposed amendment bylaw.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Public Process:

On December 16, 2020, a Public Information Meeting (PIM) was held electronically and was attended by no members of the public.

At its meeting of December 16th, 2020, the Electoral Area “1” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

In considering this proposal, Administration notes that both the duplexes already exist, are serviced by community water and sewer system, and are within Apex Rural Growth Area – making it the type of location that the Regional District is seeking to encourage appropriate infill types of development.

The low-density residential designation includes number of land uses compatible with the low-density character of a neighbourhood and includes duplexes – making the subject proposal consistent with the OCP Bylaw.

Administration also notes that the subject proposal to create a bare land strata within a bare land strata is consistent with the policies contained in OCP Plan (Section 11.3.1) that directs development of new housing to previously approved residential subdivisions within identified Growth Area, and to consider residential infill development to maximize the land use and servicing efficiencies

While reviewing a zoning amendment, Administration will consider the proposed “use” and “density” and its impact on the neighbourhood. In this instance, the use (duplex) remains the same however, the proposal does not meet the minimum parcel size requirement (density provision) associated with RD2 and requires zoning amendment, to facilitate the subdivision.

Further, Administration does not anticipate that the existing duplexes upon subdivision will, in any way, generate non-conformity with other provisions of the zoning bylaw (i.e. parking provisions and parcel coverage).

Of note, there is a concern regarding the visual separation (setbacks) between individual duplexes. Currently, both duplexes share a common party wall. However, Administration acknowledges that the setback provisions of the Zoning Bylaw apply only to the parcel lines on the perimeter of the parcel and not to internal parcel lines for strata lots under a registered plan pursuant to Provincial regulations.

Conversely, Administration recognises that it is not generally considered good planning practice to allow “spot zoning”. “Spot zoning” is a non-comprehensive approach to zoning that introduces discrepancies between permitted uses within a specific area and extends a benefit to one parcel that is not available to other parcels in the same zone.

Further, during the Apex Zone Review, the size of duplex parcels at Apex were increased to ensure additional land area was being provided for snow storage. There is a concern to reducing the size of the parcel and limiting the land availability for snow storage. However, the requirement for on-site snow storage provision is triggered under current conditions (i.e. when a parcel contains four or more outdoor parking spaces) and this requirement would nullify upon subdivision (as each parcel will contain only two parking spaces).

Summary:

In summary, Administration generally supports the proposed Zoning Bylaw amendment.

Alternatives:

1. THAT Bylaw No. 2457.35, 2020, Electoral Area “I” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

2. THAT Bylaw No. 2457.35, 2020, Electoral Area "I" Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2457.35, 2020, Electoral Area "I" Zoning Amendment Bylaw be, be denied.

Respectfully submitted:

R. Gadoya

Rushi Gadoya, Planning Technician

Endorsed By:



C. Garrish, Planning Manager

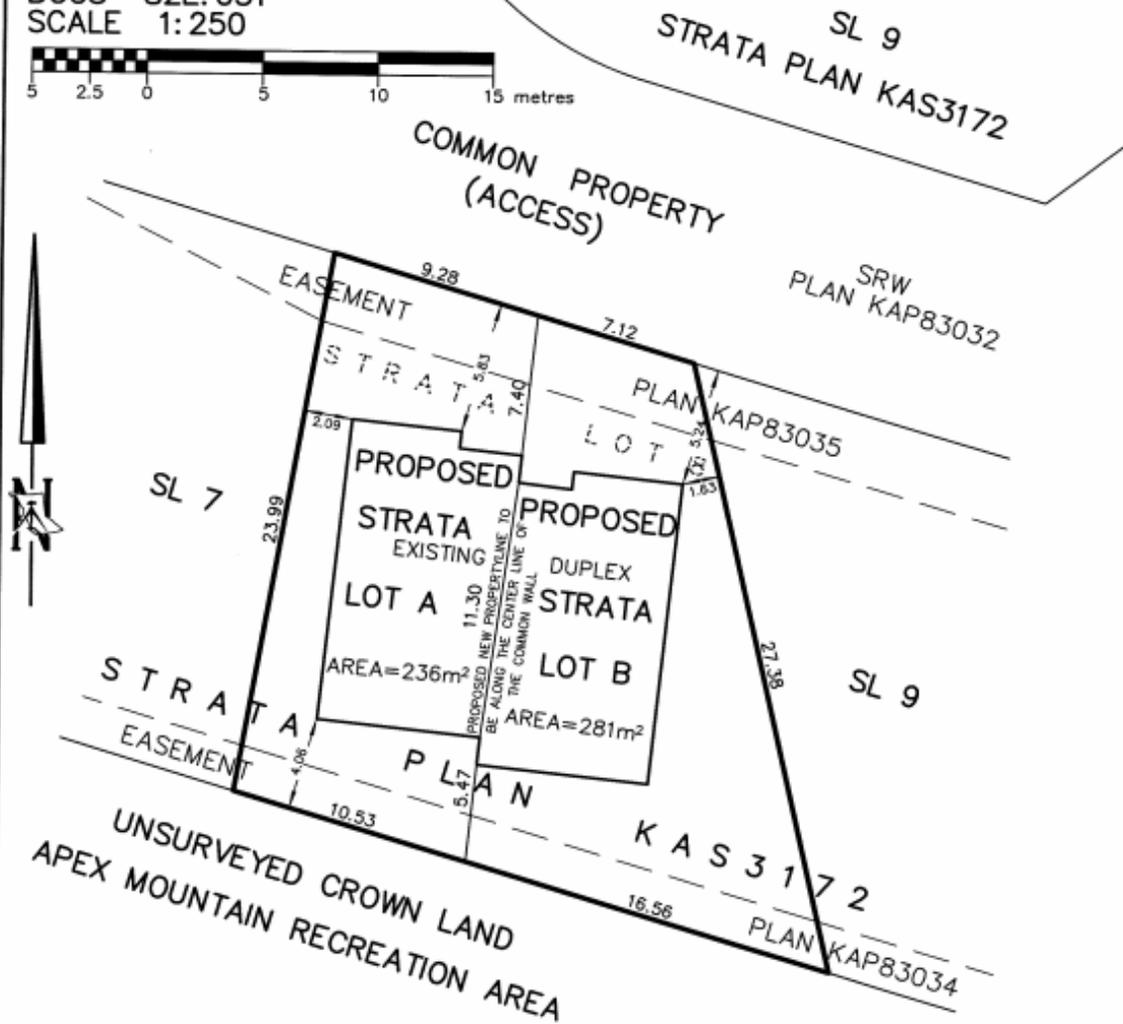
- Attachments: No. 1 – Applicant’s Site Plan
No. 2 – Applicant’s Floor Plans
No. 3 – Applicant’s Floor Plans
No. 4 – Site Photo
No. 5 – Site Photo

SKETCH PLAN TO ACCOMPANY A REZONING AND SUBDIVISION APPLICATION OF STRATA LOT 8, PLAN KAS3172, DL 395s, SDYD

CIVIC ADDRESS: 165 SNOW MOUNTAIN PLACE, APEX MOUNTAIN, PENTICTON, BC.

BCGS 82E.031

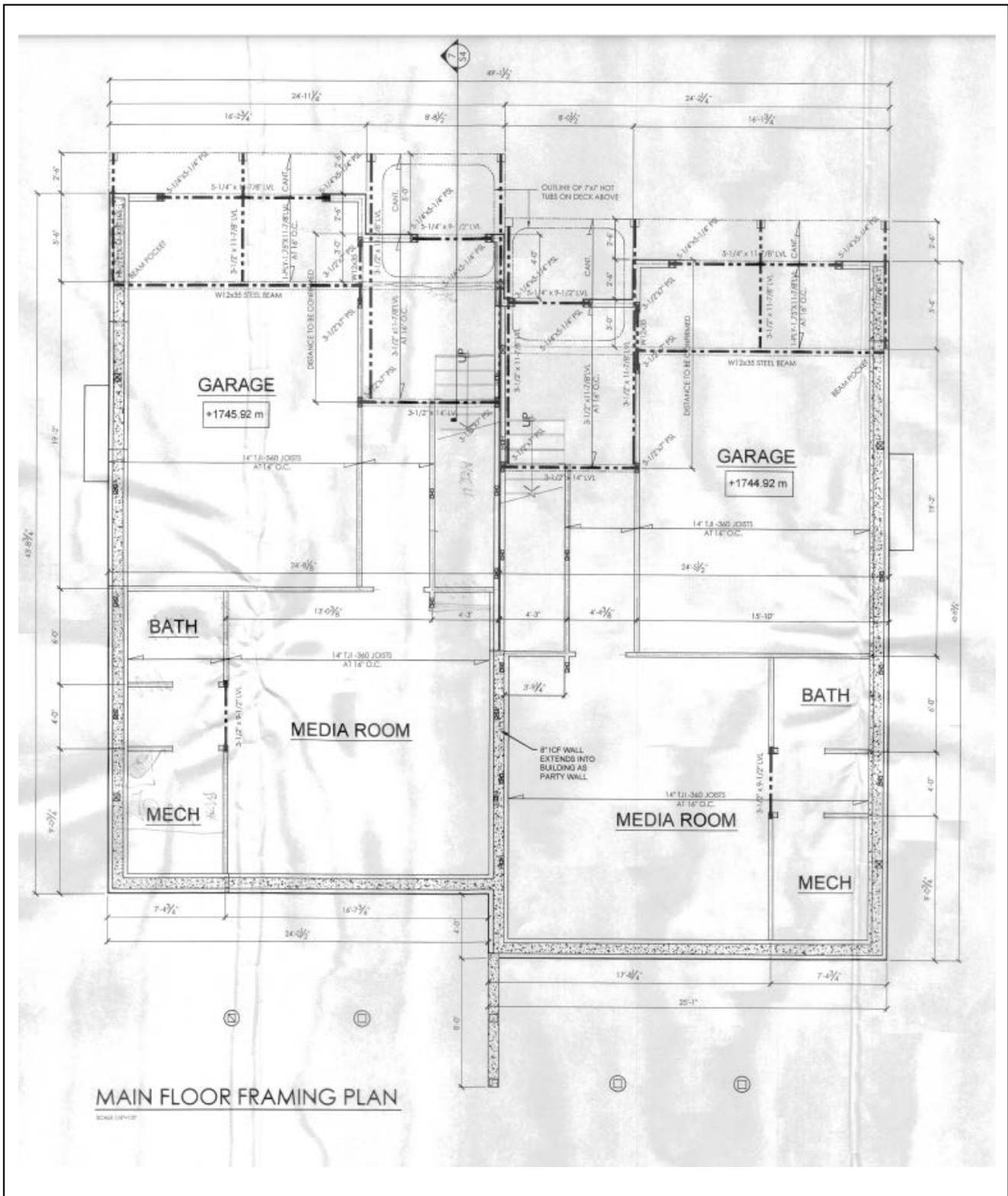
SCALE 1:250



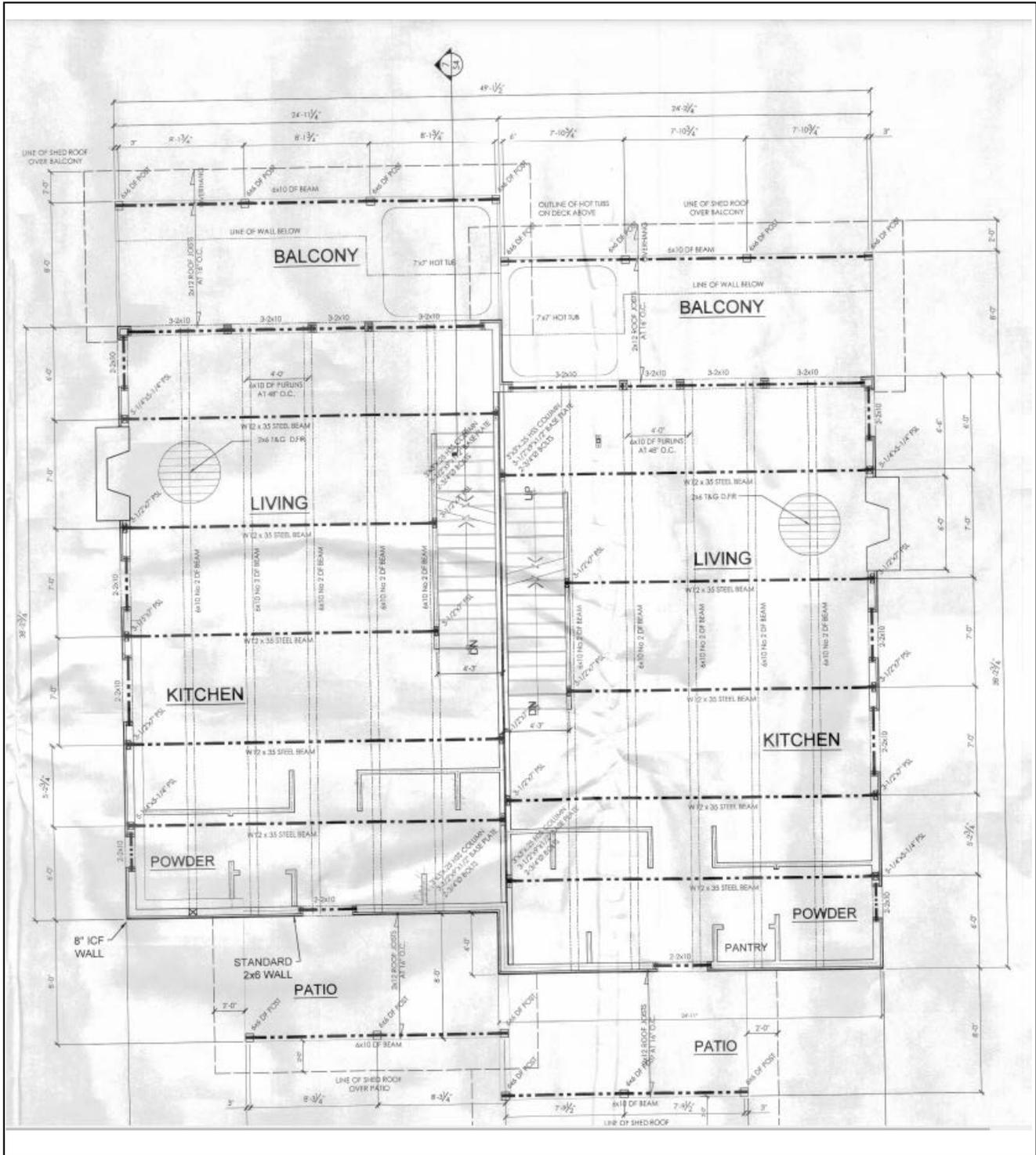
PREPARED THIS 19th DAY OF NOVEMBER, 2020.

STEVEN J. BUZIKIEVICH
PROFESSIONAL LAND SURVEYOR
54 NANAIMO AVE. E.
PENTICTON, B.C. V2A 1L9
Phone: (250)492-0559 Fax: (250)492-9851
FILE 20-123
DWG. 20-123A

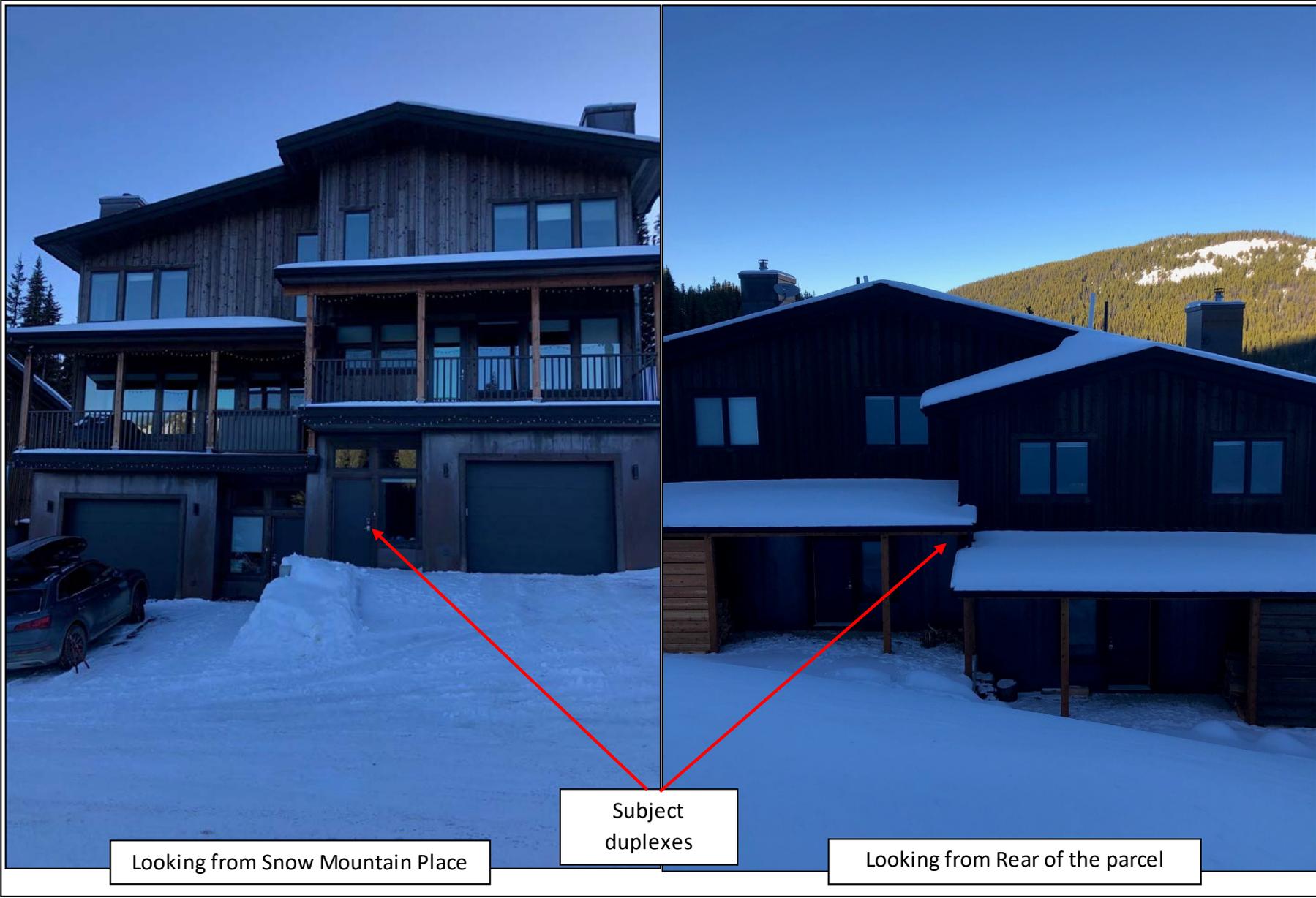
Attachment No. 2 – Applicant’s Floor Plans



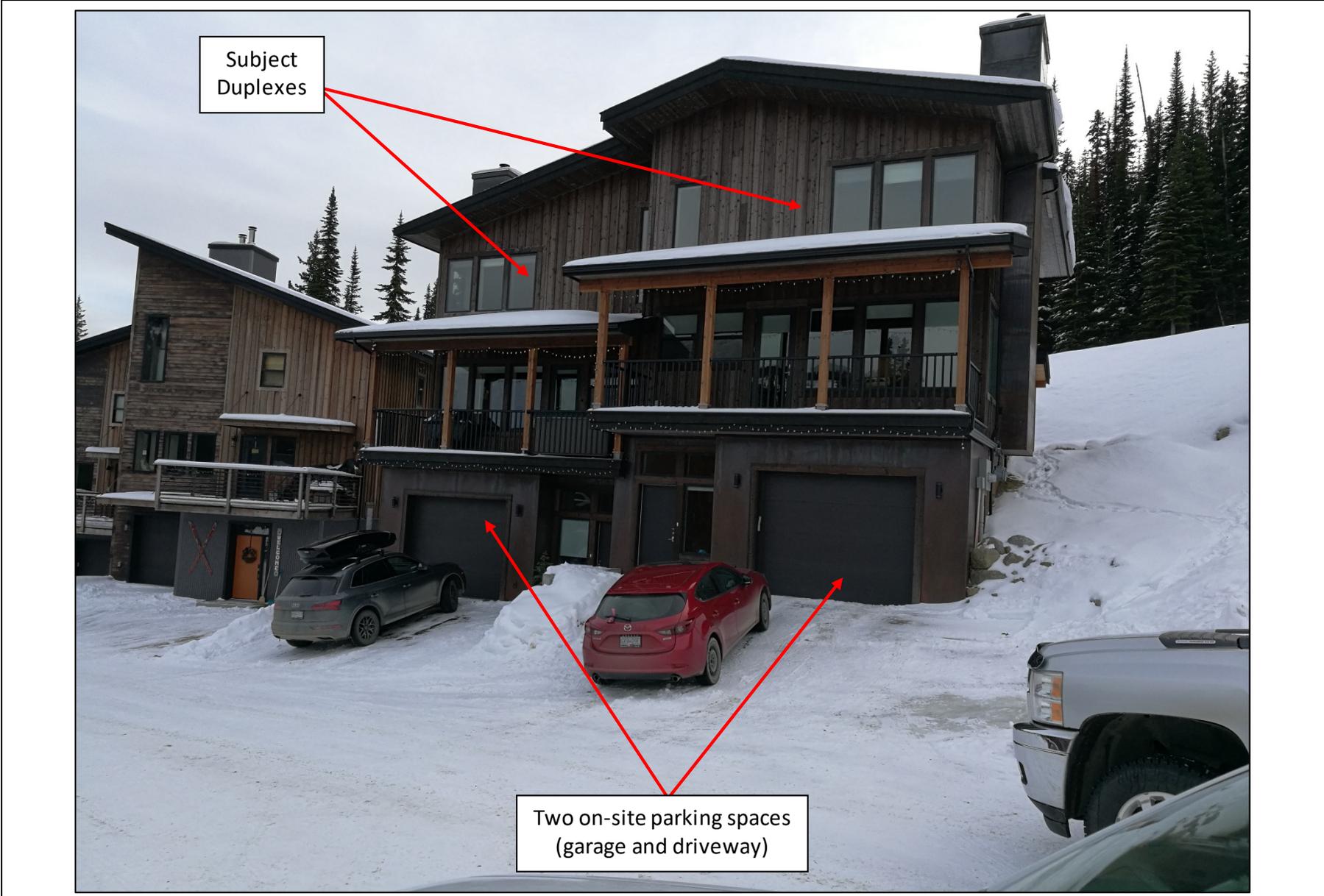
Attachment No. 3 – Applicant's Floor Plans



Attachment No. 4 – Site Photo



Attachment No. 5 – Site Photo



Subject Duplexes

Two on-site parking spaces (garage and driveway)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.35, 2020

A Bylaw to amend the Electoral Area “I” 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 “I” Zoning Amendment Bylaw No. 2457.35, 2021.”
2. The “Electoral Area “I” Zoning Bylaw No. 2457, 2008” is amended by:
 - i) adding a new sub-section 2 under Section 19.30 (Site Specific Low Density Residential Duplex Apex (RD2s) Provisions to read as follows:
 - .2 in the case of land described as Strata Lot 8, Plan KAS3172, District Lot 395S, SDYD (165 Snow Mountain Place, Apex), and as shown shaded yellow on Figure 19.30.2:
 - a) despite Section 11.5.3(b), the minimum parcel size for the purpose of subdividing a duplex under the *Strata Property Act* shall be 236.0 m², subject to servicing requirements.



- The Official Zoning Map, being Schedule '2' of the Electoral Area "I" Zoning Bylaw No. 2457 2008, is amended by changing the land use designation on the land described Strata Lot 8, Plan KAS3172, DL 395S, SDYD and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Low Density Residential Duplex Apex (RD2) to Low Density Residential Duplex Apex Site Specific (RD2s).

READ A FIRST AND SECOND TIME this ____ day of _____, 2021.

PUBLIC HEARING held on this ____ day of _____, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

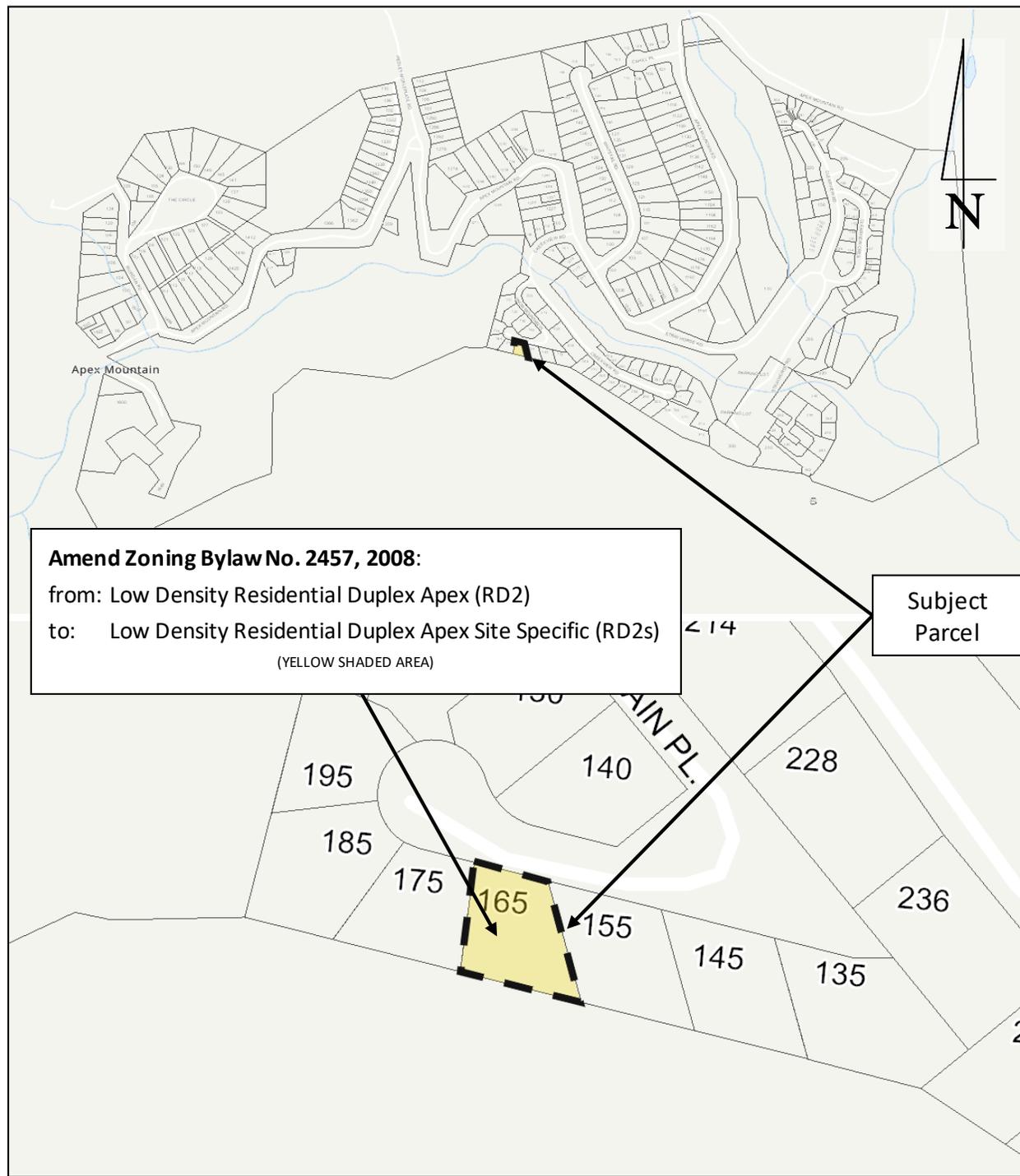
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



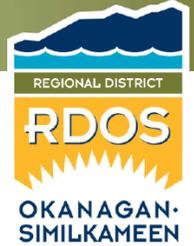
Amendment Bylaw No. 2457.35, 2021

File No. I2020.018-ZONE

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: Official Community Plan (OCP) and Zoning Bylaw Amendments
Proposed Dock Regulations – Okanagan Basin Lakes

Administrative Recommendation:

THAT Bylaw No. 2862, 2020 the Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw, be adopted.

Purpose:

The purpose of this report is to seek direction from the Board regarding revised Official Community Plan (OCP) and Zoning Bylaw amendments related to the regulation of docks on major lakes within Electoral Areas “A”, “C”, “D”, “E”, “F”, and “I”.

Background:

Public Information Meetings were hosted electronically on July 30, August 4 and August 5, 2020, and were attended by approximately twenty (20) members of the public.

At its meeting of October 1, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaw and scheduled a public hearing ahead of its meeting of November 19, 2020.

A Public Hearing was subsequently held on November 19, 2020, followed by Board approval of third reading 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 December 10, 2020.

Alternatives:

1. THAT adoption of Bylaw No. 2862, 2020 Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw be deferred; or
2. THAT first, second and third reading of Bylaw No. 2862, 2020 Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw be rescinded and the bylaw abandoned.

Respectfully submitted:


Cory Labrecque, Planner II

Endorsed By:


C. Garrish, Planning Manager

File No: X2019.009-ZONE

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2862, 2020

**A Bylaw to amend the Electoral Area “A”, “C”, “D”, “E”, “F”, and “I”
Official Community Plan Bylaws and Zoning Bylaws**

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

1. This Bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen Okanagan Basin Lakes Zoning Amendment Bylaw No. 2862, 2020.”

Electoral Area “A”

2. The Electoral Area “A” Official Community Plan Bylaw No. 2450, 2008, is amended by:
 - i) adding a reference to “Okanagan Basin Lakes BL” under “Community Services and Administrative Designations” at Section 2.0 (Official Community Plan Map Designations).
 - ii) adding a new Section 13.5 (Basin Lakes) under Section 13.0 (Natural Environment & Conservation) to read as follows:

13.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

13.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Osoyoos Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

13.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 18.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;

- ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
3. The land shown shaded yellow on the attached Schedule 'A-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended accordingly.
4. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:
"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
 - ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:
"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
 - iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:
"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;
 - iv) adding a new definition of "foreshore" under Section 4.0 (Definitions) to read as follows:
"foreshore" means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;
 - v) adding a new definition of "group moorage facility" under Section 4.0 (Definitions) to read as follows:
"group moorage facility" means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;
 - vi) adding a new definition of "marina" under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

xi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.

- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xii) replacing Section 16.2.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xiii) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

d) boatlift; and

e) swimming platform.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

a) Not applicable

16.4.3 Minimum Parcel Size:

a) Not applicable

16.4.4 Minimum Parcel Width:

a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

- 5. The land shown shaded yellow on the attached Schedule 'A-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "A" Zoning Bylaw No. 2451, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended accordingly.

Electoral Area "C"

- 6. The Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:
 - i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 4.0 (Official Community Plan Map Designations).
 - ii) adding a new Section 16.5 (Basin Lakes) under Section 16 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated

with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Vaseux Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 21.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.

- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
- i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
7. The land shown shaded yellow on the attached Schedule 'C-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended accordingly.
8. The Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:
"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
 - ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:
"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
 - iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:
"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;
 - iv) adding a new definition of "foreshore" under Section 4.0 (Definitions) to read as follows:
"foreshore" means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;
 - v) adding a new definition of "group moorage facility" under Section 4.0 (Definitions) to read as follows:

“group moorage facility” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

xi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.

- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xii) replacing Section 16.2.1(f) (Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xiii) adding a new Section 16.4 (Okanagan Basin Lakes (W1) Zone) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

d) boatlift; and

e) swimming platform..

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

a) Not applicable

16.4.3 Minimum Parcel Size:

a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

9. The land shown shaded yellow on the attached Schedule 'C-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "C" Zoning Bylaw No. 2453, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended accordingly.

Electoral Area "D"

10. The Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 5.0 (Official Community Plan Map Designations).
- ii) adding a new Section 17.5 (Basin Lakes) under Section 17 (Natural Environment & Conservation) to read as follows:

17.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and

surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

17.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Vaseux Lake and Skaha Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- 2 Minimize the potential negative impacts of more intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

17.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 24.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks

and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.

- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

11. The land shown shaded yellow on the attached Schedule 'D-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, and the OCP Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended accordingly.

12. The land shown shaded yellow on the attached Schedule 'D-2' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, and the OCP Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended accordingly.

13. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:

- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
- ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:

"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
- iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:

"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include

the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

“foreshore” means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;

v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

“group moorage facility” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

xi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xii) replacing Section 17.2.1(f) (Parks and Recreation Zone (PR)) under Section 17.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xiii) adding a new Section 17.4 (Okanagan Basin Lakes Zone (W1)) under Section 17.0 (Administrative and Open Space) to read as follows:

17.4 OKANAGAN BASIN LAKES ZONE (W1)

17.4.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

d) boatlift; and

swimming platform.

17.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

17.4.3 Minimum Parcel Size:

- a) Not applicable

17.4.4 Minimum Parcel Width:

- a) Not applicable

17.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

17.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

17.4.7 Maximum Height:

- a) Not applicable

17.4.8 Maximum Parcel Coverage:

- a) Not applicable

14. The land shown shaded yellow on the attached Schedule 'D-3' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "D" Zoning Bylaw No. 2455, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.

15. The land shown shaded yellow on the attached Schedule 'D-4' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "D" Zoning Bylaw No. 2455, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.

Electoral Area "E"

16. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:

- i) adding a reference to “Okanagan Basin Lakes BL” under “Community Services and Administrative Designations” at Section 4.0 (Official Community Plan Map Designations).
- ii) adding a new Section 18.5 (Basin Lakes) under Section 18.0 (Natural Environment & Conservation) to read as follows:

18.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule ‘B’ (Official Community Plan Map).

18.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Okanagan Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

18.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule ‘B’ (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.

- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubes on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

17. The land shown shaded yellow on the attached Schedule 'E-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended accordingly.

18. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:

- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
- ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:

"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
- iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:

“dock” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

- iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

“foreshore” means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;

- v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

“group moorage facility” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

- vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

- vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

- viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

- ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

- x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, one (1) standalone boatlift or one (1) swimming platform is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

- xii) replacing Section 16.3.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

- xiii) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

- a) water-based recreation;

Accessory Uses:

- b) dock;

- c) boat launch;
- d) boatlift; and
- e) swimming platform.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

19. The land shown shaded yellow on the attached Schedule 'E-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "E" Zoning Bylaw No. 2459, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended accordingly.

Electoral Area "F"

20. The Electoral Area “F” Official Community Plan Bylaw No. 2790, 2018, is amended by:
- i) adding a reference to “Okanagan Basin Lakes BL” under “Community Services and Administrative Designations” at Section 4.0 (Official Community Plan Designations).
 - ii) adding a new Section 16.5 (Basin Lakes) under Section 16.0 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule ‘B’ (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Okanagan Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule ‘B’ (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.

- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
 - .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
 - .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
 - .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
 - .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
 - .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
21. Schedule 'B' (Official Community Plan Map) of the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended by decreasing the extent of those land use designations that currently adjoin Okanagan Lake by 50.0 metres over the surface water, as measured from the high water mark.
22. The land shown shaded yellow on the attached Schedule 'F-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, and the OCP Map, being Schedule 'B' of the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended accordingly.
23. The Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
- i) deleting the definitions of "docks community" and "docks private" under Section 4.0 (Definitions).
 - ii) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

“boat lift” means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;

- iii) adding a new definition of “boat launch” under Section 4.0 (Definitions) to read as follows:

“boat launch” means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;

- iv) adding a new definition of “dock” under Section 4.0 (Definitions) to read as follows:

“dock” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

- v) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

“foreshore” means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;

- vi) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

“group moorage facility” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

- vii) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

“marina” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

- viii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a dock;

- ix) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“swimming platform” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

- x) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“water-based recreation” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

- xi) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xii) Replacing Section 7.26 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) in its entirety with the following:

7.26 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

- xiii) replacing Section 10.1.1(s) (Resource Area (RA) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:

s) *deleted*;

- xiv) replacing Section 10.2.1(l) (Agriculture Two (AG2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - l) *deleted*;
- xv) replacing Section 10.3.1(m) (Agriculture Three (AG2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - m) *deleted*;
- xvi) replacing Section 10.5.1(i) (Small Holdings Two (SH2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - i) *deleted*;
- xvii) replacing Section 10.7.1(f) (Small Holdings Four (SH4) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - f) *deleted*;
- xviii) replacing Section 10.8.1(h) (Small Holdings Five (SH5) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:
 - h) *deleted*;
- xix) replacing Section 11.1.1(d) (Residential Single Family One (RS1) Zone – Permitted Uses) under Section 11.0 (Low Density Residential) in its entirety with the following:
 - d) *deleted*;
- xx) replacing Section 11.2.1(d) (Residential Single Family Two (RS2) Zone – Permitted Uses) under Section 11.0 (Low Density Residential) in its entirety with the following:
 - d) *deleted*;
- xxi) replacing Section 16.2.1(f) (Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:
 - f) public moorage;
- xxii) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:
 - 16.4 OKANAGAN BASIN LAKES ZONE (W1)**
 - 16.4.1 Permitted Uses:**
 - Principal Uses:
 - a) water-based recreation;

Accessory Uses:

- b) dock;
- c) boat launch;
- d) boatlift; and
swimming platform.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

24. Schedule '2' (Zoning Map) of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by decreasing the extent of those land use zonings that currently adjoin Okanagan Lake by 50.0 metres over the surface water, as measured from the high water mark.

25. The land shown shaded yellow on the attached Schedule 'F-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "F" Zoning Bylaw No. 2461, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended accordingly.

Electoral Area "I"

26. The Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 4.0 (Official Community Plan Designations).
- ii) adding a new Section 16.5 (Basin Lakes) under Section 16.0 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Skaha Lake and Vaseux Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, and swimming platforms.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

27. The land shown shaded yellow on the attached Schedule 'I-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, and the OCP Map, being Schedule 'B' of the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, is amended accordingly.

28. The Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended by:

- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;

- ii) adding a new definition of “boat launch” under Section 4.0 (Definitions) to read as follows:

“**boat launch**” means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;

- iii) adding a new definition of “dock” under Section 4.0 (Definitions) to read as follows:

“**dock**” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

- iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

“**foreshore**” means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;

- v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

“**group moorage facility**” means one or more multi-berth docks providing communal moorage to an adjacent apartment building or townhouse development or multi-parcel residential development, including a strata or shared interest development;

- vi) replacing the definition of “marina” under Section 4.0 (Definitions) in its entirety with the following:

“**marina**” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided;

- vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“**moorage**” means the tying, fastening or securing of a boat or other watercraft to a dock;

- viii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

“**swimming platform**” means a floating structure used for recreational activities, such as swimming, diving, and sun bathing, but excludes moorage;

- ix) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

“**water-based recreation**” means the use of water for outdoor recreation activities such as fishing, water skiing, boating, swimming, and diving;

- x) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).
- xi) adding a new Section 7.31 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.31 Dock, Boatlift & Swimming Platform Regulations

Docks, boatlifts and swimming platforms may only be sited directly adjacent to a parcel zoned to permit “single detached dwelling”, and only subject to the following regulations:

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 The maximum surface area of a swimming platform shall not exceed 10.0 m².

- xii) replacing Section 16.2.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

- xiii) adding a new Section 16.5 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.5 OKANAGAN BASIN LAKES ZONE (W1)

16.5.1 Permitted Uses:

Principal Uses:

- a) water-based recreation;

Accessory Uses:

- b) dock;
- c) boat launch;
- d) boatlift;
- e) swimming platform.

16.5.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.5.3 Minimum Parcel Size:

- a) Not applicable

16.5.4 Minimum Parcel Width:

- a) Not applicable

16.5.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.5.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.5.7 Maximum Height:

- a) Not applicable

16.5.8 Maximum Parcel Coverage:

a) Not applicable

29. The land shown shaded yellow on the attached Schedule '1-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "I" Zoning Bylaw No. 2457, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended accordingly.

READ A FIRST AND SECOND TIME this 1st day of October, 2020.

PUBLIC HEARING held on this 19th day of November, 2020.

READ A THIRD TIME this 19th day of November, 2020.

Approved pursuant to Section 52(3) of the *Transportation Act* this 10th day of December, 2020.

ADOPTED this ____ day of _____, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

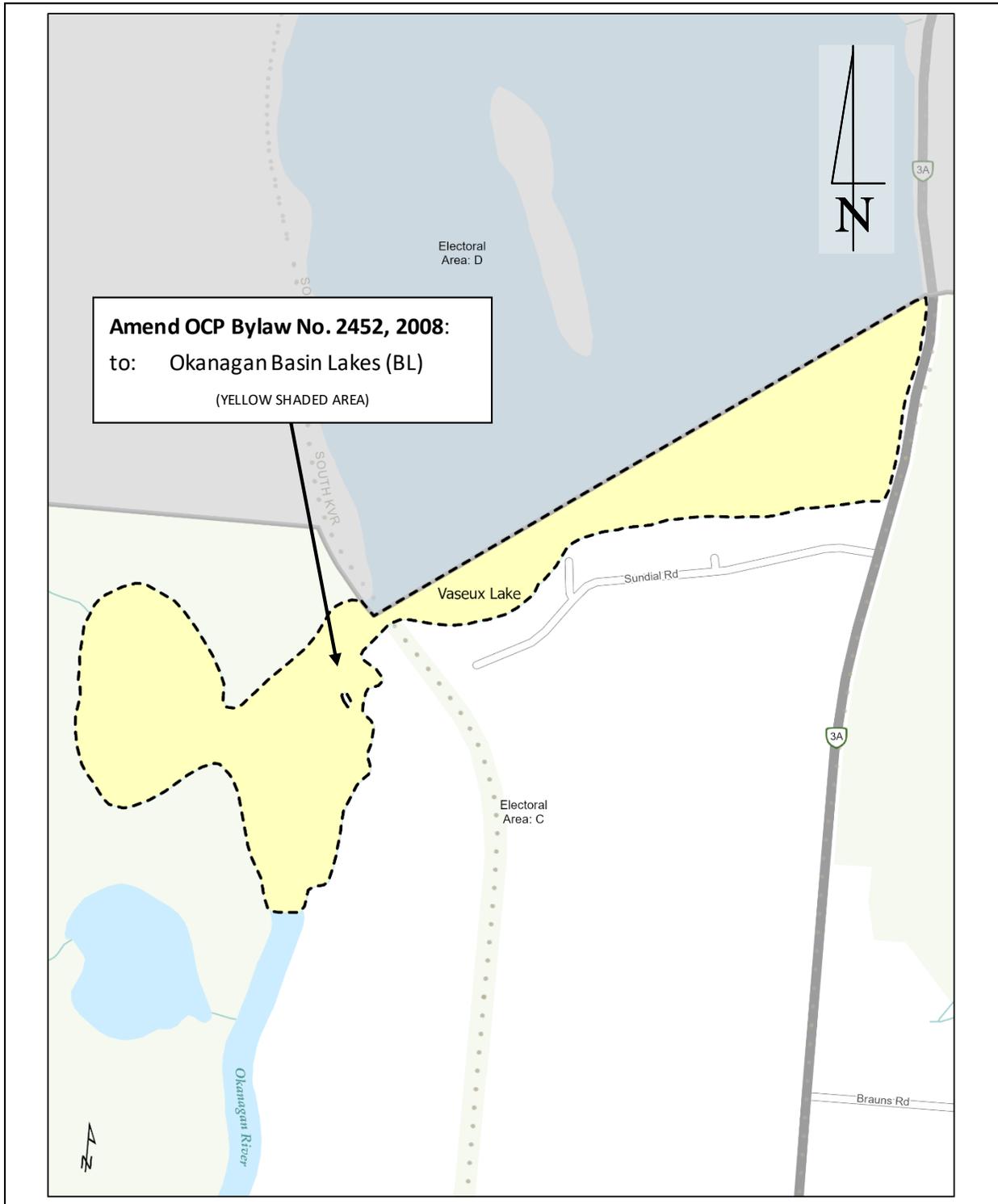
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'C-1'



Regional District of Okanagan-Similkameen

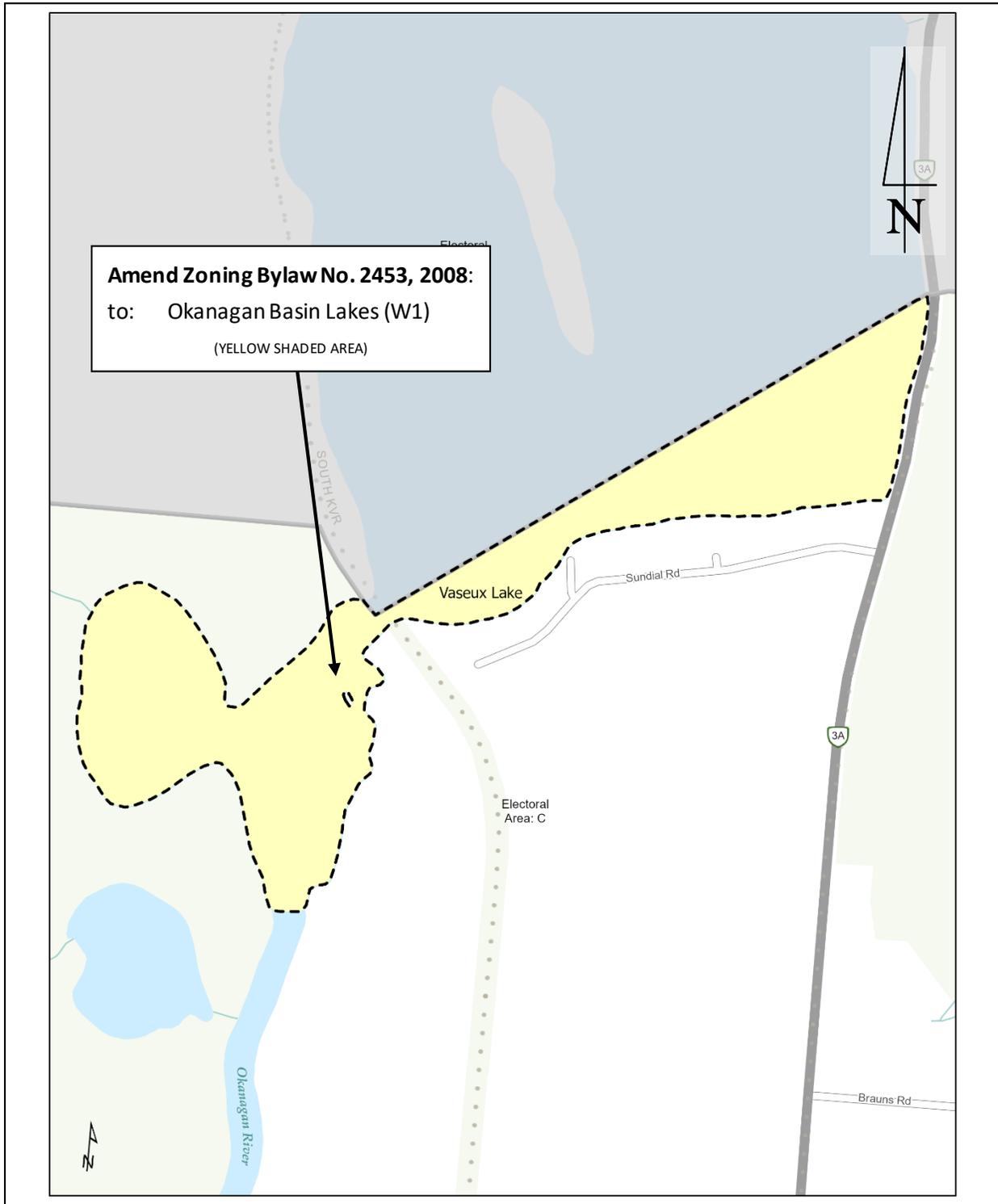
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'C-2'



Regional District of Okanagan-Similkameen

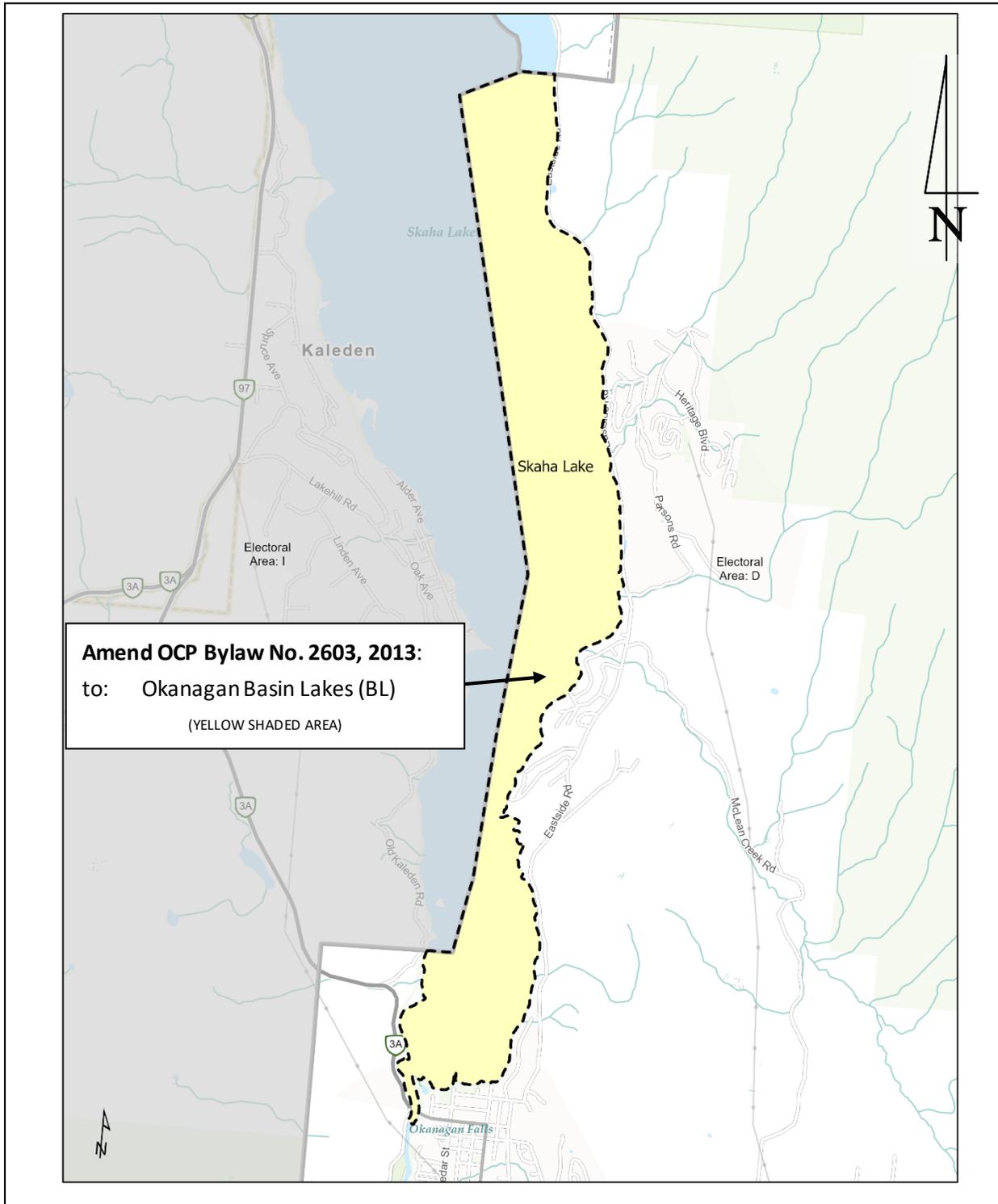
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'D-1'



Regional District of Okanagan-Similkameen

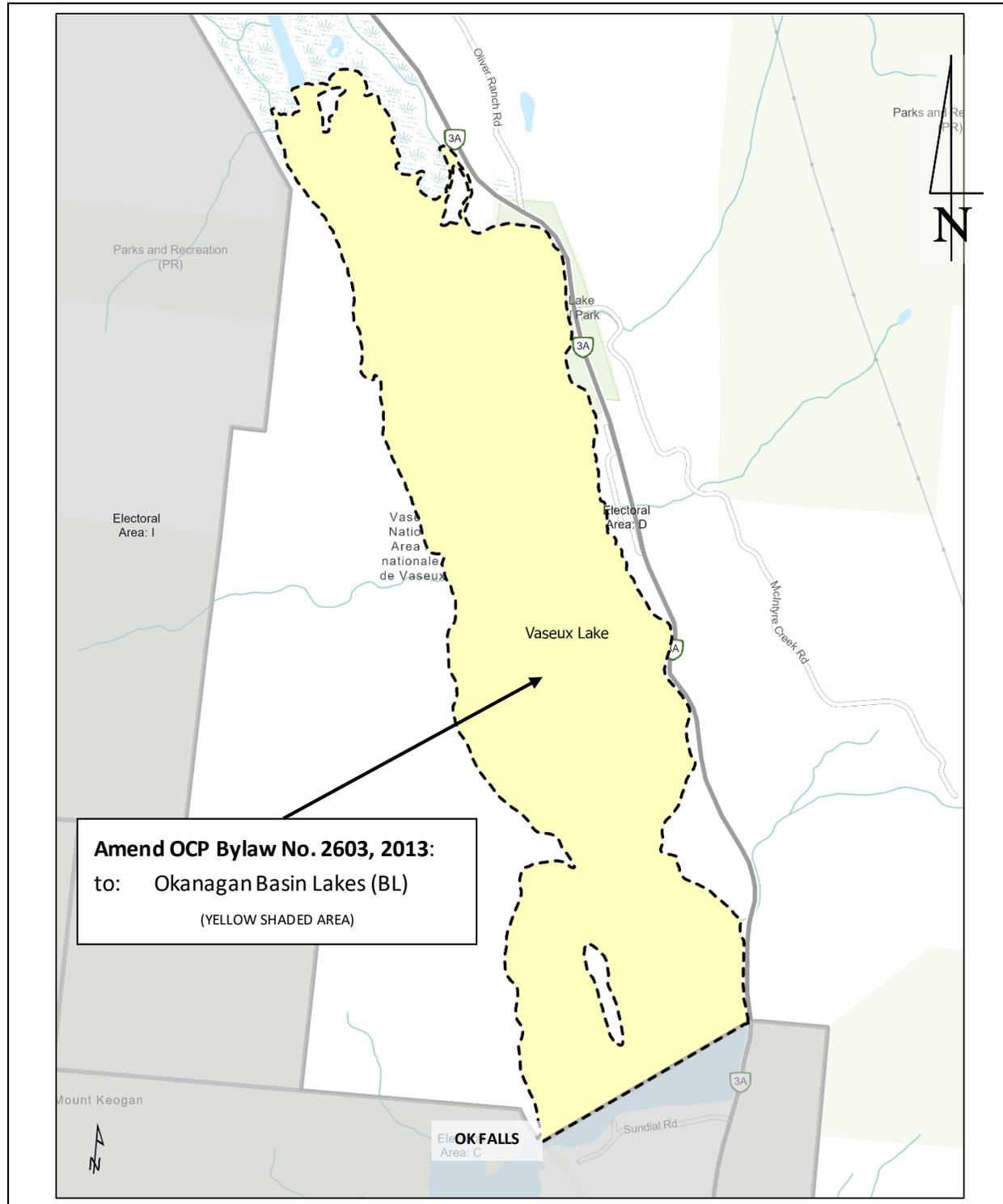
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'D-2'



Regional District of Okanagan-Similkameen

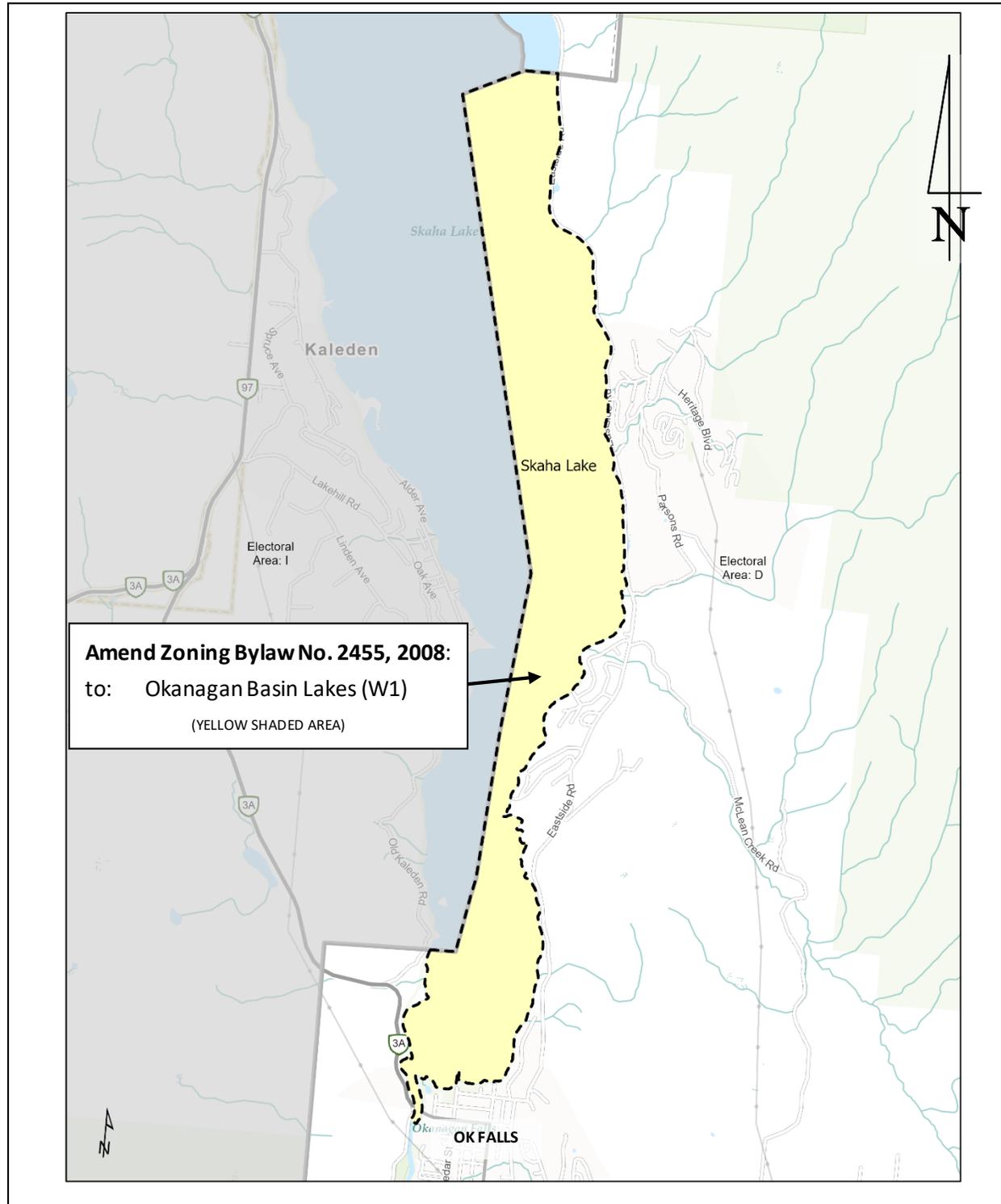
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'D-3'



Regional District of Okanagan-Similkameen

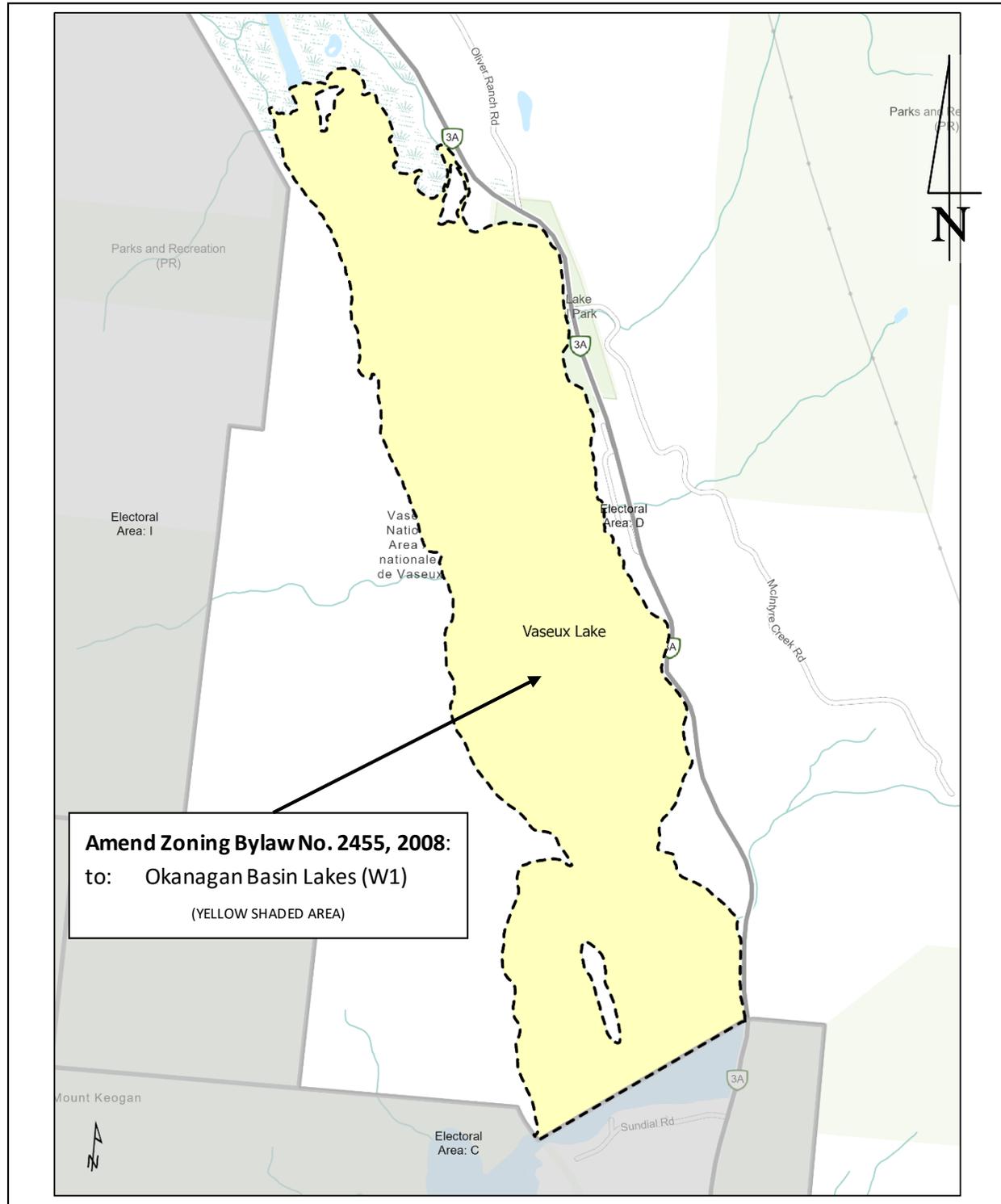
101 Martin St, Penticton, BC, V2A-5J9
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'D-4'



Regional District of Okanagan-Similkameen

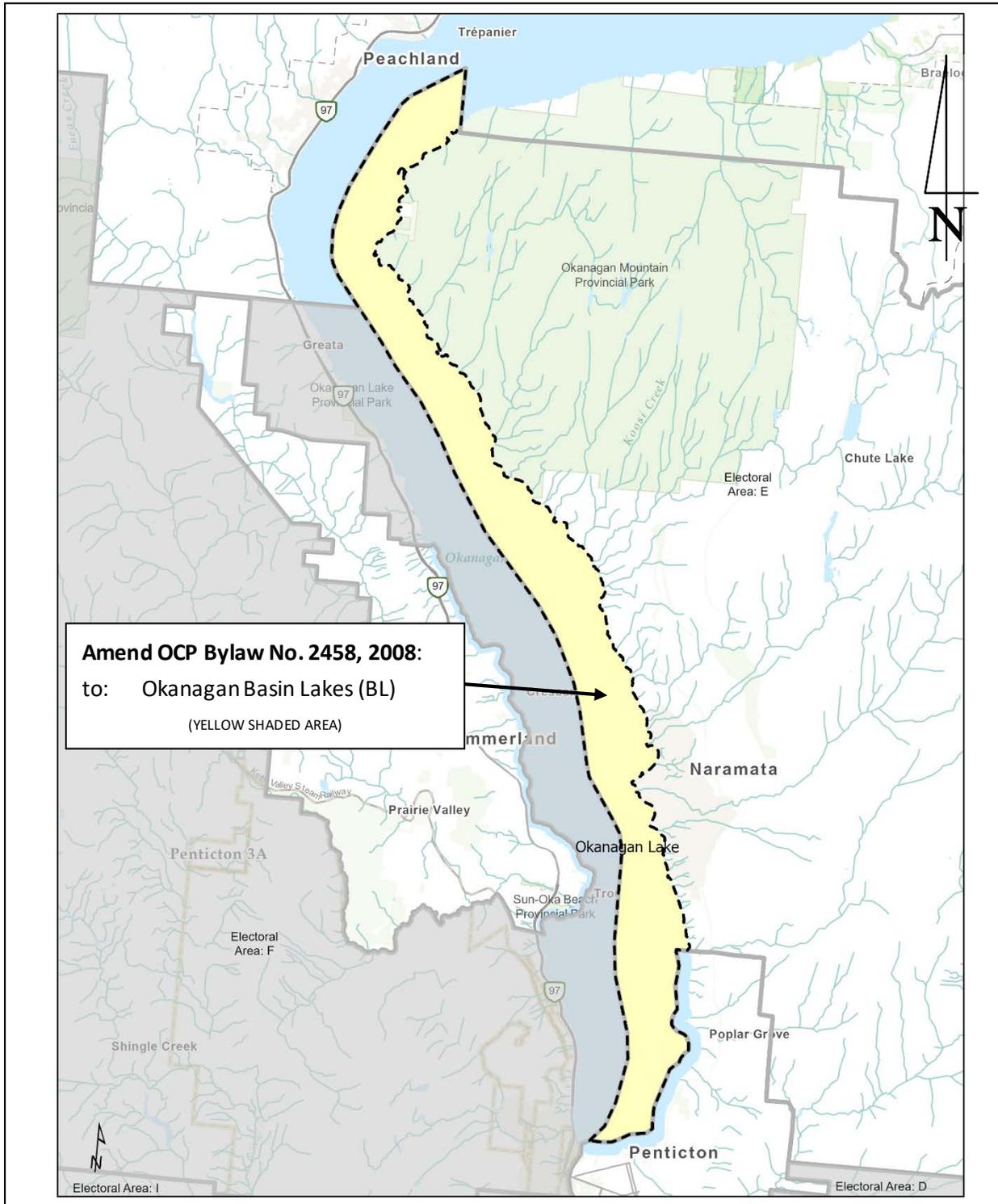
101 Martin St, Penticton, BC, V2A-5J9
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'E-1'



Regional District of Okanagan-Similkameen

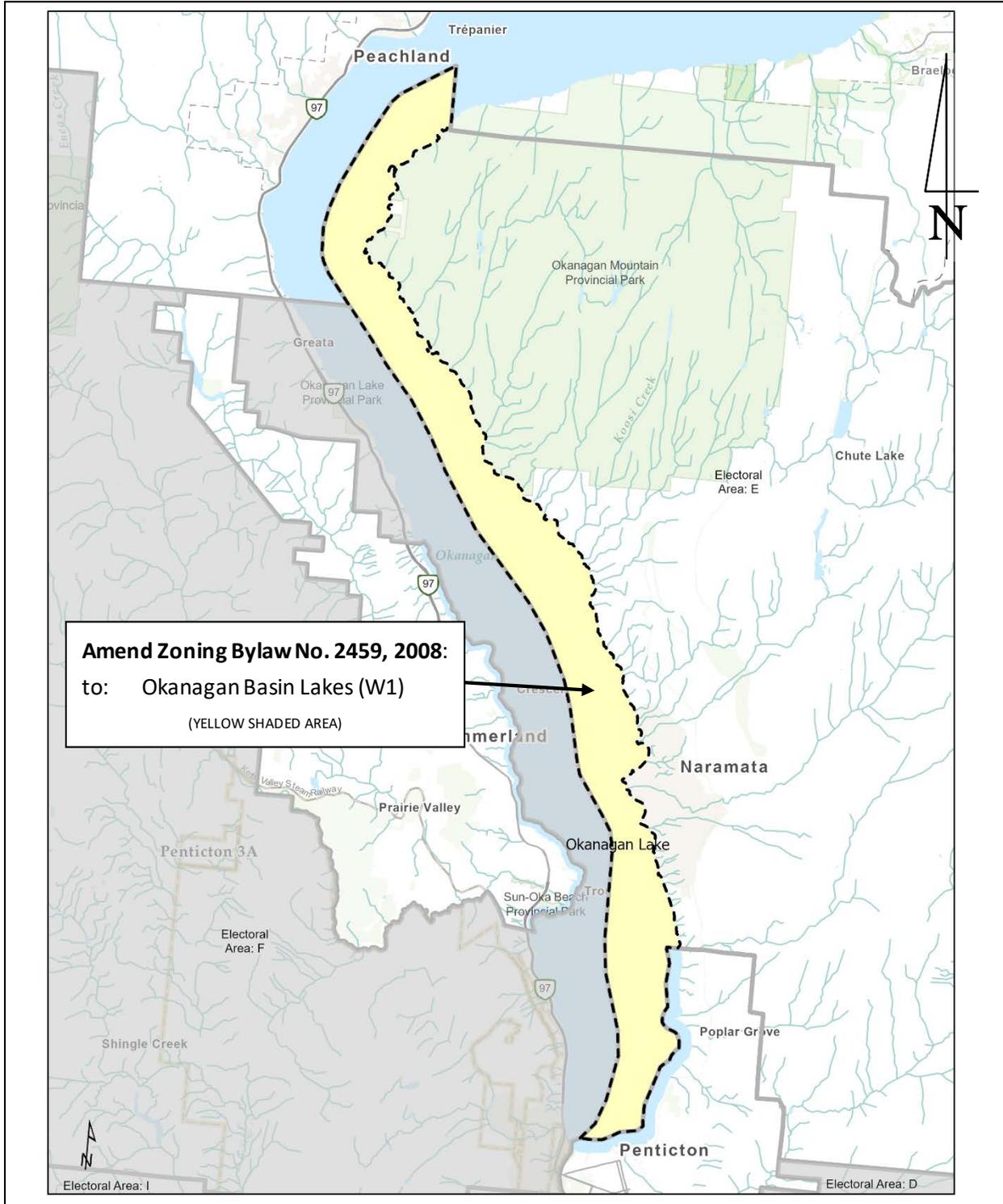
101 Martin St, Penticton, BC, V2A-5J9
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Amendment Bylaw No. 2862, 2020

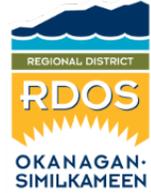
File No. X2020.009-ZONE

Schedule 'E-2'



Regional District of Okanagan-Similkameen

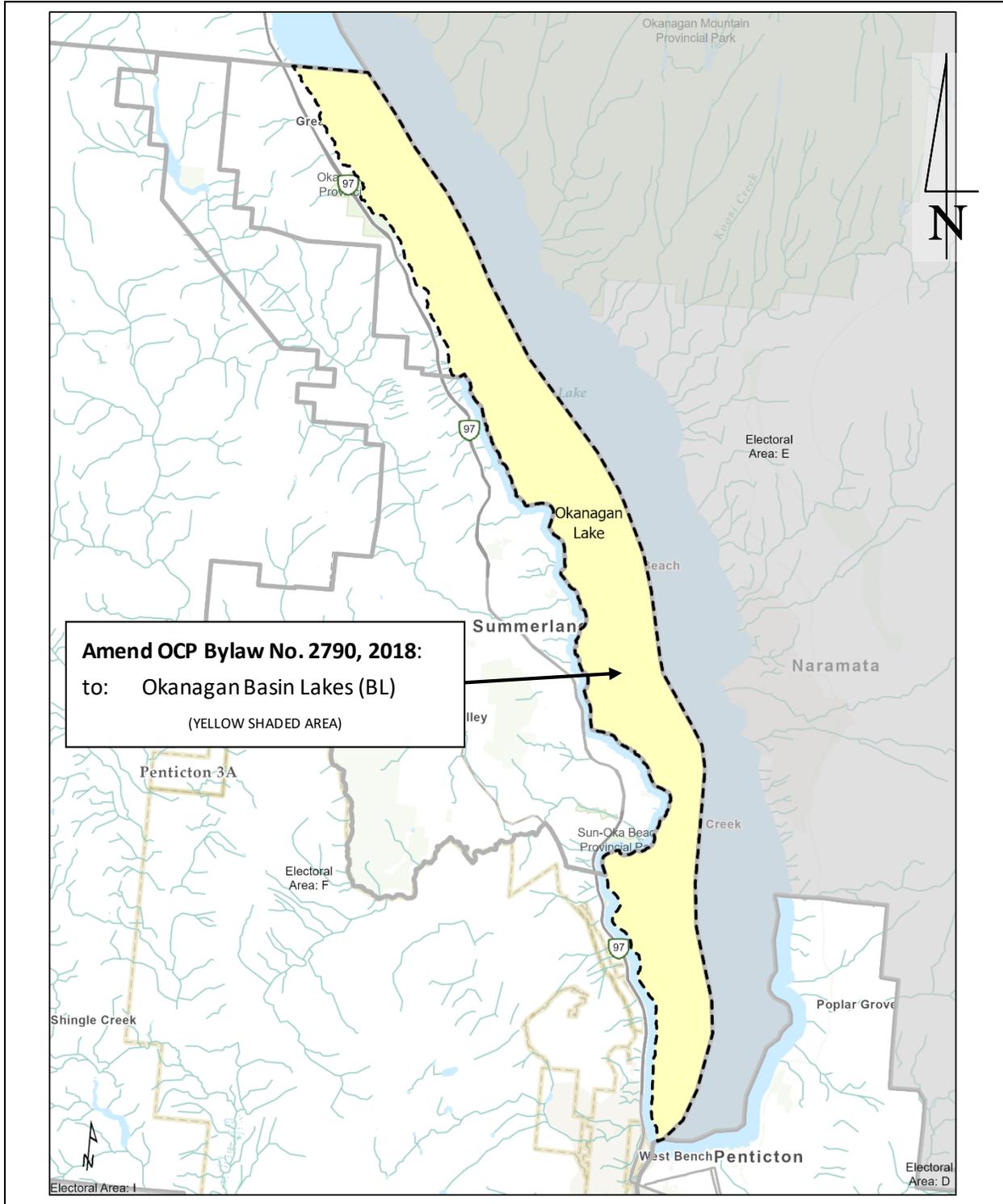
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'F-1'



Regional District of Okanagan-Similkameen

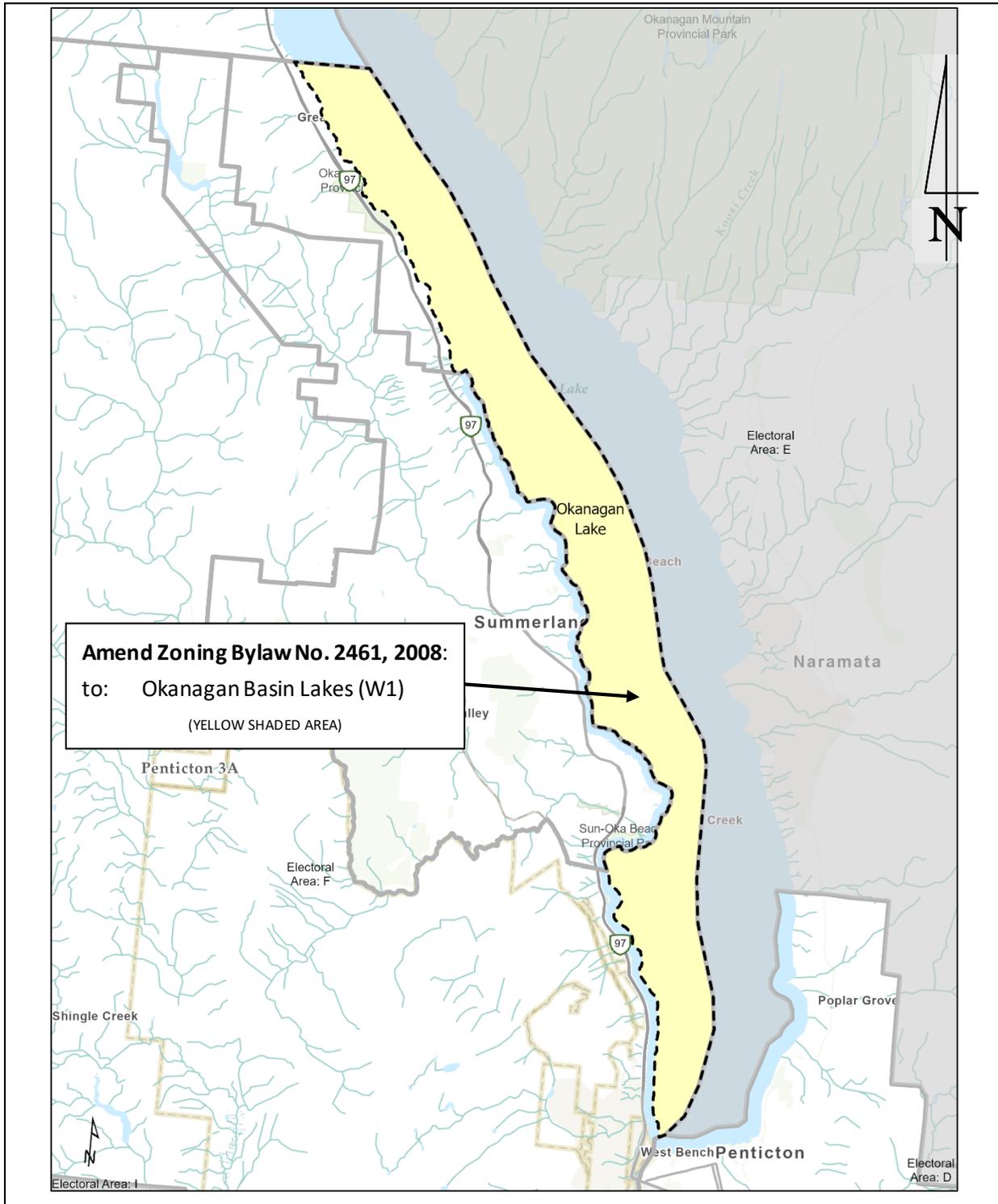
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'F-2'



Regional District of Okanagan-Similkameen

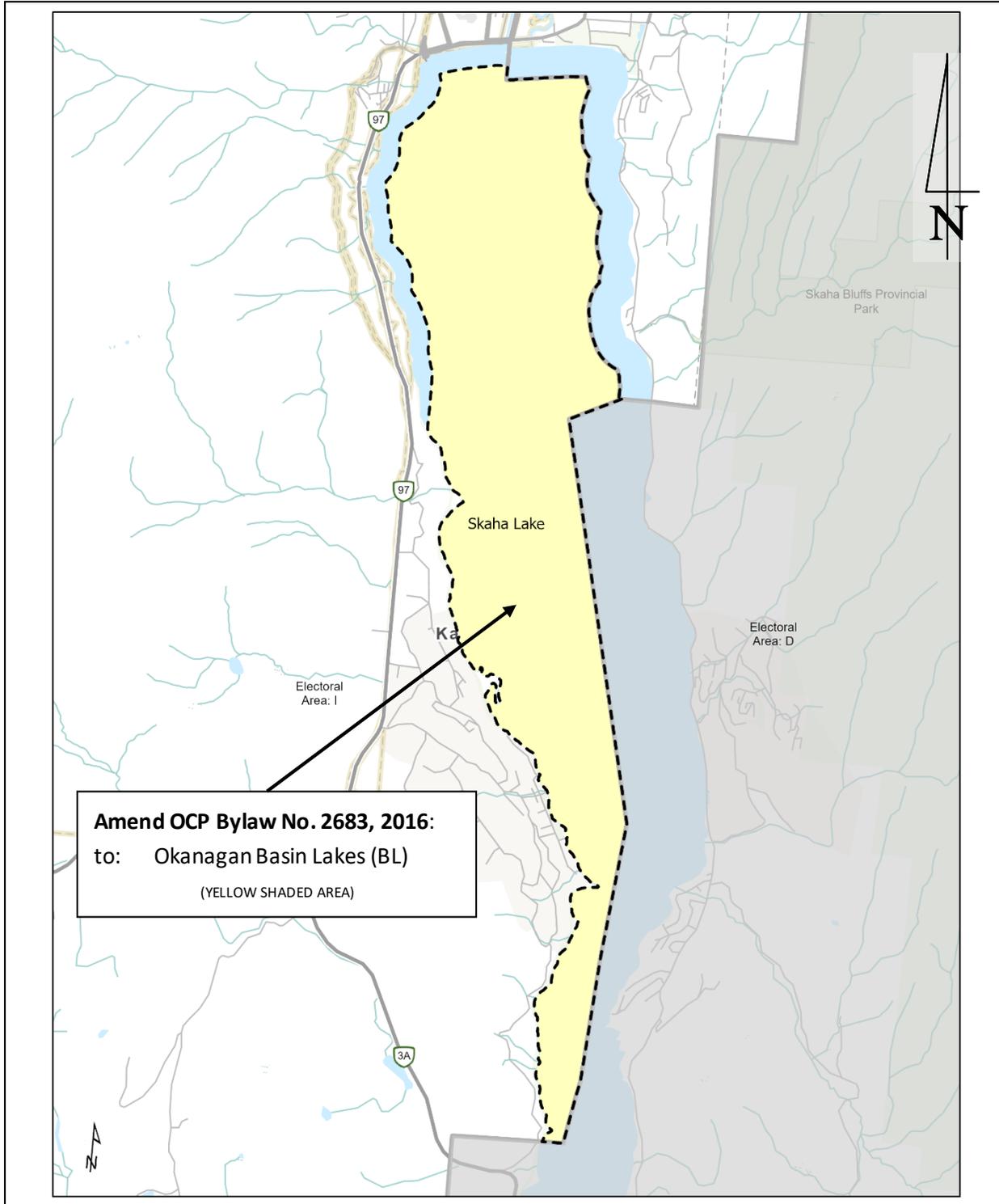
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'I-1'



Regional District of Okanagan-Similkameen

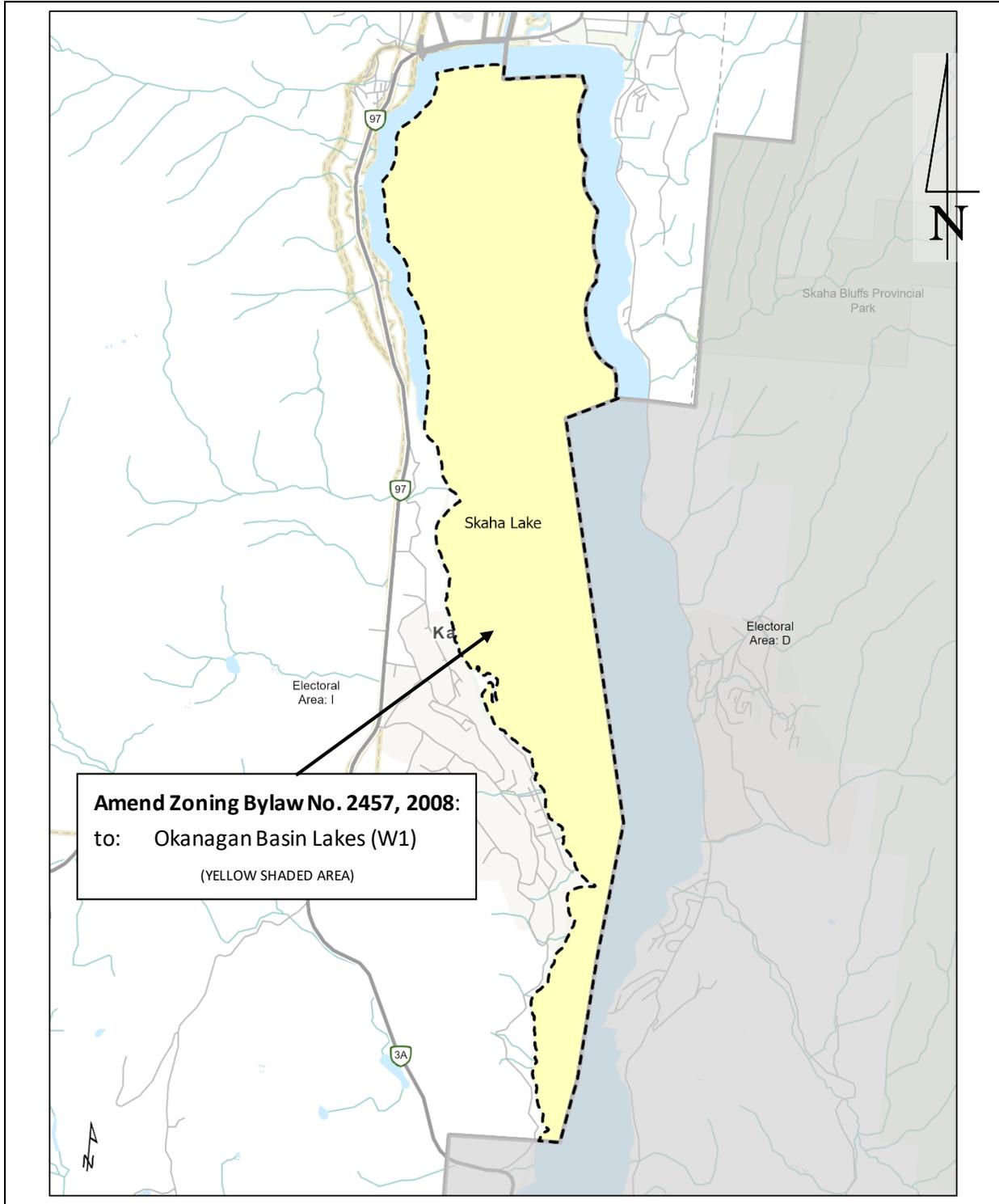
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Amendment Bylaw No. 2862, 2020

File No. X2020.009-ZONE

Schedule 'I-2'



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: Zoning Bylaw Amendment – Electoral Areas “A”, “C”, “D”, “E”, “F” & “I”
Regulation of Metal Storage Containers

Administrative Recommendation:

THAT Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw be read a third time.

Proposed Development:

The purpose of Amendment Bylaw No. 2895 is to introduce zoning regulations governing the use and placement of metal storage containers within the Okanagan Electoral Area zoning bylaws.

Background:

At its meeting of February 20, 2020, the P&D Committee considered a Draft of the 2020 Corporate Action Plan. This Plan included, as an action, a “review the Area I Zoning Bylaw to establish controls for tiny homes, shipping containers and B&B at Apex Mountain Resort” to be completed by Q4 2020.

At its meeting March 5, 2020, the P&D Committee of the Board resolved that the Regional District of Okanagan-Similkameen Storage Container Regulations Zoning Amendment Bylaw No. 2895, be initiated.

As part of the initiation of Amendment Bylaw No. 2895, the following consultation was undertaken:

- referral to individual members of the Electoral Area Advisory Planning Commissions;
- notification of external agencies (April 15, 2020);
- documentation added to Regional District web-page (March 10, 2020);
- notification posted to the Regional District’s Facebook page (April 16, 2020); and
- notification on CivicReady to approximately 450 persons (June 9, 2020).

In response to this notification, approximately 50 representations were received from the public and approximately 20 representations were received from APC members.

At its meeting of October 1, 2020, the P&D Committee of the Board considered public feedback received in relation to Amendment Bylaw No. 2895 and resolved to make a number of amendments to the bylaw prior to consideration of 1st reading.

At its meeting of October 15, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaw and delegated the holding of a public hearing to Chair Kozakevich, or their delegate.

On November 19, 2020, an electronic public hearing was convened using the Webex software platform: <https://rdos.webex.com> and was attended by 10 members of the public.

Due to incorrect meeting details for the public hearing being released on CivicReady, a second public hearing was scheduled for December 15, 2020, using the Webex software platform: <https://rdos.webex.com> and was attended by 7 members of the public and 5 Directors.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97 & 3).

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

Amendment Bylaw No. 2895 contains regulations to govern the placement of shipping containers within the Okanagan Electoral Areas in accordance with the direction previously provided by the Board at committee.

Alternatives:

1. THAT third reading of Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw, be rescinded and the bylaw abandoned.

Respectfully submitted:



C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2895, 2020

A Bylaw to amend the Electoral Area “A”, “C”, “D”, “E”, “F” & “I” 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 Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020.”
2. The “Electoral Area “A” Zoning Bylaw No. 2451, 2008” is amended by:
 - i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;
 - ii) adding a new sub-section 7.27 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.27 Metal Storage Containers

- .1 The use of Metal Storage Containers as accessory buildings or structures is permitted in accordance with the following criteria:
 - a) in the Resource Area, Agriculture, Large Holdings and Industrial zones metal storage containers may only be stacked vertically to a maximum of two (2) containers and subject to the prior issuance of a building permit.
 - b) in the Low Density Residential and Small Holdings zones only one (1) metal storage container may be used as an accessory building or structure on a parcel, and only if:
 - i) a parcel is greater than 0.5 ha in area;

- ii) the metal storage container is painted in a colour consistent with the principal building; and
 - iii) the metal storage container is not sited between the front parcel line and a principal building.
 - c) Despite sub-section 7.27.1(a) and (b), one (1) metal storage container may be used for temporary storage:
 - i) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or
 - ii) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential or commercial use.
- 3. The “Electoral Area “C” Zoning Bylaw No. 2453, 2008” is amended by:
 - i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;
 - ii) adding a new sub-section 7.28 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.28 Metal Storage Containers

 - .1 The use of Metal Storage Containers as accessory buildings or structures is permitted in accordance with the following criteria:
 - a) in the Resource Area, Agriculture, Large Holdings and Industrial zones metal storage containers may only be stacked vertically to a maximum of two (2) containers and subject to the prior issuance of a building permit.
 - b) in the Low Density Residential and Small Holdings zones only one (1) metal storage container may be used as an accessory building or structure on a parcel, and only if:
 - i) the parcel is greater than 0.5 ha in area;
 - ii) the metal storage container is painted in a colour consistent with the principal building; and

- iii) the metal storage container is not sited between the front parcel line and a principal dwelling.
 - c) Despite sub-section 7.28.1(a) and (b), one (1) metal storage container may be used for temporary storage:
 - i) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or
 - ii) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential or commercial use.
- 4. The “Electoral Area “D” Zoning Bylaw No. 2455, 2008” is amended by:
 - i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;
 - ii) adding a new sub-section 7.28 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.28 Metal Storage Containers

 - .1 The use of Metal Storage Containers as accessory buildings or structures is permitted in accordance with the following criteria:
 - a) in the Resource Area, Agriculture, Large Holdings and Industrial zones metal storage containers may only be stacked vertically to a maximum of two (2) containers and subject to the prior issuance of a building permit.
 - b) in the Low Density Residential and Small Holdings zones only one (1) metal storage container may be used as an accessory building or structure on a parcel, and only if:
 - i) the parcel is greater than 0.5 ha in area;
 - ii) the metal storage container is painted in a colour consistent with the principal building; and
 - iii) the metal storage container is not sited between the front parcel line and a principal dwelling.

- c) Despite sub-section 7.28.1(a) and (b), one (1) metal storage container may be used for temporary storage:
 - i) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or
 - ii) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential or commercial use.

5. The “Electoral Area “E” Zoning Bylaw No. 2459, 2008” is amended by:

- i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;

- ii) adding a new sub-section 7.28 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.28 Metal Storage Containers

- .1 The use of Metal Storage Containers as accessory buildings or structures is permitted in accordance with the following criteria:
 - a) in the Resource Area, Agriculture, Large Holdings and Industrial zones metal storage containers may only be stacked vertically to a maximum of two (2) containers and subject to the prior issuance of a building permit.
 - b) in the Low Density Residential and Small Holdings zones only one (1) metal storage container may be used as an accessory building or structure on a parcel, and only if:
 - i) the parcel is greater than 0.5 ha in area;
 - ii) the metal storage container is painted in a colour consistent with the principal building; and
 - iii) the metal storage container is not sited between the front parcel line and a principal dwelling.
 - c) Despite sub-section 7.28.1(a) and (b), one (1) metal storage container may be used for temporary storage:

- i) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or
- ii) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential or commercial use.

6. The “Electoral Area “F” Zoning Bylaw No. 2461, 2008” is amended by:

- i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;

- ii) adding a new sub-section 7.29 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.29 Metal Storage Containers

- .1 The use of Metal Storage Containers as accessory buildings or structures is permitted in accordance with the following criteria:
 - a) in the Resource Area, Agriculture, Large Holdings and Industrial zones metal storage containers may only be stacked vertically to a maximum of two (2) containers and subject to the prior issuance of a building permit.
 - b) in the Low Density Residential and Small Holdings zones only one (1) metal storage container may be used as an accessory building or structure on a parcel, and only if:
 - i) the parcel is greater than 0.5 ha in area;
 - ii) the metal storage container is painted in a colour consistent with the principal building; and
 - iii) the metal storage container is not sited between the front parcel line and a principal dwelling.
 - c) Despite sub-section 7.29.1(a) and (b), one (1) metal storage container may be used for temporary storage:
 - i) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed

upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or

- ii) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential or commercial use.

7. The “Electoral Area “I” Zoning Bylaw No. 2457, 2008” is amended by:

- i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;

- ii) adding a new sub-section 7.31 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.31 Metal Storage Containers

- .1 The use of Metal Storage Containers as accessory buildings or structures is permitted in accordance with the following criteria:
 - a) in the Resource Area, Agriculture, Large Holdings and Industrial zones metal storage containers may only be stacked vertically to a maximum of two (2) containers and subject to the prior issuance of a building permit.
 - b) in the Low Density Residential and Small Holdings zones only one (1) metal storage container may be used as an accessory building or structure on a parcel, and only if:
 - i) the parcel is greater than 0.5 ha in area;
 - ii) the metal storage container is painted in a colour consistent with the principal building; and
 - iii) the metal storage container is not sited between the front parcel line and a principal dwelling.
 - c) Despite sub-section 7.31.1(a) and (b), one (1) metal storage container may be used for temporary storage:
 - i) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the

date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or

- ii) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential or commercial use.

READ A FIRST AND SECOND TIME this 15th day of October, 2020.

PUBLIC HEARING held on this 19th day of November, 2020.

A SECOND PUBLIC HEARING held on this 15th day of December, 2020.

READ A THIRD TIME this ____ day of _____, 2021.

I hereby certify the foregoing to be a true and correct copy of the “Regional District of Okanagan-Similkameen Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020” as read a Third time by the Regional Board on this ____ day of _____, 2021.

Dated at Penticton, BC this ____ day of _____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer



TO: Regional Board of Directors
FROM: Director Karla Kozakevich
DATE: November 19, 2020
RE: Public Hearing Report - Amendment Bylaw No. 2895, 2020

Purpose of Bylaw:

The purpose of the proposed amendments contained in Bylaw No. 2895 is to introduce regulations governing the use and placement of metal storage containers within the Electoral Area "A", "C", "D", "E", "F" & "I" zoning bylaws. More specifically:

- limit the stacking of containers to no more than two (2) in the Resource Area, Agriculture, Large Holdings and Industrial zones, subject to the prior issuance of a building permit;
- allow a maximum of one (1) metal storage container in the Low Density Residential and Small Holdings if:
 - i) a parcel is greater than 0.5 ha in area;
 - ii) the metal storage container is painted in a colour consistent with the principal building; and
 - iii) the metal storage container is not sited between the front parcel line and a principal building.
- providing short-term exemptions for the placement of metal storage containers related to construction in any zone, provided that a valid building permit has been issued, and loading or unloading goods related to a relocation of a residential or commercial use.

Public Hearing Overview:

The Public Hearing for Bylaw No. 2895, 2020, was convened electronically on Thursday, November 19, 2020, at 7:00 pm, using the Webex software platform: <https://rdos.webex.com> (Meeting number: 146 355 7806 / Password: RD@S).

Members of the Regional District Board present were:

- Director Riley Gettens (Electoral Area "F")

Members of the Regional District staff present were:

- Christopher Garrish, Planning Manager; and
- Danny Francisco, Manager of Information Services.

There was 10 members of the public present.

In accordance with Section 466, the time and place of the public hearing was advertised as follows:

-
- Penticton Western on November 4, 2020, and November 11, 2020; and
 - Summerland Review on November 5, 2020, and November 12, 2020.

Copies of reports and correspondence received related to Bylaw No. 2895, 2020, were available for viewing at the Regional District office during the required posting period.

Pursuant to Section 464, 465 & 468 of the *Local Government Act*, Chair Kozakevich called the Public Hearing to order at 7:00 p.m. in order to consider the amendment bylaw.

Summary of Representations:

There were no written briefs submitted at the public hearing.

C. Garrish, Planning Manager, outlined the proposed bylaw.

Chair Kozakevich called a first time for briefs and comments from the floor and noted that materials related to the amendment bylaw are available on the Regional District web-site.

Donna Hockley – advised that she is opposed to the amendment bylaw due to the restrictions being proposed for larger parcels zoned Small Holdings (SH). Favours larger parcels zoned Small Holdings (SH) being treated in the same way as Large Holdings (LH) zoned parcels (i.e. no restrictions other than limit on stacking to a maximum of two).

Chair Kozakevich asked if anyone wished to speak to the proposed bylaw.

Gerry Pieters – queried the implications for property owners, such as himself, who have an existing metal storage container that would not comply with the proposed regulations.

C. Garrish, Planning Manager, outlined provisions of the *Local Government Act* that relate to non-conforming uses and siting of structures (“grandfathering”).

Marie-Eve LaMarche – advised that she is opposed to the amendment bylaw due to the proposed parcel size requirement of 0.5 ha in the residential (RS) and Small Holdings (SH) zones. Favours a smaller minimum parcel size requirement of 2,020 m² (½ acre).

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

Chair Kozakevich asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 7:23 p.m.

Recorded by:



Christopher Garrish
Planning Manager

Confirmed:



Karla Kozakevich
RDOS Chair



TO: Regional Board of Directors
FROM: Director Kozakevich
DATE: December 15, 2020
RE: Public Hearing Report - Amendment Bylaw No. 2895, 2020

Purpose of Bylaw:

The proposed amendments to the Electoral Area “A”, “C”, “D”, “E”, “F”, and “I” Zoning Bylaws, are related to the introduction of regulations to govern the use and placement of metal storage containers.

Public Hearing Overview:

The Public Hearing for Bylaw No. 2895, 2020, was convened electronically on Tuesday, December 15, 2020, at 7:00 pm, at <https://rdos.webex.com> (Meeting number: 146 686 0402).

Members of the Regional District staff present were:

- JoAnn Peachey, Planner I
- Danny Francisco, Manger of Information Services
- Christopher Garrish, Planning Manager

There were nine (9) members of the public present and six (6) members of the RDOS Board of Directors.

In accordance with Section 466, the time and place of the public hearing was advertised in the December 9, 2020 and December 2, 2020 editions of the Penticton Western and the December 10, 2020 and December 3, 2020 editions of the Summerland Review.

Copies of reports and correspondence received related to Bylaw No. 2895, 2020, were available for viewing at the Regional District office during the required posting period.

Pursuant to Section 464, 465 & 468 of the *Local Government Act*, Chair Kozakevich called the Public Hearing to order at 7:05 p.m. in order to consider the amendment bylaw.

Summary of Representations:

There were no written briefs submitted at the public hearing.

Chair Kozakevich called a first time for written comments from the floor to be submitted via email to planning@rdos.bc.ca prior to the close of the public hearing and noted that related information, including written comments received to date and the proposed bylaw is available for review on the Regional District’s webpage.

JoAnn Peachey, Planner I, outlined the proposed bylaw.

Chair Kozakevich asked if anyone wished to speak to the proposed bylaw.

Jay Harwick asked a question about grandfathering for existing containers.

JoAnn Peachey, Planner provided clarification.

Coleene Simmons asked questions about siting.

JoAnn Peachey, Planner provided clarification.

Teresa Salamone asked several questions about grandfathering and lawfully established non-confirming uses and siting of structures.

JoAnn Peachey, Planner provided clarification.

Christopher Garrish, Planning Manager, provided further clarification.

Teresa Salamone stated she had no opinion on the contents of the bylaw but had concern about process.

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

Chair Kozakevich asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 7:31 p.m.

Recorded by:



JoAnn Peachey
Recording Secretary

Confirmed:

Karla Kozakevich

Karla Kozakevich
Chair

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 7, 2021
RE: Letter of Support for Winecrush

Administrative Recommendation:

THAT the Regional District provide a Letter of Support for Winecrush for the application for the 2021 Food Waste Reduction Challenge

Purpose:

To provide support for a Winecrush for an application for a 2021 Federal grant to businesses reducing food waste.

Reference:

[Food Waste Reduction Challenge](#)

Background:

Winecrush, based in the RDOS, has approached the Regional District seeking a letter of support for their application for the Food Waste Reduction Challenge. The Challenge seeks to support businesses and programs across Canada that can successfully reduce food waste. Winecrush has been looking at using waste materials, such as grape pomace from wineries, as a source of protein, minerals, antioxidants and other food additives.

Analysis:

The RDOS Solid Waste Management Plan recommends using a waste hierarchy when supporting projects. Reuse and recycling are recommended over composting or landfilling. The Winecrush approach of finding the highest and best use of waste pomace is fully supported by the Solid Waste Management Plan.

Presently pomace is treated onsite by wineries or taken to non-RDOS facilities for composting. The RDOS is not a partner in this project and Winecrush has not asked for RDOS partnership or funding. The project has the potential to lead to new local jobs and innovative local products. The Food Waste Reduction Challenge application process closes January 18th, 2021

Respectfully submitted:

Cameron Baughen

___ C. Baughen, Solid Waste Management Coordinator _____



December 21, 2020

Hi Cameron,

I'm interested in connecting with you in regards to our next project. Winecrush plans to submit to Impact Canada's [Food Waste Reduction Challenge](#), in which we hope to receive up to \$2M in funding over 2021-22. *We would be delighted* if RDOS could give us a letter of support for this application.

As we discussed, wine derivatives are highly nutritious that can be added into the food stream to provide protein, minerals, antioxidants, and calories. By supporting us for this project, we will be one step closer to eliminating agricultural food waste.

Thank you,

Alexandra Broddy

Director of Application and Development

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: SOSArts Board Liaison – For Information Only

Purpose:

The SOSArts Board has requested that the Regional District appoint a liaison to their Board of Directors and have provided the following responsibilities for the Liaison:

1. Serve as an occasional sounding board for ideas;
2. Provide direction and/or objective feedback on occasional documents or proposals related to the arts as they may arise;
3. Provide feedback on developments occurring within the arts community in the region;
4. Assist SOSArts to identify and connect to individuals who may be able to clarify terms and conditions or who may hold information that has not been considered;
5. Provide connection within the RDOS (for example, who runs the “shape my city” or “shape my region” survey platform that RDOS uses;
6. Attend a meeting of the executive or board from time to time (e.g., no more than once per month);
7. Provide information to the RDOS Board as to what SOSARTS is doing and has set as its goals and objectives in both short and long term.

The SOSArts Board feels that a liaison is the most efficient means of disseminating information to the entire region and to communities in particular through ongoing updates to the elected Board representatives.

Background:

The goal of SOSArts is to develop an overall regional arts and cultural strategy.

Alternatives:

1. THAT the Regional District appoint a Board Member to attend SOSArts Board Meetings.
2. THAT the Regional District invite the SOSArts Society to attend at a regular Committee Meeting, at their convenience , when they have progress to report.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: Fire Protection Mutual Aid Agreement

Administrative Recommendation:

THAT the Regional District extend the expired Fire Protection Mutual Aid Agreement to December 31, 2021.

Purpose:

To allow the Joint Fire Chiefs an opportunity to review and make recommendations to the partnering Municipalities, Improvement Districts, Fire Protection Districts and RDOS for suggested improvement to the current agreement.

Reference:

Dec 6 2018 signed Fire Protection Agreement.

Background:

There has been an agreement between various communities within the RDOS that allowed for sharing of resources when needed between Fire Departments. This sharing is critical when a large event occurs that exceeds the resources of one department.

Analysis:

Reconsideration of the Mutual Aid agreement has been deferred due to Covid -19 and no action occurred in 2020.

Alternatives:

Allow the Agreement to expire.

Respectfully submitted:

Denis G. Gaudry, Fire Chief/ Chair RDOS Joint Chief Committee

FIRE PROTECTION MUTUAL AID AGREEMENT

THIS AGREEMENT is dated for reference the 6th day of December 2018.

BETWEEN:

The Regional District Okanagan-Similkameen, a regional district incorporated pursuant to the *Local Government Act* and having its business office at 101 Martin Street, Penticton, British Columbia, V2A 5J9 (the "RDOS")

OF THE FIRST PART

AND:

The Town of Oliver, a municipality incorporated pursuant to the *Community Charter* and having its business office at P.O. Box 638, 6150 Main Street, Oliver, British Columbia, V0H 1T0 ("Oliver")

AND:

The Town of Osoyoos, a municipality incorporated pursuant to the *Community Charter* and having its business office at P.O. Box 3010, 8707 Main Street, Osoyoos, British Columbia, V0H 1V0 ("Osoyoos")

AND:

The City of Penticton, a municipality incorporated pursuant to the *Community Charter* and having its business office at 171 Main Street, Penticton, British Columbia, V2A 5A9 ("Penticton")

AND:

The Town of Princeton, a municipality incorporated pursuant to the *Community Charter* and having its business office at P.O. Box 670, 151 Vermilion Avenue, Princeton, British Columbia, V0X 1W0 ("Princeton")

AND:

The District of Summerland, a municipality incorporated pursuant to the *Community Charter* and having its business office at P.O. Box 159, 13211 Henry Avenue, Summerland, British Columbia, V0H 1Z0 ("Summerland")

AND:

The Hedley Improvement District, an improvement district incorporated pursuant to the *Local Government Act* and having its business office at Box 186, 825 Scott Avenue, Hedley, British Columbia, VOX 1K0 (the "HID")

AND:

The Oliver Fire Protection District, a fire protection district incorporated pursuant to the *Local Government Act* and having its business office at P.O. Box 97, Oliver, British Columbia, VOH 1T0 (the "OFPD")

AND:

The Osoyoos Rural Fire Protection District, a fire protection district incorporated pursuant to the *Local Government Act* and having its business office at P.O. Box 274, Osoyoos, British Columbia, VOH 1V0 (the "ORFPD")

(hereinafter referred to as the "Party(ies)")

OF THE SECOND PART

WHEREAS:

- A. The Parties desire to enter into an Agreement whereby fire service emergency resources of any Party can be deployed to assist the other Parties during an emergency;
- B. The RDOS has established the Anarchist Mountain Fire Protection Service, the Kaleden Fire Protection Service, the Keremeos and District Fire Protection Service, the Naramata Fire Protection Service, the Okanagan Falls Fire Protection Service, the Tulameen and District Fire Protection Service and the Willowbrook Fire Protection Service and operates and maintains fire departments within the respective service areas;
- C. Oliver has established, and operates and maintains, a fire department within its territorial jurisdiction;
- D. Osoyoos has established, and operates and maintains, a fire department within its territorial jurisdiction;
- E. Penticton has established, and operates and maintains, a fire department within its territorial jurisdiction;

- F. Princeton has established, and operates and maintains, a fire department within its territorial jurisdiction;
- G. Summerland has established, and operates and maintains, a fire department within its territorial jurisdiction;
- H. The HID has established, and operates and maintains, a fire department within its territorial jurisdiction;
- I. The OFPD has established, and operates and maintains, a fire department within its territorial jurisdiction;
- J. The ORFPD has established, and operates and maintains, a fire department within its territorial jurisdiction; and,
- K. The RDOS, Oliver, Osoyoos, Penticton, Princeton, Summerland, the HID, the OFPD, and the ORFPD consider it to be of mutual benefit to enter into an arrangement whereby any one of them may, in situations where the resources of their own fire department are insufficient, request Mutual Aid from the others to bring the situation under control,

NOW THEREFORE THIS AGREEMENT WITNESSES THAT, in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereinafter set out, the Parties agree as follows:

Interpretation

- 1. Unless the context otherwise requires, in this Agreement:
 - (a) "Assisting Fire Department" means a Fire Department providing Mutual Aid under this Agreement;
 - (b) "Chief Fire Official" means, for each Party, the person(s) responsible for the fire service of the Party or his/her delegate;
 - (c) "Fire Department" means a fire department maintained and operated by a Party to this Agreement;
 - (d) "Mutual Aid" means assistance by providing, upon request, emergency resources to another Party outside the jurisdictional boundaries of the Party that provides the emergency resources;
 - (e) "Requesting Fire Department" means a Fire Department requesting Mutual Aid under this Agreement;

- (f) "Subject Fire or Other Emergency Situation" means a real or anticipated occurrence that in the opinion of the Chief Fire Official endangers the lives, safety, welfare and well-being of people or significant structures that cannot be brought under control by the use of local emergency resources.

The Request for Mutual Aid

2. Where the Chief Fire Official of a Fire Department determines that the resources of his/her fire department are insufficient to bring a Subject Fire or Other Emergency Situation, whether actual or imminent, under control, he/she may request the Mutual Aid of another Fire Department for the purposes of bringing the Subject Fire or Other Emergency Situation under control and in submitting such request, the said Chief Fire Official shall specify the type of fire apparatus and/or the number of personnel required.
3. The Requesting Fire Department shall first request Mutual Aid from the Fire Department that is closest in proximity to the location of the Subject Fire or Other Emergency Situation.
4. If the Fire Department that is closest in proximity to the location of the Subject Fire or Other Emergency Situation is unable to provide some or all required Mutual Aid, the Requesting Fire Department may request Mutual Aid from the Fire Department that is next closest in proximity to the location of the Subject Fire or Other Emergency Situation.
5. Where a request for Mutual Aid is made under section 4 of this Agreement, the Fire Department from whom Mutual Aid is being requested is then deemed for the purposes of this Agreement to be the Fire Department that is closest in proximity to the location of the Subject Fire or Other Emergency Situation.
6. All requests for Mutual Aid under this Agreement shall be made by the Chief Fire Official of the Requesting Fire Department to the Chief Fire Officials of the Fire Departments from whom Mutual Aid is being requested.
7. Each Party to this Agreement shall, within 2 months of the date of this Agreement, provide contact information to the Chief Fire Officials, and the number of firefighting personnel.
8. It is understood and agreed that all Parties to this Agreement shall not rely on this Agreement to deliver fundamental firefighting services within their operational area and that fundamental firefighting services are the sole responsibility of the authority having jurisdiction for each operational area.

The Provision of Mutual Aid

9. The Chief Fire Official of a Fire Department from whom Mutual Aid has been requested under this Agreement shall immediately upon receiving the request determine, in his/her sole discretion, as soon as reasonably possible whether and to what extent the firefighting personnel, apparatus, and equipment of his/her fire department may be deployed to assist the Requesting Fire Department in bringing the Subject Fire or Other Emergency Situation under control and shall thereafter deploy to the extent available such firefighting personnel, apparatus, and equipment to so assist the Requesting Fire Department.
10. Nothing in this Agreement requires the Chief Fire Official of a Fire Department from whom Mutual Aid has been requested under this Agreement to deploy firefighting personnel, apparatus, and equipment to assist a Requesting Fire Department that the Chief Fire Official has determined are unavailable or are required to provide within the usual service area for his/her fire department.
11. All firefighting personnel, apparatus, and equipment provided by an Assisting Fire Department to a Requesting Fire Department under this Agreement shall, for the duration of the time that the Mutual Aid is being provided under this Agreement, be under the direction of the Chief Fire Official of the Requesting Fire Department who shall adhere to recognized principles of accountability for responder personnel safety.
12. The Chief Fire Official of an Assisting Fire Department may, in his/her sole discretion, recall at any time for whatever reason any and all firefighting personnel, apparatus, and equipment provided by his/her Fire Department to the Requesting Fire Department under this Agreement and shall not be liable for any loss, costs, damages or expenses whatsoever as a result thereof.
13. Upon being notified, whether verbally or in writing, that the Chief Fire Official of an Assisting Fire Department has recalled firefighting personnel, apparatus, and equipment under section 12 of this Agreement, the Chief Fire Official of the Requesting Fire Department shall immediately release and return to the Assisting Fire Department all firefighting personnel, apparatus, and equipment provided by the Assisting Fire Department that was recalled by the Chief Fire Official of the Assisting Fire Department.
14. The Chief Fire Official of a Requesting Fire Department shall, as soon as practicable, release and return to the Assisting Fire Department all firefighting personnel, apparatus, and equipment provided by the Assisting Fire Department that is no longer required to assist in bringing the Subject Fire or Other Emergency Situation under control.

15. The Chief Fire Official of a Requesting Fire Department shall release and return to the Assisting Fire Department all firefighting personnel, apparatus, and equipment provided by the Assisting Fire Department in the same working condition as when it was accepted by the Requesting Fire Department.
16. For the purposes of this Agreement, all firefighting personnel, apparatus, and equipment provided by an Assisting Fire Department to the Requesting Fire Department under this Agreement is deemed to have been provided in good working condition unless it was rejected by the Requesting Fire Department at the time it was first provided. If equipment is not returned in good working order, the Requesting Fire Department shall forthwith repair or replace the equipment and provide in the meantime the Assisting Fire Department with replacement equipment.
17. When the Subject Fire or Other Emergency Situation is brought under control, any Mutual Aid shall be released first before local resources are released.
18. In the event of either a State of Local Emergency or a Provincial State of Emergency being declared by the Province of British Columbia, this Agreement shall not apply to the Parties.

The Cost of Mutual Aid

19. It is understood that no charge shall be levied for services rendered by any of the Parties to this Agreement or personnel of the other Party hereto.
20. The Requesting Fire Department shall reimburse the Assisting Fire Department all costs for any consumable items used at the Subject Fire or Other Emergency Situation or any equipment that is damaged beyond repair or destroyed as a result of the Subject Fire or Other Emergency Situation.

Waiver and Indemnification

21. No Party to this Agreement shall bring any claim, action, or demand against any other Party to this Agreement or its elected officials, officers, employees, agents, volunteers, or contractors and, without limiting the generality of the foregoing, in respect of or in any way related to the decision of a Chief Fire Official as to the level of Mutual Aid, if any, or the withdrawal of Mutual Aid to be provided under this Agreement.
22. No Party to this Agreement, nor its elected officials, officers, employees, agents, volunteers or contractors, shall be liable to any other Party to this Agreement in respect of the decision of a Chief Fire Official as to the level of Mutual Aid, if any, or the withdrawal of Mutual Aid to be provided under this Agreement.
23. The Party responsible for the Requesting Fire Department shall indemnify and save harmless the Party responsible for an Assisting Fire Department, its elected

officials, officers, employees, agents, volunteers, or contractors from and against any and all claims, demands, actions, causes of action, loss, costs, damages and expense (including legal fees on a solicitor-client basis) in respect of or in any way related to the provision of Mutual Aid under this Agreement and, without limiting the generality of the foregoing, any action taken or thing done or any failure to take action or do a thing under this Agreement, save and except where the claim, demand, action, cause of action, loss, cost, damage, or expense arose from the negligence of the Assisting Fire Department.

24. In the event that an Assisting Fire Department acts independently of the Requesting Fire Department then the Assisting Fire Department shall not be entitled to any indemnity pursuant to this article, but shall be responsible for its own legal liabilities and shall accordingly indemnify and save harmless the Requesting Fire Department for any and all liabilities, actions, damages and claims of whatever nature or kind arising out of the independent act of the Assisting Fire Department in connection with the Mutual Aid.

Insurance

25. Each Party to this Agreement shall keep in force third party liability insurance coverage to a minimum of ten million (\$10,000,000.00) dollars and each such policy shall add all other Parties to this Agreement as additional named insured when rendering Mutual Aid pursuant to this Agreement.
26. Each Party to this Agreement shall prove third party liability coverage by sending a copy of the liability insurance for the Party to the Regional District Okanagan Similkameen's Financial Officer within thirty (30) days after this Agreement has been signed by the Party and available upon request.
27. Each Fire Department shall maintain insurance coverage on its own firefighting equipment.
28. Each Fire Department shall maintain Workers' Compensation coverage and other required coverage for the personnel of its own Fire Department.
29. This Agreement shall be in force for a period of Two Years (24 months) commencing on the date of its execution by all Parties.

Termination

30. Any Party to this Agreement may terminate its rights and obligations under this Agreement by giving ninety (90) days written notice of its intention to do so to the other Parties to this Agreement and thereafter shall be unconditionally released from any further obligation herein save and except any obligation up to the date of termination.

31. Where a Party to this Agreement terminates its rights and obligations under this Agreement, this Agreement shall continue in force between the remaining parties.

Miscellaneous Provisions

32. Any requests for Mutual Aid shall be subject to any of the Parties obligations pursuant to the provisions of the *Emergency Program Act* R.S.B.C. c. 111.
33. The Parties agree to consult on a regular basis through their Chief Fire Official to achieve the optimum deployment of Mutual Aid.
34. The Parties hereto agree that in the event of dispute between any of the Parties, each of the Parties hereto shall meet with a qualified mediator in a timely manner and attempt in good faith to negotiate a settlement of such dispute during which time such representatives shall disclose to the other all relevant information relating to the dispute.
35. This Agreement shall be the entire agreement between the Parties in respect of the provision of Mutual Aid by the Parties to one another for the purposes of bringing Subject Fire or Other Emergency Situations under control.
36. The Parties may not assign this Agreement without the prior written consent of the other Parties to this Agreement.
37. This Agreement shall ensure to the benefit of, and be binding upon, the Parties and their respective successors and permitted assigns.
38. This Agreement shall be governed by and interpreted in accordance with the laws of the Province of British Columbia.
39. Unless otherwise authorized under this Agreement, all notices under this Agreement shall be given in writing to the Chief Fire Officials of the Fire Departments of the Parties to this Agreement.
40. This Agreement may be executed in any number of counterparts. Any executed counterpart shall be construed as an original. All executed counterparts together shall constitute the Agreement.

IN WITNESS WHEREOF the parties have signed, sealed, and delivered this Agreement as of the date first written above.

The Corporate Seal of the REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN was hereunto affixed in the presence of:

Karla Koplin
Chair

Bill Smith
Chief Administrative Officer

The Corporate Seal of the TOWN OF OLIVER was hereunto affixed in the presence of:

~~Mayor~~ Cathy Cowan
Cathy Cowan, Chief Administrative Officer

Whitworth
Corporate Officer

The Corporate Seal of the TOWN OF OSOYOOS was hereunto affixed in the presence of:

Smackortz
Mayor

[Signature]
Corporate Officer

The Corporate Seal of the CITY OF PENTICTON was hereunto affixed in the presence of:

John Vassilak
Mayor

Angie Collison
Clerk
ANGIE COLLISON
CORPORATE OFFICER

The Corporate Seal of the TOWN OF PRINCETON was hereunto affixed in the presence of:

[Signature]
Mayor

[Signature]
Clerk

The Corporate Seal of the DISTRICT OF SUMMERLAND was hereunto affixed in the presence of:

Toni J. Boot
Mayor

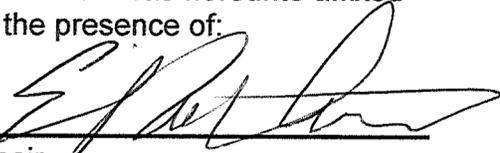
[Signature]
Corporate Officer

The Corporate Seal of the HEDLEY IMPROVEMENT DISTRICT was hereunto affixed in the presence of:

Ryan McShells
Chair

Diane Wood
Administrative Officer

The Corporate Seal of the
OLIVER FIRE PROTECTION
DISTRICT was hereunto affixed
in the presence of:



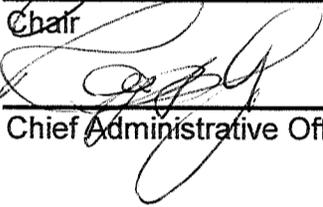
Chair

Chief Administrative Officer

The Corporate Seal of the
OSOYOOS RURAL FIRE
PROTECTION DISTRICT was
hereunto affixed in the presence
of:



Chair



Chief Administrative Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: 2021 Business Plan

Administrative Recommendation:

THAT the Regional District adopt the 2021 Business Plan, dated 7 January 2021.

Reference:

2021 Draft Business Plan

Background:

The Regional District relies on a structured business planning framework to set the overall direction for the regional district and to guide its operation. The Corporate Business Plan delineates what we plan to work on in that given year and outlines how we intend to proceed to achieve our goals through the 2018 – 2022 term of office.

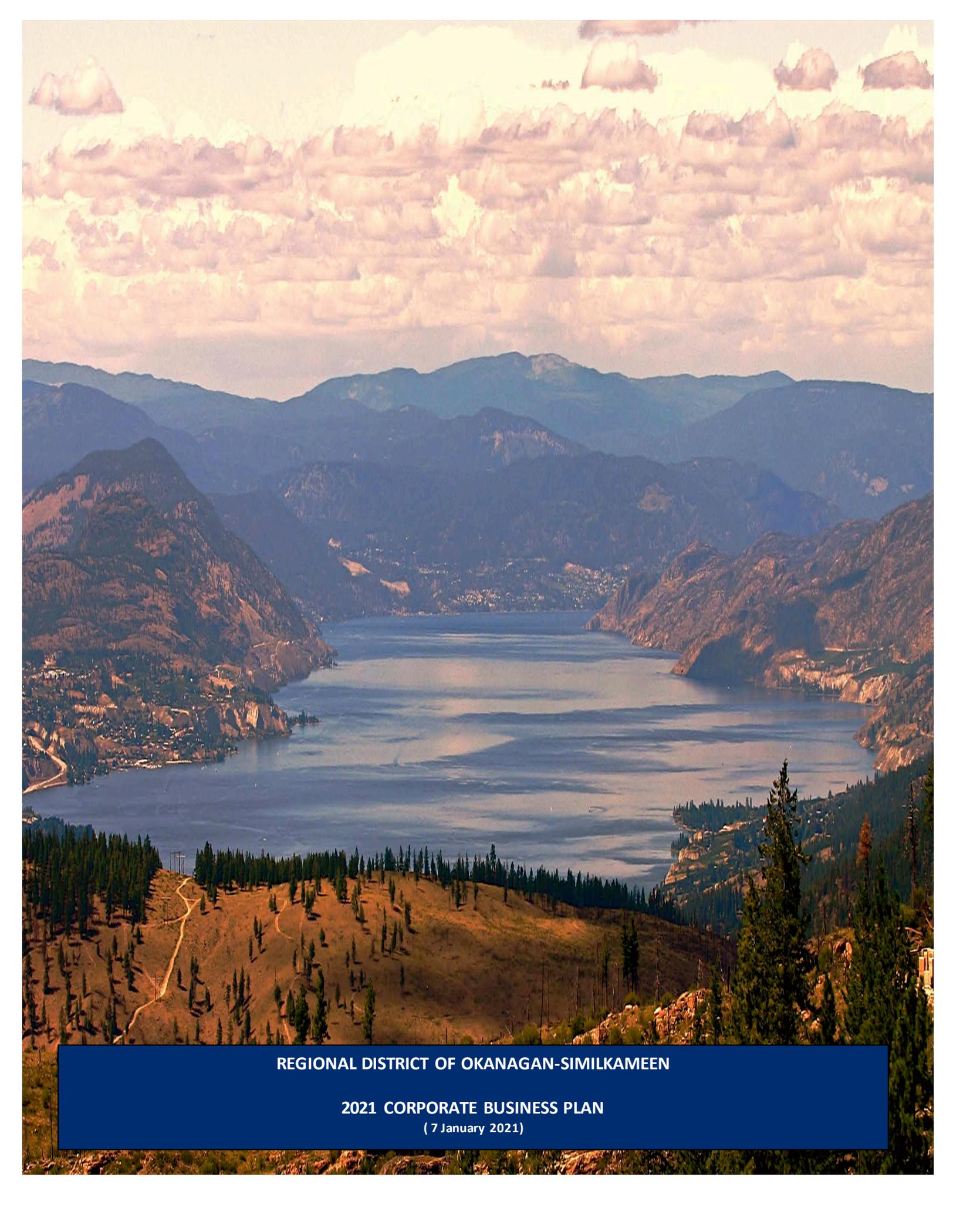
We use a cascading set of documents to help us refine the Business Plan. A revision to our 4-year Strategic Plan occurs immediately following the local government election. The Board has the opportunity to ensure that our Vision, Mission, Values and Key Success Drivers reflect the philosophy of the newly elected Board of Directors. Following the discussion on the Guiding Principles reflected in our Strategic Plan, we discuss more specific action-based goals, objectives and performance indicators on an annual basis. Then we use our Corporate Action Plan to report back to the Corporate Services Committee on a quarterly basis throughout the year.

Analysis:

The Regional District has an entrenched Strategic Planning Process and Cycle, which requires Administration to conduct a Risk Management Assessment in the Spring, a review of corporate assumptions and trends in the summer and then the development of an administrative plan for the subsequent calendar year that the Board of Directors can use as springboard into their discussions in November. Even with COVID-19, the Board met in-person at the Lakeside to discuss 2021 on November 12th and then again on December 3rd.

Alternatives:

1. Send the draft Plan back to the Corporate Services Committee for further discussion



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

2021 CORPORATE BUSINESS PLAN
(7 January 2021)

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INTRODUCTION

Local governments are facing significant challenges that impact their ability to satisfactorily fulfill their purpose and serve those citizens within their geographic boundaries, as stipulated in the enabling legislation under which they were created. The 2020 calendar year was especially challenging for the Regional District, not only with the global pandemic but with our cyber attack, as well. Each had consequences that impacted on our work and, consequently, in our planning for future years.

These challenges occur as a result of several factors resulting from both internal and external conditions. Demographic changes, revenue funding structures, provincial unfunded mandates, technological changes, public scrutiny, a growing demand for service, aging and inadequate infrastructure systems, healthcare and cost containment to name a few.

The Board of Directors and the Management Team of the Regional District of Okanagan Similkameen meet each autumn and, amongst other processes, consider the internal and external environments that they needed to work in as a basis for planning.

We carefully monitor the assumptions upon which our Business Plan is based in a true effort to represent our citizenry. The typical local government preoccupation with solid waste, water treatment and distribution, wastewater collection and treatment, land-based planning, parks maintenance and other typical duties continues. Recent times have made us aware that climate change, emergency preparedness, crime prevention, physician recruitment, affordable housing, child care and other social programs are important, too. Trends, demographics and citizen feedback figure prominently in our decision-making.

With the 19 Members of our 2018 – 2022 Board of Directors now entering the 3rd year of their term of office, the experience and growing confidence around the Board Table is obvious and both our elected officials and our staff look forward to moving forward with our 2021 objectives and the achievement of the 4-year goals in the strategic plan.

While contemplating the future of our regional district, the Board of Directors represents 15 different jurisdictions that share our environment and they come together to ensure that we take a regional perspective on important issues, that we develop partnerships to achieve economies of scale and that we serve all citizens of the regional district.

STRATEGIC OVERVIEW

Vision

People, both those choosing to live and those just to visit our valley's, come to our regional district for the climate, the lakes & rivers, the mountains, our wines and tree fruits and many other reasons. The vision acknowledges that we wish to provide a high quality of life for our citizens, but to do so in a sustainable manner where none our decisions today impact adversely on future generations. Our future actions will move us incrementally towards this vision.

Vision

We envision the Regional District of Okanagan-Similkameen as a steward of our environment, sustaining a diverse and livable region that offers a high quality of life through good governance.

Mission

Along with the vision, the mission statement helps us establish the priorities of the RDOS. The key concepts within the mission will guide the way we do business. We will continue to strive to:

- Exceed customer and community expectations; and,
- Manage the regional district in the best interests of all of our constituents;

Mission

To initiate and implement policies which preserve and enhance the quality of life and serve the broader public interest in an effective, equitable, environmental and fiscally responsible manner.

Values

The core values are the foundation of our vision and mission and integral to the way we do business. These values reflect our beliefs, define who we are and what we stand for.

Honesty, Integrity, Ethical and Respectful Behaviour

We are honest, ethical, and fair in all of our activities, using consistent and sound judgment to build trust in our working relationships.

Accountability

We take responsibility for our actions by embracing common goals through teamwork and collaborative decision-making while putting the interest of the community first. We dedicate ourselves to maintaining professionalism in our work using our guidelines and standards that enable us all to be answerable for our choices and achieve results stated in our organizations goals and objectives.

Leadership/ Transparency

We value “leadership with integrity” and are committed to open, accessible and transparent local government.

Consistent Focus on the Customer Experience

We provide courteous, responsive, high-quality service by fostering a respectful, positive and welcoming environment for our customers. We provide consistency through sound business practices and professional standards.

Environmental Responsibility

We believe that a healthy environment promotes healthy living in our communities. We have a responsibility to maintain, enhance and protect the environment through the consideration of environmental impacts in our decision-making process.

Corporate Assumptions

The following assumptions were reviewed by the Board of Directors during our discussions in preparing for 2021 and used as the foundation for our 2021 Objectives:

External

- That trust in government is enhanced by communications and citizen engagement
- That by measuring staff and customer perception of service we can develop a plan to improve service.
- That citizens are willing to pay higher taxes or fees for new or enhanced value.
- That infrastructure grant opportunities will continue.
- That development and building permit applications will continue an upward trend in 2021
- That senior government expectations of local government and downloading, including social services, will increase.
- That public scrutiny of local government decisions will increase.
- That environmental sustainability is important to our citizens
- That climate change will affect core services, infrastructure and the frequency of environmental emergencies.
- That there is a public acceptance for more of our business to be conducted on-line.
- That there is value in increasing the role technology will play in Regional District business.
- That access to high speed internet is beneficial for resident and business attraction and retention
- That communities in rural areas will expect urban services.
- That relations with indigenous peoples will have an increasing impact on our business processes
- That citizens needs are becoming more diverse
- That a component of our communications program should focus on regional cohesion

Internal

- That we must build relationships to be successful
- That government effectiveness is enhanced by good internal communication
- That measurement is essential to good management
- That COVID-19 will result in permanent changes in how we operate our services

KEY SUCCESS DRIVERS

The Key Success Drivers focus our energies and resources on those activities that help us to advance towards and ultimately achieve our vision. RDOS has identified four Key Success Drivers under which we build the 5-year goals that support our vision.

Key Success Driver 1.0: High Performing Organizing

Goals

- 1.1 To be an effective, fiscally responsible organization.
- 1.2 To be a healthy and safe organization.
- 1.3 To cultivate a high-performing organizational culture.
- 1.4 To deliver a broad array of IT-enabled tools and services throughout the enterprise.

Key Success Driver 2.0: Optimize the Customer Experience

Goals

- 2.1 To provide a high level of customer service
- 2.2 To meet public needs through the continuous improvement of key services
- 2.3 To foster dynamic, credible and effective community relationships

Key Success Driver 3.0: Build a Sustainable Region

Goals

- 3.1 To develop a healthy and socially sustainable region
- 3.2 To develop an economically sustainable region
- 3.3 To develop an environmentally sustainable region

Key Success Driver 4.0: Governance & Oversight in a Representative Democracy

Goals

- 4.1 To execute a well-defined strategic planning cycle.
- 4.2 To promote Board and Chair effectiveness.

LOCAL GOVERNMENT OVERVIEW

Overview

The Constitution Act of 1867¹ identifies the specific services the Canadian Parliament administers and delegates the specific authorities belonging to the provinces², one of which is the creation of Local Governments. Consequently, the Regional District of Okanagan Similkameen is a corporation officially established on March 4th, 1966 by Letters Patent issued by the Executive Council pursuant to Section 766 of the Municipal Act of British Columbia. As a creation of the Province, the Regional District relies on Provincial Legislation to enable it to fulfil its mandate of providing services to the citizens within its corporate boundaries.

Mandate and Authority

Section 185 of the Local Government Act (LGA) provides that regional districts are an independent, responsible and accountable order of government within their jurisdiction. The purposes of a regional district include:

- (a) providing good government for its community,
- (b) providing the services and other things that the board considers are necessary or desirable for all or part of its community,
- (c) providing for stewardship of the public assets of its community, and
- (d) fostering the current and future economic, social and environmental well-being of its community.

Letters Patent

The Regional District is led by a Board of nineteen, nine rural members elected directly by their constituents and ten urban members appointed by their municipal councils. The nine electoral areas each have one elected director and of the six municipal members, Penticton appoints four Directors, Summerland appoints two Directors and Osoyoos, Oliver, Keremeos and Princeton each appoint one. The rural Directors are elected to a four-year term³ while the urban members are appointed by their councils annually. The Act also provides that the authority and power to govern the municipality is vested in the Board as a whole⁴.

Establishment Bylaws

Where authority to provide a service was initially established in the Letters Patent, changes to the Municipal Act in 1989 made it possible for Regional Districts to provide services with the adoption of a service establishment bylaw. The service can be for all or part of the Region, but only the people receiving the service contribute to its cost.

¹ The Constitution Act 1867 to 1982, Section 91, Part VI, Department of Justice Canada, (Ottawa, Ontario: Minister of Supply and Services Canada, 1983).

² Ibid, Section 92(8) of Part VI

³ Municipal Act, Chapter 19, Revised Statutes of British Columbia, 1998

⁴ Ibid, Section 167

Vote Allocation

To fairly represent the population that makes up the Regional District at the Board, the Supplementary Letters Patent have identified that 1 voting unit = 1800 people. 1 director may carry a maximum of 5 votes.

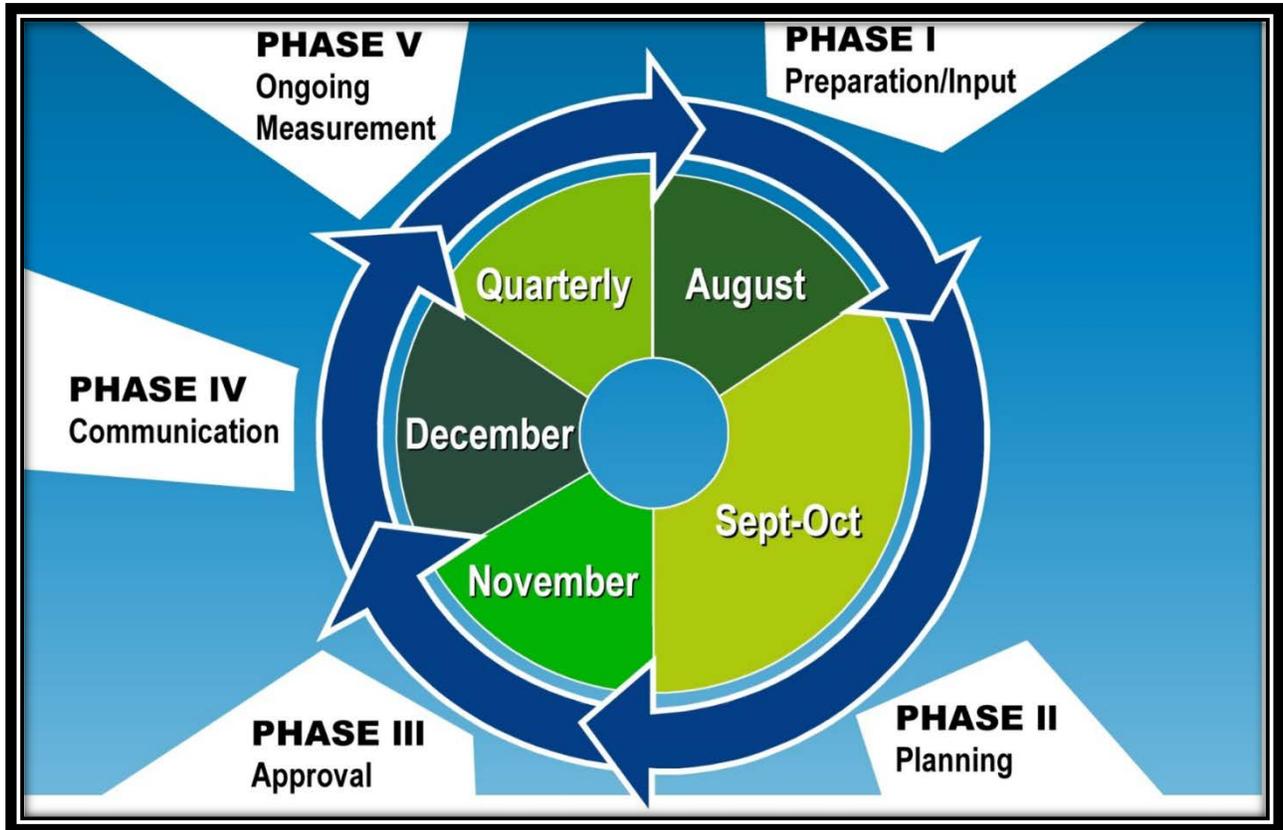
# of Members/ Representing	Weighted Votes
Electoral Area "A"	2
Electoral Area "B"	1
Electoral Area "C"	3
Electoral Area "D"	3
Electoral Area "E"	2
Electoral Area "F"	2
Electoral Area "G"	2
Electoral Area "H"	2
Electoral Area "I"	2
Town of Osoyoos	3
Town of Oliver	3
City of Penticton	19
District of Summerland	7
Village of Keremeos	1
Town of Princeton	2
Total Votes Allocated	54

Jurisdiction	Unweighted Votes	Weighted Votes
Similkameen Valley	5	8
Okanagan Valley	14	46
Municipal Votes	10	35
Rural Votes	9	19

The RDOS subscribes to a corporate culture and operating philosophy where measurable results against specific objectives that support the mission and vision are important. In these tight economic times, it becomes a matter of clearly identifying what it is we intend to do so we can focus our resources, both human and financial, on those issues most important to our success.

RDOS ANNUAL PLANNING CYCLE

The RDOS relies on a structured business planning framework to set the overall direction for the regional district and to guide its operation. Fundamental elements for guiding our strategic development are the RDOS's Vision, Mission, Values and Key Success Drivers. The Corporate Business Plan delineates what we plan to work on in that given year and outlines how we intend to proceed to achieve our goals through the 2018 – 2022 term of office.



2021 Corporate Objectives

Summary of Key Success Drivers (KSDs), 4-Year Goals, 2021 Corporate Objectives and Performance Indicators.

KSD #1 – HIGH PERFORMING ORGANIZATION	
(4 Goals; 5 Objectives)	
2021 Objectives	Performance Indicator
Goal 1.1 To Be an Effective, fiscally Responsible Organization	
2021 Objectives	Performance Indicator
1.1.1 By achieving a high standard of financial management and reporting	Receipt of an unqualified audit for the 2020 calendar year
	Adoption of an informed 2021 – 2025 Financial Plan
	Successfully meet budget in 95% of established services
	Enhance the strength of performance indicators in the MD&A
	Develop a Fees and Charges Policy to provide a decision-making directive for the pricing of services;
	<ul style="list-style-type: none"> • Develop a plan for the creation of operating and capital Reserves in appropriate services • Implement the 2021 Phase
1.1.2 By being an effective local government	Develop a workspace plan
	Conduct cyber security training for all staff and Rural Directors
	Open discussions with the City of Penticton for a co-located headquarters

Goal 1.2 To Be a Healthy and Safe Organization	
2021 Objectives	Performance Indicator
1.2.1 By implementing the 2021 joint occupational health and safety program	Keep the RDOS injury rate below the average for our WorkSafe BC classification unit
	Monitor COVID-19 compliance throughout the organization

Goal 1.3 To Cultivate a High Performing Organizational Culture	
2021 Objectives	Performance Indicator
1.3.1 By implementing an Organizational Development Program	Develop and support an employee organizational development committee
	Create a 2021 organizational development action plan
	Conduct a 2021 Staff Perception Survey
	Show improved results on the 2021 Survey over 2020 Survey
	Provide 360 evaluations for all supervisory staff

Goal 1.4 To deliver a broad array of IT-enabled tools and services throughout the enterprise	
2021 Objectives	Performance Indicator
1.4.1 By providing effective information technology systems and programs to the corporation	Implement technology to provide high quality electronic and publicly accessible Board meetings
	Investigate connectivity in rural areas
	Implement the security recommendations from the 2020 IT Assessment and Cyber Attack Report
	Review the best mechanism for management of telecommunications systems

KSD #2 OPTIMIZE THE CUSTOMER EXPERIENCE	
(2 Goals; 4 Objectives)	
2021 Objectives	Performance Indicator
Goal 2.1 To provide a high level of customer service	
2.1.1 By promoting regional district facilities and services	Develop a marketing program to promote understanding of RDOS Facilities and Services
	Renovate the Similkameen Swimming Pool
2.1.2 By engaging our citizens in the development and improvement of our programs	Investigate the acquisition of the Lower Nipit Improvement District
	Utilize the 2020 citizen Survey to develop a plan to improve customer relations and experience
	To promote an Electoral Area "D" Incorporation Study

Goal 2.2 To meet public needs through the continuous improvement of key services	
2.2.1 By improving bylaws, policy and process within the organization	Update Invasive weeds and pest bylaws into a single Invasive Species Bylaw
	Implementation of new Development Services software
2.2.2 By implementing the 2021 phase of the regional transit future plan	Double the Penticton – Kelowna Service
	Initiate the West Bench/Penticton Transit Service
	Review acquisition of the Princeton – Penticton Service

KSD #3 – BUILD A SUSTAINABLE REGION	
(3 Goals; 10 Objectives)	
2021 Objectives	Performance Indicator
3.1 To develop a healthy and socially sustainable region	
3.1.1 By promoting a regional emergency management program	Bring the regional emergency program concept to the Protective Services Committee for discussion
	Present the emergency response plan to the Emergency Management Team and the Protective Services Com
	Review the Pandemic Component of the Emergency Response Plan
	Review the Business Continuity Plan
3.1.2 By implementing the 2021 Phase of the Parks Program	Implement the 2021 phase of the Wharf Park development plan
	Implement the 2021 phase of the Manitou Park development plan
	Develop a Regional Parks and Trails Master Plan
	Investigate the benefit of promoting public/agricultural worker campgrounds throughout the region
	Continue to pursue acquisition of a portion of the West Bench Elementary School for public purposes
	Pursue the acquisition of Sickle Point in Kaleden
	Pursue the acquisition of Centre Beach in Naramata
Continue discussions with PIB regarding KVR Trail Upgrades	

2021 Objectives	Performance Indicator
Goal 3.2 To develop an economically sustainable region	
3.2.1 By implementing the Asset Management Plan	Commence implementation of the Asset Management Plan
	Introduce an asset/supply chain management program
3.2.2 By Reviewing Long-Range Planning Documents	Initiate the development of an Area "G" Official Community Plan
	Initiate review of the South Okanagan Regional Growth Strategy

2021 Objectives	Performance Indicator
Goal 3.3 To develop an environmentally sustainable region	
3.3.1 By implementing the 2021 Phase of the Solid Waste Management Plan	Develop a plan to introduce the curbside collection of organics and implement the 2021 phase
	Develop a plan to construct an organics treatment and processing facility at 1313 Greyback Mountain Road
	Work with the City of Penticton to create a plan to relocate the Penticton Compost Facility at CMLF
3.3.2 By implementing solid waste infrastructure upgrades and requirements for landfill facilities	Complete the 2021 phase of the Campbell Mountain leachate treatment system project
	Complete Master Plan and Design, Operations and Closure Plans for the Campbell Mountain, Okanagan Falls and Oliver Landfills
	Complete the detailed design of a revised entrance/exit for CML
	Conduct a Shadow Bid for the Heavy Equipment Contract Tender expiring in 2022
3.3.3 By enhancing RDOS Waste Water Treatment Systems	Establish a Service for the design and construction of the Kaleden Sewer Collection Project
	Develop phase 1 of a Liquid Waste Management Plan for Naramata for implementation
3.3.4 By enhancing Regional District water systems	Develop a Filtration Deferral Plan for the Naramata Water System
	Complete the 2021 Phase of SCADA Master Plan for all water systems
	Investigate the purchase of the Sage Mesa Water System
	Conduct a water systems rate review

3.3.5 By enhancing dam safety	Prepare a dam safety review on the Chain Lake Dam
	Determine a sustainable methodology to maintain the Shinnish Creek Diversion and the Chain Lake Dam
3.3.6 By preparing for Climate Change Impact	Develop policies for floodplains, hillside (geotechnical) and fire interface areas
	Develop a Climate Change Preparedness Plan
	Explore alternative energy sources to determine financial and environmental benefit

KSD #4 – GOVERNANCE and OVERSIGHT in a REPRESENTATIVE DEMOCRACY	
(2 Goals; 2 Objectives)	
2021 Objectives	Performance Indicator
Goal 4.1 To execute a Well-Defined Strategic Planning Cycle	
4.1.1 By executing the Strategic Planning and Enterprise Risk Management Programs.	Adoption of the 2021 Corporate Business Plan
	Update the Enterprise Risk Management Register and present to 2018-2022 Board of Directors
	Initiate the 2022 Corporate Business Plan Cycle

Goal 4.2 To Promote Board and Chair Effectiveness	
4.2.2: By Improving Regional District Relationships	Plan and implement an annual Board/member municipal council training program
	Develop a Governance Protocol setting out roles & responsibilities of Board Members/ Recreation Commissions and Staff
	Investigate the potential impact of UNDRIP on the Regional District
	Work with the four Indian Bands on improving Indigenous Relations

2021 CORPORATE OBJECTIVES - WORKSHEETS

KEY SUCCESS DRIVER 1 – HIGH PERFORMING ORGANIZATION

Goal 1.1 **To be an effective, fiscally responsible organization**

Objective 1.1.1: **By achieving a high standard of financial management and reporting**

Description

The citizens of the Regional District of Okanagan Similkameen expect their elected officials and staff to provide leadership for the efficient and effective fiscal planning and operation of the 155 services provided by the corporation. The services offered by the regional district are diverse, ranging through regional, sub-regional, inter-jurisdictional and local. By law, only those citizens participating in a service, pay for it.

Ownership

- Office of Prime Interest (OPI): Manager of Financial Services
- Offices of Collateral Interest (OCI): Management Team; Finance Department

The Activity

The Regional District has a legislative requirement to develop and submit a rolling Five-Year financial plan (the “Plan”) each year. Staff submits the Plan to Budget Committee each November for the subsequent calendar year, with projections rolling forward for the next four-year period. The Board of Directors is obligated to adopt a budget by March 31st of each year. The Public has full access to budget meetings and a wide citizen engagement process is offered each year prior to adoption of the budget. The Board provides oversight on the budget against actuals on a quarterly basis throughout the year.

Typically, administration provides a Management Discussion and Analysis (MD&A) Report to the Corporate Services Committee each quarter to assist the Board with their financial oversight responsibility. In 2021, the intent is to improve upon our MD&A to provide the Board better oversight of our performance against indicators for each Department that the Board may use to review trendlines on performance and benchmark against other local governments.

Measurements

The Regional District of Okanagan Similkameen has a sound financial management system and has established rigorous controls to ensure Administration provides exemplary financial oversight, fulfills the fiduciary trust the Board places on them to use taxpayer dollars wisely; and, that the Board receives the information they need to provide financial direction.

Department Managers review financial statements monthly and employ a Time Tracker data base to ensure labour expenses are applied to the right Service to ensure we maintain a fair balance between urban and rural participants in regional services.

Performance Indicators

- RDOS will achieve an unqualified audit from an independent auditor for the 2020 calendar year.
- The Board will agree on a 5-year Financial Plan in accordance with regulatory timelines.
- Administration will successfully achieve the 2020 budget targets for 95% of our services.
- Administration will present performance metrics for each department to measure our progress.
- Administration will present a report to Corporate Services Committee to advise on our Reserve levels and to set targets for each account a Reserve is in play.
- Administration will review our Fees & Charges Bylaw format in 2021 and bring it to Committee to ensure it meets our needs.

Goal 1.1: To be an effective, fiscally responsible organization

Objective 1.1.2: By being an effective local government

Description

The Regional District of Okanagan Similkameen understands that the success of our organization depends on all Board and staff members working together to achieve our goals; all with the intent of providing effective service to our citizens. To do this, we need to keep a lean, flat organizational structure. The Management Team meets weekly to discuss corporate and interdepartmental issues and we have our business planning process, budget process, performance management system and interdependency workshops to ensure our front-line staff has the information necessary to keep citizens informed.

Ownership

- Office of Prime Interest (OPI): Office of the CAO
- Offices of Collateral Interest (OCI); Manager of Legislative Services

The Activity:

While we cover a large geographical area, the hub of our operation is at 101 Martin Street. Increased development activity, transfer of water systems, increased downloading of services to local government, increasing standards and complexity of our work all lead to a growth environment for the Regional District and, as our staff increases, so does our need for adequate space. We need to develop a space plan in 2021 that will allow us to be ready to meet expectations in future years. Further, the City of Penticton is facing the same constraints and it is our intent to work together in 2021 to determine if a co-location would be beneficial to our mutual constituents.

Further, we understand that we have an opportunity to make better use of the internet to communicate with our citizens. We intend to engage an external expert to review our systems in 2021 so we can make the highest and best use of the internet in the future.

Measurement

Success on this activity will be based on the review of our processes to look for efficiencies, test our use of technology and develop a space plan for all RDOS needs to meet expectations.

Performance Indicators

- Completion of a Workspace Plan
- Open discussions with the City of Penticton to investigate space requirements.

Goal 1.2: To be a healthy and safe organization

Objective 1.2.1: By implementing the 2021 joint occupational health and safety program

Description

The Regional District of Okanagan Similkameen takes its responsibility for the safety of its employees very seriously. We have always complied with provincial legislation, but in 2009, RDOS aspired to achieve the standard set by the BC Municipal Safety Association and applied under the Certificate of Recognition (CoR) Program. In fact, we applied under two programs; one for their Health and Safety Program and one for their Return to Work Program. In 2010, 2011 and 2012 we were awarded both. In 2013, our Joint Health and Safety Committee determined to continue in-house due to the cost and onerous reporting requirements for the provincial certification. Our JH&S Committee forms the basis for our Safety Action Plan and the ongoing development of our worksafe procedures.

Ownership

- Office of Prime Interest (OPI): Manager of Human Resources
- Offices of Collateral Interest (OCI): Workplace Health & Safety Committee; Department Managers

The Activity

The Regional District Joint Health and Safety Committee annually audits the Regional District work places and they'll be implementing the actions identified in the Workplan for 2021. WorkSafe BC has also increased the requirement for written workplace safety procedures and the RDOS will work towards compliance on those new standards in 2021.

Measurement

The RDOS has used "Total Recorded Incident Ratio" as a measurement in the past, but in 2017 we moved to benchmarking on the injury rate identified by WorkSafe BC for our classification unit. We passed with flying colours in 2020 and we'll attempt to have the same success in 2021.

Performance Metrics

- Complete the 2021 phase of safe work procedures for all departments within the organization
- Keep the RDOS injury rate below the average for our WorkSafe BC classification unit.

Goal 1.3: To cultivate a high-performing organizational culture

Objective 1.3.1 By Implementing an Organizational Development Program

Description

The Regional District of Okanagan Similkameen has a recognized cultural change program. We identified eight characteristics of high performing organizations that we want our organization to emulate and we steadfastly measure our progress against those characteristics by an annual staff perception survey. Each year, when we produce the results from our survey we create an employee committee to develop a plan to make some sort of intervention into the organization. We didn't do that in 2020 as we worked our way through the global pandemic, but we intend to get back at it in 2021.

Ownership

- Office of Prime Interest (OPI): Manager of Human Resources
- Offices of Collateral Interest (OCI): Management Team

The Activity

The field of Organizational Development is huge and so important to the success of an organization. In addition to the support we offer to our own employees, we also offer HR support to our smaller member municipalities

Many organizations will identify their employees as their most important resource, their competitive advantage, yet few are able to identify and implement the programs necessary to treat employees well and leverage their expertise. The Regional District firmly believes in the Customer Service Linkage Model, which purports that the most effective methodology to improve customer service is to increase the climate strength of the organization.

Local governments need productive, engaged, knowledgeable employees to be successful; but they also need to provide them with the tools. We adjusted our organizational structure, capacity and space to respond to the financial impact of COVID-19 in 2020, again flattening our organization by removing a layer of management. We'll get back to asking our employees how that's working and what we can do better.

Measurement

The High Performance and Innovation Committee promotes the eight characteristics of high-performing organizations and has an annual cycle they follow to entrench this cultural change. The eight characteristics are presented to each Board and Staff member in November, at which time we also conduct our staff perception survey to measure our organization against these characteristics. The survey results produce quantitative and qualitative data upon which we can measure our progress. Measurement tools also include the development of the Organizational Development Plan.

Performance Indicators

- Create an employee organizational development committee to develop an action plan
- Implement the Plan
- Achieve improved results on the 2021 Survey over the 2020 Survey

Goal 1.4 **To deliver a broad array of IT-enabled tools and services throughout the enterprise**

Objective 1.4.1 **By providing effective information technology systems and programs to the corporation**

Description:

In August 2020 the Regional District electronic technology system was compromised to the extent where we had to isolate from the internet and retain experts to evaluate how far the intrusion had reached, which systems, programs and hardware were infected, what data was lost and what security measures needed to be introduced. Our information technology system has now been evaluated and in 2021 we need to implement the recommendations received to protect our information from a recurrence.

During the re-building of our systems, we're taking the opportunity to build back better. We have never had the capability to stream or record Board Meetings, but with the Orders against open meetings due to the pandemic, we now have that capability for all members of the Board and the public to join our meetings, present information and hear decisions.

Ownership:

- Office of Primary Interest (OPI): Manager of Information Services
- Office of Collateral Interest (OCI): Management Team

The Activity:

In 2021 we intend to entrench some of the best practices we've introduced, while at the same time maintaining safety protocols required by the Medical Officer of Health. We have many recommendations from our Information Technology Assessment and the Forensic Audit conducted in 2020. At the same time, we need to improve our infrastructure and that will also be on the Plan for 2021, as well as a complete review of our telecommunications systems. Our best value is going to come from making better use of technology, and we intend to take that challenge.

Measurement:

This objective will be measured against accomplishment of the recommendations set out in the 2020 Information Technology Assessment.

Performance Indicators:

- Complete the facility renovations, equipment purchases and system corrections to provide high quality electronic and publicly accessible board meetings for the long-term
- Submit a report to the Board on regional connectivity
- Review the management of our telecommunications systems

KEY SUCCESS DRIVER 2 – OPTIMIZE THE CUSTOMER EXPERIENCE

Goal 2.1 **To provide a high level of customer service**

Objective 2.1.1: **By promoting regional district facilities and services**

Description

Our citizen surveys clearly indicate that the majority of our citizens don't have a good idea of what services we offer, so it's no wonder that they're unsure if they're getting good value for their taxes. The Regional District of Okanagan Similkameen believes strongly that we need to consult with our citizens to determine if we're meeting their expectations with regard to services, but we also need to keep them informed about the services we offer.

Ownership

- Office of Prime Interest (OPI): Manager of Legislative Services
- Offices of Collateral Interest (OCI): Management Team

The Activity

The Regional District already devotes a significant effort to customer service and improving the customer experience. Over the past few years we commenced our signage program to properly brand our facilities. When the pandemic restrictions are relaxed, we intend to host open houses in a number of Electoral Areas and leverage partnerships with some of our member municipalities. We conducted a citizen survey at the end of 2020 to measure how we're doing. The results of our biennial survey always provides us with a good idea of where we need to improve and what we need to do better.

Measurement

This is an activity-based objective, but administration will report on the 2020 Citizen Survey and on our progress to the Board with our quarterly activity reports and our quarterly report on the Business Plan.

Performance Indicators

- Develop a marketing program and host electoral area "Town Halls" to help citizens understand what we do.

Objective 2.1.2: By engaging our citizens in the development and improvement of our programs

Description

With the large geographic area encompassing the Regional District of Okanagan Similkameen, we need an outreach program to interact with our citizens and make it easy for them to engage with us.

Ownership

- Office of Prime Interest (OPI): Manager of legislative Services
- Offices of Collateral Interest (OCI): Management Team

The Activity

If our citizens don't come to us, we need to develop a strategy to go to them. We have a great opportunity to leverage the internet to engage our citizens and, even if we trend to a higher than average seniors' population, social media presents an interesting option. We need to investigate what's working for other local governments using social media and how they're engaging. In 2021 we intend to go back out to our citizens with the results of our 2020 citizen survey.

Two specific projects that will require additional consultation will be the petitions from the Lower Nipit Improvement District and the Okanagan Falls Community Association

Measurement

The measurement of success of this objective will be based on the following:

Performance Indicators

- Advocate for an incorporation study for Electoral Area "D".
- Investigate the conversion of the Lower Nipit Improvement District to the RDOS
- Utilize the 2020 citizen Survey to develop a plan to improve customer relations and experience

Goal 2.2 To meet public needs through the continuous improvement of key services

Objective 2.2.1: By improving bylaws, policy and process within the organization

Description

The Regional District of Okanagan Similkameen is always interested in improving the customer experience. As a law-making organization, it's important that the Regional District maintain an up-to-date inventory of Bylaws and Policies to ensure we're compliant with provincial legislation and that we have the right tools in place to accomplish that.

Ownership

- Office of Prime Interest (OPI): Manager of Legislative Services
- Offices of Collateral Interest (OCI): Manager of Financial Services

The Activity

We have an active roster in the “Bylaws and Policies Hospital” pending revision. The 2021 focus will be to triage those in the “Hospital” and bring the priorities forward for update. We also have a number of new software applications that will make existing processes more effective.

Measurement

The measurement will be based on the following milestones:

Performance Indicators

- Update and consolidate invasive species and pest bylaws.
- Implement our new Development Services software.

Objective 2.2.2: By implementing the 2021 Phase of the Regional Transit Future Plan

Description:

BC Transit, in collaboration with the Regional District of Okanagan Similkameen, completed a 25-year Transit Future Plan for the region in 2015. The Transit Future Plan envisions what the transit network should look like 25 years from now and describes what services, infrastructure and investments are needed to get there. The plan is designed to support local community goals and objectives, such as strengthening the link between transportation and land use in order to support sustainable growth. It also describes the transit service, fleet and facility changes required to transition existing transit systems to the proposed vision, including identifying improvements that provide an immediate, positive impact, and providing recommendations on priorities and phasing.

Ownership

- Office of Prime Interest (OPI): Manager of Community Services
- Offices of Collateral Interest (OCI): Parks/Transit Planner

The Activity

The Regional Transit Future Plan included some exciting projects for our Transit Service in 2020, not the least of which was to double the Service established in 2018 to move people from Penticton to Kelowna and, eventually, up to the North Okanagan. Following a review of the West Bench Service to determine interest in feeding into the Penticton system, we had intended to pursue that in 2020. However, with the COVID-19 pandemic significantly mass transit, BC Transit postponed their capital program for 2020. It is anticipated that those already scheduled projects will continue in 2021.

Measurement

This objective will be activity based and progress will be measured against the Transit Future Plan.

Performance Indicators

- Increased frequency of the Penticton - Kelowna Multi-Regional shared transit service
- Initiation of the West Bench Transit Service
- Investigate the acquisition of the Princeton – Penticton Service

KEY SUCCESS DRIVER 3 – BUILDING A SUSTAINABLE REGION

There are three recognized pillars of community sustainability; being social, economic and environmental.

Goal 3.1: To develop a socially sustainable region

Objective 3.1.1 By reviewing and updating the emergency management program

Description:

The Regional District has successfully operated a regional emergency management program since 2006. Extended flooding in 2017 and 2018 were especially onerous from a response and recovery platform, while wildfire response and mitigation are annual events. In 2020, we initiated a governance review on the program and that will extend into 2021.

Ownership:

- Office of Prime Interest (OPI): Manager of Community Services
- Offices of Collateral Interest (OCI): Emergency Services Manager

Activity:

While we successfully revised our Emergency Program Regulatory Bylaw in 2020, we have more ground to cover in the review of the funding model entrenched in the Service Establishment Bylaw. We intend to work more closely with our Member Municipalities to complete that review in 2021 and, as usual, we intend to fully carry out a robust training and exercise schedule, even with the pandemic restrictions.

If anything, 2020 taught us that we need to review the pandemic component of our emergency plan and our cyber attack confirmed that we need to review our Business Continuity Plan.

Measurement:

We are well documented and we'll have lots of milestones to display as we work through a review of our documents, get out to meet with our colleagues and offer our training programs and exercises.

Performance Indicators:

- Complete the review of the funding model for the Regional Emergency Management Program
- Review the emergency response plan with the Protective Services Committee
- Review the pandemic component of the Emergency Response Plan
- Review the Business Continuity Plan

Objective 3.1.2: By implementing the 2021 Phase of the Parks Program

Description

The Regional District of Okanagan Similkameen has a Regional Parks & Trails Service, but the majority of work done in parks is through local service areas. Greenways and blueways play a significant role in a high quality of life for our citizens and we're continually upgrading our inventory of parkland and the quality of parks on an annual basis.

Ownership

- Office of Prime Interest (OPI): Manager of Community Services
- Offices of Collateral Interest (OCI): Parks/Trails Manager

The Activity

In 2021, the Regional District will continue with their park improvement program and complete the Parks Master Plan which was postponed in 2020 due to pandemic restrictions.

Measurement

Success on this objective will be activity-based measurement and many of the projects are dependent on other bodies, either for grants or participation.

Performance Indicators:

- Implement the 2021 phase of the Wharf Park development plan
- Implement the 2021 phase of the Manitou Park development plan
- Complete a Regional Parks and Trails Master Plan
- Implement the land acquisition process for a portion of the West Bench Elementary School, Sickle Point in Kaleden and Centre Beach in Naramata
- Continued discussions with the Penticton Indian Band regarding the KVR Trail

Goal 3.2: To develop an Economically Sustainable Region

The second pillar of community sustainability is to develop an economically sustainable region. This pillar focusses on economic development, but also includes being fiscally responsible as an organization and by ensuring that we are good stewards of the assets of the Regional District.

Objective 3.2.1: By implementing the asset management plan

Description

The Regional District, as have all public agencies, has complied with the Public Service Accounting Board and produced a Tangible Capital Assets Register. The Province of British Columbia has determined that it would be beneficial for all local governments to go one step further and develop an Asset Management Plan, with the intent to deliver sustainable services by extending and deepening asset management practices. Asset Management is defined as an integrated process bringing together planning, finance, engineering and operations to effectively manage existing and new infrastructure to maximize benefits, reduce risks and provide satisfactory levels of service to community users in a socially, environmentally and economically sustainable manner.

The Regional District initiated investigation into the development of an asset management plan in 2016 with the assistance of a grant made available through UBCM and FCM. Our Phase I, II and Phase III Asset Management Plans are complete and we had intended to move forward with the selection of a software program and start data entry in 2020, but the financial impact of the pandemic has slowed us down.

Ownership

- Office of Prime Interest (OPI): Manager of Financial Services
- Offices of Collateral Interest (OCI): Management Team

The Activity

We will select an asset management system appropriate for the Regional District and commence data entry.

Measurement

Success on this objective will be measured by the purchase of an asset management software program.

Performance Indicators:

- Implement the asset management plan.
- Introduce an asset/supply chain management program

Goal 3.2: To develop an Economically Sustainable Region

Objective 3.2.2: By Reviewing Long-Range Planning Documents

Description

An Official Community Plan (OCP) is the vision a community has for its future. It contains goals and policies that will shape future land use in a way that reflects the community's vision. These goals and policies form a framework used by the Regional District staff, other agencies and the community to guide their decisions about future land use.

Under the Local Government Act, an OCP must include certain information, such as:

1. Residential development;
2. Commercial, industrial, and industrial land uses;
3. Land subject to hazardous conditions or environmentally sensitive to development;
4. Major road, sewer and water systems;
5. Housing policies related to affordable housing, rental housing, and special needs housing;
6. Public facilities, including schools, parks, and waste treatment and disposal sites; and
7. Greenhouse gas emission policies, targets, and actions.

Beyond this, an OCP may also consider other community priorities such as heritage protection, food security, water quality, economic development or transportation and mobility.

Ownership

- Office of Prime Interest (OPI): Manager of Planning Services
- Offices of Collateral Interest (OCI): Planners

Activity

The 2021 activity will allow us to continue the robust public engagement process we invoke when contemplating the development of long-range planning documents. Engagement of citizens within Electoral Area “G” will provide a forum to introduce planning concepts to that jurisdiction and also allow feedback before a decision will be made to proceed. We intend to finish the OCP review in Area A early in 2021 and initiate the OCP Review process for Electoral Area “E”.

Measurement

This will be an activity-based objective for 2021 based on the achievement of the following performance indicators.

Performance Indicators:

- Initiate the development of an Area “G” Official Community Plan
- Complete the finalized draft of Electoral Area “A” Official Community Plan
- Complete the review of the South Okanagan Regional Growth Strategy
- Complete the collaborative Regional Housing Needs Report

Goal 3.3: To develop an environmentally sustainable region

The third pillar of community sustainability is to develop an environmentally sustainable Regional District.

Objective 3.3.1: By implementing the 2021 phase of the Solid Waste Management Plan

Description

Guiding Principles for Development of Solid Waste Management Plan (SWMP)

- Reduce the amount of waste requiring disposal to the greatest extent possible;
- Be cost effective, considering both short- and long-term cost implications; establish objectives and targets that are clear and measurable;
- Engage and involve all sectors of the community;
- Reduce environmental impacts of solid waste management to air, water and land;
- Establish programs, policies and objectives that are efficient, flexible and simple;
- Encourage and support options that develop local socio-economic opportunities, such as the development of new businesses, and the creation or expansion of employment through waste management activities;
- Develop and deliver services through effective partnerships with member municipalities, private and non-profit agencies, neighbouring regional districts, other levels of government and First Nations; and
- Plan for and secure future disposal capacity for the region, recognizing the capacity limits of the current disposal system.

The SWMP is a regulatory document approved by province and is a Regional Service.

Ownership

- Office of Prime Interest (OPI): Manager of Engineering
- Offices of Collateral Interest (OCI): Manager of Operations

Activity

An updated RDOS Solid Waste Management Plan was adopted by the Board in September 2012. Based on the Guiding Principles stipulated above, the Plan calls for the implementation of over 80 projects and directives over a 5-year period. Unfortunately, we're behind on several key projects and we're into catch-up mode. We've also had significant projects imposed by regulation that we didn't initially have in the SWMP that have huge implications we're trying to conclude as well.

The SWMP will be reviewed and updated as we make progress against the projects already identified. We were successful in siting the proposed regional organics facility in 2020 and we hope to receive a positive outcome on our application to resolve active gas capture issues at Campbell Mountain Landfill, implement the leachate collection and retention system at CMLF and start implementation on the Keremeos Landfill closure plan.

Measurement

This objective will be measured by completion of the identified plans and compliance with the SWMP Checklist.

Performance Indicators:

- Work with the City of Penticton to create a plan to relocate the Penticton Compost Facility at CMLF
- Develop a plan to introduce the curbside collection of organics and implement the 2021 phase
- Develop a plan to construct an organics treatment and processing facility at 1313 Greyback Mountain Road

Objective 3.3.2: By implementing the solid waste infrastructure upgrades and requirements for landfill facilities

Description:

The Regional District of Okanagan Similkameen owns/leases and operates four landfills, being the Keremeos Transfer Station, Oliver Landfill, Okanagan Falls Landfill and the Campbell Mountain Landfill in Penticton.

Areas D, E, F, I, and the City of Penticton are participants in this service. In addition, Area B, G and Keremeos are participants through a Transfer Service. The Campbell Mountain Landfill is an old facility, unlined and on fractured bedrock, leased from the City of Penticton; yet it has reached the size to be regulated by the Province. With regulation comes issues such as leachate, methane gas, storm water drainage, organics and biosolids treatment and increasing traffic.

Ownership:

- Office of Prime Interest (OPI): Manager of Engineering
- Offices of Collateral Interest (OCI): Manager of Operations

Activity:

The Regional District is nearing completion on several multi-year projects at the Campbell Mountain Landfill. There has been a significant investment to develop a leachate collection and treatment system, an approval process for an active gas capture substitution program, acquisition of an adjacent site for organics processing and treatment and many other worthwhile milestones. The

contract for landfill maintenance expires in 2022 and there will be a significant tender issued in 2021 that the Regional District may compete in.

Measurement:

The projects identified for Campbell Mountain Landfill in 2021 are measurable based on completion of the project.

Performance Indicators:

- Complete the 2021 phase of the Campbell Mountain leachate treatment system project
- Complete the detailed design of a revised entrance/exit for CML
- Conduct a Shadow Bid for the Heavy Equipment Contract Tender expiring in 2022.

3.3.3 By enhancing RDOS Waste Water Treatment Systems

Description

The Okanagan Falls Waste Water Treatment Plant has been in operation since 2012 and it has been determined that a Solids Dewatering Facility would be beneficial. We currently transport solids from Okanagan Falls to Penticton for treatment in their Waste Water Treatment Facility and it would be more efficient to reduce the liquid prior to transportation.

The Regional District was awarded a Building Canada II Grant in 2017 to collect liquid waste in Kaleden and pump it to the Okanagan Falls Waste Water Treatment Plant. We need to establish a service for those to be served and the intent is to move forward with that in 2021. We're also starting to look at the implications of collecting and treating liquid waste in Naramata.

Ownership:

- Office of Prime Interest (OPI): Manager of Engineering
- Offices of Collateral Interest (OCI): Manager of Operations

Activity:

The 2021 activity will include the creation of a Service for liquid waste collection in Kaleden, for a liquid waste management plan in Naramata and the construction of a solids dewatering facility in Okanagan Falls.

Performance Indicators:

- Kaleden Sewer Collection Project
- Complete construction of a solids dewatering works at the Okanagan Falls WWTP
- Commence a Liquid Waste Management Plan for Naramata

Objective 3.3.4: By enhancing Regional District Water System Delivery

Description

The Regional District owns or operates nine water systems over five electoral areas. As infrastructure ages and volunteers or owners of private and public systems change, there is more interest in divesting systems to the Regional District. Also, the Auditor General for Local

Government audited three of the Regional District Water Systems in 2017 and provided a number of recommendations that the Regional District continues to work away at.

Ownership:

- Office of Prime Interest (OPI): Manager of Operations
- Offices of Collateral Interest (OCI): Manager of Engineering

Activity:

In 2021, the Regional District will continue implementation of recommendations from the AGLG Audit and respond appropriately to acquisition of new systems.

Measurement

This objective will be measured by progress against the following performance indicators.

Performance Indicators:

- Complete the SCADA Master Plan for all water systems
- Develop a filtration deferral plan for the Naramata Water System
- Study the acquisition of the Sage Mesa Water System
- Conduct a water systems rate review

Objective 3.3.5: By enhancing dam safety

Description

The Regional District owns a number of dams throughout the Region, mostly in conjunction with our water systems, but some designed to protect recreational water bodies. The Province of British Columbia has increased the regulatory requirements on dams and we have a number of them that have not been reviewed for structural integrity for some time. This objective is to ensure that we maintain safe practices by meeting all regulatory requirements for those dams we own.

Ownership:

- Office of Prime Interest (OPI): Manager of Engineering
- Offices of Collateral Interest (OCI): Manager of Operations

Activity:

In 2021, the Regional District will focus on one of our older systems in Electoral Area “H” where we have the Shinnish Creek Diversion and the Chain Lake Dam.

Measurement

This objective will be measured by progress against the following performance indicators.

Performance Indicators:

- Prepare a dam safety review on the Chain Lake Dam
- Determine a sustainable methodology to maintain the Shinnish Creek Diversion and the Chain Lake Dam

Objective 3.3.6: By preparing for the impact of climate change

Description

We know now that local government play an important role in climate change mitigation. Our Federal and Provincial governments have long been advocates of local governments taking action to reduce greenhouse gas emissions and the Regional District is one of 187 local governments in British Columbia to sign on to the BC Climate Action Charter. The impact of climate change evidences itself through more egregious natural disasters, like floods, fires, mud slides, wind, etc. It is the intent of the Regional District to prepare for the impact of climate change in 2021.

Ownership:

- Office of Prime Interest (OPI): Manager of Community Services
- Offices of Collateral Interest (OCI): Manager of Planning

Activity:

In 2021, the Regional District will develop policies on floodplains, geotechnically sensitive areas and fire interface areas. We'll look for alternative energy sources and we'll start to work on a climate change mitigation plan.

Measurement

This objective will be measured by progress against the following performance indicators.

Performance Indicators:

- Develop a Climate Change Preparedness Plan
- Develop policies for floodplains, hillside (geotechnical) and fire interface areas
- Explore alternative energy sources to determine financial and environmental benefit

KEY SUCCESS DRIVER 4 – TO PROVIDE GOVERNANCE & OVERSIGHT IN A REPRESENTATIVE DEMOCRACY

Goal 4.1 To execute a well-defined strategic planning cycle

Objective 4.1.1: By executing the Strategic Planning and Enterprise Risk Management Programs.

Description

The Regional District has developed a robust strategic planning cycle and process. While we have well developed guiding principles composed of Vision, Mission, Values, Key Success Drivers and 4-year Goals, we focus mostly on the development of our Corporate Business Plan.

The Regional District has developed an Enterprise Risk Management Program that supports our Strategic Plan and we want to maintain that and build on it as well.

Ownership

- Office of Prime Interest (OPI): CAO
- Offices of Collateral Interest (OCI): Management Team

The Activity

This is a forward-looking Objective, anticipating that we will rigorously follow our Strategic Planning Cycle and Process. Regional District staff will commence the SWOT exercise for the update of the 2021 Business Plan in July of 2021, including a full review of our Enterprise Risk Management Plan. This Board of Directors is entering the third year of their term and the 2021 Business Plan and planning for 2022 has turned to focusing on closing off some of those projects that were started earlier in this mandate.

Measurement

Compliance with the Strategic Planning Cycle and Process adopted by the Board.

Performance Indicators:

- Adoption of the 2021 Corporate Business Plan
- Presentation of the Enterprise Risk Management Register to 2018-2022 Board of Directors
- Initiate the 2022 Corporate Business Plan Cycle

Goal 4.2: To promote Board and Chair effectiveness

Objective 4.2.1: By improving regional district relationships

Description:

A regional district is really a federation of different jurisdictions within a confined geographic area. With 9 electoral areas and 6 incorporated communities in the Regional District of Okanagan Similkameen, it's important that we keep focused on big-picture issues that benefit the whole constituency, and sometimes there are competing interests. Our Board of Directors is always interested in partnerships and economies of scale that we can pursue with our members.

Ownership:

- Office of Primary Interest: Chief Administrative Officer
- Office of Secondary Interest: Management Team

Activity:

We'll work with our colleagues in the member municipalities to identify opportunities and look where we can open or improve communications. It's in all of our best interests to work together and, while we do this well already, we can always do better.

Performance Indicators:

- Plan and implement an annual Board/member municipal council training program
- Develop a Governance Protocol setting out roles & responsibilities of Board Members/ Recreation Commissions and Staff
- Investigate the potential impact of UNDRIP on the Regional District
- Work with the four Indian Bands on improving Indigenous Relations

2021 - 2025 FINANCIAL PLAN

The 2021 - 2025 Financial Plan for the RDOS will be adopted by the Board of Directors at a regular meeting prior to 31 March 2021. It will appear as a collateral document to the 2021 Business Plan on the RDOS website for viewing.

RISKS AND MITIGATIONS

Risk Identification and Mitigation

The Regional District of Okanagan Similkameen 2021 Business Plan includes assessments and assumptions for the next year. The following represents the top risks to the Regional District in achieving its business plan and maintaining its operations.

The purpose of Enterprise Risk Management (ERM) is to ensure that risk identification, assessment and prevention are incorporated into the management oversight and processes of the Regional District and to assist in identifying priorities set forth in RDOS's business plan. The intent being to manage the uncertainties we incur in our current operations and our future plans.

The 2021 Risk Register identifies many threats, but only three make our top risk standard based on our pre and post mitigation rating:

- **Man-made or Natural Disaster** – RDOS implements its Emergency Plan and opens the Emergency Operations Centre numerous times each year. We have a significant organization that manages our response, with the support of the Province, and we continually train our people. Nevertheless, we're in a region that is susceptible to natural and man-made threats, identified in our Hazard Risk and Vulnerability Plan.
- **Global Pandemic** – A Level 1 EOC was activated in March 2020 in the Regional District and remains at level 1 in response to the provincial requirement during the provincial State of Emergency. We fully expect COVID-19 restrictions to be in effect into the late spring or summer in British Columbia. RDOS employees will continue to perform their normal duties. The risk can be somewhat mitigated by training and good planning, but the 2021 risk is high that our staff will be impacted by the Covid-19 Pandemic.
- **Campbell Mountain Landfill** – The RDOS is currently in contravention with the BC Landfill Gas Regulation regarding methane off-gassing at the Campbell Mountain Landfill. An application has been submitted to the Ministry of Environment to permit a substituted alternative to meet the regulation for gas capture; being a biocover methodology. We look forward to a successful conclusion to the application, but there is still much work to be done before we achieve compliance. We also sit on the Contaminated Sites Register due to a leachate contravention and we have much work to do to gain compliance on treatment of organics.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: Kaleden Recreation Programming, Parks and Facility Maintenance Service

Administrative Recommendation:

THAT Bylaw No. 2924, 2021, being a bylaw to add reference to Parks to the Kaleden Recreation Programming and Facility Maintenance Service, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval.

Purpose:

To formally include reference to parks in the Kaleden Recreation Programming and Facility Maintenance Service.

Reference:

Bylaw No. 1554 Kaleden Recreation Programming and Facility Maintenance Service Establishment Bylaw

Business Plan Objective:

2.2.1 to meet public needs through the continuous improvement of key services by improving bylaws, policy and process within the organization

Background:

While reviewing the bylaws regarding the potential acquisition of Sickie Point for park land, the Inspector of Municipalities indicated that Bylaw No. 1554, the bylaw under which the Regional District operates the parks and recreation service in Electoral Area "I", may require additional wording to include reference to parks in the scope and citation.

Analysis:

Bylaw No. 2924 amends Bylaw No. 1554, 1994, Kaleden Recreation Programming and Facility Maintenance Local Service Establishment Bylaw to include wording regarding parks as well as referencing Electoral Area "I" instead of Electoral Area "D".

The boundaries of the service area are not affected by this bylaw. The cost recovery method and the requisition limit are being amended by Bylaw No. 2914, which is currently at third reading.

Alternatives:

1. Give three readings to the bylaw.
2. Decline to add reference to parks to the Kaleden Recreation Programming and Facility Maintenance Service.

Respectfully submitted:

"Gillian Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

"Christy Malden"

C. Malden, Manager of Legislative Services

**REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN
BYLAW NO. 2924, 2021**

A bylaw to amend the Kaleden Recreation Programming and Facility Maintenance Local Service Establishment Bylaw No. 1554, 1994.

WHEREAS Bylaw No. 1554, 1994 established the Kaleden Recreation Programming and Facility Maintenance Local Service;

AND WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wishes to proceed under the *Local Government Act*, to amend the service of recreation programming and facility maintenance by adding administration, operation and acquisition of Parks to the service;

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

CITATION

1. This bylaw may be cited for all purposes as the “Kaleden Recreation Programming, Parks and Facility Maintenance Local Service Establishment Amendment Bylaw No. 2924, 2021”.

AMENDMENT OF SERVICE

2. Section 1 of Bylaw No. 1554, 1994 is deleted in its entirety and replaced with the following:

“THE SERVICE

The D9 Specified Area established by Bylaw No. 1041 cited as the D9 Specified Area Establishment Bylaw No. 1041, 1988, is established as the Kaleden Recreation Programming, Parks and Facility Maintenance Local Service.

The Regional District of Okanagan-Similkameen is empowered and authorized to provide recreation programming, parks and facility maintenance local service for the Kaleden Recreation Programming, Parks and Facility Maintenance Local Service Area, and without limiting the generality of the foregoing, to enter into contracts with such authorities and companies as may be necessary or appropriate to implement the Kaleden Recreation Programming, Parks and Facility Maintenance Local Service, including the acquisition, maintenance and administration of park land.”

3. Section 2 of Bylaw No. 1554, 1994 is deleted in its entirety and replaced with the following:

“BOUNDARIES OF THE SERVICE AREA

“The boundaries of the Kaleden Recreation Programming, Parks and Facility Maintenance Local Service Area are outlined on Schedule ‘A’ attached to and forming part of this bylaw.”

4. Section 3 of Bylaw No 1554, 1994 is deleted in its entirety and replaced with the following:

“PARTICIPATING AREA

The Kaleden Recreation Programming, Parks and Facility Maintenance Local Service Area is located entirely within the boundaries of Electoral Area ‘I’.”

5. Section 6 of Bylaw No 1554, 1994 is deleted in its entirety and replaced with the following:

“CITATION

This bylaw may be cited as the ‘Kaleden Recreation Programming, Parks and Facility Maintenance Local Service Establishment Bylaw No. 1554, 1994’.”

READ A FIRST, SECOND AND THIRD TIME this __ day of ____, 2021.

ELECTORAL AREA “I” DIRECTOR CONSENT OBTAINED this __ day of ____, 2021.

INSPECTOR OF MUNICIPALITIES APPROVAL OBTAINED this __ day of ____, 2021

ADOPTED this __ day of _____, ____.

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, ____.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: 7 January 2021

RE: Covid-19 Safe Restart Use of Grant Funds

Moved By Director Roberts/ Seconded By

THAT the per capita amounts received by the Regional District of Okanagan Similkameen under the COVID-19 Safe Restart Grant for Local Governments Program be distributed to the nine electoral areas based on population data from BC Stats as at October 1, 2020.

Background:

Parliamentary procedure provides that if a substantial issue is to be raised before the elected body, that notice be given at one meeting that such issue will be introduced, by motion, at the next. At the regular Board of Directors meeting 17 December 2020, a notice of motion was submitted by Director Roberts on the allocation of the COVID-19 Safe Restart Grant for Local Governments Program. The motion can not be placed on the floor without a seconder, but would take precedence over the recommendation coming out of the Corporate Services Committee.

The Program:

The Federal and Provincial governments have recognized that the global pandemic has created a financial burden on local governments; and to address this issue, have announced a \$540 million grant program directed to support local governments as they deal with increased operating costs and lower revenue due to COVID-19. This grant will also ensure local governments can continue to deliver the services people depend on in their communities throughout the pandemic and the post-COVID recovery period.

Eligible criteria include:

- Addressing revenue shortfalls.
- Facility reopening and operating costs.
- Emergency planning and response costs.
- Bylaw enforcement and protective services, like fire protection.
- Computer and other electronic technology costs (to improve interconnectivity and virtual communications); and,
- Other related costs.

All expenditures must be tracked and audited independently, then the audited report will be submitted to the Province.

The funding formula for Regional Districts is based on three components:

1. A flat rate amount of \$300,000.
2. \$3.10/capita based on the total regional district population = \$287,420.
3. \$8.13/capita based on the rural population = \$185,580.

Considerations:

1. All funds must be spent or committed by 31 December 2021.
2. Current office space is not adequate to meet current operations, and that is exacerbated by the Covid protocols for meetings and social distancing. While the Regional District will explore the business case for a co-located facility with the City in the long-term, leasing additional office space for the short-term, would make our current work space more efficient and Covid-19 protocol compliant.

Additional space is also required to house communications equipment and address the electronic data issues identified in the IT Assessment. An opportunity is currently available to enter into a shared services agreement with our municipal members, in the right space.

3. With the focus on electronic meetings, video conference hardware and software needs to be upgraded. This will reduce administration costs and enhance all of the services. To this point we've borrowed cameras, microphones and streaming/recording equipment. That's not sustainable for the long-term.
4. Board Management Software – The current process of creating Committee and Board reports in Word, then converting them to PDF, then emailing the agenda package to Board Members is time consuming and could be easily made much more efficient with specialized software.
5. The HVAC system at 101 Martin Street is dysfunctional and doesn't provide the necessary air exchange to protect those within. In addition, the boardroom is not capable of holding Board meetings without additional protections, wiring and work on the public spaces.

Expense Summary under this Costing Model				
Schedule "A"				
		Rural (\$3.10/capita)	Rural/Urban (\$8.13/capita)	Total
1.	Area A Estimate	\$ 16,870	+ \$26,124	= \$42,994
2.	Area B Estimate	\$ 9,506	+ \$14,718	= \$24,224
3.	Area C Estimate	\$ 32,296	+ \$50,007	= \$82,203
4.	Area D Estimate	\$ 34,133	+ \$52,853	= \$86,968
5.	Area E Estimate	\$ 17,728	+ \$26,754	= \$44,482
6.	Area F Estimate	\$ 18,286	+ \$28,315	= \$46,601
7.	Area G Estimate	\$ 20,302	+ \$31,437	= \$51,739
8.	Area H Estimate	\$ 17,732	+ \$27,459	= \$45,191
9.	Area I Estimate	\$ 19,200	+ \$29,357	= \$48,557
Sub-Total		\$185,600	+ \$287,400 =	\$473,000
10.	Data Centre Lease	\$250,000		
11.	Board Meeting Software	\$ 15,000		
12.	Office Improvements	\$ 35,000		
Sub-Total				\$300,000
Total				\$773,000

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 7, 2021

RE: Service Review and Withdrawal Process – For Information Only

Purpose:

To provide information to the Board of Directors with respect to service review and withdrawal processes available to Regional Districts, in response to Notices of Motion at the December 17 meeting:

- THAT a boundary, financial allocation and service level review be done on the BC Transit Service.
- THAT a bylaw review be done on the financial distribution for the Mosquito Control Service with consideration to how the Okanagan Regional Library funding model is used.

Reference:

- [Regional District Service Withdrawal Regulation](#)
- [LGA Division 6 of Part 10 – Dispute Resolution in Relation to Services](#)

Background:

Regional Districts may review the terms and conditions of an existing service from time to time or on a regular scheduled basis. Any service participant may initiate a service review, typically because they are unhappy with the service terms and conditions.

An initiating participant must provide notice which describes the terms and conditions of the service which the participant finds unsatisfactory, provide reasons, relating to those terms as to why the participant wishes to initiate the service review, and describe how the participant has previously attempted to resolve the issue.

Service Review Process

There are three main types of service reviews:

- Informal Service Reviews – can be conducted at the discretion of the regional district board, can occur any time, and can be tailored to fit the needs and timelines of the participating members.
- Statutory Service Reviews - This process is available to review those services where the service establishment bylaw does not include alternate service review guidelines. To initiate a service review, a participant must give written notice to the board, all other participants in the service and to the minister responsible for local government.

- Bylaw-Based Service Reviews - regional district boards have the option to include an alternative review process in their service establishing bylaw. If a service establishing bylaw includes an alternative review process, this would take precedence over the statutory service review process available through the *Local Government Act*.

Service Withdrawal Process

If participants are unable to come to agreement on remaining in a service following a review, and the service is **eligible** for withdrawal, a participant may initiate the service withdrawal process by giving written notice to the board, all other participants in the service and to the minister responsible for local government. Upon receiving the written notice from a service participant initiating a service withdrawal, the minister will provide direction on next steps in the process, which generally include:

- Terminating the service withdrawal and directing the parties to engage in another service review or continue negotiations
- Directing the parties to engage in either mediation or arbitration

The following services are exempted from withdrawal under the *Local Government Act*, therefore are not considered **eligible**:

- (a) an emergency telephone system, including an emergency 911 system;
- (b) a transit service;
- (c) a regional parks service established under the *Local Government Act*;
- (d) the service of the regulation, storage and management of municipal solid waste and recyclable material.

Costs

Generally speaking, costs are attributed to the service under review; however, there are some circumstances where expenses may be attributed to a specific participant or the Lieutenant Governor in Council may make regulations providing how costs are to be assigned in cases where there is more than one initiating participant. Expenses include those for administration, consultant, and board/participant meeting costs.

Alternatives:

- The Board may proceed with an informal service review for one or both of the services included in the notice of motion.
- The Board may proceed with a formal service review for one or both of the services included in the notice of motion.
- The board may resolve to procure a consultant to conduct one or both of the reviews.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services