



July 19, 2019

File No: H2019.010-ZONE

Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Re: Bylaw Referral – File No. H2019.010ZONE

To the Regional District of Okanagan Similkameen,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the amendment of Electoral Area “H” OCP Bylaw No.2497 and Zoning Bylaw No. 2497 for the zoning change of AG3 to LH2 for the property located at 336 Tulameen River Road. Ministry staff have reviewed the documents you have provided. From an agricultural perspective we can provide the following comments for your consideration:

- The Agricultural Land Reserve (ALR) is a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are restricted.
- It is noted that the subdivision of this property was approved by the ALC in 2002.
- Ministry staff suggest that a lawful fence be established for this parcel (and all parcels resulting from the previous subdivision). This protects current and future property owners from issues (such as livestock being at large) and reduces the potential for complaints and conflict.

If you have any questions please contact me directly at christina.forbes@gov.bc.ca or 250-861-7201.

Sincerely,

Christina Forbes, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
Office: (250) 861-7201
E-mail: christina.forbes@gov.bc.ca

Email copy: Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca





Without Prejudice to Aboriginal Title and Rights
Not to be construed as consultation

Monday, July 22, 2019

Attention: Christopher Garrish, Planning Manager

Re: File #: H2019.010-ZONE

Summary: 336 Tulameen River Road - PID: 005-568-242

PURPOSE OF THE BYLAWS: To amend the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012 designation of the southern portion of the property from Agriculture (AG) to Large Holdings (LH) as well as the Zoning Bylaw No. 2498, 2012 designation from Agricultural Three Zone (AG3) to large Holdings Two (LH2) to allow for the creation of an 8.6 hectare (ha) parcel.

Dear Mr. Garrish,

Further to your referral of July 18, 2019, we thank you for referring this matter to us. This referral falls within the of the area of responsibility of the Upper Similkameen Indian Band.

Our referrals department has now had the opportunity to review the referral package provided by RDOS. Our archaeologist has reviewed the package and indicate that this site will require Preliminary Field Reconnaissance (PFR) to determine if a more rigorous archaeology impact assessment is required. Previous information on file indicates that only the upper terrace of this site has been surveyed.

This information is communicated in good faith however First Nations still claim title to the un-ceded lands and resources of British Columbia. By this First Nations have made it abundantly clear that they have not discharged the governments of British Columbia or Canada from their fiduciary obligations as the title to the land and resources is not yet settled. Recent court decisions such as the Tsilqot'in land claim have now proven aboriginal title exists on the land and that adequate consultation and accommodation of Aboriginal Title and Rights in the land and resources must be taken into consideration. This review has been undertaken without prejudice to these Aboriginal Title and Rights.

Please feel free to contact me if you require further information.

Sincerely,
Upper Similkameen Indian Band

Robin Irwin
Referrals Coordinator

Box 220, Hedley, BC V0X 1K0
161 Snaza'ist Drive
Phone: (250) 292-8733 Fax: (250) 292-8753





Interior Health
Every person matters

July 23, 2019

Christopher Garrish
Regional District of Okanagan-Similkameen
101 Martin St
Penticton, BC V2A 5J9
<mailto:planning@rdos.bc.ca>

Dear Christopher Garrish:

RE: File #: H2019.010-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





TO: Regional Board of Directors

FROM: Chair Karla Kozakevich

DATE: September 5, 2019

RE: Public Hearing Report - Amendment Bylaw Nos. 2497.11 and 2498.18, 2019

Purpose of Bylaws:

The proposed amendments to the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, and Zoning Bylaw No. 2498, 2012, in order to allow for the creation of an 8.6 ha parcel.

Public Hearing Overview:

The Public Hearing for Bylaw No. 2497.11 and 2498.18, 2019 was convened on Thursday, September 5, 2019 at 9:01 am, at the RDOS Board Room, 101 Martin Street.

Present

Chair Karla Kozakevich
 Vice Chair M. Bauer
 Director Spencer Coyne
 Director Ron Obirek
 Director Subrina Monteith
 Director Susan McKortoff
 Director Tony Boot
 Director Doug Holmes
 Director Mark Pendergraft
 Director John Vassilaki
 Director Tim Roberts
 Director Frank Regehr
 Director Riley Gettens
 Director Bob Coyne
 Director Rick Knodel
 Director Petra Veintimilla

Representing

RDOS, Electoral Area “E”
 RDOS, Village of Keremeos
 RDOS, Town of Princeton
 RDOS, Electoral Area “D”
 RDOS, Electoral Area “I”
 RDOS, Town of Osoyoos
 RDOS, District of Summerland
 RDOS, District of Summerland
 RDOS, Electoral Area “A”
 RDOS, City of Penticton
 RDOS, Electoral Area “G”
 RDOS, City of Penticton
 RDOS, Electoral Area “F”
 RDOS, Electoral Area “H”
 RDOS, Electoral Area “C”
 RDOS, Town of Oliver

Members of the Regional District staff present were:

- Bill Newell, Chief Administrative Officer
- Christy Malden, Director of Legislative Services
- JoAnn Peachey , Planner I, Development Services

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- Jeff Thompson, Planning Technician, Development Services

There were four (4) members of the public present.

Chair Kozakevich called the Public Hearing to order at 9:01 a.m. at the Regional District of Okanagan Similkameen Board Room, 101 Martin Street, Penticton, pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Bylaw No.2497.11 and 2498.18, 2019.

In accordance with Section 466, the time and place of the public hearing was advertised in the August 21 and 28th editions of the Similkameen Spotlight.

Copies of reports and correspondence received related to Bylaw No. 2497.11 and 2498.18, 2019 were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There were no written briefs submitted at the public hearing.

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

J. Peachey, Planner I, outlined the proposed Bylaw.

Chair Kozakevich asked if anyone wished to speak to the proposed bylaw.

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

Jesse Coster, stated that if anyone had questions on regarding the Amendment Bylaw he could address them.

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 9:08 am.

Recorded by:

Jeff Thompson

Jeff Thompson

Recording Secretary

JoAnn Peachey

JoAnn Peachey

Planner II

Confirmed:

Karla Kozakevich

Karla Kozakevich

Chair