



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

May 27, 2019

Reply to the attention of Sara Huber
ALC Issue: 51415
Local Government File: I2019.004-TUP

Christopher Garrish
Planning Manager
Regional District of Okanagan-Similkameen
Delivered Electronically

Re: RDOS Temporary Use Permit Renewal Application No. I2019.004-TUP

Thank you for forwarding a copy of Regional District of Okanagan-Similkameen (RDOS) Temporary Use Permit (TUP) Renewal Application No. I2019.004-TUP (the "TUP Application") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP Application is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the "General Regulation"), the Agricultural Land Reserve Use Regulation (the "Use Regulation"), and any decisions of the ALC.

Current Proposal

The TUP Application applies to Crown Land Lot 205, which includes the following Parcel Identifiers (PIDs): 012-203-084, 012-203-033, 012-203-955, 012-203-998, 012-203-971, 012-206-725, 012-202-975, 012-202-355, 012-202-991, 012-206-717, and 012-206-709 (the "Property"). The Property is a former section of the Canadian Pacific Railway (CPR) line running along the western shore of Skaha Lake between Penticton and Okanagan Falls, and bisects the property at 928 Pineview Drive (PID: 004-714-067), which comprises the Banbury Green Campground.

The TUP Application seeks to renew an existing TUP related to the operation of the Banbury Green Campground on a portion of the Property for a period of three years (i.e. to June 16, 2022).

Application History

In 2016, the RDOS Regional Board approved TUP No. D2016.015-TUP, which allowed the operation of a campground on the Property. This TUP expires June 16, 2019. At this time, the proponent also received a five-year Licence of Occupation from the Crown to use the Property for the purposes of a commercial campground.



ALC Response

The ALC recognizes that the Property is not within the Agricultural Land Reserve (the "ALR") and does not adjoin ALR lands. As such, the ALC has no objection to the issuance of the TUP.

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.

If you have any questions about the above comments, please contact the undersigned at 604-660-7019 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of Renewal of a Temporary Use Permit for a Campground Use

CC: Ministry of Agriculture – Attention: Greg Bartle

51415m1



RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. I2019.004-TUP

☐ Approval Recommended for Reasons
Outlined Below

☒ Interests Unaffected by TUP

☐ Approval Recommended Subject to
Conditions Below

☐ Approval Not Recommended
Due to Reasons Outlined Below

Signature: 

Signed By: Faith Kwong

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: May 10, 2019



Lauri Feindell

I2019.004-TUP

Subject: FW: Referral Comments Requested - Renewal of a Temporary Use Permit for a campground use
Attachments: RDOS TEMPORARY USE PERMIT NO. D2016.015- TUP.pdf

From: Kaleden Irrigation District <k.i.d@shaw.ca>

Sent: May 6, 2019 11:10 AM

To: Christopher Garrish <cgarish@rdos.bc.ca>

Subject: RE: Referral Comments Requested - Renewal of a Temporary Use Permit for a campground use

Good morning Christopher;

Please find attached the referral sheet from 2016 when the original TUP was granted. Could you please provide your maintenance records for the septic system as per the conditions outlined in our last response? The renewal for this TUP will then be placed on the agenda for the Board meeting. Thanks so much.

Cheryl



Kaleden
Irrigation District

119 Ponderosa Ave.
PO Box 107, Kaleden, BC V0H 1K0
P 250-497-5407 F 250-497-5407
Email: k.i.d@shaw.ca



RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. D2016.015-TUP

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by TUP

☒ Approval Recommended Subject to Conditions Below

☐ Approval Not Recommended Due to Reasons Outlined Below

The Kaleden Irrigation District Board of Trustees recommends approval of Temporary Use Permit No. D2016.015-TUP subject to the following condition:

Provide assurance that operation of this campground under this TUP will not adversely affect the water quality of Skaha Lake. This would include proper disposal of septic effluent and regular maintenance of their septic systems.

Signature: Cheryl E. Hanna

Signed By: CHERYL E HANNA

Agency: KALEDEN IRRIGATION DISTRICT

Title: Financial/Corporate

Date: April 14, 2016

Administrator



Lauri Feindell

Subject: FW: REFERRAL - Renewal of a Temporary Use Permit for a campground use

From: Moraes, Ryan <Ryan.Moraes@fortisbc.com>
Sent: May 6, 2019 3:24 PM
To: Planning <planning@rdos.bc.ca>
Subject: RE: REFERRAL - Renewal of a Temporary Use Permit for a campground use

Fortis Gas has no concerns with this proposal

Ryan Moraes, ASCT | Planning & Design Technologist | FortisBC

1260 Commercial Way | Penticton, BC V2A 3H5

☎ 250-490-2621 📠 778-214-0509 | ✉ ryan.moraes@fortisbc.com

including removal from your hard drive. Thank you.



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: May 17, 2019 4:53 PM
To: Planning
Subject: Pineview Dr, 928 adj Crown Land Kaleden (I2019-004-TUP)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities within the boundary of the affected area. Future applicants seeking land use changes stemming from the proposed temporary use permit are responsible for costs associated with any change to the existing service, if any, as well as the provision of appropriate land rights where required.

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician's Name and Phone number
- [FortisBC Total Connected Load Form](#)
- Other technical information relative to electrical servicing

Otherwise, FBC(E) has no concerns with this circulation.

It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

If you have any questions or comments, please contact me at your convenience.

Best Regards

*Steven Danielson, AACI, SR/WA
Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, SR/WA
Supervisor | Property Services | FortisBC Inc.**

2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Office: 250.469.8033
Mobile: 250.718.9398
Fax: 1.866.636.6171
nicholas.mirsky@fortisbc.com



Lauri Feindell

From: Leathem, Jamie FLNR:EX <Jamie.Leathem@gov.bc.ca>
Sent: May 20, 2019 10:39 AM
To: Planning
Subject: Referral - Banubury Green Campground TUP (I2019.004-TUP)

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development has reviewed the above noted referral and has the following comments:

"No concerns as long as Temporary Use Permit conditions are consistent with recent Land Act Tenure over the area awarded to proponent in 2016."

If you have any questions, please contact me directly.

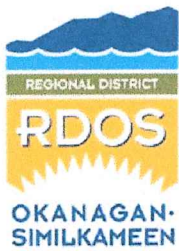
Best regards,

Jamie Leathem, M.Sc.

Ecosystems Biologist | BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development
102 Industrial Place, Penticton, BC V2A 7C8 | (250) 490-8294 | Jamie.Leathem@gov.bc.ca

Please note my regular hours are Mon-Thurs 9:00am-5:00pm.





Feedback Form

RECEIVED
Regional District

MAY 28 2019

Regional District of Okanagan Similkameen

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

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

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2019.004-TUP

FROM: Name: Yvonne Kennedy
(please print)

Street Address: _____

RE: **Renewal of Temporary Use Permit (TUP) – “Campground” Use.**
0.96 hectares of land adjacent 922 Pineview Drive, Kaleden

My comments / concerns are:

- ☐ I do support the proposed use.
- ☒ I do support the proposed use, subject to the comments listed below.
- ☐ I do not support the proposed use.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this renewal application.

The owners of Banbury Campground have used crown land for several years as part of their business – I understand tax free.

As a reciprocal agreement, I think walkers should feel free to access the KVR via the private driveway from Pineview Rd. to the KVR. I understand non business vehicle traffic not being allowed.

Perhaps a sign saying no unauthorized vehicle traffic would suffice.

Feedback Forms must be completed and returned to the Regional District
no later than **May 28, 2019**

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