

AREA “F”

OKANAGAN LAKE WEST
GREATER WEST BENCH



Photo by: EcoPlan

OCP Bylaw No. 2790, 2018 – Regional District of Okanagan-Similkameen

OFFICIAL COMMUNITY PLAN

This Bylaw has been consolidated for
convenience only and includes all
amendments to the text up to
June 15, 2023



Regional District of Okanagan-Similkameen
Electoral Area “F” Official Community Plan Bylaw No. 2790, 2018

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Acronyms used in this document

Agricultural Land Reserve	ALR
Agricultural Land Commission	ALC
Environmental Assessment	EA
Environmentally Sensitive Development Permit Area	ESDPA
Kettle Valley Railway	KVR
Official Community Plan	OCP
Regional District of Okanagan-Similkameen	RDOS
Watercourse Development Permit Area	WDPA

Regional District of Okanagan-Similkameen
Electoral Area “F” Okanagan Lake West/Greater West Bench
Official Community Plan Bylaw No. 2790, 2018

A Bylaw to guide land use decisions within Electoral Area “F” pursuant to Division 4 of Part 14 of the *Local Government Act of British Columbia, R.S.B.C. 2015*.

WHEREAS the Regional District of Okanagan-Similkameen wishes to adopt an Official Community Plan pursuant to Division 4 of Part 14 of the *Local Government Act*;

AND WHEREAS the Regional Board may adopt an Official Community Plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that bylaw;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan, and economic strategy plan that is applicable in the RDOS to ensure consistency between them, in accordance with the *Local Government Act*;

AND WHEREAS the Regional Board shall refer the Official Community Plan to the Province for comment with respect to land in the Agricultural Land Reserve pursuant to the *Agricultural Land Commission Act*;

AND WHEREAS the Regional Board has provided one or more opportunities for consultation with persons, organizations and authorities it considers affected in the development of the Official Community Plan in accordance with Section 475 of the *Local Government Act*;

AND WHEREAS the Regional Board of the RDOS has complied with all requirements of the *Local Government Act*, prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

AND WHEREAS the Regional Board has considered the purpose and goals set out in s. 428(2) of the *Local Government Act* to the extent that the Official Community Plan deals with those matters;

AND WHEREAS upon adoption of this bylaw, the Plan is an Official Community Plan of the RDOS;

NOW THEREFORE the Regional Board of the RDOS, in open meeting assembled, enacts as follows:

The Electoral Area “F” Official Community Plan attached hereto as Schedule ‘A’ and Map Schedules ‘B’, ‘C’, ‘D’, ‘E’, ‘F’, ‘G’, ‘H’, ‘I’ and ‘J’ forming part of this bylaw are adopted as the Regional District of Okanagan-Similkameen Electoral Area “F” Official Community Plan.

The bylaw shall apply only to that portion of the RDOS shown outlined on Schedule ‘B’ (Official Community Plan Map) forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a

court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the Electoral Area “F” Official Community Plan Bylaw No. 2790, 2018.

Transition

The Okanagan Lake West / West Bench Official Community Plan Bylaw No. 2460, 2008, is repealed.

READ A FIRST TIME on the 16th day of August, 2018.

READ A SECOND TIME on the 16th day of August, 2018.

PUBLIC HEARING held on the 6th day of September, 2018.

READ A THIRD TIME, as amended, on the 20th day of September, 2018.

ADOPTED, as amended, this 20th day of September, 2018.

Karla Kozakevich

Bill Newell

Chair

Corporate Officer

SCHEDULE 'A'

Regional District of Okanagan-Similkameen

Electoral Area "F"

Official Community Plan Bylaw No. 2790, 2018

1.0 INTERPRETATION AND ADMINISTRATION

The provisions of this Plan apply to all lands and water within Electoral Area “F” identified on Schedule ‘B’ Official Community Plan Map of this bylaw.

The Penticton Indian Band (PIB) provided preliminary input and broad feedback on the draft OCP and OCP planning process through a concurrent initiative that was supported by the RDOS. This plan is without prejudice to and cannot be used to define and/or limit Aboriginal and title and rights in British Columbia.

1.1 Purpose

The Electoral Area “F” Okanagan Lake West / Greater West Bench Official Community Plan (OCP) contains objectives, policies, and land use designations adopted by the Regional District of Okanagan-Similkameen (RDOS) Board of Directors. The purpose of these objectives, policies and designations is to provide direction for land use and development consistent with the community values of the Electoral Area. The policies of the Plan are intended to balance the demands placed on the land base to ensure an equitable, comprehensive, and logical distribution of land uses. Policies are often implemented on a long-term basis, generally over a seven to 10-year period.

The OCP provides a basis for the following actions:

- .1 The adoption or amendment of land use regulations, such as the Zoning Bylaw.
- .2 The direction of public and private investment.
- .3 The guidance of elected officials, and others who have statutory approval authority, in the evaluation of proposals, referrals, and amendment of bylaws.
- .4 Bringing the Regional District into compliance with provincial regulations, such as the Riparian Area Regulation and the greenhouse gas management requirements of the *Local Government Act*.

1.2 Interpretation

An OCP means an Official Community Plan as referred to in the *Local Government Act*, and as adopted by the Regional Board of the RDOS (hereafter referred to as the Regional Board), in accordance with the requirements of the *Local Government Act*.

1.3 Administration

- .1 This OCP comes into effect as of the date of adoption by the Regional Board.

- .2 The Zoning Bylaw will be the primary tool to regulate development, not the OCP. All rezoning amendments must be consistent with this OCP that serves as a policy foundation for the Zoning Bylaw.
- .3 This OCP should be re-examined and updated every seven to 10 years to ensure that it continues to reflect the long-range planning objectives of Plan Area residents, local government staff, and the Regional Board.
- .4 The OCP can only encourage senior levels of government to act; it cannot force or require senior governments to act. Furthermore, although the OCP cannot commit the Regional Board to specific expenditures, the Regional Board cannot enact bylaws or undertake works that are contrary to it without amending the Plan.
- .5 No one goal, objective or policy contained within this OCP should be read in isolation from the others to imply a particular action or consequence.

1.4 Development Approval Information

Electoral Area “F” (the “Plan Area”) is a Development Approval Information Area, and the Regional District may require development approval information for a Zoning Bylaw amendment application, Development Permit application, or Temporary Use Permit application.

The objective in designating the Plan Area as a Development Approval Information Area is to ensure the Regional District can obtain information from the applicant to gain a sound understanding of the anticipated impact of the proposed activity or development on the community and to make a well-informed decision regarding such applications. Where deemed relevant, an applicant may be expected to provide information regarding:

- .1 The impact of the proposed development on surrounding land uses.
- .2 The consideration of public facilities such as schools, parkland, public spaces, and/or amenities.
- .3 The impact of the proposed development on groundwater quantity and quality, surface water generated by the proposed development, and the options for collection, storage, and dispersal of such drainage.
- .4 The impact of the proposed development on the natural environment such as adjacent aquatic areas, vegetation, soils and erosion, geotechnical characteristics, topographical features, ecosystems and biological diversity, fish and wildlife, fish and wildlife habitat, Environmentally Sensitive Development Permit Areas, Watercourse Development Permit Areas, and rare or endangered plant or animal species.
- .5 The ability of the proposed development to provide on-site water and septic disposal or to connect to community services, if available.

- .6 The impact of the proposed development on public infrastructure and community services such as water supply, sewage disposal, fire protection systems, solid waste management and recycling.
- .7 The aesthetic values of the proposed development such as visual character, integration with public areas and the natural environment, lighting, noise, and odour.
- .8 The impact of proposed development on traffic volumes and roads.
- .9 How the proposed development provides buffers for adjoining farming and rural areas to ensure no negative impact is caused.
- .10 The archaeological impact of a proposed development in areas identified to have high archaeological potential.
- .11 Fire hazard risk assessment in accordance with the *Community Wildfire Protection Plan*.



Figure 1: Area “F” lakeshore

2.0 WHAT IS AN OFFICIAL COMMUNITY PLAN?

2.1 Background

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

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

Municipalities in British Columbia are given the authority to adopt an OCP through the *Local Government Act* (LGA), which describes what must be included in the OCP, what may optionally be included, and what steps need to be followed for the OCP to be adopted. The required content of an OCP is defined in Section 473 of the *Local Government Act*.

Occasional updates also ensure the OCP remains consistent with other procedures, bylaws and government implementation tools.

2.2 Planning Process

This OCP was developed over a period of 15 months. Commencing in February 2017, development of the Plan included a substantial community outreach component, which included open houses, three surveys, project newsletters, a project webpage on the RDOS website, regular email updates, and meetings with community stakeholders and agencies throughout the process (e.g. South Okanagan Stewardship Committee, Penticton Indian Band). A volunteer, 23-member Advisory Group made up of residents and community stakeholders met four times over the course of the update project, supported community engagement and outreach, and provided input on the draft OCP.

Penticton Indian Band provided input and feedback on the draft OCP and its planning process through a concurrent initiative that was supported by the RDOS. The resulting report, *Penticton Indian Band land, water and tmix^w Planning document RDOS Electoral Area "F"* was used to help inform the final OCP. For reference, *tmix^w* is a Nsyilxcen word that most closely translates as "ecology." *tmix^w* includes the land, water, insects, people, animals, plants and medicines.

2.3 Amending the Plan

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



Figure 2: Greata Ranch

3.0 COMMUNITY PROFILE

3.1 Location and Geography

Covering 569 square kilometres, Electoral Area "F" is a semi-arid, mountain-to-valley landscape that includes some shoreline areas along Okanagan Lake.

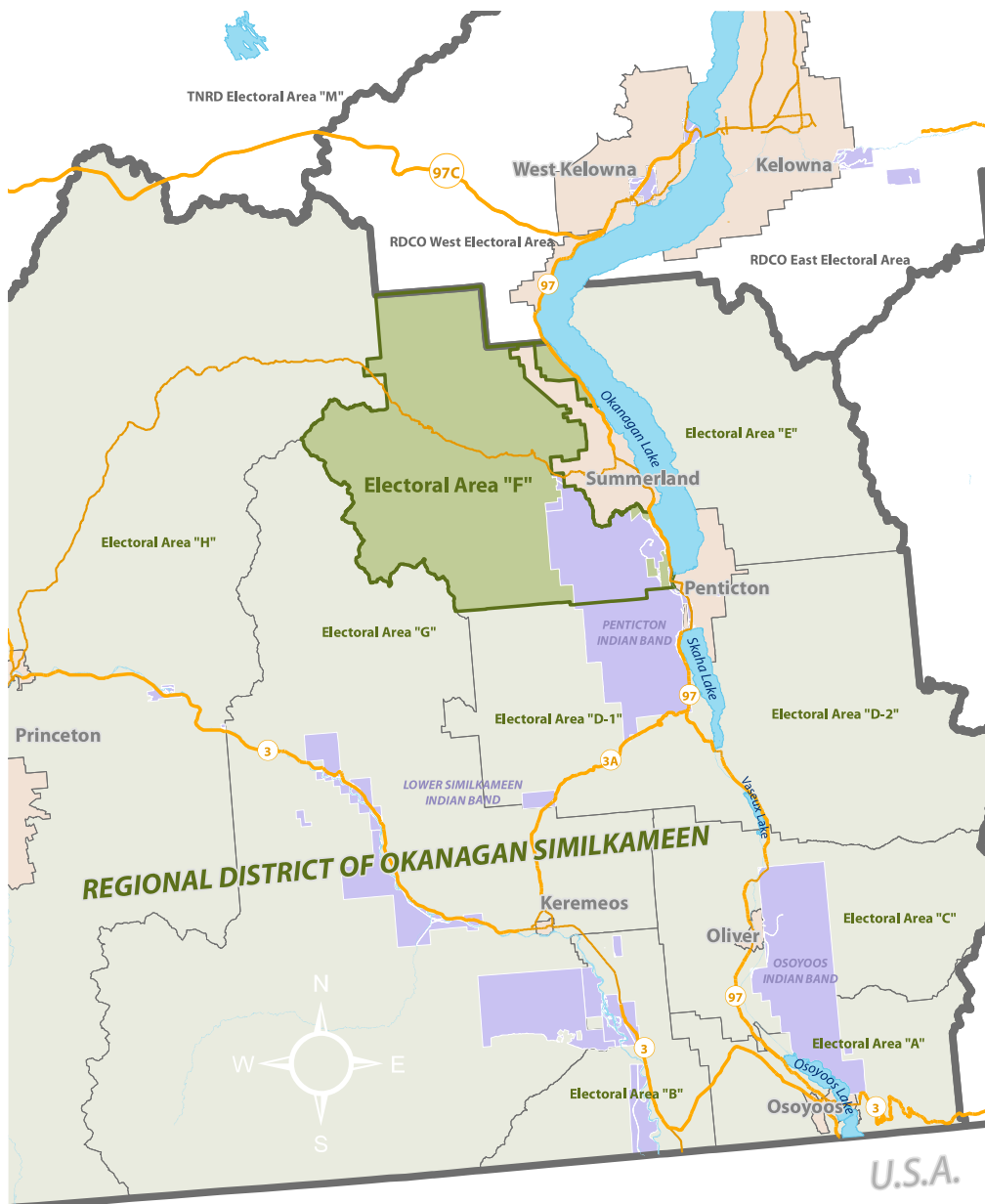


Figure 3: Plan Area Regional Context

The OCP area is bounded by the Regional District of Central Okanagan to the north; City of Penticton and Penticton Indian Reserve 1 to the south; Lake Okanagan and the District of Summerland to the east; and Electoral Area “H” to the west. The Penticton Indian Band reserve lands cover part of the south-eastern portion of the Area; these lands are administered by the Penticton Indian Band. The District of Summerland bisects Area “F”, separating the north-eastern corner from the bulk of Area “F”. As such, Area “F” is very much affected by planning decisions and changes that occur within Summerland.

Area “F” is mostly rural with a dispersed and relatively small population. There are two principal settlement areas – Greater West Bench and Faulder/Meadow Valley – which are briefly summarized in the next section. These residential areas are located close to Penticton and Summerland, respectively.

3.2 History

Indigenous people lived in the wider region for thousands of years prior to the arrival of Europeans. The original people of the Okanagan are known as the Syilx people – the “Okanagans” and according to their history have been in the area since the beginning of people on this land. The Okanagan (Syilx) people occupy an area that extended over approximately 69,000 square kilometres. The northern area of this territory stretched from the area of Mica Creek, just north of modern day Revelstoke, BC and east to Kootenay Lake. The southern boundary extended to the vicinity of Wilbur, Washington and the western border extended into the Nicola Valley.

The non-aboriginal historical records of the plan area date back to 1821 with the establishment of the Hudson’s Bay Fur Brigade trail, a fur trading supply route through the Okanagan Valley north to Kamloops. Following the United States and Canada boundary settlement in 1847, alternative trails were developed from Kamloops through the Fraser Canyon to Fort Langley. The last brigade traveled the trail in 1847.

Non-aboriginal settlement in the plan area began in the 1890’s, when several of the settlements known today were established (e.g., Okanagan Falls). Due to the absence of a public roadway system connecting the early settlements, stern-wheeler boats played an important role in transporting supplies to residents and agricultural products to trail heads at the three Okanagan Valley centres. In the plan area, Faulder was named after Evelyn Robert Faulder, an early settler who arrived to the area in 1891. Faulder was later established as a railway station, though the track has not been in use since 1989.

The West Bench area was settled in the 1950s through the *Veterans’ Land Act*. The Act provided permanent housing, loans and grants for purchasing land, equipment for farming, appliances, and more for veterans and families of those killed in the Second World War. The West Bench community was built by veterans through these loans, which provided housing and agricultural income to returning veterans.

Sage Mesa was developed in the 1960s with some later added lots. This neighbourhood is located to the north of West Bench. Husula Highlands was developed in the 1970s and 1980s and contains the highest elevation properties in the forest interface to the west of West Bench. Westwood Properties was the last area to be developed and is located between Husula Highlands and West Bench. Together these areas are described in the Plan as the Greater West Bench.

3.3 Communities and Other Areas

The two primary settlement areas – Greater West Bench and Faulder/Meadow Valley – are briefly summarized in this section.

There are also smaller, rural residential agglomerations in the planning area, including North Beach Estates.

Greater West Bench

Greater West Bench is a collection of residential neighbourhoods located north-west of Penticton, including West Bench, Husula Highlands, Westwood Properties, and Sage Mesa. The area consists primarily of single detached homes on a variety of medium and small lots. The West Bench community was developed through grants from the *Veterans Land Act*, and retains an attachment to these roots. Sage Mesa, Husula Highlands and Westwood Properties were developed later. The Westwood properties residential development has mainly typical suburban sized parcels. There is an elementary school located in West Bench. Although some agricultural operations continue in West Bench, due to the area's proximity to services offered in Penticton and Summerland, it is primarily a residential community.

Faulder/Meadow Valley

Faulder/Meadow Valley is a rural, predominantly agricultural area located west of Summerland. Despite being much larger in area than the West Bench, the population is much smaller. Most of the Faulder area properties were developed through subdivision in the 1970s and 1980s. While these parcels, many of which are the size of a typical suburban parcel, now exist, growth of new properties over the past decades have been constrained through newer regional and local policies and regulations used to protect farm lands and directing new growth to areas where infrastructure services currently exist. Meadow Valley is primarily farmland, with much of the land in the Agricultural Land Reserve (ALR). There are no community water or sewer systems in the Meadow Valley. Other properties in the Faulder/Meadow Valley area include large Resource Area parcels with no or very little development.

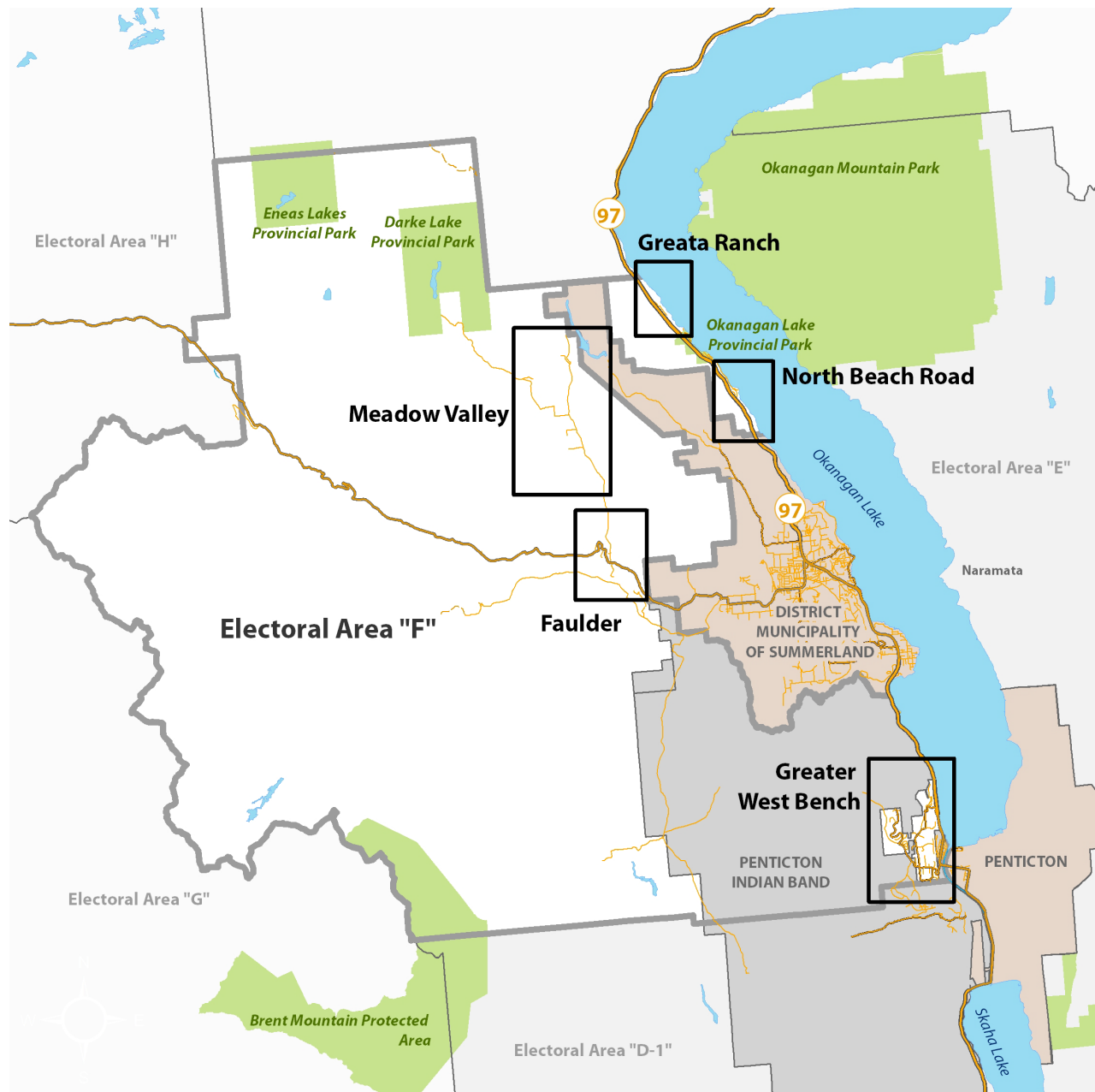


Figure 4: Plan Area Communities and Settlement Areas



Figure 5: Greater West Bench neighbourhoods

3.4 Penticton Indian Band

The Penticton Indian Band (PIB), who are based in a part of Syilx traditional territory known as snpink'tn, is one of the eight communities in the Okanagan Nation, along with the Upper Similkameen, Lower Similkameen, Osoyoos Indian Band, Westbank Indian Band, Okanagan Indian Band, Colville Confederated Tribes and Upper Nicola Indian Band.

PIB has three reserves, all of which are located within the RDOS. Penticton IR1 is located immediately west of Penticton. At 19,277 hectares (47,630 acres), Penticton IR1 is the largest reserve by land area in BC, and it is the main community for the Penticton Indian Band. Penticton IR2 is located within the City of Penticton and comprises an area of 13.1 hectares (32.4 acres). Penticton IR3A is located adjacent the northwest corner of IR1 and has an area of 146.5 hectares (362 acres).

PIB has 1,035 members, and the population has been growing at about 2% per year since 2007. Though half of PIB members live on reserve, there is a large housing waitlist indicating that more members would likely move back if more housing was available.

The PIB's government structure consists of a Chief and eight Council members who are elected every four years under a custom election system. The government of PIB and the RDOS have signed a protocol agreement to formalize and grow government-to-government relationships, and jointly work together on areas of mutual interest.

In recent years, PIB has established itself as an emerging economic force in the region. The Band's commercial interests are managed through the Penticton Indian Band Development Corporation (PIBDC). PIBDC is the "for profit" business investment and development division of the PIB. PIBDC manages several existing band-owned businesses including Coyote Cruises (river tubing), and Westhills Aggregates (sand and gravel services).

With support from RDOS, PIB completed a background document, *Penticton Indian Band land, water and tmix^w Planning document RDOS Electoral Area "F"*. For reference, *tmix^w* is a nsyilxcen word that most closely translates as *ecology*. *tmix^w* includes "land, water, insects, people, animals, plants and medicines."

The report is part of the ongoing relationship development processes between the PIB and the RDOS. It is important to note that PIB member input was limited and cannot be considered comprehensive. For PIB community members involved in the development of the document, the vision presented to RDOS was:

Limit urban expansion, development, and resource extraction outside of the four principle settlement areas which include West Bench, Sage Mesa, Faulder, and Meadow Valley. All living things, the lands, and our waters must be treated with respect and reciprocity. Any decisions effecting any lands or resources must directly involve PIB decision making processes. Areas that have been developed and/or impacted must be restored to balance rural and semi-rural human occupation and activities with our relatives tmix^w.

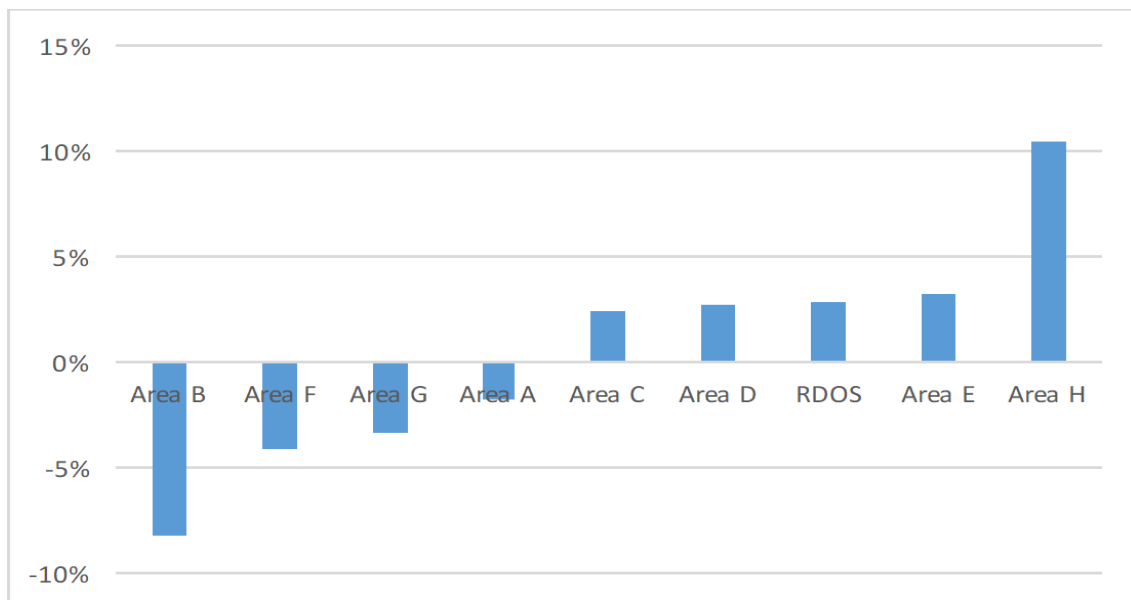
The report also presented the following broad goals that were developed by PIB for this OCP to consider and incorporate where possible. They are organized by priority according to feedback from PIB community members.

- 1. Protection of Water.** *Protect our water relative in all its forms from over use and pollution. Water for tmix^w must be at optimal quality and quantity not at minimal thresholds required for survival. Water for people and industry must be carefully controlled, monitored and managed to ensure for the intactness of the natural water cycle. Incentives such as tiered water pricing and xeriscaping should be developed and implemented to encourage appropriate water use.*
- 2. Culture.** *Improve and support cultural education programs to educate Area F users and residents with regards to Syilx culture, Syilx Territory, Syilx governance and Syilx relationship processes.*
- 3. tmix^w.** *Syilx caretakership of our relatives tmix^w is critically important. PIB has a desire to work together to educate the RDOS and public regarding the caretakership of tmix^w. We need to work together to protect the area's natural features and systems, including sensitive and endangered ecosystems, fish and wildlife habitats, and culturally important plants and animals.*
- 4. Recreation.** *Recreation is an important mechanism that allows people to connect with the land and living things. Recreation must be carefully controlled to prevent damage to lands, waters and tmix^w. PIB decision making must play an integral role regarding the development of recreational opportunities. Land protection regulations must be enforced to protect Syilx lands and resources.*
- 5. Economic development.** *There are opportunities for economic development but any resource extraction, industrial and/or commercial opportunities can only be considered once water, land, culture and tmix^w protection and enhancement goals are met. Innovative resource use and development opportunities can be pursued which balance economic gain with environmental and cultural protection. PIB is interested in working with the RDOS to discuss partnerships and process associated with 'reserve' and Territorial economic development goals and objectives.*
- 6. PIB Community Engagement.** *The Syilx Nation is a sovereign government. The RDOS must dramatically improve and expand communications, consultation and engagement with PIB recognizing its decision-making authorities. This engagement and relationship development must go beyond the scope of Crown consultation.*

3.5 Population and Demographics

The total population of Electoral Area “F” decreased slightly from 2,100 residents in 2011 to 2,014 residents in 2016. This decline in population is a reversal of the trend from the 10-year period from 2001 – 2011, which saw modest population growth in “F”. Overall, the population of the RDOS grew by 3% (see Figure 6).

Figure 6: Regional Growth Rate Comparisons 2011-2016



The age and gender distribution of Area “F” is illustrated in Figure 7. Overall, approximately 50% of the population is male, and 50% is female. In “F”, the “baby boomer” generation (ages 50-69) makes up the most significant proportion of the population, particularly in comparison to the number of residents aged 20-39. This data suggests that the population of Area “F” is aging, which is a consistent trend across the province (See Figure 7). However, the proportion of residents aged 20 – 39 is quite low relative to the provincial average.

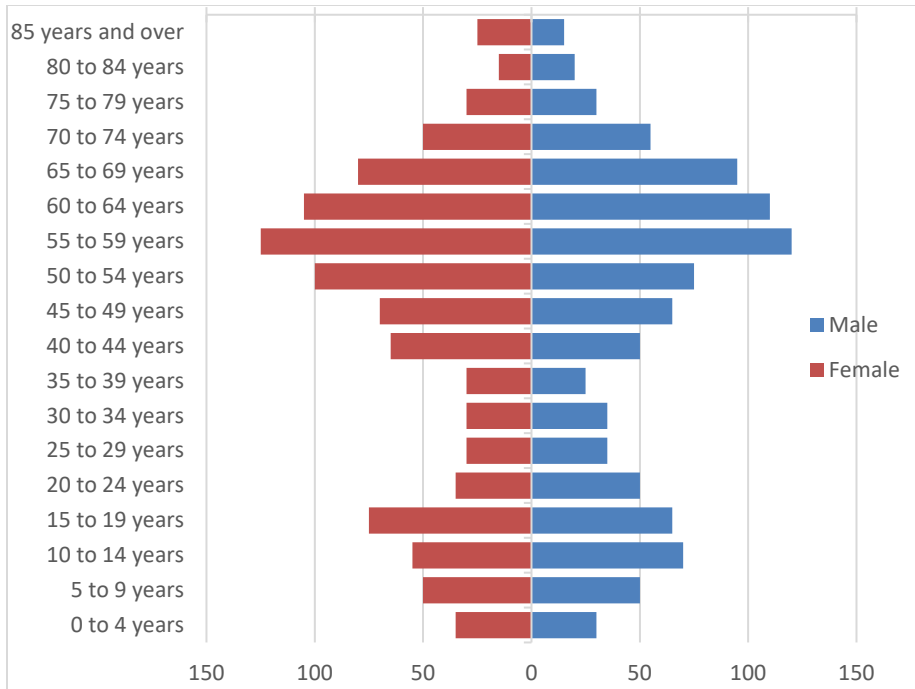


Figure 7: 2016 Population by Gender and Age Cohort

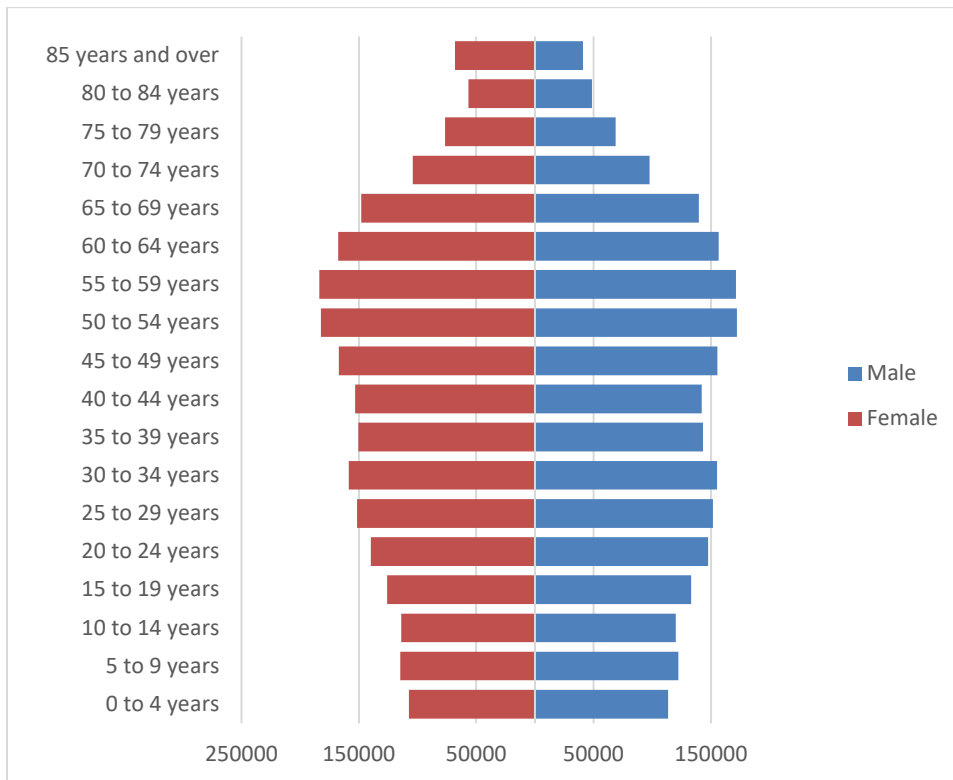


Figure 8: BC 2016 Population by Gender and Age Cohort

The 2016 average age in Area “F” was 45.7, while the provincial average age was 42.3. The average age for Area “F” is lower than that of the RDOS. In the RDOS as a whole, the average age is 49.9. Comparing these average ages, as well as age structure to the provincial average, reveals that Area “F” has a significantly higher percentage of residents aged 45-74 in proportion to youth and young adults.

Due to changes in the boundaries for Area “F”, long-term trends in population growth are difficult to discern. However, total population figures for 2001 – 2016 suggest a relatively stable population (Figure 7). The relatively stable population, as well as the reversal in the trend of modest population growth in 2016, make population predictions uncertain. However, if modest population growth or decline (-1% to 1.5%) were to continue for the next 20 – 30 years, the population would be between 1,935 – 2,138 by 2036.

It should be noted that the drop in population between the 2011 and 2016 Census years is due largely to the removal of PIB’s Red Wing development from Census calculations for the West Bench area.

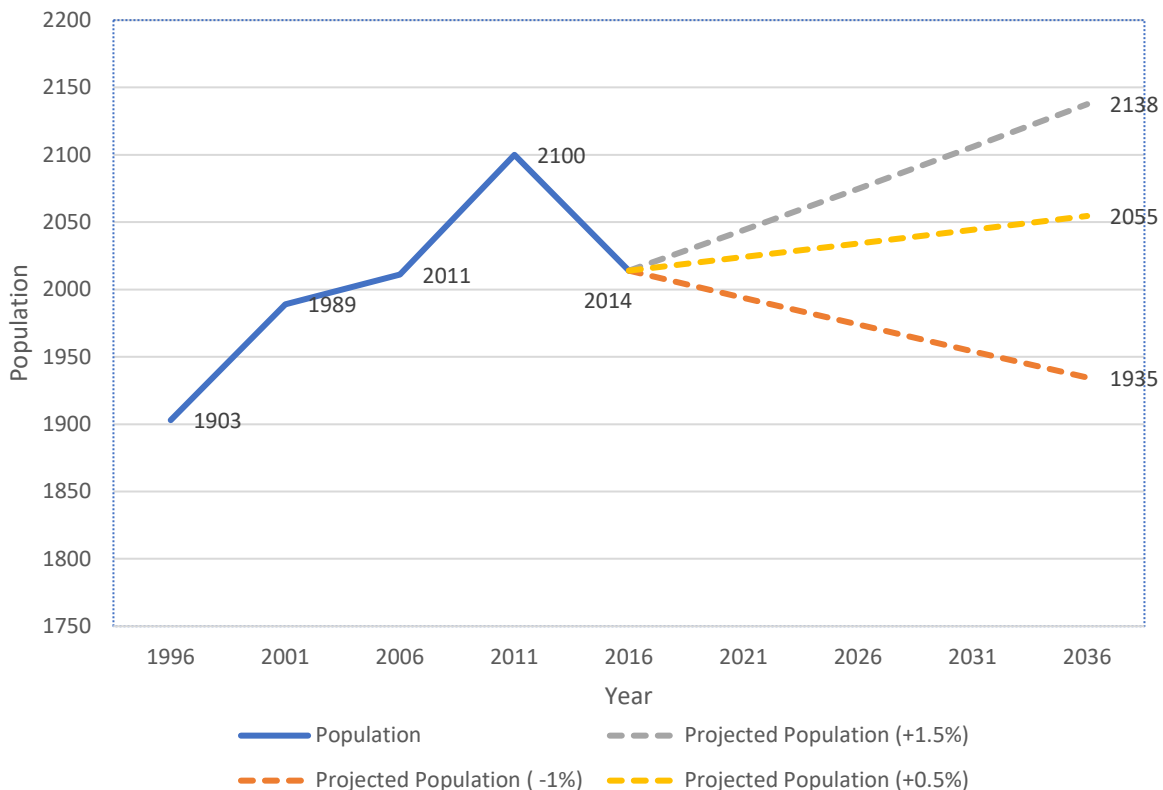


Figure 9: Area "F" Historical and Projected Population Growth (2001-2036)

3.6 Housing types

For the most part, housing in “F” consists of single-detached homes (Figure 10). There are some mobile homes and duplex/semi-detached housing. There are no apartment units in “F”. Generally, the housing in Area “F” is low-density and relatively dispersed.

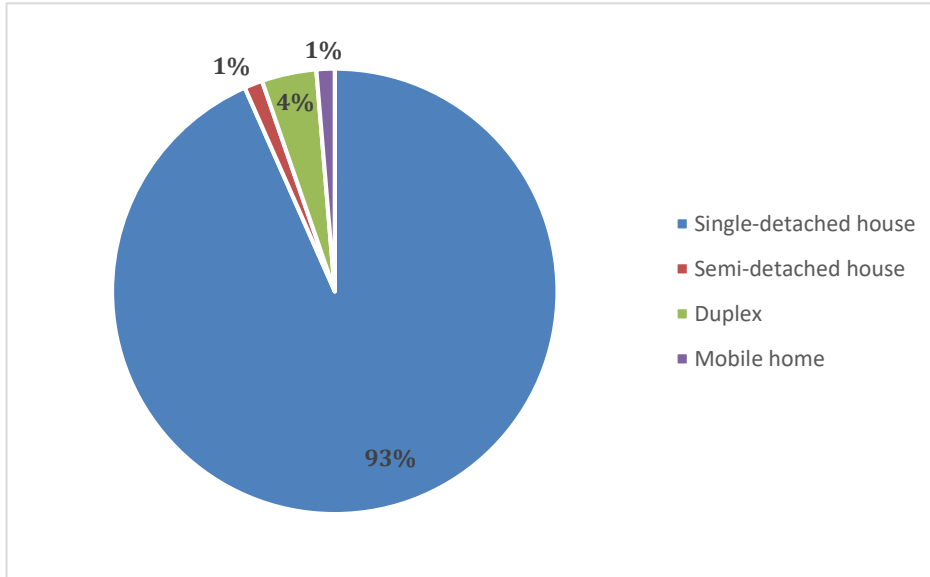


Figure 10: Housing by Dwelling Type in Area “F”, 2016

Most households (48%) in Area “F” are two person households (Figure 11). Together, one and two person households account for 61% of households. These smaller household sizes are consistent with the older population in the planning area.

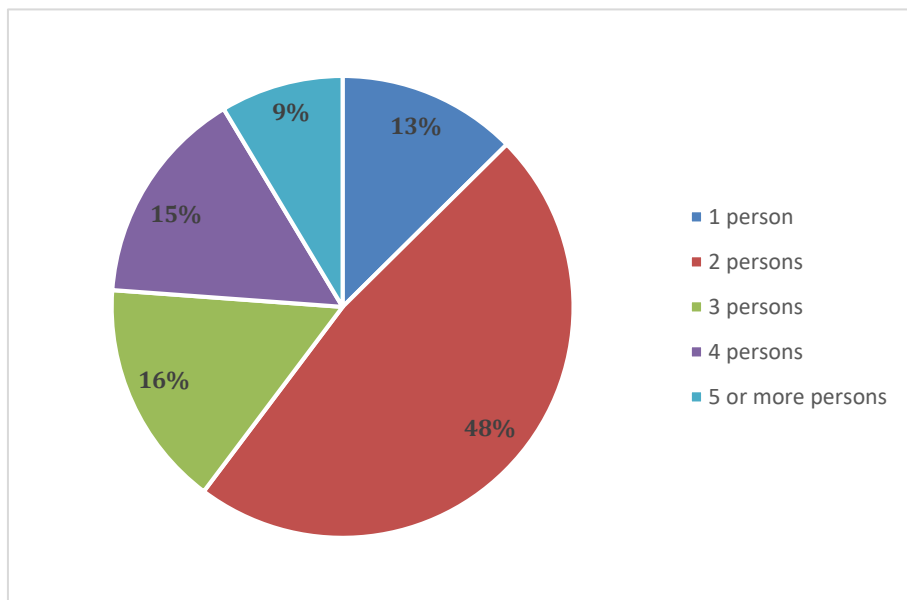


Figure 11: Area "F" Household Size, 2016

4.0 OFFICIAL COMMUNITY PLAN DESIGNATIONS

The future use and development of land within Electoral Area “F” must be consistent with the land use designations illustrated on Schedule ‘B’ (Official Community Plan Map). Inset maps are provided the Plan Area’s four community areas, Greater West Bench and Faulder, Meadow Valley, and Greata Ranch area.

Rural Designations

Resource Area	RA
Agriculture	AG
Large Holdings	LH
Small Holdings	SH

Residential Designations

Low Density Residential	LR
Medium Density Residential	MR

Commercial Designations

Commercial	C
Commercial Tourist	CT

Industrial Designation

Industrial	I
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Community Services and Administrative Designations

Administrative, Cultural and Institutional	AI
Parks, Recreation and Trails	P
Conservation Area	CA
Okanagan Basin Lakes	BL ⁱ

The general types of uses encouraged in each land use designation are explained in subsequent sections of this Bylaw.

The Regional Board recognizes that some existing land uses do not conform to the designations shown on OCP maps. The intent of the Regional Board is not to change the uses of this land in the immediate future but to illustrate the preferred pattern of land use as redevelopment occurs while this Plan is in force.

ⁱ Amendment Bylaw No. 2862, 2020 – adopted January 7, 2021.

5.0 VISION AND BROAD GOALS

5.1 Vision

The Plan Area's communities and settlement areas share a similar rural lifestyle and values. While each may face its own unique challenges, community consultation identified a set of common values and a shared vision for the Plan Area. The following vision statement describes a preferred future for the Plan Area.

Electoral Area "F" is a predominantly rural area made up of two principal settlement areas – the more residential Greater West Bench area, and the more rural, agricultural area of Faulder/Meadow Valley. Both areas value their rural and semi-rural characters, but will consider limited growth subject to it maintaining the character of the areas. Both areas support the preservation and stewardship of the Electoral Area's important agricultural areas, natural habitats, and recreation areas, and are committed to ensuring water resources are well-managed and protected for residential and agricultural uses and ecosystem health and wellbeing.

5.2 Broad Goals

The following broad goals reflect the input and priorities of Plan Area residents and are the guiding principles of this Official Community Plan. These goals will be used by the Regional District and senior government agencies to help guide future decisions on development proposals, environmental protection initiatives, and infrastructure development in the Plan Area. They are organized and prioritized according to feedback from Plan Area residents, which was provided through community engagement activities and events and three resident surveys.

- .1 **Residential development and housing.** Provide the opportunity for limited new growth and housing options for all age groups, while ensuring new housing development maintains the area's rural residential and agricultural character.
- .2 **Infrastructure and services.** Improve and support the development of new infrastructure, including water systems, where feasible and practical, and continue to explore feasibility of sewer and stormwater service for the Greater West Bench area.
- .3 **Water resources.** Protect and manage water resources, including both surface and groundwater, for residential and agricultural uses, and for ecosystem health and wellbeing.
- .4 **Natural environment.** Steward and protect the area's natural features and systems, including sensitive and endangered ecosystems, fish and wildlife habitats,

and wildlife corridors.

- .5 **Agriculture.** Maintain existing and encourage new, compatible agricultural activities in the Agricultural Land Reserve, while limiting subdivision of designated agricultural properties.
- .6 **Transportation.** Maintain a safe and efficient transportation system for all road users.
- .7 **Community health and wellbeing.** Promote community health and support the area’s aging population.
- .8 **Economic development.** Work to strengthen and diversify a sustainable economic and employment base for the Plan Area, including recreation and agriculture.
- .9 **Penticton Indian Band engagement and collaboration.** Improve and expand communications, consultation and engagement with the Penticton Indian Band.



Figure 12: Selby Park, West Bench

6.0 GROWTH MANAGEMENT

6.1 Background

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

In 2010, the Regional District adopted a Regional Growth Strategy (RGS) for the South Okanagan. The RGS was updated through a minor update process in 2016. Under the *Local Government Act*, once an RGS has been adopted, OCP policies must be consistent with RGS policies. The goal of the RGS is to direct the substantial majority of future growth in the south Okanagan Valley area to designated Primary Growth Areas (Summerland, Penticton, Osoyoos, Okanagan Falls, and Oliver). The RGS envisions maintaining the rural character of the Plan Area by directing growth to designated Rural Growth Areas, which the RGS specifically identifies as areas with:

- Established rural settlement areas with a minimum of 200 lots and/or dwelling units;
- Community water or community sewer services in place;
- Existing commercial or industrial; or
- Where development has been pre-determined through zoning, but not yet developed.

Within Electoral Area "F", the South Okanagan RGS designates Greata Ranch as a Rural Growth Area. There are no Primary Growth Areas in Electoral Area "F".

The South Okanagan RGS recognizes that "some infill development may occur" in areas not designated as Rural Growth Areas as these other settlement areas evolve over time, if development "does not significantly increase the number of units or the established density and respects the character of the communities." Policy H3, "Protect the character of rural areas" of the South Okanagan RGS further stipulates that, "Proposed developments that do not closely adhere to OCP guidelines for the protection of rural and resource areas will not be supported."

Associated Environmental's *Area "F" OCP Update Technical Background Report* (September 2017) summarizes the various infrastructure and hazard-related constraints in the existing developed areas of Area "F", specifically that:

- Water supply and quality issues constrain growth in Faulder and Meadow Valley;
- Water system capacity, wastewater treatment, and geotechnical hazards all constrain growth in the West Bench and Sage Mesa areas.

The designated Rural Growth Areas were informed by these constraints and directs future development to areas known to have capacity to maximize community infrastructure efficiencies.

6.2 Rural Growth Areas and Capacity

Based on a projected population increase of up to 1.5% per year (see section 3.5), the Plan Area’s population could increase by a modest 124 people by 2031. Based on 2.3 people per household (Census Canada figures), this indicates a potential need for the Plan Area to accommodate 54 new homes over the next 15 years.

	Annual projected growth rate of 1.5%
Additional population estimate (2031)	124
Persons per household	2.3
New dwellings	54

Figure 13 New Dwelling Unit Requirements Projections

There are very few undeveloped areas designated for residential uses (including residential and small and large holding designations) in the existing developed areas. The Greata Ranch Rural Growth Area includes several hectares of land designated for medium and low density residential uses. Even at low intensities, this would allow for 75 to 90 units, and the medium density designation allows for a total capacity of over 300 units.

6.3 Greata Ranch Rural Growth Area

The Regional District’s South Okanagan Regional Growth Strategy Bylaw designated Greata Ranch as a Rural Growth Area. Greata Ranch currently contains a destination winery on a bluff overlooking Okanagan Lake, including a restaurant and other tourist amenities. Existing access is available from Highway 97. In addition to the existing commercial facility, the rural growth area includes Medium and Low Density Residential designations intended to accommodate compact residential development surrounded by vineyards in the ALR. While zoning is in place, residential development will be subject to addressing servicing and geotechnical constraints. On-site provision of water and sanitary sewage treatment will be required in accordance with applicable Provincial standards.

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



Figure 14: Greata Ranch Rural Growth Area Containment Boundary

6.4 Objectives

- .1 Manage growth within the Plan Area by directing residential development to the designated Rural Growth Area subject to servicing (water and wastewater) requirements.
- .2 Accommodate anticipated growth while maintaining the rural character and conserving the natural environment of the Plan Area.
- .3 Consider limited new development in other existing settlement areas where appropriate and in keeping with this OCP's broad goals and policies.

6.5 Policies

The Regional Board:

- .1 Recognizes Greata Ranch as a designated Rural Growth Area and will direct growth to this area.
- .2 Recognizes the District of Summerland and City of Penticton as designated Primary Growth Areas that have the community infrastructure, community services, economic and employment opportunities to sustain higher densities and residential growth than the Plan Area.
- .3 Will ensure any new development in the designated Rural Growth Area provide community services pursuant to the Regional District's Subdivision Servicing Bylaw.
- .4 Directs development away from hazard lands, critical habitat areas, and watercourses.
- .5 Directs residential development away from designated Agricultural (AG) areas.
- .6 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.ⁱⁱ
- .7 Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land Commission Act such as non-farm use, non-adhering residential use and subdivision.ⁱⁱⁱ
- .8 Generally supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.^{iv}
- .9 Requires that all new parcels of less than one hectare in size connect to a community sewer system.
- .10 Supports water metering and other residential water conservation measures.
- .11 Will review the suitability of Greata Ranch as a Rural Growth Area when the Regional Growth Strategy is reviewed or updated.

ⁱⁱ Amendment Bylaw No. 2913, 2020 – adopted March 4, 2021.

ⁱⁱⁱ Amendment Bylaw No. 2913, 2020 – adopted March 4, 2021.

^{iv} Amendment Bylaw No. 2913, 2020 – adopted March 4, 2021.

7.0 LOCAL AREA POLICIES

7.1 Background

The Electoral Area “F” planning area is bounded by the Regional District of Central Okanagan to the north; City of Penticton and Penticton Indian Band IR#1 to the south; Lake Okanagan and the District of Summerland to the east; and Electoral Area “H” to the west. Two primary and distinct areas comprise the settlement areas in Area “F”: the Greater West Bench and Sage Mesa area and the Faulder / Meadow Valley area.

7.2 Greater West Bench

The Greater West Bench is a collection of residential neighbourhoods located north-west of Penticton and includes West Bench, Sage Mesa, Husula Highlands and Westwood properties. The area is primarily made up of single detached homes and includes some larger lots, particularly in the lower West Bench area. The West Bench community was first developed through grants from the *Veterans Land Act* for soldiers returning from World War II. Some original housing remains, along with orchards, gullies and fields, which give the area a more rural residential character. The Husula Highlands (including the Westwood Properties development) residential development sits above the West Bench area and was developed after the lower West Bench area.

Sage Mesa was developed during the 1960s in an area to the north of the general West Bench area in an area containing a number of silt bluffs. The residential lots were developed as generally smaller suburban type of parcels, all of which are on septic systems.

7.2.1 Policies

The Regional Board:

- .1 Supports an updated technical assessment of geotechnical hazards in the West Bench / Sage Mesa area using new technologies (e.g., LiDAR) that were not available when the area was last assessed.
- .2 Supports conducting an assessment and feasibility study to provide community sanitary sewer and stormwater services either in part (e.g. Sage Mesa) or for all of the greater West Bench area.
- .3 Recognizes the need for sewer and storm water infrastructure in the Sage Mesa area given the smaller lot sizes and unstable ground conditions.
- .4 Subject to sewer and stormwater servicing, and community input, will explore designating the areas of potential ‘pocket development’ shown on Figure 15 within the greater West Bench area as a Rural Growth Area during the next

scheduled South Okanagan RGS review (2020).

- .5 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or accessory dwellings.^v
- .6 Supports working with the owners and operators of gravel extraction and asphalt plants located on Lot 1, DL 4947 and 4948, ODYD, Plan KAP74432, and Lot A, DL 4947 and 4948, ODYD, Plan KAP73569, except Plan KAP74432; and DL4906, ODYD, Gravel Pit (PIB lands) to reduce impacts to nearby residents. Specifically, on operational issues including odour management and dust and air quality management.
- .7 Supports working with the owners and operators of gravel extraction and asphalt plants located on Lot 1, DL 4947 and 4984, ODYD, Plan KAP74432, and Lot A, DL 4947 and 4948, ODYD, Plan KAP73569, except Plan KAP74432 (gravel pit and asphalt plant) to help find a more appropriate location for their operation.
- .8 Supports working with Penticton Indian Band (PIB) to explore the development of an alternate truck route through PIB lands to access the gravel operation located on PIB lands should the operational lifespan of the operation be extended beyond five years.
- .9 Supports completion of the KVR Trail as an important linear connection between Summerland and the City of Penticton.
- .10 Supports working with the Ministry of Transportation and Infrastructure to improve bicycle and pedestrian safety in the Plan Area.
- .11 Supports ongoing collaboration with Penticton Indian Band regarding the management of wild horses in the area.
- .12 Supports home occupations throughout the area, but will not support home industries on parcels less than 2 ha (5 acres) in size.
- .13 Will investigate further prohibition of home industries in the greater West Bench area as part of the Zoning Bylaw update.
- .14 May consider residential development proposals with a range of densities (LR to MR) only on parcels shown in Figure 15 and with the following legal descriptions:: Lot A, District Lot 2497, ODYD, Plan KAP61585 (north Sage Mesa); Lot A, District Lots 702 and 5136, ODYD, Plan 40762 (known as Pine Hills Golf Course); Lot A, District Lot 4947 and 4948, ODYD, Plan KAP73569 Except Plan KAP74432 (gravel extraction/ asphalt plant); and Lot 1, District Lot 4947 and 4948, ODYD, Plan KAP74432 (gravel extraction/ asphalt plant). If development is proposed for these areas, it is predicated on full sewer, storm water and water community infrastructure services being in place, all geotechnical risks being addressed, and, consistency with the South Okanagan Regional Growth Strategy.

^v Amendment Bylaw No. 2785, 2020 – adopted February 20, 2020.

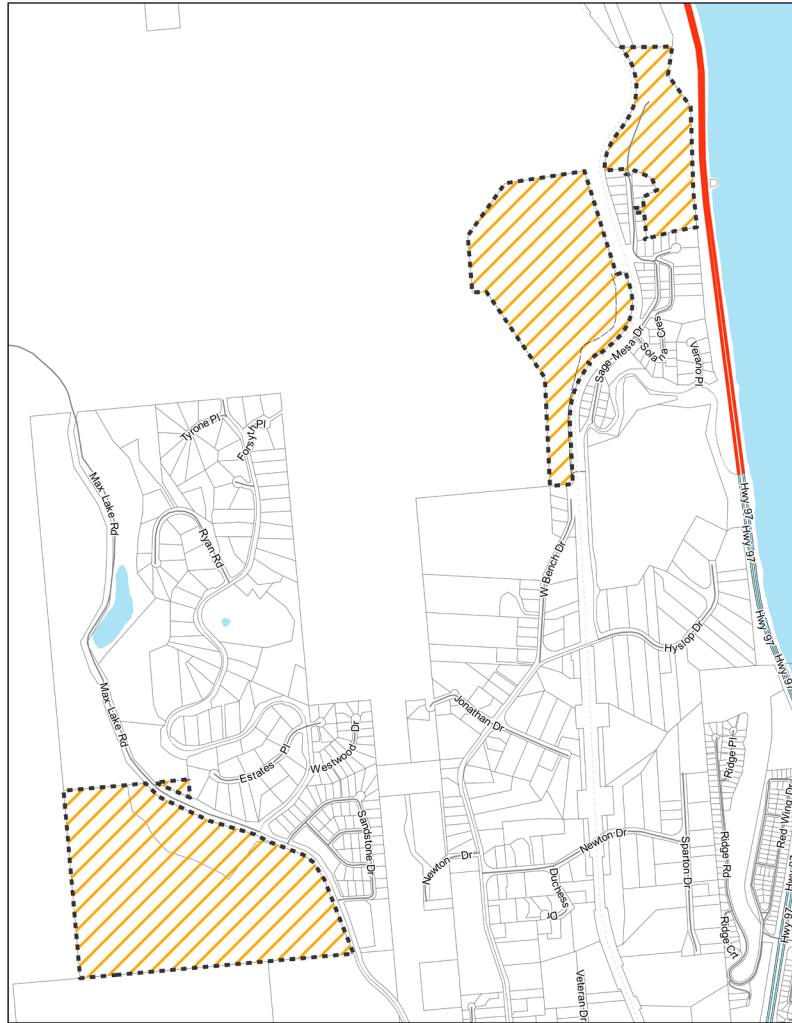


Figure 15: Potential areas for future densification

7.3 Faulder / Meadow Valley

Faulder/Meadow Valley is a rural area west of Summerland. The Faulder area is predominantly rural residential, while Meadow Valley is predominantly agricultural and largely in the ALR. Residents access services in nearby Summerland.

7.3.1 Policies

The Regional Board:

- .1 Supports continuing work with Interior Health Authority to ensure high quality drinking water in the Faulder area.
- .2 Supports the protection of source water in the Faulder/Meadow Valley and will consider the establishment of a development permit area to achieve this goal.
- .3 Does not support the subdivision of parcels within the Faulder Community Water

System Local Service Area.^{vi}

- .4 Does not support the construction of accessory dwellings and secondary suites within the Faulder Community Water System Local Service Area.^{vii}
- .5 Does not support the expansion of the Faulder Community Water System Local Service Area.^{viii}
- .6 Supports the professional decommissioning of all private water wells within the Faulder Community Water System Local Service Area in order to protect the local aquifer and prevent contamination.^{ix}
- .7 Does not support the rezoning of parcels in order to facilitate subdivision, particularly within the Trout Community Watershed in order to maintain the existing parcel sizes and preserve existing water resources.^x
- .8 Encourages the Province to restrict groundwater and surface water licenses being granted within the Trout Community Watershed.^{xi}
- .9 Encourages *FireSmart* best practices on private land in Faulder and Meadow Valley to reduce wildfire hazards in the area.
- .10 Supports the development of local commercial uses in Faulder to meet community needs subject to appropriate services.
- .11 Supports maintaining and enhancing the farming lifestyle in Meadow Valley, and will only consider agricultural uses in the area.

^{vi} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{vii} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{viii} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{ix} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^x Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{xi} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

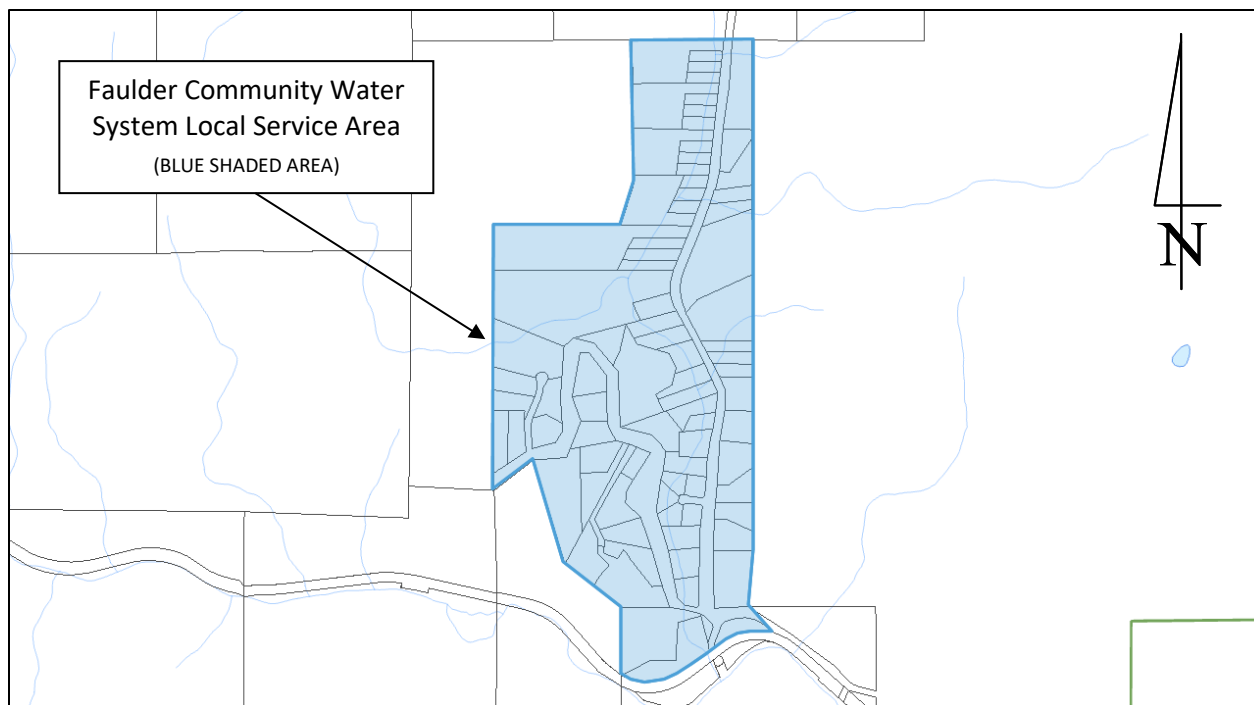


Figure 7.3.1: Faulder Community Water System Local Service Area^{xii}

7.4 Greata Ranch

The Greata Ranch is a Rural Growth Area overlooking Okanagan Lake north of Summerland. The focus of the development is a destination winery in an agricultural setting. The Plan makes provision for medium and low density residential development on land not within the ALR.

7.4.1 Policies

The Regional Board:

- .1 Supports compact residential development on the Greata Ranch site that compliments the existing Commercial Tourist uses and surrounding vineyards.
- .2 Recognizes that implementation of residential development will be subject to on-site development of water, sewage treatment and stormwater management services in accordance with Provincial requirements.
- .3 Will review the suitability of Greata Ranch as a Rural Growth Area when the Regional Growth Strategy is reviewed or updated.

^{xii} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

8.0 RESOURCE AREA

8.1 Background

This designation encompasses lands used and valued for grazing or rangelands, forestry, natural resource extraction, recreation, environmental conservation opportunities, and large rural residential. The designated Resource Areas in Electoral Area “F” reinforce the rural character of the Plan Area and are a valued community resource.

The Resource Area designation is intended to guide development outside of existing settlement areas, and provide direction for responses to referrals from provincial agencies. Resource Areas are described as large parcels of land, and include both private and/or Crown land.

It is recognized that certain matters considered in this section are beyond the jurisdiction of the Regional District (e.g., Provincial Crown land); however, the objectives and policies relating to these are intended to serve as indicators of community preference and to assist senior levels of government in planning and decision making.

8.2 Objectives

- .1 Conserve scarce water resources and protect the quality and quantity of those resources for future generations.
- .2 Maintain the renewable natural resource land base and protect it from activities that may diminish the resource value and potential.
- .3 Plan for and protect wildlife corridors, habitat of threatened and endangered species and ecosystem connectivity.
- .4 Encourage and protect responsible outdoor recreation activities.

8.3 Policies

The Regional Board:

- .1 Supports the use of lands designated Resource Area (RA) identified in Schedule ‘B’ (Official Community Plan Map) for grazing or rangelands, forestry, natural resource extraction, recreation, environmental conservation, watershed protection and management opportunities, and limited rural residential uses.
- .2 Considers the primary land management priority in designated community watersheds to be maintaining and managing local water quality and quantity.^{xiii}

^{xiii} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

- .3 Supports lands designated as Resource Area (RA) generally being maintained as large land parcels (e.g. un-surveyed Crown land or District Lots) with a minimum parcel size 20 hectares or, on lands zoned as Watershed Resource Area, 120 hectares in recognition that these areas will remain rural with limited to no community services and infrastructure.^{xiv}
- .4 Supports responsible, low impact recreational uses which avoid critical habitats and minimize disturbance by:^{xv}
 - i) working with the Province and others to ensure there are adequate staging areas with off-road parking; and
 - ii) encouraging recreationalists to minimize stream crossings and to stay on existing trails to prevent erosion of designated community watersheds.
- .5 Supports the protection of source water and water supply in the Trout, Shingle, Farleigh and Peachland Community Watersheds by discouraging the rezoning of parcels in order to facilitate subdivision or increased densities.^{xvi}
- .6 Encourages the relevant Provincial agency to ensure that forest practices within community watersheds are conducted in accordance with the *BC Forest and Ranges Practices Act* and relevant provincial guidelines.^{xvii}
- .7 Encourages the Province to retain, in perpetuity, public ownership and to manage, for watershed protection purposes, all Crown land within designated community watersheds of existing major or minor domestic water sources.^{xviii}
- .8 Supports a Watershed Resource Area (WRA) zone being applied to Provincial Crown Land within designated community watersheds (Trout, Shingle, Farleigh, Peachland) under the *Forest and Range Practices Act*, and as shown on shown on Figure 16.^{xix}
- .9 Supports communication with and participation by Syilx/Okanagan communities in the management and development of provincial land in Resource areas.
- .10 Supports activities that improve range and forage conditions, including the continuation of the Noxious Weed Control Program to help control the invasion and spread of noxious weeds in the Plan Area.
- .11 Where there is forestry use, supports selective logging to maintain undiminished capacity of the land to absorb and retain water, prevent erosion, and permit groundwater recharge throughout the harvest cycle.
- .12 Supports the identification and establishment of a Watershed Resource Area (WRA) zone in the Zoning Bylaw for designated community watersheds (Trout, Shingle,

^{xiv} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{xv} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{xvi} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{xvii} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{xviii} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

^{xix} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

Farleigh, Peachland) on Provincial Crown Land shown on Figure 16 under the *Forest and Range Practices Act* where:

- a) one of the primary land management priorities is to maintain and manage local water quality and quantity;
 - b) the minimum parcel size is 120 ha with a limited range of uses permitted;
 - c) intensive recreation, subdivision and rezoning of lands within the zone are discouraged;
 - d) recreationalists are encouraged to minimize stream crossings and to stay on existing trails to prevent erosion; and
 - e) the Province is encouraged to permanently retain public ownership and to manage, for watershed protection purposes, all Crown land within designated community watersheds of existing major or minor domestic water sources.
- .13 The Province is encouraged to continue referrals of mineral exploration proposals involving surface disturbance to the Regional District as well as other regulatory agencies for review and comment.
- .14 Areas having aggregate resources are identified for information purposes on Figure 19 in this Bylaw.
- .15 The Province is encouraged to have due consideration for the impact of resource extraction activities on existing adjacent residential developments and infrastructure such as roads.
- .16 The Province is encouraged to not issue permits for mineral extraction and processing within 50 metres of Rural and Residential Designations.
- .17 The Regional Board encourages the Provincial agencies to refer license applications or permits for any development or activity within the Rural Planning Area to the RDOS.
- .18 The Regional Board encourages the Provincial Government to give adequate notice to the Regional District and the adjacent rural community about applications for the lease or sale of Crown land.
- .19 Does not support the use of lands designated Resource Area (RA) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.^{xx}
- .20 Will consider “micro cannabis production facility” proposals on a case-by-case basis through a site specific zoning amendment process, and may use the following criteria to assess an application:^{xxi}
- i) the parcel under application has an area not less than 2.0 hectares;

^{xx} Amendment Bylaw No. 2849, 2019 – adopted December 5, 2019.

^{xxi} Amendment Bylaw No. 2858, 2020 – adopted July 2, 2020.

- ii) the maximum size of the plant surface cultivation area is 200.0 m²;
- iii) confirmation is provided that adequate water and servicing is available to the site; and
- iv) if the parcel of land that is the subject of an application adjoins a Low or Medium Density Residential zone, the micro cannabis production facility will be setback 60.0 metres from that zone boundary.

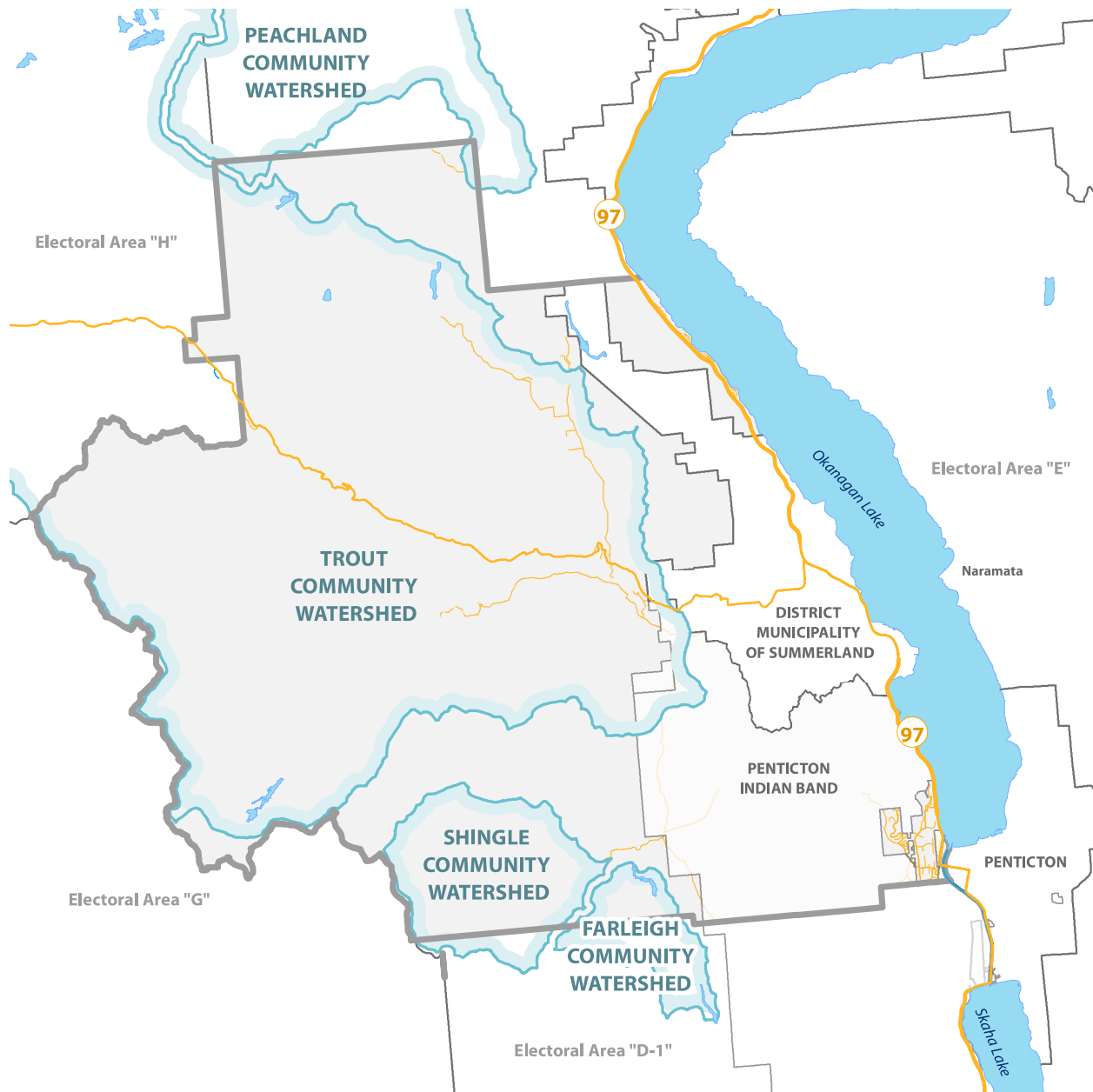


Figure 16: Plan Area – Designated Community Watersheds

9.0 AGRICULTURE

9.1 Background

The agricultural land base in the Plan Area is important but limited in area and location. Only 863 hectares or 1.6% of the total land base of the Plan Area is designated as Agriculture (AG). A large majority of the Agriculture designation is in Meadow Valley, with the remainder in Faulder and the Greata Ranch area. Some limited agriculture also occurs in West Bench which is outside the Agricultural Land Reserve (ALR). Most of the area's agricultural land consists of pastures, mainly for cattle and horses. Several small intensively managed areas are devoted to the production of tree fruits, grapes and vegetables. The intensively managed areas, generally at lower elevations, are irrigated.

Land used for agricultural purposes is generally located within the Agricultural Land Reserve (ALR) and is therefore regulated by the Agricultural Land Commission (ALC).

The Agriculture (AG) designation within the Plan Area applies to land used or intended to be used for an agricultural operation or activity generally including the production of livestock, poultry, farmed game, fur bearing animals, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, wood and fibre crops, grapes, and horticultural and aquaculture products, as well as activities associated with the production and processing of these items.

9.2 Objectives

- .1 Protect the agricultural land base of the Plan Area including associated farming, orchards, vineyards, ranching, and associated value added activities.
- .2 Minimize conflicts between agricultural and non-agricultural uses.
- .3 Minimize the impacts of agriculture and ranching on sensitive environmental resources.

9.3 Policies

The Regional Board:

- .1 Supports the use of lands designated Agriculture (AG) identified on Schedule 'B' (Official Community Plan Map) for an agricultural operation or activity generally including the production of livestock, poultry, farmed game, fur bearing animals, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, wood and fibre crops, grapes, and horticultural and aquaculture products, as well as activities associated with the production and processing of these items.

- .2 Recognizes agricultural land as necessary for agricultural businesses that provide regional economic stability and growth opportunities.
- .3 Encourages the preservation of environmental values in the Agriculture (AG) designation.
- .4 Encourages the consolidation of small parcels into larger farm units to increase efficiency and production.
- .5 Will not support the subdivision of land in the ALR that fragments farm, vineyard, or orchard units.
- .6 *deleted.*^{xxii}
- .7 Supports additional dwellings within the Agricultural (AG) designation where they are used to support agricultural activities and purposes (e.g., workers' housing).^{xxiii}
- .8 Encourages new development adjacent to agricultural areas to provide sufficient buffering in the form of setbacks, fencing and landscaping that is consistent with Ministry of Agriculture policy such as the Guide to Edge Planning Promoting Compatibility Along Agricultural – Urban Edges.
- .9 Encourages provincial ministries and utilities to minimize the impact of new roads and utility corridors through agricultural land by utilizing only those lands necessary, and by maximizing the capacity of existing corridors and roads.
- .10 Supports the agricultural sector by considering the establishment of economic strategies that promote agriculture, provide added value, and identify new farm markets.
- .11 Supports the agricultural and rural economy by encouraging secondary, value-added uses such as agritourism, secondary processing of products, and home occupations/industry provided they are compatible with surrounding land uses.
- .12 Supports measures to reduce agricultural/residential conflicts through education, aimed at helping residents better understand the requirements of farm operations, and helping farm operations use different methods that may create fewer conflicts.
- .13 Will work with stakeholders to support educational programs on the importance of agricultural enterprises and local food production that is resilient to outside stressors.
- .14 Recognizes climate change will impact the agricultural sector at the local scale and will work with stakeholders to undertake adaptive action.
- .15 Support the protection of normal farm practices within the ALR including the *Farm Practices Protection (Right to Farm) Act*.
- .16 Supports farmers' markets and community gardens on other land use designations provided land use impacts are addressed.

^{xxii} Amendment Bylaw No. 2913, 2020 – adopted March 4, 2021.

^{xxiii} Amendment Bylaw No. 2950, 2022 – adopted May 5, 2022.

- .17 May consider supporting applications to subdivide parcels smaller than 4 ha within the Agricultural Land Reserve, limited to the following cases:
- a) For a homesite severance under the ALC’s homesite severance policy;
 - b) Where the subdivision or boundary adjustment enhances agricultural viability; and
 - c) To support a public use such as a public park or community facility.

Note: In these cases, the individual parcel sizes within the Agriculture designation are subject to approval by the Agricultural Land Commission, and must meet minimum parcel size required to satisfy the relevant Provincial regulations for septic disposal fields. The Agricultural Land Commission may not always support applications for these forms of subdivision.

- .18 Does not support the use of lands designated Agriculture (AG) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production is not considered an appropriate use of farmland.^{xxiv}
- .19 Recognises that production of cannabis in the Agricultural Land Reserve is considered a permitted “farm use” by the Agricultural Land Commission if produced outdoors in a field or inside a structure that has a base consisting entirely of soil and cannot be prohibited by local government bylaw.^{xxv}
- .20 Will consider “micro cannabis production facility” proposals on a case-by-case basis through a site specific zoning amendment process, and may use the following criteria to assess an application:^{xxvi}
- i) the parcel under application has an area not less than 2.0 hectares;
 - ii) the maximum size of the plant surface cultivation area is 200.0 m²;
 - iii) confirmation is provided that adequate water and servicing is available to the site; and
 - iv) if the parcel of land that is the subject of an application adjoins a Low or Medium Density Residential zone, the micro cannabis production facility will be setback 60.0 metres from that zone boundary.
- .21 Supports the temporary siting of a dwelling unit for farm labour that does not comply with zoning regulations where permitted by a Temporary Use Permit. The Regional Board may use the following criteria to assess applications:^{xxvii}
- a) the accommodation is to be installed on a temporary foundation with no basement.
 - b) the size of the current farm unit (i.e., total size of all parcels under the farm operation).

^{xxiv} Amendment Bylaw No. 2849, 2019 – adopted December 5, 2019.

^{xxv} Amendment Bylaw No. 2849, 2019 – adopted December 5, 2019.

^{xxvi} Amendment Bylaw No. 2858, 2020 – adopted July 2, 2020.

^{xxvii} Amendment Bylaw No. 2950, 2022 – adopted May 5, 2022.

- c) whether other farm unit parcels contain existing dwellings suitable for use as farm worker accommodation.
- d) the size of the accommodation and total residential footprint.
- e) the number of proposed persons to be housed in the accommodation structure.
- f) the parcel has been classified as “farm” under the *BC Assessment Act*.
- g) the location of the accommodation on a parcel, specifically:
 - i) is it to be sited on the least arable soils on a property or within an existing “farm home plate” (i.e. that portion of a property where all residential and related buildings, structures and activities are clustered, thereby leaving the balance of the property for agricultural use);
 - ii) if new driveways and vehicle parking areas are required and will result in the alienation of cultivated land.

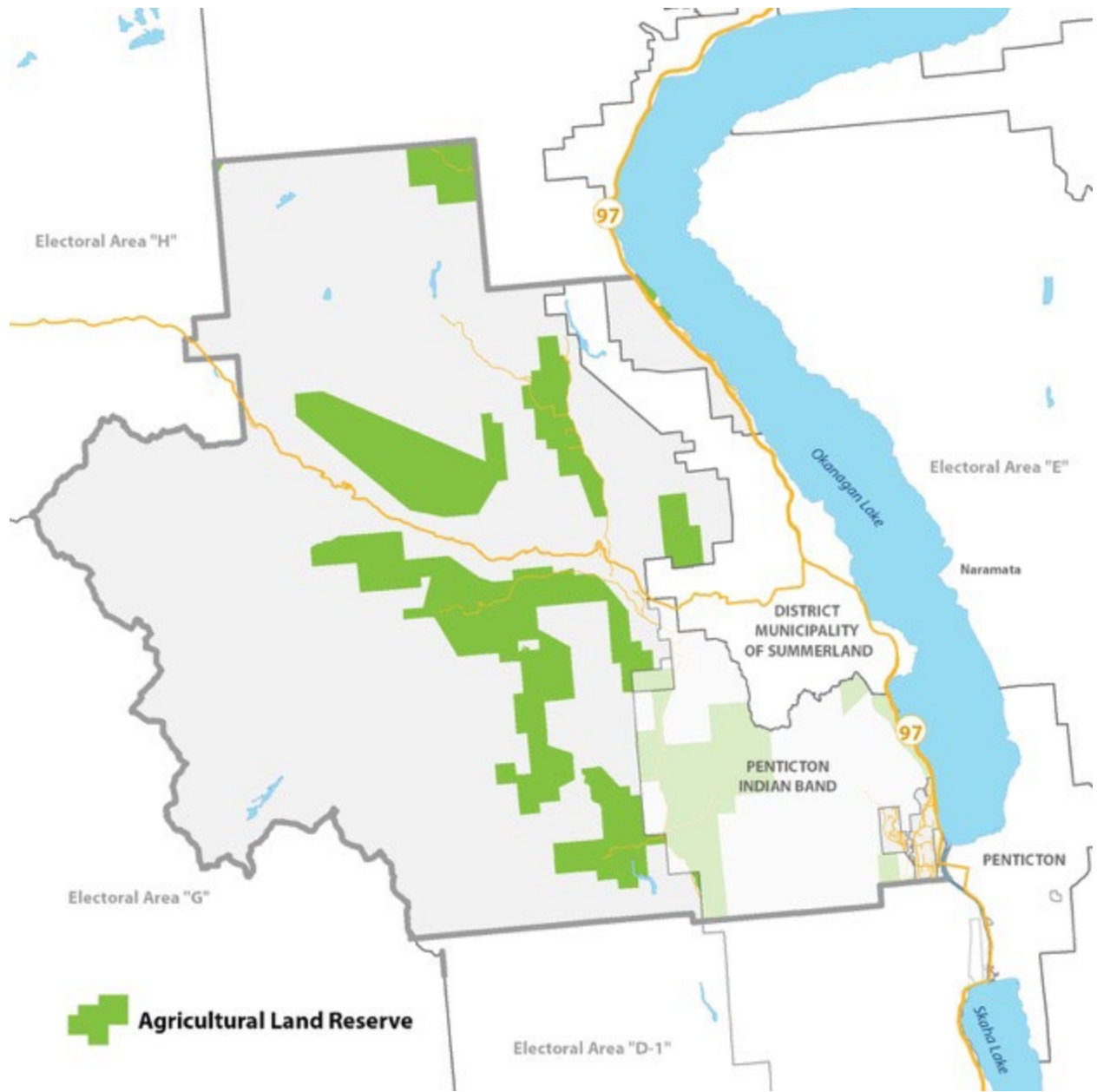


Figure 17: Agricultural Land Reserve Area "F"

10.0 RURAL HOLDINGS

10.1 Background

The Plan Area's rural character and lifestyles are some of the most valued aspects to area residents. Within the Plan Area, Rural Holdings are generally grouped into two categories, Large Holdings (LH) and Small Holdings (SH).

The Large Holdings designation typically applies to privately-held properties smaller than Resource Area parcels and includes large parcels of land generally used for acreages, hobby farms, limited agriculture, ranching, grazing, and other uses that fit with the character of this area. Large Holdings should have a range of minimum parcel sizes but no less than of 4 hectares.

The Small Holdings designation includes medium sized parcels of land generally used for rural residential, part time farming, limited agriculture, home industry uses and other uses that fit with the character of the area. As with Large Holdings, Small Holdings are located outside of the Agricultural Land Reserve.

10.2 Objectives

- .1 Retain and enhance the rural character of lands designated for Large Holdings and Small Holdings.
- .2 Prevent rural sprawl, by limiting development on Small Holdings properties to rural residential densities and agricultural uses.
- .3 Reduce potential conflicts between rural residential developments and agricultural operations on Rural Holdings.
- .4 Reduce the wildfire hazard threat to residential areas located within the Small and Large Holdings designations.

10.3 Policies - General

The Regional Board:

- .1 Supports home occupations on lands designated Small Holdings (SH) and Large Holdings (LH), provided the uses are compatible with the surrounding rural character.
- .2 Supports home industry uses (e.g., vehicle repair, machine shops) only on lands designated Large Holdings (LH) that are larger than 2 ha (5 acres) in size, provided the uses are compatible with the surrounding rural character.
- .3 Will evaluate new Rural Holdings developments against the implications and impacts on the agricultural uses in the area.

- .4 Requires any proposal to create additional land designated or zoned either Large Holdings or Small Holdings to:
- a) Clearly demonstrate and articulate the need for it in the context of its impact on the community and the objectives of this OCP; and
 - b) Provide an assessment of the proposal against the following criteria:
 - i) availability of vacant land currently designated as either Large Holdings or Small Holdings;
 - ii) capability of the natural environment to support the proposed development;
 - iii) impact on environmentally sensitive areas, as illustrated on Schedule 'I' (Environmentally Sensitive Development Permit Areas);
 - iv) capability of accommodating on-site domestic water and sewage disposal, or availability of community water or sewer, and submission of an assessment from a qualified professional in accordance with the Regional District Subdivision Servicing Bylaw;
 - v) proximity to existing roads and other community and essential services;
 - vi) susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
 - vii) compatibility with adjacent land uses and designations, and the character of the existing area;
 - viii) consideration of visual impacts where development is proposed on hillsides and other visually sensitive areas; and
 - ix) type, timing and staging of the development.
- .5 Protects and conserves agriculturally productive land, and environmentally sensitive areas within designated Small Holdings and Large Holdings areas.
- .6 Should work collaboratively with the Subdivision Approving Authority to ensure that rural developments and subdivisions allow for public access to Crown land.
- .7 Encourages voluntary environmental stewardship on private lands within Small and Large Holdings areas.
- .8 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .9 Does not support the use of lands designated Large Holdings (LH) or Small Holdings (SH) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate this type of production are not considered an appropriate use.^{xxviii}

^{xxviii} Amendment Bylaw No. 2849, 2019 – adopted December 5, 2019.

- .10 Will consider “micro cannabis production facility” proposals on a case-by-case basis through a site specific zoning amendment process, and may use the following criteria to assess an application:^{xxix}
- i) the parcel under application has an area not less than 2.0 hectares;
 - ii) the maximum size of the plant surface cultivation area is 200.0 m²;
 - iii) confirmation is provided that adequate water and servicing is available to the site; and
 - iv) if the parcel of land that is the subject of an application adjoins a Low or Medium Density Residential zone, the micro cannabis production facility will be setback 60.0 metres from that zone boundary.

10.4 Policies – Large Holdings

The Regional Board:

- .1 Supports the use of lands designated Large Holdings identified in Schedule ‘B’ (Official Community Plan Map) for ranching, grazing, outdoor recreation, open space, limited residential use and other uses that will have minimal environmental impact and preserve the lands in a largely undeveloped state.
- .2 Will establish a range of densities and parcel sizes, to be no less than 4 ha in area, for land designated Large Holdings in the Plan area through the Zoning Bylaw.
- .3 Allows secondary suites and may consider additional accessory dwellings based on the size of parcel.
- .4 Discourages changes in land designation or zoning that will allow for incompatible land uses or the subdivision of Large Holdings parcels to less than 4 ha in size.

10.5 Policies – Small Holdings

The Regional Board:

- .1 Supports a range of uses on the lands designated Small Holdings in Schedule ‘B’ (Official Community Plan Map), including: rural residential, hobby farming, limited agriculture and others uses that fit within the rural character of the surrounding area.
- .2 Will establish a range of densities and parcel sizes from 0.2 ha to 2.0 ha, for lands designated Small Holdings in the Plan Area through the Zoning Bylaw.
- .3 Supports a minimum parcel size of one hectare for lands without community sewer within the Small Holdings (SH) designation.
- .4 Supports secondary suites and accessory dwellings, subject to accessory dwellings

^{xxix} Amendment Bylaw No. 2858, 2020 – adopted July 2, 2020.

on parcels less than 1.0 ha in area being connected to a community sewer system.^{xxx}

- .5 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or accessory dwellings in the zone(s) applied to this area.^{xxxii}
- .6 Requires that any proposal seeking to amend the land use designation or zoning of the parcel described as Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498 (461 North Beach Road) in order to facilitate subdivision demonstrate an ability to connect to a community water and sewer system.^{xxxii}

^{xxx} Amendment Bylaw No. 2785, 2020 – adopted February 20, 2020.

^{xxxii} Amendment Bylaw No. 2785, 2020 – adopted February 20, 2020.

^{xxxiii} Amendment Bylaw No. 2790.01, 2019 – adopted January 23, 2020.

11.0 RESIDENTIAL

11.1 Background

Residential development in Area “F” has occurred in two primary locations: Greater West Bench and Faulder. The predominant type of housing in these areas is low density, the clear majority of which are single detached dwellings. Other forms of low-density residential housing include semi-detached homes and manufactured homes (a.k.a. mobile homes).

There are three residential land use designations recognized within this Plan. Rural Holdings (i.e., Large Holdings and Small Holdings) are not included as residential designations. The Medium Density Residential (MR) designation is currently limited to the Greata Ranch Rural Growth Area only.

- **Low Density Residential (LR):** includes single detached dwellings, mobile homes, duplexes, and complementary secondary uses such as daycares, preschools, and small parks which are integral to a low density residential neighbourhood.
- **Medium Density Residential (MR):** includes townhouses, duplexes, triplexes, fourplexes, and those complementary secondary uses such as daycares, preschools, and small parks, which are integral to a medium density area.
- **Comprehensive Development (CD):** includes legally non-conforming ‘shared lot’ residential use that have existing for several decades.

11.2 Objectives

- .1 Direct new residential development to existing serviced areas to protect the predominately rural character of the Plan Area.
- .2 Minimize impacts from new residential development on the natural environment and the Agricultural Land Reserve.
- .3 Accommodate a range of housing types and tenures to meet the socio-economic needs of the community.
- .4 Direct new residential development away from hazard lands, critical habitat areas, and watercourses.
- .5 Recognize the historical lawful non-conforming residential uses on the designated CD parcels without encouraging the expansion of those uses in the future.

11.3 Policies – General Residential

The Regional Board:

- .1 Directs the development of new housing to existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more residential development on non-residential designations in identified Primary and Rural Growth Areas.^{xxxiii}
- .2 Supports home-based businesses in Low Density Residential (LR) and Medium Density Residential (MR) designations.
- .3 Supports a range of residential densities and parcel sizes for the existing residential areas and resort communities in the Plan Area.
- .4 Supports housing for a range of income levels, lifestyles and ages including rental housing and secondary suites where appropriate and feasible.
- .5 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or accessory dwellings in the Small Holdings (SH) and Low Density Residential (LR) zone(s) that apply to this area.^{xxxiv}
- .6 Will assess proposed residential developments on the following development criteria:
 - a) capability of accommodating on-site domestic water and sewage disposal, or the availability of community water or sewer;
 - b) ability of community water or sewer systems to be extended to existing neighbouring subdivisions which are presently un-serviced;
 - c) proximity to Environmentally Sensitive Development Permit Areas;
 - d) proximity to Watercourse Development Permit Areas;
 - e) impact on adjacent land uses and character of the existing area;
 - f) proximity to existing roads and other community and essential services;
 - g) susceptibility to natural hazards including, but not limited to, flooding, soil instability, land slide, rockfall, moderate or higher forest fire;
 - h) parkland dedication; and
 - i) demonstration of housing need, and provision for a variety of housing types.
- .6 Will evaluate any new residential development on its implications and impacts on adjacent lands designated as Agriculture (AG).
- .7 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .8 Encourages residential development that abuts land designated Agriculture (AG) to provide buffers pursuant to Ministry of Agriculture guidelines.

^{xxxiii} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xxxiv} Amendment Bylaw No. 2785, 2020 – adopted February 20, 2020.

- .9 Requires that new parcels created that are less than approximately 1 hectare to connect to a community sanitary sewer system.
- .10 Requires that new parcels to be created by subdivision that are less than 1.0 hectare in area be connected to a community sanitary sewer system.^{xxxv}
- .11 Requires that accessory dwellings on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system.^{xxxvi}
- .12 Requires that secondary suites on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.^{xxxvii}
- .13 Does not support the development of “micro cannabis production facilities” on land designated Low Density Residential (LR) or Medium Density Residential (MR).^{xxxviii}

11.4 Policies –Low Density Residential

The Regional Board:

- .1 Supports the use of lands designated Low Density Residential (LR) identified in Schedule ‘B’ (Official Community Plan Map) for single detached dwellings, secondary suites, accessory dwellings, manufactured home parks, parks, religious buildings and facilities, institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.^{xxxix}
- .2 Support a maximum net density for single detached dwelling units on lands designated Low Density Residential (LR) of 30 units per hectare, for areas served by a community water system and a community sewage treatment system. The calculation of net density does not include accessory dwellings and secondary suites.^{xl}
- .3 Encourages clustering of Low Density Residential (LR) development within designated Rural Growth Areas to achieve lower servicing costs and to minimize environmental impacts.
- .4 Supports a maximum net density for duplexes on lands designated Low Density Residential (LR) of 45 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.^{xli}
- .5 Supports home occupations and bed and breakfasts within a single-family dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.

^{xxxv} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xxxvi} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xxxvii} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xxxviii} Amendment Bylaw No. 2858, 2020 – adopted July 2, 2020.

^{xxxix} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xl} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xli} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

- .6 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or accessory dwellings in the zone(s) applied to this area.^{xlii}

11.5 Policies –Medium Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule ‘B’ (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes, townhouses and apartment buildings that fit with the residential intent of the designation.^{xliii}
- .2 Supports a maximum net density on lands designated Medium Density Residential (MR) of 60 dwelling units per hectare for areas served by a community water system, community sewage treatment system and stormwater.^{xliv}
- .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.^{xlv}
- .4 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.^{xlvi}
- .5 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands designated as Medium Density Residential (MR) in a Multi-Family Development Permit Area.^{xlvii}
- .6 Will avoid locating Medium Density Residential (MR) development next to land designated as Agriculture (AG). If multiple family development is to be located near land designated as AG, then the following steps must be taken:^{xlviii}
 - a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;
 - b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and
 - c) the building should be designed to step back away from the Agriculture land as the building increases in height.

^{xlii} Amendment Bylaw No. 2785, 2020 – adopted February 20, 2020.

^{xliii} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xliv} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xlv} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xlvi} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xlvii} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

^{xlviii} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

11.6 Policies – Comprehensive Development

The Regional Board:

- .1 Encourages the incorporation of buffers, site planning and building design to minimize the potential of conflict between adjacent land uses.
- .2 Encourages the preservation and rehabilitation of environmentally sensitive lands, as well as development that is sensitive to adjacent environmentally sensitive areas.
- .3 Directs that, where development or re-development is proposed, suitable mitigative measures, as recommended by a geotechnical engineer or geo-scientist, are undertaken to reduce the risks to and increase the safety of current and future occupants of the parcel. Such mitigative measures are not to increase risk to other development on the parcel.
- .4 Discourages any proposed subdivision of parcels.

11.7 Policies - Vacation Rentals

The Regional Board:

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.
- .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit. The Regional Board may use the following criteria to assess applications:
 - a) capability of accommodating on-site domestic water and sewage disposal;
 - b) mitigating measures such as screening and fencing;
 - c) provision of adequate off-street parking;
 - d) confirmation that the structure proposed complies with the BC Building Code;^{xlix} and
 - e) benefits that such accommodation may provide to the community.

^{xlix} Amendment Bylaw No. 2804, 2019 – adopted February 6, 2020.

12.0 COMMERCIAL

12.1 Background

There are designated Commercial (C) uses in the Plan Area.

Designated Commercial Tourist (CT) uses consist of the Greata Ranch winery and the lakeshore properties between the Greata Ranch and the Okanagan Lake Provincial Park. Designated Commercial Tourist (CT) uses also include two golf courses, Pine Hills Golf & Country Club and W.O.W. Golf Club. A third course, Sage Mesa Golf & Country Club, is located on Penticton Indian Band land between the two courses and is outside of the Plan Area.

12.2 Objectives

- .1 Maintain the current level of local commercial sites to serve the existing communities and tourists, and expand services as future growth may dictate.
- .2 Direct major commercial development to Primary Growth Areas.
- .3 Support existing and new recreation and resort commercial opportunities.

12.3 Policies – General Commercial

The Regional Board:

- .1 Supports the use of lands designated Commercial (C) identified in Schedule 'B' *Official Community Plan Map* for smaller-scale, neighbourhood-serving commercial activities.
- .2 Limits local commercial uses to those existing designated areas, or to areas where they may be considered in conjunction with future residential or commercial tourism developments.
- .3 Directs major office, service and general business commercial uses to Primary Growth Areas such as the City of Penticton or District of Summerland, which have the necessary infrastructure and support services.
- .4 Does not permit home based industries (e.g., vehicle repair, machine shops) on properties smaller than 2 ha (5 acres) in area.
- .5 Does not support the use of lands designated Commercial (C) for indoor cannabis production as the large-scale, industrial-style facilities required to accommodate

this type of production are not considered an appropriate use of commercial lands.¹

12.4 Policies – Tourist Commercial

The Regional Board:

- .1 Supports the use of lands designated Commercial Tourist (CT) identified in Schedule 'B' *Official Community Plan Map* for commercial services and activities catering to visitors and tourists, including golf courses, campgrounds, resorts, RV parks, and agri-tourism businesses, including fruit stands.
- .2 Supports open space recreation and resort commercial opportunities subject to rezoning, such as guest ranches, trail rides, campgrounds, and/or wilderness guides in areas designated as Resource Area or Large Holdings provided they do not impact on abutting land uses and meet Watercourse Development and/or Environmentally Sensitive Development Permit Area requirements.
- .3 May support proposed tourist and resort developments that:
 - a) are located outside the Agricultural Land Reserve;
 - b) can accommodate on-site domestic water and sewage disposal, or have community water or sewer available;
 - c) enhance adjacent land uses or the character of the existing area;
 - d) can be accessed safely from local highways or Highway 97;
 - e) can be adequately serviced by emergency services;
 - f) meet any Watercourse or Environmentally Sensitive Development Permit Area requirements;
 - g) are outside areas susceptible to natural hazards, including steep slopes, flooding, soil instability, or rock fall; and
 - h) indicate an adequate wildfire hazard interface area if located in or near an identified high-risk wildfire hazard area.

¹ Amendment Bylaw No. 2849, 2019 – adopted December 5, 2019.

13.0 INDUSTRIAL

13.1 Background

There are currently no designated Industrial areas in the Plan Area; however, the principal industrial activity in the Plan Area is logging, which generally occurs on Crown lands that are subject to the Resource Area designation. Small-scale resource extraction also occurs within the Plan Area.

Limited and small-scale industrial home-occupations (e.g., small scale sawmilling) can occur in Resource Areas and Rural Holdings. Larger industrial activities, including light manufacturing and fabricating are encouraged to locate in designated, serviced industrial areas in Okanagan Falls, which are better suited to accommodate them.

Accordingly, at the time of adoption of this Plan, the Regional District is not designating any areas for proposed industrial uses. The Regional District may consider designating land for proposed industrial uses on a case-by-case basis if or when demand warrants.

13.2 Objectives

- .1 Support small-scale home industry and home occupation activities in Resource Area and Large Holdings designations within the Plan Area, where appropriate.
- .2 Direct large scale industrial uses requiring major services or with significant impacts to the City of Penticton or other suitable locations areas outside of the Plan Area.

13.3 Policies

The Regional Board:

- .1 Encourages larger-scale industrial and light manufacturing activities to locate in City of Penticton and other serviced and designated industrial areas in the Regional District.
- .2 May consider designating land Industrial, where appropriate, on a case-by-case basis.
- .3 May consider accommodating time limited industrial uses through Temporary Use Permits, if compatible with adjacent uses.
- .4 Requests that the Province give due consideration to the impact of resource extraction activities on existing adjacent residential developments and infrastructure, such as roads; and not to issue surface leases and permits for mineral extraction and processing within 50.0 metres of a Residential or Small Holdings designation.
- .5 Will not issue temporary use permits for aggregate or asphalt activities within

50.0 metres of a Residential Designation of Small Holdings designation.

- .6 Encourages the Province to ensure that mineral or aggregate resource extraction sites are reclaimed in a timely manner after depletion of the resource.
- .7 Supports timely reclamation of mineral or aggregate resource extraction sites on private land.
- .8 Encourages the relocation of the asphalt plant located on Lot 1, District Lot 4947 and 4948, ODYD, Plan KAP74432 (Peter Bros Construction); and Lot A, District Lot 4947 and 4948, ODYD, Plan KAP73569, except Plan KAP74432 (Inland Contracting/Siva Construction) from its non-conforming designation in the West Bench to a suitable non-residential location.



Figure 18: Meadow Valley

14.0 ADMINISTRATIVE, CULTURAL AND INSTITUTIONAL

14.1 Background

As a primarily rural area with a relatively small, dispersed population, the Plan Area contains limited administrative and community facilities and cultural resources.

The Administrative, Cultural and Institutional designation includes public, non-profit or utility uses such as schools, religious buildings, recreation facilities, community centres, public health facilities, community care facilities, fire halls, libraries, post offices, and local government and improvement or irrigation district buildings.

At the time of adoption of this Plan, the Regional District is not designating any additional areas for proposed institutional uses. The Regional District may consider designating land for proposed institutional uses on a case-by-case basis, as demand warrants.

14.2 Educational and Community Facilities

The school system within the Plan Area is operated by School District No. 67 (Okanagan Skaha). The Regional District has no mandate on education policies other than advocating to the School Districts on policy areas that impact the Regional District. Presently there is only one school in the Plan area. West Bench Elementary is located in West Bench.

14.2.1 Objective

- .1 Maintain existing facilities and provide new or expanded community facilities consistent with population growth.

14.2.2 Policies

The Regional Board:

- .1 Continues to liaise with School District No. 67 (Okanagan Skaha) to determine needs and issues.
- .2 Will continue to encourage the use of school buildings and grounds, after regular school hours, by community groups, clubs, sports teams and Plan Area residents.

14.3 Protective Services

The City of Penticton is contracted to provide fire protection to the Greater West Bench area.

Police services are provided by the RCMP, which has stations in the City of Penticton and the District of Summerland, as does the BC Ambulance Service.



Figure 19: Plan Area Fire Protection Service Areas

14.3.1 Objectives

- .1 Maintain existing protective services and facilities, and coordinate resources to establish new facilities and services.
- .2 Expand and enhance existing community policing programs as resources and population growth allow.

14.3.2 Policies

The Regional Board:

- .1 Will continue to work with senior governments to ensure adequate and visible provincial and federal services are maintained in the Plan Area.
- .2 Encourages new community water systems to be capable of fire suppression as required under the Regional District's Subdivision and Servicing Bylaw.
- .3 Will work with the RCMP and Regional District staff to review opportunities to expand community policing in the Plan Area where necessary.
- .4 Will support and facilitate effective and efficient bylaw enforcement in the Plan Area.
- .5 Supports fire protection service for all established communities within the Plan Area.
- .6 Supports, when public facilities such as a fire hall are required, selecting the sites in accordance with the following criteria:
 - a. suitability of location on a major network road;
 - b. proximity to any concentration of residential development;
 - c. adequacy of water supply; and
 - d. other siting requirements and physical attributes.

14.4 Heritage and Cultural Resources

The Regional District recognizes that heritage conservation is an important community value that contributes to the distinct identity of the region.

The Regional Heritage Strategic Plan features sites and places in Area "F" identified by the community as having heritage significance, such as historic buildings and landscapes, features such as the Brigade Trail and Summerland Bridge, and other significant heritage resources.

With Indigenous traditional use activities dating back millennia, the Plan Area is home to important cultural sites and landscapes of value to the Penticton Indian Band and other Okanagan Nation Alliance members.

Syilx place names are an integral part of Syilx culture. As part of PIB's input into this OCP the following place names were highlighted and approved for sharing with RDOS. The Syilx do not name places based on those who visit the area. Place names are rooted in cultural practices and, although much can be lost during translation, the place names shared here provide a cultural context for Area "F". The place names shared here carry Syilx knowledge that has been passed from generation to generation - they are the story maps that connect Indigenous people to place and which have guided Syilx people from place to place. Within each name is information regarding how to take care of the land

and animals; not all names are able to be shared outside of specific families or communities due to the sacredness of this knowledge. Here, it is important to recognize that there are numerous sacred spaces within the Area “F” region and, as such, many cannot be shared to ensure for their protection.

- **sq̄ap̄apina? kʰ̄x̄əsink**

This place name translates to “sandy bald hillside” and refers to the south face of what non-PIB members living in the region call the Bald Range. The entire mountain is called sq̄ap̄apina? kʰ̄x̄əsink and Bald Range Mountain can be called either sq̄ap̄apina? or kʰ̄x̄əsink. This place is known for its sacred forests, ungulate use and the presence of edible, material and medicinal tmix^w. In the 1980s this area was targeted for forest harvesting, which was of concern to PIB. As the effects of climate change become more prevalent efforts must be taken to ensure for the resiliency of ecosystems such as those found at sq̄ap̄apina? kʰ̄x̄əsink.

- **nʔamtiws**

nʔamtiws is the name of a mountain near the far end of what is now known as Meadow Valley. Its name roughly translates to “sits in the middle of.” This place was home to an important Syilx village; many Syilx people lived there when it was still a large shallow lake. There is an important chaptikwʔ (Syilx oral history) about nʔamtiws mountain that talks about a powerful light that shines from an unknown source when on this side of the mountain. This is an important place for the Syilx people. Over the years, agricultural and development activities have impacted the area.

- **nc̄alitkw**

nc̄alitkw can be translated as “trees standing in the water.” nc̄alitkw was the location of an important shallow lake that was drained by early European settlers. The lake provided important habitat for a wide variety of Syilx relatives, plants and animals, which were important components of the Syilx way of life in this region. After the lake was drained, it became a flat meadow and is a place now known commonly known as Meadow Valley. Many Syilx once lived and thrived in harmony with the land and all living things in this place. The lake was a unique part of the landscape upon which many activities centered. There used to be a very large tree there and its two outstretched branches made it look like “a large skeleton.” The tree, like much of the valley has been lost to agricultural activities in the area. Although it has been heavily altered, PIB would like to see portions of the area restored and agricultural activities, including cattle ranging, managed carefully to protect, enhance and restore tmix^w in this important area.

- **nx̄n̄niwt**

nx̄n̄niwt can be translated to mean “slab like laying up against the side” and is in reference to the steep side of the mountain just south of Darke Lake and stretching south towards nc̄alitkw. The mountain looks like a slab on the east side of what is

now known as Fish Lake Road. This area represents an important travel and use corridor for the Syilx people and tmix^w. Today, tmix^w are often excluded from the easier travel routes at the valley bottom by fences and roadways, but the area remains an important part of the landscape for many species. PIB would like to see a focus on restoring the safe movement of tmix^w and, possibly, Syilx -based habitat management practices used in the area.

- **cnxəlkip**

cnxəlkip can be translated to mean “half circular bay area” and has been a central place for the Syilx people for many thousands of years. During the time when reserve lands were defined and established, cnxəlkip became a part of the Penticton Indian Band IR#1. Shortly thereafter in 1929, and without due process, the area was expropriated by the federal government for use by the Dominion Experimental Farm. At the time, the federal government stated that “in the event that the Experimental Farm Lands are used for any other purpose or cease to be required for the purpose for which they were taken, the lands must be returned to the Band.” In due time, the lands were used for purpose other than the experimental farm lands and in 1988, an Order-in-Council transferred the lands from the federal government to the province for use as a public park. PIB is keen to apply a Syilx restoration and enhancement approach to restore its natural integrity and use.



Figure 20: Penticton Indian Band lands



Figure 21: Syilx place names in Area "F"

14.4.1 Objectives

- .1 Promote the conservation of heritage resources in the Plan Area, as indicated by the Regional District's Regional Heritage Strategic Plan.
- .2 Celebrate the culture and heritage of the peoples and communities, including Indigenous communities, within the Plan Area to educate and inform visitors and residents alike.

- .3 Seek opportunities to work with Penticton Indian Band through the Protocol Agreement’s Joint Council and other planning avenues, to recognize, protect and, where appropriate and feasible, interpret important cultural sites and features in the Plan Area.
- .4 Seek opportunities to use Syilx place names where they have been approved by PIB members.
- .5 Support incorporation of Penticton Indian Band cultural and heritage resource objectives within the Regional District’s Regional Heritage Strategic Plan where appropriate and practical.

14.4.2 Policies

The Regional Board:

- .1 May consider the inclusion of heritage conservation in all aspects of community and regional planning.
- .2 Supports the Province and other interest groups in identifying and protecting features and sites of Indigenous, paleontological, scenic, architectural, historical, archaeological and other sites of significance within the Plan Area.
- .3 Supports the management of heritage resources on a regional basis including the establishment of a Regional District community heritage commission and the creation of a community heritage register.
- .4 Should undertake the conservation and protection of heritage resources through the Regional Heritage Strategic Plan using appropriate heritage conservation tools.
- .5 Encourages developers to consider cultural and heritage resource opportunities in project planning and design.
- .6 Recognizes and celebrates the rich Syilx/Okanagan cultural and cultural features that exist in the Plan Area, including Syilx place names that have been approved by PIB members for use.
- .7 Should exchange information, identify issues of concern and coordinate efforts to address those issues with Penticton Indian Band and other members of the Okanagan Nation Alliance (ONA) through the Protocol Agreement’s Joint Council and other appropriate planning avenues.

15.0 PARKS, RECREATION AND TRAILS

15.1 Background

Parks are generally publicly owned areas that provide an opportunity for individuals to pursue leisure and recreation activities. In the Plan Area, parkland includes provincial

land, land owned by the Regional District, land zoned for park purposes and land designated as park on a subdivision plan. Parkland also includes land or general areas that the Regional District may have an interest in for park in the future.

Some of the types of park and recreation facilities under the Parks, Recreation and Trails (PR) designation in the Plan Area include:

- **Regional Parks:** Selby, Mariposa and Bonin Parks are operated and maintained by the Regional District.
- **Kettle Valley Railway (KVR) Trail:** The sections of the KVR Trail that are publicly owned and maintained by the Regional District are designated Parks, Recreation and Trails.
- **Provincial Recreation Areas:** Darke Lake Provincial Park, Enease Lakes Provincial Park, Kickininee Provincial Park, Okanagan Lake Park are provincially designated Recreation Areas.
- **Other Recreation Areas:** “Camp Boyle”, which is operated by The Boy Scouts of Canada.

The Plan Area also provides diverse recreation opportunities for a range of trail users. Local residents use the trail system for activities ranging from an evening stroll along the KVR Trail to commuting to work from one community to another, to active motorized and non-motorized trail-based recreation. Visitors also frequent the Plan Area’s trails to participate in a wide range of activities, from walking and backcountry hiking to cycle touring and off-road vehicle recreation.

Together, parks and trails provide a valued amenity for Plan Area residents and visitors and provide important environmental benefits. While the Plan Area includes three small regional parks, the need for additional community parks is moderated both by the area’s small population and the extensive opportunities available on provincial land, area lakes, and in provincial protected areas. It is also a challenge to provide community park services to areas with small, dispersed populations.

Provincial legislation authorizes the provision of land to the Regional District as parkland — equivalent in size to 5% of the parcel being subdivided. It is anticipated that acquisition of new land will be focused upon completion of the Kettle Valley Railroad (KVR) trail and improving Okanagan Lake access, although the Regional District will consider acquiring new parkland as opportunities arise.

In 2012, the Regional District adopted a *Regional Trails Master Plan* that defines future direction, policies, priorities, standards and actions for the Regional District and its partners with respect to existing and potential future linear parks and trails and support of a regional trail network. The plan provides the basic framework to define and guide regional trail development and management through to 2021.

15.2 Objectives

- .1 Provide a level of parks and recreational opportunities that can meet the needs of local residents, within their ability and resources to pay for such facilities.
- .2 Promote recreational opportunities that meet local needs and complement the natural environment and existing resources.
- .3 Improve and maintain public access to park and recreation resources.
- .4 Promote the development of an integrated trail and park system.
- .5 Identify and work to acquire parks and recreation sites to meet the present and future needs of residents.

15.3 Policies

The Regional Board:

- .1 Encourages all new trail projects to be designed and constructed using provincial best management practices to minimize the impact on the natural environment.
- .2 Seeks to mitigate existing and future conflicts between trail users, agricultural operators and rural landowners.
- .3 Encourages trails proposed on agricultural lands, including those located within the ALR, to be developed using Ministry of Agriculture guidelines.
- .4 Encourages tenure holders to preserve, steward and maintain trails to maintain the integrity of the larger trail system and the natural environments they traverse.
- .5 Encourages the Province to undertake a backcountry recreation planning process.
- .6 Encourages relevant provincial agencies and tenure holders to manage public access to the backcountry.
- .7 Seeks to work with regional partners and local environmental organizations to support wildlife education programs to minimize wildlife/human conflicts on trails.
- .8 Seeks to work with regional partners to ensure that trails within Plan Area boundaries include adequate parking, bear-proof garbage and recycling receptacles, and signage where feasible and appropriate.
- .9 Supports trail use guidelines that promote “leave no trace” trail use.
- .10 Encourages the School District to establish a joint use agreement to support the multiple use of the school and school grounds at the West Bench elementary school.
- .11 Supports the Kettle Valley Railway right-of-way being preserved and utilized as a linear park and recreation corridor.

15.4 Parkland Dedication Policies

The Regional Board:

- .1 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- .2 Recognises that the Plan Area is generally rural in nature, and that when land is acquired it should be focused upon lake accesses, greenways, and trails.
- .3 May determine, in accordance with Section 510 of the *Local Government Act*, at the time of a subdivision to which Section 510 applies, whether the owner of land being subdivided must:
 - a) provide without compensation, parkland in an amount that does not exceed 5% of the land being proposed for subdivision and in a location acceptable to the Regional District; or
 - b) pay to the Regional District an amount that equals the market value of the land up to 5% required for park purposes.
- .4 May consider, when determining a potential park land dedication under Section 510 of the *Local Government Act*, the following policies:
 - a) proximity to settlement areas, other parks & trails, and bodies of water;
 - b) distance from environmental hazard areas;
 - c) average slope should be 10% or less;
 - d) adequate accessibility:
 - i) vehicular ingress and egress should meet or exceed Ministry of Transportation standards;
 - ii) in the case of trails and pedestrian-access only parks, there should be various linkages to and from the trail or park, with at least one linkage wide enough to allow for maintenance vehicle access;
 - e) cultural or natural features of significance;
 - f) potential for additional dedication of parkland from subdivision applications of surrounding parcels; and
 - g) potential for recreation (active park), conservation (passive park) or enhancement of public access.
- .5 Considers that parkland proposals should provide a benefit to the community and those lands with no benefit to the community should not be accepted.
- .6 Strongly prefers that land being considered for parkland be maintained in its natural state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed parkland is to be used for recreational uses which require cleared lands, or can be reclaimed for park purposes.

- .7 Encourages developers to dedicate greater than 5% parkland in areas where parkland is desired.
- .8 Considers that if cash in-lieu is chosen at the time of subdivision for park acquisition and development in the Plan Area, the preference is that the benefits accrue to those communities from which the funds are received.
- .9 Where environmentally sensitive areas or critical habitat for species at risk have been identified, encourages developers to donate such lands to a land trust, conservation organisation or the Regional District in addition to the parkland or cash in-lieu required by the Act.

16.0 NATURAL ENVIRONMENT AND CONSERVATION

16.1 Background

The South Okanagan-Similkameen is recognized as a region that combines a wide range of natural habitat areas with several unique species, many of which are not found elsewhere in the province or in Canada. The area is also home to the largest number of endangered and threatened species of plants and animals in BC and Canada.

The variety of life (also called biodiversity) is very high in the South Okanagan-Similkameen, because of the region's milder climates and diversity of landscapes. Species at risk are linked to human settlement areas and land use. As the Plan Area contains significant developed areas and a variety of land uses including recreation, agriculture, forestry areas and the like, it also contains a high number of species at risk.

Under the *Local Government Act*, the Regional District has the authority to establish Development Permit (DP) Areas to protect the natural environment, its ecosystems and biological diversity.

In order to protect important sensitive ecosystems and biological diversity, including valuable habitat areas for wildlife and plant communities, the Regional District has implemented an Environmentally Sensitive Development Permit (ESDP) Area. These areas generally comprise privately held lands not in the Agricultural Land Reserve (ALR) that possess "high" and "very high" ecologically sensitive classifications as identified by the *Keeping Nature in our Future: A Biodiversity Conservation Strategy for the South Okanagan-Similkameen* (2012) prepared by South Okanagan Similkameen Conservation Program (SOSCP), and is described further in Section 23.2 of this Plan.

Other ecologically sensitive lands found on provincial land or privately held land in the ALR have not been formally designated as an ESDP Area but are equally sensitive and are shown on Schedule 'I' as an "Important Ecosystem Area" and is described further in Section 23.2 of this Plan.

As a local government listed under Section 3 of the *Riparian Area Regulation*, the Regional District has implemented a Watercourse Development Permit (WDP) Area designation to protect riparian areas; being lands within 30.0 metres of the high-water mark of streams and ravines including lakes, watercourses and wetlands, and as described further at Section 23.3 of this bylaw.

For maps of development permit areas and other environmentally sensitive areas in the Plan Area see Schedule 'I' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) and Schedule 'J' (Watercourse Development Permit Areas).

16.1.1 Objectives

- .1 Maintain and sustain a healthy environment by encouraging the enhancement of ecological systems and by protecting biodiversity.
- .2 Integrate measures to sustain environmental quality and consider impacts on the environment in future land use decisions.
- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to important landscape features such as watercourses, hillsides, and sensitive ecosystems of the Okanagan.
- .4 Support efforts to protect source water quality and quantity today and for future generations.
- .5 Support and foster awareness on reducing negative impacts to the quality of the natural environment including invasive weed management, dumping of materials, and wildfire risk.

16.1.2 Policies - General

The Regional Board:

- .1 Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives.
- .2 Recognizes and encourages the educational and eco-tourism contribution toward protection of the community's natural environment made by environmental organizations, and supports accommodating these uses with the necessary changes to the land use designations so long as the general intent of policies in this Plan are met.
- .3 Requires that, where a proposed development affects land subject to an Environmentally Sensitive Development Permit Area, an Environmental Assessment (EA) be prepared by a Qualified Environmental Professional (QEP) in accordance with the policies outlined in Section 23.2, as well as relevant federal and provincial best management guidelines.
- .4 Requires that EA reports prepared by QEPs be undertaken in accordance with the Regional District's Development Procedures Bylaw.
- .5 Supports the incorporation of traditional ecological knowledge in the stewardship of important foreshore, riparian, and terrestrial ecosystems, and will seek to work with the Penticton Indian Band, Osoyoos Indian Band, Upper Similkameen Indian Band and Lower Similkameen Indian Band to incorporate it where feasible, practical and appropriate.

16.2 Riparian and Foreshore Areas

Riparian areas are places under the influence of water. They surround and contain wetlands, ponds, permanent and intermittent creeks, springs, wet meadows, etc. The Plan Area includes one large lake, Okanagan Lake, and several smaller lakes including Darke Lake, Garnet Lake, and Eneas Lakes. The Plan Area also includes various streams including Trout Creek, and Eneas Creek among others.

The Plan Area is generally dry and riparian areas tend to be unusually productive and support a disproportionately high number of species. In addition, riparian and foreshores areas tend to have significant land use and development impacts. Most wetlands that once occurred in the Okanagan have been lost to infilling, development, roads, agriculture etc. Thus, the areas that remain are very important to retain. Many species and species at risk require riparian habitats for some part of their life cycle.

Activities in riparian areas have potential to impact water quality, affect erosion, damage fish habitat and impact habitat for species at risk.

Trees like Black Cottonwood that once were common in these areas have been removed and replaced with non-native trees or invasive trees like the Russian Olive and Siberian Elm. Some limited areas of willow, birch, red osier dogwood and other shrubs remain in foreshore areas, but much of the developed area has been replaced by lawns and landscaped yards. Road construction near, or within riparian areas is also common. Agriculture impacts are significant and range from infilling to cultivation and livestock use.

Because riparian and foreshore areas are so strongly connected to both habitats for species at risk and water quality through groundwater/surface water, it is vital that land use practices protect riparian areas by retaining and restoring native species, and ecosystems. Natural riparian areas provide significant ecosystem benefits that costly water treatment and recovery planning for species at risk cannot replace.

Generally, land above the high water mark (natural boundary) is privately held and land below the high water mark belongs to the Crown and forms part of the water resource in the province. Land within 30.0 metres of the high water mark or a stream or a ravine is identified as being within a Watercourse Development Permit Area and any development within this area may require a Development Permit (see Section 23.3). Other activities that are subject to regulation include dock construction and modification, mooring buoy installation, and shoreline modifications (including sand, soil, vegetation removal, disturbance, and addition).

16.2.1 Objectives

- .1 Foster community awareness of the importance and sensitivity of the riparian and foreshore environments in the Plan Area.
- .2 Protect aquatic habitat areas and associated environmentally sensitive areas from negative impacts of development as identified in Schedule 'I'

(Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) and Schedule 'J' (Watercourse Development Permit Areas).

- .3 Improve and better manage waterfront public access along the Okanagan Lake shoreline, while limiting the overall number of public access points.
- .4 Minimize and avoid development in high hazard soil instability areas on the Okanagan Lake foreshore and riparian area.
- .5 Encourage high quality lakeshore development that maintains the natural character of all lakes and sustains the sensitive riparian and foreshore ecosystems.
- .6 Conserve, protect and enhance surface, ground and aquifer water sources in cooperation with provincial ministries, local water purveyors and landowners.
- .7 Identify, manage and protect significant watercourses to maintain their natural habitat and environmental quality.

16.2.2 Policies

The Regional Board:

- .1 Recognises riparian values and, in accordance with the provincial *Riparian Area Regulation*, has designated land within 30.0 metres of the high water mark of a stream or a ravine as a development permit area. Land designated as a Watercourse Development Permit Area shall be developed according to the guidelines outlined in Section 23.3 (Watercourse Development Permit Area) of this Plan, unless an exemption applies. The Watercourse Development Permit Area includes the lands within 30.0 metres of the high water mark of a stream or ravine identified on Schedule 'J'.
- .2 Encourages provincial and federal water and resource managers to protect and enhance water quality, base flows, natural drainage patterns, and continuous riparian corridors of sufficient width to accommodate the dynamic nature of the hydrologic system, to avoid and reduce flood damage, to avoid the need for channel stabilization, to avoid underground drainage systems, to avoid groundwater interruption, and to protect and sustain aquatic biota, important fish populations and habitats.
- .3 Supports efforts that maintain appropriate riparian buffers, determined by qualified professionals that take into account processes of natural erosion, deposition and movement of natural stream boundaries, floodplain provisions and sensitive terrestrial habitats
- .4 Continues to work with the Okanagan Basin Water Board (OBWB) to promote the shared water interests of Okanagan communities.
- .5 Encourages and supports the analysis of ground water hydrology in areas with identified aquifers, and requires environmental assessments in advance of

considering zoning amendments for uses such as heavy industrial, mining, fuel storage and/or sewage or waste containment.

- .6 Discourages development that will have a negative environmental impact on lake riparian and foreshore areas.
- .7 Encourages the subdivision approving officer to ensure that public access to lakes is provided pursuant to Section 75 of the *Land Title Act*.
- .8 Supports the use of Section 86 of the *Land Title Act* and Section 56 of the *Community Charter* to regulate development in a floodplain and provide for the safe use of the land for the intended purpose.

16.3 Terrestrial Areas

Terrestrial areas are simply described as the areas upland or beyond water. They include areas with grassland and shrub-steppe, sparsely vegetated, broadleaf woodlands, coniferous woodlands and old forest ecosystems. Many at risk species are found in terrestrial ecosystems in the Plan Area.

Like foreshore and riparian areas, terrestrial areas also contain areas sensitive to development and land use. Of the various ecosystem types, the grassland and shrub-steppe ecosystems are particularly sensitive to disturbance and subject to habitat loss through development, agriculture conversion, impacts from invasive plants, and habitat loss resulting from recreation use.

Significant proportions of sensitive terrestrial habitat have been provincially recognized and protected in the Plan Area and include: Brent Mountain Protected Area, Eneas Lakes Provincial Park and Darke Lake Provincial Park. The Nature Trust of BC and other conservation organizations have also purchased properties for habitat and terrestrial ecosystem conservation purposes.

16.3.1 Objectives

- .1 Protect and steward sensitive and important terrestrial ecosystem areas as identified in Schedule 'I' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Areas).
- .2 Encourage provincial and federal governments, private organizations and private landowners to protect, enhance and manage critical habitat areas for species at risk in the Plan Area.
- .3 Work cooperatively with regional partners and support rehabilitation, restoration and enhancement of wildlife habitats and environmentally sensitive areas that have been subject to negative impacts in the past.
- .4 Encourage and facilitate linkages of protected habitat areas.

16.3.2 Policies

The Regional Board:

- .1 Recognizes the values of environmentally sensitive lands on Schedule 'I' and has:
 - a) Designated these lands as an Environmentally Sensitive Development Permit Area pursuant to Section 488(1)(a) of the *Local Government Act*; or
 - b) Identified these lands as an "Important Ecosystem Area".
- .2 Requires that land designated as an Environmentally Sensitive Development Permit Area shall be retained in a natural state and not developed prior to the issuance of an Environmentally Sensitive Development Permit (ESDP) in accordance with the guidelines outlined at Section 23.2 of this Plan, unless an exemption applies.
- .3 Considers that land identified as an "Important Ecosystem Area" should generally be retained in a natural state and, if a re-designation of the land under the OCP or a re-zoning of the land under the Zoning Bylaw is proposed, that these lands be considered for inclusion in the Environmentally Sensitive Development Permit Area in Schedule 'I'.
- .4 Encourages the parcel sizes of land designated as an Environmentally Sensitive Development Permit Area or identified as an Important Ecosystem Area on Schedule 'I' to remain as large as possible to protect these habitat areas.
- .5 Will not support the re-designation of land under the OCP or the re-zoning of land under the Zoning Bylaw where it is determined that the proposed development is contrary to the ESDP Area Guidelines of this Plan and the impact cannot be mitigated to a level acceptable to the Regional Board.
- .6 Will strive for development that avoids impacting important native species, habitats, ecosystems or sensitive areas and to retain important ecosystem features and functions. Responsiveness to this policy will be a very important consideration in the approval of an application.
- .7 Encourage the protection, preservation, enhancement and management of sensitive ecosystems or land contiguous to sensitive ecosystems of private lands through the following methods:
 - a) donation of areas to the Regional District or provincial government;
 - b) donation of areas to a land trust or conservation organization;
 - c) introduction of conservation area designation and zoning;
 - d) creation of conservation covenants in favour of municipal, provincial government, private conservation organizations;
 - e) establishment of statutory right of ways under the *Land Title Act* for affected areas;

- f) establishment of long-term leases for sensitive areas;
 - g) land stewardship and participation in conservation initiatives by the private landowner; or
 - h) consideration of alternative development standards.
- .8 Supports conserving, enhancing and promoting the protection of wildlife corridors and ecosystem connectivity with interfacing Crown lands.
 - .9 Encourages the use of native vegetation to restore disturbed sites.

16.4 Conservation Areas

For the purpose of protecting environmentally sensitive areas (ESAs), the Regional District may designate lands as Conservation Area (CA). The Conservation Area designation is applied to land that is preserved and protected for its unique natural value, land left in a natural or semi-natural state for the purpose of conserving plant life and providing habitat for wildlife or fish.

Conservation Area lands may include Crown land designated as an Ecological Reserve or Wildlife Management Areas, but is generally applied to private lands that have been acquired or donated for conservation purposes and which are held by an individual or an organisation, such as The Nature Trust of British Columbia or the Nature Conservancy of Canada.

There are currently no lands that have been designated for conservation purposes in the Plan Area.

16.4.1 Objectives

- .1 Protect and steward designated Conservation Areas in their natural or semi-natural state for the purpose of conserving plant life and providing habitat for wildlife or fish.
- .2 Work with agencies and partners, including local First Nations, to enhance, protect and interpret ecological systems and biodiversity in Conservation Areas.
- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to adjacent or abutting Conservation Areas.

16.4.2 Policies - General

The Regional Board:

- .1 Recognizes and encourages the educational and eco-tourism contributions toward protection of Conservation Areas made by environmental organizations, and supports accommodating these uses where they do not conflict with Conservation Area objectives.

- .2 Supports the incorporation of traditional ecological knowledge in the stewardship of Conservation Areas, and will work with local First Nations to incorporate it where feasible, practical and appropriate.

16.5 Okanagan Basin Lakes^{li}

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.

^{li} Amendment Bylaw No. 2862, 2020 – adopted January 7, 2021.

- .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).

17.0 HAZARD LANDS^{lii}

17.1 Background

Hazard lands include but are not limited to areas the Regional District has reason to believe are subject to natural hazards including flooding, mud flows, debris torrents, erosion, rockfall, landslip, sink holes and wildfire.

The information available for the entire Regional District can be variable and may lack detail, so hazards often need to be investigated on a site-by-site basis. Recognizing this, site planning for proposed developments should consider the potential hazards on any given site. Some hazards can be evaluated and mitigated at the time of development. Other hazards, such as wildfire, can not only impact new developments, but also threaten existing structures.

Maps of key hazard areas in the Plan Area have been prepared and include Geotechnical Hazards (Schedule 'D'), Steep Slope Hazards (Schedule 'E'), Wildfire Hazards (Schedule 'F') and Floodplain Hazards (Schedule 'G').

17.2 Objectives

- .1 Prevent injury and loss of life and to prevent or minimize property damage because of natural hazards.
- .2 Ensure development does not occur in areas subject to known hazardous conditions, unless the hazard has been sufficiently addressed and mitigated.
- .3 Recognize that important habitat may also be found in natural areas that are considered hazardous, and that disruption of these areas should be minimized.
- .4 Minimize wildfire hazards to people and property in existing and proposed new development.

17.3 General Policies

The Regional Board:

- .1 Will not support the rezoning of development on lands with natural hazards as identified by the Regional District or other agencies having jurisdiction, unless the applicant can provide a report by a Qualified Professional Engineer or Geoscientist that the land can be safely used for the use intended.
- .2 Encourages annual inspections, and as-needed inspections after large storms, runoff or flooding events, at the highest risk areas for impacts, such as steep slopes and major culverts outfalls.

^{lii} Amendment Bylaw No. 2790.04, 2022 – adopted May 19, 2022.

- .3 Encourage the provincial Approving Officer to ensure that technical reports for hazard lands are prepared by appropriately qualified individuals and that any recommended conditions for safe use of the land area are registered as s. 219 covenants to inform future property owners.

17.4 Geotechnical Hazard Management

Geohazard issues in the Greater West Bench (GWB) area date back to 1913 when a landslide occurred during construction of the Summerland to Penticton Lakeshore Road, killing three workers. In 1958, a large sinkhole appeared in the area and, as a result, investigation and mapping of the glaciolacustrine soils was completed, leading to early recommendations regarding land use activities to reduce the likelihood of accelerated erosion.

Detailed geohazard mapping was completed for a portion of the GWB area by the consulting firm Klohn Leonoff in 1992. Klohn Leonoff's map work identified potential areas affected by landslide, sinkhole, and silt bluff hazards, and was relied upon by the Regional District for many years to direct land development away from hazardous areas.

A 2006 update stated that the conclusions and recommendations of the 1992 report "appear to be valid today" as "the silt bluffs and West Bench/Sage Mesa are still subject to the risk of landslides and subsurface erosion."

In 2021, an updated technical assessment of geotechnical hazards in the GWB area was completed. This report built on the Klohn Leonoff Report (1992) and comprised an assessment of geotechnical conditions utilizing historical and recent data, and applied modern technology and methods. The results indicate that:

- landslide hazards persist within the vicinity of the steep silt bluff slopes that occur along the eastern boundary of the GWB area;
- landslide hazards are greatest within approximately 50 metres of the slope crest and extend beyond the toe of the slope towards Highway 97 and Okanagan Lake;
- sinkhole hazards within the GWB area are highest within 30 metres to 50 metres of the silt bluff or gully slope crest and are observed exclusively within the Glaciolacustrine Silts; and
- sinkhole hazards predominately occur over the eastern and northern half of the West Bench area.

In addition, the geotechnical hazard zones now included at Schedule 'D' (Hazard Lands – Soil) are more refined than the original Klohn Leonoff (1992) mapping of landslide and sinkhole hazards.

The 2021 Update included a further series of suggestions in relation to identified Data Gaps that could be pursued based on need and available funding. This included:

- conduct additional subsurface soils investigation in conjunction with future geotechnical studies;

- conduct additional groundwater investigation and monitoring;
- update the 1994 Wastewater Management Plan; and
- improve stormwater management practices.

More generally, changes in the amount and timing of precipitation due to climate change could also impact the nature and severity of geotechnical hazards. Earlier and higher peak freshet flows in spring, dryer summers, changes in local vegetation, and more freeze-thaw cycles can all cause increased risk of erosion, landslide, and wildfires. That being said, no major changes to stability conditions due to climate change are projected in the West Bench/Sage Mesa area (Associated Environmental, 2017).

North Beach Estates:

A geological hazard analysis was completed for the North Beach Estates area (Golder 2009) as part of rezoning and permitting of the North Beach Estates lands and community when Highway 97 was being redesigned and reconstructed. The houses here were found to be within potential landslide runout zones, and it was recommended (Golder 2009) that: water discharges such as irrigation, and placement of fill, should not occur on the benches above the steep slopes and the houses; natural vegetation should be maintained; and that risk reduction measures should be developed.

Shingle, Trout and Farleigh Creeks:

Terrain stability maps and reports were completed for the western (mainly provincial land) part of the Electoral Area, in the Shingle Creek, Trout Creek, and Farleigh Creek community watersheds, for forest development and erosion mitigation purposes (AGRA 1999; Maynard 2001; Dobson et al 2004). These reports show that these areas are not generally suitable for specific residential land development, that rockfall and rock slides and gully erosion are common in the upland hills and valleys, and that local flooding of the narrow valley bottoms is also common, especially during wet years such as 2017.

17.4.1 Policies

The Regional Board:

- .1 Supports periodic reviews of geohazard conditions within the Greater West Bench Area every 10-20 years in order to detect and adapt to geotechnical changes such as landslides, sinkhole development or other incidences.
- .2 Supports the development of a web-based reporting tool to record geohazard events in the Greater West Bench area.
- .3 Supports restricting densities in the Greater West Bench area due to geotechnical hazards by prohibiting accessory dwellings, secondary suites and the subdivision of land.
- .4 Supports amending the zoning bylaw to prohibit the development of swimming pools in the West Bench/Sage Mesa area due to geotechnical hazards.

- .5 Supports the development of reporting requirements for geotechnical studies submitted in support of new development applications to the Regional District.
- .6 Supports the preparation of a Soil Removal and Deposition Bylaw to regulate, monitor, and limit the removal and deposition of soil in the Greater West Bench Area.
- .7 Encourages monitoring of surface and groundwater conditions at West Bench - Sage Mesa including potential water system leakage.
- .8 Encourages the development of a sanitary sewer and/or stormwater management system in Greater West Bench to alleviate the risk of geotechnical failure due to usage of existing onsite septic systems.
- .9 Supports educating home owners living on and near hazard lands regarding water use and drainage practices necessary to minimize triggering geological hazards, and the importance of immediate reporting to RDOS if erosion or land problems start to occur.
- .10 Encourages a program to monitor the land surveys for roads, curbs and culverts to determine if any subsidence or lateral movement is occurring, which could identify sites where subsurface erosion is occurring due to misdirected water.
- .11 Will direct development away from lands identified as being susceptible to soil instability and potentially hazardous geotechnical conditions.
- .12 Discourages development on slopes with grades in excess of 30% to avoid geotechnical hazards.
- .13 Will recommend that the Approving Officer require a geotechnical report indicating the land can be safely used for the use intended for a subdivision where the new development is located on slopes greater than 30%, including those areas that may be regraded to slopes less than 30% after development, in order to address potential soil instability, hazardous conditions and environmental sensitivity.

17.5 Flood Hazard Management

The Regional District has a long history, through the Electoral Area zoning bylaws, of regulating development within flood prone areas.

In 2003, *Flood Hazard Statutes Amendment Act* was adopted and shifted responsibilities for flood hazard management by removing the province from the subdivision and bylaw approval process. After this date, land use decisions in flood prone areas became the responsibility of local governments and, in regional districts, the provincially appointed subdivision Approving Officer.

When regulating development through the zoning bylaws, the Regional District has historically relied on floodplain mapping prepared by the British Columbia Inventory and Engineering Branch, Floodplain Mapping Program, in the 1980s and 1990s.

Record-setting high flows and flooding in the Okanagan Valley in 2017, followed by high flows in 2018, prompted the Okanagan Basin Water Board (OBWB), the Okanagan regional districts, member municipalities and the Okanagan Nation Alliance and member communities to update floodplain mapping for the Okanagan River and its lakes.

This project was undertaken with two main objectives: comprehensive floodplain mapping for the Okanagan River mainstem lakes and Okanagan River from Penticton to Osoyoos Lake, and improving the understanding of flood management options available to water managers and operators in the face of climate variability and change.

The flood hazards now included at Schedule 'G' (Hazard Lands – Floodplain) are based on the mapping prepared by the OBWB in 2020.

17.5.1 Policies

The Regional Board:

- .1 Discourages development of land susceptible to flooding and encourages those lands to be used for parks, open space, habitat conservation, recreation or agricultural uses.
- .2 Requires that where land subject to flooding is to be developed and no alternative land is available, construction and siting of buildings and manufactured homes to be used for habitation, business, industry, or the storage of goods damageable by floodwaters shall comply with the floodplain regulation of the Zoning Bylaw with any relaxation subject to the recommendations of a report prepared by a qualified Professional Engineer or Geoscientist, where applicable.
- .3 Supports minimizing exposure to future flood damage by avoiding development adjacent to Okanagan Lake or by implementing flood mitigation measures.
- .4 Supports mitigating the impacts of potential flooding on buildings and properties in the floodplain area and affected by groundwater through design and site grading prior to construction as per the recommendations of a report prepared by a qualified Professional Engineer or Geoscientist.
- .5 Encourages the Okanagan Basin Water Board (OBWB) to prepare model floodplain regulations to support the Okanagan Mainstem Floodplain Mapping (2020), so that both the mapping and regulations can be incorporated into the electoral area zoning bylaw(s).

17.6 Wildfire Hazard Management

A *Community Wildfire Protection Plan (CWPP)* was completed for the Regional District in 2011. The plan assessed wildfire risk across the region and made recommendations to improve the community's risk profile through pre-planning and preparedness, policy, and fuel management.

As a predominantly rural area, the CWPP determined that development in the Plan Area

generally consists of:

- low to moderately dense rural intermix areas (>1structure/ha) with more forested areas between structures and a less defined perimeter;
- a well-defined urban/interface complex where the interface perimeter is more clearly defined; and
- individual structures remotely scattered within the wildlands.

See Schedule 'F' (Hazard Lands – Wildfire) for a map of wildfire hazard areas in the Plan Area.

In the next few decades, climate change will likely have a significant change on fire hazard within Electoral Area "F" based on the decreases in precipitation and changes in forest fuel structure and composition (Associated Environmental, 2017).

17.6.1 Policies

The Regional Board:

- .1 In reviewing a rezoning application submitted to the Regional District for development in those areas identified in the *Community Wildfire Protection Plan* (CWPP) and shown on Schedule 'F' (Hazard Lands – Wildfire), the Regional District may require a fire hazard risk assessment by a qualified professional with recommendations concerning but not limited to the following:
 - a) incorporating fuel breaks adjacent to, or on, residential subdivisions;
 - b) establishing zones around proposed building sites which are clear of debris and highly combustible materials;
 - c) utilizing fireproofing techniques and fireproof materials in building design;
 - d) designing roads that provide evacuation routes and facilitate movement of firefighting equipment;
 - e) ensuring all roads are named and signed;
 - f) ensuring availability of water supply facilities adequate for fire suppression;
 - g) ensuring the provision of access to local water sources, lakes and watercourses as part of access requirements; and
 - h) implementing setbacks, interface fire protection standards, building material standards, and vegetation pursuant to Provincial FireSmart guidelines.
- .2 Using the FireSmart guide as a principal guidance document, strives to foster wildfire awareness and resiliency through public education materials, programs and events.
- .3 Strongly encourages that all new developments with moderate or higher fire hazard ratings to incorporate best practice interface forest fire mitigation techniques for buildings and landscaping.

- .4 Should review and update wildfire protection approaches as often as necessary based on changing community circumstances, climate change driven ecosystem conditions, and mitigation techniques.
- .5 Encourages property owners to adhere to the relevant Provincial guidelines to protect properties and communities from wildfire risk through such measures as reducing fuel loads and regular maintenance of eaves. Such measures should be supportive of the natural environment and mimic the natural effects of localized ground fire such as thinning and spacing trees and vegetation, removal of debris and dead material from the ground, and removal of lower tree branches.
- .6 Supports pursuing provincial funding and resources to undertake wildfire risk reduction in the community/forest interface areas.
- .7 Supports the development of an inventory of accessible water sources by the province that could be enhanced to support water extraction by firefighting equipment.

17.7 Radon Gas Hazard Mitigation

Radon is a radioactive gas that occurs naturally when the uranium in soil and rock breaks down. It is invisible, odourless and tasteless. When radon is released from the ground into the outdoor air, it is diluted and is not a concern. However, in enclosed spaces like homes, it can accumulate to high levels.

The Plan Area and larger region has been recognized for radon issues. Radon gas is a recognized health hazard and the Province has established regulations in the BC Building Code for new construction to vent radon that may seep into homes.

17.7.1 Policies

The Regional Board:

- .1 Encourages provincial and/or federal agencies to conduct further research on possible radon health risks in and around the Plan Area.
- .2 Encourages Plan Area residents to test their homes for radon exposure and to take appropriate mitigation measures where radon levels are found to be higher than recommended levels.
- .3 Supports providing information on radon and radon mitigation opportunities to Plan Area residents.

18.0 TRANSPORTATION

18.1 Background

The Province identifies Highway 97 as a primary highway (Okanagan Valley Corridor). The Province's projections forecast that Highway 97 in the Plan Area will see increased traffic volumes over the next 20 years. No development of new major road systems by the Province is anticipated within the Plan Area.

The road network indicated on Schedule 'H' (Transportation Network) shows:

- Highways (Highway 97), allow for rapid, efficient movement of large volumes of through traffic to achieve regional continuity. To secure swift and safe traffic movement, direct access onto Controlled Access Highways will be limited, and more turning lanes and channelization may be required at major intersections;
- Collector Roads (e.g., Princeton Summerland Road, Fish Lake Road) are mostly paved secondary roads linking rural communities. The Princeton Summerland Road is the only access to Princeton and Summerland for the communities of Meadow Valley and Faulder.
- Local Roads (e.g., Meadow Valley Road) are generally gravel roads providing access to smaller, secondary communities.

In addition, Schedule 'C' (Parks, Recreation and Trails) shows existing trails within the Plan Area.

18.2 Objectives

- .1 Enable safe, efficient mobility of goods and people within the Plan Area.
- .2 Ensure safe and convenient movement of goods and people through Highway 97.
- .3 Provide for safe and convenient pedestrian and bicycle access to schools and parks throughout all Plan Area communities.
- .4 Minimize the impacts of traffic corridors on farmland, ESDP Areas and WDP Areas.
- .5 Support an expanded regional transit system that services communities throughout the Regional District.
- .6 Provide a multi-model transportation system and secure road and trail networks for all forms of transport, including pedestrians and bicycles.

18.3 Policies

The Regional Board:

- .1 Supports and encourages the provision of safe pedestrian and cycling opportunities along all Plan Area roads where feasible and appropriate as improvements are made to the roadways.
- .2 Encourages the Province to widen and pave shoulders on designated cycle routes and improve safety signage for cyclists and drivers.
- .3 Encourages the Province to require traffic impact studies as part of development proposals which may impact safety and mobility on network roadways and, to ensure that:
 - a) existing and future roads and alignments are designed with due consideration for watercourses and critical habitat areas;
 - b) safety is maintained through access management and control;
 - c) disruption to farming operations is minimized; and
 - d) projected traffic volumes do not reduce the present service levels for the existing roadway.
- .4 Supports the implementation of the Okanagan-Similkameen Transit Future Plan.
- .5 Although the Plan Area does not currently warrant public transit service, the Regional District will continue to monitor conditions and liaise with B.C. Transit regarding future ridership demand to such areas as the Greater West Bench.
- .6 Encourages the Province and the RCMP to improve traffic safety and enforcement on all Plan Area roads.
- .7 Supports road safety improvements for Bartlett Drive to minimize potential conflicts with industrial truck traffic.

19.0 INFRASTRUCTURE AND SERVICING

19.1 Background

Infrastructure and services within the jurisdiction of the Regional District include water distribution, solid waste management, and community sanitary sewer systems. Stormwater management is managed by the Province. As electrical, gas and communication utilities are also important to the community, the Regional District has an interest in helping guide the provision of these services.

19.2 Objectives

- .1 Implement a coordinated approach to infrastructure planning within the Plan Area.
- .2 Ensure that water and drainage systems support good health and safety, and meet recognized standards of service.
- .3 Maintain and foster relationships with provincial agencies, Improvement Districts and Irrigation Districts that influence the delivery and management of community infrastructure.
- .4 Discourage the development of private systems for the provision of water and sewer services.

19.3 Policies

The Regional Board:

- .1 May require that adequate infrastructure, including water, sewer, roads, and stormwater management be provided in new developments, at no cost to public agencies.
- .2 Requires that all new parcels of one hectare or less in size connect to a community sewer system.
- .3 Encourages the implementation of sustainable development principles through consideration of renewable and alternative technologies for community infrastructure.

19.4 Water Supply and Distribution

The major water supply systems in Area “F” include the Faulder, West Bench, Sage Mesa, and North Beach Water Systems. Additional water systems include three campsite water systems (Okanagan Lake Provincial Park Water System, Camp Boyle Water System, and Agur Lake Camp Water System). The Red Wing Water System is also

within the spatial extent of Area “F”, although located on PIB lands, and is not discussed further in the Plan.

The Faulder system, which is currently is at capacity, was upgraded with a new well and uranium treatment and made operational in early 2017, bringing one of the two uranium removal canisters online.^{liii} As of April 2017, the RDOS reported good initial results, with uranium levels remaining below the maximum allowable level. On July 31, 2017, the RDOS received approval from IHA to rescind the active Water Quality Advisory for Uranium, as well as the Water Quality Advisory in place for commissioning the new system (RDOS 2017a). The RDOS continues to monitor the system to ensure compliance with all regulations and water quality guidelines. Though it was not previously necessary, the 2016 *Water Sustainability Act* now requires the RDOS to apply for a water license for the system. The Meadow Valley aquifer supplies the Faulder water system and many private wells in that area.

As of 2015, the West Bench system purchases bulk water from the City of Penticton. To accommodate water from this new supply, the RDOS completed significant infrastructure upgrades to replace distribution pipelines throughout the West Bench system, as well as the installation of a supply main from the City of Penticton system. The new water system services approximately 1,100 residents. Since this area is limited by the need for on-site septic systems, no growth is anticipated and the water system is expected to adequately serve the population here into the future.

The Sage Mesa system is a privately-owned utility that is managed by the Province (Forests, Lands, Natural Resource Operations and Rural Development [FLNRO]). The RDOS is currently contracted to operate the system under an Operation and Maintenance Agreement. The system sources water via a shallow intake in Okanagan Lake and services approximately 265 connections, comprised of two main residential areas (i.e., the lower zone, and the upper zone). Three residential developments exist within the upper zone (i.e., Husula Highlands, Westwood Estates, and Westwood Properties), and two commercial golf courses in the lower zone (i.e., Pine Hills Golf Course and the WOW Golf and Driving Range) (RDOS 2013a). Raw lake water is chlorinated at the lake pump station before being pumped to a reservoir for the lower zone. A booster station then pumps, and re-chlorinates, water to the upper reservoir. It is expected that any future growth may be satisfied by integration to the West bench water system.

The North Beach water system is a small privately owned system that services eight lots. There is no expectation of expanding this system due to other development constraints in the area.

Groundwater is a critical resource for residential and, agricultural uses in all communities and rural settlement areas. The Regional District acknowledges that land use activities play a significant role in the quality and quantity of local groundwater resources. Managing these aquifers to ensure their long-term sustainability is essential.

^{liii} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

The Regional District will take into account the effects of climate change, the needs of residential and agricultural water users, and the intrinsically regional character of groundwater resources when assessing future development.

Surface water is also a critical resource within the Plan Area. Protecting Okanagan Lake water quality is highlighted in multiple OCP policy sections.

With all Area “F” water systems, capacity can be increased through water conservation measures. The RDOS has actively encouraged water conservation and additional measures have been recommended, such as leak detection and water metering.

19.4.1 Objectives

- .1 Continue cooperation and coordination between water purveyors (private and irrigation districts) and the Province to ensure adequate water quantity and quality.
- .2 Manage development to ensure that surface water sources and aquifers are not depleted and their long-term sustainability is protected.
- .3 Manage and protect the Plan Area’s groundwater resources on a sustainable basis and work to prevent irreversible or other adverse impacts to water resources.
- .4 Continue to work in conjunction with the Ministry of Environment, the Interior Health Authority, and residents to protect, manage and maintain high water quality and to ensure the sustainable use of the Plan Area’s surface and groundwater resources.

19.4.2 Policies

The Regional Board:

- .1 *deleted.*^{liv}
- .2 Will review water treatment procedures at all their water systems to ensure that provincial, regional, and local water treatment regulations are met, including the IHA drinking water objective.
- .3 Encourages all groundwater users within Area “F” to ensure that groundwater well infrastructure and maintenance is completed as required by the Groundwater Protection Regulation under the *Water Sustainability Act*, including the installation of sufficient surface seals.
- .4 May consider developing a groundwater bylaw for the Regional District to better protect, manage and steward groundwater resources in the Plan Area and other Electoral Areas.
- .5 Actively promotes, educates, coordinates and implements water conservation practices, and will work with water utilities to establish water conservation programs.

^{liv} Amendment Bylaw No. 2790.03, 2023 – adopted June 15, 2023.

- .6 Should consider new development only if proven adequate water supply and appropriate water systems are in place. New community water systems should be designed and built to the satisfaction of the Regional District and in conjunction with the Interior Health Authority.
- .7 Encourages continued maintenance and upgrading of existing water systems.
- .8 May consider undertaking a study, or encourage water utilities to undertake a study, to examine the options for coordinating or amalgamating some of the various small water utilities in the Plan Area under Regional District management.
- .9 Encourages private water utilities to adopt the Regional District's Subdivision Servicing Bylaw regulations, requirements, standards and specifications.
- .10 Strongly discourages the creation of new private water utilities.
- .11 Strives to ensure that new developments do not restrict or limit the availability of water supply for existing users and agricultural irrigation.
- .12 Promotes management of demand through water conservation measures to reduce per capita consumption levels.
- .13 Supports working with Penticton Indian Band on regional water management initiatives to protect, revitalize and restore watersheds within the Plan Area.
- .14 Encourage community water systems to provide fire protection that meets Fire Underwriter Standards.
- .15 As a development information area, may request additional information for Greata Ranch for aquifer protection containing the following:
 - a) a professionally prepared background analysis that includes the following known information on the site:
 - i) a description of the hydrological system and setting, including the type of aquifer, aquifer boundaries, local surficial and bedrock geology, physical hydrogeology, local surface water features, estimated recharge area and conditions and climate;
 - ii) a description of existing users within 1.0 km of the development site;
 - iii) a preliminary pre-development water budget;
 - iv) water quality, including characterization of natural groundwater quality, potability, as well as possibility of contamination; and
 - v) methodology and, if applicable, uncertainties and limitations of the report.
 - b) a description of the proposed work, detailing construction, cut and fill, blasting, road, driveway or utility line construction, vegetation clearing, water supply requirements, alteration to hydrological systems, septic field installation, landscaping, or other land alteration during or after the

development phase.

- c) conclusions and recommendations consisting of:
 - i) a summary of results and impact assessment;
 - ii) a statement that the proposed development will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity; or
 - iii) specific recommendations on well and aquifer protection measures and mitigation activities.
- d) any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule.

19.5 Wastewater and Sewage

The predominant sewage disposal method in the Plan Area is individual on-site septic systems. Individual septic systems are not viewed as a long-term sustainable method of sewage disposal unless parcels are over one hectare in size. This method of disposal also increases the probability of potable groundwater contamination and nutrient loading into watercourses and lakes, such as Okanagan Lake.

Stanley Associates (1994) developed a Wastewater Management Plan (WMP) for Electoral Areas “E” and “F” within the RDOS. The purpose of the WMP was to examine existing wastewater treatment and disposal techniques, and assess options for alternatives, within Electoral Areas “E” and “F” between 1994 and 2014 (i.e., 20 years). The WMP focused on areas of development: Naramata and West Bench, Sage Mesa, Husula Highlands and other small pockets of development within the RDOS. Of these areas, West Bench, Sage Mesa, and Husula Highlands are located within Area “F”. The WMP identified West Bench / Sage Mesa to be areas of priority for alternate wastewater management options due to geological concerns. The geological concerns were originally noted by Klohn Leonoff (1992) (Section 3).

The WMP identified three potential alternatives for wastewater management in Area “F”, including: (1) a regional sewerage system for Greater West Bench connected to the City of Penticton wastewater system; (2) a localized water treatment facility in West Bench to collect and treat wastewater from Greater West Bench; and (3) maintain existing treatment (i.e., local septic tanks and tile fields) and restrict future development in the Greater West Bench area due to geological concerns. At this time, the third option is in effect.

19.5.1 Objectives

- .1 Reduce levels of nutrients and effluent disposal into watercourses.
- .2 To maintain healthy aquatic and groundwater environments and protect human health from water contamination.
- .3 Establish long-term sustainable sewage collection and disposal methods.

19.5.2 Policies

The Regional Board:

- .1 Strives to work with the Province and local authorities to ensure any development complies with the BC Sewerage System Regulation governing sewage disposal.
- .2 Encourages the Province to educate residents about the requirements for properly maintaining a septic tank and tile fields.
- .3 In areas where there is no community sewer or water systems, requires all new and re-development to adhere to the best practices recommendations of the Regional District's Liquid Waste Management Plan as well as the Provincial Sewerage System Regulation administered by Interior Health Authority for on-site sewage disposal and private wells.
- .4 Strives to ensure that private septic tanks and ground disposal systems be sited to minimize pollution of surface and groundwater, and have appropriate setbacks from watercourses, lakes, and water wells.
- .5 Does not support the use of septic holding tanks for new developments.
- .6 Supports working with the City of Penticton to conduct a feasibility study for the extension of a sanitary sewer system (and stormwater) from the City of Penticton to service part or all the greater West Bench area

19.6 Stormwater Management

Effective stormwater management will help protect the water quality of the various lakes and other water bodies found within the Plan Area. Currently, stormwater drainage in the Plan Area is comprised of open ditches, natural drainage courses and absorption into the ground through dry wells. Okanagan Lake and other surface waters and aquifers, which are the area's sources for drinking water, are the ultimate destination for much of the stormwater in the Plan Area.

19.6.1 Objectives

- .1 To improve the management of stormwater quality and quantity within the Plan Area.
- .2 To develop responsible surface water drainage standards for development in the Plan Area.
- .3 Coordinate stormwater management with the Ministry of Transportation and Infrastructure.

19.6.2 Policies

The Regional Board:

- .1 Encourages the Province to require master storm drainage plans for new residential subdivisions.
- .2 Encourages the Approving Officer to require that each parcel of land within a proposed subdivision address stormwater runoff and that it protect aquatic ecosystems (lakes, wetlands, rivers, streams).
- .3 Encourages the use of permeable surfaces on driveways, parking lots and access roads, as well as other measures such as xeriscaping, infiltration basins, swales and other sustainable design features to reduce overland runoff.
- .4 Supports working with the City of Penticton to conduct a feasibility study for the extension of a stormwater system (and sanitary sewer) from the City of Penticton to service part or all the Greater West Bench area.

19.7 Solid Waste

The Regional District has established a Solid Waste Management Plan (SWMP) for the region. This has been in response to the Province, which has set goals to reduce waste delivered to landfills, through waste diversion initiatives. There are no landfills in the Plan area.

19.7.1 Objectives

- .1 Reduce the volume of solid waste requiring disposal in accordance with Provincial waste reduction targets.
- .2 Establish recycling and transfer stations in the Plan Area as necessary.

19.7.2 Policies

The Regional Board:

- .1 Encourages and supports efficient and environmentally acceptable solid waste disposal methods through an education process, especially reduction of waste, reuse of materials, recycling, and backyard composting.
- .2 Continues to implement the strategies of its Solid Waste Management Plan, as it is amended from time to time.

19.8 Street Lighting^{lv}

The Regional District currently maintains a street lighting service area for the Greater West Bench community of Electoral Area “F”, and includes lighting on major thoroughfares into the community (e.g. West Bench Hill Road) and at intersections.

While street lights can improve visibility and safety for pedestrians and traffic, particularly at intersections, the Plan Area is comprised of predominately rural

^{lv} Amendment Bylaw No. 2944, 2021 – adopted December 16, 2021.

communities and street lighting is seen to be incompatible with the character of these areas (e.g. loss of dark skies to light pollution).

Typically, there are two types of street lights used within the Regional District, being Overhead Street Lights, which is typically mounted to a utility pole and is in the form of a “cobra-head”. The other type is Ornamental Street Lights, which are independent, free-standing and serviced through underground wiring and tend to be “decorative”.

19.8.1 Objectives

- .1 Discourage the creation of street lighting service areas outside of designated Primary and Rural Growth Areas in order to preserve the rural character of the Plan Area.

19.8.2 Policies

The Regional Board:

1. Strongly discourages the creation of new street lighting service areas outside of Primary and Rural Growth Areas.
2. Requires the establishment of a new street lighting service area occur through a formal assent process initiated by property owners living within an area currently un-served by street lighting.
3. Will assess requests seeking to create a new or expand an existing street lighting service area on the following criteria:
 - a) if the proposed service area is within a designated Primary or Rural Growth Area;
 - b) if there is a need to improve vehicle and pedestrian safety;
 - c) if neighbourhood support exceeds 66% of affected property owners representing more than 50% of the land value within the proposed boundaries of the service area; and
 - d) if street lights will promote economic development.
4. Will evaluate requests proposing the installation new street lighting within a service area administered by the Regional District against the following priority locations:
 - a) intersections;
 - b) adjacent to an existing educational facility;
 - c) adjacent to an existing park;
 - d) a transit stop;

- e) a cluster mailbox location; or
 - f) within a designated Town Centre or Village Centre area.
5. Supports the conversion of existing street lights to energy efficient fixtures in order to reduce maintenance, energy consumption costs and “sky glow”.
 6. Supports new street lights being energy efficient fixtures in order to reduce maintenance, energy consumption costs and “sky glow”.
 7. Supports the use of ornamental poles and fixtures that are owned or funded by the Regional District complying with approved fixtures and designs set within the Approved Products List under the subdivision servicing bylaw.

19.9 Other Utilities

Utility services, including electrical, gas, phone and Internet are vital services to a community. The Regional District is not the provider of these utility services; however, through the objectives and policies of this section, the community is encouraged to work with utility providers to ensure that Plan Area residents have access to the best possible services.

Being a predominately rural community, the Plan Area, particularly smaller settlement areas (e.g., Meadow Valley, Faulder) are not well serviced by high-speed Internet or cellular phone service. Residents support the improvement of communication services in the community.

19.9.1 Objectives

- .1 Encourage the operators of utilities to provide residents and businesses in the rural settlement areas with utility services.
- .2 Encourage cooperation and coordination of the provision of utilities to existing and future developments.

19.9.2 Policies

The Regional Board:

- .1 Should work with utility providers to deliver affordable and convenient utility services, including high-speed Internet and cellular service, throughout the Plan Area.
- .2 Encourages public utility companies and the Province to develop and maintain infrastructure corridors in a manner that will not negatively impact existing residents and the natural environment, or have a negative impact on existing Environmentally Sensitive Development Permit Areas and Watercourse Development Permit Areas.

- .3 Supports the establishment of renewable energy projects that use water, wind, sunlight, biomass or geothermal energy to generate electricity for sale into the electrical transmission and distribution infrastructure when those facilities:
- a) have been properly evaluated and are shown to be technically sound, environmentally sensitive and socially responsible;
 - b) are located, designed, constructed and operated in a manner that is consistent with the overall vision for the region;
 - c) can be connected into the existing transmission and distribution infrastructure with minimal impact; and
 - d) provide tangible community benefits.

20.0 AGGREGATE AND MINERAL RESOURCES

20.1 Background

The Regional District has limited influence on the location of mineral and aggregate resource extraction. The objectives and policies of this section remain broad in nature to offer guidance to senior governments in their decision-making process. Figure 13 illustrates *potential* aggregate areas in the Plan Area and existing aggregate operations.

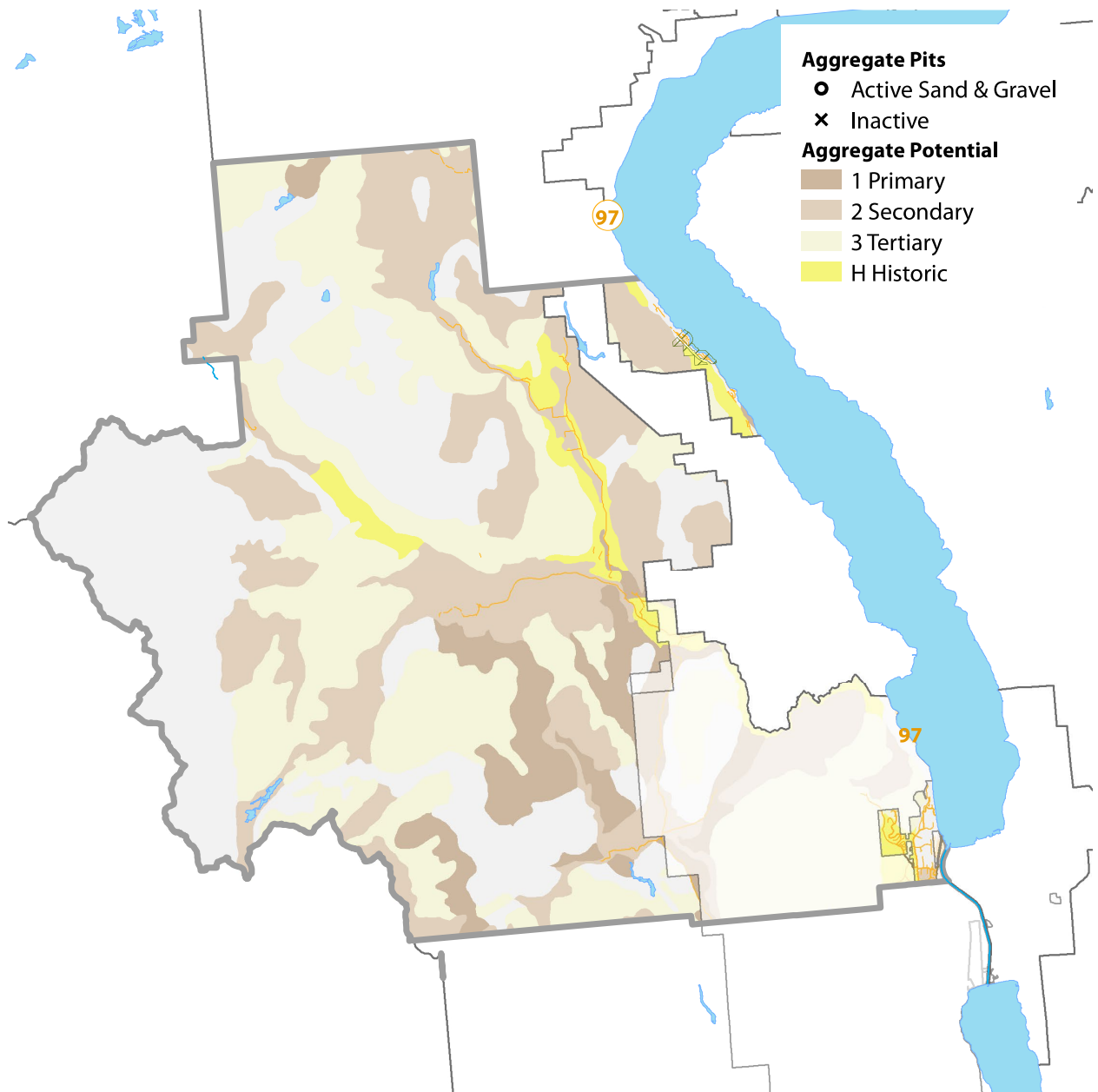


Figure 22: Resource Extraction Potential

20.2 Objectives

- .1 Protect sand and gravel aggregate supplies for anticipated future needs.
- .2 Protect non-agricultural lands having recoverable aggregate or mineral resources from development or adjacent uses that would limit or prohibit extraction.
- .3 Minimize conflicts between sand and gravel processing operations and adjacent land uses.
- .4 Support the Province to require rehabilitation and remediation of resource extraction sites.
- .5 Direct sand and gravel extraction proposals toward sites that have no adverse environmental impact or where the impact can be adequately mitigated.

20.3 Policies

The Regional Board:

- .1 Encourages the Province to continue referrals of mineral exploration proposals to the Regional District for comment and due consideration of the impact of resource extraction activities on surrounding land uses and development.
- .2 Encourages the Penticton Indian Band to minimize impacts (noise, dust, transportation of materials) of the gravel extraction operation located on DL4906, ODYD, Gravel Pit (Westhills Aggregates) on residential neighbourhoods in West Bench.
- .3 Encourages the Province and Ministry of Transportation and Infrastructure to minimize traffic safety concerns with the transportation of aggregates from the gravel extraction operation located on DL4906, ODYD, Gravel Pit (Westhills Aggregates).
- .4 Will consider the use of designated Resource Areas for sand and gravel extraction, where the uses will not cause a significant visual, environmental, or cultural resource disturbance.
- .5 Will consider rezoning applications for the processing of aggregate resources based on any or all the following criteria:
 - a) extent of visual screening, and other mitigation works proposed;
 - b) type of processing proposed;
 - c) prevailing wind direction, and the potential for noise and dust;
 - d) compatibility with adjacent land uses;
 - e) environmental sensitivity of the site, and lands adjacent to potential aggregate resource processing site;
 - f) accessibility; and

- g) characteristics of aggregate deposits and groundwater resources.
- .6 Encourages the Province not to issue new surface leases and permits for mineral processing within 1,000 metres of designated residential areas unless effective mitigation measures can be implemented to significantly reduce or nullify the effects of the proposed activity.
- .7 Encourages the Province to include in their licensing, the rehabilitation of aggregate extraction and processing sites after extraction and processing are completed.
- .8 May consider implementing conditions set by the ALC to mitigate the impact of aggregate extraction and processing sites on lands outside the ALR.
- .9 Supports additional product end-use consideration for areas slated for gravel and sand extraction. Specifically: gravel or rock crushing sites characteristic of radon rich materials should be avoided for concrete mix, otherwise the concrete used in the foundation could import an indoor radon gas problem into the house for centuries. Likewise, material taken from sites high in crystalline silica or containing significant clay/silt fines used as winter road grit may cause an outdoor air dust problem, and associated air quality advisory, that could otherwise be avoided if equally or better quality road grit was used with a lesser capacity for airborne fines.
- .10 Does not support the exploration and mining of uranium within the Plan Area.

21.0 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION

21.1 Background

The scientific community has reached consensus that the increasing emissions of human-caused greenhouse gases (GHGs) are rapidly changing the earth's climate. Greenhouse gases refer to any or all of carbon dioxide, methane, nitrous oxide, hydro fluorocarbons, perfluorocarbons, sulphur hexafluoride and any other substance prescribed by regulation.

Globally, the impacts of climate change will be significant, and are already evident in some areas. Locally, the potential impacts and vulnerabilities are less well documented; however, they are a growing concern.

As one of 182 local governments that are signatory to the B.C. Climate Action Charter, the Regional District is committed to reducing GHGs and has agreed to take actions to achieve certain goals. To address growing concerns regarding climate change, B.C.'s *Local Government Act* was amended in 2008 to require all Official Community Plans to set targets for the reduction of greenhouse gases, as well as policies and actions to achieve the targets set.

Under the *Greenhouse Gas Reduction Targets Act*, B.C.'s GHG emissions are to be reduced by at least 33% below 2007 levels by 2020. A further emission-reduction target of 80% below 2007 levels is required for the year 2050. The three areas where local government can play a role in reducing greenhouse gas emissions are in the transportation, waste management and building sectors.

21.2 Objectives

- .1 Understand the likely impacts and vulnerabilities of regional climate change within the Plan Area.
- .2 Reduce GHG emissions within the Plan Area as per the B.C. Climate Action Charter reduction targets.
- .3 Achieve carbon neutral local government operations.
- .4 Promote and provide community outreach and education related to climate change and reduction of GHG emissions.

21.3 Policies

The Regional Board:

- .1 Will work towards the target of reducing GHG emissions by 33% below 2007 levels by 2020.
- .2 Will work with other agencies, stakeholders and the community to achieve emission reduction targets and energy conservation goals by encouraging:
 - a) the construction of energy efficient buildings;
 - b) improvements to the energy efficiency of existing buildings;
 - c) the increased use of alternative energies;
 - d) energy efficient developments;
 - e) improvements to alternative transportation amenities;
 - f) the use of fuel-efficient vehicles;
 - g) reduction and diversion of waste from landfills;
 - h) maximizing value from agricultural wastes;
 - i) the development of more compact and complete communities;
 - j) the protection and restoration of natural areas and forest ecosystems; and
 - k) the protection of riparian areas and sensitive habitats.
- .3 Will work towards a corporate GHG reduction strategy to achieve carbon neutral operations.

22.0 TEMPORARY USE PERMITS

22.1 Background

Temporary Use Permits may be considered by the Regional Board to allow specific land uses to occur for a short period of time. The permit can contain detailed requirements such as indicating the buildings that can be used, the time frame of the permit, and other conditions.

Such permits are provided at the discretion of the Regional Board and are only in effect for a limited period of time. Temporary Use Permits are not a substitute for a rezoning.

22.2 Objectives

- .1 To avoid conflicts between different types of uses (i.e., residential, commercial, agricultural).
- .2 To provide for temporary approval of transitional uses, or uses where uncertainty exists respecting appropriateness or viability of the use, and where it is premature to decide rezoning and long term land use patterns.
- .3 To ensure that Temporary Use Permits are not considered a substitute for a rezoning application.
- .4 To allow on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

22.3 Policies

The Regional Board's policies are as follows:

- .1 Land within all the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.
- .2 The holding of a public information meeting may occur prior to the issuance of a Temporary Use Permit.
- .3 Any proposed access to public roads must be reviewed and approved by the Ministry of Transportation and Infrastructure.
- .4 In evaluating a Temporary Use Permit application submitted to the Regional District, the Regional District may consider the following criteria:
 - a) the use must be clearly temporary or seasonal in nature;
 - b) compatibility of the proposal with adjacent uses;

- c) impact of the proposed use on the natural environment, including groundwater, wildlife, and all Environmentally Sensitive Development Permit and Watercourse Development Permit Areas;
 - d) intensity of the proposed use;
 - e) opportunity to conduct the proposed use on land elsewhere in the community; and
 - f) the remedial measures to be carried out to mitigate any damage to the natural environment because of the temporary use.
- .5 In issuing a Temporary Use Permit, the Regional District may specify conditions including, but not limited to:
- a) the buildings to be used;
 - b) the area of use;
 - c) the hours of use;
 - d) appearance;
 - e) environmental protection measures; and
 - f) groundwater protection.
- .6 In issuing a Temporary Use Permit for a short-term vacation rental, the Regional District may specify conditions, in addition to those listed under sub-section 22.3.5 of this Plan, including, but not limited to:
- a) the provision of screening or fencing to address potential impacts or to address neighbour privacy issues;
 - b) the provision of the manager or owner's contact information, as well as a copy of any issued Temporary Use Permit, to each neighbour whose property is located within 100 metres of the subject property;
 - c) the availability or accessibility by telephone of the manager or owner;
 - d) the posting of the following information:
 - i) the location of property lines by way of a map;
 - ii) any applicable Regional District noise bylaws;
 - iii) measures to address water conservation;
 - iv) fire safety regulations;
 - v) storage and management of garbage;
 - vi) septic system care; and
 - vii) control of pets (if pets are permitted) in accordance with the applicable Regional District bylaw.

- e) a maximum accommodation of ten persons, with an aggregate occupancy of two persons per bedroom within a dwelling unit when such dwelling unit is being occupied as a vacation rental;
 - f) the provision of one parking space for each bedroom available for vacation rental use;
 - g) the prohibition of the use of recreational vehicles or camping on the property or any use of accessory buildings for vacation rental occupancy;
 - h) confirmation from a qualified person that the building used for vacation rental meets a minimum standard for health and safety; and
 - i) other requirements that the Regional District Board may consider appropriate.
- .7 In issuing a Temporary Use Permit for a dwelling unit for farm labour, the Regional Board may specify conditions, in addition to those listed under sub-section 22.3.5, including, but not limited to:^{lvi}
- a) the use of the accommodation be restricted to farm labour only;
 - b) the structure be removed from the property when the permit lapses, if the renewal of that permit has not been approved by the Regional Board;
 - c) the structure be constructed or manufactured in a manner that makes it easily moveable from one location to another; and
 - d) the foundation be temporary in nature (i.e. not concrete).
- .8 As a condition of issuing a Temporary Use Permit, the Regional District may require the posting of a bond or other applicable security to ensure compliance with the conditions of a permit.

^{lvi} Amendment Bylaw No. 2950, 2022 – adopted May 5, 2022.

23.0 DEVELOPMENT PERMIT AREAS

23.1 Background

Pursuant to the provisions of Section 488 of the *Local Government Act*, an Official Community Plan (OCP) may designate Development Permit Areas within the Plan Area. Unless otherwise specified, a Development Permit must be approved by the Regional Board prior to any disturbance, development or subdivision of land within a designated Development Permit Area.

For lands within a Development Permit Area, the OCP must describe the special conditions or objectives that justify the designation and specify guidelines respecting the manner by which the special conditions or objectives will be addresses.

There are two Development Permit Areas designated in the Electoral Area “F” OCP:

- Environmentally Sensitive Development Permit (ESDP) Area
- Watercourse Development Permit (WDP) Area

23.2 Development Permit Offences^{lvii}

- .1 No person shall commence any development on lands within any development permit area without obtaining a valid development permit.
- .2 The development of land in contravention of the terms or conditions of a development permit that has been issued under Section 489 of the *Local Government Act* is prohibited.

23.3 Environmentally Sensitive Development Permit (ESDP) Area

23.3.1 Category

The Environmentally Sensitive Development Permit (ESDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

23.3.2 Area

The lands shown as Environmentally Sensitive Development Permit Area on Schedule ‘I’ are designated as an Environmentally Sensitive Development Permit Area.

^{lvii} Amendment Bylaw No. 3006, 2023 – adopted May 18, 2023.

23.3.3 Justification

To regulate development activities within environmentally sensitive areas in order to protect important sensitive ecosystems and biological diversity including valuable habitat for endangered species of native, rare vegetation or wild, and provide wildlife corridors and secondary habitat.

23.3.4 Background

The natural environment provides essential habitat and corridors for plants, fish, birds and other organisms. It also acts as a natural water storage, drainage and purifying system, which can help to protect private property from flooding or land loss due to watercourse erosion. Furthermore, as concerns over climate change grow, it should be recognized that functioning ecosystems are more efficient at consuming carbon dioxide as well as carbon storage. Vegetation adjacent to watercourses needs to remain in a largely undisturbed state to maintain a healthy environment and clean water.

The south Okanagan-Similkameen area is considered one of the most ecologically diverse in British Columbia and Canada, and includes sensitive ecosystems which support several provincially Red and Blue-listed species (extirpated, endangered, threatened, and vulnerable) and federally listed Species at Risk. The ESDP Area is intended to protect habitat for endangered species of native, rare vegetation or wildlife, and provide wildlife corridors and secondary habitat within the Plan Area.

The ESDP Area is comprised of important habitat areas for wildlife and plant communities. Sensitive ecosystems in the area include grasslands, riparian areas, old forest, shrub-steppe, broadleaf woodland, coniferous woodland, wetlands, shallow soiled rock outcrops and ridges. It is the close proximity of these diverse habitats that contributes to a wide variety of species, both common and rare, that are found in this Electoral Area.

23.3.5 Development Requiring a Permit

- .1 A development permit is required, except where exempt under Section 23.3.8 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

23.3.6 Guidelines

- .1 A Development Permit is required for development within an ESDP Area, and shall be in accordance with the following guidelines:
 - a) An Environmental Assessment (EA) Report, prepared in accordance with the requirements of the Regional District's Development Procedures Bylaw, must be submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that shall include a RPBio under contract to the development applicant, and shall include:
 - i) An Ecological Assessment Phase including:
 - .1 background information;
 - .2 an ecological assessment;
 - .3 listing of rare and endangered species; and
 - .4 stratification and rating of Environmentally Sensitive Areas (ESAs).
 - ii) An Impact Assessment and Mitigation Phase including:
 - .1 description of proposed development;
 - .2 assessment of potential impacts;
 - .3 short and long term impacts;
 - .4 cumulative and residual impacts;
 - .5 avoidance of ESAs;
 - .6 mitigation and compensation;
 - .7 security requirements;
 - .8 monitoring reports;
 - .9 accountability; and
 - .10 monitoring plan.
 - b) Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees.
 - c) Habitat connectivity and the retention of connectivity corridors between sensitive ecosystems should be preserved. Wildlife crossings should be designed to protect continuity of wildlife corridors where these are interrupted by roadways.

- d) Monitoring reports may be required to be submitted to the Regional District following the completion of a development to confirm the conditions of a development permit have been met.
 - e) The Regional District may incorporate any areas or measures identified in an EA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.
- .2 If an area of land is subject to additional Development Permit Area designations under Section 488(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

23.3.7 Expedited Development Permit

- .1 Despite sub-section 23.3.6.1 (a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report for development where:
- a) A REA, prepared in accordance with the Regional District’s Development Procedures Bylaw, has been submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that includes a RPBio under contract to the development applicant, and includes:
 - i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.
 - ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:
 - .1 There is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or
 - .2 Known EVR occurrence(s) have been identified and:
 - a) measures have been prescribed to avoid impacts; or
 - b) acceptable restoration/mitigation have been prescribed.
 - iii) recommended avoidance or mitigation measures if known EVR occurrences have been identified.

- b) If a QEP cannot certify the absence of EVRs or that impacts have been avoided or acceptably mitigated through a REA, to the satisfaction of the Regional District, an EA as outlined under sub-section 23.3.6(a) will be required.
- c) The Regional District may incorporate any areas or measures identified in a REA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

23.3.8 Exemptions

A development permit is not required for development within land in the ESDP area for:

- .1 The construction, repair, maintenance or alteration of public utility works, including sanitary sewer, stormwater, water, natural gas, cable, hydro-electric or telecommunications works, but excluding communication towers and antenna systems;
- .2 The repair or maintenance of existing buildings and structures provided there are no additions or increases to the footprint of the building or structure;
- .3 Residential development where a completed Building Permit application has been accepted by the Regional District, the proposed development does not exceed 50.0 m² from the original footprint of the principal dwelling unit and the development comprises either:
 - a) an alteration or addition to the original footprint of an existing principal dwelling unit; or
 - b) the construction of an accessory building or structure, provided a majority of the footprint of the accessory building or structure is not situated beyond 10.0 metres of a principal dwelling unit.
- .4 Works conducted in accordance with the Provincial FireSmart Manual, provided that all landscaping is conducted within 10.0 metres of an existing structure or building (existing on-site native plants which meet the FireSmart Manual guidelines are encouraged to be maintained as part of the landscaping);
- .5 The construction, alteration, addition, repair, demolition and maintenance of buildings and structures to be used in relation to a farm use as defined in the *Agricultural Land Commission Act* on land located in the ALR and classified as “farm” under the *Assessment Act*;
- .6 Any farm use as defined in the *Agriculture Land Commission Act* on land located in the ALR;
- .7 Any farm use that is subject to an approved Environmental Farm Plan(EFP) through the Canada-British Columbia Environmental Farm Plan Program;
- .8 The repair of existing fences; and

.9 Subdivisions that:

- a) consolidate existing parcels, including the consolidation of parts of a closed road to an existing parcel; or
- b) alter parcel lines between two or more parcels where no additional parcels are created upon completion of the alteration.

23.4 Watercourse Development Permit (WDP) Area^{lviii}

23.4.1 Category

The Watercourse Development Permit (WDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

23.4.2 Area

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'J'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:
 - a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or
 - b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation* (RAPR) shall apply.

23.4.3 Justification

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

23.4.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 23.4.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

^{lviii} Amendment Bylaw No. 2876, 2020 – adopted February 20, 2020.

23.4.5 Guidelines^{lix}

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:
 - a) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the RAPR, must be received by the Regional District in respect of the proposed development from the responsible provincial minister; or
 - b) if the minister will not provide the Assessment Report under Section 6 (Administration of assessment reports by minister) of the RAPR because the development that is the subject of the Assessment Report has already occurred, then the person who prepared the Assessment Report may submit it to the Regional District, together with evidence of the minister’s rejection of the report, and any reasons the minister provided for the rejection.
 - c) if the provincial ministry responsible for reviewing Assessment Reports has indicated to the Regional District that Assessment Reports are unlikely to be reviewed and forwarded to the District within six (6) months of being submitted, then a Watercourse Development Permit (WDP) may be considered for issuance without an “Assessment Report” having been received from the responsible provincial Minister, provided that an Assessment Report prepared in accordance with the Riparian Areas Protection Regulation has been submitted directly to the Regional District, certifying that the proposed development:^{lx}
 - i) will not occur in the streamside protection and enhancement area (SPEA); and
 - ii) if the Assessment Report is based on a detailed assessment, will not result in any harmful alteration, disruption or destruction (HADD) of natural features, functions and conditions in the streamside protection and enhancement area that support the life processes of protected fish.

23.4.6 Variance to Protect the SPEA

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.

23.4.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

^{lix} Amendment Bylaw No. 2950, 2022 – adopted May 5, 2022.

^{lx} Amendment Bylaw No. 3008, 2023 – adopted May 18, 2023.

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.
- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;
- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

23.4.8 Exemptions

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

- .1 development on Crown land.^{lxi}
- .2 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails.

^{lxi} Amendment Bylaw No. 2950, 2022 – adopted May 5, 2022.

- .3 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works.
- .4 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.
- .5 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the *Riparian Areas Protection Regulation* on the parcel of land.
- .6 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial "Firesmart" standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.
- .7 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .8 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .9 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
- .10 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Act*.
- .11 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a) emergency flood or protection works;
 - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
 - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the

Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

24.0 IMPLEMENTATION

24.1 Introduction

The OCP sets out broad objectives, policies and directions for the Plan Area, but does not provide the tools for implementing its policies. The Regional District has several tools and methods available for implementing the Plan. The purpose of this section is to set out specific steps the Regional District can take to implement this Plan. Some of the steps include refining the Plan; changing existing bylaws; adopting new bylaws; conducting studies to obtain more information and direction; and working closely with other jurisdictions and government agencies. Some of the specific steps are set out in the subsections below.

24.2 Refinements and Amendments

OCP amendments are usually triggered by site-specific rezoning proposals that are inconsistent with the OCP. Other changes to the OCP may be proposed by RDOS staff to keep the plan up-to-date and to meet the needs of a changing community.

The *Local Government Act* regulates the process for an application for an OCP amendment. The process requires public notification, public hearing, and opportunities for consideration of the application by the RDOS Board.

The Regional District may also consider refinements to this OCP. These refinements may include but are not limited to the following:

- .1 Periodic assessment of the Plan Area OCP to determine area revisions.
- .2 Coordination with changes to Provincial legislation (e.g. *Local Government Act*, *Community Charter*, *Agricultural Land Commission Act*, etc.)
- .3 Coordination with new or revised Provincial plans and policies that relate to land use and community issues in the Plan Area.
- .4 Coordination with new or revised regional plans and policies (e.g. South Okanagan Regional Growth Strategy).
- .5 Changes resulting from transportation planning (e.g. Okanagan-Similkameen Transit Future Plan) and capital improvements.
- .6 Changes to the known geographic extent of Environmentally Sensitive Development Permit Areas, as determined through the review of plans, reports and applications submitted by project proponents to the Regional District.
- .7 Changes suggested by the Joint Council (i.e., Regional District, Penticton Indian Band, Lower Similkameen, Osoyoos Indian Band).

Recognizing this Plan is a living document, it has been identified that the Plan should be reviewed and updated every seven to 10 years and that a comprehensive review and update should take place every 10 to 15 years.

Some future additions to the OCP have also been identified as follows:

OCP Policy	Action Required
6.5.10	Will review the suitability of Greata Ranch as a Rural Growth Area when the Regional Growth Strategy is reviewed or updated.

Figure 23: Potential Future OCP Additions

24.3 Zoning Bylaw

The Zoning Bylaw sets out the density of development on a parcel of land, as well as specifies the permitted uses allowed. It also contains specific regulations that control the size, siting and various other details of development on a parcel of land. The Zoning Bylaw will be updated to ensure consistency with the OCP and to implement portions of this Plan. Specific Zoning Bylaw updates recommended by this OCP’s policies are outlined in the following table.

OCP Policy	Action Required
8.3.8	Establish a Watershed Resource Area Zone for designated community watersheds
24.7	Replace LU-2-F and LU-1-F-74 with zoning consistent with Small Holdings (SH) designation

Figure 24: Zoning Bylaw Updates

24.4 Subdivision Servicing Bylaw

The Regional District’s Subdivision Servicing Bylaw sets out minimum standards for roads, sidewalks, curb and gutter, water systems, sewer systems, storm drainage, and street lighting. Subdivisions must meet these standards before they are approved. The Subdivision Servicing Bylaw will need to be reviewed and amended where necessary to ensure it works to implement various policies in the Plan, particularly with respect to servicing levels related to parcel sizes.

24.5 Other Agencies

The Regional District will take a leadership role in coordinating work with Provincial, Federal and other agencies to help implement and complement portions of the Plan.

24.6 Follow-up Studies and Initiatives

The following are studies and initiatives that have been identified in the OCP as actions that could implement portions of this Plan. The actions are organized into short-term (one to three years), medium-term (four to six years), and long-term (seven+ years) actions.

Recognizing the capacity issues (i.e., limited time, human resources, financial resources) faced by the RDOS and stakeholders who may be involved in implementing OCP actions, RDOS staff screened and prioritized the actions.

Short-term / ongoing (one to three years)	
Actions	Lead Responsibility
Updated hazard assessment West Bench / Sage Mesa	RDOS with support from Province
Explore groundwater bylaw for RDOS	RDOS with support from Okanagan Basin Water Board and Province
Sewer service and stormwater feasibility study – Greater West Bench	RDOS, City of Penticton with support from Province
Encourage the RDOS Board to reconsider Greata Ranch as a Rural Growth Area.	RDOS
Medium-term (four to six years)	
Explore the feasibility for coordinating and/or amalgamating water utilities in the Plan Area under Regional District management	Regional District in partnership with water utilities
Long-term (seven+ years)	
Expansion of sewer services to Greater West Bench should results of feasibility study warrant it	RDOS, City of Penticton with support from Province

Figure 25: Follow up Studies and Initiatives

24.7 Discharge of Land Use Contracts (LUCs)

Legislative changes adopted under the Section 547 of the *Local Government Act* will result in the termination of all LUCs by June 30, 2024. Local governments must adopt zoning that applies to land regulated by LUCs by June 30, 2022.

Land use designations in this Plan reflect the proposed land uses to be implemented through future zoning changes. The discharge of LUCs will not take effect until at least one year after a zoning bylaw has been adopted that applies to the lands currently regulated by LUCs. Voluntary discharges of a LUC can implement new zoning as soon as the bylaw is adopted.

There is one Land Use Contract within the Plan Area. LU-2-F (Forsyth) provided for 51 residential lots in 1977 with a minimum parcel size of 0.4 ha except for four parcels with a minimum parcel size of 0.2 ha. Required servicing consisted of piped water supply and

fire hydrants sufficient to meet applicable standards, septic tanks, surface drainage, street lighting and road construction in accordance with the *Local Services Act*. Subsequent amendments in 1990 and 2003 increased the number of approved lots to 57. This development was undertaken and is located along Forsyth Drive, Forsyth Place, Tyrone Place, Ryan Road and Ponderosa Place. The Plan designates these parcels Small Holdings (SH).

Land Use Contract	Land Use Designation
LU-2-F	Small Holdings (SH)
LU-1-F-74	Small Holdings (SH)

Figure 26: Land Use Contracts and Replacement Land Use Designations

24.8 Monitoring

The Regional District Board should monitor the OCP on an ongoing basis. The OCP should be revised when necessary to ensure it addresses current needs and aspirations of the community and reflects changing local and external conditions. In support of this initiative, the Regional District will monitor:

- .1 population and demographic changes;
- .2 groundwater supply, consumption and management issues;
- .3 land supply / demand;
- .4 changing housing requirements; and
- .5 economic, social, and environmental factors.

Based on the review of information collected from OCP monitoring, the Regional District may choose to refine or amend the Electoral Area “F” OCP accordingly as resources permit.

~ end of Schedule ‘A’ ~