Regional District of Okanagan-Similkameen

SCHEDULE OF MEETINGS

THURSDAY, JULY 16, 2015 RDOS BOARDROOM

9:00 am	-	10:00 am	Community Services Committee
10:00 am	-	10:15 am	Protective Services Committee
10:15 am	-	11:30 am	Corporate Services Committee
11:30 am	-	12:00 pm	Planning and Development Committee
12:00 pm	-	12:30 pm	Lunch
12:30 pm	-	1:00 pm	Environment and Infrastructure Committee
1:00 pm	-	3:30 pm	RDOS Regular Board Meeting

"Mark Pendergraft"

Mark Pendergraft RDOS Board Chair

Advance Notice of Me	eetings:
August 6	RDOS Board/Committee Meetings
August 20	RDOS/OSRHD Board/Committee Meetings
September 3	RDOS Board/Committee Meetings
September 17	RDOS/OSRHD Board/Committee Meetings
October 1	RDOS Board/Committee Meetings
October 15	RDOS/OSRHD Board/Committee Meetings
November 5	RDOS Board/Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, July 16, 2015 9:00 a.m.

REGULAR AGENDA

A.	APPROVAL OF AGENDA
В.	Heritage Consultants Denise Cook and James Burton will discuss the Regional Heritage Strategic Plan.
C.	Second Quarterly Activity Report – Community Services
D.	ADJOURNMENT

TO: Community Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 17, 2015

RE: Second Quarter Activity Report – For Information Only



COMMUNITY SERVICES DEPARTMENT

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

1. Activities for Q2 2015

1.1. Parks, Recreation and Trails

- Completion of the Kaleden Lake Hill Road pedestrian corridor construction project
- Carried out the official Grand Opening of the Kaleden Lake Hill Road pedestrian corridor project
- Completed significant cleanup activities as a result of winter snow storm damage
- Implement park start-ups for the season; including hiring and training of seasonal parks and trails staff
- Removal of abandoned pipe at Pioneer Park and Skaha Lake by the old hotel in Kaleden
- Participated in KVR trail public meeting in Tulameen
- Installed flag poles at Okanagan Falls and Kaleden parks
- Project assessment for the Road 18 to Osoyoos Lake KVR Trail linkage
- Fencing and public washroom renovation for West Bench Parks
- Paving of Naramata Library and Creek Park parking lot (provincial grant)
- Worked with tourism groups to release the South Okanagan-Similkameen Cycling Network Map
- Received Provincial endorsement of the South Okanagan-Similkameen Cycling Network project
- Rolled out the South Okanagan-Similkameen Cycling Network digital 'Story Map' via RDOS GIS
- Participated in the Naramata town hall meeting
- Worked with the Village of Keremeos and the BC Government to amend the Similkameen Rail Trail Lease
- Applied for Licence of Occupation application for future Electoral Areas A & C KVR rail trail parcels
- Applied for Foreshore Lease for public walkway on Skaha Lake at Okanagan Falls
- Transitioned the unionization of parks and recreation employees process
- Began Summerland to Faulder KVR trail planning process with stakeholders

1.2. Rural Projects

- Completion of the Oliver Frank Venables Auditorium Agreement and School District lease
- Researched best management policies on land procurement due diligence processes
- Met with the Penticton Indian Band council and continued work on the Feral Horse issue
- Supported the Okanagan Falls and District parkland acquisition process; public meeting/story boards
- Provided support to for the Egg Addling program in Naramata
- Participated in the Kaleden Town Hall meeting
- Carried out the purchase of parkland in Okanagan Falls

1.3. Transit, Heritage and Culture

- Presented final draft and received Board endorsement on the Transit Future Plan
- Began cursory work on Regional Transit governance model

- Received Board endorsement of the Haynes Ranch Statement of Significance amendment
- Applied for Licence of Occupation for Granite Creek Townsite
- Continued discussions with the En'owkin Centre on heritage and First Nation participation
- Carried out Board heritage workshop

1.4. Economic Development

- Completed the SOSED regional economic development action plan
- Hosted the Industrial Land Development workshop in Okanagan Falls
- Completed marketing pieces for Gateway magazine & South Okanagan Relocation Guide
- Continued to participate on the Local Immigration Partnership Board to develop an immigrant integration strategy for the South Okanagan
- Supported the Okanagan Falls Bandshell Committee with grant applications and awarding of the construction contract
- Provided layout and copy for the Kettle Valley Express Publication to market the RDOS Click, Hike & Bike[™]
 Trails Program Spring 2015
- Implemented organizational changes within the Area D Economic Development Office

2. Planned Activities for Q3 2015

2.1. Parks, Recreation and Trails

- Naramata Museum roof replacement
- Benches and garbage can installations on Naramata portion of the KVR Trail
- Installation of KVR trail signage in rural Princeton
- Carry out trestle repair at Otter lake KVR trail
- Trail kiosks assembly and installation
- Update Click, Hike & Bike[™]
- Support the acquisition of parkland in Heritage Hills
- Undertake upgrades to the recently acquired parkland building in Okanagan Falls

2.2. Rural Projects

- Complete permanent information boards and final grant reporting for the West Bench Veterans Tribute
 Project at Selby Park
- Renewal of the Oliver and District Recreation Service Agreement
- Complete due diligence on Area H parkland acquisition and begin transfer process, pending results from environmental assessment
- Detailed review of existing park bylaws
- First draft of the RDOS Volunteer Handbook

2.3. Transit, Heritage and Culture

- Complete and present final draft of the Regional Heritage Strategic Plan to the Board
- Present draft Regional Heritage Strategic Plan to public and continue First Nations engagement
- Begin to craft a Heritage Action Plan for 2016
- Continue to work with the Granite Creek Preservation Society on interpretation at the Townsite

2.4 Economic Development

Complete the restructuring of the Area D Economic Development Service into a full satellite office.

Respectfully submitted:

M. Woods, Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee Thursday, July 16, 2015 10:00 a.m.

REGULAR AGENDA

A.	APPROVAL OF AGENDA	
В.	Second Quarter Activity Report	
C.	ADJOURNMENT	

TO: Protective Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 17 2015

RE: Second Quarter Activity Report – For Information Only



File No: 0640.30

1.0 COMMUNITY SERVICES DEPARTMENT

1.1 Fire Services, Emergency Management, Policing

Activities in Q2 2015:

- Implemented the volunteer firefighter compensation structure 2015 budget
- Continued implementation of the Regional Fire Radio Communications upgrade project; initiated installation of equipment in the 3 radio shelters, RFP for the radio system maintenance contract, final Industry Canada approvals, prepare for installation upgrades at local Fire Halls
- Reviewed the BC Office of the Fire Commissioner's "Playbook" for impact on local fire services and presented to Board
- Facilitated a Hazard Risk and Vulnerability Assessment (HRVA) workshop in the community of Hedley
- Started the development of a Fire Department Vehicle and Equipment Use Policy
- Met with Kootenay Boundary Regional District officials on Fire Service partnerships

Planned Activities for Q3 2015:

- Continue implementation of the Regional Fire Radio Communications upgrade project; radio shelters equipment, install interconnect into 6 fire halls, award radio system maintenance contract, follow up on final Industry Canada approval, prepare for installation upgrades at local fire halls
- Complete the Fire Department Vehicle and Equipment Use Policy for presentation to the Board
- Initiate the development of a Fire Underwriters presentation to address concerns with insurance ratings based on fire apparatus age, response distances and water supply
- Facilitate emergency planning activities (workshops/tabletop exercise) in the community of Osoyoos
- Review the Burning Bylaw and enforcement practices with the Regional Fire Chiefs Committee
- Work with MoTI to install Fire Service boundary markers along road right of ways

Respectfully submitted:	
Mags	
M. Woods, Manager of Community Services	_



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, July 16, 2015 10:15 a.m.

REGULAR AGENDA

A.	APPROVAL OF AGENDA
В.	Budget Variance Report
C.	Outstanding Board Action
D.	Second Quarter Activity Report
Ε.	Corporate Action Plan
F.	ADJOURNMENT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: 2nd Quarter Budget Variance Report – For Information Only

Issue:

A key responsibility for the Board of Directors is to provide oversight on the financial position of the corporation. In addition to the development and approval of the annual business plan and budget, is a quarterly review of the variance between the Income Statement and the Budget.

Administration provides this to the Board in a narrative format with forecasts to year-end.

Analysis:

Managers have reviewed the actual revenues and expenditures as of June 30, 2015 and provided a forecast to year-end in order to identify significant variances to the annual budget. This process helps us to mitigate potential problems and/or identify opportunities for reallocation of unused funds within individual budgets.

Currently, we are projecting an overall surplus of \$680,000 (1.8%) on a \$37.2 million budget (including \$10.0 million in capital).

The estimated 2014 department surpluses were reviewed during the 2015 budget process and budgeted according to the best indicators at the time. Any significant variance from budget will be outlined in the affected service narrative below.

Overall, variance analysis this early in the year requires many assumptions and predictions. Areas of concern have been identified and will be monitored closely. Third quarter variance reporting, available in October, will be able to provide more precise indicators of expected year end performance.

The following is a brief explanation of potential issues.

General Government and Electoral Area Administration:

As the budgeted surpluses are originally set well before year end, they can vary from the year end result. Budgeted surpluses are typically updated nearing the end of the budget cycle, but it's never able to gain certainty until the audit is received.

General Government ended 2014 with a smaller than anticipated surplus. A \$50,000 surplus was budgeted but only a \$2,800 surplus was realized. The shortfall flowing through to 2015 is a result of a less than anticipated surplus from 2013. The surplus from 2013 fell \$155,000 short of budget in 2014. Several items in 2013 affected the anticipated surplus including legal fees \$25,500 in excess of budget; board travel \$20,500 in excess of budget, with a large portion of that excess resulting from paying out accounts payable accumulated over previous years. The salaries and wages account in

General Government was adjusted in 2013 to address a 4 year history of no increase for this group. The adjustment will be mitigated over two years.

Electoral Area Administration also ended 2014 with a smaller than anticipated surplus. A \$25,000 surplus was budgeted but only a \$400 surplus was realized. Again, the shortfall is a flow through from less than anticipated surplus from 2013 into the 2014 budget. The surplus from 2013 fell \$50,000 short of budget in 2014. Efforts were made to mitigate the unexpected shortfall in 2014 but unfortunately, results fell short of 2015 budget predictions.

Both services will be monitored closely throughout the year to mitigate the shortfall. A more certain estimate of the overall impact of the shortfalls in these two services will be available at 3^{rd} ¼ review.

Public Works & Engineering

Landfill revenues are trending slightly above budget. The only area currently predicting a year end deficit t is the Keremeos Landfill. The 2014 expected deficit included in the 2015 budget was \$25,000. The actual year end deficit is approximately \$49,000. The deficit results from an unbudgeted prior year's deficit in 2014 of \$19,000 and overages in the 2014 capital project of approximately \$25,000. The capital project (scale) required additional ancillary items such as guardrails, fencing, increased computerization of the scale house and various safety related requirements. Expenditures will be monitored closely throughout the remainder of the year to try and mitigate the unbudgeted deficit.

Water systems: No significant variances are expected at this time. Naramata Water has received notification of the successful outcome of a legal claim however the shortfall in previous years caused by this claim was included in the budget at \$154,000 so depending on the amount of compensation awarded for legal cost recoveries, there is a potential for some level of surplus/deficit in relation to this item. This Decision has now been appealed by Associated Engineering.

Community Services

Respectfully submitted:

Fire Departments: The fire protection budgets are on track. The fire departments are all expected to finish the year in small surplus positions.

Recreation Departments: Overall the recreation budgets are on track. One exception is the Princeton Recreation Service (formerly Princeton Arena). Unbudgeted roof repairs in 2014 resulted in a deficit flow through to 2015. Also as the transition to Princeton did not occur January 1 as anticipated, there have been unbudgeted operating costs covered by the RDOS in 2015. A full reconciliation will be undertaken now that the transition and lease changeovers have occurred. Updated information will be provided for third quarter variance reporting. Second quarter actuals have not yet been received from Oliver Parks and Recreation so Finance made the assumption that the budgets were still on track. Updated information will be available for the third quarter variance.

"Sandy Croteau"	
S Crotoau Financo Managor	

		Report on Outstanding	g Board Action items July 06, 2015	
Dept.	Mtg Date	Title	Resolution	Status
Α	May-07-15	Osoyoos Museum Project	THAT the Regional District extend the term of the main lease of the Home Hardware Building in Osoyoos to Home Hardware Stores Ltd. until December 31 2019.	Currently with Town of Osoyoos
Α	June-18-15	Regional Economic Development Service - Bylaw No. 2695	THAT the Board authorize consent be given on behalf of the electoral participating areas by the Electoral Area Director pursuant to Section 801.5(2) of the Local Government Act. THAT Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw No. 2695 2015 be read a first second and third time prior to being forwarded to the Inspector of Municipalities for approval.	IN PROGRESS
A & B February-19-15 Building Violation - 8101 Princeton- Summerland Road Electoral Area "F"		_	THAT a Section 695 Notice on Title pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 695 of the LGA) be filed against the title of lands described as Lot A Plan KAP91208 District Lot 2983 ODYD that certain works have been undertaken on the lands contrary to the Regional District Okanagan Similkameen Building Bylaw No. 2333; and THAT injunctive action be commenced.	IN PROGRESS OCAO/PLACED NOTICE
A & B	February-19-15	Building Violation - 3215 Pine Hills Drive Electoral Area "F"	THAT a Section 695 Notice on Title pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 695 of the LGA) be filed against the title of lands described as Lot A Plan KAP45722 District Lot 5076 & 5087 ODYD that certain works have been undertaken on the lands contrary to the Regional District	IN PROGRESS

Okanagan-Similkameen Building Bylaw No. 2333; and THAT

injunctive action be commenced

IN PROGRESS

NOTICE

OCAO/PLACED

March-05-15	DEVELOPMENT SERVICES - Building Inspection - 115 Falcon Place (expired permit for swimming pool)	THAT a Section 695 Notice on Title pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 695 of the LGA) be filed against the title of lands described as Lot 3 District Lot 2709 SDYD Plan KAP 84536 that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and THAT injunctive action be commenced.	IN PROGRESS OCAO/PLACED NOTICE
March-05-15	DEVELOPMENT SERVICES - Building Inspection - 115 Falcon Place (deck addition)	THAT a Section 695 Notice on Title pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 695 of the LGA) be filed against the title of lands described as Lot 3 District Lot 2709 SDYD Plan KAP 84536 that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and THAT injunctive action be commenced.	IN PROGRESS OCAO/PLACED NOTICE
March-19-15	Agricultural Land Commission Referral (Exclusion) - Electoral Area "C" Antypowich and Granton Investments Corporation Inc. 730 & 974 Bulrush Road & 7234 Tul-el-Nuit Drive	THAT the RDOS Board authorise the application to exclude approximately 11.3 ha of land comprised within Lot A Plan KAP19778 District Lot 2450S SDYD and part of Lot 683 Plan KAP2115 District Lot 2450S SDYD in Electoral Area "C" to proceed to the Agricultural Land Commission.	0%
March-19-15	499 Grand Oro Road (build without permit for accessory building)	THAT a Section 695 Notice on Title pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 695 of the LGA) be filed against the title of lands described as Lot 8 District Lot 2834 SDYD Plan 33523 that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and THAT injunctive action be commenced.	IN PROGRESS OCAO/PLACED NOTICE
November-07-13	Building Violation D02807.950 306/308/310/316 Creekview Road Apex	commence injunctive action	IN PROGRESS
November-07-13	Building Violation H00053.160 289 Bettes Tulameen	commence injunctive action	IN PROGRESS
September-20-12	Building Infraction A05881.500 Lot 395A Plan 1957 DL2450S (no civic address)	commence injunctive action	IN PROGRESS
	March-05-15 March-19-15 March-19-15 November-07-13 November-07-13	March-05-15 DEVELOPMENT SERVICES - Building Inspection - 115 Falcon Place (deck addition) Agricultural Land Commission Referral (Exclusion) - Electoral Area "C" Antypowich and Granton Investments Corporation Inc. 730 & 974 Bulrush Road & 7234 Tul-el-Nuit Drive March-19-15 499 Grand Oro Road (build without permit for accessory building) November-07-13 Building Violation D02807.950 306/308/310/316 Creekview Road Apex Building Violation H00053.160 289 Bettes Tulameen Building Infraction A05881.500 Lot 395A Plan	March-05-15 March

CS	January-22-15	Foreshore Application - Skaha Lake	THAT the RDOS makes application to the Province of British Columbia for unsurveyed foreshore being part of the bed of Skaha Lake legally described as Lot 3 Plan KAS1595 DL 337 SDYD and Lot B Plan KAP64527 DL 2883S SDYD in Okanagan Falls for a period of 30 years; AND THAT the Chair and Chief Administrative Officer be authorized to execute the institutional Lease with the Province of British Columbia if successful.	IN PROGRESS
E	September-21-06	Campbell Mountain Sanitary Landfill - Buffer/Setback Requirements	Ongoing studies. Waiting for Province. Currently with MOE.	IN PROGRESS
E	July-19-12	Tipping fees for Charitable organizations	update Grant-in-Aid policy	IN PROGRESS
P	February-19-15	··· 5	Director Siddon made a reference to a Partners in Climate Change • group and suggested we should be a member.	IN PROGRESS
Р	October-03-13	Untidy and Unsightly premises enforcement action	undertake review of procedures	IN PROGRESS
Р	April-03-14	Bylaw Enforcement - Derelict Vehicles - Contravention of Sections 6.4 7.4.2 and 10.2.1 of Zoning Bylaw 2453 2008 - C06526.000	Commence legal proceedings	IN PROGRESS
Р	February-19-15		Provide statistics on the number of housing starts in Primary Growth Areas vs. Secondary Growth Areas over the past five years.	IN PROGRESS
PW	January-20-11	Willowbrook Water System Transfer Request	apply for Restructure Implementation Grant. Investigate feasibility of transferring the Willowbrook Utilities water system to RDOS	IN PROGRESS
PW	November-06-14	Multi-Material British Columbia Depots	THAT the Campbell Mountain Landfill remain a contracted depot for Multi-Material BC. THAT the Keremeos Landfill reduce Multi-Material BC services to only the collection of plastic bags polystyrene and container glass. THAT the Okanagan Falls Landfill be eliminated as a Multi-Material BC depot. THAT the matter of the Oliver Landfill remaining a contracted depot for Multi-Material BC and developing the necessary infrastructure to collect recycling in Mega bags be referred back to administration for further information and returned to the November 6 2014 Environment and Infrastructure Committee meeting.	IN PROGRESS

PW	July-02-15	Environment and Infrastructure Committee - June 18 2015	THAT the Regional District of Okanagan-Similkameen apply for substituted requirements to the Landfill Gas Management Regulation to allow for diversion of organics and bio-cover at the Campbell Mountain Landfill in place of Landfill Gas Collection.	IN PROGRESS
PW	Fohruary 10 1F		Organize a public meeting for the Willowbrook Water System in	
P V V	February-19-15		March to answer community questions.	IN PROGRESS

TO: Corporate Services Committee

FROM: Bill Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Second Quarter Activity Report – For Information Only

REGIONAL DISTRICT RDOS OKANAGANSIMILKAMEEN

1.0 OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER/LEGISLATIVE SERVICES

2015 Q2 Activities

- Investigated the Lean Management Program
- Celebrated another victory in the Bike-to-Work-Week Challenge
- Support for Electoral Area "D" Governance Study Committee and developed Consultant RFP
- Working on the purchase of parkland in the Heritage Hills Development
- Assent Vote process for Okanagan Falls Parkland purchase and finalization of Loan Authorization/Service Establishment amendment bylaws
- Purge and restructure of Finance records
- Continued with review and amendment of Board policy and bylaws
- Commenced bylaw process for OK Falls sewer extension and Willowbrook Water
- Review and transfer of outstanding assets from WBID and NID
- Electoral Area "E" Tourism Contribution Service
- Continued to work with SOSCP on Regional Conservation Bylaw
- Created Regional Economic Development Bylaw (at third reading)
- Loan Authorization bylaws for Naramata Fire Truck and Naramata Back Up Power
- Commenced planning for 50th Anniversary celebration
- Draft ToR for intergovernmental Referrals Committee

2015 Q3 Activities

- Community Initiatives plan to the Board and commence planning
- Draft Water System Acquisition policy
- Develop plan to implement Business Continuity
- Visit Commissions to introduce Procedure Bylaw, Records Management and FOI
- Support for the Protocol Agreement and it's Committees
- Hold inaugural meeting of intergovernmental Referrals Committee
- Bring forward LCLB / Special Events Policy changes
- Seek Public Approval through AAP/Referendum/Petition on 5 new services / loan authorizations
- Establish contribution service for Electoral Area "F"
- Finalize Regional Economic Development Bylaw

2.0 INFORMATION SERVICES DEPARTMENT

Q2 - Activities

- Decommission old internet mapping viewer
- Launch HTML5 internet mapping cemetery application for Princeton for public
- Work on HTML5 internet mapping cemetery application for staff at the Town of Princeton so they
 can edit cemetery attribute information
- GIS work for trails

- Build GPS application for collecting Trails information
- Field collection of data and create maps for cycling precinct
- Field collection of KVR trails information
- Create trails <u>Story Map</u> to display photos, descriptions and maps of popular trails on the internet
- Electronic Document Management System (EDMS)
 - Move management and storing of FOI requests to EDMS
 - Research moving Planning project documents to EDMS
- Evaluate submissions for RFP and enter a new agreement for mobile phones
- Roll out new mobile phones to Rural Directors and staff
- Update EOC mobile servers with latest Microsoft updates and GIS datasets
- Start work on new Board Intranet with live access to Board Action Tracker
- Launch upgrades on Water Maintenance Tracking application
- Investigate redundant internet connection to main office
- Update of IT policies

Q3 - Planned Activities

- Launch HTML5 internet mapping cemetery application for staff at the Town of Princeton so they can edit cemetery attribute information
- Build mobile app for collecting water system maintenance information
- Collect GPS information on KVR trail
- Create GPS application to collect curbside recycling field data
- Collect update orthos/DEMs (Digital Elevation Models) for the landfills
- Create Story Map for Heritage Sites in RDOS (display photos, stories and maps on internet)
- Electronic Document Management System (EDMS)
 - Move Planning project documents to EDMS
 - Research moving Board reports to EDMS
- Move backup server off-site
- Implement plan to upgrade users to new mobile phones and move to new contract
- Set up new wireless hardware at 101 Martin St.
- Set up new wireless connection to Campbell Mountain Landfill
- Set up redundant internet connection to main office
- Update EOC mobile servers with latest Microsoft updates and GIS datasets
- Launch new Board Intranet with live access to Board Action Tracker
- Launch upgrades on Water Maintenance Tracking application
- Update of IT policies

3. FINANCE DEPARTMENT

Q2 Activities:

- Tax rate and parcel tax information to Province
- Annual requisitions for municipalities
- Annual Utility Billings
- Annual Audit
 - o 2014 Audit finding to the Board May 7
 - Present SOFI report to the Board June4
- Finance Department Policy Review
 - o Grant in Aid and Community Gas Tax Grant Policies for Board approval
- Facilitate GST audit
- Cashier training
- Work with PW/Engineering to investigate retention of expert to assist with WB Water rate structure setup

Q3 Planned Activities:

- Budget Variance reporting to Board
- Begin fleet acquisition and maintenance plan
 - review existing fleet
 - o engage departments to determine needs/opportunities
 - Draft policy for review
- Continue Finance Department Policy Review
- Begin 2016 Budget Process
 - Revision of Budget Guidelines
 - Commence Budget process in Questica
- Complete GST audit
- Facilitate Canada Revenue Agency Payroll audit
- Begin Salary Module implementation in Questica budget software
- Develop customized reporting options in Questica budget software
- Continue to work with PW/Engineering to assist with WB Water rate structure setup
- Performance Plan updates/check in

3.0 HUMAN RESOURCES DEPARTMENT

2015 Q2 Activities

- · Completed long service recognition presentations
- Bullying and Harassment training for staff completed
- The Enterprise Centre completed the collective bargaining with the Oliver Parks & Recreation Society and the Village of Keremeos CAO recruitment.
- Finalized the Labour Board certification process for Okanagan Falls and Kaleden Parks and Recreation Staff
- Continued to provide HR assistance to external departments as required
- Completed recruitment and selection for the following RDOS positions: Clerk part-time (OCAO),
 Pest Control Assistant / Labourers temporary (Public Works), Summer Students (Community
 Services and OCAO), Cashier part-time (Finance), GIS Assistant temporary (IT), Planning
 Technician (Development Services), Seasonal Labourers (Community Services), Clerk part-time
 (Development Services), Building Inspector temporary part time (Development Services),
 Naramata Special Event workers temporary, Project Coordinator temporary part-time (Public
 Works).

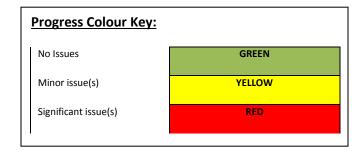
2015 Q3 Planned Activities

- Work toward finalizing the 2015 2019 Collective Agreement changes with the BCGEU
- Enterprise Centre is assisting the Town of Osoyoos and the Town of Oliver with a total of three (3) recruitments
- Job Evaluation Process final changes to Job Descriptions and provide access to all staff
- Review current health and safety tracking systems and determine if an update is required
- Develop 2015 Organizational Development (TCLI Committee) Survey
- Continue to provide HR assistance to external departments as required

2015 Corporate Action Plan Dashboard

#	Objective	Status	Points	KSD Total	Page
1.1.1	By providing the Board with accurate, current financial information.		5	15	
1.1.2	By implementing the 2015 Phase of the internal communications program.		1		
1.1.3	By renovating the corporate office		3		
1.1.4	By implementing the 2015 phase of the Electronic Data Management System (EDMS) program		1		
1.2.1	By implementing the 2015 phase of the health and safety strategy		3		
1.3.1	By implementing the 2015 Organizational Development Plan		2		
2.1.1	By implementing the 2015 phase of the customer satisfaction program		2	15	
2.2.1	By implementing a Community Initiatives Program (Electoral Area Engagement)		5		
2.3.1	By introducing key communication documents to the Board and implement the 2015 phase		3		
2.3.2	By improving access to Regional District Bylaws and Policies		2		
2.4.1	By identifying services required by RDOS citizens and implementing the 2015 phase.		3		
3.1.1	By defining regional and community parks and create a development strategy.		4	55	
3.1.2	By participating in the Healthy Communities Program		1		
3.1.3	By initiating a Regional Heritage Program				
3.1.4	By implementing the 2015 phase of the 911 Emergency Telecommunications Engineering Project		4		
3.1.5	By creating a Regional Transit Service		3		
3.1.6	By developing and constructing a Pedestrian Corridor up Lakehill Road in Kaleden		2		
3.1.7	By developing an Area A and C Trail Development Plan		1		
3.2.1	By investigating the benefit of acquiring the Penticton Regional Airport and the formation of an Airport Authority		3		

3.2.2	By updating the Naramata Water System		2		
3.3.1	Development Cost Charge Bylaw By implementing the 2015 phase of the Corporate		2		
3.3.1	Climate Action Plan		2		
3.3.2	By implementing the ESDP recommendations from the "Keeping Nature in our Future" strategy.		2		
3.3.3	By commencing the Electoral Area "D-1" official community plan review		2		
3.3.4	By developing an Area Structure Plan for Gallagher Lake.		3		
3.3.5	By developing a consolidated Okanagan Valley Zoning Bylaw.		1		
3.3.6	By commencing the Electoral Area "F" official community plan review		1		
3.3.7	By conducting the regulatory 5-Year Regional Growth Strategy Review		3		
3.3.8	By investigating the development of a regional conservation fund		3		
3.3.9	By undertaking Phase II of the Similkameen Valley Watershed Strategy		3		
3.3.10	By completing the Faulder Water System Upgrade		4		
3.3.11	By implementing the 2015 phase of the Solid Waste Management Plan		3		
3.3.12	By initiating the process to bring Kaleden and Skaha Estates into the Okanagan Falls Waste Water Treatment System		3		
4.1.1	By maintaining, evaluating and executing the Strategic Planning and Enterprise Risk Management Programs.		5	15	
4.2.1	By organizing regional and sub-regional Community to Community meetings in 2015.		0		
4.2.2	By implementing the terms of the First Nations Protocol Agreement		3		
4.2.3	By investigating opportunities for mutual cooperation among member municipalities		1		
4.3.1	To assist the Board to operate in an effective manner		2		
4.4.1	By developing policy framework and reviewing policy		4		
		Total	100	100	



For the full detail on each corporate objective refer to the appropriate # or page # in the document attached hereto.

2015 Corporate Action Plan

CORPORATE SERVICES COMMITTEE 16 July 2015

As of 30 June 2015

2015 Business Plan Adopted by the Board of Directors

December 2014

Definitions:

CAO = Chief Administrative Officer
MHR = Manager of Human Resources
MCS = Manager of Community Services
MFS = Manager of Financial Services
MPW = Manager of Public Works

MDS = Manager of Development Services
 MIS = Manager of Information Systems
 MLS = Manager of Legislative Services

Status Colour Key:

Q1 – Black

Q2 – Red

Q3 - Blue

Q4 - Green

Action	Action Plan: Objective 1.1.1 - By providing the Board with accurate, current financial information.								
#	Points	ACTION	WHO	WHEN	STATUS				
1.1.1.1	0	Managers review department financial statements	SMT	monthly	Ongoing				
1.1.1.2	1	The Board receives a variance report	MFS	quarterly	Q2 Report submitted				
1.1.1.3	1	Receipt of an unqualified independent audit	MFS	Q4	2014 Audit received in May2015 Interim Audit underway				
1.1.1.4	3	Successfully meet budget at year-end	CAO	Q4	•				

Action	Action Plan: Objective 1.1.2 - By implementing the 2015 Phase of the internal communications program.								
#	Points	ACTION	WHO	WHEN	STATUS				
1.1.2.1	0	Create sustainable inter-departmental high-performing communications committee	MLS	Q1	Complete				
1.1.2.2	1	Implementation of the 2015 phase of the Communications Plan	MLS	Q4	•				

#	Points	ACTION	WHO	WHEN	STATUS
1.1.3.1	0	Business Case supported by Budget Committee	MPW	Q1	Complete
1.1.3.2	3	Design and construct the Office Renovation Plan in 2015	MPW	Q4	 Final Design complete Building Permit in process Gas Tax Grant Re-purposed (\$175,000) Tender issued

Action	Action Plan: Objective 1.1.4 - By implementing the 2015 phase of the Electronic Data Management System (EDMS) program								
#	Points	ACTION	WHO	WHEN	STATUS				
1.1.4.1	1	Load all water connection data, demolition permits, community services documents, 911 Telecommunications Upgrade documents and Parks Commission documents.	MIS	Q4	•				

Action	Action Plan: Objective 1.2.1 By implementing the 2015 phase of the health and safety strategy								
#	Points	ACTION	WHO	WHEN	STATUS				
1.2.1.1	1	networking with Fire Departments and Parks / Recreation Commissions	MHR	Q4	•				
1.2.1.2	1	Completion of the 2015 Worksafe Plan	MHR	Q4	•				
1.2.1.3	1	Training for RDOS staff	MHR	Q4	•				

#	Points	ACTION	WHO	WHEN	STATUS
1.3.1.1	0	Organize and Implement the 2015 Staff Business Meeting	MHR	Q1	Cancelled for 2015
.3.1.2	1	Investigate the Lean Cultural Change Program, if approved	MHR	Q2	 Executive Lean Sensei Program attended Selecting pilot process for application
1.3.1.3	1	Re-invent the High-Performance and Innovation Committee	MHR	Q4	•

Action Plan: Objective 2.1.1 - By implementing the 2015 phase of the customer satisfaction program							
#	Points	ACTION	WHO	WHEN	Status		
2.1.1.1	2	Provide a quarterly report to the Board on progress against this objective.	MLS	Q4	•		

Action F	Action Plan: Objective 2.2.1 By implementing a Community Initiatives Program (Electoral Area Engagement)						
#	Points	ACTION	WHO	WHEN	Status		
2.2.1.1	5	Organize at least one meeting in each electoral area.	MLS	Q4	•		
2.2.1.2	0	Measure progress in 2016 Citizen Survey	MLS	2016	•		

# F	Points	ACTION	WHO	WHEN	Status
2.3.1.1	1	Develop and present a communications policy to the Board	MLS	Q3	Complete
2.3.1.2	1	Develop a Communications Plan	MLS	Q2	Complete
2.3.1.3	1	Develop Design Guidelines to present a professional	MLS	Q2	Complete
		corporate image to our citizens			

Action	Action Plan Objective 2.3.2: By improving access to Regional District Bylaws and Policies							
#	Points	ACTION	WHO	WHEN	STATUS			
2.3.2.1	1	Post all consolidated bylaws and policies to the RDOS Website	MLS	Q4	•			
2.3.2.2	1	Obtain feedback from citizens on ease of access	MLS		•			

Action Plan Objective 2.4.1: By identifying services required by RDOS citizens and implementing the 2015 phase							
#	Points	ACTION	WHO	WHEN	STATUS		
2.4.1.1	1	Review and revise the Service Inventory	MLS	Q1	Complete		
2.4.1.2	1	Update non-compliant bylaws	MLS	Q4	• In Progress		
2.4.1.3	1	Conduct a benchmarking exercise with similar regional districts to determine gaps in service	MLS		•		

#	Points	ACTION	WHO	WHEN	Status
3.1.1.1	1	Review all original Parks Establishment Bylaws to ensure compliance	MCS	Q1	Complete
3.1.1.2	2	Inventory and map all park assets	MCS	Q2	Complete
3.1.1.3	1	Develop a community service governance model for the regional district, based on benchmarks with other Regional Districts	MCS	Q3	In Progress
3.1.1.4	0	Initiate a standardization protocol for all Parks & Recreation commissions	MCS	Q3	•

Action I	Action Plan: Objective 3.1.2 - By participating in the Healthy Communities Program								
#	Points	ACTION	WHO	WHEN	Status				
3.1.2.1	0	Maintain membership on the OSHCC Board of Directors	CAO	Q4	•				
3.1.2.2	1	Maintain membership on the OSHCC Operations Committee	MCS	Q4	•				
3.1.2.3	0	Assist with presentation to Budget Committee for operational funds	CAO	Q4	•				

Action	Action Plan Objective 3.1.3: By initiating a Regional Heritage Program							
#	Points	ACTION	WHO	WHEN	STATUS			
3.1.3.1	1	Present the Heritage Plan to the Board	MCS	Q2	•			
3.1.3.2	1	Initiate and implement a Regional Heritage Service	MCS	Q3	•			
3.1.3.3	2	Establish a Regional Heritage Committee	MCS	Q4	•			
3.1.3.4	1	Develop and implement an education and marketing program to promote heritage in the Region	MCS	Q4	•			

#	Points	ACTION	WHO	WHEN	Status
3.1.4.1	0	Procure and commence installation of 911 infrastructure	MCS	Q\$	•
3.1.4.2	2	Conduct a live test on the improved system	MCS	Q4	•
3.1.4.3	0	Initiate an RFP to manage the maintenance schedule for the new radio system	MCS	Q2	Complete
3.1.4.4	2	Convert to the new system by the end of 2015	MCS	Q4	•

Action I	Action Plan Objective 3.1.5: By creating a Regional Transit Service									
#	Points	ACTION	WHO	WHEN	STATUS					
3.1.5.1	0	Receive the final report from BC Transit on a Regional	MCS	Q1	Complete					
		Service								
3.1.5.2	1	Develop a governance structure for a regional transit service	MCS	Q3	•					
3.1.5.3	2	Initiate a Regional Transit Service Establishment process	MCS	Q4	•					

Action	Action Plan: Objective 3.1.6 - By developing and constructing a Pedestrian Corridor up Lakehill Road in Kaleden								
#	Points	ACTION	WHO	WHEN	Status				
3.1.6.1	1	Construct the trail up Lakehill Road by the end 0f 2015	MCS	Q2	Complete				
3.1.6.2	1	Ensure that storm drainage and landscaping are appropriate for the project	MCS	Q2	Complete				

Action	Action Plan Objective 3.1.7: By developing an Area A and C Trail Development Plan								
#	Points	ACTION	WHO	WHEN	STATUS				
3.1.7.1	0	Develop a plan to extend the KVR Trail in Electoral Areas "A" and "C".	MCS	Q2	•				
3.1.7.2	1	Obtain tenure on the identified extensions to the South Spur	MCS	Q3	•				
3.1.7.3	0	Implement a robust public consultation program	MCS	Q3	•				
3.1.7.4	0	Initiate the preliminary engineering for construction of the trail	MCS	Q4	•				

Action	Action Plan: Objective 3.2.1 – By investigating the benefit of acquiring the Penticton Regional Airport and the form of an Airport Authority						
#	Points	ACTION	WHO	WHEN	Status		
3.2.1.1	1	Enter into discussions with Transport Canada on the future of the Penticton Regional Airport and keep the Board informed.	CAO	Q4	•		
3.2.1.2	2	Obtain information and conduct a due diligence to determine options	CAO	Q4	•		

Action	Action Plan Objective: 3.2.2: By updating the Naramata Water System Development Cost Charge Bylaw							
#	Points	ACTION	WHO	WHEN	STATUS			
3.2.2.1	0	Review the existing Naramata Water System DCC Bylaw	MPW	Q2	Complete			
3.2.2.2	1	Identify system upgrades required for growth	MPW	Q3	•			
3.2.2.3	0	Develop a draft bylaw for presentation to the Naramata Water Advisory Commission	MPW	Q3	•			
3.2.2.4	0	Submit a draft bylaw to the Province for consideration	MPW	Q3	•			
3.2.2.5	1	Submit a bylaw to the Board for consideration	MPW	Q3	•			

Action	Action Plan Objective: 3.3.1: By implementing the 2015 phase of the Corporate Climate Action Plan							
#	Points	ACTION	WHO	WHEN	STATUS			
3.3.1.1	0	File CARIP and Smartool Reports with the Province	MDS	Q4	•			
3.3.1.2	1	Implement the energy efficiencies identified in the Corporate Climate Action Plan adopted by the Board in 2014	MDS	Q3	•			
3.3.1.3	1	Research and apply for grants	MDS	Q3	•			
3.3.1.4	0	Report to the Board	MDS	quarterly	•			

Action	Action Plan Objective: 3.3.2: By implementing the ESDP recommendations from the "Keeping Nature in our Future" strategy.							
#	Points	ACTION	WHO	WHEN	STATUS			
3.3.2.1	0	Prepare OCP amendments to entrench the "Keeping Nature in our Future" recommendations adopted in 2014 in legislation	MDS	Q3	•			
3.3.2.2	1	Conduct public consultation in all Electoral Areas	MDS	Q4	•			
3.3.2.3	1	Adopt OCP amendments by the end of 2015	MDS	Q4	•			

Action	Action Plan Objective: 3.3.3: By commencing the Electoral Area "D-1" official community plan review								
#	Points	ACTION	WHO	WHEN	STATUS				
3.3.3.1	0	Conduct background research to commence the review and update of the D-1 OCP.	MDS	Q1	•				
3.3.3.2	0	Conduct the environmental scan to develop a list of issues to address in the process	MDS	Q2	•				
3.3.3.3	2	Conduct a public consultation process	MDS	Q3	•				

Action	Action Plan Objective: 3.3.4: By developing an Area Structure Plan for Gallagher Lake.								
#	Points	ACTION	WHO	WHEN	STATUS				
3.3.4.1	0	Conduct background research to commence the development of the ASP for Gallagher Lake	MDS	Q1	•				
3.3.4.2	0	Conduct the environmental scan to develop a list of issues to address in the process	MDS	Q2	•				
3.3.4.3	2	Conduct a public consultation process	MDS	Q3	•				
3.3.4.4	1	Present the Bylaw to the Board for consideration by the end of 2015.	MDS	Q4	•				

Action Plan Objective: 3.3.5: By developing a consolidated Okanagan Valley Zoning Bylaw.								
#	Points	ACTION	WHO	WHEN	STATUS			
3.3.5.1	0	Review existing Okanagan Valley Zoning Bylaws and identify inconsistent policies and practices	MDS	Q1	•			
3.3.5.2	0	Develop a draft amending bylaw to provide for consistency of application	MDS	Q3	•			
3.3.5.3	1	Present the draft amending bylaw to the Board	MDS	Q3	•			

#	Points	ACTION	WHO	WHEN	STATUS
3.3.6.1	0	Conduct background research to commence the review and update of the Area F OCP.	MDS	Q4	•
3.3.6.2	0	Establish an Area F OCP Review Committee	MDS	2016	•
3.3.6.3	1	Conduct the environmental scan to develop a list of issues to address in the process	MDS	2016	•

Action Plan Objective: 3.3.7: By conducting the regulatory 5-Year Regional Growth Strategy Review							
#	Points	ACTION	WHO	WHEN	STATUS		
3.3.7.1	1	Identify indicators to base the regulatory review of the sub- regional growth strategy	MDS	Q3	•		
3.3.7.2	1	Acquire benchmark data and prepare a report for the Board	MDS	2016	•		
3.3.7.3	1	Conduct issue identification process	MDS	2016	•		

#	Points	ACTION	WHO	WHEN	STATUS
3.3.8.1	0	Develop and implement a public information program	MDS	Q2	•
.3.8.2	0	Research details to support the development of a Conservation Fund	MDS	Q2	•
3.3.8.3	1	Develop the fund concept	MDS	Q2	•
3.3.8.4	1	Assess public opinion	MDS	Q3	•
3.3.8.5	1	Submit a report to the Board for consideration during the 2016 Budget Process	MDS	Q3	•

Action	Action Plan Objective: 3.3.9: By undertaking Phase II of the Similkameen Valley Watershed Strategy								
#	Points	ACTION	WHO	WHEN	STATUS				
3.3.9.1	1	Conduct public consultation on Phase II	MPW	Q1	Complete				
3.3.9.2	1	Work with LSIB to develop a historical and cultural perspective of the importance of water in the Similkameen Valley	MPW	Q3	•				
3.3.9.3	1	Complete the Phase II Report	MPW	Q3	•				
3.3.9.4	0	Commence Phase III, which focusses on agricultural	MPW	Q4	•				

#	Points	ACTION	WHO	WHEN	STATUS
3.10.1	1	Complete the detail design for the new well and the uranium extraction system	MPW	Q2	•
3.10.2	2	Construct the new pumping, treatment and distribution system	MPW	Q3	•
.3.10.3	1	Organize an opening ceremony	MPW	Q4	•

Action I	Action Plan Objective: 3.3.11: By implementing the 2015 phase of the Solid Waste Management Plan								
#	Points	ACTION	WHO	WHEN	STATUS				
3.3.11.1	1	Complete the Organics Siting Study	MPW	Q3	•				
3.3.11.2	1	Review the curbside collection contract	MPW	Q3	•				
3.3.11.3	1	Review the Campbell Mountain Landfill Gas Capture Plan	MPW		•				

Action I	Action Plan Objective: 3.3.12: By initiating the process to bring Kaleden and Skaha Estates into the Okanagan Falls Waste Water Treatment System							
#	Points	ACTION	WHO	WHEN	STATUS			
3.3.12.1	1	Complete the detail design of a sewerage collection system for Kaleden and Skaha Estates	MPW	Q2	•			
3.3.12.2	2	Obtain public assent to establish a Service to attach to the Okanagan Falls Wastewater Treatment Plant	MPW	Q3	•			

Action	Action Plan Objective: 4.1.1: By maintaining, evaluating and executing the Strategic Planning and Enterprise Risk Management Programs.							
#	Points	ACTION	WHO	WHEN	STATUS			
4.1.1.1	1	Report on progress against the 2015 Business Plan and Risk Register	CAO	quarterly	Q2 Report submitted			
4.1.1.2	1	Development of the 2016-2020 Strategic Plan	CAO	Q3	•			
4.1.1.3	1	Development of the 2016 Corporate Business Plan	CAO	Q3	•			
4.1.1.4	1	Development of the 2016 Corporate Action Plan	CAO	Q4	•			
4.1.1.5	1	Review and update the Enterprise Risk Management Register	CAO	Quarterly	•			

Action	Plan Obj	ective: 4.2.1: By organizing regional and sub-reg 2015.	gional Co	mmunity	to Community meetings in
#	Points	ACTION	WHO	WHEN	STATUS
4.2.1.1	0	Continue to advocate with the Upper Similkameen Indian Band to become a Member of the Joint Council and Steering Committee	MLS	Q4	•
4.2.1.2	0	Apply for grants to host two C2C meetings in 2015	MLS	Q2	Complete

Action	Action Plan Objective: 4.2.2: By implementing the terms of the First Nations Protocol Agreement							
#	Points	ACTION	WHO	WHEN	STATUS			
4.2.2.1	1	Retain professional facilitators to assist with the organization and implementation of the workshops	MLS	Q4	•			
4.2.2.2	1	Continue to organize regular joint council and steering committee meetings to promote good relations in the Regional District	MLS	Q4	•			
4.2.2.3	1	Implement the 2015 actions identified in the Joint Council Action Plan	CAO	Q4	•			

Action	Plan Obj	ective: 4.2.3: By investigating opportunities for	or mutual c	ooperatio	n among member municipalities
#	Points	ACTION	WHO	WHEN	STATUS
4.2.3.1	0	Continue to promote RDOS Enterprise Units to provide assistance to Member municipalities	CAO	Q4	•
4.2.3.2	0	Re-engage Regional CAO meetings in 2015	CAO	Q4	•
4.2.3.3	1	Investigate partnership opportunities to leverage operational efficiencies	CAO	Q4	•

Action	Plan Obje	ective: 4.3.1: To assist the Board to operate in	an effectiv	e manne	r
#	Points	ACTION	WHO	WHEN	STATUS
4.3.1.1	1	Develop a Board Self-Evaluation Policy and Tool for discussion	CAO	Q3	•
4.3.1.2	0	Conduct a survey at year-end	CAO		Terminated by Board
4.3.1.3	1	Evaluate survey results and discuss with the Board	CAO		•
4.3.1.4	0	Develop action plan if required	CAO		•

#	Points	ACTION	WHO	WHEN	STATUS
4.4.1.1	1	Review current RDOS Policies and develop a consolidated index	MLS	Q1	•
4.4.1.2	0	Develop a Plan for review of all Board policies and implement the 2015 phase	MLS	Q1	•
4.4.1.3	1	Bring revised policies to the Board for discussion	MLS	Ongoing	•
4.4.1.4	1	Benchmark with other high-performing local governments to determine gaps in policy	MLS	Q3	•
4.4.1.5	1	Develop a standard operating procedure manual	MLS	Q4	•



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, July 16, 2015 11:30 a.m.

REGULAR AGENDA

Α.	APPROVAL OF AGENDA
В.	Second Quarter Activity Report
С.	ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Q2 2015 Activity Report – For Information Only



1.0 DEVELOPMENT SERVICES DEPARTMENT

1.1 PLANNING

See Attachment No. 1 for number of Planning Applications / Referrals received as of June 30, 2015.

Q2 Activities

- Climate Action activities including scheduling an air test of the 101 Martin Street building and preparation of an index of available grants for energy efficiency measures;
- Adoption of an Antenna siting and Public Consultation Policy for communication towers;
- Bylaws for Creekview Road area of Apex to remove commercial uses;
- Research and presentation of Land Use Contract issues at Heritage Hills and recommended strategy to establish zoning and consult with the public;
- Amendments to Notice Enforcement Bylaw for increased penalties and housekeeping;
- Ongoing work on project to update Environmentally Sensitive Development Permit (ESDP) Guidelines for Electoral Areas "A", "C", "D", "E" and "F" Official Community Plans (as per "Keeping Nature in Our Future"), including review of mapping permit areas;
- Work on Area "D-1" Community Plan with consultant, including Citizen's Committee meetings, public Open House with survey, web survey, stakeholder communications, completion of Inventory Report, and Reports on Forest Fire Hazard, Ground Water and Infrastructure and work on Draft Area D-1 Community Plan.
- Work on Gallagher Lake Area Plan with consultant, including meetings with Citizen's Committee, Public Open House with survey, and Preliminary Policy Direction;
- Presentations of Regional Growth Strategy to 2 municipal councils;
- Ongoing liaison with solicitor on Grelish legal action;
- Preparation of "Residents Guide to Riparian Areas" brochure for Area H
- Amendments to Development Procedures Bylaw for Temporary use Permit, including a review of Health and Safety Inspections; and
- Continue to provide planning services to Osoyoos, Princeton, Oliver and Keremeos;
- 22 planning reports to the Board, 7 reports to the Planning Committee and 17 reports for Advisory Planning Committee meetings.

Planned Activities for Q3 - 2015

- Ongoing work on Electoral Area "D-1" Official Community Plan, including preparation of Draft Plan, Citizen's Committee meetings, and public meeting/open house;
- Ongoing work on Gallagher Lake Area Plan including Draft Plan, Citizen's Committee meetings, public meeting/open house, and Draft Plan;
- Ongoing work on Environmentally Sensitive Development Permit Area project, including final draft of mapping and guidelines, Board presentation, and public consultation;
- Provide planning services to Osoyoos, Oliver, Princeton and Keremeos;
- Meetings with Board on key issues related to proposed Update of Okanagan Electoral Area Zoning Bylaws;
- Regional Growth Strategy, establish the RGS review process and Terms of Reference and collaborate on establishing funding with NORD and CORD on a regional indicators report.

1.2 BUILDING INSPECTIONS

- · Ongoing enforcement files
- Continue to receive, and process applications for Kennedy Lake. Ongoing communications with leaseholders and various stakeholders (IH, HPO). 40 permits have been issued to the end of May. The property owner has signed the Homeowner Protection Office covenant, which now allow us to issue permits for cabins.
- Ongoing work and review of policies and procedures.
- Review of Code amendments for Energy Provisions which came into effect December 19, 2014
- Preparation & draft updated Building Bylaw

See Attachment No. 2 for the summary of issued Building Permits to the end of May 2015.

1.3 BYLAW ENFORCEMENT

Activity Highlights:

- Enforcement Activity
 - > 14 new complaints received
 - > 82 active enforcement files
 - > 30 Noise Complaints
 - > Bylaw Offence Notice (Fine) Bylaw amendment presented to Board and adopted
 - > 3 BON's (fines) paid (total \$652.50);
 - Crucetti litigation completed with decision in favour of RDOS;
 - Drafting of a Dog Control Bylaw is in progress;
 - > Agreement to utilize Town of Oliver Animal Shelter in Oliver in progress
 - > Development Services Clerk has been hired to assist Coordinator and is currently being trained

Enforcement Activity Planned for 3rd Quarter

- Introduce Dog Control Bylaw to Board
- Finalize Town of Oliver Animal Shelter Use Agreement
- TUP education and enforcement ongoing
- Anticipate high volume of complaints relating to vacation rental use
- Initiate review of active enforcement files to assign priority to each
- Initiate closure of enforcement files pending until resources were available
- Continue with Development Services Clerk training for enforcement procedures
- Initiate development of Ticket Tracking Database by IT Department staff

1.4 SUBDIVISION SERVICING

2nd Quarter Activities:

- Subdivision Referrals
 - > 9 referrals received for 2015
 - > 58 referrals ongoing and pending applicants' action

Ongoing Major Subdivisions:

- > Twin Lakes Golf Resort proposed 208 units
 - RDOS received Consultants comments back and working on reply.
- > Grelish Subdivision (Area "A") proposed 11 Lot bare land strata
 - Under provision of the Local Government Act, S.943
- ➤ Vintage Views Phase 3 (Chadwell Place) 30 Lot subdivision
 - PLA issued by MOTI
 - Parkland donation and acquisition is on-going
- ➤ Reflection Point 8 strata lots
 - PLA extension issued by MOTI
 - Parkland Dedication being worked on
 - Developer applied for Phase 2
- ➤ Naramata Benchlands
 - Revised subdivision plan

Other Projects:

- Planning development application referrals
- ➤ Assisting with Area "D-1" OCP reviews
- Parkbridge, Gallagher Lake Resort Rezoning;

- ➤ Gallagher Lake, Area Plan
- (Subdivision) Works and Services Bylaw

Planned Activities for 3rd Quarter:

- Ongoing or Planned:
 - ➤ Review of Area "D-2" subdivision relating to new Area "D-2" OCP
 - Finalize Naramata DCC and Capital Plan
 - (Subdivision) Works and Services Bylaw review
 - > Deer Park subdivision completion
 - > Reflection Point subdivision
 - > Willow Beach proposal anticipated
 - ➤ Gallagher Lake Area
 - Petitions for sewer and water service area, west side of Hwy 97
 - ❖ Assist with Gallagher Lake Area Plan
 - > Twin Lakes Draft Groundwater Availability Study
 - ❖ Work with the applicant to complete the hydrology report.
 - Vintage Views Phase 3 (Chadwell Place) subdivision
 - ➤ Gallagher Lake Mobile Home Park Phase II
 - Assist with Electoral Area "D-1" OCP review

Respectfully Submitted,

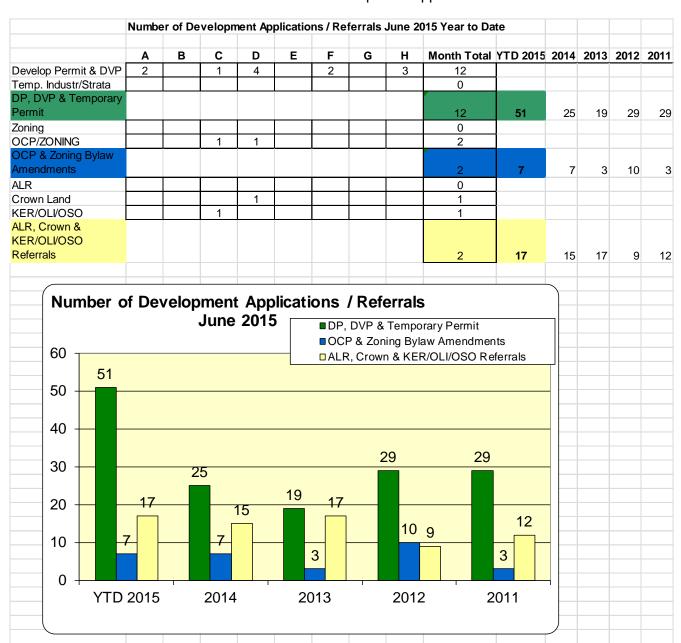
Danna	Butler		
Donna	Duixer		

Donna Butler, Development Services Manager

Attachments: Attachment No. 1 – Number of Development Applications / Referrals

Attachment No. 2 - Summary of Building Permits (May 2015)

Attachment No. 1 - Number of Development Applications / Referrals



Attachment No. 2 – Summary of Building Permits for 2015

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN SLIMMARY OF RUIL DING PERMITS FOR THE MONTH OF MAY 2015

	SUMMA	RY OF BUI	LDING PER	MITS FOR	THE MONT	H OF MAY	2015		ı	
NUMBER OF PERMITS	ISSUED									
DESCRIPTION	Δ.	С	D	-	F	ш	TOTAL	2015	2014	VI
RENEWAL/DEFICIENCY	Α	1	U	E	F	H 1	TOTAL		2014	KL
S.F.D.		1	3	1		2	6	20 24	17 22	1
MOBILE/MANU HOMES			1	1		1	2	4	9	
CABINS/REC			1			6	6	8	1	6
SEMI-DETACHED, DUPLEX,						U		0	1	U
MULTI							0	1	0	
DEMOLITION / MOVE		1					1	5	9	
ACCESSORY USES		1		2	1	9	13	59	27	5
ADDITIONS / REPAIRS /		_		_						
PLUMBING	2		2	1	2		7	40	33	
COMMERCIAL							0	4	9	
INDUSTRIAL							0	0	0	
FARM BUILDING										
EXEMPTION	1					1	2	9	13	
INSTITUTIONAL							0	2	1	
SOLID FUEL APPLIANCE							0	0	0	
MONTHLY TOTAL	3	3	6	4	3	20	39	176	141	12
YEAR TO DATE 2015	14	16	41	27	9	69	176			
SAME MONTH 2014	7	9	12	4	3	6	41			
YEAR TO DATE 2014	25	27	47	22	5	15	141			
DOLLAR VALUE OF PE	RMITS									
DESCRIPTION	Α	С	D	E	F	Н	TOTAL	TOTAL YEAR	KL	
RENEWAL/DEFICIENCY		\$1,000				\$1,000	\$2,000	\$130,900		
S.F.D.			\$733,300	\$605,440		\$244,020	\$1,582,760	\$7,168,777	\$91,500	
MOBILE/MANU HOMES			\$238,050			\$126,900	\$364,950	\$714,390		
CABINS/REC						\$54,360	\$54,360	\$95,130	\$54,360	
SEMI-DETACHED, DUPLEX,										
MULTI							\$0	\$224,994		
DEMOLITION / MOVE		\$1,000					\$1,000	\$5,000		
ACCESSORY USES		\$10,080		\$37,120	\$7,200	\$192,090	\$246,490	\$1,227,736	\$110,970	
ADDITIONS / REPAIRS /										
PLUMBING	\$47,790		\$90,000	\$189,585	\$263,610		\$590,985	\$2,116,317		
COMMERCIAL							\$0	\$307,630		
INDUSTRIAL FARM BUILDING							\$0	\$0		
							matualuad /			
INSTITUTIONAL							not valued /	r		
SOLID FUEL APPLIANCE							\$0 \$0	\$55,000 \$0		
MONTHLY TOTAL	647.700	642.000	¢4.054.350	6022.445	ć270 040	¢640.370	\$2.842.545	· ·		
	\$47,790	\$12,080	\$1,061,350	\$832,145	\$270,810		1 7- 7	\$12,045,874	\$250,830	
YEAR TO DATE 2015	\$1,035,795	\$628,355	\$5,465,242	\$2,451,530	\$441,900	\$2,023,052	\$12,045,874			
SAME MONTH 2014	\$748,480	\$791,542	\$1,399,140	\$10,000	\$2,000					
YEAR TO DATE 2014	\$3,146,730	\$2,157,192	\$3,819,696	\$806,067	\$49,120	\$1,431,505	\$11,410,310			
BUILDING INSPECTION	REVENUE									
MONTH	2009	2010	2011	2012	2013	2014	2015	Kennedy Lake		
JANUARY	\$11,809.60	\$11,777.72	\$17,959.62	\$16,098.23	\$15,847.48		\$17,905.98			
FEBRUARY	\$23,237.39	\$22,148.93	\$18,531.97	\$14,200.42	\$18,055.76					
MARCH	\$28,570.52	\$19,023.05	\$26,221.83	\$38,322.59	\$28,007.02	\$30,397.81	\$30,861.07			
APRIL	\$32,345.79	\$67,151.59	\$31,870.85	\$18,059.44	\$20,973.73	\$28,055.24	\$45,893.66			
MAY	\$30,856.22	\$38,836.72	\$42,136.91	\$30,849.83	\$43,054.17	\$47,678.54	\$33,189.01	\$3,491.87		
JUNE	\$35,521.61	\$48,302.07	\$46,768.25	\$44,166.92	\$42,069.21	\$78,964.49				
JULY	\$28,240.78	\$29,173.69	\$39,690.56		\$46,889.56					
AUGUST	\$25,430.20	\$17,514.63	\$37,792.51	\$58,020.08	\$35,669.63	\$41,182.51				
SEPTEMBER	\$28,606.77	\$58,038.24	\$40,835.92	\$24,513.20	\$24,607.81	\$68,044.72				
OCTOBER	\$45,411.73	\$46,844.00	\$27,711.60	\$34,125.76	\$28,791.57	\$36,694.11				
NOVEMBER	\$24,651.67	\$58,833.71	\$23,710.90	\$29,782.64	\$25,620.64	\$40,766.83				
DECEMBER	\$17,219.44	\$19,991.95	\$41,386.71	\$33,035.38	\$16,484.32	\$39,792.14				
TOTAL	\$331,901.72	\$437,636.30	\$394,617.63	\$398,199.32	\$346,070.90	\$494,994.53	\$146,917.52	\$9,868.17		
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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, July 16, 2015 12:30

REGULAR AGENDA

A.	APPROVAL OF AGENDA
В.	Curbside Collection Contract
	RECOMMENDATION 1 THAT the RDOS commence negotiations with BFI Canada to extend the Curbside Collection Contract to June 30 th , 2018.
C.	Second Quarter Activity Report
D.	ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: RDOS Curbside Collection Contract



Administrative Recommendation:

THAT the RDOS commence negotiations with BFI Canada to extend the Curbside Collection Contract to June 30th, 2018.

History:

On July 1st, 2011, the RDOS entered into contract with BFI Canada for provision of curbside collection service for the Village of Keremeos and Electoral Areas 'A', 'B', 'C', 'D', 'E', 'F' and 'G'. This five (5) year contract expires June 30th, 2016 with the option for a two year extension.

The RDOS has also entered into a five (5) year contract with Multi-Material BC (MMBC) for provision of curbside recycling services which expires November 30th 2018. The contract allows for the RDOS to give 180 day notice to MMBC that the RDOS will discontinue the service.

The City of Penticton, District of Summerland, Town of Oliver and Town of Osoyoos have extended their curbside collection contracts to expire June 30th, 2018. These municipalities negotiated a 6 months' notice termination clause within their contract with BFI Canada during the extension period. This will allow them the flexibility to end their contract any time after January 1st, 2017.

Alternatives:

THAT the RDOS tender for curbside collection services to commence July 1st, 2016.

Analysis:

 As seen in Table 1 below, MMBC is paying an incentive to the RDOS to collect recyclable materials. This incentive does not fully pay for the contracted costs of providing these services for all areas. Three contract service areas receive more from MMBC than the contracted cost of providing recycling service.

MMBC is required to provide curbside recycling collection service to all curbside collection service areas. Once the BFI Canada contract expires the RDOS can stop providing recycling collection services and allow MMBC to provide the service through their own contractors.

Unfortunately there is no guarantee that communities will save money by having the RDOS no longer provide recycling services. Staff believe that the most efficient collection vehicles for

rural collection are split trucks that allow for the collection of two commodities at the same time. Fixed costs (capital, labour, fuel) are presently spread across garbage, yard waste and recycling services. Sending out separate trucks for garbage and recycling on the same week may raise costs for both the RDOS and MMBC. Removal of recycling services may not save money as the collector may need to charge more for garbage and yard waste. There are risks going to tender for just garbage and yard waste services.

Table 1: Difference Between Yearly Contracted Collection Costs and Incentive from MMBC

Service Area	2015 BFI Canada Recycling Charges	MMBC Incentive	Cost to RDOS for Service
Area 'A'	\$43.74	\$39.25	-\$4.49
Area 'B'	\$45.65	\$39.25	-\$6.40
Area 'C'	\$51.53	\$39.25	-\$12.28
Area 'D'	\$38.78	\$39.25	\$0.47
Area 'D/E/F'	\$53.68	\$39.25	-\$14.43
Red Wing	\$33.61	\$39.25	\$5.64
Area 'G'	\$60.68	\$39.25	-\$21.43
Village of Keremeos	\$37.75	\$39.25	\$1.50

- A two year extension would allow the contract term to match the City of Penticton, District of Summerland, Town of Oliver and Town of Osoyoos. Tendering with Municipal partners would provide a greater economy of scale which may reduce the price of service as compared to doing a RDOS only tender. Staff believe there is a greater potential for more expensive pricing if the RDOS tenders by itself.
- The additional two years provides time for the implementation of food waste collection. Food waste collection may require new equipment, such as containers and lifting arms, that would best be included under a new service contract. A food waste compost site will potentially be developed for 2017/18. Timing the start of the compost site and change of collection contract close together would be ideal for launching food waste diversion.

For information, if MMBC takes over the recycling service they would fully control the timing and method of collection. In the <u>North Okanagan</u>, MMBC provides two blue box containers. Residents must separate 'Paper' products from 'Containers' at the curb. This change of collection practices did cause a short term backlash from residents accustomed to mixing their recycling in one clear or blue bag. All programs operated by MMBC collect the same materials as presently collected by the RDOS.

Respectfully submitted:

"Roger Huston"	
R. Huston, Public Works Manager	

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Second Quarter Activity Report – For Information Only

1.0 PUBLIC WORKS - OPERATIONS

ACTIVITIES FOR Q2 2015:

SOLID WASTE

- Ongoing Waste Disposal Permit applications for RDOS owned landfills.
- Met with owners of Apex Mountain Resort in regards to initiating Apex Transfer Station development.
- Feasibility Study for Siting of Compost Facilities to handle food waste
- Contract Extension for Keremeos Landfill Site Operations.
- Contract Extension for Keremeos Landfill Bin Operations.
- Agreement renewals for Landfill access.

WATER

- Quarterly Water meter reading in Sage Mesa Water system.
- Water sampling and reporting for all RDOS water systems.
- Documentation for Annual Water Quality reports for IHA.
- Naramata Dams maintenance. Big Meadow Lake audit done with MOE.
- Naramata water Fire Hydrant Maintenance.

SEWER

Monitoring and sampling at OK Falls WWTP and Okanagan River Channel.

PLANNED ACTIVITIES FOR Q2 2015:

SOLID WASTE:

- Orchard chipping programs ongoing.
- Feasibility Study for Siting of Compost Facilities to handle food waste

WATER & SEWER

- Monitoring operations of Okanagan Falls WWTP.
- Water sampling for Faulder, Naramata, Olalla, West Bench, Sage Mesa, Gallagher Lake.
- Completion Water Emergency Response plans.
- Irrigation Turn On for Naramata.
- Dam maintenance for Naramata Water.
- Start up preparation for Loose Bay Campground water system.

2.0 PUBLIC WORKS - ENGINEERING SERVICES

ACTIVITIES FOR Q2 2015:

SOLID WASTE

- Worked on the Landfill Emergency Response Plans.
- Design for landfill gas removal system still underway as well as investigation of other landfill gas mitigation strategies.
- Apex Transfer Station sub-lease development in process with Apex Mountain Resort.

WATER

- Apex Circle Obtained all but one signature for final plans to be registered with Land Titles.
- Naramata Water System Capital Plan and DCCs Capital plan and DCC review ongoing.
- Naramata Watermain replacement along Arawana Road Construction completed. Landscaping deficiency completed.
- Naramata stand-by power supply Detailed design is 90% complete. Naramata Water Users survey was initiated and closed as of April 3rd 2015. Upwards of 70% in favour of direction.
- Faulder Water Supply Options Request for Proposals issued to provide engineered design drawings, tendering services and construction services and closing June 19, 2015. Well drilling scheduled for July. Uranium treatment system ordered and will be delivered September 21, 2015. Project completion scheduled for end of 2015.
- West Bench Water Supply Pipeline and Pathway Tender issued for the Decommissioning of the old pumphouse and closing July 13, 2015. Permit applications are completed for work near and in the water. Abatement of hazardous materials RFP issued and closing June 29th, 2015. Work to be completed by end of 2015.
- West Bench Water System Development of a water conservation report is underway.
- Continued working on West Bench and Naramata water meters, reports, and updates.
- Willowbrook Water Utility Draft Assessment of water system completed and being reviewed.
- 2015 RBC Blue Water grant project ongoing. Successful grant application of \$100,000 received for education in combatting the Zebra and Quagga mussels.
- 2014 OBWB Regional Water Use Regulation and Conservation Bylaw project RFP for a consultant was completed and project was initiated.

- Gallagher Lake water service area petitions.
- Initiated involvement in the Okanagan Lake Water Science Forum.

WASTEWATER

- 2015 Building Canada Fund grant applied for Kaleden and Skaha Estates Sewer.
- Conceptual Sewer Design for Small Areas within Okanagan Falls and Gallagher Lake conceptual designs completed and moving forward to public discussion.
- Gallagher Lake sewer service area petitions.

OTHER PROJECTS/PROGRAMS

- Similkameen Watershed Water Quantity/Quality Sustainability Plan Phase 2 of the project is completed with report to be presented. LSIB reviewing Phase 2 draft.
- Mosquito Control Program underway, 2 staff hired and trained.
- Noxious Pests Tree fruits. First complaint received concerning abandoned orchard in Keremeos. Being investigated. Educational brochure for residential fruit tree management being created.
- Naramata Rat Mitigation Pilot Project underway. 8 lower village properties have signed on to the program.
 RDOS Rodent control brochure created and distributed. Program evaluation for possible continuation being assessed.
- Invasive Species Terrestrial and Aquatic both programs underway. Terrestrial spraying started 3 weeks earlier due to warm weather. Zoe Kirk replaced Doug French as Chair of OASISS.
- RDOS WildSafeBC program underway. Leveraged funding to add summer student to work in highest priority areas: Princeton and Summerland. Princeton added funding to BC Conservation Foundation to help offset mileage and additional hours required to service that community.
- Goose Control program is nearly complete for the season (Naramata).
- OBWB Grant \$18,500 South Okanagan Similkameen Drought/Flood Risk Mitigation Plan awarded in March. Work on this project slated to begin July 2015.
- OBWB Make Water Work campaign is underway. Billboards up, print and radio ads ready. Contest to win \$6000 low water make-over launched.
- RBC Blue Water Grant 2014/15 \$90,000- The last of the 5 demonstration gardens to be completed, the front gardens of the Regional District of Okanagan-Similkameen office is slated for completion late June. Ribbon cutting in July (once the garden has settled a bit).
- RBC Blue Water Project Grant 2015/16 \$100,000 awarded May 21st on Board Day is already underway.
 Outreach materials being developed through collaboration with OBWB, ISC of BC and the Provincial Gov't.
 Aquatic invasive students under the OASISS umbrella are actively attending boat launches, Marinas etc.
- Free Roaming Horse issue crosses over with Community Services. PW Projects Coordinator Zoe Kirk tasked
 to work with PIB on the issue. By late June, we anticipate the PIB community will have provided Chief and
 Council the directive to impose Bylaws and actively work to reduce herd size. Zoe and PIB Councillor Dolly
 Kruger are ready with interventions and tools to assist the Band with that task.

PLANNED ACTIVITIES FOR Q3 OF 2015:

SOLID WASTE

- CML Gas Management Facility –Landfill gas capture system design is ongoing; Application for alternate gas management option of using bio-cover submitted to MOE.
- Apex Transfer Station Design Positive response from Apex Mountain Resort to begin sub-lease process.
- Landfill Emergency Response Plan preparation is ongoing.
- Continue implementation of MMBC programs. Mega Bag structures at Keremeos Landfill and Oliver Landfill.
- Survey of waste slope at the Okanagan Falls Landfill.
- Begin New Scale Software for the Landfills project.

WATER

- Apex Circle Registration of required easements and right-of-ways (one remaining).
- Naramata Water System Capital Plan and DCC's Continue with project scope.
- Naramata Metering Pilot Project –Meter reading continues and water usage summary will be sent out.
- Naramata stand-by power supply Pending budget approval, the design will be completed and tendering documents can be prepared. Bylaw sent for three readings and awaiting Provincial approval.
- Faulder Water Supply Options Installation of new well at identified site is anticipated, drilling of well set for mid-July; An RFP for the design of the remaining upgrade items (i.e. electrical, instrumentation, piping, etc.) to be awarded. System upgrade design to be completed, work to be tendered and construction started.
- West Bench Water System capital upgrade—Tendering for the decommissioning of the old pumphouse will be completed; abatement work will be completed and removal work to be completed by end of 2015.
- Complete West Bench Water Conservation Report and bring it to the Board for endorsement.
- West Bench Water Meters Project Meter reading to continue; prepare and send out water use summary report to the residents. Work on water rates structure for West Bench.
- Willowbrook Water Utility Assessment of water system to be completed. Commencement of public approval process to begin.
- 2014 RBC Blue Water grant project underway.
- 2014 OBWB Water Conservation Improvement Grants- continue with project scope for Water Ambassador and complete Phase 1 of the Regional Water Use Regulation and Conservation Bylaw.
- Work on Phase 2 of Regional Water Use Regulation and Conservation Bylaw.
- Work on Regional Drought and Flood Risk Management and Mitigation Plan Phase 1, received OBWB grant funding for project.
- Gallagher Lake water system service petitions are ongoing.
- Olalla Water System Cost estimates to complete the watermain upgrades to be performed. Preparation of RFP for approved project to be initiated.

WASTEWATER

- Okanagan Falls Wastewater Treatment Plant Decommissioning of old wastewater treatment plant postponed until 2016 if budget is available.
- Conceptual Sewer Design for Small Areas within Okanagan Falls and Gallagher Lake conceptual designs completed and moving forward to public discussion.
- Gallagher Lake sewer system service area petitions are ongoing.
- Kaleden Lakeshore and Skaha Estates Sewering Preliminary design will be completed; steering committee will be selected and design will be selected by committee. Information will be prepared for residents.

OTHER PROJECTS/PROGRAMS

- Similkameen Watershed Water Quantity/Quality Sustainability Plan Phase 3 of the project will proceed to Request for Proposal.
- Mosquito Control Program completed, inventory stored, all equipment winterized and staff reports completed by Sept 1.
- Noxious Pests Brochure completed and continue ongoing program maintenance.
- Invasive Species programs fully engaged in IS controls and outreach activities for both terrestrial and aquatics. Board reports submitted as required.
- Free Roaming Horses. A continuation of support to PIB as herd reduction strategies are implemented during the Animal Control Bylaw grace period.
- RDOS WildSafeBC Program will be gearing up for fall activities, supervising student, prepare for yearend reporting. Continue with Urban deer issues.
- South Okanagan/Similkameen Drought/Flood Risk Mitigation Project launched and in data gathering stage.
- RBC Blue Water Project grant Quagga Zebra Prevention will be continuing using OASISS as the delivery

	agency for the outreach.							
•	Make Water Work Campaign will be completed in August with garden make-over awarded.							
Re	Respectfully submitted:							
 R.	Huston, Public Works Manager							



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, July 16, 2015 1:00 p.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

That the Agenda for the RDOS Board Meeting of [date] be adopted.

- 1. Consent Agenda Corporate Issues
 - a. Corporate Services Committee July 16, 2015

 THAT the Minutes of the July 16, 2015 Corporate Services Committee be received.
 - **b.** RDOS Regular Board Meeting July 16, 2015

 THAT the minutes of the July 16, 2015 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

That the Consent Agenda – Corporate Issues be adopted.

B. DELEGATIONS

1. Valley First Challenge Penticton

Kevin Cutjar and Michael Brown will address the Board regarding sponsorship of Challenge Penticton Triathlon events for 2015, 2016 and 2017.

a. PowerPoint Presentation

C. DEVELOPMENT SERVICES – Rural Land Use Matters

- 1. Official Community Plan and Zoning Bylaw Amendment Electoral Area "C", L. Bray/Parkbridge Lifestyle Communities Inc, 8487 Highway 97
 - a. Bylaw No. 2452.14
 - b. Bylaw No. 2453.24

To adjust the zone boundary between the CT4 and RSM1 zoned parts of the property and to introduce cabins as a permitted form of campground use.

RECOMMENDATION 3 (Unweighted Participant Vote – Simple Majority)

THAT Bylaw No. 2452.14, 2015, Electoral Area "C" Official Community Plan Amendment Bylaw and Bylaw No. 2453.24, 2015, Electoral Area "C" Zoning Amendment Bylaw be adopted.

- 2. Temporary Use Permit Application Electoral Area "E", D. Minchau, 780 Languedoc Road, Naramata
 - a. Permit
 - b. Responses Received

To allow for the operation of a short-term vacation rental use.

RECOMMENDATION 4 (Unweighted Participant Vote – Simple Majority)

THAT the Board of Directors approve Temporary Use Permit No. E2015.028-TUP;

AND THAT prior to the issuance of TUP No. E2015.028-TUP for the use of the property at 780 Languedoc Road (Lot B, Plan KAP90206, District Lot 211, SDYD), for the purposes of a vacation rental, the following works be undertaken to the existing single detached dwelling:

- all window egresses from a bedroom shall be a minimum opening of 380 millimetres and a minimum size of 0.35 m²;
- a carbon monoxide detector shall be installed in all bedrooms where there is a wood burning fireplace;
- all smoke alarms shall be in good operating order and properly powered;
 and
- that all exterior decks and stairs are properly guarded (i.e. required posts and/or rail guards are installed and/or replaced).
- 3. Temporary Use Permit Application Electoral Area "E", HollyHock Trust, 4245 Mill Road, Naramata
 - a. Permit
 - b. Responses Received

To allow for the operation of a "tourist accommodation guest house"

RECOMMENDATION 5 (Unweighted Participant Vote – Simple Majority)

THAT the Board of Directors approve Temporary Use Permit No. E2015.030-TUP;

AND THAT prior to the issuance of TUP No. E2015.030-TUP, the property owner(s) remove the kitchen unit, in accordance with the requirements of the Regional District's "Requirements for Decommissioning a Dwelling" Policy, from the accessory structure located on the subject property.

- 4. Temporary Use Permit Application Electoral Area "E", L. Partone, 3985 1st Street, Naramata
 - a. Permit
 - b. Responses Received

To allow for the operation of a short-term vacation rental use.

RECOMMENDATION 6 (Unweighted Participant Vote – Simple Majority)
THAT the Board of Directors approve Temporary Use Permit No. E2015.031-TUP;

AND THAT prior to the issuance of TUP No. E2015.031-TUP, the property owner submits an assessment from a registered onsite wastewater practitioner (ROWP) confirming the ability of the septic system to function as designed if covered in paving stones and used as a vehicle parking space.

- 5. Temporary Use Permit Application Electoral Area "E", T. Schuyler Lighthall, 360 Gladys Avenue, Naramata
 - a. Permit
 - b. Responses Received

To allow for the operation of a short-term vacation rental use.

RECOMMENDATION 7 (Unweighted Participant Vote – Simple Majority)
THAT the Board of Directors approve Temporary Use Permit No. E2015.041-TUP.

D. ENGINEERING SERVICES

1. West Bench Pumphouse Decommissioning Award

RECOMMENDATION 8 (Weighted Corporate Vote – Simple Majority)

THAT the Board of Directors approve the tender evaluation report and recommendations for award of the "West Bench Pumphouse Decommissioning" tender from Stantec Consulting which they will receive by July 16, 2015; and,

THAT the Board of Directors award the "West Bench Pumphouse Decommissioning" project to the Contractor recommended, for their required amount to complete the project *plus applicable taxes*, in the tender evaluation report for award of the "West Bench Pumphouse Decommissioning" tender from Stantec Consulting; and,

THAT the Board of Directors authorize the Chair and Chief Administrative Officer to execute the construction contract agreement.

2. Oliver Landfill Access – Crown Land Tenure Application

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

THAT the Board endorses the Crown Land Tenure Application for access over Crown land.

E. COMMUNITY SERVICES – Rural Projects

1. Regional Heritage Strategic Plan

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)
THAT the Board of Directors adopt the Regional Heritage Strategic Plan.

F. OFFICE OF THE CAO

- 1. Board Policies
 - a. Media Relations (for repeal)
 - b. Communications
 - c. Board Correspondence

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors rescind Media Relations policy – P0100-00.07 and adopt the proposed Communications Policy and Board Correspondence Policy as presented at Committee July 2, 2015.

2. Electoral Area "G" Advisory Planning Commission Appointment

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors appoint Beverley Fraser as a member of the Electoral Area "G" Advisory Planning Commission for a term ending November 30, 2018.

3. Electoral Area "E" Parks and Recreation Commission Appointment

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)

THAT the Board rescind the appointment Tracey Stel to the Electoral Area "E" Parks and Recreation Commission;

AND THAT a letter be forwarded to Ms. Stel thanking her for her contribution to the Electoral Area "E" Parks and Recreation Commission.

4. Electoral Area "H" Noise Control Bylaw

a. Bylaw No. 2692

A bylaw to repeal Noise Control Bylaws in Electoral Area "H"

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT Electoral Area "H" Noise Control Repeal Bylaw No. 2692, 2015, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval.

5. Princeton Fire Protection Service Area Amendment Bylaw No. 2700, 2015

a. Bylaw No. 2700

A bylaw to include a property in the Princeton Fire Protection Service

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw 2700, 2015 Princeton Fire Prevention and Suppression Local Service Establishment Amendment Bylaw be read a first, second and third time and adopted.

6. Naramata Fire Protection Service Area Amendment Bylaw No. 2703, 2015

a. Bylaw No. 2703

A bylaw to include a property in the Naramata Fire Protection Service

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw 2703, 2015 Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw be read a first, second and third time and adopted.

7. Tulameen Fire Truck Acquisition Loan Authorization Bylaw

a. Bylaw No. 2704

A bylaw to authorize the long-term borrowing for the acquisition of a Fire Truck for the Tulameen Fire Prevention and Suppression Service Area

RECOMMENDATION 17 (Weighted Corporate Vote – Simple Majority)

THAT Tulameen Fire Truck Acquisition Loan Authorization Bylaw No. 2704, 2015 be read a first, second and third time and be forwarded to the Inspector of Municipalities for Ministry approval prior to electoral approval; and,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an alternative approval process.

8. Electoral Area "E" Tourism Contribution Service Establishment Bylaw No. 2705, 2015

a. Bylaw No. 2705

A bylaw to establish a service for the provision of funds for the promotion of Tourism in Electoral Area "E"

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

THAT Electoral Area "E" Tourism Contribution Service Establishment Bylaw No. 2705, 2015 be read a first, second and third time and forwarded to the Inspector of Municipalities for approval, prior to elector approval; and further,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an alternative approval process.

9. Okanagan Falls Parks and Recreation Parkland Acquisition Agreements

a. Bylaw No. 2707

A bylaw to authorize the expenditure of monies from the 'Okanagan Falls and District Parkland Acquisition Reserve Fund' and the 'Area D Parkland Acquisition Reserve Fund' and the 'Okanagan Falls Recreation Commission Capital Reserve Fund' for the purchase of parkland in Heritage Hills

RECOMMENDATION 19 (Weighted Corporate Vote – Simple Majority)

THAT the Board of Directors authorize the purchase of 0.93 acres, more or less, described as P.I.D. 018-480-918, Lot 1, DL 2710, SDYD, Plan KAP50897 Except Plans KAP51161, KAP52868, KAP86678 and KAP91225 for an amount of no more than \$400,000, and identified in Schedule A as "Area 1"; and,

THAT the Board accept the donation of parkland from VINTAGE VIEWS DEVELOPMENTS LTD., subject to the conditions set forth in the Purchase/Donation Agreement, and described in Schedule A as "Area 2" comprising 3.4 acres, more or less; and,

THAT the Board enter into a Lease Agreement with VINTAGE VIEWS DEVELOPMENTS LTD. For a parcel of land described in Schedule A as "Lot 5" comprising 0.38 acres, more or less; and

THAT the Board authorizes the Chair and the Chief Administrative Officer to endorse the aforementioned Agreements; and,

THAT the Board amend the Five-Year Financial Plan to include a property purchase within the Okanagan Falls & District Parks and Recreation Service Area in the 2015 Budget; and,

THAT the Board authorize a receipt in favour of the charitable donation offered by Vintage in an amount determined by a qualified appraiser as the amount between the appraised value of the land the amount paid for the lands and improvements, less RDOS costs.

RECOMMENDATION 20 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No. 2707, 2015, Heritage Hills Parkland Acquisition Reserve Funds Expenditure Bylaw be read a first, second and third time and be adopted.

G. CAO REPORTS

1. Verbal Update

H. OTHER BUSINESS

1. Chair's Report

2. Board Representation

- a. Municipal Finance Authority (MFA) Pendergraft
- b. Okanagan Basin Water Board (OBWB) McKortoff, Martin, Waterman
- c. Okanagan-Kootenay Sterile Insect Release Board (SIR) Bush
- d. Okanagan Regional Library (ORL) Kozakevich
- e. Okanagan Film Commission (OFC) Jakubeit
- f. Southern Interior Beetle Action Coalition (SIBAC) Armitage
- g. Southern Interior Municipal Employers Association (SIMEA) Kozakevich
- h. Southern Interior Local Government Association (SILGA) Konanz
- i. Starling Control Bush
- j. UBC Water Chair Advisory Committee Bauer

3. Directors Motions

4. Board Members Verbal Update

I. ADJOURNMENT



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, July 2, 2015, 2015 9:00 a.m.

Minutes

MEMBERS PRESENT:

Chair M. Pendergraft, Electoral Area "A"
Director F. Armitage, Town of Princeton
Director M. Bauer, Village of Keremeos
Director T. Boot, District of Summerland
Director G. Bush, Electoral Area "B"
Director E. Christensen, Electoral Area "G"
Director B. Coyne, Electoral Area "H"

Director R. Hovanes, Town of Oliver
Director K. Kozakevich, Electoral Area "E"
Director C. Rhodes, Alt Town of Osoyoos
Director T. Schafer, Electoral Area "C"
Director J. Sentes, City of Penticton
Director T. Siddon, Electoral Area "D"
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Vice Chair A. Jakubeit, City of Penticton Director A. Martin, City of Penticton Director S. McKortoff, Town of Osoyoos Director M. Brydon, Electoral Area "F" Director H. Konanz, City of Penticton

STAFF PRESENT:

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

A. APPROVAL OF AGENDA

It was MOVED and SECONDED

THAT the agenda for the Corporate Services Committee Meeting of July 2, 2015 be adopted. - <u>CARRIED</u>

B. Board Policy Review

- a. Media Relations (for repeal)
- b. Communications Policy
- c. Board Correspondence Policy

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Board of Directors rescind Media Relations policy – P0100-00.07 - CARRIED

It was MOVED and SECONDED

THAT the Board of Directors adopt the proposed Communications Policy. - CARRIED

It was MOVED and SECONDED

THAT the Board of Directors adopt Board Correspondence Policy as presented at Committee July 2, 2015. - <u>CARRIED</u>

C. ADJOURNMENT By consensus, the meeting	ng adjourned at 9:22 a.m.
APPROVED:	CERTIFIED CORRECT:
M. Pendergraft	B. Newell
RDOS Board Chair	Corporate Officer



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 9:31 a.m. Thursday, July 2, 2015 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair M. Pendergraft, Electoral Area "A"	Director R. Hovanes, Town of Oliver
Vice Chair A. Jakubeit, City of Penticton	Director H. Konanz, City of Penticton
Director F. Armitage, Town of Princeton	Director K. Kozakevich, Electoral Area "E"
Director M. Bauer, Village of Keremeos	Director A. Martin, City of Penticton
Director T. Boot, District of Summerland	Director C. Rhodes, Alt. Town of Osoyoos
Director G. Bush, Electoral Area "B"	Director T. Schafer, Electoral Area "C"
Director E. Christensen, Electoral Area "G"	Director J. Sentes, City of Penticton
Director B. Coyne, Electoral Area "H"	Director T. Siddon, Electoral Area "D"
	Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos Director M. Brydon, Electoral Area "F"

STAFF PRESENT:

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

D. Butler, Manager of Development Services

S. Croteau, Manager of Finance

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

THAT the Agenda for the RDOS Board Meeting of July 2, 2015 be adopted as amended to include Item E4 Award of Contract – Faulder Water System Upgrades. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Corporate Services Committee June 18, 2015

 THAT the Minutes of the June 18, 2015 Corporate Services Committee be received.
- b. Community Services Committee June 18, 2015

 THAT the Minutes of the June 18, 2015 Community Services Committee be received.
- c. Environment and Infrastructure Committee June 18, 2015

 THAT the Minutes of the June 18, 2015 Environment and Infrastructure Committee be received.

THAT the Regional District of Okanagan-Similkameen apply for substituted requirements to the Landfill Gas Management Regulation to allow for diversion of organics and bio-cover at the Campbell Mountain Landfill in place of Landfill Gas Collection.

d. Planning and Development Committee – June 18, 2015

THAT the Minutes of the June 18, 2015 Planning and Development Committee be received.

THAT the RDOS provide a letter in support of SIBAC for their application for funding to support the Community Land Trust Initiatives

e. RDOS Regular Board Meeting – June 18, 2015

THAT the minutes of the June 18, 2015 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

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

2. Consent Agenda – Development Services

- a. Development Variance Permit Application, F. & P. Farinha, 7409 45th Street, Osoyoos, Electoral Area "A"
 - i. Permit

To allow for the replacement of a shop/garage and future construction of a pool and gazebo.

THAT the Board of Directors approve Development Variance Permit No. A2015.054-DVP.

- b. Development Variance Permit Application, Jesslyn Holdings Ltd. & Raven Creek Holdings Co. Ltd, 26-125 Cabernet Drive, Electoral Area "D"
 - i. Permit

To facilitate the construction of a principal single detached dwelling.

THAT the Board of Directors approve Development Variance Permit No. D2015.061-DVP

RECOMMENDATION 3 (Unweighted Participants Vote – Simple Majority) It was MOVED and SECONDED

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters

Chair Pendergraft relinquished the Chair to Vice Chair Jakubeit.

- Agricultural Land Commission Referral (Exclusion) L. & A. DeMelo, unknown civic & 8525 104th Avenue, Electoral Area "A"
 - a. Reponses received

To facilitate the exclusion of approximately 3.4 has o that it may be subdivided in future to low density residential parcels.

RECOMMENDATION 4 (Unweighted Participant Vote – Simple Majority) It was MOVED and SECONDED

THAT the RDOS Board "authorise" the application to exclude approximately 3.4 ha of land comprised within Lot C, Plan KAP72608, District Lot 2450S, SDYD, and part of Lot B, Plan KAP72608, District Lot 2450S, SDYD, in Electoral Area "A" to proceed to the Agricultural Land Commission. - **CARRIED**

Opposed – Director Bush

Chair Pendergraft reassumed the Chair.

- 2. Official Community Plan and Zoning Bylaw Amendment, L. Bray/Parkridge Lifestyle Communities Inc., 8487 Highway 97, Electoral Area "C"
 - a. Bylaw No. 2452.14
 - b. Bylaw No. 2453.24
 - c. Public Hearing Report June 22, 2015
 - d. Responses Received

To adjust the zone boundary between the CT4 and RSM1 zoned parts of the property and to introduce cabins as a permitted form of campground use.

Director Schafer advised that the public hearing report reflects an accurate account of what took place at the public hearing held on June 22, 2015.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

THAT the Board of Directors receive the public hearing report of June 22, 2015 regarding Bylaw Nos. 2452.14 and 2453.24. - CARRIED

RECOMMENDATION 6 (Unweighted Participant Vote – Simple Majority) It was MOVED and SECONDED

THAT Bylaw No. 2452.14, 2015, Electoral Area "C" Official Community Plan Amendment Bylaw and Bylaw No. 2453.24, 2015, Electoral Area "C" Zoning Amendment Bylaw be read a third time, as amended. - **CARRIED**

- 3. Official Community Plan and Zoning Bylaw Amendment, Electoral Area "D"
 - a. Bylaw No. 2456.07
 - b. Bylaw No. 2457.14
 - c. Responses Received

To amend subject properties from a mixed use (RMU) to a primary residential use only (RM3) zone.

RECOMMENDATION 7 (Unweighted Participant Vote – Simple Majority) It was MOVED and SECONDED

THAT Bylaw No. 2456.07, 2015, Electoral Area "D-1" Official Community Plan Amendment Bylaw and Bylaw No. 2457.14, 2015, Electoral Area "D-1" Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the Board considers the process, as outlined in the report from the Chief Administrative Officer dated July 2, 2015, to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*;

AND THAT, in accordance with Section 882 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2452.14, 2015, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of the public hearing be delegated to Director Siddon or delegate;

AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Siddon;

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

C. FINANCE

- **1.** 2015-2019 Five Year Financial Plan Amendment Oliver Parks and Recreation Society
 - a. Drawing

To fund an Age Friendly Fitness Park and paved pathway at Lion's Park.

RECOMMENDATION 8 (Weighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

THAT the Board of Directors support a Five-year Financial Plan Amendment in the amount of \$55,000 for Oliver Parks and Recreation Parks to fund an Age-Friendly Outdoor Fitness Park and paving of a pathway in Lion's Park for the purpose of creating a circuit for the Age-Friendly Outdoor Fitness Park. - **CARRIED**

D. COMMUNITY SERVICES – Rural Projects

- 1. Award of contract Okanagan Falls Downtown Plan Phase II
 - a. Okanagan Falls Town Centre Revitalization Visioning Exercise Phase 2 To award contract for Phase 2 of Okanagan Falls Downtown Plan

RECOMMENDATION 9 (Weighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

THAT the Board authorize COUNTERPOINT COMMUNICATIONS Inc. to proceed with Phase II of the Okanagan Falls Downtown Development Plan at a cost of \$49,950.00, excluding GST. - <u>CARRIED</u>

E. OFFICE OF THE CAO

1. Kaleden Parks & Recreation Commission Appointment To appoint a member to the commission.

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

THAT the Board of Directors appoint Janie Malloy as a member of the Kaleden Parks & Recreation Commission. - **CARRIED**

2. Okanagan Falls Parks & Recreation Commission Appointment To rescind an appointment and appoint a new member to the commission.

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

THAT THAT the Board rescind the appointment Darcey Godfrey from the Okanagan Falls Parks & Recreation Commission;

AND THAT a letter is forwarded to Ms. Godfrey thanking her for her contribution to the Okanagan Falls Parks & Recreation Commission.

AND THAT the Board of Directors appoint the following people as members of the Okanagan Falls Parks & Recreation Commission for the periods indicated:

Name	Term	Expires
Shona Schleppe	1 Year	December 31, 2015
Mike Bryne	2 Year	December 31, 2016

CARRIED

3. Board Policies

- a. Proclamation Policy (proposed to be rescinded)
- b. Proclamation Policy
- c. Terms of Reference Select Committees Policy
- d. Exempt Employee Performance Planning and Review Policy
- e. June 18, 2015 Report to Corporate Services Committee regarding Proclamation Policy and Terms of Reference Policy
- f. June 18, 2015 Report to Corporate Services Committee regarding Exempt Employee Performance Planning and Review Policy

To rescind two outdated policies and adopt three new policies that are more reflective of current practise and direction.

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority) It was MOVED and SECONDED

THAT the Board of Directors rescind outdated Proclamations Policy - P0100-00.30 and adopt the proposed Proclamations Policy

THAT the Board of Directors adopt the Terms of Reference – Select Committee policy

THAT Policy No. 2615-00.01 Annual Performance Evaluations be rescinded.

THAT the Board adopt the Exempt Employee Performance Planning and Review Policy. - **CARRIED**

4. Award of contract – Faulder Water System

addendum

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

THAT the Regional Board award the design, tendering, construction services, wellhead protection plan, water conservation plan, electrical programming services back-up power specification work for the "Faulder Water System Upgrades" project to Ecora Engineering & Resource Group in the amount of \$130,945 plus applicable taxes; and,

THAT the Regional Board authorizes the Chair and Chief Administrative Officer to execute a consulting services agreement with Ecora Engineering & Resource Group.

- CARRIED

F.	CAO REPORTS		
	1. Verbal Update		
G.	OTHER BUSINESS	BUSINESS	
	1. Chair's Report		
	2. Directors Motions		
	3. Board Members Verbal Update		
Н.	ADJOURNMENT By consensus, the meeting adjourned at 10:15 a.m.		
APPROVED:		CERTIFIED CORRECT:	
	ndergraft Board Chair	B. Newell Corporate Officer	



KCMB Events Ltd. DBA Challenge Penticton.

Kevin Cutjar Michael Brown Administration
Operations
Marketing
Communications

5 Year license with City of Penticton and Challenge Family.





PENTICTON **HOSTS 2017** ITU WORLD CHAMPIONSHIP FESTIVAL



- Running Costs Include:
 - Traffic control & Equipment.
 - Staffing & Supplies.
 - Banquets & awards.
 - Prize-money & License fees.
 - Volunteer Team 2015 Budget \$50,000
 - » Includes Honorarium Budget: \$14,000



3 Year Partnership

RDOS SPONSORSHIP BENEFITS

- Naming Sponsor for Volunteer Team with prominent logo on 1000-1500 shirts per year.
- Opportunity to 'name' Bike Course or Special Needs Stations (or similar race component)
- Promotion of tourism and opportunities within RDOS to triathletes via various media outlets.
- Event advertizing, expo inclusion.
- Promotion of RDOS Region via www.challengepenticton.com/rdos

www.challengepenticton.com/rdos





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What we do

Regional Boards are composed of elected Municipal and Electoral Area Directors.

At present, the Regional District of Okanagan-Similkameen Board is comprised of eighteen Directors. Ten Municipal Directors representing the City of Penticton, the District of Summerland, the Town of Osoyoos, the Town of Oliver, the Town of Princeton and the Village of Keremeos. Eight Electoral Area Directors representing Kaleden/Okanagan Falls, Naramata, Okanagan Lake West/West Bench, Keremeos Rural/Hedley, Cawston, Rural Princeton, Rural Oliver and Rural Osoyoos.

This unique representational scheme provides the necessary cross-communication venue to promote co-ordination between the activities of the individual municipalities and the rural areas of the region. The assumption of powers by individual Regional Districts is based upon continued negotiations and dialogue between the Board and the participating Municipalities and Rural Electoral Areas.

Boards and Committees

Community Services Committee





Find out more about the RDOS

Visit the RDOS website

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 2, 2015

TYPE: Official Community Plan and Zoning Bylaw Amendment — Electoral Area "C"

Administrative Recommendation:

THAT Bylaw No. 2452.14, 2015, Electoral Area "C" Official Community Plan Amendment Bylaw and Bylaw No. 2453.24, 2015, Electoral Area "C" Zoning Amendment Bylaw be adopted.

Purpose: To adjust the zone boundary between the CT4 and RSM1 zoned parts of the property and to

introduce cabins as a permitted form of campground use.

Owners: Larry Bray Agent: Parkbridge Lifestyle Communities Inc. Folios: C-01149.000

Legal: Lot 3, Plan KAP3579, DL 28S, SDYD Civic: 8487 Highway 97

Zoning: part Tourist Commercial Four (CT4) and part Residential Manufactured Home Park (RSM1)

Proposed Zoning: part CT4 Site Specific (CT4s); and part Residential Manufactured Home Park (RSM1)

Proposal:

This proposal is seeking to amend the zoning on part of the subject property in order to formalise the use of cabins as part of an existing campground operation and to adjust the zoning boundaries in order that they correspond to the boundaries of the campground use and adjacent manufactured home park use.

Background:

At its meeting of May 19, 2015, the Electoral Area "C" Advisory Planning Commission (APC) failed to achieve a quorum.

At its meeting of June 4, 2015, the Regional District Board approved first and second reading of Amendment Bylaw Nos. 2452.14, 2015 & 2453.24, 2015, and delegated the holding of a Public Hearing.

A Public Hearing was held on June 22, 2015, where approximately eight (8) members of the public attended.

At its meeting of July 2, 2015, the Regional District Board approved third reading of Amendment Bylaw Nos. 2452.14, 2015 & 2453.24, 2015.

Approval from the Ministry of Transportation and Infrastructure (MoTI), as the proposal is situated within 800 metres of a controlled area (i.e. Highway 97), was obtained on July 6, 2015.

Alternative:

THAT the Board of Directors rescind first, second and third reading of Bylaw No. 2452.14, 2015, Electoral Area "C" Official Community Plan Amendment Bylaw and Bylaw No. 2453.24, 2015, Electoral Area "C" Zoning Amendment Bylaw, and abandon the bylaws.

Respectfully submitted:	Endorsed by:	
AE 700		
C. Garrish, Planning Supervisor	D. Butler, Development Services Manager	

BYLAW	NO.	2452	.14

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2452.14, 2015

A Bylaw to amend the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008

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

- 1. This Bylaw may be cited for all purposes as the "Electoral Area "C" Oliver Rural Official Community Plan Amendment Bylaw No. 2452.14, 2015."
- 2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by changing the land use designation on part of the land described as Lot 3, Plan KAP3579, District Lot 28S, SDYD, and shown shaded red on Schedule 'X-2', which forms part of this Bylaw, from Low Density Residential (LR) to Commercial (C).
- 3. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by changing the land use designation on part of the land described as Lot 3, Plan KAP3579, District Lot 28S, SDYD, and shown hatched blue on Schedule 'X-2', which forms part of this Bylaw, from Commercial (C) to Low Density Residential (LR).

Board Chair	Corporate Officer
ADOPTED this day of, 2015.	
READ A THIRD TIME this 2 nd day of July, 2015.	
PUBLIC HEARING held on this 22 nd day of June,	2015.
READ A FIRST AND SECOND TIME this 4 th day of	June, 2015.

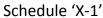
Regional District of Okanagan-Similkameen

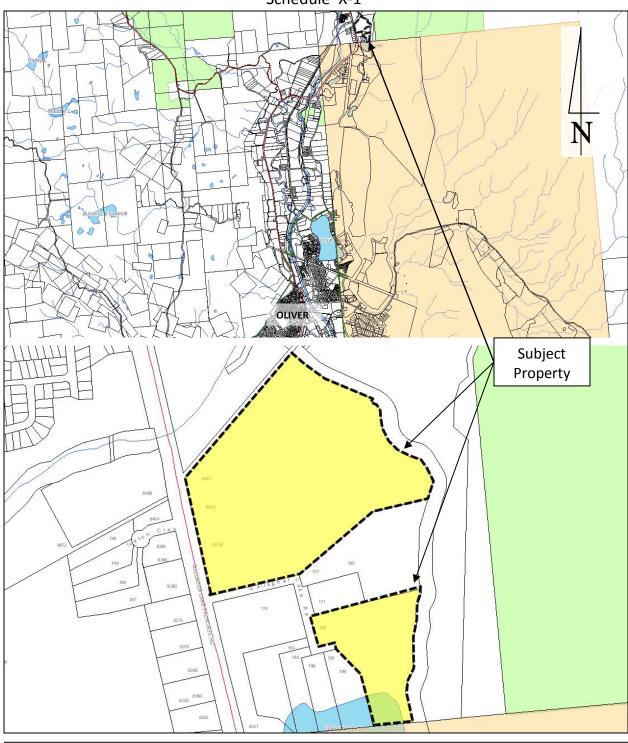
101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2452.14, 2015

Project No: C2015-018-ZONE





Regional District of Okanagan-Similkameen

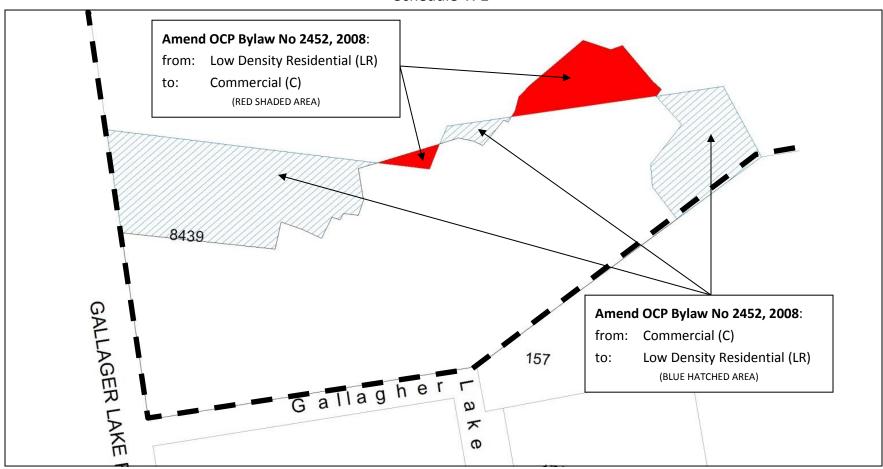
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File No.: C2015.018-ZONE

Amendment Bylaw No. 2452.14, 2015

Schedule 'X-2'



BYLAW	NO.	2453.	24

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2453.24, 2015

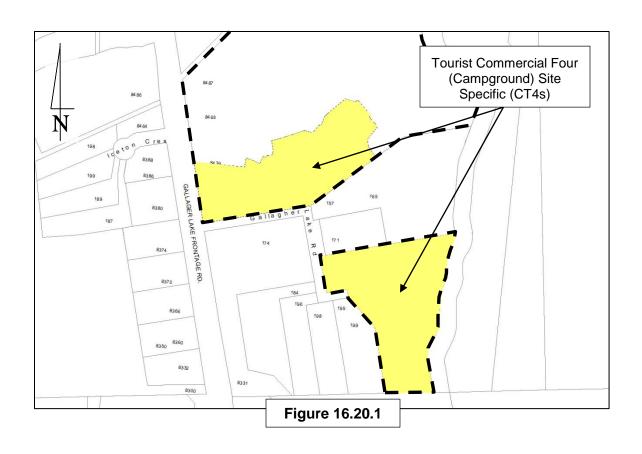
A Bylaw to amend the Electoral Area "C" Zoning Bylaw No. 2453, 2008

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

- 1. This Bylaw may be cited for all purposes as the "Electoral Area "C" Oliver Rural Zoning Amendment Bylaw No. 2453.24, 2015."
- 2. The Official Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation on part of the land described as Lot 3, Plan KAP3579, District Lot 28S, SDYD, and shown hatched blue on Schedule 'Y-2', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Residential Manufactured Home Park (RSM1).
- 3. The Official Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation on part of the land described as Lot 3, Plan KAP3579, District Lot 28S, SDYD, and shown shaded red on Schedule 'Y-2', which forms part of this Bylaw, from Residential Manufactured Home Park (RSM1) to Tourist Commercial Four (Campground) Site Specific (CT4s).
- 4. The Official Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by changing the land use designation on part of the land described as Lot 3, Plan KAP3579, District Lot 28S, SDYD, and shown hatched green on Schedule 'Y-2', which forms part of this Bylaw, from Tourist Commercial

Four (Campground) (CT4) to Tourist Commercial Four (Campground) Site Specific (CT4s).

- 5. The Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by amending subsection 16.20.1 under "Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions", to read as follows:
 - .1 In the case of part of the land described as Lot 3, Plan KAP3579, District Lot 28S, SDYD, and shown shaded yellow on Figure 16.20.1:
 - i) The following principal use and no other shall be permitted on the land:
 - a) "campground", which is defined as meaning a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist cabins or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. Tourist cabins are to contain a maximum of one sleeping unit and are not to be provided with plumbing. May include an office as part of the permitted use but does not include hotels, manufactured homes, manufactured home parks, motels or park model trailers.
 - ii) Not more than 20% of all campsites within a campground shall be used for the placement of tourist cabins.
 - iii) Tourist cabins may not exceed 5.0 metres in height and may not have a gross floor area exceeding 25.0 m² including additions such as covered patios and covered or uncovered decks.



READ A FIRST AND SECOND TIME this 4 th day of June, 2015.		
PUBLIC HEARING held on this 22 nd day of June, 2015.		
Approved pursuant to Section 52(3) of the <i>Trans</i>	sportation Act this 6 th day of July, 2015.	
ADOPTED this day of, 2015.		
Board Chair	Corporate Officer	

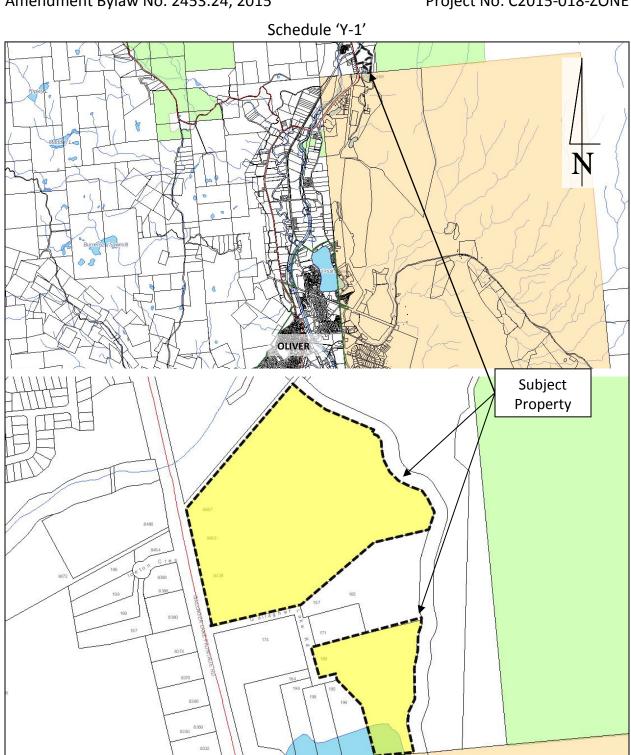
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Amendment Bylaw No. 2453.24, 2015

Project No: C2015-018-ZONE



Regional District of Okanagan-Similkameen

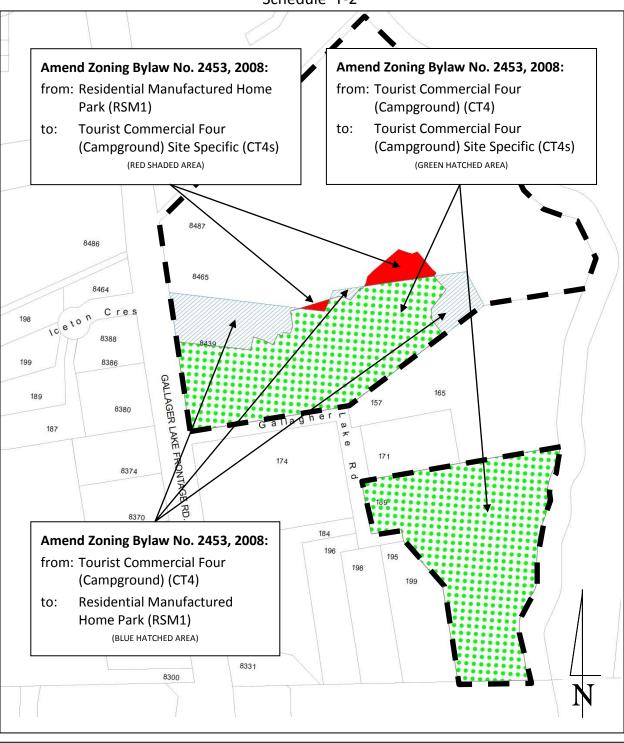
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Amendment Bylaw No. 2453.24, 2015

Project No: C2015-018-ZONE

Schedule 'Y-2'



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

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



Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. E2015.028-TUP; and,

THAT prior to the issuance of TUP No. E2015.028-TUP for the use of the property at 780 Languedoc Road (Lot B, Plan KAP90206, District Lot 211, SDYD) for the purposes of a vacation rental, the following works be requied to the existing single detached dwelling:

- all window egresses from a bedroom shall be a minimum opening of 380 millimetres and a minimum size of 0.35 m²;
- a carbon monoxide detector shall be installed in all bedrooms where there is a wood burning fireplace;
- all smoke alarms shall be in good operating order and properly powered; and
- that all exterior decks and stairs are properly guarded (i.e. required posts and/or rail guards are installed and/or replaced).

<u>Purpose</u>: To allow for the operation of a short-term vacation rental use.

Owner: David Minchau Applicant: David Minchau Folio: E-02286.020

<u>Civic</u>: 780 Languedoc Road, Naramata <u>Legal</u>: Lot B, Plan KAP90206, District Lot 211, SDYD

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

Proposal:

The application seeks approval for the operation of a short-term vacation rental use at the subject property which will be comprised of five (5) bedrooms within the existing single detached dwelling and upwards of five (5) on-site vehicle parking spaces.

The applicant has indicated that "the intention is to use the primary dwelling as a vacation rental, and continue to use the workshop in support of agricultural activities ..."; that the house is not situated near any neighbouring dwellings (i.e. should not pose a noise problem); that there is ample space for parking; the septic system was last inspected in 2012; a property manager handles bookings while there is a separate person who deals with maintenance issues.

The applicant has also indicated that "this property is intended to be the owner's primary residence when repatriated back to Canada. The 3rd party rental use of the property is the only way the owner can use the property on vacation visits, and satisfy taxation requirements for Canadian non-residents."

Site Context:

The subject parcel is approximately 1.0 ha in area and is situated on the south of Languedoc Road near its western terminus (above Mill Road). The property is seen to be comprised of a single detached dwelling and garage. The surrounding pattern of development is characterised by rural-residential parcels and agricultural operations.

Background:

The property was originally created by subdivision in 1951, while the configuration is the result of a boundary adjustment undertaken in 2010 with the adjacent property at 750 Languedoc Road. The development of the existing dwelling and garage is believed to predate the establishment of the Regional District in 1966.

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is currently zoned Agriculture One (AG1) which only allows for a number of commercial agricultural uses as well as residential (i.e. "single detached dwellings") as principal permitted uses. This zoning also accommodated a limited number of non-agricultural commercial uses associated with the residential use of a parcel, such as "home occupations" and "bed and breakfast operations".

While the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is designated as Agriculture (AG) and is not subject to any development permit area designations.

The property is also situated within the Agricultural Land Reserve (ALR) and under Section 3(1) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, agri-tourism on a farm is a permitted farm use provided that "the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms ..." provided that the subject property is classified as "farm" under the Assessment Act. In this instance, the subject property has been assessed as part "farm" (Class 09) and part "residential" (Class 01).

Finally, the property is shown as comprising a "slit bluff" and "sinkhole" geotechnical hazard classification.

Public Process:

At its meeting of May 11, 2015, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that the proposed TUP be approved.

Under the Regional District's Development Procedures Bylaw No. 2500, 2011, the Board may require that a Public Information Meeting be held prior to the consideration of a TUP, "if it considers the proposal to be of a significant scale or nature warranting an additional opportunity for the public to access information and inquire about the proposal beyond that available through the regular application referral and public hearing process."

In this instance, Administration is not recommending that a Public Information Meeting be required due to the size and rural setting of the subject property, while adjacent property owners have received notification of this application, and written comments regarding the proposal were accepted until 12:00 p.m. on Thursday July 8, 2015.

Finally, this proposal has been referred to the external agencies listed at Attachment No. 2. All received comments are compiled and included as a separate item on the Board Agenda.

Alternative:

THAT the Board of Directors deny Temporary Use Permit No. E2015.028-TUP.

Analysis:

In assessing this proposal, Administration notes that the OCP Bylaw is silent on the operation of "vacation rental" uses in the Agricultural (AG) designation, but does support property owners being able to diversify and enhance uses secondary to agricultural uses, including bed and breakfast operations (Section 9.3.11), other "value-added" uses such as agri-tourism for the purpose of diversifying and enhancing farm income, provided they do not present a potential land use conflict with surrounding properties (Section 9.3.12) and "appropriate provisions for tourist commercial uses" (Section 9.3.14).

In addition, this proposal is generally seen to comply with the assessment criteria used to consider applications for a TUP related to a vacation rental use in a residential neighbourhood, these being:

- 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 for use as a vacation rental meets a minimum standard for health and safety; and
- e) benefits that such accommodation may provide to the community.

In response to this criteria, the applicant has provided a septic system inspection which concluded that "XXXX", while comments received from the Interior Health Authority (IHA) that their interests are unaffected by this proposal.

With regard to screening and fencing, the applicant has stated that due to being in an agricultural area the dwelling is screened from neighbours by fruit trees as well as the orchards found on surrounding properties.

In terms of on-site vehicle parking, the applicant has further states that due to the size of the property, there is sufficient area for vehicle parking.

A health and safety inspection was conducted on June 9, 2015 and determined that three (3) of the bedrooms did not provide sufficient egress (i.e. undersized windows), that not all of the smoke alarms were functional (i.e. one was missing batteries), there was no carbon monoxide detector in the master bedroom (which contained a fireplace), the upper deck exhibited signs of rot, while the lower deck required guard and handrails. Administration is recommending that these items be addressed prior to the issuance of any TUP.

With regard to community benefit, the applicant has stated that "our home brings new visitors, families to valley, almost all of them taking advantage of the "wine trade". We advertise local arts and crafts to our visitors, the village market, services in the village. All of this activity brings revenue to the region and helps the valley's employment. We hire local companies to service our home, look after our yard and clean after our guests. Much of this revenue and trade would not happen with a long term rental in the home."

Given the OCP Bylaw generally supports accessory commercial/residential uses related to tourist accommodation in the Agriculture (AG) designation, Administration is supportive of this proposal.

Under the Regional District's "Vacation Rental Temporary Use Permit Policy", a term limit not exceeding 18 months shall be applied to Temporary Use Permit being issued for a vacation rental use on land which has not been the subject of such an approved use previously (or which is being proposed by new owners of the land).

The intent of this Policy is to allow for a new vacation rental use to operate for one "season" in order to determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

Given delays associated with the issuance of TUPs for vacation rental uses due to the proposal (since abandoned) to amend the Electoral Area "E" OCP Bylaw to remove references to Health & Safety Inspections, Administration is recommending that the term of this TUP be to December 31, 2016.

Respectfully submitted:

C. Garrish, Planning Supervisor

Attachments: Attachment No. 1 – Agency Referral List

Attachment No. 2 - Site Photo

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☑, prior to Board consideration of TUP No. E2015.028-TUP:

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

Attachment No. 2 – Site Photos





TEMPORARY USE PERMIT

FILE NO.: E2015.028-TUP

TO: David Minchau and Ambyr Parker-Minchau

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot B, Plan KAP90206, District Lot 211, SDYD

Civic Address/location: 780 Languedoc Road, Naramata

Parcel Identifier (PID): 028-118-987 Folio: E-02286.020

TEMPORARY USE

6. In accordance with Section 19.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a vacation rental use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the accommodation of paying guests occupying the dwelling unit for a period of less than 30 days.

CONDITIONS OF TEMPORARY USE

- 7. The vacation rental use of the land is subject to the following conditions:
 - (a) the vacation rental use shall occur only between April 1st and October 31st;
 - (b) the following information must be posted within the dwelling unit while the vacation rental use is occurring:
 - i) the location of property lines by way of a map;
 - ii) a copy of the Regional District's Electoral Area "E" Noise Regulation and Prohibition Bylaw;
 - iii) measures to address water conservation;
 - iv) instructions on the use of appliances that could cause fires, and for evacuation of the building in the event of fire;
 - v) instructions on the storage and management of garbage;
 - vi) instructions on septic system care; and
 - vii) instructions on the control of pets (if pets are permitted by the operator) in accordance with the Regional District's Animal Control Bylaw.
 - (c) the maximum number of bedrooms that may be occupied by paying guests shall be five (5);
 - (d) the number of paying guests that may be accommodated at any time shall not exceed ten (10);
 - (e) a minimum of five (5) on-site vehicle parking spaces shall be provided for paying guests;
 - (f) camping and the use of recreational vehicles, accessory buildings and accessory structures on the property for vacation rental occupancy are not permitted; and
 - (g) current telephone contact information for a site manager or the property owner, updated from time to time as necessary, as well as a copy of this Temporary Use Permit shall be provided to the owner of each property situated within 100 metres of the land and to each occupant of such property if the occupier is not the owner.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

Not applicable.

EXPIRY OF PERMIT 10. This Permit shall expire on the 31st day of December, 2016. Authorising resolution passed by the Regional Board on _______, 2015.

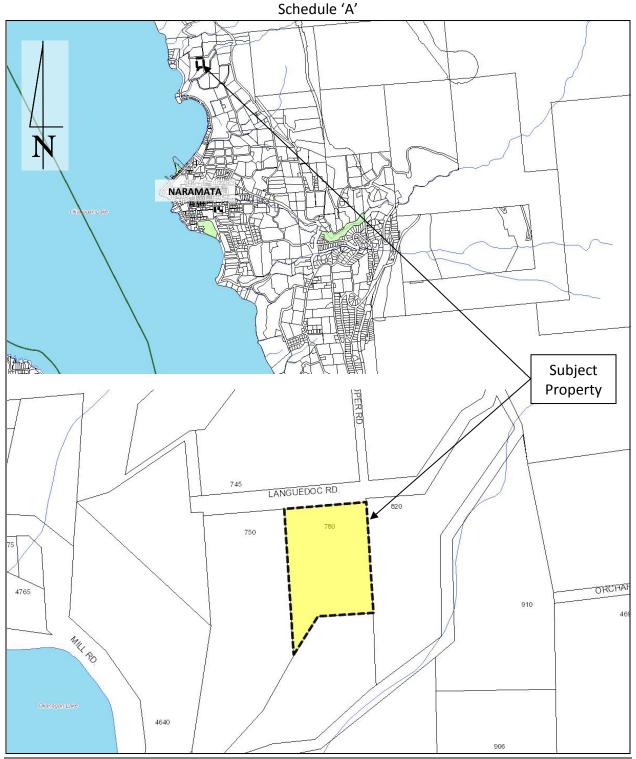
B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit



Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit





Lauri Feindell

MINCHAU £02286.020

From:

Beaupre, John < John.Beaupre@interiorhealth.ca>

Sent:

April-16-15 4:22 PM

To:

Planning

Subject:

TUP for Short Term Vacation Rental Use - RDOS File: E2015.028-TUP

Attention Christopher Garrish, MCIP RPP Regional District of Okanagan-Similkameen 101 Martin Street, Penticton, BC V2A 5J9

Dear Mr. Garrish:

Re: Temporary Use Permit Application for Operation of Short Term Vacation Rental Lots B, Plan KAP90206, District Lot 211, SDYD 780 Languedoc Road, Naramata

Thank you for the opportunity to provide comment on the above referenced TUP application from the viewpoint of our policies and regulations.

This offices interests are unaffected by the proposed temporary use of the subject property as a vacation rental and as such we have no comment to provide.

Please contact me with any questions you may have.

Thank you.

John C. Beaupre, C.P.H.I.(C)
Environmental Health Officer
Interior Health Authority
Penticton Health Protection
105 – 550 Carmi Avenue, Penticton, BC, V2A 3G6

Bus: (250) 770-5540

Direct: (250) 492-4000 Ext: 2744

Cell: (250) 809-7356 Fax: (250) 770-5541

Email: john.beaupre@interiorhealth.ca

Web: www.interiorhealth.ca

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RESPONSE SUMMARY

TUP application: E2015.028-TUP

1000	Approval Recommended for Reasons Outlined Below	х	Interests Unaffected by Bylaw
	Approval Recommended Subject to Conditions Below		Approval Not Recommended Due to Reasons Outlined Below
Should you have questions or concerns please call me at your convenience at 250 861-7229.			
Signature:	Carl Withler P.Ag.	Signed	l By:
Agency:	Ministry of Agriculture	Title:	Regional Agrologist.
Date:	April 15 th , 2015		



Lauri Feindell

From:

Corscadden, Alisa < Alisa. Corscadden@fortisbc.com>

Sent:

April-07-15 9:15 AM

To:

Planning

Subject:

RE: Agency Referral - E2015.028-TUP (Minchau)

Please be advised FortisBC has reviewed the above mentioned referral and we have no concerns.

Regards,

Alisa Corscadden, SR/WA Property Services. Land Administrator 16705 Fraser Highway | Surrey BC V4N 0E8 P: 604.576-7091 / alisa.corscadden@fortisbc.com



From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

Sent: Monday, March 30, 2015 4:10 PM

To: HBE@interiorhealth.ca; FBC Lands; 'Referral Apps REG8 ENV:EX' (ReferralAppsREG8@gov.bc.ca); 'Collins, Martin J

ALC:EX' (Martin.Collins@gov.bc.ca); Diana.Cooper@gov.bc.ca; 'carl.withler@gems3.gov.bc.ca'

(carl.withler@gems3.gov.bc.ca); Corscadden, Alisa; onareception@syilx.org; carmstrong@syilx.org; PIB Referrals

(<u>referrals@pib.ca</u>)

Cc: Christopher Garrish

Subject: Agency Referral - E2015.028-TUP (Minchau)

Re: Temporary Use Permit Application

Legal: Log B, Plan KAP90206, DL211, SDYD

Address: 780 Languedoc Road, Naramata

Please find a copy of a Referral Request for a Temporary Use Permit Application along with the Rationale Letter and Site Plan. Please forward any comments/concerns you may have to <u>planning@rdos.bc.ca</u>. If you have any questions, please contact Christopher Garrish, <u>cgarrish@rdos.bc.ca</u> or 250.490.4101.

Sincerely,



Lauri Feindell

From:

Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>

Sent:

April-07-15 11:01 AM

To:

Lauri Feindell

Subject:

RE: Agency Referral - E2015.028-TUP (Minchau)

Hi Laurie,

The Ecosystems Section of the Ministry of Forests Lands and Natural Resource Operations has reviewed the above mentioned referral and has "No Comment"

Cathy Lacey Admin Support MOE/MFLNRO Penticton

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

Sent: Monday, March 30, 2015 4:10 PM

To: HBE@interiorhealth.ca; fbclands@fortisbc.com; Referral Apps REG8 FLNR:EX; Collins, Martin J ALC:EX; Cooper,

Diana FLNR:EX; Withler, Carl AGRI:EX; alisa.fowler@terasengas.com; onareception@syilx.org; carmstrong@syilx.org; PIB

Referrals (<u>referrals@pib.ca</u>)

Cc: Christopher Garrish

Subject: Agency Referral - E2015.028-TUP (Minchau)

Re: Temporary Use Permit Application

Legal: Log B, Plan KAP90206, DL211, SDYD

Address: 780 Languedoc Road, Naramata

Please find a copy of a Referral Request for a Temporary Use Permit Application along with the Rationale Letter and Site Plan. Please forward any comments/concerns you may have to <u>planning@rdos.bc.ca</u>. If you have any questions, please contact Christopher Garrish, <u>cgarrish@rdos.bc.ca</u> or 250.490.4101.

Sincerely,



Lauri Feindell • Planning Administrative Assistant Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063

www.rdos.bc.ca · lfeindell@rdos.bc.ca

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ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

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



Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. E2015.030-TUP; and,

THAT prior to the issuance of TUP No. E2015.030-TUP, the property owner(s) remove the kitchen unit, in accordance with the requirements of the Regional District's "Requirements for Decommissioning a Dwelling" Policy, from the accessory structure located on the subject property.

<u>Purpose</u>: To allow for the operation of a "tourist accommodation guest house"

Owner: Hollyhock Trust Applicant: Katherine Robbins Folio: E-00754.010

Civic: 4245 Mill Road, Naramata Legal: Lot A, Plan KAP48883, District Lot 210, SDYD

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

Proposal:

This proposal seeks approval for the operation of a tourist accommodation use at the subject property which will be comprised of seven (7) bedrooms within an existing single detached dwelling and accessory structure.

Site Context:

The subject parcel is approximately 3,018 m² in area, is situated on the west corner of Mill Road and is fronted by Okanagan Lake along its rear boundary approximately 200 metres north of Naramata Wharf Park. The property is seen to be comprised of a single detached dwelling and related accessory structures.

The surrounding pattern of development is characterised by low density residential parcels along the lake foreshore as well as the Sandy Beach Lodge and Resort 50 metres to the north.

Background:

The current boundaries of the property were created by subdivision in 1993 following the creation of a new parcel from two existing parcels.

In 2006, Building Permit applications were submitted to the Regional District in order to decommission and relocate an existing "panabode" dwelling unit to the rear of the property (henceforward to be used as an accessory structure) and to construct a new three (3) bedroom dwelling with upper storey "loft" area.

Project No. E2015.030-TUP

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which only allows for a maximum density of one (1) "single detached dwellings" as a principal permitted use, with a limited accommodation of commercial uses in the form of "home occupations" and "bed and breakfast operations" as permitted secondary uses.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, an objective of the Board in relation to residential areas is generally to maintain the character of an area, however, "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" is also supported.

The property is also the subject of a Watercourse Development Permit (WDP), Environmentally Sensitive Development Permit (ESDP) Area under the OCP and is shown as being within "Landslide Hazard" classification.

Public Process:

At its meeting of May 11, 2015, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved subject to the following conditions:

- 1. That the maximum accommodation of persons not exceed fourteen (14);
- 2. THAT both structures may be used for the said accommodation; and
- 3. THAT the APC recommends the term of the TUP be until December 31st, 2015.

Under Section 5.1.1 of the Regional District's Development Procedures Bylaw No. 2500, 2011, the Board may require that a Public Information Meeting be held prior to the consideration of a TUP, "if it considers the proposal to be of a significant scale or nature warranting an additional opportunity for the public to access information and inquire about the proposal beyond that available through the regular application referral and public hearing process."

In this instance, Administration notes that this property has not previously been the subject of a written complaint related to vacation rental uses and considers the direct notification of adjacent neighbours to be sufficient.

In accordance with Section 2.5 of Schedule '5' of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed at Attachment No. 2. To date, comments have been received from Interior Health Authority (IHA) and are included as a separate item on the Agenda.

Alternatives:

- 1. THAT the Board of Directors deny Temporary Use Permit No. E2015.030-TUP; OR
- 2. THAT the Board of Directors defer consideration of Temporary Use Permit No. E2015.030-TUP subject to the completion of a Public Information Meeting to be organised by the applicant.

Analysis:

In assessing this proposal, Administration notes that the OCP Bylaw contains a number of criteria against which the Board will consider an application for a TUP related to a vacation rental use in a residential neighbourhood. These include:

a) capability of accommodating on-site domestic water and sewage disposal;

Project No: E2015.030-TUP

- b) mitigating measures such as screening and fencing;
- c) provision of adequate off-street parking;
- d) confirmation that the structure proposed for use as a vacation rental meets a minimum standard for health and safety; and
- e) benefits that such accommodation may provide to the community.

In response, the applicant has stated that the septic system was recently serviced and no issues with its operation identified, while comments have been received from Interior Health Authority (IHA) indicating that they have "reviewed information we have on file regarding the existing onsite sewage disposal systems serving the subject property and we have no objection to the issuance of a TUP for short-term vacation rental of the property."

The property is fenced and landscaped along the boundaries with adjacent neighbours and are of a height which ensures the privacy of neighbours (as well as vacation rental patrons), while the applicant has indicated that approximately 8-10 vehicles can be accommodated in on-site parking spaces.

A health and safety inspection was completed on May 25, 2015, which determined no serious concerns other than a kitchen having been retained within the former "panabode" dwelling unit which was to have been decommissioned in 2006. Given the Zoning Bylaw does not permit accessory dwellings in the RS1 Zone, it is being recommended that, prior to the issuance of any TUP, the owner be required to remove the kitchen in accordance with the Regional District's "Requirements for Decommissioning a Dwelling" Policy.

In terms of community benefit, the applicant has stated that "one of the biggest benefits to the Naramata community is bringing in more tourists who will spend money on activities, attractions, restaurants and shopping. With the Naramata Center and the Heritage Inn closing Naramata businesses need more tourist trade. As well, Sandy Beach Lodge and the Royal Anchor are sold out during the summer months and there are few other lakeside accommodation options."

Of concern, Section 19.3.6(e) of the OCP does speak to a potential maximum capacity of a vacation rental use to no more than ten (10) patrons in five (5) bedrooms. In this instance, the applicant has advised that there are seven (7) bedrooms situated within two separate structures.

In considering this issue, Administration notes that, at over 3,000 m² in area, the size of the property is generally not characteristic of other residential properties in this area which have been zoned RS1 and is more typical of parcels found in the Small Holdings (SH) designation.

Accordingly, the accommodation of upwards of 14 patrons in two separate structures is not seen to be an over-development and/or overly intensive use of this site. It would also not be uncharacteristic of similar commercial tourist uses found in this area (i.e. Royal Anchor Resort and Sandy Beach Lodge & Resort).

Under the Regional District's "Vacation Rental Temporary Use Permit Policy", a term limit not exceeding 18 months shall be applied to Temporary Use Permit being issued for a vacation rental use on land which has not been the subject of such an approved use previously (or which is being proposed by new owners of the land).

Project No: E2015.030-TUP

The intent of this Policy is to allow for a new vacation rental use to operate for one "season" in order to determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

Given estimated delays associated with the issuance of TUPs for vacation rental uses due to the need to amend the Electoral Area "E" OCP Bylaw to remove references to Health & Safety Inspections, Administration is recommending that the term of this TUP be to December 31, 2016.

Respectfully submitted:

Endorsed by:

Donna Butler

C. Garrish, Planning Supervisor

D. Butler, Development Services Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo (Google Streetview)

Project No: E2015.030-TUP

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a \square , prior to Board consideration of TUP No. E2015.030-TUP:

V	Agricultural Land Commission (ALC)		City of Penticton
V	Interior Health Authority (IHA)		District of Summerland
$\overline{\mathbf{V}}$	Ministry of Agriculture		Town of Oliver
	Ministry of Community, Sport and Cultural Development		Town of Osoyoos
	Ministry of Energy & Mines		Town of Princeton
V	Ministry of Environment		Village of Keremeos
	Ministry of Forests, Lands & Natural Resource Operations		Okanagan Nation Alliance (ONA)
Ø	Archaeology Branch	Ø	Penticton Indian Band (PIB)
V	Archaeology Branch Ministry of Transportation and Infrastructure		Penticton Indian Band (PIB) Osoyoos Indian Band (OIB)
	Ministry of Transportation and		, ,
V	Ministry of Transportation and Infrastructure		Osoyoos Indian Band (OIB)
I	Ministry of Transportation and Infrastructure Integrated Land Management Bureau		Osoyoos Indian Band (OIB) Upper Similkameen Indian Bands (USIB)
	Ministry of Transportation and Infrastructure Integrated Land Management Bureau BC Parks School District #53 (Okanagan		Osoyoos Indian Band (OIB) Upper Similkameen Indian Bands (USIB) Lower Similkameen Indian Bands (LSIB)

Attachment No. 2 – Site Photos





TEMPORARY USE PERMIT

FILE NO.: E2015.030-TUP

AGENT: Katheryne Robbins Owner: Hollyhock Trust

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot A, Plan KAP48883, District Lot 210, SDYD

Civic Address/location: 4245 Mill Road, Naramata

Parcel Identifier (PID): 018-064-299 Folio: E-00754.010

TEMPORARY USE

6. In accordance with Section 19.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a vacation rental use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a

residential dwelling unit for the accommodation of paying guests occupying the dwelling unit for a period of less than 30 days.

CONDITIONS OF TEMPORARY USE

- 7. The tourist accommodation guest house use of the land is subject to the following conditions:
 - (a) the tourist accommodation guest house use shall occur only between April 1st and October 31st;
 - (b) the following information must be posted within the dwelling unit while the tourist accommodation guest house use is occurring:
 - i) the location of property lines by way of a map;
 - ii) a copy of the Regional District's Electoral Area "E" Noise Regulation and Prohibition Bylaw;
 - iii) measures to address water conservation;
 - iv) instructions on the use of appliances that could cause fires, and for evacuation of the building in the event of fire;
 - v) instructions on the storage and management of garbage;
 - vi) instructions on septic system care; and
 - vii) instructions on the control of pets (if pets are permitted by the operator) in accordance with the Regional District's Animal Control Bylaw.
 - (c) the maximum number of bedrooms that may be occupied by paying guests shall be seven (7);
 - (d) the number of paying guests that may be accommodated at any time shall not exceed fourteen (14);
 - (e) a minimum of seven (7) on-site vehicle parking spaces shall be provided for paying guests;
 - (f) camping and the use of recreational vehicles on the property for tourist accommodation guest house occupancy are not permitted; and
 - (g) current telephone contact information for a site manager or the property owner, updated from time to time as necessary, as well as a copy of this Temporary Use Permit shall be provided to the owner of each property situated within 100 metres of the land and to each occupant of such property if the occupier is not the owner.

COVENANT REQUIREMENTS 8. Not applicable. SECURITY REQUIREMENTS 9. Not applicable. EXPIRY OF PERMIT 10. This Permit shall expire on the 31st day of December, 2016. Authorising resolution passed by the Regional Board on ______, 2015.

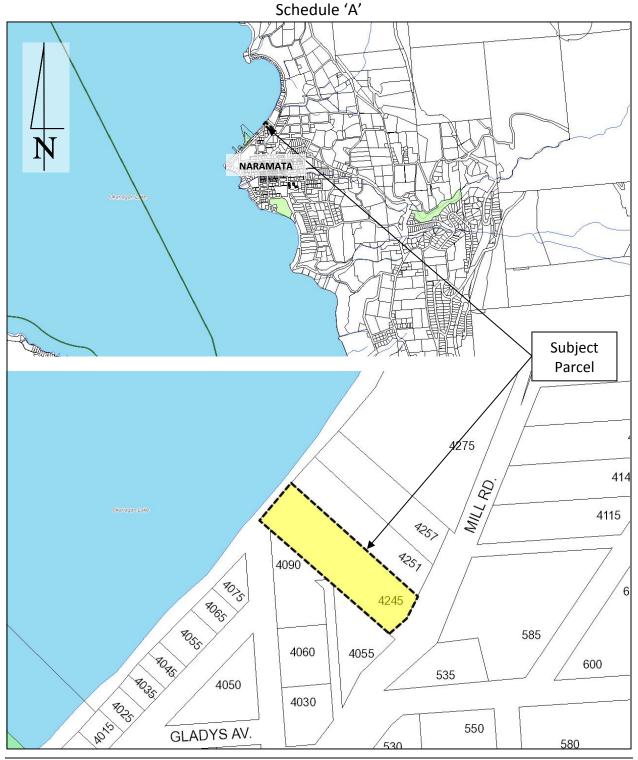
B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit



Regional District of Okanagan-Similkameen

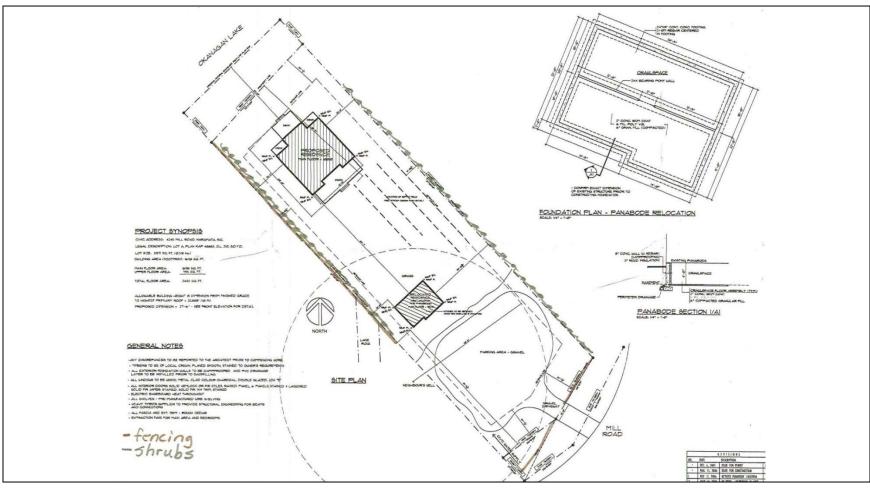
101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit

File No. E2015.018-TUP

Schedule 'B'



From: Beaupre, John < John.Beaupre@interiorhealth.ca>

Sent: May-14-15 2:20 PM

To: Planning

Subject: TUP Application For Short-Term Vacation Rental - RDOS File: E2015.030-TUP

Attention Christopher Garrish, MCIP RPP Regional District of Okanagan-Similkameen 101 Martin Street, Penticton, BC V2A 5J9

Dear Mr. Garrish:

Re: Proposed Operation of a Short-Term Vacation Rental

Lot A, Plan KAP48883, District Lot 210, SDYD 4245 Mill Road, Naramata, Electoral Area "E" Tidball

Thank you for the opportunity to provide comment on the above referenced Temporary Use Permit Application.

This office has reviewed information we have on file regarding the existing onsite sewage disposal systems serving the subject property and we have no objection to the issuance of a TUP for short-term vacation rental of the property.

Please contact me with any questions you may have.

Thank you.

John C. Beaupre, C.P.H.I.(C) Environmental Health Officer Interior Health Authority Penticton Health Protection 105 – 550 Carmi Avenue, Penticton, BC, V2A 3G6

Bus: (250) 770-5540

Direct: (250) 492-4000 Ext: 2744

Cell: (250) 809-7356 Fax: (250) 770-5541

Email: john.beaupre@interiorhealth.ca

Web: www.interiorhealth.ca

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Tidball E00754,011

From:

Referral Apps REG8 FLNR:EX < Referral Apps REG8@gov.bc.ca>

Sent:

April-24-15 8:49 AM

To:

Lauri Feindell

Subject:

RE: Agency Referral - E2015.030-TUP (Hollyhock Trust)

Hi Lauri,

The Ecosystems Section of the Ministry of Forest Lands & Natural Resources has reviewed the above noted referral and has "No Comment".

Cathy Lacey Admin Support MOE/MFLNRO Penticton

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

Sent: Thursday, April 23, 2015 12:20 PM

To: <u>HBE@interiorhealth.ca</u>; <u>fbclands@fortisbc.com</u>; Referral Apps REG8 FLNR:EX; Collins, Martin J ALC:EX; Withler, Carl AGRI:EX; Cooper, Diana FLNR:EX; <u>onareception@syilx.org</u>; <u>carmstrong@syilx.org</u>; <u>PIB Referrals@pib.ca</u>);

alisa.fowler@terasengas.com
Cc: Christopher Garrish

Subject: Agency Referral - E2015.030-TUP (Hollyhock Trust)

Please find a referral for a Temporary Use Permit regarding:

Project No. E2015.030-TUP

Legal: Lot A, Plan KAp48883, DL210, SDYD

4245 Mill Road, Naramata

Please review the attached, and if you have any comments please forward to planning@rdos.bc.ca.

Sincerely,



Lauri Feindell • Planning Administrative Assistant
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • Ifeindell@rdos.bc.ca

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From:

Corscadden, Alisa < Alisa, Corscadden@fortisbc.com>

Sent:

June-12-15 11:11 AM

To:

Lauri Feindell

Subject:

RE: Agency Referral - E2015.030-TUP (Hollyhock Trust)

Lauri,

Please be advised FortisBC has reviewed the above mentioned referral and we have no concerns.

Regards,

Alisa Corscadden, SR/WA
Property Services.
Land Administrator
16705 Fraser Highway | Surrey BC V4N 0E8
P: 604,576-7091 / alisa.corscadden@fortisbc.com



From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

Sent: Thursday, April 23, 2015 12:20 PM

To: HBE@interiorhealth.ca; FBC Lands; 'Referral Apps REG8 ENV:EX' (ReferralAppsREG8@gov.bc.ca); 'Collins, Martin J

ALC:EX' (Martin.Collins@gov.bc.ca); 'carl.withler@gems3.gov.bc.ca' (carl.withler@gems3.gov.bc.ca);

<u>Diana.Cooper@gov.bc.ca</u>; <u>onareception@syilx.org</u>; <u>carmstrong@syilx.org</u>; <u>PIB Referrals@pib.ca</u>); Corscadden,

Alisa

Cc: Christopher Garrish

Subject: Agency Referral - E2015.030-TUP (Hollyhock Trust)

Please find a referral for a Temporary Use Permit regarding:

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Legal: Lot A, Plan KAp48883, DL210, SDYD

4245 Mill Road, Naramata

Please review the attached, and if you have any comments please forward to planning@rdos.bc.ca.

Sincerely,





Penticton Indian Band

R.R. #2, Site 80, Comp.19 Penticton, British Columbia Canada V2A 6J7

Telephone: 250-493-0048 Fax: 250-493-2882

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

June-04-15

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

RTS#:

958

Referral ID:

2015-04-23 ZON 958

Ref#:

E-00754.010 E2015.030-TUP

Date:

April-23-15

Attention: Christopher Garrish

Re: Regional District of Okanagan Similkameen RTS #958, Invoice #196

We write regarding your failure to pay invoice #196 to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated April-23-15.

Please make cheque payable to Penticton Indian Band. re: P.C. 132 RTS #958

The Okanagan Nation holds unextinguished aboriginal title to the land and resources within our traditional territory. The above-noted activity / development is within PIB's Area of Responsibility within Okanagan territory and as such, is subject to Okanagan title, jurisdiction, rights and interests, and PIB decision making and responsibility.

Over the last two decades, the Supreme Court of Canada has clarified the law respecting the rights of aboriginal people in British Columbia, which includes the Penticton Indian Band, Okanagan Nation. The Court has clarified that Aboriginal title continues to exist in British Columbia, and is protected by s. 35 of the Constitution Act, 1982.

Most recently, in June 2014, the Supreme Court of Canada in the *Tsilhqot'in* case set out the following characteristics and implications of Aboriginal title:

- Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.
- The Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in Aboriginal title lands and resources; the beneficial interest is held by the Aboriginal title holding group. Allocations of Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.
- Aboriginal title includes the right to proactively use and manage the resources.
- Once Aboriginal title is "established", the constitution prohibits incursions without the consent of the Aboriginal title holders unless the Crown can justify the infringement, which in turn requires a compelling and substantial public purpose as well as consistency with the Crown's fiduciary duty to the Aboriginal title holders, requiring the involvement of the Aboriginal title holding group in decisions.
- Before Aboriginal title is "established", the only way to ensure certainty is to obtain consent; in the absence of consent, the Crown must consult and accommodate. If consultation or accommodation is inadequate, the Crown decision can be suspended or quashed. Moreover, fulfilling the duty to consult and accommodate does not provide the certainty that consent provides; once Aboriginal title is



established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co-existence or accommodation of our jurisdiction and title. The Province continues to act as though we have no beneficial interest or authority, and it takes for itself the revenues derived from our lands and resources. The payment of the referral fee is necessary in order for us to assess your proposal, assess potential impacts and determine whether it should be approved and if so, on what conditions. Because we are unable to undertake such an assessment, we must at this time advise you that we are opposed to your proposed development/activity.

If you require further information or clarification, please do not hesitate to contact me.

limlemt,

Lavonda Nelson Data Management Clerk

CC:

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

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



Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. E2015.031-TUP; and,

THAT prior to the issuance of TUP No. E2015.031-TUP, the property owner installs "honeycomb pavers" and two (2) "aluminum ramps" over the parking space proposed adjacent to the northern interior side parcel boundary, and in accordance with the recommendations of the septic system assessment provided by Kelly Hohmann, ROWP, of ABC Septic Services and dated July 2, 2015.

<u>Purpose</u>: To allow for the operation of a short-term vacation rental use.

Owner: Lynda Partone Applicant: Lynda Partone Folio: E-00642.000

<u>Civic</u>: 3985 1st Street, Naramata <u>Legal</u>: Lot 25, Plan KAP3352, District Lot 210, SDYD

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

Proposal:

This application seeks approval for the operation of a short-term vacation rental use at the subject property which will be comprised of approximately two (2) bedrooms within the existing single detached dwelling and one (1) on-site vehicle parking space.

The applicant has indicated that the property has been used for the purposes of short-term vacation rentals since 2002, and that they would like to continue this use between the months of June and September (with the property used for monthly residential rentals during the remainder of the year).

Site Context:

The subject parcel is approximately 307 m² in area, is situated on the north side of Mill Road and is fronted by Okanagan Lake along its rear boundary, a public water access along its eastern boundary and the former BC Tree Fruits packing shed along its western boundary. The property is seen to be comprised of a single detached dwelling and an accessory structure (i.e. dock).

The surrounding pattern of development is characterised by low density residential parcels along the lake foreshore, and Naramata Wharf Park and a now vacant parcel owned by BC Tree Fruits.

Background:

The property was created by subdivision in 1949, and was previously occupied by a "trailer cottage" through to the mid 1990s.

In 1994, an application to the Board of Variance (BoV) was approved, reducing the front setback from 7.62 metres (25 feet) to 4.57 metres (15 feet), the rear setback from 7.62 metres (25 feet) to 6.1 metres (20 feet) and the exterior side setback from 4.57 metres (15 feet) to 1.53 metres (5 feet).

Following the adoption of a new Electoral Area "E" Zoning Bylaw in 1995, the interior side yard setback in the RS1 Zone was changed, prompting the submission of another application to the BoV that same year — subsequently approved — reducing this new setback from 3.0 metres to 1.524 metres. A Building Permit was subsequently issued for the construction of a single detached dwelling in 1996.

In 2007, the Regional District received a written complaint regarding the operation of a vacation rental from the subject property. The property owner was contacted at that time and advised by the Regional District that vacation rentals were not permitted under the Zoning Bylaw and that this use needed to cease, or an amendment to the Zoning Bylaw sought.

The Regional District was subsequently advised by the property owner that the dwelling was rented on a monthly basis and that on-line notices advertising short-term rentals were not authorised by them and would be removed. Following the removal of these advertisements, the Regional District closed the enforcement file.

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which only allows for "single detached dwellings" as a principal permitted use, with a limited accommodation of commercial uses in the form of "home occupations" and "bed and breakfast operations" as permitted secondary uses.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, an objective of the Board in relation to residential areas is generally to maintain the character of an area, however, "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" is also supported.

The property is also the subject of a Watercourse Development Permit (WDP), Environmentally Sensitive Development Permit (ESDP) Area under the OCP and is shown as possessing a geological classification of "limited or no hazard of slumps or slides."

Public Process:

At its meeting of May 11, 2015, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved subject to the following conditions:

- 1. THAT two (2) on-site parking spaces acceptable to the RDOS be provided before the TUP be granted.
- 2. THAT the APC recommends the TUP term be until December 31st, 2015.
- 3. The APC also voices concerns that the septic field is paving/bricked over, inhibiting evaporation.

Under Section 5.1.1 of the Regional District's Development Procedures Bylaw No. 2500, 2011, the Board may require that a Public Information Meeting be held prior to the consideration of a TUP, "if it considers the proposal to be of a significant scale or nature warranting an additional opportunity

for the public to access information and inquire about the proposal beyond that available through the regular application referral and public hearing process."

In this instance, Administration recognises that this property has previously been the subject of a written complaint related to a vacation rental use. Depending upon the number of representations that may be received from surrounding property owners, the Board may wish to give consideration to the requirement for a public information meeting prior to making a determination on this proposal.

In accordance with Section 2.5 of Schedule '5' of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed at Attachment No. 2. To date, comments have been received from Interior Health Authority (IHA) and Fortis and are included as a separate item on the Agenda.

Alternatives:

- 1. THAT the Board of Directors deny Temporary Use Permit No. E2015.031-TUP; OR
- 2. THAT the Board of Directors defer consideration of Temporary Use Permit No. E2015.031-TUP subject to the completion of a Public Information Meeting to be organised by the applicant.

Analysis:

In assessing this proposal, Administration notes that the OCP Bylaw contains a number of criteria against which the Board will consider an application for a TUP related to a vacation rental use in a residential neighbourhood. These include:

- 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 for use as a vacation rental meets a minimum standard for health and safety; and
- e) benefits that such accommodation may provide to the community

On the issues of septic, both the APC and IHA have raised concerns about the operation of the current field due to it previously being covered with paving stones and now being proposed as a vehicle parking space.

In response, the applicant had a registered onsite wastewater practitioner (ROWP) complete an assessment of the septic system. This assessment recommended the installation of "honeycomb pavers" as these will provide a "breathable surface and an interlocked driveway which will not impact or compress the field." In addition, the installation of "2 aluminum ramps" would "defray the weight of a parking area."

Resolution of these septic issues will allow for the required 2 on-site vehicle parking spaces as it is proposed to place one of the spaces over the existing septic field.

At the moment, the property has no immediate neighbours following the demolition of the BC Tree Fruits packinghouse as it otherwise joined by Okanagan Lake along its rear boundary and a public access to the lake along its exterior side boundary (to the north).

A health and safety inspection was completed on June 5, 2015, which determined no serious concerns.

With regard to the benefit to the community, the applicant has stated that:

I usually rent to parents, grandparents and any number of kids belonging to their family. They provide the spending money for paddle board rentals, water ski boats and floaties, numerous trips to Naramata store, restaurant use in Naramata, and they take part in Church activities, local fairs, and purchase many souvenirs from the local artists, clothing stores, and wineries. I believe the quality of occupants that I require are a definite asset to the community, consisting primarily of families.

Given the OCP Bylaw supports vacation rental uses subject to the aforementioned criteria generally being satisfied, Administration is supportive of this proposal.

Under the Regional District's "Vacation Rental Temporary Use Permit Policy", a term limit not exceeding 18 months shall be applied to Temporary Use Permit being issued for a vacation rental use on land which has not been the subject of such an approved use previously (or which is being proposed by new owners of the land).

The intent of this Policy is to allow for a new vacation rental use to operate for one "season" in order to determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

Given estimated delays associated with the issuance of TUPs for vacation rental uses due to the need to amend the Electoral Area "E" OCP Bylaw to remove references to Health & Safety Inspections, Administration is recommending that the term of this TUP be to December 31, 2016.

Respectfully submitted:

C. Garrish, Planning Supervisor

Attachments: No. 1 – Agency Referral Sheet

No. 2 - Site Photos

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a \square , prior to Board consideration of TUP No. E2015.031-TUP:

	Agricultural Land Commission (ALC)		City of Penticton
V	Interior Health Authority (IHA)		District of Summerland
	Ministry of Agriculture		Town of Oliver
	Ministry of Community, Sport and Cultural Development		Town of Osoyoos
	Ministry of Energy & Mines		Town of Princeton
V	Ministry of Environment		Village of Keremeos
	Ministry of Forests, Lands & Natural Resource Operations	V	Okanagan Nation Alliance (ONA)
	Archaeology Branch	Ø	Penticton Indian Band (PIB)
<u> </u>	Archaeology Branch Ministry of Transportation and Infrastructure	I	Penticton Indian Band (PIB) Osoyoos Indian Band (OIB)
	Ministry of Transportation and		. ,
V	Ministry of Transportation and Infrastructure		Osoyoos Indian Band (OIB)
I	Ministry of Transportation and Infrastructure Integrated Land Management Bureau		Osoyoos Indian Band (OIB) Upper Similkameen Indian Bands (USIB)
	Ministry of Transportation and Infrastructure Integrated Land Management Bureau BC Parks School District #53 (Okanagan		Osoyoos Indian Band (OIB) Upper Similkameen Indian Bands (USIB) Lower Similkameen Indian Bands (LSIB)

Attachment No. 2 – Site Photos





TEMPORARY USE PERMIT

FILE NO.: E2015.031-TUP

TO: Lynda Partone

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 25, Plan KAP3352, District Lot 210, SDYD

Civic Address/location: 3985 1st Street, Naramata

Parcel Identifier (PID): 007-327-641 Folio: E-00642.000

TEMPORARY USE

6. In accordance with Section 19.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a vacation rental use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the accommodation of paying guests occupying the dwelling unit for a period of less than 30 days.

CONDITIONS OF TEMPORARY USE

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

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT 10. This Permit shall expire on the 31st day of December, 2016. Authorising resolution passed by the Regional Board on _______, 2015.

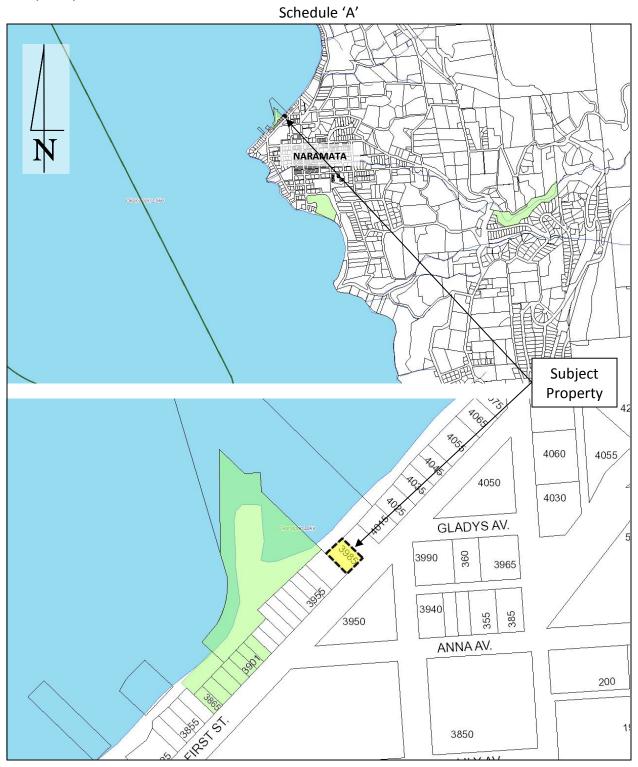
B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit



Regional District of Okanagan-Similkameen

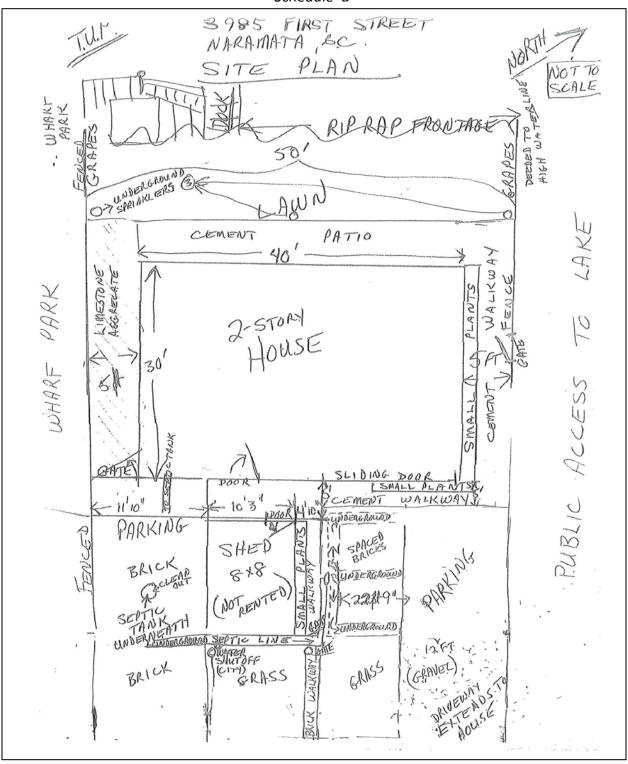
101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit

File No. E2015.031-TUP

Schedule 'B'



From:

Corscadden, Alisa < Alisa. Corscadden@fortisbc.com>

Sent:

June-16-15 1:39 PM

To:

Planning

Subject:

RE: Agency Referral - E2015.031-TUP (Partone)

Hi,

Please be advised FortisBC has reviewed the above mentioned referral and we have no concerns.

Regards,

Alisa Corscadden, SR/WA
Property Services.
Land Administrator
16705 Fraser Highway | Surrey BC V4N 0E8
P: 604.576-7091 / alisa.corscadden@fortisbc.com



From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

Sent: Thursday, April 23, 2015 12:48 PM

To: HBE@interiorhealth.ca; FBC Lands; 'Referral Apps REG8 ENV:EX' (ReferralAppsREG8@gov.bc.ca);

<u>Diana.Cooper@gov.bc.ca</u>; <u>onareception@syilx.org</u>; <u>carmstrong@syilx.org</u>; <u>PIB Referrals@pib.ca</u>); Corscadden,

Alisa

Cc: Christopher Garrish

Subject: Agency Referral - E2015.031-TUP (Partone)

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Project No. E2015.031-TUP

Legal: Lot 25, Plan KAp3352, DL210, SDYD

Please review the attached, and if you have any comments please forward to planning@rdos.bc.ca.

Sincerely,



PAYTONE

From: Beaupre, John < John.Beaupre@interiorhealth.ca>

Sent: May-14-15 2:58 PM

To: Planning

Subject: TUP Application For Short-Term Vacation Rental - RDOS File: E2015.031-TUP

Attention Christopher Garrish, MCIP RPP Regional District of Okanagan-Similkameen 101 Martin Street, Penticton, BC V2A 5J9

Dear Mr. Garrish:

Re: Proposed Operation of a Short-Term Vacation Rental Lot 25, Plan KAP3352, District Lot 210, SDYD

Thank you for the opportunity to provide comment on the above referenced Temporary Use Permit Application.

Records we have on file indicate the onsite sewage disposal system serving the subject property was repaired in 1995 and is sized to accommodate wastewater flows from a 2 bedroom dwelling.

Provided that the dwelling still has only 2 bedrooms this office has no objection to the issuance of the TUP for short-term vacation rental.

However if the dwelling has more than 2 bedrooms now it is recommended the disposal system be up sized to allow for the increase in occupancy and associated increased sewage flows.

Please contact me with any questions you may have.

Thank you.

John C. Beaupre, C.P.H.I.(C)
Environmental Health Officer
Interior Health Authority
Penticton Health Protection
105 – 550 Carmi Avenue, Penticton, BC, V2A 3G6

Bus: (250) 770-5540

Direct: (250) 492-4000 Ext: 2744

Cell: (250) 809-7356 Fax: (250) 770-5541

Email: john.beaupre@interiorhealth.ca

Web: www.interiorhealth.ca

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PARTONE

From:

Referral Apps REG8 FLNR:EX < Referral Apps REG8@gov.bc.ca>

Sent:

April-24-15 9:02 AM

To:

Lauri Feindell

Subject:

RE: Agency Referral - E2015.031-TUP (Partone)

Hi Lauri,

The Ecosystems Section of the Ministry of Forest Lands & Natural Resource Operations has reviewed the above noted referral and has "No Comment"

Cathy Lacey Admin Support MOE/MFLNRO Penticton

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

Sent: Thursday, April 23, 2015 12:48 PM

To: <u>HBE@interiorhealth.ca</u>; <u>fbclands@fortisbc.com</u>; Referral Apps REG8 FLNR:EX; Cooper, Diana FLNR:EX; onareception@syilx.org; <u>carmstrong@syilx.org</u>; PIB Referrals (<u>referrals@pib.ca</u>); <u>alisa.fowler@terasengas.com</u>

Cc: Christopher Garrish

Subject: Agency Referral - E2015.031-TUP (Partone)

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Project No. E2015.031-TUP

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Sincerely,

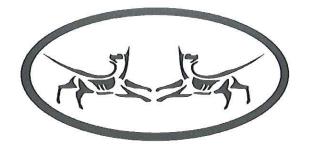


Lauri Feindell • Planning Administrative Assistant Regional District of Okanagan-Similkameen 101 Martin Street, Penticton, BC V2A 5J9 p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063 www.rdos.bc.ca • lfeindell@rdos.bc.ca

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Penticton Indian Band

R.R. #2, Site 80, Comp.19 Penticton, British Columbia Canada V2A 6J7

Telephone: 250-493-0048 Fax: 250-493-2882

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

June-04-15

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

RTS #: 959

Referral ID: 2015-04-28 ZON 959 Ref #: E-00642.000 E2015.031-TUP

Date: April-23-15

Attention: Christopher Garrish

Re: Regional District of Okanagan Similkameen RTS #959, Invoice #197

We write regarding your failure to pay invoice #197 to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated April-23-15.

Please make cheque payable to Penticton Indian Band. re: P.C. 132 RTS #959

The Okanagan Nation holds unextinguished aboriginal title to the land and resources within our traditional territory. The above-noted activity / development is within PIB's Area of Responsibility within Okanagan territory and as such, is subject to Okanagan title, jurisdiction, rights and interests, and PIB decision making and responsibility.

Over the last two decades, the Supreme Court of Canada has clarified the law respecting the rights of aboriginal people in British Columbia, which includes the Penticton Indian Band, Okanagan Nation. The Court has clarified that Aboriginal title continues to exist in British Columbia, and is protected by s. 35 of the Constitution Act, 1982.

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- Aboriginal title includes the right to proactively use and manage the resources.
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established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co-existence or accommodation of our jurisdiction and title. The Province continues to act as though we have no beneficial interest or authority, and it takes for itself the revenues derived from our lands and resources. The payment of the referral fee is necessary in order for us to assess your proposal, assess potential impacts and determine whether it should be approved and if so, on what conditions. Because we are unable to undertake such an assessment, we must at this time advise you that we are opposed to your proposed development/activity.

If you require further information or clarification, please do not hesitate to contact me.

limlemt,

Lavonda Nelson Data Management Clerk

CC:

,

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

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

SIMILKAMEE

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. E2015.041-TUP.

<u>Purpose</u>: To allow for the operation of a short-term vacation rental use.

Owner: T. Schuyler Lighthall Applicant: T. Schuyler Lighthall Folio: E-00653.000

<u>Civic</u>: 360 Gladys Avenue, Naramata <u>Legal</u>: Parcel A, Block 59, Plan KAP519, District Lot 210, SDYD

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

Proposal:

This application seeks approval for the operation of a short-term vacation rental use at the subject property.

The applicant has indicated that "the cottage is rented by the week, weekend, and/or month to vacationers and travelers. Occasionally it may also be used as the owner's residence (in slower business (winter) months) ... [and that] the maximum occupancy for the 2 bedroom cottage is 4 people including all adults children and infants. No recreation vehicles or tenting is allowed. One dog (no cats) may be allowed upon approval ..."

Site Context:

The subject parcel is approximately 557 m² in area, is situated on the south side of Gladys Avenue and adjoins an unmade laneway along its rear boundary. The property is seen to be comprised of a single detached dwelling and garage. The surrounding pattern of development is characterised by low density residential parcels, agricultural operations and Naramata Wharf Park.

Background:

The property was created by subdivision in 1908 while the construction of the existing single detached dwelling is thought to predate the creation of the Regional District in 1966.

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which only allows for "single detached dwellings" as a principal permitted use, with a limited accommodation of commercial uses in the form of "home occupations" and "bed and breakfast operations" as permitted secondary uses.

Under the Electoral Area "E" Official Community Plan (OCP) Bylaw No. 2458, 2008, an objective of the Board in relation to residential areas is generally to maintain the character of an area, however, "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" is also supported.

The property is also the subject of an Environmentally Sensitive Development Permit (ESDP) Area under the OCP and is shown as possessing a geological classification of "limited or no hazard of slumps or slides."

Public Process:

At its meeting of May 11, 2015, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved subject to the TUP being approved until December 31st, 2015.

Under Section 5.1.1 of the Regional District's Development Procedures Bylaw No. 2500, 2011, the Board may require that a Public Information Meeting be held prior to the consideration of a TUP, "if it considers the proposal to be of a significant scale or nature warranting an additional opportunity for the public to access information and inquire about the proposal beyond that available through the regular application referral and public hearing process."

In this instance, Administration notes that this property has not previously been the subject of a written complaint related to vacation rental uses and considers the direct notification of adjacent neighbours to be sufficient.

In accordance with Section 2.5 of Schedule '5' of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed at Attachment No. 2. To date, comments have been received from the Interior Health Authority (IHA) and are included as a separate item on the Agenda.

Alternatives:

- 1. THAT the Board of Directors deny Temporary Use Permit No. E2015.041-TUP; OR
- 2. THAT the Board of Directors defer consideration of Temporary Use Permit No. E2015.041-TUP subject to the completion of a Public Information Meeting to be organised by the applicant.

Analysis:

In assessing this proposal, Administration notes that the OCP Bylaw contains a number of criteria against which the Board will consider an application for a TUP related to a vacation rental use in a residential neighbourhood. These include:

- 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 for use as a vacation rental meets a minimum standard for health and safety; and
- e) benefits that such accommodation may provide to the community

In response, the applicant has advised that the septic system was last serviced in November of 2012 (with no issues identified) while IHA has advised that their records indicate "the system was designed

to receive and treat wastewater from a 2 bedroom single family dwelling. Subsequently this office has no objection to the issuance of the TUP."

The property is separated from the Royal Anchor Resort by Gladys Avenue (which is unmade) and from its neighbours to the south by a similarly unmade laneway. On their site plan and photos, the applicant has also indicated the presence of landscaping which ensures a certain level of privacy between the immediately adjacent properties to the east and west.

With regard to off-street parking, the applicant has indicated that an existing single-car garage is made available for use by the patrons and that additional parking is also provided from "Gladys Avenue in front of the cottage ... [and] there is 1 parking spot at the back of the lot ..."

A health and safety inspection was completed on June 9, 2015, which determined no serious concerns.

Finally, the applicant has stated that "vacation rental homes are a great way to integrate tourism into existing and ... new residential communities. I prefer that to motel and hotel strips and so it seems do the tourists. Vacation rental homes can provide amenities that motels, hotels and B&B's often cannot — accommodation for families with kids and pets."

Given the OCP Bylaw supports vacation rental uses subject to the aforementioned criteria generally being satisfied, Administration is supportive of this proposal.

Under the Regional District's "Vacation Rental Temporary Use Permit Policy", a term limit not exceeding 18 months shall be applied to Temporary Use Permit being issued for a vacation rental use on land which has not been the subject of such an approved use previously (or which is being proposed by new owners of the land).

The intent of this Policy is to allow for a new vacation rental use to operate for one "season" in order to determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

Given estimated delays associated with the issuance of TUPs for vacation rental uses due to the need to amend the Electoral Area "E" OCP Bylaw to remove references to Health & Safety Inspections, Administration is recommending that the term of this TUP be to December 31, 2016.

Respectfully submitted:

C. Garrish, Planning Supervisor

Attachments: No. 1 – Agency Referral List

No. 2 – Applicant's Site Photo

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☑, prior to Board consideration of TUP No. E2015.041-TUP:

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

Attachment No. 2 – Applicant's Site Photos















TEMPORARY USE PERMIT

FILE NO.: E2015.041-TUP

TO: T. Schuyler Lighthall

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Parcel A, Portion (KD65466), Plan KAP519, Block 59, District

Lot 210, SDYD

Civic Address/location: 360 Gladys Avenue, Naramata

Parcel Identifier (PID): 016-274-156 Folio: E-00653.000

TEMPORARY USE

6. In accordance with Section 19.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a vacation rental use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the accommodation of paying guests occupying the dwelling unit for a period of less than 30 days.

CONDITIONS OF TEMPORARY USE

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

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

Not applicable.

EXPIRY OF PERMIT 10. This Permit shall expire on the 31st day of December, 2016. Authorising resolution passed by the Regional Board on _______, 2015.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit File No. E2015.041-TUP Schedule 'A' NARAMATA Subject Property 7055 4060 4055 535 4050 4030 GLADYS AV 530 3990 3965 3940 3950 ANNA AV.

200

Regional District of Okanagan-Similkameen

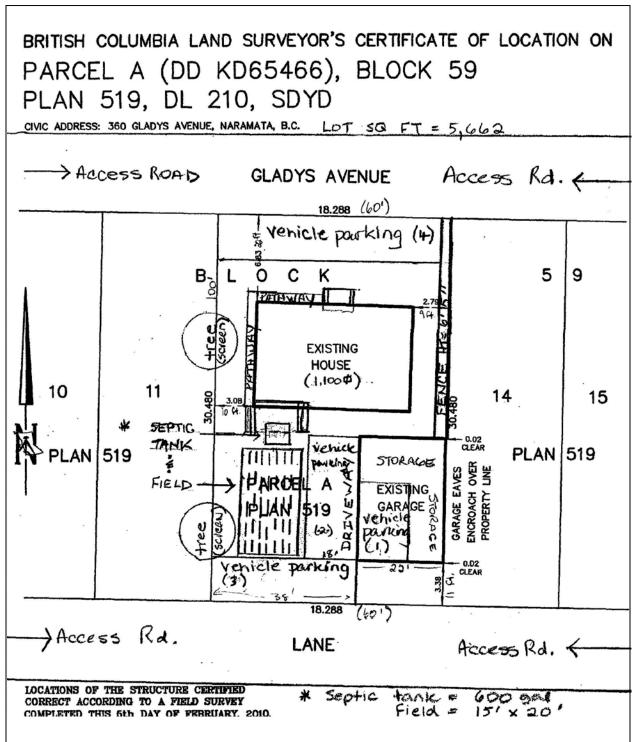
101 Martin St, Penticton, BC V2A 5J9 Tel: (250) 492-0237 Fax (250) 492-0063



Temporary Use Permit

File No. E2015.041-TUP

Schedule 'B'



Lauri Feindell

Subject:

FW: E2015.018-TUP 380 Gwendoline Naramata

From: dennis smith [mailto:dennis58@shaw.ca]

Sent: June-01-15 2:30 PM **To:** Christopher Garrish

Subject: E2015.018-TUP 380 Gwendoline Naramata

Hello Mr. Garrish, I'd like you to know that I support the application for TUP at 380 Gwendoline Naramata. I live at 360 Gwendoline. Thanks, Dennis Smith 250-462-5023



Lauri Feindell

From: Beaupre, John < John.Beaupre@interiorhealth.ca>

Sent: May-15-15 3:17 PM

To: Planning

Subject: TUP Application for Vacation Rental - RDOS File: E2015.041-TUP

Attention Christopher Garrish, MCIP RPP Regional District of Okanagan-Similkameen 101 Martin Street, Penticton, BC V2A 5J9

Dear Mr. Garrish:

Re: Proposed Operation of a Short-Term Vacation Rental
Parcel A, Plan KAP519, District Lot 210, SDYD
360 Gladys Avenue, Naramata, Electoral Area "E"

Thank you for the opportunity to provide comment on the above referenced Temporary Use Permit Application for the operation of a short-term vacation rental use at the subject property.

This office has records on file indicating that the subject property is serviced by an approved onsite sewage disposal system installed in July of 1990. The system was designed to receive and treat wastewater from a 2 bedroom single family dwelling. Subsequently this office has no objection to the issuance of the TUP.

Please contact me with any questions you may have.

Thank you.

John C. Beaupre, C.P.H.I.(C)
Environmental Health Officer
Interior Health Authority
Penticton Health Protection
105 – 550 Carmi Avenue, Penticton, BC, V2A 3G6

Bus: (250) 770-5540

Direct: (250) 492-4000 Ext: 2744

Cell: (250) 809-7356 Fax: (250) 770-5541

Email: john.beaupre@interiorhealth.ca

Web: www.interiorhealth.ca

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Lauri Feindell

From:

Referral Apps REG8 FLNR:EX <Referral Apps REG8@gov.bc.ca>

Sent:

May-12-15 4:14 PM

To:

Lauri Feindell

Subject:

RE: TUP Referral (vacation rental use) - E2015.041-TUP (Lighthall)

Hi Lauri,

The Ecosystems section of the Ministry of Forests Lands and Natural Resources has reviewed the above noted referral and has No Comment.

Thank you

Cathy Lacey Admin Support MOE/MFLNRO Penticton

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]

Sent: Wednesday, April 29, 2015 1:08 PM

To: HBE@interiorhealth.ca; fbclands@fortisbc.com; Referral Apps REG8 FLNR:EX; Cooper, Diana FLNR:EX;

alisa.Corscadden@fortisbc.com; onareception@syilx.org; PIB Referrals (referrals@pib.ca)

Cc: Christopher Garrish

Subject: FW: TUP Referral (vacation rental use) - E2015.041-TUP (Lighthall)

Re: Temporary Use Permit

Address:

360 Gladys Avenue, Naramata

Please find enclosed a Referral for the above noted. If you have any comments, please forward to our office by May 29, 2015. If you have any questions, please do not hesitate to contact Christopher Garrish, at cgarrish@rdos.bc.ca.

Sincerely,



Lauri Feindell • Planning Administrative Assistant Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

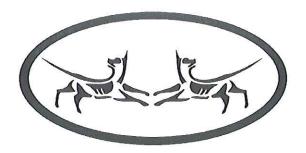
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063

www.rdos.bc.ca • Ifeindell@rdos.bc.ca

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Penticton Indian Band

R.R. #2, Site 80, Comp.19 Penticton, British Columbia Canada V2A 6J7

Telephone: 250-493-0048 Fax: 250-493-2882

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

June-04-15

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

RTS #: 962

Referral ID: 2015-04-28 ZON 962

Ref #: E-00653.000 E2015.041-TUP

Date: April-28-15

Attention: Christopher Garrish

Re: Regional District of Okanagan Similkameen RTS #962, Invoice #198

We write regarding your failure to pay invoice #198 to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated April-28-15.

Please make cheque payable to Penticton Indian Band. re: P.C. 132 RTS #962

The Okanagan Nation holds unextinguished aboriginal title to the land and resources within our traditional territory. The above-noted activity / development is within PIB's Area of Responsibility within Okanagan territory and as such, is subject to Okanagan title, jurisdiction, rights and interests, and PIB decision making and responsibility.

Over the last two decades, the Supreme Court of Canada has clarified the law respecting the rights of aboriginal people in British Columbia, which includes the Penticton Indian Band, Okanagan Nation. The Court has clarified that Aboriginal title continues to exist in British Columbia, and is protected by s. 35 of the Constitution Act, 1982.

Most recently, in June 2014, the Supreme Court of Canada in the *Tsilhqot'in* case set out the following characteristics and implications of Aboriginal title:

- Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.
- The Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in Aboriginal title lands and resources; the beneficial interest is held by the Aboriginal title holding group. Allocations of Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.
- Aboriginal title includes the right to proactively use and manage the resources.
- Once Aboriginal title is "established", the constitution prohibits incursions without the consent of the Aboriginal title holders unless the Crown can justify the infringement, which in turn requires a compelling and substantial public purpose as well as consistency with the Crown's fiduciary duty to the Aboriginal title holders, requiring the involvement of the Aboriginal title holding group in decisions.
- Before Aboriginal title is "established", the only way to ensure certainty is to obtain consent; in the absence of consent, the Crown must consult and accommodate. If consultation or accommodation is inadequate, the Crown decision can be suspended or quashed. Moreover, fulfilling the duty to consult and accommodate does not provide the certainty that consent provides; once Aboriginal title is

established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co-existence or accommodation of our jurisdiction and title. The Province continues to act as though we have no beneficial interest or authority, and it takes for itself the revenues derived from our lands and resources. The payment of the referral fee is necessary in order for us to assess your proposal, assess potential impacts and determine whether it should be approved and if so, on what conditions. Because we are unable to undertake such an assessment, we must at this time advise you that we are opposed to your proposed development/activity.

If you require further information or clarification, please do not hesitate to contact me.

limlemt,

Lavonda Nelson Data Management Clerk

CC:

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Award of West Bench Pumphouse Decommissioning

REGIONAL DISTRICT RDOS OKANAGANSIMILKAMEEN

Administrative Recommendation:

THAT the Board of Directors approve the tender evaluation report and recommendations for award of the "West Bench Pumphouse Decommissioning" tender from Stantec Consulting which they will receive by July 16, 2015; and,

THAT the Board of Directors award the "West Bench Pumphouse Decommissioning" project to the Contractor recommended, for their required amount to complete the project *plus applicable taxes*, in the tender evaluation report for award of the "West Bench Pumphouse Decommissioning" tender from Stantec Consulting; and,

THAT the Board of Directors authorize the Chair and Chief Administrative Officer to execute the construction contract agreement.

Reference:

In accordance with the Purchasing and Sales Policy, the Regional District Board shall approve all purchases over \$50,000

Background:

In 2013-2014 the Regional District upgraded the West Bench Water Supply to convey water from the City of Penticton to the residents of West Bench. The water upgrade project included the construction of a new pump station. The old West Bench Pumphouse ceased operation in April 2014 and the Regional District is now moving forward with its decommissioning including removal of all infrastructures to 1m below grade and returning the land to an acceptable natural state.

The old West Bench Pumphouse is located off of Falcon Place and approximately 480m south of the Okanagan Lake weir that spills water into the Okanagan River. The pumphouse has an intake line extending along the channel and into the Lake and a supply line that leads across the highway up to the community.

The decommissioning work must meet the terms and conditions laid out by Ministry of Forests, Lands and Natural Resource Operations in order to protect the habitat within the area. The old pumphouse has had a hazardous materials assessment and Greyhawk Industries Ltd. has been hired to complete the abatement prior to the decommissioning commencing.

Stantec Consulting Ltd. was retained in 2014 to complete the plans, tendering and construction services for the decommissioning of the old West Bench Pumphouse. The decommissioning plan has been completed and tenders were released on June 10th, 2015 for contractors to place bids for the work.

Funding:

The funding for the project is available in the Consultants budget for the West Bench Water System and from the Building Canada Fund-Communities Component (\$3,380,000) that was awarded to the Regional District for the West Bench Water System Upgrades.

Alternatives:

The Board may choose to not award the project to the recommended proponent.

Analysis:

On Thursday, June 25th, 2015 Tenderers were invited to a mandatory site meeting. Four Contractors attended this meeting.

The tender for the West Bench Pumphouse Decommissioning work closes on July 13th, 2015 at which time Stantec Consulting Ltd. will review the submitted tenders and provide the Regional District with a tender evaluation report including recommendations for award. This report will be forwarded to the Board of Directors for review and approval by July 16th, 2015.

The following table provides the list of Contractors that attended the mandatory site meeting.

Contractor	
Approved Services	
Aqua-bility Projects Ltd.	
Grizzly Excavating Ltd.	
Wildstone Construction and	
Engineering	

Respectfully submitted:

"Candace Pilling"	
C. Pilling, Engineering Technologist	

TO: **Board of Directors**

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Oliver Landfill Access – Crown Land Tenure Application



Administrative Recommendation:

THAT the Board of Directors endorse the Crown Land Tenure Application for access over Crown land.

History:

The Regional District is in the process of completing a land purchase to resolve unauthorized occupation of adjacent land by the Oliver Landfill. A new lot is bieing subdivided off the adjacent property owners land and, as part of this process the Ministry of Transportation and Infrastructure requires road access to the newly created lot. The Regional District is undertaking an application to secure the access by way of a Statutory Right of Way (SRoW) over Crown Land.

As part of the Crown Land Tenure Application, the province requests that the Regional District Board endorses the application.

Analysis:

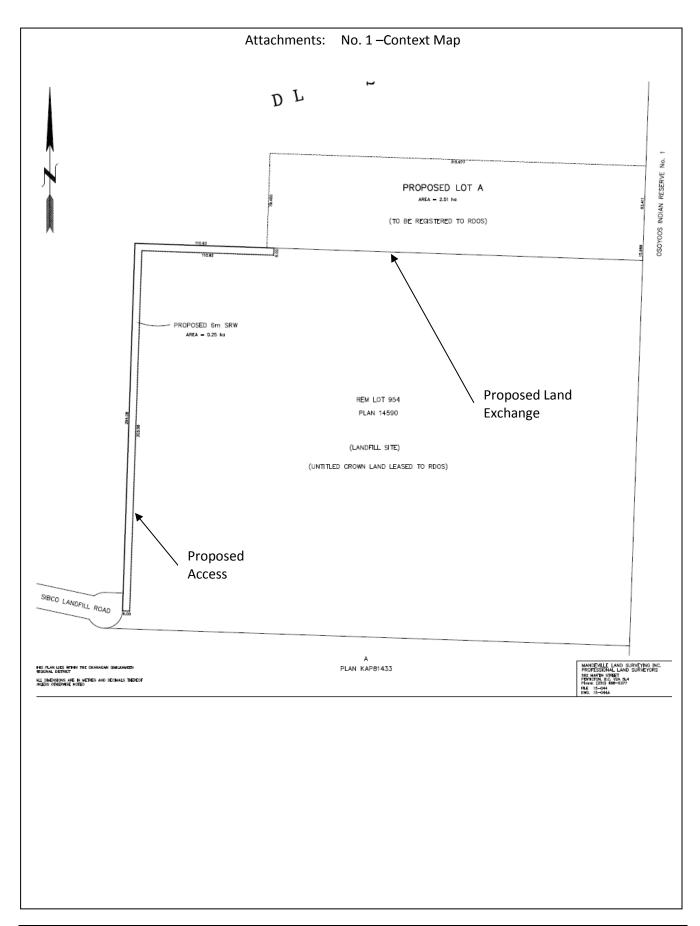
The Crown Land in which the SRoW will be registered is currently leased to the Regional District (Lease hold 337411) for the operation of the Oliver Landfill. As the current Lease holder, the Regional District agrees to allow the SRoW for road access to the new lot that will be owned by Regional District.

Respectfully submitted:

S. Juch, Subdivision Supervisor

Attachments: No. 1 – Context Map

tester for



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Regional Heritage Strategic Plan

REGIONAL DISTRICT RDOS OKANAGANSIMILKAMEEN

Administrative Recommendation:

THAT the Board of Directors adopt the Regional Heritage Strategic Plan provided prior to the July 16, 2015 Board meeting as a guiding document.

Reference:

Regional Heritage Strategic Plan

Business Plan Objective:

This initiative supports the Board's Corporate Objective to develop a Socially Sustainable Community (KSD # 3.1).

Alternatives:

The Board not endorse the Regional Heritage Strategic Plan.

Analysis:

The Regional District of Okanagan-Similkameen has identified a need to better identify, conserve, develop and support cultural and heritage resources contained within the region. To meet that objective, the Regional District has commissioned a heritage specialist to assist in the development of a Regional Heritage Strategic Plan (RHSP) to:

- to identify existing heritage sites and values throughout the region; and,
- define future direction, policies, priorities, standards and actions for the Regional District and its partners with respect to heritage planning in the region.

The strategic plan will provide the basic framework to define and guide a regional heritage implementation strategy over the next five years (2014-2019) as well as provide long-term recommendations over the next ten years (2014-2024).

Communication Strategy:

Pospostfully submitted:

If the Board chooses to endorse the Regional Heritage Strategic Plan, there will be Media Releases from the RDOS and will be directed to the RDOS website for more information on the process and final plan.

nespectiony submitted.	
Lindsay Bourque	

L. Bourque, Rural Projects Coordinator

TO: **Board of Directors**

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: **Board Policy Review**

Administrative Recommendation:

THAT the Board of Directors rescind Media Relations policy – P0100-00.07 and adopt the proposed Communications Policy and Board Correspondence Policy as presented at Committee July 2, 2015

Reference:

- Media Relations Policy P0100-00.07
- Communications Policy
- **Board Correspondence Policy**

History:

At the July 2, 2015 Corporate Services Committee meeting, the Board reviewed the above noted policies.

The policies contained within this report include:

- Media Relations Policy P0100-00.07
 - to be repealed by Communications Policy

Communication Policy

- o outlines who is responsible for corporate communication to ratepayers, stakeholders and other partners
- o provides procedures for ensuring information is accurate and appropriate for the target audience
- ensures Communication Planning is part of the annual strategic planning process
- o acknowledges the importance of internal communication

Board Correspondence Policy

- Outlines procedures for timely handling of correspondence addressed to the Board, Chair or a Director
- Establishes standards for outgoing corporate correspondence

Respectfully submitted:

"Christy Malden"	
C Malden Manager of Legislative Services	

Policies Admin Report 540.50 File No:

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

POLICY

POLICY NO: P0100-00.07 Page 1 of 1

SUBJECT: MEDIA RELATIONS

Effective Date Amendment Board Resolution Administered By
March, 1990 SB35/90 Chief Administrative Officer
January 22, 1998 B28/98
May 17, 2001 B364.01

Policy Statement:

Only the Chairman and or Committee Chairman are authorized to release Press Releases on behalf of the District and provide media interviews in relation to any Board or Committee position.

Only the Chief Administrative Officer and Department Heads and those given prior authorization by their Department Heads are authorized to provide technical information on regional district matters to the media.

When discussions are held with the media, employees are responsible to ensure that:

- the interests of the District are not jeopardised
- the information provided is factual and free of personal opinions that may embarrass the District, Chair, individual Directors and other District employees
- the issues discussed must be directly relating to the areas of responsibility of the employee who is providing the information to the media
- questions relating to other Departments are referred to the relevant Department Head for comments
- they do not respond to media questions if they are not sure of the answers
- they will refrain from speculating what individual Director's, the Board's or Committee's position is on District issues
- the confidential nature of sensitive issues is respected; and
- the privacy of members of the public, District employees and elected officials are respected to the extent required by the <u>Freedom of Information and Protection of Privacy Act</u>.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

POLICY:	Communications Policy	munications Policy	
AUTHORITY:	Board Resolution No	_dated	
AMENDED:	Board Resolution No.	_ dated	

POLICY STATEMENT

Consistent communications enable the Regional District of Okanagan-Similkameen (RDOS) to optimize the customer experience and build the organization's brand by fostering dynamic and effective community relationships. The Regional District strives to elevate external communications to a high performing level and values effective communications as an integral part of good governance. It embraces open government and transparency as a fundamental responsibility.

PURPOSE

The purpose of this policy is to establish guidelines to facilitate coordinated, open and responsive corporate communications that consistently and effectively provides information concerning the Regional District's policies, programs, services and initiatives to ratepayers, stakeholders and other partners.

DEFINITIONS

Brand: The personification of our organization: the visual, emotional, rational, and cultural image that is associated with our organization. It is a collection of perceptions in the mind of our stakeholders.

CAO: The Chief Administrative Officer of the Regional District of Okanagan Similkameen, duly appointed by resolution or bylaw of the Board of Directors, and holding the designations under s. 197, 198 and 199 of the Local Government Act.

Chair: The person elected as Chairperson of the Board of Directors for the Regional District of Okanagan Similkameen by his peers on the Board.

Communications Committee: A team comprised of Regional District staff who meet regularly to network and provide input on communication issues.

Corporate Advertising: Advertising generated at the corporate or departmental level with the function of building the Regional District's corporate image or name-awareness or to disseminate information.

Corporate Signature: The primary way the Regional District identifies itself visually. It is composed of two elements: the symbol and the word mark.

Information Release: A factual written summary of information issued to the Public for the purpose of making a statement or announcement.

Legislative Advertising: Advertising generated at the corporate or departmental level with the function of meeting the statutory advertising requirements specified in relevant legislation.

Manager of Legislative Services: The person delegated the responsibility of s. 198 (Corporate Officer) of the Local Government Act by the CAO.

Media: Representatives of the print and electronic Media.

Plain Language: Effective communication that is clear, concise, relevant and easy to understand.

Senior Management Team: The Senior Management Team for the Regional District of Okanagan Similkameen, as appointed by the CAO.

Stakeholder: Any individual, group of individuals, elected representative or organization with a specific stake or interest in the outcome of a decision.

Target Audience: Groups of people that the RDOS is impacting. In general, target audiences can be divided into two groups, internal and external:

Internal

- Regional Board
- RDOS Staff and Management
- Regional Committees
- RDOS Volunteers

External

- RDOS residents, rural and urban
- Member municipalities, including councillors and staff
- First Nations
- Media
- RDOS business communities
- Identified stakeholder groups
- Senior governments

RESPONSIBILITIES

Information provided by the Regional District to the public will be delivered by trained and knowledgeable staff.

Office of the Chief Administrative Officer

While every employee has an influence on the Regional District's communication efforts, the Office of the Chief Administrative Officer is responsible for managing overall corporate communications.

As part of this function, the Manager of Legislative Services is responsible for the development, management and implementation of corporate communication efforts. The Manager of Legislative Services, with the assistance of staff in that department, will work with all departments and Directors to assist with and guide as necessary, communication and engagement issues.

Regional Board

The Chair and/or their Designate is the primary spokesperson for the Regional District. The Chair is authorized to release information releases on behalf of the Regional District and provide media interviews in relation to any Board position.

Other members of the Regional Board are secondary spokespersons for the Regional District.

Senior Management Team

Senior Management Team should be prepared to speak to media and/or designate staff from their departments to speak to the media. Management must ensure messages coming from their departments are consistent and timely, and that good media relations are maintained.

Designated staff are expected to maintain media relationships with respect to their specific programs and present consistent and timely messages as required by the Senior Manager.

Communications Committee

The Communications Committee is organized under and administered through the Manager of Legislative Services. Its primary function is to provide advice to the Manager of Legislative Services on communications matters.

PROCEDURES

General

Information provided by the Regional District to the public will be delivered to various target audiences in a timely, courteous and efficient manner. As much as possible, information provided shall be delivered using Plain Language.

When information is provided, it shall be delivered in a format that ensures it is identified as being delivered by the Regional District of Okanagan-Similkameen and will be accompanied by the Corporate Signature.

The range of communication tools at the Regional District's disposal shall be considered with each communication application and staff will identify and use those tools deemed most effective.

When information is unavailable, a prompt and clear explanation shall be provided to the party requesting the information.

Communication Planning

To ensure coordinated and consistent communication practice, strategic communication planning should be part of the annual business planning process.

The Manager of Legislative Services, with input from the organization's various departments and managers, is responsible for developing a strategic communications plan that integrates the Regional District's Vision, Mission and Key Success Drivers.

This plan will broadly identify target audiences, and develop objectives, tools, messages, responsibilities, resources required and means of evaluation parallel to the organization's strategic business plan.

Communicating on behalf of the Regional District

Members of the Regional Board, the Chief Administrative Officer, and Senior Managers are authorized to communicate on behalf of the Regional District in interviews, publications, news releases, on social media sites, and related communications. Other staff may represent the Regional District if approved by a Senior Manager to communicate on a specific topic.

When discussions are held with the media and/or material such as ads, press releases and newsletters are produced, Directors, employees and specified contractors are responsible to ensure that:

- the privacy of members of the public, District employees and elected officials are respected to the extent required by the Freedom of Information and Protection of Privacy Act. If there is any question about what material is routinely releasable, staff should make contact with the Manager of Legislative Services prior to releasing the information.
- the interests of the District are not jeopardized;
- the information provided is factual and free of personal opinions that may embarrass the District, Chair, individual Directors and other District employees;
- the issues discussed are directly relating to the areas of responsibility of the employee who is providing the information to the media;
- questions relating to other Departments are referred to the relevant Department Head for comments;
- they do not respond to media questions if they are not sure of the answers;
- they will refrain from speculation on an individual Director's or the Board's position on District issues; and,
- the confidential nature of sensitive issues is respected.

Handling Information Releases

Department staff are responsible for preparing Information Releases in accordance with the appropriate Administrative Directive.

Information Releases containing information pertaining to Regional Board matters of decisions, potential litigation, controversial issues of involving Regional District personnel shall be routed to the Manager of Legislative Services for approval by the Chairperson of the Regional Board or his/her designate prior to public release.

Information Releases containing routine or public information, including advisories, meeting notices and agendas shall be routed to the Manager of Legislative Services for release in accordance with delegation from the Chair.

Handling General Requests

All staff are responsible for communicating basic and routine information to the public in relation to specific job duties as outlined in the RDOS Freedom of Information and Protection of Privacy Corporate Guide.

Information outside of the scope of an individual's job duties should be routed to a supervisor or manager. Requests for or questions about private data should be routed to the Manager of Legislative Services for disposition.

Handling Media Requests

With the exception of routine events and basic information that is readily available to the public, all requests for interviews from the media are to be routed through the applicable Manager.

Media requests include anything intended to be published or viewable to others in some form, including television, radio, newspaper, newsletters, and websites. When responding to media requests, employees should follow these steps:

- If the request is for routine or public information (such as a meeting time or agenda) provide the information.
- If the request is regarding information about Regional District personnel, potential litigation, controversial issues, an opinion on a Regional District matter, or if you are unsure if it is a "routine" question, forward the request to the Manager of Human Resources for matters related to personnel or the Manager of Legislative Services for all other matters.

Internal Communications

The Regional District recognizes that open, two-way communication among Managers and Employees is vital to the effective operation of the Corporation and to achieve its Vision, Mission and Goals. Internal communication is an integral part of the annual Corporate Communications Plan.

Corporate Advertising

Corporate Advertising plays an integral role in the Regional District of Okanagan-Similkameen's brand management and corporate communication efforts. Advertising can be a key instrument in building the corporate image, name-awareness and providing information to stakeholders.

An Administrative Directive shall be developed and maintained to effectively administer corporate advertising at the Regional District.

GUIDING PRINCIPLES

The Regional District of Okanagan-Similkameen will:

- Provide information that is timely, accurate, clear, accessible and responsive;
- Respect the access to information and privacy rights of citizens and employees;
- Support opportunities for engagement to inform public policy;
- Strive to achieve a culture of two-way communication and communications excellence practices.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

POLICY:	Board Correspondence	
AUTHORITY:	Board Resolution No	dated
AMENDED:	Board Resolution No	dated

POLICY STATEMENT

The Regional District of Okanagan-Similkameen ensures that both incoming and outgoing correspondence is handled in a timely fashion in order to optimize the customer experience and cultivate a high performing organization.

PURPOSE

To foster a consistent, professional image in all business dealings related to the Regional District and the correspondence received from the public.

DEFINITIONS (IF REQUIRED)

- 1. "Board" means the Board of Directors for the Regional District of Okanagan Similkameen.
- 2. "CAO" means the Chief Administrative Officer of the Regional District of Okanagan Similkameen, duly appointed by resolution or bylaw of the Board of Directors, and holding the designations under s. 197, 198 and 199 of the Local Government Act.
- 3. "Chair" means the person elected as Chairperson of the Board of Directors for the Regional District of Okanagan Similkameen by his peers on the Board.
- 4. "Committee" means a standing, select or ad hoc committee of the Regional District of Okanagan Similkameen.
- 5. "Manager of Legislative Services" means the person delegated the responsibility of s. 198 (Corporate Officer) of the Local Government Act by the CAO.
- 6. "Member" means an individual member of the Board of Directors.
- 7. "RDOS" means the Regional District of Okanagan Similkameen.
- 8. "Senior Management Team" means the Senior Management Team for the Regional District of Okanagan Similkameen, as appointed by the CAO.

PROCEDURES

Incoming Correspondence

Correspondence addressed to Chair will be placed in the Chair's wall file for review. A copy will be provided to the CAO

Correspondence addressed to Chair and Board will be posted each Friday on www.rdos.bc.ca under Regional Government / Board Correspondence for Board and public viewing.

A copy of any correspondence addressed to a specific Director will be placed in their mail folder for retrieval at the next Board meeting and the writer advised that they may email the Director directly

Correspondence which is anonymous will not be actioned and will be destroyed except when the correspondence is a request for information under the Freedom of Information and Protection of Privacy Act or if it pertains directly to public health or safety.

Anonymous complaints will not be investigated unless potential safety, liability or health issues are raised. Determination will be made by the CAO.

Any correspondence to the Chair or Director marked 'personal' or 'confidential' will be forwarded to the Manager of Legislative Services in the form it was received.

Notwithstanding the foregoing, the Regional District of Okanagan-Similkameen will not publish, in an agenda or otherwise, any material deemed to be libelous. Materials which have been deemed libelous will be returned to the sender with an invitation to remove the libelous comments and resubmit the materials.

Outgoing Correspondence

All corporate correspondence shall be sent out under the letterhead of the Regional District and shall be used for the purpose of obtaining or giving information or conveying the official position of the Regional Board established by resolution adopted at a regularly constituted meeting.

Official correspondence under the signature of the Chair may have an electronic signature attached, providing proof of confirmation by the Chair is obtained and attached to the file copy of the correspondence.

Any Director sending out correspondence for those matters related to their constituency shall do so on personal letterhead and shall include a statement that the views expressed are not those of the Board. All correspondence on Directors letterhead must be forwarded to the Office of the CAO to ensure that proper records are maintained and to ensure compliance with the *Freedom of Information and Protection of Privacy Act.*

Correspondence which advises of a Board direction and which may have implications with a higher level of government shall be copied to the appropriate MLA, Minister or MP's office.

Correspondence arising from a Board meeting shall be prepared within five business days following the meeting and a copy will be posted each Friday on www.rdos.bc.ca under Regional Government / Board Correspondence for Board and public viewing.

General

Incoming and Outgoing correspondence related to a specific Electoral Area shall be copied to the affected Director.

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Electoral Area "G" Advisory Planning Commission Appointment



File No: 0360.20.05

Administrative Recommendation:

THAT the Board of Directors appoint Beverley Fraser as a member of the Electoral Area "G" Advisory Planning Commission for a term ending November 30, 2018.

Analysis:

Bylaw 2339 provides for the creation of Advisory Planning Commissions for each of the Regional Districts electoral areas.

Section 3 of the Bylaw establishes that the role of the Commission is to provide recommendations to the Regional District on all matters referred to it by the Regional District or by its Electoral Area Director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*.

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

Commission appointments shall be made by the Board for terms which run concurrent with the Board term, and no term of appointment shall extend beyond term of the Electoral Area Director unless re-appointed by the Board.

On June 25, 2015, Director Christensen recommended Ms. Fraser for appointment to the Electoral Area "G" Advisory Planning Commission.

Respectfully submitted:

C. Malden, Manager of Legislative Services

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Electoral Area "E" Parks and Recreation Commission Appointment

REGIONAL DISTRICT RDOS OKANAGANSIMILKAMEEN

Administrative Recommendation:

THAT the Board rescind the appointment Tracey Stel to the Electoral Area "E" Parks and Recreation Commission;

AND THAT a letter be forwarded to Ms Stel thanking her for her contribution to the Electoral Area "E" Parks and Recreation Commission.

Reference:

Bylaw 2108, 2001 Electoral Area "E" Parks & Recreation Commission Establishment Bylaw.

History:

Electoral Area "E" Director Karla Kozakevich has advised that Ms. Stel has relocated to Penticton and therefore is no longer eligible to be a member of the Electoral Area "E" Parks and Recreation Commission. Ms. Stel is to be commended for her service on the commission for over fifteen years.

Respectfully submitted:

C. Malden, Manager of Legislative Services

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Electoral Area "H" Noise Control Bylaw



Administrative Recommendation:

THAT Electoral Area "H" Noise Control Repeal Bylaw No. 2692, 2015, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval.

Background:

In 2013, at the request of the Electoral Area "H" Director at the time, the Board passed a bylaw to establish a noise control service and an accompanying regulatory bylaw to address the numerous requests from residents to help prohibit noise within the rural Princeton Area, specifically, late night disturbances resulting from parties or dogs barking.

When considering the distance to the Princeton area and the time that it would take a Bylaw Enforcement Officer(s) to respond to complaints, enforcement proved to be challenging.

Analysis:

The current Electoral Area "H" Director has advised staff that he no longer wishes to maintain a noise control service; therefore administration will begin the process to repeal both the establishment and the regulatory bylaws.

The Local Government Act states that a bylaw amending or repealing an establishing bylaw has no effect unless it is approved by the Inspector; consequently, this approval will be obtained prior to the bylaws being returned to the Board for adoption.

Respectfully submitted: "Christy Malden" C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BYLAW NO. 2692, 2015

A byla	aw to repeal Noise Control Bylaws in Electoral Area "H"
wishes	REAS the Board of Directors of the Regional District of Okanagan-Similkameen s to repeal Electoral Area "H" Noise Control Service Establishment Bylaw No. 2627, and Electoral Area "H" Noise Regulation and Prohibition Bylaw No. 2628, 2013;
of Ele	WHEREAS the Director for Electoral Area "H" has provided consent for the repeal ctoral Area "H" Noise Control Service Establishment Bylaw No. 2627, 2013 and oral Area "H" Noise Regulation and Prohibition Bylaw No. 2628, 2013;
	THEREFORE the Board of Directors of the Regional District Okanaganameen, in open meeting assembled, ENACTS as follows:
1.	REPEAL OF BYLAW
	Electoral Area "H" Noise Control Service Establishment Bylaw No. 2627, 2013 and Electoral Area "H" Noise Regulation and Prohibition Bylaw No. 2628, 2013 are repealed in their entirety.
2.	CITATION
	This bylaw may be cited for all purposes as "Electoral Area "H" Noise Control Repeal Bylaw No. 2692, 2015".
READ	A FIRST TIME, SECOND AND THIRD TIME this day of,.
CONS	SENT PROVIDED BY THE ELECTORAL AREA DIRECTOR this day of,
ADOF	PTED BY AT LEAST 2/3 OF THE VOTES this day of,.
RDOS	Board Chair Corporate Officer

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Electoral Area 'H' Fire Prevention and Suppression Local Service

Establishment Amendment Bylaw No. 2700, 2015

Administrative Recommendation:

THAT Bylaw 2700, 2015 Electoral Area "H" Fire Prevention and Suppression Local Service Establishment Amendment Bylaw be read a first, second and third time and adopted.

Reference:

Schedule A - Map

Background:

The owner of the property identified as District Lot 386, Land District Yale Div. of Yale, Except Plan 29426 has applied to the Regional District to expand the Electoral Area "H" Fire Prevention and Suppression area to include their property. The properties adjacent and surrounding the subject property are within the existing Electoral Area Fire protection area.

Analysis:

The Princeton Fire Department is in support of the application.

Boundary amendments completed through a petition do not typically require the approval of the Inspector of Municipalities, providing the Corporate Officer certifies that the petition is valid and sufficient. The petition has now been certified and Bylaw No. 2700, 2015 is now before the Board for adoption.

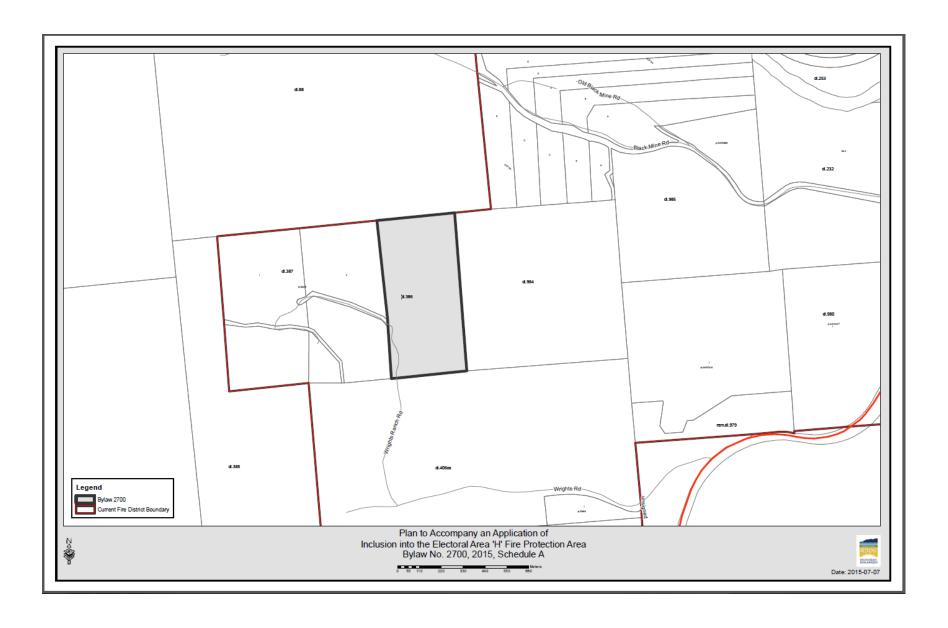
Respectfully submitted:

D. Kronebusch, Emergency Services Supervisor

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BYLAW NO. 2700, 2015

A by	law to amend the Electoral Area "H" Fire Prevention and Suppression Local Service Establishment Bylaw No. 1197, 1991
been	REAS the Regional Board of the Regional District of Okanagan-Similkameen has requested, via petition from property owners on Electoral Area "H" to extend the evention and suppression local service to include their property;
Area	WHEREAS the Regional Board wishes to amend the service area of the Electoral "H" Fire Prevention and Suppression Establishment Bylaw No. 1197, 1991 by g the property(ies) outlined in black on attached Schedule 'A';
	THEREFORE the Board of Directors of the Regional District of Okanagan- ameen in open meeting assembled ENACTS as follows:
CITAT	<u>FION</u>
1.	This bylaw may be cited for all purposes as the "Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 2700, 2015".
AMEN	IDMENT OF SERVICE
2.	The service area established by "Electoral Area "H" Fire Prevention and Suppression Local Service Establishment Bylaw No. 1197, 1991" is amended by adding the property that is outlined in black on Schedule 'A' which is attached to and forms part of this Bylaw.
READ	A FIRST, SECOND AND THIRD TIME this day of, 2015.
ADOP	PTED this day of, 2015.
RDOS	S Board Chair Corporate Officer
FILED 201	WITH THE INSPECTOR OF MUNICIPALITIES this day of,

Schedule A



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Naramata Fire Protection Service Area Amendment Bylaw No. 2703, 2015

REGIONAL DISTRICT RDOS OKANAGANSIMILKAMEEN

Administrative Recommendation:

THAT Bylaw 2703, 2015 Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw be read a first, second and third time and adopted.

Reference:

Schedule A - Map

Background:

The owner of the property identified as Lot 28, Plan KAP27226,DL266,SDYD, and holder of Lease/Permit/Licence # 338612 on Plan KAP62A DL370 Parcel A, Plan KAP62A DL 270 SDYD Parcel D (portion of Lot 14 Plan 576), and Plan KAP62A DL 2711 SDYD Parcel A subsidy of Lot 14 (Portion of Plan 1190) have applied to the Regional District to expand the Naramata fire district boundary to include their properties. The properties adjacent and surrounding the subject properties are within the existing Naramata fire protection area.

Analysis:

The identified lands are either owned by the RDOS or the RDOS now have a License of Occupation on the KVR Trail. The Naramata Fire Department is a First Responder department that will respond to emergency medical or other type incidents should they be required by the recreational public.

The Naramata Fire Department is in support of the application.

Boundary amendments completed through a petition do not typically require the approval of the Inspector of Municipalities, providing the Corporate Officer certifies that the petition is valid and sufficient. The petition has been certified and Bylaw No. 2703, 2015 is now before the Board for adoption.

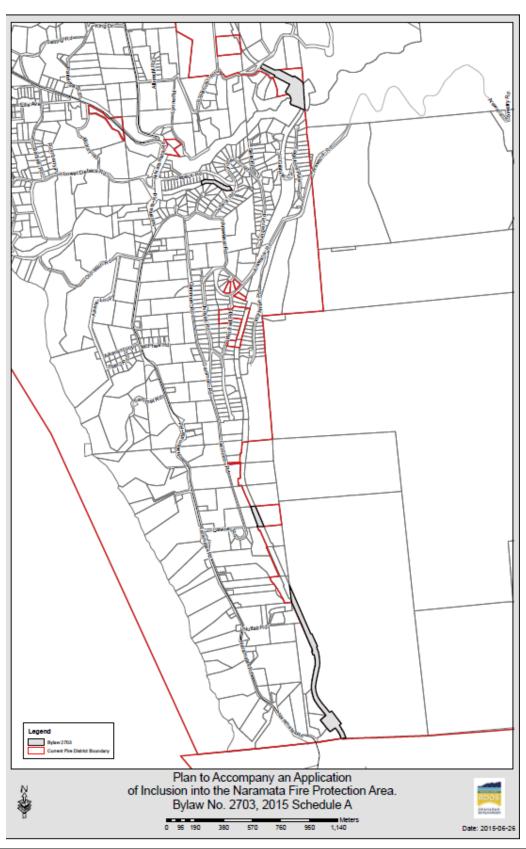
Respectfully submitted:

D. Kronebusch, Emergency Services Supervisor

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BYLAW NO. 2703, 2015

A by	ylaw to amend the Naramata Fire Prevention and Suppression Local Service Establishment Bylaw No. 1619, 1996.
been i	REAS the Regional Board of the Regional District of Okanagan-Similkameen has requested, via petition, from property owners in Electoral Area "E" to extend the fire ntion and suppression local service to include their property;
Fire P	WHEREAS the Regional Board wishes to amend the service area of the Naramata Prevention and Suppression Establishment Bylaw No. 1619, 1996 by adding the rty(ies) outlined in black on attached Schedule 'A';
	THEREFORE the Board of Directors of the Regional District of Okanagan- cameen in open meeting assembled ENACTS as follows:
CITAT	<u>FION</u>
1.	This bylaw may be cited for all purposes as the "Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 2703, 2015".
AMEN	NDMENT OF SERVICE
2.	The service area established by "Naramata Fire Prevention and Suppression Local Service Establishment Bylaw No. 1619, 1996" is amended by adding the property that is outlined in black on Schedule 'A' which is attached to and forms part of this Bylaw.
READ	A FIRST, SECOND AND THIRD TIME this day of, 2015.
ADOP	PTED this day of, 2015.
RDOS	S Board Chair Chief Administrative Officer
FILED 201	WITH THE INSPECTOR OF MUNICIPALITIES this day of,

Schedule A



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Tulameen Fire Truck Acquisition Loan Authorization Bylaw



Administrative Recommendation:

THAT Tulameen Fire Truck Acquisition Loan Authorization Bylaw No. 2704, 2015 be read a first, second and third time and be forwarded to the Inspector of Municipalities for Ministry approval prior to electoral approval; and,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an alternative approval process.

Reference:

Tulameen Fire Prevention and Suppression Local Service Establishment Bylaw No. 1574, 1995

History:

In 1995, Bylaw No. 1574 was established to convert the existing H2 specified area bylaw into a local service for the purpose of providing a fire prevention and suppression service for the Tulameen area.

The Coalmont/Tulameen residences have enjoyed reduced insurance premiums with Fire Underwriters recognition of the Tulameen and District Fire Department as a semi protected fire protection provider. The criteria for this discount are primarily (but not limited to) based on factors like: available water supply for firefighting purposes, availability of trained staff and personnel, availability of reliable fire apparatus and its water pumping capacity. The current in-service Fire Truck is currently reaching its recognized serviceability by the Fire Underwriters.

Analysis:

The Tulameen Fire Department would like to purchase a new fire truck (pumper/tender) to stay in compliance with Fire Underwriters requirements. The cost of the Fire Truck is \$280,000.00 and the department plans to provide a down payment of \$50,000.00 from their reserves.

The borrowing amount of \$230,000. 00 is to amortized over 15 years, with an annual payment of approx. \$21,000 per year. The Tulameen Fire Department currently budget \$24,000 annually into their reserve account and will utilize this line item for the annual cost. The remainder of the \$24,000 budgeted (approx. \$3,000) will continue to be directed into their reserve account.

Elector Approval:

<u>Section 84</u> of the Community Charter contains the provisions for elector approval. If elector approval is required under the *Community Charter* or *Local Government Act* in relation to a particular matter, that approval may be obtained either by assent of the electors (i.e., a referendum vote), or by

alternative approval process (AAP). The AAP is a significantly less expensive method of obtaining elector assent; therefore it is staff's recommendation that the Board proceed in this manner.

The AAP, outlined in <u>Section 86</u> of the *Community Charter*, replaces the former counter petition opportunity under the *Local Government Act*. The Board obtains approval of the electors through the AAP if fewer than 10% of eligible electors in the Regional District submit elector response forms.

By signing the alternative approval response form, an elector expresses his or her opposition to the particular matter being proposed by the Regional Board. If more than 10% of eligible electors in the service area sign the response forms, the Regional District must conduct a referendum in order to proceed with the matter.

Respectfully submitted,

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2704, 2015

A bylaw to authorize the long-term borrowing for the acquisition of a Fire Truck for the Tulameen Fire Prevention and Suppression Service Area

WHEREAS pursuant to Section 819 of the Local Government Act and Section 179 of the Community Charter, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No.1574, 1995, a service for the purpose of providing fire prevention and suppression services in and for the Tulameen Fire Prevention and Suppression Service Area;

AND WHEREAS the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

AND WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen has obtained the approval of electors in accordance with the *Local Government Act*;

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

1. AUTHORIZATION OF PURCHASE

The Regional Board is hereby empowered and authorized, under Bylaw No. 1574, 1995, to provide fire prevention and suppression services in and for the Tulameen Fire Prevention and Suppression Service Area and to do all things necessary in connection therewith and without limiting the generality of the foregoing.

2. LOAN AUTHORIZATION

- a) To borrow upon the credit of the Regional District a sum not more than two hundred thirty thousand dollars (\$ 230,000).
- b) To acquire and have installed all such materials as may be requisite or desirable in connections with the purchase of a fire truck in and for the Tulameen Fire Prevention and Suppression Service Area.

3. TERM OF DEBENTURE

The maximum term for which debentures may be issued to secure debt created by this bylaw is fifteen (15) years.

4. CITATION

This bylaw may be cited as	Tulameen Fire Truck Acquisition Loan Authorization Bylaw
No. 2704, 2015	
140. 2704, 2013	

READ A FIRST, SECOND, AND THIRD TIME this	day of	_, 2015	
APPROVED by the Inspector of Municipalities this	day of	, 2015	
RECEIVED APPROVED BY THE ELECTORS AND SUPPRESSION LOCAL SERVICE APPROVAL this day of, 2015			
ADOPTED this day of, 2015			
RDOS Board Chair	Corporate 0	Officer	

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Electoral Area "E" Tourism Contribution Service Establishment Bylaw No.

2705, 2015

Administrative Recommendation:

THAT Electoral Area "E" Tourism Contribution Service Establishment Bylaw No. 2705, 2015 be read a first, second and third time and forwarded to the Inspector of Municipalities for approval, prior to elector approval; and further,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an alternative approval process.

History:

The Director for Electoral Area "E" has in recent years, provided a grant-in aid to various local non-profit organizations, including the Naramata Citizens Association, the Naramata Community Fund, and Discover Naramata to assist with the promotion of tourism in Electoral Area "E".

Analysis:

At this time, the Director wishes to establish a service for the purpose of contributing funds, rather than continue with a grant in aid, which is a funding option more appropriate for one or two time annual grants only.

The establishment of a service will enable those non-profit tourism agencies to prepare their annual budgets with the assurance of sustainable core funding from the Regional District and is a more transparent process as it

Before the Board can adopt a service establishment bylaw; however, it must receive the approval of the Province and the service area voters. Elector approval may be obtained by way of referendum or an alternate approval process.

Elector Approval:

<u>Section 84</u> of the Community Charter contains the provisions for elector approval. If elector approval is required under the *Community Charter* or *Local Government Act* in relation to a particular matter, that approval may be obtained either by assent of the electors (i.e., a referendum vote), or by alternative approval process (AAP). The AAP is a significantly less expensive method of obtaining elector assent; therefore it is staff's recommendation that the Board proceed in this manner.

File No: BL2622

The AAP, outlined in Section 86 of the Community Charter, replaces the former counter petition

opportunity under the *Local Government Act*. The Board obtains approval of the electors through the AAP if fewer than 10% of eligible electors in the Regional District submit elector response forms.

By signing the alternative approval response form, an elector expresses his or her opposition to the particular matter being proposed by the Regional Board. If more than 10% of eligible electors in the service area sign the response forms, the Regional District must conduct a referendum in order to proceed with the matter.

Respectfully submitted:

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2705, 2015

A bylaw to establish a service for the provision of funds for the promotion of Tourism in Electoral Area "E"

WHEREAS under s.796 of the *Local Government Act* a Regional District may operate any service the Board considers necessary or desirable for all or part of the Regional District:

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen wishes to establish a contribution service to provide specified funding for the promotion of tourism in Electoral Area "E":

AND WHEREAS approval of the Inspector of Municipalities has been obtained under Section 801 of the *Local Government Act*;

AND WHEREAS the approval of the electors in the participating area has been obtained under Section 801.3 of the *Local Government Act*;

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

1. CITATION

1.1 This Bylaw may be cited as the "Electoral Area "E" Tourism Contribution Service Establishment Bylaw No. 2705, 2015".

2. <u>ESTABLISHMENT OF THE SERVICE</u>

2.1 The Service established by this bylaw is limited to the provision of a financial contribution from Electoral Area "E" to designated non-profit organizations for the promotion of tourism in Electoral Area "E".

3. BOUNDARIES OF THE SERVICE AREA

3.1 The boundaries of the service area are the boundaries of Electoral Area "E" of the Regional District of Okanagan-Similkameen.

4. PARTICIPATING AREA

4.1 The participating area is Electoral Area "E" of the Regional District of Okanagan-Similkameen.

5. COST RECOVERY

- 5.1 As provided in Section 803 of the *Local Government Act*, the annual costs of the Service shall be recovered by one or more of the following:
 - a) Parcel taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
 - b) Fees and charges imposed under Section 797.2 of the Local Government Act
 - c) Revenues raised by other means authorized by the *Local Government Act* or another act:
 - d) Revenues received by way of agreement, enterprises, gift, grant or otherwise.

6. <u>LIMIT</u>

6.1 The annual maximum amount that may be requisitioned for the cost of the service shall not exceed the greater of \$10,000 or \$0.0188 per thousand dollars of net taxable value of land and improvements in Electoral Area "E".

READ A FIRST, SECOND AND THIRD TIME this day of, 2015.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this day of, 2015.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH AN ALTERNATIVE APPROVAL PROCESS this day of, 2015.

AD	OPT	ΈD	this	day	of,	2015.
				٠.,	٠.,	_0.0.

rporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 16, 2015

RE: Okanagan Falls Parks and Recreation Parkland Acquisition Agreements



Administrative Recommendation:

Recommendation 1

THAT the Board of Directors authorize the purchase of 0.93 acres, more or less, described as P.I.D. 018-480-918, Lot 1, DL 2710, SDYD, Plan KAP50897 Except Plans KAP51161, KAP52868, KAP86678 and KAP91225 for an amount of no more than \$400,000, and identified in Schedule A as "Area 1"; and,

THAT the Board accept the donation of parkland from VINTAGE VIEWS DEVELOPMENTS LTD., subject to the conditions set forth in the Purchase/Donation Agreement, and described in Schedule A as "Area 2" comprising 3.4 acres, more or less; and,

THAT the Board enter into a Lease Agreement with VINTAGE VIEWS DEVELOPMENTS LTD. For a parcel of land described in Schedule A as "Lot 5" comprising 0.38 acres, more or less; and

THAT the Board authorizes the Chair and the Chief Administrative Officer to endorse the aforementioned Agreements; and,

THAT the Board amend the Five-Year Financial Plan to include a property purchase within the Okanagan Falls & District Parks and Recreation Service Area in the 2015 Budget; and,

THAT the Board authorize a receipt in favour of the charitable donation offered by Vintage in an amount determined by a qualified appraiser as the amount between the appraised value of the land the amount paid for the lands and improvements, less RDOS costs.

Recommendation 2

THAT Bylaw No. 2707, 2015, Heritage Hills Parkland Acquisition Reserve Funds Expenditure Bylaw be read a first, second and third time and be adopted.

Reference:

- Okanagan Falls Parks and Recreation Commission Service Establishments Bylaw No. 1174, 1990
- Area D PULD Reserve Bylaw
- Okanagan Falls & District Parks and Recreation Service Reserve
- Offer to Purchase/Donate Parkland Agreement
- Lease Agreement

History:

The Regional District recently received assent of the ratepayers within the Okanagan Falls & District

Parks & Recreation service area to borrow funds to acquire additional parkland in Okanagan Falls and Heritage Hills. The purchase of the Okanagan Falls parcel is complete and discussions have been underway with VINTAGE VIEWS DEVELOPMENTS LTD. (Vintage), to purchase parkland, accept a donation of parkland and lease additional parkland in the Heritage Hills/Vintage Views subdivision. Vintage has further offered to donate improvements to the lands and a small cash donation has been dedicated from Fortis. The Agreements recognize that the subdivision has not yet been registered and substantial completion will occur following the closing date this Fall.

Alternatives:

- 1. Do not proceed with Bylaw No. 2707
- 2. Amend the terms of Bylaw No. 2707

Analysis:

In order to finance this project the Regional District will issue long term debt to be recovered from the electorate in the Okanagan Falls & District recreation service area. The amount to be borrowed will not exceed nine hundred and fifty thousand (\$950,000), of which \$750,000 was dedicated to Okanagan Falls and \$200,000 to Heritage Hills. The additional funds (\$200,000) required will be drawn from Area "D" Reserves. \$76,679 will be drawn from the Okanagan Falls and District Parkland Acquisition Reserve leaving an estimated yearend balance of \$0. \$69,917 will be drawn from the Area D Parkland Acquisition Reserve Fund leaving an estimated yearend balance of \$0. \$53,404 will be drawn from the Okanagan Falls Recreation Commission Reserve Fund leaving an estimated yearend balance of \$5,660. All costs involved with the project will be allocated to the Okanagan Falls & District recreation service area.

The Regional District has conducted a Stage 1 Environmental Assessment on the property and the Owner has stipulated that he is unaware of any reports, work, documents or Orders that would raise any concerns with the condition of the lands.

The Purchase/Donation Agreement does provide that the Regional District and Vintage will agree on the naming of the Park, with the intent that the Heritage Hills/Vintage Views community would be involved in the discussion.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2707, 2015

A bylaw to authorize the expenditure of monies from the 'Okanagan Falls and District Parkland Acquisition Reserve Fund' and the 'Area D Parkland Acquisition Reserve Fund' and the 'Okanagan Falls Recreation Commission Capital Reserve Fund' for the purchase of parkland in Heritage Hills

WHEREAS Section 814(3) of the Local Government Act, R.S.B.C. 1996, c.323 and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on;

AND WHEREAS the 'Okanagan Falls and District Parkland Acquisition Reserve Fund' has sufficient monies available for parkland acquisition;

AND WHEREAS the 'Area D Parkland Acquisition Reserve Fund' has sufficient monies available for parkland acquisition;

AND WHEREAS the 'Okanagan Falls Recreation Commission Capital Reserve Fund' has sufficient monies available for parkland acquisition;

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

- 1 Citation
- 1.1 This Bylaw shall be cited as the 'Heritage Hills Parkland Acquisition Reserve Funds Expenditure Bylaw No 2707, 2015'
- 2 Interpretation
- 2.1 The expenditure of \$ 76,679 from the 'Okanagan Falls and District Parkland Acquisition Reserve Fund' is hereby authorised for Heritage Hills parkland acquisition
- 2.2 The expenditure of \$ 69,917 from the 'Area D Parkland Acquisition Reserve Fund' is hereby authorised for Heritage Hills parkland acquisition
- 2.3 The expenditure of \$53,404 from the 'Okanagan Falls Recreation Commission Capital Reserve Fund' is hereby authorised for Heritage Hills parkland acquisition

READ A FIRST, SECOND, AND THIRD TIME thisday of, 20			
ADOPTED this day of, 20			
RDOS Board Chair	Corporate Officer		

OFFER TO PURCHASE / DONATE

This Agreement is dated for reference the 15th day of July, 2015.

TO: <u>VINTAGE VIEWS DEVELOPMENTS LTD.</u> (Inc. No.

BC0757526) of PO Box 24101

Government Street RPO Penticton, B.C., V2A 8L9

(hereinafter referred to as "Vintage")

FROM: REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

101 Martin Street Penticton, BC, V2A 5J9

(hereinafter referred to as "the Regional District")

RE: That portion of the lands legally described as

P.I.D. 018-480-918

Lot 1, DL 2710, SDYD, Plan KAP50897 Except Plans KAP51161, KAP52868, KAP86678 and KAP91225

as shown in heavy black on the sketch plan attached hereto as Schedule A comprising 3.7 acres, more or less;

(herein called the "Subdivided Lands")

The Regional District DOES HEREBY OFFER TO PURCHASE from Vintage, SUBJECT to the terms and conditions hereinafter set forth, that portion of the Subdivided Lands described in Schedule A as "Area 1" comprising 0.7 acres, more or less (the "Purchase") for the total sum of FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) (hereinafter referred to as the "Purchase Price") of lawful money of Canada, payable as follows:

- (a) By a deposit paid to Vintage's solicitor in trust in the amount of One Dollar \$1.00 upon execution of this Agreement by the parties to be applied to the Purchase Price;
- (b) By an additional deposit paid to Vintage's solicitor "in trust" in the amount of Forty-nine Thousand Nine Hundred Ninety-nine Dollars (\$49,999.00) Three (3) business days after the removal of the Regional District's Condition Precedent (b); and
- (c) By balance of funds on account of the Purchase Price to be paid to Vintage's solicitor "in trust" Four (4) business days after removal of the Regional District's Condition Precedent (b).

As additional consideration for the Regional District to purchase Area 1, Vintage DOES HEREBY AGREE TO DONATE to the Regional District and the Regional District does hereby accept, SUBJECT to the terms and conditions hereinafter set forth, that portion of the Subdivided Lands described in Schedule A as "Area 2" comprising 3.0 acres, more or less and the Improvements (hereinafter defined).

ENCUMBRANCES

Vintage covenants that the Subdivided Lands are registered in the name of Vintage and shall be free and clear of all encumbrances on the Closing Date save and except the following registrations in the Kamloops Land Title Office:

- (a) Right of Way filed January 30, 1959 under number 77904E;
- (b) Right of Way filed July 14, 1965 under number 118537E;
- (c) Land Use Contract filed February 20, 1974 under number J10071;
- (d) Right of Way filed October 6, 1976 under number L56833;
- (e) Modification of Land Use Contract filed March 17, 1983 under number V19097;
- (f) Statutory Right of Way filed July 3, 1991 under number KE47594;
- (g) Rent Charge filed September 29, 1992 under number KF95946;
- (h) Covenant filed November 13, 1992 under number KF114021;
- (i) Rent Charge filed December 17, 1993 under number KG125334;
- (j) Statutory Right of Way filed May 17, 2007 under number LB55999;
- (k) Statutory Right of Way filed May 27, 2008 under number LB202545;
- (I) Statutory Right of Way filed May 27, 2008 under number LB202546;
- (m) Statutory Right of Way filed May 27, 2008 under number LB202547;
- (n) Rent Charge filed May 29, 2008 under number LB203379;
- (o) Statutory Right of Way filed July 23, 2009 under number LB326273;
- (p) Statutory Right of Way filed August 16, 2010 under number LB403499;
- (q) Statutory Right of Way filed August 16, 2010 under number LB403500;and
- (r) Statutory Right of Way filed August 16, 2010 under number LB403501.

ADJUSTMENTS

Vintage will assume and pay all taxes, rates, local improvements, insurance premiums and other charges, and all adjustments both incoming and outgoing of whatsoever nature shall be made as of December 31, 2015, and the Regional District shall have vacant possession of the Subdivided Lands on December 31, 2015 (hereinafter referred to as the "Adjustment Date and Possession Date" respectively).

VINTAGE'S REPRESENTATIONS AND WARRANTIES

Vintage represents and warrants to the Regional District, with the intent that the Regional District shall rely on them in entering into this agreement and in concluding the purchase and sale and donation contemplated in this agreement, that as of the date of

this agreement (unless otherwise specified) and the Closing Date (unless this agreement is earlier terminated):

- (a) Vintage will be the registered and beneficial owner of the Subdivided Lands;
- (b) There is no claim or litigation pending or, to the knowledge of Vintage, threatened with respect to Vintage or the Subdivided Lands which could affect the right of the Regional District to own the Subdivided Lands or the ability of Vintage to perform its obligations under this agreement; and
- (c) On or before the Closing Date, all debris will be removed from the Subdivided Lands.

SUBDIVISION

Vintage shall, at its sole expense, take all reasonable steps in a timely manner to obtain the necessary consents and approvals for the subdivision of the Lands known and described as P.I.D. 018-480-918, Lot 1, DL 2710, SDYD, Plan KAP50897 Except Plans KAP51161, KAP52868, KAP86678 and KAP91225 in order that a title to the Subdivided Lands may be created in the Kamloops Land Title Office (the "Subdivision"), it being understood and agreed that Vintage shall pay all costs of any kind with respect to the Subdivision, including but not limited to, any government approval, permits, etc.(the "Approvals"). The parties understand and agree that Area 1 and Area 2 will comprise all of the Subdivided Lands.

ENVIRONMENTAL MATTERS

Vintage represents and warrants, as of the date of this Agreement and the Closing Date, in respect of the Subdivided Lands to the Regional District regardless of any independent investigations the Regional District may have caused to be made that:

- (a) Vintage is not aware of any document, material, report, information, proceeding, claim or other matter pertaining to the Subdivided Lands and the presence of Contaminants on the Subdivided Lands which are relevant to or which might impact on the use or proposed use of the Subdivided Lands;
- (b) Vintage has not conducted, nor caused to be conducted, an audit, assessment, study or test in any way pertaining to the presence of Contaminants on the Subdivided Lands and has not been requested by, or on behalf of, any Governmental Body, to do so;

- (c) Vintage has not received any notice indicating that the Subdivided Lands and the uses on the Subdivided Lands do not comply with, or that Vintage is in violation of, any Environmental Laws and is not aware of any grounds which may give rise to the issuance of such a notice;
- (d) there are no outstanding orders or directions issued to Vintage by any Governmental Body relating to environmental matters requiring any work, action, repair, construction or capital expenditures with respect to the Subdivided Lands which has not been carried out, and Vintage has not received, nor is Vintage aware of, any notice of the possibility of any of the same;
- (e) neither Vintage nor, to the best of Vintage's knowledge, any previous owner of the Subdivided Lands has at any time, stored, or permitted to be stored, any Contaminants in, upon or under the Subdivided Lands, and has not treated, emitted, disposed, discharged or permitted the discharge of any Contaminants in, upon or under the Subdivided Lands, other than in a staging area as outlined on Schedule A;
- (f) Vintage has not used, and is not aware of any predecessor in title to the Subdivided Lands having used, the Subdivided Lands as a landfill or site for disposal for waste or contaminants;
- (g) to the best of Vintage's knowledge after due inquiry, the Subdivided Lands are in compliance with Environmental Laws in all material respects;
- (h) Vintage has not caused or permitted the Release of any Contaminants on the Subdivided Lands or on any property adjacent to the Subdivided Lands and has no knowledge of any such release caused or permitted by any other person;
- (i) the Subdivided Lands do not presently and, to the best of Vintage's knowledge, have not at any time contained any underground storage tanks, whether active or abandoned;
- (j) to the best of Vintage's knowledge after due inquiry, the Subdivided Lands are in a condition that is free of the presence of all Contaminants including, without limitation, any patent or latent presence of Contaminants in the atmosphere, air, soil, subsoil, groundwater or surface water either within or adjacent to the Subdivided Lands, other than in a staging area outlined in Schedule A; and

(k) no Governmental Body has imposed any requirement that Vintage conduct any environmental drilling, prepare and submit any environmental report or audit, prepare and submit any environmental remedial plan or complete any remedial works, as either a condition or precondition to the granting of any permits or approvals relating to the proposed development including, without limitation, any amendment to an official community plan or zoning bylaw or issuance of a development permit, a development variance permit, a building permit or an occupancy permit;

For the purposes of this section, "Contaminants" means those substances, pollutants, wastes and special wastes which presently are defined as hazardous, toxic, or a threat to public health or to the Environment under any applicable Environmental Laws, including, without limitation, any radioactive materials, urea formaldehyde foam insulation, asbestos or polychlorinated biphenyls (PCBs);

For the purposes of this section, "Environment" means all components of the earth including, without limitation, all layers of the atmosphere, air, land (including all underground spaces and cavities and all lands submerged under water), soil, water (including surface and underground water), organic and inorganic matter and living organisms, and the interacting natural systems that include the components referred to in this definition;

For the purposes of this section, "Environmental Laws" means any Laws relating, in whole or in part, to the protection and enhancement of the Environment, occupational safety, product liability, public health, public safety and transportation of dangerous goods, including without limiting the generality of the foregoing, the *Environmental Management Act* (British Columbia) (SBC 2003) c.53 and the regulations relating thereto.

For the purposes of this section, "Governmental Body" means any domestic or foreign, national, federal, provincial, municipal or other local government or body and any division, agent, commission, board, or authority of any quasi-governmental or private body exercising any statutory, regulatory, expropriation or taxing authority under the authority of any of the foregoing, and any domestic, foreign, international, judicial, quasi-judicial, arbitration or administrative court, tribunal, commission, board or panel acting under the authority of any of the foregoing;

For the purposes of this section, "Laws" means all constitutions, treaties, laws, statutes, codes, ordinances, orders, decrees, rules, regulations and municipal bylaws, whether domestic, foreign or international, any judgments, orders, writs, injunctions, decisions, rulings, decrees, and awards of any Governmental Body, and any published policies or

guidelines of any Governmental Body and any published policies or guidelines of an Governmental Body and including, without limitation, any principles of common law and equity.

ACCESS

In order for the Regional District to obtain a Site Profile, Preliminary Site Investigation or Detailed Site Investigation (if required) pursuant to the *Environmental Management Act* and the *Contaminated Sites Regulation*, Vintage authorizes the Regional District at all reasonable times during the term of this Agreement to enter upon the Subdivided Lands and/or Vintage's lands immediately adjacent thereto in order to undertake all reasonable steps associated with the said investigations. The Regional District covenants and agrees to provide a copy of the said investigations upon receipt thereof.

GST REPRESENTATIONS AND WARRANTIES

Vintage and the Regional District represent and warrant each to the other that they have complied and will comply in all respects with the requirements of the Excise Tax Act, Part IX as amended, and will execute or swear and deliver to each person any further assurances, statutory declarations, certificates and rebate forms which may reasonably be required by the other.

CLOSING DATE

Subject to the provisions herein, the balance of funds required as set forth herein shall be paid and all conveyance and donation documents shall be prepared, executed and registered by the parties on December 31, 2015 (herein called the "Closing Date"). Notwithstanding anything herein to the contrary in the event the title to the Subdivided Lands has been created in the Kamloops Land Title Office on or before December 31, 2015, the Closing Date, Adjustments Date and Possession Date shall be moved forward to ten (10) business days after the title to the Subdivided Lands has been created and all conditions precedent of both Vintage and the Regional District herein have been satisfied or waived as the case may be.

RISK AND INSURANCE

The Subdivided Lands shall be at the risk of Vintage until the Closing Date and in the event of loss or damage to the same occurring before such time by reason of fire, tempest, lightning, earthquake, insurrection or war.

CLOSING ARRANGEMENTS

The Regional District shall prepare and present the following documents for execution or approval by Vintage at least five (5) days prior to the Closing Date:

- (a) Form A Freehold Transfer, in registerable form conveying the Subdivided Lands to the Regional District;
- (b) Statement of Adjustments with respect to the purchase of Area 1; and
- (c) All other appropriate documents, acts, things and assurances as may be requisite in the opinion of the Regional District's solicitor for more perfectly and absolutely assigning, transferring, donating and assuring to, vesting title to the Subdivided Lands free and clear of all encumbrances except as otherwise hereinbefore provided; and (the "Closing Documents").

and a copy of the Tax Receipt (hereinafter defined);

Two (2) days prior to the Closing Date, Vintage shall deliver to the Regional District the Closing Documents.

CLOSING PROCEDURE

One (1) day prior to the Closing Date the Regional District shall pay to its solicitor the balance of the Purchase Price payable to Vintage (if any) and following the payment thereof but no later than the Closing Date the Regional District shall cause the Regional District's solicitor to file the Closing Documents for registration in the Kamloops Land Title Office. Immediately following such filing the Regional District's solicitor shall deliver to Vintage a trust cheque in the amount due pursuant to the Statement of Adjustments and the Tax Receipt upon the Regional District's solicitor being satisfied as to the Regional District's title after conducting a post-filing registration check of the property index disclosing only the following:

- (a) the title number; and
- (b) pending number assigned to the Form A Freehold Transfer from Vintage to the Regional District.

PAYMENT OF FEES

Other than as provided herein, each party shall pay its own legal/notary public fees.

TIME

Time shall be of the essence hereof and subject to the satisfaction or waiver of the Regional District's Conditions Precedent to the obligations of the Regional District and unless the balance of the cash payment is paid and such formal agreement to pay the balance as may be necessary is entered into on or before the Closing Date, Vintage may, at Vintage's option, terminate this agreement and, in such event, the deposits paid by the Regional District will be absolutely forfeited to Vintage in full and complete satisfaction of all claims or damages by Vintage against the Regional District.

DURATION OF OFFER

The form of this Offer to Purchase / Donate may be accepted by Vintage by delivery by Vintage of a copy of this Offer with Vintage's acceptance completed thereon to the Regional District, no later than eleven (11:00) o'clock a.m. on the 15th day of July, 2015.

DEPOSITS

It is hereby acknowledged by Vintage and the Regional District that the deposits are a genuine pre-estimate of Vintage's damages for not being able to deal freely with the Subdivided Lands, not receiving the Purchase Price and the Tax Receipt at the Closing Date, the time and effort of Vintage in connection with this Agreement, professional fees incurred because of this Agreement, loss of bargain and other matters and shall be payable to Vintage as liquidated damages and upon receipt of the deposits Vintage will have no further claim against the Regional District for any additional damages or losses whatsoever. In the event the sale / donation of the Subdivided Lands and the Lease of Lot 5 as hereinafter described does not complete as provided herein through no fault of the Regional District, the deposits and all interest thereon (if any) shall be returned unconditionally to the Regional District.

CONDITIONS PRECEDENT TO THE OBLIGATIONS OF THE REGIONAL DISTRICT

All of the obligations of the Regional District pursuant to this Agreement are subject to the fulfillment of each of the following conditions precedent (collectively, "the Regional District's Conditions Precedent") on or before the Closing Date, or as indicated, unless and to the extent waived in writing by the Regional District:

- (a) the representations and warranties of Vintage herein shall be true and accurate with the same effect as if made on and as of the Closing Date; and
- (b) the approval of this Agreement by the Regional District's Board of Directors on or before July 21, 2015.

TAX RECEIPT

Vintage agrees that the Regional District offer herein to purchase Area 1 is conditional upon Vintage's agreement to donate Area 2 and to construct the Improvements referred to in paragraph (a) on or before the Closing Date and that the donation value thereof shall be calculated as follows:

- (a) the fair market value of Area 2 as determined by a current appraisal report prepared by a duly qualified appraiser chosen by the Regional District and the fair market value of the following improvements to Area 2:
 - (i) water and sewer services installed to the lot line of the Subdivided Lands (hook up charges to be the responsibility of the Regional District);
 - (ii) installation of a water service line running the length of the Subdivided Lands;
 - (iii) application of a layer of topsoil and the leveling thereof on the Subdivided Lands to a value of Twenty-five Thousand Dollars (\$25,000.00); and
 - (iv) construction of a fenced concrete pad sport box to a value of Twenty-five Thousand Dollars (\$25,000.00);

(collectively the "Improvements");

- (b) the aggregate of any costs, not to exceed the sum of Twenty-Five Thousand Dollars (\$25,000.00) incurred by the Regional District with respect to the said donation herein, including but not limited to the following, shall be deducted from the said fair market value:
 - (i) legal fees;
 - (ii) appraisal fees;
 - (iii) the Regional District's outstanding fees, including Subdivision Bylaw Fees and any expense incurred by the Regional District with respect to a Site Profile, Preliminary Site Investigation and a Detailed Site Investigation as referred to herein;
 - (iv) closing costs; and
 - (v) Land Title Office fees;(herein called the "Net Appraised Amount"); and
- (c) the Regional District shall issue to Vintage, on the Closing Date, a tax receipt in the form attached hereto as Schedule "B" in the amount of the Net Appraised Amount (herein called the "Tax Receipt").

LEASE

On the Closing Date Vintage shall deliver to the Regional District the Lease as attached hereto as Schedule C in registerable form and the parties agree immediately prior to the Closing Date to complete the form of Lease as noted in the marginal notes of the said Lease.

ACCEPTANCE

In consideration of \$10.00 non-refundable to be paid by the Regional District to Vintage, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by Vintage, Vintage agrees not to revoke it's acceptance of the Regional District's offer contained herein, while the agreement remains subject to any of the aforesaid conditions precedent. The parties agree that this agreement will become an unconditional contract for the purchase and sale and donation upon the satisfaction, or waiver, of all of the aforesaid conditions precedent set out herein.

If for any reason Vintage and the Regional District do not remove any of the conditions precedent set forth herein, in writing, within the agreed upon timeframe, this agreement shall be null and void, and neither party shall have a claim against the other.

BOUNDARIES OF THE SUBDIVIDED LANDS

The parties acknowledge that the exact boundaries of the Subdivided Lands may require minor changes thereto in order for the Regional District to obtain the Approvals and Vintage and the Regional District agree to such modifications provided the same are of a minor nature and are consistent with the intent of this Agreement.

CLEARING OF TITLE

If Vintage has existing financial charges to be cleared from title, Vintage, while still required to clear such charges, may wait to pay and discharge existing financial charges until immediately after receipt of the Purchase Price, but, in this event, the Regional District may pay the Purchase Price in trust and authorize the release of the sale proceeds held in trust to a lawyer or notary on the CBA (Real Property Section) standard undertakings to pay out and discharge the financial charges, and remit the balance, if any, to Vintage.

CONDITIONS PRECEDENT TO THE OBLIGATIONS OF VINTAGE

Vintage's obligations to carry out the transactions contemplated in this agreement is subject to the fulfillment on the Closing Date, unless and to the extent waived in writing by Vintage:

- (a) that the Regional District has complied with the aforesaid closing procedures;
- (b) title to the Subdivided Lands has been created in the Kamloops Land Title
 Office on or before December 10, 2015; and
- (c) approval as to the form and content of the Tax Receipt on or before December 10, 2015.

WAIVER AND TERMINATION

Each condition, if so indicated, is for the sole benefit of the party indicated. Unless each condition is waived or declared fulfilled by written notice given by the benefiting party to the other party on or before the date specified for each condition, this Agreement will be terminated thereupon. Notwithstanding anything herein to the contrary, the amount of the deposits plus any interest earned thereon shall be unconditionally returned to the Regional District forthwith upon the said termination.

REPRESENTATIONS AND WARRANTIES TO SURVIVE THE CLOSING

The respective representations, warranties and covenants of Vintage and the Regional District contained herein shall be true at and of the Closing Date as though such representations, warranties and covenants were made at and as of the Closing Date and shall survive the Closing Date, the purchase and sale and the said donation herein contemplated and shall continue in full force and effect except to the extent expressly waived in writing.

NAMING RIGHTS

In the event the Regional District elects to construct a park on the Subdivided Lands and wishes to adopt a name therefor, the Regional District agrees that the Regional District and Vintage shall agree on the said naming thereof. In addition, Vintage may install an in-memoriam park bench on the Lands at a location to be mutually agreed upon.

TENDER

Any tendered documents or money may be made upon the party being tendered or upon its solicitors/notary public, and money may be tendered by certified cheque, solicitor's trust cheque or bank draft.

FURTHER ASSURANCES

The parties shall with reasonable diligence, do all such things and provide all such reasonable assurances as may be required to consummate the transactions contemplated by this Agreement, and each party shall provide such further documents or instruments required by the other party as may be reasonably necessary or desirable to give effect to the purpose of this Agreement and carry out its provisions whether before or after the Closing Date.

COUNTERPARTS

This agreement may be executed in counter-parts.

APPLICABLE LAW

This agreement shall be interpreted in accordance with the laws of the Province of British Columbia.

EXECUTION BY TELECOPY

This agreement may be executed by the parties and transmitted by telecopy/facsimile/ electronic mail and if so executed and transmitted, this agreement will be for all intents and purposes as effective as if the parties had delivered an executed original agreement.

BINDING EFFECT

This agreement, when accepted, shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns, as the case may be.

PLURAL

In this Agreement any reference to a party includes that party's heirs, executors, administrators, successors and assigns; singular includes plural and masculine includes feminine.

ENTIRE AGREEMENT

This agreement constitutes the entire agreement between the parties with respect to the subject matter of the agreement and contains all the representations, warranties, covenants and agreements of the respective parties, and may not be amended or

modified except by an instrument in writing executed by all the parties. This agreement supersedes all prior written agreements, memorandum, and negotiation between the parties.

INDEPENDENT LEGAL ADVICE

THIS OFFER TO PURCHASE/DONATE HAS BEEN PREPARED BY GILCHRIST & COMPANY AS SOLICITORS FOR THE REGIONAL DISTRICT AND VINTAGE ACKNOWLEDGES BEFORE THEIR EXECUTION OF THIS OFFER TO PURCHASE/DONATE THAT THEY SHOULD OBTAIN INDEPENDENT LEGAL ADVICE WITH REGARD TO THIS OFFER TO PURCHASE/DONATE OR VINTAGE HAS OF THEIR OWN FREE WILL DECLINED TO OBTAIN SUCH ADVICE.

DATED this day of Ju	ıly, 2015.
REGIONAL DISTRICT OF OBJUST By its Authorized Signatory(OKANAGAN-SIMILKAMEEN ies):

ACCEPTANCE

We, VINTAGE VIEWS DEVELOPMENTS LTD. ACCEPT the foregoing Offer to Purchase and the donation and their respective terms and covenants, AND DO HEREBY COVENANT, PROMISE AND AGREE to duly carry out the sale and donation upon the terms and conditions herein mentioned.

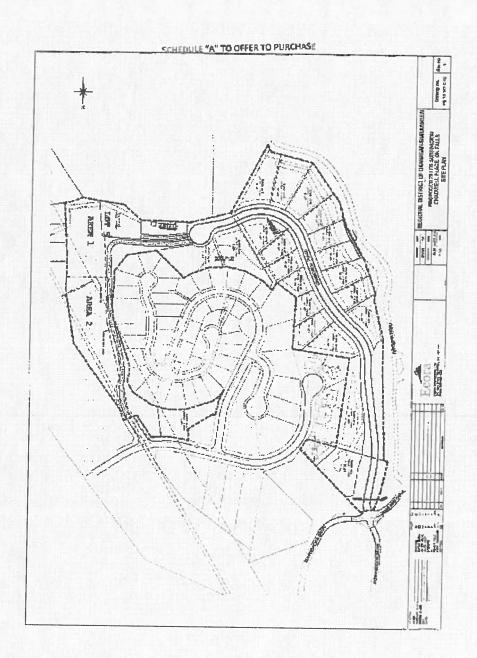
Dated as at this _day of July, 2015.

VINTAGE VIEWS DEVELOPMENTS LTD.

File: 52006(137)

L:\W5\RDOS\Offer to Purchase\Vintage Views offer and donate July 2015\Vintage Views Offer - Donate July 14

CLEAN.doc/nn



SCHEDULE "B"

101 Martin Street, Penticton, British Columbia V2A 5J9
Tel: 250.492.0237 Fax: 250.492.0063
Toll Free: 877.610.3737
Email: info@rdos.bc.ca



OFFICIAL DONATION RECEIPT FOR INCOME TAX PURPOSES

Receipt No. 2015-00	
Date Issued:	Date
Donor:	Vintage Views Developments Ltd. Address
Date Received:	Date
Location Receipt Issued:	Penticton, BC
Eligible Amount of Gift for Tax Purposes: (fair market value of property)	\$\$\$
Description of Property Received:	Description
Appraised by: Address of Appraiser (if applicable):	Name/method Address
Authorized Signature:	

THANK YOU FOR YOUR DONATION

For information on all qualified donees in Canada under the *Income Tax Act* please visit: www.cra-arc.bc.ca/charitiesandgiving

SCHEDULE "C" - Form of Lease

LAND TITLE ACT FORM C (Section 233) CHARGE GENERAL INSTRUMENT - PART 1 Province of British Columbia PAGE 1 OF **PAGES** Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent) 1. Nicole Nemechek, Legal Assistant, Gilchrist & Company **Barristers and Solicitors** 250-492-3033 LTO Filing No. 10533 101-123 Martin Street Our File: 52006/rpt RDOS/Form C / 2015/ Vintage Views/Lease Penticton V2A 7X6 Deduct LTSA Fees? Yes ✓ 2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND: [LEGAL DESCRIPTION] LOT 5 STC? YES 3. NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION SEE SCHEDULE TERMS: Part 2 of this instrument consists of (select one only) (a) Filed Standard Charge Terms D.F. No. (b) ✓ Express Charge Terms Annexed as Part 2 A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. TRANSFEROR(S): VINTAGE VIEWS DEVELOPMENTS LTD. (INC. NO. BC0757526) TRANSFEREE(S): (including postal address(es) and postal code(s)) REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN 101 MARTIN STREET PENTICTON **BRITISH COLUMBIA** V2A 5J9 **CANADA** ADDITIONAL OR MODIFIED TERMS: n/a EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any. Officer Signature(s) **Execution Date** Transferor(s) Signature(s) M n Vintage Views Developments Ltd. by its Authorized Signatory(ies): 15

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

LAND TITLE ACT FORM D

Officer Signature(s)	F	ution Data	PAGE 2 of pag
Amor alguarate(a)	Y	ution Date M D	Transferor / Borrower / Party Signature(s)
			DECIONAL DIOTRICT OF
			REGIONAL DISTRICT OF
			OKANAGAN-SIMILKAMEEN by its
			Authorized Signatories:
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LAND TITLE ACT

FORM E SCHEDULE PAGE 3 OF **PAGES** NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION Lease **Entire Instrument** NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION Option to Purchase Pages 19 through 24 NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

LEASE

THIS LEASE dat	ted for reference the day of	, 2015.
BETWEEN:		
	VINTAGE VIEWS DEVELOPME	NTS LTD. (Inc. #BC0757526)
	PO Box 24101	
	Government Street RPO	
	Penticton, BC, V2A 8L9	
	(the "Landlord")	
		OF THE FIRST PART

AND:

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
101 Martin Street, Penticton, B.C., V2A 5J9
(the "Tenant")

OF THE SECOND PART

WITNESSES that in consideration of the mutual covenants, conditions and agreements herein contained, the Landlord and the Tenant covenant and agree as follows:

1. **DEFINITIONS**

In this lease, unless there is something in the context inconsistent therewith, the Landlord and the Tenant agree that:

- (a) "Additional Rent" means the amounts referred to in Article 3.2 herein;
- (b) "Basic Rent" means the amount referred to in Article 3.1 herein;
- (c) "CPI" means the Consumer Price Index for the Province of British Columbia (or any index published in substitution for the Consumer Price Index or any other replacement designated by the Landlord acting reasonably, if it is no longer published) published by Statistics Canada (or any successor thereof or any governmental agency including a Provincial agency). In the case of any required substitution, the Landlord, acting reasonably, shall be entitled to make all necessary conversations for comparison purposes;
- (d) "Commencement Date" means the ___ day of _____, 2015;
- (e) "Environmental Laws" means all applicable federal, provincial, municipal or local laws, statutes or ordinances, as they may be amended from time to time after the Commencement Date of the Term

To be Completed Signing date of the Lease relating to the environment, occupational safety and the transportation or regulation of Hazardous Substances;

- (f) "Governmental Requirement(s)" means all requirements made or imposed pursuant to law by federal, provincial municipal or other local governments including requirements of Environmental Laws;
- (g) "Hazardous Substance(s)" means any substances that are defined as or regulated as being waste, contaminants, pollutants, fungicides, insecticides, herbicides, dangerous substances, industrial waste, special waste, toxic substances, hazardous waste, hazardous material or hazardous substance pursuant to Environmental Laws;
- (h) "Lands" means Lot 5 as shown on plan attached hereto as Schedule

 "A" comprising .38 acres, more or
 less :
- (i) "Lease" means this lease and all attached schedules;
- (j) "Taxes" means all taxes, rates, duties, levies and assessments whatsoever, whether municipal, parliamentary, or otherwise, which are levied, imposed or assessed against or in respect of the Lands or which are from time to time levied, imposed or assessed in the future in addition or in lieu thereof, including those levied, imposed or assessed for education, schools and local improvements; and
- (k) "Term" means the term of months commencing on the Commencement

 Date as set out in Article 2.2.

2. **DEMISE AND TERM**

2.1 Demise

The Landlord, in consideration of the rents, covenants, agreements and conditions herein to the paid, observed and performed by the Tenant, does hereby demise and lease to the Tenant the Lands for the Term.

2.2 Term

Subject to the terms and conditions of this Lease, the Tenant shall have and hold the Lands for a term of Twenty (20) years from and including the Commencement Date.

3. RENT, TAXES AND OTHER CHARGES

This paragraph to be amended on the Commence ment Date to delete Schedule A and insert the legal description of the said Lot 5 registered in the Kamloops

LTO

3.1 Basic Rent

The Lessee shall pay Basic Rent during the Term and any renewal thereof in consecutive annual instalments as follows:

- (a) during the first year of the Term, the amount of Eight Thousand Four Hundred Dollars (\$8,400.00) to be paid on the Commencement Date; and
- (b) on each anniversary date commencing ______, 2016 the Basic Rent shall be increased by an amount equivalent to the current annual rent multiplied by the percentage equivalent of the aggregate CPI increase for the prior twelve (12) month period.

One year after the Commence -ment Date

3.2 Additional Rent

All monies that from time to time may be owing by the Tenant to the Landlord pursuant to this Lease including, without limitation, Basic Rent, are hereby deemed to be Additional Rent. The Tenant will pay any such money to the Landlord upon demand by the Landlord unless other terms for payment are expressly stipulated in this Lease. If the Tenant fails to pay any Additional Rent, as and when due, the Landlord will have the same remedies for the collection thereof as it has for the recovery of Basic Rent in arrears.

3.3 Tenant's taxes and other charges

The Tenant will pay, as and when due, to the authority or person to which the same are owing:

- (a) all taxes including without limitation all Goods and Services Tax, licence fees, rates, duties and assessments imposed, assessed or levied by any lawful authority relating to:
 - (i) the business carried on in and the use and occupancy of the Lands by the Tenant;
 - (ii) rent payable by the Tenant for the Lands, and
 - (iii) personal property and business and trade fixtures and other improvements owned or installed by or on behalf of the Tenant in, on or affixed to the Lands,

- (iv) real property taxes assessed against the Lands including, without limitation, local improvement charges, frontage taxes and all other special or extraordinary charges; and
- (b) all charges, rates, levies and assessments imposed, assessed or levied by any lawful authority in respect of electricity, light, heat, power, water, telephone and utilities of whatsoever nature or kind (including works and services in connection therewith) used in or supplied to the Tenant at the Lands.

Upon request by the Landlord, the Tenant will deliver promptly to the Landlord, for inspection, receipts for payment of all charges payable by the Tenant pursuant to this Article 3.3.

3.4 No set-off

The Tenant will pay to the Landlord duly and punctually all Basic Rent and Additional Rent required to be paid by the Tenant pursuant to this Lease without any deduction, abatement or set-off whatsoever.

3.5 Irregular periods

If, for any reason, it becomes necessary to calculate Basic Rent or Additional Rent for irregular periods an appropriate pro rata adjustment will be made on a monthly basis in order to compute such rent for such irregular periods, unless otherwise expressly set out in this Lease.

4. QUALITY AND USE OF THE LANDS

4.1 Examinations of Lands

The Tenant has inspected the Lands prior to execution of this Lease and acknowledges that it is leasing the Lands as provided herein on an "as is" basis in accordance with the provisions of this Lease. The Tenant specifically acknowledges the Landlord has made no representation, agreement or warranty with respect to the Lands or as to the fitness of the Lands for the use referred to in Article 4.2

4.2 Use

The Tenant will use or occupy the Lands or any part thereof for the purposes of park and recreational use including and, without limiting the generality of the foregoing, the placing of equipment or other improvements ancillary to the said

uses and such other uses as the Landlord may approve, such approval not to be unreasonably withheld.

4.3 No nuisance or waste

At no time during the Term will the Tenant carry on or permit or suffer to be carried on the Lands anything which is noxious or offensive or which would constitute a public or private nuisance. The Tenant will not cause any waste or damage to the Lands.

4.4 Not to affect the Landlord's insurance

The Tenant will not store or permit to be stored upon the Lands anything of a dangerous, inflammable or explosive nature or anything which could lead to the cancellation of the Landlord's insurance. If any insurance policy of the Landlord is cancelled by an insurer by reason of the use and occupation of the Lands by the Tenant or by anyone permitted by the Tenant to be on the Lands then the Landlord, at its option, may immediately thereafter terminate this Lease upon written notice to the Tenant and thereupon Basic Rent and Additional Rent will be apportioned and paid in full to the date of expiration of such notice and the Tenant will immediately deliver up vacant possession of the Lands to the Landlord and the Landlord may re-enter and take possession of same and, at its option and at the expense of the Tenant, may rectify the situation causing such cancellation.

4.5 Preventing cancellation

The Landlord, by its representatives, may at any time enter upon the Lands to remove any article or remedy any condition, which, in the reasonable opinion of the Landlord, would be likely to lead to cancellation of any insurance policy. Such entry by the Landlord will not be deemed to be a re-entry or a trespass.

5. ASSIGNING AND SUB-LETTING

Assigning and sub-letting by Tenant

The Tenant will not assign this lease or sub-let or part with possession of the whole or any part of the Lands for the whole or any part of the Term, without the consent of the Landlord, such consent not to be unreasonably withheld.

6. **COMPLIANCE WITH LAWS**

6.1 Compliance with laws

The Tenant, at its own expense, will promptly comply with all applicable Government Requirements which relate, directly or indirectly to the use and occupation of the Lands by the Tenant.

6.2 Notice of non-compliance

The Tenant will deliver promptly to the Landlord a copy of any notice, request, order, demand or claim of any person, and any documentation ancillary thereto, pertaining to any actual or alleged failure by the Tenant with regard to the Lands to comply with Environmental Laws or any common law obligations relating to environmental or public health matters or any actual or alleged presence or discharge of any Hazardous Substance contrary to Environmental Laws on, under or affecting the Lands.

7. MAINTENANCE

7.1 Maintenance

The Tenant, at its own expense, will maintain the Lands in accordance with the requirements of this Lease and more particularly but not limited to the requirements pursuant to Article 4.3 herein. The Tenant will be responsible for complying with all Government Requirements with respect to the investigation and remediation of any Hazardous Substance in, under or affecting the Lands.

7.2 Inspection and emergencies

The Landlord, by its representatives may enter upon the Lands at all reasonable times and upon reasonable notice to the Tenant, or during any emergency without notice, to inspect the state of maintenance.

8. SURRENDER OF LANDS

8.1 Surrender

Upon the expiration or earlier termination of this Lease and the Term and any period of permitted overholding, the Tenant will surrender to the Landlord possession of the Lands (subject to this Article 8), all of which will become the property of the Landlord without any claim by or compensation to the Tenant, all in reasonable order and condition in accordance with the Tenant's obligation to maintain, free and clear of all encumbrances and all claims of the Tenant or of any person claiming by or through or under the Tenant and all the rights of the Tenant under this Lease will terminate save as herein expressly set out.

9. LIABILITY AND INDEMNIFICATION

9.1 Non-Liability of Landlord

The Landlord will not be liable or responsible in any way for any personal injury that may be sustained by the Tenant or any invitee or licensee of the Tenant, or of any other person who may be upon the Lands or for any loss of or damage or injury to, property belonging to or in the possession of the Tenant or any invitee or licensee of the Tenant or any other person, unless caused by negligence of the Landlord or those for whom it is in law responsible

9.2 Indemnification

The Tenant will indemnify and save harmless the Landlord from and against any and all liabilities, damages, costs, expenses, causes of actions, actions, claims, suits and judgments which the Landlord may incur or suffer or be put to by reason of or in connection with or arising from:

- (a) any breach, violation or non-performance by the Tenant of any obligation contained in this Lease to be observed or performed by the Tenant;
- (b) any damage caused by the Tenant, by those for whom the Tenant is in law responsible, to property (other than the Lands) howsoever occasioned by the condition, use, occupation or maintenance of the Lands:
- (b) any injury to any person, including death caused by the Tenant, or by those for whom the Tenant is responsible resulting at any time therefrom, occurring in or about the Lands; and
- (c) any wrongful act or neglect of the Tenant, its invitees and licensees, in and about the Lands and any other persons for whom the Tenant is in law responsible,

provided that this indemnity shall be reduced where and to the extent that the same is caused or contributed to by the negligence of the Landlord, or those for whom it is in law responsible.

Such indemnification will survive any termination or expiration of this Lease.

10. INSURANCE

10.1 Tenant's insurance

The Tenant, at its cost, will obtain and keep in force throughout the Term, comprehensive general liability insurance in an amount of not less than Five million dollars (\$5,000,000.00), or such greater amount as the Landlord may reasonably require from time to time.

10.2 Policies

The Tenant will effect all policies with insurers that are reasonably satisfactory to the Landlord. The Tenant will furnish to the Landlord copies of all policies, or insurance certificates in lieu thereof, and will provide written notice of the continuation of such policies not less than ten (10) days' prior to their respective expiry dates. The Tenant will pay the premium for each policy. If the Tenant fails to purchase or to keep in force such insurance the Landlord may effect such insurance, at the Tenant's cost.

10.3 Terms of insurance

The Tenant will cause each of the policies for the insurance referred to in Article 10.1 to contain an undertaking by the insurer(s) to notify the Landlord at least thirty (30) days prior to cancellation or any other change material to the Landlord's interests. The liability policy will include the Landlord as an additional named insured with a cross-liability clause.

10.4 Release of Landlord from Liability for Insured Loss or Damage

The Tenant hereby releases the Landlord from any and all liability for loss or damage caused by any of the perils against which the Tenant shall have insured or pursuant to the terms of this Lease is obligated to insure the Lands, or any part or parts thereof.

11. QUIET ENJOYMENT

If the Tenant duly and punctually pays the Basic Rent and Additional Rent and complies with its obligations under this Lease the Tenant will be entitled to peaceably possess and enjoy the Lands during the Term without any interruption or disturbance from the Landlord or any person or persons claiming by through or under the Landlord.

12. PERFORMANCE OF TENANT'S COVENANTS, DEFAULT AND BANKRUPTCY

12.1 Landlord may perform covenants

If the Tenant is in default of any of its obligations under this Lease and if such default is not cured within thirty (30) days after delivery of written notice by the Landlord to the Tenant specifying such default (and also subject to the proviso of section 12.2(d) regarding extending the time to cure where it cannot be cured within such thirty (30) day period, then the Landlord without limiting any other remedy which it may have, will have the right to remedy any such default and for such purpose may at any time enter upon the Lands. No entry for such purpose will be deemed to cause a forfeiture or termination of this Lease. In order to cure such default, the Landlord may do such things as are necessary to cure the default and such things as may be incidental thereto. The Tenant will reimburse the Landlord for the aggregate of all expenses incurred by the Landlord in remedying any such default. The Landlord will be under no obligation to remedy any default of the Tenant and will not incur any liability to the Tenant for any action or omission in the course of its remedying or attempting to remedy any such default unless such act amounts to intentional misconduct or gross negligence on the part of the Landlord.

12.2 Rights of termination

If and whenever:

- (a) the Lands are used for a purpose not permitted by this Lease;
- (b) any Basic Rent or Additional Rent remains unpaid after any of the days on which the same ought to have been paid and following ten (10) days' written notice of non-payment by the Landlord to the Tenant;
- (c) the Tenant has on more than one occasion in any calendar year of the Term not paid Basic Rent or Additional Rent on the day on which same is due;
- (d) there is a breach of any of the Tenant's obligations hereunder (other than as set out in the other clauses of this Article) which is not cured within thirty (30) days after delivery of written notice by the Landlord to the Tenant specifying such breach (provided that if any default of the Tenant can only be cured by the performance of work or the furnishing of materials and if such work cannot reasonably be completed or such materials reasonably obtained and utilized within said thirty (30) days, then the time provided to cure such default will be extended until remedied if the Tenant proceeds promptly with such work as may be

necessary to cure the default and continues diligently to complete such work);

- (e) the Term is at any time seized or taken in execution or attachment; or
- (f) the Tenant assigns, sub-lets or parts with possession of the Lands or any part of either without the Landlord's consent as required herein;

then in any of the said cases (and notwithstanding any prior waiver of breach of covenant) the Landlord, at its option, may (and without prejudice to any other right or remedy it may then have or be entitled to) immediately or at any time thereafter and without notice or any form of legal process take possession of the Lands or any part thereof in the name of the whole and expel the Tenant and those claiming through or under it and remove its or their effects (forcibly if necessary) without being deemed guilty of any manner of trespass, any statute or law to the contrary notwithstanding.

12.3 Bankruptcy

If and whenever:

- (a) a receiver, guardian, trustee in bankruptcy or any other similar officer is appointed to take charge of all or any substantial part of the Tenant's property by a court of competent jurisdiction;
- (b) a petition is filed for the re-organization of the Tenant under any provision of the <u>Bankruptcy Act</u> or any law of Canada or any province thereof or of the jurisdiction in which the Tenant is incorporated relating to bankruptcy or insolvency, then in force;
- (c) the Tenant becomes insolvent;
- (d) the Tenant files a petition for such re-organization or for arrangements under any provision of the <u>Bankruptcy Act</u> or any law of Canada or any province thereof or of the jurisdiction in which the Tenant is incorporated relating to bankruptcy or insolvency then in force and providing a plan for a debtor to settle, satisfy or to extend the time for the payment of debts; or
- (e) if any application or petition or certificate or order is made or granted for the winding up or dissolution of the Tenant voluntarily or otherwise;

and where such actions are taken by third parties and the same continues for more that thirty (30) days thereafter then in any of the said cases (and notwithstanding any prior waiver of breach of covenant) the Landlord, at its option, may (and without prejudice to any other right or remedy it may then have or be entitled to) with five (5) days written notice take possession of the Lands or any part thereof in the name of the whole and expel the Tenant and those claiming through or under it and remove its or their effects (forcibly if necessary) without being deemed guilty of any manner of trespass, any statute or law to the contrary notwithstanding.

12.4 Waiver with respect to re-entry

The Tenant hereby waives any present or future requirement that notice of the Landlord's intention to re-enter be served or that the Landlord commence legal proceedings in order to re-enter.

12.5 Re-entry and damages

If and whenever the Landlord is entitled to re-enter the Lands, or does re-enter the Lands, the Landlord may either terminate this Lease by giving written notice of termination to the Tenant, or by posting notice of termination on the Lands, and in such event the Tenant will forthwith vacate and surrender the Lands. If the Landlord terminates this Lease for any breach and elects to claim damages for such breach, the Tenant will pay to the Landlord on demand therefor:

- (a) Basic Rent to the date of termination;
- (b) all Additional Rent payable by the Tenant pursuant to the provisions hereof to the date of termination; and
- (c) such expenses as the Landlord may reasonably incur in connection with re-entering or terminating including legal fees and disbursements determined on a solicitor-client basis.

12.6 Remedies of Landlord are cumulative

The remedies of the Landlord in this Lease are cumulative and are in addition to any remedies of the Landlord at law or in equity. No remedy will be deemed to be exclusive and the Landlord may from time to time have recourse to one or more of all the available remedies specified herein or at law or in equity.

12.7 Payment of Landlord Expenses

If at any time an action is brought where the Landlord is otherwise required to employ the services of a bailiff, contractor, an agent, or its solicitors because of an alleged breach of any covenant herein contained on the part of the Tenant, and if the Landlord is successful in its action then the Tenant shall pay to the Landlord all out of pocket expenses incurred by the Landlord in the enforcement of its rights and remedies hereunder.

13. **OVERHOLDING**

If the Tenant remains in possession of the Lands after the expiration of the Term and without the execution and delivery of a new lease, the Landlord may re-enter and take possession of the Lands and remove the Tenant therefrom and the Landlord may use such force as it may deem necessary for that purpose without being liable in respect thereof or for any loss or damage occasioned thereby. While the Tenant remains in possession of the Lands after the expiration of the Term, the tenancy, in the absence of written agreement, will be from month to month only at a rent per month equal to two times the rent payable in respect of the month immediately preceding expiration of the Term payable in advance on the first day of each month and the Tenant will be subject to all terms of this lease, except that the tenancy will be from month to month only and a tenancy from year to year will not be created by implication of law or otherwise.

14. MISCELLANEOUS

14.1 Waiver

No waiver of any default will be binding unless acknowledged in writing by the Landlord.

14.2 Condoning

Any condoning, excusing or overlooking by the Landlord of any default by the Tenant will not operate as a waiver of the Landlord's rights hereunder in respect of any subsequent default.

14.3 **Severability**

If any provision of this Lease is found to be illegal or invalid or unenforceable at law it will be deemed to be severed from this Lease and the remaining provisions will continue to have full force and effect.

14.4 Headings

All headings in this Lease are inserted for convenience of reference only and will not affect the construction and interpretation of this Lease.

14.5 Representations and entire agreement

The Tenant acknowledges and agrees that the Landlord has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Tenant other than those contained in this Lease that no agreement collateral hereto will be binding upon the Landlord unless made in writing and signed by the Landlord and that this Lease constitutes the entire agreement between the Landlord and Tenant.

14.6 Notices

Any notice required to be given hereunder shall be shall be deemed to have been well and sufficiently given if mailed by prepaid express mail, telexed or telefaxed to, or delivered:

if to the Landlord:

PO Box 24101

Government Street RPO

Penticton, BC, V2A 8L9

If to the Tenant:

101 Martin Street.

Penticton, B.C. V2A 5J9

Attention: Chief Administrative Officer

or such other address as the Landlord or the Tenant may from time to time direct in writing, and any such notice to the other party shall be deemed to have been received, if mailed five (5) days after the time of mailing, or if telexed or telefaxed seventy-two (72) hours after the time of telexing or telefaxing, and if delivered, upon the date of delivery. If normal mail service, telex service, or telefax service is interrupted by strike, slow down, force majeure or other cause, a notice sent by the impaired means of communication will not be deemed to have been received until actually received, and the Landlord or the Tenant may utilize any other such services which have not been so interrupted.

14.7 Time of essence

Time will be of the essence of this Lease.

14.8 Governing Law

This Lease will be construed and governed by the laws of British Columbia.

14.9 Interpretation

Unless the context otherwise requires, the word "Landlord" wherever it is used herein shall be construed to include and shall mean the Landlord, its successors and/or assigns, and the word "Tenant" shall be construed to include and mean the Tenant and its successors and/or assigns; and when there are two or more Tenants or two or more persons bound by the Tenant's covenants herein contained, their obligations hereunder shall be joint and several; the word "Tenant" and the personal pronoun "it" relating thereto and used therewith shall be read and construed as Tenants and "his", "her" or "its" or "their" respectively, as the number and gender of the party or parties referred to each require and the number of the verb agreeing therewith, shall be construed and agreed with the said word pronoun so substituted.

14.10 Registration

The Landlord shall have no obligation to execute and deliver this Lease in registerable form, provided however, if the Tenant pays all costs, fees, expenses and taxes in connection with the registration of this Lease in the appropriate Land Title Office, the Landlord shall execute and deliver the same in registerable form.

15. ENVIRONMENTAL MATTERS

15.1 The Tenant covenants with the Landlord that if, as a consequence of any release of a Hazardous Substance in or on the Lands or below the surfaces of the Lands, on or in the vicinity of the Lands by the Tenant or its servants, agents, or contractors or any person for whom the Tenant is in law responsible, any actions are required to be taken in order to comply with any Governmental Requirement applicable to the use, presence, or removal of any Hazardous Substance on or from the Lands (including any Governmental Requirement relating to testing for or identification of Hazardous Substances), and if the Tenant has received notice in writing of such Governmental Requirement from the relevant authority (whether the requirements is made of the Landlord or the Tenant), then the Tenant shall at its expense take such action as required by

- the Governmental Requirement (of alternatively such other action as may be acceptable to the relevant authority after discussions with the Tenant).
- 15.2 If the Tenant fails to take any action required to be taken by the Tenant pursuant to this Article 15, the Landlord may (but shall not be obligated to) take such action after giving thirty (30) days written notice to the Tenant of its intention to do so, unless within such thirty (30) day period the Tenant has taken the required action or has commenced in and is continuing diligently to carry out such action, and the Landlord shall, for that purpose, be permitted to enter the Lands with appropriate equipment. The Tenant covenants to reimburse the Landlord for all reasonable costs incurred by the Landlord in taking such required action pursuant to this Article 15 within thirty (30) days after receiving from the Landlord an invoice and reasonable supporting details relating to such costs.
- 15.3 The Tenant covenants with the Landlord to indemnify and save harmless the Landlord from and against any and all liabilities, claims, damages, costs, loss, suits, or actions of any nature whatsoever (including legal fees incurred by the Landlord in any relating proceedings on a solicitor and own client basis) arising out of any release of a Hazardous Substance in or on or below the surface of the Lands as a result of any activity carried out, on or in the Lands by the Tenant or its servants, or contractors or any person for whom the Tenant is in law responsible provided that this indemnity shall be reduced where and to the extent the same is caused or contributed to by the Landlord or for those whom the Landlord is in law responsible.
- 15.4 The obligations of the Tenant under the indemnity in this Article 15, shall with respect to liability for any matter arising during the Term and prior to the expiration or any termination of the Lease, survive the expiration or any termination of this Lease.

16. LANDLORD AND TENANT ONLY

It is understood and agreed that nothing contained in this Lease nor any acts of the parties hereto shall be deemed to create any relationship between the said parties, other than the relationship of Landlord and Tenant.

17. OPTION TO RENEW

Provided the Tenant is not in default under this Lease, the Tenant shall have an option to renew this Lease of the Lands for a further term of Twenty (20) years on the same terms and conditions, save and except for this option to renew provision. To exercise its right of renewal the Tenant shall give written notice to the Landlord not less than Three (3) months prior to the expiry of the Term.

18. OPTION TO PURCHASE

- 18.1 Provided the Tenant duly and regularly pays the Rent and has consistently performed all of its obligations under this Lease and any renewals thereof punctually and in accordance with this Lease, and is not otherwise in default under this Lease and any renewals thereof on the date it exercises this option (the "Option") or, unless waived in writing by the Landlord, on the Closing Date (as defined in subclause 18.5(a)), the Tenant will have an exclusive option to purchase the Lands free and clear of all financial encumbrances for the purchase price and on the terms set out below.
- 18.2 The purchase price (the "Purchase Price") shall be the fair market value of the Lands as of the Exercise Date (hereinafter defined) as mutually agreed by the parties.. If the parties cannot agree then the Purchase Price shall be determined by the average of two (2) appraisals; one submitted by the Landlord and one submitted by the Tenant. If there is a discrepancy of more than ten percent (10%) between the appraisals, each party's appraisal will jointly select a third a mutually selected appraiser and the Purchase Price shall be based upon the average of the three (3) appraisers. Each party shall be responsible for their own appraiser and in the event a third appraiser is required, that cost shall be shared equally amongst the parties. All appraisers shall be qualified to appraise commercial buildings and familiar with the Penticton marketplace. Notwithstanding anything herein to the contrary, the Purchase Price shall be reduced by an amount equivalent to Fifteen percent (15%) of the aggregate amount of rent paid from the Commencement Date to the Completion Date if this Option to Purchase is exercised in the first Ten (10) years of the Term and in the event the Option to Purchase is exercised after the tenth anniversary date of the Term, the Purchase Price shall be reduced by an amount equivalent to Ten percent (10%) of the aggregate amount of rent paid from the Commencement Date to the Completion Date.
- 18.3 This Option may be exercised by delivery of written notice by the Tenant to the Landlord any time prior to the expiry of the Term or any renewal term (the "Exercise Date").

Upon the exercise of this Option the Tenant will deliver to the Landlord a deposit (the "Deposit") in the amount of ten percent (10%) of the Purchase Price, which will be applied to the Purchase Price on completion or, failing completion, dealt with in the manner set out herein.

- 18.4 This Option will be irrevocable within the time provided for its exercise unless this Lease is terminated, surrendered, or otherwise determined prior to the Exercise Date. If this Option is not exercised within the time and in the manner described in this section, this Option will be null and void and no longer binding upon the parties.
- 18.5 Upon this Option being exercised, this Option will become a binding contract of purchase and sale of the Lands to be completed in accordance with the following terms:
 - (a) The closing date (the "Closing Date") for the purchase and sale will be 60 days following the exercise of the Option. If the Kamloops Land Title Office is closed on the Closing Date, the Closing Date will be the next following day that office is open;
 - (b) The Tenant will cause its solicitors to prepare and present to the Landlord's solicitors for approval by the Landlord, at least five Business Days prior to the Closing Date, all documents reasonably required by the Tenant's solicitors to complete the purchase, including:
 - (i) a freehold transfer (Land Title Act Form A) for the Lands (the "Transfer"), conveying the Lands to the Tenant or its permitted assigns;
 - (ii) a vendor's statement of adjustments; and
 - (iii) such other appropriate documents and assurances as may be requisite in the reasonable opinion of the Tenant's solicitors for more perfectly and absolutely transferring to the Tenant title to the Lands;

(the "Closing Documents");

The Closing Documents will be in the form and substance satisfactory to the Tenant and Landlord, each acting reasonably.

The Landlord's solicitors will advise the Tenant's solicitors of any objections to the Closing Documents within two days of receipt of the Closing

- Documents, to allow appropriate changes to be made by the Tenant's solicitors as required.
- (c) Provided the Closing Documents are delivered to the Landlord's solicitors, as set out above, the Landlord will deliver, or cause to be delivered, the Closing Documents to the Tenant's solicitors duly approved or executed in registrable form, as appropriate, no later than the day immediately prior to the Closing Date;
- (d) The Tenant will be responsible for all taxes, rates, assessments and other charges and will be entitled to receive all income relating to the Lands from and including the Closing Date, and all adjustments, both incoming and outgoing, of whatever nature will be made as of 12:01 a.m. on the Closing Date, and the Purchase Price will be adjusted accordingly;
- (e) The Tenant will deliver the Purchase Price, as adjusted, to the Landlord on or before 5:00 p.m. on the Closing Date;
- (f) Provided the Purchase Price, as adjusted, is delivered by the Tenant to the Landlord in accordance with this section, vacant possession of the Lands, free and clear of all financial encumbrances, will be given by the Landlord to the Tenant at 5:00 p.m. on the Closing Date, subject to the Landlord's right to use the Purchase Price to discharge encumbrances, other than the Permitted Charges, from title within a reasonable period of time following the Closing Date; and the Tenant will pay or cause its solicitors to pay the adjusted Purchase Price to the Landlord's solicitors in trust on their undertaking to discharge any such encumbrances;
- The closing will start at 9:00 a.m. on the Closing Date in the offices of the Tenant's solicitors. All documents and cheques to be delivered by the Tenant and the Landlord on the Closing Date, except the Transfer, will be tabled at that office until the Transfer has been filed for registration in the land title office and the Tenant's solicitors have received a post-application title search showing that the Transfer will be registered in the usual course in the name of the Tenant other than charges granted by the Tenant. On completion (the "Completion") of that satisfactory post-application title search, all documents and cheques will be released to the respective parties. It will be a condition of closing that all matters of payment, execution, and delivery of documents by each party to the other and acceptance for registration of the Transfer in the land title office will be deemed to be concurrent requirements, and nothing will be completed at the closing until all requirements of closing have been met.

- 18.7 If the Landlord has existing financial charges to be cleared from time, the Landlord, while still required to clear such charges, may wait to pay and discharge existing financial charges until immediately after receipt of the Purchase Price, but in this event, the Landlord agrees that payment of the Purchase Price shall be made by the Tenant's Lawyer or Notary to the Landlord's Lawyer or Notary, on the CBA Standard Undertakings to pay out and discharge the financial charges, and remit the balance, if any, to the Landlord.
- The Lands will be at the risk of the Landlord until the time the Transfer is deposited 18.8 for registration in the land title office, and thereafter at the risk of the Tenant. After the Option has been exercised by the Tenant and pending Completion, the Landlord will hold all insurance policies and any proceeds derived therefrom in trust for the Tenant and in the event of loss or damage to the Lands occurring before Completion by reason of fire, tempest, lightning, earthquake, flood or other act of God, explosion, riot, civil commotion, insurrection, war, or otherwise howsoever, the Tenant may, at its option, to be exercised within Ten (10) business days following notice in writing to the Landlord, require the Landlord to apply the amount of such insurance proceeds paid to the Landlord with respect thereto in reduction of the Purchase Price and complete the purchase of the Lands or, if the loss or damage is material, terminate this contract of purchase and sale of the Lands, in which case the Landlord will forthwith return the Deposit to the Tenant and the Tenant will have no further claim on the insurance proceeds payable to the Landlord. If the Tenant fails to notify the Landlord of its election within the notice time specified, the Tenant will be deemed to have elected to proceed with the purchase and to take an assignment of the insurance proceeds.
- 18.9 The Tenant will bear the cost of registration of the Transfer. The Landlord will bear the cost, if any, of clearing title to the Lands of any encumbrances other than Permitted Charges. Each party will bear its own legal costs.
- 18.10 If the Tenant fails to comply with the terms of the purchase and sale of the Lands as herein contemplated, the above deposit, together with interest thereon, is not refundable and shall be retained on account of damages.
- 18.11 The Landlord represents to the Tenant as follows:
 - (a) The Landlord will have good and the marketable title to the Lands on the Closing Date, free and clear of all financial charges;

- (b) The Landlord is a corporation, duly incorporated and validly existing under the laws of the Province of British Columbia, and has now, and will have on the Closing Date, the power, authority, and capacity to enter into this Option and the transactions contemplated by this Option, all of which have been and will continue to be duly and validly authorized by all necessary corporate proceedings;
- (c) Neither the granting of this Option nor the purchase and sale resulting from its exercise by the Tenant will constitute a breach or result in a breach of any term of, or constitute a default under any agreement to which the Landlord is a party or to which it may be bound and which would result in the creation of any lien, encumbrance, or charge on the Lands; and
- (d) The Landlord is a "resident" of Canada for the purposes of the Income Tax Act, R.S.C. 1985 (5th Supp.), c. 1.
- 18.12 The Tenant waives the requirement, if any, for the Landlord to provide a site profile for the Lands under any environmental legislation or any other documentation under such legislation or any regulations pursuant to such legislation.
- 18.13 During the time in which this Option may be exercised, and if exercised, during the time prior to and including the Closing Date, the Landlord will manage and maintain the Lands as would a prudent owner of comparable Lands, including but not limited to maintaining in force policies of insurance as may be required to insure the Lands in such amount and on such terms as are customary for similar Lands, subject to the obligations of the Tenant to manage and maintain the Lands in accordance with this Lease.
- 18.14 The Landlord will deliver to the Tenant, upon the Exercise Date, copies of any consulting reports, cost reports, plans, working drawings, engineering drawings and reports, architectural drawings, mechanical, electrical or structural reports, surveys, soil tests, and geotechnical or environmental and any other information pertaining to the Lands which are in the Landlord's possession or control, including any development permits and building permits relating to the Lands; and upon the completion of the purchase resulting from the exercise of this Option, the Landlord will assign its interest, if any, in such items to the Tenant to the extent such interest is assignable.
- 18.15 The Landlord will grant authorizations reasonably required by the Tenant to authorize municipal and statutory authorities to release information regarding the Lands and the Landlord.

- 18.16 The parties will each deliver or cause to be delivered to the other all such further documents and assurances as may be reasonably required to give full effect to the transactions contemplated by this Option.
- 18.17 Money must be tendered by bank draft or solicitor's trust cheque.
- 18.18 Notwithstanding any other provision in this Lease, this Option will terminate and be of no further force or effect if this Lease is terminated, surrendered, or otherwise determined for any reason.
- 18.19 This Option is not assignable by the Tenant without the consent of the Landlord, which may be withheld in the Landlord's sole discretion.
- 18.20 Any notice or communication required to be given under this clause will be given in accordance with the provisions of clause 14.6 of this Lease.
- 18.21 If the Tenant exercises the Option to Purchase and fails to complete the purchase on the Closing Date, this Option shall immediately cease and be of no further force and effect.

19. BINDING NATURE

Enuring Effect

This Lease and everything herein contained will enure to the benefit of and be binding upon the parties hereto and each of their respective heirs, executors, administrators, successors and permitted assigns as the case may be.

20. **COUNTERPARTS**

This document may be executed in any number of counterparts, each of which so executed shall be deemed an original and the counterparts together form a valid and binding document which may be sufficient evidence by any one such original counterpart.

21. INDEPENDENT LEGAL ADVICE

This Agreement has been prepared by Gilchrist & Company as solicitors for the Tenant and the Landlord acknowledges before their execution of this Agreement that they should obtain independent legal advice and that the Landlord has obtained independent legal advice with regard to this Agreement or the Landlord has of its own free will declined to obtain such advice as the case may be.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement by executing Part 1 of the <u>Land Title</u>

Act Form C to which this Agreement is attached and which forms part of this Agreement.

File: 52006(137)

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BOARD REPORT: July 10, 2015

1450 KLO Road, Kelowna, BC V1W 3Z4 P 250.469.6271 F 250.762.7011

www.obwb.ca

OBWB Directors

Doug Findlater - **Chair**, Regional District of Central Okanagan

Juliette Cunningham - Vice-Chair, Regional District of North Okanagan

Doug Dirk, Regional District of North Okanagan

Bob Fleming, Regional District of North Okanagan

James Baker, Regional District of Central Okanagan

Tracy Gray, Regional District of Central Okanagan

Andre Martin, Regional District of Okanagan-Similkameen

Sue McKortoff, Regional District of Okanagan-Similkameen

Peter Waterman, Regional District of Okanagan-Similkameen

Peter Waardenberg, Okanagan Nation Alliance

Toby Pike, Water Supply Association of B.C.

Don Dobson, Okanagan Water Stewardship Council

The next meeting of the OBWB will be 12 p.m. <u>September 4</u>, <u>2015</u> at Rotary Centre for the Arts, in Kelowna, following our Annual General Meeting.

Okanagan Basin Water Board Meeting Highlights

Mudbogging concerns in Okanagan watersheds discussed: The board heard from Regional District of North Okanagan staff on efforts to protect drinking water reservoirs from damage by recreational users — a valley-wide concern. Current options include creating specified recreation sites in the area but away from their drinking water source, or closing the area to recreation all together. After hearing the presentation the board voted to update its policy on Multiple Use of Crown Land in Watersheds, emphasizing that water protection should be the highest priority use and calling on statutory decision makers to ensure permitted land uses do not degrade water. This will be sent to B.C.'s ministries of Environment, and Forests, Lands and Natural Resource Operations with a letter urging increased enforcement and fines to deter further damage to these sensitive and important areas.

Water Board renews call to Province on Blue-Green Algae protocol: It's been a year since the province conducted a pilot in the Okanagan to test a new protocol for local governments to respond to blue-green algae blooms. This type of algae when it blooms can be toxic and cause illness to swimmers and be fatal to pets. The need for a consistent approach came to light after a bloom in Osoyoos in 2013. Town staff could not find any guidance on when to close or open a beach when a bloom is suspected. The OBWB asked the province to help find a solution, but progress has been slow. The board is sending a letter to the province urging that the protocol be completed and will be sharing it with municipalities to raise awareness regarding the algae and include info on what to look for. It is expected that blue-green algae blooms could be an issue in the Okanagan this summer given warmer-than-normal water temperatures. For more on blue-green algae, visit: www.obwb.ca/bga/.

Directors hear response to milfoil challenges: The board was updated on summer milfoil control efforts. Despite extra time spent rototilling the invasive weed this past winter, growth this year is reportedly the worst it has been in 30 years. Early spring run-off and warm water temperatures have contributed to the problem. Additional staff and shifts have been added to help with harvesting (mowing). While rototilling deroots the plant, this can only be done in cold temperatures after the tops die back. Directors were told that in addition to super-charged growth this year, recent vandalism to a harvester put an added strain on control efforts. As well, staff must work within specified work windows under federal fishing regulations. This became an issue this year because of how fast the weed has grown.

Mussel expert announced as OBWB keynote speaker: The Water Board has invited Julia Lew, with the Southern Nevada Water System, to provide the keynote at its AGM on Sept. 4 at Rotary Centre for the Arts. Lew will be presenting on her agency's invasive mussel response and management in Lake Mead. Directors also applauded the recent adoption of federal regs allowing Canada Border Services agents to stop and inspect incoming watercraft for aquatic invasives, including mussels. The board is continuing to urge the province to provide permanent, mandatory inspection stations along the B.C.-Alberta border and commit to funding all treatment and containment programs should an infestation occur.

For more information, please visit: www.OBWB.ca

OKSIR BOARD

Voting Members:

Duane Ophus (Chair) Regional District of Central Okanagan

Shirley Fowler (Vice) Regional District of North Okanagan

George Bush Regional District of Okanagan Similkameen

Brad Sieben Regional District of Central Okanagan

Chad Eliason Regional District of Columbia Shuswap

Billy Potash Grower Rep - Zone 1 (Organic)

Amarjit Lalli Grower Rep - Zone 2

Dave Dobernigg Grower Rep - Zone 3

Non-voting Members:

Kenna MacKenzie Agriculture & Agri-Food Canada

Susanna Acheampong BC Ministry of Agriculture and Lands

The next regular meeting of the **OKSIR** Board is scheduled for 9:00 a.m. on Sept.18, 2015 at 1450 KLO Rd, Kelowna, B.C.

OKANAGAN-KOOTENAY STERILE INSECT RELEASE BOARD

Tel: 250-469-6187 Fax: 250-762-7011 Toll Free: 1-800-363-6684

1450 KLO Road, Kelowna, BC V1W 3Z4

Website: www.oksir.org Email: sirinfo@oksir.org

OKSIR BOARD REPORT:

HIGHLIGHTS OF THE REGULAR MEETING HELD JUNE 19, 2015

OKSIR Finalizes & Adopts Strategic Plan:

The Board has formally adopted the OKSIR Strategic Plan. The Strategic Plan focuses on four main goal areas: capital replacement, funding and business development, technical support, and succession planning and staffing. The document was first drafted for the facilitated strategic planning session held March 13, 2015, and has undergone a number of reviews and revisions leading up to this final adoption. The Plan will be distributed to the participating Regional Districts, partner organizations, and senior levels of government. The Plan can also be viewed on the OKSIR Website, at: www.oksir.org.

Apple Acreage in the Program Area Increases:

For the first time in the Program's history, the number of planted apple and pear acres has increased from the previous year's total. Given the economic trends of the last couple years, and the BC Government's substantial investment in the 7 year replant program, it is anticipated that the acreage will continue to increase in the future. OKSIR looks forward to supporting a healthy, growing apple industry now and in the future.

New Zealand Pilot Project Eyes Expansion and Drone Technology for Moth Releases

The New Zealand group that bought OKSIR's off-season excess moth production is looking to double in size this year. They are also investigating the potential use of drones to release sterile moths. OKSIR management will be following any trials closely.

OKSIR Signs BCFGA's Tree Fruit Industry Accord:

As a part of their Industry Strategy, the BC Fruit Growers' Association has drafted a Tree Fruit Industry Accord. Organizations signing the accord agree to participate in the development and implementation of the Industry Strategy. The OKSIR Board has appointed their Board Chair to the Industry Strategy Working Group and the OKSIR General Manager to the Implementation Committee. Other signatories on the agreement include the BC Tree Fruits Cooperative, BC Cherry Association, Okanagan Plant Improvement Corporation and a number of independent packing houses.

2015 Operations Update:

The 2015 field season is well underway, with all regions receiving sterile moth releases and more infested properties receiving additional moths, supplementary mating disruption, and one-on-one guidance from staff. As the warmer-thanusual spring weather has put the schedule slightly ahead of normal, field staff will begin in-season damage checks next week in the south Okanagan and Similkameen and shortly after in the central and north Okanagan.

Staff have been encouraged by the higher than normal levels of compliance in urban properties with fruit removal orders, a testament to the great extension efforts and one-on-one work of the OKSIR field staff.