



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, May 04, 2017

RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	9:15 am	Public Hearing: Zoning Bylaw Amendment, 6900 Indian Rock Road, Naramata, Electoral Area "E"
9:15 am	-	10:15 am	Planning and Development Committee
10:15 am	-	10:30 am	Environment and Infrastructure Committee
10:30 am	-	11:30 am	RDOS Board

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

Advance Notice of Meetings:

May 18, 2017	RDOS Board/OSRHD Board/Committee Meetings
June 01, 2017	RDOS Board/Committee Meetings
June 15, 2017	RDOS Board/OSRHD Board/Committee Meetings
July 06, 2017	RDOS Board/Committee Meetings
July 20, 2017	RDOS Board/OSRHD Board/Committee Meetings
August 03, 2017	RDOS Board/Committee Meetings



NOTICE OF PUBLIC HEARING

Electoral Area “E” Zoning Bylaw Amendment

6900 Indian Rock Road, Naramata

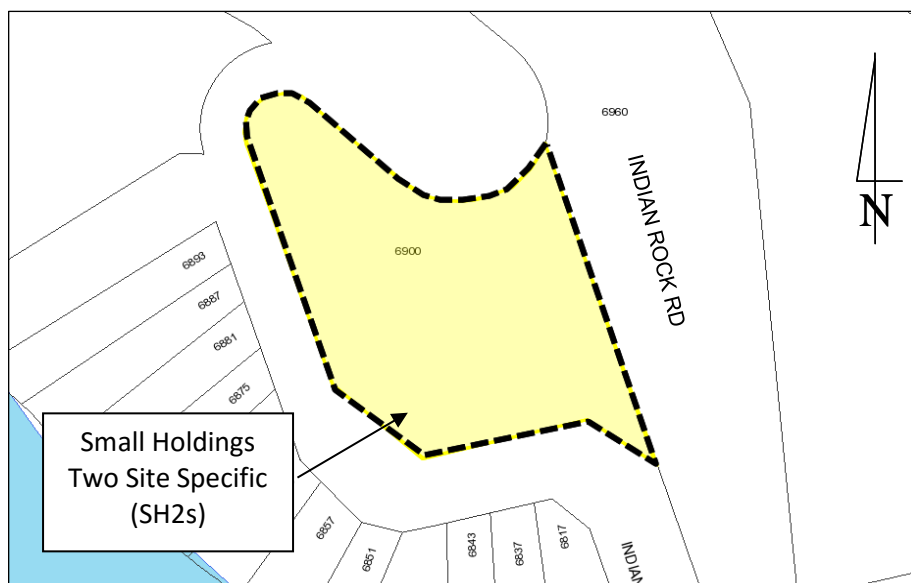
Date: Thursday, May 4, 2017

Time: 9:00 A.M.

Location: RDOS, Board Room, 101 Martin Street, Penticton

PURPOSE: To amend the zoning of the subject property in order to convert an existing farm building into an accessory dwelling.

- *Amendment Bylaw No. 2459.23, 2017:* proposes to amend Schedule ‘2’ of the Electoral Area “E” Zoning Bylaw No. 2459, 2008, by changing the land use designation on the land described as Lot 1, District Lot 391, SDYD, Plan 35614 (6900 Indian Rock Road) from Small Holdings Two (SH2) to Small Holdings Two Site specific (SH2s).



VIEW COPIES OF THE DRAFT BYLAWS, THE RESOLUTION DELEGATING THE HOLDING OF THE PUBLIC HEARING & SUPPORTING INFORMATION AT:

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

Weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information related to this proposal is also available at: www.rdos.bc.ca

(Departments → Development Services → Planning → Current Applications & Decisions → Electoral Area “E”)

Anyone who considers themselves affected by the proposed bylaw amendments can present written information or speak at the public hearing. All correspondence received for the public hearing will be made public and should be addressed to: Public Hearing Bylaw No.2459.23, c/o Regional District of Okanagan-Similkameen at 101 Martin Street, Penticton, BC, V2A 5J9. No letter, report or representation from the public will be received after the conclusion of the public hearing.

FOR MORE INFORMATION PLEASE CONTACT DEVELOPMENT SERVICES:

Telephone: 250-490-4107 | Fax: 250-492-0063 | Email: planning@rdos.bc.ca

Donna Butler, MCIP
Manager of Development Services

Bill Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, May 04, 2017

9:15 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of May 4, 2017 be adopted.

B. Update of Development Procedures Bylaw No. 2500, 2011

Scheduling of Public Hearings and Public Information Meetings (Lean Kaizen) [Page 5]

1. Bylaw No. 2500.09, 2017 [Page 7]

To introduce amendments to the Development Procedures Bylaw No. 2500, 2011, in order to formalize new approaches to the scheduling of public hearings and public information meetings that resulted from the Lean Kaizen review of the rezoning process undertaken in 2015-16.

RECOMMENDATION 2

THAT Bylaw No. 2500.09, being a bylaw of the Regional District to establish procedures for processing of land development applications, be amended.

C. Update of Agriculture Zones and Regulations [Page 15]

Accessory Dwelling Units; Livestock Regulations; and Protection of Farming DP Area

To seek direction from the Board regarding possible additions to Amendment Bylaw No. 2728. This includes the keeping of honeybees in residential zones and proposed amendments to the density provisions governing the number of accessory dwelling units (i.e. suites, mobile homes and carriage houses) in the AG Zones.

In addition, Administration is also recommending that a number of changes be initiated to the Protection of Farming Development Permit (PFDP) Area in Electoral Area "C" in order to clarify the intent of this development permit area.

RECOMMENDATION 3

THAT the Board of Directors direct staff to amend Draft Amendment Bylaw No. 2728 (Update of Agricultural Regulations) to:

- allow accessory dwellings to be constructed within an accessory building or structure in the Agriculture zones; and
- allow the keeping of honey bees in the Low Density Residential zones; and

THAT staff are further directed to initiate an update of the Protection of Farming Development Permit Area in the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008.

D. Retaining Walls and Building Height Review [Page 24]**1. Bylaw No. 2773, 2017 [Page 27]**

To present the Board with a series of proposed amendments to the Electoral Area Zoning Bylaws in relation to retaining walls and the calculation of building height.

RECOMMENDATION 4

THAT the Board of Directors direct staff to initiate Draft Amendment Bylaw No. 2773.

E. Review of Hillside Steep Slope DP Area – Electoral Area "D-2" [Page 100]

To seek direction from the Board regarding the continued use of the Hillside and Steep Slope Development Permit (HSSDP) Area designation in the Electoral Area "D-2" Official Community Plan Bylaw.

RECOMMENDATION 5

THAT staff be directed to initiate an amendment to the Electoral Area "D-2" Official Community Plan (OCP) Bylaw in order to remove the Hillside and Steep Slope Development Permit Area.

F. ADJOURNMENT

ADMINISTRATIVE REPORT



TO: Planning and Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: May 4, 2017
RE: Update of Development Procedures Bylaw No. 2500, 2011

Administrative Recommendation:

THAT Bylaw No. 2500.09, being a bylaw of the Regional District to establish procedures for processing of land development applications, be amended.

Purpose:

To introduce amendments to the Development Procedures Bylaw No. 2500, 2011, in order to formalize new approaches to the scheduling of public hearings and public information meetings that resulted from the Lean Kaizen review of the rezoning process undertaken in 2015-16.

Background:

The Board was introduced to "Lean Management" in 2015, a program that can be adapted to help the service sector improve performance and cut costs. Ideally, processes will be improved, decisions streamlined and employees more engaged following the completion of a "Lean Kaizen" within an organization.

Between October 26-28, 2015, the Regional District undertook a Kaizen to review the rezoning application process and identify possible efficiencies and improvements. In summary, four parts of the rezoning process were identified for review in order to improve the customer experience and increase processing efficiency. This included the "application intake process", "Advisory Planning Commissions", "managing application files" and the "public hearing process".

At its meeting of January 21, 2016, the Planning and Development (P&D) Committee considered the outcomes of the Kaizen as they related to public hearings and approved "a trial process to review options for the scheduling of public hearings related to land use bylaw amendments."

This trial included the potential of waiving a public hearing involving a minor amendment to a bylaw, the scheduling of public information meetings prior to 1st reading in order to gauge community interest in a proposal and to address any concerns raised by community members and, based upon public turn-out at a public information meeting, scheduling public hearings at Board meetings.

Analysis:

Since January of 2016, Administration has participated in the organisation and conducting of approximately 14 public information meetings for rezoning proposals. As a result of these experiences, it is felt that a number of different amendments to the Development Procedures Bylaw could be enacted by the Board.

Organising Open Houses:

In theory, public information meetings should be organised and conducted by an applicant, however, due to many applicant's lack of understanding and/or previous experience with the land use bylaw amendment process this has proven, in most instances, to be a daunting requirement.

In order to ensure rezoning applications progressed in the timely manner envisioned by the Lean Kaizen review, Administration had to step in and take the lead in organising and conducting most of the meetings held during the trial period.

While this has certainly created new work responsibilities for Administration earlier in the rezoning process, these have generally been off-set by the ability to schedule a number of public hearings at Board meetings, thereby reducing the requirements on staff to organise and attend hearings in the applicable Electoral Area.

In addition, by moving towards a model in which open houses are held prior to 1st reading, the Regional District has been able to engage with the public earlier in the process and has the ability to address any comments and/or concerns that are raised.

For these reasons, Administration supports formalising the requirement for an open house for rezoning applications in the Development Procedures Bylaw and considers there is further merit in extending this to the granting of Temporary Use Permits (which is seen to be akin to a rezoning).

Promoting Feedback and Transparency:

A separate outcome of the Kaizen was a revamping of the Development Services Department pages on the Regional District web-site and the ability for the public to access documents related to rezoning and TUP applications and to see the current status of an application.

To promote these new features, a minor change to the required text on Notice of Development signs is required in the Development Procedures Bylaw. Specifically, the signs that advise residents that additional information regarding an application is available for viewing at www.rdos.bc.ca.

In addition, it is also recommended that the bylaw be amended to require the posting of the sign prior to the submission of an application. At present, signs are only required to be posted 10 days prior to Board consideration – which means they generally appear on a site *after* a public information meeting has been held and with the only remaining opportunity for input being the formal public hearing.

By requiring a site notice at the beginning of the process, Administration is hopeful that residents will engage with a rezoning proposal earlier and avail themselves of the public information meeting opportunity to have any questions or concerns addressed.

Minimum Duration:

Administration recognises that the conduct of a public hearing occurring ahead of a Regular Board meeting may not require the same minimum duration as do public hearings held in Electoral Areas (i.e. 10 minutes if people are present, 15 minutes if no one is present).

Accordingly, Administration is proposing to dispense with this requirement on the basis that the decision to have the hearing at a Board meeting has been informed by the level of community interest expressed at the public information meeting.

Respectfully submitted:


C. Garrish, Planning Supervisor

Endorsed by:


D. Butler, Development Services Manager

Attachments: No. 1 — DRAFT Amendment Bylaw No. 2500.09 (annotated version)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.09, 2017

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Development Procedures Bylaw 2500, 2011**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw No. 2500.09, 2017."
2. The "Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011" is amended by:

(i) replacing section 3.2.4 (Making Application) under Section 3.0 (General Provisions) with the following:

.4 An application for a Temporary Use Permit, or an application to renew a Temporary Use Permit shall be made and processed substantially as outlined in Schedule '5' of this bylaw.

(ii) replacing section 5.1.1 (Public Information Meeting) under Section 5.0 (Public Consultation) in its entirety with the following:

5.1.1 Public Information Meetings

- .1 A public information meeting is required to be held prior to Board consideration of an Amendment Application, an Application for Temporary Use Permit or an application to renew a Temporary Use Permit.
- .2 An applicant shall pay all costs associated with the public information meeting.
- .3 The notice of a public information meeting shall be mailed or distributed in the same manner as would be required for a public hearing; or, where

Commented [CG1]: Housekeeping Provision. This same text is currently found at Section 5.1.1.1 and was incorrectly placed there by Amendment bylaw No. 2500.02, 2012.

Commented [CG2]: New Wording. Proposes to replace discretionary authority of the Board to require a public information meeting in those situations when a proposal is seen to be of a significant scale or nature that warrants an additional opportunity for public consultation. Proposed wording change to impact the holding of public information meeting for TUPs.

the application is for a permit, in the same manner as if it were a notice of a proposed Temporary Use Permit.

- (iii) replacing section 5.1.2 (Criteria for requiring a Public Information Meeting) under Section 5.0 (Public Consultation) in its entirety with the following:

5.1.2 ~~deleted.~~

Commented [CG3]: Proposes to remove criteria outlining when a public information meeting would be required as they would now seem to be a mandatory component of all rezoning applications. Current criteria is a significant land use change, affecting 20 ha of land or more, or the creation of more than 29 units.

- (iv) replacing section 5.1.3 (Scheduling of a Public Information Meeting) under Section 5.0 (Public Consultation) in its entirety with the following:

5.1.3 Scheduling of a Public Information Meeting

- .1 A public information meeting shall be arranged and conducted according to the following guidelines:

- (a) A public information meeting should commence no later than 7:00 p.m.
- (b) A public information meeting should be held Monday through Thursday, excluding holidays. Where the Chief Administrative Officer considers appropriate, a public information meeting may be held on a day of the weekend, if in the event that members of the public or adjacent property owners would otherwise have difficulty attending a meeting held on a weekday. A public information meeting held on a weekend should be in the afternoon.
- (c) Where possible, a public information meeting should be held in the community most affected by the respective application. If deemed more appropriate by the Chief Administrative Officer, a public information meeting may be held within the offices of the Regional District.

- (d) To ensure the public and persons who may be affected by a bylaw amendment have adequate notice of a public information meeting, the applicant must notify adjacent property owners and residents within a distance not less than 100 metres of the boundaries of the subject property in person, by mail or by handbill left at each adjacent property. BC Assessment rolls should be used in preparing an adjacent-property owner list. Regional District staff may assist in preparing the list.

Commented [CG4]: Proposes to remove requirement to notify open house in local newspaper. Meeting will still be notified by letter while it is also being proposed to require site notice be placed on property prior to making application.

- (v) replacing section 5.2.1 (Conduct of a Public Hearing) under Section 5.0 (Public Consultation) with the following:

5.2.1 Conduct of a Public Hearing

- .1 The minimum duration of a Public Hearing ~~scheduled in an Electoral Area~~ shall not be less than 10 minutes.

Commented [CG5]: New Wording. Intent is to clarify that only Public Hearings scheduled in an Electoral Area shall be a minimum of 10 minutes in length.

- .2 If, after a minimum of 15 minutes, no members of the public are in attendance of the stated public hearing meeting **in an Electoral Area** then the Public Hearing may be adjourned.
- .3 If no members of the public attend the Public Hearing, and the Public Hearing notice has been properly published, the Regional District will consider that the Public Hearing has been held, as required.

Commented [CG6]: New Wording. Intent is to clarify that only Public Hearings scheduled in an Electoral Area shall be a minimum of 15 minutes in length if no one is in attendance.

(vi) replacing section 5.3.1.1(c) (Giving Notice) under Section 5.0 (Public Consultation) in its entirety with the following:

(c) a scheduled Board meeting for considering a **Temporary Use Permit**.

Commented [CG7]: Updated wording. Replaces current reference to Temporary Commercial Use Permits and Temporary Industrial Use Permits.

(vii) replacing section 5.3.2 (Posting of Notice of Development Sign) under Section 5.0 (Public Consultation) in its entirety with the following:

5.3.2 Posting of Notice of Development Sign

In respect of an application for a Zoning Bylaw amendment, Official Community Plan Bylaw amendment or Temporary Use Permit the applicant, at his or her cost, must erect a notice of development sign on that parcel of land which is the subject of the application, in accordance with the following:

- .1 Each sign must comply with the requirements outlined in Schedule '1' and section 5.3.3 of this bylaw;
- .2 **Each sign must be erected prior to the submission of the Amendment application or Temporary Use Permit application to the Regional District;**
- .3 **Proof of sign installation must be provided to the Regional District by the applicant in the form of photographs of the sign(s) located on the property, including a close-up photograph sufficient to read sign details, and a distant photograph of the sign(s) in order to verify the location on the subject property.**
- .4 **The applicant must keep all signs in place continuously and in good repair until the close of the public hearing or a decision to issue or refuse the permit by the Board, and must be removed by an applicant within seven (7) working days following the close of the Public Hearing or a decision to issue or refuse the permit by the Board. Non-compliance with this section due to the removal, destruction or alteration of the sign by unknown persons, vandalism or natural occurrence shall not affect the validity of the bylaw or permit that is the subject of the application.**
- .5 It is an applicant's responsibility to ensure that all signs are updated throughout the application process to reflect any amendments to the proposal, and that such revisions to the content of the development sign are undertaken in accordance with the requirements of Schedule '1'.

Commented [CG8]: New Wording. Proposes to require that the site notice be placed on the property prior to formally submitting a rezoning application to the Regional District. Intent is to make surrounding property owners and residents aware of the application ahead of the public information meeting. Current requirement is that the site notice be erected no less than 10 days prior to the Board's consideration of 1st reading.

Commented [CG9]: New Wording. Proposes to replace option of a signed affidavit.

Commented [CG10]: Amended wording to address signage requirements for TUPs.

.6 Multiple signs are required for subject properties that are not contiguous to each other.

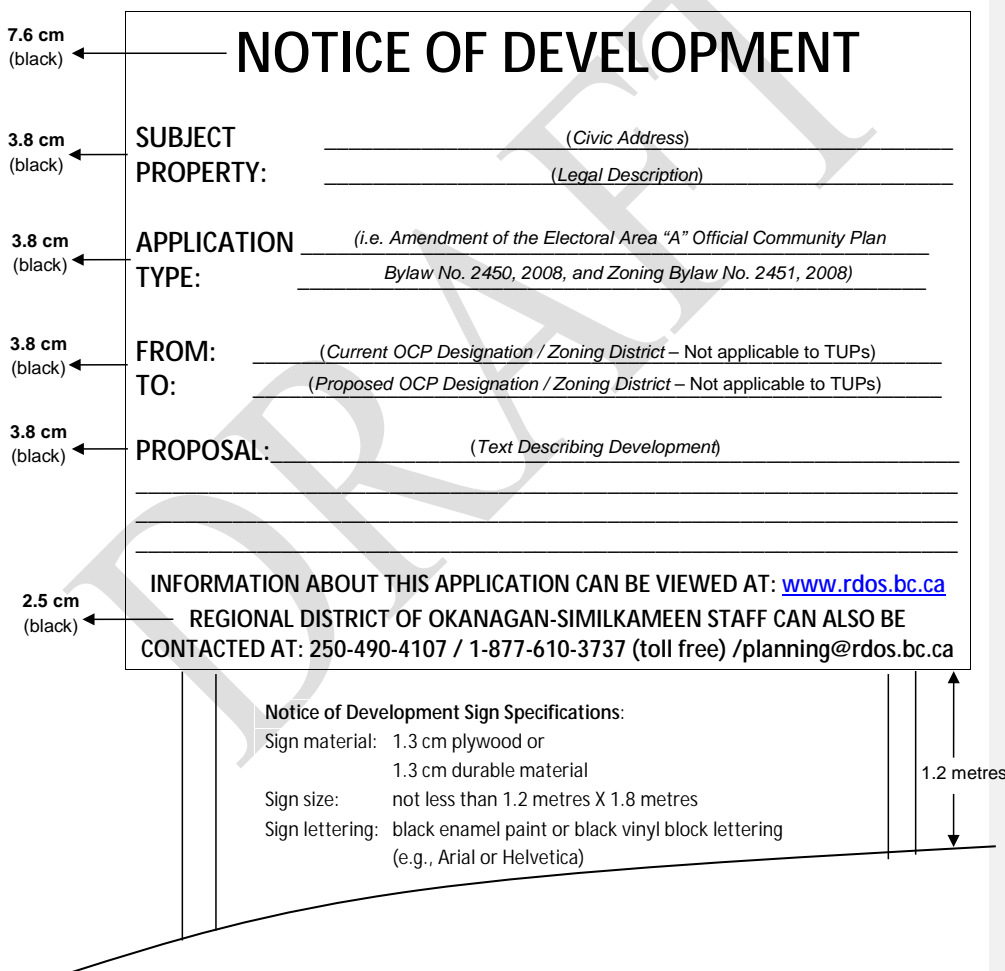
(viii) replacing section 5.3.3.1(a)(i) (Development Sign Requirements) under Section 5.0 (Public Consultation) in its entirety with the following:

(i) not less than 1.2 metres x 1.8 metres in area;

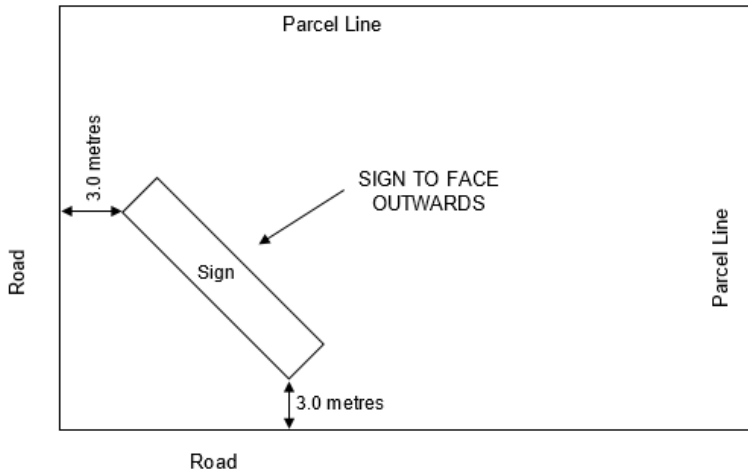
(ix) replacing Schedule 1 (Notice of Development Sign Format Sheet) in its entirety with the following:

Commented [CG11]: Adjusted to reflect horizontal placement of sign in diagram.

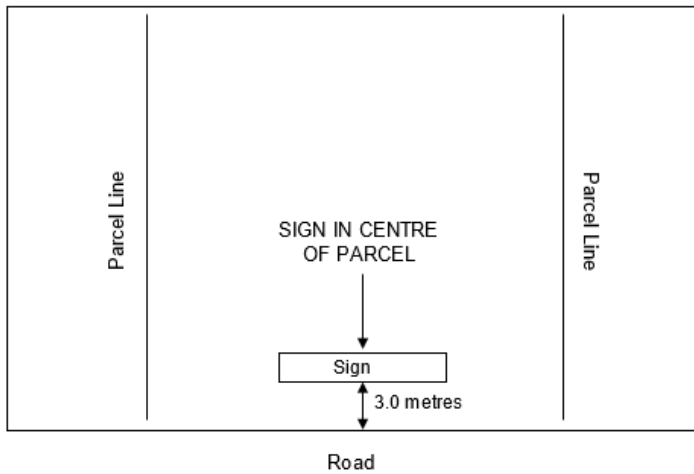
Commented [CG12]: Proposes to change the text on the Notice Sign to be clearer and also to direct people to the RDOS web site for more information pertaining to the rezoning or TUP application. Also proposes to do away with text regarding Affidavit as these are rarely (if ever) submitted in-place digital photos.



CORNER LOT



INTERIOR LOT



- (x) adding the following as sub-section 5 under Section 1 (Application Requirements) of Schedule 2 (Application to Amend an OCP Bylaw, Zoning Bylaw or Land Use Contract) and renumbering the subsequent sections accordingly:

.5 Notice of Development

- (a) Proof of installation of a Notice of Development Sign on the subject property, in accordance with the requirements outlined in Section 5.3 and Schedule '1' of this bylaw.

Commented [CG13]: New Wording. Formalises proposed new requirement that the Development Sign be posted at the time application is being made.

- (xi) replacing Section 2 (Processing Procedures) under Schedule 2 (Application to Amend an OCP Bylaw, Zoning Bylaw or Land Use Contract) in its entirety with the following:

.2 Processing Procedure

An amendment application submitted in accordance with this bylaw will be processed as follows:

- .1 Upon receipt of an application submitted in accordance with the requirements of this bylaw, Development Services staff will open a file and issue a fee receipt to the applicant;
- .2 Development Services staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant.
- .3 Development Services staff will refer the application to all applicable Regional District departments, government ministries and agencies and the appropriate Advisory Planning Commission (APC). The proposal will also be referred to a Municipality if the application could affect that municipality.
- .4 Applicant's are required to host a public information session, open house or public meeting at their own expense prior to the amending bylaw being considered by the Board. Development Services staff may assist with the scheduling and notification of a public information session, open house or public meeting, in accordance with the requirements of Section 5.0 of this bylaw.
- .5 Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies, and may meet with the applicant (as required).
- .6 The referral agencies' comments as well as feedback received at the public information session, open house or public meeting will then be incorporated into a technical report to the Board.
- .7 The applicant is invited to attend the Board meeting at which the amendment application will be considered.
- .8 If the Board decides to proceed with the amendment application, an amending bylaw may be given first and second readings. The Board may alternatively decide to refer, table or deny the application.
- .9 Should the amending bylaw receive first and second readings, it will be advertised in an appropriate newspaper and if required, a public hearing will be held to permit the public to comment on the application. Notice of a public hearing will be given pursuant to the *Local Government Act* to owners

Commented [CG14]: New Wording. Requires holding of public information meeting prior to consideration of 1st reading by Board. Also allows for Development Services staff to assist with scheduling of public meeting.

Commented [CG15]: New Wording.

and tenants of all parcels within a distance of not less than 100.00 metres of the boundaries of the property subject to the bylaw amendment.

- .10 The minutes of the Public Hearing will be presented prior to third reading of the amendment bylaw.
 - .11 Following receipt of the Public Hearing minutes the Board will consider the amendment bylaw and may proceed with third reading (including the imposition of conditions), refer, table or deny the application. Upon third reading, an amendment bylaw may need to be sent to the relevant provincial minister(s) for signature before proceeding to adoption.
 - .12 Once the applicant has adequately addressed all of the conditions identified at third reading (if any), the Board will consider the adoption of the bylaw(s).
 - .13 Once the Board minutes have been prepared, the applicant will be notified in writing of the outcome.
- (xii) adding a new sub-section 8 under Section 1 (Application Requirements) of Schedule 5 (Application for a Temporary Use Permit) to read as follows:

.8 Notice of Development

- (a) Proof of installation of a Notice of Development Sign on the subject property, in accordance with the requirements outlined in Section 5.3 and Schedule '1' of this bylaw.

Commented [CG16]: New Wording. Formalises proposed new requirement that the Development Sign be posted at the time application is being made.

- (xiii) replacing Section 2 (Processing Procedures) under Schedule 5 (Application for a Temporary Use Permit) in its entirety with the following:

.2 Processing Procedure

A Temporary Use Permit application, or an application to renew a Temporary Use Permit submitted in accordance with this bylaw will be processed as follows:

- .1 Upon receipt of an application accompanied by the required fees and attachments, Development Services staff will open a file and issue a fee receipt to the applicant.
- .2 Development Services staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant.
- .3 Development Services staff will refer the application to all applicable Regional District departments, government ministries and agencies and the appropriate Advisory Planning Commission (APC). The proposal will also be referred to a Municipality if the application could affect that municipality.
- .4 Applicant's are required to host a public information session, open house or public meeting at their own expense prior to the TUP application being considered by the Board. Development Services staff may assist with the scheduling and notification of a public information session, open house or

public meeting, in accordance with the requirements of Section 5.0 of this bylaw.

- .5 Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies. Staff may conduct a site visit to view the property as part of the evaluation process.
- .6 The referral agencies' comments as well as feedback received at the public information session, open house or public meeting will then be incorporated into a technical report to the Board.
- .7 The recommendation to the Board may identify as a condition of the issuance of a permit, that the applicant for the permit provide a security by an irrevocable letter of credit or other means in a form satisfactory to the Board in an amount stated in the permit to guarantee the performance of the terms of the permit; a covenant; or other legal documents.
- .8 No less than ten (10) days prior to the Board's consideration of an application, property owners and tenants of land within a radius not less than 100 metres of the boundaries of the subject property will be notified by mail advising of the application. The proposal will also be advertised in an appropriate newspaper.
- .9 The applicant is invited to attend the Board meeting at which the application will be considered.
- .10 The Board will consider the technical report and may grant the requested permit, or may refer, table or deny the application.
- .11 Once the Board minutes have been prepared, the applicant will be notified in writing of the outcome.
- .12 If a Permit is granted, a Notice of Permit will be signed and sealed by the CAO and registered against the title of the property(s) at the Land Title Office.

Commented [CG17]: New Wording. Requires holding of public information meeting prior to consideration of the TUP by Board. Also allows for Development Services staff to assist with scheduling of public meeting.

Commented [CG18]: New Wording.

Commented [CG19]: Reference to the possible need for a public information meeting has been deleted from this section.

READ A FIRST, SECOND AND THIRD TIME on the ____ day of _____, 2017.

ADOPTED on the ____ day of _____, 2017.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Planning and Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: May 4, 2017

RE: Update of Agriculture Zones and Regulations
Accessory Dwelling Units; Livestock Regulations; and Protection of Farming DP Area

Administrative Recommendation:

THAT the Regional District amend Bylaw No. 2728 (Update of Agricultural Regulations) to:

- allow accessory dwellings to be constructed within an accessory building or structure in the Agriculture zones; and
- allow the keeping of honey bees in the Low Density Residential zones.

AND THAT the Protection of Farming Development Permit Area in the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008 be updated.

Purpose:

The purpose of this report is to seek direction from the Board regarding possible additions to Amendment Bylaw No. 2728. This includes the keeping of honeybees in residential zones and proposed amendments to the density provisions governing the number of accessory dwelling units (i.e. suites, mobile homes and carriage houses) in the AG Zones.

In addition, a number of changes be initiated to the Protection of Farming Development Permit (PFDP) Area in Electoral Area "C" in order to clarify the intent of this development permit area.

Background:

The proposed updating of the Agriculture Zones and Regulations is the culmination of a number of different actions, including:

- previous Board resolutions (i.e. introduction of a uniform definition of "winery", updating of livestock regulations, etc);
- a legal review of the (then) new zoning bylaw for Electoral Area "H" which highlighted issues that are also present in the other Electoral Area zoning bylaws (i.e. deletion of references to the ALC Act & Riparian Assessment Area, updated definitions, etc.);
- implementation of Agricultural Area Plans (AAP) in Electoral Areas "C" (Oliver) and "A" (Osoyoos), which included regulations that would have merit in the other Electoral Areas; and
- day-to-day use of the zoning bylaws by staff and the resulting identification of a number of minor textual errors, inconsistencies or outdated references that require attention.

Between March and April of 2016, the proposed amendments contained within Bylaw 2728 were considered by the Electoral Area "A", "C", "D", "E", "F", and "H" Advisory Planning Commissions (APCs), while Public Information Meetings were held in Okanagan Falls (March 8, 2016) and Penticton (March 10, 2016).

At its meeting of July 21, 2016, the P&D Committee considered comments received from the APCs and resolved to proceed with Amendment Bylaw No. 2728 subject to the minimum number of small livestock and livestock being adjusted from 1 to 2.

Analysis:

Accessory Dwelling Units:

When the Regional District introduced “carriage houses” as a permitted use in the Electoral Area “H” Zoning Bylaw in 2014, the Agricultural Land Commission (ALC) provided comment that such a use was not permitted in the Agricultural Land Reserve (ALR). Consequently, “carriage houses” were omitted from the Agriculture Three (AG3) in the Electoral “H” Zoning Bylaw.

More recently, amendments to the *Agricultural Land Reserve Use, Subdivision and Procedures Regulation*, now allow for local governments to permit “accommodation that is constructed above an existing building on the farm and that has only a single level” (i.e. a “carriage house”) as a non-farm use.

Importantly, the Regulation requires that such a dwelling unit not be in addition to a secondary suite (i.e. a parcel can have a secondary suite *or* a dwelling above a farm building, but not both), while the Commission has advised that use of the term “carriage house” should be avoided when defining these farm buildings.

To address this, Administration is proposing the following amendments:

- instead of introducing a new definition/use class for “carriage house” to the Electoral Area Zoning Bylaws, the “accessory dwelling” use and regulations be expanded to allow for these dwelling types;
- on parcels less than 8.0 ha in area allow for only one secondary suite, accessory dwelling *or* mobile home (NOTE: current regulations generally allow for a secondary suite *and* an accessory dwelling *or* mobile home on parcels between 3.5 ha to 8.0 ha);
- the removal of the provision for a second principal dwelling on parcels greater than 8.0 ha (NOTE: by proposing for the flexible use of floor area between accessory dwelling types, the provision for a second principal dwelling is seen to be redundant);
- amend the maximum height of an accessory dwelling by removing the limit of 5.0 metres and one storey in height and rely, instead, on the maximum building heights specified in the AG Zones (which is generally 10.0 metres).

Administration recognises there will be a slight decrease in density for all parcels, but that this will be offset by greater flexibility for property owners, particularly with regarding to being able to construct dwelling units within an accessory building.

In addition, to address comments received from the Okanagan Water Basin Board, Administration is proposing a new general regulation prohibiting the development of accessory dwellings on parcel less than 1.0 ha in area serviced by a septic system.

Honey Bees:

Reflecting comments by the Committee at its meeting of June 21, 2016, the livestock provisions should be amended to allow for the keeping of two animals on parcels between 0.4 ha and 1.0 ha in area.

Since this time, however, Administration has dealt with an enforcement issue pertaining to the keeping of honey bees in a residential neighbourhood and has also fielded a number of queries from residents wanting to establish a hive(s). In response, a series of proposed regulations are included for the Committee's consideration at Attachment No. 2.

The main challenge to the keeping of honey bees in residential areas is the conflict that can occur when people (with, or without their dogs) walk in front of the flight path of bees accessing and egressing the hive – particularly on smaller parcel sizes.

To address this, the Regional District's interests in regulating honey bees should only extend to parcels 2,500 m² or less (which would be Low Density Residential zoned parcels or some Small Holdings zoned parcels), and that on parcels 625 m² or less in area the keeping of bees be prohibited.

On parcels between 625 m² and 2,500 m², hives should be limited to no more than two, that the hives only be permitted in the rear of a parcel and, if they are less than 2.5 metres off the surrounding ground that they be setback either 7.5 metres from all parcel lines, or be situated behind a screen thus forcing the bees to fly up and away from hive (and over any passersby head).

On parcels greater than 2,500 m², property owners would be able to maintain an unlimited number of hives.

Chickens:

Administration is aware that a recent proposal in the Village of Keremeos regarding the introduction of backyard chickens as a permitted use in residential zones was abandoned by Council following significant public opposition to the proposal.

In light of this, Administration wishes to reiterate that the proposed changes to the Keeping of Livestock provisions in the Electoral Area Zoning Bylaws will allow for the keeping of up to five chickens (no roosters) in those zones which list "single detached dwelling" as a principal permitted use – which includes the RS Zones.

Protection of Farming Development Permit Area:

The Protection of Farming Development Permit (PFDP) Area was introduced into the Electoral Area "C" Official Community Plan (OCP) Bylaw in 2012 following the completion of that community's AAP.

The purpose of the PFDP Area is to protect farmland by mitigating conflict between agriculture and rural and urban neighbours through the creation of a 150 metre buffer within which new development should employ siting and screening measures to limit adverse impacts on adjacent farming operations.

While the Regional District has yet to issue a PFDP in the five years that the permit area has been in place, a number of improvements to mapping, guidelines and permit triggers have been identified.

This includes removing the DP Area designation from highways and the Okanagan River Channel, clarifying that the need for a permit is only triggered by subdivision and updating the guidelines that development proposals should adhere to.

Should the Board be supportive of these proposed changes, Administration is proposing to address these through a separate amendment bylaw, including consideration by the Electoral Area "C" APC.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:

Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 — Draft Accessory Dwelling Regulations in the AG Zones

No. 2 — Draft Honeybee Regulations

No. 3 — Draft Protection of Farming Development Permit Area Guidelines & Map

Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites, accessory dwellings or mobile homes permitted per parcel, and the total gross floor area of all secondary suites, accessory dwellings and mobile homes permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES, ACCESSORY DWELLINGS OR MOBILE HOMES	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES, ACCESSORY DWELLINGS AND MOBILE HOMES PER PARCEL
Less than 8.0 ha	1	90 m ²
8.0 ha to 11.9 ha	2	180 m ²
12.0 ha to 15.9 ha	3	270 m ²
Greater than 16.0 ha	4	360 m ²

- c) despite sub-section (b), for parcels situated within the Agricultural Land Reserve, all dwellings in excess of one (1) must be used only for the accommodation of persons engaged in farming on parcels classified as "farm" under the *Assessment Act*.

7.23 Keeping of Livestock and Honeybees

In this Bylaw, where “single detached dwelling” is a permitted use the following regulations apply:

1. the number of livestock, small livestock and honeybee hives permitted per parcel shall be as follows:

PARCEL AREA	MAXIMUM NUMBER OF LIVESTOCK	MAXIMUM NUMBER OF SMALL LIVESTOCK	MAXIMUM NUMBER OF HONEYBEE HIVES
Less than 625 m ²	0	0	0
625 m ² to 2,500 m ²	0	5	2
2,500 m ² to 0.4 ha	0	25	Not applicable
0.4 ha to 1.0 ha	2	50	Not applicable
1.0 ha to 1.5 ha	3	75	Not applicable
1.5 ha to 2.0 ha	4	100	Not applicable

2. On parcels 2,500 m² or greater in area, keeping of honeybees shall be unlimited, and on parcels 2.0 ha or greater in area, keeping of livestock and small livestock shall be unlimited.
3. Products derived from the keeping of livestock and honeybees may be sold in accordance with Section 7.XX (Home Industry) or Section 7.XX (Home Occupation) of this bylaw, in addition to any applicable provincial regulations.
4. Honeybee hives must be located in accordance with the following:
 - a) to the rear of the principal dwelling unit; and
 - b) 7.5 metres from any parcel line, unless the underside of the hive is situated:
 - i) greater than 2.5 metres above the adjacent ground level, in which case the setback from any parcel line shall be 2.0 metres; or
 - ii) less than 2.5 meters above the adjacent ground level, in which case the setback from any parcel line shall be 2.0 metres provided the beehive is situated behind a solid fence or hedge more than 2.0 metres in height running parallel to any property line and extending at least 6.0 metres beyond the hive in both directions.

1. Category

The Protection of Farming Development Permit Area (PFDP Area) as shown on Schedule 'D' (Protection of Farming Development Permit Area) is designated as a Development Permit Area under section 488(1)(c) of the *Local Government Act*, for the protection of farming.

2. Area

The lands shown as Protection of Farming Development Permit Area on Schedule 'D' are designated as "Protection of Farming Development Permit Area". The Development Permit area includes those lands located within 150 metres of parcels designated Agriculture (AG) on Schedule 'B' (Official Community Plan Map) of this bylaw.

3. Justification

To regulate future development within lands adjacent to agricultural areas in order to minimize conflicts between farming and other non-farm uses.

.4 Background

Farming and agricultural activities provide a strong component to the economy and history of the Okanagan valley. At the same time residential development has increased throughout the valley often within close proximity to active farming areas. Conflicts between active farm practises and nearby non-farm uses continue to occur.

Addressing subdivision layout, proposed building locations and incorporating landscaping and siting buffers between new subdivisions and Agriculture zoned lands will protect the agricultural use of the lands and minimize complaints due to farming activities for the benefit of both farm and non-farm residents.

.5 Development Requiring a Permit

A Development Permit is required, except where specified under Exemptions, for a subdivision of land within the PFDP Area.

.6 Guidelines

- .1 A Development Permit is required for subdivision within a PFDP Area, and shall be in accordance with the following guidelines:
 - a) the creation of road endings or road frontages adjacent to agricultural land should be avoided.
 - b) a buffer area not less than 15.0 metres in width should be provided on each parcel adjacent to any lands designated Agriculture (AG) at Schedule 'B' of this bylaw.
 - c) a building envelope of sufficient area to permit the construction of a residential dwelling unit of reasonable floor area complying with all building and siting regulations applicable to the parcel as well as the buffer area referenced at sub-section (b) should be indicated on the survey plan.

-
- d) a fence should be installed along the perimeter of a parcel where it adjoins lands designated Agriculture (AG) at Schedule 'B' of this bylaw, and prior to final approval by the subdivision approving officer.
 - e) native vegetation is encouraged to be retained, enhanced or installed within the buffer area referenced at sub-section (b).

.7 Exemptions

A PFDP is not required for any of the following:

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

Protection of Farming Development Permint Area

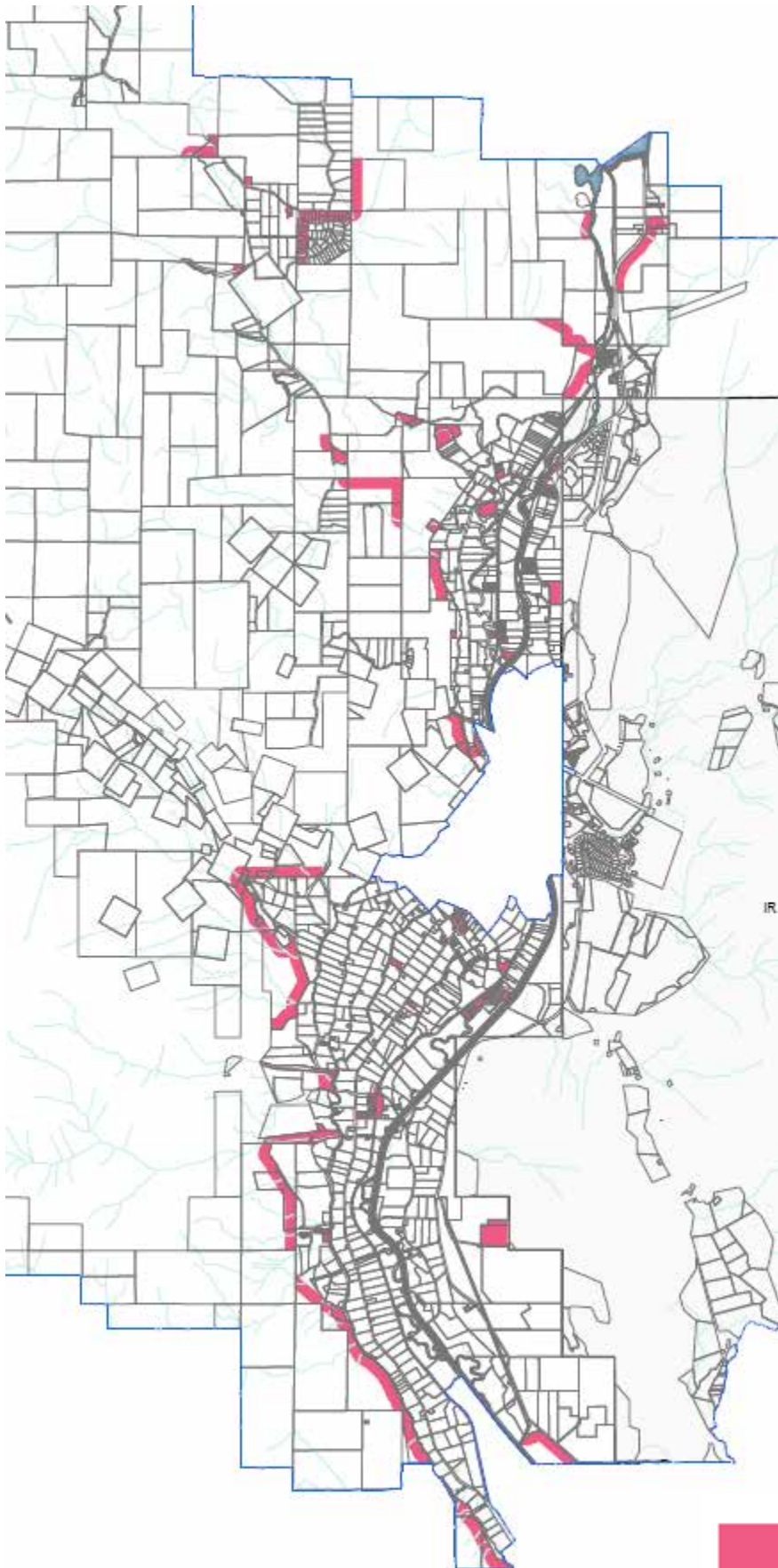
Schedule 'E' – Oliver Rural
Official Community Plan Bylaw No. 2452, 2008.




This is Schedule E (Protection of Farming Development Permint Area)
as referenced in the Regional District of Okanagan-Similkameen's
Oliver Rural Official Community Plan Bylaw No. 2452, 2008.

Chair

Chief Administrative Officer



 Protection of Farming DPA

ADMINISTRATIVE REPORT



TO: Planning and Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: May 4, 2017
RE: Retaining Walls and Building Height Review

Administrative Recommendation:

THAT the Regional District adopt Bylaw No. 2773, being a bylaw to amend Regional District Zoning Bylaws with regard to retaining walls and building height.

Purpose:

The purpose of this report is to present the Board with a series of proposed amendments to the Electoral Area Zoning Bylaws in relation to retaining walls and the calculation of building height.

Background:

At its meeting of October 17, 2013, the Planning and Development (P&D) Committee considered an administrative report related to "[Retaining Walls and Height](#)" which recommended in favour of introducing standard definitions and regulations related to retaining walls and height (i.e. that it be measured from average finished grade) into the "Okanagan Electoral Areas Zoning Bylaws update".

The Committee resolved to defer consideration of a motion "to a future meeting", and the item remains outstanding.

Analysis:

While Administration is firmly committed to commencing the "Okanagan Electoral Areas Zoning Bylaws update" in 2017, the frequency with which staff are now dealing with issues related to retaining walls, building height and the HSSDP Area are seen to warrant a revisiting of these items as a separate amendment bylaw.

Retaining Walls:

At present, only the Electoral Area "D-2" Zoning Bylaw specifically addresses retaining walls, and only by exempting them from the definition of "structure". In all other Electoral Areas, Administration has interpreted the zoning bylaws to mean retaining walls (when they exceed 1.2 metres in height) are structures — and thus required to comply with parcel line setbacks, etc.

The absence of regulations providing clearer guidance on the development of a retaining wall is seen to be a shortcoming of the zoning bylaws and, in order to provide greater clarity to the public on this matter, the following issues should be addressed:

- new definitions related to "retaining wall", "structure", "parcel", "parcel coverage", "parcel area, useable" and "panhandle";
 - new general regulations governing the development of retaining walls, including:
 - ∅ a maximum height of 2.0 metres outside of prescribed setbacks;
-

-
- ∅ a minimum horizontal separation between retaining walls equal to the height of the lower wall (retaining wall constructed closer than this distance to be considered a single wall for the purposes of determining height);
 - ∅ a maximum height of 1.2 metres inside of prescribed setbacks;
 - ∅ no retaining walls to be constructed within site triangles at road intersections; and
 - ∅ the combined height of a fence and retaining wall not to exceed 2.0 metres when constructed within 1.2 metres of a property line.

In drafting these provisions, reference was previously made to the regulations employed by member municipalities (i.e. Penticton and Summerland).

Building Height:

At present, there is no consistent approach to the calculation of height across Electoral Area Zoning Bylaws. This is seen to create significant challenges for staff when interpreting and applying the bylaws (i.e. advising the public, completing zone checks of building permit applications, etc.) and for the public when attempting to understand and comply with the bylaws (i.e. undertaking projects in different Electoral Areas).

A standard definition of "height" is proposed in which finished grade (as opposed to natural grade) forms the base of measurement. Specifically, that the following definition be introduced:

"height" means the vertical distance from the average finished grade to the highest point of the roof or structure;

The Board is asked to be aware that this change will require ancillary amendments to the maximum building height permitted in the Electoral Area "F" Zoning Bylaw to reflect the new definition (which has a cascading effect on setbacks for accessory structures in the Small Holdings Five Zone – see annotated version of the amendment bylaw).

Zoning Bylaw Update (Consistency Amendments):

As stated above, there is a commitment to commence the "Okanagan Electoral Areas Zoning Bylaws update" in 2017, however, Draft Amendment Bylaw No. 2773 is seen to present an opportunity to address some minor consistency issues with the Electoral Area Zoning Bylaws.

This includes a basic re-ordering of the bylaw sections related to "Administration", "Basic Provisions", "Creation of Zones" and "Subdivision Regulations" in order to improve and clarify the intent of these sections.

It is also proposed that existing exemptions to the calculation of "height" currently found in some definitions of "height" but missing entirely in other bylaws be moved to Section 7.7 (Projections).

In amending Section 7.7, it's proposed to clarify that the ability to project into a prescribed setback also applies to "uncovered decks" (in addition to stairwells, balconies, porches and canopies).

Public Consultation:

In light of the technical nature of the proposed changes, referral to external agencies as well as a select group of local firms familiar with development requiring the use of retaining walls (i.e. Ecora and McElhanney) is proposed instead of public open houses or consideration by the Electoral Area Advisory Planning Commissions (APCs).

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:

Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 — Amendment Bylaw No. 2773 (annotated version)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2773, 2017

**A Bylaw to amend the Electoral Areas "A", "C", "D-1", "D-2", "E", "F" and "H"
Regional District of Okanagan-Similkameen Zoning Bylaws**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Retaining Wall Update Amendment Bylaw No. 2773, 2017."

Electoral Area "A"

2. The "Regional District Okanagan-Similkameen, Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) replacing Section 3.0 (Administration) in its entirety with the following:

3.0 ADMINISTRATION

3.1 Applicability

- .1 This Bylaw applies to that portion of the Regional District contained within Electoral Area "A", as outlined on Schedule '2'.
- .2 Land or the surface of water must not be used, land shall not be subdivided and buildings or structures must not be constructed, altered, located or used except as specifically permitted in this Bylaw.

Commented [CG1]: Previously contained at Section 5.0 (Basic Provisions). Proposed to relocate to Section 3.0 so that Section 6.0 can be devoted to Subdivision Regulations.

- .3 All uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the principal uses.
- .4 Parcels created prior to adoption of this Bylaw that do not meet any minimum parcel area or dimensions may be used for any of the permitted uses listed in each zone, subject to the limitations contained therein.
- .5 Parcels shall be consolidated prior to issuance of building permit where the proposed building would otherwise straddle the parcel line.

Commented [CG2]: Currently Sections 5.1.1 to 5.1.5 – no change proposed.

3.2 Enforcement

Commented [CG3]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

Commented [CG4]: Currently Section 3.1 – no change proposed

3.3 Prohibitions and Penalties

Commented [CG5]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under Section 3.2 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.
- .2 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.
- .3 Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.

Commented [CG6]: Currently Sections 3.2, 3.3 & 3.4 – no change proposed.

3.4 Severability

Commented [CG7]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and

the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

Commented [CG8]: Currently Section 3.5 – no change proposed.

- ii) adding a definition of “crawl space” under Section 4.0 (Definitions) to read as follows:

“**crawl space**” means the space between the underside of the joists of the floor next above and the ground floor slab or ground surface where no slab exists, having a vertical clear height less than 1.5 metres;

Commented [CG9]: New definition, intended to address when a crawl space is considered a storey.

- iii) replacing the definition of “height” under Section 4.0 (Definitions) with the following:

“**height**” means the vertical distance from the average finished grade to the highest point of the roof or structure;

Commented [CG10]: New definition of “height” – to be consistent across Electoral Areas and uses average finished grade to determine height

- iv) deleting Figure 4.1 (Building Elevations).

Commented [CG11]: Proposed to delete figure from bylaw as it will no longer reflect how height is calculated.

- v) adding a definition of “panhandle” under Section 4.0 (Definitions) to read as follows:

“**panhandle**” means any parcel with any of the building envelope situated directly behind another parcel so that its frontage is a relatively narrow strip of land which is an integral part of the parcel;

Commented [CG12]: New definition of “panhandle” – related to updated Subdivision Regulations and introduction of “parcel area, useable”.

- vi) replacing the definition of “parcel” under Section 4.0 (Definitions) with the following:

“**parcel**” means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Bare Land Strata Regulations* under the *Strata Property Act* or a legally recorded lease of license of occupation issued by the Province of British Columbia;

Commented [CG13]: Updated definition – to be consistent across Electoral Areas.

- vii) adding a definition of “parcel area, useable” under Section 4.0 (Definitions) to read as follows:

“**parcel area, useable**” means all the area of a parcel except areas that are:

Commented [CG14]: New definition of “parcel area, useable” – to be applied consistently across Electoral Areas.

- a) part of a panhandle;
- b) required as building setbacks from property lines;
- c) required as building setbacks from watercourses, environmental values or geotechnical hazards as identified through a report prepared by a qualified individual; and

d) subject to a restrictive covenant that prohibits all use of the area subject to the covenant.

viii) replacing the definition of “parcel coverage” under Section 4.0 (Definitions) with the following:

“parcel coverage” means the total horizontal area of structures measured to the outside of the exterior walls of the buildings and structures on a lot including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no defined exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area;

Commented [CG15]: Updated definition of “parcel coverage” – to make consistent across Electoral Areas and clarify how parcel coverage is to be calculated.

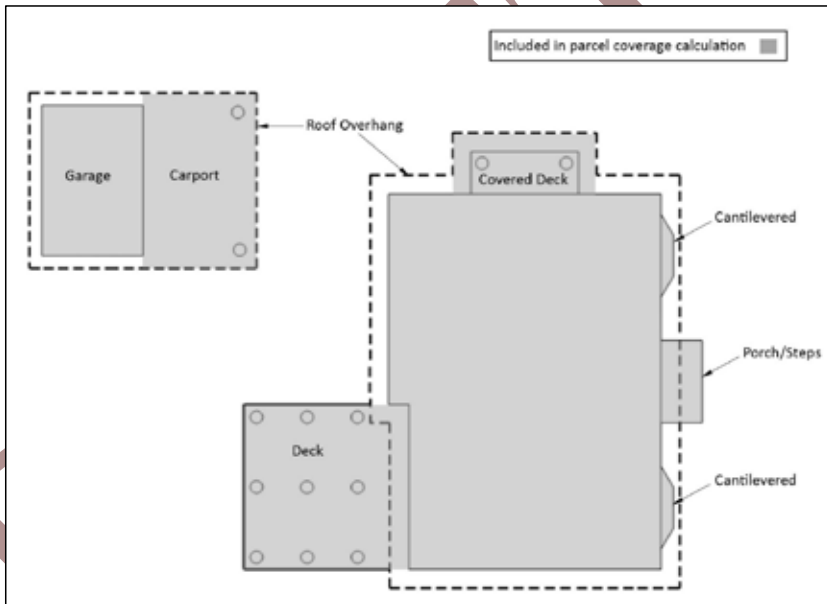


Figure 4.1: Parcel Coverage Illustration

ix) adding a definition of “retaining wall” under Section 4.0 (Definitions) to read as follows:

“retaining wall” means a structure or series of interdependent structures greater than 1.2 metres in height constructed to hold back, stabilize or support an earthen bank;

Commented [CG16]: New definition – to be applied consistently across Electoral Areas.

x) replacing the definition of “structure” under Section 4.0 (Definitions) with the following:

“structure” means anything that is constructed or erected, supported by or sunk into land or water, and includes swimming pools, retaining walls and manufactured home spaces, but specifically excludes fences under 2.0 metres in height, landscaping, paving improvements and signs unless otherwise noted in this bylaw;

Commented [CG17]: Amended definition – clarifies that retaining wall is considered a structure.

xi) replacing Section 5.0 (Basic Provisions) in its entirety with the following:

5.0 CREATION OF ZONES

5.1 Zoning Districts

For the purposes of this Bylaw, the area of the Regional District subject to this Bylaw is hereby divided into zoning districts with the following zone designations and their abbreviations.

The headings below create categories of zones and represent all the zones under that heading.

ZONING TITLE	ABBREVIATION
Rural Zones	
Resource Area Zone	RA
Agriculture One Zone	AG1
Agriculture Two Zone	AG2
Large Holdings Zone	LH
Small Holdings Two Zone	SH2
Small Holdings Three Zone	SH3
Small Holdings Four Zone	SH4
Low Density Residential Zones	
Residential Single Family One Zone	RS1
Residential Two Family (Duplex) Zone	RS3
Medium Density Residential Zones	
Residential Multiple Family Zone	RM1
Commercial Zones	

General Commercial Zone	C1
Tourist Commercial One Zone	CT1
Industrial Zones	
Industrial (Light) One Zone	I1
Administrative And Open Space Zones	
Administrative and Institutional Zone	AI
Parks and Recreation Zone	PR
Conservation Area Zone	CA

5.2 Definition of Zones:

- .1 The area of each zone is defined by Schedule '2'.
- .2 Where a zone boundary is shown on Schedule '2' as following a road allowance or a watercourse, the centre line of the road allowance or watercourse shall be the zone boundary.

5.3 Interpretation:

Except as expressly provided in this Bylaw, all headings, italicized clauses and other references forming part of this Bylaw must be construed as being inserted for convenience and reference only.

5.4 Permitted Uses:

In respect of each zone created under Section 5.1 of this Bylaw:

- .1 the only uses permitted are those listed in respect of each zone under the heading "Permitted Uses" in Section 10.0 to 16.0 of this Bylaw;
- .2 uses not listed in respect of a particular zone are prohibited;
- .3 the headings in respect of each zone are part of this Bylaw.

5.5 Conditions of Use:

On a particular site in a specified zone created under this Bylaw, the maximum permitted site coverage, height and density and the minimum required setbacks are set out in respect of each specified zone in the provisions found in Sections 10.0 to 16.0 of this Bylaw.

Commented [CG18]: Currently Section 6.0 – no changes proposed.

5.6 Comprehensive Development Zones:

A Comprehensive Development (CD) Zone shall only be created where a proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of the Regional District Board, is of a unique form or nature not contemplated or reasonably regulated by another zone.

Commented [CG19]: Proposed new provision – clarifies the circumstances under which the Regional District will consider the creation of a Comprehensive Development (CD) Zone.

xii) replacing Section 6.0 (Creation of Zones) in its entirety with the following:

6.0 SUBDIVISION REGULATIONS

6.1 Minimum Parcel Size Exceptions for Subdivision:

Minimum parcel size for subdivision requirements of this Bylaw do not apply to:

- .1 the consolidation of existing parcels or the addition of closed streets to an existing parcel;
- .2 the alteration of lot lines between two or more parcels where:
 - a) no additional parcels are created upon completion of the alteration;
 - b) the altered lot line does not infringe on the required setbacks for an existing building or structure located on a parcel;
 - c) the alteration does not reduce the site area of the parcels involved to a size less than that of the smallest parcel that existed prior to the alteration.
- .3 No existing parcel that meets the present minimum parcel size requirements of this Bylaw must, upon completion of a parcel line alteration, have a parcel size less than that required within the respective zone.

Commented [CG20]: Currently Section 5.2 – no change proposed.

6.2 Minimum Parcel Width for Subdivision Exceptions:

- .1 Despite the minimum parcel width for subdivision provisions of this Bylaw, a panhandle lot may be permitted provided that:
 - a) the minimum parcel width of the panhandle is 6.0 metres and the maximum width shall not exceed 20.0 metres;

- b) the panhandle must not be calculated as part of the parcel area for the purpose of subdivision; and
- c) no more than two (2) panhandles abut each other.

Commented [CG21]: Updated regulation – more specific requirements for panhandle lots. Reference to a 20 metre maximum width has been added as has stipulation regarding use of panhandle in calculation of parcel area.

Commented [CG22]: Currently Section 5.3.

6.3 Minimum Parcel Size Requirements for Bare Land Strata Subdivisions:

- .1 The minimum average parcel size is equal to the minimum parcel size for the designated zoning.

Commented [CG23]: Currently Section 5.4 – no change proposed.

6.4 Minimum Useable Parcel Area

- .1 The minimum useable parcel area of each parcel shall be 200 m².

Commented [CG24]: New regulations – intended to ensure that a suitable building envelope is provided on each parcel.

6.5 Hooked Parcels:

- .1 A hooked parcel may be created where each portion satisfies the minimum parcel area requirements of the applicable zone.

Commented [CG25]: Currently Section 5.5 – no change proposed.

xiii) replacing Section 7.7 (Projections) under Section 7.0. (General Regulations) with the following:

7.7 Projections

- .1 No features shall project into a setback required by this Bylaw except the following minor projections on buildings:
 - a) Gutters, eaves, sunshades, cornices, belt courses and sills may project into required setbacks to a maximum of 0.6 metres measured horizontally;
 - b) Unenclosed access ramps for physically disabled persons may project fully into required setbacks;
 - c) In Residential zones the following features may project into the required setbacks:
 - i) chimneys, bay windows or other architectural projections which do not comprise more than 25% of the total length of a wall and do not project more than 0.6 metres measured horizontally; and
 - ii) unenclosed stairwells, balconies, porches, uncovered decks or canopies, may project no more than:

Commented [CG26]: Proposes to clarify provision and its application to the development of uncovered decks.

- .1 1.5 metres, measured horizontally, into the front setback; or

.2 2.0 metres, measured horizontally, into the rear setback.

d) In no case shall a projection cross a parcel line.

.2 No features shall extend beyond a height limit required by this Bylaw except the following minor projections on buildings:

a) antennas, belfries, chimney stacks, church spires, clearance markers, elevator shafts, flagpoles, monuments, rooftop mechanical equipment, ventilation machinery and water tanks.

Commented [CG27]: Previously contained under the definition of "height".

xiv) replacing Section 7.8 (Fence Height) under Section 7.0 (General Regulations) with the following:

7.8 Fence Heights

The height of a fence shall be determined by measurement from the ground level, at the place on which the fence is to be located, to the top of the fence.

.1 No fence shall exceed 1.8 metres in height to the rear of a front setback and 1.2 metres in height in the front setback except:

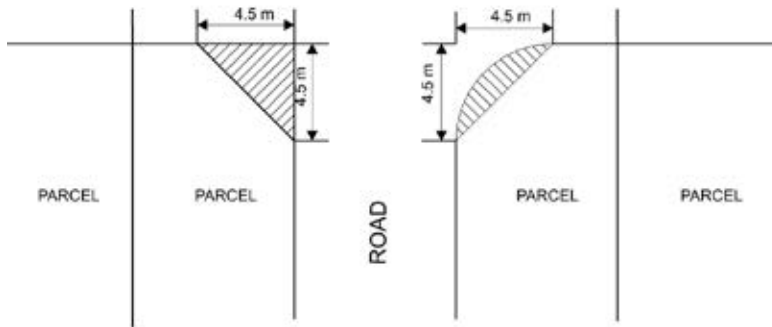
a) in the Rural zones all fences may be up to 1.8 metres in height, and in the Industrial zones all fences may be up to 2.4 metres in height;

b) in Commercial zones abutting or across a highway from the AG1 and AG2 zones all fences may be up to 2.0 metres in height;

c) on a corner site contiguous to a highway intersection, no fence, hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the site at the intersection of the streets;

Commented [CG28]: It is being proposed to update Fence Height regulations based upon those from the Electoral Area "H" Zoning Bylaw as these were the subject of a legal review in 2012.

Figure 7.8 – Site Triangle



- d) in the case of a fence constructed on top of a retaining wall, the combined height of the fence and the retaining wall at the property line or within 1.2 metres of the property line shall not exceed 2.0 metres, as measured from finished grade on the side of the fence or retaining wall with the lower elevation;
- e) deer fences shall not be limited in height, provided such fences are constructed of material that permits visibility, such as wire mesh; and
- f) fences for ball parks and tennis courts shall not be limited in height, provided such fences are constructed of materials that permit visibility, such as wire mesh.

- .2 The use of barbed wire for fencing is prohibited within all Residential and Commercial zones as well as the AI Zone.
- .3 The use of razor wire for fencing is prohibited within all zones.

xv) adding a new sub-section following sub-section 7.24 under Section 7.0 (General Regulations) to read as follows:

7.25 Retaining Walls

- 1. at no point shall the height of a retaining wall exceed 2.0 metres as measured from finished grade on the lowest side of the wall.
- 2. the minimum horizontal separation between individual retaining walls on the same parcel, as measured from the outer face of each retaining wall, must not be less than the height of the lower wall.

Commented [CG29]: Proposed new regulation regarding the height of a fence that can be placed on top of a retaining wall within 1.2 metres of a parcel line. Beyond 1.2 metres of a parcel line the bylaw would not set a maximum height for a fence on top of a retaining wall.

Commented [CG30]: Proposed new General Regulations to govern the development of retaining walls. Proposes to establish a maximum height and separation distances (walls not meeting this will be considered 1 structure for the purposes of height).

3. retaining walls constructed closer than the height of the lower wall will collectively be considered an individual retaining wall for the purposes of determining the height of a retaining wall.
4. retaining walls not exceeding 1.2 metres in height are permitted within a required setback for a front, side or rear parcel line.
5. despite sub-section 4), on a corner site contiguous to a highway intersection, no retaining wall is permitted within a distance of 4.5 metres from the corner of the site at the intersection of the streets.

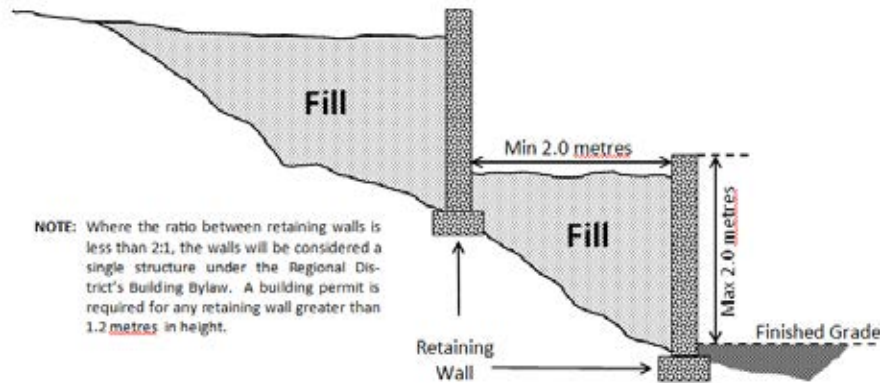


Figure 7.25: Retaining Wall Illustration

Electoral Area "C"

3. The "Regional District Okanagan-Similkameen, Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:
 - i) replacing Section 3.0 (Administration) in its entirety with the following:

3.0 ADMINISTRATION

3.1 Applicability

- .1 This Bylaw applies to that portion of the Regional District contained within Electoral Area "C", as outlined on Schedule '2'.

Commented [CG31]: Previously contained at Section 5.0 (Basic Provisions). Proposed to relocate to Section 3.0 so that Section 5.0 can be devoted to Subdivision Regulations.

- .2 Land or the surface of water must not be used, land shall not be subdivided and buildings or structures must not be constructed, altered, located or used except as specifically permitted in this Bylaw.
- .3 All uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the principal uses.
- .4 Parcels created prior to adoption of this Bylaw that do not meet any minimum parcel area or dimensions may be used for any of the permitted uses listed in each zone, subject to the limitations contained therein.
- .5 Parcels shall be consolidated prior to issuance of building permit where the proposed building would otherwise straddle the parcel line.

Commented [CG32]: Currently Sections 5.1.1 to 5.1.5 – no change proposed.

3.2 Enforcement

Commented [CG33]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

Commented [CG34]: Currently Section 3.1 – no change proposed

3.3 Prohibitions and Penalties

Commented [CG35]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under Section 3.2 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.
- .2 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.
- .3 Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.

Commented [CG36]: Currently Sections 3.2, 3.3 & 3.4 – no change proposed.

3.4 Severability

Commented [CG37]: Proposed new sub-heading – intended to improve ease of use of bylaw.

.1 If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

Commented [CG38]: Currently Section 3.5 – no change proposed.

ii) adding a definition of “crawl space” under Section 4.0 (Definitions) to read as follows:

“crawl space” means the space between the underside of the joists of the floor next above and the ground floor slab or ground surface where no slab exists, having a vertical clear height less than 1.5 metres;

Commented [CG39]: New definition, intended to address when a crawl space is considered a storey.

iii) replacing the definition of “development” under Section 4.0 (Definitions) with the following:

“development” means any activity carried out in the process of clearing or preparing a site or constructing or erecting structures;

Commented [CG40]: New definition – intended to be applied consistently across Electoral Areas.

iv) replacing the definition of “height” under Section 4.0 (Definitions) with the following:

“height” means the vertical distance from the average finished grade to the highest point of the roof or structure;

Commented [CG41]: Current definition contains text about exemptions from the height calculation; proposed to move these into the Projections section under General Regulations

v) adding a definition of “panhandle” under Section 4.0 (Definitions) to read as follows:

“panhandle” means any parcel with any of the building envelope situated directly behind another parcel so that its frontage is a relatively narrow strip of land which is an integral part of the parcel;

Commented [CG42]: New definition of “panhandle” – related to updated Subdivision Regulations and introduction of “parcel area, useable”.

vi) replacing the definition of “parcel” under Section 4.0 (Definitions) with the following:

“parcel” means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the Bare Land Strata Regulations under the *Strata Property Act* or a legally recorded lease of license of occupation issued by the Province of British Columbia;

Commented [CG43]: Updated definition – to be consistent across Electoral Areas.

vii) adding a definition of “parcel area, useable” under Section 4.0 (Definitions) to read as follows:

“parcel area, useable” means all the area of a parcel except areas that are:

Commented [CG44]: New definition of “parcel area, useable” – to be applied consistently across Electoral Areas

- a) part of a panhandle;
 - b) required as building setbacks from property lines;
 - c) required as building setbacks from watercourses, environmental values or geotechnical hazards as identified through a report prepared by a qualified individual; and
 - d) subject to a restrictive covenant that prohibits all use of the area subject to the covenant.
- viii) replacing the definition of “parcel coverage” under Section 4.0 (Definitions) with the following and renumbering all subsequent references to Figure numbers:

“parcel coverage” means the total horizontal area of structures measured to the outside of the exterior walls of the buildings and structures on a lot including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no defined exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area;

Commented [CG45]: Updated definition of “parcel coverage” – to make consistent across Electoral Areas and clarify how parcel coverage is to be calculated.

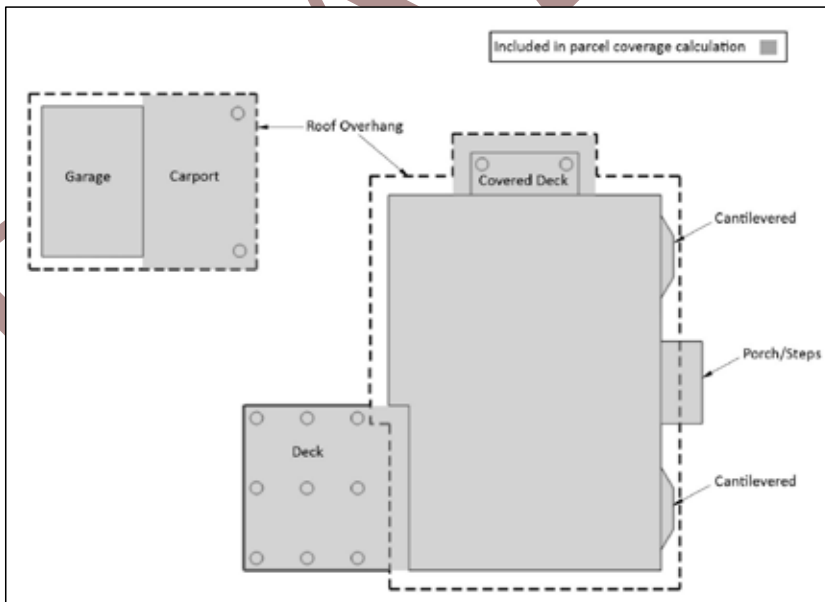


Figure 4.1: Parcel Coverage Illustration

ix) adding a definition of “retaining wall” under Section 4.0 (Definitions) to read as follows:

“retaining wall” means a structure or series of interdependent structures greater than 1.2 metres in height constructed to hold back, stabilize or support an earthen bank;

Commented [CG46]: New definition – to be applied consistently across Electoral Areas.

x) replacing the definition of “structure” under Section 4.0 (Definitions) with the following:

“structure” means anything that is constructed or erected, supported by or sunk into land or water, and includes swimming pools, retaining walls and manufactured home spaces, but specifically excludes fences under 2.0 metres in height, landscaping, paving improvements and signs unless otherwise noted in this bylaw;

Commented [CG47]: Amended definition – clarifies that retaining wall is considered a structure.

xi) replacing Section 5.0 (Basic Provisions) in its entirety with the following:

5.0 CREATION OF ZONES

5.1 Zoning Districts

For the purposes of this Bylaw, the area of the Regional District subject to this Bylaw is hereby divided into zoning districts with the following zone designations and their abbreviations.

The headings below create categories of zones and represent all the zones under that heading.

ZONING TITLE	ABBREVIATION
Rural Zones	
Resource Area Zone	RA
Agriculture One Zone	AG1
Agriculture Two Zone	AG2
Large Holdings Zone	LH
Small Holdings Two Zone	SH2
Small Holdings Three Zone	SH3
Small Holdings Four Zone	SH4
Small Holdings Five Zone	SH5

Low Density Residential Zones

Residential Single Family One Zone	RS1
Residential Single Family Two Zone	RS2
Residential Two Family (Duplex) Zone	RS3
Residential Manufactured Home Park Zone	RSM1
Residential Manufactured Home Subdivision Zone	RSM2

Medium Density Residential Zones

Residential Multiple Family Zone	RM1
Integrated Housing Zone	RM2

Commercial Zones

General Commercial Zone	C1
General Commercial (Limited) Zone	C2
Neighbourhood Commercial Zone	C3
Tourist Commercial One Zone	CT1
Tourist Commercial Four (Campground) Zone	CT4

Industrial Zones

Industrial (Light) One Zone	I1
Industrial (Heavy) Two Zone	I2
Industrial (Specialised) Three Zone	I3

Administrative And Open Space Zones

Administrative and Institutional Zone	AI
Parks and Recreation Zone	PR
Conservation Area Zone	CA

5.2 Definition of Zones:

- .3 The area of each zone is defined by Schedule '2'.

.4 Where a zone boundary is shown on Schedule '2' as following a road allowance or a watercourse, the centre line of the road allowance or watercourse shall be the zone boundary.

5.3 Interpretation:

Except as expressly provided in this Bylaw, all headings, italicized clauses and other references forming part of this Bylaw must be construed as being inserted for convenience and reference only.

5.4 Permitted Uses:

In respect of each zone created under Section 5.1 of this Bylaw:

- .1 the only uses permitted are those listed in respect of each zone under the heading "Permitted Uses" in Section 10.0 to 16.0 of this Bylaw;
- .2 uses not listed in respect of a particular zone are prohibited;
- .3 the headings in respect of each zone are part of this Bylaw.

5.5 Conditions of Use:

On a particular site in a specified zone created under this Bylaw, the maximum permitted site coverage, height and density and the minimum required setbacks are set out in respect of each specified zone in the provisions found in Sections 10.0 to 16.0 of this Bylaw.

5.6 Comprehensive Development Zones:

A Comprehensive Development (CD) Zone shall only be created where a proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of the Regional District Board, is of a unique form or nature not contemplated or reasonably regulated by another zone.

xii) replacing Section 6.0 (Creation of Zones) in its entirety with the following:

6.0 SUBDIVISION REGULATIONS

6.1 Minimum Parcel Size Exceptions for Subdivision:

Minimum parcel size for subdivision requirements of this Bylaw do not apply to:

Commented [CG48]: Currently Section 6.0 – no changes proposed.

Commented [CG49]: Proposed new provision – clarifies the circumstances under which the Regional District will consider the creation of a Comprehensive Development (CD) Zone.

1. the consolidation of existing parcels or the addition of closed streets to an existing parcel;
2. the alteration of lot lines between two or more parcels where:
 - a) no additional parcels are created upon completion of the alteration;
 - b) the altered lot line does not infringe on the required setbacks for an existing building or structure located on a parcel;
 - c) the alteration does not reduce the site area of the parcels involved to a size less than that of the smallest parcel that existed prior to the alteration.
3. No existing parcel that meets the present minimum parcel size requirements of this Bylaw must, upon completion of a parcel line alteration, have a parcel size less than that required within the respective zone.

Commented [CG50]: Currently Section 5.2 – no change proposed.

6.2 Minimum Parcel Width for Subdivision Exceptions:

- .1 Despite the minimum parcel width for subdivision provisions of this Bylaw, a panhandle lot may be permitted provided that:
 - a) the minimum parcel width of the panhandle is 6.0 metres and the maximum width shall not exceed 20.0 metres;
 - b) the panhandle must not be calculated as part of the parcel area for the purpose of subdivision; and
 - c) no more than two (2) panhandles abut each other.

Commented [CG51]: Updated regulation – more specific requirements for panhandle lots. Reference to a 20 metre maximum width has been added as has stipulation regarding use of panhandle in calculation of parcel area.

Commented [CG52]: Currently Section 5.3.

6.3 Minimum Parcel Size Requirements for Bare Land Strata Subdivisions:

- .1 The minimum average parcel size is equal to the minimum parcel size for the designated zoning.

Commented [CG53]: Currently Section 5.4 – no change proposed.

6.4 Minimum Useable Parcel Area

- .1 The minimum useable parcel area of each parcel shall be 200 m².

Commented [CG54]: New regulations – intended to ensure that a suitable building envelope is provided on each parcel.

6.5 Hooked Parcels:

- .1 A hooked parcel may be created where each portion satisfies the minimum parcel area requirements of the applicable zone.

Commented [CG55]: New Regulation – currently exists in Electoral Areas “A” & “H” Zoning Bylaw; this proposes to introduce it to the remaining Electoral Area Zoning Bylaws.

xiii) replacing Section 7.7 (Projections) under Section 7.0 (General Regulations) with the following:

7.7 Projections

.1 No features shall project into a setback required by this Bylaw except the following minor projections on buildings:

- a) Gutters, eaves, sunshades, cornices, belt courses and sills may project into required setbacks to a maximum of 0.6 metres measured horizontally;
- b) Unenclosed access ramps for physically disabled persons may project fully into required setbacks;
- c) In Residential zones the following features may project into the required setbacks:
 - i) chimneys, bay windows or other architectural projections which do not comprise more than 25% of the total length of a wall and do not project more than 0.6 metres measured horizontally; and
 - ii) unenclosed stairwells, balconies, porches, uncovered decks or canopies, may project no more than:

.1 1.5 metres, measured horizontally, into the front setback; or

.2 2.0 metres, measured horizontally, into the rear setback.

d) In no case shall a projection cross a parcel line.

.2 No features shall extend beyond a height limit required by this Bylaw except the following minor projections on buildings:

- a) antennas, belfries, chimney stacks, church spires, clearance markers, elevator shafts, flagpoles, monuments, rooftop mechanical equipment, ventilation machinery and water tanks.

Commented [CG56]: Proposes to clarify provision and its application to the development of uncovered decks.

Commented [CG57]: Previously contained under the definition of "height".

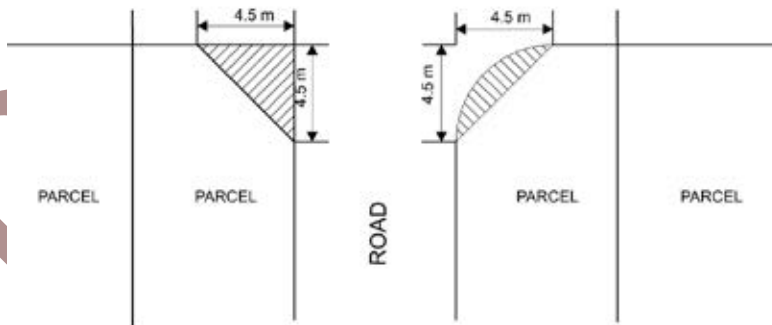
xiv) replacing Section 7.8 (Fence Height) under Section 7.0 (General Regulations) with the following:

7.8 Fence Heights

The height of a fence shall be determined by measurement from the ground level, at the place on which the fence is to be located, to the top of the fence.

- .1 No fence shall exceed 1.8 metres in height to the rear of a front setback and 1.2 metres in height in the front setback except:
 - a) in the Rural zones all fences may be up to 1.8 metres in height, and in the Industrial zones all fences may be up to 2.4 metres in height;
 - b) in Commercial zones abutting or across a highway from the AG1 and AG2 zones all fences may be up to 2.0 metres in height;
 - c) on a corner site contiguous to a highway intersection, no fence, hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the site at the intersection of the streets;

Figure 7.8 – Site Triangle



- d) in the case of a fence constructed on top of a retaining wall, the combined height of the fence and the retaining wall at the property line or within 1.2 metres of the property line shall not exceed 2.0 metres, as measured from finished grade on the side of the fence or retaining wall with the lower elevation;

Commented [CG58]: It is being proposed to update Fence Height regulations based upon those from the Electoral Area "H" Zoning Bylaw as these were the subject of a legal review in 2012.

Commented [CG59]: Proposed new regulation regarding the height of a fence that can be placed on top of a retaining wall within 1.2 metres of a parcel line. Beyond 1.2 metres of a parcel line the bylaw would not set a maximum height for a fence on top of a retaining wall.

- e) deer fences shall not be limited in height, provided such fences are constructed of material that permits visibility, such as wire mesh; and
 - f) fences for ball parks and tennis courts shall not be limited in height, provided such fences are constructed of materials that permit visibility, such as wire mesh.
- .2 The use of barbed wire for fencing is prohibited within all Residential and Commercial zones as well as the AI Zone.
- .3 The use of razor wire for fencing is prohibited within all zones.
- xv) adding a new sub-section following sub-section 7.25 under Section 7.0 (General Regulations) to read as follows:

7.26 Retaining Walls

1. at no point shall the height of a retaining wall exceed 2.0 metres as measured from finished grade on the lowest side of the wall.
2. the minimum horizontal separation between individual retaining walls on the same parcel, as measured from the outer face of each retaining wall, must not be less than the height of the lower wall.
3. retaining walls constructed closer than the height of the lower wall will collectively be considered an individual retaining wall for the purposes of determining the height of a retaining wall.
4. retaining walls not exceeding 1.2 metres in height are permitted within a required setback for a front, side or rear parcel line.
5. despite sub-section 4), on a corner site contiguous to a highway intersection, no retaining wall is permitted within a distance of 4.5 metres from the corner of the site at the intersection of the streets.

Commented [CG60]: Proposed new General Regulations to govern the development of retaining walls. Proposes to establish a maximum height and separation distances (walls not meeting this will be considered 1 structure for the purposes of height).

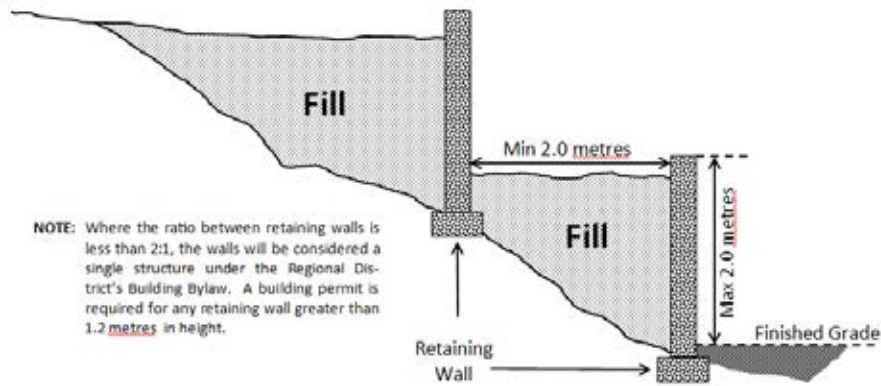


Figure 7.26: Retaining Wall Illustration

Electoral Area "D-1"

4. The "Regional District Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2457, 2008" is amended by:
 - i) replacing Section 3.0 (Administration) in its entirety with the following:

3.0 ADMINISTRATION

3.1 Applicability

- .1 This Bylaw applies to that portion of the Regional District contained within Electoral Area "D", as outlined on Schedule '2'.
- .2 Land or the surface of water must not be used, land shall not be subdivided and buildings or structures must not be constructed, altered, located or used except as specifically permitted in this Bylaw.
- .3 All uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the principal uses.
- .4 Parcels created prior to adoption of this Bylaw that do not meet any minimum parcel area or dimensions may be used for any of

Commented [CG61]: Previously contained at Section 5.0 (Basic Provisions). Proposed to relocate to Section 3.0 so that Section 5.0 can be devoted to Subdivision Regulations.

the permitted uses listed in each zone, subject to the limitations contained therein.

- .5 Parcels shall be consolidated prior to issuance of building permit where the proposed building would otherwise straddle the parcel line.

Commented [CG62]: Currently Sections 5.1.1 to 5.1.5 – no change proposed.

3.2 Enforcement

Commented [CG63]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

Commented [CG64]: Currently Section 3.1 – no change proposed

3.3 Prohibitions and Penalties

Commented [CG65]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under Section 3.2 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.
- .2 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.
- .3 Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.

Commented [CG66]: Currently Sections 3.2, 3.3 & 3.4 – no change proposed.

3.4 Severability

Commented [CG67]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

Commented [CG68]: Currently Section 3.5 – no change proposed.

- ii) adding a definition of "crawl space" under Section 4.0 (Definitions) to read as follows:

"crawl space" means the space between the underside of the joists of the floor next above and the ground floor slab or ground surface where no slab exists, having a vertical clear height less than 1.5 metres;

Commented [CG69]: New definition, intended to address when a crawl space is considered a storey.

- iii) replacing the definition of "development" under Section 4.0 (Definitions) with the following:

"development" means any activity carried out in the process of clearing or preparing a site or constructing or erecting structures;

Commented [CG70]: Updated definition – to be consistent across Electoral Areas.

- iv) replacing the definition of "grade" under Section 4.0 (Definitions) with the following:

"grade, finished" means the average finished grade level at the perimeter of a building or structure, excluding any localized mounds or depressions such as those for vehicle or pedestrian entrances;

Commented [CG71]: Current definition is "grade" only and refers to natural ground level.

- v) replacing the definition of "height" under Section 4.0 (Definitions) with the following:

"height" means the vertical distance from the average finished grade to the highest point of the roof or structure;

Commented [CG72]: Current definition contains text about exemptions from the height calculation; proposed to move these into the Projections section under General Regulations

- vi) replacing the definition of "panhandle" under Section 4.0 (Definitions) with the following:

"panhandle" means any parcel with any of the building envelope situated directly behind another parcel so that its frontage is a relatively narrow strip of land which is an integral part of the parcel;

Commented [CG73]: New definition of "panhandle" – related to updated Subdivision Regulations and introduction of "parcel area, useable".

- vii) replacing the definition of "parcel" under Section 4.0 (Definitions) with the following:

"parcel" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the Bare Land Strata Regulations under the *Strata Property Act* or a legally recorded lease of license of occupation issued by the Province of British Columbia;

Commented [CG74]: Updated definition – to be consistent across Electoral Areas.

- viii) adding a definition of "parcel area, useable" under Section 4.0 (Definitions) to read as follows:

"parcel area, useable" means all the area of a parcel except areas that are:

Commented [CG75]: New definition of "parcel area, useable" – to be applied consistently across Electoral Areas

- a) part of a panhandle;

- b) required as building setbacks from property lines;
 - c) required as building setbacks from watercourses, environmental values or geotechnical hazards as identified through a report prepared by a qualified individual; and
 - d) subject to a restrictive covenant that prohibits all use of the area subject to the covenant.
- ix) replacing the definition of “parcel coverage” under Section 4.0 (Definitions) with the following:

“parcel coverage” means the total horizontal area of structures measured to the outside of the exterior walls of the buildings and structures on a lot including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no defined exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area;

Commented [CG76]: Updated definition of “parcel coverage” – to make consistent across Electoral Areas and clarify how parcel coverage is to be calculated.

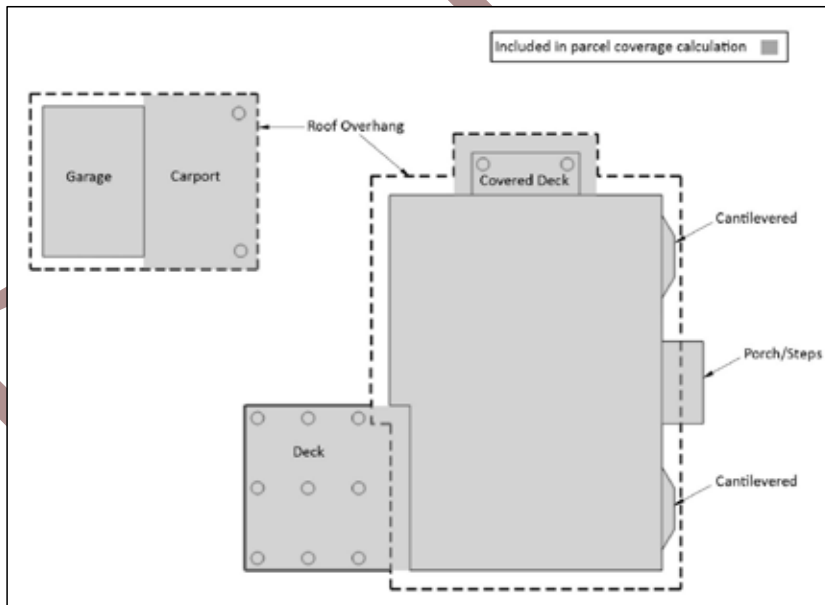


Figure 4.1: Parcel Coverage Illustration

- x) adding a definition of “retaining wall” under Section 4.0 (Definitions) to read as follows:

“retaining wall” means a structure or series of interdependent structures greater than 1.2 metres in height constructed to hold back, stabilize or support an earthen bank;

Commented [CG77]: New definition – to be applied consistently across Electoral Areas.

- xi) replacing the definition of “structure” under Section 4.0 (Definitions) with the following:

“structure” means anything that is constructed or erected, supported by or sunk into land or water, and includes swimming pools, retaining walls and manufactured home spaces, but specifically excludes fences under 2.0 metres in height, landscaping, paving improvements and signs unless otherwise noted in this bylaw;

Commented [CG78]: Amended definition – clarifies that retaining wall is considered a structure.

- xii) replacing Section 5.0 (Basic Provisions) in its entirety with the following:

5.0 CREATION OF ZONES

5.1 Zoning Districts

For the purposes of this Bylaw, the area of the Regional District subject to this Bylaw is hereby divided into zoning districts with the following zone designations and their abbreviations.

The headings below create categories of zones and represent all the zones under that heading.

ZONING TITLE	ABBREVIATION
Rural Zones	
Resource Area Zone	RA
Agriculture One Zone	AG1
Agriculture Three Zone	AG3
Large Holdings One Zone	LH1
Large Holdings Two Zone	LH2
Small Holdings Two Zone	SH2
Small Holdings Three Zone	SH3
Low Density Residential Zones	
Residential Single Family One Zone	RS1

Residential Single Family Two Zone	RS2
Residential Apex Alpine Zone	RS4
Residential Manufactured Home Park Zone	RSM1

Medium Density Residential Zones

Residential Multiple Family Zone	RM1
Residential Multiple Unit Three Zone	RM3
Mixed Use Apex Alpine Zone	RMU

Commercial Zones

General Commercial Zone	C1
Highway Commercial Zone	C4
Tourist Commercial One Zone	CT1
Tourist Commercial Four (Campground) Zone	CT4

Industrial Zones

Industrial (Light) One Zone	I1
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Administrative And Open Space Zones

Administrative and Institutional Zone	AI
Parks and Recreation Zone	PR
Conservation Area Zone	CA
Crown Research Area Zone	CRA

5.2 Definition of Zones:

- .1 The area of each zone is defined by Schedule '2'.
- .2 Where a zone boundary is shown on Schedule '2' as following a road allowance or a watercourse, the centre line of the road allowance or watercourse shall be the zone boundary.

5.3 Interpretation:

Except as expressly provided in this Bylaw, all headings, italicized clauses and other references forming part of this Bylaw must be construed as being inserted for convenience and reference only.

5.4 Permitted Uses:

In respect of each zone created under Section 5.1 of this Bylaw:

- .1 the only uses permitted are those listed in respect of each zone under the heading "Permitted Uses" in Section 10.0 to 16.0 of this Bylaw;
- .2 uses not listed in respect of a particular zone are prohibited;
- .3 the headings in respect of each zone are part of this Bylaw.

5.5 Conditions of Use:

On a particular site in a specified zone created under this Bylaw, the maximum permitted site coverage, height and density and the minimum required setbacks are set out in respect of each specified zone in the provisions found in Sections 10.0 to 16.0 of this Bylaw.

Commented [CG79]: Currently Section 6.0 – no changes proposed.

5.6 Comprehensive Development Zones:

A Comprehensive Development (CD) Zone shall only be created where a proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of the Regional District Board, is of a unique form or nature not contemplated or reasonably regulated by another zone.

Commented [CG80]: Proposed new provision – clarifies the circumstances under which the Regional District will consider the creation of a Comprehensive Development (CD) Zone.

xiii) replacing Section 6.0 (Creation of Zones) in its entirety with the following:

6.0 SUBDIVISION REGULATIONS

6.1 Minimum Parcel Size Exceptions for Subdivision:

Minimum parcel size for subdivision requirements of this Bylaw do not apply to:

- .1 the consolidation of existing parcels or the addition of closed streets to an existing parcel;
- .2 the alteration of lot lines between two or more parcels where:
 - a) no additional parcels are created upon completion of the alteration;
 - b) the altered lot line does not infringe on the required setbacks for an existing building or structure located on a parcel;

- c) the alteration does not reduce the site area of the parcels involved to a size less than that of the smallest parcel that existed prior to the alteration.
- .3 No existing parcel that meets the present minimum parcel size requirements of this Bylaw must, upon completion of a parcel line alteration, have a parcel size less than that required within the respective zone.

Commented [CG81]: Currently Section 5.2 – no change proposed.

6.2 Minimum Parcel Width for Subdivision Exceptions:

- .1 Despite the minimum parcel width for subdivision provisions of this Bylaw, a panhandle lot may be permitted provided that:
 - a) the minimum parcel width of the panhandle is 6.0 metres and the maximum width shall not exceed 20.0 metres;
 - b) the panhandle must not be calculated as part of the parcel area for the purpose of subdivision; and
 - c) no more than two (2) panhandles abut each other.

Commented [CG82]: Updated regulation – more specific requirements for panhandle lots. Reference to a 20 metre maximum width has been added as has stipulation regarding use of panhandle in calculation of parcel area.

Commented [CG83]: Currently Section 5.3.

6.3 Minimum Parcel Size Requirements for Bare Land Strata Subdivisions:

- .1 The minimum average parcel size is equal to the minimum parcel size for the designated zoning.

Commented [CG84]: Currently Section 5.4 – no change proposed.

6.4 Minimum Useable Parcel Area

- .1 The minimum useable parcel area of each parcel shall be 200 m².

Commented [CG85]: New regulations – intended to ensure that a suitable building envelope is provided on each parcel.

6.5 Hooked Parcels:

- .1 A hooked parcel may be created where each portion satisfies the minimum parcel area requirements of the applicable zone.

Commented [CG86]: New Regulation – currently exists in Electoral Areas “A” & “H” Zoning Bylaw; this proposes to introduce it to the remaining Electoral Area Zoning Bylaws.

xiv) replacing Section 7.7 (Projections) under Section 7.0 (General Regulations) with the following:

7.7 Projections

- .1 No features shall project into a setback required by this Bylaw except the following minor projections on buildings:

- a) Gutters, eaves, sunshades, cornices, belt courses and sills may project into required setbacks to a maximum of 0.6 metres measured horizontally;
- b) Unenclosed access ramps for physically disabled persons may project fully into required setbacks;
- c) In Residential zones the following features may project into the required setbacks:
 - i) chimneys, bay windows or other architectural projections which do not comprise more than 25% of the total length of a wall and do not project more than 0.6 metres measured horizontally; and
 - ii) unenclosed stairwells, balconies, porches, uncovered decks or canopies, may project no more than:
 - .1 1.5 metres, measured horizontally, into the front setback; or
 - .2 2.0 metres, measured horizontally, into the rear setback.
- d) In no case shall a projection cross a parcel line.
- .2 No features shall extend beyond a height limit required by this Bylaw except the following minor projections on buildings:
 - a) antennas, belfries, chimney stacks, church spires, clearance markers, elevator shafts, flagpoles, monuments, rooftop mechanical equipment, ventilation machinery and water tanks.

Commented [CG87]: Proposes to clarify provision and its application to the development of uncovered decks.

Commented [CG88]: Previously contained under the definition of "height".

xv) replacing Section 7.8 (Fence Height) under Section 7.0 (General Regulations) with the following:

7.8 Fence Heights

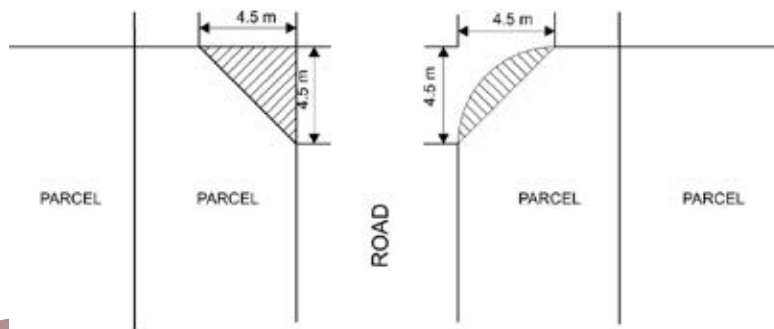
The height of a fence shall be determined by measurement from the ground level, at the place on which the fence is to be located, to the top of the fence.

- .1 No fence shall exceed 1.8 metres in height to the rear of a front setback and 1.2 metres in height in the front setback except:

Commented [CG89]: It is being proposed to update Fence Height regulations based upon those from the Electoral Area "H" Zoning Bylaw as these were the subject of a legal review in 2012.

- a) in the Rural zones all fences may be up to 1.8 metres in height, and in the Industrial zones all fences may be up to 2.4 metres in height;
- b) in Commercial zones abutting or across a highway from the AG1, AG2 and AG3 zones all fences may be up to 2.0 metres in height;
- c) on a corner site contiguous to a highway intersection, no fence, hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the site at the intersection of the streets;

Figure 7.8 – Site Triangle



- d) in the case of a fence constructed on top of a retaining wall, the combined height of the fence and the retaining wall at the property line or within 1.2 metres of the property line shall not exceed 2.0 metres, as measured from finished grade on the side of the fence or retaining wall with the lower elevation;
- e) deer fences shall not be limited in height, provided such fences are constructed of material that permits visibility, such as wire mesh; and
- f) fences for ball parks and tennis courts shall not be limited in height, provided such fences are constructed of materials that permit visibility, such as wire mesh.

.2 The use of barbed wire for fencing is prohibited within all Residential and Commercial zones as well as the AI Zone.

Commented [CG90]: Proposed new regulation regarding the height of a fence that can be placed on top of a retaining wall within 1.2 metres of a parcel line. Beyond 1.2 metres of a parcel line the bylaw would not set a maximum height for a fence on top of a retaining wall.

.3 The use of razor wire for fencing is prohibited within all zones.

xvi) adding a new sub-section following sub-section 7.28 under Section 7.0 (General Regulations) to read as follows:

7.29 Retaining Walls

1. at no point shall the height of a retaining wall exceed 2.0 metres as measured from finished grade on the lowest side of the wall.
2. the minimum horizontal separation between individual retaining walls on the same parcel, as measured from the outer face of each retaining wall, must not be less than the height of the lower wall.
3. retaining walls constructed closer than the height of the lower wall will collectively be considered an individual retaining wall for the purposes of determining the height of a retaining wall.
4. retaining walls not exceeding 1.2 metres in height are permitted within a required setback for a front, side or rear parcel line.
5. despite sub-section 4), on a corner site contiguous to a highway intersection, no retaining wall is permitted within a distance of 4.5 metres from the corner of the site at the intersection of the streets.

Commented [CG91]: Proposed new General Regulations to govern the development of retaining walls. Proposes to establish a maximum height and separation distances (walls not meeting this will be considered 1 structure for the purposes of height).

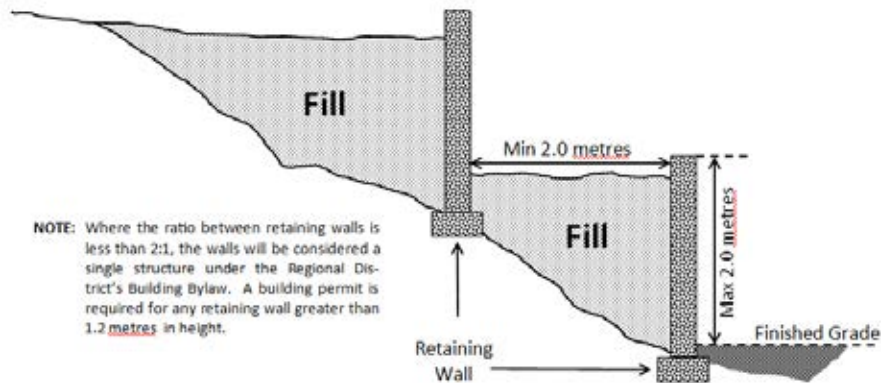


Figure 7.29: Retaining Wall Illustration

Electoral Area "D-2"

5. The "Regional District Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:

i) replacing Section 3.0 (Administration) in its entirety with the following:

3.0 ADMINISTRATION

3.1 Applicability

- .1 This Bylaw applies to that portion of the Regional District contained within Electoral Area "D", as outlined on Schedule '2'.
- .2 Land or the surface of water must not be used, land shall not be subdivided and buildings or structures must not be constructed, altered, located or used except as specifically permitted in this Bylaw.
- .3 All uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the principal uses.
- .4 Parcels created prior to adoption of this Bylaw that do not meet any minimum parcel area or dimensions may be used for any of the permitted uses listed in each zone, subject to the limitations contained therein.
- .5 Parcels shall be consolidated prior to issuance of building permit where the proposed building would otherwise straddle the parcel line.

Commented [CG92]: Previously contained at Section 5.0 (Basic Provisions). Proposed to relocate to Section 3.0 so that Section 5.0 can be devoted to Subdivision Regulations.

3.2 Enforcement

- .1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

Commented [CG93]: Currently Sections 5.1.1 to 5.1.5 – no change proposed.

Commented [CG94]: Proposed new sub-heading – intended to improve ease of use of bylaw.

3.3 Prohibitions and Penalties

Commented [CG95]: Currently Section 3.1 – no change proposed

Commented [CG96]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under Section 3.2 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.
- .2 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.
- .3 Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.

Commented [CG97]: Currently Sections 3.2, 3.3 & 3.4 – no change proposed.

3.4 Severability

Commented [CG98]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

Commented [CG99]: Currently Section 3.5 – no change proposed.

- ii) adding a definition of "crawl space" under Section 4.0 (Definitions) to read as follows:

"crawl space" means the space between the underside of the joists of the floor next above and the ground floor slab or ground surface where no slab exists, having a vertical clear height less than 1.5 metres;

Commented [CG100]: New definition, intended to address when a crawl space is considered a storey.

- iii) replacing the definition of "development" under Section 4.0 (Definitions) with the following:

"development" means any activity carried out in the process of clearing or preparing a site or constructing or erecting structures;

Commented [CG101]: Updated definition – to be consistent across Electoral Areas.

- iv) replacing the definition of "grade" under Section 4.0 (Definitions) with the following:

"grade, finished" means the average finished grade level at the perimeter of a building or structure, excluding any localized mounds or depressions such as those for vehicle or pedestrian entrances;

Commented [CG102]: Current definition is "grade" only and refers to natural ground level.

- v) replacing the definition of "height" under Section 4.0 (Definitions) with the following:

"height" means the vertical distance from the average finished grade to the highest point of the roof or structure;

Commented [CG103]: Current definition contains text about exemptions from the height calculation; proposed to move these into the Projections section under General Regulations

- vi) replacing the definition of "panhandle lot" under Section 4.0 (Definitions) with the following:

"panhandle" means any parcel with any of the building envelope situated directly behind another parcel so that its frontage is a relatively narrow strip of land which is an integral part of the parcel;

Commented [CG104]: New definition of "panhandle" – related to updated Subdivision Regulations and introduction of "parcel area, useable".

- vii) replacing the definition of "parcel" under Section 4.0 (Definitions) with the following:

"parcel" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the Bare Land Strata Regulations under the *Strata Property Act* or a legally recorded lease of license of occupation issued by the Province of British Columbia;

Commented [CG105]: Updated definition – to be consistent across Electoral Areas.

- viii) adding a definition of "parcel area, useable" under Section 4.0 (Definitions) to read as follows:

"parcel area, useable" means all the area of a parcel except areas that are:

Commented [CG106]: New definition of "parcel area, useable" – to be applied consistently across Electoral Areas

- a) part of a panhandle;
- b) required as building setbacks from property lines;
- c) required as building setbacks from watercourses, environmental values or geotechnical hazards as identified through a report prepared by a qualified individual; and
- d) subject to a restrictive covenant that prohibits all use of the area subject to the covenant.

- ix) replacing the definition of "parcel coverage" under Section 4.0 (Definitions) with the following:

"parcel coverage" means the total horizontal area of structures measured to the outside of the exterior walls of the buildings and structures on a lot including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no defined exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area;

Commented [CG107]: Updated definition of "parcel coverage" – to make consistent across Electoral Areas and clarify how parcel coverage is to be calculated.

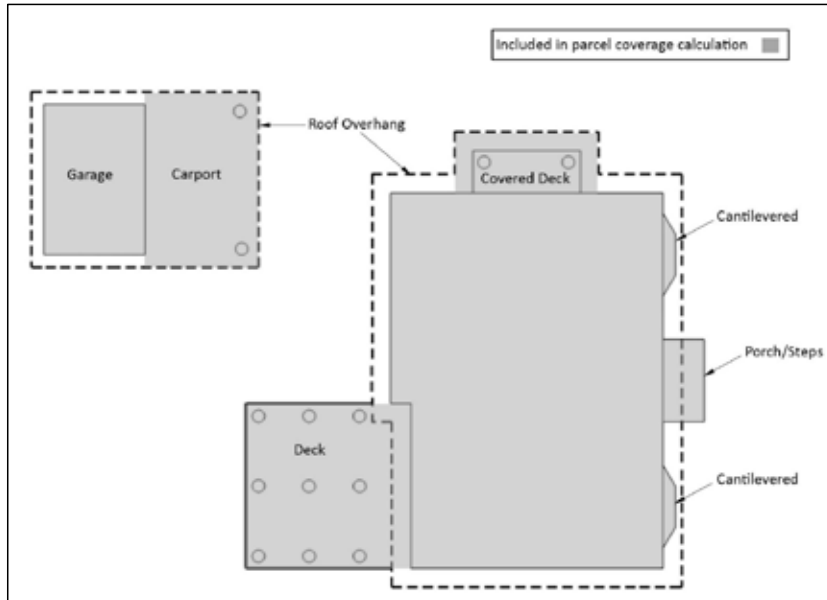


Figure 4.1: Parcel Coverage Illustration

- x) adding a definition of “retaining wall” under Section 4.0 (Definitions) to read as follows:

“retaining wall” means a structure or series of interdependent structures greater than 1.2 metres in height constructed to hold back, stabilize or support an earthen bank;

Commented [CG108]: New definition – to be applied consistently across Electoral Areas.

- xi) replacing the definition of “structure” under Section 4.0 (Definitions) with the following:

“structure” means anything that is constructed or erected, supported by or sunk into land or water, and includes swimming pools, retaining walls and manufactured home spaces, but specifically excludes fences under 2.0 metres in height, landscaping, paving improvements and signs unless otherwise noted in this bylaw;

Commented [CG109]: Amended definition – clarifies that retaining wall is considered a structure.

- xii) replacing Section 5.0 (Basic Provisions) in its entirety with the following:

5.0 CREATION OF ZONES

5.1 Zoning Districts

For the purposes of this Bylaw, the area of the Regional District subject to this Bylaw is hereby divided into zoning districts with the following zone designations and their abbreviations.

The headings below create categories of zones and represent all the zones under that heading.

ZONING TITLE	ABBREVIATION
Rural Zones	
Resource Area Zone	RA
Agriculture One Zone	AG1
Agriculture Three Zone	AG3
Large Holdings Zone	LH
Small Holdings One Zone	SH1
Small Holdings Three Zone	SH3
Small Holdings Five Zone	SH5
Low Density Residential Zones	
Residential Single Family One Zone	RS1
Residential Single Family Two Zone	RS2
Residential Two Family (Duplex) Zone	RS3
Residential Manufactured Home Park Zone	RSM1
Medium Density Residential Zones	
Residential Multiple Family Zone	RM1
Commercial Zones	
Neighbourhood Commercial Zone	C3
Okanagan Falls Town Centre Zone	C4
Commercial Amusement Zone	C6
Recreational Vehicle Park Zone	C7
Tourist Commercial One Zone	CT1
Tourist Commercial Four (Campground) Zone	CT4

Service Commercial One Zone	CS1
Industrial Zones	
Industrial (Light) One Zone	I1
Industrial (Heavy) Two Zone	I2
Industrial (Specialised) Three Zone	I3
Industrial (Mixed) Four Zone	I4
Community Waste Management Zone	I5
Administrative and Open Space Zones	
Administrative and Institutional Zone	AI
Parks and Recreation Zone	PR
Conservation Area Zone	CA
Comprehensive Development Zones	
Comprehensive Development Zone	CD

5.2 Definition of Zones:

- .1 The area of each zone is defined by Schedule '2'.
- .2 Where a zone boundary is shown on Schedule '2' as following a road allowance or a watercourse, the centre line of the road allowance or watercourse shall be the zone boundary.

5.3 Interpretation:

Except as expressly provided in this Bylaw, all headings, italicized clauses and other references forming part of this Bylaw must be construed as being inserted for convenience and reference only.

5.4 Permitted Uses:

In respect of each zone created under Section 5.1 of this Bylaw:

- .1 the only uses permitted are those listed in respect of each zone under the heading "Permitted Uses" in Section 10.0 to 17.0 of this Bylaw;
- .2 uses not listed in respect of a particular zone are prohibited;

.3 the headings in respect of each zone are part of this Bylaw.

5.5 Conditions of Use:

On a particular site in a specified zone created under this Bylaw, the maximum permitted site coverage, height and density and the minimum required setbacks are set out in respect of each specified zone in the provisions found in Sections 10.0 to 17.0 of this Bylaw.

Commented [CG110]: Currently Section 6.0 – no changes proposed.

5.6 Comprehensive Development Zones:

A Comprehensive Development (CD) Zone shall only be created where a proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of the Regional District Board, is of a unique form or nature not contemplated or reasonably regulated by another zone.

Commented [CG111]: Proposed new provision – clarifies the circumstances under which the Regional District will consider the creation of a Comprehensive Development (CD) Zone.

xiii) replacing Section 6.0 (Creation of Zones) in its entirety with the following:

6.0 SUBDIVISION REGULATIONS

6.1 Minimum Parcel Size Exceptions for Subdivision:

Minimum parcel size for subdivision requirements of this Bylaw do not apply to:

- .1 the consolidation of existing parcels or the addition of closed streets to an existing parcel;
 - a) no additional parcels are created upon completion of the alteration;
 - b) the altered lot line does not infringe on the required setbacks for an existing building or structure located on a parcel;
 - c) the alteration does not reduce the site area of the parcels involved to a size less than that of the smallest parcel that existed prior to the alteration.
- .2 the alteration of lot lines between two or more parcels where:
- .3 No existing parcel that meets the present minimum parcel size requirements of this Bylaw must, upon completion of a parcel line alteration, have a parcel size less than that required within the respective zone.

Commented [CG112]: Currently Section 5.2 – no change proposed.

6.2 Minimum Parcel Width for Subdivision Exceptions:

- .1 Despite the minimum parcel width for subdivision provisions of this Bylaw, a panhandle lot may be permitted provided that:
 - a) the minimum parcel width of the panhandle is 6.0 metres and the maximum width shall not exceed 20.0 metres;
 - b) the panhandle must not be calculated as part of the parcel area for the purpose of subdivision; and
 - c) no more than two (2) panhandles abut each other.

Commented [CG113]: Updated regulation – more specific requirements for panhandle lots. Reference to a 20 metre maximum width has been added as has stipulation regarding use of panhandle in calculation of parcel area.

Commented [CG114]: Currently Section 5.3.

6.3 Minimum Parcel Size Requirements for Bare Land Strata Subdivisions:

- .1 The minimum average parcel size is equal to the minimum parcel size for the designated zoning.

Commented [CG115]: Currently Section 5.4 – no change proposed.

6.4 Minimum Useable Parcel Area

- .1 The minimum useable parcel area of each parcel shall be 200 m².

Commented [CG116]: New regulations – intended to ensure that a suitable building envelope is provided on each parcel.

6.5 Hooked Parcels:

- .1 A hooked parcel may be created where each portion satisfies the minimum parcel area requirements of the applicable zone.

Commented [CG117]: New Regulation – currently exists in Electoral Areas “A” & “H” Zoning Bylaw; this proposes to introduce it to the remaining Electoral Area Zoning Bylaws.

xiv) replacing Section 7.7 (Projections) under Section 7.0 (General Regulations) with the following:

7.7 Projections

- .1 No features shall project into a setback required by this Bylaw except the following minor projections on buildings:
 - a) Gutters, eaves, sunshades, cornices, belt courses and sills may project into required setbacks to a maximum of 0.6 metres measured horizontally;
 - b) Unenclosed access ramps for physically disabled persons may project fully into required setbacks;
 - c) In Residential zones the following features may project into the required setbacks:
 - i) chimneys, bay windows or other architectural projections which do not comprise more than 25% of the total length

of a wall and do not project more than 0.6 metres measured horizontally; and

ii) unenclosed stairwells, balconies, porches, **uncovered decks** or canopies, may project no more than:

.1 1.5 metres, measured horizontally, into the front setback; or

.2 2.0 metres, measured horizontally, into the rear setback.

d) In no case shall a projection cross a parcel line.

.2 **No features shall extend beyond a height limit required by this Bylaw except the following minor projections on buildings:**

a) **antennas, belfries, chimney stacks, church spires, clearance markers, elevator shafts, flagpoles, monuments, rooftop mechanical equipment, ventilation machinery and water tanks.**

Commented [CG118]: Proposes to clarify provision and its application to the development of uncovered decks.

Commented [CG119]: Previously contained under the definition of "height".

xv) replacing Section 7.8 (Fence Height) under Section 7.0 (General Regulations) with the following:

7.8 Fence Heights

The height of a fence shall be determined by measurement from the ground level, at the place on which the fence is to be located, to the top of the fence.

.1 No fence shall exceed 1.8 metres in height to the rear of a front setback and 1.2 metres in height in the front setback except:

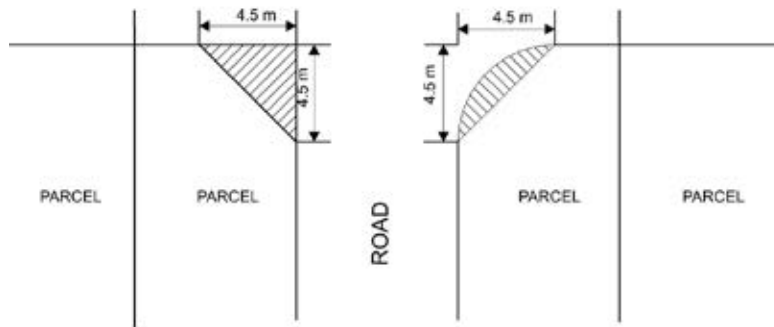
a) in the Rural zones all fences may be up to 1.8 metres in height, and in the Industrial zones all fences may be up to 2.4 metres in height;

b) in Commercial zones abutting or across a highway from the AG1, AG2 and AG3 zones all fences may be up to 2.0 metres in height;

c) on a corner site contiguous to a highway intersection, no fence, hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the site at the intersection of the streets;

Commented [CG120]: It is being proposed to update Fence Height regulations based upon those from the Electoral Area "H" Zoning Bylaw as these were the subject of a legal review in 2012.

Figure 7.8 – Site Triangle



- d) in the case of a fence constructed on top of a retaining wall, the combined height of the fence and the retaining wall at the property line or within 1.2 metres of the property line shall not exceed 2.0 metres, as measured from finished grade on the side of the fence or retaining wall with the lower elevation;
- e) deer fences shall not be limited in height, provided such fences are constructed of material that permits visibility, such as wire mesh; and
- f) fences for ball parks and tennis courts shall not be limited in height, provided such fences are constructed of materials that permit visibility, such as wire mesh.

- .2 The use of barbed wire for fencing is prohibited within all Residential and Commercial zones as well as the AI Zone.
- .3 The use of razor wire for fencing is prohibited within all zones.

xvi) adding a new sub-section following sub-section 7.24 under Section 7.0 (General Regulations) to read as follows:

7.25 Retaining Walls

- 1. at no point shall the height of a retaining wall exceed 2.0 metres as measured from finished grade on the lowest side of the wall.
- 2. the minimum horizontal separation between individual retaining walls on the same parcel, as measured from the outer face of each retaining wall, must not be less than the height of the lower wall.

Commented [CG121]: Proposed new regulation regarding the height of a fence that can be placed on top of a retaining wall within 1.2 metres of a parcel line. Beyond 1.2 metres of a parcel line the bylaw would not set a maximum height for a fence on top of a retaining wall.

Commented [CG122]: Proposed new General Regulations to govern the development of retaining walls. Proposes to establish a maximum height and separation distances (walls not meeting this will be considered 1 structure for the purposes of height).

3. retaining walls constructed closer than the height of the lower wall will collectively be considered an individual retaining wall for the purposes of determining the height of a retaining wall.
4. retaining walls not exceeding 1.2 metres in height are permitted within a required setback for a front, side or rear parcel line.
5. despite sub-section 4), on a corner site contiguous to a highway intersection, no retaining wall is permitted within a distance of 4.5 metres from the corner of the site at the intersection of the streets.

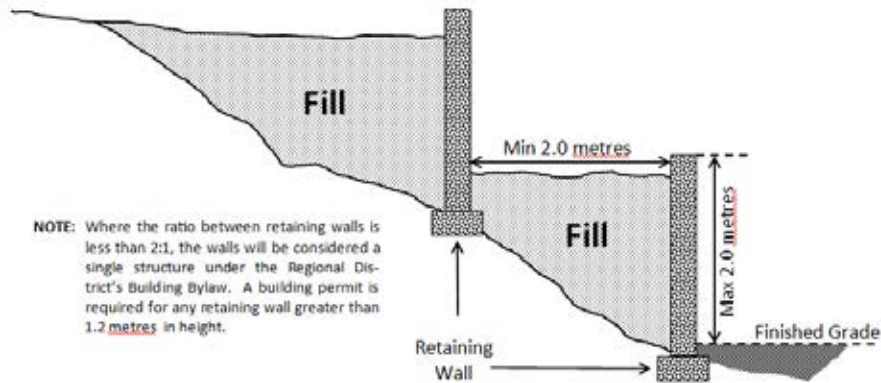


Figure 7.25: Retaining Wall Illustration

Electoral Area "E"

6. The "Regional District Okanagan-Similkameen, Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:
 - i) replacing Section 3.0 (Administration) in its entirety with the following:

3.0 ADMINISTRATION

3.1 Applicability

- .1 This Bylaw applies to that portion of the Regional District contained within Electoral Area "E", as outlined on Schedule '2'.

Commented [CG123]: Previously contained at Section 5.0 (Basic Provisions). Proposed to relocate to Section 3.0 so that Section 6.0 can be devoted to Subdivision Regulations.

- .2 Land or the surface of water must not be used, land shall not be subdivided and buildings or structures must not be constructed, altered, located or used except as specifically permitted in this Bylaw.
- .3 All uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the principal uses.
- .4 Parcels created prior to adoption of this Bylaw that do not meet any minimum parcel area or dimensions may be used for any of the permitted uses listed in each zone, subject to the limitations contained therein.
- .5 Parcels shall be consolidated prior to issuance of building permit where the proposed building would otherwise straddle the parcel line.

Commented [CG124]: Currently Sections 5.1.1 to 5.1.5 – no change proposed.

3.2 Enforcement

Commented [CG125]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

Commented [CG126]: Currently Section 3.1 – no change proposed

3.3 Prohibitions and Penalties

Commented [CG127]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under Section 3.2 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.
- .2 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.
- .3 Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.

Commented [CG128]: Currently Sections 3.2, 3.3 & 3.4 – no change proposed.

3.4 Severability

Commented [CG129]: Proposed new sub-heading – intended to improve ease of use of bylaw.

.1 If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

Commented [CG130]: Currently Section 3.5 – no change proposed.

ii) adding a definition of “crawl space” under Section 4.0 (Definitions) to read as follows:

“crawl space” means the space between the underside of the joists of the floor next above and the ground floor slab or ground surface where no slab exists, having a vertical clear height less than 1.5 metres;

Commented [CG131]: New definition, intended to address when a crawl space is considered a storey.

iii) replacing the definition of “development” under Section 4.0 (Definitions) with the following:

“development” means any activity carried out in the process of clearing or preparing a site or constructing or erecting structures;

Commented [CG132]: Updated definition – to be consistent across Electoral Areas.

iv) replacing the definition of “height” under Section 4.0 (Definitions) with the following:

“height” means the vertical distance from the average finished grade to the highest point of the roof or structure;

Commented [CG133]: Current definition contains text about exemptions from the height calculation; proposed to move these into the Projections section under General Regulations

v) deleting Figure 4.1 (Building Elevations).

Commented [CG134]: Proposed to delete figure from bylaw as it will no longer reflect how height is calculated.

vi) adding a definition of “panhandle lot” under Section 4.0 (Definitions) to read as follows:

“panhandle” means any parcel with any of the building envelope situated directly behind another parcel so that its frontage is a relatively narrow strip of land which is an integral part of the parcel;

Commented [CG135]: New definition of “panhandle” – related to updated Subdivision Regulations and introduction of “parcel area, useable”.

vii) replacing the definition of “parcel” under Section 4.0 (Definitions) with the following:

“parcel” means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the Bare Land Strata Regulations under the *Strata Property Act* or a legally recorded lease of license of occupation issued by the Province of British Columbia;

Commented [CG136]: Updated definition – to be consistent across Electoral Areas.

viii) adding a definition of “parcel area, useable” under Section 4.0 (Definitions) to read as follows:

“parcel area, useable” means all the area of a parcel except areas that are:

- a) part of a panhandle;
- b) required as building setbacks from property lines;
- c) required as building setbacks from watercourses, environmental values or geotechnical hazards as identified through a report prepared by a qualified individual; and
- d) subject to a restrictive covenant that prohibits all use of the area subject to the covenant.

Commented [CG137]: New definition of “parcel area, useable” – to be applied consistently across Electoral Areas

ix) replacing the definition of “parcel coverage” under Section 4.0 (Definitions) with the following:

“parcel coverage” means the total horizontal area of structures measured to the outside of the exterior walls of the buildings and structures on a lot including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no defined exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area;

Commented [CG138]: Updated definition of “parcel coverage” – to make consistent across Electoral Areas and clarify how parcel coverage is to be calculated.

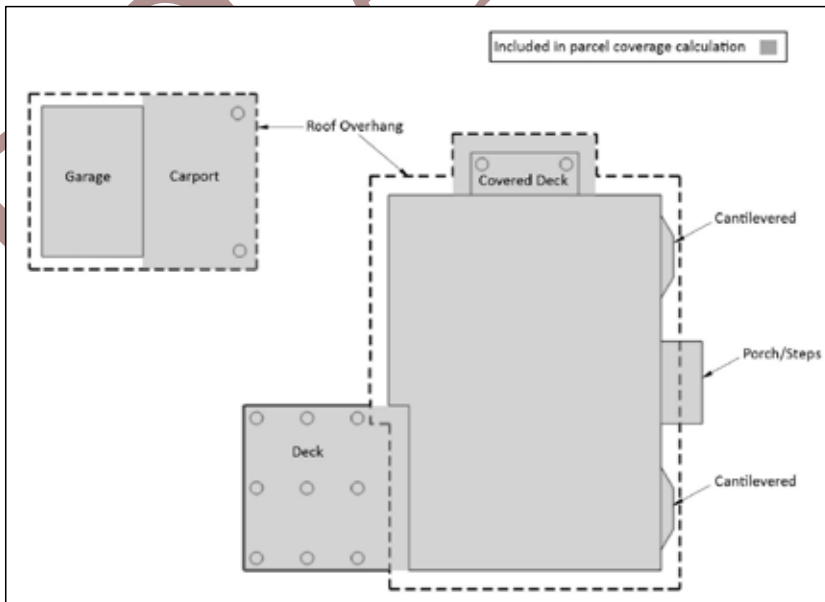


Figure 4.1: Parcel Coverage Illustration

- x) adding a definition of “retaining wall” under Section 4.0 (Definitions) to read as follows:

“retaining wall” means a structure or series of interdependent structures greater than 1.2 metres in height constructed to hold back, stabilize or support an earthen bank;

Commented [CG139]: New definition – to be applied consistently across Electoral Areas.

- xi) replacing the definition of “structure” under Section 4.0 (Definitions) with the following:

“structure” means anything that is constructed or erected, supported by or sunk into land or water, and includes swimming pools, retaining walls and manufactured home spaces, but specifically excludes fences under 2.0 metres in height, landscaping, paving improvements and signs unless otherwise noted in this bylaw;

Commented [CG140]: Amended definition – clarifies that retaining wall is considered a structure.

- xii) replacing Section 5.0 (Basic Provisions) in its entirety with the following:

5.0 CREATION OF ZONES

5.1 Zoning Districts

For the purposes of this Bylaw, the area of the Regional District subject to this Bylaw is hereby divided into zoning districts with the following zone designations and their abbreviations.

The headings below create categories of zones and represent all the zones under that heading.

ZONING TITLE	ABBREVIATION
Rural Zones	
Resource Area Zone	RA
Agriculture One Zone	AG1
Large Holdings Zone	LH
Small Holdings One Zone	SH1
Small Holdings Two Zone	SH2
Small Holdings Three Zone	SH3
Small Holdings Four Zone	SH4

Small Holdings Five Zone SH5

Low Density Residential Zones

Residential Single Family One Zone RS1

Residential Two Family (Duplex) Zone RS3

Medium Density Residential Zones

Residential Multiple Family Zone RM1

Commercial Zones

General Commercial Zone C1

Tourist Commercial One Zone CT1

Administrative and Open Space Zones

Administrative and Institutional Zone AI

Naramata Centre Zone NC

Parks and Recreation Zone PR

Conservation Area Zone CA

5.2 Definition of Zones:

- .1 The area of each zone is defined by Schedule '2'.
- .2 Where a zone boundary is shown on Schedule '2' as following a road allowance or a watercourse, the centre line of the road allowance or watercourse shall be the zone boundary.

5.3 Interpretation:

Except as expressly provided in this Bylaw, all headings, italicized clauses and other references forming part of this Bylaw must be construed as being inserted for convenience and reference only.

5.4 Permitted Uses:

In respect of each zone created under Section 5.1 of this Bylaw:

- .1 the only uses permitted are those listed in respect of each zone under the heading "Permitted Uses" in Section 10.0 to 15.0 of this Bylaw;

- .2 uses not listed in respect of a particular zone are prohibited;
- .3 the headings in respect of each zone are part of this Bylaw.

5.5 Conditions of Use:

On a particular site in a specified zone created under this Bylaw, the maximum permitted site coverage, height and density and the minimum required setbacks are set out in respect of each specified zone in the provisions found in Sections 10.0 to 15.0 of this Bylaw.

Commented [CG141]: Currently Section 6.0 – no changes proposed.

5.6 Comprehensive Development Zones:

A Comprehensive Development (CD) Zone shall only be created where a proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of the Regional District Board, is of a unique form or nature not contemplated or reasonably regulated by another zone.

Commented [CG142]: Proposed new provision – clarifies the circumstances under which the Regional District will consider the creation of a Comprehensive Development (CD) Zone.

- xiii) replacing Section 6.0 (Creation of Zones) in its entirety with the following:

6.0 SUBDIVISION REGULATIONS

6.1 Minimum Parcel Size Exceptions for Subdivision:

Minimum parcel size for subdivision requirements of this Bylaw do not apply to:

- .1 the consolidation of existing parcels or the addition of closed streets to an existing parcel;
 - a) no additional parcels are created upon completion of the alteration;
 - b) the altered lot line does not infringe on the required setbacks for an existing building or structure located on a parcel;
 - c) the alteration does not reduce the site area of the parcels involved to a size less than that of the smallest parcel that existed prior to the alteration.
- .2 the alteration of lot lines between two or more parcels where:
- .3 No existing parcel that meets the present minimum parcel size requirements of this Bylaw must, upon completion of a parcel line

alteration, have a parcel size less than that required within the respective zone.

Commented [CG143]: Currently Section 5.2 – no change proposed.

6.2 Minimum Parcel Width for Subdivision Exceptions:

.1 Despite the minimum parcel width for subdivision provisions of this Bylaw, a panhandle lot may be permitted provided that:

- a) the minimum parcel width of the panhandle is 6.0 metres and the maximum width shall not exceed 20.0 metres;
- b) the panhandle must not be calculated as part of the parcel area for the purpose of subdivision; and
- c) no more than two (2) panhandles abut each other.

Commented [CG144]: Updated regulation – more specific requirements for panhandle lots. Reference to a 20 metre maximum width has been added as has stipulation regarding use of panhandle in calculation of parcel area.

Commented [CG145]: Currently Section 5.3.

6.3 Minimum Parcel Size Requirements for Bare Land Strata Subdivisions:

.1 The minimum average parcel size is equal to the minimum parcel size for the designated zoning.

Commented [CG146]: Currently Section 5.4 – no change proposed.

6.4 Minimum Useable Parcel Area

.1 The minimum useable parcel area of each parcel shall be 200 m².

Commented [CG147]: New regulations – intended to ensure that a suitable building envelope is provided on each parcel.

6.5 Hooked Parcels:

.1 A hooked parcel may be created where each portion satisfies the minimum parcel area requirements of the applicable zone.

Commented [CG148]: New Regulation – currently exists in Electoral Areas “A” & “H” Zoning Bylaw; this proposes to introduce it to the remaining Electoral Area Zoning Bylaws.

xiv) replacing Section 7.7 (Projections) under Section 7.0 (General Regulations) with the following:

7.7 Projections

.1 No features shall project into a setback required by this Bylaw except the following minor projections on buildings:

- a) Gutters, eaves, sunshades, cornices, belt courses and sills may project into required setbacks to a maximum of 0.6 metres measured horizontally;
- b) Unenclosed access ramps for physically disabled persons may project fully into required setbacks;
- c) In Residential zones the following features may project into the required setbacks:

i) chimneys, bay windows or other architectural projections which do not comprise more than 25% of the total length of a wall and do not project more than 0.6 metres measured horizontally; and

ii) unenclosed stairwells, balconies, porches, **uncovered decks** or canopies, may project no more than:

.1 1.5 metres, measured horizontally, into the front setback; or

.2 2.0 metres, measured horizontally, into the rear setback.

d) In no case shall a projection cross a parcel line.

.2 **No features shall extend beyond a height limit required by this Bylaw except the following minor projections on buildings:**

a) **antennas, belfries, chimney stacks, church spires, clearance markers, elevator shafts, flagpoles, monuments, rooftop mechanical equipment, ventilation machinery and water tanks.**

xv) replacing Section 7.8 (Fence Height) under Section 7.0 (General Regulations) with the following:

7.8 Fence Heights

The height of a fence shall be determined by measurement from the ground level, at the place on which the fence is to be located, to the top of the fence.

.1 No fence shall exceed 1.8 metres in height to the rear of a front setback and 1.2 metres in height in the front setback except:

a) in the Rural zones all fences may be up to 1.8 metres in height, and in the Industrial zones all fences may be up to 2.4 metres in height;

b) in Commercial zones abutting or across a highway from the AG1 Zone all fences may be up to 2.0 metres in height;

c) on a corner site contiguous to a highway intersection, no fence, hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance

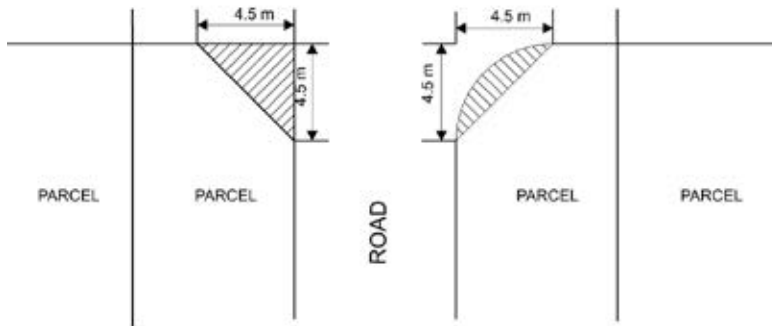
Commented [CG149]: Proposes to clarify provision and its application to the development of uncovered decks.

Commented [CG150]: Previously contained under the definition of "height".

Commented [CG151]: It is being proposed to update Fence Height regulations based upon those from the Electoral Area "H" Zoning Bylaw as these were the subject of a legal review in 2012.

of 4.5 metres from the corner of the site at the intersection of the streets;

Figure 7.8 – Site Triangle



- d) in the case of a fence constructed on top of a retaining wall, the combined height of the fence and the retaining wall at the property line or within 1.2 metres of the property line shall not exceed 2.0 metres, as measured from finished grade on the side of the fence or retaining wall with the lower elevation;
- e) deer fences shall not be limited in height, provided such fences are constructed of material that permits visibility, such as wire mesh; and
- f) fences for ball parks and tennis courts shall not be limited in height, provided such fences are constructed of materials that permit visibility, such as wire mesh.

.2 The use of barbed wire for fencing is prohibited within all Residential and Commercial zones as well as the AI Zone.

.3 The use of razor wire for fencing is prohibited within all zones.

xvii) adding a new sub-section following sub-section 7.24 under Section 7.0 (General Regulations) to read as follows:

7.25 Retaining Walls

- 1. at no point shall the height of a retaining wall exceed 2.0 metres as measured from finished grade on the lowest side of the wall.
- 2. the minimum horizontal separation between individual retaining walls on the same parcel, as measured from the outer face of

Commented [CG152]: Proposed new regulation regarding the height of a fence that can be placed on top of a retaining wall within 1.2 metres of a parcel line. Beyond 1.2 metres of a parcel line the bylaw would not set a maximum height for a fence on top of a retaining wall.

Commented [CG153]: Proposed new General Regulations to govern the development of retaining walls. Proposes to establish a maximum height and separation distances (walls not meeting this will be considered 1 structure for the purposes of height).

each retaining wall, must not be less than the height of the lower wall.

3. retaining walls constructed closer than the height of the lower wall will collectively be considered an individual retaining wall for the purposes of determining the height of a retaining wall.
4. retaining walls not exceeding 1.2 metres in height are permitted within a required setback for a front, side or rear parcel line.
5. despite sub-section 4), on a corner site contiguous to a highway intersection, no retaining wall is permitted within a distance of 4.5 metres from the corner of the site at the intersection of the streets.

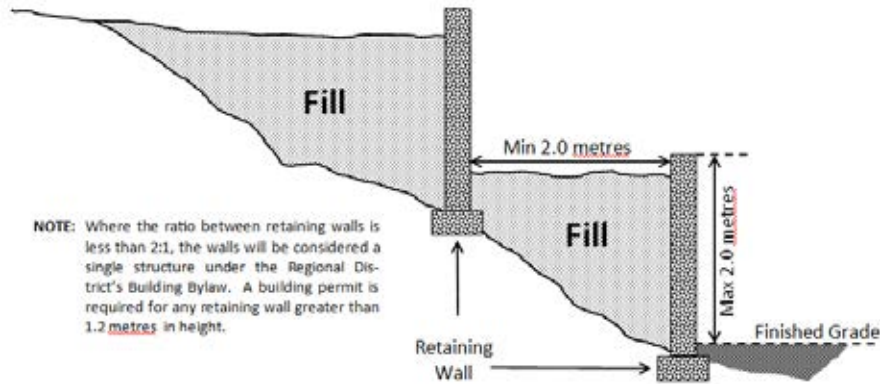


Figure 7.25: Retaining Wall Illustration

Electoral Area "F"

7. The "Regional District Okanagan-Similkameen, Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:
 - i) replacing Section 3.0 (Administration) in its entirety with the following:

3.0 ADMINISTRATION

3.1 Applicability

Commented [CG154]: Previously contained at Section 5.0 (Basic Provisions). Proposed to relocate to Section 3.0 so that Section 6.0 can be devoted to Subdivision Regulations.

- .1 This Bylaw applies to that portion of the Regional District contained within Electoral Area "F", as outlined on Schedule '2'.
- .2 Land or the surface of water must not be used, land shall not be subdivided and buildings or structures must not be constructed, altered, located or used except as specifically permitted in this Bylaw.
- .3 All uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the principal uses.
- .4 Parcels created prior to adoption of this Bylaw that do not meet any minimum parcel area or dimensions may be used for any of the permitted uses listed in each zone, subject to the limitations contained therein.
- .5 Parcels shall be consolidated prior to issuance of building permit where the proposed building would otherwise straddle the parcel line.

Commented [CG155]: Currently Sections 5.1.1 to 5.1.5 – no change proposed.

3.2 Enforcement

Commented [CG156]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

Commented [CG157]: Currently Section 3.1 – no change proposed

3.3 Prohibitions and Penalties

Commented [CG158]: Proposed new sub-heading – intended to improve ease of use of bylaw.

- .1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under Section 3.2 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.
- .2 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.
- .3 Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.

Commented [CG159]: Currently Sections 3.2, 3.3 & 3.4 – no change proposed.

3.4 Severability

.1 If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

Commented [CG160]: Proposed new sub-heading – intended to improve ease of use of bylaw.

Commented [CG161]: Currently Section 3.5 – no change proposed.

ii) replacing the definition of “building grade” under Section 4.0 (Definitions) with the following:

“**grade, finished**” means the average finished grade level at the perimeter of a building or structure, excluding any localized mounds or depressions such as those for vehicle or pedestrian entrances;

Commented [CG162]:

iii) adding a definition of “crawl space” under Section 4.0 (Definitions) to read as follows:

“**crawl space**” means the space between the underside of the joists of the floor next above and the ground floor slab or ground surface where no slab exists, having a vertical clear height less than 1.5 metres;

Commented [CG163]: New definition, intended to address when a crawl space is considered a storey.

iv) replacing the definition of “development” under Section 4.0 (Definitions) with the following:

“**development**” means any activity carried out in the process of clearing or preparing a site or constructing or erecting structures;

Commented [CG164]: Updated definition – to be consistent across Electoral Areas.

v) replacing the definition of “first storey” under Section 4.0 (Definitions) with the following:

“**first storey**” means the uppermost storey having its floor level not more than 2.0 metres above **grade**;

Commented [CG165]: Replaces reference to “building grade”

vi) replacing the definition of “height” under Section 4.0 (Definitions) with the following:

“**height**” means the vertical distance from the average finished grade to the highest point of the roof or structure;

Commented [CG166]: Current definition contains text about exemptions from the height calculation; proposed to move these into the Projections section under General Regulations

vii) deleting the definition of “natural grade” under Section 4.0 (Definitions).

Commented [CG167]: See proposed changes to “height”.

viii) adding a definition of “panhandle lot” under Section 4.0 (Definitions) to read as follows:

“**panhandle**” means any parcel with any of the building envelope situated directly behind another parcel so that its frontage is a relatively narrow strip of land which is an integral part of the parcel;

Commented [CG168]: New definition of “panhandle” – related to updated Subdivision Regulations and introduction of “parcel area, useable”.

ix) replacing the definition of “parcel” under Section 4.0 (Definitions) with the following:

“**parcel**” means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the Bare Land Strata Regulations under the *Strata Property Act* or a legally recorded lease of license of occupation issued by the Province of British Columbia;

Commented [CG169]: Updated definition – to be consistent across Electoral Areas.

x) adding a definition of “parcel area, useable” under Section 4.0 (Definitions) to read as follows:

“**parcel area, useable**” means all the area of a parcel except areas that are:

Commented [CG170]: New definition of “parcel area, useable” – to be applied consistently across Electoral Areas

- a) part of a panhandle;
- b) required as building setbacks from property lines;
- c) required as building setbacks from watercourses, environmental values or geotechnical hazards as identified through a report prepared by a qualified individual; and
- d) subject to a restrictive covenant that prohibits all use of the area subject to the covenant.

xi) replacing the definition of “parcel coverage” under Section 4.0 (Definitions) with the following:

“**parcel coverage**” means the total horizontal area of structures measured to the outside of the exterior walls of the buildings and structures on a lot including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no defined exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area;

Commented [CG171]: Updated definition of “parcel coverage” – to make consistent across Electoral Areas and clarify how parcel coverage is to be calculated.

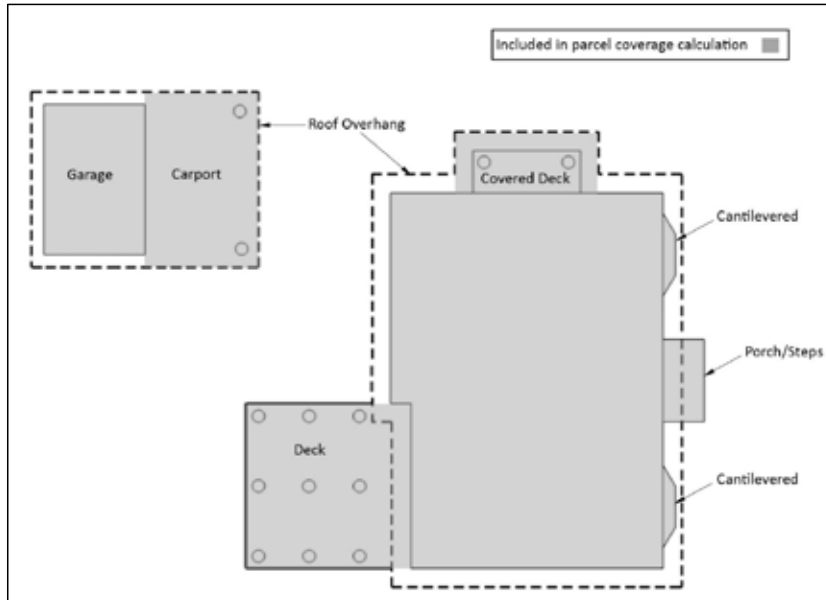


Figure 4.1: Parcel Coverage Illustration

- xii) adding a definition of “retaining wall” under Section 4.0 (Definitions) to read as follows:

“retaining wall” means a structure or series of interdependent structures greater than 1.2 metres in height constructed to hold back, stabilize or support an earthen bank;

Commented [CG172]: New definition – to be applied consistently across Electoral Areas.

- xiii) replacing the definition of “structure” under Section 4.0 (Definitions) with the following:

“structure” means anything that is constructed or erected, supported by or sunk into land or water, and includes swimming pools, retaining walls and manufactured home spaces, but specifically excludes fences under 2.0 metres in height, landscaping, paving improvements and signs unless otherwise noted in this bylaw;

Commented [CG173]: Amended definition – clarifies that retaining wall is considered a structure.

- xiv) replacing Section 5.0 (Basic Provisions) in its entirety with the following:

5.0 CREATION OF ZONES

5.1 Zoning Districts

For the purposes of this Bylaw, the area of the Regional District subject to this Bylaw is hereby divided into zoning districts with the following zone designations and their abbreviations.

The headings below create categories of zones and represent all the zones under that heading.

ZONING TITLE	ABBREVIATION
Rural Zones	
Resource Area Zone	RA
Agriculture Two Zone	AG2
Agriculture Three Zone	AG3
Large Holdings Zone	LH
Small Holdings Two Zone	SH2
Small Holdings Three Zone	SH3
Small Holdings Four Zone	SH4
Small Holdings Five Zone	SH5
Low Density Residential Zones	
Residential Single Family One Zone	RS1
Residential Single Family Two Zone	RS2
Medium Density Residential Zones	
Residential Multiple Family Zone	RM1
Integrated Housing Zone	RM2
Commercial Zones	
Neighbourhood Commercial Zone	C3
Marina Commercial Zone	C5
Tourist Commercial One Zone	CT1
Tourist Commercial Two (Limited) Zone	CT2
Tourist Commercial Three (Limited) Zone	CT3

Industrial Zones

Industrial (Light) One Zone I1

Administrative and Open Space Zones

Administrative and Institutional Zone AI

Parks and Recreation Zone PR

Conservation Area Zone CA

Comprehensive Development Zones

Comprehensive Development One (North Beach Estates) Zone CD1

5.2 Definition of Zones:

- .1 The area of each zone is defined by Schedule '2'.
- .2 Where a zone boundary is shown on Schedule '2' as following a road allowance or a watercourse, the centre line of the road allowance or watercourse shall be the zone boundary.

5.3 Interpretation:

Except as expressly provided in this Bylaw, all headings, italicized clauses and other references forming part of this Bylaw must be construed as being inserted for convenience and reference only.

5.4 Permitted Uses:

In respect of each zone created under Section 5.1 of this Bylaw:

- .1 the only uses permitted are those listed in respect of each zone under the heading "Permitted Uses" in Section 10.0 to 16.0 of this Bylaw;
- .2 uses not listed in respect of a particular zone are prohibited;
- .3 the headings in respect of each zone are part of this Bylaw.

5.5 Conditions of Use:

On a particular site in a specified zone created under this Bylaw, the maximum permitted site coverage, height and density and the minimum required setbacks are set out in respect of each specified zone in the provisions found in Sections 10.0 to 16.0 of this Bylaw.

Commented [CG174]: Currently Section 6.0 – no changes proposed.

5.6 Comprehensive Development Zones:

A Comprehensive Development (CD) Zone shall only be created where a proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of the Regional District Board, is of a unique form or nature not contemplated or reasonably regulated by another zone.

Commented [CG175]: Proposed new provision – clarifies the circumstances under which the Regional District will consider the creation of a Comprehensive Development (CD) Zone.

- xv) replacing Section 6.0 (Creation of Zones) in its entirety with the following:

6.0 SUBDIVISION REGULATIONS

6.1 Minimum Parcel Size Exceptions for Subdivision:

Minimum parcel size for subdivision requirements of this Bylaw do not apply to:

- .1 the consolidation of existing parcels or the addition of closed streets to an existing parcel;
- .2 the alteration of lot lines between two or more parcels where:
 - a) no additional parcels are created upon completion of the alteration;
 - b) the altered lot line does not infringe on the required setbacks for an existing building or structure located on a parcel;
 - c) the alteration does not reduce the site area of the parcels involved to a size less than that of the smallest parcel that existed prior to the alteration.
- .3 No existing parcel that meets the present minimum parcel size requirements of this Bylaw must, upon completion of a parcel line alteration, have a parcel size less than that required within the respective zone.

Commented [CG176]: Currently Section 5.2 – no change proposed.

6.2 Minimum Parcel Width for Subdivision Exceptions:

- .1 Despite the minimum parcel width for subdivision provisions of this Bylaw, a panhandle lot may be permitted provided that:
 - a) the minimum parcel width of the panhandle is 6.0 metres and the maximum width shall not exceed 20.0 metres;

- b) the panhandle must not be calculated as part of the parcel area for the purpose of subdivision; and
- c) no more than two (2) panhandles abut each other.

Commented [CG177]: Updated regulation – more specific requirements for panhandle lots. Reference to a 20 metre maximum width has been added as has stipulation regarding use of panhandle in calculation of parcel area.

Commented [CG178]: Currently Section 5.3.

6.3 Minimum Parcel Size Requirements for Bare Land Strata Subdivisions:

- .1 The minimum average parcel size is equal to the minimum parcel size for the designated zoning.

Commented [CG179]: Currently Section 5.4 – no change proposed.

6.4 Minimum Useable Parcel Area

- .1 The minimum useable parcel area of each parcel shall be 200 m².

Commented [CG180]: New regulations – intended to ensure that a suitable building envelope is provided on each parcel.

6.5 Hooked Parcels:

- .1 A hooked parcel may be created where each portion satisfies the minimum parcel area requirements of the applicable zone.

Commented [CG181]: New Regulation – currently exists in Electoral Areas “A” & “H” Zoning Bylaw; this proposes to introduce it to the remaining Electoral Area Zoning Bylaws.

xvi) replacing Section 7.7 (Projections) under Section 7.0. (General Regulations) with the following:

7.7 Projections

- .1 No features shall project into a setback required by this Bylaw except the following minor projections on buildings:
 - a) Gutters, eaves, sunshades, cornices, belt courses and sills may project into required setbacks to a maximum of 0.6 metres measured horizontally;
 - b) Unenclosed access ramps for physically disabled persons may project fully into required setbacks;
 - c) In Residential zones the following features may project into the required setbacks:
 - i) chimneys, bay windows or other architectural projections which do not comprise more than 25% of the total length of a wall and do not project more than 0.6 metres measured horizontally; and
 - ii) unenclosed stairwells, balconies, porches, uncovered decks or canopies, may project no more than:

Commented [CG182]: Proposes to clarify provision and its application to the development of uncovered decks.

- .1 1.5 metres, measured horizontally, into the front setback; or

.2 2.0 metres, measured horizontally, into the rear setback.

d) In no case shall a projection cross a parcel line.

.2 No features shall extend beyond a height limit required by this Bylaw except the following minor projections on buildings:

a) antennas, belfries, chimney stacks, church spires, clearance markers, elevator shafts, flagpoles, monuments, rooftop mechanical equipment, ventilation machinery and water tanks.

Commented [CG183]: Previously contained under the definition of "height".

xvii) replacing Section 7.8 (Fence Height) under Section 7.0 (General Regulations) with the following:

7.8 Fence Heights

The height of a fence shall be determined by measurement from the ground level, at the place on which the fence is to be located, to the top of the fence.

.1 No fence shall exceed 1.8 metres in height to the rear of a front setback and 1.2 metres in height in the front setback except:

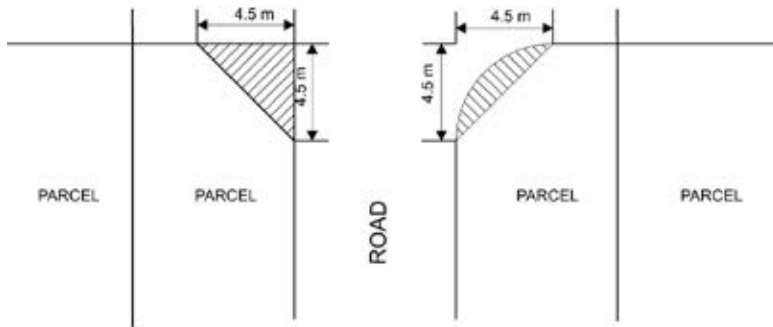
a) in the Rural zones all fences may be up to 1.8 metres in height, and in the Industrial zones all fences may be up to 2.4 metres in height;

b) in Commercial zones abutting or across a highway from the AG3 Zone all fences may be up to 2.0 metres in height;

c) on a corner site contiguous to a highway intersection, no fence, hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the site at the intersection of the streets;

Commented [CG184]: It is being proposed to update Fence Height regulations based upon those from the Electoral Area "H" Zoning Bylaw as these were the subject of a legal review in 2012.

Figure 7.8 – Site Triangle



- d) in the case of a fence constructed on top of a retaining wall, the combined height of the fence and the retaining wall at the property line or within 1.2 metres of the property line shall not exceed 2.0 metres, as measured from finished grade on the side of the fence or retaining wall with the lower elevation;
- e) deer fences shall not be limited in height, provided such fences are constructed of material that permits visibility, such as wire mesh; and
- f) fences for ball parks and tennis courts shall not be limited in height, provided such fences are constructed of materials that permit visibility, such as wire mesh.

- .2 The use of barbed wire for fencing is prohibited within all Residential and Commercial zones as well as the AI Zone.
- .3 The use of razor wire for fencing is prohibited within all zones.

xviii) adding a new sub-section following sub-section 7.26 under Section 7.0 (General Regulations) to read as follows:

7.27 Retaining Walls

- 1. at no point shall the height of a retaining wall exceed 2.0 metres as measured from finished grade on the lowest side of the wall.
- 2. the minimum horizontal separation between individual retaining walls on the same parcel, as measured from the outer face of each retaining wall, must not be less than the height of the lower wall.

Commented [CG185]: Proposed new regulation regarding the height of a fence that can be placed on top of a retaining wall within 1.2 metres of a parcel line. Beyond 1.2 metres of a parcel line the bylaw would not set a maximum height for a fence on top of a retaining wall.

Commented [CG186]: Proposed new General Regulations to govern the development of retaining walls. Proposes to establish a maximum height and separation distances (walls not meeting this will be considered 1 structure for the purposes of height).

3. retaining walls constructed closer than the height of the lower wall will collectively be considered an individual retaining wall for the purposes of determining the height of a retaining wall.
4. retaining walls not exceeding 1.2 metres in height are permitted within a required setback for a front, side or rear parcel line.
5. despite sub-section 4), on a corner site contiguous to a highway intersection, no retaining wall is permitted within a distance of 4.5 metres from the corner of the site at the intersection of the streets.

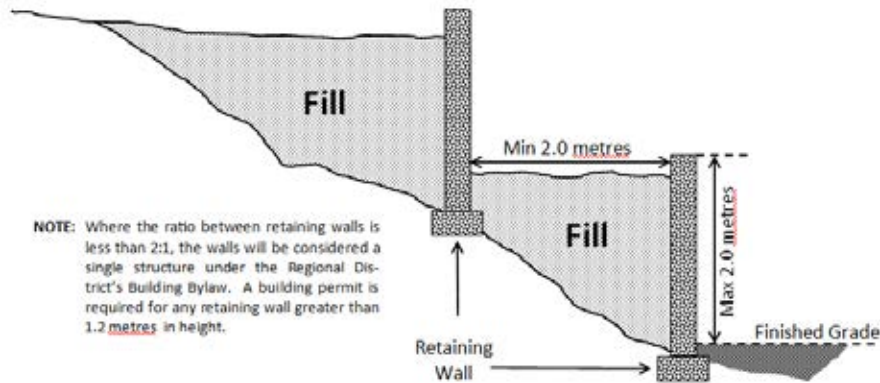


Figure 7.27: Retaining Wall Illustration

- xix) replacing sub-section 10.5.8 under Section 10.5 (Small Holdings Two Zone) to read as follows:

10.5.8 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres.

- xx) replacing sub-section 10.6.8 under Section 10.6 (Small Holdings Three Zone) to read as follows:

10.6.8 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres.

Commented [CG187]: Proposes to increase maximum height for principal buildings from 8.0 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other SH3 Zones.

Proposes to increase maximum height for accessory buildings from 10.0 metres (but reduce from 15.0 metres to 10.0 metres for farm buildings to 4.5 metres) – this is a result of changes to calculation of height and is generally consistent with the other SH3 Zones.

Commented [CG188]: Proposes to increase maximum height for principal buildings from 8.0 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other SH3 Zones.

Proposes to increase maximum height for accessory buildings from 10.0 metres (but reduce from 15.0 metres to 10.0 metres for farm buildings to 4.5 metres) – this is a result of changes to calculation of height and is generally consistent with the other SH3 Zones.

xxi) replacing sub-section 10.7.8 under Section 10.7 (Small Holdings Four Zone) with the following:

10.7.8 Maximum Height:

a) No building or structure shall exceed a height of 10.0 metres.

Commented [CG189]: Proposes to increase maximum height for principal buildings from 8.0 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other SH4 Zones.

xxii) replacing sub-section 10.8.7(b) under Section 10.8 (Small Holdings Five Zone) with the following:

b) Accessory Buildings or Structures, subject to Section 7.22:

- i) Front parcel line 9.0 metres
- ii) Rear parcel line 3.0 metres
- iii) Interior side parcel line 1.5 metres
- iv) Exterior side parcel line 4.5 metres

Proposes to increase maximum height for accessory buildings from 10.0 metres (but reduce from 15.0 metres to 10.0 metres for farm buildings to 4.5 metres) – this is a result of changes to calculation of height and is generally consistent with the other SH4 Zones.

Commented [CG190]: Proposes to amend setbacks to reflect reduced building height for accessory buildings and structures (see changes proposed at next numbered bullet below).

xxiii) replacing sub-section 10.8.8 under Section 10.8 (Small Holdings Five Zone) with the following:

10.8.8 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

Commented [CG191]: Proposes to increase maximum height for principal buildings from 8.0 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other SH5 Zones.

Commented [CG192]: Proposes to reduce maximum height for accessory buildings from 8.0 metres & 15.0 metres for farm buildings to 4.5 metres – this is a result of changes to calculation of height and is generally consistent with the other SH5 Zones.

xxiv) replacing sub-section 11.1.7 under Section 11.1 (Residential Single Family One Zone) with the following:

11.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

Commented [CG193]: Proposes to increase maximum height for principal buildings from 8.0 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other RS1 Zones.

xxv) replacing sub-section 11.2.7 under Section 11.2 (Residential Single Family Two Zone) with the following:

11.2.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

Commented [CG194]: Proposes to increase maximum height for principal buildings from 8.0 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other RS2 Zones.

xxvi) replacing sub-section 12.1.8 under Section 12.1 (Residential Multiple Family Zone) with the following:

12.1.8 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

Commented [CG195]: Proposes to increase maximum height for principal buildings from 9.0 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other RM1 Zones.

Commented [CG196]: Proposes to increase maximum height for accessory buildings from 3.5 metres to 4.5 metres – this is a result of changes to calculation of height and is generally consistent with the other RM1 Zones.

xxvii) replacing sub-section 13.1.6 under Section 13.1 (Neighbourhood Commercial Zone) with the following:

13.1.6 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

Commented [CG197]: Proposes to decrease maximum height for principal buildings from 15.0 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other C3 Zones.

xxviii) replacing sub-section 13.2.6 under Section 13.2 (Marina Commercial Zone) with the following:

13.2.6 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

Commented [CG198]: Proposes to increase maximum height for principal buildings from 7.6 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other C5 Zones.

xxix) replacing sub-section 13.3.7 under Section 13.3 (Tourist Commercial One Zone) with the following:

13.3.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 10.0 metres.

Commented [CG199]: Proposes to decrease maximum height for principal buildings from 15.0 metres to 10.0 metres – this is generally consistent with the other CT1 Zones.

Commented [CG200]: Proposes to increase maximum height for accessory buildings from 4.5 metres to 10.0 metres – this is a result of changes to calculation of height and is generally consistent with the other CT1 Zones.

xxx) replacing sub-section 13.4.7 under Section 13.4 (Tourist Commercial Two (Limited) Zone) with the following:

13.4.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 10.0 metres.

Commented [CG201]: Proposes to decrease maximum height for principal buildings from 15.0 metres to 10.0 metres – this is generally consistent with the other CT1 Zones and it is anticipated that a proposal of the Zoning Bylaw Update will be to consolidate the CT1 & CT2 Zones.

Commented [CG202]: Proposes to increase maximum height for accessory buildings from 4.5 metres to 10.0 metres – this is generally consistent with the other CT1 Zones and it is anticipated that a proposal of the Zoning Bylaw Update will be to consolidate the CT1 & CT2 Zones.

xxxi) replacing sub-section 13.5.7 under Section 13.5 (Tourist Commercial Three (Limited) Zone) with the following:

13.5.7 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 10.0 metres.

xxii) replacing sub-section 14.1.6 under Section 14.1 (Industrial (Light) One Zone) with the following:

14.1.6 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres;
- b) No accessory building or structure shall exceed a height of 7.0 metres.

Commented [CG203]: Proposes to increase maximum height for accessory buildings from 5.0 metres to 10.0 metres – this is generally consistent with the other CT1 Zones and it is anticipated that a proposal of the Zoning Bylaw Update will be to consolidate the CT1 & CT3 Zones.

Commented [CG204]: Proposes to decrease maximum height for accessory buildings from 15.0 metres to 7.0 metres – this is consistent with the other I1 Zones and it is anticipated that a proposal of the Zoning Bylaw Update will be to delete the I1 Zone from Area “F” as it applies to Crown land and was created to facilitate the expansion of Highway 97, which is not complete.

Electoral Area “H”

8. The “Electoral Area “H” Zoning Bylaw No. 2498, 2012” is amended by:

- i) replacing Section 3.0 (Administration) in its entirety with the following:

3.0 ADMINISTRATION

3.1 Applicability

- .1 This Bylaw applies to that portion of the Regional District contained within Electoral Area “H”, as outlined on Schedule ‘2’.
- .2 Land or the surface of water must not be used, land shall not be subdivided and buildings or structures must not be constructed, altered, located or used except as specifically permitted in this Bylaw.
- .3 All uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the principal uses.
- .4 Parcels created prior to adoption of this Bylaw that do not meet any minimum parcel area or dimensions may be used for any of the permitted uses listed in each zone, subject to the limitations contained therein.

Commented [CG205]: Previously contained at Section 5.0 (Basic Provisions). Proposed to relocate to Section 3.0.

.5 Parcels shall be consolidated prior to issuance of building permit where the proposed building would otherwise straddle the parcel line.

Commented [CG206]: Currently Sections 5.1.1 to 5.1.5 – no change proposed.

3.2 Enforcement

Commented [CG207]: Proposed new sub-heading – intended to improve ease of use of bylaw.

.1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

Commented [CG208]: Currently Section 3.1 – no change proposed

3.3 Prohibitions and Penalties

Commented [CG209]: Proposed new sub-heading – intended to improve ease of use of bylaw.

.1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under Section 3.2 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.

.2 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.

.3 Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.

Commented [CG210]: Currently Sections 3.2, 3.3 & 3.4 – no change proposed.

3.4 Severability

Commented [CG211]: Proposed new sub-heading – intended to improve ease of use of bylaw.

.1 If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

Commented [CG212]: Currently Section 3.5 – no change proposed.

ii) replacing the definition of "height" under Section 4.0 (Definitions) with the following:

"height" means the vertical distance from the average finished grade to the highest point of the roof or structure;

Commented [CG213]: Updated definition to be consistent with other Electoral Areas.

- iii) adding the following as Figure 4.1 (Parcel Coverage Illustration) under Section 4.0 (Definitions) and renumbering all subsequent Figure numbers:

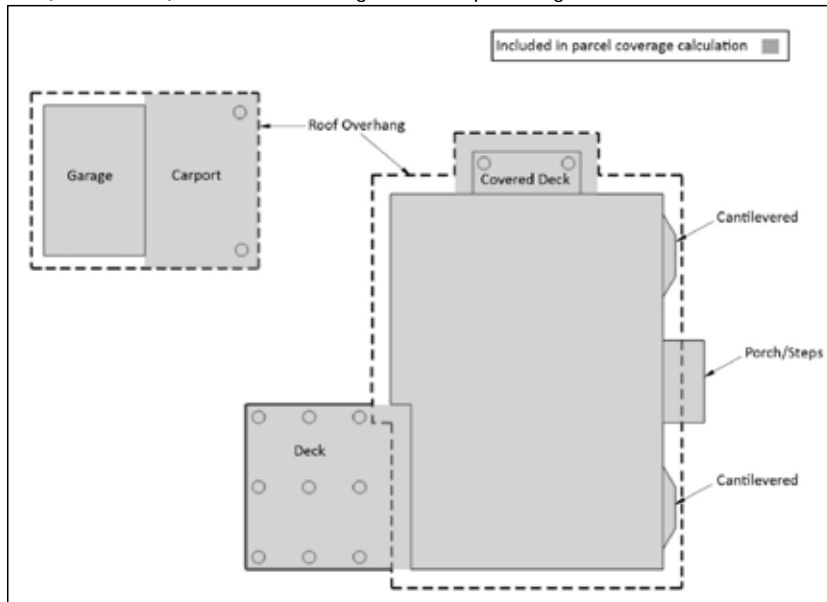


Figure 4.1: Parcel Coverage Illustration

- iv) adding a definition of “retaining wall” under Section 4.0 (Definitions) to read as follows:

“retaining wall” means a structure or series of interdependent structures greater than 1.2 metres in height constructed to hold back, stabilize or support an earthen bank;

Commented [CG214]: New definition – to be applied consistently across Electoral Areas.

- v) replacing the definition of “structure” under Section 4.0 (Definitions) with the following:

“structure” means anything that is constructed or erected, supported by or sunk into land or water, and includes swimming pools, retaining walls and manufactured home spaces, but specifically excludes fences under 2.0 metres in height, landscaping, paving improvements and signs unless otherwise noted in this bylaw;

Commented [CG215]: Amended definition – clarifies that retaining wall is considered a structure.

- vi) replacing Section 5.0 (Basic Provisions) in its entirety with the following:

5.0 deleted.

- vii) adding a new section 6.7 under Section 6.0 (Creation of Zones) to read as follows:

6.7 Comprehensive Development Zones:

A Comprehensive Development (CD) Zone shall only be created where a proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of the Regional District Board, is of a unique form or nature not contemplated or reasonably regulated by another zone.

- viii) replacing Section 7.5 (Projections) under Section 7.0 (General Regulations) with the following:

7.5 Projections

.1 No features shall project into a setback required by this Bylaw except the following minor projections on buildings:

- a) Gutters, eaves, sunshades, cornices, belt courses and sills may project into required setbacks to a maximum of 0.6 metres measured horizontally;
- b) Unenclosed access ramps for physically disabled persons may project fully into required setbacks;
- c) In Residential zones the following features may project into the required setbacks:
 - i) chimneys, bay windows or other architectural projections which do not comprise more than 25% of the total face of a wall and do not project more than 0.6 metres measured horizontally; and
 - ii) unenclosed stairwells, balconies, porches, uncovered decks or canopies, may project no more than:
 - .1 1.5 metres, measured horizontally, into the front setback; or
 - .2 2.0 metres, measured horizontally, into the rear setback.
- d) In no case shall a projection cross a parcel line.

Commented [CG216]: Proposed to move provisions in Section 3.0 as is being proposed in the other Electoral Areas. Main difference between Electoral Area "H" and the Okanagan Zoning Bylaws is "Subdivision Regulations" were previously placed under their own Section (10.0) and do not need to be addressed through this amendment process.

Commented [CG217]: Proposed new provision – clarifies the circumstances under which the Regional District will consider the creation of a Comprehensive Development (CD) Zone.

Commented [CG218]: Proposes to clarify provision and its application to the development of uncovered decks.

.2 No features shall extend beyond a height limit required by this Bylaw except the following minor projections on buildings:

- a) antennas, belfries, chimney stacks, church spires, clearance markers, elevator shafts, flagpoles, monuments, rooftop mechanical equipment, ventilation machinery and water tanks.

Commented [CG219]: Previously contained under the definition of "height".

ix) adding the following as a new sub-section 7.6.1(d) under Section 7.6 (Fence Height) and renumbering all subsequent sections:

- d) in the case of a fence constructed on top of a retaining wall, the combined height of the fence and the retaining wall at the property line or within 1.2 metres of the property line shall not exceed 2.0 metres, as measured from finished grade on the side of the fence or retaining wall with the lower elevation;

Commented [CG220]: Proposed new regulation regarding the height of a fence that can be placed on top of a retaining wall within 1.2 metres of a parcel line. Beyond 1.2 metres of a parcel line the bylaw would not set a maximum height for a fence on top of a retaining wall.

xxxiii) adding a new sub-section following sub-section 7.27 under Section 7.0 (General Regulations) to read as follows:

7.28 Retaining Walls

1. at no point shall the height of a retaining wall exceed 2.0 metres as measured from finished grade on the lowest side of the wall.
2. the minimum horizontal separation between individual retaining walls on the same parcel, as measured from the outer face of each retaining wall, must not be less than the height of the lower wall.
3. retaining walls constructed closer than the height of the lower wall will collectively be considered an individual retaining wall for the purposes of determining the height of a retaining wall.
4. retaining walls not exceeding 1.2 metres in height are permitted within a required setback for a front, side or rear parcel line.
5. despite sub-section 4), on a corner site contiguous to a highway intersection, no retaining wall is permitted within a distance of 4.5 metres from the corner of the site at the intersection of the streets.

Commented [CG221]: Proposed new General Regulations to govern the development of retaining walls. Proposes to establish a maximum height and separation distances (walls not meeting this will be considered 1 structure for the purposes of height).

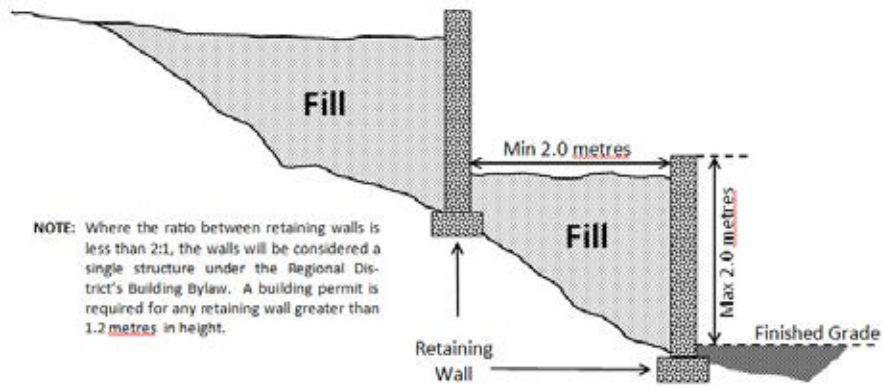


Figure 7.28: Retaining Wall Illustration

DRAFT

READ A FIRST AND SECOND TIME this ____ day of _____, 2017.

PUBLIC HEARING HELD this ____ day of _____, 2017.

READ A THIRD TIME this ____ day of _____, 2017.

I hereby certify the foregoing to be a true and correct copy of the " Regional District of Okanagan-Similkameen Retaining Wall Update Amendment Bylaw No. 2773, 2017" as read a Third time by the Regional Board on this ____ day of _____, 2017.

Dated at Penticton, BC this ____ day of _____, 2017.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2017.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2017.

Board Chair

Chief Administrative Officer

ADMINISTRATIVE REPORT



TO: Planning and Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: May 4, 2017
RE: Review of Hillside Steep Slope DP Area — Electoral Area “D-2”

Administrative Recommendation:

THAT the Regional District amend the Electoral Area “D-2” Official Community Plan (OCP) in order to remove the Hillside and Steep Slope Development Permit Area.

Purpose:

The purpose of this report is to propose removal of the Hillside and Steep Slope Development Permit (HSSDP) Area designation in the Electoral Area “D-2” Official Community Plan.

Background:

At its meeting of March 6, 2014, the Board adopted the Electoral Area “D-2” Official Community Plan (OCP) Bylaw No. 2603, 2013. Amongst other things, this bylaw introduced the Hillside and Steep Slope Development Permit (HSSDP) Area designation. The objectives of the HSSDP are to:

- achieve environmentally sound and livable hillside neighbourhoods which are aesthetically well integrated into the hillside;
- minimize the risk of erosion, landslip or rockfall on development in steep slope areas;
- preserve native vegetation and ecosystems in steep slope areas;
- preserve significant natural features and landscapes that contribute to the positive image and identity of the community (eg. rock outcroppings, ravines, hilltops and ridgelines); and
- enhance the desirability and marketability of hillside developments, allowing flexibility and innovation in design while recognizing the importance of preserving natural features and hillside character.

The guidelines focus on site grading and the height of retaining walls as well as road construction that falls under the Ministry of Transportation authority.

In the intervening three years, the Regional District has issued approximately 27 Hillside Development Permits. These have largely related to the construction of single detached dwellings and accessory buildings, but have also been issued for two (2) subdivisions.

Analysis:

While Administration fully supports minimising the impacts of hillside development on the natural environment, on important visual landscapes and in known hazard areas, it is felt that there are equally effective but less burdensome tools available to the Regional District to accomplish these goals than a development permit area designation.

The HSSDP Area is currently placing a significant regulatory and financial obligation on property owners seeking to build on their property, with no appreciable difference in the resultant form of development at building permit stage.

The introduction of zoning regulations related to retaining walls (to be considered separately by the Board) may provide a more flexible alternative to the HSSDP Area.

For instance, unlike the HSSDP Area designation, which requires the submission of an application and professional report from a geo-technical engineer (which can be costly), the proposed retaining wall regulations are seen to be more performance based by offering property owners the option to comply without the requirement of submitting for planning approval.

Another important consideration in controlling the impact of development on hillsides is the designation and zoning applied to these lands.

Specifically, the application of low density residential zones to these areas should be avoided as the small parcel sizes associated with these zones — generally suited to townsites such as Naramata and Okanagan Falls — require increased disturbance of hillsides in order to create suitable building envelopes.

Consider that the impetus for the HSSDP Area designation in Electoral Area “D-2” was the development of “Vintage Views”, which was developed under the RS1 Zone (667 m² minimum parcel size). By comparison, the adjacent “Lakeshore Highlands” and “Heritage Hills” neighbourhoods had previously been developed to parcels generally associated with the SH5 Zone (2,020 m² minimum parcel size), and present a less visually intrusive pattern of development.

Finally, Administration considers the updated Environmentally Sensitive Development Permit (ESDP) Area designation is the more appropriate vehicle to protect the environmental values of a hillside area than the HSSDP.

Alternately, if the Board is of an opinion that the HSSDP Area is of value in guiding hillside development in Electoral Area “D-2”, a number of amendments are required.

Specifically, the scope of the area to which the HSSDP applies is too extensive and needs to be refined, while the permit trigger and development guidelines need to similarly be reviewed to remove references to the protection of the natural environment and house construction with the focus being re-directed to subdivision.

If so directed, Administration will bring forward revised mapping and development guidelines to a future P&D Committee meeting for review.

Respectfully submitted:



C. Garrish, Planning Supervisor

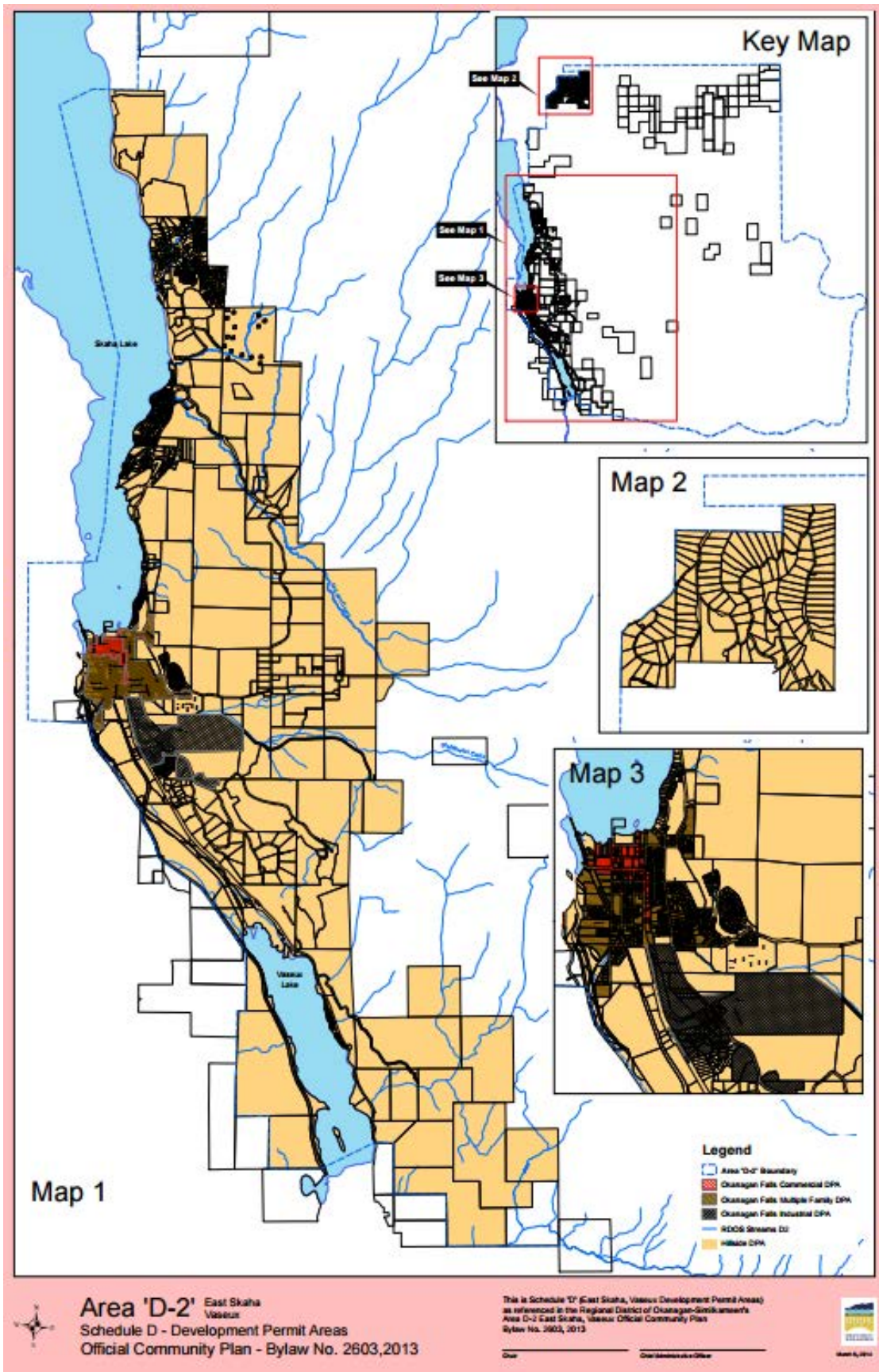
Endorsed by:



D. Butler, Development Services Manager

Attachments: No. 1 — Hillside and Steep Slope Development Permit Area Map

Attachment No. 1 – Hillside and Steep Slope Development Permit Area Map





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, May 04, 2017

10:15 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of May 4, 2017 be adopted.

B. Missezula Lake Water System [Page 104]

To address the Missezula Lake Water Works District request for the Regional District to assume ownership of the water system.

RECOMMENDATION 2

THAT the Regional District of Okanagan-Similkameen proceed with the assessment and acquisition process of the Missezula Lake Water System.

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: May 4, 2017

RE: Missezula Lake Water System

Administrative Recommendation:

THAT the Regional District proceed with the assessment and acquisition process of the Missezula Lake Water System.

Purpose:

To address the Missezula Lake Water Works District request for the Regional District to assume ownership of the water system.

Background:

In July of 2016, the Missezula Lake Water Works District (MLWD) requested that the Regional District address the viability of taking over the maintenance and operation of their system. Staff toured the area in August of 2016 to look at the water system.

The MLWD provides domestic water service for about 400 people in Missezula Lake. Various documents have been received from MLWD to allow for proceeding with assessing the water system. A provincial planning grant was applied for and has been received to complete an assessment of the system to consider the acquisition.

Analysis:

Timeline

The MLWD is holding their AGM in the next month to discuss the potential turn over to the RDOS and receive feedback from the residents.

For the RDOS, the first step is to complete the assessment of the water system. Once completed, estimated for late summer, the information will be brought forward to the Board for approval to proceed with bylaw creation and obtaining resident assent.

Should the RDOS resolve to pursue ownership of the MLWD, creation of the service area will begin. The bylaw is expected to be initially brought to the Board in early fall 2017 and then sent to the Inspector of Municipalities for statutory approval. It is anticipated that the final bylaw would be

adopted before the end of 2017, otherwise the ownership transfer date may be delayed. At this time, an estimated date for ownership transfer of the MLWD system could be January 1, 2018.

RDOS would assume ownership of existing MLWD Bylaws, including fees & charges, and those would remain in effect until amended or rescinded by the RDOS. RDOS would also assume ownership of any contractual obligations currently held by MLWD.

Financial

The system assessment to examine all aspects of the MLWD is estimated to cost between \$20,000 to \$25,000. A quote has been received for a system assessment from the consultant regularly retained by MLWD. Background material is available to the consultant and familiarity with the system will make the assessment cost effective.

A planning grant was approved to cover \$15,000 of the estimated cost for the assessment. The remainder of the assessment will be funded jointly by the MLWD and Electoral Area H.

Upon approval by the Board to proceed with system acquisition, staff time will be required from Legislative services, Finance and Public Works. These expenses will be included in the Rural Projects Area H budget until a dedicated service budget is created.

Upon ownership transfer, additional resources will be required by the RDOS staff, particularly in Finance and Public Works. Public Works will likely require an additional operator and vehicle due to the distant location from our main operations area.

Alternatives:

1. Acquire the Missezula Lake Water System
2. Deny the request

Communication Strategy: *(Outline the communications efforts being undertaken to ensure this initiative is communicated appropriately.)*

Communications with the MLWD has occurred over the past 6 months. The MLWD AGM is coming up within the next month where they will discuss the conversion over to the Regional District with their ratepayers.

Respectfully submitted:

Liisa Bloomfield

L. Bloomfield, Engineering Supervisor



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, May 04, 2017

10:30 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of May 4, 2017 be adopted.

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee – April 20, 2017 [Page 111]

THAT the Minutes of the April 20, 2017 Corporate Services Committee be received.

b. Community Services Committee – April 20, 2017 [Page 113]

THAT the Minutes of the April 20, 2017 Community Services Committee be received.

c. Environment and Infrastructure Committee – April 20, 2017 [Page 115]

THAT the Minutes of the April 20, 2017 Environment and Infrastructure Committee be received.

d. Planning and Development Committee – April 20, 2017 [Page 117]

THAT the Minutes of the April 20, 2017 Planning and Development Committee be received.

e. Protective Services Committee – April 20, 2017 [Page 118]

THAT the Minutes of the April 20, 2017 Protective Services Committee be received.

f. RDOS Regular Board Meeting – April 20, 2017 [Page 120]

THAT the minutes of the April 20, 2017 RDOS Regular Board meeting be adopted.

g. Protocol Agreement Steering Committee – March 10, 2017 [Page 127]

THAT the Minutes of the March 10, 2017 Protocol Agreement Steering Committee be received.

h. Naramata Water Advisory Committee – April 11, 2017 [Page 129]

THAT the Minutes of the April 11, 2017 Naramata Water Advisory Committee be received.

i. Electoral Area “D” Advisory Planning Commission – April 11, 2017 [Page 132]

THAT the Minutes of the April 11, 2017 Electoral Area “D” Advisory Planning Commission be received.

- j. **Electoral Area “E” Advisory Planning Commission - Resignation** [Page 134]
THAT the Board of Directors accept the resignation of Ms. Judi Harvey as a member of the Electoral Area “E” Advisory Planning Commission; and

THAT a letter be forwarded to Ms. Harvey thanking her for her contribution to the Electoral Area “E” Advisory Planning Commission.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)
THAT the Consent Agenda – Corporate Issues be adopted.

2. **Consent Agenda – Development Services**
- a. **Development Variance Permit Application – C. Hanson, Electoral Area “A”** [Page 135]
- i. Permit No. A2017.052-DVP [Page 137]
THAT the Board of Directors approve Development Variance Permit No. A2017.052-DVP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)
THAT the Consent Agenda – Development Services be adopted.

B. DEVELOPMENT SERVICES – Rural Land Use Matters

1. **Zoning Bylaw Amendment – A. Joyner & D. McCartney, Electoral Area “D”** [Page 141]
- a. Bylaw No. 2457.18, 2017 [Page 148]
- b. Bylaw No. 2457.19, 2017 [Page 154]
- c. Responses Received [Page 157]

To discharge the LUC-23-D-77 for the subject property and replace it with a Small Holdings Four (SH4) zone, and to initiate an early termination process for the remaining properties within the LUC.

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)
THAT Bylaw Nos. 2457.18, 2017, and Bylaw No. 2457.19, 2017 Electoral Area “D-1” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

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.

2. **Zoning Bylaw Amendment – G. & G. Peat, Electoral Area “E” [Page 163]**
 - a. Bylaw No. 2459.23, 2017 [Page 166]
 - b. Responses Received [Page 169]

To permit the conversion of an accessory structure into an accessory dwelling.

RECOMMENDATION 6 (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2459.23, 2017, Electoral Area “E” Zoning Amendment Bylaw be read a third time and adopted.

3. **Official Community Plan & Zoning Bylaw Amendment – L. Burdett, Electoral Area “H” [Page 173]**
 - a. Bylaw No. 2497.07, 2017 [Page 179]
 - b. Bylaw No. 2498.13, 2017 [Page 181]
 - c. Responses Received [Page 183]

To formalize the existence of a single detached dwelling.

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2497.07, 2017, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.13, 2017, Electoral Area “H” 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 May 4, 2017, to be appropriate consultation for the purpose of Section 475 of the Local Government Act; and

THAT, in accordance with Section 477 of the Local Government Act, the Board has considered Amendment Bylaw No. 2497.07, 2017, in conjunction with its Financial and applicable Waste Management Plans; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 18, 2017; and

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

C. PUBLIC WORKS [Page 184]**1. Changes to Free Yard and Garden Waste Disposal**

To acknowledge concerns that have been raised regarding the implementation of a reduction in free yard and garden waste disposal from 500kg to 100kg.

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

THAT the implementation of the reduction in free yard and garden waste disposal from 500kg to 100kg be deferred until such time that an impact analysis is conducted and brought forward to the Environment and Infrastructure Committee for consideration.

CI. FINANCE**1. 2016 Audited Financial Statements [Page 186]****a. 2016 Financial Statements [Page 188]**

**Mike Doherty, CPA CA - Partner, White Kennedy LLP
Cliff Last - Senior Staff Accountant, White Kennedy LLP**

Mr. Doherty and Mr. Last will address the Board to present the 2016 financial statement audit and Board approval of the financial statements.

RECOMMENDATION 9 (Weighted Corporate Vote – Simple Majority)

THAT the 2016 Audited Financial Statements of the Regional District of Okanagan-Similkameen as of December 31, 2016 be received; and

THAT the Board of Directors adopt all reported 2016 transactions as amendments to the 2016 Final Budget.

2. Five Year Financial Plan Amendment – Kaleden Parks and Recreation [Page 216]

To increase the 2017 Kaleden Parks and Recreation budget.

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

THAT the Board of Directors support a budget increase of \$11,500.00 in 2017 for Kaleden Parks and Recreation minor parks improvement projects; and

THAT the 2017 Five Year Financial Plan be amended to include this increase.

E. CAO REPORTS

1. Verbal Update

F. OTHER BUSINESS

1. Chair’s Report

2. Directors Motions

Liquor Control Licensing Policy (Director Sentes)

THAT administration research options for delegation of liquor licensing applications to staff and determine the process required when the Board chooses to comment on applications.

Free Yard Waste Disposal (Director Siddon)

THAT administration provide a report with rationale on the decrease of free yard waste disposal limit from 500 kg to 100 kg.

3. Board Members Verbal Update

G. ADJOURNMENT



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, April 20, 2017

10:07 a.m.

Minutes

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair M. Bauer, Village of Keremeos
Director F. Armitage, Town of Princeton
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
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 A. Jakubeit, City of Penticton
Director H. Konanz, City of Penticton
Director A. Martin, City of Penticton
Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director J. Sentes, City of Penticton
Director T. Schafer, Electoral Area "C"
Director T. Siddon, Electoral Area "D"

MEMBERS ABSENT:

Director P. Waterman, District of Summerland

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Corporate Services Committee Meeting of April 20, 2017 be adopted. - **CARRIED**

B. FIRST QUARTER 2017 ACTIVITY REPORT - FOR INFORMATION ONLY

The Committee was advised of the activities of the first quarter of 2017 and the planned activities of the second quarter.

C. FIRST QUARTER 2017 CORPORATE ACTION PLAN

The Committee reviewed the 2017 Corporate Action Plan.

D. RESPONSIBLE CONDUCT OF LOCAL GOVERNMENT ELECTED OFFICIALS

The Committee discussed the Consultation Paper entitled "Responsible Conduct of Local Government Elected Officials."

E. UBCM PROVINCIAL ELECTION PLATFORM 2017

F. CLOSED SESSION

RECOMMENDATION 2

It was MOVED and SECONDED

THAT in accordance with Section 90(1)(c) of the Community Charter, the Board close the meeting to the public on the basis of labour relations or other employee relations. - **CARRIED**

The meeting was closed to the public at 10:40 a.m.

The meeting was opened to the public at 11:15 a.m.

G. ADJOURNMENT

By consensus, the meeting adjourned at 11:15 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, April 20, 2017

9:18 a.m.

Minutes

MEMBERS PRESENT:

Chair R. Hovanes, Town of Oliver
Vice Chair M. Bauer, Village of Keremeos
Director F. Armitage, Town of Princeton
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
Director G. Bush, Electoral Area "B"
Director E. Christensen, Electoral Area "G"
Director B. Coyne, Electoral Area "H"
Director A. Jakubeit, City of Penticton

Director H. Konanz, City of Penticton
Director K. Kozakevich, Electoral Area "E"
Director A. Martin, City of Penticton
Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director T. Schafer, Electoral Area "C"
Director J. Sentes, City of Penticton
Director T. Siddon, Electoral Area "D"

MEMBERS ABSENT:

Director P. Waterman, District of Summerland

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services

M. Woods, Manager of Community Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Community Services Committee Meeting of April 20, 2017 be adopted. - CARRIED

B. DELEGATION

1. Aaron McRann - Executive Director, Community Foundation South Okanagan/Similkameen (CFSOS)
2. Kim English - Community Development Officer, Community Foundation South Okanagan/Similkameen (CFSOS)

Mr. McRann and Ms. English addressed the Board to present an update on CFSOS activities.

- i. Presentation
-

C. FIRST QUARTER 2017 ACTIVITY REPORT – FOR INFORMATION ONLY

The Committee was advised of the activities of the first quarter of 2017 and the planned activities of the second quarter.

D. ADJOURNMENT

By consensus, the Community Services Committee meeting of April 20, 2017 adjourned at 10:06 a.m.

APPROVED:

CERTIFIED CORRECT:

R. Hovanes
Community Services Committee Chair

B. Newell
Chief Administrative Officer



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Environment and Infrastructure Committee

Thursday, April 20, 2017

12:39 p.m.

Minutes

MEMBERS PRESENT:

Chair T. Siddon, Electoral Area "D"

Vice 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 M. Brydon, Electoral Area "F"

Director G. Bush, Electoral Area "B"

Director B. Coyne, Electoral Area "H"

Director E. Christensen, Electoral Area "G"

Director R. Hovanes, Town of Oliver

Director A. Jakubeit, City of Penticton

Director H. Konanz, City of Penticton

Director K. Kozakevich, Electoral Area "E"

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director T. Schafer, Electoral Area "C"

Director J. Sentes, City of Penticton

Director P. Waterman, District of Summerland

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

J. Dougall, Manager of Public Works

L. Bloomfield, Engineering Supervisor

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of April 20, 2017 be adopted. - **CARRIED**

B. FIRST QUARTER 2017 ACTIVITY REPORT – FOR INFORMATION ONLY

The Committee was advised of the activities of the first quarter of 2017 and the planned activities of the second quarter.

C. ADJOURNMENT

By consensus, the meeting adjourned at 12:48 p.m.

APPROVED:

CERTIFIED CORRECT:

T. Siddon
Environment and Infrastructure Committee Chair

B. Newell
Chief Administrative Officer



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, April 20, 2017

9:06 a.m.

Minutes

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director P. Waterman, District of Summerland

STAFF PRESENT:

- | | |
|--|---------------------------------|
| B. Newell, Chief Administrative Officer | C. Garrish, Planning Supervisor |
| C. Malden, Manager of Legislative Services | |

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of April 20, 2017 be adopted. - CARRIED

B. FIRST QUARTER 2017 ACTIVITY REPORT – FOR INFORMATION ONLY

The Committee was advised of the activities of the first quarter of 2017 and the planned activities for the second quarter.

Director Jakubeit entered the Boardroom at 9:09 a.m.

C. ADJOURNMENT

By consensus, the Planning and Development Committee meeting of April 20, 2017 adjourned at 9:17 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
Planning and Development Committee Chair

B. Newell
Corporate Officer



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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, April 20, 2017

11:18 a.m.

Minutes

MEMBERS PRESENT:

Chair A. Jakubeit, City of Penticton

Vice Chair T. Schafer, Electoral Area "C"

Director F. Armitage, Town of Princeton

Director M. Bauer, Village of Keremeos

Director T. Boot, District of Summerland

Director M. Brydon, Electoral Area "F"

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 H. Konanz, City of Penticton

Director K. Kozakevich, Electoral Area "E"

Director A. Martin, City of Penticton

Director S. McKortoff, Town of Osoyoos

Director M. Pendergraft, Electoral Area "A"

Director J. Sentes, City of Penticton

Director T. Siddon, Electoral Area "D"

Director P. Waterman, District of Summerland

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer

M. Woods, Manager of Community Services

C. Malden, Manager of Legislative Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Protective Services Committee Meeting of April 20, 2017 be adopted. - **CARRIED**

B. DELEGATION

1. Staff Sergeant Kirsten Marshall, Acting Officer in Charge, RCMP South Okanagan Similkameen Regional Detachment

2. Superintendent Ted De Jager, Detachment Commander, RCMP South Okanagan Similkameen Regional Detachment

S/Sgt. Marshall and Supt. De Jager presented the 2017 first quarter reports on policing issues within the Regional District.

Director Waterman entered the Boardroom at 11:42 a.m.

C. FIRST QUARTER 2017 ACTIVITY REPORT – FOR INFORMATION ONLY

The Committee was advised of the activities of the first quarter of 2017 and the planned activities of the second quarter.

D. ADJOURNMENT

By consensus, the Protective Services Committee meeting of April 20, 2017 adjourned at 12:14 p.m.

APPROVED:

CERTIFIED CORRECT:

A. Jakubeit
Protective Services Committee Chair

B. Newell
Chief Administrative Officer



Minutes are in DRAFT form and are subject to change pending approval by the 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 12:48 p.m. Thursday, April 20, 2017 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair M. Bauer, Village of Keremeos
Director F. Armitage, Town of Princeton
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director E. Christensen, Electoral Area "G"
Director R. Hovanes, Town of Oliver

Director A. Jakubeit, City of Penticton
Director H. Konanz, City of Penticton
Director A. Martin, City of Penticton
Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director J. Sentes, City of Penticton
Director T. Schafer, Electoral Area "C"
Director T. Siddon, Electoral Area "D"
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services

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 April 20, 2017 be adopted. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Community Services Committee – April 6, 2017
THAT the Minutes of the April 6, 2017 Community Services Committee be received.
- b. Environment and Infrastructure Committee – April 6, 2017
THAT the Minutes of the April 6, 2017 Environment and Infrastructure Committee be received.
- c. RDOS Regular Board Meeting – April 6, 2017
THAT the minutes of the April 6, 2017 RDOS Regular Board meeting be adopted.
- d. Electoral Area "D" Advisory Planning Commission – January 10, 2017
THAT the Minutes of the January 10, 2017 Electoral Area "D" Advisory Planning Commission be received.
- e. Electoral Area "D" Advisory Planning Commission – March 21, 2017
THAT the Minutes of the March 21, 2017 Electoral Area "D" Advisory Planning Commission be received.

- f. Electoral Area “E” Advisory Planning Commission – April 10, 2017
THAT the Minutes of the April 10, 2017 Electoral Area “E” Advisory Planning Commission be received.
- g. Electoral Area “F” Advisory Planning Commission – April 6, 2017
THAT the Minutes of the April 6, 2017 Electoral Area “F” Advisory Planning Commission be received.
- h. Naramata Parks & Recreation Commission – April 3, 2017
THAT the Minutes of the April 3, 2017 Naramata Parks & Recreation Commission be received.
- i. Parks & Recreation Commission Appointments
THAT the Board of Directors appoint the following members to the subsequent Commissions:
- i. Area “B” – Kobau Park: Wendy Stewart*
 - ii. Area “D” – Kaleden: Jennifer Strong, Randy Cranston*
 - iii. Similkameen Recreation: Tom Robins*
- AND THAT the Board of Directors rescind the appointment of Doug Lepage from the Area “B” Kobau Park Commission;*
AND THAT a letter be forwarded to Doug Lepage thanking him for his contribution on the Commission.

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 – C. Bissonette, 14013 81st Street, Osoyoos, Electoral Area “A”
- i. Permit No. A2017.036-DVP
THAT the Board of Directors approve Development Variance Permit No. A2017.036–DVP.
- b. Development Variance Permit Application – Burrowing Owl Vineyards Limited, 500 Burrowing Owl Place, Oliver, Electoral Area “C”
- i. Permit No. C2017.044-DVP
THAT the Board of Directors approve Development Variance Permit No. C2017.044–DVP.
- c. Development Variance Permit Application – L. Beliveau, Robinson Avenue, Naramata, Electoral Area “E”
- i. Permit No. E2017.042-DVP
 - ii. Responses Received
THAT the Board of Directors approve Development Variance Permit No. E2017.042–DVP.

- d. Development Variance Permit Application – M. & M. O'Connor, 411 Vedette Drive, West Bench, Electoral Area "F"
- i. Permit No. F2017.026-DVP
 - ii. Responses Received
- THAT the Board of Directors approve Development Variance Permit No. F2017.026–DVP.*
- e. Development Variance Permit Application – B. Moberg & H. Ferguson, 8089 Princeton-Summerland Road, Faulder, Electoral Area "F"
- i. Permit No. F2017.039-DVP
 - ii. Responses Received
- THAT the Board of Directors approve Development Variance Permit No. F2017.039–DVP.*

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Zoning Bylaw Amendment – A. Joyner & D. McCartney, 137 Taggart Crescent, Kaleden, Electoral Area "D"
 - a. Bylaw No. 2457.18, 2017
 - b. Bylaw No. 2457.19, 2017

To discharge the LUC-23-D-77 for the subject property and replace it with a Small Holdings Four (SH4) zone, and to initiate an early termination process for the remaining properties within the LUC.

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2457.18, 2017 and Bylaw No. 2457.19, 2017, Electoral Area "D-1" Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing. - **CARRIED**

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

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**

2. Zoning Bylaw Amendment – G. & G. Peat, 6900 Indian Rock Road, Naramata, Electoral Area “E”
 - a. Bylaw No. 2459.23, 2017

To permit the conversion of an accessory structure into an accessory dwelling.

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2459.23, 2017, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 4, 2017;

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

CARRIED

C. COMMUNITY SERVICES – Recreation Services

1. Award of Osoyoos Lake North Trail Resurfacing Project
 - a. Trail Overview Map

The RDOS continues to work to connect the communities of the South Okanagan with a regional active transportation and recreation trail. This project is the next step towards realizing the goal by reconstructing and surfacing the KVR trail from Osoyoos Lake (91st Street) to Road 21.

RECOMMENDATION 7 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Board of Directors approve the tender evaluation report and recommendations for award of the “Osoyoos Lake North KVR Trail Resurfacing” Request for Proposals;

AND THAT the Board of Directors award the “Osoyoos Lake North Trail Resurfacing” project to MacKinley-Clark Paving Ltd. up to the amount of \$193,326.56 exclusive of GST;

AND THAT the Board of Directors authorizes the Chair and Chief Administrative Officer to execute a contracting services agreement with MacKinley-Clark Paving Ltd.

CARRIED

D. COMMUNITY SERVICES – Rural Projects

1. South Okanagan Transit System Implementation
 - a. South Okanagan Transit Service Agreement – April 1, 2017
 - b. South Okanagan Transit Service Agreement Annual Operating Agreement – April 1, 2017
 - c. 2017/18 System Specific Budget Notes
 - d. 2017/18 Lease Fee Summary

That RDOS assumes administration of the South Okanagan Transit System (SOTS).

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

THAT the Board of Directors enter into a Transit Service Agreement and Annual Operating Agreement with BC Transit for the South Okanagan Transit System. - **CARRIED**

E. FINANCE

1. MFA Leasing of Regional Trails Vehicle

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

THAT the Board of Directors authorize a liability under Section 175 of the Community Charter to purchase a 2017 GMC 1500 in the amount of \$34,727.70 with no provisions for renewal. - **CARRIED**

F. LEGISLATIVE SERVICES

1. Noble Ridge Vineyard & Winery – Special Events Area
 - a. RDOS Liquor License Policy No. 4320-00.03
 - b. Applicant Letter of Intent to LCLB dated March 25, 2017

Noble Ridge Vineyard & Winery has applied to the Liquor Control and Licensing Branch (LCLB) for Special Event areas to be located at 2320 Oliver Ranch Road in Okanagan Falls, BC.

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

THAT the Board of Directors advise the Liquor Control and Licensing Branch that it will not provide comment on Noble Ridge Vineyard & Winery's application for special event areas. - **CARRIED**

2. Outstanding Young Farmer National Event in Penticton
 - a. Letter dated March 17, 2017

The 2017 National Outstanding Young Farmers (OYF) Organizing Committee is requesting sponsorship for their national conference.

RECOMMENDATION 11 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District of Okanagan-Similkameen provide a \$500 contribution to the Outstanding Young Farmer National Event taking place in Penticton November 30 to December 3, 2017, to be funded through the General Government budget.

CARRIED

G. CAO REPORTS

1. Verbal Update

H. OTHER BUSINESS

1. Chair's Report

2. Board Representation

- a. Developing Sustainable Rural Practice Communities - *McKortoff*
 - b. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
 - c. Municipal Finance Authority (MFA) – *Kozakevich, Bauer*
 - d. Municipal Insurance Association (MIA) - *Kozakevich, Bauer*
 - e. Okanagan Basin Water Board (OBWB) – *McKortoff, Hovanes, Waterman*
 - i. March Report
 - ii. April Report
 - f. Okanagan Film Commission (OFC) – *Jakubeit*
 - g. Okanagan Regional Library (ORL) – *Kozakevich*
 - h. Okanagan Sterile Insect Release Board (SIR) – *Bush*
 - i. Okanagan-Similkameen Regional Hospital District (OSRHD) - *Brydon*
 - j. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
 - k. Southern Interior Local Government Association (SILGA) – *Kozakevich*
 - l. Southern Interior Municipal Employers Association (SIMEA) – *Kozakevich, Martin*
 - m. Starling Control - *Bush*
 - n. UBCO Water Chair Advisory Committee – *Bauer*
-

3. Directors Motions

- a. Director Sentes – review of Liquor Licensing Policy
 - b. Director Siddon – Fees and Charges bylaw amendment (reduction of yard waste amounts)
-

4. Board Members Verbal Update

I. ADJOURNMENT

By consensus, the meeting adjourned at 1:40 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

Protocol Agreement
STEERING COMMITTEE
Minutes
March 10, 2017
9:00 AM
RDOS Boardroom

Tabitha Eneas, PIB - absent	Bill Newell, RDOS	Donna Butler, RDOS	Invited: Rick Holmes, Chief USIB - Carmalita Holmes, Councillor USIB Sally Holmes, Councillor USIB
Sammy Louie, OIB - absent	Christy Malden, RDOS	Zoe Kirk, RDOS	
Beverly Asmann, LSIB	Christopher Garrish, RDOS	Dale Kronebusch, RDOS	

1. Steering Committee Minutes – December 9, 2016.
Minutes approved
2. Environmentally Sensitive Development Permit Area Update
C. Garrish
Christopher Garrish provided a presentation to the Committee on ESDPs, their triggers, guidelines, and why they are updated. Discussion included the lack of land use bylaws in the Similkameen, the inability to implement ESDP's in that area, and whether the Board should develop a position on that.
3. Canada 150 Grant – Riparian Restoration Black Cottonwood Project
Z. Kirk
Zoe Kirk provided an overview of the project and advised that the applicants are now awaiting grant funding. Cuttings have been taken and are being developed and a video of the cutting/gathering process was filmed for viewing at the planting event.
4. Quagga/Zebra Mussel update
Z. Kirk
Efforts to educate and bring awareness continue through various organizations. Zoe advised the committee that an event will take place on April 26 in conjunction with OASSIS's April 25 Annual General Meeting where mussel experts and the mussel detecting canine will be present to demonstrate and discuss initiatives in the fight against mussel invasion. Invitees will include Elected Officials from local government and the bands as well as MLA's, MP's, among others.
5. Aquifer Recharge and Ground Water Interactive Map Project
Z. Kirk
Zoe provided an update on the mapping project to date and advised that she would be contacting each band to determine whether they would like band lands mapped as well.
6. Emergency Management Update
D. Kronebusch
Dale Kronebusch provided an update to the committee on the progress of Emergency Management initiatives.
7. C2C Update
Various themes and topics were discussed, including:
 - Aboriginal Awareness with speaker Robert Laboucane – Aboriginal Awareness Canada
 - Sustainable Agriculture and Food Security with speaker Kent Mullinex – Kwantlen Polytechnic
 - Referrals – delivered through a one day Enowkinwixk, with assistance from the Referrals committee.
 - Archaeological Sensitivity and mapping with speakers from ONA and/or the Archaeological Branch of the Province.

As the members from Penticton Indian Band and Osoyoos Indian Band were not present, topics will be forwarded to each member for consideration.

8. Referral Working Group update
D. Butler
Donna Butler provided an update on progress at the Referrals Working Group. Discussion included the lack of Provincial direction with regard to referral fees and the group talked about whether referrals would be a good topic to have at the next C2C.
9. Mural Project
Update on feasibility of project
C. Malden
Christy Malden advised that due to the departure of Nona Lynn and the potential cost of this project, it would be put on hold with the possibility to revisit later.
10. Next Meeting Date
Potential dates will be forwarded to members in the coming weeks.

Adjourn



Minutes

Naramata Water Advisory Committee

Meeting of Tuesday, April 11th, 2017 at 7:00 p.m.

RDOS Field Office, 224 Robinson Avenue, Naramata, BC

-
- Present: Peter Graham (Chair), Tim Watts, Norbert Lacin, Richard Roskell, Alan Nixon, Eva Antonijevec arrived at 7:07 p.m.
- Absent: Peter Neilans
- Area 'E' Director: Karla Kozakevich (Area 'E' RDOS Director)
- Staff: None
- Guests: None
- Recording Secretary: Heather Lemieux

1. CALL TO ORDER

The meeting was called to order at 7:03 p.m., Quorum Present

2. ADOPTION OF AGENDA

Agenda adopted as presented

MOTION

It was Moved and Seconded that the Agenda be adopted as presented.

CARRIED (UNANIMOUSLY)

3. ADOPTION OF THE PREVIOUS MEETING MINUTES

Minutes of March 14th, 2017 approved as presented.

MOTION

It was Moved and Seconded by NWAC that the Minutes of March 14th, 2017 be approved.

CARRIED (UNANIMOUSLY)

4. DIRECTOR'S UPDATE

Karla Kozakevich (Area 'E' RDOS Director) reported on the following:

- a. Reserve Fund Update: Approximate Naramata Water System reserve totals:
Upper & Lower Reserve \$400,000
Emergency Reserve \$480,000
Duelling(Twinning)/General use currently has \$1.4m - less upcoming allocated funds = \$550,000
After allocations Naramata will still have \$1.5m in reserves.
A \$3.68m Federal/Provincial Grant was received for water main replacement.
The back up power project cost \$1m, with \$300,000 coming from gas tax funds.
Discussed the Municipal Financing Authority (MFA) and the Municipal Insurance Authority (MIA), the Asset Management Plan and the record keeping/audit process.
- b. New Public Works Manager: Janine Dougall, Public Works Manager has been invited to the May 2017 NWAC meeting.
- c. Water System Tour: A treatment plant and pump house tour will be held in May 2017 for NWAC members, followed by a public tour. Date and time TBA.
- d. Asset Management Plan: The plan will be updated in conjunction with a regional asset management plan. ONGOING

5. OLD BUSINESS

- a. Water Usage Data: Inquiry will be made if the 2016 water usage data has been received. Discussed developments, uplands water licence and back-up power. ONGOING

6. NEW BUSINESS

- a. Water Main Replacement: Naramata has received a grant to replace water mains in priority areas. Planning is underway. ONGOING
- b. Septic Fields: Interior Health Authority (IHA) regulates residential septic systems. Inquiry had been made about implementing inspections for systems near the lake but the RDOS has no jurisdiction on septic issues.
- c. NWAC Inquiry: What is the minimum and maximum PSI to households on the Naramata Water System? ONGOING

- d. NWAC Requests: Director Mike Brydon and Zoe Kirk to be invited to an NWAC meeting to discuss West Bench metering. ONGOING

7. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 7:51 p.m.

CARRIED (UNANIMOUSLY)

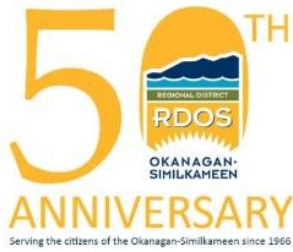
NEXT MEETING

Tentative - Wednesday, May 10th, 2016, RDOS Field Office (due to the Provincial election)

Minutes Approved by
Naramata Water Advisory Committee Chair



Heather Lemieux, Recording Secretary



Minutes

Electoral Area “D” Advisory Planning Commission

Meeting of Tuesday, April 11, 2017

Okanagan Falls Firehall (Rear Door)

5013 – 11th Avenue, Okanagan Falls, BC

Present: Mr. T. Siddon, Director, Area “D”
Members: Jerry Stewart, Doug Lychak, Don Allbright, Bob Haddow, Robert Handfield, Robert Pearce, Jill Adamson, Yvonne Kennedy, Navid Chaudry, Ron Obirek
Absent: Doreen Olson
Staff: Evelyn Riechert, Planner
Vickie Hansen, Recording Secretary
Delegates: Andrew Joyner & Debbie McCartney - not present

1. CALL TO ORDER

The meeting was called to order at 7:17 p.m.

ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED (UNANIMOUSLY)

2. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of March 21, 2017 be approved.

The Chair called for errors or omissions and there were none.

CARRIED (UNANIMOUSLY)

3. DEVELOPMENT APPLICATIONS

3.1 Development Application: D02799.010 (D2017.016-ZONE) – Zoning Bylaw Amendment Application

Delegates: Andrew Joyner & Debbie McCartney not present

Discussion

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject Development Application be approved.

CARRIED (UNANIMOUSLY)

4. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 7:35 pm.

CARRIED (UNANIMOUSLY)

Advisory Planning Commission Chair

Advisory Planning Commission Recording Secretary

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 4, 2017
RE: Electoral Area "E" Advisory Planning Commission - Resignation

Administrative Recommendation:

THAT the Board of Directors accept the resignation of Ms. Judi Harvey as a member of the Electoral Area "E" Advisory Planning Commission; and

THAT a letter be forwarded to Ms. Harvey thanking her for her contribution to the Electoral Area "E" Advisory Planning Commission.

Background:

Bylaw 2339, being a bylaw of the Regional District of Okanagan Similkameen, enables the creation of Advisory Planning Commissions for each of our electoral areas and establishes the role of the Commission members in the Regional District planning process.

Section 4 of the Bylaw provides for the retention of commission members, requiring the Board, by resolution, to appoint and accept the resignation of Commission members upon the recommendation of the respective Electoral Area Director.

Analysis:

On April 13, 2017, Administration was notified that that Ms. Harvey had advised of her intent to resign as a member of the Electoral Area "E" APC. Ms. Harvey has provided long-term service to the Electoral Area "E" Advisory Planning Commission, joining the APC in 2014.

Volunteers are critical to the success of the Regional District and the Board wishes to acknowledge the significant contribution provided by Ms. Harvey

Respectfully submitted:

"Debra Paulhus"

D. Paulhus, Administration Support Clerk

Endorsed by:

C. Malden, Manager of Legislative Services

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 4, 2017
RE: Development Variance Permit Application — Electoral Area “A”

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. A2017.052–DVP

Purpose: To allow for the placement of a single detached dwelling (modular home).

Owners: Chris Hanson Agent: Lesley Hanson Folio: A-01272.020

Civic: 5270 31st Street, Osoyoos Legal: Lot 2, Plan KAP61403, District Lot 43, SDYD

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

Requested Variances: to vary the maximum parcel coverage from 14.1% to 16.3%

Proposed Development:

This application seeks to increase the maximum parcel coverage from 14.1% to 16.3% in order to facilitate the development of an in-ground pool. A previous DVP issued by the Board in 2011 increased parcel coverage from 10% to 16% in order to allow for the construction of a single detached dwelling, but it appears this structure covers only 14.1% of the property.

In support of the application, the applicant has stated that the maximum parcel coverage requirements of the AG1 Zone were drafted for parcels in excess of 4.0 ha and due to their parcel being 2,697 m² in area they do not qualify for the larger parcel coverage of 35% granted to parcel less than 2,020 m² in area. In addition, their “family would really like to have a pool and the only way that is possible is if we are granted a variance.”

Site Context:

The subject property is approximately 2,697 m² in area and is situated at the terminus of 31st Street. The property is comprised of a single detached dwelling while the surrounding pattern of development is largely characterised by agricultural parcels with the exception of some small lot residential development which has occurred on 31st Street.

Background:

The property was created by a subdivision deposited at the Land Title Office in Kamloops on March 18, 1998, while available Regional District records indicate that a building permit was issued for the demolition of a single detached dwelling on May 20, 2011, and for the construction of a new single detached dwelling on September 16, 2011.

At its meeting of April 21, 2011, the Regional District Board approved Development Variance Permit (DVP) No. A-11-0272.020, which increased the maximum parcel coverage for the site from 10% to 16% in order to allow for the construction of a new single detached dwelling.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the Agriculture One (AG1) Zone establishes a maximum parcel coverage of 10% for parcels greater than 2,020 m² in area and 35% for parcels less than 2,020 m² in area.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

Analysis:

When assessing variance requests a number of factors are generally taken into account and these include the intent of zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and whether the proposed development will have a detrimental impact upon the amenity of the area and/or adjoining uses.

The purpose of establishing a maximum parcel coverage is to limit the proportion of any lot that can be built on in order to, amongst other things, provide outdoor space for residents and to protect the amenity and character of neighbourhoods.

In this instance, Administration is aware of the issue with parcel coverage in the AG Zones where there only exists a single gradation point; this being for parcels less than 2,020 m² in area.

Through the AG Zone Update, Administration is proposing to address this through the introduction of the following maximum parcel coverage regulations:

- a) 35% for parcels less than 2,500 m² in area;
- b) 20% for parcels greater than 2,500 m² and less than 2.0 ha in area; and
- c) for parcels greater than 2.0 ha in area:
 - i) 5%; and
 - ii) 70% for greenhouse uses.

If supported by the Board, AG Zone parcels between 2,500 m² and 2.0 ha in area (such as the applicant's) would be granted a maximum parcel coverage of 20%. In this context, the applicant's request to go to a 16.3% parcel coverage is wholly reasonable and is supported by Administration.

Alternatives:

- .1 THAT the Board of Directors deny Development Variance Permit No. A2017.052-DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "A" Advisory Planning Commission (APC).

Respectfully submitted:

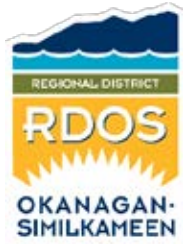


C. Garrish, Planning Supervisor

Endorsed by:

Donna Butler

D. Butler, Development Services Manager



Development Variance Permit

FILE NO.: A2017.052-DVP

Owner: Christopher & Lesley Hanson
5270 31st Street
Osoyoos, BC, V0H-1V6

GENERAL CONDITIONS

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

APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A' and 'B' and applies to and only to those lands within the Regional District described below, and any and all buildings, structures and other development thereon:

Legal Description: Lot 2, Plan KAP61403, DL 43, SDYD

Civic Address: 5270 31st Street, Osoyoos

Parcel Identifier (PID): 024-096-512

Folio: A-01272.020

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "A" Zoning Bylaw No. 2451, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The maximum parcel coverage in the Agriculture One (AG1) Zone, as prescribed at Section 10.2.8(a), is varied:
 - i) from: 14.1%

to: 16.3%, as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

a) Not Applicable

8. **SECURITY REQUIREMENTS**

a) Not applicable

9. **EXPIRY OF PERMIT**

The development shall be carried out according to the following schedule:

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2017.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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



Development Variance Permit

File No. A2017.052-DVP

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 20, 2017
RE: Zoning Bylaw Amendment – Electoral Area “D”

Administrative Recommendation:

THAT Bylaw Nos. 2457.18, 2017, and Bylaw No. 2457.19, 2017 Electoral Area “D-1” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

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*.

Purpose: To discharge the LUC-23-D-77 for the subject property and replace it with a Small Holdings Four (SH4) zone, and to initiate an early termination process for the remaining properties within the LUC.

Owner: Andrew Joyner & Debbie McCartney Agent: N/A Folio: D-02779.010

Civic: 137 Taggart Crescent, Kaleden Legal: Lot 2, DL 411, SDYD, Plan 29328

OCP: Small Holdings (SH) Proposed: N/A

Zoning: LUC-23-D-77 Proposed: Small Holdings Four (SH4)

Proposal:

This application proposes to remove Land Use Contract (LUC) No. LU-23-D-77 on the subject property and replace it with a new Small Holdings Four (SH4) Zone that will allow for a secondary suite (which is not currently permitted by the LUC).

In support of the proposal the applicant states that “the goal is to keep the elderly living with the family as long as possible to avoid the use of a care home” and that “the project will not have any negative impact on land use pattern or the adjacent land as it will only require minor modifications to an existing building.”

In addition, Administration is recommending that the Board initiate the early termination process for LU-23-D-77 in order to similarly replace it with a Small Holdings Four (SH4) zone over the other 10 properties currently subject to the LUC.

Site Context:

The subject property is approximately 4,134 m² in size, and is located in the Twin Lakes area, fronting Trout Lake, approximately 220 m from Highway 3. The entire LUC area is approximately 4.7 ha in area and contains 11 properties.

The subject property has an existing dwelling and associated accessory structures on site including a garage/ workshop within which the secondary suite is contained.

The surrounding pattern of development is characterized as rural residential lots of similar size along Taggart Crescent with larger rural parcels to the north. The Twin Lakes commercially zoned property containing the Twin Lakes store and gas station is to the south of Trout Lake.

Background:

From 1971 to 1978 the Provincial *Municipal Act* permitted the Regional District to enter into agreements, know as Land Use Contracts(LUC) with property owners for the purpose of creating specific land use and conditions of development.

In 2014, the provincial government amended the *Local Government Act* (LGA) in order that all remaining LUCs will automatically be terminated by June 2024.

Bylaw No. 133, that authorized LUC-23-D-77, was approved in 1977, and the properties were subdivided in 1980.

The two methods to replace a LUC with current land use designations are through an ‘early termination’ process and a ‘voluntary discharge’ process. The LGA allows local governments to remove a LUC without the consent of an owner; however, in applying this approach the LGA stipulates that any new zoning adopted as part of an early termination process does not come into effect until 12 months plus a day following termination.

The voluntary discharge option is available to anyone who is considering new development in the next 12 months who does not want to wait for the zoning to take effect.

RDOS records indicate a building permit was issued for the subject property in 1980 for a single family dwelling, and in 1994 for a hay barn. In 2007 a building permit was issued for an accessory garage and workshop. Records also indicate that an enforcement file was opened in 2016 pertaining to a suite above the garage.

Under the recently updated Electoral Area “D-1” OCP Bylaw 2683, 2016, the subject property is designated as Small Holdings (SH). A Watercourse Development Permit (WDP) is identified on the property; however, a permit would not be required as the existing buildings are outside of the mapped WDP area.

Referrals:

A Public Information Meeting was held on March 29, 2017 at the Kaleden Hall where eight members of the public were in attendance.

At its meeting of April 11, 2017, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this application be approved.

Referral comments on this proposal have been received from the Ministry of Forest, Lands and Natural Resource Operations (MFLNRO), Ministry of Transportation and infrastructure (MOTI), Interior Health Authority (IHA) and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposed amendment affects land within 800 metres of a controlled area.

Analysis:

In considering this proposal, Administration notes that most of the permitted uses and siting regulations contained with LUC-23-D align directly with those permitted within the Small Holdings Four (SH4) zone. A comparison chart between the two zones is attached to this report.

The notable difference between the two zones is that the SH4 zone permits a secondary suite whereas the LUC does not. In the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, a secondary suite may; however, be contained in an accessory structure such as a garage.

The applicant has voluntarily agreed to discharge the LUC from the subject property and thereby the new SH4 zoning will be in effect as soon as the amendment bylaw is approved by the Board. Other LUC property owners were given the opportunity to voluntarily discharge the LUC for their properties if they wished to be rezoned at the same time. To date, no one has taken this opportunity.

As it is being recommended that the RDOS initiate the early termination process, all the properties will have the LUC replaced with SH4 zoning one year and a day after the bylaw amendment is approved. No further action will be required by those property owners.

With regards to the subject application, Administration supports the voluntary discharge of the LUC that will formalize a use not currently permitted (secondary suite). Administration also supports the replacement of all the LUCs in a timely matter.

Administration has been systematically addressing inconsistencies across electoral area zoning bylaws and in 2015 addressed secondary suites in Electoral Area "D". Both "D-1" and "D-2" now have consistent regulations for the zones where secondary suites are permitted.

Permitting secondary suites, as long as they meet the associated regulations with regards to size of property, servicing requirements and location, has been seen as a progressive step in providing housing options and consistency between electoral areas. The Board is advised that a future planning project is to consider the merits of introducing 'carriage houses' as a permitted accessory use in certain zones, such as the SH4 zone.

For the above reasons, Administration supports the proposed subject application.


Alternatives:

THAT Bylaw No. 2457.18, 2017 and Bylaw No. 2457.19, 2017, Electoral Area "D-1" Zoning Bylaw amendment be denied.

Respectfully submitted:

ERiechert
E. Riechert, Planner

Endorsed by:


C. Garrish, Planning Supervisor

Endorsed by:

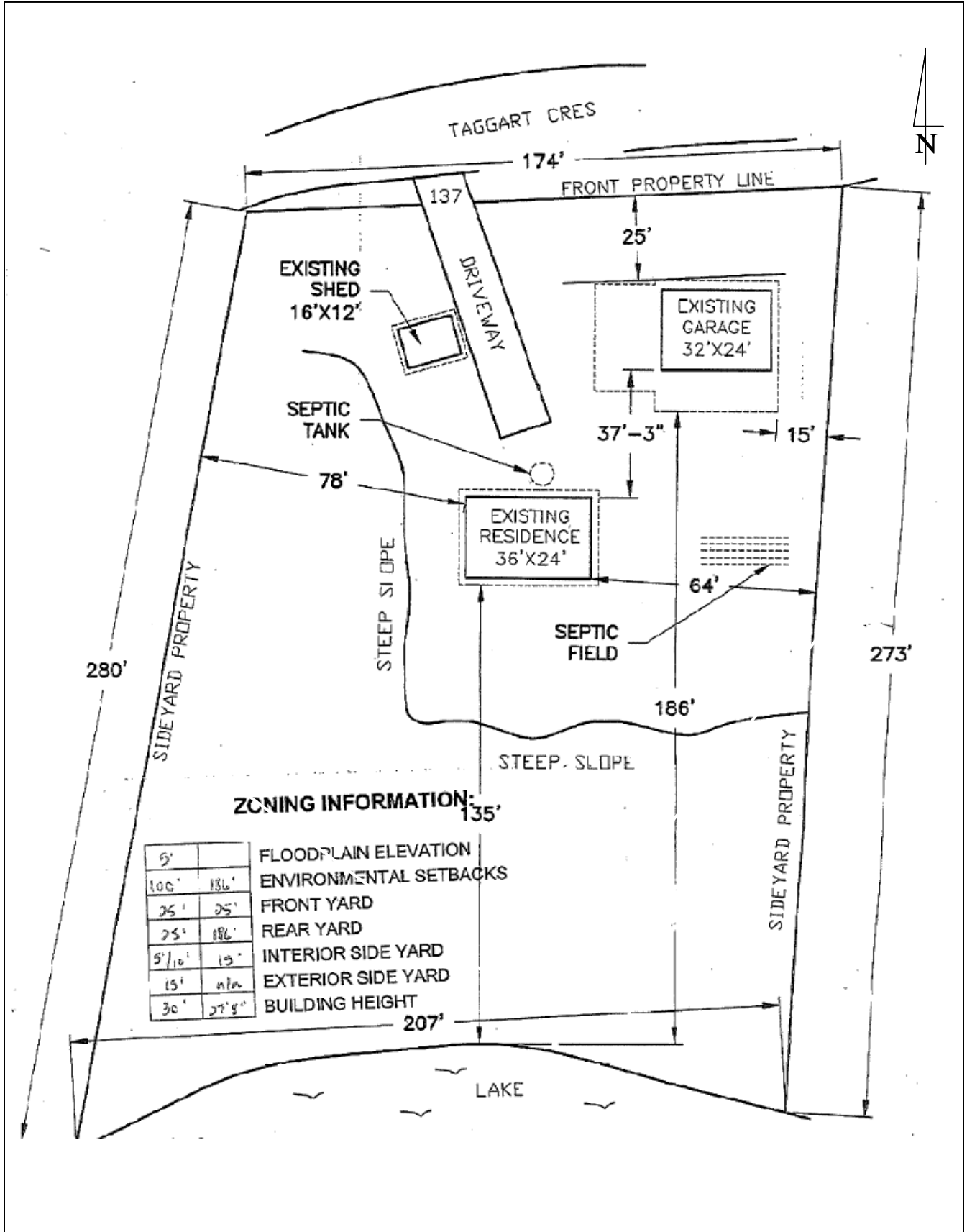
Donna Butler
D. Butler, Development Services Manager

Attachments: No. 1 – Applicant's Site Plan

No. 2 – Site Photo (Google Streetview)

No. 3 – LUC & Zone Comparison

Attachment No. 1 – Applicant's Site plan



ZONING INFORMATION:

5'		FLOODPLAIN ELEVATION
100'	136'	ENVIRONMENTAL SETBACKS
25'	25'	FRONT YARD
25'	186'	REAR YARD
5'/10'	15'	INTERIOR SIDE YARD
15'	n/a	EXTERIOR SIDE YARD
30'	27'9"	BUILDING HEIGHT

Attachment No. 2 – Site Photo (Google Streetview)



Attachment No. 3 – LUC & Zone Comparison

<p>Small Holdings Four (SH4) <i>proposed</i></p>	<p>LUC-23-D-77 <i>existing</i></p>	<p>Comments</p>
<p>Permitted Uses: <u>Principal uses:</u> a) agriculture, excluding intensive agriculture; b) single detached dwellings; <u>Secondary uses:</u> c) secondary suite; subject to 7.12 d) home occupations, subject to Section 7.17 e) bed and breakfast operation, subject to Section 7.19; f) accessory buildings and structures, subject to Section 7.13</p>	<p>Permitted Uses: a) agriculture, subject to number of horses, sheep or other large animals not to exceed one (1) for each one half (1/2) acre total number of fowl, rabbits other small fur-bearing animals, or number of colonies of bees not to exceed 25 plus 1 for each 500 f² in excess of one half acre. Processing, packing and sale of produce grown in the same lot only shall be permitted. b) Single family dwellings, mobile homes (CSA approved) c) Travel trailers, subject to conditions d) Home occupations subject to conditions</p>	<p>Number of livestock is regulated through the general regulations in the zoning bylaw. Currently: .1 on any parcel 2.0 ha or less in area, the total number of livestock must not exceed 1 animal for each 0.4 ha of area .2 on any parcel 0.4 ha or less in area, the total number of poultry and/or furbearing animals shall not exceed 25. (will be amended later 2017)</p>
<p>Minimum Parcel Size: a) 0.5 ha, subject to servicing requirements;</p>	<p>a) Minimum Site Area for residential purposes shall be (1) one acre b) Minimum site area for residential purposes shall be 0.9 ha for those lots described as forming part of Lot 9, Plan 29328</p>	<p>1 acre=4047 m² [0.4 ha]</p>
<p>Minimum Parcel Width: a) Not less than 25% of the parcel depth</p>	<p>Minimum mean site width shall be ten (10) percent of the site perimeter</p>	<p>Lots are already subdivided</p>
<p>Maximum Number of Dwellings Permitted Per Parcel: a) one (1) dwelling per parcel; and b) one (1) secondary suite per parcel</p>	<p>Not more than one (1) dwelling unit or one travel trailer shall be permitted upon any lot</p>	<p>Zoning provides for a secondary suite which is not permitted in the LUC.</p>
<p>Minimum Setbacks:</p>	<p><u>Siting</u></p>	<p>Rear setback less in proposed SH4 zone.</p>

<p>a) Principal buildings:</p> <ul style="list-style-type: none"> i) Front parcel line: 7.5 metres ii) Rear parcel line: 7.5 metres iii) Exterior side parcel line: 4.5 metres iv) Interior side parcel line: 4.5 metres <p>b) Accessory buildings and structures:</p> <ul style="list-style-type: none"> i) Front parcel line: 7.5 metres ii) Rear parcel line: 3.0 metres iii) Exterior side parcel line: 4.5 metres iv) Interior side parcel line: 4.5 metres 	<p>Minimum building setbacks from property line:</p> <p>Front – Twenty-five (25) feet [7.6 m]</p> <p>Rear – Twenty-five (25) feet [7.6 m]</p> <p>Side – Five (5) feet and ten (10 feet respectively for interior lots</p> <p>Side – Fifteen (15) feet [4.6 m] when flanking a road</p>	
<p>Maximum Height:</p> <p>a) No principal building shall exceed a height of 10.0 metres;</p>	<p>No building shall exceed a height of thirty (30 feet [9.1 m]</p>	<p>Similar height restriction for the principal dwelling but includes a lesser height for accessory structures (e.g. detached garage)</p>
<p>Maximum Parcel Coverage:</p> <p>a) 25%</p>	<p>n/a</p>	<p>Parcel coverage prevents a parcel from being too crowded</p>
<p>Minimum Building Width:</p> <p>a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed</p>	<p>n/a</p>	
	<p><u>Parking</u></p> <p>Sufficient parking areas will be provided on site to accommodate two (2) vehicles per dwelling unit.</p>	<p>Note: all Parking requirements are listed under the General Regulations section of the Zoning Bylaw. Two off street parking is normal. One extra would be needed for a secondary suite.</p>

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.18, 2017

**A Bylaw to partially discharge Land Use Contract No. LUC-23-D-77 and
to amend the Electoral Area "D" Zoning Bylaw No. 2457, 2008**

WHEREAS pursuant to s. 548 of the *Local Government Act*, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government; and

WHEREAS the registered owner of the land described in section 2 of this bylaw has agreed to the discharge for the land use contract that applies to their lands;

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Trout Lake Land Use Contract 23-D-77 Discharge and Zoning Amendment Bylaw No. 2457.18, 2017."
2. The Land Use Contract No. LUC-23-D, registered in the Kamloops Land Title Office under charge number N26319 against title to the land described as Lot 2, District Lot 411, SDYD, Plan 29328, and shown shaded yellow on the attached Schedule 'Y-1' (which forms part of this Bylaw), is discharged in respect of that land and the authorized signatories of the Regional District may execute the discharge agreement attached to this bylaw as Schedule 'Z-1'.
3. The land specified in section 2, and shown shaded yellow on the attached Schedule 'Y-1' (which forms part of this Bylaw) is zoned Small Holdings Four (SH4) in the Regional District of Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2457, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended accordingly.
4. The Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by

- a) adding a new reference to "Small Holdings Four SH4" under Section 6.1 (Zoning Districts).
- b) adding a new Section 10.7 (Small Holdings Four) under Section 10.0 (Rural) to read as follows:

10.7 SMALL HOLDINGS FOUR ZONE (SH4)

10.7.1 Permitted Uses:

Principal Uses:

- a) agriculture, subject to Section 7.22;
- b) single detached dwellings;

Secondary Uses:

- c) secondary suites, subject to 7.12;
- d) home occupations, subject to Section 7.17;
- e) bed and breakfast operations, subject to Section 7.19;
- f) accessory buildings and structures, subject to Section 7.13.

10.7.2 Site Specific Small Holdings Four (SH4s) Provisions:

- a) see Section 16.25

10.7.3 Minimum Parcel Size:

- a) 0.5 ha, subject to servicing requirements.

10.7.4 Minimum Parcel Width:

- a) Not less than 25% of the parcel depth.

10.7.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite.

10.7.6 Minimum Setbacks:

- a) Buildings and structures, subject to Section 7.22:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres

- iii) Interior side parcel line 4.5 metres
- iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings or structures, subject to Section 7.22:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 3.0 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

10.7.7 Maximum Height:

- a) No building, accessory building or structure shall exceed a height of 10.0 metres.

10.7.8 Maximum Parcel Coverage:

- a) 25%

10.7.9 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

- c) adding a new sub-section 16.25 (Site Specific Small Holdings Four Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

16.25 Site Specific Small Holdings Four (SH4) Provisions:

- .1 *blank*

READ A FIRST AND SECOND TIME this ___ day of _____, 2017.

PUBLIC HEARING held on this ___ day of _____, 2017.

READ A THIRD TIME this ___ day of _____, 2017.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area 'D' Zoning Amendment Bylaw No. 2457.18, 2017" as read a Third time by the Regional Board on this ___day of ___, 2017.

Dated at Penticton, BC this ___ day of ___, 2017

Chief Administrative Officer

Approved pursuant to Section 52(3) of the Transportation Act this ___ day of _____, 2017.

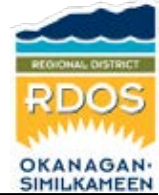
ADOPTED this ___ day of _____, 2017.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

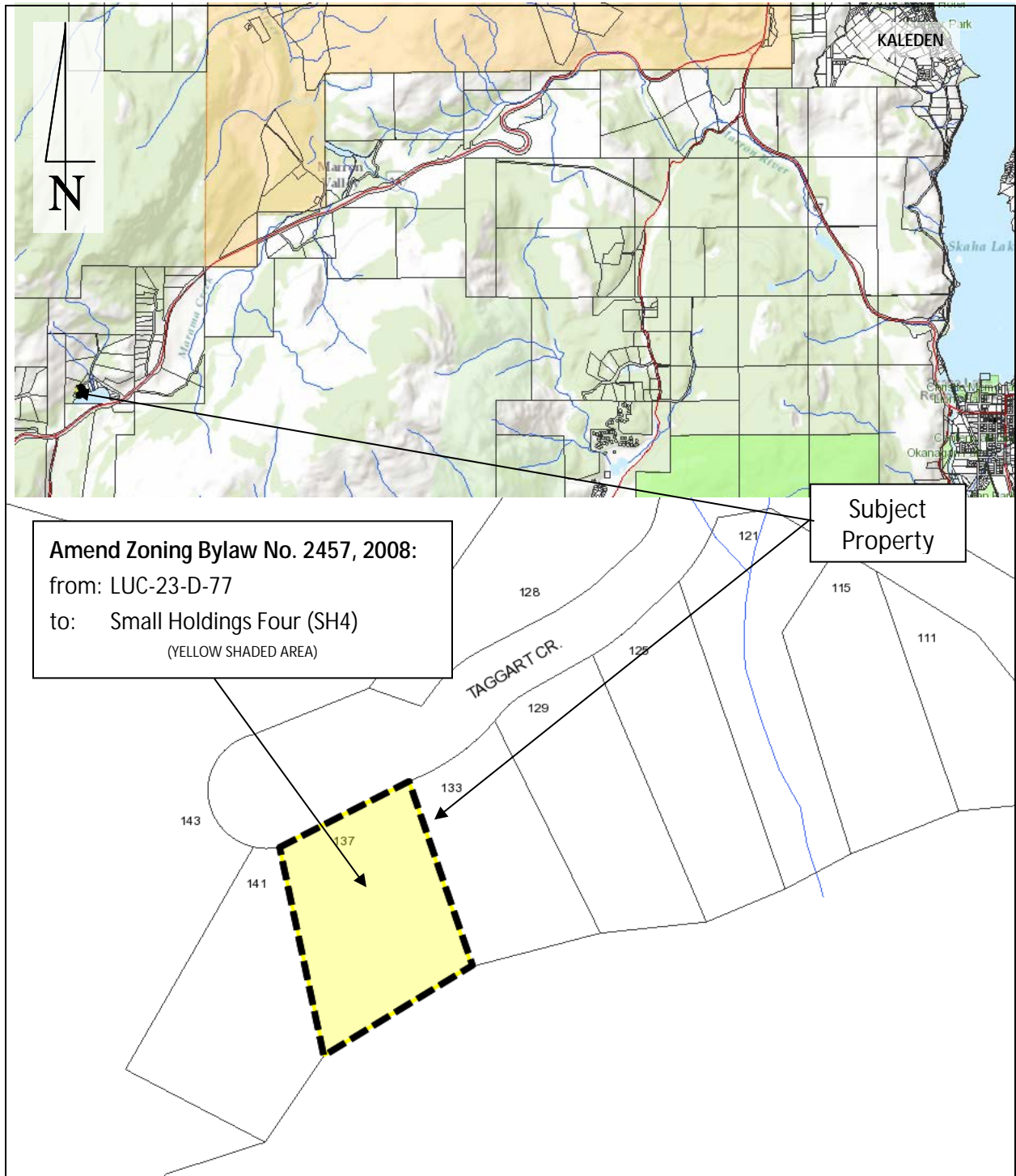
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.18, 2017

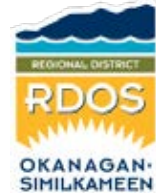
Project No: D2017.016-ZONE

Schedule 'Y'



Regional District of Okanagan-Similkameen

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



Amendment Bylaw No. 2457.18, 2017

Project No: D2017.016-ZONE

Schedule 'Z'



LAND USE CONTRACT DISCHARGE AGREEMENT Regional District of Okanagan-Similkameen

WHEREAS on November 17, 1977 the Okanagan-Similkameen Regional District entered into a land use contract with TAB Holdings Ltd in respect to lands described as "that part shown as parcel "B" on Plan "B"6484 of District Lot 411, Similkameen Division Yale District, Kettle River Assessment Area", which land use contract was authorized by Electoral Area "D" Zoning Bylaw No. 100 Amendment Bylaw No. 377, 1977 and registered in the Kamloops Land Title Office under N26319 (the 'Land Use Contract'); and

WHEREAS the Land was subsequently subdivided by Plan 29328 deposited in the Kamloops Land Title Office on October 11, 1978; and

WHEREAS on May 26, 2006 Andrew Gordon Joyner and Debbie Lee McCartney (the "Owners") became the owners in fee simple of Lot 2, District Lot 411, SDYD, Plan 29328 ("Lot 2"); and

WHEREAS the Regional District and the Owner wish to discharge the Land Use Contract in respect of Lot 2; and

WHEREAS under Section 546 of the *Local Government Act* a land use contract that is registered in a land title office may be discharged by bylaw, with the agreement of the local government and the owner of any parcel of land that is described in the bylaw as being covered by the amendment; and

WHEREAS the Regional District has held a public hearing in accordance with Sections 464 of the *Local Government Act* and has authorized the execution of this Agreement by Electoral Area "D" Land Use Contract Discharge and Zoning Amendment Bylaw No. 2457.18, 2017;

THIS AGREEMENT is evidence that, in consideration of the premises and the sum of one dollar paid to the Regional District by the Owner, the receipt and sufficiency of which are acknowledged by the Regional District, the Owner and the Regional District agree that the Land Use Contract is discharged in relation to Lot 2.

ANDREW G JOYNER AND DEBBIE L MCCARTNEY AS JOINT TENANTS



Authorized Signatories:

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN
By its authorized signatories:

Board Chair:

Corporate Officer:

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.19, 2017

**A Bylaw to terminate Land Use Contract No. LU-23-D-77 and
to amend the Electoral Area "D" Zoning Bylaw No. 2457, 2008**

WHEREAS pursuant to s. 548 of the *Local Government Act*, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Trout Lake Land Use Contract LU-23-D-77 Termination and Zoning Amendment Bylaw No. 2457.19, 2017."
2. The Land Use Contract No. LU-23-D-77, registered in the Kamloops Land Title Office under charge number JN26319 against title to the land described as:
 - i) Lots 1, 3-8, District Lot 411, SDYD, Plan KAP29328; and
 - ii) Lots 1-3, District Lot 411, SDYD, Plan KAP58276;and shown shaded yellow on the attached Schedule 'Y' (which forms part of this Bylaw), is terminated.
3. The land specified in section 2, and shown shaded yellow on the attached Schedule 'Y' (which forms part of this Bylaw) is zoned Small Holdings Four (SH4) in the Regional District of Okanagan-Similkameen, Electoral Area "D" Zoning Bylaw No. 2457, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended accordingly.
4. This Bylaw shall come into force on the day that is one year and one day after the date this Bylaw is adopted.

READ A FIRST AND SECOND TIME this ___ day of _____, 2017.

PUBLIC HEARING held on this ___ day of _____, 2017.

READ A THIRD TIME this ___ day of _____, 2017.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area 'D' Zoning Amendment Bylaw No. 2457.19, 2017" as read a Third time by the Regional Board on this ___ day of ___, 2017.

Dated at Penticton, BC this ___ day of ___, 2017

Chief Administrative Officer

Approved pursuant to Section 52(3) of the Transportation Act this ___ day of _____, 2017.

ADOPTED this ___ day of _____, 2017.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

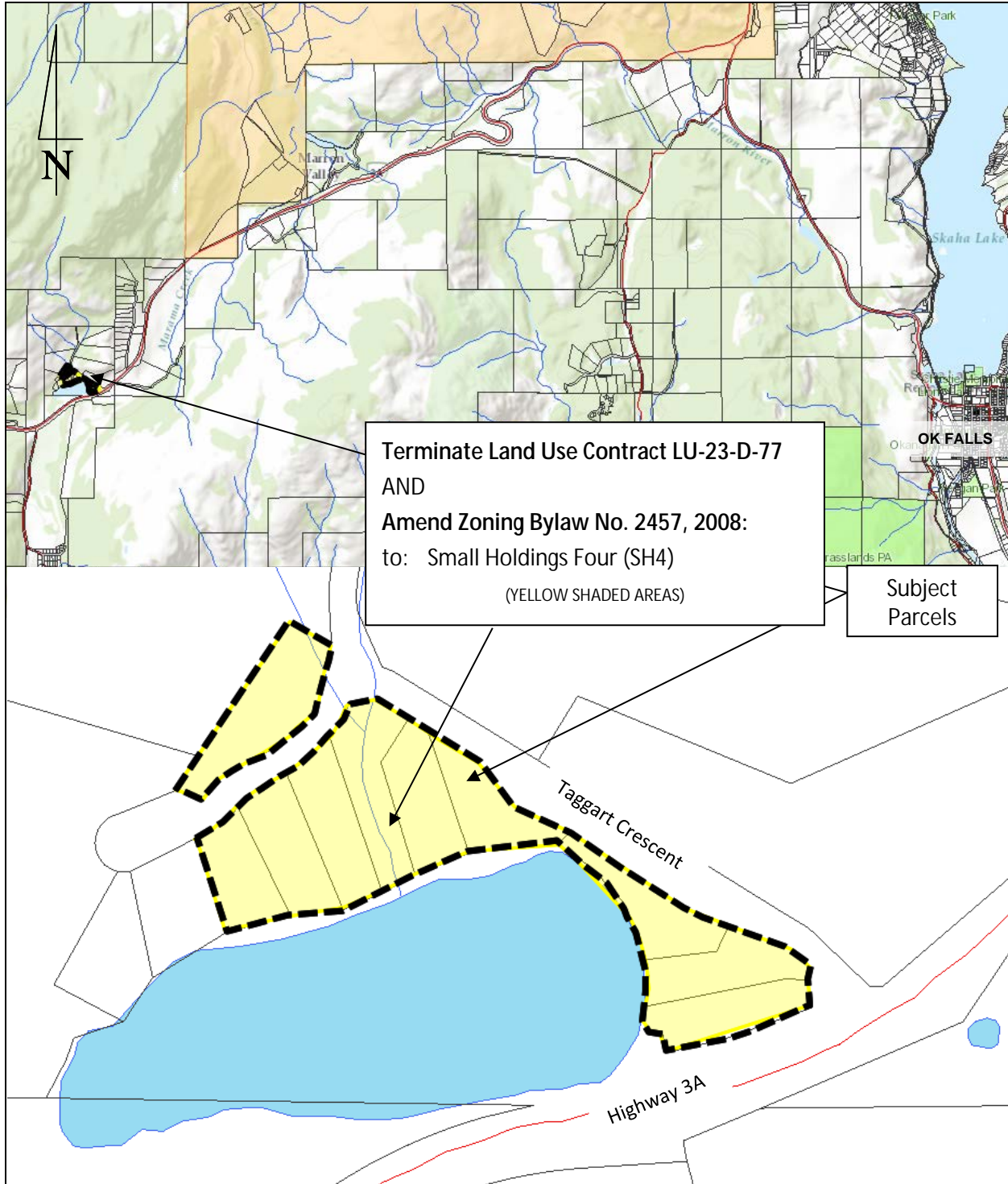
101 Martin St, Penticton, BC V2A 5J9
Tel: (250) 492-0237 Fax (250) 492-0063



Amendment Bylaw No. 2457.19, 2017

File No. D2017.016-ZONE

Schedule 'Y'



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: April 20, 2017 3:33 PM
To: Planning
Subject: Taggart Cres, 137 RDOS (2017.016-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Taggart Crescent. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

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

FortisBC Overhead Design Requirements
<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification
<http://www.fortisbc.com/InstallGuide>

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

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

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

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

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

Best Regards,

Steven Danielson,
Contract Land Agent for:

Nicholas Mirsky, B.Comm., AACI, P.App.
Supervisor | Property Services | FortisBC Inc.

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



Lauri Feindell

From: Beaupre, John <John.Beaupre@interiorhealth.ca>
Sent: April 4, 2017 4:02 PM
To: Planning
Cc: Evelyn Riechert
Subject: LUC Discharge and Designation of Zone - RDOS File: D2017.016-ZONE

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

Attention Evelyn Riechert:

Re: Discharge of Land Use Contract (LUC)-23-D-77 and Replacement With Small Holdings Four (SH4) Zone and Proposed Secondary Suite at 137 Taggart Crescent Lot 2, DL411, SDYD, Plan KAP29328.

Thank you for the opportunity to provide comment on the above referenced discharge of LUC 23-D-77 and subsequent zoning of the 11 affected properties to Small Holdings Four zone and associated proposed secondary suite construction at 137 Taggart Crescent.

Typically this office would recommend against development of lots under 1.0 ha in size serviced by onsite sewerage dispersal systems and individual onsite water supply systems. However it is understood that the existing 11 developed properties under LUC-23-D do not meet the minimum lot size of 1.0 ha as required by RDOS subdivision servicing bylaws and recommended by Interior Health. It is also understood that the proposed SH4 zoning most closely fits the existing properties as developed over the life of the LUC.

Regarding the proposed secondary suite on Lot 2, DL 411, SDYD, Plan KAP29328 this office recommends having an "Authorized Person" (AP) as defined in the Sewerage System Regulation investigate the property and confirm whether or not the existing Sewerage Dispersal System (SDS) can be upsized to accommodate the additional sewage flows from the proposed suite. Should the existing SDS be found unsuitable for upsizing the AP should then confirm whether or not suitable area exists on the property for installation of a new SDS to service the proposed suite.

Consideration should also be given to identifying suitable sites for replacement SDS's for when the initial systems fail.

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
3090 Skaha Lake Road, Penticton, BC, V2A 7H2
Bus: (250) 770-5540
Direct: (250) 492-4000 Ext: 2744
Cell: (250) 809-7356





DEVELOPMENT APPROVALS
PRELIMINARY BYLAW
COMMUNICATION

Your File #: Joyner -
D2017.016-
ZONE
eDAS File #: 2017-01441
Date: March 27, 2017

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

Attention: Lauri Feindell

Re: **Proposed Bylaw 2457.18 for:**
137 Taggart Crescent
Lot 2, District Lot 411, SDYD, Plan KAP29328

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions please feel free to call Rob Bitte at (250) 490-2280.

Yours truly,

Rob Bitte
District Development Technician

Local District Address
Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 490-8200 Fax: (250) 490-2231



Byner

From: Referral Apps REG8 FLNR:EX [mailto:ReferralAppsREG8@gov.bc.ca] ,
Sent: March 22, 2017 3:44 PM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: RE: Bylaw Referral - D2017.016-ZONE

Hi Laurie,

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

Thank you

Cathy Lacey
Admin Support
MOE/MFLNRO Penticton



Lauri Feindell

From:
Sent: April 6, 2017 5:50 PM
To: Planning
Subject: Proposed project no.d2017.016-zone

Hi there I live in 101 taggart crescent, kaleden and I support the proposed development at 137 Taggart crescent. In fact , I wish for all the properties on this crescent to be able to have a secondary suite. It just makes sense in today's world.

These neighbors are very good people and wish for them to receive this new zoning!!
If you have any questions please don't hesitate to call me at 1-403-620-1276 Thankyou

Monique Dupre



Lauri Feindell

From: >
Sent: April 6, 2017 5:57 PM
To: Planning
Subject: Project no. D2017.016-zone 137 taggart crescent

Hello I am writing to give my approval for this development so that 137 taggart crescent can have a secondary suite!
I live at 101 Taggart crescent
I can be reached at 250-497-5321
Thanks
David Fraser



At its meeting of April 10, 2017, the Electoral Area "D" Advisory Planning Commission (APC) no quorum was reached for this application; however, the APC members available stated that the subject application should be approved.

A Public Information Meeting was held ahead of the APC meeting on April 10, 2017, and was attended by 2 members of the public.

At its meeting of April 20, 2017, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed the scheduling of a public hearing.

A Public Hearing is scheduled to occur ahead of the Regular Board Meeting on May 4, 2017.

All comments received through the public process are compiled and included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the proposed amendment affects land beyond 800 metres of a controlled area.

Analysis:

In considering this proposal, Administration notes that the applicant is seeking to transfer the additional dwelling unit (i.e. secondary suite) from being within the principal dwelling to an accessory building elsewhere on the property. In exchange, they are proposing to remove 'secondary suite' as a permitted use on the subject property so that the overall density remains unchanged.

Administration is proposing to ask the Board to review this situation in the near future through a separate planning project that will consider the merits of introducing "carriage houses" as a permitted accessory use in certain zones – such as the SH2 Zone.

Alternative:


THAT first and second readings of Bylaw No. 2459.23, 2017, Electoral Area "E" Zoning Amendment Bylaw be rescinded and the bylaw abandoned.

Respectfully submitted

Endorsed by:

Endorsed by:

E. Riechert



Donna Butler

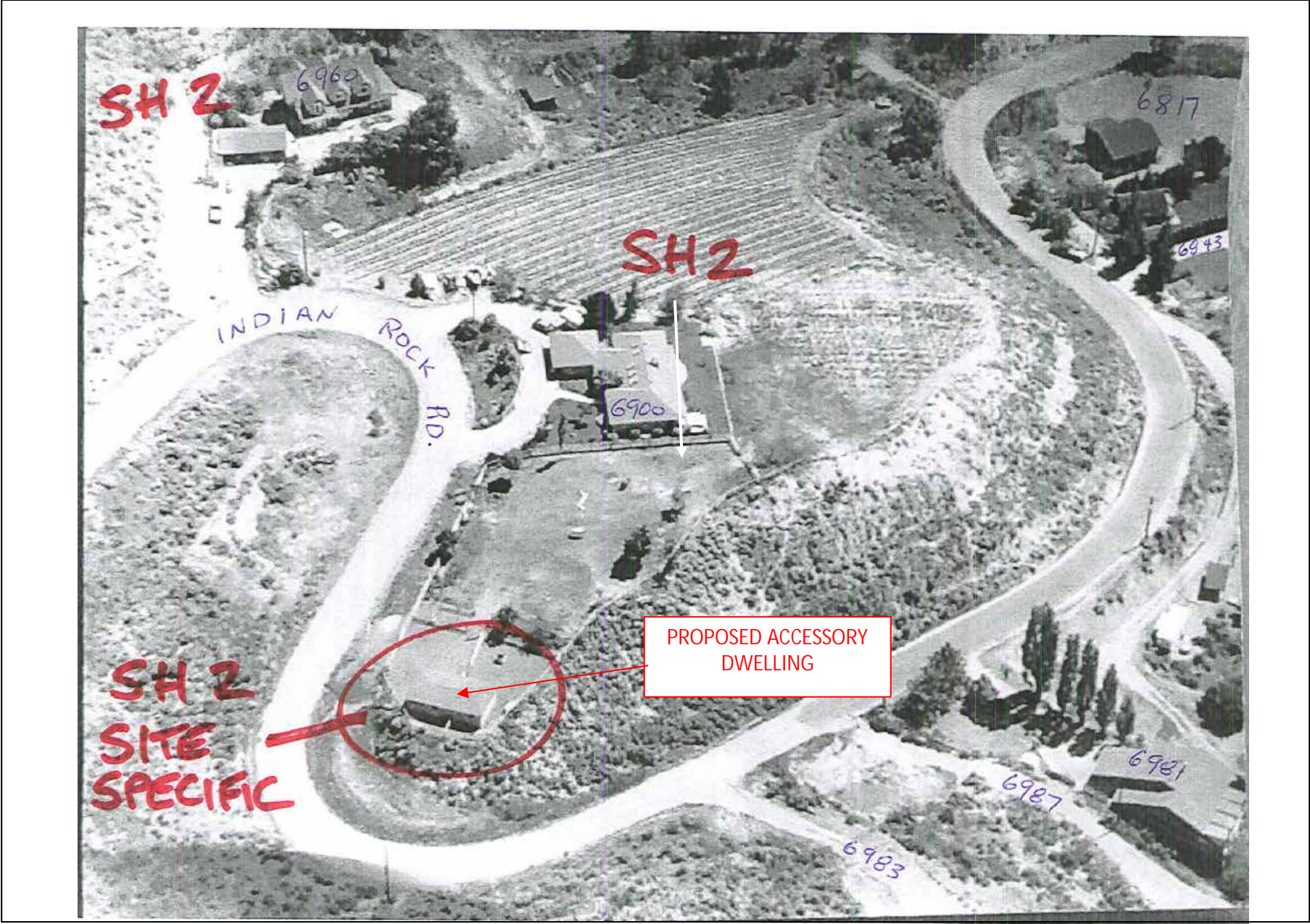
E. Riechert, Planner

C. Garrish, Planning Supervisor

D. Butler, Dev. Services Manager

Attachments: No. 1 – Applicant's Site Plan

Attachment No. 1 – Applicant's Site Plan



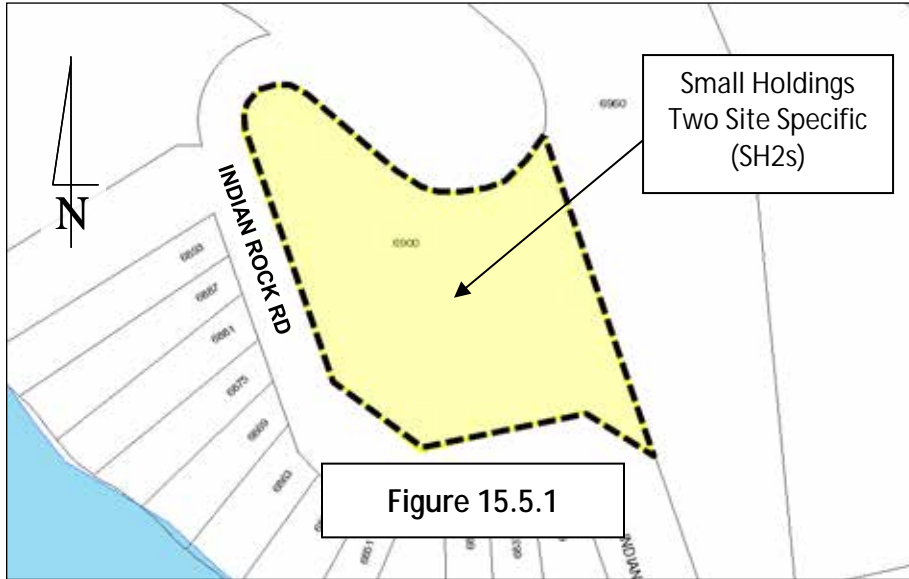
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2459.23, 2017

A Bylaw to amend the Electoral Area "E" Zoning Bylaw No. 2459, 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 "E" Zoning Amendment Bylaw No. 2459.23, 2017."
2. The Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on land described as Lot 1, District Lot 391, SDYD, Plan 35614, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Two (SH2) to Small Holdings Two Site Specific (SH2s).
3. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
 - i) replacing section 15.5.1 (Site Specific Small Holdings Two (SH2) Provisions) under Section 15.0 (Site Specific Designations) with the following:
 - .1 in the case of land described as Lot 1, District Lot 391, SDYD, Plan 35614, and shown shaded yellow on Figure 15.5.1
 - a) despite Section 10.5.5, the maximum number of accessory dwellings permitted on the subject parcel shall be one (1); and
 - b) despite Sections 10.5.1 (f) a secondary suite shall not be permitted.



READ A FIRST AND SECOND TIME this 20th day of April, 2017.

PUBLIC HEARING held on this 4th day of May, 2017.

READ A THIRD TIME this ____ day of _____, 2017.

ADOPTED this ____ day of _____, 2017.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

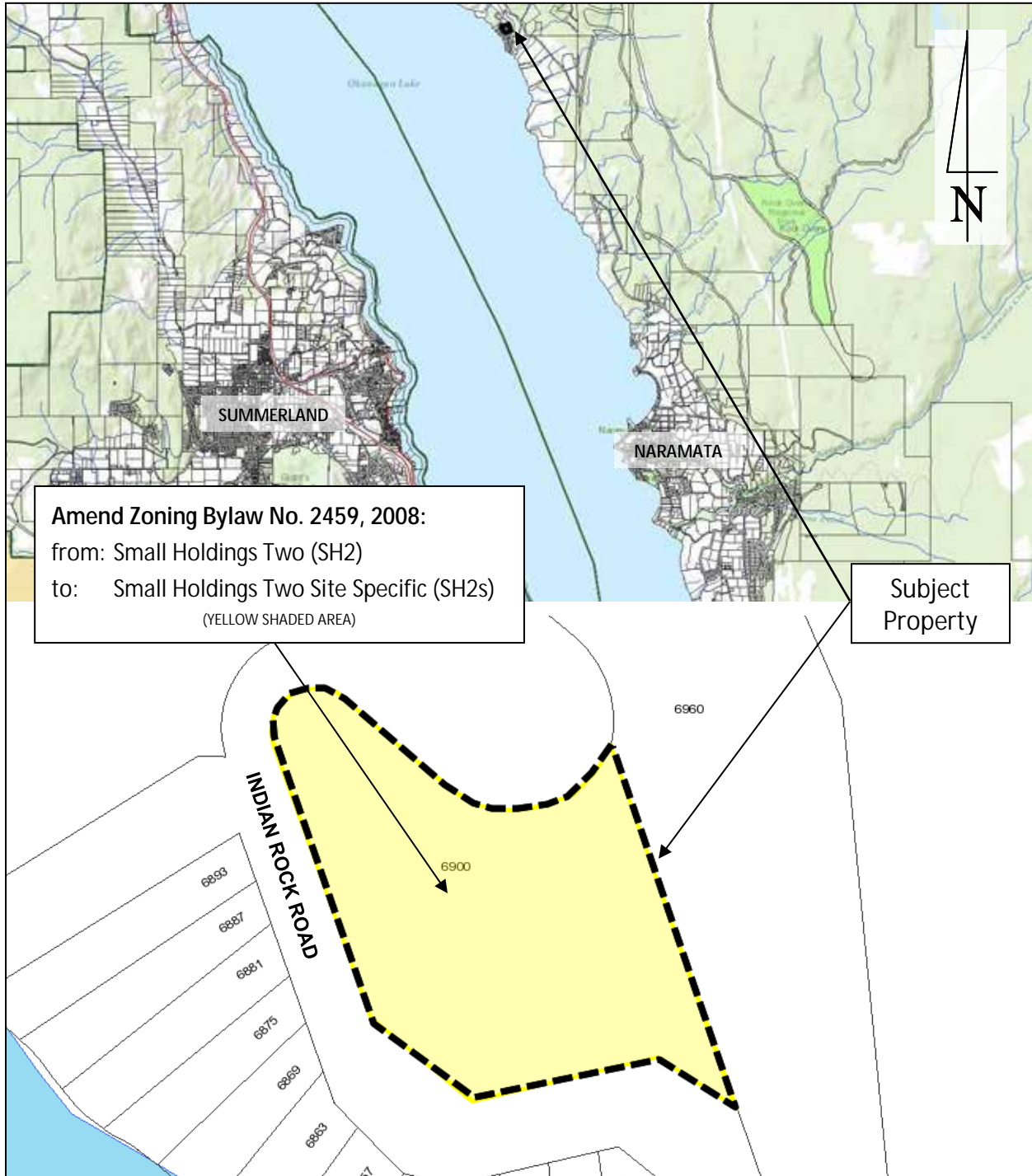
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2459.23, 2017

Project No: E2017.023-ZONE

Schedule 'A'





Interior Health

Every person matters

March 30, 2017

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

<mailto:planning@rdos.bc.ca>

Dear Evelyn Riechert:

**RE: File #: E2017.028-ZONE
Our interests are unaffected**

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this development proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Healthy Built Environment Team



Lauri Feindell

Subject:

FW: Project No. E2017.028-ZONE Bylaw Referral

PEAT

From: Referral Apps REG8 FLNR:EX [mailto:ReferralAppsREG8@gov.bc.ca]

Sent: March 31, 2017 1:18 PM

To: Lauri Feindell <lfeindell@rdos.bc.ca>

Cc: Evelyn Riechert <eriechert@rdos.bc.ca>

Subject: RE: Project No. E2017.028-ZONE Bylaw Referral

Hi,

The Ecosystems Section Head, Grant Furness, with the Ministry of Forest Lands and Natural Resources has reviewed the above mentioned referral and has "No Comment".

Cathy Lacey
Admin Support
MOE/MFLNRO Penticton



Lauri Feindell

Subject: FW: Rezoning Application for 6900 Indian Rock Road, Naramata

From: Carol Bray [
Sent: April-09-17 11:50 AM
To: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: RE: Rezoning Application for 6900 Indian Rock Road, Naramata

Dear Evelyn,

We received your letter dated April 3, 2017 regarding the rezoning application – 6900 Indian Rock Road, in Naramata. Due to a previous commitment, we are unable to attend the meeting scheduled for Monday, April 10, 2017 at 7:00 pm.

We do not have any concerns regarding this application and, in fact if a vote is required, we support this application and the rezoning of this property.

Carolyn Bray and Daniel Bray
6788 Indian Rock Road
Naramata, B.C.



Lauri Feindell

From: Evelyn Riechert
Sent: April 6, 2017 8:44 AM
To: Planning
Subject: FW: 6900 Indian Rock Road Rezoning Application



Evelyn Riechert • MCIP RPP, Planner
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4204 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • eriechert@rdos.bc.ca
[FACEBOOK](#) • [YOUTUBE](#) • Sign up for [REGIONAL CONNECTIONS](#)

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From: Val and Wayne Newton
Sent: April-05-17 4:53 PM
To: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: 6900 Indian Rock Road Rezoning Application

Hi Evelyn,

Thank you for the notice of rezoning application we received in the mail.

We are unable to attend the meeting, but would very much appreciate it if you would send along our complete agreement with allowing the rezoning application to amend the Bylaw No. 2459.

Thank you.

Val & Wayne Newton



Virus-free. www.avast.com



Site Context:

The subject property is approximately 612 m² in area and is located on the south side of 6th Street and is further bounded by Nicola Avenue to the east and Coalmont Road to the west.

The property contains a single detached dwelling, while the surrounding pattern of development is generally characterised by residential uses on similar size parcels.

Background:

The current boundaries of the subject property were established by a subdivision deposited at the Land Title Office in Kamloops on June 16, 2006, and available Regional District records indicate that a Building Permit application for a single detached dwelling were issued on December 6, 2006.

Prior to the adoption of the current Electoral Area "H" OCP and Zoning Bylaws in 2012, the previous zoning bylaw permitted single detached dwellings as a principal permitted use in the CT1 Zone.

This was identified as having a distorting affect on the availability of commercially zoned land in Electoral Area "H" as many parcels so zoned had been developed to exclusively residential purposes.

Moreover, allowing residences to be a principal permitted use in a commercial zone was inconsistent with the approach taken by the Regional District in other Electoral Area Zoning Bylaws.

Consequently, it was determined to amend the commercial zones — including the CT1 Zone — to only allow for dwelling units as an accessory use to a principal commercial use.

Importantly, prior to these zoning changes being considered by the Regional District Board, all owners of commercially zoned land in Electoral Area "H" were contacted and advised of the pending change and the resulting legal non-conformity this would create on those parcels that were being used exclusively for residential purposes.

These property owners were further provided with the option of having their zoning changed to reflect any principal residential uses as part of the new bylaws and in the case of the subject property, the (then) owners of elected retain their commercial designation and zoning.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the proposal is situated beyond 800 metres of a controlled area.

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 58 has been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Public Process:

At its meeting of April 18, 2017, the Electoral Area "H" Advisory Planning Commission (APC) failed to make quorum.

A Public Information Meeting was held ahead of the APC meeting on April 18, 2017, and was attended by no members of the public.

Administration recommends that consideration by the APC (despite their ability to make quorum), the convening of a public information meeting as well as formal referral to the agencies listed at Attachment No.1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, this process is seen to be sufficiently early and does not need to be further ongoing consultation.

Comments have been received from the Interior Health Authority (IHA) and these are included as a separate item on the Board Agenda.

Analysis:

In considering this proposal, Administration notes that the use of this property has, since its creation in 2006, been exclusively for residential purposes and that the conversion of the zoning to residential is appropriate.

With regard to the apparent encroachment of the property onto dedicated road reserve and Crown land through the erection of a fence, the Ministry of Transportation and Infrastructure (MoTI) has advised that an agreement is in place permitting this and that steps are being taken to formally close the road and dispose of the land so that it can be incorporated within the subject property.

On this basis, Administration is recommending that the Regional District Board initiate a similar rezoning of this land in order to remove its Commercial designation and CT1 zoning (NOTE: this proposal is included in Draft Amendment Bylaws 2497.07 & 2498.13).

Alternatives:

- .1 THAT Bylaw No. 2497.07, 2017, Electoral Area "H" Official Community Plan Amendment Bylaw and Bylaw No. 2498.13, 2017, Electoral Area "H" Zoning Amendment Bylaw be denied; OR
- .2 THAT Bylaw No. 2497.07, 2017, Electoral Area "H" Official Community Plan Amendment Bylaw and Bylaw No. 2498.13, 2017, Electoral Area "H" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:

Donna Butler

D. Butler, Development Services Manager

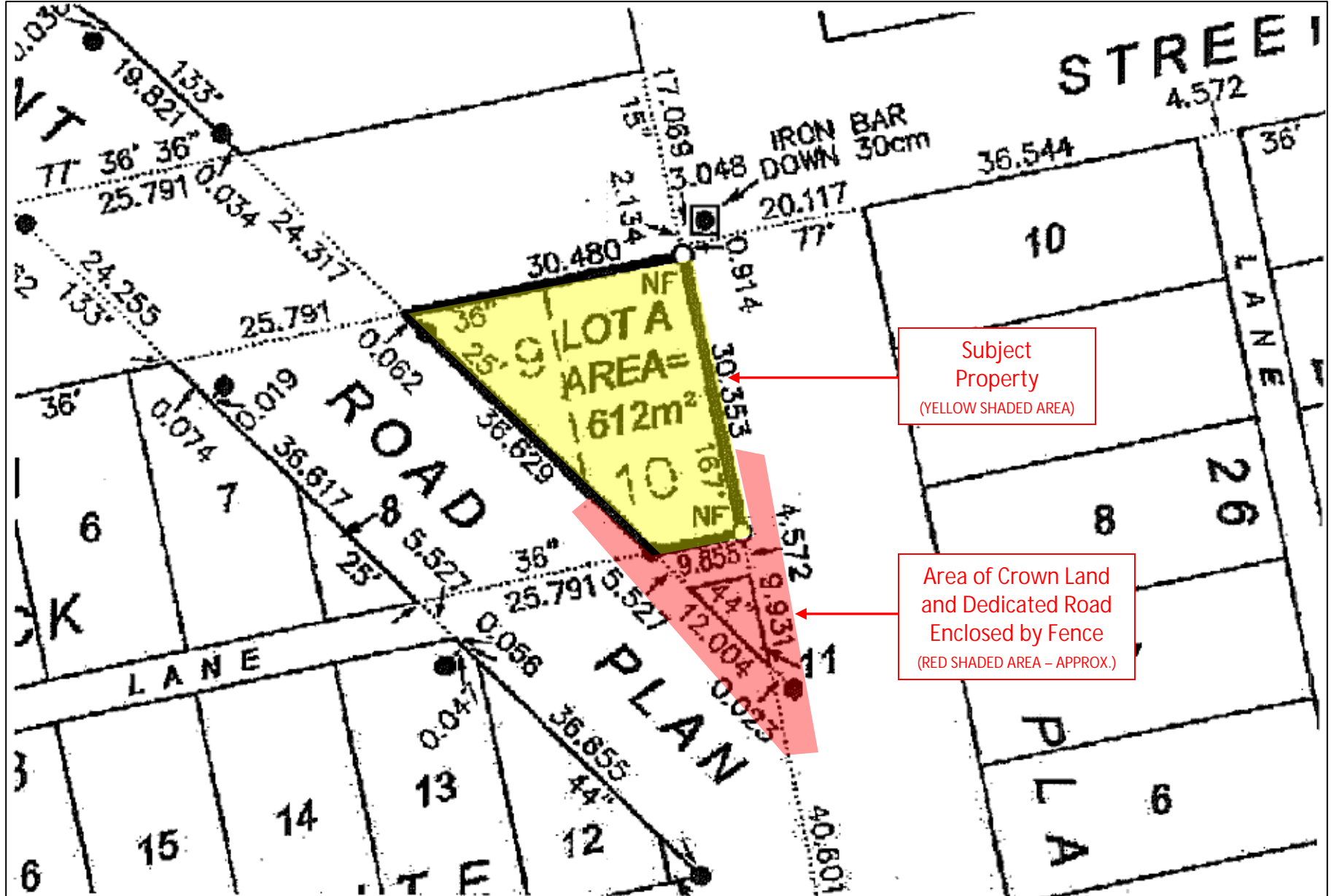
Attachments: No. 1 – Agency Referral List
No. 2 – Applicant's Site Plan
No. 3 – Site Photos

Attachment No. 1 – Agency Referral List

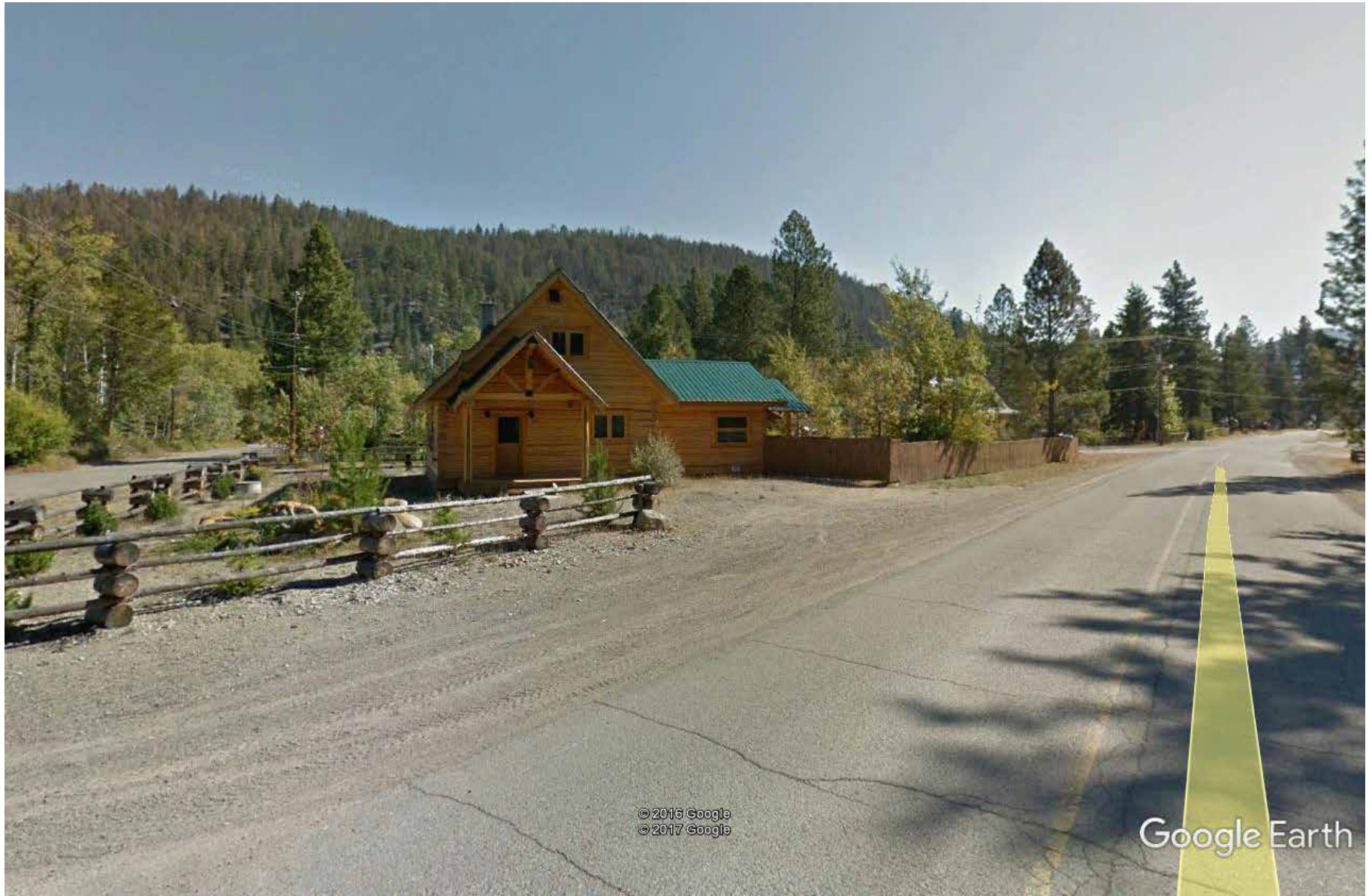
Referrals to be sent to the following agencies as highlighted with a p, prior to the Board considering first reading of Amendment Bylaw No. 2497.07, 2017.

<input type="radio"/>	Agricultural Land Commission (ALC)	<input checked="" type="radio"/>	Fortis
<input checked="" type="radio"/>	Interior Health Authority (IHA)	<input type="radio"/>	City of Penticton
<input type="radio"/>	Ministry of Agriculture	<input type="radio"/>	District of Summerland
<input type="radio"/>	Ministry of Energy & Mines	<input type="radio"/>	Town of Oliver
<input type="radio"/>	Ministry of Community, Sport and Cultural Development	<input type="radio"/>	Town of Osoyoos
<input type="radio"/>	Ministry of Environment	<input type="radio"/>	Town of Princeton
<input type="radio"/>	Ministry of Forest, Lands & Natural Resource Operations	<input type="radio"/>	Village of Keremeos
<input type="radio"/>	Ministry of Jobs, Tourism and Innovation	<input type="radio"/>	Okanagan Nation Alliance (ONA)
<input type="radio"/>	Ministry of Transportation and Infrastructure	<input type="radio"/>	Penticton Indian Band (PIB)
<input type="radio"/>	Integrated Land Management Bureau	<input type="radio"/>	Osoyoos Indian Band (OIB)
<input type="radio"/>	BC Parks	<input checked="" type="radio"/>	Upper Similkameen Indian Bands (USIB)
<input type="radio"/>	School District #53 (Okanagan Similkameen)	<input type="radio"/>	Lower Similkameen Indian Bands (LSIB)
<input checked="" type="radio"/>	School District #58 (Nicola Similkameen)	<input type="radio"/>	Environment Canada
<input type="radio"/>	School District #67 (Okanagan Skaha)	<input type="radio"/>	Fisheries and Oceans Canada
<input type="radio"/>	Central Okanagan Regional District	<input type="radio"/>	Archaeology Branch
<input type="radio"/>	Kootenay Boundary Regional District	<input type="radio"/>	Fraser Valley Regional District
<input type="radio"/>	Thompson Nicola Regional District	<input type="radio"/>	Canadian Wildlife Services

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Site Photos



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2497.07, 2017

**A Bylaw to amend the Electoral Area "H"
Official Community Plan Bylaw No. 2497, 2012**

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "H" Official Community Plan Amendment Bylaw No. 2497.07, 2017."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012, is amended by changing the land use designation on an approximately 3,000 m² area of land including and surrounding the legal parcel described as Lot A, Plan KAP81230, District Lot 128, YDYD, and shown shaded yellow on the attached Schedule 'X', which forms part of this Bylaw, from Commercial (C) to Low Density Residential (LR).

READ A FIRST AND SECOND TIME this ___ day of _____, 2017.

PUBLIC HEARING held on this ___ day of _____, 2017.

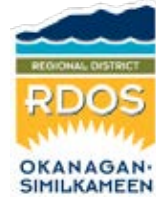
READ A THIRD TIME AND ADOPTED this ___ day of _____, 2017.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

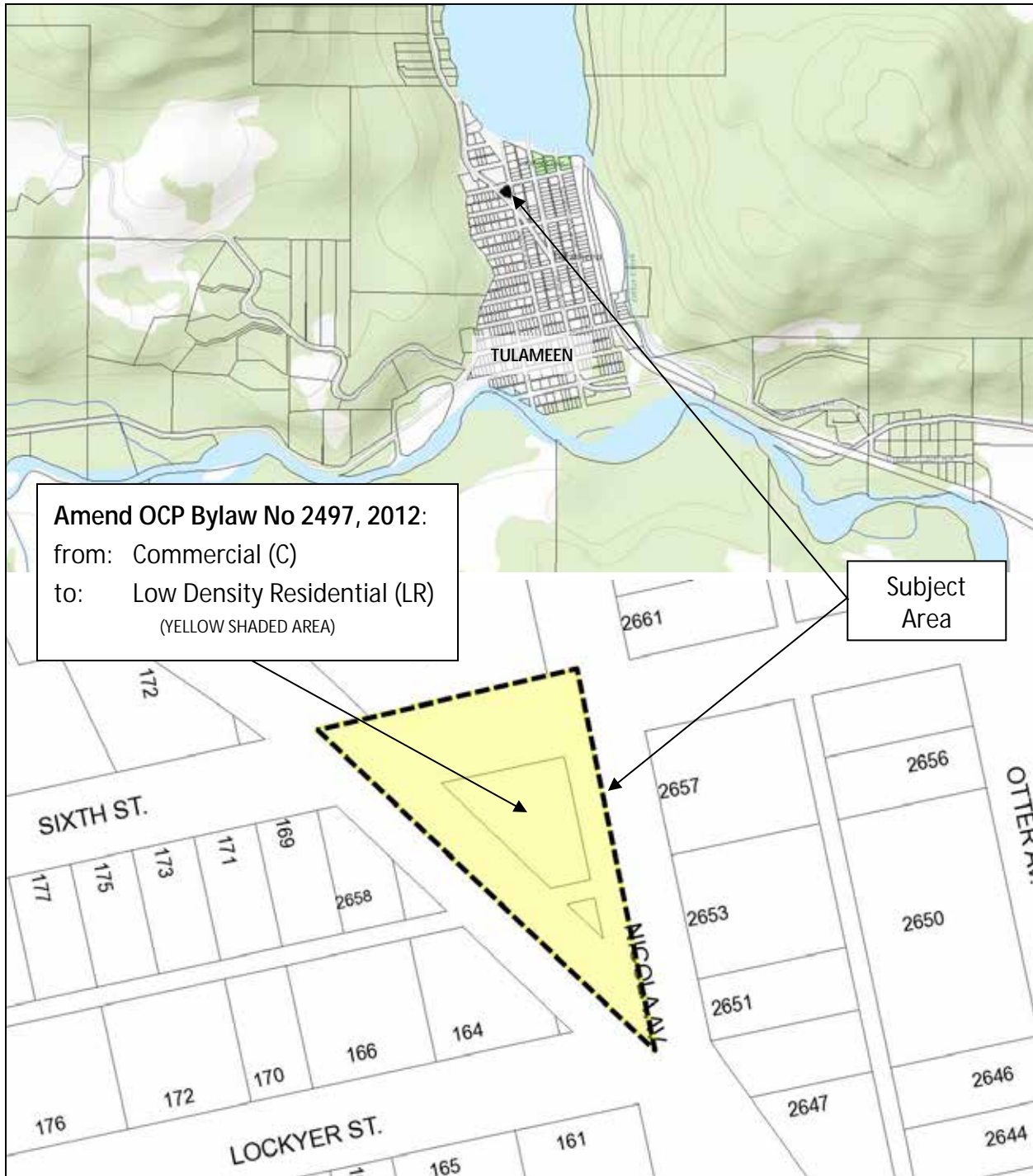
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2497.07, 2017

Project No: H2017.049-ZONE

Schedule 'X'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.13, 2017

A Bylaw to amend the Electoral Area "H" Zoning Bylaw No. 2498, 2012

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "H" Zoning Amendment Bylaw No. 2498.13, 2017."
2. The Zoning Map, being Schedule '2' of the Electoral Area "H" Zoning Bylaw No. 2498, 2012, is amended by changing the land use designation on an approximately 3,000 m² area of land including and surrounding the legal parcel described as Lot A, Plan KAP81230, District Lot 128, YDYD, and shown shaded yellow on Schedule 'Y', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Residential Single Family One (RS1).

READ A FIRST AND SECOND TIME this ____ day of _____, 2017.

PUBLIC HEARING held on this ____ day of _____, 2017.

READ A THIRD TIME this ____ day of _____, 2017.

ADOPTED this ____ day of _____, 2017.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

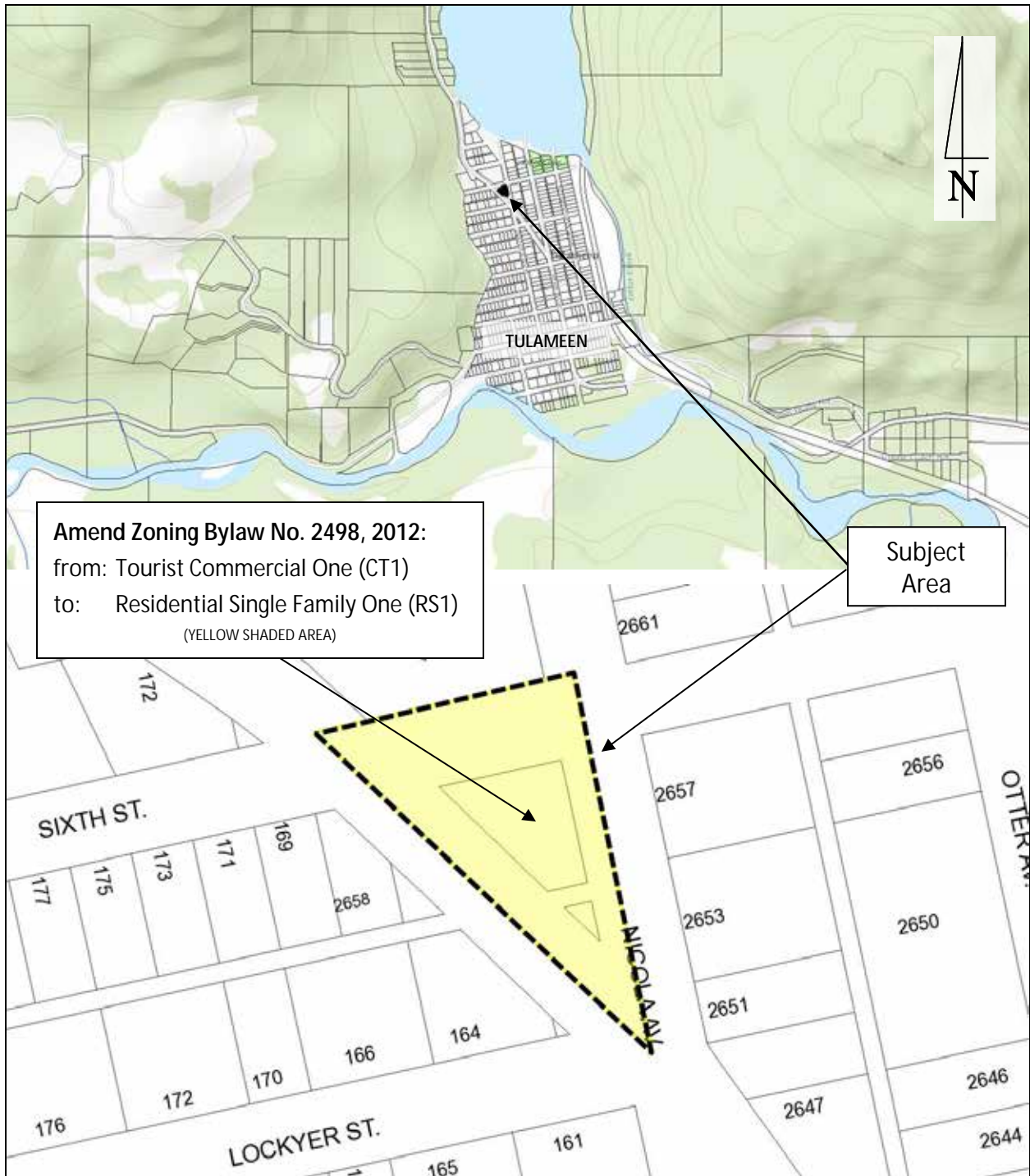
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2498.13, 2017

Project No: H2017.049-ZONE

Schedule 'Y'



RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2497.07 & 2498.13

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

This application is to formalize an existing residential dwelling on the subject property through an amendment to the OCP and Zoning Bylaws.

Given that the dwelling has existed since 2006 and no further development is proposed on the property this offices interests are essentially unaffected.

Thank you.

Signature: *John C. Beaupre*

Signed By: John Beaupre

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: April 19, 2017



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 4, 2017

RE: Changes to Free Yard and Garden Waste Disposal

Administrative Recommendation:

THAT the implementation of the reduction in free yard and garden waste disposal from 500kg to 100kg be deferred until such time that an impact analysis is conducted and brought forward to the Environment and Infrastructure Committee for consideration.

Purpose:

The purpose of this administrative report is to acknowledge concerns that have been raised regarding the implementation of a reduction in free yard and garden waste disposal from 500kg to 100kg.

Reference:

Fees and Charges Bylaw No. 2771, 2017

Background:

On January 19, 2017 proposed changes to the Fees and Charges Bylaw were presented to the Board of Directors and an administrative recommendation was made to give first, second and third readings as well as adoption to Bylaw No. 2771, 2017.

The proposed changes included a reduction in the amount of free yard and garden waste disposal from 500kg to 100kg.

On March 31, 2017 a letter was sent out to landfill customers, which provided notice of changes to tipping fees and free disposal amounts. A media release was also issued.

Analysis:

Since the announcement of the changes, concerns have been raised regarding the impacts in the proposed reduction in the amount of free yard and garden waste disposal. Concerns have included:

- Fire prevention and smoke management
- Illegal dumping
- Traffic congestion

- Fees, travel and CO₂ emissions

Given the concerns raised, it is apparent that a more comprehensive analysis should be conducted and presented to the Environment and Infrastructure Committee before proceeding with implementation of a reduction in the amount of free yard and garden waste disposal.

Once the analysis has been completed, a report will be brought forward to the Environment and Infrastructure Committee.

Alternatives:

Proceed with implementation of the reduction in the amount of free yard and garden waste disposal from 500kg to 100kg.

Communication Strategy:

To effectively advertise the deferment in the implementation of the reduction in free yard and garden waste disposal, the Regional District of Okanagan-Similkameen will proceed with the distribution of a letter to haulers, create and distribute a brochure for distribution at applicable solid waste management facilities and issue a media release.

Respectfully submitted:

"Janine Dougall"

J. Dougall, Public Works Manager

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 4, 2017

RE: 2016 Audited Financial Statements

Administrative Recommendation:

THAT the 2016 Audited Financial Statements of the Regional District of Okanagan-Similkameen as of December 31, 2016 be received;

AND THAT the RDOS Board adopts all reported 2016 transactions as amendments to the 2016 Final Budget

Business Plan Objective:

Objective 1.1.1: By providing the Board with accurate, current financial information.

Analysis:

The 2016 Financial Statements for the RDOS are presented with an unqualified audit opinion. In the opinion of our auditors, our financial statements represent fairly, in all material respects, the financial position of the RDOS in accordance with GAAP (Generally Accepted Accounting Principles) and PSAS (Public Sector Accounting Standards).

Please note that the attached 2016 Financial Statements are not on letterhead or signed by the auditors or RDOS representatives. Canadian Audit Standards requires the auditors to keep the audit file open until the Board has received and taken ownership of the financial statements. Ownership transfers with the passing of the above noted resolution. The attached document is the proposed final 2016 Financial Statements and once accepted by the Board, the document will include the appropriate letterhead and signatures of the auditors and RDOS representatives.

The 2016 financial statements continue to reflect the PSAS requirements that were adopted in 2015. These requirements include recognition of future liabilities for Contaminated Sites (PS 3260) and Solid Waste Landfill Closure and Post-Closure (PS 3270). Investments in Government Partnerships (PS 3060) was also included in the changes in reporting requirements that were adopted in 2015.

Respectfully submitted:

Noelle Evans-MacEwan

N. Evans-MacEwan, Finance Supervisor

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Index to Consolidated Financial Statements

December 31, 2016

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Ian S. Kennedy, CPA, CA
Michael P. Doherty, CPA, CA
H. Jon Milligan, CPA, CA

Chris D. Browne, CPA, CA
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Peter MacIntosh, CPA, CA
Darrell Swetlishoff, CPA, CA
Aaron Dodsworth, CPA, CA
Jodi Hansen, CPA, CA

MANAGEMENT'S RESPONSIBILITY FOR THE CONSOLIDATED FINANCIAL STATEMENTS

The accompanying consolidated financial statements of the Regional District of Okanagan Similkameen (the Regional District) are the responsibility of management and have been prepared in compliance with legislation, and in accordance with Canadian Public Sector Accounting Standards for local governments established by the Public Sector Accounting Board of the Chartered Professional Accountants Canada.

A summary of the significant accounting policies are described in Note 1 of the consolidated financial statements. The preparation of the consolidated financial statements necessarily involves the use of estimates based on management's judgement, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Regional District's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the consolidated financial statements. These systems are monitored and evaluated by management.

The Board of Directors meets with management and the external auditors to review the consolidated financial statements and discuss any significant financial reporting or internal control matters prior to the approval of the consolidated financial statements.

The consolidated financial statements have been audited by White Kennedy LLP, independent external auditors appointed by the Regional District. The accompanying Independent Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Regional District's consolidated financial statements.

Chief Administrative Officer _____

Board Chair _____



Ian S. Kennedy, CPA, CA
Michael P. Doherty, CPA, CA
H. Jon Milligan, CPA, CA

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INDEPENDENT AUDITOR'S REPORT

To the Chairman and Directors of the Regional District of Okanagan Similkameen

We have audited the accompanying consolidated financial statements of the Regional District of Okanagan Similkameen, which comprise the consolidated statement of financial position as at December 31, 2016, and the consolidated statements of operations, net financial liabilities, and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian Public Sector Accounting Standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with Canadian auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of Regional District of Okanagan Similkameen as at December 31, 2016, and the results of its operations, its net financial liabilities and its cash flows for the year then ended in accordance with Canadian Public Sector Accounting Standards.

DRAFT

CHARTERED PROFESSIONAL ACCOUNTANTS

Penticton, British Columbia
May 4, 2017

(2)

Operating as Incorporated Professionals through White Kennedy LLP

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Consolidated Statement of Financial Position

December 31, 2016, With Comparative Figures for 2015

	2016	2015
	\$	\$
FINANCIAL ASSETS		
Cash (Note 2)	451,637	1,333,023
Short term investments (Note 3)	26,461,489	25,135,662
Accounts receivable (Note 4)	3,206,781	3,750,833
Municipal Finance Authority deposits (Note 5)	7,378,322	7,434,470
Municipal financing (Note 6)	70,271,254	77,211,248
Long term investments (Note 7)	396,209	111,021
	<u>108,165,692</u>	<u>114,976,257</u>
FINANCIAL LIABILITIES		
Accounts payable and accrued liabilities (Note 8)	2,834,479	3,028,836
Deferred revenue (Note 9)	147,020	173,977
Deposits (Note 10)	1,232,603	1,405,183
Gas Tax deferred revenue (Note 11)	4,396,623	4,207,585
Restricted deferred revenue (Note 12)	1,051,250	1,204,125
Municipal Finance Authority debt reserve (Note 5)	7,378,322	7,434,470
Municipal Finance Authority financing (Note 13)	55,241	8,067
Long term debt (Note 14) (Schedule 3)	89,070,133	94,685,223
Landfill closure and post-closure liability (Note 15)	9,224,261	7,750,353
	<u>115,389,932</u>	<u>119,897,819</u>
NET FINANCIAL LIABILITIES	<u>(7,224,240)</u>	<u>(4,921,562)</u>
NON-FINANCIAL ASSETS		
Prepaid items	2,000	175,769
Tangible capital assets (Note 16)	75,300,399	69,972,148
	<u>75,302,399</u>	<u>70,147,917</u>
ACCUMULATED SURPLUS	<u>68,078,159</u>	<u>65,226,355</u>
REPRESENTED BY:		
Unrestricted surplus (deficit)	(10,483,658)	(8,840,337)
Restricted surplus (Schedule 1)	17,858,709	17,151,184
Equity in tangible capital assets (Note 17)	60,703,108	56,915,508
	<u>68,078,159</u>	<u>65,226,355</u>
PENSION LIABILITY (Note 18)		
CONTINGENT LIABILITY (Note 19)		
SUBSEQUENT EVENTS (Note 20)		

Approved on behalf of the board:

See the accompanying notes to consolidated financial statements

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Consolidated Statement of Operations

Year Ended December 31, 2016, With Comparative Figures for 2015

	2016 Budget	2016	2015
	\$	\$	\$
REVENUES			
Tax requisition	14,757,913	14,779,168	14,372,972
Sales of goods and services	10,763,525	11,926,953	11,141,723
Grant revenue	4,116,749	2,365,925	2,269,890
Income from enterprises	-	515,782	5,241
Administrative and recoveries	623,305	399,695	186,186
Investment income	35,000	291,833	351,993
Grants in lieu of taxes	37,331	92,870	102,516
Development cost charges	-	800	169,000
	30,333,823	30,373,026	28,599,521
EXPENSES			
Solid Waste & Recycling	6,958,038	7,008,075	6,444,507
Rural Services	7,644,175	5,214,976	5,350,412
Regional Services	5,597,258	4,419,822	4,277,588
Recreation Services	5,459,098	3,869,679	4,291,761
Engineering Services	7,313,981	3,040,645	3,011,219
Amortization	-	2,308,578	2,189,126
Emergency Services	3,032,504	1,654,019	1,768,800
	36,005,054	27,515,794	27,333,413
EXCESS (DEFICIENCY)	(5,671,231)	2,857,232	1,266,108
Loss on disposal of assets	-	(5,428)	(658,174)
EXCESS (DEFICIENCY) FOR THE YEAR	(5,671,231)	2,851,804	607,934
ACCUMULATED SURPLUS, beginning of year	-	65,226,355	64,618,421
ACCUMULATED SURPLUS, end of year	(5,671,231)	68,078,159	65,226,355

See the accompanying notes to consolidated financial statements

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Consolidated Statement of Net Financial Liabilities

Year Ended December 31, 2016, With Comparative Figures for 2015

	2016 Budget	2016	2015
	\$	\$	\$
EXCESS (DEFICIENCY) FOR THE YEAR	(5,671,231)	2,851,804	607,934
Acquisition of tangible capital assets	-	(7,646,984)	(3,636,723)
Amortization of tangible capital assets	-	2,308,578	2,189,126
Proceeds on disposal of tangible capital assets	-	4,729	3,726
Loss on disposal of tangible capital assets	-	5,428	658,174
	-	(5,328,249)	(785,697)
Use (acquisition) of prepaid items	-	173,767	(158,986)
INCREASE IN NET FINANCIAL LIABILITIES	(5,671,231)	(2,302,678)	(336,749)
NET FINANCIAL LIABILITIES, BEGINNING OF YEAR	-	(4,921,562)	(4,584,813)
NET FINANCIAL LIABILITIES, END OF YEAR	(5,671,231)	(7,224,240)	(4,921,562)

See the accompanying notes to consolidated financial statements

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Consolidated Statement of Cash Flows

Year Ended December 31, 2016, With Comparative Figures for 2015

	2016	2015
	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES		
Excess for the year	2,851,804	607,934
Non-cash items within excess for the year:		
Amortization of tangible capital assets	2,308,578	2,189,126
Loss on disposal of tangible capital assets	5,428	658,174
	<u>5,165,810</u>	<u>3,455,234</u>
Non-cash change to operations:		
Accounts receivable	544,052	(357,042)
Accounts payable and accrued liabilities	(194,358)	(1,166,746)
Deferred revenue	(26,957)	(317,002)
Deposits	(172,580)	150,584
Gas Tax deferred revenue	189,038	497,284
Restricted deferred revenue	(152,875)	(133,013)
Landfill closure & post-closure liability	1,473,908	1,363,699
Prepaid items	173,767	(158,986)
	<u>6,999,805</u>	<u>3,334,012</u>
CASH FLOWS FROM CAPITAL ACTIVITIES		
Purchase of tangible capital assets	(7,646,984)	(3,636,723)
Proceeds on disposal of tangible capital assets	4,729	3,726
	<u>(7,642,255)</u>	<u>(3,632,997)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Municipal Finance Authority financing	47,175	(60,903)
Municipal Finance Authority debt reserve	(56,148)	(250,796)
Proceeds of borrowing from Municipal Finance Authority	3,976,850	3,896,000
Repayment of long term debt	(7,165,558)	(9,373,121)
Reduction of debt by actuary	(2,426,382)	(2,301,448)
	<u>(5,624,063)</u>	<u>(8,090,268)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Short term investments	(1,325,826)	991,866
Municipal Finance Authority deposits	56,148	250,796
Municipal financing	6,939,993	8,066,017
Long term investments	(285,188)	115,295
	<u>5,385,127</u>	<u>9,423,974</u>
NET INCREASE (DECREASE) IN CASH	(881,386)	1,034,721
CASH, beginning of year	1,333,023	298,302
CASH, end of year	451,637	1,333,023

See the accompanying notes to consolidated financial statements

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

General

The Regional District of Okanagan Similkameen (Regional District) was incorporated in 1966 under the Local Government Act (formerly Municipal Act), a statute of the Province of British Columbia. The principal activities of the Regional District are the provision of local government services to the residents of the Regional District. The services provided include administration, emergency, solid waste management, water, sewer, electrical, and recreation.

1. Summary of Significant Accounting Policies

BASIS OF ACCOUNTING

The consolidated financial statements of the Regional District are prepared by management in accordance accounting standards established by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada. Accrual basis accounting is used.

BASIS OF CONSOLIDATION

The Regional District is comprised of all organizations, committees, and boards accountable to the Regional District for their financial affairs, and which are owned or controlled by the Regional District. The consolidated financial statements include all funds of the Regional District, its wholly-owned subsidiaries, and the Regional District portion of business enterprises earnings. Subsidiaries include Oliver Parks and Recreation and the Sun Bowl Arena. All inter-fund balances have been eliminated on consolidation.

BUDGET FIGURES

The budget figures are from the Bylaw 2724, 2016, that was adopted March 10, 2016. Subsequent amendments have been approved by the Board through bylaw to reflect changes to the budget.

CASH AND CASH EQUIVALENTS

Cash and cash equivalents are comprised of cash and highly liquid investments that are redeemable on demand, and have initial maturities of less than three months. Cash and cash equivalents are recorded at cost, which approximates market value.

DEBT CHARGES

Debt principal repayments are not included in the consolidated statement of operations pursuant to PSAB accounting disclosure requirements. Interest expense is recorded on an accrual basis and is expensed in the current year consolidated statement of operations.

DEFERRED REVENUE

Funding and grants received for specific projects are initially recorded as deferred revenue. The funding and grants are recorded as revenue when the related project costs are incurred.

(continued...)

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

1. Summary of Significant Accounting Policies (Continued)

DEPOSITS

Deposits are comprised of funds received from customers as performance securities, holdbacks held for construction contracts, amounts from third parties being held in trust, restricted donations, and allocations of funds for special purposes not established through bylaw. Deposits bear interest that is distributed annually on a proportional basis.

EMPLOYEE FUTURE BENEFITS

The Regional District and its employees make contributions to the Municipal Pension Plan. As this plan is a multi-employer defined benefit pension plan, the Regional District's contributions are expensed as incurred.

FINANCIAL INSTRUMENTS

The Regional District's financial instruments consist of cash, short term investments, accounts receivable, long term investments, accounts payable and accrued liabilities, deposits, deferred revenue, long term debt, and MFA leases. Unless otherwise noted, it is management's opinion that the Regional District is not exposed to significant interest, liquidity, currency or credit risks arising from these financial instruments. The fair values of these financial instruments approximate their carrying values, unless otherwise noted.

LEASES

Leases are classified as capital or operating leases. Leases which transfer substantially all of the benefits and risks incidental to ownership of property are accounted for as capital leases. All other leases are accounted for as operating leases and the related lease payments are expensed in the consolidated statement of operations as incurred.

LONG TERM INVESTMENTS

Long term investments are comprised of Government Business Partnerships and Government Business Enterprises. Long term investments are accounted for using the modified equity basis, under which the accounting policies are not adjusted to conform to those of the Regional District. A proportionate amount of the earnings are reported as income from enterprises, with a corresponding increase to the investment.

MANAGEMENT ESTIMATES

The preparation of financial consolidated statements in accordance with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the consolidated financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

NON-FINANCIAL ASSETS

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current fiscal year and are not intended for sale in the normal course of operations.

(continued...)

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

1. Summary of Significant Accounting Policies (Continued)

PREPAID ITEMS

The Regional District has various prepaid expenses. Included within prepaids are inventory items purchased for resale to the public. The inventory items are valued at the lower of cost or market value, with cost being determined on an average basis. The inventory items are not significant to disclose separately.

RESTRICTED DEFERRED REVENUE

Restricted deferred revenue is comprised of Federal Gas Tax funding, and levied and unused Development Cost Charges. These funds are recorded as restricted deferred revenue and recognized as revenue in the year when they are used for eligible expenditures, as approved through bylaw.

RESTRICTED SURPLUS

Restricted surplus represents funds set aside for future expenditures in operations and property and equipment purchases. Schedule 1 of these consolidated financial statements provides details of the various funds.

REVENUE RECOGNITION

All revenue is recognized on an accrual basis.

Revenue from tax requisitions are recognized when received from the Province and member municipalities. Revenue from grants in lieu of taxes are recognized when received.

Revenue derived from the sale of goods or services is recognized when the good or service is rendered. Revenue derived from the provision of utility services is recognized when earned and billed, either quarterly, bi-annually, or annually depending on the service area and the service provided.

Grant revenue is recognized when funding is received, or becomes receivable.

Revenues from investment income are recognized as earned, on an accrual basis.

Revenues from development cost charges are recognized when the related expenditure is recognized.

SHORT TERM INVESTMENTS

Short term investments consist of short term deposits with initial maturity of less than one year, and a Municipal Finance Authority of British Columbia portfolio of short term bonds and money market instruments. Because of the short term maturity of these investments, the carrying amount approximates the fair value. Investment income is allocated to the segment from which it was earned.

SICK LEAVE

The Regional District accrues 1.5% of budgeted exempt staff salaries per annum in a fund for short term illness that extends beyond five days, and is less than six months. Exempt staff are eligible for long term disability after six months of illness. Sick leave for union staff is accrued as per the collective agreement and is expensed as paid.

(continued...)

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

1. Summary of Significant Accounting Policies (Continued)

TANGIBLE CAPITAL ASSETS

Tangible capital assets are stated at cost less accumulated amortization. Cost includes all amounts directly attributable to the acquisition, construction, development, or betterment of the asset. Assets purchased or constructed, and work in progress, are reported as additions and are classified according to their functional use. Work in progress additions are not amortized until the addition is complete and the asset ready for use.

Contributed tangible capital assets are recorded as additions at the fair market value at the time of their contribution.

The cost of an asset less any residual value is amortized over the estimated economic useful life on a straight-line basis at the following rates:

ASSET TYPE	DEPRECIABLE LIFE IN YEARS
Land improvements	5 - 20
Building structures	40 - 75
Building improvements	
Exterior envelope	30 - 40
HVAC systems	10 - 12
Roof	10 - 20
Electrical/plumbing/fire suppression	15 - 20
Site works - asphalt, water and sewer lines	10 - 50
Machinery and equipment	
Furniture and equipment	5 - 20
Emergency	5 - 10
Emergency operations centre	5 - 10
Other	5 - 20
Vehicles	
Fleet	5 - 10
Fire trucks	10 - 20
Other	5 - 10
IT infrastructure	
Hardware	3 - 5
Software	5 - 10
Telephone	7 - 10
Utilities infrastructure	
Water	10 - 75
Sewer	10 - 75
Drainage	10 - 75

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

2. Cash

The Regional District has a revolving line of credit with First West Credit Union in the amount of \$2,000,000, bearing interest at prime rate (2.70% at the year end date), that is due on demand, and secured by a general security agreement. At the year end date the line of credit was not utilized.

3. Short term investments

The Regional District invests in short term bonds and money market funds through the Municipal Finance Authority of British Columbia (MFA) that bear interest at rates between .81% and 1.85% per annum, and in term deposits with maturities of one year or less held by the First West Credit Union (FWCU), that bear interest at rates between 1.60% and 1.65% per annum. The income from these investments is received in the form of interest, dividends, and realized capital gains. Short term investments are disclosed at fair market value. The details of the short term investments at the year end are as follows:

	2016	2015
	\$	\$
Capital Reserves (MFA)	18,649,484	18,384,908
General Operating (FWCU)	7,044,859	6,000,000
Oliver Parks and Recreation (MFA)	732,337	716,416
Kaleden Recreation (MFA)	31,184	30,741
General Operating (MFA)	3,625	3,597
	<u>26,461,489</u>	<u>25,135,662</u>

4. Accounts receivable

	2016	2015
	\$	\$
Regional and local government	1,329,214	1,489,389
Combined Federal/Provincial	770,092	1,038,624
Trade receivables	840,853	948,909
Government of Canada	197,934	179,030
Province of British Columbia	68,688	94,881
	<u>3,206,781</u>	<u>3,750,833</u>

Included in trade receivables is an allowance for doubtful accounts for impaired receivables totaling \$178,586 (2015 - \$nil). The impairment has been offset to the Solid Waste and Recycling segment to the sale of goods and services revenues.

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

5. Municipal Finance Authority deposits

The Regional District issues its debt instruments to local municipalities with financing obtained from the Municipal Finance Authority. As a condition of these borrowings, a portion of the debenture proceeds are withheld by the Municipal Finance Authority as a debt reserve fund.

The Regional District also executes demand notes in connection with each debenture, whereby the Regional District may be required to loan certain amounts to the Municipal Finance Authority. These demand notes are contingent in nature. The details of the cash deposits and demand notes at the year end are as follows:

	Demand Notes	Cash Deposits	2016	2015
	\$	\$	\$	\$
Municipal general	2,594,718	859,731	3,454,449	3,412,974
Municipal water	1,293,223	536,695	1,829,918	1,823,347
Municipal sewer	985,163	494,312	1,479,475	1,577,883
Regional District general	179,837	87,512	267,349	276,271
Regional District water	104,786	56,246	161,032	159,503
Regional District sewer	126,985	59,114	186,099	184,492
Totals	5,284,712	2,093,610	7,378,322	7,434,470

6. Municipal financing

The Regional District issues debt instruments to various local municipalities in the form of demand notes, with financing obtained from the Municipal Finance Authority. See Schedule 3 for details of the various debt issues of the member municipalities.

	2016	2015
	\$	\$
City of Penticton	43,113,223	48,914,776
District of Summerland	21,451,906	23,002,833
Town of Oliver	4,641,243	4,130,633
Town of Osoyoos	890,404	974,252
Village of Keremeos	174,478	188,754
	70,271,254	77,211,248

7. Long term investments

Long term investments consist of a Government Business Enterprises and a Government Business Partnership. The financial statements for the investments are provided by other Chartered Professional Accounting ("CPA") firms and the results for the 2016 fiscal year were not available as at the financial statement report date of the Regional District. See net assets and share of income for the previous year as follows:

	Ownership	Net assets		Share of income	
		2015	2014	2015	2014
	%	\$	\$	\$	\$
Vermillion Forks Community Forest Corp.	33.333	313,204	192,736	241,005	140,721
Lower Similkameen Community Forest LP	49.996	33,449	30,207	5,241	(11,533)
		346,653	222,943	246,246	129,188

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

7. Long term investments (Continued)

The Regional District is a shareholder of Vermillion Forks Community Forest Corporation (VFCFC), along with the Upper Similkameen Indian Band and the Town of Princeton, which manages a community forest project in the Princeton area. The project includes silviculture, planting, and harvesting of specified forest areas operated under license. The financial statements for the 2016 fiscal year of the Corporation were audited by another firm of CPAs, the results of which were not available at the financial statement report date of the Regional District. An estimate of the income for 2016 of \$262,497 (2015 actual - \$723,014) has been recorded as income from enterprises.

Vermillion Forks Community Forest Corporation

Balance Sheet, as at December 31

	2015	2014
	\$	\$
Total assets	997,176	626,790
Total liabilities	57,563	48,583
Share capital	30	30
Retained earnings	939,583	578,177
Total liabilities and shareholder equity	997,176	626,790

Statement of Earnings, for the year ended December 31

	2015	2014
	\$	\$
Total sales	2,169,263	1,716,048
Total cost of sales	1,386,663	1,244,138
Gross profit	782,600	471,910
Expenses	64,100	73,898
Net earnings before other income	718,500	398,012
Other income	4,514	24,150
Net earnings	723,014	422,162
Retained earnings, beginning of year	578,177	1,363,146
Dividends on common shares	(361,608)	(1,207,131)
Retained earnings, end of year	939,583	578,177

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

7. Long term investments (Continued)

The Regional District is a partner in the Lower Similkameen Community Forests Limited Partnership (Partnership), along with The Corporation of the Village of Keremeos, the Lower Similkameen Indian Band Business Trust, and Lower Similkameen Community Forests Ltd. The partnership manages a community forest project in the Ashnola watershed. The project includes silviculture, planting, and harvesting of specified forest areas operated under license. The financial statements for the 2016 fiscal year of the partnership are compiled by another firm of CPAs, the results of which were not available at the financial statement report date of the Regional District. No estimate of income for 2016 has been recorded given there was nominal activity in the year.

Lower Similkameen Community Forest Limited Partnership

Balance Sheet, as at December 31

	2015	2014
	\$	\$
Current assets	253,081	338,063
Capital assets	42,104	45,111
Total assets	295,185	383,174
Current liabilities	36,987	63,336
Other liabilities	191,295	259,419
Total liabilities	228,282	322,755
Partners' capital	66,903	60,419
Total liabilities and partners' capital	295,185	383,174

Statement of Loss, for the year ended December 31

	2015	2014
	\$	\$
Total revenue	119,338	175,428
Total cost of sales	73,812	155,160
Gross profit	45,526	20,268
Expenses	35,037	43,334
Net earnings (loss)	10,489	(23,066)

Partners' Capital, for the year ended December 31

	2015	2014
	\$	\$
RDOS Area B & G balance, beginning of year	33,583	45,116
Share of earnings (loss)	5,241	(11,533)
RDOS Area B & G balance, end of year	38,824	33,583

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

8. Accounts payable and accrued liabilities

	2016	2015
	\$	\$
Trade payables	2,439,285	2,637,214
Wages payable	378,582	370,719
Remittances payable	16,612	20,903
	<u>2,834,479</u>	<u>3,028,836</u>

9. Deferred revenue

Deferred revenue is comprised of grants and funding received by the Regional District for designated projects to be completed in the subsequent period.

10. Deposits

Deposits are comprised of customer deposits held as performance security, holdbacks on construction contracts, funds held by the Regional District in trust, restricted donations, and allocated funds for special purposes not established by bylaw.

11. Gas Tax deferred revenue

Federal Gas Tax Agreement

Federal Gas Tax funds are received from the Government of Canada. The use of the funds is established by an agreement between the Regional District and the Union of British Columbia Municipalities.

Federal Gas Tax funds may be used towards eligible projects as specified in the funding agreement, and are otherwise restricted in their use.

	Opening Balance	Funding Receipts	Interest Allocation	Expenses	Closing Balance
	\$	\$	\$	\$	\$
Area A	293,193	95,023	3,669	(28,371)	363,514
Area B	262,991	57,255	3,158	(21,358)	302,046
Area C	1,005,251	174,426	12,267	(9,213)	1,182,731
Area D	885,595	287,128	10,566	(177,806)	1,005,483
Area E	433,573	92,612	5,253	(25,000)	506,438
Area F	385,147	105,469	4,297	(111,065)	383,848
Area G	589,059	116,217	5,375	(337,790)	372,861
Area H	352,776	88,795	3,534	(165,403)	279,702
Total 2016	<u>4,207,585</u>	<u>1,016,925</u>	<u>48,119</u>	<u>(876,006)</u>	<u>4,396,623</u>
Total 2015	3,710,301	983,794	82,997	(569,507)	4,207,585

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

12. Restricted deferred revenue

Restricted deferred revenues are funds established and collected through bylaws, and are designated for improvements to the parks, water, and sewer systems of the Regional District, and are otherwise restricted in their use.

	Opening	Receipts	Interest	Transfers	Closing
	\$	\$	\$	\$	\$
Area A Parkland Acquisition	5,892	-	67	-	5,959
Area C Parkland Acquisition	39,157	-	440	-	39,597
Area E Parkland Acquisition	439,109	82,000	2,923	(439,958)	84,074
Area F Parkland Acquisition	17,223	-	194	-	17,417
Area H Parkland Acquisition	111,570	-	1,254	-	112,824
OK Falls Sewer DCC	172,109	192,480	3,016	-	367,605
Faulder Water System DCC	7,219	-	81	-	7,300
Olalla Water System CEC	5,277	-	59	-	5,336
Naramata Water:					
Naramata Water DCC	13,486	-	151	-	13,637
Lower Zone Capital	99,141	-	1,114	-	100,255
Upper Zone Capital	293,942	-	3,304	-	297,246
	<u>1,204,125</u>	<u>274,480</u>	<u>12,603</u>	<u>(439,958)</u>	<u>1,051,250</u>

13. Municipal Finance Authority financing

The Regional District has various financing agreements with the Municipal Finance Authority for the purchase of equipment. The financing agreements expire at various dates, and are repaid over 60 months. The financing is secured by specific equipment. Interest rates on the financing agreements vary from 1.38% and 1.50% per annum. Principal repayments over the next 5 years are as follows:

	\$
2017	14,694
2018	14,076
2019	14,275
2020	8,313
2021	3,683
Subsequent	-
Total	<u>55,041</u>

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

14. Long Term Debt

The Regional District obtains and issues debt instruments through financing from the Municipal Finance Authority and the Minister of Finance. The financing is obtained on behalf of the various local municipalities, as well as the Regional District, for general, water, and sewer operations and capital projects.

Financing is secured by deposits and claims against specific property. The maturity dates and interest rates of the long term debt vary and depend on the date of issue of the debt instrument. Long term debt is comprised of numerous issues that generally mature in 20 years. See Debenture Debt Schedule 3 for details of the maturity dates and interest rates of the individual issues.

	<u>2016</u>	<u>2015</u>
	\$	\$
Municipal Finance Authority - long term	86,130,133	92,685,223
Municipal Finance Authority - short term	2,940,000	2,000,000
Total long term debt	89,070,133	94,685,223
Less Regional District portion	18,798,879	17,473,975
Total Municipal portion	70,271,254	77,211,248

The following principal amounts are payable over the next 5 years:

2017	6,423,878
2018	5,181,592
2019	4,231,047
2020	4,143,176
2021	4,018,348
Thereafter	65,072,092
Total long term debt	89,070,133

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

15. Landfill Closure and Post-Closure Liability

The Environmental Management Act of B.C. and the Ministry of Environment of B.C. set out the landfill criteria to properly close and maintain all active and inactive landfill sites. Under the guidelines, there is a requirement for closure and post-closure care of solid waste landfill sites. Provisions are therefore made over the estimated remaining life of the landfill sites based on usage. The Regional District operates four landfills within its boundaries, Campbell Mountain, Keremeos, OK Falls, and Oliver, and is responsible for the costs of their closure and post-closure activities. Closure and post-closure costs are funded from tipping fees.

Closure activities include covering, grading and surface water management. Post-closure activities include leachate and environmental monitoring, maintenance, and reporting. Post-closure activities begin once the entire landfill site no longer accepts waste, and continues on for a period of twenty-five years. As the date of the site closures are unknown, management estimates the liability to begin after the closure of the current active phase, assuming another phase will not be opened. In the event another phase is opened, the start date for the liability will be adjusted to begin upon closure of the newly opened phase.

The Regional District has estimated the costs associated with these closure activities based on engineering studies required by the Ministry of Environment. Annual assessments are done for the landfills, with full landfill life cycle cost assessments done every 5 years.

In 2016, estimated expenses were calculated as the present value of future cash flows associated with landfill closure and post-closure costs, discounted using the Bank of Canada long term borrowing rate (3.02%) and the current Consumer Price Index (1.80%). The annual provision is reported as an Operating Fund expense and the accumulated provision is reported as a liability in the consolidated statement of financial position. Closure Reserve funds totalling \$6,915,165 (2015 - \$6,572,6831) have been established to provide for these liabilities.

	CMLF	OK Falls	Oliver	Keremeos	Total
Estimated remaining life (Years)	88	9	34	-	
Cumulative capacity used (MT)	1,009,304	48,949	197,404	25,000	
Total estimated capacity (MT)	3,214,155	100,000	490,034	25,000	
Usage (%)	31 %	49 %	40 %	100 %	
Estimated total closure expenditure	21,799,780	1,126,241	5,636,118	1,241,103	29,803,242
Current year accrued liability for landfill closure & post-closure	5,161,436	551,283	2,270,439	1,241,103	9,224,261
Less prior year accrued liability for landfill closure & post-closure	5,174,524	413,940	1,288,537	873,352	7,750,353
Current year landfill closure and post-closure expense (recovery)	(13,088)	137,343	981,902	367,751	1,473,908
Prior year landfill closure and post-closure expense	827,727	77,217	361,472	97,283	1,363,699
Reserve balances at December 31, 2016	6,026,793	19,401	829,334	39,637	6,915,165

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

16. Tangible capital assets

	Land	Buildings	Utilities infrastructure	Machinery & equipment	IT infra- structure	Vehicles	
COST:							
BALANCE, BEGINNING OF YEAR	25,713,960	6,881,090	42,413,115	5,452,439	897,724	5,321,899	8
Work in progress, opening	-	-	2,574,328	-	-	-	-
Work in progress, additions	-	-	2,431,073	-	-	-	-
Work in progress, disposals	-	-	(3,046,053)	-	-	-	(3
Acquisition of tangible capital assets	3,650,770	1,430,804	1,018,160	1,559,300	115,776	487,154	
Disposals	-	-	(23,525)	(14,739)	(31,907)	(6,000)	
BALANCE, END OF YEAR	29,364,730	8,311,894	45,367,098	6,997,000	981,593	5,803,053	9
ACCUMULATED AMORTIZATION:							
BALANCE, BEGINNING OF YEAR	1,022,191	2,426,426	7,975,140	3,400,452	660,844	3,797,354	1
Annual amortization	219,490	241,087	1,113,618	339,587	124,321	270,475	1
Amortization adjustments	-	-	(16,312)	(11,797)	(31,907)	(6,000)	
BALANCE, END OF YEAR	1,241,681	2,667,513	9,072,446	3,728,242	753,258	4,061,829	2
NET BOOK VALUE OF TANGIBLE CAPITAL ASSETS	28,123,049	5,644,381	36,294,652	3,268,758	228,335	1,741,224	7

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

17. Equity in tangible capital assets

Equity in tangible capital assets represents the net book value of the total tangible capital assets less any long term debt assumed to acquire those assets along with any actuarial adjustments.

	2016	2015
	\$	\$
Net book value of tangible capital assets, end of year	75,300,399	69,972,148
Less Regional District debenture debt:		
Sewer capital	(4,471,168)	(4,638,808)
Water capital	(3,852,474)	(3,897,053)
General capital	(3,278,408)	(2,512,713)
Less Regional District capital short-term borrowing	(2,940,000)	(2,000,000)
Less MFA leases payable	(55,241)	(8,066)
Equity in tangible capital assets, end of year	60,703,108	56,915,508

18. Pension liability

The Regional District of Okanagan Similkameen and its employees contribute to the Municipal Pension Plan (the Plan), a jointly trustee pension plan. The Board of Trustees, representing plan members and employers, is responsible for administering the Plan, including investment of the assets and administration of benefits. The Plan is a multi-employer defined benefit pension plan. Basic pension benefits are based on a formula. As at December 31, 2015, the Plan has about 189,000 active members and approximately 85,000 retired members. Active members include approximately 37,000 contributors from local governments.

Every three years, an actuarial valuation is performed to assess the financial position of the Plan and adequacy of the Plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the Plan. The actuary's calculated contribution rate is based on the entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for average future entrants to the plan. This rate is then adjusted to the extent there is amortization of any funding deficit.

The most recent valuation for the Municipal Pension Plan as of December 31, 2015, indicated a \$2,224 million funding surplus for basic pension benefits on a going concern basis. The next valuation will be as at December 31, 2018, with results available in 2019.

Employers participating in the Plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution plan accounting). This is because the Plan records accrued liabilities and accrued assets for the Plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the Plan.

The Regional District of Okanagan-Similkameen paid \$422,089 (2015 - \$419,658) for employer contributions to the Plan in fiscal 2016.

19. Contingent liability

In 2015, a property was identified on the Westbench of Penticton, Area F as being a former landfill site. The landfill site operated from 1962 to 1983, and was acquired in 2011 when the Regional District amalgamated the Westbench Irrigation District. The closure and post closure care period of 25 years is complete for the site. An environmental assessment will be done to determine if any potential liability exists for remediation of a contaminated site. The estimate of liability, if any, is not determinable or measurable at this time.

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

20. Subsequent events

Subsequent to the year end the Regional District disposed of the investment in the Lower Similkameen Community Forest Limited Partnership.

21. Oliver Parks & Recreation Society

The Regional District has a management agreement with the Oliver Parks & Recreation Society. The Regional District Okanagan-Similkameen exercises significant influence over the Oliver Parks & Recreation Society via an agreement to provide funding for operations. The management agreement stipulates that written approval be provided prior to any facility improvements, and that any such improvements become the property of the Regional District. The recreational facilities managed by the Society are recorded as assets of the Regional District. The operations of Oliver Parks and Recreation are wholly consolidated by the Regional District.

A new management agreement was signed December 1, 2015, and the existing parties will continue to operate under the new agreement for a 5 year term.

The Oliver Parks and Recreation Society financial statements are audited by another firm of Chartered Professional Accountants.

22. Sun Bowl Arena

The Regional District, along with the Corporation of the Town of Osoyoos (the Town), jointly appoints members to a recreation commission having responsibility for the management of the Sun Bowl Arena. The Town provides management services under a contract that allows for the supervision and operation of the Sun Bowl Arena. The operations of Sun Bowl Arena are wholly consolidated by the Regional District.

23. Budget reconciliation

	<u>Budget</u>
	\$
Deficiency for the year	(5,671,231)
Budget items not included for PSAB disclosure:	
Prior year surpluses	1,301,531
Transfers from reserves	3,052,233
Transfers to reserves	(1,345,591)
Debenture proceeds	<u>2,663,058</u>
Balanced budget under PSAB disclosure	<u>-</u>

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Notes to Consolidated Financial Statements

Year Ended December 31, 2016

24. Segmented Information

The Regional District provides a wide range of services to eight services areas (Areas A - H) located in the South Okanagan and Similkameen Valleys. The various services provided are organized and reported by departments. The segment information in Schedule 2 groups the services provided by the Regional District, which are broken down as follows:

Regional Services are comprised of a number of different services including general government services providing administrative and finance functions, municipal fiscal services which provide MFA financing, the 911 emergency system, solid waste management planning, illegal dumping, regional growth strategy, regional trails, invasive species, nuisance control, the Sterile Insect Release program, and the Okanagan Basin Water Board.

Rural Services are comprised of electoral area services including administration, planning, projects and grants, and economic development. Rural services include the development services of Geographic Information Services, building inspection, sub-division services, bylaw enforcement, animal and pest control, mosquito control, heritage conservation, and the Okanagan Regional Library.

Emergency Services are comprised of emergency planning and fire protection services. Fire protection is provided by seven volunteer departments located in Keremeos, Okanagan Falls, Coalmont and Tulameen, Willowbrook, Kaleden, Naramata, and Anarchist Mountain. The Regional District also provides fire protection for West Bench and rural Princeton areas.

Solid Waste and Recycling Services are comprised of the garbage collection, recycling, and landfill operations for the various areas. Landfills within the Regional District are located in Oliver, Keremeos, Okanagan Falls, and Penticton.

Engineering Services are comprised of sewer systems, water systems, and electrical systems operations. Sewer systems are located in Okanagan Falls, Osoyoos, and Gallagher Lake. Water systems are located at Apex, Faulder, Naramata, Olalla, West Bench, Sage Mesa, Gallagher Lake, and Willowbrook. Electrical systems are located at Missetzula Lake, Anarchist Mountain, West Bench and Husula, Heritage Hills, and Naramata (street lights). Engineering services also include wastewater management planning, transit, and cemetery operations.

Recreation Services are comprised of arena facilities, swimming pools, halls and centres, parks, and museum operations. Recreation services also include the recreation and heritage commissions. Arenas are located in Princeton, Keremeos, Osoyoos, and Oliver. Pools are maintained in Keremeos and Oliver. Halls, centres, and parks are located throughout the Regional District area.

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Restricted surplus - Reserves for Future Expenditures

Year Ended December 31, 2016, With Comparative Figures for 2015

Schedule 1

The restricted surplus is an appropriation of surplus for specific future expenditures.

	Opening balance	Contributions	Return on investment	Transfers	Closing balance
	\$	\$	\$	\$	\$
Arena - Osoyoos & Area A	55,098	25,000	619	(25,940)	54,777
Building Inspection	216,975	180,000	3,450	-	400,425
Building Inspection Equipment	1,038	-	12	-	1,050
Emergency System 911	170,390	10,000	1,971	-	182,361
Fire Protection:					
Anarchist Mtn. Building	13,112	37,000	355	-	50,467
Anarchist Mtn. Equipment	26,500	35,000	494	-	61,994
Area B, G & Keremeos	67,034	55,000	713	(62,191)	60,556
Kaleden	432,423	18,000	4,961	-	455,384
Keremeos Building	48,479	13,000	618	-	62,097
Naramata	60,721	-	683	-	61,404
OK Falls Building	170,535	5,000	1,945	-	177,480
OK Falls Equipment	505,795	60,000	6,021	-	571,816
Tulameen	101,135	27,000	1,289	-	129,424
Willowbrook	4,030	-	45	-	4,075
General Gov't Capital	236,934	44,000	1,961	(169,000)	113,895
General Gov't Carbon Neutral	30,035	10,000	393	-	40,428
General Gov't Economic Dev't	14,283	-	161	-	14,444
GIS Fund	77,204	-	868	-	78,072
Info Systems Renewal	82,600	-	928	-	83,528
Keremeos:					
Pool	127,211	11,000	1,491	-	139,702
Recreation Facility	301,294	11,941	3,348	(18,713)	297,870
Mosquito Control	4,675	-	52	-	4,727
Naramata:					
Library	152,926	14,889	1,765	(6,674)	162,906
Recreation - Capital	183,400	16,000	1,894	(45,782)	155,512
Recreation - Tractor	20,608	-	231	-	20,839
Naramata Cemetery	8,142	-	91	-	8,233
Naramata Street Lights	23,533	-	264	-	23,797
Naramata Water:					
Emergency Works	402,185	75,000	4,941	(150)	481,976
Dualling Reserve	1,528,452	209,698	16,489	(332,247)	1,422,392
Vehicle Replacement	174,087	11,941	2,024	-	188,052
Sub-total (to next page)	5,240,834	869,469	60,077	(660,697)	5,509,683

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Restricted surplus - Reserves for Future Expenditures

Year Ended December 31, 2016, With Comparative Figures for 2015

Schedule 1

The restricted surplus is an appropriation of surplus for specific future expenditures.

	Opening balance	Contributions	Return on investment	Transfers	Closing balance
	\$	\$	\$	\$	\$
Sub-total (from last page)	5,240,834	869,469	60,077	(660,697)	5,509,683
OK Falls Parks Acquisition	78,295	-	449	(76,679)	2,065
OK Falls Sewage Disposal	16,901	-	95	(16,901)	95
OK Falls Sewer Capital	156,508	-	879	(156,508)	879
Olalla Water System	170,951	11,000	1,983	-	183,934
Oliver & Area C:					
Arena	3,814	-	-	-	3,814
Recreation Hall	117,730	2,270	-	(120,000)	-
Park	116,602	-	-	(70,000)	46,602
Pool	218,525	-	-	(20,000)	198,525
Programs	18,005	1,995	-	(20,000)	-
Oliver P&R Services	168,326	277,380	15,921	(4,265)	457,362
Osoyoos Museum	146,103	101,956	2,215	-	250,274
Parks - Area D	71,389	-	410	(69,917)	1,882
Parks - Area F	961	-	11	-	972
Recreation Commissions:					
OK Falls	85,835	-	524	(78,404)	7,955
Cawston	12,626	-	141	-	12,767
Kaleden	14,646	442	-	-	15,088
Refuse Disposal:					
Area H	20,963	236	-	-	21,199
Keremeos	413	39,000	224	-	39,637
Campbell Mtn - Closure	5,732,967	228,000	65,825	-	6,026,792
Campbell Mtn - Capital	1,125,440	370,000	11,922	(499,303)	1,008,059
Campbell Mtn - E. I.	1,366,882	110,000	15,979	-	1,492,861
Liquid Waste Handling	34,785	-	391	-	35,176
Okanagan Falls	19,185	-	216	-	19,401
Oliver	820,118	-	9,216	-	829,334
Regional Parks Capital	184,602	46,674	2,320	-	233,596
Rural Area Feasibility	73,016	-	821	-	73,837
Shinish Creek Diversion	51,293	-	577	-	51,870
VFCFC Area H Capital	551,973	218,313	7,040	(69,500)	707,826
West Bench Irrigation District	531,496	150,000	6,475	(60,747)	627,224
Totals	17,151,184	2,426,735	203,711	(1,922,921)	17,858,709

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Consolidated Revenues and Expenses by Object

Year Ended December 31, 2016, With Comparative Figures for 2015

	Regional Services	Rural Services	Emergency Services	Solid Waste & Recycling	Engineering Services	Recreation Services	2016 Budget
	\$	\$	\$	\$	\$	\$	\$
REVENUES							
Tax requisition	4,121,910	3,771,682	2,098,967	516,917	624,584	3,645,108	14,757,913
Sale of goods and services	176,341	970,197	62,067	6,022,821	2,912,806	1,782,721	10,763,525
Grant revenue	318,050	663,136	92,382	-	1,071,474	220,883	4,116,749
Income from enterprises	-	515,782	-	-	-	-	-
Administrative & recoveries	15,744	44,094	22,101	136,793	147,006	33,957	623,305
Investment income	103,839	9,220	17,426	113,879	34,552	12,917	35,000
Grant in lieu of taxes	37,295	27,804	5,522	2,886	34	19,329	37,331
Development cost charges	-	-	-	-	800	-	-
	<u>4,773,179</u>	<u>6,001,915</u>	<u>2,298,465</u>	<u>6,793,296</u>	<u>4,791,256</u>	<u>5,714,915</u>	<u>30,333,823</u>
EXPENSES							
Wages and benefits	1,218,059	3,175,983	619,085	828,479	1,063,414	888,373	7,755,205
Contracted services	558,747	333,184	422,106	3,505,534	139,842	472,831	6,219,426
Maintenance and equipment	350,398	55,624	277,266	2,133,258	909,724	1,579,216	11,933,525
Requisitions to other boards	1,601,486	801,840	-	-	-	-	2,378,017
Amortization expense	173,030	9,594	395,274	86,264	1,213,860	430,556	-
Materials and supplies	314,301	372,702	149,437	51,678	158,626	133,207	1,509,759
Purchased services	132,074	67,019	16,897	369,647	58,171	93,765	859,290
Utilities and telephone	68,777	23,309	71,513	48,235	312,760	152,082	675,369
Grant expense	87,033	332,768	2,569	18,544	8,139	208,046	2,381,264
Interest expense	55,510	-	15,860	-	326,899	221,601	1,217,977
Insurance expense	33,437	52,547	79,286	48,766	63,070	101,008	362,596
Administration charges	-	-	-	3,934	-	19,550	712,626
	<u>4,592,852</u>	<u>5,224,570</u>	<u>2,049,293</u>	<u>7,094,339</u>	<u>4,254,505</u>	<u>4,300,235</u>	<u>36,005,054</u>
EXCESS (DEFICIENCY)	180,327	777,345	249,172	(301,043)	536,751	1,414,680	(5,671,231)
Gain (loss) on disposal of assets	(1,925)	-	-	-	(7,214)	3,711	-
EXCESS (DEFICIENCY) FOR THE YEAR	178,402	777,345	249,172	(301,043)	529,537	1,418,391	(5,671,231)

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Debenture Debt Schedule

Year Ended December 31, 2016, With Comparative Figures for 2015

Schedule 3

	Issue #	Matures	Rate	2016	2015
				\$	\$
Municipal financing					
Oliver	85	2024	4.98 %	266,789	293,398
	95	2025	4.17 %	88,869	97,150
	104	2028	5.15 %	1,462,121	1,555,685
	111	2025	3.73 %	1,645,134	1,799,601
	121	2022	2.90 %	336,080	384,799
	139	2026	2.10 %	842,250	-
				4,641,243	4,130,633
Penticton	63	2016	7.75 %	-	91,706
	72	2020	6.45 %	700,906	857,683
	73	2020	6.36 %	420,544	514,610
	81	2024	4.86 %	175,036	192,493
	85	2024	4.98 %	1,361,390	1,497,169
	93	2025	5.10 %	676,522	742,659
	95	2025	4.17 %	532,292	581,894
	99	2026	4.43 %	5,648,844	6,101,245
	102	2017	4.82 %	1,778,235	3,488,076
	102	2027	4.82 %	902,456	966,798
	103	2028	4.65 %	2,071,710	2,204,284
	104	2018	5.15 %	2,674,192	3,934,651
	104	2028	5.15 %	11,069,839	11,778,226
	105	2019	4.90 %	104,149	136,229
	106	2029	4.13 %	8,313,825	8,794,618
	110	2030	4.50 %	6,207,143	6,533,430
116	2031	4.20 %	476,140	499,005	
			43,113,223	48,914,776	
Summerland	64	2016	7.42 %	-	76,421
	69	2023	5.55 %	3,695,017	4,127,227
	71	2019	5.99 %	430,852	562,217
	75	2021	5.69 %	347,408	407,287
	95	2025	4.17 %	3,712,397	4,058,335
	97	2026	4.66 %	4,774,512	5,156,890
	102	2027	4.82 %	3,867,667	4,143,421
	106	2029	4.13 %	146,952	155,451
	110	2030	4.50 %	1,554,506	1,636,221
	116	2031	4.20 %	2,556,595	2,679,363
139	2036	2.10 %	366,000	-	
			21,451,906	23,002,833	
Keremeos	63	2016	7.75 %	-	7,734
	106	2034	4.13 %	174,478	181,020
			174,478	188,754	
Sub-total carried forward				69,380,850	76,236,996

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

Debenture Debt Schedule

Year Ended December 31, 2016, With Comparative Figures for 2015

Schedule 3

	Issue #	Matures	Rate	2016	2015
				\$	\$
Municipal financing					
Sub-total carried forward				69,380,850	76,236,996
Osoyoos	59	2019	9.52 %	34,586	45,035
	74	2021	5.93 %	50,225	58,882
	80	2023	4.78 %	395,595	441,868
	112	2030	3.73 %	152,860	160,895
	126	2033	3.85 %	257,138	267,572
				<u>890,404</u>	<u>974,252</u>
Total Municipal financing				<u>70,271,254</u>	<u>77,211,248</u>
Regional District financing					
General capital					
Missezula Lake Electrification	64	2021	7.42 %	-	43,052
Okanagan Falls Recreation	97	2016	4.66 %	-	29,637
Keremeos Fire Department	99	2021	4.43 %	98,499	115,985
Osoyoos Museum	121	2032	2.90 %	1,048,283	1,094,468
Okanagan Falls Parkland	124	2033	3.15 %	1,181,626	1,229,571
Naramata Parkland	139	2036	2.10 %	950,000	-
Total				<u>3,278,408</u>	<u>2,512,713</u>
General operating					
Anarchist Mountain Fire Department	95	2025	4.17 %	161,053	176,060
Venables Auditorium	127	2034	3.30 %	3,446,525	3,575,747
Northwest Sewer	130	2034	3.00 %	649,251	673,594
Total				<u>4,256,829</u>	<u>4,425,401</u>
Sewer capital					
OK Falls WWTP	127	2034	3.30 %	<u>4,471,168</u>	<u>4,638,808</u>
Water capital					
Naramata Water System	99	2031	4.43 %	1,615,581	1,693,162
West Bench Irrigation District	121	2023	2.90 %	214,599	240,725
Apex Circle Water System	127	2034	3.30 %	64,739	67,166
West Bench Water System	131	2035	2.20 %	1,828,955	1,896,000
Faulder Water System	139	2026	2.10 %	128,600	-
Total				<u>3,852,474</u>	<u>3,897,053</u>
Short term borrowing					
911 Emergency Services System	BL 2651	2015	1.70 %	1,640,000	1,250,000
OK Falls Parkland Acquisition	BL 2694	2015	1.70 %	-	750,000
Naramata Fire Truck	BL 2718	2016	1.41 %	150,000	-
Naramata Parkland Acquisition	BL 2744	2016	1.41 %	1,150,000	-
Total				<u>2,940,000</u>	<u>2,000,000</u>
Total Consolidated Debenture Debt				<u>89,070,133</u>	<u>94,685,223</u>

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 4, 2017

RE: Five Year Financial Plan Amendment - Kaleden Parks and Recreation

Administrative Recommendation:

THAT the Regional District amend the 2017 Five Year Financial Plan to increase the Kaleden Parks and Recreation Program to fund minor parks and hall improvement projects up to \$11,500.

Purpose:

To authorize previously unidentified expenditures in 2017 for the Kaleden Parks and Recreation Commission. Amendments to the approved Five-year Financial Plan are brought forward as supporting resolutions with bylaw amendments taking place in aggregation annually at the end of the calendar year.

Reference:

Bylaw 2767, 2017 Regional District of Okanagan-Similkameen 2017-2021 Five Year Financial Plan

Background:

The 2017 Kaleden Parks and Recreation Budget is carrying an uncommitted surplus of \$11,500 from 2016. The Commission has identified a requirement for the uncommitted funds to complete a variety of minor projects and improvements at the park and Community Hall.

Analysis:

With a higher than anticipated 2016 surplus in the Kaleden Parks and Recreation Service, the Commission has put forward recommendations for improvement projects that they have deemed to be a priority. Staff resources required to complete the additional projects are estimated at 15 hours with nominal impact to the normal operations of the parks and facilities.

Alternatives:

The Budget Amendment be denied.

Respectfully submitted:

Noelle Evans-MacEwan

N. Evans-MacEwan, Finance Supervisor