

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, May 18, 2017
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	9:15 am	Public Hearing: Official Community Plan (OCP) Bylaw & Zoning Bylaw Amendment 161 6 th Street, Tulameen, Electoral Area “H” [Page 2]
9:15 am	-	10:00 am	Environment and Infrastructure Committee [Page 3]
10:00 am	-	11:00 am	Corporate Services Committee [Page 24]
11:00 am	-	12:00 pm	RDOS Board [Page 27]

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

Advance Notice of 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
August 17, 2017	RDOS Board/OSRHD Board/Committee Meetings



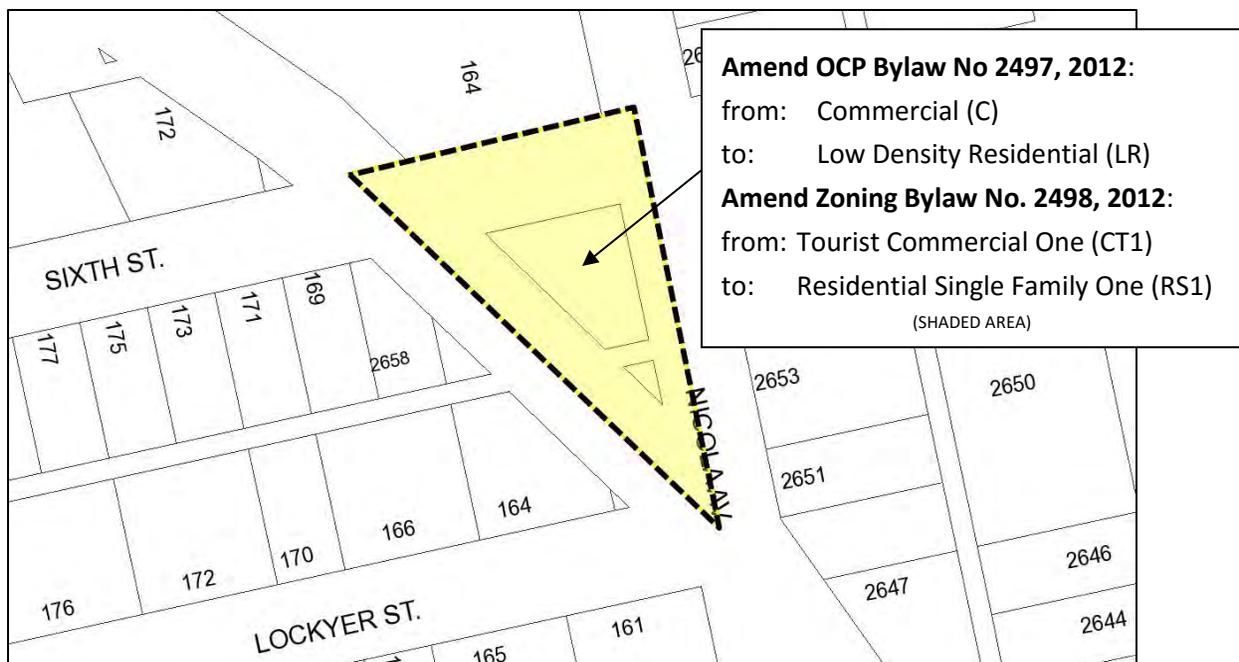
NOTICE OF PUBLIC HEARING

Electoral Area “H” Official Community Plan (OCP) Bylaw and Zoning Bylaw Amendments
161 6th Street, Tulameen

Date: Thursday, May 18, 2017
Time: 9:00 A.M.
Location: RDOS, Board Room, 101 Martin Street, Penticton

PURPOSE: To amend the Official Community Plan (OCP) designation and zoning of the subject property in order to formalize the use of an existing residential dwelling.

- *Amendment Bylaw No. 2497.07, 2017:* proposes to amend Schedule ‘B’ of the Official Community Plan (OCP) Bylaw No. 2497, 2012 described as Lot A, Plan KAP81230, District Lot 128, (161 6th Street, Tulameen) from Commercial (C) to Low Density Residential (LR).
- *Amendment Bylaw No. 2498.13, 2017:* proposes to amend Schedule ‘2’ of the Electoral Area “H” Zoning Bylaw No. 2498, 2008, by changing the land use designation on the land described as Lot A, Plan KAP81230, District Lot 128, (161 6th Street, Tulameen) from Tourist Commercial One (CT1) to Residential single Family One (RS1).



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 “H”)

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.2497.07 & 2498.13, 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

Environment and Infrastructure Committee

Thursday, May 18, 2017

9:15 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of May 18, 2017 be adopted.

B. ENVIRONMENTAL CONSERVATION SERVICE (SOUTH OKANAGAN CONSERVATION FUND) ADMINISTRATION [Page 4]

1. Draft Agreement [Page 6]
2. Draft Terms of Reference [Page 10]

To propose and obtain approval for the administrative structure and Terms of Reference for managing the South Okanagan Conservation Fund.

RECOMMENDATION 2

THAT the Regional District approve the Terms of Reference for the South Okanagan Conservation Fund; and further

THAT the Regional District sole-source the contract to administer the South Okanagan Conservation Fund to the South Okanagan Similkameen Conservation Program (SOSCP) for an amount not to exceed 7% of the amount requisitioned annually through the Environmental Conservation Service Establishment Bylaw.

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: May 18, 2017

RE: Environmental Conservation Service (South Okanagan Conservation Fund)
Administration

Administrative Recommendation:

THAT the Regional District approve the Terms of Reference for the South Okanagan Conservation Fund; and further

THAT the Regional District sole-source the contract to administer the South Okanagan Conservation Fund to the South Okanagan Similkameen Conservation Program (SOSCP) for an amount not to exceed 7% of the amount requisitioned annually through the Environmental Conservation Service Establishment Bylaw

Purpose:

To propose and obtain approval for the administrative structure and Terms of Reference for managing the South Okanagan Conservation Fund.

References (both attached):

1. Draft Agreement
2. Draft Terms of Reference

Business Plan Objective: *(Tie to current RDOS Business Plan)*

Key Success Driver 3, Goal 3.3 – to develop an environmentally sustainable region

Background:

On December 15, 2016, the RDOS Board adopted Bylaw No. 2690 to establish an Environmental Conservation Service. The concept of an Environmental Conservation Service came from the Regional Biodiversity Conservation Strategy *Keeping Nature In our Future* document, developed by the South Okanagan Similkameen Conservation Program (SOSCP), and accepted by the Board in September of 2013.

Over the next number of years, RDOS staff and SOSCP worked together to obtain public opinion on the concept of a Conservation Fund, and further develop fund details. SOSCP further undertook additional public and stakeholder outreach, as well as public opinion and focus group research, and in the late fall of 2016, RDOS garnered public assent through an Alternate Approval Process that resulted in less than 1% in opposition.

The bylaw establishes an Environmental Conservation Service for the Electoral Areas "A", "C", "D", "E", "F" and the City of Penticton, District of Summerland, and Town of Oliver (the participating areas). The annual maximum amount that may be requisitioned for the cost of the service will not exceed the greater of \$450,000 (or \$0.0292 per thousand dollars of net taxable value of land and improvements in the RDOS). These requisitioned funds are in support of undertaking and administering activities, projects, and works that will include, but not limited to; water, environment, wildlife, land and habitat conservation efforts to protect natural areas within the participating areas.

Alternatives:

1. Defer approval of the Terms of Reference for the Fund for future consideration
2. Initiate a Call for Proposals to seek a Fund Administrator
3. Administer the Fund in-house

Analysis:

Terms of Reference

A Terms of Reference has been drafted to guide the South Okanagan Conservation Fund Program, and addresses all aspects of fund detail including the purpose, administration, themes/goals, guiding principles, timelines, governance, fund design, and supporting appendices relating to criteria for ineligible activities, terms for a Technical Advisory Committee and conflict of interest guidelines.

Agreement

It is proposed that RDOS enter into an **annual** agreement with the SOSCP to administer aspects of the Fund that will provide economic efficiencies and draw on environmental expertise that is not available internally to RDOS. The Manager of Legislative Services has been assigned as the contact for SOSCP.

Communication Strategy:

A webpage developed for the RDOS website will provide basic information on the fund, it's accomplishments and financials, and will provide a link to the SOSCP for additional information, eligibility criteria and application information.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services



REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

THIS AGREEMENT dated for reference the _ day of _, 2017.

BETWEEN: REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN
101 Martin Street,
Penticton BC V2A 5J9;

(“RDOS”)

AND: OF THE FIRST PART

**THE SOUTH OKANAGAN SIMILKAMEEN CONSERVATION PROGRAM
SOSCP**
102 Industrial Place,
Penticton, BC V2A 7C8

(the “Consultant”)

OF THE SECOND PART

WHEREAS:

- A. The Regional District of Okanagan Similkameen (RDOS) has adopted Bylaw No. 2690 establishing an Environmental Conservation Service for the boundaries of Electoral Areas “A”, “C”, “D”, “E”, “F”, the City of Penticton, District of Summerland, and the Town of Oliver.
- B. The RDOS is desirous of having the Consultant administer the Environmental Conservation Service also known as the “South Okanagan Conservation Fund” in accordance with the Terms of Reference and the annually approved budget.

NOW THEREFORE, in consideration of the premises and the terms, conditions, consideration, warranties, and representations contained herein, the parties hereto covenant and agree with each other as follows:

1. DEFINITIONS

“**Funds**” means the money paid by the RDOS to the Consultant for Program delivery and administration costs in accordance with this agreement.

“**Program**” means the delivery and administration of the South Okanagan Conservation Fund, as described in the Terms of Reference, attached hereto as Schedule A and forming part of this agreement.

“**Terms of Reference**” means the South Okanagan Conservation Fund Terms of Reference approved by the RDOS on _, 2017 and which may be amended from time to time without affecting the remainder of this agreement.

2. TERM

2.1 This agreement shall commence on June 1, 2017 and expire on December 31, 2019.

3. PROGRAM DELIVERY AND ADMINISTRATION

- 3.1 The Consultant will deliver and administer the Program as described in this agreement, and in accordance with the Terms of Reference. Under this formal written agreement, the Consultant will be responsible for all aspects of Fund management, other than the direct financial management. This management includes drafting the Fund design documents, preparing and advertising the call for proposals, responding to enquiries, vetting TAC applicants, providing recommendations and Fund program summary to the Board, project evaluation and overall program evaluation.
- 3.2 The RDOS will be the approving authority for all documents relating to the Fund. The RDOS may appoint a Technical Advisory Committee to provide expertise in the review and selection of projects or recipients of funds. The consultant will organize the Technical Advisory Committee and forward all recommendations coming from the Committee to the RDOS.

4. FINANCIAL MANAGEMENT

- 4.1 By December 31 of each year, the Consultant will provide the RDOS an annual budget detailing the costs associated with the administration of the Program for the one-year period from January 1 to December 31 the next following year. In the first year of the agreement, the budget shall be submitted by June 30, 2017 for the partial year to December 31, 2017.
- 4.2 The Consultant agrees to receive these Funds from the RDOS in a manner consistent with the terms of this Agreement and to expend said Funds solely for the purposes of this Program.
- 4.3 The Consultant will use the Funds to pay all costs for the delivery and administration of the Program on behalf of the RDOS, including but not limited to:
 - a) Communications and Advertising costs;
 - b) Technical Advisory Committee expenses;
 - c) Consultants Program Management expenses related to the Program.
- 4.4 The Consultant will maintain the Funds in a separate coded account and ensure they are only used for the activities associated with the delivery and administration of the Program.
- 4.5 The Consultant will maintain accurate financial records and supporting receipts for the Program, and will provide same to the RDOS on demand.
- 4.6 Funds payable to the Consultant will not exceed 7% of the amount requisitioned annually through the service by the RDOS.
- 4.7 The RDOS will pay the Funds to the Consultant in one annual payment on August 1st of each year of the Agreement. In the first year of the Agreement, payment will be made immediately following RDOS approval of the submitted 2017 Program budget as per Section 4.1 of this Agreement.
- 4.8 Payment of the Funds is subject to the submission of an annual Program budget as per Section 4.1 of the Agreement and RDOS approval of the annual budget and Funds.

5. CONFIDENTIALITY

5.1 The Consultant will keep any information about the RDOS and the Program which is not otherwise available to the public, including property negotiations, confidential unless required by law to release such information.

6. INDEMNITY

6.1 The Consultant shall indemnify and save harmless the RDOS from and against all claims, demands, losses, costs, damages, actions, suits or other proceedings arising out of, related to, occasioned by or attributable to the Program under this Agreement, except to the extent the same is caused or contributed to by the negligence of the RDOS in which case the RDOS shall indemnify the Consultant in the same like manner and to the same extent as set out above.

7. TERMINATION AND NON-COMPLIANCE

7.1 The parties agree that either party may terminate this agreement for any reason. The Consultant or the RDOS must give 90 days written notice of its intention to do so.

7.2 Upon termination of this Agreement the Consultant will immediately return all unspent Funds to the RDOS.

7.3 If the Consultant fails to observe, perform or comply with any provision of the Agreement then the RDOS may terminate the Agreement and require the Consultant to repay all, or a portion, of the Funds received under this Agreement.

8. DIFFERENCES

8.1 All matters of difference arising between the RDOS and the Consultant in any matter connected with or arising out of this Agreement whether as to interpretation or otherwise, shall be determined by the RDOS but without prejudice to the Consultant to any recourse available under law.

9. ASSIGNMENT

9.1 This Agreement shall not be assigned by either party without the prior written approval of the other.

10. CHANGES TO AGREEMENT

10.1 The RDOS and the Consultant may, by reciprocal correspondence, agree to add to, delete, vary or amend any provision of this Agreement. Any changes that are mutually agreed upon by the RDOS and the Consultant shall be included in and form part of this Agreement.

10.2 The RDOS and the Consultant agree that changes may, from time to time, be made to the Terms of Reference by the RDOS attached to and forming part of this Agreement and that such changes will not require a formal written amendment to this Agreement.

11. INTERPRETATION

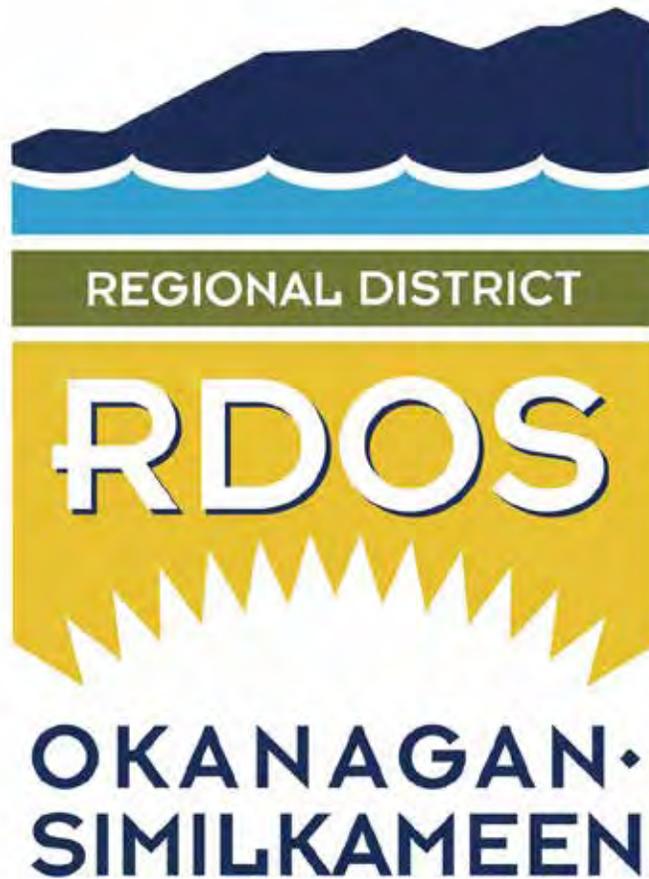
- 11.1 Headings are inserted in this Agreement for convenience only and shall not be construed as affecting the meaning of this Agreement.
- 11.2 This Agreement constitutes the entire Agreement amongst the parties and there are no terms, conditions, representations, or warranties, expressed or implied, statutory or otherwise, except for those expressly set forth herein.
- 11.3 Whenever the singular or masculine is used herein, the same shall be construed as meaning the plural or feminine or body politic or corporate where the context of the parties hereto so require.
- 11.4 This Agreement shall endure to the benefit of and be binding upon the parties hereto and their permitted successors and assigns.
- 11.5 This Agreement shall be governed by and construed in accordance with the laws of British Columbia.
- 11.6 If a portion of this Agreement is found invalid by a court, it will be severed and the remainder of the Agreement will remain in effect.

On behalf of **REGIONAL DISTRICT
OF OKANAGAN SIMILKAMEEN:**

Karla Kozakevich, Chair

Bill Newell, CAO

On behalf of **the Consultant:**



REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

SOUTH OKANAGAN CONSERVATION FUND

Leaving a natural legacy for future generations...

TERMS OF REFERENCE

Date

Approved on __, 2017

SOUTH OKANAGAN CONSERVATION FUND

DRAFT TERMS OF REFERENCE

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1. BACKGROUND

In December 2016, the Regional District of Okanagan Similkameen (“RDOS”), with public assent, adopted Bylaw #2690 to establish an Environmental Conservation Service for the Electoral Areas “A”, “C”, “D”, “E”, “F”, the City of Penticton, District of Summerland, and the Town of Oliver (collectively referred to as “the participating areas”). Under this Bylaw, the annual maximum amount to be requisitioned for the cost of the service was not to exceed the greater of \$450,000 or \$0.0292 per thousand dollars of net taxable value of land and improvements in the Regional District of Okanagan-Similkameen. These funds are in support of undertaking and administering activities, projects, and works that include, but are not limited to, water, environment, wildlife, land and habitat conservation efforts to protect natural areas within the participating areas of the Regional District of Okanagan-Similkameen.

For the purposes of this Terms of Reference, the Environmental Conservation Service is also known as the “South Okanagan Conservation Fund” or “the Fund”.

2. FUND PURPOSE

The South Okanagan Similkameen is biologically, a unique area of Canada. The RDOS has the second highest number of species at risk of any other Regional District in BC as well as the highest proportion of sensitive ecosystems.

Natural lands in both rural and urban areas filter our water, supply open spaces for wildlife and people, and provide quality of life to communities. Unfortunately, these systems are under stress. The current generation must take action now to ensure a healthy physical environment for future generations.

The purpose of the Fund is to provide local financial support for projects that will contribute to the conservation of our valuable natural areas; one step towards restoring and preserving a healthy environment. The intent is to provide funding for conservation projects that are not the existing responsibility of the federal, provincial or local governments.

3. FUND ADMINISTRATION

3.1 RDOS Responsibility

The RDOS is responsible for maintaining the integrity of the Fund and retains the responsibility for approval of all matters related thereto, including projects, payments, and financial audits of the Fund.

3.2 Consultant Responsibility

The RDOS may enter into agreement with a third party to be responsible for aspects of administrative management of the fund for a fee for service.

3.3 Technical Advisory Committee

The RDOS may also appoint a Technical Advisory Committee to provide expertise in the review and selection of projects or recipients of funds, as outlined in Appendix 2.

Some of the top-mentioned public environmental concerns from RDOS citizen and public opinion surveys include; water quality and quantity, air quality, wildfires, preserving lands and parks, the loss of natural areas due to land conversion and development, population growth and development, sprawl, and the loss or extinction of wildlife.

4. CONSERVATION THEMES AND GOALS

4.1 Themes

The themes for the Fund shall address top public environmental issues including: conservation of water quality and quantity stewardship, (aquatic ecosystems, surface and groundwater), protection, enhancement and restoration of sensitive terrestrial and aquatic ecosystems, wildlife species (including those at risk), and habitat for native fish and wildlife.

These themes are based on market research done in RDOS community surveys (2010, 2012, and 2014) and SOSCP opinion polling (2004 and 2008) to identify what residents value in the RDOS region. Themes are also consistent with the Biodiversity Conservation Strategy *Keeping Nature in Our Future*.

4.2 Targets

Projects that can demonstrate a reduction of a known threat to a biodiversity target will be given priority (see Appendix 1 for a list of ineligible projects). Projects on all land tenure types will be considered. The biodiversity targets are:

- Sensitive Ecosystems as defined by Provincial SEI classifications and predominantly occurring in the valley bottom <1200m in elevation*.
 - Riparian, foreshore and water bodies including gullies, creeks, rivers, ponds, lakes, marshes and swamps;
 - Wetlands both permanent and ephemeral including wet meadows, marshes, swamps and shallow open water areas including ponds
 - Grasslands and shrub-steppe
 - Sparsely Vegetated rock outcrops, talus, cliffs and slopes;
 - Broadleaf & coniferous woodlands and old forests;
 - Other important ecosystems such as mature forest and Seasonally Flooded Fields; and,
 - *Exception is high elevation alpine areas. These are to be included.
- Watersheds at important source water protection areas.
- Connectivity for natural areas and wildlife corridors.
- Native fish and wildlife habitat including for species at risk.
- Urban and rural wild-land interface areas.

4.3 Classification Scheme

The aim is to “think globally; act locally.” The framework for Technical Review (see Appendix 2) will be based on the International Union for the Conservation of Nature (IUCN) classification of direct threats. The value of this classification scheme is to provide nomenclature for practitioners world-wide to describe the common problems they are facing and solutions they are using in a mutually intelligible way. The

issues outlined below are those that currently have the highest relevance to the area around RDOS. This is only a partial list and other IUCN threats will be considered in evaluating proposals:

(a) Residential and Commercial Development

Development activity continues to lead to conversion and fragmentation of important habitats and greater demands on water.

(b) Climate Change

Climate change will have a dramatic influence on Okanagan ecosystems over the next 20 years. Higher summer and winter temperatures, declining mountain snowpack, reduced snowfall, long dry summers, and sudden heavy rains are just some of the changes. These changes will have a dramatic impact on fire regimes, geo-hazards and flooding, river flow, water availability, plant distribution, and wildlife populations.

(c) Terrestrial and Aquatic Invasive Species

When natural areas are disturbed there is often an opportunity for invasive species to flourish. Invasive species, both terrestrial and aquatic, can disrupt natural ecological processes as there are often no natural agents present to keep these species in check. Invasive species can affect fish and wildlife habitat, range values, food security, and timberland.

(d) Natural System Modifications (Fire maintained ecosystems, Dams and Water Management and Use)

When natural systems are modified such as through fire suppression, or non-ecological fireproofing or hydrological flow regimes altered, the ecological degradation and loss of biological diversity can be widespread.

(e) Transportation and Service Corridors

Wildlife mortality and habitat fragmentation are direct consequences of road corridors. These corridors are concentrated in valley bottoms and traffic volumes are increasing over time thereby increasing the risk.

(f) Human Intrusions and Disturbance (Recreational Activity)

Recreational activity, particularly increasing off-road activity, can lead to a range of impacts including soil compaction, erosion, spread of invasive plants, and disturbance to wildlife.

(g) Agriculture and Aquaculture

Threats from farming and ranching as a result of agricultural expansion and intensification, can lead to loss of important ecosystem and wildlife habitat, soil compaction, spread of invasive plants, human health issues with surface and groundwater.

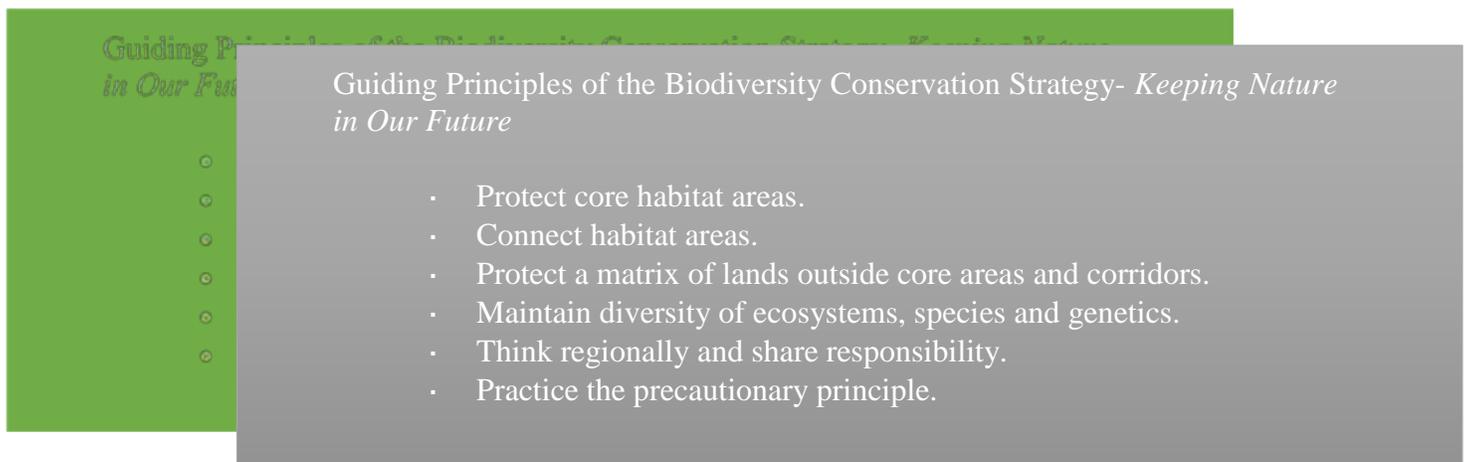
(h) Biological Resource Use

Harvesting trees and other woody vegetation for timber, fibre, or fuel can have an impact on ecosystems, wildlife habitat, surface and groundwater, including soil compaction, erosion, spread of invasive plants and disturbance to wildlife.

5. GUIDING PRINCIPLES

To best support the most effective projects, the guiding principles of the *Conservation Framework for British Columbia* will be followed:

- **Acting sooner** – before species and ecosystems are at risk.
- **Acting smarter** – priority setting is science-based; the results move us from reactive conservation to prevention using appropriate management actions.
- **Acting together** – coordinated and inclusive action.
- **Investing more wisely** – align conservation investments, priorities, and actions among conservation partners and stakeholders.



The following guiding principles will also be used with respect to the Fund:

- Projects that fall into the **existing responsibilities of federal, provincial or local governments will not be eligible** for funding.
- The review process will be as **simple** as possible, particularly with the recognition that a relatively small Fund is being administered.
- Projects will be ranked on **technical soundness, technical effectiveness, and value for money**.
- Projects will initially be ranked based on technical merit, regardless of where they occur within the participating area. Subsequently, regional equity may be considered in decision-making
- Only **highly ranked projects** will be funded. If there are not enough high quality projects in any given year, funds will be carried forward to future years.
- **Changes to program design** will be considered as more is learned about the needs of the areas, provided always that the goals of the Fund are still met.

6. TIMELINES

6.1 General Projects

- Call for proposals – September
- RDOS administrative review– October
- Technical review – October
- RDOS final approval – November

- Successful applicants advised and informed – January
- Contribution Agreements between the RDOS and applicants are finalized – February
- Interim Report Due – September
- Final Report Due – February

6.2 Land Securement Projects

Land acquisition or covenant proposals may be submitted at any time during the year provided there is sufficient time for the Technical Advisory Committee and RDOS to review the proposals. All securement proposals will be treated as confidential unless other specific arrangements have been approved by all parties.

7. GOVERNANCE

The governance model is based on three guiding principles:

1. This is a tax-based fund; therefore, in the decision-making process, taxpayers will be represented through their elected officials.
2. The Fund was created to provide a conservation service. Technical merit is of utmost importance to determine which projects are supported.
3. There is a relatively small amount of annual funding available and it is important to design a simple, cost effective decision-making structure.

The governance model may be modified as necessary to accommodate the goals of the Fund. A two-tiered process may be employed, with a Technical Advisory Committee (see Appendix 2) making recommendations to the RDOS.

The RDOS may appoint a Technical Advisory Committee based on nominations or applications received in response to an open call to fill a vacancy. Five to seven committee members may be selected with a maximum term of three years. Some members may be asked to serve for only one or two year terms to ensure membership continuity in each year. The RDOS will base any appointment of members to a Technical Advisory Committee on qualification criteria found in Appendix 2. The Technical Advisory Committee shall follow the Conflict of Interest Guidelines defined in the Local Government Act.

8. FUND DESIGN

- (1) A call for project proposals will be issued annually (September).
- (2) Funds will be dispersed based on responses to calls for proposals. Any funds not dispersed shall be carried forward to the next fiscal year.
- (3) Projects must be in the Fund participating areas.
- (4) Multi-year projects are acceptable to a maximum of three years. Multi-year projects will require annual funding approval and will be subject to oversight by the Technical Advisory Committee to ensure they are on track.
- (5) Projects must address IUCN threats to biodiversity targets and fall into at least one theme area (see Section 4).
- (6) Proponents must be an incorporated non-profit society in good standing or must partner with an organization that has registered society status.

- (7) Project evaluation by the Technical Advisory Committee includes consideration of conservation value for money.
- (8) Proposals should reflect continuity with the Biodiversity Conservation Strategy *Keeping Nature in Our Future*.
- (9) If invited, proponents must be prepared to make a 10-minute presentation to the Technical Advisory Committee or the RDOS on the outcomes of their projects on an annual basis, in addition to submitting written interim and final reports.
- (10) Proponents will receive 70% of the grant upon signing a contribution agreement and 30% upon completion of the approved final report.
- (11) All financial changes to a workplan must be approved by the RDOS, upon recommendation from the Technical Advisory Committee.

RDOS CONSERVATION FUND

TERMS OF REFERENCE

APPENDIX 1 INELIGIBLE ACTIVITIES

The following types of projects will not be considered for funding:

- (a) Existing federal, provincial or local government responsibilities;
- (b) Capacity building or operating only expenses for organizations;
- (c) Projects with recreational benefits only;
- (d) Community infrastructure services;
- (e) Lobbying or advocacy initiatives;
- (f) Wildlife feeding programs;
- (g) Non-applied research (research not related to a conservation action goal);
- (h) Training costs for contractors;
- (i) Enforcement activities;
- (j) Fish rearing, farming, stocking or hatchery projects;
- (k) *Rehabilitation, captive breeding or control of wildlife species;
- (l) *Mapping only projects;
- (m) *Inventory only projects;
- (n) *Planning only projects;
- (o) *Education only projects;
- (p) Fishing and hunting tour or curriculum guides;
- (q) Information projects on regulations or stocking;
- (r) Conferences;
- (s) Production or sponsorship of commercial programs;
- (t) *Interpretive services;
- (u) *Creation or management of electronic databases, websites or file systems.

*These activities will be considered if they are part of an eligible project that will lead to 'on-the-ground' implementation or if they provide knowledge which is vital to achieving the overall objectives of the Fund.

SOUTH OKANAGAN CONSERVATION FUND

TERMS OF REFERENCE

APPENDIX 2

TECHNICAL ADVISORY COMMITTEE

1. PURPOSE

The purpose of the Technical Advisory Committee (“the Committee”) is to ensure that:

- (a) All proposals to the Fund receive a sound technical review based on a fair assessment of merit and project effectiveness;
- (b) There is a high level of accountability in the review process; and
- (c) Recommended lists of technically appropriate proposals are provided to the RDOS.

2. COMPOSITION

The Committee will be comprised of five to seven members with expertise in each theme area of hydrology, ecology, conservation biology, ecosystems (sensitive terrestrial and aquatic ecosystems, management, enhancement and restoration), restoration and enhancement of habitat, fish and wildlife conservation including species at risk. To ensure consistency and continuity, some members may be asked to serve on the Committee in consecutive years. Quorum for the Technical Advisory Committee shall be 3.

3. PROPOSAL RANKING GUIDELINES

- (a) Each proposal will be independently reviewed by each Committee member and be rated on what is submitted by the proponent.
- (b) The Committee will only review proposals on their technical merit and effectiveness.
- (c) Experts in fields related to the activities within proposals may be consulted as necessary.
- (d) Each proposal will be discussed collectively and Committee members will have an opportunity to change their scores based on input from other members.
- (e) Scores from each Committee member will be used to determine the final evaluation score for the proposal. The proposals will be ranked from highest to lowest score.
- (f) New funding proposals will be rated on whether they meet the Fund criteria and if the project should be considered for funding. For continuing projects, ratings will be based on whether the project should be continued.
- (g) The Committee chair will sign the ranked list and the Committee’s comments will then be forwarded to the RDOS in a summary report.
- (h) The consultant retained by the RDOS to oversee the administrative management will participate in the technical review process, but will not rank proposals or influence the TAC; will provide additional file information as requested by the Committee members before and at review meetings; and will be available to answer questions from the RDOS on behalf of the Committee.

4. TECHNICAL EVALUATION CRITERIA

4.1 New Projects

(a) Feasibility (i.e., is the project doable – Yes or No)

- Is the overall proposal well written?
- Are the objectives clearly defined?
- Are the techniques and methods proposed the most appropriate ones to address the threat?
- Does the proponent clearly understand the challenges they may face in completing the project?
- Has the proponent demonstrated that the project will be able to overcome these challenges?
- Are the proposed timelines reasonable?
- Do the proponents have the capacity to deliver the project?
- If applicable, are plans in place to get required permits or authorizations?
- Have any possible negative implications or effects on other targets been identified and minimized?

Based on the answers to the above questions, rank the feasibility of the project from 0-10 with 10 being the highest ranking.

(b) Cost Effectiveness (Yes or No)

- Is there value for the funding being requested?
- Are the benefits as described in the proposal in line with the cost of the project?
- Are the project budget and in-kind rates realistic?

Based on the answers to the above questions, rank the cost effectiveness of the project from 0-5 with 5 being the highest ranking.

(c) Outside Participation / Cost Sharing (Yes or No)

- Do the proposed activities involve other agencies and organizations?
- Does the project leverage funds from other sources?

Based on the answers to the above questions, rank the leverage potential of the project from 0-5 with 5 being the highest ranking.

(d) Project Effectiveness (i.e., is the project worth doing?)

- Is there a clearly demonstrated ability for the results of this project to reduce an identified threat (IUCN) to a biodiversity target?
- Is the project outside of the realm of regular government responsibilities?
- Is the project rationale science-based and do the results move us from reactive conservation to prevention using appropriate management actions?
- Does the project build on conservation measures from relevant strategies including *Keeping Nature in our Future*?
- Does the project align conservation investments, priorities, and actions among conservation partners and stakeholders?
- Is there an evaluation of project benefit or other measurables or indicators identified in the proposal?

- Ø Is there a clearly described extension component of the project (e.g., communicating results to the community, resource managers, workshops, reports, presentations, etc.)?

Based on the answers to the above questions, rank the effectiveness of the project from 0-20 with 20 being the highest ranking.

(e) Other Comments

- Ø Are there any other technical concerns?
- Ø Are there any technical conditions to funding?
- Ø Are there any other general comments from reviewers?

4.2 Continuing Projects

Each Committee member answers Yes or No to the following criteria and on whether the project should continue to be funded. Continuing projects have undergone an extensive review to receive original approval; therefore, no evaluation score is needed.

(a) Progress to Date

- Ø Has there been satisfactory progress to date in terms of the project's scheduled activities?
- Ø Does the proposal build on past accomplishments?
- Ø If difficulties arose in the previous or current year, will they affect proposal activities?
- Ø Should the proposal be modified to address any problems arising from the previous year?
- Ø Are any budget changes justified?

(b) Overall Evaluation

- Ø Should the project continue to be funded?
- Ø Are there any conditions to continued funding?

SOUTH OKANAGAN CONSERVATION FUND

TERMS OF REFERENCE

APPENDIX 3

TECHNICAL ADVISORY COMMITTEE CONFLICT OF INTEREST GUIDELINES

1. GENERAL GUIDELINES

- (a) Technical Advisory Committee (“Committee”) members will act at all times with honesty and in good faith, for the public interest.
- (b) The conduct and language of Committee members will be free from any discrimination or harassment prohibited by the *Human Rights Code of Canada*.
- (c) The conduct of Committee members will reflect social standards of courtesy, respect, and dignity.

2. CONFIDENTIAL INFORMATION

- (a) Committee members will not reveal or divulge confidential information (defined as that which cannot be obtained from other sources) received in the course of Committee duties.
- (b) Confidential information must not be used for any purposes outside that of undertaking the work of the Committee.

3. DUTY TO INFORM

- (a) Committee members will disclose any perceived or real conflict of interest which may have a negative or harmful effect on their ability to perform the duties required of the appointment or the reputation of the Committee. The member will advise all other members and staff, in writing (email accepted), well in advance of the Committee meeting: (a) that there is a potential conflict; (b) the nature and scope of the conflict; and (c) the specific project to which the conflict may apply.
- (b) Upon disclosure of any conflict, the Committee member shall leave the meeting during the discussion of such proposals.

4. STATEMENT OF INTENT

- (a) Participation in Committee work should not result in any personal or private financial or other substantive gain.
- (b) Members of the Committee will avoid any conflict of interest that may impair or impugn the independence, integrity or impartiality of the RDOS.
- (c) There shall be no apprehension of bias based on what a reasonably knowledgeable and informed observer might perceive of the actions of the Committee or the actions of an individual member of the Committee.

5. PRACTICAL CONSIDERATION IN DETERMINING CONFLICT

- (a) Activities undertaken as a citizen must be kept separate and distinct from any responsibilities held as a member of the Committee.
- (b) Activities undertaken as a Committee member must be kept separate and distinct from other activities as a citizen.
- (c) Other memberships, directorships, voluntary or paid positions, or affiliations remain distinct from work undertaken in the course of Committee work.
- (d) Committee members will not assist anyone in their dealings with the Committee if this may result in advantageous treatment or the perception of advantageous treatment by a reasonably knowledgeable and informed observer.
- (e) Actions taken in the course of Committee duties can neither cause nor suggest to a reasonably knowledgeable and informed observer that members' ability to exercise those duties has or could be affected by private gain or interest.
- (f) All personal financial interests, assets, and holdings must be kept distinct from and independent of any decision, information or other matter that may be heard by or acted upon by the Committee.
- (g) Personal employment shall not be dependent on any decision, information or other matter that may be heard by or acted upon by the Committee. If such a situation arises, Committee members must disclose to the Committee any involvement in a proposal or issue before the proposal or issue is discussed by the Committee. Members will leave the meeting during discussion of the project.

DECLARATION

I hereby acknowledge that I have read and considered the conflict of interest guidelines for Technical Advisory Committee members of the South Okanagan Conservation Fund and agree to conduct myself in accordance with these guidelines.

Name of Committee Member (print) _____

Signature of Committee Member _____

Date Signed _____



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, May 18, 2017

10:00 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Committee Meeting of May 18, 2017 be adopted.

B. CENSUS DATA [Page 25]

C. LIQUOR LICENSING

Discussion Paper to Follow

D. ELECTION STRATEGY [Page 26]

E. ADJOURNMENT

Name	Type	2016 Pop	2011 Pop	%	Occupied Dwellings	Area Km ²
Okanagan-Similkameen	RD	83022	80742	2.8	37673	10411.68
Keremeos	VL	1502	1330	12.9	732	2.09
Oliver	T	4928	4824	2.2	2157	5.5
Osoyoos	T	5085	4845	5.0	2475	8.5
Penticton	CY	33761	32877	2.7	15740	42.1
Princeton	T	2828	2724	3.8	1393	59.6
Summerland	DM	11615	11280	3.0	4938	74.08
Indian Reserves		2861	2614	9.4	1254	415.74
Area A	RDA	1858	1892	-1.8	801	258.38
Area B	RDA	1047	1140	-8.2	448	238.29
Area C	RDA	3557	3473	2.4	1527	445.34
Area D	RDA	5874	5717	2.7	2597	919.17
Area E	RDA	1903	1844	3.2	827	492.05
Area F	RDA	2014	2100	-4.1	760	569
Area G	RDA	2236	2314	-3.4	1102	2122.37
Area H	RDA	1953	1768	10.5	922	4759.47

Name	Type	2016 Pop	2011 Pop	%	Occupied Dwellings	Area Km ²
Central Okanagan	RD	194882	179839	8.4	81383	2904.86
Kelowna	CY	127380	117312	8.6	53903	211.85
Lake Country	DM	12922	11708	10.4	5094	122.19
Peachland	DM	5428	5200	4.4	2458	15.96
West Kelowna	DM	32655	30902	5.7	12437	123.53
Indian Reserves		10692	8975	19.1	5072	12.38
Central Okanagan	RDA	3824	3795	0.8	1518	1246.48
Central Okanagan J	RDA	1981	1947	1.7	901	1172.48

Name	Type	2016 Pop	2011 Pop	%	Occupied Dwellings	Area Km ²
North Okanagan	RD	84354	81237	3.8	35875	7502.6
Armstrong	CY	5114	4830	5.9	2132	5.22
Coldstream	DM	10648	10314	3.2	3915	66.6
Enderby	CY	2964	2932	1.1	1391	4.26
Lumby	VL	1833	1731	5.9	770	5.93
Spallumcheen	DM	5106	5040	1.3	2001	255.04
Vernon	CY	40116	38180	5.1	17798	96.05
Indian Reserves		3818	3597	6.1	1813	114.01
Area B	RDA	3203	3041	5.3	1284	488.53
Area C	RDA	3870	3847	0.6	1497	300.52
Area D	RDA	2672	2848	-6.2	1106	1791.99
Area E	RDA	1010	939	7.6	431	2606.03
Area F	RDA	4000	3938	1.6	1737	1768.42

TO: Corporate Services Committee
FROM: Bill Newell, CAO
DATE: 18 May 2017
RE: 2017 Provincial Election Strategy

ELECTION RESULTS:

The BC Provincial Election was held May 9th, but the final results may not be available until the end of May. In the meantime, the Liberal Party maintains their status as Governing Party. Following the final count, it takes a short period of time for the Government to form their Cabinet and, as an outlier, often senior bureaucrats change portfolios based on the whim of the Minister.

INTRODUCTION:

The Regional District of Okanagan Similkameen maintains a strong partnership with the provincial government. Established by legislation, local governments rely on the Province for our authority and, to a certain extent, financing. Certainly any capital project is heavily dependent on grants under provincial programs.

In addition, the Province maintains responsibility for land and services that directly affect our mutual constituents and we require good relations with both elected officials and staff to advocate on behalf of our citizens to enhance services or resolve issues that are within their jurisdiction.

Consequently, it would be prudent for the Regional District to identify activities that should be entertained to establish good relations with the 2017 – 2021 Provincial Government, especially with our Members of the Legislative Assembly, but also members of cabinet that will be influential in our ongoing or upcoming projects.

ACTIONS:

- Letters of Congratulation
- Invitations to Meetings
- Briefing Notes on Projects
- Requests for meetings with Cabinet Ministers
- Request for meetings with Sr. Ministry Staff
- Other



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, May 18, 2017

11:00 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 18, 2017 be adopted.

1. Consent Agenda – Corporate Issues

a. Environment and Infrastructure Committee – May 4, 2017 [Page 34]

THAT the Minutes of the May 4, 2017 Environment and Infrastructure Committee be received.

THAT the Regional District of Okanagan-Similkameen proceed with the assessment and acquisition process of the Missezula Lake Water System.

b. Planning and Development Committee – May 4, 2017 [Page 36]

THAT the Minutes of the May 4, 2017 Planning and Development Committee be received.

THAT Bylaw No. 2500, being a bylaw of the Regional District to establish procedures for processing of land development applications, be amended.

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.

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

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

- c. RDOS Regular Board Meeting – May 4, 2017 [Page 39]**
THAT the minutes of the May 4, 2017 RDOS Regular Board meeting be adopted.
- d. Okanagan Falls Parks & Recreation Commission – April 13, 2017 [Page 45]**
THAT the Minutes of the April 13, 2017 Okanagan Falls Parks & Recreation Commission be received.
- e. Kaleden Recreation Commission – April 25, 2017 [Page 50]**
THAT the Minutes of the April 25, 2017 Kaleden Recreation Commission be received.
- f. Naramata Parks & Recreation Commission – April 24, 2017 [Page 54]**
THAT the Minutes of the April 24, 2017 Naramata Parks & Recreation Commission be received.
- g. Electoral Area “G” Advisory Planning Commission Appointments [Page 57]**
THAT the Board of Directors appoint Don Armstrong as a member of the Electoral Area “G” Advisory Planning Commission for a term ending October 31, 2018.

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 – M. & A. Ferguson, 124 Oak Avenue, Kaleden, Electoral Area “D” [Page 58]**
 - i. Permit No. D2017.027-DVP [Page 63]**
THAT the Board of Directors approve Development Variance Permit No. D2017.027-DVP.
 - b. Development Variance Permit Application – B. & C. Kneller, 6869 Indian Rock Road, Naramata, Electoral Area “E” [Page 68]**
 - i. Permit No. E2017.045-DVP [Page 73]**
THAT the Board of Directors approve Development Variance Permit No. E2017.045-DVP

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)
THAT the Consent Agenda – Development Services be adopted.

B. DEVELOPMENT SERVICES – Rural Land Use Matters

- 1. Official Community Plan Bylaw & Zoning Bylaw Amendments – M. Ingraham & S. Nelson, 170 Sunnybrook Drive, Okanagan Falls, Electoral Area “D” [Page 81]**
 - a. Bylaw No. 2455.27, 2017 [Page 84]
 - b. Bylaw No. 2603.10, 2016 [Page 86]
 - c. Public Hearing Report dated May 3, 2017 [Page 88]
 - d. Responses Received [Page 90]

To allow for the subdivision of two new lots.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)
THAT the public hearing report be received.

RECOMMENDATION 5 (Unweighted Rural Vote – 2/3 Majority)
THAT Bylaw No. 2603.10, 2017, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.27, 2017, Electoral Area “D-2” Zoning Amendment Bylaw be read a third time and adopted.

- 2. Official Community Plan & Zoning Bylaw Amendment – L. Burdett, 161 6th Street, Tulameen, Electoral Area “H” [Page 96]**
 - a. Bylaw No. 2497.07, 2017 [Page 99]
 - b. Bylaw No. 2498.13, 2017 [Page 101]
 - c. Responses Received [Page 103]

To formalize the existence of a single detached dwelling.

RECOMMENDATION 6 (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 third time and adopted.

3. **Zoning Bylaw Amendment – N. & B. Gammer, 2870 Gammon Road, Naramata, Electoral Area “E”** [Page 105]
 - a. Bylaw No. 2459.25, 2017 [Page 110]
 - b. Responses Received [Page 113]

To allow for the development of an accessory dwelling on the second storey of an existing garage.

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2459.25, 2017, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 1, 2017; and

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

4. **Official Community Plan (OCP) Bylaw & Zoning Bylaw Amendments, Electoral Areas “A”, “C”, “D”, “E” & “F” (ESDP Update)** [Page 120]
 - a. Bylaw No. 2710, 2017 [Page 125]
 - b. Responses Received - Submitted at July 7, 2016 Planning & Development Committee Meeting [Page 294]
 - c. Responses Received [Page 332]

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2710, 2017, Regional District of Okanagan-Similkameen Parks, Recreation, Trails, Conservation Areas and Environmental Areas Update Amendment Bylaw be read a first and second time and proceed to a public hearing; and

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated May 18, 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 of Directors has considered Amendment Bylaw No. 2710, 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 June 1, 2017; and

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

-
- 5. Development Procedures Bylaw No. 2500, 2011 – ESDP Update Amendment [Page 346]**
a. Bylaw No. 2500.08, 2017 [Page 348]

The purpose of these amendments are to introduce updated application requirements for Environmentally Sensitive Development Permit (ESDP) to the Regional District Development Procedures Bylaw No. 2500, 2011.

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)
THAT Bylaw No. 2500.08, 2017, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first and second time.

- 6. Amendment Bylaw – Development Procedures Bylaw [Page 357]**
a. Bylaw No. 2500.09, 2017 [Page 358]

The proposed amendments seek to give formal effect to new public hearings and public information meetings scheduling procedures.

RECOMMENDATION 10 (Unweighted Rural Vote – 2/3 Majority)
THAT Bylaw No. 2500.09, 2017, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first, second and third time and be adopted.

c. ENGINEERING SERVICES

- 1. Applications to Federal Gas Tax Fund – Strategic Priorities Fund [Page 366]**
a. Program Guidelines for the Federal Gas Tax Fund Strategic Priorities Fund, Capital Infrastructure Projects Stream and Capacity Building Stream [Page 370]

Receive the required Board resolution for submission of applications to the Federal Gas Tax Fund, Strategic Priorities Fund programs.

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)
THAT the Board of Directors support the application to the Strategic Priorities Fund – Capital Infrastructure Project Stream for the Phase 2A of the Skaha Estates and Kaleden Sewering Project.

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)
THAT Board of Directors support the application to the Strategic Priorities Fund – Capacity Building Stream for the Asset Management Plan project.

D. PUBLIC WORKS**1. Award of Contract for Okanagan Falls Landfill Operations Services [Page 399]**

RECOMMENDATION 13 (Weighted Corporate Vote – Majority)
THAT the Regional District sole-source the operation of the Okanagan Falls Landfill to Wildstone Construction & Engineering Ltd. for a 3-year term with an additional 2-year option for renewal; estimated at \$360,000/annum.

E. FINANCE**1. Five Year Financial Plan Amendment – Ortho Photos Project [Page 402]**

To authorize an expenditure for the 2017 ortho photos project. 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.

RECOMMENDATION 14 (Weighted Corporate Vote – Majority)
THAT the Board of Directors amend the 2017 Five Year Financial Plan to authorize an expenditure of up to \$30,000 for the ortho photos update.

2. Information Services Renewal Capital Reserve Expenditure Bylaw [Page 404]**a. Bylaw No. 2776, 2017 [Page 405]**

RECOMMENDATION 15 (Weighted Corporate Vote – 2/3 Majority)
THAT Bylaw No. 2776, 2017, Information Systems Renewal Capital Reserve Fund Expenditure Bylaw authorizing up to \$15,000 for the purchase of a plotter/scanner be read a first, second and third time and be adopted.

F. LEGISLATIVE SERVICES**1. Destination Osoyoos Municipal Regional Destination Tax (MRDT) [Page 406]**

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)
THAT the Board of Directors provide a letter of support to Destination Osoyoos for their reapplication to the Province to continue to collect the Municipal and Regional Destination Tax (MRDT).

2. **Petition to Enter Naramata Water Service Area [Page 407]**
 - a. Bylaw No. 2747, 2016 [Page 408]
 - b. Bylaw No. 1804.07, 2016 [Page 411]

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)
THAT Bylaw No. 2747, 2016, "Naramata Water Service Extension Bylaw" be adopted; AND,

THAT Bylaw No. 1804.07, 2016, "Naramata Water System Development Cost Charge Amendment Bylaw" be adopted.

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. Board Report: May 5, 2017 [Page 414]
 - 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**

4. **Board Members Verbal Update**

I. **ADJOURNMENT**



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, May 04, 2017

10:23 a.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 R. Barkwill, Alt. District of Summerland
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 C. Rhodes, Alt. Town of Osoyoos
Director T. Schafer, Electoral Area "C"
Director J. Sentes, City of Penticton
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"

Director S. McKortoff, Town of Osoyoos

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services

J. Dougall, Manager of Public Works

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of May 4, 2017 be adopted. - **CARRIED**

B. Missezula Lake Water System

To address the Missezula Lake Water Works District request for the Regional District to assume ownership of the water system.

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Regional District of Okanagan-Similkameen proceed with the assessment and acquisition process of the Missezula Lake Water System. - **CARRIED**

C. ADJOURNMENT

By consensus, the meeting adjourned at 10:29 a.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, May 04, 2017

9:15 a.m.

Minutes

MEMBERS PRESENT:

Vice Chair G. Bush, Electoral Area "B"
Director F. Armitage, Town of Princeton
Director M. Bauer, Village of Keremeos
Director R. Barkwill, Alt. District of Summerland
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 K. Kozakevich, Electoral Area "E"
Director H. Konanz, City of Penticton
Director A. Martin, City of Penticton
Director C. Rhodes, Alt. 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"
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Chair M. Brydon, Electoral Area "F"
Director T. Boot, District of Summerland

Director S. McKortoff, Town of Osoyoos

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services

C. Garrish, Planning Supervisor

Board Chair Kozakevich called the meeting to order as the Committee Chair and Vice Chair were not present.

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

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

Committee Vice Chair Bush entered the meeting and assumed the chair at 9:17 a.m.

- B.** Update of Development Procedures Bylaw No. 2500, 2011
Scheduling of Public Hearings and Public Information Meetings (Lean Kaizen)
1. Bylaw No. 2500.09, 2017

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

It was MOVED and SECONDED

THAT Bylaw No. 2500, being a bylaw of the Regional District to establish procedures for processing of land development applications, be amended. - **CARRIED**

- C.** Update of Agriculture Zones and Regulations
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

It was MOVED and SECONDED

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.

CARRIED

- D. Retaining Walls and Building Height Review
1. Bylaw No. 2773, 2017

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

It was MOVED and SECONDED

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

CARRIED

Opposed: 2 Directors

- E. Review of Hillside Steep Slope DP Area – Electoral Area “D-2”

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

It was MOVED and SECONDED

THAT staff be directed to initiate an amendment to the Electoral Area “D-2” Official Community Plan (OCP) Bylaw in order to amend the Hillside and Steep Slope Development Permit Area to better address subdivision and neighbourhood character.

CARRIED

Opposed: 2 Directors

- F. **ADJOURNMENT**

By consensus, the Planning and Development Committee meeting of May 4, 2017 adjourned at 10:22 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 BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 10:35 a.m. Thursday, May 4, 2017 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director T. Boot, District of Summerland	Director S. McKortoff, Town of Osoyoos
Director M. Brydon, Electoral Area "F"	

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 May 4, 2017 be adopted. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Corporate Services Committee – April 20, 2017
THAT the Minutes of the April 20, 2017 Corporate Services Committee be received.
- b. Community Services Committee – April 20, 2017
THAT the Minutes of the April 20, 2017 Community Services Committee be received.
- c. Environment and Infrastructure Committee – April 20, 2017
THAT the Minutes of the April 20, 2017 Environment and Infrastructure Committee be received.
- d. Planning and Development Committee – April 20, 2017
THAT the Minutes of the April 20, 2017 Planning and Development Committee be received.

- e. Protective Services Committee – April 20, 2017
THAT the Minutes of the April 20, 2017 Protective Services Committee be received.
- f. RDOS Regular Board Meeting – April 20, 2017
THAT the minutes of the April 20, 2017 RDOS Regular Board meeting be adopted.
- g. Protocol Agreement Steering Committee – March 10, 2017
THAT the Minutes of the March 10, 2017 Protocol Agreement Steering Committee be received.
- h. Naramata Water Advisory Committee – April 11, 2017
THAT the Minutes of the April 11, 2017 Naramata Water Advisory Committee be received.
- i. Electoral Area “D” Advisory Planning Commission – April 11, 2017
THAT the Minutes of the April 11, 2017 Electoral Area “D” Advisory Planning Commission be received.
- j. Electoral Area “E” Advisory Planning Commission - Resignation
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)

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. Hanson, Electoral Area “A”
 - i. Permit No. A2017.052-DVP
THAT the Board of Directors approve Development Variance Permit No. A2017.052-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, Electoral Area “D”
 - a. Bylaw No. 2457.18, 2017
 - b. Bylaw No. 2457.19, 2017
 - c. Responses Received

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 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. - **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, Electoral Area “E”
 - a. Bylaw No. 2459.23, 2017
 - b. Responses Received

To permit the conversion of an accessory structure into an accessory dwelling.

RECOMMENDATION 6 (Unweighted Rural Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2459.23, 2017, Electoral Area “E” Zoning Amendment Bylaw be read a third time and adopted. - **CARRIED**

3. Official Community Plan & Zoning Bylaw Amendment – L. Burdett, Electoral Area “H”
 - a. Bylaw No. 2497.07, 2017
 - b. Bylaw No. 2498.13, 2017
 - c. Responses Received

To formalize the existence of a single detached dwelling.

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

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.

CARRIED

C. PUBLIC WORKS

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)

It was MOVED and SECONDED

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. - **CARRIED**

D. FINANCE

1. 2016 Audited Financial Statements
 - a. 2016 Financial Statements

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)

It was MOVED and SECONDED

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. - **CARRIED**

2. Five Year Financial Plan Amendment – Kaleden Parks and Recreation

To increase the 2017 Kaleden Parks and Recreation budget.

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

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.
CARRIED

E. CAO REPORTS

1. Verbal Update
-

F. OTHER BUSINESS

1. Chair's Report
-

2. Directors Motions

- a. Liquor Control Licensing Policy (Director Sentes)

The Board was advised that administration is seeking legal advice and expects to have the policy to the Board at a future meeting.

- b. Free Yard Waste Disposal (Director Siddon)

This item was dealt with as Item C1.

3. Board Members Verbal Update

G. ADJOURNMENT

By consensus, the meeting adjourned at 11:31 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



MINUTES

Okanagan Falls Parks & Recreation Commission

Thursday April 13, 2017, 7:00 pm
Okanagan Falls Community Center



- Members Present:** Don Clark (Chair), Pat Rawkins, Matt Taylor, Kevin Tom, Ron Obirek, Brian Jackson
- Absent:** Alf Hartvikson
- Staff:** Shona Schleppe, Justin Shuttleworth
- RDOS Director:** Tom Siddon
- Recording Secretary:** Pat Rawkins

1.0 Call to Order 7:09 pm

2.0 APPROVAL OF AGENDA

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Okanagan Falls Parks & Recreation Meeting of April 13, 2017 be adopted and all presentations and reports be accepted. – CARRIED

3.0 APPROVAL OF LAST MEETING MINUTES

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for the Okanagan Falls Parks & Recreation Meeting of March 9, 2017 be adopted. – CARRIED

4.0 Business Arising from Previous Minutes

RECOMMENDATION

IT WAS MOVED AND SECONDED

That we communicate in writing with the owners of Sun and Sand and gray condos- Strata Corporation KAS1595 of our commissions wish to continue our lakeshore walkway from Lions Park to the boat launch. Chair Don Clark will follow this up with Mark Woods at the RDOS.

CARRIED

5.0 CORRESPONDENCE/DELEGATIONS

There was no correspondence or delegations.



MINUTES

Okanagan Falls Parks & Recreation Commission

Thursday April 13, 2017, 7:00 pm
Okanagan Falls Community Center



6.0 COMMISSION MEMBER REPORTS

6.1 Chair – Don Clark)

6.2 Treasurer Report – Kevin Tom

Kevin reviewed our budget and financial status.

6.3 Heritage Hills Sub Committee – Ron Obirek

Heritage Hills committee has itemized and prioritized park development plan. They are interested in investigating grant applications and Ron will be meeting with Shona early next week to work on this.

7.0 RDOS STAFF REPORTS

7.1 Roza – Dog Bylaw – Greg is our bylaw enforcement officer. Roza reviewed the new bylaw.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That we support the bylaw.

CARRIED

7.2 Recreation Report – Natalie Alexander

That the Recreation Report and spring program guide be accepted as presented.

7.3 Parks Update - Justin will circulate an update on parks and encourages everyone to enjoy the Easter activities in the parks in Kaleden and Okanagan Falls. The Short Rayed Alkali Aster agreement was also circulated.

8.0 RDOS DIRECTOR REPORT – Tom Siddon

7.0 NEW BUSINESS ARISING

No new business arising.

8.0 ADJOURNMENT – 9:50 p.m.



MINUTES

Okanagan Falls Parks & Recreation Commission

Thursday April 13, 2017, 7:00 pm
Okanagan Falls Community Center



NEXT MEETING: May 11, 2017 7:00 pm
Okanagan Falls Community Center

Recreation Commission Chair

Recording Secretary



MINUTES

Okanagan Falls Parks & Recreation Commission

Thursday April 13, 2017, 7:00 pm
Okanagan Falls Community Center



Treasurer's Report

Update on origination of all outstanding loans

Update on balances of reserves

Update on change to surplus from 2016

Discussion on amendments to bridge reduced surplus

Discussion to rebuild reserves

Prioritization of capital expenses

Recreation Coordinator's Report

PROGRAMS

Spring programs are starting up this week, with a couple of new programs running. Our fitness programs are consistently doing well, and we hope to build upon this in the future with the introduction of innovative approaches to fitness.

SPECIAL EVENTS

We are holding a "Heritage Social" on Sat, April 22nd from 11am-1pm. We will have live music, dance demos from professional instructors, and light refreshments. Tickets are \$10 – please pre-register in advance.

I have developed and summer event schedule that will be circulated within the next month.

We were the successful recipients of \$1000 toward our 'Canada 150' celebrations through the Federal Government.

FACILITIES

Kenyon Bookings – The Kenyon Park and House have started receiving bookings for the summer season, including 'Party in the Park' on July 7th and the Ultra Swim on August 13th. There are also a couple of weddings that have been scheduled on select weekends as well.



MINUTES

Okanagan Falls Parks & Recreation Commission

Thursday April 13, 2017, 7:00 pm
Okanagan Falls Community Center



Keogan Field – Baseball fields and adjacent property owner correspondence to ALC and RDOS.

OFFICE ADMINISTRATION

An EOI has been developed, and will be going out to the public in the next couple of weeks (attached).

A Field Use Agreement and Contract has been developed and will now be used for all short-term and long-term field/park bookings (attached).

We have received three quotes from recreation software service providers and will hopefully be selecting a candidate within the next couple of weeks.

Shona and I have been steadily making progress with the regional recreation approach. We will be contacting our regional partners, and sending a survey to perform an asset mapping exercise.

2017 BUDGET

N/A



MINUTES



Kaleden Recreation Commission

Tuesday, April 25, 2017
Kaleden Community Hall

Members Present: Doug King (Chair), Neal Dockendorf, Jaynie Malloy, Jennifer Charlish, Wendy Busch, Gail Jeffrey

Guests: Roza Alwin, Greg Ivens, Sue Kelly, Tom Kelly

Absent: Tanya Hansen, Randy Cranston, Jennifer Strong, Tom Siddon

Staff: Justin Shuttleworth, Shona Schleppe

Recording: Shona Schleppe

Call to Order: 7:04 pm

1. APPROVAL OF AGENDA

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Kaleden Parks and Recreation Meeting of April 25, 2017 be adopted. CARRIED

2. APPROVAL OF LAST MEETING MINUTES

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for the Kaleden Parks & Recreation Meeting of March 28, 2017 be adopted. CARRIED

3. CORRESPONDENCE/DELEGATIONS

No correspondence or delegations.

4. RDOS STAFF REPORTS

4.1 Dog Bylaw – Roza Aylwin & Greg Ivens

RECOMMENDATION

IT WAS MOVED AND SECONDED

**That the Commission supports the Dog Bylaw (#2671) as presented.
-CARRIED**



MINUTES

Kaleden Recreation Commission

Tuesday, April 25, 2017

Kaleden Community Hall



4.2 Park Coordinator's Report

Park clean up – request for Park Crew to pick up some of the piled garbage.

Kim is new contact for Community Services.

Road ends (Beach access) – sign location? Justin to determine best location for signs as per MOTI permit and standards.

Garbage container on which road end?

Finance finalized capital reserve motion to be presented to RDOS Board.

Park Concept plan – get a second quote from True Consulting

4.3 Recreation Coordinator's Report

Refer to attached report.

5. COMMISSION MEMBER REPORTS

5.1 Treasurer – presented update on expenditures to date

5.2 Hotel Committee – presentation for May 16 Kaleden Open House, investigating different society models and exploring possible grants and fundraising.

5.3 Senior's Committee – New Horizons grant under auspices of KCA, Cards and Games continue for April and May

5.4 Grants – no KalRec submissions

6. RDOS DIRECTOR REPORT

No report provided.

7. BUSINESS ARISING

7.1 May 16 Open House & Information Fair

Format for evening – 6:00 pm

Presentations by Hotel, Sewer, Seniors Housing, Seniors Committees, and others.

Directors to prepare written reports to be compiled as a Handout.

MINUTES

Kaleden Recreation Commission

Tuesday, April 25, 2017

Kaleden Community Hall

7.2 Land Acquisition for Park

Commission will have to address management plans for any licence of occupation.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Commission recommends to include Lots 4,5,6,7,8 Plan KAP763, Block 19, District Lot 105S, Land District Similkameen Div of Yale, Except Plan 29756 in the Licence of Occupation. – Carried



7.3 Canada Day Celebration

Canada 150 grant was received.

Piper confirmed for Kaleden.

Food has been organized by Wendy.

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Commission purchase a tree for planting on Canada Day dedication to Fred King.

- Carried

7.4 Canada 150 Event

Fire Dept event?

Senior's Committee is hosting:

- Family Party in the Park – July 18 and Apricot Heritage – October 1



MINUTES

Kaleden Recreation Commission

Tuesday, April 25, 2017
Kaleden Community Hall



8. ADJOURNMENT – 8:38 pm

NEXT MEETING: Tuesday May 23, 2017 7:00pm
Kaleden Community Hall

Recreation Commission Chair

Recording Secretary

Recreation Coordinator's Report

PROGRAMS

Most recently, we held a "Young Picassos" day camp over Spring Break and it was a success. We had an average of eight kids registered per day, over the course of two-weeks. Every day, the kids worked on a new craft and spent some time playing games outside as well. We hope to continue programming day camps at Kaleden Hall in the future. Planning for summer programs is underway. If you have any ideas, please feel free to contact me at any time.

SPECIAL EVENTS

- I am working a "Summer Events Guide" to highlight all of the community events that will take place from June – September. Please contact me if you have anything you would like for me to add.
- We are holding a "Family Carnival" on Sat, May 13th. The event will include a DJ, bouncy castle, face painting, and crafts.

FACILITIES

Nothing to report

OFFICE ADMINISTRATION

We are working on a "Regional Recreation Approach" to increase cooperation and build capacity among our regional partners.

2017 BUDGET

N/A



MINUTES

Naramata Parks & Recreation Commission

Monday, April 24, 2017, 6:30 pm
Naramata Fire Hall

- Members Present: Dennis Smith (Chair), Maureen Balcaen, Jacqueline Duncan, Lyle Resh
- Absent: Jeff Gagnon, Jim Pearmain, Richard Roskell
- Area 'E' Director: Karla Kozakevich, Absent
- Staff & Contractors: Roza Aylwin (RDOS Bylaw Enforcement Coordinator), Deb Linton (Recreation Coordinator Contractor), Justin Shuttleworth (RDOS Parks & Facilities Coordinator) Heather Lemieux (Recording Secretary)
- Guests: None

1. APPROVAL OF AGENDA

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the Agenda for the Naramata Parks & Recreation Meeting of April 24, 2017 be adopted and all presentations and reports be received.

CARRIED (UNANIMOUSLY)

2. APPROVAL OF LAST MEETING MINUTES

RECOMMENDATION

IT WAS MOVED AND SECONDED

That the minutes for the Naramata Parks & Recreation Meeting of April 3, 2017 be adopted.

CARRIED (UNANIMOUSLY)

3. CORRESPONDENCE/DELEGATIONS

- 3.1. Roza Aylwin (RDOS Bylaw Enforcement Coordinator) presented the *Regional District of Okanagan-Similkameen Regulatory Bylaw No. 2671, 2016*. Discussed definitions.



MINUTES

Naramata Parks & Recreation Commission Monday, April 24, 2017, 6:30 pm Naramata Fire Hall

4. RDOS DIRECTOR REPORT - No report. Area 'E' Director Karla Kozakevich absent.
5. RDOS STAFF REPORT

Justin Shuttleworth (RDOS Parks & Facilities Coordinator):

- 5.1. Monthly NPR Agendas to be submitted to Kim Roemer (RDOS Clerk).
- 5.2. Water service has been installed in park adjacent to school.
- 5.3. Creek Park application has been submitted to MoT.

6. RECREATION CONTRACTOR REPORT

Deb Linton (Recreation Coordinator Contractor), report submitted.

- 6.1. The Easter Egg Drop was very well attended.

7. COMMISSION MEMBER REPORTS

- 7.1. Woodwackers Report: A lot of Melting snow creating runoff issues on the KVR. Discussed hand and machine ditching. A rock slide has been cleared.
- 7.2. 2017 Priority Projects: Manitou Park RFP, ONGOING
 - 7.2.1. Request - put in an outhouse on the KVR at Arawana
 - 7.2.2. Tree Grant and budget allocation.
 - 7.2.3. Naramata Faire planners request of \$1,500

RECOMMENDATION

IT WAS MOVED AND SECONDED

To approve monetarily supporting the Naramata Faire in the amount of \$1,500

CARRIED (UNANIMOUSLY)

7.2.4. Manitou Master Plan

- 7.2.5. Discussed Walking Path, Boat Storage, School Park, Arawana washroom, Wharf Park MoT application.



MINUTES

Naramata Parks & Recreation Commission

Monday, April 24, 2017, 6:30 pm
Naramata Fire Hall

7.2.5.1. Community members are actively seeking sports grants for second Tennis Court.

7.2.5.2. Big Kahuna Slide, ONGOING

8. BUSINESS ARISING - None

9. ADJOURNMENT 7:52 pm

NEXT MEETING: May 29, 2017, 6:30 pm, Naramata Fire Hall

Recreation Commission Chair

Recording Secretary

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 18, 2017
RE: Electoral Area "G" Advisory Planning Commission Appointments

Administrative Recommendation:

THAT the Board of Directors appoint Don Armstrong as a member of the Electoral Area "G" Advisory Planning Commission for a term ending October 31, 2018.

Purpose:

To appoint one new member to Electoral Area "G" Advisory Planning Commission (APC).

Analysis:

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

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

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

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

On May 1, 2017, Director Christensen advised administration of his intent to recommend Don Armstrong for appointment to the Electoral Area "G" Advisory Planning Commission.

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 18, 2017
RE: Development Variance Permit Application — Electoral Area “D”

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. D2017.027–DVP

Purpose: To formalize the construction of retaining walls.

Owners: Mark & Anne Ferguson Agent: Rock Glen Consulting Folio: D-01478.020

Civic: 124 Oak Ave, Kaleden Legal: Lot 2, DL 105s, SDYD, KAP53979

OCP: Low Density Residential (LR) Zone: Residential Single Family Two (RS2)

Requested Variances: to vary the minimum front parcel setback to 0.0 m and interior parcel line setbacks to 0.4 m and 0.75m

Proposed Development:

This application seeks to reduce the front parcel line setback from 7.5 m to 0.0 m and also to reduce interior parcel line setbacks from 1.0 m to 0.4 m and to 0.75 m, in order to construct an accessory structure (retaining wall). The maximum height of the retaining wall will be approximately 3.8 m.

In support of the application, the applicant has stated that the “retaining wall [is] for safe access from driveway onto Oak Ave” and that they “had to make all one wall as soil conditions in area would have not been safe to build a wall behind a wall” and further “the wall is an upgrade wall and its stained to blend in with surroundings”.

The retaining wall encroaches onto Ministry of Transportation and Infrastructure (MoTI) Oak Avenue right of way.

Site Context:

The subject property is approximately 1,115 m² in area and is located on the west side of Oak Avenue, approximately 113 metres south of Lakehill Rd in Kaleden.

The property contains a single detached dwelling. The surrounding neighbourhood characteristic comprises single detached dwellings within a rural residential subdivision.

Background:

The property was created by subdivision in 1994. Available Regional District records indicate a Building Permit was issued in 2012 for a single detached dwelling and a retaining wall. The retaining wall appurtenant to the building permit is located in the rear yard.

Under the Electoral Area "D-1" Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is designated Low Density Residential (LR) and is zoned Residential Single Family Two (RS2) under the Zoning Bylaw No. 2457, 2008, which establishes a minimum front parcel line setback for an accessory structure of 7.5 m and a minimum interior parcel line setback of 1.0 m.

Retaining walls in the Electoral Area "D-1" Zoning Bylaw are considered to be structures and not exempt from zoning regulations that pertain to parcel line setbacks. Retaining walls over 1.2 m also require a building permit.

New retaining walls on the subject property were noted in 2016 and the owners were requested to apply for a building permit as the structures are over 1.2m in height.

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.

The subject application was referred to Fortis for comment as the retaining wall and fill appeared to be in close proximity to an existing power pole. Fortis responded that the pole still maintains good clearance for the driveway.

The subject application was also referred to MoTI, who advised, verbally, that retaining walls for a residential driveway are not considered permanent structures, and have no concerns with them unless there is a safety issue or there are complaints.

Analysis:

When assessing variance requests a number of factors are generally taken into account. These include: the intent of the zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and whether the proposed development would have a detrimental impact upon the amenity of the area and/or adjoining uses.

Parcel line setbacks are included in zoning regulations in order to provide physical separation between uses to avoid conflict, to protect privacy and prevent overcrowding. While a retaining wall is not considered a building, it is defined as a structure and can have significant impact on adjoining residents depending on size and appearances.

In this instance, the residential zoning permits accessory structure, while the physical constraints of the subject property would appear to be the nature of the soil material and slope upwards from Oak Ave to the dwelling location.

Adjacent parcels are relatively large residential and mostly developed, with existing structures appearing to be constructed well away from the two interior parcel lines for the adjacent properties.

In reviewing Google Streetview photos for 2012, it appears that the streetscape looked fairly similar as it does today along Oak Ave; namely, the neighbourhood is built on a slope with Oak Avenue running parallel to the slope direction. The driveway into the subject property appears to be cut and filled from the natural slope. The presence of the retaining walls does not significantly alter the appearance of the streetscape or neighbourhood characteristic.

Administration recognizes that the retaining walls have already been constructed and the subject application is to formalize the actual location. However, it is unlikely that the walls will have an adverse impact on the amenity or use of adjacent properties of the general neighbourhood.

Alternatives:

- .1 THAT the Board of Directors deny Development Variance Permit No. D2017.027-DVP; or
- .2 THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "D" Advisory Planning Commission (APC).

Respectfully submitted

ERiechert

E.Riechert, Planner

Endorsed by:



C. Garrish, Planning Supervisor

Endorsed by:

Donna Butler

D. Butler, Dev. Services Manager

Attachments: Attachment No. 1 – Site Photos

Attachment No. 1 – Site Photographs



Looking up driveway off of Oak Avenue

Attachment No. 2 – Google Earth Streetview (2012)





Development Variance Permit

FILE NO.: D2017.027-DVP

Owner: Mark & Anne Ferguson
124 Oak Avenue
Kaleden, BC

Agent: Rockglen Consulting (LeComte/Gorman)
Box 36
Okanagan Falls, BC V0H 1R0

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', 'B', 'C' & 'D' 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, DL 105s, SDYD, Plan KAP53979

Civic Address: 124 Oak Avenue, Kaleden

Parcel Identifier (PID): 019-120-150 Folio: D-01478.020

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "D" Zoning Bylaw No. 2457, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The minimum front parcel line setback for an accessory structure in the Residential Single Family Two (RS2) zone, as prescribed at Section 11.2.6(b)(i), is varied:
 - i) from: 7.5 metres.

to: 0.0 metres, as shown on Schedule 'B'.

b) The minimum interior side parcel line setback for an accessory structure in the Residential Single Family Two (RS2) zone, as prescribed at Section 11.2.6(b)(iii), is varied:

- i) from: 1.0 metres
- to: 0.4 metres (north interior parcel line) and
- to: 0.75 metres (south interior parcel line)

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

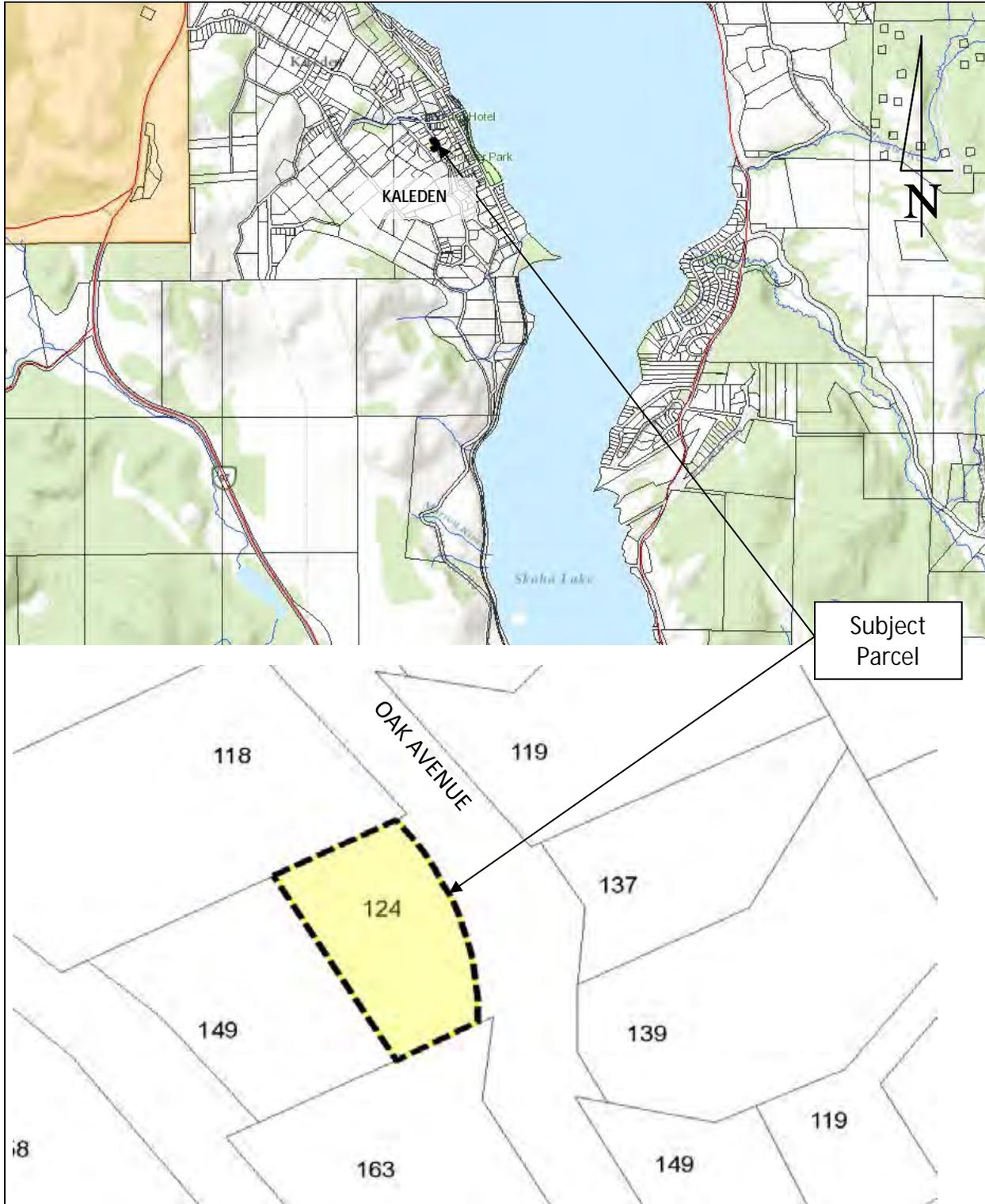
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2017.027-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



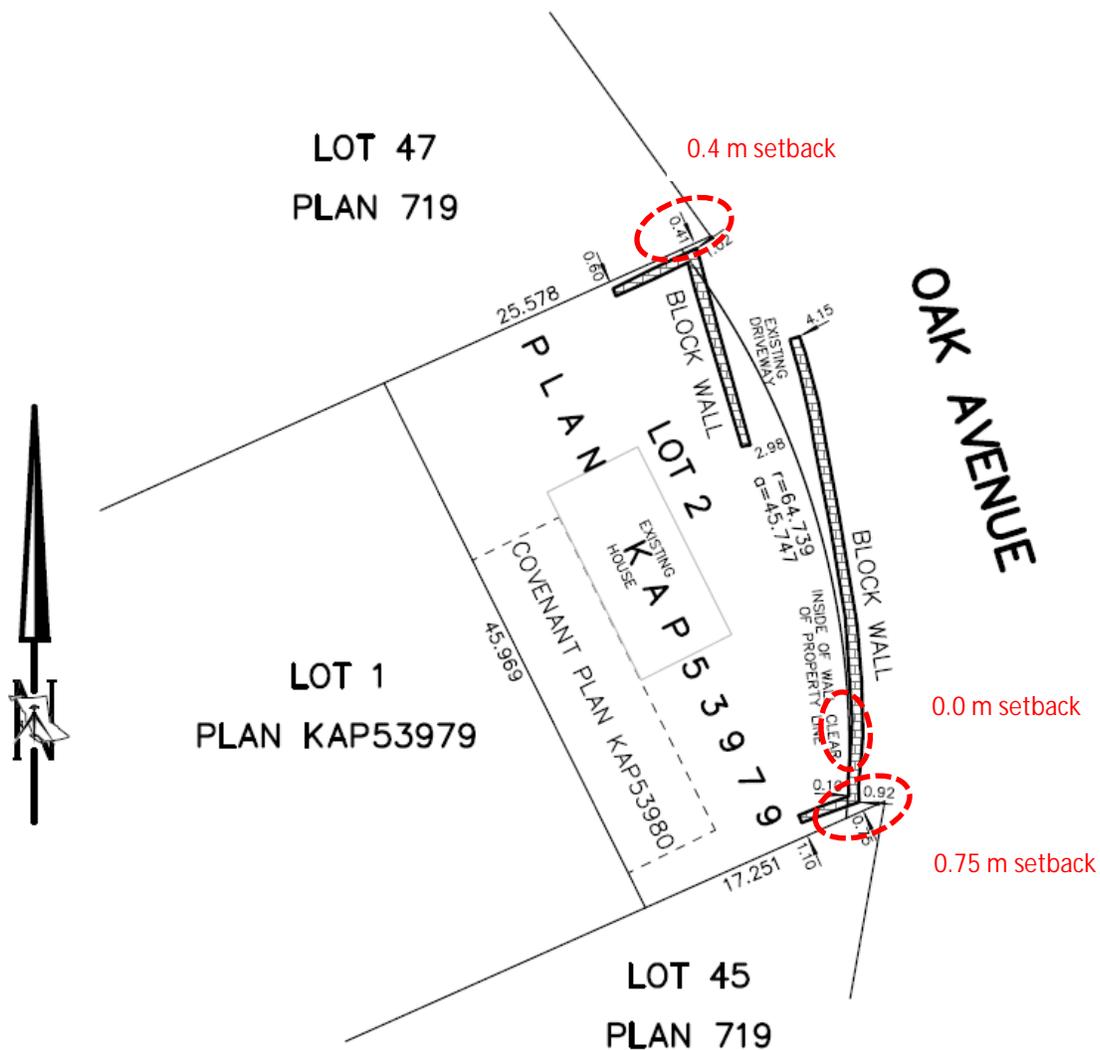
Development Variance Permit

File No. D2017.027-DVP

Schedule 'B'

BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION ON LOT 2, DL 105s, SDYD, PLAN KAP53979

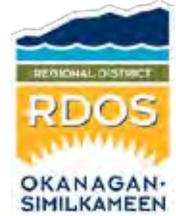
CIVIC ADDRESS: 124 OAK AVENUE, KALEDEN, B.C.
SHOWING RETAINING WALL ONLY



Regional District of Okanagan-Similkameen

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

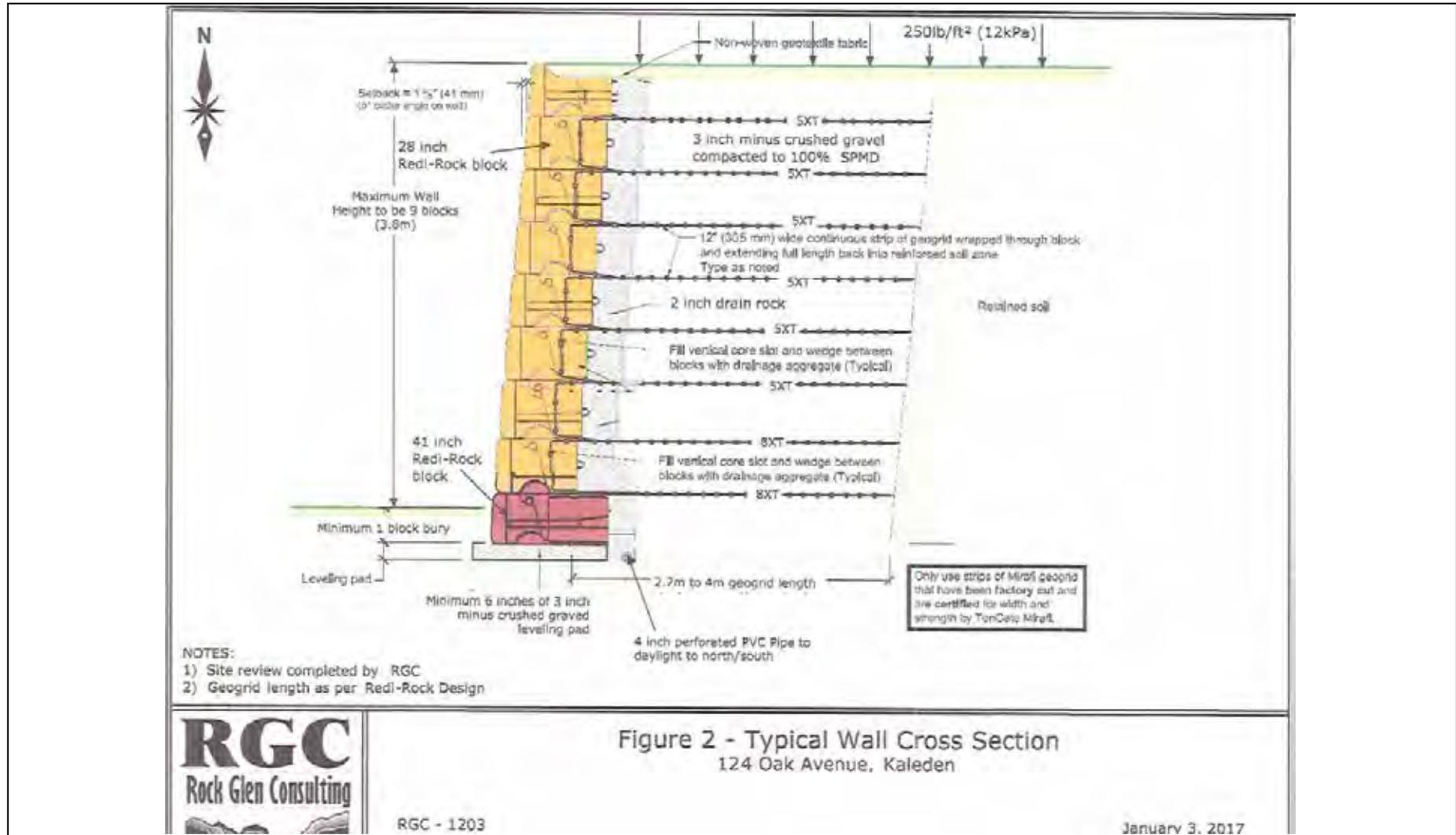
Tel: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2017.027-DVP

Schedule 'C'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 18, 2017
RE: Development Variance Permit Application — Electoral Area “E”

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. E2017.045–DVP

Purpose: To allow for the development of a new single detached dwelling and accessory structures

Owners: Bryan & Carrol Kneller Agent: Robert Mackenzie Folio: E-02329.025

Civic: 6869 Indian Rock Rd Legal: Lot 5, DL 391, SDYD, Plan 13417

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

Requested increase the height for a principal structure from 10.0 m to 12.6 m;

Variances: reduce minimum interior side parcel line setback for accessory structures from 3.0 m to 0.6 m and 1.09 m

Proposed Development:

This application seeks to vary zoning regulations in the Residential Single Family One (RS1) Zone in order to allow for the development of a new single detached dwelling on the subject property. Specifically, it is being proposed to:

- increase the maximum height for a principal structure from 10.0 m to 12.6 m;
- reduce the minimum interior side parcel line setback for accessory structures from 3.0 metres to 1.09 m and to 0.6 m metres.

The two accessory structures that are proposed within the 3.0 m setback area include a tram to be located at 1.09 m from the property line and a retaining wall to be located at 0.6 m from the property line. The applicant has provided information on the proposed tramway, including that it is cable traction system with a carriage capacity of up 1000 lbs. No overhead cables are required. The retaining wall is proposed to be an average height of approximately 1.8 m, with the highest point being 2.4 m.

In support of the application, the applicant has stated that: “the building was put through rigorous options / tests to conform with the intent of the bylaw.... To the west, from the constraints of the Riparian study, the land use was limited to a little disruption of the ecology within the 15 m setback from HWM. From the east, the need to access, parking, garage, plus the well drilling and septic field Type 3 system (located safely at a distance from the house), all were factors in pushing our building footprint to a fine limit.”

Further, the applicant states that “It was important in the Design Process to respect the Natural Landscape as much as possible. By not blasting a large hole in the bedrock the Building Height can justifiably be shown as acceptable without excessive excavation or compromise to the regulations”.

Site Context:

The subject property is approximately 1,389 m² in area and is located on the west side of Indian Rock Road, and is adjacent to Okanagan Lake on the east.

The property slopes downward from Indian Rock Road to the lake with several steep sections. The Geotechnical Assessment completed for this proposal states that the currently undeveloped lot has areas of exposed bedrock as well as shallow soil cover with native vegetation.

Surrounding neighbourhood characteristic include similar sized residential parcels to the north and south of the subject property with a larger Small Holdings property to the east.

Background:

The subject parcel was created by a subdivision plan in 1963 and the Regional District has no record of any development permits having previously been issued for this parcel.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is designated Low Density Residential (LR) and is subject to a Watercourse Development Permit (WDP) Area designation. The applicant has applied for a Watercourse Development Permit in conjunction with this DVP application and will be dealt with separately.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, is zoned Residential Single Family One (RS1).

The geotechnical classification of the property is a High hazard rating that includes “Hazard of land receiving slide materials from above.”

Public Process:

At its meeting of May 8, 2017, the Electoral Area “E” Advisory Planning Commission (APC) resolved to recommend to the Board that the subject development application be approved.

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. These include: the intent of the zoning; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and whether the proposed development would have a detrimental impact upon the amenity of the area and/or adjoining uses.

In this instance, the steep slope and bedrock material as well as the 15 m SPEA buffer from Okanagan Lake established as part of the riparian assessment, pose physical constraints on the subject property.

The agent, also the architect for this proposal, has provided photos of the site with the proposed dwelling imposed over it to show the impact of views and streetscape from Indian Rock Road. Due to the downward sloping nature of the parcel and the proposed design on the dwelling, it would appear to have nominal visual impacts.

It should be noted that height is calculated using an average of heights on all four elevations that generally allows for flexibility when building on sloped properties. In this instance, the height calculations indicate that three sides are above 10 m, with the east side shown as being 8.8 m in height. Administration is concerned that the proposed dwelling height is greater than typical dwelling heights throughout Naramata.

The retaining wall proposed to be located 0.6 m from the side parcel line to the north is to be approximately 25.6 m in length. The highest point is proposed to be 2.4 m with averages on both the top half and lower half being approximately 1.8 m in height. The retaining wall is noted to be necessary to control any slumping and site drainage and to provide access down to the lake. The applicant states that the retaining wall is necessary due to the relative unstable, existing sharp difference in elevation, midway down the property, and the need to utilize the bedrock to anchor the structure close to natural grade.

The proposed tramway is to be located between the dwelling and the retaining wall on the north side of the subject parcel. The tramway's purpose is to transport individuals down to the waterfront. The applicant explains that the tram is a secured cable system basically in two tiers with the top part from the garage is about 21% slope and the lower tier is approximately 47% in slope. There is to be minimal footprint on the ground and no large towers or overhead cables.

The property to the north is sloped upwards from the proposed tram and the existing house leaving a vegetated buffer area to the nearest dwelling. Given the depth of the retaining wall the tram would not appear to be predominately or significantly 'above ground' in the proposed location.

Alternative:

THAT the Board of Directors deny Development Variance Permit No. E2017.045-DVP.

Respectfully submitted

Endorsed by:

Endorsed by:

ERiechert



Donna Butler

E.Riechert, Planner

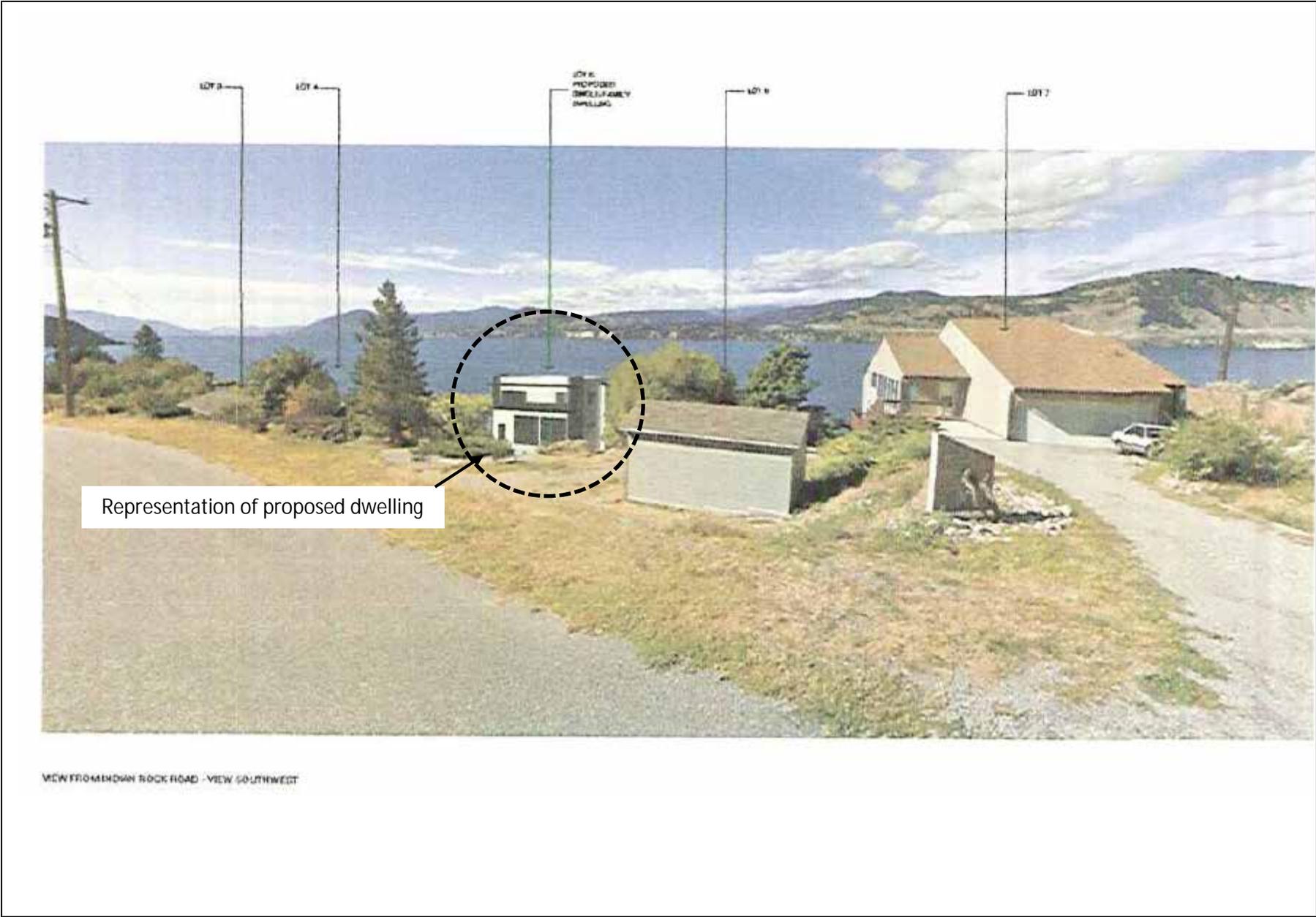
C. Garrish, Planning Supervisor

D. Butler, Dev. Services Manager

Attachments: No. 1 – Photograph with dwelling image

No. 2 – Photograph with dwelling image and example of a tram

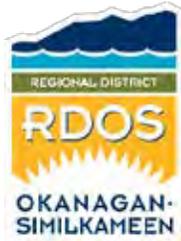
Attachment No. 1 – Photo with dwelling image



Attachment No. 2 – Site Photo and example of a tram



Example of a tramway being proposed



Development Variance Permit

FILE NO.: E2017.045-DVP

Owner: Bryan & Carrol Kneller
223 Miskow Close
Canmore, AB T1W 3G7

Agent: Robert Mackenzie
5130 North Naramata Rd
Naramata, BC V0H 1N1

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', 'B', 'C', 'D', 'E' and 'F', 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 5, District Lot 391, SDYD, Plan 13417

Civic Address: 6869 Indian Rock Rd, Naramata

Parcel Identifier (PID): 009-204-440 Folio: E-02329.025

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "E" Zoning Bylaw No. 2459, 2008, in the Regional District of Okanagan-Similkameen:
 - a) The height for a principal building in the Residential Single Family One (RS1) Zone, as prescribed at Section 11.1.7(a), is varied:
 - i) from: 10.0 metres.

to: 12.6 metres, and as shown on Schedule 'B'.

b) The minimum interior parcel line setback for accessory structures in the Residential Single Family One (RS1) Zone, as prescribed at Section 11.1.6(b)(iv), is varied:

i) from: 3.0 metres.

to: 0.6 metres (retaining wall); and

to: 1.09 metres (tram) and 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

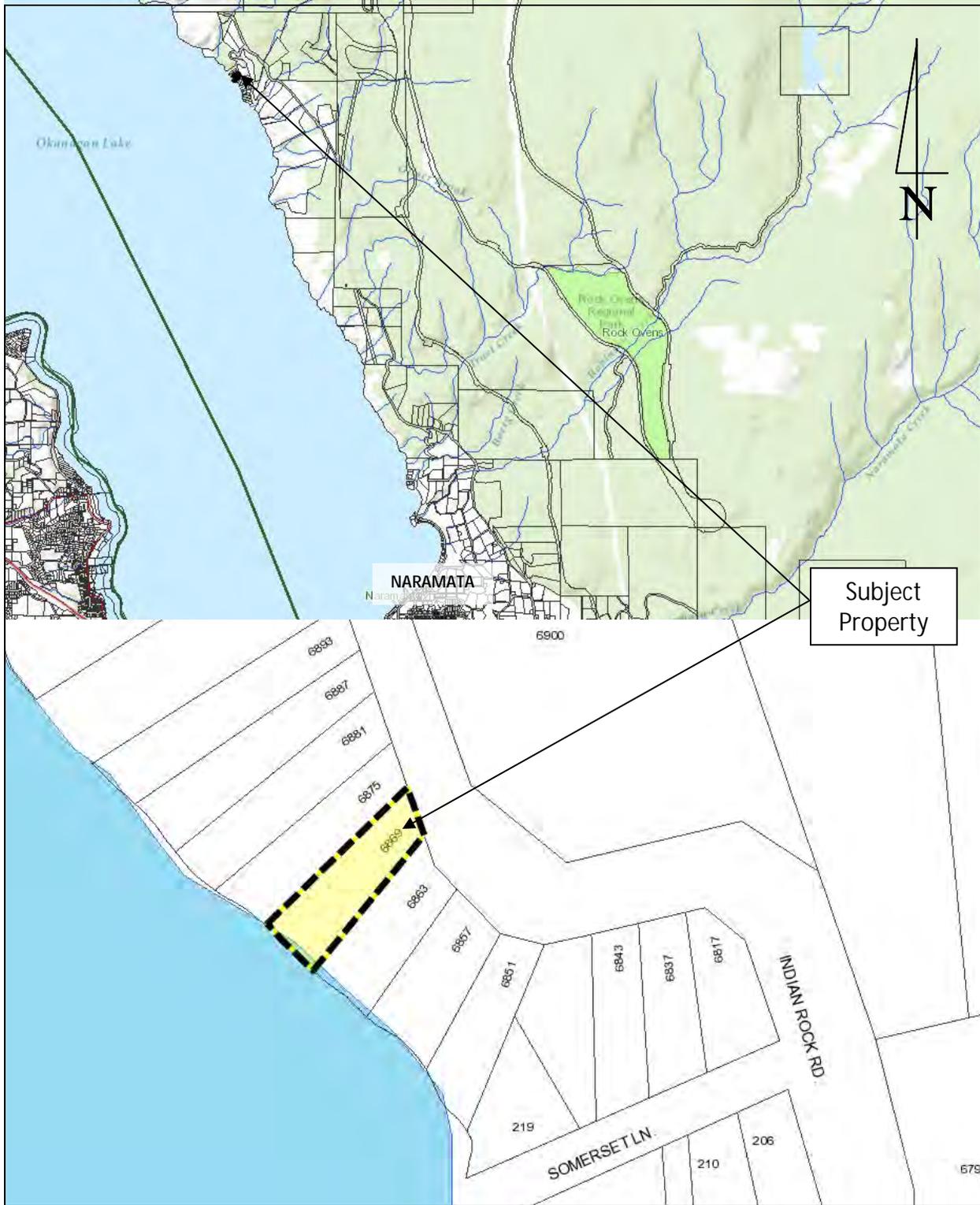
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. E2017.045-DVP

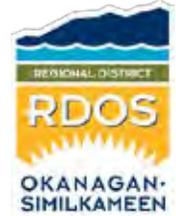
Schedule 'A'



Regional District of Okanagan-Similkameen

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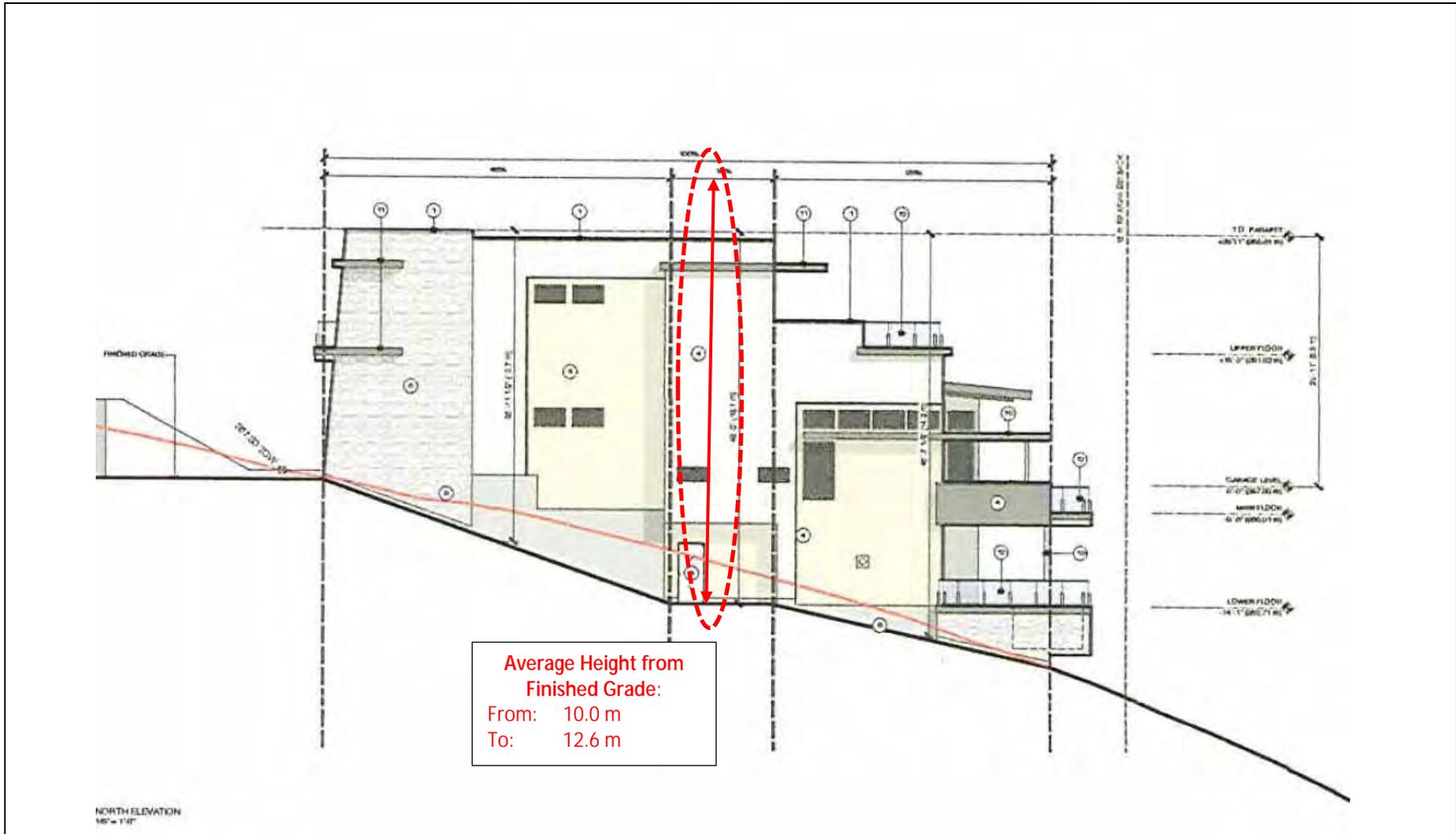
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Development Variance Permit

File No. E2017.045-DVP

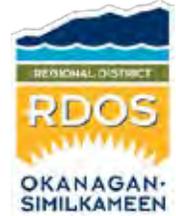
Schedule 'C'



Regional District of Okanagan-Similkameen

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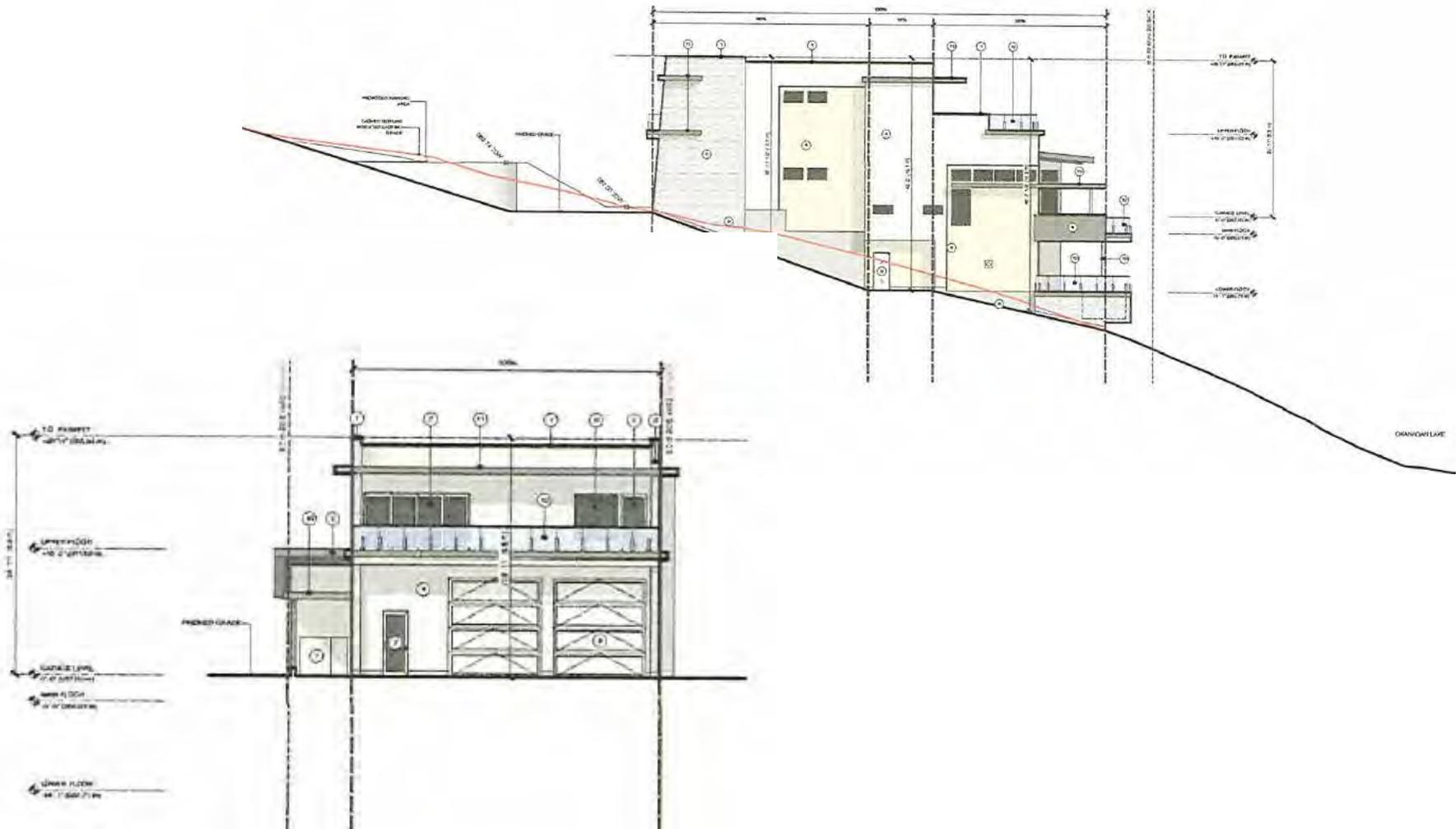
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Development Variance Permit

File No. E2017.045-DVP

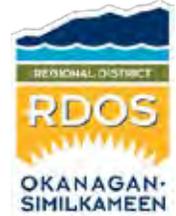
Schedule 'D'



Regional District of Okanagan-Similkameen

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

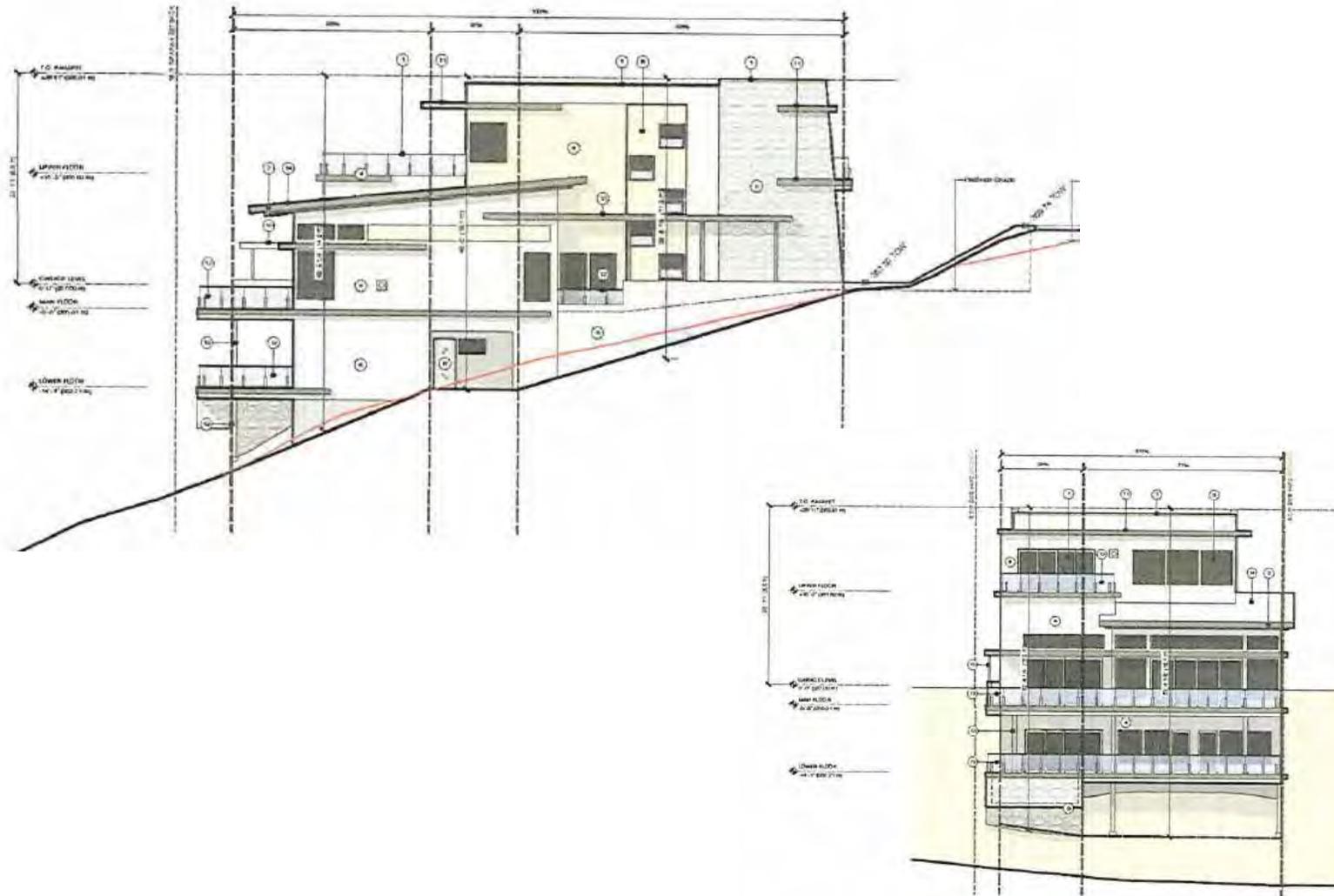
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Development Variance Permit

File No. E2017.045-DVP

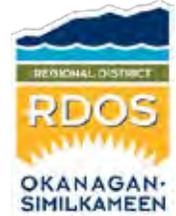
Schedule 'E'



Regional District of Okanagan-Similkameen

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

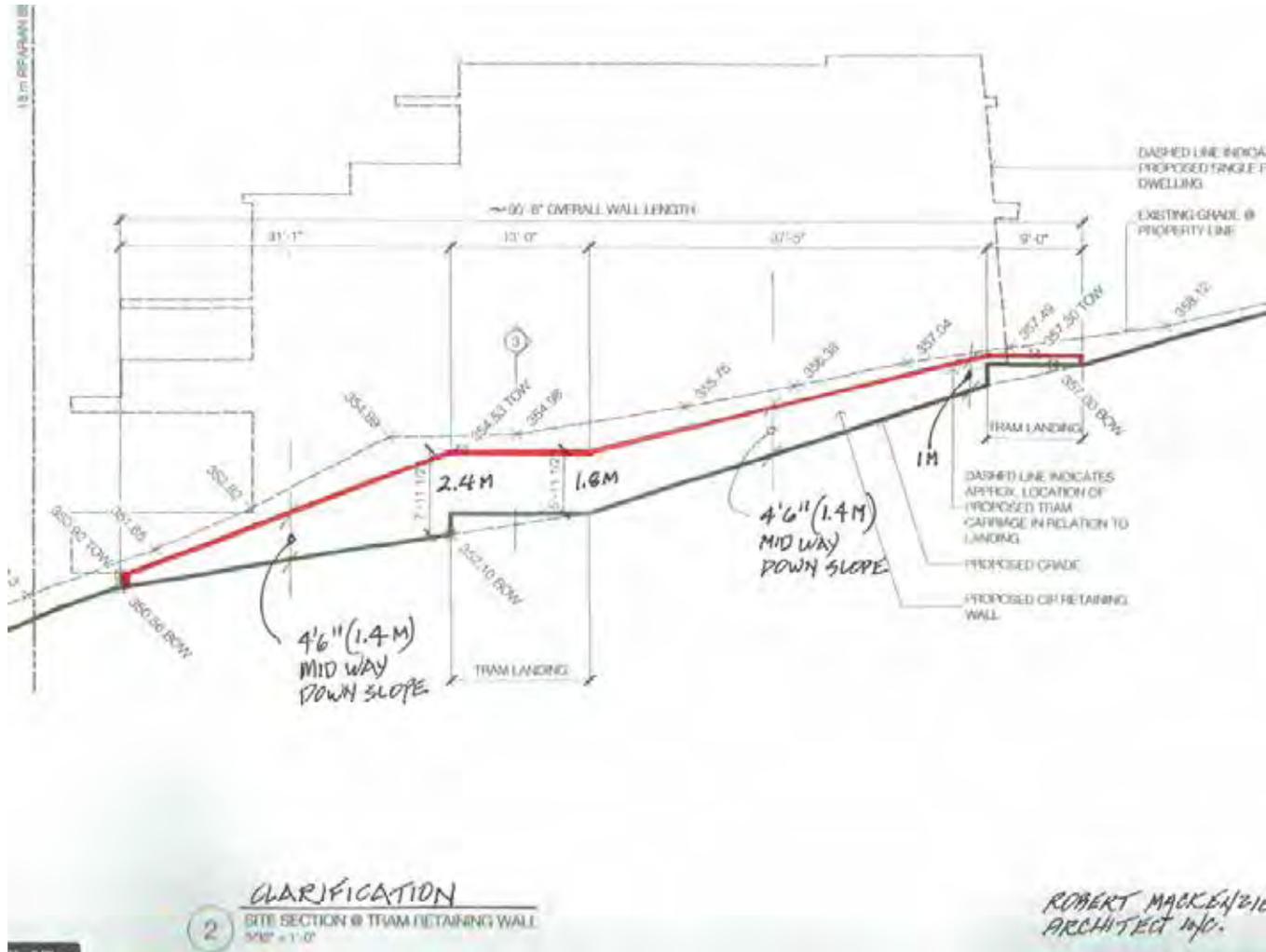
Tel: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. E2017.045-DVP

Schedule 'F' – Retaining Wall Height



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 18, 2017
RE: Official Community Plan Bylaw & Zoning Bylaw Amendments – Electoral Area “D”

Administrative Recommendation:

THAT Bylaw No. 2603.10, 2017, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.27, 2017, Electoral Area “D-2” Zoning Amendment Bylaw be read a third time and adopted.

Purpose: To allow for the subdivision of a two new lots.

<u>Owner:</u> M. Ingraham & S Nelson	<u>Agent:</u> Graham Birds	<u>Folio:</u> D-06799.610
<u>Civic:</u> 170 Sunnybrook Drive, OK Falls	<u>Legal:</u> Lot 23, DL 2710, SDYD, Plan 27228	
<u>OCP:</u> Small Holdings (SH)	<u>Proposed:</u> Low Density Residential (LR)	
<u>Zoning:</u> Small Holdings Five Site Specific (SH5s)	<u>Proposed:</u> Residential Single Family One (RS1)	

Proposal:

The proposal is seeking to rezone an approximately 1,517 m² portion of the subject property in order to facilitate a three lot subdivision that will result in two parcels approximately 721 -790 m² in area and a remainder parcel of approximately 4,000 m².

Specifically, it is being proposed to amend the OCP designation on part of the property from Small Holdings (SH) to Low Density Residential (LR) and to amend the zoning to Residential Single Family One (RS1) as this would allow for a minimum parcel size of 667 m², subject to servicing. Currently the SH5s zone specifies a minimum parcel size of 2,020 m².

In support of the proposal the applicant states that “this project promotes sustainable development as it will be utilizing existing water and sanitary infrastructure.”

Site Context:

The subject property is approximately 5,684 m² in area, although the area proposing to be rezoned is approximately 1,517 m² in area that being land adjacent to Vintage Boulevard. It is located approximately 1.2 km north of OK Falls and is immediately next to the Vintage Views subdivision.

The subject property has an existing dwelling and associated accessory structures contained within it; however, the area proposed to be rezoned is currently vacant. The land slopes steeply down from Vintage Blvd toward the remaining property area.

The surrounding pattern of development is characterized as residential with smaller parcels within Vintage Views and larger properties within Lakeshore Highlands and Heritage Hills.

Background:

At its meeting of March 21, 2017, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this application be approved with the following condition: "a recommendation for amendment which asks the developer to put a covenant on proposed lot 2 to limit future development to a one floor rancher at road grade level".

A Public Information Meeting was held ahead of the APC meeting on March 21, 2017, and was attended by approximately six (6) members of the public.

At its meeting of April 6, 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 was held on May 3, 2017 at which three (3) members of the public were in attendance.

All comments received through the public process are compiled and included as a separate item on the Board Agenda, including written confirmation that Lakeshore Waterworks Ltd and Vintage Views Development Ltd have the capacity and ability to service the three lots with water and sewer.

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:

Although incremental small lot subdivision is not normally supported in rural areas, the proposed rezoning and consequential subdivision is within a designated growth area, can be serviced with water and sewer and is not out of context with the surrounding neighbourhood and general streetscape of Vintage Blvd. For the above reasons, Administration supports the proposed subject application.

Alternative:

THAT first and second readings of Bylaw No. 2603.10, 2017, and Bylaw No 2455.27, 2017 Electoral Area "D-2" OCP and Zoning Amendment Bylaws be rescinded and the bylaw abandoned.

Respectfully submitted

E. Riechert

E. Riechert, Planner

Endorsed by:



C. Garrish, Planning Supervisor

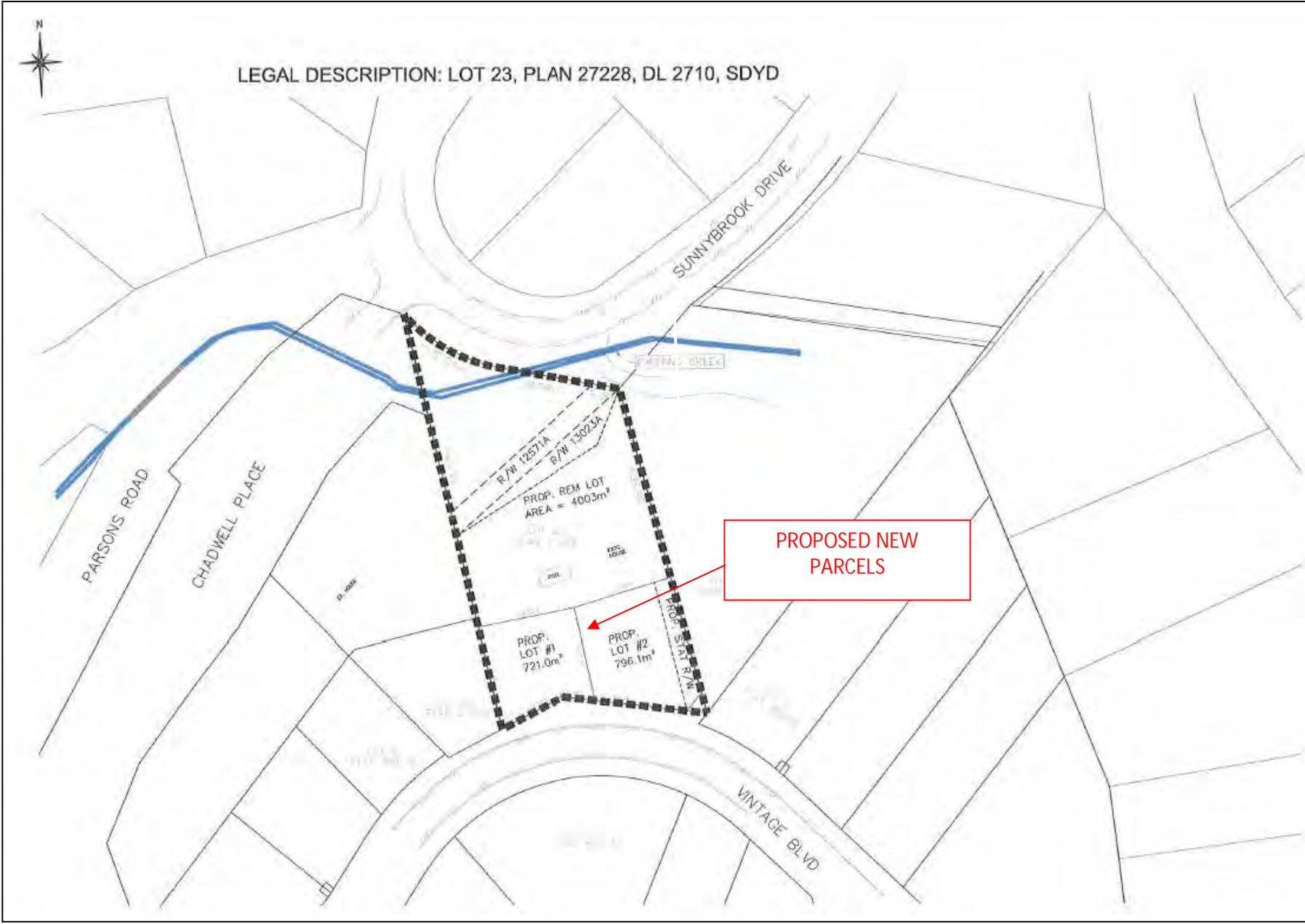
Endorsed by:

Donna Butler

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. 2455.27, 2017

A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 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 "D" Zoning Amendment Bylaw No. 2455.27, 2017."
2. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation on a portion of the land of approximately 1,517.1 m² in area and described as Lot 23, District Lot 2710, SDYD, Plan 27228, and as shown shown shaded yellow on Schedule 'X', which forms part of this Bylaw, from Small Holdings Five Site Specific (SH5s) to Residential Single Family One (RS1).

READ A FIRST AND SECOND TIME this 6th day of April, 2017.

PUBLIC HEARING held on this 3rd 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

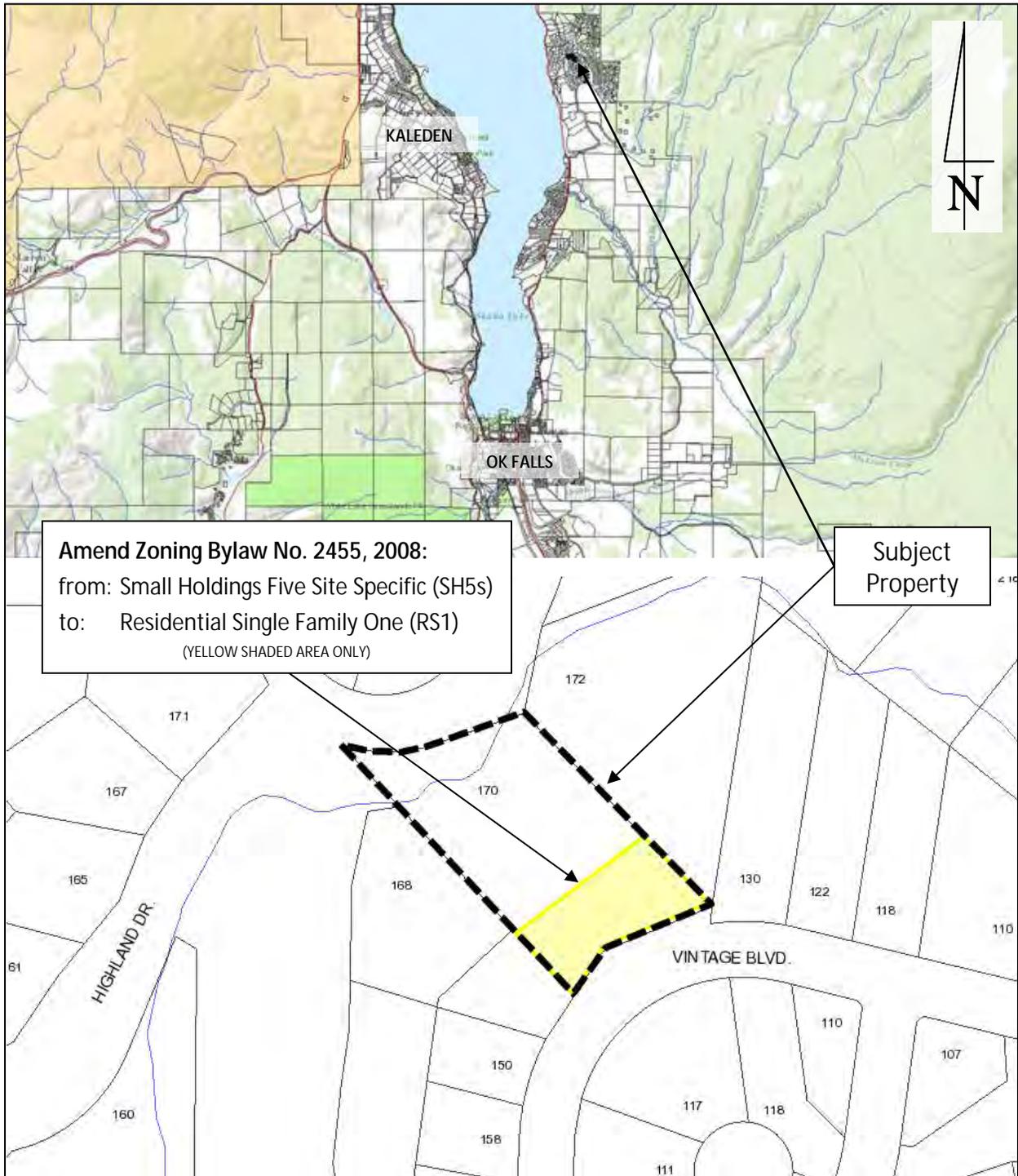
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.27, 2017

Project No: D2017.014-ZONE

Schedule 'Y'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.10, 2016

**A Bylaw to amend the Electoral Area "D-2"
Official Community Plan Bylaw No. 2603, 2013**

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-2" Official Community Plan Amendment Bylaw No. 2603.10, 2017."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by changing land use designation on a portion of the land described as Lot 23, District Lot 2710, SDYD, Plan 27228, and as shown shown shaded yellow on Schedule 'X', which forms part of this Bylaw, from Small Holdings (SH) to Low Density Residential (LR).

READ A FIRST AND SECOND TIME this 6th day of April, 2017.

PUBLIC HEARING held on this 3rd day of May, 2017.

READ A THIRD TIME this ____ day of _____, 2017.

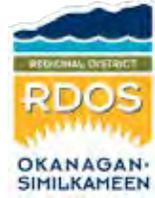
ADOPTED this ____ day of _____, 2017.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

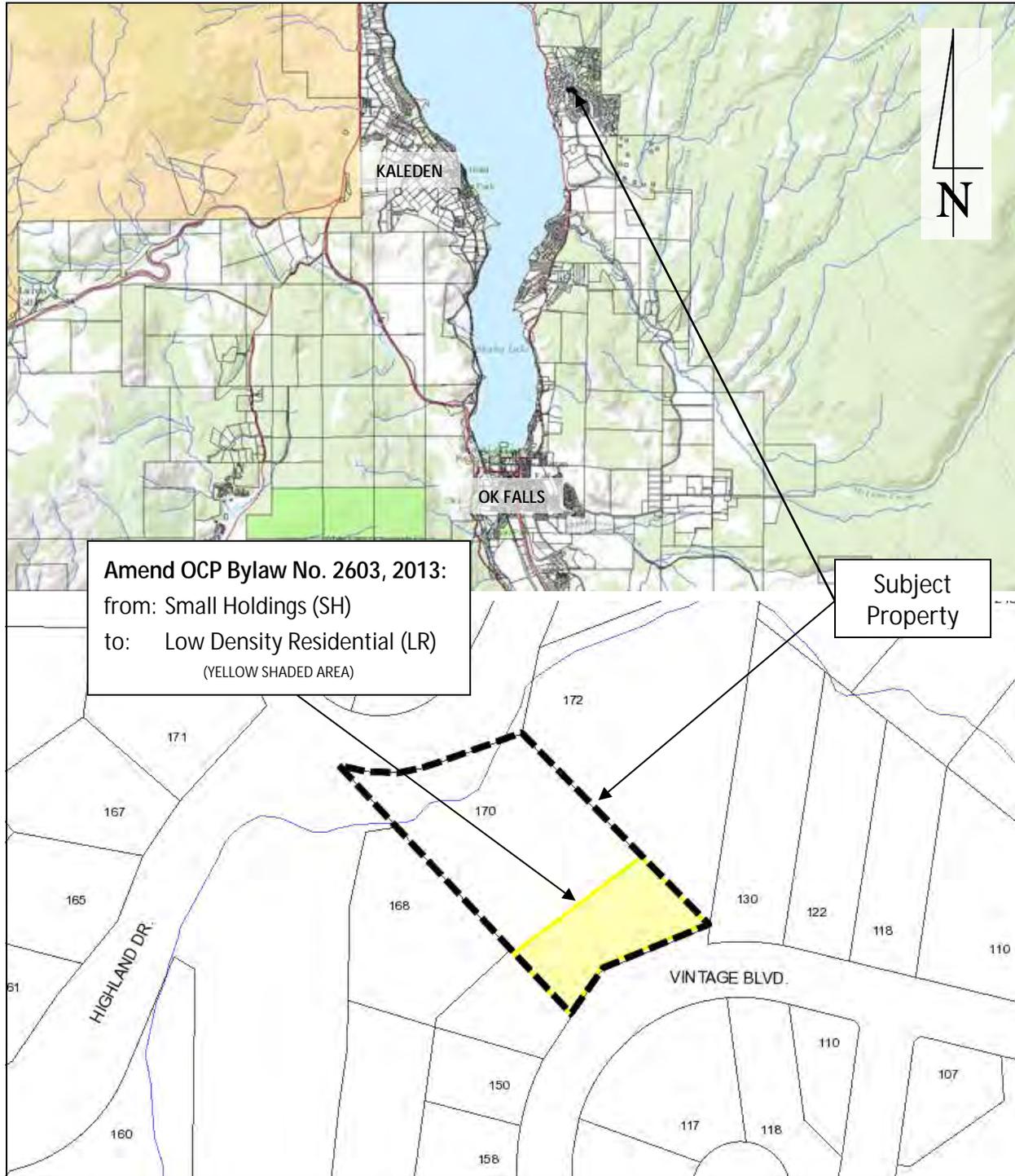
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca

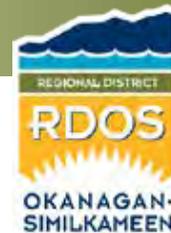


Amendment Bylaw No. 2603.10, 2017

Project No: D2017.014-ZONE

Schedule 'X'





TO: Regional Board of Directors

FROM: Chair Tim Styffe, Alternate Director, Electoral Area "D"

DATE: May 3, 2017

RE: Public Hearing Report on Amendment Bylaw No. 2603.10 and 2455.27, 2017

Purpose of Bylaw:

The purpose of the Amendment Bylaw is to amend Schedule "B" of the Electoral Area D OCP Bylaw No. 2603 on a portion of the subject property described as Lot 23, District Lot 2710, SDYD, Plan 27228 from Small Holdings (SH) to Low Density Residential (LR) and to amend the Zoning Bylaw No. 2455, 2008 from Small Holdings Five Site Specific (SH5s) to Residential Single Family One (RS1).

The rezoning, if approved, will facilitate a three lot subdivision of the subject property that will result in two new RS1 parcels and a remainder SH5s parcel.

Public Hearing Overview:

The Public Hearing for Bylaw No.(s) 2603.10 and 2455.27, 2017, was convened on Wednesday, May 3, at 7:01 p.m. at the Okanagan Falls Community Centre, Meeting Room at 1141 Cedar Street..

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

Members of the Regional District Board present were:

Chair, Tom Styffe

Members of the Regional District staff present were:

- . Evelyn Riechert, Planner
- . Gillian Cramm, Recording Secretary

Chair Styffe called the Public Hearing to order at 7:01 p.m.. at the Okanagan Falls Community Centre, Okanagan Falls, pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Bylaw No.(s) 2603.10 and 2455.27, 2017.

In accordance with Section 466, the time and place of the public hearing was advertised in the April 21 and 28 editions of the *Penticton Western*.

Copies of reports and correspondence received related to Bylaw No. 2603.10 and 2455.27, 2017, were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There were no written briefs submitted at the public hearing.

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

E. Riechert, Planner, outlined the proposed bylaw.

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

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

Chair Styffe asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 7:10 p.m.

Recorded by:

Confirmed:

Confirmed:

Gillian Cramm

Evelyn Riechert

Tom Styffe

Gillian Cramm

Evelyn Riechert

Tom Styffe

Recording Secretary

Planner

Chair

Lauri Feindell

Subject:

FW: Bylaw Referral D2017.014-ZONE

From: Referral Apps REG8 FLNR:EX [mailto:ReferralAppsREG8@gov.bc.ca]

Sent: March 6, 2017 11:05 AM

To: Lauri Feindell <lfeindell@rdos.bc.ca>

Subject: RE: Bylaw Referral D2017.014-ZONE

Hi Lauri,

The Ecosystems Section of the Ministry of Forest Lands & Natural Resources has reviewed the above noted referral. The Section Head, Grant Furness states the Ecosystems Section will not be responding to this referral. "No Comment".

Cathy Lacey
Admin Support
MOE/MFLNRO Penticton



RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2603.10 & 2455.27, 2017

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Provided that at subdivision stage of the subject property all 3 proposed lots will be serviced by community sanitary sewer and community water system this office has no objection to the proposed rezoning.

Thank you.

John Beaupre EHO
Interior Health

Signature: *John C. Beaupre*

Signed By: John Beaupre

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: March 13, 2017



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: March 17, 2017 4:21 PM
To: Planning
Subject: Sunnybrook Dr, 170 RDOS (D2071.014-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Vintage Boulevard. However, due to the configuration of the proposed lots, extension work may be required to bring service to potential building sites, the cost of which may be significant. To date, arrangements have not been completed to meet the requirements to service the proposed subdivision. The applicant is responsible for costs associated with changes to the proposed lots' 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

RECEIVED
Regional District

APR 24 2017

101 Martin Street
Penticton BC V2A 5J9

Margaret Montgomery &
Dave Taylor
110 Highland Drive
Okanagan Falls, BC V0H 1R3

April 22, 2017

Public Hearing Bylaw No.(s) 2503.0 and 2455.77, 2017
c/o Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9

Dear Sirs:

After consideration of the information about the change of zoning for this parcel of land in our neighbourhood, we are writing to you with our objections. These are:

- a. this change **will** have an impact on our area, in that it will increase the traffic on Sunnybrook and on Highland Drive as anyone who is developing this area and/or living there will probably access this location via the turnoff at Eastside Road and Highland Drive a majority of the time – at least twice a day for each vehicle.
- b. this change is in opposition to the wishes of the area residents who were NOT in favour of the change in Land Use from minimum ½ acre lots to Residential Single family.
- c. we also think that it will “pave” the way for other residents of SH5 lots that abut Vintage Views to consider it okay to subdivide.

Yes, you may think we are way down the hill, but almost everyone who wants to access this area passes by our house. So, please consider “traffic” as an impact on the neighbourhood – especially if they drive noisy / fumeey vehicles such as construction equipment carriers and/or motorcycles.

What we really need is another access in and out of this area before anymore development is considered and Parsons Road at Eastside doesn't really work because it is dangerous to turn South onto Eastside Road. Many times, the traffic along Eastside Road is going way over the speed limit and there is not a lot of time to make the turn safely.

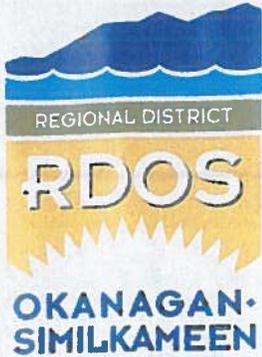
Yours truly,



RECEIVED
Regional District

APR - 3 2017

101 Martin Street
Penticton BC V2A 5J9



Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A-5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

April 3/17

TO: Regional District of Okanagan Similkameen FILE NO.: D2017.014-ZONE

FROM: Name: Annette Langlois
(please print)

Street Address: _____

Tel/Email: _____

RE: Electoral Area "D" OCP Bylaw Amendment No. 2603.10, 2017; and
Electoral Area "D" Zoning Amendment Bylaw No. 2455.27, 2017.
170 Sunnybrook Drive, OK Falls

My comments / concerns are:

- I do support the proposed development.
- I do support the proposed development, subject to the comments listed below. * + OVER →
- I do not support the proposed development.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw Nos. 2603.10 & 2455.27.

The Vintage Views subdivision has been a well received extension of the long standing premium area on Heritage Hills and Vintage Blvd specifically is the refined, upscale well established first phase of the overall development. There is a small area left to finish the street, and this is the location of the proposed zoning changes and further private subdivision. I am in support of this proposal to create two small lots and have been assured that there will be a consistent size, style and density. It is CRITICAL that these small than average lots will NOT receive special treatment variances on height, set back and other restrictions that could impact existing residents. The community is expecting a similar style and standard of home to be built to fit Vintage Blvd. I have been on site with the Proponent who is well aware of

Feedback Forms must be completed and returned to the Regional District
no later than Thursday April 5, 2017

Annette Langlois

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

OVER →
Phos

OVER →

"continued"

my concerns regarding potential negative impacts on the quality of life for existing Residents including

~~Diminished~~ Diminished Views

Increased noise.

Parking concerns

Safety concerns.

Reduction of home Values.

Jeopardizing of Neighborhood Continuity

Taxing of infrastructure - Sewer - Water.

I have expressed the clear position that all current residents purchased their homes with the view that the last remaining undeveloped lots in the subdivision would be developed to the standards set by all ~~houses~~ other houses and related price Range.

With small sized lots there are always parking limitations that force RV's, boats and multi car households to use the street for storage beyond accepted norms, we trust guidelines will be maintained accordingly.

To Be CLEAR, there is no issue with the proposed subdivision of the property, the primary concern is that all construction be consistent with other homes on the boulevard and that no exceptions are permitted to exceed current height and set back requirements.

Thank You.

A Public Information Meeting was held ahead of the APC meeting on April 18, 2017, and was attended by no members of the public.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the proposal is situated beyond 800 metres of a controlled area.

At its meeting of May 4, 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 18, 2017.

All comments received through the public process, including APC minutes are compiled and 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 used exclusively for residential purposes and that the conversion of the zoning to residential is appropriate.

Alternative:

THAT first and second readings of 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 rescinded and the bylaw abandoned.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



D. Butler, Development Services Manager

Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo



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 4th day of May, 2017.

PUBLIC HEARING held on this 18th day of May, 2017.

READ A THIRD TIME AND ADOPTED this ___ day of _____, 2017.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

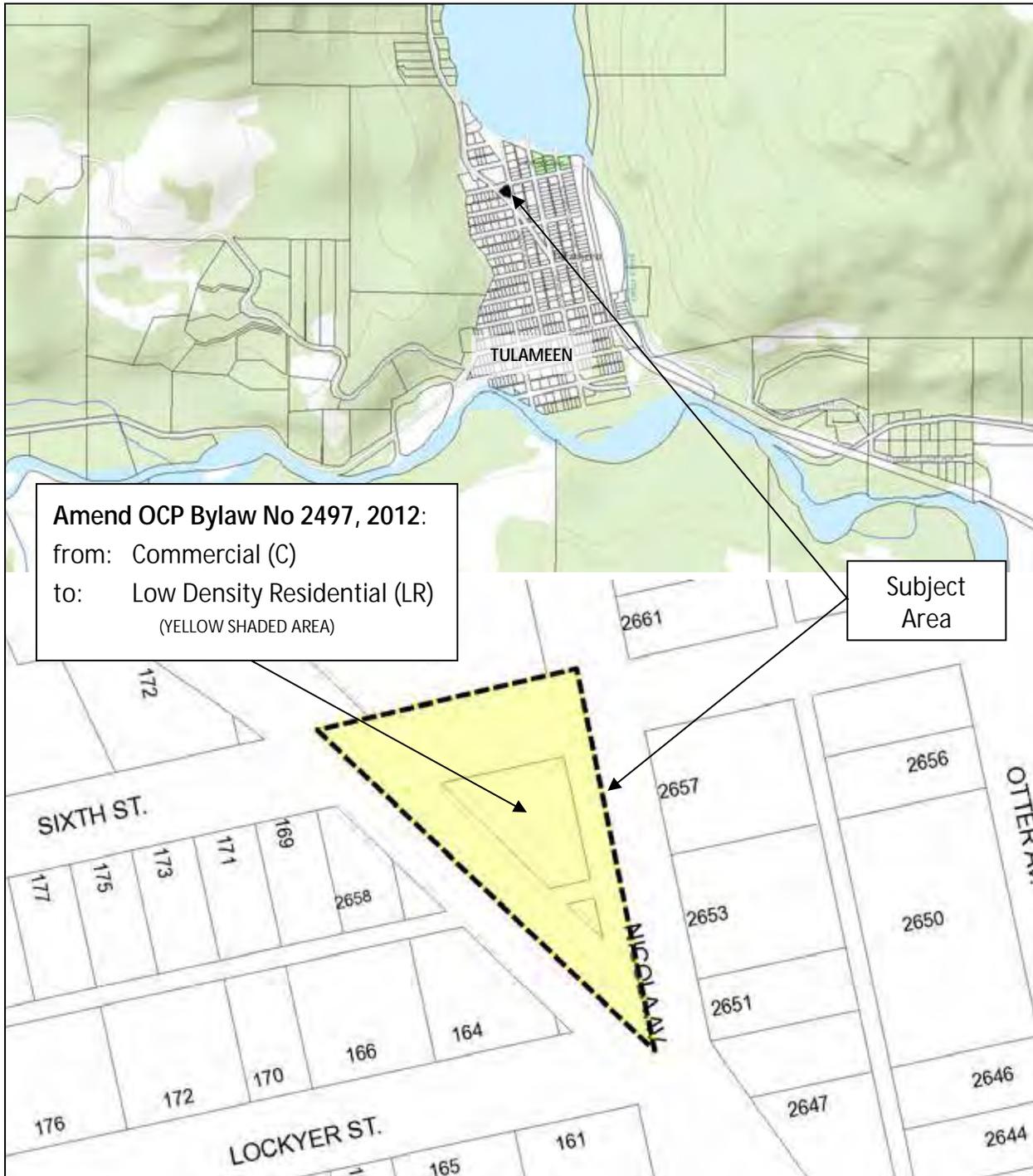
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



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 4th day of May, 2017.

PUBLIC HEARING held on this 18th day of May, 2017.

READ A THIRD TIME this ____ day of _____, 2017.

ADOPTED this ____ day of _____, 2017.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

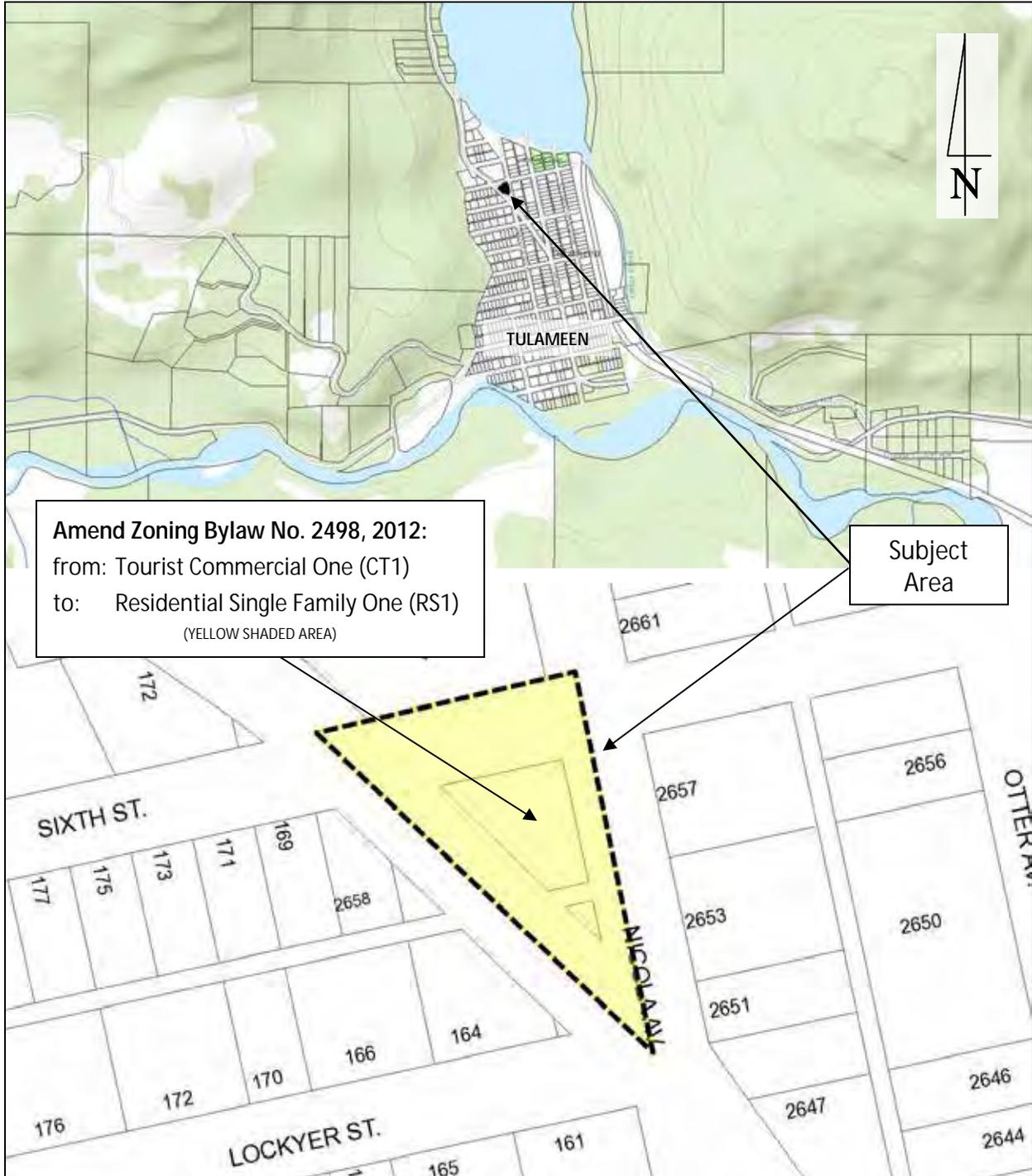
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2498.13, 2017

Project No: H2017.049-ZONE

Schedule 'Y'



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: April 28, 2017 3:00 PM
To: Planning
Subject: Sixth St, 161 Tulameen RDOS (H2017.049-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along 6th Street and Nicola Avenue. 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>

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

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

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

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

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

Best Regards,

*Steven Danielson,
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



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: 

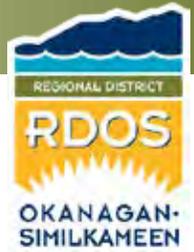
Signed By: John Beaupre

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 18, 2017
RE: Zoning Bylaw Amendment – Electoral Area “E”

Administrative Recommendation:

THAT Bylaw No. 2459.25, 2017, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 1, 2017;

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

Purpose: To allow for the development of an accessory dwelling on the second storey of an existing garage.

Owners: Nicolas & Bernadette Gammer Agent: Nicolas Gammer Folio: E-02086.010

Civic: 2870 Gammon Road, Naramata Legal: Lot A, Plan KAP36242, District Lot 207, YDYD

Zone: Agriculture One (AG1) Proposed Zoning: Agriculture One Site Specific (AG1s)

Proposed Development:

This application is seeking to allow for the conversion of the second story of an existing garage for residential purposes.

Specifically, it is being proposed to introduce a site specific zoning that will allow an accessory dwelling to not exceed two stories and a maximum height of 6.2 metres on the subject property (NOTE: the AG1 Zone currently limits accessory dwellings to a maximum height of one storey and 5.0 metres in height).

In support of the application, the applicant has stated that “this ‘carriage house’, with its striking view, has been designed to blend nicely into the rest of our large, well-treed and landscaped property ...”, a new septic system has been designed to accommodate the proposed use and that developing this dwelling unit will allow the applicant to “accommodate visiting family and friends”.

Site Context:

The subject property is approximately 1,524 m² in area and is situated on the east side of Gammon Road and comprises a single detached dwelling and garage (which will be replaced as part of the current proposal) and is within the Naramata Community Water Service area and on a private septic system.

The surrounding pattern of development is seen to be characterised by a mix of residential, rural-residential and agricultural uses.

Background:

The subject property was created by subdivision in 1984 as part of a homesite severance approved by the Agricultural Land Commission (ALC).

Under the Electoral Area 'E' Zoning Bylaw No. 2459, 2008, the subject property is zoned Agriculture One (AG1), which permits, amongst other things, a single detached dwelling and the development of up to one (1) accessory dwelling on parcels less than 4.0 ha in area.

Section 7.11 of the Zoning Bylaw limits the maximum height of an accessory dwelling to one storey and 5.0 metres, while the definition of "accessory dwelling" requires that these dwelling types be detached from any other structure.

Available Regional District records indicate the issuance of a Development Variance Permit (DVP) for an accessory structure (i.e. garage and studio) to be constructed within the rear and interior side setbacks was approved in 2014. A Building Permit for a garage and studio was subsequently issued in 2015.

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.

Referral comments on this proposal have been received from the Interior Health Authority (IHA), Penticton Indian Band (PIB) and Agricultural Land Commission (ALC) and these are included as a separate item on the Board Agenda.

Public Process:

At its meeting of May 8, 2017, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this development proposal be approved.

A Public Information Meeting was held ahead of the APC meeting on May 8, 2017, and was attended by no members of the public.

Analysis:

In considering this proposal, Administration notes its previous support for the introduction of "carriage houses" as a permitted form of residential development in other Electoral Areas on the basis that "carriage houses" present an opportunity to diversify housing stock, create a more liveable alternative to basement suites, create potential accommodation for extended family, and allow people to age in place.

Administration further considers the merits of allowing "carriage houses" to be akin to that of "secondary suites" — which are permitted in the AG1 Zone — and as furthering the objectives of the OCP to provide affordable and rental housing opportunities within Naramata.

That said, Administration is concerned about the density of development that may occur on smaller parcel sizes and believes that the number of units should be limited to either a secondary suite or carriage house, but not both.

Accordingly, it is being proposed to structure the site specific provision to exclude the ability to undertake a secondary suite on the subject property if an accessory dwelling is to be constructed above the garage.

With regard to the requested increase to the maximum allowable height, draft Amendment Bylaw No. 2728 (which was considered by the Planning and Development Committee at its meeting of May 4, 2017) is proposing to remove the 5.0 metre / one storey limitation on “accessory dwellings” in the AG1 Zone. In place of these general regulations, it is proposed to rely on the maximum height permitted of the zoning, which is generally 10.0 metres in the AG zones.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:

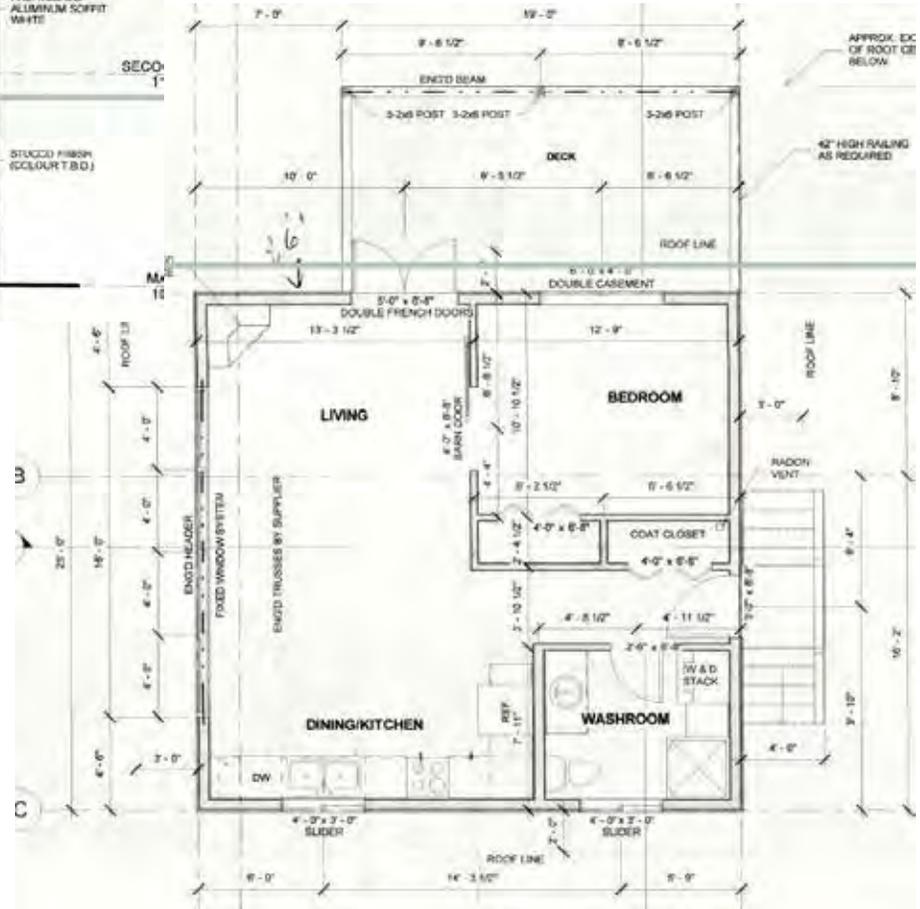
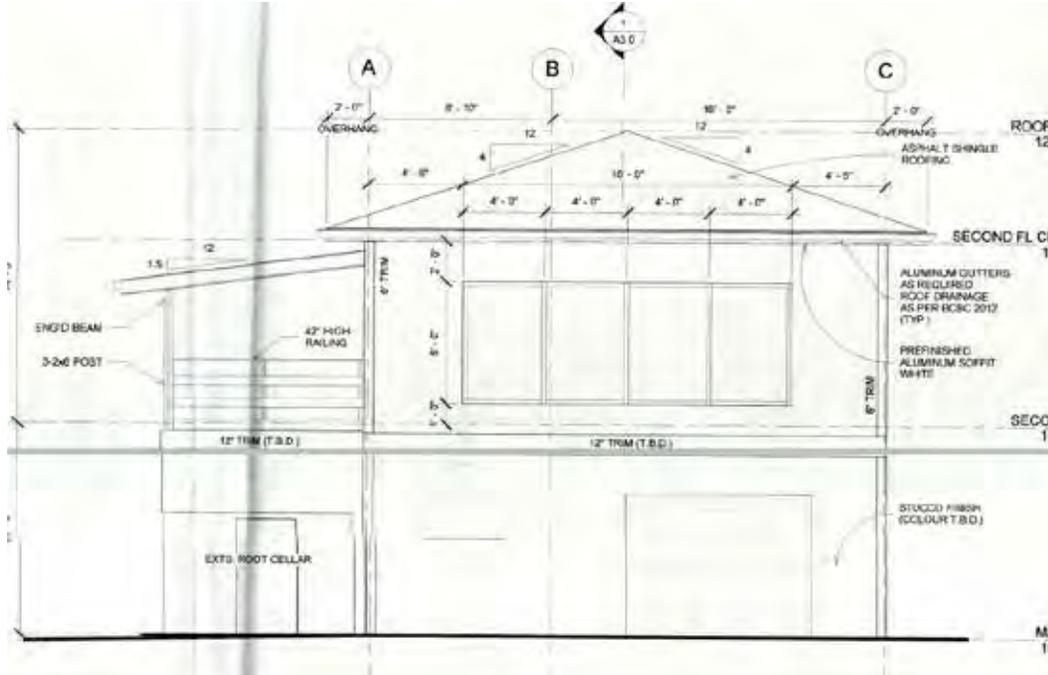
Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 – Applicant’s Site Plan & Elevation

No. 2 – Site Photos

Attachment No. 1 – Applicant's Site Plan & Elevation



Attachment No. 3 – Site Photos



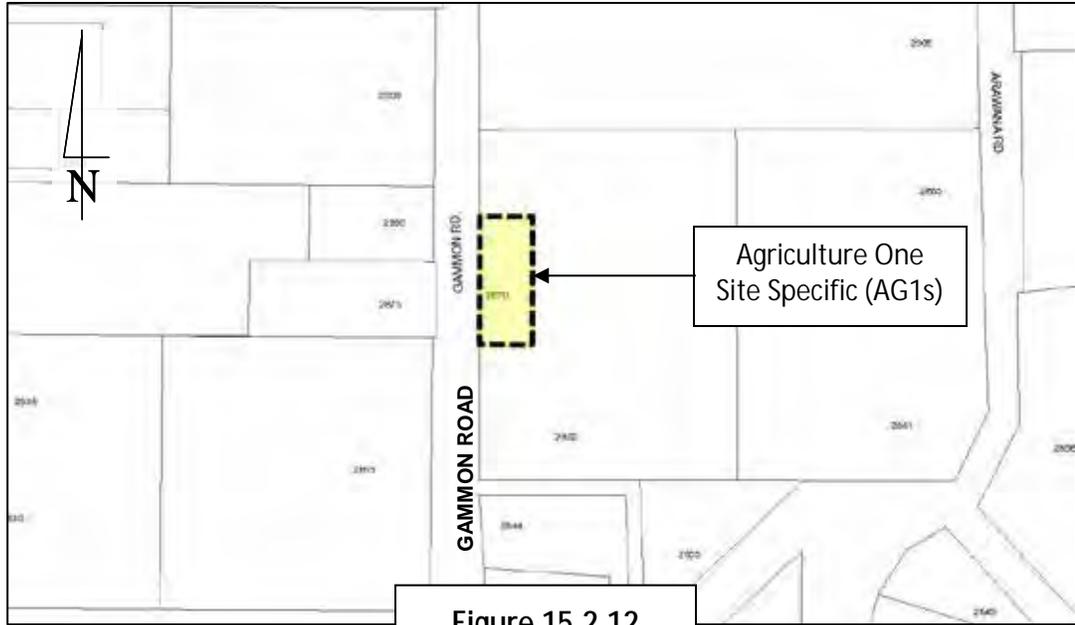
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2459.25, 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. 2459.25, 2017."
2. The Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2012, is amended by changing the land use designation on the land described as Lot A, Plan KAP36242, District Lot 207, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Agriculture One (AG1) to Agriculture One Site Specific (AG1s).
3. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
 - i) adding a new section following 15.2.12 under Section 15.2 (Site Specific Agriculture One (AG1) Provisions) to read as follows:
 - .12 in the case of land described as Lot A, Plan KAP36242, District Lot 207, SDYD, and shown shaded yellow on Figure 15.2.12:
 - a) despite Section 10.2.5, the maximum number of dwellings permitted per parcel shall be:
 - i) one (1) principal dwelling; and
 - ii) one (1) accessory dwelling, mobile home or secondary suite.
 - b) despite Section 7.11.2, an accessory dwelling shall not exceed two stories and a maximum height of 6.2 metres.



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

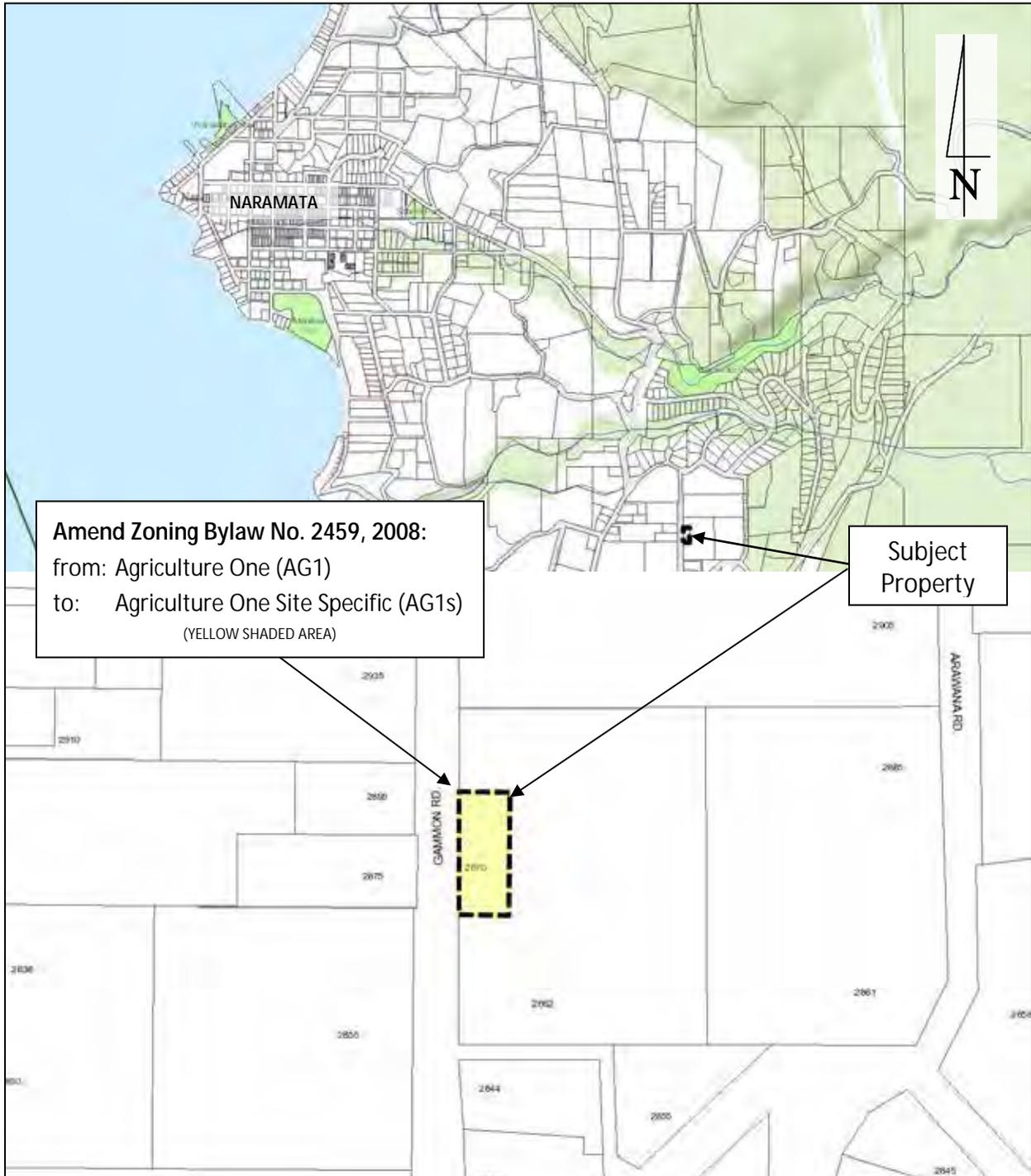
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca

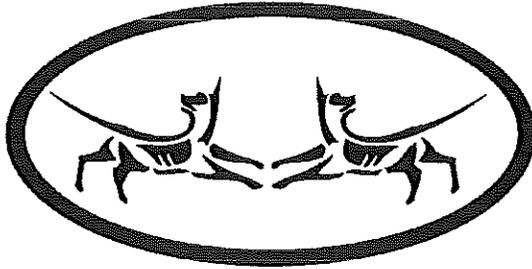


Amendment Bylaw No. 2459.25, 2017

Project No: E2017.054-ZONE

Schedule 'A'





Penticton Indian Band

Natural Resource Department
R.R. #2, Site 80, Comp.19
Penticton, British Columbia
Canada V2A 6J7
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411 Fax: 250-493-2882

**WITHOUT PREJUDICE AND NOT TO
BE CONSTRUED AS CONSULTATION**

April-20-17

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

RTS ID: 2338

Referral ID: 2017-04-12 ZON 2338

Reference ID: BL2459.25 E2017.054-Zon

Referral Date: April-12-17

Summary: Amend the maximum height for an accessory dwelling from one storey & 5.0 metres to 6.2 metres in order to allow for the development of a dwelling unit above an existing garage (i.e. "carriage house").

Attention: Christopher Garrish

The Penticton Indian Band acknowledges receipt of your referral dated April-12-17. The PIB has insufficient information to begin review of your referral. Please provide the information indicated below.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

- Proponent contact info
Please provide : name, phone, email, address
- Original Application
- Archaeology Impact Assessment Report
- Archaeology Overview Assessment Report
- Environmental Assessment Report

Without this information, we cannot make an informed decision and we would have no other alternative but to reject the proposed activity/development. We look forward to your response.

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

Limlæmt,

Lavonda Nelson
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca

RTS ID: 2338



Lauri Feindell

Subject: FW: Bylaw Referral E2017.054-ZONE (Gammer)

From: Collins, Martin J ALC:EX [mailto:Martin.Collins@gov.bc.ca]
Sent: April 24, 2017 1:28 PM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Cc: Bedore, Jenna ALC:EX <Jenna.Bedore@gov.bc.ca>
Subject: RE: Bylaw Referral E2017.054-ZONE (Gammer)

Lauri

This is to advise that the ALC does not support the bylaw amendment because a dwelling over a farm building is only permitted when the property has "farm" assessment tax status.

No information is provided in the referral indicating that the proposal is consistent with the ALC Regulation.

Regards

Martin Collins
Director, Policy and Planning
Agricultural Land Commission
#133 4940 Canada Way
Burnaby, BC, V5G 4K6
martin.collins@gov.bc.ca
604-660-7014



April 10, 2017

Re: Letter of support – Nicholas & Bernadette Gammer’s “Site Specific Re-zoning Application”
of April 6, 2017

To: Christopher Garrish
Planning Supervisor
RDOS
101 Main St
Penticton, BC
V2A 5J9

Re: Re-zoning application to allow for the completion of the construction of a building under
section “7.11 Accessory Dwelling as a “Carriage House”

I have no issue with the completion of the building as a “Carriage House”.

Sincerely,



Dale Collins

2844 Gammon Rd
Naramata, BC
V0H 1N0

RECEIVED
Regional District

APR 11 2017

101 Martin Street
Penticton BC V2A 5J9





Minutes

Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, May 8th, 2017 at 7:30 p.m.

OAP Hall, 330 - 3rd Street, Naramata, BC

Present:

Members: Dave Kopp (as Chair), Heather Fleck, Tim Forty, Tom Hoenisch, Phil Janzen

Absent: Bruce Clough (Chair, Electoral Area 'E' APC), Don Mancell

Staff: Evelyn Riechert (RDOS Planner), Kevin Taylor (RDOS Planning Technician), Levan King-Cranston all left meeting at 8:37 p.m.

Guests: Karla Kozakevich (RDOS Area 'E' Director)

Recording Secretary: Heather Lemieux (Recording Secretary)

Delegates: Nicolas Gammer left meeting at 8:02 p.m., Robert Mackenzie left meeting at 8:21 p.m., Craig Dusel left meeting at 8:37 p.m.

1. ADOPTION OF AGENDA

The meeting was called to order at 7:34 p.m. Quorum Present.

MOTION

It was Moved and Seconded that the Agenda be adopted as presented.

CARRIED (UNANIMOUSLY)

2. DELEGATIONS

2.1 Gammer, Nicholas & Bernadette for Zoning Bylaw Amendment Application
E02086.010 (E2017.054-ZONE)

2.2 Kneller, Bryan & Carrol for Development Variance Permit Application Agent:
Mackenzie, Robert
E02329.025 / (E2017.045-DVP)



3. DEVELOPMENT APPLICATIONS

- 3.1 E02086.010 (E2017.054-ZONE) - Zoning Bylaw Amendment Application**
Administrative Report submitted by Christopher Garrish, Planning Supervisor

MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.

CARRIED (UNANIMOUSLY)

- 3.2 E02329.025 (E2017.045-DVP) - Zoning Bylaw Amendment Application**
Administrative Report submitted by Evelyn Riechert, Planner

MOTION

It was Moved and Seconded in favour of Option 1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.

CARRIED (UNANIMOUSLY)

4. OTHER

- 4.1 E2017.022-CROWN - Integrated Land Management Bureau**

Naramata Benchland Properties Ltd.

Agent: Elenko, Brad

For Information Purposes Only

Evelyn Riechert (RDOS Planner) and Craig Dusel presented the proposed site drainage solution, options, potential plans and responsibilities.

The Area 'E' APC has concerns regarding maintenance and liability, if there is a drainage failure, responsibility remains with the approving authorities.

- 4.2 APC Bylaw No. 2339 5.1 - Chair of the Commission**
Election of the Chair, Vice-Chair and Secretary (to be performed at the first meeting of each new year - Section 5.1; Bylaw No. 2339)

Voting postponed to the next Area 'E' APC Meeting on June 12th, 2017

5. APPROVAL OF PREVIOUS MEETING MINUTES

Date error noted in the footer and in Next Meeting section of the minutes, 2016 will be amended to 2017.

MOTION

It was Moved and Seconded by the APC that the Minutes of April 10th, 2017 be approved as amended.

CARRIED (UNANIMOUSLY)

6. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 8:39 p.m.

CARRIED (UNANIMOUSLY)

Next Electoral Area 'E' Advisory Planning Commission Meeting
Monday, June 12th, 2017 at 7:30 p.m.

Advisory Planning Commission Chair



Advisory Planning Commission Recording Secretary / minute taker

Lauri Feindell

From: Beaupre, John <John.Beaupre@interiorhealth.ca>
Sent: May 1, 2017 4:48 PM
To: Planning
Cc: Christopher Garrish
Subject: Application to Amend Height Restrictions to Allow Construction of Carriage House - RDOS File: E2017.054-ZONE

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

Attention Christopher Garrish:

**Re: Proposed Amendment of Zoning Bylaw to Allow Over Height Building With Secondary Dwelling
Lot A, Plan KAP36242, District Lot 207, SDYD (2870 Gammon Road, Naramata)**

Thank you for the opportunity to provide comment on the above referenced application to increase the allowed building height from 5.0 meters to 6.2 meters.

Information provided indicates a new Sewerage Dispersal System (SDS) was installed on the subject property in September of 2014 to replace a failed system. The new system is designed to service a 3 bedroom dwelling and a washroom in a garage/workshop on the property.

Given that the existing SDS was **not** sized to accommodate both the primary dwelling and a secondary dwelling on the subject property this office recommends that an "Authorized Person" as defined in the Sewerage System Regulation assess the existing SDS and confirm whether or not the current system is of sufficient size and capacity to service both the existing dwelling and the proposed secondary dwelling. Depending on the ROWP's findings the existing SDS may need to be enlarged or another separate SDS may need to be constructed to service the proposed secondary dwelling.

It is understood that there are existing constraints to SDS installation on the subject property which include presence of bedrock and natural topography. Consideration should be given to ensuring a suitable area exists on the property for installation of replacement SDS's for when the existing and/or future SDS's 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
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ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 18, 2017

RE: Official Community Plan (OCP) Bylaw & Zoning Bylaw Amendments
Electoral Areas "A", "C", "D", "E" & "F" (ESDP Update)

Administrative Recommendation:

THAT Bylaw No. 2710, 2017, Regional District of Okanagan-Similkameen Parks, Recreation, Trails, Conservation Areas and Environmental Areas Update Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated May 18, 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 of Directors has considered Amendment Bylaw No. 2710, 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 June 1, 2017;

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

Proposal:

Amendment Bylaw No. 2710 represents the culmination of a multi-year review and update of the environmental and park/recreational policies and objectives — including a comprehensive review of the Environmentally Sensitive Development Permit (ESDP) Area designations — found in the Okanagan Electoral Area Official Community Plan Bylaws and Zoning Bylaws.

Background:

The purpose of updating the Regional District's Environmentally Sensitive Development Permit (ESDP) Area designations is to:

- incorporate new mapping associated with *Keeping Nature in our Future* for ESDP Areas:
 - ∅ mapping indicates "high" and "very high" values;
 - ∅ a new Important Ecosystem Area layer is to be applied to Crown land, lands in the ALR and small lots zoned for residential development.
- introduce standardised policy sections in the Okanagan Electoral Area OCP Bylaws that support, amongst other things, the designation of ESDP Areas:
 - ∅ "Parks, Recreation and Trails"; and

∅ "Natural Environmental & Conservation".

· update the guidelines used by QEPs (qualified environmental professionals) when preparing assessments in support of ESDP applications:

- ∅ updated Terms of Reference (ToR) outlining assessment requirements for QEPs;
- ∅ reports to be signed by a Registered Biologist (RPBio);
- ∅ modification of residential exemptions and introduction of an alternate Rapid Environmental Assessment (REA) for residential development;
- ∅ modification of exemptions for subdivision; and
- ∅ provision for joint Watercourse DP and ESDP applications.

The impetus for this Update was the adoption of the Regional Growth Strategy (RGS) Bylaw in 2010 and its call for the completion of a biodiversity strategy, and the Board has considered aspects of the update at various committee meetings between 2014 and 2017.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) will be required prior to adoption as the proposed amendments will affect land situated within 800 metres of a controlled area (i.e. Highway 97).

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. 53 & 67 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:

Public Information Meetings were held on November 17, 2015 (Oliver), December 2, 2015 (West Bench), December 8, 2015 (OK Falls), December 14, 2015 (Osoyoos) and January 11, 2016 (Naramata).

Received "Feedback Form" from residents were generally supportive of the proposed changes to the ESDP Area designation. Other written comments were also received from residents and these may be summarised as follows:

- requests from individual property owners to have their lands removed from the proposed ESDP Area designation map;
- opposition to the use of development permits to protect environmentally sensitive lands;
- concern regarding the utilization of the professional reliance model by the Regional District;
- concern that the guidelines favour one type of ecosystem at the expense of other ecosystem types (i.e. forests over grasslands);

-
- concern that the guidelines do not allow conservation groups/organisations to undertake restoration work on designated lands without first obtaining a permit;
 - parkland dedication under the Act should not comprise riparian areas; and
 - the Regional District should be encouraging education about environmental sensitivity instead of regulating private property.

A session was also held with local area QEPs (qualified environmental professionals) on March 15, 2016, with received comments generally relating to the information contained in the draft Terms of Reference (ToR) and suggested improvements to the Rapid Environmental Assessment application form.

The proposed amendments were also considered by the Okanagan Advisory Planning Commissions (APCs) and the minutes of these meetings are included with all other comments received from the consultation process.

Administration recommends that the Public Information Meetings, consideration by the various Okanagan APCs, the session with QEPs 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.

Agency comments have been received from the Ministry of Forests, Lands and Natural Resource Operations (Ecosystem Section), Interior Health Authority, Town of Oliver, Osoyoos Indian Band, Penticton Indian Band, Lower Similkameen Indian Band and the Central Okanagan Regional District and these are included as a separate item on the Board Agenda.

Analysis:

Administration considers the work undertaken to modernise and update the text and mapping within the Okanagan Electoral Area OPC Bylaws to represent a significant commitment by the Regional District Board to protecting the environmental resources found in the South Okanagan.

The new mapping associated with *Keeping Nature in our Future* will represent the first time that a consistent data set has been applied to ESDP Areas within the Okanagan Electoral Areas.

The introduction of an Expedited Rapid Environmental Assessment (REA) application option is seen to be an innovative approach to addressing one of the major short-comings of the current scheme, which has been the blanket exemption applied to all forms of residential development.

Replacement of the Terms of Reference for professionals with more definitive application requirements in the Development Procedures Bylaw as well as clearer guidelines within the OCP's is seen to provide a greater level of clarity for QEPs completing assessment report in support of ESDP applications.

The comprehensive review of the OCP and Zoning Map Schedules that has occurred will also address a number of consistency issues across the Electoral Areas (i.e. designation of provincial parks and protected areas), errors dating back to the 2008 Repeal and Re-enactment (R&R) process, allow for the incorporation of new provincial data on the Electoral Area boundaries and the colourisation of these schedules.

Given the scope of proposed changes associated with Amendment Bylaw No. 2710, Administration is proposing to monitor its implementation over the next 12 months and report back to the Board with any identified issues affecting the intended operation of the new ESDP Area scheme and possible remedies.

The Board is asked to be aware that, since it last considered the proposed new OCP & Zoning Schedules at the March 16, 2017, meeting of the P&D Committee further mapping errors have been identified. These involve the following properties:

AREA	LEGAL	Current	Proposed	SUMMARY
"C"	Lot 982, Plan KAP17033, District Lot 2450S, SDYD	I/AI	AG/AG1	OCP & Zone – error from 2002 bylaw review.
"E"	Lots 4-5, Plan EPP60812, SDYD, District Lot 2711 3474	LH	RA	OCP designation – R&R error
"E"	Lot A, Plan KAP59640, District Lot 3474, SDYD.	LH	RA	OCP designation – R&R error
"E"	Lots 4-6, Plan KAP1145, District Lot 210, SDYD.	A2	RS1s	Incorrect zoning – R&R error

Alternative:

THAT Bylaw No. 2710, 2017, Regional District of Okanagan-Similkameen Parks, Recreation, Trails, Conservation Areas and Environmental Areas Update Amendment Bylaw, be denied.

Respectfully submitted:


 C. Garrish, Planning Supervisor

Endorsed by:


 D. Butler, Development Services Manager

Attachments: No. 1 – Agency Referral List

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. 2710, 2017.

p	Agricultural Land Commission (ALC)	p	Kootenay Boundary Regional District
p	Interior Health Authority (IHA)	p	City of Penticton
p	Ministry of Agriculture	p	District of Summerland
p	Ministry of Energy & Mines	p	Town of Oliver
o	Ministry of Community, Sport and Cultural Development	p	Town of Osoyoos
p	Ministry of Environment	o	Town of Princeton
o	Ministry of Forest, Lands & Natural Resource Operations	o	Village of Keremeos
o	Ministry of Jobs, Tourism and Innovation	p	Okanagan Nation Alliance (ONA)
p	Ministry of Transportation and Infrastructure	p	Penticton Indian Band (PIB)
o	Integrated Land Management Bureau	p	Osoyoos Indian Band (OIB)
p	BC Parks	o	Upper Similkameen Indian Bands (USIB)
p	School District #53 (Okanagan Similkameen)	p	Lower Similkameen Indian Bands (LSIB)
o	School District #58 (Nicola Similkameen)	o	Environment Canada
p	School District #67 (Okanagan Skaha)	p	Fisheries and Oceans Canada
p	Central Okanagan Regional District	p	Archaeology Branch
p	Fortis	o	Westbank First Nation
o	Lakeshore Highland Water System	o	Okanagan Falls Irrigation District
		p	Canadian Wildlife Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2710, 2017

**A Bylaw to amend the Electoral Areas “A”, “C”, “D”, “E”, and “F”
Regional District of Okanagan-Similkameen Official Community Plan & 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 Parks, Recreation, Trails, Conservation Areas and Environmental Areas Update Amendment Bylaw No. 2710, 2017."

Electoral Area “A”

2. The “Osoyoos Rural Official Community Plan Bylaw No. 2450, 2008” is amended by:
 - (i) replacing the ninth paragraph of the recital to this bylaw with the following:

The Osoyoos Rural Official Community Plan attached hereto as Schedules ‘A’, ‘B’, ‘C’, ‘D’ and ‘E’ and forming part of this bylaw is adopted as the Regional District of Okanagan-Similkameen, Osoyoos Rural Official Community Plan.
 - (ii) replacing the first paragraph under Section 2.0 (Official Community Plan Map Designations) with the following:

The future use and development of land within the Osoyoos Rural area should be consistent with the overall pattern of land use depicted on Schedules ‘B’, ‘C’, ‘D’ and ‘E’ based on the following land use designations:
 - (iii) replacing the reference to Parks (P) under Section 2.0 (Official Community Plan Map Designations), with the following:

- (iv) deleting the reference to Public Corridor (PC) under Section 2.0 (Official Community Plan Map Designations).
- (v) replacing Section 4.4.4 with the following:

Generally, does not support increasing densities or intensifying land uses within areas designated as an Environmentally Sensitive Development Permit Area or shown as an Important Ecosystem Area on Schedule 'C'. Increasing densities or intensifying land uses in areas previously zoned to allow such developments, however, will be considered if the development meets the policies and guidelines set out in this Plan.
- (vi) replacing Section 4.4.5 with the following:

Works with land owners whose land is zoned for residential development and is found within an area designated as an Environmentally Sensitive Development Permit Area or shown as an Important Ecosystem Area on Schedule 'C' to consider establishing a different zoning that reasonably reflects the current density and gives due regard to physical constraints and environmental attributes.
- (vii) replacing Section 7.2.3 with the following:

To preserve and protect areas with environmentally sensitive values and encourage conservation stewardship within the Large and Small Holdings designation.
- (viii) replacing Section 7.3.3(c) with the following:

impact on the natural environment;
- (ix) replacing Section 8.3.1(b) with the following:

capability of the natural environment to support the proposed development;
- (x) replacing Section 8.4.3(e) with the following:

provides access without constructing new roads or utility corridors through areas designated or identified as environmentally sensitive on Schedule 'C', Agricultural Land Reserve, hazard areas, and without creating permanent scarring on slopes visible from major roads or residential areas.
- (xi) replacing Section 9.3.6(a) with the following:

provides access without constructing new roads or utility corridors through areas designated or identified as environmentally sensitive on Schedule 'C', Agricultural Land Reserve, hazard areas, and without creating permanent scarring on slopes visible from major roads or residential areas.

(xii) replacing Section 9.3.7 with the following:

Supports open space recreation, resort commercial, agri-tourism and eco-tourism opportunities such as guest ranches, trail rides, campgrounds and/or wilderness tours, providing they do not have a detrimental impact upon the natural environment or adjacent land uses.

(xiii) replacing Section 10.3.6(a) with the following:

provides access without constructing new roads or utility corridors through areas designated or identified as environmentally sensitive on Schedule 'C', Agricultural Land Reserve, hazard areas, and without creating permanent scarring on slopes visible from major roads or residential areas.

(xiv) amending Section 10.5.2(e) to read as follows:

environmental sensitivity of the site, and adjacent lands as shown on Schedule 'C'.

(xv) replacing Section 12.0 (Parks and Natural Environment) in its entirety with the following:

12.0 PARKS, RECREATION AND TRAILS

12.1 Background

Parks are generally publicly owned areas that provide an opportunity for individuals to pursue leisure and recreation activities. In the Plan Area, parkland includes Crown land, land owned by the Regional District, land zoned for park purposes and land designated as park on a subdivision plan. Parkland also includes land or general areas that the Regional District may have an interest in for park in the future.

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

- **Regional Parks:** Osoyoos Lake Regional Park is operated and maintained by the Regional District.

- **Kettle Valley Railway (KVR) Trail:** The sections of the KVR Trail that are publically owned and maintained by the Regional District are designated Park, Recreation and Trails.
- **Provincial Recreation Areas:** swiws Provincial Park (formerly Haynes Point) is a provincially designated Recreation Area.

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

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

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

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

See Schedule 'E' (Road and Trail Network Plan) for a map of designated trails in the Plan Area.

12.2 Objectives

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

12.3 Policies

The Regional Board:

- .1 Encourages that all new trail projects are designed and constructed using provincial best management practices, in order to minimize the impact on the natural environment.
- .2 Seeks to mitigate existing and future conflicts between trail users, agricultural operators and rural landowners.
- .3 Encourages trails proposed on agricultural lands, including those located within the ALR, to be developed using Ministry of Agriculture guidelines.
- .4 Encourages tenure holders to preserve, steward and maintain trails to maintain the integrity of the larger trail system and the natural environments they traverse.
- .5 Encourages the Province to undertake a backcountry recreation planning process.
- .6 Encourages relevant provincial agencies and tenure holders to manage public access to the backcountry.
- .7 Seeks to work with regional partners and local environmental organizations to support wildlife education programs to minimize wildlife/human conflicts on trails.
- .8 Seeks to work with regional partners to ensure that trails within Plan Area boundaries include adequate parking, bear-proof

garbage and recycling receptacles, and signage where feasible and appropriate.

- .9 Supports trail use guidelines that promote “leave no trace” trail use.
- .10 Supports the continued public use of Osoyoos Lake Park.
- .11 Supports the designation of the abandoned irrigation canal right-of-way situated west of Osoyoos Lake as Park in order to protect options for future use as a recreation and/or utility corridor.
- .12 Seeks to review this Official Community Plan for consistency with any National Park proposal approved by the Federal Government and which affects lands within the Plan Area.
- .13 Recognizes that parkland corridors located along the Okanagan River channel are located within a flood control right-of-way, and that the Province needs to undertake and maintain flood control works, activities and devices within the PR designation.
- .14 Seeks to continue to work towards developing a comprehensive system of linear parks, trails and pedestrian linkages throughout the Plan Area to accommodate a variety of uses, including but not limited to: walking, running, bicycling, horseback riding and cross country skiing.
- .15 Seeks to ensure that future linear parks, trails, and pedestrian linkages connect to existing and future parks, schools, Crown land, and natural open space, and allow for easy pedestrian access through residential areas.
- .16 Seeks to continue to provide universal access to recreational amenities in the Plan Area, including parks, trails, facilities and programs.
- .17 Strives to ensure that there are recreational opportunities that suit a variety of age groups and interests.

12.4 Parkland Dedication Policies:

The Regional Board:

- .1 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.

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

Cleared and disturbed lands should only be accepted where the proposed parkland is to be used for recreational uses which require cleared lands, or can be reclaimed for park purposes.

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

(xvi) adding the following as Section 13.0 and renumbering the subsequent sections accordingly:

13.0 NATURAL ENVIRONMENT & CONSERVATION

13.1 Background

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

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

The Plan Area itself is home to many unique environmental features, including Kruger Mountain, Richter Pass as well as various lakes and streams important to biodiversity in the area.

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

In order to protect important sensitive ecosystems and biological diversity including valuable habitat areas for wildlife and plant communities, the Regional District has implemented an Environmentally Sensitive Development Permit (ESDP) Area. This area generally comprises privately held lands not in the Agricultural Land Reserve (ALR) that possess “high” and “very high” ecologically sensitive classifications as identified by the *Keeping Nature in our Future: A Biodiversity Conservation Strategy for the South Okanagan-Similkameen* (2012) prepared by South Okanagan Similkameen Conservation Program (SOSCP), and is described further in Section 18.2 of this Plan.

Some other ecologically sensitive lands found on Crown land or privately held land in the ALR have not been formally designated as an ESDP Area but are equally sensitive and are shown on Schedule ‘C’ as an “Important Ecosystem Area” and is described further in Section 18.2 of this Plan.

As a local government listed under Section 3 of the *Riparian Areas Regulation*, the Regional District has implemented a Watercourse Development Permit (WDP) Area designation in order to protect riparian areas; being lands within 30 metres of the high water mark of streams and ravines including lakes, watercourses and wetlands, and as described further at Section 18.3 of this bylaw.

For maps of development permit areas and other environmentally sensitive areas in the Plan Area see Schedule ‘C’ (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) and Schedule ‘D’ (Watercourse Development Permit Area).

13.1.1 Objectives - General

- .1 Maintain and sustain a healthy environment by encouraging the enhancement of ecological systems and by protecting biodiversity.
- .2 Integrate measures to sustain environmental quality and consider impacts on the environment in future land use decisions.

- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to important landscape features such as watercourses, hillsides, and sensitive ecosystems of the Okanagan.
- .4 Support efforts to protect source water quality and quantity today and for future generations.

13.1.2 Policies - General

The Regional Board:

- .1 Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives.
- .2 Recognizes and encourages the educational and eco-tourism contribution toward protection of the community's natural environment made by environmental organizations, and supports accommodating these uses with the necessary changes to the land use designations so long as the general intent of policies in this Plan are met.
- .3 Requires that, where a proposed development affects land subject to an Environmentally Sensitive Development Permit Area, an Environmental Assessment (EA) be prepared by a Qualified Environmental Professional (QEP) in accordance with the policies outlined at Section 18.2 as well as relevant federal and provincial best management guidelines.
- .4 Requires that EA reports prepared by QEPs be undertaken in accordance with the Regional District's Development Procedures Bylaw.
- .5 Supports the incorporation of traditional ecological knowledge in the stewardship of important foreshore, riparian, and terrestrial ecosystems, and will seek to work with the Penticton Indian Band, Osoyoos Indian Band, Upper Similkameen Indian Band and Lower Similkameen Indian Band to incorporate it where feasible, practical and appropriate.

13.2 Riparian and Foreshore Areas

Riparian areas are places under the influence of water. They surround and contain wetlands, ponds, permanent and intermittent creeks, springs, wet meadows, etc. The Plan Area includes one large

lake, Osoyoos Lake, and several smaller lakes including Spotted, Kilpoola, Blue, and Richter Lakes. The Plan Area also includes the Okanagan River and various smaller streams including Haynes Creek, Nine Mile Creek, Inkameep Creek among others.

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

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

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

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

Generally land above the high water mark (natural boundary) is privately held and land below the high water mark belongs to the Crown and forms part of the water resource in the province. Land within 30.0 metres of the high water mark of a stream or a ravine is identified as being within a Watercourse Development Permit Area and any development within this area may require a Development Permit (see Section 18.3). Other activities that are subject to regulation include dock construction and modification, mooring

buoy installation, and shoreline modifications (including sand, soil, vegetation removal, disturbance, and addition).

13.2.1 Objectives

- .1 Foster community awareness of the importance and sensitivity of the riparian and foreshore environments in the Plan Area.
- .2 Protect aquatic habitat areas and associated environmentally sensitive areas from negative impacts of development as identified in Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) and Schedule 'D' (Watercourse Development Permit Area).
- .3 Improve and better manage waterfront public access along the Osoyoos Lake shoreline, while limiting the overall number of public access points.
- .4 Minimize and avoid development in high hazard soil instability areas on the Osoyoos Lake foreshore and riparian area.
- .5 Encourage high quality lakeshore development that maintains the natural character of all lakes and sustains the sensitive riparian and foreshore ecosystems.
- .6 Conserve, protect and enhance surface, ground and aquifer water sources in cooperation with provincial ministries, local water purveyors and landowners.
- .7 Identify, manage and protect significant watercourses to maintain their natural habitat and environmental quality.

13.2.2 Policies

The Regional Board:

- .1 Recognises riparian values and, in accordance with the provincial *Riparian Areas Regulation*, has designated land within 30.0 metres of the high water mark of a stream or a ravine as a development permit area. Land designated as a Watercourse Development Permit Area shall be developed according to the guidelines outlined in Section 18.3 (Watercourse Development Permit Area) of this Plan unless an exemption applies. The Watercourse Development Permit Area includes the lands within 30.0 metres of the high water mark of a stream or ravine identified on Schedule 'D'.

- .2 Encourages provincial and federal water and resource managers to protect and enhance water quality, base flows, natural drainage patterns, and continuous riparian corridors of sufficient width to accommodate the dynamic nature of the hydrologic system, to avoid and reduce flood damage, to avoid the need for channel stabilization, to avoid underground drainage systems, to avoid groundwater interruption, and to protect and sustain aquatic biota, important fish populations and habitats.
- .3 Supports efforts that maintain appropriate riparian buffers, determined by qualified professionals that take into account processes of natural erosion, deposition and movement of natural stream boundaries, floodplain provisions and sensitive terrestrial habitats
- .4 Continues to work with the Okanagan Basin Water Board (OBWB) to promote the shared water interests of Okanagan communities.
- .5 Encourages and supports the analysis of ground water hydrology in areas with identified aquifers, and requires environmental assessments in advance of considering zoning amendments for uses such as heavy industrial, mining, fuel storage and/or sewage or waste containment.
- .6 Discourages development that will have a negative environmental impact on lake riparian and foreshore areas.
- .7 Encourages the subdivision approving officer to ensure that public access to lakes is provided pursuant to Section 75 of the *Land Title Act*.
- .8 Supports the use of Section 86 of the *Land Title Act* and Section 56 of the *Community Charter* to regulate development in a floodplain and provide for the safe use of the land for the intended purpose.

13.3 Terrestrial Areas

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

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

Significant proportions of sensitive terrestrial habitat have been provincially recognized and protected in the Plan Area and include: the Haynes & Field Lease Ecological Reserves, Anarchist Mountain Protected Area, and South Okanagan Grasslands Protected Area. The Nature Trust of BC and other conservation organizations have also purchased properties for habitat and terrestrial ecosystem conservation purposes.

13.3.1 Objectives

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

13.3.2 Policies

The Regional Board:

- .1 Recognizes the values of environmentally sensitive lands and has on Schedule 'C':
 - a) Designated these lands as an Environmentally Sensitive Development Permit Area pursuant to Section 488(1)(a) of the *Local Government Act*; or
 - b) Identified these lands as an "Important Ecosystem Area".

- .2 Requires that land designated as an Environmentally Sensitive Development Permit Area shall be retained in a natural state and not developed prior to the issuance of an Environmentally Sensitive Development Permit (ESDP) in accordance with the guidelines outlined at Section 18.2 of this Plan unless an exemption applies.
- .3 Considers that land identified as an “Important Ecosystem Area” should generally be retained in a natural state and, if a re-designation of the land under the OCP or a re-zoning of the land under the Zoning Bylaw is proposed, that these lands be considered for inclusion in the Environmentally Sensitive Development Permit Area in Schedule ‘C’.
- .4 Encourages the parcel sizes of land designated as an Environmentally Sensitive Development Permit Area or identified as an Important Ecosystem Area on Schedule ‘C’ to remain as large as possible to protect these habitat areas.
- .5 Will not support the re-designation of land under the OCP or the re-zoning of land under the Zoning Bylaw where it is determined that the proposed development is contrary to the ESDP Area Guidelines of this Plan and the impact cannot be mitigated to a level acceptable to the Regional Board.
- .6 Will strive for development that avoids impacting important native species, habitats, ecosystems or sensitive areas and to retain important ecosystem features and functions. Responsiveness to this policy will be a very important consideration in the approval of an application.
- .7 Encourage the protection, preservation, enhancement and management of sensitive ecosystems or land contiguous to sensitive ecosystems of private lands through the following methods:
 - a) donation of areas to the Regional District or provincial government;
 - b) donation of areas to a land trust or conservation organization;
 - c) introduction of conservation area designation and zoning;
 - d) creation of conservation covenants in favour of municipal, provincial government, private conservation organizations;

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

13.4 Conservation Areas

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

Conservation Area lands may include Crown land designated as an Ecological Reserve or Wildlife Management Areas, but is generally applied to private lands that have been acquired or donated for conservation purposes and which are held by an individual or an organisation, such as The Nature Trust of British Columbia or the Nature Conservancy of Canada. In the Plan Area, the CA designation applies to a large area at the head of Osoyoos Lake held by various conservation organisations. In addition, approximately 50% of the Regal Ridge development situated on Anarchist Mountain was set aside for conservation purposes in 2004.

For a map of Conservation Areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

13.4.1 Objectives

- .1 Protect and steward designated Conservation Areas in their natural or semi-natural state for the purpose of conserving plant life and providing habitat for wildlife or fish.

- .2 Work with agencies and partners, including local First Nations to enhance, protect and interpret ecological systems and biodiversity in Conservation Areas.
- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to adjacent or abutting Conservation Areas.

13.4.2 Policies

The Regional Board:

- .1 Recognizes and encourages the educational and eco-tourism contributions toward protection of Conservation Areas made by environmental organizations, and supports accommodating these uses where they do not conflict with Conservation Area objectives.
- .2 Supports the incorporation of traditional ecological knowledge in the stewardship of Conservation Areas, and will seek to work with local First Nations to incorporate it where feasible, practical and appropriate.

(xvii) amending the first sentence of Section 14.1 to read as follows:

The Plan sets out Schedule 'E' (Road and Trail Network Plan) for current and future roads and trails proposed for the area.

(xviii) amending Section 15.6.2 to read as follows:

- .2 Encourages public utility companies and the Province to locate and develop utility corridors and roads in a way that will not have a negative impact on environmentally sensitive areas , as shown on Schedule 'C'.

(xix) amending Section 15.6.3 to read as follows:

- .3 Recognizes the various interests in the future use of the abandoned irrigation canal right-of-way, and designates it Parks, Recreation and Trails (PR) in order to protect options for future use as a recreation and/or utility corridor.

(xx) Replacing Section 17.2 (Environmentally Sensitive Development Permit (ESDP) Area) in its entirety with the following:

17.2 Environmentally Sensitive Development Permit (ESDP) Area

.1 Category

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

.2 Area

The lands shown as Environmentally Sensitive Development Permit Area on Schedule 'C' are designated as an Environmentally Sensitive Development Permit Area.

.3 Justification

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

.4 Background

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

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

The ESDP Area is comprised of important habitat areas for wildlife and plant communities. Sensitive ecosystems in the area include grasslands, riparian areas, old forest, shrub-steppe, broadleaf woodland, coniferous woodland, wetlands, shallow soiled rock outcrops and ridges. Specifically, BC's pocket desert, Kruger Mountain, Osoyoos Lake, the oxbows and wetlands of Okanagan River, Richter Pass with the natural ridgeline views between Highway 3 and Osoyoos Lake. It is the close proximity of these diverse habitats that contribute to a wide variety of species, both common and rare, that are found in this Electoral Area.

.5 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 17.2.8 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

.6 Guidelines

- .1 A Development Permit is required for development within an ESDP Area, and shall be in accordance with the following guidelines:
 - a) An Environmental Assessment (EA) Report, prepared in accordance with the requirements of the Regional District's Development Procedures Bylaw, must be submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that shall include a RPBio under contract to the development applicant, and shall include:
 - i) An Ecological Assessment Phase including:
 - .1 background information;
 - .2 an ecological assessment;

- .3 listing of rare and endangered species; and
 - .4 stratification and rating of Environmentally Sensitive Areas (ESAs).
- ii) An Impact Assessment and Mitigation Phase including:
- .1 description of proposed development;
 - .2 assessment of potential impacts;
 - .3 short and long term impacts;
 - .4 cumulative and residual impacts;
 - .5 avoidance of ESAs;
 - .6 mitigation and compensation;
 - .7 security requirements;
 - .8 monitoring reports;
 - .9 accountability; and
 - .10 monitoring plan.
- b) Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees.
- c) Habitat connectivity and the retention of connectivity corridors between sensitive ecosystems should be preserved. Wildlife crossings should be designed to protect continuity of wildlife corridors where these are interrupted by roadways.
- d) Monitoring reports may be required to be submitted to the Regional District following the completion of a development in order to confirm the conditions of a development permit have been met.
- e) The Regional District may incorporate any areas or measures identified in an EA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.
- .2 If an area of land is subject to additional Development Permit Area designations under Section 488(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the

requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

.7 Expedited Development Permit

.1 Despite sub-section 17.2.6.1(a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report for development where:

a) A REA, prepared in accordance with the Regional District's Development Procedures Bylaw, has been submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia or team that includes a Registered Professional Biologist in British Columbia (RPBio) under contract to the development applicant, and includes:

i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.

ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:

.1 there is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or

.2 known EVR occurrence(s) have been identified and:

a) measures have been prescribed to avoid impacts; or

b) acceptable restoration/mitigation have been prescribed.

iii) recommended avoidance or mitigation measures if known EVR occurrences have been identified.

b) If a QEP cannot certify the absence of EVRs or that impacts to known EVRs have been avoided or acceptably mitigated through a REA to the satisfaction of the Regional District, an

EA as outlined under sub-section 17.2.6.1(a) will be required.

- c) The Regional District may incorporate any areas or measures identified in a REA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

.8 Exemptions

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

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

- .6 any farm use as defined in the *Agriculture Land Commission Act* on land located in the ALR;
 - .7 any farm use that is subject to an approved Environmental Farm Plan (EFP) through the Canada-British Columbia Environmental Farm Plan Program;
 - .8 the repair of existing fences;
 - .9 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.
- (xxi) replacing Section 17.3.2 (Watercourse Development Permit Areas) with the following:
- The lands within 30 metres of a stream or ravine including lands within 30 metres of a stream or a ravine shown as Watercourse Development Permit Area on Schedule 'D' are designated as a "Watercourse Development Permit Area".
- The definitions used in the *Local Government Act* and Provincial Riparian Areas Regulation (RAR) shall apply.
- (xxii) replacing Schedule 'B' (Official Community Plan Map) with a new Schedule 'B' (Official Community Plan Map), as shown on the attached Schedule 'A' (which forms part of this bylaw).
- (xxiii) replacing Schedule 'C' (Road and Trail Network Plan) with a new Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area), as shown on the attached Schedule 'B' (which forms part of this bylaw).
- (xxiv) replacing Schedule 'D' (Development Permit Areas) with a new Schedule 'D' (Watercourse Development Permit Area), as shown on the attached Schedule 'C' (which forms part of this bylaw).
- (xxv) adding a new Schedule 'E' (Road and Trail Network Plan), as shown on the attached Schedule 'D' (which forms part of this bylaw).

3. The “Electoral Area “A” Zoning Bylaw No. 2451, 2008” is amended by:

- (i) replacing the definition of “conservation area” under Section 4.0 (Definitions) with the following:

“conservation area” means land that is preserved and protected, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish. A Conservation Area does not include outdoor and indoor recreation services, or open land recreation;

- (ii) adding a new definition of “interpretive centre” under Section 4.0 (Definitions) to read as follows:

“interpretive centre” means a building that provides interpretation of a place of interest related to the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include accessory facilities such as a refreshment stand or gift shop.

- (iii) replacing the definition of “recreation services, outdoor” under Section 4.0 (Definitions) with the following

“recreation services, outdoor” means facilities that are available to the general public for sports and active recreation conducted outdoors. Typical uses include but are not limited to ball fields and athletic fields;

- (iv) replacing Section 15.2 (Parks and Recreation Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.2 PARKS AND RECREATION ZONE (PR)

15.2.1 Permitted Uses:

Principal Uses:

- a) parks;
- b) recreation services, outdoors;
- c) cemeteries;

Secondary Uses:

- d) carnivals, circuses and fairs;
- e) community hall;
- f) public moorage and marina;
- g) recreation services, indoor;
- h) one (1) accessory dwelling, subject to Section 7.11; and
- i) accessory buildings and structures, subject to Section 7.13.

15.2.2 Site Specific Parks and Recreation (PRs) Provisions:

- a) see Section 16.15

15.2.3 Minimum Parcel Size:

- a) Not applicable

15.2.4 Minimum Parcel Width:

- a) Not applicable

15.2.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.2.6 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres

15.2.7 Maximum Parcel Coverage:

- a) 25%

- (v) replacing Section 15.3 (Conservation Area Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.3 CONSERVATION AREA ZONE (CA)

15.3.1 Permitted Uses:

Principal Uses:

- a) conservation area;

Secondary Uses:

- b) interpretive centre;
- c) one (1) accessory dwelling, subject to Section 7.11; and
- d) accessory buildings and structures, subject to Section 7.13.

15.3.2 Site Specific Conservation Area (CAs) Provisions:

- a) see Section 16.16

15.3.3 Minimum Parcel Size:

- a) Not applicable

15.3.4 Minimum Parcel Width:

- a) Not applicable

15.3.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.3.6 Maximum Height:

- a) Not applicable

15.3.7 Maximum Parcel Coverage:

- a) 5%

- (vi) replacing Schedule '2' (Electoral Area 'A' Zoning Map) with a new Schedule '2' (Electoral Area 'A' Zoning Map), as shown on the attached Schedule 'E' (which forms part of this bylaw).

Electoral Area "C"

4. The "Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008" is amended by:

- (i) replacing the ninth paragraph of the recital to this bylaw with the following:

The Oliver Rural Official Community Plan attached hereto as Schedules 'A', 'B', 'C', 'D' and 'E' and forming part of this bylaw is adopted as the Regional District of Okanagan-Similkameen, Oliver Rural Official Community Plan.
- (ii) replacing the first paragraph under Section 2.0 (Official Community Plan Map Designations) with the following:

The future use and development of land within the Osoyoos Rural area should be consistent with the overall pattern of land use depicted on Schedules 'B', 'C', 'D' and 'E' based on the following land use designations:
- (iii) replacing the reference to Parks (P) under Section 2.0 (Official Community Plan Map Designations) with the following:

Parks, Recreation and Trails	PR
------------------------------	----
- (iv) deleting the reference to Public Corridor (PC) under Section 2.0 (Official Community Plan Map Designations).
- (v) replacing Section 4.3.3 with the following:

Generally, does not support increasing densities or intensifying land uses within areas designated as an Environmentally Sensitive Development Permit Area or shown as an "Important Ecosystem Area" on Schedule 'C'. Increasing densities or intensifying land uses in areas previously zoned to allow such developments, however, will be considered if the development meets the policies and guidelines set out in this Plan.
- (vi) replacing Section 4.3.4 with the following:

Works with land owners whose land is zoned for residential development and is found within an area designated as Environmentally Sensitive Development Permit Area or shown as comprising "Important Ecosystem Area" on Schedule 'C' to consider establishing a different zoning that reasonably

reflects the current density and gives due regard to physical constraints and environmental attributes.

(vii) amending Section 7.2.3 to read as follows:

To preserve and protect areas with environmentally sensitive values and encourage conservation stewardship within the Large and Small Holdings designation.

(viii) amending Section 7.3.3(c) to read as follows:

deleted;

(ix) amending Section 8.3.1(a) to read as follows:

capability of the natural environment to support the proposed development;

(x) amending Section 8.3.1(c) to read as follows:

deleted;

(xi) replacing Section 8.4.1.4(d) with the following:

provides access without constructing new roads or utility corridors through areas designated or identified as environmentally sensitive on Schedule 'C', Agricultural Land Reserve, hazard areas, and without creating permanent scarring on slopes visible from major roads or residential areas.

(xii) replacing Section 9.3.5(c) with the following:

provides access without constructing new roads or utility corridors through areas designated or identified as environmentally sensitive on Schedule 'C', Agricultural Land Reserve, hazard areas, and without creating permanent scarring on slopes visible from major roads or residential areas.

(xiii) replacing Section 12.0 (Parks and Natural Environment) in its entirety with the following:

12.0 PARKS, RECREATION AND TRAILS

12.1 Background

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

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

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

- **Regional Parks:** McIntyre Canyon Regional Park is operated and maintained by the Regional District.
- **Kettle Valley Railway (KVR) Trail:** The sections of the KVR Trail that are publically owned and maintained by the Regional District are designated Park, Recreation and Trails.
- **Provincial Recreation Areas:** Deadman Lake Park, Inkaneep Provincial Park is a provincially designated Recreation Area.

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

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

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

In 2012, the Regional District adopted a *Regional Trails Master Plan* that defines future direction, policies, priorities, standards and actions for the Regional District and its partners with respect to existing and potential future linear parks and trails and support of a

regional trail network. The plan provides the basic framework to define and guide regional trail development and management through to 2021.

12.2 Objectives

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

12.3 Policies

The Regional Board:

- .1 Encourages that all new trail projects are designed and constructed using provincial best management practices, in order to minimize the impact on the natural environment.
- .2 Seeks to mitigate existing and future conflicts between trail users, agricultural operators and rural landowners.
- .3 Encourages trails proposed on agricultural lands, including those located within the ALR, to be developed using Ministry of Agriculture guidelines.
- .4 Encourages tenure holders to preserve, steward and maintain trails to maintain the integrity of the larger trail system and the natural environments they traverse.
- .5 Encourages the Province to undertake a backcountry recreation planning process.
- .6 Encourages relevant provincial agencies and tenure holders to manage public access to the backcountry.

- .7 Seeks to work with regional partners and local environmental organizations to support wildlife education programs to minimize wildlife/human conflicts on trails.
- .8 Seeks to work with regional partners to ensure that trails within Plan Area boundaries include adequate parking, bear-proof garbage and recycling receptacles, and signage where feasible and appropriate.
- .9 Supports trail use guidelines that promote “leave no trace” trail use.
- .10 Supports the designation of the former Kettle Valley Railway (KVR) right-of-way and abandoned irrigation canal right-of-way as Park in order to protect options for future use (i.e. recreation and/or utility corridor).
- .11 Seeks to review this Official Community Plan for consistency with any National Park proposal approved by the Federal Government and which affects lands within the Plan Area.
- .12 Recognizes that parkland corridors located along the Okanagan River channel are located within a flood control right-of-way, and that the Province needs to undertake and maintain flood control works, activities and devices within the PR designation.
- .13 Seeks to continue to work towards developing a comprehensive system of linear parks, trails and pedestrian linkages throughout the Plan Area to accommodate a variety of uses, including but not limited to: walking, running, bicycling, horseback riding and cross country skiing.
- .14 Seeks to ensure that future linear parks, trails, and pedestrian linkages connect to existing and future parks, schools, Crown land, and natural open space, and allow for easy pedestrian access through residential areas.
- .15 Seeks to continue to provide universal access to recreational amenities in the Plan Area, including parks, trails, facilities and programs.
- .16 Strives to ensure that there are recreational opportunities that suit a variety of age groups and interests.

12.4 Parkland Dedication Policies:

The Regional Board:

- .1 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- .2 Recognises that the Plan Area is generally rural in nature, and that when land is acquired it should be focused upon lake accesses, greenways, and trails.
- .3 May determine, in accordance with Section 510 of the *Local Government Act*, at the time of a subdivision to which Section 510 applies, whether the owner of land being subdivided must:
 - a) provide without compensation, park land in an amount equivalent to 5% of the land being proposed for subdivision and in a location acceptable to the Regional District; or
 - b) pay to the Regional District an amount that equals the market value of the land that may be required for park land purposes.
- .4 May consider, when determining a potential park land dedication under Section 510 of the *Local Government Act*, the following policies:
 - a) proximity to settlement areas, other parks & trails, and bodies of water;
 - b) distance from environmental hazard areas;
 - c) average slope should be 10% or less;
 - d) adequate accessibility:
 - i) vehicular ingress and egress should meet or exceed Ministry of Transportation standards;
 - ii) in the case of trails and pedestrian-access only parks, there should be various linkages to and from the trail or park, with at least one linkage wide enough to allow for maintenance vehicle access;
 - e) cultural or natural features of significance;
 - f) potential for additional dedication of parkland from subdivision applications of surrounding parcels; and
 - g) potential for recreation (active park), conservation (passive park) or enhancement of public access.

- .5 Considers that park land proposals should provide a benefit for the community and those lands with no benefit to the community should not be accepted.
- .6 Strongly prefers that land being considered for parkland be maintained in its natural state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed parkland is to be used for recreational uses which require cleared lands, or can be reclaimed for park purposes.
- .7 Encourages developers to dedicate greater than 5% park land in areas where parkland is desired.
- .8 Considers that if cash in-lieu is chosen at the time of subdivision for park acquisition and development in the Plan Area, the preference is that the benefits accrue to those communities from which the funds are received.
- .9 Where environmentally sensitive areas or Critical Habitat for species at risk have been identified, encourages developers to donate such lands to a conservation organisation or the Regional District in addition to the parkland or cash in-lieu required by the Act.

(xiv) adding the following as a new Section 13.0 and renumbering the subsequent sections accordingly:

13.0 NATURAL ENVIRONMENT & CONSERVATION

13.1 Background

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

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

The Plan Area itself is home to many unique environmental features, including Mount Baldy, as well as various smaller lakes and streams important to biodiversity in the area.

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

In order to protect important sensitive ecosystems and biological diversity including valuable habitat areas for wildlife, and plant communities, the Regional District has implemented an Environmentally Sensitive Development Permit (ESDP) Area. This area generally comprises privately held lands not in the Agricultural Land Reserve (ALR) that possess “high” and “very high” ecologically sensitive classifications as identified by the *Keeping Nature in our Future: A Biodiversity Conservation Strategy for the South Okanagan-Similkameen* (2012) prepared by South Okanagan Similkameen Conservation Program (SOSCP), and as described further in Section 18.2 of this Plan.

Other ecologically sensitive lands found on Crown land or privately held land in the ALR have not been formally designated as an ESDP Area but are equally sensitive and are shown on Schedule ‘C’ as an “Important Ecosystem Area” and is described further in Section 18.2 of this Plan.

As a local government listed under Section 3 of the *Riparian Area Regulation*, the Regional District has implemented a Watercourse Development Permit (WDP) Area designation in order to protect riparian areas; being lands within 30 metres of the high water mark of streams and ravines including lakes, watercourses and wetlands, and as described further at Section 18.3 of this bylaw.

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

13.1.1 Objectives - General

- .1 Maintain and sustain a healthy environment by encouraging the enhancement of ecological systems and by protecting biodiversity.

- .2 Integrate measures to sustain environmental quality and consider impacts on the environment in future land use decisions.
- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to important landscape features such as watercourses, hillsides, and sensitive ecosystems of the Okanagan.
- .4 Support efforts to protect source water quality and quality today and for future generations.

13.1.2 Policies - General

The Regional Board:

- .1 Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives.
- .2 Recognizes and encourages the educational and eco-tourism contribution toward protection of the community's natural environment made by environmental organizations, and supports accommodating these uses with the necessary changes to the land use designations so long as the general intent of policies in this Plan are met.
- .3 Requires that, where a proposed development affects land subject to an Environmentally Sensitive Development Permit Area, an Environmental Assessment (EA) be prepared by a Qualified Environmental Professional (QEP) in accordance with the policies outlined at Section 18.2 as well as relevant federal and provincial best management guidelines.
- .4 Requires that EA reports prepared by QEPs be undertaken in accordance with the Regional District's Development Procedures Bylaw.
- .5 Supports the incorporation of traditional ecological knowledge in the stewardship of important foreshore, riparian, and terrestrial ecosystems, and will seek to work with the Penticton Indian Band, Osoyoos Indian Band, Upper Similkameen Indian Band and Lower Similkameen Indian Band to incorporate it where feasible, practical and appropriate.

13.2 Riparian and Foreshore Areas

Riparian areas are places under the influence of water. They surround and contain wetlands, ponds, permanent and intermittent creeks, springs, wet meadows, etc. The Plan Area includes several smaller lakes such as Gallagher, Ripley, Madden, Burnell, Rattlesnake and Deadman Lakes. The Plan Area also includes the Okanagan River, and other river and stream features like the old Okanagan River Channel, Park Rill Creek and Vaseux Creek among others.

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

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

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

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

Generally, land above the high water mark (natural boundary) is privately held and land below the high water mark belongs to the Crown and forms part of the water resource in the province. Land within 30.0 metres of the high water mark of a stream or a ravine is

identified as being within a Watercourse Development Permit Area and any development within this area may require a Development Permit (see Section 18.3). Other activities that are subject to regulation include dock construction and modification, mooring buoy installation, and shoreline modifications (including sand, soil, vegetation removal, disturbance, and addition).

13.2.1 Objectives

- .1 Foster community awareness of the importance and sensitivity of the riparian and foreshore environments in the Plan Area.
- .2 Protect aquatic habitat areas and associated environmentally sensitive areas from negative impacts of development as identified in Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) and Schedule 'D' (Watercourse Development Permit Area).
- .3 Encourage high quality lakeshore development that maintains the natural character of all lakes and sustains the sensitive riparian and foreshore ecosystems.
- .4 Conserve, protect and enhance surface, ground and aquifer water sources in cooperation with provincial ministries, local water purveyors and landowners.
- .5 Identify, manage and protect significant watercourses to maintain their natural habitat and environmental quality.

13.2.2 Policies

The Regional Board:

- .1 Recognises riparian values and, in accordance with the provincial *Riparian Areas Regulation*, has designated land within 30.0 metres of the high water mark of a stream or a ravine as a development permit area. Land designated as a Watercourse Development Permit Area shall be developed according to the guidelines outlined in Section 18.3 (Watercourse Development Permit Area) of this Plan unless an exemption applies. The Watercourse Development Permit Area includes the lands within 30.0 metres of the high water mark of a stream or ravine identified on Schedule 'D'.

- .2 Encourages provincial and federal water and resource managers to protect and enhance water quality, base flows, natural drainage patterns, and continuous riparian corridors of sufficient width to accommodate the dynamic nature of the hydrologic system, to avoid and reduce flood damage, to avoid the need for channel stabilization, to avoid underground drainage systems, to avoid groundwater interruption, and to protect and sustain aquatic biota, important fish populations and habitats.
- .3 Supports efforts that maintain appropriate riparian buffers, determined by qualified professionals that take into account processes of natural erosion, deposition and movement of natural stream boundaries, floodplain provisions and sensitive terrestrial habitats
- .4 Continues to work with the Okanagan Basin Water Board (OBWB) to promote the shared water interests of Okanagan communities.
- .5 Encourages and supports the analysis of ground water hydrology in areas with identified aquifers, and require environmental assessments in advance of considering zoning amendments for uses such as heavy industrial, mining, fuel storage and/or sewage or waste containment.
- .6 Discourages development that will have a negative environmental impact on lake riparian and foreshore areas.
- .7 Encourages the subdivision approving officer to ensure that public access to lakes is provided pursuant to Section 75 of the *Land Title Act*.
- .8 Supports the use of Section 86 of the *Land Title Act* and Section 56 of the *Community Charter* to regulate development in a floodplain and provide for the safe use of the land for the intended purpose.

13.3 Terrestrial Areas

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

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

Significant proportions of sensitive terrestrial habitat have been provincially recognized and protected in the Plan Area and include: the Inkaneep Provincial Park, Vaseux Protected Area, White Lake Grasslands and South Okanagan Grasslands Protected Area. The Nature Trust of BC and other conservation organizations have also purchased properties for habitat and terrestrial ecosystem conservation purposes.

13.3.1 Objectives

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

13.3.2 Policies

The Regional Board:

- .1 Recognizes the values of environmentally sensitive lands and has designated these lands on Schedule 'C' as:
 - a) Designated these lands as an Environmentally Sensitive Development Permit Area pursuant to Section 488(1)(a) of the *Local Government Act*; or
 - b) Identified these lands as an "Important Ecosystem Area".

- .2 Requires that land formally designated as an Environmentally Sensitive Development Permit Area shall be retained in a natural state and not developed prior to the issuance of an Environmentally Sensitive Development Permit (ESDP) in accordance with the guidelines outlined at Section 18.2 of this Plan unless an exemption applies.
- .3 Considers that land identified as an “Important Ecosystem Area” should generally be retained in a natural state and, if a re-designation of the land under the OCP or a re-zoning of the land under the Zoning Bylaw is proposed, that these lands be considered for inclusion in the Environmentally Sensitive Development Permit Area in Schedule ‘C’.
- .4 Encourages the parcel sizes of land designated as an Environmentally Sensitive Development Permit Area or identified as an Important Ecosystem Area on Schedule ‘C’ to remain as large as possible to protect these habitat areas.
- .5 Will not support the re-designation of land under the OCP or the rezoning of land under the Zoning Bylaw where it is determined that the proposed development is contrary to the ESDP Area Guidelines of this Plan and the impact cannot be mitigated to a level acceptable to the Regional Board.
- .6 Will strive for development that avoids impacting important native species, habitats, ecosystems or sensitive areas and to retain important ecosystem features and functions. Responsiveness to this policy will be a very important consideration in the approval of an application.
- .7 Encourage the protection, preservation, enhancement and management of sensitive ecosystems or land contiguous to sensitive ecosystems of private lands through the following methods:
 - a) donation of areas to the Regional District or provincial government;
 - b) donation of areas to a land trust or conservation organization;
 - c) introduction of conservation area designation and zoning;
 - d) creation of conservation covenants in favour of municipal, provincial government, private conservation organizations;

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

13.4 Conservation Areas

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

Conservation Area lands may include Crown land designated as an Ecological Reserve or Wildlife Management Areas, but is generally applied to private lands that have been acquired or donated for conservation purposes and which are held by an individual or an organisation, such as The Nature Trust of British Columbia or the Nature Conservancy of Canada. In the Plan Area, the CA designation applies to a couple of parcels comprising remnant oxbows held by various conservation organisations.

For a map of Conservation Areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

13.4.1 Objectives

- .1 Protect and steward designated Conservation Areas in their natural or semi-natural state for the purpose of conserving plant life and providing habitat for wildlife or fish.
- .2 Work with agencies and partners, including local First Nations to enhance, protect and interpret ecological systems and biodiversity in Conservation Areas.

- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to adjacent or abutting Conservation Areas.

13.4.2 Policies

The Regional Board:

- .1 Recognizes and encourages the educational and eco-tourism contributions toward protection of Conservation Areas made by environmental organizations, and supports accommodating these uses where they do not conflict with Conservation Area objectives.
- .2 Supports the incorporation of traditional ecological knowledge in the stewardship of Conservation Areas, and will seek to work with local First Nations to incorporate it where feasible, practical and appropriate.

- (xv) replacing Section 15.2.2.1 with the following:

Encourages Registered Onsite Wastewater Practitioners to design onsite sewage systems that avoid the placement of dispersal areas within environmentally sensitive areas.

- (xvi) replacing Section 15.2.4.2 with the following:

Encourages public utility companies and the Province to locate and develop utility corridors and roads in a way that will not have a negative impact on environmentally sensitive areas, as shown on Schedule 'C'.

- (xvii) replacing Section 17.2 (Environmentally Sensitive Development Permit (ESDP) Area) in its entirety with the following:

17.2 Environmentally Sensitive Development Permit (ESDP) Area

.1 Category

The Environmentally Sensitive Development Permit (ESDP) Area is designated pursuant to Section 488.1(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

.2 Area

The lands shown as Environmentally Sensitive Development Permit Area on Schedule 'C' are designated as an Environmentally Sensitive Development Permit Area.

.3 Justification

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

.4 Background

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

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

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

.5 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 17.2.8 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

.6 Guidelines

- .1 A Development Permit is required for development within an ESDP Area, and shall be in accordance with the following guidelines:
 - a) An Environmental Assessment (EA) Report, prepared in accordance with the requirements of the Regional District's Development Procedures Bylaw, must be submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that shall include a RPBio under contract to the development applicant, and shall include:
 - i) An Ecological Assessment Phase including:
 - .1 background information;
 - .2 an ecological assessment;
 - .3 listing of rare and endangered species; and
 - .4 stratification and rating of Environmentally Sensitive Areas (ESAs).
 - ii) An Impact Assessment and Mitigation Phase including:
 - .1 description of proposed development;
 - .2 assessment of potential impacts;
 - .3 short and long term impacts;
 - .4 cumulative and residual impacts;

- .5 avoidance of ESAs;
 - .6 mitigation and compensation;
 - .7 security requirements;
 - .8 monitoring reports;
 - .9 accountability; and
 - .10 monitoring plan.
- b) Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees.
 - c) Habitat connectivity and the retention of connectivity corridors between sensitive ecosystems should be preserved. Wildlife crossings should be designed to protect continuity of wildlife corridors where these are interrupted by roadways.
 - d) Monitoring reports may be required to be submitted to the Regional District following the completion of a development in order to confirm the conditions of a development permit have been met.
 - e) The Regional District may incorporate any areas or measures identified in an EA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.
- .2 If an area of land is subject to additional Development Permit Area designations under Section 488(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

.7 Expedited Development Permit

- .1 Despite sub-section 17.2.6.1(a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report for development where:

- a) A REA, prepared in accordance with the Regional District's Development Procedures Bylaw, has been submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia or team that includes a Registered Professional Biologist in British Columbia (RPBio) under contract to the development applicant, and includes:
 - i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.
 - ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:
 - .1 There is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or
 - .2 Known EVR occurrence(s) have been identified and:
 - a) measures have been prescribed to avoid impacts; or
 - b) acceptable restoration/mitigation have been prescribed.
 - iii) recommended avoidance or mitigation measures if known EVR occurrences have been identified.
- b) If a QEP cannot certify the absence of EVRs or that impacts to known EVRs have been avoided or acceptably mitigated through a REA to the satisfaction of the Regional District, an EA as outlined under sub-section 17.2.6.1(a) will be required.
- c) The Regional District may incorporate any areas or measures identified in a REA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

.8 Exemptions

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

- .1 The construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works, but excluding communication towers and antenna systems;
- .2 the repair or maintenance of existing buildings and structures provided there are no additions or increases to the footprint of the building or structure;
- .3 Residential development where a completed Building Permit application has been accepted by the Regional District, the proposed development does not exceed 50.0 m² from the original footprint of the principal dwelling unit and the development comprises either:
 - a) an alteration or addition to the original footprint of an existing principal dwelling unit; or
 - b) the construction of an accessory building or structure, provided the accessory building or structure is not situated beyond 10.0 metres of a principal dwelling unit.
- .4 works conducted in accordance with the Provincial *FireSmart Manual*, provided that all landscaping is conducted within 10.0 metres of an existing structure or building (existing on-site native plants which meet the *FireSmart Manual* guidelines are encouraged to be maintained as part of the landscaping);
- .5 the construction, alteration, addition, repair, demolition and maintenance of buildings and structures to be used in relation to a farm use as defined in the *Agricultural Land Commission Act* on land located in the ALR and classified as “farm” under the *Assessment Act*;
- .6 any farm use as defined in the *Agriculture Land Commission Act* on land located in the ALR;
- .7 any farm use that is subject to an approved Environmental Farm Plan (EFP through the Canada-British Columbia Environmental Farm Plan Program);
- .8 the repair of existing fences;
- .9 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.

(xviii) replacing Section 17.3.2 with the following:

The lands within 30 metres of a stream or ravine including lands within 30 metres of a stream or a ravine shown as Watercourse Development Permit Area on Schedule 'D' are designated as a "Watercourse Development Permit Area".

The definitions used in the *Local Government Act* and Provincial Riparian Areas Regulation (RAR) shall apply.

(xix) replacing Section 17.4.2 with the following:

The PFDP area is shown on Schedule 'E' and is measured 150 metres back from the boundary of all Agricultural zoned parcels.

This Development Permit area is applicable to all lands adjoining Agricultural zoned parcels, or separated by a right of way, a statutory right-of-way, or a dedicated road.

(xx) replacing Schedule 'B' (Official Community Plan Map) with a new Schedule 'B' (Official Community Plan Map), as shown on the attached Schedule 'F' (which forms part of this bylaw).

(xxi) replacing Schedule 'C' (Development Permit Areas) with a new Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Areas), as shown on the attached Schedule 'G' (which forms part of this bylaw).

(xxii) replacing Schedule 'D' (Protection of Farming Development Permit Area) with a new Schedule 'D' (Watercourse Development Permit Area), as shown on the attached Schedule 'H' (which forms part of this bylaw).

(xxiii) adding a new Schedule 'E' (Protection of Farming Development Permit Areas), as shown on the attached Schedule 'I' (which forms part of this bylaw).

5. The "Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:

(i) replacing the definition of "conservation area" under Section 4.0 (Definitions) with the following:

“conservation area” means land that is preserved and protected, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish. A Conservation Area does not include outdoor and indoor recreation services, or open land recreation;

- (ii) adding a new definition of “interpretive centre” under Section 4.0 (Definitions) to read as follows:

“interpretive centre” means a building that provides interpretation of a place of interest related to the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include accessory facilities such as a refreshment stand or gift shop.

- (iii) replacing the definition of “recreation services, outdoor” under Section 4.0 (Definitions) with the following

“recreation services, outdoor” means facilities that are available to the general public for sports and active recreation conducted outdoors. Typical uses include but are not limited to ball fields and athletic fields;

- (iv) replacing Section 15.2 (Parks and Recreation Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.2 PARKS AND RECREATION ZONE (PR)

15.2.1 Permitted Uses:

Principal Uses:

- a) parks;
- b) recreation services, outdoors;
- c) cemeteries;

Secondary Uses:

- d) carnivals, circuses and fairs;
- e) community hall;

- f) public moorage and marina;
- g) recreation services, indoor;
- h) one (1) accessory dwelling, subject to Section 7.11; and
- i) accessory buildings and structures, subject to Section 7.13.

15.2.2 Site Specific Parks and Recreation (PRs) Provisions:

- a) see Section 16.25

15.2.3 Minimum Parcel Size:

- a) Not applicable

15.2.4 Minimum Parcel Width:

- a) Not applicable

15.2.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.2.6 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres

15.2.7 Maximum Parcel Coverage:

- a) 25%

- (v) replacing Section 15.3 (Conservation Area Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.3 CONSERVATION AREA ZONE (CA)

15.3.1 Permitted Uses:

Principal Uses:

- a) conservation area;

Secondary Uses:

- b) interpretive centre;
- c) one (1) accessory dwelling, subject to Section 7.11; and
- d) accessory buildings and structures, subject to Section 7.13.

15.3.2 Site Specific Conservation Area (CAs) Provisions:

- a) see Section 16.26

15.3.3 Minimum Parcel Size:

- a) Not applicable

15.3.4 Minimum Parcel Width:

- a) Not applicable

15.3.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.3.6 Maximum Height:

- a) Not applicable

15.3.7 Maximum Parcel Coverage:

- a) 5%

- (vi) replacing Schedule '2' (Zoning Map) with a new Schedule '2' (Zoning Map), as shown on the attached Schedule 'J' (which forms part of this bylaw).

Electoral Area "D-1"

6. The “Electoral Area “D” Zoning Bylaw No. 2457, 2008” is amended by:
- (i) adding a new definition of “conservation area” under Section 4.0 (Definitions) to read as follows:

“**conservation area**” means land that is preserved and protected, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish. A Conservation Area does not include outdoor and indoor recreation services, or open land recreation;
 - (ii) replacing the definition of “golf course” under Section 4.0 (Definitions) with the following:

“**golf course**” means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar accessory facilities necessary for golf purposes and which may include buildings necessary for the maintenance and administration of the golf course;
 - (iii) adding a new definition of “interpretive centre” under Section 4.0 (Definitions) to read as follows:

“**interpretive centre**” means a building that provides interpretation of a place of interest related to the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include accessory facilities such as a refreshment stand or gift shop.
 - (iv) replacing the definition of “open land recreation” under Section 4.0 (Definitions) with the following:

“**open land recreation**” means the use of land for recreational purposes and includes paint ball sport, rifle range, fishing camp, guide camp; guest ranch or ski resort and may include a lodge facility;
 - (v) replacing the definition of “public park” under Section 4.0 (Definitions) with the following:

“parks” means any publicly-owned, held or beneficially owned outdoor land or facility specifically designed for passive or active recreation including tot-lots, playgrounds, walkways, trails, band shells, greenbelts, buffers, nature interpretation areas, or similar land uses, including all uses permitted in Provincial Parks, and all natural and constructed landscaping, facilities, playing fields, buildings and structures consistent with the general purpose of public park land;

- (vi) adding a new definition of “recreation services, indoor” under Section 4.0 (Definitions) to read as follows:

“recreation services, indoor” means facilities within an enclosed building for sports, active recreation and cultural arts and may include but are not limited to athletic clubs, health and fitness clubs, swimming pools, curling clubs, hockey rinks, bowling alleys and racquet clubs;

- (vii) adding a new definition of “recreation services, outdoor” under Section 4.0 (Definitions) to read as follows:

“recreation services, outdoor” means facilities that are available to the general public for sports and active recreation conducted outdoors. Typical uses include but are not limited to ball fields and athletic fields;

- (viii) adding a new reference to “Tourist Commercial Six Zone CT6” under Section 6.1 (Zoning Districts).

- (ix) replacing Section 10.1.1(m) under Section 10.1 (Resource Area Zone) with the following:

m) *deleted*;

- (x) adding a new Section 13.6 (Tourist Commercial Six) under Section 13.0 (Commercial) to read as follows:

13.6 TOURIST COMMERCIAL SIX ZONE (CT6)

13.6.1 Permitted Uses:

Principal Uses:

- a) golf course;

Secondary Uses:

- b) one (1) accessory dwelling, subject to Section 7.11; and
- c) accessory buildings and structures, subject to Section 7.13.

13.6.2 Site Specific Tourist Commercial Six (CT6s) Provisions:

- a) see Section 16.26

13.6.3 Minimum Parcel Size:

- a) 20.0 ha

13.6.4 Minimum Parcel Width:

- a) Not less than 25% of parcel depth.

13.6.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

13.6.6 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 4.5 metres.

13.6.7 Maximum Parcel Coverage:

- a) 5%

- (xi) replacing Section 15.1.1(e) under Section 15.1 (Administrative and Institutional Zone) with the following:

- e) *deleted*;

- (xii) replacing Section 15.2 (Parks and Recreation Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.2 PARKS AND RECREATION ZONE (PR)

15.2.1 Permitted Uses:

Principal Uses:

- a) parks;

- b) recreation services, outdoors;
- c) cemeteries;

Secondary Uses:

- d) carnivals, circuses and fairs;
- e) community hall;
- f) public moorage and marina;
- g) recreation services, indoor;
- h) one (1) accessory dwelling, subject to Section 7.11; and
- i) accessory buildings and structures, subject to Section 7.13.

15.2.2 Site Specific Parks and Recreation (PRs) Provisions:

- a) see Section 16.21

15.2.3 Minimum Parcel Size:

- a) Not applicable

15.2.4 Minimum Parcel Width:

- a) Not applicable

15.2.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.2.6 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres

15.2.7 Maximum Parcel Coverage:

- a) 25%

(xiii) replacing Section 15.3 (Conservation Area Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.3 CONSERVATION AREA ZONE (CA)

15.3.1 Permitted Uses:

Principal Uses:

a) conservation area;

Secondary Uses:

b) interpretive centre;

c) one (1) accessory dwelling, subject to Section 7.11; and

d) accessory buildings and structures, subject to Section 7.13.

15.3.2 Site Specific Conservation Area (CAs) Provisions:

a) see Section 16.22

15.3.3 Minimum Parcel Size:

a) Not applicable

15.3.4 Minimum Parcel Width:

a) Not applicable

15.3.5 Minimum Setbacks:

a) Buildings and structures:

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

15.3.6 Maximum Height:

a) Not applicable

15.3.7 Maximum Parcel Coverage:

a) 5%

(xiv) adding a new Section 16.26 (Site Specific Tourist Commercial Six Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

16.26 Site Specific Tourist Commercial Six (CT6s) Provisions:

.1 *blank*

(xv) replacing Schedule '2' (Zoning Map) with a new Schedule '2' (Zoning Map), as shown on the attached Schedule 'K' (which forms part of this bylaw).

Electoral Area "D-2"

7. The "Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013" is amended by:

(i) Replacing the ninth paragraph of the recital to this bylaw with the following:

The Electoral Area 'D-2' Official Community Plan attached hereto as Schedules 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H' and 'I' and forming part of this bylaw as adopted as the Regional District of Okanagan-Similkameen, Electoral Area 'D-2' Official Community Plan.

(ii) replacing the reference to Parks (P) under Section 5.0 (Official Community Plan Map Designations), with the following:

Parks, Recreation and Trails PR

(iii) replacing Section 7.6.11 with the following:

Generally, does not support increasing densities or intensifying land uses within areas designated as environmentally sensitive or shown as comprising "Important Ecosystems" on Schedule 'C'. Increasing densities or intensifying land uses in areas previously zoned to allow such developments, however, will be considered if the development meets the policies and guidelines set out in this Plan.

(iv) replacing Section 8.2.1 with the following:

Generally supports the use of the Resource Area lands identified on the Official Community Plan Map in Schedule 'B' for forestry, grazing, watershed

conservation, renewable energy uses (where the uses will not cause a significant visual or environmental disturbance) and outdoor recreation where the uses will not cause a significant visual or environmental disturbance.

- (v) replacing Section 10.2.6(b)(iv) with the following:
impact on important environmentally sensitive areas, as shown on Schedule 'C'.
- (vi) replacing the first paragraph of Section 11.2.14 with the following:
Where residential development is proposed near or within known areas of high wildfire hazard, as mapped in Schedule 'I', the following measures will be encouraged to reduce wildfire risk:
- (vii) replacing Section 12.4.1(d) with the following:
access can be provided to the area without constructing new roads or utility corridors through environmentally sensitive areas, as shown on Schedule 'C', the Agricultural Land Reserve, moderate or high hazard areas as identified on slope stability mapping (See Section 17), and without creating a permanent visible scar on side slopes.
- (viii) replacing Section 13.2.3 with the following:
Recognizes the need for quality industrial design and the protection of groundwater and has designated certain areas as an Industrial Development Permit Area. These areas are shown on Schedule 'E'.
- (ix) replacing Section 13.2.5(e) with the following:
access can be provided to the area without constructing new roads or utility corridors through environmentally sensitive areas, as shown on Schedule 'C', the Agricultural Land Reserve, moderate or high hazard areas as identified on slope stability mapping (See Section 18), and without creating a permanent visible scar on side slopes.
- (x) replacing Section 15.0 (Parks and Recreation) with a new Section 15.0 (Parks, Recreation and Trails) to read as follows:

15.0 PARKS, RECREATION AND TRAILS

15.1 Background

Parks are generally publicly owned areas that provide an opportunity for individuals to pursue leisure and recreation activities. In the Plan Area, parkland includes Crown land, land owned by the Regional District, land zoned for park purposes and land designated as park on a subdivision plan. Parkland also includes land or general areas that the Regional District may have an interest in for park in the future.

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

- **Regional Parks:** Kenyon Park, Keogan Park, Christie Memorial Park, Centennial Park and Lions Park are operated by the Okanagan Falls Parks and Recreation Commission.
- **Kettle Valley Railway (KVR) Trail:** The sections of the KVR Trail that are publically owned and maintained by the Regional District are designated Parks, Recreation and Trails.
- **Provincial Recreation Areas:** Vaseux Lake, s̓x̓w̓ə̓x̓w̓nitk̓w̓ (formerly Okanagan Falls), and a portion of the Skaha Bluffs Provincial Park are provincially designated Recreation Areas.

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

Together, parks and trails provide a valued amenity for Plan Area residents and visitors and provide important environmental benefits. While the Plan Area includes five regional parks, the need for additional community parks is moderated by the extensive opportunities available on Crown land, area lakes, and in provincial protected areas.

Provincial legislation authorizes the provision of land to the Regional District as parkland — equivalent in size to 5% of the parcel being subdivided. It is anticipated that acquisition of new land will be focused upon completion of the Kettle Valley Railroad (KVR) trail

and improving Skaha Lake access, although the Regional District will consider acquiring new parkland as opportunities arise.

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

See Schedule 'G' (Transportation and Trail Network) for a map of designated trails in the Plan Area.

15.2 Objectives

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

15.3 Policies

The Regional Board:

- .1 Encourages that all new trail projects are designed and constructed using provincial best management practices, in order to minimize the impact on the natural environment.
- .2 Seeks to mitigate existing and future conflicts between trail users, agricultural operators and rural landowners.
- .3 Encourages trails proposed on agricultural lands, including those located within the ALR, to be developed using Ministry of Agriculture guidelines.

- .4 Encourages tenure holders to preserve, steward and maintain trails to maintain the integrity of the larger trail system and the natural environments they traverse.
- .5 Encourages the Province to undertake a backcountry recreation planning process.
- .6 Encourages relevant provincial agencies and tenure holders to manage public access to the backcountry.
- .7 Seeks to work with regional partners and local environmental organizations to support wildlife education programs to minimize wildlife/human conflicts on trails.
- .8 Seeks to work with regional partners to ensure that trails within Plan Area boundaries include adequate parking, bear-proof garbage and recycling receptacles, and signage where feasible and appropriate.
- .9 Support trail use guidelines that promote “leave no trace” trail use.
- .10 Recognizes that parkland corridors located along the Okanagan River channel and parts of Shuttleworth Creek are located within a flood control right-of-way, and that the Province needs to undertake and maintain flood control works, activities and devices within the parkland designation; these will continually be recognized as permitted uses in the Zoning Bylaw.
- .11 Seeks to work collaboratively with the Province and other relevant parties/organizations to improve and maintain the Kettle Valley Railway Trail between Kaleden and Okanagan Falls.
- .12 Seeks to explore opportunities to establish interpretative signage along the Kettle Valley Railway Trail between Kaleden and Okanagan Falls.
- .13 Seeks to continue to work towards developing a comprehensive system of linear parks, trails and pedestrian linkages throughout the Plan Area, as shown on Schedule ‘G’ (Transportation and Trail Network), to accommodate a variety of uses, including but not limited to: walking, running, bicycling, horseback riding and cross country skiing.
- .14 Seeks to ensure that future linear parks, trails, and pedestrian linkages connect to existing and future parks, schools, Crown

land, and natural open space, and allow for easy pedestrian access through residential areas.

- .15 Recognizes and supports the efforts of the Okanagan Falls Recreation Commission in developing and maintaining parkland, and designing and delivering recreational programs.
- .16 Seeks to continue to provide universal access to recreational amenities in the Plan Area, including parks, trails, facilities and programs.
- .17 Strives to ensure that there are recreational opportunities that suit a variety of age groups and interests.
- .18 Continues to encourage the use of school buildings and grounds, after regular school hours, by community groups, clubs, sports teams and the Plan Area population at large.
- .19 Seeks to continue to work collaboratively with the Okanagan Falls Recreation Commission and local residents to consider options for, and the feasibility of a future recreation complex and additional or expanded sports fields.
- .20 Seeks to ensure that any future site chosen for a recreation complex meet the following general criteria:
 - a) large enough to accommodate desired uses;
 - b) located within or close to Okanagan Falls;
 - c) located where good road access and trail linkages exist or can be established between the facility, the elementary school, and the community in general;
 - d) located where it can preferably be connected to a community water system and a community sewer system.

15.4 Parkland Dedication Policies:

The Regional Board:

- .1 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- .2 Recognises that the Plan Area is generally rural in nature, and that when land is acquired it should be focused upon lake accesses, greenways, and trails.

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

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

(xi) replacing Section 16.0 (Natural Environmental & Energy) with a new Section 16.0 (Natural Environmental & Conservation) to read as follows:

16.0 NATURAL ENVIRONMENT & CONSERVATION

16.1 Background

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

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

The Plan Area itself is home to many unique environmental features, including Vaseux Grasslands, Skaha Bluffs and Venner Meadows, as well as various lakes and streams important to biodiversity in the area.

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

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

Other ecologically sensitive lands found on Crown land or privately held land in the ALR have not been formally designated as an ESDP Area but are equally sensitive and are shown on Schedule ‘C’ as an “Important Ecosystem Area” and is described further in Section 23.2 of this Plan.

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

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

16.1.1 Objectives - General

- .1 Maintain and sustain a healthy environment by encouraging the enhancement of ecological systems and by protecting biodiversity.
- .2 Integrate measures to sustain environmental quality and consider impacts on the environment in future land use decisions.
- .3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to important landscape features such as watercourses, hillsides, and sensitive ecosystems of the Okanagan.

- .4 Support efforts to protect source water quality and quality today and for future generations.

16.1.2 Policies - General

The Regional Board:

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

16.2 Riparian and Foreshore Areas

Riparian areas are places under the influence of water. They surround and contain wetlands, ponds, permanent and intermittent creeks, springs, wet meadows, etc. The Plan Area includes two large lakes, Skaha Lake and Vaseux Lake, and several various smaller lakes. Vaseux Lake is recognized and important habitat for several red listed plant and wildlife species and is also a migratory bird sanctuary under the Migratory Birds Convention Act. Crown land that largely flanks Vaseux Lake limits the amount of development that can occur in close proximity to this unique environment. The plan area also includes the Okanagan River and various streams including Shuttleworth Creek and McLean Creek among others.

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

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

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

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

Generally land above the high water mark (natural boundary) is privately held and land below the high water mark belongs to the Crown and forms part of the water resource in the province. Land within 30.0 metres of the high water mark of a stream or a ravine is identified as being within a Watercourse Development Permit Area and any development within this area may require a Development Permit (see Section 24.3). Other activities that are subject to regulation include dock construction and modification, mooring buoy installation, and shoreline modifications (including sand, soil, vegetation removal, disturbance, and addition).

16.2.1 Objectives

- .1 Foster community awareness of the importance and sensitivity of the riparian and foreshore environments in the Plan Area.
- .2 Protect aquatic habitat areas and associated environmentally sensitive areas from negative impacts of development as identified in Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Areas) and Schedule 'D' (Watercourse Development Permit Areas).
- .3 Encourage high quality lakeshore development that maintains the natural character of all lakes and sustains the sensitive riparian and foreshore ecosystems.
- .4 Conserve, protect and enhance surface, ground and aquifer water sources in cooperation with provincial ministries, local water purveyors and landowners.
- .5 Identify, manage and protect significant watercourses to maintain their natural habitat and environmental quality.
- .6 Create a mixed-use and vibrant place, incorporating both public and private developments with park, cultural, commercial, residential and recreational uses at the south shore of Skaha Lake in Okanagan Falls,.
- .7 Provide continuous waterfront public access along the entire Okanagan Falls area.
- .8 Encourage high quality lakeshore development sympathetic to the natural character of Skaha Lake.
- .9 Ensure development impacts do not negatively impact the health of aquatic habitats of both Skaha and Vaseux Lakes.

16.2.2 Policies

The Regional Board:

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

- .7 Encourages the subdivision approving officer to ensure that public access to lakes is provided pursuant to Section 75 of the *Land Title Act*, and Section 9 of the *Bare Land Strata Regulations*.
- .8 Supports the use of Section 86 of the *Land Title Act* and Section 56 of the *Community Charter* to regulate development in a floodplain and provide for the safe use of the land for the intended purpose.
- .9 Supports the implementation of the recommendations of the Skaha Shoreline Study and Management Plan which includes environmental land use planning, and land use policy.
- .10 Supports the exploration of options and opportunities to have more jurisdictional control over the Skaha Lake foreshore.
- .11 Supports a demand study to determine the feasibility of a commercial moorage facility at Okanagan Falls.
- .12 Supports the preparation of design guidelines for public access to water areas.
- .13 Supports the preservation of viewscales in Okanagan Falls by introducing zoning regulations restricting the maximum height of a building to no more than two storeys within 100.0 metres of Skaha Lake, and three storeys between 100.0 metres and 150.0 metres of Skaha Lake.
- .14 Requires that a public access corridor of not less than 7.0 metres in width (measured from the high water mark of Skaha Lake), be provided along the waterfront of new Tourist Commercial developments in Okanagan Falls. This can be achieved through the following methods:
 - a) acquire a statutory right-of-way under Section 218 of the *Land Title Act*;
 - b) require that the land below the natural boundary revert to the Crown during subdivision; and
 - c) allow the proposed development to own the land, with a legal agreement to allow access, and restrict the placement of fencing, buildings or other barriers that would restrict public access.
- .15 Seeks to work with other agencies to limit the number of wharves or docks, and encourage sharing of such structures.

16.3 Terrestrial Areas

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

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

Significant proportions of sensitive terrestrial habitat have been provincially recognized and protected in the Plan Area and include: the Skaha Bluffs Provincial Park, Vaseux Lake Provincial Park, Vaseux Protected Area. The Nature Trust of BC and other conservation organizations have also purchased properties for habitat and terrestrial ecosystem conservation purposes. The federal government also has important land holdings including Vaseux Lake Migratory Bird Sanctuary and Vaseux-Bighorn National Wildlife Area.

16.3.1 Objectives

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

16.3.2 Policies

The Regional Board:

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

sensitive ecosystems of private lands through the following methods:

- a) donation of areas to the Regional District or provincial government;
 - b) donation of areas to a land trust or conservation organization;
 - c) introduction of conservation area designation and zoning;
 - d) creation of conservation covenants in favour of municipal, provincial government, private conservation organizations;
 - e) establishment of statutory right of ways under the *Land Title Act* for affected areas;
 - f) establishment of long-term leases for sensitive areas;
 - g) land stewardship and participation in conservation initiatives by the private landowner; or
 - h) consideration of alternative development standards.
- .8 Supports conserving, enhancing and promoting the protection of wildlife corridors and ecosystem connectivity with interfacing Crown lands.
- .9 Encourages the use of native vegetation to restore disturbed sites.
- .10 Supports protecting Bighorn Sheep habitat by discouraging development on areas of natural grasslands, on open shrub steppe, older open forest and rugged terrain that includes rock outcrops and cliffs with ledges.

16.4 Conservation Areas

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

Conservation Area lands may include Crown land designated as an Ecological Reserve or Wildlife Management Areas, but is generally applied to private lands that have been acquired or donated for conservation purposes and which are held by an individual or an

organisation, such as The Nature Trust of British Columbia or the Nature Conservancy of Canada. In the Plan Area, the CA designation applies to a large area of land adjacent to Vaseux Lake as well as other parcels held by conservation organisations adjacent to, or near provincially protected areas.

For a map of Conservation Areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.4.1 Objectives

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

16.4.2 Policies

The Regional Board:

- .1 Recognizes and encourages the educational and eco-tourism contributions toward protection of Conservation Areas made by environmental organizations, and supports accommodating these uses where they do not conflict with Conservation Area objectives.
- .2 Supports the incorporation of traditional ecological knowledge in the stewardship of Conservation Areas, and will seek to work with local First Nations to incorporate it where feasible, practical and appropriate.

(xii) deleting Section 17.0 (Foreshore Management) and renumbering all subsequent sections and section references.

(xiii) replacing Section 18.3.1 with the following:

Encourages the Provincial Subdivision Approving Authority to require a developer to undertake a fire hazard risk assessment at the time of submitting a subdivision application, where the property is located within a

high, or greater, risk area within the Wildfire Hazard area (Schedule 'I'). The Regional Board may require the same assessment during the land use designation amendment process.

- (xiv) replacing the fourth paragraph under Section 19.0 (Transportation) with the following:

The Plan sets out a Major Road and Trail Network in Schedule 'G', which delineates the current roads and trails in the area.

- (xv) replacing Section 19.1.5 with the following:

To minimize the impacts of traffic corridors on farmland and environmentally sensitive areas, as shown on Schedule 'C'.

- (xvi) replacing Section 19.2.1 with the following:

Encourages the improvement of existing major roads, and support the construction of proposed major roads under the jurisdiction of the Province, as set out in the Major Road Network shown in Schedule 'G'.

- (xvii) replacing the third sentence under Section 22.0 (Aggregate Resources) with the following:

The 'primary' potential areas shown on Schedule 'H' have the highest potential of finding sand and aggregate resources.

- (xviii) adding a new after Section 20.5 to read as follows:

20.6 Policies – Energy Efficiency

- .1 Encourages energy efficient forms of development through methods such as: energy efficient subdivision design; site planning including building orientation; energy efficient building design, materials, lighting and appliances; water conservation in landscaping; and, mixed-use forms of development.
- .2 Strives to become more self-reliant in meeting community energy needs by supporting the appropriate scale of renewable and alternative energy generation including but not limited to geothermal, microhydro, solar, bio fuels and wind.

- .3 Promotes education and awareness of energy conservation and actions that could be taken to mitigate increasing energy prices and GHG emissions.

(xix) replacing Section 22.2.1 with the following:

Recognizes known primary sand and gravel resources as mapped by the Province and shown on Schedule 'H'.

(xx) replacing Section 24.2 (Environmentally Sensitive Development Permit (ESDP) Area) in its entirety with the following:

24.2 Environmentally Sensitive Development Permit (ESDP) Area

.1 Category

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

.2 Area

The lands shown as Environmentally Sensitive Development Permit Area on Schedule 'C' are designated as an Environmentally Sensitive Development Permit Area.

.3 Justification

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

.4 Background

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

storage. Vegetation adjacent to watercourses needs to remain in a largely undisturbed state in order to maintain a healthy environment and clean water.

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

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

.5 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 24.2.8 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

.6 Guidelines

- .1 A Development Permit is required for development within an ESDP Area, and shall be in accordance with the following guidelines:
 - a) An Environmental Assessment (EA) Report, prepared in accordance with the requirements of the Regional District's Development Procedures Bylaw, must be submitted to the

Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that shall include a RPBio under contract to the development applicant, and shall include:

- i) An Ecological Assessment Phase including:
 - .1 background information;
 - .2 an ecological assessment;
 - .3 listing of rare and endangered species; and
 - .4 stratification and rating of Environmentally Sensitive Areas (ESAs).
- ii) An Impact Assessment and Mitigation Phase including:
 - .1 description of proposed development;
 - .2 assessment of potential impacts;
 - .3 short and long term impacts;
 - .4 cumulative and residual impacts;
 - .5 avoidance of ESAs;
 - .6 mitigation and compensation;
 - .7 security requirements;
 - .8 monitoring reports;
 - .9 accountability; and
 - .10 monitoring plan.
- b) Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees.
- c) Habitat connectivity and the retention of connectivity corridors between sensitive ecosystems should be preserved. Wildlife crossings should be designed to protect continuity of wildlife corridors where these are interrupted by roadways.
- d) Monitoring reports may be required to be submitted to the Regional District following the completion of a

development in order to confirm the conditions of a development permit have been met.

- e) The Regional District may incorporate any areas or measures identified in an EA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

- .2 If an area of land is subject to additional Development Permit Area designations under Section 488(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

.7 Expedited Development Permit

- .1 Despite sub-section 24.2.6.1(a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report for development where:
 - a) A REA, prepared in accordance with the Regional District's Development Procedures Bylaw, has been submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia or team that includes a Registered Professional Biologist in British Columbia (RPBio) under contract to the development applicant, and includes:
 - i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.
 - ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:
 - .1 There is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or
 - .2 Known EVR occurrence(s) have been identified and:

- a) measures have been prescribed to avoid impacts; or
 - b) acceptable restoration/mitigation have been prescribed.
- iii) recommended avoidance or mitigation measures if known EVR occurrences have been identified.
- b) If a QEP cannot certify the absence of EVRs or that impacts to known EVRs have been avoided or acceptably mitigated through a REA to the satisfaction of the Regional District, an EA as outlined under sub-section 24.2.6.1(a) will be required.
 - c) The Regional District may incorporate any areas or measures identified in a REA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

.8 Exemptions

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

- .1 The construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works, but excluding communication towers and antenna systems;
- .2 the repair or maintenance of existing buildings and structures provided there are no additions or increases to the footprint of the building or structure;
- .3 Residential development where a completed Building Permit application has been accepted by the Regional District, the proposed development does not exceed 50.0 m² from the original footprint of the principal dwelling unit and the development comprises either:
 - a) an alteration or addition to the original footprint of an existing principal dwelling unit; or
 - b) the construction of an accessory building or structure, provided the accessory building or structure is not situated beyond 10.0 metres of a principal dwelling unit.

- .4 works conducted in accordance with the Provincial *FireSmart Manual*, provided that all landscaping is conducted within 10.0 metres of an existing structure or building (existing on-site native plants which meet the *FireSmart Manual* guidelines are encouraged to be maintained as part of the landscaping);
- .5 the construction, alteration, addition, repair, demolition and maintenance of buildings and structures to be used in relation to a farm use as defined in the *Agricultural Land Commission Act* on land located in the ALR and classified as “farm” under the *Assessment Act*;
- .6 any farm use as defined in the *Agriculture Land Commission Act* on land located in the ALR;
- .7 any farm use that is subject to an approved Environmental Farm Plan (EFP through the Canada-British Columbia Environmental Farm Plan Program;
- .8 the repair of existing fences;
- .9 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.

(xxi) replacing Section 24.3.2 with the following:

The lands within 30 metres of a stream or ravine including lands within 30 metres of a stream or a ravine shown as Watercourse Development Permit Area on Schedule ‘D’ are designated as a “Watercourse Development Permit Area”.

The definitions used in the *Local Government Act* and Provincial Riparian Areas Regulation (RAR) shall apply.

(xxii) replacing Section 24.4.2 with the following:

The designated areas are shown as the Okanagan Falls Commercial Development Permit Area in Schedule ‘E’.

(xxiii) replacing Section 24.5.2 with the following:

The designated area is shown as the Multiple Family Development Permit Area on Schedule 'E'.

(xxiv) replacing the first sentence of Section 24.6.2 with the following:

The designated area is shown as the Hillside / Steep Slope Development Permit Area on Schedule 'F'.

(xxv) replacing Section 24.7.2 with the following:

The area designated within the Industrial Development Permit Area generally includes properties to and including the former Weyerhaeuser site. The designated area is shown on Schedule 'E'.

(xxvi) replacing Schedule 'B' (Future Land Use Map), with a new Schedule 'B' (Official Community Plan Map), as shown on the attached Schedule 'L' (which forms part of this bylaw).

(xxvii) replacing Schedule 'C' (Environmental and Watercourse Development Permit Areas) with a new Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area), as shown on the attached Schedule 'M' (which forms part of this bylaw).

(xxviii) replacing Schedule 'D' (Development Permit Areas) with a new Schedule 'D' (Watercourse Development Permit Area) as shown on the attached Schedule 'N' (which forms part of this bylaw).

(xxix) replacing Schedule 'E' (Transportation and Trail Network) with a new Schedule 'E' (Form and Character Development Permit Areas) as shown on the attached Schedule 'O' (which forms part of this bylaw).

(xxx) replacing Schedule 'F' (Aggregate Potential) with a new Schedule 'F' (Hillside and Steep Slope Development Permit Area) as shown on the attached Schedule 'P' (which forms part of this bylaw).

(xxxi) replacing Schedule 'G' (Wildfire Hazard), with a new Schedule 'G' (Transportation and Trail Network), as shown on the attached Schedule 'Q' (which forms part of this bylaw).

(xxxii) adding a new Schedule 'H' (Aggregate Potential), as shown on the attached Schedule 'R' (which forms part of this bylaw).

(xxxiii) adding a new Schedule 'I' (Wildfire Hazard), as shown on the attached Schedule 'S' (which forms part of this bylaw).

8. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:

(i) adding a new definition of "conservation area" under Section 4.0 (Definitions) to read as follows:

"conservation area" means land that is preserved and protected, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish. A Conservation Area does not include outdoor and indoor recreation services, or open land recreation;

(ii) adding a new definition of "interpretive centre" under Section 4.0 (Definitions) to read as follows:

"interpretive centre" means a building that provides interpretation of a place of interest related to the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include accessory facilities such as a refreshment stand or gift shop.

(iii) replacing the definition of "public park" under Section 4.0 (Definitions) with the following:

"parks" means any publicly-owned, held or beneficially owned outdoor land or facility specifically designed for passive or active recreation including tot-lots, playgrounds, walkways, trails, band shells, greenbelts, buffers, nature interpretation areas, or similar land uses, including all uses permitted in Provincial Parks, and all natural and constructed landscaping, facilities, playing fields, buildings and structures consistent with the general purpose of public park land;

- (iv) adding a new definition of “recreation services, indoor” under Section 4.0 (Definitions) to read as follows:

“recreation services, indoor” means facilities within an enclosed building for sports, active recreation and cultural arts and may include but are not limited to athletic clubs, health and fitness clubs, swimming pools, curling clubs, hockey rinks, bowling alleys and racquet clubs;

- (v) adding a new definition of “recreation services, outdoor” under Section 4.0 (Definitions) to read as follows:

“recreation services, outdoor” means facilities that are available to the general public for sports and active recreation conducted outdoors. Typical uses include but are not limited to ball fields and athletic fields;

- (vi) replacing Section 15.2 (Parks and Recreation Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.2 PARKS AND RECREATION ZONE (PR)

15.2.1 Permitted Uses:

Principal Uses:

- a) parks;
- b) recreation services, outdoors;
- c) cemeteries;

Secondary Uses:

- d) carnivals, circuses and fairs;
- e) community hall;
- f) public moorage and marina;
- g) recreation services, indoor;
- h) one (1) accessory dwelling, subject to Section 7.11; and
- i) accessory buildings and structures, subject to Section 7.13.

15.2.2 Site Specific Parks and Recreation (PRs) Provisions:

- a) see Section 17.28

15.2.3 Minimum Parcel Size:

- a) Not applicable

15.2.4 Minimum Parcel Width:

- a) Not applicable

15.2.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.2.6 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres;
- b) despite sub-section a), no building or structure shall exceed a height of 7.0 metres at Lions, Kenyon and Christie Memorial Parks.

15.2.7 Maximum Parcel Coverage:

- a) 25%

(vii) replacing Section 15.3 (Conservation Area Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.3 CONSERVATION AREA ZONE (CA)

15.3.1 Permitted Uses:

Principal Uses:

- a) conservation area;

Secondary Uses:

- b) interpretive centre;
- c) one (1) accessory dwelling, subject to Section 7.11; and
- d) accessory buildings and structures, subject to Section 7.13.

15.3.2 Site Specific Conservation Area (CAs) Provisions:

- a) see Section 17.29

15.3.3 Minimum Parcel Size:

- a) Not applicable

15.3.4 Minimum Parcel Width:

- a) Not applicable

15.3.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.3.6 Maximum Height:

- a) Not applicable

15.3.7 Maximum Parcel Coverage:

- a) 5%

- (viii) replacing Schedule '2' (Zoning Map) with a new Schedule '2' (Zoning Map), as shown on the attached Schedule 'T' (which forms part of this bylaw).

Electoral Area "E"

9. The "Naramata Area Official Community Plan Bylaw No. 2458, 2008" is amended by:

- (i) replacing the ninth paragraph of the recital to this bylaw with the following:

The Naramata Area Official Community Plan attached hereto as Schedules 'A', 'B', 'C', 'D', 'E', and 'F' and forming part of this bylaw is adopted as the Regional District of Okanagan-Similkameen, Naramata Area Official Community Plan.
- (ii) replacing the reference to Parks (P) under Section 4.0 (Official Community Plan Map Designations), with the following:

- (iii) deleting the reference to Public Corridor (PC) under Section 2.0 (Official Community Plan Map Designations).
- (iv) replacing Section 7.3.11 to read with the following:

Generally, does not support increasing densities or intensifying land uses within areas designated as an Environmentally Sensitive Development Permit Area or shown as an “Important Ecosystem Area” on Schedule ‘C’. Increasing densities or intensifying land uses in areas previously zoned to allow such developments, however, will be considered if the development meets the policies and guidelines set out in this Plan.
- (v) replacing Section 7.3.12 with the following:

Works with land owners whose land is zoned for residential development and is found within an area designated as an Environmentally Sensitive Development Permit Area or shown as an “Important Ecosystem Area” on Schedule ‘C’ to consider establishing a different zoning that reasonably reflects the current density and gives due regard to physical constraints and environmental attributes.
- (vi) replacing Section 10.3.3(c) with the following:

impact on important environmentally sensitive areas, as shown on Schedule ‘C’.
- (vii) replacing Section 11.3.1(c) with the following:

capability of the natural environment to support the proposed development, and its impact on environmentally sensitive and riparian areas, as shown on Schedules ‘C’ and ‘D’.
- (xxxiv) replacing Section 11.4.1(e) with the following:

access can be provided to the area without constructing new roads or utility corridors through environmentally sensitive areas, as shown on Schedule ‘C’, the Agricultural Land Reserve, moderate or high hazard areas and without creating a permanent visible scar on side slopes.
- (xxxv) replacing Section 12.3.5(a) with the following:

access can be provided to the area without constructing new roads or utility corridors through environmentally sensitive areas, as shown on Schedule 'C', the Agricultural Land Reserve, moderate or high hazard areas and without creating a permanent visible scar on side slopes;

(xxxvi) replacing Section 15.0 (Parks and Natural Environment) in its entirety with the following:

15.0 PARKS, RECREATION AND TRAILS

15.1 Background

Parks are generally publicly owned areas that provide an opportunity for individuals to pursue leisure and recreation activities. In the Plan Area, parkland includes Crown land, land owned by the Regional District, land zoned for park purposes and land designated as park on a subdivision plan. Parkland also includes land or general areas that the Regional District may have an interest in for park in the future.

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

- **Regional Parks:** Rock Ovens, Naramata Wharf, Naramata Creek and Manitou Parks are operated and maintained by the Regional District.
- **Kettle Valley Railway (KVR) Trail:** The sections of the KVR Trail that are publically owned and maintained by the Regional District are designated Parks, Recreation and Trails.
- **Provincial Recreation Areas:** Okanagan Mountain Provincial Park is a provincially designated Recreation Area.

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

Together, parks and trails provide a valued amenity for Plan Area residents and visitors and provide important environmental benefits. While the Plan Area includes four small regional parks, the

need for additional community parks is moderated both by the area's small population and the extensive opportunities available on Crown land, area lakes, and in provincial protected areas. It is also a challenge to provide community park services to areas with small, dispersed populations.

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

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

See Schedule 'F' (Road and Trail Network Plan) for a map of designated trails in the Plan Area.

15.2 Objectives

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

15.3 Policies

The Regional Board:

- .1 Encourages that all new trail projects are designed and constructed using provincial best management practices, in order to minimize the impact on the natural environment.
- .2 Seeks to mitigate existing and future conflicts between trail users, agricultural operators and rural landowners.
- .3 Encourages trails proposed on agricultural lands, including those located within the ALR, to be developed using Ministry of Agriculture guidelines.
- .4 Encourages tenure holders to preserve, steward and maintain trails to maintain the integrity of the larger trail system and the natural environments they traverse.
- .5 Encourages the Province to undertake a backcountry recreation planning process.
- .6 Encourages relevant provincial agencies and tenure holders to manage public access to the backcountry.
- .7 Seeks to work with regional partners and local environmental organizations to support wildlife education programs to minimize wildlife/human conflicts on trails.
- .8 Seeks to work with regional partners to ensure that trails within Plan Area boundaries include adequate parking, bear-proof garbage and recycling receptacles, and signage where feasible and appropriate.
- .9 Support trail use guidelines that promote “leave no trace” trail use.
- .10 Recognizes the various interests in the future use of the Kettle Valley Railway, and designates it Park (PR) in order to protect options for future use as a public corridor
- .11 Encourages the development of a watershed or drinking water management plan that serves to protect Naramata’s water quality, in consultation with the community.
- .12 Encourages the development of a Parks & Recreation Master Plan that outlines park strategies and functions, addresses public and commercial recreation needs, as well as infrastructure requirements, in consultation with the community.

- .13 Supports the Naramata Parks and Recreation Commission in maintaining park land and Public Recreation corridors.
- .14 Seeks to continue to work towards developing a comprehensive system of linear parks, trails and pedestrian linkages throughout the Plan Area to accommodate a variety of uses, including but not limited to: walking, running, bicycling, horseback riding and cross country skiing.
- .15 Seeks to ensure that future linear parks, trails, and pedestrian linkages connect to existing and future parks, schools, Crown land, and natural open space, and allow for easy pedestrian access through residential areas.
- .16 Seeks to continue to provide universal access to recreational amenities in the Plan Area, including parks, trails, facilities and programs.
- .17 Strives to ensure that there are recreational opportunities that suit a variety of age groups and interests.

15.4 Parkland Dedication Policies:

The Regional Board:

- .1 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- .2 Recognises that the Plan Area is generally rural in nature, and that when land is acquired it should be focused upon lake accesses, greenways, and trails.
- .3 May determine, in accordance with Section 510 of the *Local Government Act*, at the time of a subdivision to which Section 510 applies, whether the owner of land being subdivided must:
 - a) provide without compensation, park land in an amount equivalent to 5% of the land being proposed for subdivision and in a location acceptable to the Regional District; or
 - b) pay to the Regional District an amount that equals the market value of the land that may be required for park land purposes.
- .4 May consider, when determining a potential park land dedication under Section 510 of the *Local Government Act*, the following policies:

- a) proximity to settlement areas, other parks & trails, and bodies of water;
 - b) distance from environmental hazard areas;
 - c) average slope should be 10% or less;
 - d) adequate accessibility:
 - i) vehicular ingress and egress should meet or exceed Ministry of Transportation standards;
 - ii) in the case of trails and pedestrian-access only parks, there should be various linkages to and from the trail or park, with at least one linkage wide enough to allow for maintenance vehicle access;
 - e) cultural or natural features of significance;
 - f) potential for additional dedication of parkland from subdivision applications of surrounding parcels; and
 - g) potential for recreation (active park), conservation (passive park) or enhancement of public access.
- .5 Considers that park land proposals should provide a benefit for the community and those lands with no benefit to the community should not be accepted.
- .6 Strongly prefers that land being considered for parkland be maintained in its natural state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed parkland is to be used for recreational uses which require cleared lands, or can be reclaimed for park purposes.
- .7 Encourages developers to dedicate greater than 5% park land in areas where parkland is desired.
- .8 Considers that if cash in-lieu is chosen at the time of subdivision for park acquisition and development in the Plan Area, the preference is that the benefits accrue to those communities from which the funds are received.
- .9 Where environmentally sensitive areas or Critical Habitat for species at risk have been identified, encourages developers to donate such lands to a conservation organisation or the Regional District in addition to the parkland or cash in-lieu required by the Act.

(xxxvii) adding the following as Section 16.0 and renumbering the subsequent sections accordingly:

16.0 NATURAL ENVIRONMENT & CONSERVATION

16.1 Background

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

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

The Plan Area itself is home to many unique environmental features, including the silt benches above Okanagan Lake, as well as various other lakes and streams important to biodiversity in the area.

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

In order to protect important sensitive ecosystems and biological diversity including valuable habitat areas for wildlife and plant communities, the Regional District has implemented an Environmentally Sensitive Development Permit (ESDP) Area. This area generally comprises privately held lands not in the Agricultural Land Reserve (ALR) that possess "high" and "very high" ecologically sensitive classifications as identified by the *Keeping Nature in our Future: A Biodiversity Conservation Strategy for the South Okanagan-Similkameen* (2012) prepared by South Okanagan Similkameen Conservation Program (SOSCP), and is described further in Section 21.2 of this Plan.

Other ecologically sensitive lands found on Crown land or privately held land in the ALR have not been formally designated as an ESDP

Area but are equally sensitive and are shown on Schedule 'C' as an "Important Ecosystem Area" and is described further in Section 21.2 of this Plan.

As a local government listed under Section 3 of the *Riparian Areas Regulation*, the Regional District has implemented a Watercourse Development Permit (WDP) Area designation in order to protect riparian areas; being lands within 30.0 metres of the high water mark of streams and ravines including lakes, watercourses and wetlands, and as described further at Section 21.3 of this bylaw.

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

16.1.1 Objectives - General

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

16.1.2 Policies - General

The Regional Board:

- .1 Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives.
- .2 Recognizes and encourages the educational and eco-tourism contribution toward protection of the community's natural environment made by environmental organizations, and supports accommodating these uses with the necessary

changes to the land use designations so long as the general intent of policies in this Plan are met.

- .3 Requires that, where a proposed development affects land subject to an Environmentally Sensitive Development Permit Area, an Environmental Assessment (EA) be prepared by a Qualified Environmental Professional (QEP) in accordance with the policies outlined at Section 21.2 as well as relevant federal and provincial best management guidelines.
- .4 Requires that EA reports prepared by QEPs be undertaken in accordance with the Regional District's approved Development Procedures Bylaw.
- .5 Supports the incorporation of traditional ecological knowledge in the stewardship of important foreshore, riparian, and terrestrial ecosystems, and will seek to work with the Penticton Indian Band, Osoyoos Indian Band, Upper Similkameen Indian Band and Lower Similkameen Indian Band to incorporate it where feasible, practical and appropriate.

16.2 Riparian and Foreshore Areas

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

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

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

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

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

Generally land above the high water mark (natural boundary) is privately held and land below the high water mark belongs to the Crown and forms part of the water resource in the province. Land within 30.0 metres of the high water mark of a stream or a ravine is identified as being within a Watercourse Development Permit Area and any development within this area may require a Development Permit (see Section 21.3). Other activities that are subject to regulation include dock construction and modification, mooring buoy installation, and shoreline modifications (including sand, soil, vegetation removal, disturbance, and addition).

16.2.1 Objectives

- .1 Foster community awareness of the importance and sensitivity of the riparian and foreshore environments in the Plan Area.
- .2 Protect aquatic habitat areas and associated environmentally sensitive areas from negative impacts of development as identified in Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) and Schedule 'D' (Watercourse Development Permit Area).
- .3 Improve and better manage waterfront public access along the Okanagan Lake shoreline, while limiting the overall number of public access points.

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

16.2.2 Policies

The Regional Board:

- .1 Recognises riparian values and, in accordance with the provincial *Riparian Area Regulation*, has designated land within 30.0 metres of the high water mark of a stream or a ravine as a development permit area. Land designated as a Watercourse Development Permit Area shall be developed according to the guidelines outlined in Section 21.3 (Watercourse Development Permit Area) of this Plan, unless an exemption applies. The Watercourse Development Permit Area includes the lands within 30.0 metres of the high water mark of a stream or ravine identified on Schedule 'D'.
- .2 Encourages provincial and federal water and resource managers to protect and enhance water quality, base flows, natural drainage patterns, and continuous riparian corridors of sufficient width to accommodate the dynamic nature of the hydrologic system, to avoid and reduce flood damage, to avoid the need for channel stabilization, to avoid underground drainage systems, to avoid groundwater interruption, and to protect and sustain aquatic biota, important fish populations and habitats.
- .3 Supports efforts that maintain appropriate riparian buffers, determined by qualified professionals that take into account processes of natural erosion, deposition and movement of natural stream boundaries, floodplain provisions and sensitive terrestrial habitats

- .4 Continues to work with the Okanagan Basin Water Board (OBWB) to promote the shared water interests of Okanagan communities.
- .5 Encourages and supports the analysis of ground water hydrology in areas with identified aquifers, and require environmental assessments in advance of considering zoning amendments for uses such as heavy industrial, mining, fuel storage and/or sewage or waste containment.
- .6 Discourages development that will have a negative environmental impact on lake riparian and foreshore areas.
- .7 Encourages the subdivision approving officer to ensure that public access to lakes is provided pursuant to Section 75 of the *Land Title Act*.
- .8 Supports the use of Section 86 of the *Land Title Act* and Section 56 of the *Community Charter* to regulate development in a floodplain and provide for the safe use of the land for the intended purpose.

16.3 Terrestrial Areas

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

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

Significant proportions of sensitive terrestrial habitat have been provincially recognized and protected in the Plan Area and include: Okanagan Mountain Provincial Park. The Nature Trust of BC and other conservation organizations have also purchased properties for habitat and terrestrial ecosystem conservation purposes. Rock Ovens Regional Park also protects significant sensitive habitat.

16.3.1 Objectives

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

16.3.2 Policies

The Regional Board:

- .1 Recognizes the values of environmentally sensitive lands and has on Schedule 'C':
 - a) Designated these lands as an Environmentally Sensitive Development Permit Area pursuant to Section 488(1)(a) of the *Local Government Act*; or
 - b) Identified these lands as an "Important Ecosystem Area".
- .2 Requires that land designated as an Environmentally Sensitive Development Permit Area shall be retained in a natural state and not developed prior to the issuance of an Environmentally Sensitive Development Permit (ESDP) in accordance with the guidelines outlined at Section 21.2 of this Plan, unless an exemption applies.
- .3 Considers that land identified as an "Important Ecosystem Area" should generally be retained in a natural state and, if a re-designation of the land under the OCP or a re-zoning of the land under the Zoning Bylaw is proposed, that these lands be considered for inclusion in the Environmentally Sensitive Development Permit Area in Schedule 'C'.
- .4 Encourages the parcel sizes of land designated as an Environmentally Sensitive Development Permit Area or

identified as an Important Ecosystem Area on Schedule 'C' to remain as large as possible to protect these habitat areas.

- .5 Will not support the re-designation of land under the OCP or the re-zoning of land under the Zoning Bylaw where it is determined that the proposed development is contrary to the ESDP Area Guidelines of this Plan and the impact cannot be mitigated to a level acceptable to the Regional Board.
- .6 Will strive for development that avoids impacting important native species, habitats, ecosystems or sensitive areas and to retain important ecosystem features and functions. Responsiveness to this policy will be a very important consideration in the approval of an application.
- .7 Encourage the protection, preservation, enhancement and management of sensitive ecosystems or land contiguous to sensitive ecosystems of private lands through the following methods:
 - a) donation of areas to the Regional District or provincial government;
 - b) donation of areas to a land trust or conservation organization;
 - c) introduction of conservation area designation and zoning;
 - d) creation of conservation covenants in favour of municipal, provincial government, private conservation organizations;
 - e) establishment of statutory right of ways under the *Land Title Act* for affected areas;
 - f) establishment of long-term leases for sensitive areas;
 - g) land stewardship and participation in conservation initiatives by the private landowner; or
 - h) consideration of alternative development standards.
- .8 Supports conserving, enhancing and promoting the protection of wildlife corridors and ecosystem connectivity with interfacing Crown lands.
- .9 Encourages the use of native vegetation to restore disturbed sites.

16.4 Conservation Areas

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

Conservation Area lands may include Crown land designated as an Ecological Reserve or Wildlife Management Areas, but is generally applied to private lands that have been acquired or donated for conservation purposes and which are held by an individual or an organisation, such as The Nature Trust of British Columbia or the Nature Conservancy of Canada. In the Plan Area, the CA designation applies to an upper portion of Naramata Creek held by a conservation organisation as well as some small portions of privately held land identified as warranting protection through a rezoning process.

For a map of Conservation Areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.4.1 Objectives

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

16.4.2 Policies

The Regional Board:

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

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

(xxxviii) replacing the first sentence of Section 17.1 with the following:

The Plan sets out Schedule 'F' Road and Trail Network Plan for current and future roads and trails proposed for the area

(xxxix) replacing Section 17.2.4 with the following:

To achieve a coordinated open space system incorporating cyclists and pedestrians, and to encourage non-vehicular accessibility, respecting designated Environmentally Sensitive Development Permit Areas and "Important Ecosystem Areas", as shown on Schedule 'C'.

(xl) replacing Section 17.3.4 with the following:

Supports the protection of future road rights-of-way identified and endorsed by the Province as set out in the Road and Trail Network Plan (Schedule 'F').

(xli) replacing Section 17.3.5(b) with the following:

existing and future roads and alignments are designed with due consideration for the protection of designated Environmentally Sensitive Development Permit Area and Important Ecosystem Area, as shown on Schedule 'C'.

(xlii) replacing Section 17.3.6(a) with the following:

Designates the KVR corridor as a Park (PR). This corridor is an integral component of the Trans-Canada Trail and the Naramata Area Road and Trail Network Plan. The Board recognizes that there will be growth in the Naramata area, and that the Province maintains interest in utilizing the KVR corridor for motorised vehicle transportation purposes if development needs in Electoral Area 'E' are such that a secondary road is required. The community strongly discourages the development of any portion of the KVR for motorised vehicle transportation purposes since it is a valued public recreation resource.

(xlili) replacing Section 17.3.6(c) with the following:

Encourages the KVR corridor to be maintained as a public trail corridor for hiking, biking and other leisure pursuits. Where there is no other alternative for motorised vehicle transportation purposes, Provincial and local government agencies will embark on a management planning exercise, with community input and support. It is encouraged that the KVR corridor be maintained where possible, and where not possible, be a separate route from any surfaced road area.

(xliv) replacing Section 18.1.6.2 with the following:

Encourages public utility companies and the Province to locate and develop utility corridors and roads in a way that will not have a negative impact on designated Environmentally Sensitive Development Permit Area and Important Ecosystem Area, as shown on Schedule 'C', or on agriculture.

(xlv) replacing Section 20.1 with the following:

The OCP may designate development permit areas under the authority of Local government legislation. Unless otherwise specified, a development permit must be approved by the Regional Board prior to any development or subdivision of land within a designated development permit area.

(xlvi) replacing Section 20.2 (Environmentally Sensitive Development Permit (ESDP) Area) in its entirety with the following:

20.2 Environmentally Sensitive Development Permit (ESDP) Area

.1 Category

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

.2 Area

The lands shown as Environmentally Sensitive Development Permit Area on Schedule 'C' are designated as an Environmentally Sensitive Development Permit Area.

.3 Justification

To regulate development activities within environmentally sensitive areas in order to protect important sensitive ecosystems and biological diversity including valuable habitat for endangered

species of native, rare vegetation or wildlife, and provide wildlife corridors and secondary habitat.

.4 Background

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

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

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

.5 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 20.2.8 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and

- c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

.6 Guidelines

- .1 A Development Permit is required for development within an ESDP Area, and shall be in accordance with the following guidelines:
 - a) An Environmental Assessment (EA) Report, prepared in accordance with the requirements of the Regional District's Development Procedures Bylaw, must be submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that shall include a RPBio under contract to the development applicant, and shall include:
 - i) An Ecological Assessment Phase including:
 - .1 background information;
 - .2 an ecological assessment;
 - .3 listing of rare and endangered species; and
 - .4 stratification and rating of Environmentally Sensitive Areas (ESAs).
 - ii) An Impact Assessment and Mitigation Phase including:
 - .1 description of proposed development;
 - .2 assessment of potential impacts;
 - .3 short and long term impacts;
 - .4 cumulative and residual impacts;
 - .5 avoidance of ESAs;
 - .6 mitigation and compensation;
 - .7 security requirements;
 - .8 monitoring reports;
 - .9 accountability; and
 - .10 monitoring plan.

- b) Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees.
 - c) Habitat connectivity and the retention of connectivity corridors between sensitive ecosystems should be preserved. Wildlife crossings should be designed to protect continuity of wildlife corridors where these are interrupted by roadways.
 - d) Monitoring reports may be required to be submitted to the Regional District following the completion of a development in order to confirm the conditions of a development permit have been met.
 - e) The Regional District may incorporate any areas or measures identified in an EA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.
- .2 If an area of land is subject to additional Development Permit Area designations under Section 488(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

.7 Expedited Development Permit

- .1 Despite sub-section 20.2.6.1(a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report for development where:
 - a) A REA, prepared in accordance with the Regional District's Development Procedures Bylaw, has been submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia or team that includes a Registered Professional Biologist in British Columbia (RPBio) under contract to the development applicant, and includes:

- i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.
- ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:
 - .1 there is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or
 - .2 known EVR occurrence(s) have been identified and:
 - a) measures have been prescribed to avoid impacts; or
 - b) acceptable restoration/mitigation have been prescribed.
- iii) recommended avoidance or mitigation measures if known EVR occurrences have been identified.
- b) If a QEP cannot certify the absence of EVRs or that impacts have been avoided or acceptably mitigated through a REA, an EA as outlined under sub-section 20.2.6.1(a) will be required.
- c) The Regional District may incorporate any areas or measures identified in a REA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

.8 Exemptions

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

- .1 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works, but excluding communication towers and antenna systems;
- .2 the repair or maintenance of existing buildings and structures provided there are no additions or increases to the footprint of the building or structure;

- .3 Residential development where a completed Building Permit application has been accepted by the Regional District, the proposed development does not exceed 50.0 m² from the original footprint of the principal dwelling unit and the development comprises either:
 - a) an alteration or addition to the original footprint of an existing principal dwelling unit; or
 - b) the construction of an accessory building or structure, provided a majority of the footprint of the accessory building or structure is not situated beyond 10.0 metres of a principal dwelling unit.
- .4 works conducted in accordance with the Provincial *FireSmart Manual*, provided that all landscaping is conducted within 10.0 metres of an existing structure or building (existing on-site native plants which meet the *FireSmart Manual* guidelines are encouraged to be maintained as part of the landscaping);
- .5 the construction, alteration, addition, repair, demolition and maintenance of buildings and structures to be used in relation to a farm use as defined in the *Agricultural Land Commission Act* on land located in the ALR and classified as “farm” under the *Assessment Act*;
- .6 any farm use as defined in the *Agriculture Land Commission Act* on land located in the ALR;
- .7 any farm use that is subject to an approved Environmental Farm Plan (EFP) through the Canada-British Columbia Environmental Farm Plan Program;
- .8 the repair of existing fences;
- .9 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.

(xlvii) replacing Section 20.3.2 (Watercourse Development Permit Area) with the following:

The lands within 30 metres of a stream or ravine including lands within 30 metres of a stream or a ravine shown as Watercourse Development Permit Area on Schedule 'D' are designated as a "Watercourse Development Permit Area".

The definitions used in the *Local Government Act* and Provincial Riparian Areas Regulation (RAR) shall apply.

(xlviii) replacing the first paragraph of Section 20.4.2 with the following:

The development permit for the Naramata towsite area includes General Commercial, Tourist Commercial and Low and Medium Density Residential designations in order to provide guidelines for the form and character of development of the towsite of Naramata (see Schedule 'E'). The purpose of this development permit area is to ensure that revitalization reflects and enhances the quality and uniqueness of the towsite with its small village character

(xlix) replacing Schedule 'B' (Official Community Plan Map), with a new Schedule 'B' (Official Community Plan Map), as shown on the attached Schedule 'U' (which forms part of this bylaw).

(l) replacing Schedule 'C' (Road and Trail Network Plan), with a new Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area), as shown on the attached Schedule 'V' (which forms part of this bylaw).

(li) replacing Schedule 'D' (Development Permit Areas), with a new Schedule 'D' (Watercourse Development Permit Areas), as shown on the attached Schedule 'W' (which forms part of this bylaw).

(lii) adding a new Schedule 'E' (Naramata Townsite Development Permit Area), as shown on the attached Schedule 'X' (which forms part of this bylaw).

(liii) adding a new Schedule 'F' (Road and Trail Network Plan), as shown on the attached Schedule 'Y' (which forms part of this bylaw).

10. The "Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:

(i) replacing the definition of "conservation area" under Section 4.0 (Definitions) with the following:

“conservation area” means land that is preserved and protected, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish. A Conservation Area does not include outdoor and indoor recreation services, or open land recreation;

- (ii) adding a new definition of “interpretive centre” under Section 4.0 (Definitions) to read as follows:

“interpretive centre” means a building that provides interpretation of a place of interest related to the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include accessory facilities such as a refreshment stand or gift shop.

- (iii) replacing Section 14.3 (Parks and Recreation Zone) under Section 14.0 (Administrative and Open Space) with the following:

14.3 PARKS AND RECREATION ZONE (PR)

14.3.1 Permitted Uses:

Principal Uses:

- a) parks;
- b) recreation services, outdoors;
- c) cemeteries;

Secondary Uses:

- d) carnivals, circuses and fairs;
- e) community hall;
- f) public moorage and marina;
- g) recreation services, indoor;
- h) one (1) accessory dwelling, subject to Section 7.11; and
- i) accessory buildings and structures, subject to Section 7.13.

14.3.2 Site Specific Parks and Recreation (PRs) Provisions:

- a) see Section 15.15

14.3.3 Minimum Parcel Size:

- a) Not applicable

14.3.4 Minimum Parcel Width:

- a) Not applicable

14.3.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

14.3.6 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres

14.3.7 Maximum Parcel Coverage:

- a) 25%

- (iv) replacing Section 14.4 (Conservation Area Zone) under Section 14.0 (Administrative and Open Space) with the following:

14.4 CONSERVATION AREA ZONE (CA)

14.4.1 Permitted Uses:

Principal Uses:

- a) conservation area;

Secondary Uses:

- b) interpretive centre;
- c) one (1) accessory dwelling, subject to Section 7.11; and
- d) accessory buildings and structures, subject to Section 7.13.

14.4.2 Site Specific Conservation Area (CAs) Provisions:

- a) see Section 15.16

14.4.3 Minimum Parcel Size:

- a) Not applicable

14.4.4 Minimum Parcel Width:

- a) Not applicable

14.4.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

14.4.6 Maximum Height:

- a) Not applicable

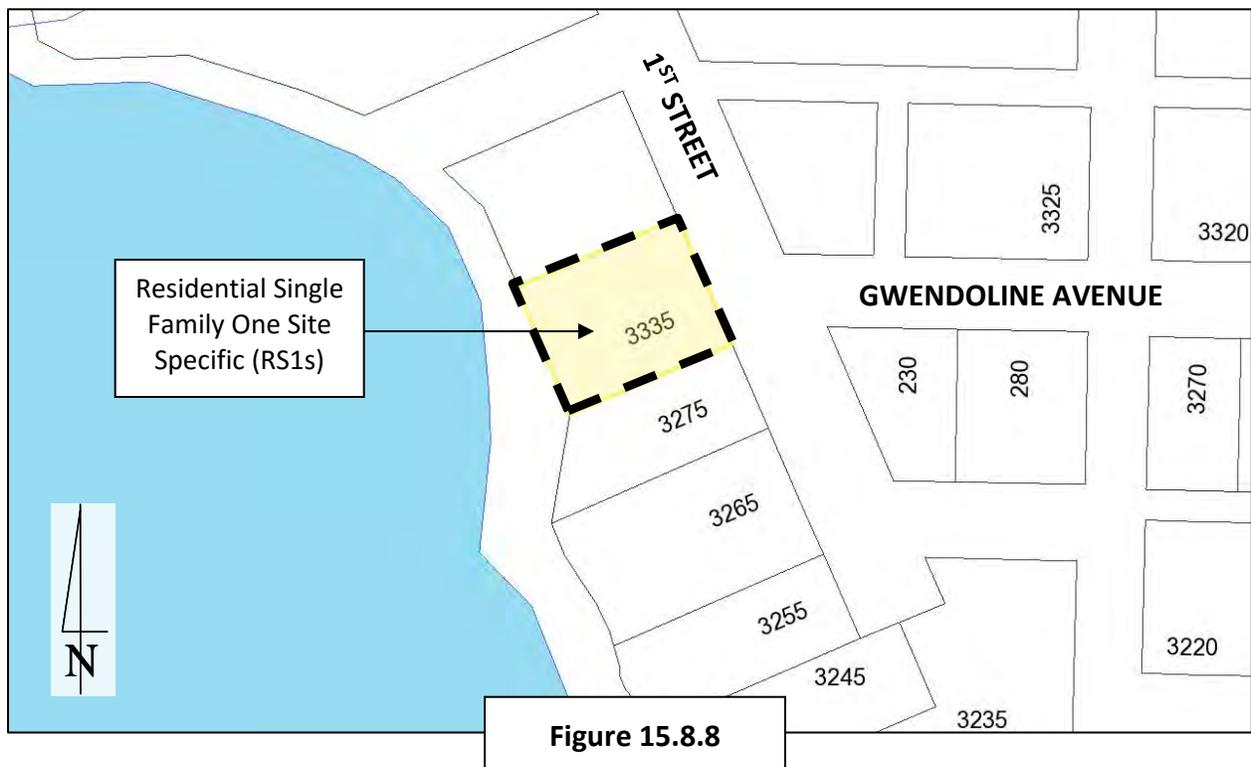
14.4.7 Maximum Parcel Coverage:

- a) 5%

- (v) adding a new sub-section 15.8.8 (Site Specific Residential Sing Family One) under Section 15.0 (Site Specific Designation) to read as follows:

.8 in the case of land described as Lots 4-6, Plan KAP1145, District Lot 210, SDYD, (3335 1st Street, Naramata) and shown shaded yellow on Figure 15.8.8:

- a) despite Section 11.1.6(a)(i), the minimum front parcel line setback for a building or structure shall be 4.0 metres;
- b) despite Section 11.1.6(a)(iv), the minimum interior side parcel line setback for a building or structure shall be 1.5 metres; and
- c) despite Section 11.1.8(a), the maximum parcel coverage shall be 37%.



- (vi) replacing Schedule '2' (Zoning Map) with a new Schedule '2' (Zoning Map), as shown on the attached Schedule 'Z' (which forms part of this bylaw).

Electoral Area "F"

11. The "Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008" is amended by:
 - (i) replacing the ninth paragraph of the recital to this bylaw with the following:

The Okanagan Lake West / West Bench Official Community Plan attached hereto as Schedules 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H' and forming part of this bylaw is adopted as the Regional District of Okanagan-Similkameen, Okanagan Lake West / West Bench Official Community Plan.
 - (ii) replacing the reference to Parks (P) under Section 3.0 (Official Community Plan Map Designations), with the following:

Parks, Recreation and Trails	PR
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 - (iii) replacing Section 4.1.6 with the following:

Identify, protect and enhance riparian areas (e.g. watercourses, lakes, rivers, marshes, and riparian areas) as Watercourse Development Permit (WDP) Areas and terrestrial areas (significant grasslands, forests, cliffs, and major steep slope areas) as Environmentally Sensitive Development Permit (ESDP) Areas in order to maintain the natural ecosystems, environmental quality, and aesthetic appeal of the area.

- (iv) replacing Section 12.0 (Parks and Natural Environment) in its entirety with the following:

12.0 PARKS, RECREATION AND TRAILS

12.1 Background

Parks are generally publicly owned areas that provide an opportunity for individuals to pursue leisure and recreation activities. In the Plan Area, parkland includes Crown land, land owned by the Regional District, land zoned for park purposes and land designated as park on a subdivision plan. Parkland also includes land or general areas that the Regional District may have an interest in for park in the future.

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

- **Regional Parks:** Selby, Mariposa and Bonin Parks are operated and maintained by the Regional District.
- **Kettle Valley Railway (KVR) Trail:** The sections of the KVR Trail that are publically owned and maintained by the Regional District are designated Parks, Recreation and Trails.
- **Provincial Recreation Areas:** Darke Lake Provincial Park, Enease Lakes Provincial Park, Kickinnee Provincial Park, Okanagan Lake Park are provincially designated Recreation Areas.
- **Other Recreation Areas:** a small area of land at Greata Ranch and “Camp Boyle”, which is operated by The Boy Scouts of Canada, have been designated as Park.

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

and backcountry hiking to cycle touring and off-road vehicle recreation.

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

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

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

12.2 Objectives

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

12.3 Policies

The Regional Board:

- .1 Encourages that all new trail projects are designed and constructed using provincial best management practices, in order to minimize the impact on the natural environment.
- .2 Seeks to mitigate existing and future conflicts between trail users, agricultural operators and rural landowners.
- .3 Encourages trails proposed on agricultural lands, including those located within the ALR, to be developed using Ministry of Agriculture guidelines.
- .4 Encourages tenure holders to preserve, steward and maintain trails to maintain the integrity of the larger trail system and the natural environments they traverse.
- .5 Encourages the Province to undertake a backcountry recreation planning process.
- .6 Encourages relevant provincial agencies and tenure holders to manage public access to the backcountry.
- .7 Seeks to work with regional partners and local environmental organizations to support wildlife education programs to minimize wildlife/human conflicts on trails.
- .8 Seeks to work with regional partners to ensure that trails within Plan Area boundaries include adequate parking, bear-proof garbage and recycling receptacles, and signage where feasible and appropriate.
- .9 Support trail use guidelines that promote “leave no trace” trail use.
- .10 Encourages the School Districts to establish joint use agreements to support the multiple use of school and school grounds in the community, particularly the West Bench elementary school.
- .11 Supports the Kettle Valley Railway right-of-way being preserved and utilized as a linear park and recreation corridor.
- .12 Seeks to continue to work towards developing a comprehensive system of linear parks, trails and pedestrian linkages throughout the Plan Area to accommodate a variety of uses, including but not limited to: walking, running, bicycling, horseback riding and cross country skiing.

- .13 Seeks to ensure that future linear parks, trails, and pedestrian linkages connect to existing and future parks, schools, Crown land, and natural open space, and allow for easy pedestrian access through residential areas.
- .14 Seeks to continue to provide universal access to recreational amenities in the Plan Area, including parks, trails, facilities and programs.
- .15 Strives to ensure that there are recreational opportunities that suit a variety of age groups and interests.

12.4 Parkland Dedication Policies:

The Regional Board:

- .1 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- .2 Recognises that the Plan Area is generally rural in nature, and that when land is acquired it should be focused upon lake accesses, greenways, and trails.
- .3 May determine, in accordance with Section 510 of the *Local Government Act*, at the time of a subdivision to which Section 510 applies, whether the owner of land being subdivided must:
 - a) provide without compensation, park land in an amount equivalent to 5% of the land being proposed for subdivision and in a location acceptable to the Regional District; or
 - b) pay to the Regional District an amount that equals the market value of the land that may be required for park land purposes.
- .4 May consider, when determining a potential park land dedication under Section 510 of the *Local Government Act*, the following policies:
 - a) proximity to settlement areas, other parks & trails, and bodies of water;
 - b) distance from environmental hazard areas;
 - c) average slope should be 10% or less;
 - d) adequate accessibility:

- i) vehicular ingress and egress should meet or exceed Ministry of Transportation standards;
 - ii) in the case of trails and pedestrian-access only parks, there should be various linkages to and from the trail or park, with at least one linkage wide enough to allow for maintenance vehicle access;
 - e) cultural or natural features of significance;
 - f) potential for additional dedication of parkland from subdivision applications of surrounding parcels; and
 - g) potential for recreation (active park), conservation (passive park) or enhancement of public access.
- .5 Considers that park land proposals should provide a benefit for the community and those lands with no benefit to the community should not be accepted.
- .6 Strongly prefers that land being considered for parkland be maintained in its natural state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed parkland is to be used for recreational uses which require cleared lands, or can be reclaimed for park purposes.
- .7 Encourages developers to dedicate greater than 5% park land in areas where parkland is desired.
- .8 Considers that if cash in-lieu is chosen at the time of subdivision for park acquisition and development in the Plan Area, the preference is that the benefits accrue to those communities from which the funds are received.
- .9 Where environmentally sensitive areas or Critical Habitat for species at risk have been identified, encourages developers to donate such lands to a conservation organisation or the Regional District in addition to the parkland or cash in-lieu required by the Act.
- (v) adding the following as Section 13.0 (Natural Environmental & Conservation) and renumbering the subsequent sections accordingly:

13.0 NATURAL ENVIRONMENT & CONSERVATION

13.1 Background

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

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

The Plan Area itself is home to many unique environmental features, including the silt benches above Okanagan Lake and Trout Creek valley as well as various other lakes and streams important to biodiversity in the area.

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

In order to protect important sensitive ecosystems and biological diversity including valuable habitat areas for wildlife and plant communities, the Regional District has implemented an Environmentally Sensitive Development Permit (ESDP) Area. These areas generally comprise privately held lands not in the Agricultural Land Reserve (ALR) that possess "high" and "very high" ecologically sensitive classifications as identified by the *Keeping Nature in our Future: A Biodiversity Conservation Strategy for the South Okanagan-Similkameen* (2012) prepared by South Okanagan Similkameen Conservation Program (SOSCP), and is described further in Section 17.2 of this Plan.

Other ecologically sensitive lands found on Crown land or privately held land in the ALR have not been formally designated as an ESDP Area but are equally sensitive and are shown on Schedule 'H' as an

“Important Ecosystem Area” and is described further in Section 17.2 of this Plan.

As a local government listed under Section 3 of the *Riparian Area Regulation*, the Regional District has implemented a Watercourse Development Permit (WDP) Area designation in order to protect riparian areas; being lands within 30.0 metres of the high water mark of streams and ravines including lakes, watercourses and wetlands, and as described further at Section 17.3 of this bylaw.

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

13.1.1 Objectives - General

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

13.1.2 Policies - General

The Regional Board:

- .1 Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives.
- .2 Recognizes and encourages the educational and eco-tourism contribution toward protection of the community’s natural environment made by environmental organizations, and supports accommodating these uses with the necessary changes to the land use designations so long as the general intent of policies in this Plan are met.

- .3 Requires that, where a proposed development affects land subject to an Environmentally Sensitive Development Permit Area, an Environmental Assessment (EA) be prepared by a Qualified Environmental Professional (QEP) in accordance with the policies outlined at Section 17.2 as well as relevant federal and provincial best management guidelines.
- .4 Requires that EA reports prepared by QEPs be undertaken in accordance with the Regional District's Development Procedures Bylaw.
- .5 Supports the incorporation of traditional ecological knowledge in the stewardship of important foreshore, riparian, and terrestrial ecosystems, and will seek to work with the Penticton Indian Band, Osoyoos Indian Band, Upper Similkameen Indian Band and Lower Similkameen Indian Band to incorporate it where feasible, practical and appropriate.

13.2 Riparian and Foreshore Areas

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

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

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

Trees like Black Cottonwood that once were common in these areas have been removed and replaced with non-native trees or invasive trees like Russian Olive and Siberian Elm. Some limited areas of willow, birch, red osier dogwood and other shrubs remain in foreshore areas, but much of the developed area has been replaced

by lawns and landscaped yards. Road construction near, or within riparian areas is also common. Agriculture impacts are significant and range from infilling to cultivation and livestock use.

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

Generally, land above the high water mark (natural boundary) is privately held and land below the high water mark belongs to the Crown and forms part of the water resource in the province. Land within 30.0 metres of the high water mark or a stream or a ravine is identified as being within a Watercourse Development Permit Area and any development within this area may require a Development Permit (see Section 17.3). Other activities that are subject to regulation include dock construction and modification, mooring buoy installation, and shoreline modifications (including sand, soil, vegetation removal, disturbance, and addition).

13.2.1 Objectives

- .1 Foster community awareness of the importance and sensitivity of the riparian and foreshore environments in the Plan Area.
- .2 Protect aquatic habitat areas and associated environmentally sensitive areas from negative impacts of development as identified in Schedule 'H' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) and Schedule 'G' (Watercourse Development Permit Areas).
- .3 Improve and better manage waterfront public access along the Okanagan Lake shoreline, while limiting the overall number of public access points.
- .4 Minimize and avoid development in high hazard soil instability areas on the Okanagan Lake foreshore and riparian area.
- .5 Encourage high quality lakeshore development that maintains the natural character of all lakes and sustains the sensitive riparian and foreshore ecosystems.

- .6 Conserve, protect and enhance surface, ground and aquifer water sources in cooperation with provincial ministries, local water purveyors and landowners.
- .7 Identify, manage and protect significant watercourses to maintain their natural habitat and environmental quality.

13.2.2 Policies

The Regional Board:

- .1 Recognises riparian values and, in accordance with the provincial *Riparian Area Regulation*, has designated land within 30.0 metres of the high water mark of a stream or a ravine as a development permit area. Land designated as a Watercourse Development Permit Area shall be developed according to the guidelines outlined in Section 17.3 (Watercourse Development Permit Area) of this Plan, unless an exemption applies. The Watercourse Development Permit Area includes the lands within 30.0 metres of the high water mark of a stream or ravine identified on Schedule 'G'.
- .2 Encourages provincial and federal water and resource managers to protect and enhance water quality, base flows, natural drainage patterns, and continuous riparian corridors of sufficient width to accommodate the dynamic nature of the hydrologic system, to avoid and reduce flood damage, to avoid the need for channel stabilization, to avoid underground drainage systems, to avoid groundwater interruption, and to protect and sustain aquatic biota, important fish populations and habitats.
- .3 Supports efforts that maintain appropriate riparian buffers, determined by qualified professionals that take into account processes of natural erosion, deposition and movement of natural stream boundaries, floodplain provisions and sensitive terrestrial habitats
- .4 Continues to work with the Okanagan Basin Water Board (OBWB) to promote the shared water interests of Okanagan communities.
- .5 Encourages and supports the analysis of ground water hydrology in areas with identified aquifers, and requires environmental assessments in advance of considering zoning

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

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

13.3 Terrestrial Areas

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

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

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

13.3.1 Objectives

- .1 Protect and steward sensitive and important terrestrial ecosystem areas as identified in Schedule 'H' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area).
- .2 Encourage provincial and federal governments, private organizations and private landowners to protect, enhance and manage critical habitat areas for species at risk in the Plan Area.

- .3 Work cooperatively with regional partners and support rehabilitation, restoration and enhancement of wildlife habitats and environmentally sensitive areas that have been subject to negative impacts in the past.
- .4 Encourage and facilitate linkages of protected habitat areas.

13.3.2 Policies

The Regional Board:

- .1 Recognizes the values of environmentally sensitive lands and has on Schedule 'H':
 - a) Designated these lands as an Environmentally Sensitive Development Permit Area pursuant to Section 488(1)(a) of the *Local Government Act*; or
 - b) Identified these lands as an "Important Ecosystem Area".
- .2 Requires that land designated as an Environmentally Sensitive Development Permit Area shall be retained in a natural state and not developed prior to the issuance of an Environmentally Sensitive Development Permit (ESDP) in accordance with the guidelines outlined at Section 17.2 of this Plan, unless an exemption applies.
- .3 Considers that land identified as an "Important Ecosystem Area" should generally be retained in a natural state and, if a re-designation of the land under the OCP or a re-zoning of the land under the Zoning Bylaw is proposed, that these lands be considered for inclusion in the Environmentally Sensitive Development Permit Area in Schedule 'H'.
- .4 Encourages the parcel sizes of land designated as an Environmentally Sensitive Development Permit Area or identified as an Important Ecosystem Area on Schedule 'H' to remain as large as possible to protect these habitat areas.
- .5 Will not support the re-designation of land under the OCP or the re-zoning of land under the Zoning Bylaw where it is determined that the proposed development is contrary to the ESDP Area Guidelines of this Plan and the impact cannot be mitigated to a level acceptable to the Regional Board.
- .6 Will strive for development that avoids impacting important native species, habitats, ecosystems or sensitive areas and to

retain important ecosystem features and functions. Responsiveness to this policy will be a very important consideration in the approval of an application.

- .7 Encourage the protection, preservation, enhancement and management of sensitive ecosystems or land contiguous to sensitive ecosystems of private lands through the following methods:
 - a) donation of areas to the Regional District or provincial government;
 - b) donation of areas to a land trust or conservation organization;
 - c) introduction of conservation area designation and zoning;
 - d) creation of conservation covenants in favour of municipal, provincial government, private conservation organizations;
 - e) establishment of statutory right of ways under the *Land Title Act* for affected areas;
 - f) establishment of long-term leases for sensitive areas;
 - g) land stewardship and participation in conservation initiatives by the private landowner; or
 - h) consideration of alternative development standards.
- .8 Supports conserving, enhancing and promoting the protection of wildlife corridors and ecosystem connectivity with interfacing Crown lands.
- .9 Encourages the use of native vegetation to restore disturbed sites.

13.4 Conservation Areas

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

Conservation Area lands may include Crown land designated as an Ecological Reserve or Wildlife Management Areas, but is generally applied to private lands that have been acquired or donated for

conservation purposes and which are held by an individual or an organisation, such as The Nature Trust of British Columbia or the Nature Conservancy of Canada. In the Plan Area, there are currently no lands that have been designated for conservation purposes.

For a map of Conservation Areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

13.4.1 Objectives

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

13.4.2 Policies

The Regional Board:

- .1 Recognizes and encourages the educational and eco-tourism contributions toward protection of Conservation Areas made by environmental organizations, and supports accommodating these uses where they do not conflict with Conservation Area objectives.
- .2 Supports the incorporation of traditional ecological knowledge in the stewardship of Conservation Areas, and will seek to work with local First Nations to incorporate it where feasible, practical and appropriate.

- (liv) adding a new section Section 16.2 (Watercourse Development Permit (WDP) Area) and renumbering the subsequent sections accordingly:

16.2 Environmentally Sensitive Development Permit (ESDP) Area

.1 Category

The Environmentally Sensitive Development Permit (ESDP) Area is designated pursuant to Section 488(1)(a) of the *Local Government*

Act for the protection of the natural environment, its ecosystems and biological diversity.

.2 Area

The lands shown as Environmentally Sensitive Development Permit Area on Schedule 'H' are designated as an Environmentally Sensitive Development Permit Area.

.3 Justification

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

.4 Background

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

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

The ESDP Area is comprised of important habitat areas for wildlife and plant communities. Sensitive ecosystems in the area include grasslands, riparian areas, old forest, shrub-steppe, broadleaf woodland, coniferous woodland, wetlands, shallow soiled rock outcrops and ridges. It is the close proximity of these diverse

habitats that contribute to a wide variety of species, both common and rare, that are found in this Electoral Area.

.5 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 17.6.8 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

.6 Guidelines

- .1 A Development Permit is required for development within an ESDP Area, and shall be in accordance with the following guidelines:
 - a) An Environmental Assessment (EA) Report, prepared in accordance with the requirements of the Regional District's Development Procedures Bylaw, must be submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that shall include a RPBio under contract to the development applicant, and shall include:
 - i) An Ecological Assessment Phase including:
 - .1 background information;
 - .2 an ecological assessment;
 - .3 listing of rare and endangered species; and
 - .4 stratification and rating of Environmentally Sensitive Areas (ESAs).
 - ii) An Impact Assessment and Mitigation Phase including:
 - .1 description of proposed development;
 - .2 assessment of potential impacts;

- .3 short and long term impacts;
 - .4 cumulative and residual impacts;
 - .5 avoidance of ESAs;
 - .6 mitigation and compensation;
 - .7 security requirements;
 - .8 monitoring reports;
 - .9 accountability; and
 - .10 monitoring plan.
- b) Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees.
 - c) Habitat connectivity and the retention of connectivity corridors between sensitive ecosystems should be preserved. Wildlife crossings should be designed to protect continuity of wildlife corridors where these are interrupted by roadways.
 - d) Monitoring reports may be required to be submitted to the Regional District following the completion of a development in order to confirm the conditions of a development permit have been met.
 - e) The Regional District may incorporate any areas or measures identified in an EA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.
- .2 If an area of land is subject to additional Development Permit Area designations under Section 488(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

.7 Expedited Development Permit

- .1 Despite sub-section 16.2.6.1(a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report for development where:
 - a) A REA, prepared in accordance with the Regional District's Development Procedures Bylaw, has been submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia or team that includes a Registered Professional Biologist in British Columbia (RPBio) under contract to the development applicant, and includes:
 - i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.
 - ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:
 - .1 there is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or
 - .2 known EVR occurrence(s) have been identified and:
 - a) measures have been prescribed to avoid impacts; or
 - b) acceptable restoration/mitigation have been prescribed.
 - iii) recommended avoidance or mitigation measures if known EVR occurrences have been identified.
 - b) If a QEP cannot certify the absence of EVRs or that impacts have been avoided or acceptably mitigated through a REA, an EA as outlined under sub-section 16.2.6.1(a) will be required.
 - c) The Regional District may incorporate any areas or measures identified in a REA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

.8 Exemptions

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

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

.9 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.

(vi) replacing Section 16.2.2 (Watercourse Development Permit Area) with the following:

The lands within 30 metres of a stream or ravine including lands within 30 metres of a stream or a ravine shown as Watercourse Development Permit Area on Schedule 'G' are designated as a "Watercourse Development Permit Area".

The definitions used in the *Local Government Act* and Provincial Riparian Areas Regulation (RAR) shall apply.

(vii) replacing Schedule 'B' (Official Community Plan Map), with a new Schedule 'B' (Official Community Plan Map) as shown on the attached Schedule 'AA' (which forms part of this bylaw).

(viii) replacing Schedule 'G' (Watercourse Development Permit Area), with a new Schedule 'G' (Watercourse Development Permit Area) as shown on the attached Schedule 'BB' (which forms part of this bylaw).

(ix) adding a new Schedule 'H' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area), as shown on the attached Schedule 'CC' (which forms part of this bylaw).

12. The "Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:

(i) adding a new definition of "conservation area" under Section 4.0 (Definitions) to read as follows:

"conservation area" means land that is preserved and protected, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish. A

Conservation Area does not include outdoor and indoor recreation services, or open land recreation;

- (ii) adding a new definition of “interpretive centre” under Section 4.0 (Definitions) to read as follows:

“interpretive centre” means a building that provides interpretation of a place of interest related to the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include accessory facilities such as a refreshment stand or gift shop.

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

“parks” means any publicly-owned, held or beneficially owned outdoor land or facility specifically designed for passive or active recreation including tot-lots, playgrounds, walkways, trails, band shells, greenbelts, buffers, nature interpretation areas, or similar land uses, including all uses permitted in Provincial Parks, and all natural and constructed landscaping, facilities, playing fields, buildings and structures consistent with the general purpose of public park land;

- (iv) adding a new definition of “recreation services, indoor” under Section 4.0 (Definitions) to read as follows:

“recreation services, indoor” means facilities within an enclosed building for sports, active recreation and cultural arts and may include but are not limited to athletic clubs, health and fitness clubs, swimming pools, curling clubs, hockey rinks, bowling alleys and racquet clubs;

- (v) adding a new definition of “recreation services, outdoor” under Section 4.0 (Definitions) to read as follows:

“recreation services, outdoor” means facilities that are available to the general public for sports and active recreation conducted outdoors. Typical uses include but are not limited to ball fields and athletic fields;

- (vi) adding a reference under Section 6.1 (Zoning Districts) to “Conservation Area CA” as an Administrative and Open Space zoning.

- (vii) replacing Section 15.2 (Parks and Recreation Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.2 PARKS AND RECREATION ZONE (PR)

15.3.1 Permitted Uses:

Principal Uses:

- a) parks;
- b) recreation services, outdoors;
- c) cemeteries;

Accessory Uses:

- d) carnivals, circuses and fairs;
- e) community hall;
- f) public moorage and marina;
- g) recreation services, indoor;
- h) one (1) accessory dwelling, subject to Section 7.11; and
- i) accessory buildings and structures, subject to Section 7.13.

15.2.2 Site Specific Parks and Recreation (PRs) Provisions:

- a) see Section 16.20

15.2.3 Minimum Parcel Size:

- a) Not applicable

15.2.4 Minimum Parcel Width:

- a) Not applicable

15.2.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.2.6 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres

15.2.7 Maximum Parcel Coverage:

- a) 25%

(viii) adding a new Section 15.3 (Conservation Area Zone) under Section 15.0 (Administrative and Open Space) with the following:

15.3 CONSERVATION AREA ZONE (CA)

15.3.1 Permitted Uses:

Principal Uses:

- a) conservation area;

Secondary Uses:

- b) interpretive centre;
- c) one (1) accessory dwelling, subject to Section 7.11; and
- d) accessory buildings and structures, subject to Section 7.13.

15.3.2 Site Specific Conservation Area (CAs) Provisions:

- a) see Section 16.21

15.3.3 Minimum Parcel Size:

- a) Not applicable

15.3.4 Minimum Parcel Width:

- a) Not applicable

15.3.5 Minimum Setbacks:

- a) Buildings and structures:
 - 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

15.3.6 Maximum Height:

- a) Not applicable

15.3.7 Maximum Parcel Coverage:

- a) 5%

- (ix) amending Section 16.20 (Site Specific Park and Recreation Provisions) under Section 16 (Site Specific Designations) to read as follows:

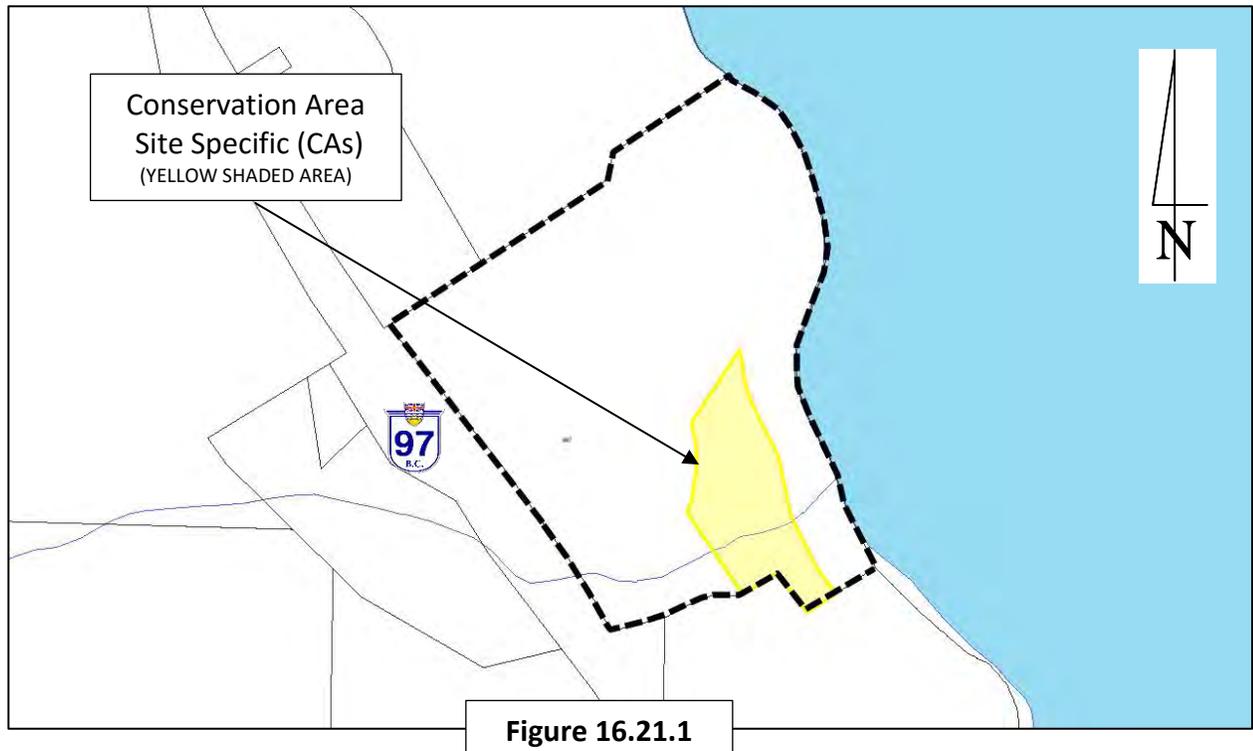
16.20 Site Specific Parks and Recreation (PRs) Provisions:

- .1 *deleted.*

- (x) adding a new Section 16.21 (Site Specific Conservation Area Provisions) under Section 16 (Site Specific Designations) to read as follows:

16.21 Site Specific Conservation Area (CAs) Provisions:

- .1 in the case of an approximately 1.1 ha part of the land described as Lot 1, Plan KAP83541, District Lot 2537, ODYD, Except Plan KAP85241 (697 Highway 97) and shown shaded on Figure 16.21.1:
 - i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 15.3.1:
 - a) eating and drinking establishment.



- (xi) replacing Schedule '2' (Zoning Map) with a new Schedule '2' (Zoning Map), as shown on the attached Schedule 'DD' (which forms part of this bylaw).

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 Parks, Recreation, Trails and Environmental Areas Update Amendment Bylaw No. 2710, 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

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'A'

[Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008](#)
[Schedule 'B' \(OCP Map\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'B'

[Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008](#)
[Schedule 'C' \(Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area\)](#)

Regional District of Okanagan-Similkameen

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

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'C'

Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008
Schedule 'D' (Watercourse Development Permit Area)

Regional District of Okanagan-Similkameen

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

Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'D'

[Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008](#)
[Schedule 'E' \(Road and Trail Network Plan\)](#)

Regional District of Okanagan-Similkameen

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

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'E'

[Electoral Area "A" Zoning Bylaw No. 2451, 2008](#)
[Schedule '2' \(Zoning Map\)](#)

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'F'

[Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008](#)
[Schedule 'B' \(OCP Map\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

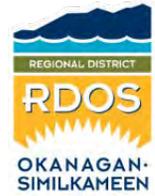
Schedule 'G'

[Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008](#)
[Schedule 'C' \(Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area\)](#)

Regional District of Okanagan-Similkameen

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

Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'H'

[Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008](#)
[Schedule 'D' \(Watercourse Development Permit Area\)](#)

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

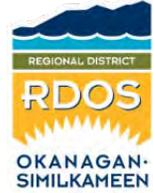
Schedule 'I'

[Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008](#)
[Schedule 'E' \(Protection of Farming Development Permit Area\)](#)

Regional District of Okanagan-Similkameen

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

Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'J'

[Electoral Area "C" Zoning Bylaw No. 2453, 2008](#)
[Schedule '2' \(Zoning Map\)](#)

Regional District of Okanagan-Similkameen

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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'K'

[Electoral Area "D" Zoning Bylaw No. 2457, 2008](#)
[Schedule '2' \(Zoning Map\)](#)

Regional District of Okanagan-Similkameen

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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'L'

[Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013](#)
[Schedule 'B' \(OCP Map\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'M'

[Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013](#)
[Schedule 'C' \(Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area\)](#)

Regional District of Okanagan-Similkameen

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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'N'

[Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013](#)
[Schedule 'D' \(Watercourse Development Permit Area\)](#)

Regional District of Okanagan-Similkameen

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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'O'

[Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013](#)
[Schedule 'E' \(Form and Character Development Permit Areas\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'P'

[Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013
Schedule 'F' \(Hillside and Steep Slope Development Permit Areas\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'Q'

[Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013](#)
[Schedule 'G' \(Transportation and Trail Network\)](#)

Regional District of Okanagan-Similkameen

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

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'R'

[Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013](#)
[Schedule 'H' \(Aggregate Potential\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'S'

[Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013](#)
[Schedule 'I' \(Wildfire Hazard\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'T'

[Electoral Area "D" Zoning Bylaw No. 2455, 2008](#)
[Schedule '2' \(Zoning Map\)](#)

Regional District of Okanagan-Similkameen

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

Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'U'

[Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008](#)
[Schedule 'B' \(OCP Map\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'V'

[Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008](#)
[Schedule 'C' \(Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'W'

[Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008](#)
[Schedule 'D' \(Watercourse Development Permit Area\)](#)

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'X'

[Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008](#)
[Schedule 'E' \(Naramata Townsite Development Permit Area\)](#)

Regional District of Okanagan-Similkameen

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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'Y'

[Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008](#)
[Schedule 'F' \(Road and Trail Network Plan\)](#)

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'Z'

[Electoral Area "E" Zoning Bylaw No. 2459, 2008](#)
[Schedule '2' \(Zoning Map\)](#)

Regional District of Okanagan-Similkameen

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Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'AA'

[Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008](#)
[Schedule 'B' \(OCP Map\)](#)

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'BB'

[Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008](#)
[Schedule 'G' \(Watercourse Development Permit Area\)](#)

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'CC'

[Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008](#)
[Schedule 'H' \(Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area\)](#)

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2710, 2017

Project No: X2015.100-ZONE

Schedule 'DD'

[Electoral Area "F" Zoning Bylaw No. 2461, 2008](#)
[Schedule '2' \(Zoning Map\)](#)

From: Adam Patterson
Sent: March-31-16 1:33 PM
To: White, Bryn E FLNR:EX; Planning
Subject: RE: Regional District Okanagan Similkameen Invitation to Qualified Environmental Professionals

Hi Bryn,

Sorry for the late timing but I was able to collect the following few points from a circulation in our office:

Checklist:

- Could include property description, such as zoning/ALR, size, which jurisdiction/OCP guidelines apply
- Under riparian might be good to have a checkbox for lake and stream
- Could include fish habitat/spawning category
- Under Environmentally valuable resources include Large Lakes Protocol Zoning – not necessary but provides a heads up if the property is in a Black Zone/mussel zone etc.
- Another habitat feature could include rock outcrop/cliff

Perhaps a bit clarification around whether both the EA and rapid checklist are required for all DP's or whether just the rapid checklist can be completed if there are no sensitive features could be included. The Terms of Reference appear to be quite comprehensive.

Hope that helps! Thanks,

Adam Patterson, R.P.Bio.
Natural Resource Biologist
ECOSCAPE Environmental Consultants Ltd.

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Please consider the environment before printing this e-mail

Many thanks for hosting this information session. I wish to follow-up on the discussion regarding the Draft Terms of Reference – Professional Report that the RDOS is releasing:

My comments are more of a professional context/content aspect being an R.P.Bio. for close to twenty years in BC, the former President of the Association of Professional Biologists and entering my second term as a College Councilor with the College of Applied Biology, rather than solely from the firm I currently am employed with.

Suggest the title should clearly reflect the scope with an indication that this document is solely for environmental assessment submissions to the RDOS and suggest the citation be more aptly named Terms of Reference – Professional Environmental Assessment Reporting. Suggest the introductory scope more clearly outline the rationale [purpose] to more clearly reflect the proposed change that only Registered Professional Biologists must be the lead and senior author of these reports. I would suggest that R.P. Tech. also be suitably endorsed for completing these reports and suggest College of Applied Biology requirement for this be explored by reviewing the required qualifications as outlined in the following link: <https://www.cab-bc.org/membership-categories/registered-biology-technologist>

I suggest the introduction include a discussion as the Region's overall context of a phased aspect into completing and reporting out on environmental assessments, as was outlined during the presentation. I was initially confused when data deliverables were organized into Phase when the content was outlining report requirements.

Section 2.2.4 Site Maps: suggest have an initial existing condition figure, followed by a proposed development plan. Placing details such as item b) post development contours - will result in an overly complicated drawing.

Section 2.2.4.e) maybe a typo to reference Section 2.3.2(?), rather than 2.4?

Section 2.2.4.f) aquatic features should be more specific stating "surface waterbodies and defined waterway channels whether flowing or not". Therein my experience has needed to confirm intermittent waterways shown many times on background maps are waterways placed solely based on topology and have no defined channel characteristics.

Section 2.2.6 Referencing: is not "developed to certify" but rather suggest "compiled and verify".

Section 2.3.1 "from other interested parties" is hard from a consultants viewpoint to ascertain who else may be interested and how is this substantiated, consider "third party or grey literature"; also typo - "neighbour~~s~~".

Section 2.3.2 suggest stipulate the requirement to adhere to existing and most current RISC standards, see: <https://www.for.gov.bc.ca/hts/risc/>

Section 2.3.2c) BEC/TEM/SEI 's are provincially compiled and available and suggest be included as separate base mapping figures to outline current recognition of subject property conditions

Section 2.3.2d) please give some requirement as to distance depicting "adjacent lands" must extend to as I consider this something different than just neighbouring parcels

Section 2.3.2e) suggest deleting the use of "or" to be more meaningful and inclusive

Section 2.3.2h) if contours and cross sections are required then ", if available," is redundant or are contours and cross sections only deliverable "if available"?

Section 2.3.2i) suggest to include ditches

Section 2.3.2j) is asking for a Phase 1 Contaminant Site land use history and seems rather excessive and hard to substantiate without a time frame and suggest current land owner use

Section 2.3 has a typo "IMPABC suggest be "iMapBC" (?) and the requirement that "inventory must be conducted, in the appropriate seasons" is too onerous and suggest that this be a requirement when species at risk habitat has been documented and a pre-disturbance survey becomes a requirement to be undertaken "according to RISC standards in the appropriate season in which the species may be detected"

Section 2.4 "generally applies" suggest be replaced more simply with "applies"

Section 5 is the first time the word "restoration" is used and suggest replacing that throughout with "rehabilitation" more or as the ESA verbiage uses "habitat improvements" as true restoration is not attainable nor desirable given pending climate change expectations

Section 6.e) "reported sightings of uncommon species" needs clarification as to where these reports are kept and consideration if indeed a new or simply 'lost' migrant

Section 6.g) not aware of any source to identify subsurface flow and recharge areas as an ecosystem at risk, beyond the Registered Biology scope for sure and suggest that be deleted

Section 6.j) appreciate more clarity to this requirement as to scope/distance of "surrounding land uses" and how this is completed and reported out

And similar comments to

Section 2.4.4 that again states "consider cumulative impacts....in surrounding lands" as well as "subsurface drainage"

Section 2.4.6b) suggest QEP be replaced with R.P. Bio.

Section 2.4.6c) suggest delete "plant"

Section 2.4.6e) suggest insert "potential" nesting sites

Section 2.4.6g) suggest remove "and fish"

Section 2.4.8 suggest greater clarity be given as to monitoring time length required to ensure bonding letter reflects that time period

Section 2.4.11.c) suggest clarity be given on circumstances when "the District must be given the authorization to stop work" without recognition that they have the appropriate QEP certification for environmental monitoring

Section 2.5 suggest similar consideration for R.P.B.Tech as being suitable to undertake this work and recognition that REA's applies to single residential development, modifications to existing residences and ancillary structures that do not alter the existing permitted use

Section 5.1.b).i) suggest wetlands be replaced with or minimally include surface waters

Section 5.1.F0 suggest where listed species are required to be considered – are they to include sightings or uncommon species

The REA Checklist suggest to include an "n/a" column and the occurrence of listed species define where they are listed and that the Comments are for RDOS staff

Again, trust that the above may be of use and would appreciate a final opportunity to comment once final revisions have be drafted ~

I also look forward the changes in the current brochures found on-line regarding Qualified Environmental Professional and the Environmental and Watercourse Development Permits

From: Lalonde
To: Christopher Garrish
Subject: a question re ESDP proposal
Date: January-15-16 9:28:38 AM

Hello Chris,

Further to our meeting yesterday at the RDOS office, there was another question I meant to ask. At the public presentation in Naramala on Monday evening you mentioned that the Government authorized the Regional District to effectively prevent or minimize development. Could you point me to the legislation that specifically deals with this effective capture of private property for conservation?

To reiterate what we discussed yesterday, we still ask that the RDOS remove our property at 503 Newton Drive from the proposed ESDP areas; to be in-line/consistent with the way it was applied to the rest of the West Bench area.

Thank you for your time,

Gerry Lalonde

From: kowalchuk
To: Christopher Garrish
Cc: Karla Kozakevich
Subject: Area E - Proposed Environment Development Permit Area (ESDP)
Date: January-13-16 10:22:38 AM
Attachments: Family.vcf

Chris

I am following up on your presentation at the Open House for Area E this past Monday, on the Proposed Environment Development Permit Area (ESDP).

We request that the following properties be excluded from the proposed new ESDP area:

- Lot A Plan KAP 91675 DL 2711 SDYD- Known as Naramata Benchlands Phase 2.
- Proposed Lot 2 (+/- 14.3 ha) currently in the subdivision process with RDOS and MOT- DL 3474 SDYD Except Plans KAP44343, KAP53674 and KAP59640 & Lot A DL 3474 SDYD Plan KAP 58675, Except Plan KAP 86517 - Known as (Naramata Benchlands Phase 3) – zoning swap 41 Residential Lots for creating the Conversation area Below

The RDOS has extensive knowledge of these lands previously provided by Naramata Benchlands and the previous owner Blackwell Stores that was not considered when the proposed ESDP mapping was prepared. If you require additional information or clarification on these properties please contact me immediately.

We look forward to being provided mapping that reflects these these properties being excluded from the ESDP area.

Regards

Randy Kowalchuk
Naramata Benchlands

 This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: Jerrilynn DeCock
To: Christopher Garrick
Subject:
Date: January-04-16 11:06:13 AM

Happy New Year Christopher. Since the meeting was set so close to Christmas, I left this until now. You had said to me that the person doing the maps would have to see my place to evaluate the environmental sensitivity of my property because the map was just made up of all the existing properties without actually seeing them. How do I go about this now please?

Also, I am very concerned with the fire hazard map and guess that it was made up simply by trees near residences. It is well enough known around here that the people and vehicles on the road are the greatest fire hazard and yet the roadway was not classified. In fact, I argue that the fact that people are living here and can report and fight a fire before it becomes a wildfire should have the area around residences as lower risk. There is greater risk of a wildfire in the wilderness where there is no-one to report a fire start from lightning. Of course, that same argument would apply to around habitation when no one is home.

My water system has a 1000 US gal cistern that I am not allowing to get below half full. I have a 50 foot hose and nozzle connected to a pressurized tap in the room and coiled for quick withdrawal for use in the event of fire so I have some fire protection. The cistern room is at the back of the house near the back door and not far from the wood stove.

Jerrilynn DeCock, P. Eng. Retired
Senior Electrical Engineer

Re: Update of Environmentally Sensitive Development Permit (ESDP) Areas

Having been lucky enough to live in Area F the majority of my life, I am appreciative of the beautiful environment that we residents of the south Okanagan are blessed with. That beautiful environment is the reason many people desire to move here, resulting in demand for land development. As a potential land developer, I see the foolishness of ruining the environment that creates that demand, and would prefer to collaborate with the RDOS and other agencies to minimize the impact on, and preferably enhance, the environment.

However, I feel this needs to be a cooperative effort, with professional expertise and on-site study, taking precedent. I do not feel that a landowner, RDOS, nor any other agency, should be able to veto a qualified professional's recommendations.

Specifically, as an RDOS constituent and taxpayer, I support the proposed changes, subject to the comments/conditions listed below:

Removal or alteration of proposed wording in the OCP (13.3.2 policy #5), ESDP (guideline # 2), etc., such that the developer, RDOS, nor other agency, can veto or contravene site-specific Environmental Assessment reports from Qualified Environmental Professionals.

Thank you for your consideration.

John Chapman
John Chapman

Chris Garrish
RDOS101 Martin Street
Penticton, BC V2A 5J9

December 15, 2015

Dear Mr. Garrish,

At the information meeting held in Osoyoos on December 14, 2014 regarding the proposed changes to the ESDP areas in RDOS Area A, there was a map displayed that showed the areas to be included in the proposed ESDP area.

One of the areas proposed to be made into an ESDP area was my property at 89th Street, Osoyoos, Lot B, Plan KAP66886, DL 2450S, SDYD, PID 024-814-407,. I do not agree that this property is environmentally sensitive except in the foreshore area adjacent to Osoyoos Lake, which is protected by existing regulations.

In 2013 I had a Terrestrial Environmental Assessment completed on that property by John Grods, R.P.Bio of Makonis Consulting Ltd. This assessment concluded that the only high value, ESA 1, land is the foreshore of Osoyoos Lake. The majority of the land is ESA 4 and ESA 3. There is a small area adjacent to 89th Street that is classed as ESA 2. (See paragraph 3.0 Environmental Sensitive Areas on page 7 and paragraph 4.0 Recommendations on page 8 as well as the ESA map at Figure Two on page 14)

I enclose a copy of the Terrestrial Environmental Assessment dated 31 October 2013.

I respectfully request that the property at 89th Street, Osoyoos, Lot B, Plan KAP66886, DL 2450S, SDYD, PID 024-814-407, be removed from the proposed ESDP area map.

Yours sincerely,

Susan Cooper

Michael, hope you are well.

I have a conflicting engagement tomorrow evening so unfortunately cannot attend the Area F meeting.

Here are my comments on ESDPs and other matters of concern:

1. ESDPs are long overdue; good on you for bringing them to Area F. The mapping provided by RDOS does not seem entirely accurate – the pdf file provided does not completely match the kmz. I used the kmz for review. I'm assuming you've used the Keeping Nature conservation ranks but have attempted to separate Crown from private lands for designation? I can see errors in the mapping including ESPD designation over lakeshore fronting Crown provincial parkland – where I believe the park boundaries actually extend into the lake. If your Crown/private base mapping contains errors or uncertainty, then some private lands that are ranked sensitive may be excluded inadvertently by not being designated ESDP and the environmental values they contain will therefore not be appropriately addressed on development. I suggest that RDOS designate all sensitive private lands regardless of map assumptions – ie. those private lands conservation ranked as very high and high would automatically be within an ESDP area.
2. Conservation Funding Proposal: I am 100% percent in agreement with a parcel-based levy to support conservation acquisitions and management across the Regional District.
3. Vaseux Lake bike path: This is not within Area F but is of concern to me; I have considerable experience with land and wildlife management in the Vaseux area. Encouraging and/or improving public bike/recreation access to the west side of Vaseux Lake as identified as a priority in the RDOS recreation strategy unfairly impacts long-standing conservation efforts. This is one of the highest value conservation land holdings in the entire region and only one of a couple of places in the entire valley that wildlife have currently unimpeded access to lakeshore. Is the concept of a National Wildlife Area and Migratory Bird Sanctuary lost on the RDOS? It is a place for wildlife, not people! Increasing people presence and bike traffic on the west side of Vaseux Lake will cause conflict (e.g. snake encounters and bike-caused injuries and death to snakes and other wildlife) and loss of



1

wildlife habitat suitability in the area. Many years ago I fought the province's proposal to twin the highway on that side of the lake and will fight hard again to prevent further development of a west side bike route! I suggest the RDOS look instead to a bike path that crosses the river channel on the drop structure just north of the national wildlife area and route it down the east dyke (the west dyke is well known for its basking snakes) then across the conservation lands to a shoulder-path at the side of the existing highway. This would not be as aesthetic for riders for a short distance but would respect the right of wildlife to have safe and less-disturbed habitat available to use.

4. Westbench School: We believe the school adds to property value, contributes to a diverse population demographic, and is an open-space and facility asset to the community. We would support a parcel-based levy specific to supporting continued operation of Westbench School.
5. Natural Gas: Have voted in support of bringing gas line to Sage Mesa.

Best regards, and thank you for your service to our community!

Al Peatt

Registered Professional Biologist

Lauri Feindell

From: Doug Kenyon
Sent: December-10-15 1:04 PM
To: Planning
Cc: Larry Kenyon; Tom Siddon; Tom Styffe
Subject: environmental plan for Area D

Christopher

I attended your information meeting at OK Falls with reference to adding an environmental report to a building permit and completely disagree with this cumbersome and bureaucratic process. It will do very little to enhance the environment and likely be harmful as owners try to circumvent the process as is now happening on Indian land which is under a similar process to what you are proposing. Our company has spent over \$100,000 to Summit Environmental on a Penticton project with very little positive results. Put your energies and money towards forming alliances to secure and protect sensitive areas. Don't broadbrush the entire community with an inefficient and costly bureaucracy.



Lauri Feindell

From: lmck
Sent: December-08-15 3:43 PM
To: Planning
Subject: ESDP areas

Hello,

I am a biologist and I live up on the west bench. I came out to the meeting at the west bench school about the ESDP areas. I think having ESDP areas is a great idea but I have some concerns about section 16.3.6b of the proposed area guidelines.

It states

Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees

As a biologist I have a few worries about that wording.

1. Area F contains mainly mixed Douglas Fir/ Ponderosa Pine forest which is not a terribly threatened ecotype. This wording suggests that building on grassland is preferable and could even lead to coniferous forest being planted in existing grasslands. I think it may be more valuable to take replace trees with native vegetation and get a QEP to choose the best location for disturbance

2. One of our most threatened ecotypes is mature Ponderosa Parkland Forest. This is a historic ecosystem that was maintained through fire.

This Ecotype features large ponderosa pines that are widely spaced and surrounded by a grassland of pinegrass, with occasional shrubs. This habitat is important for woodpeckers like the whiteheaded and Lewis's woodpeckers as well as a many other animals.

Because forest fires are now heavily restricted this habitat type is disappearing. The open understory is being replaced by many many young trees. These trees tend to be spindly competing for light with all the other young trees and they don't produce the large numbers of cones that many animals rely on as a food source. Increasing shading of the forest floor eventually favors Douglas fir and a completely different type of forest is created. Without having forest fires to clear out young saplings the best thing land managers can do to maintain this habitat is to clear out most of the young trees. Which this Bylaw wouldn't allow. I think that the quality of trees can be vastly different from the quantity of trees though it may be much harder to write into a bylaw

I know that people really gravitate towards trees, people love to plant trees on earthday and no one goes out to hug a grassland. These seemingly harsh environments are some of our most threatened and they provide a home for some of our most amazing and unique wildlife. I would like to urge you to reconsider your wording and consider trying to find a way to make it possible for people to help maintain Ponderosa Parkland by thinning sapplings. I'm afraid I don't have many suggestions of how to do that without leaving loopholes that people might abuse. Maybe you could have an OK



for trained professionals to thin existing forest to maintain the historic ecotype? Then have a workshop for some of the local companies that specialize in tree trimming?

I think that it's great that you are working on the ESDP areas for area F

Goodluck!

Lia McKinnon

From: _____
Sent: Monday, January 25, 2016 12:17 PM
To: planning@rdos.bc.ca
Subject: ESDP Ara Guidelines Revision

I am a landowner in Area C of the RDOS.

I am fundamentally opposed to the establishment of ESDP Areas, but, as that has occurred, however illogical the mapping, I have the following to suggest:

1. Regarding the Natural Environment & Conservation proposed policy 13.3.2.4 Encourages the parcel sizes of areas designated as "environmentally sensitive" or as "important ecosystem areas" on Schedule C to remain as large as possible to protect these habitat areas.

If the word "encourages" allows the RDOS board to vary from the words of the provision, if it sees fit for valid reasons, then that is fine. But if the word restricts the RDOS board, then the board might find that it cannot encourage a cluster development, which could quite conceivably have smaller lot sizes (but no greater density) as is encouraged in the OCP. Cluster developments quite conceivably, as has happened in the past, actually allow the owner to designate some of the property, hopefully and usually the most environmentally valuable, to remain free of development, which is surely the intent of the ESDP Area legislation.

Also, reference to Schedule C is problematic. Schedule C is not perfect; it is a mapping project painted with very large brush strokes. If a property was to be removed from Schedule C, then this policy should not apply to that property. This means the policy should read "....on Schedule C, or Schedule C as amended from time to time."

2. I suggested at the Area C APC meeting that a carrot might produce better results than a stick. Meaning, if property owners are encouraged—not forced—to protect the environment, they might be happier to do so. Encouragement could be in various forms. Perhaps, if certain parts of the property are voluntarily designated Conservation Area, the cost of the QEP report could be borne by the RDOS, or at least shared. And if a portion of the property is designated Conservation Area, that the allowable density of development on the remaining parcel remains at the level of allowable density when no part of the property was Conservation Area. There are probably many more mutually beneficial ways of developing property, which I am sure your staff are aware of, or have already seen or put in place. It would be a welcome encouragement to landowners, particularly of the larger parcels, to be able to read a policy paragraph which actually states that such cooperation will be encouraged. Your policy about encouraging giving one's land to some conservation group, is annoyingly self-serving to the SOSCP and its landholding members. In the real world, this simply is not a reasonable expectation of most landowners.

Lauri Feindell

From: Christopher Garrish
Sent: December 9, 2015 3:37 PM
To: Lauri Feindell
Subject: FW: ESDP values in an area of Kaleden

From: Bruce Shepherd
Sent: December-09-15 12:30 PM
To: Christopher Garrish; Evelyn Riechert; John Ingram
Cc: Alison Peatt
Subject: Re: ESDP values in an area of Kaleden

Thanks -- this helps (and looks different from what I recall from the larger-scale map displayed at last night's Open House in OK Falls -- probably a function of things pixillating as they are shrunk down). I will be sharing this with the KID Board members at our monthly meeting this coming Monday, and will provide any additional comments/questions received from them.

Following up on my earlier discussion at RDOS on Dec 4 with Alison, as well as my telecon with Chris today, I would like to float the idea of substituting ESDP designations for the WDP areas I contested in an earlier email. While the ravine/gully areas that had been identified as WDP areas using the provincial TRIM mapping are not in fact watercourses, I would suggest that they do have value for our "urbanized" wildlife as habitat refuges and connectivity corridors, and thus should be identified as ESDPs instead of WDPs. Your thoughts?

Cheers....Bruce

ote:

Feedback for “Update of Environmentally Sensitive Development Areas”.

1. It is my professional opinion that an alternative “project delivery” model exists – one that would be different than the one shown on the Flowchart presented at the Public Information Meeting held at Osoyoos on 2015-12-14.
2. My basic concern stems from the “setup” shown on this flowchart, in which a project “proponent” would engage an environmental professional, and not the public body in the jurisdiction in which this development proposal is located (= RDOS).
3. I would suggest that following the above path would eventually lead to some future situations with innumerable conflict and confusion. Some of this, I have actually experienced in my 50+ year career as a professional engineer. I could wax eloquently about this if required, but not here and now. I believe I am not the only person who is aware of the professional ethical pitfalls that will inevitably result if the RDOS chooses to follow the process as proposed to date. Why?
4. Any development proponent has an ultimate purpose for what he proposes. This is exactly as normally known the “bottom line”, whether this becomes “maximum lot yield”, “highest density” or variations of the above, meaning always “the very least restrictions to allow him the highest return on investment, come what may”. Developers are not by definition “agents of philanthropy” (although some of them say that they are, particularly during public hearings). On the other hand, the RDOS, and its employed professional staff, (representing the taxpayer = the general public), has a different purpose in allowing/permitting any development to happen: the promotion of various aspects of the “public good”, which in the current situation of the Official Community Plan might well be defined as better protection of the natural environment, to a much higher degree than what any developer might (by himself or by his consultants) ever envisage. As a civil engineer, having worked in both private and public sectors, I believe that these statements are true, and do reflect those of RDOS staff as well.
5. This is where the problem lies with the current “model”. Allowing a development proponent to engage an environmental consultant becomes automatically a professional ethical issue. It boils down to: “Does this professional person (and not that I am not questioning anybody’s professional ethics, but only stating the basics)
 - (a) do what the proponent (who pays him) wants him to do (= to improve the proponent’s bottom line), even to the extent of somehow compromising his professional ethics, however “good” they may be, or does he
 - (b) do everything for the common good, including the environment, even to the extent of suggesting (e.g. in a report to RDOS) that “what my client wants to develop would not really be promoting the natural environment and would actually be detrimental to it”?
6. This is not a fictitious or far-fetched problem. Professional bodies that regulate the professions like engineering, medicine, law, surveying, accounting (and the like) are all being plagued with situations from “setups” like this, and their “directors of legislation, ethics and compliance” are quite concerned about it. We all know that environmental consultants hired by Enbridge and by Trans Mountain Pipeline are being opposed vehemently by environmental consultants hired by groups opposing these two project proposals, and who can really tell what is the truth? Would it perhaps be the public, or the environmental professionals who happen to work for the federal, provincial, regional or municipal governments (some of whom may well dance to the tunes of their political masters)???

7. I am pretty sure that the above would not be the only (although extreme) current file within the basket of complaints (to and fro) in the office of the "Director of Ethics" for the (fictitious) "BC Association of Professional Environmentalists". But I do know that APEGBC (the Association of Professional Engineers and Geoscientists of BC) is receiving complaints of this nature. The November/December 2015 issue of its Journal "Innovation" shows that. Page 36 contains an article by their Mr. Efren Swartz LLB, which is just the first in a series of articles about this issue. (Copy attached).

8. Scripture clearly says that "No one can serve two masters, for either he will hate the one and love the other, or he will be devoted to the one and despise the other." (Matthew 6:24). Allowing a developer to retain an environmental consultant would mean that RDOS would not be loved and not be devoted; it would mean that the general public of Area A of the Regional District Okanagan Similkameen may in fact be "despised" by some future development project that is not in the common good and does not really protect some specific aspect of the natural environment as well as it could have been – IF the RDOS follows a different model of "project delivery".

9. I would therefore humbly suggest to you that for any proposed development under this revision of the OCP, the RDOS retain the "right" (or is it a duty?) to hire or engage the necessary environmental professional for the project, without any prior or subsequent involvement of the proponent himself. This could easily be done (as it is in some jurisdictions) by setting up of an "on-call" list of consultants, from which RDOS staff would do the selection and management of "service contracts" (as they were called on one jurisdiction where I worked). In this way, the RDOS (through staff) would keep control of that consultant, and would afterwards "backcharge" the developer for the work done by the environmental consultant. That would give us all a much higher level of "transparency".

10. I know that the details of such different model would need to be worked out, thrashed around and eventually approved by your Board, and that none of these details are shown in this "feedback". I am quite prepared to assist your staff in some of the details, so that future pitfalls may be avoided. Believe me, I am old enough to have been in working environments where different methods were used. The City of Surrey had an "Environmental Manager" in their Engineering Department until about 1997. I dealt with him on a number of environmental issues. But suddenly, his position was scratched.

Respectfully submitted for your kind attention.

Jacob A. de Raadt, P.Eng., MBA,

Comments by Jason de Krom
2016-03-04

Proposed "Parks and Recreation" Policies
Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008

12.1 Background

Parks are generally publicly owned areas that provide an opportunity for individuals to pursue leisure and recreation activities. In the Plan Area, parkland includes Crown land, land owned by the Regional District, land zoned for park purposes and land designated as park on a subdivision plan. Parkland also includes land or general areas that the Regional District may have an interest in for park in the future.

Comment [CJG1]: Updated Section dealing with park issues. Introduces a consistent layout to what is being proposed in the other Okanagan Electoral Area OCP Bylaws.

inconsistent for Area "A"

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

- Regional Parks: Osoyoos Lake Regional Park is operated and maintained by the Regional District.
- Kettle Valley Railway (KVR) Trail: The sections of the KVR Trail that are publicly owned and maintained by the Regional District are designated Park, Recreation and Trails.
- Provincial Recreation Areas: swiws Provincial Park (formerly Haynes Point) is a provincially designated Recreation Area.

The KVR actually ended at Oliver. The railway extension to Osoyoos (1944) was part of CP Rail and not the KVR

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

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

This misimpression should be dispelled as the name KVR Trail is wrong

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

NOTE: THIS PLAN SET IS PREPARED FOR CONSULTATION PURPOSES ONLY. TYPICAL TEXT MAY BE DIFFERENT FROM THAT WHICH IS RECEIVED FOR DEBATE.

as far as Area "A" is concerned

perhaps "KVR/CP Rail Trail")

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

See Schedule 'C' (Road and Trail Network Plan) for a map of designated trails in the Plan Area.

12.2 Objectives

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

Comment [CJG2]: These are to be made consistent across Okanagan Electoral Areas reflecting the Regional District's approach to the provision of parkland for residents.

12.3 Policies

The Regional Board:

- .1 Encourages that all new trail projects are designed and constructed using provincial best management practices, in order to minimize the impact on the natural environment.
- .2 Seeks to mitigate existing and future conflicts between trail users, agricultural operators and rural landowners.
- .3 Encourages trails proposed on agricultural lands, including those located within the ALR, to be developed using Ministry of Agriculture guidelines.
- .4 Encourages tenure holders to preserve, steward and maintain trails to maintain the integrity of the larger trail system and the natural environments they traverse.
- .5 Encourages the Province to undertake a backcountry recreation planning process.
- .6 Encourages relevant provincial agencies and tenure holders to manage public access to the backcountry.
- .7 Work with regional partners and local environmental organizations to support wildlife education programs to minimize wildlife/human conflicts on trails.
- .8 Work with regional partners to ensure that trails within Plan Area boundaries include adequate parking, bear-proof garbage and recycling receptacles, and signage where feasible and appropriate.
- .9 Support trail use guidelines that promote "leave no trace" trail use.

Comment [CJG3]: These are to be made consistent across Okanagan Electoral Areas reflecting the Regional District's approach to the provision of parkland for residents.

NOTE: THIS HAS BEEN PREPARED FOR CONSULTATION PURPOSES ONLY
FINAL TEXT MAY BE DIFFERENT BASED UPON RECEIVED FEEDBACK

including ... to the existing trail ...
Add: Supports the development and public use of the picnic grounds

- .10 Supports the continued public use of Osoyoos Lake Park.
- .11 Supports the designation of the abandoned irrigation canal right-of-way situated west of Osoyoos Lake as Park in order to protect options for future use (i.e. recreation and/or utility corridor).
- .12 Will review this Official Community Plan for consistency with any National Park proposal approved by the Federal Government and which affects lands within the Plan Area.

Comment [CJG4]: Amended and carried forward from current OCP policies - Section 12.2.6

Comment [CJG5]: Amended and carried forward from current OCP policies - Section 12.2.7.

Comment [CJG6]: Amended and carried forward from current OCP policies - Section 12.3.2.20

Comment [CJG7]: These are to be made consistent across Okanagan Electoral Areas reflecting the Regional District's approach to the provision of parkland for residents.

12.4 Parkland Dedication Policies:

- .1 For the purposes of Section 941(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- .2 Recognises that the Plan Area is generally rural in nature, and that when land is acquired it should be focused upon lake accesses, greenways, and trails.
- .3 Will determine, in accordance with Section 941 of the *Local Government Act*, at the time of a subdivision to which Section 941 applies, whether the owner of land being subdivided must:
 - a) provide without compensation, park land in an amount equivalent to 5% of the land being proposed for subdivision and in a location acceptable to the Regional-District; or
 - b) pay to the Regional District an amount that equals the market value of the land that may be required for park land purposes.
- .4 Will consider, when determining a potential park land dedication under Section 941 of the *Local Government Act*, the following policies:
 - a) proximity to settlement areas, other parks & trails, and bodies of water;
 - b) distance from environmental hazard areas;
 - c) average slope should be 10% or less;
 - d) adequate accessibility:
 - i) vehicular ingress and egress should meet or exceed Ministry of Transportation standards;
 - ii) in the case of trails and pedestrian-access only parks, there should be various linkages to and from the trail or park, with at least one linkage wide enough to allow for maintenance vehicle access;
 - e) cultural or natural features of significance;
 - f) potential for additional dedication of parkland from subdivision applications of surrounding parcels; and
 - g) potential for recreation (active park), conservation (passive park) or enhancement of public access.

not for future residents

Parkland dedicated should be 100% outside SPEA boundaries

Parking lot should not be accepted at Reflection Point and should

the parking lot should be rejected on this basis.

Designs not done for Reflection Point.

be returned to the developer of Phase 1)

There should be a section on "accreted land"

-
- .5 Considers that park land proposals must provide a benefit for the community and those lands with no benefit to the community should not be accepted.
 - .6 Strongly prefers that land being considered for parkland be maintained in its natural state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed parkland is to be used for recreational uses which require cleared lands, or can be reclaimed for park purposes.
 - .7 Encourages developers to dedicate greater than 5% ^{usable} park land in areas where parkland is desired.
 - .8 If cash in-lieu is chosen at the time of subdivision for park acquisition and development in the Plan Area, the preference is that the benefits accrue to those communities from which the funds are received.
 - .9 Where environmentally sensitive areas or Critical Habitat for species at risk have been identified, developers are encouraged to donate such lands to a conservation organisation or the Regional District in addition to the parkland or cash in-lieu required by the Act.

*except of
invasive
species.*

Comment by Jacob LeBeau
2016-03-04

Proposed ESDP Area Guidelines Electoral Area "A" Official Community Plan Bylaws

16.3 Environmentally Sensitive Development Permit (ESDP) Area

.1 Category

The Environmentally Sensitive Development Permit (ESDP) Area is designated under Section 919.1(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

.2 Area

The lands shown as ESDP Area on Schedule 'D' are designated as an "Environmentally Sensitive Development Permit Area".

.3 Justification

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

.4 Background

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

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

The ESDP Area is comprised of important habitat areas for wildlife habitat and plant communities. Sensitive ecosystems in the area include grasslands,

riparian areas, forest, wetlands, shallow soiled rock outcrops and ridges. Specifically, BC's pocket desert, Kruger Mountain, Osoyoos Lake, the oxbows and wetlands of Okanagan River, Richter Pass with the natural ridgeline views between Highway 3 and Osoyoos Lake. It is the close proximity of these diverse habitats that contribute to a wide variety of species, both common and rare, that are found in this Electoral Area.

.5 Development requiring a permit

.1 A development permit is required, except where specified under Section 18.2.9 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:

- a) subdivision;
- b) the construction of, addition to or alteration of a building or other structure; and
- c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

.6 Guidelines

.1 A Development Permit is required for development within an ESDP Area, and shall be in accordance with the following guidelines:

a) An Environmental Assessment (EA), prepared in accordance with the Regional District's Terms of Reference for Professional Reports, must be submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) or team that shall include a Registered Professional Biologist (RPBio) under contract to the development applicant and shall include:

No 5

- i) An Ecological Assessment Phase including:
 - .1 background information;
 - .2 an ecological assessment;
 - .3 listing of rare and endangered species;
 - .4 consideration of Riparian Areas Regulations (RAR);
 - .5 stratification and rating of Environmentally Sensitive Areas (ESAs); and

should be prepared by consultant "for RDOs and not for developer"

- .6 ecological assessment results.
- ii) An Impact Assessment and Mitigation Phase including:
 - .1 description of proposed development;
 - .2 short and long term impacts;
 - .3 cumulative and residual impacts;
 - .4 avoidance of ESAs;
 - .5 mitigation and compensation;
 - .6 security requirements;
 - .7 monitoring reports;
 - .8 accountability; and
 - .9 monitoring plan.
- b) Development should be planned away from native trees and trees containing active nest sites or cavities. If removal of native trees cannot be avoided, mitigation should include restoration and replanting with equivalent native trees.
- c) Habitat connectivity and the retention of connectivity corridors between sensitive ecosystems should be preserved. Wildlife crossings should be designed to protect continuity of wildlife corridors where these are interrupted by roadways.
- d) Monitoring reports may be required to be submitted to the Regional District following the completion of a development in order to confirm the conditions of a development permit have been met.
- e) Despite sub-section 18.2.7(a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report prepared in respect of the construction, alteration, addition, repair, demolition and maintenance of a residential building or structure.
- f) An REA prepared in accordance with the Regional District's Terms of Reference for Professional Reports, must be submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) or team that includes a Registered Professional Biologist (RPBio) under contract to the development applicant, and shall include:

the word "simple"

is used in the "Inroads - Person" Report No. 50

on page 30

NO!

The "Guidesbook" has now been
withdawn from
the website.
see 2015 Annual Report by
Ombuds
person.

I am not sure
if the "Simple"
EA's are still
allowed -
see footnote 70
on page 33 of
Public Report No. 50

- i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.
 - ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:
 - .1 There is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or
 - .2 Known EVR occurrence(s) have been identified and:
 - a) measures have been prescribed to avoid impacts; or
 - b) acceptable restoration/mitigation have been prescribed.
 - g) If a QEP cannot certify the absence of EVRs or that impacts have been avoided or acceptably mitigated through a REA, an EA as outlined under sub-section 18.2.7(a) will be required.
- .2 The Regional District reserves the right to seek a third party review of a submitted assessment. If necessary, the third party reviewer will be a mutually acceptable QEP and the cost of the review shared equally among the applicant and the Regional District.
 - .3 If an area of land is subject to additional Development Permit Area designations under Section 919.1(1)(a) of the *Local Government Act*, the Regional District requires that a single development permit application that combines the requirements of each Development Permit Area be submitted. The application will be assessed in accordance with the individual development permit guidelines for each applicable Development Permit Area under this bylaw and, if approved, issued under a combined development permit.

.7 Exemptions

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

- .1 the repair or maintenance of existing buildings and structures provided there is no additions or increases to the footprint of a building or structure occurs;
- .2 an alteration or addition to an existing residential building or structure where the proposed footprint of the alteration or addition does not

exceed 50.0 m², and a completed Building Permit application has been accepted by the Regional District.

- .3 works conducted in accordance with the Provincial *FireSmart Manual*, provided that all landscaping is conducted within 10.0 metres of an existing structure or building (existing on-site native plants which meet the *FireSmart Manual* guidelines are encouraged to be maintained as part of the landscaping plan);
- .4 the construction, alteration, addition, repair, demolition and maintenance of buildings and structures to be used in relation to a farm use on a parcel in the ALR or on a parcel classified as "farm" under the *Assessment Act*;
- .5 any farm use as defined in the *Agriculture Land Commission Act* on land located in the ALR, provided farming practices are in accordance with Provincial and Federal policies and environmental guidelines;
- .6 community utility services where they meet provincial and federal regulations;
- .7 the repair of existing fences;
- .8 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.
- .9 any type of development, provided that a QEP has submitted confirmation to the Regional District of the absence of sensitive ecosystems or federally or provincially listed species and their habitats on the property.



Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0083 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: X2015.100-ZONE

FROM: Name: Okanagan Similkameen Stewardship Society

(please print)

Street Address: _____

Tel/Email: _____

RE: Update of Environmentally Sensitive Development Permit (ESDP) Areas

My comments / concerns are:

- I do support the proposed changes.
- I do support the proposed changes, subject to the comments / conditions listed below.
- I do not support the proposed changes.

For more information visit: www.rdos.bc.ca
(Departments → Development Services → Planning → Projects → ESDP Area Update)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

Our concern with the proposed Official Community Plans is that as it is currently worded, there are barriers to conservation, enhancement and stewardship work being developed through the plans. By Ecological Assessment by a OEP and a Development Permit for habitat enhancement activities such as native plant re-vegetation and invasive species management, the proposed OCPs will hinder conservation and responsible land management. Annually, our charitable Society enhances approximately 100-200 acres of ecologically sensitive habitat in the RDOS under supervision of experienced biologists. With the proposed framework and additional process required for enhancement activities, we estimate that our positive impact to habitat for wildlife and species at risk would be reduced to approximately 25-50 acres due to increased time and direct expense related to Ecological Assessments and the Development Permit process.

Exemptions for habitat enhancement and restoration activities should be considered, such as:
Land alterations for the purpose of ecological restoration
Removal of non-native invasive vegetation or the planting of native vegetation

Time, capacity and cost are already currently barriers to conservation of important habitats on private lands and within our local communities. If the RDOS states that it wants to encourage restoration with native plants, we suggest that an exemption for DP requirements for such projects is considered.

Feedback Forms must be completed and returned to the Regional District no later than January 31, 2016
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca



Feedback Form

RECEIVED
Regional District

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0083 / Email: planning@rdos.bc.ca

JAN 27 2016

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen

FILE NO.: X2015.100-ZONE

FROM: Name: Yelena Woteman
(please print)

Street Address: _

Tel/Email: _

RE: Update of Environmentally Sensitive Development Permit (ESDP) Areas

My comments / concerns are:

- I do support the proposed changes.
- I do support the proposed changes, subject to the comments / conditions listed below.
- I do not support the proposed changes.

For more information visit: www.rdos.bc.ca
(Departments → Development Services → Planning → Projects → ESDP Area Update)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

16.1.1 Leave out "support efforts" should read:
Protect source water quality and quality (sic) today
for future generations

16.1.2 (3) If land is in an Environmentally Sensitive
Development Permit Area, perhaps best
management practices would be to leave
it alone. I was not comforted by the
displays showing patches of protected land
— it is a bandaid approach to a gaping wound

16.2 Recognizes that water treatment & recovery planning
do not provide the significant ecosystem benefits
that natural riparian areas provide.
Under these circumstances why would we
allow development of any kind in these areas.
And why encourage high quality lakeshore
development... etc.

16.3.2 I think environmentally sensitive land should
remain untouched -- not patch work protection
I expect private ownership is a bar to this.
Over please

Feedback Forms must be completed and returned to the Regional District no later than January 31, 2016
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

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

Environmental degradation is everywhere. Houses are being built further & further up in the hills of Penitencia. So we're pumping water there at great expense as watershed becomes compromised.

I think beach accesses are important and I was happy to see them properly marked in Naramata. I think it's use of designated areas rather than areas which still afford nature to the lake. Not sure what you mean limiting the number of accesses.

I am happy to see this document know there is acknowledgment things that degrade the environment. I have just "cherry picked" a few to comment on.

Generally, I would say "yes" we owe it to those that will come us. Formalized parks & areas are nice but things created by nature are priceless.

Thanks



Feedback Form

Regional District of Okanagan Similkameen
101 Marlin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: X2015.100-ZONE

FROM: Name: DENIS POTTER
(please print)

Street Address: _____

Tel/Email: _____

RE: Update of Environmentally Sensitive Development Permit (ESDP) Areas

My comments / concerns are:

- I do support the proposed changes.
- I do support the proposed changes, subject to the comments / conditions listed below.
- I do not support the proposed changes.

For more information visit: www.rdos.bc.ca
(Departments → Development Services → Planning → Projects → ESDP Area Update)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

I WOULD SUGGEST THAT THE QUALIFIED PROFESSIONAL ENVIRONMENTAL PROFESSIONALS SHOULD BE CHOSEN AND ASSIGNED BY RDOS STAFF. THERE COULD BE A PERCEPTION THAT A QEP HIRED BY A PROPERTY OWNER MIGHT TEND TO SLANT HIS FINDINGS IN FAVOUR OF THE OWNER.

RECEIVED
Regional District

101 Marlin Street
Penticton BC V2A 5J9

Feedback Forms must be completed and returned to the Regional District no later than January 31, 2016
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

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QEP Workshop Feedback Form

RDOS Environmentally Sensitive Development Permit Area Update



March 15, 2016

1) How would you rate this workshop?

Poor

Average

Good

Very Good

Excellent

2) Did the workshop meet your expectations?

Yes/No - thought we would cover the
Terms of Ref in greater detail.

3) What did you find was most useful and why?

Healing insights of other QEPs.

4) If RDOS was to hold another workshop on this topic would you
recommend it to your colleagues and peers?

Yes.

5) Do you have suggestions for future workshops (topics, areas of needed
learning or attention?)

RDOS is looking for comments and feedback from QEP's on the new ESDPA
provisions (e.g. Rapid Environmental Assessment, Terms of Reference for
Professional Reports, ESDPA Mapping etc.)

Please provide any additional feedback here, and on the back page.

QEP Workshop Feedback Form

RDOS Environmentally Sensitive Development Permit Area Update



March 15, 2016

1) How would you rate this workshop?

Poor

Average

Good

Very Good

Excellent

2) Did the workshop meet your expectations?

Yes

3) What did you find was most useful and why?

Discussion following

4) If RDOS was to hold another workshop on this topic would you recommend it to your colleagues and peers?

Yes

5) Do you have suggestions for future workshops (topics, areas of needed learning or attention?)

New mapping

RDOS is looking for comments and feedback from QEP's on the new ESDPA provisions (e.g. Rapid Environmental Assessment, Terms of Reference for Professional Reports, ESDPA Mapping etc.)

Please provide any additional feedback here, and on the back page.

will submit my mapping



Feedback Form

Regional District of Okanagan Similkameen
101 Martin Street, Penticton, BC, V2A 5J9
Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: X2015.100-ZONE

FROM: Name: Caral & Alex Brown
(please print)

Street Address: _____

Tel/Email: _____

RE: Update of Environmentally Sensitive Development Permit (ESDP) Areas

My comments / concerns are:

- I do support the proposed changes.
- I do support the proposed changes, subject to the comments/conditions listed below.
- I do not support the proposed changes.

For more information visit: www.rdos.bc.ca
(Departments → Development Services → Planning → Projects → ESDP Area Update)

Written submissions received in relation to this process will be considered by the Regional District Board prior to 1st reading of any amendment bylaw and subsequently included in the public hearing binder.

An ESDP is essential but the mapping must be more complete. To make sense of the ESDP map for lay persons and planners the Sensitive Ecosystem (SE) inventory mapping should be included. It is now found on Eco Cert Ministry of Environment website.

An ESDP can be as you have chosen - not including ~~ALR~~ crownlands and ALR, but the map of the SE and water courses must be shown in the ALR + Crownland as it affects the sensitivity of the land at a lower elevation.

RECEIVED
Regional District

DEC 3 12 01 15

101 Martin Street
Penticton BC V2A 5J9

Feedback Forms must be completed and returned to the Regional District no later than January 31, 2016
In-person: 101 Martin Street, Penticton, BC, V2A-5J9 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

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Your File #: X2016.100-
ZONE Bylaw
2710 ESDP
eDAS File #: 2017-00015
Date: January 3, 2017

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

Attention: Lauri Feindell

Re: **Proposed Bylaw 2710 for:**
Electoral Areas A (Osoyoos), C (Oliver), D(OK Falls, Kaleden, Apex),
E (Naramata) and F (West Bench, Faulder)

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

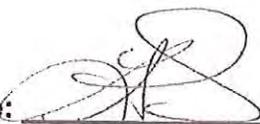
AMENDMENT BYLAW NO. 2710

Approval Recommended for Reasons
Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to
Conditions Below

Approval Not Recommended Due
to Reasons Outlined Below

Signature: 
Agency: Town of Oliver
Date: Jan 4/2017

Signed By: LINDA Schuetz
per Cathy Cowan
Title: ICO



OSOYOOS INDIAN BAND

1155, SEN*POK*CHIN BOULEVARD, OLIVER BC, V0H 1T8
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

January-30-17

Referral ID: Bylaw/2710/X2015.100-ZONE

RTS #: 941

Date: December-23-16

Reference#: R-77-000764

Regional District of Okanagan-Similkameen

101 Martin ST.

Penticton, BC V2A 5J9

RE: 60 (sixty) day extension

Thank you for the above application that was received on December-23-16.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the *Tsilquot'in* case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title. Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

Please note that *not* receiving a response regarding a referral from the Osoyoos Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

We appreciate your co-operation.

Respectfully,

Liml̓amt,

Yvonne Weinert
Lands Manager

Per:

Chief Clarence Louie
Osoyoos Indian Band

cc:



Lauri Feindell

From: Christopher Garrish
Sent: January 20, 2017 10:17 AM
To: referrals@lsib.net
Subject: RE: UPDATE OF ESDP AREAS - X2015.100-ZONE - Referral

Hi Wendy,

See my comments in **red** below.

Sincerely,

Chris.



Christopher Garrish MA, MSS, MCIP, RPP • Planning Supervisor

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

p. 250.490.4101 | tf. 1.877.610.3737 | f. 250.492.0063

www.rdos.bc.ca | cgarrish@rdos.bc.ca | [FACEBOOK](#) | [YOUTUBE](#) | Sign up for [REGIONAL CONNECTIONS](#)

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From: Referrals [mailto:referrals@lsib.net]
Sent: January 18, 2017 2:45 PM
To: Christopher Garrish <cgarrish@rdos.bc.ca>
Cc: Nicole Mack <referralsclerk@lsib.net>
Subject: RE: UPDATE OF ESDP AREAS - X2015.100-ZONE - Referral

Hi Chris,

In follow up to the voice mail I just left you. Here are LSIB questions.

Is area G included in the update? I followed the link but found no schedule for area G **No, Electoral Area "G" is not part of this process, nor is Electoral Areas "B" (Cawston) & "H" (Princeton).**

1. How much has the ESD area been reduced? "The practical effect of this change will be to refocus and reduce the physical extent of the ESDP Area designation in the Okanagan Electoral Areas."

ELECTORAL AREA	CURRENT ESDP AREA (HA)	PROPOSED ESDP AREA (HA)	PROPOSED IMPORTANT ECOSYSTEM AREA (HA)
A	15,359 ha	5,935 ha	14,076 ha
C	26,247 ha	4,211 ha	29,189 ha
D	50,289 ha	8,696 ha	59,575 ha
E	21,934 ha	2,005 ha	26,465 ha
F	N/A	3,324 ha	38,971 ha

2. How can I look at areas being reduced?



The current ESDP layers for each of the Okanagan Electoral Areas can be found here:

<http://www.rdos.bc.ca/regional-government/regional-bylaws/>

The draft ESDP layers for each of the Okanagan Electoral Areas can be found here:

<http://www.rdos.bc.ca/departments/development-services/planning/strategic-projects/esdp-area-update/>

3. Does the RDOS provide a list of QEPs to applicant if requested. **Yes.**
4. Will the ONA be included on RDOS list of QEPs? **If they request to be included.**

Wendy Hawkes, BA

Natural Resources Referrals Coordinator

Lower Similkameen Indian Band - M/A: PO Box 100, Keremeos, BC V0X1N0 - 1420 Hwy 3, Cawston, BC V0X 1C3

Ofc: (250) 499-5528 ext. 126

(all calls related to referrals are audio recorded for documentation purposes)

Without Prejudice to Aboriginal Title and Rights

LSIB Referral Policy link: <http://www.lsib.net/blog/wp-content/uploads/2011/07/Lower-Similkameen-Indian-Band-Referral-Policy2.pdf>

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

Sent: December 23, 2016 3:49 PM

To: 'Collins, Martin J ALC:EX' (Martin.Collins@gov.bc.ca) <Martin.Collins@gov.bc.ca>; HBE@interiorhealth.ca; anne.skinner@gov.bc.ca; mmd-kamloops@gov.bc.ca; 'Referral Apps REG8 ENV:EX' (ReferralAppsREG8@gov.bc.ca) <ReferralAppsREG8@gov.bc.ca>; Diana.Cooper@gov.bc.ca; Info Cord <info@cord.bc.ca>; plandept@rdkb.com; lucy.reiss@canada.ca; ReferralsPacific@dfo-mpo-gc.ca; mbjerkkan@sd53.bc.ca; rs@summer.com; fbclands@fortisbc.com; development@penticton.ca; 'info@summerland.ca' (info@summerland.ca) <info@summerland.ca>; 'admin@oliver.ca' (admin@oliver.ca) <admin@oliver.ca>; tosoyoos@osoyoos.ca; PIB Referrals (referrals@pib.ca) <referrals@pib.ca>; referrals@oib.ca; Referrals <referrals@lsib.net>; onareception@syilx.org

Cc: Christopher Garrish <cgarrish@rdos.bc.ca>

Subject: UPDATE OF ESDP AREAS - X2015.100-ZONE - Referral

Good Afternoon,

Re: Update of Environmentally Sensitive Development Permit Areas
Okanagan Electoral Area Official Community Plan (OCP) Bylaws

Please find a copy of the Bylaw Referral (Bylaw No. 2710) and relating documents. Please review all documentation and forward any comments or concerns you may have to planning@rdos.bc.ca.

Due to the size of the documentation, we have attached a link in the Bylaw Referral and also a link below that will take you directly to our website, with all the documentation and Schedules for review. If you have any questions with respect to this update, please contact Christopher Garrish, at 250-490-4101 or cgarrish@rdos.bc.ca.

Link:

<http://www.rdos.bc.ca/departments/development-services/planning/strategic-projects/esdp-area-update/>

Please forward your comments to our office by February 2, 2016.



Interior Health
Every person matters

January 31, 2017

Christopher Garrish
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton BC V2A 5J9
cgarrish@rdos.bc.ca

Dear Christopher:

RE: File X2015.100-ZONE; Electoral Areas "A" (Osoyoos), "C" (Oliver), "D" (OK Falls, Kaleden, Apex), "E" (Naramata) & "F" (West Bench, Faulder)

Thank you for the opportunity to review the above-noted application and provide a population health perspective. The proposal includes a number of textual and mapping amendments associated with Environmentally Sensitive Development Permit Area (ESDP's) throughout the Regional District.

Our health stands to improve when land use decisions enhance the ability of natural environments to mitigate negative health impacts associated with development. Current evidence supports a relationship between biodiversity and measures of ecosystem functioning such as improved water and air quality. The proposed updates to the Regional District's ESDP designations demonstrate an effort to ensure that future development will be sensitive to the environment and we therefore support the proposal. Furthermore, measures to secure funding and other resources to support future conservation efforts, contributes to long-term sustainable development planning and is supported by Interior Health.

If you would like to discuss this further, or if you have any questions or concerns, please contact the undersigned.

Yours sincerely,

Marion Masson
Environmental Health Officer – Healthy Built Environment

Bus: (250) 420-2233 Fax: (250) 426-3022
HBE@interiorhealth.ca
www.interiorhealth.ca

POPULATION HEALTH
1700 4th Street South
Cranbrook, BC, V1C 7C2





February 2, 2017

File: 58000-20/2016192
Your File: X2015.100-ZONE Bylaw 2710

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

Attention: Christopher Garrish, Planning Supervisor, planning@rdos.bc.ca

Re: Bylaw Referral (No. 2710) for Update to Environmentally Sensitive Development Permit Areas (ESDPA) in Okanagan Electoral Area Official Community Plan Bylaws, Regional District of Okanagan-Similkameen, B.C.

Thank you for the opportunity to participate in the above noted referral. The Ecosystems Section of the Ministry of Forests, Lands, and Natural Resource Operations (FLNR) has reviewed the referral information provided and conducted a cursory review of the bylaw and its schedules. Three cornerstone documents guide our input into this referral: 1) *Green Bylaws Toolkit for Conserving Sensitive Ecosystems and Green Infrastructure*¹, 2) *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*², and 3) *Keeping Nature in our Future: A Biodiversity Conservation Strategy for the South Okanagan-Similkameen*³. We provide the following comments for consideration.

The Green Bylaws Toolkit identifies ways that local governments are enabled to achieve protection for sensitive environmental features, including through official community plans (OCPs), environmental development permit areas (EDPAs), and specific environmental bylaws (e.g., soil removal and deposit, watercourse protection). In conjunction with other tools, EDPAs are considered the best way to protect sensitive ecosystems on individual properties as they allow site-specific pre-development decisions about protecting environmentally sensitive areas, they prohibit site disturbance before development approval, and they contain flexibility that allows specific objectives to be achieved. Recommended EDPA bylaw provisions are provided in Chapter 20 of the Green Bylaws Toolkit. We recommend that wording in the Update reflect as closely as possible these provisions.

Wetland protection is a priority for Ecosystems Section. In 2015-2016 we conducted a review of local government bylaws in the Okanagan to determine the extent to which sensitive features are protected at the local government level, with a specific focus on wetlands. We are concerned that the proposed ESDPA designation does not apply to



lands that are designated for low, medium or high density residential use, as these lots could still contain sensitive features such as wetlands. Our expectation is that all wetlands mapped within the applicable Electoral Areas of the RDOS would be included on the ESDPA schedules, the Watercourse Development Permit Area schedules, or both. To be consistent with the Green Bylaws Toolkit, we further recommend that the RDOS add the following requirement to the ESPDA: require restoration if wetlands or other EVRs are disturbed during development. We also recommend that RDOS consider developing a soil removal and deposition bylaw that is consistent with the Green Bylaws Toolkit and as enabled by the British Columbia *Local Government Act* s. 327. Enacting this bylaw may be an appropriate tool to further protect mapped and unmapped wetlands from infilling and to provide enforcement options.

Develop with Care is a provincial document that provides guidance on urban and rural land development in BC. Section 2 of this document describes objectives and guidelines for local governments in environmental planning at the community level. Section 3 describes the objectives and guidelines for good environmental planning, development and management at the site level, and Section 4 defines environmentally valuable resources and provides objectives and guidelines for land development where EVRs are present. We recommend that all EVRs identified in Section 4 be included in the Rapid Environmental Assessment (REA) checklist.

Ecosystems Section was a partner organization in the development of *Keeping Nature in Our Future*. We recognize the RDOS's commitment to working with the South Okanagan Similkameen Conservation Program (SOSCP) and to implementing the ESDPA recommendations identified in this biodiversity strategy. Overall, we recognize the proposed ESDPA Update as exemplary of using available bylaw tools to protect green infrastructure in BC.

Please contact the undersigned at Josie.Symonds@gov.bc.ca or 250-490-2254 if you have any questions or require additional information.

Sincerely,



Josie Symonds, M.Sc., R.P.Bio.
Ecosystems Biologist

JS/cl

¹ <http://www.greenbylaws.ca/>

² <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/>

³ <http://www.soscp.org/biodiversity/>

Lauri Feindell

From: Janelle Taylor <janelle.taylor@cord.bc.ca>
Sent: January 30, 2017 8:25 AM
To: Planning
Subject: RDCO Response: X2015.100-ZONE (Bylaw 2710)

Good Morning,

In response to the above noted referral, RDCO staff provides the following comments:

Parks Section

For consideration and inclusion in the amendments under Parks, Recreation and Trails sections of the Okanagan Electoral Area OCP Bylaws:

- Connectivity between future parks and trails with existing regional parks, community parks, Provincial parks, regional trails and Crown lands beyond.
- Provide, preserve and maintain public access points on popular trail corridors, future public access location and to Crown lands when proposed development occurs adjacent to Crown lands.
- Support, encourage and seek partnerships and opportunities with community organizations, NGOs, local/Provincial/Federal governments to further parks, recreation and trail interests, acquisitions and ongoing maintenance needs.

Parks, Recreation and Trails – objectives and policies

- It is good to see in the draft comments - the proposal to have a consistent set of objectives and policies across the Okanagan Electoral Area OCP Bylaws in addition to Electoral Area specific policies.
The policies under Section 15.3 that would be good to have in all the Electoral Area OCP Bylaws include policies .13, .14, .16, and .17.

Environmental/Land Use Planner

Thank you for the opportunity to provide comment on RDOS's proposed ESDPA policies and guidelines. There are a number of innovative approaches being taken. Congratulations on a job well done!

A few items are noted for your consideration.

- It appears that ALR lands do not need a DP. RDCO has found that having DP areas across ALR lands ensures that non-farm uses and residential uses will still be evaluated and DPs required. RDCO specifically will exclude farm uses as noted under the Farm Practices in BC Reference Guide and the Farm Protection Act or other applicable legislation. Ministry of Agriculture supported this approach.
- 13.3.2.7 outlines specific methods for environmental protection. It would be prudent to add a qualifier such as "or other methods as appropriate", or state "...through methods such as..." to ensure new methods that may come available can be utilized.
- 13.3.2.8 – thank you for noting ecosystem connectivity. Perhaps you could add ... "and adjacent Regional Districts" or some wording to make it clear that RDOS recognizes the need to address ecosystem connectivity across local government jurisdictional boundaries.
- Very interested in the idea of identifying private land stewardship initiatives as conservation areas. Good idea.
- Section 17.2.5.1 (c) RDCO has included specifically reference to blasting as this has been an issue in the RDCO.
- Section 17.2.6.1 (d). RDCO requires monitoring reports during development as well as a substantial completion report. This process ensures that issues may be addressed promptly as they arise. May want to add "...during development and following the completion of development..."
- For your REA – will the QEP be required to address EVR's off of the proposed development site (i.e. within the required 100m). This can be done as a desktop exercise but may not be able to be done through field



investigation without other property owner permission to access their property. I believe it should stay as noted and ensure that as a minimum a desktop exercise is carried out within the 100m buffer.

- Exemption 3. Perhaps another qualifier should be considered such as provided the small development is located further away from riparian areas or ESAs. Allowing small developments to go closer to riparian areas in particular can be problematic.
- Exemptions 5 and 6, gives the impressions that ALR lands are within DPAs yet page 8 indicated that This area generally comprises privately held lands not in the Agricultural Land Reserve (ALR) that possess "high" and "very high" ecologically sensitive classifications ... Please see comment above.
- Exemption 7 – great idea.
- Another exemption that RDCO has incorporated and may be of interest is restoration or enhancement or park maintenance works provided it is conducted in accordance with established BMPs and/or Provincial approvals, and through local government parks services. In RDOS case, may also want to add - or established stewardship initiatives or within Conservation Areas.
- 16.1.2.7 – RDCO's Environmental Advisory Commission is invaluable and it is good to see this policy being brought forward.

Should you have any questions, please do not hesitate to contact RDCO staff.

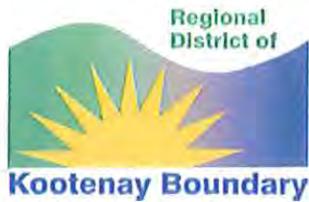
All the best,

Janelle Taylor
Planner 1
Development Services, Planning Section
Regional District of Central Okanagan
Planning Section Phone: (250) 469-6227

'Celebrating 50 Years – 1967 – 2017'

Like the Regional District on Facebook!

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March 1, 2017

RDKB File No. O-2
Please Quote on Correspondence

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

RE: RDOS PROPOSED BYLAW 2710

This is to advise that on February 21, 2017, the Regional District of Kootenay Boundary (RDKB) Board of Directors adopted the following resolutions respecting the above-referenced matter:

77-17 *Moved: Director Grieve Seconded: Director Danchuk*

That the Regional District of Kootenay Boundary Board of Directors notify the Regional District of Okanagan Similkameen that the Regional District of Kootenay Boundary's interests are unaffected by proposed Bylaw No. 2710.

Carried.

Should you require further information regarding the above, please contact the Planning and Development Department.

Sincerely,

A handwritten signature in black ink that reads "M. Ciardullo".

Maria Ciardullo
Planning and Development Department
Senior Secretary

P:\PD\PD_Committee\BoardFollowUp\Municipalities and Regional Districts\RDOS proposed bylaw 2710 March 2017.doc





Penticton Indian Band

Natural Resource Department
R.R. #2, Site 80, Comp.19
Penticton, B.C. CAN
V2A 6J7

Telephone: 250-492-0411 Fax: 250-493-2882

January-11-17

WITHOUT PREJUDICE AND NOT TO
BE CONSTRUED AS CONSULTATION

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

Referral ID: 2016-12-23 ZON 2153

RTS #: 2153

Date: December-23-16

Reference #: BLY2710 X2015.100-Zone

Summary: Update of Environmentally Sensitive Development Permit Areas Okanagan Electoral Area Official Community Plan (OCP) Bylaws.

ATTENTION: Christopher Garrish

We are in receipt of the above referral. The proposed activity is located within Okanagan Nation Territory and the PIB Area of Responsibility. All lands and resources within the vicinity of this referral are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

Penticton Indian Band has specific referral processing requirements for both government and proponents which are integral to the exercise of our Rights to manage our lands and resources and to ensuring that the Crown can meet its duty to consult and accommodate our Rights, including our Aboriginal Title and management Rights. There is a cost associated with PIB referral processing and engagement. In accordance with PIB policy, proponents are required to pay a processing fee for each referral. This fee is as follows:

Invoice Number: 659

	SubTotal	Tax	Total
Admin (12%)	\$ 52.50	\$ 0.00	\$ 52.50
G.I.S. Tracking and Review (GIS Project Technician)	\$ 110.00	\$ 0.00	\$ 110.00
R.T.S. Data Entry (Technical Services)	\$ 80.00	\$ 0.00	\$ 80.00
Referral	\$ 67.50	\$ 0.00	\$ 67.50

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982





Assessment (Band Administrator)			
Referral Coordination (Referrals Coordinator)	\$ 190.00	\$ 0.00	\$ 190.00
Total	\$ 500.00	\$ 0.00	\$ 500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #2153

This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be fully reviewed.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, Penticton Indian Band will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

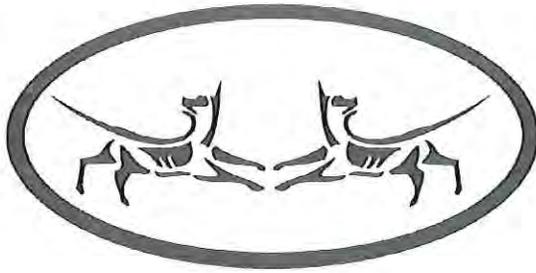
If you require further information or clarification, please do not hesitate to contact me.

limlɔmt,

Lavonda Nelson
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca

CC: Penticton Indian Band (jpepper@pib.ca), ONA (salexis@syilx.org)

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



Penticton Indian Band

Natural resource Department
R.R. #2, Site 80, Comp.19
Penticton, B.C. CAN
V2A 6J7

Telephone: 250-492-0411 Fax: 250-493-2882

WITHOUT PREJUDICE AND NOT TO
BE CONSTRUED AS CONSULTATION

January-11-17

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

RTS #: 2153

Date: December-23-16

Referral ID: 2016-12-23 ZON 2153

Reference #: BLY2710 X2015.100-Zone

Summary: Update of Environmentally Sensitive Development Permit Areas Okanagan Electoral Area Official Community Plan (OCP) Bylaws.

Attention: Christopher Garrish

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on January-11-17. This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

Limlɛmt,

Lavonda Nelson
Referrals Administrator
P:250-492-0411
Referrals@pib.ca



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 18, 2017

RE: Development Procedures Bylaw No. 2500, 2011 – ESDP Update Amendment

Administrative Recommendation:

THAT Bylaw No. 2500.08, 2017, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first and second time.

Purpose:

The purpose of these amendments are to introduce updated application requirements for Environmentally Sensitive Development Permit (ESDP) to the Regional District Development Procedures Bylaw No. 2500, 2011.

Background:

At its meeting of December 15, 2016, the Regional District Board adopted the Electoral Area “D-1” Official Community Plan (OCP) Bylaw No. 2683, 2016.

This bylaw introduced a number of new objectives and policy statements to Electoral Area “D-1”, including updated ESDP Area guidelines based upon those being proposed for the other Okanagan Electoral Areas through the separate “ESDP Update” project.

Importantly, the ESDP Area designation in Electoral Area “D-1” now contemplates the submission of Expedited Development Permits (i.e. Rapid Environmental Assessment) and has further refined available exemptions (i.e. by narrowing the scope of the residential exemption).

In order to give formal effect to these new application processes, and also in recognition of the pending consideration by the Board of applying these same ESDP Area Guidelines to the remaining Okanagan Electoral Areas, Administration is proposing a series of amendments to the Development Procedures Bylaw No. 2500, 2011.

Analysis:

As part of the “ESDP Update” project, a review of the Regional District’s existing “Term of Reference [ToR] for Professional Reports” (accepted by the Board 2008) was undertaken.

From this, it was determined that many of the provisions found in the ToR are, in fact, application requirements and rightly belong in the Development Procedures Bylaw.

In addition, the current provisions contained in the ToR do not reflect the proposed changes to the ESDP Areas (and those already in place in Electoral Area “D-1”), including the ability to submit a Rapid Environmental Assessment for developments that are not affecting any “environmentally valuable resources (EVRs) within 100 metres of a proposed development site.

Accordingly, Administration has redrafted the ToR and updated its provisions to reflect the new ESDP Area guidelines.

Administration is also proposing a number of housekeeping amendments to the ESDP and Watercourse Development Permit (WDP) Area processing procedures to reflect that approval of these types of permits may be by the CAO "or their delegate" (in accordance with the Regional District's *Delegation of Local Government Authority Bylaw No. 2509, 2010*).

It is also proposed to remove references to ESDP and WDP applications being referred to external agencies and provincial ministries for comment (as this has not been the Regional District's practice) and also to remove references to the provincial "Riparian Area Regulation Implementation Guidebook" as this document has since been found by the courts to have no basis in law.

Administration is further proposing that the readings of this bylaw track those of Amendment Bylaw No. 2710 (Parks, Recreation, Trails, Conservation Areas and Environmental Areas Update).

Alternative:

THAT the Board of Directors not deny first reading of Amendment Bylaw No. 2500.08, 2017.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



D. Butler, Development Services Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.08, 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. 2500.08, 2017."
2. The "Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011" is amended by:
 - (i) replacing sub-section 1. (Application Requirements) under Schedule 3 (Application for a Development Permit) with the following:

1. Application Requirements

(a) General Application Requirements

.1 Authorisation

- (a) An application for a Development Permit (DP) shall be made to the Chief Administrative Officer in writing and on the appropriate form, and shall be:
 - (i) made by the owner(s) of the subject property or by a person authorized by all property owner(s);
 - (ii) if a numbered company holds the property, a corporate search shall accompany the application illustrating the company directors. The signatory on the application form shall be a company director;
 - (iii) made on the appropriate form designated by the CAO; and
 - (iv) accompanied by the appropriate application fee outlined in the Fees and Charges Bylaw.

- .2 Proposal Summary
 - (a) An outline of the type of development or land use proposed, including:
 - (i) explanation of compliance with current OCP guidelines.
- .3 State of Title Certificate
 - (a) a copy of the Land Title Office search print, issued not more than thirty (30) calendar days prior to the application date for any parcel of land subject to the application; and
 - (b) a copy of all non-financial charges (i.e. covenants, easements and rights-of-way, etc.) registered on the subject property(s).
- .4 Site Plan
 - (a) a site plan of the proposed development drawn to scale and showing dimensions, and including the following (as applicable):
 - (i) north arrow and scale;
 - (ii) dimensions and boundaries of property lines, rights-of-way, covenant areas and other easements;
 - (iii) location and dimensions of existing and proposed structures and setbacks (including projections and overhangs) to parcel lines, rights-of-way, and easements;
 - (iv) location of existing and proposed access roads, driveways, vehicle parking spaces, pathways, screening and fencing;
 - (v) natural and finished grades of site at buildings and retaining walls (indicate source of grade data);
 - (vi) location of any physical or topographical constraints (e.g. watercourses, shorelines, ravines, wetlands, steep slopes, bedrock outcrops, etc.);
 - (vii) location of all existing and proposed water lines, wells, and septic fields, including sizes; and
 - (viii) proposed covenant areas (if any).
- .5 Development Plans (drawn to scale, in metric)
 - (a) detailed drawings of the proposed development, including building sections, elevations, finishes, floor plans, landscaping, pathways, and screening and fencing proposed for the site;
 - (b) a project summary sheet outlining density and number of dwelling units, site coverage, heights, setbacks, and other relevant data; and
 - (c) location and width of existing or proposed access(es) to the property, driveways, manoeuvring aisles and parking layout.
- .6 Site Surveys

- (a) if a proposed development involves a variance to the siting or building envelope of an existing structure a current sketch plan, certified by a BC Land Surveyor, in metric, shall be required. This may be combined with the requirements for sub-section 4 of this Schedule 3 (where appropriate).
- (b) if a proposed development is within 10% of the setback line (i.e. within 3.0 metres of a 30.0 metre setback line), a current sketch plan, certified by a BC Land Surveyor, in metric, shall be required. This may be combined with the requirements for sub-section 4 of this Schedule 3 (where appropriate).

(b) Watercourse Development Permit Application Requirements

- .1 In addition to the application requirements listed in Section 1(a), the following is also required for Watercourse Development Permit Applications:
 - a) a site plan shall also include the high water mark; natural boundary; floodplain setbacks & elevations; zones of sensitivity (ZOS); and the Streamside Protection and Enhancement Area (SPEA).

(c) Environmentally Sensitive Development Permit Application Requirements

- .1 In addition to the application requirements listed in Section 1(a), the following is also required for Environmentally Sensitive Development Permit Applications:
 - a) an Environmental Assessment (EA) Report; or
 - b) a Rapid Environmental Assessment (REA) Report.

Environmental Assessment (EA) Report

- .2 An Environmental Assessment (EA) Report must be prepared, signed and sealed by an RPBio and include the following:
 - a) an Ecological Assessment Phase prepared in accordance with the requirements of sections 1(c)(3) & (4) of this Schedule.
 - b) an Impact Assessment Mitigation Phase prepared in accordance with the requirements of section 1(c)(5) of this Schedule.

Ecological Assessment Phase

- .3 The Ecological Assessment Phase shall include the following:
 - a) an overview of all habitats and features found within a subject property;
 - b) a site map with a scale of not less than 1:500 or greater than 1:5,000 that includes the following information:

- i) location of plant species and plant communities;
 - ii) location of sensitive ecosystems;
 - iii) a list of found species (e.g. fish distribution);
 - iv) areas of expected/potential terrestrial/aquatic wildlife use;
 - v) observations and/or recorded locations of federally listed, provincially ranked, or regionally significant plant communities and species (for all life stages) or their habitats (including Critical Habitat for Species at Risk Act listed species);
 - vi) a Streamside Protection and Enhancement Area (SPEA) setback (if applicable);
 - vii) other existing environmentally valuable resources, including wildlife connectivity corridors, wildlife trees, and hibernacula, etc.;
 - viii) landforms, site stability, geological and topographical features and contours;
 - ix) adjacent lands and uses;
 - x) contour maps and cross sections, if available, for sites with slopes greater than 20%;
 - xi) surface and ground water features including swales, wetlands, draws, spring discharge or recharge areas, floodplains, top of bank, high water mark; and
 - xii) existing structures, paved and unpaved roads, soil disturbance, logging, and land clearing.
- c) rare and endangered species records, within and adjacent to the subject property. If rare and endangered species potentially utilize the site, a species specific inventory must be conducted, in the appropriate season(s).
 - d) the findings of any Riparian Area Assessment report prepared if the proposed development involves the disturbance of land within a designated Watercourse Development Permit (WDP) Area.
 - e) identification of environmentally valuable resources occurring within the study area. This is to be based upon the following four-class rating system:
 - i) ESA-1 (High), which shall be applied to occurrence-based Critical Habitat, locally and provincially significant ecosystems, extremely rare and/or of critical importance to rare wildlife species.

- ii) ESA-2 (Moderate), which shall be applied to attribute-based Critical Habitat, locally or provincially significant ecosystems, uncommon and important to rare wildlife species.
 - iii) ESA-3 (Low), which shall be applied to ecosystems that may have low to moderate conservation values because of importance to wildlife (e.g. disturbed or fragmented ecosystems or habitat features).
 - iv) ESA-4 (Not Sensitive), which shall be applied to areas with little or no inherent ecological value or importance as wildlife habitat.
- f) The ESA criteria/rating system used in the evaluation of ESAs, which should include the following components:
- i) ecosystem mapping refined to 1:5,000 or less, including structural stage and seral association or condition;
 - ii) rarity in the region, province, country, including historical loss;
 - iii) landscape context including contiguity to other ESAs (buffering function) and whether the area is vital to health of ecosystems beyond its boundaries (water catchment, storage/recharge zone);
 - iv) habitat suitability for provincially ranked and/or federally listed or significant species;
 - v) presence of important environmentally valuable resources (e.g. breeding/spawning areas, hibernacula, migration stop over, connectivity corridors, reported sightings of uncommon species, ungulate winter range, high value wildlife trees);
 - vi) species diversity/habitat complexity;
 - vii) ecosystems at risk in the Okanagan including riparian (including subsurface flow and recharge areas), wetlands, grasslands, rock outcrops, talus and cliffs, old growth, and low elevation forests;
 - viii) vulnerability to anthropogenic disturbance (e.g. soil disturbance, road conflicts, pets, invasive plants);
 - ix) current condition (biological integrity) function, structure, stability and probability of restoration to a functional level or ecological capability; and,
 - x) cumulative impacts from surrounding land uses.
- g) recommendations to be used to guide project design and planning for the development.

Impact Assessment & Mitigation Phase

- .4 The Impact Assessment & Mitigation Phase shall include the following:
- a) an assessment of potential impacts resulting from the proposed development that considers the following:
 - i) magnitude of the proposed development;
 - ii) geographic extent of the proposed development;
 - iii) timing of the proposed development;
 - iv) duration of the proposed development;
 - v) frequency of the proposed development;
 - vi) reversibility of the proposed development; and
 - vii) likelihood of occurrence of the proposed development.
 - b) an assessment of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of natural ecosystems and features by reducing or eliminating potential impacts from development that considers the following:
 - i) management of erosion and sediment impacts during and after construction;
 - ii) control of invasive plant species using site and species appropriate methods (e.g. hand pulling, digging, cutting, and mowing);
 - iii) scheduling construction during recommended timing windows for species;
 - iv) designing linear corridors such as roads, driveways, or trails to be as narrow as possible, create as little disturbance as possible and configure them to allow for wildlife crossings;
 - v) the use of permeable surfaces or other means to minimize impact and maintain the characteristics of the non-disturbance areas;
 - vi) management of access to “non-disturbance areas”;
 - vii) compensation for environmental losses at a 3:1 ratio on the “no net loss principle”.
 - c) identification of those persons who will be:
 - i) responsible for monitoring potential impacts, and propose a monitoring schedule including who will perform the monitoring;

- ii) accountable for potential impacts that might occur; and
 - iii) responsible for unintended but foreseeable impacts.
- d) a Monitoring Plan that should include, but is not limited to:
- i) the installation of temporary fencing to clearly delineate 'no disturbance areas' around ESAs and other areas designated for protection;
 - ii) pre-construction meeting onsite between QEP and contractors to insure all site workers are aware of non-disturbance areas;
 - iii) monitors or the District must be given the authorization to stop work if they believe that on-site conditions are in contravention of the conditions of the permit; and
 - iv) regular monitoring reports sent to the District and regulatory agencies involved and a final 'substantial completion' report at a suitable interval following the completion of a project.

Rapid Environmental Assessment

- .5 A Rapid Environmental Assessment (REA) Report must include the following:
- a) Site Plan indicating proposed footprint of development;
 - b) an Environmentally Valuable Resources (EVR) assessment indicating the following values within 100 metres of a proposed development site:
 - i) Sensitive Ecosystems (SEI: Vernon to Osoyoos):
 - .1 Wetland (includes vernal or ephemeral);
 - .2 Riparian;
 - .3 Old Forest;
 - .4 Grasslands (including disturbed);
 - .5 Shrub-steppe (includes antelope- brush, sage-brush);
 - .6 Broadleaf Woodland;
 - .7 Coniferous Woodland;
 - .8 Sparsely vegetated areas and rocky outcrops; and
 - .9 Other Sensitive Ecosystems.
 - ii) Ecological Communities on BC CDC red or blue lists;
 - iii) Known occurrences of listed species (federal or provincial);

- iv) Critical Habitat as identified under SARA (source: Species at Risk Act Public Registry); and
 - v) Habitat Features with high potential for important life requisites of listed species:
 - .1 Wildlife Trees;
 - .2 Hibernacula/Roosts;
 - .3 Active nest sites or areas known for nesting;
 - .4 Dens and burrows;
 - .5 Wildlife corridor considerations; and
 - .6 Other landscape features of environmental significance.
- c) Mitigation information on EVR locations, strategies to achieve avoidance, and/or recommendations for restoration, protection and mitigation measures shall be provided in the form of a summary report where restoration, protection or mitigation measures are prescribed.
- (ii) replacing sub-section 3.3 (Processing Procedure – Watercourse Development Permit) under Schedule 3 (Application for a Development Permit) with the following:
- .3 Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies, and applicable provincial and federal procedures. Staff may conduct a site visit to view the property as part of the evaluation process.
- (iii) replacing sub-section 3.4 (Processing Procedure – Watercourse Development Permit) under Schedule 3 (Application for a Development Permit) with the following:
- .4 Development Services staff will refer the application to all applicable Regional District departments and committees as applicable. The referral comments and/or recommendations may then be incorporated into the WDP.
- (iv) replacing sub-section 3.6 (Processing Procedure – Watercourse Development Permit) under Schedule 3 (Application for a Development Permit) with the following:
- .6 If approval of the permit is granted by the CAO, the Development Services Manager will execute the Development Permit.
- (v) replacing sub-section 4.4 (Processing Procedure – Environmentally Sensitive Development Permit) under Schedule 3 (Application for a Development Permit) with the following:
- .4 Development Services staff will refer the application to all applicable Regional District departments and committees as applicable. The referral comments

and/or recommendations may then be incorporated into a staff memo to the CAO, or their delegate, and/or the Development Permit, as applicable.

(vi) replacing sub-section 4.5 (Processing Procedure – Environmentally Sensitive Development Permit) under Schedule 3 (Application for a Development Permit) with the following:

.5 When all relevant conditions and guidelines have been satisfied, the staff memo and drafted Development Permit will be considered for approval by the CAO, or their delegate.

(vii) replacing sub-section 4.6 (Processing Procedure – Environmentally Sensitive Development Permit) under Schedule 3 (Application for a Development Permit) with the following:

.6 If approval of the permit is granted by the CAO, or their delegate, the Development Services Manager will execute the Development Permit

(viii) replacing sub-section 4.8 (Processing Procedure – Environmentally Sensitive Development Permit) under Schedule 3 (Application for a Development Permit) with the following:

.8 An owner of property may request a reconsideration of a decision by the CAO, or their delegate, as outlined in the Regional District's *Delegation of Local Government Authority Bylaw No. 2509, 2010*, as amended. A decision by the Board is considered final.

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

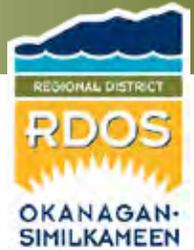
READ A THIRD TIME on the ____ day of _____, 2017.

ADOPTED on the ____ day of _____, 2017.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 18, 2017
RE: Amendment Bylaw – Development Procedures Bylaw

Administrative Recommendation:

THAT Bylaw No. 2500.09, 2017, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first, second and third time and be adopted.

Purpose:

The proposed amendments seek to give formal effect to new public hearings and public information meetings scheduling procedures.

Background:

Between October 26-28, 2015, the Regional District undertook a Lean Kaizen in order to review the rezoning application process and identify possible efficiencies and improvements. The outcomes of this process were presented to the Planning and Development (P&D) Committee of the Board at its meeting of November 5, 2015, and included a review of the public hearing process.

At its meeting of January 21, 2016, the Planning and Development (P&D) Committee approved “a trial process to review options for the scheduling of public hearings related to land use bylaw amendments.” The outcomes of this trial process were presented to the P&D Committee at its meeting of May 4, 2017, with the Committee resolving to initiate Amendment Bylaw No. 2500.09.

Analysis:

Administration supports the proposed amendments to the Development Procedures Bylaw on the basis that they will:

- result in engagement with the public on rezoning and temporary use permit (TUP) applications earlier in the process through the introduction of mandatory public information meetings;
- inform recommendations on the location of public hearings (i.e. in the affected community or at a meeting of the Regional District Board) which will improve processing times;
- improve transparency by encouraging residents to visit the Regional District’s web-site for more information on a particular rezoning or TUP application.

Alternative:

THAT the Board of Directors deny first reading of Amendment Bylaw No. 2500.09, 2017.

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

D. Butler, Development Services Manager

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

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.*

- (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.

- (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.

- .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.
- (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.
- (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:

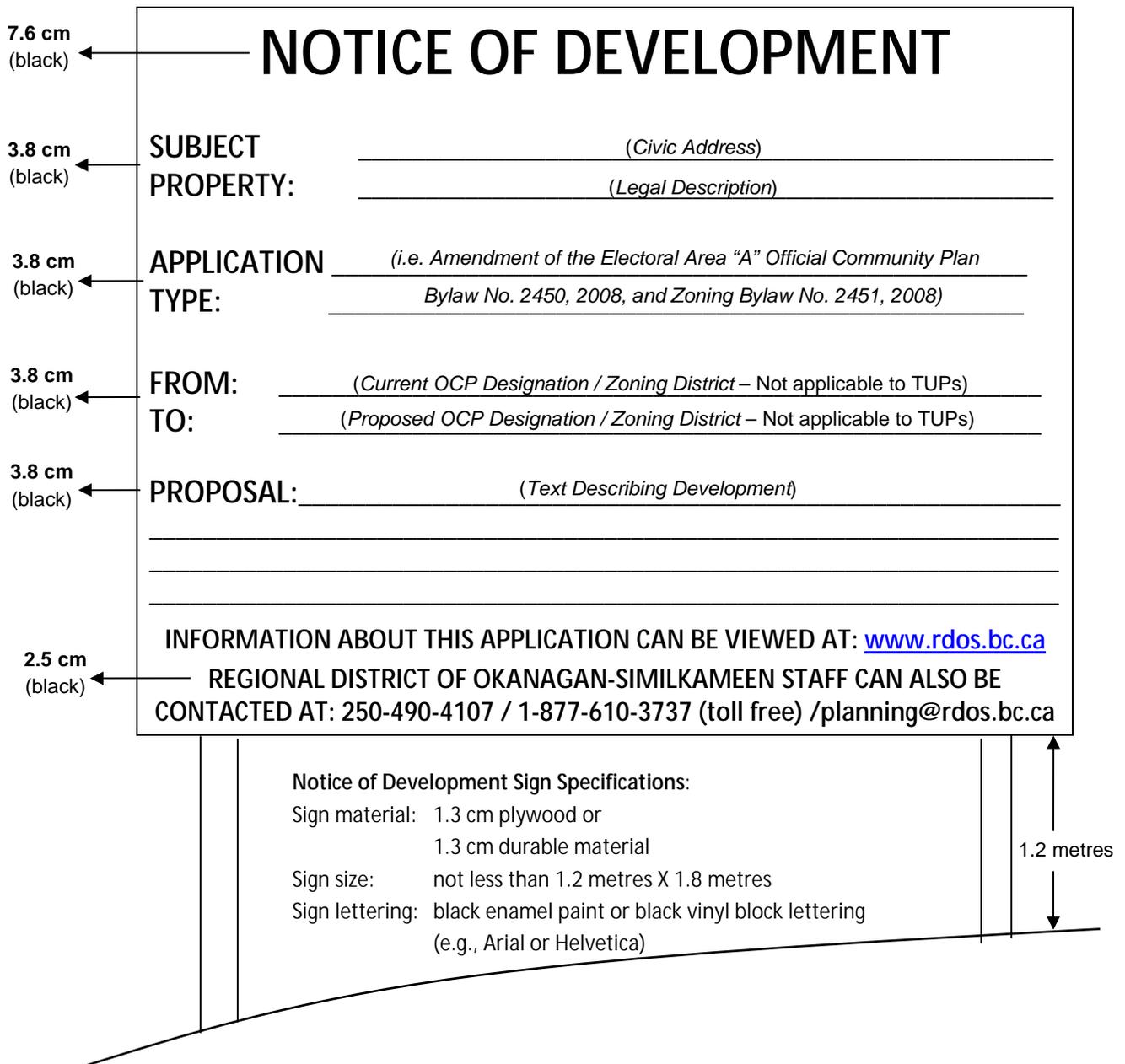
- .1 Each sign must comply with the requirements outlined in Schedule '1' and section 5.3.3 of this bylaw;
- .2 Each sign must be erected prior to the submission of the Amendment application or Temporary Use Permit application to the Regional District;
- .3 Proof of sign installation must be provided 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'.

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

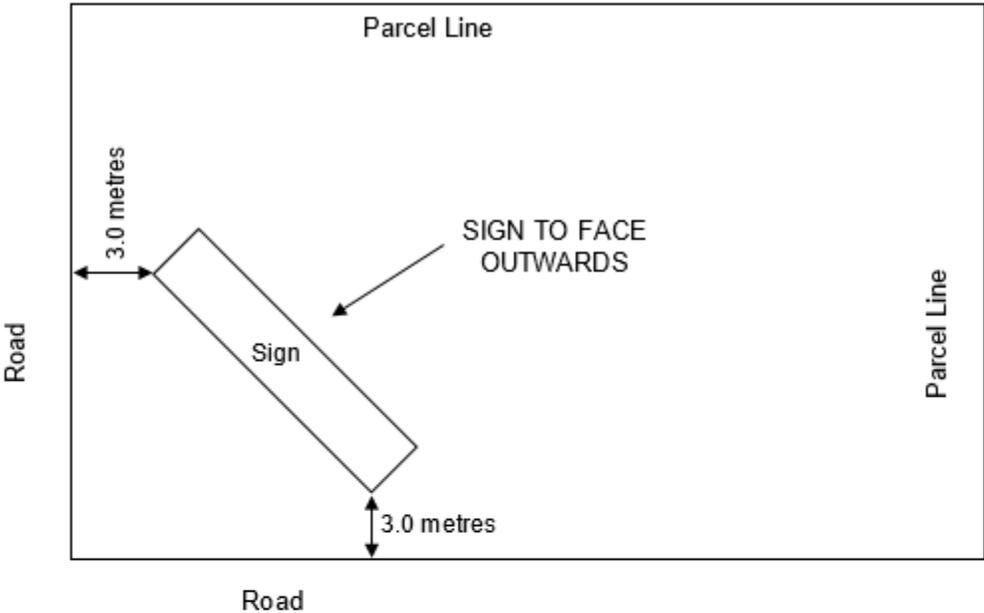
(viii) replacing section 5.3.3.1(a)(i) (Development Sign Requirements) under Section 5.0 (Public Consultation) in its entirety with the following:

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

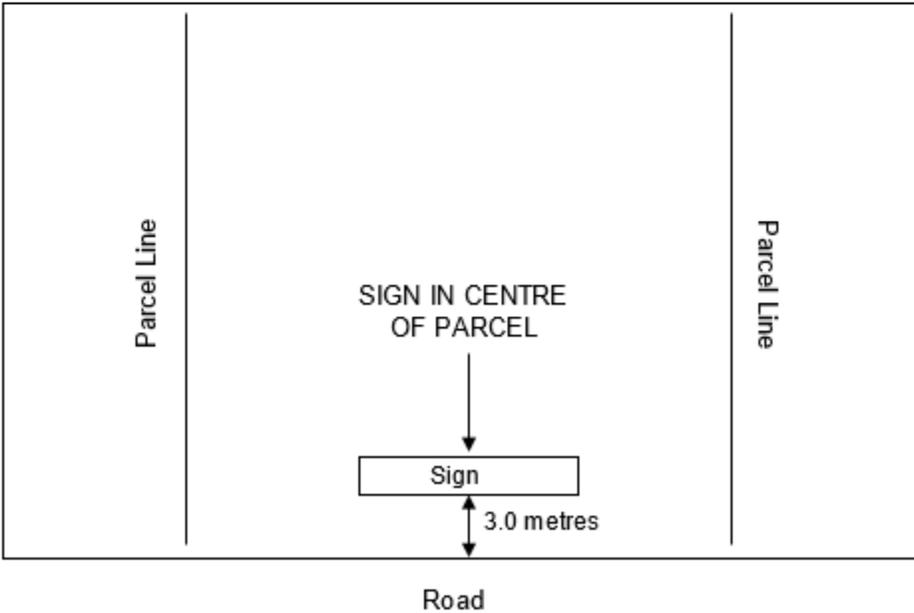
(ix) replacing Schedule 1 (Notice of Development Sign Format Sheet) in its entirety with the following:



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.
- (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

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.

- (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.

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: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 18, 2017

RE: Applications to Federal Gas Tax Fund – Strategic Priorities Fund

Administrative Recommendation:

THAT the Board of Directors support the application to the Strategic Priorities Fund – Capital Infrastructure Project Stream for the Phase 2A of the Skaha Estates and Kaleden Sewering Project;

AND THAT Board of Directors support the application to the Strategic Priorities Fund – Capacity Building Stream for the Asset Management Plan project.

Purpose:

Receive the required Board resolution for submission of applications to the Federal Gas Tax Fund, Strategic Priorities Fund programs.

Reference:

Program guide from UBCM: "Program Guidelines for the Federal Gas Tax Fund Strategic Priorities Fund – Capital Infrastructure Projects Stream and Capacity Building Stream, March 2017."

Business Plan Objective: *(Tie to current RDOS Business Plan)*

Solids Processing Facility Application

KSD#3 – Build a Sustainable Region, Goal 3.3 – To develop an environmentally sustainable region with Objective 3.3.5 – By bringing Kaleden and Skaha Estates into the Okanagan Falls Wastewater Treatment System.

Asset Management Planning Application:

KSD#3 – Build a Sustainable Region, Goal 3.3 – To develop an economically sustainable region with Objective 3.2.1 – Developing an Asset Management Plan.

Background:

The Renewed Gas Tax Agreement (GTA) signed in May of 2014 provides funds for investments in local government infrastructure and capacity building projects in British Columbia. One of the key funding components established in the GTA is the Strategic Priorities Fund (SPF).

There are two categories of programs under the SPF - 'Capital Infrastructure Projects Stream' and 'Capacity Building Projects Stream'. The SPF – Capital Infrastructure Project Stream directs funding towards local government infrastructure projects that are considered “large in scale, regional in scale or innovative”. The SPF – Capacity Building Projects Stream includes projects such as asset management, infrastructure planning and sustainability planning that are large, regional or innovative.

The total funding available for these programs to BC communities in 2017 is about \$30 Million. For the Regional District, two applications under the Capital Infrastructure Projects Stream and one application under the Capacity Building Stream may be submitted by the June 1, 2017 deadline.

Successful applicants will be awarded grant funding up to a possible 100% of the actual eligible project costs identified in the application. The maximum amount of grant funding awarded to any project would be \$6.0 Million.

Analysis:

Skaha Estates & Kaleden Sewering Project: Okanagan Falls Wastewater Treatment Plant Solids Processing Facility in the Strategic Priorities Fund – Capital Infrastructure Projects Stream

Funding was recently received from the Building Canada Fund – Small Communities Component for the Phase 1 of the Skaha Estates & Kaleden Sewering Project. Phase 1 includes the installation of sewers to the community of Skaha Estates along Eastside Road and connecting to the Okanagan Falls wastewater system. This stage includes a few upgrades to the receiving collection system in Okanagan Falls to accommodate the increased flow. Phase 2 includes the installation of sewers to the community of Kaleden along the KVR trail to the Okanagan Falls wastewater system as well as solids processing upgrades at the treatment plant.

The Strategic Priorities Fund – Capital Infrastructure Projects Stream will provide a maximum of \$6.0 Million per project. Additionally, grant requirements state that if the total project cost is greater than \$6.0 Million, the balance of the funds must already be secured.

The total cost for Phase 2 is approximately \$12 Million. Given this maximum restriction of funds and the requirement to have all the remaining funds available, the full Phase 2 project could not go forward at this time.

The Phase 2 project is proposed to be split into 2 components. Phase 2A for the installation of the solids processing system and Phase 2B for the sewerage of Kaleden and connection with Okanagan Falls. The estimated cost of only Phase 2A is approximately \$1.75M.

During the 2010 design of the Wastewater Treatment Plant (WWTP) in Okanagan Falls, the solids processing component was postponed due to rising construction costs. The sludge is currently only thickened at the WWTP and then taken by septic hauling trucks to the City of Penticton WWTP for further dewatering before being composted at Campbell Mountain Landfill. At the time of design, the engineer's estimates for hauling and handling of the wastewater sludge produced was around

\$60-70,000 annually. When compared with the capital savings of about \$1.1 Million, the decision was made to postpone the solids processing.

After the Okanagan Falls WWTP was commissioned, the actual costs for trucking and disposal of the solids was significantly more than the estimates and range around \$120,000 to 130,000 annually. The postponement of the solids processing was always considered an interim measure until sewer flows were increased with the addition of Skaha Estates and Kaleden Sewering.

The SPF grant program provides an opportunity to significantly reduce annual solids handling cost by applying for capital funds to install a solids processing facility at the WWTP in Okanagan Falls.

Asset Management Planning in the Strategic Priorities Fund – Capacity Building Stream

The Regional District has proceeded with moving towards a successful asset management plan. An overall look has been done on the Regional District assets with some approximate costs spread over more than a 20 year timeframe. Asset management plans are requirements for receiving infrastructure grants by the Canadian and Provincial governments.

The Regional District is working along the defined process set out by the Province, but there is a significant amount of work left. The Capacity Building stream of the SPF grant could provide funds for the Regional District to continue the work on the asset management plan.

The next steps in the project are expected to look at condition assessments and risk assessments for all of the identified assets. A needs analysis is also being proposed to determine all of the requirements from each department on how the asset management tool is to be used. The needs analysis will give a description to the type of software needed for the Regional District to have an effective and useful asset management program.

The cost of purchasing and implementing the software for all of the Regional District assets is also proposed to be included within the grant application. At this time, preliminary discussions are occurring to provide high level cost estimates for the grant application. For the total project as proposed, it is anticipated that the cost could be in the range of \$100,000-200,000.

Alternatives:

The Board of Directors select different projects as priorities for the SPF funding and direct staff to prepare applications on other selected priorities.

Communication Strategy:

The Skaha Estates and Kaleden sewer project has a community committee who have been instrumental in keeping communications open with the residents. This committee along with direct emails and press releases will inform the residents if the project is successful in receiving funding.

The Asset Management Project involves most departments at the RDOS so information can get sent out as needed. The staff intranet could also be used to keep staff updated on upcoming items for the project.

Respectfully submitted:

"insert digital signature; or name in italics"

L. Bloomfield, Engineering Supervisor



**Program Guidelines for the
Federal Gas Tax Fund
Strategic Priorities Fund**

**Capital Infrastructure Projects Stream
and
Capacity Building Stream**

March 2017

Strategic Priorities Fund	
Program Purpose	Provides funding for strategic investments that are large in scale, regional in impact or innovative.
Eligible Applicants	All local governments outside the Greater Vancouver Regional District.
Eligible Projects Capital Infrastructure Projects Stream	Public Transit; Local Roads and Bridges; Community Energy Systems; Drinking Water; Solid Waste; Wastewater; Highways and Major Roads; Local and Regional Airports; Short-Line Rail; Short-Sea Shipping; Broadband Connectivity; Brownfield Redevelopment; Disaster Mitigation; and Cultural, Tourism, Sport and Recreation Infrastructure.
Eligible Projects Capacity Building Stream	Asset Management, Long-Term Infrastructure Planning, and Integrated Community Sustainability Planning.
Application Limit	Two (2) capital infrastructure projects stream applications. One (1) capacity building stream application.
Available Funding	Up to 100% of net eligible costs of approved projects up to a maximum federal Gas Tax fund contribution of \$6 million. Project applications over \$6 million remain eligible provided that additional costs are confirmed through other funding sources.

Contact UBCM Gas Tax Program Services:

For further questions on Strategic Priorities Fund, please contact UBCM via e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

Gas Tax Program Services
525 Government Street
Victoria, BC V8V 0A8

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1. PROGRAM OVERVIEW

In May 2014, Canada, BC and UBCM signed the renewed Gas Tax Agreement (GTA) which provides a ten-year commitment of federal funding for investments in Local Government infrastructure and capacity building projects in British Columbia.

One of the key funding programs established through the GTA is the Gas Tax Strategic Priorities Fund (SPF). The SPF is an application-based funding program, which pools approximately \$30 million of the \$265 million annual federal Gas Tax Fund for strategic investments that are considered large in scale, regional in impact, or innovative and support the Gas Tax Fund national objectives of productivity and economic growth, a clean environment, and strong cities and communities.

The first SPF intake was launched in 2014, which resulted in the approvals of 66 projects across the province and committing over \$122 million in federal Gas Tax Strategic Priorities Funding.

2. GOALS AND OBJECTIVES

The SPF program provides grant funding specifically targeted for the capital costs of local government infrastructure projects that are larger in scale, regional in impact, or innovative and support the national objectives of productivity and economic growth, a clean environment and strong cities and communities. The SPF program also provides grant funding for Local Government capacity building projects, including asset management, long term infrastructure planning and sustainability planning that support the national objectives and are large, regional or innovative.

3. APPLICATION DEADLINE

The deadline for submitting your SPF application is **June 1, 2017**.

4. ELIGIBLE APPLICANTS

The SPF program is open to all Local Governments in British Columbia outside of the Greater Vancouver Regional District.¹

Local Governments may choose to apply either as an individual applicant, or as a sponsor for another Ultimate Recipient. Ultimate Recipients are defined as: a local government; a non-municipal entity, including for-profit, non-governmental and not-for-profit organizations; and BC Transit.

All Local Governments are encouraged to apply for funding under this 2017 SPF intake.

¹ Islands Trust and Okanagan Basin Water Board are considered eligible applicants under this SPF program

5. APPLICATION LIMITS

Each eligible Local Government may submit two (2) applications under the *SPF-Capital Infrastructure Projects Stream* and one (1) application under the *SPF-Capacity Building Stream* for a total of three (3) applications.

If a Local Government chooses to sponsor an application for an Ultimate Recipient, that will be considered one of that Local Government's allowable applications.

6. PROJECT CATEGORIES

SPF Capital Infrastructure Projects Stream

Public Transit	Brownfield Redevelopment
Local Roads, Bridges and Active Transportation	Local and Regional Airports
Solid Waste	Short-sea Shipping
Community Energy Infrastructure	Short-line Rail
Drinking Water	Highways
Wastewater	Broadband Connectivity
Disaster Mitigation	Culture Infrastructure
Recreational Infrastructure	Sport Infrastructure
Tourism Infrastructure	

SPF Capacity Building Stream

Asset Management Planning	Long-term Infrastructure Planning
Integrated Community Sustainability Planning	

Examples of eligible projects under each category can be found in Annex A of this program guide.

7. ELIGIBLE AND INELIGIBLE COSTS

Eligible Costs for SPF Capital Infrastructure Projects Stream

Eligible Costs are the expenditures associated with acquiring, planning, designing, constructing or renovating a tangible capital asset, as defined by Generally Accepted Accounting Principles (GAAP), and any related debt financing charges specifically identified with that asset.

In addition, eligible costs also include expenditures directly related to the joint communication activities and with federal project signage for GTF funded projects.

The application will ask the applicant to include the class of cost estimate for the project. Below is a definition of cost estimate classification.

Cost Estimate Classification Definitions

(Source: APEGBC/CEBC: Budget Guidelines for Consulting Engineering Services 2009)

Class A estimate ($\pm 10-15\%$): A detailed estimate based on quantity take-off from final drawings and specifications. It is used to evaluate tenders or as a basis of cost control during day-labour construction.

Class B estimate ($\pm 15-25\%$): An estimate prepared after site investigations and studies have been completed and the major systems defined. It is based on a project brief and preliminary design. It is used for obtaining effective project approval and for budgetary control.

Class C estimate ($\pm 25-40\%$): An estimate prepared with limited site information and based on probable conditions affecting the project. It represents the summation of all identifiable project elemental costs and is used for program planning, to establish a more specific definition of client needs and to obtain preliminary project approval.

Class D estimate ($\pm 50\%$): A preliminary estimate which, due to little or no site information, indicates the approximate magnitude of cost of the proposed project, based on the client's broad requirements. This overall cost estimate may be derived from lump sum or unit costs for a similar project. It may be used in developing long term capital plans and for preliminary discussion of proposed capital projects.

Eligible Costs for SPF Capacity Building Stream

Expenditures related to strengthening the ability of Local Governments to improve local and regional planning including capital investment plans, integrated community sustainability plans, life cycle costs assessments, and Asset Management Plans.

Expenditures could include developing and implementing:

- i. Studies, strategies, or systems related to asset management, which may include software acquisition and implementation
- ii. Training directly related to asset management planning
- iii. Long-term infrastructure plans

Ineligible Costs for Capital Infrastructure and Capacity Building Projects

Ineligible Costs include:

- Leasing costs;
- Overhead costs, including salaries and other employment benefits of any employees of the Ultimate Recipient;
- Direct or indirect operating or administrative costs;
- Costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff;
- Purchase of land or any interest therein, and related costs;
- Legal fees; and
- Routine repair and maintenance costs.

Employee and equipment costs are **only** eligible if:

- a) The Ultimate Recipient demonstrates that it is not economically feasible to tender a contract.
- b) The employee or equipment is directly engaged in the work under the parameters of the contract.
- c) And the arrangement has received prior approval in writing by UBCM.

If the use of own force employee or equipment costs is being considered, please provide in addition to the application, a letter addressing the conditions above. Note that while most eligible costs are eligible from the date of the application submission, own force employee and equipment costs are only eligible from date of UBCM approval.

Under the Capital Infrastructure Stream:

- Response and emergency services related infrastructure are not eligible (including fire halls, fire trucks, fire services equipment, emergency service vehicles, buildings and equipment).
- Investments in health infrastructure (hospitals, convalescent and seniors centres) are not eligible.
- Investments in the National Airport System are not eligible.
- Investments in facilities, including arenas, which would be used as the home of professional sports teams or major junior hockey teams (e.g. Western Hockey League), are not eligible.
- The purchase of vessels, infrastructure that supports passenger-only ferry services, rehabilitation and maintenance of existing facilities such as wharves and docks, and dredging are not eligible under the Short-sea Shipping investment category.

Under Capacity Building Stream:

- Feasibility studies and detailed design for a specific infrastructure project are ineligible.

8. PHASING OF PROJECTS

For large projects that require significant funding support, it is recommended that applicants submit a “phased” approach. Applicants should apply for a component of the phased project or identify how the project could be phased. Each phase should be a stand-alone aspect of the project. It is important to note that successful grant awards for phased projects do not ensure subsequent funding for future phases of the project.

9. INELIGIBLE PROJECTS

Project works, which would otherwise be eligible, become ineligible if the project works have started prior to the date the project is included in a submitted SPF application. The project is deemed to have been started if a tender has been awarded or work has commenced.

Under the Capacity Building stream, projects that have been approved under the UBCM Asset Management Planning (AMP) grant program are deemed ineligible projects under the SPF-Capacity Building Project Stream, unless they are identified as a distinct or phased component of the overall project.

10. HOW TO APPLY

Applications must be received through the **UBCM Program Information Management System (PIMS)** and must include the following:

- ✓ Completed online application form;
- ✓ Attached feasibility study and/or detailed designs/detailed cost estimates and other relevant supplemental documentation; and
- ✓ A Council/Board resolution indicating support for the application.

It is expected that **PIMS** will be open to accept online applications beginning in April 2017. Local Governments will be notified at that time.

For any questions related to PIMS, please contact Gas Tax Program Services via e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

11. FUNDING AMOUNT LIMIT

A SPF grant can fund up to 100% of eligible costs of an eligible project up to a maximum federal Gas Tax Fund amount of \$6 million. Project applications over \$6 million remain eligible provided that additional costs are confirmed through other funding sources.

12. AVAILABLE FUNDING

It is anticipated that there is approximately \$180 million in SPF funding available for this intake. Depending on the quality of applications, it is expected that this amount will be committed. If funds are remaining, a final intake will follow. All eligible Local Governments are encouraged to apply for this 2017 SPF intake.

Approximately 5% of SPF funding will be reserved for projects under the Capacity Building stream.

Funding allocations and decisions are made by the Gas Tax Management Committee.

13. SELECTION PROCESS AND CRITERIA

Applications will first be screened to ensure the applicant and the project meet eligibility requirements. Those meeting eligibility requirements will then be reviewed and scored against the selection criteria noted below. Funding decisions will be made primarily on the basis of the relative ranking of the applications in relation to these criteria. Applicants are responsible for ensuring that applications include full and accurate information to assess eligibility and to score the project on the stated selection criteria.

Screening Criteria

- Applications must be submitted by an eligible Local Government either individually or as a sponsor for another Ultimate Recipient.
- Applications must be for a project that is an Eligible Project, as defined in the GTA and listed in Annex A.
- The project must not have started prior to the submission of the application.

14. SELECTION AND SCORING CRITERIA

SPF Capital Infrastructure Projects Stream

Selection criteria are based on the program purposes and objectives listed below. These selection criteria form the basis of the scoring and ranking of applications. Note the criteria listed below are not listed in order of priority; applicants should provide full information in relation to all of the criteria that are relevant to the project for which funding is requested.

- How much the project is expected to support the Gas Tax Fund National Objectives of productivity and the economic growth; a clean environment; and strong cities and communities;
- The timing of the project and its outcomes;
- The capacity of the community to undertake, evaluate and document the project, and to operate and maintain it;
- The degree to which the project develops or supports strategic infrastructure investment decisions or links to sustainability or capital investment plans;
- The degree to which asset management practices were considered;

- The degree to which the project uses sustainability principles or leads to sustainable outcomes (e.g., demand management; resource management and construction practices);
- The degree the project benefits more than one community or is identified as regional in impact;
- The size or scale of the project in relation to the size of the community;
- The degree to which the project reflects inter-jurisdiction cooperation;
- The degree to which the innovative plan, process, method or technology supports the approach that will be used, and the additional risks associated with using this innovation;
- The relative benefit of the innovative process, method or technology over existing processes, methods and technologies.

SPF Capacity Building Stream

Scoring will be based primarily on:

- How the project is expected to align with the Gas Tax Fund National Objectives of productivity and economic growth, a clean environment or strong cities and communities;
- The degree to which the project is identified as large in scale;
- The degree to which the project is considered regional in impact;
- Contribution to innovation;
- Long term thinking;
- Integration with other plans, planning or sustainability activities;
- Collaborative elements, including engaging community members and other partners;
- Implementation program;
- Monitoring and evaluation component;
- Linkage to capital investment plans; and
- Contribution to efficient use of infrastructure and other resources.

15. APPROVED APPLICATIONS

Successful applicants will be notified after funding decisions have been made.

Content of Funding Agreements

All grant approvals are subject to the execution of a funding agreement between the recipient and UBCM. The agreement will set out the roles and responsibilities of the parties, including a deadline for completion of the project and other recipient obligations.

Applicable Law

Recipients are responsible for ensuring that all projects are implemented in accordance with all laws applicable in British Columbia and for ensuring that any required permits, licenses, or approvals are obtained.

Payments

Payments will be made available to recipients in accordance with the terms and conditions of the funding agreement. Payments are also on condition of the following:

- That UBCM has received sufficient funds from Canada;
- That a holdback of 15% be placed on the project until such time as it is deemed complete; and
- The Ultimate Recipient is in compliance with the terms and conditions of the funding agreement.

ANNEX A: EXAMPLES OF ELIGIBLE SPF PROJECTS

Project Category	Description	Examples
Public Transit	Infrastructure which supports a shared passenger transport system which is available for public use	<ul style="list-style-type: none"> • Transit infrastructure such as rail and bus rapid transit systems, and related facilities • Buses, rail cars, ferries, para-transit vehicles, and other rolling stock and associated infrastructure • Intelligent Transport Systems such as fare collection, fleet management, transit priority signaling, and real time traveler information system at stations and stops • Related capital infrastructure including bus lanes, streetcar and trolley infrastructure, storage and maintenance facilities, security enhancement, and transit passenger terminals
Local Roads, Bridges, and Active Transportation	Roads, bridges and active transportation (active transportation refers to investments that support active methods of travel)	<ul style="list-style-type: none"> • New and rehabilitation of roads • New and rehabilitation of bridges • Cycling lanes, paths, sidewalks and hiking trails • Intelligent Transportation systems • Additional capacity for high occupancy/transit lanes, grade separations, interchange structures, tunnels, intersections and roundabouts
Regional and Local Airports	Airport related infrastructure (excludes National Airport System)	<ul style="list-style-type: none"> • Construction projects that enhance airports and are accessible all year-round, through the development, enhancement or rehabilitation of aeronautical and/or non-aeronautical infrastructure (includes runways, taxiways, aprons, hangars, terminal buildings etc.) • Non-aeronautical infrastructure such as groundside access, inland ports, parking facilities, and commercial and industrial activities
Short-line Rail	Railway related infrastructure for carriage of passengers or freight	<ul style="list-style-type: none"> • Construction of lines to allow a railway to serve an industrial park, an intermodal yard, a port or a marine terminal • Construction, rehabilitation, or upgrading of tracks and structures, excluding regular maintenance, to ensure safe travel • Construction, development or improvement of facilities to improve

Project Category	Description	Examples
		<ul style="list-style-type: none"> interchange of goods between modes • Procurement of technology and equipment used to improve the interchange of goods between modes • Short-line operators must offer year-round service
Short-sea Shipping	<p>Infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean</p>	<ul style="list-style-type: none"> • Specialized marine terminal intermodal facilities or transshipment (marine to marine) facilities • Capitalized equipment for loading/unloading required for expansion of short-sea shipping • Technology and equipment used to improve the interface between the marine mode and the rail/highways modes or to improve integration within the marine mode including Intelligent Transportation Systems (ITS) <p><i>Note: The purchase of vessels, infrastructure that supports passenger-only ferry services, rehabilitation and maintenance of existing facilities such as wharves and docks, and dredging are not eligible for funding</i></p>
Community Energy Systems	<p>Infrastructure that generates or increases efficient use of energy</p>	<ul style="list-style-type: none"> • Renewable electricity generators • Electric vehicle infrastructure/fleet vehicle conversion • Hydrogen infrastructure (generation, distribution, storage) • Wind/solar/thermal/geothermal energy systems • Alternative energy systems that serve local government infrastructure • Retrofit local government buildings and infrastructure
Drinking Water	<p>Infrastructure that supports drinking water conservation, collection, treatment and distribution systems</p>	<ul style="list-style-type: none"> • Drinking water treatment infrastructure • Drinking water distribution system (including metering)
Wastewater	<p>Infrastructure that supports wastewater and storm water collection, treatment and management systems</p>	<ul style="list-style-type: none"> • Wastewater collection systems and or wastewater treatment facilities or systems • Separation of combined sewers and or combined sewer overflow control, including real-time control and system optimization • Separate storm water collection systems

Project Category	Description	Examples
		<ul style="list-style-type: none"> and or storm water treatment facilities or systems Wastewater sludge treatment and management systems
Solid Waste	Infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage	<ul style="list-style-type: none"> Solid waste diversion projects including recycling, composting and anaerobic digestion Solid waste disposal projects including thermal processes, gasification, and landfill gas recovery Solid waste disposal strategies that reduce resource use
Sport Infrastructure	Amateur sport infrastructure (excludes facilities, including arenas, which would be used as a home of professional sports teams or major junior hockey teams)	<ul style="list-style-type: none"> Sport infrastructure for community public use Sport infrastructure in support of major amateur athletic events
Recreation Infrastructure	Recreational facilities or networks	<ul style="list-style-type: none"> Large facilities or complexes which support physical activity such as arenas, gymnasiums, swimming pools, sports fields, tennis, basketball, volleyball or other sport-specific courts, or other facilities that have sport and/or physical activity as a primary rationale Community centers that offer programming to the community at large, including all segments of the population Networks of parks, fitness trails and bike paths
Cultural Infrastructure	Infrastructure that supports arts, humanities, and heritage	<ul style="list-style-type: none"> Museums The preservation of designated heritage sites Local government owned libraries and archives Facilities for the creation, production, and presentation of the arts Infrastructure in support of the creation of a cultural precinct within an urban core
Tourism Infrastructure	Infrastructure that attract travelers for recreation, leisure, business or other purposes	<ul style="list-style-type: none"> Convention centers Exhibition hall-type facilities Visitor centres
Disaster Mitigation	Infrastructure that reduces or eliminates	<ul style="list-style-type: none"> Construction, modification or reinforcement of structures that protect

Project Category	Description	Examples
	long-term impacts and risks associated with natural disasters	<p>from, prevent or mitigate potential physical damage resulting from extreme natural events, and impacts or events related to climate change</p> <ul style="list-style-type: none"> • Modification, reinforcement or relocation of existing public infrastructure to mitigate the effects of and/or improve resiliency to extreme national events and impacts or events related to climate change <p><i>Note: this category is related to disaster prevention (such as dykes, berms, seismic upgrades etc.) and <u>not</u> response (such as fire trucks, fire halls etc.)</i></p>
Broadband Connectivity	Infrastructure that provides internet access to residents, businesses, and/or institutions in British Columbia	<ul style="list-style-type: none"> • High-speed backbone • Point of presence • Local distribution within communities • Satellite capacity
Brownfield Redevelopment	Remediation or decontamination and redevelopment of a brownfield site within municipal boundaries, where the redevelopment includes: the construction of public infrastructure as identified in the context of any other category under the GTF, and/or the construction of municipal use public parks and publicly-owned social housing.	<ul style="list-style-type: none"> • New construction of public infrastructure as per the categories listed under the Federal Gas Tax Agreement • New construction of municipal use public parks and affordable housing
Asset Management	Increase local government capacity to undertake asset management planning practices.	<ul style="list-style-type: none"> • Asset Management Practices Assessment • Current State of Assets Assessment • Asset Management Policy • Asset Management Strategy • Asset Management Plan • Long-Term Financial Plan • Asset Management Practices Implementation Plan • Asset Management Plan Annual Report
Integrated Community	Increase local government capacity to	<ul style="list-style-type: none"> • Integrated community sustainability plans

Project Category	Description	Examples
Sustainability Plans	undertake integrated community sustainability plans	<ul style="list-style-type: none"> • Regional growth strategies • Community development plans • Community plans
Long-term Infrastructure Plans		<ul style="list-style-type: none"> • Transportation plans • Infrastructure development plans • Liquid waste management plans • Solid waste management plans • Long-term cross-modal transportation plans • Water conservation/demand management plans • Drought management contingency plans • Air quality plans • GHG reduction plans • Energy conservation plans

ANNEX B: SPF CAPITAL APPLICATION FORM



**FOR INFORMATION PURPOSES ONLY
DO NOT SUBMIT THIS AS AN APPLICATION**

**Strategic Priorities Fund
Capital Application Form**

SECTION 1

1. Project Title
2. Project Category
3. Is this project the subject of a recent infrastructure grant application?
(Yes/No)

If yes: what program?

4. Project Rationale: Provide a brief project rationale outlining why the project is needed and how the project meets that need.

For example, why the project is needed could be: current facility needs replacement due to age, condition, increased service demands, meeting regulatory requirements etc.

5. Project Description: Provide a detailed list of the physical works and location of the project.

For example: build a wastewater effluent pipeline and outfall at north end of 20 Mile Bridge at Highway 10, including: 10km of forcemain; pumping system; outfall structure; and civil, mechanical and engineering works.

6. Project Location: Include physical address, GPS coordinates or start and end points.

Project Details/Cost Estimates

Please attach documents requested for questions 7, 8 and 9.

7. Detailed Cost Estimates

Please fill out the table Section 2: Project Costs and Sources of Funding.

*If your detailed cost estimates do not directly correspond with the amounts in Section 2: **Project Costs and Sources of Funding**, clarify the variance between the costs.*

8. Maps and/or drawings and at least one of the following:

9. Feasibility study or Design details

10. Class of Cost Estimate: Class A, B, C, D

See program guide for examples of Cost Estimate Class.

11. When (year) and how were these cost estimates determined?

12. What contingency plans are in place for increase in project costs or if external contributions are less than anticipated?

Note that SPF does not consider cost overruns

Attach any other relevant information that would assist in the technical review of the application (e.g. detailed project description including a description of the problem being addressed, pilot study, supporting engineering documents, etc.)

FOR INFORMATION ONLY

SECTION 2

SECTION 2	PROJECT COSTS AND SOURCES OF FUNDING		
	Total Cost		
Total SPF Request			
Total Project Cost			
Other Grants (Federal/Provincial etc.)			
Borrowing			
Internal Contributions (Reserves/DCCs etc.)			
Other Contributions (3 rd party)			
	ELIGIBLE COSTS		
	Description	Quantity	Total Cost
Construction/Materials			
<i>Items should reflect the major components in your project without going into specific detail.</i>			
	Construction/Materials Sub-Total:		
Design/Engineering			
	Design/Engineering Sub-Total:		
Other Eligible Costs			
<i>For example: communications, surveying, testing, consultation, environmental assessments etc.</i>			
	Other Eligible Costs Sub-Total:		
Contingency			
	TOTAL ELIGIBLE COSTS:		

INELIGIBLE COSTS	
	Total Cost
Land Acquisition Cost	
Legal Fees	
Own Force Equipment and Employee costs	
Direct or indirect operating or administrative costs	
Tax rebate	
Routine repair and maintenance costs	
TOTAL INELIGIBLE COSTS:	
TOTAL GROSS PROJECT COSTS: (Eligible + Ineligible)	

SECTION 3

Project Information

13. Has the project started? (Yes/No)
14. Estimated project start date.
15. Estimated project completion date.
16. Identify risks to meeting this timeline.

Please list all that are known, and include your evaluation and proposed mitigation for each risk. (e.g. seasonal limitations to construction, detailed design work, public oppositions expected, referendum required, unconfirmed grants, siting not confirmed, environmental assessments etc.)

17. Will a request for the use of own force labour and equipment be submitted for this project? (Yes/No)

If yes: Please see program guide for how to submit a request for approval.

18. Is this project a phase or component of a larger project? (Yes/No)

If yes: Is this phased approach reflected in the cost estimates and/or supporting documentation you have provided?

Please provide additional details on the phases, including funding for past and future phases and estimated timelines.

19. Were alternative options for the project considered? (Yes/No)

If yes: If so how were they compared or analyzed? Please Explain why the chosen option was selected.

SECTION 4

Program Objectives

In order to be eligible a project must align with one or more of the Gas Tax Fund National Objectives of Productivity and Economic growth, Cleaner Environment, or Strong Cities and Communities.

Answer the following questions for each national objective that is applicable to the project or phase that is the subject of this application, identifying both quantitative and qualitative benefits.

20. Productivity and Economic Growth: Describe the measurable economic benefits of the project in the community.

e.g. number of existing or confirmed jobs; increase in number of services/level of service.

21. Productivity and Economic Growth: Describe the non-measurable economic benefits of the project in the community.

e.g. potential for future business/jobs, increasing tourism, services etc.

22. Cleaner Environment: Describe the environmental benefits of the project.

e.g. reduction in GHG emissions, cleaner water, cleaner air, climate change mitigation etc.

23. Cleaner Environment: What environmentally sustainable considerations have been incorporated into the project?

e.g. integration, connections with long term planning, climate change adaptation etc.

24. Strong Cities and Communities: Describe the community health, social, and cultural benefits of the project.

e.g. promoting inclusive and accessible communities, improved drinking water quality etc.

25. Strong Cities and Communities: Describe how this project will advance the long-term goals and vision of the community as identified in applicable community plans. Include a copy of the relevant sections of the community plan as supporting documentation.

SECTION 5

Program Criteria

In order to be eligible a project must meet at least one of the SPF Program Criteria: Large in Scale, Regional in Impact, or Innovative. Describe how the project subject to this application meets these criteria.

26. Large in Scale: Describe how the size, scale and/or benefits of the project is large in relation to the size of the community.
27. What is the population of community? (*The community making the application.*)
28. What is the population directly served by the project works?
29. Regional in impact: Describe the degree to which this project supports inter jurisdictional collaboration and coordination.
30. Does this project involve partnerships? (Yes/No)
e.g. P3, NGO, inter-agency etc.
If yes: Describe partnership.
31. Identify the parties involved and their roles.
e.g. sharing cost, governance, or delivery.
32. Regional in Impact: Describe the degree the project benefits more than one community, is identified as regional priority, or is regional in scope.
33. Innovation: Describe the innovative component(s) of the project.
Describe what research, planning, testing, technology, or methodology supports the approach that will be used, and the additional risks associated with using this innovation (include where it has been used, and the results).
34. Innovation: Describe the relative benefit of the innovative process, method or technology over existing practices.

Describe how its application is innovative locally, regionally or nationally and how these innovative elements may be transferable to other jurisdictions.

SECTION 6

Project Planning and Benefits

Asset Management

35. Does your Local Government have a long-term financial plan? (Yes/No)

If yes: over how many years?

36. How does the financial plan relate to an Asset Management plan, Capital Works plan, Official Community Plan, and any other strategic community and corporate plans?

37. Describe how operation and maintenance will be funded over the lifecycle of the infrastructure subject to this application.

38. What proportion (%) of infrastructure replacement will be funded through current financial revenues?

39. As required through the Community Works Fund Agreement, is your Local Government committed to improving its asset management practices? (Yes/No)

For the Asset Class subject to this application:

40. Is there an asset inventory/registry? (Yes/No)

If yes: Is it complete? (Yes/No)

If yes: Is it up to date? (Yes/No)

41. Has a condition assessment been completed?

42. Is there an asset management plan? (Yes/No)

If yes: is the plan linked to a long-term financial plan?

43. What effects will the proposed project have on service levels and how will these be measured?

e.g. The water treatment plant upgrade will improve water quality—measured by the reduction in the number of boil water advisories, and improved levels of disinfection residuals and or by the number of residents with improved water quality and/or meet a provincial/federal standard.

44. Describe the plans in place for the renewal or rehabilitation of the infrastructure subject to this application.

Demand Management

45. Explain how current or future service demands were used to identify the project and/or establish the service levels provided by the project.

Refer to question 43 of Asset Management.

46. How does the project support demand management initiatives?

Include specific references to activities such as supporting water conservation, waste diversion, green building requirements, project lifecycle, how the project influences customer demand for the services, and identify what related bylaws are in place to incent these initiatives.

Resource Management

47. Explain how resource management was considered in the design, operation, service levels provided by, and the construction of this project.

Refer to question 43 of Asset Management.

Include conservation and/or reuse of materials or products; demand limitations applied in design, lifetime and/or capacity of facility, non-destructive construction techniques etc.

48. Does this project consider climate related risks, and if so, what adaptation/mitigation measures will be taken?

Other

49. What, if any, regulatory requirements, or standards apply to this project, and how will the infrastructure and/or service provided by this project affect these requirements?

Include how the current and proposed infrastructure or services differ in regulatory standards; attach any letters of support for the project from regulatory or overseeing agencies (such as Health Authority, Ministry of Environment etc.)

50. Describe the key project benefits(s) that led the community to make this project a priority for application for funding. (Include the key reason(s) why this project is important to the community.)

FOR INFORMATION ONLY

ANNEX C: SPF CAPACITY BUILDING APPLICATION FORM



**FOR INFORMATION PURPOSES ONLY
DO NOT SUBMIT THIS AS AN APPLICATION**

Strategic Priorities Fund Capacity Building Application Form

SECTION 1

1. Project Title
2. Project Category (Asset Management, Long-term Infrastructure, or Integrated Community Sustainability Plan)
3. Project Rationale

Provide a brief project rationale outlining why the project is important to the community.

4. Project Description/Abstract

Briefly describe the project. Please also attach a detailed work plan and budget, and terms of reference or consultant's proposal.

SECTION 2

Project Costs and Sources of Funding

5. Total SPF Request
6. Total Estimated Cost
7. Ineligible Costs

Other Funding Sources

8. Other Grants
Federal/Provincial etc.
9. Borrowing
10. Other Local Government Contributions
11. Other Contributions

SECTION 3

Project Information

12. Has the project started? (Yes/No)
13. Estimated Project Completion Date
14. Identify existing risks to the project
e.g. financial, implementation, or meeting timelines
15. Progress to Date: If you have previously received funding related to asset management, integrated community sustainability planning, or long-term infrastructure planning, please summarize the progress to date.
e.g. Asset Management Planning Grant
16. Process: What are the key process steps in completing the project?
e.g. public consultation, research, assessment, training.
17. Integration: In what ways does this project integrate with other plans or activities?
18. Intended Deliverables: What deliverables, outputs or products will result from this project? List any policies, practices, plans, or local government documents that will be developed or amended as a result of the project.
19. Intended Outcomes: What are the intended benefits that will result from this project?
20. Implementation: Is there an anticipated implementation plan of the project? (Yes/No)

If yes, please describe:

21. Capacity: Describe the capacity to undertake this project.

SECTION 4

Program Objectives

In order to be eligible a project must align with one or more of the Gas Tax Fund National Objectives of Productivity and Economic Growth, Cleaner Environment, or Strong Cities and Communities. Describe how these objectives will be met.

22. Productivity and Economic Growth: Describe how this project will consider economic growth in the community.

23. Cleaner Environment: Describe how this project will consider environmental benefits and impacts.

24. Strong Cities and Communities: Describe how this project will consider long-term goals and vision of the community.

e.g. community health and social benefits

SECTION 5

Program Criteria

In order to be eligible, a project must meet at least one of the program criteria of: Large in scale; Regional in impact; or Innovative. Please describe how you meet one or more of these criteria.

25. Large in scale: describe how the project is considered larger in scale.

Describe how the proposed plan is large in scope, and well integrated, relative to the size of the community, and provides benefits to large percentage of the population.

26. Regional in impact: Describe how this project is identified as regional in impact, a regional priority or leads to regional collaboration.

27. Innovation: Describe any innovative research, planning, testing, technology, methodology or approaches that will be used, and how these innovative elements may be transferable to other jurisdictions.

FOR INFORMATION ONLY

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 16, 2017

RE: Award of Contract for Okanagan Falls Landfill Operations Services

Administrative Recommendation:

THAT the Regional District sole-source the operation of the Okanagan Falls Landfill to Wildstone Construction & Engineering Ltd. for a 3-year term with an additional 2-year option for renewal; estimated at \$360,000/annum.

Reference Documents:

Work Specifications for the Okanagan Falls Landfill Site, 2017

Regional District of Okanagan-Similkameen Solid Waste Management Plan, AECOM, June 2011

RDOS Purchasing and Sales Policy Oct. 7, 2010. In accordance with the Purchasing and Sales Policy, the Regional District Board shall approve all purchases over \$50,000.

History:

The Okanagan Falls Landfill site is located approximately 4.5 km east of Okanagan Falls and has been operating since before 1979. The Landfill is situated on an 8.2 hectare area of leased Crown land.

The Landfill historically received residential and commercial municipal waste from the Okanagan Falls Area. In 2004, the Okanagan Falls Landfill amalgamated with the Campbell Mountain Landfill Service Area and was designated as a Demolition, Renovation and Construction (DRC) Landfill only. Acceptance of most municipal solid waste was then ceased.

In 2008, the RDOS planned and undertook an extensive upgrade of the Okanagan Falls Landfill site. The improvements included installation of a new scale house with an eighty foot scale and construction of a new entrance and access road.

The June 2011 RDOS Solid Waste Management Plan states:

13. Construction, Demolition and Renovation Waste Management

3. *The RDOS will develop a reuse facility for used C&D materials at the Okanagan Falls Landfill. For the operation of such a facility, the RDOS will consider partnering with a local skills development organization.*
4. *The RDOS will develop a recycling facility for mixed loads of C&D waste at the Okanagan Falls Landfill if private/not-for-profit facilities are not developed to fulfil this need.*

In June of 2012, Wildstone Construction and Engineering was awarded the operations contract for the Okanagan Falls site with the undertaking of developing a pilot project for a construction and demolition sorting facility. By late 2013, the preliminary construction of a sorting screening facility was completed.

In conjunction with the sorting of DRC materials, the RDOS implemented a comprehensive program to ensure that all materials delivered to the sorting facility are free of hazardous materials, most notably asbestos and lead. This process was established in cooperation with WorkSafe BC and the various Building Departments within the District.

The Regional District has developed a regulatory framework that includes requirements for assessment, remediation, clearance, manifests, chain of custody protocols and a graduated fee structure. This has resulted in a model program for effectively dealing with Demolition, Renovation and Construction (DRC) within the Province of British Columbia.

The provision of hazard free materials has enabled Wildstone Construction & Engineering Ltd. to develop an innovative sorting facility that incorporates a dust control system, disc screen, wood separating bath system and conveyor system. The sorting facility employs PACE personnel to complete the sorting of materials into metal, wood, and garbage waste streams.

As of March 2016, the initial results are extremely promising with a diversion rate increasing over 80% for either recycling or operationally beneficial material. The increased diversion activities for construction and renovation waste will significantly extend the life of the various landfills in the region.

Analysis:

In 2017 the budgetary allocation for Okanagan Falls Operations Contractor was:

1-2-3500-3520 CONTRACT SERVICES - OPS OK FALLS \$360,000.

The estimated annual cost as proposed for the 2017 year is \$358,250. These projected costs as proposed do not exceed the current annual budgetary allocation.

A significant investment at the Okanagan Falls landfill was made by Wildstone Construction & Engineering Ltd. in the current operations contract to build the sorting facility. The danger of exposure to hazardous materials prevented the sorting facility from operating for several years after its construction. The development of a regulatory framework enabling the provision of a hazardous material free

feedstock has taken several years to develop. The refinement of the initial pilot program with the sorting facility will require additional time to achieve the projected success.

The operations of the Okanagan Falls Landfill was not included in Request for Proposals (RFP) put out earlier in 2017 for Oliver and Campbell Mountain Landfills. For Okanagan Falls Landfill, staff are recommending that the Board endorse the selection of Wildstone Construction & Engineering Ltd. as being most favorable to the Regional District and that a new three (3) year contract with an option to extend for up to two (2) years be executed.

Alternatives:

THAT the Regional Board extend the current Operations contract for a four month period and direct staff to prepare and release a Request for Proposals.

Respectfully submitted:

Don Hamilton
D. Hamilton, Solid Waste Facilities Supervisor

Endorsed by:

Janine Dougall
Janine Dougall, Public Works Manager

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 18, 2017

RE: Five Year Financial Plan Amendment – Ortho Photos Project

Administrative Recommendation:

THAT the Board of Directors amend the 2017 Five Year Financial Plan to authorize an expenditure of up to \$30,000 for the ortho photos update.

Purpose:

To authorize an expenditure for the 2017 ortho photos project. 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:

Orthos are aerial photographs that are used for display in the internet mapping and GIS (Geographic Information System). Approximately every four years the RDOS updates the orthos in order to stay current with new development and to obtain photos in areas not covered by previous projects. The current ortho photos are from 2013.

Analysis:

The RDOS, BC Assessment and the RDOS member municipalities have agreed to partner in an orthos update project. The RDOS portion of the project was included in the 2017 IS Department Plan but through miscommunication, did not make it into the budget. The RDOS has been putting approximately \$5,000 per year in to reserve in anticipation of this project. The total reserve funds designated for the ortho project to-date is \$30,000.

Alternatives:

The budget amendment be denied.

Respectfully submitted:

Noelle Evans-MacEwan

N. Evans-MacEwan, Finance Supervisor

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 18, 2017

RE: BL 2776 Information Systems Renewal Capital Reserve Expenditure Bylaw

Administrative Recommendation:

THAT Bylaw No. 2776, 2017, Information Systems Renewal Capital Reserve Fund Expenditure Bylaw authorizing up to \$15,000 for the purchase of a plotter/scanner be read a first, second and third time and be adopted.

Reference:

Bylaw 2776, Information Systems Renewal Capital Reserve Expenditure Bylaw

Background:

The 'Information Systems Renewal Capital Reserve Fund' was established for the purpose of expenditures for and in respect of capital projects or equipment necessary for the capital projects and depreciation or obsolescence of any machinery and equipment.

Analysis:

The RDOS has a large format plotter/scanner that is used for plotting GIS maps, engineering drawings, etc. This plotter/scanner has been in use for approximately ten years and has become inefficient and unreliable. With a focus on moving to a more digital environment, the ability to accurately scan large documents is an important tool for staff.

Alternatives:

The request to purchase a new plotter/scanner be denied.

Respectfully submitted:

Noelle Evans-MacEwan

N. Evans-MacEwan, Finance Supervisor

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2776, 2017

A bylaw to authorize the expenditure of monies from the 'Information Systems Renewal Capital Reserve Fund' for the purchase of a plotter/scanner.

WHEREAS Section 377(1) of the Local Government Act, and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on;

AND WHEREAS the 'Information Systems Renewal Capital Reserve Fund' has sufficient monies available for the purchase of a plotter/scanner;

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

1 Citation

1.1 This Bylaw shall be cited as the 'Information Systems Renewal Capital Reserve Fund Expenditure Bylaw No 2776, 2017'

2 Purpose

2.1 The expenditure of up to \$15,000 from the 'Information Systems Renewal Capital Reserve Fund' is hereby authorised for the purchase of a plotter/scanner

READ A FIRST, SECOND, AND THIRD TIME this ___ day of ____, 20__

ADOPTED this ___ day of ____, 20__

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 18, 2017
RE: Destination Osoyoos Municipal Regional Destination Tax (MRDT)

Administrative Recommendation:

THAT the Board of Directors provide a letter of support to Destination Osoyoos for their reapplication to the Province to continue to collect the Municipal and Regional Destination Tax (MRDT).

Reference:

Email dated May 2, 2017 from K. Glazer, Destination Osoyoos

Business Plan Objective: *(Tie to current RDOS Business Plan)*

Goal 3.2 To develop an economically sustainable region.

Background:

The Municipal Regional Destination Tax (MRDT) has been in place in Osoyoos and supported by the Regional District since 2007. The MRDT provides for destination marketing for the Town of Osoyoos and surrounding areas. The tax is collected from the accommodation sector within the Town of Osoyoos and is based on 2% of room revenues collected.

Analysis:

Since 2007, Destination Osoyoos has increased the amount of tax collected (based on 2% of room revenues collected) by approximately 12% each year with the exception of 2016 when they experienced an increase of 17.3%.

In addition to the MRDT, Destination Osoyoos has a separate agreement with the Regional District to provide marketing and promotional support to businesses within Electoral Area "A". This agreement is funded under the Electoral Area "A" Economic Development Service Establishment Bylaw No. 2529, 2010.

Alternatives:

That the Board of Directors choose not to provide a letter of support to Destination Osoyoos for the Municipal Regional Destination Tax (MRDT).

Respectfully submitted:

"Gillian Cramm"

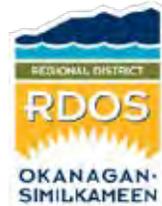
G. Cramm, Administrative Assistant

Endorsed by:

"Christy Malden"

C. Malden, Manager of Legislative Services

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 18, 2017
RE: Petition to Enter Naramata Water Service Area

Administrative Recommendation:

THAT Bylaw No. 2747, 2016, "Naramata Water Service Extension Bylaw" be adopted; AND, THAT Bylaw No. 1804.07, 2016, "Naramata Water System Development Cost Charge Amendment Bylaw" be adopted.

Reference:

Administrative Report from December 15, 2016 Board meeting for first, second and third readings of the Bylaws.

History:

At the December 15, 2016 Board meeting, the Board gave first three readings of Bylaws No. 2747, 2016 and 1804.07, 2016 which propose to have the subject Lands entered in to the Naramata Water System Service Area.

Alternatives:

THAT the first, second and third readings of Bylaw No. 2747, 2016, "Naramata Water Service Extension Bylaw" be rescinded and the bylaw be abandoned; AND

THAT the first, second and third readings of Bylaw No. 1804.07, 2016, "Naramata Water System Development Cost Charge Bylaw" be rescinded and the bylaw be abandoned.

Analysis:

Under Regional District Establishing Bylaw Approval Exemption Regulation 113/2007, the Board may adopt a bylaw without approval of the Inspector of Municipalities if a sufficient petition and consent from the Electoral Area Director is received. The petition received in relation to these bylaws has been certified sufficient and Director consent has been obtained; therefore, the Board may now adopt these bylaws.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2747, 2016

A bylaw to amend the Naramata Water System Service Area Boundaries.

WHEREAS the owners of the property described in this bylaw have petitioned the Board of the Regional District to extend the boundaries of the Naramata Water Service Area to include that property;

AND WHEREAS consent on behalf of the participating areas has been given by the Director of Electoral Area "E" in accordance with the *Local Government Act*;

NOW THEREFORE, the Board of the Regional District of Okanagan Similkameen, in open meeting assembled, ENACTS AS FOLLOWS:

TITLE

1. This bylaw may be cited as the "Naramata Water Service Area Extension Bylaw No. 2747, 2016".

SERVICE AREA EXTENSION

2. The "Naramata Water System Local Service Area Establishment Bylaw No. 1620, 1995", as amended, is further amended by altering Schedule "A" to that bylaw to include within the boundaries of the service area that portion of the Lands legally described as
 - (a) PID: 007-717-750, Lot 1, Plan 38207, District Lot 207, Land District Similkameen Div of Yale, Except Plan KAP72459 KAP84271; and
 - (b) PID: 002-906-210, Lot C, Plan 35028, District Lot 206, Land District Similkameen Div of Yale,

outlined in heavy black on the plan entitled "Sketch Plan to Accompany an Application of Inclusion into the Naramata Water Service", a reduced copy of which is attached as Schedule "A" to this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this day of , 2016.

ELECTORAL AREA DIRECTOR CONSENT OBTAINED on day of , 2016.

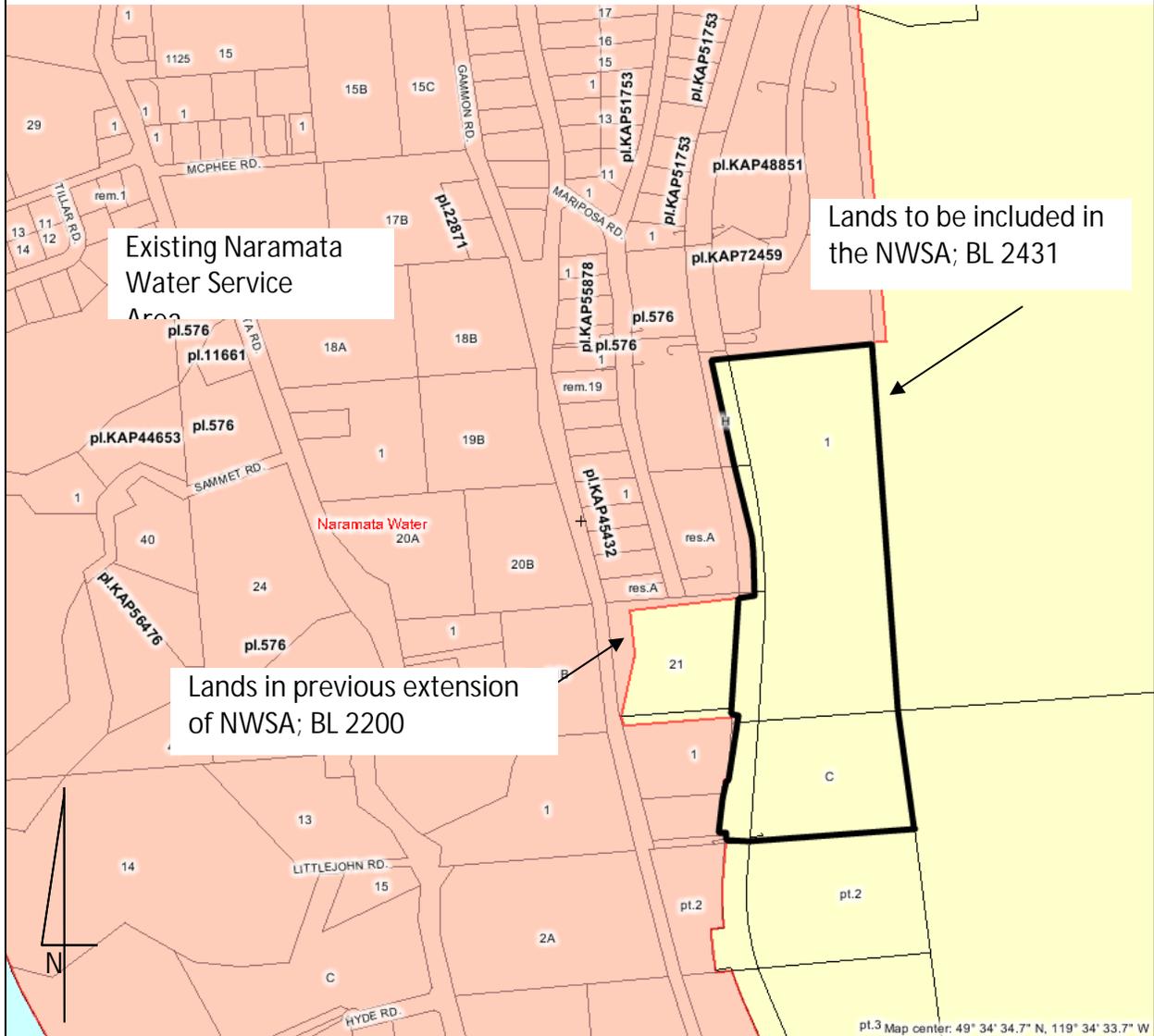
ADOPTED this day of __, 2017.

Chair

Corporate Officer

FILED with the Inspector of Municipalities this ____ day of _____, 2017

Schedule 'A'



Sketch Plan to Accompany an Application for Inclusion
into the Naramata Water Service

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1804.07, 2016

A bylaw to amend the Naramata Water System Development Cost Charge Bylaw.

WHEREAS the owners of the properties described in this bylaw have petitioned the Board of the Regional District to extend the boundaries of the Naramata Water Service Area to include the properties;

AND WHEREAS the Regional District has, pursuant to that request, extended the boundaries of the Naramata Water Service Area to include the properties;

AND WHEREAS the owners have expressly agreed that, in order for the Regional District of Okanagan Similkameen to provide water to the properties, the Regional District must impose development cost charges;

AND WHEREAS the owners have agreed to pay development cost charges;

NOW THEREFORE, the Board of the Regional District of Okanagan Similkameen, in open meeting assembled, ENACTS AS FOLLOWS:

TITLE

1. This bylaw may be cited as the "Naramata Water System Development Cost Charge Bylaw Amendment Bylaw No. 1804.07, 2016."

AMENDMENTS

2. The Naramata Water System Development Cost Charge Bylaw No. 1804, 1997, is amended by including the properties legally described as:
 - (a) Parcel Identifier No. 007-717-750
Lot 1, Plan 38207, District Lot 207,
Land District Similkameen Div of Yale,
Except Plan KAP72459 KAP84271
 - (b) Parcel Identifier No. 002-906-210
Lot C, Plan 35028, District Lot 206,
Land District Similkameen Div of Yale

The Naramata Water System Development Cost Charge Bylaw No. 1804, 1997, is further amended by altering Schedule "B" to that bylaw to include within the area shown as "Zone A" on Schedule "B" to that bylaw that portion of the lands legally described as

- (a) PID: 007-717-750, Lot 1, Plan 38207, District Lot 207, Land District Similkameen Div. of Yale, Except Plan KAP72459 KAP84271; and
- (b) PID: 002-906-210, Lot C, Plan 35028, District Lot 206, Land District Similkameen Div. of Yale,

outlined in heavy black on the plan entitled "Sketch Plan to Accompany Applications for Inclusion into the Naramata Water Service:", a reduced copy of which is attached as Schedule "A" to this bylaw.

READ A FIRST, SECOND AND THIRD TIME this 15th day of December, 2016.

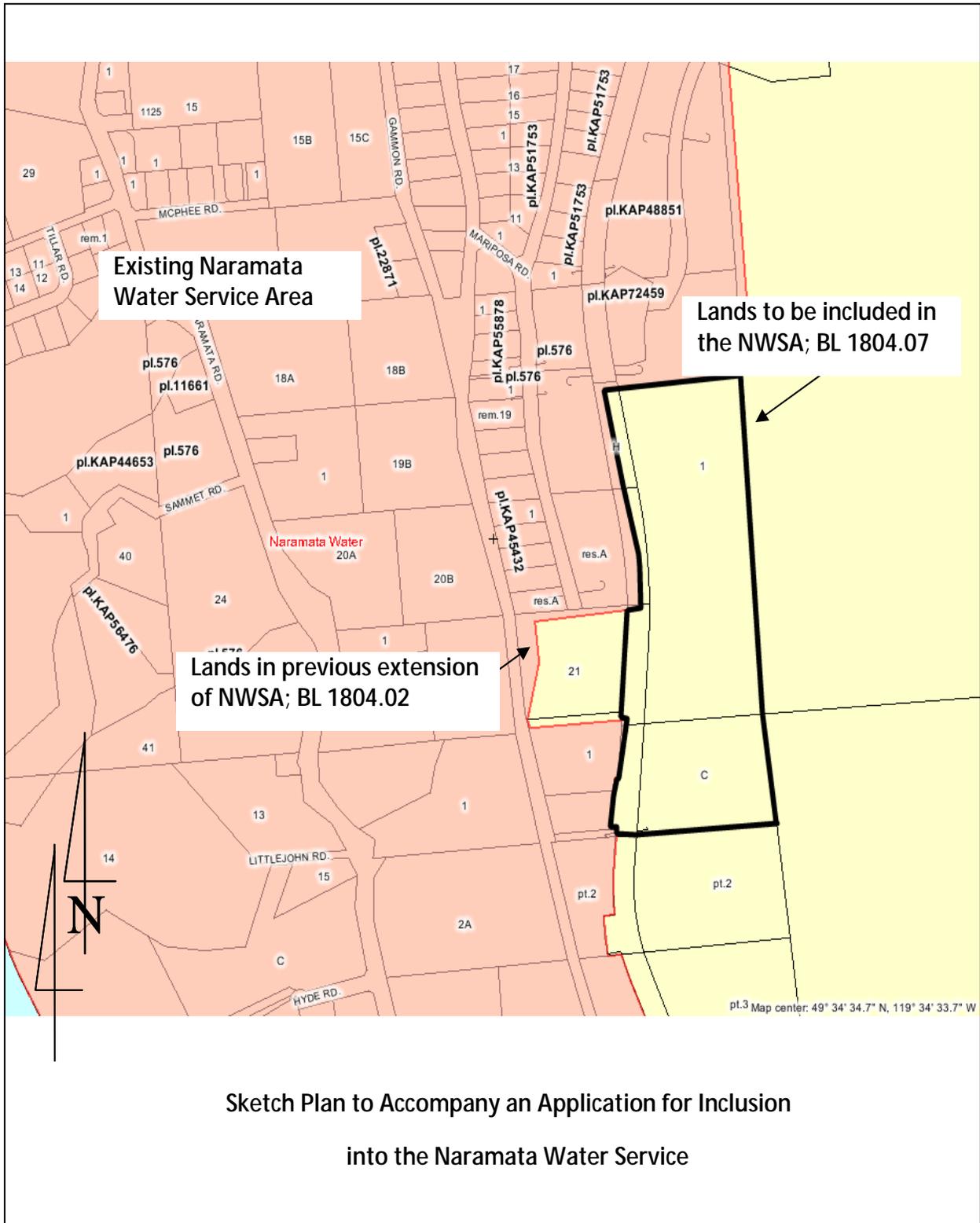
APPROVED BY THE INSPECTOR OF MUNICIPALITIES this day of _____, 2017.

ADOPTED this day of _____, 2017.

Chair

Corporate Officer

Schedule 'A'





Okanagan Basin
WATER BOARD

BOARD REPORT: May 5, 2017

1450 KLO Road, Kelowna, BC V1W 3Z4
P 250.469.6271 F 250.762.7011
www.obwb.ca

OBWB Directors

Tracy Gray - Chair,
Regional District of Central
Okanagan

**Juliette Cunningham - Vice-
Chair,** Regional District of
North Okanagan

Doug Dirk, Regional District of
North Okanagan

Rick Fairbairn, Regional
District of North Okanagan

Doug Findlater, Regional
District of Central Okanagan

Cindy Fortin, Regional District
of Central Okanagan

Ron Hovanes, Regional
District of Okanagan-
Similkameen

Sue McKortoff, Regional
District of Okanagan-
Similkameen

Peter Waterman, Regional
District of Okanagan-
Similkameen

Lisa Wilson, Okanagan Nation
Alliance

Toby Pike, Water Supply
Association of B.C.

Brian Guy, Okanagan Water
Stewardship Council

**The next regular meeting of
the OBWB will be at 10 a.m.
June 6, 2017 at Summerland
Waterfront Resort in
Summerland.**

Okanagan Basin Water Board Meeting Highlights

Kelowna restoration projects highlighted: Wayne Wilson with the Central Okanagan Land Trust provided the Water Board with an update on the Mission Creek & Munson Pond restoration projects. Both have received funds through the OBWB's Water Conservation and Quality Improvement Grant Program. Work at Munson Pond has resulted in a healthier ecosystem, he noted, with riparian plantings and the installation of turtle logs (as part of the Water Board's Wetlands Project to bring back such areas in the Okanagan). A proper walkway has been added, and a popular bird watching platform. COLT is now looking at installing interpretive signage about the area's flora and fauna. Work at Mission Creek has focused on efforts to naturalize the area. The creek is one of the Okanagan's most important waterways, representing 25% of the inflow into Okanagan Lake. The creek was channelized back in the 50s to address flooding. The result was loss of fish habitat, but it also did not effectively address today's flooding challenges. The Mission Creek Restoration Initiative has included moving the dykes back to allow the creek more room to flow. The result has also been improved fish habitat.

Directors prepare to take their mussel case to Ottawa: The board discussed plans to address the threat of invasive zebra and quagga mussels at an upcoming meeting with the Minister of Fisheries and Oceans Canada. A number of directors will be heading to Ottawa as part of the annual Federation of Canadian Municipalities conference in June and are taking the opportunity to press the mussel issue while there. The Water Board has been asking the federal government to enhance border inspections and allocate funding to improve mussel education, containment and prevention.

Okanagan's Sustainable Water Strategy to be updated: The OBWB's Water Stewardship Council, a technical advisory body to the board, is assisting with an update to the 2008 Sustainable Water Strategy. The strategy is a comprehensive guide to water management practices in the Okanagan with the goal of helping manage the increasing water demands of a growing population, adapt to our changing climate and work toward long-term water sustainability in the basin. The updated strategy will include new and emerging issues facing our valley, including adoption of B.C.'s new Water Sustainability Act, the potential for invasive mussels, and more. It's expected the updated strategy will be completed by May 2018.

Okanagan Nation hosts 3rd Water Forum: The Okanagan Nation Alliance is holding a water forum May 30 at UBC Okanagan in Kelowna. The theme this year is "Forward Thinking: Syilx Knowledge Informing Watershed Planning." The forum will highlight Syilx projects, tools and practices related to water, share an understanding about Indigenous Water Rights, and build opportunities to work together to protect water in the Columbia Basin. There will also be a water art exhibit. The forum is intended for Syilx (Okanagan) citizens, government staff, and regional water stakeholders to collaborate. For more details and to register, visit <https://tinyurl.com/kmo5pcj>.

For more information, please visit: www.OBWB.ca