

# PUBLIC NOTICE

## CHANGE IN MEETING LOCATION

### April 5, 2018

Due to the active Emergency Operations Centre at the Regional District office, please be advised that the following meetings scheduled for April 5, 2018 have been relocated from 101 Martin Street to **The Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton:**

- Public Hearings
- Planning and Development Committee
- Community Services Committee
- Corporate Services Committee
- Environment and Infrastructure Committee
- Protective Services Committee
- RDOS Board

We apologize for any inconvenience this change may cause.

\*NOTE: The above meetings are open to the public.  
Please refer to the attached Schedule of Meetings for start times.

Karla Kozakevich  
Chair, Board of Directors

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, April 05, 2018

**The Penticton Lakeside Resort & Convention Centre, Salon A**  
**21 Lakeshore Drive West, Penticton**

### SCHEDULE OF MEETINGS

9:00 am	-	9:30 am	Public Hearings:
			Amendment Bylaw No. 2797, 2018
			Electoral Areas "D-2" & "E"
			Small Holdings One (SH1) Zone Review
			Amendment Bylaw Nos. 2603.12/.13, 2018 and
			Amendment Bylaw No. 2455.31, 2018
			Electoral Area "D-2"
			Large Holdings Three (LH3) Zone Review
			Amendment Bylaw No. 2783
			Electoral Areas "A", "C", "D", "E" & "F"
			Industrial Zone Review
9:30 am	-	11:45 am	Planning and Development Committee
11:45 am	-	12:15 pm	Community Services Committee
12:15 pm	-	12:45 pm	Lunch
12:45 pm	-	1:15 pm	Corporate Services Committee
1:15 pm	-	2:00 pm	Environment and Infrastructure Committee
2:00 pm	-	2:30 pm	Protective Services Committee
2:30 pm	-	4:30 pm	RDOS Board

*"Karla Kozakevich"*

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Karla Kozakevich  
Chair, Board of Directors



# NOTICE OF PUBLIC HEARING

Amendment Bylaw Nos. 2603.12/.13, 2018; and  
Amendment Bylaw No. 2455.30, 2018  
Electoral Area “D-2” — LH3 Zone Review

Date: Thursday, April 5, 2018

Time: 9:00 a.m.

## UPDATED LOCATION:

The Penticton Lakeside Resort & Convention Centre, Salon A  
21 Lakeshore Drive West, Penticton

**PURPOSE:** The proposed amendment bylaws proposed to delete the Large Holdings Three (LH3) Zone from the Electoral Area “D-2” Zoning Bylaw No. 2455, 2008, and to amend the zoning of properties that are currently zoned LH3 under Schedule ‘2’ (Zoning Map) of the bylaw to either Resource Area (RA), Large Holdings One (LH1), Large Holdings One Site Specific (LH1s), Large Holdings Two (LH2), Large Holdings Two Site Specific (LH2s), Small Holdings Two (SH2), Small Holdings Three (SH3), Small Holdings Three Site Specific (SH3s), Small Holdings Four (SH4), Residential Single Family One (RS1), Parks and Recreation (PR), Conservation Area (CA) and Conservation Area Site Specific (CAs).

This change will also necessitate a number of changes to Schedule ‘B’ (Official Community Plan Map) of the Electoral Area “D-2” Official Community Plan (OCP) Bylaw No. 2603, 2013, by amending the designation of certain properties from Large Holdings (LH) to Resource Area (RA), Small Holdings (SH), Low Density Residential (LR), Parks, Recreation and Trails (PR) and Conservation Area (CA).

These amendments relate to the work being undertaken on the preparation of a single zoning bylaw for the Okanagan Valley Electoral Areas.

### **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](http://www.rdos.bc.ca)  
(Departments → Development Services → Planning → Strategic Projects → Large Holdings  
Three (LH3) Zone Review)

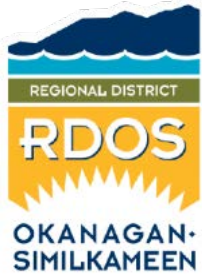
Anyone who considers themselves affected by the proposed bylaw amendments can present written information or speak at the public hearing. All correspondence for the public hearing to be addressed to: Public Hearing Bylaw No. 2603.12, 2603.13, and 2455.30, 2018 , c/o Regional District of Okanagan-Similkameen. 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](mailto:planning@rdos.bc.ca)

Brad Dollevoet  
Manager of Development Services

Bill Newell  
Chief Administrative Officer



# NOTICE OF PUBLIC HEARING

## Amendment Bylaw No. 2783

### Electoral Areas “A”, “C”, “D”, “E”, & “F” Industrial Zone Review

**Date:** Thursday, April 5, 2018

**Time:** 9:00 a.m.

## UPDATED LOCATION:

**The Penticton Lakeside Resort & Convention Centre, Salon A  
21 Lakeshore Drive West, Penticton**

**PURPOSE:** Amendment Bylaw No. 2783, 2018, proposes to undertake an update of the Industrial Zones found in the Okanagan Electoral Area Zoning Bylaws in order to introduce consistent permitted uses (including production of cannabis as a type of “manufacturing” use), definitions and regulations. This will result in the consolidation of existing industrial zones into three new zones, being General Industrial (I1), Heavy Industrial (I2) and Community Waste Management (I3).

These proposed changes also necessitate a number of changes to Schedule ‘B’ (Official Community Plan Map) and Schedule ‘2’ (Zoning Map) of the Electoral Area Official Community Plan (OCP) Bylaw and Zoning Bylaws. In addition, it is also proposed to update the Industrial objectives and policies contained in the OCP Bylaws for Electoral Areas “E” and “F” to facilitate this Review.

These amendments are to be applied to the:

- Electoral Area “A” OCP Bylaw No. 2450, 2008 & Zoning Bylaw No. 2451, 2008;
- Electoral Area “C” OCP Bylaw No. 2452, 2008 & Zoning Bylaw No. 2453, 2008;
- Electoral Area “D-1” OCP Bylaw No. 2683, 2016 & Zoning Bylaw No. 2457, 2008;
- Electoral Area “D-2” Zoning Bylaw No. 2455, 2008;
- Electoral Area “E” OCP Bylaw No. 2458, 2008 & Zoning Bylaw No. 2459, 2008; and
- Electoral Area “F” OCP Bylaw No. 2461, 2008 & Zoning Bylaw No. 2462, 2008.

These amendments relate to the work being undertaken on the preparation of a single zoning bylaw for the Okanagan Valley Electoral Areas.

### **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](http://www.rdos.bc.ca)  
(Departments → Development Services → Planning → Strategic Projects → Industrial Zone Update)

Anyone who considers themselves affected by the proposed bylaw amendments can present written information or speak at the public hearing. All correspondence for the public hearing to be addressed to: Public Hearing Bylaw No. 2783, 2018, c/o Regional District of Okanagan-Similkameen. 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](mailto:planning@rdos.bc.ca)

Brad Dollevoet  
Manager of Development Services

Bill Newell  
Chief Administrative Officer





# NOTICE OF PUBLIC HEARING

Amendment Bylaw No. 2797, 2018

Electoral Areas “D-2” & “E”

Small Holdings One (SH1) Zone Review

Date: Thursday, April 5, 2018

Time: 9:00 a.m.

## UPDATED LOCATION:

The Penticton Lakeside Resort & Convention Centre, Salon A

21 Lakeshore Drive West, Penticton

**PURPOSE:** Amendment Bylaw No. 2797, 2018, proposes to delete the Small Holdings One (SH1) Zone from the Electoral Area “D-2” and “E” zoning bylaws and to amend the zoning of properties that are currently zoned SH1 under Schedule ‘2’ of these bylaws to either Large Holdings One (LH1), Large Holdings One Site Specific (LH1s) or Small Holdings Three (SH3).

This change will also necessitate a number of changes to Schedule ‘B’ (Official Community Plan Map) of the Electoral Area “D-2” and “E” official community plan (OCP) bylaws by amending the designation of certain properties from Small Holdings (SH) to Large Holdings (LH).

These amendments are to be applied to the:

- Electoral Area “D-2” OCP Bylaw No. 2603, 2012 & Zoning Bylaw No. 2455, 2008; and
- Electoral Area “E” OCP Bylaw No. 2458, 2008 & Zoning Bylaw No. 2459, 2008.

These amendments relate to the work being undertaken on the preparation of a single zoning bylaw for the Okanagan Valley Electoral Areas.

### **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](http://www.rdos.bc.ca)  
(Departments → Development Services → Planning → Strategic Projects → Small Holdings One (SH1) Zone Review)

Anyone who considers themselves affected by the proposed bylaw amendments can present written information or speak at the public hearing. All correspondence for the public hearing to be addressed to: Public Hearing Bylaw No. 2797, 2018, c/o Regional District of Okanagan-Similkameen. 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](mailto:planning@rdos.bc.ca)

Brad Dollevoet  
Manager of Development Services

Bill Newell  
Chief Administrative Officer



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Planning and Development Committee

Thursday, April 05, 2018

9:30 a.m.

## REGULAR AGENDA

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### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

THAT the Agenda for the Planning and Development Committee Meeting of April 5, 2018 be adopted.

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### B. DELEGATION – MINISTRY OF FOREST, LANDS, AND NATURAL RESOURCE OPERATIONS

Patrick Tobin – Regional Manager, Compliance and Enforcement

Mr. Tobin will address the Board to discuss moorage as a land use on Crown land, riparian rights, the role of the Crown and the possible roles for local governments in managing foreshore development on the Crown portion of the foreshore.

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### C. ZONE REVIEW – 7005 INDIAN ROCK ROAD, ELECTORAL AREA “E”

1. Bylaw No. 2458.12, 2018 – Draft
2. Bylaw No. 2459.29, 2018 – Draft

This report relates to proposed amendments that would replace the Tourist Commercial One (CT1) Zone that applies to the property at 7005 Indian Rock Road (legally described as Lot A, Plan KAP58846, District Lot 391, 3986S & 4018S, SDYD) with a new “Sunset Acres Comprehensive Development (CD7)” Zone in the Electoral Area “E” Zoning Bylaw.

#### **RECOMMENDATION 2**

THAT staff be directed to initiate the Electoral Area “E” Official Community Plan (OCP) Amendment Bylaw No. 2458.12, and the Electoral Area “E” Zoning Amendment Bylaw No. 2459.29.

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**D. BUILDING BYLAW – PROVISIONS FOR FARM BUILDINGS**

To provide information and receive direction from the Board with respect to farm building exemptions.

**RECOMMENDATION 3**

**THAT** staff be directed to incorporate provisions within the Building Bylaw for building permits for farm buildings with a reduced fee structure and a limited inspection process for bona fide farm buildings, with exemptions from permit fees and inspections for structures less than 20 m<sup>2</sup> (215 ft<sup>2</sup>) which meet the definition of a low human occupancy farm building, and for unenclosed hay storage structures and animal shelters less than 600 m<sup>2</sup> (6,458 ft<sup>2</sup>), both of which are located on land classed as farm through BC Assessment.

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**E. BYLAW ENFORCEMENT POLICY REVIEW DISCUSSION**

1. Bylaw Enforcement: Best Practices Guide for Local Governments – The Office of the Ombudsperson, Special Report No. 36 (March, 2016)
2. RDOS Bylaw Enforcement Procedures Policy - December 19, 2013
3. Bylaw Enforcement Procedures Policy – 2018 Update

To present Bylaw Enforcement Procedures Policy which is to replace the previous Bylaw Enforcement Procedures Policy adopted by the Board on December 19, 2013

**RECOMMENDATION 4**

**THAT** the Board of Directors adopt the Bylaw Enforcement Procedure Policy (Dated April 5, 2018) as its guiding policy for the enforcement of all RDOS regulatory bylaws and directs Administration to report back on the results of the new Policy by April 5, 2019.

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**F. DAVID SUZUKI FOUNDATION BLUE DOT DECLARATION**

1. Briefing Note
2. Proclamation Policy dated July 16, 2015

To provide RDOS support for the David Suzuki Foundation Blue Dot campaign.

**RECOMMENDATION 5**

**THAT** the Chief Administrative Officer's report dated April 5, 2018 entitled David Suzuki Foundation Blue Dot Declaration be received for information;

**AND THAT** the Regional District adopt the following declaration:

Whereas the Regional District of Okanagan-Similkameen recognizes that the mutual importance and interconnectedness of a healthy environment is inextricably linked to the well-being of our communities; and,

Whereas the Regional District of Okanagan – Similkameen recognizes that environmental protection is a fundamental value held by its citizens; and,

Whereas the Regional District of Okanagan – Similkameen has a structured sphere of influence and a defined jurisdiction; and,

Whereas in proclaiming this declaration, the Board of Directors are articulating public policy principles, but not creating or guaranteeing any legal rights or obligations; and

Whereas the Regional District of Okanagan – Similkameen supports the recognition of the right to a healthy environment in the Canadian Charter of Rights and Freedoms;

Now therefore the Board of Directors of the Regional District of Okanagan – Similkameen declares that:

1. All people have the right to live in a healthy environment; including the right to breathe clean air; drink and access clean water; eat safe and healthy food; and access nature.
2. Within its jurisdiction, the Regional District of Okanagan – Similkameen has certain authority to respect, protect, fulfill and promote these rights and commits to encourage the respect, protection, fulfillment and promotion of these rights.

The Regional District of Okanagan – Similkameen shall apply the precautionary principle by taking measures to prevent the degradation of the environment and protect the health of its citizens where threats of serious or irreversible damage to human health or the environment exist.

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## G. ADJOURNMENT

## ADMINISTRATIVE REPORT



**TO:** Planning and Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Zone Review – 7005 Indian Rock Road (Electoral Area “E”)

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### **Administrative Recommendation:**

**THAT staff be directed to initiate the Electoral Area “E” Official Community Plan (OCP) Amendment Bylaw No. 2458.12, and the Electoral Area “E” Zoning Amendment Bylaw No. 2459.29.**

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### **Purpose:**

This report relates to proposed amendments that would replace the Tourist Commercial One (CT1) Zone that applies to the property at 7005 Indian Rock Road (legally described as Lot A, Plan KAP58846, District Lot 391, 3986S & 4018S, SDYD) with a new “Sunset Acres Comprehensive Development (CD7)” Zone in the Electoral Area “E” Zoning Bylaw.

### **Background:**

At its meeting of October 16, 2008, the Regional District Board considered an [Administrative Report](#) proposing the creation of a single Okanagan Valley Electoral Area Zoning Bylaw and directed staff to investigate the preparation of such a bylaw. The 2018 Business Plan includes a direction to “continuously improving bylaws, policy and process within the organization ...”

In anticipation of bringing forward a draft zoning bylaw for consideration by the Board, a series of draft amendments (by zone category) have been presented to the Board between 2016 and the present related to various zones updates required in order to facilitate drafting of a single Electoral Area Zoning Bylaw.

The zoning review of the subject property was originally contemplated as part of the Commercial Tourist Zone Review considered by the Planning and Development (P&D) Committee of the Board at its meeting of July 20, 2017. For reasons that will be discussed further below, it is now being proposed to address the zoning of the subject property independent of the Commercial/Tourist Commercial Zone Review.

### **Development History:**

The current boundaries of the subject property were created as a result of a parcel consolidation deposited in the Land Titles Office in Kamloops on March 26, 1997, while available Regional District records indicate that Building Permits for approximately 11 single detached dwellings have been issued at the property between 1993 and 2017.

### **Land Use Regulations:**

Under the Electoral Area “E” OCP Bylaw No. 2458, 2008, the subject property is currently designated Commercial (C), and is the subject of a Watercourse Development Permit (WDP) Area designation (associated with Okanagan Lake and Koost Creek) as well as an Environmentally Sensitive Development Permit (ESDP) Area designation.

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Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Tourist Commercial One (CT1), the general intent of which is to provide a zone that allows for year-round tourism activities such as hotels and indoor and outdoor recreation or amusement facilities.

Accordingly, principal permitted uses in the CT1 Zone currently include, amongst other things; motels, resort, eating and drinking establishments, recreation services and campgrounds, but prohibit residential uses such as single detached dwellings.

It is understood that the past issuance of Building Permits for single detached dwellings on the subject property was on the proviso that these be used for recreational purposes related to the Sunset Acres “resort”. Administration notes that BC Assessment has assessed the property as Class 01 (Residential) since 2006 (being the earliest date that records are readily available for).

The geotechnical classification of the property includes areas of “hazard of land receiving slide or slump materials from above” and “hazard of materials sliding or slumping”.

#### Compliance:

In 2014, the Regional District became aware that shipping containers had been placed within the WDP Area associated with Okanagan Lake at “Lot 15” and were potentially being used for residential purposes. Enforcement action regarding this complaint remains on-going.

In February 2018, the Regional District received two separate referrals from the province regarding the reconstruction of “residential” docks at the subject property that were damaged during the 2017 flood event.

The province was advised that the residential use of these docks was not consistent with the CT1 zoning of the subject property, and the province responded on March 13, 2018, that it will withhold approval for the reconstruction of these docks until their use is consistent with the zoning of the subject property.

#### **Analysis:**

Despite the tourist commercial zoning of this property and the requirement that the dwellings constructed on the site over the past 25 years only be used for the short-term accommodation of tourists, available evidence in the form of on-going bylaw enforcement action, referrals from other government agencies as well as the assessment of the property speak to it being used primarily for residential purposes.

For this reason, Administration considers that the zoning of the property should be reviewed and that the CT1 Zone be potentially replaced with a rural-residential zoning. The benefits of such a review are seen to include the formalisation of existing residential uses, the ability for dwelling expansions or reconstruction to occur without further questions about compliance with zoning and the removal of a barrier to other agency approvals (i.e. Crown approval of residential dock replacements).

Complicating such a proposal, however, has been the historical development of the property on the basis of an informal plan that contemplates 17 “lots” that does not appear to have any legal basis. As a result, there are at least 11 dwellings that have been constructed on a single legal parcel, albeit one that appears to have many different owners.

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This situation is seen to be akin to others that the Regional District has previously confronted at North Beach Estates (a “shared lot” development) in Electoral Area “F” and “Kennedy Lake Resort” in Electoral Area “H”.

In both those instances, the development of multiple dwellings on a single legal parcel was resolved through the introduction of a Comprehensive Development (CD) Zone, and Administration is proposing a similar outcome for the subject property.

Specifically, that a new “Sunset Acres Comprehensive Development (CD7)” Zone be introduced into the Electoral Area “E” Zoning Bylaw with provisions generally based on those found in the Small Holdings Five (SH5) Zone as this latter zone best captures the existing land use and “lot” sizes found on the subject property. For reference purposes, a comparison of the CT1 versus the proposed CD7 is included at Attachment No. 1.

Should the Board be supportive of this proposal, Administration is proposing to contact and meet with the various property owners registered on the title of the subject property (likely at an information meeting) in order to obtain feedback on the proposed amendments.

Alternatively, the Board may wish to consider retaining the current CT1 Zone in order to provide options for tourist commercial uses adjacent to Okanagan Lake in Electoral Area “E”.

**Alternative:**

THAT staff not be directed to initiate the Electoral Area “E” Official Community Plan (OCP) Amendment Bylaw No. 2458.12, and the Electoral Area “E” Zoning Amendment Bylaw No. 2459.29.

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed by:**



B. Dollevoet, Dev. Services Manager

Attachments: No. 1 — CT1 Zone vs. Draft CD7 Zone  
No. 2 – Site Photo (2017)  
No. 3 — Draft Amendment Bylaw No. 2458.12  
No. 4 – Draft Amendment Bylaw No. 2459.29



Attachment No. 1 – Current CT1 Zone vs. Draft CD7 Zone

CURRENT TOURIST COMMERCIAL ONE (CT1)	SUNSET ACRES COMPREHENSIVE DEVELOPMENT (CD7)
<b>Permitted Uses:</b> <u>Principal Uses:</u> motels; resorts; eating and drinking establishments; recreation services, indoor and outdoor; amusement establishment, indoor; amusement establishment, outdoor; retail, outdoor, sales area not to exceed 200 m <sup>2</sup> ; retail stores, general, 250 m <sup>2</sup> in gross floor area; campgrounds, to a maximum density of 75 individual campsites per hectare <u>Accessory Uses:</u> accessory dwelling; accessory offices; accessory buildings and structures.	<b>Permitted Uses:</b> <u>Principal Uses:</u> single detached dwelling; <u>Accessory Uses:</u> bed and breakfast operation; home occupations; secondary suites; and accessory buildings and structures.
<b>Minimum Parcel Size:</b> 505 m <sup>2</sup>	<b>Minimum Parcel Size:</b> 6.0 ha (parent parcel)
<b>Minimum Parcel Width:</b> Not less than 25% of parcel depth	<b>Minimum Parcel Width:</b> Not less than 25% of parcel depth
<b>Maximum Number of Dwellings Per Parcel:</b> a) one (1) accessory dwelling	<b>Maximum Number of Dwellings Per Parcel:</b> a) 17 share lots per parcel; b) one (1) single detached dwelling per share lot; & c) one (1) secondary suite per share lot.
<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 7.5 metres rear parcel line: 7.5 metres interior side parcel line: 3.0 metres exterior side parcel line: 4.5 metres	<b>Minimum Setbacks:</b> <u>Buildings and Structures on a Share Lot:</u> front share parcel line: 7.5 metres rear share parcel line: 7.5 metres interior side share parcel line: 3.0 metres exterior side share parcel line: 4.5 metres <u>Buildings and structures on Common Property:</u> all parcel lot lines: 7.5 metres
<b>Maximum Height:</b> 10.0 metres	<b>Maximum Height:</b> 10.0 metres (principal) 5.0 metres (accessory)
<b>Maximum Parcel Coverage:</b> 35%; and 3% for campgrounds	<b>Maximum Parcel Coverage:</b> 35%
<b>Minimum Building Width:</b> Principal Dwelling Unit: 5.0 metres as originally designed and constructed.	<b>Minimum Building Width:</b> Principal Dwelling Unit: 5.0 metres as originally designed and constructed.

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Attachment No. 2 – Site Photo (2017)



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2458.12, 2018**

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**A Bylaw to amend the Electoral Area "E"  
Official Community Plan Bylaw No. 2458, 2008**

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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" Official Community Plan Amendment Bylaw No. 2458.12, 2018."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by changing the land use designation on the land described as Lot A, Plan KAP58846, District Lot 391, 3986S & 4018S, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Commercial (C) to Small Holdings (SH).

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Board Chair

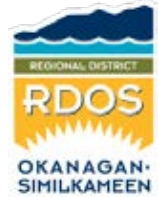
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Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

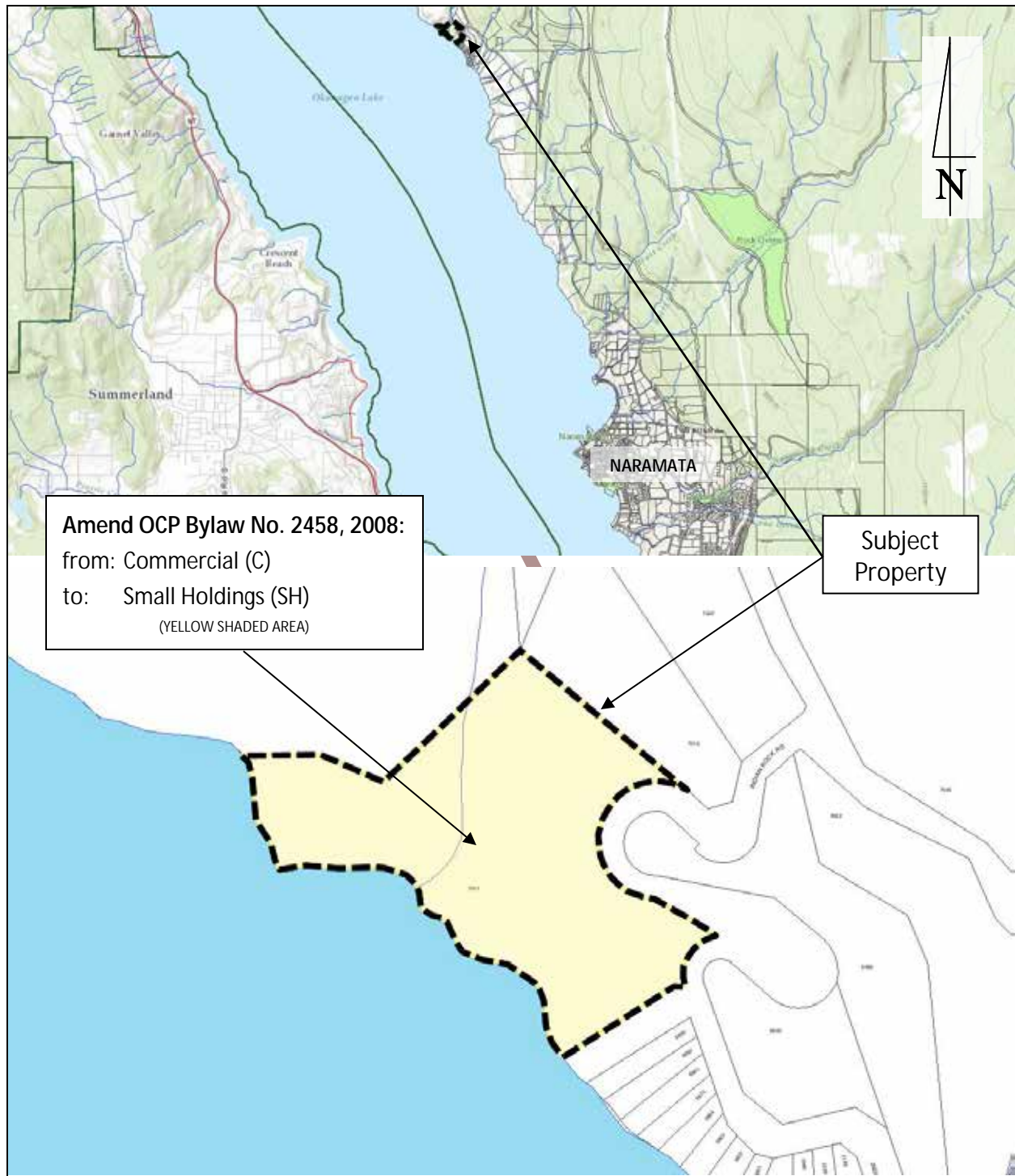
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2458.12, 2018

Project No: E2018.OXX-ZONE

## Schedule 'A'



Amendment Bylaw No. 2458.12, 2018  
(E2018.OXX-ZONE)

DRAFT VERSION — 2018-04-05

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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2459.29, 2018

**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. 2459.29, 2018."

2. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:

- i) adding a new reference to "Comprehensive Development Zones" under Section 5.1 (Zoning Districts) to read as follows:

**Comprehensive Development Zones**

Sunset Acres Comprehensive Development Zone

CD7

**Commented [J1]:** Introduces the CD7 Zone as a Zoning District in the bylaw

- ii) replacing Section 5.4.1 under Section 5.4 (Permitted Uses) in its entirety with the following:

.1 the only uses permitted are those listed in respect of each zone under the heading "Permitted Uses" in Section 10.0 to 16.0 of this Bylaw;

**Commented [J2]:** Changes reference from Section 15.0 to Section to 16.0 to reflect introduction of the CD7 Zone at Section 16.0.

- iii) replacing Section 5.5 (Conditions of Use) under Section 5.0 (Creation of Zones) in its entirety with the following:

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

**Commented [J3]:** Changes reference from Section 15.0 to Section to 16.0 to reflect introduction of the CD7 Zone at Section 16.0.

- iv) adding a new Section 16.0 (Comprehensive Development) to read as follows:



## 16.0 COMPREHENSIVE DEVELOPMENT

The purpose of the CD zone is to allow for the creation of comprehensive, site-specific land use regulations on specified sites within Electoral Area “E” where the circumstances are such that regulation by other zones would be inappropriate or inadequate, having regard to existing physical and environmental constraints.

### 16.1 SUNSET ACRES COMPREHENSIVE DEVELOPMENT (CD7) ZONE

#### 16.1.1 Purpose

The purpose of the Sunset Acres Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for the parcel located at 7005 Indian Rock Road, which is legally described as Lot A, Plan KAP58846, District Lot 391, 3986S & 4018S, SDYD (PID: 023-765-640), and hereinafter referred to as the “Sunset Acres”, in order to reconcile the historical land use pattern on the lands with the regulations of the Zoning Bylaw.

#### 16.1.2 Location

The property is situated approximately 9.4 km north of the Naramata town centre near the intersection of Indian Rock Road and North Naramata Road and is bounded by Okanagan Lake to the west.



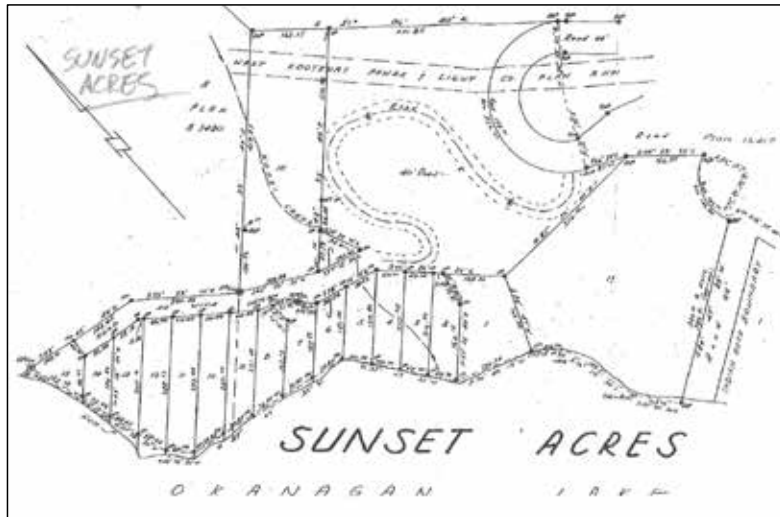
Figure 16.1.2

#### 16.1.3 Parcel and Share Lot Plan

A plan that identifies the Sunset Acres “share lots” is included at Schedule ‘XXXX’ to this Bylaw, and forms part of this Bylaw.

**Commented [J4]:** CD7 Zone is based upon the CD Zone applied to North Beach Estates in Electoral Area “F”, which is also a “share lot”.

**Commented [CG5]:** To ensure legibility, I am thinking the site plan for Sunset Acres needs to be included as a separate schedule. Thoughts?



#### 16.1.4 Background:

The tourist commercial zoning of the subject property dates to the introduction of the first Zoning Bylaw (No. 122) for Electoral Area "E" in 1973, the purpose of which was "to accommodate those uses which provide tourist or short-term accommodation and associated services in areas with unique scenic or locational qualities."

Available Regional District records indicate that a geotechnical assessment of the property was completed in 1995 in order to support the development of the subject property for additional "recreational buildings" and the a number of building permits for single detached dwellings were subsequently issued between 1997 and 2017.

#### 16.1.5 Definitions

In this CD zone:

**"accessory building or structure"** means a detached building or structure located on the same share lot as the principal building, the use of which building or structure is subordinate, customarily incidental, and exclusively devoted to that of the principal building;

**"corporation"** means the owner of the parcel;

**"common property"** means that portion of the parcel identified as "COMMON PROPERTY" on Figure 16.1.3;



**"exterior side share lot line"** means the boundary between a share lot and common property other than front, rear and interior side share lot lines;

**"front share lot line"** means the westernmost boundary of the share lots identified on Figure 16.1.3;

**"parcel"** means the land shown outlined in a dashed black line in Figure 16.1.2 of this Bylaw;

**"professional engineer or geoscientist"** means a practicing member in good standing of the Association of Professional Engineers and Geoscientists of the Province of British Columbia;

**"rear share lot line"** means the easternmost boundary of the share lots as identified in Figure 16.1.3;

**"share lots"** means the 17 surveyed portions of the parcel reserved for the exclusive use and enjoyment of a shareholder in the corporation, and shown on Figure 16.1.3;

**"share lot coverage"** means the combined area covered by all buildings and structures on a share lot, expressed as a percentage of the total share lot area;

**"interior side share lot line"** means the boundary between two or more share lots other than a front, rear or exterior share lot line;

**"Zone"** means the Sunset Acres Comprehensive Development (CD-7) Zone.

#### 16.1.6 Permitted Uses for Share Lots:

##### Principal Uses:

- a) single detached dwelling;

##### Accessory Uses:

- b) bed and breakfast operation, subject to Section 7.19;
- c) home occupation, subject to Section 7.17;
- d) secondary suites, subject to Section 7.12; and
- e) accessory buildings or structures, subject to Section 7.13.

#### 16.1.7 Permitted Uses for Common Property:

- a) service facilities and uses in connection with one or more share lots.

#### 16.1.8 Minimum Parcel Sizes:

**Commented [J6]:** Permitted uses are generally based upon those found in the Small Holdings zones, as the "share lots" are of an equivalent size to the SH5 Zone.

- a) 6.0 ha

**16.1.9 Maximum Parcel Density and Share Lot Density:**

- a) 17 share lots per parcel, as shown on Figure 16.1.3;
- b) one (1) single detached dwelling per share lot; and
- c) one (1) secondary suite per share lot.

**16.1.10 Maximum Share Lot Coverage:**

- a) 35%

**16.1.11 Minimum Setbacks:**

- a) for All Buildings and Structures on a Share Lot:
  - i) Front share lot line: 7.5 metres
  - ii) Rear share lot line: 7.5 metres
  - iii) Interior side share lot line: 3.0 metres
  - iv) Exterior side share lot line: 4.5 metres
- b) for All Buildings and Structures on Common Property:
  - i) All parcel lot lines 7.5 metres

**16.1.12 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 5.0 metres.

**16.1.13 Minimum Building Width:**

- a) Principal Dwelling Unit: 5.0 metres as originally designed and constructed.

3. The Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on the land described as Lot A, Plan KAP58846, District Lot 391, 3986S & 4018S, SDYD, and shown shaded blue on Schedule 'A', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Sunset Acres Comprehensive Development (CD7).

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Chief Administrative Officer

DRAFT

# Regional District of Okanagan-Similkameen

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

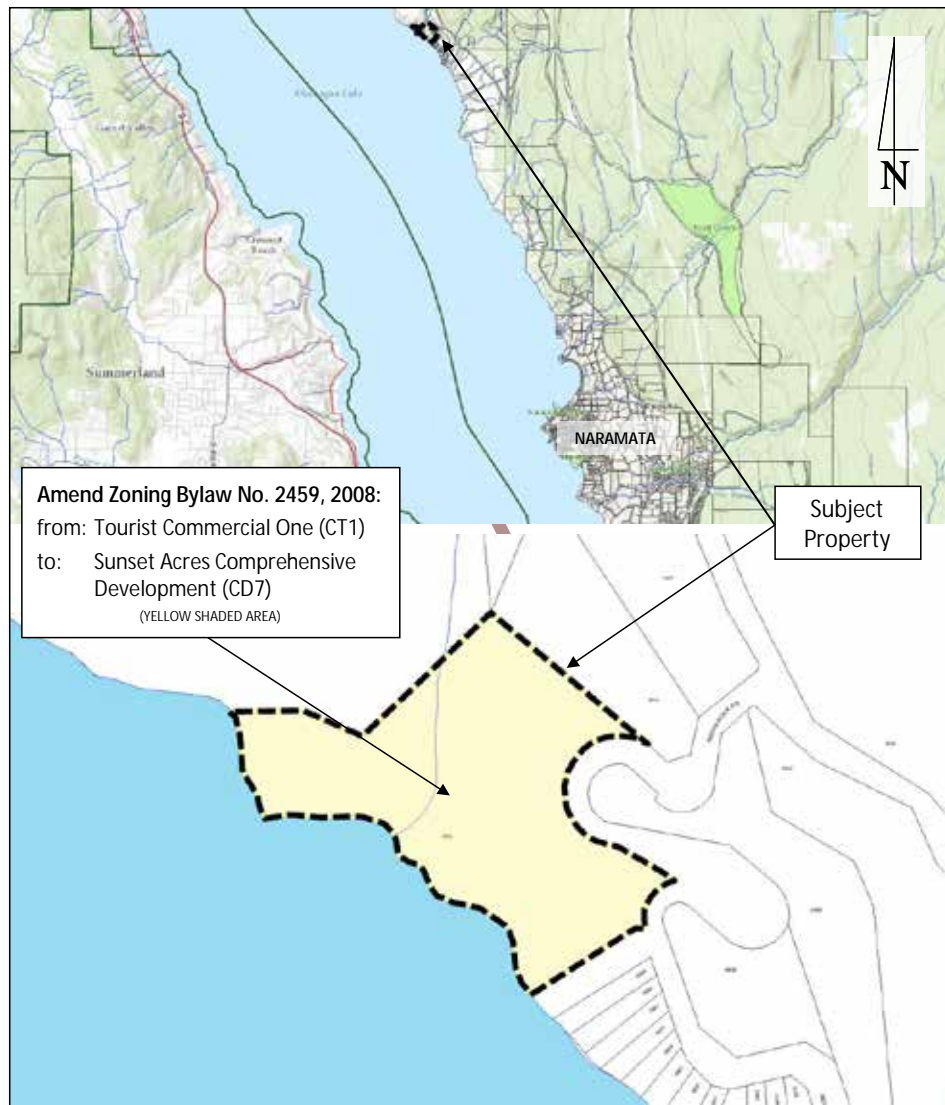
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2459.29, 2018

Project No: E2018.0XX-ZONE

Schedule 'A'



**Amend Zoning Bylaw No. 2459, 2008:**  
from: Tourist Commercial One (CT1)  
to: Sunset Acres Comprehensive  
Development (CD7)  
(YELLOW SHADED AREA)

Subject  
Property

Amendment Bylaw No. 2459.29, 2018  
(E2018.0XX-ZONE)

**DRAFT VERSION — 2018-04-05**

Page 7 of 7

## ADMINISTRATIVE REPORT

**TO:** Planning & Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Building Bylaw – provisions for farm buildings

---

### Administrative Recommendation:

THAT staff be directed to incorporate provisions within the Building Bylaw for building permits for farm buildings with a reduced fee structure and a limited inspection process for bona fide farm buildings, with exemptions from permit fees and inspections for structures less than 20 m<sup>2</sup> (215 ft<sup>2</sup>) which meet the definition of a low human occupancy farm building, and for unenclosed hay storage structures and animal shelters less than 600 m<sup>2</sup> (6,458 ft<sup>2</sup>), both of which are located on land classed as farm through BC Assessment.

### Purpose:

The purpose of this report is to provide information and receive direction from the Board with respect to farm building exemptions.

### Reference:

1. Building Bylaw #2333, 2005;
2. National Farm Building Code

### Background:

A new bylaw incorporating the step code and the energy efficiency requirements in the BC Building Code has been prepared by the Municipal Insurance Association and the Regional District will be preparing a draft new building bylaw for Board consideration based on this MIA core building bylaw.

Prior to drafting the provisions of a new bylaw, it would be beneficial for Committee to discuss what approach to take with farm buildings.

The current bylaw at the RDOS exempts farm buildings located on land classed as “farm” under the Assessment Act that are designed for “low human occupancy”.

Farm exemption applications are required for all structures which may be exempt from requiring a building permit. However, there are no building permits, inspections, or fees for the farm buildings. The process is very similar to that of a building permit. An application must be made, the information entered into the permit tracking system, processed by the Planning Services staff to ensure zoning

compliance, and reviewed by Building Officials with a confirmation letter sent out by clerical staff. No fees are collected however staff time is utilized.

Below are the number of farm buildings processed annually from 2013 to 2017:

2017	2016	2015	2014	2013
32	24	31	27	27

## Analysis:

The National Farm Building Code of Canada (NFBC) 1995 provides relaxations of the requirements to address the particular needs of farm buildings. It applies to farm buildings of low human occupancy and contains minimum requirements on matters affecting human health, fire safety and structural sufficiency. All dwelling units on a farm, as well as farm buildings that do not qualify as a "low human occupancy" **must** comply with the NBC or the applicable provincial code.

The National Farm Building Code defines *Low Human Occupancy* as an occupancy having an occupant load of not more than one person per 40 m<sup>2</sup> (430 sq. ft) of normal use.

Farm buildings as defined include, but are not limited to, produce storage & packing facilities, livestock & poultry housing, milking centres, manure storage facilities, grain bins, silos, feed preparation centres, farm workshops, greenhouse, farm retail centres & horse riding, exercising & training facilities.

Farm buildings may be classed as low or high human occupancy depending on the normal human occupant load.

Examples of farm buildings likely to be classed as low human occupancy are livestock & poultry housing, manure & machinery storage facilities & horse exercise & training facilities where no bleachers or viewing areas are provided.

Examples of buildings that would be classed as not qualifying for low human occupancy include farm retail centres for feeds, horticultural and livestock produce, auction barns and show areas where bleachers or other public facilities are provided. Farm work centres where the number of workers frequently exceeds the limit for low human occupancy will also be in this category.

The farm building requirements related to fire protection, structural design and dangerous goods are being discussed for publication in the 2020 editions of the National Building Code and National Fire Code. The fire and structural requirements in the National Farm Building Code have not been reviewed or revised since the 1995 edition and are increasingly in conflict with the latest edition of the Codes. The proposed recommendations being discussed are:

- Define small vs. large farm buildings (3 storeys or less, building area not exceeding 600 m<sup>2</sup>)
- Small farm buildings – prescriptive code (similar to Part 9, small buildings)
- Large farm buildings – prescriptive / performance (classified under Part 3, Fire Protection, Occupant Safety, possibly create a new classification to address the unique safety requirements for farm buildings)

## Issues

Many of the structures being approved as farm structures in the Regional District are not constructed or located in accordance with the plans that are submitted and approved. The use is also misrepresented as property owners are aware that there are no required inspections to confirm the application.

The provisions of the farm exemption process are too broad and the resulting abuse create additional work for Development Services staff to enforce as compared to issuing a building permit.

Enforcement of the applications are on a complaint or observed basis. This enforcement after the fact costs more in staff time, owner costs (double permit fees as well as engineering assurances) and in some cases legal fees.

Implementing permit fees for viable farm buildings would assist in cost recovery for staff time for processing of the permit applications and a limited inspection process. RDOS could implement a flat fee for all farm buildings regardless of size or apply a calculation based on a reduced construction value per square foot of building area. Our current construction valuation is \$40.00 per square foot for an enclosed, non-farm, accessory building. Our current minimum fees for building permits are \$150.00 for structures valued less than \$100,000 and \$500.00 for structures with a construction value exceeding \$100,000

Permit fees based on \$12 per \$1000 of construction value				
Building size	\$12 per ft <sup>2</sup> construction value	\$15 per ft <sup>2</sup> construction value	\$18 per ft <sup>2</sup> construction value	\$40 per ft <sup>2</sup> construction value
20x20	\$57.60 (\$4800 cv)	\$72.00 (\$6000 cv)	\$86.40 (\$7200 cv)	\$192.00 (\$16000 cv)
30x30	\$129.60 (\$10800 cv)	\$162.00 (\$13500 cv)	\$194.40 (\$16200 cv)	\$432.00 (\$36000 cv)
40x40	\$230.40 (\$19200 cv)	\$288.00 (\$24000 cv)	\$345.60 (\$28800 cv)	\$768.00 (\$64000 cv)
50x50	\$360.00 (\$30000 cv)	\$450.00 (\$37500 cv)	\$540.00 (\$45000 cv)	\$1200.00 (\$100000 cv)
60x60	\$518.40 (\$43200 cv)	\$648.00 (\$54000 cv)	\$777.60 (\$64800 cv)	\$1728.00 (\$144000 cv)

The following chart sets out how farm buildings are addressed in Regional Districts which are somewhat comparable to the Regional District of Okanagan-Similkameen.

	Exempt from BP requirements	Construction Value / Fee	Inspections	Size restriction
<b>Columbia Shuswap</b>	Buildings used <u>solely</u> for sheltering of commodities, feed, farm equipment and livestock or animals	Bona fide Agricultural Operation exempt (classed as farm through BC Ass.)	None	None
<b>Thompson Nicola</b>	Low human occ buildings less than 600 m2	Bona fide Agricultural Operation exempt (classed as farm through BC Ass.)	None	600 m2
<b>Cariboo Regional District</b>	Low human occ buildings less than 600 m2	Bona fide Agricultural Operation exempt (classed as farm through BC Ass.)	None	600 m2



<b>Central Kootenay</b>	No exemption	\$10 CV / sq. ft. Farm Buildings to conform to Farm Building Code	Siting Dampproofing / drainage Plumbing Framing Insulation Final	None
<b>Comox Valley</b>	<ul style="list-style-type: none"> <li>• Polyethylene film covered greenhouses used for production of agricultural and horticultural produce or feeds</li> <li>• Low human occupancy farm buildings on land classed as farm</li> </ul>	Exempt	None	None
<b>Fraser Valley</b>	Low human occupancy farm buildings less than 30 m <sup>2</sup> (323 sq. ft)	\$18/sq. ft.	Health & safety inspections	None
<b>Cowichan Valley</b>	<ul style="list-style-type: none"> <li>• Detached buildings which:</li> <li>• does not contain a residential occupancy and is associated with and located on land dedicated to farming; and used essentially for housing equipment or livestock, or production, storage or processing of agricultural and horticultural produce or feed.</li> <li>• Is a stand alone barn, agricultural storage facility, greenhouse or silo located on land dedicated to farming;</li> <li>• Does not include covered riding arenas or structures which may be used for assembly occupancies.</li> </ul>	Siting permit - \$55	Siting inspection	None

To reduce the abuse of the farm exemption process that has occurred for several years, Administration is recommending that the RDOS implement changes to the building bylaw to incorporate a reduced permit fee

and limited inspections for bona fide agricultural buildings. The fee would assist in cost recovery for the amount of time spent processing farm building applications and inspections would verify the siting and use of the buildings.

The Building Code exempts accessory structures less than 10m<sup>2</sup> (107 ft<sup>2</sup>) from requiring a building permit. Many small farm buildings exceed the 10 m<sup>2</sup> and would not qualify for the Building Code exemption. We are recommending that structures up to 20 m<sup>2</sup> be exempted from requiring permit fees and inspections. These types of structures would include uses such as chicken coops, feed and farm equipment storage buildings and do not pose a significant risk to health & safety. We anticipate that structures of less than this size would not be subjected to the abuse that has occurred on the larger size farm buildings. The exemption for unenclosed hay and animals shelters is that these are very obvious agricultural buildings. The current process to determine the use and ensure zoning bylaw requirements are met is recommended for both of these types of buildings.

Proposed fees for agricultural buildings could be reviewed and researched further at the time of preparation and adoption of the new building bylaw if the Board approves the recommended motion.

#### **Alternative Recommendations:**

1. Full permits required for all buildings or structures ;
2. Full permits for all structures with a reduced fee structure and limited inspections for bona fide farm buildings;
3. Maintain the current process with respect to “farm buildings” (no permits, inspections or fees – exemption application required).

#### **Communication Strategy:**

Incorporate the changes into the new Building Bylaw which will be prepared and adopted prior to 2019. Educational sessions will be held with the construction community to discuss the step code changes and address any other changes that will result from the new bylaw. The bylaw will also be posted on the website, provided to the building community through the Canadian Home Builders Association as well as be available at the front building services counter.

#### **Respectfully submitted:**



L. Miller, Building Inspection Services Supervisor

#### **Endorsed by:**



B. Dollevoet, Development Services Manager

## ADMINISTRATIVE REPORT

**TO:** Planning & Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** **Bylaw Enforcement Procedures Policy** – Review and Update based on the *Best Practices Guide for Local Governments*: Office of the Ombudsperson.

---

### Administrative Recommendation:

**THAT the Board of Directors adopt the Bylaw Enforcement Procedure Policy (Dated April 5, 2018) as its guiding policy for the enforcement of all RDOS regulatory bylaws and directs Administration to report back on the results of the new Policy by April 5, 2019.**

### Purpose:

The purpose of this report is to present a Bylaw Enforcement Procedures Policy which is to replace the current Bylaw Enforcement Procedures Policy adopted by the Board on December 19, 2013.

### Reference:

- *Local Government Act (RSBC 2015)*
- [\*Bylaw Enforcement: Best Practices Guide for Local Governments\*](#) – The Office of the Ombudsperson. Special report No. 36 (March, 2016)
- *RDOS Bylaw Enforcement Procedure Policy* - December 19, 2013 (Attachment No. 1)

### Business Plan Objective:

Key Strategic Direction No. 2: Focus on the Customer Experience

**Goal 2.2 To meet public needs through the continuous improvement of key services**

#### **2.2.1 By continuously improving bylaws, policy and process within the organization**

Review Best Practices for bylaw enforcement, identify gaps and prepare revised procedures and policies for Board consideration (2 points)

### Background:

In March of 2016, the Office of the Ombudsperson released a Special Report titled – *Bylaw Enforcement: Best Practices Guide for Local Governments*. The report provided a series of best practices specific to local governments (both Regional Districts and incorporated municipalities) to

act as a guide in developing a Bylaw Enforcement policy, and the administration of all bylaw enforcement actions and processes. These best practices were based on 20 years experience of the Office of the Ombudsperson in the investigation of complaints about local governments in bylaw enforcement processes. Through their experience, the Office of Ombudsperson recognized that there are few tools available in British Columbia to help local governments develop, adopt, and implement best practices that encourage fairness in bylaw enforcement.

Within the guide, there are a total of twenty three (23) best practices provided which focus on the themes of developing bylaws and bylaw enforcement policies, dealing with bylaw complaints, conducting investigations, taking enforcement measures, and appeals of enforcement decisions. Attached (Attachment No. 1) to this report is a table that provides all twenty three best practices identified.

The Board adopted through resolution a Bylaw Enforcement Procedures Policy on December 19, 2013 that staff has been utilizing to date in the processing of bylaw enforcement complaints. Attachment No. 2 provides the current policy for the Board's information.

### **Analysis:**

In addition to the total twenty three (23) best practices of the Office of Ombudsperson's report provided in Attachment No. 1, the table provides what is RDOS common practice or current policy, and what RDOS action is recommended to reflect the specific best practice of the report. Most of the best practices identified RDOS may be currently doing, as the best practice may be described in the current Bylaw Enforcement Procedures policy, or it is staff's current internal practice. Of the total 23 best practices provided, only nine (9) are recommended to be acted upon by revising the current Bylaw Enforcement Procedures Policy.

To bring our current policy and procedure framework into compliance with best practices of the Office of the Ombudsperson's report, a new Draft Bylaw Enforcement Procedures policy has been developed and is included in this report as Attachment No. 3. In addition to consideration and review of the Office of the Ombudsperson's report, benchmarking of the Bylaw Enforcement Procedures policies of five (5) other Regional Districts, and one (1) incorporated municipality was undertaken by Administration. This exercise aided in the development of new policy provisions after the identification of gaps within the current Bylaw Enforcement Procedures policy. The attached new Bylaw Enforcement Procedures Policy (dated April 5, 2018) indicates these new provisions and procedures through **yellow highlight**.

In summary, the following overall changes have been made to the draft Policy:

- Removal of "Observed Infractions" section. Enforcement actions will be mainly enacted through written complaint submissions (other than for health and safety matters).
- In-depth Roles and Responsibilities section. The policy suggests that Board member responsibilities are to create policy and provide direction on significant enforcement proceedings and to not influence normal, routine operations of Bylaw enforcement staff.

- Removal of location criteria of when a complaint can be submitted (i.e. property located within 100 m of subject property, or two complaints within an Electoral Area).
- More detailed written complaint processing procedure – provide assurance to complainants that their complaints will be followed up with in a timely fashion.
- Ability to not proceed with enforcement action in the case of frivolous, repeat and/or multiple complaints (Clause 5.10)
- Third party complaints (i.e. provincial jurisdiction) will no longer be handled by RDOS staff. Just provision of contact information (Clause 5.11)
- Offenders will be given 30 days notice (as a standard, with discretion of more or less time to staff due to situational context) to achieve voluntary compliance (Clause 6.2).
- Inclusion of a new “Appeals” section to provide formal process of how the Board can hear appeals to enforcement decisions.

It is not yet known what impact the proposed policy changes will have on staff resources and complaint processing timelines. In some cases the level of service for bylaw enforcement is expected to increase, one example being a new expected target of notification and action request (i.e. 30 days), but in others the level of service will be expected to decrease, such as no longer following up on third party complaint referrals or less allowance for “observed infractions”.

#### **Alternatives:**

1. To not adopt the revised Bylaw Enforcement Procedures Policy (dated April 5, 2018) and maintain the current policy for guidance to Administration.
2. To propose revisions to Administration to review and then present a revised policy to Planning and Development Committee at a future date:

#### **Communication Strategy:**

If the Board elects to adopt the updated Bylaw Enforcement Procedures policy, the new policy will be posted on RDOS’s website. In addition, as per the best practices recommendation, all Board decisions on appeals will also be placed on the RDOS website.

#### **Respectfully submitted:**



B. Dollevoet, Development Services Manager

Attachment No. 1: Table of Best practices of Bylaw Enforcement – Office of the Ombudsperson

Ombudsperson's Report Best Practice	RDOS Policy / Practice	Recommended Action
<b>Developing Bylaws and a Bylaw Enforcement Policy</b>		
1. Board considers enforceability when developing or adopting a new bylaw.	Administration considers the enforceability of bylaws prior to drafting and recommending decision to the Board.	<i>None</i>
2. Board develops a written policy to assist staff in exercising discretion when making enforcement decisions.	Bylaw Enforcement Procedures Policy adopted Dec. 19, 2013.	This policy is recommended to be updated to reflect the best practices of the Ombudsperson's report.
3. Board and senior management establish and make public standards of conduct for bylaw enforcement staff.	Not completed. Use of Contractors has resulted in standards of conduct for Officers being the purview of a third party.	<i>None</i> . Continue current approach until cessation of the use Contractors for in-house Officers.
4. Local government policy clearly articulates that Board members are not to be involved in day-to-day bylaw enforcement decisions.	Current policy allows for Director initiated complaints under Section 6.0 "Observed Infractions" and Director notifications when enforcement proceedings occur.	<i>Policy change</i> . Written complaints to be primary form of bylaw enforcement action. H&S factors may result in action without complaint.
5. Post all current bylaws, enforcement policies, and complaint information on the local government's website. Review information regularly.	Regulatory bylaws and complaint forms are posted on website. However, the bylaw enforcement procedures policy is not.	Updated bylaw enforcement procedures policy will be uploaded to website. Information on Bylaw Enforcement page will be reviewed regularly.
<b>Dealing with Bylaw Complaints</b>		
6. Develop a bylaw complaints policy to direct staff and inform public about: -How to make complaints; staff roles; how complaints are recorded/responded to; how complainants will be informed.	Current Bylaw Enforcement Procedures policy has some elements of this.	<i>Policy change</i> . Updated policy to reflect all elements. Administration to prepare an supplementary internal administrative procedure.
7. Develop and implement an accessible complaints process to allow complaint submission in variety of methods; Use one system to record all bylaw complaints; Make all complaint processes and procedures publicly available.	Complaints are made through electronic or hard copy submission of completed forms, or emails.	RDOS researching new software to remove multiple complaint/ticket trackers, and provide public access to complaint submission direct to this program via website. Will include procedures policy on website.
8. Staff document all interactions, whether written or verbal, with complainants.	Yes, written correspondence and phone calls are recorded for the file.	<i>None</i>
9. Responses to complainant should acknowledge receipt; outline steps taken; describe actions or reasons for no action; provide any other info.	Not always consistent	<i>Policy change</i> . New steps included in section 5: processing procedure for written complaints. Develop template response for proposed administrative procedure.

10. Develop and implement a written policy for dealing with frivolous, repeat or multiple complaints.	Not included in current policy	<i>Policy change.</i> New Bylaw enforcement policy to set clear expectations on RDOS approach to these type of complaints.
<b>Conducting Bylaw Investigations</b>		
11. Provide guidelines to bylaw enforcement staff to assist them in making consistent and defensible decisions on whether to investigate.	Not included in current policy	<i>Policy change.</i> New Bylaw enforcement policy has a new provisions for how Coordinator uses discretion to determine to investigate.
12. Staff create a investigation plan before initiating a complex investigation, and follow the plan to conclusion.	Not current practice	Will consider inclusion of template investigation plan in proposed administrative procedure.
13. Staff thoroughly document their investigation and any resulting decisions.	Current practice	Documentation can maybe be more thorough with completed investigation plan, material evidence collected, decisions made and rational for decisions.
14. Develop a publicly accessible bylaw or policy that outlines when and how staff can inspect private property.	Not included in current policy	<i>Policy change.</i> New Bylaw enforcement policy has more verbage in Roles and responsibilities section for how Officers will inspect private property.
<b>Taking Enforcement Measures</b>		
15. Bylaw enforcement staff considers whether a matter falls within their jurisdiction prior to taking action.	Current practice	Current practice is to follow up with other authority of jurisdiction on behalf of complainant. Staff recommendation is to stop provision of this service.
16. Staff provide reasonable notice prior to taking enforcement action.	Current practice	<i>None.</i> New Bylaw Enforcement Policy does provide target timeline of thirty (30) days for staff to provide notice.
17. Define cases where notice may not be provided prior to enforcement action	Not included in current policy	<i>Policy change.</i> New Bylaw enforcement policy provides cases (i.e. health and safety) where notice may not be provided.
18. Enforcement staff apply principles of proportionality, equity, and consistency in bylaw enforcement decisions.	Current practice	<i>None</i>
19. Provide a person affected by an enforcement action with reasons for enforcement.	Current practice	Not all enforcement actions clearly set option for appeal of decision. This will be recommended practice moving forward.
<b>Appeals of Enforcement Decisions</b>		
20. Local governments describe in their bylaws what decisions can be reviewed or appealed; who has authority to review a repeal; how a person can request a appeal; the possible outcomes of appeal	Other than bylaw adjudication process (requirement in local government bylaw notice enforcement act), most regulatory bylaws do not include appeal section.	Consider inclusion of appeal section when developing and drafting regulatory bylaws.



21. Develop and implement a policy that describes how reviews or appeals will be conducted.	Not included in current policy	<i>Policy change.</i> A new Section 7: Appeals has been included in the updated Bylaw Enforcement Procedures Policy.
22. Those hearing an appeal provide a meaningful opportunity to be heard, be unbiased, and provide adequate reasons for their decisions.	Current practice for screening officer (DSM) and bylaw adjudicators.	For appeals going to the Board, this will be the practice, and a letter of reasons of Board decision will be provided to appellant.
23. Provide information about reviews and appeals easily accessible to the public by posting on website.	Not current practice.	If decisions made by bylaw adjudicator or Board-heard appeals, RDOS will post these decisions on website.

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

**POLICY:** Bylaw Enforcement Procedures

**AUTHORITY:** Board Resolution No. 395/13 dated December 19, 2013.

### 1.0 POLICY STATEMENT

It is the policy of the Regional District of Okanagan-Similkameen that the enforcement of regulatory bylaws shall be administered on a complaint-based system. This is a resource-driven decision to attain bylaw compliance.

To encourage only valid complaints, and to reduce the opportunity for intimidation and neighbourhood conflict, the Regional District supports balancing accountability and confidentiality among the parties to a complaint process.

The Regional District has no duty to take enforcement action with respect to every contravention of every bylaw that may be occurring within its jurisdiction, allowing discretion based on need, urgency.

### 2.0 ENABLING LEGISLATION

S. 274 of the *Community Charter* provides:

- (1) A municipality **may**, by a proceeding brought in Supreme Court, enforce, or prevent or restrain the contravention of,
  - (a) a bylaw or resolution of the council under this Act or any other Act, or
  - (b) a provision of this Act or the *Local Government Act* or a regulation under those Acts.

### 3.0 PURPOSE

The purpose of bylaw enforcement is to achieve voluntary compliance with Regional District of Okanagan-Similkameen bylaws. Complaints normally arise where persons do not comply with Regional District bylaws and non-compliance adversely affects or imposes on another party.

### 4.0 RESPONSIBILITIES

- 1. Board of Directors – Establishes policy and any amendment thereto
- 2. Chief Administrative Officer – is delegated the authority to enforce regulatory bylaws, shall make recommendations to the Board for policy amendments and shall keep the Board advised of any significant enforcement actions.
- 3. Manager of Development Services – shall administer the bylaw enforcement program

- 
4. Bylaw Enforcement Coordinator – shall be the primary contact for bylaw enforcement actions; shall be the primary contact for the contractors engaged to carry out enforcement.
  5. Bylaw Enforcement Officer(s) – shall attend at site to investigate complaints and carry out enforcement actions.

## **5.0 SUBMISSION OF A COMPLAINT**

- .1 Reports of alleged infractions of Regional District bylaws are to be reported by the complainant to the Regional District's Bylaw Enforcement Coordinator.
- .2 To initiate enforcement action by the Regional District:
  - a) a complaint must be submitted in accordance with the following criteria:
    - i) two (2) complete Bylaw Complaint Forms signed by unrelated complainants from within the Electoral Area in which the property is located; or,
    - ii) one (1) complete Bylaw Complaint Form signed by a complainant whose property is located within 100 metres of the subject property; or
    - iii) one (1) written or verbal complaint from a local law enforcement officer (i.e. RCMP).
  - b) each individual complaint shall be in writing – a letter, an email or the Regional District's Bylaw Complaint Form (see attached) – and shall contain the complainant's:
    - i) name;
    - ii) address;
    - iii) phone number; and
    - iv) a description of the nature and location of the alleged infraction as well as its impact on the complainant.
- .3 Anonymous complaints of alleged infractions may not be acted upon unless the alleged infraction is a "Life and Safety" matter (see Section 7.0 below).
- .4 A complainant may be requested to sign an affidavit and/or be prepared to stand as a witness should an enforcement proceed to court.
- .5 All written complaints are to be acknowledged within five (5) business days of receipt.

## **6.0 OBSERVED INFRACTIONS**

1. The Bylaw Enforcement Coordinator may commence an investigation without written complaint where:
  - a) bylaw violations are reported by an elected official or observed by an employee or agent of the Regional District;
  - b) a notification or referral is received from an external agency that identifies land use bylaw violations associated with the permit request;
  - c) advertisements for uses believed to be illegal have been observed; and
  - d) correspondence and/or communications undertaken with the Regional District that identify a bylaw violation (i.e. property and zoning inquiries, requests for comfort letters, etc.).

---

## **7.0 CONFIDENTIALITY**

- .1 As a matter of practice, the identity of the complainant and the written complaint itself shall not be disclosed to the alleged offender or any member of the public. It is not necessary for the complainant to request confidentiality. Likewise, the response of the alleged offender shall not be disclosed to the complainant, whether it is in writing or made orally. This policy is in recognition of the fact that many complaints take place in the context of other disputes between neighbours and the motivation for the complaint itself may be retribution. Disclosure could serve to exacerbate the dispute and may put persons or property at risk of harm.
- .2 While the investigation is ongoing, or while a resulting matter is before the courts, only information regarding the matter shall be made available to the public or the complainant.
- .3 Persons reporting the alleged infractions of Regional District bylaws are to be advised that their identity and any personal information they provide will be kept confidential unless they are required to testify in court.
- .4 Complainants and alleged offenders are to be advised that any personal information that they provide about other parties is subject to disclosure by order of the BC Information and Privacy Commissioner.
- .5 The anonymity and confidentiality given to complainants and alleged offenders under this policy cannot be assured if the investigation results in court proceedings.
- .6 If persons apply to the Regional District for disclosure of personal information about them in complaints and responses to the complaints under the *Freedom of Information and Protection of Privacy Act*, it shall be the policy of the Regional District to refuse disclosure under the *Act*, unless consent is obtained from the person who supplied the information and who would otherwise be assured of confidentiality under this policy. The Regional District, however, is subject to orders issued by the Information and Privacy Commissioner under the *Act* and will not necessarily appeal an order for disclosure.

## **8.0 PRIORITY OF INVESTIGATION**

- .1 Upon receipt of a bylaw complaint, all bylaw infractions will be prioritized on the basis of the date the complaint was received, unless the complaint is determined to involve a "Life and Safety" matter that may adversely impact the environment or the health, safety, and security of citizens or may result in a liability incurred by the Regional District of Okanagan-Similkameen.

## **9.0 STAFF SAFETY**

- .1 The safety of staff and/or agents of the Regional District is utmost. If a Bylaw Enforcement Officer or other Regional District staff is verbally or physically threatened while administering the bylaws of the Regional District, then no further investigative action shall be carried out until a private security firm can be hired or a police officer accompanies the Bylaw Enforcement Officer or other Regional District staff.

## **10.0 PROCESSING PROCEDURE – WRITTEN COMPLAINTS**

1. All written complaints directed to the Bylaw Enforcement Coordinator are logged, recorded, and acknowledged.

- 
2. On receipt of a written complaint, the Bylaw Enforcement Coordinator will provide a letter acknowledging receipt of the complaint to the complainant, and also advise the relevant Electoral Area Director(s). Every effort will be made to ensure confidentiality to the complainant. Regionally significant issues shall be presented to the Board for information.
  3. A preliminary review of the complaint is undertaken to ensure that the complaint is well founded. If it is determined that no violation exists, the complainant and the Director will be advised in writing.
  4. Should an infraction be established the Bylaw Enforcement Coordinator will consider factors including, but not limited to, the following when determining a course of action:
    - b) the scale, number and duration of the infraction(s);
    - c) the current, short and long term impacts caused by the infraction;
    - d) the potential for precedent; and
    - e) the resources available to resolve the matter.

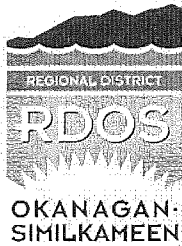
The Regional District retains the discretion to not commence enforcement proceedings in accordance with one or more of these criteria.

5. Individuals will be notified by correspondence when an infraction is established and will be given the opportunity to respond and achieve voluntary compliance before further action is taken. Violators may also be requested to cease the activity until compliance is achieved.
6. Bylaw investigation is an administrative responsibility of the Regional District. Elected officials concerned about the investigation of a complaint or the preparation of the Bylaw Enforcement Coordinator's report should advise the Chief Administrative Officer, but not enter into debate directly with staff assigned to the file.
7. The Bylaw Enforcement Coordinator will attempt to achieve voluntary compliance with the alleged violator, inform the violator of time limits for voluntary compliance, and report successful results to the Manager of Development Services and the Electoral Area Director. The Bylaw Enforcement Coordinator may use a Bylaw Offence Notice or a Municipal Ticket Information to encourage voluntary compliance.
8. The Manager of Development Services, or designate Planner may meet with a violator to review the nature of the violation and to provide options on how to achieve compliance with the bylaw.
9. Where unlawful activity has not ceased or where compliance is not being actively pursued (i.e. submission of a land use application to the Regional District):
  - a) The Bylaw Enforcement Coordinator, following consultation with the Manager of Development Services, will prepare a report indicating whether or not legal proceedings should be initiated and in particular whether the proceedings should involve:
    - i) prosecution under the *Offence Act*;
    - ii) an application for a Provincial Court compliance order under the *Local Government Act*; or
    - iii) an application for a Supreme Court injunction.

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If legal proceedings are recommended, the Bylaw Enforcement Coordinator's report will identify options to the recommended course of actions and the implications of those options.

- b) Enforcement through the courts is a Board decision and a report will be processed in accordance with the Regional District's Decision-Making Guidelines Policy.
10. Upon Regional District Board approval, the Regional District will initiate legal proceedings through legal counsel.
  11. At the end of legal proceedings, the Bylaw Enforcement Coordinator will advise the complainant and the Regional District Board of the outcome, and close the enforcement file once compliance has been established (i.e. completion of any on-going monitoring requirements).



**Regional District of Okanagan-Similkameen**  
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Office use only	
File No:	
Date:	
Received by:	
Type:	

## Bylaw Complaint Form

Personal information contained on this form is received by the Regional District in confidence. This confidentiality cannot be guaranteed if this complaint results in court proceedings. Release of this information is governed by the provisions of the *Freedom of Information and Protection of Privacy Act*.

### COMPLAINANT:

Name:	
Address:	
City/Town:	
Province:	Postal Code:
Day Phone:	Cell Phone:
Email:	

### INCIDENT INFORMATION:

Address (where alleged bylaw violation is taking place):
Name of Occupier of Property (if known):
Name of Registered Property Owner (if known):
Detailed description of alleged bylaw violation ( <i>attach as a separate sheet if required</i> ):
Date(s) and Time(s) of alleged bylaw violation:

### DECLARATION:

By signing this complaint form, I confirm that I understand that the Regional District of Okanagan-Similkameen will be unable to guarantee confidentiality of the above information if this matter results in court action or an order from the Provincial Information and Privacy Commission.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

**POLICY:** Bylaw Enforcement Procedures

**AUTHORITY:** Date: April 5, 2018. Board Resolution No.\_\_\_\_.

## **INTRODUCTION**

Respecting the rights of our neighbours and preserving the quality of life in our unincorporated communities and electoral areas are important aspects of community living. The goal of any proactive Bylaw Enforcement program is not to penalize residents but rather to achieve voluntary compliance with reasonable standards through increased public education and awareness of our regulations and the rationale for them.

While certain areas of enforcement are health and safety related that may require proactive enforcement, the majority of our regulations are enforced on a complaint only basis. RDOS may investigate complaints received from the public about alleged violations of various regulatory bylaws and regulations such as property maintenance, excessive noise, animal and dog control, and land use issues.

Some complaints may be considered either as a civil dispute between property owners, such as storm drainage, or as a minor non-enforceable issue, such as trees overgrowing property lines. These will not be acted upon by the Regional District.

In all cases, the Regional District supports balancing accountability and confidentiality among the parties in the bylaw enforcement process.

## **1. POLICY STATEMENT**

It is the policy of the RDOS to rely primarily on written citizen complaints as a means of enforcing regulatory bylaws; and, to refuse disclosure of complainant or responder information unless consent is obtained from the person who supplied the information or ordered to do so by a higher authority.

The Regional District has no duty to take enforcement action with respect to every contravention of every bylaw that may be occurring within its jurisdiction, allowing discretion based on need and urgency.

## **2. PURPOSE**

The purpose of this policy is to provide guidance to staff, elected officials, and members of the public on the receipt of complaints and initiation of investigation and enforcement proceedings as they related to contravention of designated RDOS regulatory bylaws.

## **3. ROLES & RESPONSIBILITIES**

### **.1 Board of Directors:**

- Adopts bylaws and policy and any amendment thereto. Regulatory bylaws shall identify the enforcement jurisdiction and the person and/or agent authorized to enforce those regulations.



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- The Board shall consider all enforcement matters that may require Supreme Court decision or Direct Enforcement action. Direct Enforcement action is referred to cases where the Regional District requires a person to take action to comply with a bylaw, and if not completed, the Regional District will complete the action and then recover compliance costs (as per the *Local Government Act*).
  - The Board shall hear and make decision on valid appeals of enforcement actions.
  - All Board inquiries related to bylaw enforcement shall be directed to the Chief Administrative Officer. Individual members of the Board shall not sanction, direct, investigate or assess a complaint.
- .2 Chief Administrative Officer, or designate, shall:
- Enforce regulatory bylaws, make recommendations to the Board for policy amendments and shall keep the Board advised of any significant enforcement actions.
  - Direct enforcement functions relating to voluntary compliance and quasi-criminal proceedings in Provincial Court.
  - Consider the validity of appeals prior to authorizing a Board hearing of the appeal. The validity of an appeal may be based on the following factors:
    - That the RDOS has a bylaw that deals with the subject issue.
    - That the subject issue is not a civil matter.
    - That the subject issue occurs within the jurisdiction of where a bylaw's powers reside.
    - That the subject issue is not frivolous and may have an impact to a person's enjoyment of their personal property or well-being.
- .3 Designated Officer:
- The Designated Officer shall coordinate all regulatory bylaw enforcement actions and shall act as the contact for contracted Bylaw Enforcement Officers engaged in carrying out enforcement.
  - The Designated Officer may attend or accompany a Bylaw Enforcement Officer on site investigations when a situation warrants it or when requested by the Officer.
- .4 Bylaw Enforcement Officer(s):
- Bylaw Enforcement Officer(s) shall attend at site to investigate complaints and carry out enforcement actions.
  - Where a Bylaw Enforcement Officer has reasonable and probable grounds to believe and does believe that a violation exists, he or she may enter upon private property to further an investigation or resolve any violation. The Regional District will take all reasonable steps to notify the owner or occupant before an Officer conducts an on-site inspection. Officers will only conduct business on the property related to the issue of the complaint.
  - Bylaw Enforcement Officer(s) shall maintain a detailed reporting of enforcement activity in a database format, and provide a monthly report on enforcement activity for submission to the Designated Officer.
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#### 4. SUBMISSION OF A COMPLAINT

- .1 All bylaw enforcement complaints are required to be made in writing and all complaints are to be submitted by the complainant to the Designated Officer.
- .2 Each individual complaint shall be in writing – a letter, an email or the Regional District's Bylaw Complaint Form (see attached) – and shall contain the complainant's:
  - i) name;
  - ii) address;
  - iii) phone number; and
  - iv) a description of the nature and location of the alleged infraction as well as its impact on the complainant.
- .3 Complaints will be prioritized on the basis of the date the complaint was received, unless the complaint is determined to involve a matter that may adversely impact the environment or the health, safety, and security of citizens or may result in a liability incurred by the Regional District of Okanagan-Similkameen.
- .4 The Designated Officer may commence an investigation without written complaint where:
  - i) notification of bylaw violations related to an Animal Control, Dog Control, or Noise Bylaw that are directed to a Bylaw Enforcement Officer;
  - ii) bylaw violations are observed by an employee or agent of the Regional District;
  - iii) involves a matter that may adversely impact the environment or the health, safety, and security of citizens or may result in a liability incurred by the Regional District of Okanagan-Similkameen;
  - iv) a notification or referral is received from an external agency that identifies bylaw violations on a subject property;
  - v) advertisements for uses believed to be illegal have been observed; and
  - vi) correspondence and/or communications undertaken with the Regional District that identify a bylaw violation (i.e. property and zoning inquiries, requests for comfort letters, etc.).
- .5 Anonymous complaints or observed infractions may not be acted upon unless the alleged infraction is a life, safety or environment matter.
- .6 A complainant may be requested to sign an affidavit and/or be prepared to stand as a witness should an enforcement proceed to court.
- .7 All written complaints are to be acknowledged of receipt within five (5) business days.

#### 5. PROCESSING PROCEDURE – WRITTEN COMPLAINTS

- .1 The procedures contained within this section apply to all regulatory bylaws, except those that contain specific procedures for processing complaints included within the bylaw (i.e. Untidy and Unsightly), as well as the Animal Control, Dog Control, Building and Electoral Area Noise Bylaws. In all cases, procedures provided in a bylaw will take precedence over those provided in this policy.
- .2 All **bylaw enforcement** complaints shall be directed to the Designated Officer to be logged, recorded, and acknowledged. On receipt of a written complaint, a preliminary review of the complaint is undertaken to ensure that the complaint is well founded.

- 
- .3 If upon preliminary review, it is determined that a complaint is not well founded or and that no violation exists, the Designated Officer will advise the complainant of such within a written letter format, together with reasons provided for making this determination.
  - .4 If the Designated Officer determines the alleged violation may be in relation to the Building Bylaw, the complaint will be forwarded to a Building Official for assessment, investigation, and enforcement of the Building Bylaw provisions.
  - .5 If the Designated Officer determines that the alleged violation may be in violation of a regulatory bylaw, an Enforcement Assessment Form will be completed. A site inspection may be requested of a Bylaw Enforcement Officer to confirm the infraction and to provide a report of findings. The Bylaw Enforcement Officer's report, together with an Enforcement Assessment Form will be referred to the applicable department that manages the regulatory bylaw for comments and provision of options to rectify.
  - .6 Upon receipt of the completed Enforcement Assessment form, the content will be reviewed by the Designated Officer who will determine whether to proceed with enforcement action. The Designated Officer shall determine the appropriate action in accordance with this policy.
  - .7 If no action is determined, a letter will be provided to the complainant that describes any additional steps taken to assess the complaint (i.e. on-site inspections), the reasons for no enforcement, and provide any other relevant information to the complainant.
  - .8 If action is initiated, the process as set out in Section 6.0 Investigation and Enforcement will be implemented.
  - .9 When exercising discretion for determining a course of action, the following factors shall be considered:
    - i) the scale, number and duration of the infraction(s);
    - ii) the current, short and long term impacts caused by the infraction;
    - iii) frivolous, repeat and/or multiple complaints of an alleged infraction;
    - iv) the potential for precedent; and
    - v) the resources available to resolve the matter.

The Regional District retains the right to not commence enforcement proceedings in accordance with one or more of these criteria.

- .10 In the case of frivolous, repeat and/or multiple complaints, each complaint will be dealt with on its own merits and according to this policy. However, Regional District staff and contractors will endeavour to focus on balancing fairly the interests of both the individual making the complaint and the broader community. The Regional District retains the right to not intervene in civil matters that are clearly disputes between individuals. The Regional District may consider responding to repeat complaints only where the complainant provides new information or raises a new issue. New information may be referred to the appropriate department for further assessment.
- .11 Complaints not related to a Regional District bylaw will not be investigated and no file will be opened. Staff will make best efforts to educate complainants of the applicable regulatory agency that may address their concerns and how complainants can lodge their concerns with the applicable regulatory agency for their information and follow-up.

## **6. INVESTIGATION AND ENFORCEMENT**

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- .1 Should a violation be determined to have occurred, the person(s) who committed the infraction (i.e. offender) and/or the property owner will be notified in writing with a warning letter. The required elements to be included in the warning letter include:

- i) explaining the terms of confidentiality for both the complainant and offender;
- ii) providing an explanation of the relevant bylaw and how the person is alleged to have contravened it;
- iii) the time limit for voluntary compliance;
- iv) notification of fines and other potential enforcement measures associated with the offence.

Depending on the severity of the infraction, offenders may be given the opportunity to respond and achieve voluntary compliance before further action is taken. Offenders should cease the activity or construction immediately until the necessary action to rectify is completed.

- .2 The offender/property owner may be requested to take action within thirty (30) days, or a time limit determined by the Designated Officer. Additional time may be authorized by the Chief Administrative Officer, upon receipt of a written request for such extension from the offender/property owner.

- .3 Intermediate enforcement steps may include a second field inspection or monitoring of the property following the initial time set for voluntary compliance and negotiation of further time to comply.

- .4 Enforcement action may be taken without providing notice where a violation requires immediate action in response to an immediate risk to health, safety or the environment. After enforcement action is taken, the affected person will be provided with a written letter explaining the reasons to commence the enforcement action.

- .5 Enforcement action may be taken without providing notice in cases where a previously enforced violation is on file that is similar to the current violation.

- .6 Where unlawful activity has not ceased or where compliance is not being actively pursued (i.e. submission of a land use application to the Regional District) within the time period provided for voluntary compliance, the following action(s) may occur:

- a) The Designated Officer directs the Bylaw Enforcement Officer(s) to proceed with the enforcement action set out in the warning letter, including, but not limited to, issuing Notices for bylaws listed within the Bylaw Notice Enforcement Bylaw.
- b) The Designated Officer will prepare a report indicating that legal proceedings or direct enforcement action should be initiated. The report should identify whether the proceedings should involve:
  - i) prosecution under the *Offence Act*;
  - ii) Direct Enforcement action in accordance to the *Local Government Act* ;
  - iii) an application for a Provincial Court compliance order under the *Local Government Act*; or
  - iv) an application for a Supreme Court injunction.

If legal proceedings are recommended, the report will identify options to the recommended course of action and the implication of those options.

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If Direct Enforcement action is recommended, the report will outline the recommended action by the Regional District, the anticipated expense, and the process to recover the costs incurred by the Regional District from the offender as debt.

- .7 Enforcement through the courts is a Board decision and a report will be processed in accordance with the Regional District's Decision-Making Guidelines Policy.
- .8 If legal proceedings are to be withheld, through resolution of the Board, for cause (i.e. budget, investment of staff time, not deemed to be in the public interest, etc.), the complainant and offender will be so advised in writing, and the enforcement file closed.
- .9 If legal proceedings are approved, through resolution of the Board, the file will be assigned to legal counsel with all reports, correspondence, title documents and a certified bylaw, and preparation of a witness list.
- .10 At the end of legal proceedings or direct enforcement action, the Designated Officer will advise the complainant and the Board of the outcome, and close the enforcement file once compliance has been established or the court decision renders continuing enforcement unnecessary.
- .11 An enforcement file may be reactivated if the Regional District is made aware through either the monitoring of the Bylaw Enforcement Officer, or receipt of new information, that the offender/property owner is no longer in compliance after closure of the initial investigation.

## **7. APPEALS**

- .1 The Regional District will consider the inclusion of an appeals section in the review and update of all regulatory bylaws to ensure a mechanism and process for members of the public to appeal the provisions of these bylaws to the Board.
- .2 For all bylaw notices issued under the Bylaw Notice Enforcement Bylaw, appeals will be subject to the bylaw notice adjudication system as set out in the *Local Government Bylaw Notice Enforcement Act*.
- .3 For all bylaw enforcement actions other than bylaw notices or legal proceedings (i.e. direct action, notices on title, etc.) the alleged offender may appeal to the Board of Directors for reconsideration of the action by submitting a letter (with reasons cited to justify reconsideration) to the Chief Administrative Officer. The Chief Administrative Officer, after considering the reasons of appeal and the validity of justification, may schedule a time for the alleged offender to appear before the Board to present its case to reconsider the action. Following the presentation and submission of any evidence, the Board of Directors has full discretion to either uphold the action or revoke the action.
- .4 Following the hearing of an appeal, staff will prepare a letter of correspondence to the appellant to provide notice of the decision of the Board and the reasons for the decision.

## **8. CONFIDENTIALITY**

- .1 The identity of a complainant and the written complaint itself shall not be disclosed to the alleged offender or any member of the public. It is not necessary for the complainant to request confidentiality. Likewise, the response of the alleged offender shall not be disclosed to the complainant, whether it is in writing or made orally. It is recognized that

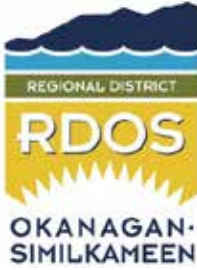
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many complaints take place in the context of other disputes between neighbours and the motivation for the complaint itself may be retribution. Disclosure could serve to exacerbate the dispute and may put persons or property at risk of harm.

- .2 While the investigation is ongoing, or while a resulting matter is before the courts, only information regarding the matter shall be made available to the public or the complainant.
- .3 If persons apply to the Regional District for disclosure of personal information about them in complaints and responses to the complaints under the *Freedom of Information and Protection of Privacy Act*, the Regional District shall refuse disclosure unless consent is obtained from the person who supplied the information and who would otherwise be assured of confidentiality under this policy.
- .4 Despite the foregoing, the Regional District will not guarantee the anonymity and confidentiality of complainants and may disclose personal information in bylaw enforcement files in the following circumstances:
  - i) If the investigation results in RCMP enforcement proceedings;
  - ii) If disclosure is required pursuant to the provisions of the *Freedom of Information and Protection of Privacy Act*;
  - iii) If an order for disclosure is issued by the Information and Privacy Commissioner under the *Freedom of Information and Protection of Privacy Act*;
  - iv) As otherwise required by law.

## **9. STAFF SAFETY**

- .1 The safety of staff and/or agents of the Regional District is of utmost importance. If a Bylaw Enforcement Officer or other Regional District staff is verbally or physically threatened while administering the bylaws of the Regional District, then no further investigative action shall be carried out until a private security firm can be hired or RCMP accompanies the Bylaw Enforcement Officer or other Regional District staff.



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[www.rdos.bc.ca](http://www.rdos.bc.ca)

Office use only
File No:
Date:
Received by:
Type:

## Bylaw Complaint Form

Personal information contained on this form is received by the Regional District in confidence. This confidentiality cannot be guaranteed if this complaint results in court proceedings. Release of this information is governed by the provisions of the *Freedom of Information and Protection of Privacy Act*.

### COMPLAINANT:

Name:	
Address:	
City/Town:	
Province:	Postal Code:
Day Phone:	Cell Phone:
Email:	

### INCIDENT INFORMATION:

Address (where alleged bylaw violation is taking place):
Name of Occupier of Property (if known):
Name of Registered Property Owner (if known):
Detailed description of alleged bylaw violation and how it affects you, your property, or daily life. ( <i>attach as a separate sheet if required</i> ):
Date(s) and Time(s) of alleged bylaw violation:

### DECLARATION:

By signing this complaint form, I confirm that I understand that the Regional District of Okanagan-Similkameen will be unable to guarantee confidentiality of the above information if this matter results in court action or an order from the Provincial Information and Privacy Commission.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name



**TO:** Planning & Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** David Suzuki Foundation Blue Dot Declaration

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**Administrative Recommendation:**

**THAT** the Chief Administrative Officer's report dated April 5, 2018 entitled David Suzuki Foundation Blue Dot Declaration be received for information;

**AND THAT** the Regional District adopt the following declaration:

Whereas the Regional District of Okanagan-Similkameen recognizes the mutual importance and interconnectedness of a healthy environment is inextricably linked to the well-being of our communities;

Whereas the Regional District of Okanagan – Similkameen recognizes that environmental protection is a fundamental value held by its citizens;

Whereas the Regional District of Okanagan – Similkameen has a structured sphere of influence and a defined jurisdiction;

Whereas in proclaiming this declaration, the Board of Directors are articulating public policy principles, but not creating or guaranteeing any legal rights or obligation;

Whereas the Regional District of Okanagan – Similkameen supports the recognition of the right to a healthy environment in the Canadian Charter of Rights and Freedoms;

Now therefore the Board of Directors of the Regional District of Okanagan – Similkameen declares that:

1. All people have the right to live in a healthy environment; including the right to breathe clean air; drink and access clean water; eat safe and healthy food; and access nature.
2. Within its jurisdiction, the Regional District of Okanagan – Similkameen has certain authority to respect, protect, fulfill and promote these rights and commits to encouraging the respect, protection, fulfillment and promotion of these rights.
3. The Regional District of Okanagan – Similkameen shall apply the precautionary principle by taking measures to prevent the degradation of the environment and protect the health of its citizens where threats of serious or irreversible damage to human health or the environment exist.



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**Purpose:**

To provide RDOS support for the David Suzuki Foundation Blue Dot campaign.

**Background:**

The David Suzuki Foundation's Blue Dot campaign seeks to have local governments pass declarations respecting citizen's right to live in a healthy environment. The initiative aims to protect clean water, breathing fresh air, consuming safe and healthy food, accessing nature, and having a democratic say in decisions that impact health.

Ultimately, the Blue Dot campaign seeks to amend the Canadian Charter of Rights and Freedoms to include the right to a healthy environment, so that Canada can join the 110 countries around the world that already have this right included in their constitutions.

**Analysis:**

The declaration represents a commitment to decision-making principles that will protect and promote the right to a healthy environment. They are aspirational public pronouncements that the Board of Directors cares about the right to a healthy environment.

The Regional District has already taken many initiatives towards creating a sustainable and healthy environment, including adopting the Regional Growth Strategy, updating Official Community Plans, adopting a Climate Action Plan, developing Drought and Flood Risk Management and Mitigation Plans, and updating servicing bylaws to enhance watering restrictions and stewardship expectations. The Blue dot declaration falls in line with these previous actions of RDOS, and provides further justification for pursuit of healthy environment goals as the organization moves into the future.

**Alternatives:**

.1 THAT the Blue Dot declaration not be adopted.

Respectfully submitted

*ERiechert*

E.Riechert, Planner

Endorsed by:

\_\_\_\_\_  
B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Blue Dot Briefing Paper



# THE RIGHT TO LIVE IN A HEALTHY ENVIRONMENT

ecojustice

## ISSUE

Nine out of 10 Canadians are concerned about the impact of environmental degradation on their health and the health of their children —and with good reason. The World Health Organization estimates environmental contamination, including polluted air and water, causes as many as 36,000 premature deaths annually in Canada. Preventable environmental hazards contribute up to 1.5 million days in hospital annually due to cardiovascular disease, respiratory illness, cancer, and birth defects alone. The environment has a tremendous influence on our health and well-being.<sup>1</sup>

Municipal governments make decisions that affect transportation, housing density, waste disposal and other issues related to the quality of the environment. Local governments also have the power to pass bylaws to protect residents from environmental harm. A municipal declaration recognizing the right to a healthy environment would demonstrate a willingness to take a stand for residents' rights to clean air, water and safe food, signal municipal leadership in building a healthy, sustainable community and draw attention to the Canadian Constitution's silence on environmental issues.

## RECOMMENDATIONS

The David Suzuki Foundation and partners recommend that the municipality:

1. Officially recognize the right to a healthy environment, through a municipal declaration or equivalent;
2. Respect, protect and fulfill the right to a healthy environment within municipal boundaries; and
3. Encourage provincial/territorial and federal action to protect the right to a healthy environment for all Canadians.

## BACKGROUND

Over the past 50 years, the right to a healthy environment has gained recognition faster than any other human right. More than 110 governments around the world, have already recognized their citizens' right to live in a healthy environment through bylaws, declarations, legislation, charters and constitutional provisions. In the United States, over 150 local governments have passed ordinances that recognize citizens' right to a healthy environment and protect them from a range of harmful practices.<sup>2</sup> The rights protected by these legal instruments include breathing clean air, drinking clean water, consuming safe food, accessing nature and knowing about pollutants and contaminants released into the local environment. Evidence shows that most countries with environmental rights and responsibilities in their constitutions:

<sup>1</sup> Boyd, D. 2012. The Right to a Healthy Environment. Vancouver: UBC Press.

<sup>2</sup> Community Environmental Legal Defense Fund. Community Rights. <http://www.celdf.org/section.php?id=423>

- Enjoy stronger and better enforced environmental laws;
- Demonstrate enhanced government and corporate accountability;
- Have smaller per capita ecological footprints;
- Rank higher on environmental performance in over a dozen key areas;
- Are more likely to have ratified international environmental agreements; and
- Have been more successful in reducing greenhouse gas emissions.<sup>3</sup>

While five provinces and territories have some modest form of environmental rights legislation, even in these jurisdictions (Quebec, Ontario, the Yukon, Northwest Territories, and Nunavut) the laws have significant weaknesses that undermine their effectiveness and need to be substantially strengthened. In addition, Canada's Charter of Rights and Freedoms presently does not explicitly protect or even address environmental rights, leaving Canada among a minority of countries that do not yet recognize the right to a healthy environment.

Municipal governments can help move toward an overarching environmental rights legal framework in Canada. These declarations represent a commitment to decision-making principles that will protect, fulfill and promote the right to a healthy environment. They are aspirational public pronouncements that city council cares about environmental health. Declarations of environmental rights can ensure accountability through regular assessment and public reporting of the municipality's progress on meeting its sustainability objectives. The declaration also includes an action item for councils to ask their provincial and federal governments to move forward with environment rights legislation. More than 50 municipalities representing nearly five million Canadians have already taken action to recognize their citizens' environmental rights.

## CONCLUSION

Environmental rights relate to many issues Canadians care about—healthy food, land use and development, water and air quality, climate change, habitat and biodiversity protection, parks creation, children's access to nature, social justice and more. Yet Canada lacks important legal protection for environmental rights. All levels of government must take action to address this oversight. Municipal adoption of a declaration respecting all residents' right to a healthy environment will reaffirm a community's commitment to sustainable development, set an important precedent and can inspire action at other levels of government, ultimately resulting in better environmental performance and a healthier population in Canada.<sup>4</sup>

## CONTACT

Alaya Boisvert, Blue Dot Project Lead  
 aboisvert@davidsuzuki.org  
 604.732.4228 x1263 | 604.562.2779

3 Boyd, D. R. 2013. "The Importance of Constitutional Recognition of the Right to a Healthy Environment" <http://davidsuzuki.org/publications/2013/11/DSF%20White%20Paper%201--2013.pdf>

4 Boyd, D. 2012. The Right to a Healthy Environment. Vancouver: UBC Press.

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN  
BOARD POLICY**

**POLICY:** Proclamation Policy

**AUTHORITY:** Board Resolution dated July 16, 2015.

**POLICY STATEMENT**

A proclamation is a public or official announcement made by declaration of a public body. The Regional District of Okanagan-Similkameen does not have any statutory authority in accordance with the *Local Government Act* or the *Community Charter* for the issuance of proclamations.

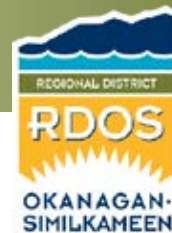
**PURPOSE**

To provide direction that formalizes the resolution of the Board on handling proclamation requests and to eliminate unnecessary administration of proclamations where the Regional District of Okanagan-Similkameen has no statutory authority.

The Board of Directors may lend political support to community causes, organizations, and events by means other than proclamations.

**PROCEDURES**

All requests for the issuance of proclamations will be referred to the Manager of Legislative Services to acknowledge the request and advise the requesting individual or organization that the Regional District of Okanagan-Similkameen declines to issue proclamations in accordance with Board policy.



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, April 05, 2018

11:45 a.m.

## REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Community Services Committee Meeting of April 5, 2018 be adopted.

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B. PENTICTON-KELOWNA TRANSIT SERVICE EXPANSION

1. Memorandum of Understanding

To provide an overview of costs and risks associated with a potential Penticton-Kelowna transit service expansion.

**RECOMMENDATION 2**

THAT the Board of Directors endorse the Service Plan Memorandum of Understanding for the Penticton–Kelowna service transit expansion.

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C. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Penticton – Kelowna Transit Service Expansion

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### Administrative Recommendation:

**THAT the Board endorse the Service Plan MOU for the Penticton – Kelowna service transit expansion.**

### Purpose:

To provide an overview of costs and risks associated with a potential Penticton - Kelowna transit service expansion.

### Reference:

- Service Plan MOU - Penticton to Kelowna Transit Service Expansion

**Business Plan Objective:** KSD #3 Goal 3.1: To Develop a Socially Sustainable Community

### Overview:

Public transit services between Penticton to Kelowna was identified as a priority within the 2015 Okanagan-Similkameen Transit Future Plan. Recent discussions among senior officials as part of the Transit Working Group have indicated an appetite for implementing the Penticton-Kelowna expansion in the near future.

To realize implementation by September 2019, BC Transit has laid out a series of steps within a non-binding Service Plan Development Memorandum of Understanding. This agreement will confirm the RDOS' willingness to proceed towards the establishment of a Regional Transit Service Bylaw, beginning with an Alternative Assent Process.

In the event that all RDOS members agree to participate in the Regional Transit Service, the cost allocations for each electoral area and member municipality will be as per Table 1. Determined by assessment of land and improvements, the amount of requisition would range from \$1,700 to \$64,730 for member municipalities and from \$1,103 to 13,869 for electoral areas. The average cost per household would range from \$1.33 to \$4.11 per household, with an average household cost of \$2.78 per year. Should any member forego participation, the allocated costs will increase.

Given that a Penticton – Kelowna transit service will benefit constituents outside of the RDOS boundary, namely residents of Peachland and West Kelowna, the Working Group has already engaged with potential external partners to explore shared funding arrangements with these partners. In the event that the RDOS secures partial funding from these partners towards the transit service the Total RDOS Contribution will decrease.

The MOU also sets out a local governance model that would see RDOS as the primary local government partner with BC Transit on the inter-regional transit service agreement. Pending a favourable electoral assent, the RDOS will then be presented with an Expansion MOU circa June 2018 that will commit the RDOS to funding the service for a minimum of one year. In addition to funding the service, endorsing the Service Plan MOU will establish the RDOS as the direct administrator of the service, and would impart a responsibility on RDOS staff to establish partnership agreements with external partners by way of contribution agreement(s), and to consult regularly with participating partners regarding system progress along with any future service changes.

Table 1: Cost Allocations of a Regional Transit Service

Municipality/Electoral Area	Requisition	%	Average per Household
Penticton	\$64,730	41.31%	\$3.00
Summerland	\$21,433	13.68%	\$3.49
Keremeos	\$1,700	1.08%	\$1.60
Oliver	\$7,419	4.73%	\$2.33
Osoyoos	\$13,080	8.35%	\$2.49
Princeton	\$4,559	2.91%	\$1.33
Electoral Area A	\$4,532	2.89%	\$3.04
Electoral Area B	\$1,103	0.70%	\$1.56
Electoral Area C	\$5,914	3.77%	\$2.26
Electoral Area D	\$13,869	8.85%	\$2.96
Electoral Area E	\$6,276	4.01%	\$4.11
Electoral Area F	\$3,931	2.51%	\$3.97
Electoral Area G	\$2,207	1.41%	\$1.34
Electoral Area H	\$5,934	3.79%	\$1.82
<b>Total RDOS Contribution</b>	<b>156,688</b>	<b>100.00%</b>	<b>\$2.78</b>

Respectfully submitted:

Candice Gartner

C.Gartner, Projects Coordinator



## Service Plan Development: Memorandum of Understanding

<b>Date</b>	March 2, 2018
<b>Work Order ID</b>	18_32
<b>System</b>	Okanagan-Similkameen

### Purpose

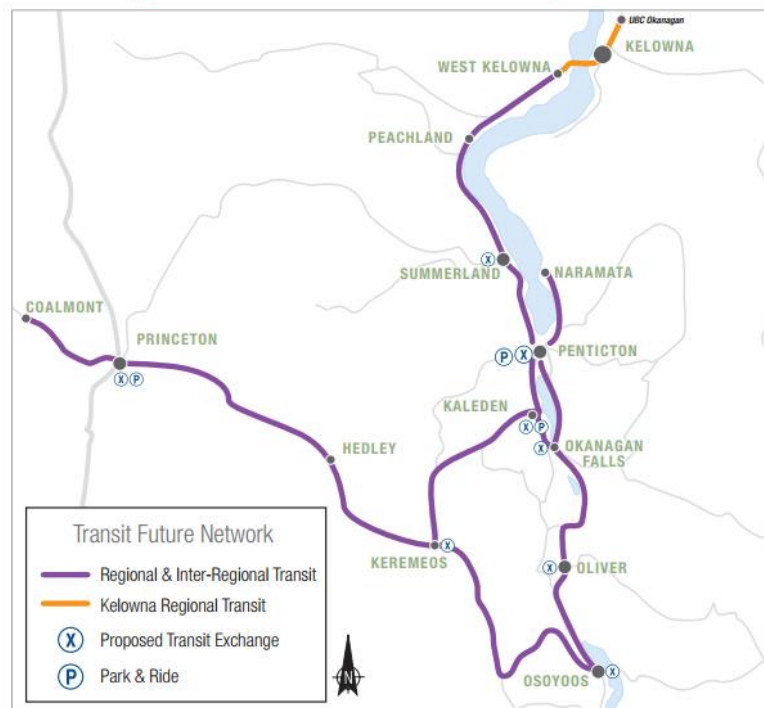
This Agreement outlines the objectives and actions relating to the development of the Service Plan for the introduction of transit services connecting Penticton to Kelowna, and defines the scope of work to be completed. This Agreement needs to be approved and signed by all parties prior to the actual commencement of the detailed work on this Plan. **The work developed as part of this plan would support the proposed service implementation in September 2019.**

### Introduction

The Penticton-Kelowna connector is an initiative launched by the Regional District of Okanagan-Similkameen (RDOS), its member municipalities, and BC Transit to implement an inter-regional transit service connecting communities within the RDOS boundary with the Central Okanagan. This project was identified as a key priority in the [2015 Okanagan-Similkameen Transit Future Plan](#) and has also been identified as a priority in recent Central Okanagan Regional District transit studies.

The map below is from the Transit Future Plan where this project was proposed and supported.

### Okanagan-Similkameen Future Regional and Inter-regional Transit Network Map



## Service Overview

Based on the recommendation from the Transit Future Plan, this new connection would provide services for all residents throughout the region who are working, studying, travelling, or going to Kelowna for non-emergency medical purposes. The service will also enable residents of the North and Central Okanagan to visit communities throughout the South Okanagan and Similkameen region. The target market for this service is commuters and the proposed introductory service levels would be two round trips (one AM peak trip and one PM peak round trip) per day on weekdays.

The following provides a high-level estimate of required resources<sup>1</sup> for this project:

Year	Service Hours	Buses	Ridership	Revenue	Operating Costs	Lease Fees (local share)	Total Costs	Net Local Share of Costs	Provincial Share of Costs
19/20	1,800	2	17,280	\$13,643	\$186,605	\$72,851	\$259,456	\$158,688	\$87,126

## Funding & Governance

Establishing a local governance model is a key component to moving forward with this inter-regional transit service. Based on recent discussions with potential local government partners for this service, there appears to be general consensus that the RDOS local government structure would provide the most appropriate governance model for this service considering the majority of the funding partners are already voting members of the RDOS. A separate agreement would be required between the RDOS and other potential local government transit partners from the Central Okanagan such as the District of Peachland and or the City of West Kelowna.

Before this service can be implemented, there are a few important steps with regards to funding and governance that need to be confirmed. It is recommended that these items be confirmed in spring 2018 to accommodate the expansion of service in September 2019. They are as follows:

- Confirmation that the RDOS will be the primary local government partner with BC Transit on the inter-regional transit service agreement. The method for apportioning service revenues and costs to member municipalities and electoral areas will be as per a new Regional Transit Service Establishment Bylaw.
- Assuming the above, a confirmed timeline and next steps for the RDOS to gain elector assent to establish a Regional Transit Service Establishment Bylaw.
- Establishment of partnership agreements for participating local governments outside the RDOS (Central Okanagan). BC Transit has a partnership agreement template that has been used in other communities that can be provided. This process should also include establishing a method for allocating costs.
- The confirmed local governance structure will be required to finalize service levels and fares.
- Funding for the service requires commitment by the primary local partner and the Province. In order for this project to meet the September 2019 timeline the RDOS will need to commit to their share of the funding as part of the Three Year Expansion Initiatives process by June 2018. This then becomes a request to the Province for transit expansion which will be confirmed through the Provincial budget announcement in February 2019.

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<sup>1</sup> Note that these proposed resource requirements exceed what was originally proposed in the TFP. This is to account for possible changes in the service design after it is more thoroughly studied, as well as building in contingency to ensure the final service meets the intended objectives

## Key Project Objectives

The key objectives of this proposed work to support the implementation in September 2019 are as follows:

- Supports the Goals and Vision of the Transit Future Plan.
- Finalize the governance structure and cost sharing responsibilities for the service.
- To understand transit ridership potential between key origins and destinations including, **but not limited to**: Osoyoos, Oliver, Penticton, Princeton, Hedley, Keremeos, Naramata, Okanagan Falls, Kaleden, Summerland, Peachland, West Kelowna, Westbank First Nation and the City of Kelowna.
- Develop and recommend detailed transit service options, including identifying proposed routes, schedules and bus stops.
- Develop and recommend proposed service changes to the other South Okanagan transit services to ensure integration with the proposed new service.
- Review fare options and provide fare strategies which could be considered for any new connecting services.
- Identify medium and longer term considerations for future expansion opportunities for the local and intercity services.
- Prepare an implementation action plan for the local partners, to summarize the above tasks for service improvements and recommend a course of action.

Other considerations for this project include:

- Reassessing the need for existing weekly service that operates on the Route 60 between Osoyoos, Penticton and Kelowna. Also to make schedule adjustments to the existing regional services to avoid duplication.
- The possibility of integrating the Penticton-Kelowna service with existing Central Okanagan Transit System services such as the Route 22 that serves Peachland.
- Explore opportunities for finding vehicle efficiencies depending on where the service's vehicles are stored.
- Identifying medium and longer term expansion options for this service so that capacity can increase with demand. In the Transit Future Plan, it is recommended that the next expansion for this service would be to introduce midday weekday service.

This Memorandum of Understanding outlines the actions or steps to be undertaken and finalized before this service can be implemented.

## Engagement

As part of this work, BC Transit in collaboration with local government partners will lead an engagement process to ensure that any proposed transit service meets the demands and needs of the communities. The engagement will likely take place in fall 2018 and could include open houses, surveys and meetings to present the proposed service for final refinement. The information collected as part of this engagement would help define the final steps towards implementation.

## Inter-Regional Transit Working Group

The project will have one organized group to guide the development of the service. The Inter-Regional Transit Working Group is responsible for ensuring the continued health of the project and the final deliverables as well as being the key decision makers where required. Working group meetings will be held as required.

The Inter-Regional Transit Working Group will draw on topic experts as needed which could also be part of the engagement plan. Key stakeholders could include, but not limited to, Okanagan College, School Districts, UBCO, Interior Health as well as the Ministry of Transportation and Infrastructure and the existing transit system operating companies and any existing private operators to increase the projects success.

## Key Deliverables

The key deliverables of this project are as follows:

- Draft Service Change Plan – Spring 2018
- Signed Transit Improvement Program (TIPs) MOU – Spring 2018
- Public Engagement – Fall 2018
- Final Service Change Plan – Winter 2018/19
- Implementation Plan – Winter 2018/19

## Timeline

The proposed timeline below summarizes the key steps required towards a September 2019 service implementation:

Date	Activity	Owner/Lead
Winter 2018	<ul style="list-style-type: none"><li>• Project startup; Working Group and membership confirmed</li><li>• Development of timeline, action items and lead/owner agreed</li></ul>	RDOS/ BC Transit
Spring 2018	<ul style="list-style-type: none"><li>• Present Expansion MOU to solidify commitment by primary local partner to request provincial funding for the service (Three Year Expansion MOU)</li><li>• Development of governance and cost-sharing model for the service</li></ul>	RDOS/BC Transit
Summer 2018	Develop detailed DRAFT options, including identifying routes, schedules, bus stops and fares. Also develop forecasted ridership demand on the service.	BC Transit
Summer 2018	Present DRAFT options to local staff for the approval to share with the public for engagement.	BC Transit/RDOS
Fall 2018	Hold public engagement events (Open Houses and Survey) to gauge public feedback on the proposed DRAFT options. Engagement findings to be presented in Summary Report.	BC Transit
Winter 18/19	Based on engagement results, develop a detailed Service Change Plan to support the implementation of the service in September 2019.	BC Transit
Winter 18/19	Present Service Change Plan to local staff for final approval.	BC Transit/ RDOS
Winter 18/19	Implementation MOU signed	RDOS
Spring/Summer 2019	<ul style="list-style-type: none"><li>• Final schedules developed, review and approved</li><li>• Bus stop locations proposed and reviewed</li><li>• Marketing and communication material developed</li></ul>	All (led by BC Transit)
September 2019	Service Implementation	All (led by BC Transit)
Fall/Winter 2019	Review and monitor service	BC Transit

## Recommendation

That the RDOS agrees to the scope of the plan noted in this Agreement and requests BC Transit to proceed with the development of this Service Plan within the timeline noted.

RDOS:

Name:

Position:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

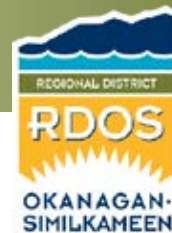
## BC Transit

Name: Rob Williams

Position: Senior Regional Transit Manager

Signature:  \_\_\_\_\_

Date: February 28, 2018



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, April 05, 2018

12:45 p.m.

## REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Corporate Services Committee Meeting of April 5, 2018 be adopted.

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B. BOARD MEETING PROTOCOL

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C. ADJOURNMENT

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** Bill Newell, CAO  
**DATE:** 5 April 2018  
**RE:** Board Protocol

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### Introduction

Protocol is necessary for any group of people to work together co-operatively; the Board is no exception. Largely based upon the customary practices regulating procedure in group action developed over time, it is the etiquette practiced so that we know what to expect and how to act in certain situations.

#### a) Group Action (Informed Decision-Making Model)

The Board annually discusses their Decision-Making Policy and Model and are aware that the authority for decision-making is vested in the Board as a whole. Within that, regional district boards have some regulatory voting rules; but generally, when an issue does come to a meeting, there will be times when individual members of the Board do not agree with the majority. In those situations, it is necessary that the members put forth their arguments at a duly constituted meeting for all of their associates and the public to hear. Sending out email, texts or other forms of communication prior to or following a meeting would not meet the sunshine expectations of good protocol, nor would it allow the comments or opinions to be tested or debated.

Once the matter has been decided upon, the majority rules and the decision is the decision of the Board. It is not proper protocol for individual members to disparage other members of the Board because they disagree with their opinion. Unless new information is provided or factors used to make the decision change, it is up to all members of the Board to support the decision and see that it is carried out.

#### b) Talk to the Issue - Not the Individual

There is a line where members of the Board may disagree about an issue, but where the issue can be discussed objectively and impersonally. Should one member cross the line and try and make a point at the expense of the credibility of another member of the Board, or of staff, often the issue is forgotten and personal attacks begin. It is not proper protocol to attack a person or their credibility to prove a point. Stick to the issue.

#### c) Confidentiality

It should be generally accepted that the Board and their committees should resist going in-camera except when it is absolutely necessary. When it is necessary, those matters discussed in-camera should be held confidential until released by the Board at a duly constituted meeting.

Simply because one member of the Board does not want to go in-camera to discuss a confidential matter is not sufficient justification for that member of the Board to divulge the contents of the in-camera session to anyone outside of the Board. Confidential sessions are not intended for the Board's use simply because an item is of significant public interest or is controversial.

The public expects that public business will be conducted openly, but, when the Board deems an item confidential, members should not abuse that trust. To operate effectively, Board members and administration must maintain a high level of trust in each other. Breaches of confidentiality will surely destroy this and reduce the effectiveness of the organization.

d) Recognize the Chair (Talk-over)

Group discussions and group action require rules for their operation. The Board has the rules of the Local Government Act, the Community Charter, the Procedure By-law and Roberts Rules of Order as their basis for procedure in meetings.

In a forum that operates on an “informed decision-making process”, it is necessary that each member have a chance to voice their opinion and that they have the chance to complete their opinion uninterrupted. In addition, it is necessary that a dialogue be carried out in a controlled manner.

To accomplish these two objectives, questions and discussions must be addressed to the Chair. In this manner, the Chairperson can ensure that each member will get an opportunity to speak and by the members addressing each other through the Chair we can control the possibility that the discussion can be dominated by the loudest voice and we proceed in an organized manner.

e) Addressing the Chair

Board meetings, due to their long tradition, carry with them some formality. Members, staff and delegations should pose questions or comments directly to the Chair. It's not appropriate to direct comments to anybody else, and it is not appropriate to speak “through” the Chair. This promotes run-on talking by one Member; or, allows two members to get into a debate. Address the Chair for permission to speak, wait to be recognized and address comments to the Chair. The Chair will determine if it's an appropriate question/comment, where an answer should be provided and, if so, who should provide it.

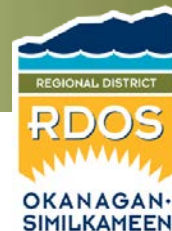
f) Alternate Directors

Rural Alternate Directors are appointed by the elected Electoral Area Director and the Alternate Director acts on behalf of a Director only if the elected member is absent. Otherwise, each member of the board or alternates have the rights of a natural citizen and that would be the status of an Alternate in all situations except where the Director is absent and the Alternate has been designated to act.

## **Closing**

Many of our rules of protocol are common sense or covered in other regulations. In the end, it's a matter of dealing with each other, your staff and your citizens professionally and with respect. Procedure and Protocol are a Board responsibility, not just the Chair.





# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Environment and Infrastructure Committee

Thursday, April 05, 2018

1:15 p.m.

### REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Environment and Infrastructure Committee Meeting of April 5, 2018 be adopted.

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B. ORGANICS FACILITY SITING DISCUSSION

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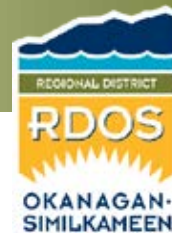
C. CLOSED SESSION

**RECOMMENDATION 2**

THAT in accordance with Section 90(1)(g) of the *Community Charter*, the Board close the meeting to the public on the basis of litigation or potential litigation affecting the Regional District.

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D. ADJOURNMENT



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, April 05, 2018

2:00 p.m.

## REGULAR AGENDA

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A. APPROVAL OF AGENDA

**RECOMMENDATION 1**

THAT the Agenda for the Protective Services Committee Meeting of April 5, 2018 be adopted.

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B. BYLAW NO. 2566, 2011

1. Electoral Area "A" Comment
2. Electoral Area "D" Comment
3. Electoral Area "G" Comment

**RECOMMENDATION 2**

THAT Bylaw No. 2566, 2001 be forwarded to the April 19, 2018 Board Meeting to be repealed.

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C. EMERGENCY MANAGEMENT UPDATE – For Information Only

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D. ADJOURNMENT

## ADMINISTRATIVE REPORT

**TO:** Protective Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Bylaw 2566, 2011

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### RECOMMENDATION

**That Bylaw 2566, 2001 be forwarded to the April 19<sup>th</sup> Board Meeting to be repealed.**

#### **Background:**

At their meeting of 15 March 2018 the Board referred Bylaw 2792, being a bylaw to provide for the administration and operation of Fire Departments, to the Protective Services Committee for further discussion.

The Regional District currently operates 7 Fire Departments, each with their own establishment bylaw and their own regulatory bylaw. The Service Establishment Bylaw sets out the geographic area and requisition limit for each service. The regulatory bylaw sets out the administration, powers and authorities of the Fire Chief and the Department.

Bylaw 2566 was passed in 2011 to set out regulations for all RDOS fire departments and delegations of authority to the Fire Chief. Bylaw 2566 did not repeal the 7 department regulatory bylaws, but contains a superiority clause which provides that:

**"wherever this Bylaw sets out Fire Service Regulations with respect to Fire Departments and other such RDOS bylaws contain Fire Service Regulations, this Bylaw is deemed to prevail".**

The Board commissioned Mitchell & Associates to conduct audits on each of the seven departments and develop a Fire Services Master Plan in 2017. Of the 25 recommendations included in the Master Plan, the majority identified weaknesses in Bylaw 2566, one of which was that the Regional District maintained active, conflicting bylaws for the regulation of their Departments. They suggested that the superiority clause in 2566 is sustainable for a transitional period, but would not meet the test of Greenshields v. The Queen, which requires the superiority clause to expressly reference the content of the previous bylaw that is intended to be superseded. The better parliamentary practice should see the active regulatory bylaws repealed or revert to them by repealing Bylaw 2566. Other recommendations addressed the seeming weakness of 2566 to address confusion with reporting lines for the Fire Chiefs, new legislation (Playbook) that wasn't contemplated in 2011, etc.

#### Issues:

- Are Firefighters employees or volunteers?
- Will the Board administer Fire Departments individually or centrally?
- Will the Board adopt Bylaw 2792 or rescind Bylaw 2566 and revert to the 7 department regulatory bylaws?

#### Analysis:

1. Legally, RDOS FireFighters are employees. They receive an hourly wage, benefits and a T4. Neither Bylaw 2566 or 2792 contemplates employment status, nor do they restrict what the Board calls a Department. However, the existing Department Regulatory Bylaws do designate each Department as volunteer and have members appointed by and responsible to the Board.

**Discussions with the Fire Chiefs group have identified that the Chiefs strongly prefer status as volunteers reporting directly to the Board. A majority of the Directors enabling Fire Departments have also supported that concept.**

2. The Board started talking about standardization of some Fire Department practices in 2010. Apparatus specifications, incident command, operational guidelines, wages, etc. Bylaw 2566 captured this intent in 2011, but did not repeal the existing Fire Department Bylaws.

**Bylaw 2566 contains provisions that are inconsistent with provisions of the Department Regulatory Bylaws.**

3. The 2017 Fire Services Master Plan identified weaknesses in Bylaw 2566; including but not limited to:
  - a. Confusion over reporting relationships for the Fire Chiefs
  - b. Legislation had changed with the introduction of the Playbook
4. Generally, the Fire Chiefs Group has not readily accepted the standardization, central reporting model contemplated in Bylaw 2566. The recent conversation at the Board, the postponements, and the direct dialogue between the Chiefs with elected officials would all indicate that the Board would be more comfortable reverting to the individual regulatory bylaws, thereby requiring that Bylaw 2566 be repealed.

**From:** Mark Pendergraft  
**Sent:** March 14, 2018 12:32 PM  
**To:** DirectorMembers <[directormembers@rdos.bc.ca](mailto:directormembers@rdos.bc.ca)>  
**Cc:** Bill Newell <[bnewell@rdos.bc.ca](mailto:bnewell@rdos.bc.ca)>  
**Subject:** Bylaw 2792

Hi Board members

I hate to bug you all prior to the board meeting on Thursday, but feel it very important to make a couple points on potential bylaw 2792 as I will not be able to attend the meeting personally.

To start I should report (as I attended the chiefs meeting) that the meeting between the chiefs and staff concerning this bylaw went well, and I believe that the chiefs all felt like they actually had an opportunity to discuss and provide some meaningful input into this potential bylaw. Two points I must make here though are that it is unfortunate that this type of opportunity to discuss this bylaw with the chiefs did not happen prior to this bylaw ever coming to the Board and the second and most important point is that the majority of the chiefs still do not agree or support this bylaw.

To my thoughts on this bylaw, I do not support it. I mentioned the tone previously so won't dwell on that. The main reason that I don't support this bylaw is that I believe that moving forward with this bylaw will have the exact opposite effect that staff are hoping will happen by its creation. The way I see it is that it will be a lot easier getting the departments trained up to the required standards if they are co-operating and supported in that endeavor rather than being bylawed into training. I believe that every fire chief realizes that they need to get the departments trained and the training recorded, to meet the play books standards, so we are all on the same page on that. Staff have been telling us that they believe that bylaw 2792 will make their job easier to get the departments into compliance, and that under the old bylaw they were not able to get them there.

To that point we never until just recently determined where the departments needed to be training wise until the fire service study. So it was not the old bylaw that prevented getting the departments in compliance. The point that is missed by staff with bylaw 2792 is that the fire chiefs and the members although in the eyes of the law are employees of the RDOS, But the reality is that the chiefs and members took their roles on, as a service to their communities, (friends and neighbors) and in their view they are responsible for and answer to the

community as a whole not to the RDOS. How will they all react if this bylaw is approved? I personally do not want to go down that road to find out, (It is worth mentioning that with the exception of maybe one chief none are doing this for the money) in my opinion for most it will not be knuckle under and do as they are told and even if I am wrong and it is only a few it is not what we want to have happen. They are prepared to co-operate with the RDOD to get to where they need to be to meet the play book standards and that can and in my opinion will happen much easier under the old bylaws rather than potential bylaw 2792. It is important to note here that passing bylaw 2792 will not bring the RDOS into compliance it is the actual training and recording of that training that will get us there. What we as a board need to determine is will bylaw 2792 get the departments in compliance quicker or will it cause unnecessary problems and just be more costly in the end?? I suspect the latter and urge you to not approve this bylaw.

Thanks for reading

Mark

**From:** Tom Siddon

**Sent:** March 14, 2018 10:48 PM

**To:** Mark Pendergraft <mpendergraft@rdos.bc.ca>; DirectorMembers <directormembers@rdos.bc.ca>

**Cc:** Bill Newell <bnewell@rdos.bc.ca>

**Subject:** RE: Bylaw 2792

Dear colleagues – Although I will not be present for the debate and votes on Bylaw 2792 at tomorrow's Board meeting, I tend to agree with the opinions expressed by Mark Pendergraft in his letter, which follows. I think it would be far better for staff, in seeking support for the important, centralizing provisions of Bylaw 2792, to expend every possible effort to win a consensus of support from the Chiefs of our VFD's before rushing to impose the key provisions of this Bylaw. After all, the Volunteer Fire Chiefs share an important connection with the communities and citizens that they serve. In my view these Chiefs hold the respect of their communities, and deserve our respect in return.

Let's not rush into adopting the proposed Bylaw changes with unnecessary haste. A little more consultation with the Fire Chiefs would be a good way to maintain positive relations with the VFD's, and the largely semi-rural communities that they serve.

Sincerely, Tom Siddon

-----Original Message-----

From: Roger Mayer <rgrmayer@gmail.com>

Sent: March 15, 2018 2:03 AM

To: Karla Kozakevich <kkozakevich@rdos.bc.ca>; Bill Newell <bnewell@rdos.bc.ca>

Cc: Mark Pendergraft <mpendergraft@rdos.bc.ca>; George Bush <gbush@rdos.bc.ca>; Terry Schafer <tschafer@rdos.bc.ca>; Tom Siddon <tsiddon@rdos.bc.ca>; Michael Brydon <mbrydon@rdos.bc.ca>; Elef Christensen <echristensen@rdos.bc.ca>; Manfred Bauer <mayor@keremeos.ca>

Subject: Fire Bylaw 2792

Directors and Bill,

I agree with Mark's assessment of Fire Bylaw 2792. It will be a major error on the part of the RDOS to adopt this bylaw. The bylaw will turn our fire departments into corporate entities that if you read the bylaw, will be run from Penticton. That was also Tom Siddons' concern. This would be fine in an urban centre, but we have small town rural fire departments that are made up of volunteer's who are out there to offer their time and services to help their communities. They work out issues at the local level. Each community is different and all departments have struggled to maintain their needed numbers at different times. The Fire Chiefs have said that this bylaw will reduce moral of the departments.

At no time that I am aware of did the Board instruct staff to create one bylaw for all the Fire Departments, and the audit that the RDOS did was not vetted by the fire departments to insure it's accuracy. As a result we have a top down bylaw which will not work in our communities as Mark eluded to in his email.

The read on this bylaw is that RDOS will dictate to the fire departments how they are to operate, and what they can and cannot do. In my view this will not work, and I would not be surprised to see some of the departments hand the RDOS the keys, as moral will be greatly affected.

My view is that this bylaw should be abandoned and staff need to go back and take the audit report back to the Fire Chiefs and then begin a discussion on how the RDOS can move towards compliance with Provincial Requirements. I do not believe that you need all new bylaws in order to meet those requirements, but in any case the RDOS staff should be there to help our Fire Chiefs meet those goals, and not as the present bylaw is written " to tell them how to do that".

At any rate, I do not believe there is sufficient support among the participating directors to pass this bylaw, so if it is taken to a vote it will be defeated.

Also the Area G APC met last night and it was the consensus of the meeting that Area G should not abandon the present fire bylaw for Keremeos, and should not adopt the proposed new bylaw. So at minimum it would require a rewrite deleting Keremeos from the bylaw, but again there would not be sufficient support to pass the bylaw.

So a better approach would be to table the bylaw pending further review, or abandon it all together, and start fresh by going out to the Fire Departments and discussing what would and would not work, and then develop the appropriate bylaws that would accomplish that outcome.

Just my thoughts, and I'm only an alternate director, but I do have 18 years of experience as RDOS director.

Roger Mayer



## ADMINISTRATIVE REPORT

**TO:** Protective Services Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Emergency Management Update – For Information Only

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### **Purpose:**

Due to heavy rainfall on Thursday, March 22<sup>nd</sup>, the Regional District implemented the Emergency Plan and opened the Emergency Operations Centre. We have multiple incidents throughout the Okanagan and Similkameen Valley's and due to the rapidly changing nature of each site, determined it best to provide a current update verbally at Committee.

### **Background:**

While we have evidence that the snowpack is high and flood waters never really receded last year, the torrential downpour March 22<sup>nd</sup> expedited emergency response to surface water accumulation that impacted valley slope stability, culverts, streams and high groundwater throughout the region.

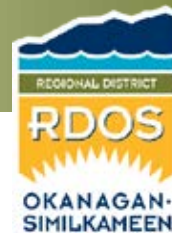
Rock/debris slides, rapidly rising detention ponds, eroding roads, plugged storm drainage systems caused minor tactical evacuations and an advanced sandbag distribution program.

The Emergency Program Coordinator will appear at committee to provide a situation report and answer questions.

### **Flood Mitigation**

During 2018 Business Plan discussions, the Board discussed the extended 2017 flood/fire response and the impact on the organization. In our risk assessment for the 2018 Business Plan, we talked about the interest in asking our citizens about the development of a flood mitigation service, identifying the need to look at the treatment of water holistically. Retention, diversion or pumping of water is interconnected. What we do with water in one location we know will have an impact somewhere else. It's not something that should be done casually.

Having said that though, it would seem some elected officials have an expectation to take action or spend money on mitigative action without taxpayer approval. Committee may wish to open a discussion on that issue.



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BOARD of DIRECTORS MEETING

Thursday, April 05, 2018

2:30 p.m.

## REGULAR AGENDA

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### A. APPROVAL OF AGENDA

**RECOMMENDATION 1** (Unweighted Corporate Vote – Simple Majority)

**THAT the Agenda for the RDOS Board Meeting of April 5, 2018 be adopted.**

#### 1. Consent Agenda – Corporate Issues

##### a. Electoral Area “E” Advisory Planning Commission Appointment

*THAT the Board of Directors appoint Brent Rowland as a member of the Electoral Area “E” Advisory Planning Commission for a term ending November 30, 2018.*

##### b. Electoral Area “A” Advisory Planning Commission – March 19, 2018

*THAT the Minutes of the March 19, 2018 Electoral Area “A” Advisory Planning Commission be received.*

##### c. Electoral Area “C” Advisory Planning Commission – February 20, 2018

*THAT the Minutes of the February 20, 2018 Electoral Area “C” Advisory Planning Commission be received.*

##### d. Electoral Area “E” Advisory Planning Commission – March 12, 2018

*THAT the Minutes of the March 12, 2018 Electoral Area “E” Advisory Planning Commission be received.*

##### e. Electoral Area “H” Advisory Planning Commission – February 20, 2018

*THAT the Minutes of the February 20, 2018 Electoral Area “H” Advisory Planning Commission be received.*

##### f. Kaleden Recreation Commission – March 6, 2018

*THAT the Minutes of the March 6, 2018 Kaleden Recreation Commission be received.*

##### g. Community Services Committee – March 15, 2018

*THAT the Minutes of the March 15, 2018 Community Services Committee be received.*

**h. Planning and Development Committee – March 15, 2018**

*THAT the Minutes of the March 15, 2018 Planning and Development Committee be received.*

*THAT the Board of Directors authorize the inclusion of text amendments to the Industrial Zone Update Amendment Bylaw No. 2783 to include “cannabis production” as a permitted type of “manufacturing” in the General Industrial (I1) and Heavy Industrial (I2) Zones.*

**i. RDOS Regular Board Meeting – March 15, 2018**

*THAT the minutes of the March 15, 2018 RDOS Regular Board meeting be adopted.*

**RECOMMENDATION 2** (Unweighted Corporate Vote – Simple Majority)

**THAT the Consent Agenda – Corporate Issues be adopted.**

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**2. Consent Agenda – Development Services****a. Development Variance Permit Application – 148 Alder Avenue, Electoral Area “D”**

i. Permit No. D2017.173-DVP

ii. Responses Received

To vary the minimum exterior side setback from 4.5 metres to 2.6 metres.

*THAT the Board of Directors approve Development Variance Permit No. D2017.173-DVP.*

**RECOMMENDATION 3** (Unweighted Rural Vote – Simple Majority)

**THAT the Consent Agenda – Development Services be adopted.**

---

**B. DEVELOPMENT SERVICES – Building Inspection****1. Building Bylaw Infraction: Permit 18260 – Addition and Renovations to Dwelling, 2434 Oliver Ranch Road, Electoral Area “D”**

**RECOMMENDATION 4** (Unweighted Corporate Vote – Simple Majority)

**THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 2710, Plan 32089, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and**

**THAT injunctive action be commenced.**

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2. **Building Bylaw Infraction: Permit 18085 – Winery Retail, 2434 Oliver Ranch Road, Electoral Area “D”**

**RECOMMENDATION 5** (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 2710, Plan 32089, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

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3. **Building Bylaw Infraction: Permit 18928 – 8093 Princeton-Summerland Road, Electoral Area “F”**

**RECOMMENDATION 6** (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3 and an undivided 1/3 share in Lot 1 Plan KAP55324, District Lot 2893, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

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4. **Building Bylaw Infraction: Permit 18340 – 2016 West Bench Drive, Electoral Area “F”**

**RECOMMENDATION 7** (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 23, Plan KAP8224, District Lot 5076, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

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5. **Building Bylaw Amendment**
  - a. Bylaw No. 2333.10, 2018

To incorporate changes to the 2018 Fees and Charges Bylaw with respect to calculating Building Permit Fees.

**RECOMMENDATION 8** (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2333.10, 2018 Regional District of Okanagan-Similkameen Building Amendment Bylaw be read a first, second and third time and be adopted.

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**C. DEVELOPMENT SERVICES – Rural Land Use Matters**

1. **Zoning Bylaw Amendment – 2404 87<sup>th</sup> Street, Electoral Area “A”**
  - a. Bylaw No. 2451.22, 2018
  - b. Responses Received

To allow for the construction of a secondary suite on a parcel less than 2020 m<sup>2</sup>.

**RECOMMENDATION 9** (Unweighted Rural Vote – Simple Majority)

**THAT** Bylaw No. 2451.22, 2018, Electoral Area “A” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

**AND THAT** the holding of the public hearing be scheduled for the Regional District Board meeting of May 3, 2018;

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

---

2. **Zoning Bylaw Amendment – “Regal Ridge” Site Specific Zoning Review, Electoral Area “A”**
  - a. Bylaw No. 2451.23, 2018
  - b. Responses Received

To amend the Electoral Area “A” Zoning Bylaw No. 2451, 2008, in order to remove a number of site specific zoning regulations that relate to the Large Holdings One (LH1), Small Holdings Two (SH2) and Conservation Area (CA) Zones at “Regal Ridge” on Anarchist Mountain. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 10** (Unweighted Rural Vote – Simple Majority)

**THAT** Bylaw No. 2451.23, 2018, Electoral Area “A” 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 May 3, 2018;

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

---

3. **Zoning Bylaw Amendment – 445 & 449 Sagewood Lane, Okanagan Falls, Electoral Area “D-1”**
- a. Bylaw No. 2457.22, 2018
  - b. Responses Received

To allow for 1 “livestock” and 25 “small livestock” on a parcel less than 2,500 m<sup>2</sup> in area and to reduce the parcel line setbacks for a livestock structure from 15.0 metres to 2.5 metres.

**RECOMMENDATION 11** (Unweighted Rural Vote – Simple Majority)

**THAT Bylaw No. 2457.22, 2018, Electoral Area “D” Zoning Amendment Bylaw be denied.**

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4. **Official Community Plan & Zoning Bylaw Amendments – Industrial Updates, Electoral Areas “A”, “C”, “D”, “E” & “F”**
- a. Bylaw No. 2783, 2018
  - b. Responses Received

*The public hearing for this item will have been held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.*

To amend the Electoral Area “A”, “C”, “D”, “E” and “F” Official Community Plan and Zoning Bylaws in order to update the industrial zones found in these electoral areas. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 12** (Unweighted Rural Vote – Simple Majority)

**THAT Bylaw No. 2783, 2018, Regional District of Okanagan-Similkameen Industrial Zone Update Amendment Bylaw be read a third time.**

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5. **Official Community Plan & Zoning Bylaw Amendments – Small Holdings One (SH1) Zone Review, Electoral Areas “D-2” and “E”**
- a. Bylaw No. 2797, 2018
  - b. Responses Received

*The public hearing for this item will have been held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.*

To amend the Electoral Area “D-2” and “E” Official Community Plan and Zoning Bylaws in order to consolidate the Small Holdings One (SH1) Zone with the Large Holdings One (LH1) Zone. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 13** (Unweighted Rural Vote – Simple Majority)  
**THAT Bylaw No. 2797, 2018, Regional District of Okanagan-Similkameen Small Holdings One (SH1) Zone Review Amendment Bylaw be read a third time.**

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6. **Official Community Plan & Zoning Bylaw Amendments – Large Holdings Three (LH3) Zone Review, Electoral Areas “D-2”**
- a. Bylaw No. 2455.30, 2018
  - b. Bylaw No. 2603.12, 2018
  - c. Bylaw No. 2603.13, 2018
  - d. Responses Received

*The public hearing for this item will have been held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.*

To amend the Electoral Area “D-2” Official Community Plan and Zoning Bylaws in order to generally consolidate the Large Holdings Three (LH3) Zone with the Resource Area (RA) Zone, however, there are instances where other zonings such as Large Holdings One (LH1), Large Holdings Two (LH2) and Small Holdings Three (SH3) are being proposed. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 14** (Unweighted Rural Vote – 2/3 Majority)  
**THAT Bylaw No. 2603.12, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw, be read a third time and adopted.**

**AND THAT Bylaw No. 2603.13, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.30, 2018, Electoral Area “D-2” Zoning Amendment Bylaw be read a third time.**

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**D. FINANCE**

1. Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure
  - a. Bylaw No. 2801, 2018
  - b. Grant Application Form

**RECOMMENDATION 15** (Weighted Corporate Vote – 2/3 Majority)

**THAT Bylaw No. 2801, 2018, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw be read a first, second and third time and be adopted.**

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**E. LEGISLATIVE SERVICES**

1. Enabling Waiver of Development Cost Charges
  - a. Bylaw No. 2803, 2018

To define, and make provision for, those circumstances where a Development Cost Charge may be waived.

**RECOMMENDATION 16** (Unweighted Corporate Vote – Simple Majority)

**THAT the Regional District Bylaw 2803, 2018, being a bylaw of the Regional District of Okanagan Similkameen to provide for Development Cost Charges to be waived or reduced be read a first, second and third time.**

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**F. CAO REPORTS**

1. Verbal Update
- 

**G. OTHER BUSINESS**

1. Chair’s Report
- 

2. Directors Motions
- 

3. Board Members Verbal Update
- 

**H. ADJOURNMENT**



## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Electoral Area "E" Advisory Planning Commission – Appointment

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### Administrative Recommendation:

**THAT the Board of Directors appoint Brent Rowland as a member of the Electoral Area "E" Advisory Planning Commission for a term ending November 30, 2018.**

### Purpose:

In accordance with Section 4.1 of the Regional District's Advisory Planning Commission (APC) Bylaw No. 2339, 2006, "the Board, by resolution, shall appoint members to [an APC] on the recommendation of the Electoral Area Director."

### Background:

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.

### Analysis:

On March 16, 2018, Director Kozakevich advised Administration of her intent to recommend Brent Rowland for appointment to the Electoral Area "E" Advisory Planning Commission.

### Respectfully submitted:

*"Debra Paulhus"*

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D. Paulhus, Administration Support Clerk

### Endorsed by:

*"Christy Malden"*

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C. Malden, Manager of Legislative Services

**Advisory Planning Commission Minutes**  
**RDOS Electoral Area "A" Monday March 19 2018**  
**Sonora Centre, Osoyoos, BC**

**Present:**

Members: Chair Peter Beckett, Gerald Hesketh, , Grant Montgomery, Bill Plasket

In attendance- Area A Director Mark Pendergraft also acting recording secretary

Regrets: Dwayne Svendsen, Mark McKenny

Representing RDOS: Evelyn Riechert

Meeting was called to Order at 7:00 pm

Minutes of previous meeting were adopted by consensus

Agenda adopted by consensus

**Agenda item 3.1**

Farrell, Allan & Shawna for Zoning Bylaw Amendment Application

A06315.055 (A2018.006-ZONE)

Mr. Farrell made a presentation regarding the application

**Motion** made by Bill Plasket, Seconded Grant Montgomery

*That the APC recommends to the RDOS Board*

that the subject development application be approved.

**Further discussion:** None

The Motion is CARRIED Unanimously.

**Agenda item 3.2**

Development Variance Permit Application for Satpal Kalkat A01343.000 (A2018.022-DVP)

Agent: Elenko, Brad

Mr. Elenko made a presentation regarding the application

**Motion** made by Gerry Hesketh seconded by Grant Montgomery

THAT the APC recommends to the RDOS Board

that the subject development variance permit application be approved.

**Further Discussion:** None

The Motion CARRIED Unanimously.

**Agenda Item 4.1**

APC Election

The following were elected

Chair Peter Beckett

Vice chair Mark McKenny

Recording Secretary will rotate.





# Minutes

## Electoral Area 'C' Advisory Planning Commission

Meeting of: *Tuesday, February 20, 2018*

Community Centre, Oliver BC

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### Present:

Members: Ed Machial | Sara Bunge | Jessica Murphy | Louise Conant | Dave Janzen

Absent: Randy Houle

Staff: Terry Schafer, Director, Electoral Area 'C' | Chris Garrish, RDOS Planner

Recording Secretary: Absent

Delegates: Absent

### 1. CALL TO ORDER

The meeting was called to order at 7:07 p.m.

#### ADOPTION OF AGENDA

#### MOTION

It was Moved and Seconded that the Agenda be adopted.

**CARRIED (UNANIMOUSLY)**

### 2. DEVELOPMENT APPLICATIONS

2.1 None

### 3. REFERRALS

3.1 Referral Application Gaertner, Waldemar for Integrated Land Management Bureau Referral Application: C06516.040 / C2018.011-Crown

Delegate Waldemar Gaertner & Agent Christine Norton: not present.

Discussion around recommendations by RDOS staff and history of operations.

#### MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board that the proposed gravel operation be approved with the following conditions:

- i) Excavation and hauling on the site is limited to the hours of 7:00 am to 5:00 pm. Monday through Saturday inclusive; and

- ii) Excavation and hauling on the site is limited to the month of November 1<sup>st</sup> through May 31<sup>st</sup>; and
- iii) No Screening or crushing of aggregate is to be permitted on the site

**CARRIED (UNANIMOUSLY)**

#### **4. OTHER**

APC Bylaw No 2339 5.1 – Chair of Commission

Election of the Chair, Vice-Chair and Secretary.

- Randy Houle – Chair
- Sara Bunge – Vice-Chair
- Secretary – not required as Sofia Cerqueira is hired to do this job

**CARRIED (UNANIMOUSLY)**

#### **5. ADJOURNMENT**

##### **5.1 MOTION**

It was Moved and Seconded that the meeting be adjourned at 7:35 pm.

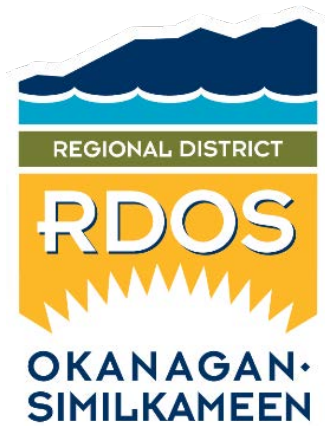
**CARRIED (UNANIMOUSLY)**

\_\_\_\_\_  
Sara Bunge (Vice -Chair)

Advisory Planning Commission Chair

\_\_\_\_\_  
Sara Bunge

Advisory Planning Commission Recording Secretary / minute taker



# Minutes

## Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, March 12th, 2018 at 7:30 p.m.

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

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### Present:

Members: Bruce Clough (Chair, Electoral Area 'E' APC), Heather Fleck, Tim Forty, Tom Hoenisch, Don Mancell left meeting at 8:48 p.m., Phil Janzen left meeting at 8:21 p.m.

Absent: None

Staff: Brad Dollevoet (RDOS, Development Services Manager), Christopher Garrish (RDOS, Planning Supervisor), Steven Juch (RDOS, Subdivision Supervisor)

Guests: Karla Kozakevich (RDOS Area 'E' Director), Blake Laven (City of Penticton, Planning Manager) approximately 18 members of the public

Recording Secretary: Heather Lemieux (Recording Secretary)

Delegates: Robert Evans, Randy Kowalchuck, Gil Szabo

### 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. APPROVAL OF MINUTES

#### MOTION

It was Moved and Seconded by the APC that the Minutes of September 11th, 2017 be approved.

CARRIED (UNANIMOUSLY)

### 3. DELEGATIONS

- 3.1 Naramata Benchland Properties Ltd. for Zoning Bylaw Amendment Application  
Agent: Evans, Robert E07171.015 (E2017.005-ZONE)
- 3.2 Szabo, Edith for Zoning Bylaw Amendment Application Agent: Szabo, Gil  
E06835.000 (E2017.126-ZONE)

### 4. DEVELOPMENT APPLICATIONS

- 4.1 E07171.015 (E2017.005-ZONE) - Zoning Bylaw Amendment Application  
Administrative Report submitted by Christopher Garrish, Planning Supervisor

#### MOTION

It was Moved and Seconded in favour of Option 3. THAT the APC recommends to the RDOS Board of Directors that the proposed rezoning of 3498 Arawana Forestry Road be denied.

CARRIED (UNANIMOUSLY)

Bruce Clough recused himself at 8:22 p.m. and returned to meeting at 8:54 p.m. Tim Forty acted as Chair.

- 4.2 E06835.000 (E2017.126-ZONE) - Zoning Bylaw Amendment Application  
Administrative Report submitted by Christopher Garrish, Planning Supervisor

The APC received the RDOS report providing context regarding the unresolved issues for this rezoning application, which is currently considered to be incomplete. Meanwhile, Gil Szabo presented on the application. At this point no options are being considered as the application is deemed premature. If requested information is submitted may come to the APC for their consideration at a future meeting.

### 5. OTHER

- 5.1 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)

MOTION

It was Moved and Seconded THAT Bruce Clough be elected as Chair

CARRIED (UNANIMOUSLY)

Vice-Chair - The APC decided THAT the Vice-Chair position remain open and that acting Chair will be decided as required, if needed.

6. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 8:55 p.m.

CARRIED (UNANIMOUSLY)

Next Electoral Area 'E' Advisory Planning Commission Meeting  
April 9th, 2018 at 7:30 p.m.

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Advisory Planning Commission Chair



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Advisory Planning Commission Recording Secretary / minute taker





# Minutes

## Electoral Area 'H' Advisory Planning Commission

Meeting of *Tuesday, February 20, 2018*

Riverside Centre – 148 Old Hedley Road, Princeton, BC

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**Present:** Bob Coyne, Director, Electoral Area "H"

**Members:** Ole Juul (Chair), Rob Miller (Vice Chair), Marg Reichert, Lynne Smyth, Tom Rushworth, Dave Rainer, Dennis Dawson, Gail Smart

**Absent:**

**Staff:** Kevin Taylor, Planning Technician

**Recording Secretary:** Gail Smart

**Delegates:** Nichols, Robert and Kelly

### 1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

#### **ADOPTION OF AGENDA**

#### **MOTION**

It was Moved and Seconded that the Agenda be adopted with the rearrangement of allowing delegates Robert and Kelly Nichols to make their presentation the first agenda item.

**CARRIED (UNANIMOUSLY)**

### 2. DEVELOPMENT APPLICATIONS

#### **2.1 H00606.045 / H2017.177-DVP – Development Variance Permit Application**

Bella, Maria - not present.

Discussion.

#### **MOTION**

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject Development Application be approved.

**CARRIED (UNANIMOUSLY)**

### 3. REFERRALS

#### **3.1 H00716.000 / H2017.141-ALC – Agricultural Land Commission Referral Application**

Nichols, Robert & Kelly – present.

Discussion.

**MOTION**

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject development application be authorized to proceed to the Agricultural Land Commission.

**CARRIED (UNANIMOUSLY)**

**4. OTHER**

**4.1 Elections for the Chair, Vice Chair and Secretary**

Ole Juul was nominated and acclaimed as Chair

Rob Miller was nominated and acclaimed as Vice Chair

Gail Smart was nominated and acclaimed as Secretary

**MOTION**

It was Moved and Seconded that the APC appoints Ole Juul as Chair, Rob Miller as Vice Chair and Gail Smart as Secretary for the Electoral Area “H” APC.

**CARRIED (UNANIMOUSLY)**

**5. APPROVAL OF PREVIOUS MEETING MINUTES**

**MOTION**

It was Moved and Seconded by the APC that the Minutes of June 20, 2017 be approved.

**CARRIED (UNANIMOUSLY)**

**6. ADJOURNMENT**

**4.1 MOTION**

It was Moved and Seconded that the meeting be adjourned at 7:55 pm.

**CARRIED (UNANIMOUSLY)**

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Advisory Planning Commission Chair

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Advisory Planning Commission Recording Secretary / minute taker



# MINUTES

## Kaleden Recreation Commission

Tuesday, March 6, 2018  
Kaleden Community Hall



**Members Present:** Doug King (Chair), Jaynie Malloy, Randy Cranston, Neal Dockendorf, Gail Jeffery, Jen Charlish, Jennifer Strong, Subrina Monteith, Wendy Busch

**Absent:**

**Guests:**

**Staff:** Janet Black, Justin Shuttleworth

**Recording:** Jen Charlish

Call to Order: 7:00 pm

### 1. APPROVAL OF AGENDA

#### **RECOMMENDATION**

#### **IT WAS MOVED AND SECONDED**

That the Agenda and Reports for the Kaleden Parks and Recreation Meeting of March 6, 2018 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 February 6, 2018 be adopted.

**CARRIED**

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### 3. CORRESPONDENCE/DELEGATIONS

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### 4. RDOS STAFF REPORTS

#### 4.1 Park Coordinator's Report

- a) Licence of Occupation update – our request to the RDOS Board to approve an application for a licence of occupation over Crown land along Skaha Lake has been approved.
- b) Details of the parking lot and boat launch RFQ were presented

#### **RECOMMENDATION**

#### **IT WAS MOVED AND SECONDED**

That we go forward with the Ecora proposal as presented.

**CARRIED**



# MINUTES

## Kaleden Recreation Commission

Tuesday, March 6, 2018  
Kaleden Community Hall

### 4.2 Recreation Coordinator's Report

Items presented and discussed:

- Framework for Recreation in Canada
- Spring Program Guide
- Walk and Roll Week 1<sup>st</sup> week of March
- Grants Received for Regional Recreation
  - Canadian Sport for Life
  - BCRPA after School Programs
  - BCRPA summer student (outdoor play)
  - 55 + Games – in partnership with Penticton
- Wedding bookings are down
- Staff is becoming more familiar with the Book King software which is designed to facilitate booking and reporting procedures.

---

### 5. COMMISSION MEMBER REPORTS

5.1 Treasurer's Report - Budget has been approved

5.2 Hotel Committee Report

- engineering study received from Greyback
- we are looking for funding and grants to support the project

5.4 Hall Report

- a) Janitorial Contract - sent to janitorial company for renewal
- b) Kitchen Licensing - has been obtained
- c) Checklists for Hall Users - Have been made, will be posted and updated as needed.

---

### 6. BUSINESS ARISING

7.1 Guidelines for Fee Structure Implementation - has gone to staff for their input

7.2 Date for Kal-Rec Information meeting tentatively set for April 24, 2018

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### 7. ADJOURNMENT

#### **RECOMMENDATION**

#### **IT WAS MOVED**

**That the meeting to be adjourned at 9:15 pm**

**CARRIED**

**NEXT MEETING:** Tuesday, April 3, 2018 at 7:00pm

Kaleden Community Hall



# MINUTES

## Kaleden Recreation Commission

Tuesday, March 6, 2018

Kaleden Community Hall

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Recreation Commission Chair

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Recording Secretary



## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### Community Services Committee

Thursday, March 15, 2018

9:31 a.m.

## Minutes

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#### MEMBERS PRESENT:

Chair R. Hovanes, Town of Oliver  
Vice Chair M. Bauer, Village of Keremeos  
Director D. Pateman, Alt. Town of Princeton  
Director T. Boot, District of Summerland  
Director M. Brydon, Electoral Area "F"  
Director G. Bush, Electoral Area "B"  
Director E. Christensen, Electoral Area "G"  
Director B. Coyne, Electoral Area "H"

Director A. Jakubeit, City of Penticton  
Director H. Konanz, City of Penticton  
Director K. Kozakevich, Electoral Area "E"  
Director A. Martin, City of Penticton  
Director C. Rhodes, Alt. Town of Osoyoos  
Director D. Potter, Alt. Electoral Area "A"  
Director T. Schafer, Electoral Area "C"  
Director J. Sentes, City of Penticton

#### MEMBERS ABSENT:

Director F. Armitage, Town of Princeton  
Director M. Pendergraft, Electoral Area "A"  
Director P. Waterman, District of Summerland

Director S. McKortoff, Town of Osoyoos  
Director T. Siddon, Electoral Area "D"

#### STAFF PRESENT:

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

M. Woods, Manager of Community Services  
C. Gartner, Rural Projects Coordinator

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#### A. APPROVAL OF AGENDA

##### **RECOMMENDATION 1**

##### **It was MOVED and SECONDED**

THAT the Agenda for the Community Services Committee Meeting of March 15, 2018 be adopted. - **CARRIED**

---

#### B. DELEGATION – BC Transit

##### 1. Presentation

- a. Rob Williams, Senior Regional Transit Manager
- b. Matthew Boyd, Manager of Planning

Mr. Williams and Mr. Boyd addressed the Committee to present a Memorandum of Understanding for the Service Plan Development of a Penticton-Kelowna public transit service. The MOU outlines a description and cost estimate of the service, the scope of the work required, the funding and governance model, the key project objectives, strategies of engagement, key deliverables and the project timeline.

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**C. PENTICTON-KELOWNA TRANSIT SERVICE EXPANSION****1. Memorandum of Understanding**

The Committee was provided an overview of costs and risks associated with a potential Penticton-Kelowna transit service expansion.

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**D. ADJOURNMENT**

By consensus, the Community Services Committee meeting adjourned at 10:16 a.m.

APPROVED:

CERTIFIED CORRECT:

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R. Hovanes  
Committee Chair

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B. Newell  
Chief Administrative Officer



## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### Planning and Development Committee

Thursday, March 15, 2018

9:03 a.m.

## Minutes

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#### MEMBERS PRESENT:

Chair M. Brydon, Electoral Area "F"  
Vice Chair G. Bush, Electoral Area "B"  
Director M. Bauer, Village of Keremeos  
Director D. Pateman, Alt. Town of Princeton  
Director T. Boot, 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 D. Potter, Alt. Electoral Area "A"  
Director T. Schafer, Electoral Area "C"  
Director J. Sentes, City of Penticton

#### MEMBERS ABSENT:

Director F. Armitage, Town of Princeton  
Director M. Pendergraft, Electoral Area "A"  
Director T. Siddon, Electoral Area "D"

Director S. McKortoff, Town of Osoyoos  
Director P. Waterman, District of Summerland

#### STAFF PRESENT:

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

B. Dollevoet, Development Services Manager  
C. Garrish, Planning Supervisor

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#### A. APPROVAL OF AGENDA

##### **RECOMMENDATION 1**

##### **It was MOVED and SECONDED**

THAT the Agenda for the Planning and Development Committee Meeting of March 15, 2018 be adopted. - **CARRIED**

---



**B. MEDICAL CANNABIS PRODUCTION FACILITIES – INDUSTRIAL ZONE CONSOLIDATION BYLAW**

To seek direction from the Board regarding the introduction of “cannabis production” as a permitted use in the draft General Industrial (I1) and Heavy Industrial (I2) Zones contained within Amendment Bylaw No. 2783.

**RECOMMENDATION 2**

**It was MOVED and SECONDED**

THAT the Board of Directors authorize the inclusion of text amendments to the Industrial Zone Update Amendment Bylaw No. 2783 to include “cannabis production” as a permitted type of “manufacturing” in the General Industrial (I1) and Heavy Industrial (I2) Zones. - **CARRIED**

Opposed: Director Bush

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**C. ADJOURNMENT**

By consensus, the Planning and Development Committee meeting adjourned at 9:30 a.m.

APPROVED:

CERTIFIED CORRECT:

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M. Brydon  
Planning and Development Committee Chair

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B. Newell  
Corporate Officer



## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 10:31 a.m. Thursday, March 15, 2018 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"  
Vice Chair M. Bauer, Village of Keremeos  
Director D. Pateman, Alt. Town of Princeton  
Director T. Boot, District of Summerland  
Director M. Brydon, Electoral Area "F"  
Director G. Bush, Electoral Area "B"  
Director E. Christensen, Electoral Area "G"  
Director B. Coyne, Electoral Area "H"

Director R. Hovanes, Town of Oliver  
Director A. Jakubeit, City of Penticton  
Director H. Konanz, City of Penticton  
Director A. Martin, City of Penticton  
Director C. Rhodes, Alt. Town of Osoyoos  
Director D. Potter, Alt. Electoral Area "A"  
Director J. Sentes, City of Penticton  
Director T. Schafer, Electoral Area "C"

### MEMBERS ABSENT:

Director F. Armitage, Town of Princeton  
Director M. Pendergraft, Electoral Area "A"  
Director P. Waterman, District of Summerland

Director S. McKortoff, Town of Osoyoos  
Director T. Siddon, Electoral Area "D"

### STAFF PRESENT:

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

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### 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 March 15, 2018 be adopted. - **CARRIED**

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#### 1. Consent Agenda – Corporate Issues

- a. Electoral Area "G" Advisory Planning Commission – Resignation & Appointment  
*THAT the Board of Directors appoint Brian Ellis as a member of the Electoral Area "G" Advisory Planning Commission until November 30, 2018, to serve the balance of the term previously held by Donald Armstrong until his recent resignation*
- b. Similkameen Recreation Committee – February 27, 2018  
*THAT the Minutes of the February 27, 2018 Similkameen Recreation Committee be received.*
- c. Corporate Services Committee – March 1, 2018  
*THAT the Minutes of the March 1, 2018 Corporate Services Committee be received.*
- d. Environment and Infrastructure Committee – March 1, 2018  
*THAT the Minutes of the March 1, 2018 Environment and Infrastructure Committee be received.*

- e. Protective Services Committee – March 1, 2018  
*THAT the Minutes of the March 1, 2018 Protective Services Committee be received.*
- f. RDOS Regular Board Meeting – March 1, 2018  
*THAT the minutes of the March 1, 2018 RDOS Regular Board meeting be adopted.*

**RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)**

**IT WAS MOVED AND SECONDED**

THAT the Consent Agenda – Corporate Issues be adopted. - **CARRIED**

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- 2. Consent Agenda – Development Services
  - a. Development Permit Application (Commercial) – 5228 9<sup>th</sup> Avenue, Okanagan Falls, Electoral Area “D”
    - i. Permit No. D2018.007-DP

To allow for re-construction and an addition of a gas station, retail and car wash.

*THAT the Board of Directors approve Development Permit No. D2018.007–DP.*

**RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)**

**IT WAS MOVED AND SECONDED**

THAT the Consent Agenda – Development Services be adopted. - **CARRIED**

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**B. DEVELOPMENT SERVICES – Building Inspection**

- 1. Building Bylaw Infraction – 555 Grand Oro Road, Electoral Area “D”

The Chair enquired whether the property owner was present to address the Board; however, no one was present.

**RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, Plan EPP22557, District Lot 2834, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT the Board of Directors direct staff to commence injunctive action.

**CARRIED**

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**C. DEVELOPMENT SERVICES – Rural Land Use Matters**

1. Official Community Plan & Zoning Bylaw Amendments – Electoral Area “D-2” Large Holdings Three (LH3) Zone Review
  - a. Bylaw No. 2455.30, 2018
  - b. Bylaw No. 2603.12, 2018
  - c. Bylaw No. 2603.13, 2018
  - d. Responses Received

The proposed amendment bylaws seek to amend the Electoral Area “D-2” Official Community Plan and Zoning Bylaws in order to generally consolidate the Large Holdings Three (LH3) Zone with the Resource Area (RA) Zone, however, there are instances where other zonings such as Large Holdings One (LH1), Large Holdings Two (LH2) and Small Holdings Three (SH3) are being proposed. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

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

THAT Bylaw No. 2603.12, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw, Bylaw No. 2603.13, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.30, 2018, Electoral Area “D-2” Zoning 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 March 15, 2018, 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 Nos. 2603.12, 2018, and 2603.13, 2018, 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 April 5, 2018;

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

**CARRIED**

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2. Official Community Plan & Zoning Bylaw Amendments – Industrial Zone Update – Electoral Areas “A”, “C”, “D”, “E” & “F”
  - a. Bylaw No. 2783, 2018
  - b. Responses Received

Amendment Bylaw No. 2783 seeks to amend the Electoral Area “A”, “C”, “D”, “E” and “F” Official Community Plan and Zoning Bylaws in order to update the industrial zones found in these electoral areas. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2783, 2018, Regional District of Okanagan-Similkameen Industrial Zone 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 March 15, 2018, 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. 2783, 2018, 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 April 5, 2018;

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

**CARRIED**

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3. Official Community Plan & Zoning Bylaw Amendments – Small Holdings One (SH1) Zone Review - Electoral Areas “D-2” & “E”
  - a. Bylaw No. 2797, 2018
  - b. Responses Received

Amendment Bylaw No. 2797 seeks to amend the Electoral Area “D-2” and “E” Official Community Plan and Zoning Bylaws in order to consolidate the Small Holdings One (SH1) Zone with the Large Holdings One (LH1) Zone. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2797, 2018, Regional District of Okanagan-Similkameen Small Holdings One (SH1) Zone Review 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 March 15, 2018, 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. 2797, 2018, 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 April 5, 2018;

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

**CARRIED**

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**D. PUBLIC WORKS**

1. Willowbrook Water Advisory Committee Establishment
  - a. Terms of Reference

To establish a Willowbrook Water Advisory Committee and appoint members to advise the Board of Directors on matters relating to the Willowbrook Water System, established by Bylaw No. 2709, 2015.

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

THAT the Board of Directors adopt the Terms of Reference for the Willowbrook Water Advisory Committee; and further,

THAT the Board of Directors appoint the following individuals to the Willowbrook Water Advisory Committee as of March 15, 2018:

- Geoff Neily
- Eric Berg
- Michelle Weisheit
- June Reynolds
- Dave Holtjer
- Brad Fossett
- Lionel Trudel
- Lukas Toth
- Richard Thom
- Jim Stanley

**CARRIED**

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**E. COMMUNITY SERVICES – Protective Services**

1. Bylaw No. 2792 – A Bylaw to Regulate the Administration and Operation of Fire Departments
  - a. Bylaw No. 2792, 2017 (mark-up)
  - b. Rationale

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

THAT discussion regarding Regional Fire Services Bylaw No. 2792 be postponed until April 5, 2018 Protective Services Committee meeting. - **CARRIED**

Opposed: Directors Martin, Jakubeit, Coyne

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**F. LEGISLATIVE SERVICES**

1. Election Procedure Amendment Bylaw No. 2798.01
  - a. Bylaw No. 2798.01, 2018

To recommend an amendment to the Election Procedure bylaw to allow for additional advance voting opportunities.

**RECOMMENDATION 9 (Unweighted Corporate Vote – 2/3 Majority)****It was MOVED and SECONDED**

THAT Bylaw No. 2798.01 Regional District of Okanagan-Similkameen Election Procedure Amendment Bylaw be read a first, second and third time, and be adopted.  
**CARRIED**

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2. Delegation Policy Revision
  - a. Board and Committee Delegation Policy – Clean Copy
  - b. Board and Committee Delegation Policy – Mark-Up

To recommend some minor revisions to the Board and Committee Delegation Policy in order to reflect current practice and the preferred form of address by delegations appearing before the Board of Directors and Board Committees.

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

THAT the Board of Directors adopt the amended Board and Committee Delegation Policy, attached to the March 15, 2018 report from the Chief Administrative Officer.  
**CARRIED**

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3. Request for Transfer of Trademark
  - a. Letter from Town of Oliver dated March 6, 2018

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

THAT the Board of Directors approve the transfer of the Trademark “Wine Capital of Canada” from the Regional District to the Town of Oliver. - **CARRIED**

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**G. CAO REPORTS**

1. Verbal Update
-



## H. OTHER BUSINESS

### 1. Chair's Report

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### 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, Hovaness, Waterman*
    - a) Board Report – March 8, 2018
    - b) 2018 Water Forum Poster
  - f. Okanagan Film Commission (OFC) – *Jakubeit*
  - g. Okanagan Regional Library (ORL) – *Kozakevich*
  - h. Okanagan Sterile Insect Release Board (SIR) – *Bush*
  - i. Okanagan-Similkameen Healthy Living Coalition - *Boot*
  - j. Okanagan-Similkameen Regional Hospital District (OSRHD) - *Brydon*
  - k. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
  - l. Southern Interior Local Government Association (SILGA) – *Konanz*
    - a) High Impact Leadership on Climate Action Workshop
  - m. Southern Interior Municipal Employers Association (SIMEA) – *Kozakevich, Martin*
  - n. Starling Control - *Bush*
  - o. UBCO Water Chair Advisory Committee – *Konanz*
- 

### 3. Directors Motions

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### 4. Board Members Verbal Update

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## I. ADJOURNMENT

By consensus, the meeting adjourned at 11:07 a.m.

APPROVED:

CERTIFIED CORRECT:

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K. Kozakevich  
RDOS Board Chair

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B. Newell  
Corporate Officer



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2017

**RE:** Development Variance Permit Application — Electoral Area “D”

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**Administrative Recommendation:**

**THAT the Board of Directors approve Development Variance Permit No. D2017.173-DVP**

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Purpose: To vary the minimum exterior side setback from 4.5 metres to 2.6 metres.

Owners: Tyler McGinn                      Agent: Jonathan Austin (McElhanney Associates)    Folio: D01432.697

Civic: 148 Alder Avenue                      Legal: Lot A, PLAN EPP51239, District Lot 105S, SDYD

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

Variance Request: To vary the minimum setback from 4.5 metres to 2.6 metres to the outermost projection

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**Proposed Development:**

This application seeks to reduce the minimum exterior parcel line setback in the Residential Single Family One (RS1) Zone from 4.5 metres to 2.6 metres, as measured to the outermost projection, in order to formalize existing entryway stairs.

The applicant has submitted an existing permit from the Ministry of Transportation permitting a building setback of less than 4.5 metres from a property line fronting a provincial highway (First Street).

In support of the requested variance, the applicant has stated that “the riparian setback restricted the location and elevation of the septic tanks and field, which made access to the front door best addressed by stairs in order to keep septic tanks accessible. The original plan was for landscaped stairs which would not have required a variance. There is no other option for access to the front door of the home.”

**Site Context:**

The subject property is approximately 667 m<sup>2</sup> in area and is located on the south east corner of the intersection of Alder Avenue and First Street. The property is located within the unincorporated community of Kaleden approximately 9 kilometres south of Penticton.

The surrounding pattern of development is predominantly low density residential with similarly sized and zoned lots with one commercial zone.

**Background:**

Available Regional District records indicate that the existing building permit is the first permit issued on this property. In 2015 the property owner applied for accretion; registered on PLAN EPP51238.

---

Under the Electoral Area “D-1” Official Community Plan (OCP) Bylaw No. 2683, 2016, the property is designated Low Density Residential (LR), and is subject to the Watercourse Development Permit (WDP) area.

Under the Electoral Area “D-1” Zoning Bylaw No. 2457, 2008, the property is zoned Residential Single Family One (RS1) Zone, which established a minimum exterior parcel line setback of 4.5 metres.

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting.

**Analysis:**

When assessing variance requests a number of factors are generally taken into account. 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.

The purposes of a setback regulation is to provide physical separation between neighbouring properties. With regards to exterior parcel lines, the Province has specified a minimum setback of 4.5 metres from all highway rights-of-way under Ministry jurisdiction. The owner has received a permit from the Ministry of Transportation to site within the right of way setback.

In this instance, Administration considers the requested variance to be minor in nature and as unlikely to adversely affect the use of other properties or uses, as the requested variance does not abut another lot.

While the stairs were originally intended to be concrete at grade, which would have been considered landscaping for setback purposes, changes to retaining wall plans did not allow for enough fill to accommodate the height required for landscaped steps. As a result, structural steps were required to meet the elevation requirement.

In the RS1 zone unenclosed stairwells are permitted to project into required setbacks as long as they do not project more than 1.5 metres into a front setback or more than 2.0 metres into a rear setback. The provision for projections (Section 7.7) does not distinguish between interior and exterior side yards, however it could be argued the intent was to prevent disturbances to adjacent residential properties by allowing entrance areas to project closer to another residential use, potentially causing a disturbance. With no residential property adjacent to the variance request, it is supportable.

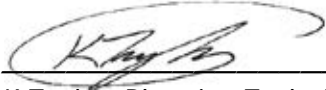
Conversely, the stairs were added without input from the building department in an effort to avoid engineering requirements for a retaining wall over 1.2 metres. With appropriate building permits, engineering and fill it may be possible for the landscaped steps to be constructed as are illustrated on the approved building plans; however, a greater variance for the retaining wall would then be required from the same exterior side parcel line setback.

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**Alternatives:**

1. THAT the Board of Directors refer Development Variance Permit No. D2017.173-DVP to the Electoral Area "D" Advisory Planning Commission.
2. THAT the Board of Directors deny Development Variance Permit No. D2017.173-DVP.

**Respectfully submitted**



K. Taylor, Planning Technician

**Endorsed by:**



C. Garrish, Planning Supervisor

**Endorsed by:**

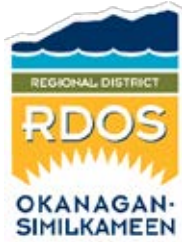


B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Site Photos

Attachment No. 1 – Site Photos





# Development Variance Permit

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FILE NO.: D2017.173-DVP

Owner: Tyler McGinn  
26-707 Duncan Avenue W.  
Penticton, BC, V2A 7N1

Agent: Jonathan Austin  
McElhanney Land Surveying  
290 Nanaimo Ave. W.  
Penticton, BC, V2A 1N5

## 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', and 'C', 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 A, District Lot 105S, SDYD, EPP51239  
Civic Address: 148 Alder Avenue, Kaleden  
Parcel Identifier (PID): 029-697-409 Folio: D01432.697

## 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 exterior side parcel line setback for a building or structure in the Residential Single Family One (RS1) zone as prescribed at Section 11.1.6(b)(iv), is varied:
    - i) from: 4.5 metres.

to: 2.6 metres, as shown on Schedule 'B' to the outermost projection.

**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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
B. Newell, Chief Administrative Officer



# Regional District of Okanagan-Similkameen

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

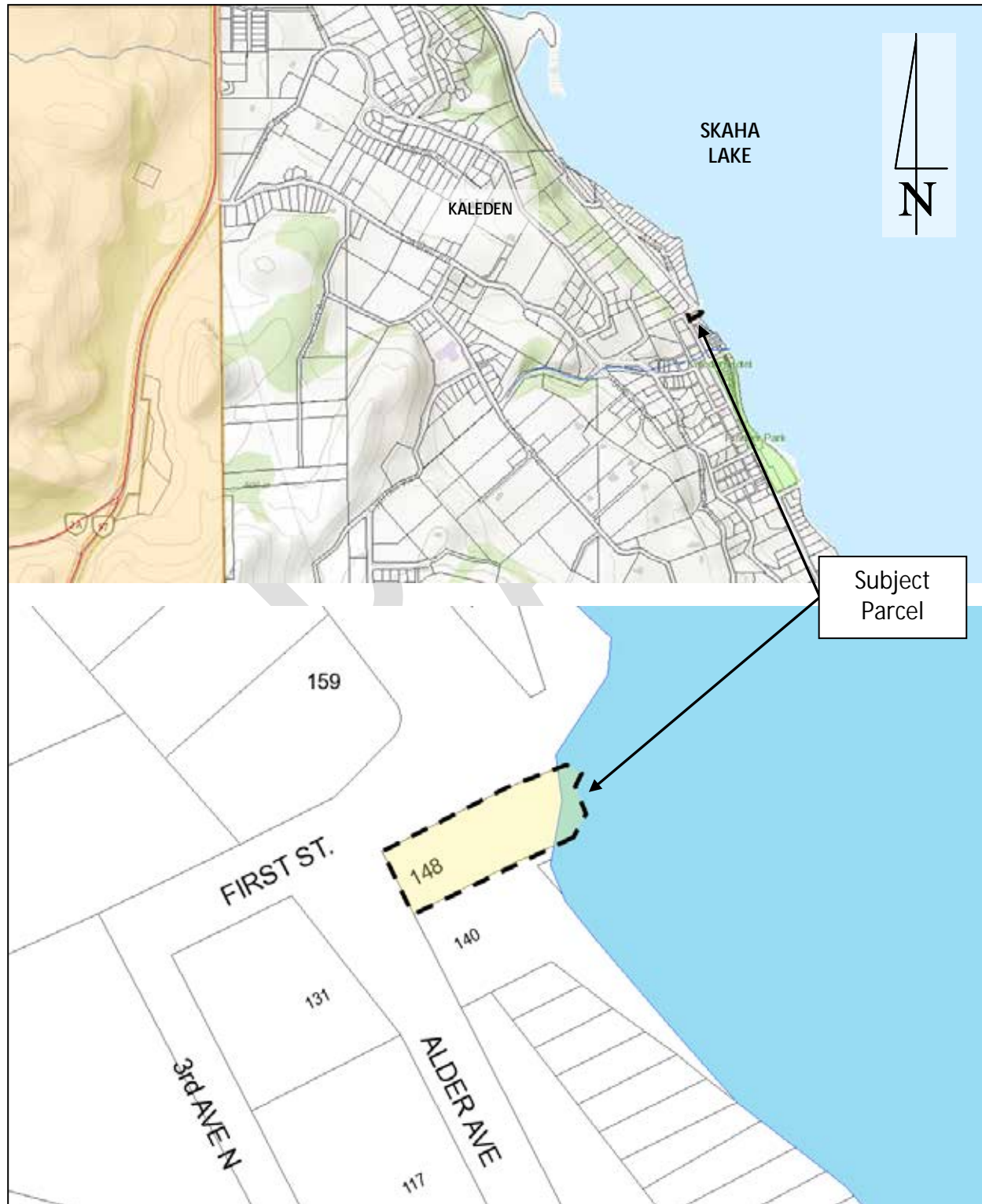
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Development Variance Permit

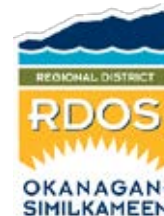
File No. D2017.173-DVP

Schedule 'A'



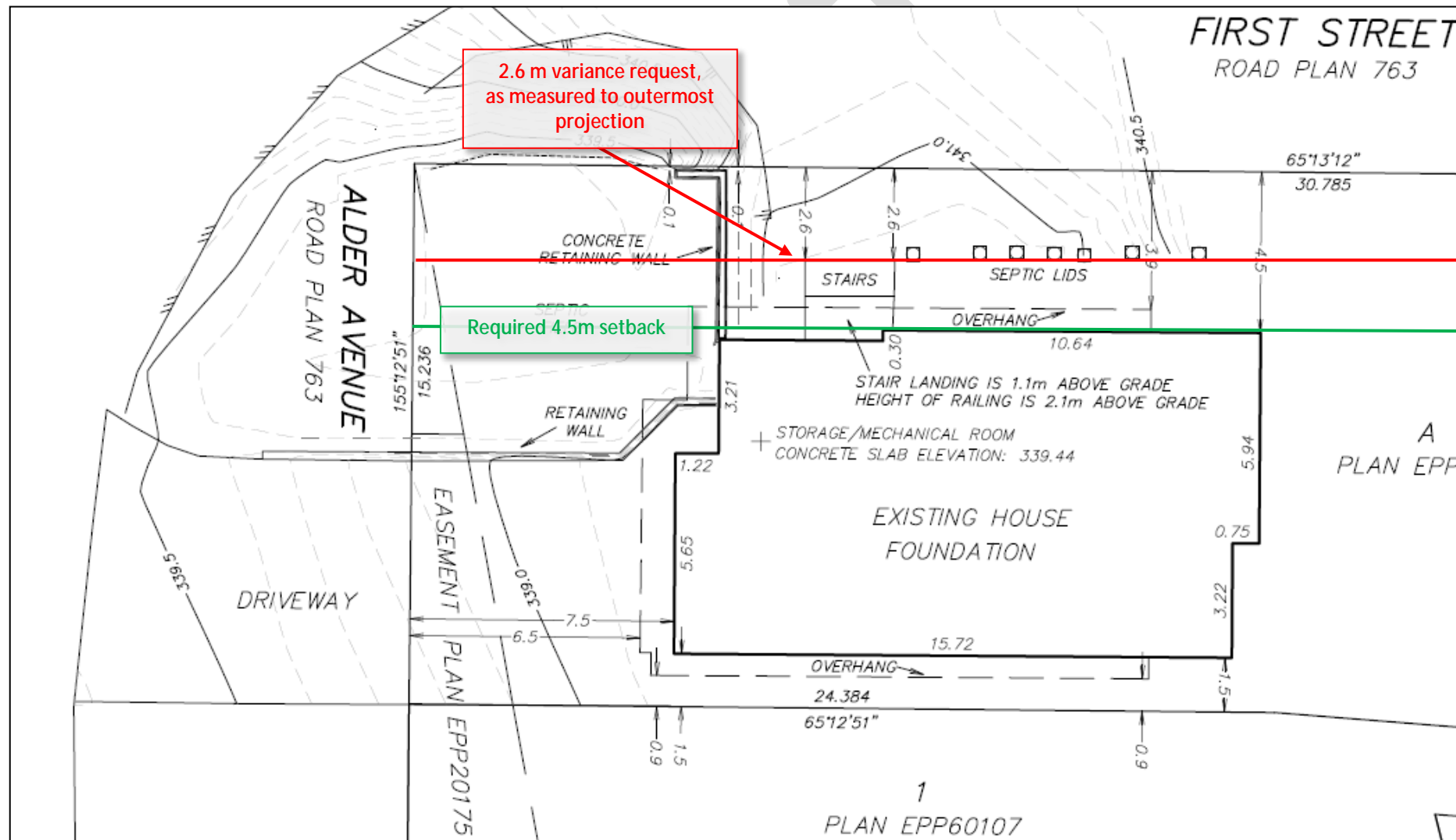


101 Martin Street, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



File No. D2017.173-DVP

### Schedule 'B'



File No. D2017.173-DVP  
Page 4 of 4

**Lauri Feindell**

---

**To:** Kevin Taylor  
**Subject:** RE: D2017.173

**From:** Rick Skauge  
**Sent:** January 17, 2018 2:28 PM  
**To:** Kevin Taylor <[ktaylor@rdos.bc.ca](mailto:ktaylor@rdos.bc.ca)>  
**Subject:** D2017.173

I am the owner of the property located at 280 Alder Ave. Kaleden. I am opposed to the granting of this application. I think approving it would set a precedence that would not be positive for the community. Whereas a variance of a few feet is probably reasonable, 8 feet is too much. For 8 feet the laws should be changed. They say if you give inch they will take a mile. If you approve 8 feet, the next application might be for 24 feet. Why don't you either change the bylaw or deny the application.

**Rick Skauge**



**From:** Glenda Gretzan  
**Sent:** February 7, 2018 3:42 PM  
**To:** Kevin Taylor <ktaylor@rdos.bc.ca>

**Subject:** DVP No. D2017.173-DVP

Hello,

I have recently purchased lot #159 Alder Ave, Kaleden across from lot#148 Alder. (Schedule A)

I support and have no issues with the application for setback variance D2017.173 for Tyler McGinn. I understand it has been deferred until Feb 13 Advisory Planning Commission meeting.

Regards,

Glenda Gretzan

**Lauri Feindell**

---

**To:** Kevin Taylor  
**Subject:** RE: D2017.173 DVP application

**From:** Gina Rogers **Sent:** February 6, 2018 4:28 PM  
**To:** Kevin Taylor <[ktaylor@rdos.bc.ca](mailto:ktaylor@rdos.bc.ca)>  
**Cc:** Gina Rogers  
**Subject:** D2017.173 DVP application

Hey Kevin,

It's Gina Rogers, a  
My apologies for the delay, I wasn't sure if this was required in writing but just so you know, Gord and I are in support of the variance application for Tyler McGinn.  
D2017 173-DVP

Gina.



January 14, 2018

The Board of Directors  
Regional District of Okanagan Similkameen  
101 Martin Street  
Penticton BC V2A 5J9

Dear Members of the Board

Re: DVP Application No. D2017.173-DVP  
143 Alder Avenue Kaleden BC

The Hinchliffe Family of 156 Alder Avenue Kaleden object to this DVP application filed by Tyler McGinn.

In October of 2015 Debi McGinn, Tyler's mother and home owner adjacent to Tyler's property at 140 Alder Avenue, as well as developer of the new subdivision on Alder Avenue "Lake Breeze Estates", wrote objections to a DVP application at 174 Alder Avenue. I would like to borrow some of her objections to that application to support our letter.

1. *"Alder Avenue is a narrow roadway of only 50 feet(16m) and not a standard design road width of 66 feet (20m). Any variance therefore has more negative impact than if this were a standard width road". We feel this applies for this application as well.*
2. *"Alder Avenue is becoming increasingly less attractive along the street and it is gaining a "back alley" appearance due to the following:*
  - *Lakeside homes commonly build the front of the house facing the lake, resulting in the street side being much less attractive and welcoming.*
  - *The fact that there are non-conforming structures on Alder Avenue that pre-existed the current zoning bylaw, should not form any precedence for this variance. Zoning bylaws are adopted to ensure good development now and going forward, rather than to support and continue poor development practices."* We feel this applies for this application as well.
3. *"The applicant recently objected to a similar variance for a property. It is hypocritical that the applicant now applies for a similar yard variance, when the applicant was so adamant against such variance on a nearby property". Although it was not Tyler McGinn who filed the objection, rather his mother Debi McGinn, it still somewhat relevant to this situation.*
4. *"The Alder roadway is part of the KVR trail system, and therefore any variance in setback negatively impacts recreational trail users, in that this building will be intrusive and lessen the desired buffer of space". This objection coming from the McGinn's is rather rich as they are the developers who bought the KVR property, blocked access to the KVR, held the community and government ransom and forced the trail to be re-routed to Alder Avenue, built*





two houses on the KVR, are in the process of creating a residential housing development on the former KVT trail and now has the area looking like a moonscape. We truly feel this objection applies to this variance as Alder Avenue is now where the KVR trail users have to ride their bikes and by decreasing the set back, you make a more crowded and dangerous road for the re-routed trail users. It is a bit of a blind spot as the little hill crests up from Alder Avenue, over First street and is already a dangerous spot for bikers as the vehicle traffic can be busy on a summer day and drivers are not always looking out for foot and bike traffic. If this variance is allowed it will add to the already very narrow and dangerous spot.

5. There is a Public Access Lake Side Riparian Area on the lakeshore between the Hinchliffe property and the applicant's property. (see attached photo) This indicates to the public that the area should be left natural and undisturbed. It is home for birds, wildlife and fish. By allowing this variance, you would be encroaching on this Riparian Area and putting stress on the existing ecosystem. As noted in *"The Riparian Areas Regulation (RAR) UPDATE (June 8, 2006) The Riparian Areas Regulation (RAR), enacted under Section 12 of the Fish Protection Act in July 2004, requires the RDOS to protect riparian areas from residential, commercial, and industrial development by ensuring that proposed activities are subject to a science based assessment conducted by a Qualified Environmental Professional. If you are proposing residential, commercial and or industrial alteration of land and or development within the 30 metre Riparian Assessment Area adjacent to a watercourse that provides fish habitat (lakes, ponds, rivers, creeks, brooks, wetlands, springs and ditches) the Riparian Areas Regulation apply."*

For these stated reasons we would request that the RDOS board does not grant the Development Variance Permit.

Further to this request, we would like it clarified if there is already construction in this setback as it looks like on the Schedule B drawing there is a concrete block and stairs.

Sincerely

Pamela Hinchliffe



**PUBLIC  
ACCESS**  
LAKE SIDE RIPARIAN AREA

ACCESS HOURS  
6 AM TO 10 PM

Operated by  
Regional District of Okanagan Similkameen  
Kootenai Park & Recreation  
www.rdox.bc.ca





## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Building Bylaw Infraction  
Folio: D-06760.010 Lot: 1 Plan: 32089 DL: 2710  
PID: 003-538-681  
Civic Address: 2434 Oliver Ranch Road  
Permit #18260 – Addition and renovations to dwelling

---

### Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 2710, Plan 32089, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

### Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333.

### History:

The Contravention of Building Regulations Report dated February 1, 2017 from the Building Official indicates that the owner failed to complete the inspection requirements of the renovation and addition to a single-family dwelling. The last inspection completed was a perimeter drain tile and damp proofing inspection on December 14, 2012. The property has a large fence that prevents an up-close view of the structure and the project appears to be dormant.



## History con't

Permit #18260 was issued on November 21, 2012. This permit was issued for an addition and renovations to the existing dwelling. The permit expired on November 21, 2015.

An inspection was done for the perimeter drain tile & dampproofing on December 14, 2012 which identified that partial plumbing had been installed and that perimeter drainage was required by the structural engineer. No further inspections were called for.

The permit has expired without required inspections. It is unknown whether there are health & safety related deficiencies.

In order to close the permit file a new permit would be required to complete the project, all required inspections must be approved and required approvals from professional engineer must be received.

This Building Bylaw infraction is considered to be Category 3 as it is unknown what works has been done to the dwelling.

A map showing the location of this property and photos of the infraction are attached.

## Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

### Alternatives:

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

**Category 1** (Minor Deficiencies) – Place notice of deficiencies on folio file.

**Category 2** (Major Deficiencies) – Place Section 302 Notice on title.

**Category 3** (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

### Respectfully submitted:

*"L. Miller"*

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Laura Miller, Building Inspection Services Supervisor

### Endorsed by:

*"B. Dollevoet"*

---

B. Dollevoet, Development Services Manager





## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Building Bylaw Infraction  
Folio: D-06760.010 Lot: 1 Plan: 32089 DL: 2710  
PID: 003-538-681  
Civic Address: 2434 Oliver Ranch Road  
Permit #18085 – Winery Retail

---

### Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 2710, Plan 32089, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

### Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333.

### History:

The Contravention of Building Regulations Report dated February 1, 2017 from the Building Official indicates that the Wine tasting shop failed to call for all of the required inspections. During a monitoring inspection on January 24, 2017 it appears to be fully framed and sided (see January 2017 photo). The last inspection completed was a footing inspection on December 14, 2012. The property has a large fence that prevents an up-close view of the structure but the building appears to be complete. The winery website shows some business activity occurring on the property.

## **History con't**

Permit #18085 was issued on June 29, 2012. This permit was issued for a retail winery shop. The permit expired on June 29, 2015.

The permit has expired without required inspections. It is unknown whether there are health & safety related deficiencies.

In order to close the permit file, a new permit would be required to complete the project and all required inspections must be approved.

This Building Bylaw infraction is considered to be Category 3 as no inspections have been done since footing stage and the public are using the building.

A map showing the location of this property and photos of the infraction are attached.

## **Analysis:**

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.



**Alternatives:**

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

**Category 1** (Minor Deficiencies) – Place notice of deficiencies on folio file.

**Category 2** (Major Deficiencies) – Place Section 302 Notice on title.

**Category 3** (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

**Respectfully submitted:**

*"L. Miller"*

---

Laura Miller, Building Inspection Services Supervisor

**Endorsed by:**

*"B. Dollevoet"*

---

B. Dollevoet, Development Services Manager





## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Building Bylaw Infraction  
Folio: F-07241.102  
Lot: 3 and an undivided 1/3 share in Lot 1 Plan: KAP55324 DL: 2893 ODYD  
PID: 023-188-189  
Civic Address: 8093 Princeton-Summerland Road (Permit #18928)

---

### Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3 and an undivided 1/3 share in Lot 1 Plan KAP55324, District Lot 2893, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

### Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333.

### History:

Permit 17640 for a garage with storage loft was issued June 9, 2011 and after extension expired June 9, 2013. A subsequent permit 18928 was issued October 7, 2014 and expired October 7, 2016.

The most recent inspection was on September 23, 2014 prior to issuance of the completion permit. No further work has been completed on the structure since the time of that inspection. The structure remains at framing stage.



## History con't

In discussion with the owner on January 5, 2017 after receiving the permit expiry letter, he advised that further work is not contemplated at this time. The notice on title process was explained and the owner chose that option. He is aware that no further work is to be undertaken without a valid permit and that a notice will be filed against the title until such time as the work is completed and approved.

The deficiencies are not health & safety related.

In order to close the permit file a new building permit would be required to complete the work remaining.

This Building Bylaw infraction is considered to be Category 2 as this is not a habitable structure.

A map showing the location of this property is attached.

## Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 302 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

### Alternatives:

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

**Category 1** (Minor Deficiencies) – Place notice of deficiencies on folio file.

**Category 2** (Major Deficiencies) – Place Section 302 Notice on title.

**Category 3** (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

### Respectfully submitted:

*"L. Miller"*

---

Laura Miller, Building Inspection Services Supervisor

### Endorsed by:

*"B. Dollevoet"*

---

B. Dollevoet, Development Services Manager



## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Building Bylaw Infraction  
Folio: F-07464.100  
Lot: 23, Plan: KAP8224 DL: 5076, ODYD  
PID: 011-699-385  
Civic Address: 2016 West Bench Drive (Permit #18340)

---

### Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 23, Plan KAP8224, District Lot 5076, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

### Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2333.

### History:

Building Permit No. 18340 was issued on March 22, 2013 for a detached workshop garage. The permit expired on March 22, 2015 and was extended to March 22, 2016.

Despite correspondence to the owners, the permit has not been completed.

## History con't

The most recent inspection was on April 26, 2013 for a partial footing inspection. No inspections have been called for since that time. A discussion with the structural and geotechnical engineer on January 19, 2017 reveals that he has not attended at the site for follow up inspections. His last inspection was on May 6, 2013 with respect to bank stability.

Once a Schedule C-B is received from the Professional Engineer this file could be closed.

There may be structural and geotechnical issues with the construction. However, the building is not complete and as it contains no residential occupancy there is limited threat to life and safety.

In order to close the permit file a new permit would be required to complete the work remaining.

This Building Bylaw infraction is considered to be Category 2 state as there are no health & safety concerns.

A map showing the location of this property is attached.

## Analysis:

Seeking a court injunction has a legal cost and the Board may wish to choose this option for enforcement of significant health or safety issues. As there are potential construction deficiencies on this property which are not a health and safety concern, a Section 302 Notice on Title is recommended by staff. The Notice on Title advises the current and future owners of the deficiency and protects the RDOS from liability.

### Alternatives:

In July 2009 the Board adopted a Policy (Resolution B354/09) to provide for a consistent and cost effective approach to the enforcement of Building Bylaw violations. This policy provides the Board with three categories of infractions and the recommended action for each.

**Category 1** (Minor Deficiencies) – Place notice of deficiencies on folio file.

**Category 2** (Major Deficiencies) – Place Section 302 Notice on title.

**Category 3** (Health & Safety Deficiencies/Building without Permit) – Place Section 302 Notice on title and seek compliance through injunctive action.

### Respectfully submitted:

*"L. Miller"*

---

Laura Miller, Building Inspection Services Supervisor

### Endorsed by:

*"B. Dollevoet"*

---

B. Dollevoet, Development Services Manager



<https://portal.rdos.bc.ca/departments/officeofthecao/BoardReports/2018/20180405/BoardReports/B.4. Building Enforcement F07464.100 garage.docx>

File No: F-07464.100

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Building Bylaw Amendment

---

### Administrative Recommendation:

**THAT Bylaw No. 2333.10, 2018 Regional District of Okanagan-Similkameen Building Amendment Bylaw be read a first, second and third time and be adopted.**

### Purpose:

To incorporate changes to the 2018 Fees and Charges Bylaw with respect to calculating Building Permit Fees.

### Reference:

1. Building Bylaw #2333, 2005;
2. Fees and Charges Bylaw;
3. [Administrative Report dated November 16, 2017;](#)

### Background:

At the November 16, 2017 the Board resolved to incorporate changes to the 2018 Fees and Charges Bylaw with respect to calculating Building Permit Fees. The changes comes into effect on April 15, 2018 and the Building Bylaw must be amended to reflect the percentage of reduction when a building permit is issued in reliance to a registered professional.

### Analysis:

The permit fee is to be reduced by 10% of the calculated fees for simple projects, and be reduced by 25% of the calculated fees for complex projects. The further reduction of 25% for complex buildings at the completion of the project has been eliminated.

Proposed Building Bylaw amendments include:

1. Deleting paragraph 20.6; and
2. Renumbering accordingly.



**Alternatives:**

1. To not adopt Amendment Bylaw No. 2333.10, 2018.

**Respectfully submitted:**

**Endorsed by:**



L. Miller, Building Inspection Services Supervisor



B. Dollevoet, Development Services Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN  
BYLAW NO. 2333.10, 2018**

---

**A bylaw to amend the Building Bylaw No. 2333, 2005.**

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WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wishes to proceed under Section 349 of the *Local Government Act*, to amend the Building Bylaw No. 2333, 2005;

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

**CITATION**

1. This bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Building Amendment Bylaw No. 2333.10, 2018".
2. That Building Bylaw No. 2333, 2005 be amended as follows:
  - (a) By deleting paragraph 20.6
  - (b) By renumbering the paragraphs accordingly.

**EFFECTIVE DATE**

3. This bylaw shall come into effect on April 15, 2018.

READ A FIRST, SECOND AND THIRD TIME this \_\_\_\_ day of April, 2018.

ADOPTED this \_\_\_\_ day of April, 2018.

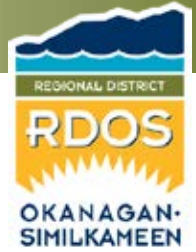
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Chair

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Chief Administrative Officer





**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Zoning Bylaw Amendment – Electoral Area “A”

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**Administrative Recommendation:**

**THAT** Bylaw No. 2451.22, 2018, Electoral Area “A” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

**AND THAT** the holding of the public hearing be scheduled for the Regional District Board meeting of May 3, 2018;

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

---

Purpose: To allow for the construction of a secondary suite on a parcel less than 2020 m<sup>2</sup>

Owner: Allan & Shawna Farrell      Applicant: Owners      Folio: A-06315.055

Civic: 2404 87<sup>th</sup> Street, Osoyoos      Legal: Lot 2, DL 2450s, SDYD, Plan KAP16150, Portion L630

Zoning: Residential Single Family (RS1)      Proposed Zoning: Residential Single Family Site Specific (RS1s)

---

**Proposed Development:**

This application proposes to amend the zoning bylaw in order to allow for the construction of a secondary suite on a parcel that is less in area than the permitted 2,020 m<sup>2</sup> and that is not connected to a community sanitary sewer system

Specifically, it is being proposed to construct a 90 m<sup>2</sup> suite on the second floor of a new addition to an existing single family dwelling.

In support of the proposal the applicants stated that they are: “requesting zoning amendment for our lot to allow secondary suite for our parents”.

**Site Context:**

The subject property is approximately 1,522 m<sup>2</sup> in area and is located near the intersection of 87<sup>th</sup> Street and 26<sup>th</sup> Avenue and approximately 510 m south of the Town of Osoyoos.

There is currently one dwelling unit on the property. The surrounding pattern of development is characterized by a residential type of subdivision with single family dwellings on similar sized parcels.

**Background:**

---

The subject property was created by subdivision in 1966, and available Regional District records do not indicate any building permit records for the existing dwelling, although the Record of Sewerage Report indicates the dwelling was built in 1969.

Under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, the property is designated Low Density Residential (LR) therefore the proposal will not require an OCP amendment.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 228, the property is zoned Residential Single Family One (RS1). Under the general regulations contained in the zoning bylaw, no secondary suite is permitted without connection to community sanitary sewer unless the lot is at least 2,020 m<sup>2</sup> in area and meets the relevant Provincial requirements for on-site sewage disposal for the secondary suite.

The applicant recently submitted a Building Permit application for the renovations and addition to the existing dwelling at which time it was noted that the proposed "suite" did not conform to the zoning bylaw requirements. A building permit has since been issued for the renovations and addition that do not form part of the 'secondary suite'. If the rezoning is approved, the applicant will apply for an additional building permit in order to construct the interior secondary suite.

The applicant has submitted a copy of the Record of Sewerage System filed with IHA that shows the system is adequate for the proposed expansion and use.

#### **Referrals:**

Referral comments on this proposal have been received from the Provincial Archeology Branch, Town of Osoyoos, and one feedback form has been received, and these are included as a separate item on the Board Agenda.

#### **Public Process:**

A Public Information Meeting was held on March 12, 2018, and was attended by 12 members of the public.

At its meeting of March 19, 2018, the Electoral Area "A" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this development proposal be approved.

#### **Analysis:**

In considering this proposal, Administration notes that the Electoral Area "A" OCP Bylaw supports the provision of affordable housing in the form of secondary suites as well as encourages a wide range of residential types and densities in order to accommodate different socio-economic groups, age groups and lifestyles.

In this instance, a secondary suite is a permitted use within the zone, provided the parcel is greater than 2,020 m<sup>2</sup> in area. As the size of subject property is only 1,522 m<sup>2</sup>, the applicant has had a new sewerage system designed by a Registered Onsite Wastewater Practitioner (ROWP) that is capable of accommodating the anticipated flows from the principal dwelling as well as the secondary suite.

The initial building plans submitted showed the secondary suite as sharing the garage space below the suite, a stairwell between the first and second storeys as well as a hallway and rear entrance door as "common area" – thereby exceeding the allowable floor area for a secondary suite.

---

Administration defines a secondary suite as being self-contained with its own separate access from that of the principal dwelling and the maximum 90 m<sup>2</sup> is measured accordingly. To meet this requirement the applicant re-submitted the upper floor addition showing a new separate access to the suite, which now meets the size requirement.

The proposed addition to the existing dwelling meets all of the siting requirements for the RS1 Zone (height, parcel coverage, setbacks); however, the proposed overall design submitted gives the appearance to the streetscape to be a full duplex, given the two storeys and second garage for the addition.

Administration is also concerned that the appearance of the structure more closely resembles that of a 'duplex', that the overall finished building does not appear to be characteristic of other dwellings in the neighbourhood and will change the character of dwelling types in this neighbourhood even if it is not technically a "duplex".

In summary, however, as the applicant has re-submitted plans to show the secondary suite does technically meet all of the requirements, Administration generally supports the proposed rezoning.

**Alternatives:**

- .1 THAT Bylaw No. 2455.31, 2017, Electoral Area "D" Zoning Amendment Bylaw be denied; OR
- .2 THAT Bylaw No. 2455.31, 2017, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

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

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

Respectfully submitted

*E.Riechert*

E.Riechert, Planner

Endorsed by:



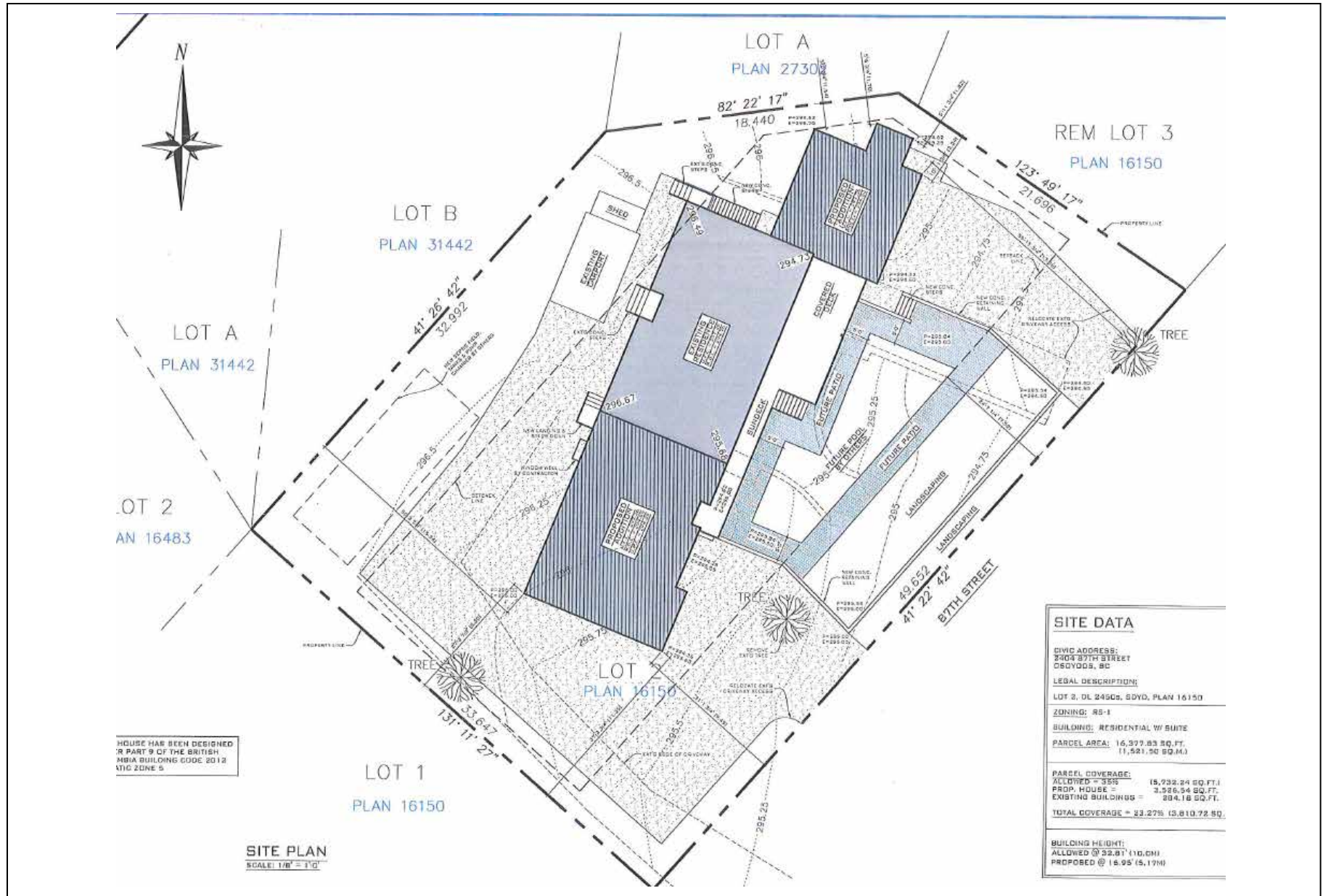
B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Applicant's Site Plan

No. 2 – Elevations

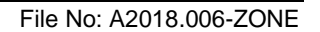
No. 3 – Aerial Photo

# Attachment No. 1 – Applicant's Site Plan





## Page 5 of 6



Attachment No. 3 – Aerial Photo

**Amend Zoning Bylaw No. 2451, 2008**

From: Residential Single Family One (RS1)

To: Residential Single Family One Site Specific (RS1s)  
(YELLOW SHADED AREA)



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2451.22, 2018**

---

**A Bylaw to amend the Electoral Area "A" 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 "A" Zoning Amendment Bylaw No. 2451.22, 2018."
2. The Official Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by changing the land use designation on the land described as Lot 2, District Lot 2450s, SDYD, Plan 16150, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family One (RS1) to Residential Single Family One Site Specific Zone (RS1s).
3. The Electoral Area "A" Zoning Bylaw No. 2451, 2008 is amended by:
  - i) replacing Section 16.8.1 under Section 16.8 (Site Specific Residential Single Family One (RS1) Provisions) with the following:
    - 1) In the case of land described as Lot 2, District Lot 2450s, SDYD, Plan 16150, and shown shaded yellow on Figure 16.8.1:
      - a) despite Section 7.12.3, a secondary suite is permitted without connection to a community sanitary sewer on a lot less than 2,020 m<sup>2</sup> in area.





Figure 16.8.1

READ A FIRST AND SECOND TIME this \_\_\_ day of \_\_\_, 2018.

PUBLIC HEARING held on this \_\_\_ day of \_\_\_, 2018.

READ A THIRD TIME this \_\_\_ day of \_\_\_, 2018.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "A" Zoning Amendment Bylaw No. 2451.22, 2018" as read a Third time by the Regional Board on this \_\_\_ day of \_\_\_, 2018.

Dated at Penticton, BC this \_\_\_ day of \_\_\_, 2018.

\_\_\_\_\_  
Chief Administrative Officer

Approved pursuant to Section 52(3) of the Transportation Act this \_\_\_ day of \_\_\_, 2018.

ADOPTED this \_\_\_ day of \_\_\_, 2018.

\_\_\_\_\_  
Board Chair

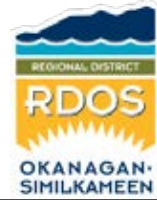
\_\_\_\_\_  
Corporate Officer



# Regional District of Okanagan-Similkameen

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

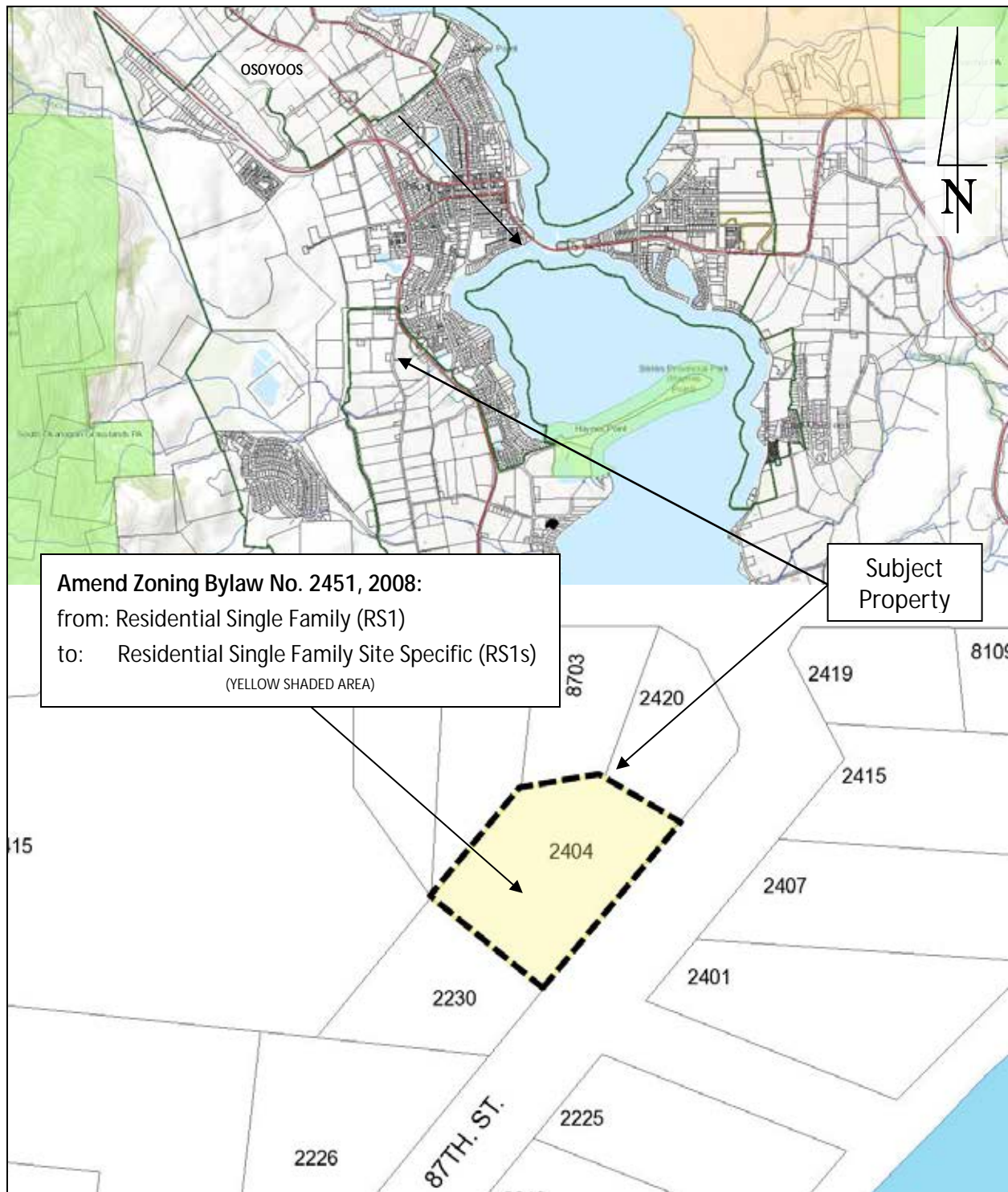
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2451.22, 2018

Project No: A2018.006-ZONE

Schedule 'A'



Amendment Bylaw No. 2451.22, 2018

(A2018.006 -ZONE)

Page 3 of 3

## RESPONSE SUMMARY

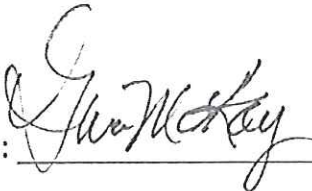
### AMENDMENT BYLAW NO. 2451.22, 2018

☐ Approval Recommended for Reasons  
Outlined Below

☒ Interests Unaffected by Bylaw

☐ Approval Recommended Subject to  
Conditions Below

☐ Approval Not Recommended Due  
to Reasons Outlined Below

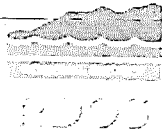
Signature:  \_\_\_\_\_

Signed By: Gina MacKay

Agency: Town of Osoyoos

Title: Director of Planning & Development Services

Date: March 26, 2018



# Feedback Form

OKANAGAN-  
SIMILKAMEEN

Regional District of Okanagan Similkameen  
101 Martin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rds.bc.ca](mailto:planning@rds.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.006-ZONE

FROM: Name:

Clayton and Sylvia Clift  
(please print)

Street Address:

2401 87<sup>th</sup> Street Osoyoos.

Tel/Email:

RE: Proposed Rezoning of 2401 87<sup>th</sup> Street, Electoral Area "A"  
Residential Family One Site Specific (RS1s)

My comments / concerns are:

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

Written submissions received from this information meeting will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.22.

Feedback Forms must be completed and returned to the Regional District  
no later than Friday March 30, 2018

Protecting your personal information is a high priority for the Regional District of Okanagan Similkameen taken seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (Canada) (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, RDOOS, 101 Martin Street, Penticton, BC V2A-5J9, 250-492-0237.

## Lauri Feindell

---

**From:** Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>  
**Sent:** March 23, 2018 11:46 AM  
**To:** Planning  
**Cc:** Lauri Feindell  
**Subject:** RE: Bylaw Referral - A2018.006-ZONE

A gracious good midmorning to you all there are RDOS!

Thank you for your referral A2018-006-ZONE regarding 2404 87<sup>th</sup> Street, PID 008692041, L 2 DL 2450S SIMILKAMEEN DIVISION YALE DISTRICT PL 16150. According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling for the area indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property.

Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch.

Prior to any land alterations (*e.g.*, addition to home, property redevelopment, extensive landscaping, service installation), an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists ([www.bcapa.ca](http://www.bcapa.ca)) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

Please review the screenshot of the property below (outlined in yellow) in relation to the archaeological potential i.e. the entire area. If this does not represent the property listed in the referral, please contact me.

Kind regards,

Diana

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2451.23, 2018**

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**A Bylaw to amend the Electoral Area “A” Zoning Bylaw No. 2451, 2008**

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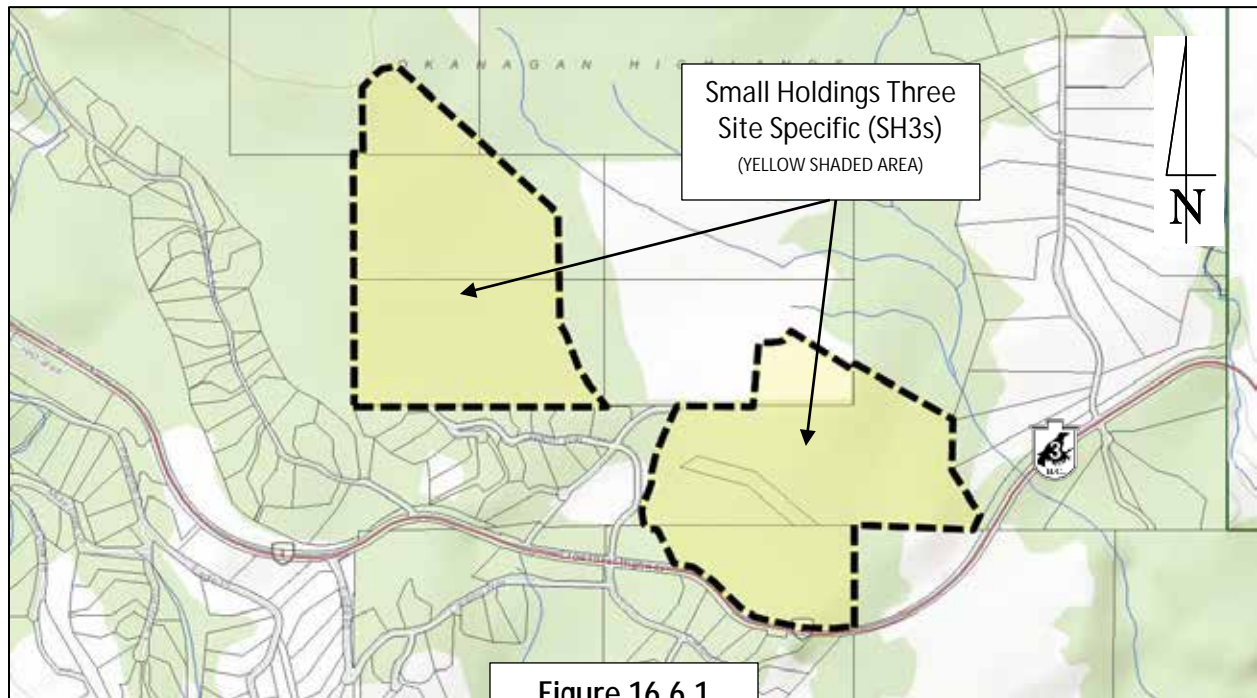
The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

1. This Bylaw may be cited for all purposes as the “Electoral Area “A” Zoning Amendment Bylaw No. 2451.23, 2018.”
2. The “Electoral Area ‘A’ Zoning Bylaw No. 2451, 2008” is amended by:
  - i) replacing Section 16.4.1 (Site Specific Large Holdings One (LH1s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:  
.1 *deleted.*
  - ii) replacing Section 16.5.1 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:  
.1 *deleted.*
  - iii) replacing Section 16.5.2 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:  
.2 *deleted.*
  - iv) replacing Section 16.5.3 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:  
.3 *deleted.*
  - v) replacing Section 16.5.4 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:  
.4 *deleted.*



- vi) replacing Section 16.5.5 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .5 *deleted.*
- vii) replacing Section 16.5.6 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .6 *deleted.*
- viii) replacing Section 16.5.7 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .7 *deleted.*
- ix) replacing Section 16.5.8 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .8 *deleted.*
- x) replacing Section 16.5.9 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .9 *deleted.*
- xi) replacing Section 16.5.10 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .10 *deleted.*
- xii) replacing Section 16.5.11 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .11 *deleted.*
- xiii) replacing Section 16.5.12 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .12 *deleted.*
- xiv) replacing Section 16.5.13 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .13 *deleted.*
- xv) replacing Section 16.5.14 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .14 *deleted.*
- xvi) replacing Section 16.6.1 (Site Specific Small Holdings Three (SH3s) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .1 In the case of an approximately 120 ha area land shown shaded yellow on Figure 16.6.1:

- i) despite Section 10.6.3, the minimum parcel size shall be 0.6 ha, subject to servicing requirements.



- xvii) replacing Section 16.16.1 (Site Specific Conservation Area (CAs) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .1 *deleted.*
- xviii) replacing Section 16.16.2 (Site Specific Conservation Area (CAs) Provisions) under Section 16.0 (Site Specific Designation) in its entirety with the following:
  - .2 *deleted.*
- 3. The Official Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
  - i) changing the land use designation on the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Two Site Specific (SH2s) to Small Holdings Three (SH3).
  - ii) changing the land use designation on the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Large Holdings One Site Specific (LH1s) to Large Holdings One (LH1).
  - iii) changing the land use designation on the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Conservation Area Site Specific (CAs) to Large Conservation Area (CA).

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_, 2018.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_, 2018.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "A" Zoning Amendment Bylaw No. 2451.23, 2018" as read a Third time by the Regional Board on this \_\_\_\_ day of \_\_\_\_, 2018.

Dated at Penticton, BC this \_\_\_\_ day of \_\_\_\_, 201\_\_

\_\_\_\_\_  
Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
For the Minister of Transportation & Infrastructure

AND ADOPTED this \_\_\_\_ day of \_\_\_\_, 2018.

\_\_\_\_\_  
Board Chair

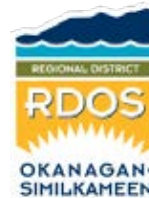
\_\_\_\_\_  
Corporate Officer



# Regional District of Okanagan-Similkameen

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

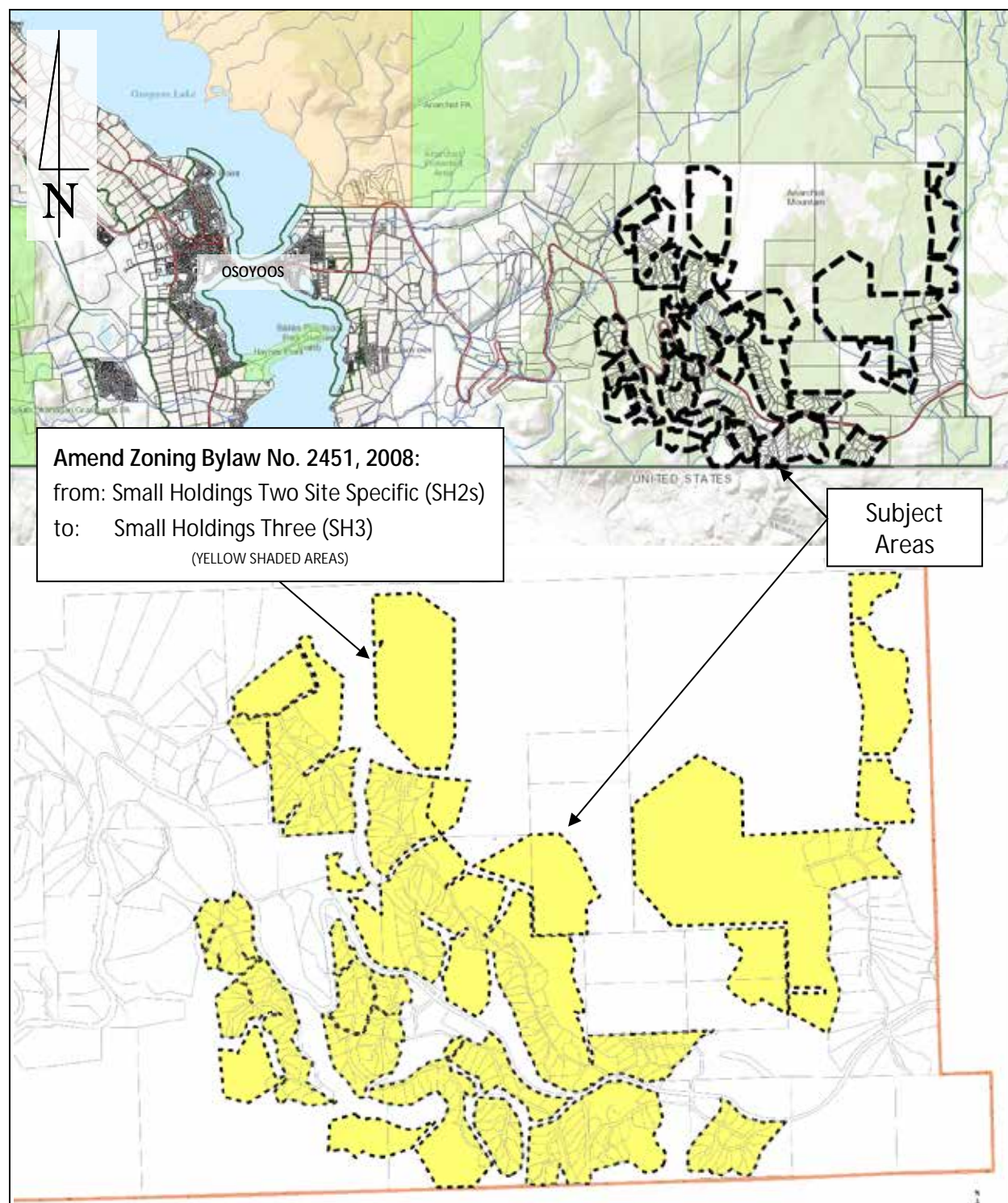
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2451.23, 2018

Project No: A2018.021-ZONE

Schedule 'A'



Amendment Bylaw No. 2451.23, 2018

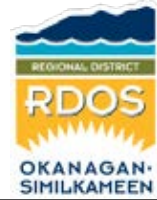
(A2018.021 -ZONE)

Page 5 of 7

# Regional District of Okanagan-Similkameen

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

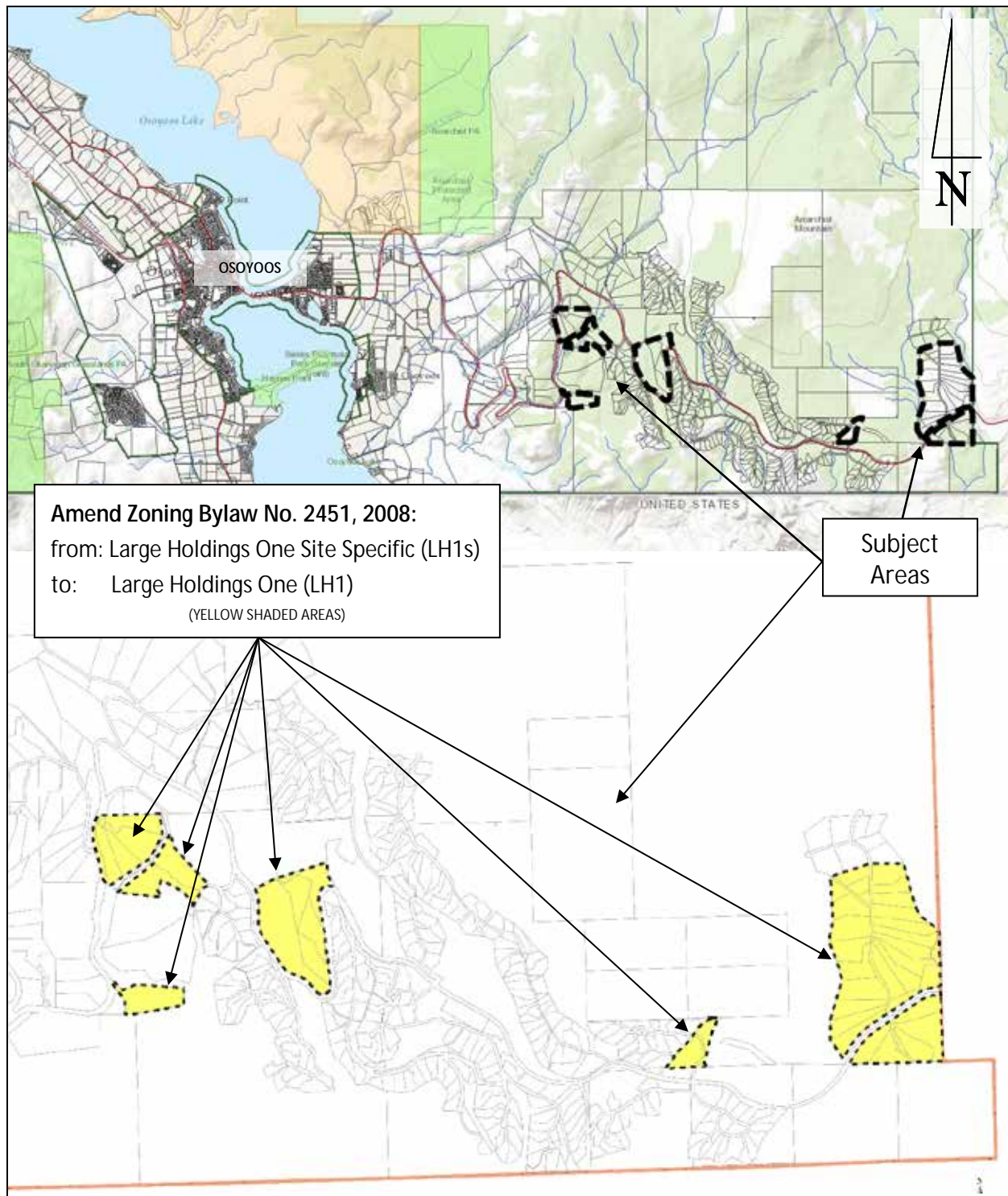
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2451.23, 2018

Project No: A2018.021-ZONE

Schedule 'B'



Amendment Bylaw No. 2451.23, 2018

(A2018.021 -ZONE)

Page 6 of 7



# Regional District of Okanagan-Similkameen

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

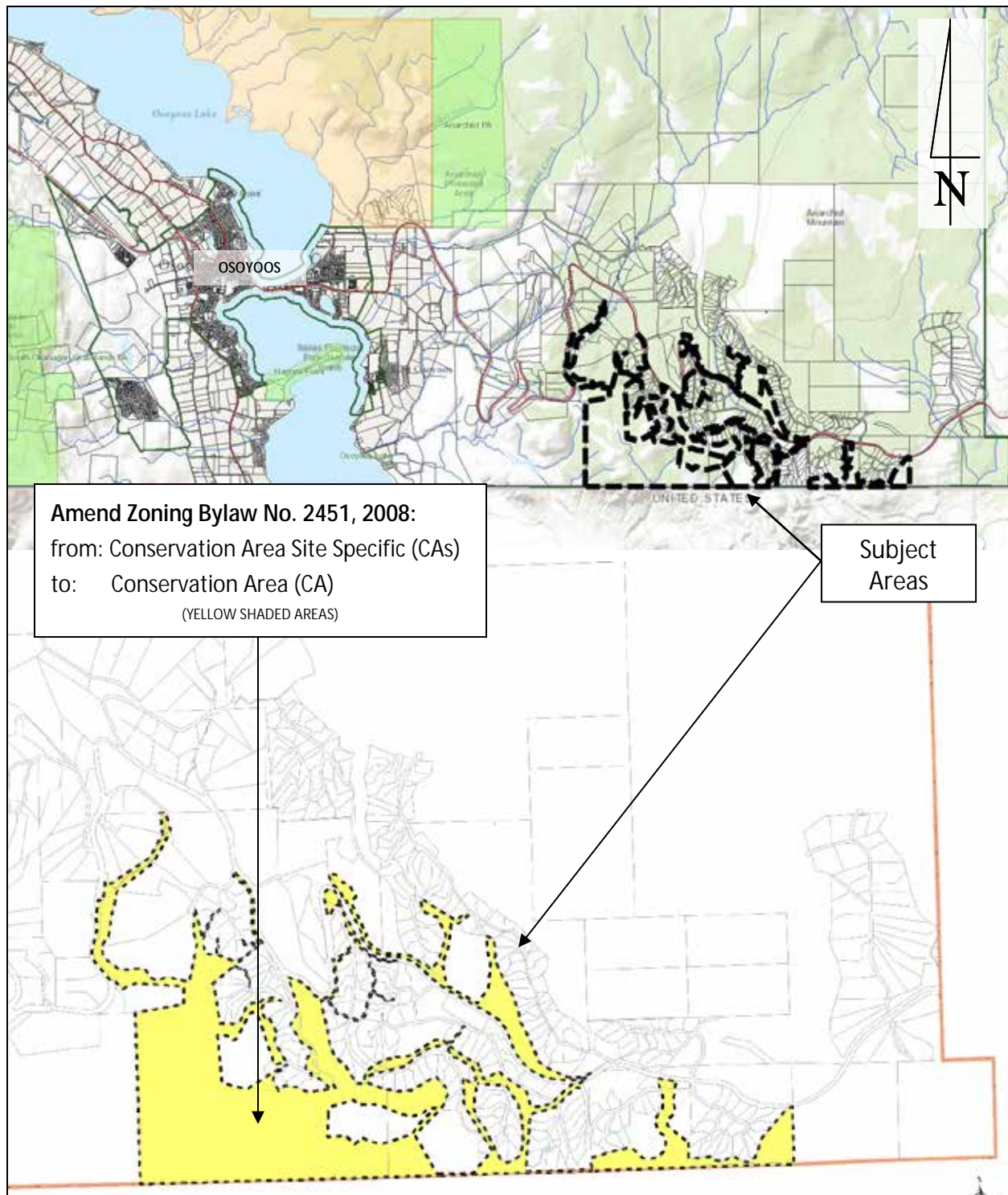
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2451.23, 2018

Project No: A2018.021-ZONE

Schedule 'C'



Amendment Bylaw No. 2451.23, 2018

(A2018.021 -ZONE)

Page 7 of 7

## ADMINISTRATIVE REPORT



**TO:** Planning & Development Committee

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Zoning Bylaw Amendment – Electoral Area “A”  
“Regal Ridge” Site Specific Zoning Review

---

### Administrative Recommendation:

**THAT staff be directed to initiate the Regal Ridge Site Specific Zoning Amendment Bylaw No. 2451.23, 2018.**

---

### Purpose:

Amendment Bylaw No. 2451.23 seeks to amend the Electoral Area “A” Zoning Bylaw No. 2451, 2008, in order to remove a number of site specific zoning regulations that relate to the Large Holdings One (LH1), Small Holdings Two (SH2) and Conservation Area (CA) Zones at “Regal Ridge” on Anarchist Mountain. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

### Background:

At its meeting of October 16, 2008, the Board considered an [Administrative Report](#) proposing the creation of a single Electoral Area Zoning Bylaw and directed staff to investigate the preparation of such a bylaw. The 2018 Business Plan includes a direction to “continuously improving bylaws, policy and process within the organization ...”

In anticipation of bringing forward a draft zoning bylaw for consideration by the Board, a series of amendment bylaws (by zone category) will be presented over the coming months intended to update various zones and facilitate their eventual consolidation in a new bylaw.

At its meeting of July 20, 2017, the Planning and Development (P&D) Committee of the Board considered an Administrative Report related to an updating of the Commercial Zones in the Okanagan Valley Electoral Area zoning bylaws.

In undertaking further work on this review of the Commercial zones – including existing site specific regulations at “Regal Ridge” – Administration identified further site specific regulations that were either redundant (i.e. no longer reflected in more recent Board policy directions) or represented significant overlap with other existing zones. To address these, Draft Amendment Bylaw 2451.23 has been prepared.

### Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) will be required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway.

---

## Public Process:

On February 15, 2018, the Regional District sent letters to all registered property owners with land zoned SH1 advising of the proposed changes to the land use bylaws and seeking feedback. Approximately 17 feedback forms were returned and are included as a separate item on the Committee's Agenda.

Agency comments have been received from the Osoyoos Indian Band and the Regional District of Kootenay Boundary and these are included as a separate item on the Committee's Agenda.

## Analysis:

Many of the site specific zoning regulations that are being proposed for deletion from the zoning bylaw were introduced during the subdivision of the "Regal Ridge" development between 2004-2008.

In the intervening years, the Regional District has updated a number of regulations in the Electoral Area "A" Zoning Bylaw as they relate to:

- hooked parcels;
- keeping of livestock and honeybees;
- modular homes (A277) and mobile homes (Z240);
- "1.0 ha Policy" (i.e. applied to minimum parcel size of Small Holdings Three (SH3) Zone); and
- permitted uses in Conservation Area (CA) Zone (undertaken as part of Environmentally Sensitive Development Permit Area update).

As a result, Administration considers many of the site specific zoning regulations that apply to parcels at "Regal Ridge" to have now become redundant or are no longer seen to be reflective of current Regional District Board land use policies and objectives and should not be carried forward into any new Okanagan Valley Zoning Bylaw.

Staff also note that the Regional Growth Strategy (RGS) Bylaw was adopted in 2010 and identified "Regal Ridge" as a Rural Growth Area. While staff are aware of some of the concerns expressed by residents regarding the proposed reduction in minimum parcel sizes from 1.25 ha in the SH2s Zone to 1.0 ha in the SH3 Zone and that this may result in a modest increase in density at "Regal Ridge", this is, nevertheless, seen to be consistent with the direction of the RGS.

With regard to concerns expressed about the allowance for mobile homes as a permitted form of dwelling type in the LH1 Zone, this was completed in 2016 as part of a separate review of the regulations governing the placement of modular and mobile homes in the various rural and residential zones. The direction provided by the Board at that time was that mobile homes be permitted in zones where the stated minimum parcel size was 4.0 ha, or greater, and the minimum parcel size in the LH1 Zone is 4.0.

With regard to the proposed deletion of the site specific regulation related to the keeping of livestock, Administration is proposing that this not be carried forward as it is not coherent in that it speaks to limiting the number of livestock to no more than two (2) animals on parcels greater than 2.0 ha in area despite the zoning bylaw allowing up to three (3) animals and 75 small livestock (i.e. chickens/rabbits) on parcels between 1.0 ha and 1.5 ha (and even more animals on parcels between 1.5 and 2.0 ha).

---

**Alternative:**

THAT the Board of Directors resolves to direct staff to not initiate the Regal Ridge Site Specific Zoning Amendment Bylaw No. 2451.23, 2018.

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed by:**



B. Dollevoet, Dev. Services Manager

Attachments: No. 1 - Comparison of Current LH1s Zone vs. Proposed LH1 Zone

No. 2 - Comparison of Current SH2s Zone vs. Proposed SH3 Zone

No. 3 - Comparison of Current CAs Zone vs. Proposed CA Zone

Attachment No. 1 – Comparison of Current LH1s Zone vs. Proposed LH1 Zone

CURRENT LH1S ZONE	PROPOSED LH1 ZONE
<b>Permitted Uses:</b> <u>Principal Uses:</u> agriculture; n/a n/a single detached dwellings; n/a <u>Accessory Uses:</u> n/a bed and breakfast operation; n/a home occupations; n/a n/a secondary suites; and accessory buildings and structures.	<b>Permitted Uses:</b> <u>Principal Uses:</u> agriculture; equestrian centres; forestry; single detached dwelling or mobile home; veterinary establishment; <u>Accessory Uses:</u> accessory dwelling or mobile home; bed and breakfast operation; home industries; home occupations; kennels; retail sales of farm and off-farm products; secondary suites; and accessory buildings and structures.
<b>Minimum Parcel Size:</b> 4.0 ha	<b>Minimum Parcel Size:</b> 4.0 ha
<b>Minimum Parcel Width:</b> Not less than 25% of parcel depth	<b>Minimum Parcel Width:</b> Not less than 25% of parcel depth
<b>Maximum Number of Dwellings Per Parcel:</b> a) one (1) principal dwelling; and b) one (1) secondary suite.	<b>Maximum Number of Dwellings Per Parcel:</b> a) one (1) principal dwelling; b) one (1) accessory dwelling (parcels 3.5 ha to 7.9 ha); c) one (1) secondary suite.
<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 7.5 metres rear parcel line: 7.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 7.5 metres <u>livestock shelters, equestrian centre, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:</u> front parcel line: 15.0 metres rear parcel line: 15.0 metres interior side parcel line: 15.0 metres exterior side parcel line: 15.0 metres <u>Incinerator or compost facility:</u> front parcel line: 30.0 metres rear parcel line: 30.0 metres interior side parcel line: 30.0 metres exterior side parcel line: 30.0 metres	<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 7.5 metres rear parcel line: 7.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 7.5 metres <u>livestock shelters, equestrian centre, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:</u> front parcel line: 15.0 metres rear parcel line: 15.0 metres interior side parcel line: 15.0 metres exterior side parcel line: 15.0 metres <u>Incinerator or compost facility:</u> front parcel line: 30.0 metres rear parcel line: 30.0 metres interior side parcel line: 30.0 metres exterior side parcel line: 30.0 metres
<b>Maximum Height:</b> 10.0 metres	<b>Maximum Height:</b> 10.0 metres
<b>Maximum Parcel Coverage:</b> 15%	<b>Maximum Parcel Coverage:</b> a) 35% for parcels less than 2,500 m <sup>2</sup> in area; b) 20% for parcels greater than 2,500 m <sup>2</sup> and less than 2.0 ha in area; and c) for parcels greater than 2.0 ha in area: i) 10%; and ii) 75% for greenhouse uses.



Attachment No. 2 – Comparison of Current SH2s Zone vs. Proposed SH3 Zone

CURRENT SH2S ZONE	PROPOSED SH3 ZONE
<b>Permitted Uses:</b> <u>Principal Uses:</u> agriculture; single detached dwellings; <u>Accessory Uses:</u> bed and breakfast operation; home occupations; secondary suites; and accessory buildings and structures.	<b>Permitted Uses:</b> <u>Principal Uses:</u> agriculture; single detached dwelling; <u>Accessory Uses:</u> bed and breakfast operation; home occupations; secondary suites; and accessory buildings and structures.
<b>Minimum Parcel Size:</b> 1.25 ha	<b>Minimum Parcel Size:</b> 1.0 ha
<b>Minimum Parcel Width:</b> Not less than 25% of parcel depth	<b>Minimum Parcel Width:</b> Not less than 25% of parcel depth
<b>Maximum Number of Dwellings Per Parcel:</b> a) one (1) principal dwelling; and b) one (1) secondary suite.	<b>Maximum Number of Dwellings Per Parcel:</b> a) one (1) principal dwelling; and b) one (1) secondary suite.
<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 7.5 metres rear parcel line: 4.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 4.5 metres <u>Accessory buildings and structures:</u> front parcel line: 7.5 metres rear parcel line: 4.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 4.5 metres <u>livestock shelters, equestrian centre, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:</u> front parcel line: 15.0 metres rear parcel line: 15.0 metres interior side parcel line: 15.0 metres exterior side parcel line: 15.0 metres <u>Incinerator or compost facility:</u> front parcel line: 30.0 metres rear parcel line: 30.0 metres interior side parcel line: 30.0 metres exterior side parcel line: 30.0 metres	<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 7.5 metres rear parcel line: 4.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 4.5 metres <u>Accessory buildings and structures:</u> front parcel line: 7.5 metres rear parcel line: 4.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 4.5 metres <u>livestock shelters, equestrian centre, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:</u> front parcel line: 15.0 metres rear parcel line: 15.0 metres interior side parcel line: 15.0 metres exterior side parcel line: 15.0 metres <u>Incinerator or compost facility:</u> front parcel line: 30.0 metres rear parcel line: 30.0 metres interior side parcel line: 30.0 metres exterior side parcel line: 30.0 metres
<b>Maximum Height:</b> 10.0 metres	<b>Maximum Height:</b> 10.0 metres
<b>Maximum Parcel Coverage:</b> 15%	<b>Maximum Parcel Coverage:</b> 20%
<b>Minimum Building Width:</b> Principal Dwelling Unit: 5.0 metres as originally designed and constructed.	<b>Minimum Building Width:</b> Principal Dwelling Unit: 5.0 metres as originally designed and constructed.
<b>Keeping of Livestock:</b> No more than two livestock on parcels greater than 2.0 ha.	<b>Keeping of Livestock:</b> <i>Not applicable</i> [to be governed by Section 7.23 – Keeping of Livestock and Honeybees]

Attachment No. 3 – Comparison of Current CAs Zone vs. Proposed CA Zone

CURRENT CONSERVATION AREA SITE SPECIFIC (CAs) ZONE	PROPOSED CONSERVATION AREA (CA) ZONE
<b>Permitted Uses:</b> <u>Principal Uses:</u> * conservation area, restricted to hiking trails, cross-country ski trails and horse back riding trails; <u>Accessory Uses:</u> * interpretative centre.	<b>Permitted Uses:</b> <u>Principal Uses:</u> conservation area; <u>Accessory Uses:</u> interpretative centre; accessory dwelling; and accessory buildings and structures.
<b>Minimum Parcel Size:</b> <i>Not applicable</i>	<b>Minimum Parcel Size:</b> <i>Not applicable</i>
<b>Minimum Parcel Width:</b> <i>Not applicable</i>	<b>Minimum Parcel Width:</b> <i>Not applicable</i>
<b>Maximum Number of Dwellings Per Parcel:</b> a) one (1) accessory dwelling	<b>Maximum Number of Dwellings Per Parcel:</b> one (1) accessory dwelling
<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 7.5 metres rear parcel line: 7.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 7.5 metres	<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 7.5 metres rear parcel line: 7.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 4.5 metres
<b>Maximum Height:</b> <i>Not applicable</i>	<b>Maximum Height:</b> <i>Not applicable</i>
<b>Maximum Parcel Coverage:</b> 5%	<b>Maximum Parcel Coverage:</b> 5%



## OSOYOOS INDIAN BAND

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1155, SEN\*POK\*CHIN BOULEVARD, OLIVER BC, V0H 1T8  
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

March-05-18

Referral ID: A2018.021-ZONE Bylaw 2451.23

RTS #: 1336

Date: February-15-18

Reference#: R-77-001041

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 February-15-18.

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.

limlɛmt,

Amanda Anderson  
Referrals Officer  
Osoyoos Indian Band  
cc:

## RESPONSE SUMMARY

### AMENDMENT BYLAW NO. 2451.23

☐ 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: Carly Rimell

Signed By: Carly Rimell

Agency: Regional District of Kootenay  
Boundary

Title: Senior Planner

2018-02-26





# Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: A2018.021-ZONE

FROM: Name:

DAVID TULLIS  
(please print)

Street Address:

Tel/Email:

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

- (1) I was never informed of this proposal by the RDOS! Why?
- (2) We purchased here for residential purposes not farming!
- (3) Why do you (RDOS) continue to make our lives a misery? Electricity costs without support for years, lack of services, extra costs all the time.

Feedback Forms must be completed and returned to the Regional District  
no later than Friday March 16, 2018

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.



# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: JOSEPH & ELIZABETH DAHABIEH  
(please print)

Street Address: \_\_\_\_\_

Tel/Email: \_\_\_\_\_

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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

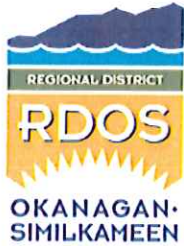
Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

- ① Equestrian Centre - this will increase traffic and create excessive noise pollution.
- ② Forestries - this may deforest the natural beauty of this area.
- ③ Mobile Home - this will result in decreased property value as existing residents have built higher standard homes.
- ④ Veteranary Establishment - this will increase traffic and create excessive noise pollution.
- ⑤ Home Industries - this will increase traffic and create excessive noise pollution.
- ⑥ Retail Businesses - this will increase traffic and create excessive noise pollution.
- ⑦ Kennels - this will increase traffic and create excessive noise pollution.
- ⑧ 75% greenhouse uses - an excessive use of property will result in light pollution and will strip the area of its natural beauty. many of us have telescopes for star gazing!

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# Feedback Form

**Regional District of Okanagan Similkameen**

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

**TO:** Regional District of Okanagan Similkameen **FILE NO.:** A2018.021-ZONE

**FROM:** Name: Michael and Linda Tumchewics  
(please print)

Street Address: 960 Eagle Place, Osoyoos BC

Tel/Email: \_\_\_\_\_

**RE:** Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

Please see attached document expressing our concerns

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Feedback Forms must be completed and returned to the Regional District  
no later than Friday **March 16, 2018**

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.



Feedback Form RDOS  
File No: A2018.021-ZONE

To Whom It May Concern:

We strongly object to the deletion of the SH2s zoning and replacement with SH3 zone, specifically 'Keeping of Livestock'. As it stands now, limits are in place in Regal Ridge/Osoyoos Mountain Estates regarding livestock numbers. The number of livestock is restricted to 2 on any parcel greater than 2 ha despite Section 7.23.1.

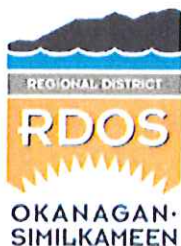
It would appear that abolishing the SH2s in favor of SH3 would completely remove this livestock limit. This proposed change is not a duplication as described in your letter of February 15, 2018. In fact the wording of "Not Applicable" and "duplication" appear misleading and suspect.

According to the zoning bylaw this change actually means that any number of livestock can be kept on parcels exceeding 2 ha. Therefore, our neighbours, with about .02 ha over the threshold, could potentially have an unlimited number of pigs, horses, cattle, goats etc. in what is intended to be a rural residential section of the development.

Our decision to purchase our lot in the Regal Ridge development was predicated on the concepts put in place by the original developer. Wildlife corridors, conservation areas, and moderation in agricultural use in a rural residential setting are what attracted us to the area. Removing this site-specific bylaw will inevitably lead to decreased property values, increased conflicts between neighbours and abolishes the original intent and spirit of the developer's site specific conditions.

Sincerely,

Mike and Linda Tumchewics



# Feedback Form

**Regional District of Okanagan Similkameen**

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

**TO:** Regional District of Okanagan Similkameen **FILE NO.:** A2018.021-ZONE

**FROM:** Name: Arnold & Maureen Kettenacker  
(please print)

Street Address: \_\_\_\_\_

Tel/Email: \_\_\_\_\_

**RE:** Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

The process has gotten off to a flawed start: - All resident property owners did not receive a personally addressed notification.  
- The personally addressed notification received implies minimal changes in magnitude between SH2s and the proposed SH3. Some SH3 properties will be just over 2ha and others just under 2 ha. The cap for livestock is currently 2 for SH2s. Within a two minute walk between proposed SH3 properties, several would now be capped at 4 livestock while others will be unlimited! The notification glossed this over as "not applicable". This is not a minor change in magnitude and should be scaled proportionally. The matter could be rectified with an asterisk or exception in section 7.23 of the bylaw citing a max of 5 livestock for SH3 properties between 2 and 2.5 ha in the former Regal Ridge Development. The cap is needed. Do not rely on common sense; it is an invitation for someone to test the limits of unlimited. Neighbours will be unhappy to say the least.  
- The proposed changes to the CAS undermine the initial developer's efforts to create an environment that many then property purchasers and now current residents may want to retain. We run adjacent to the CAS and see no need to change current bylaws.  
- The personally addressed notification we received focuses only on the comparison between SH2s vs SH3 and imply changes are minimal. For some, that would be the end of the matter and the letter in the trash. However, no mention of changes to CAS and LH2S is provided in the letter. It is unclear if no response is considered neutral to all proposed changes.  
- If one sends in the Feedback Form thinking they are only supporting what is addressed in the letter, it is unclear if that specific affirmative reply is accepted as blanket support to proposed CAS and LH2s changes as well.

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no later than Friday March 16, 2018

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**From:** heather  
**To:** [Christopher Garrish](#)  
**Subject:** Concerns re: LH1s Zone Review  
**Date:** March 8, 2018 7:48:21 PM

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Hello Mr Garrish,

My husband and I live up on Raven Hill Rd that was part of Regal Ridge. We are not happy about some of the proposed changes being suggested for the LH1s zoned areas.

First off we do not wish to see changes allowing Mobile homes to be either principal, secondary or accessory dwellings. We also do not want to see forestry or kennels allowed. Veterinary establishment may be okay if no kenneling is allowed on the site. Definitely do not want to see any area where you could have 75% coverage in greenhouses. This would definitely be a major source of light pollution as well as other things which have already happened in other areas.

We moved away from the coast to get away from the coast to a quieter area where things were newer and looked after more. We do not want to see these beautiful lots with mobile homes on them or having to listen to a lot of noise from such things as forestry operations and dog kennels.

I hope you will take into consideration ours and others opinions and suggestions and not make these changes as we would be the people effected but these changes.

Thank-you for your time.

Heather Hayward



**From:** Alice Zinowki  
**To:** [Christopher Garrish](#)  
**Subject:** large holdings one site specific (LH1s) zone review  
**Date:** March 10, 2018 5:12:19 PM

---

Dear Mr Garrish,

We have 2 objections to the proposed changes - kennels and mobile homes. The building code is very strict regarding insulation for stick built homes and this code would not be met in a mobile home. Having spent the winter in a mobile home on Anarchist Mtn we can attest to the fact that they are not suitable dwellings for our harsh winter climates.

We also feel that a kennel would not be an appropriate business for this area. The building sites on our side of Raven Hill Rd run parallel to the ridge and are not that far apart. Also most of the flat area that would be suitable for a kennel is close to the building site. We feel that it would be excessively noisy - we moved here to get away from noise.

Otherwise we have no other objections.

Thank you for taking our views into consideration,

Alice & Walter Zinowki



# Feedback Form

**Regional District of Okanagan Similkameen**

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

**TO:** Regional District of Okanagan Similkameen **FILE NO.:** A2018.021-ZONE

**FROM:** Name: Glenn & Daljit Stewart

Street Address: 50 Blacktail Place, Osoyoos, BC V0H 1V6 \_\_\_\_\_

Tel/Email: \_\_\_\_\_

**RE:** Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

We would also support inclusion of accessory buildings such as carriage houses/small residential buildings to provide lodging/rentals to support provincial and regional housing policies as part of the amended bylaw.

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Feedback Forms must be completed and returned to the Regional District  
no later than Friday **March 16, 2018**

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# Feedback Form

**Regional District of Okanagan Similkameen**

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

**TO:** Regional District of Okanagan Similkameen

**FILE NO.:** A2018.021-ZONE

**FROM:** Name:

HILDA REIMER  
(please print)

Street Address:

Tel/Email:

**RE:** Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

Please refer to attached letter.

Feedback Forms must be completed and returned to the Regional District  
no later than Friday **March 16, 2018**

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March 12, 2018

File No.: A2018.021-ZONE

Hello Mr Garrish,

My husband and I live up on Raven Hill Rd that was part of Regal Ridge. We are not happy about some of the proposed changes being suggested for the LH1s zoned areas.

In the following link to the RDOS website that lays out the A2018.021-ZONE changes:

<http://www.rdos.bc.ca/departments/development-services/planning/strategic-projects/regal-ridge-site-specific-zone-review/>

it states that:

*"As a result, many of the site specific zoning regulations that apply to parcels at "Regal Ridge" have now become redundant or are no longer seen to be reflective of current Regional District Board land use policies and objectives."*

This may be the policy of the Regional District Board, but those of us who purchased up here live here for the reasons reflected by the original zoning as set forth by Regal Ridge.

We are particularly opposed to:

1. "Permitted Uses: Principal Uses: ..... mobile home"  
*(OK with Modular Home as per Project No. X2016.057-ZONE but in my opinion allowing a mobile home as a principal use would encourage a seasonal, transient population to come up and thus devalue those homes that are up here and who built with the original Regal Ridge LH1s building codes – this then in turn would not only reduce our values but also the tax funds on the properties. Also, in doing some research about mobile homes CSA Z240 MH, I have read that Alberta does not accept these as homes and that they can not be sited in their province – there must be a good reason.....)*
2. "Permitted Uses: Principal Uses: ..... forestry" *(what about reducing the carbon foot print???)*
3. "Permitted Uses: Accessory Uses: ..... kennel" *(we already have enough barking back and forth to each other with all of the coyotes up here)*
4. "Maximum Parcel Coverage: c) for parcels greater than 2.0 ha in area ii) 75% for greenhouse uses" *(we moved up here because of the dark skies as we wanted to leave behind the light pollution of the FV)*

I would also like to state that I have spoken to some LH1s residents who have properties located as per the maps, that said they did not receive letters notifying them of the proposed changes .....

Sincerely,

✓





# Feedback Form

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

RECEIVED  
Regional District

MAR 15 2018

101 Martin Street  
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: SIMONE PONNE  
(please print)

Street Address: \_

Tel/Email: \_

RE: Electoral Area "A" Zoning Amendment Bylaw NO. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

☐

I do support the proposed amendments to the zoning bylaw.

☒

I do support the proposed amendments to the zoning bylaw, subject to the comments listed below.

☒

I do not support the proposed amendments to the zoning bylaw.

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

objection to changes on L+H1

property values impacted by

kennels

These do not fit with original vision of Regal Ridge

greenhouses →

\* also building scheme is

mobile homes

No longer enforceable, there is

no unsightly bylaw - these new allowances

Feedback Forms must be completed and returned to the Regional District

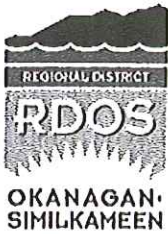
no later than Friday March 16, 2018

Further erode beauty of development.

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RECEIVED  
Regional District

MAR 15 2018



# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: Jan Ponne / Annie Ponne  
(please print)

Street Address: \_\_\_\_\_

Tel/Email: \_\_\_\_\_

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

issue with LHI  
mobile homes / kennels / greenhouses do not fit  
with the community of Regal Ridge.  
multi million \$ homes make up neighbourhoods

Feedback Forms must be completed and returned to the Regional District  
no later than Friday March 16, 2018

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To: Christopher Garrish, MCIP, RPP,  
Planning Supervisor, RDOS. Re A 2018.021-ZONE

March 22, 2018.

Fax 1-250-492-0063

From Susan and Terry Otto,

Re: Small Holdings Two Site Specific (SH2S) Zone Review, Regal Ridge area.

Dear Christopher Garrish,

My name is Susan Otto, and my husband Terry and I are the owners of 870 Eagle Place, Osoyoos, B.C. We were out of the country until March 20, 2018 and so did not receive your letter regarding rezoning until then. Please consider our response even though it is past your deadline of March 16<sup>th</sup>, as we were unable to respond by that date.

We are opposed to the rezoning from SH2S to SH3 for the following reason;  
Our lot at 870 Eagle Place is a size of 5 acres which is 2plus hectares. We purchased it in 2007 as a 5 acre parcel allowing up to 2 livestock. We have a horse farm in Ontario and in preparation for the future, purchased this lot and fenced it to allow for horses on the property. We had previously purchased a 10 acre parcel in Ravenhill, a Regal Ridge development further east along Hwy 3, but arranged the creation of the 5 acre 870 Eagle Place location as closer to Osoyoos and also to the community trails on the south side of Hwy 3.

To our understanding, the lot beside ours to the east is also a size of 5 acres and under the same zoning, allowing up to 2 livestock on the property. Both lots are bordered by conservation area. We believe the remaining lots on the same side (South) of Hwy 3 are all approximately 1 hectare in size, also with SH2S zoning.

This SH2S zoning is consistent with all the permitted uses etc, and the keeping of 2 livestock only applies to a parcel greater than 2 hectares in any case.

So please do not change the zoning from SH2S to SH3, as the current zoning does not create a problem for any of those parcels, and ours and our neighbors', at 5 acres in size still allow up to 2 livestock, which was the reason for our purchase in the first place.

Please let us know if further steps are required in order to protect our investment.

Sincerely,

Susan and Terry Otto,

**From:** Laura Haslett  
**To:** [Christopher Garrish](#)  
**Subject:** Draft Amendment ByLawNo.2431.23 - Regal Ridge  
**Date:** February 27, 2018 12:25:49 PM

---

Hello Christopher,

I live at 751 Raven Hill Road and my husband and I are strongly opposed to allowing mobile homes to be placed on lots in my neighborhood. Could you please let me know why you are proposing these changes.

I followed the links as outlined in a recent letter I received from you, but could not locate the feedback form through your links.

Please advise me if I am required to do anything further to ensure my opposition to the proposed changes is noted in your upcoming Board Meeting.

Laura Haslett



**From:** Donna Ferguson  
**To:** [Christopher Garrish](#)  
**Subject:** Re: Large Holdings One Site Specific (LH1s) Zone Review  
**Date:** March 15, 2018 3:03:03 PM

---

March 15, 2018

Regional District of Okanagan -Similkameen  
101 Martin Street  
Penticton, BC V2A 1V6

Re: Large Holdings One Site Specific Zone Review

Attention; Christopher Garrish, Planning Supervisor

Dear Sir,

We wish to address your proposed changes as outlined in your February 15, 2018 letter sent out by the RDOS. Please be advised that we, Rudy and Donna Ferguson DO NOT approve of these proposed changes.

We purchased 16 acres on Anarchist Mountain in 1988 and in 2000, retired and moved here to live the rest of our lives. Shortly after we came here, we sub-divided our land, sold 5 acres and now reside on the remaining 11. During that time we witnessed the development of Regal Ridge. Adrian Erickson had a vision to make this mountain a retirement "Dream come true" for anyone who purchased land and moved here. His vision was perfect and he made sure the rules and regulation set forth in this development were approved by everyone and should not be changed. We ALL now live in peace and find it hard to understand why you should want to "fix something which isn't broken" ...?...

We DO NOT agree with your proposed changes...to allow Mobile Homes, Greenhouses, Veterinary Establishments and Kennels on this mountain.

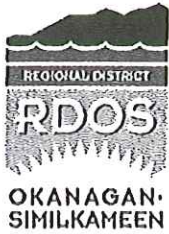
The noise, pollution, traffic, and negative aspects would take away the tranquility we now have come to appreciate living here.

Your proposals are too vague and open a wide range of questionable scenarios that anyone can apply for...definitely not acceptable.

Thank you,  
Rudy and Donna Ferguson

RECEIVED  
Regional District

MAR 15 2018



# Feedback Form

101 Martin Street  
Penticton BC V2A 5J9

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: ADRIAN ERICKSON  
(please print)

Street Address: 1300 BULLMOOSE WAY, O504005

Tel/Email: .

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

I DO NOT SUPPORT - MOBILE HOMES ON LHM  
- GREENHOUSE COVERAGE 20%  
- KENNELS

WHEN I DEVELOPED REGAL RIDGE I HAD A VISION  
OF QUIET SERENITY, IMMERSIVE IN NATURE AND  
FREE OF NOISE (KENNELS) AND LIGHT POLLUTION  
(GREENHOUSES). SPECIAL ATTENTION ON BUILDING SCHEDULE  
ADDRESSED SOME OF THIS. MOST BUYERS PURCHASED FOR  
THESE REASONS.

Feedback Forms must be completed and returned to the Regional District  
no later than Friday March 16, 2018

**From:** Hilary Cargill  
**To:** [Christopher Garrish](#)  
**Subject:** Small Holdings Two Site Specific (SH2s) Zone Review Regal Ridge Area  
**Date:** March 12, 2018 10:34:38 AM

---

Dear Mr. Garrish,

We are writing to strongly object to the proposed amendments to the zoning for properties on Regal Ridge specifically to the "Keeping of Livestock".

We have been homeowners at 955 Eagle Place, Osoyoos (Regal Ridge Area) for approx 8 months. One of the principal reasons we bought here was the generous sized lots and the fact the area is zoned residential.

The proposed changes to the zoning, while minimal overall, have caused us a lot of alarm with respect to the change proposed to the "Keeping of Livestock".

The fact that for those here with larger lots can have unlimited amounts of animals defeats the original purpose for all homeowners in Regal Ridge, suggesting now a more agricultural vs residential zone. We believe, and would support, a change proposing a maximum number of 6 livestock regardless of the size of each property.

Moreover we strongly object to the proposed change to opening up the protected areas around here. This will cause adverse affects on noise and environmental pollution, higher risk of fires, increased threat to wildlife and criminal behaviour...all of which is a detriment to our property values!

Clearly you need to re-assess your proposal with all the above in mind. We are a small community and very proud of what we have and what life here offers us. We want to maintain our current way of life without threat of damaging changes from those who do not know nor appreciate the distinctive and exceptional area which we cherish.

We are available to discuss should you choose to do so.

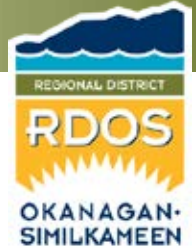
Sincerely,

Geoff and Hilary Cargill

Sent from my iPad



## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 5, 2018  
**RE:** Zoning Bylaw Amendment – Electoral Area “D-1”

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### Administrative Recommendation:

**THAT Bylaw No. 2457.22, 2018, Electoral Area “D” Zoning Amendment Bylaw be denied.**

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Purpose: To allow for 1 “livestock” and 25 “small livestock” on a parcel less than 2,500 m<sup>2</sup> in area and to reduce the parcel line setbacks for a livestock structure from 15.0 metres to 2.5 metres.

Owners: R. Esperanza & T. Christie / Derek Bews Agent: Renae Esperanza Folios: D-02473.000 / 02474.000

Civic: 445 & 449 Sagewood Lane Legal: Lots 8 & 9, Plan KAP11043, District Lot 280, SDYD

Zone: Single Family Residential Two (RS2) Proposed Zoning: Small Holdings Five Site Specific (SH5s)

---

### Proposed Development:

This application is seeking to formalise the keeping of 1 “livestock” and up to 25 “small livestock” on a parcel less than 2,500 m<sup>2</sup> in area and to further reduce the setbacks for a livestock structure from 15.0 metres to 2.5 metres.

In order to allow for this, it is being proposed to amende the zoning of the property from Single Family Residential Two (RS2) to Small Holdings Five Site Specific (SH5s), with the site specific regulation allowing the number of requested livestock and location of the livestock structure.

In support of the rezoning, the applicant has stated that “many of the residents here feel strongly about meeting their own personal sustenance requirements by growing their own food in forms of gardens and we wish to include some livestock for personal use. We wish to amend the current Bylaws banning all livestock from our residential areas to meet our needs and food security objectives as a basic human right to access and produce our own food. We would like to emphasize that this application is not intended for commercial farm use and rather personal use only.”

### Site Context:

The subject properties are approximately 1,400 m<sup>2</sup> in area each and are situated on the north side of Sagewood Lane near the south end of Nipit Lake. Both properties are currently comprised of a single detached dwelling while the property at 449 Sagewood Lane has recently erected an oversized fence along each parcel line.

The surrounding pattern of development to the north is generally characterised by similar sized residential parcels while development to the south, west and east appears to be ranching and grazing lands.

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## Public Process:

A Public Information Meeting was held on February 20, 2018, at the Community Centre in Okanagan Falls and two (2) members of the public attended.

At its meeting of February 20, 2018, the Electoral Area "D" Advisory Planning Commission (APC) failed to achieve a quorum.

At its meeting of March 13, 2018, the Electoral Area "D" APC again failed to achieve a quorum.

Referral comments on this proposal have been received from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch), FortisBC (Electric), Penticton Indian Band (PIB) and the Interior Health Authority (IHA) and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the subject property is situated beyond 800 metres of a controlled area (i.e. Highway 3A).

## Background:

The subject properties were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on December 1, 1960. Available Regional District records indicate that a building permit for a single detached dwelling at 445 Sagewood Lane was previously issued in 1997, while a double-wide mobile home was placed at 449 Sagewood Lane in 1998.

At its meeting of July 20, 2017, the Regional District adopted Amendment Bylaw No. 2728, 2017, which updated the regulations related to the Agriculture (AG) Zone, and included new provisions related to the keeping of livestock.

Prior to the adoption of Amendment Bylaw No. 2728, the keeping of livestock, including chickens, was prohibited in all Residential (RS) Zones. Following the adoption of this bylaw, it became possible to maintain up to 5 "small livestock" on parcels between 625 m<sup>2</sup> and 2,500 m<sup>2</sup> in area, which the bylaw defines as meaning "poultry, rabbit or other small animals similar in size and weight but does not include farmed fur bearing animals or roosters."

Under the Electoral Area "D-1" Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject properties are currently designated Small Holdings (SH), an objective of which is to "retain and enhance the rural character of these lands." The property is also within the Radio Frequency Interference (RFI) Area associated within the Dominion Radio Astrophysical Observatory (DRAO).

Under the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, the property is currently zoned Single Family Residential Two (RS2), which permits a maximum of one (1) "single detached dwelling" as the only principal permitted use.

Under Section 7.23 (Keeping of Livestock and Honeybees) of the zoning bylaw, where "single detached

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

---

dwellings” are a permitted use the permitted number of livestock, small livestock and honeybee hives per parcel are show in the table at right.

The Regional District has received a number of written complaints regarding the use of the property at 449 Sagewood Lane for agricultural purposes, including livestock numbers and barking dogs. Both of which resulted in bylaw enforcement working with the property owner throughout 2017 in order to achieve compliance. In the case of the livestock, this was either through a reduction in animals or the submission of an application to formalise current numbers.

The property has also been the subject of a Stop Work Notice for constructing a greenhouse without a building permit (a permit was subsequently issued on July 14, 2017) and a rear deck addition without a permit (a permit was subsequently issued on June 16, 2016).

### **Analysis:**

In considering this proposal, Administration notes that the keeping of livestock in residential areas can become a point of conflict between neighbours and that the Regional District has received complaints in the past related to excessive horses, chickens, roosters and honeybees in residential neighbourhoods.

By way of example, impetus for the review of AG Zone regulations undertaken by the Regional District between 2014-16 were from complaints regarding the keeping of horses on the West Bench and excessive noise, smell and animal welfare concerns.

Similarly, the Village of Keremeos Council recently (2017) abandoned a proposal regarding the introduction of backyard chickens as a permitted use in residential zones following significant public opposition to the proposal.

Accordingly, in drafting the new regulations allowing up to 5 “small livestock” on parcels between 625 m<sup>2</sup> and 2,500 m<sup>2</sup>, the Regional District attempted to balance the interests of those residents seeking the ability to produce a small amount of their own food against residents who may have moved to a particular neighbourhood for its residential amenity (and absence of nuisance livestock).

To this end, the limit on 5 “small livestock” is an attempt to strike an acceptable balance between these competing interests and is seen to be an appropriate regulation. (NOTE: the City of Penticton limits the number of chickens in its residential zones to five, whereas the District of Summerland prohibits poultry and bees in its residential zones).

Similarly, the zoning bylaw previously required a 30.0 metre setback for livestock structures whereas the current 15.0 metres setback requirement — which is the lowest setback recommended by the Ministry of Agriculture’s standards — is an attempt to balance the desire to have livestock.

While Administration understands the applicant’s desire to provide for as much of their food needs from their property as possible, this cannot occur to the detriment of their neighbours or the surrounding area (as witnessed by the complaints that have been received for these uses).

Administration also considers that other options are available to the applicant, such as limiting the number of livestock to that allowed by the zoning bylaw while using the land that otherwise would have been occupied by animals for the growing of food.

---

Similarly, the applicant is encouraged to consider relocating to an appropriately sized and zoned property – potentially in the Agricultural Land Reserve (ALR) — in order to further their agricultural pursuits.

**Alternatives:**

- .1 THAT Bylaw No. 2457.22, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;  
AND THAT the holding of the public hearing be delegated to Director Siddon or delegate;  
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Siddon;  
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
- .2 THAT Bylaw No. 2457.22, 2018, Electoral Area "D" Zoning Amendment Bylaws 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 May 3, 2018;  
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed By:**



B. Dollevoet, Development Services Manager

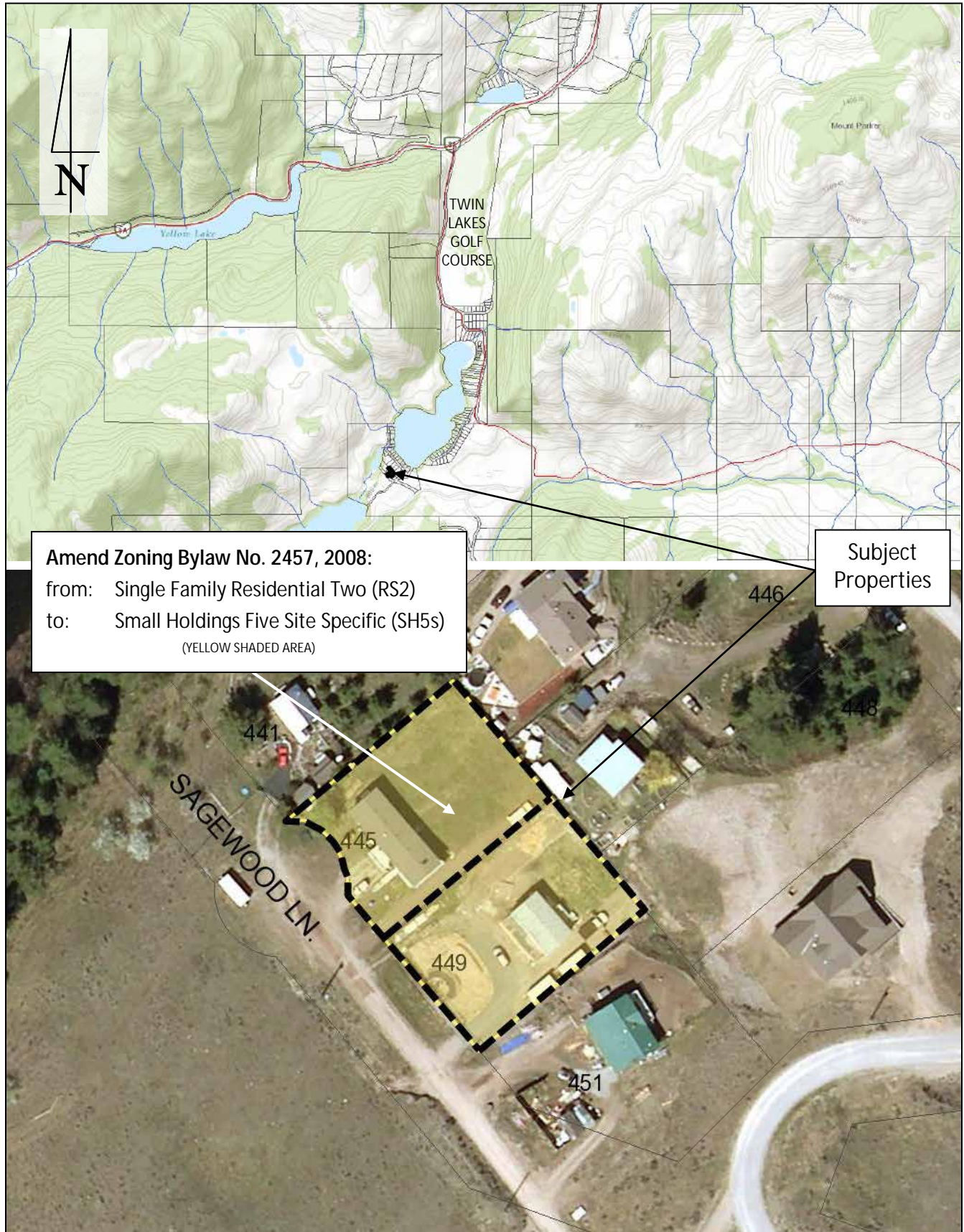
Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan (449 Sagewood Lane)

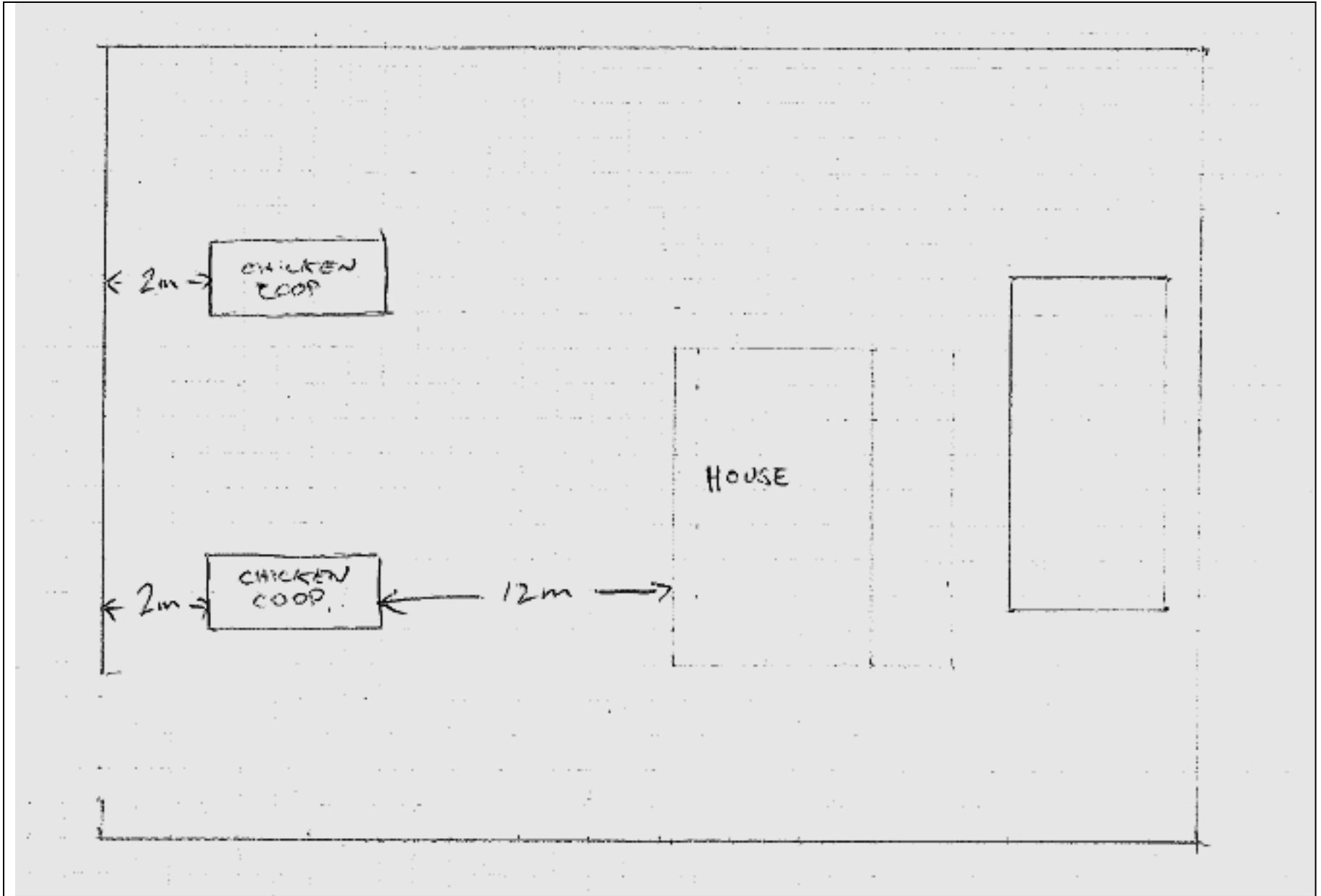
No. 3 – Site Photos (449 Sagewood Lane)



## Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan (449 Sagewood Lane)





Attachment No. 3 – Site Photos (449 Sagewood Lane)



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2457.22, 2018**

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**A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2457, 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. 2457.22, 2018."
2. The Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
  - i) adding a reference to "Small Holdings Five Zone SH5" under Section 6.1 (Zoning Districts).
  - ii) adding a new Section 10.9 (Small Holdings Five Zone) under Section 10.0 (Rural) to read as follows:

**10.9 SMALL HOLDINGS FIVE ZONE (SH5)**

**10.9.1 Permitted Uses:**

Principal uses:

- a) agriculture, subject to Section 7.23;
- b) single detached dwellings;

Secondary uses:

- c) secondary suite, subject to Section 7.12;
- d) home occupations, subject to Section 7.17;
- e) bed and breakfast operation, subject to Section 7.19; and
- f) accessory buildings and structure, subject to Section 7.13.

#### **10.9.2 Site Specific Small Holdings Five (SH5s) Provisions:**

- a) see Section 16.28

#### **10.9.3 Minimum Parcel Size:**

- a) 2,500 m<sup>2</sup>; subject to servicing requirements.

#### **10.9.4 Minimum Parcel Width:**

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

#### **10.9.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling per parcel; and
- b) one (1) secondary suite per parcel.

#### **10.9.6 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: 1.5 metres
  - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
  - i) Front parcel line: 7.5 metres
  - ii) Rear parcel line: 1.5 metres
  - iii) Interior side parcel line: 1.5 metres
  - iv) Exterior side parcel line: 4.5 metres
- c) Despite Section 10.9.6(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:
  - i) Front parcel line: 15.0 metres
  - ii) Rear parcel line: 15.0 metres
  - iii) Exterior side parcel line: 15.0 metres
  - iv) Interior side parcel line: 15.0 metres
- d) Despite Section 10.9.6(a) and (b), incinerator or compost facility:
  - i) Front parcel line: 30.0 metres

- ii) Rear parcel line: 30.0 metres
- iii) Exterior side parcel line: 30.0 metres
- iv) Interior side parcel line: 30.0 metres

#### **10.9.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 5.5 metres.

#### **10.9.8 Maximum Parcel Coverage:**

- a) 35%

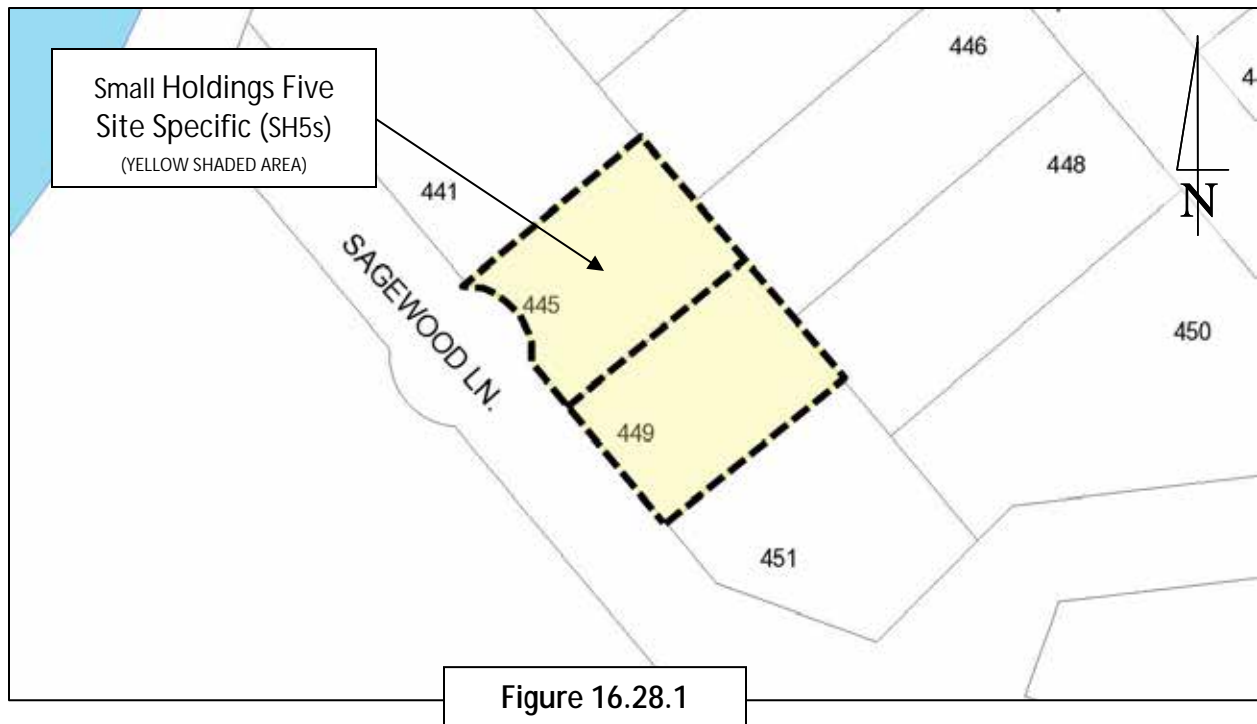
#### **10.9.9 Minimum Building Width:**

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

- iii) adding a new Section 16.28 (Site Specific Small Holdings Five (SH5s) Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

#### **16.28 Site Specific Small Holdings Five (SH5s) Provisions:**

- .1 In the case of land described as Lots 8 & 9, Plan KAP11043, District Lot 280, SDYD, and shown shaded yellow on Figure 16.28.1:
  - a) despite Section 7.23 (Keeping of Livestock and Honeybees), the number of livestock and small livestock permitted on a parcel between 625 m<sup>2</sup> to 2,500 m<sup>2</sup> in area shall be one (1) livestock and 25 small livestock.
  - b) despite Section 10.9.6(c), the minimum setback for a livestock structure from a parcel line shall be 2.5 metres.



3. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by changing the land use designation on the land described as Lots 8 & 9, Plan KAP11043, District Lot 280, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Small Holdings Five Site Specific (SH5s).

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Board Chair

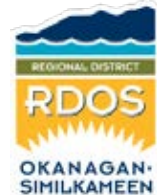
\_\_\_\_\_  
Corporate Officer



# Regional District of Okanagan-Similkameen

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

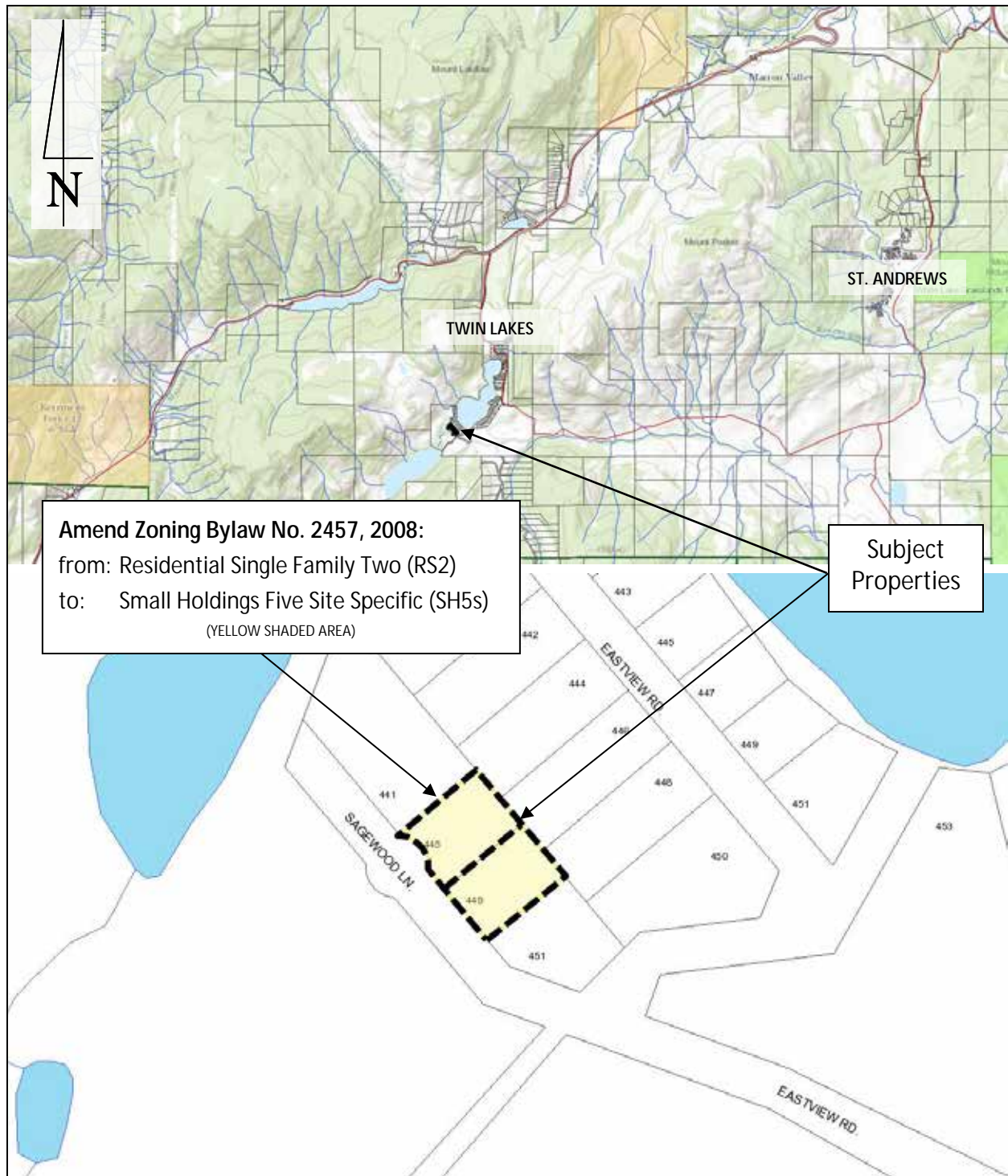
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2457.22, 2018

Project No: D2017.147-ZONE

## Schedule 'A'





## Lauri Feindell

---

**From:** Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>  
**Sent:** February 14, 2018 11:19 AM  
**To:** Planning  
**Cc:** Lauri Feindell  
**Subject:** RE: Bylaw Referral - D2017.147-ZONE

**Categories:** Zoning Bylaw amendments

Hello Christopher Garrish and the other RDOS Planners!

Thank you for your referral D2017.147-ZONE regarding 445 and 449 Sagewood Lane, L 9 and L 8, DL 280 SIMILKAMEEN DIVISION YALE DISTRICT PL 11043. According to Provincial records there are no known archaeological sites recorded on either subject property. However, archaeological potential modeling for the area indicates there is the possibility for unknown/unrecorded archaeological sites to exist on both of the properties.

Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch.

Prior to any land alterations (e.g., addition to home, property redevelopment, extensive landscaping, service installation), an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the properties to determine whether the work may impact protected archaeological materials.

An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists ([www.bcapa.ca](http://www.bcapa.ca)) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

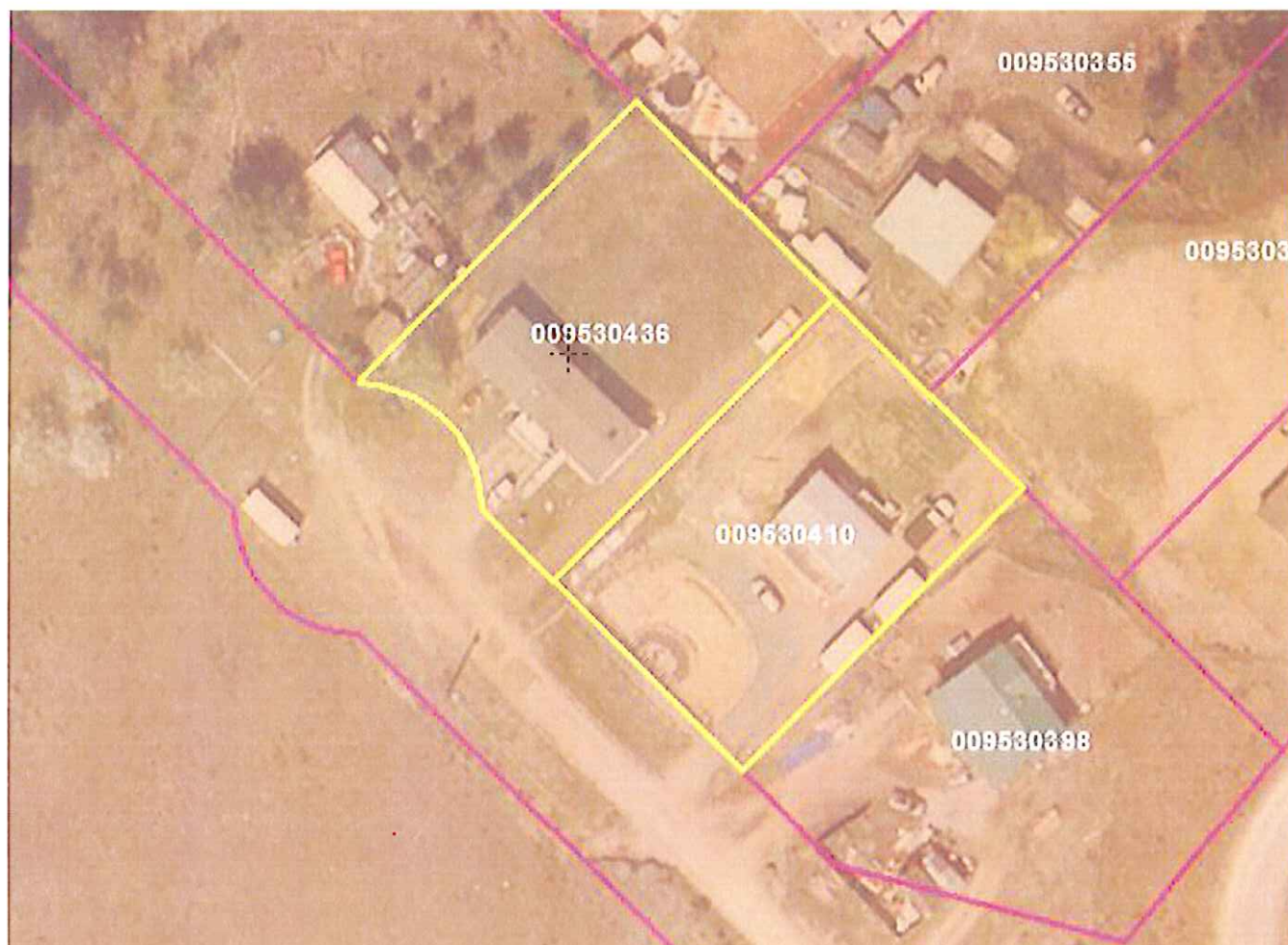
If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

Please review the screenshot of the properties below (outlined in yellow) in relation to the archaeological potential. In this case, the entire area within which the properties are located has high potential for unknown/unrecorded archaeological materials, as indicated by the brown/orange colouration of the screenshot. If this does not represent the properties listed in the referral, please contact me.



Kind regards,

Diana



**Diana Cooper** | Archaeologist/Archaeological Site Inventory Information and Data Administrator

**Archaeology Branch** | Ministry of Forests, Lands, Natural Resource Operations and Rural Development  
Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3  
Phone: 250-953-3343 | Fax: 250-953-3340 | Website: <http://www.for.gov.bc.ca/archaeology/>

---

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

**Sent:** Wednesday, January 24, 2018 10:55 AM

**To:** HBE@interiorhealth.ca; 'fbclands@fortisbc.com'; Pellett, Tony ALC:EX; Skinner, Anne E AGRI:EX; Cooper, Diana FLNR:EX; nrc.drao-ofr.cnrc@nrc-cnrc.gc.ca; Referral Apps REG8 FLNR:EX

**Cc:** Christopher Garrish

**Subject:** Bylaw Referral - D2017.147-ZONE

Good Morning,

Re: Project No. D2017.147-ZONE

Bylaw No. D2457.22

Legal: Lots 8 & 9, Plan KAP11043, DL280, SDYD

Address: 445 & 449 Sagewood Lane, Twin Lakes



DEVELOPMENT APPROVALS  
PRELIMINARY BYLAW  
COMMUNICATION

Your File #: D2017.147-ZONE ( Esperenza)  
eDAS File #: 2018-00441  
Date: January 26, 2018

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

Attention: Lauri Feindell, Planning Secretary

Re: Proposed Text Amendment Bylaw 2457.22, 2018 for:  
Lot 8 and 9, District Lot 280, SDYD, Plan KAP11043

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*, subject to the following conditions:

1. The landowner must submit an application to this Ministry to obtain a Setback Permit pursuant to *Provincial Public Undertakings Regulation 513/2004*, prior to this Ministry's approval of the Text Amendment Bylaw.

Please include the Ministry's signature block on the Bylaw form prior to sending it after 3<sup>rd</sup> reading.

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) 712-3660 Fax: (250) 490-2231

CC: Appl. - 10394/p





Interior Health  
Every matters

February 21, 2018

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

Dear Christopher Garrish,

**RE. File Number: D2017.147-ZONE**

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Thank you for the opportunity to provide comments for Regional District Board and staff consideration regarding the above referenced zoning bylaw amendment. It is our understanding that the zoning bylaw amendment of the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008 would for changing the current Residential Single Family Two (RS2) to Small Holding Five Site Specific (SH5s) to permit up to 25 "small livestock" and 1 "livestock" on a parcel less than 2,500m<sup>2</sup> in area as well as reducing the parcel line setbacks for livestock structures from 15.0 meters to 2.5 meters. This referral has been reviewed from a Healthy Built Environment, Healthy Food Systems, and Environmental Public Health perspectives and will be outlined below with the exception of Healthy Built Environment lens for which the interests are unaffected. The following information is for your consideration.

**Healthy Food Systems**

Food systems determine how we choose food and what food we have access to. The food we eat is critical to our health. Land use decisions can influence food production which can thereby impact the accessibility, quality and variety of food available to us. Research suggests that small-scale agriculture activities have the potential to build community and influence food knowledge and preferences, in addition to contributing to the local food supply. Having access to healthy and safe food helps to protect the population from chronic disease and infectious illnesses.

- It appears this application for site specific rezoning to allow agriculture has the potential to support a healthy food system as it may present a learning experience for families and neighbours and foster an understanding of where food comes from. Children learn first-hand about food, biology, geography and community.
- Having chickens allows people to know how the hens producing the eggs have been raised, fed and treated.
- Backyard chickens allow regular, convenient access to eggs that are of higher nutritional value than non-free range eggs.

**Environmental Public Health**

- Concerns related to noise, odour and fecal waste disposal can be minimized if proper practices are followed. Where properly set up, composting of chicken manure and bedding is a possibility. It should be recognized that failure to control aesthetic concerns may increase opposition to agriculture in the immediate neighbourhood area.
- Risk for pathogen transmission (e.g. Salmonella and Campylobacter) is present, but can be mitigated with proper housing and hygiene when handling chickens and eggs.
- The risk of avian influenza development is not appreciably increased by backyard hen. It would be suggested that the applicant follow the advice of CFIA: Bird Health Basics - How to Prevent and Detect Disease in Backyard Flocks and Pet Birds.

Bus: 250-549-5758

[janelle.rimell@interiorhealth.ca](mailto:janelle.rimell@interiorhealth.ca)

[www.interiorhealth.ca](http://www.interiorhealth.ca)

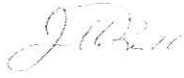
POPULATION HEALTH

1440 14<sup>th</sup> Avenue

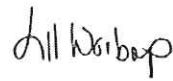
Vernon BC V1B 2T1

Please feel free to contact me directly if you have any further questions or comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Rimell".

Janelle Rimell, B.Sc, B.Tech, C.P.H.I.(C)  
Environmental Health Officer  
Healthy Communities Development Team

A handwritten signature in cursive script, appearing to read "Jill Worboys".

Jill Worboys  
Public Health Dietitian  
Healthy Eating and Food Security



# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen

FILE NO.: D2017.147-ZONE

FROM: Name:

Wade McGinnis / Veis Pahlavan

(please print)

Street Address:

Tel/Email:

RE:

Electoral Area "D" Zoning Amendment Bylaw No. 2457.22

445 & 449 Sagewood Lane

Rezone from Residential Single Family Two (RS2) to Small Holdings Five Site Specific (SH5s)

My comments / concerns are:

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

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2457.22.

Proposed rezoning Does Not fit with current community plan.  
animal waste concentrated in such a small area may affect  
water quality? Noise, Vermin, Negative effects on property  
value, overall appearance. The smell and fly's have been  
overwhelming

Our aquatic is considered to be very sensitive and  
will must be considered before rezoning can take place.

Thank you Wade / Veis

Feedback Forms must be completed and returned to the Regional District  
no later than Friday February 20, 2018

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 Marlin Street, Penticton, BC V2A 5J9, 250-492-0237.

ESPERANZA



**From:** Christopher Garrish  
**To:** "wade mcginnis"  
**Subject:** RE: Proposed Rezoning of 441, 445 & 449 Sagewood Lane, Twin Lakes (D2017.147-ZONE)  
**Date:** December 14, 2017 9:40:00 AM

---

Hi Wade,

Thanks for the note. I will update the application based on this to not include your property in the proposed rezoning.

Sincerely,

Chris.

**From:** wade mcginnis [mailto:wade.mcginis@rdos.bc.ca]  
**Sent:** December 12, 2017 5:36 PM  
**To:** Christopher Garrish <cgarrish@rdos.bc.ca>  
**Subject:** Re: Proposed Rezoning of 441, 445 & 449 Sagewood Lane, Twin Lakes (D2017.147-ZONE)

Hi Christopher

I am writing to let you know I have spoken with the neighbours and the general consensus is that René has little to no support for this redevelopment. After viewing the state of Rene's property we are absolutely against this rezoning proposal. With the number of animals on this small property (40 chickens, 4 roosters, pig and 3 large dogs) we are very concerned about our drinking water being negatively affected. The vermin (raccoons) that we are now seeing and hearing is a major concern as we just had our cat go missing. René now has small live game traps in his yard because he knows he is now attracting all kinds of predators to our quiet street. Please remove our property 441 sagewood lane from this rezoning proposal.

FYI I have spoken with one of the neighbours about this matter and I was told René is such a volatile individual he does not want to get involved as he is genuinely scared of the fallout.

If you require my wife or myself to come by the office for further paperwork please let me know I would be happy to do so.

Thank you for your time and consideration to to this urgent matter.

Wade/Veis

On Dec 7, 2017, at 10:50 AM, Christopher Garrish <cgarrish@rdos.bc.ca> wrote:

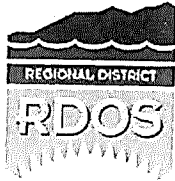
Hello,

As discussed this morning, here is the page we have on our web-site related to the proposed rezoning of the properties at 441, 445 & 499 Sagewood Lane (I see the not all of the links are active yet and will try to correct that this afternoon):

<http://www.rdos.bc.ca/departments/development-services/planning/current-applications-decisions/electoral-area-d1/d2017147-zone/>

Sincerely,

Chris.



OKANAGAN-  
SIMILKAMEEN

# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen

FILE NO.: D2017.147-ZONE

FROM: Name:

DEVORAH TICHA

(please print)

Street Address:

Tel/Email:

RE:

Electoral Area "D" Zoning Amendment Bylaw No. 2457.22

445 & 449 Sagewood Lane

★ Rezone from Residential Single Family Two (RS2) to Small Holdings Five Site Specific (SH5s)

*Both these properties will onto 446 Eastwood Rd.*

My comments / concerns are:

☐

I do support the proposed development.

☐

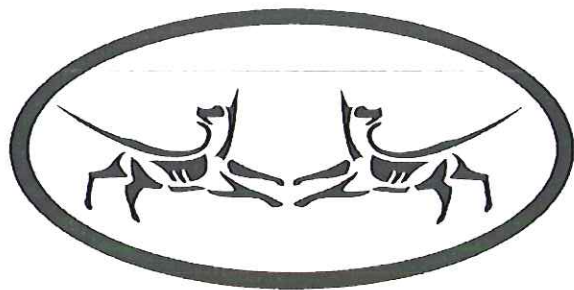
I do support the proposed development, subject to the comments listed below.

☒

I do not support the proposed development.

Written submissions received from this information meeting will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2457.22.





## Penticton Indian Band

Natural Resources Department

R.R. #2, Site 80, Comp.19

Penticton, B.C. CAN

V2A 6J7

Referrals@pib.ca | www.pib.ca

Telephone: 250-492-0411 Fax: 250-493-2882

January-30-18

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

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

RTS ID: 2949

Referral ID: 2018-01-22 ZON

Referral Date: January-22-18

Reference ID: BL2457.22 D2017.147-Zone

**Summary:** Subject property under Schedule '2' (Zoning Map) of the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, from Residential Single Family Two (RS2) to Small Holding Five Site Specific (SH5s).

### **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 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.

<sup>1</sup>The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982





## Penticton Indian Band

Natural Resources Department

R.R. #2, Site 80, Comp. 19

Penticton, B.C. CAN

V2A 6J7

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January-30-18

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

RTS ID: 2949

Referral ID: 2018-01-22 ZON

Referral Date: January-22-18

Reference ID: BL2457.22 D2017.147-Zone

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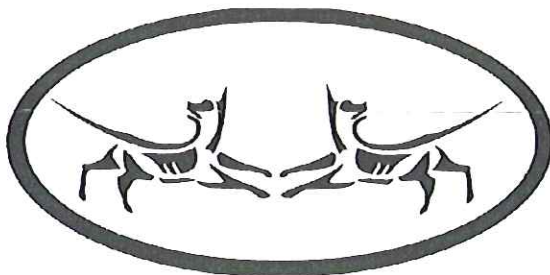
The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right 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.

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<sup>1</sup>The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



## Penticton Indian Band

Natural Resources Department  
773 Westhills Drive | 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

January-30-18

Regional District of Okanagan Similkameen  
101 Martin Street  
PentictonBC V2A 5J9

**RTS ID:** 2949

**Referral Date:** January-22-18

**Referral ID:** 2018-01-22 ZON

**Reference ID:** BL2457.22 D2017.147-Zone

**Summary:** Subject property under Schedule '2' (Zoning Map) of the Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, from Residential Single Family Two (RS2) to Small Holding Five Site Specific (SH5s).

**Attention: Christopher Garrish**

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on January-30-18. 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 economically 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.

Limlæmt,  
Lavonda Nelson  
Referrals Administrator

RTS ID: 2949

CC: Osoyoos Indian Band (Referrals@oib.ca), Penticton Indian Band (jpepper@pib.ca), ONA (nrmanager@syilx.org)



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Official Community Plan & Zoning Bylaw Amendments  
Industrial Zone Update - Electoral Areas "A", "C", "D", "E" & "F"

---

## **Administrative Recommendation:**

**THAT Bylaw No. 2783, 2018, Regional District of Okanagan-Similkameen Industrial Zone Update Amendment Bylaw be read a third time.**

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## **Purpose:**

Amendment Bylaw No. 2783 seeks to amend the Electoral Area "A", "C", "D", "E" and "F" Official Community Plan and Zoning Bylaws in order to update the industrial zones found in these electoral areas. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

## **Background:**

At its meeting of June 15, 2017, the Planning and Development (P&D) Committee of the Board considered an administrative report related to the "Industrial Zone Review and Consolidation" and a draft version of Amendment Bylaw No. 2783.

On December 5, 2017, the Regional District sent letters to all registered property owners with land zoned industrial advising of the proposed changes to the land use bylaws and seeking feedback. Approximately two feedback forms and other submissions were returned and are included as a separate item on the Board Agenda.

At its meeting of March 15, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur on April 5, 2018, at the Regional District office in Penticton.

All comments received through the public process have been compiled and included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposed amendments will affect lands situated within 800 metres of a controlled area.

## **Analysis:**

In undertaking this review of the various Industrial zones currently found in the Okanagan Electoral Area Zoning Bylaws, Administration's guiding principle has been to *generally* minimize the impact of the proposed changes on permitted uses and zoning regulations (i.e. setbacks, building height, parcel coverage, etc.).

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Administration further considers there to be significant merit in consolidating the current industrial zones, which number six, into a main core of three (3) zones, being: General Industrial (I1), Heavy Industrial (I2) and Community Waste Management (I3).

These new zones will have consistent permitted uses which reflect the zoning title, many of which are being provided with updated and clearer definitions. The proposed reduction of setback requirements in the industrial zones will also bring the Regional District's regulations in-line with the setbacks required by the member municipalities in their industrial zones.

Further to the direction provided by the P&D Committee of the Board at its meeting of March 15, 2018, "cannabis production" will become a permitted form of "manufacturing" use listed as a permitted use in the I1 General Industrial, and I2 Heavy Industrial zones.

Finally, and with regard to the Electoral Area "E" & "F" OCP Bylaws, Administration supports the introduction of policy statements addressing the requirements of the Local Government Act that an OCP Bylaw *must* include statements respecting the approximate location, amount and type of present and proposed industrial land (NOTE: neither of these electoral area bylaws currently meet this requirement).

**Alternatives:**

1. THAT the Board of Directors defer consideration of third reading of Amendment Bylaw No. 2783, 2018; OR
2. THAT the Board of Directors rescind first and second readings of Amendment Bylaw No. 2783, 2018, and abandon the bylaw.

**Respectfully submitted:**

  
C. Garrish, Planning Supervisor

**Endorsed by:**

  
B. Dollevoet, Dev. Services Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2783, 2018**

---

**A Bylaw to amend the Electoral Area "A", "C", "D", "E" and "F"  
Official Community Plan and 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 "Industrial Zone Update Amendment Bylaw No. 2783, 2018."

**Electoral Area "A"**

2. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by:

- i) changing the land use designation on the land described as Lot A, Plan KAP17537, District Lot 2450S, SDYD, Portion L 467, ROAD, and shown shaded yellow on Schedule 'A-1', which forms part of this Bylaw, from Industrial (I) to Agriculture (AG).
- ii) changing the land use designation on the land described as part of Section 3, Township 65, SDYD, Portion SE ¼, Except Part Lying north and west of Highway shown on Plan H415, and shown shaded yellow on Schedule 'C-1', which forms part of this Bylaw, from Industrial (I) to Resource Area (RA).

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

- i) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

**"agriculture"** means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

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

“**asphalt plant**” means the processing and manufacturing of road paving materials from raw material and petroleum products;

- iii) adding a new definition of “cannabis” under Section 4.0 (Definitions) to read as follows:

“**cannabis**” means any plant of the genus *cannabis*; including:

- a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

- iv) adding a new definition of “cannabis production” under Section 4.0 (Definitions) to read as follows:

“**cannabis production**” means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- v) adding a new definition of “cannabis products” under Section 4.0 (Definitions) to read as follows

“**cannabis products**” means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

- vi) adding a new definition of “commercial card-lock facility” under Section 4.0 (Definitions) to read as follows:

“**commercial card-lock facility**” means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

- vii) adding a new definition of “concrete plant” under Section 4.0 (Definitions) to read as follows:

“**concrete plant**” means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

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

**“construction supply centre”** means the retail sale or wholesale of building material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and may include accessory rental of home construction, maintenance or repair equipment;

- ix) adding a new definition of “food and beverage processing” under Section 4.0 (Definitions) to read as follows:

**“food and beverage processing”** means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a brewery, cidery, distillery or meadery and winery;

- x) adding a new definition of “fleet service” under Section 4.0 (Definitions) to read as follows:

**“fleet service”** means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes a freight terminal;

- xi) adding a new definition of “freight terminal” under Section 4.0 (Definitions) to read as follows:

**“freight terminal”** means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

- xii) replacing the definition of “gravel processing” under Section 4.0 (Definitions) with the following:

**“gravel processing”** means screening, sorting, crushing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

- xiii) adding a new definition of “manufacturing” under Section 4.0 (Definitions) to read as follows:

**“manufacturing”** means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

- xiv) adding the definition of “natural resource extraction” under Section 4.0 (Definitions) with the following:

“**natural resource extraction**” means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

- xv) adding a new definition of “outdoor storage” under Section 4.0 (Definitions) to read as follows:

“**outdoor storage**” means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

- xvi) adding a new definition of “refuse disposal site” under Section 4.0 (Definitions) to read as follows:

“**refuse disposal site**” means an area of land for the disposal of municipal solid waste, as permitted under the *Waste Management Act* (British Columbia);

- xvii) adding a new definition of “salvage operation” under Section 4.0 (Definitions) to read as follows:

“**salvage operation**” means a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including more than two derelict vehicles, are stored or kept, for private or commercial purposes;

- xviii) adding a new definition of “self storage” under Section 4.0 (Definitions) to read as follows:

“**self-storage**” means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

- xix) adding a new definition of “service industry establishment” under Section 4.0 (Definitions) to read as follows:

“**service industry establishment**” means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;



- xx) adding a new definition of “storage and warehouse” under Section 4.0 (Definitions) to read as follows:

“**storage and warehouse**” means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

- xxi) replacing the definition of “vehicle sales and service establishment” under Section 4.0 (Definitions) to read as follows:

“**vehicle sales and rentals**” means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a “vehicle” includes automobiles, recreational vehicles (RV’s), boats, all-terrain vehicles (ATV’s), and motorcycles;

- xxii) adding a new definition of “wholesale business” under Section 4.0 (Definitions) to read as follows:

“**wholesale business**” means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to retail users, industrial users, commercial users, institutional users or wholesale users;

- xxiii) replacing the Industrial zone references under Section 6.1 (Zoning Districts) with the following:

**INDUSTRIAL ZONES**

General Industrial Zone	I1
Community Waste Management Zone	I3

- xxiv) adding a new sub-section 10.1.1(g) under Section 10.1 (Resource Area Zone) with the following and renumbering all subsequent sections:

g) natural resource extraction;

- xxv) replacing Section 13.1.1(c) under Section 13.1 (General Commercial Zone) in its entirety with the following:

c) vehicle sales and rentals;

- xxvi) replacing Section 13.1.1(g) under Section 13.1 (General Commercial Zone) in its entirety with the following:

g) service industry establishment;

- xxvii) replacing Section 14.0 (Industrial) in its entirety with the following:

## 14.0 INDUSTRIAL

---

### 14.1 GENERAL INDUSTRIAL ZONE (I1)

#### 14.1.1 Permitted Uses:

##### Principal Uses:

- a) construction supply centre;
- b) fleet service;
- c) food and beverage processing;
- d) freight terminal;
- e) manufacturing;
- f) outdoor storage;
- g) packing, processing and storage of farm products;
- h) salvage operation;
- i) self-storage;
- j) service industry establishment;
- k) storage warehouse;
- l) vehicle sales and rentals;
- m) veterinary establishment;
- n) wholesale business;

##### Secondary Uses:

- o) accessory buildings and structures, subject to Section 7.13;
- p) accessory dwelling, subject to Section 7.11;
- q) offices; and
- r) retail sales.

#### 14.1.2 Site Specific General Industrial (I1s) Provisions:

- a) see Section 16.13

#### 14.1.3 Minimum Parcel Size:

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

#### 14.1.4 Minimum Parcel Width:

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

#### **14.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

#### **14.1.6 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
- b) Accessory buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

#### **14.1.6 Maximum Building Height:**

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

#### **14.1.7 Maximum Parcel Coverage:**

- a) 40%

### **14.2 COMMUNITY WASTE MANAGEMENT ZONE (I3)**

#### **14.2.1 Permitted Uses:**

##### Principal Uses:

- a) refuse disposal site;
- b) composting operation;

##### Secondary Uses:

- c) accessory buildings and structures, subject to Section 7.13.

#### **14.2.2 Site Specific Community Waste Management (I3s) Provisions:**

- a) see Section 16.17

#### **14.2.3 Minimum Parcel Size:**

- a) 10.0 ha.

#### **14.2.4 Minimum Parcel Width:**

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

#### **14.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) Not applicable.

#### **14.2.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 30.0 metres
  - ii) Rear parcel line 30.0 metres
  - iii) Interior side parcel line 30.0 metres
  - iv) Exterior side parcel line 30.0 metres
- b) Accessory buildings and structures:
  - i) Front parcel line 30.0 metres
  - ii) Rear parcel line 30.0 metres
  - iii) Interior side parcel line 30.0 metres
  - iv) Exterior side parcel line 30.0 metres
- c) despite Section 14.2.6(a) and (b), the distance between the external boundary of a composting operation and the natural boundary of a watercourse such as a river, stream, marsh, or estuary must not be less than 100.0 metres.

#### **14.2.7 Maximum Building Height:**

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

#### **14.2.8 Maximum Parcel Coverage:**

- a) 25%

xxviii) replacing sub-section 16.1.1 (Site Specific Resource Area Provisions) under Section 16.0 (Site Specific Designations) with the following:

- .1 In the case of land described as Section 3, Township 65, SDYD, Portion SE ¼, Except Part Lying north and west of Highway shown on Plan H415, and shown shaded yellow on Figure 16.1.1:

- a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 10.1.1:
  - i) concrete plant.

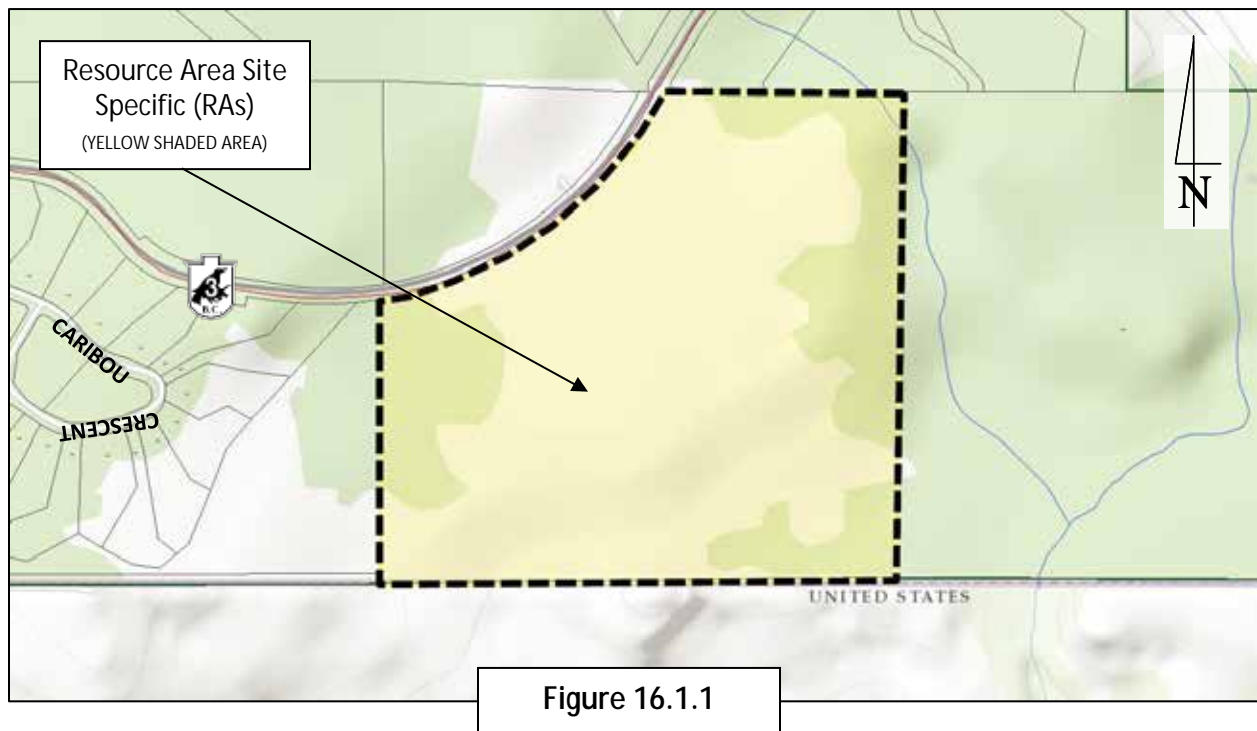


Figure 16.1.1

xxix) replacing Section 16.13 (Site Specific Industrial (Light) One Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

**16.13 Site Specific General Industrial (I1s) Provisions:**

- .1 In the case of an approximately 0.5 ha part of the land described as Lots A & B, Plan KAP2155, District Lot 2450S, SDYD, and shown shaded yellow on Figure 16.13.1:
  - a) the following principal uses and no others shall be permitted on the land:
    - i) service industry establishment;
  - b) the following accessory uses and no others shall be permitted on the land:
    - i) "retail sales"; and
    - ii) "offices".

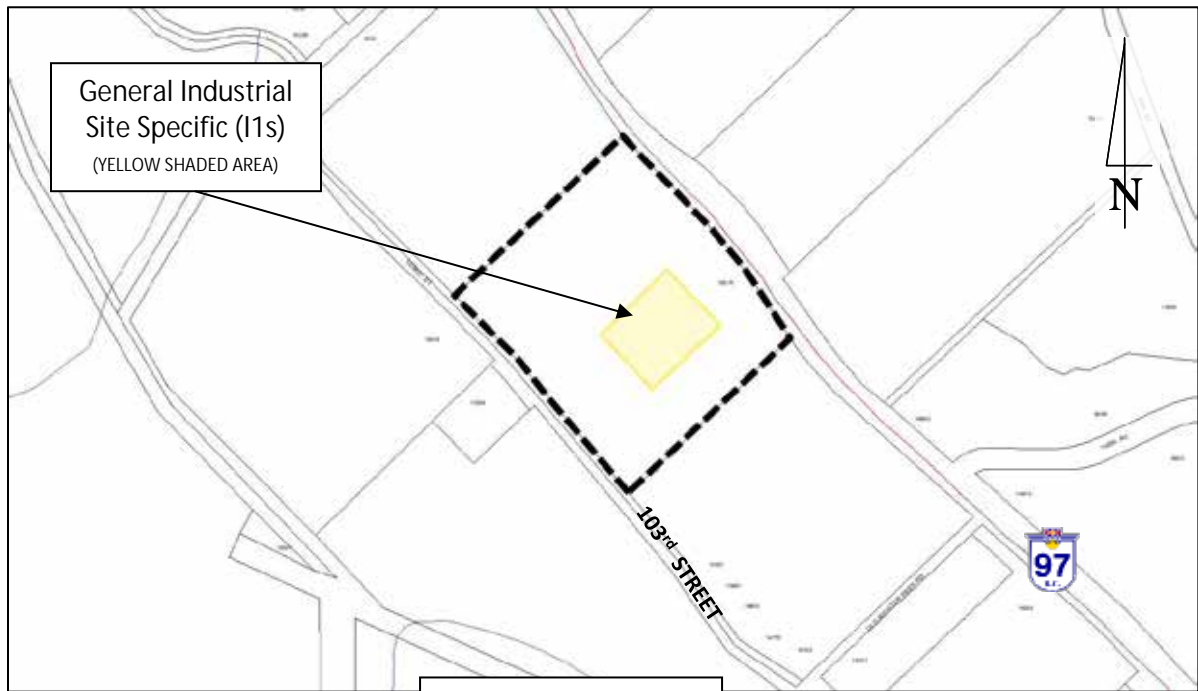


Figure 16.13.1

- .2 In the case of an approximately 0.8 ha part of the land described as Plan KAP5896B, District Lot 2450S, SDYD, Parcel A, Portion Lot 600 Plan 1950, and shown shaded yellow on Figure 16.13.2:
- a) the following principal uses and no others shall be permitted on the land:
    - i) manufacturing;
    - ii) outdoor storage;
    - iii) packing, processing and storage of farm products;
    - iv) service industry establishment; and
    - v) winery.
  - b) the following accessory uses and no others shall be permitted on the land:
    - i) retail sales; and
    - ii) offices.



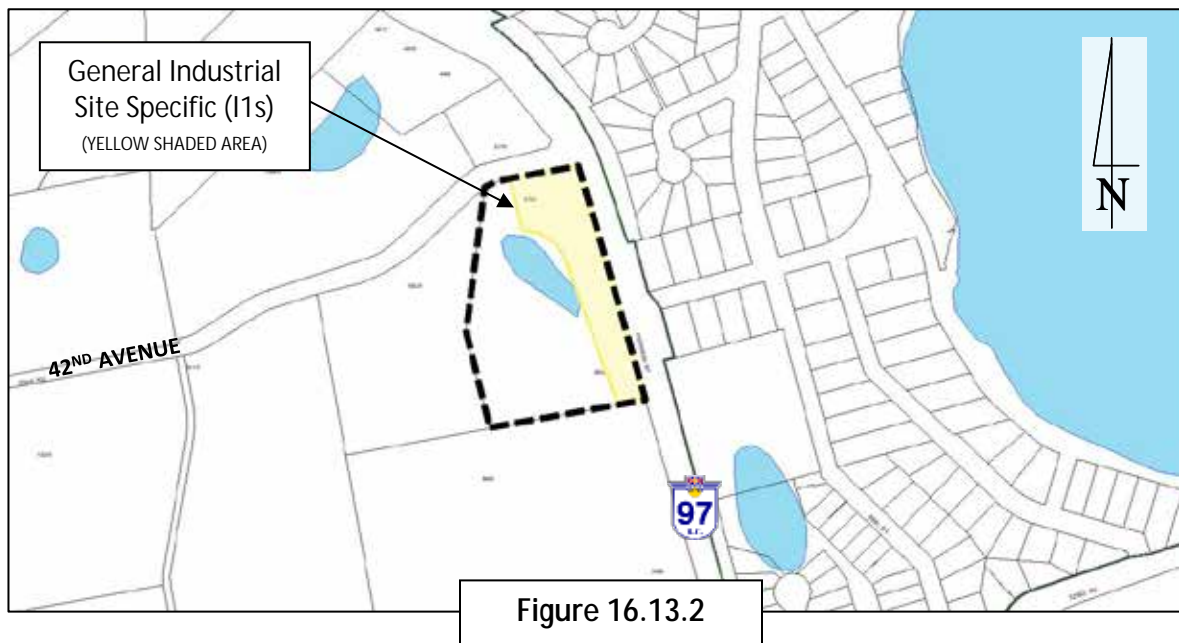


Figure 16.13.2

xxx) adding a new Section 16.17 (Site Specific Community Waste Management Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

**16.17 Site Specific Community Waste Management (I3s) Provisions:**

.1 *blank*

4. The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2450, 2008, is amended by:
  - i) changing the land use designation on the land described as Lot A, Plan KAP17537, District Lot 2450S, SDYD, Portion L 467, ROAD, and shown shaded yellow on Schedule 'A-2', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Agriculture One (AG1).
  - ii) changing the land use designation on the land described as Lot 1, Plan KAP60396, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'B-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to General Industrial (I1).
  - iii) changing the land use designation on the land described as part of Section 3, Township 65, SDYD, Portion SE ¼, Except Part Lying north and west of Highway shown on Plan H415, and shown shaded yellow on Schedule 'C-2', which forms part of this Bylaw, from part Industrial (Light) One Site Specific (I1s) and part Resource Area (RA) to Resource Area Site Specific (RAs).
  - iv) changing the land use designation on the land described as:
    - Lot 993, Plan KAP22982, District Lot 2450S, SDYD, Portion PLUS BLK S DL 2450S, Lease/Permit/Licence # 342745, District Lot 2450S, SDYD, Lot 993 of District Lot 2450s, Plan 22982 and Block S of District Lot 2450s for Waste Disposal Site;

- Lot 829, Plan KAP5102, District Lot 2450S, SDYD; and
  - an approximately 3.5 ha part of Block AB, District Lot 2450S, SDYD,  
and shown shaded yellow on Schedule 'D-1', which forms part of this Bylaw, from  
Industrial (Light) One Site Specific (I1s) to Community Waste Management (I3).
- v) changing the land use designation of all parcels zoned Industrial (Light) One (I1) to  
General Industrial (I1).

#### Electoral Area "C"

5. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "C" Official  
Community Plan Bylaw No. 2452, 2008, is amended by:
- i) changing the land use designation on an approximately 1,700 m<sup>2</sup> part of the land  
described as Lot A, Plan KAP57770, District Lot 2450S, SDYD, and shown shaded yellow  
on Schedule 'G-1', which forms part of this Bylaw, from Industrial (I) to Agriculture  
(AG).
  - ii) changing the land use designation on an approximately 7,250 m<sup>2</sup> part of the land  
described as Lot A, Plan KAP57770, District Lot 2450S, SDYD, and shown shaded blue  
on Schedule 'G-1', which forms part of this Bylaw, from Agriculture (AG) to Industrial  
(I).
  - iii) changing the land use designation on the land described as District Lot 3098S, SDYD;  
District Lot 3582S, SDYD; and part of District Lot 3581S, SDYD, and shown shaded  
yellow on Schedule 'H-1', which forms part of this Bylaw, from Industrial (I) to Resource  
Area (RA).
  - iv) changing the land use designation on the land described as Lot 987, Plan KAP19702,  
District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'I-1', which forms part  
of this Bylaw, from Industrial (I) to Resource Area (RA).
  - v) changing the land use designation on an approximately 3.4 ha part of the land  
described as Lot A, Plan KAP39949, District Lot 2710, SDYD, and shown shaded blue on  
Schedule 'K-1', which forms part of this Bylaw, from Industrial (I) to Resource Area  
(RA).
  - vi) changing the land use designation on an approximately 5.8 ha part of the land  
described as Lot A, Plan KAP39949, District Lot 2710, SDYD, and shown shaded yellow  
on Schedule 'K-1', which forms part of this Bylaw, from Resource Area (RA) to Industrial  
(I).
  - vii) changing the land use designation on the land described as Lot 1, Plan KAP52063,  
District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'S-1', which forms part  
of this Bylaw, from Industrial (I) to Low Density Residential (LR).
6. The "Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:

- i) deleting the definitions of “heavy industrial” and “light industrial” under Section 4.0 (Definitions).
- ii) by replacing the definition of “agriculture” under Section 4.0 (Definitions) with the following:

“**agriculture**” means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;
- iii) adding a new definition of “asphalt plant” under Section 4.0 (Definitions) to read as follows:

“**asphalt plant**” means the processing and manufacturing of road paving materials from raw material and petroleum products;
- iv) adding a new definition of “cannabis” under Section 4.0 (Definitions) to read as follows:

“**cannabis**” means any plant of the genus *cannabis*; including:

  - a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
  - b) any substance or mixture of substances that contains or has on it any part of such a plant; and
  - c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- v) adding a new definition of “cannabis production” under Section 4.0 (Definitions) to read as follows:

“**cannabis production**” means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;
- vi) adding a new definition of “cannabis products” under Section 4.0 (Definitions) to read as follows:

“**cannabis products**” means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

- vii) adding a new definition of “commercial card-lock facility” under Section 4.0 (Definitions) to read as follows:

“**commercial card-lock facility**” means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

- viii) adding a new definition of “concrete plant” under Section 4.0 (Definitions) to read as follows:

“**concrete plant**” means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

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

“**construction supply centre**” means the retail sale or wholesale of building material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and may include accessory rental of home construction, maintenance or repair equipment;

- x) adding a new definition of “fleet service” under Section 4.0 (Definitions) to read as follows:

“**fleet service**” means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

- xi) adding a new definition of “food and beverage processing” under Section 4.0 (Definitions) to read as follows:

“**food and beverage processing**” means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a brewery, cidery, distillery or meadery and winery;

- xii) adding a new definition of “freight terminal” under Section 4.0 (Definitions) to read as follows:

“**freight terminal**” means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

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

**“gravel processing”** means screening, sorting, crushing, washing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

- xiv) adding a new definition of “manufacturing” under Section 4.0 (Definitions) to read as follows:

**“manufacturing”** means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

- xv) adding a new definition of “natural resource extraction” under Section 4.0 (Definitions) to read as follows:

**“natural resource extraction”** means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

- xvi) adding a new definition of “outdoor storage” under Section 4.0 (Definitions) to read as follows:

**“outdoor storage”** means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

- xvii) adding a new definition of “refuse disposal site” under Section 4.0 (Definitions) to read as follows:

**“refuse disposal site”** means an area of land for the disposal of municipal solid waste, as permitted under the *Waste Management Act* (British Columbia);

- xviii) adding a new definition of “self storage” under Section 4.0 (Definitions) to read as follows:

**“self-storage”** means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

- xix) adding a new definition of “service industry establishment” under Section 4.0 (Definitions) to read as follows:

**“service industry establishment”** means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting);

tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

- xx) adding a new definition of “storage and warehouse” under Section 4.0 (Definitions) to read as follows:

“**storage and warehouse**” means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

- xxi) replacing the definition of “vehicle sales and service establishment” under Section 4.0 (Definitions) to read as follows:

“**vehicle sales and rentals**” means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a “vehicle” includes automobiles, recreational vehicles (RV’s), boats, all-terrain vehicles (ATV’s), and motorcycles;

- xxii) adding a new definition of “wholesale business” under Section 4.0 (Definitions) to read as follows:

“**wholesale business**” means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to retail users, industrial users, commercial users, institutional users or wholesale users;

- xxiii) replacing the Industrial zone references under Section 6.1 (Zoning Districts) with the following:

**INDUSTRIAL ZONES**

General Industrial Zone	I1
Heavy Industrial Zone	I2
Community Waste Management Zone	I3

- xxiv) adding a new sub-section 10.1.1(g) under Section 10.1 (Resource Area Zone) with the following and renumbering all subsequent sections:

- g) natural resource extraction;

- xxv) replacing Section 13.1.1(i) under Section 13.1 (General Commercial Zone) in its entirety with the following:

- i) vehicle sales and rentals;

- xxxi) replacing Section 13.1.1(j) under Section 13.1 (General Commercial Zone) in its entirety with the following:



- j) service industry establishment;
- xxxii) replacing Section 13.1.1(k) under Section 13.1 (General Commercial Zone) in its entirety with the following:
  - k) *deleted*;
- xxvi) replacing Section 14.0 (Industrial) in its entirety with the following:

## **14.0 INDUSTRIAL**

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### **14.1 GENERAL INDUSTRIAL ZONE (I1)**

#### **14.1.1 Permitted Uses:**

##### Principal Uses:

- a) construction supply centre;
- b) fleet service;
- c) food and beverage processing;
- d) freight terminal;
- e) manufacturing;
- f) outdoor storage;
- g) packing, processing and storage of farm products;
- h) salvage operation;
- i) self-storage;
- j) service industry establishment;
- k) storage warehouse;
- l) vehicle sales and rentals;
- m) veterinary establishment;
- n) wholesale business;

##### Secondary Uses:

- o) accessory buildings and structures, subject to Section 7.13;
- p) accessory dwelling, subject to Section 7.11;
- q) offices; and
- r) retail sales.

#### **14.1.2 Site Specific General Industrial (I1s) Provisions:**

- a) see Section 16.21

**14.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**14.1.4 Minimum Parcel Width:**

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

**14.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.1.6 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
- b) Accessory buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.1.7 Maximum Building Height:**

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

**14.1.8 Maximum Parcel Coverage:**

- a) 40%

**14.2 HEAVY INDUSTRIAL ZONE (I2)**

**14.2.1 Permitted Uses:**

Principal Uses:

- a) commercial card-lock facility;
- b) concrete plant;
- c) power sub-stations, including generating plants;

- d) gravel processing;
- e) manufacturing;
- f) public maintenance and works yards;
- g) salvage operation;
- h) sewage treatment plant;
- i) stockyard and abattoirs;

Secondary Uses:

- j) accessory buildings and structures, subject to Section 7.13;
- k) accessory dwelling, subject to Section 7.11;
- l) offices.

**14.2.2 Site Specific Heavy Industrial (I2s) Provisions:**

- a) see Section 16.22

**14.2.3 Minimum Parcel Size:**

- a) 2,000 m<sup>2</sup>, subject to servicing requirements.

**14.2.4 Minimum Parcel Width:**

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

**14.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.2.6 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
- b) Accessory buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

#### **14.2.6 Maximum Building Height:**

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

#### **14.2.7 Maximum Parcel Coverage:**

- a) 60%

### **14.3 COMMUNITY WASTE MANAGEMENT ZONE (I3)**

#### **14.3.1 Permitted Uses:**

##### Principal Uses:

- a) refuse disposal site;
- b) composting operation;

##### Secondary Uses:

- c) accessory buildings and structures, subject to Section 7.13.

#### **14.3.2 Site Specific Community Waste Management (I3s) Provisions:**

- a) see Section 16.23

#### **14.3.3 Minimum Parcel Size:**

- a) 10.0 ha.

#### **14.3.4 Minimum Parcel Width:**

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

#### **14.3.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) not applicable.

#### **14.3.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 30.0 metres
  - ii) Rear parcel line 30.0 metres
  - iii) Interior side parcel line 30.0 metres
  - iv) Exterior side parcel line 30.0 metres
- b) Accessory buildings and structures:
  - i) Front parcel line 30.0 metres
  - ii) Rear parcel line 30.0 metres

- iii) Interior side parcel line 30.0 metres
- iv) Exterior side parcel line 30.0 metres
- c) despite Section 14.2.6(a) and (b), the distance between the external boundary of a composting operation and the natural boundary of a watercourse such as a river, stream, marsh, or estuary must not be less than 100.0 metres.

#### **14.3.7 Maximum Building Height:**

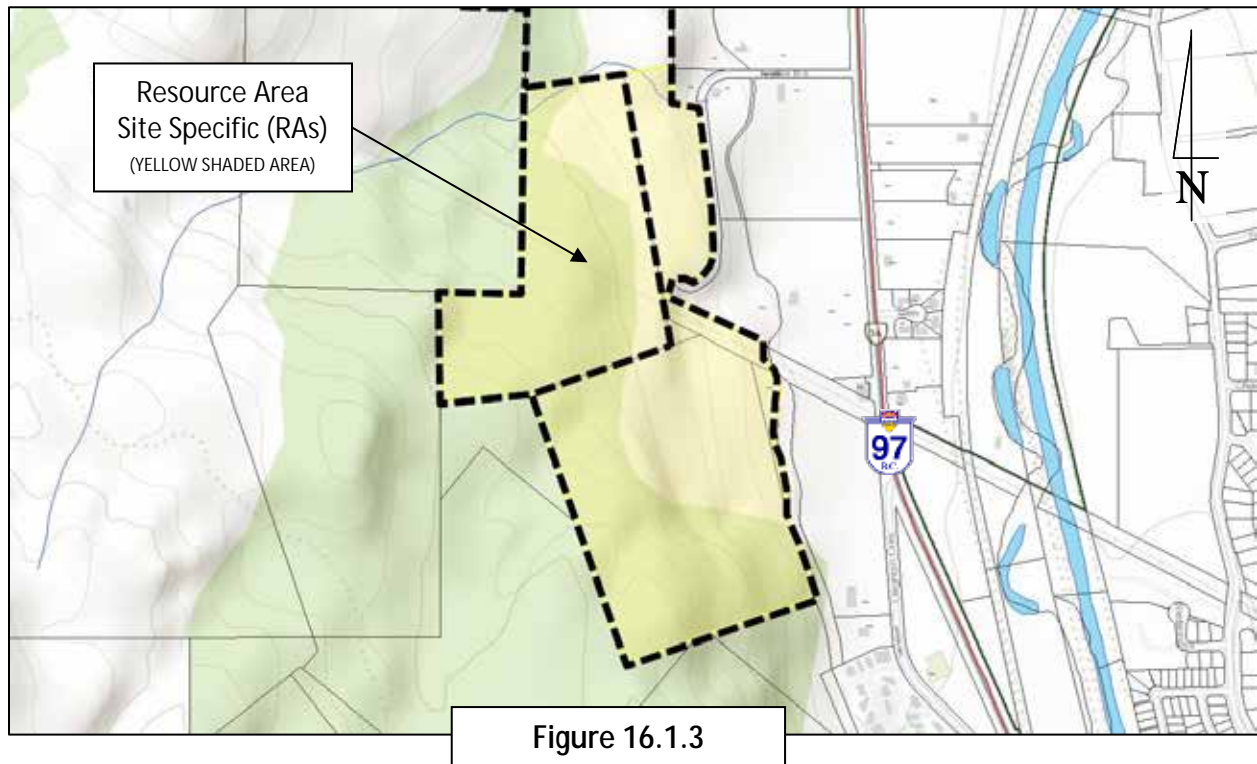
- a) No building or structure shall exceed a height of 15.0 metres.

#### **14.3.8 Maximum Parcel Coverage:**

- a) 25%

xxvii) adding a new sub-section 16.1.3 (Site Specific Resource Area Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

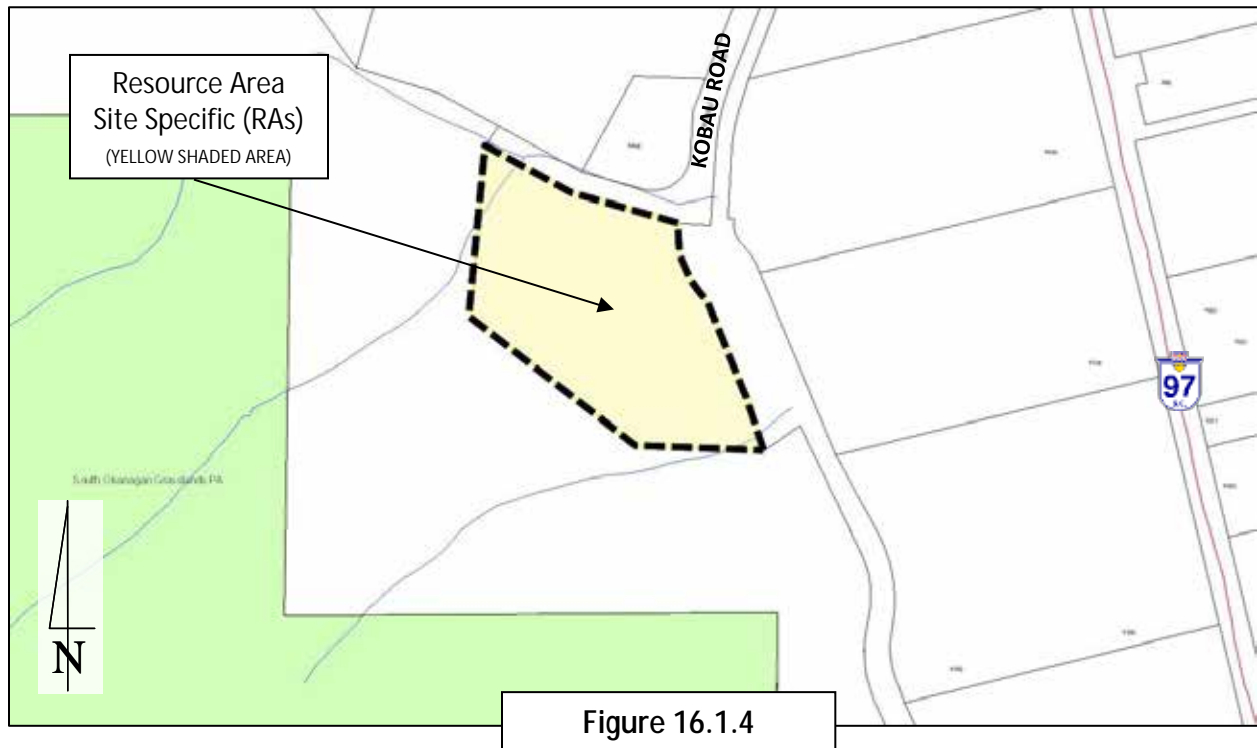
- .3 in the case of land described as District Lot 3098S, SDYD; District Lot 3582S, SDYD; and part of District Lot 3581S, SDYD, and shown shaded yellow on Figure 16.1.3:
  - i) the following principal uses and no others shall be permitted on the land:
    - a) gravel processing.
  - ii) despite Section 10.1.6, gravel processing uses shall be setback a minimum of 50.0 metres from all parcel lines.



xxviii) adding a new sub-section 16.1.4 (Site Specific Resource Area Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

- .4 in the case of land described as Lot 987, Plan KAP19702, District Lot 2450S, SDYD, and shown shaded yellow on Figure 16.1.4:
  - i) the following principal uses and no others shall be permitted on the land:
    - a) gravel processing.
  - ii) despite Section 10.1.6, gravel processing uses shall be setback a minimum of 50.0 metres from all parcel lines.

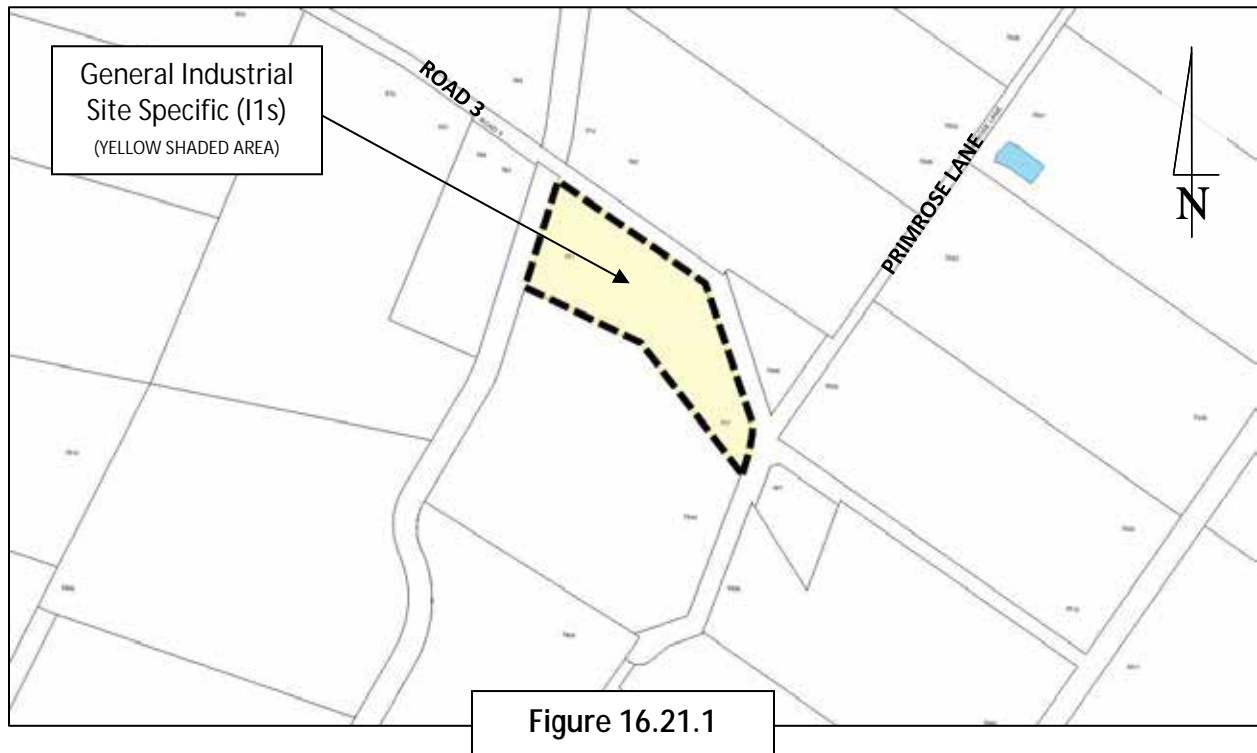




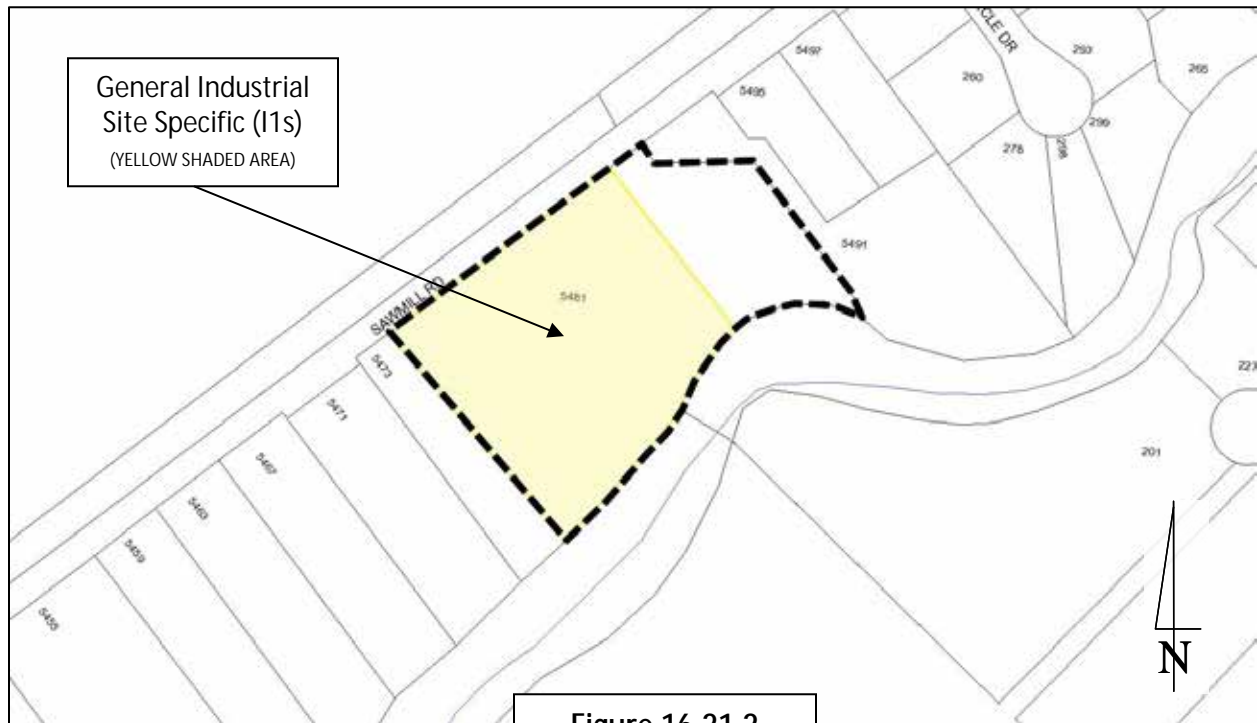
xxix) replacing Section 16.21 (Site Specific Industrial (Light) Two Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

**16.21 Site Specific General Industrial (11s) Provisions:**

- .1 in the case of land described as Lot A, Plan KAP91732, District Lot 2450S, SDYD, and shown shaded yellow on Figure 16.21.1:
  - i) the following principal uses and no others shall be permitted on the land:
    - a) "agriculture"; and
    - b) "storage and processing of food products".
  - ii) the following accessory uses and no others shall be permitted on the land:
    - a) "recreational vehicle site", to a maximum of 12;
    - b) "one (1) accessory dwelling", subject to Section 7.11; and
    - c) "accessory buildings and structures", subject to Section 7.13.



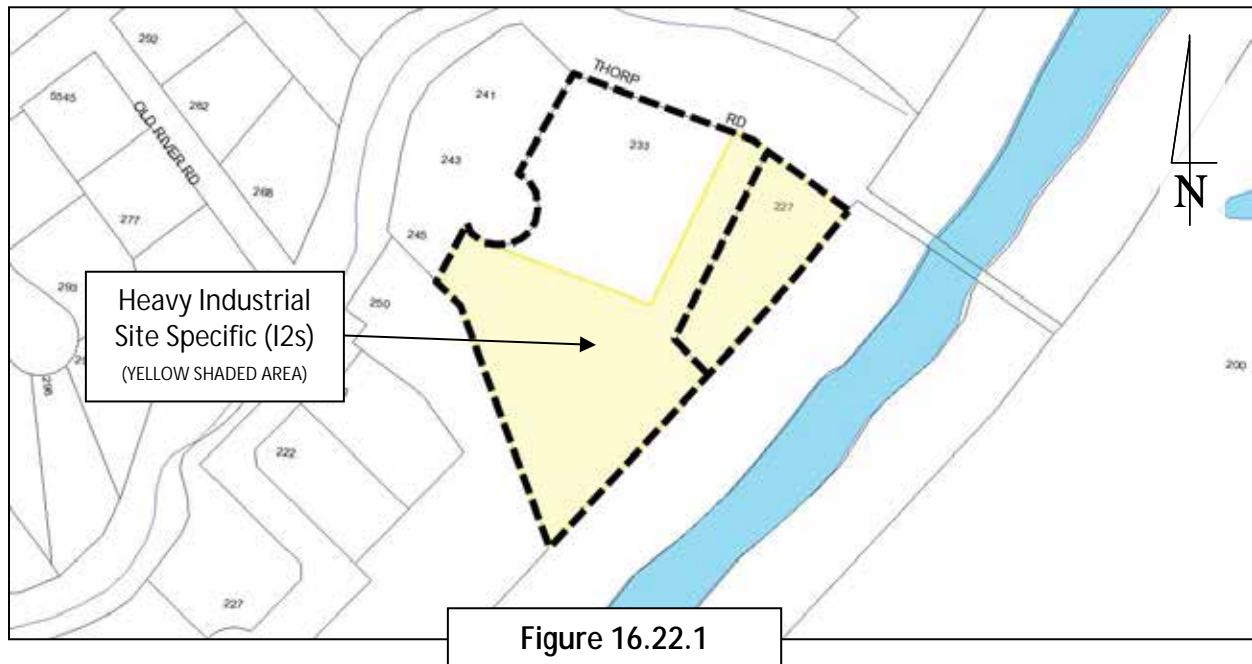
- .2 in the case of an approximately 1.4 ha part of the land described as Lot 323, Plan KAP1862, District Lot 2450S, SDYD (5481 Sawmill Road), and shown shaded yellow on Figure 16.21.2:
- i) the following principal uses and no others shall be permitted on the land:
    - a) "salvage operation".
  - ii) the following accessory uses and no others shall be permitted on the land:
    - a) "accessory buildings and structures", subject to Section 7.13.



xxx) replacing Section 16.22 (Site Specific Industrial (Heavy) Two Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

**16.22 Site Specific Heavy Industrial (I2s) Provisions:**

- .1 in the case of an approximately 1.0 ha part of land described as Lots 1 & 2, Plan 17428, DL 2450s, Portion Lot 717, SDYD, and shown shaded yellow on Figure 16.22.1:
  - i) the following principal uses and no others shall be permitted on the land:
    - a) concrete plant, including portable concrete plants.
  - ii) despite Section 14.2.6, buildings and structures shall be setback 5.0 metres from all parcel lines.
  - iii) despite Section 14.2.7, no building or structure shall exceed a height of 10.0 metres.
  - iv) despite Section 14.2.8, maximum parcel coverage shall be 20%.



xxxi) replacing Section 16.23 (Site Specific Industrial (Specialised) Three Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

**16.23 Site Specific Community Waste Management (I3s) Provisions:**

.1 *blank*

7. The Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
  - i) changing the land use designation on an approximately 0.8 ha part of the land described as Lot 2, Plan KAP17428, District Lot 2450S, SDYD, Portion Lot 717, and shown shaded yellow on Schedule 'E-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Heavy Industrial Site Specific (I2s).
  - ii) changing the land use designation on an approximately 0.5 ha part of the land described as Lot 2, Plan KAP17428, District Lot 2450S, SDYD, Portion Lot 717, and shown shaded yellow on Schedule 'F-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to General Industrial (I1).
  - iii) changing the land use designation on an approximately 1,700 m<sup>2</sup> part of the land described as Lot A, Plan KAP57770, District Lot 2450S, SDYD, and shown shaded yellow on **Schedule 'G-2'**, which forms part of this Bylaw, from Industrial (Light) One (I1) to Agriculture One (AG1).
  - iv) changing the land use designation on an approximately 7,250 m<sup>2</sup> part of the land described as Lot A, Plan KAP57770, District Lot 2450S, SDYD, and shown shaded blue on **Schedule 'G-2'**, which forms part of this Bylaw, from Agriculture One (AG1) to Industrial (Light) One (I1).

- v) changing the land use designation on the land described as District Lot 3098S, SDYD; District Lot 3582S, SDYD; and part of District Lot 3581S, SDYD, and shown shaded yellow on Schedule 'H-2', which forms part of this Bylaw, from Industrial (Specialised) Three (I3) to Resource Area Site Specific (RAs).
- vi) changing the land use designation on the land described as Lot 987, Plan KAP19702, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'I-2', which forms part of this Bylaw, from Industrial (Specialised) Three (I3) to Resource Area Site Specific (RAs).
- vii) changing the land use designation on the land described as Lot 954, Plan KAP14590, District Lot 2450S, SDYD, Except Plan 31702, and Plan EPP57458, District Lot 2450S, SDYD, Except Plan KAP66905 & KAP81433, That Part of Lot 1; shown on Plan EPP57458, and shown shaded yellow on Schedule 'J-1', which forms part of this Bylaw, from Industrial (Heavy) Two (I2) to Community Waste Management (I3).
- viii) changing the land use designation on an approximately 2,700 m<sup>2</sup> part of the land described as Lot A, Plan KAP39949, District Lot 2710, SDYD, and shown shaded blue on Schedule 'K-2', which forms part of this Bylaw, from Industrial (Heavy) Two (I2) to Resource Area (RA).
- ix) changing the land use designation on an approximately 3,500 m<sup>2</sup> part of the land described as Lot A, Plan KAP39949, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'K-2', which forms part of this Bylaw, from Resource Area (RA) to Heavy Industrial (I2).
- x) changing the land use designation on the land described as Lot 1, Plan KAP52063, District Lot 2450S, SDYD, and shown shaded yellow on Schedule 'S-2', which forms part of this Bylaw, from Industrial (Light) One (I1) to Residential Single Family One (RS1).
- xi) changing the land use designation of all parcels zoned Industrial (Light) One (I1) to General Industrial (I1).
- xii) changing the land use designation of all parcels zoned Industrial (Heavy) Two (I2) to Heavy Industrial (I2).

#### Electoral Area "D-1"

- 8. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by:
  - i) changing the land use designation of the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD, and shown shaded yellow on Schedule 'L-1', which forms part of this Bylaw, from Agriculture (AG) to Low Density Residential (LR).
- 9. The "Electoral Area "D" Zoning Bylaw No. 2457, 2008" is amended by:
  - i) deleting the definitions of "industrial/utilities-oriented office" and "light industry" under Section 4.0 (Definitions).

- ii) by replacing the definition of “agriculture” under Section 4.0 (Definitions) with the following:

**“agriculture”** means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- iii) adding a new definition of “asphalt plant” under Section 4.0 (Definitions) to read as follows:

**“asphalt plant”** means the processing and manufacturing of road paving materials from raw material and petroleum products;

- iv) adding a new definition of “cannabis” under Section 4.0 (Definitions) to read as follows:

**“cannabis”** means any plant of the genus *cannabis*; including:

- a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

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

**“cannabis production”** means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- vi) adding a new definition of “cannabis products” under Section 4.0 (Definitions) to read as follows:

**“cannabis products”** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

- vii) adding a new definition of “commercial card-lock facility” under Section 4.0 (Definitions) to read as follows:



**“commercial card-lock facility”** means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

- viii) adding a new definition of “concrete plant” under Section 4.0 (Definitions) to read as follows:

**“concrete plant”** means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

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

**“construction supply centre”** means the retail sale or wholesale of building material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and may include accessory rental of home construction, maintenance or repair equipment;

- x) adding a new definition of “fleet service” under Section 4.0 (Definitions) to read as follows:

**“fleet service”** means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

- xi) adding a new definition of “food and beverage processing” under Section 4.0 (Definitions) to read as follows:

**“food and beverage processing”** means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a brewery, cidery, distillery or meadery and winery;

- xii) adding a new definition of “freight terminal” under Section 4.0 (Definitions) to read as follows:

**“freight terminal”** means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

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

**“gravel processing”** means screening, sorting, crushing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

- xiv) adding a new definition of “manufacturing” under Section 4.0 (Definitions) to read as follows:

**“manufacturing”** means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

- xv) replacing the definition of “natural resource extraction” under Section 4.0 (Definitions) in its entirety with the following:

**“natural resource extraction”** means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

- xvi) adding a new definition of “outdoor storage” under Section 4.0 (Definitions) to read as follows:

**“outdoor storage”** means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

- xvii) adding a new definition of “refuse disposal site” under Section 4.0 (Definitions) to read as follows:

**“refuse disposal site”** means an area of land for the disposal of municipal solid waste, as permitted under the *Waste Management Act* (British Columbia);

- xviii) adding a new definition of “salvage operation” under Section 4.0 (Definitions) to read as follows:

**“salvage operation”** means a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including more than two derelict vehicles, are stored or kept, for private or commercial purposes;

- xix) adding a new definition of “self storage” under Section 4.0 (Definitions) to read as follows:

**“self-storage”** means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

- xx) replacing the definition of “service industry” under Section 4.0 (Definitions) with the following:

**“service industry establishment”** means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

- xxi) adding a new definition of “storage and warehouse” under Section 4.0 (Definitions) to read as follows:

**“storage and warehouse”** means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

- xxii) adding the definition of “vehicle sales and rentals” under Section 4.0 (Definitions) to read as follows:

**“vehicle sales and rentals”** means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a “vehicle” includes automobiles, recreational vehicles (RV’s), boats, all-terrain vehicles (ATV’s), and motorcycles;

- xxiii) adding a new definition of “wholesale business” under Section 4.0 (Definitions) to read as follows:

**“wholesale business”** means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to retail users, industrial users, commercial users, institutional users or wholesale users;

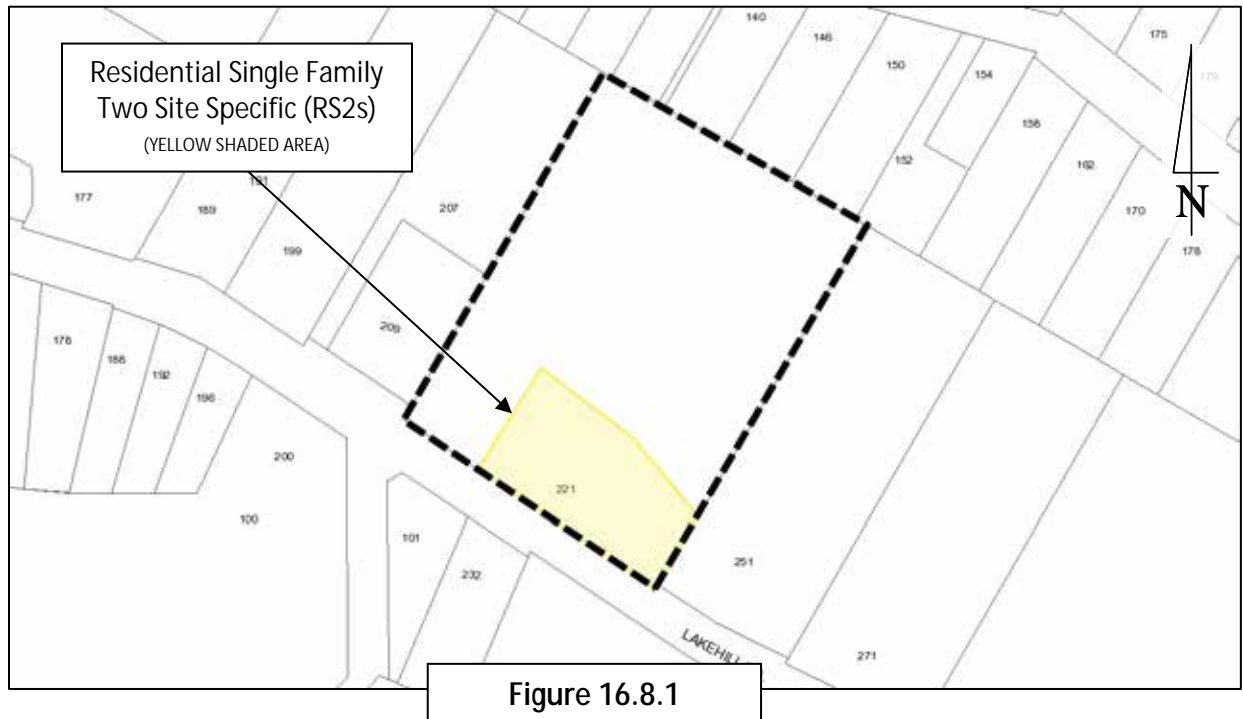
- xxiv) replacing the reference to Industrial (Light) One Zone (I1) with General Industrial Zone (I1) under Section 6.0 (Creation of Zones).

- xxv) replacing Section 14.1 (Industrial (Light) One Zone) under Section 14.0 (Industrial) in its entirety with the following:

**14.1 *deleted.***

- xxvi) replacing Section 16.8.1 (Site Specific Residential Single Family Two (RS2s) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

- .1 in the case of land described as Lot 96, Plan KAP719, District Lot 104S, SDYD (221 Lakehill Road), and shown shaded yellow on Figure 16.8.1:
- i) the following accessory uses accessory use(s) shall be permitted on the land in addition to the permitted uses listed in Section 11.2.1:
    - a) home industry, subject to Section 7.18.
  - ii) despite Section 7.18.1, a home industry shall be permitted on a parcel less than 2.0 ha in size.



10. The “Electoral Area “D-1” Zoning Bylaw No. 2457, 2008” is amended by:

- i) changing the land use designation on an approximately 2,100 m<sup>2</sup> part of the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD, and shown shaded yellow on **Schedule ‘L-2’**, which forms part of this Bylaw, from Industrial (Light) One (I1) to Residential Single Family Two Site Specific (RS2s).
- ii) changing the land use designation on an approximately 1,650 m<sup>2</sup> part of the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD, and shown shaded purple on **Schedule ‘L-2’**, which forms part of this Bylaw, from Residential Single Family Two (RS2) to Residential Single Family Two Site Specific (RS2s).
- iii) changing the land use designation on an approximately 2,000 m<sup>2</sup> part of the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD, and shown shaded blue on **Schedule ‘L-2’**, which forms part of this Bylaw, from Industrial (Light) One (I1) to Residential Single Family Two (RS2).

## Electoral Area "D-2"

11. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:

- i) deleting the definition of "industrial/utilities-oriented office" under Section 4.0 (Definitions).
- ii) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

**"agriculture"** means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- iii) adding a new definition of "cannabis" under Section 4.0 (Definitions) to read as follows:

**"cannabis"** means any plant of the genus *cannabis*; including:

- a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

- iv) adding a new definition of "cannabis production" under Section 4.0 (Definitions) to read as follows:

**"cannabis production"** means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- v) adding a new definition of "cannabis products" under Section 4.0 (Definitions) to read as follows

**"cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

- vi) adding a new definition of "commercial card-lock facility" under Section 4.0 (Definitions) to read as follows:

**“commercial card-lock facility”** means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

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

**“concrete plant”** means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

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

**“construction supply centre”** means the retail sale or wholesale of building material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and may include accessory rental of home construction, maintenance or repair equipment;

- ix) adding a new definition of “fleet service” under Section 4.0 (Definitions) to read as follows:

**“fleet service”** means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

- x) adding a new definition of “food and beverage processing” under Section 4.0 (Definitions) to read as follows:

**“food and beverage processing”** means a business premises or building, where produce, meat or beverages are processed, produced, canned, frozen, packed or stored indoors, and includes a brewery, cidery, distillery or meadery and winery;

- xi) adding a new definition of “freight terminal” under Section 4.0 (Definitions) to read as follows:

**“freight terminal”** means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

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



**“manufacturing”** means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

- xiii) adding a new definition of “natural resource extraction” under Section 4.0 (Definitions) to read as follows:

**“natural resource extraction”** means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

- xiv) adding a new definition of “outdoor storage” under Section 4.0 (Definitions) to read as follows:

**“outdoor storage”** means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

- xv) adding a new definition of “salvage operation” under Section 4.0 (Definitions) to read as follows:

**“salvage operation”** means a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including more than two derelict vehicles, are stored or kept, for private or commercial purposes;

- xvi) adding a new definition of “self storage” under Section 4.0 (Definitions) to read as follows:

**“self-storage”** means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

- xvii) replacing the definition of “service industry” under Section 4.0 (Definitions) with the following:

**“service industry establishment”** means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

- xviii) adding a new definition of “storage and warehouse” under Section 4.0 (Definitions) to read as follows:

“**storage and warehouse**” means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

- xix) adding the definition of “vehicle sales and rentals” under Section 4.0 (Definitions) to read as follows:

“**vehicle sales and rentals**” means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a “vehicle” includes automobiles, recreational vehicles (RV’s), boats, all-terrain vehicles (ATV’s), and motorcycles;

- xx) adding a new definition of “wholesale business” under Section 4.0 (Definitions) to read as follows:

“**wholesale business**” means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to retail users, industrial users, commercial users, institutional users or wholesale users;

- xxi) replacing Section 13.9.1(e) under Section 13.9 (Service Commercial One Zone) in its entirety with the following:

e) vehicle sales and rentals;

- xxii) adding a new sub-section 13.1.1(f) under Section 13.9 (Service Commercial One Zone) to read as follows and renumbering all subsequent sub-sections:

f) service industry establishment;

- xxiii) replacing Section 17.15.1(i)(a) under Section 17.0 (Site Specific Designations) with the following:

a) vehicle sales and rentals;

- xxiv) adding a new sub-section 17.15.1(i)(b) under Section 17.0 (Site Specific Designations) to read as follows:

b) service industry establishment;

- xxv) replacing Section 14.0 (Industrial) in its entirety with the following:

## **14.0 INDUSTRIAL**

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### **14.1 GENERAL INDUSTRIAL ZONE (I1)**

#### **14.1.1 Permitted Uses:**

Principal Uses:

- a) construction supply centre;
- b) fleet service;
- c) food and beverage processing;
- d) manufacturing;
- e) outdoor storage;
- f) packing, processing and storage of farm products;
- g) salvage operation;
- h) self-storage;
- i) service industry establishment;
- j) storage warehouse;
- k) vehicle sales and rentals;
- l) veterinary establishment;
- m) wholesale business;

Secondary Uses:

- n) accessory buildings and structures, subject to Section 7.13;
- o) accessory dwelling, subject to Section 7.11;
- p) offices; and
- q) retail sales.

**14.1.2 Site Specific General Industrial (I1s) Provisions:**

- a) see Section 17.22

**14.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**14.1.4 Minimum Parcel Width:**

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

**14.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.1.6 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
- b) Accessory buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

#### **14.1.6 Maximum Building Height:**

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

#### **14.1.7 Maximum Parcel Coverage:**

- a) 40%

### **14.2 HEAVY INDUSTRIAL ZONE (I2)**

#### **14.2.1 Permitted Uses:**

##### Principal Uses:

- a) commercial card-lock facility;
- b) concrete plant;
- c) power sub-stations, including generating plants;
- d) gravel processing;
- e) manufacturing;
- f) public maintenance and works yards;
- g) salvage operation;
- h) sewage treatment plant;
- i) stockyard and abattoirs;

##### Secondary Uses:

- j) accessory buildings and structures, subject to Section 7.13;
- k) accessory dwelling, subject to Section 7.11;
- l) offices.

#### **14.2.2 Site Specific Heavy Industrial (I2s) Provisions:**

- a) see Section 17.23

#### **14.2.3 Minimum Parcel Size:**

- a) 2,000 m<sup>2</sup>, subject to servicing requirements.

#### **14.2.4 Minimum Parcel Width:**

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

#### **14.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

#### **14.2.6 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
- b) Accessory buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

#### **14.2.6 Maximum Building Height:**

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

#### **14.2.7 Maximum Parcel Coverage:**

- a) 60%

### **14.3 COMMUNITY WASTE MANAGEMENT ZONE (I3)**

#### **14.3.1 Permitted Uses:**

##### Principal Uses:

- a) refuse disposal site;
- b) composting operation;

Secondary Uses:

- c) accessory buildings and structures, subject to Section 7.13.

**14.3.2 Site Specific Community Waste Management (I3s) Provisions:**

- a) see Section 17.24

**14.3.3 Minimum Parcel Size:**

- a) 10.0 ha

**14.3.4 Minimum Parcel Width:**

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

**14.3.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) not applicable

**14.3.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 30.0 metres
  - ii) Rear parcel line 30.0 metres
  - iii) Interior side parcel line 30.0 metres
  - iv) Exterior side parcel line 30.0 metres
- b) Accessory buildings and structures:
  - i) Front parcel line 30.0 metres
  - ii) Rear parcel line 30.0 metres
  - iii) Interior side parcel line 30.0 metres
  - iv) Exterior side parcel line 30.0 metres
- c) despite Section 14.3.6(a) and (b), the distance between the external boundary of a composting operation and the natural boundary of a watercourse such as a river, stream, marsh, or estuary must not be less than 100.0 metres.

**14.3.7 Maximum Building Height:**

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

**14.3.8 Maximum Parcel Coverage:**

- a) 25%



xxvi) replacing Section 17.22 (Site Specific Industrial (Light) One Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

**17.22 Site Specific General Industrial (I1s) Provisions:**

- .1 in the case of land shown shaded on Figure 17.22.1:
  - i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 14.1.1:
    - a) "single detached dwelling";
    - b) "home occupation", subject to Section 7.17; and
    - c) "bed and breakfast operation", subject to Section 7.19.
  - ii) despite Section 14.1.5, the maximum number of dwellings shall be one (1) accessory dwelling or one (1) single detached dwelling.

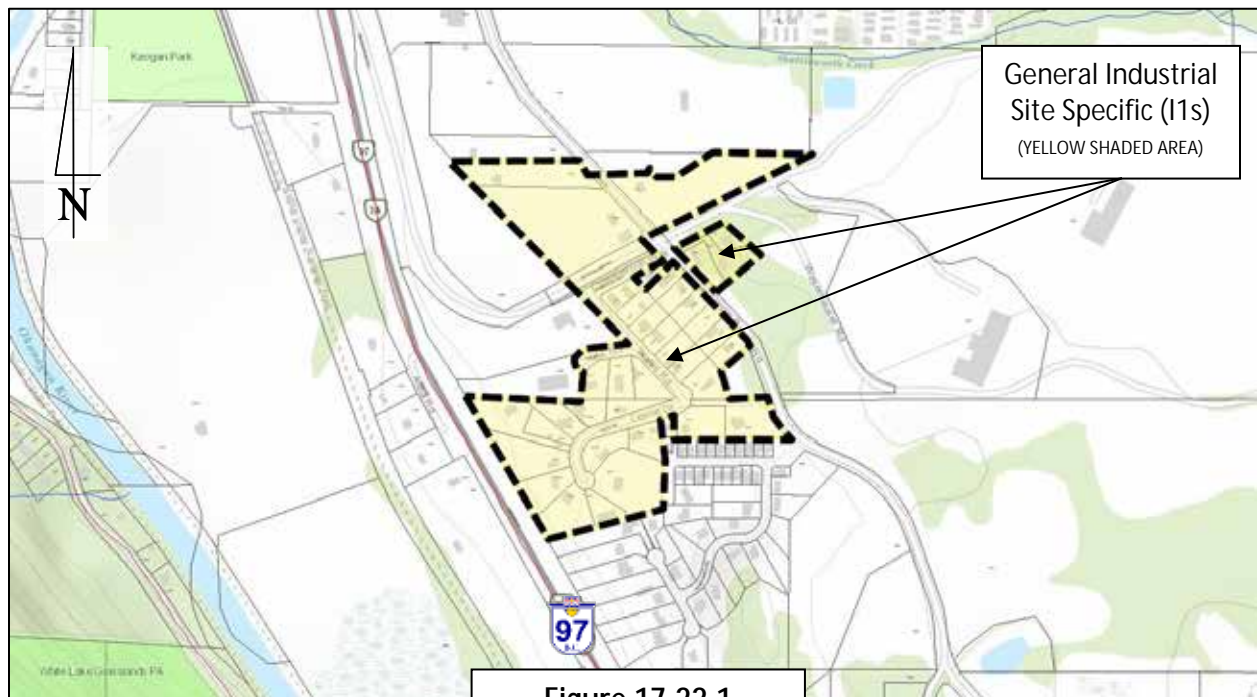


Figure 17.22.1

xxvii) replacing Section 17.23 (Site Specific Industrial (Heavy) Two Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

**17.23 Site Specific Heavy Industrial (I2s) Provisions:**

- .1 in the case of land shown shaded on Figure 17.23.1:
  - i) the following principal uses and no others shall be permitted on the land:
    - a) "stockyard".

- ii) despite Section 14.2.3, the minimum parcel size shall be 2.0 ha.
- iii) despite Section 14.2.6, the minimum setbacks for all buildings and structures shall be:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 30.0 metres
  - iii) Interior side parcel line 20.0 metres
  - iv) Exterior side parcel line 20.0 metres

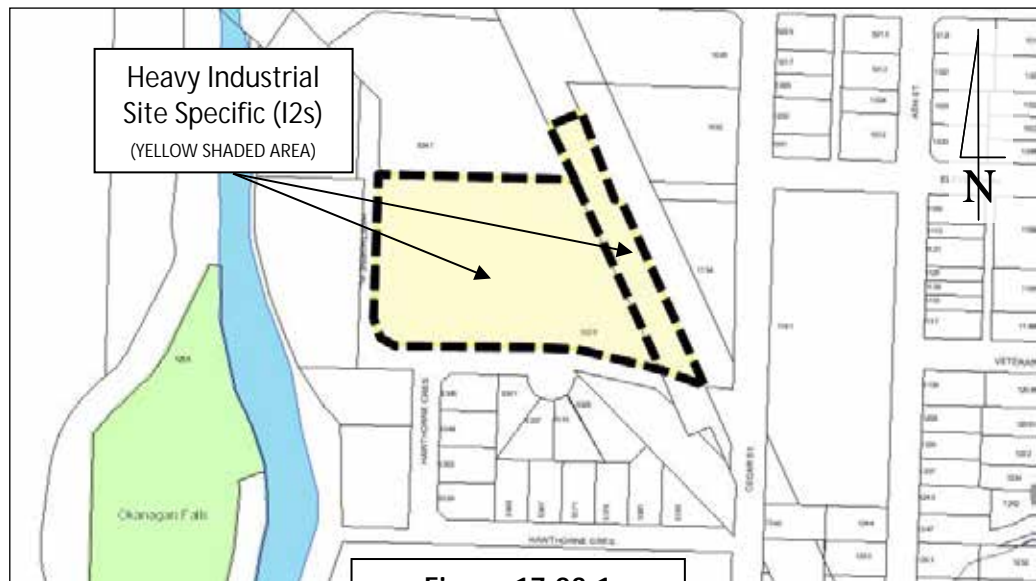


Figure 17.23.1

xxviii) replacing Section 17.24 (Site Specific Industrial (Specialised) Three Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

**17.24 Site Specific Community Waste Management (I3s) Provisions:**

.1 *blank*

xxix) replacing Section 17.25 (Site Specific Industrial (Mixed) Four Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

**17.25 *deleted.***

xxx) replacing Section 17.26 (Site Specific Community Waste Management Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

**17.26 *deleted.***

12. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:

- i) changing the land use designation on the lands described as:

- Lot 12, Plan KAP32322, District Lot 551, SDYD;
- Lot B, Plan KAP22388, District Lot 551 & 10, SDYD;
- Lot C, Plan KAP34246, District 10, SDYD;
- Lot A, Plan KAP33765, District 551, SDYD; and
- Lot 1, Plan KAP30053, District 551, SDYD, Except Plan 323322.

and shown shaded yellow on Schedule 'M-1', which forms part of this Bylaw, from Industrial (Mixed) Four (I4) to General Industrial (I1).

ii) changing the land use designation on the land described as:

- Lots 1-10, Plan KAP32322, District Lot 551, SDYD;
- Lot 1, Plan KAP30053, District Lot 551, SDYD, Except Plan 32322;
- Lots 2-7, Plan KAP30053, District Lot 551, SDYD;
- Lot A, Plan KAP33765, District Lot 551, SDYD;
- Lots A & B, Plan KAP41143, District Lot 2710, SDYD, Subsidy Lot 37;
- Lots 1-3, 5-7 & 9-10, Plan KAP43303, District Lot 10, SDYD;
- Lot 4, Plan KAP43303, District Lot 10, SDYD, Except Plan KAP64286;
- Lot A, Plan KAP64286, District Lot 10, SDYD;
- Lot 8, Plan KAP43303, District Lot 10, SDYD, Except Plan KAP53351,
- Lot A, Plan KAP53351, District Lot 10, SDYD;
- Lot A, Plan KAP22388, District Lot 551, SDYD;
- Lot 2, Plan KAP17702, District Lot 551, SDYD;
- an approximately 1.78 ha area of Lot 3, Plan KAP14822, District Lot 551, SDYD;

and shown shaded yellow on Schedule 'N-1', which forms part of this Bylaw, from Industrial (Mixed) Four (I4) to General Industrial Site Specific (I1s).

iii) changing the land use designation on the land described as Lot A, Plan EPP42355, District Lot 10, SDYD, and shown shaded yellow on Schedule 'O-1', which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Heavy Industrial (I2).

iv) changing the land use designation on the land described as Parcel A, Plan KAP27045, District Lot 3147S 2883S, SDYD, LEASE C13056; and Parcel A, Plan KAP12862B, Portion Plan A434, District Lot 2883S, SDYD, Formerly Osoyoos IR No 11 (Dog Lake) and shown shaded yellow on Schedule 'P-1', which forms part of this Bylaw, from Industrial (Specialised) Three (I3) to Heavy Industrial Site Specific (I2s).

v) changing the land use designation on the land described as Lots 1-3, Plan KAP49852, District Lot 551, SDYD, and shown shaded yellow on Schedule 'Q-1', which forms part of this Bylaw, from Industrial (Heavy) Two (I2) to General Industrial Site Specific (I1s).

vi) changing the land use designation of all parcels zoned Industrial (Light) One (I1) to General Industrial (I1).

vii) changing the land use designation of all parcels zoned Industrial (Heavy) Two (I2) to Heavy Industrial (I2).

## Electoral Area “E”

13. The “Electoral Area “E” Official Community Plan Bylaw No. 2458, 2008” is amended by:

- i) replacing Section 13.0 (Aggregate and Mineral Resources) in its entirety with the following:

### **13.0 INDUSTRIAL**

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#### **13.1 Background**

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

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

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

#### **13.2 Objectives**

- .1 Support the City of Penticton as the industrial centre for the larger area (i.e., outside of the Plan Area).
- .2 Support small-scale home industry activities in Resource Areas and Rural Holdings where appropriate.

#### **13.3 Policies**

The Regional Board:

- .1 Encourages larger-scale industrial and light manufacturing activities to locate in the City of Penticton and other serviced and designated industrial areas in the Regional District.
- .2 May consider designating land Industrial, where appropriate, on a case-by-case basis.
- .3 May consider accommodating time limited industrial uses through Temporary Use Permits if compatible with adjacent uses.

- ii) adding a new Section 20.0 (Aggregate and Mineral Resources) to read as follows and renumbering all subsequent sections:

## **20.0 AGGREGATE AND MINERAL RESOURCES**

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### **20.1 Background**

The Regional District has limited influence on the location of mineral and aggregate resource extraction. The objectives and policies of this section remain broad in nature to offer guidance to senior governments in their decision-making process. Figure XX illustrates *potential* aggregate areas in the Plan Area (i.e., where aggregate resources are located, not that they should be extracted wherever they are located).

### **20.2 Objectives**

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

### **20.3 Policies**

The Regional Board:

- .1 Encourages the Province to continue referrals of mineral exploration proposals to the Regional District for comment and due consideration of the impact of resource extraction activities on surrounding land uses and development.
- .2 Supports the use of designated Resource Areas for sand and gravel extraction, where the uses will not cause a significant visual or environmental disturbance.
- .3 Will consider rezoning applications for the processing of aggregate resources based on any or all of the following criteria:
  - a) extent of visual screening, and other mitigation works proposed;
  - b) type of processing proposed;

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

14. The "Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:

- i) deleting the definition of "vehicle service establishment" under Section 4.0 (Definitions).
- ii) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:  

**"agriculture"** means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but



excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- iii) adding a new definition of “asphalt plant” under Section 4.0 (Definitions) to read as follows:

“**asphalt plant**” means the processing and manufacturing of road paving materials from raw material and petroleum products;

- iv) adding a new definition of “cannabis” under Section 4.0 (Definitions) to read as follows:

“**cannabis**” means any plant of the genus *cannabis*; including:

- a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

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

“**cannabis production**” means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- vi) adding a new definition of “cannabis products” under Section 4.0 (Definitions) to read as follows

“**cannabis products**” means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

- vii) adding a new definition of “commercial card-lock facility” under Section 4.0 (Definitions) to read as follows:

“**commercial card-lock facility**” means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

- viii) adding a new definition of “concrete plant” under Section 4.0 (Definitions) to read as follows:

**“concrete plant”** means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

- ix) adding a new definition of “fleet service” under Section 4.0 (Definitions) to read as follows:

**“fleet service”** means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

- x) adding a new definition of “freight terminal” under Section 4.0 (Definitions) to read as follows:

**“freight terminal”** means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

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

**“gravel processing”** means screening, sorting, crushing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

- xii) adding the definition of “manufacturing” under Section 4.0 (Definitions) to read as follows:

**“manufacturing”** means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

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

**“natural resource extraction”** means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

- xiv) replacing the definition of “service industry” under Section 4.0 (Definitions) with the following:

**“service industry establishment”** means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of

electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

- xv) adding the definition of “vehicle sales and rentals” under Section 4.0 (Definitions) to read as follows:

“**vehicle sales and rentals**” means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a “vehicle” includes automobiles, recreational vehicles (RV’s), boats, all-terrain vehicles (ATV’s), and motorcycles;

- xvi) replacing sub-section 10.1.1(g) under Section 10.1 (Resource Area Zone) in its entirety with the following:

g) natural resource extraction;

- xvii) replacing sub-section 10.3.1(d) under Section 10.3 (Large Holdings One Zone) in its entirety with the following:

d) natural resource extraction;

- xviii) replacing Section 13.1.1(h) under Section 13.1 (General Commercial Zone) in its entirety with the following:

h) service industry establishment;

#### Electoral Area “F”

15. The “Electoral Area “F” Official Community Plan Bylaw No. 2460, 2008” is amended by:

- i) replacing Section 10.0 (Industrial) in its entirety with the following:

### **10.0 INDUSTRIAL**

---

#### **10.1 Background**

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

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

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

## **10.2 Objectives**

- .1 Support the City of Penticton and District of Summerland as the industrial centres for the larger area (i.e., outside of the Plan Area).
- .2 Support small-scale home industry activities in Resource Areas and Rural Holdings where appropriate.

## **10.3 Policies**

The Regional Board:

- .1 Encourages larger-scale industrial and light manufacturing activities to locate in the City of Penticton or District of Summerland and other serviced and designated industrial areas in the Regional District.
- .2 May consider designating land Industrial, where appropriate, on a case-by-case basis.
- .3 May consider accommodating time limited industrial uses through Temporary Use Permits if compatible with adjacent uses.

16. The Official Community Plan Map, being Schedule 'B' of the Regional District Okanagan-Similkameen, Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008, is amended by:

- i) changing the land use designation on the land described as Plan KAP7082B, District Lot 2537, ODYD, Parcel A, Portion DD 154994F, Except Plan H621 KAP77074 KAP77636; and Lot A, Plan KAP77636, District Lot 2537, ODYD, and shown shaded yellow on Schedule 'R-1', which forms part of this Bylaw, from Industrial (I) to Resource Area (RA).

17. The "Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:

- i) deleting the reference to the Industrial Zone (I1) under Section 6.1 (Creation of Zones).
- ii) by replacing the definition of "agriculture" under Section 4.0 (Definitions) with the following:

**"agriculture"** means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, including cannabis production, but excludes processing and retail sales of farm products. Agriculture includes

producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock and includes apiculture and aquaculture;

- iii) adding a new definition of “asphalt plant” under Section 4.0 (Definitions) to read as follows:

**“asphalt plant”** means the processing and manufacturing of road paving materials from raw material and petroleum products;

- iv) adding a new definition of “cannabis” under Section 4.0 (Definitions) to read as follows:

**“cannabis”** means any plant of the genus *cannabis*; including:

- a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

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

**“cannabis production”** means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- vi) adding a new definition of “cannabis products” under Section 4.0 (Definitions) to read as follows

**“cannabis products”** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

- vii) adding a new definition of “commercial card-lock facility” under Section 4.0 (Definitions) to read as follows:

**“commercial card-lock facility”** means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a service station;

- viii) adding a new definition of “concrete plant” under Section 4.0 (Definitions) to read as follows:

**“concrete plant”** means the processing, manufacturing and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

- ix) adding a new definition of “fleet service” under Section 4.0 (Definitions) to read as follows:

**“fleet service”** means the use of a parcel for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes freight terminal;

- x) adding a new definition of “freight terminal” under Section 4.0 (Definitions) to read as follows:

**“freight terminal”** means a premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

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

**“gravel processing”** means screening, sorting, crushing and storing of any earth material, excluding subsequent manufacturing operations such as concrete and asphalt plants;

- xii) adding the definition of “manufacturing” under Section 4.0 (Definitions) to read as follows:

**“manufacturing”** means fabricating, processing, assembling and finishing of goods or materials not involving the use, processing or production of hazardous wastes. Manufacturing includes cannabis production;

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

**“natural resource extraction”** means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, gravel processing and stripping of topsoil but excludes subsequent manufacturing operations such as concrete and asphalt plants;

- xiv) replacing the definition of “service industry” under Section 4.0 (Definitions) with the following:

**“service industry establishment”** means a business premises or building, where non-personal goods and services are provided, including: the repair or assembly of



electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair;

- xv) adding the definition of “vehicle sales and rentals” under Section 4.0 (Definitions) to read as follows:

**“vehicle sales and rentals”** means premises used for the sale, lease or hire of new or used vehicles, which may include accessory: incidental maintenance services, storage, fueling, washing and sales of parts but excludes automobile body repair. For the purposes of this definition a “vehicle” includes automobiles, recreational vehicles (RV’s), boats, all-terrain vehicles (ATV’s), and motorcycles;

- xvi) replacing Section 7.8.1(a) under Section 7.8 (Fence Heights) in its entirety with the following:

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

- xvii) replacing Section 14.1 (Industrial (Light) One Zone) under Section 14.0 (Industrial) in its entirety with the following:

**14.1 *deleted.***

- xviii) replacing Section 16.19 (Site Specific Industrial (Light) One (I1s) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

**16.19 *deleted.***

18. The Zoning Map, being Schedule ‘2’ of the Electoral Area “F” Zoning Bylaw No. 2461, 2008, is amended by:

- i) changing the land use designation on the land described as Plan KAP7082B, District Lot 2537, ODYD, Parcel A, Portion DD 154994F, Except Plan H621 KAP77074 KAP77636; and Lot A, Plan KAP77636, District Lot 2537, ODYD, and shown shaded yellow on Schedule ‘R-2’, which forms part of this Bylaw, from Industrial (Light) One Site Specific (I1s) to Resource Area (RA).

READ A FIRST AND SECOND TIME this 15<sup>th</sup> day of March, 2018.

PUBLIC HEARING HELD this 5<sup>th</sup> day of April, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

I hereby certify the foregoing to be a true and correct copy of the "Regional District of Okanagan-Similkameen Update Industrial Zone Update Amendment Bylaw No. 2783, 2018" as read a Third time by the Regional Board on this \_\_\_\_ day of \_\_\_\_, 2018.

Dated at Penticton, BC this \_\_ day of \_\_\_\_, 2018.

\_\_\_\_\_  
Chief Administrative Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

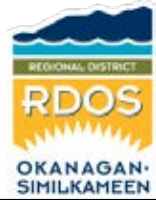
\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

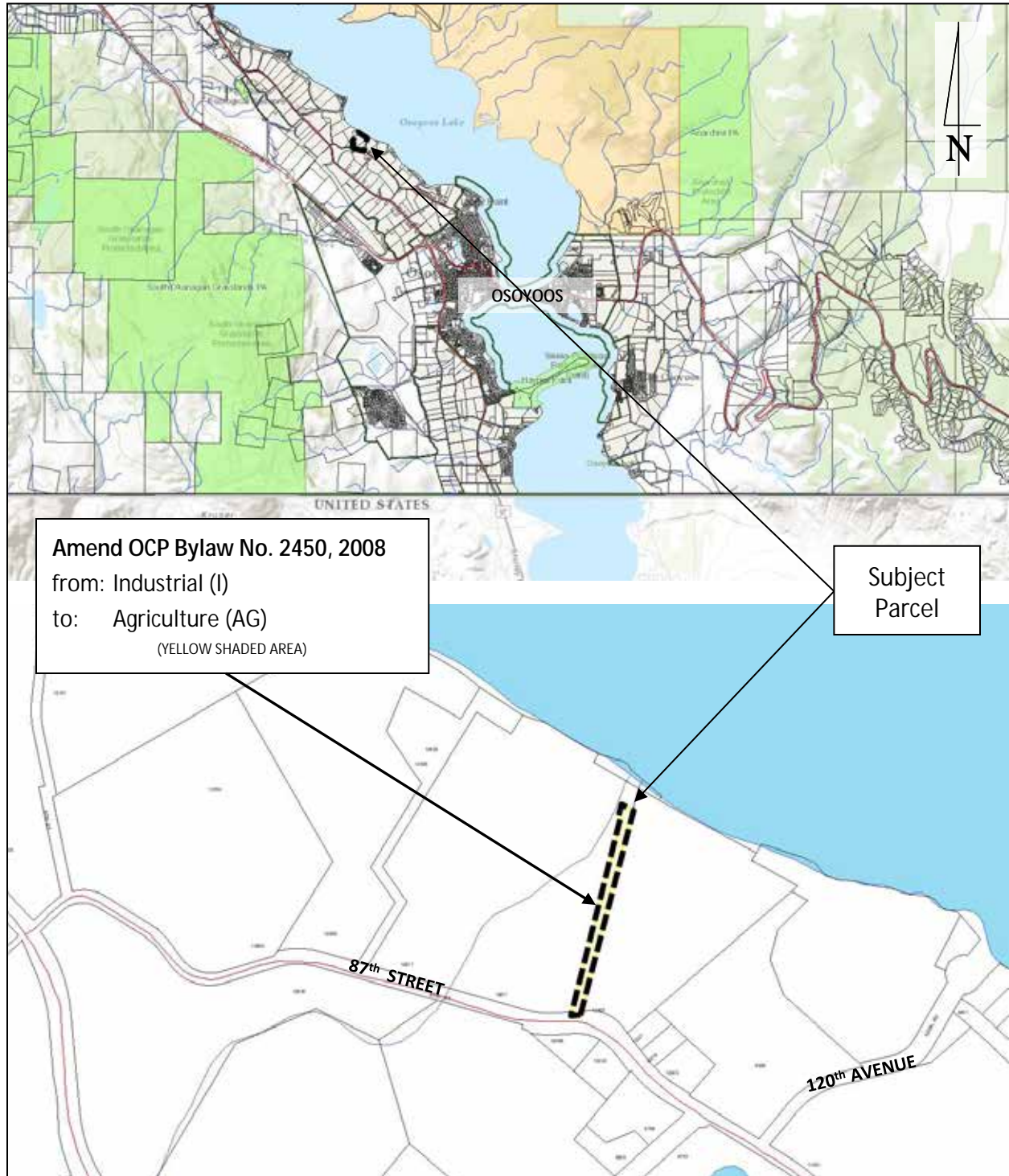
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'A-1'



Amendment Bylaw No. 2783, 2017

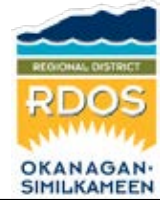
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# Regional District of Okanagan-Similkameen

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

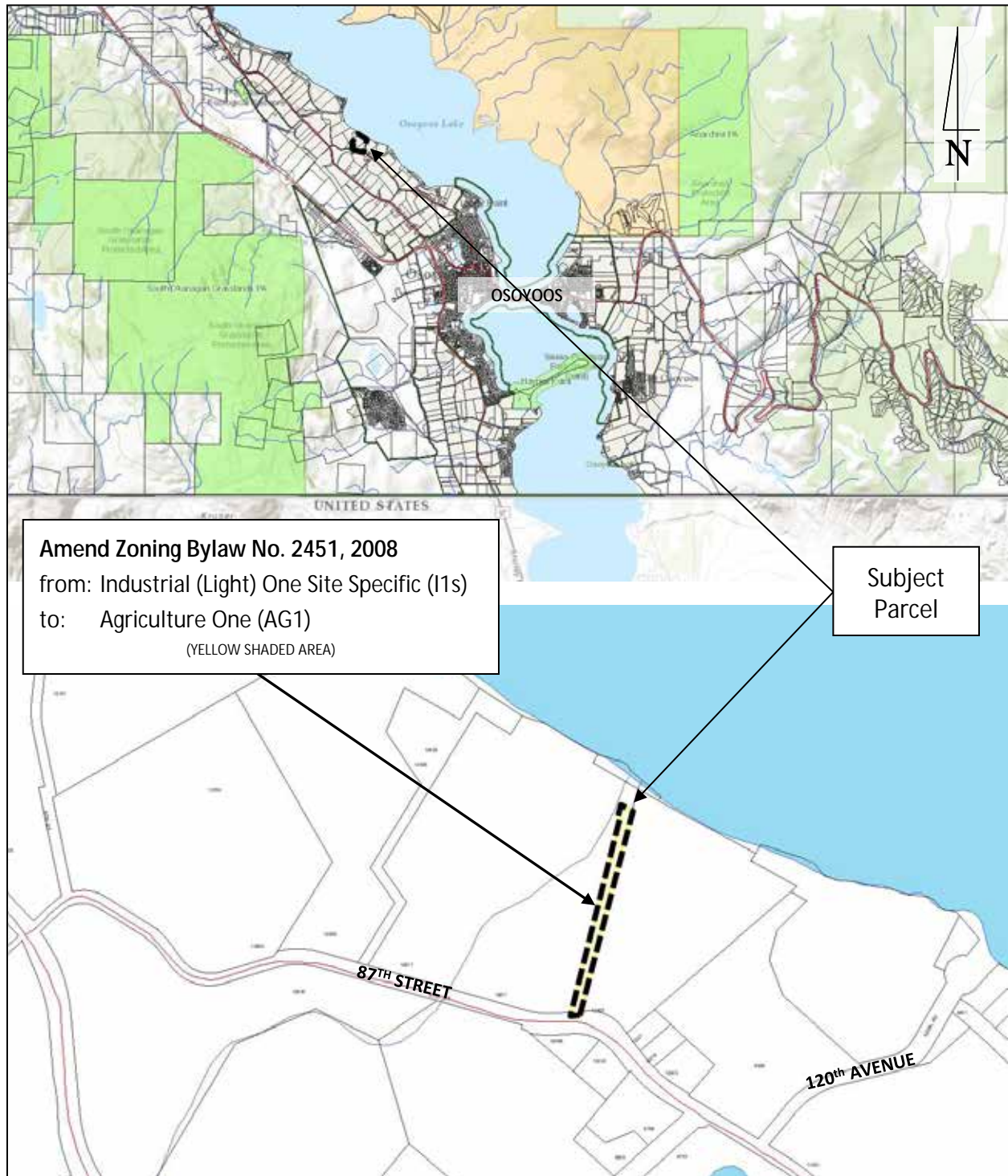
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'A-2'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

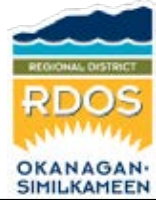
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# Regional District of Okanagan-Similkameen

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

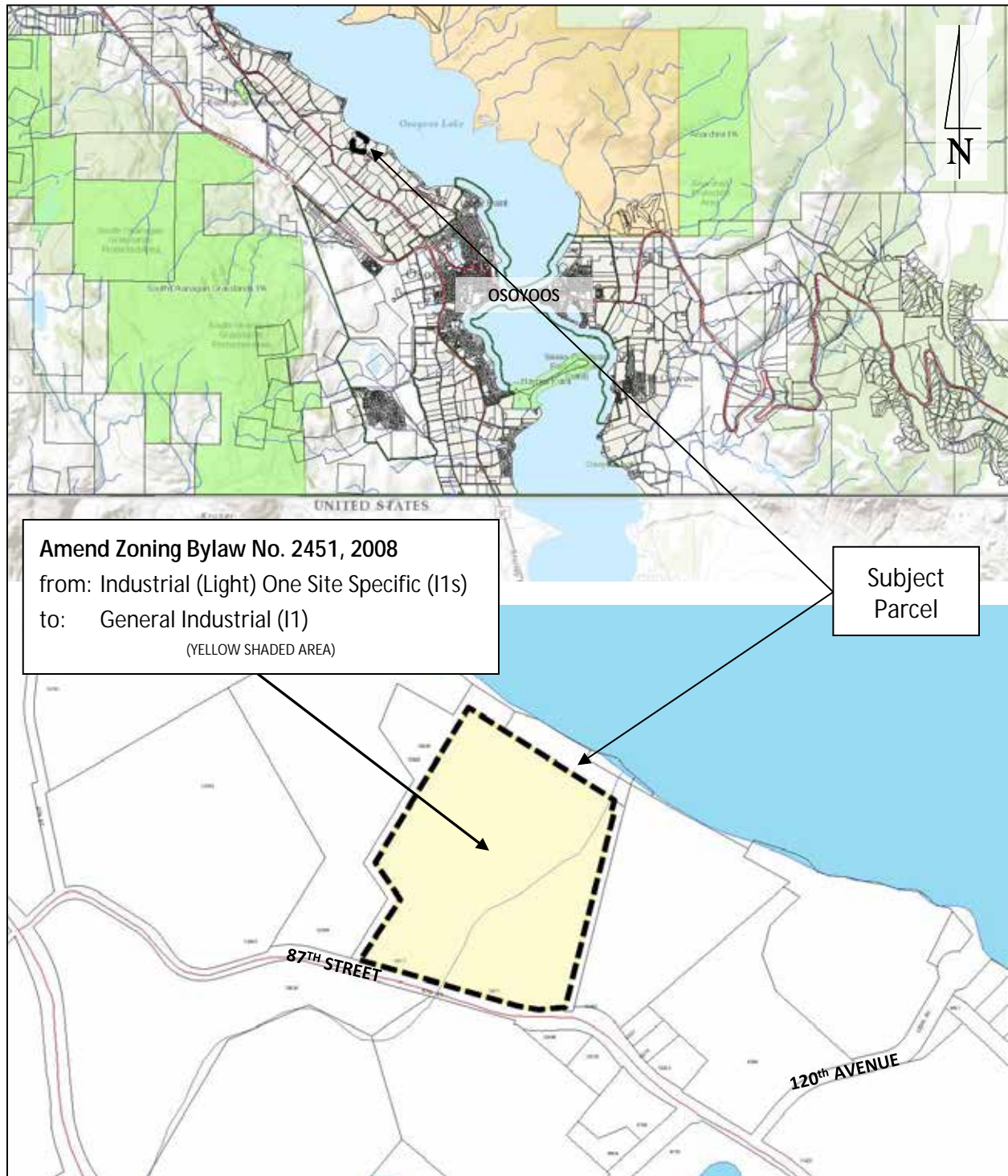
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'B-1'



Amendment Bylaw No. 2783, 2017

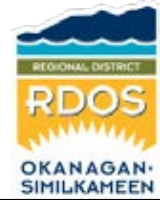
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# Regional District of Okanagan-Similkameen

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

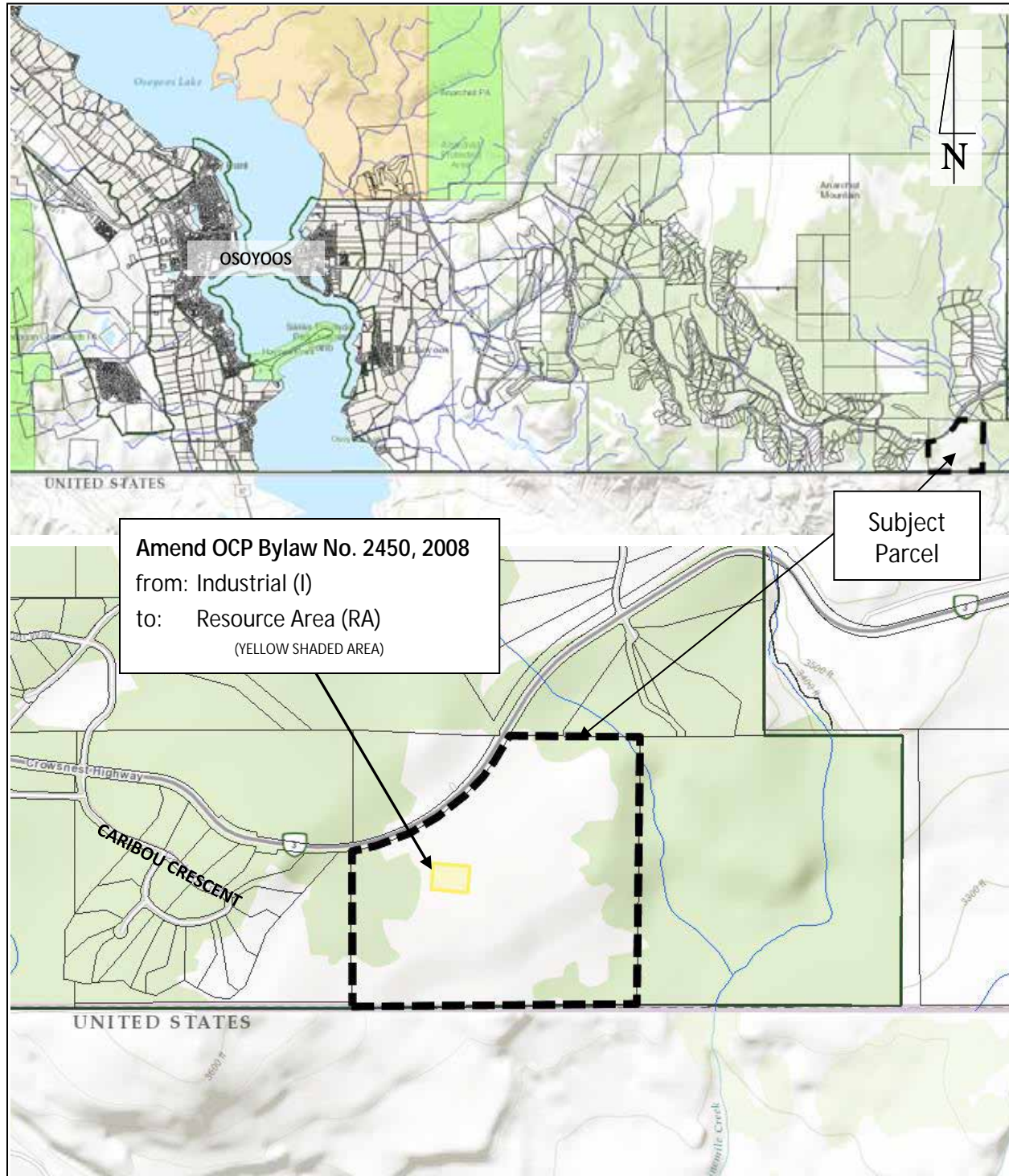
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'C-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

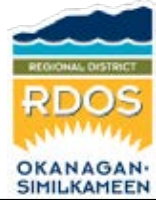
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# Regional District of Okanagan-Similkameen

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

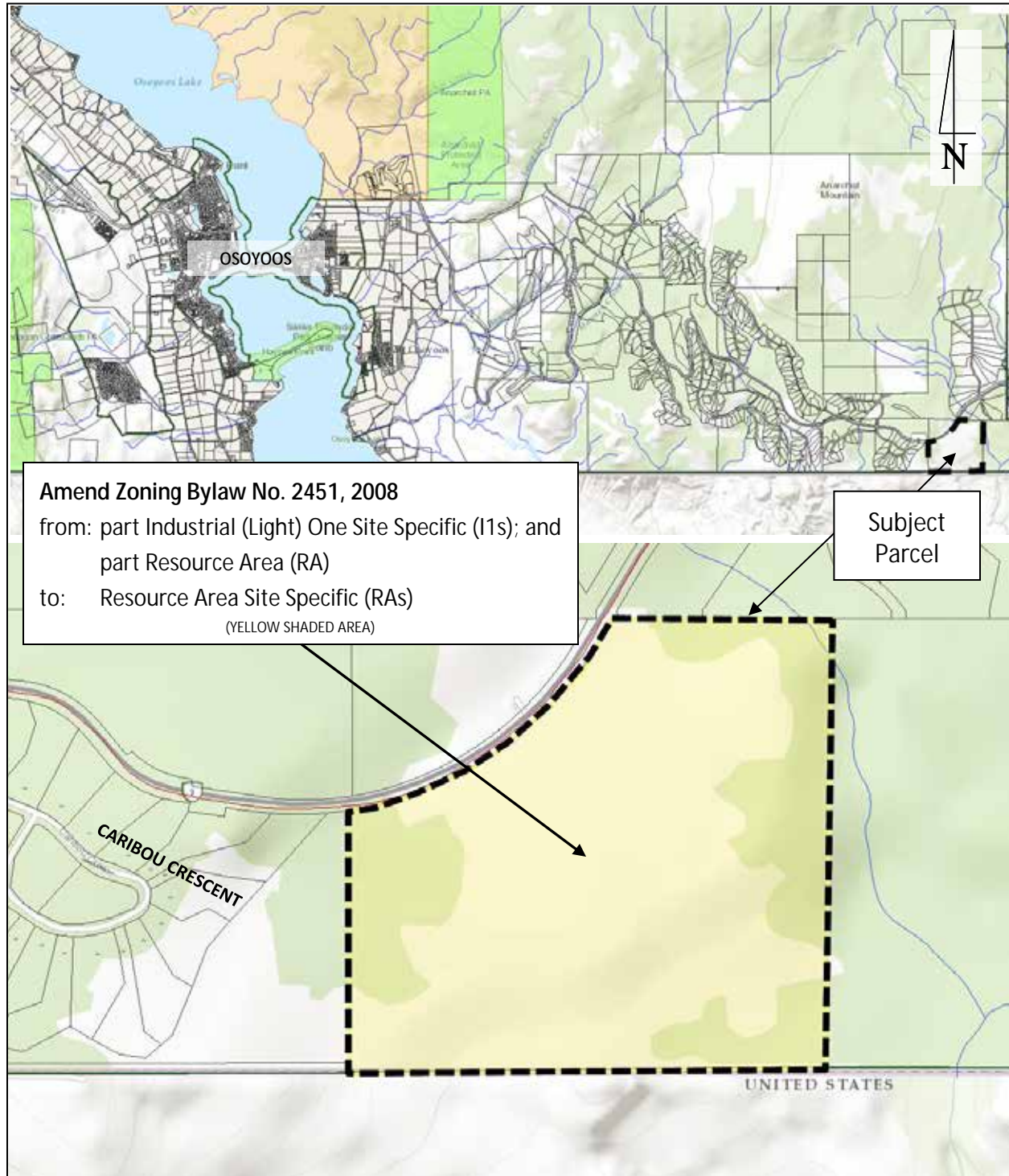
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'C-2'



Amendment Bylaw No. 2783, 2017

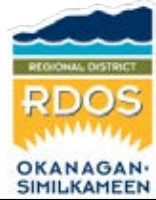
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# Regional District of Okanagan-Similkameen

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

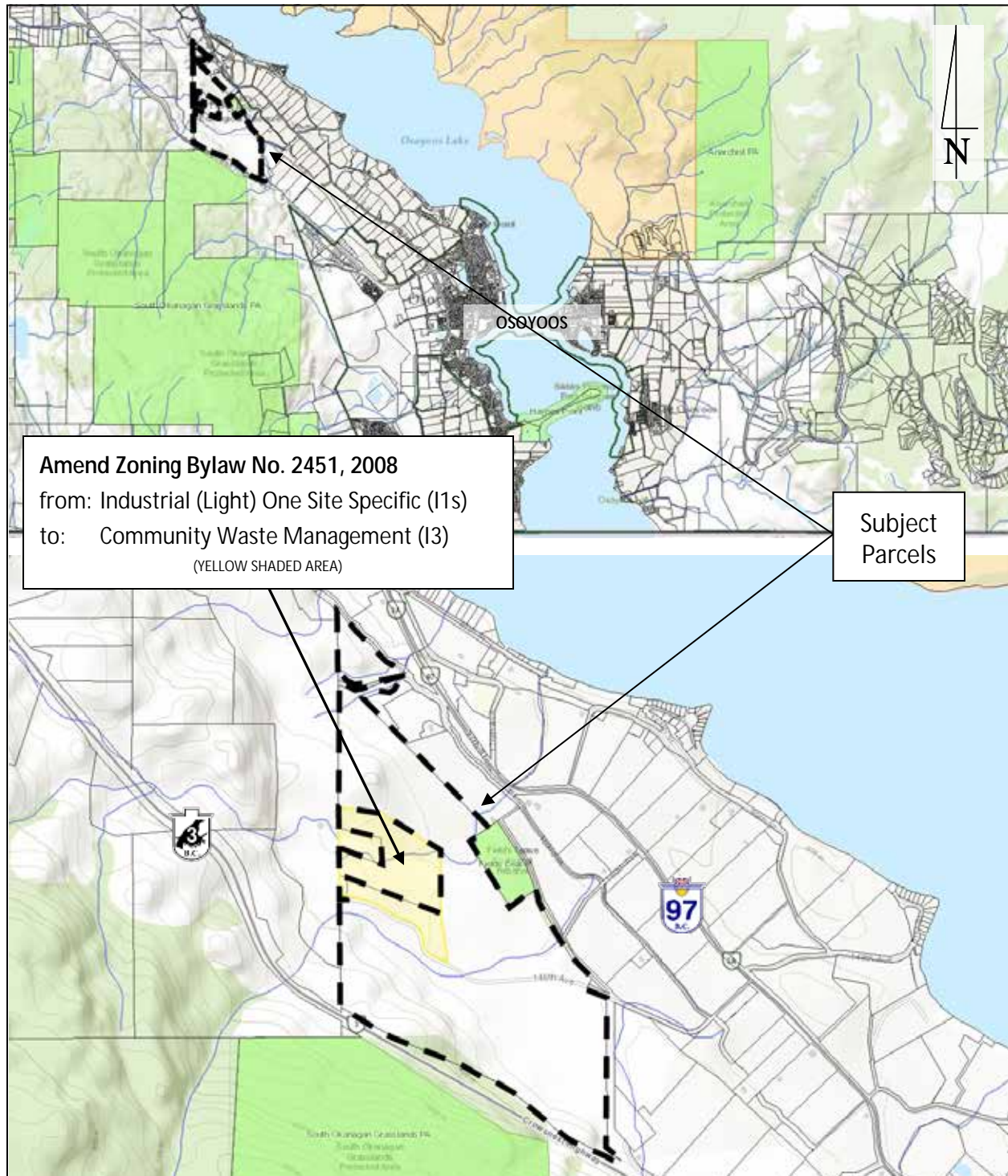
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'D-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

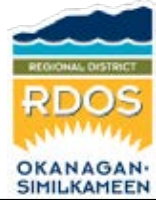
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# Regional District of Okanagan-Similkameen

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

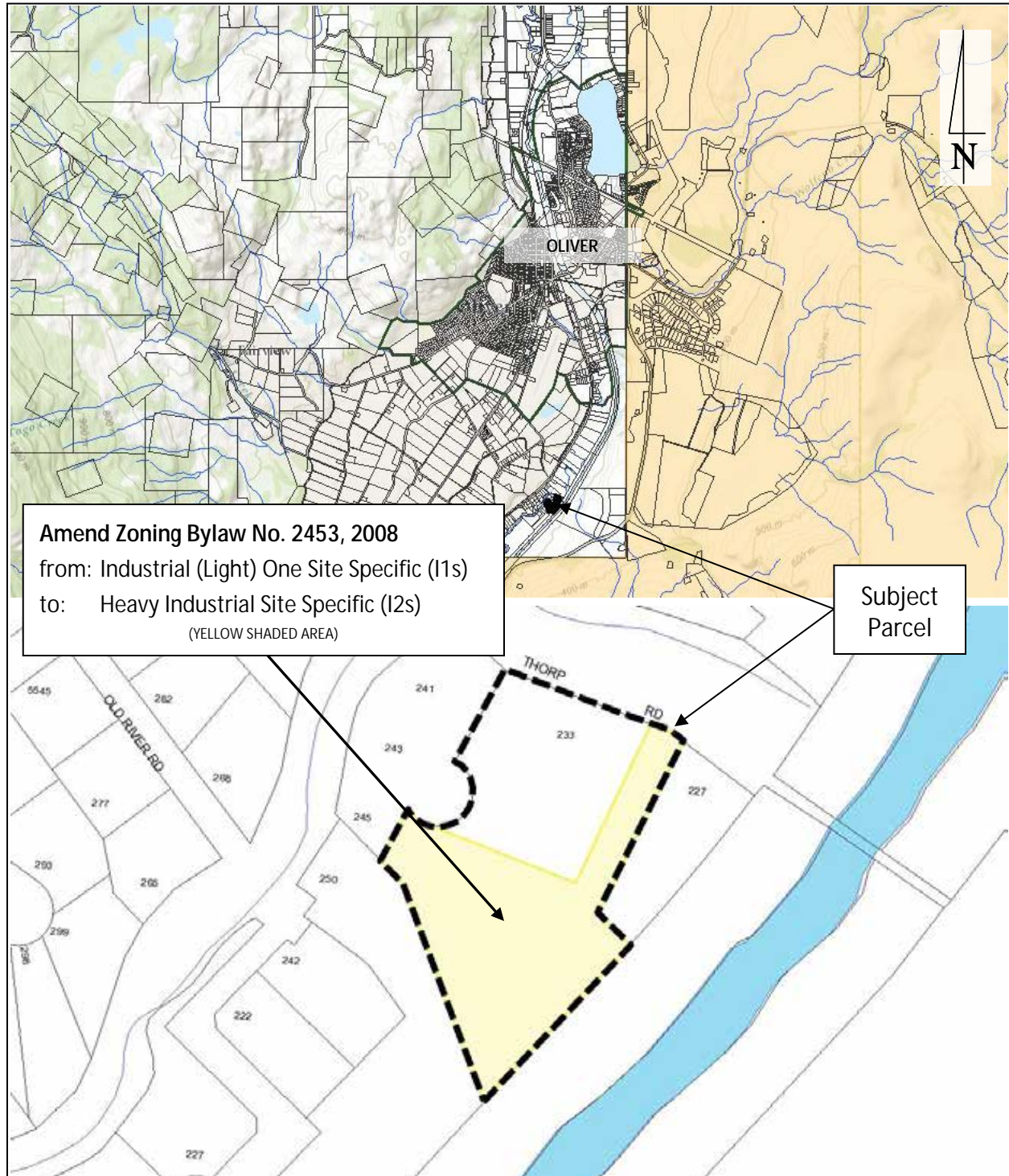
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'E-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

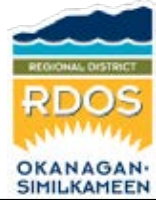
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# Regional District of Okanagan-Similkameen

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

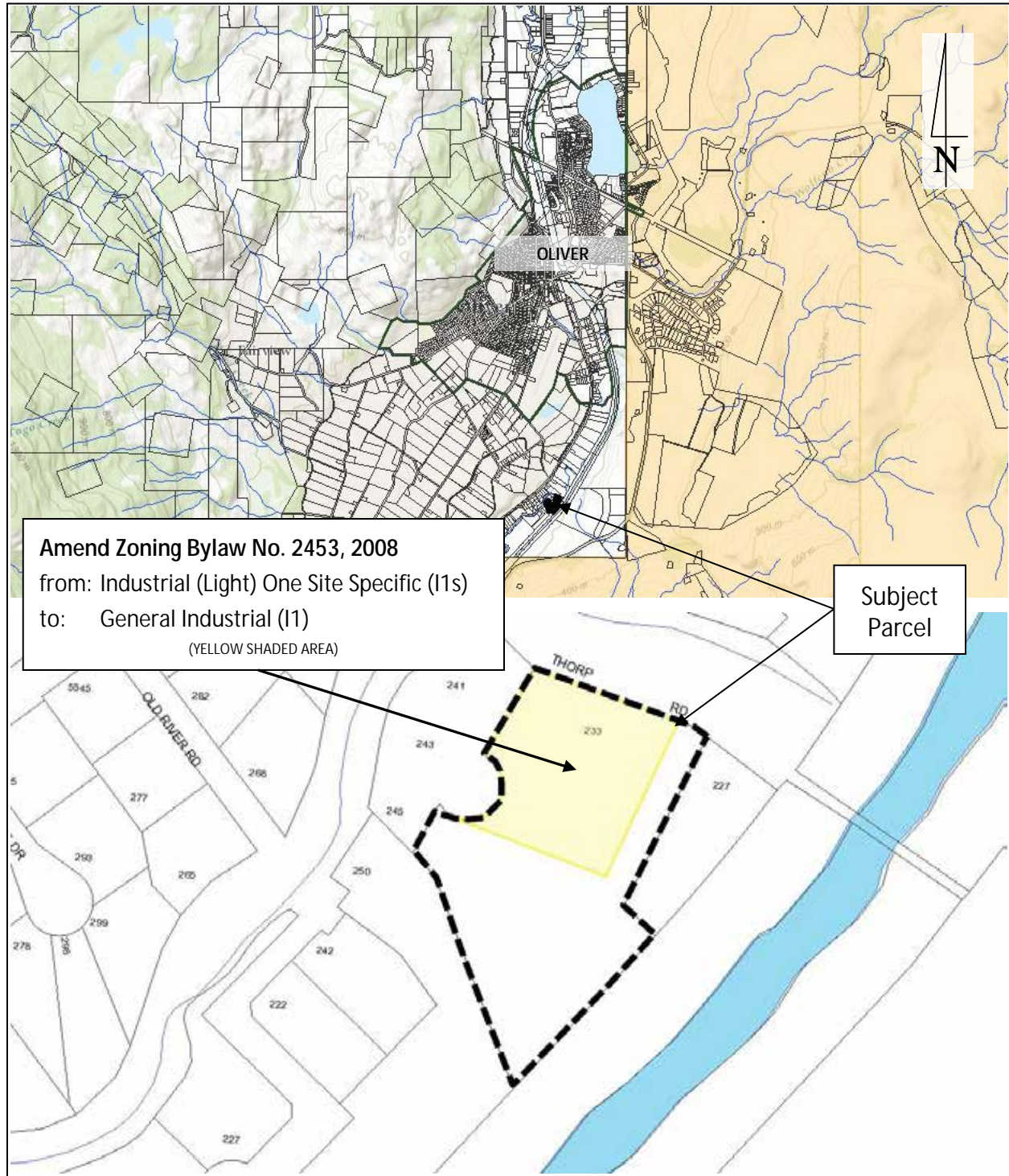
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

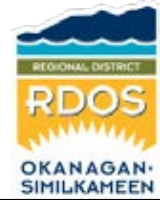
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# Regional District of Okanagan-Similkameen

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

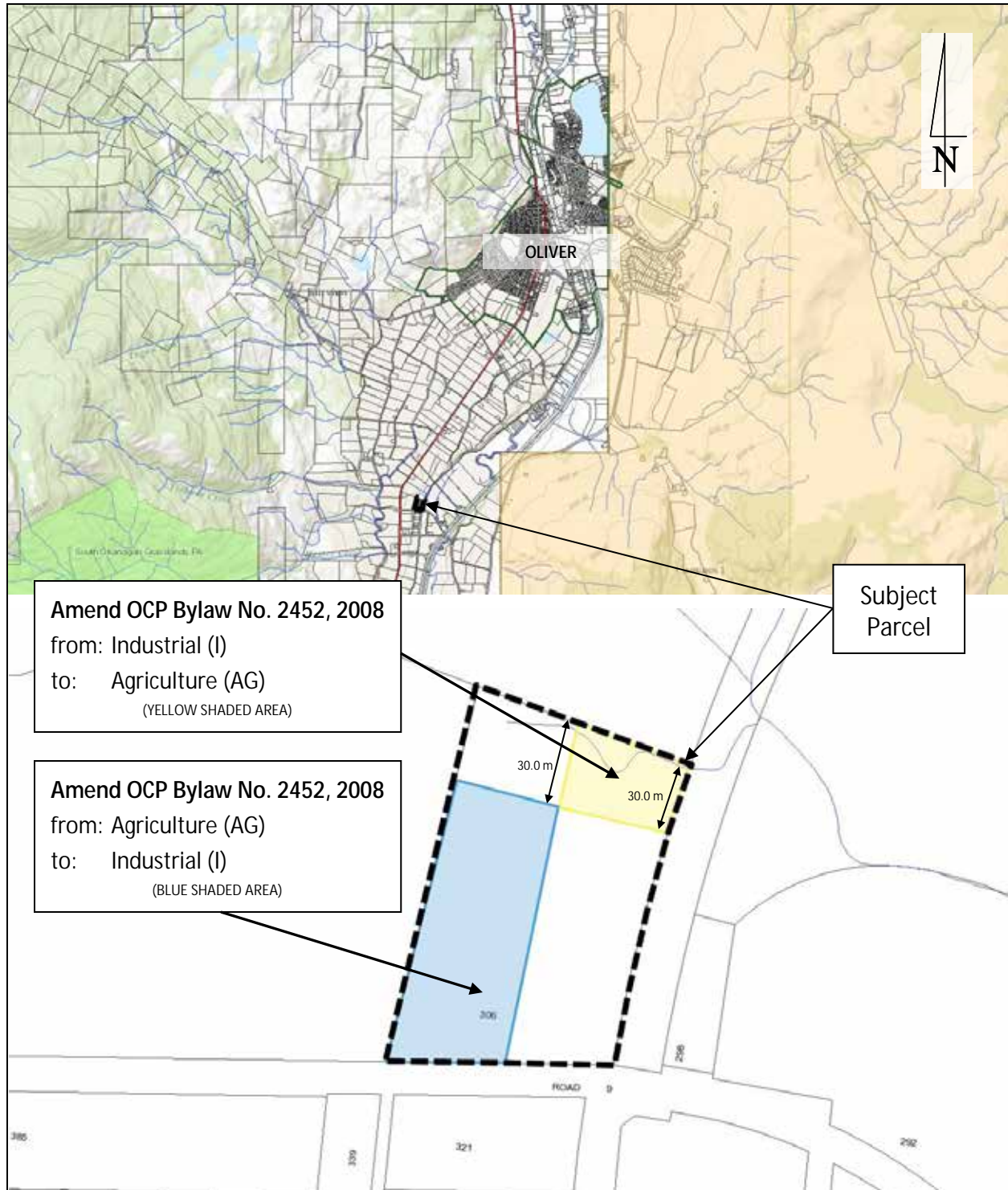
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'G-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

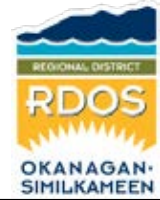
Page 63 of 82



# Regional District of Okanagan-Similkameen

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

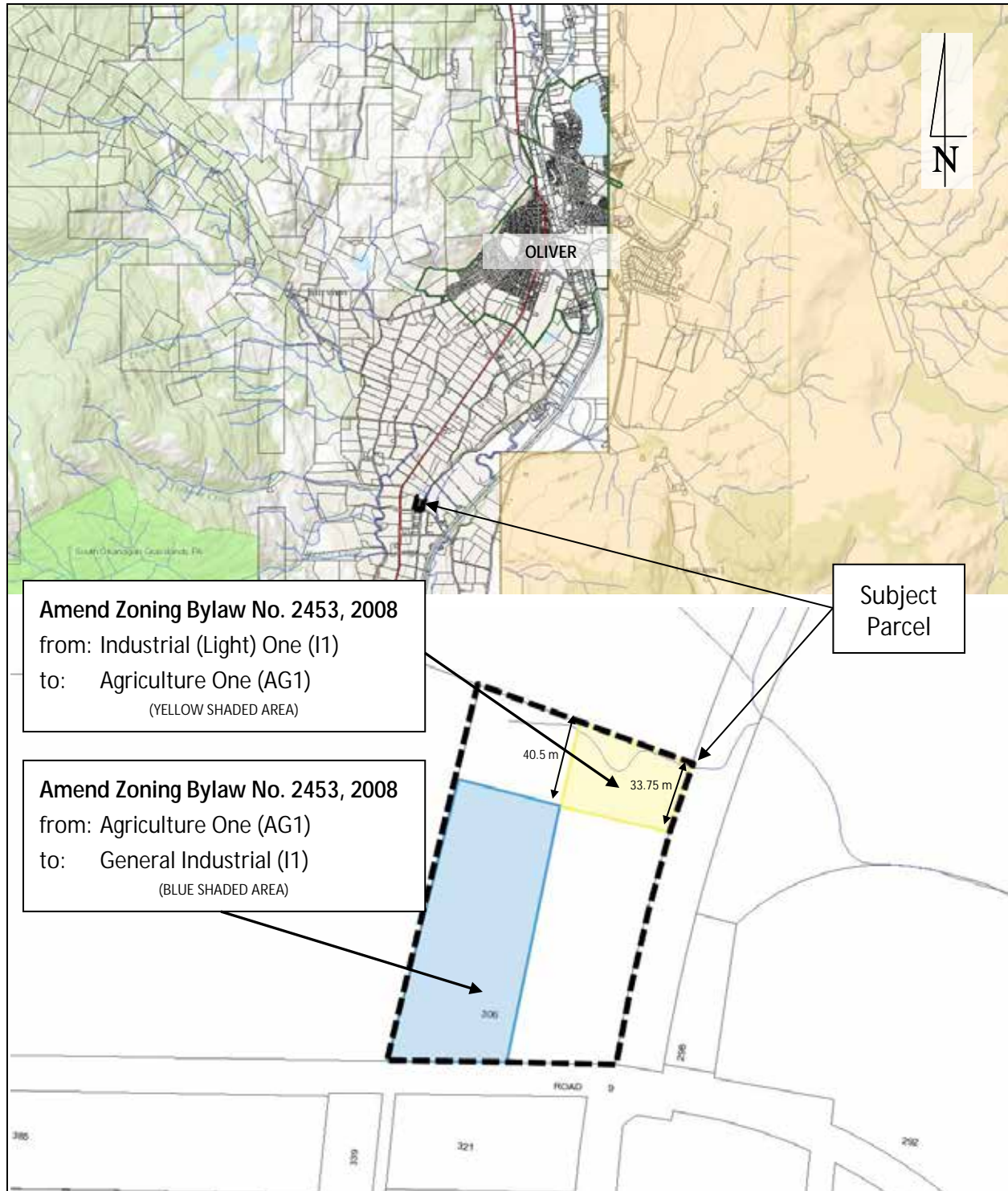
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'G-2'

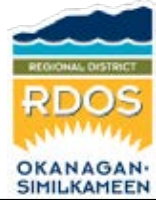




# Regional District of Okanagan-Similkameen

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

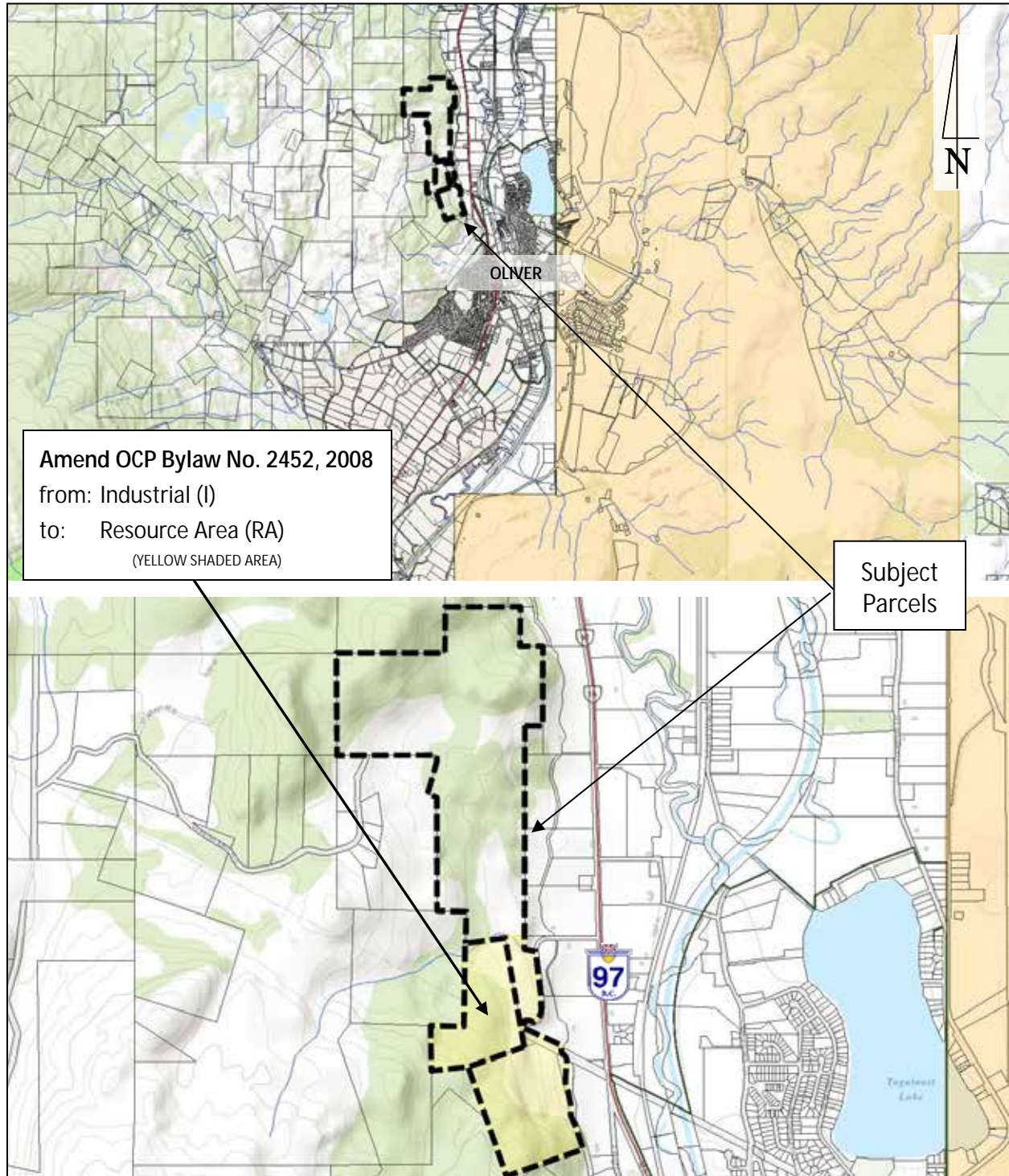
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'H-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

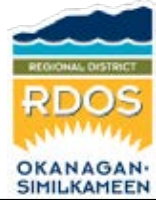
Page 65 of 82



# Regional District of Okanagan-Similkameen

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

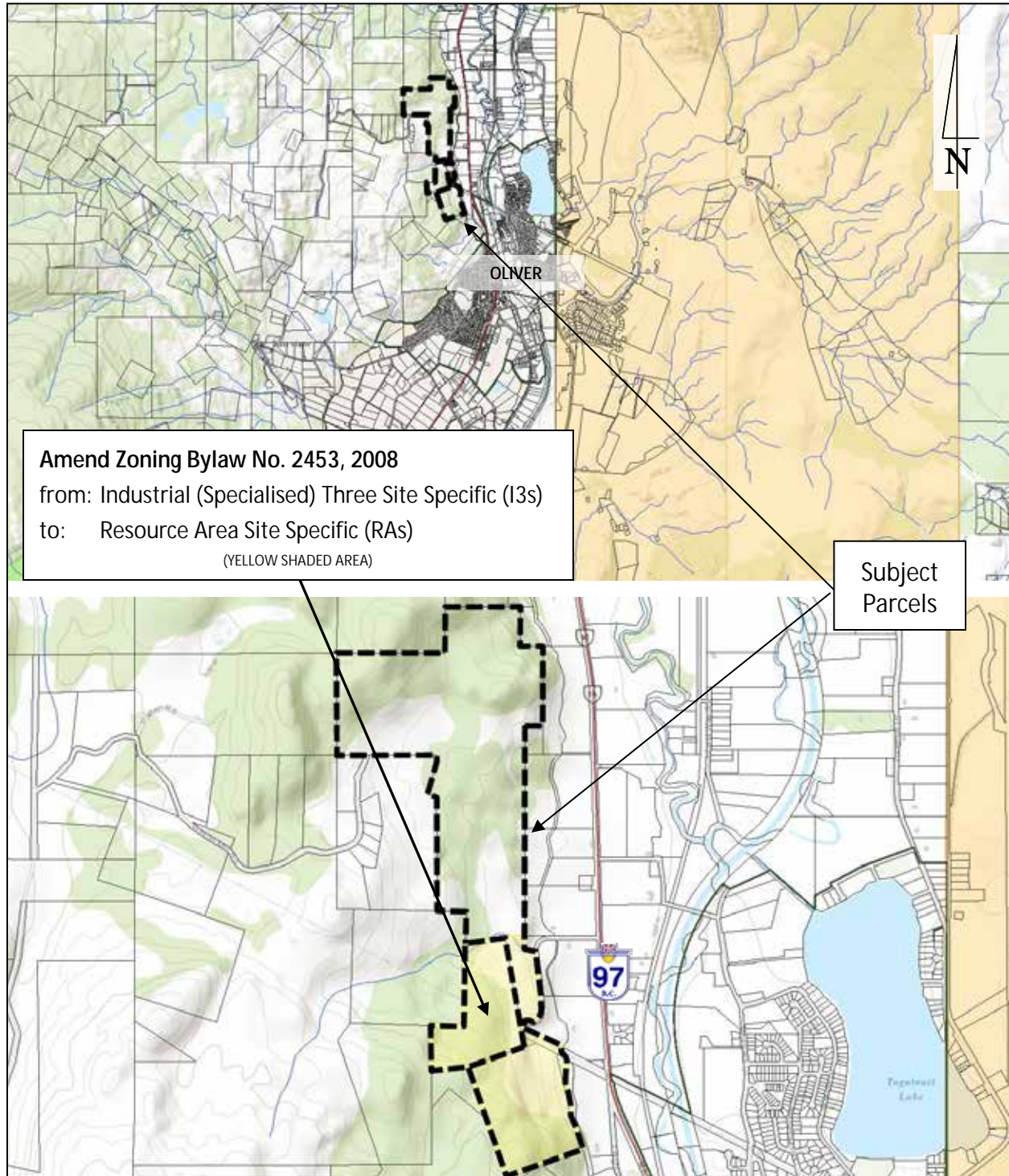
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'H-2'



Amendment Bylaw No. 2783, 2017

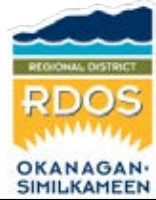
(X2017.129-ZONE)

Page 66 of 82

# Regional District of Okanagan-Similkameen

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

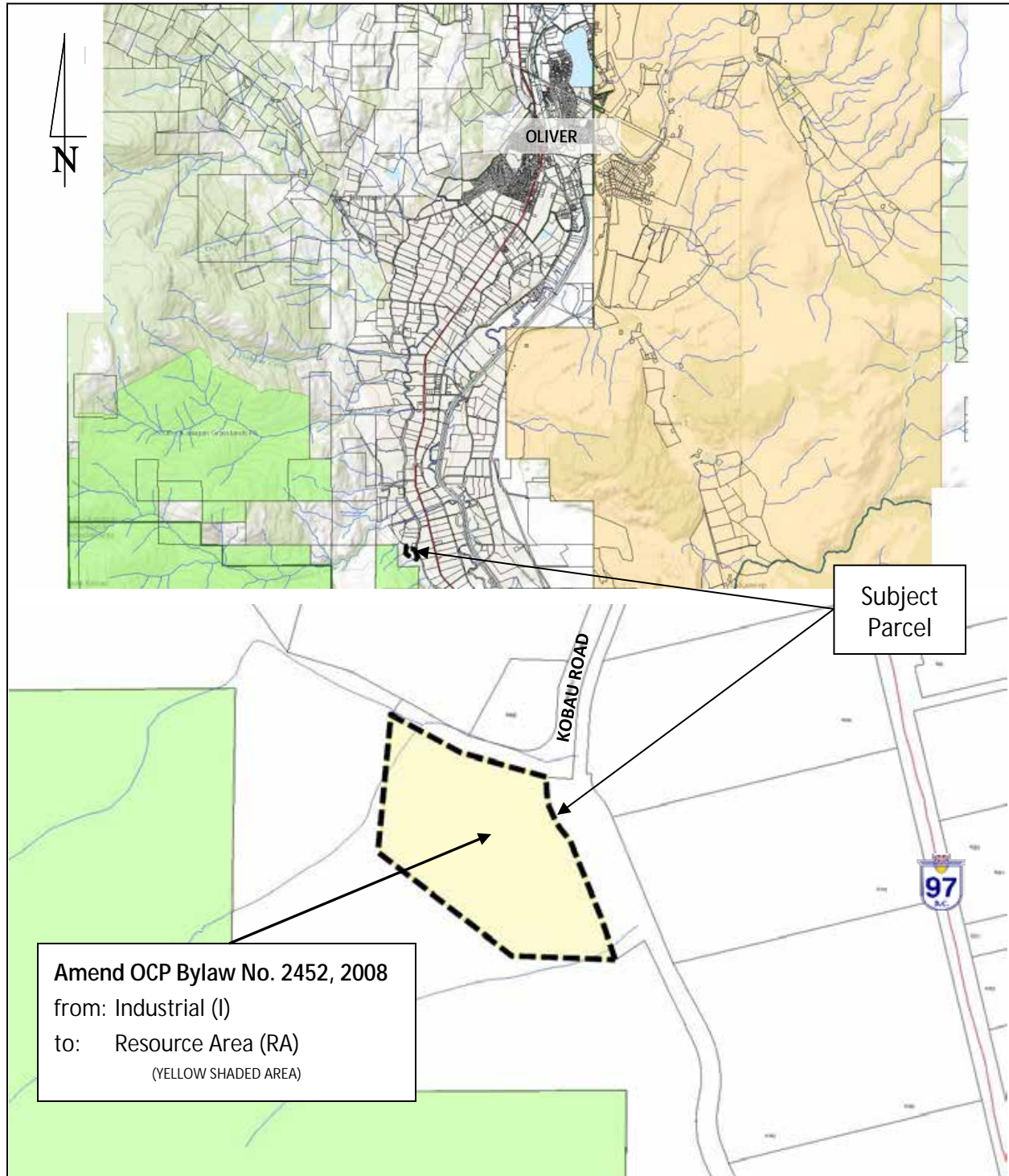
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'I-1'

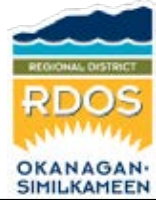




# Regional District of Okanagan-Similkameen

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

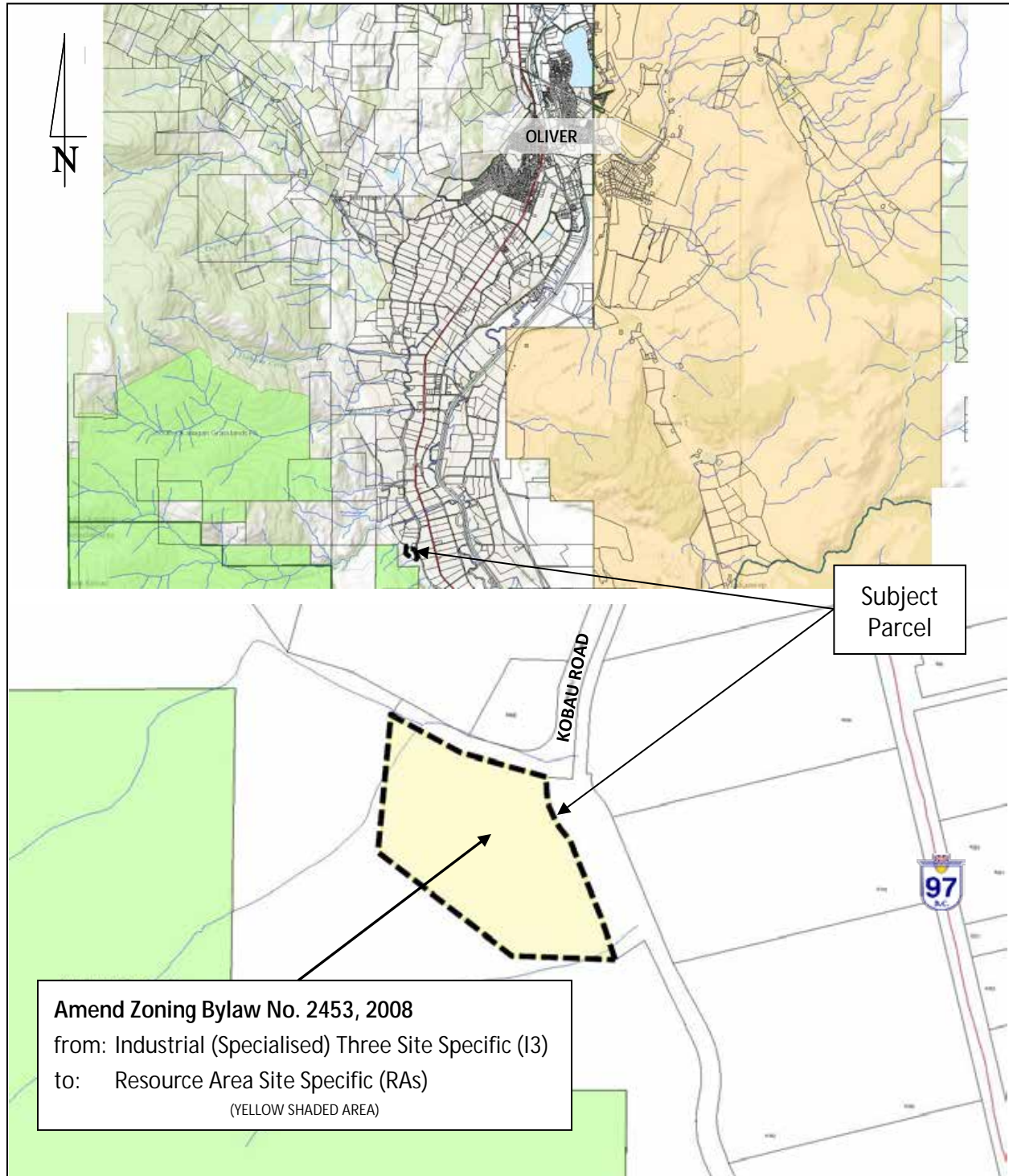
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

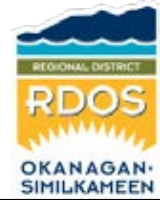
Schedule 'I-2'



# Regional District of Okanagan-Similkameen

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

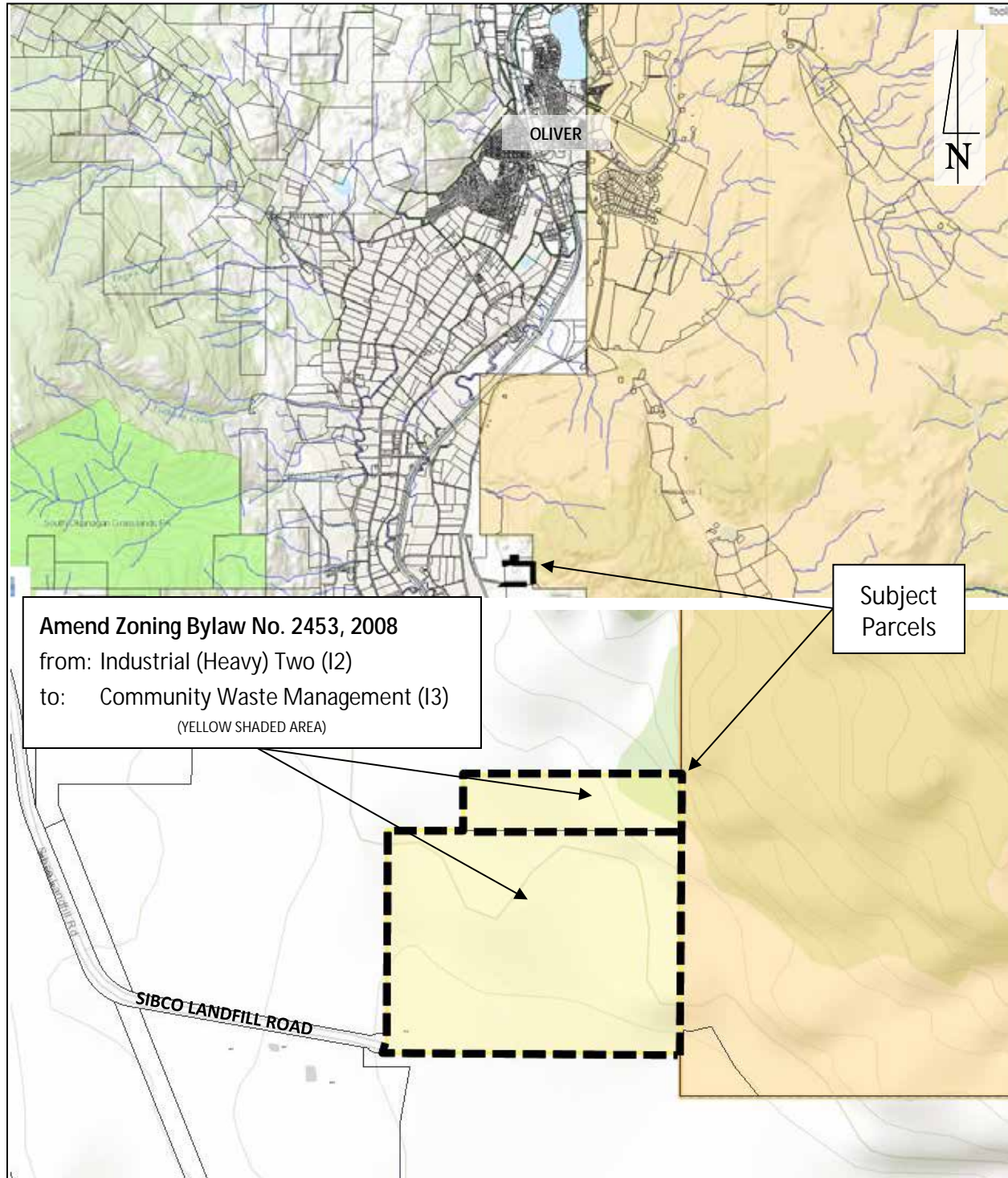
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'J-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

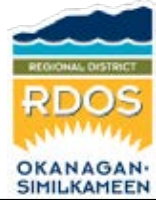
Page 69 of 82



# Regional District of Okanagan-Similkameen

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

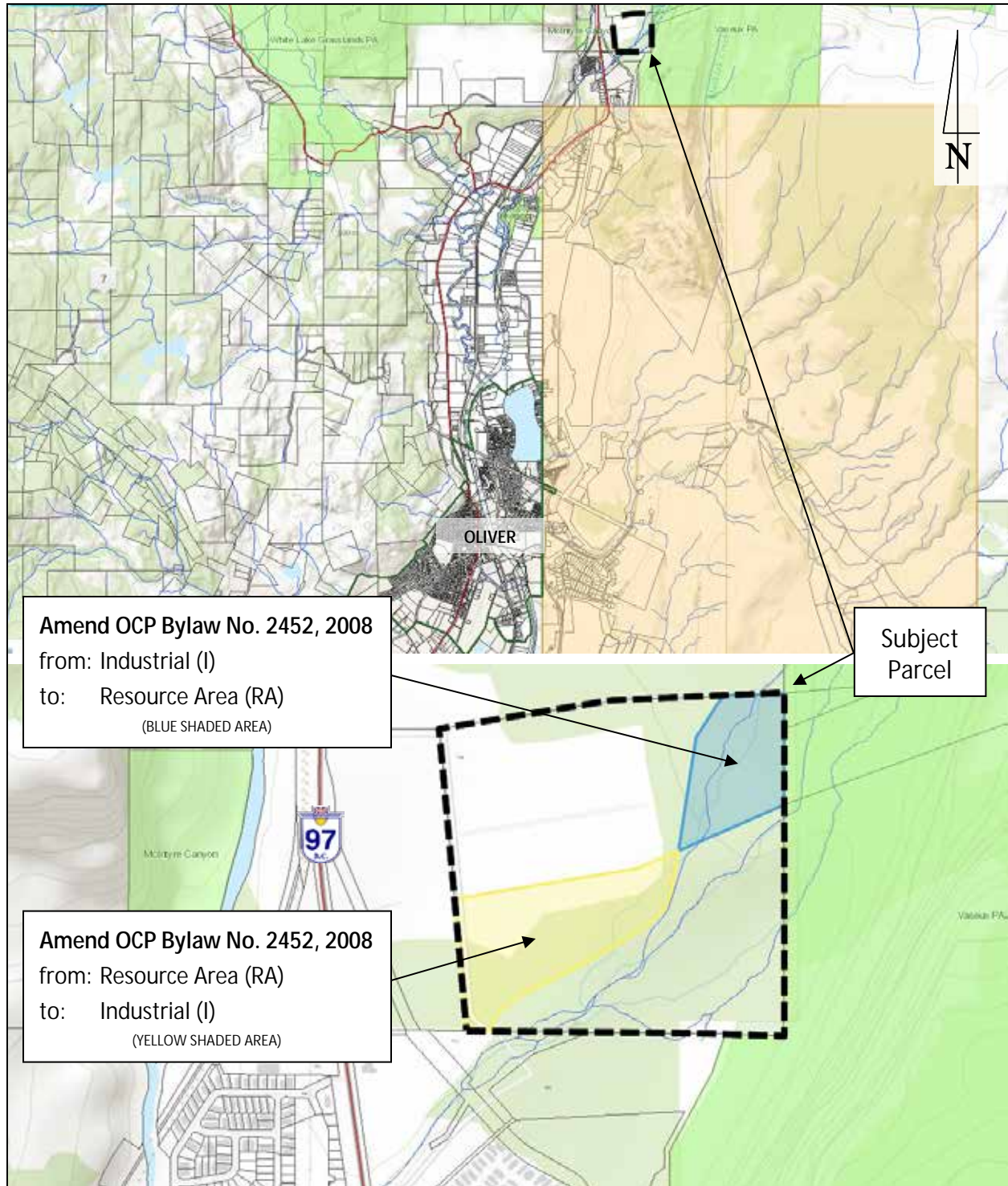
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'K-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

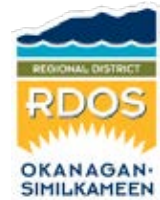
Page 70 of 82



# Regional District of Okanagan-Similkameen

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

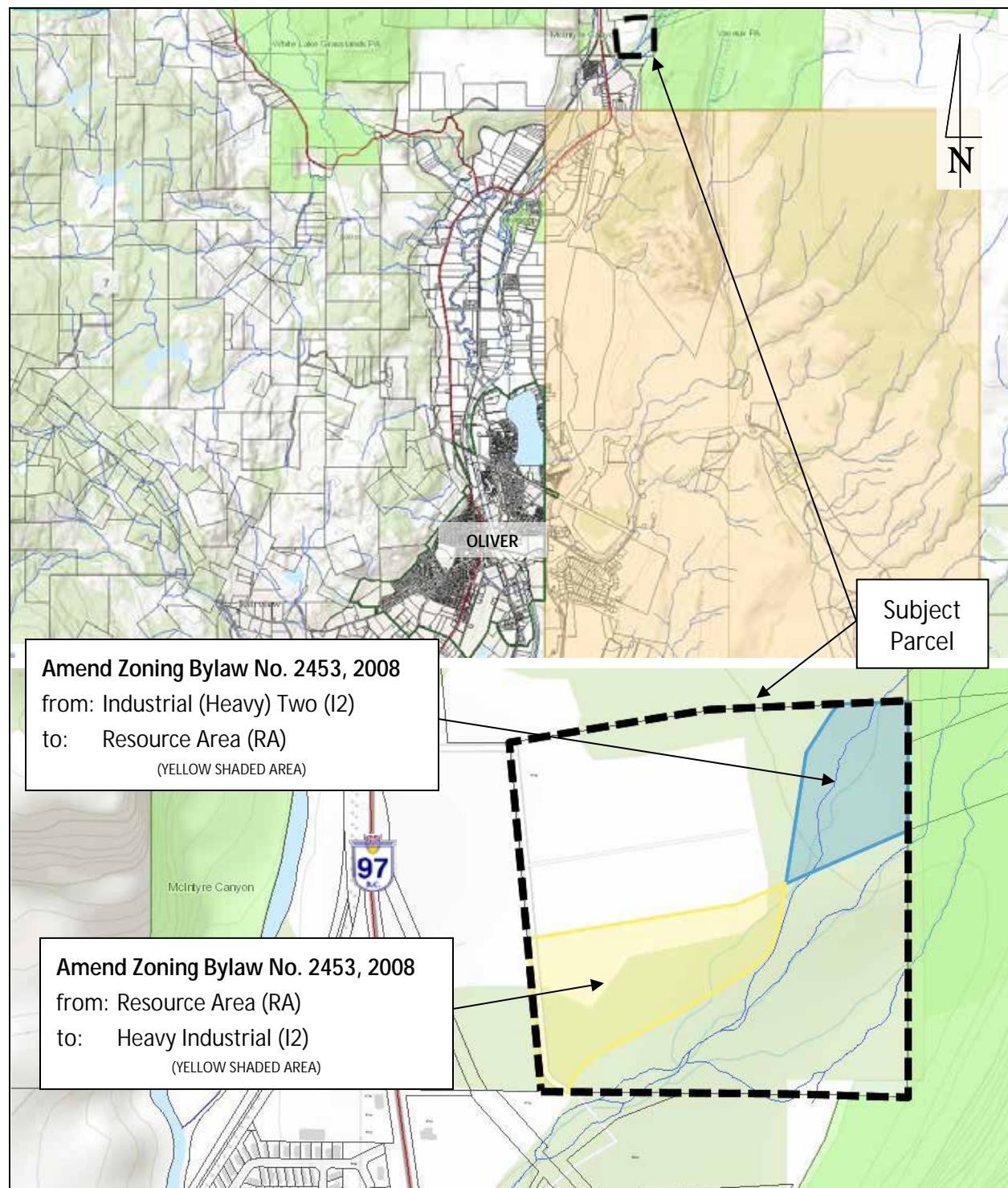
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

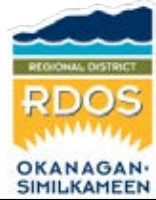
Schedule 'K-2'



# Regional District of Okanagan-Similkameen

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

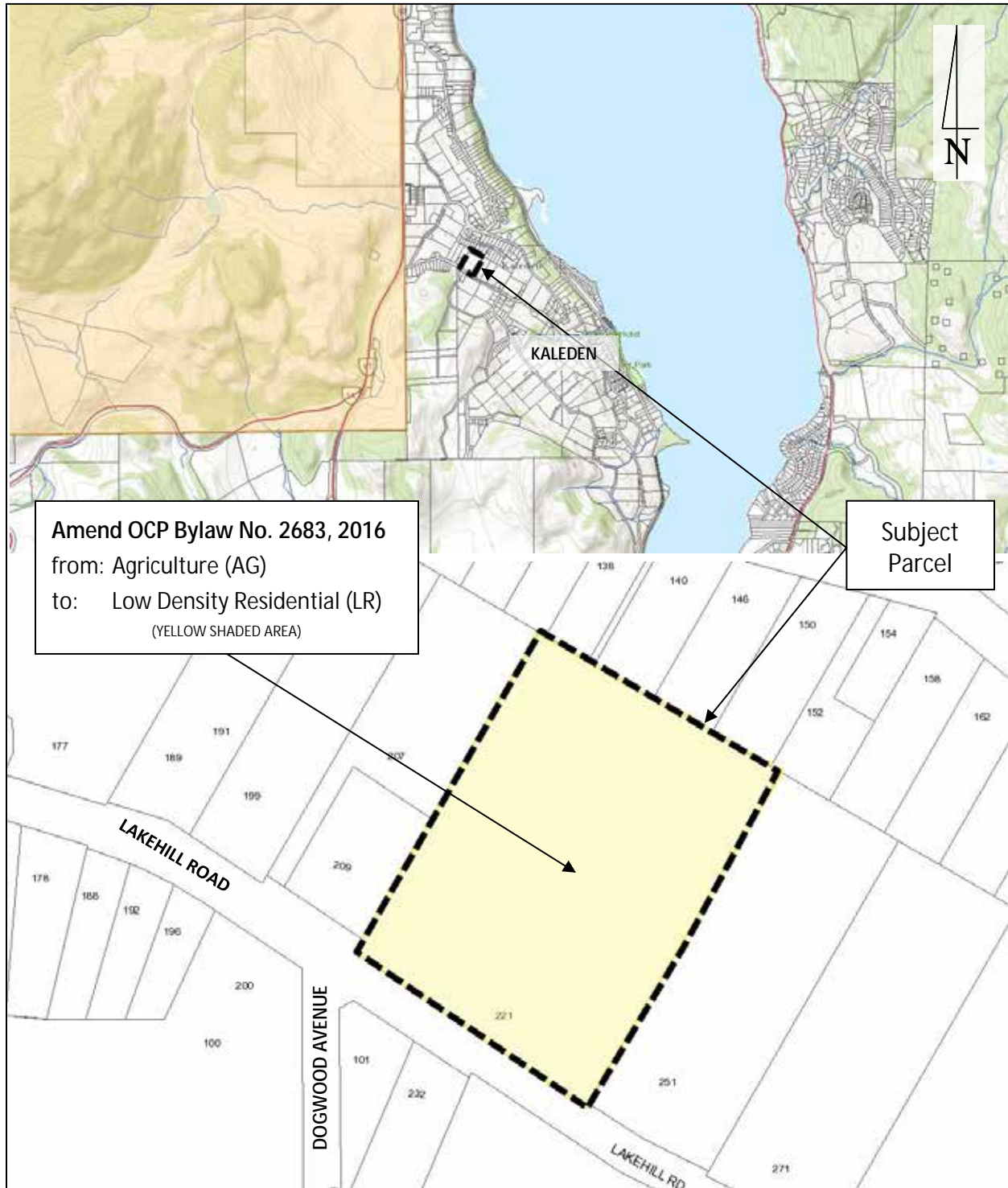
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'L-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

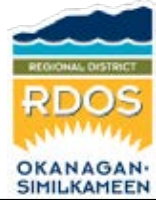
Page 72 of 82



# Regional District of Okanagan-Similkameen

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

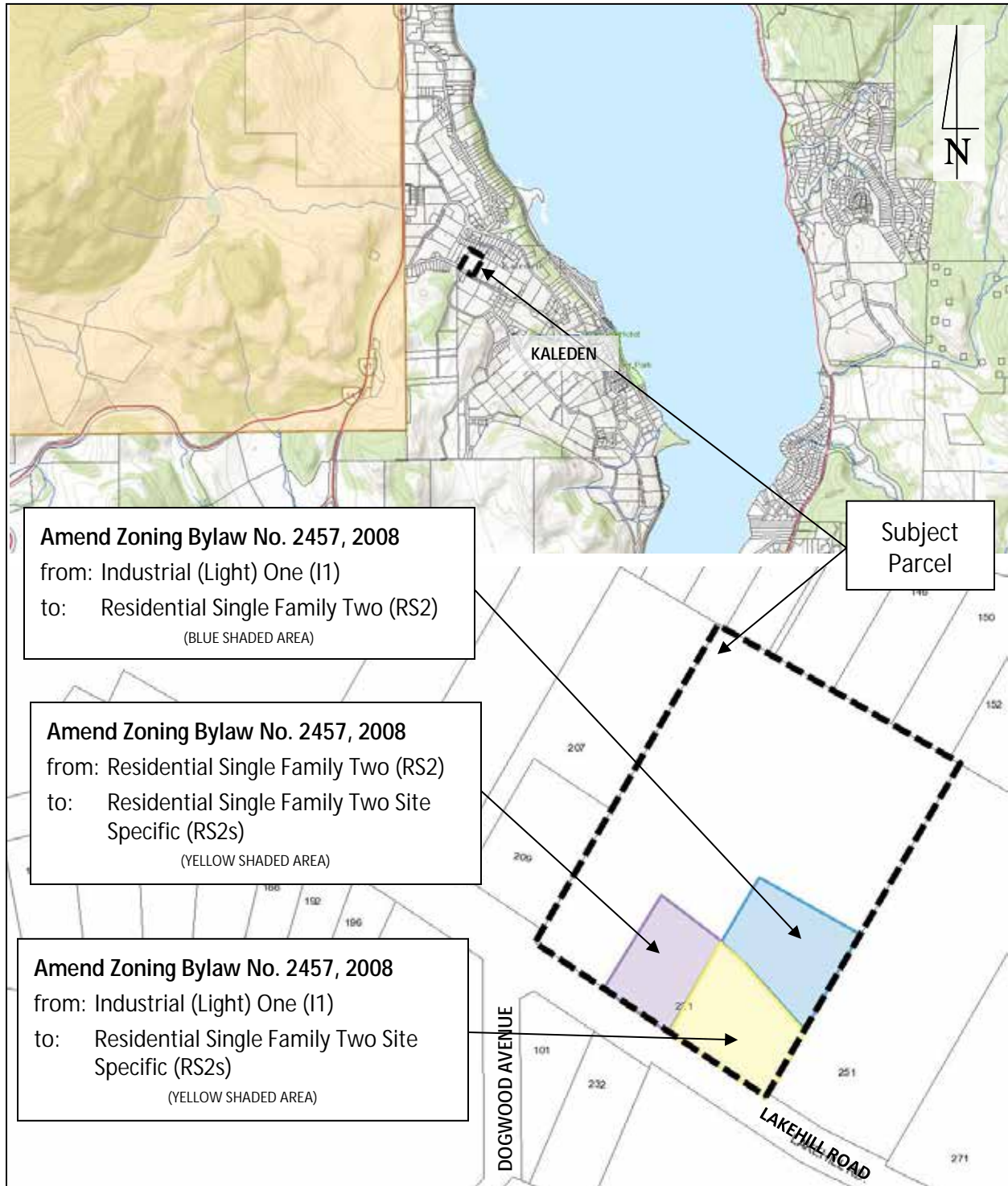
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'L-2'



Amendment Bylaw No. 2783, 2017

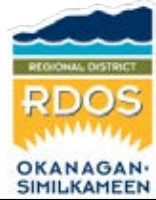
(X2017.129-ZONE)

Page 73 of 82

# Regional District of Okanagan-Similkameen

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

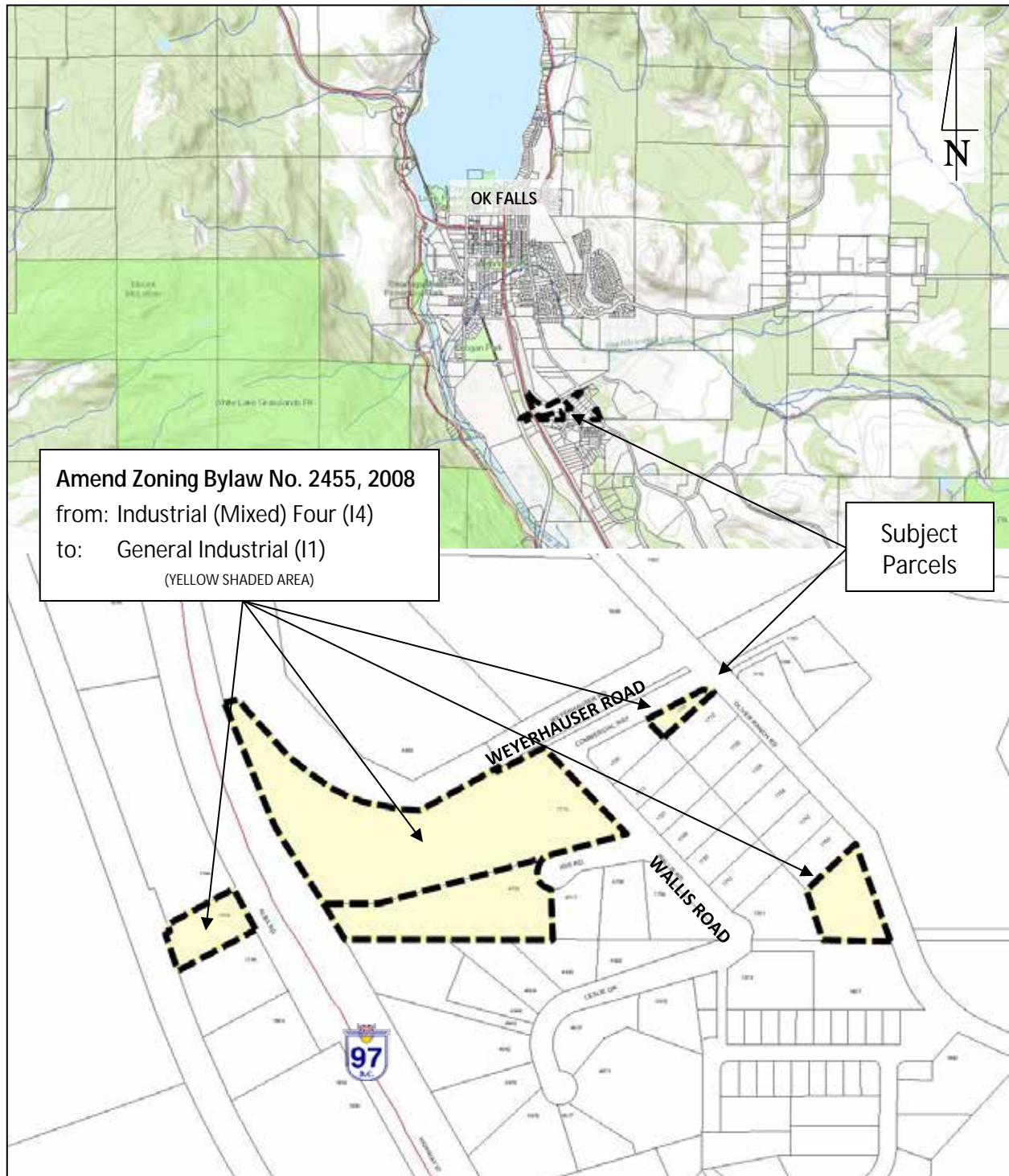
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'M-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

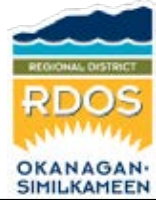
Page 74 of 82



# Regional District of Okanagan-Similkameen

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

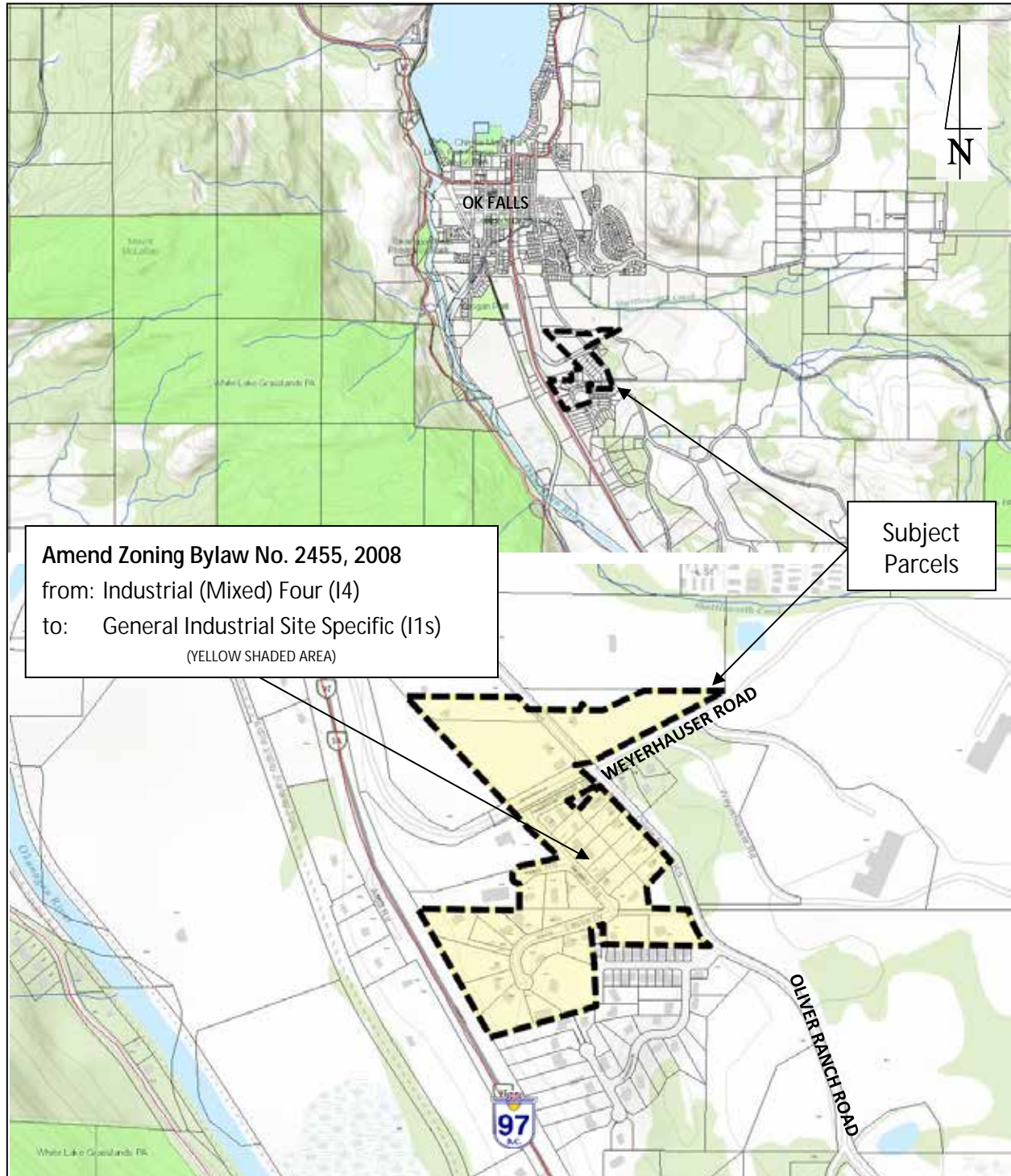
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'N-1'



Amendment Bylaw No. 2783, 2017

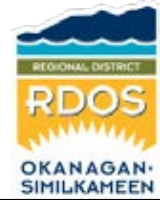
(X2017.129-ZONE)

Page 75 of 82

# Regional District of Okanagan-Similkameen

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

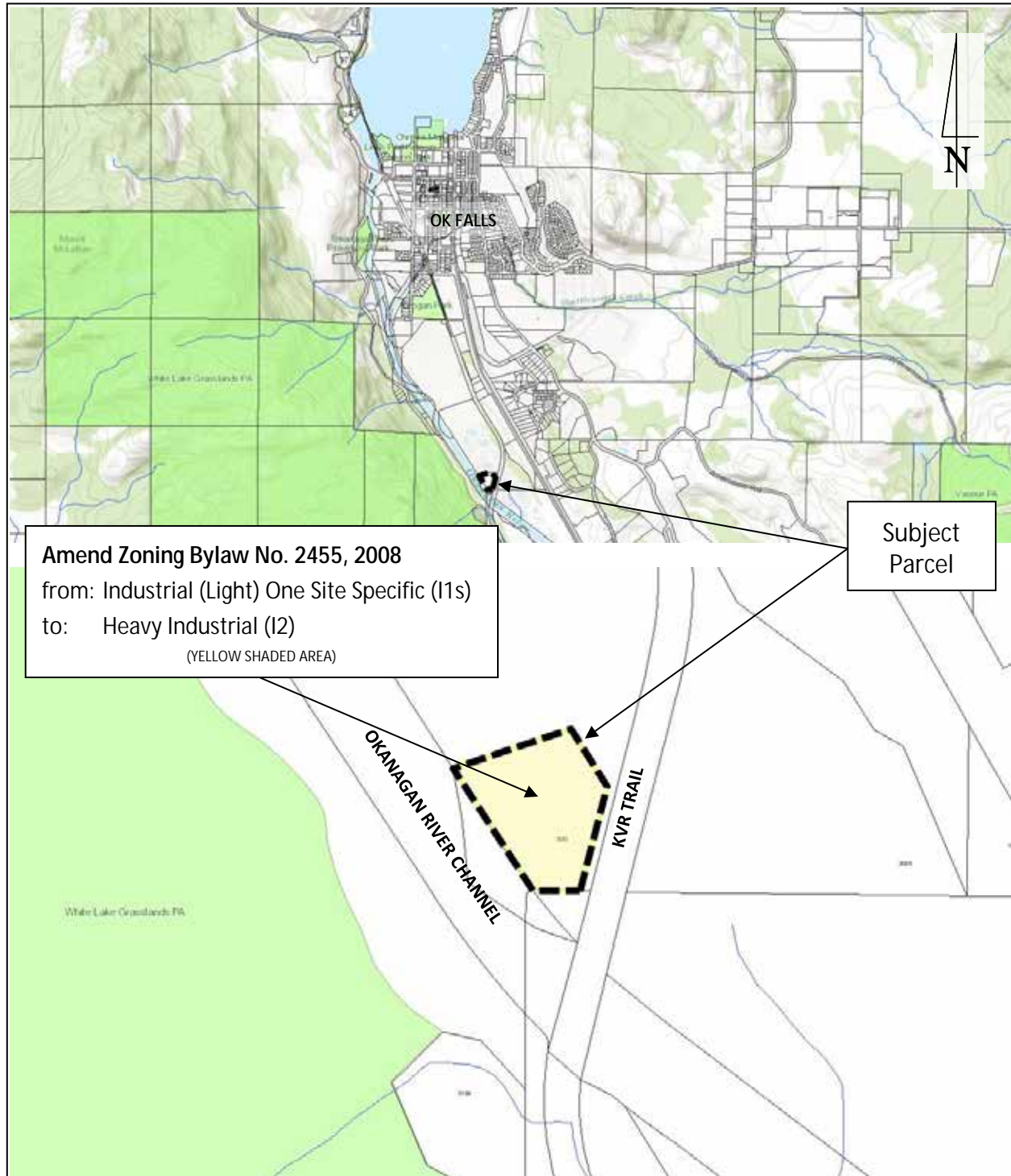
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'O-1'

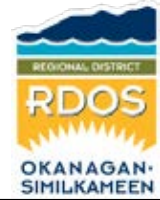




# Regional District of Okanagan-Similkameen

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

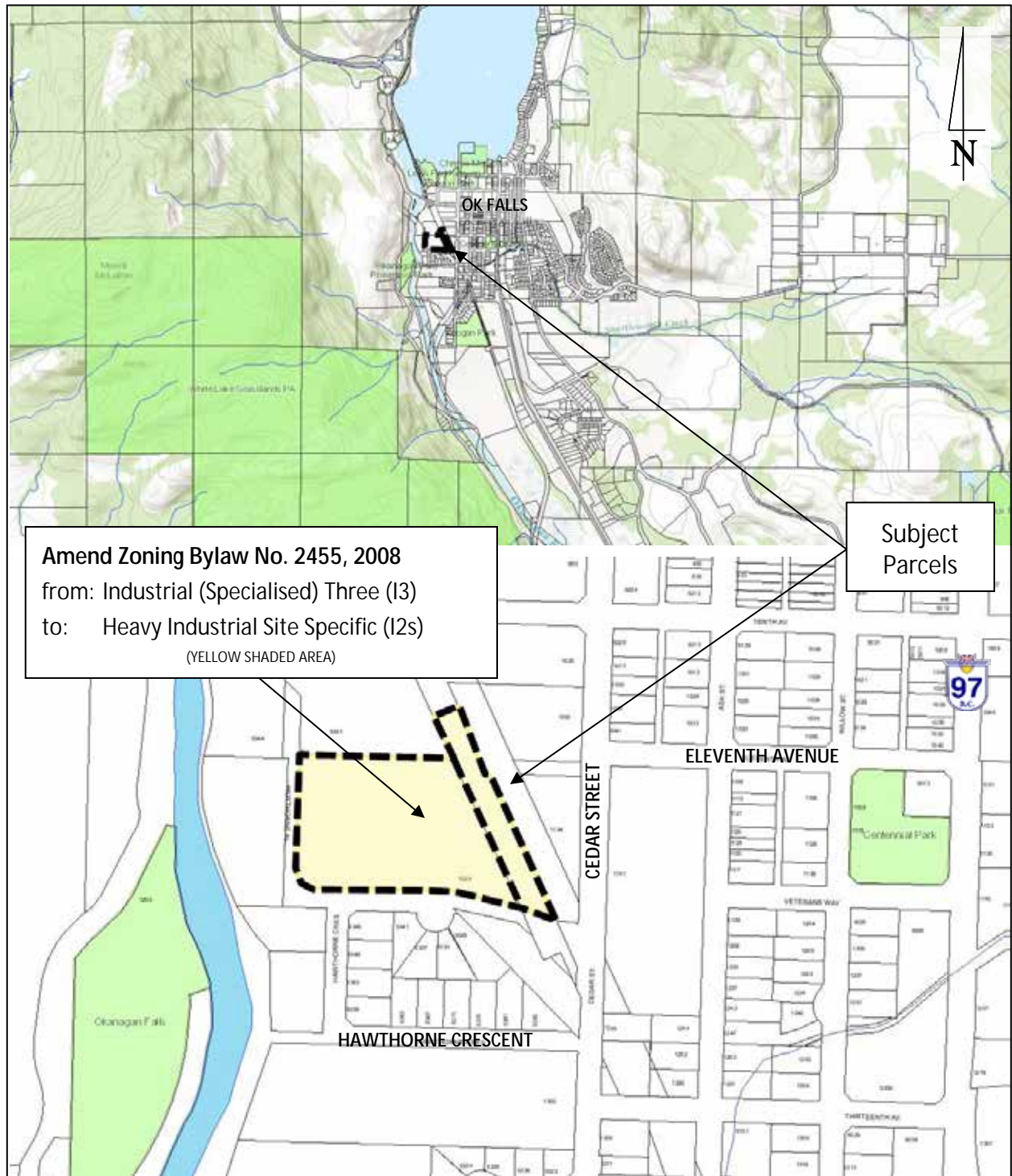
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'P-1'



Amendment Bylaw No. 2783, 2017

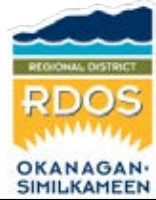
(X2017.129-ZONE)

Page 77 of 82

# Regional District of Okanagan-Similkameen

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

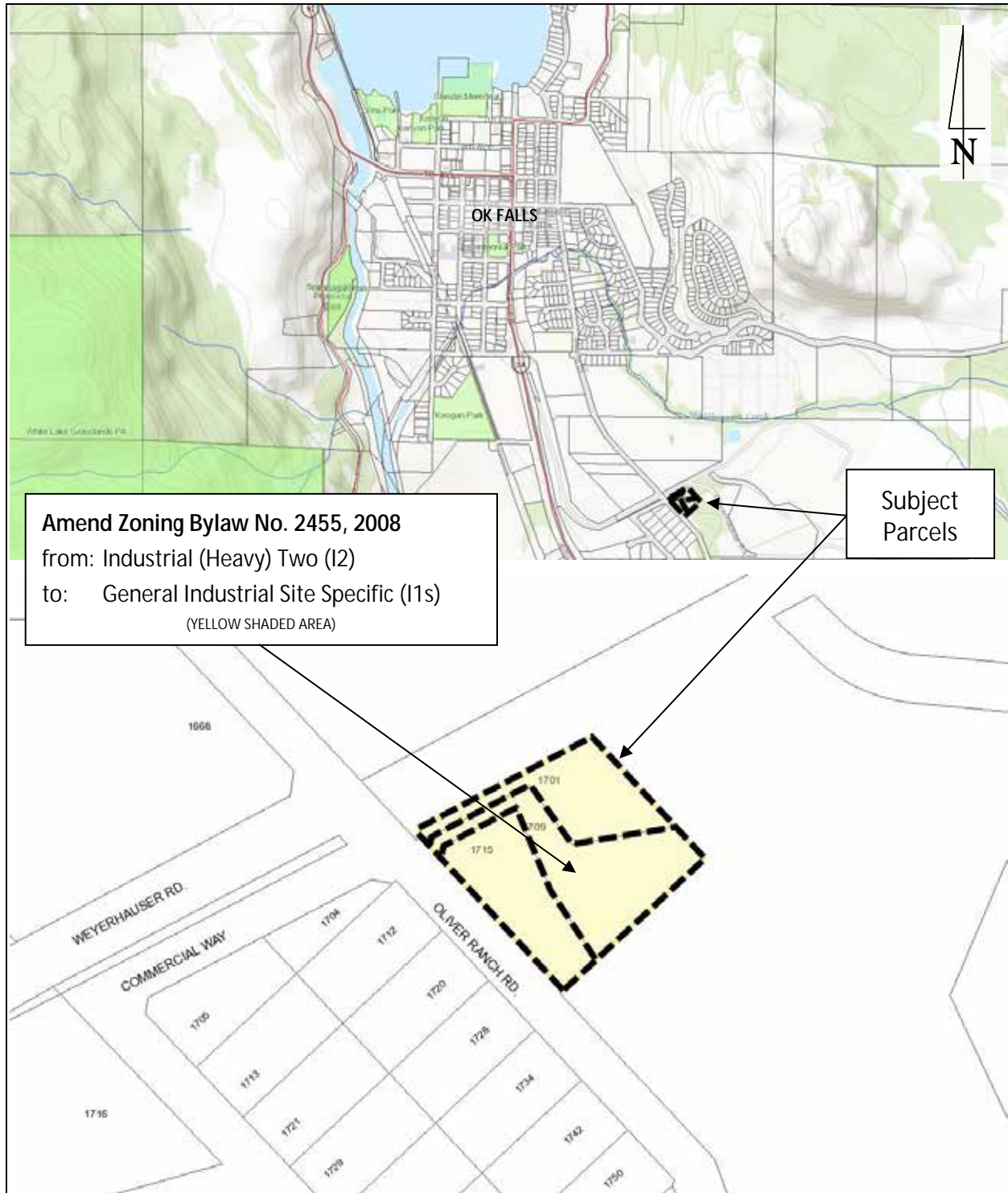
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'Q-1'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

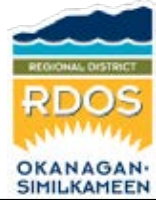
Page 78 of 82



# Regional District of Okanagan-Similkameen

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

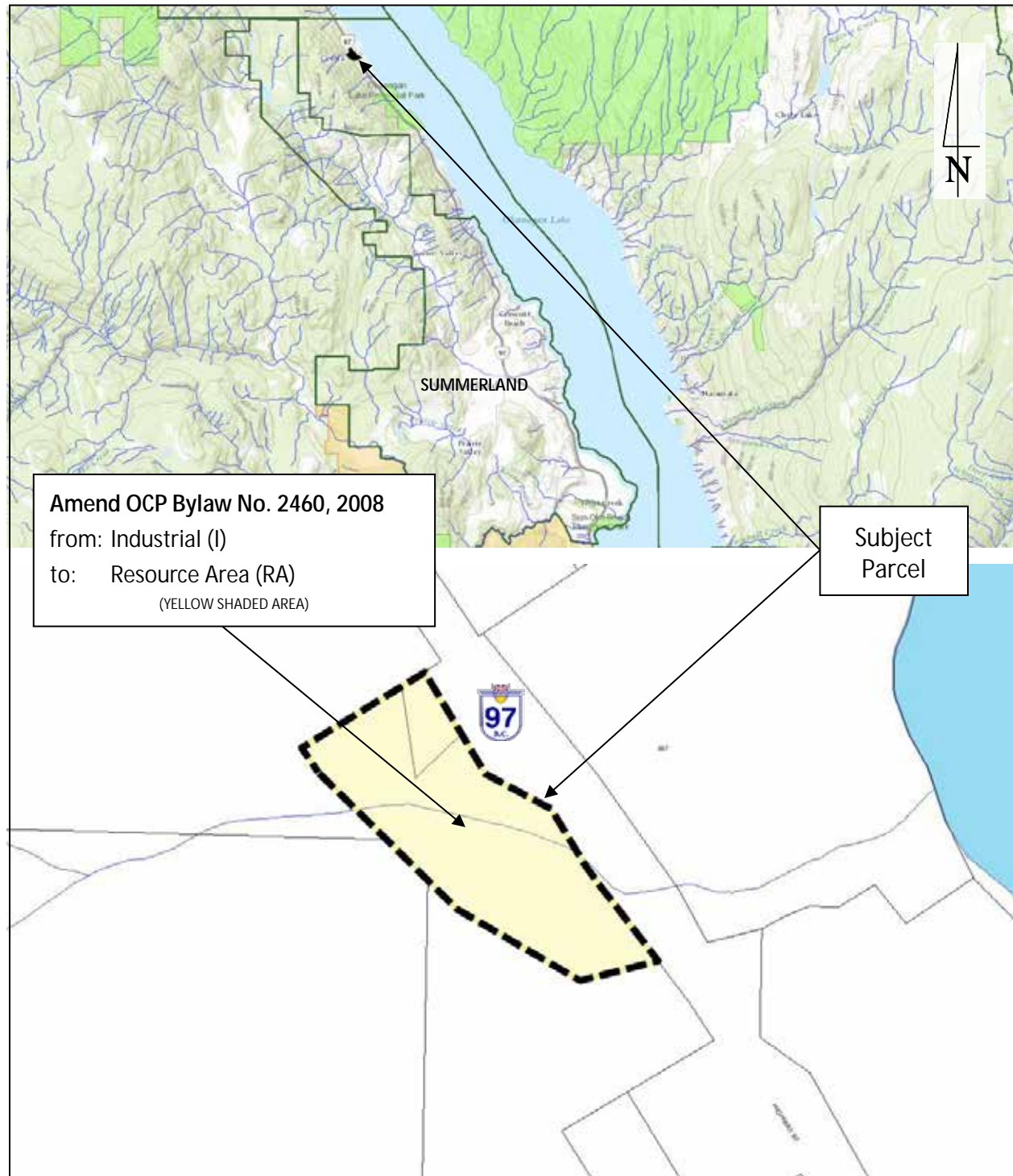
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

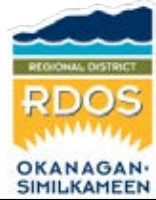
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# Regional District of Okanagan-Similkameen

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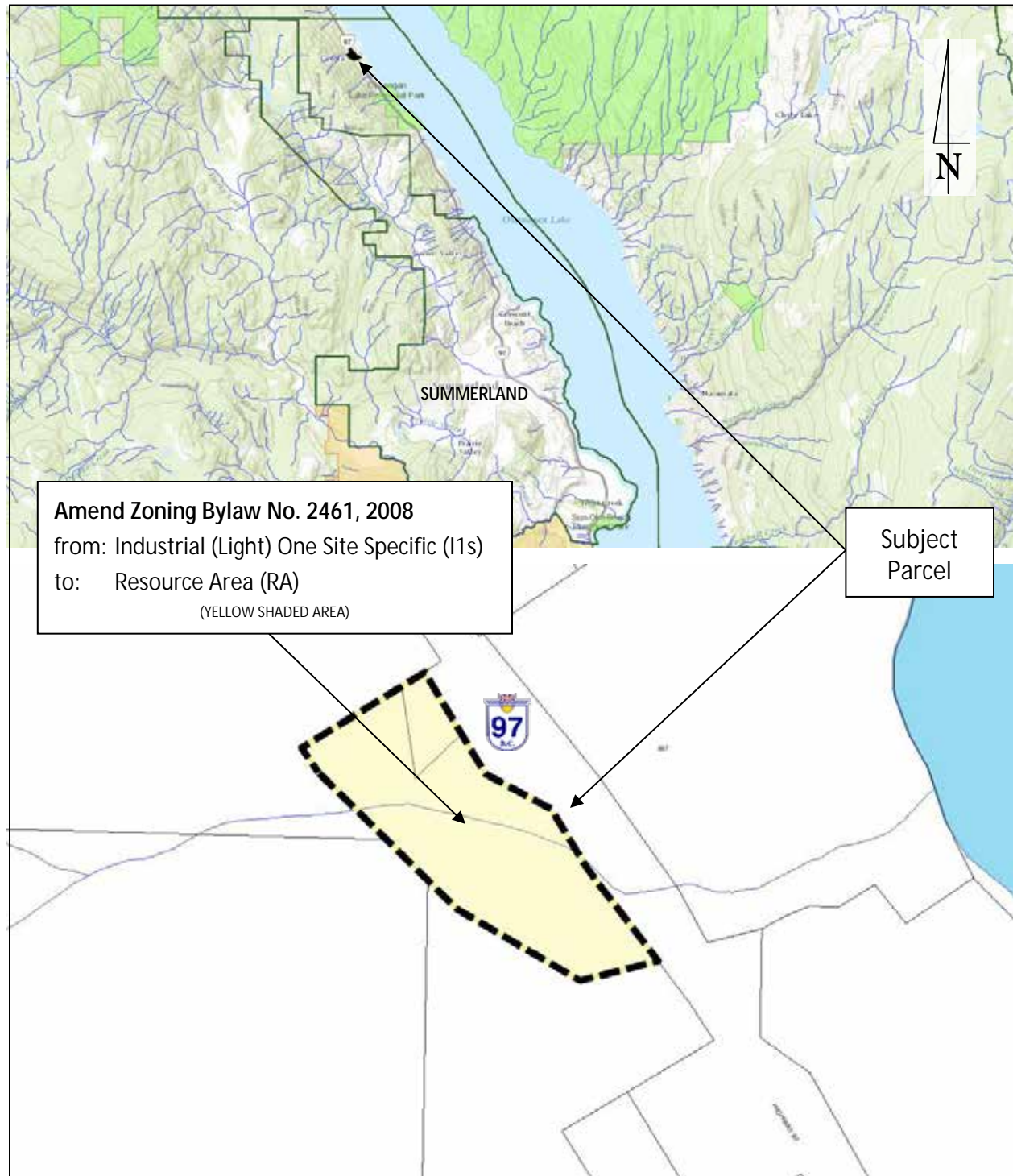
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'R-2'

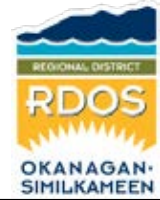




# Regional District of Okanagan-Similkameen

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

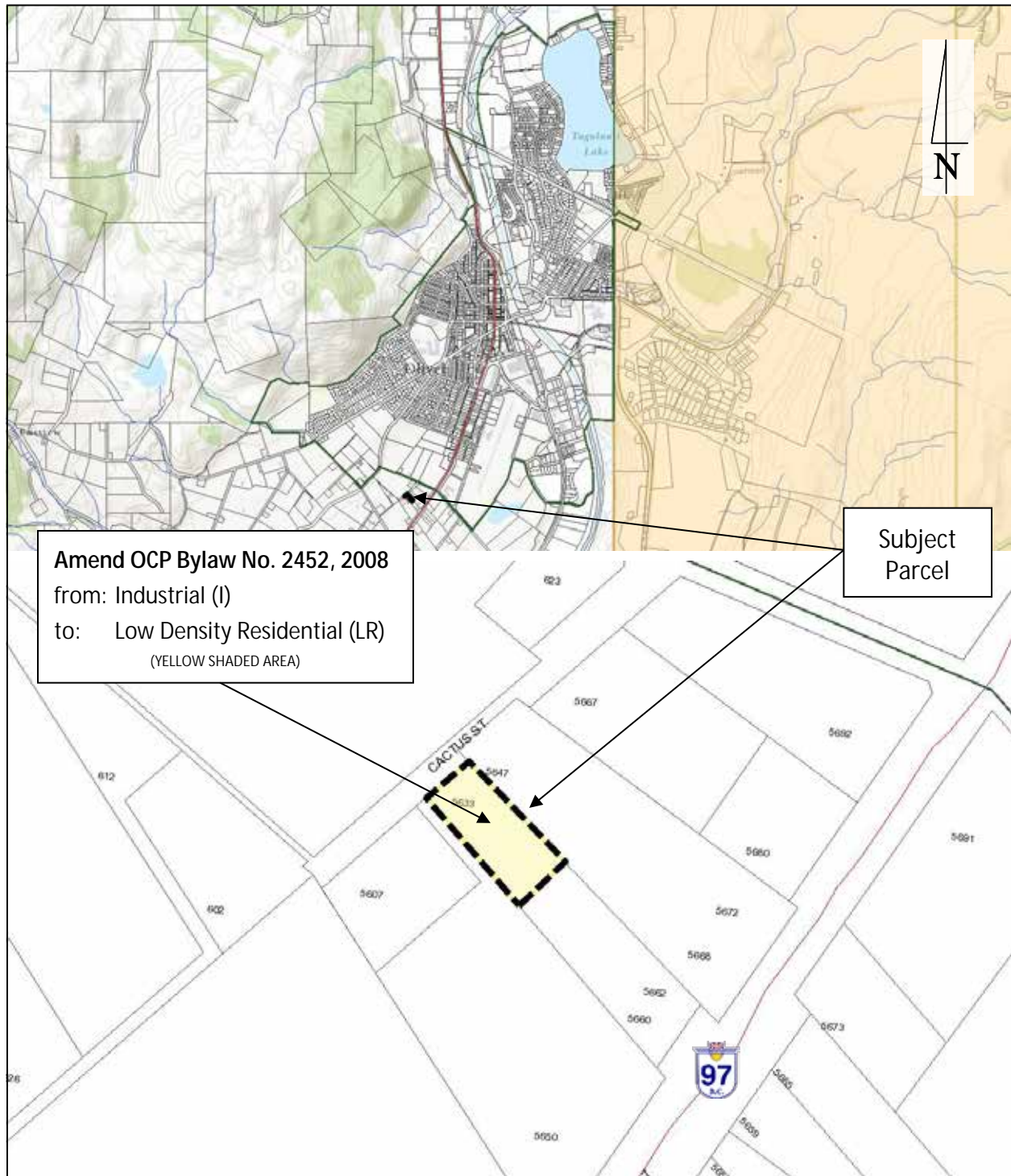
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'S-1'



Amendment Bylaw No. 2783, 2017

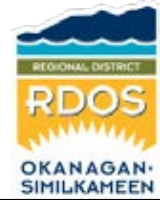
(X2017.129-ZONE)

Page 81 of 82

# Regional District of Okanagan-Similkameen

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

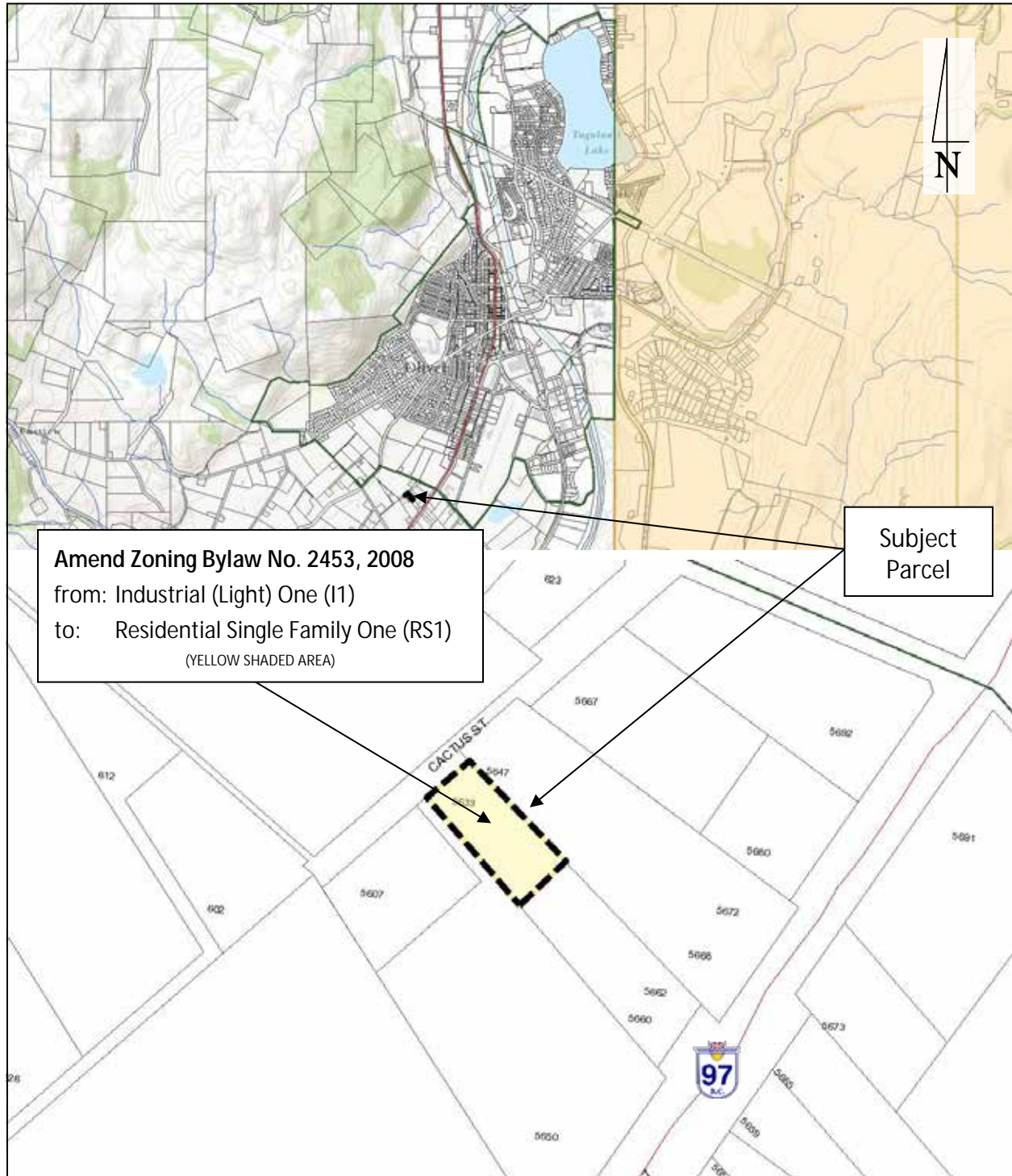
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Amendment Bylaw No. 2783, 2017

Project No: X2017.129-ZONE

Schedule 'S-2'



Amendment Bylaw No. 2783, 2017

(X2017.129-ZONE)

Page 82 of 82



**Lauri Feindell**

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**From:** Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>  
**Sent:** March 9, 2018 12:58 PM  
**To:** Lauri Feindell  
**Cc:** Christopher Garrish  
**Subject:** RE: Bylaw Referral - X2017.129-ZONE (Industrial Zone Update)  
  
**Categories:** Zoning Bylaw amendments

Hi,

The Ecosystems section of the Ministry of Forest Lands Natural Resources and Rural Development has reviewed the above noted referral and has "No Comment".

Thank you

Cathy Lacey  
Admin Support  
MFLNRO Penticton

# OKANAGAN FALLS IRRIGATION DISTRICT

P.O. BOX 110  
OKANAGAN FALLS, B.C.  
V0H 1R0

December 21, 2017

Mr. Christopher Garrish, Planning Supervisor  
Regional District of Okanagan Similkameen  
101 Martin Street  
Penticton, BC  
V2A 5J9

**Via Email – [cgarrish@rdos.bc.ca](mailto:cgarrish@rdos.bc.ca)**

Dear Mr. Garrish:

**Re: Industrial Zone                      te – 1704 Oliver Ranch Road, Okanagan Falls, BC**

Our office is in receipt of your letter dated December 5, 2017 regarding the proposed zoning changes.

At the 1704 Oliver Ranch Road site the Okanagan Falls Irrigation District has a water well that serves the residents in the upper zone of the District.

The District is concerned with any changes in zoning that could impact the aquifer and with any permitted uses not listed.

Thank you for your consideration.

Sincerely,

OKANAGAN FALLS IRRIGATION DISTRICT

Judy Morris  
Manager

1109 WILLOW STREET, OKANAGAN FALLS, B.C.  
TELEPHONE: 250-497-8541    FAX: 250-497-5817  
EMAIL: [ofid@telus.net](mailto:ofid@telus.net)    WEBSITE: [www.okanaganfallsirrigationdistrict.ca](http://www.okanaganfallsirrigationdistrict.ca)





DEVELOPMENT APPROVALS  
PRELIMINARY BYLAW  
COMMUNICATION

Your File #: X2017.129-ZONE  
Industrial Review  
Zone  
eDAS File #: 2018-01009  
Date: February 27, 2018

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw for:  
Okanagan Electoral Area**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

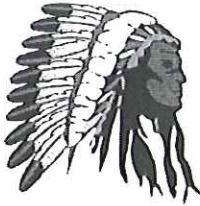
If you have any questions please feel free to call Rob Bitte at (250) 490-2280.

Yours truly,

Rob Bitte  
District Development Technician

Local District Address
Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231





## OSOYOOS INDIAN BAND

1155, SEN \*POK\*CHIN BOULEVARD, OLIVER BC, V0H 1T8  
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

March-08-18

Referral ID: Bylaw 2783 X2017.129-ZONE

RTS #: 1349

Date: February-20-18

**Reference#: R-77-001052**

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 February-20-18.

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.

limlɛmt,

Amanda Anderson  
Referrals Officer  
Osoyoos Indian Band  
cc:



P.O. Box 1199  
34449 91<sup>st</sup> Street  
Oliver, British Columbia V0H 1T0  
Telephone (250) 498-6688  
Fax Line (250) 498-3033


Regional District of Okanagan- Similkameen  
101 Martin Street  
Penticton, B.C. V2A 5J9

February 9, 2018

Dear Mr. Chris Garrish, Planning Supervisor

Re: Industrial Zoning Update  
6886 Highway 97 (Lots 1, Plan KAP17547, D.L. 24505 S.D.Y.D., Portion lot 53)

In response to your letter of December 5, 2017, we do not have any objections to the rezoning of the above property. The changes that are outlined under Proposed General Industrial (1) zone with the permitted uses meet with our approval as long as the proposed changes do not change between now and when the bylaw is passed by the Board. If there are changes I assume I will be notified by your office. I look forward the further correspondence from your office keeping me updated.

  
William (Bill) Ross, agent





**Lauri Feindell**

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**To:** Christopher Garrish  
**Subject:** RE: Proposed Zoning bylaw Amendment, 2453.34 (X2017.129-ZONE)

**From:** Karen Knelsen I  
**Sent:** March 6, 2018 9:10 AM  
**To:** Christopher Garrish <[cgarrish@rdos.bc.ca](mailto:cgarrish@rdos.bc.ca)>  
**Subject:** RE: Proposed Zoning bylaw Amendment, 2453.34 (X2017.129-ZONE)

Hi Chris! Oh my goodness I'm so sorry for my tardiness in following up with you in this matter! I don't see any objection to the RS1 amendment for our property. Do you need me to print off another one of those forms and send it back to you?

Warmly,

Karen Sterling

Sent from Mail for Windows 10

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Official Community Plan & Zoning Bylaw Amendments – Electoral Areas “D-2” & “E”  
Small Holdings One (SH1) Zone Review

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**Administrative Recommendation:**

**THAT Bylaw No. 2797, 2018, Regional District of Okanagan-Similkameen Small Holdings One (SH1) Zone Review Amendment Bylaw be read a third time.**

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**Purpose:**

Amendment Bylaw No. 2797 seeks to amend the Electoral Area “D-2” and “E” Official Community Plan and Zoning Bylaws in order to consolidate the Small Holdings One (SH1) Zone with the Large Holdings One (LH1) Zone. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**Background:**

At its meeting of January 18, 2018, the Planning and Development (P&D) Committee of the Board resolved that staff be directed to initiate the Small Holdings One (SH1) Zone Review Amendment Bylaw No. 2797, 2018.

On January 18, 2018, the Regional District sent letters to all registered property owners with land zoned SH1 advising of the proposed changes to the land use bylaws and seeking feedback. Approximately six (6) feedback forms were returned and are included as a separate item on the Board Agenda.

At its meeting of March 15, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur on April 5, 2018, at the Regional District office in Penticton.

All comments received through the public process have been compiled and included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposed amendments will affect lands situated within 800 metres of a controlled area.

**Analysis:**

In light of the substantial similarities that exist between the SH1 and LH1 Zones in Electoral Area “D-2” & “E” zoning bylaws, Administration considers there to be merit in consolidating these into the LH1 Zone.

To facilitate this consolidation in Electoral Area “E”, Administration is also proposing to re-draft the objectives and policies of the Rural Holdings section of the OCP Bylaw.

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Due to the specific policy statements that exist within the Electoral Area "D-2" OCP Bylaw regarding maximum density in the Upper Carmi area (i.e. one dwelling unit per parcel), Administration is further proposing to apply a site specific provision in order to maintain this regulation (i.e. by excluding accessory dwellings as a permitted accessory use).

Similarly, it is also being proposed to maintain the current range of permitted uses in the Upper Carmi area through this site specific provision so that uses normally associated with the LH1 Zone (i.e. "kennels") are not permitted. As a result of the feedback received from residents of Upper Carmi, it is also being proposed that the site specific provision remove the 75% parcel coverage allowance for greenhouses.

The amendment bylaw is also proposing to amend the zoning on a number of properties that are approximately 1.0 ha in area from SH1 to Small Holdings Three (SH3). The full listing of affected properties and the proposed replacement zones and OCP designations can be found in the amendment bylaws attached with this report.

**Alternatives:**

1. THAT the Board of Directors defer third reading of Amendment Bylaw No. 2797, 2018; OR
2. THAT the Board of Directors rescind first and second readings of Amendment Bylaw No. 2797, 2018, and abandon the bylaw.

**Respectfully submitted:**

  
C. Garrish, Planning Supervisor

**Endorsed by:**

  
B. Dollevoet, Dev. Services Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2797, 2018**

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**A Bylaw to amend the Electoral Areas "D-2" & "E"  
Regional District of Okanagan-Similkameen Official Community Plan Bylaws & 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 Small Holdings One (SH1) Zone Review Amendment Bylaw No. 2797, 2018."

**Electoral Area "D-2"**

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 the land use designation on:
  - i) the land shown shaded yellow on Schedule 'A-1', which forms part of this Bylaw, from Small Holdings (SH) to Large Holdings (LH).
  - ii) the land described as Lot B, Plan KAP72393, District Lot 2710, SDYD (2027 Carmi Road), shown shaded yellow on Schedule 'B-1', which forms part of this Bylaw, from Small Holdings (SH) to Large Holdings (LH).
  - iii) an approximately 7.5 hectare part of the land described as Lot B, Plan KAP44059, District Lot 292, SDYD (2170 Highway 97), shown shaded yellow on Schedule 'C-1', which forms part of this Bylaw, from Small Holdings (SH) to Large Holdings (LH).
3. The "Regional District Okanagan-Similkameen, Electoral Area "D-2" Zoning Bylaw No. 2455, 2008" is amended by:
  - i) removing the reference to "Small Holdings One Zone SH1" under Section 5.1 (Zoning Districts).

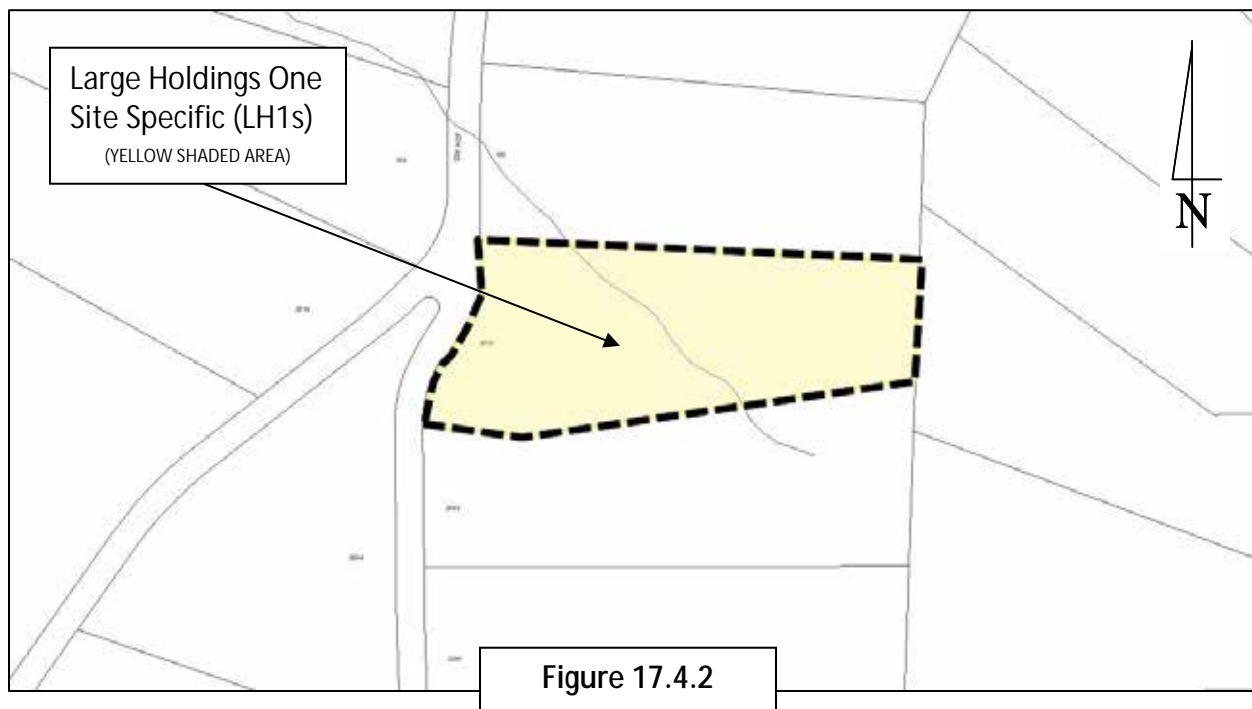
- ii) replacing the fifth line in the second column of Table 7.9 (Screening and Landscaping Requirements) under Section 7.0 (General Regulations) in its entirety with the following:

Across a highway from any zone except RA, AG1, AG3, LH1, LH2, I2 or I4.
- iii) replacing the sixth line in the second column of Table 7.9 (Screening and Landscaping Requirements) under Section 7.0 (General Regulations) in its entirety with the following:

Abuts any zone except RA, AG1, AG3, LH1, LH2, I2 or I4.
- iv) replacing Section 10.5 (Small Holdings One (SH1) Zone) under Section 10.0 (Rural Zones) in its entirety with the following:

**10.5     *deleted.***
- v) adding a new Section 17.4.2 under Section 17.4 (Site Specific Large Holdings One (LH1s) Provisions) to read as follows:
  - .2 in the case of land described as Lot B, Plan KAP72393, District Lot 2710, SDYD, and shown shaded yellow on Figure 17.4.2:
    - a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 10.4.1:
      - i) kennel, which is defined as meaning the care of no more than fifteen (15) dogs, cats or other domestic animals or pets whether such animals are kept commercially for board, propagation, training, sale or for personal and private enjoyment.
    - b) despite Section 10.4.6, the minimum setback for buildings, structures and areas utilized in association with a kennel from all parcel lines shall be 30.0 metres.
    - c) the gross floor area of a building or structure used in association with a kennel shall not exceed 90 m<sup>2</sup>.



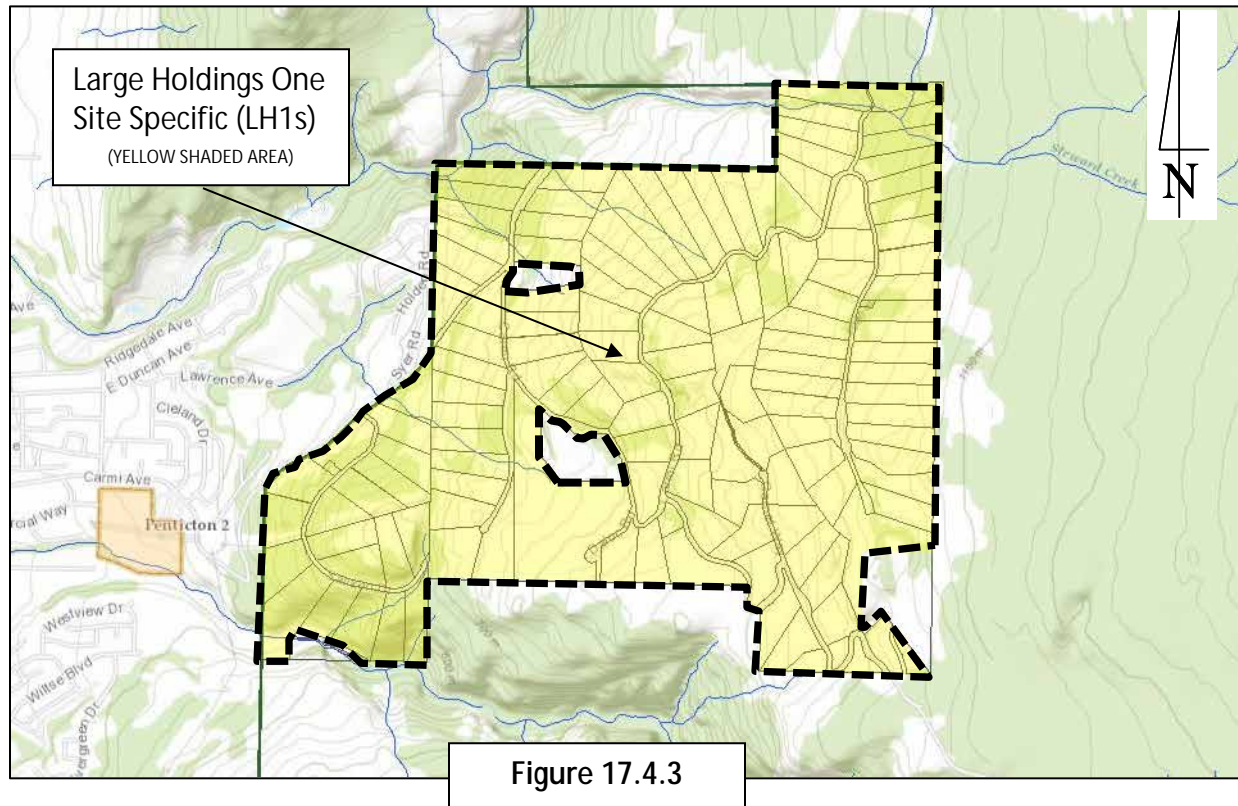


vi) adding a new Section 17.4.3 under Section 17.4 (Site Specific Large Holdings One (LH1s) Provisions) to read as follows:

.3 in the case of land shown shaded yellow on Figure 17.4.3:

- a) the following principal uses and no others shall be permitted on the land:
  - i) agriculture, subject to Section 7.23;
  - ii) charitable, fraternal or philanthropic institution;
  - iii) forestry;
  - iv) single detached dwelling or mobile home;
  - v) veterinary establishment;
- b) the following accessory uses and no others shall be permitted on the land:
  - i) bed and breakfast operation, subject to Section 7.19;
  - ii) home industries, subject to Section 7.18;
  - iii) home occupations, subject to Section 7.17;
  - iv) secondary suite, subject to Section 7.12;
  - v) retail sales of farm and off-farm products, subject to Section 7.24;
  - vi) accessory buildings and structures, subject to Section 7.13.
- c) despite Section 10.4.5, the maximum number of dwellings permitted per parcel shall be as follows:
  - i) one (1) principal dwelling; and

- ii) one (1) secondary suite.
- d) despite Section 10.4.8, the maximum parcel coverage for greenhouse uses shall be 10%.



- vii) replacing Section 17.5 (Site Specific Small Holdings One (SH1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

**17.5** *deleted.*

4. The Official Zoning Map, being Schedule '2' of the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation on:
  - i) the land shown shaded yellow on Schedule 'A-2', which forms part of this Bylaw, from Small Holdings One (SH1) to Large Holdings One Site Specific (LH1s).
  - ii) the land described as Lot B, Plan KAP72393, District Lot 2710, SDYD (2027 Carmi Road), shown shaded yellow on Schedule 'B-2', which forms part of this Bylaw, from Small Holdings One Site Specific (SH1s) to Large Holdings One Site Specific (LH1s).
  - iii) an approximately 7.5 hectare part of the land described as Lot B, Plan KAP44059, District Lot 292, SDYD (2170 Highway 97), shown shaded yellow on Schedule 'C-2', which forms part of this Bylaw, from Small Holdings One (SH1) to Large Holdings One (LH1).

#### Electoral Area "E"

5. The "Regional District Okanagan-Similkameen, Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008" is amended by:
- i) replacing Section 10.0 (Rural Zones) in its entirety with the following:

## **10.0 RURAL HOLDINGS**

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### **10.1 Background**

The Plan Area's rural character and lifestyles are some of the most valued aspects to area residents. While the majority of future residential growth will be directed to designated Rural Growth Areas, there is potential for limited rural development.

Within the Plan Area, Rural Holdings are generally grouped into two categories, Large Holdings (LH) and Small Holdings (SH).

The Large Holdings designation, applies to typically privately-held properties smaller than Resource Area parcels and includes large parcels of land generally used for acreages, hobby farms, limited agriculture, ranching, grazing, and other uses that fit with the character of this area. Large Holdings should have a range of minimum parcel sizes but no less than of 4.0 hectares.

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

As with Large Holdings, Small Holdings are generally located outside of the Agricultural Land Reserve.

### **10.2 Objectives**

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

### **10.3 Policies - General**

The Regional Board:

- .1 Supports home occupation and home industry uses on lands designated Small Holdings (SH) and Large Holdings (LH), provided the uses are compatible with the surrounding rural character.

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

- .8 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .9 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighborhood residential needs and other land use needs can be addressed.
- .10 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit for rezoning. The Regional Board may use the following criteria to assess applications:
  - a) Capability of accommodating on-site domestic water and sewage disposal;
  - b) Mitigating measures such as screening and fencing;
  - c) Provision of adequate off-street parking;
  - d) Confirmation that the structure proposed for use as a vacation rental complies with the BC Building Code; and
  - e) Benefits that such accommodation may provide to the community.

#### **10.4 Policies – Large Holdings**

The Regional Board:

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

#### **10.5 Policies – Small Holdings**

The Regional Board:

- .1 Generally supports a range of uses on the lands designated Small Holdings in Schedule 'B' (Official Community Plan Map), including: rural



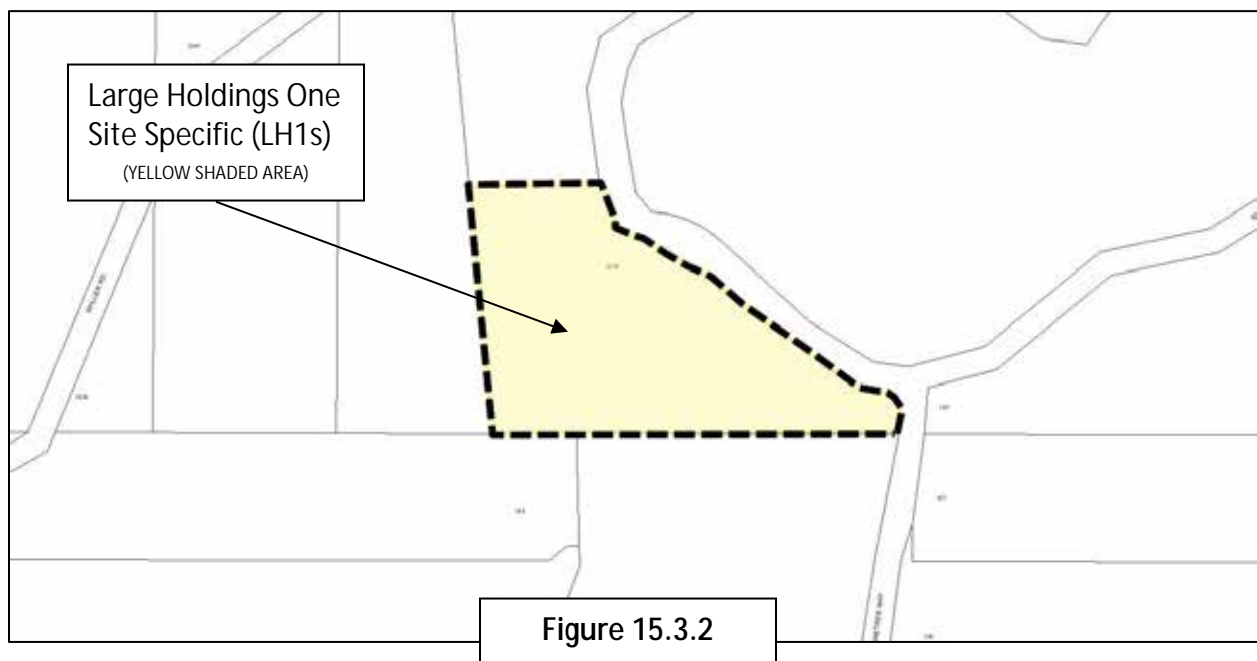
residential, hobby farming, limited agriculture and others uses that fit within the rural character of the surrounding area.

- .2 Will establish a range of densities and parcel sizes for lands designated Small Holdings in the Plan Area through the Zoning Bylaw.
- .3 Supports a minimum parcel size of one hectare for lands without community sewer within the Small Holdings (SH) designation.

6. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by changing the land use designation on:
  - i) an approximately 2.1 hectare part of the land described as Lot 1, Plan KAP15856, District Lot 2551, SDYD, Except Plan 35480 (1225 Spiller Road), and shown shaded yellow on Schedule 'D-1', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH);
  - ii) the land described as Lots 1-3, Plan KAS2440, District Lot 3314, SDYD (4052, 4074 & 4086 Hook Place), and shown shaded yellow on Schedule 'G-1', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH); and
  - iii) the land described as Lot 1, Plan KAP61111, SDYD, District Lot 156 3314 (4290 North Naramata Road); Lot A, Plan KAP61979, SDYD, District Lot 156 3314 (4230 North Naramata Road) and an approximately 2,460 m<sup>2</sup> area of Plan KAP497A, District Lot 156, SDYD, Parcel A, Portion OF LOT B PL 706, Except Plan KAP57361 KAP62873, and shown shaded yellow on Schedule 'H-1', which forms part of this Bylaw, from Agriculture (AG) to Small Holdings (SH).
7. The "Regional District Okanagan-Similkameen, Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:
  - i) removing the reference to "Small Holdings One Zone SH1" under Section 5.1 (Zoning Districts).
  - ii) replacing Section 10.4 (Small Holdings One (SH1) Zone) under Section 10.0 (Rural Zones) in its entirety with the following:

**10.4        *deleted.***
  - iii) adding a new Section 15.3.2 under Section 15.3 (Site Specific Large Holdings One (LH1s) Provisions) to read as follows:
    - .2 In the case of land described as Lot 2, Plan KAP86176, District Lot 2551, SDYD (1278 Spiller Road), and shown hatched on Figure 15.3.2:
      - i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 10.3.1:
        - a) vacation rental, subject to the following regulations:

- .1 no more than three (3) dwelling units may be used for the purposes of a vacation rental;
- .2 the maximum floor area of a dwelling unit used for a vacation rental shall not exceed 112.0 m<sup>2</sup>;
- .3 the units are fully contained within one building which includes the principal dwelling unit on the parcel;
- .4 no more than six (6) patrons shall be accommodated within each dwelling unit used for a vacation rental use;
- .5 cooking facilities may be provided for within the dwelling unit used for a vacation rental use;
- .6 no patron shall stay within the same each dwelling unit used for a vacation rental use for more than thirty (30) days in a calendar year; and
- .7 only the permanent residents or permanent occupants of the principal dwelling unit may carry on the vacation rental on the site.



- iv) replacing Section 15.4 (Site Specific Small Holdings One (SH1s) Provisions) under Section 15.0 (Site Specific Designations) in its entirety with the following:

**15.4      *deleted.***

8. The Official Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by changing the land use designation on:
  - i) an approximately 2.1 hectare part of the land described as Lot 1, Plan KAP15856, District Lot 2551, SDYD, Except Plan 35480 (1225 Spiller Road), and shown shaded

yellow on Schedule 'D-2', which forms part of this Bylaw, from Small Holdings One Site Specific (SH1s) to Small Holdings Three (SH3).

- ii) the land described as Lot 2, Plan KAP86176, District Lot 2551, SDYD (1278 Spiller Road), and shown shaded yellow on Schedule 'E-1', which forms part of this Bylaw, from Small Holdings One Site Specific (SH1s) to Large Holdings One Site Specific (LH1s).
- iii) the land shown shaded yellow on Schedule 'F-1', which forms part of this Bylaw, from Small Holdings One (SH1) to Large Holdings One (LH1).
- iv) the land described as Lots 1-3, Plan KAS2440, District Lot 3314, SDYD (4052, 4074 & 4086 Hook Place), and shown shaded yellow on Schedule 'G-2', which forms part of this Bylaw, from Small Holdings One (SH1) to Small Holdings Three (SH3).
- v) the land described as Lot 1, Plan KAP61111, SDYD, District Lot 156 3314 (4290 North Naramata Road); Lot A, Plan KAP61979, SDYD, District Lot 156 3314 (4230 North Naramata Road) and an approximately 2,460 m<sup>2</sup> area of Plan KAP497A, District Lot 156, SDYD, Parcel A, Portion OF LOT B PL 706, Except Plan KAP57361 KAP62873, and shown shaded yellow on Schedule 'H-2', which forms part of this Bylaw, from Agriculture One (AG1) to Small Holdings Three (SH3).
- vi) the land described as Plan KAP4945B, Block A, District Lot 3314, SDYD (4460 North Naramata Road); Lots 4-5, Plan KAS2440, District Lot 156, 3314, SDYD (4036 & 4040 Hook Place) and an approximately 0.65 hectare part of Plan KAP497A, District Lot 156, SDYD, Parcel A, Portion of Lot B, Plan 706, Except Plan KAP57361 KAP62873, and shown shaded yellow on Schedule 'I-1', which forms part of this Bylaw, from Small Holdings One (SH1) to Large Holdings One (LH1).
- vii) an approximately 0.97 hectare part of the land described as Lot 2, Plan KAP27775, District Lot 211, SDYD, Except Plan 28750 (4765 Mill Road), and shown shaded yellow on Schedule 'J-1', which forms part of this Bylaw, from Small Holdings One (SH1) to Small Holdings Three (SH3).

READ A FIRST AND SECOND TIME this 15<sup>th</sup> day of March, 2018.

PUBLIC HEARING HELD this 5<sup>th</sup> day of April, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

I hereby certify the foregoing to be a true and correct copy of the " Regional District of Okanagan-Similkameen Small Holdings Update Amendment Bylaw No. 2797, 2018" as read a Third time by the Regional Board on this \_\_\_\_ day of \_\_\_\_, 2018.

Dated at Penticton, BC this \_\_ day of \_\_\_\_, 2018.

\_\_\_\_\_  
Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
For the Minister of Transportation & Infrastructure

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

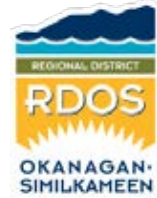
\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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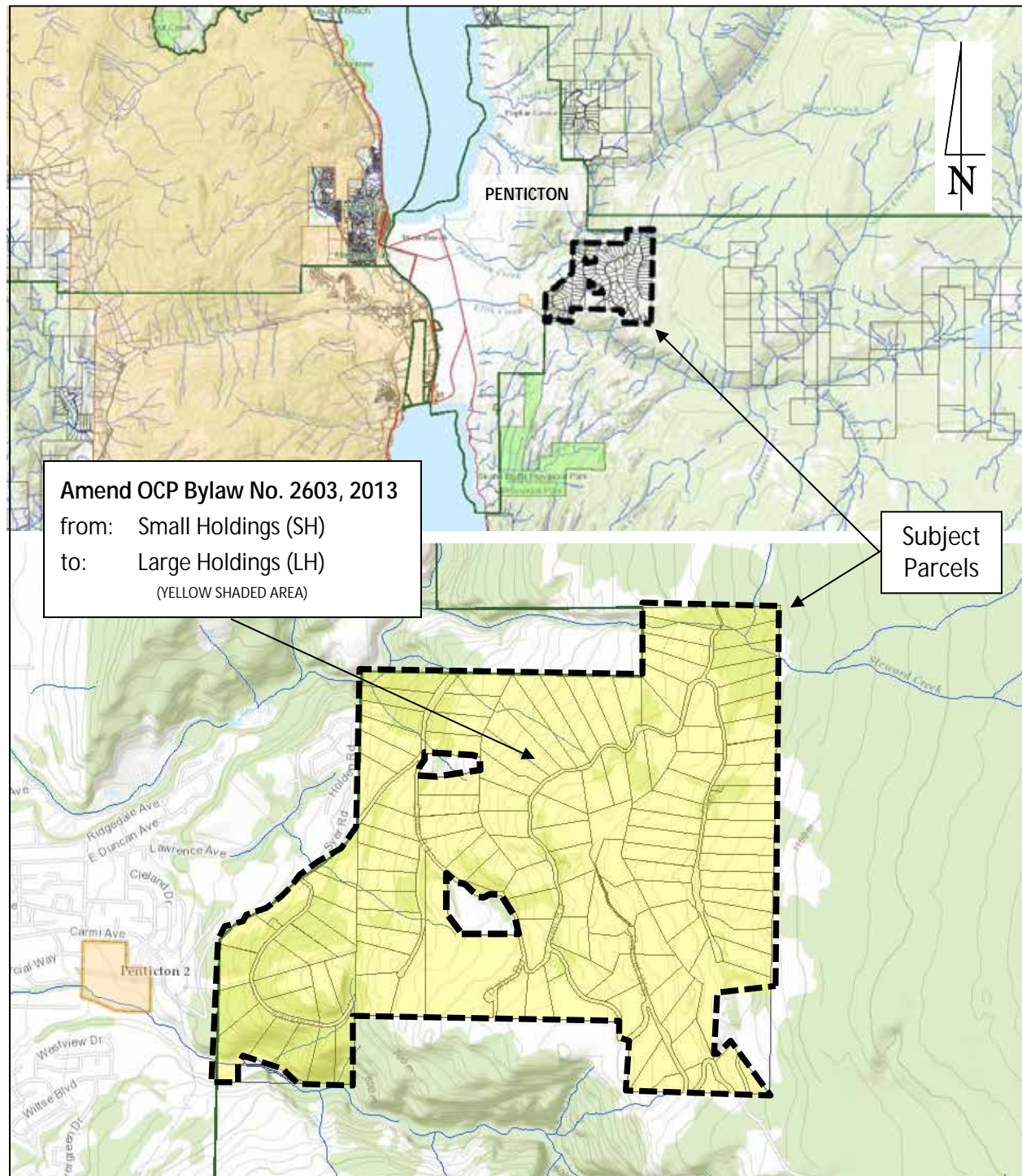
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'A-1'





# Regional District of Okanagan-Similkameen

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

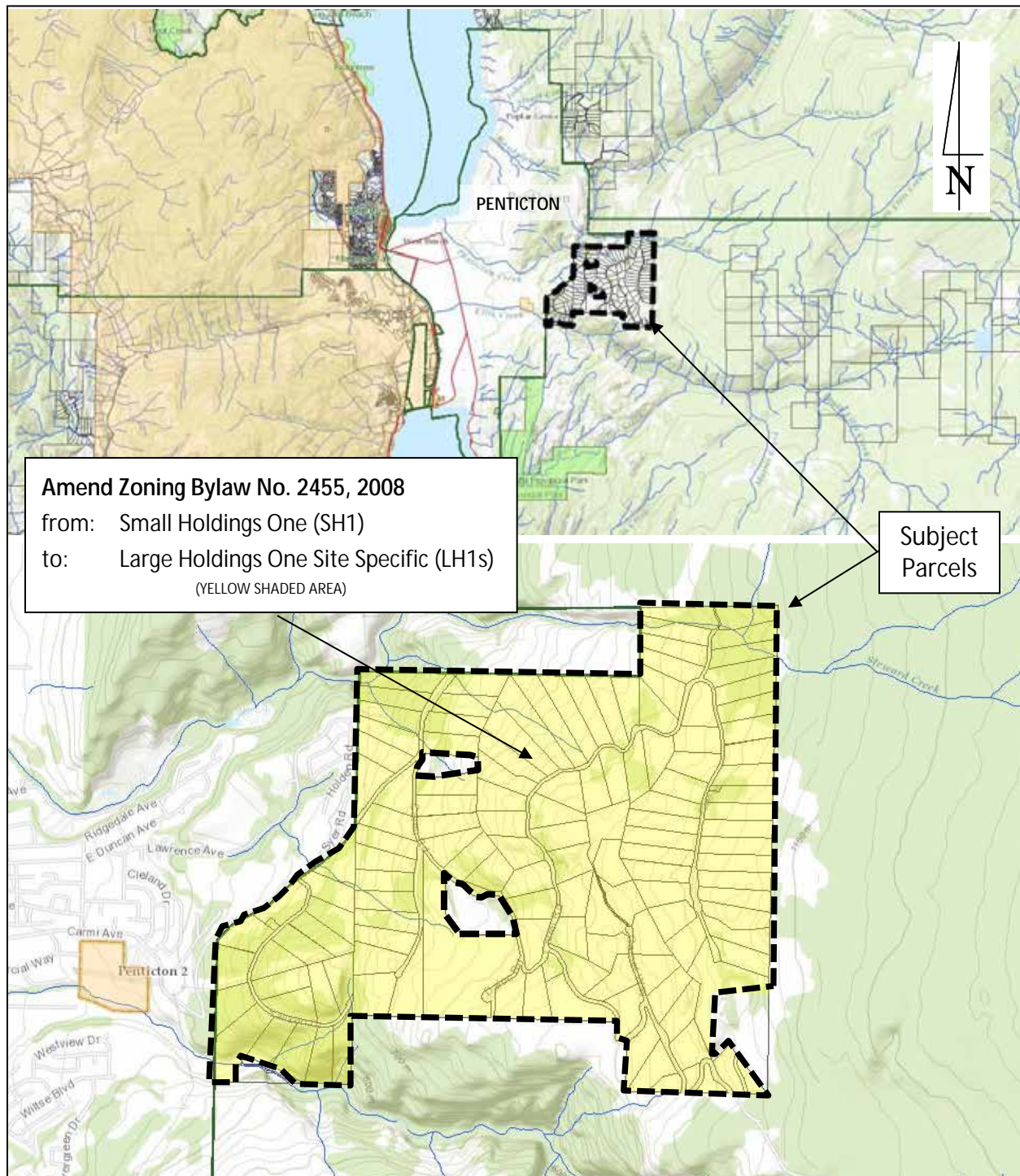
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'A-2'



# Regional District of Okanagan-Similkameen

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

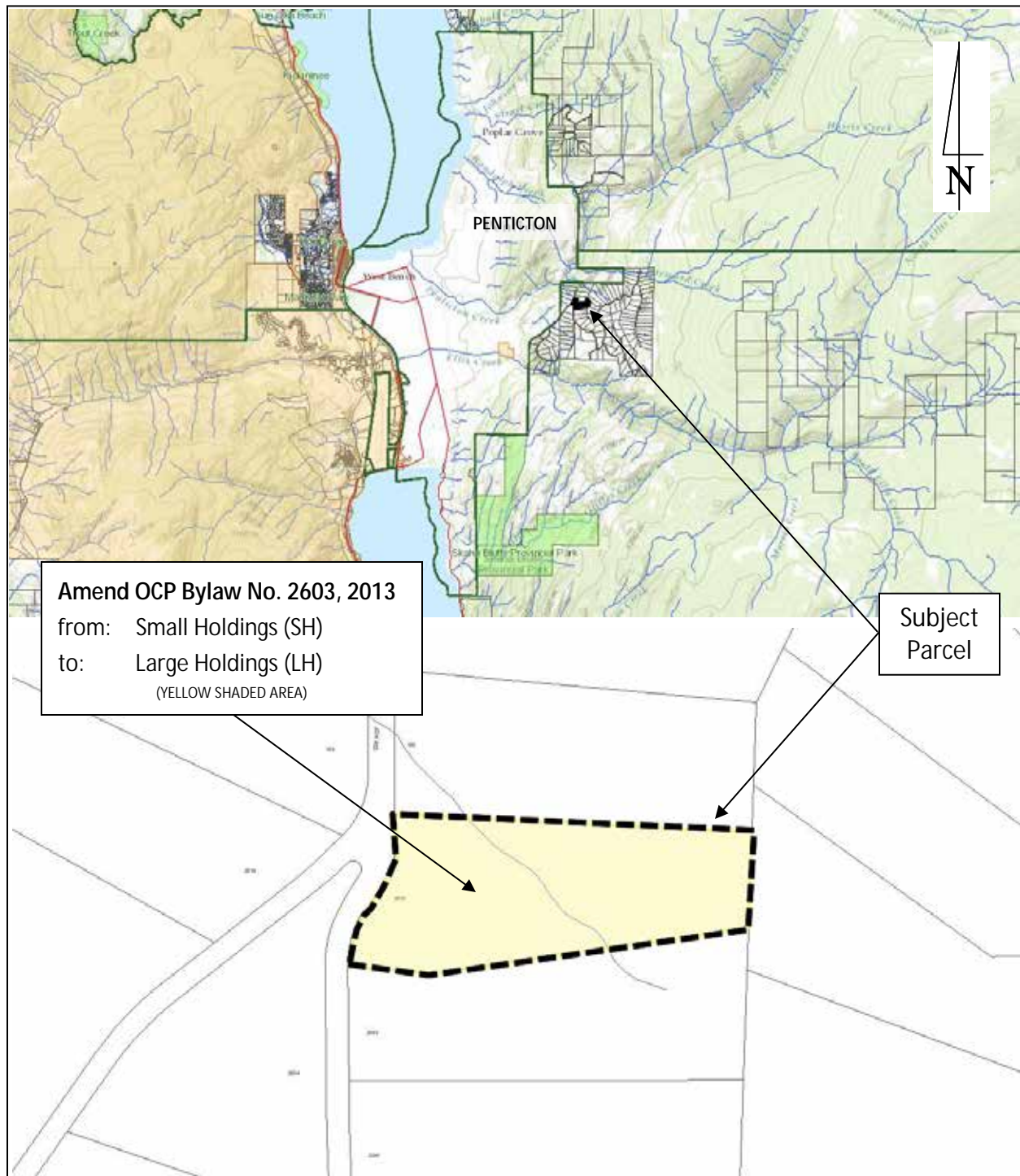
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'B-1'



**Amend OCP Bylaw No. 2603, 2013**

from: Small Holdings (SH)

to: Large Holdings (LH)

(YELLOW SHADED AREA)

Subject  
Parcel



# Regional District of Okanagan-Similkameen

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

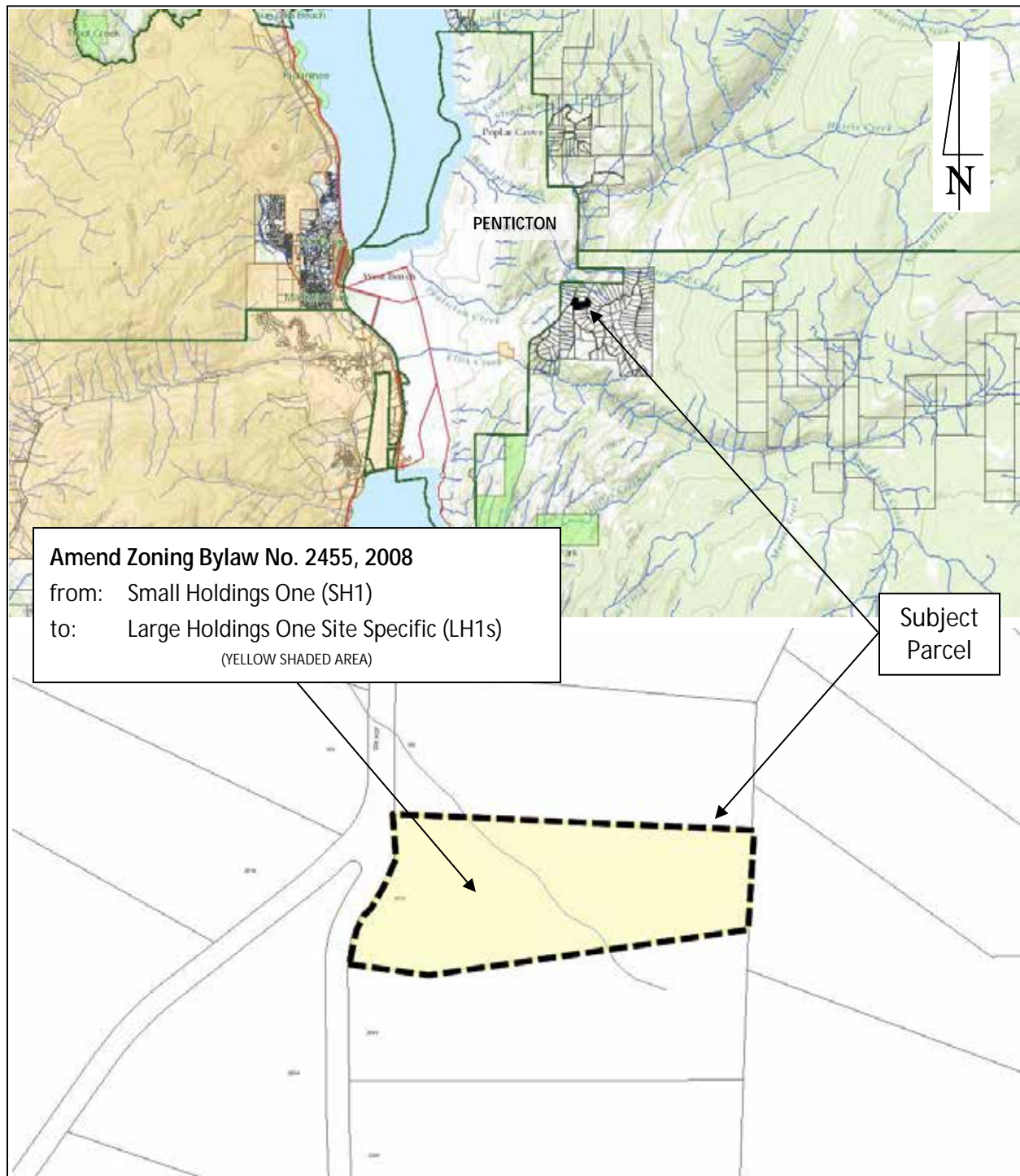
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'B-2'



# Regional District of Okanagan-Similkameen

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

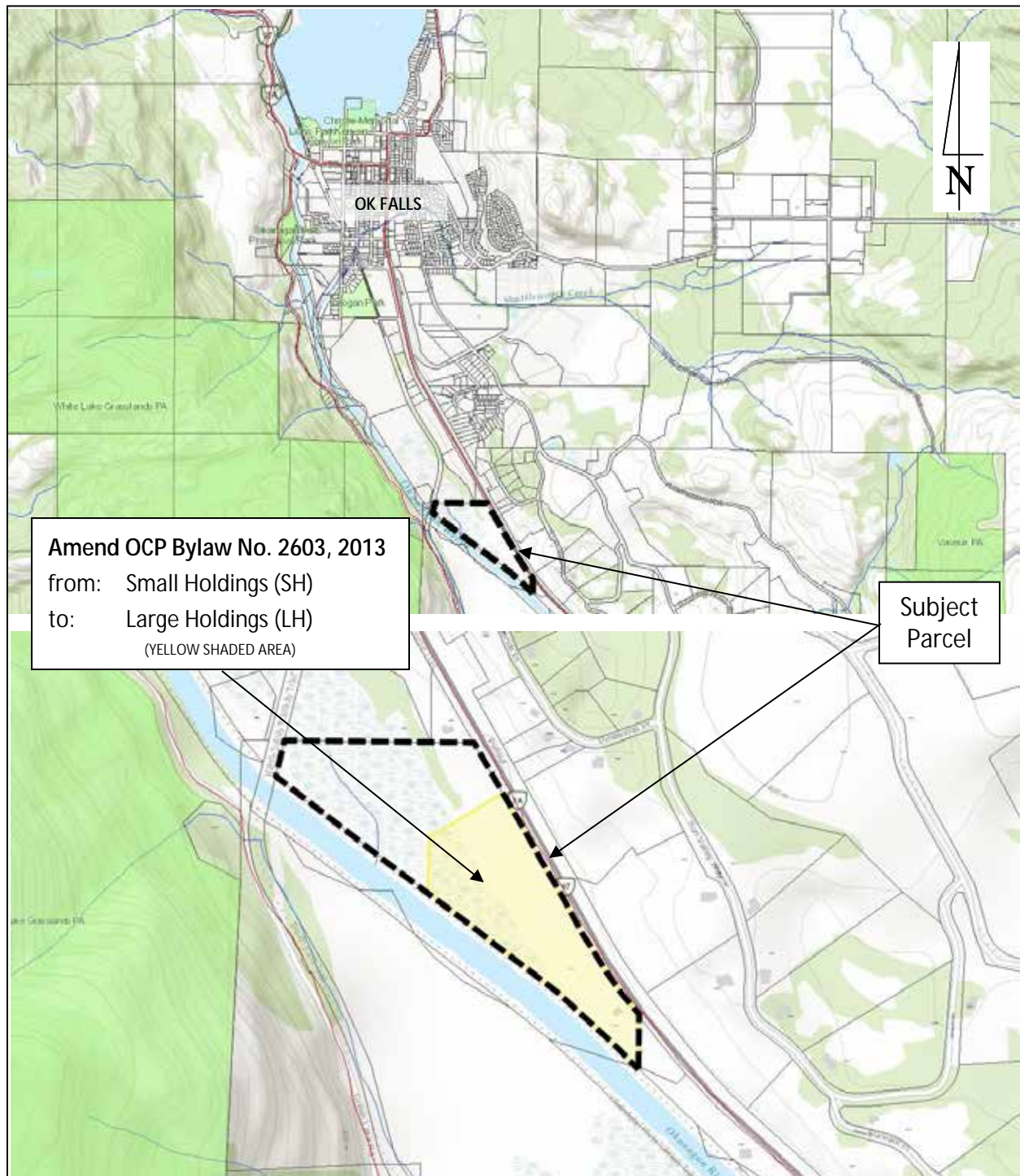
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'C-1'





# Regional District of Okanagan-Similkameen

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

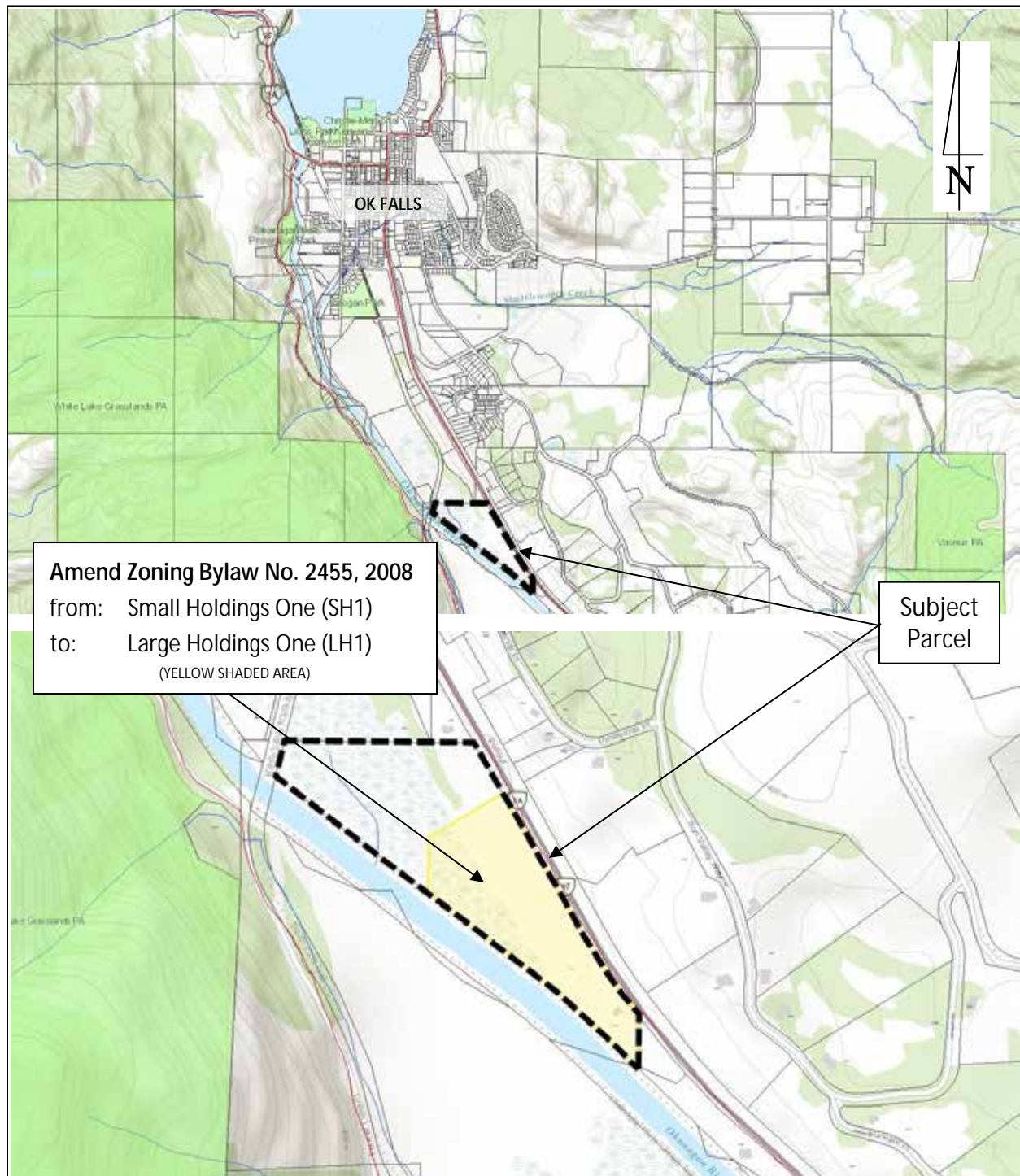
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'C-2'



# Regional District of Okanagan-Similkameen

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

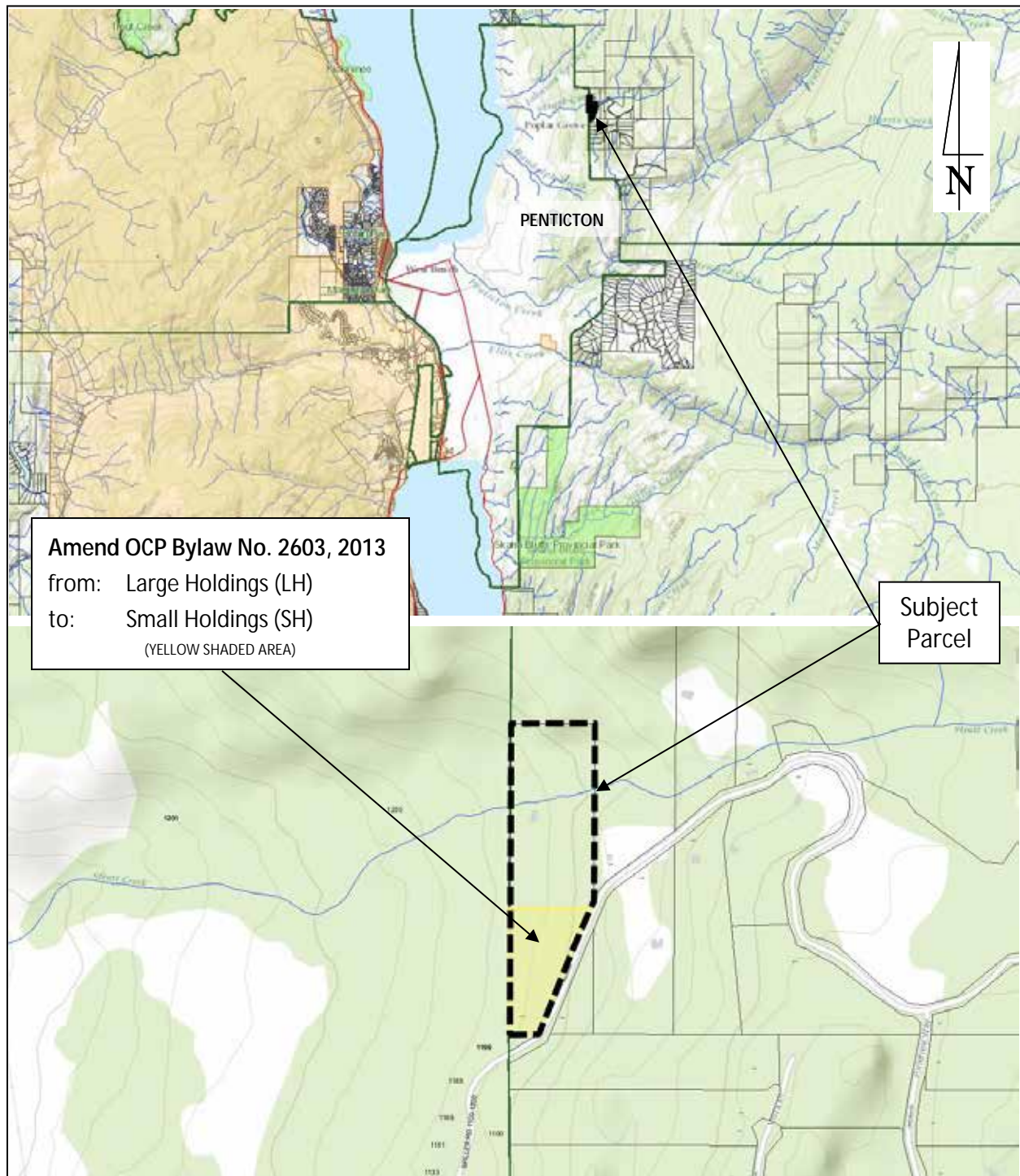
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'D-1'





# Regional District of Okanagan-Similkameen

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

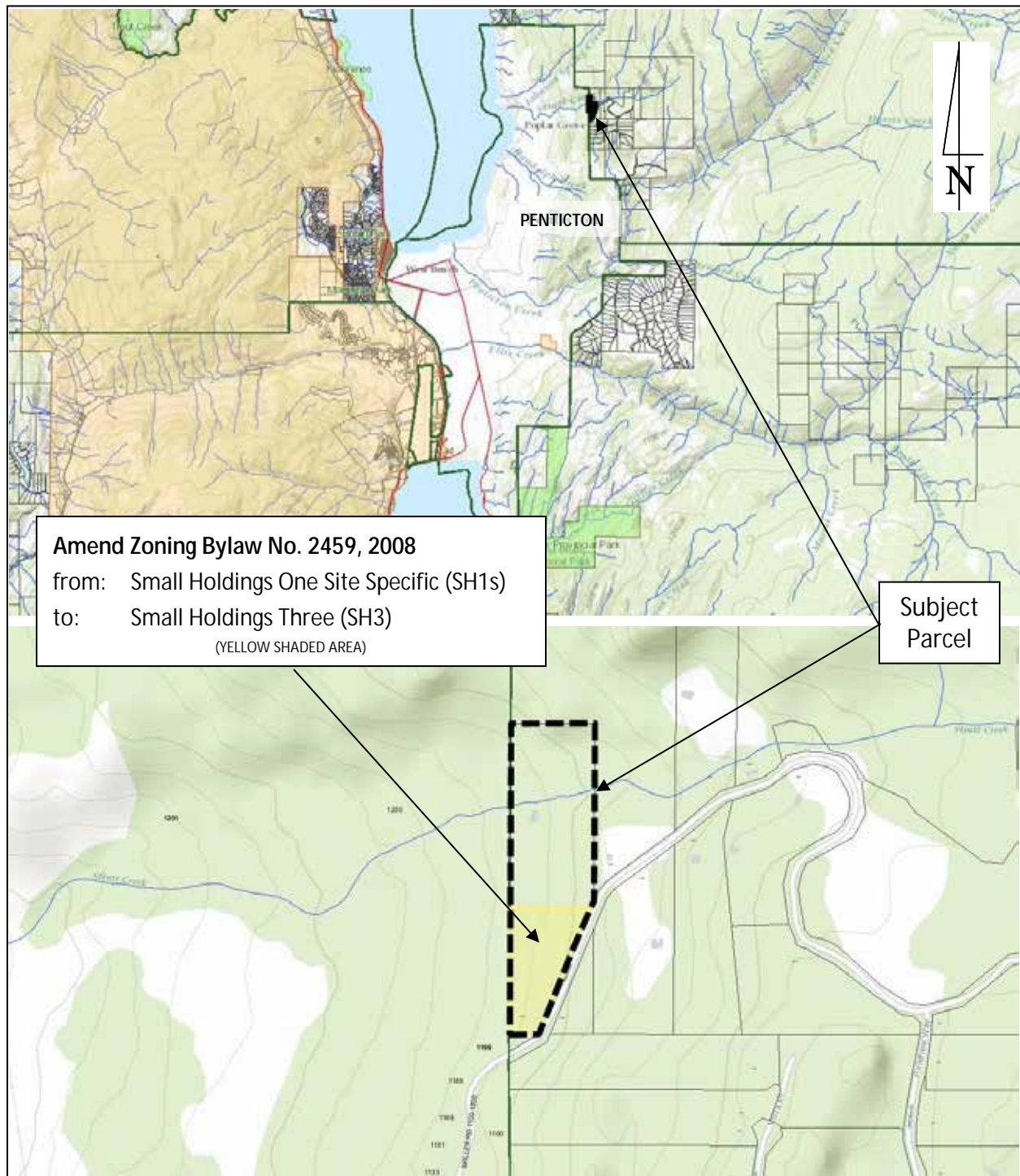
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'D-~~2~~1'



## Amend Zoning Bylaw No. 2459, 2008

from: Small Holdings One Site Specific (SH1s)

to: Small Holdings Three (SH3)

(YELLOW SHADED AREA)

Subject  
Parcel

# Regional District of Okanagan-Similkameen

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

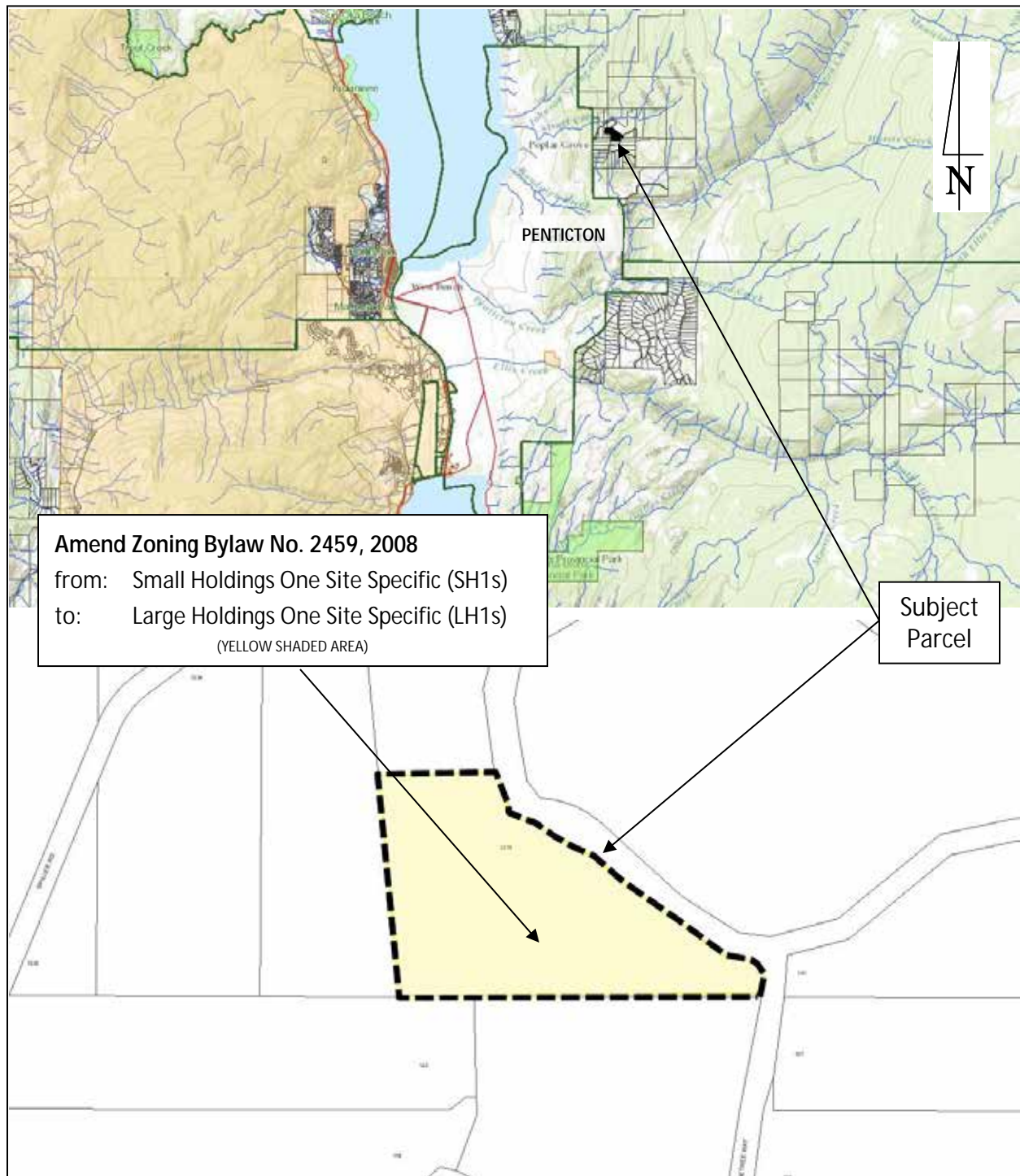
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'E-1'





# Regional District of Okanagan-Similkameen

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

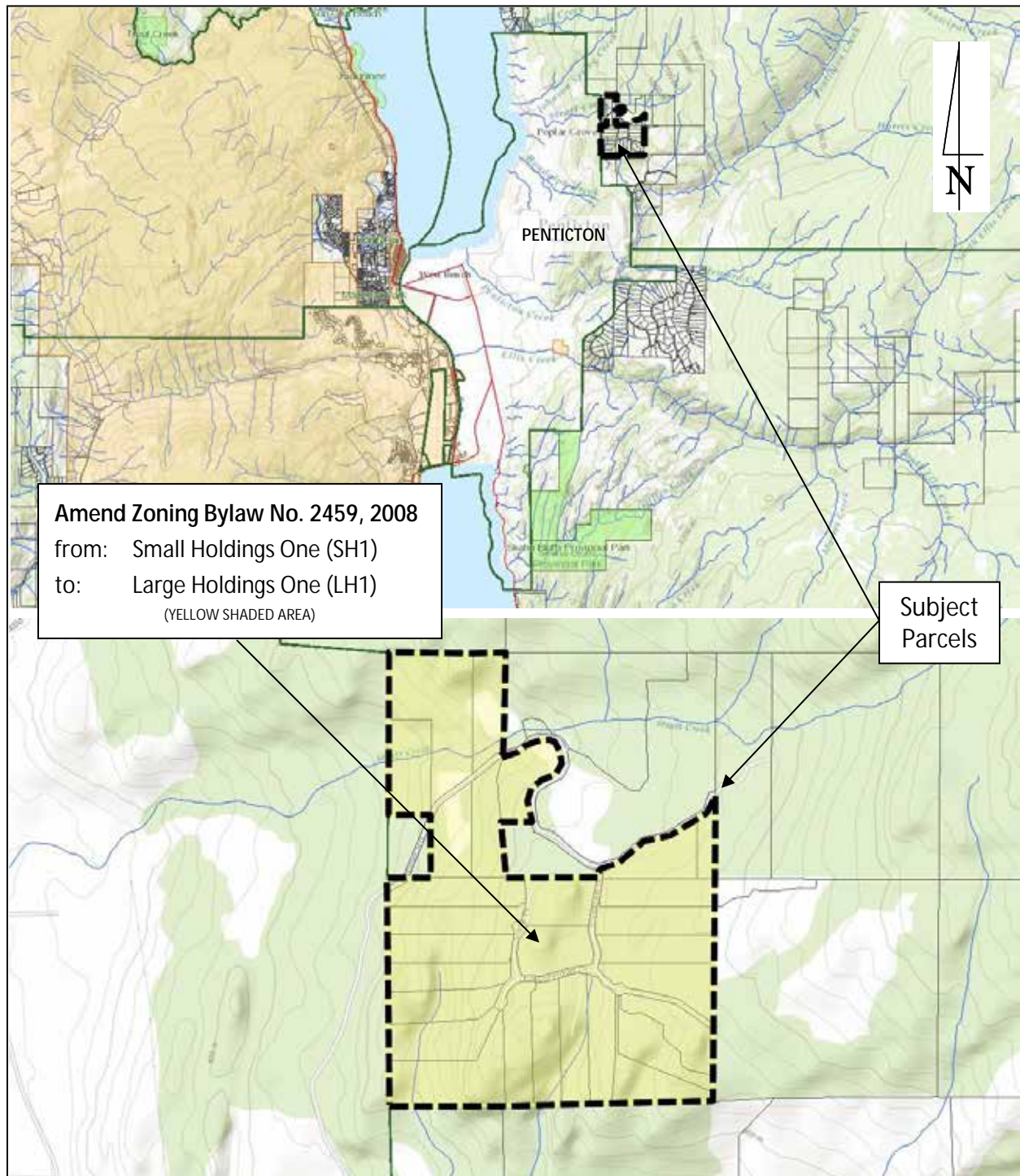
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'F-1'



# Regional District of Okanagan-Similkameen

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

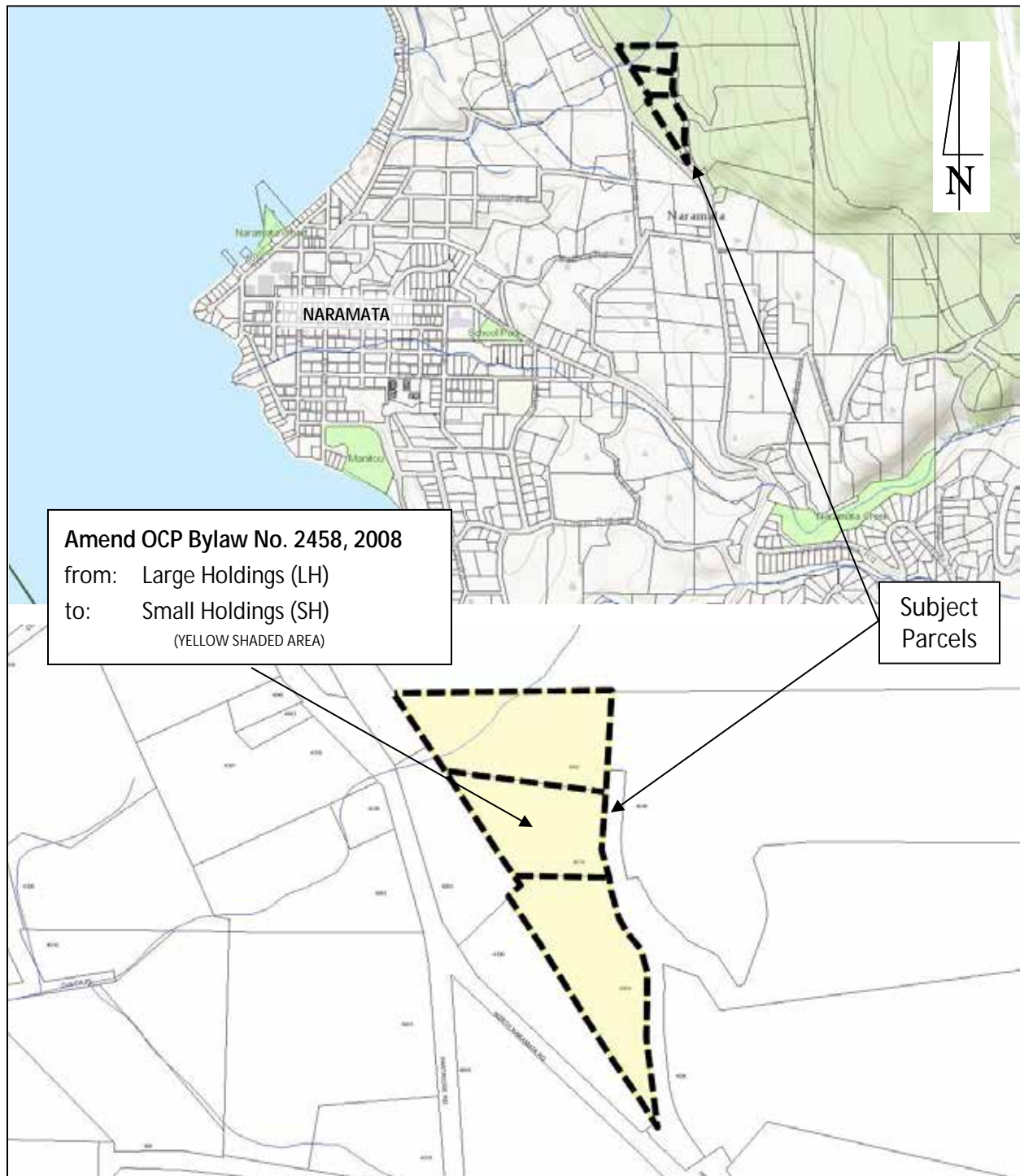
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'G-1'





# Regional District of Okanagan-Similkameen

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

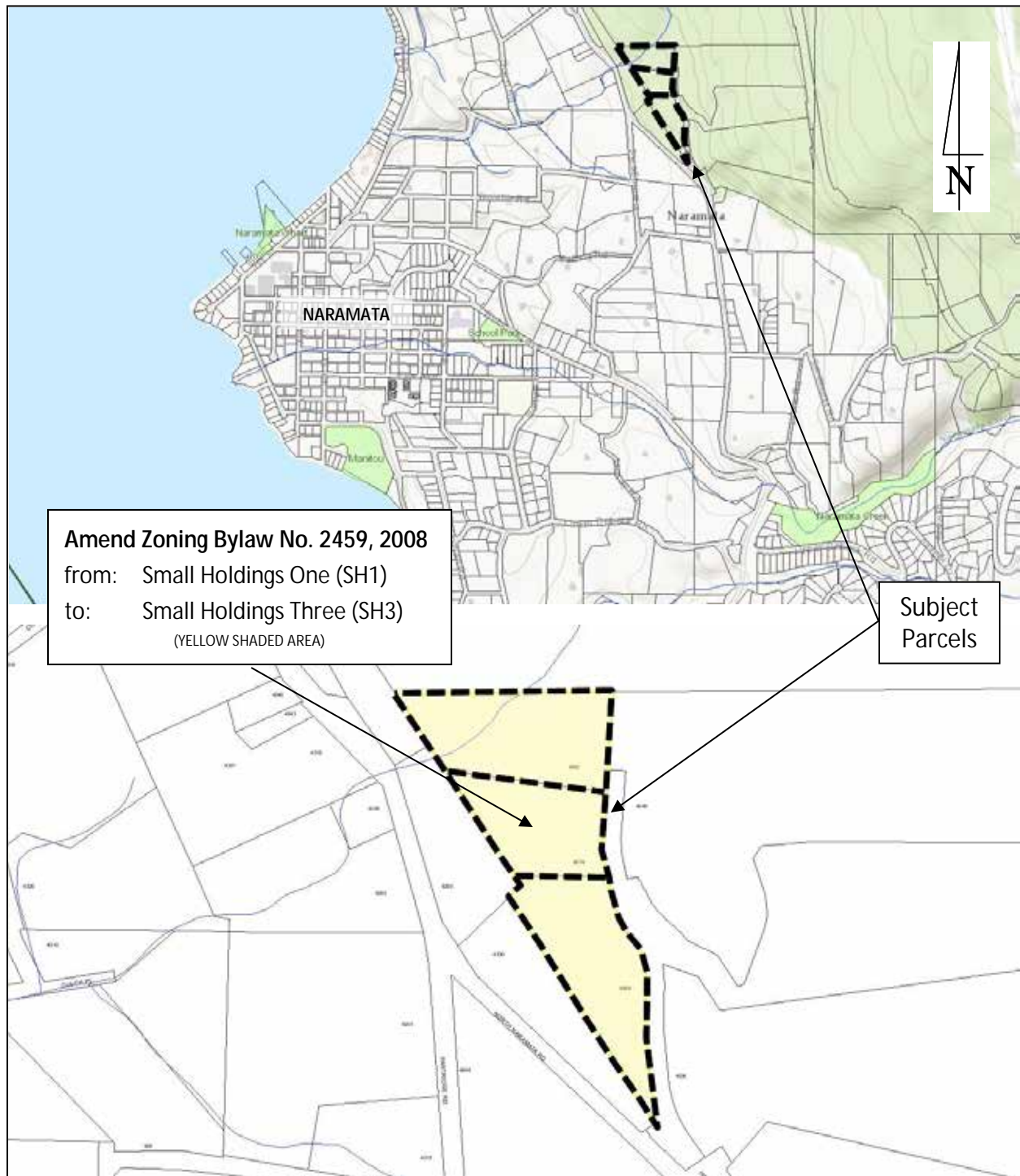
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'G-2'



**Amend Zoning Bylaw No. 2459, 2008**

from: Small Holdings One (SH1)

to: Small Holdings Three (SH3)

(YELLOW SHADED AREA)

Subject  
Parcels

# Regional District of Okanagan-Similkameen

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

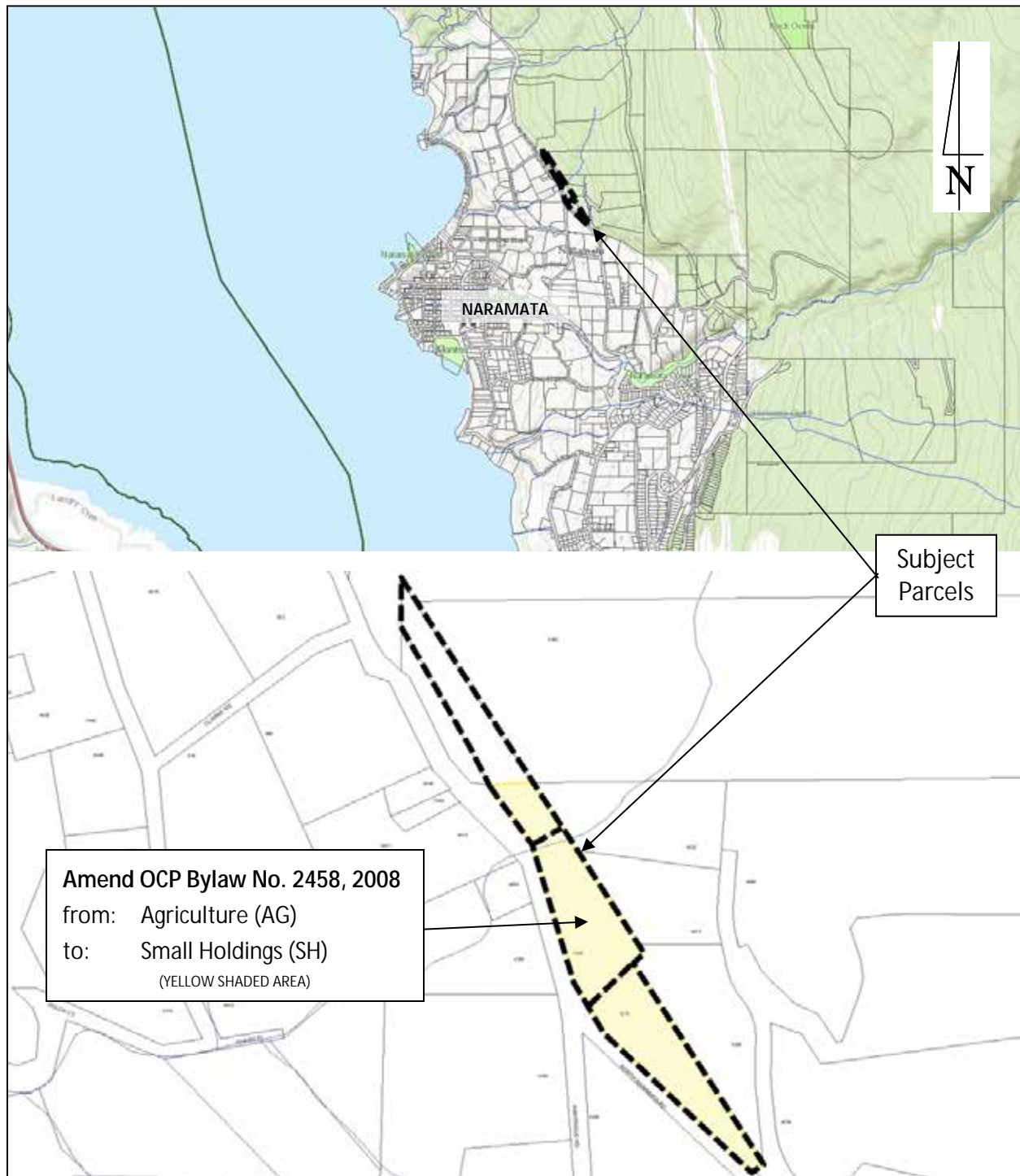
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Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'H-1'





# Regional District of Okanagan-Similkameen

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

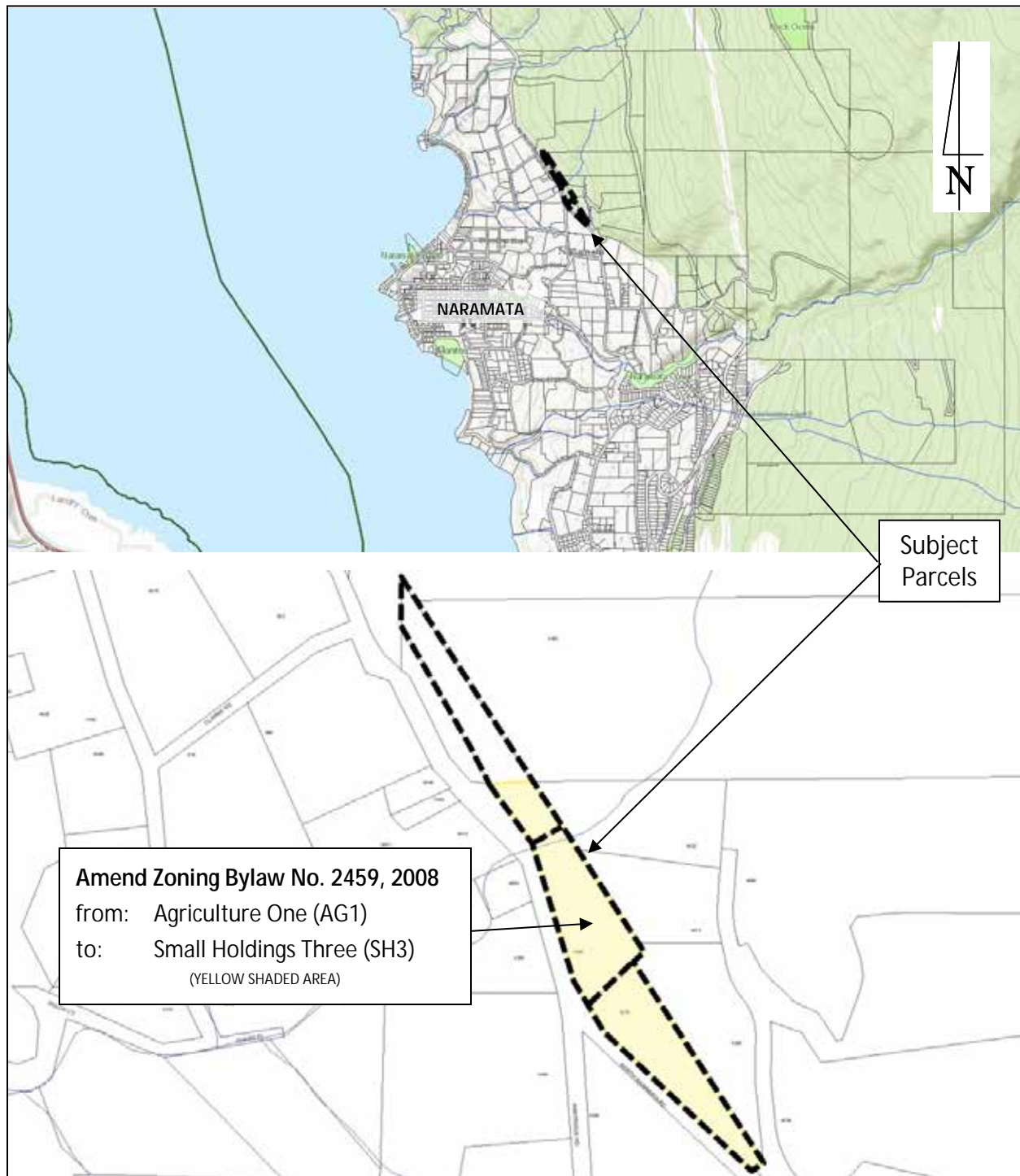
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'H-2'



# Regional District of Okanagan-Similkameen

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

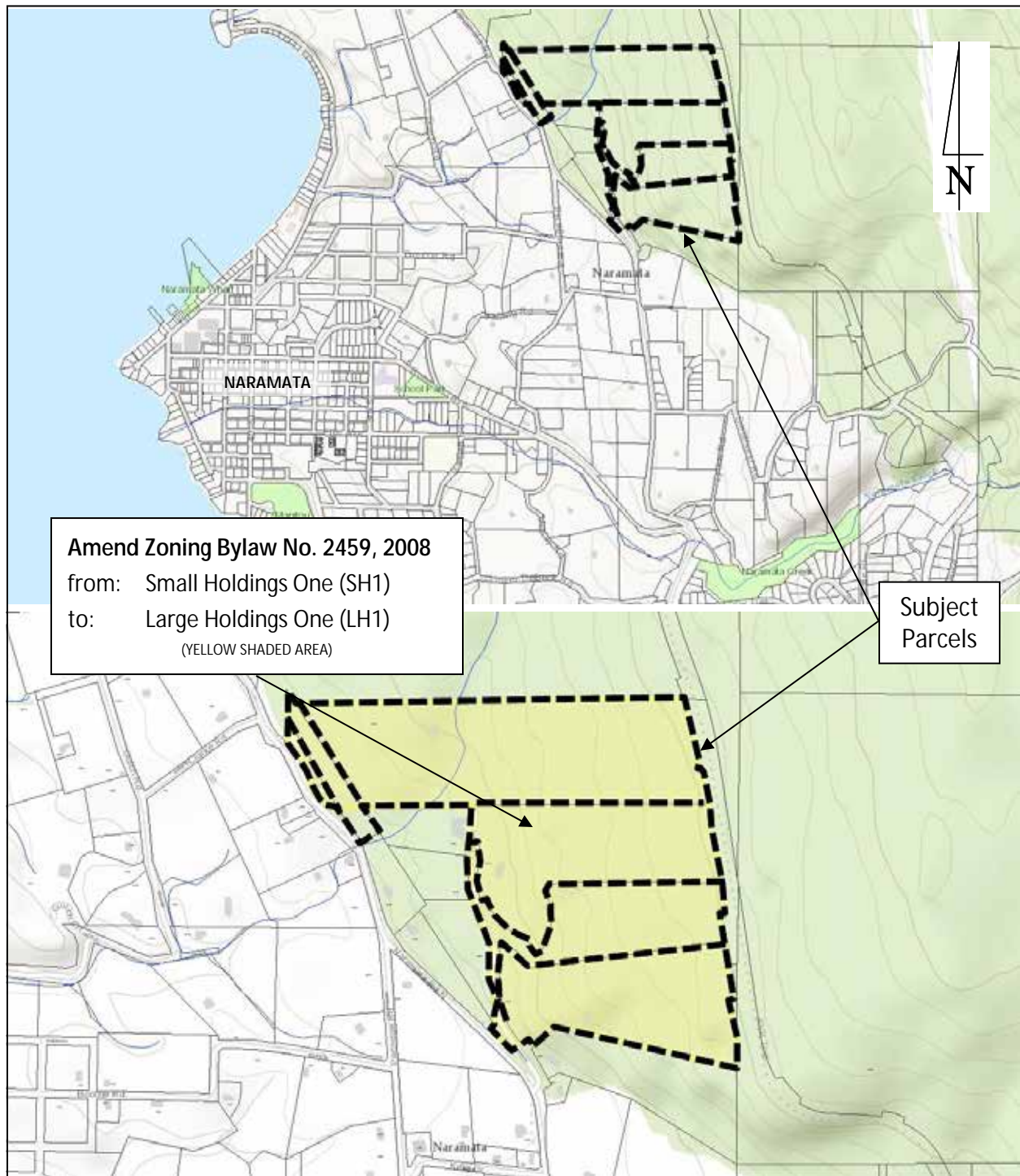
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

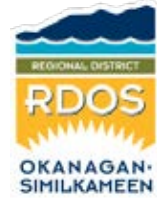
Schedule 'I-1'



# Regional District of Okanagan-Similkameen

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

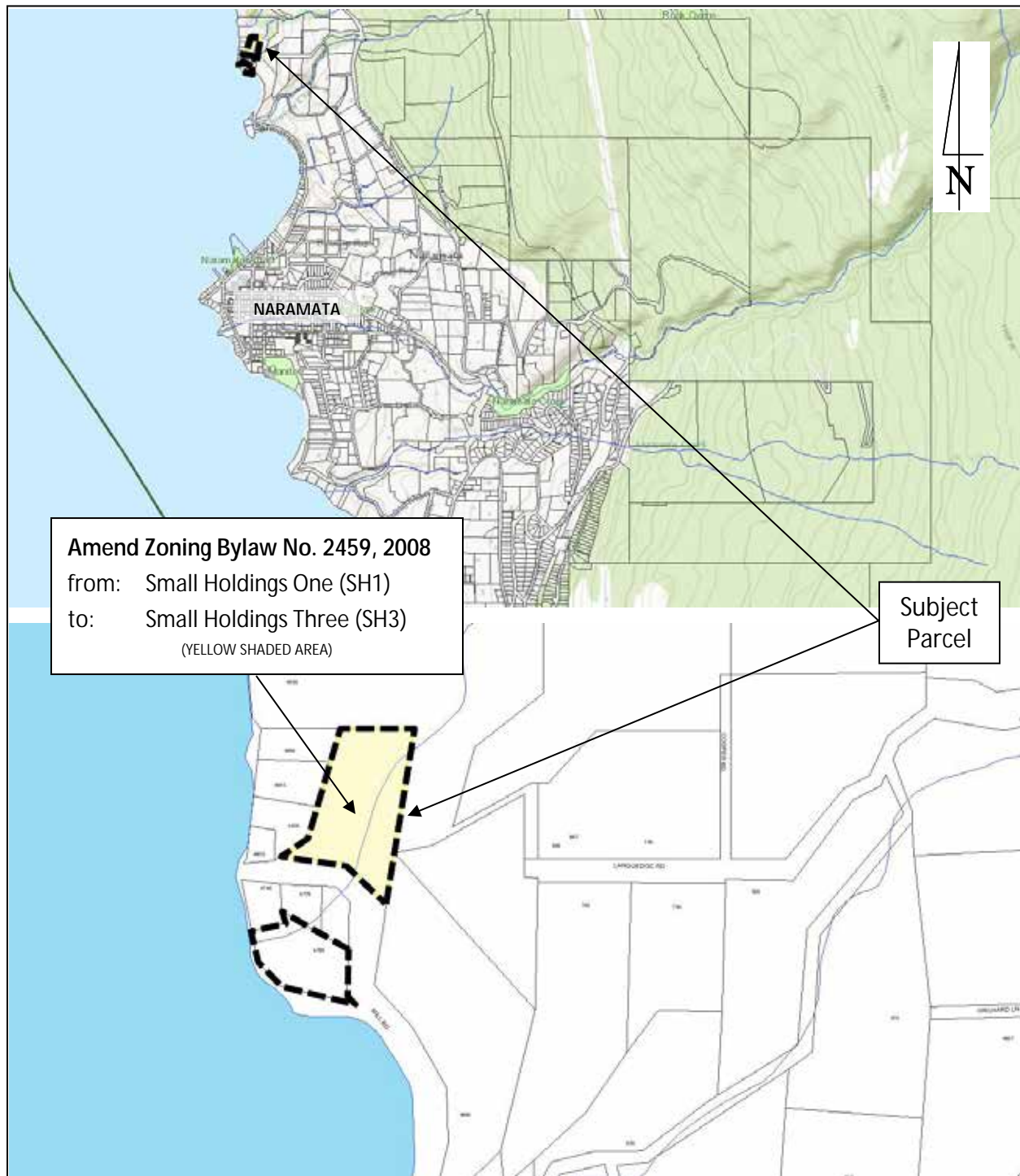
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2797, 2018

Project No: X2018.003-ZONE

Schedule 'J-1'







February 19, 2018

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

Dear Christopher Garrish,

**RE. File Number: X2018.003-ZONE**

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The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this development proposal.

However, should you have further concerns, you are welcome to contact me directly at 250-549-5758.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Rimell'.

Janelle Rimell, B.Sc, B.Tech, C.P.H.I.(C)  
Environmental Health Officer  
Healthy Communities Team



DEVELOPMENT APPROVALS  
PRELIMINARY BYLAW  
COMMUNICATION

Your File #: X2018.003-  
ZONE SH1  
Zones

eDAS File #: 2018-00373

Date: January 22, 2018

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

Attention: Lauri Feindell

Re: **Proposed Text Amendment Bylaw for:**  
**Parts of Electoral Area D and Electoral Area E**

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) 712-3660 Fax: (250) 490-2231





March 1, 2018

File: 58000-20/2018010  
Your File: X2018.003-ZONE

Regional District of Okanagan –Similkameen  
101 Martin Street  
Penticton B.C. V2A 5J9

Attention: Christopher Garrish

Re: Bylaw referral: Amendments to Electoral Area “D-2” OCP Bylaw No. 2603, 2013  
& zoning Bylaw No. 2455, 2008 and Electoral Area “E” OCP Bylaw No. 2458,  
2008 & Zoning Bylaw No. 2459, 2008 to consolidate Small Holdings One with  
Large Holdings One Zone

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The Ecosystems Section of the Ministry of Forests, Lands and Natural Resource  
Operations (FLNRO) provides the following response to the above noted referral.

To ensure proposed activities are planned and carried out with minimal impacts to the  
environment and in compliance with all relevant legislation, the proponent and approving  
agency are advised to adhere to guidelines in the provincial best management practices  
(BMP's) document: Develop with Care: Environmental Guidelines for Urban & Rural  
Land Development (<http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>) .

It is the proponent's responsibility to ensure their activities are in compliance with all  
relevant legislation.

If you have any other questions or require further information please feel free to contact  
me.

Yours truly,

Brian Robertson  
Ecosystems Officer

BR/cl







# Feedback Form

**Regional District of Okanagan Similkameen**

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: X2018.003-ZONE  
Dr. Alex Juhasz, Ms Geraldine Shockey

FROM: Name: \_\_\_\_\_  
(please print)

Street Address: 123 (&111) Saliken Drive \_\_\_\_\_

Tel/Email: \_\_\_\_\_

RE: Electoral Area "D-2" & "E" Zoning Amendment Bylaw No. 2797  
Small Holdings One (SH1) Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2797.

See attached sheet

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Feedback Forms must be completed and returned to the Regional District  
no later than Friday February 28, 2018



Addendum:

RDOS File NO: X2018.003-ZONE

**RE: Electoral Area “D-2” & “E” Zoning Amendment Bylaw No. 2797 Small Holdings One (SH1) Zone Review**

WRITTEN SUBMISSION REGARDING PRIOR TO 1<sup>ST</sup> READING OF AMENDMENT BYLAW NO 2797.

From Dr. Alex Juhasz and Ms. Geraldine Shockey.

We do not support the amendments to the zoning Bylaw 2797 for the following reasons.

1. It is not logical to increase the amount – effectively doubling – dwellings when water is scarce, natural and anthropogenic fire risk is increasing especially in the absence of any effective fire protection. Also, the wildfire risk emanating from the Ellis Creek/MCTAGGART-COWAN/NSƏK’LNIW’T WILDLIFE MANAGEMENT AREA is also a real threat to D-2, a danger that worsens with each consecutive year of prolonged and intense droughts. More lives and property would be a risk if a wildfire propagated through this area as compared to the Garnet Fire of 1994.
2. The potential huge increase in industrial greenhouse operations the amendment would allow will have huge negative impact on the shared aquifer(s).

First contrary to Mr. Christopher Garish’s unfounded belief, greenhouses CAN be built on slopes (see photographs below). Further, there are a lot of areas – benches and natural terraces and minimal slopes in D-2 that could house greenhouses. In addition, there is nothing bulldozers, other heavy machinery and dynamite can’t level; and the bylaws as we understand them, all the above can be used without permits, therefore without RDOS oversight. Also keep in mind The City of Penticton are in the final stages of building a water storage tank on Carmi Road where the slope was greater than 30 degrees in solid rock – The City just removed the rock with heavy machinery, no big deal. A similar thing is not inconceivable with greenhouses in D-2. Moreover, Mr. Garish’s apparent belief that the D-2’s topography is not conducive to greenhouse so ‘we’ should not be concerned about it, even if the amended bylaws would allow greenhouses because no-one would build them anyway, is unfounded, misleading and flippantly dismisses reality. In other words, the topography would not be a deterrent to the construction of industrial greenhouse operations as Mr. Garish suggests.

Second, the affect of greenhouses on shared aquifers is a vast unknown issue and an important issue that cannot be ignored by The Board. The cash-crops grown in these industrial greenhouses would stress the shared aquifers in this area known



for it's scarcity of water. Industrial greenhouse operations – potentially occupying 50-75% of the footprint of lot would without doubt strain shared aquifers potentially having a devastating impact on contiguous and non-contiguous neighbour domestic wells as well as on the delicate ecosystems comprising Upper Carmi. Who going to liable if a well on a shared aquifer goes dry? The owner/corporation of the industrial greenhouse operation? The RDOS because the RDOS, through its bylaws, allowed the development of the industrial greenhouse? Is the neighbour family whose well goes dry just sh-t-out-of-luck? They will have to either haul water from Penticton or sell their home at a loss. Either scenario, that family will bear the financial burden and not the owner of the industrial greenhouse operation nor the RDOS. I feel The Board will need to deeply and expansively explore this issue of the negative impacts on families on shared aquifers by industrial greenhouse operations. In summary, we also do not support the amendments because it would have a negative impact on the shared aquifers via the industrial greenhouses the bylaws would allow. We don't want our well to go dry because of an industrial greenhouse operation. Moreover, we don't want the RDOS Board to give the industrial greenhouse operators the opportunity to potentially run our or other families' well dry.

3. Harmonizing bylaws is a reasonable matter to consider. However, transposing one region's bylaw to another as if two regions are similar when they are not -- D-2 is not like other regions in the RDOS – harmonization is not reasonable. Case in point as discussed above: where industrial greenhouses may work in one region will not likely work – unless an independent hydrological study confirms there is enough ground water to allow industrial and domestic uses simultaneously – in Upper Carmi because of the scarcity of groundwater, an indisputable fact almost everyone is aware of.

Thank you for including our thoughts in your discussions on this matter. Please do not hesitate to contact us for further discussion.

Sincerely,

Alex Juhasz, PhD, DVM, OLY, Geraldine Shockey

Photos of industrial greenhouse operations on slopes:





**Lauri Feindell**

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**From:** Lesley Chapman  
**Sent:** February 1, 2018 8:07 PM  
**To:** Christopher Garrish  
**Subject:** Small Holdings One (SH1) Zone Review, Upper Carmi area feedback  
**Attachments:** Carmi Schedule of Restrictions 2017.pdf

Christopher:

I am writing in response to a letter dated January 18, 2018 from the RDOS regarding the proposed change from SH1 zoning to LH1S zoning for Upper Carmi. I was unable to find the feedback form on the website that is referred to in the letter, so please consider this email as feedback. Could you confirm receipt of this email please.

I am one of the shareholders of ARA Holdings Ltd., which developed Garnet Way and still owns 5 lots on Garnet Way and one lot on Upper Carmi Rd. The shareholders agree with my following comments.

Our main concern is the proposal to allow mobile homes. This will bring down the quality of homes in the Upper Carmi area. Most of the existing homes are high-end residences, and to allow mobile homes amongst them goes against the look and feel of the area. Mobile homes will also reduce the tax base compared to standard or modular construction.

We recently created a building scheme that specifically disallows mobile homes on the lots we own, which was registered on title before any lots were sold (see attached). The intent of our building scheme is to maintain the area as a quality neighbourhood, and minimize the potential for any lots to look like 'trailer trash'.

We would like to see the replacement of 'mobile' homes with 'new modular' homes in the new regulations. This to ensure no cheap-looking used modular homes as well as no mobile homes are moved to Upper Carmi.

Additionally, the allowance on acreages greater than 2.0 ha of 75% Maximum Parcel Coverage for greenhouse uses is concerning. This could result in large agricultural operations, which goes against the look and feel of the existing residential neighbourhood and would require a significant amount of water. Water should be conserved in Upper Carmi, as the aquifers have not been mapped for their underground reserves and productivity. Heavy water use for agriculture could result in a water shortage for residences drawing from the same aquifer.

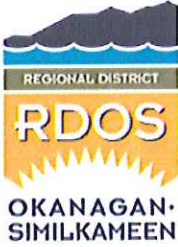
Numerous lots do not yet have wells on them on Garnet Way and Upper Carmi, and there needs to be enough capacity reserved for residential use on these lots before allowing greenhouse and other irrigation.

Thank you for considering these issues.

Sincerely,  
Lesley Chapman







# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen

FILE NO.: X2018.003-ZONE

FROM: Name:

KARL & ANGELA PRAMBERGER

(please print)

Street Address:

134 SALIKEN DR., PENTICTON, B.C., V2A 8V6

Tel/Email:

\_\_\_\_\_

RE:

Electoral Area "D-2" & "E" Zoning Amendment Bylaw No. 2797  
Small Holdings One (SH1) Zone Review

My comments / concerns are:

☐

I do support the proposed amendments to the zoning bylaw.

☐

I do support the proposed amendments to the zoning bylaw, subject to the comments listed below.

☒

I do not support the proposed amendments to the zoning bylaw.

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2797.

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Feedback Forms must be completed and returned to the Regional District  
no later than Friday February 28, 2018

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.



## Lauri Feindell

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**From:** JH Lawrence >  
**Sent:** February 28, 2018 1:46 PM  
**To:** Planning  
**Subject:** RE: file X2018.003-ZONE Greenhouse line item

To Whom it May Concern,

I would like to express my whole-hearted opposition to the proposed change to the SH1 zoning in the Upper Carmi Area that would allow 75% parcel coverage with greenhouses in this area.

Greenhouse development of this magnitude would significantly, and negatively, impact the character of Upper Carmi as a country residential neighbourhood and is a direct threat to the sensitive ecosystem that exists here. Not two years ago the RDOS implemented bylaws more stringent Environmental and Engineering Assessment requirements for any proposed developments in the Upper Carmi (and other) areas and the allowance of commercial greenhouse operations flies in the face of the apparent intention of protecting our natural environment. Allowing 75% of a parcel worth of vegetation to be scraped off and replaced with an enormous, light-producing facility is flagrantly hypocritical.

Large commercial greenhouses would also be a massive draw on the aquifer that residents of Upper Carmi depend on for residential water and would put tremendous stress on the current sustainable water source that services us. Residents living on Saliken Road are well aware of what water scarcity can look like and residents of the remainder of Upper Carmi are already very water conscious on their own accord – a product of living in the Okanagan as well as being aware that wells can run dry if not managed appropriately.

Please remove the line item allowing 75% greenhouse coverage of parcels from your zoning amalgamation, change the line to include greenhouses in line with residential use in Upper Carmi or exclude the Upper Carmi area from this zoning change altogether.

Hailey Lawrence

128 Bear End Road  
Penticton, BC  
V2A 8V6



**Lauri Feindell**

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**From:** Jerome Lawrence  
**Sent:** February 28, 2018 8:25 PM  
**To:** Planning  
**Subject:** File: X2018.003-Zone

To whom it may concern

I am a resident on Bear End Rd of the Upper Carmi.

I am Not in favour of proposed changes to the current SH1.

I request you remove the line that allows 75% parcel coverage for greenhouse.

Also the reduction in coverage for dwellings.

Jeremy Lawrence 128 Bear End Rd.

Sent from my iPhone







RDOS  
REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN

OKANAGAN  
SIMILKAMEEN

# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen

FILE NO.: X2018.003-ZONE

FROM: Name: Nola and Paul Beard  
(please print)

Street Address: 113 Daloc Road, Penticton, BC, V2A 8V6

Tel/Email: \_\_\_\_\_

RE: Electoral Area "D-2" & "E" Zoning Amendment Bylaw No. 2797  
Small Holdings One (SH1) Zone Review

My comments / concerns are:

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

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2797.

We are agreeable with the proposed zoning changes for the currently-SH1-zoned D2 properties, subject to the following changes: Do not permit allowable parcel coverage to exceed the proposed 10% remove " and 75% for greenhouses "

- RDOS' stated intent with these changes is not to significantly change the zoning for these properties, with this exercise yet keeping the above, proposed text, would do exactly that.

- Coverage of greater than 10% of any property in this area is counter to maintaining the area's character and environmental integrity.

- Greenhouses, in particular, pose significant character, environmental, and livability threats. They emit significant light pollution. And, intensive growing would require water volumes that could well exceed what the aquifer can support, to the detriment of other residents in the area. No single property should be able to compromise water access for others, or utilize water in a significantly disproportionate way.

- In addition to other crops, with the anticipated significant marijuana cultivation growth in coming years, the above would be a real risk to the character, environmental integrity, and livability due to water diversion to such facilities, in the area

The area is already facing this issue, and we would be happy to speak to planning staff and elected officials about it.

Feedback Forms must be completed and returned to the Regional District  
no later than Friday February 28, 2018

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.



**From:** Vendela  
**To:** [Christopher Garrish](#)  
**Subject:** Upper Carmi  
**Date:** February 3, 2018 9:53:45 PM

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Hi Christopher,

Thank you for sending out the memo regarding the upper Carmi area and the SH1 review. My husband and I own 103 Garnet way.

I am in favour of the change to LH1 zoning. I would like to see all of the LH1 zonings be applied. Secondary dwellings would definitely be something I would love to see as a permitted use of our property as this would be really helpful down the road if one of our children would like to live on our large property.

Thank you

Vendela Villanueva



**Lauri Feindell**

---

**To:** Christopher Garrish  
**Subject:** RE: file X2018.003-ZONE Greenhouse line item

**From:** JH Lawrence <  
**Sent:** March 2, 2018 1:29 PM  
**To:** Christopher Garrish <[cgarrish@rdos.bc.ca](mailto:cgarrish@rdos.bc.ca)>  
**Subject:** RE: file X2018.003-ZONE Greenhouse line item

Hi Chris

Thank you for confirming that the planning department has received my submission. I have a few questions. I apologize if they are interpreted as inane. I do not look at bylaws for my bread and butter.

Section 2.4 of the Ministry of Agriculture document you sent pertains to properties that are in the ALR. Section 2.4.1 clearly states this (page 18 of the PDF).

Here is the link for your convenience: [https://www.alc.gov.bc.ca/assets/alc/assets/library/land-use-planning/guide\\_for\\_bylaw\\_development\\_in\\_farming\\_areas\\_2015.pdf](https://www.alc.gov.bc.ca/assets/alc/assets/library/land-use-planning/guide_for_bylaw_development_in_farming_areas_2015.pdf)

To my knowledge, none of the 10 acre parcels on my street are in the ALR and I do not know which other properties may or may not be in the ALR in the Upper Carmi area. From what I understand, a good portion of this mountainside used to be one parcel and was subdivided in the 60's for further development. I can only assume the original owner never opted in to the ALR because mid 20<sup>th</sup> century agricultural practices traditional to this area at the time were not sustainable here. Of course, I do not have the records for this at hand like you might but it begs the question of whether current or proposed zoning applies to non-ALR properties if the document you are offering for clarification specifically applies to parcels within the ALR? If not, what zoning does apply?

I would appreciate some explanation as well as an application for farm status since I may have been overpaying my taxes for a few years now.

However, whether the Ministry of Agriculture deems it best practices or not and whether greenhouse development has been allowed for decades in this area or not, I do not want a 7.5 acre commercial night light next to my beautiful home and property that my husband and I work our tails off to own and enjoy. There is a commercial greenhouse in downtown Summerland and having grown up there I can tell you on good authority that everyone hates that thing and were ticked right off when it was approved.

It is also not lost on me that this zoning change is convenient to the legalization of Marijuana as of July 1<sup>st</sup> 2018. I would like to know if there are any applications for legal grow facilities currently submitted or soon-to-be submitted to the RDOS for the Upper Carmi area.

Specific to my property, the drawings for our property show that the northernmost wall of our house is 10m from our legal property line. If setbacks are increased to 15m as proposed and a catastrophic event should destroy our home (ie. forest fire, which is an ever-present threat), would we be able to rebuild our home on the original foundation or would we be forced to build elsewhere? The fallout from this proposed zoning change could void insurance coverages up here. In light of this question, would it be possible to postpone the proposed zoning amendment until residents are able to find out about this in order to avoid the undermining of insurance policies? Can we get a property-specific amendment for setbacks if this is the case?

## Lauri Feindell

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**To:** Christopher Garrish  
**Subject:** RE: Feedback re: Small Holdings One (SH1) Zone Review, Upper Carmi

-----Original Message-----

From: spkirsch [  
Sent: February 28, 2018 11:31 AM  
To: Christopher Garrish <[cgarrish@rdos.bc.ca](mailto:cgarrish@rdos.bc.ca)>  
Subject: Feedback re: Small Holdings One (SH1) Zone Review, Upper Carmi

Hello Christopher,  
I own a lot on Beaverdell Rd and am also a shareholder of ARA Holdings Ltd. Lesley Chapman wrote to you previously with feedback on behalf of the shareholders; I agree with her comments but would like to add a few thoughts of my own as a private lot owner.

Although they are large acreages, the Upper Carmi lots have a visual impact on each other, partly because they overlook each other and partly because they have few mature trees (a residual effect of the Garnet fire). Allowing mobile homes and large greenhouse operations on these lots would have a negative visual impact on what is becoming a higher-end residential area. As mentioned by Lesley, ARA Holdings recently placed a building scheme on the Garnet Way lots which disallows mobile homes; this was in response to an unsightly mobile home being placed on one of these lots in the 1990s which was an eyesore for many years for at least 6 surrounding lots. I hope that you will reconsider your proposal to allow mobile homes (i.e. homes that are designed to be mobile, not to be confused with modular homes that are built on-site from modular components) in the Upper Carmi area.

I am also concerned about the proposed change in Maximum Parcel Coverage to allow 75% of 2+ ha parcels to be used for greenhouses and what impact this could have on groundwater resources. Based on my research and attendance at a UBC-O Water Forum in November, I understand that there is a lack of information about aquifers in the Upper Carmi area. Given the unknowns about number, size, and recharge rates of aquifers, and the uncertainties of how climate change will affect the Okanagan, I believe we should be cautious about non-residential use of groundwater.

Thank you for considering my submission.

Susan Kirschmann

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This email has been checked for viruses by AVG.  
[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.avg.com&d=DwIC-g&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A\\_CdpgnVfiiMM&r=kP1c02zrvGZbfbHfqJh1abGF6wWZ9JakMBw9Lvfxqro&m=c-n4Fw4TocGY8TQgGRPHLYn0FqQ9wn0HhXOtXqi0GuA&s=HEIN0p4rm8o1jWYH0yAXONHc2SozxBZcD56CTqTc3g&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.avg.com&d=DwIC-g&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=kP1c02zrvGZbfbHfqJh1abGF6wWZ9JakMBw9Lvfxqro&m=c-n4Fw4TocGY8TQgGRPHLYn0FqQ9wn0HhXOtXqi0GuA&s=HEIN0p4rm8o1jWYH0yAXONHc2SozxBZcD56CTqTc3g&e=)

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Official Community Plan & Zoning Bylaw Amendments – Electoral Areas “D-2”  
Large Holdings Three (LH3) Zone Review

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## **Administrative Recommendation:**

**THAT Bylaw No. 2603.12, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw, be read a third time and adopted.**

**AND THAT Bylaw No. 2603.13, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.30, 2018, Electoral Area “D-2” Zoning Amendment Bylaw be read a third time.**

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## **Purpose:**

The proposed amendment bylaws seek to amend the Electoral Area “D-2” Official Community Plan and Zoning Bylaws in order to generally consolidate the Large Holdings Three (LH3) Zone with the Resource Area (RA) Zone, however, there are instances where other zonings such as Large Holdings One (LH1), Large Holdings Two (LH2) and Small Holdings Three (SH3) are being proposed. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

## **Background:**

At its meeting of November 16, 2017, the Planning and Development (P&D) Committee of the Board resolved that staff initiate the Electoral Area “D-2” Large Holdings Update Official Community Plan Amendment Bylaw No. 2603.12 and Zoning Amendment Bylaw No. 2455.30.

On January 18, 2018, the Regional District sent letters to all registered property owners with land zoned LH3 advising of the proposed changes to the land use bylaws and seeking feedback.

At its meeting of March 15, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur on April 5, 2018, at the Regional District office in Penticton.

All comments received through the public process have been compiled and included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposed amendments will affect lands situated within 800 metres of a controlled area.

## **Analysis:**

In light of the substantial similarities that exist between the LH3 and RA Zones in Electoral Area “D-2” as well as the similar objectives and policy statements that seek to keep such lands in a generally

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“undeveloped” state, Administration is recommending that the LH3 Zone be consolidated into the RA Zone.

To facilitate this, Administration is proposing to re-draft the Large Holdings section of the OCP Bylaw to be consistent with the other Okanagan Electoral Areas.

It is noted that, due to the origins of the Large Holdings designation/zone in the “Openland and Farmland” designation (1982) — which appears to have been a “catchall” type of zoning — amending the zoning of a number of properties to RA would not be appropriate.

For example, there are a number of LH3 zoned properties significantly less than 1.0 ha in area, including within the Okanagan Falls townsite, which would be more appropriately zoned either Residential Single Family One (RS1) or Small Holdings Three (SH3). A number of other properties would also be more appropriately zoned Small Holdings Four (SH4), Large Holdings One (LH1), Large Holdings Two (LH2) or Parks and Recreation (PR).

In addition, The Nature’s Trust of British Columbia (TNTBC) also has extensive land holdings within the Electoral Area, some of which is currently zoned Conservation Area (CA), LH3 and Comprehensive Development (CD).

To bring consistency to the designation and zoning of these TNTBC parcels, Administration is proposing the introduction of a Conservation Area Site Specific (CAs) Zone with the site specific allowing “agriculture” as a permitted use in recognition that some of these lands are in the Agricultural Land Reserve (ALR) and are leased by TNTBC for farm purposes.

**Alternatives:**

1. THAT the Board of Directors defer consideration of third reading of Amendment Bylaw No. 2603.12, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.30, 2018, Electoral Area “D-2” Zoning Amendment Bylaw; OR
2. THAT the Board of Directors rescind first and second reading of Amendment Bylaw No. 2603.12, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.30, 2018, Electoral Area “D-2” Zoning Amendment Bylaw and abandon the bylaws.

**Respectfully submitted:**

  
C. Garrish, Planning Supervisor

**Endorsed by:**

  
B. Dollevoet, Dev. Services Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2455.30, 2018**

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**A Bylaw to amend the Electoral Area “D-2” Zoning Bylaw No. 2455, 2008**

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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” Large Holdings Update Zoning Amendment Bylaw No. 2455.30, 2018.”
2. The “Electoral Area ‘D-2’ Zoning Bylaw No. 2455, 2008” is amended by:
  - i) delete the definition of “landscaped strip” under Section 4.0 (Definitions).
  - ii) replacing the “Rural Zones” part of Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zone) in its entirety with the following:

**RURAL ZONES**

Resource Area Zone	RA
Agriculture One Zone	AG1
Agriculture Three Zone	AG3
Large Holdings One Zone	LH1
Large Holdings Two Zone	LH2
Small Holdings One Zone	SH1
Small Holdings Two Zone	SH2
Small Holdings Three Zone	SH3
Small Holdings Four Zone	SH4
Small Holdings Five Zone	SH5

- iii) replacing Section 7.9 (Screening and Landscaping) under Section 7.0 (General Regulations) in its entirety with the following:

**7.9 Screening and Landscaping**



1. Screening or landscape buffers are required for all Commercial and Industrial zoned parcels adjacent to a Residential zone.
2. Screening and landscaping buffers shall be provided and maintained by an owner of a parcel at the owner's sole cost in accordance with the following regulations:
  - a) Where it is proposed to install screening, this shall be to a height of not less than 1.8 metres.
  - b) Where it is proposed to install landscape buffers, these shall:
    - i) be a minimum of 1.5 metres in width;
    - ii) include a screen a minimum of 2.0 metres in height comprised of at least:
      - .1 three shrubs or trees capable of attaining a height of 4.0 metres or more;
      - .2 planted at least every 5.0 metres, and
      - .3 interrupted only for walkways or driveways.
    - iii) be continuous along the affected property boundaries, interrupted only by walkways and driveways providing access to the property; and
    - iv) on a corner parcel contiguous to a highway intersection, no hedge or other vegetation is permitted at a greater height than 1.0 metre above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the parcel at the intersection of the highway.
- iv) replacing Section 7.13.3 (Accessory Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
  - .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities or other living facilities, with the exception of an accessory building or structure in the RA, AG1, AG3, LH1 and LH2 Zones where one (1) shower is permitted.
- v) replacing Section 7.13.4 (Accessory Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
  - .4 The maximum number of bathrooms permitted in an accessory building or structure shall be one (1) and shall not exceed a maximum floor area of 3.0 m<sup>2</sup>, with the exception of an accessory building or structure in the RA, AG1, AG3, LH1 and LH2 Zones where the maximum floor area of a bathroom may be 6.0 m<sup>2</sup>.

- vi) replacing Section 10.4 (Large Holdings Three Zone) under Section 10.0 (Rural Zones) in its entirety with the following:

#### **10.4 LARGE HOLDINGS ONE ZONE (LH1)**

##### **10.4.1 Permitted Uses:**

###### Principal uses:

- a) agriculture, subject to Section 7.24;
- b) equestrian centres;
- c) forestry;
- d) single detached dwelling or mobile home;
- e) veterinary establishments;

###### Secondary uses:

- f) accessory dwelling or mobile home, subject to Section 7.11;
- g) bed and breakfast operation, subject to Section 7.19;
- h) home industry, subject to Section 7.18;
- i) home occupation, subject to Section 7.17;
- j) kennels, subject to Section 7.25;
- k) packing, processing and storage of farm and off-farm products;
- l) retail sales of farm and off-farm products, subject to Section 7.24
- m) secondary suites, subject to Section 7.12;
- n) accessory buildings and structures, subject to Section 7.13.

##### **10.4.2 Site Specific Large Holdings One (LH1s) Provisions:**

- a) see Section 17.4

##### **10.4.3 Minimum Parcel Size:**

- a) 4.0 ha

##### **10.4.4 Minimum Parcel Width:**

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

##### **10.4.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) the number of principal dwellings and the number of accessory dwellings or mobile homes permitted per parcel shall be as follows:

Parcel Size	Maximum Number of Accessory Dwellings or Mobile Homes	Maximum Number of Principal Dwellings
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Less than 8.0 ha	1	1
8.0 ha to 11.9 ha	2	1
12.0 ha to 15.9 ha	3	1
16.0 ha or greater	4	1

- b) one (1) secondary suite.

#### 10.4.6 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
- b) Despite Section 10.4.6(a), livestock shelters, equestrian centre, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:
- i) Front parcel line: 15.0 metres
  - ii) Rear parcel line: 15.0 metres
  - iii) Interior side parcel line: 15.0 metres
  - iv) Exterior side parcel line: 15.0 metres
- c) Despite Section 10.4.6(a), incinerator or compost facility:
- i) Front parcel line: 30.0 metres
  - ii) Rear parcel line: 30.0 metres
  - iii) Interior side parcel line: 30.0 metres
  - iv) Exterior side parcel line: 30.0 metres

#### 10.4.7 Maximum Height:

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

#### 10.4.8 Maximum Parcel Coverage:

- a) 35% for parcels less than 2,500 m<sup>2</sup> in area;
- b) 20% for parcels greater than 2,500 m<sup>2</sup> and less than 2.0 ha in area; and
- c) for parcels greater than 2.0 ha in area:
  - i) 10%; and

- ii) 75% for greenhouse uses.
- vii) adding a new Section 10.5 (Large Holdings Two Zone) under Section 10.0 (Rural Zones) to read as follows and renumbering all subsequent sub-sections:

## **10.5 LARGE HOLDINGS TWO ZONE (LH2)**

### **10.5.1 Permitted Uses:**

#### Principal uses:

- a) agriculture, subject to Section 7.23;
- b) equestrian centre;
- c) forestry;
- d) single detached dwelling or mobile home;
- e) veterinary establishment;

#### Secondary uses:

- f) accessory dwelling or mobile home, subject to Section 7.11;
- g) bed and breakfast operation, subject to Section 7.19;
- h) home industry, subject to Section 7.18;
- i) home occupation, subject to Section 7.17;
- j) kennels, subject to Section 7.25;
- k) packing, processing and storage of farm and off-farm products;
- l) retail sales of farm and off-farm products, subject to Section 7.24;
- m) secondary suite, subject to Section 7.12; and
- n) accessory buildings and structures, subject to Section 7.13.

### **10.5.2 Site Specific Large Holdings Two (LH2s) Provisions:**

- a) see Section 17.34

### **10.5.3 Minimum Parcel Size:**

- a) 8.0 ha

### **10.5.4 Minimum Parcel Width:**

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

#### **10.5.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling unit;
- b) one (1) secondary suite; and
- c) one (1) mobile home or accessory dwelling.

#### **10.5.6 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
- b) Despite Section 10.5.6(a), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:
  - i) Front parcel line: 15.0 metres
  - ii) Rear parcel line: 15.0 metres
  - iii) Interior side parcel line: 15.0 metres
  - iv) Exterior side parcel line: 15.0 metres
- c) Despite Section 10.5.6(a), incinerator or compost facility:
  - i) Front parcel line: 30.0 metres
  - ii) Rear parcel line: 30.0 metres
  - iii) Interior side parcel line: 30.0 metres
  - iv) Exterior side parcel line: 30.0 metres

#### **10.5.7 Maximum Height:**

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

#### **10.5.8 Maximum Parcel Coverage:**

- a) 35% for parcels less than 2,500 m<sup>2</sup> in area;
- b) 20% for parcels greater than 2,500 m<sup>2</sup> and less than 2.0 ha in area; and
- c) for parcels greater than 2.0 ha in area:
  - i) 10%; and



- ii) 75% for greenhouse uses.
- viii) adding a new Section 10.6 (Small Holdings Two Zone) under Section 10.0 (Rural Zones) to read as follows and renumbering all subsequent sub-sections:

## **10.6 SMALL HOLDINGS TWO ZONE (SH2)**

### **10.6.1 Permitted Uses:**

#### Principal uses:

- a) agriculture, subject to Section 7.23;
- b) single detached dwelling;

#### Secondary uses:

- c) bed and breakfast operation, subject to Section 7.19;
- d) equestrian centre;
- e) home industry, subject to Section 7.18;
- f) home occupation, subject to Section 7.17;
- g) retail sales of farm and off-farm products, subject to Section 7.24;
- h) secondary suite, subject to Section 7.12; and
- i) accessory buildings and structures, subject to Section 7.13.

### **10.6.2 Site Specific Small Holdings Two (SH2s) Provisions:**

- a) see Section 17.32

### **10.6.3 Minimum Parcel Size:**

- a) 2.0 ha

### **10.6.4 Minimum Parcel Width:**

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

### **10.6.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite.

### **10.6.6 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
- b) Accessory buildings and structures:
  - i) Front parcel line: 7.5 metres
  - ii) Rear parcel line: 4.5 metres
  - iii) Interior side parcel line: 4.5 metres
  - iv) Exterior side parcel line: 4.5 metres
- c) Despite Section 10.6.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:
  - i) Front parcel line: 15.0 metres
  - ii) Rear parcel line: 15.0 metres
  - iii) Interior side parcel line: 15.0 metres
  - iv) Exterior side parcel line: 15.0 metres
- d) Despite Section 10.6.6(a) and (b), incinerator or compost facility:
  - i) Front parcel line: 30.0 metres
  - ii) Rear parcel line: 30.0 metres
  - iii) Interior side parcel line: 30.0 metres
  - iv) Exterior side parcel line: 30.0 metres

#### **10.6.7 Maximum Height:**

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

#### **10.6.8 Maximum Parcel Coverage:**

- a) 15%

#### **10.6.9 Minimum Building Width:**

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

- ix) adding a new Section 10.8 (Small Holdings Four Zone) under Section 10.0 (Rural Zones) to read as follows and renumbering all subsequent sub-sections:

## **10.8 SMALL HOLDINGS FOUR ZONE (SH4)**

### **10.8.1 Permitted Uses:**

#### Principal uses:

- a) agriculture, subject to Section 7.23;
- b) single detached dwelling;

#### Secondary uses:

- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17;
- e) secondary suite, subject to Section 7.12; and
- f) accessory buildings and structures, subject to Section 7.13.

### **10.8.2 Site Specific Small Holdings Four (SH4s) Provisions:**

- a) see Section 17.33.

### **10.8.3 Minimum Parcel Size:**

- a) 0.5 ha, subject to servicing requirements

### **10.8.4 Minimum Parcel Width:**

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

### **10.8.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite.

### **10.8.6 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
- b) Accessory buildings and structures:
  - i) Front parcel line: 7.5 metres
  - ii) Rear parcel line: 4.5 metres

- iii) Interior side parcel line: 4.5 metres
  - iv) Exterior side parcel line: 4.5 metres
- c) Despite Section 10.8.6(a) and (b), livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:
  - i) Front parcel line: 15.0 metres
  - ii) Rear parcel line: 15.0 metres
  - iii) Interior side parcel line: 15.0 metres
  - iv) Exterior side parcel line: 15.0 metres
- d) Despite Section 10.8.6(a) and (b), incinerator or compost facility:
  - i) Front parcel line: 30.0 metres
  - ii) Rear parcel line: 30.0 metres
  - iii) Interior side parcel line: 30.0 metres
  - iv) Exterior side parcel line: 30.0 metres

#### **10.8.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 7.5 metres.

#### **10.8.8 Maximum Parcel Coverage:**

- a) 15%

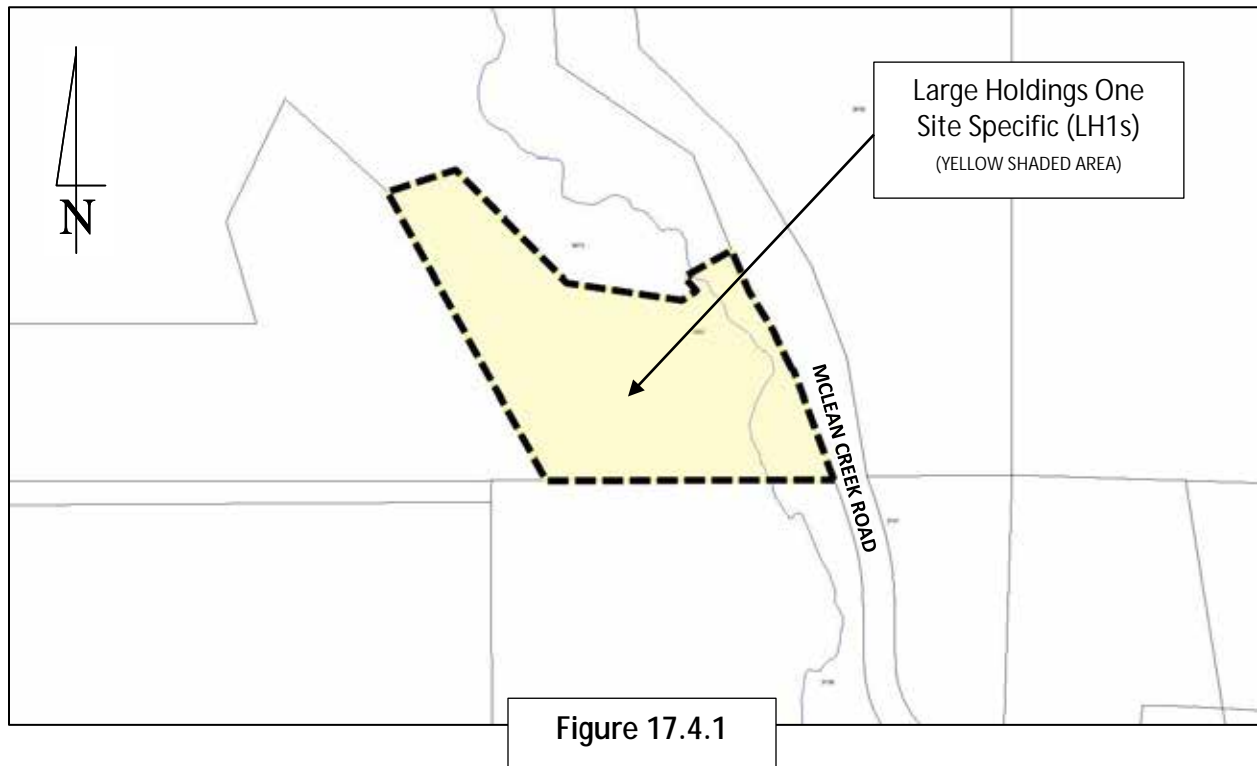
#### **10.8.9 Minimum Building Width:**

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

- x) replacing Section 17.4 (Site Specific Large Holdings Three (LH3s) Provisions) under Section 17.0 (Site Specific Designation) in its entirety with the following:

#### **17.4 Site Specific Large Holdings One (LH1s) Provisions:**

- .1 in the case of the land described as Lot B, Plan EPP12661, District Lot 681S, SDYD, and shown shaded yellow on figure 17.4.1:
  - a) despite Section 10.4.5, the maximum number of dwelling permitted per parcel shall be one (1) principle dwelling, one (1) secondary suite and no accessory dwellings.



- xi) replacing Section 17.6.1 (Site Specific Small Holdings Three (LH3s) Provisions) under Section 17.0 (Site Specific Designation) in its entirety with the following:
  - .1 in the case of the land described as Lot 3, Plan KAP3404, District Lot 195S, SDYD, Except Plan PCL21 and Except Plan A1266 (1419 Green Lake Road), and shown shaded yellow on figure 17.6.1:
    - a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 10.6.1:
      - i) home industry, subject to Section 7.18.
    - b) despite Section 10.4.5, the maximum number of dwellings permitted per parcel shall be:
      - i) one (1) principal dwelling; and
      - ii) one (1) accessory dwelling or mobile home.



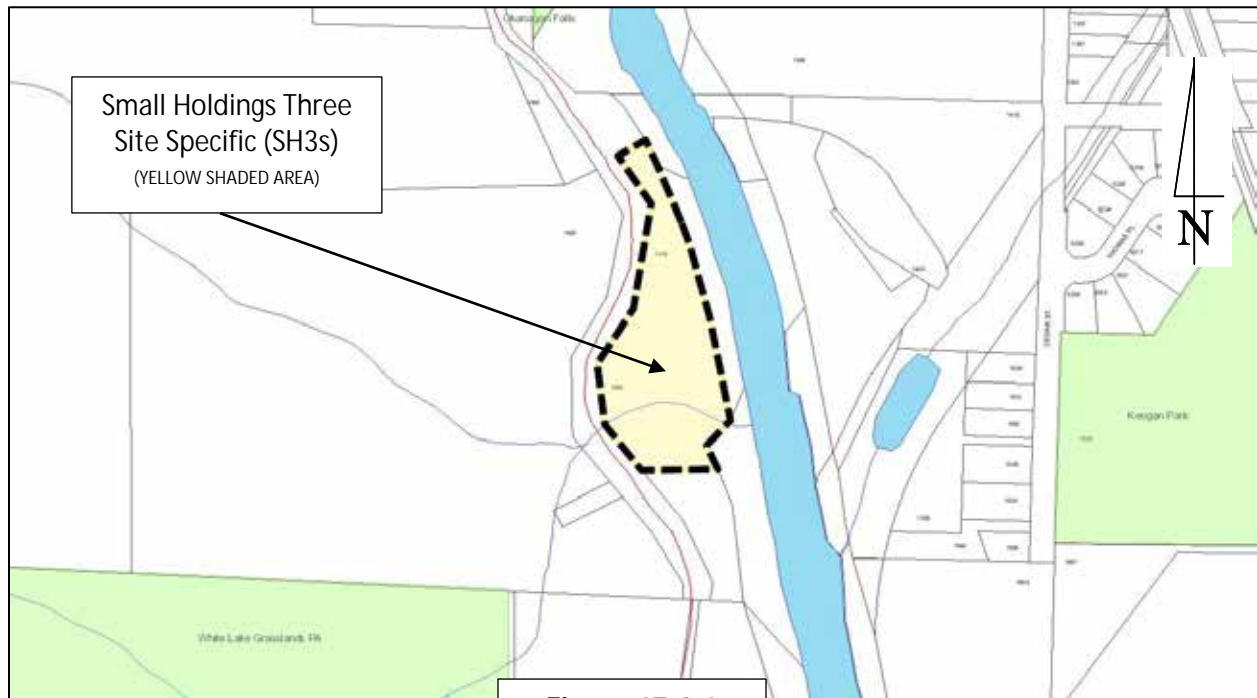
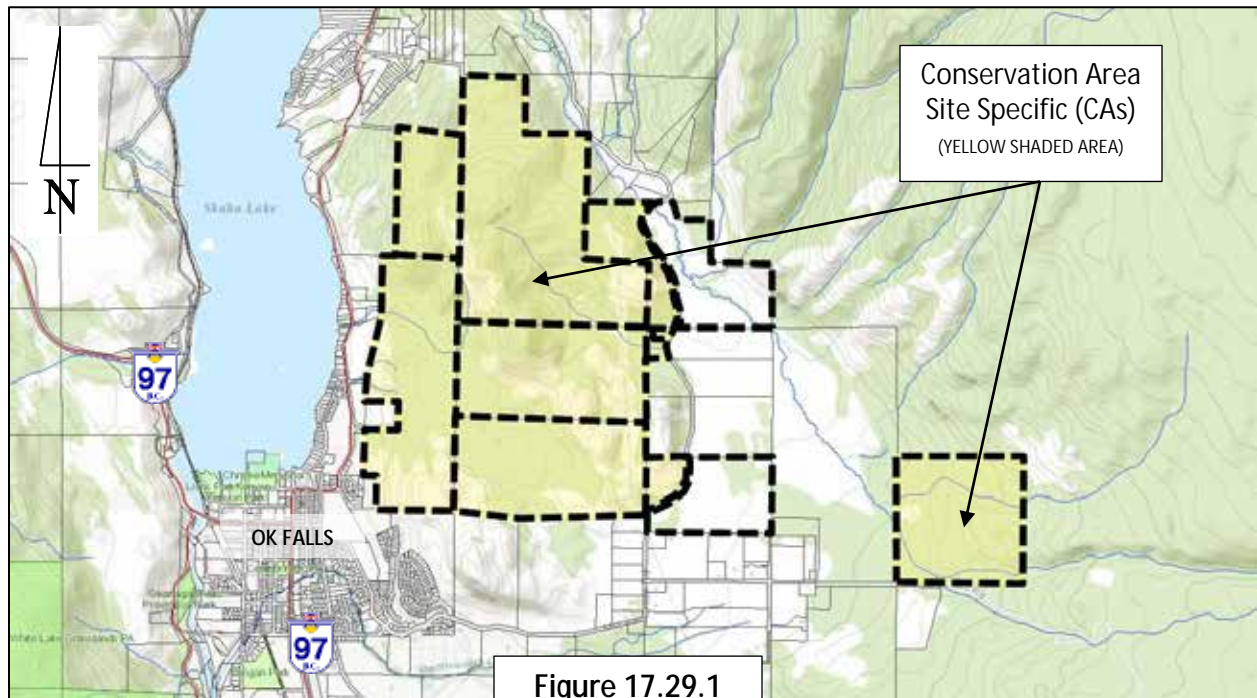


Figure 17.6.1

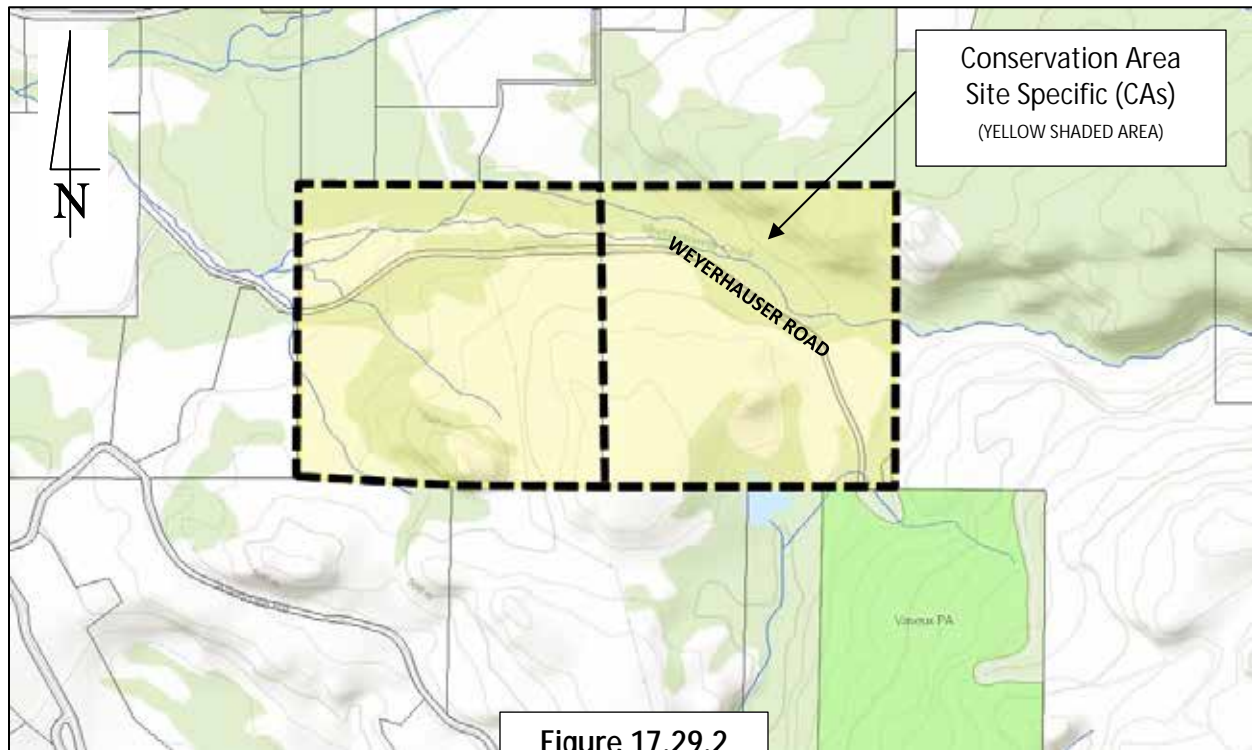
- xii) replacing Section 17.29 (Site Specific Conservation Area (CAs) Provisions) under Section 17.0 (Site Specific Designation) in its entirety with the following:

**17.29 Site Specific Conservation Area (CAs) Provisions:**

- .1 in the case of the land shown shaded yellow on figure 17.29.1:
  - a) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 15.3.1:
    - i) agriculture, subject to Section 7.23 and 7.24.



- .2 in the case of the land described as District Lot 31S, SDYD, Except Plan A11286; and Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 7, Except Plan A11286, and shown shaded yellow on figure 17.29.2:
- a) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 15.3.1:
    - i) agriculture, subject to Section 7.23 and 7.24; and
    - ii) one (1) single detached dwelling or one (1) mobile home.



- xiii) adding a new Section 17.32 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

**17.32 Site Specific Small Holdings Two (SH2s) Provisions:**

- .1 Not applicable.

- xiv) adding a new Section 17.33 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

**17.33 Site Specific Small Holdings Four (SH4s) Provisions:**

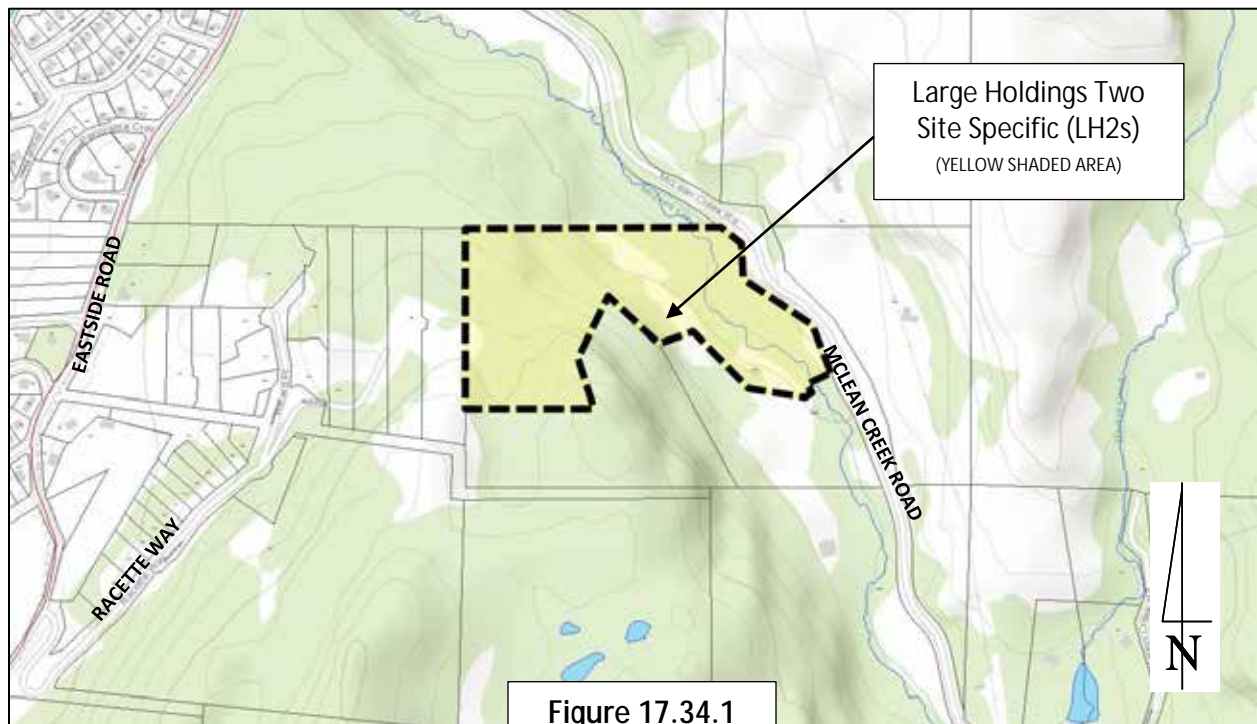
- .1 Not applicable.

- xv) adding a new Section 17.34 (Site Specific Large Holdings Two (LH2s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

**17.34 Site Specific Large Holdings Two (LH2s) Provisions:**

- .1 in the case of the land described as Lot 1, Plan KAP34762, District Lot 681S, SDYD, Except Plan EPP12661, and shown shaded yellow on figure 17.32.1:
  - a) the following principal uses and no others shall be permitted on the land:
    - i) agriculture, subject to Section 7.23 and 7.24;

- ii) equestrian centre;
  - iii) open land recreation;
  - iv) single detached dwelling or mobile home; and
  - v) veterinary establishment.
- b) despite Section 10.5.5, the maximum number of dwelling permitted per parcel shall be one (1) principle dwelling, one (1) secondary suite and no accessory dwellings.



xvi) The Zoning Bylaw Map, being Schedule '2' of the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by:

- a) changing the land use designation on the land described as:
  - Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 8;
  - Subsidy Lots 1-4, Plan KAP1193, District Lot 3639, SDYD, AFB; and
  - Subsidy Lot 7, Plan KAP1193, District Lot 3639, SDYD, AFB - FOREST RESERVE 23-8-60,

and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).

- b) changing the land use designation on the land described as Lot 1, Plan KAP74449, District Lot 190 2710, SDYD (3200 Evergreen Drive), and shown

shaded yellow on Schedule 'B', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).

- c) changing the land use designation on the land described as Lot 2, Plan KAP60911, District Lot 2710, SDYD; and Lot 1, Plan KAP35151, District Lot 2710, SDYD, Subsidy Lot 38, and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- d) changing the land use designation on the land described as Lot C, Plan KAP27801, District Lot 2710, SDYD, Subsidy Lot 48, and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Comprehensive Development (CD) to Conservation Area (CA).
- e) changing the land use designation on the land shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area (CA).
- f) changing the land use designation on the land described as Lot A, Plan KAP67022, District Lot 461, SDYD (3515 McLean Creek Road), and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Three (SH3).
- g) changing the land use designation on the land shown shaded yellow on Schedule 'G-1', but excluding Lot 1, Plan KAP47497, District Lot 462, SDYD, which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- h) changing the land use designation on the land described as Lot 1, Plan KAP47497, District Lot 462, SDYD, and shown shaded yellow on Schedule 'G-2', which forms part of this Bylaw, from Large Holdings Three (LH3) to Large Holdings One (LH1).
- i) changing the land use designation on the land described as Lot A, Plan EPP12661, District Lot 681S, SDYD, and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Large Holdings Three Site Specific (LH3s) to Conservation Area (CA).
- j) changing land use designation on the land described as Lot 1, Plan KAP34762, District Lot 681S, SDYD, Except Plan EPP12661 (3670 McLean Creek Road), and shown shaded blue on Schedule 'H', which forms part of this Bylaw, from Large Holdings Three Site Specific (LH3s) to Large Holdings Two Site Specific (LH2s).
- k) changing land use designation on the land described as Lot B, Plan EPP12661, District Lot 681S, SDYD (3682 McLean Creek Road), and shown shaded purple on Schedule 'H', which forms part of this Bylaw, from Large Holdings Three Site Specific (LH3s) to Large Holdings One Site Specific (LH1s).
- l) changing land use designation on the land described as Lot A, Plan KAP10306, District Lot 337, SDYD, Except Plan H11293 (389 Eastside Road), and shown shaded blue on Schedule 'I', which forms part of this Bylaw, from Large Holdings Three (LH3) to Large Holdings One (LH1).



- m) changing land use designation on the land shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- n) changing land use designation on the land shown shaded yellow on Schedule 'J-1', which forms part of this Bylaw, from Agriculture Three (AG3) to Conservation Area Site Specific (CAs).
- o) changing land use designation on the land shown shaded yellow on Schedule 'J-2', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area Site Specific (CAs).
- p) changing land use designation on the land described as Lot 4, Plan KAP4074, District Lot 2193, SDYD, Except Plan H933, and shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- q) changing land use designation on the land described as an approximately 3,700 m<sup>2</sup> part of Lot 2, Plan KAP9597, District Lot 2883S 3147S, SDYD, Except Plan 13984 (5361 9<sup>th</sup> Avenue) and shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Large Holdings Three (LH3) to Residential Single Family One (RS1).
- r) changing land use designation on the land described as Lot 3, Plan KAP9597, District Lot 2883S 3147S, SDYD, Except Plan 13984 (5444 Hawthorne Place); and an approximately 400 m<sup>2</sup> part of Lot 1, Plan KAP13984, District Lot 2883S 3147S, SDYD (5445 Hawthorne Place) and shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Large Holdings Three (LH3) to Residential Single Family One (RS1).
- s) changing land use designation on the land described as Lot 5, Plan KAP9597, District Lot 3147S, SDYD; and Lot A, Plan KAP6113, District Lot 3147S, SDYD, and shown shaded blue on Schedule 'N', which forms part of this Bylaw, from Large Holdings Three (LH3) to Parks and Recreation (PR).
- t) changing land use designation on the land described as Lot A, Plan KAP37420, District Lot 2193, SDYD, and shown shaded yellow on Schedule 'O', which forms part of this Bylaw, from Agriculture Three (AG3) to Resource Area (RA).
- u) changing land use designation on an approximately 3.6 hectare part of the land described as Lot 3, Plan KAP4074, District Lot 2193, SDYD, Except Plan 37420; and an approximately 54.0 hectare part of the land described as Lot A, Plan KAP28209, District Lot 195S, SDYD, and shown shaded yellow on Schedule 'P', which forms part of this Bylaw, from Agriculture Three (AG3) to Resource Area (RA).
- v) changing land use designation on the land described as Lot 1, Plan KAP8130, District Lot 195S, SDYD, and shown shaded yellow on Schedule 'Q', which forms part of this Bylaw, from Agriculture Three (AG3) to Conservation Area (CA).

- w) changing land use designation on the land described as Lot 3, Plan KAP3404, District Lot 195S, SDYD, Except Plan PCL 21 and Plan A1266 (1419 Green Lake Road), and shown shaded purple on Schedule 'R', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Three Site Specific (SH3s).
- x) changing land use designation on the land shown shaded purple on Schedule 'S', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area (CA).
- y) changing land use designation on the land described as Plan KAP4397, Block 14, District Lot 2883S, SDYD, Except Plan A1217 H933 (904 Green Lake Road), and shown shaded yellow on Schedule 'T', which forms part of this Bylaw, from Agriculture Three (AG3) to Small Holdings Three (SH3).
- z) changing land use designation on the land described as District Lot 195S, SDYD, Except Plan A775 3404 4012 8130 13406 28209 (1420 Green Lake Road), and shown shaded yellow on Schedule 'U', which forms part of this Bylaw, from Large Holdings Three (LH3) to Large Holdings Two (LH2).
- aa) changing land use designation on the land described as Lot C, Plan KAP44059, District Lot 2710, SDYD (2158 Highway 97), and shown shaded yellow on Schedule 'V', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Four (SH4).
- bb) changing land use designation on the land described as Lot D, Plan KAP44059, District Lot 2710, SDYD (2216 Highway 97), and shown shaded blue on Schedule 'V', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Two (SH2).
- cc) changing land use designation on the land described as District Lot 31S, SDYD, Except Plan A11286; and Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 7, Except Plan A11286, and shown shaded yellow on Schedule 'W', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area Site Specific (CAs).
- dd) changing land use designation on an approximately 1.4 hectare part of the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 39, Except Plan 21215, and shown shaded yellow on Schedule 'X', which forms part of this Bylaw, from Agriculture Three (AG3) to Conservation Area (CA).
- ee) changing land use designation on an approximately 25.7 hectare part of the land described as Lot 2, Plan KAP69941, SDYD, District Lot 2710 3203, and shown shaded yellow on Schedule 'X', which forms part of this Bylaw, from Agriculture Three (AG3) to Conservation Area (CA).
- ff) changing land use designation on the land described as Lot 2, Plan KAP1331, District Lot 2710, SDYD, Subsidy Lot 58 (Park Reserve), and shown shaded yellow on Schedule 'Y', which forms part of this Bylaw, from Agriculture Three (AG3) to Parks and Recreation (PR).

- gg) changing land use designation on the land described as Lot 4, Plan KAP1434, District Lot 2710, SDYD, Subsidy Lot 14, Except Plan KAP44587, and shown shaded yellow on Schedule 'Z', which forms part of this Bylaw, from Large Holdings Three (LH3) to Large Holdings Two (LH2).
- hh) changing land use designation on the land described as Lot 1, Plan KAP27588, SDYD, Subsidy Lot 14, District Lot 697S 2710, and shown shaded yellow on Schedule 'AA', which forms part of this Bylaw, from Large Holdings Three (LH3) to Resource Area (RA).
- ii) changing land use designation on the land described as Lot 2, Plan KAP27588, District Lot 697S, SDYD, and shown shaded yellow on Schedule 'BB', which forms part of this Bylaw, from Large Holdings Three (LH3) to Small Holdings Three (SH3).
- jj) changing land use designation on the land described as Lot 1, Plan KAP1434, SDYD, District Lot 697S 2710, and shown shaded yellow on Schedule 'CC', which forms part of this Bylaw, from Large Holdings Three (LH3) to Conservation Area (CA).

READ A FIRST AND SECOND TIME this 15<sup>th</sup> day of March, 2018.

PUBLIC HEARING HELD this 5<sup>th</sup> day of April, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D-2" Large Holdings Update Zoning Amendment Bylaw No. 2455.30, 2018" as read a Third time by the Regional Board on this \_\_\_\_ day of \_\_\_\_, 2018.

Dated at Penticton, BC this \_\_ day of \_\_\_\_, 2018.

\_\_\_\_\_  
Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
For the Minister of Transportation & Infrastructure

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

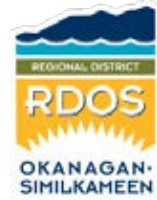
\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

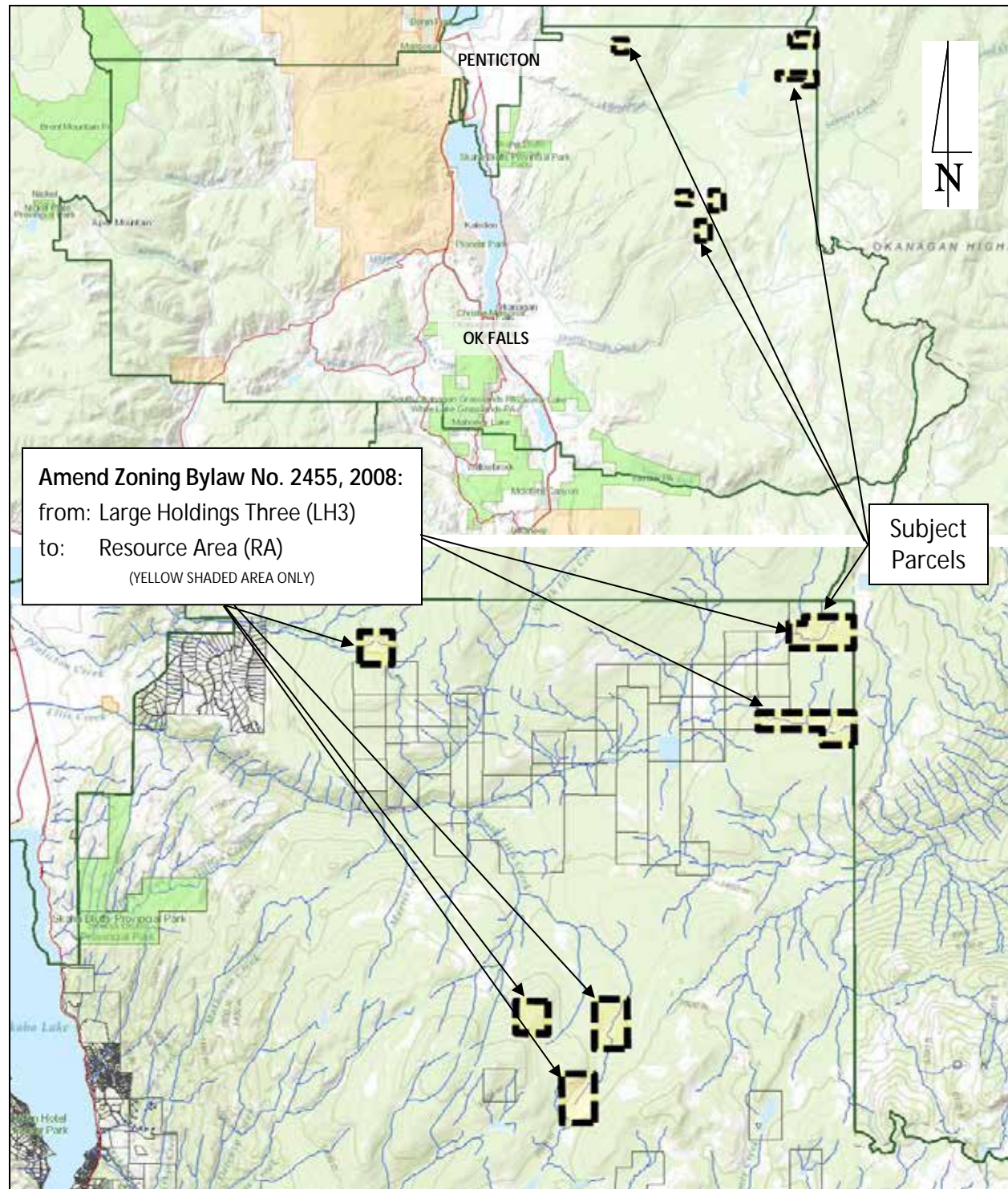
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'A'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

**DRAFT VERSION – 2018-02-21**

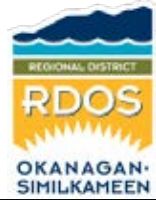
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# Regional District of Okanagan-Similkameen

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

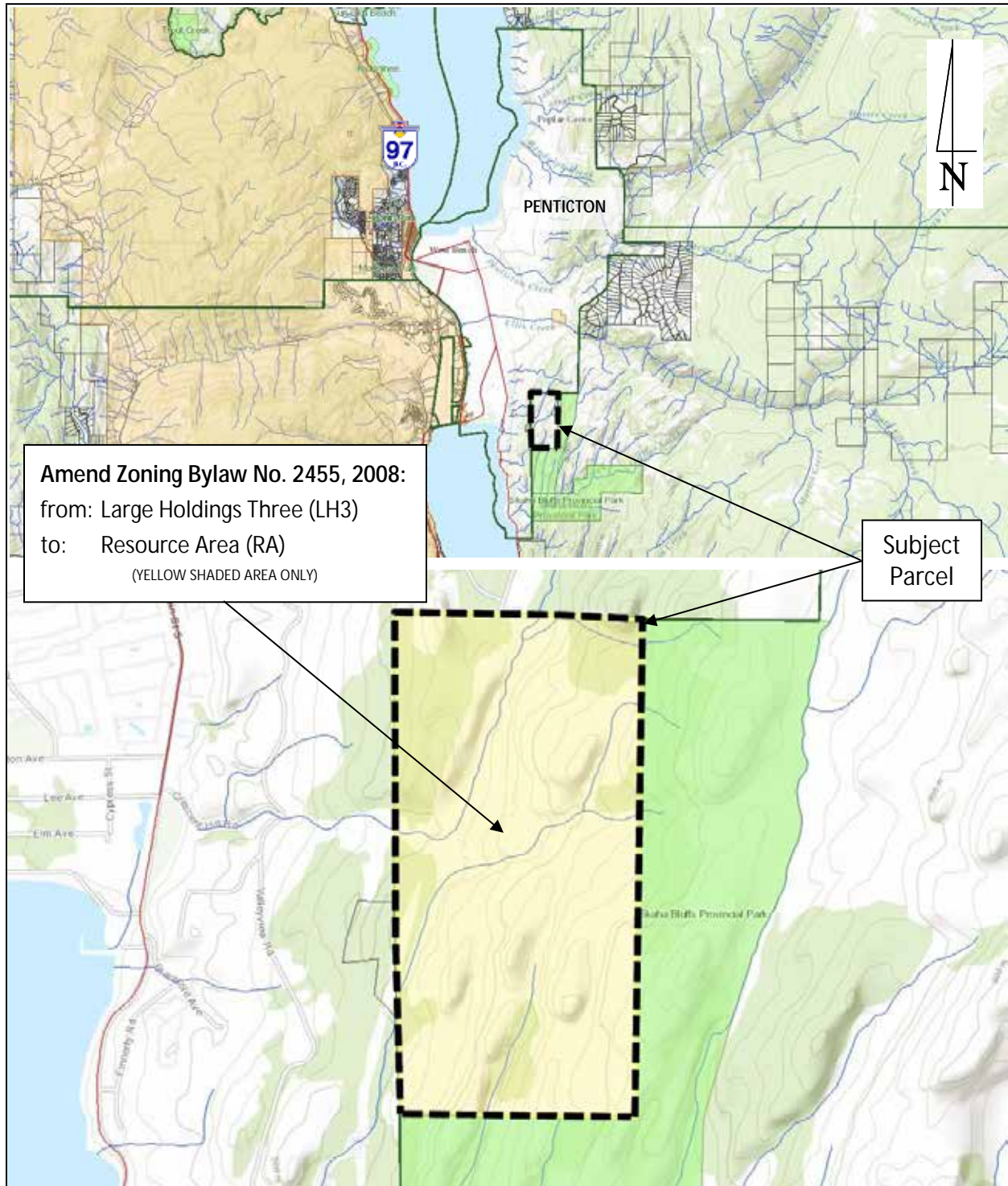
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'B'



Amendment Bylaw No. 2455.30, 2018  
(D2017.157-ZONE)

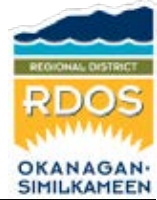
**DRAFT VERSION – 2018-02-21**

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# Regional District of Okanagan-Similkameen

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

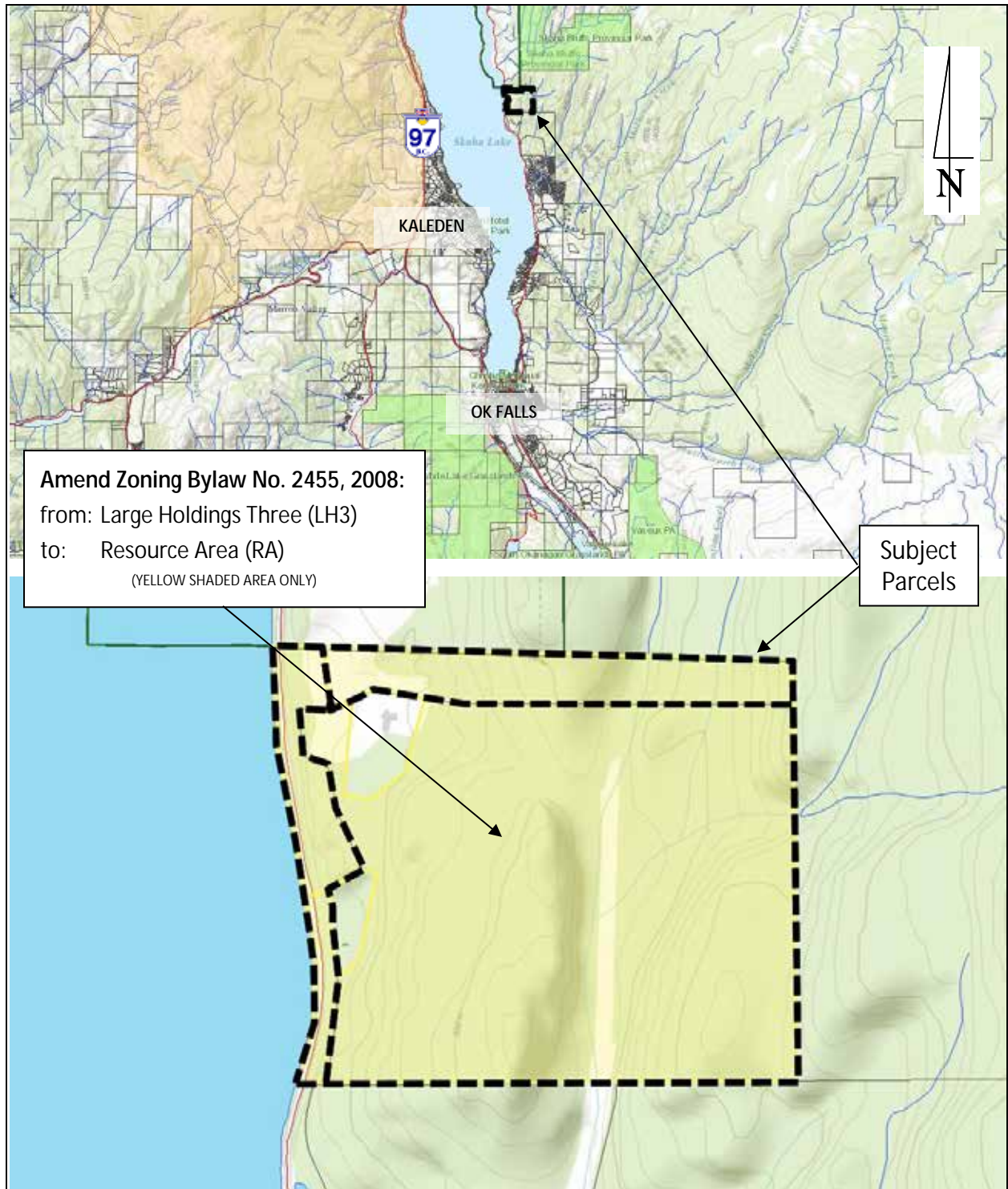
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'C'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

**DRAFT VERSION – 2018-02-21**

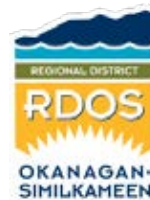
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# Regional District of Okanagan-Similkameen

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

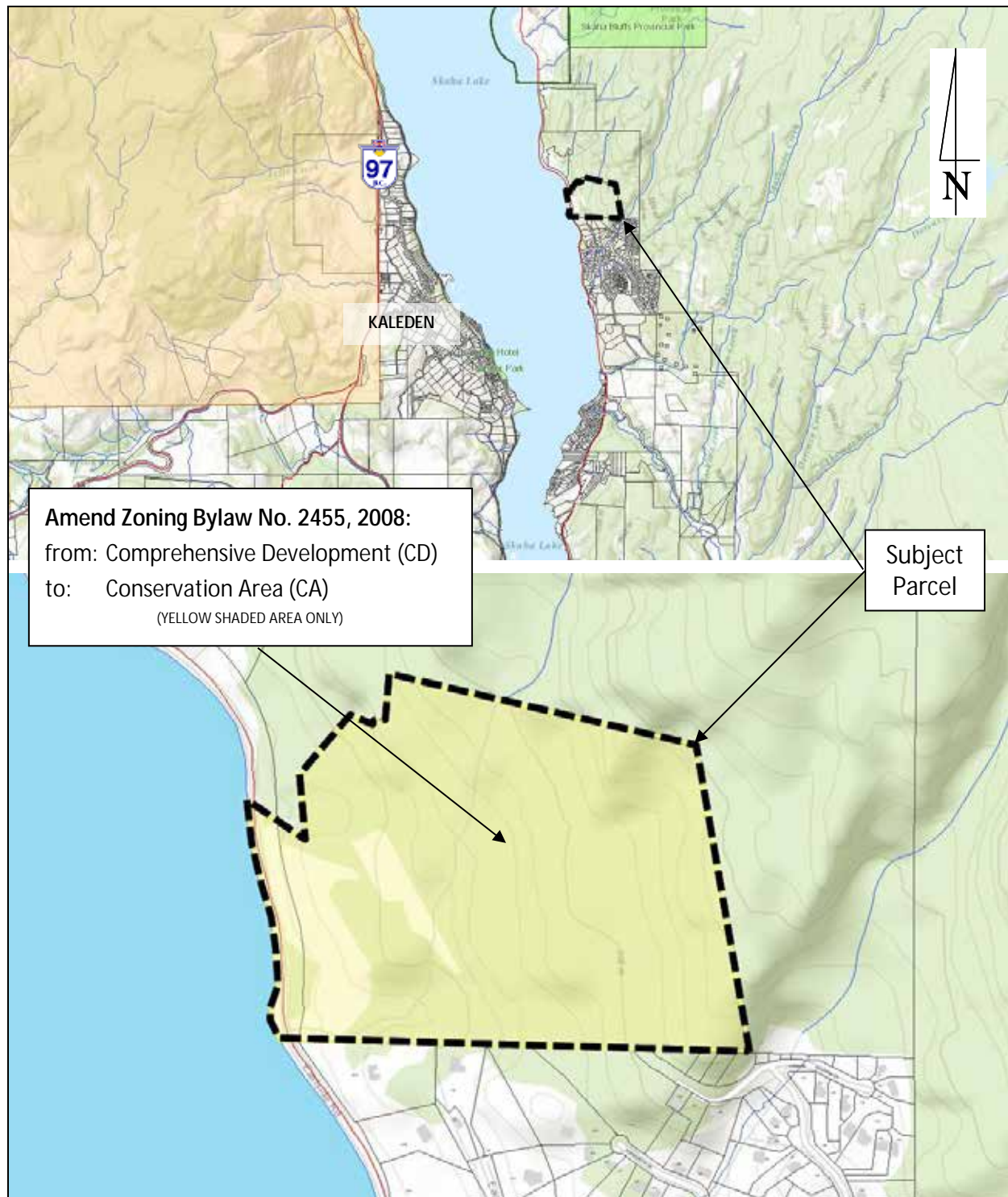
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'D'



Amendment Bylaw No. 2455.30, 2018  
(D2017.157-ZONE)

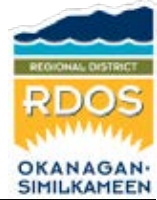
**DRAFT VERSION – 2018-02-21**

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# Regional District of Okanagan-Similkameen

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

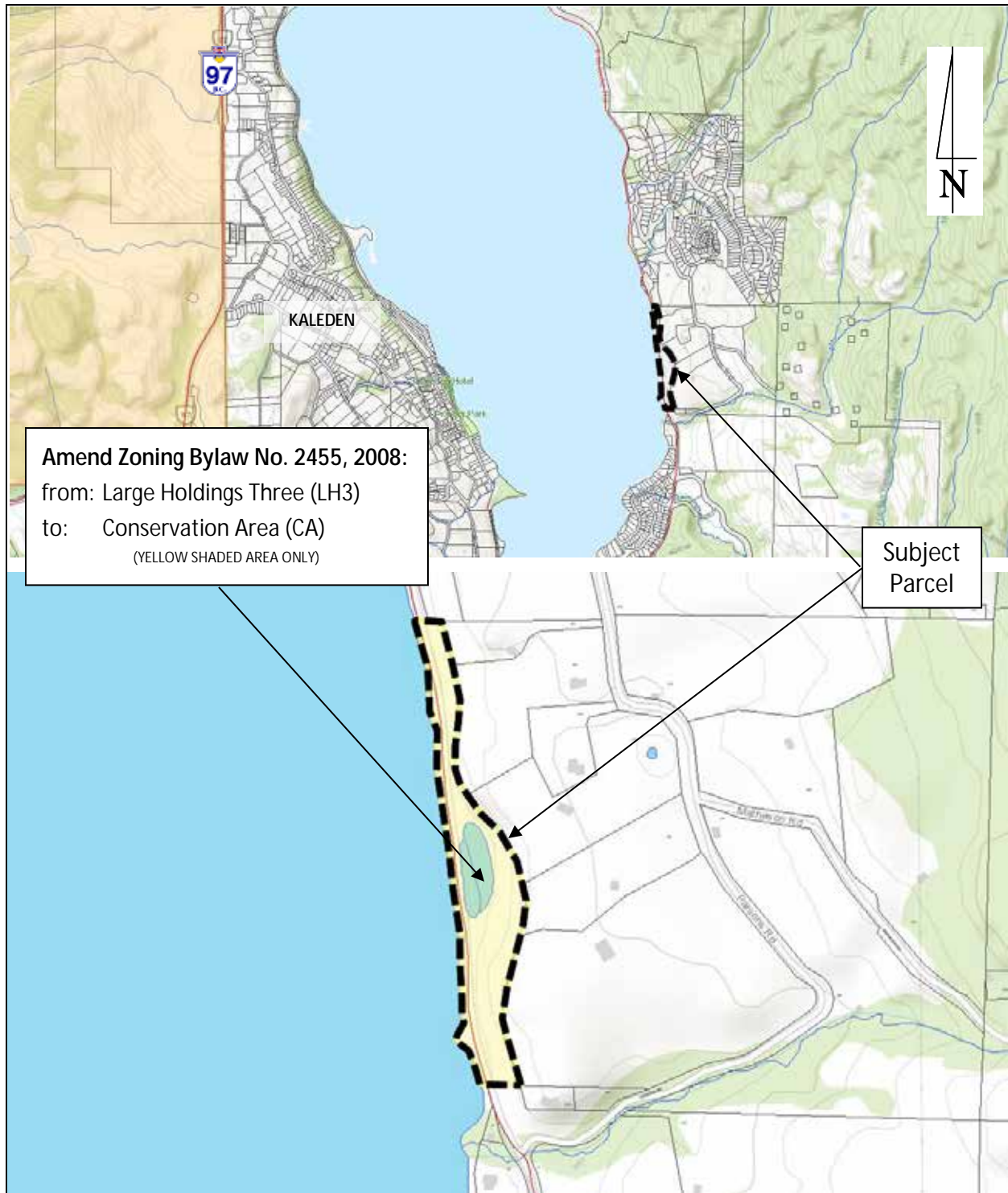
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'E'



Amendment Bylaw No. 2455.30, 2018  
(D2017.157-ZONE)

**DRAFT VERSION – 2018-02-21**

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# Regional District of Okanagan-Similkameen

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

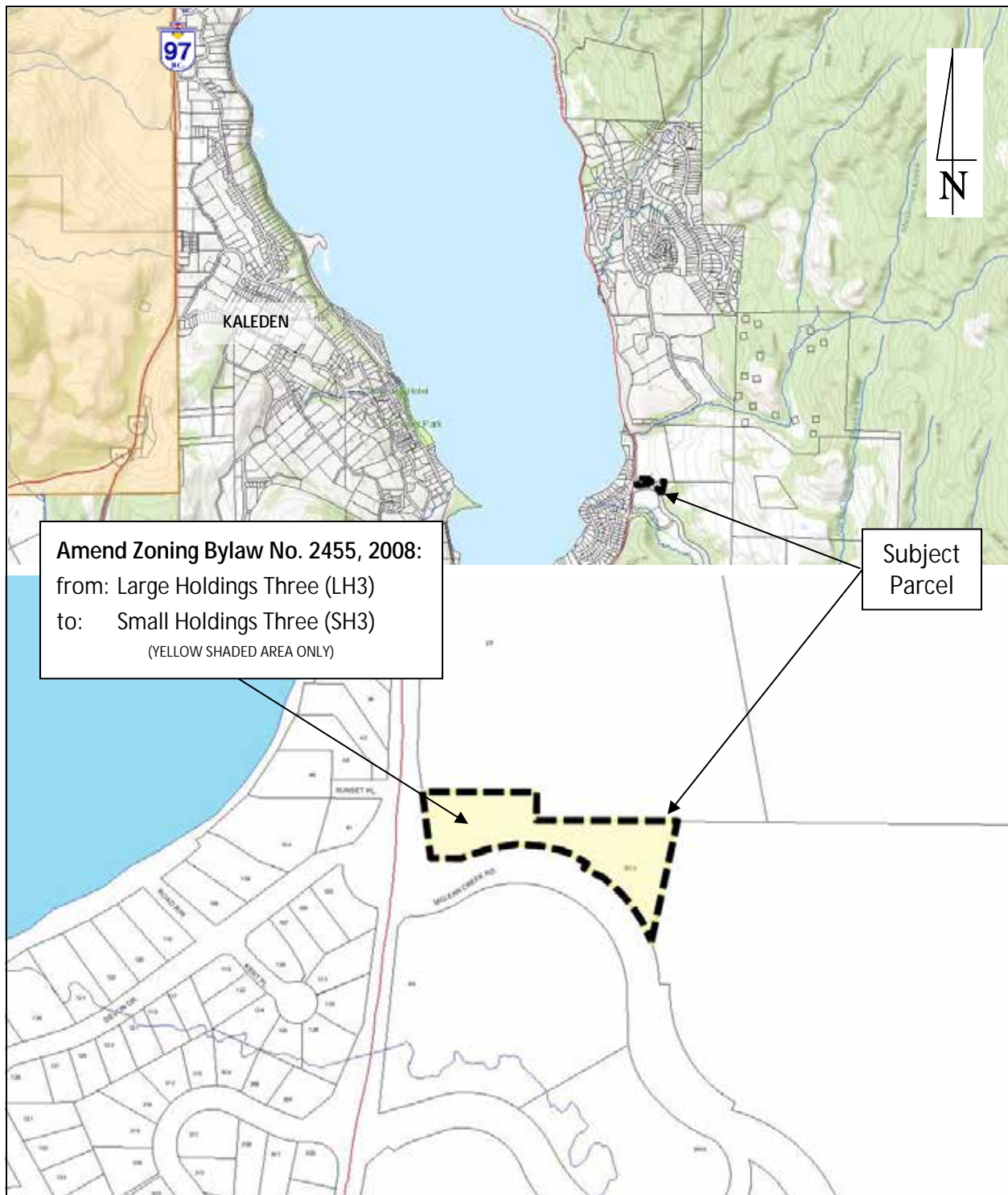
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'F'



Amendment Bylaw No. 2455.30, 2018  
(D2017.157-ZONE)

**DRAFT VERSION – 2018-02-21**

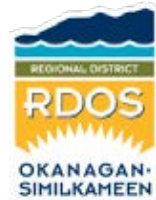
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# Regional District of Okanagan-Similkameen

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

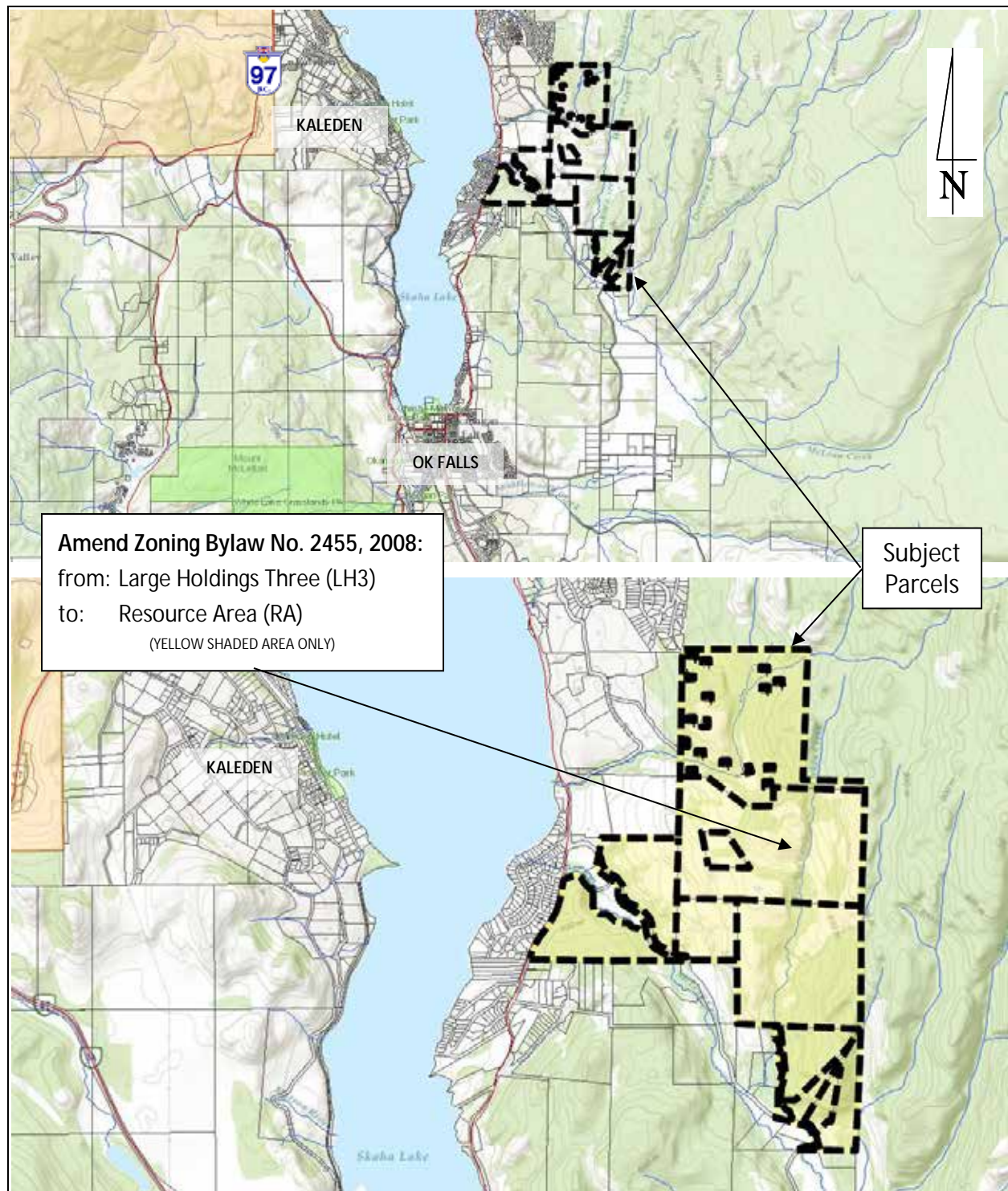
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'G-1'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

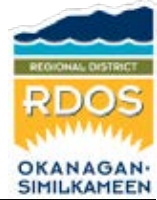
**DRAFT VERSION – 2018-02-21**

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# Regional District of Okanagan-Similkameen

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

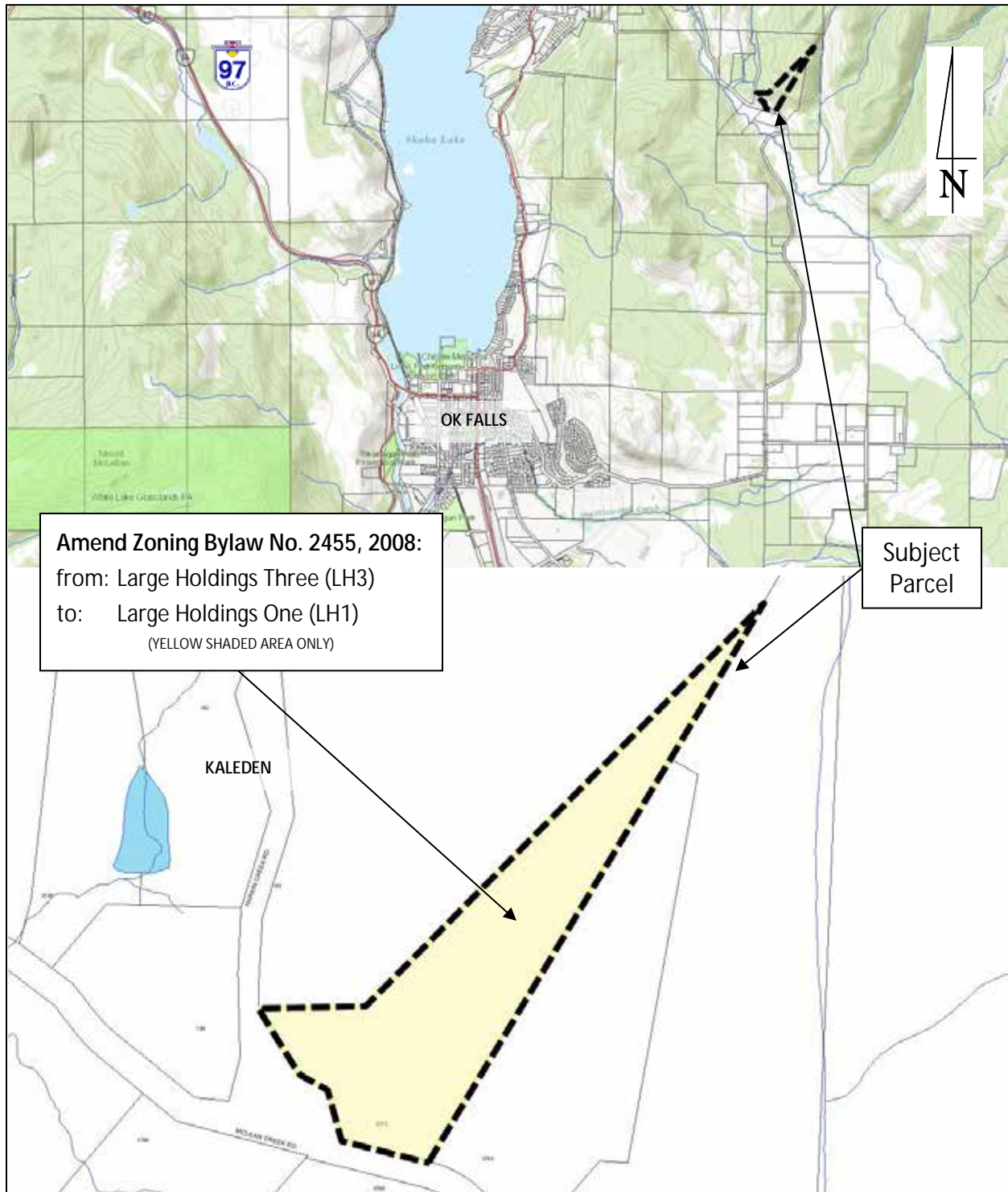
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'G-2'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

**DRAFT VERSION – 2018-02-21**

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# Regional District of Okanagan-Similkameen

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

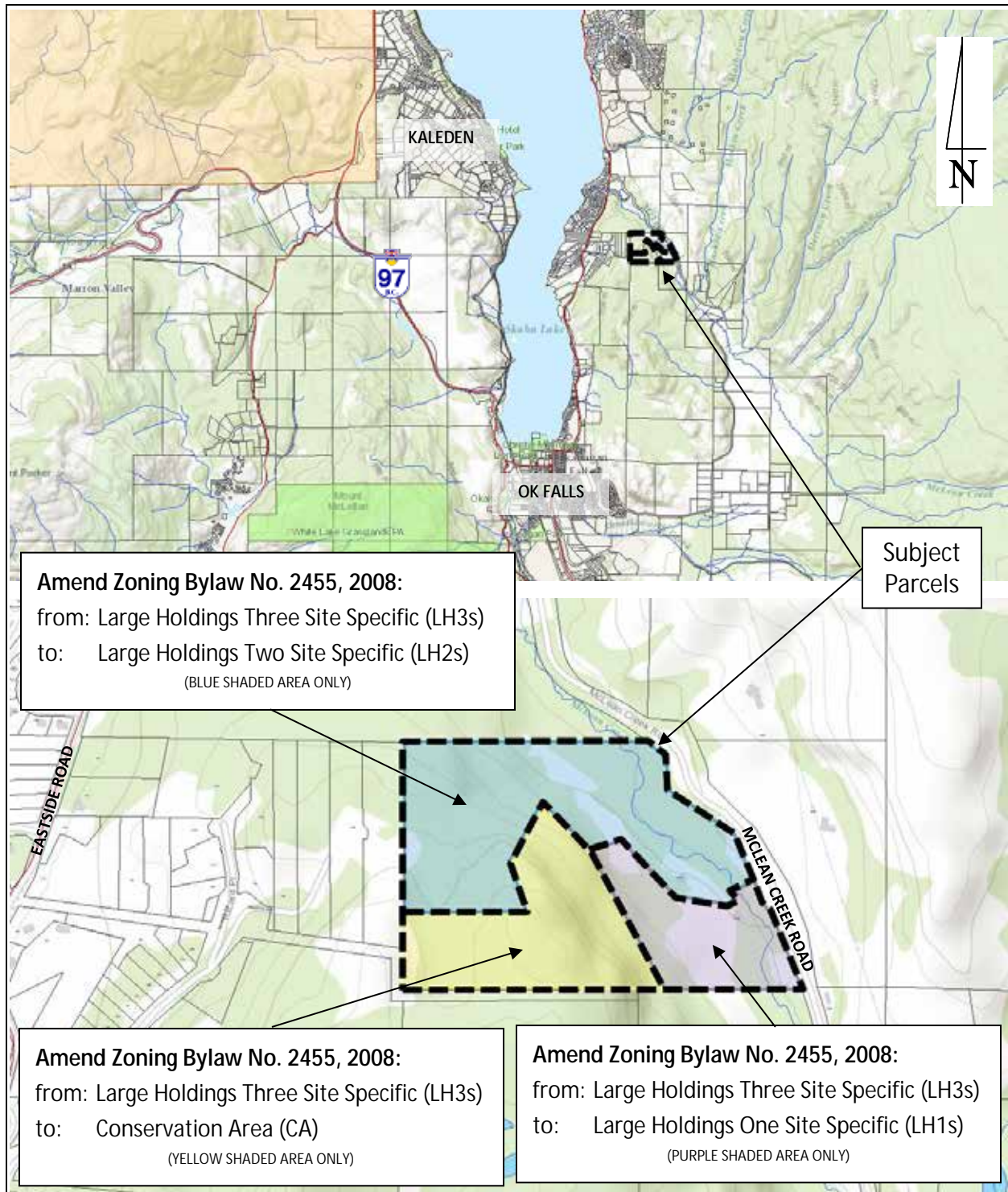
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'H'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

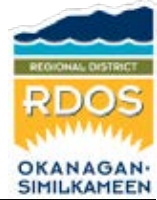
**DRAFT VERSION – 2018-02-21**

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# Regional District of Okanagan-Similkameen

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

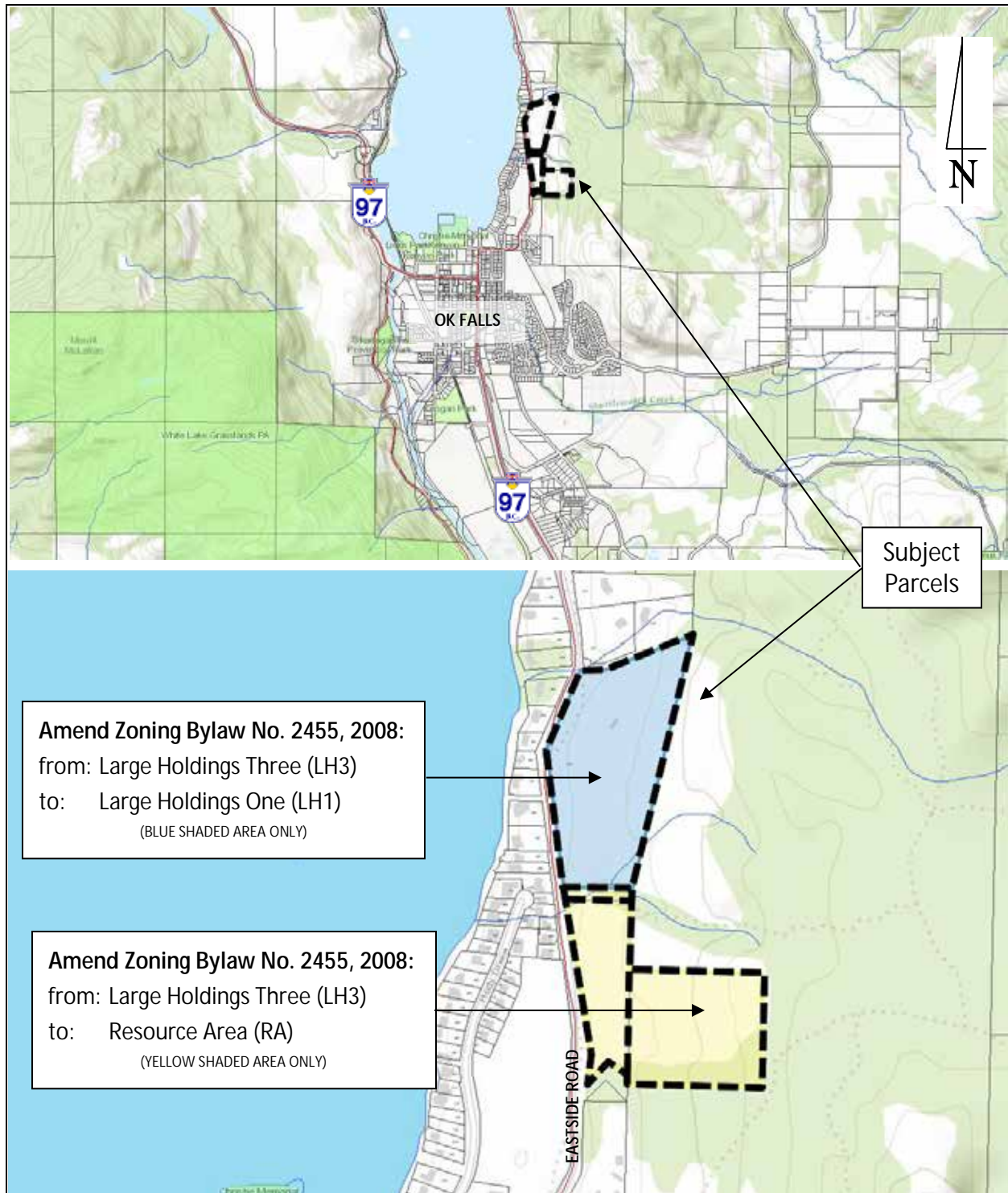
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'I'



**Amend Zoning Bylaw No. 2455, 2008:**  
from: Large Holdings Three (LH3)  
to: Large Holdings One (LH1)  
(BLUE SHADED AREA ONLY)

**Amend Zoning Bylaw No. 2455, 2008:**  
from: Large Holdings Three (LH3)  
to: Resource Area (RA)  
(YELLOW SHADED AREA ONLY)

Amendment Bylaw No. 2455.30, 2018  
(D2017.157-ZONE)

**DRAFT VERSION – 2018-02-21**

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# Regional District of Okanagan-Similkameen

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

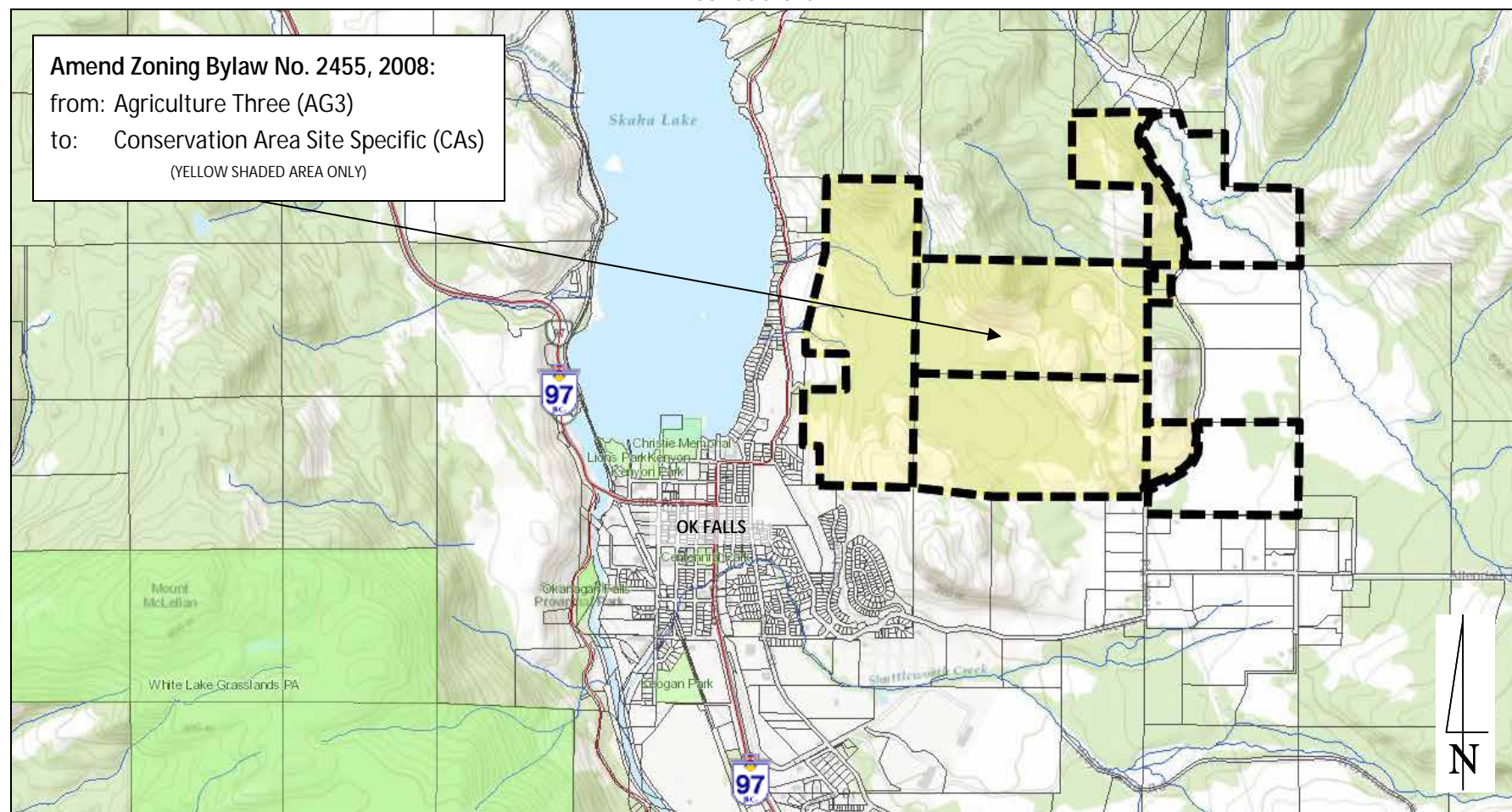
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'J-1'



Amendment Bylaw No. 2455.30, 2018  
(D2017.157-ZONE)

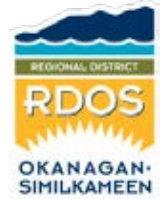
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# Regional District of Okanagan-Similkameen

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

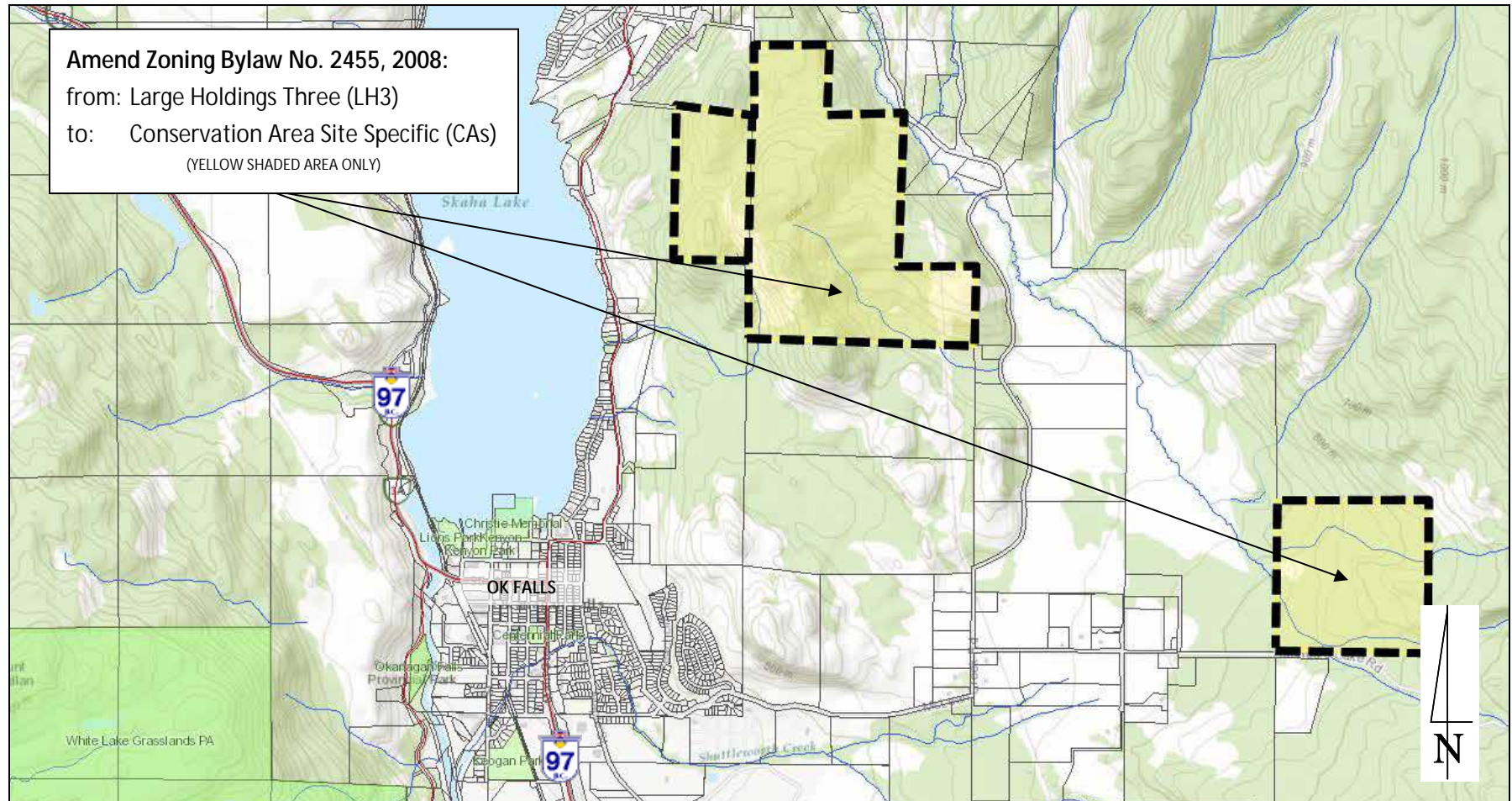
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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

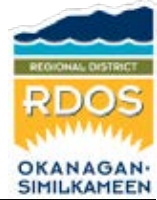
## Schedule 'J-2'



# Regional District of Okanagan-Similkameen

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

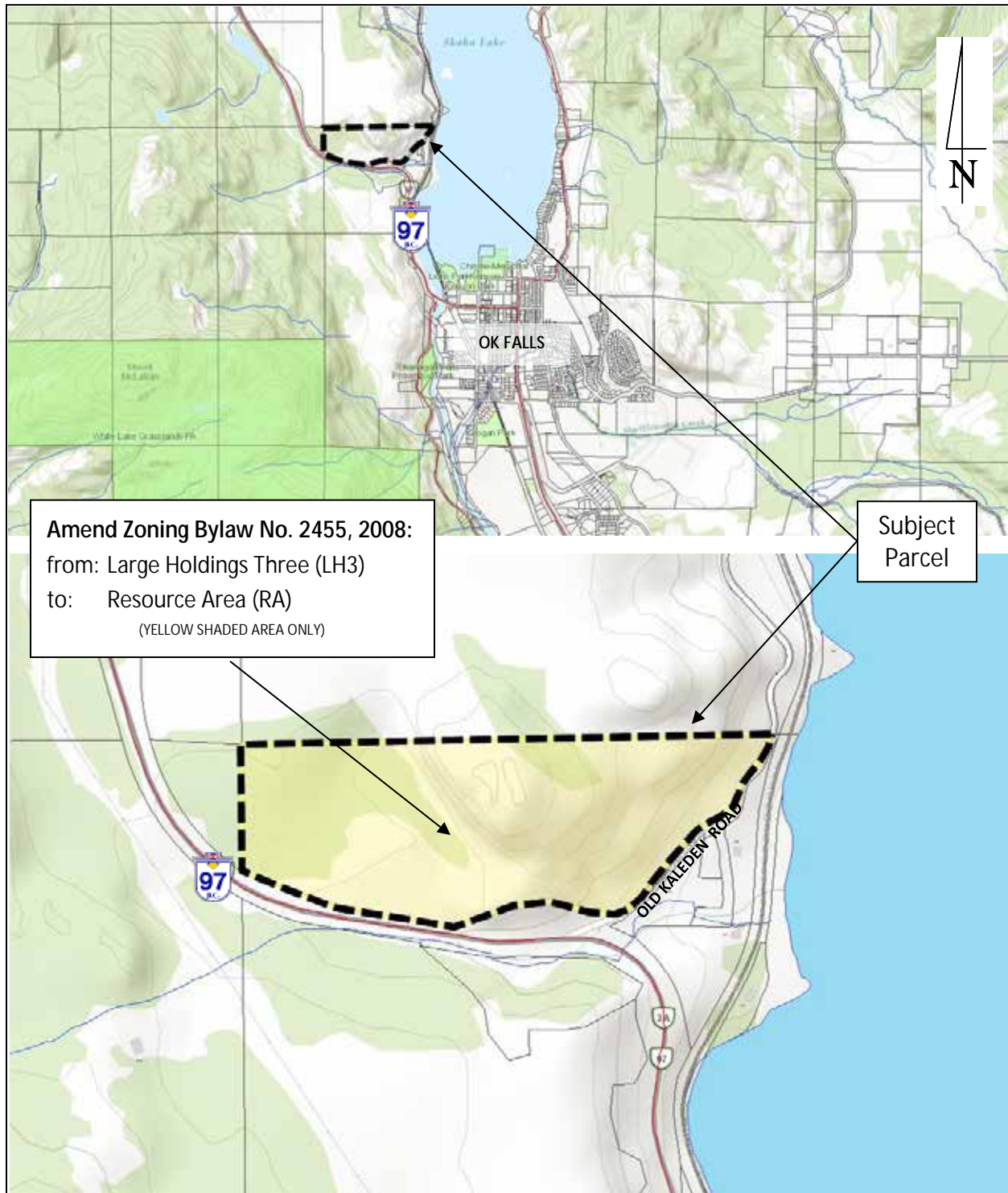
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'K'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

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# Regional District of Okanagan-Similkameen

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

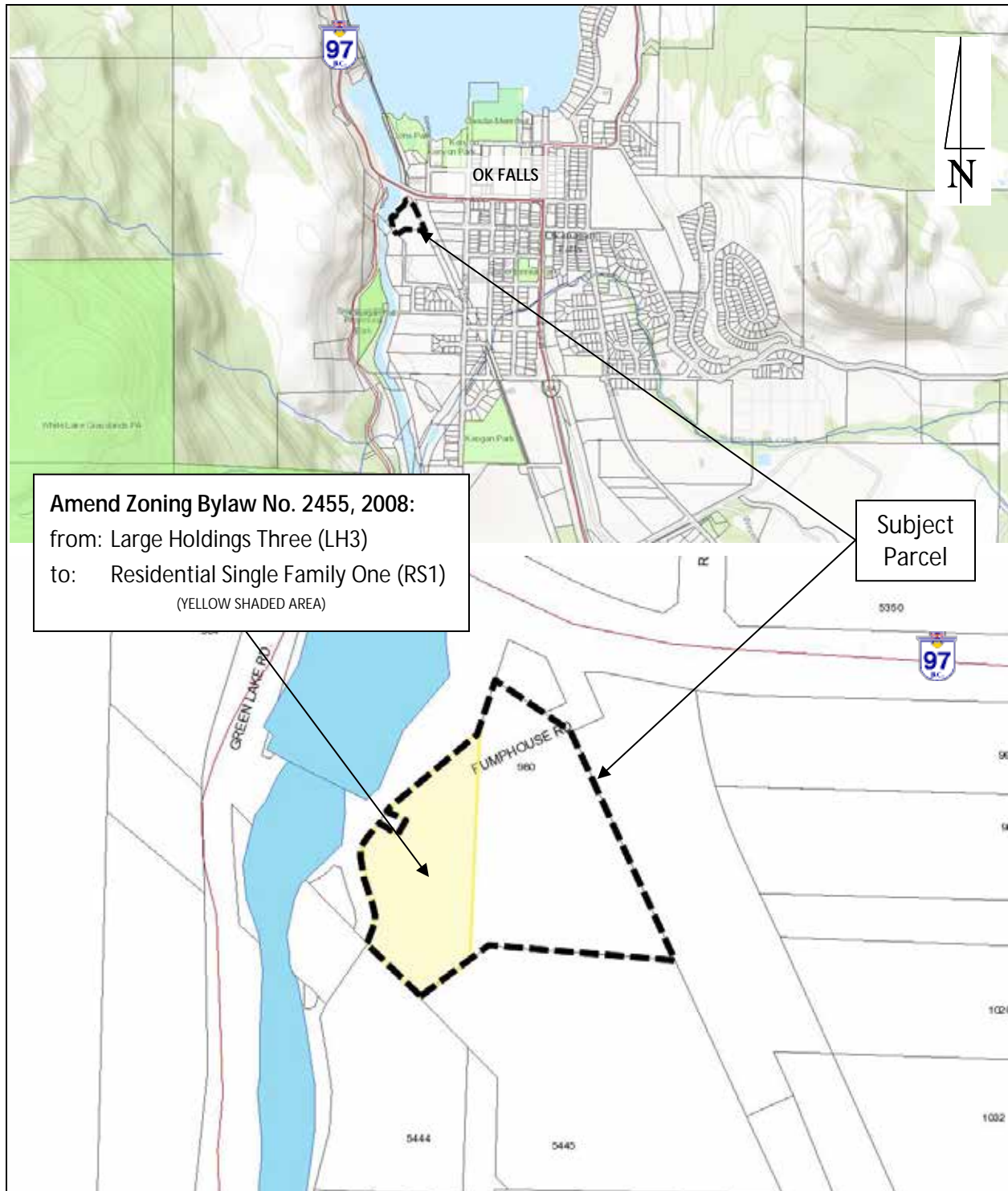
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'L'



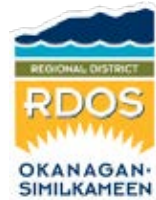
**Amend Zoning Bylaw No. 2455, 2008:**  
from: Large Holdings Three (LH3)  
to: Residential Single Family One (RS1)  
(YELLOW SHADED AREA)

Subject  
Parcel

# Regional District of Okanagan-Similkameen

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

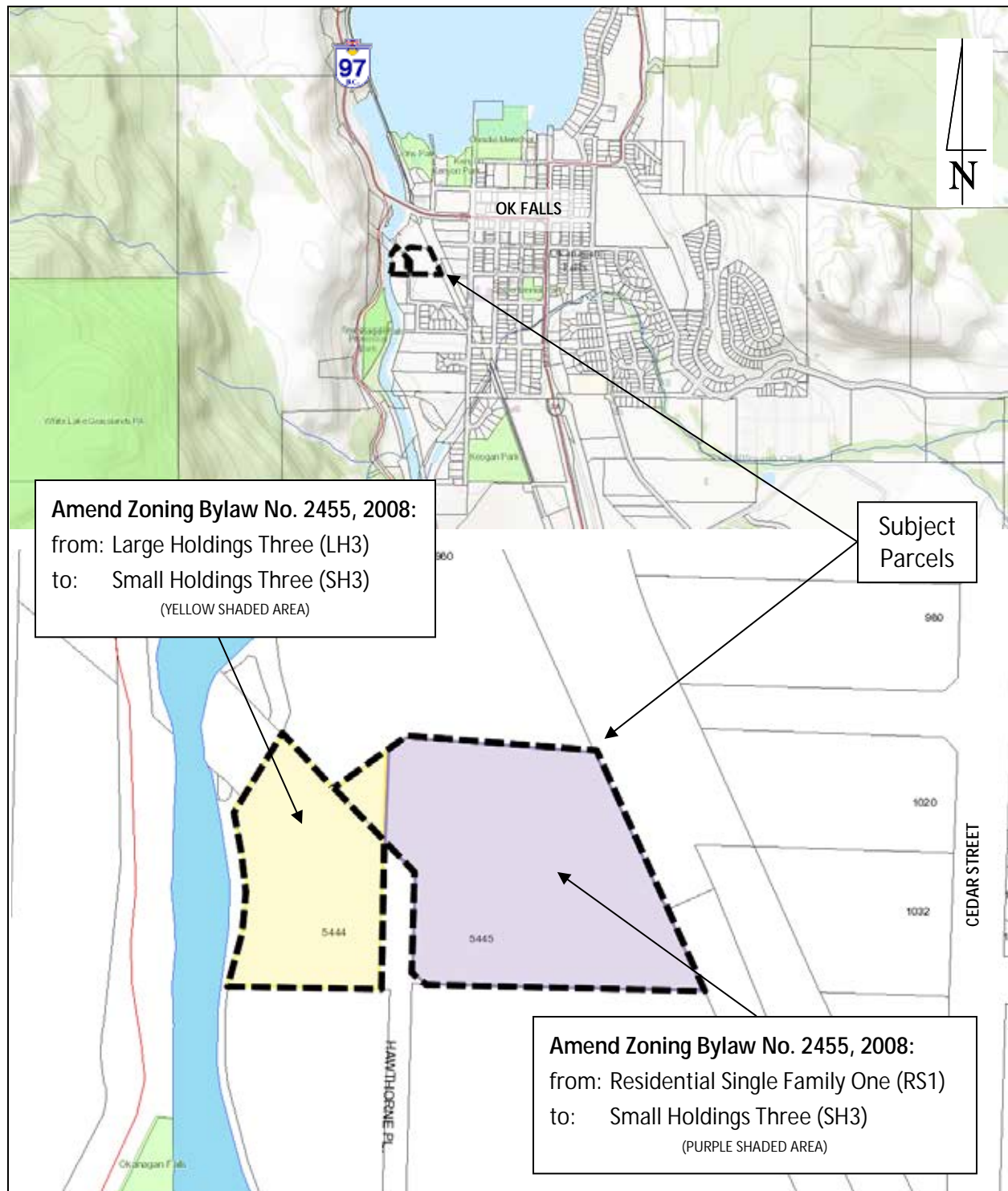
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'M'



Amendment Bylaw No. 2455.30, 2018

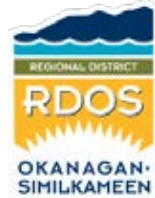
(D2017.157-ZONE)

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# Regional District of Okanagan-Similkameen

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

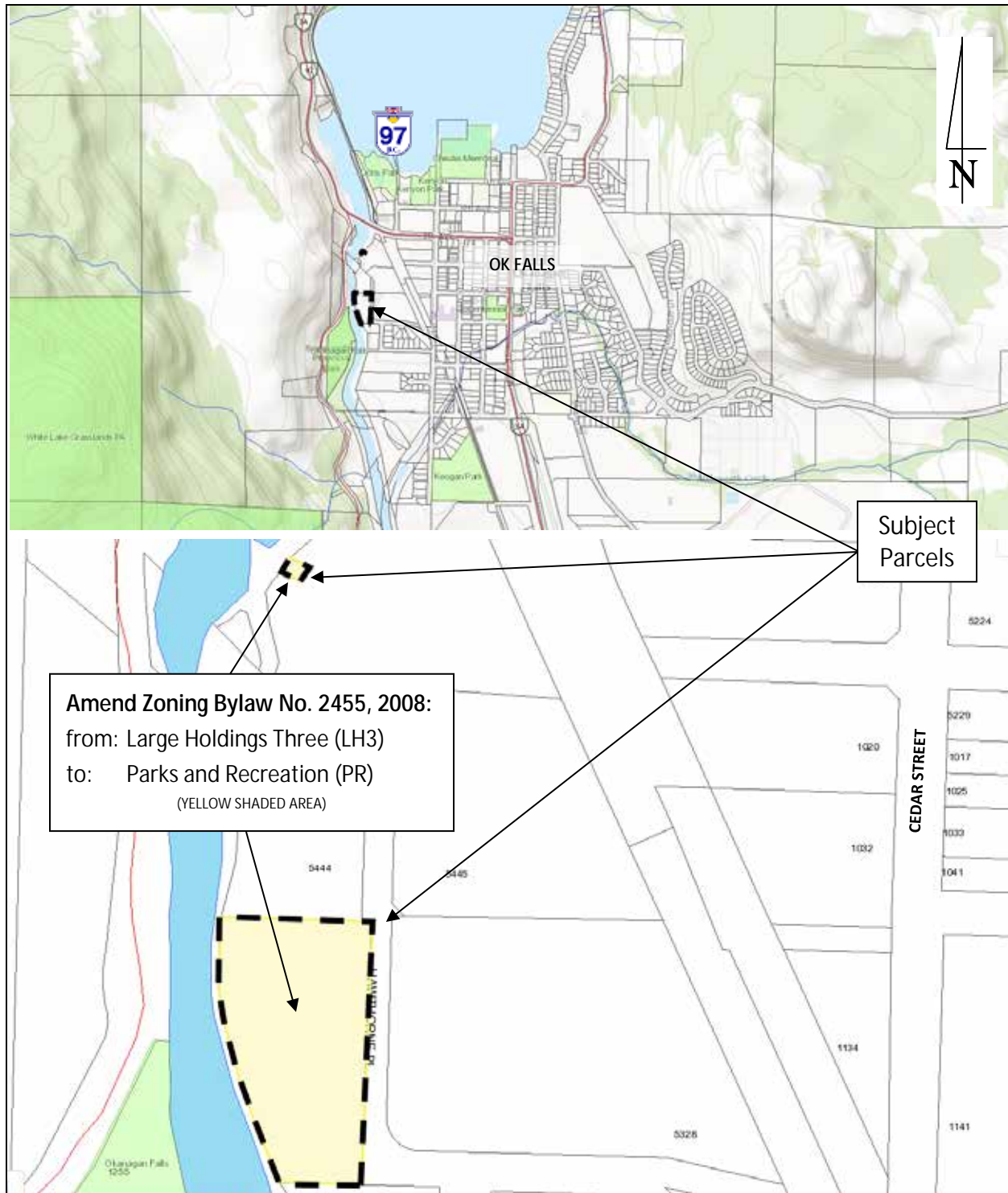
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'N'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

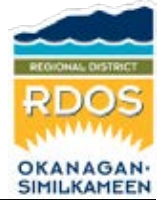
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# Regional District of Okanagan-Similkameen

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

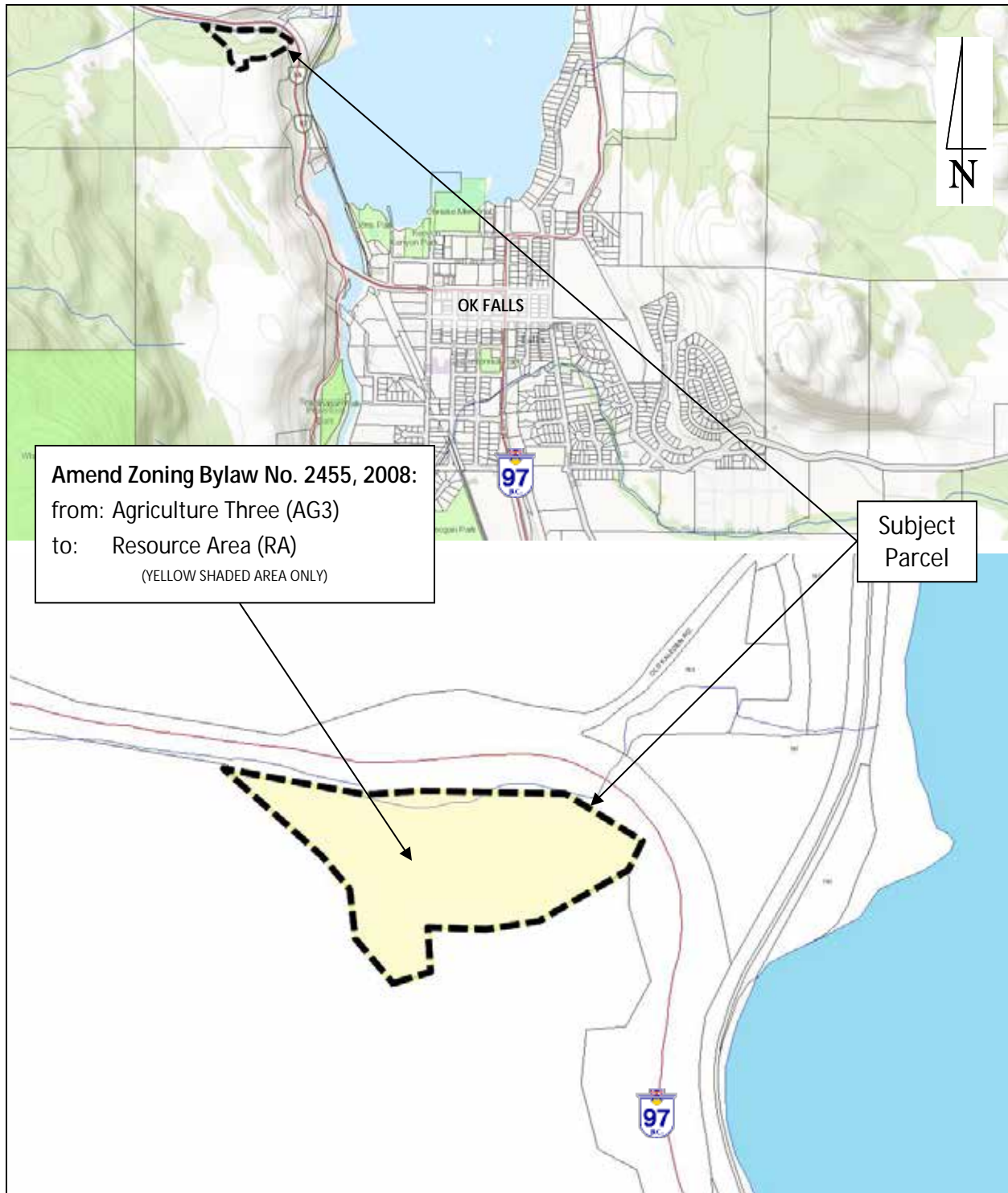
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'O'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

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# Regional District of Okanagan-Similkameen

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

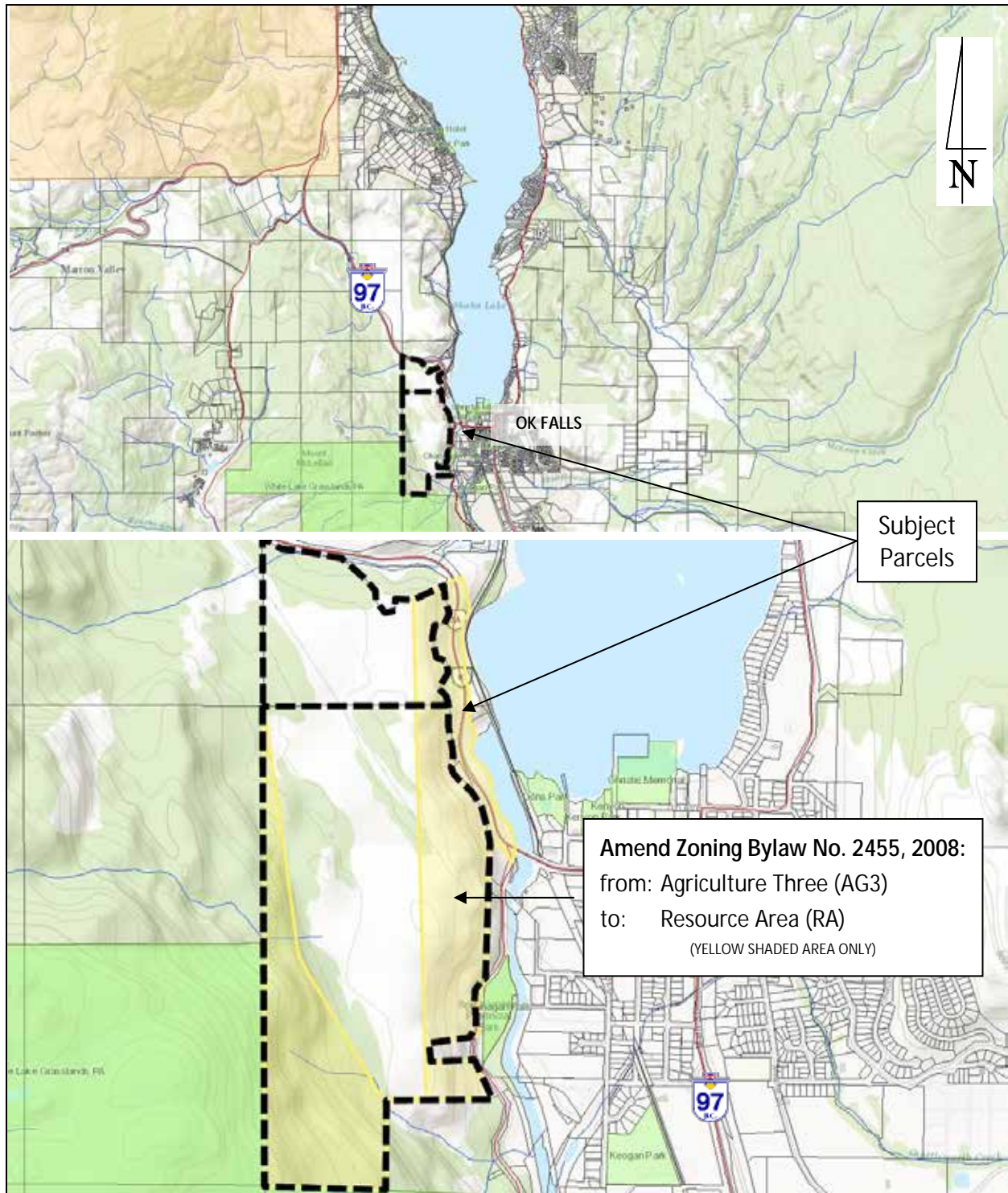
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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'P'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

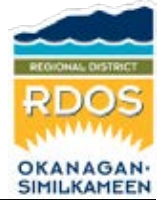
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# Regional District of Okanagan-Similkameen

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

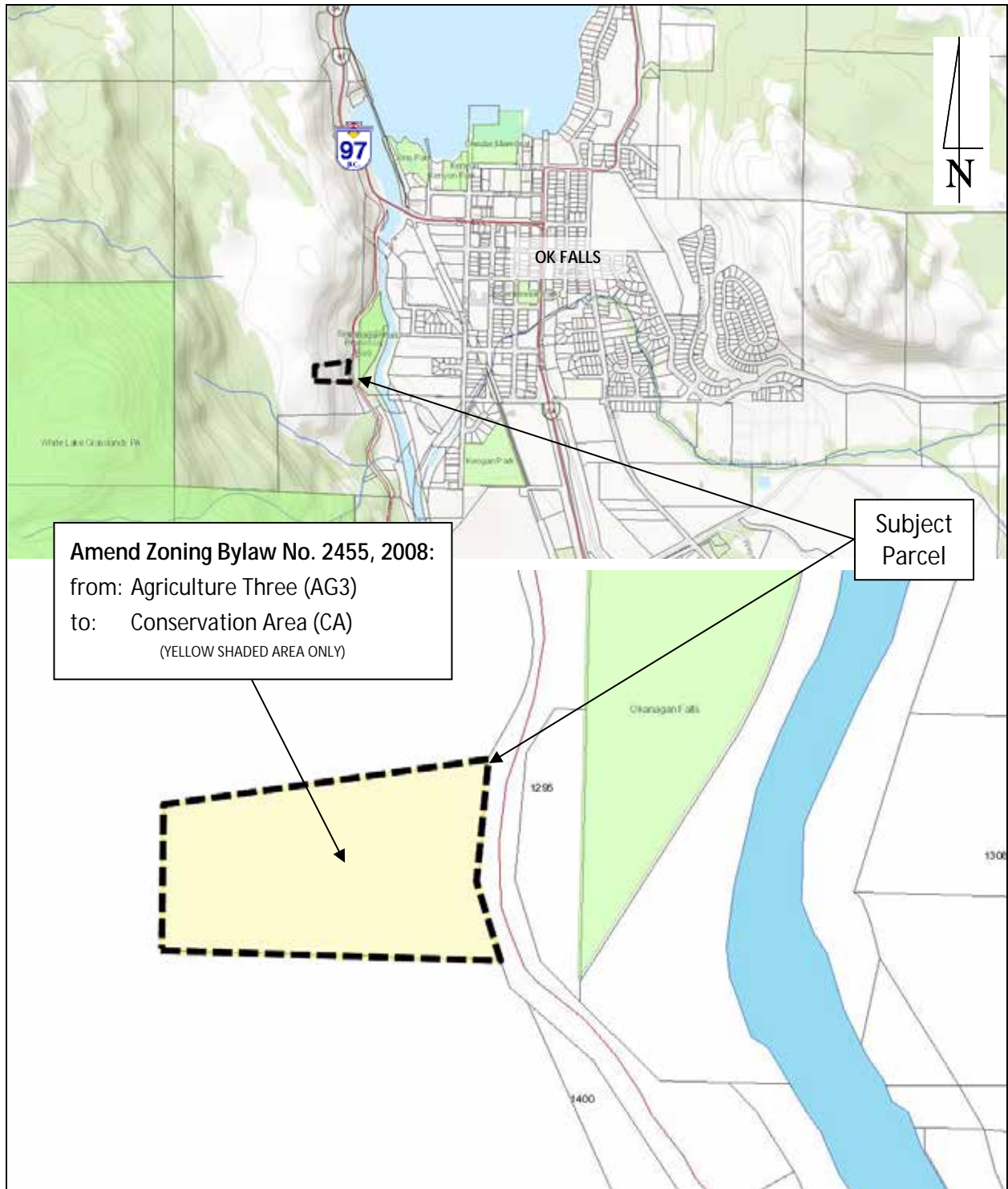
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'Q'



Amendment Bylaw No. 2455.30, 2018

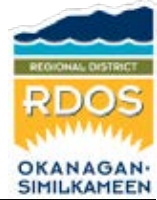
(D2017.157-ZONE)

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# Regional District of Okanagan-Similkameen

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

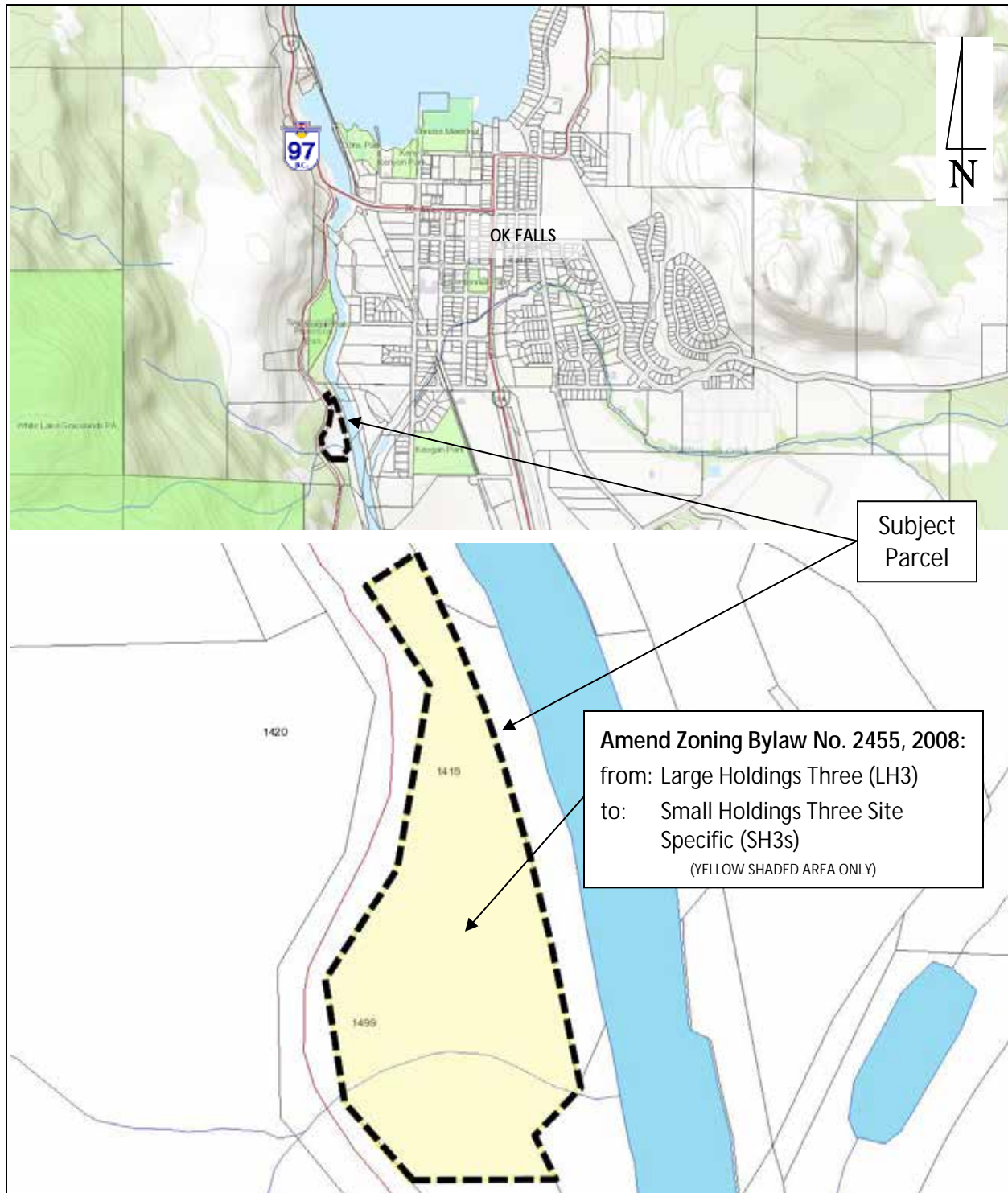
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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

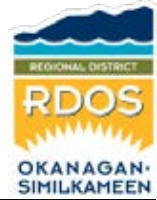
## Schedule 'R'



# Regional District of Okanagan-Similkameen

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

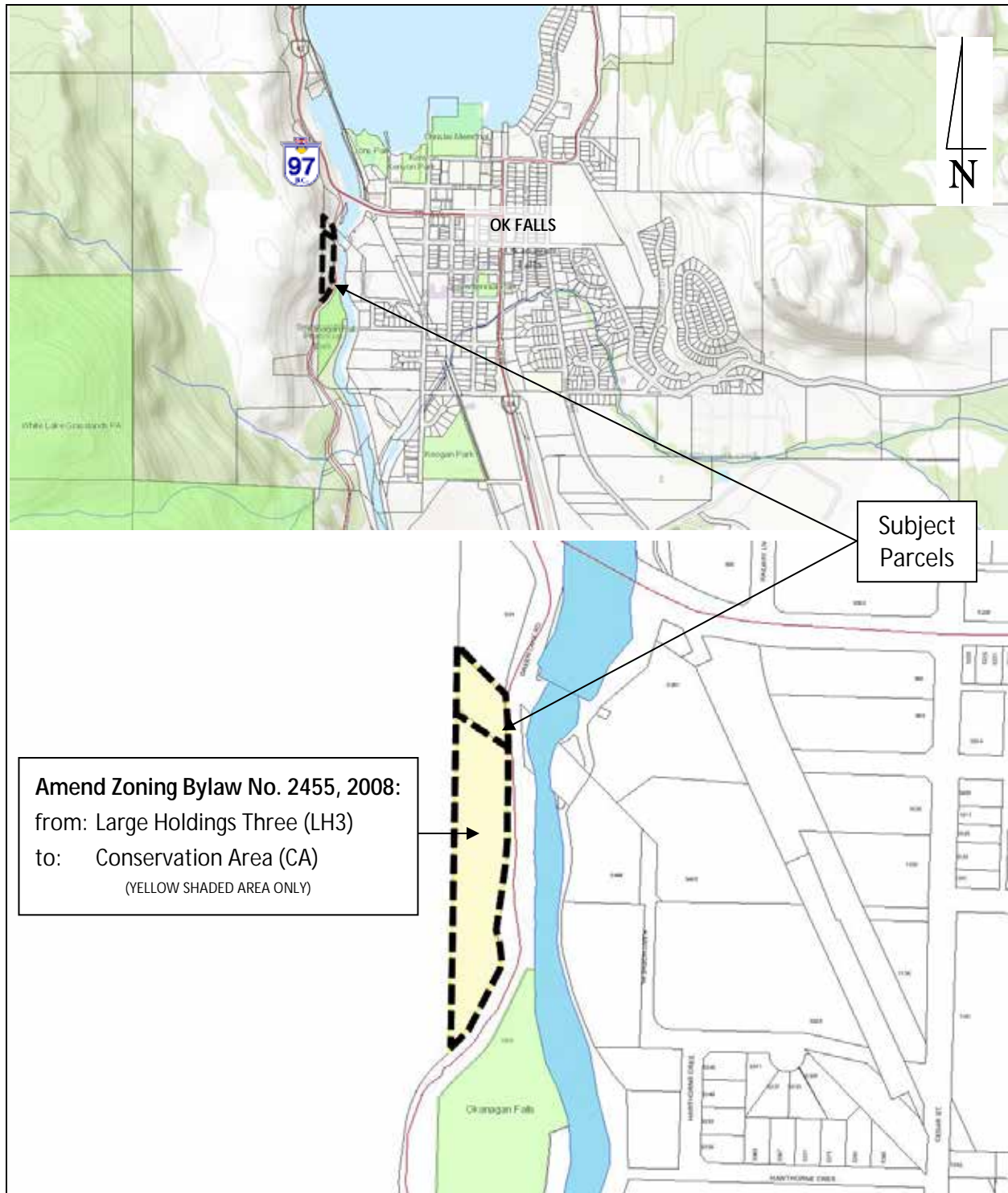
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'S'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

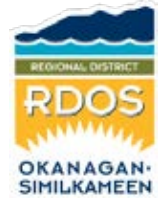
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# Regional District of Okanagan-Similkameen

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

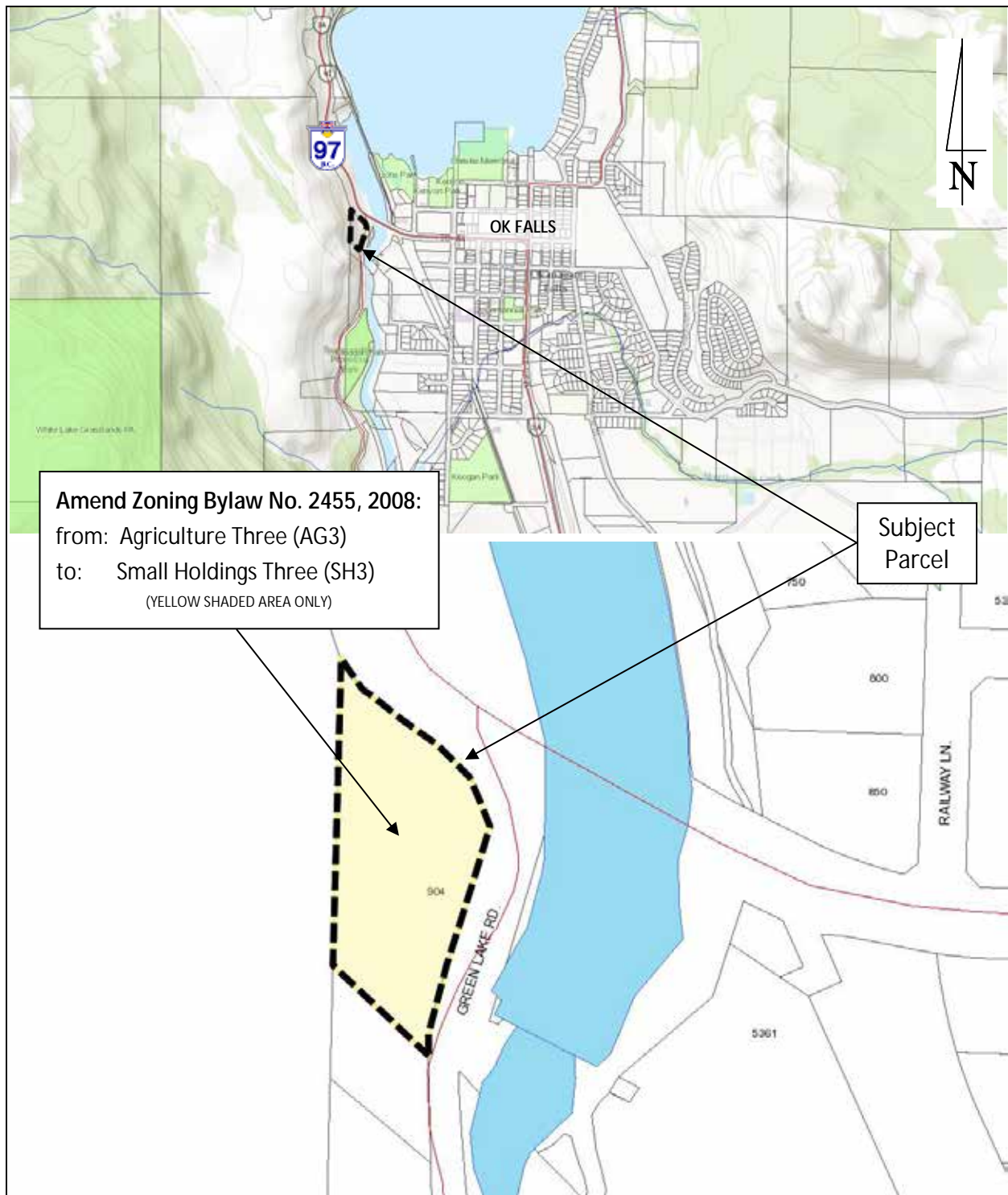
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'T'



Amendment Bylaw No. 2455.30, 2018

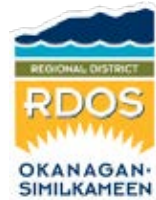
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# Regional District of Okanagan-Similkameen

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

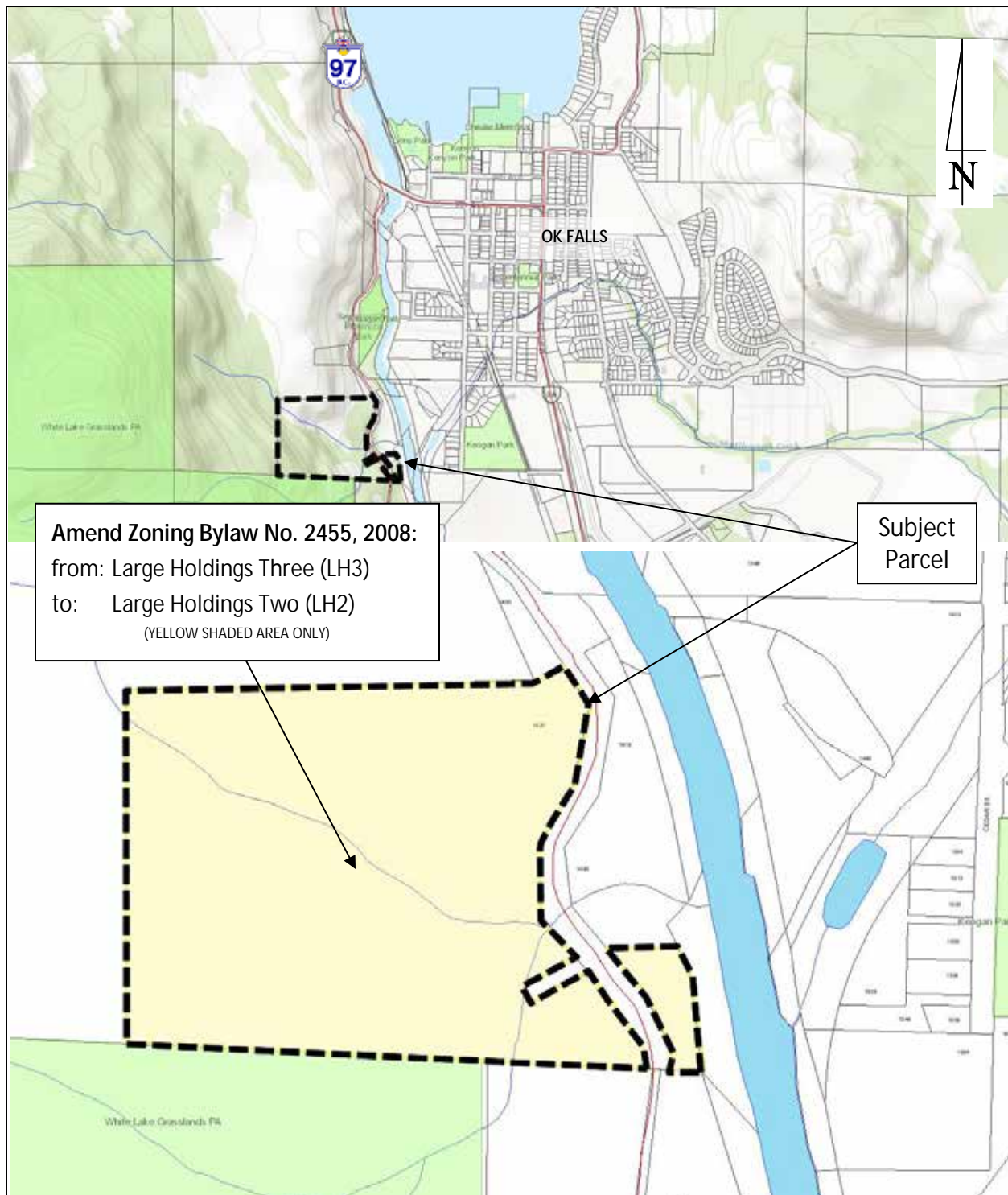
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'U'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

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# Regional District of Okanagan-Similkameen

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

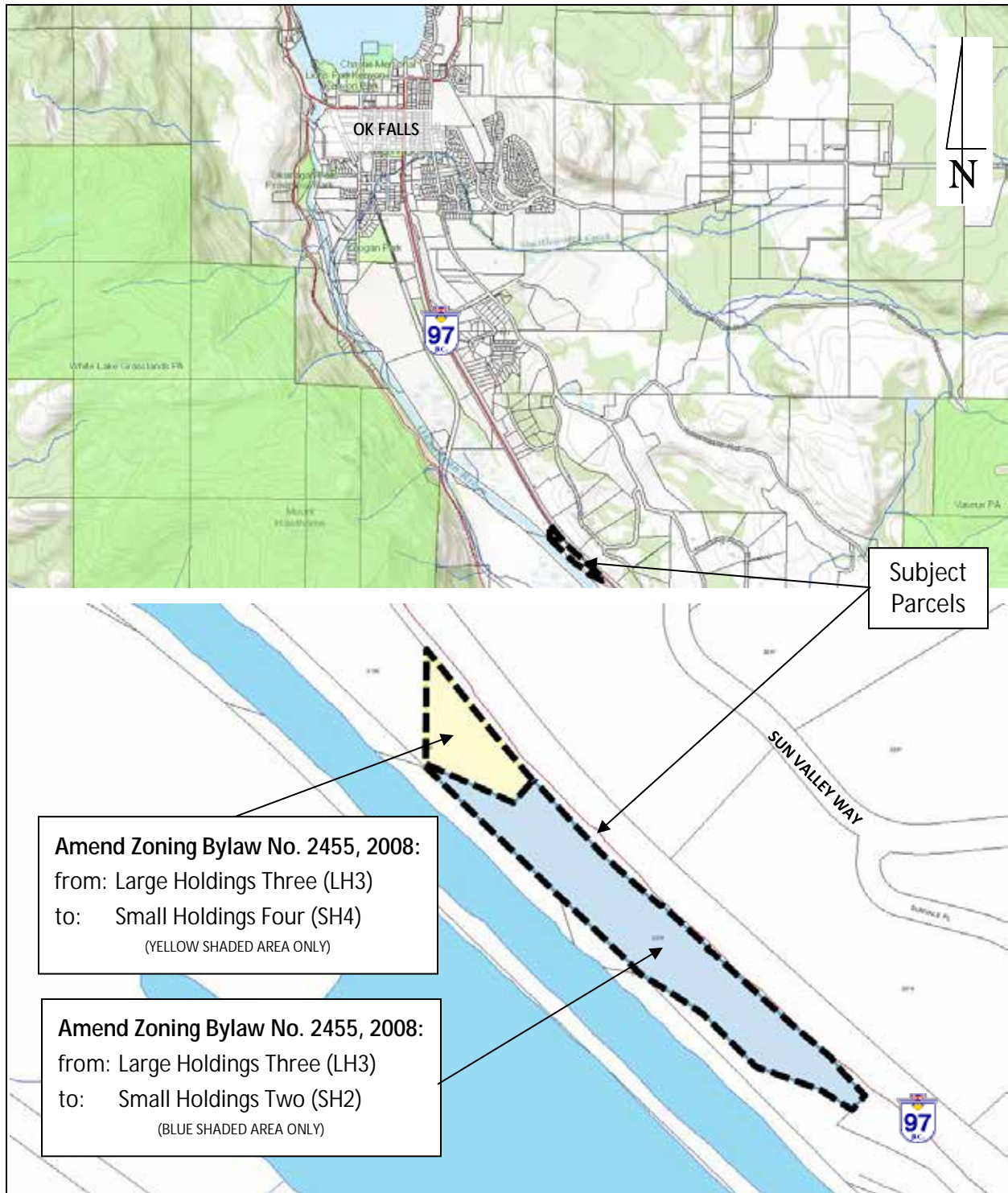
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'V'



Amendment Bylaw No. 2455.30, 2018

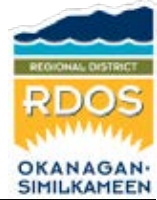
(D2017.157-ZONE)

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# Regional District of Okanagan-Similkameen

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

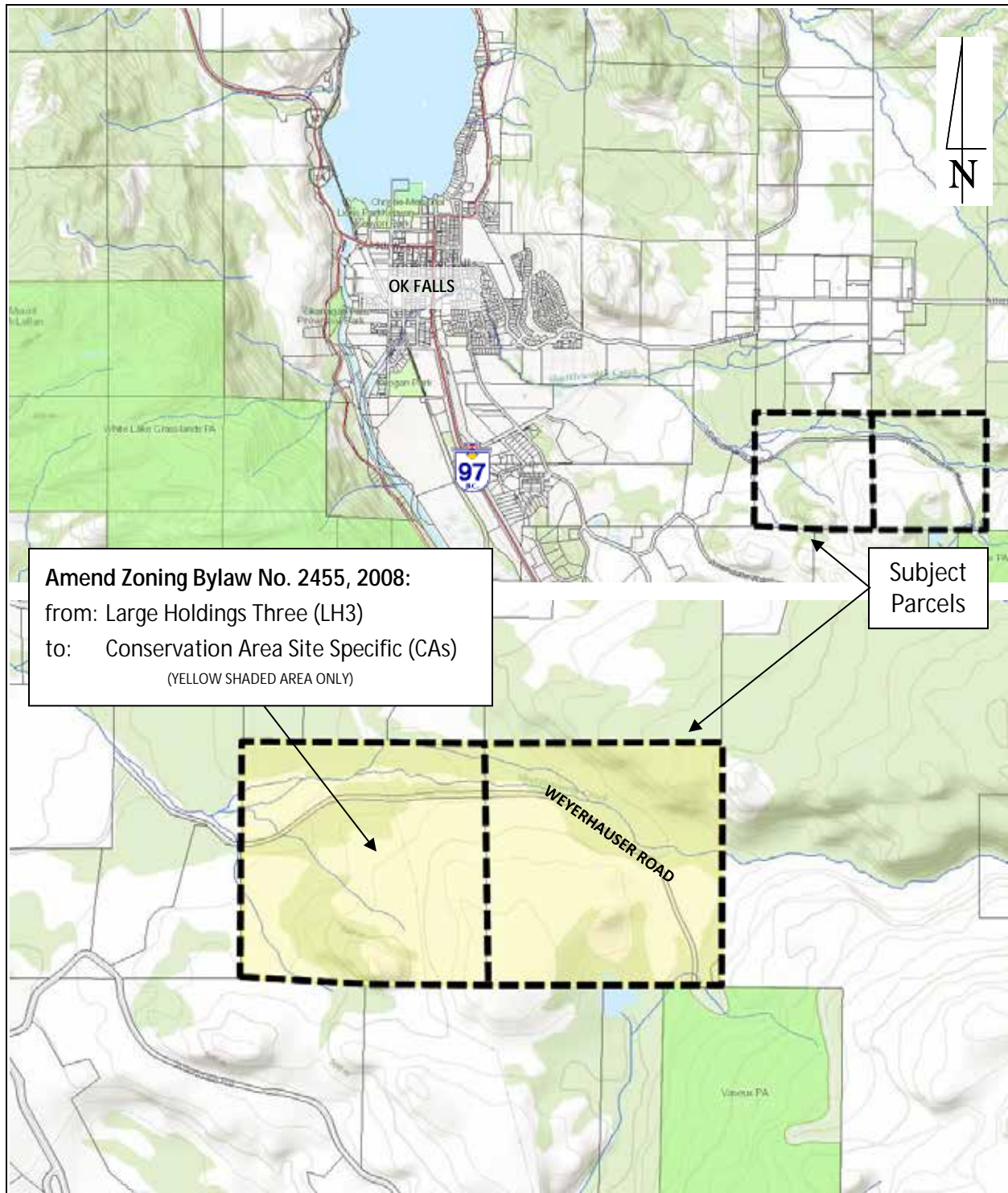
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'W'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

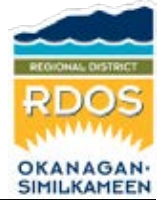
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# Regional District of Okanagan-Similkameen

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

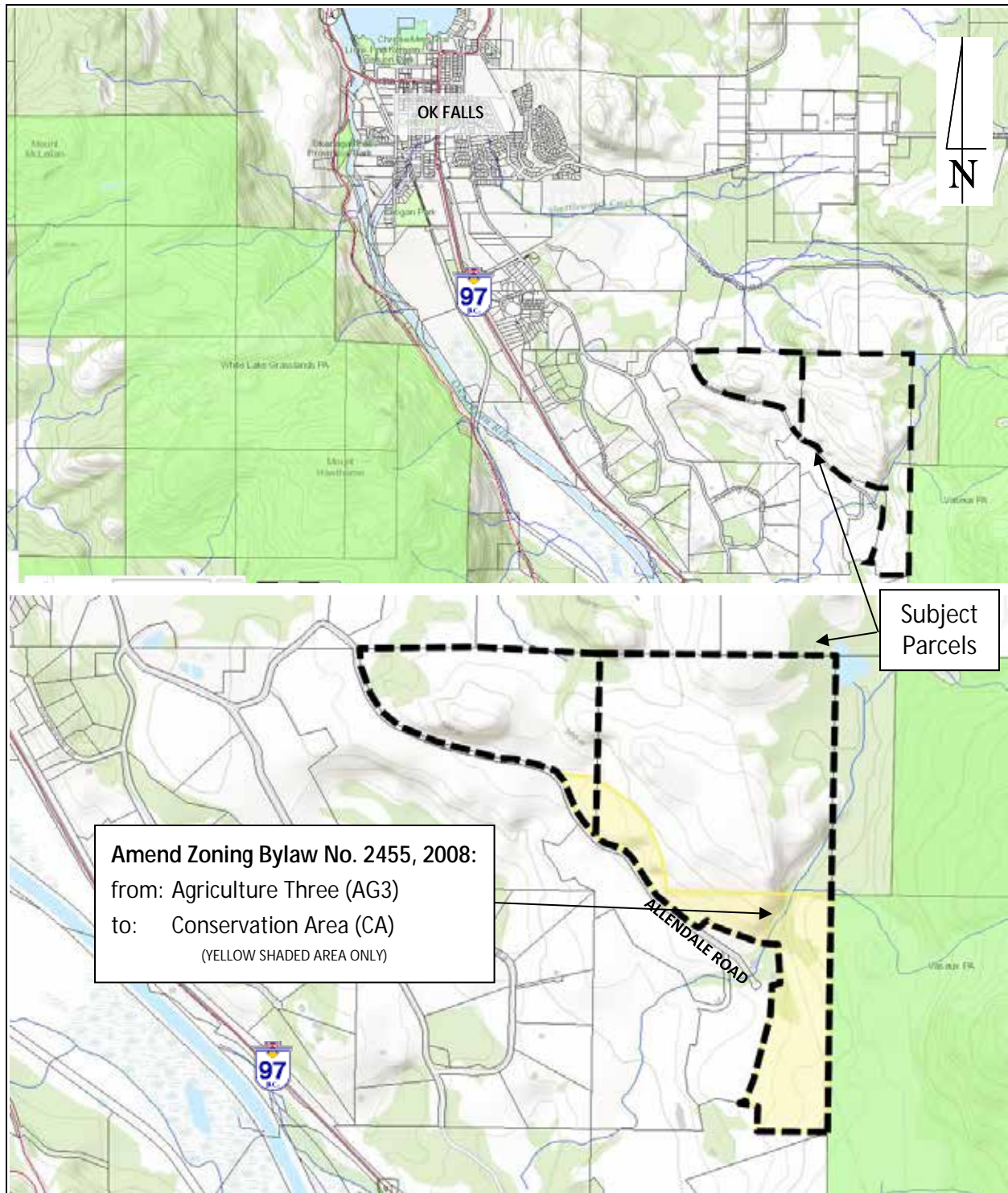
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

## Schedule 'X'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

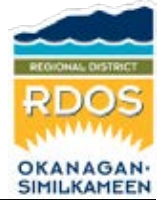
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# Regional District of Okanagan-Similkameen

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

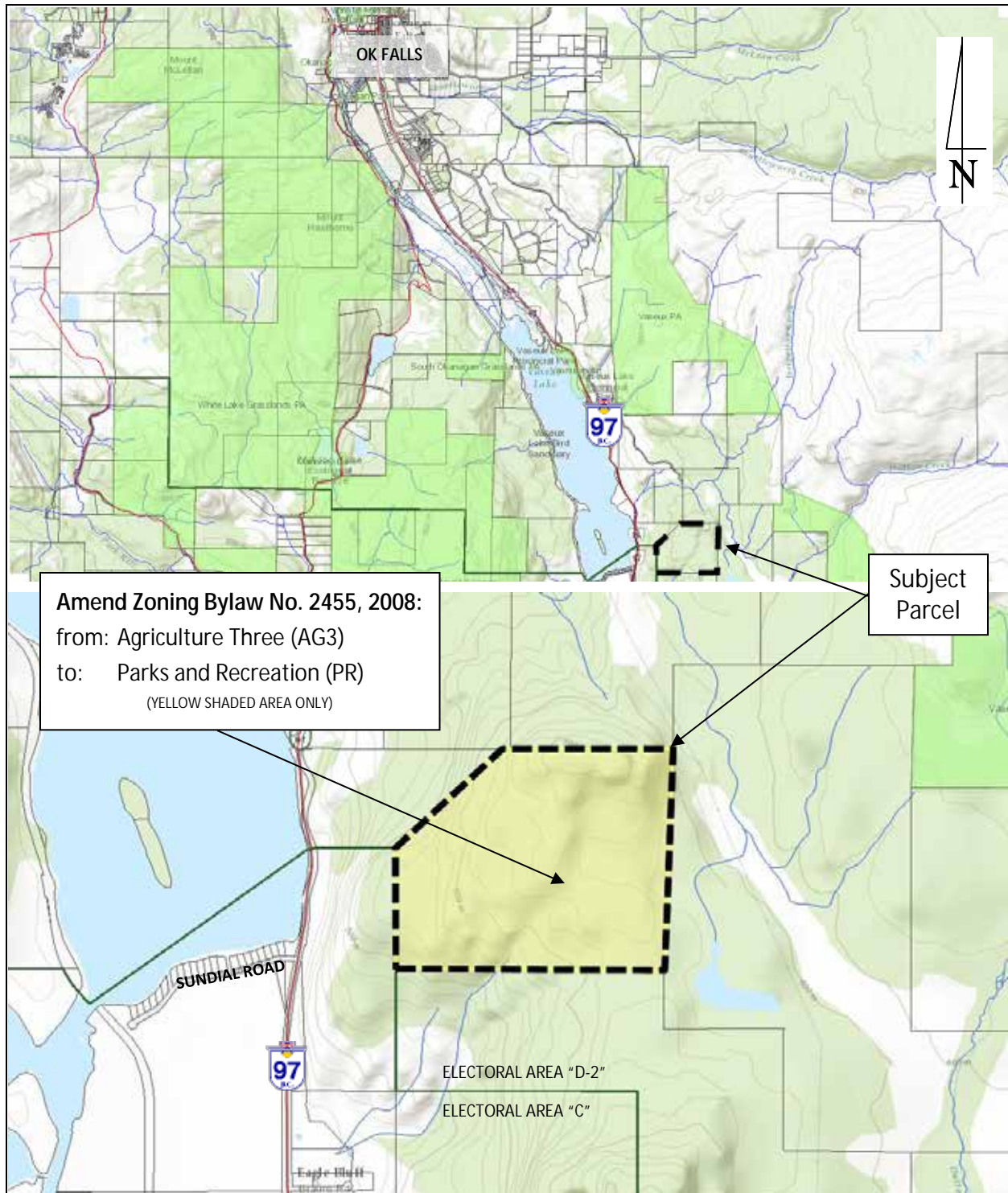
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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'Y'



Amendment Bylaw No. 2455.30, 2018

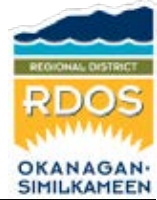
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# Regional District of Okanagan-Similkameen

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

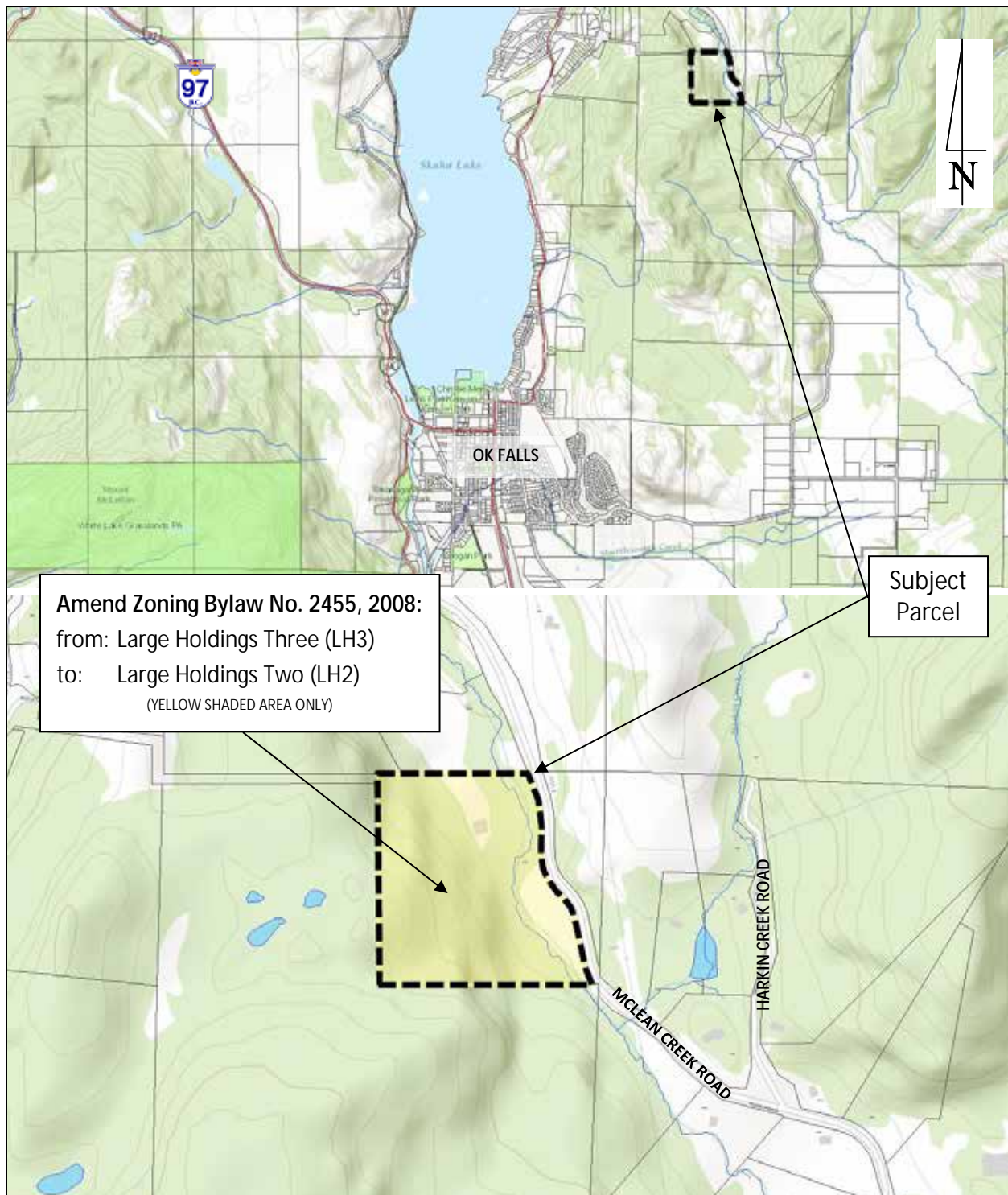
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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'Z'



Amendment Bylaw No. 2455.30, 2018

(D2017.157-ZONE)

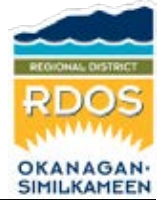
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# Regional District of Okanagan-Similkameen

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

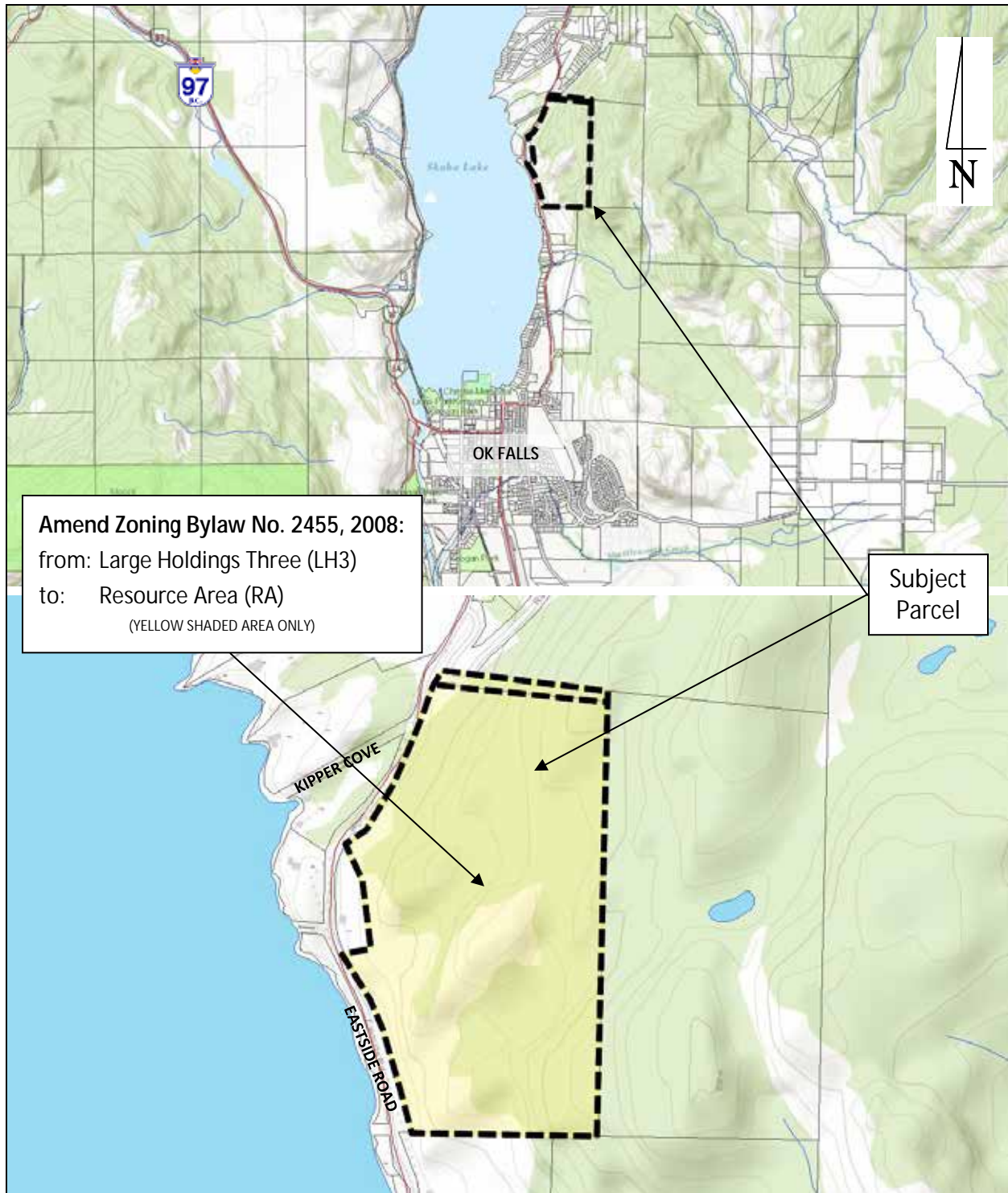
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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'AA'



Amendment Bylaw No. 2455.30, 2018

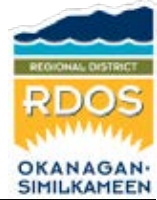
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# Regional District of Okanagan-Similkameen

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

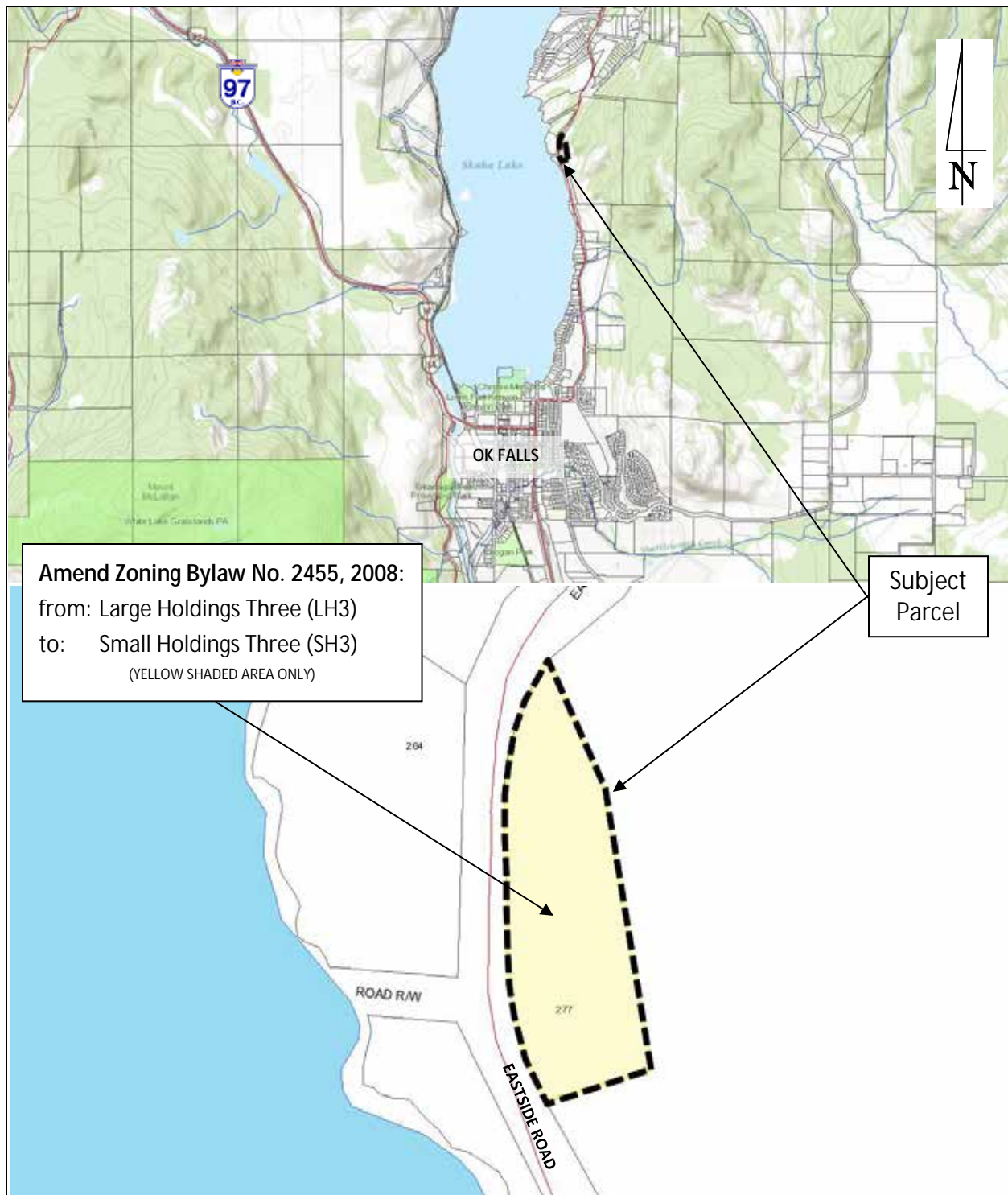
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Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'BB'



Amendment Bylaw No. 2455.30, 2018

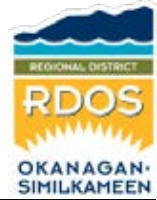
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# Regional District of Okanagan-Similkameen

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

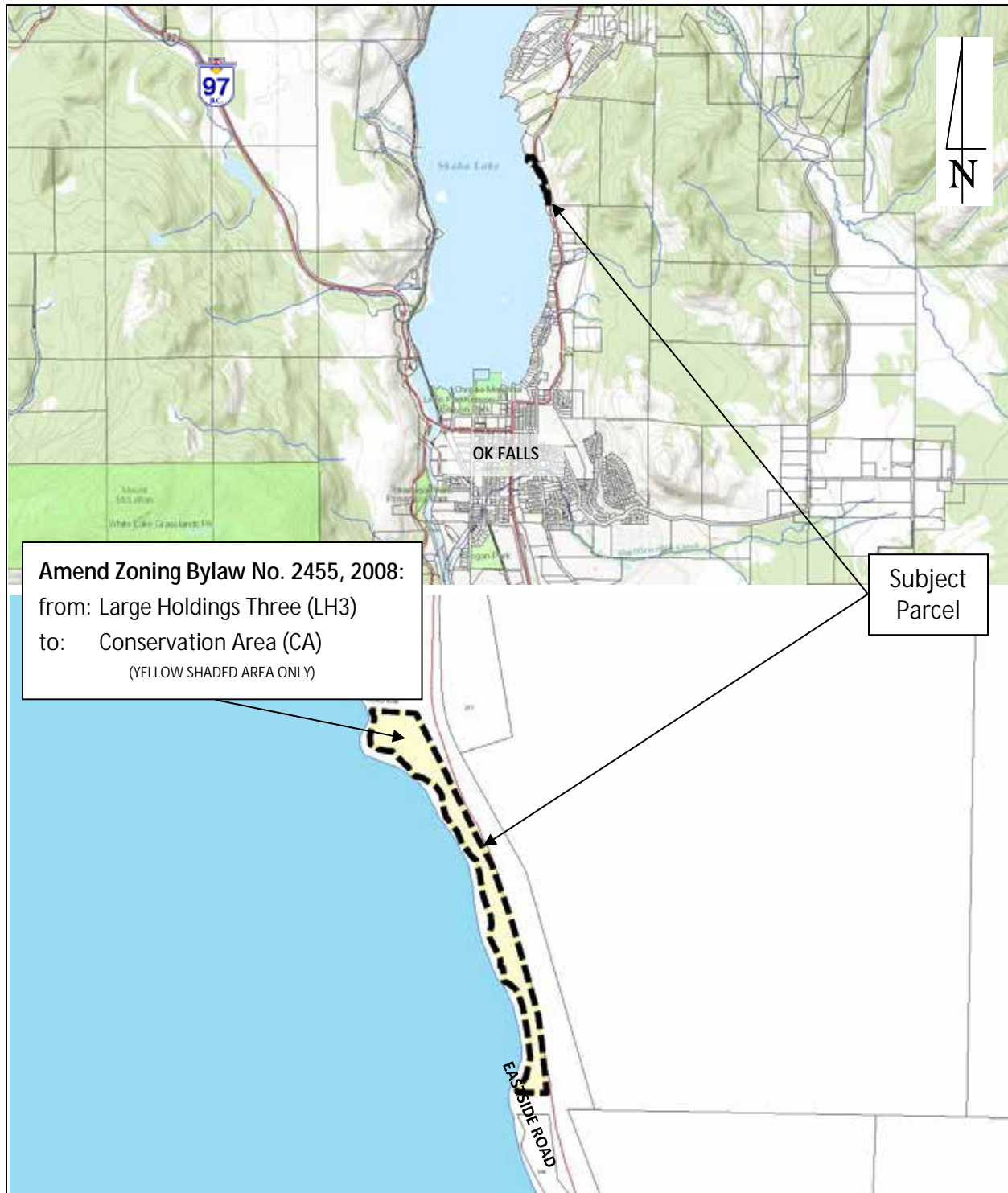
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.30, 2018

Project No: D2017.157-ZONE

Schedule 'CC'





**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2603.12, 2018**

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

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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" Large Holdings Update Official Community Plan Amendment Bylaw No. 2603.12, 2018."
2. The "Electoral Area 'D-2' Official Community Plan Bylaw No. 2603, 2013" is amended by:
  - i) replacing Section 10.0 (Rural Holdings) in its entirety with the following:

## **10.0 RURAL HOLDINGS**

---

### **10.1 Background**

The Plan Area's rural character and lifestyles are some of the most valued aspects to area residents. While the majority of future residential growth will be directed to designated Primary and Rural Growth Areas, there is potential for limited rural development.

Within the Plan Area, Rural Holdings are generally grouped into two categories, Large Holdings (LH) and Small Holdings (SH).

The Large Holdings designation, applies to typically privately-held properties smaller than Resource Area parcels and includes large parcels of land generally used for acreages, hobby farms, limited agriculture, ranching, grazing, and other uses that fit with the character of this area. Large Holdings should have a range of minimum parcel sizes but no less than of 4.0 hectares.

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

As with Large Holdings, Small Holdings are generally located outside of the Agricultural Land Reserve.

## **10.2 Objectives**

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

## **10.3 Policies - General**

The Regional Board:

- .1 Supports home occupation and home industry uses on lands designated Small Holdings (SH) and Large Holdings (LH), provided the uses are compatible with the surrounding rural character.
- .2 Will evaluate new Rural Holdings developments against the implications and impacts on the agricultural uses in the area.
- .3 Generally does not support additional development outside of the designated Rural Growth Areas.
- .4 Requires any proposal to create additional land designated or zoned either Large Holdings or Small Holdings to:
  - a) Clearly demonstrate and articulate the need for it in the context of its impact on the community and the objectives of this OCP; and
  - b) Provide an assessment of the proposal against the following criteria:
    - i) availability of vacant land currently designated as either Large Holdings or Small Holdings;
    - ii) capability of the natural environment to support the proposed development;
    - iii) impact on environmentally sensitive areas, as illustrated on Schedule 'I' (Environmentally Sensitive Development Permit Areas);
    - iv) capability of accommodating on-site domestic water and sewage disposal, or availability of community water or sewer, and submission of an assessment from a qualified

professional in accordance with the Regional District Subdivision Servicing Bylaw;

- v) proximity to existing roads and other community and essential services;
  - vi) susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
  - vii) compatibility with adjacent land uses and designations, and the character of the existing area;
  - viii) consideration of visual impacts where development is proposed on hillsides and other visually sensitive areas; and
  - ix) type, timing and staging of the development.
- .5 Protects and conserves agriculturally productive land, and environmentally sensitive areas within designated Small Holdings and Large Holdings areas.
- .6 Should work collaboratively with the Subdivision Approving Authority to ensure that rural developments and subdivisions allow for public access to Crown land.
- .7 Encourages voluntary environmental stewardship on private lands within Small and Large Holdings areas.
- .8 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .9 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighborhood residential needs and other land use needs can be addressed. In the areas shown on Eastside Road North and Eastside Road South on figures 4-9 and 4-10, and generally known as Heritage Hills, Lakeshore Highlands and Skaha Estates, the short-term rental of residences is generally discouraged.
- .10 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit for rezoning. The Regional Board may use the following criteria to assess applications:
- a) Capability of accommodating on-site domestic water and sewage disposal;
  - b) Mitigating measures such as screening and fencing;
  - c) Provision of adequate off-street parking;
  - d) Confirmation that the structure proposed for use as a vacation rental complies with the BC Building Code; and
  - e) Benefits that such accommodation may provide to the community.

#### **10.4 Policies – Large Holdings**

The Regional Board:

- .1 Supports the use of lands designated Large Holdings identified in Schedule 'B' (Official Community Plan Map) for agriculture, ranching, grazing, keeping of livestock, veterinary establishments, kennels, outdoor recreation, open space, limited residential use and other uses that will have minimal environmental impact and preserve the lands in a largely undeveloped state.
- .2 Will establish a range of densities and parcel sizes, to be no less than 4 ha in area, for land designated Large Holdings in the Plan area through the Zoning Bylaw.
- .3 Allows secondary suites and may consider additional accessory dwellings based on the size of parcel.
- .4 Discourages changes in land designation or zoning that will allow for incompatible land uses or the subdivision of Large Holdings parcels to less than four hectares in size.
- .5 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighborhood residential needs and other land use needs can be addressed.

#### **10.5 Policies – Small Holdings**

The Regional Board:

- .1 Generally supports a range of uses on the lands designated Small Holdings in Schedule 'B' (Official Community Plan Map), including: rural residential, hobby farming, limited agriculture and others uses that fit within the rural character of the surrounding area.
- .2 Will establish a range of densities and parcel sizes for lands designated Small Holdings in the Plan Area through the Zoning Bylaw.
- .3 Supports a minimum parcel size of one hectare for lands without community sewer within the Small Holdings (SH) designation.

- ii) adding a new sub-section 16.4.2.3 under Section 16 (Natural Environment and Conservation) to read as follows:

- .3 Supports low-impact agricultural uses on lands designated Conservation Area and held by a conservation organisation.

3. 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:

- i) changing the land use designation on the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 8; Subsidy Lots 1-4, Plan KAP1193, District Lot 3639, SDYD, AFB; and Subsidy Lot 7, Plan KAP1193, District Lot 3639, SDYD, AFB - FOREST RESERVE 23-8-60, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).
- ii) changing the land use designation on the land described as Lot 1, Plan KAP74449, District Lot 190 2710, SDYD (3200 Evergreen Drive), and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).
- iii) changing the land use designation on the land described as Lot 2, Plan KAP60911, District Lot 2710, SDYD; and Lot 1, Plan KAP35151, District Lot 2710, SDYD, Subsidy Lot 38, and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).
- iv) changing the land use designation on the land described as Lot C, Plan KAP27801, District Lot 2710, SDYD, Subsidy Lot 48, and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Small Holdings (SH) to Conservation Area (CA).
- v) changing the land use designation on the land described as Lot A, Plan KAP67022, District Lot 461, SDYD (3515 McLean Creek Road), and shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Agriculture (AG) to Small Holdings (SH).
- vi) changing the land use designation on the land shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).
- vii) changing the land use designation on the land described as Lot A, Plan EPP12661, District Lot 681S, SDYD, and shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Large Holdings (LH) to Conservation Area (CA).
- viii) changing the land use designation on the land described as Lot A, Plan KAP10306, District Lot 337, SDYD, Except Plan H11293 (389 Eastside Road), and shown shaded blue on Schedule 'H', which forms part of this Bylaw, from Low Density Residential (LR) to Large Holdings (LH).
- ix) changing the land use designation on the land described as Lot 1, Plan KAP4702, District Lot 337, SDYD, Except Plan 15546, Lot B, Plan KAP11546, District Lot 337, SDYD, and shown shaded purple on Schedule 'H', which forms part of this Bylaw, from Low Density Residential (LR) to Resource Area (RA).



- x) changing the land use designation on the land shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).
- xi) changing the land use designation on the land shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Large Holdings (LH) to Conservation Area (CA).
- xii) changing the land use designation on the land shown shaded blue on Schedule 'I', which forms part of this Bylaw, from Agriculture (AG) to Conservation Area (CA).
- xiii) changing the land use designation on an approximately 11.7 hectare part of the land described as Lot 4, Plan KAP4074, District Lot 2193, SDYD, Except Plan H933, and shown shaded yellow on Schedule 'J', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).
- xiv) changing the land use designation on approximately 7.3 hectare part of the land described as Lot 4, Plan KAP4074, District Lot 2193, SDYD, Except Plan H933, and shown shaded blue on Schedule 'J', which forms part of this Bylaw, from Agriculture (AG) to Resource Area (RA).
- xv) changing the land use designation on an approximately 8,000 m<sup>2</sup> part of the land described as Lot 2, Plan KAP9597, District Lot 2883S 3147S, SDYD, Except Plan 13984 (5361 9<sup>th</sup> Avenue), shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
- xvi) changing the land use designation on the land described as Lot 3, Plan KAP9597, District Lot 2883S 3147S, SDYD, Except Plan 13984 (5444 Hawthorne Place) and an approximately 400 m<sup>2</sup> part of the land described as Lot 1, Plan KAP13984, District Lot 2883S 3147S, SDYD (5445 Hawthorne Place), and shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
- xvii) changing the land use designation on the land described as Lot A, Plan KAP6113, District Lot 3147S, SDYD, shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Medium Density Residential (MR) to Parks, Recreation and Trails (PR).
- xviii) changing the land use designation on an approximately 8,600 m<sup>2</sup> part of Lot A, Plan KAP37420, District Lot 2193, SDYD, and shown shaded yellow on Schedule 'N', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).

- xix) changing the land use designation on an approximately 2.0 ha part of Lot A, Plan KAP37420, District Lot 2193, SDYD, and shown shaded blue on Schedule 'N', which forms part of this Bylaw, from Agriculture (AG) to Resource Area (RA).
- xx) changing the land use designation on an approximately 3.6 ha part of Lot 3, Plan KAP4074, District Lot 2193, SDYD, Except Plan 37420; and an approximately 54.0 hectare part of the land described as Lot A, Plan KAP28209, District Lot 195S, SDYD, and shown shaded yellow on Schedule 'O', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).
- xxi) changing the land use designation on Lot 1, Plan KAP8130, District Lot 195S, SDYD, and shown shaded yellow on Schedule 'P', which forms part of this Bylaw, from Large Holdings (LH) to Conservation Area (CA).
- xxii) changing the land use designation on Lot 3, Plan KAP3404, District Lot 195S, SDYD, Except Plan PCL 21 and E PL A1266, and shown shaded yellow on Schedule 'Q', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH).
- xxiii) changing the land use designation on the land shown shaded yellow on Schedule 'R', which forms part of this Bylaw, from Large Holdings (LH) to Conservation Area (CA).
- xxiv) changing the land use designation on Plan KAP4397, Block 14, District Lot 2883S, SDYD, Except Plan A1217 H933, and shown shaded yellow on Schedule 'S', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH).
- xxv) changing the land use designation on an approximately 51.0 hectare part of the land described as District Lot 31S, SDYD, Except Plan A11286, and shown shaded yellow on Schedule 'T', which forms part of this Bylaw, from Large Holdings (LH) to Conservation Area (CA).
- xxvi) changing the land use designation on an approximately 15.0 hectare part of the land described as District Lot 31S, SDYD, Except Plan A11286, and shown shaded blue on Schedule 'T', which forms part of this Bylaw, from Agriculture (AG) to Conservation Area (CA).
- xxvii) changing the land use designation on an approximately 49.0 hectare part of the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 7, Except Plan A11286, and shown shaded yellow on Schedule 'T', which forms part of this Bylaw, from Large Holdings (LH) to Conservation Area (CA).
- xxviii) changing the land use designation on an approximately 14.5 hectare part of the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 7, Except Plan

A11286, and shown shaded blue on Schedule 'T', which forms part of this Bylaw, from Agriculture (AG) to Conservation Area (CA).

- xxix) changing the land use designation on an approximately 1.4 hectare part of the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 39, Except Plan 21215, and shown shaded yellow on Schedule 'U', which forms part of this Bylaw, from Agriculture (AG) to Conservation Area (CA).
- xxx) changing the land use designation on an approximately 25.7 hectare part of the land described as Lot 2, Plan KAP69941, SDYD, District Lot 2710 3203, and shown shaded yellow on Schedule 'U', which forms part of this Bylaw, from Agriculture (AG) to Conservation Area (CA).
- xxxi) changing the land use designation on the land described as Lot 2, Plan KAP1331, District Lot 2710, SDYD, Subsidy Lot 58 (Park Reserve), and shown shaded blue on Schedule 'V', which forms part of this Bylaw, from Agriculture (AG) to Parks, Recreation and Trails (PR).
- xxxii) changing the land use designation on the land described as Lot 1, Plan KAP27588, SDYD, Subsidy Lot 14, District Lot 697S 2710, and shown shaded yellow on Schedule 'W', which forms part of this Bylaw, from Large Holdings (LH) to Resource Area (RA).
- xxxiii) changing the land use designation on the land described as Lot 2, Plan KAP27588, District Lot 697S, SDYD, and shown shaded yellow on Schedule 'X', which forms part of this Bylaw, from Large Holdings (LH) to Small Holdings (SH).
- xxxiv) changing the land use designation on the land described as Lot 1, Plan KAP1434, SDYD, District Lot 697S 2710, and shown shaded yellow on Schedule 'Y', which forms part of this Bylaw, from Low Density Residential (LR) to Conservation Area (CA).
- xxxv) removing the property described as Lot C, Plan KAP27801, District Lot 2710, SDYD, Subsidy Lot 48, from the Skaha Estate / Eastside Road Rural Growth Area.

READ A FIRST AND SECOND TIME this 15<sup>th</sup> day of March, 2018.

PUBLIC HEARING HELD this 5<sup>th</sup> day of April, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Board Chair

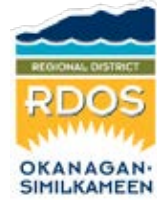
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Chief Administrative Officer

# Regional District of Okanagan-Similkameen

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

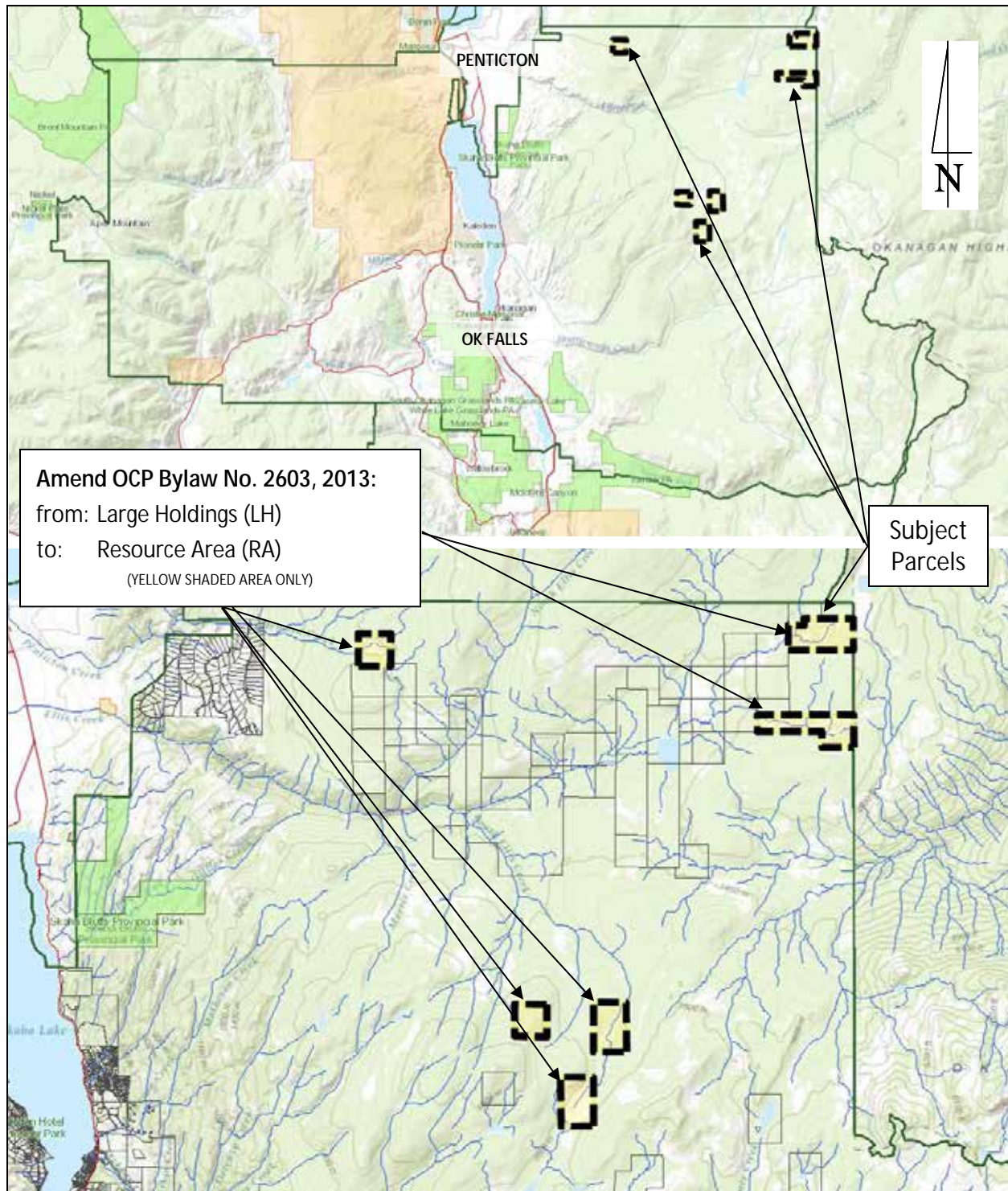
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'A'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

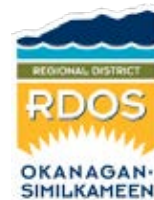
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# Regional District of Okanagan-Similkameen

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

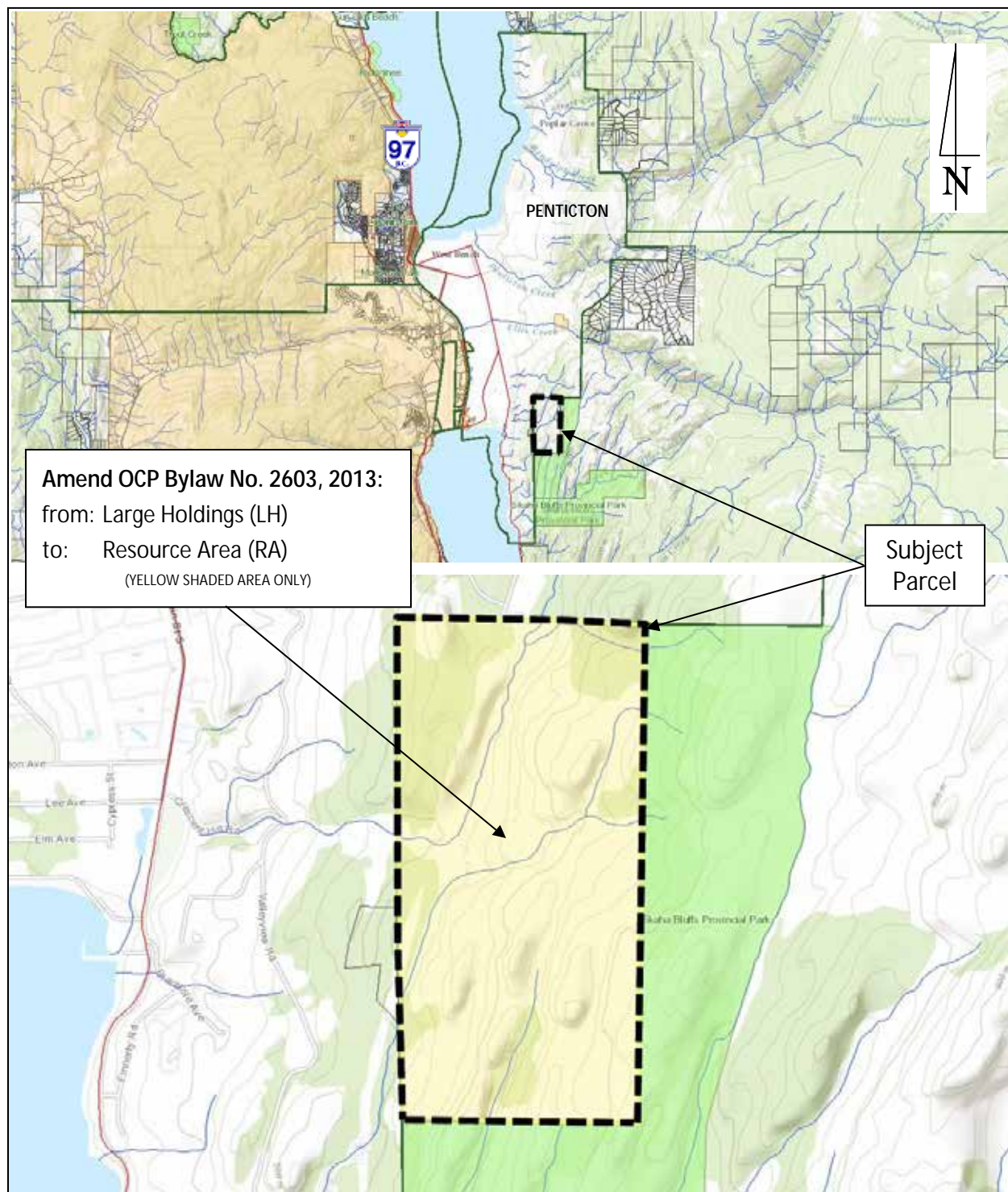
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Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'B'

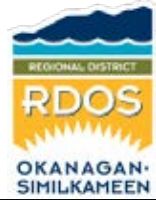




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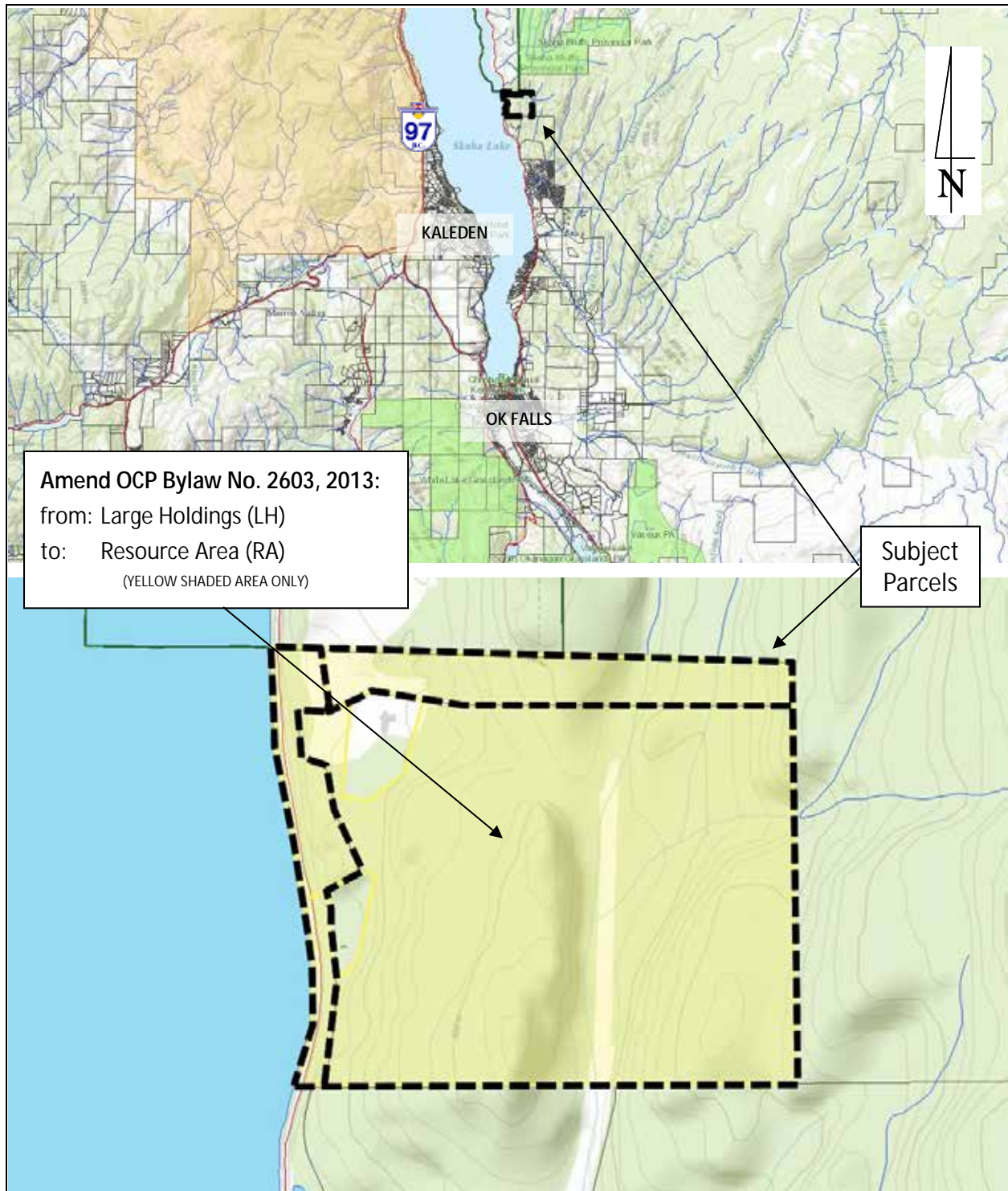
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Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'C'



Amendment Bylaw No. 2603.12, 2018

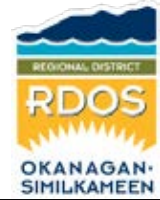
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# Regional District of Okanagan-Similkameen

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

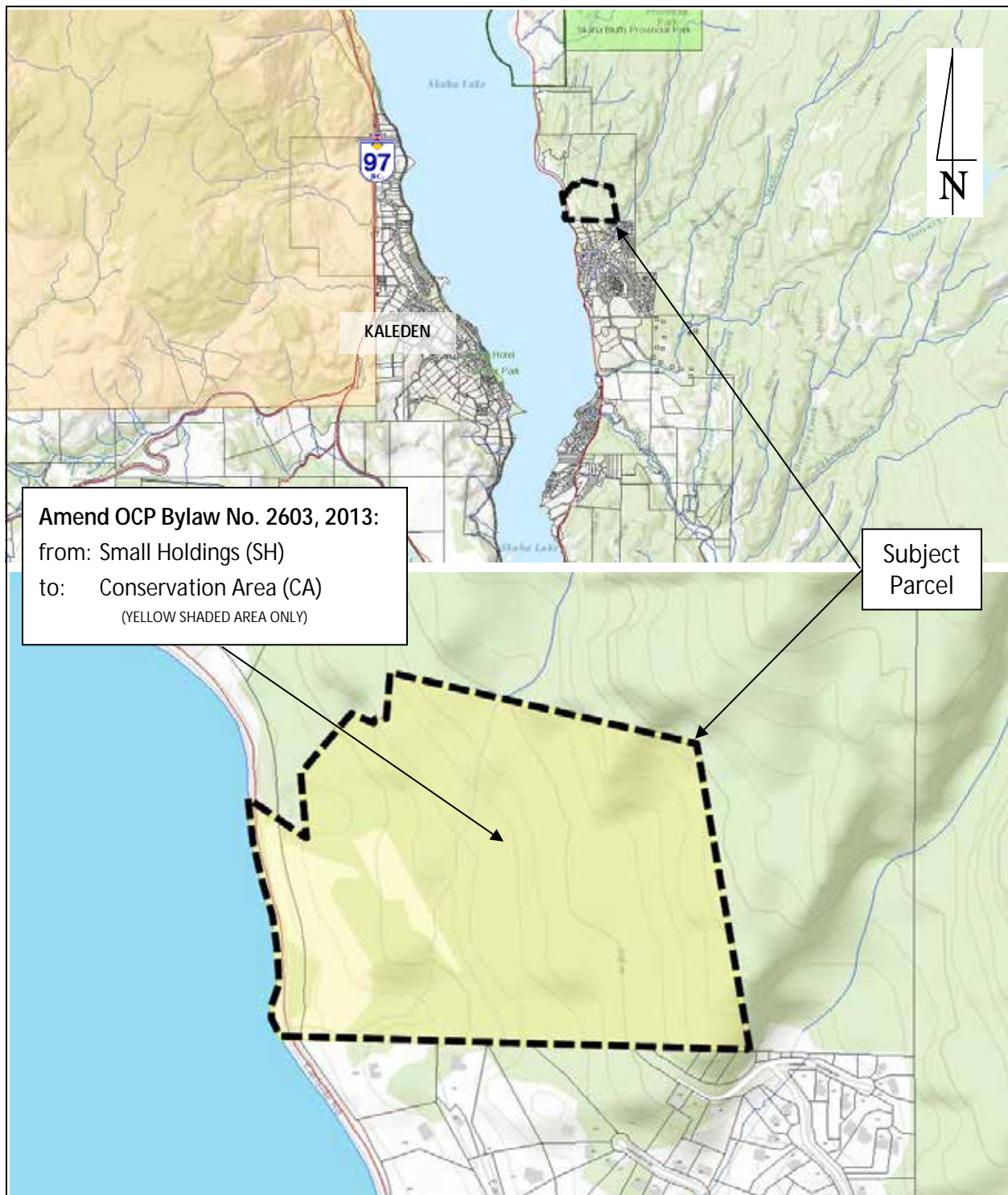
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Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'D'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

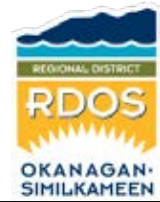
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# Regional District of Okanagan-Similkameen

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

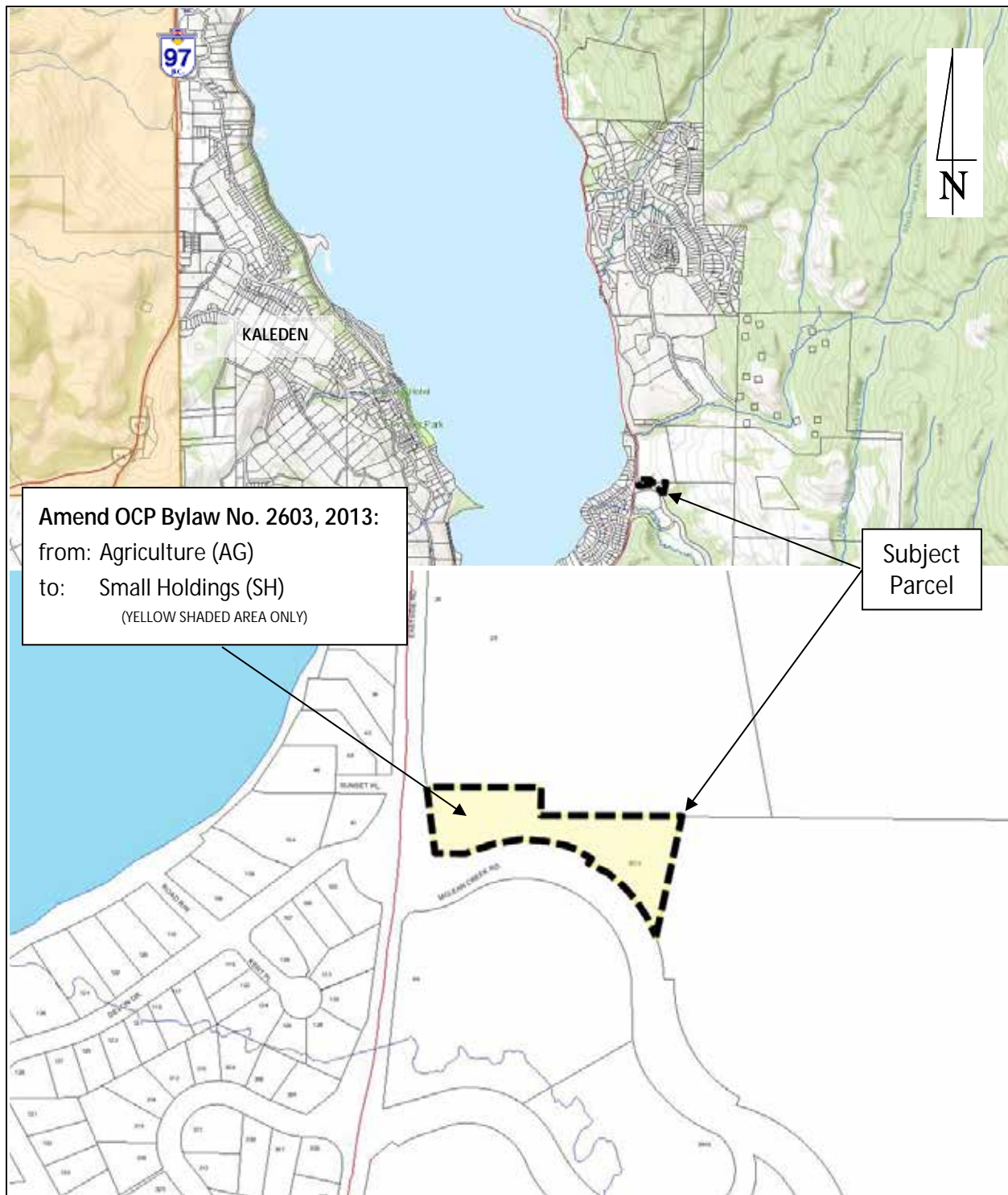
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Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'E'



Amendment Bylaw No. 2603.12, 2018

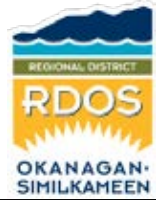
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# Regional District of Okanagan-Similkameen

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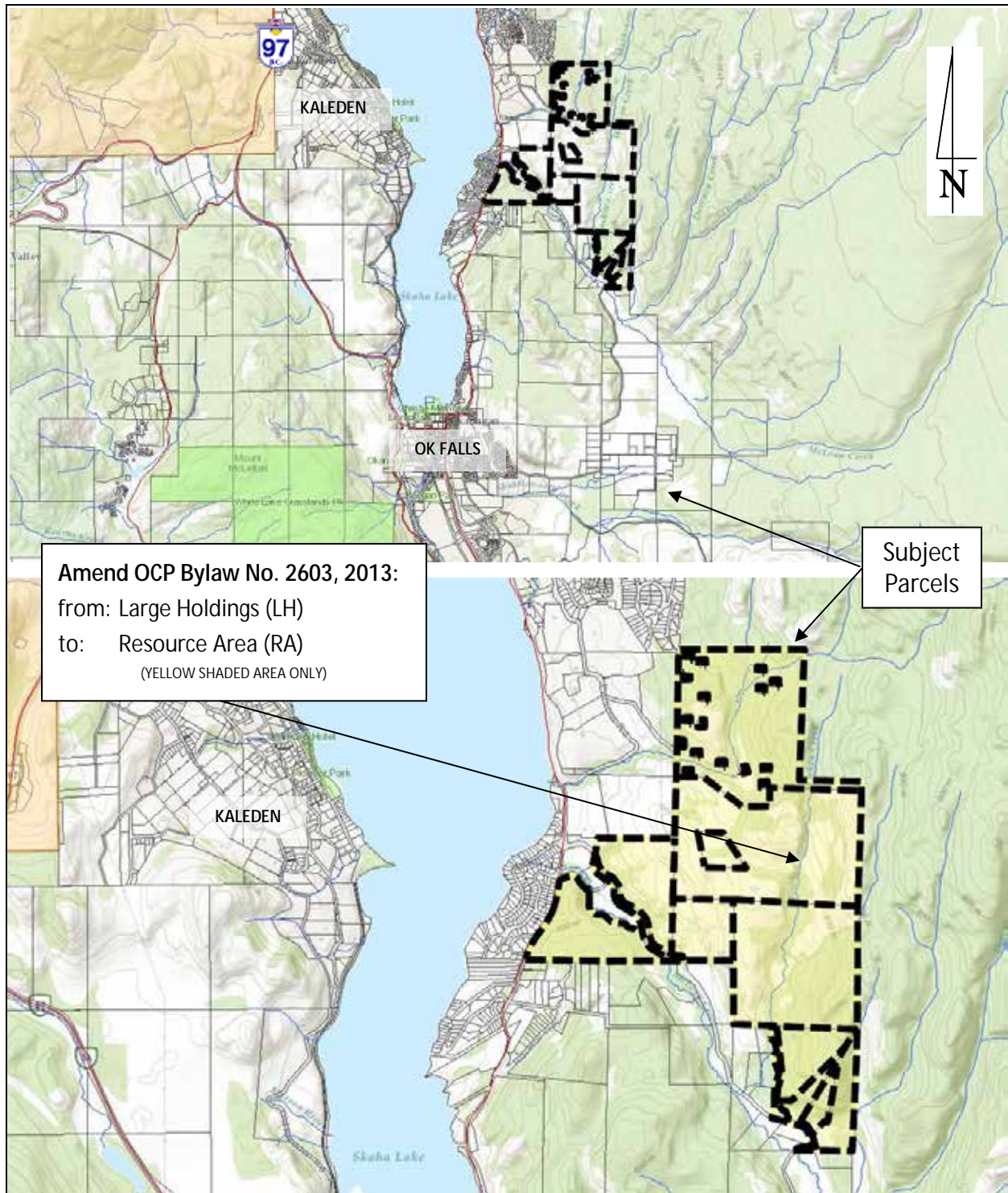
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Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'F'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

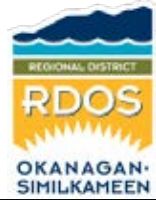
Page 14 of 33



# Regional District of Okanagan-Similkameen

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

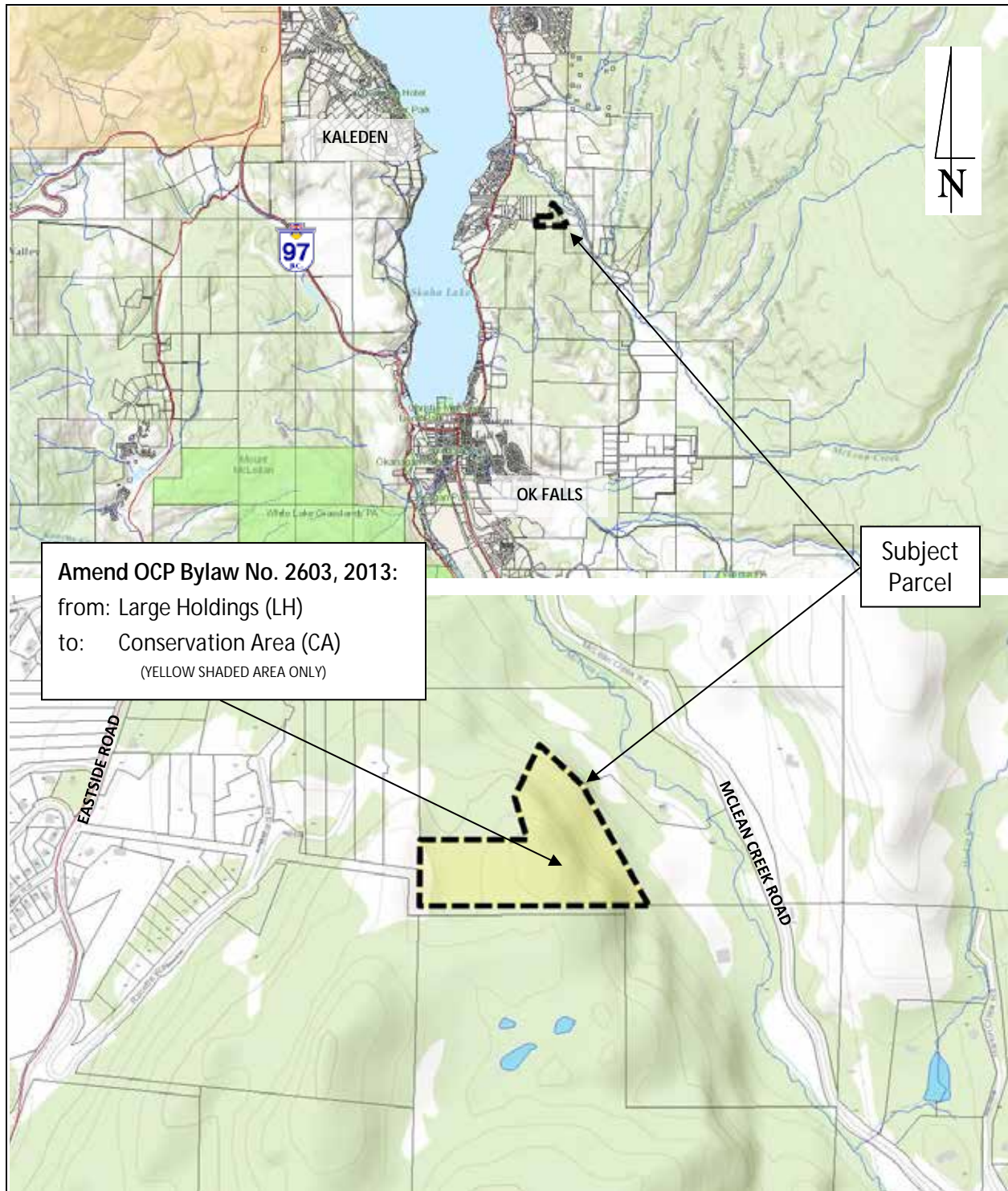
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'G'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

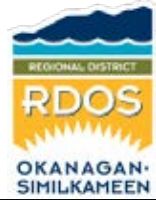
Page 15 of 33



# Regional District of Okanagan-Similkameen

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

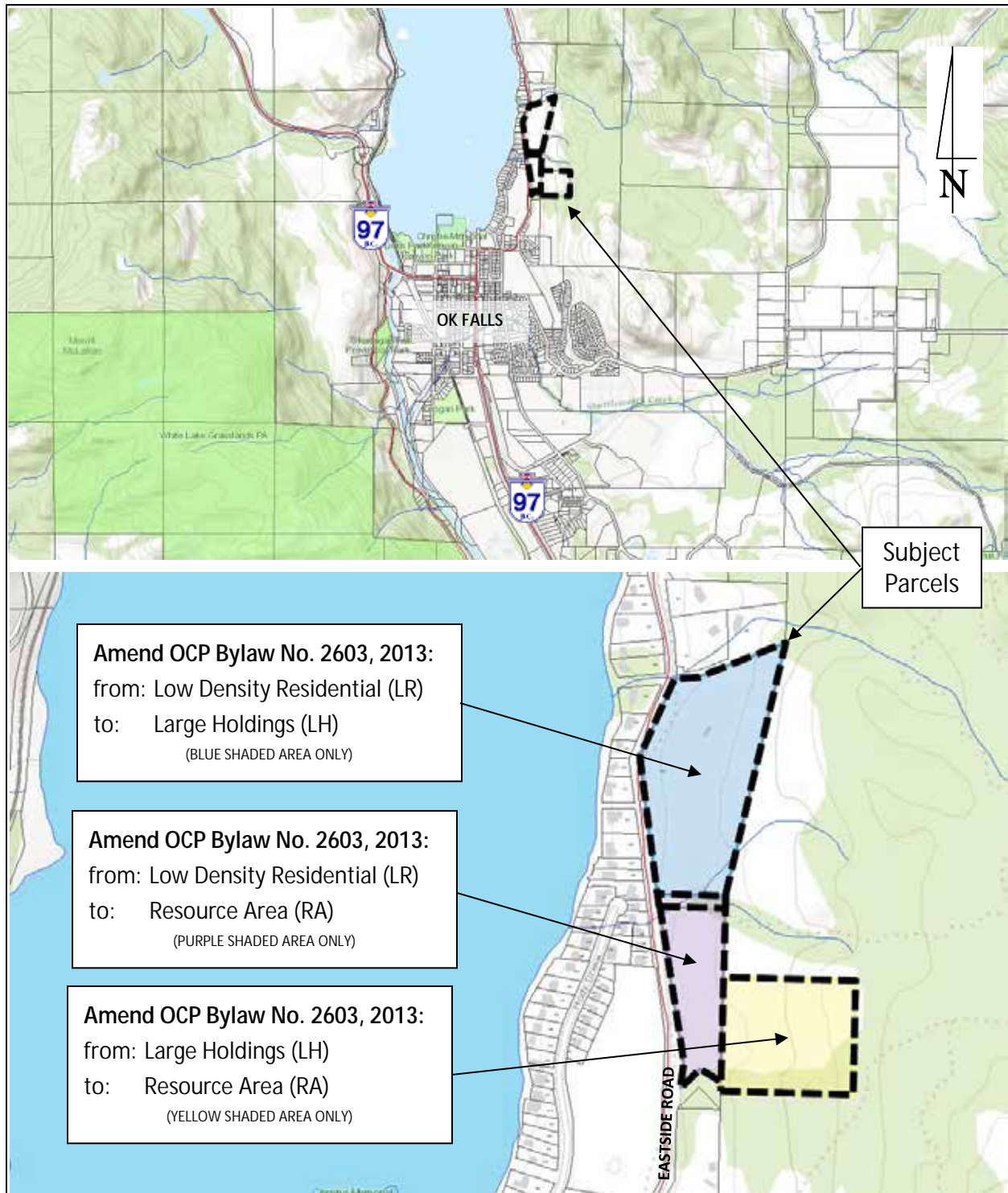
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'H'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

Page 16 of 33

# Regional District of Okanagan-Similkameen

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

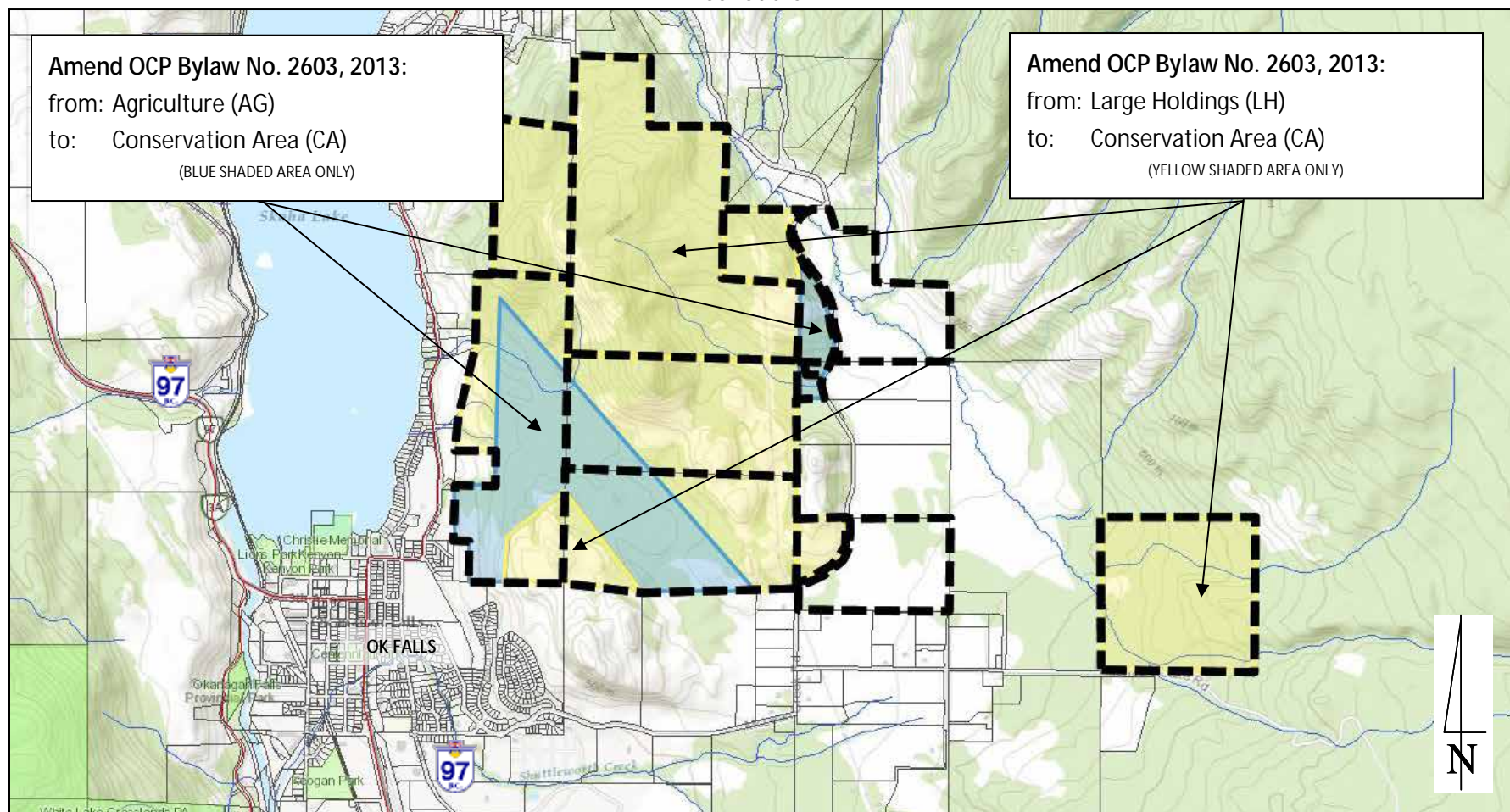
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

## Schedule 'I'



Amendment Bylaw No. 2603.12, 2018  
(D2017.157-ZONE)

Page 17 of 33

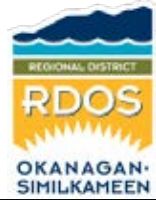
DRAFT VERSION – 2018-02-21



# Regional District of Okanagan-Similkameen

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

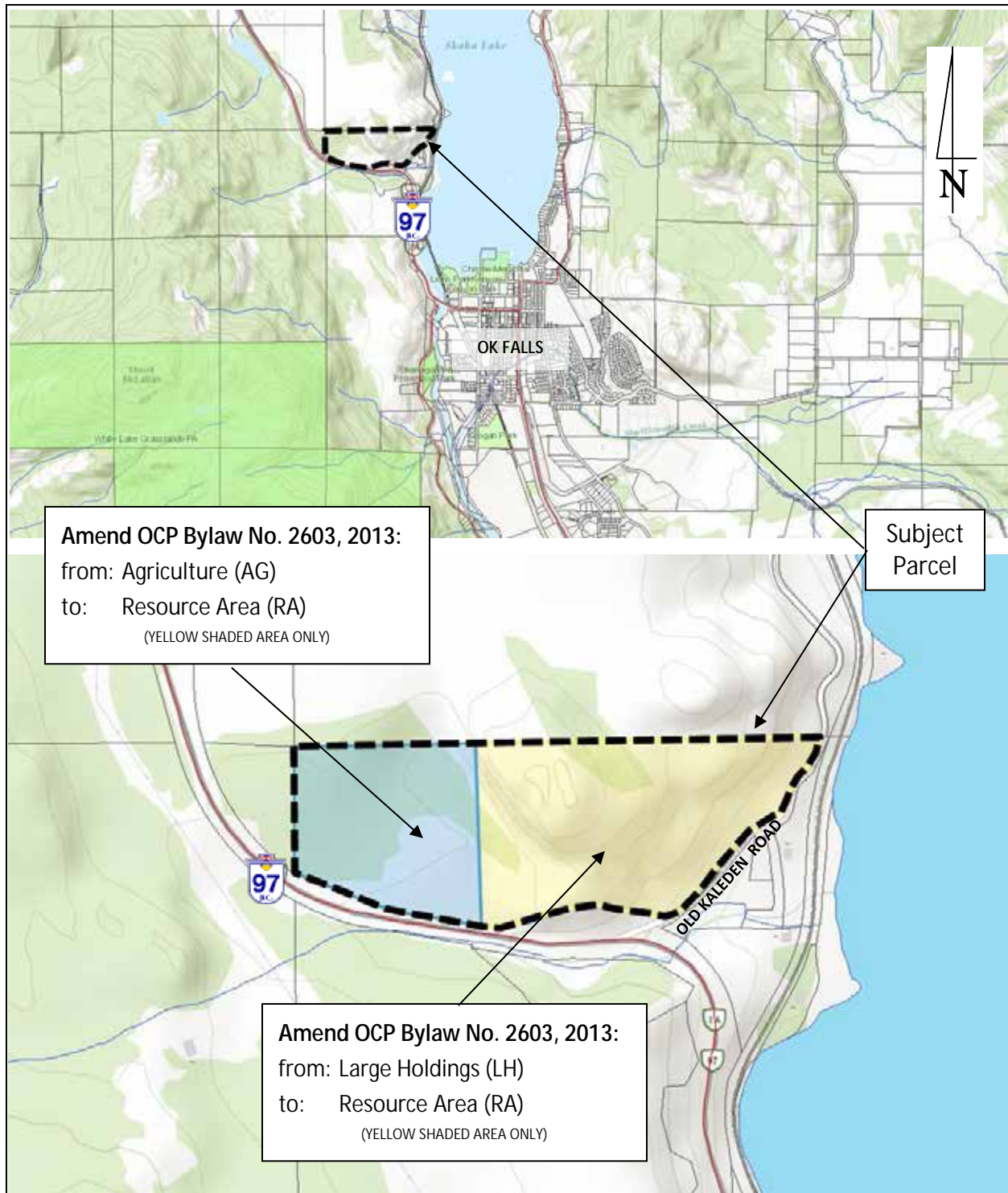
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'J'



Amendment Bylaw No. 2603.12, 2018

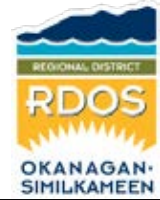
(D2017.157-ZONE)

Page 18 of 33

# Regional District of Okanagan-Similkameen

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

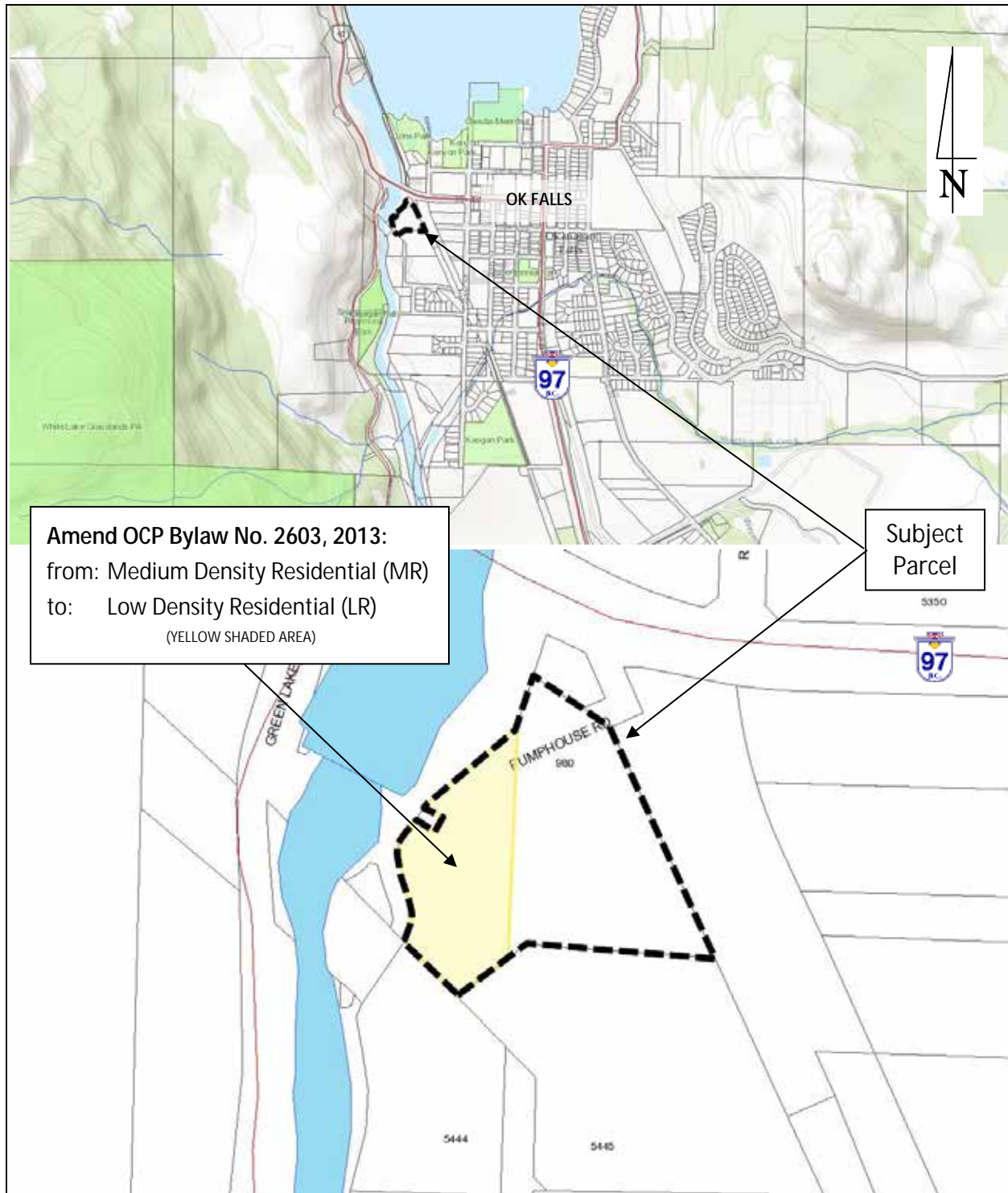
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'K'



Amendment Bylaw No. 2603.12, 2018

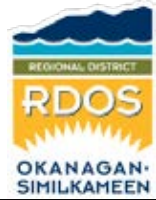
(D2017.157-ZONE)

Page 19 of 33

# Regional District of Okanagan-Similkameen

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

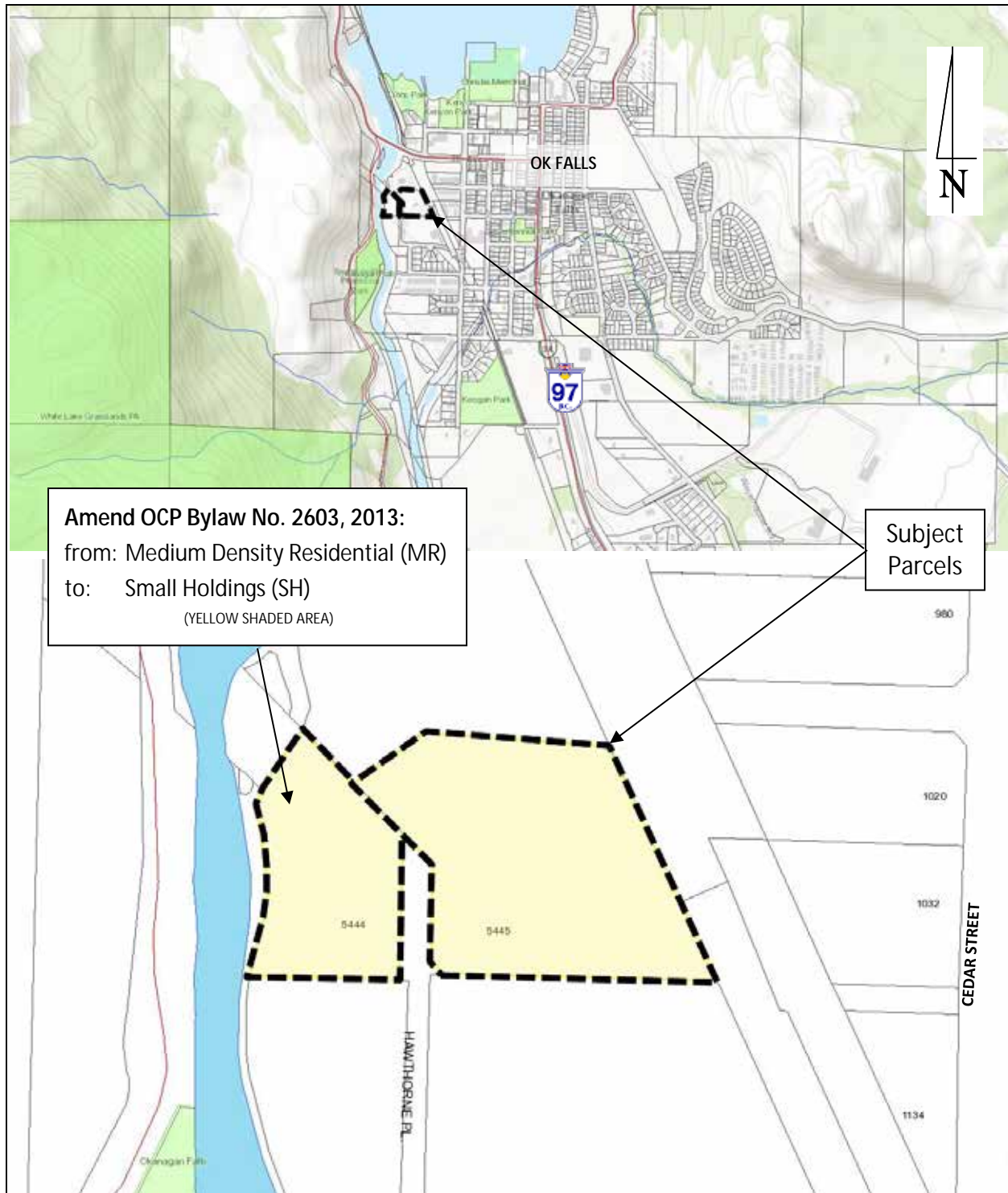
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'L'



**Amend OCP Bylaw No. 2603, 2013:**  
from: Medium Density Residential (MR)  
to: Small Holdings (SH)  
(YELLOW SHADED AREA)

Subject  
Parcels

Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

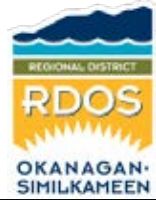
Page 20 of 33



# Regional District of Okanagan-Similkameen

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

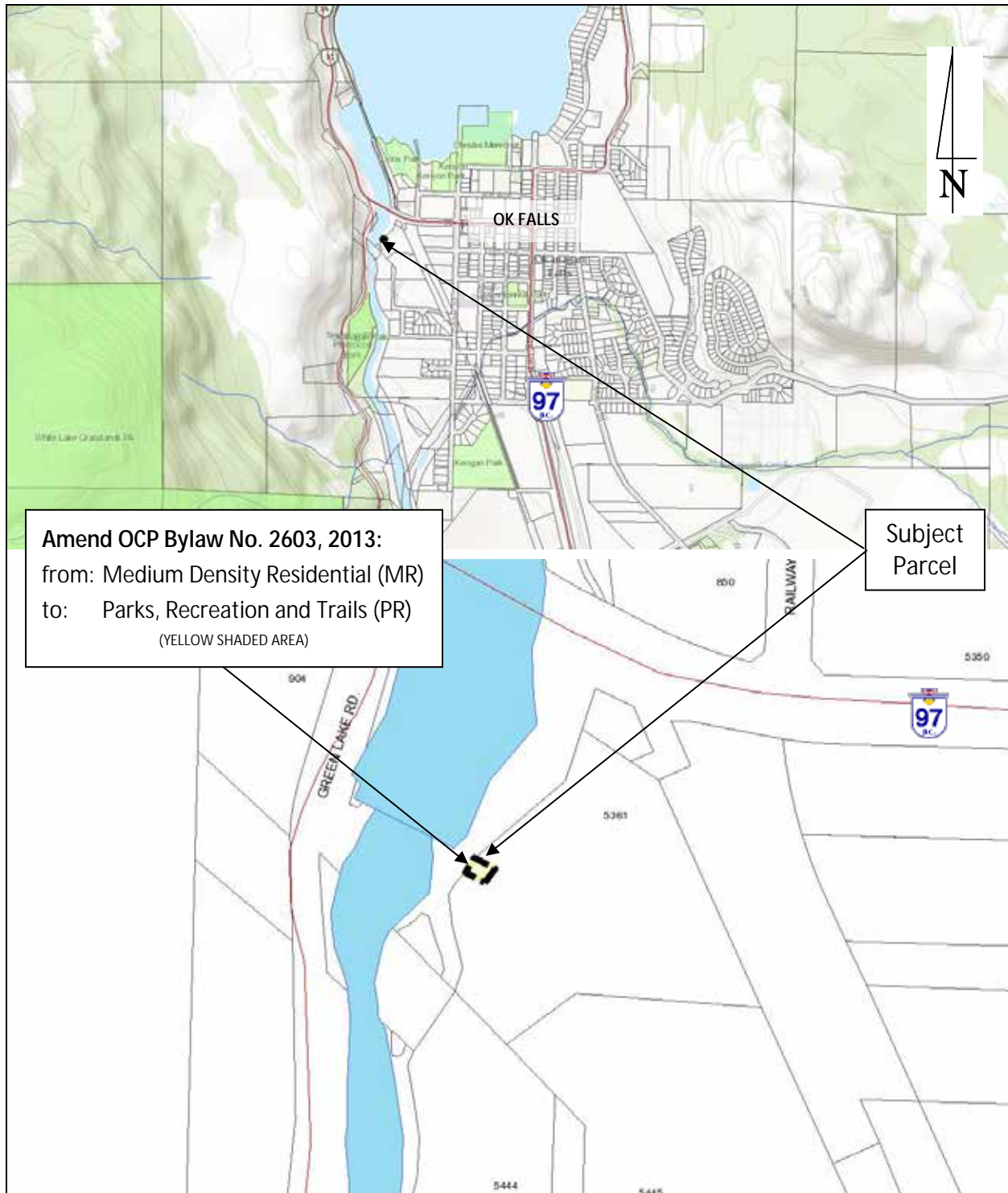
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'M'



Amendment Bylaw No. 2603.12, 2018

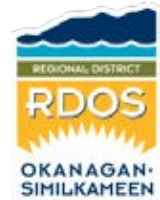
(D2017.157-ZONE)

Page 21 of 33

# Regional District of Okanagan-Similkameen

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

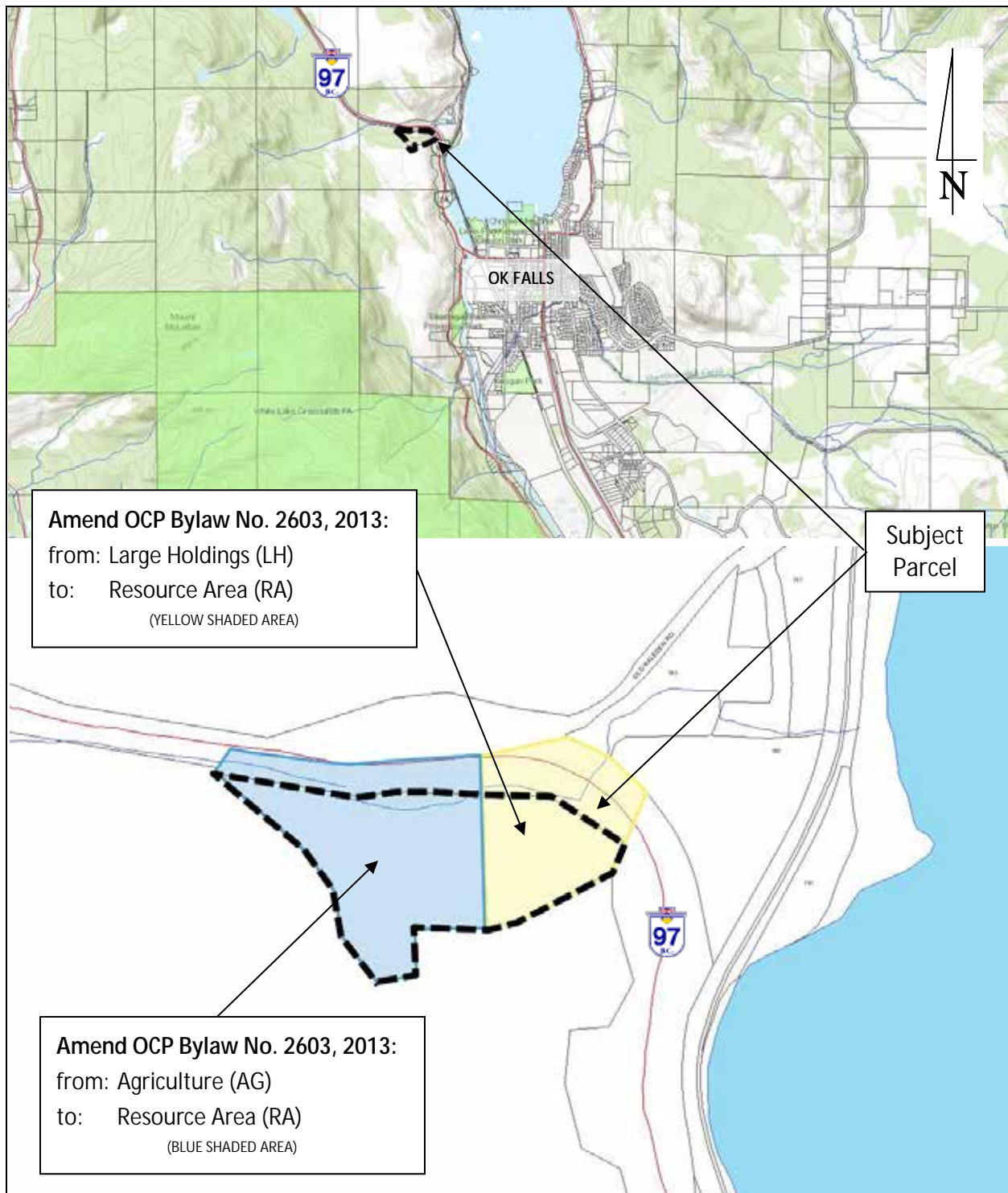
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'N'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

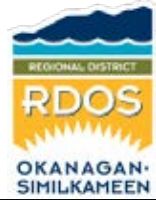
Page 22 of 33



# Regional District of Okanagan-Similkameen

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

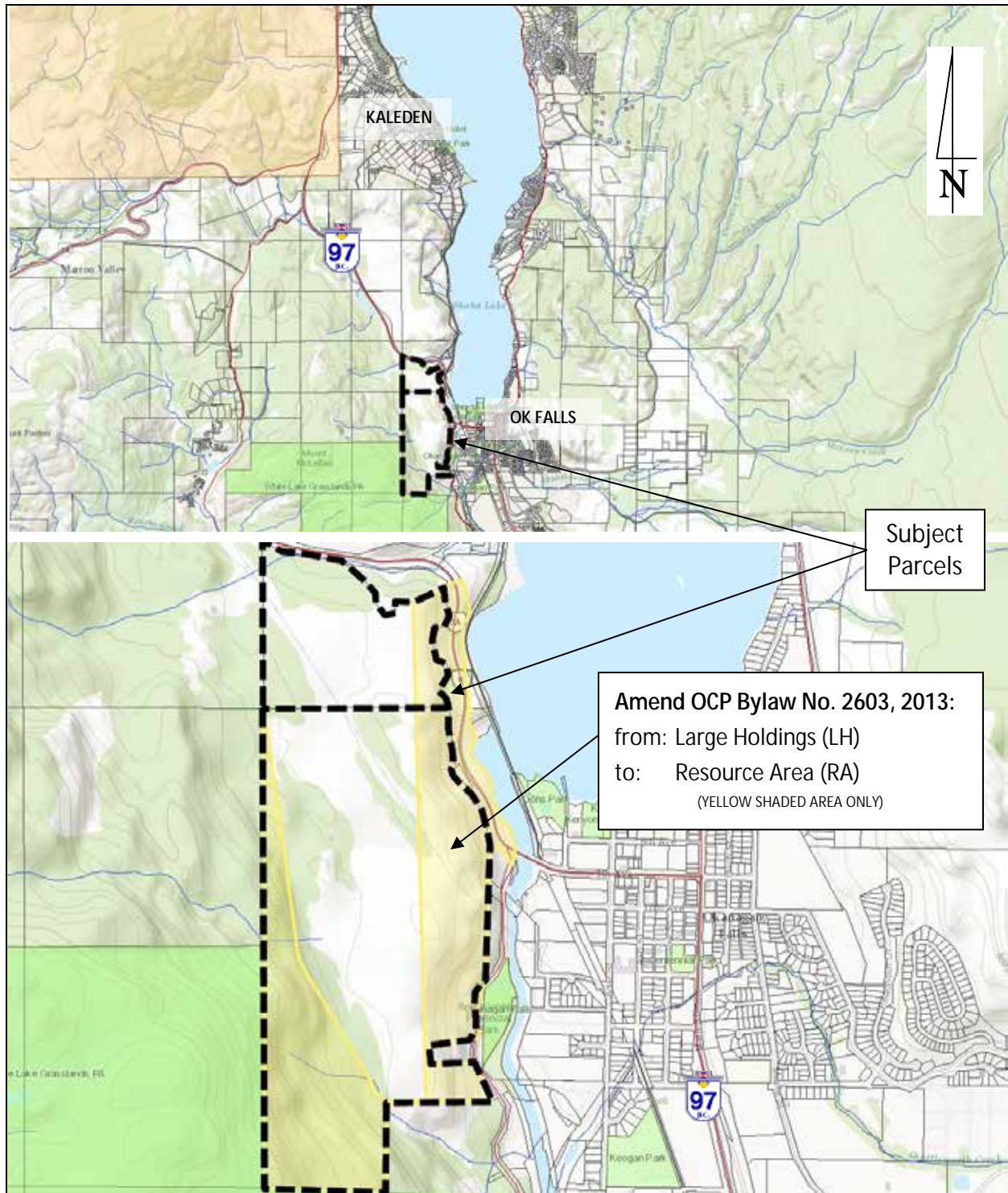
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'O'



Amendment Bylaw No. 2603.12, 2018

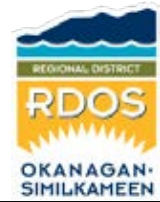
(D2017.157-ZONE)

Page 23 of 33

# Regional District of Okanagan-Similkameen

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

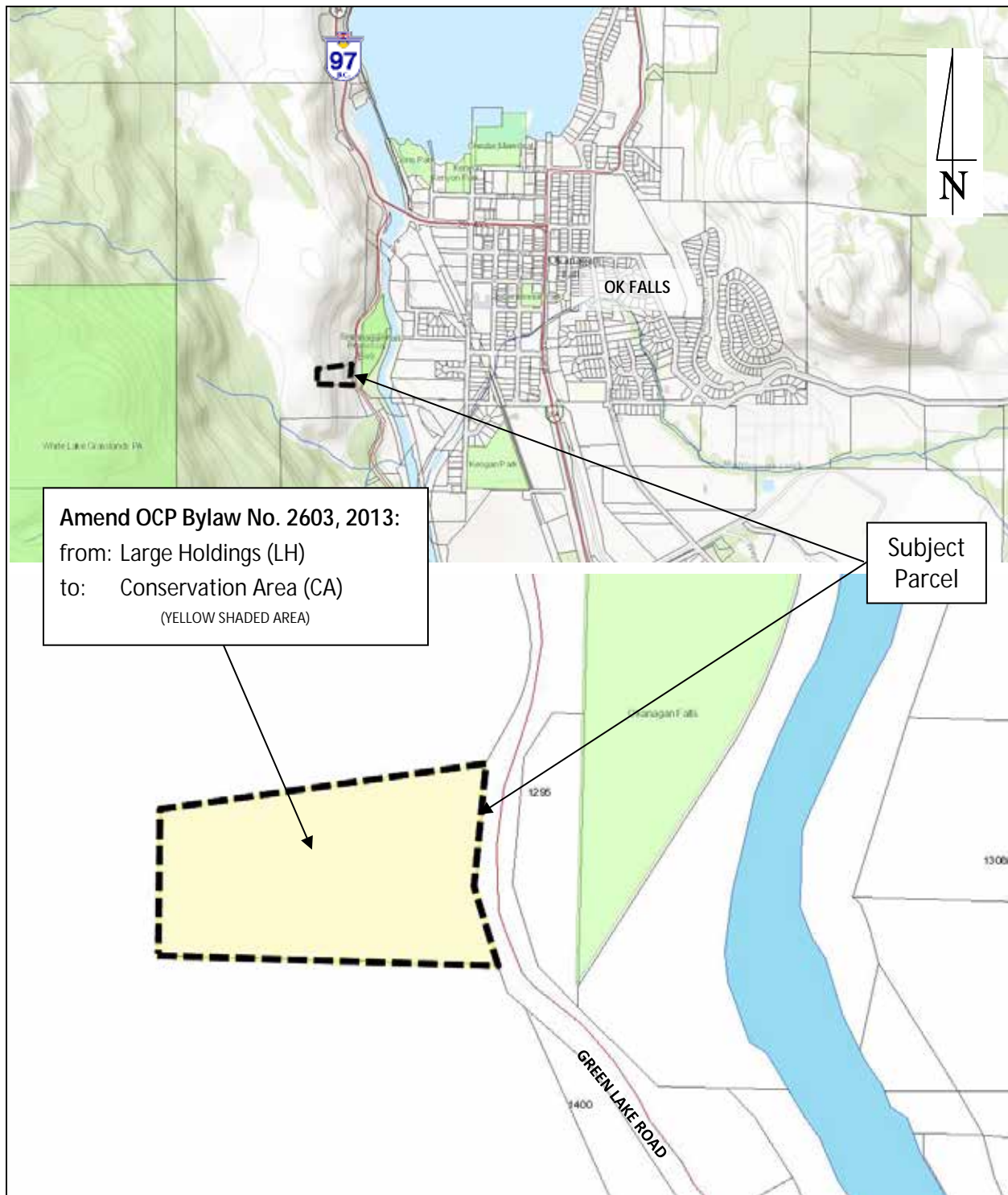
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'P'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

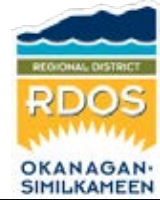
Page 24 of 33



# Regional District of Okanagan-Similkameen

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

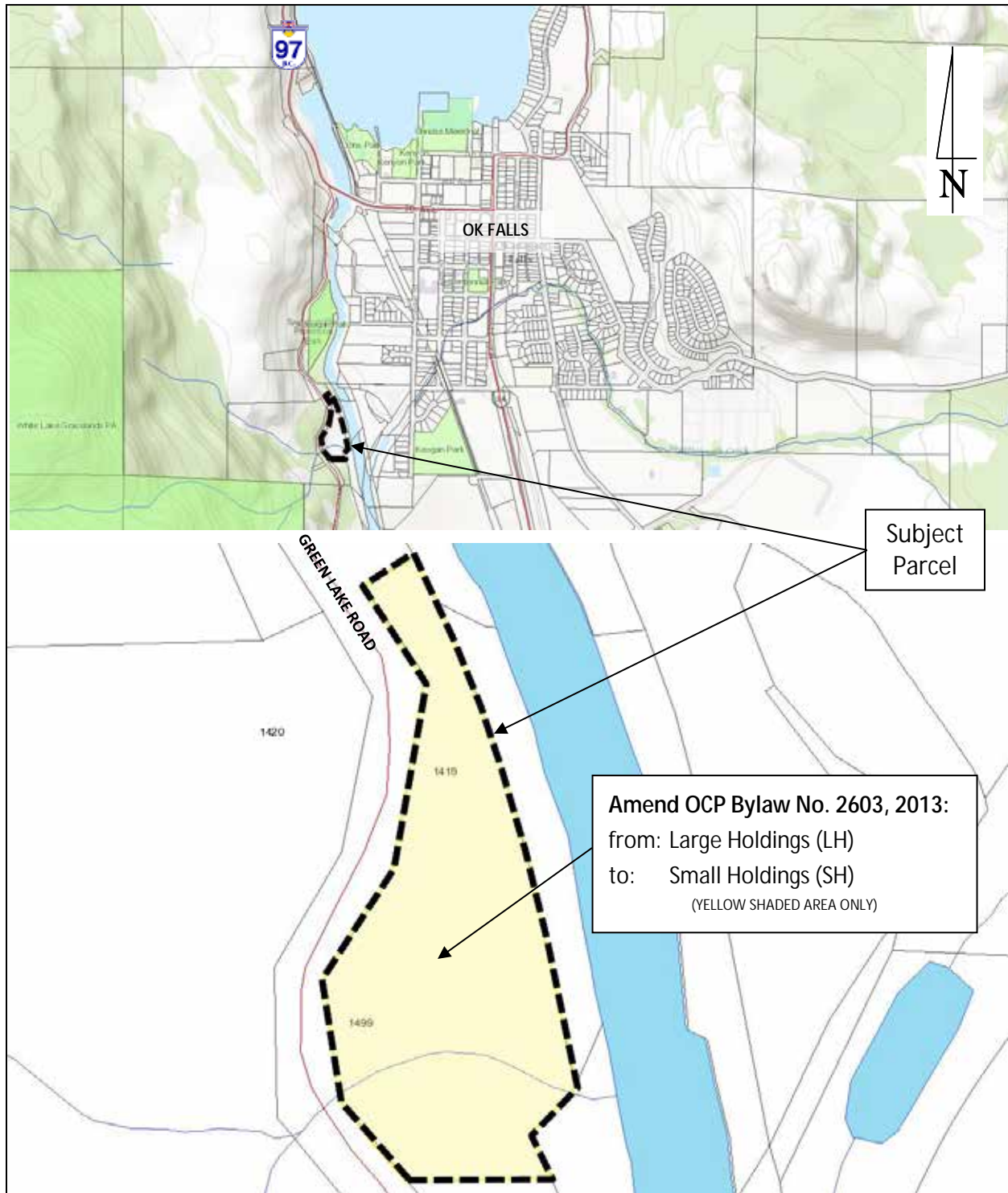
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'Q'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

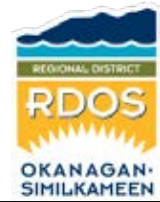
Page 25 of 33



# Regional District of Okanagan-Similkameen

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

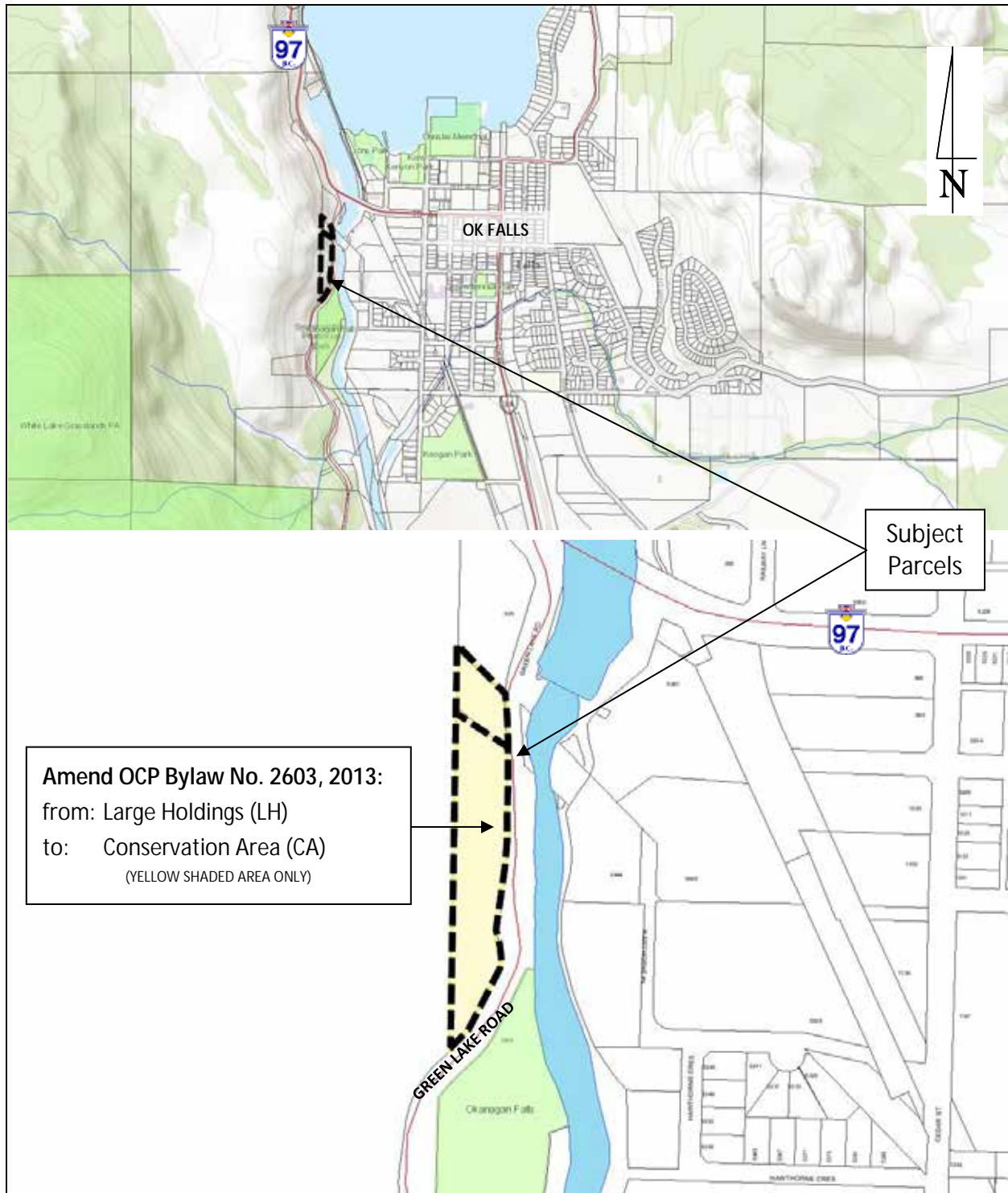
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'R'



Amendment Bylaw No. 2603.12, 2018

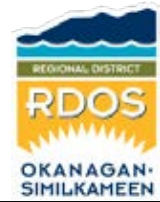
(D2017.157-ZONE)

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# Regional District of Okanagan-Similkameen

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

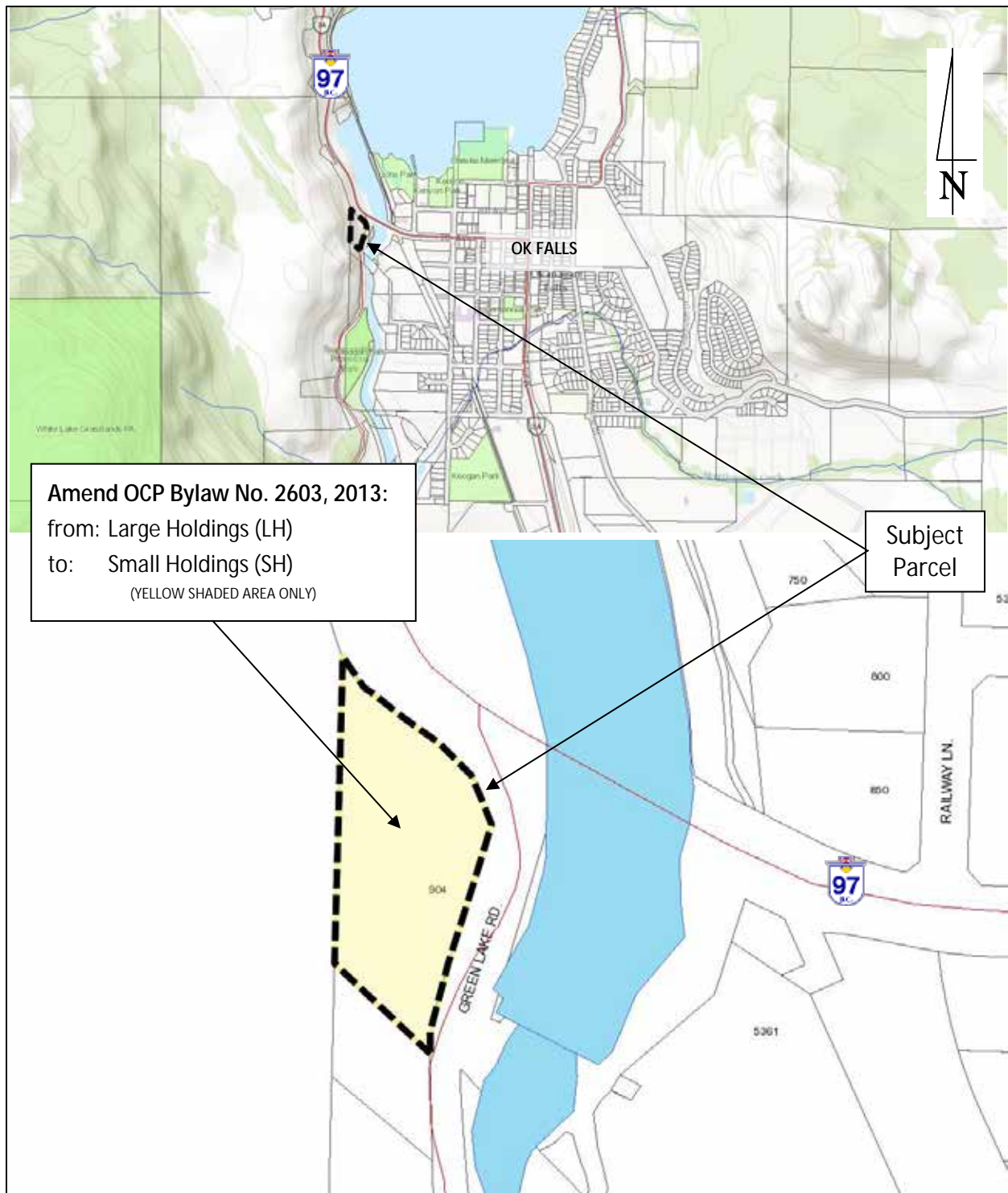
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

## Schedule 'S'



Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

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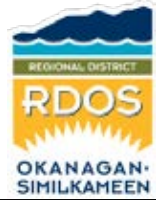




# Regional District of Okanagan-Similkameen

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

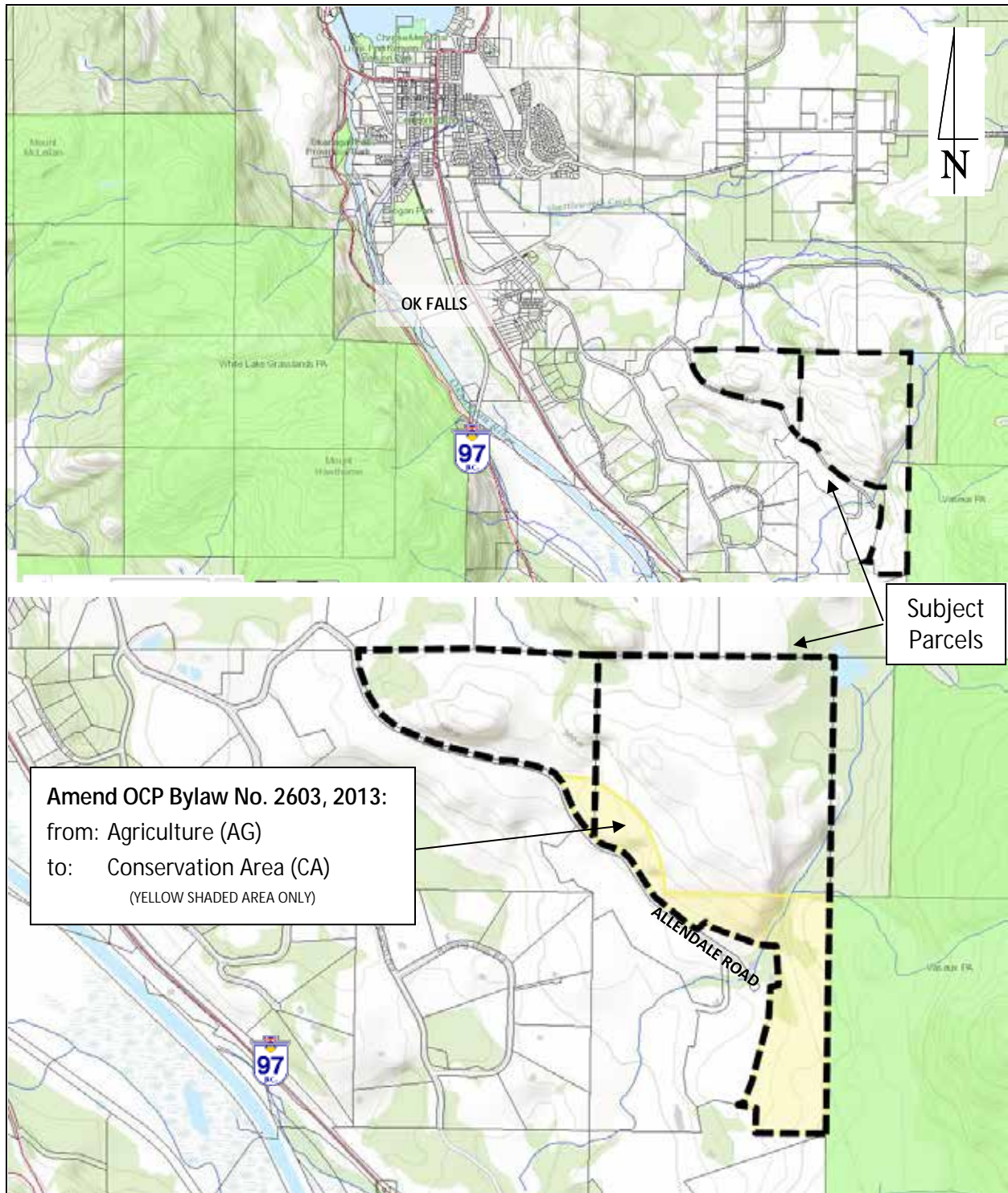
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'U'



Amend OCP Bylaw No. 2603, 2013:  
from: Agriculture (AG)  
to: Conservation Area (CA)  
(YELLOW SHADED AREA ONLY)

Subject  
Parcels

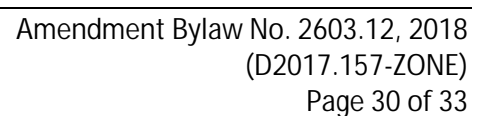
Amendment Bylaw No. 2603.12, 2018

(D2017.157-ZONE)

Page 29 of 33



Telephone: 250-492-0237    Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)

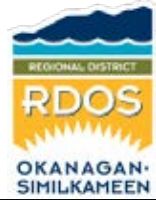




# Regional District of Okanagan-Similkameen

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

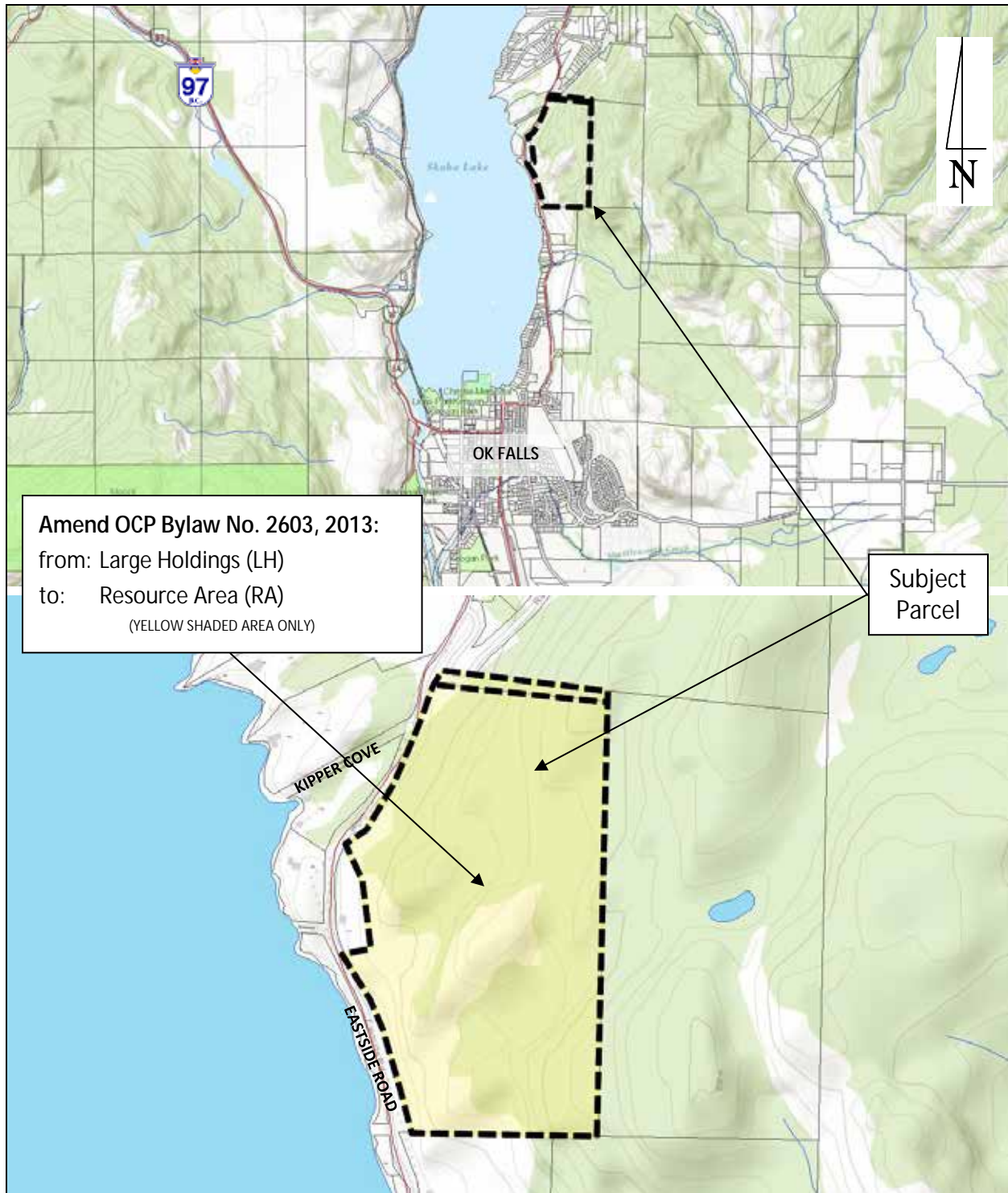
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'W'



Amendment Bylaw No. 2603.12, 2018

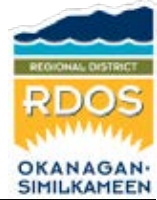
(D2017.157-ZONE)

Page 31 of 33

# Regional District of Okanagan-Similkameen

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

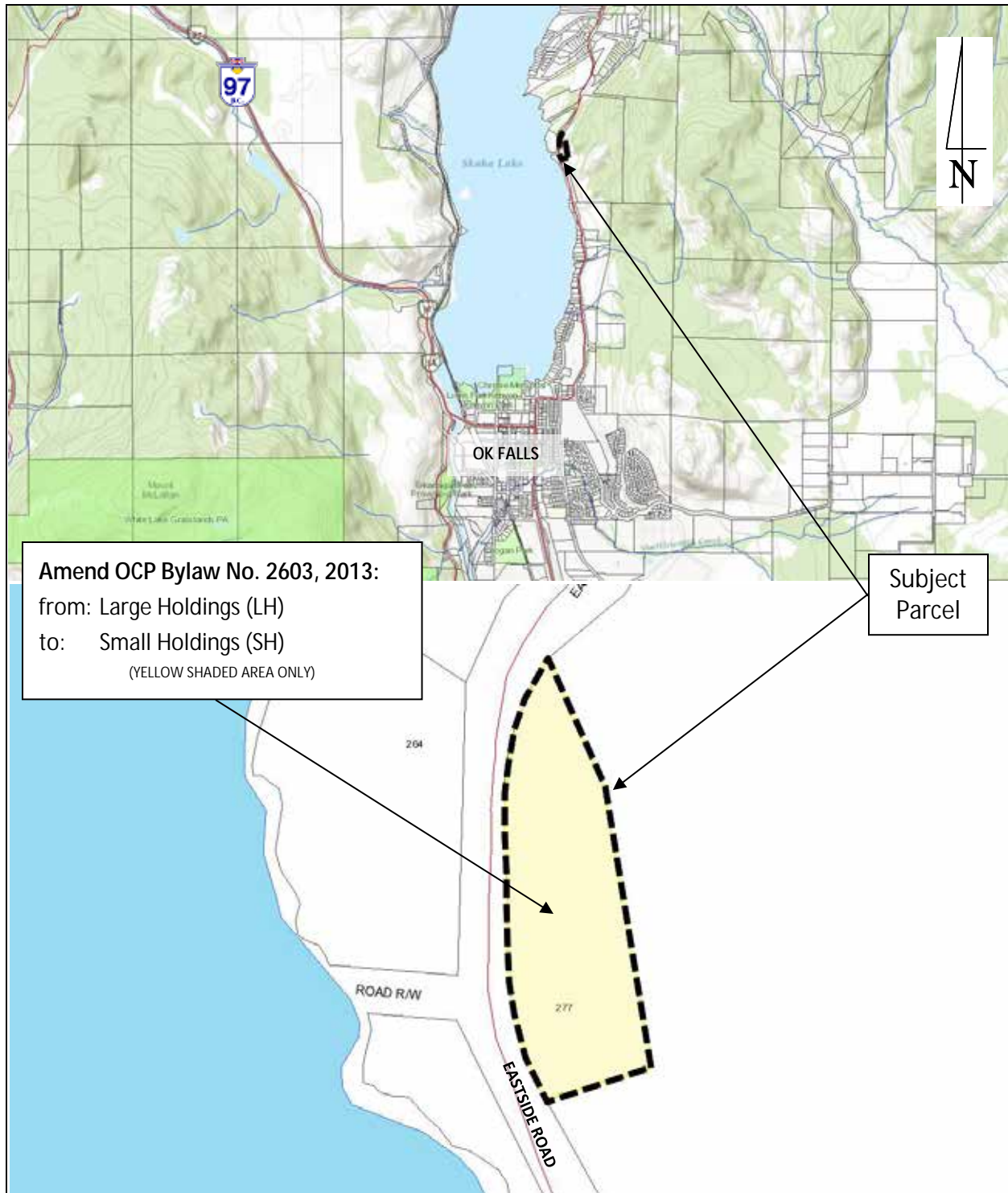
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

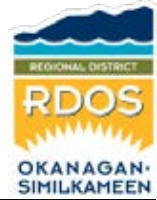
Schedule 'X'



# Regional District of Okanagan-Similkameen

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

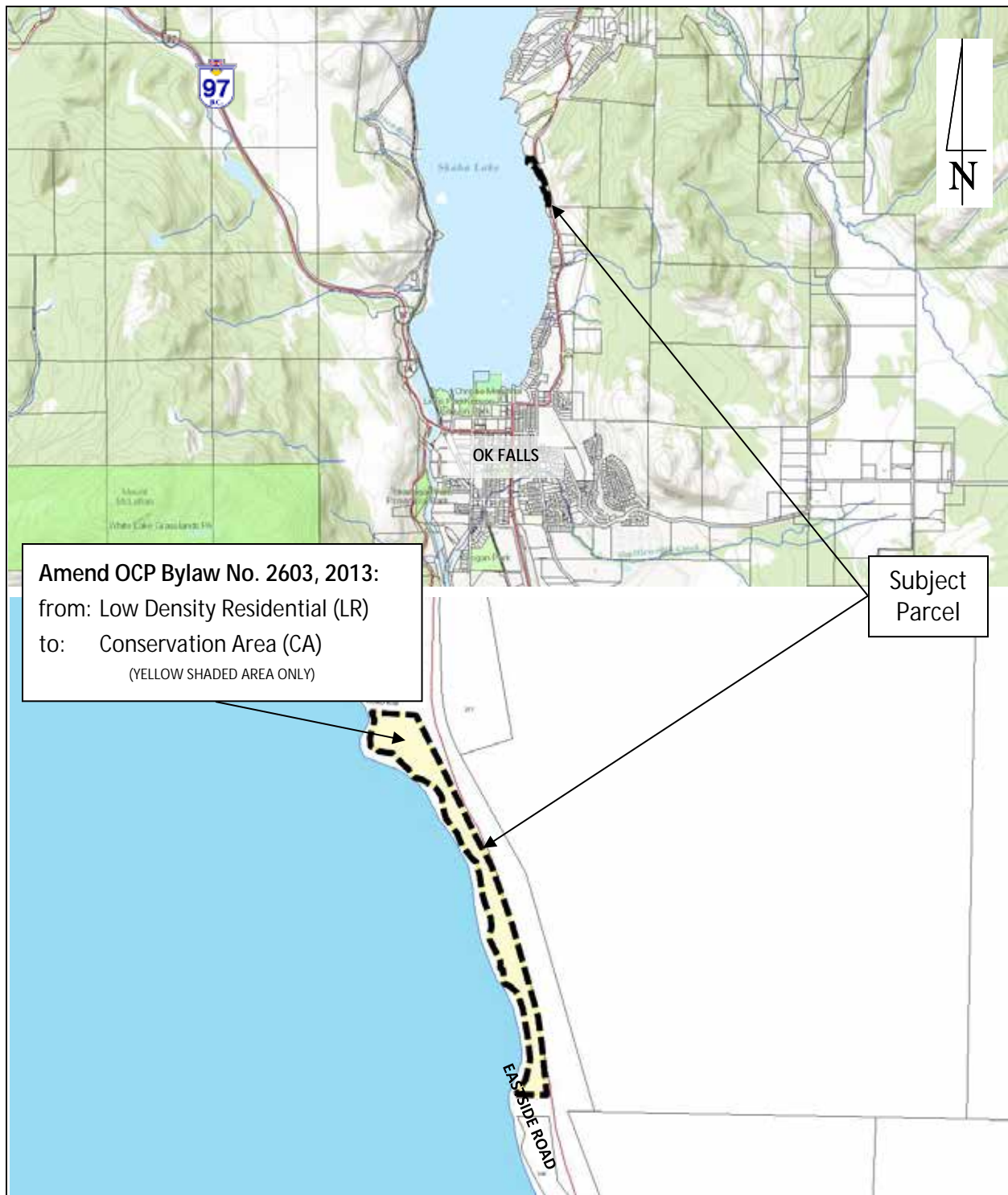
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.12, 2018

Project No: D2017.157-ZONE

Schedule 'Y'



**Amend OCP Bylaw No. 2603, 2013:**  
from: Low Density Residential (LR)  
to: Conservation Area (CA)  
(YELLOW SHADED AREA ONLY)

**Subject  
Parcel**



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2603.13, 2018**

---

**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" Large Holdings Update Official Community Plan Amendment Bylaw No. 2603.13, 2018."
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:
  - i) changing the land use designation on an approximately 8,000 m<sup>2</sup> part of the land described as Lot 2, Plan KAP9597, District Lot 2883S 3147S, SDYD, Except Plan 13984 (5361 9<sup>th</sup> Avenue), shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Low Density Residential (LR) to Medium Density Residential (MR).

READ A FIRST AND SECOND TIME this 15<sup>th</sup> day of March, 2018.

PUBLIC HEARING HELD this 5<sup>th</sup> day of April, 2018.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Board Chair

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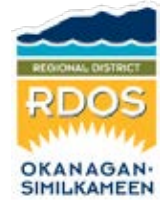
Chief Administrative Office



# Regional District of Okanagan-Similkameen

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

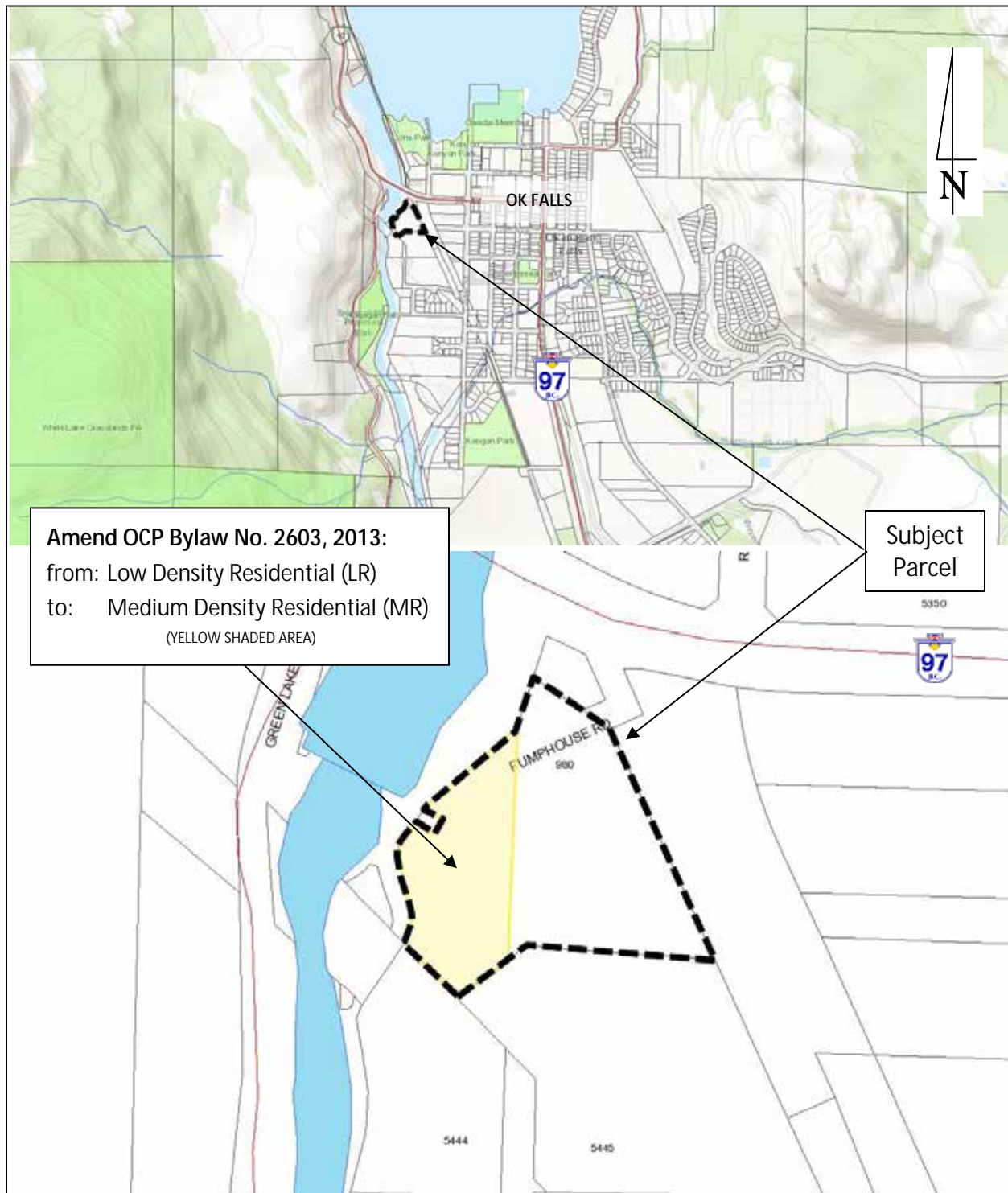
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2603.13, 2018

Project No: D2017.157-ZONE

## Schedule 'A'



Amendment Bylaw No. 2603.13, 2018

(D2017.157-ZONE)

Page 2 of 2



DEVELOPMENT APPROVALS  
PRELIMINARY BYLAW  
COMMUNICATION

Your File #: X2017.157-Zone  
Large Holdings 3  
Review  
eDAS File #: 2018-01007  
Date: February 27, 2018

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

Attention: Lauri Feindell, Planning Secretary

Re: **Proposed Text Amendment Bylaw 2455.30 for Area D**

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) 712-3660 Fax: (250) 490-2231



March 14, 2018

File: 58000-20/2018022  
Your File: D2017.157-ZONE

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

Attention: Christopher Garrish

Re: Bylaw Referral: Large Holdings Three (LH3) Zone Review – RDOS Electoral  
Area “D-2” Zoning Bylaw No. 2455, 2008

---

The Ecosystems Section of the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) provides the following response to the above noted referral.

To ensure proposed activities are planned and carried out with minimal impacts to the environment and in compliance with all relevant legislation, the proponent and approving agency are advised to adhere to guidelines in the provincial best management practices (BMP's) document: Develop with Care: Environmental Guidelines for Urban & Rural Land Development (<http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>) .

It is the proponent's responsibility to ensure their activities are in compliance with all relevant legislation.

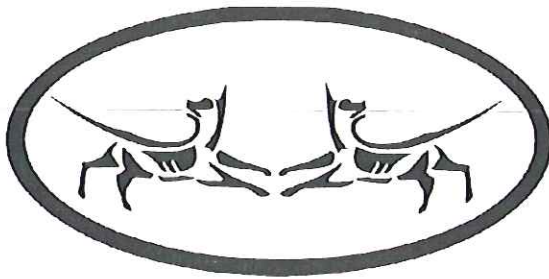
If you have any other questions or require further information please feel free to contact me.

Yours truly,

Brian Robertson  
Ecosystems Officer

BR/cl





## Penticton Indian Band

Natural Resources Department  
773 Westhills Drive | 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

March-05-18

Regional District of Okanagan Similkameen  
101 Martin Street  
PentictonBC V2A 5J9

**RTS ID:** 3021

**Referral Date:** February-20-18

**Referral ID:** 2018-02-20 ZON 3011

**Reference ID:** BL2603.12 & 2455.30 D2017.157-Zone

**Summary:** Bylaw Referral - Large Holdings Three (LH3) Zone Review - RDOS Electoral Area "D-2" (D2017.157-ZONE).

**Attention: Christopher Garrish**

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on March-05-18. 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.

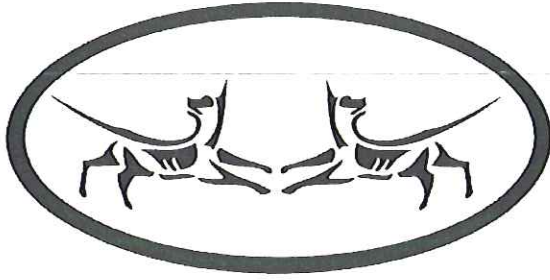
I appreciate your co-operation.

Limlɛmt,  
Lavonda Nelson  
Referrals Administrator

RTS ID: 3021

CC: Penticton Indian Band (jpepper@pib.ca), ONA (nrmanager@syilx.org)





## 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**

March-05-18

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

**RTS ID: 3021**

**Referral Date:** February-20-18

**Referral ID:** 2018-02-20 ZON 3011

**Reference ID:** BL2603.12 & 2455.30 D2017.157-Zone

**Summary:** Bylaw Referral - Large Holdings Three (LH3) Zone Review - RDOS Electoral Area "D-2" (D2017.157-ZONE).

**Attention: Christopher Garrish**

The Penticton Indian Band acknowledges receipt of your referral dated February-20-18. 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.

- KMZ file for area of interest
  - Shape files of are of interest
  - Proponent contact info
- Please provide : name, phone, email, address

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.

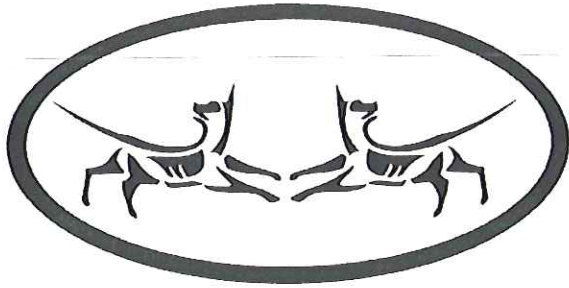
If you require further information or clarification, please do not hesitate to contact me.

Limlɛmt,

Lavonda Nelson  
Referrals Administrator

RTS ID: 3021

CC: Penticton Indian Band (jpepper@pib.ca), ONA (nrmanager@syilx.org)



## Penticton Indian Band

Natural Resources Department

R.R. #2, Site 80, Comp.19

Penticton, B.C. CAN

V2A 6J7

Referrals@pib.ca | www.pib.ca

Telephone: 250-492-0411 Fax: 250-493-2882

March-05-18

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

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

RTS ID: 3021

Referral ID: 2018-02-20 ZON 3011

Referral Date: February-20-18

Reference ID: BL2603.12 & 2455.30 D2017.157-Zone

Summary: Bylaw Referral - Large Holdings Three (LH3) Zone Review - RDOS Electoral Area "D-2" (D2017.157-ZONE).

### **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 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.

<sup>1</sup>The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



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.

**Invoice Number: 954**

	SubTotal	Tax	Total
Admin (12%)	\$ 52.50	\$ 0.00	\$ 52.50
G.I.S. Tracking and Review (GIS Project Technican)	\$ 110.00	\$ 0.00	\$ 110.00
R.T.S. Data Entry (Technical Services)	\$ 80.00	\$ 0.00	\$ 80.00
Referral Assessment (Band Administrator)	\$ 67.50	\$ 0.00	\$ 67.50
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 #3021

limlæmt,

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

RTS ID: 3021

CC: Penticton Indian Band (jpepper@pib.ca), ONA (nrmanager@syilx.org)



## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure

---

### Administrative Recommendation:

**THAT Bylaw No.2801, 2018, Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure Bylaw be read a first, second and third time and be adopted.**

### Reference:

Bylaw 2653, 2014 - Regional District Okanagan Similkameen Electoral Area "H" Community Facilities Capital Reserve Fund Establishment Bylaw.

### Background:

In 2009, The Board approved the formation of the Vermillion Forks Community Forest Corporation (VFCFC) for the purpose of acquiring and managing a Community Forest Agreement. The Upper Similkameen Indian Band, the Town of Princeton and the Regional District are 1/3 shareholders in the Corporation. The Electoral Area "H" Director and the CAO were appointed as the Regional District's Board Members on the Corporation.

In 2014, the RDOS Board created the Electoral Area "H" Community Facilities Capital Reserve Fund for the purpose of expenditures for or in respect of capital projects within Electoral Area "H". Annual dividends received from the Vermillion Forks Community Forest Corporation (VFCFC) are transferred into the reserve.

### Analysis:

As outlined in the attached application, the Princeton and District Highway Extrication Society is requesting funding of \$16,149.23 towards equipment purchases to expand the complement of tools for vehicle extrication and to assist in making rope rescue services safer and more efficient. After deducting the expenditures already committed, the balance in the Area H Community Facilities Reserve Fund is approximately \$850,000.

### Respectfully submitted:

*"Maureen Hayter"*

---



M. Hayter, Finance Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2801, 2018**

---

A bylaw to authorize the expenditure of monies from the Electoral Area 'H' Community Facilities Reserve Fund for the Princeton and District Highway Extrication Society for purchase of equipment to expand the complement of tools for vehicle extrication.

---

**WHEREAS** Section 377 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 it;

**AND WHEREAS** the 'Electoral Area 'H' Community Facilities Capital Reserve Fund' has sufficient monies available for community capital projects;

**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 "Electoral Area 'H' Community Facilities Capital Reserve Fund Expenditure Bylaw No. 2801, 2018"
2. The expenditure of \$16,149.23 from the Electoral Area 'H' Community Facilities Capital Reserve Fund is hereby authorized for the Princeton and District Highway Extrication Society for the purchase of equipment to expand the complement of tools for vehicle extrication.

**READ A FIRST, SECOND, AND THIRD TIME** this \_\_\_\_ day of \_\_\_\_, 2018

**ADOPTED** this \_\_\_\_ day of \_\_\_\_, 2018

---

RDOS Board Chair

---

Corporate Officer



NAME OF ORGANIZATION		AMOUNT REQUESTED	
Princeton and District Highway Extrication Society		\$16149.23	
MAILING ADDRESS			
PO Box 1221 Princeton, BC			
POSTAL CODE		CONTACT PERSON (NAME AND TITLE)	
VOX 1W0		Robert New (treasurer)	
TELEPHONE NUMBER		EMAIL ADDRESS	
[REDACTED]		[REDACTED]	

IS YOUR ORGANISATION A REGISTERED NOT FOR PROFIT SOCIETY IN BC? YES x NO         
IF "YES" PROVIDE REGISTERED SOCIETY NUMBER S0046140  
IF "NO" PROVIDE PROOF OF BANK ACCOUNT IN ORGANIZATION'S NAME (as an attachment to application)  
HAS YOUR ORGANIZATION RECEIVED FUNDING FROM VFCFC BEFORE? YES        NO x  
IF "YES"; WHEN        AND AMOUNT RECEIVED: \$       

How will you reach the population you plan to serve?

What strategies will be used to achieve the proposed outcomes?  
How will you know if you have achieved the outcomes proposed?

### 3. Funding Considerations

Describe plans for obtaining other funding needed to carry out the project/program, including amounts requested of other funders and any volunteer labour and/or in-kind donations.

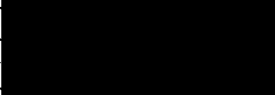
If the project/program is expected to continue beyond the grant period describe plans for ensuring continued funding after the grant period.

### CHECKLIST - DOCUMENTS TO SUBMIT WITH YOUR APPLICATION

- \_\_\_\_\_ Copy of Project Budget – A detailed budget (see attached template) including costs, revenues and fees charged. Where possible please provide copies of cost estimates obtained
- \_\_\_\_\_ Details of your Organization's structure (include Directors names and Phone numbers)
- \_\_\_\_\_ For Community Organizations without a Registered Society number, proof of bank account in Organizations name
- \_\_\_\_\_ Copy of Organization minutes indicating Committee/Board approval of proposed project

Please ensure you have answered all sections of this form and provided all the requested documents.



Please note a 10% holdback of funding may be applied. Holdbacks will be released when final reporting requirements are met

SIGNATURE 	DATE <u>24/Feb/18</u>
NAME (PLEASE PRINT) <b>Robert New</b>	TITLE <b>treasurer</b>

### SUBMIT TO:

Regional District of Okanagan Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9  
Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)  
Attention: Finance Manager

### FOR OFFICE USE ONLY

AMOUNT OF GRANT REQUESTED	\$ <u>16149.23</u>
AMOUNT OF GRANT APPROVED (enter 0 if grant is denied)	\$ 
ELECTORAL AREA "H" DIRECTOR SIGNATURE	



VERMILLION FORKS COMMUNITY FOREST CORPORATION GRANT BUDGET TEMPLATE	
Organization Name:	Princeton and District Highway Extrication Society
For period	From 1/Jan/18-31/Dec/18 to _____.
REVENUE	
Grants (provide Names of grantors)	
from Government	\$20000.00 est.
from Foundations	\$250.00 est.
from Corporations	
Earned Income (ie interest)	
Individual contributions.	
Fundraising events and product sales.	\$500.00 est. (sandbag sales)
Membership income	
Additional revenue (please specify)	\$100.00 est. (donations)
TOTAL INCOME	\$20850.00
EXPENSES	
Salaries and wages	0
Consultant and professional fees (e.g. accounting, legal, etc.)	\$6000.00
Travel	\$4000.00
Equipment	\$2000.00
Supplies	\$3000.00
Advertising and printing	
Rent	
Utilities (ie electric, gas, telephone, cable)	
Other expenses (please specify)	\$66.00
TOTAL EXPENSES	\$15066.00
	General surplus of approximately \$5000.00 yearly allocated to truck replacement
IN KIND SUPPORT (PLEASE PROVIDE DETAILS)	

## Maureen Hayter

---

**From:** Rob New [REDACTED]  
**Sent:** March 21, 2018 4:47 PM  
**To:** Maureen Hayter  
**Subject:** Re: VFCFC Grant Application  
**Attachments:** Feb 1 PDHES Minutes.odt

Hi Maureen,

I managed to get a copy of the minutes. Thank you for your help on this.

Rob

---

**From:** Maureen Hayter <mhayter@rdos.bc.ca>  
**Sent:** March 21, 2018 12:12 PM  
**To:** Rob New  
**Cc:** Bob Coyne  
**Subject:** RE: VFCFC Grant Application

Thank you for the explanation Rob,

If you could forward the minutes when you can locate them that would be great.

Your application, along with the report requesting the Board for approval will be going forward on April 5<sup>th</sup>.

Regards,

*Maureen Hayter*  
Finance Manager

---

**From:** Rob New [REDACTED]  
**Sent:** March 20, 2018 3:31 PM  
**To:** Maureen Hayter <mhayter@rdos.bc.ca>  
**Subject:** Re: VFCFC Grant Application

Hi Maureen,

I'm trying to break into our laptop for our minutes right now. We work on a re-imbursement model with the Provincial Emergency Program on a per-call basis. Our relatively fixed yearly expenses total \$15066.00. That includes insurance, basic maintenance, fuel, equipment items, training etc. It allows us to maintain the status quo. and our income is projected to be around \$20850.00. Our truck is relatively new but we apply that estimated \$5784.00 surplus to our truck fund in our operations account which currently sits at \$36715.37. At our current pace we'll likely be able to afford half the cost of a new truck and will have to fund raise the rest. This application is to add gear to the truck and honestly we don't have the ability to budget for such an

expenditure as part of our own funds and can only do this with grant applications. I'm really hopeful that this helps and that I'll have one more email following this with the minutes. I've included a breakdown in the application copy attached.

Rob

---

**From:** Maureen Hayter <[mhayter@rdos.bc.ca](mailto:mhayter@rdos.bc.ca)>

**Sent:** March 8, 2018 3:45 PM

**To:** [REDACTED]

**Cc:** Bob Coyne

**Subject:** VFCFC Grant Application

Good afternoon Robert,

I am reviewing the application for funding (from the Vermillion Forks Community Forest Corporation Grant) you submitted on behalf of the Princeton and District Highway Extrication Society and require some additional information before I can process your request.

1. You are asking for \$16,149.23, however I do not see substantiation for that amount. The budgeted expenditures are for \$15,066? Are you able to provide me with a breakdown for the amount that you are asking for?
2. If you refer to the checklist on the application it is also asking for a copy of the minutes indicating the approval of the proposed budget. Could you please provide that as well?

If you can provide me with the above information by no later than March 26<sup>th</sup> I will be able to bring it forward to the Board for approval on April 5<sup>th</sup>.

Thank you,

Maureen Hayter



Maureen Hayter, CPA, CGA • Finance Manager  
Regional District of Okanagan-Similkameen  
101 Martin Street, Penticton, BC V2A 5J9  
p. 250.490.4230 • tf. 1.877.610.3737 • f. 250.492.0063  
[www.rdos.bc.ca](http://www.rdos.bc.ca)

Home: RDOS - Regional District of Okanagan-Similkameen

[www.rdos.bc.ca](http://www.rdos.bc.ca)

The official web site of the Regional District of Okanagan-Similkameen (RDOS), British Columbia, Canada.

\* [mhayter@rdos.bc.ca](mailto:mhayter@rdos.bc.ca)



Princeton And District Highway Extrication Society  
PO Box 1221  
162 2<sup>nd</sup> Street  
Princeton, BC  
V0X 1W0

23/Feb/2018

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

0-0000

12-555-1111  
2-540-1111  
653-0000  
16-149-1111

Dear Members of the RDOS,

We are applying for grant funding from the Vermillion Forks Community Forest Corporation for purchase of several equipment upgrades for the Princeton and District Highway Extrication Society. We are a non-profit volunteer run emergency services organization based out of Princeton, BC established in 1982. We operate under the jurisdiction of the Provincial Emergency Program. Our primary function is as a road and steep slope rescue team. We mostly respond to motor vehicle accidents requiring patient extrication and slope rescue covering the Princeton and surrounding area with coverage overlapping with Hope, Merritt and Keremeos. We are dispatched through 911 by the BC Ambulance service but may also be requested by RCMP, GSAR, municipal, and RDOS fire departments. The PDHES receives funding primarily through the PEP as reimbursement for tasks, donations, and fund raising.

Time is critical for positive outcomes in our tasks. We are interested making equipment purchases to the total of \$15998.38 to expand our complement of tools for vehicle extrication and make our rope rescue services safer and more efficient. We hope that the VFCFC can fund the expense in its entirety as our budgetary strain is high with the need for training and personal protective equipment for the 6 new recruits that we have taken on this year. Our list is the following and I'll detail what they are and how they will help us.

- 1) Airbag system (\$12955.76). Some road rescue tasks require the lifting of vehicles to provide a safe and efficient rescue. This can happen when a person or vehicle is trapped under another vehicle or when we need to lift a vehicle in order to properly stabilize it.
- 2) Extrication tools (\$2540.14). A new Halligan type pry bar. Our hydraulic rescue tools are very powerful but also very bulky and we often need to use a manual aid to give them enough room to work. There is also a set of special blocks that we intend to use to help stabilize our hydraulic ram for rolling crumpled dash assemblies off of patients. Battery tools. We currently use a generator with extension cords for our capstan winch (for rope rescue), portable lights, and reciprocating saws. Our generator is not powerful enough to perform rope tasks and run other equipment. It's also inefficient to run cords everywhere to attempt to run all tasks with a larger unit. Battery portable lights and tools have improved so much in recent years that we can do a better job, faster, and at less expense than upgrading the same system we use now.
- 3) Basket stretcher handle. (\$653.34) This is a relatively small item and all it amounts to is approved outriggers for our wheeled basket stretcher to allow safer and more efficient loading and unloading of patients in rope rescue. Making the basket self supporting during patient lifts frees up 1-2 rescue personnel. As a volunteer organization we cannot always guarantee a full

truck for every call and any time that we can reduce our numbers needed to safely perform a function, we reduce the likelihood of responder injury or unnecessary delays.

As far as benefit to Electoral Area H, if any person residing in, or traveling through, Area H in almost it's entirety has a need for rescue in the event of a motor vehicle incident or steep slope rope rescue, the PDHES will be the entity with the trained personnel and equipment responding to help. To the best of my knowledge, we have been the sole provider for service in this area for over 35 years and we are usually asked to respond to anywhere from 60-150 tasks per year.

Executive:

President – Ian Elko [REDACTED]

Vice President – Trevor Sutton [REDACTED]

Secretary – Glen Oliver [REDACTED]

Treasurer – Robert New [REDACTED]

Directors – Kenneth Bishop [REDACTED]

Kelsey Fuller [REDACTED]

Robert Hurd [REDACTED]

GUILLEVIN INTERNATIONAL CO.  
983 CAMOSUN CRESCENT  
KAMLOOPS, BC V2C 6G1  
PH: 374-0044 FX: 374-8181

## QUOTATION

Quotation Expires  
01/21/18

CONTACT: DM

QUOTE #	SLMN	PAGE
1021180	4402	1
DATE (MM/DD/YY)	INSLMN: 9003	
12/22/17	DM	
REV #	FOB	
003	SHIP POINT	
REV. DATE	FREIGHT	
02/05/18	PREPAID	

QUOTE FOR CUSTOMER #: 82-02108

PRINCETON FIRE DEPT.  
BOX 358

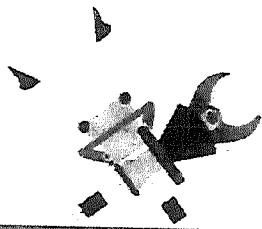
CUS PO #:  
JOB NAME:

PRINCETON  
BC VOX 1W0 CAN

LN	QTY	MFR	CATALOG	DESCRIPTION	PRICE PER	EXT AMT
01	1	PAR	22-890351G2-150	BASIC G2 CONTROL KIT		
02	3	PAR	22-890490-150	RELIEF VALVE 165 PSI		
03	1	PAR	22-890736	"Y" W/2 COUPLINGS & NIPPLE		
04	1	PAR	22-890514	16' BLUE HOSE W/ COUPLINGS		
05	1	PAR	22-888190G2	KPI-44 ALB 28X28		
06	1	PAR	22-888180G2	KPI-35L ALB 15X42		
07	2	PAR	22-888160G2	KPI-22 ALB 20X20.		
08	2	PAR	22-888170G2	24" X 24" LIFTING BAG		
09	1	PAR	22-000623	36" HOOLIGAN		

MDSE: 11,835.48 \*  
GST/HST: 591.77  
PST/QST: 828.48  
  
TOTAL 13,255.73 \*\*

PLEASE NOTE: This is not an offer to contract, but merely a quotation of current prices for your convenience and information. Orders based on this quotation are subject to our acceptance on the terms and conditions stated in our written acknowledgement of order. We make no representation with respect to compliance with job specifications. Every order resulting from this quote will be subject to all applicable taxes and etc fees.



# KGC

## FIRE RESCUE

Box 597  
Parksville, BC V9P 2G6  
Office: 250-248-9244  
Fax: 250-248-1117

Feb. 24, 2018

Princeton & Dist. Hwy Extrication Soc.  
PO Box 1221  
162 - 2nd St  
Princeton, BC  
V0X 1W0

Attn: Rob Hurd

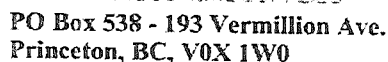
Re: Holmatro HRS 22

- 1 HRS22 Art. # 150.181.011  
Standard Ram Support for B pillar, Weighs 17 lbs
- 1 HRS22NCT Art. #150.003.105  
NCT Ram Support for wider B pillars, Weighs 32.8 lbs
- 1 HRS Set Art. #158.182.060  
Set of Standard and NCT Ram Supports for B pillars

PST/GST Extra  
Quotation Valid for 30 days  
Stock items are new, in stock at KGC Fire Rescue Inc.

Any questions please call KGC Fire Rescue Inc. 250-248-9244 Fax #: 250-248-1117

\$ 1408.01  
16%  
tax.



## Quotation

SHIP TO: 100 01

\*\*\* DUPLICATE \*\*\*

## A.I.A. CANADA T.D.G. SAFETY PERMIT #SH6578 (REN.1)

Page 1 of 1

from quotation 11529

Invoice: 11535

Received By: \_\_\_\_\_





PO Box 538 - 193 Vermillion Ave.  
Princeton, BC, V0X 1W0

Auto Parts Plus

## Quotation

Phone: (250) 295-6944 Fax: (250) 295-7344

GST: 10344 5458RT PST: 1001-1217

Account Inquires: accounts@macsautoparts.ca

BILL TO: PRINCETON & DISTRICT  
EXTRACATION SOCIETY  
BOX 1221  
PRINCETON B. C. V0X 1W0

SHIP TO: 7028 01

### TERMS:

All Special Orders must be Prepaid  
Invoice MUST Accompany All Merchandise Returned  
for Credit. No Returns after 30 Days.  
No Returns on Electrical Parts or Tools.  
Special Orders Subject to 10% Restocking Charge  
A.I.A. CANADA T.D.G. SAFETY PERMIT #SH6578 (REN.1)

Delivery		Telephone		Notify		Transaction		Sellers GST#		Invoice Number			
						** Quotation **		10344 5458RT		11525			
Account		GST License		PST License		Salesperson		Counterman		P.O. Number		Date	Time
7028				PST				ARTE		GLEN		2017/12/28	10:00 AM
Line	Qty	Cat	Part Number		Description		Bin	List	Sell	D%	Extension		
001	P 1	GRG	MWK262520		CORDLESS SAWZALL								



Canada

2460 Tedlo St. | Mississauga, ON | L5A 3V3

Ph. 905 615 0909

Toll Free: 1 800 543 3766

Fax 905 615 1199

Toll Free: 1 866 543 3766

www.ferno.ca

# Quotation

NUMBER

DATE

105759-0

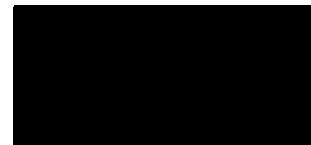
Dec 11-17

Customer Copy

Ordered by: Mr. Rob New

BILL TO: Princeton Highway Extrication Society  
PO Box 1221  
Princeton BC V0X 1W0

SHIP TO: Princeton Highway Extrication Society  
C/O Mr. Rob New



Quote prepared by: Doug Harstrom  
Phone 1-800-543-3766 Fax 1-866-543-3766

DATE	SHIP VIA	F.O.B.	TERMS	P.O. NUMBER	ORD DATE	SLS REP	ORD No.
12-11-17	PPD & ADD	Our Dock	Net 30 Days		12-11-17	HBA	105759-0
Part Number	Description	UNIT	Ord	Ship	B/O	Unit Price	Ext Price
06 TRA11-0224	Mule Lit Wheel 8 Position Hndle.EA  Note: Prices quote are FOB our Mississauga, ON warehouse. Freight costs quoted below is just an estimate and actual freight cost may be more or less at the time of shipping.	EA	2				

<b>Approval</b>	Credit card:
Print name:	Secure code:
Signature:	Expiry:
	Purchase Order #:

Order subject to approval by Ferno. Taxes will be invoiced as a separate item when applicable. Credit cannot be allowed on returns of special or modified items without Ferno Canada approval. Prices and specifications are subject to change without notice.

SUBTOTAL	N/A	FREIGHT	G.S.T.	BCPST	TOTAL DUE
		45.00	29.17	40.83	\$ 653.34 ✓

HST/GST Number 138431499

Canadian Dollars

1/February/2018

Ian Elko, Trevor Sutton, Gavin, Joe Bush, Courtney Bush, Katie-Jo Sutton, Kelsey Fuller, Rob New, Kenny Bishop, Chris Hartinger, Rob Hurd, Phil Reneauld, Glen Oliver

Members in good standing can go to Auto Tac and get a Long sleeve and short sleeve with rescue logos

Pagers does every one have on in good working condition

Treasurers report - financials for 2017 year \$6700 received income previously \$30,000 – Glen has approximately \$12,000 in tasks to submit to PEP. Fire season delayed some payments. To re-visit next meeting.

Budget Presented by Rob New. On pace for approximate operating surplus of \$5000 to be applied to truck fund. \$40613.55 in currently in account. Motion to accept budget passed.

Some goals to reach for the year to come

Continue with training

Every one to have level auto ex level 1 & 2 -\$4294 for level 2 (12 students one instructor).

Possibly a heavy rescue in the fall

Rob Hurd possibly has a line on a salvage company that may donate trucks

Hazmat course

Courtney looking into grants for future equipment purchases and training

Rob New-RDOS has fund for capital assets. Needs: air bag set up and bottles, Halegen Bar, Helmets, glass cutting kit, arm for basket stretcher, battery operated sawzall and lights, 1/2" air ratchet and sockets

Need pricing for extrication Blanket and a rescue rated ladder. Rob New will put together an application for:

1. Halegen bar
2. Basket Support
3. Air Bags/air bottles
4. Battery Sawzall and light

Rob Hurd we need to do some achievements and some team history photo's newspaper clippings ect

Locker space need to supply locker space for some members

Courtney to took at doing something for a party or dinner for team building

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 5, 2018

**RE:** Enabling Waiver of Development Cost Charges

---

### Administrative Recommendation:

**THAT the Regional District Bylaw 2803, 2018, being a bylaw of the Regional District of Okanagan Similkameen to provide for Development Cost Charges to be waived or reduced be read a first, second and third time.**

### Purpose:

To define, and make provision for, those circumstances where a Development Cost Charge may be waived.

### Reference:

Local Government Act, RSBC 2015, Chapter 1

### Background:

S. 559 of the Local Government Act (LGA) provides that a local government may impose development cost charges on every person who obtains a subdivision or a building permit for the purpose of providing funds to assist the local government to pay capital costs for infrastructure related to the subdivision or building permit. The Regional District has created Development Cost Charge Bylaws for selected infrastructure services, such as the Okanagan Falls Waste Water System, the Naramata Water System and the West Bench Water System.

Once established, the local government is prohibited from waiving or reducing charges except as authorized in the Act. The LGA, s.563, defines what it considered "eligible development" for the ability to waive a DCC; "not-for-profit rental housing, including supportive living housing" is included as one of the categories. The RDOS also must, by an applicable bylaw, substantiate what is considered eligible developments based on the LGA definitions and any requirements that must be met prior to the granting of the waiver. Currently, the RDOS does not have a bylaw in place that would allow for the waiving of DCC.

### Alternatives:

1. Status Quo
2. Deal with each request for reduction or waiver of a DCC individually
3. Adopt Bylaw 2803, 2018

### Analysis:

Division 19 of the LGA enables a local government to collect development cost charges on new subdivisions or construction. It allows those developers who benefit from infrastructure previously overbuilt to accommodate growth to pay their share and for the local government to establish reserves for future

expenditures. Waivers or reductions are closely controlled by the Province to keep a level playing field, prohibiting against the assistance to business. It is intended to reduce the subjectivity of reductions or waivers as much as possible, focusing on non-profit enterprise that enhances public good.

In some cases, developers are unaware of the time required to process a request for a waiver in a DCC area and rather deal with each application individually, the Board may wish to consider establishing the Reduction or Waiver Bylaw in advance so they have the flexibility to respond to the requests as they come in.

Bylaw 2803, 2018 identifies only not-for-profit housing as the only eligible development for waiver of charges and could be expanded by the Board if other eligible situations arise.



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BYLAW 2803, 2018

---

**A bylaw to enable development cost charges to be waived or reduced for not-for-profit rental housing, including supportive living housing.**

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**WHEREAS** pursuant to the Local Government Act (the “Act”), Section 559, RSBC 2015, c. 1, a local government may, by bylaw, impose development cost charges on every person who obtains approval of a subdivision or a building permit for a building or structure;

**AND WHEREAS** the Regional District of Okanagan Similkameen has established Development Cost Charges, by bylaw, for eligible services;

**AND WHEREAS** there is a general prohibition against waiving or reducing charges except as authorized under Section 563 of the Act;

**AND WHEREAS** the Board of Directors for the Regional District of Okanagan-Similkameen may choose to consider the reduction or waiver of development cost charges;

**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 “Regional District of Okanagan-Similkameen Development Cost Charge Waiver Bylaw No. 2803, 2018”.

### 2 Interpretation

- 2.1 In this bylaw:

- (a) **“Eligible Development”** means not-for-profit rental housing, including supportive housing that meets all of the following:
  - (i) The applicant has demonstrated to the reasonable satisfaction of the Regional District of Okanagan-Similkameen that the development is eligible for a housing subsidy (either rent or capital) from the government of British Columbia, the government of Canada, or a Public Housing Authority.

- (b) ***“Public Housing Authority”*** means the BC Housing Management Commission or another public authority established by the government of British Columbia or the government of Canada.

### **3 Waiving or Reduction of Development Cost Charges**

- 3.1 The Regional District of Okanagan-Similkameen may waive or reduce development cost charges that:
- (a) are otherwise payable under a current Development cost charge bylaw;
  - (b) have an appropriate land use designation for the proposed development; and
  - (c) meet the definition of Eligible Development under this bylaw.

**READ A FIRST, SECOND, AND THIRD TIME** this \_\_\_\_day of\_\_\_\_, 20\_\_

**APPROVED** by the Inspector of Municipalities this \_\_ day of \_\_, 20\_\_

**ADOPTED** this \_\_\_\_ day of \_\_, 20\_\_

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RDOS Board Chair

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Corporate Officer