



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, September 20, 2018
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	9:15 am	Public Hearings: Amendment of Electoral Area “A” Zoning Bylaw No. 2451, 2008 Amendment of Electoral Area “D” OCP Bylaw No. 2683, 2016 and Zoning Bylaw No. 2457, 2008
9:15 am	-	11:15 am	Protective Services Committee
11:15 am	-	11:30 am	Break
11:30 am	-	12:00 pm	Community Services Committee
12:00 pm	-	12:30 pm	Lunch
12:30 pm	-	1:00 pm	OSRHD Board
1:00 pm	-	3:00 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

Advance Notice of Meetings:

October 04, 2018	RDOS Board/Committee Meetings
October 18, 2018	RDOS Board/OSRHD Board/Committee Meetings
November 15, 2018	RDOS Board/OSRHD Board/Committee Meetings
December 06, 2018	RDOS Board/Committee Meetings
December 20, 2018	RDOS Board/OSRHD Board/Committee Meetings



NOTICE OF PUBLIC HEARING

Amendment of Electoral Area "A"

Zoning Bylaw No. 2451, 2008

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area "A" Zoning Amendment Bylaw No. 2451.25, 2018**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a delegated public hearing to be held on:

Date: Thursday, September 20, 2018

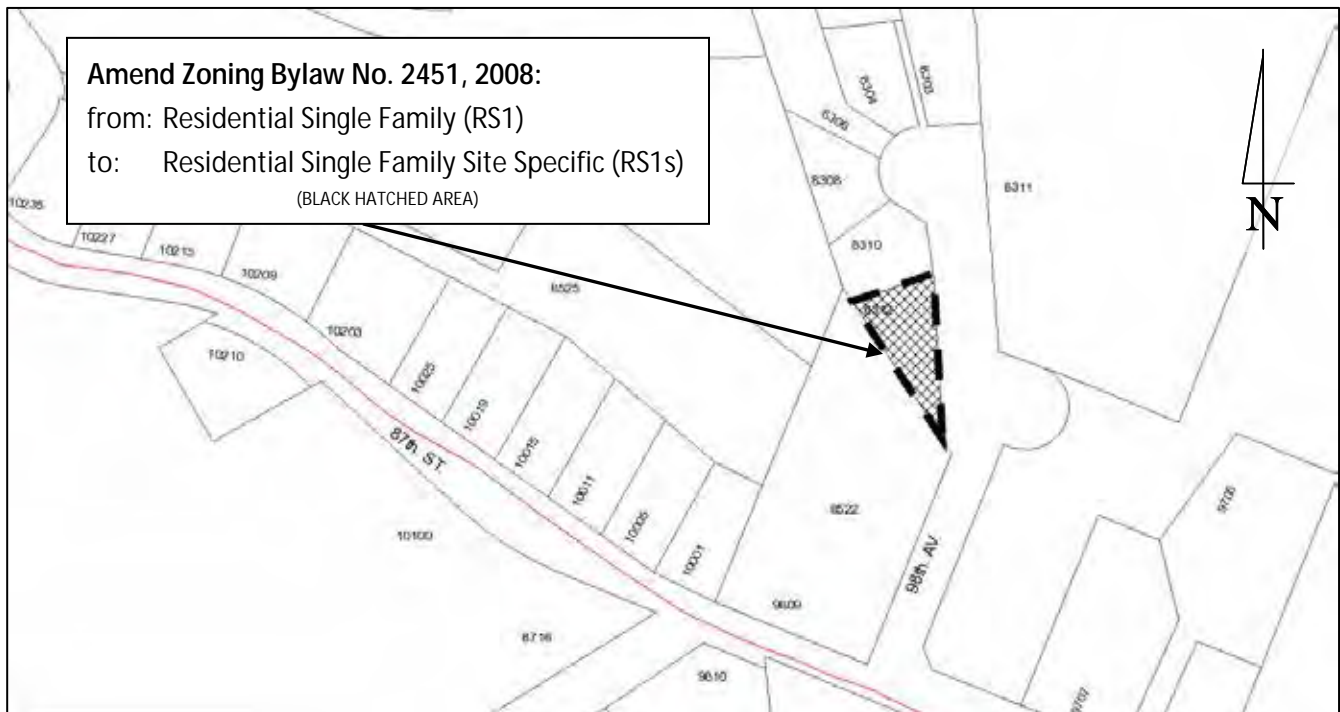
Time: 9:00 a.m.

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

The applicant is proposing to amend the Residential Single Family One (RS1) Zone that applies to the property at 8312 98th Ave, Osoyoos (legally described as Lot 6, Plan KAP32220, District Lot 2450S, SDYD) in order to allow for the placement of a mobile home (CSA Z240) as a permitted form of dwelling. Specifically:

Amendment Bylaw No. 2451.25, 2018, proposes to amend the Electoral Area "A" Zoning Bylaw No. 2451, 2008, by:

- introducing a new Section 16.8.2 under Schedule '1' (Zoning Text) that will permit a "mobile home" as a permitted principal use on the land described as Lot 6, District Lot 2450S, SDYD, Plan 32220; and
- changing the land use designation on the land described as Lot 6, District Lot 2450S, SDYD, Plan 32220, on Schedule '2' (Zoning Map) from Residential Single Family One (RS1) to Residential Single Family One Site Specific (RS1s).



For further information about the content of the **Zoning Amendment Bylaw No. 2451.25, 2018**, and the land affected by it, persons are encouraged to inspect a copy of the proposed Bylaws at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information related to this proposal is also available at: www.rdos.bc.ca (Departments → Development Services → Planning → Current Applications → Electoral Area “A” → A2018.076-ZONE).

Anyone who considers themselves affected by **Zoning Amendment Bylaw No. 2451.25, 2018**, can present written information to the Regional District prior to or at the public hearing and may also speak at the public hearing. No letter, report or representation from the public will be received after the conclusion of the public hearing.

NOTE: 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.

Postal: 101 Martin St, Penticton, BC, V2A-5J9 | **Tel:** 250-490-4101 | **Fax:** 250-492-0063 | **Email:** planning@rdos.bc.ca



NOTICE OF PUBLIC HEARING

Amendment of the Electoral Area “D” OCP Bylaw No. 2683, 2016 and Zoning Bylaw No. 2457, 2008

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area “D” Official Community Plan (OCP) Amendment Bylaw No. 2683.01, 2018, and Zoning Amendment Bylaw No. 2457.16, 2018**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a delegated public hearing to be held on:

Date: Thursday, September 20, 2018

Time: 9:00 a.m.

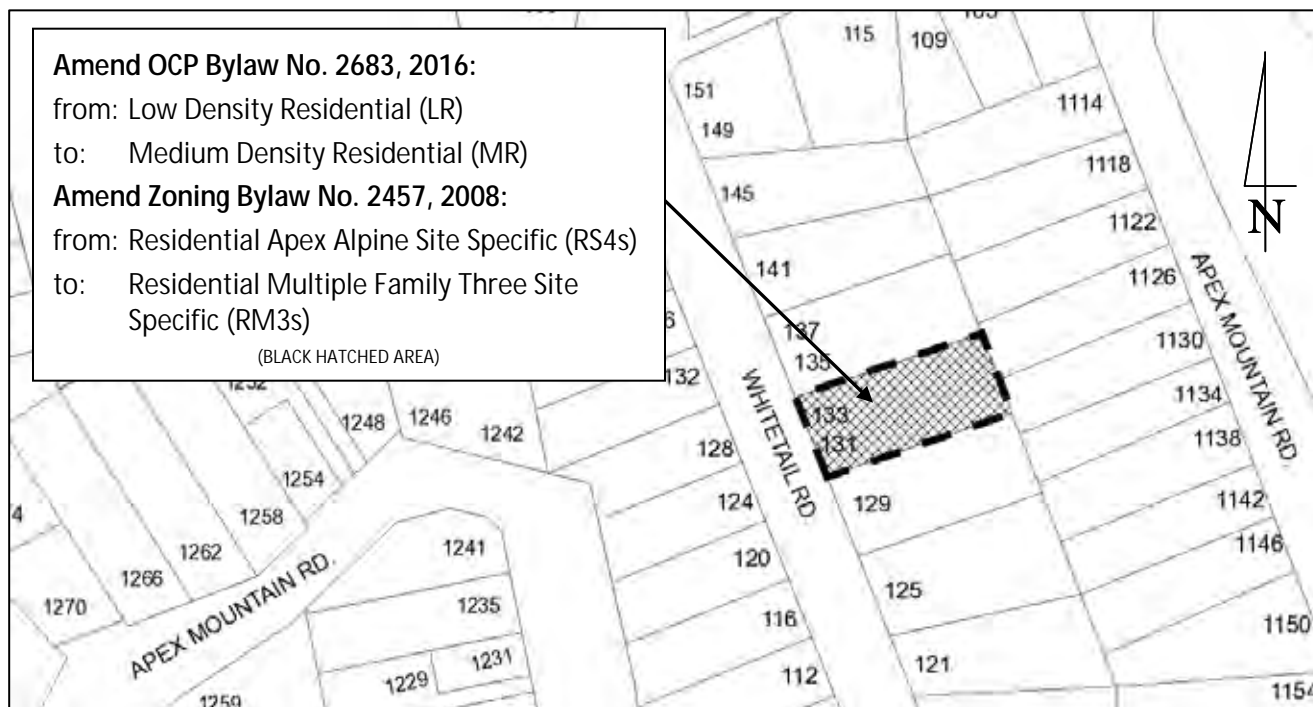
Location: RDOS, Board Room, 101 Martin Street, Penticton

The applicant is proposing to amend the land use designation and zoning that applies to the property at 133 Whitetail Road, Apex (legally described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD) in order to formalise the existence of a 4-plex on the subject property and to allow its use for short-term tourist accommodation purposes. Specifically:

Amendment Bylaw No. 2683.01, 2018, proposes to amend Schedule ‘B’ (OCP Map) of the Electoral Area “D-1” OCP Bylaw No. 2683, 2016, by changing land use designation on the land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD, from Low Density Residential (LR) to Medium Density Residential (MR).

Amendment Bylaw No. 2457.16, 2018, proposes to amend the Electoral Area “D” Zoning Bylaw No. 2457, 2008, by:

- introducing a new Section 16.14.1 under Schedule ‘1’ (Zoning Text) that will, amongst other things, permit “multi-unit residential” and “vacation rental” as permitted principal uses on the land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD, and limit occupancy to 32 persons; and
- changing the land use designation on the land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD, on Schedule ‘2’ (Zoning Map) from Residential Apex Alpine Site Specific (RS4s) to Residential Multiple Family Three Site Specific (RM3s).



For further information about the content of the **OCP Amendment Bylaw No. 2683.01, 2018, and Zoning Amendment Bylaw No. 2457.16, 2018**, and the land affected by it, persons are encouraged to inspect a copy of the proposed Bylaws at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information related to this proposal is also available at: www.rdos.bc.ca (Departments → Development Services → Planning → Current Applications → Electoral Area “D-1” → D2016.090-ZONE).

Anyone who considers themselves affected by **OCP Amendment Bylaw No. 2683.01, 2018, and Zoning Amendment Bylaw No. 2457.16, 2018**, can present written information to the Regional District prior to or at the public hearing and may also speak at the public hearing. No letter, report or representation from the public will be received after the conclusion of the public hearing.

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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, September 20, 2018

9:15 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Protective Services Committee Meeting of September 20, 2018 be adopted.

B. DELEGATION – RCMP

1. Ted De Jager – Detachment Commander, South Okanagan-Similkameen Regional Detachment

a. Quarterly Report – April to September 2018

Superintendent De Jager will address the Board to present the quarterly report for the period of April to September 2018.

C. CLOSED SESSION

RECOMMENDATION 2

THAT in accordance with Section 90(1)(f) of the *Community Charter*, the Board close the meeting to the public on the basis of law enforcement, if the Board considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.

D. CLOSED SESSION

RECOMMENDATION 3

THAT in accordance with Section 90(1)(i) of the *Community Charter*, the Board close the meeting to the public on the basis of the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

E. ADJOURNMENT

RCMP·GRC



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

PENTICTON SOUTH OKANAGAN SIMILKAMEEN REGIONAL DETACHMENT

QUARTERLY REPORT

April – September 2018

Open Report



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Canada

PENTICTON SOUTH OKANAGAN SIMILKAMEEN REGIONAL DETACHMENT QUARTERLY REPORT

April to September 2018 Open

Message from the Officer in Charge

Thank you for taking the time to read this report. Although we normally report quarterly, this particular report covers five months in order to provide a complete picture of events through our busy summer. There is a comparison between the first half of the year and the main summer months in order to demonstrate the impact of significant population increases and to emphasize the need for all of us to remain a part of community safety and wellness.



As I have often stated in past reports, over 60 percent of our calls for service do not involve a solution where the police are the primary agency or able to charge offenders. Our communities need to work together to resolve some of the issues facing us. I implore you all to call in crime or suspicious occurrences when they are happening. I often hear statements such as "crime is getting out of hand in our neighborhood." When we check that area, we often see no significant increase. If the public does not call us, we cannot target an area or determine what is happening. To be frank, if several neighborhoods are experiencing issues, it is the one which calls the police that will trigger a stronger police response. Call us. We will come as quickly as possible.

In the first part of the year, we were successful in obtaining grant funding to kick off the Community Active Support Table (CAST). This is a risk driven response model that works in collaboration with other human service providers to identify risks before incidents occur. Training began in June and was completed for most partners in August. CAST has already received several referrals to connect people at acutely elevated risk. Many of these people are the very same that you see in the downtown core or suffering from illnesses or addictions. This model is designed to help them and connect them to the support they need. In many communities this model has been instrumental in reducing child protection cases, violent crimes, and emergency room admissions. CAST will provide service throughout Penticton and ultimately throughout the South Okanagan. Housing is a significant part of the success of tables such as CAST. It is great news that housing initiatives are moving forward, which will have a large impact on the perception of homelessness and vulnerable populations in Penticton. We need to support collaborative initiatives such as CAST and look out for each other through programs such as Block Watch and volunteer patrols.

Open Report | 9/18/2018



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Page 1

Canada

Much of the property crime in our communities can be prevented through increased vigilance in locking doors and securing valuable items. That does not mean we can prevent all victimization, but the vast majority of crime in the South Okanagan is committed by a small group of prolific offenders. As with the last part of 2017, dedicated targeting has led to a significant reduction in property crime in certain areas in the South Okanagan and Similkameen. This is good news but it does not mean we can slow down on our targeting or engaging with all of you to be our eyes and ears. Some communities such as Oliver have seen a significant spike in property crime. We have deployed our Target Enforcement Unit and other assets to those areas and are making progress, but as always, we need your help to be our eyes and ears and to look after your hard earned property.

Although property crime leads our calls for service in terms of sheer numbers, the prevention and prosecution of violent crime must remain a priority. The good news is that by targeting prolific offenders, violent crime has again been reduced in our communities. In that regard, we need to address perceptions that the South Okanagan is a dangerous place or that crime is out of control. Although there are a few examples of random violence, the reality is that almost all of our violent crime is committed by an offender known to the victim or is the result of a certain lifestyle.

Theft from auto is still the single highest crime type over last year and growing. As in my last report, I continue to ask you what it will take to stop this, since the majority of this crime occurs when valuables are left in plain view inside unlocked vehicles. We continue to respond to these types of crimes despite inaccurate reports to the contrary, however, you can stop them in their tracks by locking your doors and removing valuable from your vehicles. Fraud has also gone up significantly due in part to theft of credit cards and identification from wallets left in vehicles.

Annual Performance Plan Priorities

- Crime Reduction
 - Property Crime
 - Prolific Offenders
- Road Safety
 - Distracted Driving
 - Enhanced Targeting and Blitzes
 - Joint Operations with South Okanagan Traffic Services
- Community Engagement
 - Community Active Support Table (CAST)
 - Enhanced Patrols
 - Coffee with a Cop
 - Media Briefings
 - Open House
- Youth
 - Enhanced School Liaison and Patrols
 - School Action for Emergencies
 - Violence Threat Risk Assessment
 - Youth Support – YES and Foundry
- Modernization
 - Single Call Response
 - City Watch
 - Equipment Modernization
 - Centralized Training
 - Centralized Scheduling
 - Asset tracking



PSOSRD Overall Dash Board

Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	108	100	-7%	62	100	61%	207	162	-22%
BREAK & ENTER-BUS	44	64	45%	56	64	14%	119	120	1%
BREAK & ENTER-OTH	57	69	21%	59	69	17%	124	128	3%
BREAK & ENTER-RES	47	55	17%	71	55	-23%	122	126	3%
MENTAL HEALTH ACT	360	365	1%	282	365	29%	637	647	2%
THEFT FROM VEHICLE	261	323	24%	250	323	29%	506	573	13%
PERSONS VIOLENT CRIME (DV)	40	41	3%	30	37	23%	69	67	-3%
PERSONS VIOLENT CRIME	189	285	51%	160	280	75%	331	440	33%
PROPERTY CRIME	1365	1563	15%	1144	1564	37%	2598	2708	4%

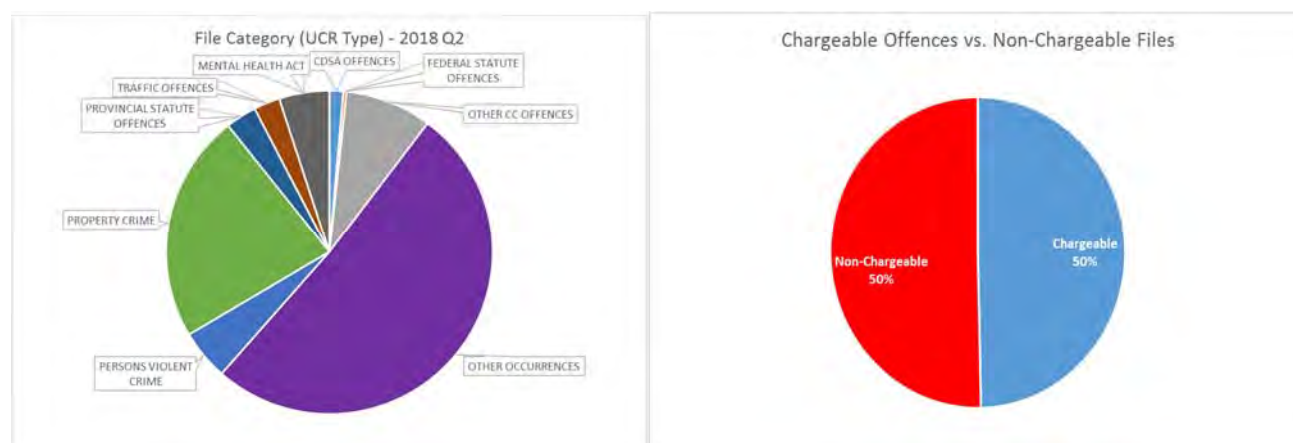
PSOSRD Overall Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	80	102	28%	76	103	36%	287	263	-8%
BREAK & ENTER-BUS	61	80	31%	43	80	86%	180	202	12%
BREAK & ENTER-OTH	31	41	32%	49	41	-16%	155	168	8%
BREAK & ENTER-RES	50	43	-14%	41	43	5%	172	168	-2%
MENTAL HEALTH ACT	238	214	-10%	253	215	-15%	875	860	-2%
THEFT FROM VEHICLE	177	280	58%	211	280	33%	683	853	25%
PERSONS VIOLENT CRIME (DV)	29	51	76%	25	51	104%	98	25	-74%
PERSONS VIOLENT CRIME	173	217	25%	205	217	6%	505	655	30%
PROPERTY CRIME	1046	1329	27%	1072	1332	24%	3644	3979	9%

PSOSRD Total Calls for Service (YTD) – 24,757

PSOSRD Public Calls for Service (Summer/YTD) – 7918/24,094 (33%)

PSOSRD Overall File Breakdown by Type (Q2)



Penticton Dash Board



Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	51	35	-31%	37	35	-5%	118	72	-39%
BREAK & ENTER-BUS	25	34	36%	34	33	-3%	77	67	-13%
BREAK & ENTER-OTH	27	24	-11%	24	24	0%	76	48	-37%
BREAK & ENTER-RES	27	23	-15%	33	23	-30%	74	56	-24%
MENTAL HEALTH ACT	193	209	8%	174	209	20%	363	383	6%
THEFT FROM VEHICLE	185	197	6%	193	197	2%	372	390	5%
PERSONS VIOLENT CRIME (DV)	22	24	9%	14	24	71%	38	38	0%
PERSONS VIOLENT CRIME	95	154	62%	71	154	117%	169	225	33%
PROPERTY CRIME	839	872	4%	740	872	18%	1706	1612	-6%

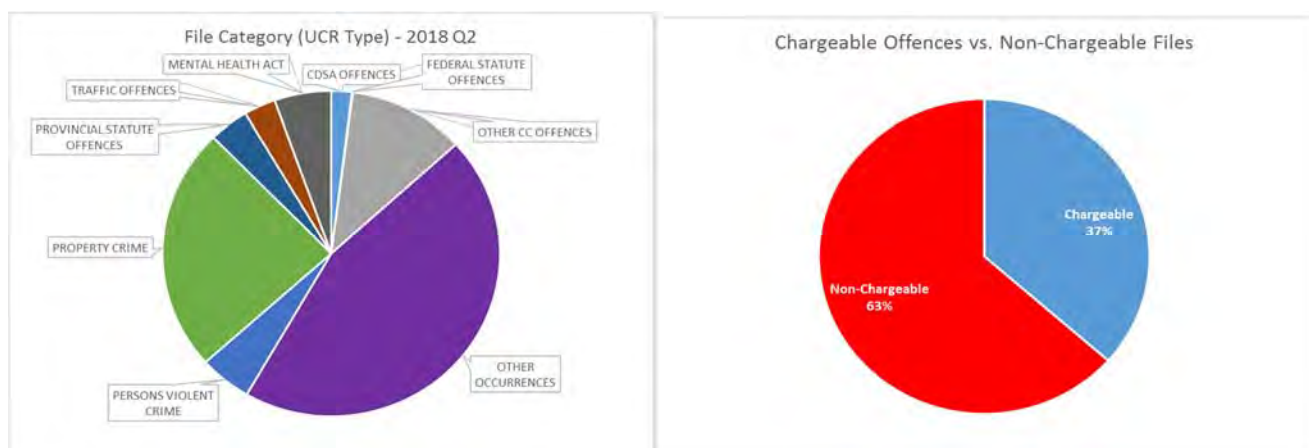
Penticton Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	38	37	-3%	28	37	32%	156	109	-30%
BREAK & ENTER-BUS	31	45	45%	24	45	88%	109	115	6%
BREAK & ENTER-OTH	19	24	26%	16	24	50%	95	69	-27%
BREAK & ENTER-RES	27	20	-26%	20	20	0%	101	77	-24%
MENTAL HEALTH ACT	143	125	-13%	149	125	-16%	506	508	0%
THEFT FROM VEHICLE	124	159	28%	135	159	18%	496	549	11%
PERSONS VIOLENT CRIME (DV)	11	29	164%	13	29	123%	49	62	27%
PERSONS VIOLENT CRIME	78	114	46%	108	114	6%	248	328	32%
PROPERTY CRIME	642	786	22%	609	786	29%	2352	2349	0%

Penticton Total Calls for Service (YTD) – 14,390

Penticton Public Calls for Service (Summer/YTD) – 3759/14,051 (27%)

Penticton File Breakdown by Type (Q2)



Penticton (Municipal) Violent Crime Breakdown by Type (Jul/Aug 2018)

Persons Violent Crime - Offence Types, Penticton Detachment*(Jul & Aug 2018)	
UCR Summary	# of files
ASSAULT OTH P/O-W/WPN OR CBH	1
ASSAULT POLICE-COMMON	5
ASSAULT POLICE-W/WEAPON OR CBH	2
ASSAULT-COMMON	50
ASSAULTS-OTHER	3
ASSAULT-W/WEAPON OR CBH	11
EXTORTION	1
HARASSING COMMUNICATIONS	5
INDECENT COMMUNICATIONS	5
ROBBERY W/OTHER OFFENSIVE WPN	1
ROBBERY-OTHER	2
SEXUAL ASSAULT	7
SEXUAL ASSAULT W/WEAPON OR CBH	1
UTTER THREATS AGAINST PERSON	19
FIREARM-POINTING	1

18 of the 50 Assault-Common files (36%) involved domestic violence.

- **Violent Crime in Penticton (Jul/Aug 2018) – 3% of Public CFS**
- **Violent Crime in Penticton (YTD Aug 31) – 2.3% of Public CFS**

Community Policing

Community Policing Volunteers actively participated in Citizens on Patrol, Lock Out Auto Crime, Speed Watch, Bike patrol and other community events in the past quarter including:

- 68 total shifts - 17 vehicle patrol, 26 speed watch, 14 lock out patrols, 4 community ambassador patrols, 7 other (Project 529; assistance at Motorcycle Skills Challenge)
- 853 License Plates run in Stolen Auto Recovery Program
- 1755 Crime Prevention Notices issued
- 5677 Vehicles observed in Speed Watch
- 15 Volunteers completed 'RCMP Standards and Conduct Training' of 2 hours
- 13 Volunteers attended the first offering of a 'Monthly Meeting' in June
- 5 Restorative Justice file referrals received (4 x Penticton, 1 x ICBC - Oliver)
- 6 Restorative Justice Conferences completed
- 9 Volunteers completed 'The Foundations' of 'Peace Circles' - 2 day, 15+ hour course (Civil Forfeitures Grant)
- 10 Volunteers attended the program's Quarterly Meeting in April - 3 hours



Okanagan Falls Dash Board

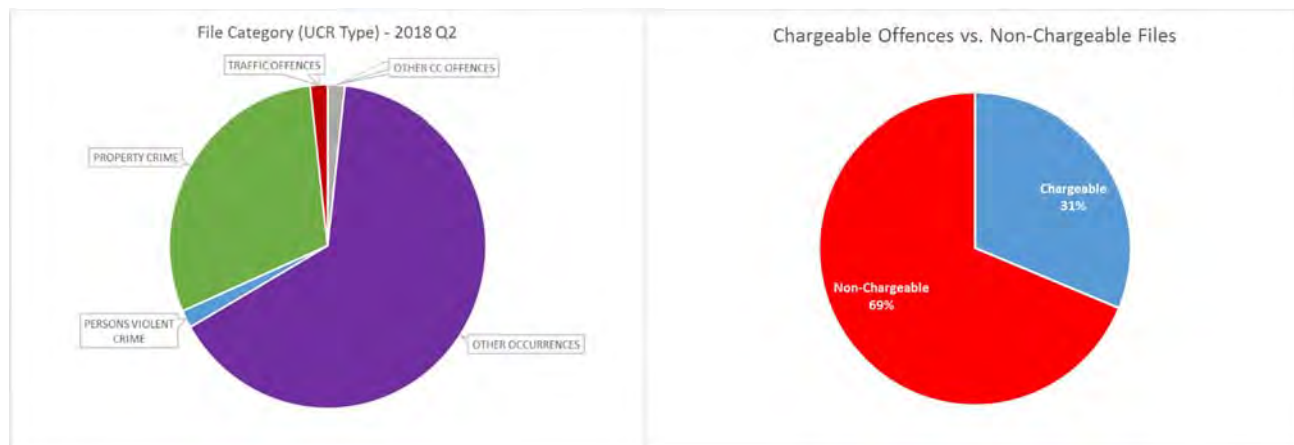
Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	3	3	0%	1	3	200%	4	4	0%
BREAK & ENTER-BUS	0	0	N/C	0	0	N/C	5	0	-100%
BREAK & ENTER-OTH	4	2	-50%	0	2	N/C	5	2	-60%
BREAK & ENTER-RES	3	1	-67%	0	1	N/C	3	1	-67%
MENTAL HEALTH ACT	8	4	-50%	1	4	300%	15	5	-67%
THEFT FROM VEHICLE	8	4	-50%	9	4	-56%	11	13	18%
PERSONS VIOLENT CRIME (DV)	0	0	N/C	0	0	N/C	0	0	N/C
PERSONS VIOLENT CRIME	3	5	67%	1	5	400%	3	6	100%
PROPERTY CRIME	34	28	-18%	20	28	40%	61	48	-21%

Okanagan Falls Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	4	1	-75%	3	1	-67%	8	5	-38%
BREAK & ENTER-BUS	1	1	0%	0	1	N/C	6	1	-83%
BREAK & ENTER-OTH	1	0	-100%	2	0	-100%	6	2	-67%
BREAK & ENTER-RES	0	2	N/C	0	2	N/C	3	3	0%
MENTAL HEALTH ACT	4	4	0%	3	4	33%	19	9	-53%
THEFT FROM VEHICLE	2	11	450%	2	11	450%	13	24	85%
PERSONS VIOLENT CRIME (DV)	0	0	N/C	0	0	N/C	0	0	N/C
PERSONS VIOLENT CRIME	1	3	200%	3	3	0%	4	7	75%
PROPERTY CRIME	19	23	21%	17	23	35%	79	70	-11%

Penticton Provincial Public Calls for Service (Summer) - 756

Okanagan Falls File Breakdown by Type (Q2)



Naramata Dash Board

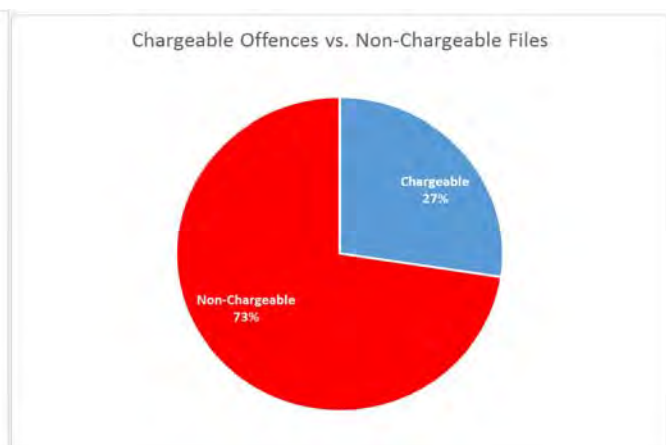
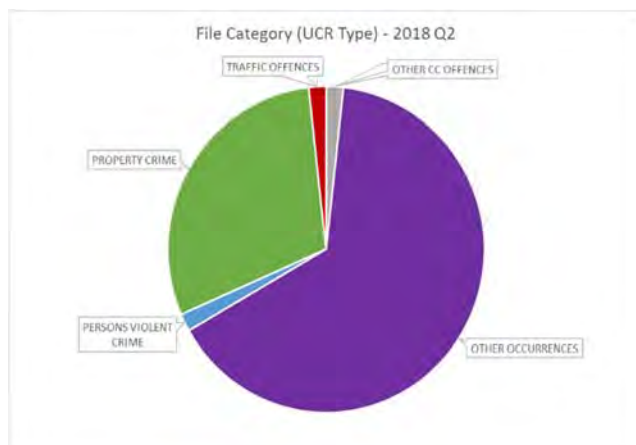
Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	1	0	-100%	0	0	N/C	5	0	-100%
BREAK & ENTER-BUS	0	0	N/C	2	0	-100%	0	2	N/C
BREAK & ENTER-OTH	3	3	0%	1	3	200%	4	4	0%
BREAK & ENTER-RES	0	0	N/C	2	0	-100%	1	2	100%
MENTAL HEALTH ACT	2	0	-100%	1	0	-100%	3	1	-67%
THEFT FROM VEHICLE	4	4	0%	2	4	100%	9	6	-33%
PERSONS VIOLENT CRIME (DV)	0	1	N/C	0	1	N/C	0	1	N/C
PERSONS VIOLENT CRIME	1	1	0%	2	1	-50%	1	3	200%
PROPERTY CRIME	15	17	13%	12	17	42%	29	29	0%

Naramata Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	0	0	N/C	0	0	N/C	5	0	-100%
BREAK & ENTER-BUS	1	0	-100%	0	0	N/C	1	2	100%
BREAK & ENTER-OTH	0	1	N/C	3	1	-67%	4	5	25%
BREAK & ENTER-RES	2	2	0%	0	2	N/C	3	4	33%
MENTAL HEALTH ACT	3	1	-67%	0	1	N/C	6	2	-67%
THEFT FROM VEHICLE	3	0	-100%	1	0	-100%	12	6	-50%
PERSONS VIOLENT CRIME (DV)	1	2	100%	0	2	N/C	1	3	200%
PERSONS VIOLENT CRIME	1	3	200%	0	3	N/C	2	6	200%
PROPERTY CRIME	12	9	-25%	12	9	-25%	41	38	-7%

Penticton Provincial Public Calls for Service (Summer) - 756

Naramata File Breakdown by Type (Q2)



Kaleden Dash Board

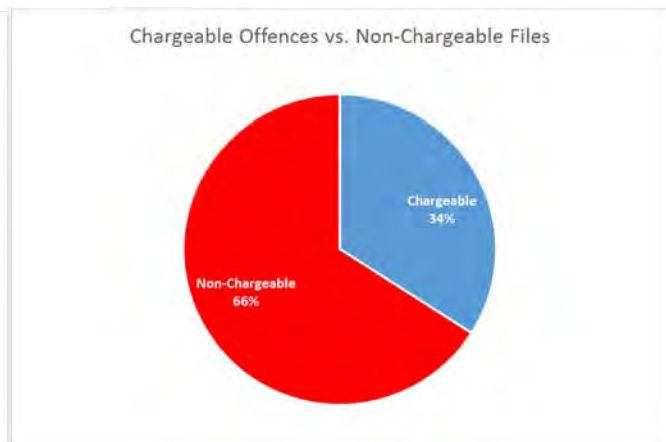
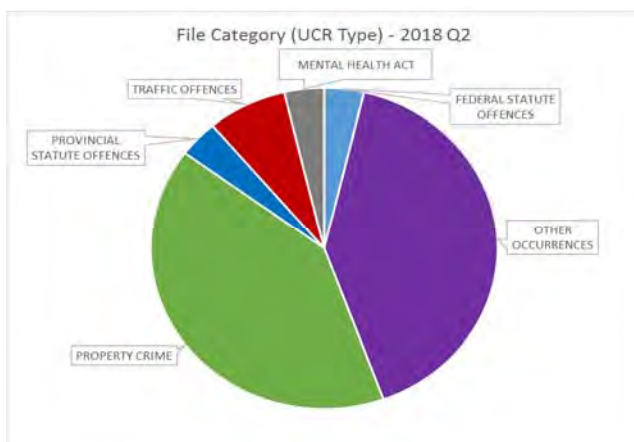
Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	1	1	0%	1	1	0%	1	2	100%
BREAK & ENTER-BUS	1	0	-100%	0	0	N/C	2	0	-100%
BREAK & ENTER-OTH	0	1	N/C	0	1	N/C	0	1	N/C
BREAK & ENTER-RES	1	1	0%	0	1	N/C	2	1	-50%
MENTAL HEALTH ACT	2	1	-50%	1	1	0%	3	2	-33%
THEFT FROM VEHICLE	2	3	50%	1	3	200%	4	4	0%
PERSONS VIOLENT CRIME (DV)	0	0	N/C	0	0	N/C	0	0	N/C
PERSONS VIOLENT CRIME	1	0	-100%	0	0	N/C	1	0	-100%
PROPERTY CRIME	14	11	-21%	6	11	83%	20	17	-15%

Kaleden Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	3	2	-33%	1	2	100%	4	4	0%
BREAK & ENTER-BUS	0	0	N/C	0	0	N/C	1	0	-100%
BREAK & ENTER-OTH	0	1	N/C	0	1	N/C	0	2	N/C
BREAK & ENTER-RES	0	2	N/C	1	2	100%	2	3	50%
MENTAL HEALTH ACT	2	1	-50%	1	1	0%	5	3	-40%
THEFT FROM VEHICLE	4	7	75%	3	7	133%	8	11	38%
PERSONS VIOLENT CRIME (DV)	0	0	N/C	0	0	N/C	0	0	N/C
PERSONS VIOLENT CRIME	0	1	N/C	0	1	N/C	1	1	0%
PROPERTY CRIME	11	19	73%	8	19	138%	28	34	21%

Penticton Provincial Public Calls for Service (Summer) - 756

Kaleden File Breakdown by Type (Q2)



Summerland Dash Board

Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	12	10	-17%	2	10	400%	18	12	-33%
BREAK & ENTER-BUS	4	13	225%	8	13	63%	12	21	75%
BREAK & ENTER-OTH	2	3	50%	6	3	-50%	7	9	29%
BREAK & ENTER-RES	2	3	50%	6	3	-50%	10	9	-10%
MENTAL HEALTH ACT	48	36	-25%	22	36	64%	82	58	-29%
THEFT FROM VEHICLE	22	31	41%	17	31	82%	39	48	23%
PERSONS VIOLENT CRIME (DV)	5	7	40%	4	7	75%	9	11	22%
PERSONS VIOLENT CRIME	17	35	106%	16	35	119%	31	51	65%
PROPERTY CRIME	150	133	-11%	91	133	46%	247	224	-9%

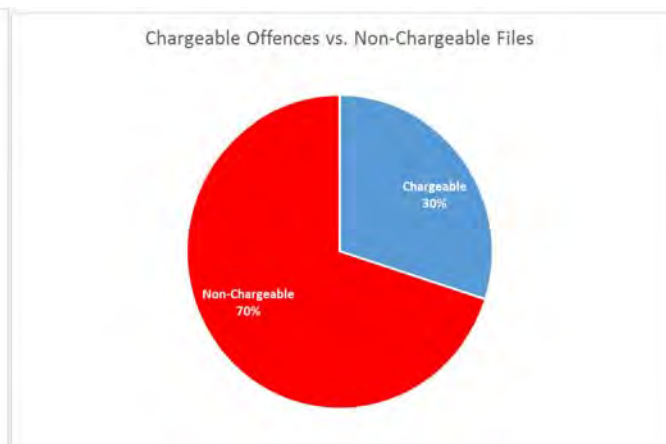
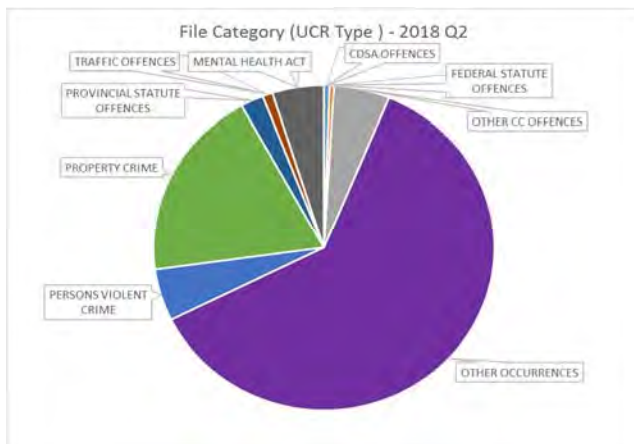
Summerland Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	7	10	43%	7	10	43%	25	22	-12%
BREAK & ENTER-BUS	12	18	50%	8	18	125%	24	39	63%
BREAK & ENTER-OTH	2	3	50%	3	3	0%	9	12	33%
BREAK & ENTER-RES	9	6	-33%	3	6	100%	19	15	-21%
MENTAL HEALTH ACT	23	18	-22%	25	18	-28%	105	76	-28%
THEFT FROM VEHICLE	5	33	560%	26	33	27%	44	81	84%
PERSONS VIOLENT CRIME (DV)	3	2	-33%	3	2	-33%	12	13	8%
PERSONS VIOLENT CRIME	18	14	-22%	25	14	-44%	49	66	35%
PROPERTY CRIME	90	121	34%	100	121	21%	337	345	2%

Summerland Total Calls for Service (YTD) – 2103

Summerland Public Calls for Service (Summer/YTD) – 616/2,009 (31%)

Summerland File Breakdown by Type (Q2)



Oliver Dash Board

Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	21	13	-38%	17	13	-24%	30	30	0%
BREAK & ENTER-BUS	7	6	-14%	6	6	0%	11	12	9%
BREAK & ENTER-OTH	3	4	33%	7	4	-43%	6	11	83%
BREAK & ENTER-RES	2	9	350%	17	9	-47%	7	26	271%
MENTAL HEALTH ACT	45	44	-2%	34	44	29%	62	78	26%
THEFT FROM VEHICLE	9	63	600%	15	64	327%	27	79	193%
PERSONS VIOLENT CRIME (DV)	4	2	-50%	4	2	-50%	7	6	-14%
PERSONS VIOLENT CRIME	24	37	54%	36	37	3%	38	73	92%
PERSONS VIOLENT CRIME (OCC FILES ONLY)	4	12	200%	10	13	30%	10	22	120%
PROPERTY CRIME	124	205	65%	123	205	67%	217	329	52%

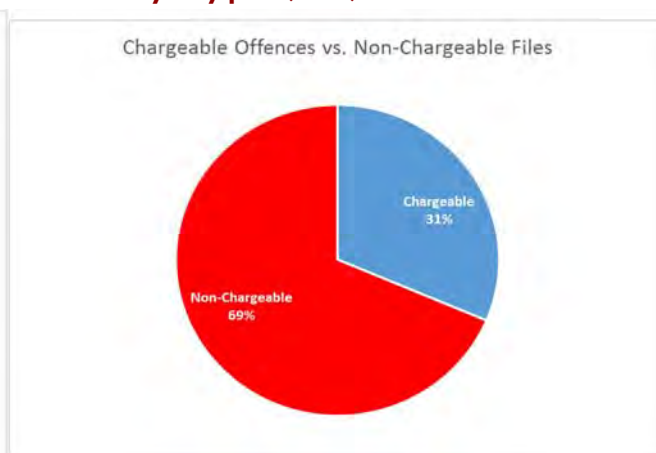
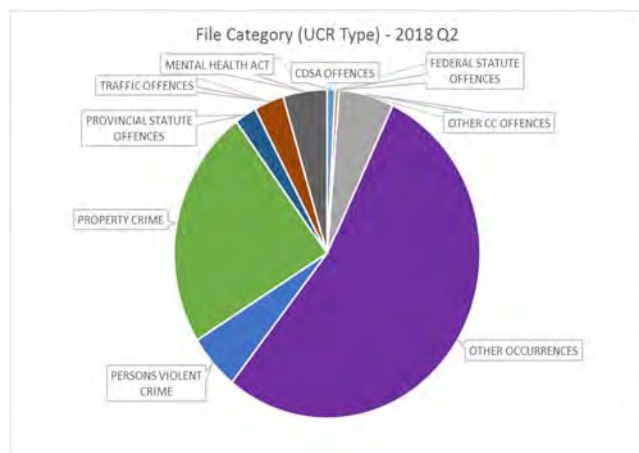
Oliver Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	9	25	178%	7	25	257%	39	55	41%
BREAK & ENTER-BUS	6	8	33%	3	8	167%	17	20	18%
BREAK & ENTER-OTH	4	3	-25%	3	3	0%	10	14	40%
BREAK & ENTER-RES	5	3	-40%	5	3	-40%	12	28	133%
MENTAL HEALTH ACT	25	31	24%	29	31	7%	87	108	24%
THEFT FROM VEHICLE	12	39	225%	32	39	22%	39	117	200%
PERSONS VIOLENT CRIME (DV)	1	5	400%	2	5	150%	8	11	38%
PERSONS VIOLENT CRIME	18	34	89%	25	34	36%	56	111	98%
PERSONS VIOLENT CRIME (OCC FILES ONLY)	3	13	333%	13	13	0%	15	50	233%
PROPERTY CRIME	88	148	68%	122	148	21%	305	475	56%

Oliver Total Calls for Service (YTD) -3,118

Oliver Public Calls for Service (Summer/YTD) - 950/3,015 (31.5%)

Oliver File Breakdown by Type (Q2)



Osoyoos Dash Board

Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	6	23	283%	1	23	2200%	12	24	100%
BREAK & ENTER-BUS	6	6	0%	3	6	100%	9	9	0%
BREAK & ENTER-OTH	15	26	73%	12	26	117%	17	38	124%
BREAK & ENTER-RES	5	6	20%	6	6	0%	7	12	71%
MENTAL HEALTH ACT	24	14	-42%	19	14	-26%	38	33	-13%
THEFT FROM VEHICLE	16	18	13%	8	18	125%	23	26	13%
PERSONS VIOLENT CRIME (DV)	6	2	-67%	3	2	-33%	8	5	-38%
PERSONS VIOLENT CRIME	20	20	0%	12	20	67%	28	32	14%
PROPERTY CRIME	97	174	79%	69	174	152%	155	243	57%

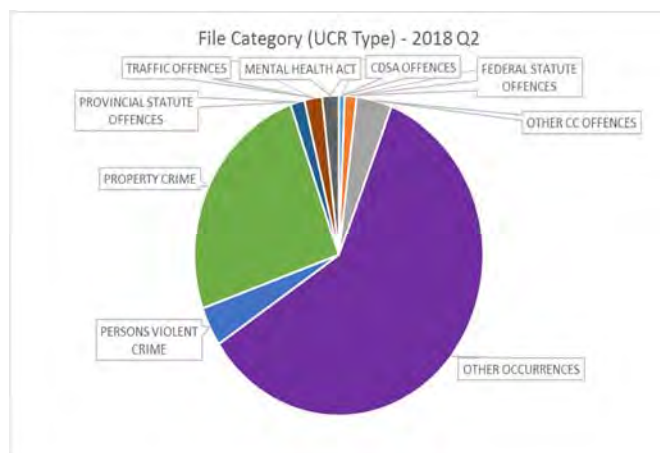
Osoyoos Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	13	10	-23%	20	10	-50%	25	34	36%
BREAK & ENTER-BUS	4	6	50%	5	6	20%	13	15	15%
BREAK & ENTER-OTH	1	4	300%	17	4	-76%	18	43	139%
BREAK & ENTER-RES	3	7	133%	3	7	133%	10	19	90%
MENTAL HEALTH ACT	21	15	-29%	4	15	275%	59	48	-19%
THEFT FROM VEHICLE	16	23	44%	11	23	109%	39	49	26%
PERSONS VIOLENT CRIME (DV)	7	2	-71%	2	2	0%	15	7	-53%
PERSONS VIOLENT CRIME	31	19	-39%	18	19	6%	59	53	-10%
PROPERTY CRIME	104	139	34%	125	139	11%	259	383	48%

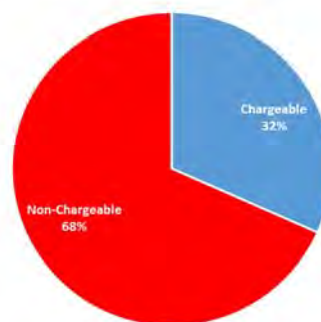
Osoyoos Total Calls for Service (YTD) -2,407

Osoyoos Public Calls for Service (Summer/YTD) – 935/2,388 (39%)

Osoyoos File Breakdown by Type (Q2)



Chargeable Offences vs. Non-Chargeable Files



Keremeos Dash Board

Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	7	9	29%	2	9	350%	9	11	22%
BREAK & ENTER-BUS	0	2	#DIV/0!	1	2	100%	2	3	50%
BREAK & ENTER-OTH	0	3	#DIV/0!	2	3	50%	2	5	150%
BREAK & ENTER-RES	3	2	-33%	3	2	-33%	8	5	-38%
MENTAL HEALTH ACT	17	24	41%	14	24	71%	35	38	9%
THEFT FROM VEHICLE	4	1	-75%	1	1	0%	4	2	-50%
PERSONS VIOLENT CRIME (DV)	1	2	100%	4	2	-50%	2	6	200%
PERSONS VIOLENT CRIME	7	13	86%	10	13	30%	17	23	35%
PROPERTY CRIME	37	51	38%	32	51	59%	63	83	32%

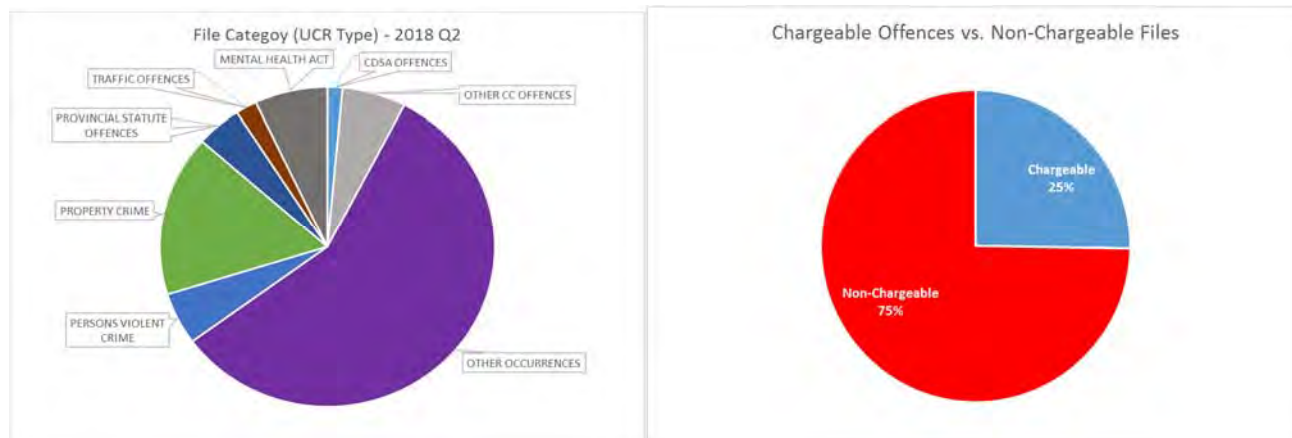
Keremeos Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	2	7	250%	7	7	0%	11	18	64%
BREAK & ENTER-BUS	0	0	N/C	1	0	-100%	2	3	50%
BREAK & ENTER-OTH	2	3	50%	3	3	0%	4	8	100%
BREAK & ENTER-RES	3	0	-100%	2	0	-100%	11	5	-55%
MENTAL HEALTH ACT	6	9	50%	15	9	-40%	41	47	15%
THEFT FROM VEHICLE	4	1	-75%	1	1	0%	8	3	-63%
PERSONS VIOLENT CRIME (DV)	3	7	133%	2	7	250%	5	13	160%
PERSONS VIOLENT CRIME	12	16	33%	13	16	23%	29	41	41%
PROPERTY CRIME	33	33	0%	36	33	-8%	96	115	20%

Keremeos Total Calls for Service (YTD) – 1,212

Keremeos Public Calls for Service (Summer/YTD) – 397/1,129 (35%)

Keremeos File Breakdown by Type (Q2)



Princeton Dash Board

Offence Type	Q2 2017	Q2 2018	%Change Q2 2017 to Q2 2018	Q1 2018	Q2 2018	% Change Q1 2018 - Q2 2018	Q2 YTD 2017	Q2 YTD 2018	% Change YTD Q2 2017 - YTD Q2 2018
AUTO THEFT	6	6	0%	1	6	500%	10	7	-30%
BREAK & ENTER-BUS	1	3	200%	2	3	50%	1	5	400%
BREAK & ENTER-OTH	3	3	0%	7	3	-57%	7	10	43%
BREAK & ENTER-RES	4	10	150%	4	10	150%	10	14	40%
MENTAL HEALTH ACT	21	33	57%	16	33	106%	36	49	36%
THEFT FROM VEHICLE	11	2	-82%	4	2	-50%	17	6	-65%
PERSONS VIOLENT CRIME (DV)	2	3	50%	1	3	200%	5	4	-20%
PERSONS VIOLENT CRIME	21	20	-5%	12	20	67%	43	32	-26%
PROPERTY CRIME	55	72	31%	51	72	41%	100	123	23%

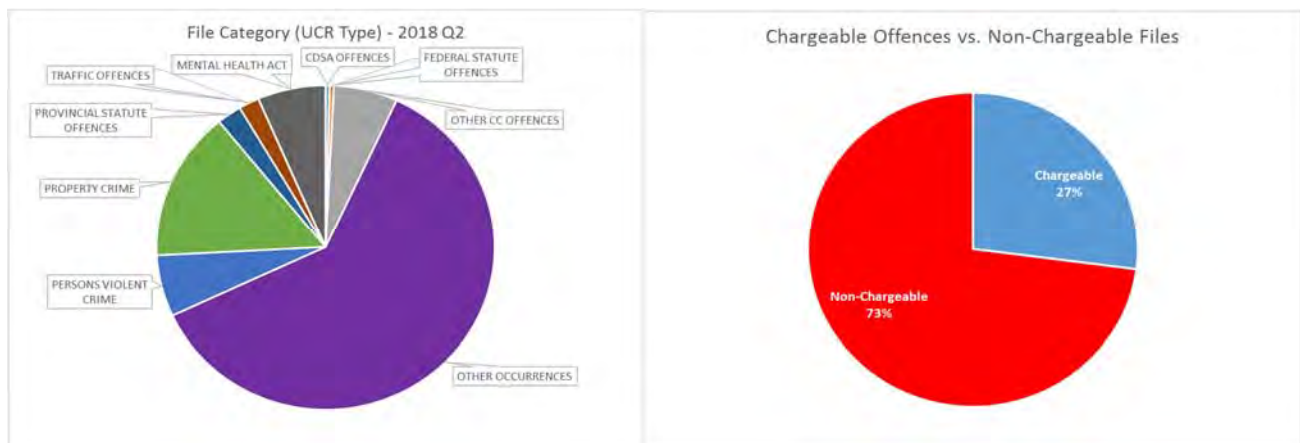
Princeton Overall Dash Board (Summer)

Offence Type	Jul & Aug 2017	Jul & Aug 2018	%Change 2017 to 2018	May & Jun 2018	Jul & Aug 2018	% Change May & Jun 2018 - Jul & Aug 2018	YTD (to Aug 31) 2017	YTD (to Aug 31) 2018	% Change YTD 2017 - YTD 2018
AUTO THEFT	4	10	150%	3	10	233%	14	16	14%
BREAK & ENTER-BUS	6	2	-67%	2	2	0%	7	7	0%
BREAK & ENTER-OTH	2	2	0%	2	2	0%	9	13	44%
BREAK & ENTER-RES	1	1	0%	7	1	-86%	11	14	27%
MENTAL HEALTH ACT	11	10	-9%	27	10	-63%	47	59	26%
THEFT FROM VEHICLE	7	7	0%	0	7	N/C	24	13	-46%
PERSONS VIOLENT CRIME (DV)	3	4	33%	3	4	33%	8	8	0%
PERSONS VIOLENT CRIME	14	13	-7%	13	13	0%	57	42	-26%
PROPERTY CRIME	47	51	9%	43	51	19%	147	170	16%

Princeton Total Calls for Service (YTD) – 1,527

Princeton Public Calls for Service (Summer/YTD) – 505/1,502 (34%)

Princeton File Breakdown by Type (Q2)



Other Occurrences

- **False/abandoned 911**
- Breach of peace
- **False alarms**
- Impaired operation motor vehicle
- Missing persons
- Motor vehicle incidents
- Municipal bylaw
- Other general occurrence
- Other traffic offences
- Query to locate
- Suspicious occurrences
- Unspecified assistance

Data Qualifiers

All data extracted from the Police Records Information Management Environment (PRIME) between 2018-09-06 and 2018-09-10. PRIME data is live and subject to change. All numbers accurate as of the date they were pulled. Dashboards include only founded, primary scored files (except in the case of Mental Health Act files). Data was exported to Excel and collated. Chargeable vs. Non-chargeable chart includes all files that occurred in each area (includes all Z-coded files). File category chart includes all non-Z coded files other than Mental Health Act files that occurred in each area. Penticton Detachment figures include all areas serviced by the Penticton detachment except for Okanagan Falls, Naramata and Kaleden. Chargeable files include CDSA offences, federal statute offences, other Criminal Code offences, persons violent crime, property crime, provincial statute offences, and traffic offences. Non-chargeable files include other occurrences, Mental Health Act files and Z-coded files (assistance, prevention, unfounded, and unsubstantiated files).

The density map includes all founded, primary-scored Criminal Code and Controlled Drugs & Substances Act files (UCR codes 1000 through 4999, covering persons violent crime, property crime, other Criminal Code offences and drug offences) that were reported within the Penticton detachment area (excluding Okanagan Falls, Naramata and Kaleden) from 2018-04-01 to 2018-08-31. Areas that do not have a color corresponding to them in the legend had negligible amounts of crime reported over the quarter.

Significant percentage increases in smaller communities may be due to a relatively low comparator. For instance, a 500 percent increase is due to a particular file type rising from 1 to 5, usually due to one prolific offender committing a rash of that crime type in a small community. When this occurs, our analyst tracks the behavior and the Target Enforcement Team is deployed to determine what is occurring.





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Community Services Committee

Thursday, September 20, 2018

11:30 a.m.

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Community Services Committee Meeting of September 20, 2018 be adopted.

B. DELEGATION – Parks Canada

1. Sarah Boyle – Project Manager, South Okanagan-Similkameen, Protected Areas Establishment Branch

Ms. Boyle will address the Board to provide a quick overview of the timelines associated with the national parks reserve establishment process and discuss the next steps with focus on the upcoming consultation in the late fall.

C. ADJOURNMENT

BOARD of DIRECTORS MEETING

Thursday, September 20, 2018

12:30 p.m.

BOARD MEETING AGENDA

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board Meeting of September 20, 2018 be adopted.

B. MINUTES

1. OSRHD Board Meeting – August 16, 2018

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Minutes of the August 16, 2018 Okanagan-Similkameen Regional Hospital District Board Meeting be adopted.

C. DELEGATION – Interior Health Authority

1. Greg Cutforth – Director
2. Jason Giesbrecht – Executive Director
3. Susan Brown – South Okanagan Community Administrator

Mr. Cutforth, Mr. Giesbrecht and Ms. Brown will address the Board to present an overview of the Provincial and South Okanagan Primary and Community Care Transformation Projects.

D. ADJOURNMENT

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

BOARD of DIRECTORS MEETING

Minutes of the Board Meeting of the Okanagan-Similkameen Regional Hospital Board (OSRHD) of Directors held at 11:42 am on Thursday, August 16, 2018, in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Director R. Hovanes, Town of Oliver

STAFF PRESENT:

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

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board Meeting of August 16, 2018 be adopted. - **CARRIED**

B. MINUTES

1. OSRHD Board Meeting – June 21, 2018

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Minutes of the June 21, 2018 Okanagan-Similkameen Regional Hospital District Board Meeting be adopted. - **CARRIED**

C. DELEGATION – Interior Health Authority

1. Jeff Harries, Physician

Dr. Harries addressed the Board to present an [overview](#) of Pharmaceutical Treatment of Alcohol Use Disorder (AUD).

D. ADJOURNMENT

By consensus, the meeting adjourned at 12:17 p.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
OSRHD Board Chair

B. Newell
Corporate Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Thursday, September 20, 2018

1:00 p.m.



REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of September 20, 2018 be adopted.

1. Consent Agenda – Corporate Issues

a. Electoral Area “G” Advisory Planning Commission – August 22, 2018

THAT the Minutes of the August 22, 2018 Electoral Area “G” Advisory Planning Commission meeting be received.

b. Corporate Services Committee – September 6, 2018

THAT the Minutes of the September 6, 2018 Corporate Services Committee meeting be received.

THAT the Board of Directors not implement web streaming of Board meetings with the existing budget of \$5,000.

c. Planning and Development Committee – September 6, 2018

THAT the Minutes of the September 6, 2018 Planning and Development Committee meeting be received.

THAT the Board of Directors direct staff to prepare a zoning bylaw amendment for all applicable Electoral Areas to prohibit the non-farm use of Cannabis production within all zones where “agriculture” is listed.

THAT the Board of Directors resolve that Regional Growth Strategy Amendment Bylaw No. 2770.01, 2018, is a minor amendment of the South Okanagan Regional Growth Strategy Bylaw No. 2770, 2017; and

THAT the Consultation Plan for Amendment Bylaw 2770.01, 2018, include:

- *formal referral to the City of Penticton, District of Summerland and the Towns of Oliver & Osoyoos no less than 30 days prior to 1st reading;*
- *notification in two issues of the Regional District’s bi-weekly newspaper advertisement; and*
- *notification on the Regional District’s web-site and social media accounts.*

THAT staff be directed to initiate amendments to the Development Procedures Bylaw No. 2500, 2011, and Fees and Charges Bylaw No. 2787, 2018, in order to introduce processing procedures and fees for Cannabis Retail store license referrals from the Liquor and Cannabis Regulations Branch.

THAT staff be directed to initiate amendments to the Development Procedures Bylaw No. 2500, 2011, and Fees and Charges Bylaw No. 2787, 2018, in order to introduce processing procedures and fees for liquor licence referrals from the Liquor and Cannabis Regulations Branch.

d. RDOS Regular Board Meeting – September 6, 2018

THAT the minutes of the September 6, 2018 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)
THAT the Consent Agenda – Corporate Issues be adopted.

B. DEVELOPMENT SERVICES – Building Inspection

1. Building Bylaw Infraction – 320 / 328 Highway 3A, Kaleden, Electoral Area “D”

RECOMMENDATION 3 (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, Plan 34722, District Lots 230S & 237S, 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.

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Zoning Bylaw Amendment – 4850 Weyerhauser Road, Okanagan Falls, Electoral Area “D-2”

- a. Bylaw No. 2455.37, 2018 - Draft
- b. Bylaw No. 2603.14, 2018 - Draft
- c. Responses Received

To change the OCP designation and rezone a portion of the property to allow a RV Park.

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2603.14, 2018, Electoral Area “D-2” OCP Amendment and Bylaw No. 2455.37, 2018, Electoral Area “D-2” Zoning Bylaw Amendment be denied.

2. **Official Community Plan & Zoning Bylaw Amendment – 133 Whitetail Road, Apex, Electoral Area “D”**
 - a. Bylaw No. 2457.16, 2018
 - b. Bylaw No. 2683.01, 2018
 - c. Responses Received

The public hearing for this item will have been held Thursday, September 20, 2018 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.

To formalize the existence of a 4-plex on the subject property and to allow its use for short-term tourist accommodation purposes.

RECOMMENDATION 5 (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2683.01, 2018, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2457.16, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a third time and adopted.

3. **Zoning Bylaw Amendment – 8312 98 Avenue, Osoyoos, Electoral Area “A”**
 - a. Bylaw No. 2451.25, 2018
 - b. Responses Received

The public hearing for this item will have been held Thursday, September 20, 2018 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.

To allow for the placement of a mobile home (CSA Z240) in the RS1 Zone.

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2451.25, 2018, Electoral Area “A” Zoning Amendment Bylaw be read a third time;

AND THAT, prior to adoption, a statutory covenant be registered on the title of the property described as Lot 6, Plan KAP32220, District Lot 2450S, SDYD, in order to restrict the placement of a mobile home to a “2006 Moduline 2007 Landmark 272092 model, bearing Manufactured Home Registry number 092501”.

4. Official Community Plan Bylaw No. 2790, 2018 – Electoral Area “F”

- a. OCP Bylaw No. 2790, 2018
- b. Public Hearing Report – September 6, 2018
 - i. Public Hearing PowerPoint Presentation
- c. Responses Received

To replace the current Electoral Area “F” Official Community Bylaw No. 2460, 2008 with an updated version.

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)
THAT the public hearing report be received.

RECOMMENDATION 8 (Unweighted Rural Vote – 2/3 Majority)
THAT Bylaw No. 2790, 2018, Electoral Area “F” Official Community Plan, as amended, be read a third time and adopted.

5. Land Use Bylaw Amendments – Electoral Area “I” and *Local Government Act* Revisions

- a. Bylaw No. 2339.02, 2018
- b. Bylaw No. 2482.01, 2018
- c. Bylaw No. 2494.02, 2018
- d. Bylaw No. 2597.02, 2018
- e. Bylaw No. 2830, 2018
- f. Bylaw No. 2831, 2018

Administration is proposing the Regional District Board initiate a number of amendments to the various Electoral Area land use bylaws in order to update these bylaws to reflect the pending division of Electoral Area “D” (i.e. “D-1” & “D-2”) into a new Electoral Area “D” and Electoral Area “I”.

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

- 1. **THAT Bylaw No. 2830, 2018, Regional District of Okanagan-Similkameen Official Community Plans Amendment Bylaw be read a first and second time and proceed to public hearing; and**

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated September 20, 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. 2830, 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 October 18, 2018; and

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

2. THAT Bylaw No. 2831, 2018, Regional District of Okanagan-Similkameen Zoning Amendment Bylaw be read a first and second time; and

THAT pursuant to sub-section 464 of the *Local Government Act*, the Regional District Board resolves to waive the holding of a public hearing for Zoning Amendment Bylaw 2831, 2018; and

THAT pursuant to sub-section 467 of the *Local Government Act*, staff give notice of the waiving of the public hearing for Zoning Amendment Bylaw 2831, 2018.

3. THAT Bylaw No. 2339.02, 2018, Regional District of Okanagan-Similkameen Advisory Planning Commission Amendment Bylaw, be read a first, second and third time.
4. THAT Bylaw No. 2482.01, 2018, Regional District of Okanagan-Similkameen Minimum Parcel Size that may be Subdivided for a Relative Amendment Bylaw, be read a first, second and third time.
5. THAT Bylaw No. 2494.02, 2018, Regional District of Okanagan-Similkameen Board of Variance Amendment Bylaw, be read a first, second and third time.
6. THAT Bylaw No. 2597.02, 2018, Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Amendment Bylaw, be read a first, second and third time.

-
6. Development Procedures Bylaw Amendment – LCRB Referrals (Cannabis & Liquor)
 - a. Bylaw No. 2500.10, 2018

The purpose of Amendment Bylaw 2500.10, 2018, is to introduce application procedures to referrals from the Liquor and Cannabis Regulations Branch (LCRB) regarding the retail sale of cannabis and liquor licences.

RECOMMENDATION 10 (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2500.10, 2018, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first, second and third time and be adopted.

D. FINANCE**1. Electoral Area “A” Community Works Program Reserve Expenditure**

- a. Bylaw No. 2829, 2018

RECOMMENDATION 11 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No. 2829, 2018, Electoral Area “A” Community Works Program Reserve Fund Expenditure Bylaw to allocate \$10,000.00 to the Osoyoos Desert Society towards the replacement of the Desert Interpretive Centre be read a first, second and third time and be adopted.

2. Electoral Area “D” Community Works Program Reserve Expenditure

- a. Bylaw No. 2828, 2018

RECOMMENDATION 12 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No. 2828, 2018, Electoral Area “D” Community Works Program Reserve Fund Expenditure Bylaw to allocate \$38,352.36 for the completion of the regional component of the KVR trail in Kaleden be read a first, second and third time and be adopted.

3. Property Tax Exemption Bylaw No. 2817, 2018

- a. Bylaw No. 2817, 2018

RECOMMENDATION 13 (Weighted Corporate Vote – 2/3 Majority)

THAT Bylaw No. 2817, 2018 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted.

E. LEGISLATIVE SERVICES**1. Princeton Boundary Reduction Proposal**

- a. Town of Princeton Report – August 20, 2018
- b. Maps

To finalize the process of a boundary reduction to remove the residential property located at 1141 Allenby Road, which was inadvertently included in the 2015 Copper Mountain Mine Satellite Boundary Extension.

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors of the Regional District of Okanagan-Similkameen (RDOS) approve the proposed boundary reduction proposal from the Town of Princeton which would see the removal of 1141 Allenby Road from the Town of Princeton boundary and the inclusion into RDOS Electoral Area “H”.

F. CAO REPORTS**1. Verbal Update**

G. OTHER BUSINESS**1. Chair's Report**

2. Board Representation

- a. BC Rural Centre (formerly Southern Interior Beetle Action Coalition) - *Armitage*
 - b. Developing Sustainable Rural Practice Communities - *McKortoff*
 - c. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
 - d. Municipal Finance Authority (MFA) – *Kozakevich, Bauer*
 - e. Municipal Insurance Association (MIA) - *Kozakevich, Bauer*
 - f. Okanagan Basin Water Board (OBWB) – *McKortoff, Hovanes, Waterman*
 - a) OBWB Report – September 2018
 - b) OBWB Conference – Water for All
 - g. Okanagan Film Commission (OFC) – *Jakubeit*
 - h. Okanagan Regional Library (ORL) – *Kozakevich*
 - i. Okanagan Sterile Insect Release Board (SIR) – *Bush*
 - j. Okanagan-Similkameen Healthy Living Coalition - *Boot*
 - k. South Okanagan Similkameen Fire Chief Association (SOSFCA) – *Bush, Pendergraft, Kozakevich, Schafer, Mayer, Siddon*
 - l. Southern Interior Local Government Association (SILGA) – *Jakubeit*
 - m. Southern Interior Municipal Employers Association (SIMEA) – *Kozakevich, Martin*
 - n. Starling Control - *Bush*
-

3. Directors Motions

4. Board Members Verbal Update

H. ADJOURNMENT

Minutes

Electoral Area “G” Advisory Planning Commission

Meeting of Wednesday, August 22, 2018

Keremeos Health Centre
700 – 3rd Street, Keremeos, BC

Present: Roger Mayer, Director, Electoral Area “G”
Members: Brad Clifton, Gary Lawrence, Walter Despot, Gary Ross, Jeff Rowe, Robert Quaadvlieg, Melodie Kolisnyk, Don Bartlet, Ken Hoyle, Neil Gair
Absent: Brian Ellis
Staff: Timothy Donegan, Planning Technician

Delegates: Jonathan Austin, Agent

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED (UNANIMOUSLY)

3. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of August 16, 2017 be approved.

The Chair called for errors or omissions and there were none.

CARRIED (UNANIMOUSLY)

4. DEVELOPMENT APPLICATIONS

4.1 G02753.000 & G02753.050 (G2018.118-ALC) – Agricultural Land Commission Referral Application

Delegates: Austin, Jonathan, Agent

Jonathan Austin presented the proposal and answered questions.

MOTION

It was Moved and Seconded that the APC recommends that the Agricultural Land Commission (ALC) be advised by the Regional District that the proposal to subdivide at 2602 and 2582 Upper Bench Road is supported with no conditions.

CARRIED

5. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 7:45 p.m.

CARRIED (UNANIMOUSLY)

Advisory Planning Commission Chair

Advisory Planning Commission Recording Secretary



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, September 6, 2018

9:50 a.m.

Minutes

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair M. Bauer, Village of Keremeos
Director F. Armitage, Town of Princeton
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director R. Hovanes, Town of Oliver
Director A. Jakubeit, City of Penticton

Director A. Martin, City of Penticton
Director R. Mayer, Electoral Area "G"
Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director T. Schafer, Electoral Area "C"
Director J. Sentes, City of Penticton
Director T. Siddon, Electoral Area "D"
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director H. Konanz, City of Penticton

STAFF PRESENT:

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

T. Bouwmeester, Manager of Information Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Corporate Services Committee Meeting of September 6, 2018 be adopted. - **CARRIED**

B. WEB STREAMING OF BOARD MEETINGS

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Board of Directors not implement web streaming of Board meetings with the existing budget of \$5,000. - **CARRIED**

C. CLOSED SESSION**RECOMMENDATION 2****It was MOVED and SECONDED**

THAT in accordance with Section 90(1)(c) of the *Community Charter*, the Board close the meeting to the public on the basis of labour relations or other employee relations.

CARRIED

The meeting was closed to the public at 10:00 a.m.

The meeting was opened to the public at 11:18 a.m.

D. ADJOURNMENT

By consensus, the meeting adjourned at 11:18 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
Committee Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN Planning and Development Committee

Thursday, September 6, 2018
9:01 a.m.

Minutes

MEMBERS PRESENT:

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

Director A. Martin, City of Penticton
Director R. Mayer, Electoral Area "G"
Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director T. Schafer, Electoral Area "C"
Director J. Sentes, City of Penticton
Director T. Siddon, Electoral Area "D"

MEMBERS ABSENT:

Director A. Jakubeit, City of Penticton
Director H. Konanz, City of Penticton

Director P. Waterman, District of Summerland

STAFF PRESENT:

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

B. Dollevoet, Manager of Development Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of September 6, 2018 be adopted. - **CARRIED**

B. CANNABIS PRODUCTION IN THE AGRICULTURAL LAND RESERVE – PROVINCIAL ORDER-IN-COUNCIL NO. 380

1. ALC Information Bulletin 04 dated April 15, 2018

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Board of Directors direct staff to prepare a zoning bylaw amendment for all applicable Electoral Areas to prohibit the non-farm use of Cannabis production within all zones where "agriculture" is listed. - **CARRIED**

C. **LAND USE BYLAWS UPDATE – ELECTORAL AREA “I” AND *LOCAL GOVERNMENT ACT* REVISIONS**

1. Bylaw No. 2770.01, 2018 - Draft

RECOMMENDATION 3

It was MOVED and SECONDED

THAT the Board of Directors resolve that Regional Growth Strategy Amendment Bylaw No. 2770.01, 2018, is a minor amendment of the South Okanagan Regional Growth Strategy Bylaw No. 2770, 2017; and

THAT the Consultation Plan for Amendment Bylaw 2770.01, 2018, include:

- formal referral to the City of Penticton, District of Summerland and the Towns of Oliver & Osoyoos no less than 30 days prior to 1st reading;
- notification in two issues of the Regional District's bi-weekly newspaper advertisement; and
- notification on the Regional District's web-site and social media accounts.

CARRIED

D. **LIQUOR AND CANNABIS REGULATIONS BRANCH (LCRB) REFERRALS – PROCEDURES & FEES (CANNABIS)**

RECOMMENDATION 4

It was MOVED and SECONDED

THAT staff be directed to initiate amendments to the Development Procedures Bylaw No. 2500, 2011, and Fees and Charges Bylaw No. 2787, 2018, in order to introduce processing procedures and fees for Cannabis Retail store license referrals from the Liquor and Cannabis Regulations Branch. - **CARRIED**

E. **LIQUOR AND CANNABIS REGULATIONS BRANCH (LCRB) REFERRALS – PROCEDURES & FEES (LIQUOR)**

RECOMMENDATION 5

It was MOVED and SECONDED

THAT staff be directed to initiate amendments to the Development Procedures Bylaw No. 2500, 2011, and Fees and Charges Bylaw No. 2787, 2018, in order to introduce processing procedures and fees for liquor licence referrals from the Liquor and Cannabis Regulations Branch. - **CARRIED**

Opposed: Directors Brydon, Kozakevich, Schafer, Bush, Boot

F. ADJOURNMENT

By consensus, the Planning and Development Committee meeting adjourned at 9:39 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Brydon
Planning and Development Committee Chair

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 12:02 p.m. Thursday, September 6, 2018 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair M. Bauer, Village of Keremeos
Director F. Armitage, Town of Princeton
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director R. Hovanes, Town of Oliver
Director A. Jakubeit, City of Penticton

Director H. Konanz, City of Penticton
Director A. Martin, City of Penticton
Director R. Mayer, Electoral Area "G"
Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director J. Sentes, City of Penticton
Director T. Schafer, Electoral Area "C"
Director T. Siddon, Electoral Area "D"
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

STAFF PRESENT:

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

B. Dollevoet, Manager of Development Services
M. Woods, Manager of Community Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the [Agenda](#) for the RDOS Board Meeting of September 6, 2018 be adopted as amended to remove E2 Community Works Gas Tax Reserve Fund Expenditure. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Tulameen & District Fire Department Roster Appointment – Appointments
THAT the Board of Directors appoint Lauren Quin and Gord Moffatt to the roster of the Tulameen & District Fire Department.
- b. Electoral Area "A" Advisory Planning Commission – August 13, 2018
THAT the Minutes of the August 13, 2018 Electoral Area "A" Advisory Planning Commission meeting be received.
- c. Electoral Area "D" Advisory Planning Commission – August 14, 2018
THAT the Minutes of the August 14, 2018 Electoral Area "D" Advisory Planning Commission meeting be received.
- d. Electoral Area "E" Advisory Planning Commission – August 13, 2018
THAT the Minutes of the August 13, 2018 Electoral Area "E" Advisory Planning Commission meeting be received.

- e. Naramata Water Advisory Committee – March 13, 2018
THAT the Minutes of the March 13, 2018 Naramata Water Advisory Committee meeting be received.
 - f. Naramata Water Advisory Committee – May 8, 2018
THAT the Minutes of the May 8, 2018 Naramata Water Advisory Committee meeting be received.
 - g. Naramata Parks & Recreation Commission – June 25, 2018
THAT the Minutes of the June 25, 2018 Naramata Parks & Recreation Commission meeting be received.
 - h. Okanagan Falls Parks & Recreation Commission – May 10, 2018
THAT the Minutes of the May 10, 2018 Okanagan Falls Parks & Recreation Commission meeting be received.
 - i. Okanagan Falls Parks & Recreation Commission – June 14, 2018
THAT the Minutes of the June 14, 2018 Okanagan Falls Parks & Recreation Commission meeting be received.
 - j. Corporate Services Committee – August 16, 2018
THAT the Minutes of the August 16, 2018 Corporate Services Committee meeting be received.
 - k. Planning and Development Committee – August 16, 2018
THAT the Minutes of the August 16, 2018 Planning and Development Committee meeting be received.
- THAT the Board of Directors direct staff to consider the retail sales of cannabis as a retail use permitted in any zone where retail uses are listed.*
- l. RDOS Regular Board Meeting – August 16, 2018
THAT the minutes of the August 16, 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

2. Consent Agenda – Development Services
 - a. Temporary Use Permit Application – 3628 Highway 3, Electoral Area “A”
 - i. Permit No. A2018.071-TUP
 - ii. Responses Received

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

THAT the Board of Directors approve Temporary Use Permit No. A2018.071-TUP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Development Variance Permit Application – 110 Cabernet Drive, Electoral Area “D”
 - a. Permit No. D2018.119-DVP

[Additional information](#)

To accommodate the replacement of an existing retaining wall with a new, over-height retaining wall.

The property owner addressed the Board with respect to the application.

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors approve Development Variance Permit No. D2018.119-DVP. - **CARRIED**

2. Enforcement of 449 Sagewood Lane “Keeping of Livestock” – Electoral Area “D-1”

The property owner addressed the Board with respect to the application.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District Board set a expiry date of September 21, 2018 of when a re-submission of a rezoning application for 445 & 449 Sagewood Lane will be accepted in accordance with the Board’s previous decision of August 2, 2018 (Item B.8) of the same properties; and

THAT Administration be directed to commence injunctive action of 449 Sagewood Lane following the expiry date of September 21, 2018. - **CARRIED**

3. Official Community Plan & Zoning Bylaw Amendments – Electoral Area “E” Zone Review – 7005 Indian Rock Road (“Sunset Acres”)
 - a. Bylaw No. 2458.12, 2018
 - b. Bylaw No. 2459.29, 2018
 - i. Sunset Acres Comprehensive Development Zone Map
 - c. Public Hearing report - July 30, 2018
 - d. Public Hearing Report – August 20, 2018
 - e. Responses Received

Chair Kozakevich advised that the public hearing reports reflect an accurate account of what took place at the public hearings held on July 30 and August 20, 2018.

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the public hearing reports be received. - **CARRIED**

RECOMMENDATION 7 (Unweighted Rural Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2458.12, 2018, Electoral Area “E” Official Community Plan Amendment Bylaw be read a third time and adopted; and

THAT Bylaw No. 2459.29, 2018, Electoral Area “E” Zoning Amendment Bylaw be read a third time, as amended, and adopted. - **CARRIED**

4. Official Community Plan & Zoning Amendment Bylaws – Electoral Area “E” Naramata Village Centre and Development Permit Area Update
 - a. Bylaw No. 2458.13, 2018
 - i. Form and Character Development Permit Areas
 - b. Bylaw No. 2459.30, 2018
 - c. Public Hearing Report – August 20, 2018
 - d. Responses Received

Chair Kozakevich advised that the public hearing report reflects an accurate account of what took place at the public hearing held on August 20, 2018.

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the public hearing report be received. - **CARRIED**

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

THAT Bylaw No. 2458.13, 2018, Electoral Area “E” Official Community Plan Amendment Bylaw be read a third time, as amended, and adopted; and

THAT Bylaw No. 2459.30, 2018, Electoral Area “E” Zoning Amendment Bylaw be read a third time and adopted.

CARRIED

5. Zoning Bylaw Amendment – 891 & 945 Old Main Road, Electoral Area “E”
 - a. Bylaw No. 2459.31, 2018
 - b. Public Hearing Report – August 20, 2018
 - c. Responses Received

To allow an accessory dwelling with a floor area of 140 m² on one lot and to remove the ability to have an accessory dwelling on another lot.

Chair Kozakevich advised that the public hearing report reflects an accurate account of what took place at the public hearing held on August 20, 2018

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

THAT the public hearing report be received. - **CARRIED**

RECOMMENDATION 11 (Unweighted Rural Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2459.31, 2018, Electoral Area “E” Zoning Amendment Bylaw be read a third time and adopted. - **CARRIED**

Opposed: Director Pendergraft

C. PUBLIC WORKS

1. Investing in Canada Infrastructure Program (ICIP) Grant Opportunities
 - a. Investing in Canada Infrastructure Program (ICIP) Program Guide

To provide the required supporting Board resolution for the application for submission to the Investing in Canada Infrastructure Program, Green Infrastructure – Environmental Quality Program.

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

THAT the Board of Directors support the submission of a grant application to the Investing in Canada Infrastructure Program, Green Infrastructure – Environmental Quality Program for the Sun Valley Water System Metering And Back-up Generator Project; and further,

THAT the Board of Directors commit to funding their share of eligible costs through borrowing and reserves, to be determined upon confirmation of grant approval.

CARRIED

D. COMMUNITY SERVICES – Rural Projects

1. Award of Wharf Park Shoreline Rehabilitation Project

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

THAT the Board of Directors approve the tender evaluation report and recommendations for award of the “Wharf Park Shoreline Protection” Invitation to Tender; and

THAT the Board of Directors award the “Wharf Park Shoreline Protection” project to Chute Creek Contracting up to the amount of \$176,465 exclusive of GST.

CARRIED

E. FINANCE

1. Loose Bay Campground Society Service Provider Agreement

RECOMMENDATION 14 (Weighted Corporate Vote –Majority)**It was MOVED and SECONDED**

THAT the Board of Directors approves the Service Provider Agreement between the Loose Bay Campground Society and the Regional District of Okanagan Similkameen to manage & operate a campground in Electoral Area “C” for seasonal fruit pickers with the date as set out in the Service Provider Agreement. - **CARRIED**

2. Electoral Area “B” Community Works Gas Tax Reserve Fund Expenditure
 - a. Bylaw No. 2827, 2018

This item was removed from the agenda.

-
3. Electoral Area “D” Community Works Program Reserve Expenditure
 - a. Bylaw No. 2826, 2018
 - b. Electoral Area “D” Director Letter - March 16, 2018

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

It was MOVED and SECONDED

THAT Bylaw No. 2826, 2018, Electoral Area “D” Community Works Program Reserve Fund Expenditure Bylaw to allocate \$35,000 toward the Heritage Hills Park Project be read a first, second and third time and be adopted. - **CARRIED**

F. LEGISLATIVE SERVICES

1. Petition to Enter Okanagan Falls Sanitary Sewer Service Area
 - a. Bylaw No. 1239.07, 2018

To bring an additional property into the Okanagan Falls Sanitary Sewer Service Area.

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 1239.07, 2018 Okanagan Falls Sanitary Sewer Service Area Extension Bylaw be adopted. - **CARRIED**

-
2. Transit Service Establishment Bylaw No. 2809, 2018
 - a. Bylaw No. 2809, 2018

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2809, 2018 Regional District of Okanagan-Similkameen Transit Service Establishment Bylaw be adopted. - **CARRIED**

3. Declaration of State of Local Emergency Approval

It was MOVED and SECONDED

Electoral Area "B":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "B" due to expire 24 August 2018, at midnight for a further seven days to 31 August 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "B" due to expire 31 August 2018, at midnight for a further seven days to 7 September 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "B" due to expire 7 September 2018, at midnight for a further seven days to 14 September 2018, at midnight.

Electoral Area "C":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 20 August 2018, at midnight for a further seven days to 27 August 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 27 August 2018, at midnight for a further seven days to 3 September 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "C" due to expire 3 September 2018, at midnight for a further seven days to 10 September 2018, at midnight.

Electoral Area "D":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 21 August 2018, at midnight for a further seven days to 28 August 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 28 August 2018, at midnight for a further seven days to 4 September 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "D" due to expire 4 September 2018, at midnight for a further seven days to 11 September 2018, at midnight.

Electoral Area "G":

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "G" due to expire 22 August 2018, at midnight for a further seven days to 29 August 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "G" due to expire 29 August 2018, at midnight for a further seven days to 5 September 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area "G" due to expire 5 September 2018, at midnight for a further seven days to 12 September 2018, at midnight.

CARRIED

G. CAO REPORTS

1. Verbal Update

H. OTHER BUSINESS

1. Chair's Report

-
2. Directors Motions

-
3. Board Members Verbal Update
-

I. ADJOURNMENT

By consensus, the meeting adjourned at 1:05 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: Building Bylaw Infraction
Folio: D-02346.100 Lot: A Plan: 34722 DL: 230S & 237S, SDYD
PID: 002-932-717
Civic Address: 320 / 328 Highway 3A

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, Plan 34722, District Lots 230S & 237S, 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.

Background:

The Contravention of Building Regulations Report dated August 24, 2018 from the Building Official indicates that on July 23rd, 2018 renovations to the single family dwelling were noted. A "Do Not Occupy" notice was placed on the front gate entering the property along with an additional Notice placed on the single-family dwelling. Also, a letter was sent to the registered owner advising of the "Do Not Occupy" notice and the requirements to obtain a permit.

July 23, 2018 - the owner contacted us and we outlined the expectations in order to bring the property into compliance. They did not respond to our entry request and have since ignored further attempts to resolve the issues.

Background con't:

This property is listed on Airbnb and other vacation rental websites. No vacation rental TUP has been issued. The listings says that the home can accommodate up to 20 guests. The listings remain active after the Do Not Occupy notices were posted and the availability listing shows the property continues to be rented.

On August 21, 2018, photos taken of the property show that the "Do Not Occupy" notices have been removed and a witness submitted in writing that the property continues to be used by large groups of people.

On August 23, 2018 a Final Notice letter was sent to the Registered owner.

To date, no permit has been applied for/obtained.

In order to close the permit file, the owners would need to obtain a building permit for the works.

This Building Bylaw infraction is considered to be Category 3.

This property has a restrictive covenant regarding use of the fourth floor and the photos show that it was converted into living space without a building permit, posing a serious health and safety concern.

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

Analysis:

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.

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:

1. Do not proceed with enforcement action
2. Place a notice of deficiencies on the folio file (Category 1)
3. Place a Section 302 Notice on title (Category 2)

Respectfully submitted:

"L. Miller"

Laura Miller, Building Inspection Services Supervisor

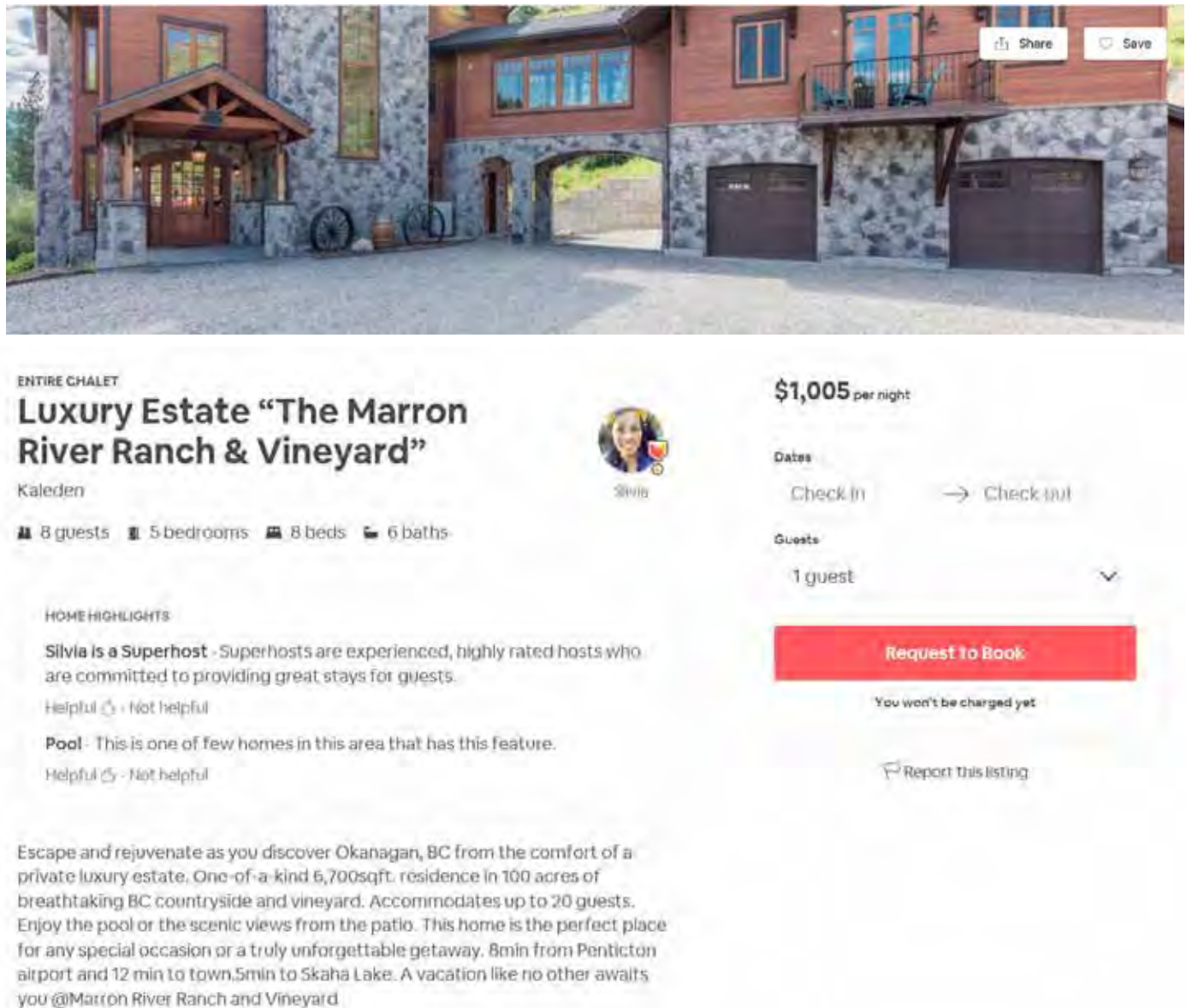
Endorsed by:

"B. Dollevoet"

B. Dollevoet, Development Services Manager



Screenshot of Airbnb listing on August 27, 2018



ENTIRE CHALET

Luxury Estate "The Marron River Ranch & Vineyard"

Kaleden

8 guests • 5 bedrooms • 8 beds • 6 baths

HOME HIGHLIGHTS

Silvia is a Superhost - Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Helpful ☺ • Not helpful

Pool - This is one of few homes in this area that has this feature.

Helpful ☺ • Not helpful

Escape and rejuvenate as you discover Okanagan, BC from the comfort of a private luxury estate. One-of-a-kind 6,700sqft. residence in 100 acres of breathtaking BC countryside and vineyard. Accommodates up to 20 guests. Enjoy the pool or the scenic views from the patio. This home is the perfect place for any special occasion or a truly unforgettable getaway. 8min from Penticton airport and 12 min to town, 5min to Skaha Lake. A vacation like no other awaits you @Marron River Ranch and Vineyard

\$1,005 per night

Dates

Check in → Check out

Guests

1 guest

Request to Book

You won't be charged yet

Report this listing

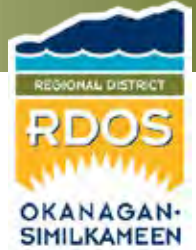
Airbnb Availability listing

July 23, 2018 **August 23, 2018**

August 2018							→
Mo	Tu	We	Th	Fr	Sa	Su	
		1	2	3	4	5	
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	
20	21	22	23	24	25	26	
27	28	29	30	31			

August 2018							←
Mo	Tu	We	Th	Fr	Sa	Su	
		1	2	3	4	5	
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	
20	21	22	23	24	25	26	
27	28	29	30	31			

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: September 20, 2018
RE: Zoning Bylaw Amendment – Electoral Area “D-2”

Administrative Recommendation:

THAT Bylaw No. 2603.14, 2018, Electoral Area “D-2” OCP Amendment and Bylaw No. 2455.37, 2018, Electoral Area “D-2” Zoning Bylaw Amendment be denied.

Purpose: To change the OCP designation and rezone a portion of the property to allow a RV Park.

Owner: Mark I Developments Inc. Applicant: McElhanney Consulting Services Folio: D-01114.000

Civic: 4850 Weyerhauser Rd, OK Falls Legal: Lot 2, DLs 10 and 551, SDYD, Plan 10100 Except: (1) Plans 13894, 22388, H950 and 42916 (2) Parcels F and H on Plan A9858

OCP Designation: Industrial (I) Proposed OCP Designation: Commercial Tourist (CT)

Zoning: Industrial (Light) One (I1) Proposed Zoning: Campground Commercial (CT2)

Proposed Development:

This application proposes to amend the Official Community Plan and the Zoning Bylaw for a 2.43 ha portion of the property, to allow a 50 site Recreational Vehicle park. Specifically, the Official Community Plan amendment is to change the land use designation from Industrial (I) to Commercial Tourist (CT). The rezoning is to change the zoning from Industrial (Light) One (I1) to Campground Commercial (CT2).

In support of the proposal the applicant states:

- “There is a significant amount of vacant industrial land within Okanagan Falls, so the proposed land use change from Industrial to Commercial will not have a detrimental impact on the supply of industrial land in the area”;
- “Rezoning the property for a Recreation Vehicle Park will certainly improve and enhance the appearance of the property viewed from Highway 97”; and
- “The proposed RV Park will promote and encourage tourism within Okanagan Falls.”

Site Context:

The property is approximately 3.76 ha and situated east of Highway 97 in Okanagan Falls on the north side of Weyerhauser Rd.

The surrounding pattern of development is characterized by industrial and agricultural properties to the north, east, and south. To the west across Highway 97 are rural residential lots.

Background:

The subject property was created by a subdivision plan deposited in the Kamloops Land Title Office on October 1959.

Available Regional District records indicate issued Building Permits for accessory buildings in 1996, 1997, 2002, an office in 2003, and the relocation of a log home in 2014. The property was historically used to manufacture log homes.

An application to subdivide the property into two lots was referred to the Regional District by MoTI in July 2017. The requirements of subdivision have not been satisfied by the applicant at this time. A development variance permit was issued in October 2017 to facilitate the subdivision by allowing an existing building to be situated 3.90 metres from the new parcel line.

Under the Electoral Area "D-2" Official Community Plan (OCP) Bylaw No. 2603, 2013, the property is within the Growth Area Boundary for Okanagan Falls and is designated as Industrial (I) and within Hillside/Steep Slope (HSSDP), Environmentally Sensitive (ESDP), and Okanagan Falls Industrial (IDP) Development Permit Areas.

Under the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, the property is zoned Industrial (Light) One (I1) zone. As part of preparation for a single Okanagan Valley Electoral Area Zoning Bylaw a number of tourist commercial zone updates are proposed.

The applicant's rezoning request was originally to rezone to Tourist Commercial Four (Campground) Zone (CT4) which is proposed to be replaced with the new Campground Commercial Zone (CT2).¹ The proposed Campground Commercial Zone (CT2) allows 'campground' as the permitted principal use. "Campground" is defined as:

development of land which has been planned and improved for the seasonal short term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles, and is not used as year round storage, or accommodation for residential use. Typical uses include trailer parks, campsites and tenting grounds.

Referrals:

Referral comments on this proposal have been received from Interior Health Authority, Ministry of Forests, Lands, Natural Resource Operation and Rural Development, Okanagan Falls Irrigation District, and FortisBC and these are included as a separate item on the Board Agenda.

Public Process:

A Public Information Meeting was held on September 11, 2018, and was attended by nine (9) members of the public.

At its September 11, 2018 meeting, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that the subject development application be denied.

Analysis:

¹ Amendment Bylaw No. 2808, 2018 to replace the CT4 zone with CT2 zone received 1st and 2nd readings at the July 19th Board meeting. First Public Hearing was held on August 16, 2018.

As the Regional Board is aware, Administration does not generally support the creation of ad hoc or spot zonings where they are divorced from broader strategic land use objectives.

In addition, OCP Bylaw No. 2603 has a number of relative policies and objectives to this application:

Section 3.3 Regional Growth Strategy

- 'Promote sustainable economic diversification': The long term and sustainable economic growth and creation of a year round work force of the Electoral Area lies in the diversification of the area's economy. The OCP supports the retention of the significant industrial land use base that exists within Okanagan Falls...

Section 13.2.4 Commercial Objective

- To minimize land use incompatibility between commercial activities and surrounding land uses.

Section 14.1 Industrial Objectives

- To protect the industrial area within the Okanagan Falls by ensuring new development is complimentary to existing industrial land uses located within the industrial area of Okanagan Falls.

Section 14.2.2 Industrial Policies

- Recognizes the importance of maintaining the industrial land base, including the former Weyerhaeuser site and **discourages the conversion to other non-industrial uses.** [emphasis added]

The OCP objectives and policies above support the retention of industrial land within Okanagan Falls, and encourage the development of vacant commercial parcels before re-designating other land to commercial. The applicant's proposal to re-designate and rezone this parcel from industrial to commercial does not meet these OCP objectives and policies. The proposal would convert a portion of Okanagan Falls' industrial land base and would allow the re-designation of land to commercial outside the town site before existing vacant parcels are developed.

In addition to broader OCP objectives and policies, the compatibility of uses in the neighbourhood needs to be considered. One of the key purposes of zoning is to separate incompatible land uses. The subject property is surrounded by industrial and agricultural properties. Adjacent industrial properties are zoned Industrial (Light) One (I1) which permits a range of industrial uses including: 'construction supply centre', 'manufacturing', 'outdoor storage', 'packing, processing and storage of farm products', 'salvage operation', and 'vehicle sales and rentals'. Some of these uses could produce noise, odour, and visual nuisances that would be unsuitable next to a proposed RV park where guests stay overnight. A suitable location for a RV park would be in a neighbourhood with other complimentary tourist commercial amenities for guests or in a residential neighbourhood that is close to parks, trails, and other recreation amenities.

Conversely, the OCP also contains policies when considering new Tourist Commercial zones including criteria such as: not within the ALR, not on steep slopes or hazards areas, if access can be provided without constructing new roads or utility corridors through environmentally sensitive areas, will not have a significant negative impact on quality of life of existing residents, and where it can connect to a community sewer system; of which most of these criteria seems to be met by the proposal. However, there are steeper slopes on the property and there exists a large portion of environmentally sensitive lands that would need to be developed for access.

In summary, Administration does not support the proposed land use amendment due to the concern of the compatibility of a vacation style commercial RV park to be set amidst a largely industrial area, in addition to the loss of limited industrial land supply in the Okanagan Falls Primary Growth Area.

Alternatives:

- .1 THAT Bylaw No. 2603.14, 2018, Electoral Area "D-2" OCP Amendment and Bylaw No. 2455.37, 2018, Electoral Area "D-2" Zoning Bylaw Amendment be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 18, 2018;

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

- .2 THAT Bylaw No. 2603.14, 2018, Electoral Area "D-2" OCP Amendment and Bylaw No. 2455.37, 2018, Electoral Area "D-2" Zoning Bylaw Amendment be read a first and second time and proceed to public hearing;

AND THAT the holding of the public hearing be delegated to Director Tom 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*.

Respectfully submitted

Endorsed by:

Endorsed by:

E. Riechert

E. Riechert, Planner

CG

C. Garrish, Planning Supervisor

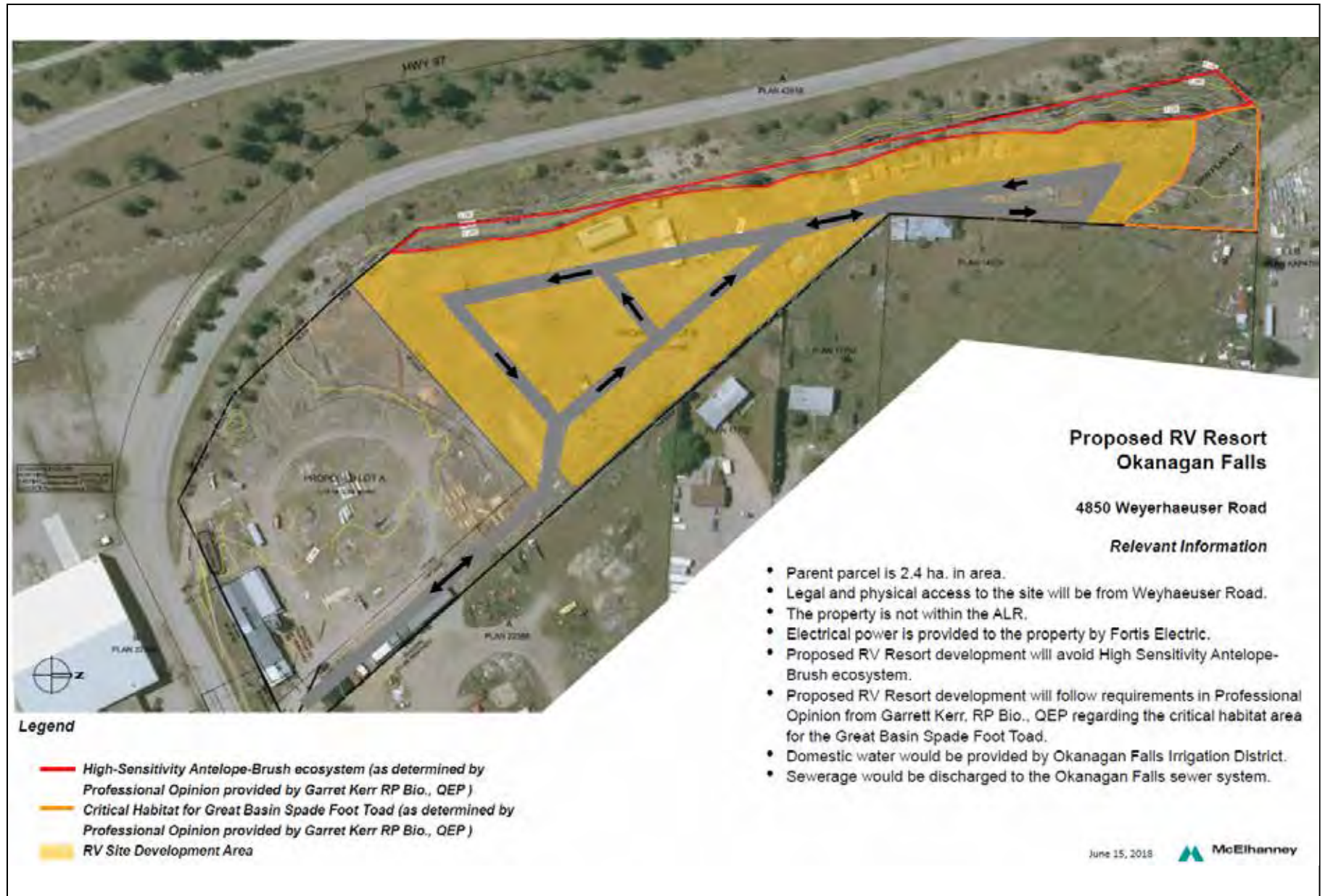
B. Dollevoet

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Applicant's Proposal Site

No. 2 – Proposed Site Plan

Attachment No. 3 – Applicant's Proposal



Attachment No. 4 – Applicant's Site Plan



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.37, 2018

A Bylaw to amend the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D-2" Zoning Amendment Bylaw No. 2455.37, 2018."
2. The 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 a portion of the land described as Lot 2, District Lots 10 and 551, SDYD, Plan 10100 Except (1) Plans 13894, 22388, H950 and 42916 (2) Parcels F and H on Plan A9858, and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Industrial (Light) One (I1) to Campground Commercial (CT2).

READ A FIRST AND SECOND TIME this 20th day of September, 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 "D-2" Zoning Amendment Bylaw No. 2455.37, 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

Corporate Officer

Regional District of Okanagan-Similkameen

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

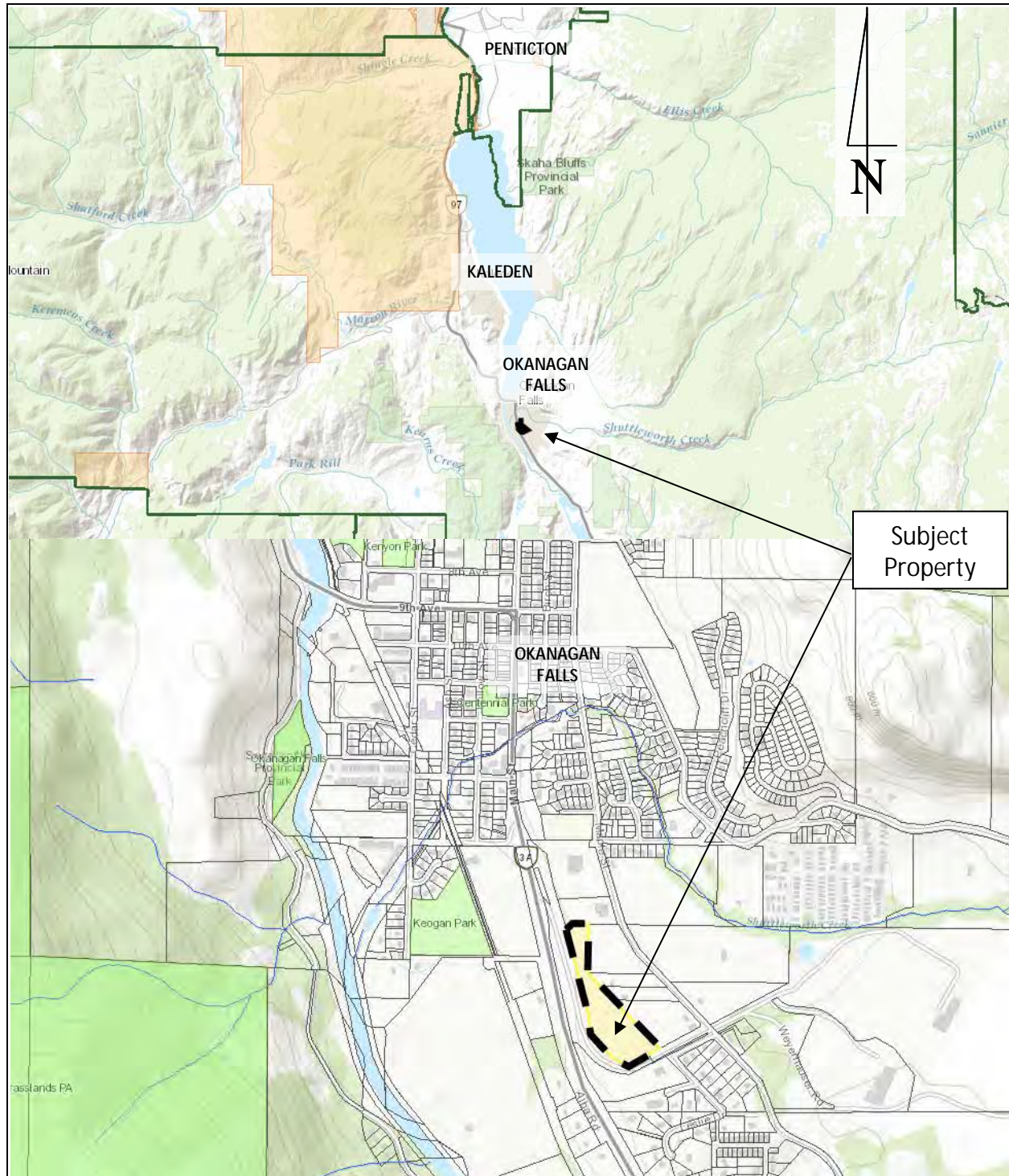
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.37, 2018

Project No: D2018.066-ZONE

Schedule 'A'



Amendment Bylaw No. 2455.37, 2018
(D2018.066-ZONE)

DRAFT VERSION 2018-07-24

Page 3 of 4

Regional District of Okanagan-Similkameen

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

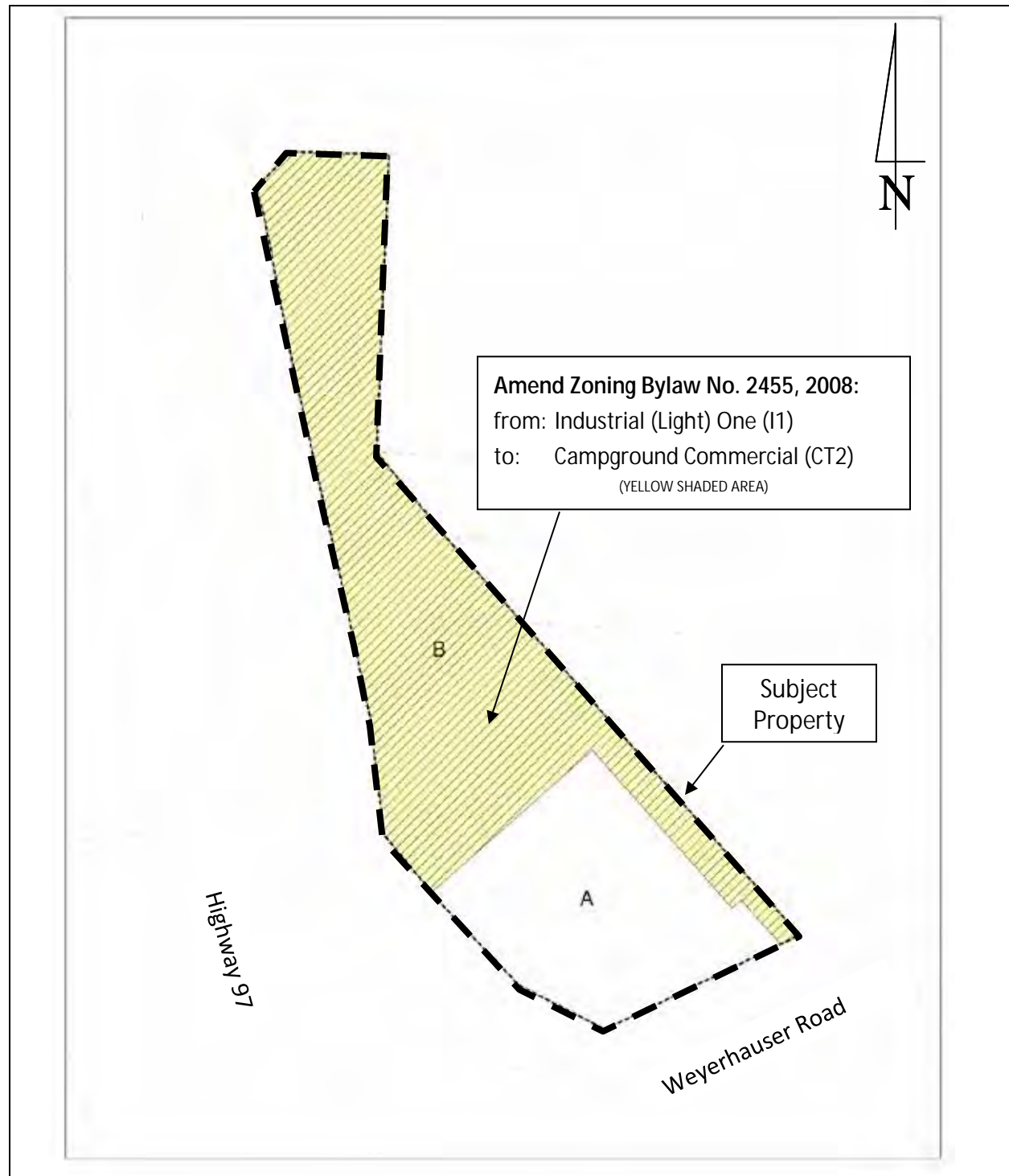
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.37, 2018

Project No: D2018.066-ZONE

Schedule 'B'



Amendment Bylaw No. 2455.37, 2018
(D2018.066-ZONE)

DRAFT VERSION 2018-07-24

Page 4 of 4

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.14, 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" Official Community Plan Amendment Bylaw No. 2603.14, 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 the changing land use designation on a portion of the land described as Lot 2, District Lots 10 and 551, SDYD, Plan 10100 Except (1) Plans 13894, 22388, H950 and 42916 (2) Parcels F and H on Plan A9858, and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Industrial (I) to Commercial Tourist (CT).
3. The Form and Character Development Permit Areas Map, being Schedule 'E' of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013 is amended by removing the "Okanagan Falls Industrial Development Permit Area" designation on a portion of the land described as Lot 2, District Lots 10 and 551, SDYD, Plan 10100 Except (1) Plans 13894, 22388, H950 and 42916 (2) Parcels F and H on Plan A9858, and shown shaded yellow on Schedule 'B', which forms part of this Bylaw.

READ A FIRST AND SECOND TIME this 20th day of September, 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

DRAFT

Regional District of Okanagan-Similkameen

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

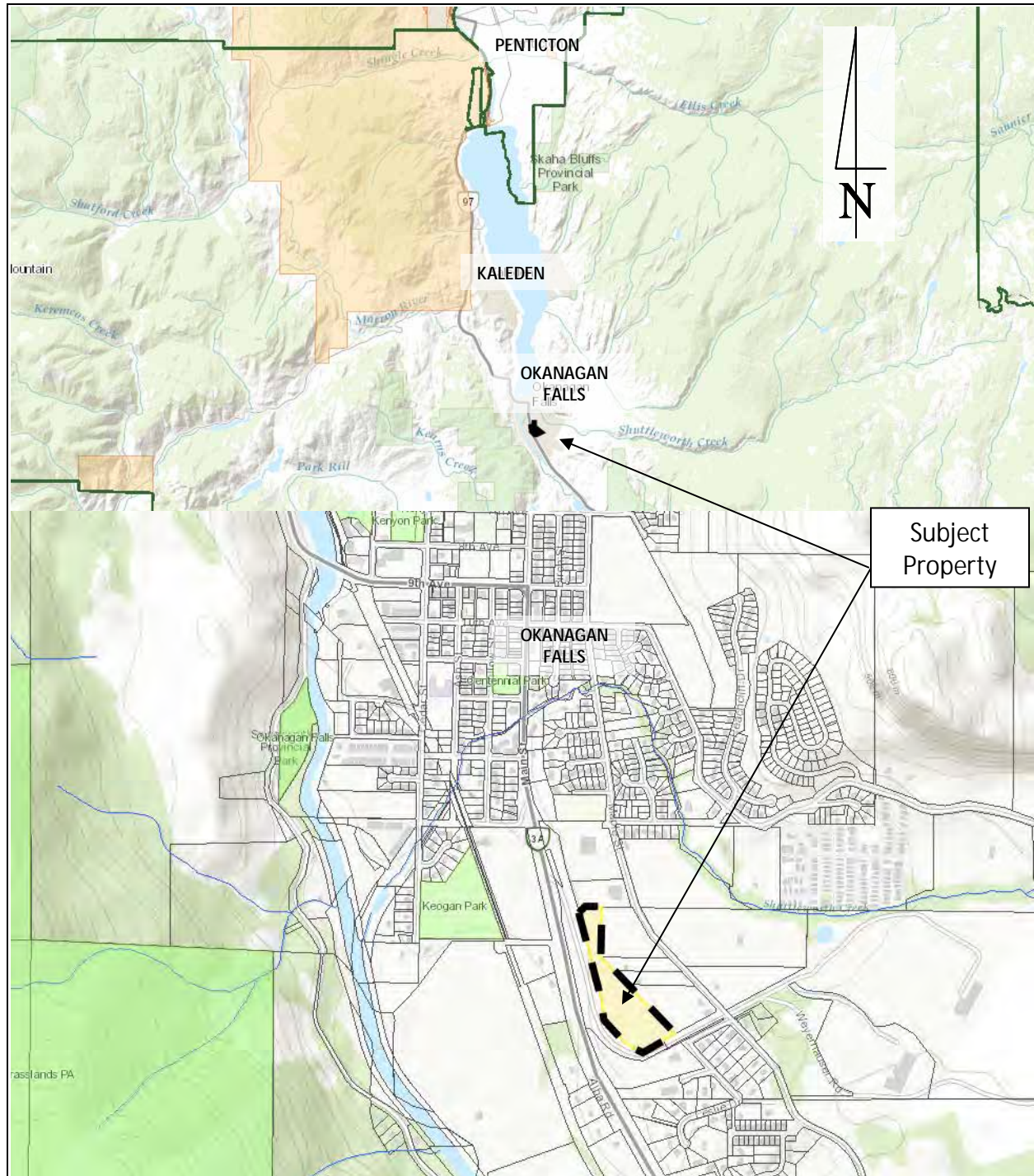
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.14, 2018

Project No: D2018.066-ZONE

Schedule 'A'



Amendment Bylaw No. 2603.14, 2018

(D2018.066-ZONE)

DRAFT VERSION 2018-07-24

Page 3 of 4

Regional District of Okanagan-Similkameen

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

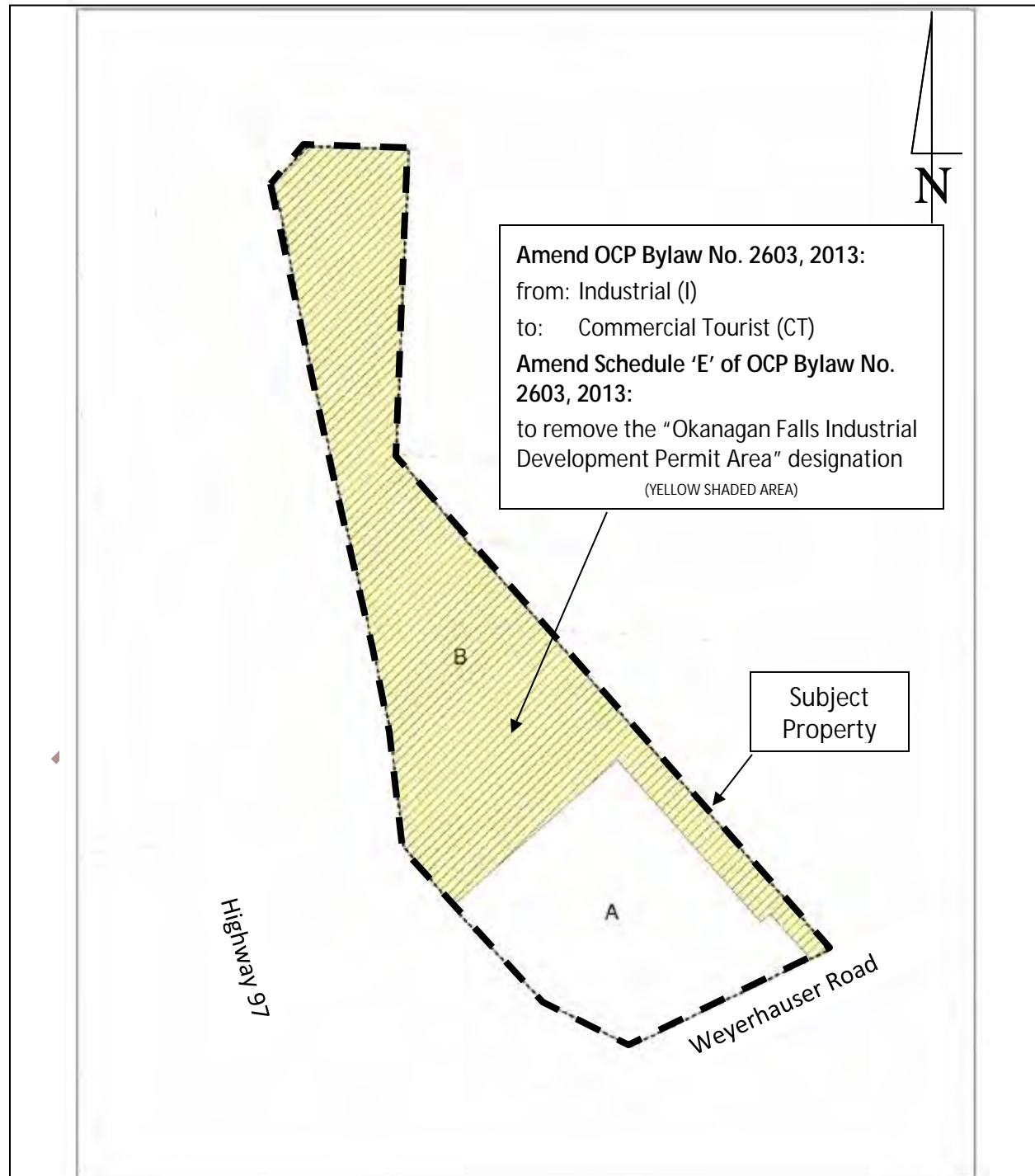
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.14, 2018

Project No: D2018.066-ZONE

Schedule 'B'



Amendment Bylaw No. 2603.14, 2018
(D2018.066-ZONE)

DRAFT VERSION 2018-07-24

Page 4 of 4

Lauri Feindell

From: Towstego, Lucas FLNR:EX <Lucas.Towstego@gov.bc.ca>
Sent: August 30, 2018 8:59 AM
To: Emily Williamson
Cc: Lauri Feindell
Subject: RE: D2018.066-ZONE - Bylaw Referral (Mark 1 Developments Ltd.)

Hello Emily,

Thank you for your archaeological referral regarding 4850 Weyerhauser Road, OK Falls, PID 009586717 (Lot 2, District Lots 10 and 551, SDYD, Plan 1011 Except (1) Plans 13894, 22388, H950 and 42916 (2) Parcels F and H on Plan A958). According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property (Shown in brown in the photo below).

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.

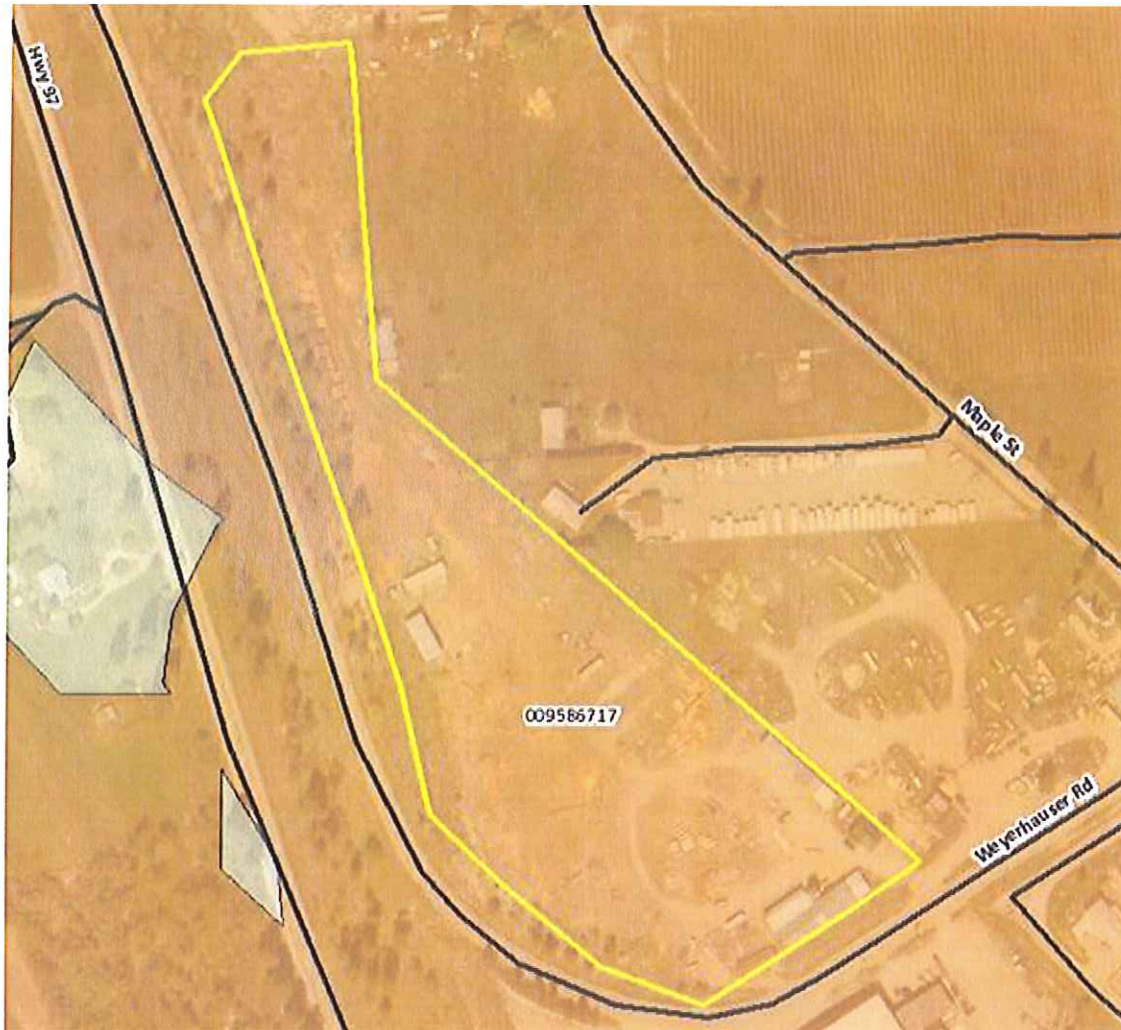
Prior to any land alterations (*e.g.*, addition to home, property redevelopment, extensive landscaping, service installation), an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to 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) 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). If this does not represent the property listed in the referral, please contact me.



Regards,
Lucas

**2018
TOP
WORK UNIT
AWARD**

Lucas Towstego

Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development

3-1250 Quadra St. Victoria BC V8W 2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W 9W3

Visit our website at: <http://www.for.gov.bc.ca/archaeology/>

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

Sent: Sunday, June 17, 2018 11:10 AM

To: HBE@interiorHealth.ca; Cooper, Diana FLNR:EX; Referral Apps REG8 FLNR:EX

Subject: RE: D2018.066-ZONE - Bylaw Referral (Mark 1 Developments Ltd.)

Re: Project No. D2018.066-ZONE

Lot 2, District Lots 10 and 551, SDYD, Plan 1011 Except (1) Plans 13894, 22388, H950 and 42916 (2) Parcels F and H on Plan A958

4850 Weyerhaeuser Road, OK Falls)



**DEVELOPMENT APPROVALS
FOLLOW UP COMMUNICATION**

Your File #: D2018.066-
ZONE Mark 1
Dev (2455.37)
eDAS File #: 2018-03377
Date: June 19, 2018

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Bylaw Text Amendment Approval Application for:
Lot 2, DLs10 and 551, SDYD Plan 1011 Except (1) Plans 13894,
22388, H950 and 42916 (2) Parcels F and H on Plan A9858
4850 Weyerhauser Road, Okanagan Falls, BC**

As this property is located beyond 800 metres from an intersection with a Controlled Access Highway and any other Highway, this Ministry is not required to approve the proposed zoning amendment.

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

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2603.14 & 2455.37

☐ 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: J. Morris

Signed By: JUDY MORRIS

Agency: KANAWHA FALLS
IRRAWADDY DISTRICT

Title: MANAGER

Date: JUNE 21/18



July 4, 2018

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

Dear Christopher Garrish,

RE. File Number: D2018.066-ZONE

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 cursive script, appearing to read "J. Rimell".

Janelle Rimell, B.Sc, B.Tech, C.P.H.I.(C)
Environmental Health Officer
Healthy Communities Team

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: July 11, 2018 10:57 AM
To: Planning
Subject: Weyerhauser Rd, 4850 Okanagan Falls (D2018.066-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Weyerhauser Road. However, due to the size and configuration of the proposed lot, it is likely that extension work will be required to bring service to potential building sites, the cost of which may be significant. To date, arrangements have not been completed to meet the requirements to service the proposed subdivision.

Further, there are FBC(E) transmission facilities bisecting the norther portion of the proposed Lot B. It should be noted that proposals for any construction within the right of way, including, but not limited to, water, sewer and other utilities must be reviewed and approved by FBC(E) prior to installation for safety and operational purposes. No elevation changes are permitted within all right of way areas without review and approval by FBC(E). Typically, only crossings will be permitted subject to appropriate conditions. Parallel construction within the right of way will not likely be approved. The applicant is responsible for costs related to the detailed review of their proposal in addition to any other costs which may arise or be required related to this development's potential or actual impact on the transmission corridor.

The applicant is responsible for costs associated with changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

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

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

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

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

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

Best Regards,

Steven Danielson,
Contract Land Agent for:

cc-Agent: July 12, 2018



July 11, 2018

File: D2018.066-ZONE

Mark I Devel.
D0114.000

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

Attention: Emily Williamson

Re: Rezoning from Industrial (Light) One to Recreation Vehicle Park (C7) of 4850
Weyerhaeuser Rd., Okanagan Falls, B.C.

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resources & Rural Development has reviewed the above noted referral. We understand that the application is for Rezoning from Industrial (Light) One to Recreation Vehicle Park (C7) in order to allow development of an RV park with approximately 50 sites. According to our records, the proposed tenure area may contain the following sensitive values:

- Pallid bat critical habitat
- Great Basin spadefoot critical habitat
- Blotched Tiger salamander critical habitat
- proposed critical habitat for gopher snake, rattlesnake and desert night snake

In addition, portions of the western edge of the parcel have very high conservation ranking due to the **red-listed antelope-brush / needle-and-thread grass community** present.

As per the RDOS Area D ESDPA guidelines, an EA report prepared by a QEP is required as part of the development permit proposal. Please note that the Supplementary Information submitted by the applicant and dated April 25, 2018 does not meet these requirements.

The province **recommends that the proponent retain a qualified professional (QP) to conduct an assessment of the site prior to re-zoning** to demonstrate that the proposed RV Park can be developed without disturbing the existing antelope-brush community. It should also determine the potential for adverse effects to other environmental values as a result of development, and develop value-specific mitigation measures to avoid or limit adverse effects. The results of this assessment should be submitted to the undersigned for review using the attached *Thompson Okanagan Region Qualified Professional Checklist for Environmental Values*. The submitted Checklist must be based on the development

cc Agent: July 12, 2018

proposal. QPs are encouraged to contact the undersigned directly for further information if necessary. We will notify the referring agency of any outstanding recommendations for consideration in the approving the application following review of the Checklist. In rare instances, a more detailed assessment (e.g., environmental impact assessment (EIA)) may be required based on our review of the completed Checklist.

We appreciate the opportunity to contribute to this application as part of the Ministry's One Land Manager model. Please contact the undersigned if you cannot follow the recommendations provided in this referral response. It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Sustainability Act* and the *Wildlife Act*. The undersigned may be reached at Jamie.Leathem@gov.bc.ca or 250-490-8294 if you have further questions or require additional information.

Sincerely,

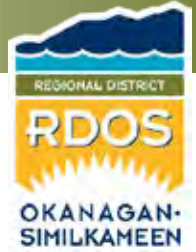
A handwritten signature in black ink, appearing to read 'Jamie', with a stylized flourish at the end.

Jamie Leathem, M.Sc.
Ecosystems Biologist
For the Referral Committee

JL/jl

Attachment: Thompson Okanagan Region Qualified Professional Checklist for Environmental Values

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: OCP & Zoning Bylaw Amendment – Electoral Area “D”

Administrative Recommendation:

THAT Bylaw No. 2683.01, 2018, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2457.16, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a third time and adopted.

Purpose: To formalise the existence of a 4-plex on the subject property and to allow its use for short-term tourist accommodation purposes.

Owner: Warren & Jeannine Cressman Agent: N/A Folio: D-02793.152

Legal: Lot 1, Plan KAS2465, DL 395S, SDYD Civic: 133 Whitetail Road, Apex

OCP: Low Density Residential (LR) Proposed: Residential Mixed Use (RMU)

Zoning: Residential Apex Alpine Site Specific (RS4s) Proposed: Mixed Use Apex Alpine Site Specific (RMUs)

Proposed Development:

This proposal is seeking to amend the current Official Community Plan (OCP) designation and zoning on the subject property in order to formalise the existence of a “multi-unit residential” building (i.e. 4-plex) and to allow for each of the units to be used for vacation rental purposes.

The applicant has indicated, amongst other things, that the tourist accommodation they provide is Tourism BC approved; that they maintain a quiet time between 11pm and 7am; that they vet all guests personally; that the units they provide is meeting a demand at Apex as the number of other property owners renting their dwellings on a short-term basis is decreasing (due to vandalism) and that they live on the adjacent side of Whitetail Road and maintain an on-site office (making them available to respond to issues quickly).

Site Context:

The subject property is approximately 2,094 m² in area and is situated on the east side of Whitetail Road, Apex, and is seen to be comprised of a structure comprising approximately 4 dwelling units with vehicle parking provided along the boundary with Whitetail Road. The applicant has indicated that they are currently serviced by community water but that wastewater is dealt with through two on-site septic systems.

The surrounding pattern of development is generally characterised by single detached dwellings and other duplexes on similarly sized parcels.

Background:

A Public Information Meeting was held ahead of the APC meeting on November 15, 2016, and was attended by approximately 10 members of the public.

At its meeting of November 15, 2016, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that the subject development application be approved.

At its meeting of August 16, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of September 20, 2018.

All comments received through the public process are compiled and included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway.

Analysis:**Medium Density Residential**

Regarding the request to formalise the fourplex, Administration notes that both the RGS & OCP Bylaws recognise Apex as a Rural Growth Area and speak to directing growth to this community. The OCP further supports a range of residential densities for "resort communities" (i.e. Apex). Accordingly, the formalisation of a residential fourplex at the subject property is consistent with these broad objectives.

At the neighbourhood level, the OCP provides a number of assessment criteria to be used when considering new medium density residential designations and zones. This includes, amongst other things, susceptibility to natural hazards, environmental sensitivity, impact on the character of an area and the availability of local services (i.e. water and sewer) and amenities.

In this instance, available mapping indicates no known environmental values or natural hazards (i.e. geo-technical, flooding or wildfire). With regard to impact on the character of Whitetail Road (considered to be built-form and streetscape), this is seen to be inconsequential given the existing structure has been in-place for over 20 years and no new development is contemplated by this proposal.

On the matter of water and sewer services, while the property is seen to be connected to a community water system, wastewater is disposed of via two separate septic systems comprised within common strata property at the rear of the structure.

A Compliance Inspection completed by a Registered Onsite Wastewater Practitioner (ROWP), that concluded that this system is "undersized for the proposed 4-plex and would be unable to service the proposed changes" and has recommended the following upgrades be undertaken:

A minimum sized tank of 800 lgal would have to be added in series with the existing septic tanks for each side and a new, Type 2 seepage bed would have to be installed for each side. Based on a loading rate of 65L/day/m² (1.34 gal/day/ft²) the dispersal beds would be ~ 37ft x 12 ft in size.

The property owner has committed to undertake the necessary upgrades recommended by the ROWP as part of the building permit process required to bring the building into compliance with Code requirements for a 4-plex and that this would commence this year should the amendment bylaw be supported.

An inspection of the structure was also undertaken by a Regional District building inspector to ensure BC Building Code compliance and determined that a 45 minute fire resistance rating will be required to separate the 2 new suites from existing suites; and various health and safety requirements such as egress, smoke alarms, electrical and gas permits required from Technical BC. These will also be dealt with as part of the building permit process referenced above.

Vacation Rentals

With regard to the proposed vacation rental component of this rezoning (i.e. to allow 4 vacation rental uses on the property when the zoning bylaw otherwise limits this to 1), Administration notes that the OCP Bylaw speaks to encouraging "small scale tourist accommodation services", and that the Regional District Board previously adopted amendments to the Zoning Bylaw permitting vacation rental uses in all residential zones at Apex. In this context, the formalisation of the use of the units for vacation rental purposes is consistent with these broad objectives.

Conversely, Administration recognizes that this use will be occurring within a residential neighbourhood of Apex that is predominantly comprised of single detached dwellings and a limited number of duplexes. To the extent that other properties on Whitetail Road may already be utilized for vacation rental purposes, it is assumed that they are of a much smaller scale.

For these reasons, Administration favours limiting the use to no more than 32 patrons at any given time on the parcel.

Alternative:

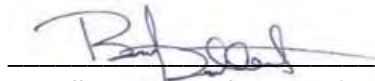
THAT first and second reading of Bylaw No. 2683.01, 2017, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2457.16, 2017, Electoral Area "D" Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



B. Dollevoet, Development Services Manager

Attachments: No. 1 – Site Photos (parking areas)a

Attachment No. 1 – Site Photos (parking areas)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.16, 2018

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. 2457.16, 2018."
2. The Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) replacing Section 16.14.1 under Section 16.14 (Site Specific Residential Multiple Family Three (RM3s) Provisions) with the following:
 - .1 in the case of land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD (133 Whitetail Road, Apex), and shown shaded yellow on Figure 16.14.1:
 - a) the following principal uses and no others shall be permitted on the land:
 - i) multi-unit residential; and
 - ii) vacation rental, subject to Section 7.28.
 - b) the following accessory uses and no others shall be permitted on the land:
 - i) home occupation, subject to Section 7.17; and
 - ii) accessory buildings and structures, subject to Section 7.13.
 - c) despite Section 7.28.1, no more than four (4) vacation rental uses are permitted parcel.
 - d) despite Section 7.28.4, no more than 32 patrons, with an aggregate occupancy of eight (8) patrons per dwelling unit shall be accommodated.

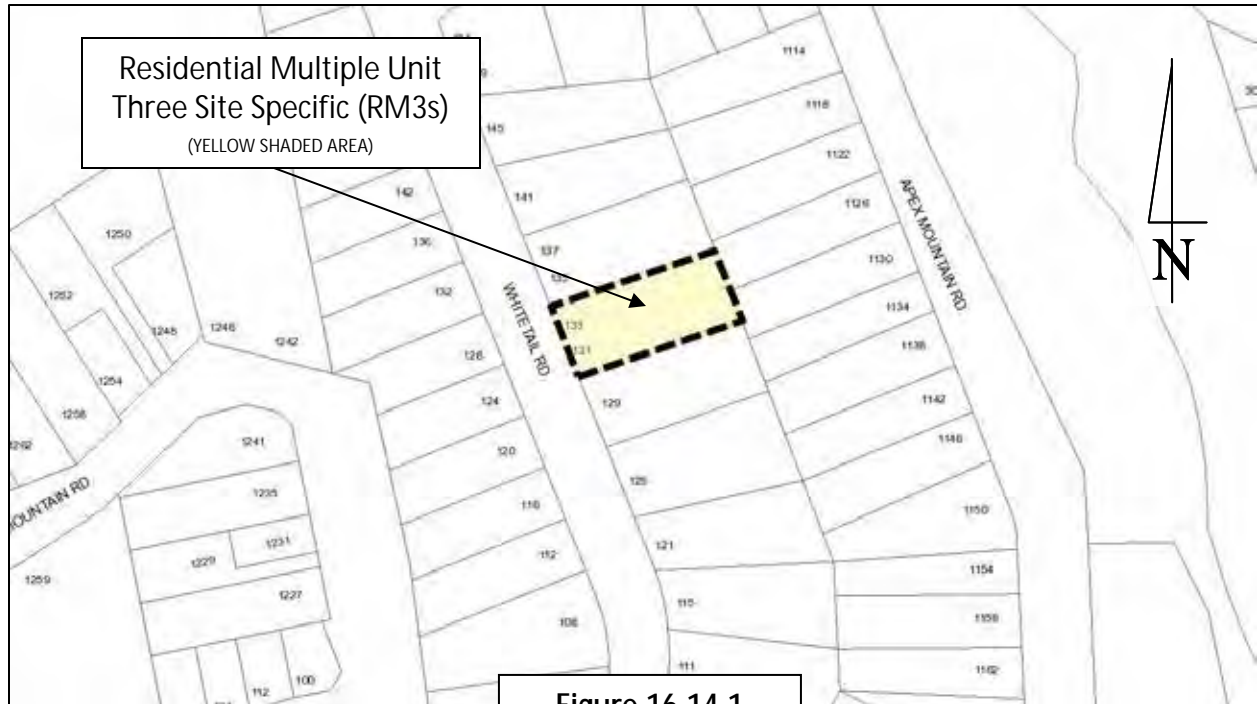


Figure 16.14.1

ii) replacing Section 16.9.1 under Section 16.0 (Site Specific Designations) with the following:

.1 in the case of land described as:

- Lot 1 & 2, Plan KAS1451, District Lot 395S, SDYD;
- Lots 1 & 2, Plan KAS3001, District Lot 395S, SDYD;
- Lots 1 & 2, Plan KAS1315, District Lot 395S, SDYD;
- Lot 29, Plan 31695, District Lot 395S, SDYD;
- Lots 1 & 2, Plan KAS2532, District Lot 395S, SDYD;
- Lot 1, Plan KAP71728, District Lot 4064S, SDYD;
- Lot 1, Plan KAP77547, District Lot 4064S, SDYD;
- Lots 1 & 2, Plan KAS3747, District Lot 4064S, SDYD; and
- Lot 3, Plan KAP77547, District Lot 4064S, SDYD.

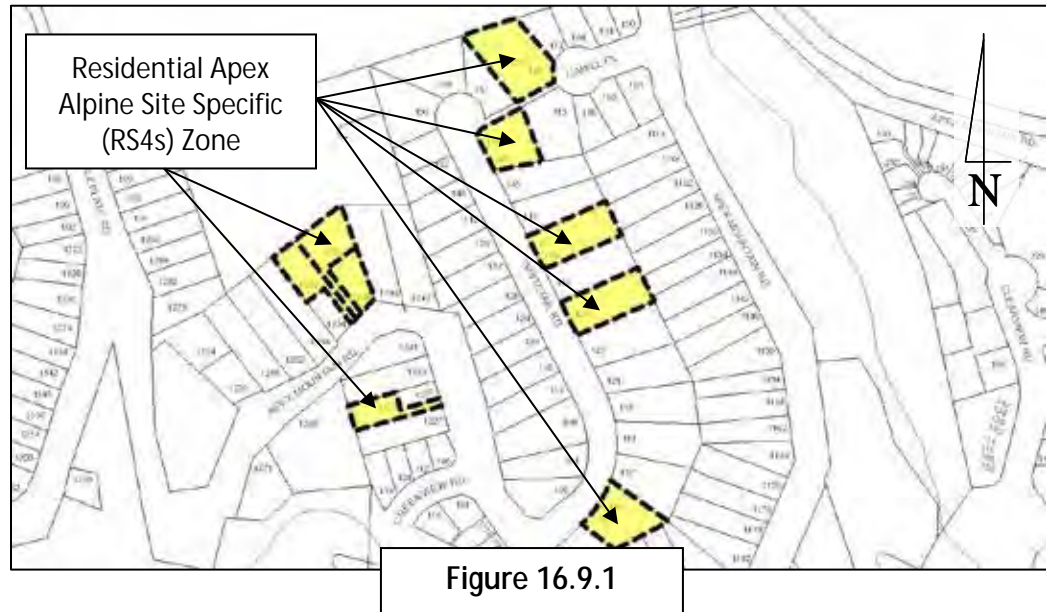
and shown shaded yellow on Figure 16.9.1:

i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 11.3.1:

1. "duplex".

ii) despite Section 11.3.3, the minimum parcel size shall be 500 m² for the purpose of subdivision of duplexes under the *Strata Property Act*, subject to servicing requirements.

- iii) despite Section 11. 3.5, the maximum number of dwellings permitted per parcel shall be two (2) dwelling units, provided that both dwellings are located in one (1) residential building.



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 1 & 2, Plan KAS2465, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'Y', which forms part of this Bylaw, from Residential Apex Alpine Site Specific (RS4s) to Residential Multiple Family Three Site Specific (RM3s).

READ A FIRST AND SECOND TIME this 16th day of August, 2018.

PUBLIC HEARING held on this 20th day of September, 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

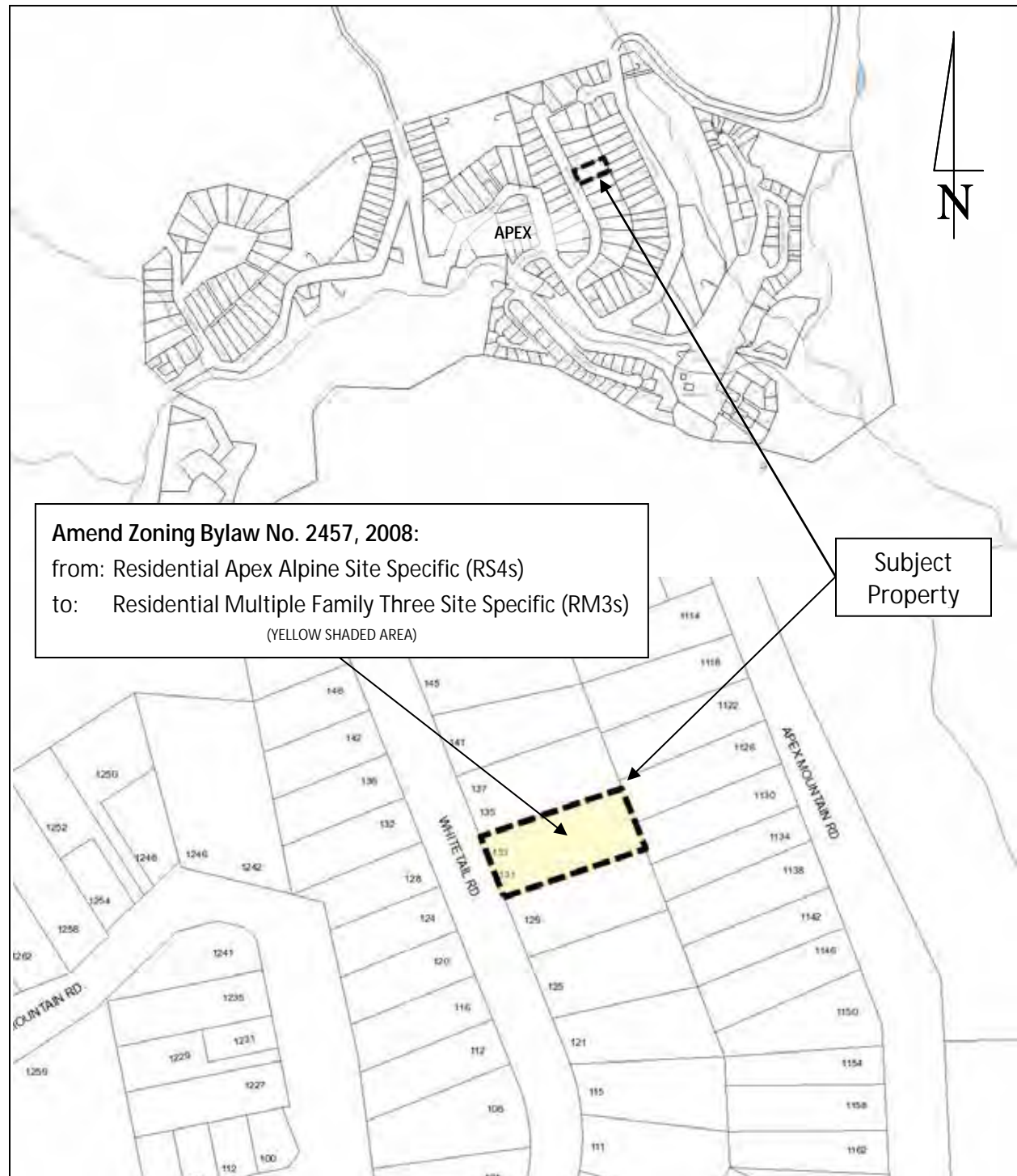
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.16, 2018

Project No: D2016.090-ZONE

Schedule 'Y'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2683.01, 2018

**A Bylaw to amend the Electoral Area "D-1"
Official Community Plan Bylaw No. 2683, 2016**

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-1" Official Community Plan Amendment Bylaw No. 2683.01, 2018."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by changing land use designation on the land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 or V, as appropriate, and 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 16th day of August, 2018.

PUBLIC HEARING held on this 20th day of September, 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

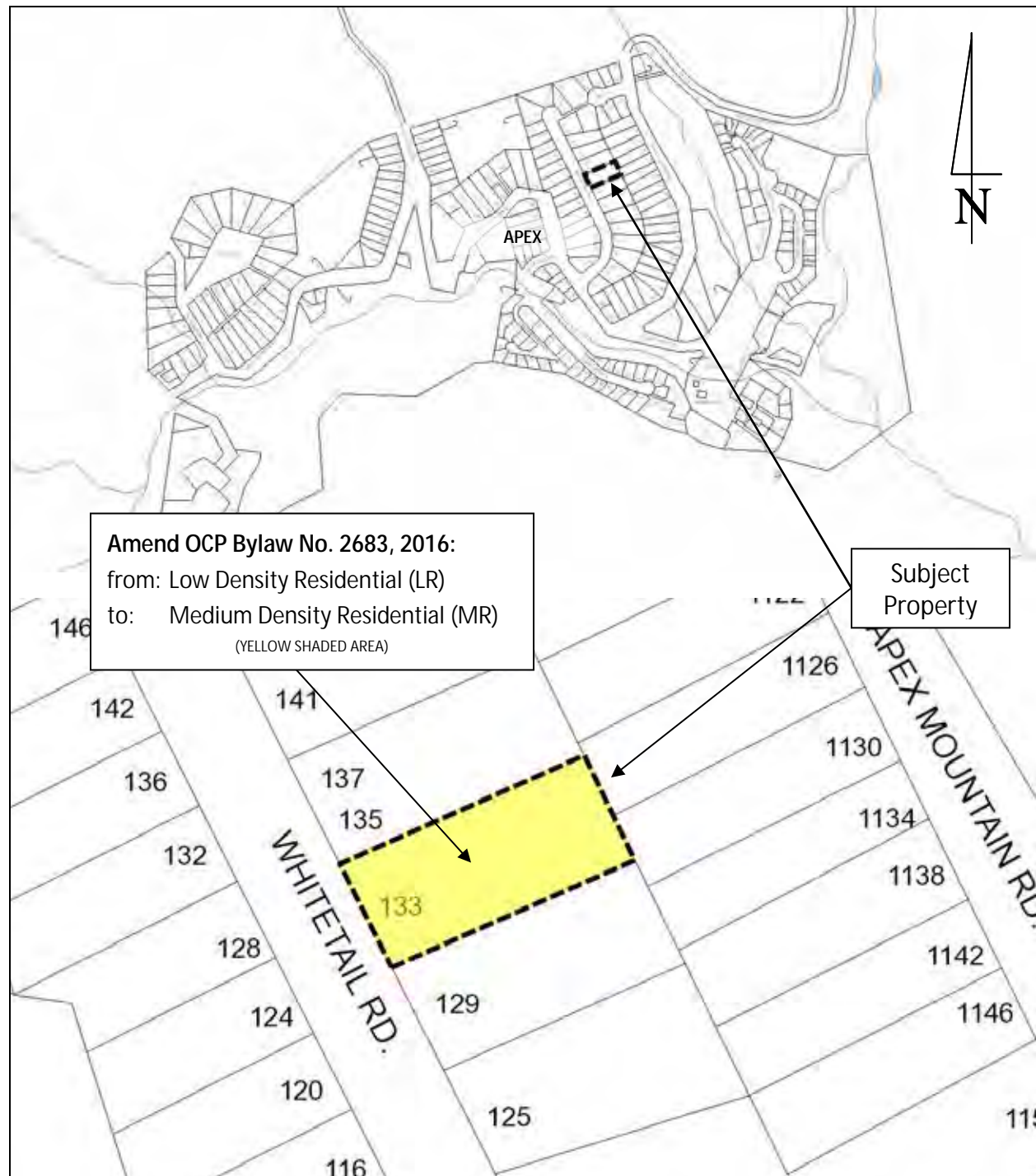
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.01, 2018

Project No: D2016.090-ZONE

Schedule 'A'



August 12, 2017

R.D.O.S.
101 Martin Street
Penticton, B.C.
V2A 5J9

Re: 133 Whitetail Road, Apex Mountain, B.C.

To Whom It May Concern:

This letter is to inform you that Warren and Jeannine Cressman have acquired my services to review and comment on the existing sewerage disposal system located at Apex Mountain at 133 Whitetail Road and what impact their proposed changes to the existing structure will have on the system. The current structure is a duplex and the proposed changes are to convert it to a 4-plex. The legal description of the property is Lot 1 & Lot 2, Plan KAS2465, District Lot 395s, S.D.Y.D.

The sewerage disposal system was installed under permit issued by the Ministry of Health and has an "Application For A Permit To Construct" dated, July 25, 1994. The Folio Number is SOHU 94/67. This was the only documentation that Interior Health could find on file, there was no "Authorization To Operate" found. In addition, the information on the application was quite limited and did not correspond with the drawing that was on file with the RDOS from 1994. Based on the drawing, there was an 800 lgal septic tank installed and a 400 ft² seepage bed installed, per side. The septic tank size has been confirmed based on the inspection report from Superior Septic, dated June 12, 2017. The size of the seepage beds have not been confirmed, but assumed to be correct.

Upon reviewing the original "Application for Permit", it appears that the systems were designed for 5 bedrooms each, for a total of 10 bedrooms. The Application does not indicate what daily flow rates were determined at the time, nor does it indicate what the soil loading rates were in order to size the dispersal areas.

Since the existing duplex structure appears to be plumbed in 2 halves, sizing the sewerage system for the proposed 4-plex will have to be determined by sizing the systems for 2 units each.

The proposed 4-plex will incorporate a 3 bedroom, 1900 ft² unit and a 2 bedroom, 1300 ft² unit per sewage disposal system. Based on the current Standard Practice Manual (SPM V3), the daily flow rating for each side would be 506 lgal/day (2300 L/day) – Table II-8 of the SPMV3. Based on this daily flow rating the required septic tank size would have to be minimum 1518 lgal or 6900 L, per side – Table II-32 of the SPMV3. In order to determine the total infiltrative surface area required for the dispersal fields, some onsite testing would have to be completed to determine the type of soils, and hence, the soil loading rate.

In conclusion, based on the septic tank sizing alone, the existing sewage disposal system is undersized for the proposed 4-plex and would be unable to service the proposed changes.

This letter has been completed for Warren and Jeannine Cressman with respect to their proposed restructuring of their duplex located at 133 Whitetail Road, Apex Mountain, B.C. and what impact it will have on the existing sewage disposal system. Conclusions were formed based on documentation supplied to me by the Interior Health Authority, Jeannine Cressman and Christopher Garrish (Planning Supervisor for the RDOS). Documentation included Ministry of Health application for permit to construct a sewage disposal system, building plans for the existing duplex, inspection report completed by Superior Septic and a drawing showing the layout and sizing of the existing sewage disposal system.

Sincerely:

Rick Ronning



Previously submitted to
August 16, 2018 – 1st – 2nd Board Meeting

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: October 21, 2016 4:51 PM
To: Planning
Subject: Whitetail Rd, 133 Apex Mtn RDOS (D2016-090-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Whitetail Road. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

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

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

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

Best Regards,

*Steven Danielson,
Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, P.App.
Supervisor | Property Services | FortisBC Inc.**

2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Office: 250.469.8033
Mobile: 250.718.9398
Fax: 1.866.636.6171
nicholas.mirsky@fortisbc.com



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D02793.154
Cressman ZONE

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2457.16

☐ Approval Recommended for Reasons
Outlined Below

☐ Interests Unaffected by Bylaw

☒ Approval Recommended Subject to
Conditions Below

☐ Approval Not Recommended Due
to Reasons Outlined Below

Provided that the subject property is serviced by the Apex community sanitary sewer and community water systems this office has no objection to amending the current zoning to legalize the existing 4-plex being used as a short term vacation rental.

Please contact me with any questions.

Thank you.

John Beaupre

Interior Health Authority

250-770-5540

Signature: John C. Beaupre

Signed By: John Beaupre

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: Oct. 14, 2016



Lauri Feindell

Subject: FW: Byalw Referral -D2016.090-ZONE

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

Sent: September 29, 2016 10:43 AM

To: Lauri Feindell

Subject: RE: Byalw Referral -D2016.090-ZONE

Hi Laurie,

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

Thank you

Cathy Lacey
Admin Support
MOE/MFLNRO Penticton



Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: September 29, 2016 4:39 PM
To: Christopher Garrish
Cc: Lauri Feindell
Subject: RE: Bylaw Referral -D2016.090-ZONE

Hello Christopher,

Thank you for the referral regarding the Bylaw Referral File D2016-090-ZONE for 133 White Tail Road, Apex, PID 025542150, STRATA L 2 DL 395S SIMILKAMEEN DIVISION YALE DISTRICT STRATA PL KAS2465 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPTN TO THE UNIT ENTITLEMENT OF THE STRATA L SHWN ON FORM V to allow for vacation rentals. According to Provincial records there are no known archaeological sites recorded on the subject property.

Archaeological potential modeling for the area indicates the entire area within which this property is located has moderate possibility for unknown/unrecorded archaeological sites to exist.

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) 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). If this does not represent the property listed in the data request please contact me.

If this does not represent the property 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 and Natural Resource Operations
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: Thursday, September 29, 2016 9:36 AM

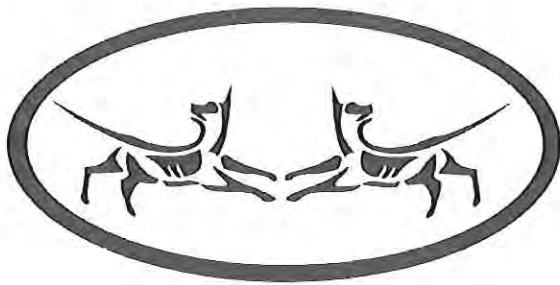
To: HBE@interiorhealth.ca; Referral Apps REG8 FLNR:EX; Cooper, Diana FLNR:EX; fbclands@fortisbc.com; onareception@sylix.org; PIB Referrals (referrals@pib.ca); shawn@apexresort.com; james@apexresort.com

Subject: Bylaw Referral -D2016.090-ZONE

Re: Bylaw Referral
Project No. D2016.090-ZONE

Please find attached a Bylaw Referral, along with supporting documentation. Please review and forward any comments/concerns you may have with respect to this amendment application. If you have any questions, please forward to Christopher Garrish, cgarrish@rdos.bc.ca.

Kind Regards,



Penticton Indian Band

Natural Resource Department

R.R. #2, Site 80, Comp.19

Penticton, B.C. CAN

V2A 6J7

Telephone: 250-492-0411 Fax: 250-493-2882

October-05-16

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

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

Referral ID: 2016-09-23 ZON 1991

RTS #: 1991

Date: September-23-16

Reference #: BYL2457.16 D2016.090-ZONE

Summary: Rezone for formalise the existence of a 4-plex and to allow for the use of each of the units for short-term tourist commercial accommodation.

ATTENTION: Christopher Garrish

We are in receipt of the above referral. The proposed activity is located within Okanagan Nation Territory and the PIB Area of Responsibility. All lands and resources within the vicinity of this referral are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

Penticton Indian Band has specific referral processing requirements for both government and proponents which are integral to the exercise of our Rights to manage our lands and resources and to ensuring that the Crown can meet its duty to consult and accommodate our Rights, including our Aboriginal Title and management Rights. There is a cost associated with PIB referral processing and engagement. In accordance with PIB policy, proponents are required to pay a processing fee for each referral. This fee is as follows:

Invoice Number: 581

	SubTotal	Tax	Total
Admin (12%)	\$ 52.50	\$ 0.00	\$ 52.50
G.I.S. Tracking and Review (GIS Project Technician)	\$ 110.00	\$ 0.00	\$ 110.00
R.T.S. Data Entry (Technical Services)	\$ 80.00	\$ 0.00	\$ 80.00
Referral Assessment (Band	\$ 67.50	\$ 0.00	\$ 67.50

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



Administrator)			
Referral Coordination (Referrals Coordinator)	\$ 190.00	\$ 0.00	\$ 190.00
Total	\$ 500.00	\$ 0.00	\$ 500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #1991

This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be fully reviewed.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, Penticton Indian Band will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

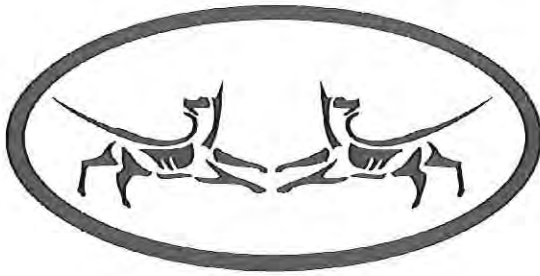
Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

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

limlæmt,

Lavonda Nelson
Data Management Clerk

¹The area over which PIB asserts Aboriginal Rights and Title under Section 35 of the Constitution Act, 1982



Penticton Indian Band

Natural resource Department

R.R. #2, Site 80, Comp.19

Penticton, B.C. CAN

V2A 6J7

Telephone: 250-492-0411 Fax: 250-493-2882

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

October-05-16

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

Referral ID: 2016-09-23 ZON 1991

RTS #: 1991

Date: September-23-16

Reference #: BYL2457.16 D2016.090-ZONE

Summary: Rezone for formalise the existence of a 4-plex and to allow for the use of each of the units for short-term tourist commercial accommodation.

Attention: Christopher Garrish

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on September-30-16. This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, 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.

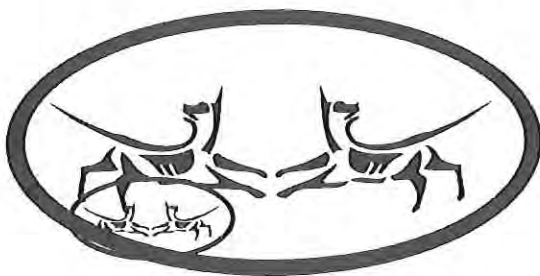
Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

Limlɛmt,

Lavonda Nelson
Data Management Clerk

Cressman



Penticton Indian Band

Natural resource Department

R.R. #2, Site 80, Comp.19

Penticton, B.C. CAN

V2A 6J7

Telephone: 250-492-0411 Fax: 250-493-2882

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

December-07-16

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

Referral ID: 2016-09-23 ZON 1991

RTS #: 1991

Date: September-23-16

Reference #: BL2457.16 D2016.090-ZONE

Summary: Rezone for formalise the existence of a 4-plex and to allow for the use of each of the units for short-term tourist commercial accommodation.

Attention: Christopher Garrish

Re: RTS Invoice #581

We write regarding your failure to pay invoice #581 to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated September-23-16.

Please make cheque payable to Penticton Indian Band. re: P.C. 132 RTS #1991

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

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

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

- ♦ Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.



- ♦ The Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in Aboriginal title lands and resources; the beneficial interest is held by the Aboriginal title holding group. Allocations of Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.
- ♦ Aboriginal title includes the right to proactively use and manage the resources.
- ♦ Once Aboriginal title is "established", the constitution prohibits incursions without the consent of the Aboriginal title holders unless the Crown can justify the infringement, which in turn requires a compelling and substantial public purpose as well as consistency with the Crown's fiduciary duty to the Aboriginal title holders, requiring the involvement of the Aboriginal title holding group in decisions.
- ♦ Before Aboriginal title is "established", the only way to ensure certainty is to obtain consent; in the absence of consent, the Crown must consult and accommodate. If consultation or accommodation is inadequate, the Crown decision can be suspended or quashed. Moreover, fulfilling the duty to consult and accommodate does not provide the certainty that consent provides; once Aboriginal title is established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

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

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

limlæmt,

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

cc:

Mike Polywkan

Penticton B.C. V2A-8L8

To whom it may concern,

I am unable to attend this meeting in person as I am currently out of town working. I have been a resident on Apex mountain since July of 1997 .

I have resided at my current residence for more than 5 years, and previous to that I rented a residence directly behind the Whitetail Chalet. During this time I have never had a complaint or concern with the operation of the Chalet under the current ownership. I feel that the change in the zoning at Apex recently was unfortunate for the proprietors and that the hinderance that it caused for the operation of the Chalet is detrimental for the resort and the public seeking recreational activity. The chalet has also been host to numerous national ski teams that require such accomodation. There is limited accomodations at Apex that are suitable for groups like this and losing one would hurt the community. I stongly propose that the rezoning application should be accepted, as is, to allow for the continued operation of the Whitetail Chalet.

Thank You,

Mike Polywkan, Apex Fire Brigade Chief.

Cressman

From: g vollet
To:
Subject: Proposed Rezoning of 133 Whitetail Road Apex Project No. D2016.090-ZONE
Date: November 5, 2016 11:59:41 AM

To Christopher Garrish MCIP, RPP, Planning Supervisor

Re: Rezoning 133 Whitetail Road Apex, Project No. D2016.090-ZONE

As an adjacent property owner of 1126 Apex mtn Road, I would like to officially oppose this Rezoning.

Having lived at my present residents for 25 years and paying taxes for a single family neighbourhood,
I do not believe a 4 plex/ condominium style building in my back yard is appropriate or acceptable.
Though the building has been used successfully for Chalet Style/B&B accommodation in the past with minimum,
disturbance there have also been times when this has not been the case.
To create a condominium/ commercial style accommodation Business in this single family neighbourhood
could negatively impact the peacefulness and property values of this area.

The extra people, noise and traffic during peak times as well as constant traffic and guests coming and going
at all times, that does not exist now, will have an effect on the peace and tranquility that my back yard offers now.

The existing single family low density style living is why I choose to live here and why I oppose this rezoning application.

Another major concern is the septic.

-Health regulation approval for increased septic field size, going from two to four full time rental units usage would definitely
have an effect on a septic system designed for two units. Being aware of this and the limited area for a reserve/replacement field,
has there been an application made to the BC Ministry of Health for this rezoning?

Sincerely
Gary Vollet

2016 

From: Gary Debbie Vollet
To: Info; Christopher Garrish
Subject: project no D2016.090-zone proposed rezoning of 133 whitetail rd, apex
Date: November 5, 2016 11:01:18 AM

As I may not be able to attend the public information meeting Nov 15 regarding rezoning proposal at 133 Whitetail Rd, Apex

I would like to submit my OPPOSITION to this rezoning via email.

The above mentioned property is adjacent to my property (1126 Apex Mtn Rd), and is in a single family / duplex residential area.

I am a full time, year round resident at my property since 1992.

When 133 Whitetail Road duplex / building was originally built, it was designed / designated as a duplex still within single family / residential use due to limited area for a proper septic field.

And in keeping with the existing profile of the neighbourhood.

The 'then' owner built the duplex as a 4 plex – 4 separate suites / entrances - 2 more bathrooms, and 2 more suites stressing the 'duplex approved' septic system / field, without a proper building permit from RDOS and septic health approval.

I remember discussing the unplanned 4 plex with the engineer and commenting that the 'duplex' was being built a 4 plex, was on septic, and that the owner was trying to slide it through.

The present owners/applicants ran it as a principal home business for many years living in 1/4 of the 4 plex and renting out the other 3 suites.

Even with them in residence they have had noise, fights at this property with their rental guests.

The present owners/applicants have now moved across the street from said 133 Whitetail Rd, and no longer live in the 4 plex and are running 133 Whitetail Rd solely as 4 rental units.

Now they want rezoning.

Whitetail is not a commercial area, it is residential/single family.

Whitetail will see more traffic on the street, which gets down to one lane in the winter with snow removal, or lack thereof, (no real place for Argo to put snow cleared from roads), more noise – party atmosphere, music / drinking in 2 hot tubs located on the back side of the property and in sight/sound of my premises.

The owners/applicants have been trying to sell this property and I am wondering if they think it will be easier to sell being rezoned, also fetch a better price?

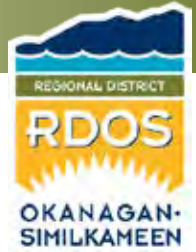
Is this a proposed 4 plex condo development in a single family residential area?

Please help us keep our neighbourhood low density residential / single family.

Debbie Vollet

2016 M

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: Zoning Bylaw Amendment – Electoral Area “A”

Administrative Recommendation:

THAT Bylaw No. 2451.25, 2018, Electoral Area “A” Zoning Amendment Bylaw be read a third time;
AND THAT, prior to adoption, a statutory covenant be registered on the title of the property described as Lot 6, Plan KAP32220, District Lot 2450S, SDYD, in order to restrict the placement of a mobile home to a “2006 Moduline 2007 Landmark 272092 model, bearing Manufactured Home Registry number 092501”.

Purpose: To allow for the placement of a mobile home (CSA Z240) in the RS1 Zone.

Owner: N. Morhun, T. & R. MacFadden Applicant: Tracy MacFadden Folio: A-06089.060

Civic: 8312 98th Ave, Osoyoos Legal: Lot 6, Plan KAP32220, District Lot 2450S, SDYD

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

Proposed Development:

This application is seeking approval to place a mobile home (Z240) on the property at 8312 98th Avenue by amending the Residential Single Family One (RS1) zoning that applies to the property through the introduction of a site specific regulation that would allow a “mobile home” as a principal permitted use.

In support of the proposal the applicant states: “[t]he home fits the neighbourhood, and indeed improves the area with its modern appearance. The subdivision currently contains a mobile home already, one less modern, and more from the 70’s or 80’s era when mobile homes were more like “trailers”. This moduline home in appearance resembles a Modular home, which is allowed within the current zoning. Our home will serve to fill a long vacant lot, and improve the sub-division, as well it is in keeping with the general feel of the area.”

Site Context:

The property is approximately 842 m² and located on the west side of 98th Ave, approximately 350 metres north of the Town of Osoyoos. The surrounding pattern of development is characterized by similarly sized single family residential properties as well as agricultural properties.

Background:

A Public Information Meeting was held on July 9, 2018, and was attended by one (1) member of the public.

At its July 9, 2018 meeting, the Electoral Area "A" Advisory Planning Commission (APC) could not meet quorum.

At its meeting of July 19, 2018, the Regional District Board resolved to postpone consideration of this application "until the second meeting in August, when a draft covenant, acceptable to both parties, can be reviewed."

At its meeting of August 16, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of September 20, 2018.

All comments received through the public process are compiled and included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the subject property is situated within 800 metres of a controlled area (i.e. Highway 97).

Analysis:

While Administration maintains its concerns about allowing the placement of "mobile homes" (CSA Z240) in low density residential zones, it recognizes that mobile homes can be an affordable form of housing and in recent decades have improved in appearances.

It is also noted that the applicant's mobile home has exterior fiber cement siding and is proposed to be placed on a foundation with a deck built onto the west elevation. These modifications could help the mobile home appear more like a modular home (which is permitted under current zoning) and may not be out of context for the neighbourhood.

The covenant requirement imposed by the Board at its July 19, 2018, meeting will also ensure that the placement of a mobile home on this property will be restricted to the applicant's "custom built" model.

Alternative:

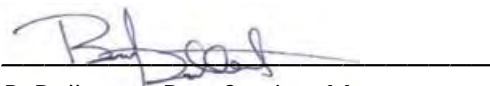
THAT first and second reading of Bylaw No. 2451.25, 2018, Electoral Area "A" Zoning Amendment Bylaw, be rescinded and the bylaw abandoned.

Respectfully submitted



C. Garrish, Planning Supervisor

Endorsed by:



B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Applicant's Site Plan
No. 2 – Applicant's Renderings
No. 3 – Site Photo (Google Streetview)

Attachment No. 1 – Applicant's Site Plan

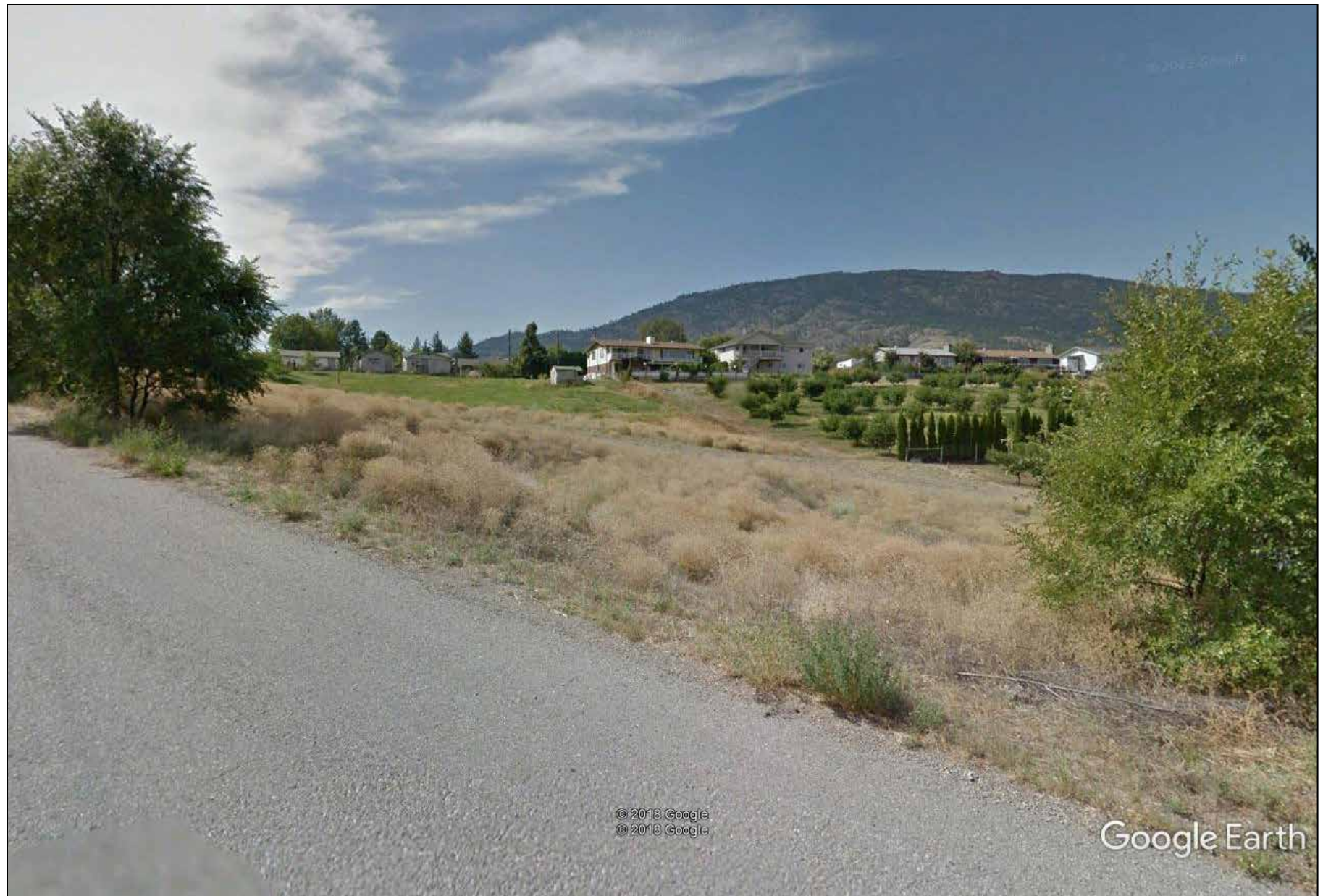


Attachment No. 2 – Applicant's Renderings



East Rendering

Attachment No. 3 – Site Photo (Google Streetview)



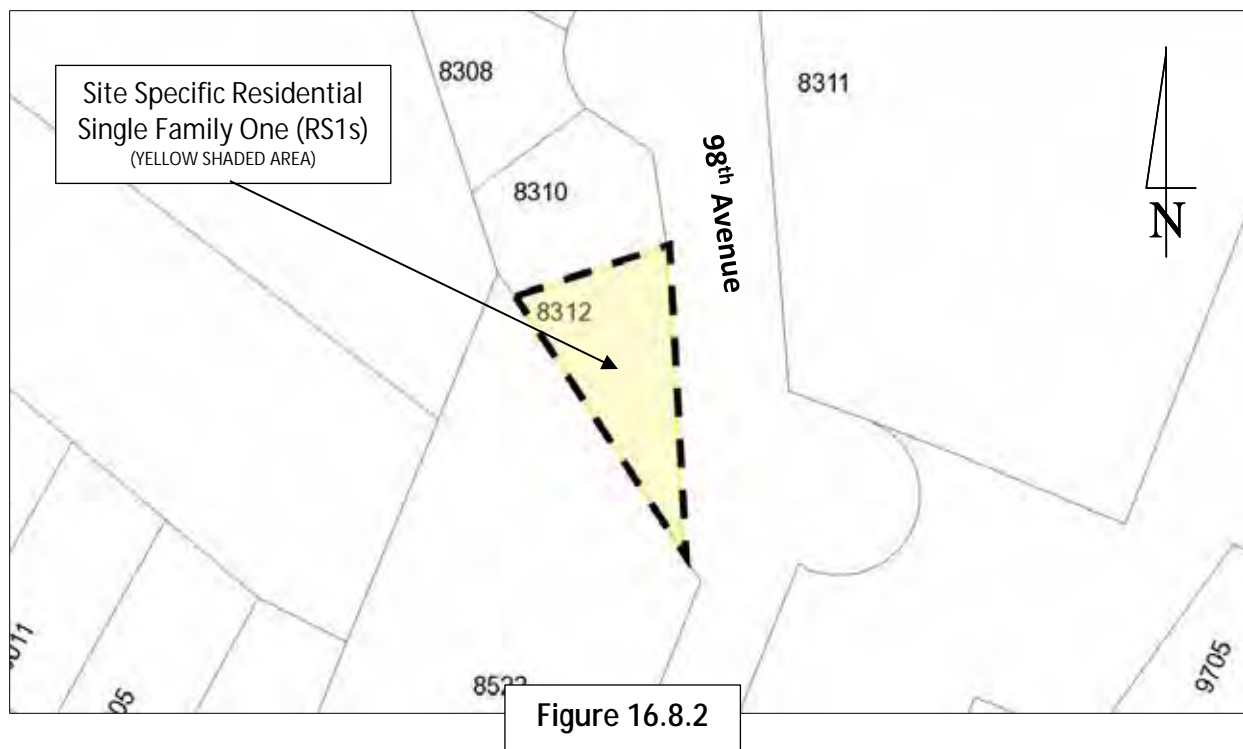
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2451.25, 2018

A Bylaw to amend the Electoral Area "A" Zoning Bylaw No. 2451, 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. 2451.25, 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 6, District Lot 2450S, SDYD, Plan 32220, 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 (RS1s).
3. The "Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) adding a new sub-section .2 under Section 16.8 (Site Specific Residential Single Family One (RS1s) Provisions) to read as follows:
 2. in the case of land described as Lot 6, Plan KAP32220, District Lot 2450S, SDYD (8312 98th Avenue), and shown shaded yellow on Figure 16.8.2:
 - a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 11.1.1:
 - i) mobile home.



READ A FIRST AND SECOND TIME this 16th day of August, 2018.

PUBLIC HEARING held on this 20th day of August, 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. 2451.25, 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

Corporate Officer

Regional District of Okanagan-Similkameen

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

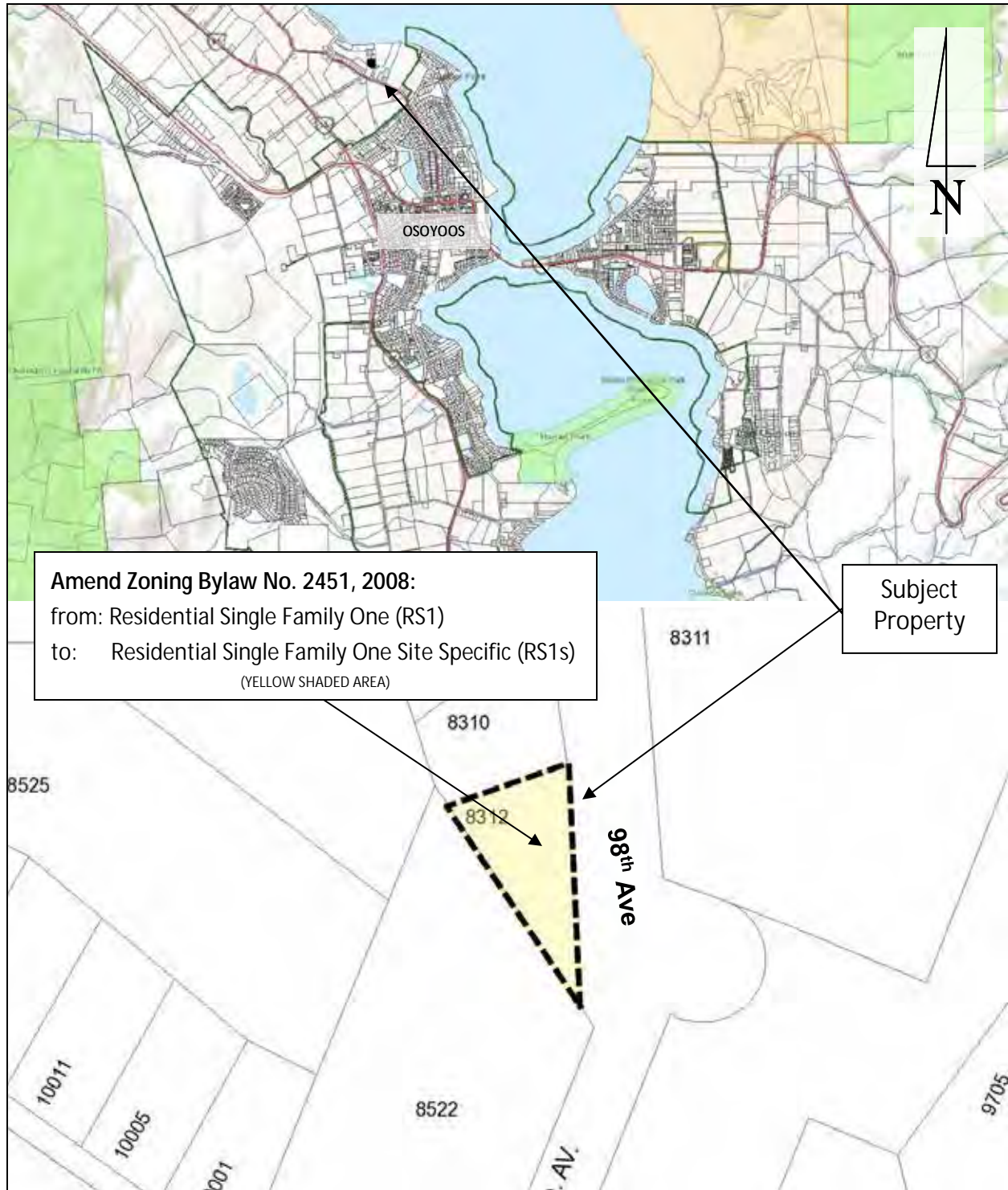
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2451.25, 2018

Project No: A2018.076-ZONE

Schedule 'A'



Amendment Bylaw No. 2451.25, 2018

(A2018.076 -ZONE)

Page 4 of 4



**DEVELOPMENT APPROVALS
PRELIMINARY BYLAW
COMMUNICATION**

Your File #: A2018.076-

Zone -

McFadden

A2451.25

eDAS File #: 2018-03375

Date: June 19, 2018

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw for:
Lot 6, District Lot 2450s, SDYD, Plan 32220
8312 – 98th Avenue, Osoyoos, BC**

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

OFFICE REVIEW RESULTS

July-04-18

Referral ID: bylaw 2451.25 A2018.076-ZONE
Reference #: R-77-001126
RTS #1435

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

Attention: Emily Williamson

We are in receipt of the above referral. This proposed activity/development is within the Osoyoos Indian Bands Area of Interest, responsibility and within the Okanagan Nation's Territory; the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

In 1997, the Supreme Court of Canada in the Delgamuukw case clarified the law respecting the rights of aboriginal people in British Columbia, which includes the Osoyoos Indian Band. The Supreme Court ruling included the following legal principles:

- ♦ Aboriginal title is not extinguished and the Province cannot and never could extinguish aboriginal title or rights.
- ♦ Aboriginal title is protected by section 35 of the Constitution Act, 1982.
- ♦ Aboriginal title is a property interest.
- ♦ Governments must justify any infringements of aboriginal title.
- ♦ Lands held pursuant to aboriginal title have an inescapable economic component.

Other recent court cases involving the Taku River Tlingit First Nation and the Haida Nation have heightened the accountability of British Columbia to consult with First Nations with respect to third party development activities on alleged Crown lands. The Court found that the Province of B.C. has a legal fiduciary obligation to deal with First Nations' concerns about their traditional lands and resources and that it is not necessary for B.C. First Nations to first prove the existence of our rights.

Based upon the results of our Preliminary Office Review of the proposed activity/development proper consultation and consideration of potential impacts and infringements to our Aboriginal Title and Rights cannot occur without the following recommendations. It is only with these recommendations that proper consultation can begin and the proposed activity/development can be reviewed .

- The proposed activity/development is located in a high potential archeological area. It is recommended that a qualified Archaeologist and two OIB field technicians conduct an Archaeological Overview Assessment and Preliminary Field Reconnaissance on the proposed area.

Please advise the Osoyoos Indian Band in writing as to your ability to meet the above listed conditions as outlined. Failure to meet these conditions will result in our disapproval and objection of the proposed activity/development. We will not consent, agree, or otherwise approve of the activity / development .

Our participation in the referral and consultation process does not define or amend the Osoyoos Indian Bands 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.

Please contact me through email or phone at your earliest convenience to set up a meeting to discuss our concerns.

limlɛmt,



Amanda Anderson
Referrals Officer
Osoyoos Indian Band
aanderson@oib.ca
250-498-3444 Ext .3033
cc:

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: July 11, 2018 11:06 AM
To: Planning
Subject: Response - fortis

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along 98 Avenue. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

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

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

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

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

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

Best Regards,

Steven Danielson,
Contract Land Agent for:

Nicholas Mirsky, B.Comm., AACI, SR/WA
Supervisor | Property Services | FortisBC Inc.

2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Office: 250.469.8033
Mobile: 250.718.9398
Fax: 1.866.636.6171
nicholas.mirsky@fortisbc.com

FORTIS BC



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

TYPE: Official Community Plan Bylaw No. 2790, 2018 - Electoral Area "F"

Administrative Recommendation:

THAT Bylaw No. 2790, 2018, Electoral Area "F" Official Community Plan, as amended, be read a third time and adopted.

Purpose:

The purpose of Bylaw No. 2790, 2018, is to replace the current Electoral Area "F" Official Community Bylaw No. 2460, 2008 with an updated version.

Background:

The Board identified the review and update of the Area "F" OCP as a strategic project in the 2016 Business Plan with the anticipation that it would be a two year project. The Area "F" OCP project began in early 2017.

At the August 2, 2018, meeting of the Planning and Development Committee, a presentation was made to the Board of Directors that provided an overview of the project and highlighted significant policy changes within the draft Electoral Area "F" OCP.

At its August 16, 2018 meeting, the Board of Directors approved first and second reading of the proposed OCP Bylaw.

On September 6, 2018, a Public Hearing was held at which approximately 30 members of the public were present. The OCP Bylaw has been amended to reflect a number of minor wording changes suggested by the public at the Public Hearing, none of which change the general intent of any specific policy direction.

Analysis

This draft OCP document represents a significant project milestone for the Development Services department, and a culmination of hundreds of hours of staff time, substantial public consultation, and technical expertise from consultants over a two year period.

This two year project has had the opportunity to create community dialogue in a manner not experienced previously within Electoral Area "F", asking questions such as what does the future of your neighbourhood look like? What are the opportunities and / or constraints? How can growth and changes be managed? We learned that the Greater West Bench community in particular was, and remains, very divided about accepting growth and development.

The updated OCP strives to achieve a balance between these interests, and serve the overall vision of the communities within Electoral Area "F" moving into the future. The draft OPC Bylaw meets the requirements as set out in the in accordance the *Local Government Act (LGA)*.

Alternatives:

1. THAT first and second readings of Bylaw No. 2790, 2018, be rescinded and the Bylaw abandoned;

Respectfully submitted

ERiechert

E. Riechert, Planner

Endorsed by:

CG

C. Garrish, Planning Supervisor

Endorsed by:

B. Dollevoet

B. Dollevoet, Dev. Services Manager

AREA “F”

OKANAGAN LAKE WEST
GREATER WEST BENCH

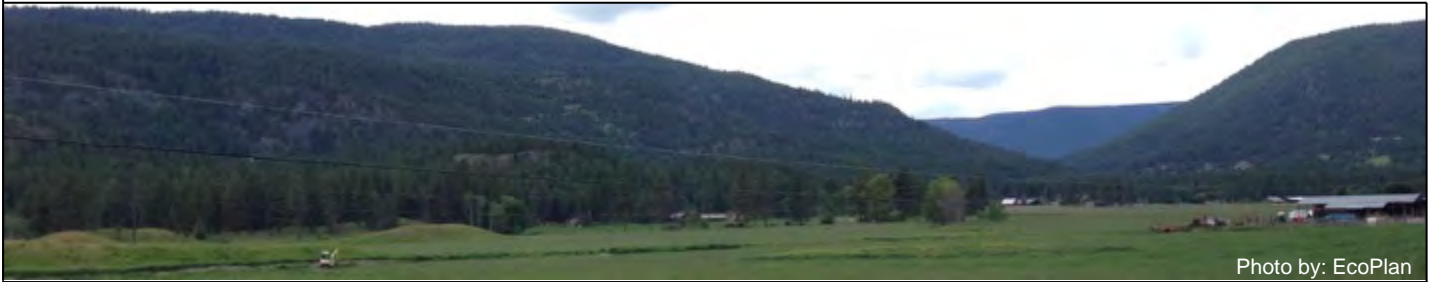
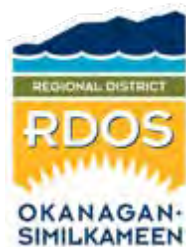


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OCP Bylaw No. 2790, 2018 – Regional District of Okanagan-Similkameen

OFFICIAL COMMUNITY PLAN



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

TABLE OF CONTENTS

1.0	INTERPRETATION AND ADMINISTRATION	4
1.1	PURPOSE	4
1.2	INTERPRETATION	4
1.3	ADMINISTRATION	4
1.4	DEVELOPMENT APPROVAL INFORMATION	5
2.0	WHAT IS AN OFFICIAL COMMUNITY PLAN?	7
2.1	BACKGROUND	7
2.2	PLANNING PROCESS	7
2.3	AMENDING THE PLAN	8
3.0	COMMUNITY PROFILE.....	9
3.1	LOCATION AND GEOGRAPHY	9
3.2	HISTORY	10
3.3	COMMUNITIES AND OTHER AREAS	11
	<i>Greater West Bench</i>	<i>11</i>
	<i>Faulder/Meadow Valley.....</i>	<i>11</i>
3.4	PENTICTON INDIAN BAND.....	13
3.5	POPULATION AND DEMOGRAPHICS	16
3.6	HOUSING TYPES	19
4.0	OFFICIAL COMMUNITY PLAN DESIGNATIONS	20
5.0	VISION AND BROAD GOALS	21
5.1	VISION	21
5.2	BROAD GOALS	21
6.0	GROWTH MANAGEMENT	23
6.1	BACKGROUND	23
6.2	RURAL GROWTH AREAS AND CAPACITY	24
6.3	GREATA RANCH RURAL GROWTH AREA	24
6.4	OBJECTIVES	25
6.5	POLICIES	26
7.0	LOCAL AREA POLICIES	27
7.1	BACKGROUND	27
7.2	GREATER WEST BENCH.....	27

7.2.1	Policies.....	27
7.3	FAULDER / MEADOW VALLEY	29
7.3.1	Policies.....	29
7.4	GREATA RANCH	30
7.4.1	Policies.....	30
8.0	RESOURCE AREA.....	31
8.1	BACKGROUND	31
8.2	OBJECTIVES	31
8.3	POLICIES	31
9.0	AGRICULTURE	34
9.1	BACKGROUND	34
9.2	OBJECTIVES	34
9.3	POLICIES	34
10.0	RURAL HOLDINGS.....	37
10.1	BACKGROUND.....	37
10.2	OBJECTIVES	37
10.3	POLICIES - GENERAL.....	37
10.4	POLICIES – LARGE HOLDINGS	39
10.5	POLICIES – SMALL HOLDINGS.....	39
11.0	RESIDENTIAL	40
11.1	BACKGROUND.....	40
11.2	OBJECTIVES	40
11.3	POLICIES – GENERAL RESIDENTIAL	40
11.4	POLICIES –LOW DENSITY RESIDENTIAL.....	41
11.5	POLICIES –MEDIUM DENSITY RESIDENTIAL.....	42
11.6	POLICIES – COMPREHENSIVE DEVELOPMENT.....	43
11.7	POLICIES - VACATION RENTALS.....	43
12.0	COMMERCIAL.....	44
12.1	BACKGROUND.....	44
12.2	OBJECTIVES	44
12.3	POLICIES – GENERAL COMMERCIAL	44
12.4	POLICIES – TOURIST COMMERCIAL.....	44
13.0	INDUSTRIAL	46
13.1	BACKGROUND.....	46
13.2	OBJECTIVES	46
13.3	POLICIES	46
14.0	ADMINISTRATIVE, CULTURAL AND INSTITUTIONAL.....	48
14.1	BACKGROUND.....	48
14.2	EDUCATIONAL AND COMMUNITY FACILITIES	48
14.2.1	Objective.....	48

14.2.2	<i>Policies</i>	48
14.3	PROTECTIVE SERVICES	48
14.3.1	<i>Objectives</i>	49
14.3.2	<i>Policies</i>	50
14.4	HERITAGE AND CULTURAL RESOURCES.....	50
14.4.1	<i>Objectives</i>	53
14.4.2	<i>Policies</i>	54
15.0	PARKS, RECREATION AND TRAILS	55
15.1	BACKGROUND.....	55
15.2	OBJECTIVES	56
15.3	POLICIES	56
15.4	PARKLAND DEDICATION POLICIES.....	57
16.0	NATURAL ENVIRONMENT AND CONSERVATION	59
16.1	BACKGROUND.....	59
16.1.1	<i>Objectives</i>	60
16.1.2	<i>Policies - General</i>	60
16.2	RIPARIAN AND FORESHORE AREAS.....	61
16.2.1	<i>Objectives</i>	61
16.2.2	<i>Policies</i>	62
16.3	TERRESTRIAL AREAS	63
16.3.1	<i>Objectives</i>	63
16.3.2	<i>Policies</i>	64
16.4	CONSERVATION AREAS.....	65
16.4.1	<i>Objectives</i>	65
16.4.2	<i>Policies - General</i>	65
17.0	HAZARD LANDS	67
17.1	BACKGROUND.....	67
17.2	OBJECTIVES	68
17.3	POLICIES – GENERAL HAZARD LANDS.....	68
17.4	FIRE MANAGEMENT.....	70
17.4.1	<i>Objectives</i>	70
17.4.2	<i>Policies</i>	71
18.0	TRANSPORTATION.....	72
18.1	BACKGROUND.....	72
18.2	OBJECTIVES	72
18.3	POLICIES	73
19.0	INFRASTRUCTURE AND SERVICING	74
19.1	BACKGROUND.....	74
19.2	OBJECTIVES	74
19.3	POLICIES	74
19.4	WATER SUPPLY AND DISTRIBUTION	74

19.4.1	Objectives.....	76
19.4.2	Policies.....	76
19.5	WASTEWATER AND SEWAGE	78
19.5.1	Objectives.....	78
19.5.2	Policies.....	79
19.6	STORMWATER MANAGEMENT	79
19.6.1	Objectives.....	79
19.6.2	Policies.....	79
19.7	SOLID WASTE	80
19.7.1	Objectives.....	80
19.7.2	Policies.....	80
19.8	OTHER UTILITIES	80
19.8.1	Objectives.....	81
19.8.2	Policies.....	81
20.0	AGGREGATE AND MINERAL RESOURCES	82
20.1	BACKGROUND.....	82
20.2	OBJECTIVES	83
20.3	POLICIES	83
21.0	CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION	85
21.1	BACKGROUND.....	85
21.2	OBJECTIVES	85
21.3	POLICIES	86
22.0	TEMPORARY USE PERMITS.....	87
22.1	BACKGROUND.....	87
22.2	OBJECTIVES	87
22.3	POLICIES	87
23.0	DEVELOPMENT PERMIT AREAS.....	90
23.1	BACKGROUND.....	90
23.2	ENVIRONMENTALLY SENSITIVE DEVELOPMENT PERMIT (ESDP) AREA	90
23.2.1	Category.....	90
23.2.2	Area	90
23.2.3	Justification	90
23.2.4	Background.....	90
23.2.5	Development Requiring a Permit.....	91
23.2.6	Guidelines.....	91
23.2.7	Expedited Development Permit	93
23.2.8	Exemptions.....	93
23.3	WATERCOURSE DEVELOPMENT PERMIT (WDP) AREA	95
23.3.1	Category.....	95
23.3.2	WDP Area.....	95
23.3.3	Justification	95

23.3.4	<i>Guidelines</i>	95
23.3.5	<i>Security and Environmental Monitors</i>	96
23.3.6	<i>Exemptions</i>	97
23.3.7	<i>Variance to Protect the SPEA</i>	98
23.3.8	<i>Expedited Development Permit</i>	98
24.0	IMPLEMENTATION	99
24.1	INTRODUCTION	99
24.2	REFINEMENTS AND AMENDMENTS.....	99
24.3	ZONING BYLAW	100
24.4	SUBDIVISION SERVICING BYLAW	100
24.5	OTHER AGENCIES	100
24.6	FOLLOW-UP STUDIES AND INITIATIVES	101
24.7	DISCHARGE OF LAND USE CONTRACTS (LUCs)	101
24.8	MONITORING	102

LIST OF SCHEDULES AND MAPS

Schedule 'A' Official Community Plan Text

[Schedule 'B'](#) [Official Community Plan Map](#)

[Schedule 'C'](#) [Parks, Recreation and Trails](#)

[Schedule 'D'](#) [Hazard Lands – Soil](#)

[Schedule 'E'](#) [Hazard Lands – Steep Slopes](#)

[Schedule 'F'](#) [Hazard Lands – Wildfire](#)

[Schedule 'G'](#) [Transportation Network](#)

[Schedule 'H'](#) [Environmentally Sensitive Development Permit Areas](#)

[Schedule 'I'](#) [Watercourse Development Permit Areas](#)

Note: Schedules 'B', 'C', 'D', 'E', 'F', 'G', 'H', and 'I' can be viewed either on the Regional District website at www.rdos.bc.ca, or by request in hard copy at the Regional District office.

LIST OF FIGURES

Figure 1: Area “F” lakeshore	6
Figure 2: Greata Ranch	8
Figure 3: Plan Area Regional Context	9
Figure 4: Plan Area Communities and Settlement Areas	12
Figure 5: Greater West Bench neighbourhoods.....	13
Figure 6: Regional Growth Rate Comparisons 2011-2016	16
Figure 7: 2016 Population by Gender and Age Cohort.....	17
Figure 8: BC 2016 Population by Gender and Age Cohort	17
Figure 9: Area "F" Historical and Projected Population Growth (2001-2036)	18
Figure 10: Housing by Dwelling Type in Area “F”, 2016	19
Figure 11: Area "F" Household Size, 2016	19
Figure 12: Selby Park, West Bench	22
Figure 13: New Dwelling Unit Requirements Projections	24
Figure 14: Greata Ranch Rural Growth Area Containment Boundary	25
Figure 15: Potential areas for future densification	29
Figure 16: Plan Area – Designated Community Watersheds.....	33
Figure 17: Agricultural Land Reserve Area “F”	36
Figure 18: Meadow Valley	47
Figure 19: Plan Area Fire Protection Service Areas	49
Figure 20: Penticton Indian Band lands.....	53
Figure 21: Syilx place names in Area “F”	53
Figure 22: Resource Extraction Potential	82
Figure 23: Potential Future OCP Additions.....	100
Figure 24: Zoning Bylaw Updates	100
Figure 25: Follow up Studies and Initiatives	101
Figure 26: Land Use Contracts and Replacement Land Use Designations	102

Acronyms used in this document

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Transition

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

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

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

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

READ A THIRD TIME on the ____ day of _____, 2018.

ADOPTED this ____ day of _____, 2018.

Chair

Corporate Officer

SCHEDULE ‘A’

Regional District of Okanagan-Similkameen

Electoral Area “F”

Official Community Plan Bylaw No. 2790, 2018

1.0 INTERPRETATION AND ADMINISTRATION

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

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

1.1 Purpose

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

The OCP provides a basis for the following actions:

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

1.2 Interpretation

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

1.3 Administration

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

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

1.4 Development Approval Information

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

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

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

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



Figure 1: Area “F” lakeshore

2.0 WHAT IS AN OFFICIAL COMMUNITY PLAN?

2.1 Background

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

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

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

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

2.2 Planning Process

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

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

2.3 Amending the Plan

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



Figure 2: Greata Ranch

3.0 COMMUNITY PROFILE

3.1 Location and Geography

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

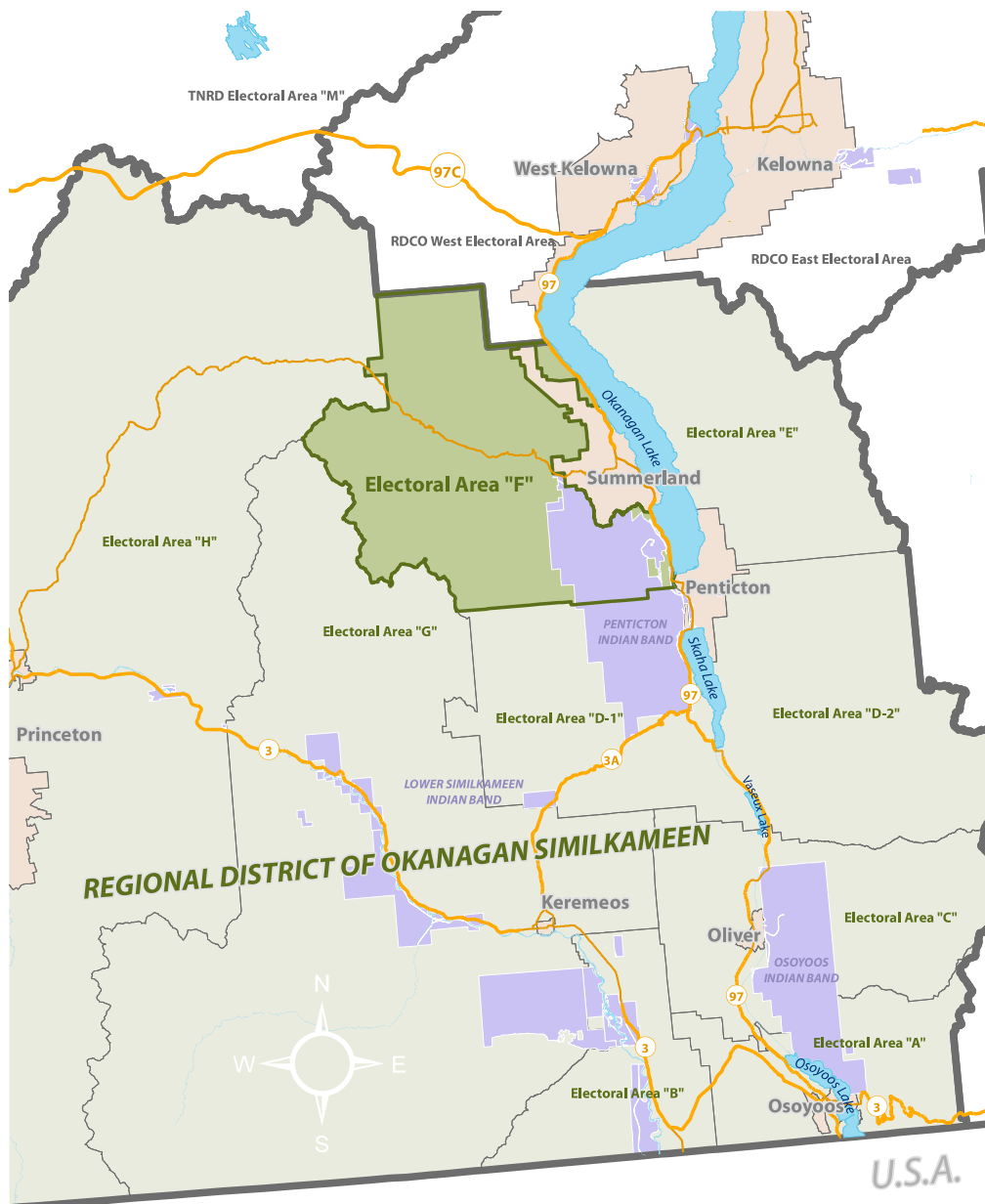


Figure 3: Plan Area Regional Context

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

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

3.2 History

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

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

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

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

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

3.3 Communities and Other Areas

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

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

Greater West Bench

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

Faulder/Meadow Valley

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

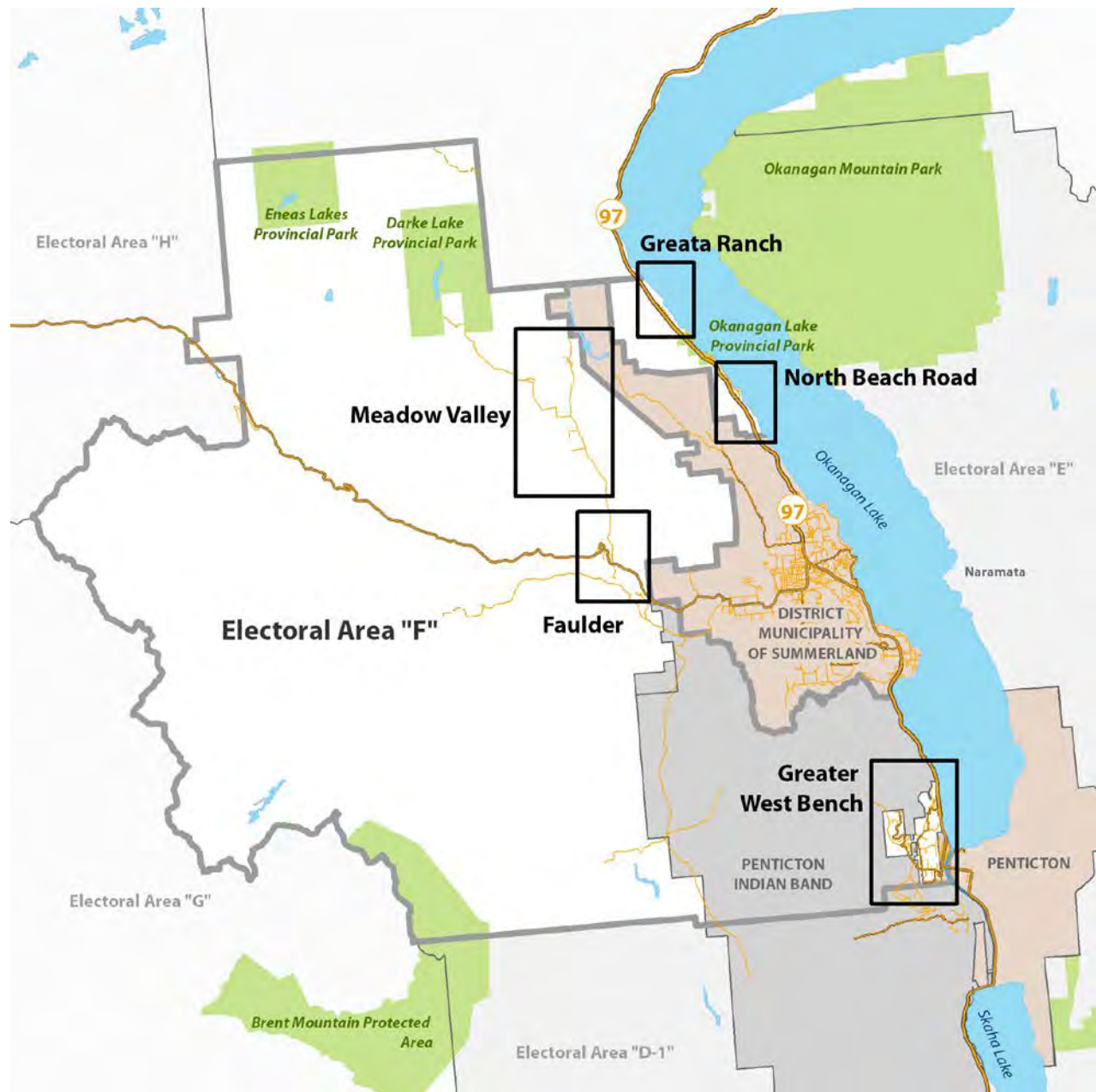


Figure 4: Plan Area Communities and Settlement Areas



Figure 5: Greater West Bench neighbourhoods

3.4 Penticton Indian Band

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

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

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

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

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

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

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

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

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

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

3.5 Population and Demographics

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

Figure 6: Regional Growth Rate Comparisons 2011-2016



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

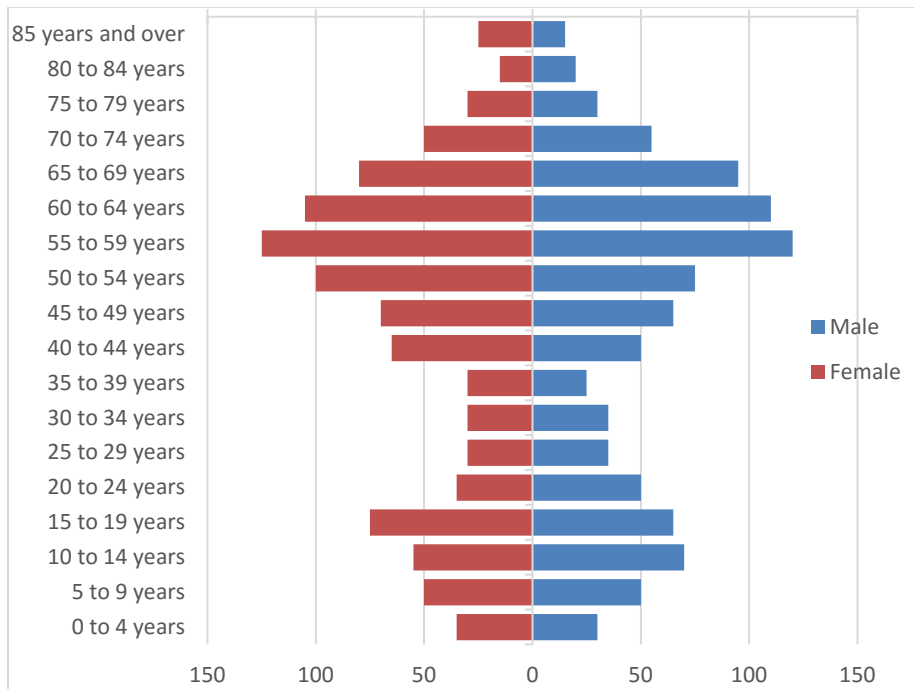


Figure 7: 2016 Population by Gender and Age Cohort

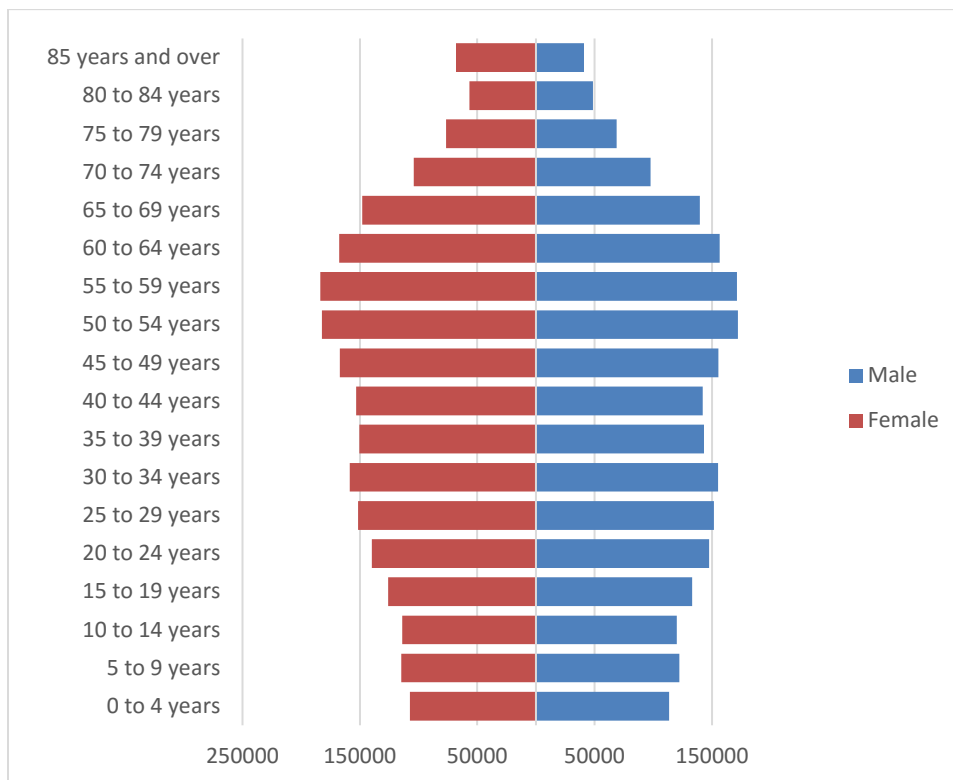


Figure 8: BC 2016 Population by Gender and Age Cohort

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

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

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

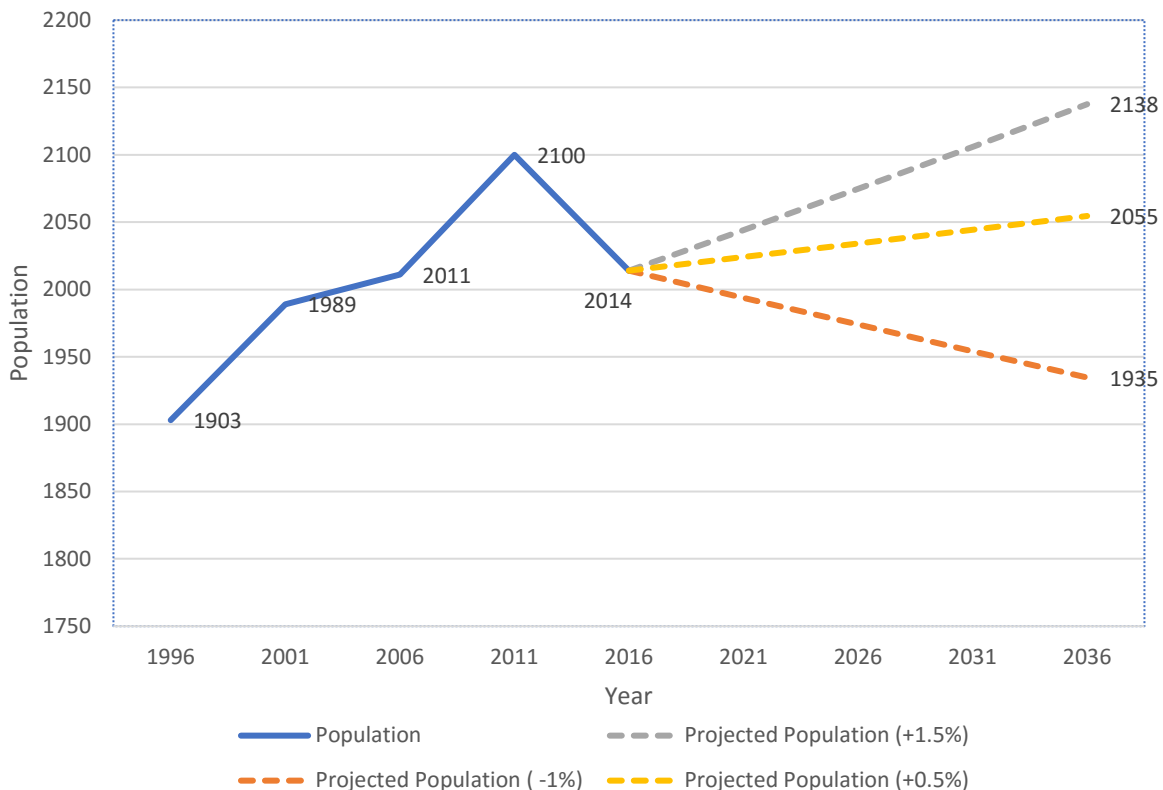


Figure 9: Area "F" Historical and Projected Population Growth (2001-2036)

3.6 Housing types

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

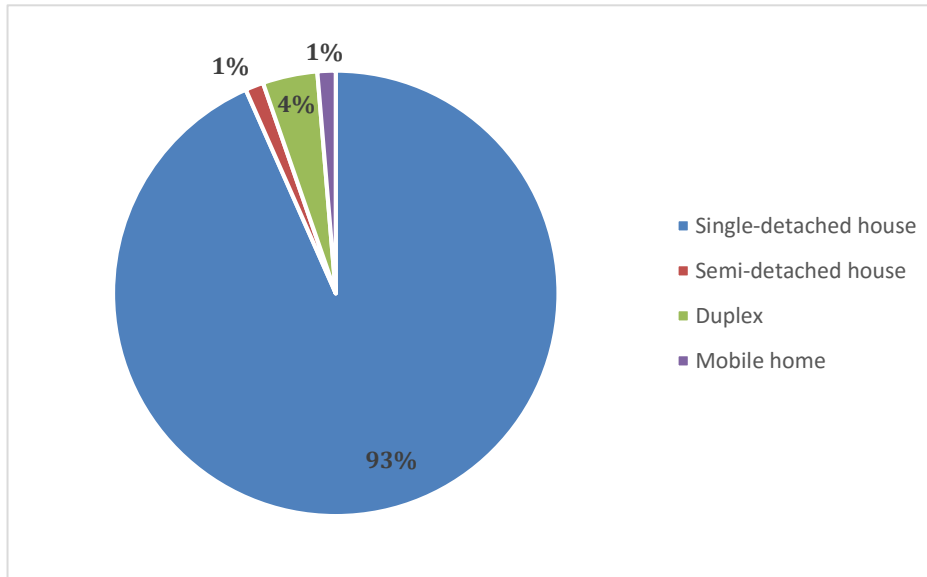


Figure 10: Housing by Dwelling Type in Area “F”, 2016

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

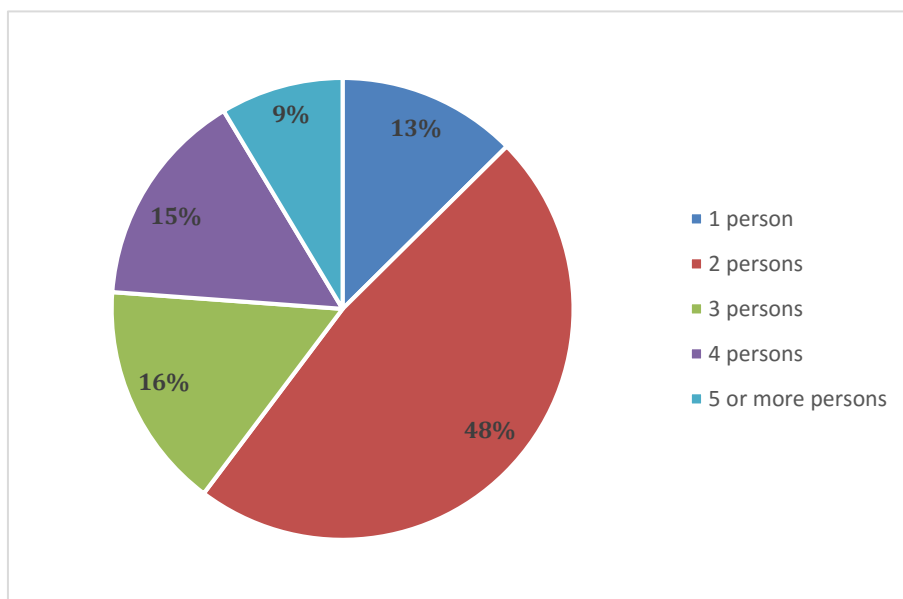


Figure 11: Area “F” Household Size, 2016

4.0 OFFICIAL COMMUNITY PLAN DESIGNATIONS

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

Rural Designations

Resource Area	RA
Agriculture	AG
Large Holdings	LH
Small Holdings	SH

Residential Designations

Low Density Residential	LR
Medium Density Residential	MR

Commercial Designations

Commercial	C
Commercial Tourist	CT

Industrial Designation

Industrial	I
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Community Services and Administrative Designations

Administrative, Cultural and Institutional	AI
Parks, Recreation and Trails	P
Conservation Area	CA

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

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

5.0 VISION AND BROAD GOALS

5.1 Vision

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

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

5.2 Broad Goals

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

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

and wildlife corridors.

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



Figure 12: Selby Park, West Bench

6.0 GROWTH MANAGEMENT

6.1 Background

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

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

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

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

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

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

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

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

6.2 Rural Growth Areas and Capacity

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

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

Figure 13 New Dwelling Unit Requirements Projections

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

6.3 Greata Ranch Rural Growth Area

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

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



Figure 14: Greata Ranch Rural Growth Area Containment Boundary

6.4 Objectives

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

6.5 Policies

The Regional Board:

- .1 Recognizes Greata Ranch as a designated Rural Growth Area and will direct growth to this area.
- .2 Recognizes the District of Summerland and City of Penticton as designated Primary Growth Areas that have the community infrastructure, community services, economic and employment opportunities to sustain higher densities and residential growth than the Plan Area.
- .3 Will ensure any new development in the designated Rural Growth Area provide community services pursuant to the Regional District's Subdivision Servicing Bylaw.
- .4 Directs development away from hazard lands, critical habitat areas, and watercourses.
- .5 Directs residential development away from designated Agricultural (AG) areas.
- .6 Requires that all new parcels of less than one hectare in size connect to a community sewer system.
- .7 Supports water metering and other residential water conservation measures.
- .8 Will review the suitability of Greata Ranch as a Rural Growth Area when the Regional Growth Strategy is reviewed or updated.

7.0 LOCAL AREA POLICIES

7.1 Background

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

7.2 Greater West Bench

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

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

7.2.1 Policies

The Regional Board:

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

scheduled South Okanagan RGS review (2020).

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

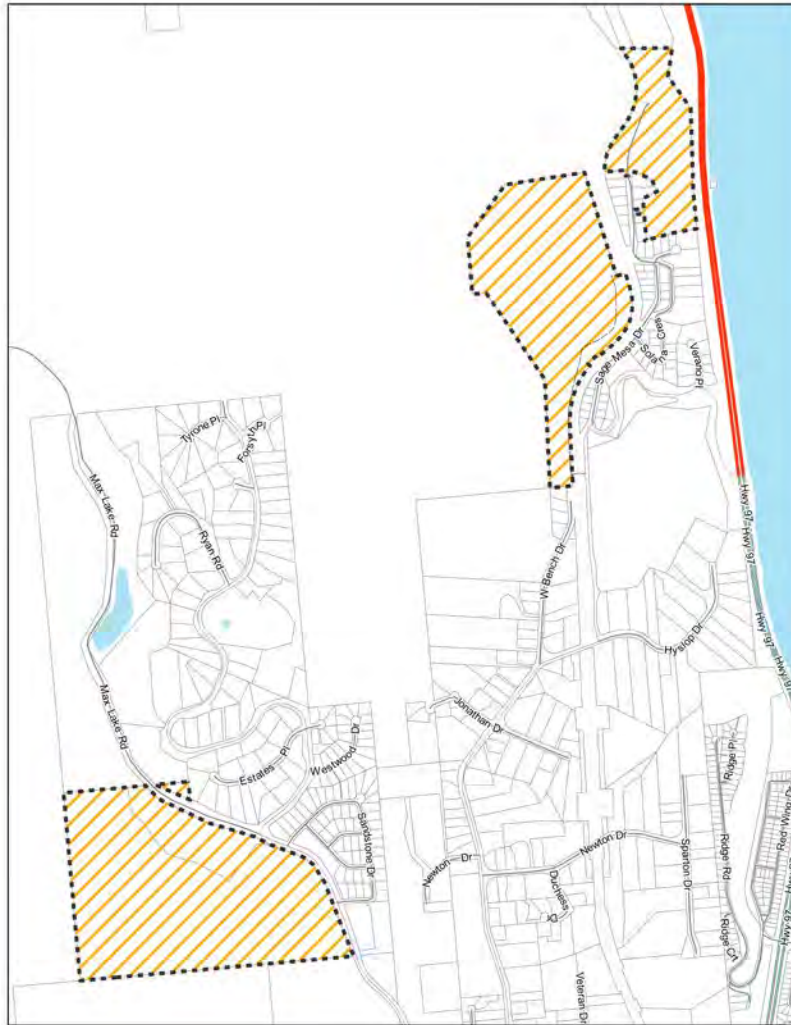


Figure 15: Potential areas for future densification

7.3 Faulder / Meadow Valley

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

7.3.1 Policies

The Regional Board:

- .1 Supports continuing work with Interior Health Authority to ensure high quality drinking water in the Faulder area.
- .2 Supports the protection of source water in the Faulder/Meadow Valley and will consider the establishment of a development permit area to achieve this goal.
- .3 Discourages subdivision of properties in order to maintain the rural character of

the area.

- .4 Encourages FireSmart best practices on private land in Faulder and Meadow Valley to reduce wildfire hazards in the area.
- .5 Supports the development of local commercial uses in Faulder to meet community needs subject to appropriate services.
- .6 Supports maintaining and enhancing the farming lifestyle in Meadow Valley, and will only consider agricultural uses in the area.

7.4 Greata Ranch

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

7.4.1 Policies

The Regional Board:

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

8.0 RESOURCE AREA

8.1 Background

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

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

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

8.2 Objectives

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

8.3 Policies

The Regional Board:

- .1 Supports the use of lands designated Resource Area (RA) identified in Schedule ‘B’ (Official Community Plan Map) for grazing or rangelands, forestry, natural resource extraction, recreation, environmental conservation, watershed protection and management opportunities, and limited rural residential uses.
- .2 Supports lands designated as Resource Area (RA) generally being maintained as large land parcels (i.e., as un-surveyed Crown land, or as District Lots).
- .3 Supports a 20 hectare minimum parcel size in recognition that these areas will remain as rural, with limited community services and infrastructure.

- .4 Supports responsible, low impact recreational uses which avoid critical habitats and minimize disturbance; and will work with the Province and others to ensure there are adequate staging areas with off-road parking.
- .5 Supports communication with and participation by Syilx/Okanagan communities in the management and development of provincial land in Resource areas.
- .6 Supports activities that improve range and forage conditions, including the continuation of the Noxious Weed Control Program to help control the invasion and spread of noxious weeds in the Plan Area.
- .7 Where there is forestry use, supports selective logging to maintain undiminished capacity of the land to absorb and retain water, prevent erosion, and permit groundwater recharge throughout the harvest cycle.
- .8 Supports the identification and establishment of a Watershed Resource Area (WRA) zone in the Zoning Bylaw for designated community watersheds (Trout, Shingle, Farleigh, Peachland) on Provincial Crown Land shown on Figure 16 under the *Forest and Range Practices Act* where:
 - a) one of the primary land management priorities is to maintain and manage local water quality and quantity;
 - b) the minimum parcel size is 120 ha with a limited range of uses permitted;
 - c) intensive recreation, subdivision and rezoning of lands within the zone are discouraged;
 - d) recreationalists are encouraged to minimize stream crossings and to stay on existing trails to prevent erosion; and
 - e) the Province is encouraged to permanently retain public ownership and to manage, for watershed protection purposes, all Crown land within designated community watersheds of existing major or minor domestic water sources.
- .9 The Province is encouraged to continue referrals of mineral exploration proposals involving surface disturbance to the Regional District as well as other regulatory agencies for review and comment.
- .10 Areas having aggregate resources are identified for information purposes on Figure 19 in this Bylaw.
- .11 The Province is encouraged to have due consideration for the impact of resource extraction activities on existing adjacent residential developments and infrastructure such as roads.
- .12 The Province is encouraged to not issue permits for mineral extraction and processing within 50 metres of Rural and Residential Designations.

- .13 The Regional Board encourages the Provincial agencies to refer license applications or permits for any development or activity within the Rural Planning Area to the RDOS.
- .14 The Regional Board encourages the Provincial Government to give adequate notice to the Regional District and the adjacent rural community about applications for the lease or sale of Crown land.

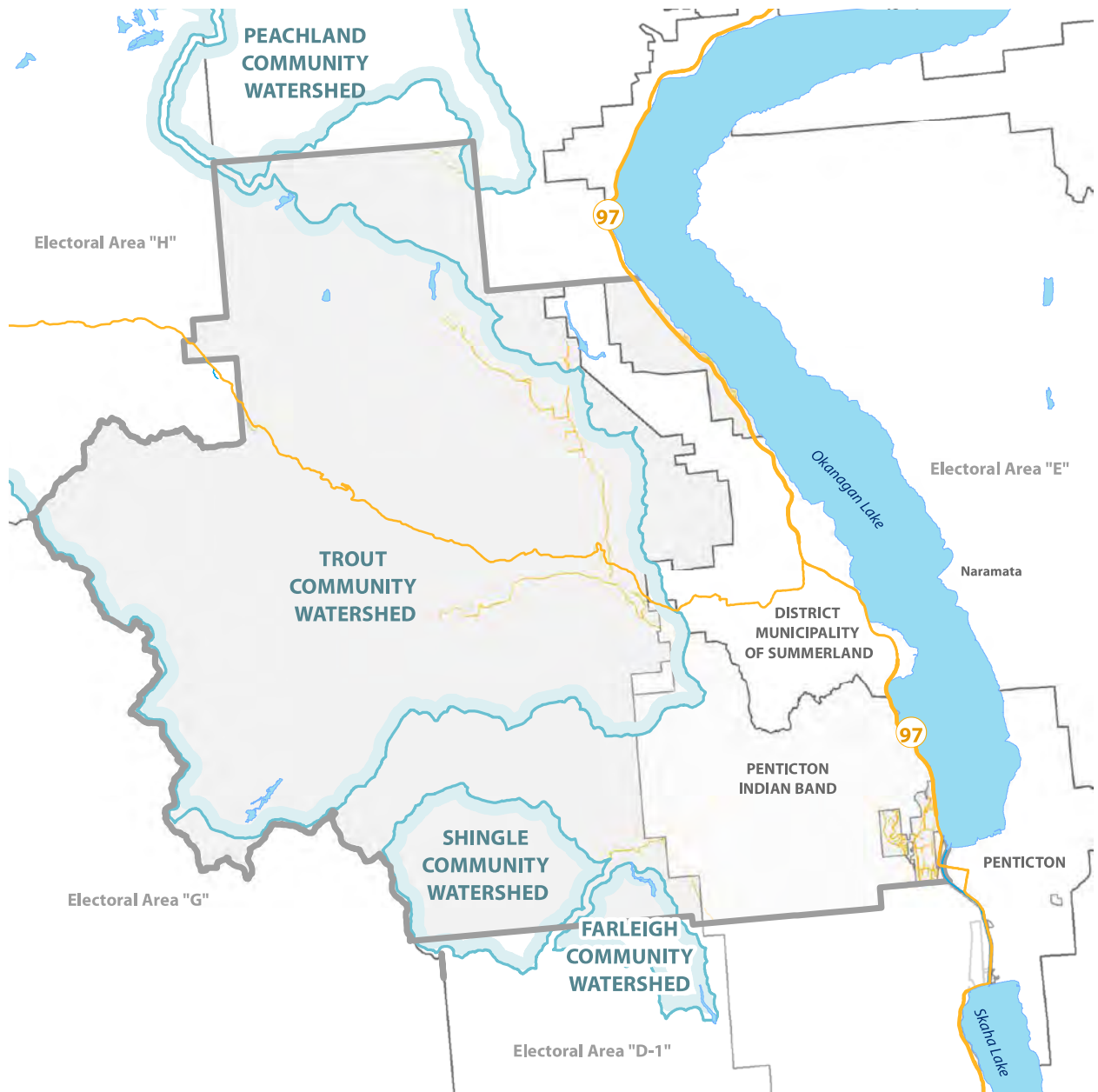


Figure 16: Plan Area – Designated Community Watersheds

9.0 AGRICULTURE

9.1 Background

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

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

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

9.2 Objectives

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

9.3 Policies

The Regional Board:

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

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

.17 May consider supporting applications to subdivide parcels smaller than 4 ha within the Agricultural Land Reserve, limited to the following cases:

- a) For a homesite severance under the ALC's homesite severance policy;
- b) Where the subdivision or boundary adjustment enhances agricultural viability; and
- c) To support a public use such as a public park or community facility.

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

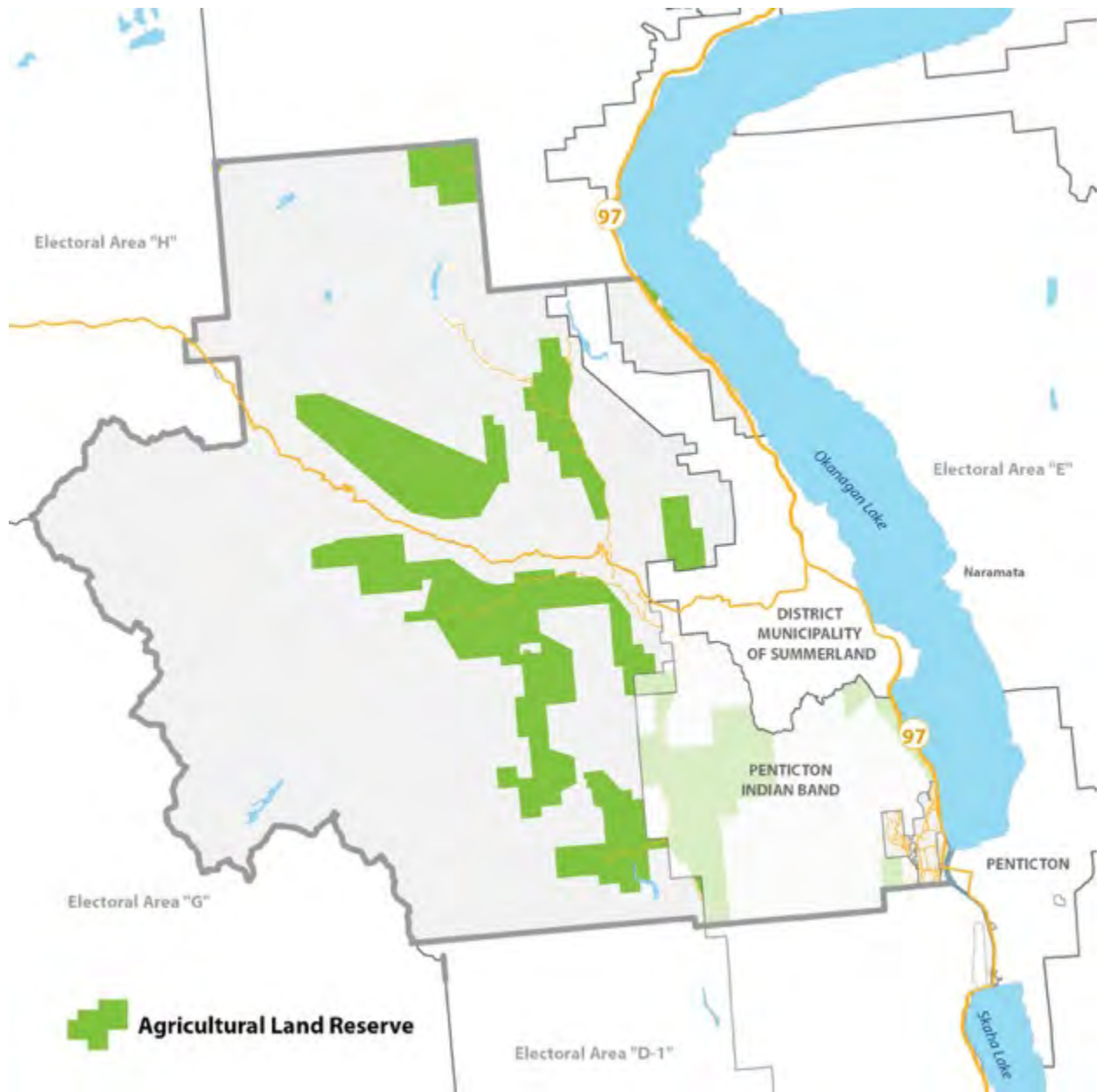


Figure 17: Agricultural Land Reserve Area "F"

10.0 RURAL HOLDINGS

10.1 Background

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

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

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

10.2 Objectives

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

10.3 Policies - General

The Regional Board:

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

- .4 Requires any proposal to create additional land designated or zoned either Large Holdings or Small Holdings to:
- a) Clearly demonstrate and articulate the need for it in the context of its impact on the community and the objectives of this OCP; and
 - b) Provide an assessment of the proposal against the following criteria:
 - i) availability of vacant land currently designated as either Large Holdings or Small Holdings;
 - ii) capability of the natural environment to support the proposed development;
 - iii) impact on environmentally sensitive areas, as illustrated on Schedule 'H' (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.

10.4 Policies – Large Holdings

The Regional Board:

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

10.5 Policies – Small Holdings

The Regional Board:

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

11.0 RESIDENTIAL

11.1 Background

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

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

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

11.2 Objectives

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

11.3 Policies – General Residential

The Regional Board:

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

11.4 Policies –Low Density Residential

The Regional Board:

- .1 Supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single family dwellings, secondary suites, manufactured homes, small parks, small religious buildings and facilities, institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.
- .2 Considers the maximum density of lands designated Low Density Residential (LR) to be 15 to 20 dwelling units per gross hectare, subject to servicing requirements.
- .3 Encourages clustering of Low Density Residential (LR) development within designated Rural Growth Areas to achieve lower servicing costs and to minimize environmental impacts.
- .4 Supports home occupations and bed and breakfasts within a single-family dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.
- .5 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or carriage houses in Low Density Residential (LR).

11.5 Policies –Medium Density Residential

The Regional Board:

- .1 Supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' *Official Community Plan Map* for multi-family developments, including duplexes, triplexes, fourplexes, and townhouses that fit with the residential intent of the designation.
- .2 Considers the maximum density of lands designated Medium Density Residential (MR) to be between 30 and 35 dwelling units per gross hectare for townhouse developments, subject to servicing requirements (sanitary sewer and stormwater).
- .3 Supports the following types of special housing in areas designated Medium Density Residential (MR):
 - a) community care housing; and
 - b) seniors and special needs housing.
- .4 If multiple family development is to be located near land designated as Agriculture (AG), then the following steps must be taken:
 - a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;
 - b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and

- c) the building should be designed to step back away from the Agriculture land as the building increases in height.

11.6 Policies – Comprehensive Development

The Regional Board:

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

11.7 Policies - Vacation Rentals

The Regional Board:

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

12.0 COMMERCIAL

12.1 Background

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

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

12.2 Objectives

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

12.3 Policies – General Commercial

The Regional Board:

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

12.4 Policies – Tourist Commercial

The Regional Board:

- .1 Supports the use of lands designated Commercial Tourist (CT) identified in Schedule

'B' Official Community Plan Map for commercial services and activities catering to visitors and tourists, including golf courses, campgrounds, resorts, RV parks, and agri-tourism businesses, including fruit stands.

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

13.0 INDUSTRIAL

13.1 Background

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

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

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

13.2 Objectives

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

13.3 Policies

The Regional Board:

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

50.0 metres of a Residential Designation of Small Holdings designation.

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



Figure 18: Meadow Valley

14.0 ADMINISTRATIVE, CULTURAL AND INSTITUTIONAL

14.1 Background

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

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

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

14.2 Educational and Community Facilities

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

14.2.1 Objective

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

14.2.2 Policies

The Regional Board:

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

14.3 Protective Services

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

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



Figure 19: Plan Area Fire Protection Service Areas

14.3.1 Objectives

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

14.3.2 Policies

The Regional Board:

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

14.4 Heritage and Cultural Resources

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

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

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

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

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

- **sq̓ap̓apinaʔ kʰ̓x̓sink**

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

- **nʔamtiw̓s**

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

- **nc̓alitkw**

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

- **nx̓n̓niw̓t**

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

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

- **cnxəlkip**

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

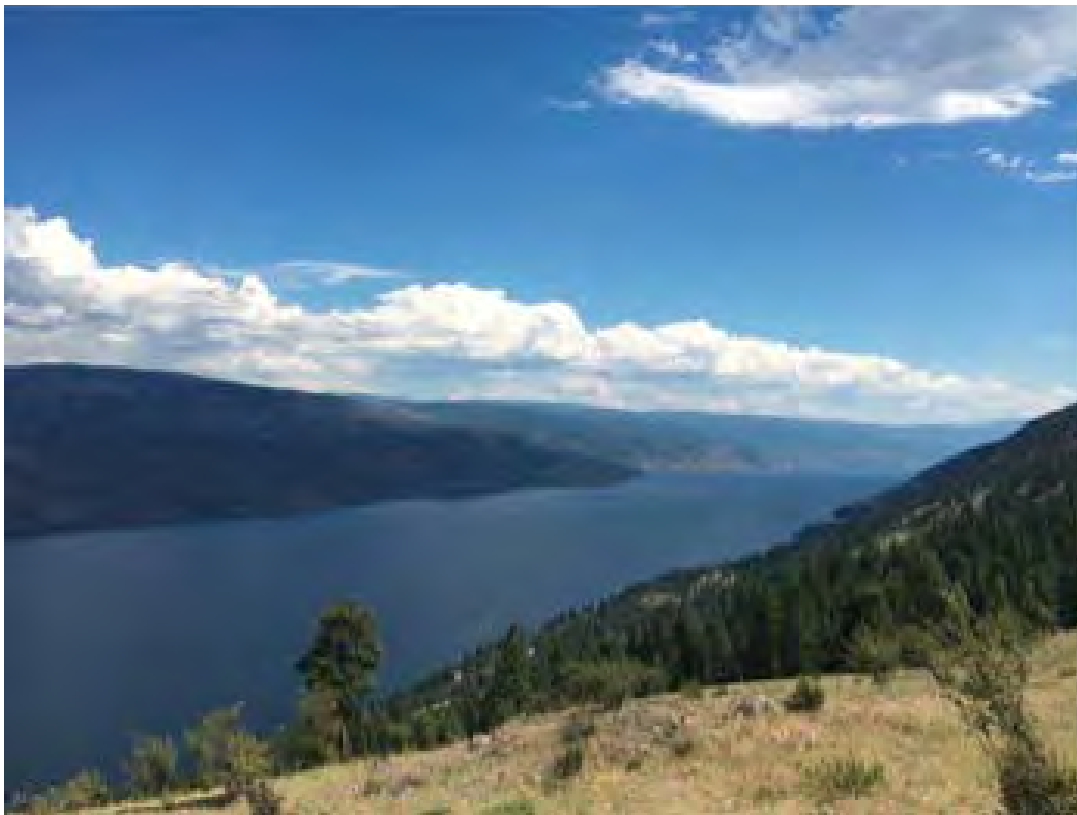


Figure 20: Penticton Indian Band lands



Figure 21: Syilx place names in Area "F"

14.4.1 Objectives

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

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

14.4.2 Policies

The Regional Board:

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

15.0 PARKS, RECREATION AND TRAILS

15.1 Background

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

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

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

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

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

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

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

15.2 Objectives

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

15.3 Policies

The Regional Board:

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

- .9 Supports trail use guidelines that promote “leave no trace” trail use.
- .10 Encourages the School District to establish a joint use agreement to support the multiple use of the school and school grounds at the West Bench elementary school.
- .11 Supports the Kettle Valley Railway right-of-way being preserved and utilized as a linear park and recreation corridor.

15.4 Parkland Dedication Policies

The Regional Board:

- .1 For the purposes of Section 510(2) of the *Local Government Act*, designates the entirety of the Electoral Area covered by this OCP as having future park potential.
- .2 Recognises that the Plan Area is generally rural in nature, and that when land is acquired it should be focused upon lake accesses, greenways, and trails.
- .3 May determine, in accordance with Section 510 of the *Local Government Act*, at the time of a subdivision to which Section 510 applies, whether the owner of land being subdivided must:
 - a) provide without compensation, parkland in an amount that does not exceed 5% of the land being proposed for subdivision and in a location acceptable to the Regional District; or
 - b) pay to the Regional District an amount that equals the market value of the land up to 5% required for park purposes.
- .4 May consider, when determining a potential park land dedication under Section 510 of the *Local Government Act*, the following policies:
 - a) proximity to settlement areas, other parks & trails, and bodies of water;
 - b) distance from environmental hazard areas;
 - c) average slope should be 10% or less;
 - d) adequate accessibility:
 - i) vehicular ingress and egress should meet or exceed Ministry of Transportation standards;
 - ii) in the case of trails and pedestrian-access only parks, there should be various linkages to and from the trail or park, with at least one linkage wide enough to allow for maintenance vehicle access;
 - e) cultural or natural features of significance;
 - f) potential for additional dedication of parkland from subdivision applications of surrounding parcels; and
 - g) potential for recreation (active park), conservation (passive park) or enhancement of public access.

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

16.0 NATURAL ENVIRONMENT AND CONSERVATION

16.1 Background

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

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

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

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

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

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

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

16.1.1 Objectives

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

16.1.2 Policies - General

The Regional Board:

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

16.2 Riparian and Foreshore Areas

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

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

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

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

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

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

16.2.1 Objectives

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

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

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

16.2.2 Policies

The Regional Board:

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

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

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

16.3 Terrestrial Areas

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

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

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

16.3.1 Objectives

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

16.3.2 Policies

The Regional Board:

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

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

16.4 Conservation Areas

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

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

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

16.4.1 Objectives

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

16.4.2 Policies - General

The Regional Board:

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

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

17.0 HAZARD LANDS

17.1 Background

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

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

In 2011, the Regional District prepared a *Community Wildfire Protection Plan* (CWPP) for those communities with a high probability and consequence of fire in the interface zone. The plan was developed in accordance with recommendations contained within the provincial government's *Firestorm 2003 Provincial Review*. The CWPP program was launched to improve fire prevention in the Wildfire-Urban Interface Zone and to improve community safety and reduce the risk of property damage.

As dynamic systems, forested ecosystems change over time along with the fuel hazards they pose. As the South Okanagan Valley contains ecosystems within which wildfire is a natural disturbance, and since wildfire cannot be eliminated from these ecosystems, the threat of wildfire will always be present. However, the risk wildfire poses to development can be managed through appropriate development policies and continual management efforts.

A hazard study for the West Bench/Sage Mesa area (Klohn Leonoff 1992) identifies landslide, sinkhole, and silt bluff hazards and delineates hazard areas for each of these risks. The potential hydrologic impacts of development (septic discharge, irrigation, impervious surfaces and concentration of runoff) on hazards in this area indicate the need for additional investigations prior to any further growth here. A 2006 update stated that the conclusions and recommendations of the 1992 report "appear to be valid today" as "the silt bluffs and West Bench/Sage Mesa are still subject to the risk of landslides and subsurface erosion." However, it is recognized that the accuracy of mapping technologies has changed significantly since 1992 and that re-mapping of the hazard areas could provide more accurate boundaries for the hazard zones.

A geological hazard analysis was completed in North Beach Estates area within RDOS (Golder 2009) as part of rezoning and permitting of the North Beach Estates lands and community when Highway 97 was being redesigned and reconstructed. The houses here were found to be within potential landslide runout zones, and it was recommended (Golder 2009) that: water discharges such as irrigation, and placement of fill, should not

occur on the benches above the steep slopes and the houses; natural vegetation should be maintained; and that risk reduction measures should be developed.

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

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

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

See Schedule 'D' (Hazard Lands – Soil), Schedule 'E' (Hazard Lands – Steep Slopes), and Schedule 'F' (Hazard Lands – Wildfire) for maps of key hazard areas in the Plan Area.

17.2 Objectives

- .1 Prevent injury and loss of life and to prevent or minimize property damage because of natural hazards.
- .2 Ensure development does not occur in areas subject to known hazardous conditions, unless the hazard has been sufficiently addressed and mitigated.
- .3 Recognize that important habitat may also be found in natural areas that are considered hazardous, and that disruption of these areas should be minimized.
- .4 Reduce wildfire hazard threats to proposed new and existing development.
- .5 Encourage provincial approving officers to ensure that technical reports for hazard lands are prepared by appropriately qualified individuals and that any recommended conditions for safe use of the land area registered as s. 219 covenants.

17.3 Policies – General Hazard Lands

The Regional Board:

- .1 Encourages an updated technical assessment of geotechnical hazards in the West Bench / Sage Mesa area using procedures such as outlined by APEGBC (2010) and Wise et al (2004).
- .2 Encourages monitoring of surface and groundwater conditions at West Bench - Sage Mesa including potential water system leakage.
- .3 Will not support further development of swimming pools due to geotechnical hazard areas in the West Bench/Sage Mesa area until further study is provided on the risks and hazards can be adequately mitigated.
- .4 Will continue to educate home owners living on and near hazard lands regarding water use and drainage practices necessary to minimize triggering geological hazards, and the importance of immediate reporting to RDOS if erosion or land problems start to occur.
- .5 Encourages annual inspections, and as-needed inspections after large storms, runoff or flooding events, at the highest risk areas for impacts, such as steep slopes and major culverts outfalls.
- .6 Encourages a program to monitor the land surveys for roads, curbs and culverts to determine if any subsidence or lateral movement is occurring, which could identify sites where subsurface erosion is occurring due to misdirected water.
- .7 Will strive to prevent development on lands that may be susceptible to a potential natural hazard, or have been identified as hazardous by the Regional District or other agencies having jurisdiction, unless the applicant can prove the land can be safely used for the use intended.
- .8 Will direct development away from lands identified as being susceptible to soil instability and potentially hazardous geotechnical conditions.
- .9 Discourages development on slopes with grades in excess of 30% to avoid geotechnical hazards.
- .10 Requires new development areas with slopes greater than 30%, including those areas that may be regraded to be less than 30% after development, to be reviewed for soil instability, potentially hazardous conditions and environmental sensitivity. Development shall follow the recommendations of a geotechnical report.
- .11 Requires that where the Regional District or the Subdivision Approving Officer has requested a geotechnical report, a qualified professional registered by the Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) shall prepare the report.
- .12 Discourages development of land susceptible to flooding and encourages those lands to be used for parks, open space, habitat conservation, recreation or agricultural uses.
- .13 Requires that where land subject to flooding is required for development and no alternative land is available, construction and siting of buildings and manufactured

homes to be used for habitation, business, industry, or the storage of goods damageable by floodwaters shall comply with Provincial Flood Hazard Area Land Use Management Guidelines and the recommendations of a geotechnical report prepared by a qualified professional, where applicable.

- .14 Encourages provincial and/or federal agencies to conduct further research on possible radon health risks in and around the Plan Area.
- .15 Encourages Plan Area residents to test their homes for radon exposure and to take appropriate mitigation measures where radon levels are found to be higher than recommended levels.
- .16 Supports providing information on radon and radon mitigation opportunities to Plan Area residents.
- .17 Encourages the development of a sanitary sewer and/or stormwater management system in Greater West Bench to alleviate the risk of geotechnical failure due to usage of existing onsite septic systems.

17.4 Fire Management

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

As a predominantly rural area, the CWPP determined that development in the Plan Area generally consists of:

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

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

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

17.4.1 Objectives

- .1 Minimize fire risk to people and property within the Plan Area.

17.4.2 Policies

The Regional Board:

- .1 In reviewing a rezoning application submitted to the Regional District for development in those areas identified in the *Community Wildfire Protection Plan* (CWPP) and shown on Schedule 'F' (Hazard Lands – Wildfire), the Regional District may require a fire hazard risk assessment by a qualified professional that is recommended to include, but is not limited to, the following:
 - a) incorporating fuel breaks adjacent to, or on, residential subdivisions;
 - b) establishing zones around potential structures and homes which are clear of debris, highly combustible material or trees;
 - c) utilizing fireproofing techniques and fireproof materials in building design;
 - d) designing roads that provide evacuation routes and facilitate movement of firefighting equipment;
 - e) ensuring all roads are named and signed;
 - f) ensuring availability of water supply facilities adequate for fire suppression;
 - g) ensuring the provision of access to local water sources, lakes and watercourses as part of access requirements; and
 - h) implementing setbacks, interface fire protection standards, and building material standards pursuant to Provincial guidelines, or their equivalent.
- .2 Using the FireSmart guide as a principal guidance document, strives to foster wildfire awareness and resiliency through public education materials, programs and events.
- .3 Strongly encourages that all new developments be designed to incorporate best practice interface forest fire mitigation techniques for buildings and landscaping.
- .4 Should review and update wildfire protection approaches as often as necessary based on changing community circumstances, climate change driven ecosystem conditions, and mitigation techniques.
- .5 Encourages property owners to adhere to the relevant Provincial guidelines to protect properties and communities from wildfire risk through such measures as reducing fuel loads. Such measures should be supportive of the natural environment and mimic the natural effects of localized ground fire such as thinning and spacing trees and vegetation, removal of debris and dead material from the ground, and removal of lower tree branches.
- .6 Supports pursuing provincial funding and resources to undertake wildfire risk reduction in the community/forest interface areas.
- .7 Supports the development of an inventory of accessible water sources that could be enhanced to support water extraction by firefighting equipment.

18.0 TRANSPORTATION

18.1 Background

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

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

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

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

18.2 Objectives

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

18.3 Policies

The Regional Board:

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

19.0 INFRASTRUCTURE AND SERVICING

19.1 Background

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

19.2 Objectives

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

19.3 Policies

The Regional Board:

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

19.4 Water Supply and Distribution

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

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

The Faulder system is at capacity, supplying 215 residents via 78 connections. This system was recently upgraded with a new well and uranium treatment. The new well was made operational in early 2017, bringing one of the two uranium removal canisters online. As of April 2017, the RDOS reported good initial results, with uranium levels remaining below the maximum allowable level. On July 31, 2017, the RDOS received approval from IHA to rescind the active Water Quality Advisory for Uranium, as well as the Water Quality Advisory in place for commissioning the new system (RDOS 2017a). The RDOS continues to monitor the system to ensure compliance with all regulations and water quality guidelines. Though it was not previously necessary, the 2016 *Water Sustainability Act* now requires the RDOS to apply for a water license for the system. The Meadow Valley aquifer supplies the Faulder water system and many private wells in that area.

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

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

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

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

residential and agricultural water users, and the intrinsically regional character of groundwater resources when assessing future development.

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

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

19.4.1 Objectives

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

19.4.2 Policies

The Regional Board:

- .1 Will seek to secure an approved groundwater licence for the RDOS to extract groundwater for the Faulder Water System by February 2019.
- .2 Will review water treatment procedures at all their water systems to ensure that provincial, regional, and local water treatment regulations are met, including the IHA drinking water objective.
- .3 Encourages all groundwater users within Area “F” to ensure that groundwater well infrastructure and maintenance is completed as required by the Groundwater Protection Regulation under the *Water Sustainability Act*, including the installation of sufficient surface seals.
- .4 May consider developing a groundwater bylaw for the Regional District to better protect, manage and steward groundwater resources in the Plan Area and other Electoral Areas.
- .5 Actively promotes, educates, coordinates and implements water conservation practices, and will work with water utilities to establish water conservation programs.

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

development phase.

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

19.5 Wastewater and Sewage

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

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

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

19.5.1 Objectives

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

19.5.2 Policies

The Regional Board:

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

19.6 Stormwater Management

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

19.6.1 Objectives

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

19.6.2 Policies

The Regional Board:

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

19.7 Solid Waste

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

19.7.1 Objectives

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

19.7.2 Policies

The Regional Board:

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

19.8 Other Utilities

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

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

19.8.1 Objectives

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

19.8.2 Policies

The Regional Board:

- .1 Should work with utility providers to deliver affordable and convenient utility services, including high-speed Internet and cellular service, throughout the Plan Area.
- .2 Encourages public utility companies and the Province to develop and maintain infrastructure corridors in a manner that will not negatively impact existing residents and the natural environment, or have a negative impact on existing Environmentally Sensitive Development Permit Areas and Watercourse Development Permit Areas.
- .3 Supports the establishment of renewable energy projects that use water, wind, sunlight, biomass or geothermal energy to generate electricity for sale into the electrical transmission and distribution infrastructure when those facilities:
 - a) have been properly evaluated and are shown to be technically sound, environmentally sensitive and socially responsible;
 - b) are located, designed, constructed and operated in a manner that is consistent with the overall vision for the region;
 - c) can be connected into the existing transmission and distribution infrastructure with minimal impact; and
 - d) provide tangible community benefits.

20.0 AGGREGATE AND MINERAL RESOURCES

20.1 Background

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

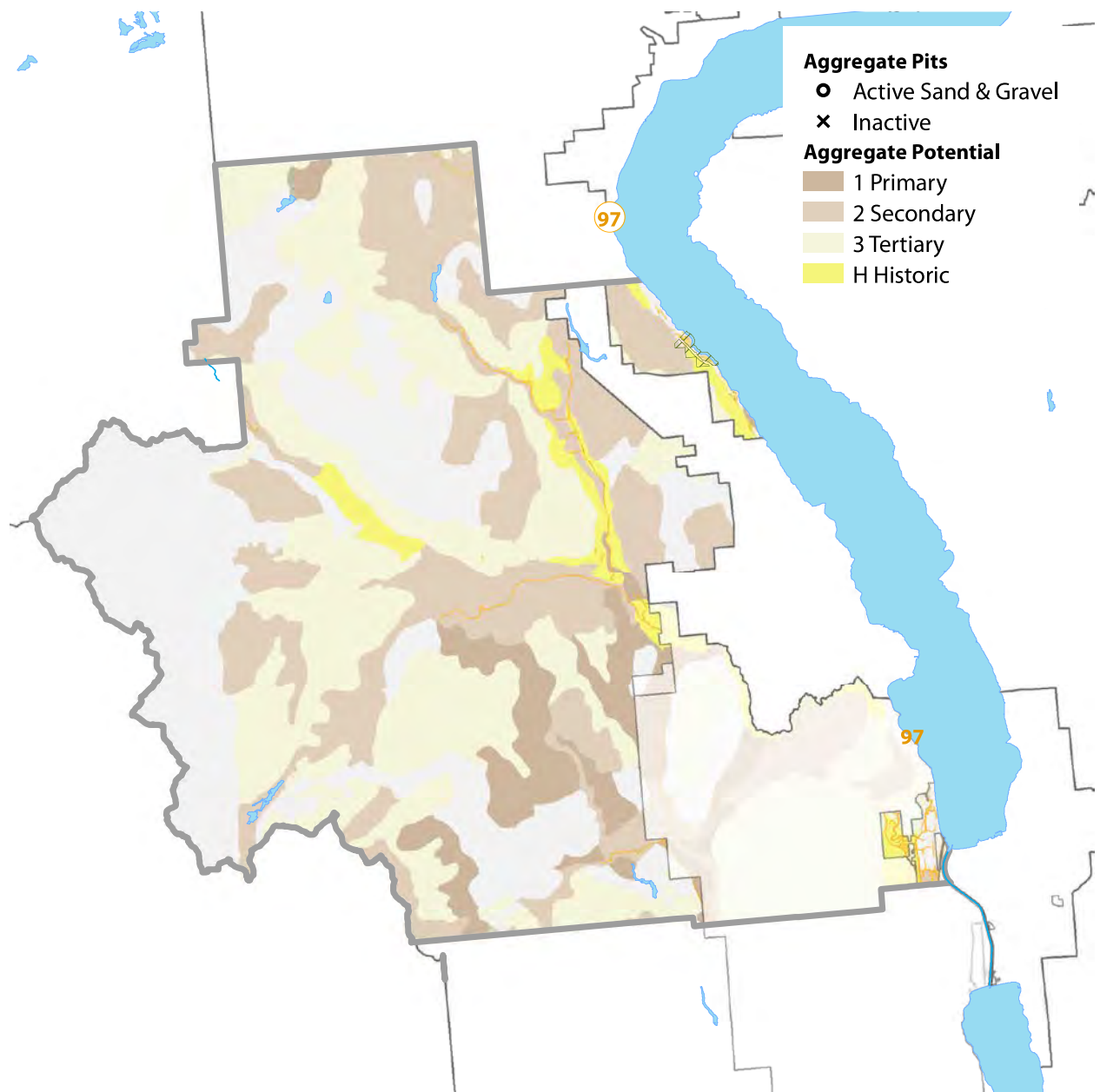


Figure 22: Resource Extraction Potential

20.2 Objectives

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

20.3 Policies

The Regional Board:

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

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

21.0 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION

21.1 Background

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

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

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

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

21.2 Objectives

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

21.3 Policies

The Regional Board:

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

22.0 TEMPORARY USE PERMITS

22.1 Background

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

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

22.2 Objectives

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

22.3 Policies

The Regional Board's policies are as follows:

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

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

- e) a maximum accommodation of ten persons, with an aggregate occupancy of two persons per bedroom within a dwelling unit when such dwelling unit is being occupied as a vacation rental;
 - f) the provision of one parking space for each bedroom available for vacation rental use;
 - g) the prohibition of the use of recreational vehicles or camping on the property or any use of accessory buildings for vacation rental occupancy;
 - h) confirmation from a qualified person that the building used for vacation rental meets a minimum standard for health and safety; and
 - i) other requirements that the Regional District Board may consider appropriate.
- .7 As a condition of issuing a Temporary Use Permit, the Regional District may require the posting of a bond or other applicable security to ensure compliance with the conditions of a permit.

23.0 DEVELOPMENT PERMIT AREAS

23.1 Background

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

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

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

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

23.2 Environmentally Sensitive Development Permit (ESDP) Area

23.2.1 Category

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

23.2.2 Area

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

23.2.3 Justification

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

23.2.4 Background

The natural environment provides essential habitat and corridors for plants, fish, birds and other organisms. It also acts as a natural water storage, drainage and purifying system, which can help to protect private property from flooding or land loss due to watercourse erosion. Furthermore, as concerns over climate change grow, it should be

recognized that functioning ecosystems are more efficient at consuming carbon dioxide as well as carbon storage. Vegetation adjacent to watercourses needs to remain in a largely undisturbed state to maintain a healthy environment and clean water.

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

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

23.2.5 Development Requiring a Permit

- .1 A development permit is required, except where exempt under Section 23.2.8 (Exemptions), for development on lands within the ESDP area. Where not exempted, development requiring a development permit includes:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

23.2.6 Guidelines

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

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

23.2.7 Expedited Development Permit

- .1 Despite sub-section 23.2.6.1 (a), the Regional District may issue a development permit on the basis of a Rapid Environmental Assessment (REA) Report for development where:
 - a) A REA, prepared in accordance with the Regional District's Development Procedures Bylaw, has been submitted to the Regional District in respect of the proposed development by a qualified environmental professional (QEP) that is a Registered Professional Biologist in British Columbia (RPBio) or team that includes a RPBio under contract to the development applicant, and includes:
 - i) a site plan documenting, if applicable, the location and extent of Environmentally Valuable Resources (EVRs) occurring within 100 metres of the proposed footprint of the development.
 - ii) a completed Rapid Environmental Assessment Checklist signed and sealed by the responsible QEP indicating:
 - .1 There is no known occurrence of an EVR on or within 100 metres of the proposed footprint of the development; or
 - .2 Known EVR occurrence(s) have been identified and:
 - a) measures have been prescribed to avoid impacts; or
 - b) acceptable restoration/mitigation have been prescribed.
 - iii) recommended avoidance or mitigation measures if known EVR occurrences have been identified.
 - b) If a QEP cannot certify the absence of EVRs or that impacts have been avoided or acceptably mitigated through a REA, to the satisfaction of the Regional District, an EA as outlined under sub-section 23.2.6(a) will be required.
 - c) The Regional District may incorporate any areas or measures identified in a REA to protect sensitive ecosystems from the effect of development as terms and conditions of the development permit.

23.2.8 Exemptions

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

- .1 The construction, repair, maintenance or alteration of public utility works, including sanitary sewer, stormwater, water, natural gas, cable, hydro-electric or telecommunications works, but excluding communication towers and antenna systems;

- .2 The repair or maintenance of existing buildings and structures provided there are no additions or increases to the footprint of the building or structure;
- .3 Residential development where a completed Building Permit application has been accepted by the Regional District, the proposed development does not exceed 50.0 m² from the original footprint of the principal dwelling unit and the development comprises either:
 - a) an alteration or addition to the original footprint of an existing principal dwelling unit; or
 - b) the construction of an accessory building or structure, provided a majority of the footprint of the accessory building or structure is not situated beyond 10.0 metres of a principal dwelling unit.
- .4 Works conducted in accordance with the Provincial FireSmart Manual, provided that all landscaping is conducted within 10.0 metres of an existing structure or building (existing on-site native plants which meet the FireSmart Manual guidelines are encouraged to be maintained as part of the landscaping);
- .5 The construction, alteration, addition, repair, demolition and maintenance of buildings and structures to be used in relation to a farm use as defined in the *Agricultural Land Commission Act* on land located in the ALR and classified as “farm” under the *Assessment Act*;
- .6 Any farm use as defined in the *Agriculture Land Commission Act* on land located in the ALR;
- .7 Any farm use that is subject to an approved Environmental Farm Plan(EFP) through the Canada-British Columbia Environmental Farm Plan Program;
- .8 The repair of existing fences; and
- .9 Subdivisions that:
 - a) consolidate existing parcels, including the consolidation of parts of a closed road to an existing parcel; or
 - b) alter parcel lines between two or more parcels where no additional parcels are created upon completion of the alteration.

23.3 Watercourse Development Permit (WDP) Area

23.3.1 Category

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

23.3.2 WDP Area

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

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

23.3.3 Justification

To regulate development activities within Riparian Assessment Areas (RAA) to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

23.3.4 Guidelines

- .1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*:
 - a) removal, alteration, disruption or destruction of vegetation;
 - b) disturbance of soils;
 - c) construction or erection of buildings and structures;
 - d) creation of non-structural impervious or semi-impervious surfaces;
 - e) flood protection works;
 - f) construction of roads, trails, docks, wharves and bridges;
 - g) provision and maintenance of sewer and water services;
 - h) development of drainage systems;
 - i) development of utility corridors;
 - j) subdivision as defined in the *Land Title Act*.
- .2 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:

- a) an Assessment Report must be submitted to the Regional District in respect of the proposed development by a QEP under contract to the development applicant, including:
 - i) certification that the professional is qualified to undertake the assessment and has used the appropriate assessment methods, all in accordance with the Provincial RAR;
 - ii) description and map of all pertinent aspects of the proposed development;
 - iii) confirmation of the boundaries of the RAA, and within that, the determined width of the Streamside Protection and Enhancement Area (SPEA);
 - iv) description of the natural features, functions and conditions in the riparian area that support fish life processes;
 - v) recommended measures necessary for conserving, restoring or enhancing the integrity of the riparian area; and
 - vi) professional opinion that either the development as proposed would not result in *serious harm to fish* as defined under the *Fisheries Act*.
- b) the Regional District may require a Section 219 covenant to ensure long term protection of vegetation along a natural watercourse, pond or lake so that it will be maintained to provide shade for the water surface, bank stability, and wildlife or waterfowl habitat sufficient for species which frequent the area; and
- c) the Regional District may incorporate the SPEA determined by the QEP assessment report and any measures identified in the QEP assessment report necessary to protect the integrity of that area from the effect of the development as terms and conditions of the Development Permit.

23.3.5 Security and Environmental Monitors

Development Permits may include requirements for environmental monitoring where riparian areas must be protected. Remediation must be completed or where construction requires environmental controls must include an Environmental Monitoring Report. Environmental monitoring reports, when required, must be prepared by the QEP.

The Regional District Board may require security in accordance with Section 488 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- a) a condition in a permit respecting landscaping has not been satisfied;
- b) an unsafe condition has resulted as a consequence of contravention of a condition of a permit; or

- c) damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit.

Security shall be based on the estimated cost of any environmental controls, remediation works, landscape or other planting and monitoring as determined by a QEP and accepted by the Regional District.

23.3.6 Exemptions

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

- .1 The construction, repair, maintenance or alteration of any public structure, facility or land, including parkland, open space, roads or trails;
- .2 The construction, repair, maintenance or alteration of public utility works, including sanitary sewer, stormwater, water, natural gas, cable, hydro-electric or telecommunications works;
- .3 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a Development Permit for the same area has already been issued in the past and the conditions in the Development Permit have all been met, or the conditions addressed in the previous Development Permit will not be affected;
- .4 Any type of development, provided a QEP has confirmed that there is no watercourse or riparian area as defined by the Riparian Areas Regulation on the parcel to be developed or subdivided.
- .5 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial FireSmart standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.
- .6 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial guidelines) as indicated in a report by a QEP or ISA certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .7 Gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .8 A subdivision where there is no increase in the number of lots.

23.3.7 Variance to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots to reduce impacts and preserve the SPEA.

23.3.8 Expedited Development Permit

In the following cases the Regional District may issue a Development Permit without the provision of an Assessment Report, and the Regional District may require security and environmental monitoring under Section 23.3.5:

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

24.0 IMPLEMENTATION

24.1 Introduction

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

24.2 Refinements and Amendments

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

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

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

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

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

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

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

Figure 23: Potential Future OCP Additions

24.3 Zoning Bylaw

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

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

Figure 24: Zoning Bylaw Updates

24.4 Subdivision Servicing Bylaw

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

24.5 Other Agencies

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

24.6 Follow-up Studies and Initiatives

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

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

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

Figure 25: Follow up Studies and Initiatives

24.7 Discharge of Land Use Contracts (LUCs)

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

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

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

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

Land Use Contract
LU-2-F
LU-1-F-74

Figure 26: Land Use Contracts and Replacement Land Use Designations

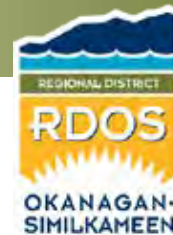
24.8 Monitoring

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

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

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

~ end of Schedule ‘A’ ~



TO: Regional Board of Directors

FROM: Chair Michael Brydon, Electoral Area "F"

DATE: September 6, 2018

RE: Public Hearing Report - OCP Bylaw No. 2790, 2018

Purpose of Bylaw:

The Bylaw 'Electoral Area "F" Okanagan Lake West/Greater West Bench Official Community Plan Bylaw No. 2790, 2018' proposes to replace the current Electoral Area "F" Okanagan Lake West/ West Bench Official Community Plan Bylaw No. 2460, 2008, in its entirety.

Public Hearing Overview:

The Public Hearing for Bylaw No. 2790, 2018, was convened on Thursday September 6, 2018 at 7:00 p.m., at RDOS Board Room, 101 Martin Street, Penticton.

Members of the Regional District Board present were:

- Chair Michael Brydon, Director, Electoral Area "F"

Members of the Regional District staff present were:

- Evelyn Riechert, Planner
- Brad Dollevoet, Development Services Manager
- Lauri Feindell, Recording Secretary

There were approximately 35 members of the public present.

Chair Brydon called the Public Hearing to order at 7:00 p.m. at the RDOS Boardroom, 101 Martin Street, Penticton, pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Amendment Bylaw No. 2790, 2018.

In accordance with Section 466, the time and place of the public hearing was advertised in the August 22nd and 29th, 2018 editions of the Penticton Western.

Copies of reports and correspondence received related to Amendment Bylaw No. 2790, 2018 were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There were eight (8) written briefs submitted at the public hearing.

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

E. Riechert, Planner, outlined the proposed bylaw and presented a powerpoint (copy included as a separate item in Board agenda).

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

Scott Smith, 1012 Veteran Drive

Concerns with the wording of policy statement (7.2.1.2) and requests to reword 7.2.1.2 deleting any references to the City of Penticton:... *supports conducting an assessment of sewer issues in the Greater West Bench and examine options for resolving these issues*; and the reference to City of Penticton be removed from Section 24 – Implementation. Also a request that a clause be written into the OCP stating that the RDOS would ensure a referendum be called should a boundary expansion be contemplated.

Eva Durance, 1120 Jonathon Drive

My main focus will be on the environmental portion but I want to echo Scott Smith's comments with respect to the lack of information/process that was proposed on the possible City of Penticton Boundary expansion brought to the [2016] UBCM.

Expressed concern with Section 4.0, OCP Designation, and expressed concern with the non-conforming uses and questioned if this is for non-standing long non-conforming uses or for recent occurrences.

Would like to see (suggests) 16.1.1 Environmental to read 'provide residents with information and tools to enhance'.

Expressed desire that regional growth areas be included relative to high fire zones on West Bench and Sage Mesa areas.

Evelyn Riechert

Explained the difference between non-conforming and non-compliant (illegal use) with zoning, and that OCP Map designations may not reflect the zoning layer underneath but point to future preference.

Margaret Holm, 705 Sunglow Drive

I would like to address Objectives and Policies under Section 16.1. - Natural Environment and Conservation. The objectives outlined identify the ESDP, conservation areas and critical habitat but I would like to propose that there be an objective added that encourages habitat protection of the whole plan and foster awareness among residents about invasive weeds, infilling and dumping in gullies, unsafe activities affecting wild fire spread that threaten the quality of the environment.

Marjorie Murton, 414 Valient Drive

Has owned property and orchard since 1971 and cares about maintaining the rural community and was glad to see the Rural Growth Area to include the 3 pocket areas, but if these areas proceed, the interface with the dry forest and the traffic congestion must be addressed. The plan's words about conducting a feasibility study should be rephrased and the City of Penticton removed. Mr. Smith has provided the wording I support.

A few omissions I noted were with the historical description of communities. I did not see a reference to the dedicated Nature Reserve Max Lake.

I wish it to be recorded that I support Mr. Smith's and Margaret Holm's suggested rewording.

It was good news to hear that Greata Ranch was scheduled for a review for the suitability for the RGA destination.

Steve Lornie, Lot 2, 506 North Beach Road

I own 400 acres and ranch about 200 acres and am speaking on behalf of the Cooperative of 23 North Beach owners with regards to the fire service. We currently pay \$2000 in property taxes, and have no city water, city sewer or garbage pick up. No owners have children in the school system, we do not mind paying our fair share therefore we very much wish to be part of the RDOS fire protection services and are willing to discuss with the Regional District along with any costs that may be involved to extend the emergency services.

I would like to note some additional comments, on a personal note that I am satisfied with the environmental and first nations inclusions. There are some fundamental flaws in the proposed OCP, it fails in that it does not ensure the younger generation to purchase homes. I do not support that septic tanks are not allowed under one acre lots, (must be 2.5 ac) which obstruct development and growth. I have an issue with Section 10.2.2 the wording 'prevent rural sprawl' feels like a negative comment on rural residents.

Paul Makosz, 1915 Estates Place

I attended the last information session and was puzzled with talking about water quality and I got the impression that the RDOS has no say about the water quality. I was pleased to see in the OCP document on page 74 a very concise description of how the Sage Mesa system works, but every summer up to 4 or 5 months we have a boil-water advisory. I would like to see a statement similar to Faulder's water system that the RDOS supports working with IHA to secure high quality drinking water.

Director Brydon

The difference is that the Faulder system is a Regional District owned water system and we have control over the policies, the Sage Mesa system which services Lower Sage Mesa, Westwood Property Estates and Husula is privately owned. The Regional District has no control of the water system. It is represented by Interior Health and is monitored under contract by RDOS employees.

Paul Makosz

I would have liked to see a policy to collaborate with the other systems and the providers.

Anne Cossentine, 1003 Veteran Drive

I have two suggested changes, one, being some improvements to the neighbourhood description for greater West Bench and a proposed Policy addition. Thank you to the improvements for the revisions to the neighbourhood descriptions for greater West Bench, they are much more accurate and I am pleased to see terrain and septic added – but have only been added for one of the neighbourhoods.

In survey 3 – residents could only answer survey as Westwood properties, Husula Highlands, Sage Mesa/West Bench or Faulder/Meadow Valley residents - as a result it makes sense to reduce to the 4 neighbourhood areas as suggested in the OCP.

I suggest it be stated in the OCP that the RDOS Board does not support further subdivision in Westbench and Husala Highlands.

Question:

On Evelyn's introduction, it was indicated if growth happens Greater West Bench must become a regional growth area. It was my understanding that the OCP designated pockets of rural growth area, is it that the entire West Bench area is designated as a growth area?

Evelyn Riechert

Explained the connection between the RGS and OCPs and how growth areas were chosen at the time the RGS was developed. Actual areas will still need to be delineated if the area of West Bench is designated as a rural growth area. Process to make this amendment will require support for all south Okanagan municipalities.

Anne Cossentine

Is this a public process and how would they be informed for process and communication? The mail-outs have worked best – how would we receive the communication?

E. Riechert

Explained process to amend the RGS will require extensive consultation, media, mail outs would be conducted and the process would most likely take a number of years.

Anne Cossentine

I would like to publicly state that I am still somewhat unclear what in the OCP is going to be the designated rural growth area – and would like to state opposition to how it applies to the whole greater West Bench. There are real concerns with hazard lands, especially at the north end of greater West Bench.

I would also want to have it publicly recorded that I support removing City of Penticton from the policy that Mr. Smith talked about. It makes sense to require a referendum if amalgamation were to be proposed.

I support previous comments on increasing our protection areas, Forest Fire and invasive weeds – not only causing fire hazard but also causing personal work on properties.

I am equally concerned about traffic, and surprised that Bartlett Drive was only mentioned when traffic was referred to and recommend to add Sections to the OCP on other access roads off Greater west Bench.

We were given the impression only a few large properties would be able to have home industry. There was considerable opposition to home industry in the West Bench and the OCP should effectively put in place a policy to limit home industry to large properties.

Sonya Quamme, 605 Russet Drive

I would like to ensure home industries are prohibited in the greater West Bench area because there are more than 7 properties larger than 5 acres and I publicly support Scott Smith, Marjorie Murton, Margaret Holms, and Anne Cossentine.

Natalie Minunzie, 3835 Sage Mesa Drive

A lot of people have spoken about the water and sewer initiative that is being suggested. I'd like to say that the Sage Mesa probably has greater support for servicing as we have the faulty water system, but I think it is important in reading through the comments – it is apparent people don't understand water and sewer are only one of the issues.

I think it is important that some reference be made to the original initiative of Penticton as to amalgamate those areas into the area and I don't think people understand that.

Chair Brydon asked if there was anyone who wished to speak further to the proposed Bylaw.

Anne Cossentine

Asked if it was helpful to hear if everyone here agrees with issues being raised as they come up.

Chair Brydon

Everything that is recorded ends up in the board package and is digested by Board members.

Anne Cossentine

Would it would be helpful that those in attendance would make a comment– understanding the process discussed?

Chair Brydon

This is not a vote but we will summarize and record the minutes and the board members can read/review in the Agenda Package.

Anne Consentine

It was my understanding from the last open house when the process was discussed that the OCP would be further modified based on this public hearing.

Evelyn Riechert

It may be.

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

John Chapman, 3610 Pine Hills Drive

I have been a resident and lived here for over 40 years and would like to echo some of the Sage Mesa people's feeling in particular regarding the OCP review and congratulate the RDOS in addressing infrastructure deficiencies in the area in over 30 years. I know those deficiencies are not as urgent in the West Bench area or Husula or new neighbourhoods, but Sage Mesa's particular situation was proposed previously to be addressed separate and If it can be done as an area wide project, regardless it needs to be addressed. Again congratulations to the Board and all the staff for attempting to address and come up with a possibility that it can be done.

Blaine Peterson, 419 Valiant Drive and 4635 Sage Mesa Drive

I have lived on the West Bench more than 35 years and have long emotional ties to the community. This review it is a massive undertaking and I thank and recognize the efforts of Director Brydon, staff and team.

There is a lot of correct terminology in preparing a document like this but what is lacking after reading it twice is common sense regarding the geotechnically stuff in some of the areas. My concern is the risk of substantial alteration to the structure of the silt banks not just for rezoning of certain areas, but also water and sewer; to rip all the roads up will alter it geotechnically.

I caution not to run too fast down this process as there is a very critical path in engaging a correct geotechnical review before moving forwards and critical technical reviews are required prior to change.

Yvonne McAdam, 2225 West Bench Drive

I have jotted a few points that I agree with the previous speakers mostly regarding the expansion with the City of Penticton, invasive weeds, and infilling of the gullies.

Ken Davis, 708 Sunglo Drive

Pleased to hear what people have said, and you have a difficult job to decide what you are doing. Are you going to put sewers in, expand water systems, consider amalgamating West Bench with the other rural areas into one big area? I think we have gone too long by being small and not progressing fast enough. What happens next and perhaps you will close this off by telling us what you are going to do, do we get other opportunities, is this the last opportunity or is this going to happen?

Chair Brydon asked if anyone else wishes to speak further to the proposed Bylaw?

Chair Brydon asks for a third time if anyone else wishes to speak further to the proposed Bylaw or submit a letter to the proposed Bylaw.

Mel Burton, 414 Valiant Drive

Wishes to submit a letter.

Chair Brydon asks for a third and final time if anyone else wishes to speak further to the proposed Bylaw or submit a letter to the proposed Bylaw to the head table.

Chair Brydon

Before I call this meeting to a close, Ken did ask a specific question as to what happens next and the answer is the OCP is an aspirational document not an implementation plan. Critically, roads, drainage, weeds and fire protection, those are all provincial responsibilities. Although we are working actively on all those things, there is not much we can do with these in the OCP. We are waiting for proposals and they will be judged in their own merits in light of the OCP. If this bylaw is adopted, nothing will happen except what is driven by specific proposals.

Chair Brydon asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 8:30 p.m.

Recorded by:

Lauri Feindell

Lauri Feindell
Recording Secretary

Confirmed:

ERiechert

Evelyn Riechert
Planner

Confirmed:

Michael Brydon

Michael Brydon
Chair

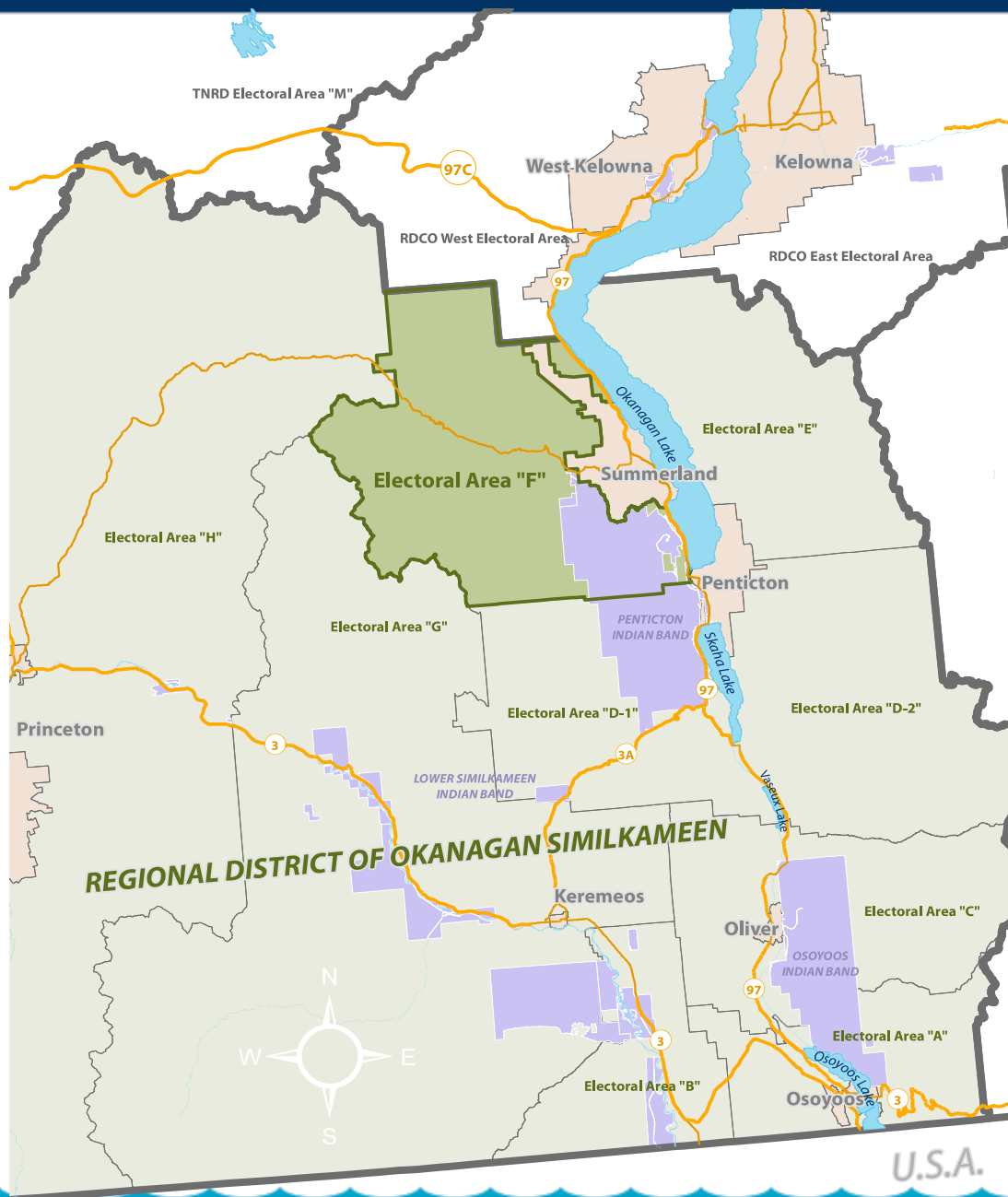
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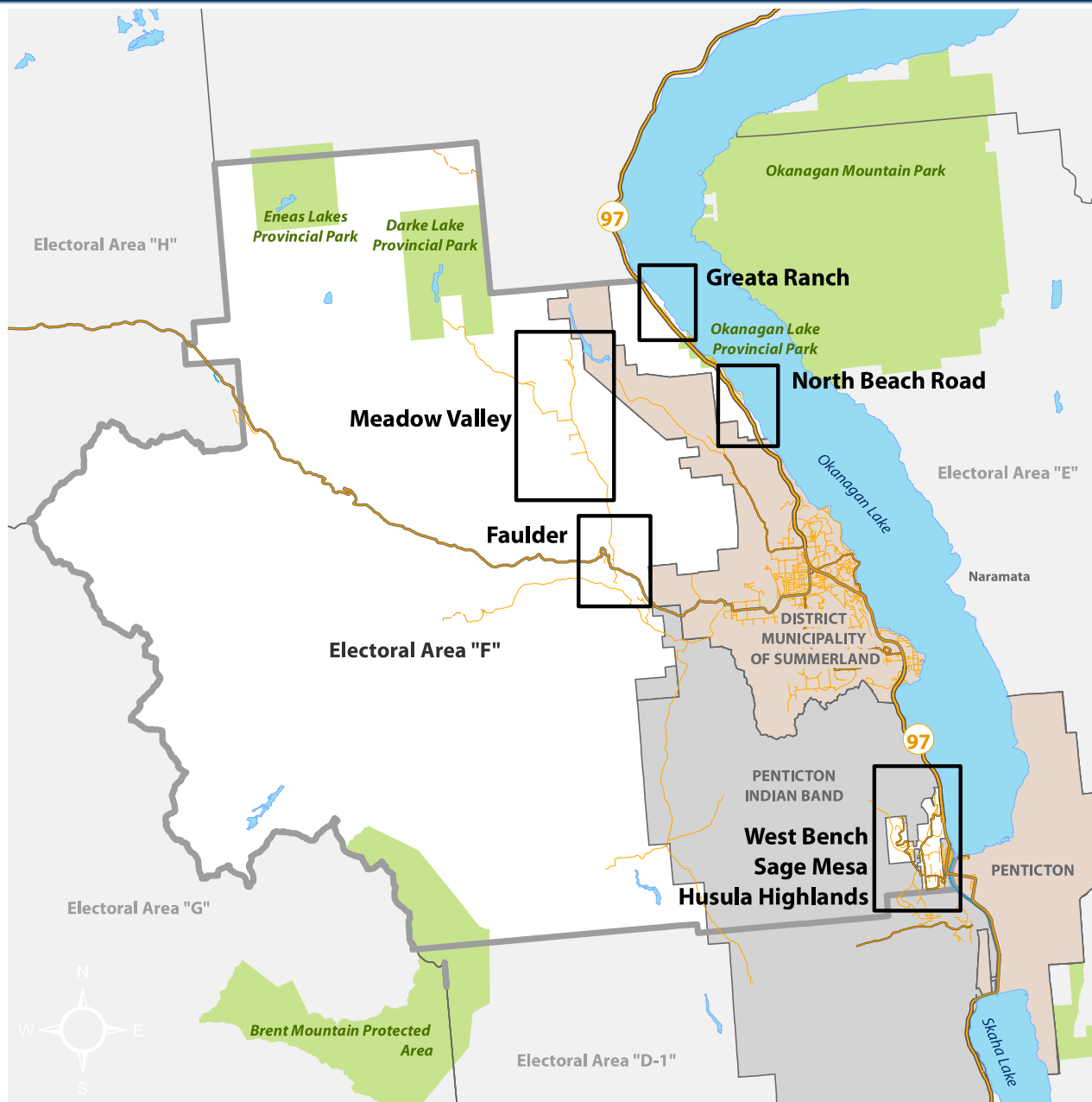
Electoral Area "F"

Official Community Plan Update



**YOUR HOME.
YOUR FUTURE.
YOUR PLAN.**





Project Overview





Process

- Challenges:
 - Geography (soil, water, terrain, climate), dispersed population
- Opportunities:
 - Strong neighbourhood connection
 - Future possibilities

Silt Bluffs

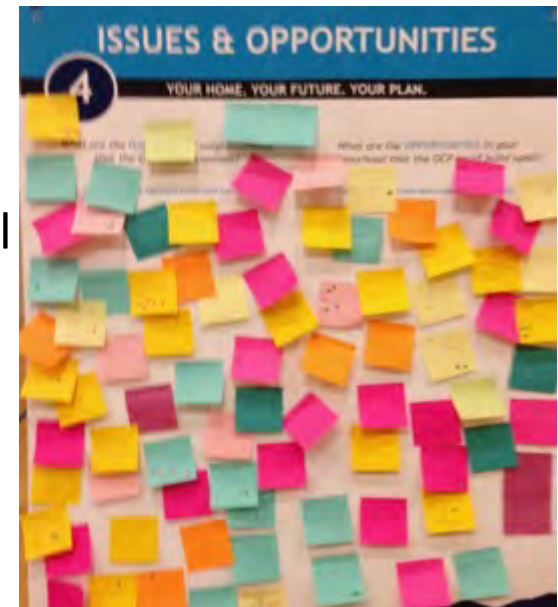


Lakeshore



Community Engagement

- **Advisory Group**
- **Open Houses**
 - 4 Open Houses
 - Open Houses in West Bench, Summerland and Meadow Valley
- **Newsletters, Community Information Posters, On-line engagement**
 - OCP information portal at the RDOS page with all materials and reports available for download
 - RDOS Facebook page
 - Area Director's on-line site
 - 2 newsletters
 - Project postcard



Community Engagement

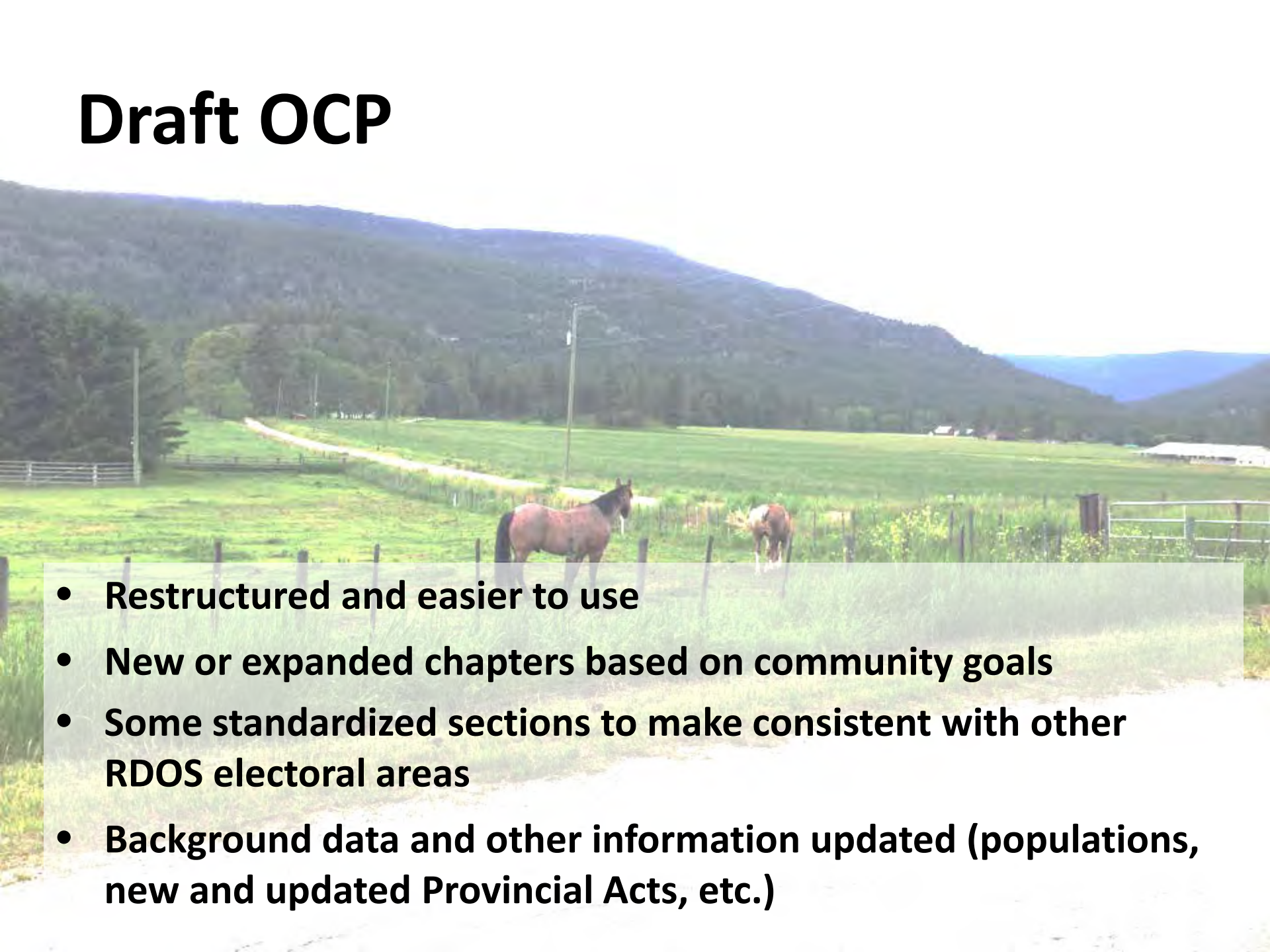
- Large informal group of residents group
- Series of surveys, meetings, open houses
- Round 1: 98
- Round 2: 148
- Round 3: 244

- Open Houses #1: 125
- Open Houses #2: 80

Draft OCP Bylaw No. 2790, 2018

Significant Policy Changes

Draft OCP

- 
- **Restructured and easier to use**
 - **New or expanded chapters based on community goals**
 - **Some standardized sections to make consistent with other RDOS electoral areas**
 - **Background data and other information updated (populations, new and updated Provincial Acts, etc.)**

Big Picture Changes

NEW Community Profile:

- settlement areas,
- PIB background

NEW Vision and Broad Goals

NEW Growth Management:

- Greata Ranch area boundaries



Greata Ranch Rural Growth Area containment boundary

Big Picture Changes

NEW Local Area Policies:

- Background info and specific policies for
 - ✓ Greater West Bench (including Sage Mesa)
 - ✓ Faulder/ Meadow Valley
 - ✓ Greata Ranch

Big Picture Changes: Local Area Policies

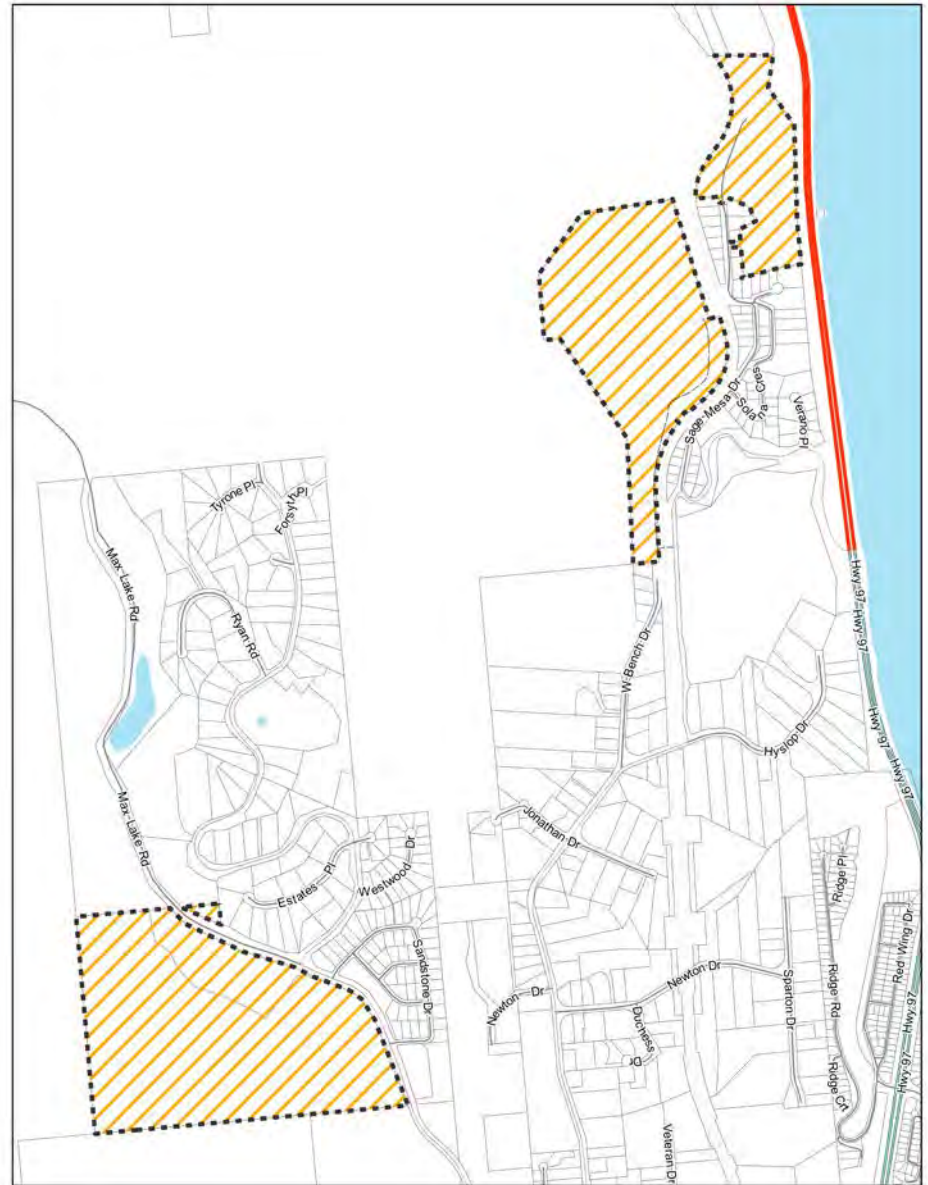
Greater West Bench, examples

- ✓ Supports an updated technical assessment of geotechnical hazards
- ✓ Supports working with the City of Penticton to conduct a feasibility study for the extension of sanitary sewer and stormwater
- ✓ Subject to future servicing, and community input, will explore considering including as a Rural Growth Area in the next RGS review
- ✓ Supports home occupations but not home industries on parcels less than 2 ha

Big Picture Changes: Local Area Policies

Greater West Bench

- ✓ may consider residential development with a range of densities on parcels shown



Big Picture Changes: Local Area Policies

Faulder / Meadow Valley

- ✓ Supports protection of source water and will consider establishing a development permit to achieve this goal
- ✓ Limits subdivision
- ✓ Maintains and enhances farming lifestyle in Meadow Valley

Greata Ranch

- ✓ Supports compact residential and commercial tourist uses
- ✓ Will review suitability as a Rural Growth Area when RGS is updated

Big Picture Changes

Resource Area

- ✓ Maintains a 20 ha parcel size
- ✓ Establishment of a Watershed Resource Area zone



Big Picture

Agriculture

- ✓ Supports use of agricultural land
- ✓ Minimize conflicts
- ✓ Minimize impacts of agriculture on sensitive ecosystems

Rural Holdings

- ✓ Supports home industry only on parcels greater than 2 ha
- ✓ Provides a list of criteria to consider when evaluating new LH or SH designations
- ✓ LH density – no less than 4 ha
- ✓ SH density – 0.2 to 2.0 ha



Agriculture. Maintain existing and encourage new, compatible agricultural activities in the Agricultural Land Reserve, while limiting subdivision of designated agricultural properties.

Big Picture

Residential

- ✓ Low Density, Medium Density, Comprehensive Development
- ✓ LR Density considered 15-20 dwelling units per ha
- ✓ MR Density 30-35 DU per ha (only Greata Ranch)
- ✓ Need for an updated geotechnical hazard assessment before secondary suites/carriage homes in Greater West Bench area
- ✓ CD recognizes historical legal non-conforming 'shared lot' residential parcels

Big Picture Changes

Commercial

- ✓ Recognizes limited capacity for commercial activities

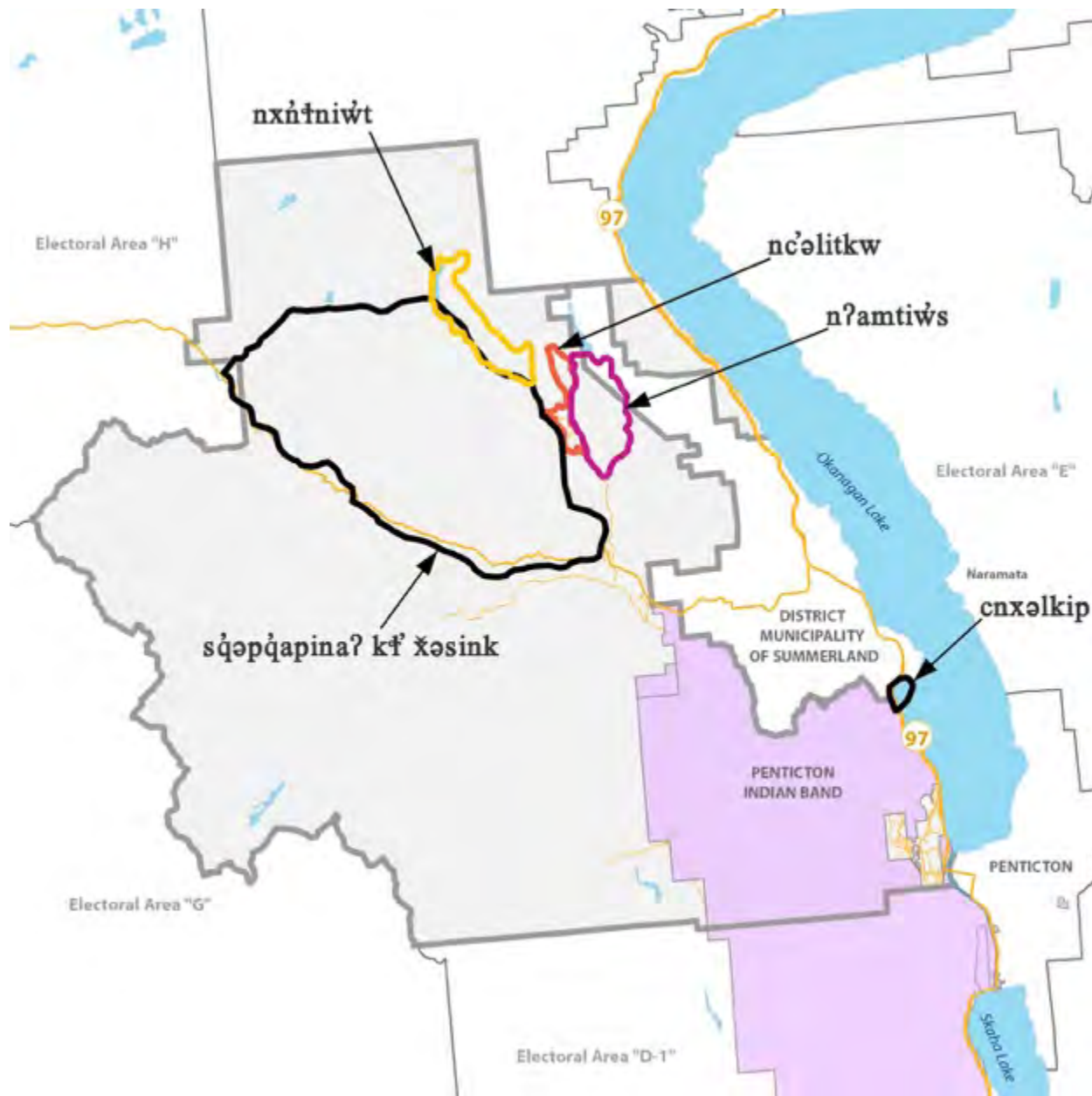
Industrial

- ✓ Encourages larger scale industrial uses to locate outside the plan area
- ✓ No current Industrial designations
- ✓ May accommodate time limited industrial uses through Temporary Use Permits

Big Picture

Administration, Cultural and Institutional

- ✓ Contains policies for Educational and Community facilities; Protective Services, and Heritage and Cultural Resources
- ✓ Includes an informative history of the Sylix people and shows several of the culturally important place names



Syilx place names in Area "F"



Penticton Indian Band engagement and collaboration.

Improve and expand communications, consultation and engagement with the Penticton Indian Band.

Big Picture

Parks, Recreation and Trails

- ✓ Types of Parks
- ✓ Parkland dedication policy

Natural Environment and Conservation

- ✓ Outlines important ecosystems in the Plan area
- ✓ Riparian, Terrestrial, and Conservation Areas

Hazard Lands

- ✓ Expanded to include greater understanding of hazards
- ✓ Soil stability, steep slopes, wildfire



Natural environment. *Steward and protect the area's natural features and systems, including sensitive and endangered ecosystems, fish and wildlife habitats, and wildlife corridors.*


Big Picture

Transportation

- ✓ Supports safe pedestrian and cycling opportunities
- ✓ Supports Transit Plan

Infrastructure and Servicing

- ✓ New section that includes policies on water distribution, wastewater and sewerage, stormwater management, solid waste management, and other utilities
- ✓ Strongly discourages creation of new private water utilities
- ✓ Supports working on regional water management initiatives



Water resources. *Protect and manage water resources, including both surface and groundwater, for residential and agricultural uses, and for ecosystem health and wellbeing.*

Revised Map Schedules

- Schedule 'B' Official Community Plan Map
- Schedule 'C' Parks, Recreation and Trails
- Schedule 'D' Hazard Lands – Soil
- Schedule 'E' Hazard Lands – Steep Slopes
- Schedule 'F' Hazard Lands – Wildfire
- Schedule 'G' Transportation Network
- Schedule 'H' Environmentally Sensitive Development Permit Areas
- Schedule 'I' Watercourse Development Permit Areas



This is Schedule 'B' (Official Community Plan Map) as referred to in the Regional District of Okanagan-Similkameen's Electoral "F" Okanagan Lake West / West Bench Official Community Plan Bylaw No. 2790, 2018.

Chair

Chief Administrative Officer

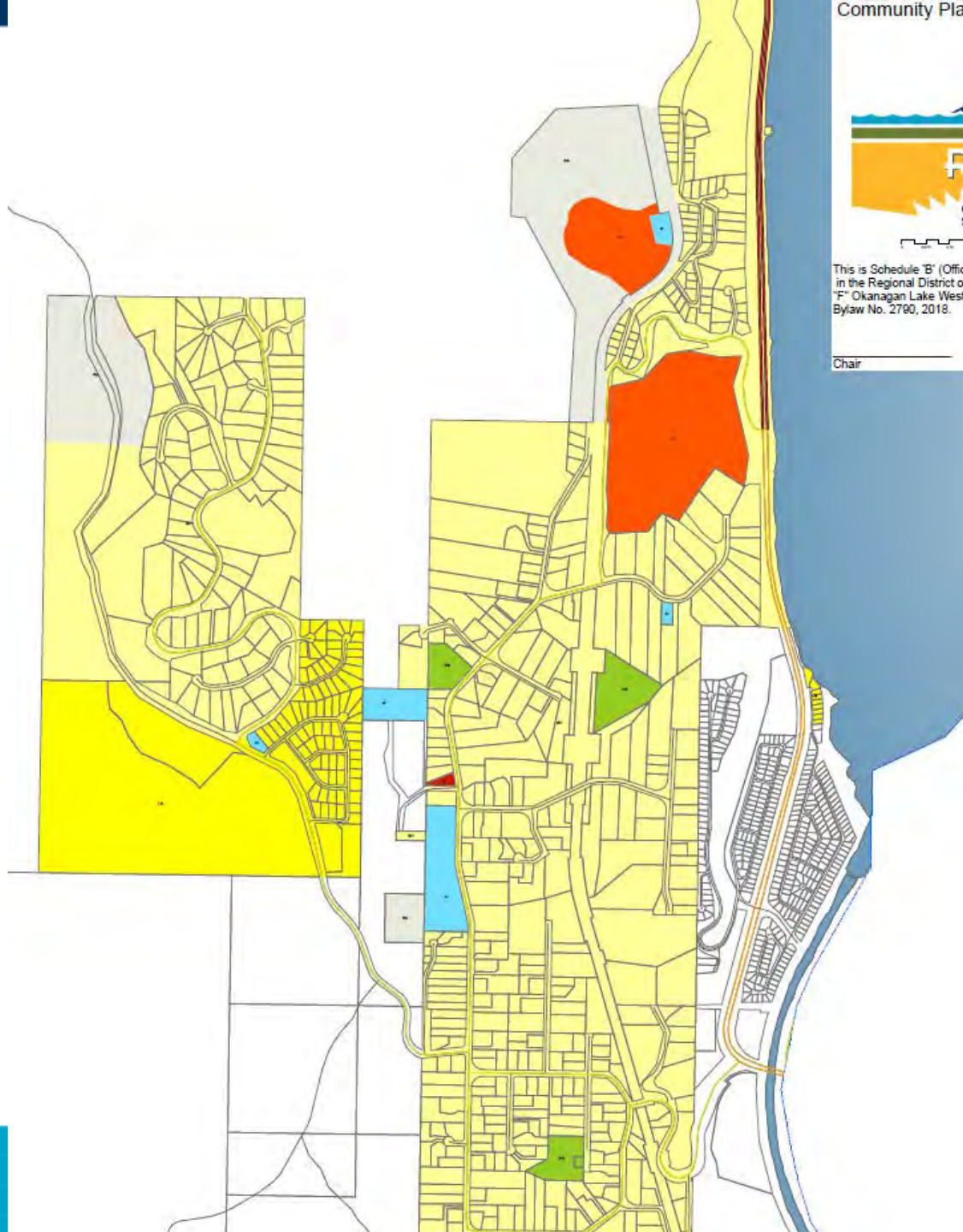
DRAFT

- | | | |
|---------------|--|--------------------|
| C | Comprehensive Development Designations: | Electoral Boundary |
| A) | Comprehensive Development (CD) | Indian Reserve |
| | Commercial Designation: | Growth Boundary |
| H) | Commercial (C) | |
| H) | Commercial Tourism (CT) | |
| ations: | Community Services and Administrative Designations: | |
| ental (LR) | Conservation Area (CA) | |
| idential (MR) | Parks and Recreation (PR) | |



This is Schedule 'B' (Official
in the Regional District of
'F' Okanagan Lake West
Bylaw No. 2790, 2018.

Char



Legend



Electoral Boundary



Indian Reserve

Wildfire Risk Rating

RISK RATING



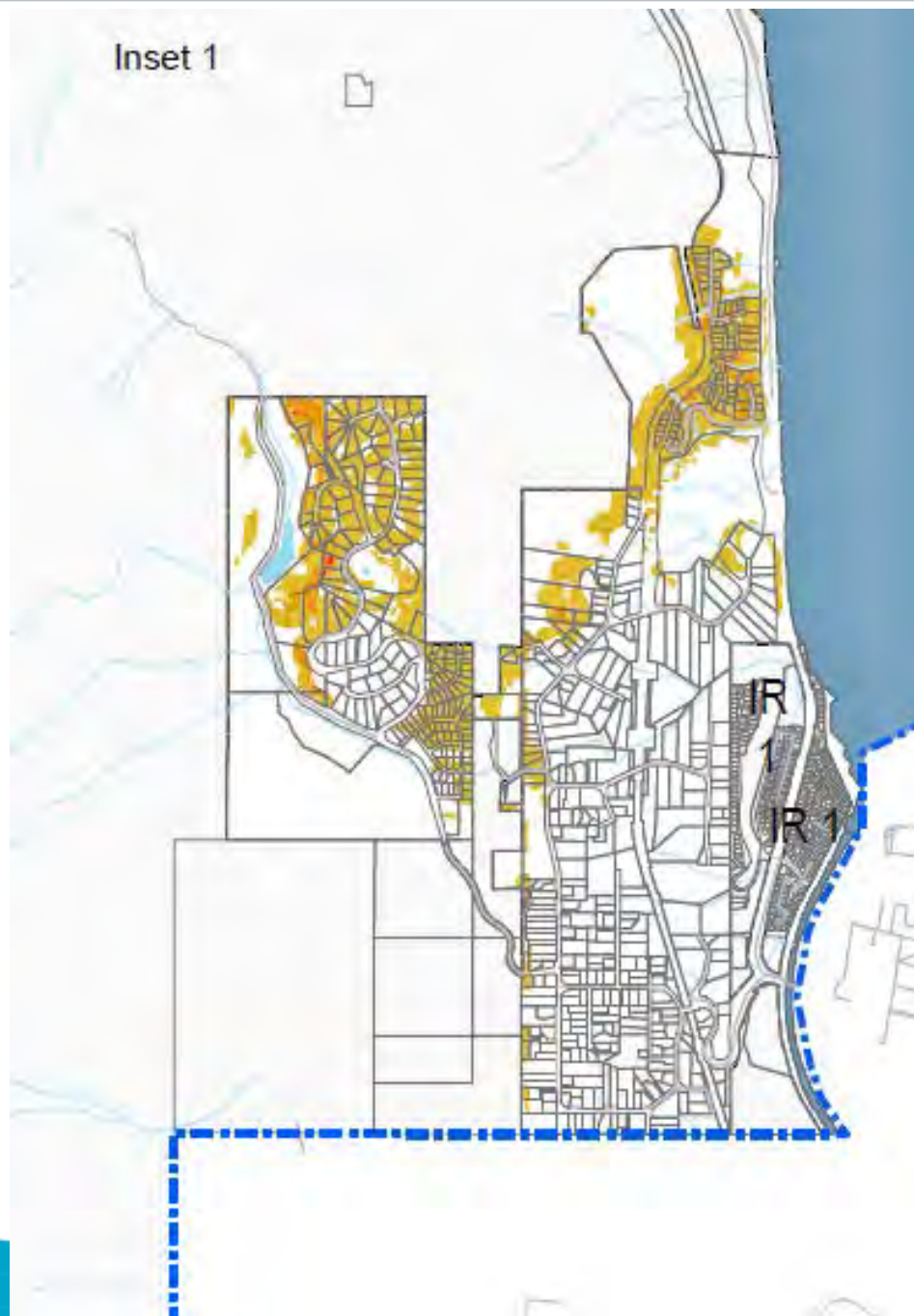
81 - 90 Very High

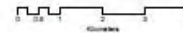


71 - 80



61 - 70 High



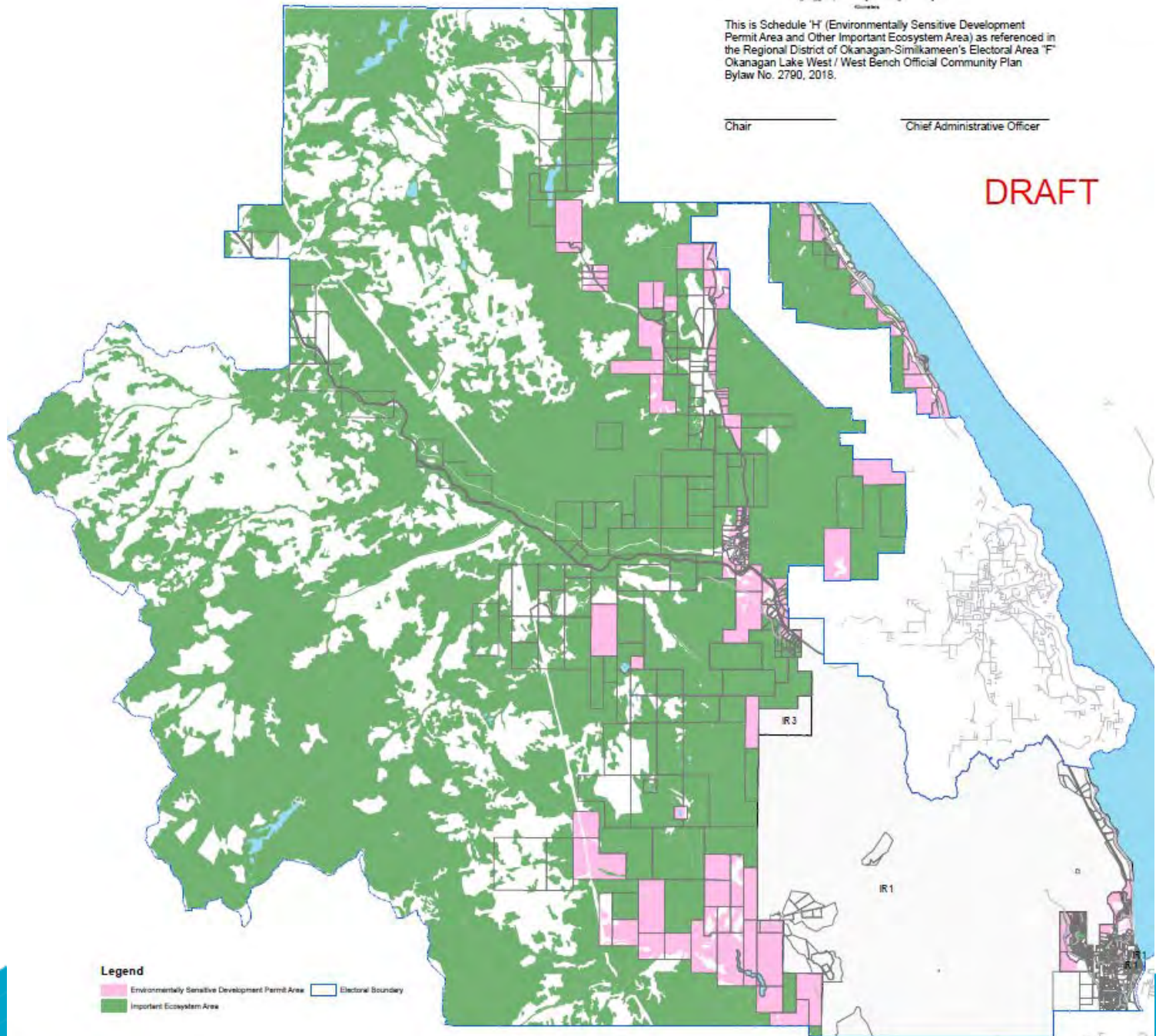


This is Schedule "H" (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area) as referenced in the Regional District of Okanagan-Similkameen's Electoral Area "F" Okanagan Lake West / West Bench Official Community Plan Bylaw No. 2790, 2018.

Chair

Chief Administrative Officer


DRAFT




Legend

- Environmentally Sensitive Development Permit Area
- Important Ecosystem Area
- Electoral Boundary

Legend


 Electoral Boundary


 Indian Reserve


Geological_Hazard


HAZARD_DESCRIPTION

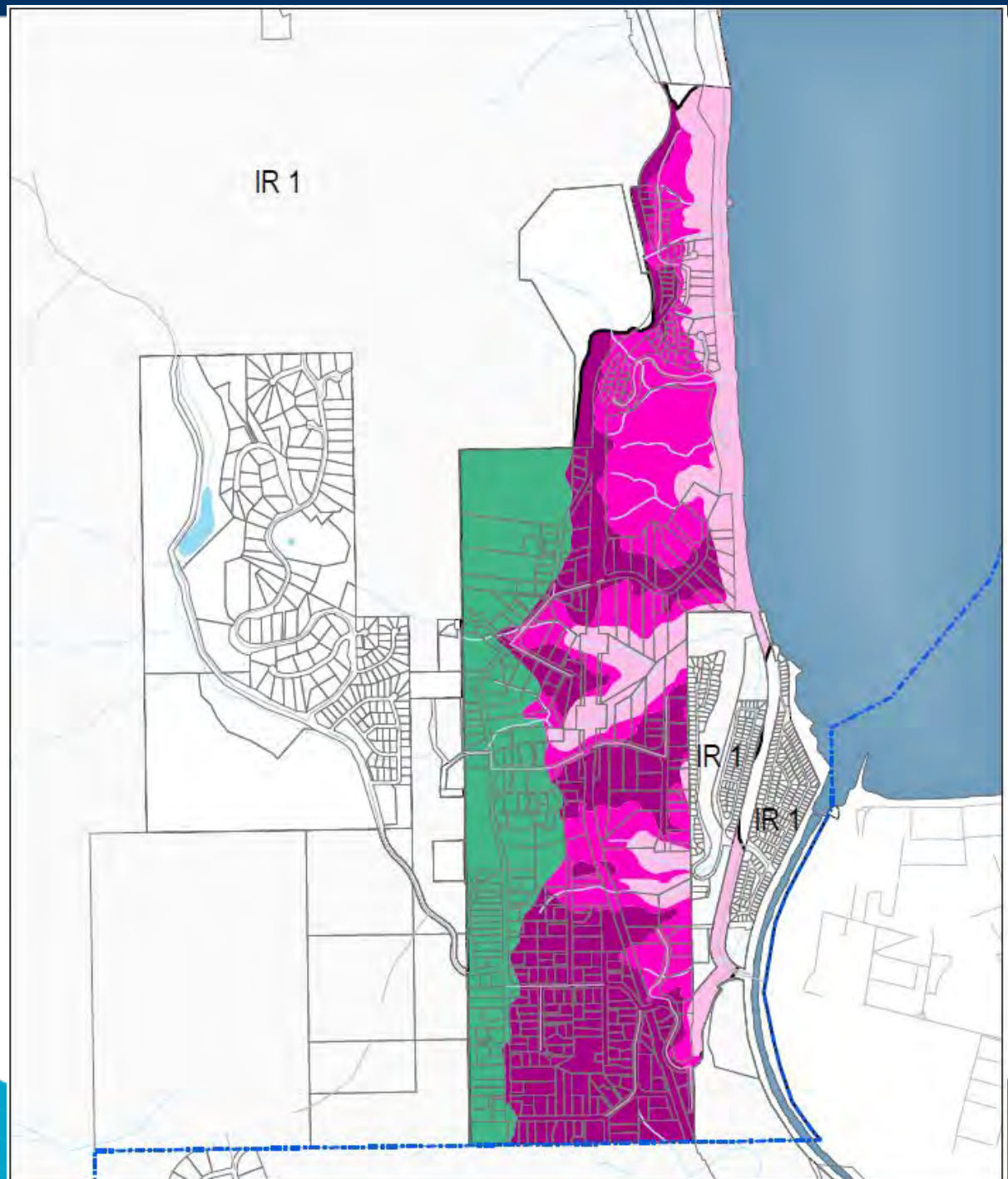
 Gravel or Bedrock

 Silt Bluff Hazard

 Sinkhole Hazard

 Landslide Hazard

 Outside Study Area.



The background of the slide features a scenic landscape. In the foreground, there is a calm body of water, likely Okanagan Lake, reflecting the sky and the surrounding terrain. In the background, a large, rugged mountain rises, covered in dense evergreen forests. The sky is a clear, bright blue. Overlaid on the top portion of this image are three horizontal bars of different shades of blue, each containing white text.

RDOS

Electoral Area “F”

Okanagan Lake / West Bench

THANK YOU!

A solid blue horizontal bar with a wavy, scalloped top edge, spanning the width of the slide at the bottom.

Public Hearing Bylaw No. 2790 Submission to Area "F" OCP Public Hearing,
Sept 6th, 2018

7.2.1.2

The Regional Board: ... Supports working with the City of Penticton to conduct a feasibility study for the extension of a sanitary and storm water sewer from the City of Penticton to service part (e.g. Sage Mesa) or all the greater West Bench area.

There are concerns with this policy statement being worded as is, due to the following issues.

- Most residents of the greater West Bench are unaware of the City's request to the Province at UBCM in Sept 2016 to obtain funds for a feasibility study that would consider an extension of water services to Sage Mesa, plus sanitary sewer service to both the West Bench / Sage Mesa area. Significantly, this was requested with the intent of a concurrent boundary expansion. Quoting from the City's request to the Minister, *"The City would like to examine the costs and benefits of providing water to Sage Mesa and sanitary sewer to West Bench and Sage Mesa areas undertaken in conjunction with a boundary expansion to bring these two areas into Penticton."*
- Even fewer residents are aware of the Minister's response of December 6, 2016 to the City, which stated that *"For boundary expansions to occur, acceptance by the affected property owners is a key consideration. In order to secure support from those property owners, a municipality typically needs to be able to show benefits to prospective residents and property owners who may have a need for higher service levels that would justify a higher level of taxation by the municipality."*
- While increased water and sewer services from the City was a common theme during the OCP exercise, that the City was interested in doing so, and above all, doing so in conjunction with a boundary expansion was not expressed to the residents during the OCP process.
- Additionally, information to gain public support for enhanced City services was presented but often without substantiation including: that our taxes would be less, that our school is under threat if we don't densify and that traffic would be reduced on Bartlett Drive with the replacement of asphalt operations with suburban residential development. As well it was only *implied* that there would be a referendum (as part of due process) before any amalgamation took place.
- Our research on equivalent sized and serviced City properties shows that our taxes would increase by 30-100%, corroborated in part by the Minister's December, 2016 letter stating that increased taxes follow boundary expansions. Our School Trustee has advised that with the lower class numbers required since 2016 and the receipt of the Rural Education Enhancement Fund Grant, our school is in no danger of closing anytime soon. While some industrial traffic might decrease due to the cessation of asphalt operations, new residential traffic would increase dramatically, a consideration not addressed at all in the OCP. Finally, and perhaps most importantly, current legislation does not require a referendum for City boundary expansion to occur, a point not shared with the public.

- Clause 7.2.1.2 was a late addition, not introduced to the public until the last OCP meeting.
- The Area Director did not indicate his preference for incorporation to the City until the final mailout to residents in August, after the OCP consultation meetings were completed.

My request is simply to reword clause 7.2.1.2.

Leaving the clause as is could leave the impression to all, including the Minister in Victoria, that there is a reasonable level of acceptance by the residents of investigating sewer hookup to the City, and boundary expansion, when the reality is that the community is much divided on increased services. There exists only a slim majority of support for services and there was no substantive and properly informed discussion on the implications of boundary expansion during the OCP process.

Given the above, I respectfully request that clause 7.2.1.2 delete references to the City of Penticton and be re-worded as:

The Regional Board:....supports conducting an assessment of sewer issues in the Greater West Bench and examine options for resolving these issues.

Similarly, reference to City of Penticton be removed from Section 24 Implementation.

I would note that resolution of sewer issues may or may not include the provision of City storm and sewer services for the Greater West Bench.

Additionally, I also request that a clause be written into the OCP that states that RDOS, on behalf of the Area F residents, would ensure a referendum be called should a boundary expansion be contemplated.

Respectfully submitted,

Scott Smith

Attachments:

- City of Penticton Submission to Peter Fassbender, Sept 27, 2016
- Minister Fassbender's Response to City of Penticton, December 6, 2016
- School District Trustee Facebook posting, Aug 12, 2018



penticton.ca

Penticton submission to

**The Honorable Peter Fassbender
Ministry of Community, Sport and Cultural Development**

Change in Governance Structure and Boundary Expansion for Penticton

Date: Tuesday, Sept. 27, 2016
Time: 4:30 – 4:45 pm

View Royal Room, Level 2, Victoria Conference Centre

Attendees:

Mayor Andrew Jakubeit
Coun. Andre Martin
Coun. Max Picton
Coun. Tarik Sayeed
Coun. Judy Sentes
Coun. Campbell Watt
Coun. Helena Konanz
RDOS Director Michael Brydon
RDOS CAO Bill Newell

The Honorable Peter Fassbender
Ministry of Community, Sport and Cultural Development
with the City of Penticton

Request

The City of Penticton respectfully requests that the Premier and the Ministry of Community, Sport and Cultural Development partner with the City of Penticton to examine the benefits and costs associated with a change in Governance, provision of treated City of Penticton water and sanitary sewer treatment services and a Boundary expansion for the City of Penticton to take in the areas of West Bench and Sage Mesa and consider providing financial and in-kind assistance to see the work completed.

Overview

Almost every municipality and regional district in Canada is facing ever more demands on available funds to support increasing operating costs and capital replacement costs. Penticton and the surrounding Regional District of Okanagan Similkameen are no different. In Penticton's case understanding the true impact of proper asset management on our costs has had a significant increase on the demand for scarce tax and utility dollars. The problem is further exacerbated by the fact that Penticton's operating costs are growing faster than our ability to generate revenue from growth in the tax base.

Penticton needs to look at other methods to reduce costs and increase revenues to become sustainable. Penticton is already working with the Province of BC, the Regional District of Okanagan Similkameen, Summerland and the School District to examine ways in which we could share services or provide services to each other in an effort to reduce costs. It has been estimated that this could save the City between \$700,000 and \$1,200,000 annually over time.

On the revenue growth side, Penticton is looking at increasing taxes and utility rates to help support the cost of asset replacement. In addition, the City is looking at how we can grow our tax base. Our economic development area is working on resident attraction and we will be revisiting our OCP to look at focusing on densification based on vertical growth in the core.

One other area that Penticton would like to investigate is a natural continuation to the joint RDO5 Province of BC project to provide treated Penticton water to the West Bench Area. The City would like to examine the costs and benefits of providing water to Sage Mesa and sanitary sewer to West Bench and Sage Mesa areas undertaken in conjunction with a boundary expansion to bring these two areas into Penticton.

The areas of West Bench and Sage Mesa are directly adjacent to the City of Penticton yet they are governed by a separate entity. Moving forward Penticton sees consolidation of adjacent built up areas into existing municipalities as a mechanism to provide better service, eliminate duplication, reduce cost and facilitate growth. Benefit would be provided to all.

The area outlined in red in Figure 1 shows the area that the investigation would cover.

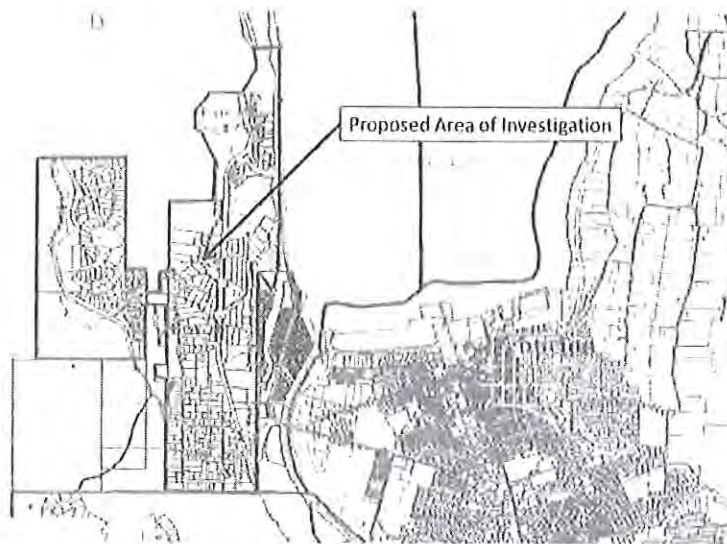


Figure 1 – Proposed Investigation Area.

Penticton sees the following benefits to this investigation:

- One water system owned and operated by the City of Penticton instead of three.
- One sanitary sewer system owned and operated by the City of Penticton instead of a Penticton sanitary sewer system and a series of on-site treatment systems in the West Bench and Sage Mesa areas.
- One road system owned and operated by the City of Penticton instead of two.
- One electrical system owned and operated by the City of Penticton instead of two.
- Uniform application of bylaws for neighboring communities.
- Uniform contribution of tax revenue to Penticton for services used by West Bench and Sage Mesa (Parks, recreation, library, South Okanagan Event Center etc.)
- Elimination of the duplication of services between Penticton and the Regional District of Okanagan Similkameen and a corresponding reduction in cost.
- The provision of treated Penticton Water to Sage Mesa, with the assistance of provincial funding.
- The provision of sanitary sewer to West Bench and Sage Mesa, with the assistance of provincial funding.
- The ability, after the provision of services, to subdivide and densify the West Bench and Sage Mesa areas adding to Penticton's tax base.

Penticton proposes that the Province and the City partner to have an investigation completed by an independent consultant which would look at:

- Mechanism and capital and operating cost to provide City of Penticton Water to Sage Mesa, including on and offsite requirements.
- Mechanism and capital and operating cost to provide City of Penticton Sanitary Sewer to West Bench and Sage Mesa.
- Mechanism and capital and operating cost to provide City of Penticton Electricity to West Bench and Sage Mesa.
- Identifying any other item requiring upgrading or maintenance that will result after a boundary expansion and their impacts on the operating and capital budgets.

- Cost sharing options to see the required capital expenditures realized.
- Impact to taxation and utility rates on all residents.
- Legislative requirements that must be met to undertake boundary expansion.
- Pros and cons to the provision of water and sanitary sewer and becoming part of Penticton from the point of view of residents of West Bench and Sage Mesa.
- Pros and cons to providing water and sanitary sewer and including West Bench and Sage Mesa within the City of Penticton from the point of view of Penticton.
- Presentations and Open Houses to residents of West Bench, Sage Mesa and Penticton to present the information and receive feedback. This may be an iterative process.
- Recommendation on if it makes sense to proceed and if so how.

Analysis

Most municipalities and regional districts will no longer be able to conduct business as they always have. The issues of increasing costs and aging infrastructure that must be addressed will force change. Penticton has already taken a leadership role in putting forward a study to examine shared services. Penticton is once again, with the financial assistance of the Provincial Government, ready to take on a leadership role with respect to boundary expansion.

Understanding the costs involved, the pros, cons and financial impacts and legislative requirements will allow the City and the Province to know if this idea has merit and how to best sell it to those impacted. In addition should this initiative be implemented it would provide a higher level and more reliable level of municipal service to adjacent West Bench and Sage Mesa residents.

Challenges

- The required funding to undertake the study.
- Support from senior levels of government to examine boundary expansion as an effort to facilitate growth and reduce cost.
- Educating and gaining the support of the Regional District of Okanagan Similkameen as well as West Bench and Sage Mesa residents to becoming part of the City of Penticton.
- Financing the required extensions to the water, sanitary sewer and electrical system.

Solutions

First and foremost Penticton would like to continue the cooperative spirit already established with the Province of BC to look at sharing services. Boundary expansion to directly adjacent areas is something that merits further study and work. Penticton would be pleased, with financial assistance, to work with the Province on this initiative.

We request that the Premier and Minister consider this request as an opportunity to explore a unique way to help change the way that municipalities and regional districts govern and work together.

Respectfully submitted,

Andrew Jakubeit
Mayor



RECEIVED

DEC 09 2016

December 6, 2016

Ref: 168965

His Worship Mayor Andrew Jakubeit
and Members of Council
City of Penticton
171 Main St
Penticton BC V2A 5A9

Dear Mayor Jakubeit and Councillors:

As Minister of Community, Sport and Cultural Development and Minister responsible for TransLink, it was my pleasure to meet with your delegation during the 2016 Union of British Columbia Municipalities (UBCM) Convention, recently held in Victoria. In particular, I appreciated the opportunity to discuss in person the matters of importance to your community.

Thank you for raising the service issues facing residents in the West Bench neighbourhood of Electoral Area F of the Regional District of Okanagan – Similkameen. I recognize that cities such as Penticton are looking at means of providing services to aid responsible and well-planned growth in neighbouring areas. For boundary extensions to proceed, acceptance by the affected property owners is a key consideration. In order to secure support from those property owners, a municipality typically needs to be able to show benefits to prospective residents and property owners who may have a need for higher service levels that would justify a higher level of taxation by the municipality.

On the issue of boundary extensions, ministry staff are available to help guide you through this process. Please contact Marijke Edmondson, Director, Governance and Structure Branch, by telephone at: 250 387-4058, or by email at: Marijke.Edmondson@gov.bc.ca.

I recognize your request to have a steady stream of funding available on an annual basis for infrastructure investment and I am pleased to hear that you were able to connect with Liam Edwards, Executive Director, Local Government Infrastructure and Finance Branch. The Province of British Columbia supports local governments through a balance of unconditional and conditional application-based grants.

.../2

Similarly, in recognition of the need for stable infrastructure funding for local governments, the renewed Gas Tax Agreement Community Works Fund grants are provided annually to all local governments to support local government priorities. At the same time, application-based infrastructure grant programs, like the Gas Tax Strategic Priorities Fund and the Clean Water and Wastewater Fund, are meant to supplement local government resources and provide an incentive for them to implement infrastructure projects that go beyond the status quo, e.g. innovative technology or where there are external forces such as provincial health and environmental standards which demand higher levels of service.

Unfortunately, all of our capital grant programs are oversubscribed. This means there are always good projects that do not receive funding. However, I was pleased to award the City of Penticton a \$10,000 Infrastructure Planning Grant.

It is part of our job to help you be successful with our capital funding programs. Ministry staff are pleased to answer any questions, whether specific to a project application, a current program inquiry, or a technical issue with a proposed or future project. Please contact Brian Bedford, Director, Infrastructure and Engineering Unit, by telephone at: 250 356-0700, or by email at: Brian.Bedford@gov.bc.ca.

While Short Term Vacation Rentals (STVRs) can offer benefits to both homeowners and travellers, I appreciate your concern that there may be unintended consequences for some communities. As you know, they operate within the context of the existing legislation and this is being successfully applied in many communities. The *Local Government Act* enables all local governments to regulate land use (land, buildings and structures) and the *Community Charter* enables municipalities to regulate businesses. In this regard, I am aware that some municipalities have recently taken steps to license STVRs.

With regards to tax collection, STVRs in British Columbia with four or more units, are subject to tax under the *Provincial Sales Tax Act* and remain taxable regardless of how they are advertised or how providers and customers connect – whether through traditional means or through online platforms such as Airbnb or other online home rental services. The Honourable Mike de Jong, Minister of Finance, has responsibility for tax policy and your suggestion to allow fines to be rolled onto taxes in arrears has been forwarded to the Ministry of Finance for consideration.

The Province takes the goal of housing affordability very seriously and continues to work with local governments to understand the implications of STVRs for homeowners, communities, travellers, and the long term rental housing supply. The Ministry's contact on this matter is Kris Nichols, Manager, Intergovernmental Relations and Planning Branch. Mr. Nichols can be reached by telephone at: 250 387-4041, or by email at: Kris.Nichols@gov.bc.ca.

It is always valuable to hear directly from local governments regarding the challenges and opportunities in your communities. I look forward to continuing a productive dialogue over the coming months.

His Worship Mayor Andrew Jakubeit
and Members of Council
Page 3

Thank you again to your delegation for taking the time to meet with me.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Fassbender', with a long horizontal flourish extending to the right.

Peter Fassbender
Minister

pc: The Honourable Mike de Jong
Minister of Finance

Dan Ashton, MLA
Penticton

Liam Edwards
Executive Director
Local Government Infrastructure and Finance Branch

Brian Bedford
Director
Infrastructure and Engineering Unit

Marijke Edmondson
Director
Governance and Structure Branch

Kris Nichols
Manager
Intergovernmental Relations and Planning Branch

Ginny Leir Manning Sorry, I posted my first reply too soon, here is the rest. 😊 A number of positive factors have come together financially along with some enrollment increase and the Supreme Court Decision that requires smaller class sizes, which have put the district in a very different position than it was in 2015. As of July 2016 West Bench and Trout Creek Schools receive the Rural Education Enhancement Fund (REEF) Grant. At this point there has been no indication that the grant will be discontinued. However, I, along with the Board, continue to advocate directly to the Ministers of Education and Finance to ensure that the grant is continued and that should there be any criteria or funding formula changes it is maintained for these schools.. Also we brought a motion to the BC School Trustees Assoc AGM asking BCSTA to advocate, to the Ministries, for retention of the REEF Grant, it passed with the full backing of all 60 districts. Long story short - all factors considered I don't imagine the school will be at risk any time soon. Please hesitate to contact me if you have any more questions or concerns.

Posted Aug 12/18 on West Bench Community Forum Face Book page.

RDOS public meeting on draft OCP report Sept. 6, 2018

I will comment on two items: one, the public-consultation process itself and two, the environmental aspects of the draft OCP.

1. The Planning process as far as involving the residents of Area F sounds good as outlined in the draft report, but was woefully lacking on the ground. Perhaps the most egregious bit was the failure of background information given to residents over the whole of the last, what year and a half that this has been going on; in particular no mention was made of the proposal/submission the City of Penticton made to the 2016 UBCM with regards to possible annexation of what the draft report calls the Greater West Bench, or parts thereof with the proviso that a sewer/stormwater system would be installed. This was a crucial piece of information which I rather think would have resulted in many residents having different views on the future of this part of Area G.

As well, inadequate notices were given from the very start of surveys, open houses, and now of this meeting. In one case, an Open House was rescheduled without effective notice to residents and when I requested an explanation of that and what went on at the meeting, I was given only vague and confusing answers.

Compared to the comprehensive, hands-on approach Penticton has taken to its OCP process, this one is somewhat pathetic.

2. 4.0 Official Community Plan Designations: On zoning and non-conforming uses: "The Regional Board recognizes that some existing land uses do not conform to the designations shown on OCP maps. The intent of the Regional Board is not to change the uses of this land in the immediate future but to illustrate the preferred pattern of land use as redevelopment occurs while this Plan is in force."

Is this only for long-standing non-conforming uses or for all? Director Brydon's summary of the draft OCP a few weeks ago gave me to understand that recent violations of property zoning were to be nipped in the bud very soon. ??

3. 16.1.1 Environmental issues: I realize that OCP language needs to be pretty general, but the objectives as written are imprecise and waffly. Instead of "encouraging the enhancement..." why not say "provide residents with information and tools to enhance...". Instead of "inform and guide....in a

way that is sensitive to...", why not "in any development, require protection of natural features such as and wildlife habitat"? And finally, simply "Protect water sources and ensure the high quality and quantity needed for the natural habitat and future generations of all species.

4. 16.2 I suggest that Max lake should be included in the list of riparian areas and lakes of importance in this section. It of course is on private land, but the conservation covenant on the wetlands, lake and riparian areas is jointly held by the RDOS and TLC so would seem to warrant a mention in the OCP.

* Transportation - put in OCP? growth
need in any prop for development
3 RGA's in BWB to take into account the fact they are
in high fire-risk areas + have limited access

September 6, 2018

To: Regional District Okanagan Similkameen
101 Martin Street, Penticton, BC

Re: Public Hearing Bylaw No. 2790 c/o Regional District of Okanagan-Similkameen

Comments regarding Area F, Draft Official Community Plan

Submitted by: Margaret Holm, 705 Sunglo Drive

My comments relate to protecting environmental values in our rural area.

RDOS residents are fortunate that recent OCPs adopted by the RDOS have done a good job in identify Environmentally Sensitive Development Permit (ESDP) Areas, Watercourse Development Areas and Important Ecosystem Areas and Conservation areas and some shown in Schedule H maps.

These areas have been identified in cooperation with local wildlife and conservation agencies they are well mapped. Reading the "Natural Environment and Conservation" section of the OCP there are appropriate statements about protecting these areas.

I'd like to address section **16.1 Objectives and policies** in the "Natural Environment and Conservation" section.

There are good objectives and policies written but they are specifically for identified Environmentally Sensitive Development Permit Areas, Conservation Areas, and critical habitat areas.

See below for examples:

.1 Protect and steward sensitive and important terrestrial ecosystem areas as identified in Schedule 'H' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Areas).

.2 Encourage provincial and federal governments, private organizations and private landowners to protect, enhance and manage critical habitat areas for species at risk in the Plan Area.

.3 Work cooperatively with regional partners and support rehabilitation, restoration and enhancement of wildlife habitats and environmentally sensitive areas that have been subject to negative impacts in the past.

The OCP also tends to focus on protection during development .

.2 Integrate measures to sustain environmental quality and consider impacts on the environment in future land use decisions.

.3 Work with property owners and agents to inform and guide the design of development in a way that is sensitive to important landscape features such as watercourses, hillsides, and sensitive ecosystems of the Okanagan.

What I'd like to propose, is that there be an objective added that encourages habitat protection over the whole plan area and fosters awareness among residents of some things that threaten the quality of our environment and the safety of our neighbourhoods: that is invasive weeds, infilling and dumping in gullies, and unsafe activities and factors affecting wildfire spread in residential areas.

I would like the OCP to communicate an intention to protect environmental values beyond land with special designation as sensitive or riparian but all the area we reside in.

Under objectives 16.1.1.

Add;

- Communicate best practices and provide information to residents on methods to maintain and improve the natural and residential areas of Area F. Best practices include managing invasive weeds, reducing wildfire risk on private and public land, and restricting dumping or infilling or disturbing natural areas bordering on residential areas.

Respectfully submitted



Margaret Holm

Marjorie Murton – OCP Area “F”

My family lives at 414 Valiant Dr., West Bench. We have owned our property since 1971. Our gardens have evolved from an apple orchard and vegetable garden to a mature food forest of nut trees, soft fruit trees, berry bushes and trees, herb and vegetable gardens. We feed ourselves, the birds and provide habitat for birds, bees, butterflies and bats. The occasional bear passing through livens things up. We care about maintaining the rural flavor of the Westbench and glad to see that the July 31st amended version has been improved by confining The Rural Growth Area to 3 pockets rather than a blanket over all neighbourhoods in Greater Westbench. However, if these 3 RGA's do proceed, the interface with the dry forest and traffic congestion must be addressed at some time before development. Noting that Fire Smart Best Practices are advised for Faulder/ Meadow Valley, I suggest that Greater Westbench needs the same. As Greater Westbench interfaces with dry grasslands and dry forests and there are few evacuation routes, this is urgent. We have already had evacuations and fortunately, superb fire fighting, saved the day. (I recall 4 fire events)

Traffic is already seen to be a problem. If any of the RGA's proceeds, this must be addressed. The Transportation Policy only mentions Bartlett Drive and truck traffic. Egress road names could be added to this section - Westbench Hill Road, Westhills Road, Sage Mesa Road. Weight and speed restrictions and enforcement could be encouraged on all rural roads.

The Transportation Policy states that transit service is not warranted now but they will monitor. This does not address assistance to handicapped or elderly people or parents with small children and slippery roads. “Subsidizing the Ride” rather than thinking of City style buses, is a reasonable answer to this. Handi dart, Dial-A-Ride, Ride Sharing, Driving Miss Daisy etc are available in some communities and provide safe transport for all ages.

2.

Growth Areas are expected to be responsible and well planned for local conditions. The R.G.A. designation applied to Hazard Land in Greater Westbench can be neither, even with sewer and storm drains. Local government has no control over heavy snow packs and early spring rains which impact water courses. This designation on Hazard Land should be reviewed.

In the July 31st Draft there were many amendments to applaud. The O.C.P. should lead Area "F" forward in a positive way. Change is expected. I do not see being led to incorporation with the City of Penticton through the development of shared infrastructure as a positive step.

The Westbench neighbourhood and Husula do not need sewer as our septic system works well on our large lots. Westwood has its own community sewer system. The Plan's words about conducting feasibility study, names the City of Penticton as the only option. The section should be rephrased to direct the R.D.O.S. to explore all options, leaving out the words City of Penticton.

The inclusion of the Penticton Indian Band Plan document is to be commended. The report offers us insightful engagement with our neighbours and allows us to see differently.

There were a few omissions – Greata Ranch and North Beach Estates have no mention of Historical context. I did not see a reference to the dedicated Nature Preserve at Max Lake.

It was very good news to read that Greata Ranch is scheduled for a review of its suitability of its R.G.A. designation in 1-3 years. A housing development so far from emergency services, questions the zoning.

Submission to: Public Hearing Bylaw No. 2790 (Regional District Okanagan Similkameen)

1. Neighbourhood description revision

7.2 Greater West Bench

Recommended revised wording:

The Greater West Bench is a collection of residential neighbourhoods located north-west of Penticton and includes West Bench, Sage Mesa, Husula Highlands and Westwood Properties.

The area is primarily made up of single detached homes and includes some larger lots, particularly in the West Bench area. The West Bench community was first developed through grants from the Veterans Land Act (VLA) for soldiers returning from World War II. Some original housing remains, along with orchards, fields and *gullies*, which give the area a more rural residential character. Husula Highlands and Westwood Properties are *non-VLA* residential developments that sit *upslope* of the West Bench and were developed after the West Bench area. *Lower Westwood Properties is on a flat plateau while upper Westwood Properties and Husula Highlands are hillside neighbourhoods.*

Sage Mesa was developed during the 1960s in an area to the north of the West Bench in an area containing a number of silt bluffs. The residential lots were developed as generally smaller parcels.

All of greater West Bench except Westwood Properties is on individual septic systems. Westwood Properties is on a community septic system as per its Bare Land Strata arrangement. Sage Mesa, Westwood Properties and Husula Highlands are part of the privately-owned Sage Mesa water system. West Bench uses its water licenses to purchase treated water from the City of Penticton.

Rationale:

The Public Hearing announcement promotes the fact that the draft Area F OCP includes “an expanded community profile that includes a ... description of the diverse ... area” however this expanded community profile does not provide consistent information for each neighbourhood and some errors need correction. To provide consistent information basic septic, water and terrain information should be provided for each neighbourhood. Errors should be corrected including removing the confusion caused by combining Husula Highlands and Westwood Properties as well as the error in locating large lots in “lower’ West Bench where these lots are distributed very widely throughout the neighbourhood.

2. Add a greater West Bench policy on subdivision

7.2 Greater West Bench

7.2.1 Policies

Recommended new policy wording:

The Regional Board:

Does not support further subdivision in the West Bench and Husula Highlands neighbourhoods even if sewer and stormwater infrastructure are implemented.

Rationale:

The prohibition on subdivision within the West Bench and Husula Highlands neighbourhoods is outlined by Director Michael Brydon in his July 2018 mail-out to Area F landowners. However this prohibition is not recorded in the OCP. Section 1 of the OCP clearly states the Zoning Bylaw provides Area F development regulation and the OCP is the “policy foundation for the Zoning Bylaw”. As a result the OCP must include this policy to ensure it is included in the Zoning Bylaw.

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

All of greater West Bench except Westwood Properties is on individual septic systems. Westwood Properties is on a community septic system as per its Bare Land Strata arrangement. Sage Mesa, Westwood Properties and Husula Highlands are part of the privately-owned Sage Mesa water system. West Bench uses its water licenses to purchase treated water from the City of Penticton.

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September 5, 2018


To: Public Hearing Bylaw No. 2790 c/o Regional District of Okanagan-Similkameen.

Re: Bylaw No. 2790, 2018 Schedule B Inset 4

The owners of Lot A Plan 40762 DL702 and 5136 ODYD (Pine Hills) and Lot A Plan 61585 DL2497 ODYD (North Sage Mesa) feel they would be remiss if they did not go on record that the designation of their properties is unfair in comparison to other large properties that have also been proposed for possible future residential development.

Specifically, Lot 1 Plan KAP 74432 (Peters Bros.) and portions of Lot A Plan 73569 DL 4947/4948 Land District 41 have been "up designated" from Large Holdings (LH) and Small Holdings (SH) to Low Density Residential (LR), in contrast to no residential designation for Pine Hills and "down designation" of North Sage Mesa from LR to SH. The owners wish to point out that the OCP public survey results showed approximately two thirds of Sage Mesa respondents are in support of residential development with infrastructure improvements.

The owners, however, wish to express support for the bulk of Bylaw No. 2790 (i.e. Schedule A) as it provides an opportunity to address long-standing infrastructure deficiencies in the Sage Mesa area. The owners also do not want to hinder the OCP adoption process.



John Chapman

(on behalf of the owners of Pine Hills and North Sage Mesa)

September 6, 2018

Submitted by:

Yvonne McAdam

2225 West Bench Dr.

1. Scott Smith - proposes change to policy no. 7.2.12. I agree with his suggestion to ensure referendum before City of Penticton expands to include West Bench

I also ^{would prefer} that ~~the~~ home industries not be allowed on any size of property (i.e. greater ~~than~~ 2 ha) ~~but~~ but I do support his proposal.

2. Eva Durance: I support Eva's suggestion and in regards to "landuses do not conform to existing zoning", I do not agree with rezoning to allow any change from residential to industry.

3. Margaret Holm - # 16.1.1

I agree with her comments regarding invasive weeds & infilling of gullies.
Marg Murton - support.

4. Ann Cossentine: I agree with her comments regarding invasive weeds and gullies.

I support her comments regarding change to policy regarding no home industries on any size of property on West Bench.

Public Hearing Bylaw #2790

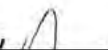
Regional District Okanagan Similkameen

Dear Secretary,

Please add my comment on the wording in the O.C.P. for Area "F" regarding Home Industries. I am strongly concerned that the current wording "to investigate" is not emphatic enough. Please change the words to **ensure that home industries are prohibited on any property size in the Greater Westbench.**

Home Industries have no place in a residential neighbourhood and belong properly in the city industrial park. We have had much experience with disruptive inappropriate industries on our block of 19 properties. At least 11 home industries have been discontinued after much hard work by the neighbours. Sometimes multiple agencies were involved as well as R.D.O.S. Most times the home industry came with new residents who thought that Westbench was unorganized and rural, ideally suited for their business for their home.

I appreciate the rural lifestyle of Westbench and do not wish to be incorporated into the City of Penticton. A sewage and storm drain system is unnecessary for most of Greater Westbench. The section of the O.C.P. that supports a feasibility study does not allow all the options to be studied. This wording should be changed leaving out the words referring to the City of Penticton.

Yours truly, 


Merlin I. Murton

414 Valiant Dr., Westbench.

250 493-0176 Sept. 6th, 2018

RECEIVED
Regional District

September 5, 2018

SEP 5 2018

Area 'F' OCP

100 Martin Street

Public Hearing Bylaw No. 2790

Penticton BC V2A 5J6

We moved to the West Bench 10 years ago this coming December from Penticton. Not too far from where we were living, but far enough so would could enjoy the rural feeling and peacefulness. For the past ten years we have been amazed at the breathtaking beauty the West Bench has to offer. The various birds we see daily; hawks, owls, quail, chickadees, flickers and the nut hatch, plus all the other animals and reptiles that make their way through our property, deer, bear, racoon and gopher snakes to name a few. This is what makes the West Bench so special to us.

I know change is always inevitable but as the West Bench is special not only for its historical value, but its' sheer beauty, development should be curtailed.

To that note, I would like to see the OCP section 7.2.1.2 revised to read "Supports conducting a feasibility study for sanitary sewer and storm water to service part or all the greater West Bench area." Plus a policy ensuring a public referendum if a City of Penticton boundary expansion is proposed as existing draft OCP language could be interpreted as landowner support for a City boundary expansion without a formal public assent process because the BC Local Government Act does not require a referendum [Div. 2, Sec.336(1)].

With sewer comes the eye for development. Parcel lot sizes should remain as they are, as the families that have lived here for years and the new ones that have come, like mine, have chosen to live here for a reason and that is so that they can have a property, a yard, not a postage stamp.

With that in mind I would also like to express that the West Bench is a residential area not an industrial zone. This is not a place for home industries and they should remain prohibited on any property size in the greater West Bench.

We should not follow the path the City of Penticton, Mayor and Councillors, have in regards to densification, allowing multi-family dwellings (duplexes) to pop up all over the place and carriage houses to abound without what I believe true consideration of existing neighbourhoods, traffic and parking. Not every landowner wants a duplex or vacation rental next door.

Debra Gibbard

Lauri Feindell

To: Evelyn Riechert
Subject: RE: Public Hearing Comment on Bylaw No. 2790 c/o Regional District of Okanagan-Similkameen

From:

Sent: September-05-18 11:44 AM

To: Michael Brydon <mbrydon@rdos.bc.ca>; Evelyn Riechert <eriechert@rdos.bc.ca>

Subject: Public Hearing Comment on Bylaw No. 2790 c/o Regional District of Okanagan-Similkameen

Thank you for the opportunity to comment on the August 2018 draft Bylaw 2790 Area F OCP.

I own and reside on Lot 26, Plan KAP13181, DL2497 located at 4049 Sage Mesa Drive.

I am out of the province and unable to attend the public hearing.

Please accept this email as my public hearing comment on the draft Area F OCP.

Overall, I am concerned that the draft OCP endorses further residential development in the greater West Bench area in advance of the community having enough detailed information to make an informed decision about the potential outcomes of that development. The OCP planning process to date has presumed that some development is necessary and desirable but the benefits and impacts of those potential developments have not in any way been systematically assessed. It is well and good to "want to do something" but the OCP planning process should have been designed to answer "whether we should do something" prior to setting an irreversible stage for further development. The draft OCP as currently written does not represent my views or interests.

I oppose inclusion of "north Sage Mesa" (Lot A, DL2947) as a proposed "pocket development" area in this round of OCP review (item 14, page 28) based on potential negative impacts to the character of the existing community. Rezoning and further consideration for future development of the "north Sage Mesa" area should be delayed to the next round of OCP review pending:

- Completion, and full public consideration of the updated geotechnical hazard assessment referred to as Board policy in section 7.2.1 page 27. The "north Sage Mesa" parcel is primarily silt bluff with sensitive soils and environmental conditions. It should not be identified as a potential area for further LR or MR development in advance of updated geotechnical and environmental assessments.
- Consideration and community assurance of alternate primary road access and egress to Highway 97 to service the "north Sage Mesa" area, to neither appreciably increase current vehicle use nor require road-widening (to expand capacity or address safety) of the existing Sage Mesa Drive. Many existing homes closely front the Sage Mesa Drive right of way. Further road-widening of Sage Mesa Drive that may be required by the Province to support development and densification of the "north Sage Mesa" area will negatively impact the character and economic value of many properties (mine included) and the quality of life currently enjoyed by area residents (mine included). An ensured future alternate primary road access direct to Highway 97 from the "north Sage Mesa" area, should it be eventually developed, will help to protect existing community values and improve overall community safety in the event of a disaster.

Inclusion of Pine Hills Golf Course as a "pocket-development" area should be provisional on:

- Prior completion, and full public consideration of the updated geotechnical hazard assessment referred to as Board policy in section 7.2.1 page 27, including assessment of potential influence on ground and surface water flows to the existing developed Sage Mesa properties below the golf course and the potential for rock fall, in particular that which may result from expected changes to freeze-thaw events through climate change (page 67).

- Assurance to all current community landowners that future residential development of the Pine Hills Golf Course will benefit the greater Sage Mesa community with upgraded water, and sanitary and storm sewers at no "late-comer" connection costs to current Sage Mesa landowners. Identification of Pine Hills Golf Course as potential LR or MR density housing (item 14, page 28) should be firmly and transparently rooted in the OCP through an additional clearly-described policy, in this case, of trading-development-for-community-benefit with no "late-comer" cost for service connections to community landowners.

Page 28 of the OCP should include:

- An additional Board policy that development of the Pine Hills Golf Course or the Peter Bros gravel pit would only proceed based on prior assurance from the Province of an upgraded intersection at Sage Mesa Drive and Highway 97 with improved turning and acceleration lanes. Further residential development in the greater West Bench area will increase traffic volumes using the Sage Mesa intersection. The intersection is already dangerous with inadequate acceleration and deceleration lanes for the 100km+ highway speeds and apparently increasing traffic volumes. Public safety for all users of the intersection and the highway should be paramount.

Natural Environment and Conservation

16.1.2 Policies (page 60):

The Board "Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives."

The OCP should include a Board policy that supports inclusion of Tree of Heaven and Siberian Elm as designated noxious weeds, or otherwise as plants that should be controlled and eradicated in Area F.

Not only are these plants particularly invasive, and are a hazard to the natural environment, they are also fast and tall growing and are impacting residential views and affecting property values.

Suggested edit:

The Board recognizes the importance of containing and controlling noxious weeds and other invasive plants through the continued endorsement of weed prevention and control initiatives. The Board particularly encourages the control and eradication of the invasive plants Tree of Heaven and Siberian Elm to prevent their growth and continued spread, and impact to residential views in Area F.

16.3 (and elsewhere):

I appreciate the inclusion of policies for protection of wildlife habitats, sensitive lands and animal movement corridors and trust that these policies will be reflected in future Board land-use decisions affecting Area F.

Thank you for your efforts and consideration,

Alan Peatt

September 4, 2018
605 Russet Dr.,
Penticton, B.C. V2A 8X6.

Public Hearing Bylaw No. 2790
c/o Regional District of Okanagan-Similkameen.,
101 Martin Street,
Penticton, Canada,
V2A 5J9

Planning Board:

We would like to express our concerns about the draft of OCP for Area F as follows:

- 1.) The RDOS should obtain consent in form of a plebiscite from the West Bench residents before any extension of Penticton city boundaries to the West Bench.
- 2.) If a feasibility study for constructing a sewage system in the West Bench is conducted then require consent in the form of a plebiscite before proceeding.
- 3.) Prohibit home industry from developing anywhere on the West Bench.
- 4.) Develop policy to preserve and improve and maintain the landscape (preventing the filling of gullies, maintaining natural water drainage, controlling erosion and managing invasive weeds and trees).
- 5.) Develop a program to protect homes from wildfire damage and communicate it to the landowners and residents. This includes plans to evacuate the West Bench in case of an emergency
- 6.) Ensure that appropriate road systems and bridges are planned and constructed if pocket development is to continue.

Yours sincerely,

Sonya and Harvey Quamme

We support the five OCP changes in principle. We don't think we need sewer system and we don't support a subdivision of the land. Secondary suites and carriage houses are all right provided they meet geo-technological requirements. We don't want to see any more home industrial development that involves large garages, buildings, and storage or parking areas. If Area F is to densify, we need improved roads and bridges. We have concerns about having only two routes in case of evacuation.

We support the delegate status for a group of concerned citizens led by Anne Consentine to speak to the OCP presentation to the board.

Yours sincerely,

Sonya and Harvey Quamme

Lauri Feindell

To: Timothy Donegan
Subject: RE: Website Contact Form Submission

First name: julia and rick
Last name: valenti
Address:
City/Town: penticton
Province: b.c.

---- Comments ----

Questions / Comments: this is a revised submission regarding the Area F OCP . These comments are directed to :Public Hearing By-Law 2790 c/o RDOS.

1. we do not support and extension of a sanitary and storm water extension from City of Penticton to service all or part of West Bench area.

2. we support home industries in the West Bench area on a case by case basis that is determined by size of landholdings for desired home business.

3. we support accurate descriptions of 4 greater West Bench neighborhoods and addition of a policy ensuring subdivision goals as outlined by Director Tom Brydon.

4. we support a policy to ensure high quality drinking water for Sage Mesa, Westwood and Husula Highlands.

5. we support a natural environment policy to communicate with landowners.

6. we support a transportation policy to mitigate increased traffic from subdivision development and that will also address interface fires and their need for emergency vehicle egress.

First name: Rick and Julia
Last name: Valenti

---- Comments ----

Questions / Comments: We support all the recommendations from the West Bench community committee representatives that they will be presenting Thurs. Sept. 6th., 2018 at the public hearing for the OCP for Area F.

From: Info
Sent: September-04-18 10:23 AM
To: Planning <planning@rdos.bc.ca>
Subject: FW: area F westbench

From: Rick & Julia Valenti

To whom it concerns—we cannot attend the public hearing this Thursday Sept. 6th. 2018 regarding the OCP for Area F but want to go on the record as supporting all that the community committee representatives have submitted to the RDOS as changes to the Area F OCP.

Julia and Rick Valenti
1019 Veteran Drive
Penticton

Lauri Feindell

From: Evelyn Riechert
Sent: June 22, 2018 3:56 PM
To: Lauri Feindell
Subject: FW: Referral response OCP bylaw 2790, 2018

Evelyn Riechert • MCIP RPP, Planner
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9 p. 250.490.4204 • tf. 1.877.610.3737 • f. 250.492.0063 www.rdos.bc.ca •
eriechert@rdos.bc.ca FACEBOOK • YOUTUBE • Sign up for REGIONAL CONNECTIONS

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

From: Northcote, Bruce EMPR:EX <Bruce.Northcote@gov.bc.ca>
Sent: June-22-18 3:13 PM
To: Planning <planning@rdos.bc.ca>
Subject: Referral response OCP bylaw 2790, 2018

"Interests unaffected" response attached.

Regards,

Bruce Northcote

Regional Geologist, Mineral Development Office

Geological Survey Branch, British Columbia Ministry of Energy, Mines and Petroleum Resources

Suite 300 - 865 Hornby Street, Vancouver BC Canada V6Z 2G3

604-660-2713

Lauri Feindell

From: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Sent: June 11, 2018 10:05 AM
To: Lauri Feindell
Subject: RE: Bylaw Referral; OCP Bylaw No. 2790 Review - Project No. F2016.112-ZONE

Hi Lauri,

Thanks for the opportunity to provide comment. We have done a cursory check and it does not appear that we have any ski resorts on Crown land within the RDOS Electoral Area "F", therefore the interest of the Mountain Resorts Branch are unaffected.

Thanks,
Tori

Tori Meeks | Senior Manager, Major Projects | Mountain Resorts Branch
Ministry of Forests, Lands, Natural Resource Operations and Rural Development
510 - 175 2nd Ave, Kamloops, BC V2C 5W1
Phone: 250-371-3943 | Cell: 250-320-2791 | Fax: 250-371-3942

From: Lauri Feindell [mailto:lfeindell@rdos.bc.ca]
Sent: Friday, June 8, 2018 4:53 PM
To: Pellett, Tony ALC:EX; HBE@interiorHealth.ca; AGRIServBC AGRI:EX; Cooper, Diana FLNR:EX; Meeks, Tori FLNR:EX; Weir, Keith FLNR:EX; Kamloops, MMD EMPR:EX; Referral Apps REG8 FLNR:EX; XT:Shongrunden, Ron FIN:IN; 'info@obwb.ca'; 'development@penticton.ca'; I-planning (planning@cord.bc.ca); 'enviroinfo@ec.gc.ca' (enviroinfo@ec.gc.ca); referralsPacific@dfo-mpo-gc.ca; FLNR DOS Referrals CSNR:EX; 'fbclands@fortisbc.com'; 'fincity@telus.net'; lisa.c@shaw.ca; XT:Summerland, District ENV:IN; onareception@sylix.org; PIB Referrals (referrals@pib.ca)
Cc: Evelyn Riechert
Subject: Bylaw Referral; OCP Bylaw No. 2790 Review - Project No. F2016.112-ZONE

Project No.: F2016.112-ZONE
Electoral Area "F" Official Community Plan Update
Bylaw No. 2790

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

The Electoral Area "F" OCP review and update project began in February 2017 with numerous community engagement strategies and opportunities, and is currently at a final draft stage for your review.

Attached to this email is the Bylaw Referral Sheet for the above noted, along with a link below which will take you to the documentation, Maps and Schedules. Please review and forward any comments or concerns you may have with regards to the above bylaw review by **July 7, 2018**, or at your earliest convenience to planning@rdos.bc.ca

RESPONSE SUMMARY

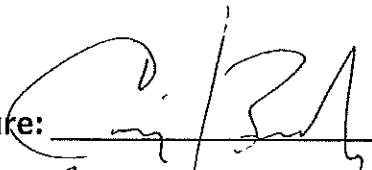
OCP BYLAW NO. 2790, 2018

☐ 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: Craig Busch

Agency: Regional District of
Central Okanagan

Title: Planning Services

Date: July 6, 2018

Student



Interior Health
Every person matters

June 14, 2018

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

RE. File Number: RDOS Area "F" Official Community Plan - Bylaw No. 2790, 2018

Thank you for the opportunity to provide comments on the draft Area "F" Official Community Plan from a population health perspective. This OCP presents an opportunity to improve the future health status of Area F residents by promoting healthy built environment principles through long range planning. Additionally, healthy communities support equitable opportunities for social connectedness, access to healthy food, accessible options for active transportation, and affordable quality housing which together can help reduce health inequities. This referral has been reviewed from a Healthy Community Development, Healthy Food Systems, and Tobacco Reduction perspectives. The following information is for your consideration:

Healthy Community Development

This Official Community Plan supports healthy community principles as described in the Healthy Built Environment Linkages Toolkit and are throughout the entire document that are directly or indirectly linked to population health. Additionally, the community vision and the broad goals are supportive of positively impacting residents' physical and mental health.

The way we design our lives to fit within the natural environment is fundamental in determining our health and well-being. A built environment where land use decisions protect the natural environment as well as allows for residents to have access and engage with natural areas can positively impact health. As Area F is quite rural, the OCP highlights policies for preserving and restoring natural areas (23.3.2.j), the development of lake accesses, greenways, parks, and trails when land is acquired or subdivided (15.4.1, 15.4.2, 15.4.3, 15.4.7, 15.4.8), as well as encouraging the development of recreational opportunities for the community (14.4.2.2.2, 15.3.10, 15.3.11). Protecting and preserving the natural environment is an evident value outlined in the OCP with emphasis on protection of groundwater and surface water sources with strong policies (8.3.8, 16.2.2.4, 19.4.2.13, 16.2.2.6). Additionally, the OCP has several policies that are specific to improving air quality as well as reducing conflict situations between industrial and residential uses (7.2.5, 7.2.6, 13.3.5, 13.3.8, 20.3.5, 20.3.9).

The draft OCP outlines several policies to support safe drinking water quality as well as promote long term sustainability of local community water systems and area water conservation (7.3.1, 19.4.2.1, 19.4.2.2, 19.4.2.4, 19.4.2.7, 19.4.2.8, 19.4.2.9, 19.4.2.10). The OCP also has strong policies to support sustainable wastewater and stormwater servicing (7.4.1, 10.3.4.4, 11.3.6, 11.3.9, 19.3.1, 19.3.2, 19.5.2.1, 19.5.2.3, 19.5.2.4, 19.5.2.5, 19.5.2.6). Interior Health supports the RDOS

taking a leadership role in planning for future growth and development in this area to ensure that infrastructure (community water, community sewer, drainage) supports a sustainable and resilient community.

The OCP recognizes that improving opportunities for active transportation in Area F as a priority (18.3.1, 18.3.2, 18.3.4, 18.3.5, 18.3.7). As a population ages, having alternative methods for travel can provide continued independence for aging residents.

Safe, affordable housing and increased access to diverse housing options as well as tenure types is supported in the OCP (11.3.3, 11.3.4, 17.3.18). Housing plays a significant role in influencing peoples' health - living in affordable, safe, and stable housing is associated with positive physical and mental health outcomes.

Specific Comments for Consideration:

- Consider adding policies for creating spaces that would facilitate social interactions and encourage social gatherings. This can decrease isolation by allowing residents to interact with one another and build relationships which can positively influence mental wellbeing as well as increase social connectedness. The Plan H Social Connectedness Action Guide provides some examples.
- Consider adding policies in the OCP to enhance the age-friendliness of the community. As residents are aging in Area F, an age-friendly community can be supportive of keeping seniors stay active, allow for "aging in place" for seniors to stay longer in their homes, and be connected to social support networks. The Age Friendly Rural and Remote Communities guide provides some examples in smaller communities.
- For the Greata Ranch rural growth area: consider include policies which support healthy built environment planning principles in order to support the health and well-being of residents. Specifically how amenities and recreational areas can be brought closer to residences, how active transportation options can connect residents to these amenities, and be safer and more convenient. Additionally, these comments would also apply if the West Bench area is designated as a rural growth area.
- In policy 17.3.19: Consider encouraging the development of both a sanitary sewer and stormwater management system in West Bench/Sage Mesa.
- For objectives 11.2.2 and 11.2.4: Consider adding agricultural land into these objectives.
- In policy 19.4.2.6: Consider to include working with the regional health authority.

Healthy Food Systems

Agricultural land use decisions and food system infrastructure affect the quality, accessibility and variety of foods available. Agriculture influences food choices and healthy eating patterns and impacts a variety of social, environmental and economic determinants of health. The Area F OCP includes many policies that support healthy food systems including a commitment to protecting the agricultural land base and maximizing agriculture capacity (9.3.1, 9.3.1, 9.3.5, 9.3.6., 9.3.10, 9.3.11); and increasing the capacity of local food systems (9.3.13, 9.3.14, 9.3.16).

Comments for consideration to help further support Healthy Food Systems:

- Consider adding an objective to enhance capacity specifically for local food systems including the production, processing, storage and distribution of food. Supporting the

capacity of local food production and infrastructure contributes to a food supply that is resilient to outside stressors.

- Consider a policy to protect agricultural land by placing zoning restrictions on the size of housing located on agricultural land as well as incentives for appropriate use of agricultural land.
- Policy 9.3.8 (buffers): With intent to preserve agricultural land for agricultural activities, consider requiring buffers be placed on the adjacent non-agricultural land that is being developed.
- Policy 9.3.16: Consider expanding to support intensive small-plot agriculture as well as shared cooking, processing and storage space on other land use designations
- Consider a policy that encourages integrating space to grow food in medium density developments
- Consult with Penticton Indian Band and Okanagan Nation Alliance about adding a policy that recognizes traditional food, foodlands and waters as core parts of Indigenous culture, identity and well-being, and to ensure protection and access to these resources.

Smoke Free Spaces

Tobacco use is the number one preventable cause of death and disease in the province, killing an estimated 6000 British Columbians each year. Residents in the Interior Health region are disproportionately affected by the impacts of tobacco use because our smoking rates are higher (20%) than the provincial average (14%).

Local governments across BC are implementing bylaws and policies to create smoke free spaces, especially in outdoor public places such as parks and trail systems. More than 70 local governments in the province now have restrictions on tobacco use that exceed the provincial Tobacco and Vapour Products Control Act. These measures protect the health of current and future citizens, reduce fire risk and attract new residents who are looking for healthy lifestyles and protected environments.

In order to reduce the harms associated with tobacco use in the plan area, the following are suggested for consideration:

- Encourage the adoption of bylaws or use other measures to create smoke free outdoor spaces where citizens (particularly children) live, work, learn and play. A smoke-free bylaw would further support objectives 15.2.1, 15.2.2 and policies 15.2 and 15.9. Protect areas such as: parks, playgrounds, hike and bike trails and other public facilities.
- Smoke-free trails and parks aligns objective 17.4.1. Smoking increases the risk of fire, particularly in parks and other wooded or grassy areas, such as along the KVR trail. An outdoor smoking bylaw would reduce this risk by controlling the places where smoking is allowed.
- Implementation of a smoke-free bylaw is something that can help protect the natural environment and support the District's Environmentally Sensitive Development Permit. A smoke-free bylaw will help to protect environmentally sensitive ecosystems from fire risk due to discarded cigarette butts. Tobacco litter is also harmful to our environment because filters trap carcinogenic toxins that can leach into soil and waterways affecting wildlife and water quality. Further, the filters never completely break down because they contain plastic fibres.

Future Collaboration

Interior Health - Healthy Communities welcomes the opportunity to further collaborate with the Regional District of Okanagan-Similkameen and can provide health information and research, health resources, letters of support for funding opportunities, provide a 'health lens' to current and long term planning documents, helping to facilitate public stakeholder engagement meetings in conjunction with local government partners, connect IH specialized staff to local governments, participate in stakeholder committees, and support and building community capacity. Here are some examples to consider of how our team can support and work together with RDOS staff:

- OCP Implementation Plan and Indicators – our team has worked together with the City of Kamloops to provide input on health indicators.
- Age Friendly Planning – The City of Revelstoke has completed an Age-Friendly Plan to achieve a vision where people of all ages and abilities can feel valued in the community.
- Regional Growth Strategy Review – our team had reviewed and provided comments from a health lens for the Squamish Lillooet Regional District Regional Growth Strategy.

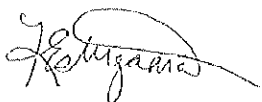
Overall, Interior Health – Healthy Communities is supportive of the Official Community Plan draft.

If you have any questions, please feel free to contact me at 250-549-5758.

Sincerely,



Janelle Rimell, C.P.H.I.(C)
Environmental Health Officer



Kristi Estergaard, RD
Public Health Dietitian



Jacqueline Duncan, C.P.H.I.(C)
Tobacco Reduction Coordinator

Resource Documents:

Interior Health – Planning for Healthier Communities webpage
Numerous links to healthy community resources

Improving Travel Options in Small and Rural Communities, Transport Canada
Guide to improve travel options for residents in small and rural communities

Fact Sheet: Supporting Healthy Equity Through the Built Environment, BC Centre for Disease Control
Provides information on how to support health equity through the built environment

Agriculture's Connection to Health, Provincial Health Services Authority

Lauri Feindell

From: Clifford, Robyn M TRAN:EX <Robyn.Clifford@gov.bc.ca>
Sent: July 12, 2018 1:28 PM
To: Planning
Subject: FW: Area F OCP Bylaw 2790, 2018

From: Clifford, Robyn M TRAN:EX
Sent: Wednesday, July 11, 2018 1:34 PM
To: 'planning@rdos.ca'
Subject: Area F OCP Bylaw 2790, 2018

Our file: 2018-03379
Your file: F2016.112-ZONE

Good afternoon Evelyn,

Thank you for the opportunity to review the draft OCP. Although Ministry formal approval of the OCP is not required, in review of Sec. 20.3 regarding the policies around transportation of aggregates, it is important to note that the Ministry of Transportation does not restrict vehicular use on public roads.

Please call if you have any questions or require additional information.

Regards,

Robyn M. Clifford
Sr. District Development Technician
Ministry of Transportation & Infrastructure, Okanagan Shuswap District
tel 250.712-3665 cell 250.878-4518 email robyn.clifford@gov.bc.ca



July 7, 2018

File: 2018070
Your File: F2016.112-ZONE

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

Attention: Lauri Feindell

Re: Electoral Area "F" Official Community Plan Update

Thank you for the opportunity to provide input into the RDOS's Area "F" Official Community Plan update. Our input is guided by provincial legislation, including the *Riparian Areas Regulation*,¹ best management practices, guidelines and strategies outlined in *Develop with Care*,² *Wetland Ways*,³ *Keeping Nature in our Future – Biodiversity Conservation Strategy for the Okanagan*⁴ and the *Green Bylaws Toolkit*.⁵ Our comments focus on general principles and policies, and specific tools that relate to protection and conservation of the natural environment; in particular our priorities are wetlands and species at risk.

Recommended changes:

23.3.4. WDP Area Guidelines

2a) vi) professional opinion that ~~either~~ the development as proposed would not result in ~~serious harm to fish as defined in the Fisheries Act~~ harmful alteration, disruption or destruction (HADD) of fish habitat as defined under the RAR.

(Explanation: Under the RAR, development may only proceed if the QEP certifies no HADD under RAR. Serious harm under the Fisheries Act is not equivalent avoidance of serious harm does ensure compliance with RAR.)

23.3.6 Exemptions

.8) Could this exemption be removed, as it is dealt with later in Sec. 23.3.8.3 Expedited Development Permit? As it is, it could exempt lot adjustments that create "undue hardship" (RAR term) which would force building in the SPEA. Creation of such a lot through subdivision is prohibited by RAR. Please consider changing the wording to the following (using language from the 2017 draft Squamish OCP as an example), or just eliminating in favour of Sec 23.3.8.3:

"Boundary adjustments and lot consolidations not involving the installation of underground services of the construction of roads, provided that the subdivision does not create a lot on which all buildings and structures permitted by the Zoning Bylaw cannot be constructed outside any riparian assessment area on the lot."

Defining Environmentally Sensitive Development Permit Areas

- Be aware that regional scale mapping may not identify small but locally important natural areas, including ephemeral (seasonal) wetlands and habitat features like wildlife trees or den sites. These features can only be identified through detailed assessment and review of the site. As a result, we **recommend that the Environmentally Sensitive DPA be mapped to include all undeveloped or greenfield lots** in addition to mapped sensitive features. Such an approach would improve the capacity of the ESDPA to address these locally important and sensitive habitat features.
- Please recognize that the Riparian Areas Regulation (see below) only requires the assessment waterbodies, including wetlands, that have a direct connection (overland or via culvert) to fish-bearing waters. To better protect those wetlands without direct connections to fish habitat as sensitive habitats, we **recommend explicit inclusion of wetlands as sensitive habitats in policy, mapping and guidelines for the Environmentally Sensitive Development Permit Area**, and inclusion of wetlands in the definition of watercourse within the OCP. Note that this means that the Environmentally Sensitive DPA may overlap with the Watercourse DPA.
- We recommend designation of the land base as a **Development Information Area** to allow for collection of information as part of development approval and permit application processes.

Regulatory Bylaws

We are continuing to see the loss of sensitive habitats as a result of soil removal/deposit activities and the infilling of wetland and riparian features, including seasonal wetlands that may not appear on existing wetland mapping. Due to increasing concern throughout the Okanagan valley, we are recommending local governments pursue the drafting of bylaws specific to these activities. These may include a Soil Deposit and Removal Bylaw, a Watercourse Protection Bylaw, and a Tree Protection Bylaw. These regulatory bylaws also provide additional enforcement mechanisms in cases where Environmentally Sensitive Development Permits are not obtained or are violated.

Soil Deposit and Removal Bylaw

- We recommend all soil deposit and removal activities that occur on a land area more than 0.25 ha, exceed 1 metre depth and/or involve more than 10 cubic metres of soil per parcel per year be required to obtain a permit. Further, as part of the permit application, we recommend that the location of wetlands and other watercourses be identified and an Environmental Assessment be prepared by a QP if the proposed activities are within 30 m of a watercourse or wetland. The *Green Bylaws Toolkit* provides additional recommendations for this bylaw (Sections 14.6 and 25.2).

Tree Protection Bylaw & Watercourse Protection Bylaw

- The *Green Bylaws Toolkit* provides recommendations for these regulatory bylaws (Sections 14.5, 14.7, 25.1, and 25.3). In particular, with respect to the Tree Protection Bylaw, any replacement guidelines should be consistent with the BC Tree Replacement Criteria, and tree removal should follow the provincial best management practices.

Please do not hesitate to contact me at Jamie.Leathem@gov.bc.ca or 250-490-8294 or if you would like to discuss any of the above recommendations or require additional information.

Sincerely,



Jamie Leathem, M.Sc.
Ecosystems Biologist
Penticton, B.C.

¹ <http://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/riparian-areas-regulation>

² <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/>

³ http://www.env.gov.bc.ca/wld/documents/bmp/wetlandways2009/wetlandways_docintro.html

⁴ <http://okcp.ca/index.php/projects/current-projects/532-okanagan-biodiversity-strategy>

⁵ http://www.greenbylaws.ca/documents/GreenBylawsToolkit_2016.pdf

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: June 22, 2018 9:29 AM
To: Planning
Subject: Electoral Area F RDOS (F2016.112-ZONE)

With respect to the above noted file,

There are no FortisBC Inc (Electric) ("FBC(E)") affected by this application. As such FBC(E) has no concerns with this circulation.

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

Best Regards,

*Steven Danielson,
Contract Land Agent for:*

**Nicholas Mirsky, B.Comm., AACI, SR/WA
Supervisor | Property Services | FortisBC Inc.**

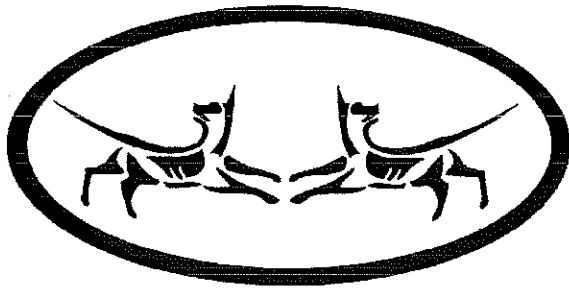
2850 Benvoulin Rd
Kelowna, BC V1W 2E3
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nicholas.mirsky@fortisbc.com



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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

July-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: 3310

Referral ID: F2016.112-ZONE

Referral Date: June-07-18

Reference ID:

Summary: The purpose of these objectives, policies and designations is to provide direction for land use and development consistent with community values and are intended to balance the demands

ATTENTION: Lauri Feindell

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.

¹The 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: 1114

	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

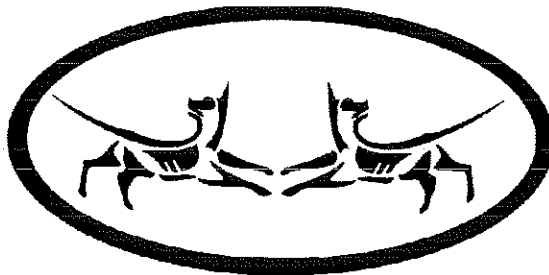
INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque payable to Penticton Indian Band. **re: P.C.132 RTS #3310**

limlæmt,

Venessa Gonzales
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca

RTS ID: 3310
CC:



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**

July-05-18

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

RTS ID: 3310

Referral Date: June-07-18

Referral ID: F2016.112-ZONE

Reference ID:

Summary: The purpose of these objectives, policies and designations is to provide direction for land use and development consistent with community values and are intended to balance the demands

Attention: Lauri Feindell

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on July-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,
Venessa Gonzales
Referrals Administrator

RTS ID: 3310

CC:

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: Land Use Bylaw Amendments - Electoral Area "I" and *Local Government Act* Revisions

Administrative Recommendations:

- .1 THAT Bylaw No. 2830, 2018, Regional District of Okanagan-Similkameen Official Community Plans Amendment Bylaw be read a first and second time and proceed to public hearing;
AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated September 20, 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. 2830, 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 October 18, 2018;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.**
- .2 THAT Bylaw No. 2831, 2018, Regional District of Okanagan-Similkameen Zoning Amendment Bylaw be read a first and second time;
THAT pursuant to sub-section 464 of the *Local Government Act*, the Regional District Board resolves to waive the holding of a public hearing for Zoning Amendment Bylaw 2831, 2018;
AND THAT pursuant to sub-section 467 of the *Local Government Act*, staff give notice of the waiving of the public hearing for Zoning Amendment Bylaw 2831, 2018;**
- .3 THAT Bylaw No. 2339.02, 2018, Regional District of Okanagan-Similkameen Advisory Planning Commission Amendment Bylaw, be read a first, second and third time.**
- .4 THAT Bylaw No. 2482.01, 2018, Regional District of Okanagan-Similkameen Minimum Parcel Size that may be Subdivided for a Relative Amendment Bylaw, be read a first, second and third time.**
- .5 THAT Bylaw No. 2494.02, 2018, Regional District of Okanagan-Similkameen Board of Variance Amendment Bylaw, be read a first, second and third time.**
- .6 THAT Bylaw No. 2597.02, 2018, Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Amendment Bylaw, be read a first, second and third time.**

Purpose:

Administration is proposing the Regional District Board initiate a number of amendments to the various Electoral Area land use bylaws in order to update these bylaws to reflect the pending division of Electoral Area "D" (i.e. "D-1" & "D-2") into a new Electoral Area "D" and Electoral Area "I".

In addition, Administration is proposing that these amendment bylaws be used to make amendments to the bylaws to reflect a 2016 revision of the *Local Government Act*.

Background:

On April 27, 2018, the Lieutenant Governor approved Order in Council No. 216, dividing Electoral Area "D" into two separate Electoral Areas (i.e. a new "D" & "I"), and that this will come into effect on November 15, 2018.

On January 1, 2016, a revised version of the *Local Government Act* came into effect. Under the prior version of the Act, the rules governing regional districts were spread throughout nine unrelated parts of the Act with those sections separated by hundreds of other, unrelated sections. The revised Act now has specific parts for regional district rules, but which are now found under different section numbers.

At its meeting of September 6, 2018, the Planning and Development (P&D) Committee of the Board considered a related Administrative Report pertaining to a minor amendment to the South Okanagan Regional Growth Strategy (RGS) Bylaw No. 2770, 2017. It is anticipated that this minor amendment to the RGS Bylaw will be considered by the Board at its meeting of October 18, 2018.

Annotated versions of the amendment bylaws can be found on the Regional District's web-site: www.rdos.bc.ca (Departments → Development Services → Planning → Strategic Projects → [Electoral Area "I" & LGA Revisions Update](#)).

Referrals:

Approval of Zoning Amendment Bylaw No. 2831, 2018, from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments apply to lands within 800 metres of a controlled access (i.e. Highways 3 & 97).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District Nos. 53, 58 & 67 have been made aware of Amendment Bylaw No. 2830.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Public Process:

In light of the minor nature of the proposed amendments to the various Electoral Area OCP Bylaws, Administration is recommending that formal referral to the agencies listed at Attachment No.1, be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*.

Similarly, Administration considers the proposed amendments to the various Electoral Area Zoning Bylaws to be very minor in nature and consistent with the OCP Bylaws. For this reason, Administration is recommending that the Board waive the holding of a public hearing for these amendments (in accordance with Section 464 of the *Local Government Act*).

Analysis:

In anticipation of the division of Electoral Area “D” into a new Electoral Area “D” and Electoral Area “I”, Administration has completed a review of all current land use bylaws and identified a series of amendments that are required to reflect this new governance structure.

While these amendments primarily relate to the Electoral Area “D-1” & “D-2” Official Community Plan (OCP) and Zoning Bylaws, amendments to the Advisory Planning Commission (APC) Bylaw, Board of Variance (BoV) Bylaw, Subdivision for a Relative Bylaw, Manufactured Home Park Regulations Bylaw, South Okanagan Regional Growth Strategy (RGS) Bylaw as well as the other Electoral Area OCP & Zoning Bylaws have also been identified.

Generally, the amendments involve either a textual or mapping amendment to include a reference to Electoral Area “I”. For instance, it is being proposed to update the Context Maps in each of the Electoral Area OCP & Zoning Bylaws in order to show the new boundaries of Electoral Areas “D” & “I”.

Local Government Act Revisions

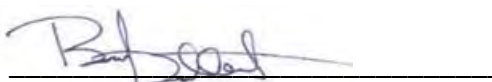
Although unrelated to the pending creation of Electoral Area “I”, Administration is proposing that the amendment of the various land use bylaws outlined above be used to address the 2016 revision of the *Local Government Act*.

This revision resulted in numerous references within the various land use bylaws adopted by the RDOS Board prior to 2016 becoming outdated. For instance, the land use planning sections of the Act were previously contained in the 800 and 900 section number blocks of the legislation, but are now found in the 400 and 500 section number blocks.

To ensure ease of use of the Regional District’s land use bylaws by the public and staff, Administration is proposing that all outdated references to *Local Government Act* sections be addressed as part of the amendments being made in relation to the division of Electoral Areas “D” & “I”.

Alternative:

- .1 THAT first reading of the various Electoral Area land use amendment bylaws be denied; OR
- .2 THAT consideration of the various Electoral Area land use amendment bylaws be deferred.

Respectfully submitted:
C. Garrish, Planning Supervisor**Endorsed by:**
B. Dollevoet, Dev. Services Manager

Attachments: No. 1 — Agency Referral List

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☒, regarding Amendment Bylaw No. 2830, 2018:

<input checked="" type="checkbox"/>	Agricultural Land Commission (ALC)	<input type="checkbox"/>	Fortis
<input type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy & Mines	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Community, Sport and Cultural Development	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Environment	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands & Natural Resource Operations (Arch. Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Tourism and Innovation	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input checked="" type="checkbox"/>	Ministry of Transportation and Infrastructure	<input checked="" type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input checked="" type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input checked="" type="checkbox"/>	Upper Similkameen Indian Bands (USIB)
<input checked="" type="checkbox"/>	School District #53 (Okanagan Similkameen)	<input checked="" type="checkbox"/>	Lower Similkameen Indian Bands (LSIB)
<input checked="" type="checkbox"/>	School District #58 (Nicola Similkameen)	<input type="checkbox"/>	Environment Canada
<input checked="" type="checkbox"/>	School District #67 (Okanagan Skaha)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Archaeology Branch
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	Dominion Radio Astrophysical Observatory
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Fraser Valley Regional District		

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2339.02, 2018

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Advisory Planning Commission Bylaw 2339, 2006**

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 Advisory Planning Commission Amendment Bylaw No. 2339.02, 2018."
2. The Regional District of Okanagan-Similkameen Advisory Planning Commission Bylaw No. 2339, 2006 is amended by:
 - (i) replacing Section 1.2 under Section 1.0 (Title) in its entirety with the following:
 - 1.2 In this Bylaw:
 - a) **"Commission"** means an advisory planning commission.
 - b) **"Board"** means the Regional District of Okanagan-Similkameen Board of Directors.
 - c) **"Regional District"** means the Regional District of Okanagan-Similkameen.
 - (ii) replacing Section 2.1 under Section 2.0 (Establishment) in its entirety with the following:
 - 2.1 One Commission may be established for each of the electoral areas shown on attached Schedule 'A'.
 - (iii) replacing Section 3.1 under Section 3.0 (Role of Commission) in its entirety with the following:
 - 3.1 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 Part 14 of the *Local Government Act*.
 - (iv) replacing Schedule 'A' (Regional District of Okanagan Similkameen Advisory Planning Commissions) with a new Schedule 'A' (Regional District of Okanagan Similkameen

Advisory Planning Commissions) as shown on the attached Schedule 'A' (which forms part of this bylaw).

READ A FIRST TIME on the ____ day of _____, 2018.

READ A SECOND TIME on the ____ day of _____, 2018.

READ A THIRD TIME on the ____ day of _____, 2018.

ADOPTED on the ____ day of _____, 2018.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

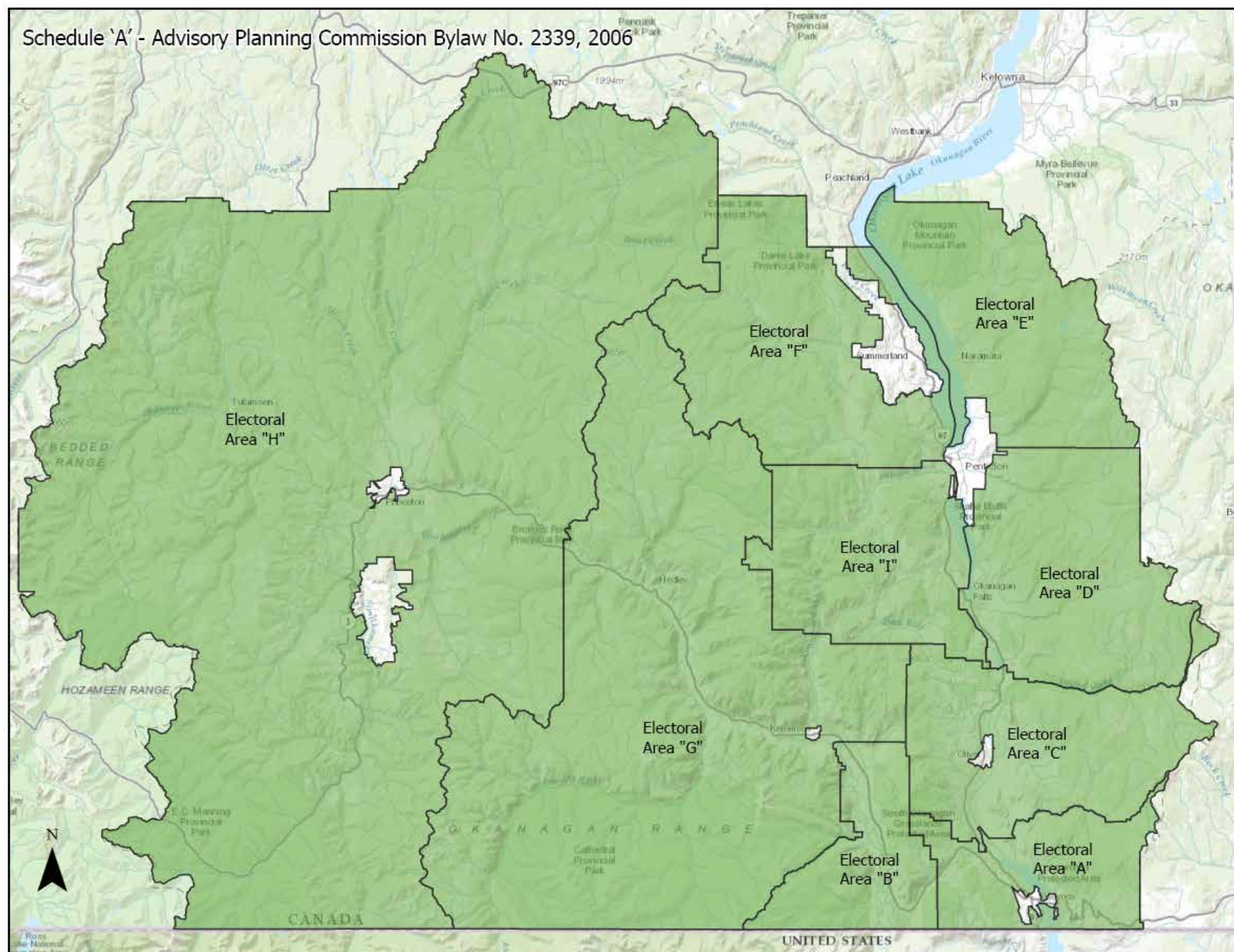
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2339.02, 2018

Project No: X2018.143-ZONE

Schedule 'A'



Amendment Bylaw No. 2339.02, 2018

(Project No. X2018.143-ZONE)

Page 3 of 3

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2482.01, 2018

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Minimum Parcel Size that may be Subdivided for a Relative Bylaw, 2009**

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 Minimum Parcel Size that may be Subdivided for a Relative Amendment Bylaw No. 2482.01, 2018."
2. The Regional District of Okanagan-Similkameen Minimum Parcel Size that may be Subdivided for a Relative Bylaw Bylaw No. 2482, 2009, is amended by:
 - (i) replacing the heading in its entirety with the following:

A Bylaw to establish the minimum parcel size of a parcel that may be subdivided pursuant to Section 514 (Subdivision to provide residence for a relative) of the *Local Government Act*.
 - (ii) replacing the first paragraph of the recital in its entirety with the following:

WHEREAS Section 514 of the *Local Government Act* provides that a local government may, by bylaw, establish the minimum size for a parcel that may be subdivided under Section 514;
 - (iii) replacing Section 2 (Area of Application) in its entirety with the following:

2. AREA OF APPLICATION

1. This bylaw shall apply to Electoral Areas "A", "B", "C", "D", "E", "F", "G", "H" and "I" of the Regional District of Okanagan-Similkameen, and as shown on Schedule 'A', except to:

a) land within an agricultural land reserve established under the *Agricultural Land Commission Act*, with the exception of land to which section 21(1) or 21(2) of that Act applies.

(iv) replacing Section 3.2 under Section 3 (Enactment) in its entirety with the following:

The minimum size of a parcel that may be subdivided pursuant to Section 514 of the *Local Government Act* shall be 50 hectares (ha).

(v) adding a new Schedule 'A' (Regional District of Okanagan-Similkameen Electoral Areas) as shown on the attached Schedule 'A' (which forms part of this bylaw).

READ A FIRST TIME on the ____ day of _____, 2018.

READ A SECOND TIME on the ____ day of _____, 2018.

READ A THIRD TIME on the ____ day of _____, 2018.

ADOPTED on the ____ day of _____, 2018.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

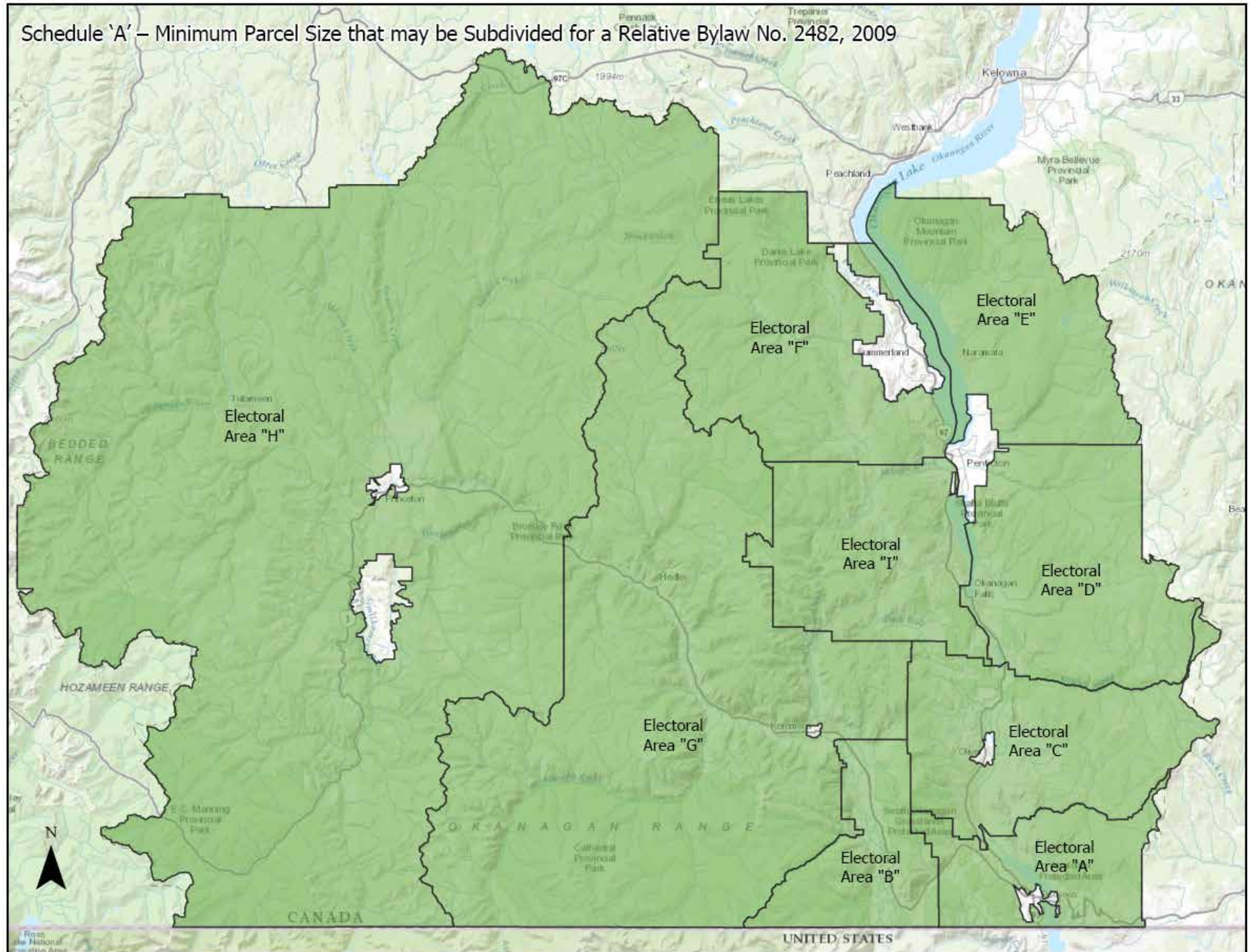
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2482.01, 2018

Project No: X2018.143-ZONE

Schedule 'A'



Amendment Bylaw No. 2482.01, 2018

(Project No. X2018.143-ZONE)

Page 3 of 3

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2494.02, 2018

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Board of Variance Bylaw 2494, 2009**

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 Board of Variance Amendment Bylaw No. 2494.02, 2018."
2. The Regional District of Okanagan-Similkameen Board of Variance Bylaw No. 2494, 2009, is amended by:

- (i) replacing the recital in its entirety with the following:

WHEREAS Division 15 of Part 14 of the *Local Government Act* requires a local government that has adopted a zoning bylaw to establish a Board of Variance;

AND WHEREAS Electoral Area "A"; Electoral Area "C", Electoral Area "D", Electoral Area "E", Electoral Area "F", Electoral Area "G", Electoral Area "H" and Electoral Area "I" have adopted a zoning bylaw;

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

- (ii) replacing Section 1 (Establishment) in its entirety with the following:

1. **Establishment**

A Board of Variance having jurisdiction for Electoral Area "A"; Electoral Area "C", Electoral Area "D", Electoral Area "E", Electoral Area "F", Electoral Area "G", Electoral Area "H" and Electoral Area "I" of the Regional District of Okanagan-Similkameen, and as shown on Schedule 'A', is hereby established.

- (iii) adding a new Schedule 'A' (Regional District of Okanagan-Similkameen Electoral Areas) as shown on the attached Schedule 'A' (which forms part of this bylaw).

READ A FIRST TIME on the ____ day of _____, 2018.

READ A SECOND TIME on the ____ day of _____, 2018.

READ A THIRD TIME on the ____ day of _____, 2018.

ADOPTED on the ____ day of _____, 2018.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

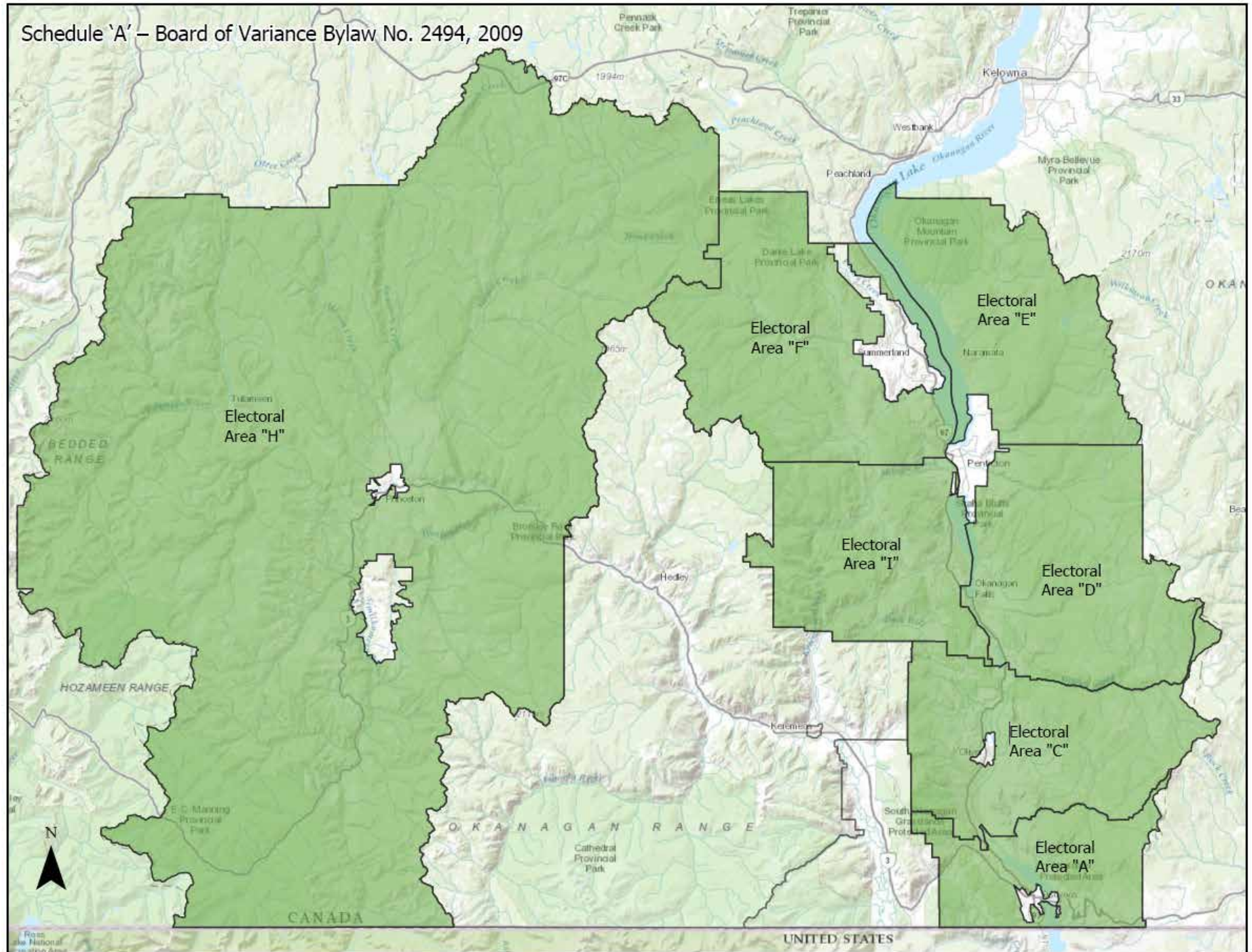
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2494.02, 2018

Project No: X2018.143-ZONE

Schedule 'A'



Amendment Bylaw No. 2494.02, 2018

(Project No. X2018.143-ZONE)

Page 3 of 3

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2597.02, 2018

**A Bylaw to amend the Regional District of Okanagan-Similkameen
Manufactured Home Park Regulations Bylaw 2597, 2012**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Amendment Bylaw No. 2597.02, 2018."
2. The Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Bylaw No. 2597, 2012, is amended by:
 - (i) replacing the header in its entirety with the following:

A Bylaw to regulate manufactured home parks under Section 298(j) of the *Local Government Act*
 - (ii) replacing Section 1.2 (Application) in its entirety with the following:

This bylaw shall apply to Electoral Areas "A", "C", "D", "E", "F", "H" and "I" of the Regional District of Okanagan-Similkameen, and as shown on Schedule 'A'.
 - (iii) replacing the definition of "Fees and Charges Bylaw" under Section 1.4 (Definitions) in its entirety with the following:

"Fees and Charges Bylaw" means the Regional District's Fees and Charges Bylaw;
 - (iv) replacing the first sentence of Section 2.9.4 under Section 2.9 (Performance Security) in its entirety with the following:

In accordance with Section 502 of the *Local Government Act*, the amount of security required under Sections 3.7.3(b) or (c) shall be determined by the CAO using the following guidelines:

- (v) adding a new Schedule 'A' (Regional District of Okanagan-Similkameen Electoral Areas) as shown on the attached Schedule 'A' (which forms part of this bylaw).

READ A FIRST TIME on the ____ day of _____, 2018.

READ A SECOND TIME on the ____ day of _____, 2018.

READ A THIRD TIME on the ____ day of _____, 2018.

ADOPTED on the ____ day of _____, 2018.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

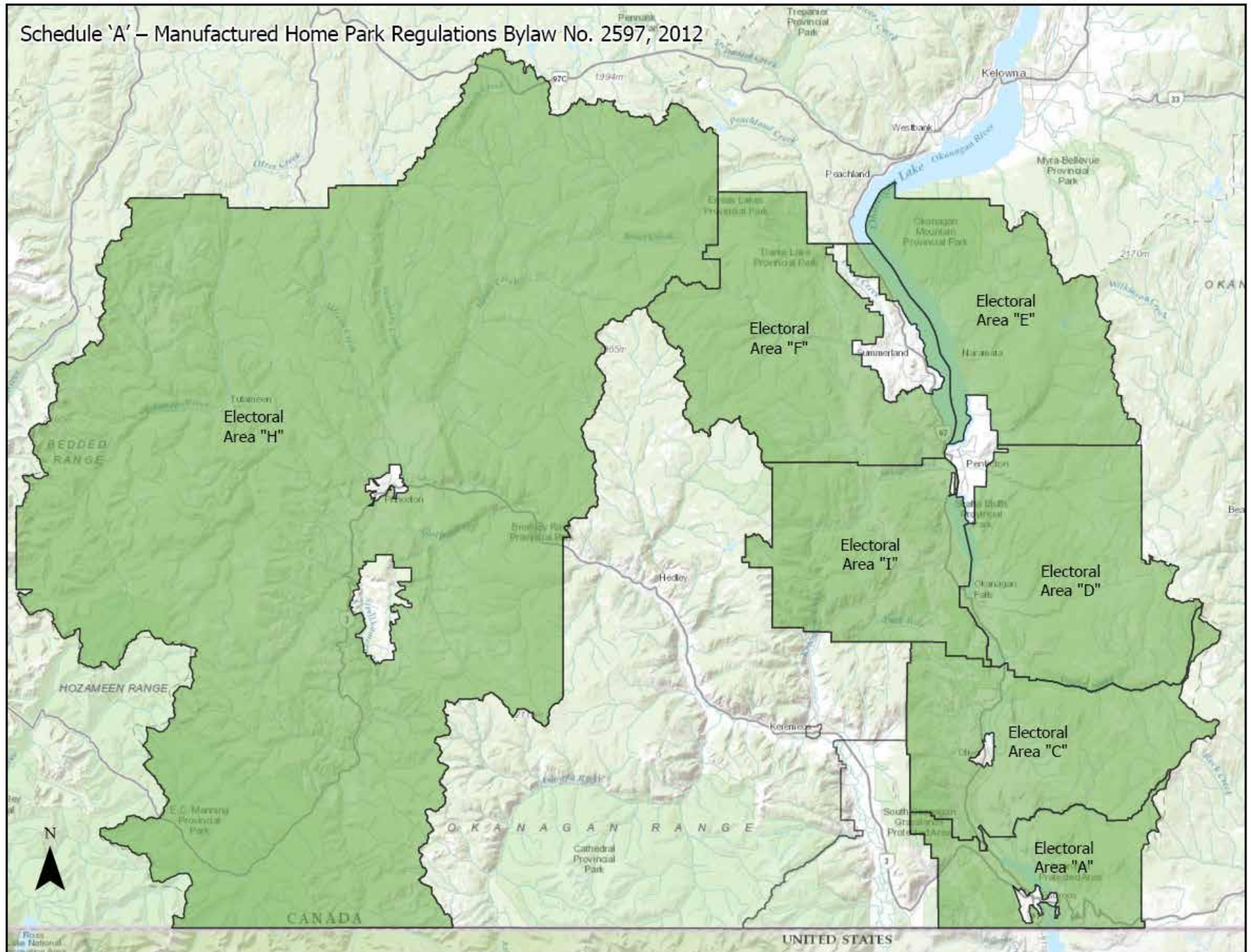
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2597.02, 2018

Project No: X2018.143-ZONE

Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2830, 2018

A Bylaw to amend the Electoral Area "A", "C", "D", "E" & "H" Official Community Plan 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 Official Community Plan Amendment Bylaw No. 2830, 2018."

Electoral Area "A"

2. The Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by:
 - i) replacing all references to Electoral Area 'A' with Electoral Area "A".
 - ii) replacing the recital found at page 8 of the bylaw in its entirety with the following:

**Regional District of Okanagan-Similkameen
Electoral Area "A"
Official Community Plan Bylaw No. 2450, 2008**

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

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

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

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan,

and economic strategy plan that is applicable in the Regional District to ensure consistency between them, in accordance with the *Local Government Act*;

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under the *Agricultural Land Reserve Act*, the Regional Board shall refer the Official Community Plan to the provincial Agricultural Land Commission for comment;

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

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

AND WHEREAS upon adoption of this bylaw, the plan is an Official Community Plan of the Regional District of Okanagan-Similkameen.

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

The Electoral Area "A" Official Community Plan attached hereto as Schedule 'A' and Map Schedules 'B', 'C', 'D' and 'E' forming part of this bylaw are adopted as the Regional District of Okanagan-Similkameen Electoral Area "A" Official Community Plan.

The bylaw shall apply only to that portion of the Regional District of Okanagan-Similkameen shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

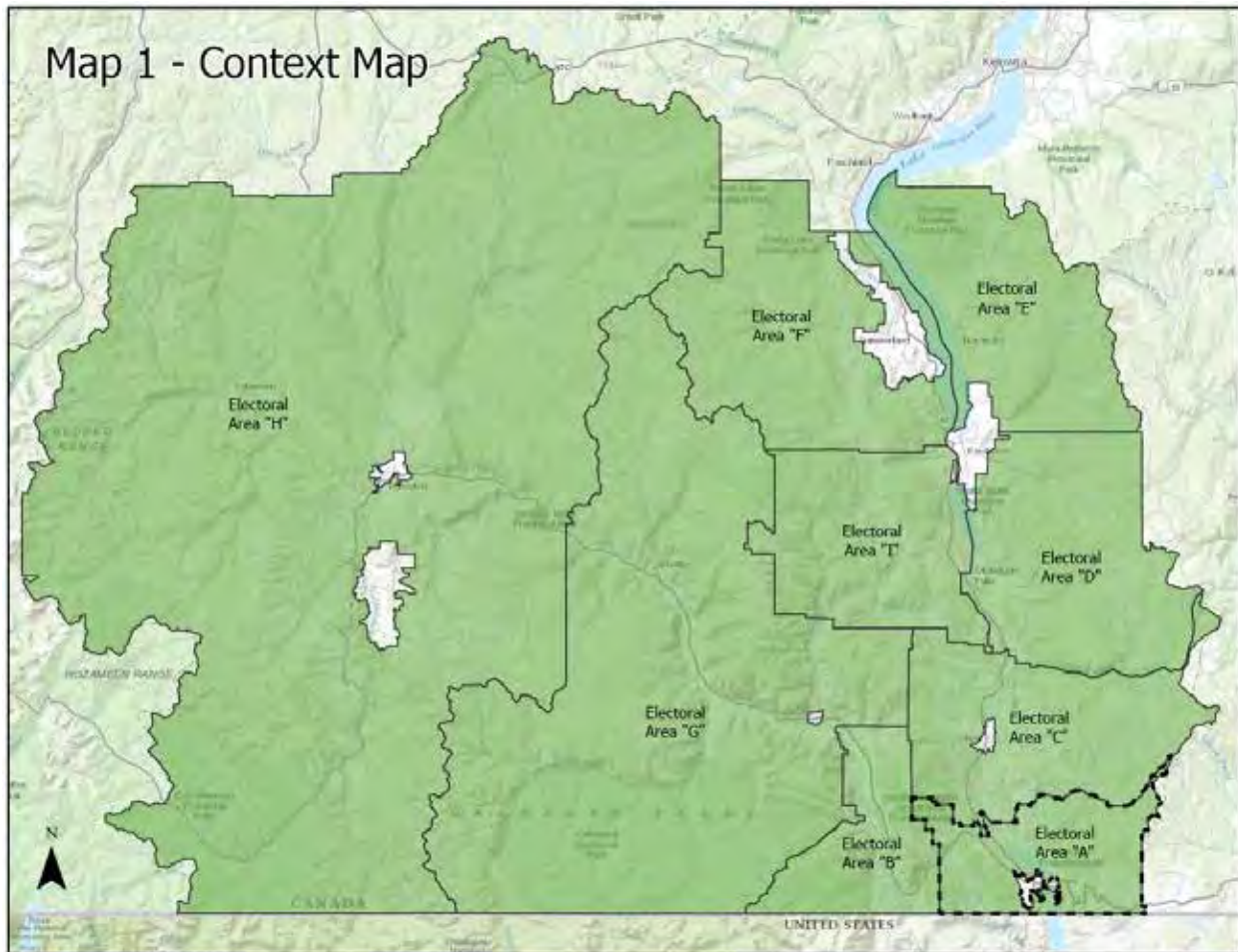
If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008".

- iii) replacing the first sentence under Section 1.1 (Purpose) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

The Electoral Area "A" Official Community Plan is intended to ensure that decisions of the use and development of property within that part of the electoral area shown on Schedule 'B', are made with regard to land capabilities and constraints, growth trends, the interrelationship of land uses, and the aspirations of the people, for the benefit of the whole community.

- iv) replacing Map 1 (General Context Map) under Section 1.0 (Interpretation and Administration) in its entirety with the following:



v) replacing Section 17.3.1 under Section 17.0 (Temporary Use Permits) in its entirety with the following:

- .1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.

vi) replacing Section 18.3.1 (Category) under Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

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

vii) replacing Section 18.3.4.1 (Guidelines) under Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

- .1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or

industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.

- a) removal, alteration, disruption or destruction of vegetation;
- b) disturbance of soils;
- c) construction or erection of buildings and structures;
- d) creation of non-structural impervious or semi-impervious surfaces;
- e) flood protection works;
- f) construction of roads, trails, docks, wharves and bridges;
- g) provision and maintenance of sewer and water services;
- h) development of drainage systems;
- i) development of utility corridors;
- j) subdivision as defined in Section 455 of the *Local Government Act*.

viii) replacing the second paragraph under Section 18.3.5 (Security and Environmental Monitors) of Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- ix) Schedule 'B' (Official Community Plan Bylaw Map) of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by replacing all references to "Osoyoos Rural" with Electoral Area "A".
- x) Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area Map) of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by replacing all references to "Osoyoos Rural" with Electoral Area "A".
- xi) Schedule 'D' (Watercourse Development Permit Area Map) of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by replacing all references to "Osoyoos Rural" with Electoral Area "A".
- xii) Schedule 'E' (Road and Trail Network Plan) of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by replacing all references to "Osoyoos Rural" with Electoral Area "A".

Electoral Area "C"

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

- i) replacing all references to Electoral Area 'C' with Electoral Area "C".
- ii) replacing the recital found at page 6 of the bylaw in its entirety with the following:

Regional District of Okanagan-Similkameen
Electoral Area "C"
Official Community Plan Bylaw No. 2452, 2008

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

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

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

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

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Province for comment;

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

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

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

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

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

The bylaw shall apply only to that portion of the RDOS shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

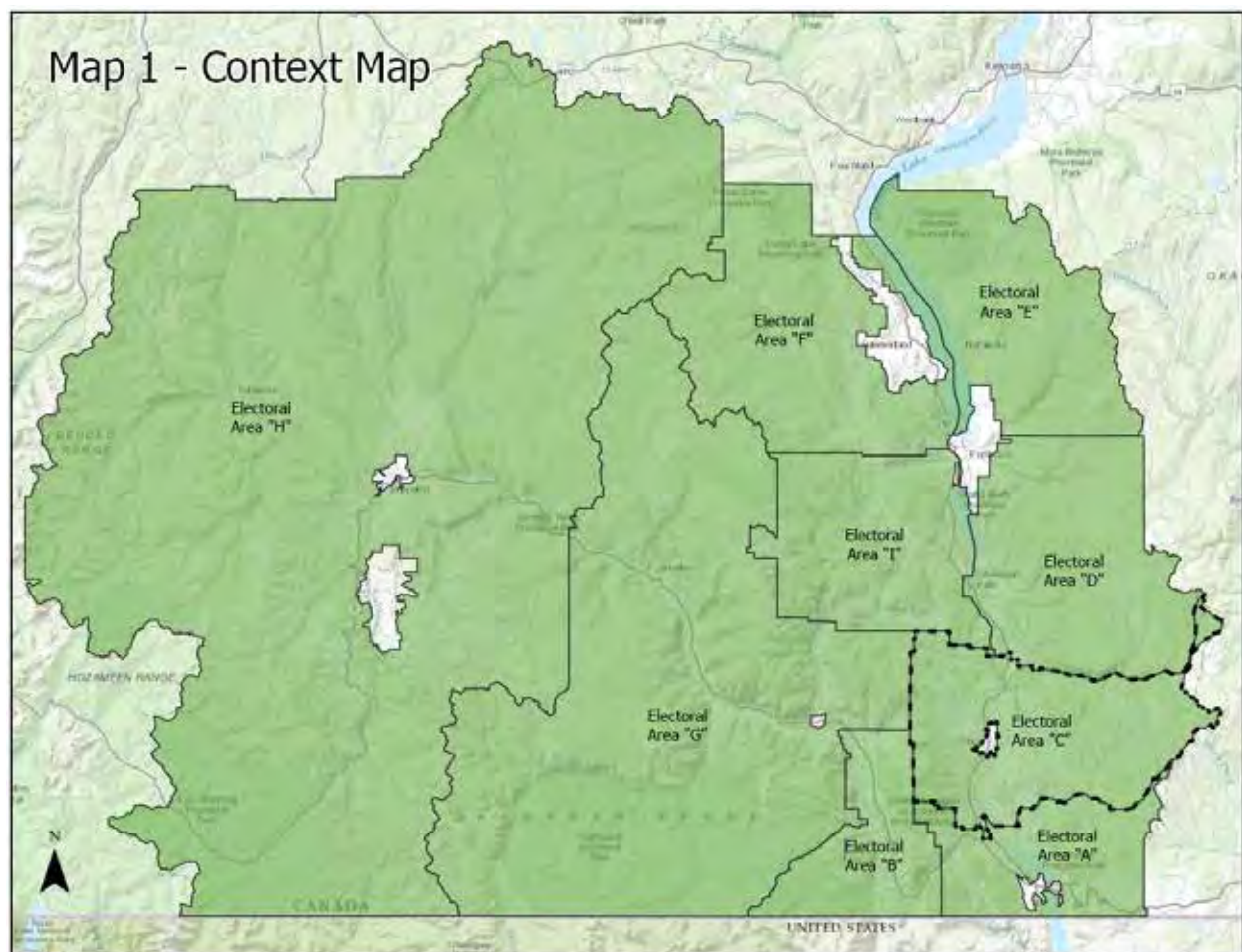
If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008".

- iii) replacing the first sentence under Section 1.1 (Purpose) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

The Electoral Area "C" Official Community Plan is intended to ensure that decisions of the use and development of property within that part of the electoral area shown on Schedule 'B', are made with regard to land capabilities and constraints, growth trends, the interrelationship of land uses, and the aspirations of the people, for the benefit of the whole community.

- iv) replacing Map 1 (General Context Map) under Section 1.0 (Interpretation and Administration) in its entirety with the following:



- v) replacing the first paragraph under Section 5.0 (Broad Goals) in its entirety with the following:

The Regional District of Okanagan-Similkameen aims to achieve the goals set out for the Oliver Rural area as a foundation for the objectives and policies of the Electoral Area "C" Official Community Plan.

- vi) Replacing Section 20.3.1 under Section 20.0 (Temporary Use Permits) in its entirety with the following:

.1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.

- vii) Replacing Section 21.3.1 (Category) under Section 21.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

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

- viii) Replacing Section 21.3.4.1 (Guidelines) under Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

.1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.

- a) removal, alteration, disruption or destruction of vegetation;
- b) disturbance of soils;
- c) construction or erection of buildings and structures;
- d) creation of non-structural impervious or semi-impervious surfaces;
- e) flood protection works;
- f) construction of roads, trails, docks, wharves and bridges;
- g) provision and maintenance of sewer and water services;
- h) development of drainage systems;
- i) development of utility corridors;
- j) subdivision as defined in Section 455 of the *Local Government Act*.

- ix) replacing the second paragraph under Section 21.3.5 (Security and Environmental Monitors) of Section 18.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- x) Schedule 'B' (Official Community Plan Bylaw Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xi) Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xii) Schedule 'D' (Watercourse Development Permit Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xiii) Schedule 'E' (Protection of Farming Development Permit Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xiv) Schedule 'F' (Dominion Radio Astrophysical Observatory (DRAO) – Radio Frequency Interference (RFI) Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xv) Schedule 'G' (Road and Trail Network Plan) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".
- xvi) Schedule 'H' (Gallagher Lake Development Permit Area Map) of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by replacing all references to "Oliver Rural" with Electoral Area "C".

Electoral Area "D-1"

- 4. The Electoral Area "D-1" Official Community Plan (OCP) Bylaw No. 2683, 2016, is amended by:
 - i) replacing all references to Electoral Area "D-1" with Electoral Area "I".
 - ii) replacing the first sentence of Section 3.1 (Location and Geography) under Section 3.0 (Community Profile) in its entirety with the following:

The Plan Area extends north along the boundary of Electoral Area "F" and Penticton Indian Reserve No. 1; south and west along the boundary of Electoral Area "G" and "C"; and east to Skaha Lake and Electoral Area "D".

- iii) replacing Figure 2 (Plan Area Regional Context) under Section 3.0 (Community Profile) in its entirety with the following:



Figure 1: Plan Area Regional Context

- iv) replacing the first paragraph of Section 3.5 (Population and Demographics) under Section 3.0 (Community Profile) in its entirety with the following:

The population of Electoral Area "D" Census District was 5,717 residents in 2011. It is estimated that approximately 40% of Electoral Area "D" residents were, as of 2011, living in what is now Electoral Area "I", for a population of about 2,400.

- v) replacing the third paragraph of Section 3.5 (Population and Demographics) under Section 3.0 (Community Profile) in its entirety with the following:

As population data for the Plan Area is not available for past years, the population growth pattern of what was Electoral Area "D" as a whole has been used as a proxy to help understand the trends in the region and to project future population growth.

- vi) replacing the seventh paragraph of Section 3.5 (Population and Demographics) under Section 3.0 (Community Profile) in its entirety with the following:

Although the population of the Electoral Area “D” Census District as a whole has declined, some population growth is expected over the next twenty to thirty years. According to projections, the population of the Electoral Area “D” Census District could grow to 5,910 by 2021, an increase of 3.3% over 2011, and a return to 2006 levels (see Figure 7). By 2031, the population of Electoral Area “D” Census District could total 6,115 (about a 2% growth rate). A more conservative growth rate (1.5% below the projected rate) would see the Electoral Area “D” Census District return to 2006 population levels by 2026.

- vii) replacing the third paragraph under Section 13.1 (Background) of Section 13.0 (Industrial) in its entirety with the following:

The Plan recognizes the importance — to Electoral Areas “I” & “D” — of the former Weyerhaeuser site in Okanagan Falls as an industrial park and supports this initiative by directing more intensive industrial development to this site, which is also better able to function as a service centre.

- viii) Schedule ‘B’ (Official Community Plan Bylaw Map) of the Electoral Area “D-1” Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area “D-1” with Electoral Area “I”.
- ix) Schedule ‘C’ (Dominion Radio Astrophysical Observatory (DRAO) – Radio Frequency Interference (RFI) Area Map) of the Electoral Area “D-1” Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area “D-1” with Electoral Area “I”.
- x) Schedule ‘D’ (Parks, Recreation and Trails Map) of the Electoral Area “D-1” Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area “D-1” with Electoral Area “I”.
- xi) Schedule ‘E’ (Hazard Lands - Soil Map) of the Electoral Area “D-1” Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area “D-1” with Electoral Area “I”.
- xii) Schedule ‘F’ (Hazard Lands – Steep Slopes Insets Map) of the Electoral Area “D-1” Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area “D-1” with Electoral Area “I”.
- xiii) Schedule ‘G’ (Hazard Lands - Wildfire Map) of the Electoral Area “D-1” Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area “D-1” with Electoral Area “I”.

- xiv) Schedule 'H' (Transportation Network Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- xv) Schedule 'I' (Environmentally Sensitive Development Permit Areas Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".
- xvi) Schedule 'J' (Watercourse Development Permit Area Map) of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by replacing all references to Electoral Area "D-1" with Electoral Area "I".

Electoral Area "D-2"

- 5. The Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by:
 - i) replacing all references to Electoral Area 'D-2' with Electoral Area "D".
 - ii) replacing all references to Electoral Area D-2 with Electoral Area "D".
 - iii) replacing all references to Area D-2 with Electoral Area "D".
 - iv) replacing all references to area D-2 with Electoral Area "D".
 - v) replacing the recital found at page 8 of the bylaw in its entirety with the following

**Regional District of Okanagan-Similkameen
Electoral Area "D"
Official Community Plan Bylaw No. 2603, 2013**

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

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

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

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, consider the plan in conjunction with its financial plan, and any waste management plan that is applicable in the regional district, in accordance with Section 477 of the *Local Government Act*;

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Agricultural Land Commission for comment;

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

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

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

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

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

The bylaw shall apply only to that portion of the RDOS shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013".

- vi) replacing the second paragraph under Section 2.1 (What is an Official Community Plan) of Section 2.0 (Background) in its entirety with the following:

An OCP must be prepared and adopted within the statutory provisions of the *Local Government Act* (LGA). The required content of an OCP is defined in Section 473 of the Act. Optional content provisions are set out in Section 474, while provisions relating to due process and adoption procedures are listed in Sections 475 and 477 respectively.

- vii) replacing Section 3.1 (RDOS Electoral Areas) under Section 3.0 (Regional Context) in its entirety with the following:

3.1 RDOS Electoral Areas

Electoral Area "D" includes Okanagan Falls, Skaha Estates and Eastside Road while the other seven electoral areas in the Regional District of Okanagan-Similkameen are as follows:

Electoral Area "A" (Osoyoos Rural) Electoral Area "F" (West Bench/Faulder/Meadow Valley)

Electoral Area "B" (Cawston)

Electoral Area "G" (Keremeos Rural/Hedley)

Electoral Area "C" (Oliver Rural)

Electoral Area "H" "Princeton Rural"

Electoral Area "E" (Naramata)

Electoral Area "I" (Kaleden/Apex)

A map showing the extent of the RDOS, as well as the electoral areas and major communities is provided in Figure 4.1. As shown, Electoral Area "D" is bordered by Electoral Area "C" to the south, Electoral Area "E" to the north and Electoral Area "I" and the City of Penticton to the west.



Figure 3-1: RDOS Electoral Areas Map

- viii) replacing Section 4.1 (Area D Population Profile, Demographics, Housing, Employment and Schools) under Section 4.0 (Local Context) in its entirety with the following:

4.1 Overview

This section provides an overview of the Electoral Area "D" Census Subdivision as it existed in 2011 and prior to its subdivision into new Electoral Areas "D" & "I" in 2018.

A general understanding of this Census Subdivision's demographics, housing market and local employment was used to establish general trends for what is now Electoral Area "D".

It should be noted that Census and building information is not available for individual unincorporated communities in the RDOS. As a result, this section presents data that pertains to all of Electoral Area "D" Census Subdivision, including communities such as Kaleden and Apex that are now within Electoral Area "I".

- ix) replacing Section 4.1.1 (Population) under Section 4.0 (Local Context) in its entirety with the following:

4.1.1 Population

In 2011, Statistics Canada recorded the Electoral Area "D" Census Subdivision area's population as 5,717 residents¹, which was a -3.3% decline from the 2006 census population of 5,913. The following sections breakdown different population characteristics from the 2011 census data to provide a contextual overview for the Electoral Area "D" Census Subdivision area.

Using the 'GeoSearch 2011' tool through Statistics Canada, the population for the Electoral Area "D" Census Subdivision area was determined to be approximately 2,337 in 2011, which represents 41% of the entire the Electoral Area "D" Census Subdivision area's population.

The Electoral Area "D" Census Subdivision Population Profile

The Electoral Area "D" Census Subdivision area was the most populated electoral area, and the third most populated jurisdiction within the RDOS, behind the City of Penticton and District of Summerland. Table 4.1 and Figure 3.1 display the annual population growth for the Electoral Area "D" Census Subdivision area from 1966 to 2011. Figure 3.1 shows that, after a period of rapid growth in the 1970's and 1980's, population growth in the general area has become relatively steady. For the 20 years between 1991 and 2011, the annual growth rate in Area D was approximately 0.66%.

Year	Electoral Area "D" Census Subdivision Population	5 Year Average Annual Growth Rate
1966	1,626	-
1971	2,032	4.6%
1976	3,422	11.0%
1981	4,130	3.8%
1986	4,689	2.6%
1991	5,017	1.4%

¹ Statistics Canada – 2011 Census: Okanagan-Similkameen D

1996	5,315	1.2%
2001	5,703	1.4%
2006	5,913	0.7%
2011	5,717	
1991-2011		0.66% (20 year growth rate)

Table 4:1: Electoral Area "D" Census Subdivision Historical Growth Profile

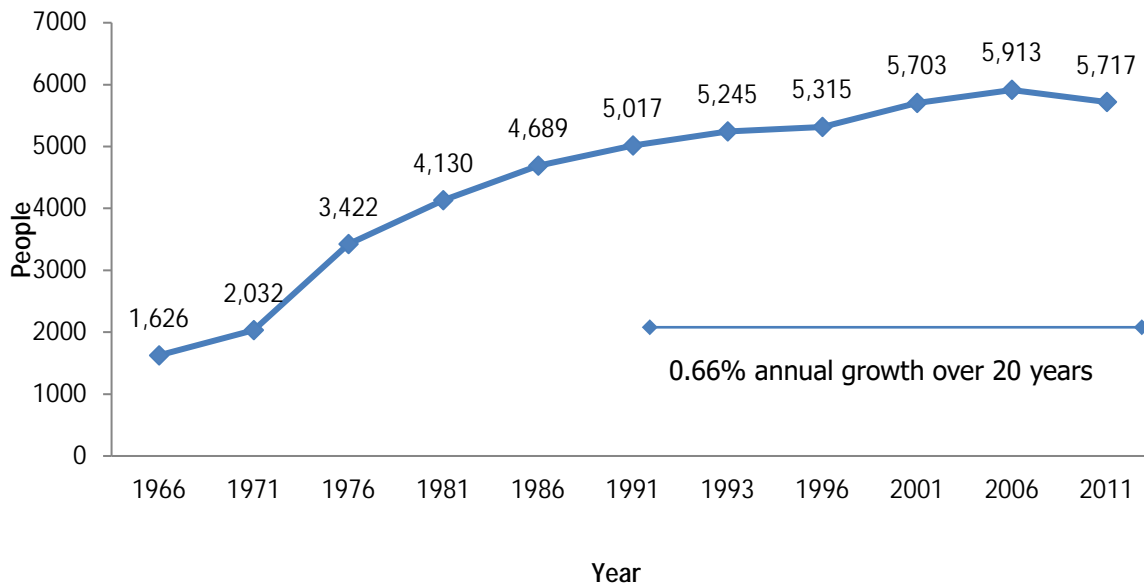


Figure 4-2: Electoral Area "D" Census Subdivision Population (1966 to 2011)

- x) replacing Section 4.1.2 (Age Distribution) under Section 4.0 (Local Context) in its entirety with the following:

4.1.2 Age Distribution

The age distribution within the Electoral Area "D" Census Subdivision area is displayed in Figure 4.2. Compared to provincial averages, the Electoral Area "D" Census Subdivision area is home to a higher proportion of residents aged 50 to 70 years of age, and a significantly smaller proportion aged 20 to 30. In the Electoral Area "D" Census Subdivision area, residents aged 50 to 70 outnumber residents aged 20 to 40 by approximately two to one. Males aged 70 to 80 outnumber females of the same age, while females aged 40 to 60 outnumber males in the same age cohort.

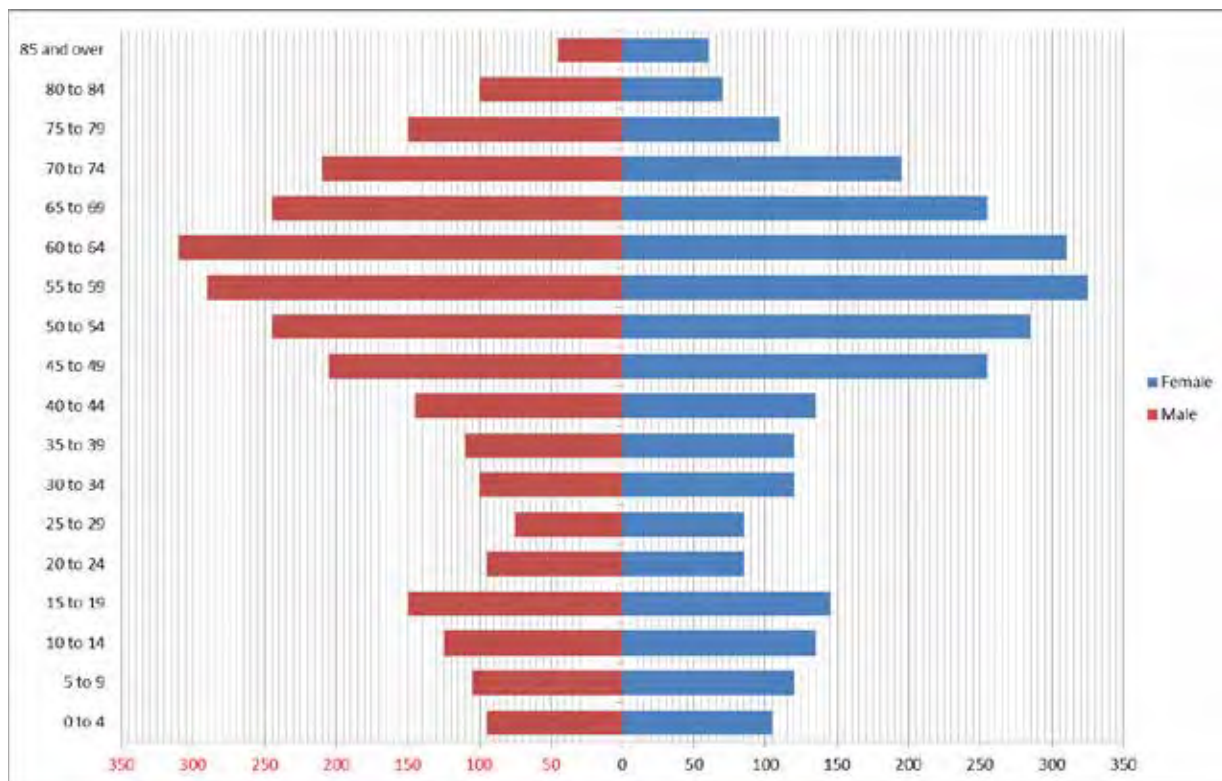


Figure 4-3: Electoral Area "D" Census Subdivision Age Distribution

- xi) replacing Section 4.1.4 (Households and Housing) under Section 4.0 (Local Context) in its entirety with the following:

4.1.4 Households and Housing

In 2011, single detached housing was the most common type of dwelling in the Electoral Area "D" Census Subdivision area comprising 85% of the housing stock. The next highest proportion was movable housing (typically manufactured and mobile homes) and row housing at about 7%, followed by apartments at 3.5%. Figure 4.3 shows the proportion of housing types in the Electoral Area "D" Census Subdivision area in 2011 as determined by Statistics Canada.

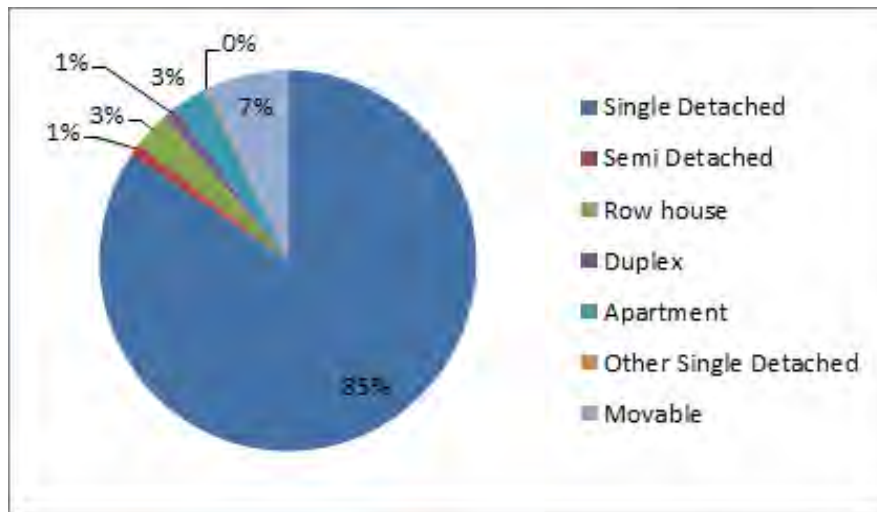


Figure 4-4: Electoral Area "D" Census Subdivision Dwelling Unit Split (2011 Stats BC)

It should be noted that a more current land inventory analysis, undertaken as part of the creation of this OCP, indicates that the proportion of single detached housing stock in Electoral Area "D" specifically has decreased since 2006 to approximately 70%.

- xii) replacing Section 4.1.5 (Household Size) under Section 4.0 (Local Context) in its entirety with the following:

4.1.5 Household Size

Average household size statistics for the Electoral Area "D" Census Subdivision area are displayed in Figure 4.4. It is shown that two-person households comprise approximately 52% of all households in the Electoral Area "D" Census Subdivision area, and single person households make up an additional 21%. This is consistent with the age distribution in the area, which indicates a high proportion of empty nesters and elderly seniors. The overall average is 2.3 persons per household.

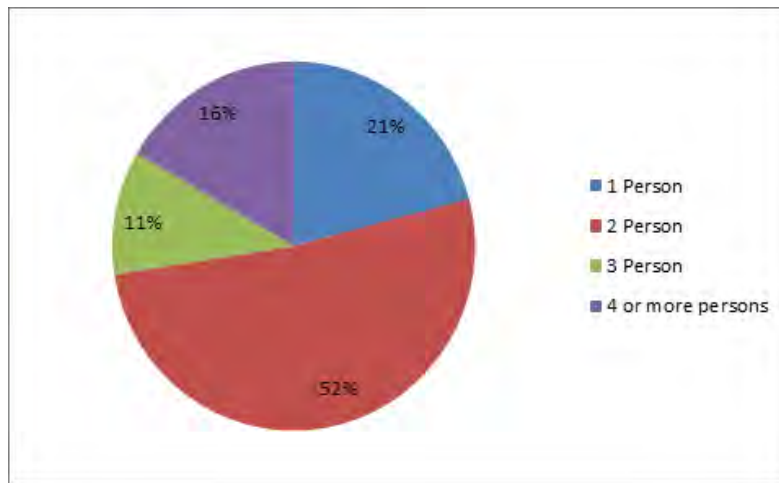


Figure 4-5: Electoral Area "D" Census Subdivision Household Size (2011 Stats BC)

- xiii) replacing Section 4.1.6 (Housing Size) under Section 4.0 (Local Context) in its entirety with the following:

4.1.6 Housing Stock

Figure 4.5 provides an indication of the age of the housing stock in the Electoral Area "D". The graph shows that a significant amount of housing was constructed between 1971 and 1980, and between 1991 and 2000. These housing construction boom periods correspond largely to the historic population growth of the Electoral Area "D" Census Subdivision area. The historic growth of the Electoral Area "D" Census Subdivision area is displayed in Section 3.2.

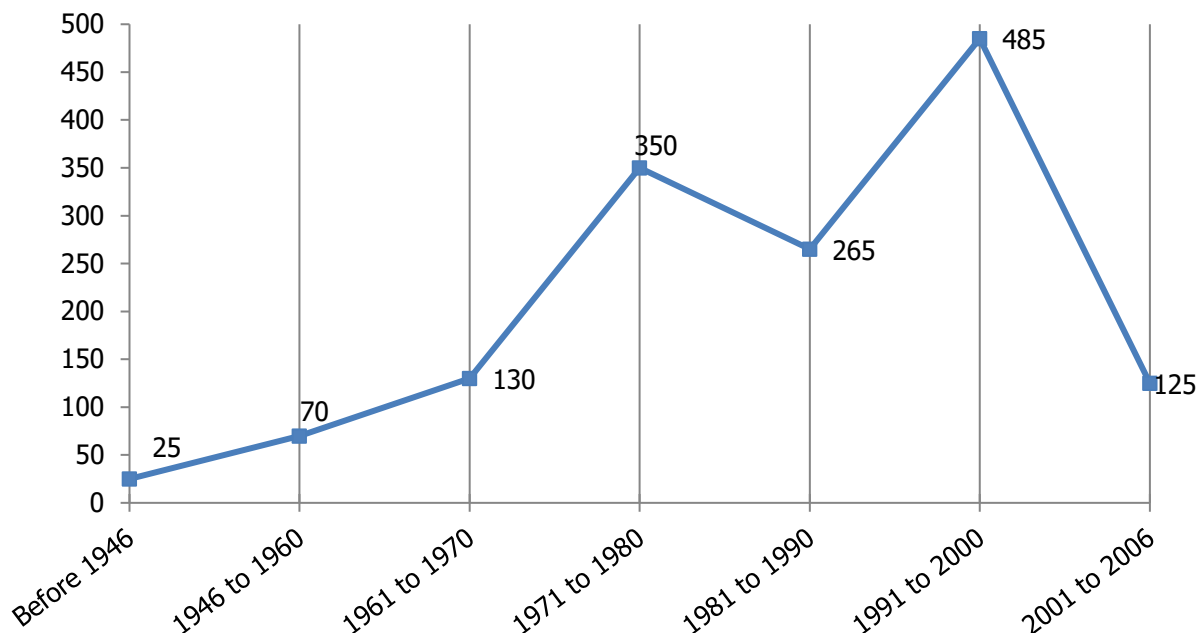


Figure 4-6: Electoral Area "D" Dwelling Unit Period of Construction

Table 4.2 displays the annual approved building permits for Electoral Area “D” from 2001 to 2010. The numbers shown correspond with the decrease in residential construction seen in Figure 3.10 from 2001 to 2006. New housing construction has been holding steady since 2007 at approximately 20 single family dwellings or mobile homes per year.

Type of Unit	Year									
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Single Family Dwelling/Mobile Home	9	33	31	30	25	11	22	17	22	23
Multi-Family Dwelling	1	2	-	-	-	-	-	-	-	-
Commercial	-	1	3	2	1	2	-	-	-	-
Industrial/Institutional	-	-	1	-	1	-	2	-	-	2
Total	10	36	35	32	27	13	24	17	22	25

Table 4.2: Building Permit Applications 2001 - 2010

- xiv) replacing Section 4.1.7 (Employment) under Section 4.0 (Local Context) in its entirety with the following:

4.1.7 Employment

Census data indicates that the average annual after-tax income of households in the Electoral Area “D” Census Subdivision area is approximately \$30,300. This is approximately \$26,000 less than the provincial average. The lower than average household income reflects the older population, predominately within the retirement age, living in the Electoral Area “D” Census Subdivision area.

Figure 4.6 provides a comparison of employment sectors in the Electoral Area “D” Census Subdivision area for the years 2001 and 2006. It should be noted that the Weyerhaeuser Plant in Okanagan Falls has since closed, which represented a significant proportion of the manufacturing and construction industry sector in both years.

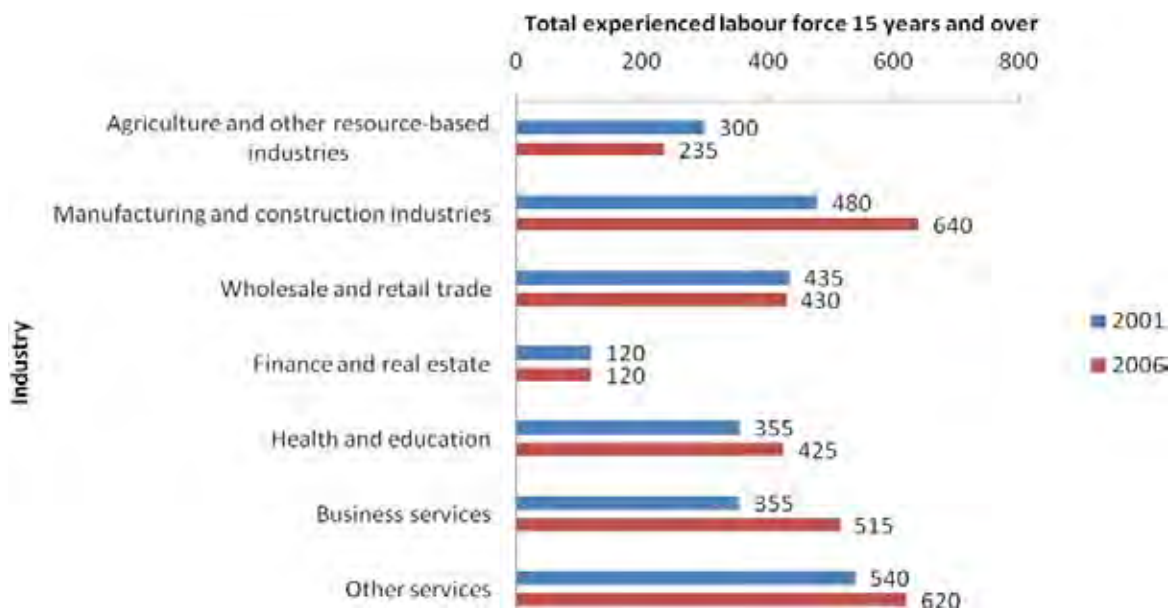


Figure 4-7: Electoral Area "D" Census Subdivision Employment Statistics 2001 - 2006

- xv) replacing Figure 4-7 (Context Map) under Section 4.0 (Local Context) in its entirety with the following:

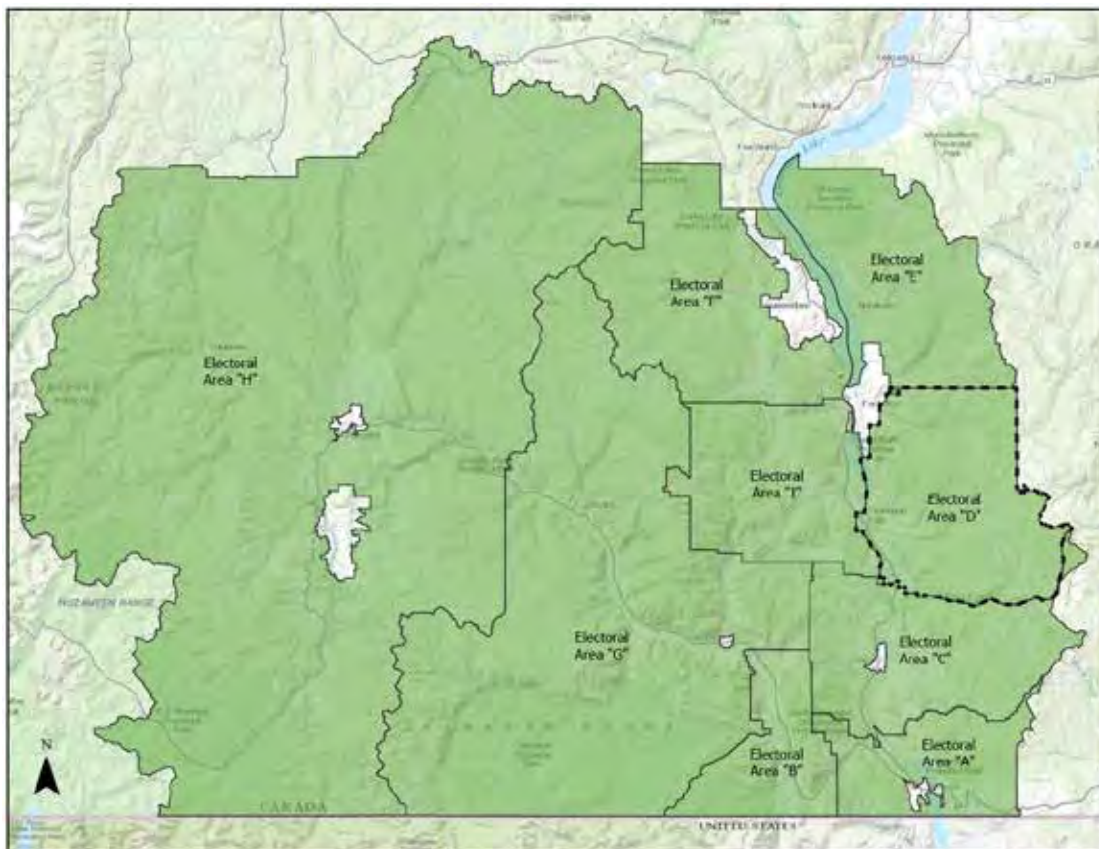


Figure 4-8: Context Map

- xvi) replacing the first paragraph under Section 7.1 (Growth) of Section 7.0 (Growth Management) in its entirety with the following:

Section 473(1)(a) of the *Local Government Act* requires that the OCP include a statement regarding the “approximate location, amount, type and density of residential developments required to meet anticipated housing needs over a period of at least 5 years.”
- xvii) replacing the second sentence of the fourth paragraph under Section 7.1.1 (Population Projections) of Section 7.0 (Growth Management) in its entirety with the following:

Given the 2011 Census showed the average number of persons per household in the Electoral Area “D” Census Subdivision area was 2.3, approximately 107 to 353 new dwelling units will be required to accommodate permanent population growth of 0.5% and 1.5%.
- xviii) replacing the first sentence of the first paragraph under Section 14.0 (Industrial) in its entirety with the following:

Utilizing industrial land base of Electoral Area “D” to its fullest potential will support a vibrant and resilient community.
- xix) replacing the second sentence of the first paragraph under Section 15.0 (Social Well Being) in its entirety with the following:

In order for the communities of Electoral Area “D” to become more complete where people can live, work and play, social well-being and quality of life are crucial for the well-being of its residents.
- xx) replacing Section 15.1.1 (Objectives) of Section 15.0 (Social Well Being) in its entirety with the following:

.1 To ensure that the needs of each of the communities in Electoral Area “D” are sufficiently met, through the retention or expansion of arts, cultural, social and institutional programs and facilities.
- xxi) replacing Section 23.2.1 under Section 23.0 (Temporary Use Permits) in its entirety with the following:

.1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.
- xxii) replacing the first sentence of the first paragraph under Section 24.1 (Background) of Section 24.0 (Development Permit Areas) in its entirety with the following:

Pursuant to the provisions of Section 488 of the *Local Government Act*, an Official Community Plan (OCP) may designate development permit areas within the RDOS.

- xxiii) replacing the first paragraph under Section 24.3.1 (Category) of Section 24.3 (Watercourse Development Permit Area) in its entirety with the following:

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

- xxiv) replacing Section 24.3.4.1 (Guidelines) under Section 24.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

.1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.

- a) removal, alteration, disruption or destruction of vegetation;
- b) disturbance of soils;
- c) construction or erection of buildings and structures;
- d) creation of non-structural impervious or semi-impervious surfaces;
- e) flood protection works;
- f) construction of roads, trails, docks, wharves and bridges;
- g) provision and maintenance of sewer and water services;
- h) development of drainage systems;
- i) development of utility corridors;
- j) subdivision as defined in Section 455 of the *Local Government Act*.

- xxv) replacing the second paragraph under Section 24.3.5 (Security and Environmental Monitors) of Section 24.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- xxvi) replacing the first paragraph under Section 24.4.1 (Category) of Section 24.4 (Okanagan Falls Commercial Development Permit Area) in its entirety with the following:

The Okanagan Falls Commercial Development Permit Area is designated under Section 488(1)(f) of the *Local Government Act*, for the establishment of objectives for the form and character of commercial development.

- xxvii) replacing the first paragraph under the “Signage” sub-section of Section 24.4.5 (Design Guidelines) in its entirety with the following:

Notwithstanding the requirements of the applicable Electoral Area Zoning Bylaw, additional signage may be assessed and approved given guidelines below.

- xxviii) replacing Section 24.4.6.1 under Section 24.4.6 (Bonding and Security) of Section 24.4 (Okanagan Falls Commercial Development Permit Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- a) a condition in a permit respecting landscaping has not been satisfied; and
- b) an unsafe condition has resulted as a consequence of contravention of a condition in a permit.

- xxix) replacing the first paragraph under Section 24.5.1 (Category) of Section 24.5 (Multiple Family Development Permit Area) in its entirety with the following:

The Multiple Family Development Permit Area is designated under Section 488(1)(f) of the *Local Government Act*, for the establishment of objectives for the form and character of multi-family residential development.

- xxx) replacing Section 24.5.5.1 under Section 24.5.5 (Bonding and Security) of Section 24.5 (Multiple Family Development Permit Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

- a) a condition in a permit respecting landscaping has not been satisfied; and
- b) an unsafe condition has resulted as a consequence of contravention of a condition in a permit.

- xxxi) replacing the first paragraph under Section 24.6.1 (Category) of Section 24.6 (Hillside / Steep Slope Development Permit Area) in its entirety with the following:

The Hillside / Steep Slope Development Permit Area is designated under Section 488(1)(a)&(b) of the *Local Government Act*, for the purpose of establishing objectives for the protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions.

- xxxii) replacing the first paragraph under Section 24.6.4 (Development Permit Triggers) of Section 24.6 (Hillside / Steep Slope Development Permit Area) in its entirety with the following:

Unless otherwise indicated as an exemption in 24.6.8, a development permit must be obtained when any of the following types of development activity occur, in accordance with Section 489 of the *Local Government Act*, as generally stated below:

- a) subdivision of land
- b) construction, addition or alteration of a building or other structure; or
- c) alteration of land.

- xxxiii) Replacing Section 24.7.4.7 (Guidelines – Form and Character) under (Industrial Development Permit Area) in its entirety with the following:

.7 *deleted.*

- xxxiv) replacing the first paragraph under Section 24.7.1 (Category) of Section 24.7 (Industrial Development Permit Area) in its entirety with the following:

The Industrial Development Permit Area is designated for the establishment of objectives for the form and character of industrial development, pursuant to Section 488(1)(f) of the *Local Government Act*; and, to establish objectives for the protection of the natural environment, pursuant to Section 488(1)(a) of the *Local Government Act*.

- xxxv) Replacing Section 24.7.4.10 (Guidelines – Form and Character) under (Industrial Development Permit Area) in its entirety with the following:

.10 *deleted.*

- xxxvi) Schedule 'B' (Official Community Plan Bylaw Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".

- xxxvii) Schedule 'C' (Environmentally Sensitive Development Permit Area and Other Important Ecosystem Area Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".

- xxxviii) Schedule 'D' (Watercourse Development Permit Area Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".

- xxxix) Schedule 'E' (Form and Character Development Permit Area Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xl) Schedule 'F' (Hillside Steep Slope Development Permit Area Map) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xli) Schedule 'G' (Transportation, Parks and Trail Networks Plan) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xlii) Schedule 'H' (Aggregate Potential Plan) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".
- xliii) Schedule 'H' (Wildfire Hazard Plan) of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".

Electoral Area "E"

- 6. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:
 - i) replacing all references to Electoral Area 'E' with Electoral Area "E".
 - ii) replacing all references to Area 'E' with Electoral Area "E".
 - iii) replacing the recital found at page 8 of the bylaw in its entirety with the following:

**Regional District of Okanagan-Similkameen
Electoral Area "E"
Official Community Plan Bylaw No. 2458, 2008**

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

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

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

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan,

and economic strategy plan that is applicable in the RDOS to ensure consistency between them, in accordance with the *Local Government Act*;

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Province for comment;

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

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

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

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

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

The bylaw shall apply only to that portion of the RDOS shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

This bylaw may be cited for all purposes as the "Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008".

- iv) replacing the first sentence under Section 1.1 (Purpose) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

The Electoral Area "E" Official Community Plan is intended to ensure that decisions of the use and development of property within that part of the electoral area shown on Schedule 'B', are made with regard to land capabilities and constraints, growth trends, the interrelationship of land uses, and the aspirations of the people, for the benefit of the whole community.

- v) replacing the first paragraph under Section 1.2 (Interpretation) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

An Official Community Plan means a community plan as referred to in the *Local Government Act*, and as adopted by the Regional Board of the Regional District of

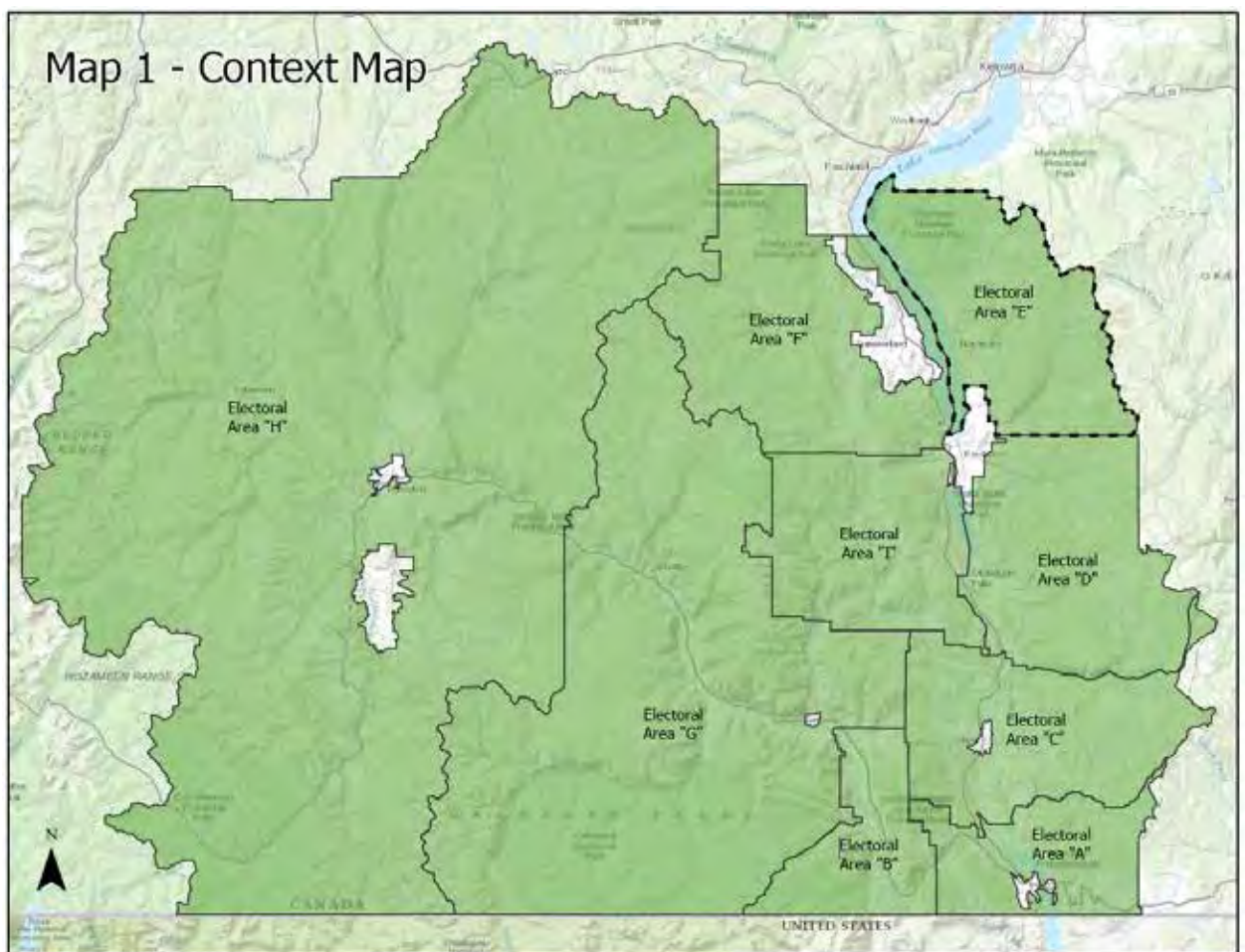
Okanagan-Similkameen (hereafter referred to as the Regional Board), in accordance with the requirements of the *Local Government Act*.

- vi) replacing the first paragraph under Section 1.3.3 (Administration) of Section 1.0 (Interpretation and Administration) in its entirety with the following:

This Plan will be reviewed on a yearly basis and, in order that the document continues to accurately reflect the long-range planning objectives of Electoral Area "E", the Plan will undergo a comprehensive review every five to ten years.

- vii) renaming Section 3.0 (Naramata Area (Area 'E') Context) to "Community Profile".

- viii) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- ix) replacing the first paragraph under Section 4.0 (Official Community Plan Map Designations) in its entirety with the following:

The future use and development of land within Electoral Area “E” must be consistent with the overall pattern of land use depicted on Schedule ‘B’, and based on the following land use designations:

- x) replacing the first sentence under Section 6.0 (Broad Goals) in its entirety with the following:

The following broad goals reflect the input and priorities of Plan Area residents and are the guiding principles of this Official Community Plan. These goals will be used by the Regional District and senior government agencies to help guide future decisions on development proposals, environmental protection initiatives, and infrastructure development in the Plan Area.

- xi) replacing the second sentence in the second paragraph under Section 7.1 (Context) of Section 7.0 (Growth Management) in its entirety with the following:

As a comparison, since 1981, Electoral Area “E” has seen an increase of 621 new residents (Figure 1), with a slight decline in population from 1996 to 2001.

- xii) replacing the first sentence in the third paragraph under Section 7.1 (Context) of Section 7.0 (Growth Management) in its entirety with the following:

Electoral Area “E” is capable of accommodating a 1.5% per year rate of population growth with its existing land use designations and capacity for subdivision and infilling of existing lots, over the next 20 years.

- xiii) replacing the third sentence in the third paragraph under Section 7.1 (Context) of Section 7.0 (Growth Management) in its entirety with the following:

However, it is recognized that Electoral Area “E” is presently experiencing a relatively high rate of growth compared to previous years.

- xiv) replacing Section 20.1.5.1 (Drainage Policies) of Section 20.0 (Servicing) in its entirety with the following:

- a) Encourages the Province, with support from the RDOS, to create a “Drainage Master Plan” in Electoral Area “E” that accommodates anticipated growth, outlined in Section 7.0 (Growth Management).

- xv) replacing Section 21.3.1 (Policies) under Section 21.0 (Temporary Use Permits) in its entirety with the following:

- .1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which temporary use permits may be issued .

- xvi) replacing Section 22.3.1 (Category) under Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

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

xvii) replacing Section 22.3.4.1 (Guidelines) under Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

- .1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.
 - a) removal, alteration, disruption or destruction of vegetation;
 - b) disturbance of soils;
 - c) construction or erection of buildings and structures;
 - d) creation of non-structural impervious or semi-impervious surfaces;
 - e) flood protection works;
 - f) construction of roads, trails, docks, wharves and bridges;
 - g) provision and maintenance of sewer and water services;
 - h) development of drainage systems;
 - i) development of utility corridors;
 - j) subdivision as defined in Section 455 of the *Local Government Act*.

xviii) replacing the second paragraph under Section 22.3.5 (Security and Environmental Monitors) of Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

xix) replacing Section 25.5.5 (Follow-up Studies and Initiatives) under Section 25.0 (Implementation) in its entirety with the following:

- .5 Review of the Electoral Area "E" OCP for the purpose of clarification after its first year of use.

Electoral Area "H"

7. The Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012, is amended by:

- i) replacing all references to Electoral Area 'H' with Electoral Area "H".
- ii) replacing the recital found at page 8 of the bylaw in its entirety with the following:

Regional District of Okanagan-Similkameen
Electoral Area "H"
Official Community Plan Bylaw No. 2497, 2008

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

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

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

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

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Province for comment;

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

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

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

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

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

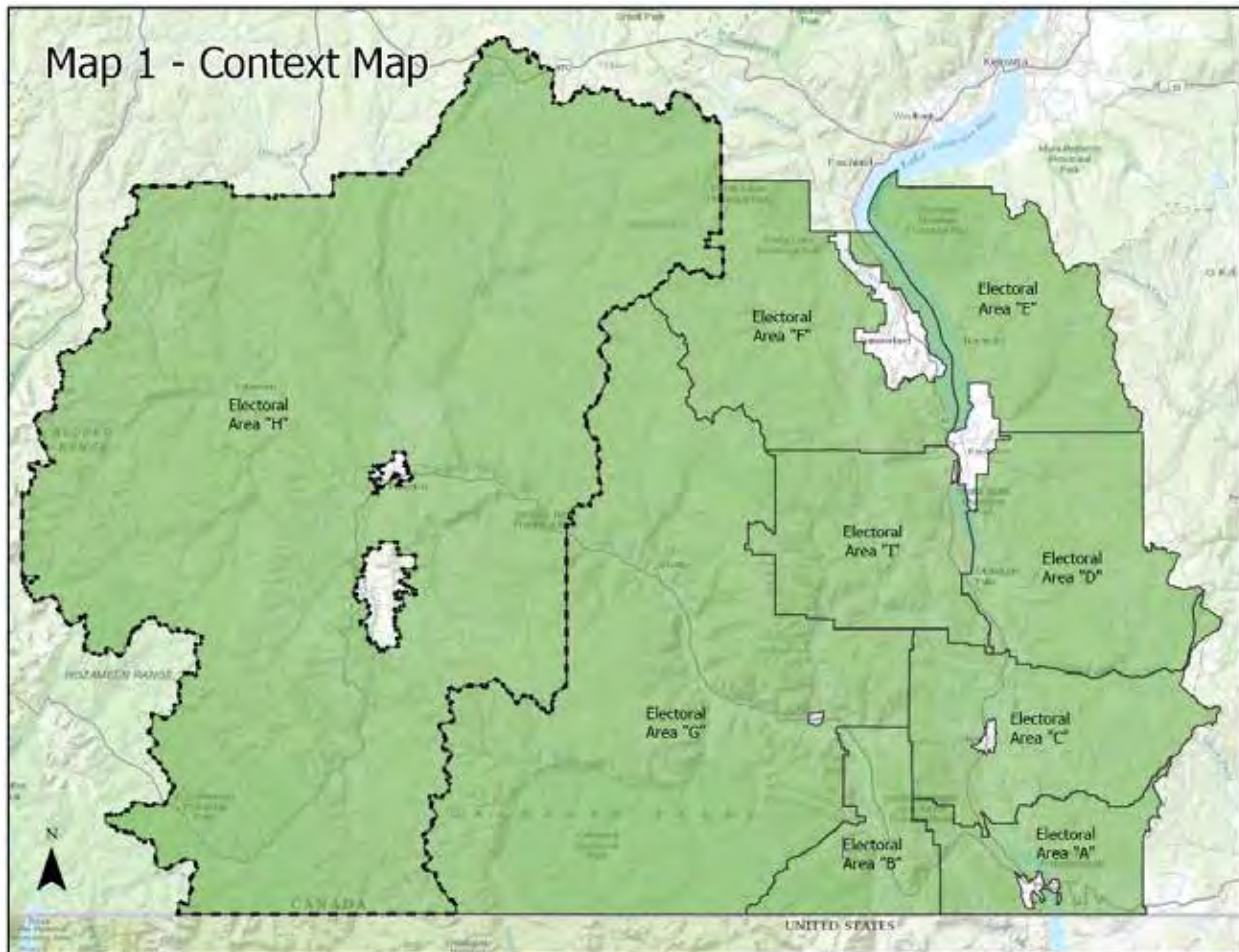
The bylaw shall apply only to that portion of the RDOS shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

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

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

This bylaw may be cited for all purposes as the "Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012".

- iii) replacing Map 1 (General Context Map) under Section 3.0 (Community Profile) in its entirety with the following:



- iv) replacing the first sentence under Section 7.2 (Growth) of Section 7.0 (Growth Management) in its entirety with the following:

Section 473(1)(a) of the *Local Government Act* requires that the OCP include a statement regarding "the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years."

- v) replacing the sixth sentence under Section 7.3 (Land Capacity) under Section 7.0 (Growth Management) in its entirety with the following:

For the purposes of Section 473 of the *Local Government Act*, Table 7.3(b) indicates the amount of land designated Commercial, Industrial, Institutional, Agricultural and Recreational under the Plan at the time of its adoption.

- vi) replacing Section 15.3.6 (Policies) under Section 15.0 (Administrative, Cultural and Institutional) in its entirety with the following:

Will explore the implementation of a Heritage Designation Bylaw under Part 15 of the *Local Government Act* in order that voluntary heritage site designations may be considered within the community for sites such as the Old Tulameen School; Coalmont Hotel; Coalmont Liquor Store; as well as heritage cemeteries.

- vii) replacing Section 16.3.9 (Policies – Parkland Dedication) under Section 16.0 (Parks, Open Spaces & Trails) in its entirety with the following:

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

- viii) Replacing the first sentence of Section 16.3.11 (Policies – Parkland Dedication) under Section 16.0 (Parks, Open Spaces & Trails) in its entirety with the following:

.11 May determine, in accordance with Section 510 of the *Local Government Act*, at the time of a subdivision to which Section 510 applies, whether the owner of land being subdivided must:

- ix) Replacing the first sentence of Section 16.3.11 (Policies – Parkland Dedication) under Section 16.0 (Parks, Open Spaces & Trails) in its entirety with the following:

.11 May consider, when determining a potential park land dedication under Section 510 of the *Local Government Act*, the following policies:

- x) replacing Section 21.3.1 under Section 21.0 (Temporary Use Permits) in its entirety with the following:

.1 Land within all of the Land Use Designations in this OCP is designated under Section 492 of the *Local Government Act* as an area in which Temporary Use Permits may be issued.

- xi) replacing Section 22.2.1 (Category) under Section 22.2 (Environmentally Sensitive Development Permit (ESDP) Area) in its entirety with the following:

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

- xii) replacing the first sentence under Section 22.2.7 (Bonding and Environmental Monitors) of Section 22.2 (Environmentally Sensitive Development Permit (ESDP) Area) in its entirety with the following:

The Regional District Board may require security as a condition of issuance of a development permit in accordance with Section 502 of the *Local Government Act* to pay for remediation if:

- xiii) replacing Section 22.3.1 (Category) under Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

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

- xiv) replacing Section 22.3.4.1 (Guidelines) under Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

.1 Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 14 of the *Local Government Act*.

- a) removal, alteration, disruption or destruction of vegetation;
- b) disturbance of soils;
- c) construction or erection of buildings and structures;
- d) creation of non-structural impervious or semi-impervious surfaces;
- e) flood protection works;
- f) construction of roads, trails, docks, wharves and bridges;
- g) provision and maintenance of sewer and water services;
- h) development of drainage systems;
- i) development of utility corridors;
- j) subdivision as defined in Section 455 of the *Local Government Act*.

- xv) replacing the second paragraph under Section 22.3.5 (Security and Environmental Monitors) of Section 22.3 (Watercourse Development Permit (WDP) Area) in its entirety with the following:

The Regional District Board may require security in accordance with Section 502 of the *Local Government Act* and any applicable Regional District Policies to correct a situation where:

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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2831, 2018

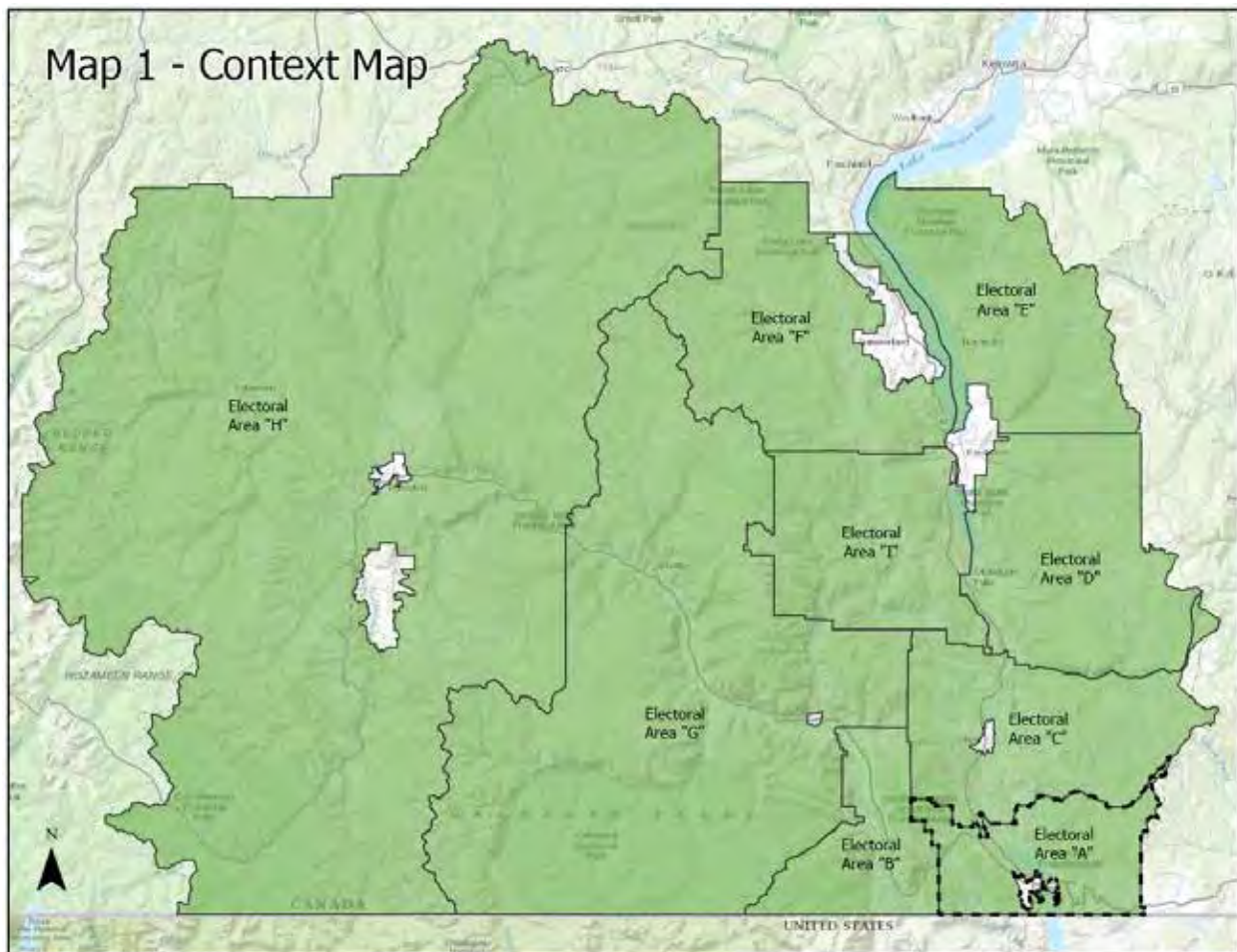
A Bylaw to amend the Electoral Area "A", "C", "D", "E", "F", "G" & "H" Zoning Bylaws

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 Zoning Amendment Bylaw No. 2831, 2018."

Electoral Area "A"

2. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
 - i) replacing all references to Electoral Area 'A' with Electoral Area "A".
 - ii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iii) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



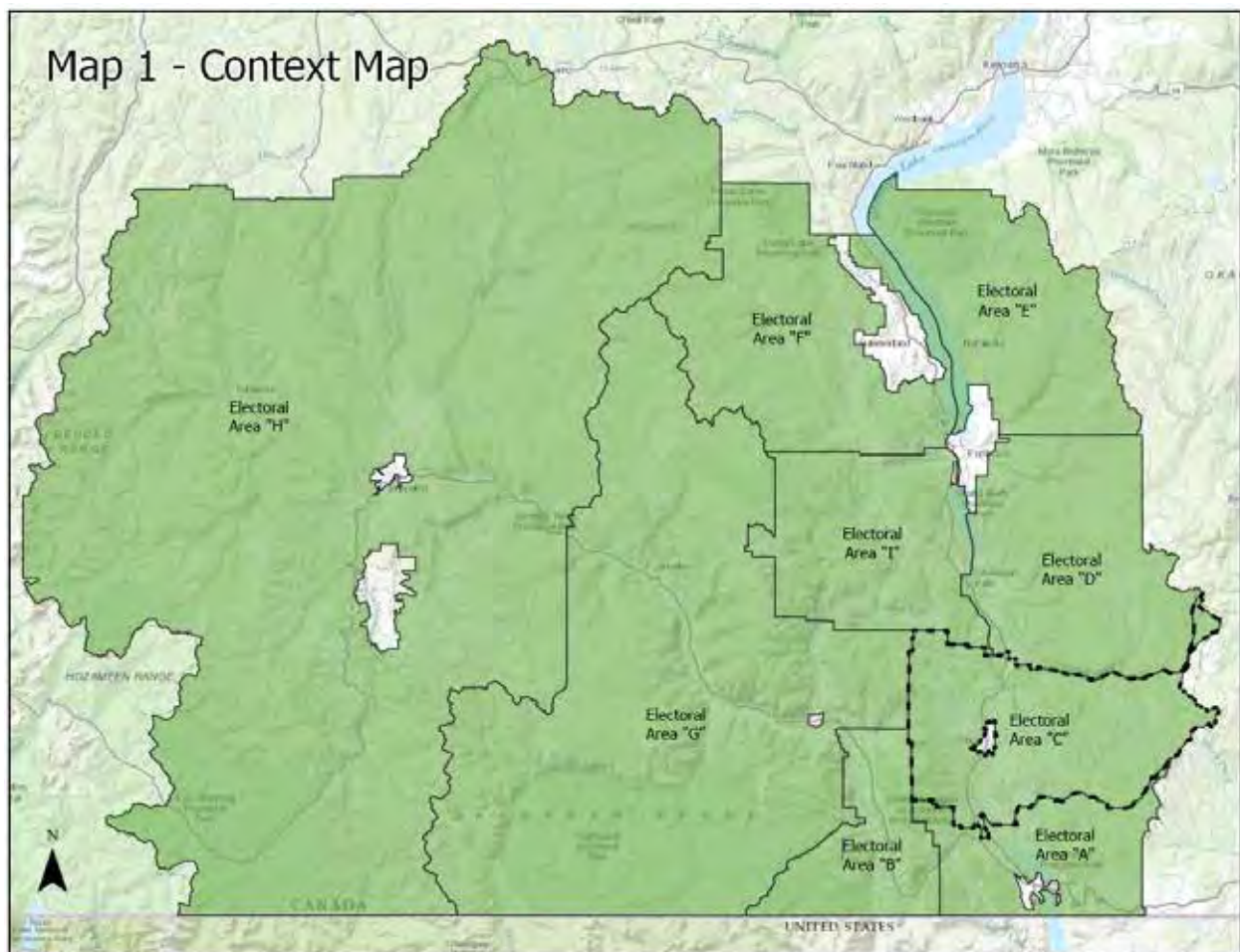
iv) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:

- .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.

Electoral Area "C"

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

- i) replacing all references to Electoral Area 'C' with Electoral Area "C".
- ii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
- iii) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



iv) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:

- .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.

Electoral Area "I"

4. The Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) replacing all references to Electoral Area 'D' with Electoral Area "I".
 - ii) replacing all references to Electoral Area "D" with Electoral Area "I".
 - iii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iv) replacing Section 1.1 under Section 1.0 (Title and Application) in its entirety with the following:

1.1 This Bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen, Electoral Area “I” Zoning Bylaw No. 2457, 2008”.

- v) replacing Section 1.2 under Section 1.0 (Title and Application) in its entirety with the following:

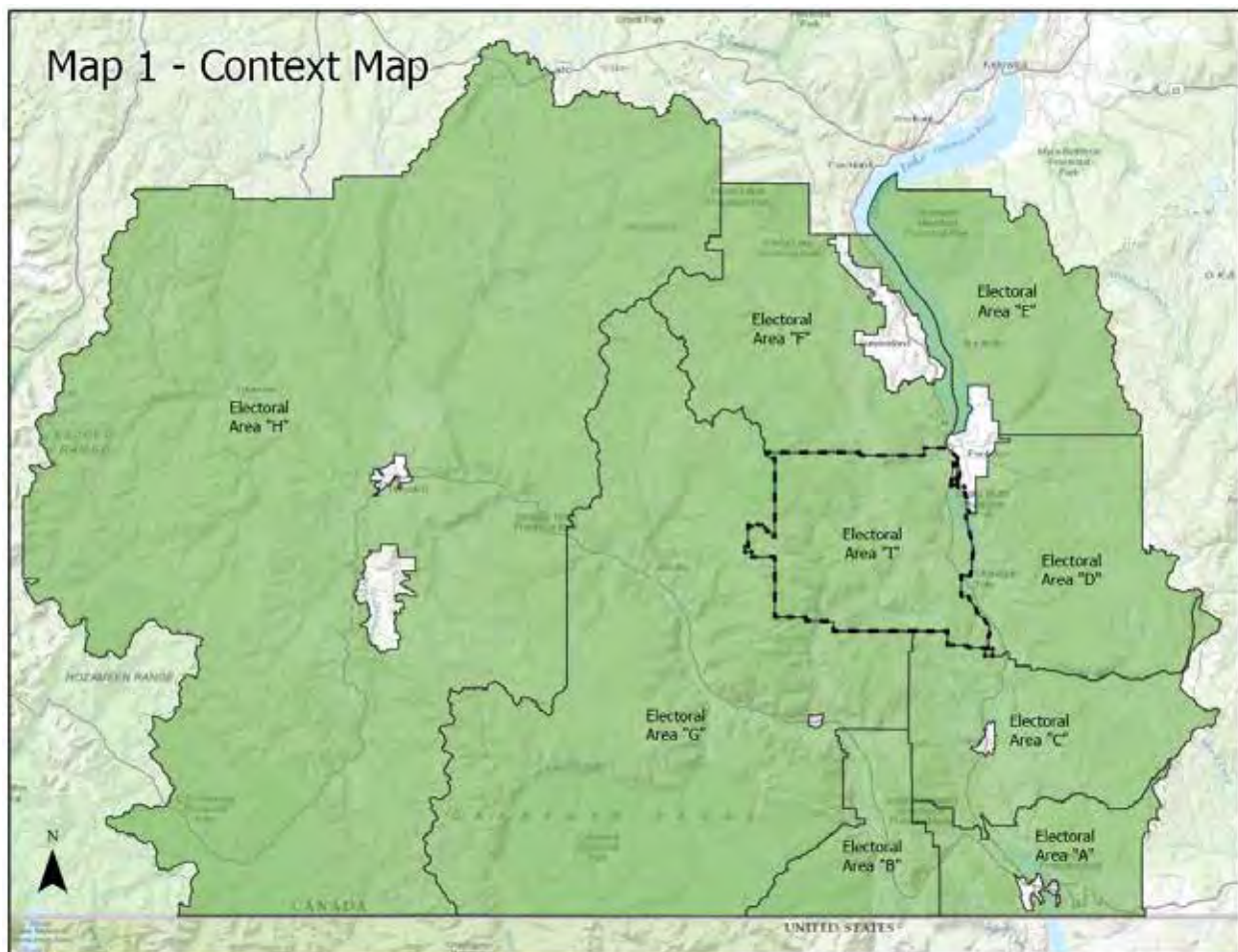
This Bylaw includes:

Schedule ‘1’ Electoral Area “I” Zoning Text

Schedule ‘2’ Electoral Area “I” Zoning Map

Schedule ‘3’ Dominion Radio Astrophysical Observatory Radio Frequency Interference Area

- vi) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- vii) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:

- .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.
- viii) Schedule '2' (Zoning Map) of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by replacing all references to Electoral Area "D" with Electoral Area "I".
- ix) Schedule '3' (Dominion Radio Astrophysical Observatory (DRAO) – Radio Frequency Interference (RFI) Area) of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by replacing all references to Electoral Area "D" with Electoral Area "I".

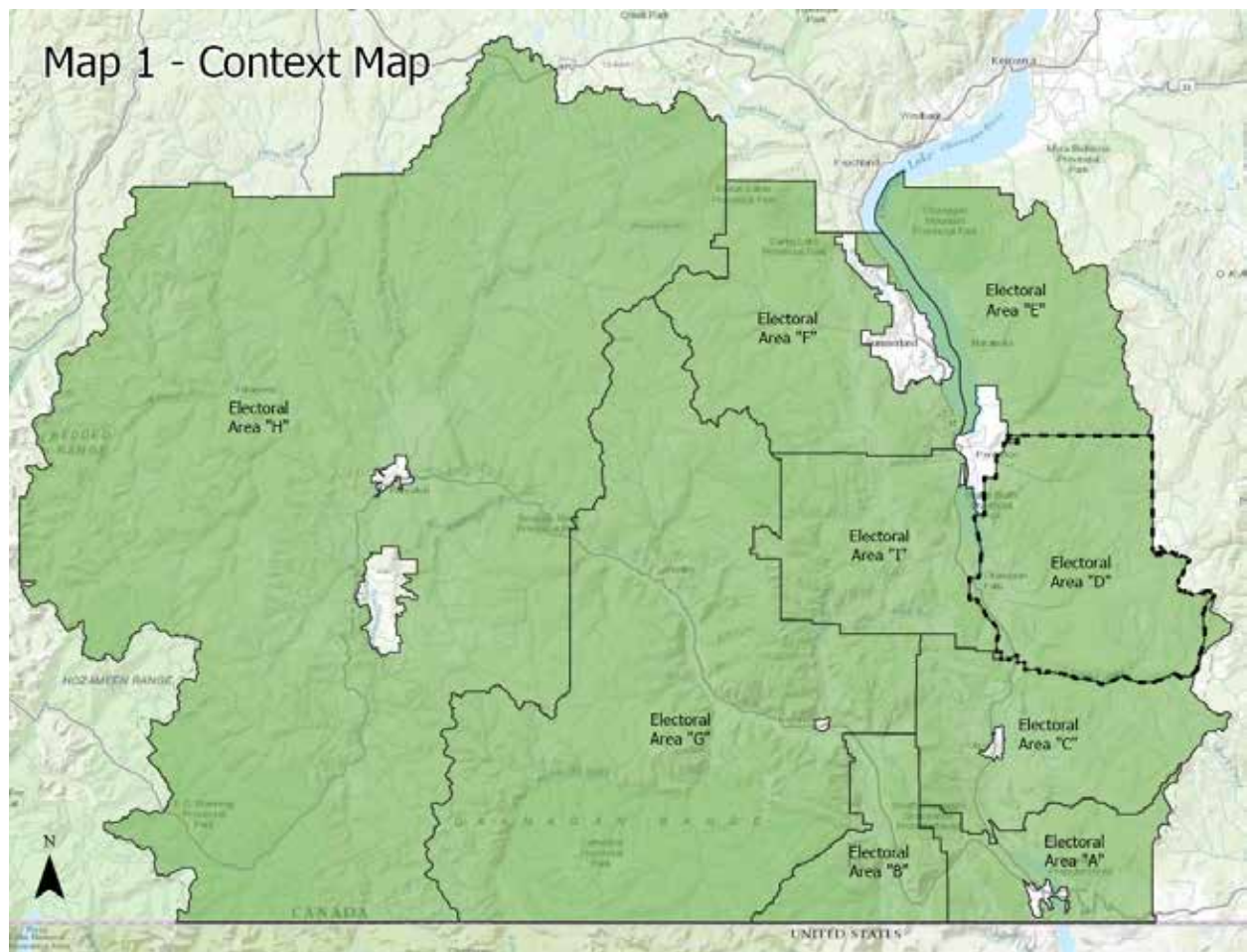
Electoral Area "D"

- 5. The Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by:
 - i) replacing all references to Electoral Area 'D' with Electoral Area "D".
 - ii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iii) replacing the second paragraph under Section 1.2 of Section 1.0 (Title and Application) in its entirety with the following:

This Bylaw includes:

Schedule 1 - Electoral Area "D" Zoning Text

Schedule 2 - Electoral Area "D" Zoning Map
 - iv) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



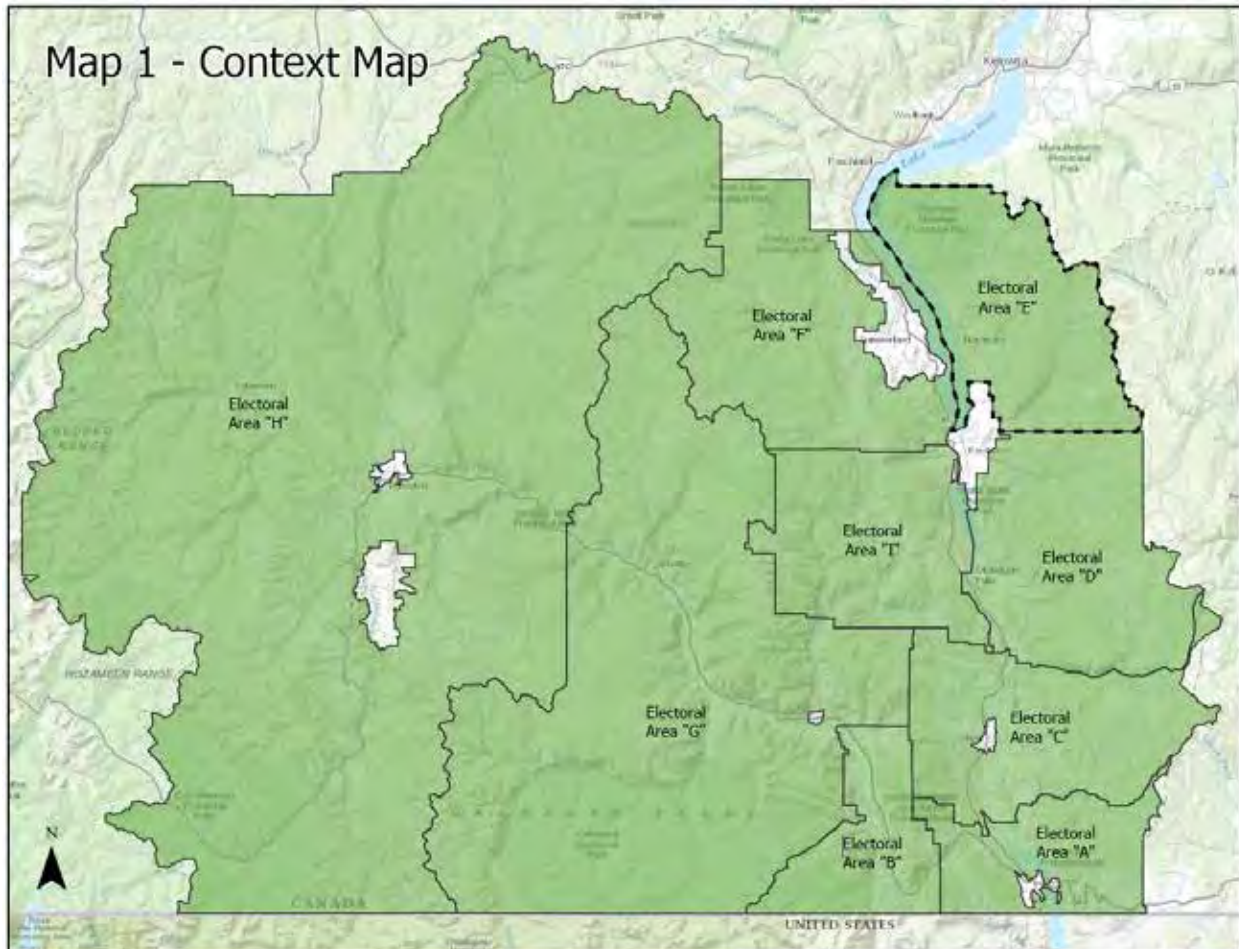
- v) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.
- vi) Schedule '2' (Zoning Map) of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by replacing all references to Electoral Area "D-2" with Electoral Area "D".

Electoral Area "E"

- 6. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
 - i) replacing all references to Electoral Area 'E' with Electoral Area "E".
 - ii) replacing all references to "Regional District Okanagan-Similkameen" with "Regional District of Okanagan-Similkameen".
 - iii) replacing Section 1.1 under Section 1.0 (Title and Application) in its entirety with the following:

1.1 This Bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen, Electoral Area “E” Zoning Bylaw No. 2459, 2008”.

- iv) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- v) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:

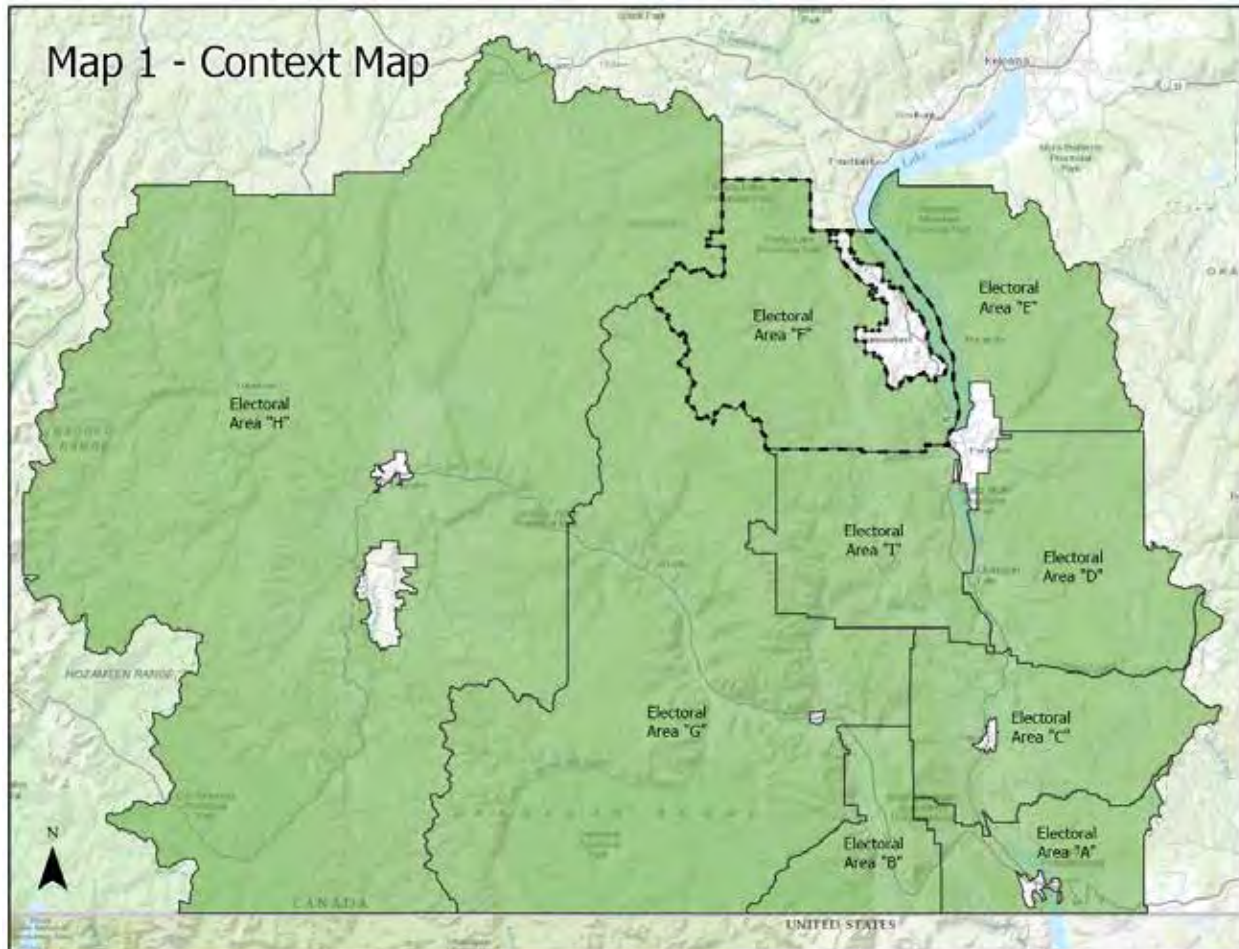
- .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.

Electoral Area “F”

7. The Electoral Area “F” Zoning Bylaw No. 2461, 2008, is amended by:

- i) replacing all references to Electoral Area ‘F’ with Electoral Area “F”.
- ii) replacing all references to Electoral Area F with Electoral Area “F”.

- iii) replacing all references to “Regional District Okanagan-Similkameen” with “Regional District of Okanagan-Similkameen”.
- iv) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- v) replacing Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) in its entirety with the following:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.
- vi) replacing the definition of “Official Community Plan” under Section 17.1.3 (Definitions) of Section 17.0 (Comprehensive Development) in its entirety with the following:

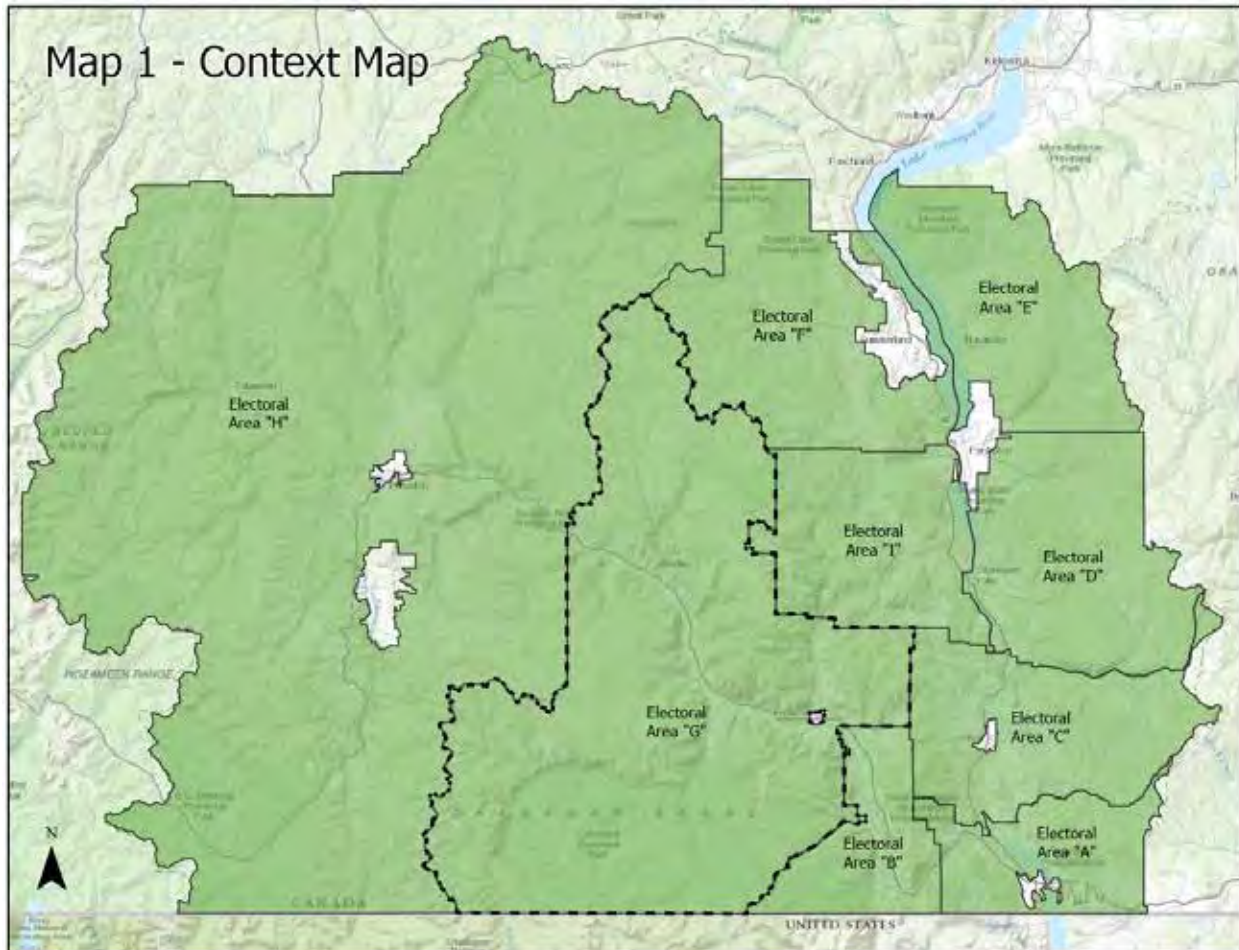
“Official Community Plan” means the Electoral Area “F” Official Community Plan Bylaw.

- vii) replacing the definition of “zoning bylaw” under Section 17.1.3 (Definitions) of Section 17.0 (Comprehensive Development) in its entirety with the following:

“zoning bylaw” means the Electoral Area “F” Zoning Bylaw.

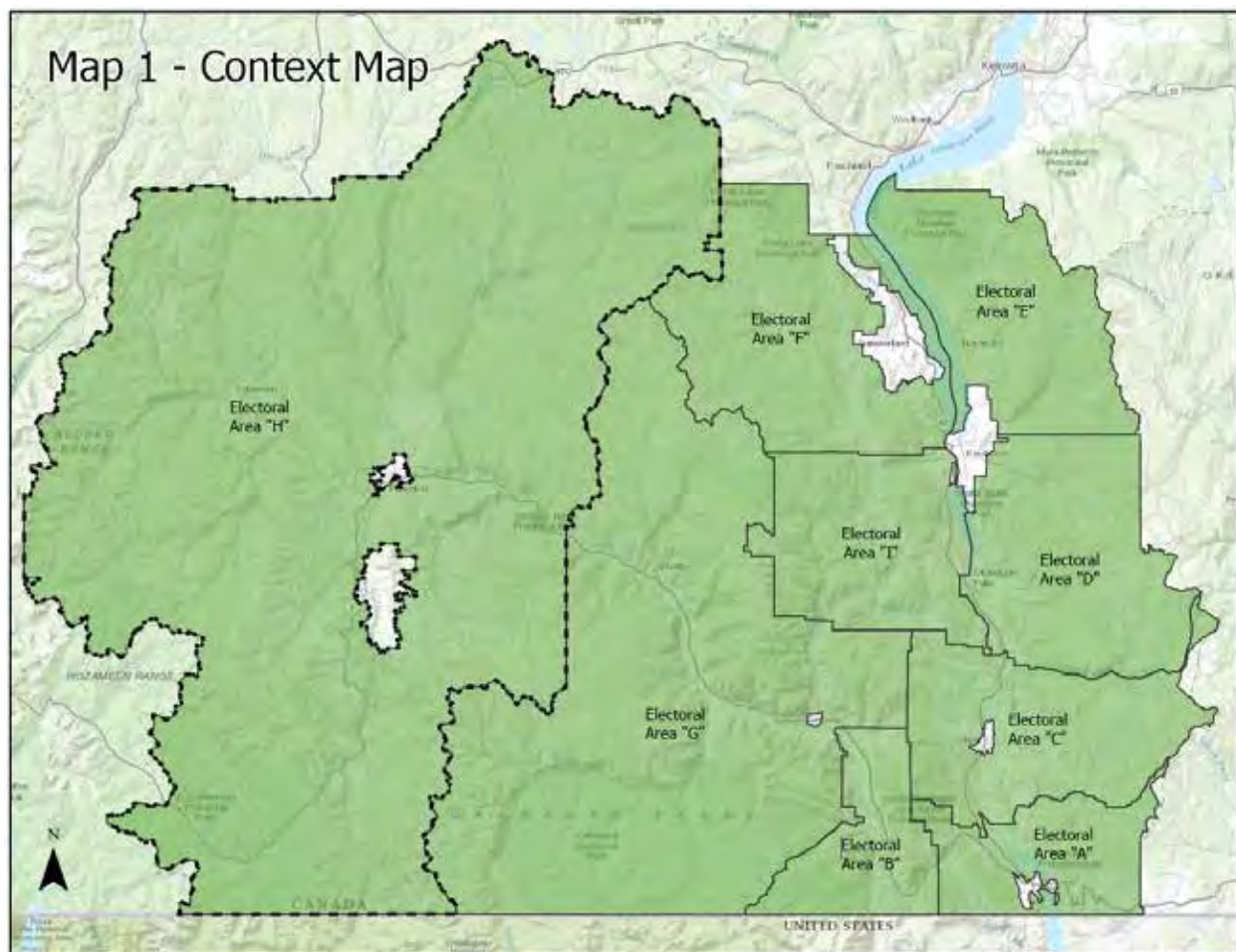
Electoral Area “G”

8. The Electoral Area “G” Zoning Bylaw No. 2781, 2017, is amended by:
- i) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



Electoral Area “H”

9. The Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by:
- i) replacing all references to Electoral Area ‘H’ with Electoral Area “H”.
- ii) replacing Map 1 (General Context Map) under Section 3.0 (Administration) in its entirety with the following:



- iii) adding a new Section 7.4.1 (Prohibited Uses of Land, Buildings and Structures) under Section 7.0 (General Regulations) to read as follows and renumbering all subsequent sub-sections:
 - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Division 8 of Part 14 of the *Local Government Act* is prohibited.

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 "Regional District of Okanagan-Similkameen Zoning Amendment Bylaw No. 2831, 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)(a) of the *Transportation Act* this ____ day of _____, 2018.

For Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2018.

Board Chair

Chief Administrative Officer

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: Development Procedures Bylaw Amendment - LCRB Referrals (Cannabis & Liquor)

Administrative Recommendation:

THAT Bylaw No. 2500.10, 2018, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first, second and third time and be adopted.

Purpose:

The purpose of Amendment Bylaw 2500.10, 2018, is to introduce application procedures to referrals from the Liquor and Cannabis Regulations Branch (LCRB) regarding the retail sale of cannabis and liquor licences.

Background:

Cannabis

On July 5, 2018, the provincial government released information regarding the referral of cannabis retail store licence applications to local governments.

In order to be considered by the LCRB, these regulations require that an application be supported by a positive recommendation from the local government in whose area the store is to be established and that this recommendation is informed by a program of public consultation specific to that application.

At its meeting of September 6, 2018, the Planning and Development (P&D) Committee of the Regional District Board resolved to direct staff to initiate amendments to the Development Procedures Bylaw "in order to introduce processing procedures and fees for Cannabis referrals from the Liquor and Cannabis Regulations Branch."

Liquor

At its meeting of June 15, 2017, the Board resolved to adopt a new *Liquor Licensing Application Policy*, which states that "the Regional District of Okanagan-Similkameen (RDOS) will not provide comment on liquor license referrals concerning an amendment to an existing license or a new license but does wish to be notified of such applications."

At its meeting of September 6, 2018, the P&D Committee considered an Administrative Report outlining a number of concerns with this Policy, namely its requirement that staff assess liquor referrals against all relevant land use regulations and the resulting enforcement implications.

Administration further highlighted the challenges presented by the Policy where it requires staff to intercede in "controversial applications" and recommend remedies to the Board despite the intent of the Policy being that the Board will not provide comment on liquor licence referrals.

The Committee subsequently resolved to direct staff to introduce processing procedures and fees for liquor licence referrals from the LCRB into the Development Procedures Bylaw.

Analysis:

Cannabis

Administration considers that the proposed amendments to the Development Procedures Bylaw will allow for the timely and efficient gathering of public input on those referrals from the LCRB that involve the retail sale of cannabis on parcels zoned to allow such a use.

This consultation will include public input in the form of written comments on an application that is notified on-line (i.e. RDOS web-site and social media accounts), local newspaper(s) (including on-line only news sites), through the posting of a site notice on the property under application by the applicant and consideration by the applicable Advisory Planning Commission (APC).

In those instances where further public consultation is warranted, the option to conduct a public hearing will be available.

Where, an application involves land not zoned to permit a retail sales, the proposed procedures will allow the Board to review the referral and provide direction prior to any public consultation being conducted. Should the Board be supportive of such a proposal, Administration envisions the public consultation process being satisfied through the rezoning process.

Liquor

With regard to the proposed amendments related to liquor licence referrals from the LCRB, Administration considers that these will address a number of issues with the current *Liquor Licensing Application Policy* (2017).

Namely, that staff will, henceforward, only be required to review such referrals for compliance with permitted uses in the applicable zone and will no longer be required to consider the referral for compliance against all relevant land use regulations (thereby clarifying enforcement expectations).

In addition, under the proposed procedures staff will no longer be expected to intercede in "controversial applications" and attempt to hold these applications in order to formulate "a course of action to remedy any issues" for the Board's consideration.

Summary

The procedures contained in Amendment Bylaw No. 2500.10, 2018, reflect the direction provided by the P&D Committee at its meeting of September 6, 2018, and are supported by Administration.

Alternatives:

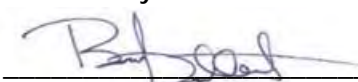
- .1 THAT first reading of Bylaw No. 2500.10, 2018, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be denied; OR
- .2 THAT consideration of Bylaw No. 2500.10, 2018, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be deferred.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



B. Dollevoet, Dev. Services Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.10 2018

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

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw No. 2500.10, 2018."
2. The "Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011" is amended by:
 - i) replacing the bylaw recital in its entirety with the following:

AND WHEREAS the Regional Board may, pursuant to the *Liquor Control and Licensing Act* and *Cannabis Control and Licensing Act* impose fees to recover the cost of providing comments or recommendations on license applications made under that Act;
 - ii) adding a new Section 1.2.6 under Section 1.0 (Title and Scope) to read as follows:

.6 an application to the Liquor and Cannabis Regulation Branch to obtain or amend a:
 - (a) liquor license; or
 - (b) cannabis license.
 - iii) adding a new Section 3.2.8 under Section 3.0 (General Regulations) to read as follows:

.8 An application to the Liquor and Cannabis Regulation Branch (LCRB) requiring local government comment(s) and/or recommendation(s) shall be made and processed substantially as outline in Schedule '9' of the bylaw.
 - iv) adding a new Schedule 9 (Referral of a Liquor and Cannabis Regulations Branch Application) following Schedule 8 (Referral of an Agricultural Land Commission Application) to read as follows:

REFERRAL OF A LIQUOR & CANNABIS REGULATION BRANCH APPLICATION

This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed.

.1 Application Requirements

1. Please review the Liquor and Cannabis Regulation Branch's (LCRB) application requirements at the provincial government's web-site (www.gov.bc.ca).

.2 Processing Procedures – Cannabis Retail Store Licence

1. Upon receipt of an application accompanied by the required fees and attachments, Development Services staff will open a file and issue a fee receipt to the applicant.
2. The application is reviewed to determine whether it is complete and, if incomplete, the applicant will be notified of any outstanding requirements.
3. Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies. Development Services staff may conduct a site visit to view the property as part of the evaluation process.
4. Development Services staff will refer the application to all applicable Regional District departments for comment.
5. Where an application involves the use of land in which retail sales are not listed as a permitted use in the applicable zone, a technical report will be forwarded to the Board for consideration prior to any public notification of the application.
6. Where an application involves the use of land in which the retail sales are listed as a permitted use in the applicable zone, Development Services staff will notify the application by:
 - a) written notice mailed to property owners and tenants of land within a radius not less than 100 metres of the boundaries of the subject property;
 - b) posting of application information on the Regional District's web-site and social media accounts;
 - c) advertising in at least two (2) consecutive issues of an appropriate print newspaper and once on an internet news media site with a focus on local matters;

- d) requiring the applicant erect a Notice of Development Sign, in accordance with requirements outlined in Section 5.3 and Schedule '1' of this bylaw, on the property under application; and
 - e) referring the application to the applicable Advisory Planning Commission (APC) for a recommendation.
7. A period of not less than 28 calendar days will be provided for written comments from the public to be submitted to the Regional District.
 8. The referral comments as well as any written comments from the public will then be incorporated into a technical report to be forwarded to the Board for consideration.
 9. The applicant is invited to attend the Board meeting at which the application will be considered.
 10. The Board will consider the technical report and may:
 - a) make a recommendation to deny the application;
 - b) make a recommendation in favour of the application; or
 - c) defer making a recommendation.
 11. Should an application be deferred to allow for additional consultation in the form of a public hearing, notice of the public hearing will be given in accordance with sub-sections 2.5(a) to (c) of this Schedule.
 12. Development Services staff will forward the Board's final recommendation to the LCRB, along with any required documentation, and the LCRB makes the final decision.
 13. Once the Board minutes have been prepared, the applicant will be notified in writing of the recommendation.

.3 Processing Procedures – Liquor Licence

1. Upon receipt of an application accompanied by the required fees and attachments, Development Services staff will open a file and issue a fee receipt to the applicant.
2. The application is reviewed to determine whether it is complete and, if incomplete, the applicant will be notified of any outstanding requirements.
3. Development Services staff will evaluate the proposal for compliance with the permitted uses listed in the zoning applied to the property under application in the applicable Regional District zoning bylaw.
4. The authority to provide comments to the LCRB on applications is delegated to the Manager of Development Services and Development Services staff will forward a memorandum incorporating the zoning review to the Manager for their consideration.

5. If an application complies with the zoning, the Manager of Development Services staff will endorse the application by advising that the Regional District will not be providing comment to the LCRB.
6. Once the Manager of Development Services has endorsed the application, the application will be returned to the applicant.

READ A FIRST TIME on the __ day of ____, 2018.

READ A SECOND TIME on the __ day of ____, 2018.

READ A THIRD TIME on the __ day of ____, 2018.

ADOPTED on the __ day of ____, 2018.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: Electoral Area "A" Community Works Program Reserve Expenditure

Administrative Recommendation:

THAT Bylaw No. 2829, 2018, Electoral Area "A" Community Works Program Reserve Fund Expenditure Bylaw to allocate \$10,000.00 to the Osoyoos Desert Society towards the replacement of the Desert Interpretive Centre be read a first, second and third time and be adopted.

Reference:

Bylaw 2400, 2006 - Regional District Okanagan Similkameen Electoral Area "A" Community Works Program Reserve Fund Establishment Bylaw.

Bylaw 2829, 2018 – Electoral Area "A" Community Works Program Reserve Fund Expenditure Bylaw

Background:

The existing interpretive building at the Osoyoos Desert Centre has reached the end of its usability and must be replaced. This expenditure will help the Desert Society purchase a new modular building to house the Centre's interpretive exhibits and admissions area. Most importantly, it will ensure the Desert Centre can continue to operate and benefit the region for years to come.

Analysis:

This project falls within the cultural category of the Community Works Gas Tax Guidelines.

The current uncommitted balance in the Electoral Area "A" Community Works Program Reserve account is \$127,348.56.

Alternatives:

Status Quo – project does not move forward.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2829, 2018

A bylaw to authorize the expenditure of monies from the Electoral Area 'A' Community Works Program Reserve Fund to the Osoyoos Desert Society towards the replacement of the Desert Interpretative Centre.

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 'A' Community Works Program 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 'A' Community Works Program Reserve Fund Expenditure Bylaw No. 2829, 2018"
2. The expenditure of \$10,000 from the Electoral Area 'A' Community Works Program Reserve Fund is hereby authorized to the Osoyoos Desert Society towards the replacement of the Desert Interpretive Centre.

READ A FIRST, SECOND, AND THIRD TIME this ____ day of ____, 2018

ADOPTED this ____ day of ____, 2018

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: Electoral Area "D" Community Works Program Reserve Expenditure

Administrative Recommendation:

THAT Bylaw No. 2828, 2018, Electoral Area "D" Community Works Program Reserve Fund Expenditure Bylaw to allocate 38,352.36 for the completion of the regional component of the KVR trail in Kaleden be read a first, second and third time and be adopted.

Reference:

Bylaw 2403, 2006 - Regional District Okanagan Similkameen Electoral Area "D" Community Works Program Reserve Fund Establishment Bylaw.

Bylaw 2828, 2018 – Electoral Area "D" Community Works Program Reserve Fund Expenditure Bylaw

Background:

The gas tax funds is the remaining amounts of the 2016 Skaha lake KVR project and will be used to complete the regional trail component of the parking lot project in Pioneer Park in Kaleden. The Pioneer Parking project is multi year project that includes drainage, boat launch, alignment of vehicle and pedestrian traffic for a busy water front park on Skaha Lake.

Analysis:

This project falls within the recreational category of the Community Works Gas Tax Guidelines.

The current uncommitted balance in the Electoral Area "D" Community Works Program Reserve account is \$299,728.35.

Alternatives:

Status Quo – project does not move forward

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2828, 2018

A bylaw to authorize the expenditure of monies from the Electoral Area 'D' Community Works Program Reserve Fund for the completion of the KVR regional trail component in Kaleden

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 'D' Community Works Program 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 'D' Community Works Program Reserve Fund Expenditure Bylaw No. 2828, 2018"
2. The expenditure of \$38,352.36 from the Electoral Area 'D' Community Works Program Reserve Fund is hereby authorized towards the completion of the KVR regional trail component in Kaleden

READ A FIRST, SECOND, AND THIRD TIME this ____ day of ____, 2018

ADOPTED this ____ day of ____, 2018

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: Property Tax Exemption Bylaw No. 2817, 2018

Administrative Recommendation:

THAT Bylaw No. 2817, 2018 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted.

Reference:

Local Government Act Section 391

Background:

The Board , at its discretion, may grant an exemption to eligible organizations from taxes payable to the RDOS for the upcoming tax year. Organizations within a member municipality's taxing jurisdiction make application for property tax exemption directly to the member municipality.

Annually, the RDOS invites qualifying non-profit organizations to apply for a Property Tax Exemption. Notifications of the exemption application process and July 31 deadline are advertised in local area newspapers in early June and again in early July.

Analysis:

There are no new applicants for the 2019 exemption other than the previously approved South Skaha Housing Society. Estimated 2019 taxes are based on 2018 assessment data and tax rates.

		2018 RDOS Est taxes	2019 RDOS Est.Taxes Based on 2018 Assessments		2019 RDOS Est taxes
Area			Without exemption	with exemption	Difference exemption
Previous Exemptions:					
Keremeos-Cawston Sportsmen Association	G	\$1,069	\$2,084		\$2,084
South Okanagan Sportsmen Association	C	\$202	\$167		\$167
South Okanagan Sportsmen Association	C	\$1,291	\$1,081		\$1,081
Fairview Mountain Golf Club Society	C	\$11,887	\$12,778	\$1,252	\$11,526
OK Falls Heritage & Museum Society	D	\$3,462	\$3,503		\$3,503
City of Penticton - golf course	D	\$691	\$686		\$686
Nickel Plate X-Country Ski Club	G	\$382	\$385		\$385
Princeton Golf Club	H	\$4,180	\$4,305	\$132	\$4,173
Hedley Sports Association	G	\$484	\$502		\$502
Keremeos Elks Lodge	G	\$1,310	\$1,470		\$1,470
Okanagan Falls United Church	D	\$747	\$742		\$742
Naramata Museum Society (RDOS Ownership)	E	\$1,680	\$1,845		\$1,845
Penticton Shooting Sports Association	F	\$1,167	\$841		\$841
The Natures Trust	C	\$641	\$571		\$571
New Exemption:					
South Skaha Housing Society *****	D	\$0	\$2,993		\$2,993
		\$29,193	\$33,953	\$1,384	\$32,569

*****Bylaw 2806,2018 Tax Exempt adopted
April 19/18 South Skaha Housing Society

The above table is the approximate amount of property taxes foregone by exemption.

Historically the Board has relied upon the amount of demonstrative benefits each exempted group provides to the community. For example, due to the vast amount of land that a cross-country ski club uses, the amount of taxes on the land would make the fees for cross-country skiing too expensive for everyone wishing to participate in this activity. The golf courses are partial exemptions to offset the public access portions of the fees.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2817, 2018

A bylaw to exempt property tax assessments

WHEREAS the Board of the Regional District of Okanagan-Similkameen is empowered by the Local Government Act to exempt certain land and improvements;

AND WHEREAS it is deemed desirable and expedient to exempt specific properties from property taxation;

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 Property Tax Exemption Bylaw No. 2817, 2018".

2.1 Pursuant to Section 391 (1) of the Local Government Act, the following parcels of land shall be exempt from taxation with respect to land and improvements for the year 2019;

Owners Name

Legal Description

Naramata Museum Society

Parcel A, BI 3, DL 210 SDYD
PI 519 715-00565.105

2.2 Pursuant to Section 391 (4) of the Local Government Act, the following parcels of land shall be exempt from taxation with respect to land and improvements for the year 2019;

Owners Name

Legal Description

Keremeos-Cawston Sportsmen Association

Parcel A, PI B6949, DL 319, SDYD 716-2752.000

South Okanagan Sportsmen Association

Lot 3, PI 4041, DL 2450S, SDYD Portion L 727
714-6485.000 and Lot 1, PI 13268, DL 2450S,
SDYD Portion L 727 714-6485.100

Fairview Mountain Golf Club Society
(to the extent of an 80% exemption for
improvements for clubhouse excluding
residential portion of facility)

Lot 1, PI KAP62023, DL 2450S SDYD
714-6476.020

OK Falls Heritage & Museum Society

Lot 9, PI 34520, DL 374, SDYD 714-796.090

City of Penticton (leased to golf course)

Lot A, PI 40972, DL 2 366 367, ODYD (Portion
outside Municipal Boundary) 715-2713.010

Nickel Plate X-Country Ski Club

SDYD, SUP 11350 716-10308.000

Princeton Golf Club
(to the extent of an 80% exemption for
improvements for clubhouse facility)

Block B, DL 1091, SDYD 717-895.600, except Plan
KAP75166

Hedley Sports Association

Lot 13-15, Block 8, PI 2565, DL 2482, SDYD
716-09035.000, 716-09035.002

Keremeos Elks Lodge

Parcel A, PI DD143573, DL 0457 , SDYD 716-
02837.000

Okanagan Falls United Church

Block 8, Parcel Y, PI 1280, DL 0374 , SDYD 714-
00819.081

Penticton Shooting Sports Association

ODYD, DL 2499 Except Plan H397 41847,
For Mobile Folio C/REF 89000.100
777-09000.100

The Natures Trust

Lot B, PL 89970, DL 2450S
714-05353.070

READ A FIRST, SECOND, AND THIRD TIME this ____ day of ____, 20__

ADOPTED this ____ day of ____, 20__

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 20, 2018

RE: Princeton Boundary Reduction Proposal

Administrative Recommendation:

THAT the Board of Directors of the Regional District of Okanagan-Similkameen (RDOS) approve the proposed boundary reduction proposal from the Town of Princeton which would see the removal of 1141 Allenby Road from the Town of Princeton boundary and the inclusion into RDOS Electoral Area "H".

Purpose:

To finalize the process of a boundary reduction to remove the residential property located at 1141 Allenby Road, which was inadvertently included in the 2015 Copper Mountain Mine Satellite Boundary Extension.

Reference:

Princeton Council Report and Resolution – August 2018
Map 1 Copper Mountain Mine boundary extension
Map 2 Allenby Road Reduction Area

Background:

In December 2015, Order In Council 831 amended the Princeton boundaries to include the Copper Mountain Mine properties, forming a satellite of the municipality 10 km south of the main Princeton townsite. When the extension area was mapped, a residential property (1141 Allenby Road) on the road leading to the mine was inadvertently included (See Map 1 Copper Mountain Mine boundary extension, attached). Map 2 – Allenby Road Reduction Area illustrates the reduction area located at the northern edge of the 2015 boundary extension area adjacent to the Copper Mountain Mine properties.

The owner of the property which was inadvertently included has been in contact with BC Assessment and Ministry staff and is requesting that their property be removed from Princeton boundaries.

Analysis:

The Ministry of Municipal Affairs and Housing has approached the RDOS to seek Board approval for the proposed boundary reduction. To proceed with the reduction, the Board must approve, by resolution, this boundary reduction proposal to remove one residential property from the Town of Princeton. This property would become part of RDOS Electoral Area "H" again.

Effects on RDOS Electoral Area "H"

The Princeton Boundary Reduction would include the property at 1141 Allenby Road on the rural tax roll for Electoral Area "H" for 2019. Adding the property would add \$215,000 to the rural tax roll, which would result in small increases in the rural levy (~\$100) and the RD levy (~\$180). These changes would be immaterial to either Princeton revenues or the annual changes in rural and regional district taxes that occur from year to year.

Benefits to Property Owner

The property owner of 1141 Allenby Road would benefit by paying approximately \$500 less property taxes annually if the property were excluded from Princeton and included within the Electoral Area "H". Service levels would not be expected to increase or decrease.

Process for Boundary Reductions

Section 13 of the *Local Government Act* establishes conditions for municipal boundary reductions, including a request from the council, public notice, consent of 60% of the area electors to be excluded, assent of the municipal electors and evidence satisfactory to Cabinet that there is either creditor consent to the reduction or that any debt is to be discharged.

Princeton has forwarded to the Ministry, a Council resolution, dated August 20, 2018, requesting the boundary reduction and asking the Minister to waive assent of the municipal electors (see attached Princeton Council Resolution August 21, 2018).

The requirement for municipal elector assent may be waived by the Minister, in the form of a Minister's Order. The small scale of the boundary reduction proposed in Princeton (a single property) and the circumstances under which it was originally included in the municipality (a mistake in the boundary mapping) would be expected to lend themselves to facilitating removal of the property by waiving the elector assent requirement. The municipal electors at large are not impacted by the contemplated boundary change, which does not alter the character of the municipality and only imposes hardship on the property owner.

Princeton would like to proceed with the boundary reduction in time to ensure the property is restored to the rural tax roll for 2019, and securing elector assent may delay Cabinet consideration until after preparation of the preliminary tax rolls.

Alternatives:

That the Board of Directors not approve the proposed boundary reduction proposal from the Town of Princeton which would see the removal of 1141 Allenby Road from the Town of Princeton boundary and its inclusion into RDOS Electoral Area "H".

Respectfully submitted:

Christy Malden

C. Malden, Legislative Services Manager

REPORT TO: Mayor and Council FOR: Regular Meeting
PRESENTED: August 20th, 2018 FILE:
FROM: CAO, Cheryl A. Martens
SUBJECT: Residential property inadvertently included in the 2015 Satellite Boundary Extension

Recommendation:

THAT the Town of Princeton hereby requests the Letters Patent of the Town of Princeton be amended under Section 13 of the *Local Government Act* to exclude the property at 1141 Allenby Road, legally described as District Lot 4046S Similkameen Division Yale District with PID: 015-141-454, from the boundary of the Town of Princeton;

AND THAT the Town of Princeton requests the Minister waive the assent of the electors under *Local Government Act Section 13(2)(c)* for the boundary reduction;

AND THAT the Town of Princeton reimburse the property owner of 1141 Allenby Road the difference between the municipal property taxes and the rural property taxes for 2016, 2017 and 2018.

1. Purpose:

To begin the process of a boundary reduction to remove the residential property located at 1141 Allenby Road that was inadvertently included in the 2015 Copper Mountain Mine Satellite Boundary Extension.

2. Time Critical:

The boundary reduction package is to be sent to the Ministry for review in September 2018 and is to go to Cabinet in late October 2018 so the boundary reduction may be effective in November 2018 and tax rolls may be amended in time for 2019 taxation.

3. Background:

During 2015, OIC 831 brought into force letters patent amendments to extend Princeton boundaries to include the Copper Mountain Mine properties 10 km from the southern edge of Princeton. When the extension area was mapped, a residential property on the road leading to the mine, right at the southern edge of the satellite extension, was included. The mapping was of such a small scale that both municipal and ministry staff missed this error during map checking. Please see Map 1 – Location of 1141 Allenby Road Reduction Area that illustrates the reduction area located at the northern edge of the 2015 boundary extension area adjacent to the Copper Mountain Mine properties.

The owner of 1141 Allenby Road, Ms. Maria Fillipelli, has been in contact with the Town of Princeton, BC Assessment and Ministry staff and is asking that her property be removed from Princeton boundaries and added to Electoral Area H.

4. Financial Implications:

The boundary reduction will cost the Town of Princeton approximately \$1,300 annually.

5. Communications:

Public Notice; the Town of Princeton will advertise in two consecutive issues of the local newspaper and in the Gazette.

Public Engagement Strategy; to be developed to provide information to residents, stakeholders and First Nations in lieu of a formal assent process.

Recommendation and Alternatives to Staff Recommendation:

Recommendation:

THAT the Town of Princeton hereby requests the Letters Patent of the Town of Princeton be amended under Section 13 of the *Local Government Act* to exclude the property at 1141 Allenby Road, legally described as District Lot 4046S Similkameen Division Yale District with PID: 015-141-454, from the boundary of the Town of Princeton;

AND THAT the Town of Princeton request that the Ministry to waive the assent of the electors under *Local Government Act Section 13(2)(c)* for the boundary reduction;

AND THAT the Town of Princeton reimburses the property owner the difference between the municipal property taxes and the regional property taxes for 2016, 2017 and 2018.

Alternative 1:

Another course of action deemed appropriate by Council.

Cheryl A. Martens, CAO

Attachments: Request to reduce the Boundaries of Town of Princeton
Map
2016, 2017, 2018 Tax Certificates
Email from the property owner

August 21, 2018

6.4 Residential property inadvertently included in the 2015 Satellite Boundary Extension

**Moved by Councillor Pateman
Seconded by Councillor Doughty**

THAT the Town of Princeton hereby requests the Letters Patent of the Town of Princeton be amended under Section 13 of the Local Government Act to exclude the property at 1141 Allenby Road, legally described as District Lot 4046S Similkameen Division Yale District with PID: 015-141-454, from the boundary of the Town of Princeton;

AND THAT the Town of Princeton requests the Minister waive the assent of the electors under Local Government Act Section 13(2)(c) for the boundary reduction;

AND THAT the Town of Princeton reimburse the property owner of 1141 Allenby Road the difference between the municipal property taxes and the rural property taxes for 2016, 2017 and 2018.

CARRIED UNANIMOUSLY

Certified true copy of Council resolution from the Regular Meeting of Council held on August 20th, 2018.



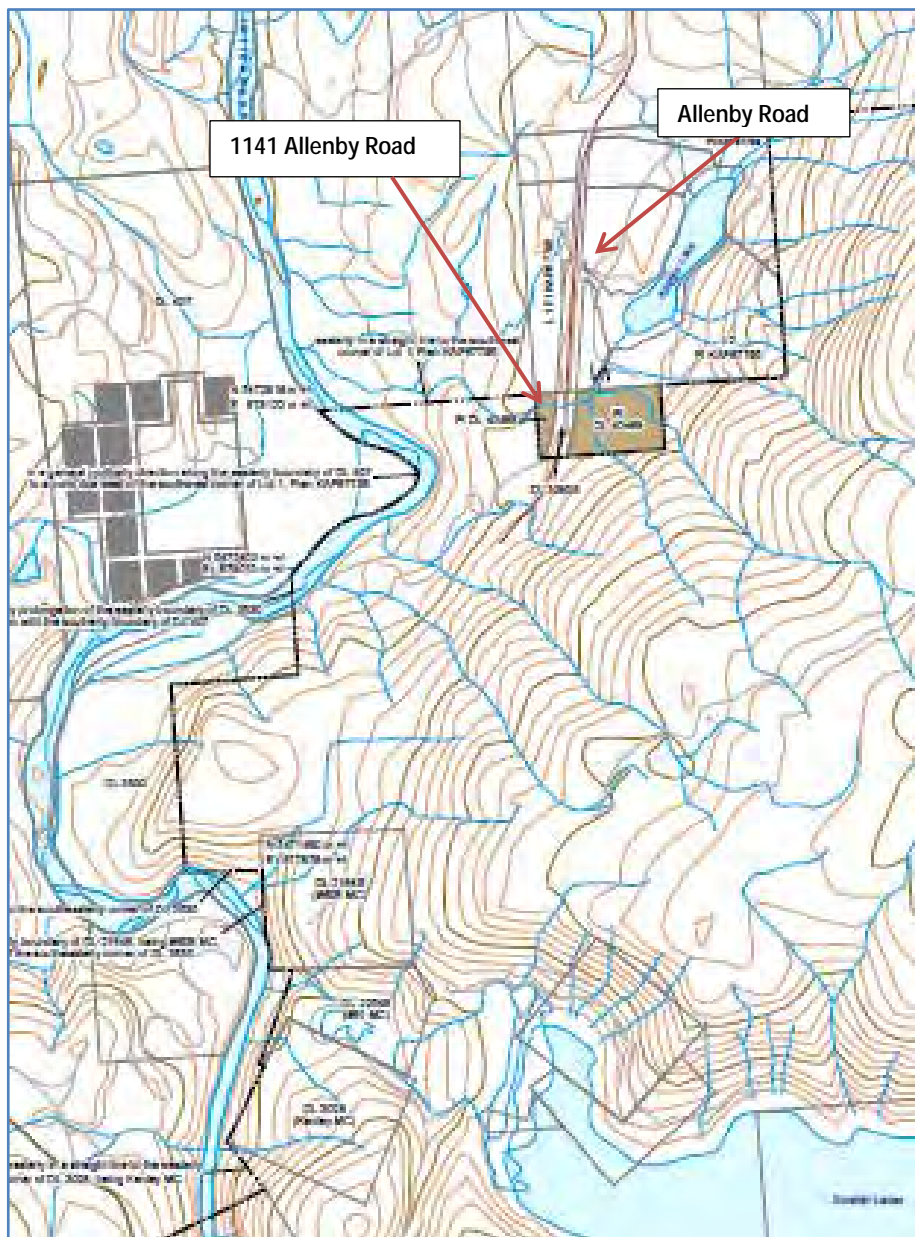
Cheryl A. Martens
Chief Administrative Officer

August 21st, 2018
Date



Attachment 1: Map 1 (at left): Copper Mountain Mine boundary extension (OIC 831/2015)

Attachment 2: Map 2 (below at right) Allenby Road boundary reduction (proposed)





Okanagan Basin
WATER BOARD

BOARD REPORT: September 11, 2018

1450 KLO Road, Kelowna, BC V1W 3Z4

P 250.469.6271 F 250.762.7011

www.obwb.ca

OBWB Directors

Tracy Gray - Chair,
Regional District of Central
Okanagan

**Juliette Cunningham - Vice-
Chair,** Regional District of
North Okanagan

Doug Dirk, Regional District of
North Okanagan

Rick Fairbairn, Regional
District of North Okanagan

Doug Findlater, Regional
District of Central Okanagan

Cindy Fortin, Regional District
of Central Okanagan

Ron Hovanes, Regional
District of Okanagan-
Similkameen

Sue McKortoff, Regional
District of Okanagan-
Similkameen

Peter Waterman, Regional
District of Okanagan-
Similkameen

Lisa Wilson, Okanagan Nation
Alliance

Toby Pike, Water Supply
Association of B.C.

Denise Neilsen, Okanagan
Water Stewardship Council

**The next regular meeting of the
OBWB will be 10 a.m. October
2, 2018, at the Regional
District of North Okanagan in
Coldstream.**

Okanagan Basin Water Board Meeting Highlights

Okanagan to host international water conference: The OBWB and Canadian Water Resources Association, B.C. Branch are co-hosting “siwłk^w (WATER) FOR ALL - OUR RESPONSIBILITY *Environmental Flow Needs Conference 2018: Science, Policy & Practice*” October 17-18, 2018 in Kelowna. Speakers include Claudia Pahl-Wostl with the Institute for Environmental Systems Research in Osnabrück, Germany, plus many others. Environmental Flow Needs (EFNs), or the volume and timing of water required to ensure effective functioning of an aquatic ecosystem is an important but still evolving science. In locations where significant demand or competition for water exists, like the Okanagan, scientists, policy-makers, planners, and regulators are focussed on developing methods to determine appropriate EFNs. In B.C., the introduction of the *Water Sustainability Act* in February 2016 requires that EFNs (or in-stream flow needs) be determined for water bodies potentially affected by any new proposed surface or groundwater licences. This requirement creates opportunities and challenges for water management and the need for better EFN science and discussion among water users to reconcile their needs and interests. Conference organizing partners include Okanagan Nation Alliance, the Province of B.C., UBC Okanagan, BC First Nations Fisheries Council, WWF-Canada, and POLIS Water Sustainability Project. Details at www.EFN2018.ca. Early bird registration ends Friday, Sept. 14.

Water Board adopts 2019-20 budget: Directors approved the OBWB's \$3.44 million budget for the coming year with a 0% increase. There has been no increase in requisition since 2011-12. OBWB's programs include: Aquatic Weed (milfoil) Control, Sewage Facilities Assistance Grants, and the Water Management Program (which includes the Okanagan Water Stewardship Council, the Water Conservation and Quality Improvement Grant Program, Water Science and Policy Research, and Communications and Outreach).

Milfoil operations switch gears from harvesting to rototilling: Summer harvesting of Eurasian watermilfoil is now done for the year and the milfoil control crew is preparing for the winter rototilling season. Whereas harvesting involves cutting and removal of the invasive plant two metres below the surface, rototilling (de-rooting) is the most effective way to tackle the weed but cannot be done until temperatures drop to prevent weed fragments from re-rooting.

Water Board looks at next steps in invasive mussel prevention: As of Aug. 17, 20 mussel-fouled watercraft were intercepted coming into B.C. According to the province, the watercraft came from: Ontario (10), Manitoba (2), Arizona (4), Michigan (2), Utah (1), and Nevada (1). They were headed to: the Lower Mainland (8), Thompson-Nicola/Shuswap (4), Vancouver Island (4), Okanagan (3), and Kootenays (1). B.C. law requires those hauling any type of watercraft to stop at inspection stations. As of Aug. 17, 79 tickets were issued for failing to stop and 44 warnings were handed out. B.C.'s inspection team received advance notice on 15 of the 20 watercraft from other state or provincial inspection teams or Canada Border Services Agency officers. In August, the OBWB sent a [letter to the federal government](#) in response to its mussel prevention funding announcement. In light of this latest information, and calls from various agencies for stronger senior government action, the board agreed to review next steps.

For more information, please visit: www.OBWB.ca

From: Corinne Jackson
To: [Corinne Jackson](#)
Subject: INVITE: siwIk™ (WATER) FOR ALL - OUR RESPONSIBILITY Environmental Flow Needs Conference 2018, Oct. 17-18, 2018, Kelowna, B.C.
Date: Monday, August 27, 2018 9:22:39 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[efn_program_aug21.pdf](#)

Good morning,

The **Okanagan Basin Water Board** and the **Canadian Water Resources Association, BC Branch**, invite you to attend the **siwIk™ (WATER) FOR ALL - OUR RESPONSIBILITY Environmental Flow Needs Conference 2018: Science, Policy & Practice**. The conference is planned for October 17-18, 2018 in Kelowna, B.C.

Environmental Flow Needs (EFNs), or the volume and timing of water required to ensure effective functioning of an aquatic ecosystem – for fish and other needs – is an important but still evolving science. In locations where significant demand or competition for water exists, such as the Okanagan, scientists, policy-makers, planners, and regulators are now focussed on developing methods to determine appropriate EFNs. In B.C., the introduction of the *Water Sustainability Act* in February 2016 requires that EFNs (or in-stream flow needs) be determined for water bodies potentially affected by any new proposed licences for surface or groundwater extractions. This requirement creates opportunities and challenges for water management and the need for better EFN science and collaborative dialogue among all water users to reconcile their needs and interests.

With this conference, we are thrilled to bring together representatives from national and international organizations engaged in water management or research, including fisheries and water managers, First Nations, regulators, policy-makers, academia, and NGOs. The event will cover several main themes and focus on the current state of EFN-setting in B.C. and recent EFN-related work in the Okanagan and elsewhere in Canada and the U.S.

We invite you to join us for what will be a fascinating and timely discussion. Please find the program attached.

For more on the conference – including information on speakers, poster submissions, registration details and more, please visit www.EFN2018.ca. **NOTE: Early bird registration closes Sept. 14.**

Special thanks to our conference organizing partners: Okanagan Nation Alliance, B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development, UBC Okanagan, BC First Nations Fisheries Council, WWF-Canada, and POLIS Water Sustainability Project.

We look forward to seeing you! Please share widely!

Best wishes,

Corinne

Corinne Jackson --- Communications Director

Okanagan Basin Water Board

1450 KLO Road, Kelowna, BC V1W 3Z4

Office: 250.469.6271 Mobile: 250.718.7249

www.obwb.ca

www.okwaterwise.ca

Join the conversation! Follow us on



siwłk^w (WATER) FOR ALL – OUR RESPONSIBILITY

ENVIRONMENTAL FLOW NEEDS CONFERENCE 2018: SCIENCE, POLICY & PRACTICE
KELOWNA | BRITISH COLUMBIA | CANADA

CONFERENCE PROGRAM (PRELIMINARY)

DAY 1 WEDNESDAY, OCTOBER 17, 7:00 AM TO 9:00 PM

- 7:00-8:00** Continental breakfast & networking
- 7:00-9:00** Registration
- 8:30** Opening ceremony
- 9:00** Introduction: Conference purpose and objectives
- 9:15** Approach – Integration of Syilx Tradition & Dialogue Process
- Four Food Chief story
 - Dialogue process
 - Goals & group agreements
 - Food Chief selection

9:40 SESSION 1: FOCUS ON LOCAL (BALLROOM)

Brian Guy, EFN in the Okanagan context
Tessa Terbasket, Syilx (Okanagan) Water Declaration
Lee Hesketh and Lou Cook, Ranching and EFNs
Rich McCleary, Merritt EFN work and Nicola pilot project
Rod MacLean, Impacts and pressures within the watershed

- 10:15** Table dialogue
- 10:30** Plenary session
- 10:40** Panel summary

10:45 BIO-BREAK AND NETWORKING

CONCURRENT SESSIONS

11:00 SESSION 2: CURRENT EFN STRESSORS

Ballroom, Salon A
Natasha Neumann, Managing EFN data
Drew Lejbak, Naturalized flows from EFN
Joe Enns, Okanagan approach:
Tennant & Weighted Usable Width
Jeff Nitychoruk, Application of EFN in
decision-making British Columbia
Keiko Parker, Development and Application
of EFNs by a large water system

- 11:30** Table dialogue
- 11:45** Plenary session
- 12:00** Panel summary
- 12:15** Reflections from Syilx Tradition

12:30 LUNCH BREAK

CONCURRENT SESSIONS

1:30 SESSION 3: NATURAL RESOURCES & ECOSYSTEMS

Ballroom, Salon A
Richard Bussanich, History and status
of Okanagan fisheries and salmon
reintroduction
Shaun Reimer, Dawn Machin, Fish/Water
Management Tool for decision support
Mark Lorang, 3D modelling
& habitat mapping
Carrie Terbasket, Ecosystem valuation -
Okanagan River sockeye
Kim Hyatt, Fisheries climate adaptation

- 2:00** Table dialogue
- 2:15** Plenary session
- 2:30** Panel summary
- 2:45** Reflections from Syilx Tradition

3:00 BIO-BREAK AND NETWORKING

- 4:00** Plenary session with presenters
- 4:55** Closing remarks: co-chairs
- 5:00** Poster session (Vineyard 1-4) and wine/beer reception
- 6:00** Gala Dinner (Ballroom)

DAY 2 THURSDAY, OCTOBER 18, 7:00 AM TO 4:00 PM

- 7:00-8:00** Continental breakfast & networking
- 7:00-9:00** Registration
- 8:30** Invocation - Water protector / Elder
- 8:40** Introduction to Day 2 - Review of agenda and activities

CONCURRENT SESSIONS

9:00 SESSION 4: INTERACTION AND COMPLEXITY

Ballroom, Salon A
Craig Nichol, Groundwater-EFN interface
Rita Winkler, Forests and water
David Thomson, Effects of the
timing of groundwater use
Suzan Lapp, Incorporating EFNs in water
management
Matt Kennedy, Managing run-of-river
hydroelectric projects

- 9:30** Table dialogue
- 9:45** Plenary session
- 10:00** Panel summary
- 10:15** Reflections from Syilx Tradition

10:30 BIO-BREAK AND NETWORKING

CONCURRENT SESSIONS

10:45 SESSION 5: HUMAN DIMENSIONS

Ballroom, Salon A
David Tickner, Potential
applications of EFN approaches
Hereditary Chief and Michelle
Tung, Carrier-Sekani surface water
management case study
Claudia Pahl-Wostl, EFNs and
water governance: managing
sustainable water uses

- 11:15** Table dialogue
- 11:30** Plenary session
- 11:45** Panel summary
- 12:00** Reflections from Syilx Tradition

12:15 LUNCH BREAK

1:15 SESSION 6: POLICY (BALLROOM)

Genevieve Layton-Cartier and Deana Machin, Implications
of Okanagan EFN-setting work for policy in BC
Ted White, Regulatory opportunities under WSA
Deborah Curran, Water law and policy in BC

- 1:50** Table dialogue
- 2:10** Plenary session
- 2:30** Panel summary

2:45 BIO-BREAK AND NETWORKING

- 3:00** Closing activity: Reflections from Syilx Tradition – 7 generations
- 3:30** Closing remarks by Bob Sandford
- 3:50** Closing remarks: co-chairs
- 3:55** Closing gratitude by Syilx Elder

siwłk^w (WATER) FOR ALL – OUR RESPONSIBILITY

ENVIRONMENTAL FLOW NEEDS CONFERENCE 2018: SCIENCE, POLICY & PRACTICE

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