



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, October 04, 2018  
RDOS Boardroom – 101 Martin Street, Penticton

## SCHEDULE OF MEETINGS

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9:00 am	-	9:30 am	Protective Services Committee [Closed Session]
9:30 am	-	10:15 am	Planning and Development Committee
10:15 am	-	10:45 am	Corporate Services Committee
10:45 am	-	11:00 am	Break
11:00 am	-	12:00 pm	Environment and Infrastructure Committee
12:00 pm	-	12:30 pm	Lunch
12:30 pm	-	3:00 pm	RDOS Board

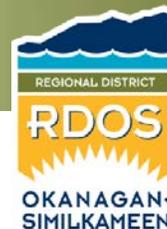
*"Karla Kozakevich"*

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Karla Kozakevich  
RDOS Board Chair

### Advance Notice of Meetings:

October 18, 2018	RDOS Board/OSRHD Board/Committee Meetings
November 01, 2018	RDOS 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



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Protective Services Committee

Thursday, October 04, 2018

9:00 a.m.

## REGULAR AGENDA

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

**THAT the Agenda for the Protective Services Committee Meeting of October 4, 2018 be adopted.**

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**B. CLOSED SESSION**

**RECOMMENDATION 2**

**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.**

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**C. ADJOURNMENT**



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, October 04, 2018

9:30 a.m.

## REGULAR AGENDA

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

THAT the Agenda for the Planning and Development Committee Meeting of October 4, 2018 be adopted.

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**B. RELEASE OF THE 2018 BC BUILDING CODE & ENERGY STEP CODE – For Information Only**

To provide for information only to the Board of Directors the release of the 2018 BC Building Code and the BC Energy Step Code.

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**C. BUILDING BYLAW No. 2805, 2018**

To introduce the draft Building Bylaw for review and discussion. The proposed bylaw applies to the design, construction or occupancy of new buildings or structures, and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures.

**RECOMMENDATION 2**

THAT Committee bring Bylaw No. 2805, 2018, being a bylaw of the Regional District of Okanagan Similkameen for the administration of the building code and regulation of construction, forward for 1st Reading, then proceed with public consultation.

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**D. ADJOURNMENT**

## ADMINISTRATIVE REPORT

**TO:** Planning & Development Committee

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

**DATE:** October 4, 2018

**RE:** Release of the 2018 BC Building Code & Energy Step Code

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### Purpose:

To provide for information only to the Board of Directors the release of the 2018 BC Building Code and the BC Energy Step Code.

### Reference:

[Building and Safety Standards Branch](#)

### Background:

The 2018 version of the British Columbia Building Code (BCBC) has been adopted and is effective December 10, 2018.

The BCBC is based on the National Code and is updated approximately every 5 years. The most recent 2015 National Code incorporates approximately 600 technical changes to enhance code language clarity, introduce new concepts and to expand existing requirements. Some of the new requirements in the National Code include:

- Installation of leakage-rated door assemblies in some fire separations.
- Updates to airborne sound transmission provisions to address flanking sound transmission in addition to direct sound transmission.
- Changes to seismic design data and climatic data.
- Updates to stairs, ramps, handrails and guards, including an increase to the run dimensions for residential dwellings.
- Residential fire warning systems as a new acceptable code-compliant solution.
- Additional materials and assemblies when using the component additive method in Appendix D of Division B.
- Maximum flow rates for supply fittings and shower heads.

Changes in the BCBC reflect the unique needs of BC's geography, climate, and construction industry. The following significant code changes, are specific to BC:

- Accessibility – new requirements to help improve accessibility in small retail shops and common areas of condominium and apartment buildings.
- Area Calculation of Exposing Building Face – clarification of the requirements for fire protection between adjacent residential buildings.
- Asbestos – removes all direct references that allowed asbestos containing products.
- Energy Efficiency Standards – references new editions of the energy efficiency codes and standards to improve new buildings energy performance which contribute to the Province's goal of requiring net-zero ready buildings by 2032.
- Exit signs - alignment of two standards within the NBC and BCBC.
- Factory Constructed Buildings – reinsertion of an appendix note which was deleted in 2012 version of the BCBC to clarify how conformance with the CSA A277 standard relates to the 2018 BCBC.
- Fenestration – standards for windows, doors and skylights.
- Heritage Buildings - table of alternate compliance methods for heritage buildings has been updated and moved from the appendix into the body of the Code to clarify that its requirements are an enforceable part of the Code.
- Mid-Rise Combustible Construction – increased fire performance for exterior cladding.
- Water Efficiency of Plumbing Fixtures - changes to flow rates and introduction of automatic shut off requirements for public lavatories and showers.
- Radon Data – revised to reflect new evidence of locations where radon gas is deemed to be an issue.
- Stairs – the BCBC does not include permissions adopted in the 2015 NBC for mixed flights and spiral stairs within a dwelling unit.

### **BC Energy Step Code**

The Province has committed to taking incremental steps to increase energy efficiency requirements in the BC Building Code to make buildings net-zero energy ready by 2032. The BC Energy Step Code supports that effort.

The Province first introduced energy efficiency as a BC Building Code requirement in 2008. Since then designers and builders have had the option to use either “prescriptive” or “performance” approaches to comply with the code's efficiency requirements.

To date, the vast majority of builders have pursued the prescriptive approach. The buildings must meet specific requirements for insulation, windows, furnaces, water heaters, lighting and other equipment and systems. It focuses on individual components rather than ensuring the building functions well as a whole.

The performance path establishes a desired outcome and leaves it to the design and building team to decide how to achieve it through energy modelling and on-site testing. This approach is based on many green-building certification programs including the Energy Star, R-2000, Passive House, Net Zero Home and Net Zero Ready programs.

The BC Energy Step Code is a voluntary provincial standard enacted in April 2017 that provides an incremental and consistent approach to achieving more energy efficient buildings that go beyond the requirements of the BCBC. Builders have the option of building to the requirements of the Energy Step Code at any time however, Local Governments can set further bylaw requirements to meet one or more of the steps starting December 15, 2017.



Respectfully submitted:



L. Miller, Building Department Supervisor

Endorsed by:



B. Dollevoet, Development Services Manager

Attachment

No. 1 – [Information Bulletin No. B18-04 August 24, 2018 – 2018 Edition of the British Columbia Building Code](#)



## Information Bulletin

### Building and Safety Standards Branch

PO Box 9844 Stn Prov Govt  
Victoria BC V8W 9T2

Email: [building.safety@gov.bc.ca](mailto:building.safety@gov.bc.ca)

Website: [www.gov.bc.ca/buildingcodes](http://www.gov.bc.ca/buildingcodes)

No. B18 – 04  
August 24, 2018

### 2018 Edition of the British Columbia Building Code

The Province has adopted the 2018 edition of the British Columbia Building Code (BC Building Code), which includes Book I (General) and Book II (Plumbing Systems). The 2018 BC Building Code is effective December 10, 2018 and applies to building permits applied for on or after that date. As with previous editions, buildings with permits in place under the 2012 BC Building Code will generally not be affected by the adoption of the new code.

#### How to Obtain a Copy of the 2018 BC Building Code

BC Codes are available for purchase from the Queen's Printer at [bccodes.ca](http://bccodes.ca), and will soon be available at all [BC Public Libraries](#).

#### New Requirements

The BC Building Code is based substantially on the model National Codes which are developed by the National Research Council with involvement of provinces and territories. The National Codes are updated approximately every five years. B.C. adopts most of the national requirements into subsequent editions of the BC Building Code.

The most recent 2015 National Codes incorporated about 600 technical changes to enhance code language clarity, introduce new concepts, and expand existing requirements. Some of the new requirements in the National Codes include:

- Installation of leakage-rated door assemblies in some fire separations,
- Updates to airborne sound transmission provisions to address flanking sound transmission in addition to direct sound transmission,
- Changes to seismic design data and climatic data,
- Updates to stairs, ramps, handrails and guards, including an increase to the run dimensions for residential dwellings,
- Residential fire warning systems as a new acceptable solution,
- Additional materials and assemblies when using the component additive method in Appendix D of Division B,
- Maximum flow rates for supply fittings and shower heads.

For more information on the significant changes introduced in the 2015 National Building Code, please visit the National Research Council of Canada's [website](#).

Changes specific to B.C. reflect the unique needs of B.C.'s geography, climate, and construction sector. The Building and Safety Standards Branch conducted a public review to seek feedback on the proposed code changes. Feedback was carefully considered and helped inform the 2018 BC Building Code.

This bulletin provides an overview of the following significant code changes, specific to B.C.:

- Accessibility
- Area Calculation of Exposing Building Face
- Asbestos
- Energy Efficiency Standards

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Website: [www.gov.bc.ca/buildingcodes](http://www.gov.bc.ca/buildingcodes)

- Exit Signs
- Factory Constructed Buildings
- Fenestration
- Heritage Buildings
- Mid-Rise Combustible Construction
- Water Efficiency of Plumbing Fixtures
- Radon Data
- Stairs

#### **Accessibility**

The 2018 BC Building Code combines the requirements of the 2015 National Building Code with BC's historical requirements to require a greater level of building accessibility. New requirements help improve accessibility in small retail shops, and common areas of condominium and apartment buildings, as well as permit greater flexibility in design choices. Please read Bulletin [B18-05](#) for more information on this update.

#### **Area Calculation of Exposing Building Face**

The 2018 BC Building Code clarifies the requirements for fire protection between adjacent residential and small buildings in Part 9 and better aligns with the language and intent of Part 3. The change provides clarity for buildings divided into fire compartments that it is permitted, but not mandatory, to calculate the area of the exposing building face for each compartment, as an alternative option to taking the exposing building face as the exterior wall area facing in one direction on any side of the building.

#### **Asbestos**

The 2018 BC Building Code removes all direct references that permitted asbestos-containing products. The Building Code does not ban asbestos-containing products, however asbestos-containing products are no longer listed among acceptable materials due to the potential risk to the health and safety of builders and building occupants.

#### **Energy Efficiency Standards**

The 2018 Building Code references new editions of energy efficiency codes and standards. New buildings meeting ANSI/ASHRAE 90.1-2016, "Energy Standard for Buildings Except Low-Rise Residential Buildings" or the "National Energy Code for Buildings 2015" will improve their energy performance, and the new requirements contribute to the Province's goal of requiring net-zero energy ready buildings in the BC Building Code by 2032.

#### **Exit Signs**

The National Building Code and BC Building Code reference two co-ordinated International Organization for Standardization (ISO) standards for the design of exit signs. The 2018 BC Building Code retains the versions referenced in the 2012 BC Building Code of these two standards, which are aligned with the references to the directional arrows in the 2015 National Building Code and the 2018 BC Building Code.

#### **Factory Constructed Buildings**

The portion of the appendix related to CSA A277 "Procedure for Factory Certification of Buildings" was deleted when the previous exemption for these buildings was removed from the

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2012 BC Building Code. This appendix note has been re-inserted to clarify how conformance with the CSA A277 standard relates to the 2018 BC Building Code.

#### Fenestration

Windows, doors, and skylights may conform to either the 2008 or 2011 version of "NAFS – North American Fenestration Standard/Specification for Windows, Doors, and Skylights" (NAFS), and to either the 2009 or 2017 the version of the "Canadian Supplement to NAFS – North American Fenestration Standard/Specification for Windows, Doors, and Skylights" (Canadian Supplement).

#### Heritage Buildings

The table of alternate compliance methods for heritage buildings is unique to B.C. and differs from the National Building Code. Editorial corrections and updates to include current references have been made to the table. The table has also been moved from the appendix into the body of the code (Division A) to clarify that its requirements are an enforceable part of the code.

#### Mid-Rise Combustible Construction

Following consultations with industry stakeholders and based on extensive research and evaluation, the BC Building Code has adopted the 2015 National Building Code provisions for mid-rise combustible buildings with a variation specific to B.C. The variation will require 100 percent of the exterior cladding to have increased fire performance and 10 percent of the building's perimeter to be located within 15 metres of a street or streets. More information on this update can be found in [Bulletin B18-06](#) on mid-rise combustible construction.

#### Water Efficiency of Plumbing Fixtures

Plumbing fixture efficiency requirements have been relocated from the BC Building Code Book I (General) to Book II (Plumbing Systems). In addition, some new requirements have been adopted from the 2015 National Plumbing Code to help achieve consistent requirements across Canada. Changes to flow rates are reproduced in the following table, but do not apply to lavatories in health care facilities, emergency eye washes, or emergency showers. In addition to flow rates for public lavatories and showers, automatic shut off requirements are introduced.

Fixture Flow Rates	
Fixture	Flow Rate measured in L/min
Private lavatory supply	Reduced from 8.3 to 5.7
Public lavatory supply	Reduced from 8.3 to 1.9
Kitchen supply	Unchanged at 8.3
Shower head	Reduced from 9.5 to 7.6

There is no change to the flush cycle requirements for water closets, however the maximum water usage per flush cycle for non-residential urinals is reduced from 5.7 Lpf to 1.9 Lpf.

#### Radon Data

Part 9 of the BC Building Code requires some buildings to have a radon rough-in for a subfloor depressurization system, in locations of the province where there is evidence of radon

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concentrations in buildings exceeding Health Canada guidelines. While the Building Code does include a list of areas where radon is known to be an issue, new data is continually being reported regarding radon concentrations in locations of the province that were previously not known to be an elevated radon risk. The authority having jurisdiction may have data established by bylaw or policy which determines if the radon rough-in provisions of the BC Building Code apply. In the absence of such data from the authority having jurisdiction, Table C-4 in Division B of the BC Building Code, which has been revised to reflect new evidence, can be used. Now, Table C-4 lists radon rough-ins as required in some locations that were previously not known to have an elevated risk of indoor radon concentrations exceeding Health Canada guidelines. New locations listed as "required" in Table C-4 are:

- Abbotsford
- Duncan
- Hope
- Lillooet
- Sechelt
- Whistler

More information on radon rough-in requirements can be found in [Bulletin B14-07](#).

### Stairs

Important changes have been made to stair requirements to improve safety and ease of use for all occupants. The 2018 BC Building Code does not include permissions adopted in the 2015 National Building Code for mixed flights and spiral stairs within a dwelling unit.

### Education and Training

The Building and Safety Standards Branch is working with partners to support code users in learning about the new code requirements. Additional information about education and training opportunities will be posted to [www.gov.bc.ca/buildingcodes](http://www.gov.bc.ca/buildingcodes).

### Code Development

Codes are constantly changing to reflect new technologies and practices. National model codes are developed by committee, and information on how to participate on a committee, or attend a committee meeting is available in the following links. To participate in the development of Codes, Code Change Requests can be sent to the National Research Council of Canada.

### Links

- Codes Canada: (volunteer & attend) [https://www.nrc-cnrc.gc.ca/eng/solutions/advisory/codes\\_centre\\_index.html](https://www.nrc-cnrc.gc.ca/eng/solutions/advisory/codes_centre_index.html)
- Ministry website: <https://www2.gov.bc.ca/gov/content/industry/construction-industry/building-codes-standards>
- NRC Code Change Request: [https://www.nrc-cnrc.gc.ca/eng/solutions/advisory/codes\\_centre/code\\_change\\_request.html](https://www.nrc-cnrc.gc.ca/eng/solutions/advisory/codes_centre/code_change_request.html)

### Contact the Building and Safety Standards Branch

- **General** inquiries can be sent to [building\\_safety@gov.bc.ca](mailto:building_safety@gov.bc.ca)
- **Technical** Code inquiries can be sent to [codequestion@gov.bc.ca](mailto:codequestion@gov.bc.ca)

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## ADMINISTRATIVE REPORT

**TO:** Planning & Development Committee

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

**DATE:** October 4, 2018

**RE:** Building Bylaw #2805, 2018

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### Administrative Recommendation:

**THAT Committee bring Bylaw 2805/18, being a bylaw of the Regional District of Okanagan Similkameen for the administration of the building code and regulation of construction, forward for 1<sup>st</sup> Reading, then proceed with public consultation.**

### Purpose:

To introduce the draft Building Bylaw for review and discussion. The proposed bylaw applies to the design, construction or occupancy of new buildings or structures, and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures.

### Reference:

- [Building and Safety Standards Branch \(Building Act, BC Building Code, BC Energy Step Code\)](#)
- Municipal Insurance Authority of British Columbia (MIA) Core Building Bylaw for Regional Districts
- [RDOS Building Bylaw #2333](#)
- [BC Energy Step Code Implementation Updates](#)

### Background:

In the Spring of 2015, the BC Building Act was adopted into legislation by the Province. The main changes under the Act are:

- Consistency – establishes the Province as the sole authority to set building requirements (technical requirements) for the construction, alteration, repair and demolition of buildings. The objective is to create more consistent building requirements across BC while still providing local governments with flexibility to meet their needs.
- Competency – establishes qualification requirements for building officials to improve consistency in how the BC Building Code is interpreted, applied and enforced.
- Innovation – supports local governments and other local authorities through the implementation of a provincial review process to evaluate innovative building proposals.

As of December 15, 2017, regulations that are set out in local government building bylaw regulations that do not conform to the Building Act are not enforceable.

Upon adoption of the Building Act MIA commenced preparation of an update to the core sample Building Bylaw that was introduced in 2002 as a result of the leaky condo situation in the lower mainland. In the spring of 2018 sample bylaws were released to members of MIA. One of the sample bylaws is designed for medium to large municipalities with fully staffed building departments. One is a simplified versions for towns with only one or two inspectors. The third sample bylaw is tailored to regional districts. All three bylaws follow the same core principles derived in part from the original core bylaw that MIA published in 2002. These bylaws were created to provide a more modern and consistent approach across the province of implementing the Building Act across local governments. Their development has taken into consideration input from the Ministry of Municipal Affairs & Housing, BC Building & Safety Standards Branch for conformity with the Building Act.

### **Analysis:**

The current RDOS Building Bylaw #2333 was modelled after the 2002 MIA core sample bylaw and has undergone many amendments since it's adoption in 2005. Although many of the principles are the same in the newly revised core bylaws released in 2018, the sections have been expanded upon, wording clarified, new sections added and any sections which were ultra vires of the Building Act have been removed.

Building Bylaw #2805/18 reflects the 2018 MIA core sample bylaw for regional districts. In comparing the draft Bylaw to the previous Building Bylaw #2333 no sections have been removed but there has been expansion and clarification to many of the sections. In particular, the following is summarized:

### **Part 2: Purpose of Bylaw**

Wording has been added to clarify that the RDOS is not responsible for, and the bylaw does not protects owners, designers or constructors against economic loss and that a permit does not warranty the design and workmanship with respect to any building or structure.

### **Part 3: Scope and Exemptions**

Scope is essentially the same as the previously bylaw. A section has been added to set out when the new code would apply to existing buildings and structures.

### **Part 6: Powers of a Building Official**

Building Inspectors are now defined as Building Officials to align with the Building Act. Clarification of the sections for refusal and revocation of properties and clarifications of the Building Officials Right of Entry.

### **Part 9: Registered Professional's Responsibilities**

This section has been expanded for alignment with the Building Act and to reduce exposure to liability claims. It outlines when registered professionals will be required.

### **Part 10: Permit Requirements**

- Increasing application standards.
- Requirements for hazardous material assessment for demolitions and alterations to buildings.
- Increased requirement for survey certificates.
- Provision for stop work order to be placed if a registered professional is terminated on a project.
- Provision for stop work order to be placed if home warranty insurance is revoked.

The following new sections have been added:

### **Part 8: Obligations of Owner's Constructor**

Clarifies the responsibility and role of the person(s) involved in the construction of a building or structure. This is the MIA's attempt at assigning responsibility for construction requirements to contractors.

### **Part 10: Permit Requirements – Temporary Buildings**

Permits for temporary buildings have been treated as regular permits despite their sometimes temporary nature. The proposed section in the bylaw provides for issuance of a 1 year temporary building permit if zoning requirements are met.

### **Part 13: Numbering of Buildings**

To ensure that buildings and structures are clearly identified for emergency services and building inspection reviews

### **Part 15: Step Code**

The core sample bylaw developed by MIA for Regional Districts, unlike the core sample bylaws for Municipalities, does not include provisions for Energy Conservation and GHG Emission Reduction. Advice from the lawyers involved in drafting the MIA Bylaw were to hold off on incorporating the Step Code provisions for Regional Districts until industry has caught up. Regional Districts are unique in that there are many small communities without the benefit of professionals qualified to provide the services required in order to build in accordance with the Step Code. A hardship may be incurred if our citizens in rural communities were required to build to these requirements.

The BC Energy Step Code is currently a voluntary requirement in the BC Building Code, but requirements to build to those standards may be regulated by bylaw. If a customer wishes to build to the requirements set out in the Step Code an incentive could be offered as encouragement to do so. For example, a permit fee reduction would offset the cost of a Certified Energy Advisor and provide incentive to build to a higher energy efficient standard.

To date, there are 30 local governments throughout BC who have provided initial notification indicating that they have started to consult on the BC Energy Step Code. Only 1 of these local governments is a Regional District – Comox Valley Regional District (CVRD). CVRD does not reference the BC Energy Step Code in their Building Regulations Bylaw but instead has adopted a Board policy to rebate planning and building fees if a new residential dwelling achieves at least Step 3 in the BC Energy Step Code.

Step Level	Rebate Rate
Step 3 20% Beyond Code (Energy Star)	25%
Step 4 40% Beyond Code (R2000)	50%
Step 5 Net Zero/Passive House	100%

The Step Code provisions have been reserved in Building bylaw #2805 for future consideration given the province’s current goal of obtaining net zero ready buildings by 2032. The Board may wish to look at options to provide a monetary incentive in a rebate of permit fees if an owner chooses to build to the Step Code and demonstrates compliance at the end of the project.

**Part 17: Plumbing Permits**

A separate section requiring permits for plumbing has been added. Plumbing permits are issued under the current bylaw but they are incorporated into the main body of the bylaw.

**Part 18: Farm Buildings**

In accordance with direction received from the Planning and Development Committee on April 5, 2018, the provisions for farm buildings has been incorporated into a separate section of the draft Building bylaw.

It is proposed that a farm exemption will be required for low human occupancy structures less than 20 m<sup>2</sup> (215 ft<sup>2</sup>), unenclosed hay storage structures or animal shelters less than 600 m<sup>2</sup> and greenhouses up to 190 m<sup>2</sup> (2045 ft<sup>2</sup>) used for the production of agricultural and horticultural produce or feeds. Inspection and permit fees **will not** apply to these structures but the structures must be constructed and sited in compliance with all applicable bylaws affecting the property.

Buildings which fall outside the parameters to obtain a farm exemption but are bona fide farm buildings less than 600 m<sup>2</sup> located on land classed as farm through BC Assessment that are designed for low human occupancy will require a building permit. The permits for these structures will have a reduced fee and less rigorous permit application requirements and inspections will be limited to siting and verification of use. At the time of permit issuance the applicant/owner will be provided

with information regarding requirements to change the occupancy or use of these structures as well as the potential penalty or fine that may be incurred if the processes are not followed.

For clarification, the definition of a farm building will be clearly defined in the definitions as follows:

Farm Buildings means a building or part thereof which

- (a) does not contain a residential occupancy and is
  - i. associated with and located on land dedicated to farming, and
  - ii. used exclusively for the housing of equipment or livestock, or the growing or production, storage or processing of agricultural and horticultural produce or feeds,
- (b) is a stand alone barn, agricultural storage facility, greenhouse or silo located on land dedicated to farming,
- (c) does not include
  - i. covered riding arenas;
  - ii. structures associated with cannabis production;
  - iii. structures associated with the production of manufactured derivatives from agricultural raw materials (wine, sausages, fruit leathers, jams); or
  - iv. structures which may be used for assembly occupancies.

It is proposed to set fees for building permits for bona fide farm buildings at \$250.00. The current minimum application fee is \$150 which covers administrative costs. The additional \$100 will offset inspection costs. It is also proposed that farm building permits will be processed separately (“fast tracked”) to provide a more effective service for the farm community.

### **Part 21: Interpretation**

The Definitions have been moved to the back of the document and the scope of defined terms has been expanded and clarified into defined terms within the Code and other enactments.

### **Alternatives:**

1. That Committee send Building Bylaw #2805/18 back to Administration for further review
2. That Committee refer Building Bylaw #2805/18 to the 2018 – 2022 Board of Directors

### **Communication Strategy:**

1. Summary of proposed changes to be posted on the RDOS Hot topics and Internet pages;

2. Provide summary to designers, contractors, member municipalities and CHBA;
3. Potentially meet with farming and ranching community to present changes to the farm building exemption process in addition to providing written materials setting out the change in the farm building exemption process; (Okanagan-Similkameen Cattlemen's Association, BC Fruit Growers' Association, BC Tree Fruits Cooperative)
4. Provide an information pamphlet or brochure at permit issuance regarding the farm building process and potential penalty and steps to take if occupancy or use of the building changes;

**Respectfully submitted:**



\_\_\_\_\_  
L. Miller, Building Department Supervisor

**Endorsed by:**



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

# **REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

## **BUILDING BYLAW NO. 2805, 2018**

*A Bylaw for the Administration of the Building Code and Regulation of Construction*

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## Regional District of Okanagan-Similkameen

### BUILDING BYLAW NO. 2805, 2018

A Bylaw for Administration of the Building Code and Regulation of Construction

---

GIVEN that

- A. The Regional District provides a building regulation service in Electoral Areas A, C, D, E, F, H and I;
- B. The Regional Board may by bylaw regulate, prohibit and impose requirements in respect to buildings and structures for the following:
  - (a) The provision of access to a building or other structure, or to part of a building or other structure, for a person with disabilities;
  - (b) The conservation of energy or water;
  - (c) The reduction of greenhouse gas emissions;
  - (d) The health, safety or protection of persons or property;
- C. The Regional Board is enacting this bylaw to regulate construction and administer the British Columbia *Building Code* in the Regional District in accordance with the *Local Government Act* and the *Building Act*;
- D. The Regional District has employed trained building officials for the purposes of this bylaw;

NOW THEREFORE the Regional Board of the Regional District of Okanagan-Similkameen enacts as follows:

#### PART 2: TITLE

##### Citation

- 2.1 This bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen Building Bylaw No. 2805, 2018”

#### PART 3: PURPOSE OF BYLAW

- 3.1 Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part.
- 3.2 Every permit issued under this bylaw is issued expressly subject to the provisions of this Part.
- 3.3 This bylaw is enacted to regulate, prohibit and impose *construction* requirements in the Regional District in the public interest.
- 3.4 The purpose of this bylaw does not extend to
  - (a) The protection of *owners, designers* or *constructors* from economic loss;
  - (b) The assumption by the Regional District or any *Building Official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors* or *designers* retained by the

- owner*, with the *Building Code*, the requirements of this bylaw, or other applicable enactments, codes or standards;
- (c) Providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a *building permit* or *occupancy permit* is issued under this bylaw;
  - (d) Providing any person a warranty or assurance that *construction* undertaken under *building permits* issued by the Regional District is free from latent, or any, defects; or
  - (e) The protection of adjacent real property from incidental damage or nuisance.

## PART 4: SCOPE AND EXEMPTIONS

### Application

- 4.1 This bylaw applies to the geographical area of Electoral Areas A, C, D, E, F, H and I of the Regional District and to land, the surface of water, air space, *buildings* or *structures* in the Electoral Areas.
- (a) This bylaw applies to the design, construction or *occupancy* of new *buildings* or *structures*, (including on site preparations, interconnection of modules, connection to services and installation of appliances for mobile homes and factory built houses) and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures (including on site preparations, interconnection of modules, connection to services and installation of appliances for mobile homes and factory built houses).
- 4.2 This bylaw does not apply to:
- (a) The following matters exempted by Section 1.1 of Division A – Part 1 of the **Building Code**:
    - i. Sewage, water electrical, telephone, rail or similar public infrastructure systems located in a street or a public transit right of way,
    - ii. Utility towers and poles, and television, radio and other communication aerials and towers, excepts for loads resulting for their being located on or attached to buildings,
    - iii. Mechanical or other equipment and appliances not specifically regulated in these regulations,
    - iv. Flood control and hydro electric dams and structures,
    - v. Accessory buildings less than 10m<sup>2</sup> (107 ft<sup>2</sup>) in building area that do not create a hazard,
    - vi. Factory built housing and components complying with CAN/CSA Z240 MH Series standard, but this exemption does not extend to on site preparations (foundations, mountings), connection to services and installation of appliances, and
    - vii. Areas that are specifically exempted from provincial building regulations by provincial or federal enactments,

- (b) Non-structural alterations and repairs to single and two-family residential dwelling which alterations do not affect the building envelope, including:
  - i. Re-covering existing roofs;
  - ii. Re-cladding existing exterior walls;
  - iii. Repainting;
  - iv. The repair or replacement of a valve, faucet, fixture or sprinkler head in a **plumbing system** if no change in piping is required;
  - v. Re-covering existing floors;
  - vi. Replacing windows and doors in existing openings (as long as the size does not change);
  - vii. Installation or replacement of gas or electric powered space or water heating fixtures or appliances;
- (c) buildings or structures on a mine site, other than buildings used or intended to be used for residential occupancy and buildings accommodating cooking or sleeping facilities;
- (d) game fences of any height on land classed as farm under the Assessment Act or fences 1.83 metres or less in height except as provided in Part 14 (pools)
- (e) signs with less than 4 square metres of total sign area;
- (f) unroofed residential decks if the deck surface is 600 mm (24 inches) or less above the adjacent ground level, or the adjacent surface within 1.2 m of the walking surface of the deck has a slope of more than 1 in 2;
- (g) public utility water reservoirs, valve chambers, piping and pump-houses and underground tanks
- (h) Except as set out in Part 11 (Retaining Walls) of this bylaw, a fence;
- (i) A trellis, an arbour, a wall supporting soil that is less than 1.2 metres in height, or other similar landscape *structures* on a parcel zoned for single-family *residential occupancy* uses under the Regional District's zoning bylaw;
- (j) Areas outside of Electoral Areas A, C, D, E, F, H and I.

### Limited Application to Existing Buildings

- 4.3 Except as provided in the *Building Code* or to the extent an *existing building* is under *construction* or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the *building* must be *reconstructed* and *altered*, unless it is expressly so provided by this or another bylaw, regulation or statute
- 4.4 This bylaw applies if the whole or any part of an *existing building* is moved either within or into the Regional District, including relocation relative to parcel lines created by subdivision or consolidation. Part 12 applies to *building* moves.
- 4.5 If an *alteration* is made to an *existing building* the *alteration* must comply with this bylaw and the *Building Code* and the entire building must be made to comply with this bylaw and the *Building Code*, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the *alteration*.
- 4.6 If an *alteration* creates an *addition* to an *existing building*, the *alteration* or *addition* must comply with this bylaw and the *Building Code* and the entire building must be made to comply with this bylaw and the *Building Code*, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the *alteration* or *addition*.

## PART 5: PROHIBITIONS

- 5.1 A person must not commence or continue any *construction, alteration, excavation, reconstruction, demolition, removal, relocation* or change the use or *occupancy* of any *building* or *structure*, including other work related to construction
- (a) except in conformity with the requirements of the *Building Code* and this bylaw; and
  - (b) unless a *Building Official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 5.2 A person must not *occupy* or *permit* the *occupancy* of any *building* or *structure* or part of any *building* or *structure*
- (a) unless a subsisting *final inspection notice* has been issued by a *Building Official* for the *building* or *structure* or the part of the *building* or *structure*; or
  - (b) contrary to the terms of any *permit* issued or any notice given by a *Building Official*.
- 5.3 A person must not knowingly submit false or misleading information to a *Building Official* in relation to any *permit* application or construction undertaken pursuant to this bylaw.
- 5.4 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *Building Official*, or plans and supporting documents which have been filed for reference with the *Building Official* after a *permit* has been issued.
- 5.5 A person must not, unless authorized in writing by a *Building Official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, *permit* or certificate posted or affixed to a *building* or *structure* pursuant to this bylaw.
- 5.6 A person must not do any work that is substantially at variance with the *accepted* design or plans of a *building, structure* or other works for which a *permit* has been issued, unless that variance has been authorized in writing by a *Building Official*.
- 5.7 A person must not interfere with or obstruct the entry of a *Building Official* or other authorized official of the Regional District on property in the administration of this bylaw.
- 5.8 A person must not *construct* on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so that it may be easily read from the public highway from which it takes its address.
- 5.9 A person must not contravene an administrative requirement of a *Building Official* made under section 6.6 or any other provision of this bylaw.
- 5.10 A person must not change the use, *occupancy* or both of a *building* or *structure* or a part of a *building* or *structure* without first applying for and obtaining a *building permit* under this bylaw.

## PART 6: PERMIT CONDITIONS

- 6.1 A *permit* is required if work regulated under this bylaw is to be undertaken.
- 6.2 Neither the issuance of a *permit* under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the Regional District will in any way
- (a) Relieve the *owner* (and if the *owner* is acting through an *agent*, the *agent* of the *owner*) from full and sole responsibility to perform the work in respect of which

- the *permit* was issued in strict compliance with this bylaw, the *Building Code*, and all other applicable codes, standards and enactments;
- (b) Constitute a representation, warranty, assurance or statement that the *Building Code*, this bylaw or any other applicable enactments respecting safety, protection, land use and zoning have been complied with; or
  - (c) Constitute a representation or warranty that the *building or structure* meets any standard of materials or workmanship;
- 6.3 No person shall rely on any *permit* as establishing compliance with this bylaw, assume, or conclude that this bylaw has been administered or enforced according to its terms.
- 6.4 Without limiting section 5.2(a), it is the full and sole responsibility of the *owner* (and if the *owner* is acting through a representative, the representative of the *owner*) to carry out the work in respect of which the *permit* was issued in compliance with the *Building Code*, this bylaw and all other applicable codes, standards and enactments.

## PART 7: POWERS OF A BUILDING OFFICAL

### Administration

- 7.1 Words defining the authority of a *Building Official* are to be construed as internal administrative powers and not as creating a duty.
- 7.2 A *Building Official* may
- (a) Administer this bylaw, but owns no public duty to enforce or administer this bylaw;
  - (b) Keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
  - (c) Establish or require an *owner* to establish whether a method or type of construction or material used in the construction of a *building or structure* complies with the requirements and provisions of this bylaw and the *Building Code*; and
  - (d) Direct that tests of materials, equipment, devices, construction methods, structural assemblies or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or *foundation* condition complies with this bylaw and the *Building Code*.

### Refusal and Revocation of Permits

- 7.3 A *Building Official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *Building Code* or the provisions of this or any other bylaw of the Regional District, and must state the reason in writing.
- 7.4 A *Building Official* may revoke a *permit* if,
- (a) There is a violation of any condition under which the permit was issued;
  - (b) There is a violation of any provision in the Building Code, this bylaw or any other bylaw of the Regional District;
  - (c) The permit was issued in error or on the basis of false or incorrect information; or

- (d) In their opinion, the results of tests on materials, devices, construction methods, structural assemblies or *foundation* conditions contravene the *Building Code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

## Right of Entry

- 7.5 Subject to applicable enactments, a *Building Official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met, or if the *Building Official* has any reason to believe that an unsafe condition exists.

## Powers

- 7.6 Subject to applicable enactments, a *Building Official* may by notice in writing require
- (a) A person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
  - (b) An *owner* to stop work on a *building* or *structure*, or any part of a *building* or *structure*, if the work is proceeding in contravention of this bylaw, the *Building Code*, or any other enactment of the Regional District or other applicable enactments, or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order in the form prescribed by the *Building Official*;
  - (c) An *owner* to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way or easement, or a setback or yard required under an enactment;
  - (d) An *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, *constructed* in contravention of a provision of this bylaw;
  - (e) An *owner* to have work inspected by a *Building Official* prior to covering;
  - (f) An *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *Building Official*;
  - (g) A person to cease any *occupancy* in contravention of a provision of this bylaw;
  - (h) A person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete and where the *Building Official* has not issued a final inspection notice for the work;
  - (i) An *owner* to correct any *unsafe condition*; and
  - (j) An *owner* to correct any work that contravenes this bylaw, the *Building Code*, or any other enactment.
- 7.7 Every reference to “*owner*” in section 6.6 includes a reference to the *owner’s* agent or *constructor*.
- 7.8 Every person served with a notice under this Part must comply with that notice
- i. Within the time ordered, or
  - ii. If no time is ordered, immediately.

## PART 8: OWNER’S RESPONSIBILITIES

### Permit Requirements

- 8.1 Subject to Part 10 of this bylaw, every *owner* must apply for and obtain a *permit*, prior to

- (a) *constructing, repairing or altering a building or structure, including a pool or retaining wall;*
  - (b) Moving a *building or structure* into or within the Regional District;
  - (c) Demolishing a *building or structure*;
  - (d) *Occupying a new building or structure*;
  - (e) *Constructing a masonry fireplace or installing a solid fuel-burning appliance or chimney, whether attached to, part of or detached from a building;*
  - (f) Changing the use or *occupancy* of a *building*,
- unless the works are the subject of another valid and subsisting *building permit*.

8.2 Every *owner* must ensure that plans submitted with a *permit* application bear the name, phone number, address and email address of the *designer* of the *building or structure*.

### Owner's Obligations

8.3 Every *owner* must

- (a) Comply with the *Building Code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit any work required by the *Building Code*, this bylaw or the conditions of a *permit*;
- (b) Ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all municipal inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *Building Official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work; and
- (c) Prior to the issuance of a *building permit*, execute and submit to the Regional District an *owner's* undertaking in the form attached as Appendix C, where required by the *Building Official*.

8.4 Every *owner* and every *owner's agent*, must carry out *construction* or have the *construction* carried out in accordance with the requirement of the *Building Code*, this bylaw and other bylaws of the Regional District and none of the issuance of a *permit* under this bylaw, the review of plans and supporting documents, or inspections made by a *Building Official* or a *registered professional* shall relieve the *owner*, or his or her *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *Building Code* and all other applicable codes, standards and enactments.

8.5 Every *owner* must allow a *Building Official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw. Every *owner* to whom a *permit* is issued must, during construction,

- (a) Post the civic address on the property so that it may be easily read from the public highway from which the property takes its address; and
- (b) Post the *permit* card on the property so that it may be easily read from the public highway from which the property takes its address
- (c) Provide building officials with safe access to the work site and all areas requiring inspection

## Damage to Municipal Works

- 8.6 Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the *permit*.
- 8.7 Every *owner* must pay to the Regional District, within 30 days of receiving an invoice for same from the Regional District, the cost to repair any damage to public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

## Demolition

- 8.8 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner*, must
- (a) Provide to the Regional District a vacancy date; and
  - (b) Ensure that all Regional District services and other services are capped and terminated at the property line in a Regional District standard inspection chamber and valve arrangement.
- 8.9 Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared and the *site* is levelled or graded, or made safe if levelling and grading are not possible.
- 8.10 No owner shall permit noxious or deleterious materials to escape from any demolition site by any means.

## Notice

- 8.11 Every *owner* must, at least 48 hours prior to commencing work at a *building site*, give written or online notice to a *Building Official* of the date on which the *owner* intends to begin such work.
- 8.12 Every *owner* must give written or online notice to a *Building Official* of any change in or termination of engagement of a *registered professional*, including a *coordinating registered professional*, during construction, within 24 hours of when the change or termination occurs.
- 8.13 If an *owner* or a *registered professional* terminates the engagement of a *registered professional*, including a *coordinating registered professional*, the *owner* must terminate all work under a *building permit* until the *owner* has engaged a new *registered professional*, including a *coordinating registered professional*, and has delivered to a *Building Official* new letters of assurance.
- 8.14 Without limiting sections 10.30 to 10.44, every *owner* must give at least 48 hours' online or written notice to a *Building Official*
- (a) Of intent to cover work that is required or ordered to be corrected during *construction*;
  - (b) Of intent to cover work that is required under this bylaw to be, or has been ordered to be, inspected prior to covering; and
  - (c) When the work has been completed so that a final inspection can be made.
- 8.15 Every *owner* must give notice in writing to a *Building Official* and pay the non-refundable fee set out in the RDOS Fees and Charges Bylaw immediately upon any change in ownership or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.

- 8.16 Every *owner* must give such other notice to a *Building Official* as may be required by the *Building Official* or by a provision of this bylaw.

## PART 9: OBLIGATIONS OF OWNER'S CONSTRUCTOR

- 9.1 Every *constructor* must ensure that all *construction* is completed in compliance with all requirements of the *Building Code*, this bylaw and all other applicable codes, standards and enactments.
- 9.2 Every *constructor* must ensure that no *excavation* or other work is undertaken on public property, and that no public is disturbed, no *building* or *structure* erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public property.
- 9.3 For the purposes of the administration and enforcement of this bylaw, every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

## PART 10: REGISTERED PROFESSIONAL'S RESPONSIBILITIES

### Professional Design and Field Review

- 10.1 The provision by the *owner* to the Regional District of Letters of Assurance in accordance with the requirements of the *Building Code* shall occur prior to
- (a) The pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
  - (b) A final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *Building Code*, in which case the *owner* must provide the Regional District with Letters of Assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7., Division C, of the *Building Code*.
- 10.2 If a *registered professional* provides letters of assurance in accordance with the *Building Code*, they must also provide proof of professional liability insurance to the *Building Official* in the form and amount set by the Appendix D to this bylaw.

### Requirement for a Registered Professional

- 10.3 The *owner* must retain a *registered professional* to provide a *professional design* and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7., Division C, of the *Building Code*, in respect of a *permit* application
- (a) Prior to the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
  - (b) Prior to a final inspection for a *simple building* in circumstances where letters of assurance have been received in accordance with the requirements of the *Building Code*, in which case the *owner* must provide the Regional District with letters of assurance in the form of Schedules C-A or C-B as appropriate, referred to in subsection 2.2.7., Division C, of the *Building Code*;
  - (c) a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* in accordance with the *Building Code*;

- (d) prior to *alterations* to a *building*, or to a structural component of a *building* described in paragraph (b);
- (e) for a *building* in respect of which the *Building Official* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property under the *Building Code*;
- (f) if the *building* envelope components of the *building* fall under Division B Part 3 of the *Building Code*, the *building* contains more than two dwellings, or if the *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 or the *Building Code*, and
- (g) for a parcel of land on which a *building* or *structure* is proposed if the *Building Official* believes the parcel is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*
  - i. for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended, and
  - ii. that the plans submitted with the application comply with the relevant provisions of the *Building Code* and applicable bylaws of the Regional District.

10.4 The *Building Official* may require any *registered professional* carrying out the *professional design* and *field review* required under section 9.3 to provide evidence that they have experience and expertise in respect of the *professional design* and *field review* of the context and scope required.

### Professional Plan Certification

- 10.5 The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7., Division C, of the *Building Code* referred to in sections 9.1 and 9.3 are relied upon by the Regional District and its *Building Officials* as certification that the design and plans to which the letters of assurance refer comply with the *Building Code*, this bylaw and other applicable enactments.
- 10.6 Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *Building Code*.
- 10.7 For a building permit issued for the construction of a *complex building*, the *Building Official* shall provide the *owner* with a notice that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *Building Code* and other applicable enactments. Any failure on the part of the *Building Official* to provide the *owner* with the notice will not diminish or invalidate the reliance by the Regional District or its *Building Officials* on the *registered professionals*.
- 10.8 When a *building permit* is issued for a *complex building* in accordance with this bylaw, the permit fee required by the RDOS Fees and Charges Bylaw shall be reduced by 25%.
- 10.9 When a *building permit* is issued for a *simple building* in accordance with Part 9 of this bylaw, the permit fee required by the RDOS Fees and Charges Bylaw shall be reduced by 10%.

## Alternative Solutions

- 10.10 An *owner* who wishes to provide alternative solutions to satisfy one or more of the requirements of the *Building Code* or this bylaw, must submit sufficient evidence, certified by a professional engineer or architect, to demonstrate that the proposed alternative solutions will provide the level of performance required by the *Building Code* or this bylaw and pay the fee specified in the RDOS Fees and Charges bylaw.

## PART 11: BUILDING APPLICATION REQUIREMENTS

### Requirements Before Applying for a Building Permit

- 11.1 Prior to issuance of a *building permit*, the *owner* must satisfy the following requirements or conditions:
- (a) the *owner* must apply for and obtain a development permit if the *building* or *structure* is in an area designated by the Regional District's Official Community Plan as a development permit area;
  - (b) the *owner* must ensure that the proposed *building* or *structure* complies with all bylaws of the Regional District, except to the extent a variance of a bylaw is authorized by a development permit, development variance permit or order of the Board of Variance;
  - (c) an approving officer must have approved the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*, and the subdivision plan must have been registered in the Land Title Office;
  - (d) the *owner* must provide evidence to the *Building Official* showing that the person applying for the *building permit* is either the *owner* of the parcel that is the subject of the proposed *building permit*, or is the *agent* of the *owner*, in which case, the *agent* must provide the name and contact information of the *owner*;
  - (e) if the parcel that is the subject of the *building permit* application is not intended to be connected to the Regional District's sewage disposal system, the *owner* must apply for and obtain approval from the Regional District and other applicable public authorities for an alternate *private sewage disposal system*;
  - (f) if the parcel that is the subject of the *building permit* application is not intended to be connected to the Regional District's waterworks system, the *owner* must apply for and obtain approval from the Regional District and other applicable public authorities for an alternative water supply system; and
  - (g) if all on site and off site works and services required by a Regional District bylaw or other enactment have not been completed in accordance with the enactments, the *owner* must enter into a completion agreement with the Regional District and deliver to the Regional District letters of credit or cash security for completion of the works and service.

### Building Permit Applications for Complex Buildings

- 11.2 An application for a *building permit* with respect to a *complex building* must

- (a) be made in the prescribed form and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (b) be accompanied by the *owner's* acknowledgement of responsibility and undertaking made in the form attached as Appendix C to this bylaw and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
- (d) include a *Building Code* compliance summary including the applicable edition of the *Building Code*, such as without limitation whether the building is designed under Part 3 or Part 9 of the *Building Code*, *major occupancy* classification(s) of the *building*, *building area* and *building height*, number of streets the *building* faces, and *accessible* entrances, work areas, washrooms, firewalls and facilities;
- (e) include a copy of a survey plan prepared by a British Columbia land surveyor;
- (f) include a site plan prepared by a *registered professional* showing
  - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - ii. the legal description and civic address of the parcel;
  - iii. the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
  - iv. the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
  - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
  - vi. north arrow;
  - vii. if applicable, location of an approved *existing* or proposed private or other alternative sewage disposal system, water supply system or storm water drainage system;
  - viii. zoning compliance summary;
  - ix. the location, dimensions and gradient of parking and parking access;
  - x. proposed and *existing* setbacks to property lines;
  - xi. natural and finished grade at *building* corners and significant breaks in the building plan and proposed grade around the *building* faces in order to ascertain *foundation* height;
  - xii. first storey floor elevation;
  - xiii. location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
  - xiv. line of upper floors;
  - xv. location and elevation of curbs, sidewalks, manholes, and service poles;
  - xvi. location of *existing* and proposed service connections;
  - xvii. location and species of all trees greater than 10 centimetres in diameter;
  - xviii. location of top bank and water courses;
  - xix. access routes for firefighting;
  - xx. *accessible* paths of travel from the street to the *building*;
  - xxi. geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Regional

District's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation;

except that the *Building Official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building or structure*;

- (g) include floor plans showing the dimensions and uses and *occupancy* classification of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; fire separations; plumbing fixtures; structural elements; and stair dimensions;
- (h) include a cross-section through the *building or structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights and construction systems;
- (i) include elevations of all sides of the *building or structure* showing finish details, roof slopes, windows, doors, natural and finished *grade*, spatial separations and ridge height to comply with the *Building Code* and to illustrate that the *building or structure* conforms with the Regional District zoning bylaw and development permit;
- (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *Building Code*;
- (k) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the *Building Code*;
- (l) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and ministry of health approvals;
- (m) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7. Division C, of the *Building Code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
- (n) include letters of assurance in the form of Schedule B referred to in subsection 2.2.7 Division C, of the *Building Code*, each signed by such *registered professionals* as the *Building Official* or *Building Code* may require to prepare the design for and conduct *field reviews* of the construction of the *building*;
- (o) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (g) to (k) of this section; and
- (p) include illustration of any slopes on the subject parcel that exceed 20%.

11.3 In addition to the requirements of section 10.2 of this bylaw, a *Building Official* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building or structure* or siting circumstances warrant

- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the Regional District's subdivision and development servicing bylaw;
- (b) a section through the site showing grades, *buildings, structures*, parking areas and driveways; and

- (c) any other information required by the *Building Official* or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the *building* or *structure*.

### Building Permit Applications for Simple Buildings

- 11.4 An application for a *building permit* with respect to a *simple building* must
- (a) be made in the form prescribed by the *Building Official* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
  - (b) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form attached as Appendix C and signed by the *owner*, or a signing officer if the *owner* is a corporation;
  - (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
  - (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *Building Official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
  - (e) include a site plan showing
    - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
    - ii. the legal description and civic address of the parcel;
    - iii. the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
    - iv. the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
    - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
    - vi. north arrow;
    - vii. if applicable, location of an approved *existing* or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;
    - viii. the location, dimensions and gradient of parking and parking access;
    - ix. proposed and *existing* setbacks to property lines;
    - x. natural and finished grade at *building* corners and datum determination points;
    - xi. *first storey* floor elevations;
    - xii. location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
    - xiii. line of upper floors;
    - xiv. location and elevation of curbs, sidewalks, manholes and service poles;
    - xv. location of *existing* and proposed service connections;
    - xvi. location and species of all trees greater than 10 centimetres in diameter;
    - xvii. location of top bank and water courses;
    - xviii. access routes for firefighting;
    - xix. *accessible* paths of travel from the street to the *building*;
    - xx. zoning compliance summary; and

- xxi. the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Regional District's land use regulations or provincial floor mapping regulations establish siting requirements related to minimum floor elevation,

except that for a *simple building* the *Building Official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building*;

- (f) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
  - (g) include a cross-section through the *building* illustrating *foundations*, drainage, ceiling heights and construction systems;
  - (h) include elevations of all sides of the *building* showing finish details, roof slopes, windows, doors, the *grade*, the maximum *building height* line, ridge height, spatial separations and natural and finished *grade* to comply with the *Building Code* and to illustrate that the *building* or *structure* conforms with the Regional District zoning and development permit;
  - (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *Building Code*;
  - (j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approvals;
  - (k) except for garages, carports and garden structures located on land, include a *foundation* and *excavation* design prepared by a *registered professional* in accordance with the *Building Code*;
  - (l) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *Building Official* determines that the site conditions so warrant;
  - (m) include two sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section; and
  - (n) include a *Building Code* compliance summary including the applicable edition of the *Building Code*, such as, without limitation, whether the *building* is designed under Part 3 or Part 9 and compliance with article 2.2.2.1.(2), Division C of the *Building Code*.
- 11.5 In addition to the requirements of section 10.4 of this Part, if a *project* involves
- (a) two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 square metres;
  - (b) two or more *buildings* that will contain four or more dwelling units; or
  - (c) otherwise if the complexity of the proposed *buildings* or *structure* or siting circumstances warrant,

a *Building Official* may require the following be submitted with a permit application for the construction of each *simple building* in the *project*,

- (d) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
  - (e) a roof plan and roof height calculations;
  - (f) structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;
  - (g) letters of assurance in the form of Schedule B referred to in Division C of the *Building Code*, signed by a *registered professional*; and
  - (h) any other information required by the *Building Official* or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the *building* or *structure*.
- 11.6 The *Building Official* may waive requirements of this section in whole or in part, where the permit is sought for a project of limited scope.

### Size and Location Information

- 11.7 Without limiting sections 10.2(f) or 10.4(d) of this Part, the *Building Official* may in writing require an *owner* to submit an up-to-date plan or survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any *building* to
- (a) establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
  - (b) verify, on completion of the *construction*, that all provisions of this and other applicable bylaws have been complied with;
  - (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
  - (d) in relation to *construction* of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location and elevation,

and every person served with a written requirement under this section must comply with the requirement.

### Building Permit Fee

- 11.8 Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the Regional District
- (a) a non-refundable plan-processing fee in accordance with the RDOS Fees and Charges Bylaw. If a permit is issued the plan processing fee shall be credited to the building permit fee;
  - (b) the *building permit* fee prescribed in the RDOS Fees and Charges Bylaw; and
  - (c) any fees, charges, levies or taxes imposed by the Regional District and payable under an enactment at the time of issuance of the *building permit*.

### Permit Fee Refunds

- 11.9 No fee or part of a fee paid to the Regional District may be refunded if construction of the *building* has started.

- 11.10 The building official may approve a refund of an application fee or portion thereof only if plan checking has not commenced.
- 11.11 A *building permit* or other *permit* fee may be partially refunded as set out in paragraph 10.52, only if
- (a) the *owner* has submitted a written request for a refund;
  - (b) the *Building Official* has certified a start has not been made on the construction of the *building* or *structure*; and
  - (c) the *permit* has not expired.
- 11.12 A *building permit* or other *permit* fee is not refundable after the *permit* has been extended under section 10.47 of this Part.
- 11.13 Except as otherwise provided in this bylaw, all fees and charges paid or payable under this bylaw shall be non-refundable.

### Design Modification

- 11.14 If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the value of the work does not increase or the value of the work decreases, the *owner* must pay to the Regional District a *building permit* fee based on the plan review hourly rate set out in the RDOS Fees and Charges Bylaw.

### Construction Before Permit Issued

- 11.15 If any construction for which a permit is required by this by-law has commenced before a building permit is issued by the *Building Official*, the *owner* of the real property on which the *construction* is being done shall pay to the Regional District as follows:
- (a) An additional charge equal to 25% of the building permit fee as prescribed in the RDOS Fees and Charges Bylaw prior to obtaining the required building permit if a completed application is received within 30 days of notification that a building permit is required;
  - (b) If a Stop Work Order or Do Not Occupy Notice is issued and remains outstanding for 30 days, the permit fee pursuant to the RDOS Fees and Charges Bylaw shall be doubled, to a maximum of \$10,000.00;
  - (c) If construction has advanced without inspection to a stage where compliance with this bylaw or other applicable bylaws or enactments cannot be readily determined, the building official may require tests and investigations by an independent agency at the owner's expense to establish compliance or provided recommended remedial measures to be taken, prior to the issuance of a permit.

### Expiration of Application for a Permit

- 11.16 A *building permit* or other *permit* application expires 180 days from the date a complete application is received under this Part if the *building permit* or other *permit* is not issued by the application expiration date, unless the *permit* is not issued only due to delays caused by the Regional District.
- 11.17 When a *building permit* or other *permit* application is cancelled:
- (a) The application fee is forfeited to the Regional District; and
  - (b) The plans and related documents submitted with the application may be destroyed.

## Issuance of a Building Permit

11.18 Each building, structure or part thereof constructed on a site requires a separate permit and shall be assessed a separate permit fee based on the value of that building, structure or part thereof.

11.19 If

- (a) a completed application in compliance with sections 10.2 and 10.3 or sections 10.4 and 10.5 of this Part, including all required supporting documentation, has been submitted;
- (b) the *owner* has paid all applicable fees set out in sections 10.8 to 10.16 of this Part and the RDOS Fees and Charges Bylaw;
- (c) the *owner* or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw;
- (d) the *owner* has retained a professional engineer or geoscientist if required under this bylaw;
- (e) the *owner* has retained an architect if required under this bylaw; and
- (f) no covenant, agreement, resolution or regulation of the Regional District requires or authorizes the *permit* to be withheld,
- (g) the owner has provided a hazardous materials assessment and remediation compliance letter or clearance letter for additions, alterations or demolitions to buildings constructed prior to 1992,

the *Building Official* must issue the *permit*, in the form prescribed by the *Building Official*, for which the application is made, and the date of issuance is deemed to be the date the Regional District gives written notice to the *owner* that the *permit* is ready to be picked up by the *owner*.

## Issuance of Partial Permits

11.20 The *Building Official* may issue a permit for a portion of a *building* or *structure* before the design, plans and supporting documents for the entire *building* or *structure* have been reviewed provided sufficient information has been provided to the Regional District to demonstrate to the Building Official that the portion authorized to be constructed substantially complies with this and any other applicable Regional District bylaws and the permit fee applicable to that portion of the *building* or *structure* has been paid. Notwithstanding the issuance of the permit, the requirements of this bylaw shall apply to the remainder of the *building* or *structure* as if the permit for the portion of the *building* or *structure* had not been issued.

## Refusal to Issue Building Permit

11.21 Despite section 10.19, the *Building Official* may refuse to issue a *permit* when

- (a) the *owner* has been notified of a violation of this bylaw about the construction, occupancy or use of any other *building* or *structure* or part thereof, by the *owner* on the property, and such violation has not been remedied;
- (b) the results of the tests referred to in Section 6.2(d) are not satisfactory to the *Building Official*; or
- (c) the parcel referred to in the permit application does not have vehicular access

## Compliance with the Homeowner Protection Act

- 11.22 If the application is in respect of a *building* that includes, or will include, a *residential occupancy* governed by the *Homeowner Protection Act*, the *building permit* must not be issued unless the *owner* provides evidence under section 30(1) of the *Homeowner Protection Act*, that the proposed *building*
- (a) is covered by home warranty insurance; and
  - (b) the *constructor* is a licensed “residential builder” as defined in that Act.
- 11.23 Section 10.22 of this Part does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20(1) or 30(1) of the *Homeowner Protection Act*.
- 11.24 Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act* and negotiations under it during the term of the *permit*.

## Partial Construction

- 11.25 If a site has been *excavated* under a *building permit* issued under this bylaw and a *building permit* is not subsequently issued or a subsisting *building permit* has expired under section 10.45, but without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the Regional District to do so.
- 11.26 If a *building permit* has expired and partial construction has progressed, with no extension requested of the *Building Official* under section 10.47, permanent type fencing with privacy screen complying with the Regional District’s Zoning Bylaw, must be erected around the *building* site for protection to the public.

## Conditions of a Building Permit

- 11.27 A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned until the *owner* has notified the *Building Official* in writing, the *Building Official* has authorized the transfer or assignment in writing and the *owner* has paid the non-refundable fee required under the RDOS Fees and Charges Bylaw. The transfer or assignment of a *building permit* is not an extension of a *building permit*.
- 11.28 The review of plans and supporting documents and issuance of a *building permit* do not prevent the *Building Official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building* construction or *occupancy* being carried on when in violation of this or another bylaw.

## Inspections

- 11.29 Despite the requirement for the *Building Official’s* acceptance of the work outlined in Section 10.32, if a *registered professional* provides letters of assurance the Regional District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw and the *Building Code* as assurance that the aspects of the *construction* referenced by those letters of assurance substantially conforms to the design, plans and specifications and the construction complies with the *Building Code*, this bylaw and other applicable enactments respecting safety. Copies of all field reviews must be submitted to the Regional District.

- 11.30 Despite section 10.29 of this Part, a *Building Official* may attend the site from time to time during the course of construction to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.
- 11.31 A *Building Official* may attend periodically at the site of the construction of *simple buildings* or *structures* to ascertain whether the work is being carried out in substantial conformance with the *Building Code*, this bylaw and any other applicable enactments concerning safety.
- 11.32 For all work in respect of *simple buildings* the *owner* must give at least 48 hours' notice to the Regional District when requesting an inspection and must obtain an inspection and receive a *Building Officials'* written acceptance of the following aspects of the work prior to concealing them
- (a) after demolition, the grading and removal of debris from the site;
  - (b) Footings, after preparation for footings or alternative methods are complete, prior to placement of concrete;
  - (c) Foundation, after forms for foundation walls are complete, prior to placement of concrete;
  - (d) After damp-proofing and foundation drainage are in place, prior to backfilling;
  - (e) Under-slab plumbing;
  - (f) Under-slab, after slab preparation for soil gas requirements, the preparation of ground, including ground cover when required, perimeter insulation on inside of concrete *foundation* walls prior to covering;
  - (g) installation of rough-in plumbing, when complete and under test, prior to covering;
  - (h) factory built chimneys and fireplaces and solid fuel burning appliances:  
**in new structures:** rough-in of factory built chimneys, fireplaces and solid fuel burning appliances, and prior to use; in the case of masonry fireplaces prior to completion of the smoke chamber and again prior to cover up of the masonry flue(s).  
The manufacturer's written instructions and specifications must be made available to the *Building Official* at the time of the inspection(s), including the make, model and specified clearance requirements.
  - (i) framing, sheathing, fire stopping (including drywall in fire separations), fire blocking, bracing, rough plumbing, rough heating, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;
  - (j) insulation, air and vapour barrier;
  - (k) Occupancy and final, after the *health and safety aspects of the work* when the *building* or *structure* is substantially complete, ready for *occupancy* but prior to occupancy.
- 11.33 A *Building Official* will only carry out an inspection under section 10.32 if the *owner* or the *owner's agent* has requested the inspection in accordance with this bylaw.
- 11.34 No person may conceal any aspect of the work referred to in section 10.32 of this bylaw until a *Building Official* has *accepted* it in writing.
- 11.35 For work in respect of *complex buildings*, the *owner* must
- (a) give at least 48 hours' online or written notice to the Regional District when requesting a preconstruction meeting with the *Building Official* prior to the start of *construction*, and the *owner* or his or her representative must ensure that the

- coordinating registered professional*, the *constructor*, as well as representatives of major trades, are in attendance;
- (b) give at least 48 hours' online or written notice to the Regional District when requesting a pre-occupancy review coordinated by the *coordinating registered professional* or other *registered professional* to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *Building Official* and Fire Services the compliance with the *health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable Regional District requirements and other enactments respecting safety and accessibility aspects of the work; and
  - (c) cause the *coordinating registered professional*, at least 48 hours prior to the preoccupancy coordinated site review coordinated by the *coordinating registered professional*, to deliver to the *Building Official* the Confirmation of Required Documentation described in the Appendix E, complete with all documentation in a hard covered three ring binder and in digital pdf format on a memory stick.

### Stop Work Order

- 11.36 The *Building Official* may direct the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice in the prescribed form on the premises when it is found that the work is not being performed in accordance with the requirements of the *Building Code*, any applicable bylaw of the Regional District or the applicable provisions of the *Homeowner Protection Act*.
- 11.37 The *coordinating registered professional* may request, in writing, that the *Building Official* order the immediate suspension or correction of all or a portion of the *construction* on a *building* or *structure* by attaching a stop work order notice on the premises. The *Building Official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.
- 11.38 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to the *registered professional's design* or *field review* and the *Building Official* is deemed to have issued a stop work order under section 10.36.
- 11.39 The *owner* must immediately, after the posting of a notice under section 10.36, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the Regional District.
- 11.40 Subject to Section 10.36, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.36 until the stop work order notice has been removed by the *Building Official*.
- 11.41 The notice referred to in section 10.36 must remain posted on the premises until that which is contrary to the enactments has been remedied.

### Do Not Occupy Notice

- 11.42 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw, a *Building Official* may post a Do Not Occupy Notice in the prescribed form on the affected part of the *building* or *structure*.
- 11.43 If a notice is posted under section 10.42, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the

*building* or *structure* immediately and refrain from further *occupancy* until all applicable provisions of the *Building Code* and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a *Building Official*.

## Inspection and Other Fees

- 11.44 In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee set out in the RDOS Fees and Charges Bylaw for
- (a) each subsequent re-inspection where it has been determined by the *Building Official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than two site visits are required for any required inspection;
  - (b) a special inspection during the Regional District's normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location or construction techniques; and
  - ~~(c)~~ An inspection that requires transportation other than by Regional District vehicles or other than during regular hours, the owner shall make arrangements in advance for such inspections and shall pay the Regional District's actual costs.

## Permit Expiration

- 11.45 Every *permit* is issued on the condition that the *permit* expires and the rights of the *owner* under the *permit* terminate if
- (a) the work authorized by the *permit* is not commenced within six months from the date of issuance of the *permit*;
  - (b) work is discontinued for a period of six months; or
  - (c) the work is not completed within two years of the date of issuance of the *permit*.
- 11.46 When a permit has expired, no *construction* or other work may continue or commence until a valid permit authorizes the work.

## Permit Extension

- 11.47 A *Building Official* may extend the period set out under section 10.45 for only one period, not to exceed twelve months, if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the *owner's* control, or if the size and complexity of the construction warrants, if
- (a) application for the extension is made prior to the date of *permit* expiration; and
  - (b) the non-refundable fee set out in the RDOS Fees and Charges Bylaw has been paid.

## Building Permit Revocation

- 11.48 The *Building Official* may revoke a *building permit* if
- (a) there is a violation of
    - i. a condition under which the *permit* was issued; or
    - ii. a requirement of the *Building Code* or of this or another bylaw of the Regional District,
  - (b) the permit was issued in error;

- (c) the *Building Official* determines that an *owner*, or his or her *agent*, has provided false or misleading information on the application or otherwise obtained the permit fraudulently;

such *permit* revocation must be in writing and sent to the *permit* holder by signature mail to, or personal service on, the *permit* holder.

### Building Permit Cancellation

- 11.49 A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *Building Official*.
- 11.50 On receipt of the written cancellation notice, the *Building Official* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".
- 11.51 If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *Building Official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *Building Official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".
- 11.52 If a *building permit* application or *permit* is cancelled, and construction has not commenced under the *permit*, the *Building Official* must return to the *owner* any fees paid pursuant to the RDOS Fees and Charges Bylaw, less
  - (a) any non-refundable portion of the fee; and
  - (b) 15% of the refundable portion of the fee

### Occupancy

- 11.53 No person may occupy a *building* or *structure* or part of a *building* or *structure* until a final inspection notice has been issued by a *Building Official* for
  - (a) The first occupancy of a *building* or *structure* or part thereof after completion *construction*; or
  - (b) Any change of class of occupancy of any *building* or *structure* or part thereof.
- 11.54 A final inspection notice will not be issued unless
  - (a) All letters of assurance have been submitted when required in accordance with this bylaw;
  - (b) All aspects of the work requiring inspection and acceptance pursuant to this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;
  - (c) The *owner* has delivered to the Regional District as-built plans of works and *services* in digital format as required by the Regional District;
  - (d) The *owner* has provided to the Regional District a *building* survey prepared by a British Columbia Land Surveyor, as required by a *Building Official*, showing the *building* height, size, location and elevation determined in accordance with the Regional District's land use regulations;
  - (e) All other documentation required under applicable enactments has been delivered to the Regional District; and
  - (f) The *owner* has delivered to the Regional District as-built drawings of the *building* or *structure* in digital format as required by the Regional District.

- 11.55 Where any of the requirements for life and fire safety have been deemed to be satisfied by an alternate solution pursuant to the provisions of the *Building Code*, the *owner* shall submit to the *Building Official*, prior to use or occupancy of the *building or structure*, certification from the *registered professional* responsible for the equivalency, that the construction substantially complies with the requirements set out in the alternate solution report.
- 11.56 When a *registered professional* provides letters of assurance in accordance with this bylaw, the Regional District will rely solely on the letters of assurance when issuing a final report authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *design, the Building Code*, this bylaw and other applicable enactments respecting safety.
- 11.57 A *Building Official* may issue a final inspection notice for partial *occupancy* of a portion of a *building or structure* under construction when
- (a) That portion of the *building or structure* is self-contained and provided with essential services respecting *health and safety aspects* of the work, and if applicable, accessibility, GHG emissions and conservation; and
  - (b) The requirements set out in section 10.54 have been met with respect to it.
- 11.58 A final inspection notice may not be issued unless
- (a) All letters of assurance and the Confirmation of Required Documentation described in Appendix E have been submitted when required in accordance with the requirements of this bylaw;
  - (b) All aspects of the work requiring inspection and review pursuant to Part 9 and sections 10.29 through 10.36 of this bylaw have both been inspected and *accepted*;
  - (c) The *owner* has executed and delivered to the Regional District every agreement, instrument or form required by the Regional District in relation to the work or the site; and
  - (d) All required offsite works respecting safety have been completed.

### Temporary Buildings

- 11.59 Subject to the bylaws and orders of the Regional District, the *Building Official* may issue a *building permit* for the erection of a *temporary building or structure* for *occupancy* if
- (a) The *permit* is for a period not exceeding one year; and
  - (b) The *building or structure* is located in compliance with the Regional District's zoning bylaw, built in compliance with the *Building Code* and this bylaw, and connected, as required by enactments, to Regional District utility services.
- 11.60 An application for a *building permit* for the erection or placement of a *temporary building or structure* must be made in the form of a temporary *permit* application in the form prescribed by the *Building Official*, signed by the *owner* or *agent*, and must include
- (a) Plans and supporting documents showing the location and *building height* of the *building or structure* on the parcel;
  - (b) Plans and supporting documents showing construction details of the *building or structure*;
  - (c) A statement by the *owner* indicating the intended use and duration of the use;
  - (d) Plans and supporting documents showing the proposed parking and loading space;
  - (e) A written description of the *project* explaining why the *building* is temporary;

- (f) A copy of an issued development *permit*, if required;
  - (g) In the case of a manufactured *building*, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel *building* must be certified in accordance with CSA Standard A660;
  - (h) A report or drawing by an engineer, architect or designer confirming compliance with the *Building Code*, this bylaw, the Regional District's zoning bylaw and other applicable bylaws; and
  - (i) In the case of a *temporary building*, information to comply with article 1.1.1.1(2)(f), Division C of the *Building Code*.
- 11.61 Before receiving a *building permit* for a *temporary building* or *structure for occupancy*, the *owner* must pay to the Regional District the applicable *building permit* fee set out in the RDOS Fees and Charges Bylaw.
- 11.62 A *permit fee* for a *temporary building* or *structure* is not refundable.

## PART 12: RETAINING WALLS AND GRADES

- 12.1 No person may construct, or structurally repair, a *retaining wall* without a *building permit*.
- 12.2 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a parcel, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.
- 12.3 Without limiting section 11.2, no person may occupy a *building* unless the finished *grade* complies with all applicable enactments.
- 12.4 If a *Building Official* determines that an unsafe condition exists as a result of the construction of a retaining wall requiring a building permit, a guard or fence may be required.

## PART 13: BUILDING MOVE

- 13.1 No person may move a *building* or *structure* into or within the Regional District building regulation service areas
- (a) Except where certified by a *registered professional* that the *building*, including its *foundation*, will substantially comply with the current version of the *Building Code*; and
  - (b) A *building permit* has been issued for the *building* or *structure*.

## PART 14: NUMBERING OF BUILDINGS

- 14.1 Immediately upon issuance of a *building permit* governing the *construction, alteration* or repair of a *building*, or prior to and during the *occupancy* of a *building*, the *owner* or occupant must display the address number assigned to it by the Regional District
- (a) On or over the entrance to the *building* or where landscaping or *structures* obscure the visibility of a *building* entrance from the adjacent highway, on the *building* property within sight of the adjacent highway; and
  - (b) Until such time as the *building* is removed from the site or has been demolished.
- 14.2 Despite section 13.1, the Regional District may renumber or alter the assigned numbers in respect of any *building* on any parcel, including those already in existence or numbered.

- 14.3 Without limiting sections 13.1 or 13.2, the *Building Official* must, on the issuance of a *building permit*, designate a house number or set of house numbers related to the *building* authorized by the *permit*. The *owner* or occupier must post the number or numbers on the site immediately after obtaining the *building permit* and keep the numbers posted in a conspicuous location at all times during construction.
- 14.4 Without limiting sections 13.1 through 13.3, on issuance of an *occupancy permit*, the *owner* or occupier of the parcel must affix the numbers permanently in a conspicuous place on the *building* such that the number is visible from an adjacent highway that is not a lane.

## PART 15: SWIMMING POOLS

### Swimming Pool Permit and Fencing

- 15.1 Without limiting section 5.1 of this bylaw, a person must not construct, or structurally repair, a swimming *pool* without a valid *building permit*.
- 15.2 A permit application for a pool must be accompanied by a plan showing:
- (a) The location of the proposed pool and any accessory *buildings* in relation to all existing *buildings* on the parcel and the parcel boundaries;
  - (b) The type of *construction* and the proposed method of enclosure.
- 15.3 A swimming *pool* must be enclosed within a fence constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.2 metres and no openings greater than 100 mm at their greatest dimension.

### Pool Gate

- 15.4 Access through a fence enclosing a swimming *pool* other than through a dwelling, must be through a self-closing and self-latching gate designed and constructed or installed so as to cause the gate to return to a closed position when not in use and secured by a latch located on the swimming *pool* side of the gate.
- 15.5 A swimming *pool* which is located above ground and has vertical sides of at least 1.2 metres may be protected from access by fencing the access ladder with fencing in accordance with section 14.3.

### Maintenance

- 15.6 A person may not use or *occupy* a swimming *pool* unless the *owner* or *occupier* of property on or in which a *pool* is located maintains every fence required under sections 14.3 to 14.5 in good order and without limitation maintains and repairs in good order at all times all sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members.

### Drainage

- 15.7 Drainage from pools must be contained and disposed of on the same property as the pool is located and discharged to the ground where practical to do so.

## PART 16: ENERGY CONSERVATION AND GHG EMISSION REDUCTION

16.1 Reserved

## PART 17: DEMOLITION PERMITS

17.1 Without limiting section 5.1 of this bylaw, a person must not demolish or partially demolish a building or structure without making application and receiving a valid permit.

### Application Requirements

- 17.2 An application for a building permit with respect to a demolition permit must:
- (a) Be made in the prescribed form and signed by the *owner*, or a signing officer if the owner is a corporation;
  - (b) Pay applicable fees pursuant to the RDOS Fees and Charges Bylaw;
  - (c) Provide a site plan showing all buildings and structures and servicing locations;
  - (d) Provide vacancy date;
  - (e) Provide a hazardous materials assessment and clearance letter for *buildings* or *structures* constructed prior to 1992;
  - (f) Include a Waste Disposal Plan or a Waste Disposal Application for Demolition and Renovation Waste in a form prescribed by the Regional District
- 17.3 Applications for demolition permits will not be processed until the Disposal Plan or Waste Disposal Application is approved by the Regional District.

### Demolition Sites

- 17.4 The demolition of buildings and structures shall be in accordance with Part 8 of the *Building Code* "Safety Measures at Construction and Demolition Sites".
- 17.5 Where required for industrial and commercial demolition sites the *Environmental Management Act* shall apply.

## PART 18: PLUMBING PERMITS

- 18.1 Without limiting section 5.1 of this bylaw, a person must not install, replace or alter a plumbing without making application and receiving a valid building permit.
- 18.2 An application for a plumbing permit shall
- (a) Be made in the prescribed form and signed by the *owner*, *agent* or a signing officer if the owner is a corporation;
  - (b) Include the applicable fee as set out in the RDOS Fees and Charges Bylaw;
  - (c) Include two (2) isometric drawings
- 18.3 The design, installation and maintenance of plumbing systems shall conform to the BC Plumbing Code.

## PART 19: FARM BUILDINGS

19.1 Despite section 3.1, building permit fees and inspections do not apply to the following buildings:

- (a) *Low human occupancy farm buildings or structures* less than 20 m<sup>2</sup> (215 ft<sup>2</sup>);
- (b) *Unenclosed hay storage structures* or animal shelters less than 600 m<sup>2</sup> (6,458 ft<sup>2</sup>);
- (c) Greenhouses up to 190 m<sup>2</sup> (2045 ft<sup>2</sup>) used for the production of agricultural and horticultural produce or feeds

located on land classed as “farm” under the *Assessment Act* for a *bona fide agricultural operation* on the date on which the application was made. *Farm buildings* must be constructed and sited in compliance with all applicable bylaws, enactments and regulations affecting the property.

- 19.2 Subject to the bylaws and orders and requirements contained herein, the *Building Official* may issue a *building permit* for the erection or placement of a *farm building* if
- (a) The *building or structure* is a *bona fide farm building* less than 600 m<sup>2</sup> (6458 ft<sup>2</sup>) located on land classed as “farm” under the *Assessment Act* that are designed for “*low human occupancy*” which fall outside the parameters of section 18.1;
  - (b) The *building or structure* is located in compliance with the Regional District’s zoning bylaw and built in compliance with the *Building Code* or the *National Farm Building Code of Canada*;
- 19.3 An application with respect to a *building or structure* referred to in sections 18.1 and 18.2 must be made in the prescribed form and signed by the *owner* or *agent*, or a signing officer if the owner is a corporation and must include:
- (a) Plans and supporting documents showing the location and *building height* of the *building or structure* on the parcel;
  - (b) Plans and supporting documents showing construction details of the *building or structure*;
  - (c) A statement by the *owner* indicating the intended use;
  - (d) Plans and supporting documents showing the proposed parking and loading space (if applicable);
  - (e) be accompanied by the *owner’s* acknowledgment of responsibility and undertaking made in the form attached as Appendix C and signed by the *owner*, or a signing officer if the *owner* is a corporation; and
  - (f) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application

## Inspections

- 19.4 Despite section 10.32, the *owner* must give at least 48 hours’ notice to the Regional District when requesting an inspection and must obtain a inspection and receive a *Building Official’s* written acceptance of the following aspects of the work prior to concealing them:
- (a) Verification of siting – before concrete is poured or construction commences;
  - (b) Verification of use when the *building or structure* is substantially complete.
- 19.5 A *Building Official* may attend periodically at the site of the construction to ascertain whether the work is being carried out in substantial conformance with this bylaw and the *building permit*.

## Permit Fees

- 19.6 Before receiving a *building permit* for a *farm building* or *structure*, the *owner* must first pay to the Regional District the building permit fee pursuant to the RDOS Fees and Charges Bylaw.
- 19.7 A *permit fee* for a *farm building* or *structure* is not refundable.

## PART 20: CLIMATIC DATA

- 20.1 The climatic data for the design of *buildings* and *structures* are set out in the attached Appendix A. The *Building Official* shall determine the applicable zone in respect of any particular *building* location.

## PART 21: OFFENCES

### Violations

- 21.1 Without limiting Part 4 of this bylaw, every person who
- (a) Violates a provision of this bylaw;
  - (b) Permits, suffers or allows any act to be done in violation of any provision of this bylaw; and
  - (c) Neglects to do anything required to be done under any provision of this bylaw,
- commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000, or a term of imprisonment not exceeding three months, or both, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.
- 21.2 Every person who fails to comply with any order or notice issued by a *Building Official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 21.3 Every person who commences work requiring a *building permit* without first obtaining such a *permit* must, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional fee as outlined in Section 10.15 of this bylaw.

### Deemed Offence

- 21.4 An *owner* is deemed to have knowledge of and be liable under this bylaw in respect of any construction on the parcel the *owner* owns and any change in the use, *occupancy* or both of a *building* or *structure* or part of a *building* or *structure* on that parcel.
- 21.5 No person is deemed liable under section 20.4 who establishes, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.
- 21.6 Nothing in section 20.5 affects
- (a) The Regional District's right to require and the *owner's* obligation to obtain a *permit*; and
  - (b) The obligation of the *owner* to comply with this bylaw.

## Ticketing

- 21.7 The offences in Schedule A, Appendix 5(a) of the RDOS Bylaw Enforcement Bylaw No. 2507 are designated for enforcement.
- 21.8 The following persons are designated as bylaw enforcement officers for enforcing the offences in the Bylaw Enforcement Notice Bylaw:
- (a) *Building Officials*,
  - (b) and persons designated by the Regional Board as Bylaw Enforcement Officers.

## Notice on Title

- 21.9 Where the Regional District has caused a notice to be filed on the title of a property in accordance with Section 57 of the Community Charter, the notice may be removed provided:
- (a) The owners has obtained a new permit for the correction of the deficient construction;
  - (b) The deficient construction has been corrected and completed so that the conditions which gave rise to the filing of the notice have been rectified; and
  - (c) The owner has paid the applicable fee set out in the RDOS Fees and Charges Bylaw.

## PART 22: INTERPETATION

- 22.1 In this bylaw the italicized words and terms have the meanings set out in Section 21.2 of this bylaw.

### Definitions

- 22.2 In this bylaw:

*Accepted* means reviewed by the *Building Official* under the applicable provisions of the *Building Code* and this bylaw;

*Addition* means an *alteration* to any building which will increase the total aggregate floor area or the *building height* (in storeys), and includes the provision of two or more separate *buildings* with openings between each other for intercommunication;

*Agent* includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence;

*Alternative solution* means an alternative solution authorized under the *Building Code*;

*Alteration* means a change, repair or modification of the *construction* or arrangement of or use of any *building* or *structure*, or to an *occupancy* regulated by this bylaw;

*Architects Act* means the *Architects Act* RSBC 1996, c. 17;

*Bona fide Agricultural Operation* means an operation classified as a farm by the Assessor under the *Assessment Act*;

*Building Code* means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

*Building Official* means the person designated in or appointed to that position by the Regional District, and includes a building inspector, plan checker, plumbing inspector,

designated or appointed by the Regional District, and for certainty the *Building Official* is the "building inspector" referred to in the *Community Charter and Local Government Act*; *Complex building* means:

- (a) A *building* used for a *major occupancy* classified as:
  - i. *Assembly occupancy*;
  - ii. *Care occupancy*;
  - iii. *Detention occupancy*;
  - iv. *High hazard industrial occupancy*;
  - v. *Treatment occupancy*; or
  - vi. *Post-disaster building*,
- (b) A *building* exceeding 600 square metres in *building area* or exceeding three storeys in *building height* used for a *major occupancy* classified as
  - i. *residential occupancy*;
  - ii. *business and personal services occupancy*;
  - iii. *mercantile occupancy*; or
  - iv. *medium and low hazard industrial occupancy*,

*coordinating registered professional* means a *registered professional* retained pursuant to the *Building Code* to coordinate all design work and field reviews of the *registered professionals* required for a development;

*construct* includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, *excavate* or shore;

*constructor* means a person who *constructs*;

*Engineers and Geoscientists Act* means the *Engineers and Geoscientists Act* RSBC 1996, c. 116;

*Existing*, in respect of a *building*, means that portion of a *building constructed* prior to the submission of a *permit* application required under this bylaw;

*Farm Buildings* means a *building* or part thereof which

- (a) does not contain a residential occupancy and is
  - i. associated with and located on land dedicated to farming, and
  - ii. used exclusively for the housing of equipment or livestock, or the growing or production, storage or processing of agricultural and horticultural produce or feeds,
- (b) is a stand alone barn, agricultural storage facility, greenhouse or silo located on land dedicated to farming,
- (c) does not include
  - i. covered riding arenas;
  - ii. structures associated with cannabis production;
  - iii. structures associated with the production of manufactured derivatives from agricultural raw materials (wine, sausages, fruit leathers, jams); or
  - iv. structures which may be used for assembly occupancies.

*Farm Building Code* means the National Farm Building Code of Canada as referenced by the *Building Code*.

*Foundation* means a system or arrangement of *foundation* units through which the loads from a *building* are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building that lie below the finished grade immediately adjacent to the building;

*GHG* means greenhouse gas;

*Health and safety aspects of the work* means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9 and 10, Division B, of the *Building Code*; and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B;

*Low Human Occupancy* (as applying to *farm buildings*) means a *occupancy* having an *occupant load* of not more than one person per 40 m<sup>2</sup> (430 ft<sup>2</sup>) of *floor area* during normal use.

*Owner* means the registered *owner* in fee simple, or an *agent* duly authorized by the *owner* in writing in the form attached as Appendix C;

*Permit* means permission or authorization in writing by the *Building Official* to perform work regulated by this bylaw and, in the case of a final inspection notice, to occupy a *building* or part of a *building*;

*Pool* means any artificial body of water intended for recreational use and having a surface area exceeding 12 square metres in which the depth of water could attain at least 60 centimetres.

*Professional design* means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*;

*Project* means any construction operation;

*Retaining wall* means a *structure*, or series of structurally interdependent *structures*, exceeding 1.2 metres in height, measured between the elevation of the ground at the lowest and highest points adjacent to the *structure* or any portion of the *structure*, that holds or retains *soil* or other material behind it. Multiple terraced retaining structures at a ratio of less than 2 horizontal to 1 vertical shall be considered a single structure for calculating height;

*Simple building* means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square metres and used for a *major occupancy* classified as

- (a) *residential occupancy*;
- (b) *business and personal services occupancy*;
- (c) *mercantile occupancy*;
- (d) *medium hazard industrial occupancy*; or
- (e) *low hazard industrial occupancy*,

*structure* means a *construction* or portion of *construction*, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving and retaining *structures* less than 1.22 meters in height;

*temporary building* includes a sales office, construction office or a *structure* in which tools are stored during construction of a *building* or other *structure*;

*unenclosed* (as applying to *farm buildings*) means less than 40% of the total perimeter is enclosed by walls, doors or windows;

*value of the work* means that amount that is calculated as follows:

- (a) for construction of a *building* containing a *residential occupancy* that is served by only one stove, or two stoves if permitted as an auxiliary and secondary *residential occupancy*, the greater of
  - i. the declared *value of the work*; or
  - ii. the value calculated pursuant to the RDOS Fees and Charges Bylaw, or
- (b) for all other construction, the greater of
  - i. the declared *value of the work*; or
  - v. the value calculated using a method stipulated in the "Marshall Valuation Service" or "RS Means".

- 22.3 In this bylaw the following words and terms having the meanings:
- (a) set out in section 1.4.1.2. of the *Building Code* as of the date of the adoption of this bylaw: *accessible, assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, excavation, field review, firewall, first storey, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, plumbing system, post disaster occupancy, private sewage disposal system, registered professional, residential occupancy, treatment occupancy, or unsafe condition;*
  - (b) subject to this bylaw, set out in the Schedule to the *Community Charter*: *assessed value, highway, land, occupier, parcel, public authority, service and soil;* and
  - (c) subject to this bylaw, set out in section 29 of the *Interpretation Act*: *may, must, obligation, person, property, writing, written* and *year*.
- 22.4 Every reference to this bylaw in this or another bylaw of the Regional District is a reference to this bylaw as amended to the date of the reference.
- 22.5 Every reference to
- (a) the *Building Code* is a reference to the current edition as of the date of issuance of the *building permit*; and
  - (b) a section of the *Building Code* is a reference to the applicable successor sections,
- as the code or section may be amended or re-enacted from time to time.
- 22.6 Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

## Appendices

- 22.7 Appendices A through E are attached to and form part of this bylaw.

## Severability

- 22.8 If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this bylaw.

## PART 23: REPEAL

- 23.1 Building Regulation Bylaw No. 2333, 2005, as amended, is repealed effective December 10, 2018.
- 23.2 Despite Section 22.1, with respect to a *building permit* issued on or before December 10, 2018, provisions of Bylaw No. 2333, 2005 shall apply as if the bylaw remained in force.

## PART 24: IN FORCE

24.1 This bylaw comes into force on December 11, 2018.

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

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

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

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

\_\_\_\_\_  
Chair

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

### Appendix A – Climatic Data

Location	Elevation	Design Temperature				Degree Days Below 18°C	15 min rain, mm	One day rain, 1/50, mm	Annual Rain, mm	Moist. Index	Annual Total Prec.	Driving Rain Wind Pressure, Pa, 1/5	Ground Snow Load, kPa, 1/50		Hourly wind pressure		Frost Depth
		January		July 2.5%									Ss	Sr	1/10	1/50	
		2.5%	1%	Dry	Wet												
Town of Osoyoos	285 m	-14	-17	35	21	3100	10	48	275	0.28	310	60	1.1	0.1	0.31	0.4	600 mm
Vaseux, Oliver , Osoyoos, Anarchist Richter Pass	Up to 500 m	-16	-18	33	20	3250	10	48	275	0.28	310	60	1.1	0.1	0.31	0.5	600 mm
Vaseux, Oliver, Osoyoos, Anarchist Richter Pass	500-750 m	-16	-18	33	20	3900	10	48	275	0.28	310	60	2.0	0.1	0.3	0.5	600 mm
Vaseux, Oliver, Osoyoos, Anarchist Richter Pass	750-1000 m	-19	-22	30	20	4400	10	50	320	0.36	500	70	2.9	0.3	0.31	0.4	600 mm
Vaseux, Oliver, Osoyoos, Anarchist Richter Pass	Over 1000 m	-20	-22	29	18	4900	10	50	320	0.36	510	70	4.1	0.3	0.31	0.4	600 mm*
City of Penticton	350	-15	-17	33	20	3350	10	48	275	0.28	300	60	1.3	0.1	0.35	0.45	600 mm
OK Falls, Kaleden & Skaha Lake	Up to 600 m	-16	-18	33	20	3500	10	48	275	0.28	300	60	1.3	0.1	0.4	0.59	600 mm
OK Falls, Kaleden & Skaha Lake	Over 600 m	-16	-18	33	20	3800	10	48	275	0.28	300	60	2.0	0.1	0.4	0.59	600 mm
West Bench/Sage Mesa/Husula	Up to 600 m	-16	-18	33	20	3500	10	48	275	0.28	300	60	1.3	0.1	0.4	0.59	600 mm
Carmi, Falconridge & Twin Lakes	Up to 800 m	-20	-22	31	19	4000	10	50	280	.28	390	60	2.4	0.2	0.35	0.45	600 mm
Carmi, Falconridge & Twin Lakes	Over 800 m	-24	-26	30	19	4350	10	50	280	0.28	430	60	3.1	0.2	0.35	0.45	600 mm
Apex	1840 m	-25	-28	25	19	5850	10	49	200	0.24	580	60	5.5	0.3	0.31	0.40	1200 mm
Naramata, Summerland North & Faulder	Up to 600 m	-18	-20	31	19	3700	10	48	275	0.28	300	60	2.0	0.2	0.34	0.45	600 mm
Naramata, Summerland North & Faulder	600-800 m	-20	-22	31	19	3800	10	50	280	0.28	360	60	2.2	0.2	0.35	0.45	600 mm
Naramata, Summerland North & Faulder	Over 800 m	-24	-26	30	19	4200	10	50	280	0.28	410	60	2.8	0.2	0.35	0.45	600 mm
Town of Princeton	655	-24	-29	33	19	4250	10	43	235	0.35	350	80	2.9	0.6	0.28	0.36	600 mm

Location	Elevation	Design Temperature				Degree Days Below 18°C	15 min rain, mm	One day rain, 1/50, mm	Annual Rain, mm	Moist. Index	Annual Total Prec.	Driving Rain Wind Pressure, Pa, 1/5	Ground Snow Load, kPa, 1/50		Hourly wind pressure		Frost Depth
		January		July 2.5%									Ss	Sr	1/10	1/50	
		2.5%	1%	Dry	Wet												
Princeton area	Up to 850 m	-24	-29	33	19	4250	10	43	235	0.35	350	80	2.9	0.6	0.28	0.36	600 mm
Allison Lake, Tulameen, Coalmont, Chain Lakes, Osprey Lake, Missezula	850-950 m	-24	-29	29	19	4500	10	43	235	0.35	350	80	3.6	0.6	0.28	0.36	600 mm
Allison Lake, Tulameen, Coalmont, Chain Lakes, Osprey Lake, Missezula	950-1100 m	-24	-29	29	19	4700	10	45	260	0.37	500	80	4.4	0.6	0.29	0.37	600 mm
Eastgate, Pasayten Valley, Kennedy Lake	1100 m	-24	-29	29	19	4600	10	45	290	0.39	500	80	4.4	0.6	0.29	0.37	600 mm*
Headwaters/ Elkhart	1300 m	-24	-29	28	19	5000	10	45	220	0.25	490	60	4.2	0.3	0.31	0.41	1200 mm
Manning Park*	Up to 1200 m	-23	-26	29	19	5000	9	90	500	0.63	1200	120	6.8	0.7	0.39	0.50	1200 mm

**NOTE:** For areas and/or elevations not specifically mentioned in Schedule A, the Ground Snow load shall be determined by the **Building Official**.

Climate zones:

**Zone 5 – 3000 to 3999 HDD**

**Zone 6 - 4000 to 4999 HDD**

**Zone 7A – 5000 to 5999 HDD**

## Appendix B – Letter of Authorization

TO WHOM IT MAY CONCERN:

Property address: \_\_\_\_\_

Legal description: \_\_\_\_\_

I am the owner, as defined in the current "Building Bylaw", of the above referenced property and hereby authorize:

Representative/Contact: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Cell No. \_\_\_\_\_ Fax No: \_\_\_\_\_

E-mail: \_\_\_\_\_

Please check where applicable.

To represent me in an application for:

- Building Permit Application (If Registered Professional is involved, use Appendix C, Owner's Undertaking)
- Demolition Permit Application
- Sub trade Permit?
- Plumbing Permit
- Solid fuel fired appliance
- Moving/relocation permit
- ??

To obtain copies of:

- Building Permit Plans (Archive Copies)

Owner's Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Cell No. \_\_\_\_\_ Fax No: \_\_\_\_\_

E-mail: \_\_\_\_\_

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

*(this form may be faxed, mailed or delivered in person)*

## Appendix C – Owner’s Undertaking

Property address: \_\_\_\_\_  
Legal description: \_\_\_\_\_

1. This undertaking is given by the undersigned, as the owner of the property described above, with the intention that it be binding on the owner and that the Regional District will rely on same.
2. I confirm that I have applied for a building permit pursuant to “Regional District Building Bylaw No. 2805, 2018 (the “Bylaw”) and that I have carefully reviewed and fully understand all of the provisions of the Bylaw and in particular, understand, acknowledge and accept the provisions describing the purpose of the Bylaw, the conditions under which permits are issued, the disclaimer of warranty or representation and the limited extent of the scope of the Bylaw and inspections thereunder.
3. Without in any way limiting the foregoing, I acknowledge fully that it is my responsibility to ensure compliance with the Building Code and the Bylaw whether any work to be performed pursuant to the permit applied for is done by me, a contractor or a registered professional.
4. I am not in any way relying on the Regional District or its building officials, as defined under the Bylaw, to protect the owner or any other persons as set out in Part 3 of the Bylaw and I will not make any claim alleging any such responsibility or liability on the part of the Regional District or its building officials.
5. I hereby agree to indemnify and save harmless the Regional District and its employees from all claims, liability, judgments, costs and expenses of every kind which may result from negligence or from the failure to comply fully with all bylaws, statutes and regulations relating to any work or undertaking in respect of which this application is made.
6. I am authorized to give these representations, warranties, assurance and indemnities to the Regional District.

### Owner’s Information:

Name (print): \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Cell No. \_\_\_\_\_ Fax No: \_\_\_\_\_

E-mail: \_\_\_\_\_

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

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

Where owner is an individual:

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Name (print)

Where owner is a corporation:  
Name of Corporation

\_\_\_\_\_  
Per:  
Authorized Signatory

\_\_\_\_\_  
Name

\_\_\_\_\_  
(PRINT)

Where owner is a partnership:

\_\_\_\_\_  
Name of Partnership

\_\_\_\_\_  
Per:  
Authorized Signatory

\_\_\_\_\_  
Name

\_\_\_\_\_  
(PRINT)

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
Witness's Signature

\_\_\_\_\_  
Witness's Name (print)

\_\_\_\_\_  
Witness's Address

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
Witness's Signature

\_\_\_\_\_  
Witness's Name (print)

\_\_\_\_\_  
Witness's Address

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
Witness's Signature

\_\_\_\_\_  
Witness's Name (print)

\_\_\_\_\_  
Witness's Address

## Appendix D – Confirmation of Professional Liability Insurance

1. *This Confirmation Letter must be submitted along with each BC Building Code Schedule A and Schedule B before issuance of a building permit. A separate Confirmation Letter must be submitted for each registered professional.*
2. *This Confirmation Letter must be submitted with each BC Building Code Schedule C after completion of the building but before a final inspection is made by the Building Official. A separate Confirmation Letter must be submitted for each registered professional.*
3. *Only an original Confirmation Letter, printed by the Regional District, or an unaltered photocopy of this document is to be completed and submitted.*

Attention: Manager, Inspections

Property Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

The undersigned hereby gives assurance that:

- a) I have fulfilled my obligation for insurance coverage as outlined in the Regional District Building Bylaw 2805, 2018;
- b) I am insured by a policy of insurance covering liability to third parties for errors and omissions in respect to the above project, in the amount of at least One Million Dollars (\$1,000,000.00);
- c) I have enclosed a copy of my certificate of insurance coverage indicating the particulars of such coverage;
- d) I am a registered professional; and
- e) I will notify the building official in writing immediately if the undersigned's insurance coverage is reduced or terminated at any time during construction.

Name:

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

(Affix professional seal here)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone

If the registered professional is a member of a firm, complete the following:

I am a member of this firm:

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Address

I sign this letter on behalf of myself and the firm.

*Note: This Confirmation Letter must be signed by a registered professional. The BC Building Code defines a registered professional as a person who is registered or licensed to practice (a) as an architect under the Architects Act, or (b) as a professional engineer under the Engineers and Geoscientists Act.*

## Appendix E – Confirmation of Required Documentation

**Note:**

1. The Confirmation of Required Documentation and all required documentation must be submitted to the Chief Building Inspector 48 hours prior to the pre-occupancy Co-ordinated Review.
2. The Confirmation of Required Documentation and all required documentation must be submitted in a tabbed ringed binder, with tab sections as per this Appendix.

	Provided	N/A	
TAB 1	q	q	CONFIRMATION OF REQUIRED DOCUMENTATION
TAB 2	q	q	DIRECTORY OF PRINCIPALS (Role/Firm/Name/Telephone)
	q	q	Owner
	q	q	Co-ordinating Registered Professional
	q	q	Registered Professionals
	q	q	Warranty Provided
	q	q	Licensed Builder
	q	q	Sub-Contractors
TAB 3	q	q	LETTERS OF ASSURANCE (A, B, C-A, C-B)
	q	q	Co-ordinating Registered Professional
	q	q	Architectural
	q	q	Structural
	q	q	Mechanical
	q	q	Plumbing
	q	q	Electrical
	q	q	Geotechnical Temporary
	q	q	Geotechnical Permanent
	q	q	Fire Suppression
	q	q	(Other – specify) _____
TAB 4	q	q	PROFESSIONAL REVIEW LETTERS
	q	q	Alternative Solution (Confirmation of Field Review – sealed)
	q	q	Site Services – Civil Engineer
	q	q	Building Envelope Specialist
	q	q	Roofing Consultant
	q	q	Generator Test Report / Certificate
	q	q	(Other – specify) _____
	q	q	(Other – specify) _____
TAB 5	q	q	FIRE ALARM
	q	q	Fire Alarm Verification Certificate (include field work sheets)
	q	q	Letter of Signed Contract from ULC Listed Monitoring Agency
TAB 6	q	q	SPRINKLER SYSTEMS
	q	q	Material and Test Certificate – Above ground piping
	q	q	Material and Test Certificate – Underground piping
	q	q	Fire Pump Test Report
TAB 7	q	q	PROVINCIAL APPROVALS
	q	q	Certificate to Operate Elevating Device (one per each device)
	q	q	Health Approval (on-site sewage disposal)
	q	q	Health Approval (food services)
TAB 8	q	q	REGIONAL DISTRICT APPROVALS
	q	q	Sprinkler Permit – pre-occupancy Co-ordinated Review
	q	q	Fire Department Acceptance (Fire Safety Plan)
	q	q	Final Inspection (Building Inspector – pre-occupancy review)

	q	q	Developmental Engineering Final Inspection
	q	q	Planning Technicians Final Inspection
TAB 9	q	q	DEFICIENCY LIST
	q	q	
	q	q	
	q	q	
	q	q	

Submitted by Coordinating Registered Professional

Name:

\_\_\_\_\_  
Name (print)

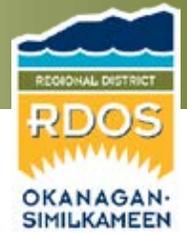
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

(Affix professional seal here)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Corporate Services Committee

Thursday, October 04, 2018

10:15 a.m.

## REGULAR AGENDA

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**A. APPROVAL OF AGENDA**

**RECOMMENDATION 1**

THAT the Agenda for the Corporate Services Committee Meeting of October 4, 2018 be adopted.

---

**B. BUSINESS CONTINUITY PLAN – PHASE 1**

1. Business Continuity Plan

To ensure that the Regional District has a plan in place to maintain services that are provided at or through the RDOS office at 101 Martin Street, Penticton.

**RECOMMENDATION 2**

THAT the Board of Directors adopt the Business Continuity Plan - Phase 1 as presented to the Corporate Services Committee on October 4, 2018.

---

**C. ADJOURNMENT**

## ADMINISTRATIVE REPORT

**TO:** Corporate Services Committee

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

**DATE:** October 4, 2018

**RE:** Business Continuity Plan Phase 1

---

### Administrative Recommendation:

**THAT the Board of Directors adopt the Business Continuity Plan - Phase 1 as presented to the Corporate Services Committee on October 4, 2018.**

### Purpose:

To ensure that the Regional District has a plan in place to maintain services that are provided at or through the RDOS office at 101 Martin Street, Penticton.

### Reference:

RDOS Draft Business Continuity Plan – Phase 1

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

Key Success Driver #1 – To be a High Performing Organization by being a healthy and safe organization.

### Background:

A Business Continuity Plan is a gathering of policies, procedures, checklists and information which details the steps the Regional District would take in order to ensure continuity in the delivery of corporate services in the unlikely event of the office at 101 Martin Street being unusable for a period of time. Possible causes include fire, chemical spill or roof collapse.

At the November 3, 2016 Legislative Workshop, the Board discussed the advantage of developing a Business Continuity Plan for the Regional District. Since that time, staff has reviewed plans and literature from a variety of municipalities and agencies including the City of Victoria, City of Vancouver, and Public Safety Canada.

Administration has identified Phase 1 as the plan for the corporate office at 101 Martin Street, Penticton; Phase 2 as the continuity plan for the RDOS water facilities; and Phase 3 as the continuity plans for other RDOS facilities. Phase 1 is now before the Board for endorsement. Development of Phase 2 of the Plan (water facilities) is well underway and may be presented at the October 18, 2018 meeting.

**Analysis:**

A complete Business Impact Analysis (Appendix D of the Plan) of the services provided by each department within the RDOS was conducted. Using the information gathered, management determined which services must be up and running very quickly and which were not as time sensitive. Resources would be spent on those services that rate the highest in the Analysis, restoring them to a functional level as quickly as possible.

In addition to the Business Impact Analysis, the Plan includes the following:

- Role of the Board of Directors;
- Business Continuity Team structure;
- Relationship to the Emergency Operation Centre, if appropriate;
- Contact lists;
- Communication considerations.

**Alternatives:**

THAT staff be directed to make the following changes to the Business Continuity Plan – Phase 1:

**Communication Strategy:**

All RDOS managers will have digital and hard copy of the Business Continuity Plan – Phase 1.

**Respectfully submitted:**

*“Christy Malden”*

---

C. Malden, Legislative Services Manager

# **Business Continuity Plan**

## **Regional District of Okanagan-Similkameen**

July 9, 2018  
Version 1.1  
0620.10

## ACTIVATION

# Checklist of Initial Action Items

### KEEP AT FRONT -

Use this checklist in the first hours following a business disruption.

	Report to the muster/meeting point (Gyro Park)– in accordance with <a href="#">Employee Emergency Procedures</a> if event occurs during working hours.
	Verify that all staff are safe – in accordance with evacuation plan.
	Verify that the CAO has been advised.
	Activate plan at the direction of the CAO.
	Management initiate a briefing as required, either at muster point or through CivicReady depending on time of event.
	Advise Board of Directors of the event. (Appendix C)
	Determine what services have been impacted.
	Determine what services have the highest priority for resumption of business (refer to Appendix D)
	Determine what staff are required on the first day
	Determine where the staff will work Logistics
	Active those staff and have them report to (location) HR
	Determine what special equipment is required Logistics/IS
	If damage has occurred to the work site, determine if any of the materials and equipment are salvageable and what assessments are required, by whom. Facilities
	Determine how those materials and equipment might be salvaged (staff, contractors) Facilities
	Define what services are delayed or off-line IS
	Update website, social media and local media indicating what services are interrupted, with information on any alternative ways of receiving this service. Communications
	Second staff as required in an effort to bring critical services back on-line quickly.
	Reassess the situation and further define the needs
	Update the staff via CivicReady Communications
	Make request for materials that are needed: computers, desks, etc. Logistics

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## Definitions

Business Impact Analysis: A business impact analysis identifies organization's mandate and critical services, ranks the order of priority for continuous delivery or rapid recovery, and identifies internal and external impacts of disruption.

Business Continuity Plan: A business continuity plan is a plan that ensures critical services are continually delivered to clients in the event of a disruptive event.

Business Continuity Management Team (BCMT): The Business Continuity Management Team is comprised of the Senior Management Team members, as required.

## Introduction

Business Continuity is a proactive planning process that enables critical services or functions to be continually available and delivered to clients when standard operational procedures and responses are overwhelmed by a disruptive event.

A business continuity plan is a gathering of strategies, procedures, checklists or information which details the steps the Regional District of Okanagan-Similkameen (RDOS) would take in order to ensure continuity in essential service delivery.

The primary goals of business continuity plans are to:

- protect life and property;
- continue essential services until normal operations can be resumed

Unlike disaster recovery and crisis management planning, which is focused on rebuilding or alleviating the effects of a disaster, business continuity concentrates on sustaining the delivery of essential services.

While the public will be extremely patient during the initial few days of an emergency if they are not directly affected; they expect that government will also provide the same general services that it did prior to the disaster. This poses challenges because staff is usually stretched thin responding to and then recovering from the disaster.

## Why should the RDOS have a business continuity plan?

Developing a business continuity plan helps us to achieve several of the goals identified within our Strategic Plan, including:

- Ø To be an effective, fiscally responsible organization
- Ø To be a healthy and safe organization
- Ø To meet public needs through the provision and enhancement of key services
- Ø By developing a responsive, transparent, effective organization

Having a business continuity plan enhances an organization's image with employees, stakeholders and citizens by demonstrating a proactive, as opposed to a reactive, approach. A

business continuity plan enables critical services to be continually delivered to citizens and defines the expectations for resumption of normal operations.

## **Lessons learned from September 11, 2001**

Public Safety Canada noted the following in their Guide to Business Continuity Planning:

*“September 11, 2001 demonstrated that although high impact, low probability events could occur, recovery is possible. Even though buildings were destroyed and blocks of Manhattan were affected, businesses and institutions with good continuity plans survived.*

*The lessons learned include:*

- *plans must be updated and tested frequently;*
- *all types of threats must be considered;*
- *dependencies and interdependencies should be carefully analyzed;*
- *key personnel may be unavailable;*
- *telecommunications are essential;*
- *alternate sites for IT backup should not be situated close to the primary site;*
- *employee support (counselling) is important;*
- *copies of plans should be stored at a secure off-site location;*
- *sizable security perimeters may surround the scene of incidents involving national security or law enforcement, and can impede personnel from returning to buildings;*
- *despite shortcomings, Business Continuity Plans in place pre September 11 were indispensable to the continuity effort; and*
- *increased uncertainty (following a high impact disruption such as terrorism) may lengthen time until operations are normalized”*

While the probability of such a devastating large-scale event is unlikely in the Southern Interior of British Columbia, the lessons learned are transferrable to much smaller events and should be regarded.

## **Five Steps to the Development of a Business Continuity Plan**

Research into the business continuity plans of various other local governments, industry and recommendations from Public Safety Canada indicate the embracing of a common concept of a basic 5 steps system for establishing a business continuity plan.

### **Step 1: Business Continuity Governance & Activation**

- a. Obtain support from management
- b. Obtain support from Board of Directors
- c. Establish Business Continuity planning committee to develop, implement and monitor plan. Positions may include a plan manager, security officer, information officer, and department representatives.

### **Step 2: Business Impact Assessment (BIA)**

- a. Identify the mandate and critical aspects of the organization

- b. Prioritize critical services
- c. Identify impacts of disruptions
- d. Identify areas of potential loss of revenue
- e. Identify additional expenses
- f. Identify intangible losses
- g. Identify dependencies
- h. Determine minimum service levels and maximum allowable downtimes

Step 3: Plans and Measures for Business Continuity

- a. Mitigate threats and risks
- b. Analyze current recovery capabilities
- c. Create continuity plans based on results of BIA

Step 4: Ensure availability of critical services, supplies and equipment

- a. Employee orientation/training
- b. Inventory

Step 5 - Quality assurance techniques

- a. Assess the plan for accuracy, relevance and effectiveness
- b. Identify areas for improvement
- c. Continuous appraisal (bi-annually) to maintain effectiveness

## **Assumptions**

Because the RDOS administration operates primarily from 101 Martin Street, it is possible that the whole of the RDOS's core business could be disrupted.

Business support (IS, Reception etc.) failure could disrupt business; however, serious disruption is not likely to occur until at least after 72 hours. The business continuity plan takes this into account.

## **Phase One**

Phase One of this plan concentrates on the events that are likely to impact operations at 101 Martin Street.

## **Priorities of the RDOS during a business disruption event:**

1. Safety & Wellbeing
  - a. All staff are safe and accounted for
  - b. Staff have access to Employee and Family Assistance Program /counselling as required
2. Critical Business Functions (Appendix D)
  - a. Staff actions and priorities are consistent with overall business continuity strategy
  - b. Event related communications occurs.
3. Continuous Service to citizens
  - a. Department-specific plans have been developed (Appendix K)

- b. Fundamental services are provided to the public at an appropriate level
- c. Manual workarounds are in place for critical business processes.

## Possible Causes of a Business Disruption at 101 Martin Street

Disrupting Event	Likelihood	Potential Impact
Airplane crash into building	Low	Damaged building; injury/death; damaged infrastructure
Banking issue	Medium	Vendor payments delayed
Bomb Explosion	Low	Evacuation of building; displaced staff; closure of building
Bomb Threat	Medium	Evacuation of building; displaced staff
Fire	Medium	Damage to building; damage to files, equipment; loss of services; loss of archived materials; injuries
Fumes/Smells	Medium	Evacuation of building
Hazardous Materials Spill	Medium	Evacuation of building
Hostage Taking	Low	Evacuation of building; injuries; death
Infestation (bugs/rodents)	Medium	Evacuation of work area, building
IT loss of Data	Medium	Delays due to re-creation of data
IT System Failure	High	Wide-spread work stoppage
Natural Gas Leak	Medium	Evacuation; restricted access; fire/explosion
Pandemic	Low	Loss of workforce
Power Outage	Medium	Disruption of service; closure of building
Protests	Medium	Closure of building; reduced services
Rain Event (Roof leak, storm drain back-up)	High	loss of files, disruption to service; transportation issues (staff)
Roof collapse	Medium	Evacuation of building; displaced staff
Snow/Ice	Medium	Delay in incoming deliveries; transportation issues (staff); delay in service provision
Telephone Disruption	High	Delayed communications; compounding challenges due to lack of communication
Terrorism	Low	Damage to property; evacuated building; injury; death; fear
Threat of Violence	High	Fear; closure of building
Wind Event	High	Damage to building; power outage

## **Activation of the Plan**

The Business Continuity Plan (BCP) is activated when 101 Martin Street is or potentially could be, impacted by a business disruption and a coordinated corporate response to the disruption is required. An event may affect only a specific location and/or department (i.e. Leaky ceiling caving in). Or an event may impact a single location and many departments (i.e. Flood in office). Yet another may impact multiple sites and multiple departments (e.g. snow storm/fire in building).

Any supervisor or manager can ask that the plan be enacted. They must make their request directly to the Chief Administrative Officer (CAO) to enact the plan.

## **Authority**

The CAO is responsible for the implementation of the Plan.

Spending Authority is the current RDOS Purchasing and Sales policy

## **Initial BCMT Meeting Place**

If the RDOS office is safe and structurally sound, the initial meetings of the BCMT will be at 101 Martin Street. If 101 Martin Street is not available for any reason, or is suspected of being unavailable, the initial meeting location for the BCMT will be determined by the Logistics Lead.

## **Initial Notification Procedures**

The plan will be enacted after approval has been given by the CAO. It is imperative that key staff within the organization be made aware of the plan activation and their potential role in that activity.

The Board of Directors should be notified via email, phone, or e-communication of the plan activation. Staff not immediately activated following the start of the business disruption should be notified by email, phone, or e-communication. Managers and supervisors should inform their impacted staff of the status of their work area and steps being taken to alleviate the impacts of the business disruption.

If the business disruption is wide-spread and there is a need to contact large numbers of staff, the staff contact list created specifically for Business Continuity, in conjunction with e-communications can be utilized when contacting staff across the organization.

When staff members have been advised or otherwise become aware that a large business disruption has occurred, they should report to their manager/supervisor immediately. This may occur in person, via telephone (cellphone, landline), or via e-mail. Voice communication is preferred as this allows a more rapid two-way communication to occur.

In some situations the e-communication software may be used. This outgoing only message system will contain up-to-date information on the event and include instructions

for staff as they become available. Staff who are not able to reach their supervisor/manager are instructed to resort to their indicated method of communication to ensure they are kept apprised of developments and direction related to the Event.

## **Role of the Board of Directors**

Regardless of the type of event, Elected Officials can play a productive communication and response role by using the following guidelines

### Mitigation and Preparedness

- Review the Business Continuity Plan at least once each year.
- Through the budgetary process, provide resources as required.

### Response

- The roles and responsibilities of elected officials do not include day to day involvement with the Business Continuity activities; however, they should expect to receive regular updates from the CAO.

### In communication through the CAO:

- Keep the community informed of the situation.
- Engage with other levels of government for financial and resource support.
- Provide briefings to other levels of government.
- Authorize major expenditures as required.

## **Communications Considerations**

Notify staff during office hours:

- e-communication platform
- Intranet
- Fire Wardens (identified in evacuation plan)
- Muster location (Gyro Park)

Notify staff during non-work hours:

- CivicReady e-communication platform (refer to Appendix B – CivicReady Group Admin Call-out List)
- Phone (if no text, email available)
- Advise of next steps

Notify Board of Directors, stakeholders, public and media

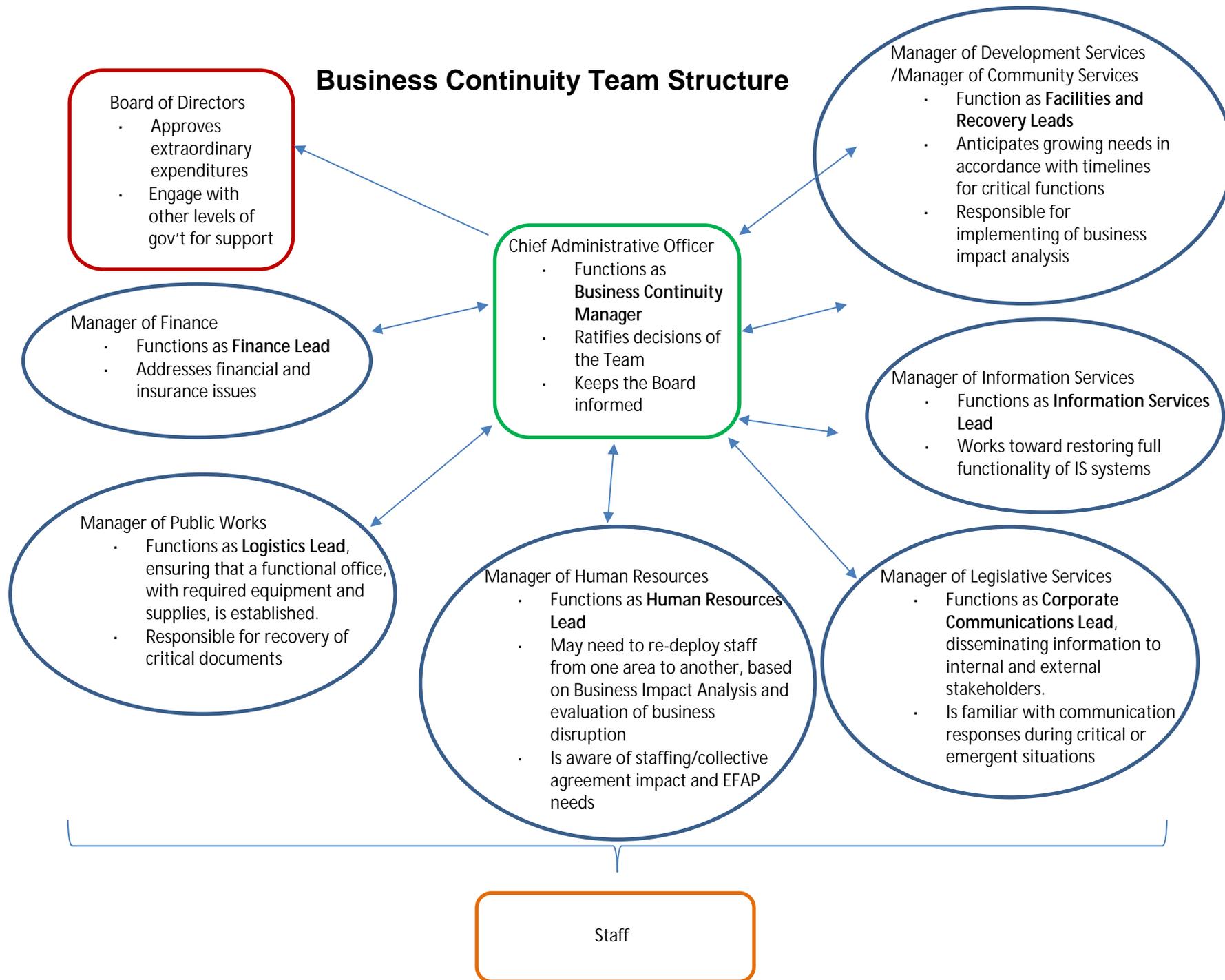
- Website update
- CivicReady e-communication platform
- Information releases (refer to Appendix J for samples)
- social media (Facebook, Twitter)

Communications Lead requires access to list of staff able to:

- post to RDOS website, Facebook, Twitter etc. (Access on specified laptop stored at Landfill house)

- Access media contact list
- Access Board contact list
- Activate CivicReady e-communication platform to communicate with staff, public, stakeholders, media

# Business Continuity Team Structure



## **Business Continuity Management Team (BCMT)**

A coordinated, corporate wide approach is needed to manage the event. The Business Continuity Management Team will be created for those events where a moderate to large amount of coordination is necessary. There are several key functions that would become a part of this team.

1. CAO functions as the Business Continuity Manager and is responsible for leading the Business Continuity Management Team (BCMT). This position ratifies the decisions of the Team.
2. Facilities and Recovery Lead: This plan assumes significant impact to 101 Martin Street. **Manager of Community Services** and **Manager of Development Services** fulfil this role.
3. Information Systems (IS) Lead: Most staff and processes in the corporation rely directly or indirectly on the full functionality of the systems maintained by IS. **Manager of Information Services** fulfils this role.
4. Corporate Communications (Information) Lead: All events that result in a business disruption will require the prompt and accurate dissemination of information to internal and external stakeholders. This member is familiar with communication responses during critical or emergent situations and would likely be an individual who fulfills this role in an Emergency Operations Centre. **Manager of Legislative Services** fulfils this role.
5. Human Resources Lead: A business disruption may require the re-deployment of staff from one area to another, based on the Business Impact Analysis. Staff in positions that are less time sensitive may be redeployed to other areas as the business disruption is evaluated. The member should be aware of staffing/collective agreement impacts and employee & family assistance needs. **Manager of Human Resources** fulfils this role.
6. Logistics Lead: This position is responsible for ensuring that a functional office, with required equipment and supplies, is established. This member is responsible to anticipate growing needs and addition of staff in accordance with the timelines for critical functions, as determined by the Business Impact Analysis, and is responsible for the recovery of critical documents. **Manager of Public Works** fulfils this role.
7. Finance Lead: This member is responsible to ensure financial and insurance issues are addressed. **Manager of Finance** fulfils this role.

It may be necessary to have this team co-locate with one another for the duration of the event. Options for a work area not impacted by the specific event are identified further in Appendix F – Possible Alternative Locations for BCMT. The scope and scale of the event will largely dictate the size and location of the BCMT.

## **Relationship to the Emergency Operations Centre**

The Business Continuity Plan can be activated in business disruption events where the Emergency Operations Centre (EOC) has not been activated.

The Business Continuity Plan can be activated for smaller events where the community is not simultaneously impacted e.g. fire damage to 101 Martin. In events where the EOC is not activated the Business Continuity Management Team will still operate, in a stand-alone way.

If the EOC is activated the BCMT will form a branch under Operations within the EOC structure. This will afford the EOC a greater awareness of the corporate ability to respond and give the BCMT greater access to the resources mobilized by the EOC.

## **Staff Safety**

Staff safety in all activities related to the business disruption is paramount. WorkSafeBC regulations apply in all emergency and disaster events.

Evacuation of the building and accountability of those who exit these buildings, as well as the staffing of muster locations will be in accordance with the RDOS Employee Emergency Procedures.

## **Resource Requirements**

The Business Continuity Management Team will refer to the **Complete Business Impact Analysis Results spreadsheet** (Appendix D), to ensure required resources are in place.

Resource needs will vary from business disruption event to business disruption event and department to department.

Resource needs can be divided into the following three categories:

- Corporate wide needs: Needs held by a broad number of functions. These needs require a fairly centralized approach to problem solving.
- Location specific needs: These needs are more localized, but could be of broad impact depending on the building and services impacted.
- Department specific needs: These needs are met by a combination of resourcefulness within the division and assistance by the Business Continuity Management Team.

## **Rapid Damage Assessment**

Rapid Damage Assessment will occur for 101 Martin Street, following a major seismic, flood, fire event which results in significant damage to structure. Buildings should be assessed for hazards following an emergency to ensure they are not unsafe for further occupancy. The assessment guidelines are in accordance with [BC Housing Rapid Damage Assessment](#) and [Applied Technology Council's ATC-20 & 45](#). RDOS staff trained and certified in Rapid Damage Assessment as of 2018 include:

- Laura Miller, Building Inspection Services Supervisor
- Anton Wolf, Building/Plumbing Official
- Mark Petry, Building/Plumbing Official
- Wes Jmioff, Building/Plumbing Official

## **Personnel**

Depending on the scale of the business disruption, reallocation of staff from non-mission critical functions to support staff in high priority areas may be required. The Business Continuity Management Team will work to allocate staff on a priority basis based on the needs identified, the staff available to re-deploy, and in accordance with the Collective Agreement.

## **Priority Functions for Restoration**

Complete Business Impact Analysis Results (Appendix D) lists the services provided by each department within the RDOS. The table has been sorted by priority of restoration. Some services must be up and functioning very quickly, while others are not as time sensitive. Resources and time should be spent on those services that rate the highest in this chart. They should be restored to a functional level as quickly as possible. Staff in areas of lower priority for restoration may be redeployed to assist in areas of greatest need.

## **Strategies for Accommodation:**

### **Telecommuting**

Telecommuting is a strategy employed when staff can work from home through remote connectivity. It can be used in combination with other strategies to reduce alternate site requirements. This strategy requires ensuring telecommuters have a suitable home work environment and are equipped with or have access to a computer with required applications and data, peripherals, and a secure broadband connection.

### **Partnerships**

Partnership or reciprocal agreements can be arranged with other businesses or organizations that can support each other in the event of a disaster. Assuming space is available, issues such as the capacity and connectivity of telecommunications and information technology, protection of privacy and intellectual property, the impacts to each other's operation and allocating expenses must be addressed. Agreements should be negotiated in writing and documented in the business continuity plan. Periodic review of the agreement is needed to

determine if there is a change in the ability of each party to support the other.

### **Mission critical and time sensitive functions gets attention first**

Those functions or processes with the highest potential operational and financial impacts become priorities for restoration. The point in time when a function or process must be recovered, before unacceptable consequences could occur, is often referred to as the "Recovery Time Objective."

- emergency first, then other services and reactions
- list can be re-prioritized as needed and may be event specific
- acknowledge interconnection between the Emergency Plan, building warden safety program, Rapid Damage Assessment

### **Deactivation of the Plan**

The Business Continuity Plan can be deactivated by the CAO. The plan would normally be deactivated when the need to coordinate the response to the business disruption has diminished to a level that would allow day-to-day business to continue. Major issues must have been resolved and a clear action plan created and largely acted upon before the BCP is deactivated.

### **Business Continuity Plan Updates**

- the Plan should be reviewed annually for necessary updates
- reconvene the BCP committee at least once a year
- ask each department to review their section of the plan at least once a year

## Appendix A - Business Continuity Management Team Call Out List

Call Out order	Name	BCMT Position	Cell Phone (not for public)
1	Chief Administrative Officer	Team Leader	
2	Manager of Community Services	Facilities & Recovery Lead	
3	Manager of Development Services	Facilities & Recovery Lead	
4	Manager of Information Services	Information Systems Lead	
5	Manager of Public Works	Logistics Lead	
6	Manager of Human Relations	Human Resources Lead	
7	Manager of Legislative Services	Corporate Communications Lead	
8	Manager of Finance	Finance Lead	

If you cannot reach the person you are designated to call (the next on the list), carry on down the list until you reach the next individual. **YOU ARE RESPONSIBLE TO ENSURE THAT THOSE YOU WERE UNABLE TO REACH ARE NOTIFIED IN A TIMELY MANNER.**

## **Appendix B - CivicReady Group Admin Call Out List**

The following staff members have access to the CivicReady notification system and are able to notify staff who have provided their contact details:

Christie Lang (phone numbers)  
Ryan Periana  
Judy Burton  
Kim Roemer  
Janice Johnson  
Zoe Kirk  
Cameron Baughen  
Lauri Feindell

## Appendix C - Board of Directors Contact List



### Regional District of Okanagan-Similkameen Board of Directors for 2018 Okanagan-Similkameen Regional Hospital District Board of Directors for 2018

Director	Representing	Mailing Address	Telephone/Fax/Cell <sup>1</sup>	Vote
Pendergraft, Mark	Electoral Area "A" (Osoyoos Rural)	1201 Hwy 3 East Osoyoos, BC V0H 1V6	485 2289 cell <a href="mailto:mpendergraft@rdos.bc.ca">mpendergraft@rdos.bc.ca</a>	2
Bush, George	Electoral Area "B" (Cawston)	2209 Newton Road Cawston, BC V0X 1C1	499 2289 home phone 499.0376 cell <a href="mailto:gbush@rdos.bc.ca">gbush@rdos.bc.ca</a>	1
Schafer, Terry	Electoral Area "C" (Oliver Rural)	7101 Island Way Rd. Oliver, BC V0H 1T7	535-3222 cell <a href="mailto:tschafer@rdos.bc.ca">tschafer@rdos.bc.ca</a>	3
Siddon, Tom	Electoral Area "D" (Kaleden/OK Falls)	101 Martin Street Penticton, BC V2A 5J9	809.2548 cell <a href="mailto:tsiddon@rdos.bc.ca">tsiddon@rdos.bc.ca</a>	5
Kozakevich, Karla RDOS Chair	Electoral Area "E" (Naramata)	RR1, Site 9, Comp 14 Naramata, BC V0H 1N0	809 2557 cell 496.4377 home fax <a href="mailto:kkozakevich@rdos.bc.ca">kkozakevich@rdos.bc.ca</a>	2
Brydon, Michael OSRHD Chair	Electoral Area "F" (Okanagan Lake West/ West Bench)	1867 Sandstone Drive Penticton, BC V2A 1Z8	809 2563 cell <a href="mailto:mbrydon@rdos.bc.ca">mbrydon@rdos.bc.ca</a>	2
Mayer, Roger	Electoral Area "G" (Keremeos Rural/Hedley)	2794 River Road Keremeos, BC V0X 1N1	499-4122 cell <a href="mailto:rmayer@rdos.bc.ca">rmayer@rdos.bc.ca</a>	2
Coyne, Bob	Electoral Area "H" (Princeton Rural)	Box 1296 Princeton, BC V0X 1W0	582 9090 cell 295.3569 home phone <a href="mailto:bcoyne@rdos.bc.ca">bcoyne@rdos.bc.ca</a>	2
Jakubeit, Andrew	City of Penticton (Mayor)	City of Penticton: 171 Main Street, Penticton, BC V2A 5A9	809 2397 cell 490-2400 hall phone 490-2402 hall fax <a href="mailto:Andrew.jakubeit@penticton.ca">Andrew.jakubeit@penticton.ca</a>	5
Konanz, Helena	City of Penticton (Councillor)	City of Penticton: 171 Main Street, Penticton, BC V2A 5A9	809 2897 cell 490-2400 hall phone 490-2402 hall fax <a href="mailto:Helena.konanz@penticton.ca">Helena.konanz@penticton.ca</a>	5
Sentes, Judy OSRHD Vice-Chair	City of Penticton (Councillor)	City of Penticton: 171 Main Street, Penticton, BC V2A 5A9	490 6446 cell 490-2400 hall phone 490-2402 hall fax <a href="mailto:judy.sentes@penticton.ca">judy.sentes@penticton.ca</a>	5
Martin, Andre	City of Penticton (Councillor)	City of Penticton: 171 Main Street, Penticton BC V2A 5A9	328 8152 cell 490 2400 hall phone 490 2402 hall fax <a href="mailto:Andre.martin@penticton.ca">Andre.martin@penticton.ca</a>	4
Waterman, Peter	District of Summerland (Mayor)	District of Summerland: Box 159, Summerland, BC V0H 1Z0	809 8466 cell 494.6451 hall phone 494.1415 hall fax <a href="mailto:pwaterman@summerland.ca">pwaterman@summerland.ca</a>	4
Boot, Toni	District of Summerland (Councillor)	District of Summerland: Box 159, Summerland, BC V0H 1Z0	770 0787 cell 494.6451 hall phone 494.1415 hall fax <a href="mailto:tboot@summerland.ca">tboot@summerland.ca</a>	3
Hovanes, Ron	Town of Oliver (Mayor)	Town of Oliver: Box 638, Oliver, BC V0H 1T0	485 2600 cell 485-6200 hall phone 498.4466 hall fax <a href="mailto:rhovanes@oliver.ca">rhovanes@oliver.ca</a>	3
McKortoff, Suzan	Town of Osoyoos (Mayor)	Town of Osoyoos: Box 3010, Osoyoos, BC V0H 1V0	498.1857 cell 495.6515 hall phone 495.2400 hall fax <a href="mailto:smckortoff@osoyoos.ca">smckortoff@osoyoos.ca</a>	3
Armitage, Frank	Town of Princeton (Mayor)	Town of Princeton: Box 670, Princeton, BC V0X 1W0	295.8815 cell 295.3135 hall phone 295.3477 hall fax 295-6663 home phone <a href="mailto:farmitage@princeton.ca">farmitage@princeton.ca</a>	2
Bauer, Manfred RDOS Vice-Chair	Village of Keremeos (Mayor)	Village of Keremeos: Box 160, Keremeos, BC V0X 1N0	499.2711 hall phone 499.5477 hall fax <a href="mailto:mayor@keremeos.ca">mayor@keremeos.ca</a>	1

Revised 26 June 18

<sup>1</sup> Prefix (250)

## Appendix D - Complete Business Impact Analysis Results

	<u>Function</u>	<u>Dept</u>	<u>Priority</u>	<u>downtime in days</u>	<u>Notes</u>
2.	Switchboard / Staff Safety Checks	LSD	Critical	1	
3.	Critical event related communication (advertising, releases, social media etc)	LSD	Critical	1	
4.	Elections/referenda/AAPs	LSD	Critical	1	while in process
5.	public safety announcements/ boil water notices	PW	Critical	1	public and staff health and safety, not operating within Permit to Operate for Water, not operating within OC for Landfills and Sewer
6.	hazardous Waste Disposal Applications	PW	Critical	1	Critical that these wastes do not show up at landfill for the health and safety of workers. WCB could fine RDOS if this were to happen. No building permit issued without this documentation. Can this be done manually? Can we have WD applications at the landfill to be handled manually?
7.	Payroll & Benefits	F	Critical	2	Oliver Parks & Rec are also paid by RDOS payroll. Deadlines for T4/T4A's, WCB, Insurance, CRA remittance - may incur penalties
8.	Statutory Deadlines (Finance)	F	Critical	2	RDOS will not receive tax requisition funds; may not be able to meet financial obligations
9.	Access to critical records (electronically)	LSD	Critical	3	Team to determine which are critical i.e. bylaws, insurance, etc. and centralize
10.	Board Meeting Coordination	LSD	Critical	3	
11.	Responding to Water/Sewer system issues	PW	Critical	2	staff in on call
12.	access to records (electronically, non critical)	LSD	Mandatory	3	
13.	Network files	IS	Mandatory	3	
14.	Hardware: Servers	IS	Mandatory	3	
15.	Hardware: Desktops/laptops/tablets	IS	Mandatory	3	

	<u>Function</u>	<u>Dept</u>	<u>Priority</u>	<u>downtime in days</u>	<u>Notes</u>
16.	EDMS	IS	Mandatory	3	
17.	Hardware: SAN (Storage Area Network)	IS	Mandatory	3	
18.	Landline phone	IS	Mandatory	3	
19.	GIS	IS	Mandatory	3	
20.	Email (Exchange server)	IS	Mandatory	3	
21.	Vadim and/or Questica	IS	Mandatory	3	What would the effect of Vadim being down for 3 days?
22.	Hardware: LAN (Local Area Network)	IS	Mandatory	3	
23.	Fleet (maintenance & insurance)	f	Mandatory	3	
24.	access to records (physical, non-critical)	LSD	Mandatory	7	
25.	public consultation for Dev. Applications underway	DS	Mandatory	7	
26.	Burning permits - applications, issuing, check venting index	CS	Mandatory	7	
27.	Demolition Permit approval	PW	Mandatory	7	
28.	building inspection tracker	DS	Mandatory	14	
29.	planning inquiries general	DS	Mandatory	14	
30.	Subdivision Referrals	PW	Mandatory	14	delay of development and building permits
31.	Development Tracker	DS	Mandatory	14	

	<u>Function</u>	<u>Dept</u>	<u>Priority</u>	<u>downtime in days</u>	<u>Notes</u>
32.	Bylaw enforcement tracker	DS	Mandatory	14	
33.	Landfill Scale Software	PW	Mandatory	14	is this impacted by the loss of 101 Martin? Is it linked to the Finance software?
34.	bylaw enforcement public info	DS	Mandatory	14	
35.	Building Permit Applications	DS	Mandatory	14	permit approval delayed, construction/jobs impacted. 2)There is a time lapse where applications received are not entered into any databases or EDMS. This material would not be available to recreate and would be required to be re-supplied by the applicant. A computer back up or received applications need to be initiated for contacting applicants.
36.	Cash Receipting	F	Mandatory	14	RDOS cannot record/deposit incoming payments
37.	Grants	F	Mandatory	14	grant claims are required to be completed on time in order to access funds.
38.	Environmental Sampling - Landfills	PW	Mandatory	14	
39.	Board Action	all	Mandatory	30	
40.	issue dog tags	DS	Mandatory	30	
41.	records filing - physical	LSD	Mandatory	30	
42.	Process Land use applications	DS	Mandatory	30	
43.	Board Action Tracker	LSD	Mandatory	30	
44.	Process bylaws	LSD	Mandatory	30	except security issuing
45.	FOI	LSD	Mandatory	30	
46.	Recruitment	HR	Mandatory	30	
47.	Health and Safety Meetings	HR	Mandatory	30	regulated by WorkSafeBC

	<u>Function</u>	<u>Dept</u>	<u>Priority</u>	<u>downtime in days</u>	<u>Notes</u>
48.	bylaw enforcement	DS	Mandatory	30	CM see line 40 - tracker after 14 days? Would SOS be impacted by loss
49.	Building Inspection - finalizing	DS	Mandatory	30	delay in issuing occupancy permits
50.	Utility Billing	F	Mandatory	31	RDOS will not collect on outstanding accounts
51.	Accounts Receivable - Landfill	F	Mandatory	31	RDOS will not collect on outstanding accounts
52.	project management	PW	Mandatory	1	up to managers to put plans in place
53.	Water, Sewer Landfill, Pest - Call Taker	PW	Mandatory	3	property damage, environmental damage, health and safety of public, safety of Operations staff. The PW Admin phone number is advertised heavily so if the number was out of service, important calls related to water breaks, water quality, mosquito control issues, environmental issues, landfill issues could be missed.
54.	incoming/outgoing mail incl. courier	LSD	Mandatory	7	make alternate arrangements for water samples within department
55.	Well Licensing for all Water Systems	PW	Mandatory	7	all paper files located at Admin desk with historical data required for the project.
56.	Building Inspections	DS	Mandatory	14	
57.	Cost estimate, payment collection and scheduling of work for water and sewer connections	PW	Mandatory	14	time sensitive related to building permits and finance collection of fees
58.	Accounts Payable	F	Mandatory	30	the RD may incur penalties with some vendors due to late payment of invoices
59.	RoW negotiations for Water and Sewer	PW	Mandatory	30	some of these files are time sensitive related to real estate sales, etc. and or water main replacement projects
60.	Curbside Administration	PW	Optional	1	
61.	Beach Water Sampling	PW	Optional	3	
62.	SILGA/FCM/UBCM	LSD	Optional	7	while in process

	<u>Function</u>	<u>Dept</u>	<u>Priority</u>	<u>downtime in days</u>	<u>Notes</u>
63.	Press Releases upcoming event related)	LSD	Optional	7	
64.	Building Inspection public info/govt agencies	DS	Optional	14	is this really optional and is it too long?
65.	Heritage	CS	Optional	30	heritage sites disperse throughout RDOS. Only records kept at 101 Martin St
66.	SMT agendas/minutes	LSD	Optional	31	
67.	Place/Remove Notice on Title	LSD	Optional	31	alternative - use a lawyer
68.	dept. meeting agenda/minutes	LSD	Optional	31	
69.	Regional Connections /Reflections and other communications	LSD	Optional	31	
70.	Electoral Area events	LSD	Optional	31	
71.	Coding invoices/purchasing card	all	Optional	31	does finance think it is optional and 31
72.	Joint council/steering committee	LSD	Optional	31	
73.	referral working group	DS	Optional	31	
74.	C2C	LSD	Optional	31	
75.	Inventory of Services	LSD	Optional	31	
76.	Liquor License applications	DS	Optional	31	
77.	Supply Ordering	LSD	Optional	31	
78.	Climate Action	DS	Optional	31	
79.	planning projects	DS	Optional	31	could impact contracts with consultants
80.	Building Inspection - enforcement	DS	Optional	31	no enforcement of bylaws (stop work), expired permit (NOT)
81.	Goose Control	PW	Optional	31	
82.	OASISS - Invasive Species	PW	Optional	31	

	<u>Function</u>	<u>Dept</u>	<u>Priority</u>	<u>downtime in days</u>	<u>Notes</u>
83.	Water Meter Leak Detection	PW	Optional	31	
84.	Tree Fruit - Destructive Pests	PW	Optional	31	
85.	Special Projects (ie Climate Adaption for Ag Water	PW	Optional	31	
86.	Grants: Water related projects	PW	Optional	31	
87.	WildSafeBC - Outreach	PW	Optional	31	

## Appendix E - Business Contacts

(all current as of 20180328)

Category	Company	Phone
Electric Supply	City of Penticton	250-490-2539 250-490-2324 (after hours)
Electrician	Houle Electric	250-765-9660 (24 hrs) 1-844-464-6853
	PowerTrend Electric	250-492-9140 250-809-1767 (after hrs emergency)
Employee and family assistance	Life Works	1-888-307-0590
Hazardous Materials (removal of)	NorHaz Solutions	1-844-466-7429
	ABK Restoration	250-493-6623 1-800-463-5663
HVAC heating/ventilation/air cond.	Kimco	250-328-5936 250-491-2282 (after hrs; select option 1)
Insurance	Capri Insurance (building)	250-869-3804 1-800-670-1877 (24 hrs)
	MIA (liability)	1-855-683-6266
Plumbing	Quality First	250-493-8886 (24 hrs)
	Mavco	250-493-7956 778-734-1146 (24 hr)
Restoration	ABK Restoration	250-493-6623 1-800-463-5663 (24 hr)
	Stutters Restoration	250-490-3552 1-877-763-1540 (24hr)
	Total Restoration	250-493-8028 1-888-491-3828 (24 hr)
	Okanagan Restoration	250-487-1289 1-888-665-6775 (24hr)
	Service Master	1-855-565-5559 (24 hr)
Security	SOS Security	250-492-0911 (24 hr)
	Houle Electric (alarms)	1-844-464-6833
Structural Engineering	Ecora Engineering	250-492-2227
	KO Structural Engineering	250-493-3073
	Riding Engineering	778-476-5066
	McElhanney Consulting	250-492-7399
Vehicles/Fleet Rental	City of Penticton	250-490-2547 (city yards)
	National Car Rental	250-490-3339
	Budget Car Rental	250-493-0212

This list is not exhaustive. Other service providers may be available.

## Appendix F - Possible Alternative Locations for BCMT and/or Daily Operations

Location	Contact	Considerations
Landfill house (1 <sup>st</sup> location for BCMT)	internal	<ul style="list-style-type: none"> <li>· suitability for public attendance doubtful</li> <li>· connectivity questionable (IS to confirm)</li> <li>· Sufficient parking</li> </ul>
City of Penticton	Peter Weeber, CAO 250-490-2407  Manager of Facilities 250-490-2579	<ul style="list-style-type: none"> <li>· further investigation required</li> </ul>
City Public Works Yards	250-490-2547	<ul style="list-style-type: none"> <li>· Storage of fleet vehicles</li> </ul>
School District 67	250-770-7700	<ul style="list-style-type: none"> <li>· parking of fleet vehicles</li> <li>· Use of facilities – can accommodate RDOS for short term in 'accessory building'</li> <li>· Servers and telephones already there</li> </ul>
Penticton Lakeside Hotel	250-493-8221	<ul style="list-style-type: none"> <li>· variety of meeting rooms</li> <li>· Pay parking</li> <li>· No fleet parking</li> </ul>
Days Inn & Conference Centre	250-493-6616	<ul style="list-style-type: none"> <li>· three meeting/board rooms for groups up to 150</li> <li>· Free parking</li> <li>· No fleet parking</li> </ul>
Penticton Trade and Convention Centre (preferred location for day to day operations/administration)	Dean Clarke, General Manager 250-490-2460	<ul style="list-style-type: none"> <li>· Usually lots of free parking during the day</li> </ul>
Portuguese Sporting Club 135 Winnipeg Street	Club: 493-9124	<ul style="list-style-type: none"> <li>· Parking is limited</li> <li>· Electrical and connectivity may be limited</li> <li>· Proximity to 101 Martin Street</li> </ul>
Windward Solutions 3547 Skaha Lake Road	250-492-8888	<ul style="list-style-type: none"> <li>· Free parking</li> <li>· Large "training" room</li> <li>· Short term use</li> </ul>
Kaleden Rec Centre	250-497-8188	
Similkameen Rec Centre	250-499-2400	
OK Falls Office	778-515-5520	



## PENTICTON LAKESIDE RESORT AND CONFERENCE CENTRE



Located downtown on the south shore of Okanagan Lake, the Resort is central to a wealth of activities & attractions. The Penticton airport is 8 kilometers from the property and offers Air Canada flights from the Vancouver International Airport (YVR) daily. WestJet Encore connects Penticton to the East, with a direct Calgary connection from Calgary International Airport (YYC). Delegates can rent vehicles through Budget and/or National Car Rentals at the airport.

The Resort includes 273 lake and mountain view guest rooms & suites, each with their own balcony. For groups of 10-1,000, our elegant facilities include our West Ballroom & seven lakeside breakout rooms. Set to open Spring 2018 is our East Ballroom with floor to ceiling glass windows and heated patio that will provide panoramic views of the Okanagan. Once completed, the Conference Centre will total 32,318 sq. ft. of usable space. With the numerous menu options available, our catering department will help make your function a great success. When looking for the perfect setting for your event, look no further. With Okanagan Lake as the scenic backdrop, our conference centre is an idyllic location for any occasion, be it a convention, tradeshow, sporting event or wedding.

The Hooded Merganser Bar & Grill, situated atop Okanagan Lake, serves contemporary cuisine inspired by fresh, local ingredients from our very own Valley View Farm. Famous for its patio overlooking Okanagan Lake, the Barking Parrot Bar offers entertainment throughout the year, including a variety of music artists, DJ's, comedy shows and much more. Enjoy views of Okanagan Lake on the Bufflehead Cappuccino Bar patio or get comfortable by the indoor fire with your favourite beverage.

PURE Gym & Juicery offers a wide range of equipment and a variety of group fitness classes. The fitness centre is located adjacent to the indoor pool and hot tub. Pamper yourself at the Shingata Hair Salon or checkout designer brands at Three Wishes Clothing Boutique. Do some team building by relaxing on our seasonal private, licensed beach or 30' x 50' ice rink. On-site Castaways Watersports offers parasailing, kayaking, jet ski & boat rentals. Wishing to bring your own boat? Our marina has slips available for in-house guests. Golfing, wineries, skiing & much more are only moments away.

Room Name	Sq. Ft.	Dimensions	Ceiling	Theatre	Classroom	Reception	Banquet
East Ballroom	13,000	129' x 185'	19' 6"	1150	600	1150	750
Deck	2000	--	--	--	--	200	--
West Ballroom	8940	149' x 60'	12'	1000	450	800	550
Salon A	1800	30' x 60'	12'	200	90	225	90
Salon B	1860	31' x 60'	12'	200	90	225	90
Salon C	2220	37' x 60'	12'	250	110	275	120
Salon D	3060	51' x 60'	12'	350	160	380	200
Merlot	1088	34' x 32'	9'	80	36	75	50
Chardonnay	510	34' x 15'	9'	45	--	30	20
Zinfandel	600	24' x 25'	9'	50	18	50	40
Cabernet	400	16' x 25'	9'	20	--	--	24
Chelvis	264	12' x 22'	9'	20	--	--	12
Verdelet	264	12' x 22'	9'	20	--	--	12
Bocchus	252	11' x 22'	9'	20	--	--	12
Foyer	5000	--	--	--	--	200	--

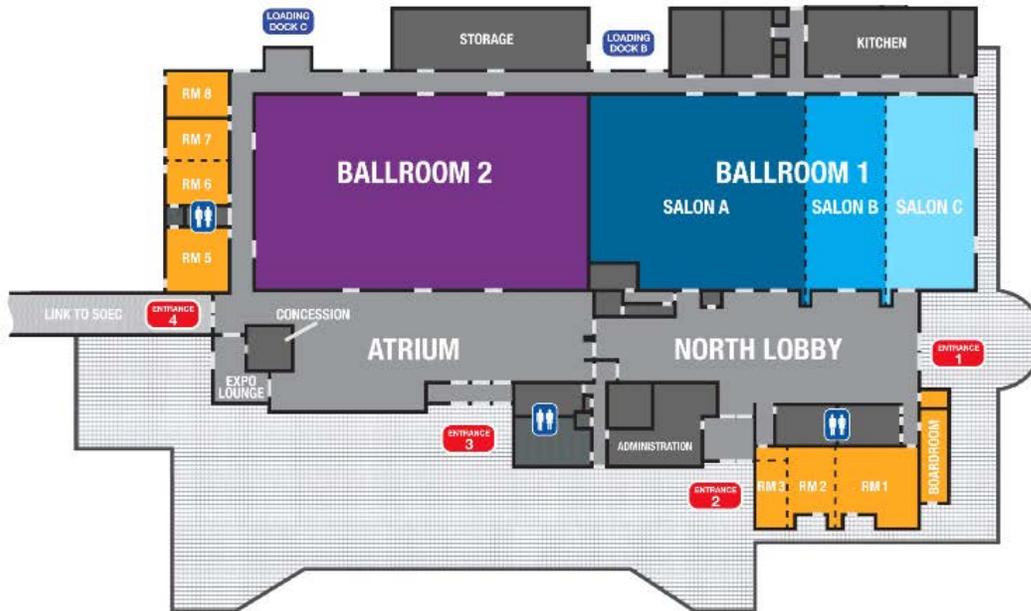
21 LAKESHORE DRIVE WEST, PENTICTON, BRITISH COLUMBIA, V2A 7M5  
PHONE: 1.800.663.9400 | FAX: 1.250.493.0607  
EMAIL: lakeside@rpbhotels.com | pentictonlakesideresort.com

Director, Convention Sales & Catering Services:  
Jo Norton-Westwood  
jo@rpbhotels.com



# PENTICTON TRADE & CONVENTION CENTRE

## Seating Capacities and Floor Plan



ROOM	SQ. FT.	DIMENSIONS	CEILING	THEATRE	CLASSROOM	RECEPTION	BANQUET	EXHIBITS
<b>Ballroom 1</b>	<b>15,051</b>	<b>173'x90'</b>	<b>17' 6"</b>	<b>1,400</b>	<b>760</b>	<b>1,580</b>	<b>1,000</b>	<b>80</b>
Salon A	8,364	98'x90'	17' 6"	888	486	700	528	40
Salon B	3,201	36'x90'	17' 6"	300	171	300	184	20
Salon C	3,486	39'x90'	17' 6"	300	171	300	208	20
<b>Ballroom 2</b>	<b>13,680</b>	<b>152'x90'</b>	<b>17' 6"</b>	<b>1,300</b>	<b>689</b>	<b>1,250</b>	<b>1,000</b>	<b>80</b>
<b>Ballroom 1 &amp; 2</b>	<b>28,731</b>	<b>319'x90'</b>	<b>17' 6"</b>	<b>2,700</b>	<b>1,449</b>	<b>2,830</b>	<b>2,000</b>	<b>160</b>
Meeting Room 1*	1,050	35'x30'	9' 4"	90	45	100	72	-
Meeting Room 2*	540	18'x30'	9' 4"	45	24	54	40	-
Meeting Room 3*	416	16'x26'	9' 4"	34	15	45	24	-
Meeting Room 1-2*	1,590	54'x30'	9' 4"	134	69	154	96	-
Meeting Room 2-3*	956	33'x30'	9' 4"	80	45	100	64	-
Meeting Room 1-2-3*	2,006	70'x30'	9' 4"	180	90	200	136	-
Meeting Room 5	900	30'x30'	12'	60	33	90	40	-
Meeting Room 6*	600	20'x30'	12'	40	24	45	24	-
Meeting Room 7*	600	20'x30'	12'	40	24	45	24	-
Meeting Room 8	600	20'x30'	12'	40	24	45	24	-
<b>North Lobby</b>	<b>7,000</b>	<b>145'x48'</b>	<b>18' 6"</b>	-	-	<b>500</b>	<b>176</b>	<b>118</b>
<b>Atrium</b>	<b>7,280</b>	<b>130'x56'</b>	<b>18' 6"</b>	-	-	<b>500</b>	<b>200</b>	<b>28</b>
Expo Lounge	500	20'x25'	16'	30	-	53	40	-
Outdoor Patio	2,000	45'x45'	-	-	-	210	-	-
Boardroom	728	14'x52'	10'	70	50	75	-	-

\* Meeting Rooms 1, 2 & 3 - 6 & 7 can be joined



## Appendix H - RDOS Day-to-Day Organization Chart

## **Appendix I - Training and Exercise Plan**

Set out a 3 year cycle of training and exercises

- once a year training
- one or two table top exercises a year (discussion based scenario); held at department or corporate level
- evaluation of plan

Staff training in:

- What is Business Continuity? (on its own and in relation to an EOC)
- Business continuity concepts - what that means in my department
- Published update cycle (yearly?)
- Exercise the department plan
- Exercise the corporate plan

## Appendix J - Sample Media Releases

Initial

### URGENT NOTICE – PARTIAL ROOF COLLAPSE AT ROSSLAND CITY HALL

Submitted by City of Rossland on Sat, 03/03/2018 – 2:01pm

**Alerts: Public Safety**

March 3, 2018

Urgent Notice – Partial Roof Collapse at Rossland City Hall

Please note that Rossland City Hall will be temporarily closed on Monday March 5 and Tuesday, March 6, 2018 due to a partial roof collapse at the building.

For safety reasons, City Hall will be temporarily closed as noted above to the general public in order to complete a comprehensive structural engineering assessment of the building.

A suitable temporary location to conduct City Hall operations is currently being reviewed at this time. When a decision is made on this temporary location, further information will be provided.

We are sorry for any inconvenience that this may cause and thank everyone in advance for their patience and cooperation in this matter.

Update #1

### City Hall Partial Roof Collapse Update

Text Size:   

 [Printer-friendly version](#)  [Send by email](#)

City representatives have now met with both WorkSafeBC and a structural engineer to complete an initial structural assessment of the damage at the City Hall building and to review the possible options available.

The initial findings have shown that the front portion of the building, the reception and recreation office areas, are unsafe and therefore currently cannot be accessed. However, as the rest of the building has been deemed structurally sound, the City is focused on setting up temporary offices for those displaced staff in order to continue to provide core services for the community over the coming weeks.

Although we plan to be operationally functional within the next few days, City Hall remains unsuitable for public access. As a result, City Hall will remain closed to the public for the balance of this week. By Friday, March 9, 2018, the City will have more information and better able to determine the short-to-medium term plan for City Hall operations.

Citizens of the City of Rossland requiring immediate assistance should feel free to call the City Hall main switchboard at 250-362-7396 and select the appropriate department where we will endeavour to attend to your service request as soon as possible or arrange a meeting at our earliest available time.

In order for the City to be able to respond to the current backlog of enquiries, we ask that you only contact City Hall if an emergency arises. For general requests or to make payments to the City, please visit our website at [www.rossland.ca](http://www.rossland.ca)

## Update #2

### \*\*NOTICE – TEMPORARY CITY HALL LOCATION\*\*

Text Size: 

 [Printer-friendly version](#)  [Send by email](#)

Please note that for the immediate future and until further notice, City Hall operations has been temporarily relocated to the Miners' Hall building, located at 1765 Columbia Avenue, Rossland BC. <http://www.rossland.ca/facilities/miners-hall>

As we will currently have limited access to email, phones and files, anyone requiring immediate assistance should feel free to call the City Hall main switchboard at 250-362-7396 and select the appropriate department where we will endeavour to attend to your service request as soon as possible. For after-hours emergency situations please call 1(866)417-4104.

We are sorry for any inconvenience that this may cause and thank everyone for their patience and understanding during this time.

Regards,

Bryan Teasdale

Chief Administrative Officer

## Update #3

### \*\*ROSSLAND CITY HALL PARTIAL ROOF COLLAPSE UPDATE\*\*

Text Size: 

 [Printer-friendly version](#)  [Send by email](#)

**We have currently re-located “City Hall Operations” to the upstairs portion of the Miners’ Hall (Lilly May / Green Rooms). Council meetings will be held in the Performance Hall space on the main floor. We are planning on remaining in this location until we determine where a more-suitable longer-term relocation of City Hall may be – where activities for this is currently well underway. More details on this initiative will be provided once we have some additional information.**

**The existing City Hall building is currently not in use. It has been shovelled off to help prevent further shifting. A sump pump was also installed on the roof in a depression of the failure area to help prevent any further water damage to the building. Also, recently conducted snow load testing activities found the following results: City Hall Roof – 65 lbs/ sq ft and Museum Roof 85 lbs / sq ft.**

**We have also completed activities related to temporary bracing of the failed beam inside City Hall. It is expected that a structural engineer will now be able to go in and complete a more comprehensive inspection as to both the cause and extent of the problem sometime early next week.**

Regards,

Bryan Teasdale

Chief Administrative Officer

Corporate Officer

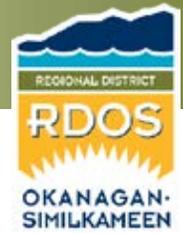
## **Appendix K - Department-Specific Plans**

(Checklists, plans or procedures from each department)

1. Community Services – Parks & Trails
2. Community Services – Protective Services
3. Community Services – Recreation
4. Development Services – Bylaw Enforcement
5. Development Services – Building Inspection
6. Development Services – Planning
7. Finance
8. Human Resources
9. Information Services
10. Legislative Services
11. Public Works – Engineering
12. Public Works – Solid Waste
13. Public Works - Water

## **Appendix L - Staff Contact List**





# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Environment and Infrastructure Committee

Thursday, October 04, 2018

11:00 a.m.

## REGULAR AGENDA

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### A. APPROVAL OF AGENDA

#### **RECOMMENDATION 1**

THAT the Agenda for the Environment and Infrastructure Committee Meeting of October 4, 2018 be adopted.

---

### B. DELEGATION – Forest Enhancement Society of British Columbia

1. Steve Kozuki, Executive Director
  - a. Presentation

Mr. Kozuki will address the Board to present an overview of the Forest Enhancement Society of British Columbia and projects throughout the province and in the local area, and to discuss funding opportunities.

---

### C. SOUTH OKANAGAN CONSERVATION FUND – INTERIM REPORT UPDATE FOR 2018 PROJECTS

1. Bryn White, Program Manager
  - a. Presentation

Ms. White will address the Board to present the progress of the currently funded projects under the South Okanagan Conservation Fund.

---

### D. ADJOURNMENT

# Forest Enhancement Society of BC

Steve Kozuki RPF, Executive Director



Regional District Okanagan-Similkameen – October 4<sup>th</sup> 2018



# Background

- On February 26, 2016, the B.C. Government announced the formation of the Forest Enhancement Society of BC (FESBC) with initial funding of **\$85M**.
- The Government envisioned the Society becoming an efficient organization which would deliver cost-effective and impactful programs to improve B.C. communities' resilience to wildfire while improving forest fibre utilization, forest carbon management, forest conditions and wildlife habitats.
- In February, 2017, the B.C. Government announced additional grant funding of **\$150M** to the Society to be focused on forest carbon.

# FESBC Constitution

- The purposes of the Society as laid out in its Constitution are:
  - A. To advance environmental and resource stewardship of B.C.'s forests by:
    - i. Preventing and mitigating the impact of wildfires
    - ii. Improving damaged or low value forests
    - iii. Improving habitat for wildlife
    - iv. Supporting the use of fibre from damaged and low value forests, and
    - v. Treating forests to improve the management of greenhouse gases.
  - B. To advocate for the environmental and resource stewardship of B.C. forests.

# FESBC Board of Directors & Staff

Wayne Clogg, Board Chair

Jim Snetsinger, Vice Chair, Governance and HR Committee Chair

Brian Banfill, Finance Committee Chair

Dave Peterson, ADM, Tenures, Competitiveness and Innovation

Keith Atkinson, CEO, First Nations Forestry Council, Director at Large

---

Executive Director » Steve Kozuki

Operations Managers » Dave Conly, Ray Raatz and Gord Pratt

Office Manager » Kathy Dupuis

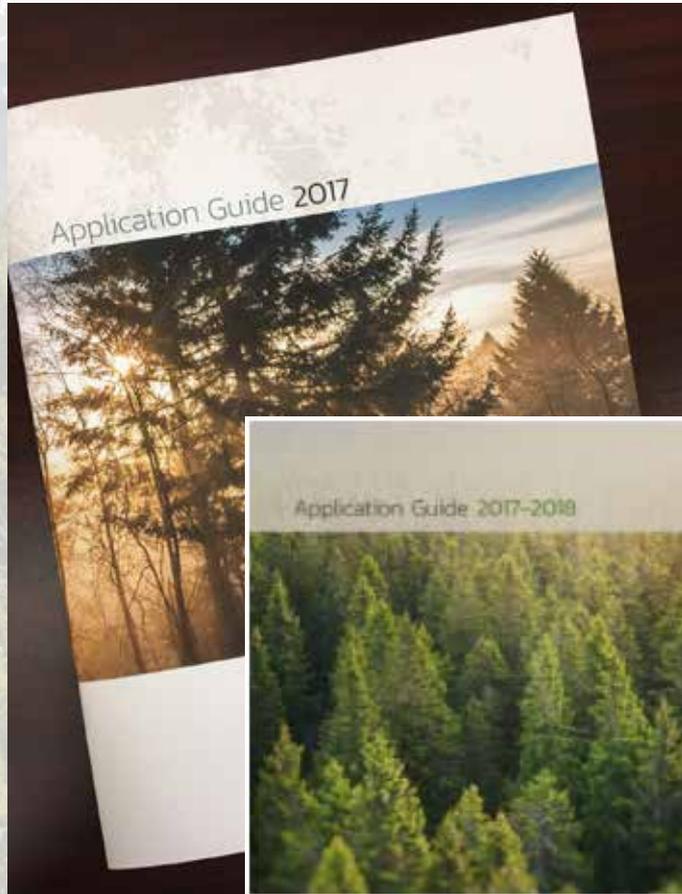
# FESBC Partners

Recognizing these are evolving and not limited to the following:

- FLNRORD – Providing guidance, identifying priorities, and authorizations and consideration of legislative and policy changes
- BC Parks – Similar role as FLNRORD
- Forest Licensees – adjusting harvesting plans and some of the heavy lifting
  - Responsible for their legal obligations
- Local Governments – Seeking funding and gaining public support
- First Nations – Seeking funding and provide input through consultation
- UBCM – Providing common administrative and technical needs on a similar purpose (\$140,000 in 2017)
- HCTF – Similar to UBCM (\$2M in 2018)
- CBT – Localized Enhanced FireSmart Program



# Application Guide



The Application Guide outlines:

- Applicant Eligibility & How to Apply
- FESBC Roles & Responsibilities
- Project Selection Criteria
- Application Review and Assessment Process
- Project Delivery, Changes & Final Reporting
- Project Finances & Eligible Costs

# Getting Started with Projects

## TO BE CLEAR:

- FESBC is not the land manager. Planning activities and uses on Provincial Crown land is a government responsibility. FESBC's role is project selection and helping to fund delivery.
- FESBC works closely with Provincial agencies who identify the highest priority areas for treatment based on wildfire risk, forest rehabilitation, fiber recovery opportunities, habitat restoration needs and improving the management of greenhouse gases.
- Within these areas, the highest priority projects will be those which meet multiple Society objectives.
- A ramping-up of projects occurred in 2018. The number of projects and funding allocations has increased substantially.
- FLNRORD undertaking Integrated Investment Planning – critical to wise investment decisions.



# Eligible Applicants

Currently:

- **All forest tenures - Community Forests and Woodlots, FNWL, majors, etc.**
- **First Nations Governments (also in collaboration with SWPI, where applicable)**
- **Business entities performing or providing forestry services on behalf of government and/or industry**
- **Conservation organizations**
- **Local Governments - Municipalities and Regional Districts**
- **Provincial Government resource management agencies; primarily the Ministry of Forests, Lands, Natural Resource Operations & Rural Development**

# Approved Funding

FESBC PURPOSE	# of Funded Projects to Date	Funds Allocated to Date
Wildfire Reduction/Mitigation	93	\$37,540,506
Improving Damaged or Low-Value Forests	37	\$24,362,399
Wildlife Habitat Improvement	8	\$967,522
Fibre Recovery from Damaged or Low-Value Forests	10	\$3,226,464
Forest Carbon Management of Greenhouse Gases	25	\$97,058,006
<b>TOTALS</b>	<b>173</b>	<b>\$163,154,897</b>



# First Nations Participation

- Minister Donaldson wrote in a January 8th 2018 letter to FESBC Chair Wayne Clogg:

“To support true and lasting reconciliation with Indigenous Peoples in British Columbia, our government is fully adopting and implementing the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the Calls to Action of the Truth and Reconciliation Commission (TRC). Please ensure that going forward your organization incorporates the UNDRIP and TRC, given the specific mandate and context of your organization”.

- FESBC endorses the recommendations of the Truth and Reconciliation Commission and its calls to action as well as the implementation of the United Nations Declaration of the Rights of Indigenous Peoples. Up to 2018, 30% of the projects funded by FESBC are led by First Nations proponents or have significant First Nations participation (49 projects valued at \$44 million). This is not surprising given that both First Nations and FESBC have a great interest in the enhancement of BC's Crown forests.



# FESBC Wildfire Risk Reduction Projects

FESBC and UBCM/SWPI have successfully co-funded community wildfire risk management projects to date. One example is:

- The WLCF is reducing fuel loading by harvesting timber:
  - FESBC is funding helicopter logging (primarily for bark beetle, but also reduces fuel loading).
  - FESBC is funding incremental utilization of ladder fuels (small trees that would not normally be harvested).
- Other projects are also underway in 100 Mile House, Quesnel, Tatla Lake, Alkali Lake, Borland Valley, Hanceville, Anaham, Meadow Lake, Lac La Hache, Sugar Cane, Canim Lake, Alexandria, Clinton, Barkerville, and Nazko.

# FESBC Economic Contribution

Program	Expenditures	Total Output	Total GDP	Total Household Income	Total Gov't Revenue	Total Employment
Wildfire Reduction	37.5	52.8	26.5	19.8	5.4	327
Improving Damaged Forests	24.4	34.3	17.2	12.8	3.6	213
Wildlife Habitat Improvement	0.9	1.4	0.6	0.5	0.14	9
Fibre Recovery	3.2	4.5	2.3	1.7	0.47	28
Forest Carbon Mgmt.	97.1	136.8	68.6	51.0	14.1	846
<b>Total:</b>	163.1	229.8	115.2	85.8	23.7	1,423

# Some FESBC Projects will result in ...

Fuel management treatment to reduce wildfire risk, rehabilitate low value forests, restore cultural attributes and enhance wildlife habitat



Before



3 Years After

# Fuel Management



Mechanized harvesting in small wood thinning from below for wildfire fuel reduction - sorts, sawlog, small sawlog, stud log and round wood pulp.



# Williams Lake Community Forest – FESBC Funded Project



Landscape Level fuel reduction  
treatment with fibre utilization.



# Questions?



[www.fesbc.ca](http://www.fesbc.ca)

FOREST ENHANCEMENT SOCIETY OF BRITISH COLUMBIA



## ADMINISTRATIVE REPORT

**TO:** Environment and Infrastructure Committee

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

**DATE:** October 4, 2018

**RE:** South Okanagan Conservation Fund – Interim Report Update for 2018 Projects

---

**Purpose:**

To update the Environment Committee on the progress of the currently funded projects under the South Okanagan Conservation Fund.

**Reference:**

South Okanagan Conservation Fund (SOCF) Terms of Reference – (June 2017).

**Background:**

In January 18, 2018, the Board of Directors approved funding for seven South Okanagan Conservation Fund projects totaling just over \$400,000. This local investment has leveraged matching resources of over \$1.2 M cash, and \$163,000 in-kind contributions from outside the region.

The projects awarded this funding, listed below, are categorized generally as Conservation Outreach and Stewardship, Habitat Acquisition and Habitat Restoration and Enhancement.

- Ø **Managing At-Risk Wildlife in the Workplace**, Okanagan Similkameen Conservation Alliance and the Community Bat Program
- Ø **Conserving South Okanagan Habitats through an Invasive-Free Certification Program**, Okanagan and Similkameen Invasive Species Society
- Ø **Providing Fish Passage at Ellis Creek Sediment Basin**, Okanagan Nation Alliance and Penticton Indian Band
- Ø **Creating Fish Spawning Areas/Reconnection of Floodplain Okanagan River Penticton**, Okanagan Nation Alliance and En'owkin Centre
- Ø **Locatee Lands Project Securement of CP Parcel 40-4**, En'owkin Centre and Penticton Indian Band
- Ø **Habitat Stewardship and Enhancement in the South Okanagan**, OK Similkameen Stewardship Society
- Ø **White Lake Biodiversity Ranch – Park Rill Creek East Property Securement**, Nature Trust of BC

**Analysis:**

The SOCF Terms of Reference specifies that proponents provide an Interim Report on the progress of the project at the half-way mark.

Each of the proponents submitted an interim report on time, and each of the projects are reported to be on track, with no major anticipated barriers or impediments to achieving the deliverables by the final reporting date, February 15, 2019. A brief update on each project is included in the accompanying presentation of today's date and a report to the Board on the final outcomes will be presented in March of 2019.

The call for proposals for the next South Okanagan Conservation Fund intake is open now, closing on October 5, 2018.

**Next Steps:**

Administration will be undertaking a review of new applications after October 5, through procedures outlined in the Terms of Reference, including an extensive review by the Technical Advisory Committee.

The new Board of Directors will receive an orientation to the South Okanagan Conservation Fund in December 2018, and a set of recommended projects for funding from the Technical Advisory Committee in January of 2019.

**Communications:**

The Conservation Fund call for proposals has been advertised. The RDOS and South Okanagan Conservation Fund websites will include an update to document the progress of each project, as it is reported.

**Respectfully Submitted**

*"Christy Malden"*

---

C. Malden, Manager of Legislative Services

# SOUTH OKANAGAN CONSERVATION FUND



CLEAN WATER  
FRESH AIR  
NATURAL SPACES

**Bryn White, Program Manager, SOSCP**

For RDOS Environment and Infrastructure Committee  
October 4<sup>th</sup>, 2018

## Interim Reporting for Current 2018 Projects

- Seven successful project proposals. Contribution Agreements and funds received in Feb 2018.
- Interim Reports submitted by Sept 14, 2018.
- All proponents met reporting requirements. All projects on track.
- Outside matching funds so far = \$1.2 M or 3.5 x the local investment.



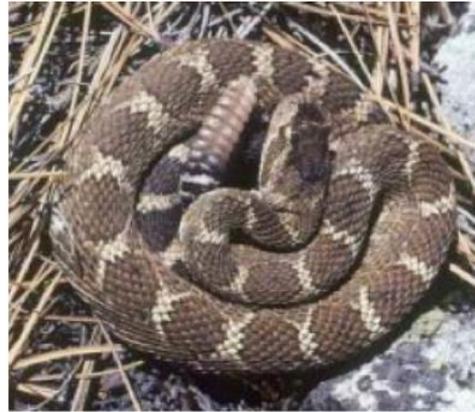
Photo: Ok Similkameen Stewardship

# OUTREACH - STEWARDSHIP

## Managing At-Risk Wildlife in the Workplace

Ok Similkameen  
Conservation  
Alliance

\$7,841.68



**MANAGING FOR WILDLIFE  
ON THE FARM**

# OUTREACH - STEWARDSHIP

**Conserving South  
Okanagan Habitats  
through an Invasive-  
free Certification  
Program**

Okanagan and  
Similkameen  
Invasive Species  
Society

\$6,415



# OUTREACH - STEWARDSHIP

**Habitat  
Stewardship and  
Enhancement in  
the South  
Okanagan**

**Okanagan and  
Similkameen  
Stewardship  
Society**

**\$38,000**



# HABITAT RESTORATION

**Providing fish  
passage at Ellis  
Creek sediment  
basin**



Okanagan Nation  
Alliance and  
Penticton Indian  
Band

\$50,000



Photo credit Michael Bezener

# HABITAT RESTORATION

**Creation of Fish  
Spawning Areas  
and Reconnection  
of an Historic  
Floodplain in  
Penticton  
Channel**

**Okanagan Nation  
Alliance and  
En'owkin Center**

**\$40,260**



# HABITAT SECUREMENT

## Locatee Lands Project - Securement of CP Parcel 40-4

En'Owkin Center  
and Penticton  
Indian Band

\$57,755



# HABITAT SECUREMENT

**White Lake  
Basin  
Biodiversity  
Ranch –  
Park Rill  
Creek Infill  
East**

**The Nature  
Trust of BC**

**\$200,000**





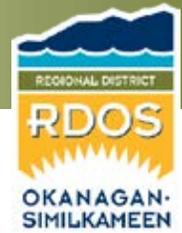
**CLEAN WATER  
FRESH AIR  
NATURAL SPACES**

**SOUTH OKANAGAN  
CONSERVATION FUND**

## **SOCF 2019**

[www.soconservationfund.ca](http://www.soconservationfund.ca)

- **Call for Proposals Open - close Oct 5<sup>th</sup>**
- **RDOS Admin review and Technical Committee Review Oct-Nov**
- **Environment Committee orientation to SOCF Dec 2018**
- **Board for Approval of new projects January 2019**
- **Final reports for 2018 projects - Feb 2019**



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BOARD of DIRECTORS MEETING

Thursday, October 04, 2018  
12:30 p.m.

### REGULAR AGENDA

---

#### A. APPROVAL OF AGENDA

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

**THAT** the Agenda for the RDOS Board Meeting of October 4, 2018 be adopted.

#### 1. Consent Agenda – Corporate Issues

**a. Electoral Area “D” Advisory Planning Commission – September 11, 2018**

*THAT the Minutes of the September 11, 2018 Electoral Area “D” Advisory Planning Commission meeting be received.*

**b. Electoral Area “E” Advisory Planning Commission – September 10, 2018**

*THAT the Minutes of the September 10, 2018 Electoral Area “E” Advisory Planning Commission meeting be received.*

**c. Electoral Area “F” Advisory Planning Commission – Resignation**

*THAT the Board of Directors accept the resignation of Ms. Hillary Ward as a member of the Electoral Area “F” Advisory Planning Commission; and*

*THAT a letter be forwarded to Ms. Ward thanking her for her contribution to the Electoral Area “F” Advisory Planning Commission.*

**d. Kaleden Parks & Recreation Commission – July 3, 2019**

*THAT the Minutes of the July 3, 2018 Kaleden Parks and Recreation Commission meeting be received.*

**e. Kaleden Parks & Recreation Commission – August 7, 2019**

*THAT the Minutes of the August 7, 2018 Kaleden Parks and Recreation Commission meeting be received.*

**f. Okanagan Falls Parks & Recreation Commission – July 12, 2018**

*THAT the Minutes of the July 12, 2018 Okanagan Falls Parks & Recreation Commission meeting be received.*

**g. Naramata Parks & Recreation Commission – July 23, 2018**

*THAT the Minutes of the July 23, 2018 Naramata Parks & Recreation Commission meeting be received.*

**h. Community Services Committee – September 20, 2018**

*THAT the Minutes of the September 20, 2018 Community Services Committee meeting be received.*

**i. Protective Services Committee – September 20, 2018**

*THAT the Minutes of the September 20, 2018 Protective Services Committee meeting be received.*

**j. RDOS Regular Board Meeting – September 20, 2018**

*THAT the minutes of the September 20, 2018 RDOS Regular Board meeting be adopted.*

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

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

---

**2. Consent Agenda – Development Services****a. Agricultural Land Commission Referral (Non-Farm Use) – 14580 146<sup>th</sup> Avenue, Osoyoos, Electoral Area “A”**

To allow an “interpretive centre” as a non-farm use within the Agricultural Land Reserve (ALR).

*THAT the Regional District Board “authorize” the application to allow an “interpretative centre” as a “non-farm use” on an approximately 27.5 ha part of the parcel described as Block AB, District Lot 2450S, SDYD to proceed to the Agricultural Land Commission.*

**b. Agricultural Land Commission Referral (Non-Farm Use) – 4315 Black Sage Road, Oliver, Electoral Area “C”**

To allow an “eating and drinking establishment” as a permitted use at Phantom Creek Estates Winery.

*THAT the Regional District Board “authorize” the application to operate a restaurant as a “non-farm use” on the property at 4315 Black Sage Road in Electoral Area “C” to proceed to the Agricultural Land Commission.*

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

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

---

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

1. **Zoning Bylaw Amendment – 4849 and 4844 Bassett Avenue, Okanagan Falls, Electoral Area “D”**
  - a. Bylaw No. 2455.34, 2018
  - b. Responses Received

To allow for development of duplexes on two residential parcels.

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

**THAT** Bylaw No. 2455.34, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing.

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

**THAT** the holding of the public hearing be delegated to the Area Director or delegate; and

**THAT** staff schedule the date, time, and place of the public hearing in consultation with the Area Director or delegate; and

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

---

2. **Official Community Plan & Zoning Bylaw Amendments – Commercial Zone Review and Consolidation, Electoral Areas “A”, “C”, “D”, “E” & “F”**
  - a. Bylaw No. 2788, 2018

To amend the Okanagan Valley Electoral Area Official Community Plan and Zoning Bylaws in order to update the Commercial Zones. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

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

**THAT** Bylaw No. 2788, 2018, Regional District of Okanagan-Similkameen Commercial Zone Update Amendment Bylaw be adopted.

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- 
3. **Zoning Bylaw Amendments – Tourist Commercial Zone Review and Consolidation, Electoral Areas “A”, “C”, “D”, “E” & “F”**
- Bylaw No. 2808, 2018
  - Public Hearing Report – September 17, 2018
  - Public Hearing Report – August 16, 2018
  - Responses Received

To amend the Okanagan Valley Electoral Area Zoning Bylaws in order to update the Tourist Commercial Zones. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

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

**RECOMMENDATION 8** (Unweighted Rural Vote – Simple Majority)  
**THAT Bylaw No. 2808, 2018, Regional District of Okanagan-Similkameen Tourist Commercial Zone Update Amendment Bylaw be read a third time, as amended.**

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4. **Board Policy Update – Communication Towers/Antenna Systems Approval Process and Location & Design Guidelines**

To include a requirement for the placement of a ‘development’ sign to be erected at the proposed tower/antenna site. This development sign will provide additional notification to the public of an application and the ability to provide input into the consultation process.

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

**THAT the Board of Directors amend the May 7<sup>th</sup>, 2015 Communication Towers / Antenna Systems Approval Process and Location & Design Guidelines Policy by adding “notice of development” sign requirements.**

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5. **Liquor Licensing Application Policy**

To propose the repeal of the Regional District’s *Liquor Licensing Application* Policy.

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

**THAT the Board of Directors rescind the *Liquor Licensing Application* Policy.**

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**C. FINANCE**

1. Electoral Area “D” Community Works Program Reserve Expenditure Bylaw
  - a. Bylaw No. 2832, 2018

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

THAT Bylaw No. 2832, 2018, Electoral Area “D” Community Works Program Reserve Fund Expenditure Bylaw to allocate \$220,000 towards the upgrades and repairs of boat launches be read a first, second and third time and be adopted.

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2. Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw
  - a. Bylaw No. 2833, 2018

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

THAT Bylaw No. 2833, 2018, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw to allocate \$32,878.83 towards the upgrades and repairs of the Missezula Lake Boat Launch be read a first, second and third time and be adopted.

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**D. LEGISLATIVE SERVICES**

1. Declaration of State of Local Emergency Approval
- 

2. Closed Session

**RECOMMENDATION 30** (Unweighted Corporate Vote – Simple Majority)

THAT in accordance with Section 90(1) of the *Community Charter*, the Board close the meeting to the public to receive minutes of previous In-Camera meetings; and,

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; and

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; and

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

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.

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**E. CAO REPORTS**

**1. Verbal Update**

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**F. OTHER BUSINESS**

**1. Chair’s Report**

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**2. Directors Motions**

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**3. Board Members Verbal Update**

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**G. ADJOURNMENT**

# Minutes

## Electoral Area “D” Advisory Planning Commission

Meeting of Tuesday, September 11, 2018

Okanagan Falls Community Centre (Gymnasium)

1141 Cedar Street, Okanagan Falls, BC

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Present:

Members: Ron Obirek, Don Allbright, Doug Lychak, Navid Chaudry, Bob Handfield, Robert Pearce

Absent: Tom Siddon, Director, Electoral Area “D”, Jerry Stewart, Bob Haddow, Jill Adamson, Doreen Olson

Staff: Brad Dollevoet, Development Services Manager  
Evelyn Riechert, Planner  
Sue Gibbons, Recording Secretary

Delegates: Doug Miller, Applicant  
Brad Elenko of McElhanney Consulting Services Ltd., Agent for Mark 1 Developments Inc.

### 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 14, 2018 be approved.

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

**CARRIED (UNANIMOUSLY)**

#### 4. DEVELOPMENT APPLICATIONS

**4.1** D00989.015 / .025 (D2018.041-ZONE) – Zoning Bylaw Amendment Application

Delegates: Miller, Doug, Applicant

Discussion

**MOTION**

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

**CARRIED (UNANIMOUSLY)**

**4.2** D01114.000 (D2018.066-ZONE) – Zoning Bylaw Amendment Application

Delegates: Elenko, Brad, Agent

Discussion

**MOTION**

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors that the subject development application be denied.

**CARRIED (UNANIMOUSLY)**

**4.3** D2018.100-ZONE – Zoning Bylaw Amendment Application

Electoral Area “D-2” (Okanagan Falls Town Centre)

Discussion

**MOTION**

It was Moved and Seconded that the APC recommends to the RDOS Board of Directors that the subject zone amendment bylaw be approved.

**CARRIED (UNANIMOUSLY)**

#### 5. ADJOURNMENT

**MOTION**

It was Moved and Seconded that the meeting be adjourned at 8:28 pm.

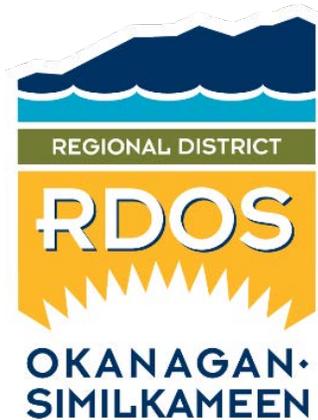
**CARRIED (UNANIMOUSLY)**

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Advisory Planning Commission Chair

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Advisory Planning Commission Recording Secretary



# Minutes

## Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, September 10th, 2018 at 7:30 p.m.

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

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Present:

Members: Bruce Clough (Chair, Electoral Area 'E' APC), Heather Fleck, Brent Rowland, Tom Hoenisch

Absent: Phil Janzen, Don Mancell

Staff: Evelyn Reichert (RDOS Planner)

Guests: None

Recording Secretary: Heather Lemieux

Delegates: Donna Butler (Ecora), Brittany Linnett (Ecora)

### 1. ADOPTION OF AGENDA

The meeting was called to order at 7:36 p.m. Quorum Present.

#### MOTION

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

CARRIED (UNANIMOUSLY)

### 2. APPROVAL OF MINUTES

#### MOTION

It was Moved and Seconded by the APC that the Minutes of August 13th, 2018 be approved.

CARRIED (UNANIMOUSLY)

### 3. DELEGATIONS

- 3.1 Donna Butler and Brittany Linnett of Ecora, agent for Unruh, Henry for Development Variance Permit Application E02025.240 (E2018.130-DVP)

The APC gave the applicant the option of either having the APC proceed with hearing their application now as planned or deferring it until the next scheduled meeting in October. (Even if the Chair or majority of APC members had wanted to defer to September 17, 2018, which they hadn't, a Quorum wouldn't have been available).

Donna Butler the owners agent, then requested that the APC proceed with the hearing tonight, as planned.

Delegations, Donna Butler and Brittany Linnett, Agents addressed APC Members.

### 4 DEVELOPMENT APPLICATIONS

- 4.1 E02025.240 (E2018.130-DVP) - Development Variance Permit Application Administrative Report submitted by Kevin Taylor, Planning Technician

#### MOTION

It was Moved and Seconded in favour of Option 3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

CARRIED (UNANIMOUSLY)

### 5. OTHER

- 5.1 Date of next meeting - October 15, 2018

### 6. ADJOURNMENT

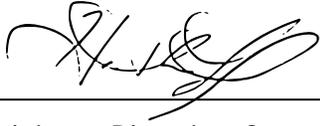
#### MOTION

It was Moved and Seconded that the meeting be adjourned at 8:10 p.m.

CARRIED (UNANIMOUSLY)

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Bruce Clough, Chair of the Area 'E' Advisory Planning Commission



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Advisory Planning Commission Recording Secretary / minute taker

## ADMINISTRATIVE REPORT

**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 4, 2018  
**RE:** Electoral Area "F" Advisory Planning Commission - Resignation

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### Administrative Recommendation:

**THAT the Board of Directors accept the resignation of Ms. Hillary Ward as a member of the Electoral Area "F" Advisory Planning Commission; and**

**THAT a letter be forwarded to Ms. Ward thanking her for her contribution to the Electoral Area "F" Advisory Planning Commission.**

### Background:

Bylaw 2339, being a bylaw of the Regional District of Okanagan Similkameen, enables the creation of Advisory Planning Commissions for each of our electoral areas and establishes the role of the Commission members in the Regional District planning process.

Section 4 of the Bylaw provides for the retention of commission members, requiring the Board, by resolution, to appoint and accept the resignation of Commission members upon the recommendation of the respective Electoral Area Director.

### Analysis:

On September 26, 2018, Administration was notified that that Ms. Ward had advised of her intent to resign as a member of the Electoral Area "F" APC. Ms. Ward has been a member of the APC since 2015.

Volunteers are critical to the success of the Regional District and the Board wishes to acknowledge the significant contribution provided by Ms. Ward.

### Respectfully submitted:

*"Debra Paulhus"*

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D. Paulhus, Administration Support Clerk

### Endorsed by:

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C. Malden, Manager of Legislative Services



# MINUTES

## Kaleden Parks and Recreation Commission

Tuesday, July 3, 2018

Kaleden Community Hall



- Members Present:** Doug King (Chair), Jaynie Malloy, Wendy Busch, Randy Cranston, Neal Dockendorf, Gail Jeffery, Jen Charlish, Subrina Monteith, Tom Siddon
- Absent:** Jennifer Strong
- Staff:** None
- Recording:** Jennifer Charlish
- Guests:** Linda Dahl, Ryan Elphick, Karen Pennington

Call to Order: 7:00 pm

### 1. APPROVAL OF AGENDA

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the Agenda and Reports for the Kaleden Parks and Recreation Meeting of July 3, 2018 be adopted. CARRIED**

---

### 2. APPROVAL OF LAST MEETING MINUTES

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the minutes for the Kaleden Parks & Recreation Meeting of June 6, 2018 be adopted. CARRIED**

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### 3. CORRESPONDENCE/DELEGATIONS

Three community members spoke briefly on their concerns that the unmowed grassy areas posed a safety hazard, especially for children. Needles and broken glass have been found there and cannot easily be seen. They also wondered when and why this has become an issue as the park has been used recreationally for years.

---

### 4. RDOS STAFF REPORTS

#### 4.1 Recreation Coordinator's Report

Jen read Janet's report. A new Rec Coordinator's position has been posted

#### 4.2 Park Coordinator's Report

- the arborists's report was discussed noting the need to remove three trees
  - the information requested by the Commission regarding the smaller trees along Ponderosa and their impact on the engineering report for Pioneer Park was not provided.
-



# MINUTES

## Kaleden Parks and Recreation Commission

Tuesday, July 3, 2018

Kaleden Community Hall

### 5. COMMISSION MEMBER REPORTS

#### 5.1 Parks

- KCA has asked to be informed of the cost for the buoys and installation
- Ecora engineering project changes - Neal met with new project manager, Doug Reeves, and gave him our feedback on the plan
- discussions between staff and Ecora are on-going
- concern was raised about the cost of these meetings and the lack of ability for Kal-Rec to respond on the spot

#### **RECOMMENDATION**

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

**That the Commission have at least one member attend the meetings between RDOS staff and Ecora.**

**CARRIED**

#### 5.2 Community Market event update - insurance cost \$30.

- waiting to hear back from Justin for approval

#### 5.3 Community Hall

- grant money is available through KCA for renovations to storage areas
- meeting with a contractor to discuss how and when the project will proceed
- a kitchen supervisor is needed for major events
- start process to renew lease with KCA

---

### 6. BUSINESS ARISING

#### 6.1 Riparian Area in Pioneer Park

- Neal and Doug met with Mark Woods to discuss the issues
- told that the area in question is still provincial land
- we will need to do some planning around the issue in order to make changes
- our park plan shows the area in question as "activity" area
- Neal says RDOS staff will be sitting down with provincial employees from the Kamloops office in regards to Licence of Occupation over the parcels of Crown land north of Pioneer Park

#### 6.2 Use of large barbecue in Pioneer Park

- contact with RDOS staff regarding removal of charcoal and ashes

#### 6.3 Annual letter to Ministry of Transport re mowing of road allowances

- the meeting asked that the letter be written

#### 6.4 Sickle Point

- information was shared on possible subdivision development
- several members expressed concern about the information and about the impact on the KVR trail and the community
- it was suggested that the community would probably be strongly opposed

---

### ADJOURNMENT

Hearing no objection, the meeting was declared adjourned at 9:10 pm

**NEXT MEETING:**

Tuesday, August 7, 2018 at 7:00pm

Kaleden Community Hall



# MINUTES

## Kaleden Parks and Recreation Commission

Tuesday, August 7, 2018

Kaleden Community Hall

- Members Present:** Doug King (Chair), Wendy Busch, Randy Cranston, Neal Dockendorf, Gail Jeffery, Jen Charlish, Subrina Monteith, Jennifer Strong, Tom Siddon
- Absent:** Jaynie Malloy
- Staff:** Shona Schleppe
- Recording:** Jennifer Charlish
- Guests:** Wayne Lee, Don Jeffery, Brant Howard

Call to Order: 7:00 pm

1. APPROVAL OF AGENDA

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the Agenda and Reports for the Kaleden Parks and Recreation Meeting of August 7, 2018 be adopted. CARRIED**

---

2. APPROVAL OF LAST MEETING MINUTES

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

**That the minutes for the Kaleden Parks & Recreation Meeting of July 3, 2018 be adopted. CARRIED**

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3. CORRESPONDENCE/DELEGATIONS

3.1 Letter from MOTI, mowing in the community began on July 20.

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4. RDOS STAFF REPORTS

4.1 Parks and Facilities –Cost of floats and ropes for swim line to be incurred by KCA. Waiting for ECORA to finish revisions to park plan. Discussion on Community Market – vendor form, insurance and location (refer to 5.2).

**ACTION:** Neal and Park Committee to set up plan with Justin to determine removal and planting of trees. RDOS park crew will remove charcoal and ash from BBQ.



# MINUTES

## Kaleden Parks and Recreation Commission

Tuesday, August 7, 2018

Kaleden Community Hall

4.2 Recreation – report provided and presented by Jen.

**ACTION:** Need to compile a list of recreation equipment owned by KalRec and develop a Memorandum of Understanding with Okanagan Falls Commission to share equipment.

### RECOMMENDATION

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

That KalRec purchase 8 gymnastics mats presently located in the Hall from Kurt Goessman at a price to be negotiated. **CARRIED**

---

## 5. COMMISSION MEMBER REPORTS

5.1 Parks – a wooden bench was removed from Pioneer Park and a bollard in the gateway to the park requires repair.

**ACTION:** RDOS Park Crew to repair bollard.

5.2 Community Market – insurance quote received, confirm who is organizing the Market to ensure insurance, receive vendor forms and check on permits. Provide site map for location – proposed for just north of Pioneer Park.

**ACTION:** Committee to submit insurance quote and provide site map.

### RECOMMENDATION

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

**That KalRec has no objection to a Community Market (north of Pioneer Park parking lot). CARRIED**

5.3 Community Hall

- require a joint committee meeting to negotiate expiring (Dec 31, 2018) lease with RDOS.
  - grant money was obtained by KCA for renovations to storage areas.
  - ashtrays too close to the Hall entrance - need to relocate.
- 

## 6. RDOS DIRECTOR REPORT

- Refer to Skaha Matters – August Edition
  - August 1 Garden Party and August 30 Kaleden Family Beach Party
-



# MINUTES

## Kaleden Parks and Recreation Commission

Tuesday, August 7, 2018

Kaleden Community Hall

### 7. BUSINESS ARISING

7.1 Sickle Point – should it remain a public and protected area? This wetland area may have been purchased for multi – family development or a subdivision.

#### RECOMMENDATION

#### IT WAS MOVED

**That a letter be sent to the appropriate provincial authorities and copied to RDOS expressing concern about lack of community consultation for development in environmentally sensitive areas in unincorporated areas.** **CARRIED**

7.2 Variance and Budget Reports – RDOS Staff provided 2018 variance and 2019 Budget for consideration. KalRec will meet on August 16 to review and provide additional recommendations.

7.2.1 Recreation and parks budget recommendations (refer to 7.2)

7.2.2 KalRec Rental Committee will meet to review Fee and Charges Bylaw – specifically rental rates for Hall and Hotel Park. The recreation program Fees will also need to be reviewed.

**ACTION:** Recreation staff to review recreation program fees.

7.2.3 Park Committee – will need to receive costing estimate for components of Park Project, as well receive a revised ECORA timeline for park development.

**ACTION:** Meeting with RDOS staff and Park Committee to determine costing and timeline.

7.3 Park Donations – RDOS Park Donation guidelines were circulated and discussed.

**ACTION:** Obtain additional quotes for Kaleden park furniture and accept bench donation to replace bench that was removed. Need to confirm exact location for bench donation.

7.4 Fees and Charges – refer to 7.2

7.5 Riparian Area Signage – installation of road end signs.

**ACTION:** Confirm with RDOS staff regarding placement of signs.

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### 8. ADJOURNMENT

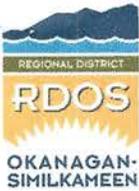
#### RECOMMENDATION

**Hearing no objections, the Chair declared the meeting be adjourned at 9:32 pm**

#### NEXT MEETINGS:

Budget: Thursday, August 16 at 4:00 pm.

KalRec: Tuesday, September 4 at 7:00pm



# MINUTES

## Okanagan Falls Parks & Recreation Commission

Thursday, July 12, 2018 – 7:00 pm  
Okanagan Falls, Kenyon House



**Members Present:** Alf Hartviksen (Chair), Matt Taylor, Ron Obirek and Brian Jackson

**Regrets:** Carole Barker (Vice Chair), Tom Siddon

**RDOS:** Justin Shuttleworth, Shona Schleppe

**Guests:**

**Recording Secretary:** Shona Schleppe

### CALL TO ORDER

The meeting was called to order at 7:03 pm.

### 1.0 ADOPTION OF AGENDA

#### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the Agenda for July 12, 2018 be adopted.

CARRIED

### 2.0 APPROVAL OF PREVIOUS MEETING MINUTES

#### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

That the minutes for Okanagan Falls Parks and Recreation of June 14, 2018 be approved.

CARRIED

### 3.0 BUSINESS ARISING FROM PREVIOUS MINUTES

3.1 Lion's Park Pond – update from Matt and associated correspondence from FLNRO

#### RECOMMENDATION

#### IT WAS MOVED AND SECONDED

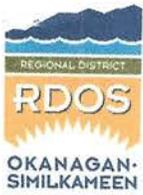
That the Staff explore the costs for the project (environmental studies, pumps, lighting, etc.) and that the Commission then review and determine if this is a 2019 priority project.

3.2 Commission Member recruitment – a resume was submitted to the Manager of Community Services. The resume was forwarded to the Chair and Electoral Area Director. The appointment was supported by both Chair and Electoral Area Director. The resume was circulated and the appointment was also supported by the Commission.

ACTION: That the Commission recommends the RDOS Board approve the appointment.

3.3 Plan for Boat launch – Vendor has material in place and ready to install. Staff are still waiting for permit from Province.

3.4 HH Park Development – update on grant submission progress (Committee met at 6:00 pm). Staff shared the “draft” cost estimates and drawings from Ecora. Staff will also seek a cost estimate from Greyback (two estimates are a requirement). The project has received many letters of support and all documents will be revised (risk management, timeline, budget, etc.) for the grant submission – deadline is July 31, 2018.



# MINUTES

## Okanagan Falls Parks & Recreation Commission



Thursday, July 12, 2018 – 7:00 pm  
Okanagan Falls, Kenyon House

### 4.0 CORRESPONDENCE

Circulate the RDOS Corporate Donations and Naming Rights Policy (approved May 3, 2018) to the Commission members.

### 5.0 COMMISSION MEMBER REPORTS

5.1 Chair – no report.

5.2 Treasurer Report – revenues and expenditures on track.

5.3 Committee: Heritage Hills – Ron Obirek

Fortis confirmed that Heritage Hills Park received a park donation of \$5,000 in 2015. This funding has been deferred. Refer to item 3.4 (above) for update.

### 6.0 RDOS STAFF REPORTS

6.1 Parks Report – report from Justin.

- Park is really busy. Beach was groomed, spray park has a new switch and the aster area is being naturalized. Irrigation repairs have been frequent in both Christie and Kenyon Parks.

6.2 Recreation Report – written report provided by Janet Black.

### 7.0 RDOS DIRECTOR REPORT

No report provided.

### 8.0 NEW BUSINESS ARISING

### 9.0 ADJOURNMENT

**RECOMMENDATION**

**IT WAS MOVED**

**That the meeting be adjourned at 8:12 pm.**

Recreation Commission Chair

  
Recording Secretary



# MINUTES

## Naramata Parks & Recreation Commission

Monday, July 23, 2018, 6:30 p.m.  
Naramata Fire Hall

- Members Present: Dennis Smith (Chair), Lyle Resh, Adrienne Fedrigo, Maureen Balcaen, Jeff Gagnon, Richard Roskell, Jacqueline Duncan
- Absent: Karla Kozakevich (RDOS Area 'E' Director)
- Area 'E' Director Absent
- Staff & Contractors: Doug Reeve (RDOS, Projects Coordinator II), Heather Lemieux (Recording Secretary), Justin Shuttleworth (RDOS Parks & Facilities Coordinator), Deb Linton (Recreation Contractor)
- Guests: Nicole Verpaelst
- Delegations: Misty Knoll, Naramata Faire Society arrived @ 6:39 p.m. left meeting @ 6:46 p.m.

### 1. APPROVAL OF AGENDA

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the Agenda for the Naramata Parks & Recreation Meeting of July 23, 2018 be adopted as presented and all presentations and reports be received.

CARRIED (UNANIMOUSLY)

### 2. APPROVAL OF LAST MEETING MINUTES

**RECOMMENDATION**

**IT WAS MOVED AND SECONDED**

That the minutes for the Naramata Parks & Recreation Meeting of June 25, 2018 be adopted as presented.

CARRIED (UNANIMOUSLY)

### 3. CORRESPONDENCE/DELEGATIONS

- 3.1. Naramata Faire Society – Misty Knoll presented about possibility of painting a mural on Manitou Park washrooms during the Naramata Faire event.



# MINUTES

## Naramata Parks & Recreation Commission

Monday, July 23, 2018, 6:30 p.m.  
Naramata Fire Hall

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4. RDOS DIRECTOR REPORT – Karla Kozakevich reported submitted.
    - 4.1. Reminder to submit Priority Projects List. ACTION – NPR Members to come to the next meeting with a list of priority projects for 2019.
  
  5. RDOS STAFF REPORT – Doug Reeve (RDOS, Projects Coordinator II) report distributed:
    - 5.1. Wharf Park – Tender process is ONGOING. Foreshore permits have been approved. Rehab work is scheduled for late September. Discussed materials and scope of project and durability.
    - 5.2. First Street Closure – Negotiations continue with MOTi. Discussed snow plow turn around radius and design.
    - 5.3. Swim Platform – Permit has been approved. ONGOING
    - 5.4. Boat Storage – Design is complete, planning continues. ONGOING
    - 5.5. Manitou Park – Discussed walking path and washroom facility. ACTION – NPR members to confirm the number of washroom fixtures for the next NPR meeting.
    - 5.6. Spirit Park – New Facilities – Playground project nearly complete. Discussed additional facilities, community sign locations and project charter.
    - 5.7. Tree Removal and Arboreal Maintenance – Discussed dead trees on a few beach access points and increasing budget for tree removal and maintenance.
    - 5.8. Dog Parks – Discussed the bylaw officer and adding dog on leash signage.
  
  6. RECREATION CONTRACTOR REPORT – Deb Linton (Recreation Coordinator Contractor), report submitted.
    - 6.1. Naramata Citizens Association (NCA) Symposium – ACTION – NPR to send delegates to the NCA Symposium on September 9th, 2018.
-



# MINUTES

## Naramata Parks & Recreation Commission

Monday, July 23, 2018, 6:30 p.m.  
Naramata Fire Hall

### 7. COMMISSION MEMBER REPORTS

- 7.1. Woodwackers Report - Lyle Resh presented a verbal report. Checked on Gorman Bros. logging sites. Discussed communication and notification procedures for trail closures.
- 

### 8. BUSINESS ARISING

- 8.1. 2019 Priority Projects List – ACTION – Dennis Smith to send reminder to NPR Members to each prepare and submit a list of priorities and desired number of washroom fixture for the Manitou Park washroom facility.
- 8.2. Live Painting at Manitou Washrooms – Discussed type of art, materials, artists, preparation and short timeline. NPR members decided to deny the request. ACTION – Maureen Balcaen to contact Misty Knoll
- 8.3. Signage – Discussed no overnight camping signs.
- 8.4. Manitou Water Fountain – The fountain is shooting water when turned on. Discussed the possibility of having an air pump to inflate beach floaties etc. ACTION – Justin Shuttleworth to fix the fountain.
- 

### 9. ADJOURNMENT 8:56 p.m.

NEXT MEETING: August 27, 2018, 6:30 p.m., Naramata Fire Hall

Recreation Commission Chair

Recording Secretary



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Community Services Committee

Thursday, September 20, 2018  
11:31 a.m.

## Minutes

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### MEMBERS PRESENT:

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

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

### MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos

### STAFF PRESENT:

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

M. Woods, Manager of Community Services

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### A. APPROVAL OF AGENDA

#### RECOMMENDATION 1

#### It was MOVED and SECONDED

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

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### B. DELEGATION – Parks Canada

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

Ms. Boyle addressed the Board to provide a 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.

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**C. ADJOURNMENT**

By consensus, the Community Services Committee meeting adjourned at 12:01 p.m.

APPROVED:

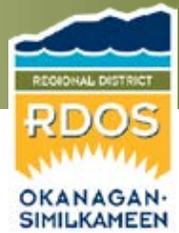
CERTIFIED CORRECT:

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R. Hovanes  
Committee Chair

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B. Newell  
Chief Administrative Officer



# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## Protective Services Committee

Thursday, September 20, 2018

9:20 a.m.

## Minutes

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### MEMBERS PRESENT:

Chair A. Jakubeit, City of Penticton

Vice Chair T. Schafer, Electoral Area "C"

Director F. Armitage, Town of Princeton

Director M. Bauer, Village of Keremeos

Director T. Boot, District of Summerland

Director M. Brydon, Electoral Area "F"

Director G. Bush, Electoral Area "B"

Director B. Coyne, Electoral Area "H"

Director H. Konanz, City of Penticton

Director K. Kozakevich, Electoral Area "E"

Director A. Martin, City of Penticton

Director R. Mayer, Electoral Area "G"

Director C. Rhodes, Alt. Town of Osoyoos

Director M. Pendergraft, Electoral Area "A"

Director J. Sentes, City of Penticton

Director T. Siddon, Electoral Area "D"

Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos

Director R. Hovanes, Town of Oliver

### STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

M. Woods, Manager of Community Services

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## A. APPROVAL OF AGENDA

### RECOMMENDATION 1

#### It was MOVED and SECONDED

THAT the Agenda for the Protective Services Committee Meeting of September 20, 2018 be amended by adding an additional Closed Session Item [*Community Charter* sec. 90(1)(c)] pertaining to labour relations or other employee relations. - **CARRIED**

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## B. DELEGATION – RCMP

1. Ted De Jager – Detachment Commander, South Okanagan-Similkameen Regional Detachment
  - a. Quarterly Report – April to September 2018

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

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

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; Section 90(1)(i) of the *Community Charter*, on the basis of the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, Section 90(1)(c) of the *Community Charter*, on the basis of labour relations or other employee relations. – **CARRIED**

The meeting was closed to the public at 10:45 a.m.

The meeting was opened to the public at 11:21 a.m.

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**D. ADJOURNMENT**

By consensus, the Protective Services Committee meeting adjourned at 11:21 a.m.

APPROVED:

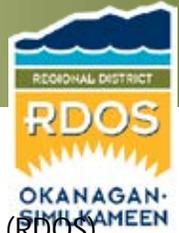
CERTIFIED CORRECT:

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A. Jakubeit  
Protective Services Committee Chair

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B. Newell  
Chief Administrative 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 1:10 p.m. Thursday, September 20, 2018 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

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

### MEMBERS ABSENT:

Director S. McKortoff, Town of Osoyoos

### STAFF PRESENT:

B. Newell, Chief Administrative Officer	B. Dollevoet, Manager of Development Services
C. Malden, Manager of Legislative Services	M. Woods, Manager of Community Services
J. Kurvink, Manager of Finance	

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### A. APPROVAL OF AGENDA

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

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

THAT the [Agenda](#) for the RDOS Board Meeting of September 20, 2018 be amended by adding Item E2 Declaration of State of Local Emergency Approval and removing Item C1 Zoning Bylaw Amendment – 4850 Weyerhauser Road. - **CARRIED**

#### 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)**

**IT WAS MOVED AND SECONDED**

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

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**B. DEVELOPMENT SERVICES – Building Inspection**

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

The Chair enquired whether the property owner was present to address the Board; however, they were not.

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

THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot A, 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.

**CARRIED**

Note: The original resolution contained an error, referring to Lot 1 instead of Lot A. It has been corrected as a housekeeping matter.

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**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

This item was removed from the agenda.

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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  
[Additional responses received](#)

*The public hearing for this item was 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 4 (Unweighted Rural Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

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. - **CARRIED**

Opposed: Director Mayer

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3. Zoning Bylaw Amendment – 8312 98 Avenue, Osoyoos, Electoral Area “A”
  - a. Bylaw No. 2451.25, 2018
  - b. Responses Received  
[Additional responses received](#)

*The public hearing for this item was 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 5 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

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”.

**CARRIED**

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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.

Director Brydon advised that the public hearing report reflects an accurate account of what took place at the public hearing held on September 6, 2018.

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

**It was MOVED and SECONDED**

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

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2790, 2018, Electoral Area “F” Official Community Plan, as amended, be read a third time and adopted. - **CARRIED**

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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 8 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

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*.

**CARRIED**

**It was MOVED and SECONDED**

THAT Bylaw No. 2339.02, 2018, Regional District of Okanagan-Similkameen Advisory Planning Commission Amendment Bylaw, be read a first, second and third time.

**CARRIED**

**It was MOVED and SECONDED**

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. - **CARRIED**

**It was MOVED and SECONDED**

THAT Bylaw No. 2494.02, 2018, Regional District of Okanagan-Similkameen Board of Variance Amendment Bylaw, be read a first, second and third time.

**CARRIED**

**It was MOVED and SECONDED**

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. - **CARRIED**

**It was MOVED and SECONDED**

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

**CARRIED**

**(Unweighted Corporate Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

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.

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.

**CARRIED**

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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 9 (Unweighted Rural Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

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. - **CARRIED**

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**D. FINANCE**

1. Electoral Area “A” Community Works Program Reserve Expenditure
  - a. Bylaw No. 2829, 2018

**RECOMMENDATION 10 (Weighted Corporate Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

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. - **CARRIED**

- 
2. Electoral Area “D” Community Works Program Reserve Expenditure
    - a. Bylaw No. 2828, 2018

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

**It was MOVED and SECONDED**

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. - **CARRIED**

- 
3. Property Tax Exemption Bylaw No. 2817, 2018
    - a. Bylaw No. 2817, 2018

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

**It was MOVED and SECONDED**

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. - **CARRIED**

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## 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 13 (Unweighted Corporate Vote – Simple Majority)**  
**It was MOVED and SECONDED**

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". - **CARRIED**

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ADDENDUM

2. [Declaration of State of Local Emergency Approval](#)  
**It was MOVED and SECONDED**

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 10 September 2018, at midnight for a further seven days to 17 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 17 September 2018, at midnight for a further seven days to 24 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 11 September 2018, at midnight for a further seven days to 18 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 18 September 2018, at midnight for a further seven days to 25 September 2018, at midnight.

**CARRIED**

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**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

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4. Board Members Verbal Update

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**H. ADJOURNMENT**

By consensus, the meeting adjourned at 2:19 p.m.

APPROVED:

CERTIFIED CORRECT:

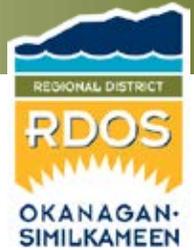
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K. Kozakevich  
RDOS Board Chair

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B. Newell  
Corporate Officer

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 4, 2018  
**RE:** Agricultural Land Commission Referral (Non-Farm Use) – Electoral Area “A”

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## Administrative Recommendation:

**THAT the Regional District Board “authorize” the application to allow an “interpretative centre” as a “non-farm use” on an approximately 27.5 ha part of the parcel described as Block AB, District Lot 2450S, SDYD to proceed to the Agricultural Land Commission.**

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Purpose: To allow an “interpretative centre” as a non-farm use within the Agricultural Land Reserve (ALR)

Owner: Crown land (provincial)                      Agent: Osoyoos Desert Society                      Folio: A-09059.180

Civic: 14580 146<sup>th</sup> Avenue                      Legal: Block AB, District Lot 2450S, SDYD

OCP: Agriculture (AG)                      Zone: Agriculture Two Site Specific (AG2s)

---

## Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20(3) of the *Agricultural Land Commission Act* (the Act) has been lodged with the Regional District in order to allow for an “interpretative centre” within the Agricultural Land Reserve (ALR).

In support of this proposal, the applicants have stated that wish to:

*continue to operate the Osoyoos Desert Centre. The nature interpretive facility, located on a 27 [ha] parcel leased from the Crown, has successfully operated for two decades.*

*The Centre has broad-based support, including funding provided by the provincial, regional and municipal government. It plays a vital role conserving one of the country’s most endangered habitats and giving thousands of visitors a year the chance to experience and learn about Canadas desert. It provides a unique wildlife viewing opportunity, promotes biodiversity by conserving and restoring endangered habitat, and contributes to the local economy.*

*Non-farm use approval is needed to ensure the Desert Centre can continue to benefit the region through its conservation, education and habitat restoration efforts.*

## Statutory Requirements:

Under Section 34(4) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) or (3.1) or 30(4) or 30(4.1) apply, wherein the Board has the ability to refuse to “authorize” an application.

In this instance, Section 25(3) of the Act is seen to apply as the land is zoned Agriculture Two Site Specific (AG2s), which permits “agriculture” as a use.

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**Site Context:**

The subject property is approximately 90.75 ha in area and is located on the north side of Highway 3 approximately 4 km north-west of the Town of Osoyoos and is seen to generally be comprised of undeveloped Crown land.

The surrounding pattern of development is generally characterised by agricultural lands in the ALR to the north, west and east and the South Okanagan Grasslands Protected Area to the south. The parcel also adjoins the Osoyoos & District Sanitary Landfill and "Fields Lease" conservation area.

**Background:**

In 1998, the Regional District obtained a 10-year License of Occupation over District Lot 2450s comprising approximately 33 ha. The Regional District then entered into a Sub-License Agreement with the Osoyoos Desert Centre over an approximately 27.5 ha portion for the purpose of an interpretive centre.

At its meeting of March 18, 2004, the Board approved a Temporary Use Permit (TUP) to allow for the operation of a "Desert Interpretative Centre" on the property to March 31, 2006. This approval was intended as a "bridging" measure that would allow the Osoyoos Desert Society to continue operating at the site pending the adoption of the Electoral Area "A" Zoning Bylaw No. 2261, 2004. This new zoning bylaw had been drafted to include a site specific regulation formalizing the Osoyoos Desert Society use of the site and was ultimately adopted on February 3, 2005.

The Board was advised at that time that the ALC had "commented favourably on the wording in the new bylaws for the Society, and has required that agriculture continue to be a permitted use on the property."

At its meeting of April 17, 2008, the Board resolved to support an application by the Osoyoos Desert Society for a long-term tenure (i.e. 30 years) over the 68-acre parcel of Crown land on which it had been operating since 1998.

Currently, the property is designated as Agriculture (AG) under the Electoral Area "A" Official Community Plan (OCP) Bylaw No. 2450, 2008, and is within the Agricultural Protection Area.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the subject property is zoned Agriculture Two Site Specific (AG2s) with the site specific regulation permitting an "interpretative centre" as a principal use.

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

Available Regional District records indicate the issuance of various building permits for an "exhibit kiosk" (1999), "display / classroom area" (2005) and "bathroom alteration" (2005).

**Analysis:**

In considering this proposal, Administration notes that it is inconsistent with the objectives and policies of the Agriculture (AG) designation that applies to it under the Electoral Area "A" OCP Bylaw. These objectives and policies generally encourage the protection of agricultural lands from incompatible non-farm uses and to maximize the use of such lands for farming activities.

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In contrast, the Osoyoos Desert Society's use of the subject lands for the protection and restoration of the antelope-brush ecosystem once common in the South Okanagan effectively removes the use of these lands from agricultural pursuits.

While the Desert Society has stated that their use of the land does provide food and shelter for a wide variety of native species, including bees and other insect species beneficial to agriculture, it is unclear the extent to which this offsets the removal of this land from more intensive agricultural uses.

Conversely Administration recognises that the OCP also includes, as a Broad Goal, the provision of a "a system of protected areas with the primary purpose of preserving and restoring historic aquatic and terrestrial natural habitat, including representative ecosystems, fish and wildlife habitats and movement corridors." This Broad Goal is supported by numerous other policies found within the OCP that speak to the protection, preservation, enhancement and management of sensitive ecosystems and the restoration of disturbed sites.

In addition, the Regional District, along with other levels of government, have financially supported the conservation efforts of the Osoyoos Desert Society at this location.

Despite these seemingly contradictory policy directions provided for the subject property within the OCP Bylaw, Administration considers the conservation of these lands to be more consistent with the overall tenor of the Plan than is their long-term use for active agricultural production. Accordingly, Administration is recommending in support Osoyoos Desert Society's non-farm use application.

Should the ALC support this proposal, Administration considers a review of the designation and zoning of this Osoyoos Desert Society's lease area should be undertaken when the Electoral Area "A" OCP Bylaw is next reviewed. Consideration may need to be given to the introduction of a Conservation Area (CA) designation and zoning over the lease area to better reflect its long-term use for conservation area purposes.

**Alternatives:**

1. THAT the Regional District Board not "authorize" the application to allow an "interpretative centre" as a "non-farm use" on an approximately 27.5 ha part of the parcel described as Block AB, District Lot 2450S, SDYD to proceed to the Agricultural Land Commission; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "A" Advisory Planning Commission (APC).

**Respectfully submitted**

**Endorsed by:**

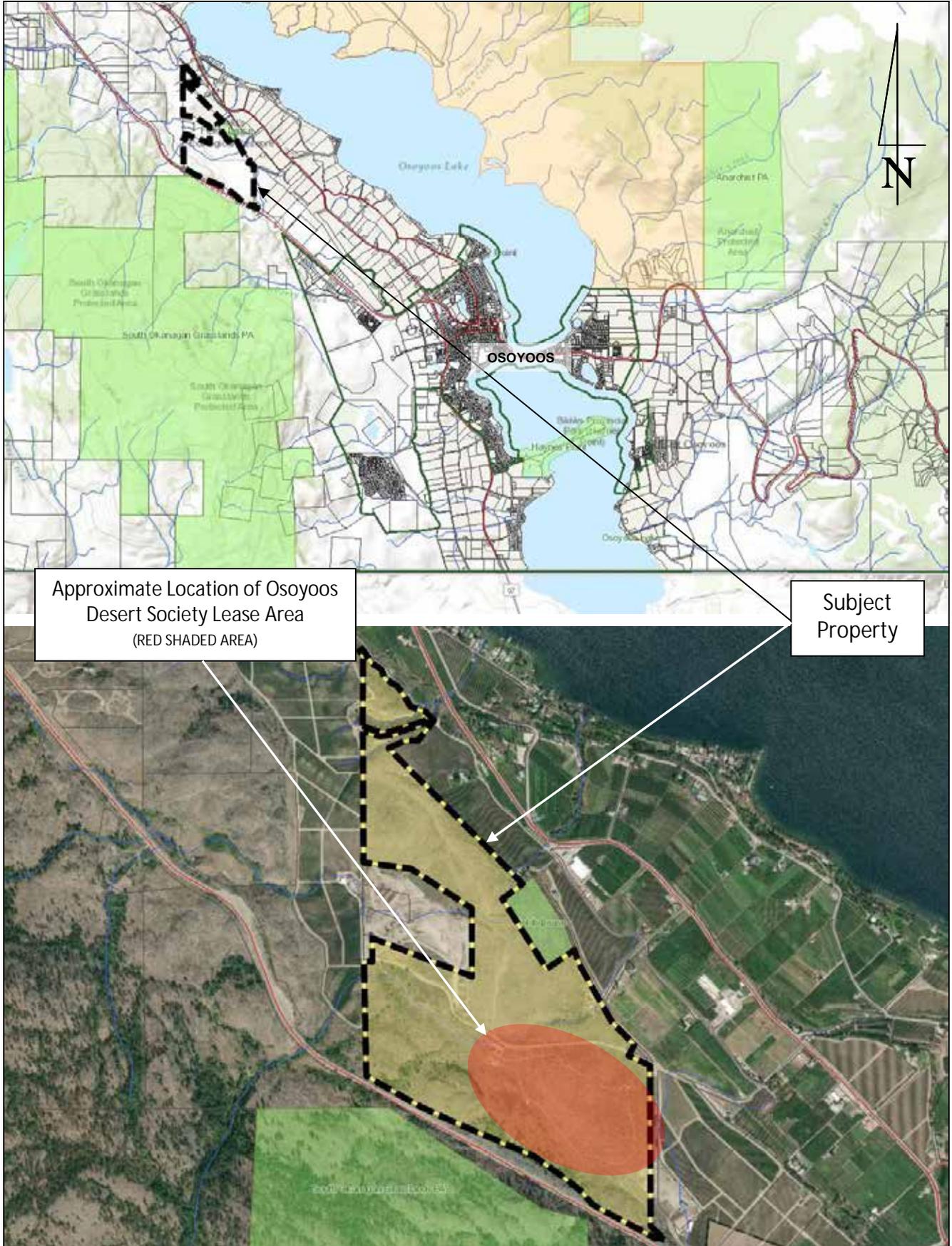


C. Garrish, Planning Supervisor

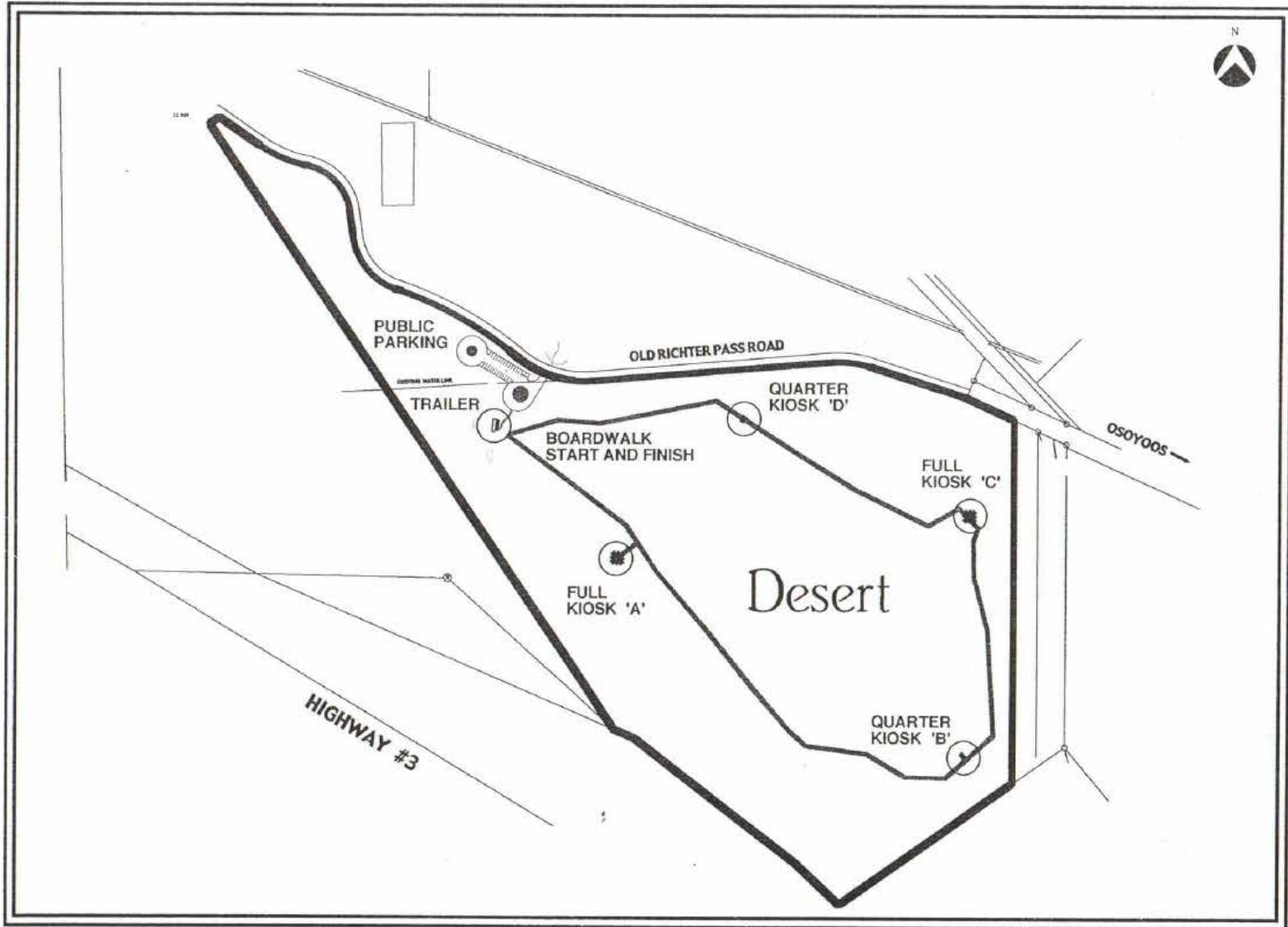
B. Dollevoet, Development Services Manager

Attachments: No. 1 – Context Maps  
No. 2 – Applicant's Site Plan  
No. 3 – Aerial Photo

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan



# Boardwalk and Trail Kiosk Site Plan

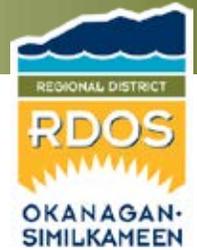
SCALE 1:2 000

robert  
mckenzie  
architect  
20 - 301 MAIN STREET PRINCE GEORGE, B.C. V2A 3P7 400258

Attachment No. 3 – Aerial Photo



# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 4, 2018  
**RE:** Agricultural Land Commission Referral (Non-Farm Use) – Electoral Area “C”

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## Administrative Recommendation:

**THAT the Regional District Board “authorize” the application to operate a restaurant as a “non-farm use” on the property at 4315 Black Sage Road in Electoral Area “C” to proceed to the Agricultural Land Commission.**

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Purpose: To allow an “eating and drinking establishment” as a permitted use at Phantom Creek Estates winery

Owner: 436167 BC Limited    Agent: Rising Tide Consultants    Folio: C-06519.100

Civic: 4315 Black Sage Rd    Legal: Lot 1, Plan KAP14038, DL 2450S, SDYD, Portion L 775, Except Plan KAP89605

OCP: Agriculture (AG)    Zone: Agriculture Two (AG2)

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## Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20(3) of the *Agricultural Land Commission Act* (the Act) has been lodged with the Regional District in order to allow for an “eating and drinking establishment” (i.e. restaurant) within the Agricultural Land Reserve (ALR).

In support of this proposal, the applicants have stated that “a fine dining winery restaurant at Phantom Creek Estates [will] support the winery and our sales and marketing objectives. We want to attract new, discerning guests to Phantom Creek with a destination restaurant in the South Okanagan. We firmly believe that food and wine go hand in hand, and are best enjoyed together. With this in mind, it is only natural to have a restaurant to best showcase our wines. A winery restaurant also provides a high margin sales channel that is integral to our overall business plan.”

## Statutory Requirements:

Under Section 34(4) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) or (3.1) or 30(4) or 30(4.1) apply, wherein the Board has the ability to refuse to “authorize” an application.

In this instance, Section 25(3) of the Act is seen to apply as the land is zoned Agriculture Two (AG2), which permits “agriculture” as a use.

## Site Context:

The subject property is approximately 24 ha in area and is located on the east side of Black Sage Road approximately 9 km south of the Town of Oliver and is seen to be comprised of a winery with the lands under agricultural production (i.e. viticulture).

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The surrounding pattern of development is generally characterised by similar agricultural lands in the ALR and under viticulture production.

**Background:**

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on March 31, 1964. Available Regional District records indicate the issuance of various building permits for winery related structures between 2005 and 2017.

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG), and is zoned Agriculture Two (AG2) under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, which permits "winery" as an accessory use.

In 2011, the ALC initiated a "Winery and Cidery Policy Review" to determine the appropriateness of allowing wineries to sell other alcoholic beverages in a "winery lounge". The Commission "determined that the current regulatory regime for wineries located in the Agricultural Land Reserve is appropriate ... [and] that wineries who seek to acquire a 'food primary' license from the Liquor Control and Licensing Branch (LCLB) in order to offer additional alcohol products for sale must continue to submit a non-farm use application to the ALC."

At its meeting of October 3, 2013, the Planning and Development (P&D) Committee of the Board resolved that staff be directed "to draft an amendment bylaw to the Okanagan Valley Electoral Area Zoning Bylaws in order to introduce a new definition of 'winery' to allow for the sale of other 'made in BC' alcoholic beverages."

An updated definition of "winery" was implemented on July 20, 2017 following the adoption of the "Update of Agricultural Zones and Regulations Amendment Bylaw Amendment Bylaw 2728" and reads as follows:

*... an establishment involved in the manufacture, packaging, storing and sales of grape and fruit-based wines, including a wine bar, food & beverage lounge and an eating and drinking establishment [emphasis added].*

An "eating and drinking establishment" is separately defined in the zoning bylaw as meaning "a development where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the site and includes ... licensed restaurants ..."

**Analysis:**

In considering this proposal, Administration maintains many of its concerns regarding the approval of restaurants in the ALR. Namely, full-service restaurants potentially diminish the link between the agricultural operation and the retail outlet by allowing a restaurant to exist as an independent commercial entity. Additional concerns include:

- the erosion of the agricultural land base due to larger structures and expanded parking;
- impacts of more people, traffic, noise and trespass on adjacent farm operations (i.e. neighbour complaints);
- complaints and conflicts with other types of agriculture that may not fit with the "winery aesthetic";
- pressure for other, non-farm related amenities (i.e. meeting facilities, hotels, spas, etc...); and
- that such uses should be directed to the Town of Oliver as the commercial hub for the area.

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Nevertheless, Administration also recognises that the Board previously directed that the definition of a “winery” be amended to facilitate the development of restaurants within the ALR – subject to ALC approval – and without the need for subsequent rezoning applications to the Regional District.

Administration also notes that the Electoral Area “C” OCP Bylaw does speak to encouraging “the agricultural sector’s improvement and expansion by pursuing supportive land use policies ...”, and of “encouraging secondary ‘value added’ uses” (provided they are compatible and incidental).

Finally, the OCP Bylaw speaks to “maximizing productive farm activity and minimizing areas of development by clustering buildings, structures and related activities” and, in this instance, the applicant is proposing to cluster the restaurant within the winery building already under construction.

For these reasons, Administration is recommending that this proposal be “authorised” to proceed to the ALC in order that the Commission can make a determination as to the suitability of this use in the ALR.

**Alternative:**

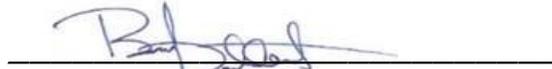
1. THAT the RDOS Board not “authorize” the application to undertake a restaurant as a “non-farm use” on the property at 4315 Black Sage Road in Electoral Area “C” to proceed to the Agricultural Land Commission.
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area “C” Advisory Planning Commission (APC).

**Respectfully submitted**

**Endorsed by:**



C. Garrish, Planning Supervisor



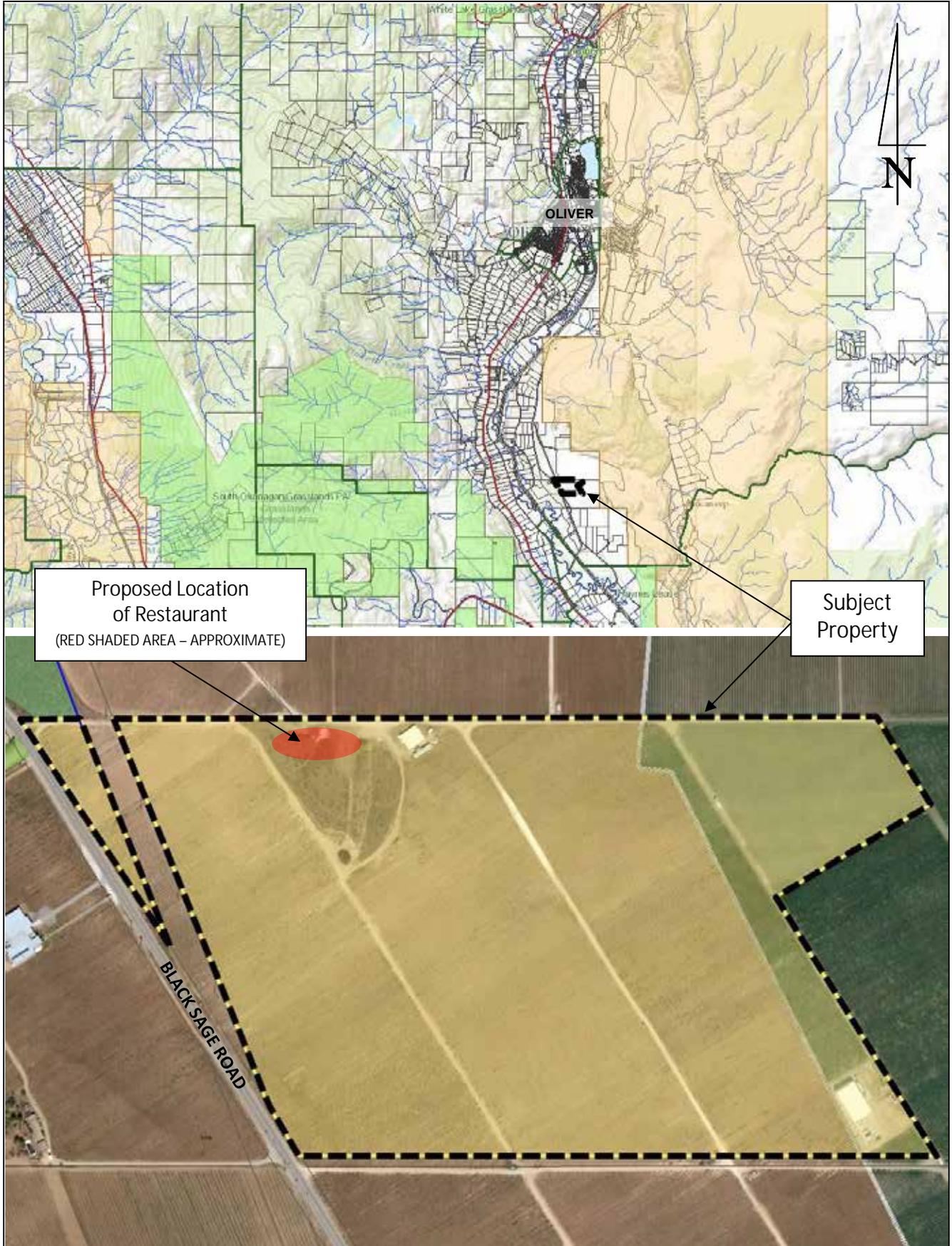
B. Dollevoet, Development Services Manager

Attachments: No. 1 – Context Maps

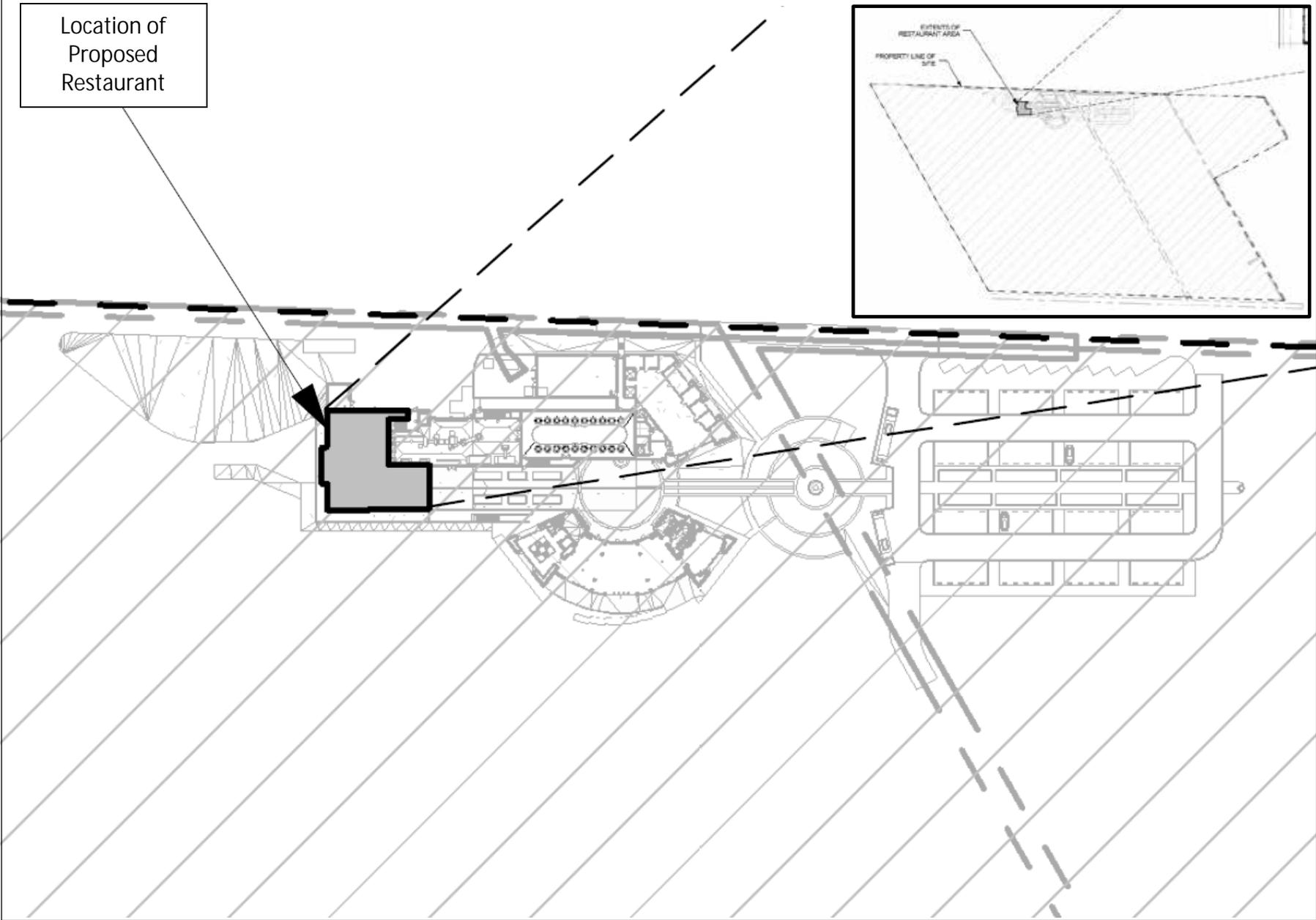
No. 2 – Applicant’s Subdivision Plan

No. 3 – Site Photos

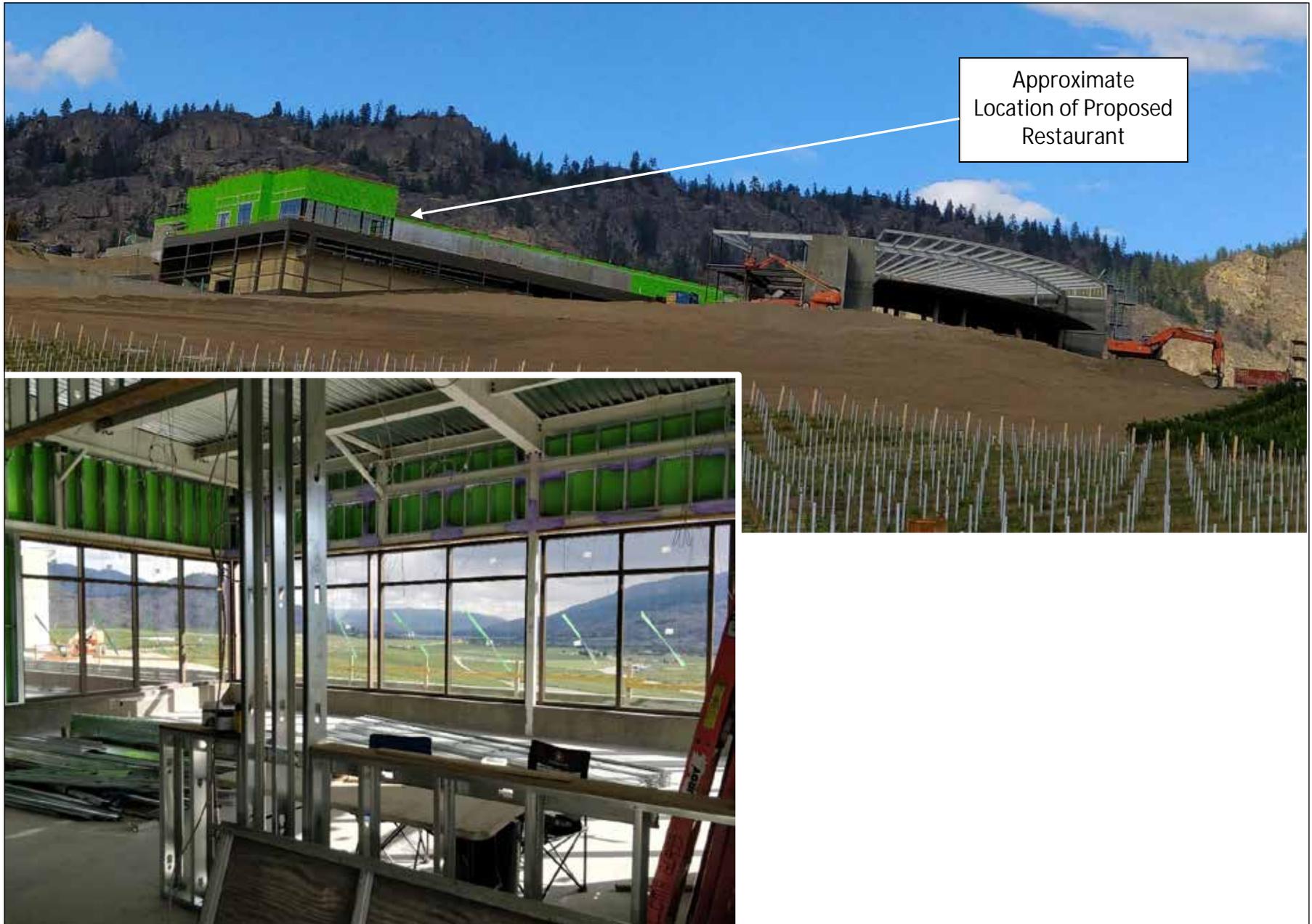
Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan

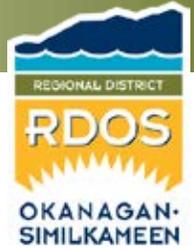


Attachment No. 3 – Site Photos



Approximate  
Location of Proposed  
Restaurant

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 4, 2018  
**RE:** Zoning Bylaw Amendment – Electoral Area “D”

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## **Administrative Recommendation:**

**THAT** Bylaw No. 2455.34, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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

**AND THAT** staff schedule the date, time, and place of the public hearing in consultation with the Area Director or delegate;

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

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Purpose: To allow for development of duplexes on two residential parcels

Owner: Doug Miller      Applicant: Doug Miller      Folios: D00989.015/.025

Civic: 4849 and 4844 Bassett Ave, OK Falls      Legal: Lots 3&5, DL 374, SDYD, Plan EPP69000

Zoning: Residential Single Family (RS1)      Proposed Zoning: Residential Two Family (Duplex) (RS3)  
& Residential Two Family Site Specific (Duplex) (RS3s)

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## **Proposed Development:**

This application proposes to amend the zoning of the subject properties in order to allow for the construction of duplexes on two parcels. On Lot 5, a site specific zone is proposed to allow for a duplex on a parcel less than 800 m<sup>2</sup> in area.

In support of the proposal the applicant has stated that “this will provide for higher and better use of the lands....the development costs of subdividing have been much higher than anticipated and building costs in the area have risen substantially over the past several years. It will provide more affordable housing.”

## **Site Context:**

The subject properties are 891 m<sup>2</sup> (Lot 3) and 754 m<sup>2</sup> (Lot 5) in size and are located at the west end of Bassett Avenue in Okanagan Falls within a recently created subdivision, and are approximately 66 m east of Highway 97 (east and above Tickleberrys).

The properties are currently vacant. The surrounding pattern of development is characterized with multi-family development to the north, with single family zoned properties generally of the same size

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to the south and east, and to the west, adjacent to Highway 97, is a commercial zoned property. The land slopes fairly steeply to the south and west.

**Background:**

The subject properties were created by subdivision in 2017 and available Regional District records indicate a building permit for the demolition of a single family dwelling in 2015 (aerial photos shows this dwelling previously being on the new cul-de-sac).

Under the Electoral Area "D-2" Official Community Plan (OCP) Bylaw No. 2603, 2013, the property is designated Low Density Residential (LR), as being within a Hillside / Steep Slope Development Permit Area (an HSSDP for a 6 lot subdivision of this area was previously issued in 2016) and as within the Okanagan Falls Primary Growth Area (i.e. area serviced by community water and sewer).

Under the Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, the property is currently zoned Residential Single Family One (RS1), which limits permitted dwelling types to "single detached dwellings" and one "secondary suite".

While the RS3 Zone lists "duplex dwellings" as permitted dwelling types, it also requires a minimum parcel size for the strata subdivision of one duplex unit of 400 m<sup>2</sup> — meaning a property must be at least 800 m<sup>2</sup> in area to be stratified. It is for this reason that Lot 5 is proposed to have a site specific amendment to allow the duplex to be stratified to two units of 377 m<sup>2</sup> adding up to 754 m<sup>2</sup>.

An earlier version of this rezoning application requested that five of the six parcels be rezoned to allow for duplexes. This has been revised to the current proposal of two parcels to be considered for rezoning.

**Referrals:**

Referral comments on this proposal have been received from Ministry of Forests, Lands, Natural Resource operations, OK Falls Irrigation District, Archeology Branch, and Interior Health Authority, and these are included as a separate item on the Board Agenda.

**Public Process:**

A Public Information Meeting (PIM) was held on April 10, 2018, at which a number of neighbours were present but the applicant was not available to attend. As a result of some of the concerns raised, the applicant has submitted a site plan and cross sections showing how the proposed duplexes can be constructed.

At its meeting of April 10, 2018, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this development proposal be deferred until more information was received, including the amount of parkland dedication that was received at time of subdivision. At the September 15, 2016 Board meeting, the Board approved a parkland dedication in the form of 5% cash-in-lieu option of \$7,900.00.

At its meeting of May 8, 2018, the APC did not make a recommendation to the Board because the applicant's representative had asked for the file to be withdrawn. This was followed by a letter from the agent requesting the application be withdrawn.

On July 19, 2018, the applicant requested that the application be re-activated but with only two of the six properties: Lot 3 and Lot 5 be rezoned to allow duplexes.

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A second Public Information Meeting (PIM) was held on September 11, 2018, at which there were seven (7) members of the public present.

At its meeting of September 11, 2018, the APC resolved to recommend to the RDOS Board that the development application be approved.

**Analysis:**

In considering this proposal, Administration notes that the Electoral Area "D-2" OCP Bylaw encourages a wide-range of residential dwelling (market and non-market) types and densities in the Okanagan Falls primary growth containment boundary in order to accommodate and attract people of different social-economic groups, age groups and lifestyles. The Low Density Residential designation includes lands for a number of uses compatible with the low density character of a neighbourhood and includes duplexes.

The OCP also recommends that when reviewing the introduction of duplexes within a low density designated area, consideration should be given to the immediate neighbourhood character, and should consider locating duplexes in an area near existing duplexes and close to multiple family, commercial or institutional uses.

In this instance, the two subject properties are nearby, and adjacent to, multiple family home development, commercial zoned parcels, and within a neighbourhood that is generally well developed.

The Board is also aware that the Regional District has been systematically updating the Okanagan Valley Zoning Bylaws for consistency across Electoral Areas. At its meeting of April 19, 2018, the Planning and Development (P&D) Committee of the Regional District Board considered a preliminary report regarding the "Residential Zone Review". This review is proposing the creation of a new duplex zone that will be replacing the current RS3 zone in Electoral Area "D-2" and it will specify a minimum parcel size for subdivision of 550 m<sup>2</sup> and 225 m<sup>2</sup> for a strata unit. It is not known at this point when the bylaw amendments will be completed. Once approved, then the current RS3 zoned parcels will convert to the new duplex zone proposed and this proposal will be in conformance with the proposed minimum parcel size.

Administration is concerned about the steepness of the parcels and the need to engineer building sites and the impact this may have on neighbouring properties. Given recent changes to the zoning bylaw; however, retaining walls are now regulated through general regulations and any retaining wall higher than 2.0 m in height will require a variance.

In summary, however, the two parcels are within the Okanagan Falls Primary Growth area of which Administration encourages development to increase infill and provide housing alternatives, and given the lots can be fully serviced with community water and sewer, Administration supports the proposed rezoning.

**Alternatives:**

- .1 THAT Bylaw No. 2455.34, 2018, Electoral Area "D" Zoning Amendment Bylaw be denied; OR
- .2 THAT Bylaw No. 2455.34, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

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AND THAT the holding of the public hearing be scheduled for the Regional District Board meeting of October 4, 2018;

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

Respectfully submitted

*ERiechert*

E. Riechert, Planner

Endorsed by:

*CG*

C. Garrish, Planning Supervisor

Endorsed by:

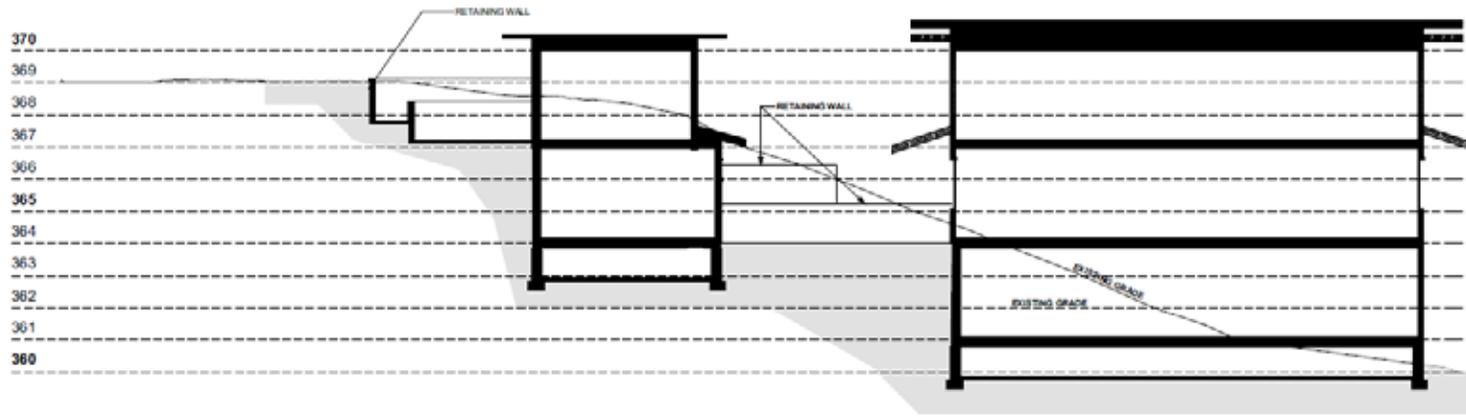
*B. Dollevoet*

B. Dollevoet, Dev. Services Manager

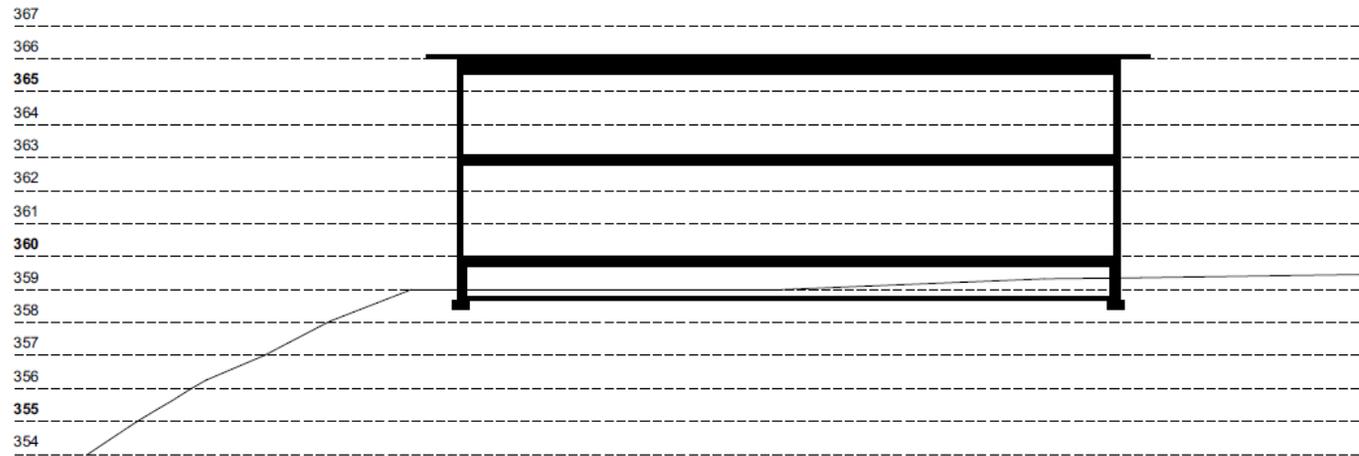
Attachments:    No. 1 – Site Plan  
                          No. 2 – Applicant's Elevations  
                          No. 3 – Aerial Photo (2014)



Attachment No. 2 – Applicant’s Elevations and 3D Modeling



LOT-3 SECTION



LOT-5 SECTION

Attachment No. 3 - Aerial Photo (2014)



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2455.34, 2018**

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

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.34, 2018."
2. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation on the land described as Lot 3, DL 374, SDYD, Plan EPP69000, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family One (RS1) to Residential Two Family (Duplex) (RS3).
3. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:
  - a) adding a new sub-section .1 under Section 17.10 under "Site Specific Residential Two Family (Duplex) (RS3s) Provisions" to read as follows:
    - a) In the case of land described as Lot 5, DL 374, SDYD, Plan EPP69000, and shown shaded yellow on Figure 17.10.1:
    - b) Despite Section 11.3.3 (b), the minimum parcel size for strata parcels, subject to servicing requirements shall be 377 m<sup>2</sup>.
4. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation on the land described as Lot 5, DL 374, SDYD, Plan EPP69000, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Single Family One (RS1) to Residential Two Family (Duplex) Site Specific (RS3s).

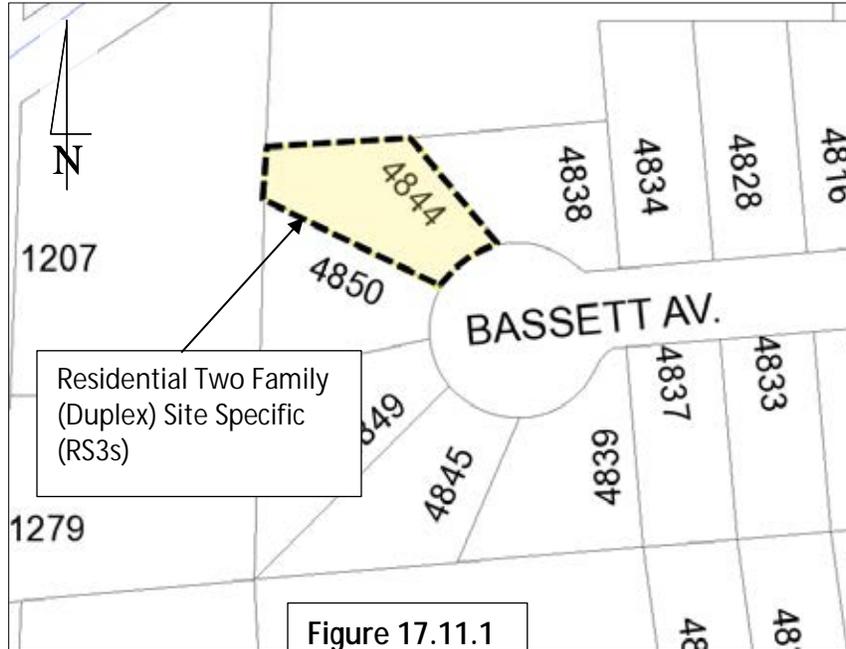


Figure 17.11.1

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

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

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

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.34, 2018" as read a Third time by the Regional Board on this \_\_\_ day of \_\_\_, 2018.

Dated at Penticton, BC this \_\_\_ day of \_\_\_, 2018.

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

Approved pursuant to Section 52(3) of the Transportation Act this \_\_\_ day of \_\_\_\_\_, 2018.

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

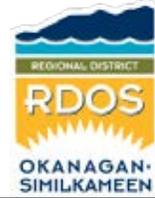
\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Corporate Officer

# Regional District of Okanagan-Similkameen

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

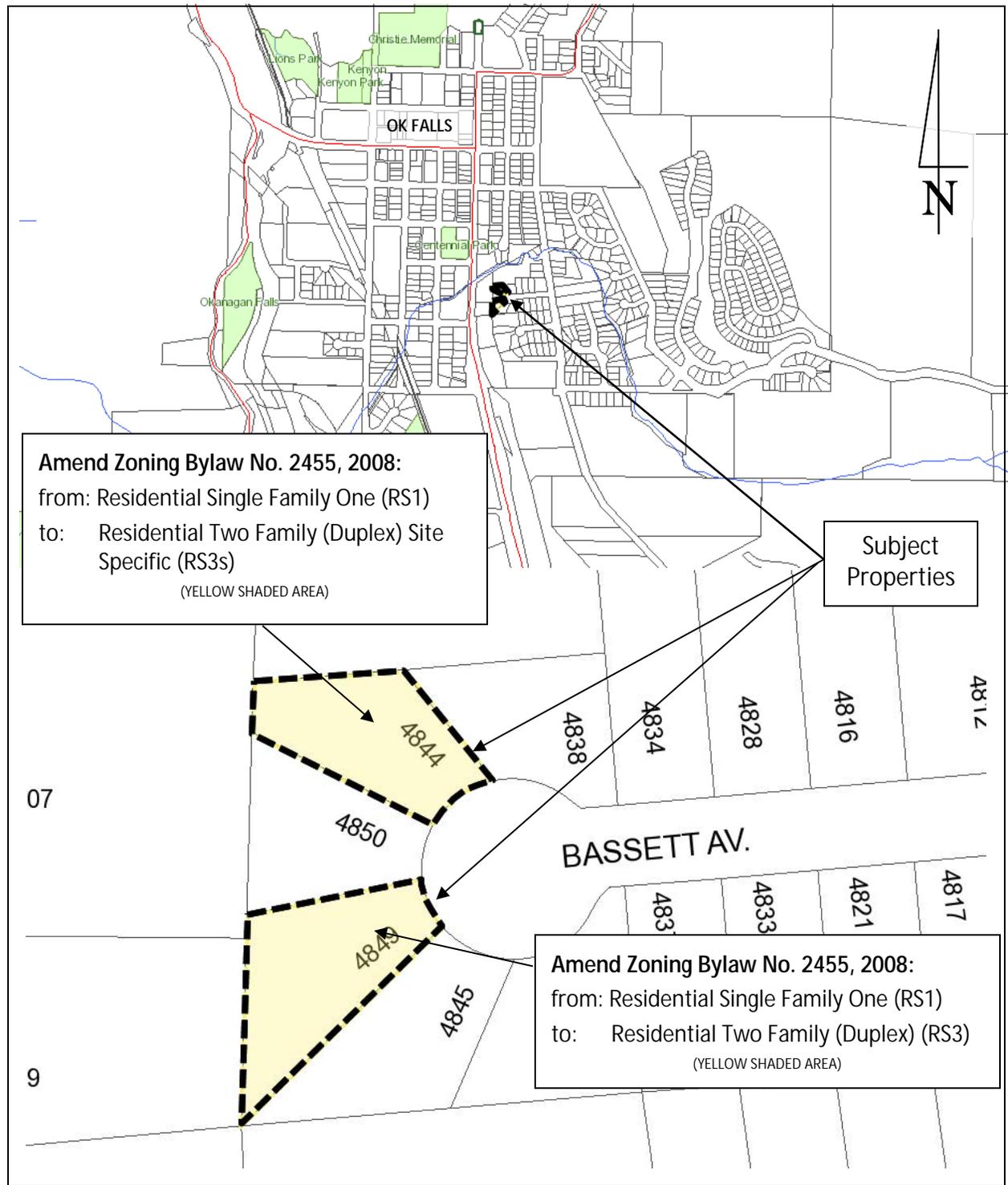
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2455.34, 2018

Project No: D2018.041-ZONE

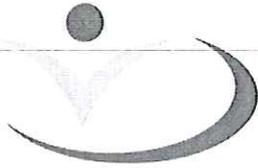
## Schedule 'A'



Amendment Bylaw No. 2455.34, 2017

(D2018.041 -ZONE)

Page 4 of 4



# Interior Health

Every person matters

April 3, 2018

Evelyn Riechert  
Regional District of Okanagan-Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9  
[planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

Dear Evelyn Riechert:

**RE: File #: D2018.041-ZONE**

Thank you for the opportunity to respond to the above captioned referral from your agency.

Communities are healthier places for residents when planning and development includes healthy planning principles as part of neighbourhood design, transportation networks, natural environments, food networks and housing. Well-designed communities, parks, schools, road systems and other infrastructure has a positive impact on people's physical, mental and social health.

An initial review of the information provided has been completed and we've determined that this proposal includes aspects or features consistent with some healthy communities planning principles. Additionally, Interior Health supports sustainable growth and development in areas where community services already exist and would be provided. As such, overall we are supportive of this proposal proceeding.

Should you have any concerns with this referral or require additional comments, please don't hesitate to contact me at 250-549-5758.

Sincerely,

**Janelle Rimell, CPHI(C)**  
Environmental Health Officer, Healthy Communities  
Interior Health Authority

Bus: 250-549-5758  
[janelle.rimell@interiorhealth.ca](mailto:janelle.rimell@interiorhealth.ca)  
[www.interiorhealth.ca](http://www.interiorhealth.ca)

POPULATION HEALTH  
1440 14<sup>th</sup> Avenue  
Vernon BC V1B 2T1

cc Applicant - Apr 10/18





March 29, 2018

File: 58000-20/2018032  
Your File: D2018.041-ZONE

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

Attention: Evelyn Riechert

Re: Zoning Bylaw amendment in order to facilitate the development of duplexes on Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6 all of DL 374, SDYD, Plan EPP69000

The Ecosystems Section of the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) provides the following response to the above noted referral.

To ensure proposed activities are planned and carried out with minimal impacts to the environment and in compliance with all relevant legislation, the proponent and approving agency are advised to adhere to guidelines in the provincial best management practices (BMP's) document: Develop with Care: Environmental Guidelines for Urban & Rural Land Development (<http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>) .

It is the proponent's responsibility to ensure their activities are in compliance with all relevant legislation.

If you have any other questions or require further information please feel free to contact me.

Yours truly,

Lora Nield  
Senior Ecosystems Biologist

LN/cl



cc Applicant - April 18

## Lauri Feindell

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**From:** Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>  
**Sent:** April 4, 2018 9:23 AM  
**To:** Planning  
**Cc:** Lauri Feindell  
**Subject:** RE: Bylaw Referral D2018.041-ZONE

Hello Planning,

Thank you for your referral regarding 4838, 4839, 4844, 4845, 4949 and 4850 Bassett Avenue, Lots 1, 2, 3, 4, 5 and 6, DL374, SDYD, Plan EPP6900, PIDs 030176824, 030176778, 030176816, 013176786, 030176794 and 030176808. According to Provincial records there are no known archaeological sites recorded on any of the properties. However, archaeological potential modeling for the area indicates there is the 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 properties to determine whether the work may impact protected archaeological materials.

An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists ([www.bcapa.ca](http://www.bcapa.ca)) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

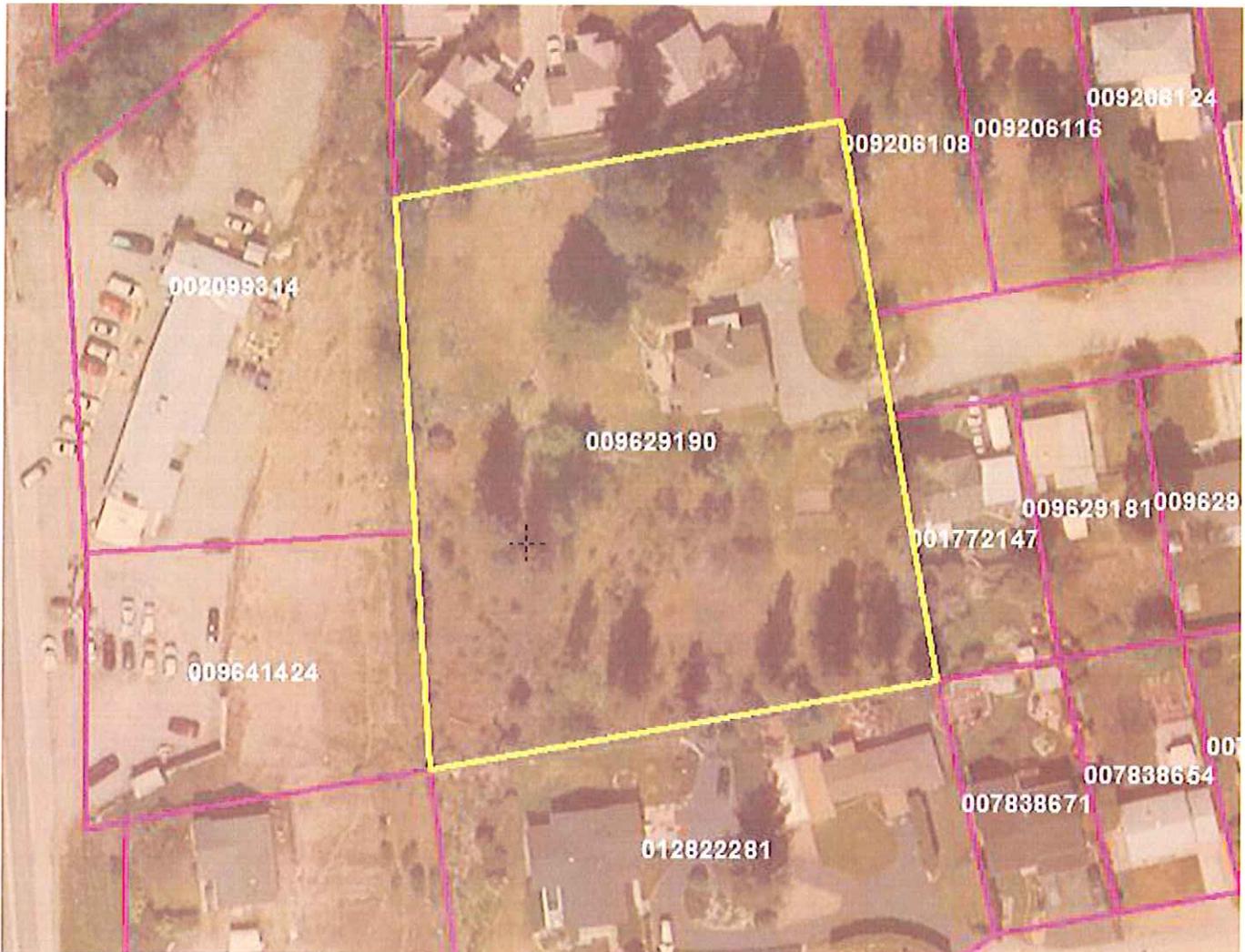
If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

Please review the screenshot of the properties below (outlined in yellow) in relation to the archaeological potential. In this case the entire area has high potential for unknown/unrecorded archaeological deposits, as indicated by the brown/orange colouration of the screenshot. My cadastral data does not show the subdivision of the parent parcel into the 6 lots, but I have verified the location using the RDOS online mapping application.

Please let me know if you have any questions regarding this referral.

Kind regards,

Diana



**Diana Cooper** | Archaeologist/Archaeological Site Inventory Information and Data Administrator

**Archaeology Branch** | Ministry of Forests, Lands, Natural Resource Operations and Rural Development  
Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3  
Phone: 250-953-3343 | Fax: 250-953-3340 | Website: <http://www.for.gov.bc.ca/archaeology/>

---

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

**Sent:** Friday, March 23, 2018 11:53 AM

**To:** HBE@interiorHealth.ca; Cooper, Diana FLNR:EX; 'fbclands@fortisbc.com'; Referral Apps REG8 FLNR:EX; FLNR DOS Referrals CSNR:EX; XT:Shongrunden, Ron FIN:IN; lucy.reiss@canada.ca; ofid@telus.net

**Subject:** Bylaw Referral D2018.041-ZONE

Re: Bylaw Referral

Project No. D2018.041-ZONE

Lot 1, 2, 3, 4, 5 and 6 – DL374, SDYD, Plan EPP6900

## RESPONSE SUMMARY

### AMENDMENT BYLAW NO. 2455.34, 2018

- |  |   |
|--|---|
| <input type="checkbox"/> Approval Recommended for Reasons Outlined Below             | <input type="checkbox"/> Interests Unaffected by Bylaw                          |
| <input checked="" type="checkbox"/> Approval Recommended Subject to Conditions Below | <input type="checkbox"/> Approval Not Recommended Due to Reasons Outlined Below |

The Okanagan Falls Irrigation District requests that the developer provide a letter from their engineer stating 60 l/s is adequate to meet proposed development.

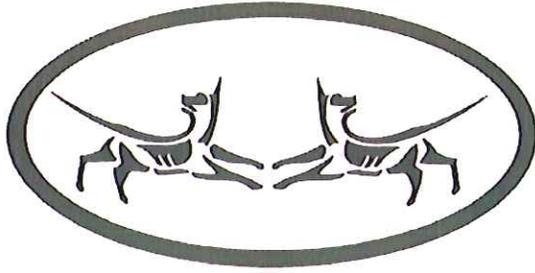
Signature: *J. Morris*

Signed By: Judy Morris

Agency: Okanagan Falls Irrigation District Title Manager

March 27, 2018





## Penticton Indian Band

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

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

May-16-18

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

**RTS ID:** 3147

**Referral Date:** March-07-18

**Referral ID:** D2018.041-ZONE

**Reference ID:**

**Summary:** This proposal is to amend the zoning bylaw in order to facilitate the development of duplexes.

**Attention: Evelyn Riechert**

The Penticton Indian Band acknowledges receipt of your referral dated March-07-18. The PIB has insufficient information to begin review of your referral. Please provide the information indicated below.

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

- Status of Project
- Development Plans/ Project Proposal
- Environmental Management Plan

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

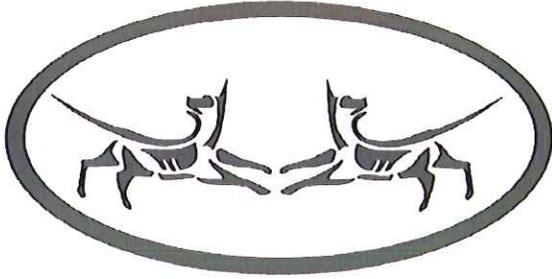
If you require further information or clarification, please do not hesitate to contact me.

Limlɛmt,

Lavonda Nelson  
Referrals Administrator

RTS ID: 3147

CC:



## 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

May-16-18

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

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

**RTS ID:** 3147

**Referral ID:** D2018.041-ZONE

**Referral Date:** March-07-18

**Reference ID:**

**Summary:** This proposal is to amend the zoning bylaw in order to facilitate the development of duplexes.

### **ATTENTION: Evelyn Riechert**

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

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

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

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

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

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



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

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

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

**Invoice Number: 1010**

	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
<b>Total</b>	<b>\$ 500.00</b>	<b>\$ 0.00</b>	<b>\$ 500.00</b>

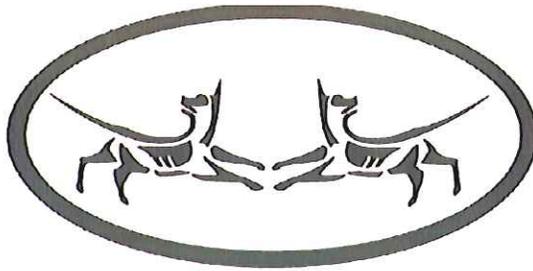
**INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00**

Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #3147

limlɛmt,

Venessa Gonzales  
Referrals Administrator  
P: 250-492-0411  
Referrals@pib.ca

RTS ID: 3147  
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**

May-16-18

Regional District of Okanagan Similkameen  
101 Martin Street  
PentictonBC V2A 5J9

**RTS ID:** 3147

**Referral Date:** March-07-18

**Referral ID:** D2018.041-ZONE

**Reference ID:**

**Summary:** This proposal is to amend the zoning bylaw in order to facilitate the development of duplexes.

**Attention: Evelyn Riechert**

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on May-16-18. 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.

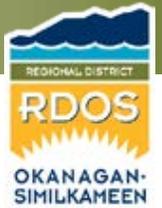
I appreciate your co-operation.

Limlɛmt,  
Venessa Gonzales  
Referrals Administrator

RTS ID: 3147

CC:

# ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** September 20, 2018

**RE:** OCP Bylaw & Zoning Bylaw Amendments – Electoral Areas “A”, “C”, “D”, “E” & “F”  
Commercial Zone Review and Consolidation

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## Administrative Recommendation:

**THAT Bylaw No. 2788, 2018, Regional District of Okanagan-Similkameen Commercial Zone Update Amendment Bylaw be adopted.**

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## Purpose:

Amendment Bylaw No. 2788 proposes to amend the Okanagan Valley Electoral Area Official Community Plan and Zoning Bylaws in order to update the Commercial Zones. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

## Background:

At its meeting of August 17, 2017, the Planning and Development (P&D) Committee of the Board considered an Administrative Report (for information) related to a proposed update of the Commercial Zones.

On April 24, 2018, the Regional District sent letters to all registered property owners with land zoned Commercial advising of the proposed changes to the land use bylaws and seeking feedback.

At its meeting of July 5, 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 August 2, 2018.

A Public Hearing was subsequently held on August 2, 2018, where approximately five (5) members of the public attended, followed by Board approval of third reading of the amendment bylaw.

Approval from the Ministry of Transportation and Infrastructure (MoTI) due to the amendment applying to land within 800 metres of a controlled area, was obtained on September 13, 2018.

## Alternatives:

THAT first, second and third readings of Bylaw No. 2788, 2018, Regional District of Okanagan-Similkameen Commercial Zone Update Amendment Bylaw, be rescinded and the bylaw abandoned.

## Respectfully submitted:

C. Garrish, Planning Supervisor

## Endorsed by:

B. Dollevoet, Development Services Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2788, 2018**

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**A Bylaw to amend the Electoral Area "A", "C", "D", "E" and "F"  
Official Community Plan and Zoning Bylaws**

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

1. This Bylaw may be cited for all purposes as the "Okanagan Electoral Area Commercial Zone Update Amendment Bylaw No. 2788, 2018."

**Electoral Area "A"**

2. The Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by:
  - i) replacing the reference to "Commercial Designations" under Section 2.0 (Official Community Plan Map Designations) in its entirety with the following:

**Commercial Designations:**

Commercial	C
Commercial Tourist	CT

- ii) replacing Section 9.0 (Commercial) in its entirety with the following:

**9.0 COMMERCIAL**

---

**9.1 Background**

Commercial development in the Plan area is generally limited to existing commercial sites along Highway 97 and Highway 3, and adjacent to Osoyoos Lake. The Plan recognizes that large scale service and commercial development will be directed to existing settlement areas, such as the Town of Osoyoos, which are better able to function as service centers.

## 9.2 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.
- .4 To minimize land use incompatibility between commercial activities and surrounding land uses.
- .5 To ensure the scale of all commercial developments harmonize with the natural surroundings and the rural character of the Plan area.

## 9.3 Policies – General Commercial

The Regional Board:

- .1 Generally 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 developed in conjunction with future residential or commercial tourism developments.
- .3 Limits highway commercial development along Highways 97 to parcels already zoned accordingly, or designated as Commercial (C) or Commercial Tourist (CT).
- .4 Will work with the Ministry of Transportation and Infrastructure to help ensure safe access and egress for commercial areas fronting Highway 97.
- .5 Directs major office, service and general business commercial uses to Primary Growth Areas such as the Town of Osoyoos, which have the necessary infrastructure and support services.
- .6 Encourages an attractive and safe highway streetscape by including provisions for adequate off-street parking requirements, landscaping and screening, height requirements, signage and drainage within the implementing bylaws for commercial uses.
- .7 Supports redirecting existing commercial development adjacent Osoyoos Lake to upland areas, and the redevelopment of these area to Low Density Residential with a strong component of redesign to protect environmental and riparian values.

- .8 Encourages future commercial development to locations away from Osoyoos Lake to reduce human impact on the lake, and in order to maintain and improve water quality and habitat.

#### 9.4 Policies – Tourist Commercial

The Regional Board:

- .1 Generally supports the use of lands designated Commercial Tourist (CT) identified in Schedule 'B' Official Community Plan Map for commercial services and activities catering to tourists, including campgrounds, resorts, RV parks, and golf courses.
  - .2 Encourages open space recreation and resort commercial opportunities, such as guest ranches, trail rides and/or wilderness guides in areas designated as Resource Area 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 (Highway 97 & 3);
    - e) can be adequately serviced by emergency services, in particular fire protection;
    - f) meet any Watercourse or Environmentally Sensitive Development Permit Area requirements;
    - g) are outside areas susceptible to natural hazards, including but not limited to, 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.
3. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by:
    - i) changing the land use designation on an approximately 2.25 ha part of the land described as Lot 640, Plan KAP1950, District Lot 2450S, SDYD, Except Plan B3527, 3705, 5125 and B7120 (401 2<sup>nd</sup> Avenue), and as shown shaded yellow on Schedule 'A-101', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).

- ii) changing the land use designation on an approximately 1.67 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion Lot 677 (9330 202<sup>nd</sup> Avenue), and as shown shaded yellow on Schedule 'A-102', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- iii) changing the land use designation of the land described as Lot 1, Plan KAP5097, District Lot 42, SDYD; and Lot 3, Plan KAP3345, District Lot 42, SDYD, Except Plan 5097 (1219 45<sup>th</sup> Street), and as shown shaded yellow on Schedule 'A-103', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- iv) changing the land use designation of the land described as Lot A, Plan KAP10545, District Lot 100, SDYD, Portion Plus Lot 1, Plan 19864, Except Plan 19864; Lot A, Plan KAP81557, District Lot 100, SDYD (2231 45<sup>th</sup> Street); and Lot 1, Plan KAP46233, District Lot 100, SDYD, (2057 45<sup>th</sup> Street), and as shown shaded yellow on Schedule 'A-104', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- v) changing the land use designation of the land described as Lot A, Plan KAP12209, District Lot 41, SDYD (3645 Highway 97), and as shown shaded yellow on Schedule 'A-105', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- vi) changing the land use designation of the land described as Lots 5-8, Plan KAP2092, District Lot 2450S, SDYD (16229 87<sup>th</sup> Street) and Lot 9, Plan KAP2092, District Lot 2450S, SDYD, Portion Lot 432 (16235 87<sup>th</sup> Street) and as shown shaded yellow on Schedule 'A-107', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- vii) changing the land use designation of the land described as Lot 1, Plan KAP16080, District Lot 2450S, SDYD, Portion Lot 499 (9420 Highway 97) and as shown shaded yellow on Schedule 'A-108', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- viii) changing the land use designation of the land described as Lot 10, Plan KAP2092, District Lot 2450S, SDYD, Portion ex nw 10 feet (16239 87<sup>th</sup> Street) and as shown shaded yellow on Schedule 'A-109', which forms part of this Bylaw, from Commercial (C) to Low Density Residential (LR).
- ix) changing the land use designation of the land described as Lot 1, Plan KAP18884, District Lot 2450S, SDYD (10412 Highway 97) and as shown shaded yellow on Schedule 'A-111', which forms part of this Bylaw, from Commercial (C) to Agriculture (AG).
- x) changing the land use designation of the land described as Lot 2, Plan KAP7911, District Lot 2450S, SDYD, Portion Lot 639 (9506 6<sup>th</sup> Avenue) and as shown shaded yellow on Schedule 'A-112', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).

4. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:

- i) deleting the definitions of “amusement establishment, indoor”, “amusement establishment, outdoor”, “open land recreation”, “recreation services, indoor”, “recreation services, outdoor”, “resort”, retail, outdoor” under Section 4.0 (Definitions).
- ii) replacing the definition of “campground” under Section 4.0 (Definitions) with the following:

“**campground**” means a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist cabins or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an office as part of the permitted use but does not include hotels, manufactured homes, manufactured home parks, motels or park model trailers;
- iii) replacing the definition of “conservation area” under Section 4.0 (Definitions) with the following:

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

“**cooking facilities**” means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, sinks, stoves, dishwashers and other appliances, plumbing, or wiring which, may be intended or used for the preparation or cooking of food;
- v) adding the definition of “golf course” under Section 4.0 (Definitions) to read as follows:

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

**“hotel”** means a building containing commercial guest sleeping units, and a lobby area for guest registration and access to the sleeping units and may contain accessory uses such as a restaurant, licensed drinking facilities, accessory retail store, and meeting rooms;

- vii) adding the definition of “indoor recreation” under Section 4.0 (Definitions) to read as follows:

**“indoor recreation”** means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;

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

**“motel”** means a building or buildings containing housekeeping and/or not less than six sleeping units each with an exterior entrance and designed to provide temporary accommodation for the travelling public;

- ix) adding the definition of “motorsports facility” under Section 4.0 (Definitions) to read as follows:

**“motorsports facility”** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes advanced driver training and vehicle testing, drag strip, racing circuit, sports car track, skidpad, off-road course and other uses and facilities accessory to motor vehicle racing;

- x) adding the definition of “office” under Section 4.0 (Definitions) to read as follows:

**“office”** means a business premises or building, designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;

- xi) adding the definition of “outdoor market” under Section 4.0 (Definitions) to read as follows:

**“outdoor market”** means a temporary use where groups of individual sellers offer new and used goods, crafts or produce for sale directly to the public;

- xii) adding the definition of “outdoor recreation” under Section 4.0 (Definitions) to read as follows:

**“outdoor recreation”** means a facility used and equipped for the conduct of outdoor sports, leisure and entertainment activities, instructional courses and equipment rentals and may require amenities such as showers and storage, and that excludes equestrian centres and golf course;

- xiii) adding the definition of “personal services establishment” under Section 4.0 (Definitions) to read as follows:

**“personal services establishment”** means a business or building where services intended for an individual are provided, and where any sale of retail goods is accessory to the provision of such services, including: hair cutting, beauty services, tanning, tattoo shop, shoe repair, medical and dental services, chiropractor services, acupuncture, naturopathy, physical therapy, massage therapy, counseling, veterinary establishment, tailoring, locksmithing and dry cleaning or laundries;

- xiv) adding the definition of “retail store, convenience” under Section 4.0 (Definitions) to read as follows:

**“retail store, convenience”** means a retail sales outlet for the sale of foodstuffs, periodicals, sundries, fresh fruit and vegetables, hygienic or cosmetic goods or plants to serve the residents of the surrounding community on a day to day basis, which may include a confectionery, delicatessen, meat market, bakery, automated banking machines, video sales and rental, and depots for film or postal services, and which has a maximum gross retail floor area including storage of 250 m<sup>2</sup>;

- xv) adding the definition of “sleeping unit” under Section 4.0 (Definitions) to read as follows:

**“sleeping unit”** means one or more habitable rooms used or intended to be used for sleeping or sleeping and living purposes, but does not include cooking facilities;

- xvi) adding the definition of “tourist accommodation” under Section 4.0 (Definitions) to read as follows:

**“tourist accommodation”** means a building or buildings providing temporary accommodation for the travelling public, such as tourist cabins, lodges, motels, hotels, inns, or hostels, which may include common public facilities, such as an eating and drinking establishment, gift shop; personal services, or spa; but shall not include recreational vehicles, park model trailers or mobile homes;

- xvii) adding the definition of “tourist cabin” under Section 4.0 (Definitions) to read as follows:

**“tourist cabin”** means the use of land for a detached building containing a maximum of one sleeping unit used exclusively for tourist accommodation for the temporary accommodation of the traveling public, and may include washroom facilities;

xviii) adding the definition of “wet bar” under Section 4.0 (Definitions) to read as follows:

“**wet bar**” means an area within a dwelling unit, other than a cooking facility, used for the preparation of beverages. A wet bar includes one single sink, one compact refrigerator, freezer or ice maker and no more than 1.5 metres of counter and lower cabinet space. No natural gas or 220-volt connections are permitted in the same room as a wet bar, and a wet bar is not permitted in an accessory building or structure;

xix) replacing the section for “Commercial Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Tourist Commercial One Zone	CT1

xx) replacing Section 13.1 (General Commercial Zone) in its entirety with the following:

**13.1 GENERAL COMMERCIAL ZONE (C1)**

**13.1.1 Permitted Uses:**

Principal Uses:

- a) brewery, cidery, distillery, meadery or winery;
- b) eating and drinking establishments;
- c) indoor recreation;
- d) self-storage, not to exceed 250 m<sup>2</sup> in gross floor area;
- e) office;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) vehicle sales and rental;

Secondary Uses:

- j) accessory dwelling, subject to Section 7.11; and
- k) accessory buildings and structures, subject to Section 7.13.

**13.1.2 Site Specific General Commercial (C1s) Provisions:**

- a) see Section 16.11.

**13.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**13.1.5 Minimum Parcel Width:**

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

**13.1.4 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**13.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**13.1.7 Maximum Height:**

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

**13.1.8 Maximum Parcel Coverage:**

- a) 50%

xxi) replacing Section 16.11 (Site Specific General Commercial One (C1s) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

**16.11 Site Specific General Commercial (C1s) Provisions:**

- .1 in the case of land described as Lot 1, Plan KAP16590, District Lot 2450S, SDYD, Portion Lot 568 (9901 62<sup>nd</sup> Avenue), and shown shaded yellow on Figure 16.11.1:
  - a) the following principal and accessory use(s) and no others shall be permitted on the land:
    - i) indoor storage and warehouse, not to exceed 250 m<sup>2</sup> in gross floor area.

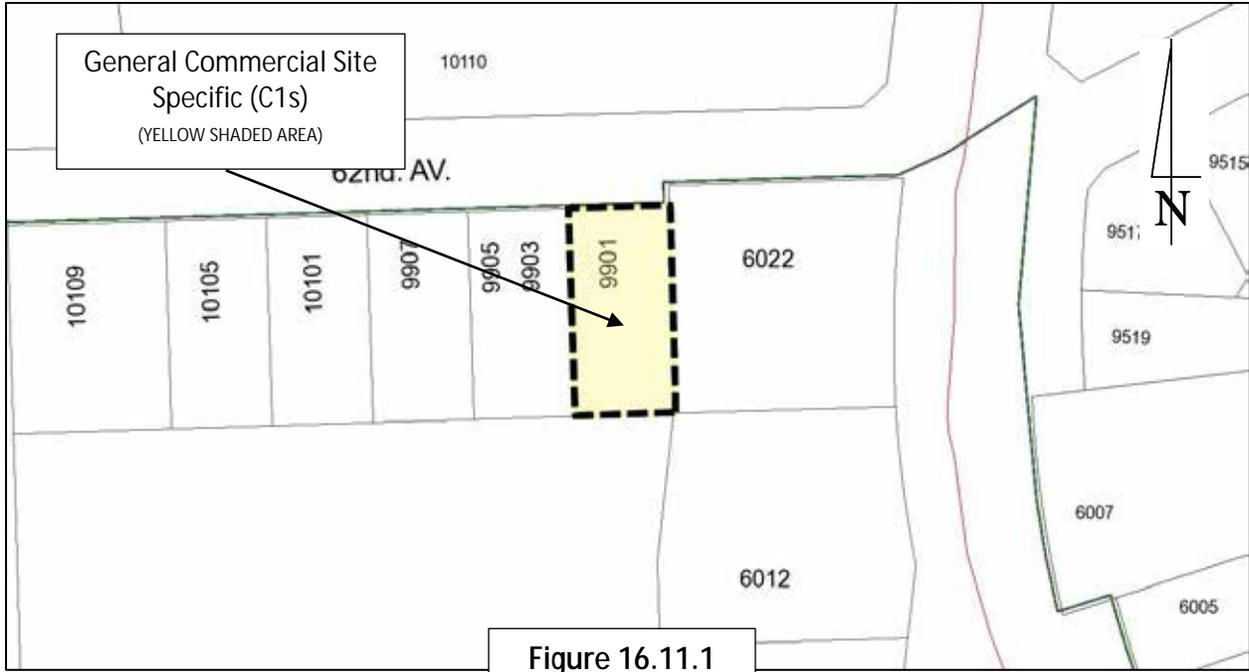


Figure 16.11.1

- .2 in the case of land shown shaded yellow on Figure 16.11.2:
  - a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 13.1.1:
    - i) community hall.

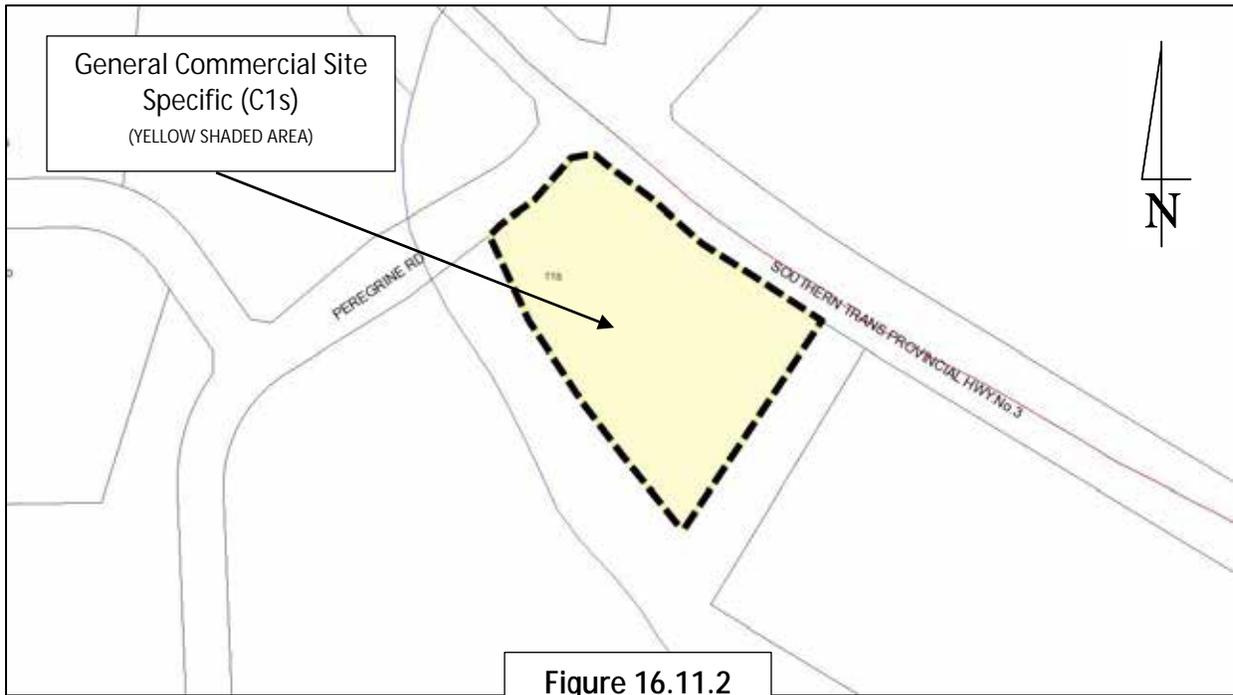


Figure 16.11.2

5. The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
  - i) changing the land use designation of the land described as Lot 1, Plan KAP7911, District Lot 2450S, SDYD, Portion Lot 639 (609 Highway 97), and as shown shaded yellow on Schedule 'A-206', which forms part of this Bylaw, from Tourist Commercial One (CT1) to General Commercial (C1).
  - ii) changing the land use designation of the land described as Lot 10, Plan KAP2092, District Lot 2450S, SDYD, Portion ex nw 10 feet (16239 87<sup>th</sup> Street) and as shown shaded yellow on Schedule 'A-209', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Residential Single Family One (RS1).
  - iii) changing the land use designation of the land shown shaded yellow on Schedule 'A-210', which forms part of this Bylaw, from General Commercial Site Specific (C1s) to General Commercial (C1).
  - iv) changing the land use designation of the land described as Lot 1, Plan KAP18884, District Lot 2450S, SDYD (10412 Highway 97) and as shown shaded yellow on Schedule 'A-211', which forms part of this Bylaw, from General Commercial (C1) to Agriculture One (AG1).

Electoral Area "C"

6. The Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:
  - i) replacing the reference to "Commercial Designations" under Section 4.0 (Official Community Plan Map Designations) in its entirety with the following:
 

<b>Commercial Designations:</b>	
Commercial	C
Commercial Tourist	CT
7. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:
  - i) changing the land use designation of the land described as Lot 1, Plan KAP23659, District Lot 3473, SDYD (8977 Highway 97), and as shown shaded yellow on Schedule 'C-103', which forms part of this Bylaw, from Commercial (C) to Agriculture (AG).
  - ii) changing the land use designation of the land described as Lot 2, Plan KAP42096, District Lot 28S, SDYD (8464 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-105', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).

- iii) changing the land use designation of the land described as Lot 1, Plan KAP11959, District Lot 28S, SDYD (8374 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-107', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- iv) changing the land use designation of the land described as Lot A, Plan KAP91344, District Lot 2450S, SDYD (8112 Highway 97), and as shown shaded yellow on Schedule 'C-108', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- v) changing the land use designation of the land described as Lot 2, Plan KAP68288, District Lot 2450S, SDYD (5650 Highway 97), and as shown shaded yellow on Schedule 'C-111', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- vi) changing the land use designation of the land described as Lot 1, Plan KAP62023, District Lot 2450S, SDYD (933 Old Golf Course Road), and as shown shaded yellow on Schedule 'C-113', which forms part of this Bylaw, from Resource Area (RA) to Commercial Tourist (CT).
- vii) changing the land use designation of the land shown shaded yellow on Schedule 'C-114', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).

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

- i) deleting the definitions of "amusement establishment, indoor", "amusement establishment, outdoor", "fruit stand", "open land recreation", "recreation services, indoor", "recreation services, outdoor", "resort", retail, outdoor" under Section 4.0 (Definitions).
- ii) replacing the definition of "campground" under Section 4.0 (Definitions) with the following:
 

**campground**" means a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist cabins or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an office as part of the permitted use but does not include hotels, manufactured homes, manufactured home parks, motels or park model trailers;
- iii) replacing the definition of "conservation area" under Section 4.0 (Definitions) with the following:
 

**"conservation area"** means land that is preserved and protected, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested

in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish. A Conservation Area does not include indoor and outdoor recreation;

- iv) adding the definition of “cooking facilities” under Section 4.0 (Definitions) to read as follows:

“**cooking facilities**” means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, sinks, stoves, dishwashers and other appliances, plumbing, or wiring which, may be intended or used for the preparation or cooking of food;

- v) adding the definition of “golf course” under Section 4.0 (Definitions) to read as follows:

“**golf course**” means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar accessory facilities, including banquet facilities, necessary for golf purposes and which may include buildings necessary for the maintenance and administration of the golf course;

- vi) adding the definition of “hotel” under Section 4.0 (Definitions) to read as follows:

“**hotel**” means a building containing commercial guest sleeping units, and a lobby area for guest registration and access to the sleeping units and may contain accessory uses such as a restaurant, licensed drinking facilities, accessory retail store, and meeting rooms;

- vii) adding the definition of “indoor recreation” under Section 4.0 (Definitions) to read as follows:

“**indoor recreation**” means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;

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

“**motel**” means a building or buildings containing housekeeping and/or not less than six sleeping units each with an exterior entrance and designed to provide temporary accommodation for the travelling public;

- ix) adding the definition of “motorsports facility” under Section 4.0 (Definitions) to read as follows:

**“motorsports facility”** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes advanced driver training and vehicle testing, drag strip, racing circuit, sports car track, skidpad, off-road course and other uses and facilities accessory to motor vehicle racing;

- x) adding the definition of “office” under Section 4.0 (Definitions) to read as follows:

**“office”** means a business premises or building, designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;

- xi) adding the definition of “outdoor market” under Section 4.0 (Definitions) to read as follows:

**“outdoor market”** means a temporary use where groups of individual sellers offer new and used goods, crafts or produce for sale directly to the public;

- xii) adding the definition of “outdoor recreation” under Section 4.0 (Definitions) to read as follows:

**“outdoor recreation”** means a facility used and equipped for the conduct of outdoor sports, leisure and entertainment activities, instructional courses and equipment rentals and may require amenities such as showers and storage, and that excludes equestrian centres and golf course;

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

**“personal services establishment”** means a business or building where services intended for an individual are provided, and where any sale of retail goods is accessory to the provision of such services, including: hair cutting, beauty services, tanning, tattoo shop, shoe repair, medical and dental services, chiropractor services, acupuncture, naturopathy, physical therapy, massage therapy, counseling, veterinary establishment, tailoring, locksmithing and dry cleaning or laundries;

- xiv) replacing the definition of “retail store, convenience” under Section 4.0 (Definitions) with the following:

**“retail store, convenience”** means a retail sales outlet for the sale of foodstuffs, periodicals, sundries, fresh fruit and vegetables, hygienic or cosmetic goods or plants to serve the residents of the surrounding community on a day to day basis, which may include a confectionery, delicatessen, meat market, bakery, automated banking

machines, video sales and rental, and depots for film or postal services, and which has a maximum gross retail floor area including storage of 250 m<sup>2</sup>;

- xv) adding the definition of “sleeping unit” under Section 4.0 (Definitions) to read as follows:

“**sleeping unit**” means one or more habitable rooms used or intended to be used for sleeping or sleeping and living purposes, but does not include cooking facilities;

- xvi) adding the definition of “tourist accommodation” under Section 4.0 (Definitions) to read as follows:

“**tourist accommodation**” means a building or buildings providing temporary accommodation for the travelling public, such as, cabins, lodges, motels, hotels, inns, or hostels, which may include common public facilities, such as a dining room, restaurant, licensed premises, gift shop; personal services, or spa; but shall not include recreational vehicles, park model trailers or mobile homes;

- xvii) adding the definition of “tourist cabin” under Section 4.0 (Definitions) to read as follows:

“**tourist cabin**” means the use of land for a detached building containing a maximum of one sleeping unit used exclusively for tourist accommodation for the temporary accommodation of the traveling public, and may include washroom facilities;

- xviii) adding the definition of “wet bar” under Section 4.0 (Definitions) to read as follows:

“**wet bar**” means an area within a dwelling unit, other than a cooking facility, used for the preparation of beverages. A wet bar includes one single sink, one compact refrigerator, freezer or ice maker and no more than 1.5 metres of counter and lower cabinet space. No natural gas or 220-volt connections are permitted in the same room as a wet bar, and a wet bar is not permitted in an accessory building or structure;

- xix) replacing the reference to “Commercial Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Service Commercial Zone	CS1
Tourist Commercial One Zone	CT1
Tourist Commercial Four (Campground) Zone	CT4

xx) replacing Section 10.1.1(g) under Section 10.1 (Resource Area Zone) in its entirety with the following:

g) outdoor recreation;

xxi) replacing Section 13.1 (General Commercial Zone) in its entirety with the following:

## **13.1 GENERAL COMMERCIAL ZONE (C1)**

### **13.1.1 Permitted Uses:**

#### Principal Uses:

- a) brewery, cidery, distillery, meadery or winery;
- b) eating and drinking establishments;
- c) indoor recreation;
- d) self-storage, not to exceed 250 m<sup>2</sup> in gross floor area;
- e) office;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) vehicle sales and rental;

#### Secondary Uses:

- j) accessory dwelling, subject to Section 7.11; and
- k) accessory buildings and structures, subject to Section 7.13.

### **13.1.2 Site Specific General Commercial (C1s) Provisions:**

- a) see Section 16.15

### **13.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

### **13.1.4 Minimum Parcel Width:**

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

### **13.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

### **13.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**13.1.7 Maximum Height:**

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

**13.1.8 Maximum Parcel Coverage:**

- a) 50%

xxii) replacing Section 13.2 (General Commercial (Limited) Zone) in its entirety with the following:

**13.2 SERVICE COMMERCIAL ZONE (CS1)**

**13.2.1 Permitted Uses:**

Principal Uses:

- a) car washes;
- b) propane and other vehicle fuel sales;
- c) retail store, convenience;
- d) service industry establishment;
- e) service stations;
- f) vehicle sales and rentals;

Secondary Uses:

- g) accessory dwelling, subject to Section 7.11;
- h) eating and drinking establishment; and
- i) accessory buildings and structures, subject to Section 7.13.

**13.2.2 Site Specific Service Commercial (CS1s) Provisions:**

- a) see Section 16.16.

**13.2.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**13.2.4 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**13.2.5 Minimum Parcel Width:**

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

**13.2.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 3.0 metres
  - iv) Exterior side parcel line 4.5 metres
- b) Fuel distribution pumps, storage tanks or devices situated above ground:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**13.2.7 Maximum Height:**

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

**13.2.8 Maximum Parcel Coverage:**

- a) 35%

xxiii) replacing Section 13.3 (Neighbourhood Commercial Zone) in its entirety with the following:

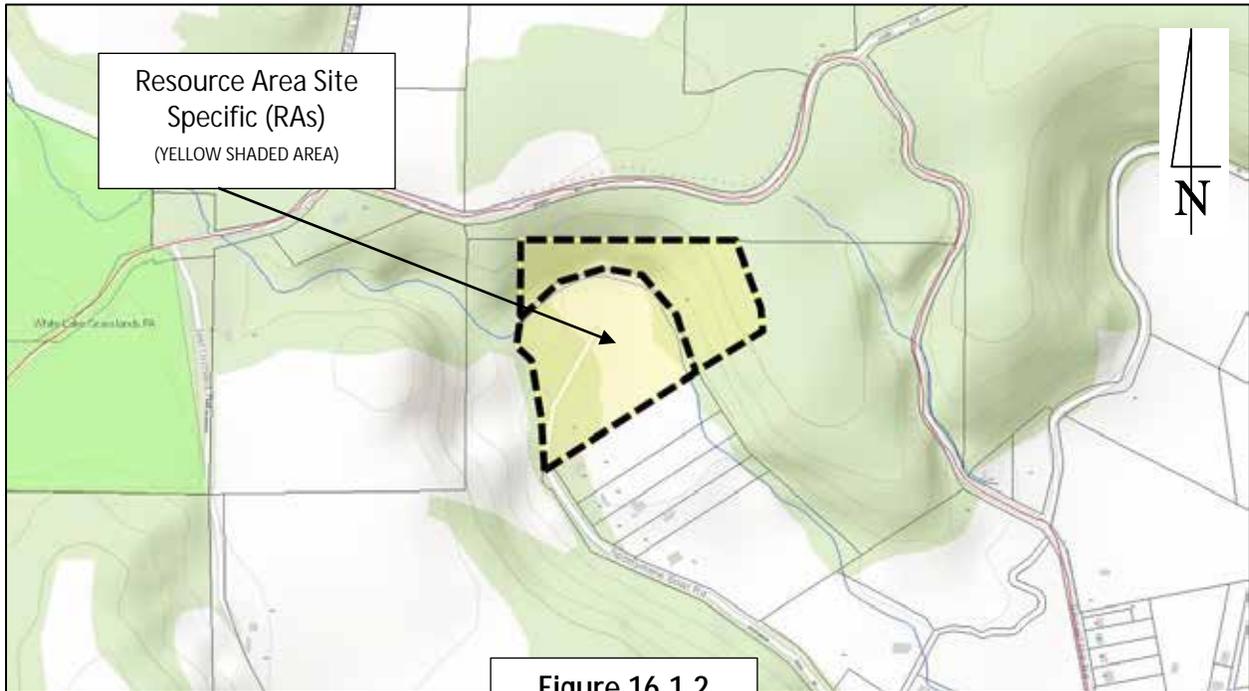
**13.3 *deleted.***

xxiv) replacing Section 15.2.1(b) under Section 15.2 (Parks and Recreation Zone) with the following:

- b) outdoor recreation;

xxv) replacing Section 15.2.1(g) under Section 15.2 (Parks and Recreation Zone) with the following:

- g) indoor recreation;
- xxvi) replacing Section 16.1.1 (Site Specific Resource Area (RAs) Provisions) under Section 16.0 (Site Specific Provisions) with the following:
  - .1 *deleted.*
- xxvii) replacing Section 16.1.2 (Site Specific Resource Area (RAs) Provisions) under Section 16.0 (Site Specific Provisions) with the following:
  - .2 in the case of land described as Lot 1, Plan KAP62023, District Lot 2450S, SDYD (398 Sportsmens Bowl Road), and Lot 3, Plan KAP4041, District Lot 2450S, SDYD, Portion Lot 727 (352 Sportsmens Bowl Road), and shown shaded yellow on Figure 16.1.2:
    - i) the following principal use and no other shall be permitted on the land:
      - a) outdoor recreation, which includes a rifle range.
    - ii) the following accessory use and no other shall be permitted on the land:
      - a) one (1) accessory dwelling, subject to Section 7.11; and
      - b) accessory buildings and structures, subject to Section 7.13.



- xxviii) replacing Section 16.15.1(i) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

- i) despite Section 13.1.1.(d), the maximum gross floor area of an indoor self-storage use shall not exceed 1,176.0 m<sup>2</sup>; and
- xxix) replacing Section 16.15.1(ii) under Section 16.0 (Site Specific Provisions) in its entirety with the following:
  - ii) despite Section 13.1.6(a)(iii), the minimum setback from an interior side parcel line for an indoor self-storage use shall be 3.5 metres.
- xxx) replacing Section 16.16 (Site Specific General Commercial (Limited) Two (C2s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:

**16.16 Site Specific Service Commercial (CS1s) Provisions:**

.1 *blank*

- 9. The Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
  - i) changing the land use designation of the land described as Lot A, Plan KAP68598, District Lot 28S, SDYD, Except Plan EPP56154 (8486 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-201', which forms part of this Bylaw, from General Commercial Limited Site Specific (C2s) to General Commercial (C1).
  - ii) changing the land use designation of the land described as Lot 1, Plan KAP16871, District Lot 3473, SDYD, Except Plan 43596 (162 Brauns Road), and as shown shaded yellow on Schedule 'C-202', which forms part of this Bylaw, from Tourist Commercial One (CT1) to General Commercial (C1).
  - iii) changing the land use designation of the land described as Lot 1, Plan KAP23659, District Lot 3473, SDYD (8977 Highway 97), and as shown shaded yellow on Schedule 'C-204', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Agriculture One (AG1).
  - iv) changing the land use designation of the land described as Lot 1, Plan KAP42096, District Lot 28S, SDYD (8386 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-206', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to General Commercial (C1).
  - v) changing the land use designation on an approximately 4,200 m<sup>2</sup> part of the land described as Lot 834, Plan KAP5650, District Lot 2450S, SDYD, Except Plan KAP73342 & KAP91344 (8102 Highway 97), and as shown shaded purple on Schedule 'C-209', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Service Commercial (CS1).
  - vi) changing the land use designation on an approximately 6,500 m<sup>2</sup> part of the land described as Lot 834, Plan KAP5650, District Lot 2450S, SDYD, Except Plan KAP73342 & KAP91344 (8102 Highway 97), and as shown shaded yellow on Schedule 'C-209',

which forms part of this Bylaw, from General Commercial (C1) to Service Commercial (CS1).

- vii) changing the land use designation of the land shown shaded yellow on Schedule 'C-210', which forms part of this Bylaw, from General Commercial (C1) to Parks and Recreation (PR).
- viii) changing the land use designation of an approximately 1,275 m<sup>2</sup> part of the land described as Lot 15, Plan KAP5631B, District Lot 2450S, SDYD, Portion Plan KAP1729, Except Plan 14334 (7910 Highway 97), and as shown shaded yellow on Schedule 'C-212', which forms part of this Bylaw, from General Commercial (C1) to Agriculture One (AG1).

#### Electoral Area "D-1"

10. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D-1" Official Community Plan Bylaw No. 2683, 2016, is amended by:

- i) changing the land use designation of the land shown shaded purple on Schedule 'I-103', which forms part of this Bylaw, from Commercial (C) to Low Density Residential (LR).

11. The Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, is amended by:

- i) deleting the definitions of "fruit and vegetable stand", "gas bar", "open land recreation", "recreation services, indoor", "recreation services, outdoor", "residential use zone", "resort", retail, outdoor" and "sporting and amusement facility" under Section 4.0 (Definitions).

- ii) replacing the definition of "campground" under Section 4.0 (Definitions) with the following:

**"campground"** means a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist cabins or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an office as part of the permitted use but does not include hotels, manufactured homes, manufactured home parks, motels or park model trailers;

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

**"conservation area"** means land that is preserved and protected, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested in conservation for the prime purpose of conserving

natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish. A Conservation Area does not include indoor and outdoor recreation;

- iv) adding the definition of “cooking facilities” under Section 4.0 (Definitions) to read as follows:

“**cooking facilities**” means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, sinks, stoves, dishwashers and other appliances, plumbing, or wiring which, may be intended or used for the preparation or cooking of food;

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

“**duplex dwelling**” means a building containing two principal dwelling units with each unit having an independent exterior entrance;

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

“**golf course**” means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar accessory facilities, including banquet facilities, necessary for golf purposes and which may include buildings necessary for the maintenance and administration of the golf course;

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

“**hotel**” means a building containing commercial guest sleeping units, and a lobby area for guest registration and access to the sleeping units and may contain accessory uses such as a restaurant, licensed drinking facilities, accessory retail store, and meeting rooms;

- viii) adding the definition of “indoor recreation” under Section 4.0 (Definitions) to read as follows:

“**indoor recreation**” means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;

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

**“motel”** means a building or buildings containing housekeeping and/or not less than six sleeping units each with an exterior entrance and designed to provide temporary accommodation for the travelling public;

- x) adding the definition of “motorsports facility” under Section 4.0 (Definitions) to read as follows:

**“motorsports facility”** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes advanced driver training and vehicle testing, drag strip, racing circuit, sports car track, skidpad, off-road course and other uses and facilities accessory to motor vehicle racing;

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

**“office”** means a business premises or building, designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;

- xii) adding the definition of “outdoor market” under Section 4.0 (Definitions) to read as follows:

**“outdoor market”** means a temporary use where groups of individual sellers offer new and used goods, crafts or produce for sale directly to the public;

- xiii) adding the definition of “outdoor recreation” under Section 4.0 (Definitions) to read as follows:

**“outdoor recreation”** means a facility used and equipped for the conduct of outdoor sports, leisure and entertainment activities, instructional courses and equipment rentals and may require amenities such as showers and storage, and that excludes equestrian centres and golf course;

- xiv) replacing the definition of “personal services establishment” under Section 4.0 (Definitions) with the following:

**“personal services establishment”** means a business or building where services intended for an individual are provided, and where any sale of retail goods is accessory to the provision of such services, including: hair cutting, beauty services, tanning, tattoo shop, shoe repair, medical and dental services, chiropractor services, acupuncture, naturopathy, physical therapy, massage therapy, counseling, veterinary establishment, tailoring, locksmithing and dry cleaning or laundries;

- xv) replacing the definition of “retail store” under Section 4.0 (Definitions) with the following:

**“retail store, general”** means premises where goods, merchandise, and other materials, and personal services, including those listed for convenience retail stores, are offered for sale at retail to the general public. Typical uses include by are not limited to grocery, clothing, shoe, hardware, pharmaceutical, appliance, and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment or retail stores requiring outdoor storage;

- xvi) replacing the definition of “convenience store” under Section 4.0 (Definitions) with the following:

**“retail store, convenience”** means a retail sales outlet for the sale of foodstuffs, periodicals, sundries, fresh fruit and vegetables, hygienic or cosmetic goods or plants to serve the residents of the surrounding community on a day to day basis, which may include a confectionery, delicatessen, meat market, bakery, automated banking machines, video sales and rental, and depots for film or postal services, and which has a maximum gross retail floor area including storage of 250 m<sup>2</sup>;

- xvii) adding the definition of “sleeping unit” under Section 4.0 (Definitions) to read as follows:

**“sleeping unit”** means one or more habitable rooms used or intended to be used for sleeping or sleeping and living purposes, but does not include cooking facilities;

- xviii) adding the definition of “tourist accommodation” under Section 4.0 (Definitions) to read as follows:

**“tourist accommodation”** means a building or buildings providing temporary accommodation for the travelling public, such as tourist cabins, lodges, motels, hotels, inns, or hostels, which may include common public facilities, such as an eating and drinking establishment, gift shop; personal services, or spa; but shall not include recreational vehicles, park model trailers or mobile homes;

- xix) adding the definition of “tourist cabin” under Section 4.0 (Definitions) to read as follows:

**“tourist cabin”** means the use of land for a detached building containing a maximum of one sleeping unit used exclusively for tourist accommodation for the temporary accommodation of the traveling public, and may include washroom facilities;

- xx) adding the definition of “wet bar” under Section 4.0 (Definitions) to read as follows:

“wet bar” means an area within a dwelling unit, other than a cooking facility, used for the preparation of beverages. A wet bar includes one single sink, one compact refrigerator, freezer or ice maker and no more than 1.5 metres of counter and lower cabinet space. No natural gas or 220-volt connections are permitted in the same room as a wet bar, and a wet bar is not permitted in an accessory building or structure;

- xxi) replacing the reference to “Commercial Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Service Commercial Zone	CS1
Tourist Commercial One Zone	CT1
Tourist Commercial Four (Campground) Zone	CT4
Tourist Commercial Six Zone	CT6

- xxii) replacing Section 7.16 (Fuel Storage and Distribution) under Section 7.0 (General Regulations) in its entirety with the following:

**7.16** *deleted.*

- xxiii) replacing Section 10.1.1(j) under Section 10.1 (Resource Area Zone) in its entirety with the following:

- j) outdoor recreation;

- xxiv) replacing Section 10.4.1(f) under Section 10.4 (Large Holdings One Zone) in its entirety with the following:

- f) outdoor recreation;

- xxv) replacing Section 10.5.1(f) under Section 10.5 (Large Holdings Two Zone) in its entirety with the following:

- f) outdoor recreation;

- xxvi) replacing Section 13.1 (General Commercial Zone) in its entirety with the following:

**13.1 GENERAL COMMERCIAL ZONE (C1)**

**13.1.1 Permitted Uses:**

Principal Uses:

- a) brewery, cidery, distillery, meadery or winery;

- b) eating and drinking establishments;
- c) indoor recreation;
- d) self-storage, not to exceed 250 m<sup>2</sup> in gross floor area;
- e) office;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) vehicle sales and rental;

Secondary Uses:

- j) accessory dwelling, subject to Section 7.11; and
- k) accessory buildings and structures, subject to Section 7.13.

**13.1.2 Site Specific General Commercial (C1s) Provisions:**

- a) see Section 16.15.

**13.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**13.1.4 Minimum Parcel Width:**

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

**13.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**13.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**13.1.7 Maximum Height:**

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

**13.1.8 Maximum Parcel Coverage:**

- a) 50%

xxvii) replacing Section 13.2 (Highway Commercial Zone) in its entirety with the following:

## **13.2 SERVICE COMMERCIAL ZONE (CS1)**

### **13.2.1 Permitted Uses:**

#### Principal Uses:

- a) car washes;
- b) propane and other vehicle fuel sales;
- c) retail store, convenience;
- d) service industry establishment;
- e) service stations;
- f) vehicle sales and rentals;

#### Secondary Uses:

- g) accessory dwelling, subject to Section 7.11;
- h) eating and drinking establishment; and
- i) accessory buildings and structures, subject to Section 7.13.

### **13.2.2 Site Specific Service Commercial (CS1s) Provisions:**

- a) see Section 16.16.

### **13.2.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

### **13.2.4 Minimum Parcel Width:**

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

### **13.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

### **13.2.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 3.0 metres

- iv) Exterior side parcel line 4.5 metres
- b) Fuel distribution pumps, storage tanks or devices situated above ground:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**13.2.7 Maximum Height:**

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

**13.2.8 Maximum Parcel Coverage:**

- a) 35%

xxviii) replacing Section 15.2.1(b) under Section 15.2 (Parks and Recreation Zone) with the following:

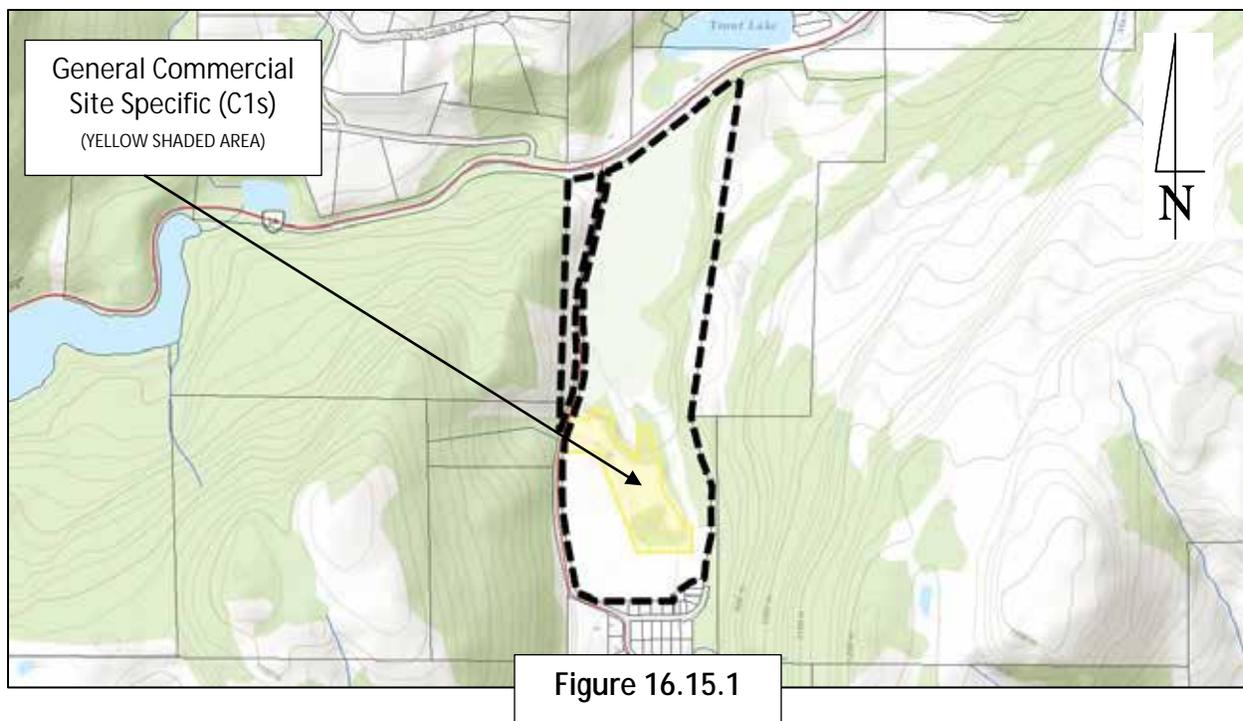
- b) outdoor recreation;

xxix) replacing Section 15.2.1(g) under Section 15.2 (Parks and Recreation Zone) with the following:

- g) indoor recreation;

xxx) replacing Section 16.15.1 (Site Specific General Commercial C1s) Provisions) under Section 16.0 (Site Specific Designations) with the following:

- .1 in the case of land described as Lot A, Plan KAP46761, District Lot 228S, 2169 & 4098S, SDYD, Except Plan KAP53180 (79 Twin Lakes Road), and shown shaded yellow on Figure 16.15.1:
  - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 13.1.1:
    - a) golf course.



xxxi) adding a new Section 16.16 (Site Specific Highway Commercial (C4s) Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

**16.16 Site Specific Service Commercial (CS1s) Provisions:**

.1 Not applicable.

12. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
  - i) changing the land use designation of an approximately 6,800 m<sup>2</sup> part of the land described as Lot 1, Plan KAP11044, District Lot 228S, SDYD (1146 Highway 3A), shown shaded yellow on Schedule 'I-201', which forms part of this Bylaw, from General Commercial (C1) to Service Commercial (CS1).
  - ii) changing the land use designation of an approximately 1.2 ha part of the land described as Lot 180, Plan KAP719, District Lot 103S, SDYD, Except Plan H734; and an approximately 2,550 m<sup>2</sup> part of the land described as Lot 181, Plan KAP719, District Lot 103S, 104S and 105S, SDYD, Except Plan H734, shown shaded yellow on Schedule 'I-202', which forms part of this Bylaw, from Highway Commercial (C4) to General Commercial (C1).
  - iii) changing the land use designation of the land shown shaded yellow on Schedule 'I-203', which forms part of this Bylaw, from Highway Commercial (C4) to General Commercial (C1).

- iv) changing the land use designation of the land shown shaded purple on Schedule 'I-203', which forms part of this Bylaw, from Highway Commercial (C4) to Residential Single Family One (RS1).
- v) changing the land use designation of the land described as Lot A, Plan KAP46761, District Lot 228S, 2169 & 4098S, SDYD, Except Plan KAP53180 (79 Twin Lakes Road) and shown shaded purple on Schedule 'I-204', which forms part of this Bylaw, from General Commercial (C1) to General Commercial Site Specific (C1s).
- vi) changing the land use designation of an approximately 2,200 m<sup>2</sup> part of the land described as Lot B, Plan EPP44207, District Lot 103S, SDYD (204 Highway 97), shown shaded yellow on Schedule 'I-205', which forms part of this Bylaw, from Highway Commercial (C4) to Service Commercial (CS1).

Electoral Area "D-2"

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

- i) replacing the reference to "Commercial" under Section 5.0 (Official Community Plan Map Designations) in its entirety with the following:

**Commercial Designations:**

Commercial	C
Commercial Tourist	CT

14. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D-2" Official Community Plan Bylaw No. 2603, 2013, is amended by:

- i) changing the land use designation of an approximately 13.8 ha area of the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 17, Except Plan 23219 26390 28957 31444 31786 32942 KAP44266 KAP49472 KAP50708, & EXC PL: KAP50709 KAP51358 KAP57111 KAP58268 KAP63730, and as shown shaded yellow on Schedule 'D-103', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- ii) changing the land use designation of the land described as Lot 2, Plan KAP44365, District Lot 2710, SDYD, Subsidy Lot 15, and as shown shaded yellow on Schedule 'D-104', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- iii) changing the land use designation of an approximately 1.7 ha part of the land described as Lot 1, Plan KAP1340, Township 85, SDYD, Section 16 & 21, and as shown shaded yellow on Schedule 'D-105', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- iv) changing the land use designation of the land described as Lot 9, Plan KAP15861B, District Lot 697S, SDYD, Portion of Plan 1434, and as shown shaded yellow on Schedule

'D-106', which forms part of this Bylaw, from Tourist Commercial (C) to Commercial Tourist (CT).

- v) changing the land use designation of the land described as Lot 1, Plan KAP7681, District Lot 10, SDYD, Except Plan H950, and as shown shaded yellow on Schedule 'D-110', which forms part of this Bylaw, from Commercial (C) to Small Holdings (SH).
- vi) changing the land use designation of the land described as Lot 8, Plan KAP28957, District Lot 2710, SDYD, Subsidy Lot 17, and as shown shaded yellow on Schedule 'D-111', which forms part of this Bylaw, from Commercial (C) to Small Holdings (SH).
- vii) changing the land use designation of an approximately 1.6 ha area of the land described as Lot 1, Plan KAP35151, District Lot 2710, SDYD, Subsidy Lot 38, and as shown shaded yellow on Schedule 'D-112', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).

15. The Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by:

- i) deleting the definitions of "amusement establishment, indoor", "amusement establishment, outdoor", "fruit stand", "open land recreation", "privacy zone", "recreation services, indoor", "recreation services, outdoors", "resort", "riparian assessment area", "special needs housing" under Section 4.0 (Definitions).

- ii) replacing the definition of "campground" under Section 4.0 (Definitions) with the following:

**"campground"** means a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist cabins or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an office as part of the permitted use but does not include hotels, manufactured homes, manufactured home parks, motels or park model trailers;

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

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

- iv) adding the definition of “cooking facilities” under Section 4.0 (Definitions) to read as follows:

“**cooking facilities**” means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, sinks, stoves, dishwashers and other appliances, plumbing, or wiring which, may be intended or used for the preparation or cooking of food;
- v) replacing the definition of “duplex dwelling” under Section 4.0 (Definitions) with the following:

“**duplex dwelling**” means a building containing two principal dwelling units with each unit having an independent exterior entrance;
- vi) replacing the definition of “golf course” under Section 4.0 (Definitions) with the following:

“**golf course**” means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar accessory facilities, including banquet facilities, necessary for golf purposes and which may include buildings necessary for the maintenance and administration of the golf course
- vii) replacing the definition of “hotel” under Section 4.0 (Definitions) with the following:

“**hotel**” means a building containing commercial guest sleeping units, and a lobby area for guest registration and access to the sleeping units and may contain accessory uses such as a restaurant, licensed drinking facilities, accessory retail store, and meeting rooms;
- viii) adding the definition of “indoor recreation” under Section 4.0 (Definitions) to read as follows:

“**indoor recreation**” means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;
- ix) replacing the definition of “motel” under Section 4.0 (Definitions) with the following:

“**motel**” means a building or buildings containing housekeeping and/or not less than six sleeping units each with an exterior entrance and designed to provide temporary accommodation for the travelling public;
- x) adding the definition of “motorsports facility” under Section 4.0 (Definitions) to read as follows:

**“motorsports facility”** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes advanced driver training and vehicle testing, drag strip, racing circuit, sports car track, skidpad, off-road course and other uses and facilities accessory to motor vehicle racing;

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

**“office”** means a business premises or building, designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;

- xii) adding the definition of “outdoor recreation” under Section 4.0 (Definitions) to read as follows:

**“outdoor recreation”** means a facility used and equipped for the conduct of outdoor sports, leisure and entertainment activities, instructional courses and equipment rentals and may require amenities such as showers and storage, and that excludes equestrian centres and golf course;

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

**“personal services establishment”** means a business or building where services intended for an individual are provided, and where any sale of retail goods is accessory to the provision of such services, including: hair cutting, beauty services, tanning, tattoo shop, shoe repair, medical and dental services, chiropractor services, acupuncture, naturopathy, physical therapy, massage therapy, counseling, veterinary establishment, tailoring, locksmithing and dry cleaning or laundries;

- xiv) adding the definition of “sleeping unit” under Section 4.0 (Definitions) to read as follows:

**“sleeping unit”** means one or more habitable rooms used or intended to be used for sleeping or sleeping and living purposes, but does not include cooking facilities;

- xv) adding the definition of “tourist accommodation” under Section 4.0 (Definitions) to read as follows:

**“tourist accommodation”** means a building or buildings providing temporary accommodation for the travelling public, such as tourist cabins, lodges, motels, hotels, inns, or hostels, which may include common public facilities, such as an

eating and drinking establishment, gift shop; personal services, or spa; but shall not include recreational vehicles, park model trailers or mobile homes;

- xvi) adding the definition of “tourist cabin” under Section 4.0 (Definitions) to read as follows:

“**tourist cabin**” means the use of land for a detached building containing a maximum of one sleeping unit used exclusively for tourist accommodation for the temporary accommodation of the traveling public, and may include washroom facilities;

- xvii) adding the definition of “wet bar” under Section 4.0 (Definitions) to read as follows:

“**wet bar**” means an area within a dwelling unit, other than a cooking facility, used for the preparation of beverages. A wet bar includes one single sink, one compact refrigerator, freezer or ice maker and no more than 1.5 metres of counter and lower cabinet space. No natural gas or 220-volt connections are permitted in the same room as a wet bar, and a wet bar is not permitted in an accessory building or structure;

- xviii) replacing the reference to “Commercial Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Okanagan Falls Town Centre Zone	C4
Commercial Amusement Zone	C6
Recreational Vehicle Park Zone	C7
Service Commercial Zone	CS1
Tourist Commercial One Zone	CT1
Tourist Commercial Four (Campground) Zone	CT4

- xix) replacing Section 7.16 (Fuel Storage and Distribution) under Section 7.0 (General Regulations) in its entirety with the following:

**7.16**      *deleted.*

- xx) replacing Section 10.1.1(i) under Section 10.1 (Resource Area Zone) in its entirety with the following:

- i)      outdoor recreation;

- xxi) replacing Section 13.1 (Neighbourhood Commercial Zone) in its entirety with the following:

## **13.1 GENERAL COMMERCIAL ZONE (C1)**

### **13.1.1 Permitted Uses:**

#### Principal Uses:

- a) brewery, cidery, distillery, meadery or winery;
- b) eating and drinking establishments;
- c) indoor recreation;
- d) self-storage, not to exceed 250 m<sup>2</sup> in gross floor area;
- e) office;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) vehicle sales and rental;

#### Secondary Uses:

- j) accessory dwelling, subject to Section 7.11; and
- k) accessory buildings and structures, subject to Section 7.13.

### **13.1.2 Site Specific General Commercial (C1s) Provisions:**

- a) see Section 17.14.

### **13.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

### **13.1.4 Minimum Parcel Width:**

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

### **13.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

### **13.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres

- ii) Rear parcel line 4.5 metres
- iii) Interior side parcel line 4.5 metres
- iv) Exterior side parcel line 4.5 metres

**13.1.7 Maximum Height:**

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

**13.1.8 Maximum Parcel Coverage:**

- a) 50%

xxii) replacing Section 13.2 (Okanagan Falls Town Centre Zone) in its entirety with the following:

**13.2 OKANAGAN FALLS TOWN CENTRE ZONE (C4)**

**13.2.1 Permitted Uses:**

Principal Uses:

- a) art galleries, libraries, museums
- b) eating and drinking establishments;
- c) indoor recreation;
- d) multi-dwelling units, Subject to Section 13.2.5;
- e) offices;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) tourist accommodation;

Secondary Uses:

- j) accessory dwelling, subject to Section 7.11;
- k) bed and breakfast operation, subject to Section 7.19;
- l) home occupations, subject to Section 7.17; and
- m) accessory buildings and structures, subject to Section 7.13.

**13.2.2 Site Specific Okanagan Falls Town Centre (C4s) Provisions:**

- a) see Section 17.15.

**13.2.3 Minimum Parcel Size:**

- a) 500 m<sup>2</sup>, subject to servicing requirements.

**13.2.4 Minimum Parcel Width:**

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

**13.2.5 Multi-Unit Dwelling Regulations:**

- a) multi-dwelling units shall be located above the first floor or at the rear of a building containing a principal commercial use.

**13.2.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 3.0 metres
  - ii) Rear parcel line 0.0 metres
  - iii) Interior side parcel line 0.0 metres
  - iv) Exterior side parcel line 3.0 metres
- a) Accessory buildings and structures:
  - i) Front parcel line 3.0 metres
  - ii) Rear parcel line 0.0 metres
  - iii) Interior side parcel line 1.5 metres
  - iv) Exterior side parcel line 3.0 metres

**13.2.7 Maximum Height:**

- a) No building or structure shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

**13.2.8 Maximum Parcel Coverage:**

- a) 80%

xxiii) replacing Section 13.9 (Service Commercial One Zone) in its entirety with the following:

**13.9 SERVICE COMMERCIAL ONE ZONE (CS1)**

**13.9.1 Permitted Uses:**

Principal Uses:

- a) car washes;

- b) propane and other vehicle fuel sales;
- c) retail store, convenience;
- d) service industry establishment;
- e) service stations;
- f) vehicle sales and rentals;

Secondary Uses:

- g) accessory dwelling, subject to Section 7.11;
- h) eating and drinking establishment; and
- i) accessory buildings and structures, subject to Section 7.13.

**13.9.2 Site Specific Service Commercial (CS1s) Provisions:**

- a) see Section 17.31.

**13.9.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**13.9.4 Minimum Parcel Width:**

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

**13.9.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**13.9.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 3.0 metres
  - iv) Exterior side parcel line 4.5 metres
- b) Fuel distribution pumps, storage tanks or devices situated above ground:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**13.9.7 Maximum Height:**

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

**13.9.8 Maximum Parcel Coverage:**

- a) 35%

xxiv) replacing Section 15.2.1(b) under Section 15.2 (Parks and Recreation Zone) with the following:

- b) outdoor recreation;

xxv) replacing Section 15.2.1(g) under Section 15.2 (Parks and Recreation Zone) with the following:

- g) indoor recreation;

xxvi) replacing Section 17.14 (Site Specific Neighbourhood Commercial (C3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

**17.14 Site Specific General Commercial (C1s) Provisions:**

- .1 Not applicable.

16. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:

- i) changing the land use designation of the land described as Lot 1, Plan KAP20086, District Lot 374, SDYD, and as shown shaded yellow on Schedule 'D-201', which forms part of this Bylaw, from Neighbourhood Commercial (C3) to General Commercial (C1).
- ii) changing the land use designation of an approximately 3,400 m<sup>2</sup> part of the land described as Plan KAP434A, SDYD, PT OF OSOYOOS IR (DOG LAKE) EXC: PCL A PL B12862, PCL 1 PL B12863 & EXC PL 29119, KAP56993 & KAP6584, and as shown shaded yellow on Schedule 'D-202', which forms part of this Bylaw, from Commercial Amusement (C6) to Residential Two Family (Duplex) (RS3).
- iii) changing the land use designation of the land described as Lot A, Plan KAP35861, District Lot 374, SDYD (1207 Highway 97), and Lot A, Plan KAP9712, District Lot 374, SDYD, Except Plan 9973 (1279 Highway 97), and as shown shaded yellow on Schedule 'D-209', which forms part of this Bylaw, from Tourist Commercial One (CT1) to General Commercial (C1).

- iv) changing the land use designation of all parcels zoned Service Commercial One (CS1) to Service Commercial (CS1).

### Electoral Area "E"

17. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:

- i) replacing the reference to "Commercial Designation" under Section 4.0 (Official Community Plan Map Designations) in its entirety with the following:

**Commercial Designations:**

Commercial	C
Commercial Tourist	CT

- ii) replacing Section 12.0 (Commercial) in its entirety with the following and renumbering all subsequent sections:

## **12.0 COMMERCIAL**

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### **12.1 Background**

Traditional commercial development in the Plan area has generally been limited to the Naramata Town Centre designation, however, a thriving service industry centred around the wineries of Naramata has supplanted this, offering visitors and locals varied eating, drinking, recreational and accommodation opportunities on agricultural lands.

The Plan will continue, however, to recognize commercial and tourist commercial developments under the same Commercial land use designation and as occurring on lands outside of the Agricultural Land Reserve (ALR).

The Plan recognizes that large scale service, industrial, and commercial development will be directed to Primary Growth Areas, such as the City of Penticton, as they are better able to function as regional service centers.

### **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.

- .4 To minimize land use incompatibility between commercial activities and surrounding land uses.
- .5 To ensure the scale of all commercial developments harmonize with the natural surroundings and the rural character of the Plan area.

### **12.3 Policies – General Commercial**

The Regional Board:

- .1 Generally 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 developed in conjunction with future residential or commercial tourism developments.
- .3 Limits commercial development along Naramata Road to parcels already zoned accordingly, or designated as Commercial (C) or Commercial Tourist (CT).
- .4 Directs major office, service and general business commercial uses to Primary Growth Areas such as the City of Penticton, which have the necessary infrastructure and support services.
- .5 Encourages an attractive and safe streetscapes by including provisions for adequate off-street parking requirements, landscaping and screening, height requirements, signage and drainage within the implementing bylaws for commercial uses.
- .6 Encourages, through responsible environmental practices, future commercial development to locate away from Okanagan Lake and other watercourses in order to reduce human impacts on the lake, and in order to maintain and improve water quality and habitat.

### **12.4 Policies – Tourist Commercial**

The Regional Board:

- .1 Generally supports the use of lands designated Commercial Tourist (CT) identified in Schedule 'B' Official Community Plan Map for commercial services and activities catering to tourists, including campgrounds, resorts, RV parks, and golf courses.
- .2 Encourages open space recreation and resort commercial opportunities, such as guest ranches, trail rides and/or wilderness guides in areas designated as Resource Area 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 roads;
  - e) can be adequately serviced by emergency services, in particular fire protection;
  - f) meet any Watercourse or Environmentally Sensitive Development Permit Area requirements;
  - g) are outside areas susceptible to natural hazards, including but not limited to, 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.

18. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:

- i) changing the land use designation of an approximately 7.9 ha part of the land described as District Lot 86S, SDYD (7451 North Naramata Road) and Parcel A, Portion DD49640F, Plan KAP3420B, District Lot 391, SDYD (7307 North Naramata Road), and as shown shaded yellow on Schedule 'E-102', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- ii) changing the land use designation of an approximately 4.7 ha part of the land described as District Lot 86S, SDYD, and as shown shaded yellow on Schedule 'E-103', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- iii) changing the land use designation of the land described as District Lot 511S, SDYD, Commercial Resort at Chute Lake, and as shown shaded yellow on Schedule 'E-104', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- iv) changing the land use designation of the land described as Lot A, Plan KAP41292, District Lot 210, SDYD, and as shown shaded yellow on Schedule 'E-105', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- v) changing the land use designation of the land described as Lots 1-4, Block 61, Plan KAP519, District Lot 210, SDYD, and as shown shaded yellow on Schedule 'E-106', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).

- vi) changing the land use designation of the land described as Plan KAP575, District Lot 210, SDYD, Except Plan KAP45385; Plan KAP575, Block 155, District Lot 210, SDYD, Except Plan KAP45385; and Plan KAP575, Block 156, District Lot 210, SDYD, Except Plan KAP45385, and as shown shaded yellow on Schedule 'E-107, which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).

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

- i) deleting the definitions of "amusement establishment, indoor", "amusement establishment, outdoor", "fruit and vegetable stand", "other agricultural activity", "permits", "recreation services, indoor", "recreation services, outdoor", "resort", "riparian assessment area" under Section 4.0 (Definitions).

- ii) replacing the definition of "campground" under Section 4.0 (Definitions) with the following:

**"campground"** means a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist cabins or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an office as part of the permitted use but does not include hotels, manufactured homes, manufactured home parks, motels or park model trailers;

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

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

- iv) adding the definition of "cooking facilities" under Section 4.0 (Definitions) to read as follows:

**"cooking facilities"** means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, sinks, stoves, dishwashers and other appliances, plumbing, or wiring which, may be intended or used for the preparation or cooking of food;

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

“**duplex dwelling**” means a building containing two principal dwelling units with each unit having an independent exterior entrance;
- vi) adding the definition of “golf course” under Section 4.0 (Definitions) to read as follows:

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

“**hotel**” means a building containing commercial guest sleeping units, and a lobby area for guest registration and access to the sleeping units and may contain accessory uses such as a restaurant, licensed drinking facilities, accessory retail store, and meeting rooms;
- viii) adding the definition of “indoor recreation” under Section 4.0 (Definitions) to read as follows:

“**indoor recreation**” means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;
- ix) replacing the definition of “motel” under Section 4.0 (Definitions) with the following:

“**motel**” means a building or buildings containing housekeeping and/or not less than six sleeping units each with an exterior entrance and designed to provide temporary accommodation for the travelling public;
- x) adding the definition of “motorsports facility” under Section 4.0 (Definitions) to read as follows:

“**motorsports facility**” means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes advanced driver training and vehicle testing, drag strip, racing circuit, sports car track, skidpad, off-road course and other uses and facilities accessory to motor vehicle racing;
- xi) adding the definition of “office” under Section 4.0 (Definitions) to read as follows:

**“office”** means a business premises or building, designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;

- xii) adding the definition of “outdoor market” under Section 4.0 (Definitions) to read as follows:

**“outdoor market”** means a temporary use where groups of individual sellers offer new and used goods, crafts or produce for sale directly to the public;

- xiii) adding the definition of “outdoor recreation” under Section 4.0 (Definitions) to read as follows:

**“outdoor recreation”** means a facility used and equipped for the conduct of outdoor sports, leisure and entertainment activities, instructional courses and equipment rentals and may require amenities such as showers and storage, and that excludes equestrian centres and golf course;

- xiv) replacing the definition of “personal services establishment” under Section 4.0 (Definitions) with the following:

**“personal services establishment”** means a business or building where services intended for an individual are provided, and where any sale of retail goods is accessory to the provision of such services, including: hair cutting, beauty services, tanning, tattoo shop, shoe repair, medical and dental services, chiropractor services, acupuncture, naturopathy, physical therapy, massage therapy, counseling, veterinary establishment, tailoring, locksmithing and dry cleaning or laundries;

- xv) adding the definition of “retail store, convenience” under Section 4.0 (Definitions) to read as follows:

**“retail store, convenience”** means a retail sales outlet for the sale of foodstuffs, periodicals, sundries, fresh fruit and vegetables, hygienic or cosmetic goods or plants to serve the residents of the surrounding community on a day to day basis, which may include a confectionery, delicatessen, meat market, bakery, automated banking machines, video sales and rental, and depots for film or postal services, and which has a maximum gross retail floor area including storage of 250 m<sup>2</sup>;

- xvi) replacing the definition of “retail store, general” under Section 4.0 (Definitions) with the following:

**“retail store, general”** means premises where goods, merchandise, and other materials, and personal services, including those listed for convenience retail

stores, are offered for sale at retail to the general public. Typical uses include by are not limited to grocery, clothing, shoe, hardware, pharmaceutical, appliance, and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment or retail stores requiring outdoor storage;

- xvii) adding the definition of “sleeping unit” under Section 4.0 (Definitions) to read as follows:

“**sleeping unit**” means one or more habitable rooms used or intended to be used for sleeping or sleeping and living purposes, but does not include cooking facilities;

- xviii) adding the definition of “tourist accommodation” under Section 4.0 (Definitions) to read as follows:

“**tourist accommodation**” means a building or buildings providing temporary accommodation for the travelling public, such as tourist cabins, lodges, motels, hotels, inns, or hostels, which may include common public facilities, such as an eating and drinking establishment, gift shop; personal services, or spa; but shall not include recreational vehicles, park model trailers or mobile homes;

- xix) replacing the definition of “tourist cabin” under Section 4.0 (Definitions) in its entirety with the following:

“**tourist cabin**” means the use of land for a detached building containing a maximum of one sleeping unit used exclusively for tourist accommodation for the temporary accommodation of the traveling public, and may include washroom facilities;

- xx) adding the definition of “wet bar” under Section 4.0 (Definitions) to read as follows:

“**wet bar**” means an area within a dwelling unit, other than a cooking facility, used for the preparation of beverages. A wet bar includes one single sink, one compact refrigerator, freezer or ice maker and no more than 1.5 metres of counter and lower cabinet space. No natural gas or 220-volt connections are permitted in the same room as a wet bar, and a wet bar is not permitted in an accessory building or structure;

- xxi) replacing the reference to “Commercial Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Tourist Commercial One Zone	CT1

xxii) replacing Section 13.1 (General Commercial Zone) in its entirety with the following:

## **13.1 GENERAL COMMERCIAL ZONE (C1)**

### **13.1.1 Permitted Uses:**

#### Principal Uses:

- a) brewery, cidery, distillery, meadery or winery;
- b) eating and drinking establishments;
- c) indoor recreation;
- d) self-storage, not to exceed 250 m<sup>2</sup> in gross floor area;
- e) office;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) vehicle sales and rental;

#### Secondary Uses:

- j) accessory dwelling, subject to Section 7.11; and
- k) accessory buildings and structures, subject to Section 7.13.

### **13.1.2 Site Specific General Commercial (C1s) Provisions:**

- a) see Section 15.11.

### **13.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

### **13.1.4 Minimum Parcel Width:**

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

### **13.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

### **13.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres

- iii) Interior side parcel line 4.5 metres
- iv) Exterior side parcel line 4.5 metres

**13.1.7 Maximum Height:**

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

**13.1.8 Maximum Parcel Coverage:**

- a) 50%

xxiii) replacing Section 14.3.1(b) under Section 14.2 (Parks and Recreation Zone) with the following:

- b) outdoor recreation;

xxiv) replacing Section 14.2.1(g) under Section 14.2 (Parks and Recreation Zone) with the following:

- g) indoor recreation;

20. The Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:

- i) changing the land use designation of the land described as Lot 2, Plan KAP26537, District Lot 207, SDYD, and as shown shaded yellow on Schedule 'E-201', which forms part of this Bylaw, from General Commercial Site Specific (C1s) to General Commercial (C1).

Electoral Area "F":

21. The Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008, is amended by:

- i) replacing the reference to "Commercial Designation" under Section 3.0 (Official Community Plan Map Designations) in its entirety with the following:

**Commercial Designations:**

Commercial	C
Commercial Tourist	CT

- ii) replacing Section 9.0 (Commercial) in its entirety with the following:

**9.0 COMMERCIAL**

---

**9.1 Background**

Commercial development in the Plan area is very limited, comprising a neighbourhood commercial zone in the West Bench, a fruit stand and tourist accommodation uses adjacent Highway 97 north of Summerland and unrealized commercial development opportunities north of Okanagan Lake Provincial Park (including at Greata Ranch).

## **9.2 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.

## **9.3 Policies – General Commercial**

The Regional Board:

- .1 Generally 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 developed in conjunction with future residential or commercial tourism developments.
- .3 Limits highway commercial development along Highways 97 to parcels already zoned accordingly, or designated as Commercial (C) or Commercial Tourist (CT).
- .4 Will work with the Ministry of Transportation and Infrastructure to help ensure safe access and egress for commercial areas fronting Highway 97.
- .5 Directs major office, service and general business commercial uses to Primary Growth Areas such as the District of Summerland or City of Penticton, which have the necessary infrastructure and support services.

## **9.4 Policies – Tourist Commercial**

The Regional Board:

- .1 Generally supports the use of lands designated Commercial Tourist (CT) identified in Schedule 'B' Official Community Plan Map for commercial services and activities catering to tourists, including campgrounds, resorts, RV parks, and golf courses.
- .2 Encourages open space recreation and resort commercial opportunities, such as guest ranches, trail rides and/or wilderness guides in areas

designated as Resource Area 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 (Highway 97);
  - e) can be adequately serviced by emergency services, in particular fire protection;
  - f) meet any Watercourse or Environmentally Sensitive Development Permit Area requirements;
  - g) are outside areas susceptible to natural hazards, including but not limited to, 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.

iii) The Official Community Plan Map, being Schedule 'B' of the Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008, is amended by

- a) changing the land use designation of the land shown shaded yellow on Schedule 'F-101', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
- b) changing the land use designation of an approximately 11.49 ha part of the land described as Lot A, Plan EPP5204, District 2695, ODYD, and shown shaded yellow on Schedule 'F-104', which forms part of this Bylaw, from Small Holdings (SH) to Commercial Tourist (CT).
- c) changing the land use designation of an approximately 1,900 m<sup>2</sup> part of the land described as Lot A, Plan KAP40762, District 702, ODYD, and District Lot 5136, and shown shaded purple on Schedule 'F-107', which forms part of this Bylaw, from Administrative, Cultural and Institutional (AI) to Commercial Tourist (CT).
- d) changing the land use designation of the land described as Lot A, Plan KAP45722, District 5076 & 5087, ODYD, and shown shaded purple on Schedule 'F-108', which forms part of this Bylaw, from Small Holdings (SH) to Commercial Tourist (CT).

22. The Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:

- i) deleting the definitions of “commercial use”, “environmentally sensitive area”, “fruit and vegetable stand”, “household pets”, “lodge”, “on-site sewage disposal”, “open land recreation”, “permitted use”, qualified environmental professional (QEP)”, “recreation services, indoor”, “recreation services, outdoor”, “resort”, “retail trade”, “riparian assessment area”, “senior citizen housing” under Section 4.0 (Definitions).
- ii) replacing the definition of “campground” under Section 4.0 (Definitions) with the following:

“**campground**” means a parcel of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, tourist cabins or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an office as part of the permitted use but does not include hotels, manufactured homes, manufactured home parks, motels or park model trailers;
- iii) replacing the definition of “conservation area” under Section 4.0 (Definitions) with the following:

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

“**cooking facilities**” means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, sinks, stoves, dishwashers and other appliances, plumbing, or wiring which, may be intended or used for the preparation or cooking of food;
- v) replacing the definition of “golf course” under Section 4.0 (Definitions) with the following:

“**golf course**” means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar accessory facilities, including banquet facilities, necessary for golf purposes and which may include buildings necessary for the maintenance and administration of the golf course;
- vi) replacing the definition of “hotel” under Section 4.0 (Definitions) with the following:

**“hotel”** means a building containing commercial guest sleeping units, and a lobby area for guest registration and access to the sleeping units and may contain accessory uses such as a restaurant, licensed drinking facilities, accessory retail store, and meeting rooms;

- vii) adding the definition of “indoor recreation” under Section 4.0 (Definitions) to read as follows:

**“indoor recreation”** means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;

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

**“motel”** means a building or buildings containing housekeeping and/or not less than six sleeping units each with an exterior entrance and designed to provide temporary accommodation for the travelling public;

- ix) adding the definition of “motorsports facility” under Section 4.0 (Definitions) to read as follows:

**“motorsports facility”** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes advanced driver training and vehicle testing, drag strip, racing circuit, sports car track, skidpad, off-road course and other uses and facilities accessory to motor vehicle racing;

- x) adding the definition of “office” under Section 4.0 (Definitions) to read as follows:

**“office”** means a business premises or building, designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;

- xi) adding the definition of “outdoor market” under Section 4.0 (Definitions) to read as follows:

**“outdoor market”** means a temporary use where groups of individual sellers offer new and used goods, crafts or produce for sale directly to the public;

- xii) adding the definition of “outdoor recreation” under Section 4.0 (Definitions) to read as follows:

**“outdoor recreation”** means a facility used and equipped for the conduct of outdoor sports, leisure and entertainment activities, instructional courses and equipment rentals and may require amenities such as showers and storage, and that excludes equestrian centres and golf course;

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

**“personal services establishment”** means a business or building where services intended for an individual are provided, and where any sale of retail goods is accessory to the provision of such services, including: hair cutting, beauty services, tanning, tattoo shop, shoe repair, medical and dental services, chiropractor services, acupuncture, naturopathy, physical therapy, massage therapy, counseling, veterinary establishment, tailoring, locksmithing and dry cleaning or laundries;

- xiv) adding the definition of “retail store, general” under Section 4.0 (Definitions) to read as follows:

**“retail store, general”** means premises where goods, merchandise, and other materials, and personal services, including those listed for convenience retail stores, are offered for sale at retail to the general public. Typical uses include but are not limited to grocery, clothing, shoe, hardware, pharmaceutical, appliance, and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment or retail stores requiring outdoor storage;

- xv) replacing the definition of “convenience store” under Section 4.0 (Definitions) with the following:

**“retail store, convenience”** means a retail sales outlet for the sale of foodstuffs, periodicals, sundries, fresh fruit and vegetables, hygienic or cosmetic goods or plants to serve the residents of the surrounding community on a day to day basis, which may include a confectionery, delicatessen, meat market, bakery, automated banking machines, video sales and rental, and depots for film or postal services, and which has a maximum gross retail floor area including storage of 250 m<sup>2</sup>;

- xvi) adding the definition of “sleeping unit” under Section 4.0 (Definitions) to read as follows:

**“sleeping unit”** means one or more habitable rooms used or intended to be used for sleeping or sleeping and living purposes, but does not include cooking facilities;

- xvii) adding the definition of “tourist accommodation” under Section 4.0 (Definitions) to read as follows:

**“tourist accommodation”** means a building or buildings providing temporary accommodation for the travelling public, such as tourist cabins, lodges, motels,

hotels, inns, or hostels, which may include common public facilities, such as an eating and drinking establishment, gift shop; personal services, or spa; but shall not include recreational vehicles, park model trailers or mobile homes;

- xviii) adding the definition of “tourist cabin” under Section 4.0 (Definitions) to read as follows:

“**tourist cabin**” means the use of land for a detached building containing a maximum of one sleeping unit used exclusively for tourist accommodation for the temporary accommodation of the traveling public, and may include washroom facilities;

- xix) adding the definition of “wet bar” under Section 4.0 (Definitions) to read as follows:

“**wet bar**” means an area within a dwelling unit, other than a cooking facility, used for the preparation of beverages. A wet bar includes one single sink, one compact refrigerator, freezer or ice maker and no more than 1.5 metres of counter and lower cabinet space. No natural gas or 220-volt connections are permitted in the same room as a wet bar, and a wet bar is not permitted in an accessory building or structure;

- xx) replacing the reference to “Commercial Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Marina Commercial Zone	C5
Tourist Commercial One Zone	CT1
Tourist Commercial Two (Limited) Zone	CT2
Tourist Commercial Three (Limited) Zone	CT3

- xxi) replacing Section 10.1.1(l) under Section 10.1 (Resource Area Zone) in its entirety with the following:

l) outdoor recreation on parcels greater than 12.0 ha in area;

- xxii) replacing Section 13.1 (Neighbourhood Commercial Zone) in its entirety with the following:

**13.1 GENERAL COMMERCIAL ZONE (C1)**

**13.1.1 Permitted Uses:**

Principal Uses:

- a) brewery, cidery, distillery, meadery or winery;

- b) eating and drinking establishments;
- c) indoor recreation;
- d) self-storage, not to exceed 250 m<sup>2</sup> in gross floor area;
- e) office;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) vehicle sales and rental;

Secondary Uses:

- j) accessory dwelling, subject to Section 7.11; and
- k) accessory buildings and structures, subject to Section 7.13.

**13.1.2 Site Specific General Commercial (C1s) Provisions:**

- a) see Section 16.13.

**13.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**13.1.4 Minimum Parcel Width:**

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

**13.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**13.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 4.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**13.1.7 Maximum Height:**

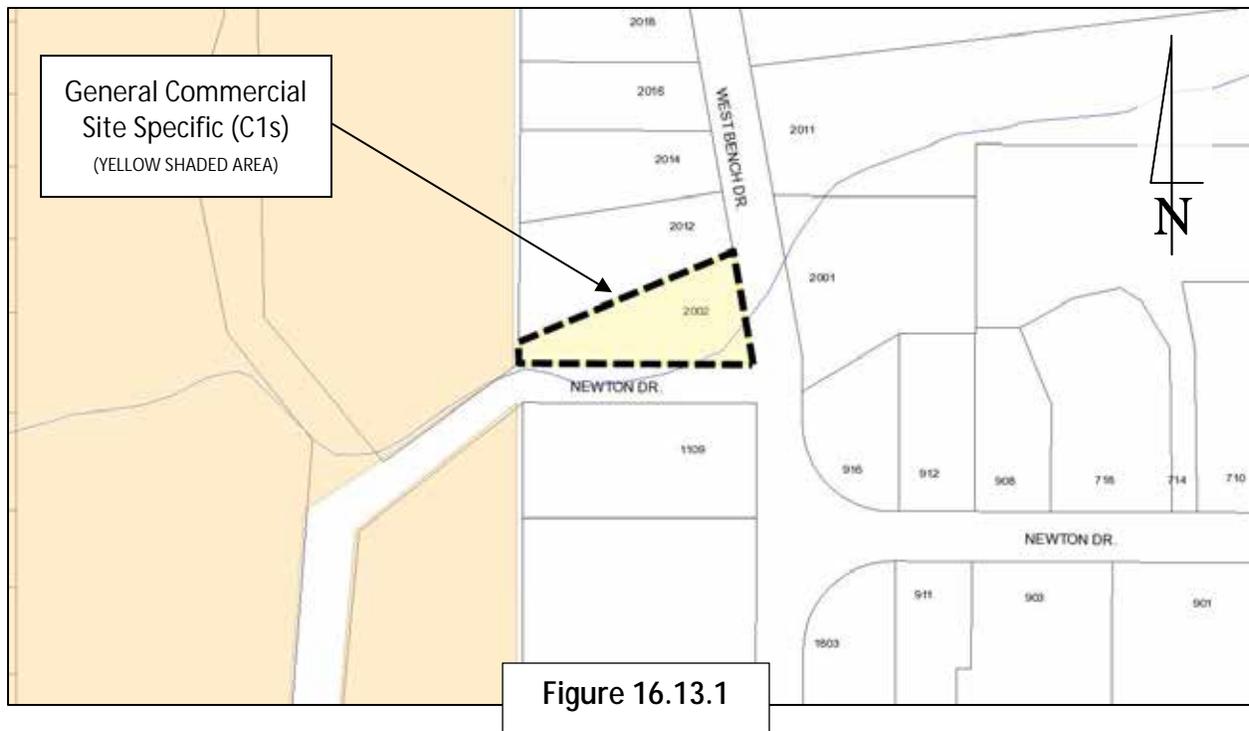
- a) No building or structure shall exceed a height of 10.0 metres.

**13.1.8 Maximum Parcel Coverage:**

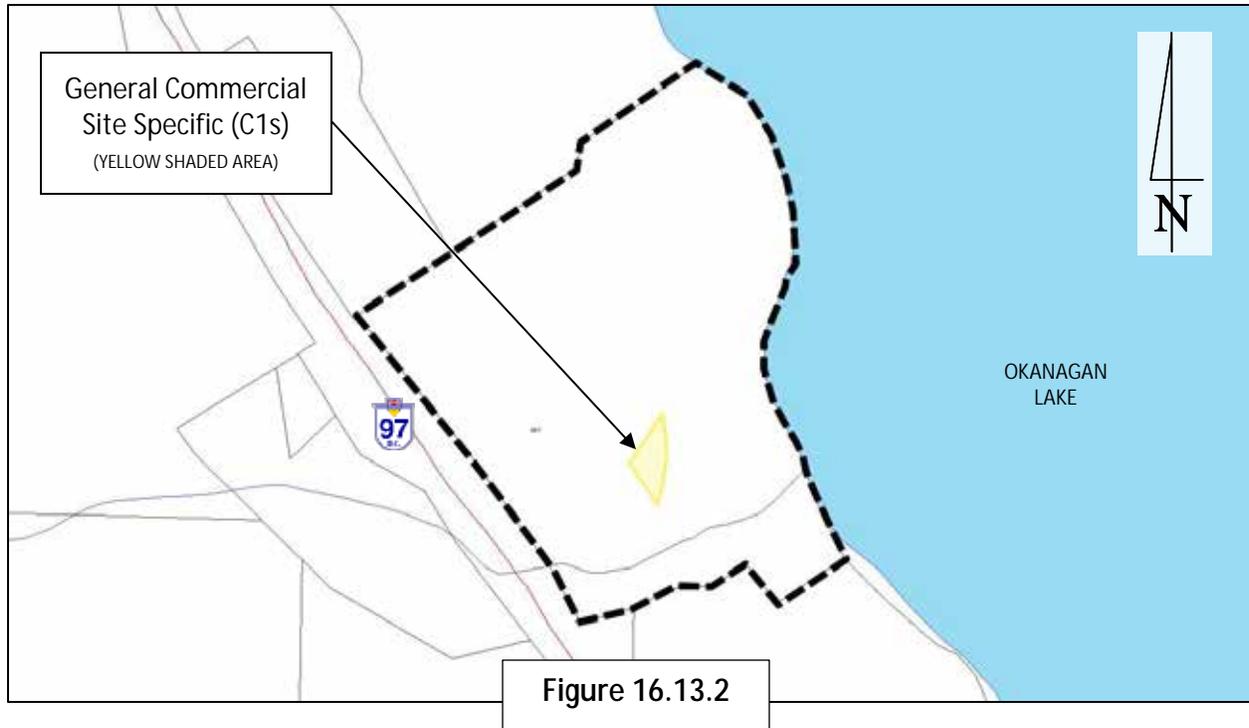
- a) 50%
- xxiii) replacing Section 15.2.1(b) under Section 15.2 (Parks and Recreation Zone) with the following:
  - b) outdoor recreation;
- xxiv) replacing Section 15.2.1(g) under Section 15.2 (Parks and Recreation Zone) with the following:
  - g) indoor recreation;
- xxv) replacing Section 16.1.1(b)(i) under Section 16.1 (Site Specific Resource Area (RAs) Provisions) in its entirety with the following:
  - i) provincial reserve, community recreation services and outdoor recreation;
- xxvi) replacing Section 16.13 (Site Specific Neighbourhood Commercial (C3s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

**16.13 Site Specific General Commercial (C1s) Provisions:**

- .1 in the case of land described as Lot 1, Plan KAP14266, District Lot 5076, ODYD (2002 West Bench Drive), and shown shaded yellow on Figure 16.13.1:
  - a) the following principal uses and no others shall be permitted on the land:
    - i) eating and drinking establishment;
    - ii) offices;
    - iii) personal service establishment;
    - iv) retail sales, convenience.
  - b) the following accessory uses and no others shall be permitted on the land:
    - i) one (1) accessory dwelling, subject to Section 7.11; and
    - ii) accessory buildings and structures, subject to Section 7.13.



- .2 in the case of an approximately 1,150 m<sup>2</sup> part of the land described as Lot 1, Plan KAP83541, District Lot 2537, ODYD, Except Plan KAP85241 (697 Highway 97), and shown shaded yellow on Figure 16.13.2:
- a) the following principal uses and no others shall be permitted on the land:
    - i) eating and drinking establishment;
    - ii) offices;
    - iii) personal service establishment;
    - iv) retail sales, convenience.
  - b) the following accessory uses and no others shall be permitted on the land:
    - iii) one (1) accessory dwelling, subject to Section 7.11; and
    - iv) accessory buildings and structures, subject to Section 7.13.



23. The Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
- i) changing the land use designation of the land described as Lot 1, Plan KAP12218, District Lot 2694, ODYD (533 Highway 97), and shown shaded yellow on Schedule 'F-205', which forms part of this Bylaw, from Tourist Commercial One (CT1) to General Commercial (C1).
  - ii) changing the land use designation of the land described as Lot 1, Plan KAP14266, District Lot 5076, ODYD, and shown shaded yellow on Schedule 'F-203', which forms part of this Bylaw, from Neighbourhood Commercial Site Specific (C3s) to General Commercial Site Specific (C1s).
  - iii) changing the land use designation of an approximately 1,150 m<sup>2</sup> part of the land described as Lot 1, Plan KAP83541, District Lot 2537, ODYD, Except Plan KAP85241, and shown shaded yellow on Schedule 'F-206', which forms part of this Bylaw, from Neighbourhood Commercial Site Specific (C3s) to General Commercial Site Specific (C1s).

READ A FIRST AND SECOND TIME this 5<sup>th</sup> day of July, 2018.

PUBLIC HEARING held on this 2<sup>nd</sup> day of August, 2018.

READ A THIRD TIME this 2<sup>nd</sup> day of August, 2018.

Approved pursuant to Section 52(3) of the *Transportation Act* this 13<sup>th</sup> day of September, 2018.

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

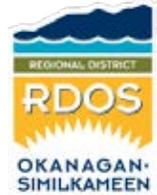
\_\_\_\_\_  
Board Chair

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

# Regional District of Okanagan-Similkameen

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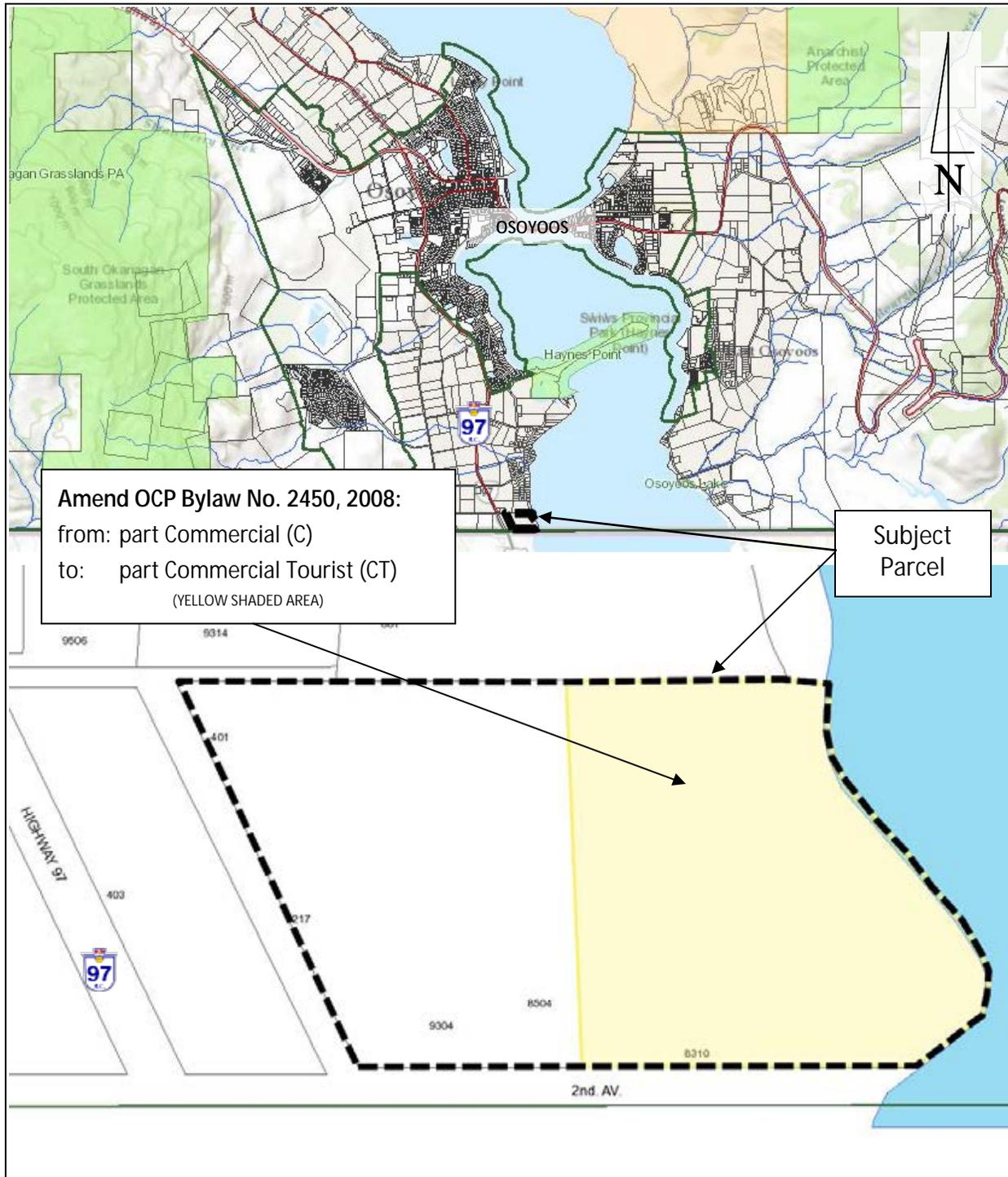
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

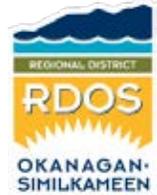
Project No: X2017.106-ZONE

Schedule 'A-101'



# Regional District of Okanagan-Similkameen

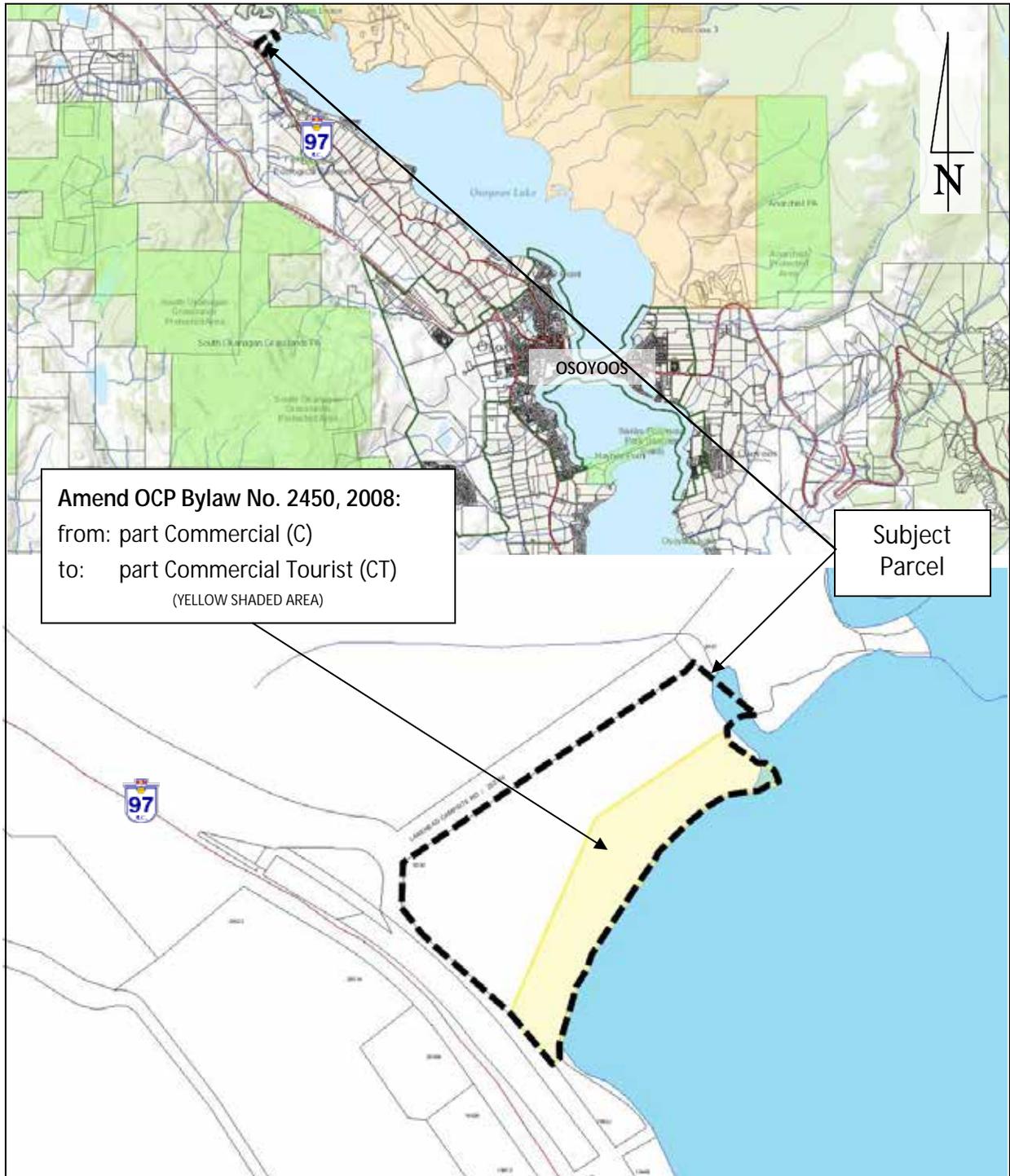
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

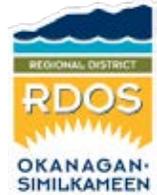
Schedule 'A-102'



# Regional District of Okanagan-Similkameen

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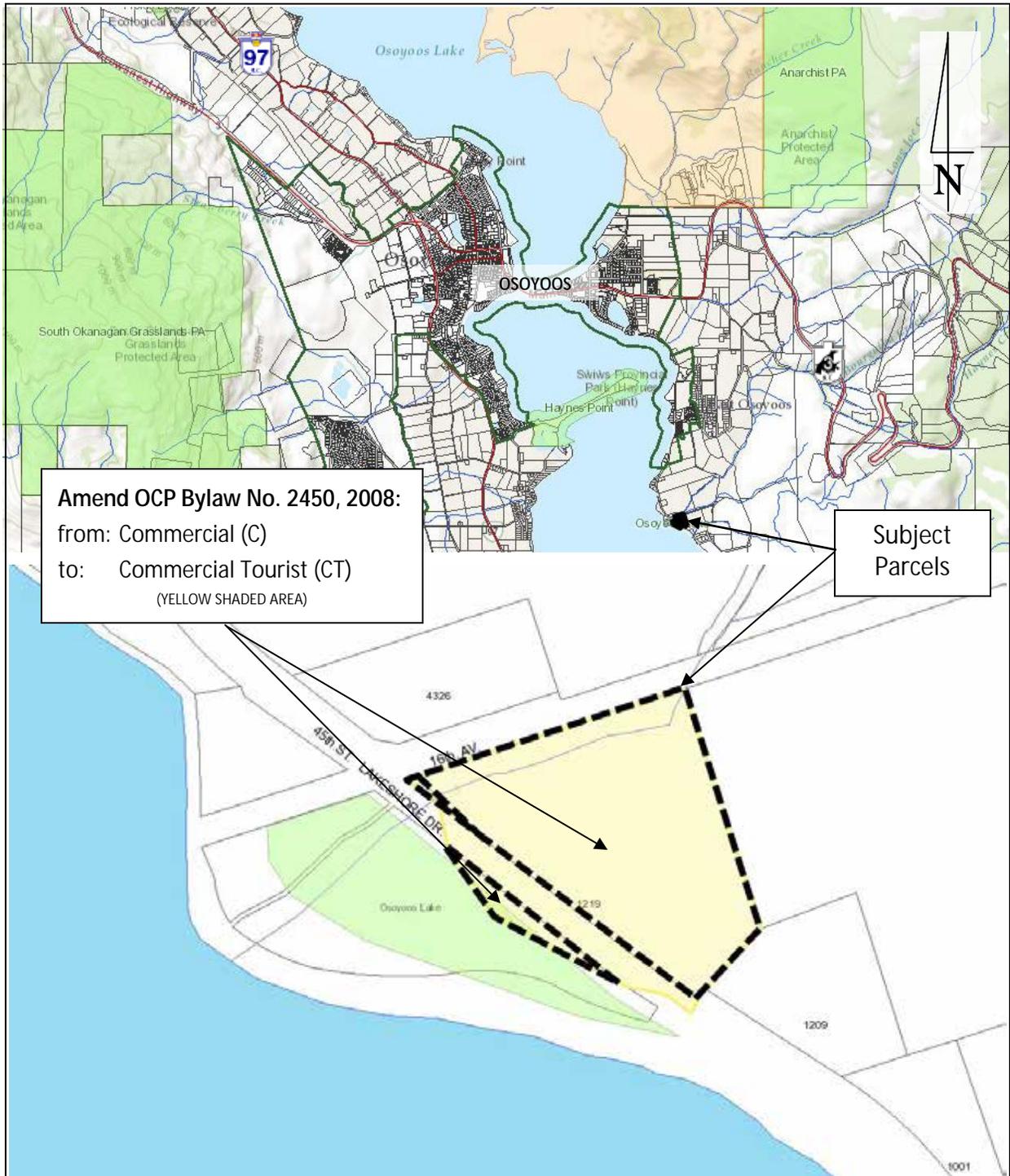
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Amendment Bylaw No. 2788, 2018

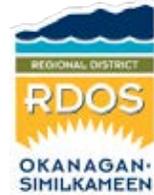
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Schedule 'A-103'



# Regional District of Okanagan-Similkameen

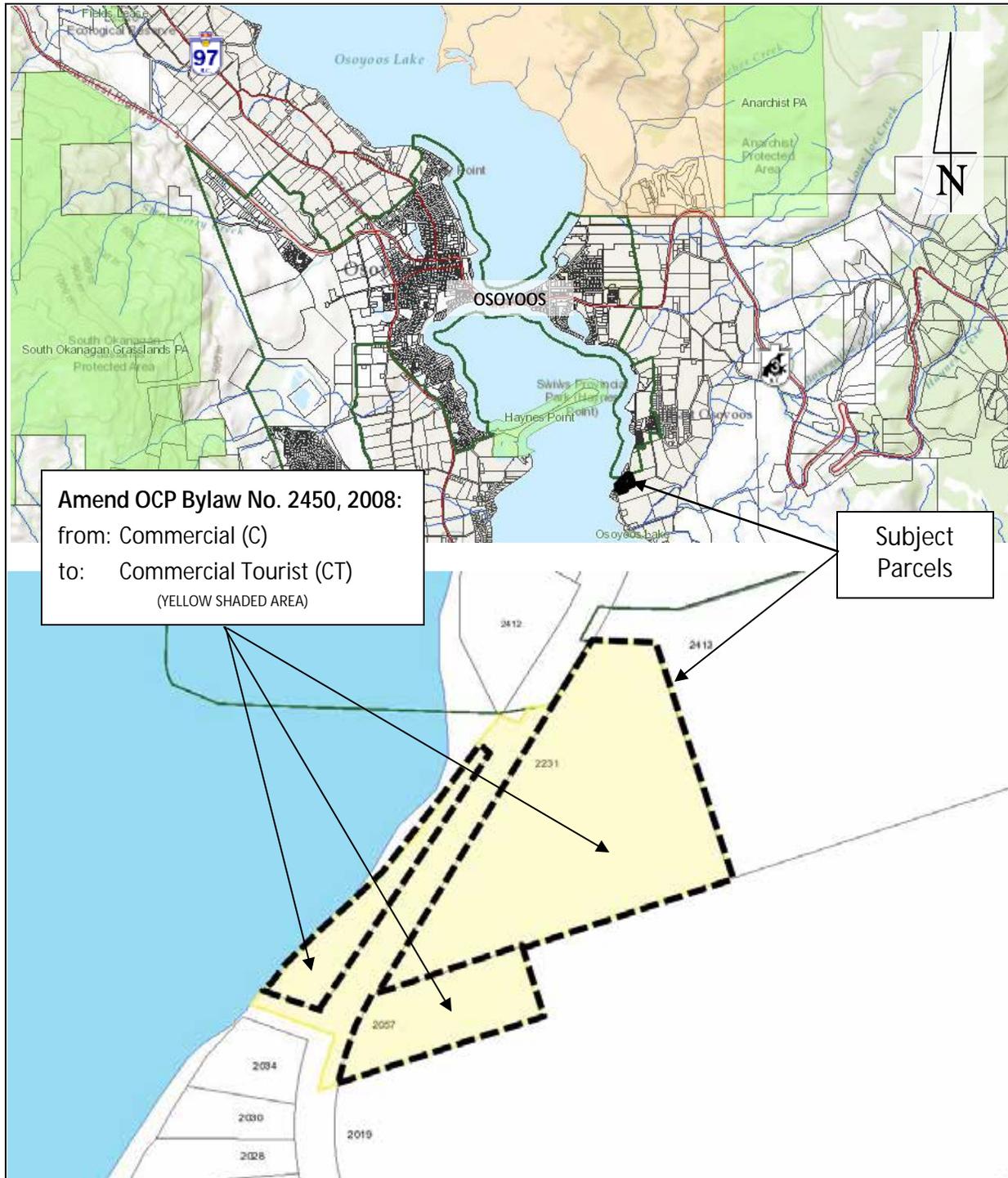
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Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

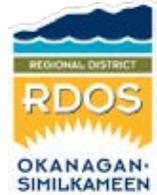
Schedule 'A-104'



# Regional District of Okanagan-Similkameen

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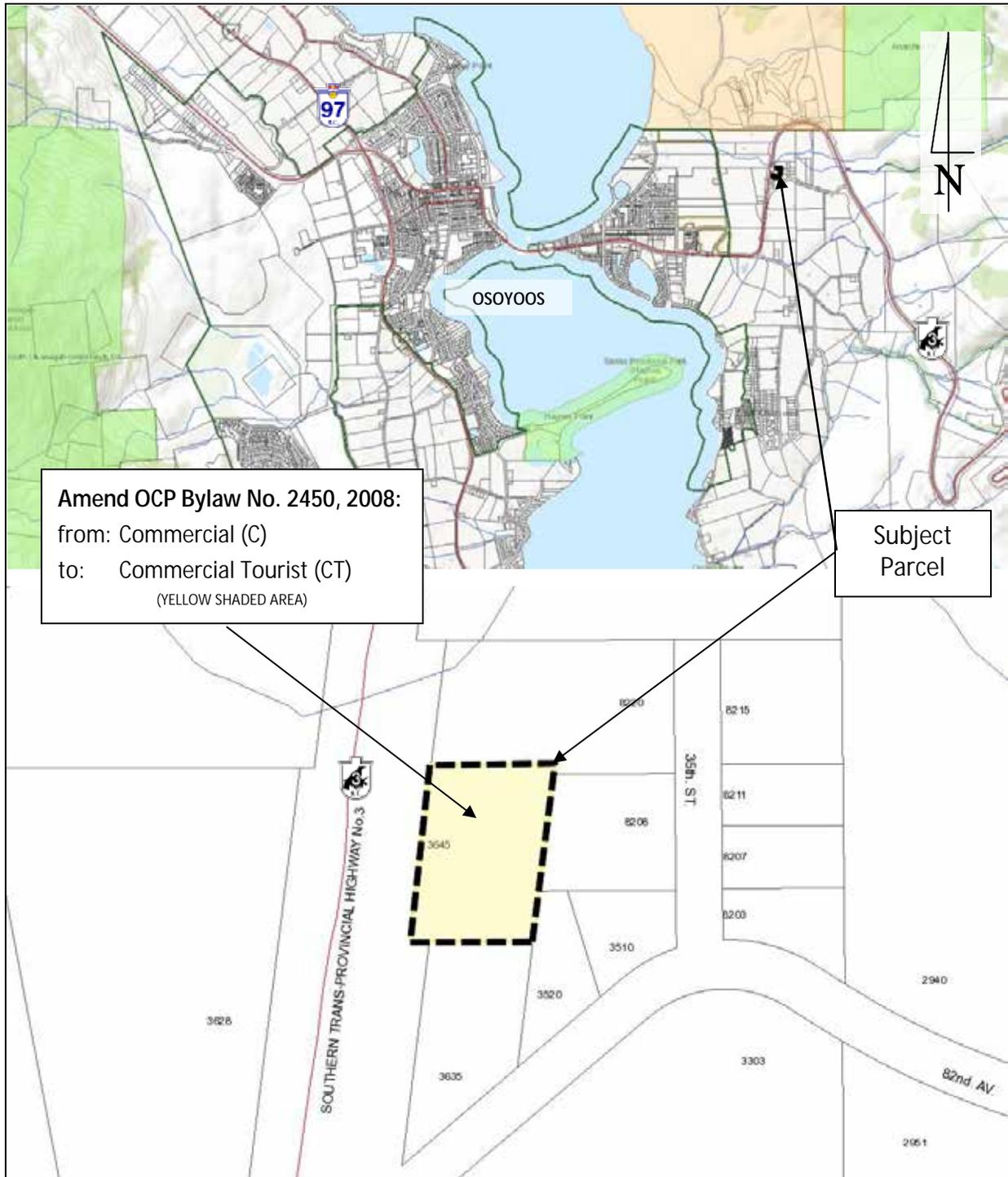
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Amendment Bylaw No. 2788, 2018

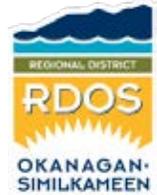
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Schedule 'A-105'



# Regional District of Okanagan-Similkameen

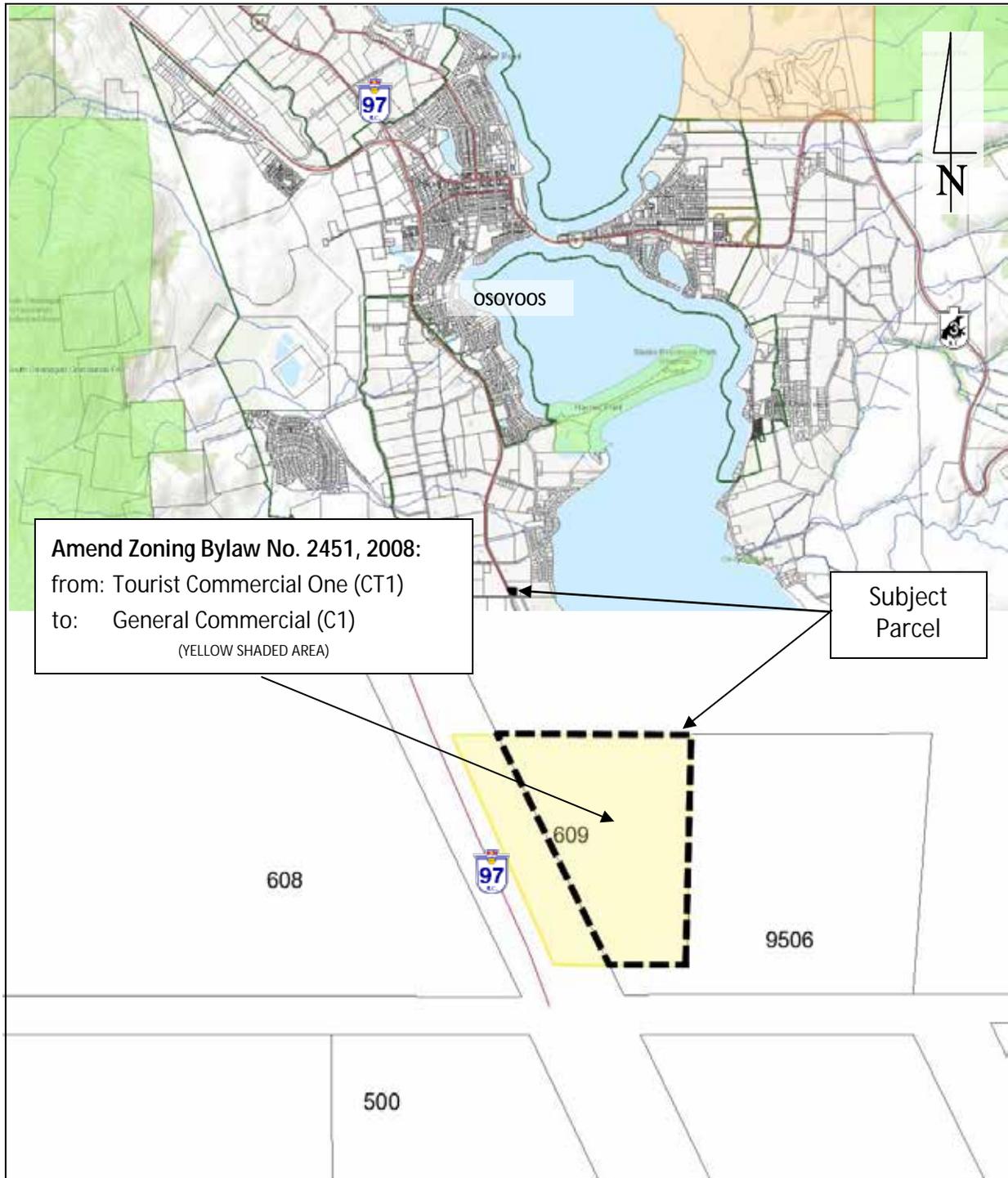
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Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

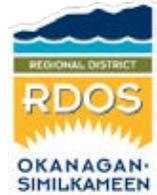
Schedule 'A-206'



# Regional District of Okanagan-Similkameen

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

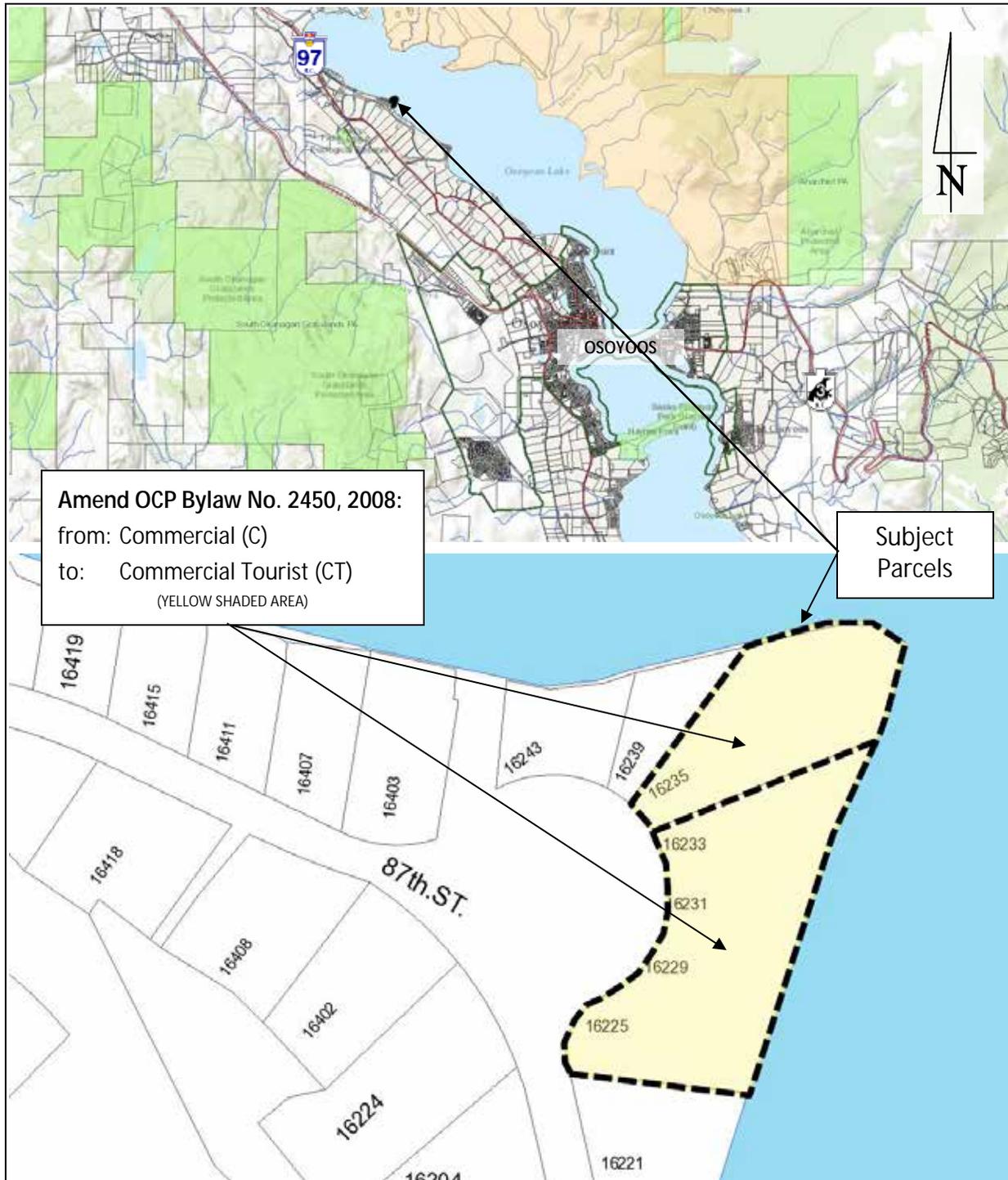
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

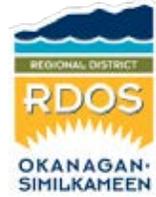
Schedule 'A-107'



# Regional District of Okanagan-Similkameen

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

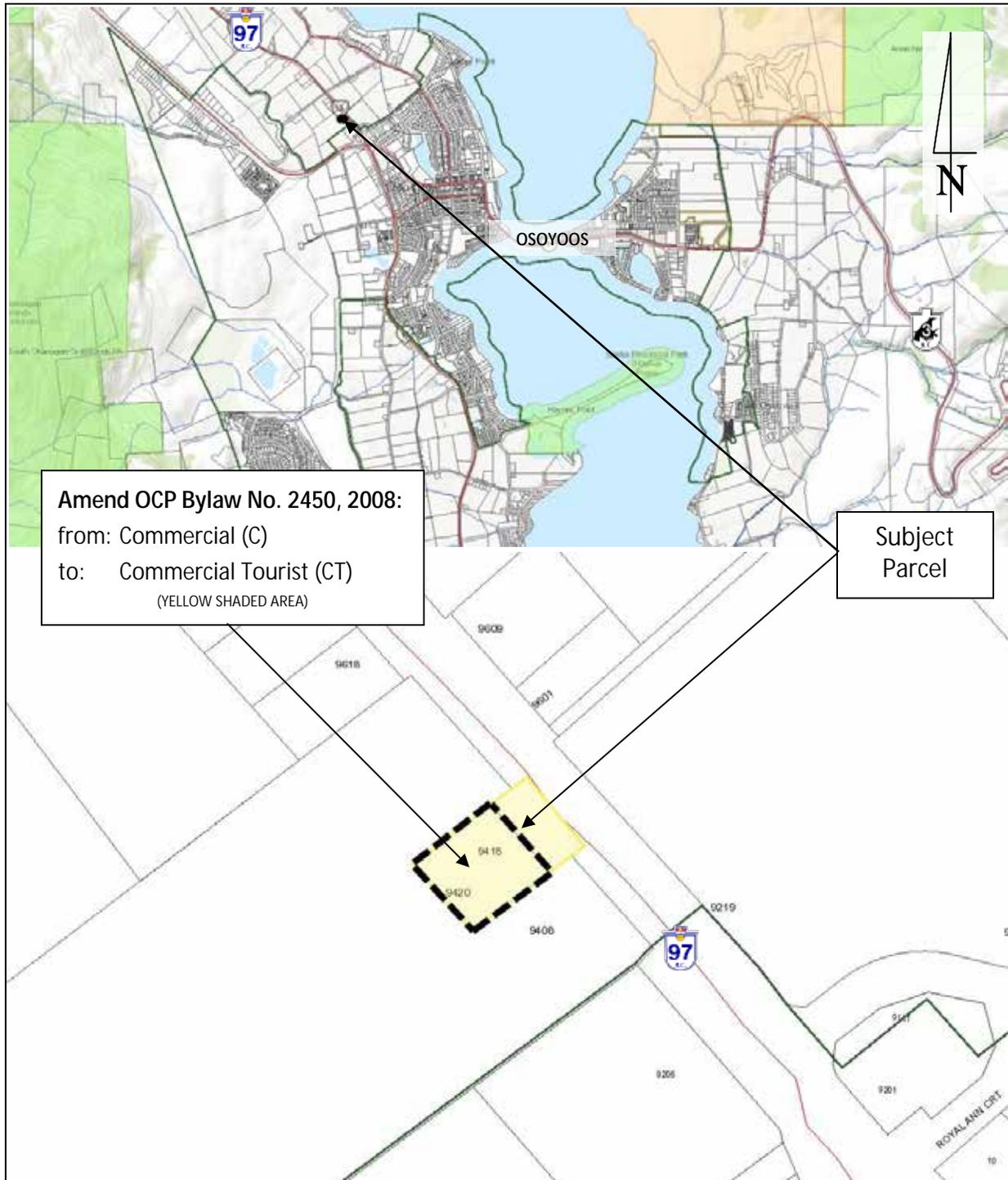
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

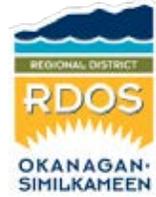
Schedule 'A-108'



# Regional District of Okanagan-Similkameen

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

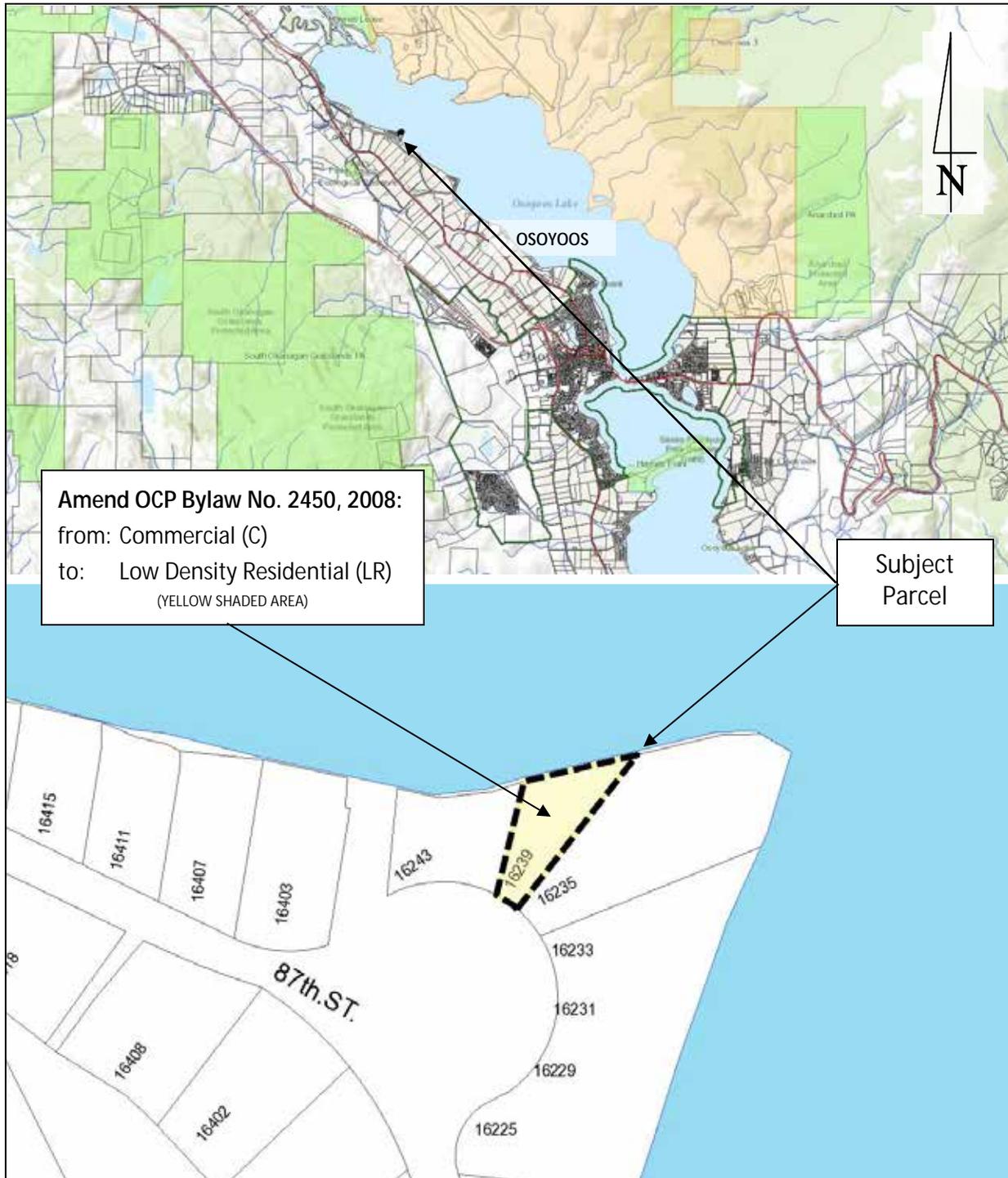
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

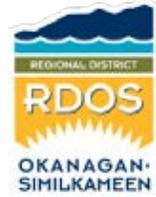
Project No: X2017.106-ZONE

Schedule 'A-109'



# Regional District of Okanagan-Similkameen

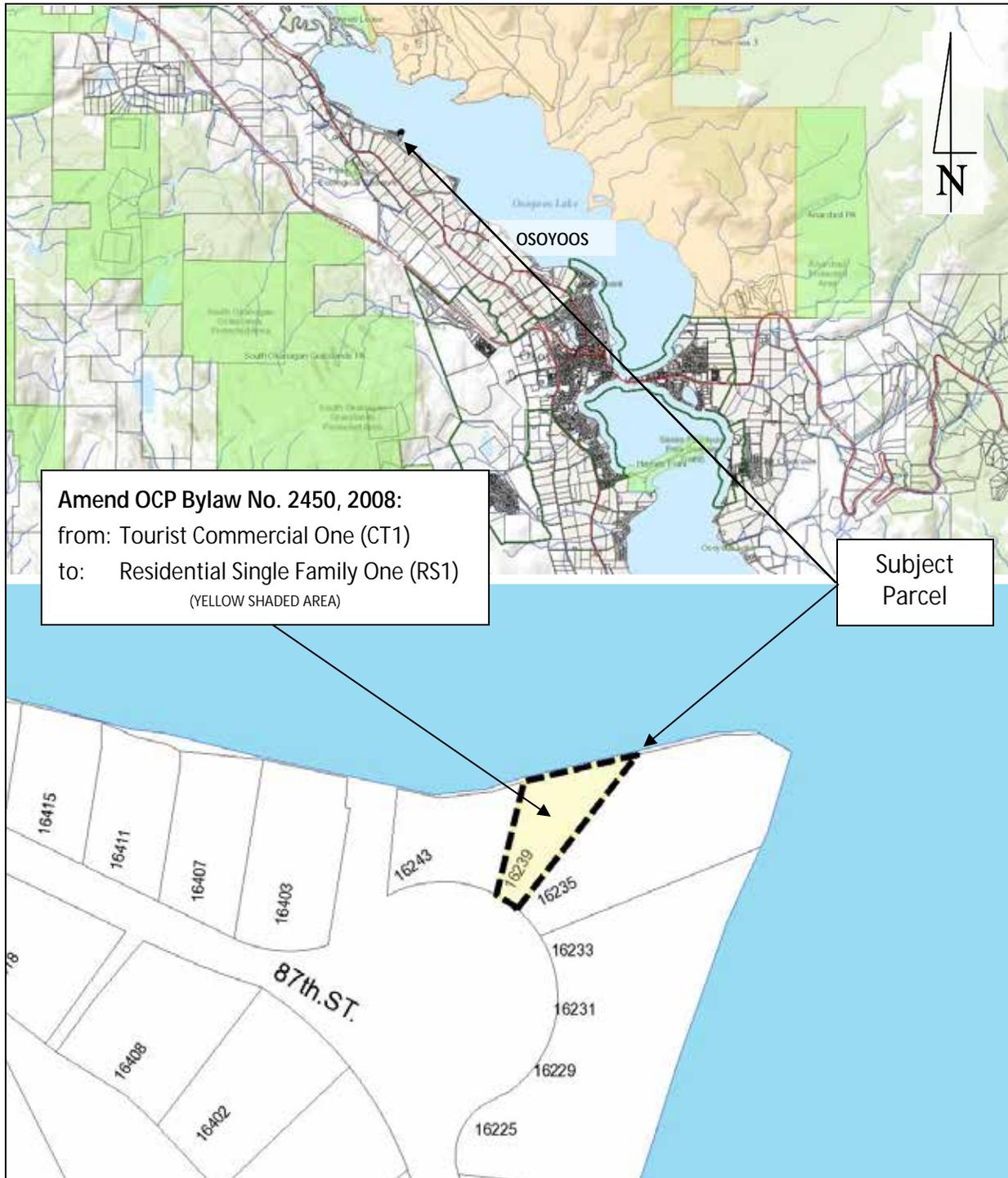
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'A-209'



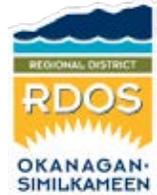
**Amend OCP Bylaw No. 2450, 2008:**  
from: Tourist Commercial One (CT1)  
to: Residential Single Family One (RS1)  
(YELLOW SHADED AREA)

Subject Parcel

# Regional District of Okanagan-Similkameen

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

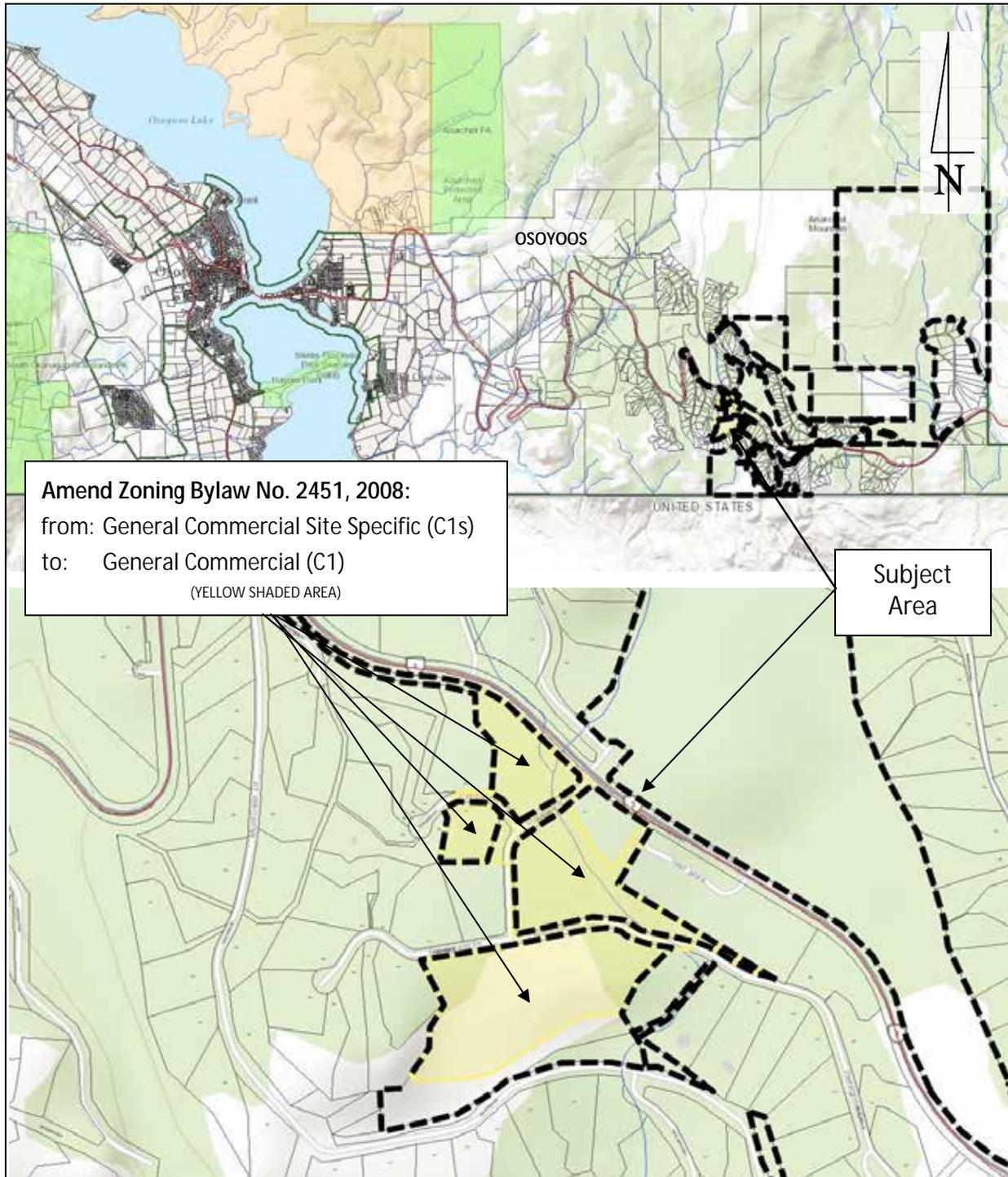
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

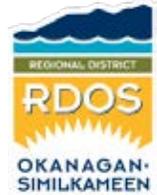
Schedule 'A-210'



# Regional District of Okanagan-Similkameen

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

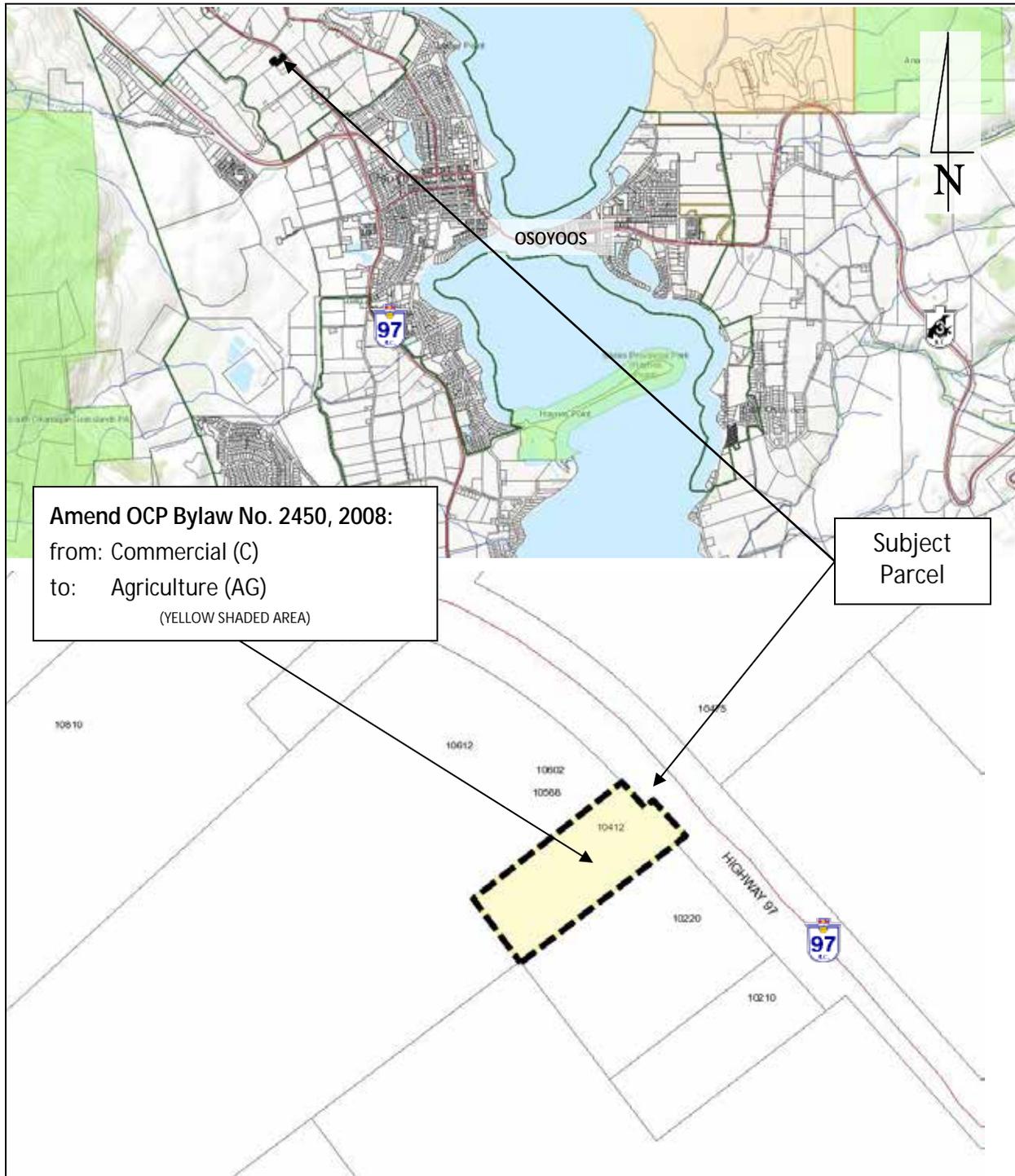
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

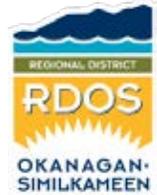
Project No: X2017.106-ZONE

Schedule 'A-111'



# Regional District of Okanagan-Similkameen

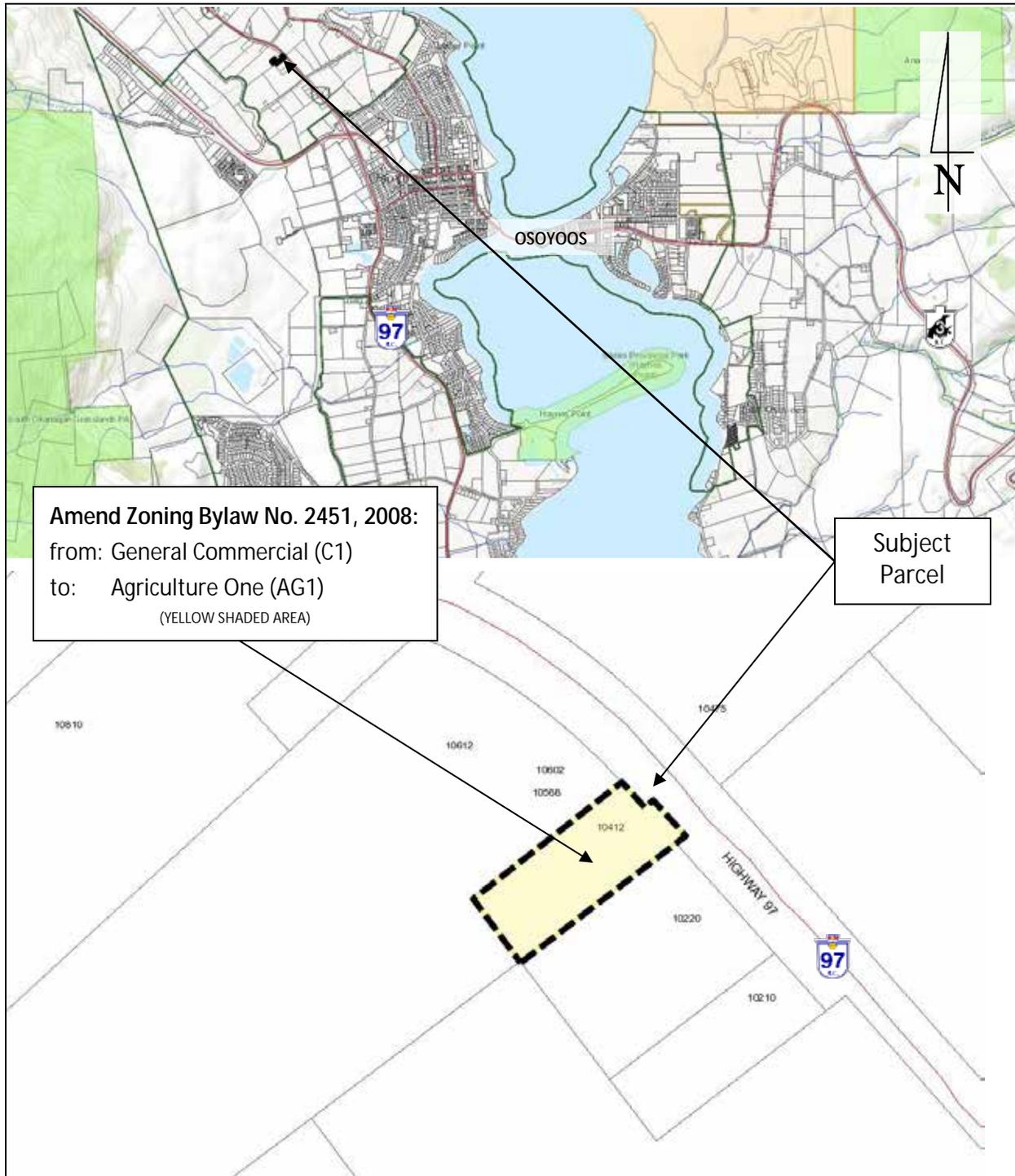
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'A-211'





# Regional District of Okanagan-Similkameen

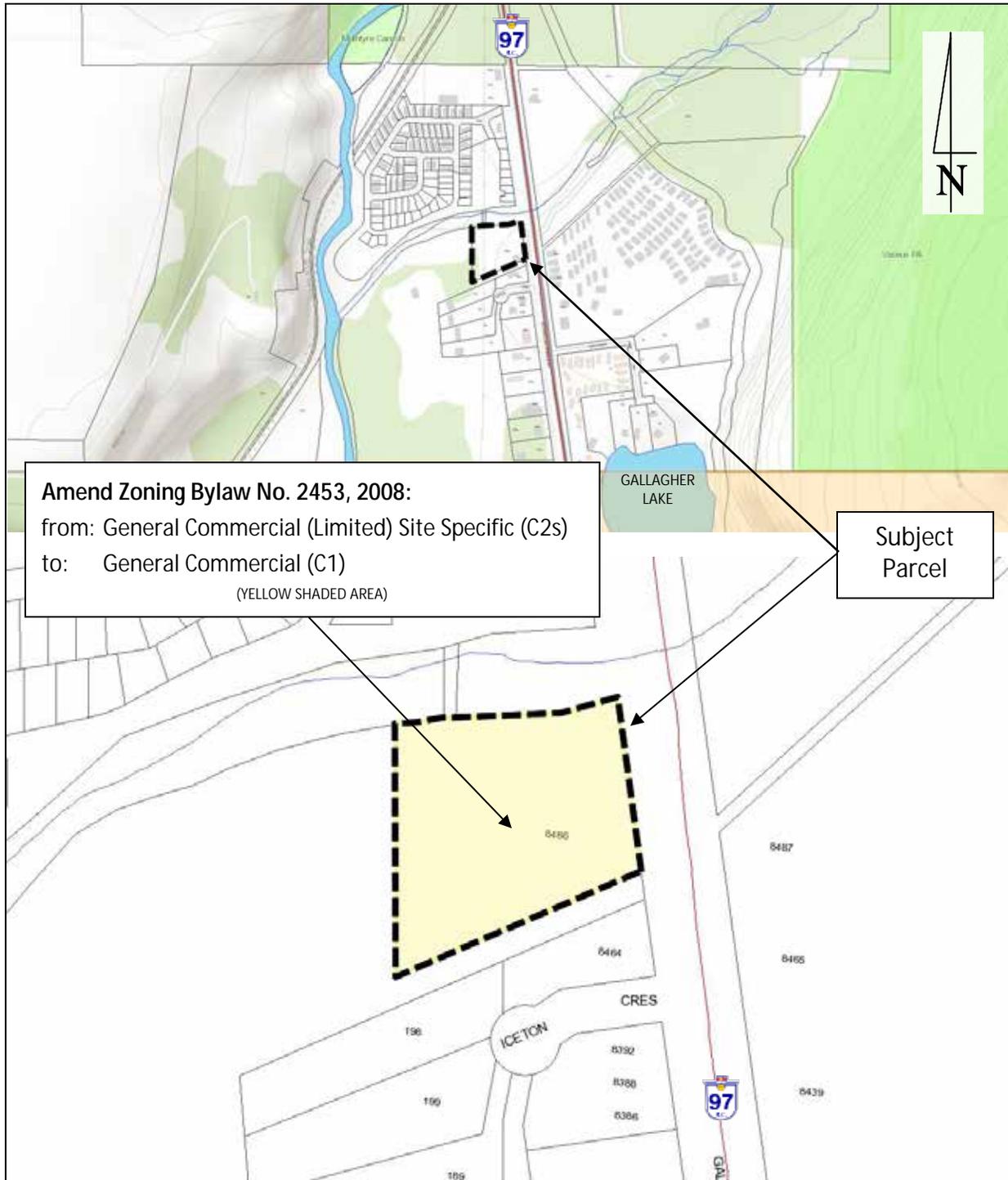
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

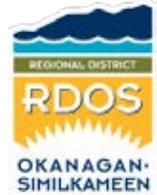
Project No: X2017.106-ZONE

Schedule 'C-201'



# Regional District of Okanagan-Similkameen

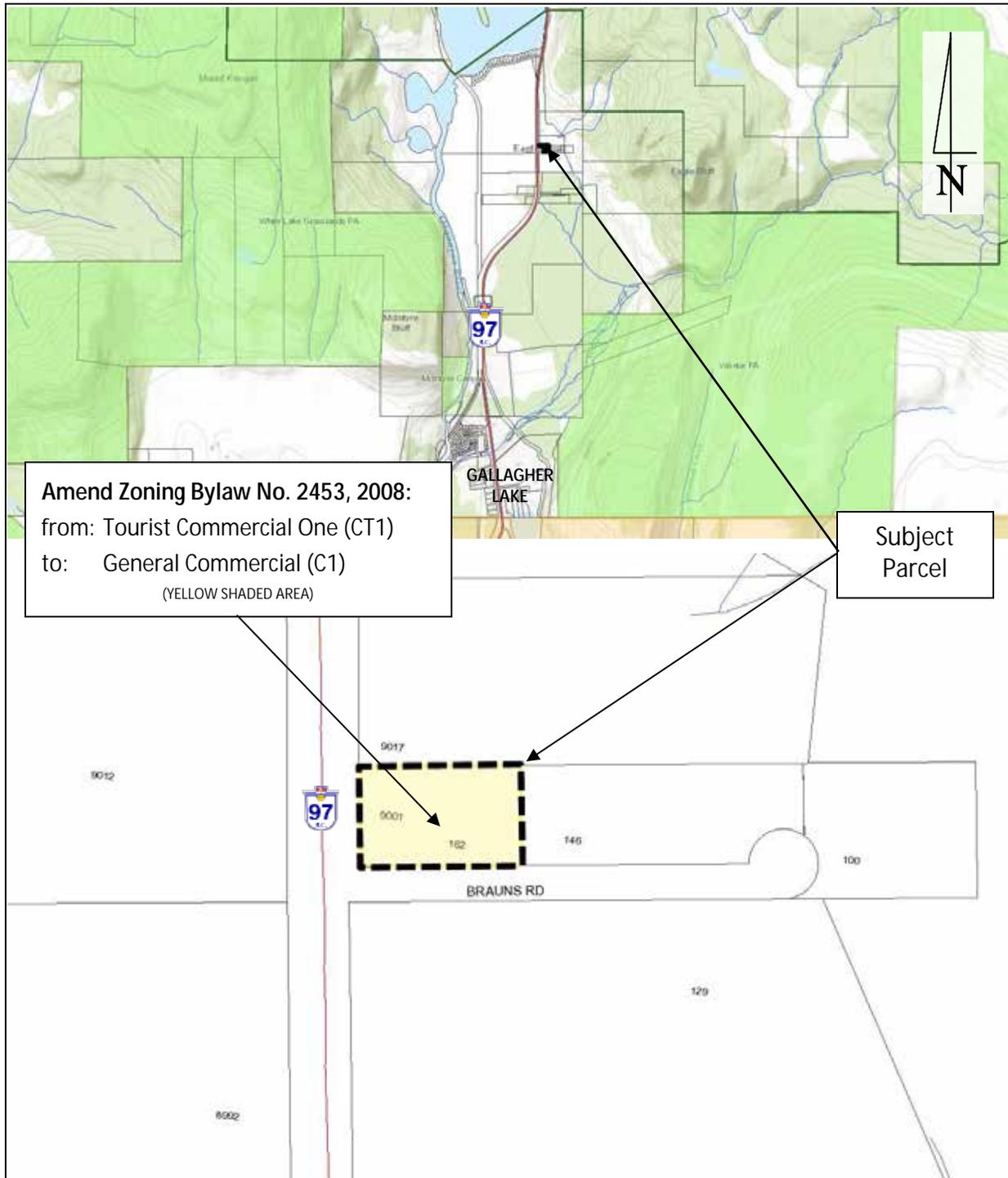
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

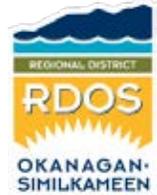
## Schedule 'C-202'



# Regional District of Okanagan-Similkameen

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

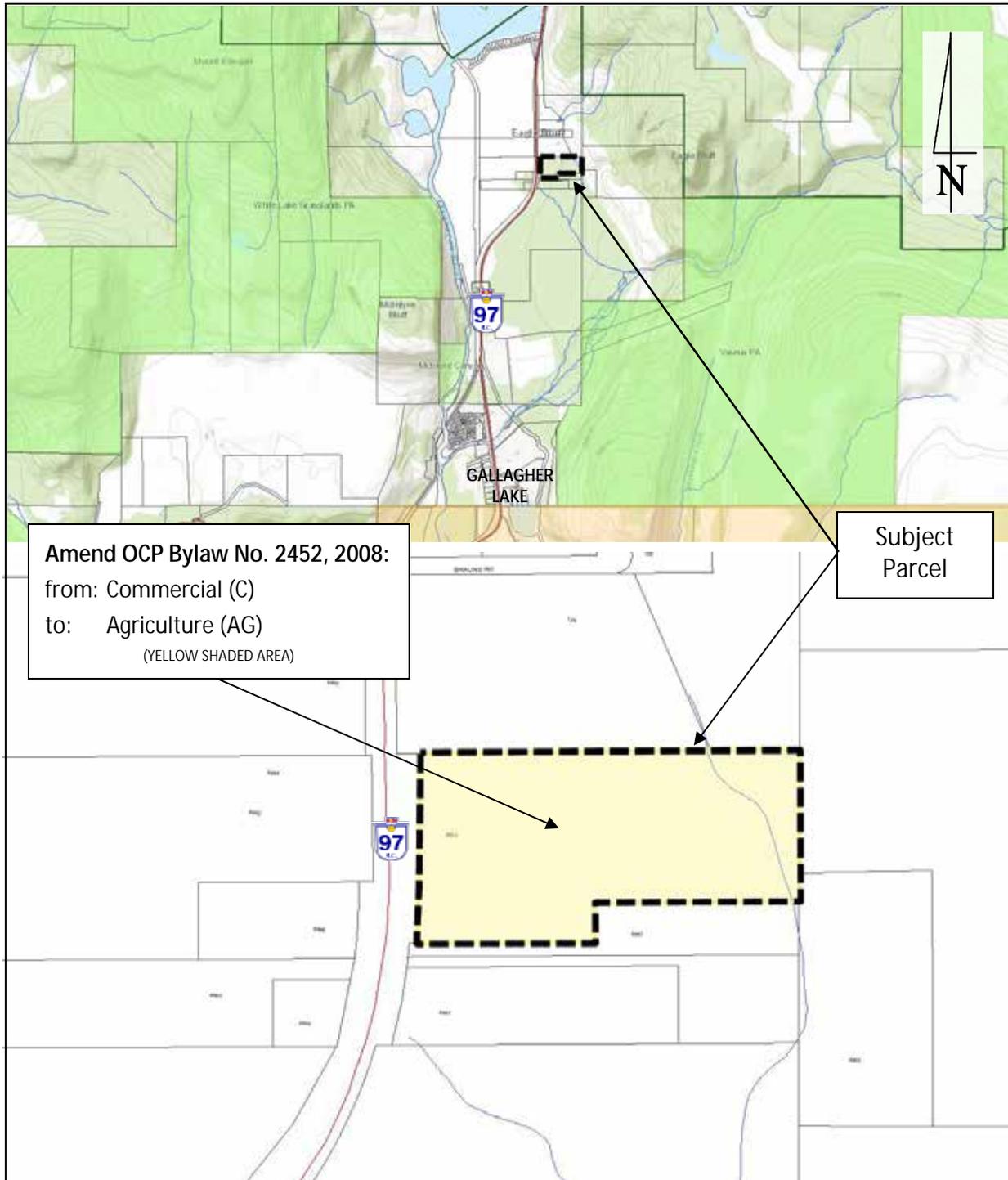
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

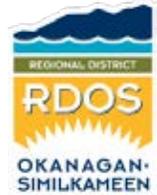
Schedule 'C-103'



# Regional District of Okanagan-Similkameen

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

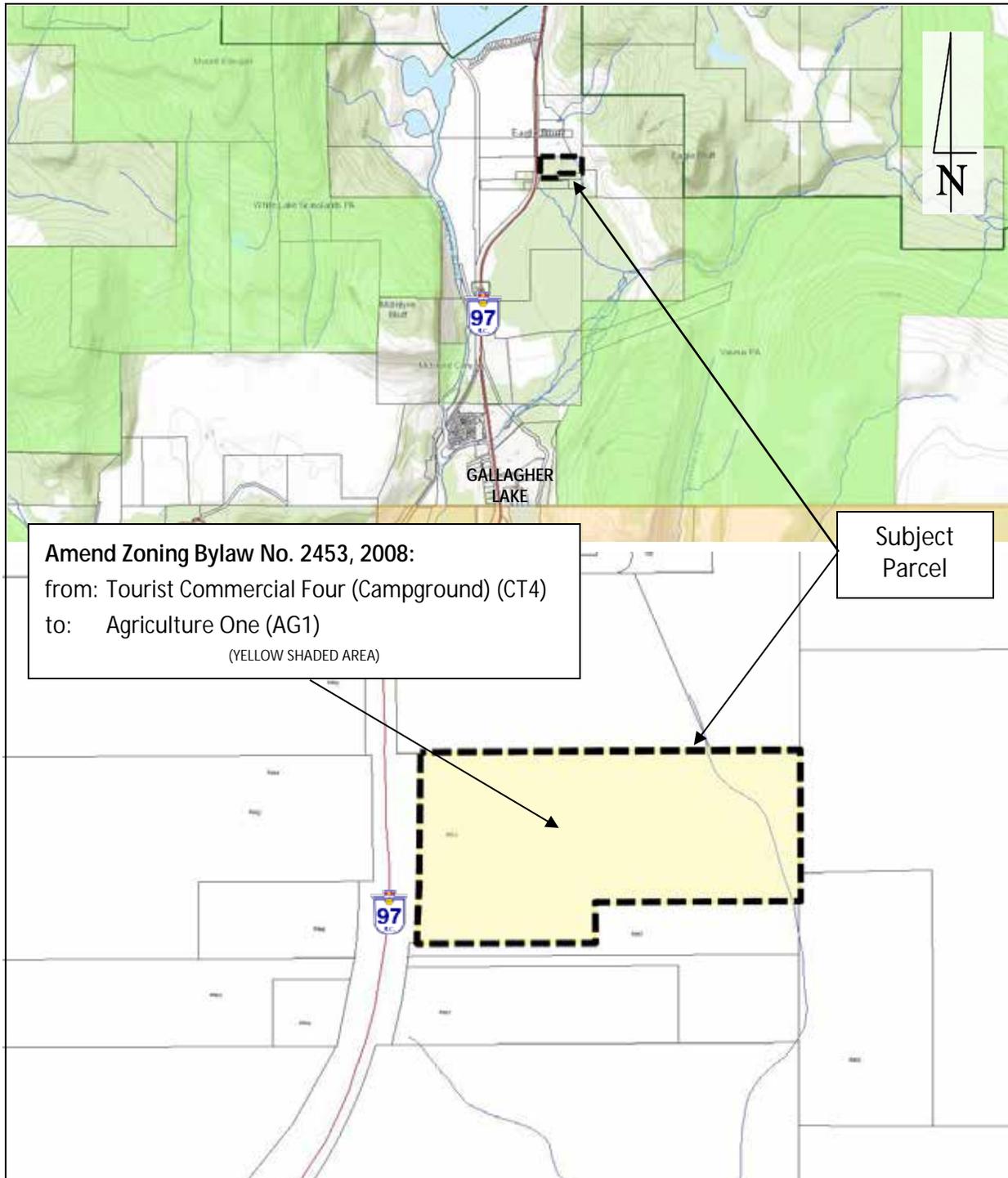
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

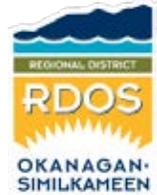
Schedule 'C-204'



# Regional District of Okanagan-Similkameen

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

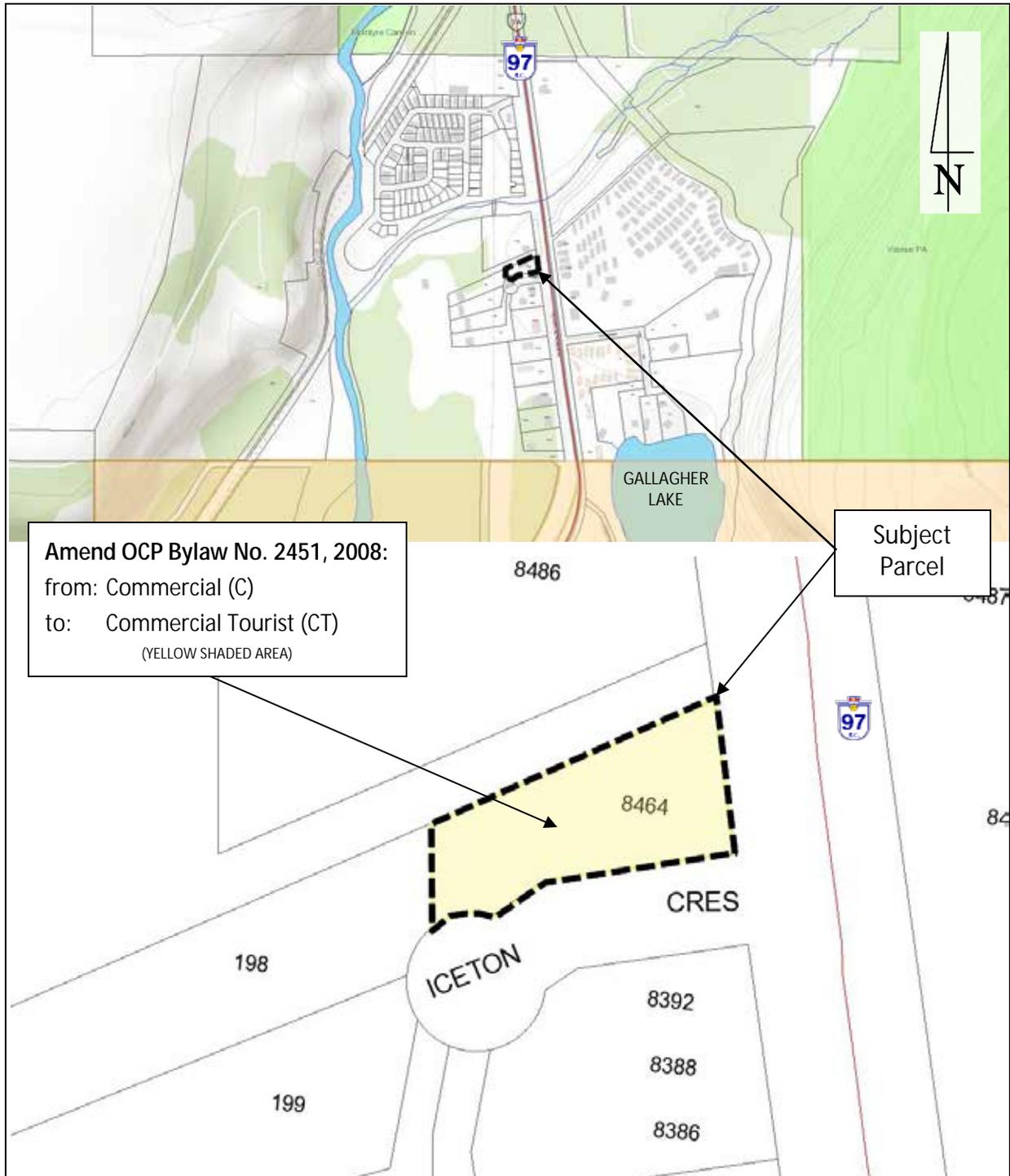
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'C-105'



# Regional District of Okanagan-Similkameen

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

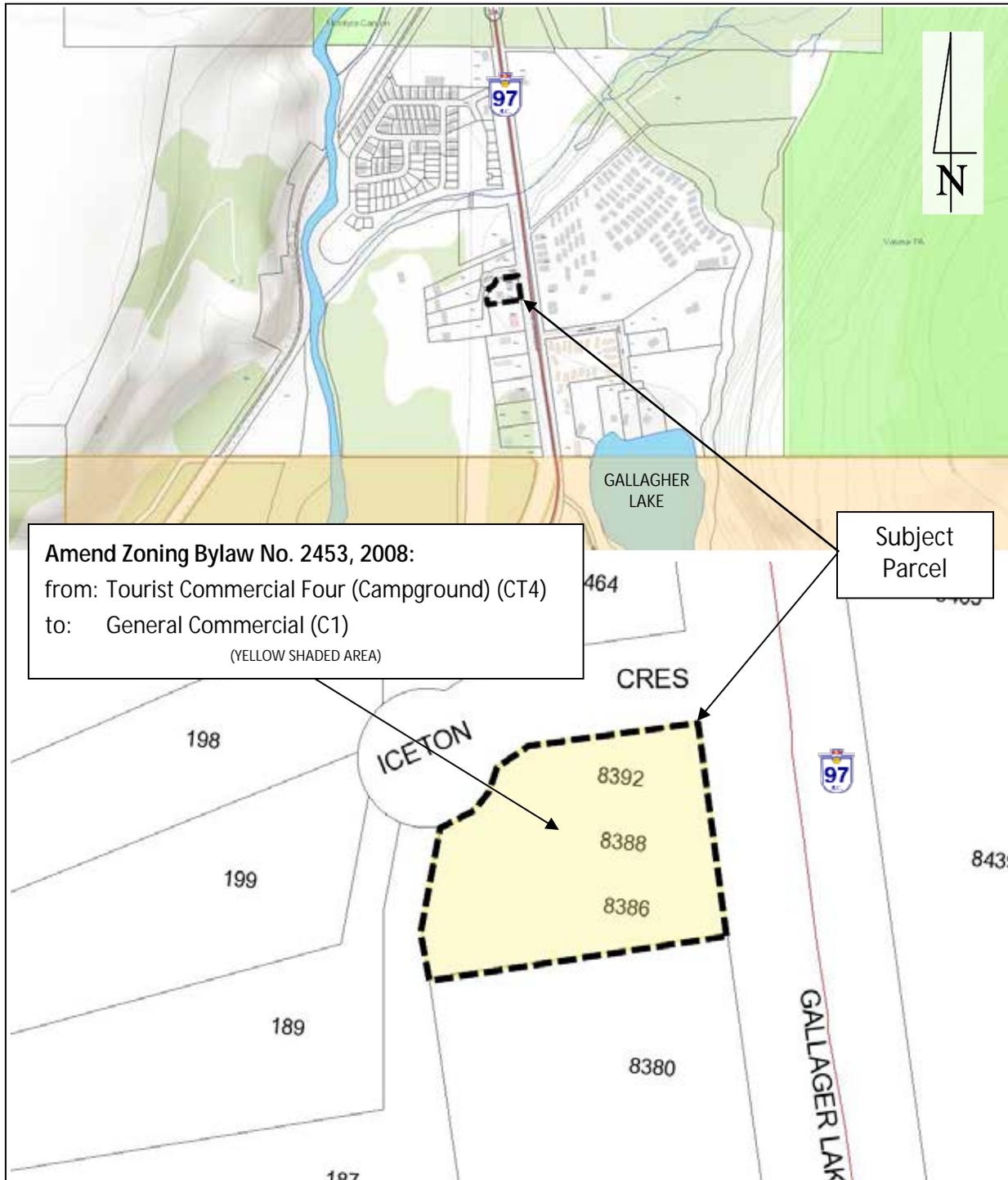
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

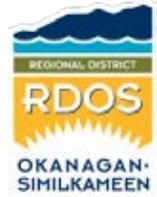
Project No: X2017.106-ZONE

Schedule 'C-206'



# Regional District of Okanagan-Similkameen

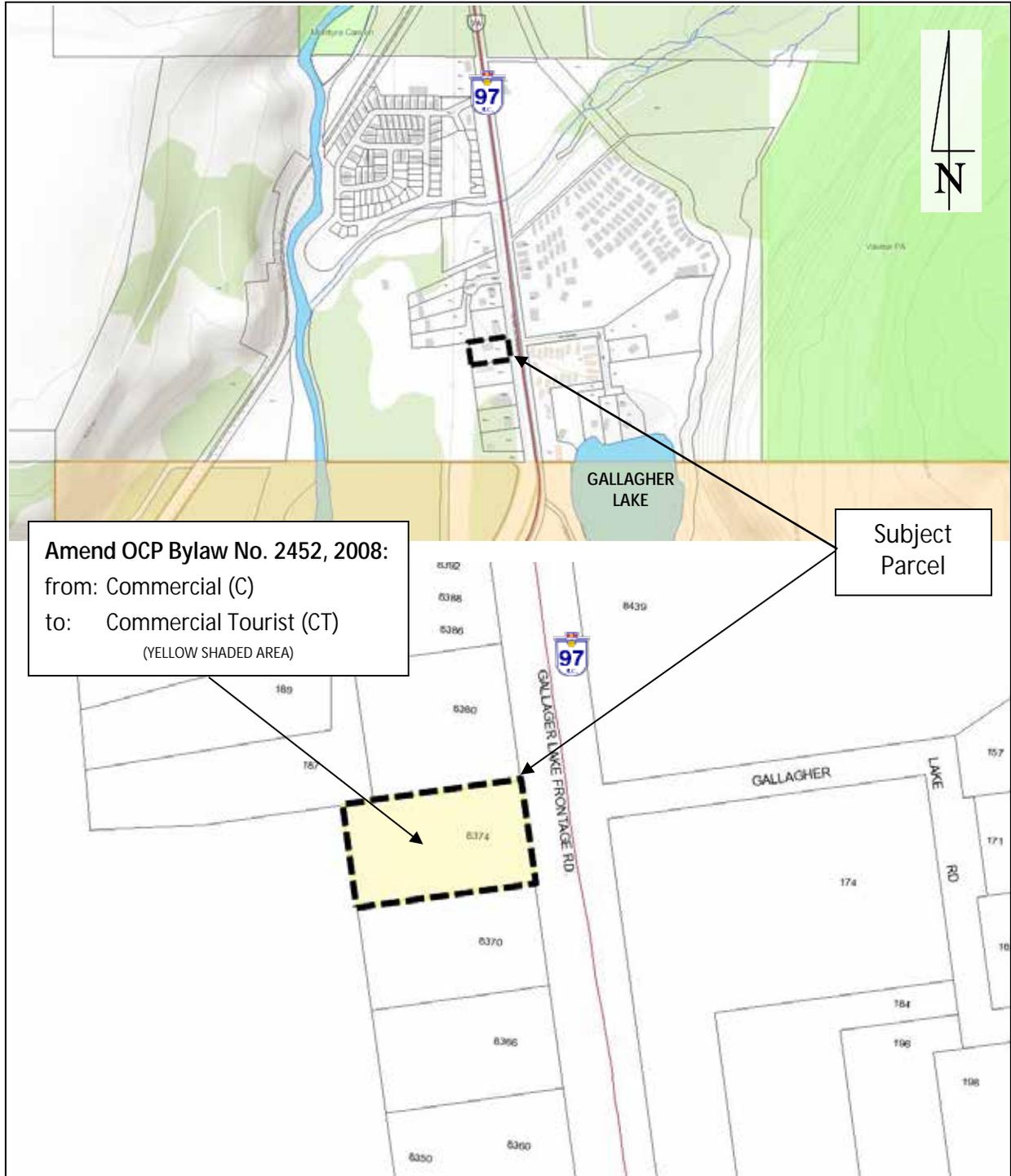
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

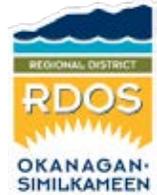
## Schedule 'C-107'



# Regional District of Okanagan-Similkameen

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

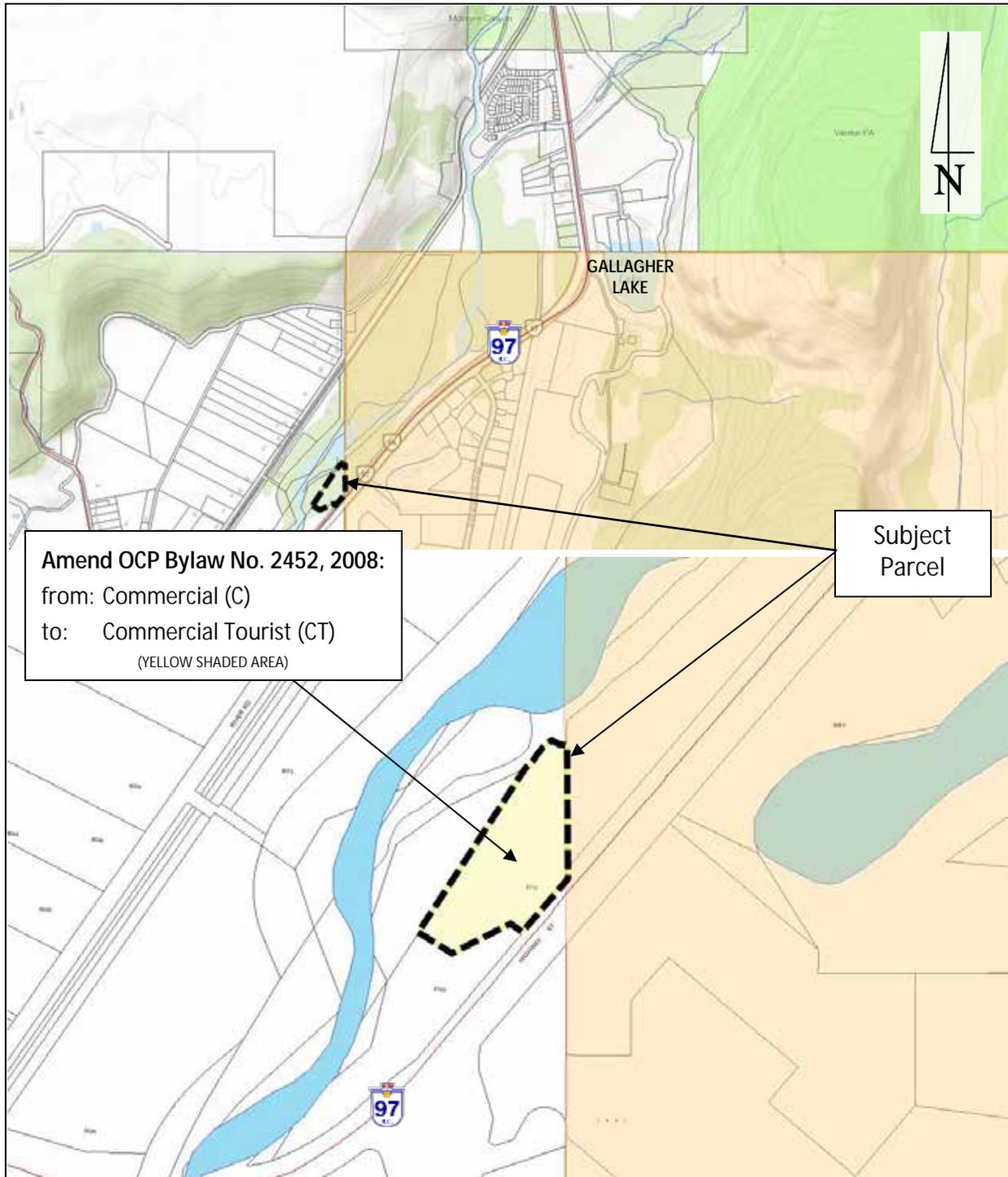
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

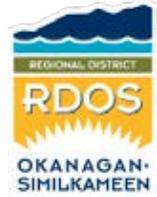
Project No: X2017.106-ZONE

## Schedule 'C-108'



# Regional District of Okanagan-Similkameen

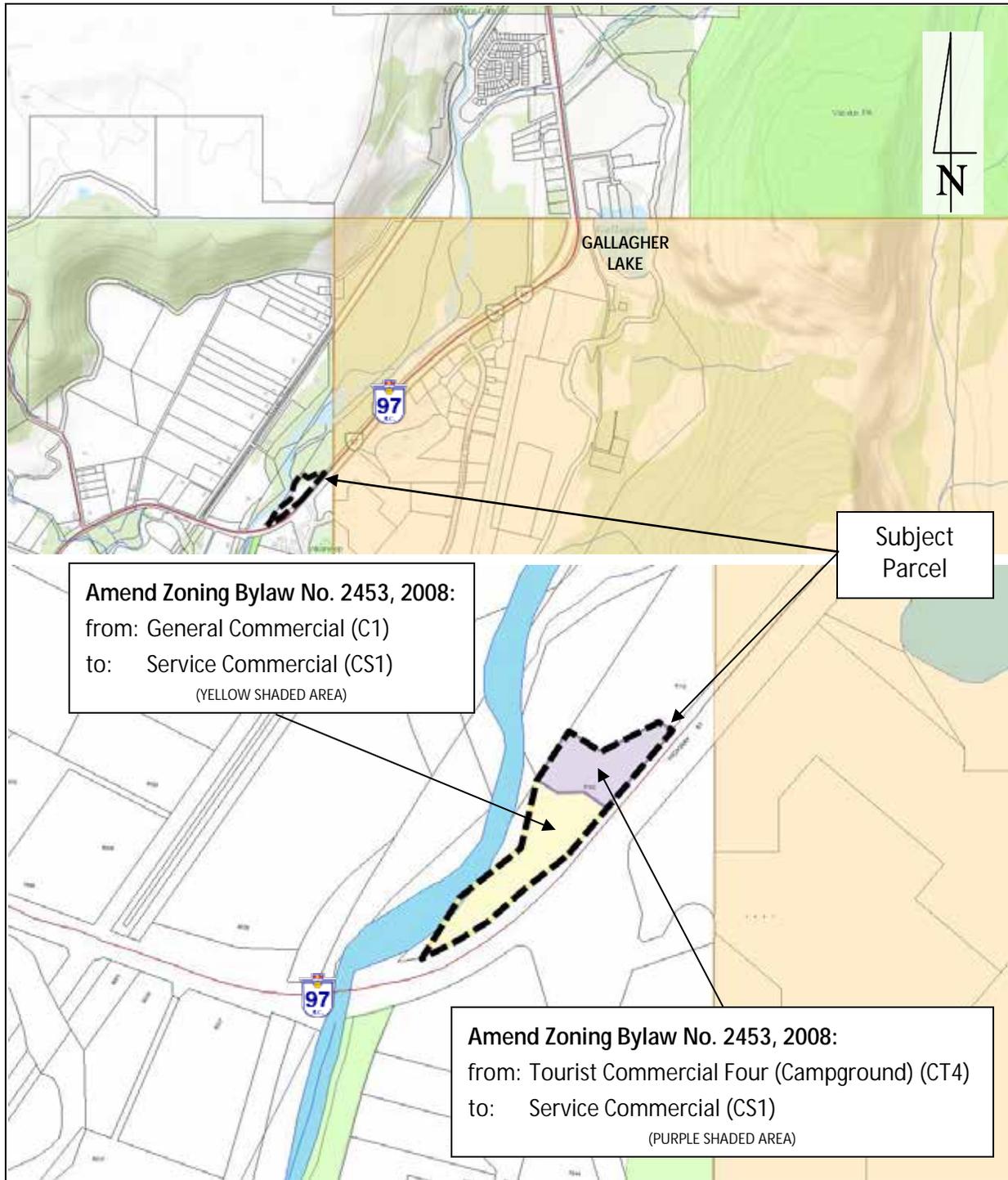
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'C-209'



# Regional District of Okanagan-Similkameen

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

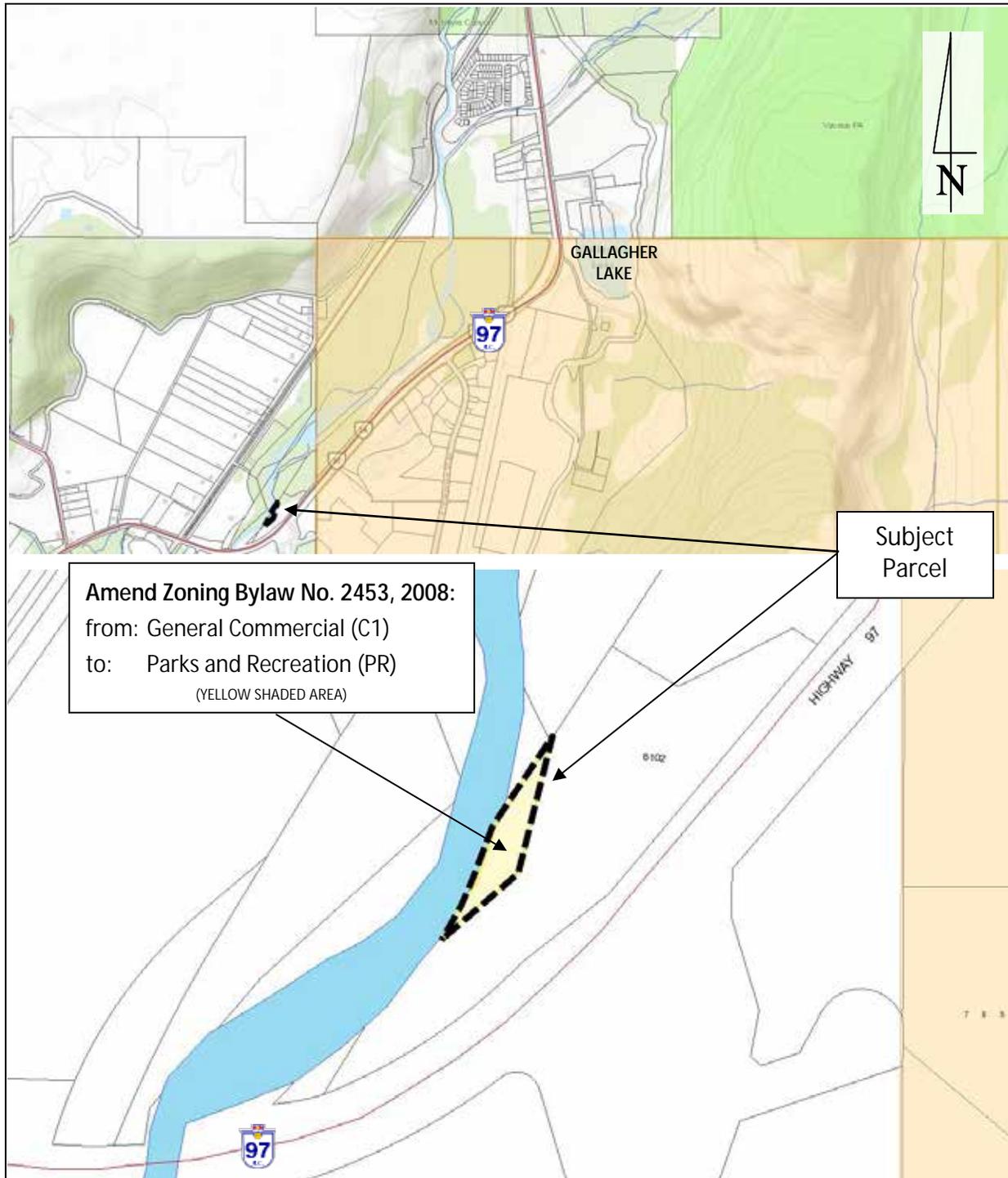
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

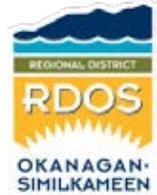
Schedule 'C-210'



# Regional District of Okanagan-Similkameen

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

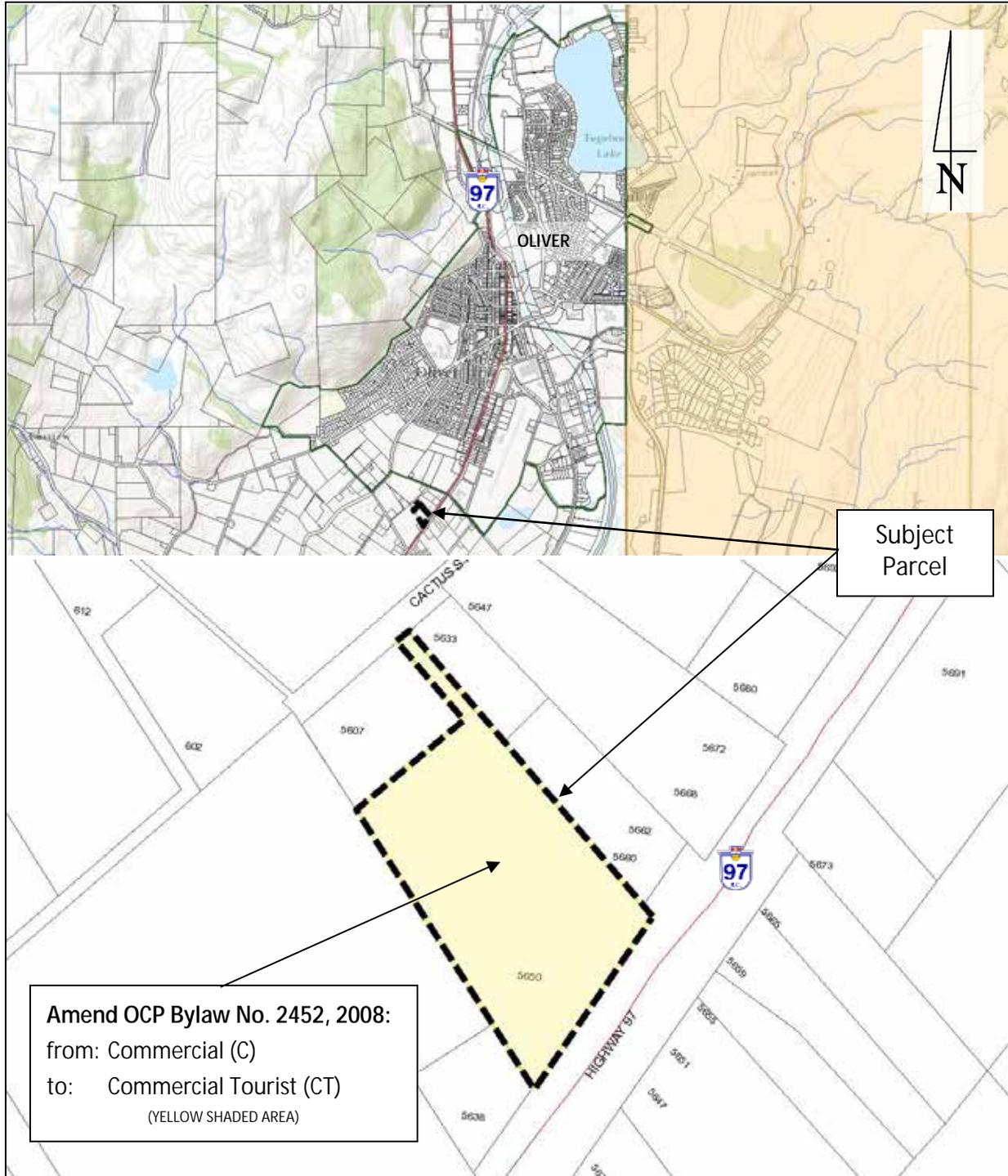
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

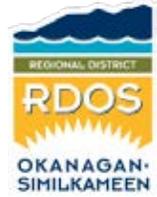
Schedule 'C-111'



# Regional District of Okanagan-Similkameen

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

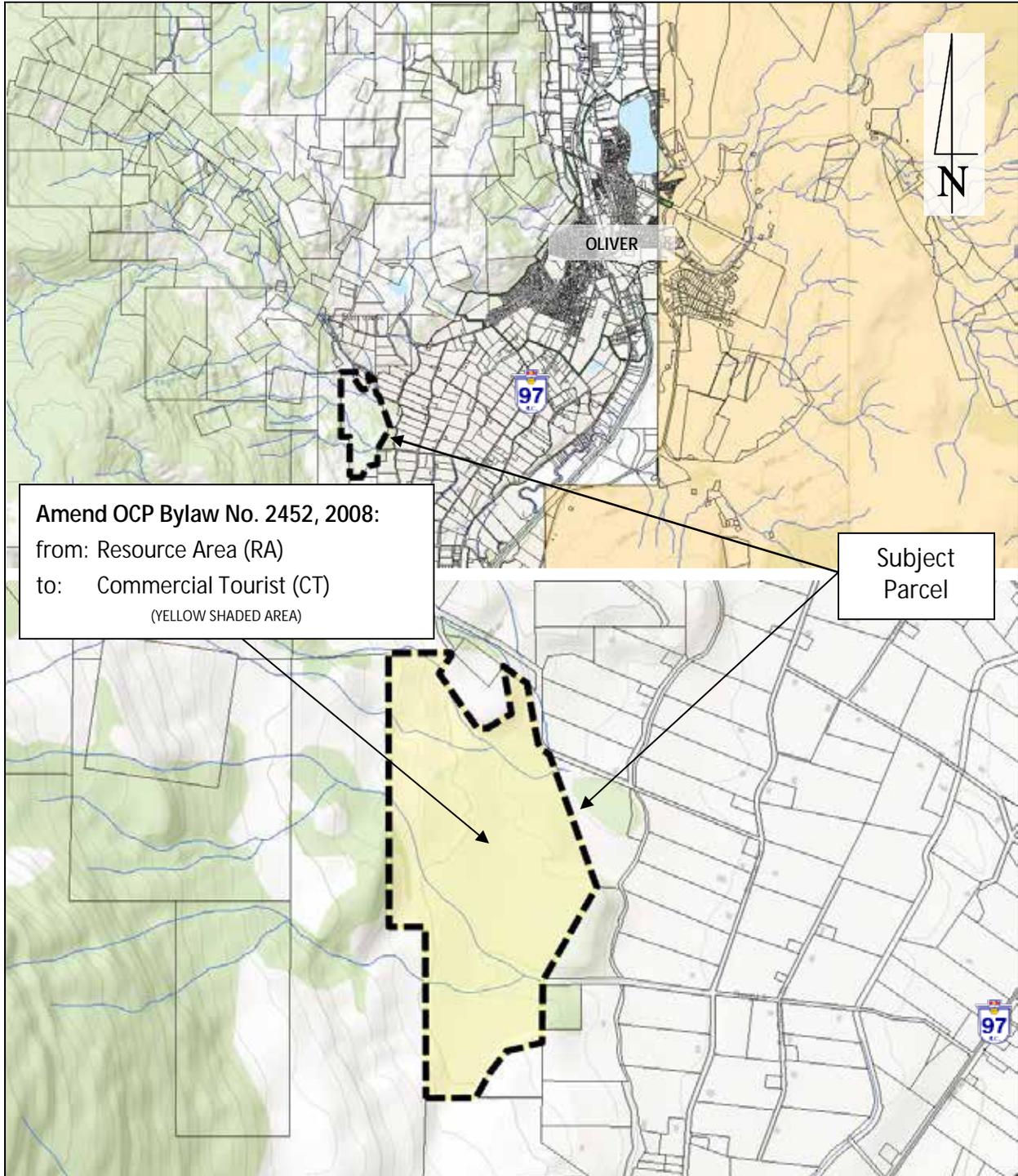
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'C-113'



# Regional District of Okanagan-Similkameen

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

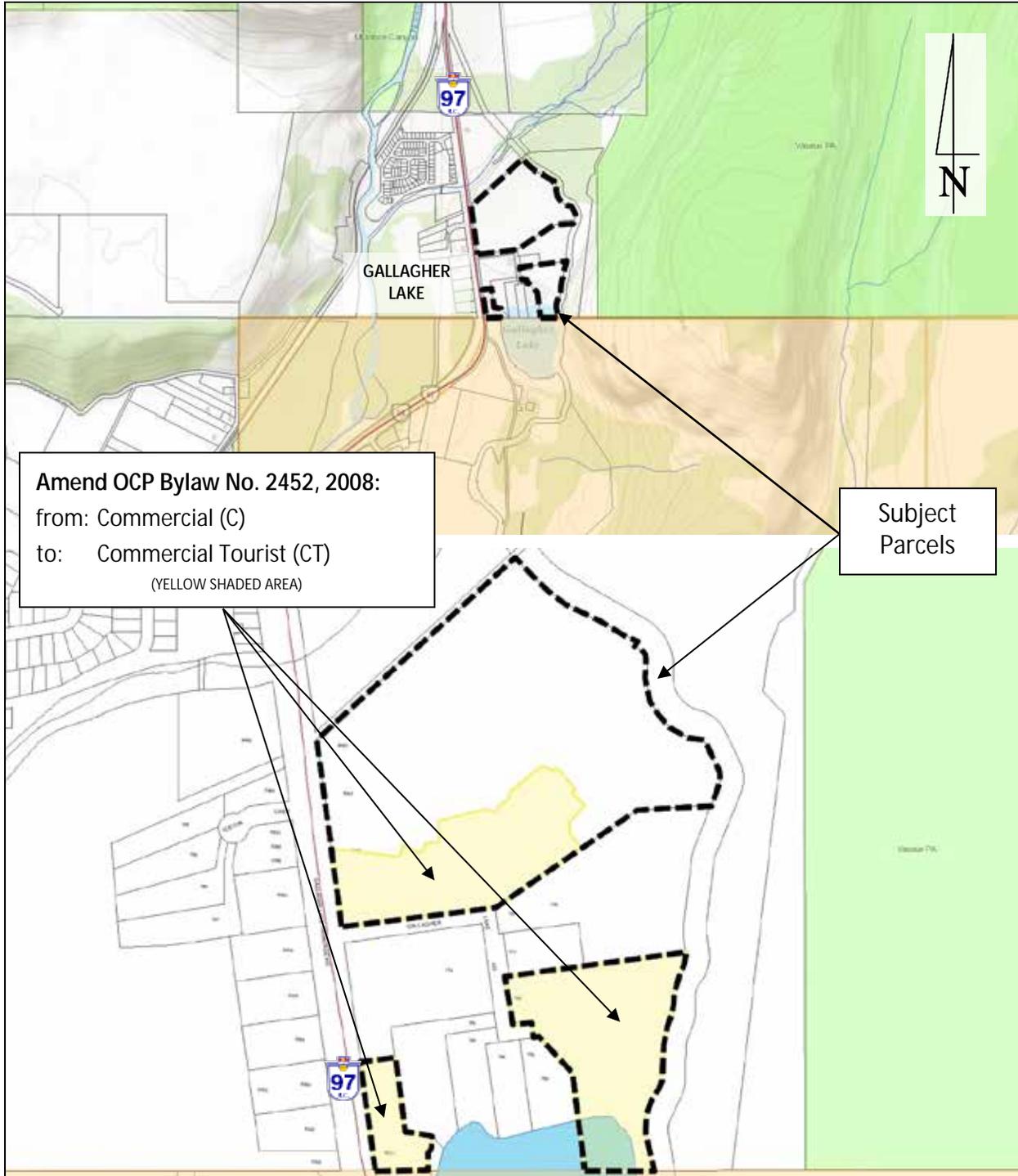
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

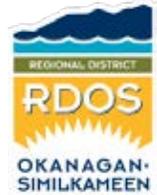
Schedule 'C-114'



# Regional District of Okanagan-Similkameen

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

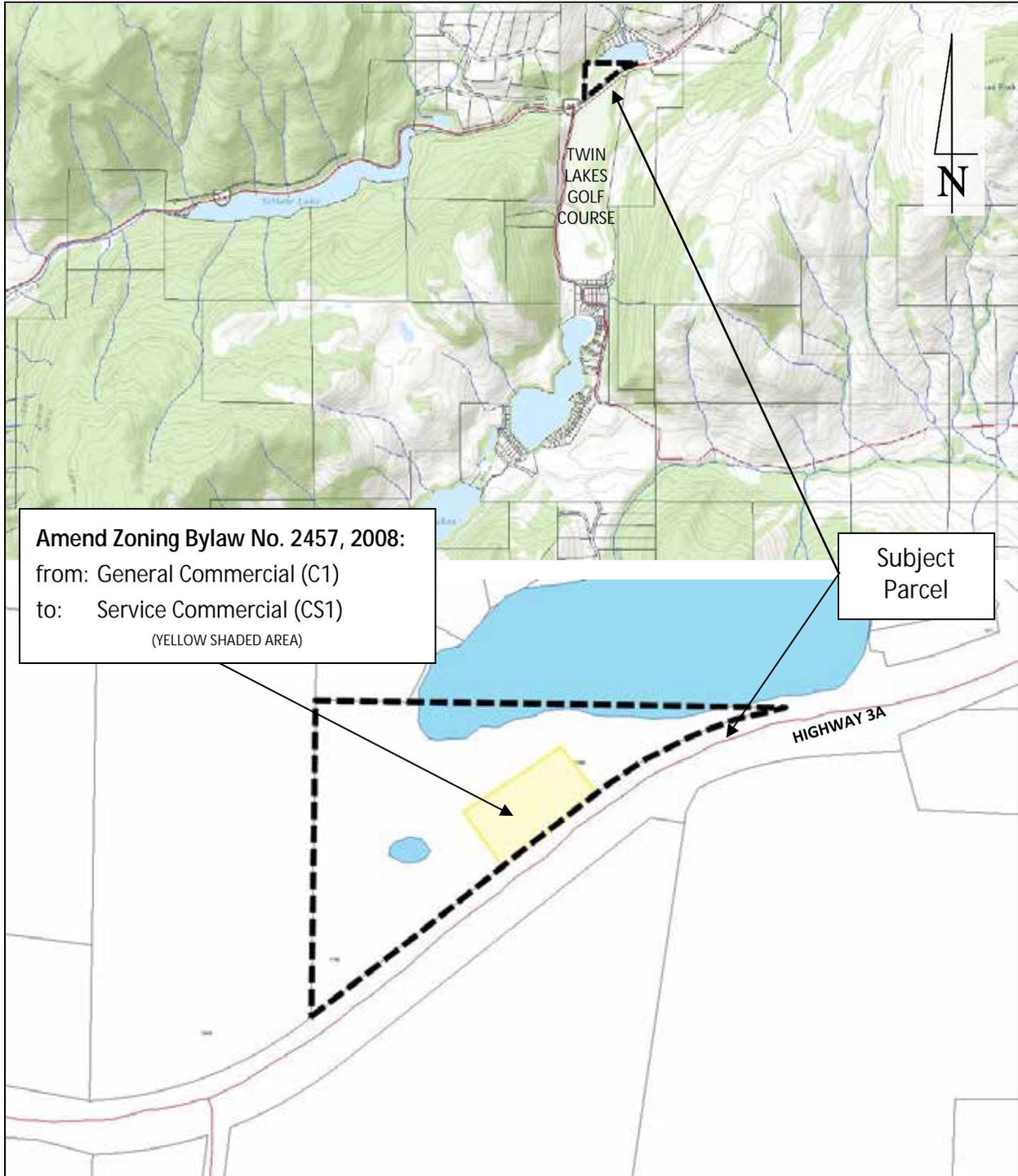
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

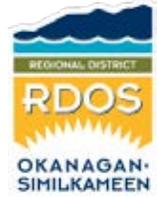
Project No: X2017.106-ZONE

Schedule 'I-201'



# Regional District of Okanagan-Similkameen

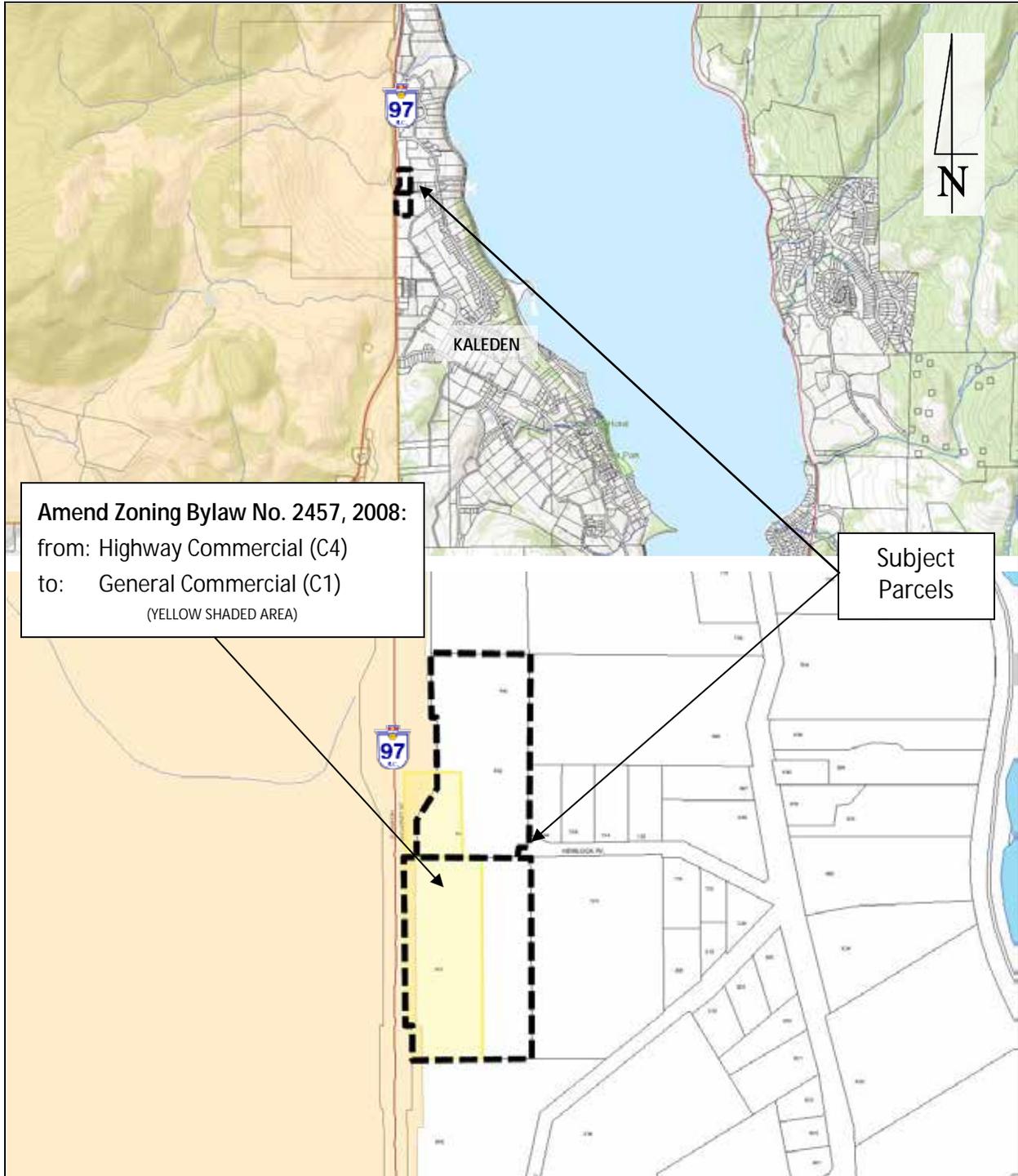
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

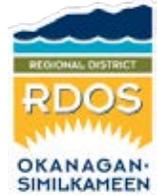
Schedule '1-202'



# Regional District of Okanagan-Similkameen

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

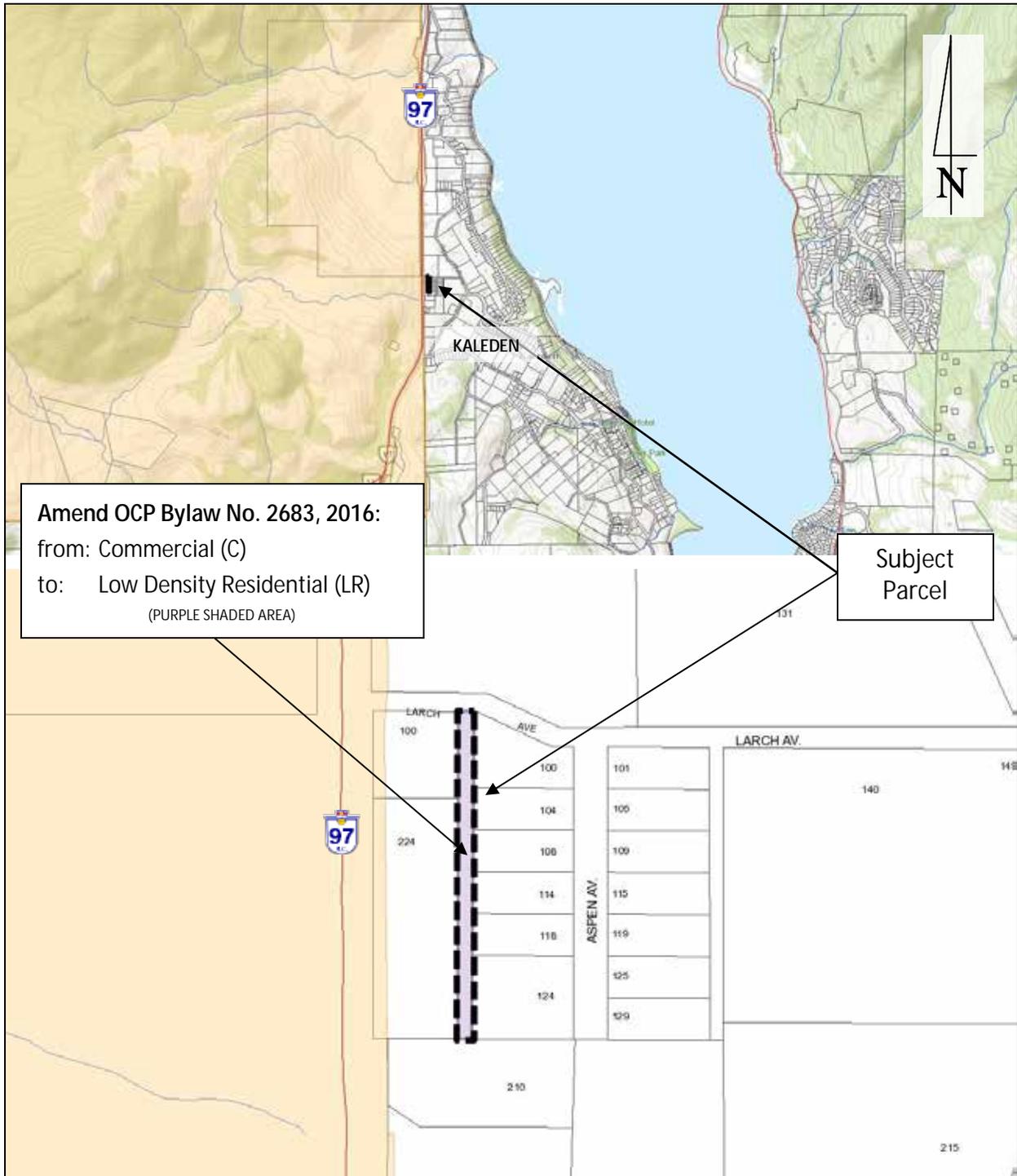
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'I-103'



# Regional District of Okanagan-Similkameen

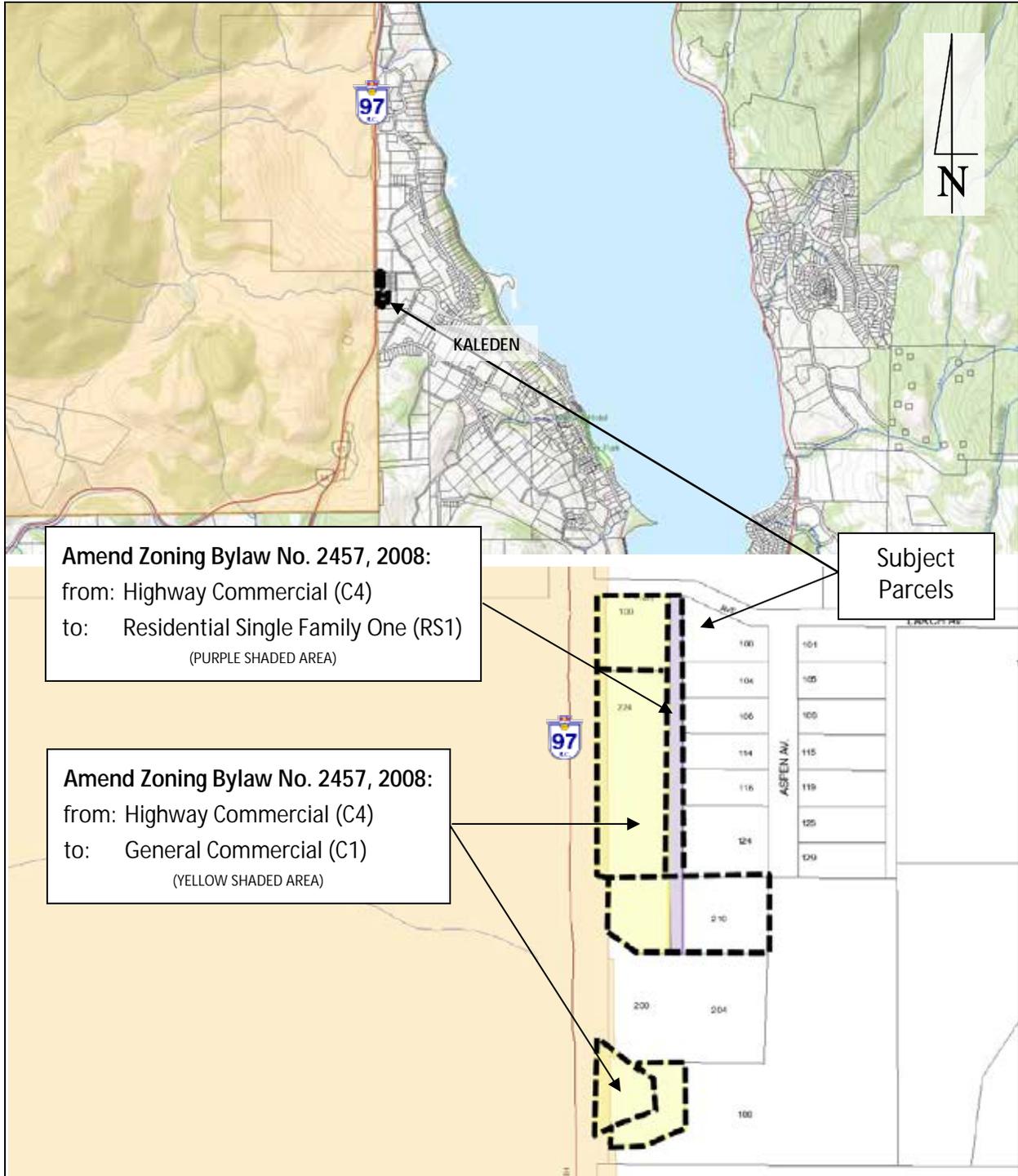
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

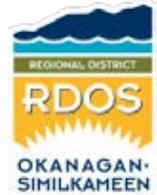
Schedule 'I-203'



# Regional District of Okanagan-Similkameen

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

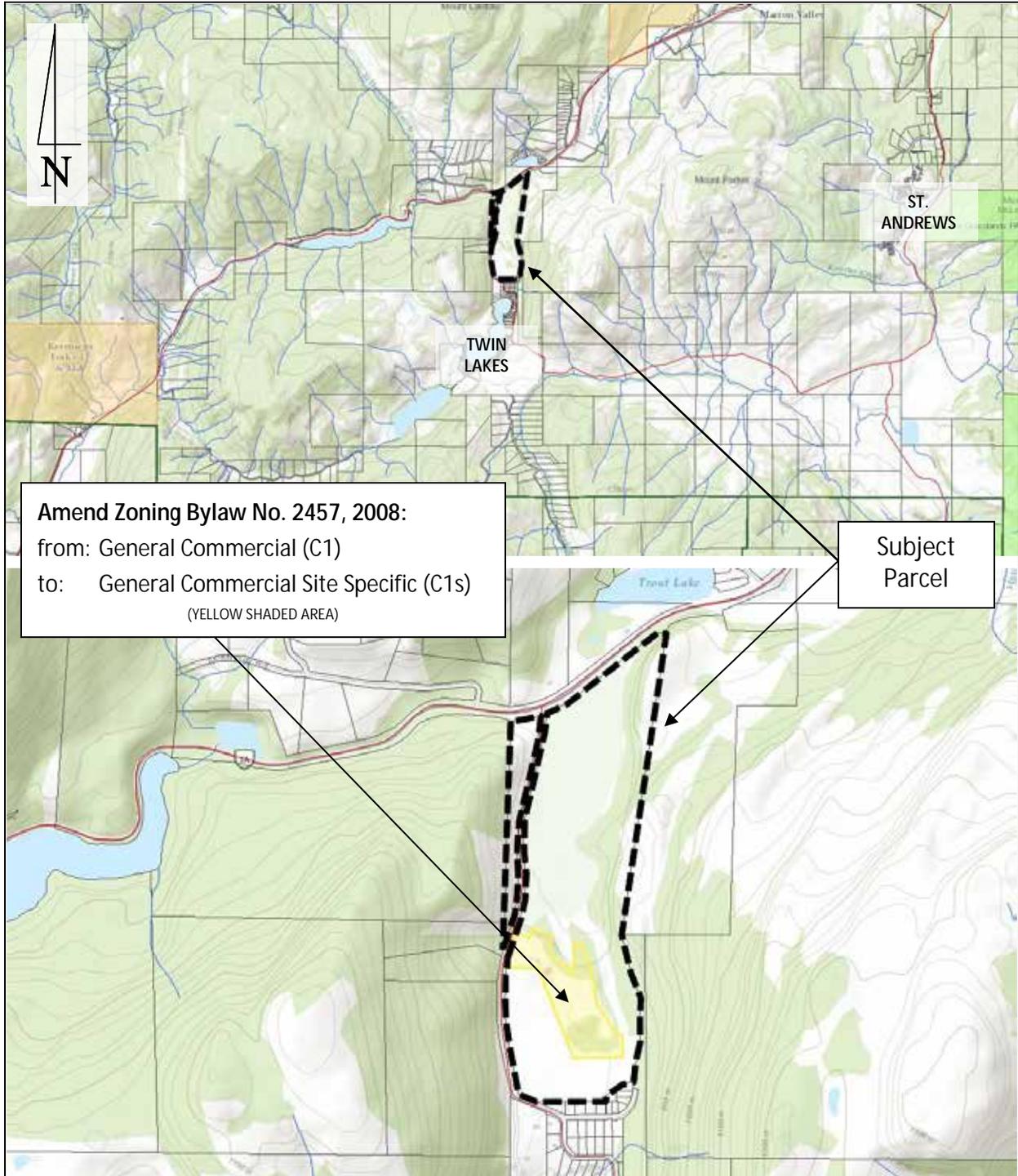
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'I-204'



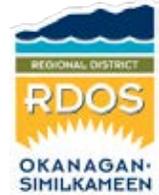
**Amend Zoning Bylaw No. 2457, 2008:**  
from: General Commercial (C1)  
to: General Commercial Site Specific (C1s)  
(YELLOW SHADED AREA)

**Subject Parcel**

# Regional District of Okanagan-Similkameen

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

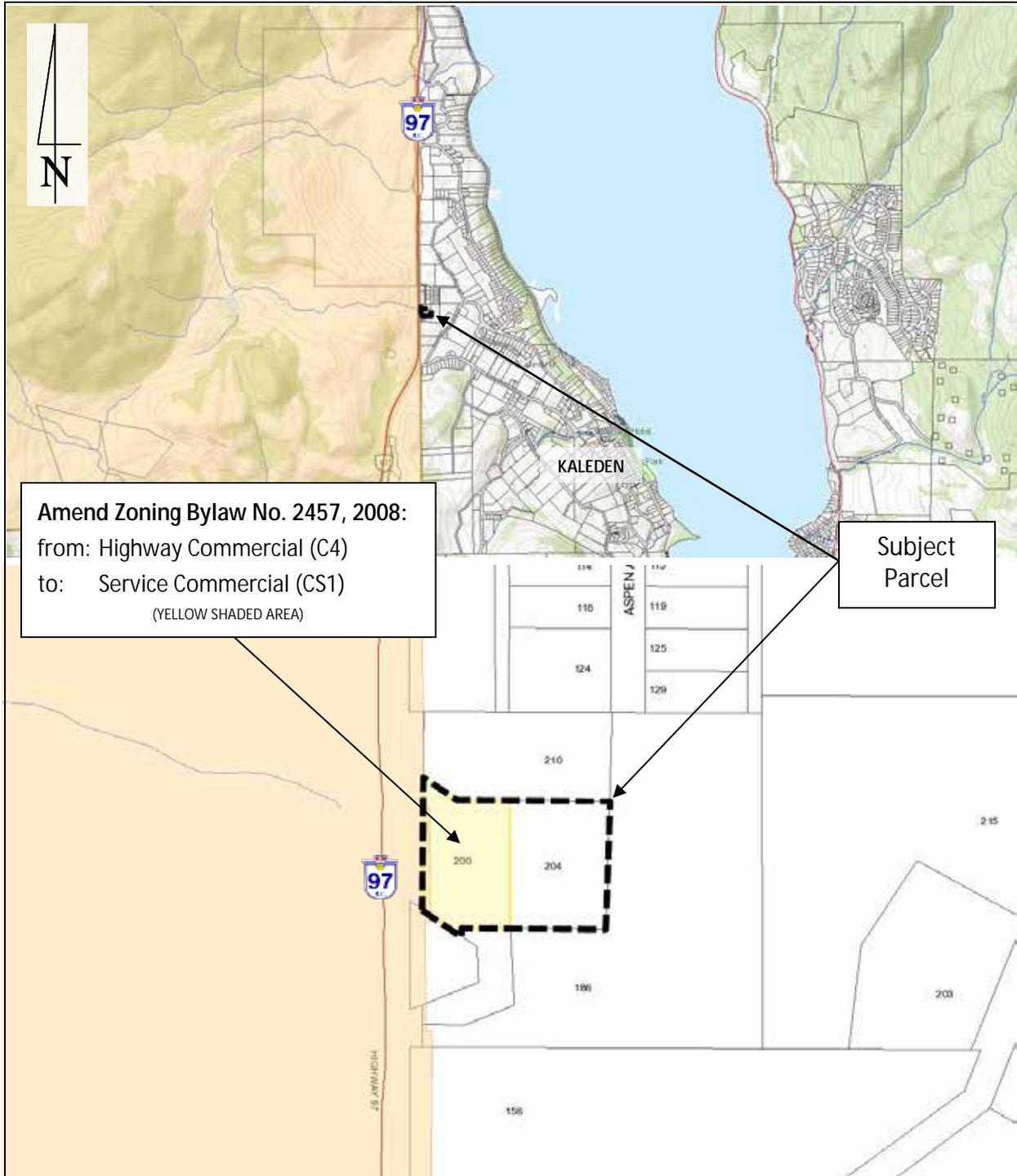
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

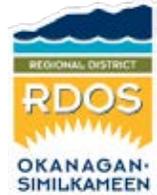
Schedule 'I-205'



# Regional District of Okanagan-Similkameen

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

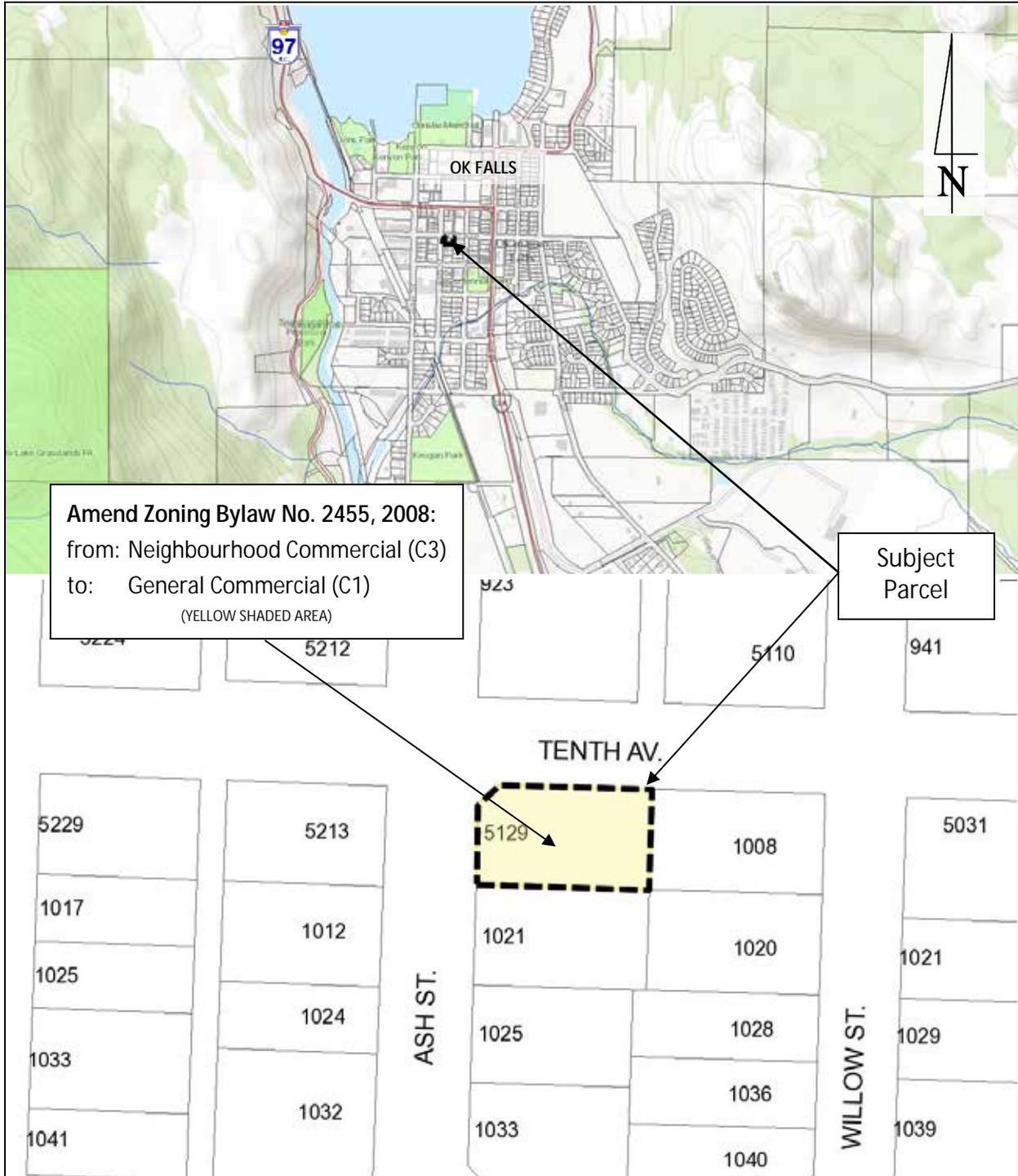
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

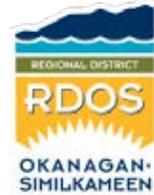
Schedule 'D-201'



# Regional District of Okanagan-Similkameen

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

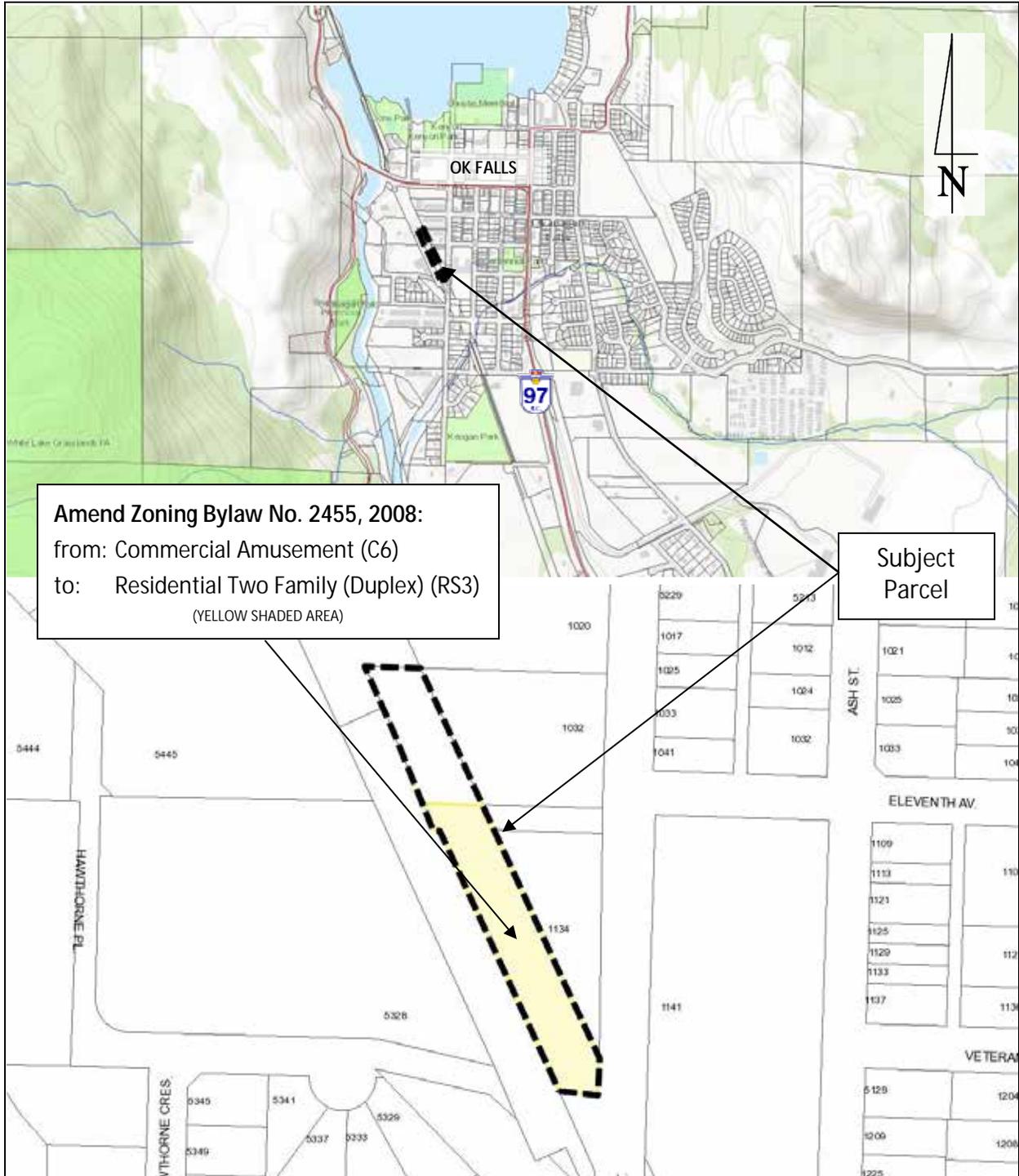
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

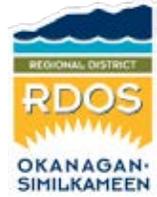
Project No: X2017.106-ZONE

Schedule 'D-202'



# Regional District of Okanagan-Similkameen

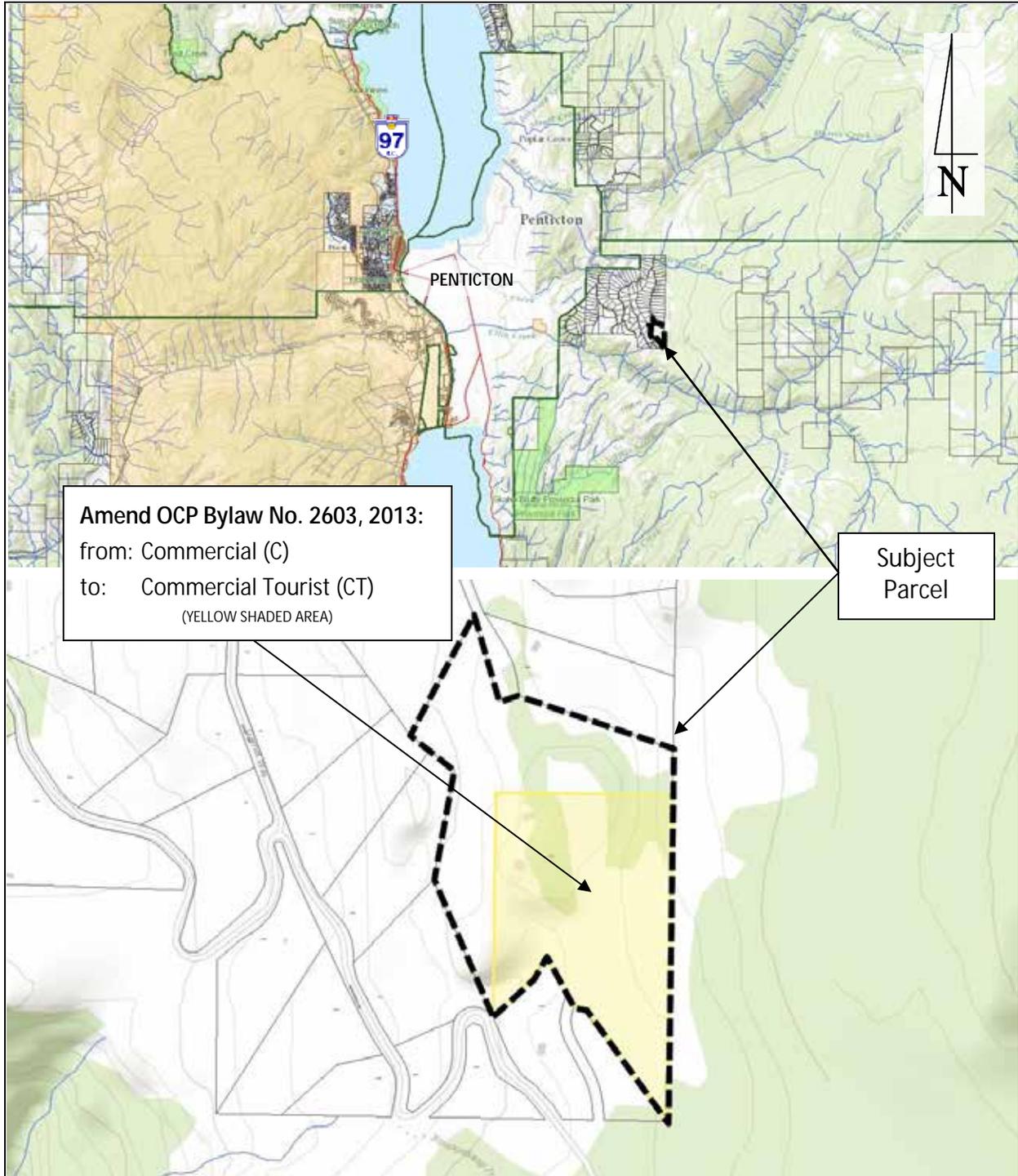
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

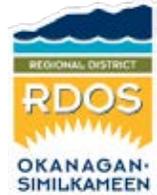
Schedule 'D-103'



# Regional District of Okanagan-Similkameen

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

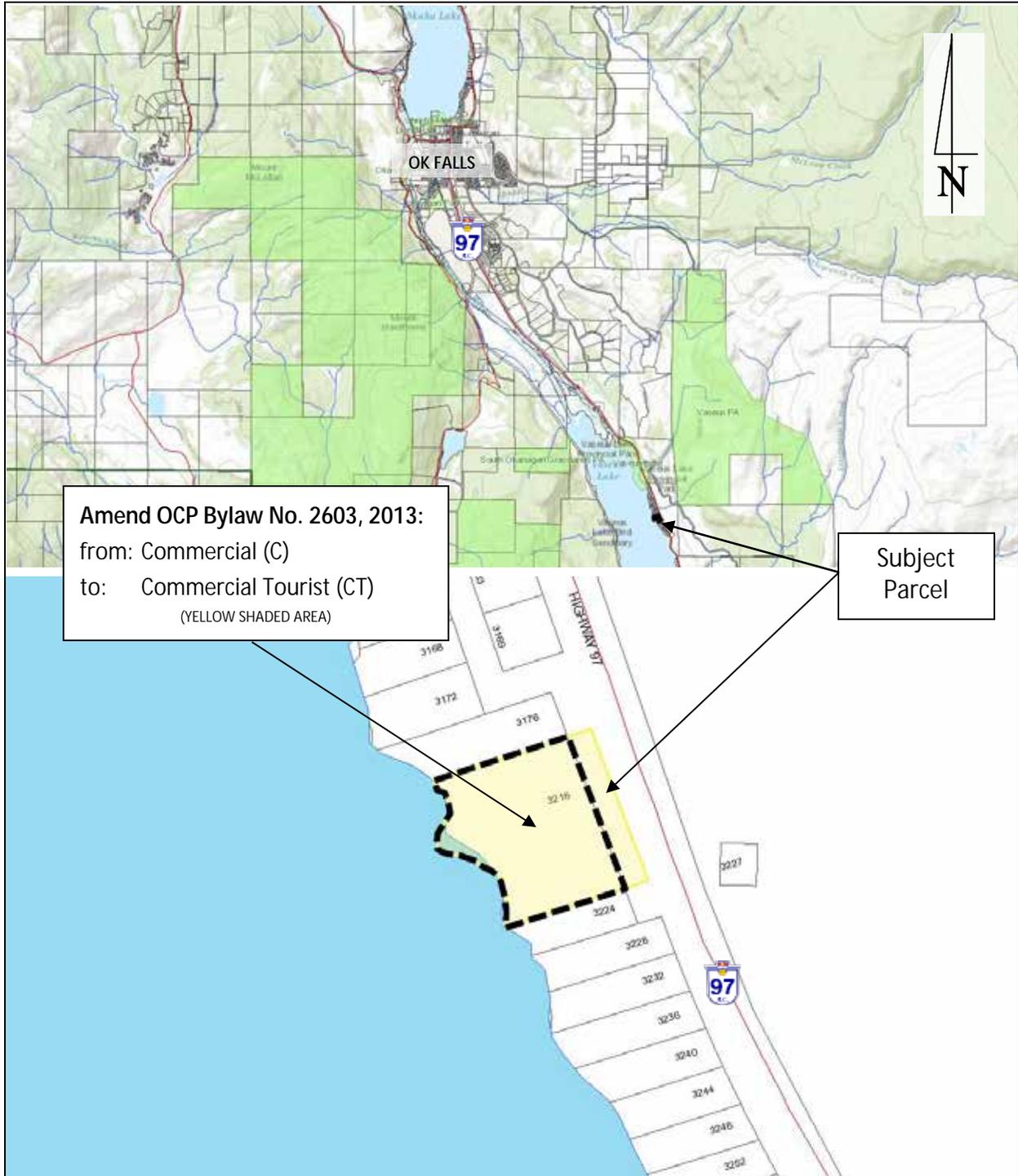
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'D-104'



# Regional District of Okanagan-Similkameen

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

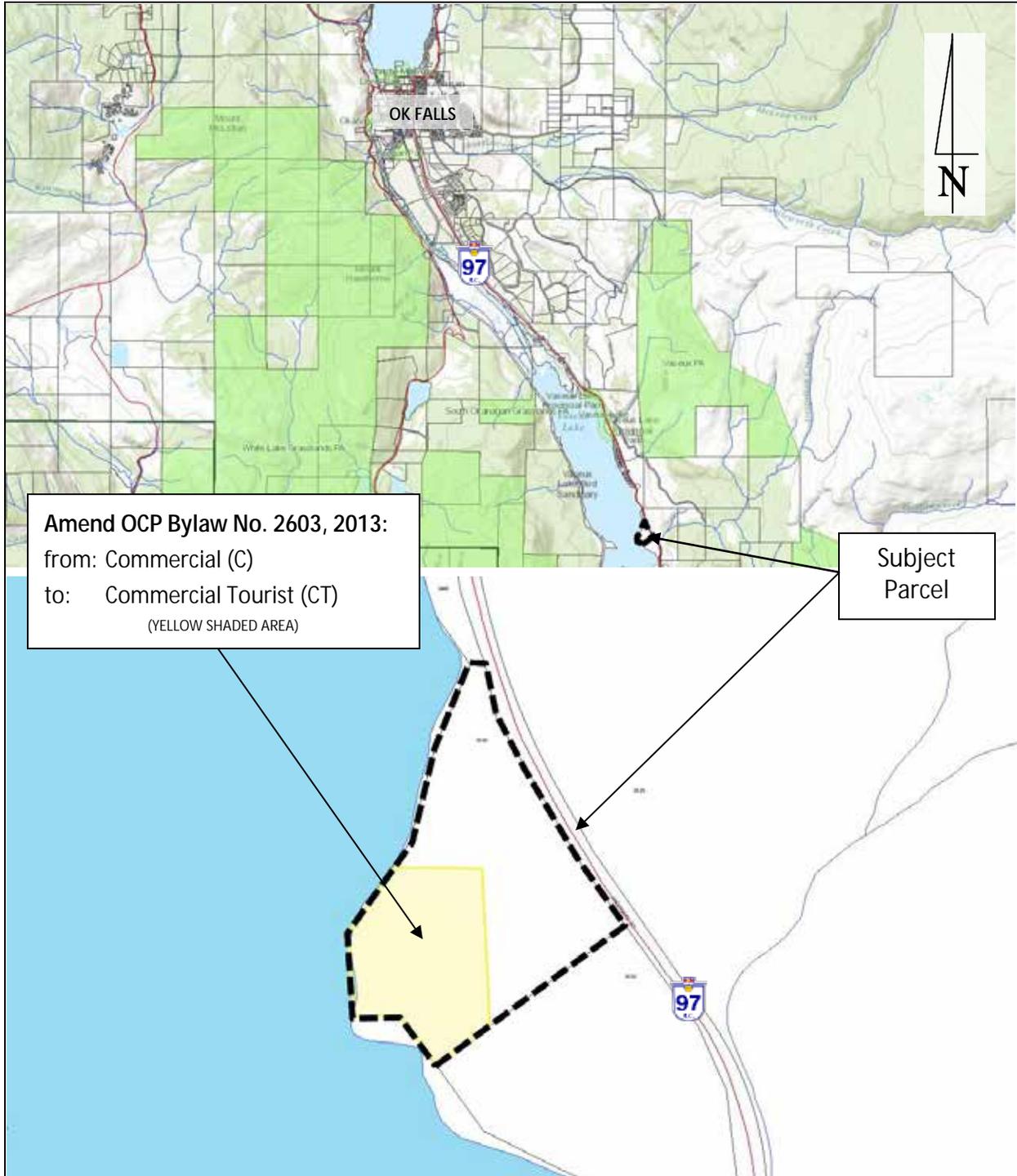
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

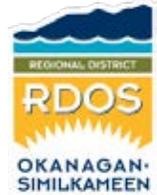
Schedule 'D-105'



# Regional District of Okanagan-Similkameen

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

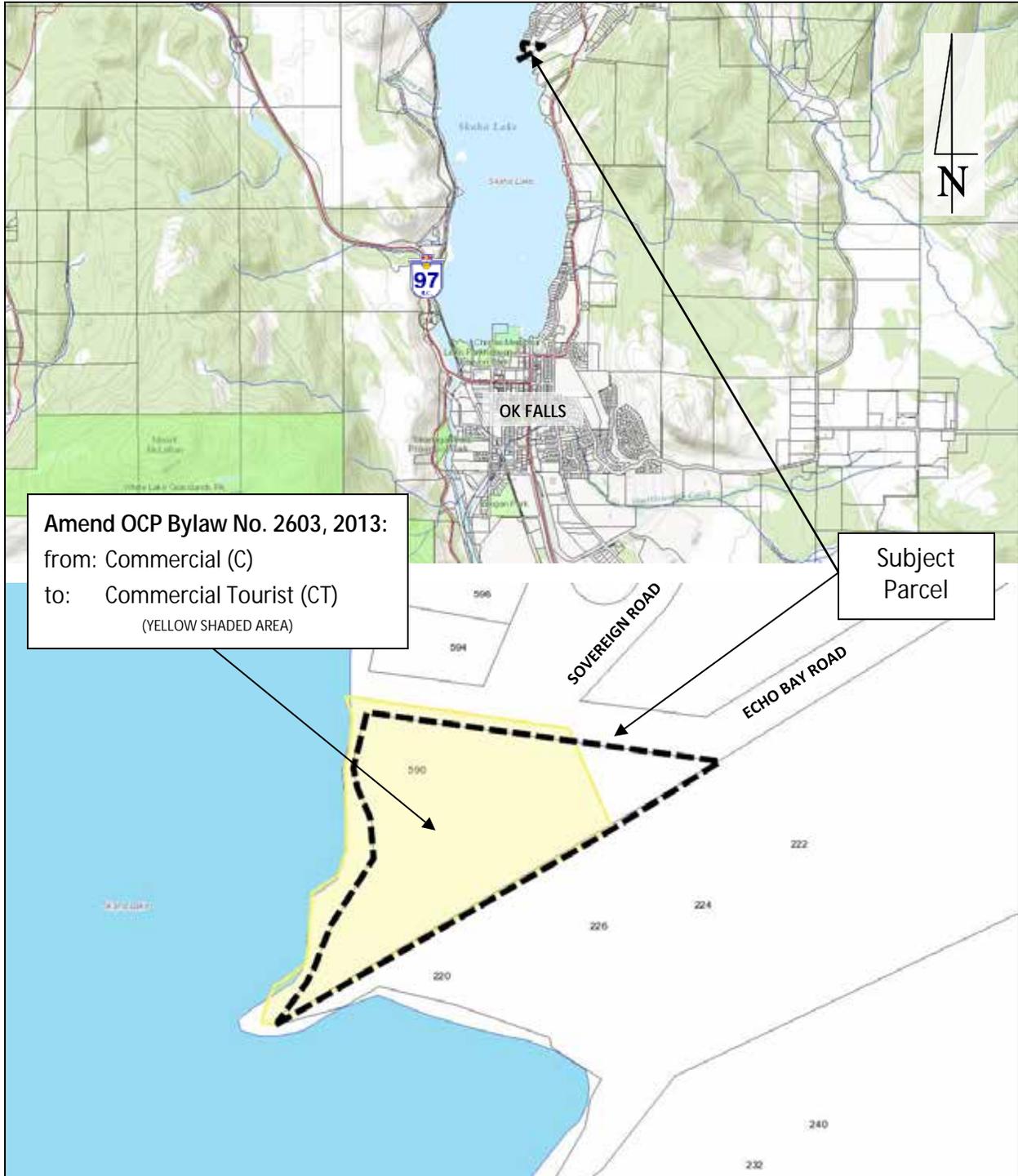
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'D-106'



# Regional District of Okanagan-Similkameen

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

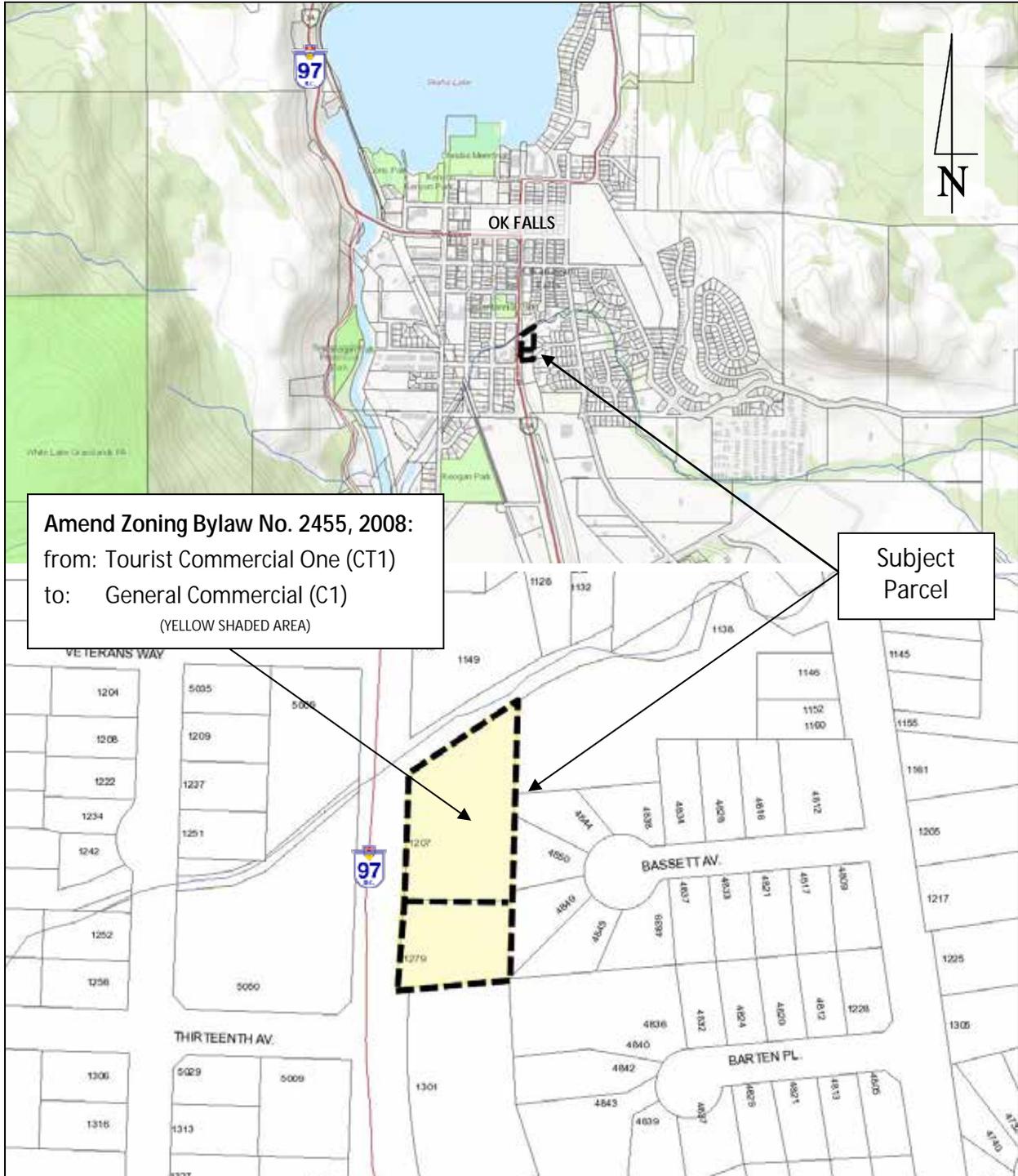
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

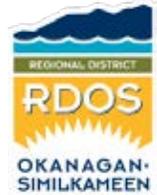
Schedule 'D-209'



# Regional District of Okanagan-Similkameen

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

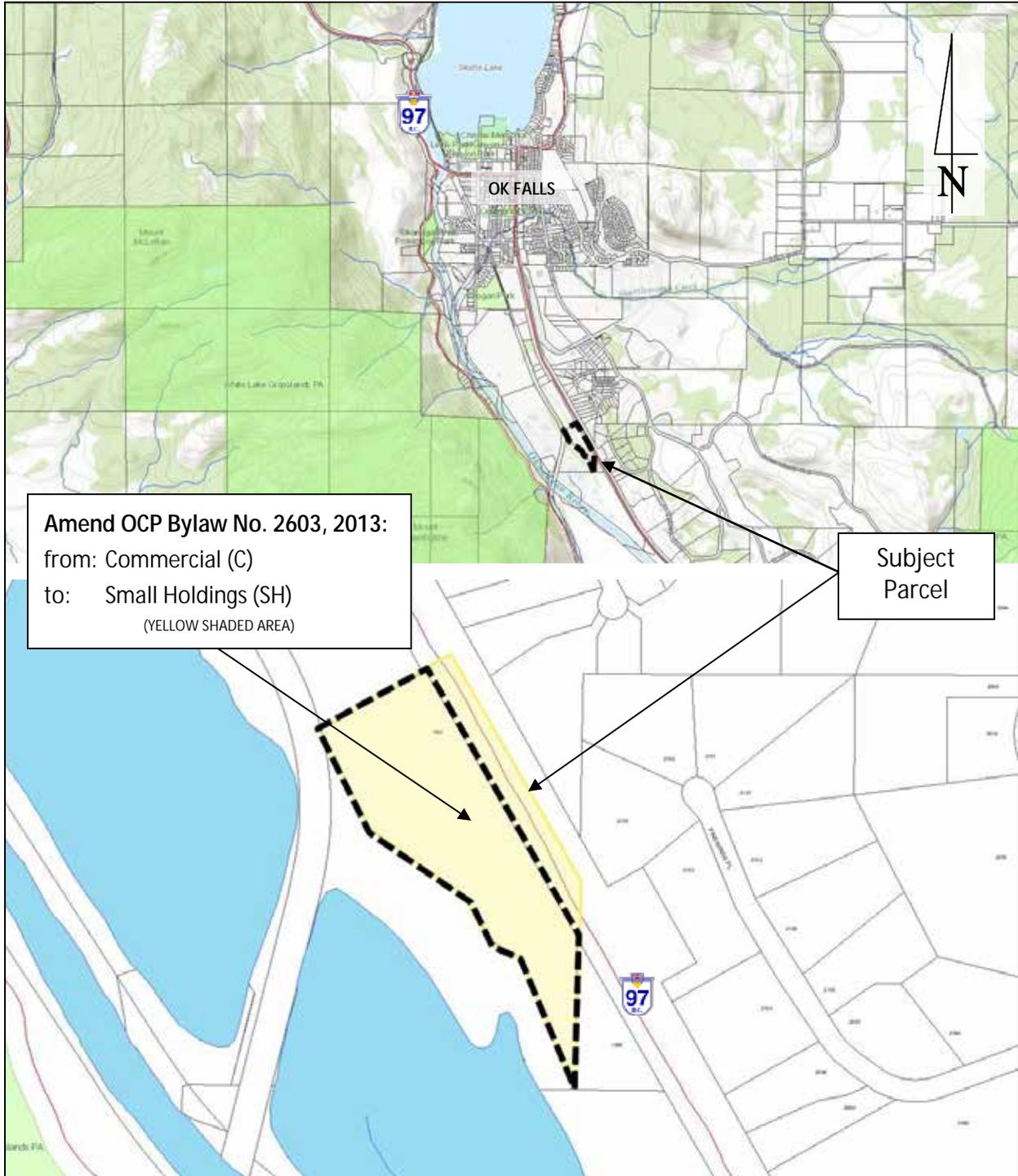
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Amendment Bylaw No. 2788, 2018

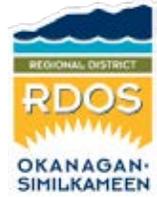
Project No: X2017.106-ZONE

Schedule 'D-110'



# Regional District of Okanagan-Similkameen

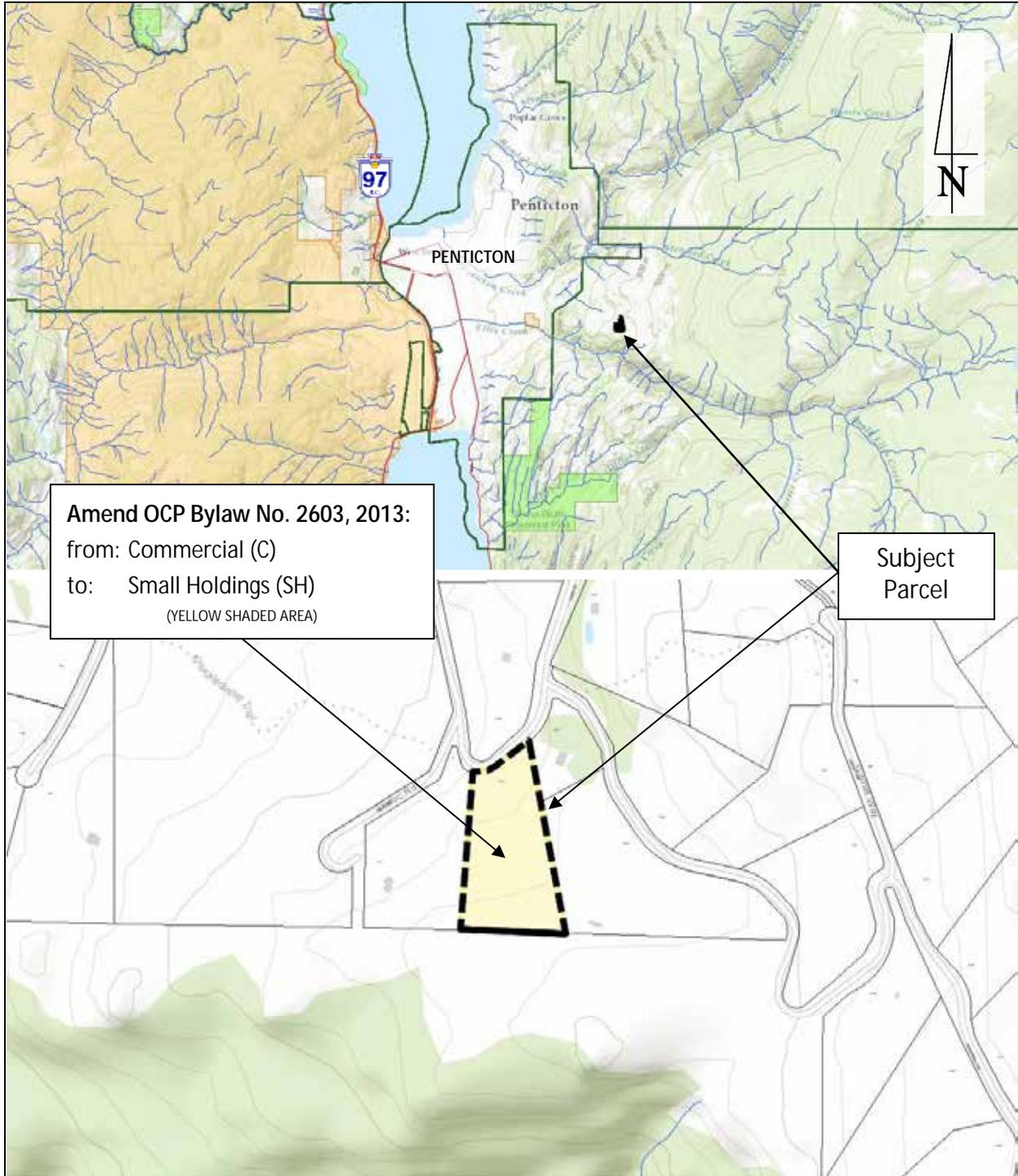
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'D-111'



# Regional District of Okanagan-Similkameen

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

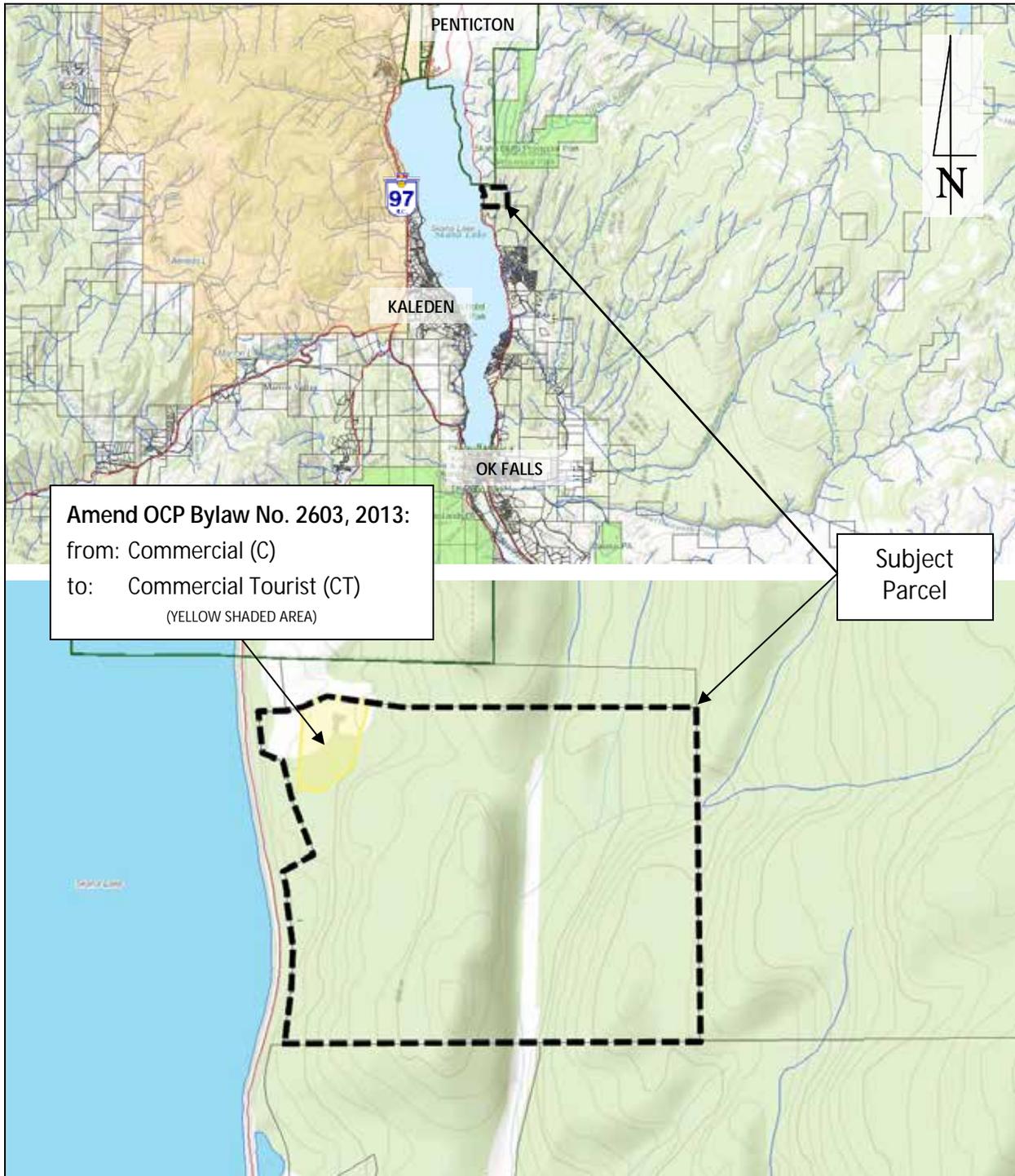
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Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

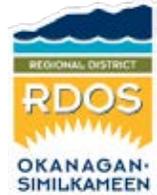
Schedule 'D-112'



# Regional District of Okanagan-Similkameen

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

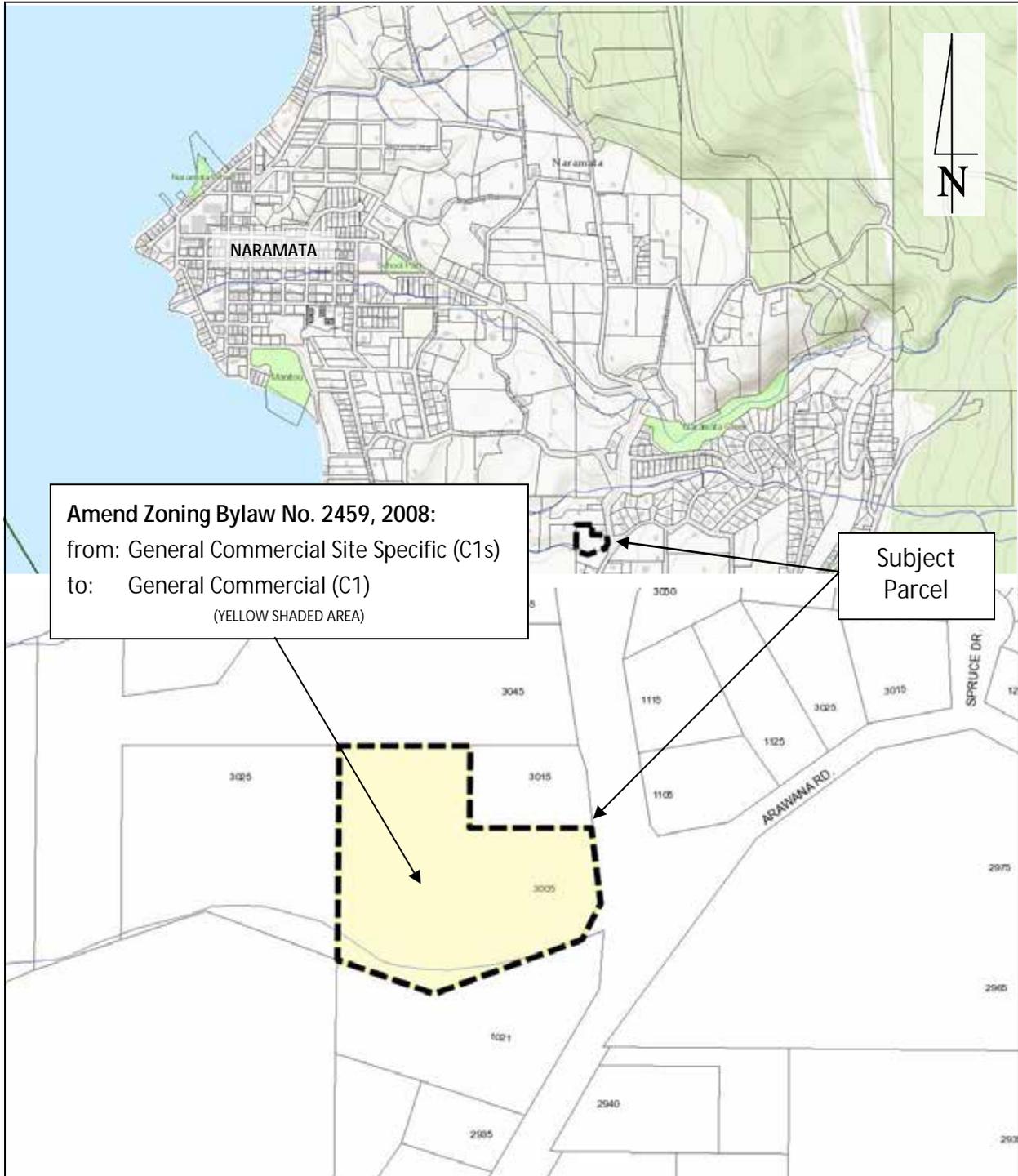
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'E-201'



# Regional District of Okanagan-Similkameen

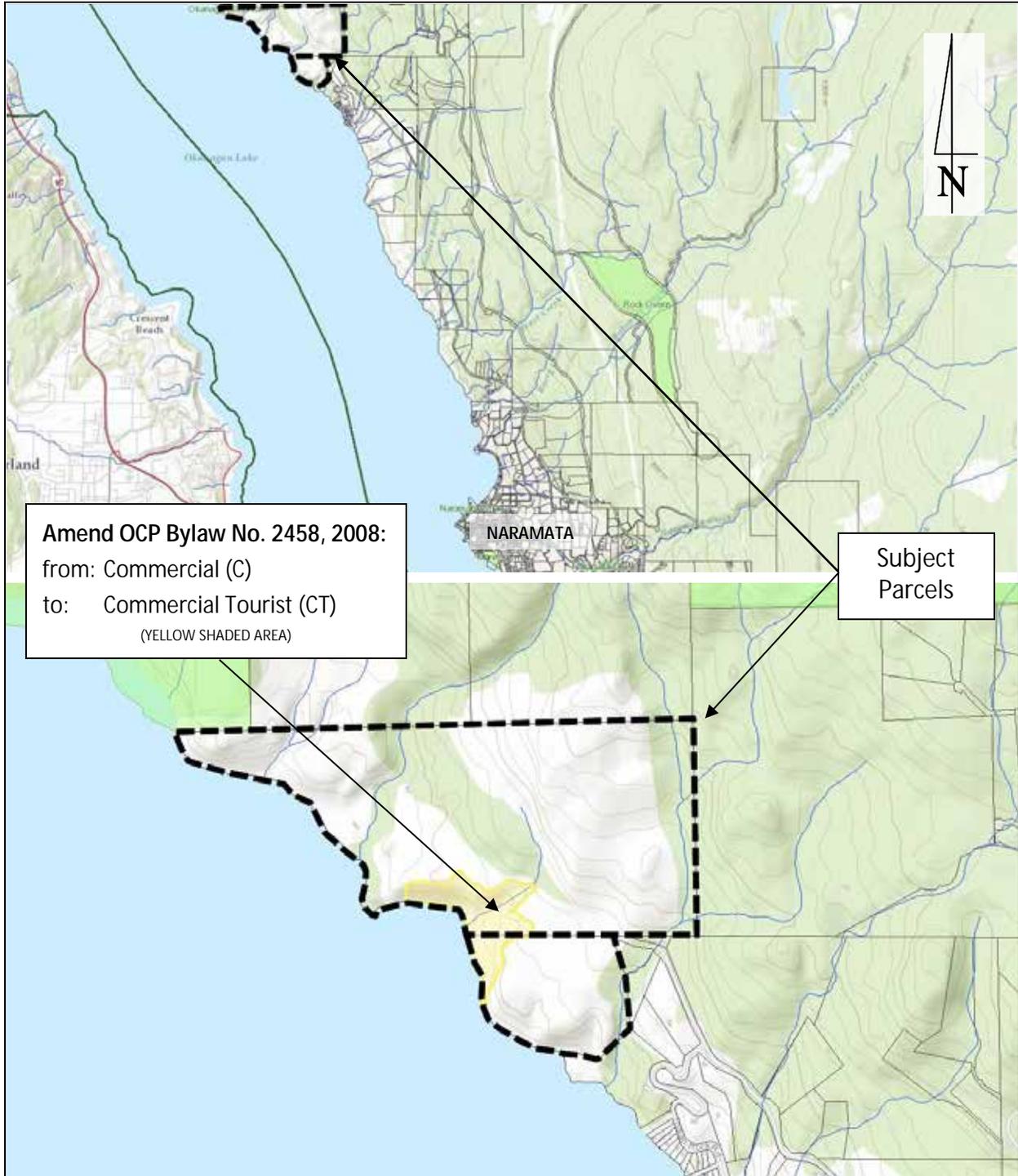
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'E-102'



# Regional District of Okanagan-Similkameen

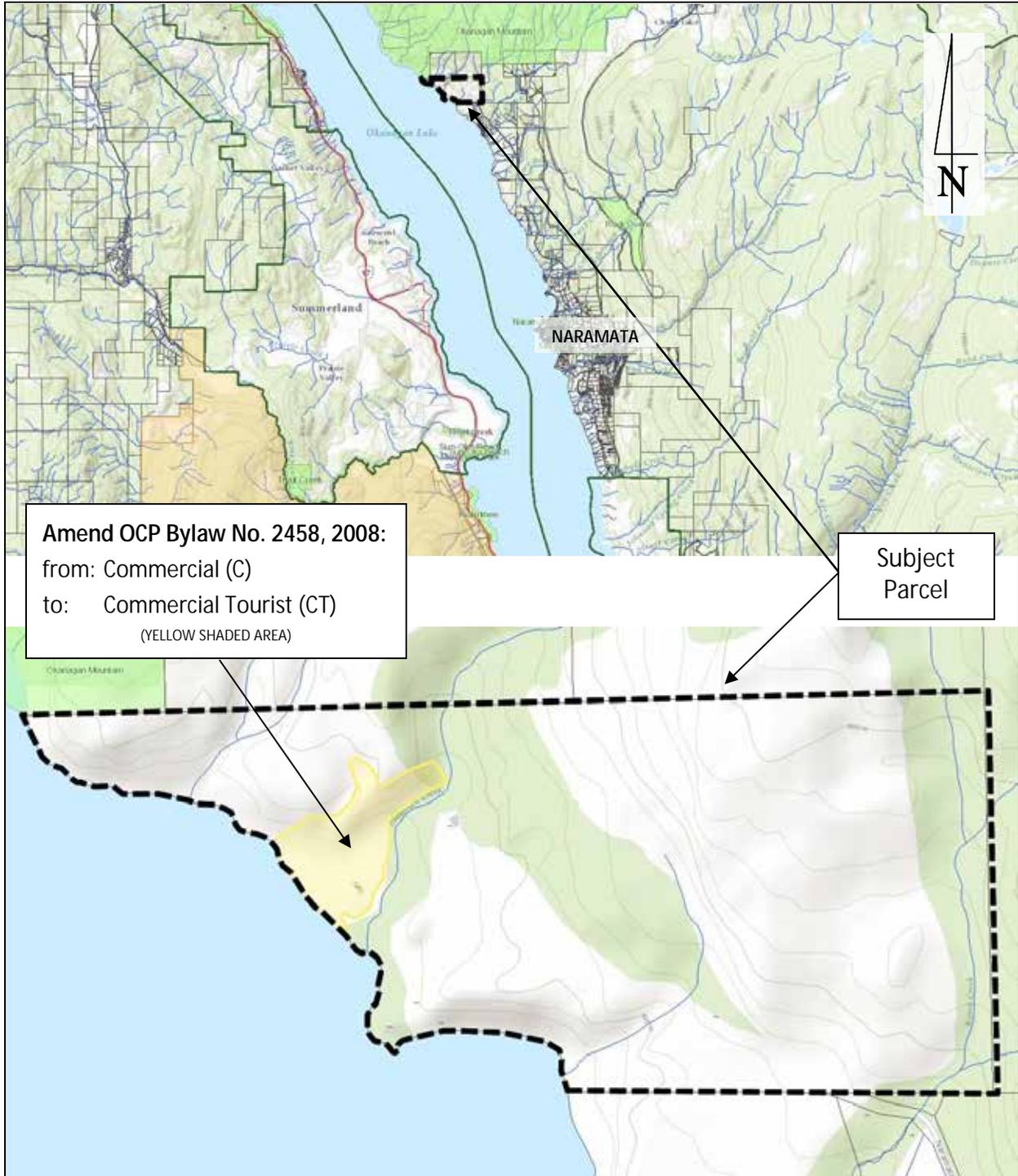
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'E-103'



# Regional District of Okanagan-Similkameen

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

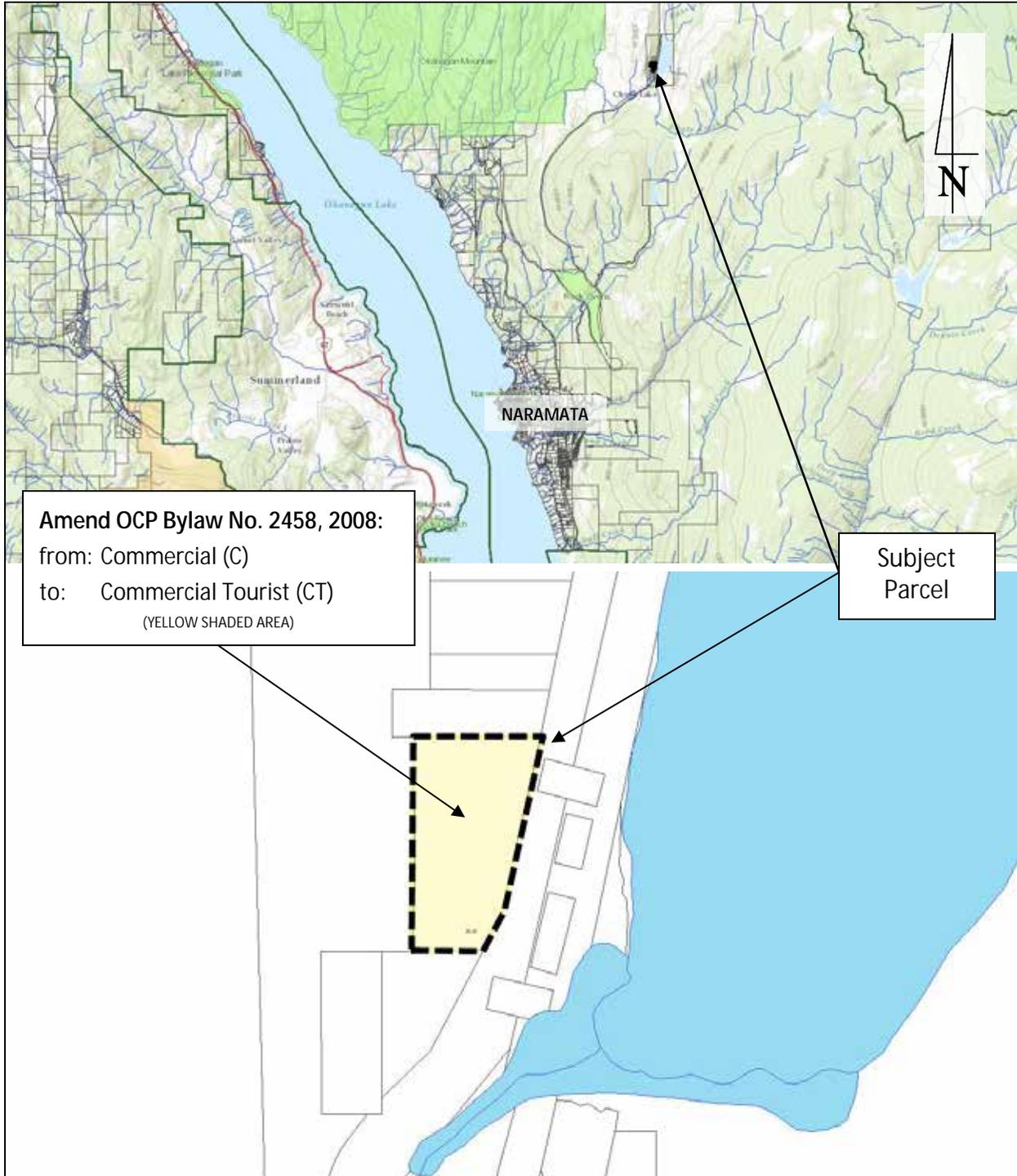
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'E-104'



# Regional District of Okanagan-Similkameen

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

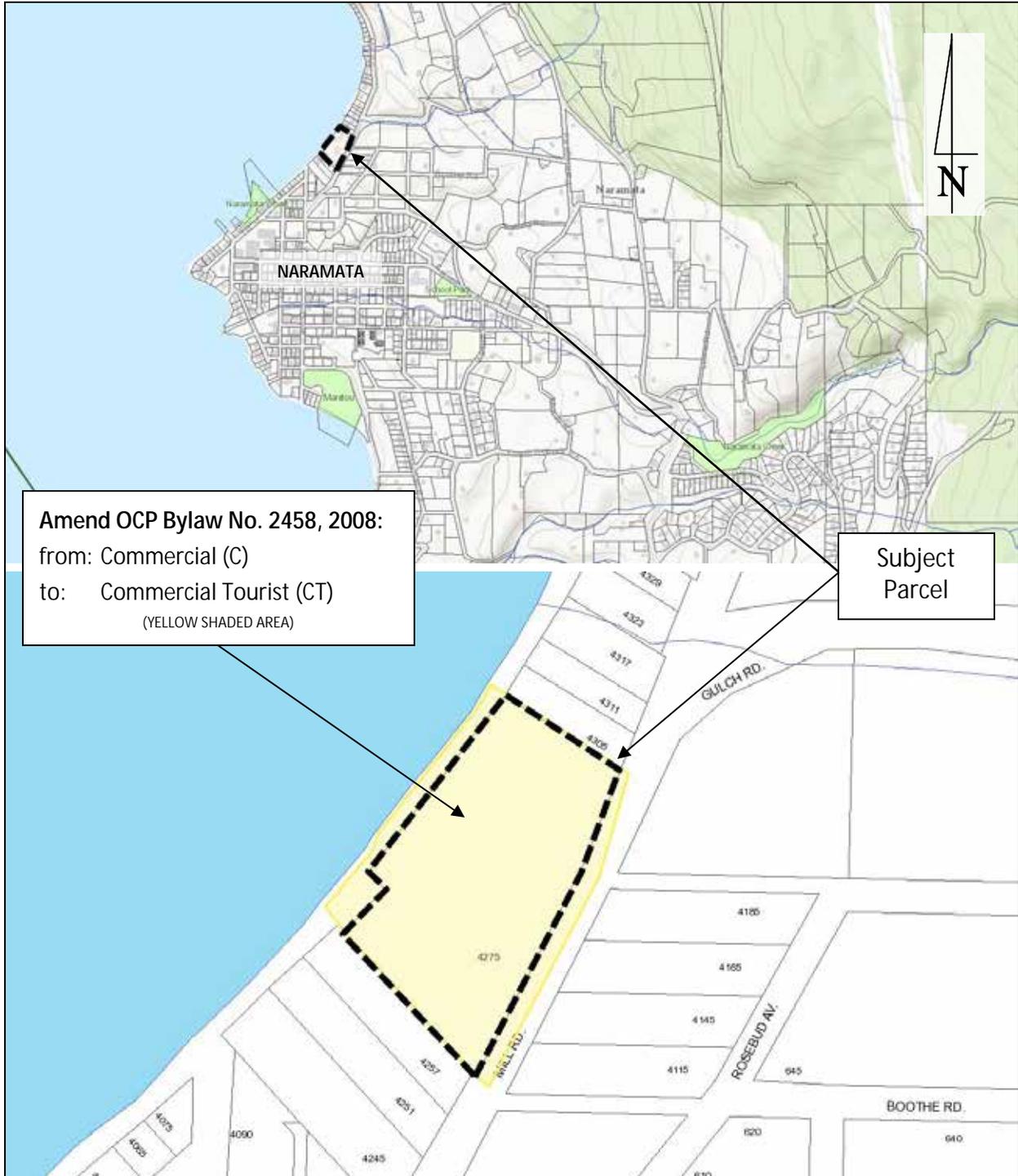
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

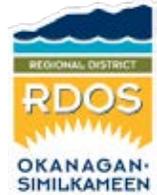
Schedule 'E-105'



# Regional District of Okanagan-Similkameen

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

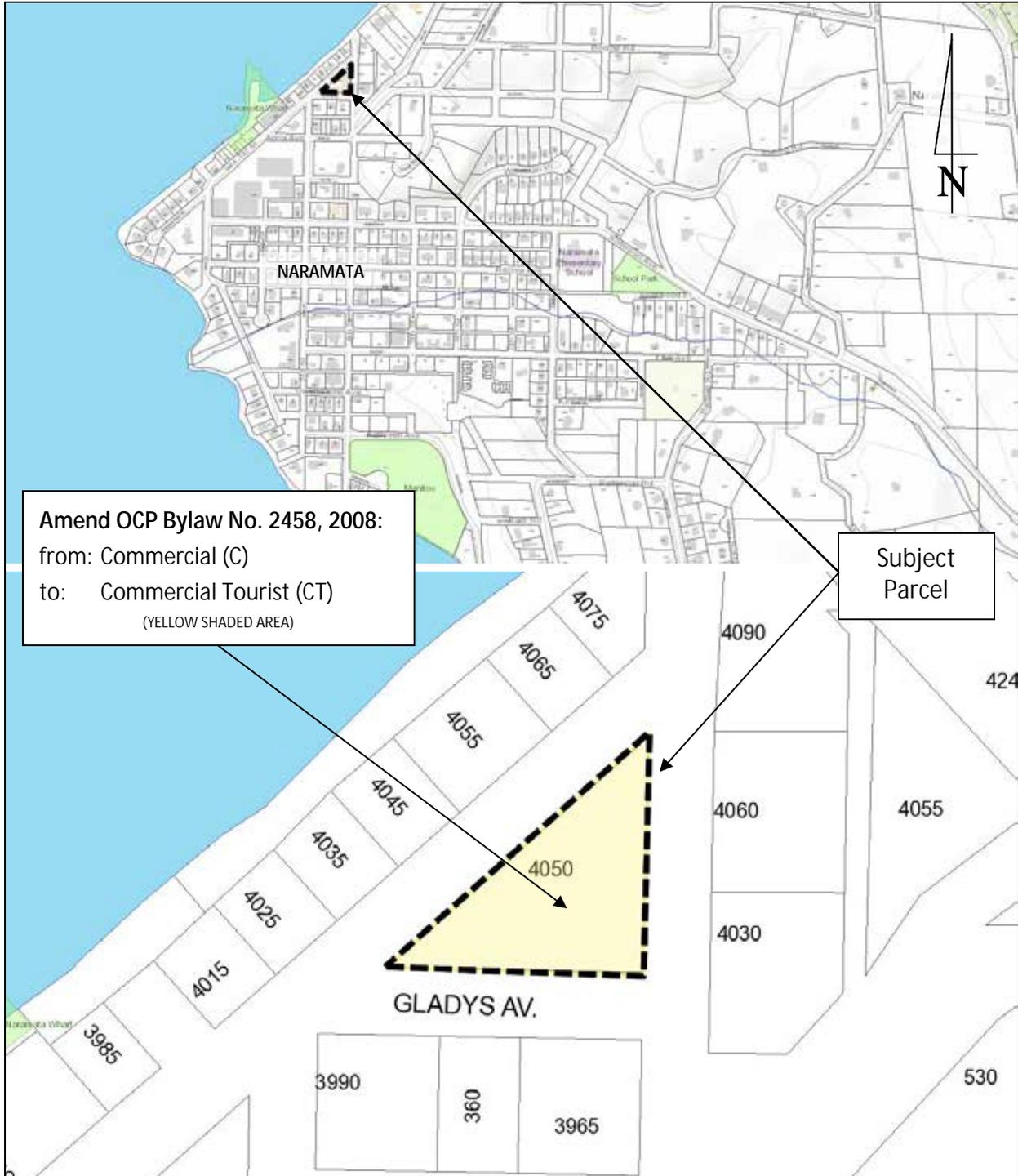
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'E-106

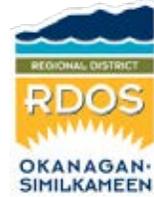




# Regional District of Okanagan-Similkameen

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

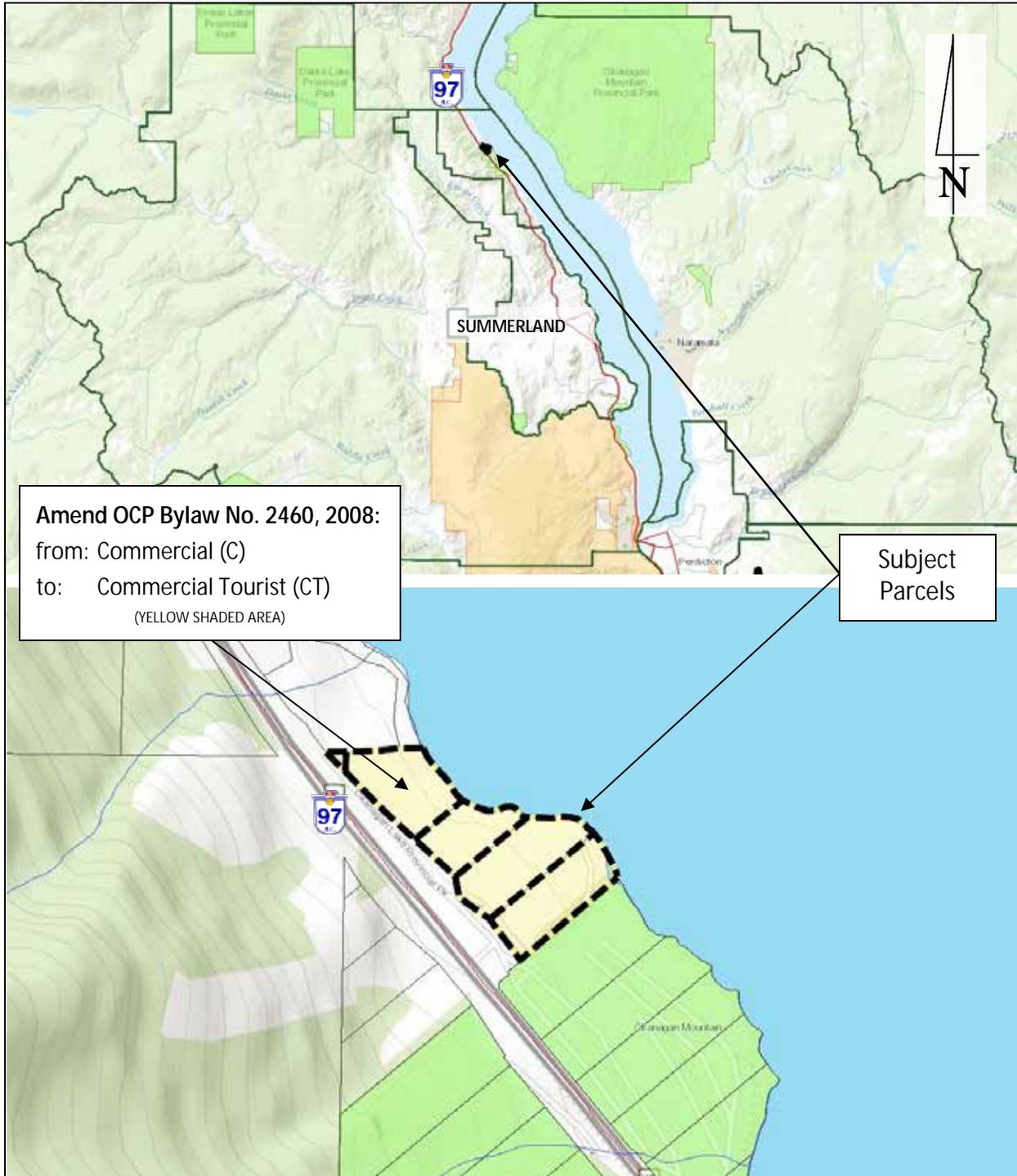
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

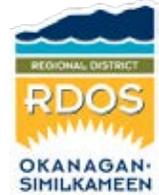
Schedule 'F-101'



# Regional District of Okanagan-Similkameen

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

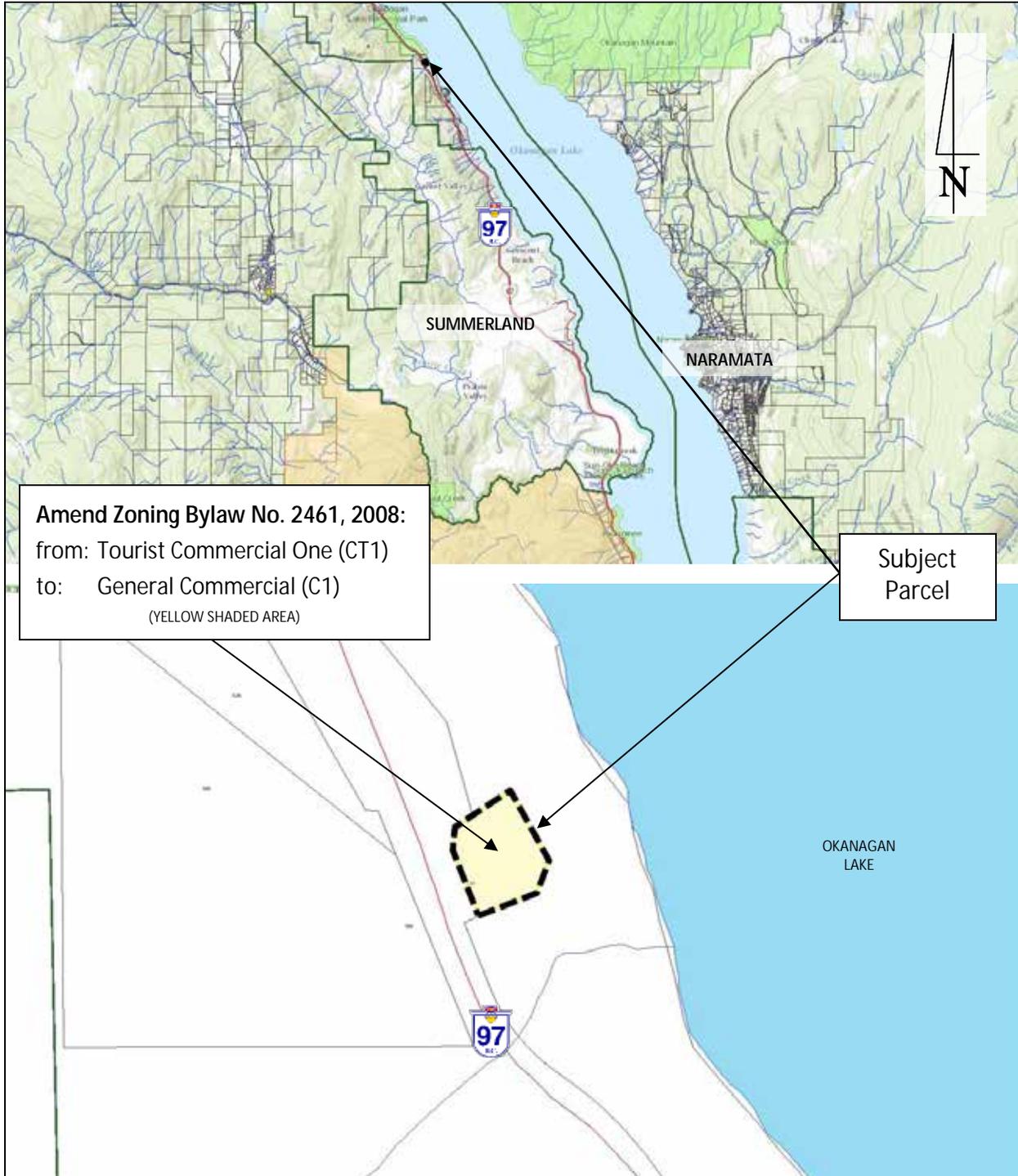
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

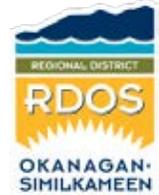
Schedule 'F-203'



# Regional District of Okanagan-Similkameen

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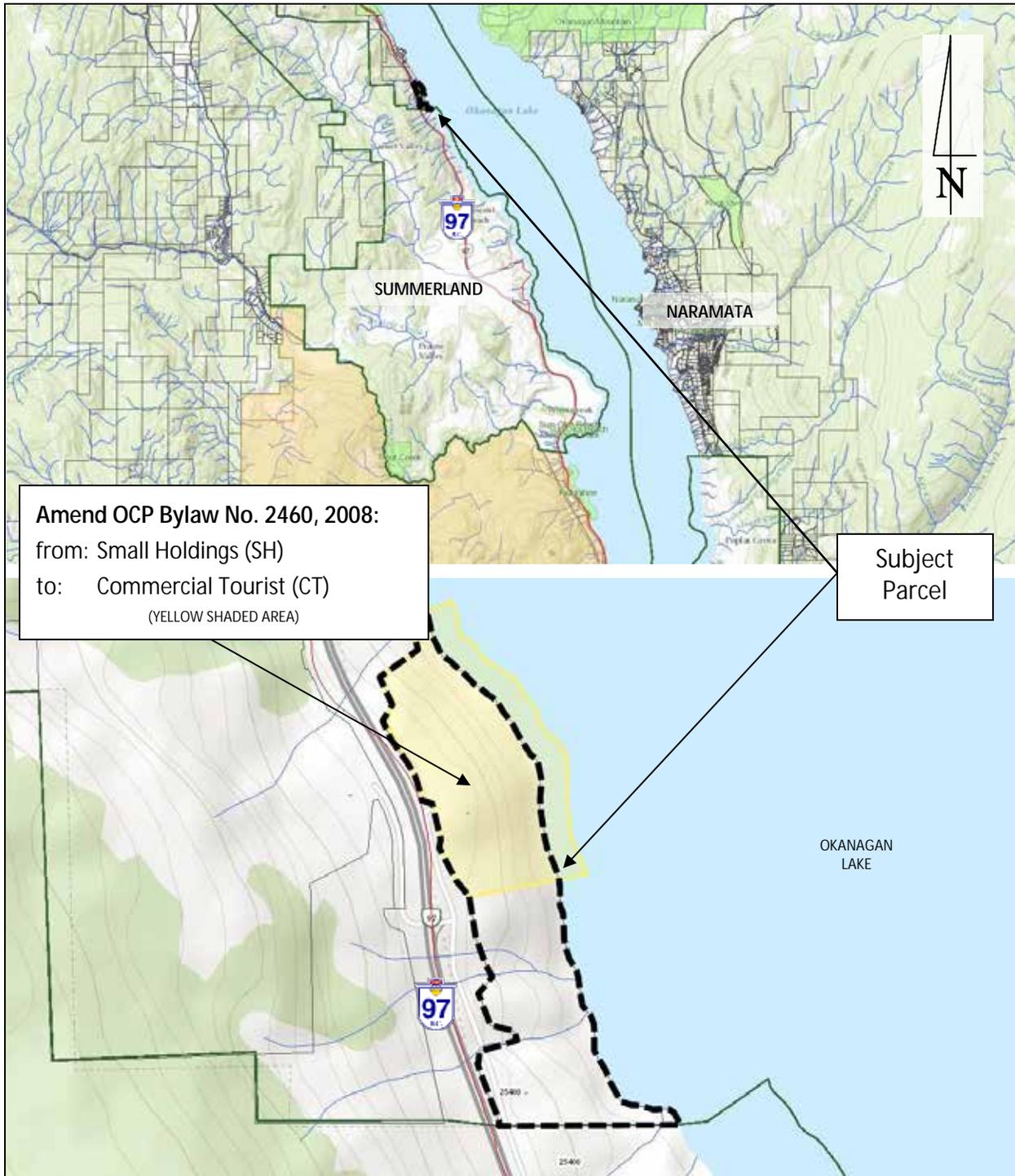
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Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

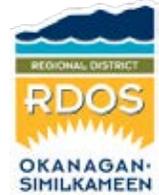
Schedule 'F-104'



# Regional District of Okanagan-Similkameen

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

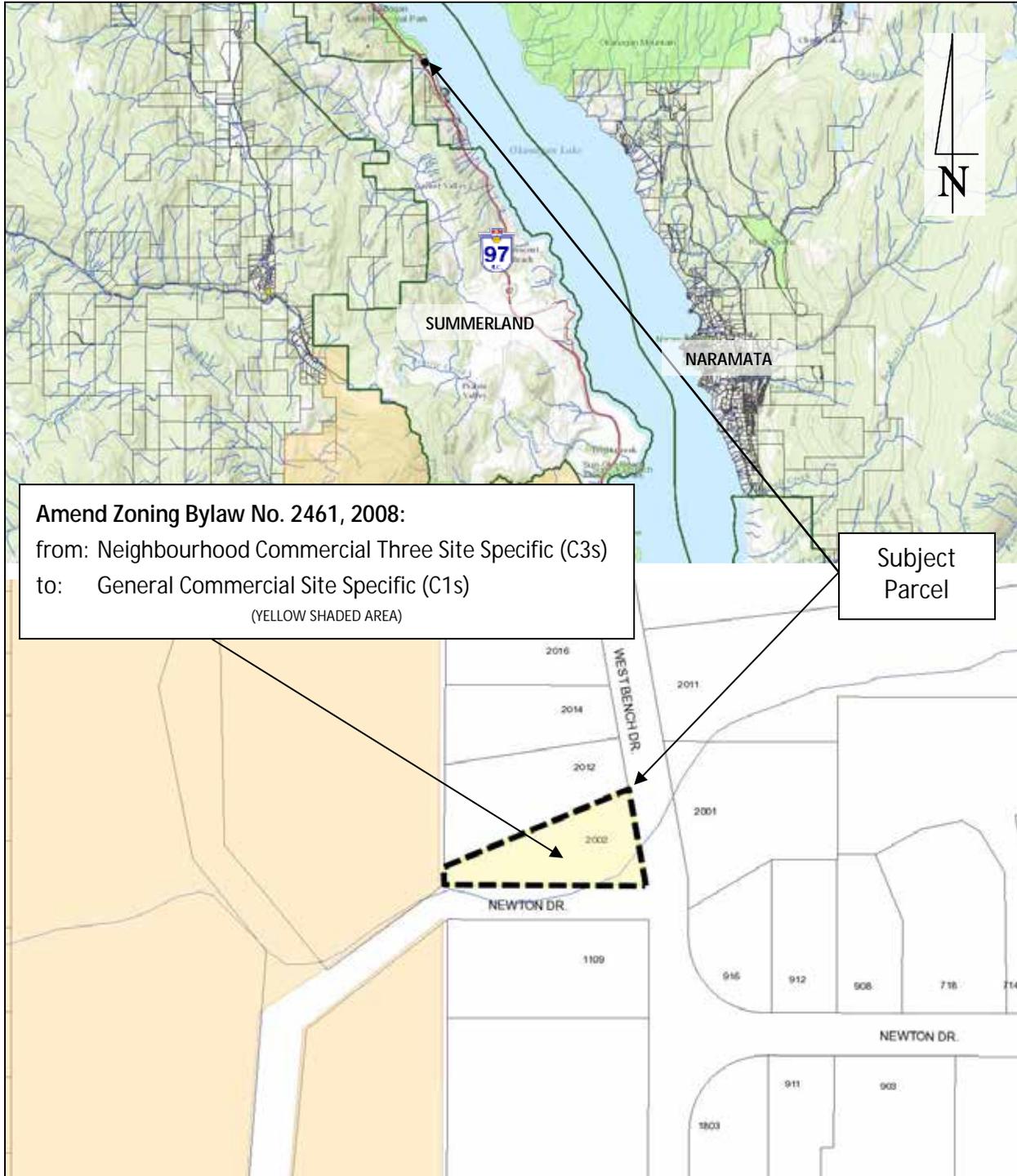
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

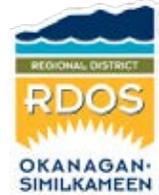
Schedule 'F-205'



# Regional District of Okanagan-Similkameen

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

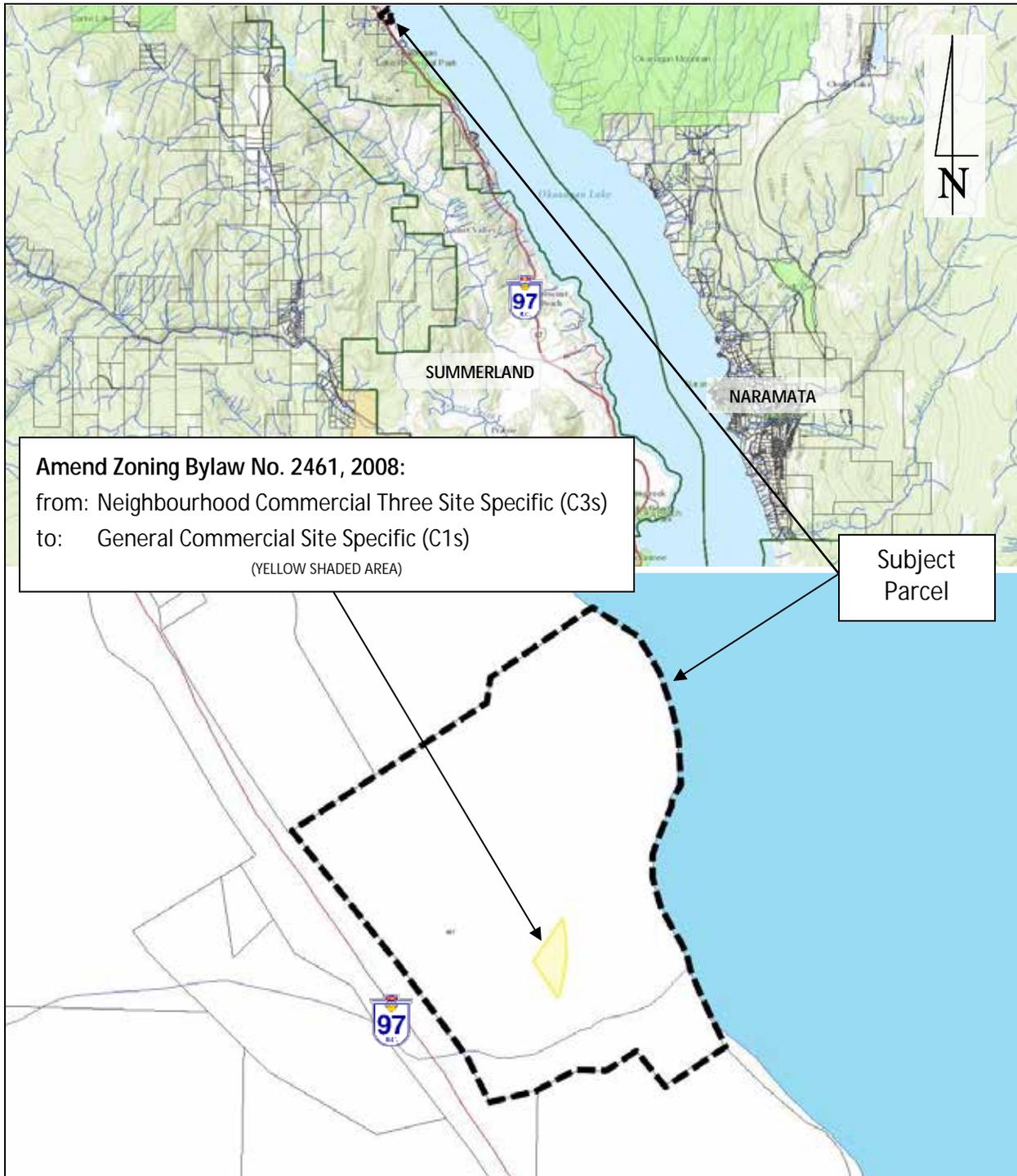
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

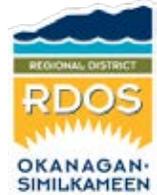
Schedule 'F-206'



# Regional District of Okanagan-Similkameen

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

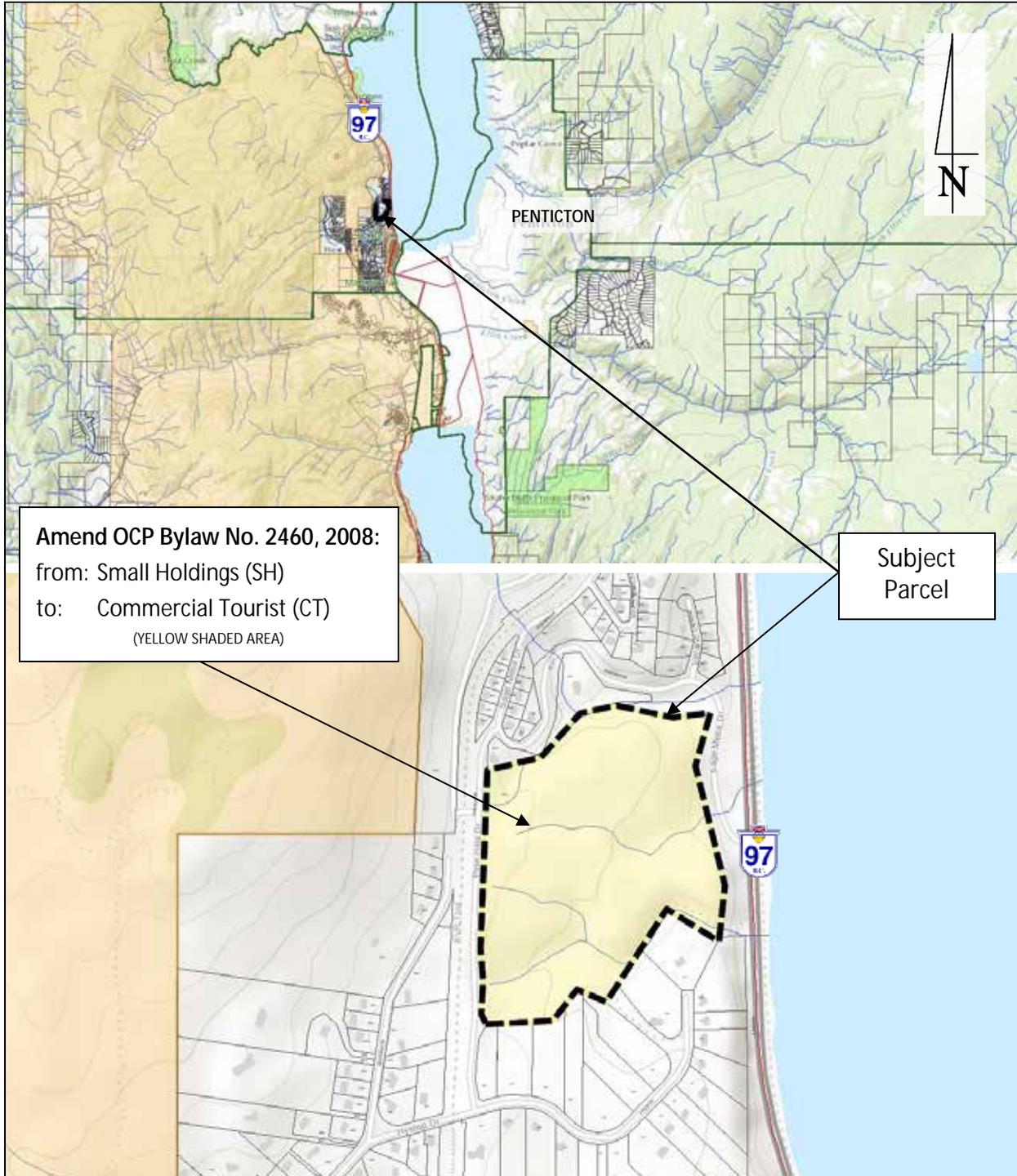
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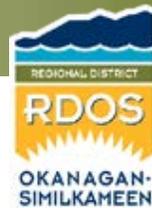
Amendment Bylaw No. 2788, 2018

Project No: X2017.106-ZONE

Schedule 'F-108'



# ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** October 4, 2018

**RE:** Zoning Bylaw Amendments – Electoral Areas “A”, “C”, “D”, “E” & “F”  
Tourist Commercial Zone Review and Consolidation

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## **Administrative Recommendation:**

**THAT Bylaw No. 2808, 2018, Regional District of Okanagan-Similkameen Tourist Commercial Zone Update Amendment Bylaw be read a third time, as amended.**

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## **Purpose:**

Amendment Bylaw No. 2808 seeks to amend the Okanagan Valley Electoral Area Zoning Bylaws in order to update the Tourist Commercial Zones. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

## **Background:**

At its meeting of July 20, 2017, the Planning and Development (P&D) Committee of the Board considered an Administrative Report (for information) related to a proposed update of the Tourist Commercial Zones.

On May 11, 2018, the Regional District sent letters to all registered property owners with land zoned Tourist Commercial advising of the proposed changes to the land use bylaws and seeking feedback.

At its meeting of July 19, 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 August 16, 2018.

On August 16, 2018, a public hearing was held at 101 Martin Street, Penticton (RDOS offices) and was attended by approximately twelve (12) members of the public.

At its meeting of August 16, 2018, the Board resolved to defer consideration of Bylaw No. 2808, 2018 “until the Oct 4, 2018, Board Meeting to enable a public information meeting and a second statutory public hearing to which be delegated to the Electoral Area “D” Director.”

On September 17, 2018, a public hearing was held at 101 Martin Street, Penticton (RDOS offices) and was attended by approximately 21 members of the public. The public hearing was proceeded by an informal Question and Answer (Q&A) session on the amendment bylaw that was attended by approximately 21 members of the public.

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) will be required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway.

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## Analysis:

The principal objective of the Tourist Commercial Zone Review is to update the language and regulations of the various tourist commercial zones in the Okanagan Electoral Area zoning bylaws. Not only will this facilitate the integration of these zones into a single zoning bylaw, but it allows for their modernisation to ensure coherence, consistency and fairness across Electoral Areas.

By way of example, the inconsistent allowance for hotels and motels in the CT1 Zone across Electoral Areas is proposed to be addressed through the introduction of a general reference to “tourist accommodation” as a permitted principal use, which contemplates lodges, motels, hotels, inns, or hostels and other types of accommodation for the travelling public.

As a further result of these proposed amendments, Administration is further proposing to consolidate the six (6) current Commercial Tourist Zones into three (3) main zones, being: Tourist Commercial (CT1), Campground Commercial (CT2) and Golf Course Commercial (CT3). For reference purposes, tables are included at Attachment Nos. 2 & 3 showing the transition of these zones as well as how existing CT1 zones compare to the proposed new CT1 Zone.

With regard to town/village centre areas in Okanagan Falls, Naramata, Apex and Twin Lakes where tourist commercial zones are common, it is being proposed that these areas be accommodated through new “Town Centre” or “Village Centre” zones. The zones are the subject of separate reviews being undertaken in each of these communities and include a range of commercial, tourist commercial, residential and institutional uses.

As a result of feedback received from some residents of the Upper Carmi area after the public hearing of August 16<sup>th</sup>, Administration is proposing a number of minor changes to the definition of “motorsports facility” (proposed edits shown by underlined and struck-through text):

“**motorsports facility**” means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, ~~drag strip, racing circuit, sports car track, skid pad, off road course~~ and other uses accessory to motorized vehicle racing;

In addition, it is also proposed to include the definition of “equestrian centre” as a permitted accessory use in CT5 Zone to reflect current uses occurring at 2070 Carmi Road.

Finally, and based upon separate feedback received from the Ministry of Transportation and Infrastructure (MoTI), it is being proposed to amend the zoning of a laneway that provides access from Larch Avenue in Kaleden to properties fronting Highway 97 and Aspen Avenue.

The Ministry has requested that the zoning of this laneway be made General Commercial (C1) under the Electoral Area “D-1” Zoning Bylaw No. 2457, 2008. It is currently split-zoned part C1 and part Residential Single Family One (RS1).

## Alternatives:

THAT first and second reading of Bylaw No. 2808, 2018, Regional District of Okanagan-Similkameen Commercial Zone Update Amendment Bylaw, be rescinded and the bylaw abandoned.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



B. Dollevoet, Development Services Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2808, 2018**

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**A Bylaw to amend the Electoral Area "A", "C", "D", "E" and "F" Zoning Bylaws**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Okanagan Electoral Area Tourist Commercial Zone Update Amendment Bylaw No. 2808, 2018."

**Electoral Area "A"**

2. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
  - i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

**"motorsports facility"** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;
  - ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
-------------------------	----
  - iii) adding a new section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

**Tourist Commercial Zones**

Tourist Commercial Zone	CT1
Campground Commercial Zone	CT2

iv) amending Section 13.2 (Tourist Commercial One Zone) to read as follows

**13.2 *deleted.***

v) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

**14.0 TOURIST COMMERCIAL ZONES**

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**14.1 TOURIST COMMERCIAL ZONE (CT1)**

**14.1.1 Permitted Uses:**

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) office;
- g) personal service establishment, not to exceed 200 m<sup>2</sup> in gross floor area;
- h) retail store, general, not to exceed 250 m<sup>2</sup> in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

**14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:**

- a) see Section 16.12

**14.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**14.1.4 Minimum Parcel Width:**

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

**14.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.1.7 Maximum Height:**

- a) No building or structure shall exceed a height of 12.0 metres.

**14.1.8 Maximum Parcel Coverage:**

- a) 35%

**14.2 CAMPGROUND COMMERCIAL ZONE (CT2)**

**14.2.1 Permitted Uses:**

Principal Uses:

- a) campground;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m<sup>2</sup> in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

**14.2.2 Site Specific Campground Commercial (CT2s) Provisions:**

- a) see Section 16.17

**14.2.3 Minimum Parcel Size:**

- a) 2.0 ha

**14.2.4 Minimum Parcel Width:**

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

**14.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.2.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.2.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 13.3.7(a), a tourist cabin shall not exceed one storey and a maximum height of 5.0 metres.

**14.2.8 Maximum Parcel Coverage:**

- a) 20%

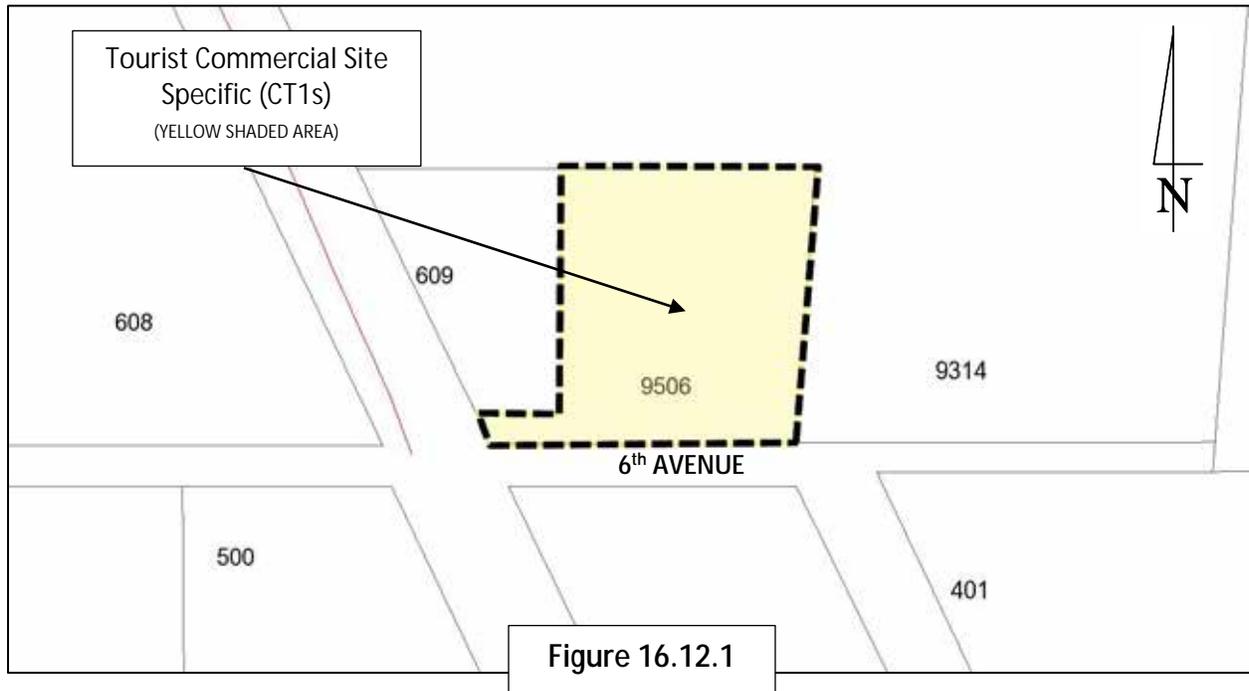
**14.2.9 General Provisions:**

- a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;
- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of tourist cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m<sup>2</sup> including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

- vi) replacing Section 16.12 (Site Specific Tourist Commercial One (CT1s) Provisions) under Section 16.0 (Site Specific Designations) in its entirety with the following:

**16.12 Site Specific Tourist Commercial (CT1s) Provisions:**

- .1 in the case of land described as Lot 2, Plan KAP7911, District Lot 2450S, SDYD (9506 6<sup>th</sup> Avenue), and shown shaded yellow on Figure 16.12.3:
  - a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 14.2.1:
    - i) “single detached dwelling”.



- vii) adding a new Section 16.17 (Site Specific Campground Commercial (CT2s) Provisions) under Section 16.0 (Site Specific Designations) to read as follows:

**16.17 Site Specific Campground Commercial (CT2s) Provisions:**

- .1 Not applicable

3. The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
  - i) changing the land use designation on an approximately 2.25 ha part of the land described as Lot 640, Plan KAP1950, District Lot 2450S, SDYD, Except Plan B3527, 3705, 5125 and B7120 (401 2<sup>nd</sup> Avenue), and as shown shaded yellow on Schedule 'A-1', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Campground Commercial (CT2).
  - ii) changing the land use designation on an approximately 1.67 ha part of the land described as Lot 1, Plan KAP22229, District Lot 2450S, SDYD, Portion Lot 677 (9330 202<sup>nd</sup> Avenue), and as shown shaded yellow on Schedule 'A-2', which forms part of

this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Campground Commercial (CT2).

- iii) changing the land use designation of the land described as Lot A, Plan KAP10545, District Lot 100, SDYD, Portion Plus Lot 1, Plan 19864, Except Plan 19864; and Lot A, Plan KAP81557, District Lot 100, SDYD (2231 45<sup>th</sup> Street), and as shown shaded yellow on Schedule 'A-3', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Campground Commercial (CT2).
- iv) changing the land use designation of the land described as Lot 1, Plan KAP5097, District Lot 42, SDYD (1219 45<sup>th</sup> Street); and part of Lot 3, Plan KAP3345, District Lot 42, SDYD, Except Plan 5097, and as shown shaded yellow on Schedule 'A-4', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Campground Commercial (CT2).
- v) changing the land use designation of the land described as Lot 3, Plan KAP3345, District Lot 42, SDYD, Except Plan 5097, and as shown shaded purple on Schedule 'A-4', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Campground Commercial (CT2).
- vi) changing the land use designation of all parcels zoned Tourist Commercial One (CT1) to Tourist Commercial (CT1).

#### Electoral Area "C"

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

- i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

**"motorsports facility"** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;
- ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Service Commercial Zone	CS1

- iii) adding a section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

**Tourist Commercial Zones**

Tourist Commercial Zone	CT1
-------------------------	-----

Campground Commercial Zone	CT2
Golf Course Commercial Zone	CT3

iv) replacing Section 13.5 (Tourist Commercial One Zone) in its entirety with the following:

**13.5 *deleted.***

v) replacing Section 13.6 (Tourist Commercial Four (Campground) Zone) in its entirety with the following:

**13.6 *deleted.***

vi) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

## **14.0 TOURIST COMMERCIAL ZONES**

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### **14.1 TOURIST COMMERCIAL ZONE (CT1)**

#### **14.1.1 Permitted Uses:**

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) office;
- g) personal service establishment, not to exceed 200 m<sup>2</sup> in gross floor area;
- h) retail stores, general, not to exceed 250 m<sup>2</sup> in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

#### **14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:**

- a) see Section 16.17

#### **14.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**14.1.4 Minimum Parcel Width:**

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

**14.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.1.7 Maximum Height:**

- a) No building or structure shall exceed a height of 12.0 metres.

**14.1.8 Maximum Parcel Coverage:**

- a) 35%

**14.4 CAMPGROUND COMMERCIAL ZONE (CT2)**

**14.2.1 Permitted Uses:**

Principal Uses:

- a) campground;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m<sup>2</sup> in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

**14.2.2 Site Specific Campground Commercial (CT2s) Provisions:**

- a) see Section 16.18

**14.2.3 Minimum Parcel Size:**

- a) 2.0 ha, subject to servicing requirements.

**14.2.4 Minimum Parcel Width:**

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

**14.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.2.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.2.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 13.4.7, a tourist cabin may not exceed a height of 5.0 metres.

**14.2.8 Maximum Parcel Coverage:**

- a) 20%

**14.2.9 General Provisions:**

- a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;
- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m<sup>2</sup> including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

## **14.3 GOLF COURSE COMMERCIAL ZONE (CT3)**

### **14.3.1 Permitted Uses:**

#### Principal Uses:

- a) golf course;

#### Accessory Uses:

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

### **14.3.2 Site Specific Golf Course Commercial (CT3s) Provisions:**

- a) see Section 16.19

### **14.3.3 Minimum Parcel Size:**

- a) 20.0 ha

### **14.3.4 Minimum Parcel Width:**

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

### **14.3.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

### **14.3.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

### **14.3.7 Maximum Height:**

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

### **14.3.8 Maximum Parcel Coverage:**

- a) 5%

vii) replacing Section 16.1.1 (Site Specific Resource Area (RAs) Provisions) under Section 16.0 (Site Specific Provisions) with the following:

.1 *deleted.*

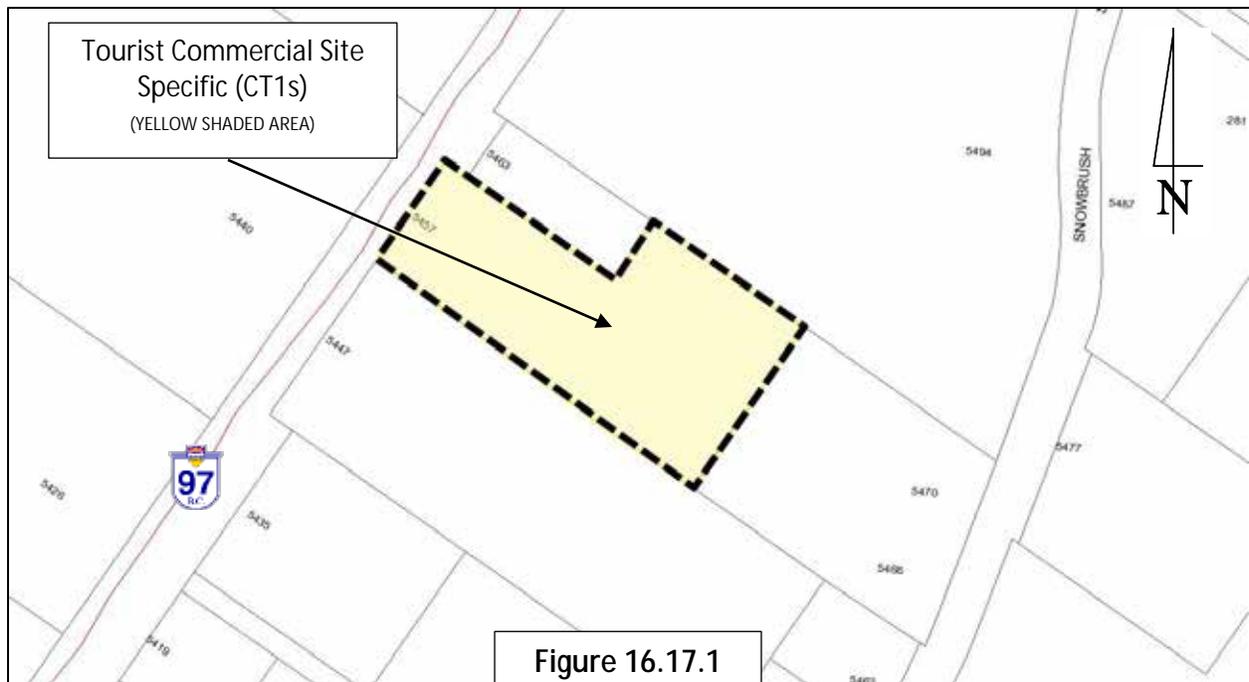
viii) replacing Section 16.17 (Site Specific Neighbourhood Commercial (C3s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:

**16.17 Site Specific Tourist Commercial (CT1s) Provisions:**

.1 In the case of part of the land described as Lot 1, Plan KAP10731, District Lot 2450S, SDYD, Except Plan KAP11492 and KAP16769 (5457 Highway 97), and shown shaded yellow on Figure 16.17.1:

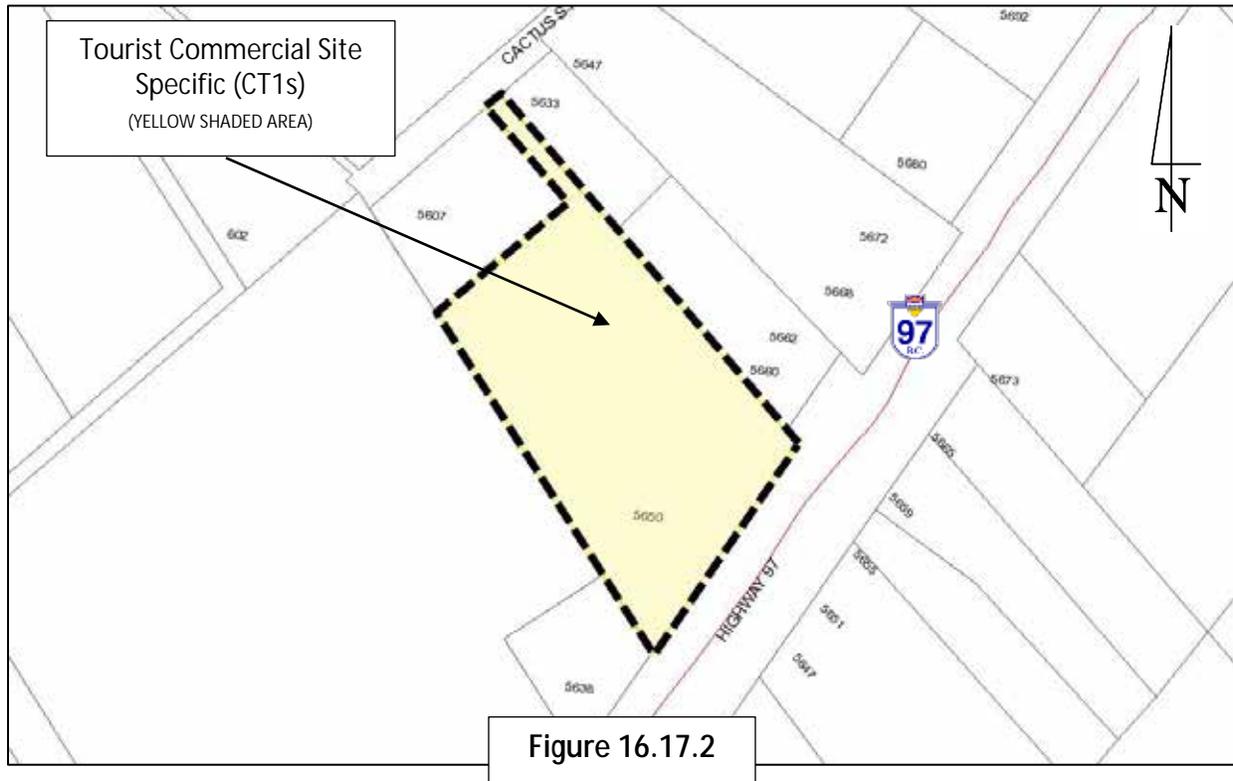
a) the following accessory use shall be permitted in addition to the permitted uses listed in Section 14.1.1:

i) campground, accessory to a motel use and subject to all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw.



.2 In the case of part of the land described as Lot 1, Plan KAP68288, District Lot 2450S, SDYD (5650 Highway 97), and shown shaded yellow on Figure 16.17.2:

- a) the following accessory use shall be permitted in addition to the permitted uses listed in Section 14.1.1:
  - i) campground, accessory to a motel use and subject to all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw.



- ix) replacing Section 16.18 (Site Specific Commercial Amusement (C6s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:
  - 16.18 Site Specific Campground Commercial (CT2s) Provisions:**
    - .1 Not applicable
- x) replacing Section 16.19 (Site Specific Tourist Commercial One (CT1s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:
  - 16.19 Site Specific Golf Course Commercial (CT3s) Provisions:**
    - .1 Not applicable
- xi) replacing Section 16.20 (Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions) under Section 16.0 (Site Specific Provisions) with the following:

**16.20 *deleted.***

5. The Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
- i) changing the land use designation of the land described as Lot 1, Plan KAP42096, District Lot 28S, SDYD (8374 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-1', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Campground Commercial (CT2).
  - ii) changing the land use designation on an approximately 4.8 ha of the land described as Lot 3, Plan KAP3579, District Lot 28S, SDYD, Portion Lying North of Plan 4507; and Lot 3, Plan KAP3579, District Lot 28S, SDYD, Except Plan 4057, 19130, Except Part Lying North of 4507 (8487 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-2', which forms part of this Bylaw, from Tourist Commercial Four (Campground) Site Specific (CT4s) to Campground Commercial (CT2).
  - iii) changing the land use designation of the land described as Lot A, Plan KAP91344, District Lot 2450S, SDYD (8112 Highway 97), and as shown shaded yellow on Schedule 'C-3', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
  - iv) changing the land use designation of the land described as Lot 1, Plan KAP10731, District Lot 2450S, SDYD, Except Plan KAP11492 & KAP16769 (5457 Highway 97), and as shown shaded yellow on Schedule 'C-4', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Tourist Commercial Site Specific (CT1s).
  - v) changing the land use designation of the land described as Lot 1, Plan KAP68288, District Lot 2450S, SDYD (5650 Highway 97), and as shown shaded yellow on Schedule 'C-5', which forms part of this Bylaw, from Tourist Commercial One (CT1) to Tourist Commercial Site Specific (CT1s).
  - vi) changing the land use designation of the land described as Lot 1, Plan KAP62023, District Lot 2450S, SDYD, and as shown shaded yellow on Schedule 'C-6', which forms part of this Bylaw, from Resource Area Site Specific (RAs) to Golf Course Commercial (CT3).
  - vii) changing the land use designation of the land described as Lot 2, Plan KAP42096, District Lot 28S, SDYD (8464 Gallagher Lake Frontage Road), and as shown shaded yellow on Schedule 'C-7', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).

Electoral Area "D-1"

6. The Electoral Area "D-1" Zoning Bylaw No. 2457, 2008, is amended by:

- i) replacing the definition of “motorsports facility” under Section 4.0 (Definitions) in its entirety with the following:

“**motorsports facility**” means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

- ii) replacing the section for “Commercial Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Service Commercial Zone	CS1

- iii) adding a section for “Tourist Commercial Zones” at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

**Tourist Commercial Zones**

Tourist Commercial Zone	CT1
Campground Commercial Zone	CT2
Golf Course Commercial Zone	CT3

- iv) replacing Section 10.1.1(b) under Section 10.1 (Resource Area Zone) with the following:

b) *deleted*;

- v) replacing Section 13.3 (Tourist Commercial One Zone) in its entirety with the following:

**13.3 *deleted.***

- vi) replacing Section 13.4 (Tourist Commercial Four (Campground) Zone) in its entirety with the following:

**13.4 *deleted.***

- vii) replacing Section 13.6 (Tourist Commercial Six Zone) in its entirety with the following:

**13.6 *deleted.***

- viii) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

## 14.0 TOURIST COMMERCIAL ZONES

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### 14.1 TOURIST COMMERCIAL ZONE (CT1)

#### 14.1.1 Permitted Uses:

##### Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

##### Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) office;
- g) personal service establishment, not to exceed 200 m<sup>2</sup> in gross floor area;
- h) retail stores, general, not to exceed 250 m<sup>2</sup> in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

#### 14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:

- a) see Section 16.17

#### 14.1.3 Minimum Parcel Size:

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

#### 14.1.4 Minimum Parcel Width:

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

#### 14.1.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) accessory dwelling.

#### 14.1.6 Minimum Setbacks:

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres

iv) Exterior side parcel line 4.5 metres

**14.1.7 Maximum Height:**

a) No building or structure shall exceed a height of 12.0 metres.

**14.1.8 Maximum Parcel Coverage:**

a) 35%

**14.2 CAMPGROUND COMMERCIAL ZONE (CT2)**

**14.2.1 Permitted Uses:**

Principal Uses:

a) campground;

Accessory Uses:

b) accessory dwelling, subject to Section 7.11;

c) eating and drinking establishment;

d) indoor recreation;

e) retail stores, convenience, not to exceed 250 m<sup>2</sup> in gross floor area; and

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

**14.2.2 Site Specific Campground Commercial (CT2s) Provisions:**

a) see Section 16.18

**14.2.3 Minimum Parcel Size:**

a) 2.0 ha, subject to servicing requirements.

**14.2.4 Minimum Parcel Width:**

a) Not less than 25% of the parcel depth

**14.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

a) one (1) accessory dwelling.

**14.2.6 Minimum Setbacks:**

a) Buildings and structures:

i) Front parcel line 7.5 metres

ii) Rear parcel line 7.5 metres

- iii) Interior side parcel line 4.5 metres
- iv) Exterior side parcel line 4.5 metres

**14.2.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 13.4.7, a tourist cabin may not exceed a height of 5.0 metres.

**14.2.8 Maximum Parcel Coverage:**

- a) 20%

**14.2.9 General Provisions:**

- a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;
- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m<sup>2</sup> including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

**14.3 GOLF COURSE COMMERCIAL ZONE (CT3)**

**14.3.1 Permitted Uses:**

Principal Uses:

- a) golf course;

Accessory Uses:

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

**14.3.2 Site Specific Golf Course Commercial (CT3s) Provisions:**

- a) see Section 16.26

**14.3.3 Minimum Parcel Size:**

- a) 20.0 ha

**14.3.4 Minimum Parcel Width:**

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

**14.3.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.3.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.3.7 Maximum Height:**

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

**14.3.8 Maximum Parcel Coverage:**

- a) 5%

- ix) replacing Section 16.17 (Site Specific Tourist Commercial One (CT1s) Provisions) under Section 16.0 (Site Specific Designation) to read as follows:

**16.17 Site Specific Tourist Commercial (CT1s) Provisions:**

- .1 Not applicable

- x) replacing Section 16.18 (Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions) under Section 16.0 (Site Specific Designation) to read as follows:

**16.18 Site Specific Campground Commercial (CT2s) Provisions:**

- .1 Not applicable

- xi) replacing Section 16.26 (Site Specific Tourist Commercial Six (CT6s) Provisions) under Section 16.0 (Site Specific Designation) to read as follows:

**16.26 Site Specific Golf Course Commercial (CT3s) Provisions:**

- .1 Not applicable

7. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
  - i) changing the land use designation of the land described as Lot A, Plan KAP79769, District Lot 103S, SDYD (100 Ash Avenue), and shown shaded yellow on Schedule 'I-1', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
  - ii) changing the land use designation of an approximately 3.0 ha part of the land described as Parcel Z, Plan KAP719, District Lot 3757, SDYD, Except Plan EPP59624 (928 Pineview Drive), and shown shaded yellow on Schedule 'I-2', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
  - iii) changing the land use designation of an approximately 45.0 ha part of the land described as Parcel A, Plan KAP46761, District Lot 228S, 2169 & 4098S, SDYD, Except Plan KAP53180 (79 Twin Lakes Road), and shown shaded yellow on Schedule 'I-3', which forms part of this Bylaw, from Tourist Commercial Six (CT6) to Golf Course Commercial (CT3).
  - iv) changing the land use designation of the land shown shaded purple on Schedule 'I-4', which forms part of this Bylaw, from Residential Single Family One (RS1) to General Commercial (C1).
  - v) changing the land use designation of all parcels zoned Tourist Commercial One (CT1) to Tourist Commercial (CT1).

Electoral Area "D-2"

8. The Electoral Area "D-2" Zoning Bylaw No. 2455, 2008, is amended by:
  - i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:
 

**"motorsports facility"** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;
  - ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone	C1
Okanagan Falls Town Centre Zone	C2
Recreational Vehicle Park Zone	C7

Service Commercial Zone CS1

- iii) adding a new section for “Tourist Commercial Zones” at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

**Tourist Commercial Zones**

Tourist Commercial Zone CT1

Campground Commercial Zone CT2

Penticton Speedway Zone CT5

- iv) replacing Section 13.4 (Commercial Amusement Zone) in its entirety with the following:

**13.4 *deleted.***

- v) replacing Section 13.7 (Tourist Commercial One Zone) in its entirety with the following:

**13.7 *deleted.***

- vi) replacing Section 13.8 (Tourist Commercial Four (Campground) Zone) in its entirety with the following:

**13.8 *deleted.***

- vii) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumber all subsequent sub-sections:

## **14.0 TOURIST COMMERCIAL ZONES**

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### **14.1 TOURIST COMMERCIAL ZONE (CT1)**

#### **14.1.1 Permitted Uses:**

Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;

- f) office;
- g) personal service establishment, not to exceed 200 m<sup>2</sup> in gross floor area;
- h) retail stores, general, not to exceed 250 m<sup>2</sup> in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

**14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:**

- a) see Section 17.20

**14.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**14.1.4 Minimum Parcel Width:**

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

**14.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.1.7 Maximum Height:**

- a) No building or structure shall exceed a height of 12.0 metres.

**14.1.8 Maximum Parcel Coverage:**

- a) 35%

**14.2 CAMPGROUND COMMERCIAL ZONE (CT2)**

**14.2.1 Permitted Uses:**

Principal Uses:

- a) campground;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m<sup>2</sup> in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

**14.2.2 Site Specific Campground Commercial (CT2s) Provisions:**

- a) see Section 17.21

**14.2.3 Minimum Parcel Size:**

- a) 2.0 ha, subject to servicing requirements.

**14.2.4 Minimum Parcel Width:**

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

**14.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.2.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.2.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 14.2.7, a tourist cabin may not exceed a height of 5.0 metres.

**14.2.8 Maximum Parcel Coverage:**

- a) 20%

**14.2.9 General Provisions:**

- a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;

- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m<sup>2</sup> including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

### **14.3 PENTICTON SPEEDWAY ZONE (CT5)**

#### **14.3.1 Permitted Uses:**

##### Principal Uses:

- a) motorsports facility;

##### Secondary Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) equestrian centres;
- e) indoor recreation;
- f) outdoor recreation;
- g) retail store, general, not to exceed 200 m<sup>2</sup> gross floor area; and
- h) accessory buildings and structures, subject to Section 7.13.

#### **14.3.2 Site Specific Penticton Speedway (CT5s) Provisions:**

- a) see Section 17.17

#### **14.3.3 Minimum Parcel Size:**

- a) 5.0 ha

#### **14.3.4 Minimum Parcel Width:**

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

#### **14.3.5 Maximum Number of Dwellings Permit Per Parcel:**

- a) one (1) accessory dwelling.

**14.3.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 3.0 metres
  - iv) Exterior side parcel line 4.5 metres

**14.3.7 Maximum Height:**

- a) No building or structure shall exceed a height of 12.0 metres.

**14.3.8 Maximum Parcel Coverage:**

- a) 35%

- viii) replacing Section 17.17 (Site Specific Commercial Amusement (C6s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

**17.17 Site Specific Penticton Speedway (CT5s) Provisions:**

- .1 Not applicable

- ix) replacing Section 17.21 (Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

**17.21 Site Specific Campground Commercial (CT2s) Provisions:**

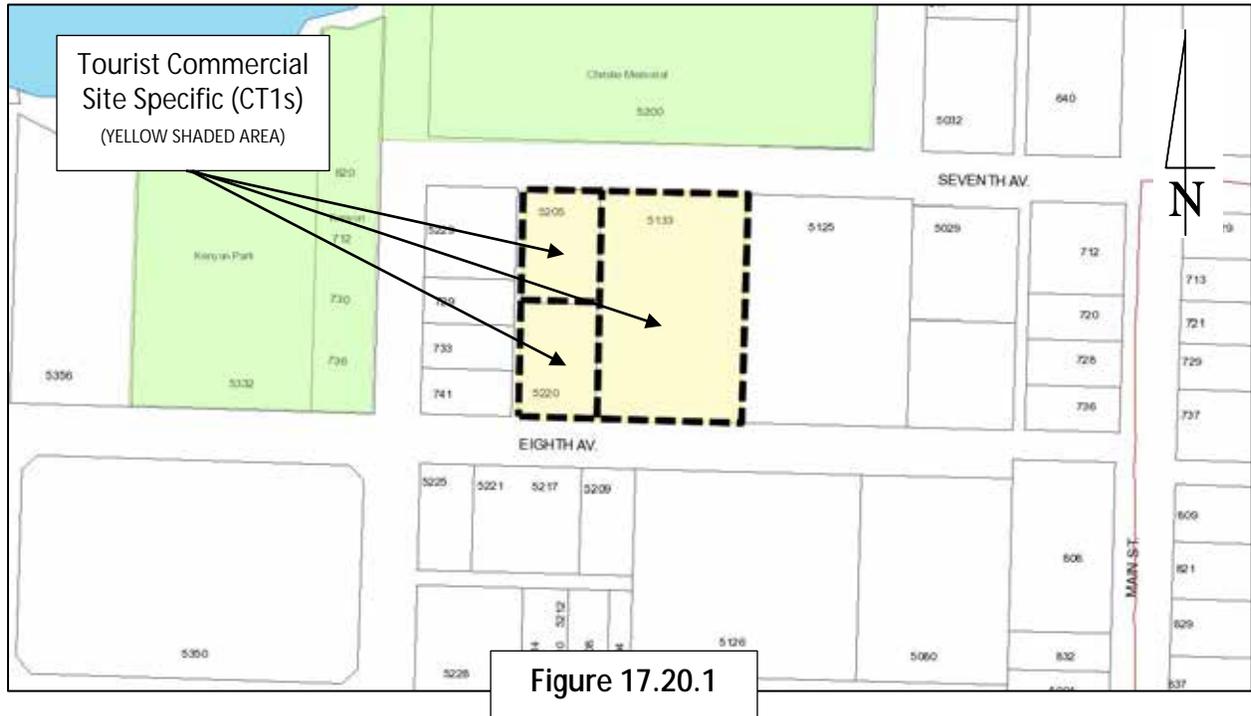
- .1 Not applicable

- x) replacing Section 17.20 (Site Specific Tourist Commercial (CT1s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

**17.20 Site Specific Tourist Commercial (CT1s) Provisions:**

- .1 In the case of land described as Lot 1, Plan KAS666, District Lot 337, SDYD (5133 7<sup>th</sup> Avenue); Lot A, Plan 19990, District Lot 337, SDYD (5220 8<sup>th</sup> Avenue); and Lot 6, Plan 12468, District Lot 337, Except Plan 19990, SDYD (5205 7<sup>th</sup> Avenue), and shown shaded yellow on Figure 17.20.1:
  - a) the following principal uses shall be permitted on the land in addition to the permitted uses listed in Section 14.1.1:
    - i) multi-family dwelling units or groups of multi-family dwelling units.

- b) despite Section 14.1.7, no building or structure shall exceed a height of 18.0 metres beyond 150.0 metres of the High Water Mark of Skaha Lake;
- c) despite Section 14.1.8, the maximum parcel coverage shall be 40%; and
- d) the maximum floor area ratio is 1.0.



- xi) replacing Section 17.21 (Site Specific Tourist Commercial Four (Campground) (CT4s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

**17.21 Site Specific Campground Commercial (CT2s) Provisions:**

.1 Not applicable

- xii) adding a new Section 17.32.2 (Site Specific Small Holdings Two (SH2s) Provisions) under Section 17.0 (Site Specific Designation) to read as follows:

.2 in the case of land described as Lot 1, Plan KAP7681, District Lot 10, SDYD, Except Plan H950 (1902 Highway 97), and shown shaded yellow on Figure 17.32.1:

- i) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 10.6.1:

.1 retail stores, general, not to exceed 250 m<sup>2</sup> in gross floor area.

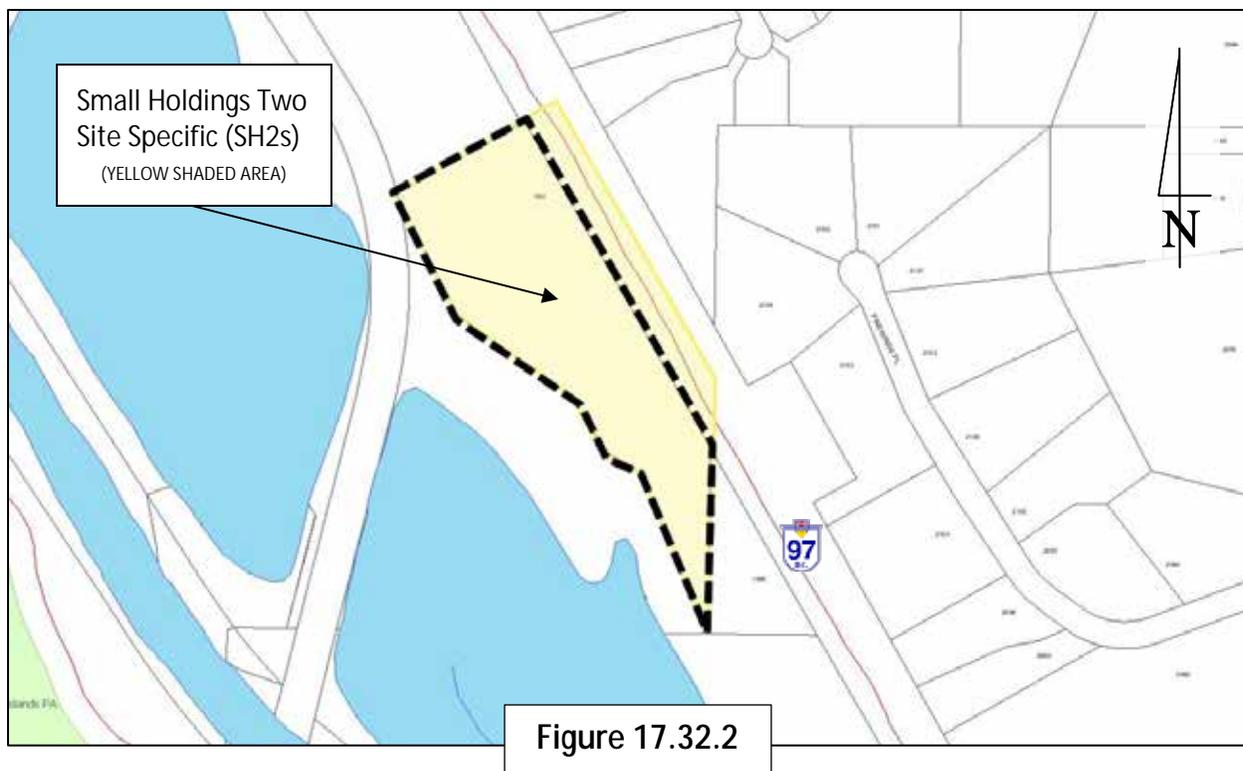


Figure 17.32.2

9. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:
  - i) changing the land use designation of the land described as Lot 1, Plan KAP23219, District Lot 2710, SDYD, Subsidy Lot 17 (2070 Carmi Road), and as shown shaded yellow on Schedule 'D-1', which forms part of this Bylaw, from Commercial Amusement (C6) to Penticton Speedway (CT5).
  - ii) changing the land use designation of an approximately 2.5 ha area of the land described as Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 17, Except Plan 23219 26390 28957 31444 31786 32942 KAP44266 KAP49472 KAP50708, & EXC PL: KAP50709 KAP51358 KAP57111 KAP58268 KAP63730 (2301 Beaverdell Road), and as shown shaded yellow on Schedule 'D-2', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
  - iii) changing the land use designation of the land described as Lot 2, Plan KAP44365, District Lot 2710, SDYD, Subsidy Lot 15 (3216 Vaseux Lake Crescent), and as shown shaded yellow on Schedule 'D-3', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
  - iv) changing the land use designation of the land described as Lot 9, Plan KAP15861B, District Lot 697S, SDYD, Portion of Plan 1434 (590 Sovereign Road), and as shown shaded yellow on Schedule 'D-4', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).

- v) changing the land use designation of the land described as Parcel D, Plan KAP5225B, District Lot 374, SDYD, Portion of Plan 4 (808 Main Street), and as shown shaded yellow on Schedule 'D-5', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
- vi) changing the land use designation of the land described as Lots A & B, District Lot 2883S, Plan KAP64527, SDYD (5356 8<sup>th</sup> Avenue) shown shaded yellow on Schedule 'D-6', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
- vii) changing the land use designation of an approximately 1.7 ha part of the land described as Lot 1, Plan KAP1340, Township 85, SDYD, Section 16 & 21 (3500 Highway 97), and as shown shaded yellow on Schedule 'D-7', which forms part of this Bylaw, from Tourist Commercial Four (Campground) (CT4) to Campground Commercial (CT2).
- viii) changing the land use designation of the land described as Lot 1, Plan KAP7681, District Lot 10, SDYD, Except Plan H950 (1902 Highway 97), and as shown shaded yellow on Schedule 'D-8', which forms part of this Bylaw, from Tourist Commercial One (C) to Small Holdings Two Site Specific (SH2s).
- ix) changing the land use designation of all parcels zoned Tourist Commercial One (CT1) to Tourist Commercial (CT1).

Electoral Area "E"

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

- i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

**"motorsports facility"** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

- ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone C1

- iii) adding a section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

**Tourist Commercial Zones**

Tourist Commercial Zone CT1

iv) replacing Section 10.1.1(b) under Section 10.1 (Resource Area Zone) with the following:

b) *deleted*;

v) replacing Section 13.2 (Tourist Commercial One Zone) in its entirety with the following:

### **13.2 *deleted*.**

vi) adding a Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

## **14.0 TOURIST COMMERCIAL ZONES**

---

### **14.1 TOURIST COMMERCIAL ZONE (CT1)**

#### **14.1.1 Permitted Uses:**

##### Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

##### Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) office;
- g) personal service establishment, not to exceed 200 m<sup>2</sup> in gross floor area;
- h) retail stores, general, not to exceed 250 m<sup>2</sup> in gross floor area; and
- i) accessory buildings and structures, subject to Section 7.13.

#### **14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:**

- a) see Section 15.12

#### **14.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

#### **14.1.4 Minimum Parcel Width:**

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

**14.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 14.5 metres
  - iv) Exterior side parcel line 4.5 metres
- b) Accessory buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 1.5 metres
  - iii) Interior side parcel line 14.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.1.7 Maximum Height:**

- a) No building shall exceed a height of 12.0 metres.

**14.1.8 Maximum Parcel Coverage:**

- a) 35%

- vii) replacing Section 15.12 (Site Specific Tourist Commercial One (CT1) Provisions) under Section 15.0 (Site Specific Designations) in its entirety with the following:

**15.12 Site Specific Tourist Commercial (CT1s) Provisions:**

- .1 *deleted.*

- 11. The Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:
  - i) changing the land use designation of an approximately 3,725 m<sup>2</sup> area of the land described as Lot 1, Plan KAP79439, District Lot 210, SDYD (3635 1<sup>st</sup> Street), and shown shaded yellow on Schedule 'E-1', which forms part of this Bylaw, from Tourist Commercial One Site Specific (CT1s) to Tourist Commercial (CT1).
  - ii) changing the land use designation of an approximately 1,230 m<sup>2</sup> area of the land described as Lot 1, Plan KAP79439, District Lot 210, SDYD (3635 1<sup>st</sup> Street), and

shown shaded purple on Schedule 'E-1', which forms part of this Bylaw, from Residential Single Family One (RS1) to Tourist Commercial (CT1).

- iii) changing the land use designation of all parcels zoned Tourist Commercial One (CT1) to Tourist Commercial (CT1).

Electoral Area "F"

12. The Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:

- i) replacing the definition of "motorsports facility" under Section 4.0 (Definitions) in its entirety with the following:

**"motorsports facility"** means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

- ii) replacing the section for "Commercial Zones" found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

**Commercial Zones**

General Commercial Zone C1

- iii) adding a section for "Tourist Commercial Zones" at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

**Tourist Commercial Zones**

Tourist Commercial Zone CT1

Campground Commercial Zone CT2

Golf Course Commercial Zone CT3

Marina Commercial Zone CT4

- iv) replacing Section 10.1.1(c) under Section 10.1 (Resource Area Zone) with the following:

c) *deleted*;

- v) replacing Section 10.1.1(g) under Section 10.1 (Resource Area Zone) with the following:

g) *deleted*;

- vi) replacing Section 10.1.5 under Section 10.1 (Resource Area Zone) with the following:

**10.1.5** *deleted*

- vii) replacing Section 13.2 (Marina Commercial Zone) in its entirety with the following:  
**13.2 *deleted.***
- viii) replacing Section 13.3 (Tourist Commercial One Zone) in its entirety with the following:  
**13.3 *deleted.***
- ix) replacing Section 13.4 (Tourist Commercial Two (Limited) Zone) in its entirety with the following:  
**13.4 *deleted.***
- x) replacing Section 13.5 (Tourist Commercial Three (Limited) Zone) in its entirety with the following:  
**13.5 *deleted.***
- xi) replacing Section 13.6 (Tourist Commercial Five Zone) in its entirety with the following:  
**13.6 *deleted.***
- xii) adding a new Section 14.0 (Tourist Commercial Zones) to read as follows and renumbering all subsequent sections:

## **14.0 TOURIST COMMERCIAL ZONES**

---

### **14.1 TOURIST COMMERCIAL ZONE (CT1)**

#### **14.1.1 Permitted Uses:**

##### Principal Uses:

- a) eating and drinking establishment;
- b) indoor recreation;
- c) outdoor recreation;
- d) tourist accommodation;

##### Accessory Uses:

- e) accessory dwelling, subject to Section 7.11;
- f) docks, subject to Section 7.26;

- g) office;
- h) personal service establishment, not to exceed 200 m<sup>2</sup> in gross floor area;
- i) retail stores, general, not to exceed 250 m<sup>2</sup> in gross floor area; and
- j) accessory buildings and structures, subject to Section 7.13.

**14.1.2 Site Specific Tourist Commercial (CT1s) Provisions:**

- a) see Section 16.15

**14.1.3 Minimum Parcel Size:**

- a) 1,000 m<sup>2</sup>, subject to servicing requirements.

**14.1.4 Minimum Parcel Width:**

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

**14.1.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.1.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.1.7 Maximum Height:**

- a) No building or structure shall exceed a height of 12.0 metres.

**14.1.8 Maximum Parcel Coverage:**

- a) 35%

**14.2 CAMPGROUND COMMERCIAL ZONE (CT2)**

**14.2.1 Permitted Uses:**

Principal Uses:

- a) campground;

Accessory Uses:

- b) accessory dwelling, subject to Section 7.11;
- c) eating and drinking establishment;
- d) indoor recreation;
- e) retail stores, convenience, not to exceed 250 m<sup>2</sup> in gross floor area; and
- f) accessory buildings and structures, subject to Section 7.13.

**14.2.2 Site Specific Campground Commercial (CT2s) Provisions:**

- a) see Section 16.16

**14.2.3 Minimum Parcel Size:**

- a) 2.0 ha, subject to servicing requirements.

**14.2.4 Minimum Parcel Width:**

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

**14.2.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.2.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres
  - iv) Exterior side parcel line 4.5 metres

**14.2.7 Maximum Height:**

- a) No building or structure shall exceed a height of 10.0 metres;
- b) despite Section 13.4.7, a tourist cabin may not exceed a height of 5.0 metres.

**14.2.8 Maximum Parcel Coverage:**

- a) 20%

**14.2.9 General Provisions:**

- a) the minimum area on which a campground use may be undertaken shall be 2.0 ha;

- b) the maximum number of campground units per hectare shall not exceed 75;
- c) not more than 25% of all campground units within a campground shall be used for the placement of cabins;
- d) a cabin may not have a gross floor area exceeding 30.0 m<sup>2</sup> including additions such as covered patios and covered or uncovered decks; and
- e) all provisions in the Regional District's *Campground Regulations Bylaw No. 2779, 2018*, as amended from time to time that have not been specified in this particular bylaw shall be met.

### **14.3 GOLF COURSE COMMERCIAL ZONE (CT3)**

#### **14.3.1 Permitted Uses:**

Principal Uses:

- a) golf course;

Accessory Uses:

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

#### **14.3.2 Site Specific Golf Course Commercial (CT3s) Provisions:**

- a) see Section 16.17

#### **14.3.3 Minimum Parcel Size:**

- a) 20.0 ha

#### **14.3.4 Minimum Parcel Width:**

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

#### **14.3.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

#### **14.3.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres

iv) Exterior side parcel line 4.5 metres

**14.3.7 Maximum Height:**

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

**14.3.8 Maximum Parcel Coverage:**

- a) 5%

**14.4 MARINA COMMERCIAL ZONE (CT4)**

**14.4.1 Permitted Uses:**

Principal Uses:

- a) marina;

Accessory Uses:

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

**14.4.2 Site Specific Marina Commercial (CT4s) Provisions:**

- a) see Section 16.14

**14.4.3 Minimum Parcel Size:**

- a) 1.0 ha, subject to servicing requirements.

**14.4.4 Minimum Parcel Width:**

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

**14.4.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) accessory dwelling.

**14.4.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line 7.5 metres
  - ii) Rear parcel line 7.5 metres
  - iii) Interior side parcel line 4.5 metres

iv) Exterior side parcel line 4.5 metres

**14.4.7 Maximum Height:**

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

**14.4.8 Maximum Parcel Coverage:**

- a) 30%
- xiii) replacing Section 16.1.2(b)(vii) under Section 16.1 (Site Specific Resource Area (RAs) Provisions) with the following:
- vii) *deleted;*
- xiv) replacing Section 16.1.2(b)(xii) under Section 16.1 (Site Specific Resource Area (RAs) Provisions) with the following:
- xii) *deleted;*
- xv) adding a new Section 16.1.3 (Site Specific Resource Area (RAs) Provisions) under Section 16.0 (Site Specific Provisions) to read as follows:
- .1 in the case of land described as Lot A, Plan KAP40762, District Lots 702 & 5136, ODYD (3610 Pine Hills Road), and shown hatched on Figure 16.1.3:
    - i) the following principle use shall be permitted on the land in addition to the permitted uses listed in Section 10.1.1:
      - a) golf course.



Figure 16.1.3

xvi) replacing Section 16.7.1 (Site Specific Small Holdings Four (SH4s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

- .1 in the case of land described as Lot 3, Plan KAP51211, District Lot 2893, ODYD (8132 Princeton-Summerland Road), and shown hatched on Figure 16.7.1:
  - i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 10.7.1:
    - a) eating and drinking establishment; and
    - b) retail store, convenience.

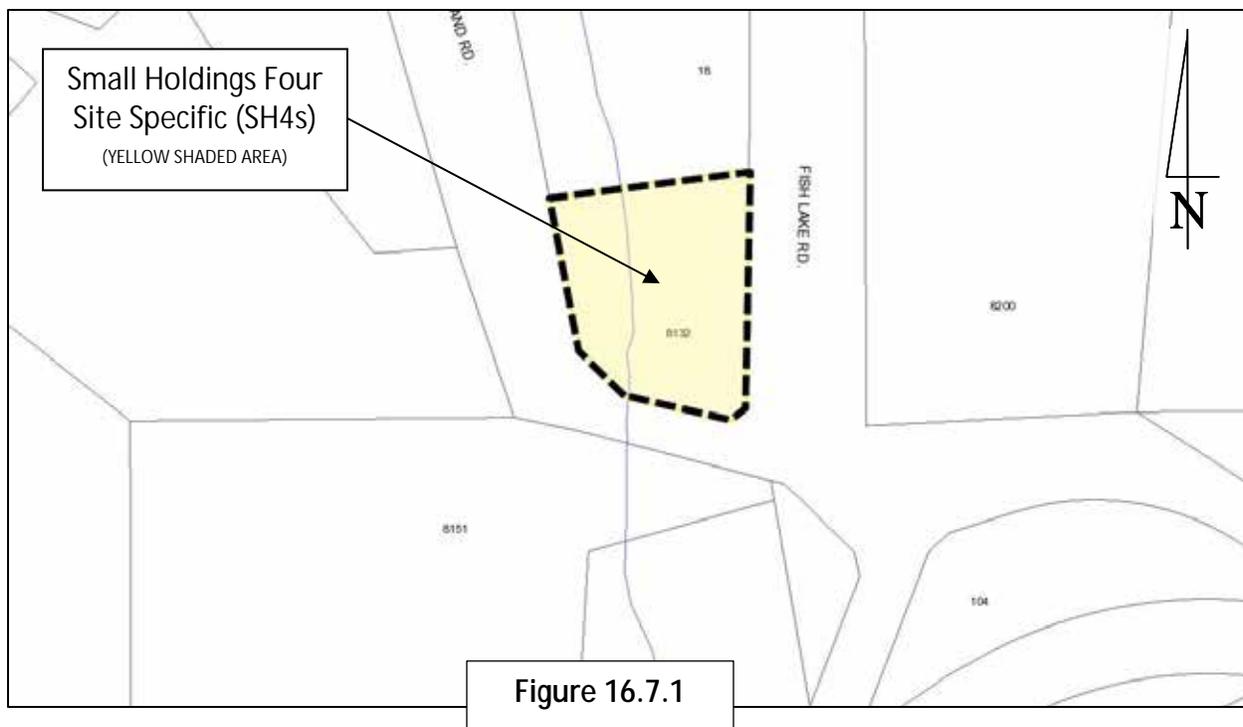
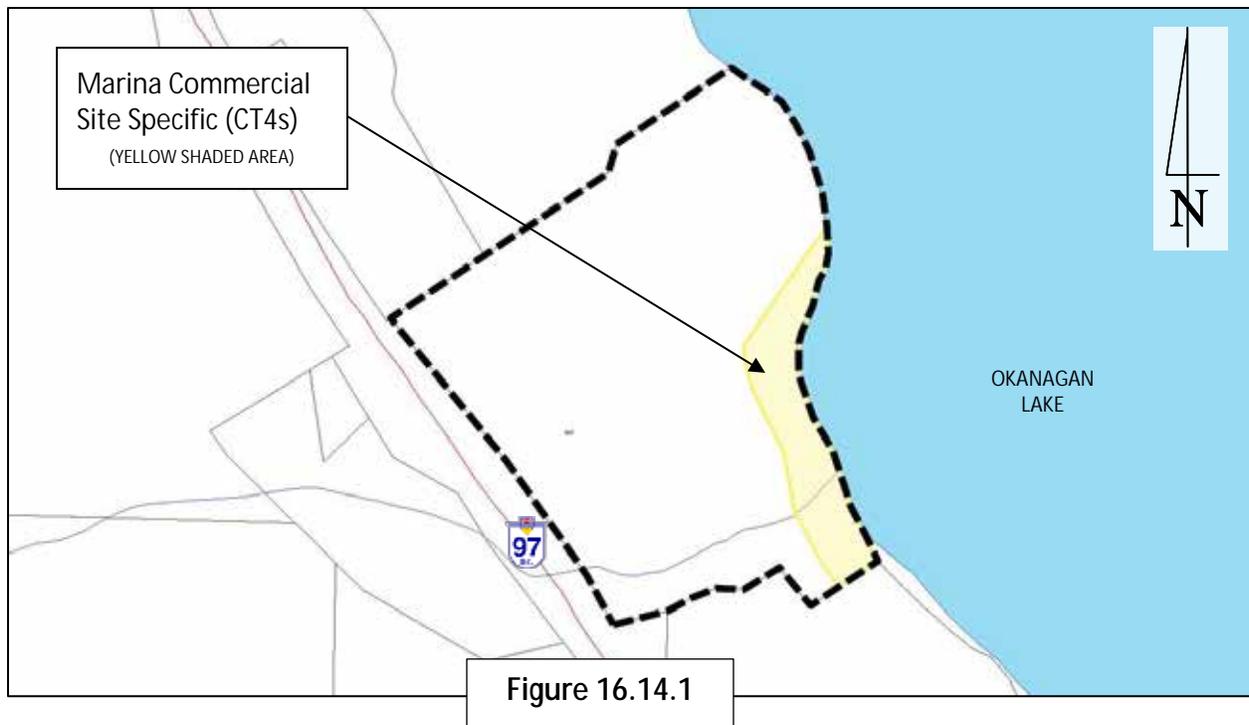


Figure 16.7.1

xvii) replacing Section 16.14 (Site Specific Marina Commercial (C5s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

**16.14 Site Specific Marina Commercial (CT4s) Provisions:**

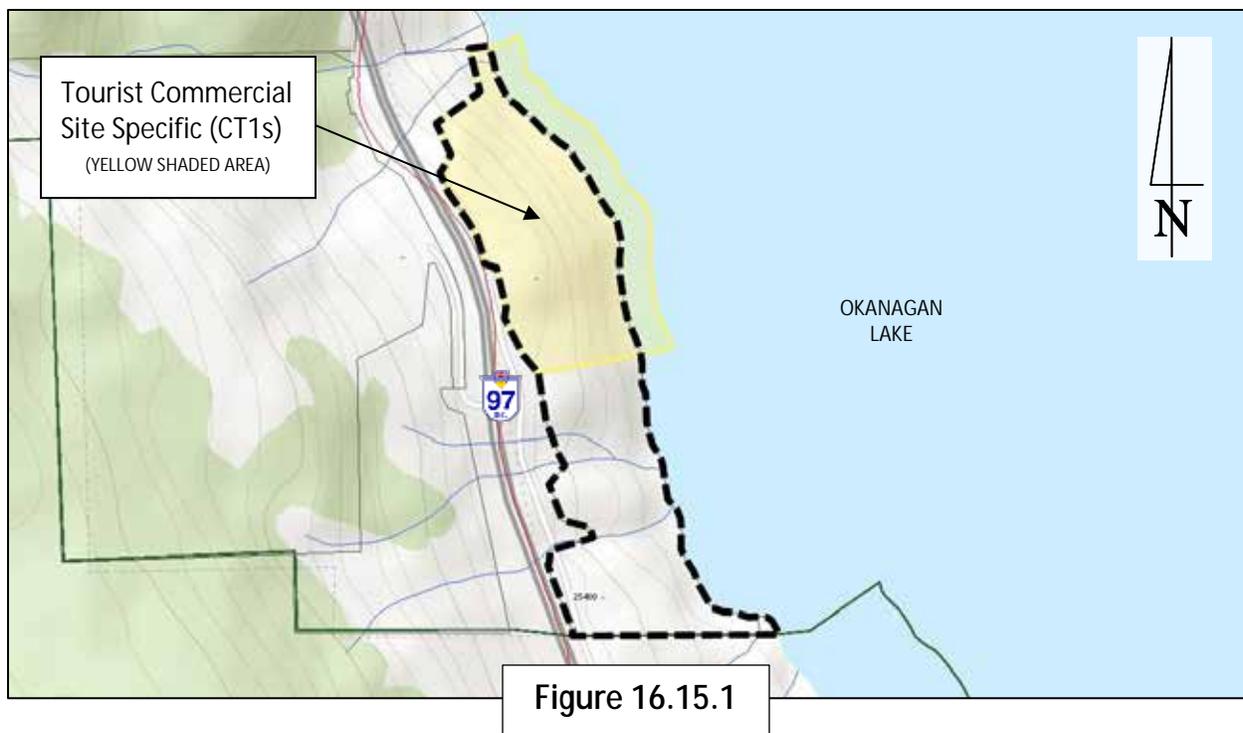
- .1 in the case of an approximately 1.0 ha part of land described as Lot 1, Plan KAP83541, District Lot 2537, ODYD, Except Plan KAP85241, and shown hatched on Figure 16.14.1, the following provisions shall apply:
  - ii) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 14.2.1:
    - a) eating and drinking establishment;
    - b) retail store, convenience;
  - iii) despite the requirements of Section 7.23:
    - a) a “dock” shall not extend a distance greater than 93.0 metres from the natural boundary of the upland parcel;
    - b) the maximum length of the dock which is parallel to the shoreline shall not exceed a distance greater than 270.0 metres; and
    - c) the dock may extend beyond the setback projected from the southern side property line by no more than 95.0 metres.



xviii) replacing Section 16.15 (Site Specific Tourist Commercial One (CT1s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

**16.15 Site Specific Tourist Commercial (CT1s) Provisions:**

- .1 in the case of land described as Lot A, Plan EPP5204, District Lot 2695, ODYD (365 Callan Road), and shown shaded yellow on Figure 16.15.1:
  - a) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 14.1.1:
    - i) single detached dwelling.
  - b) the maximum number of tourist accommodation units permitted per parcel shall not exceed 10.
  - c) despite Section 14.1.3, the minimum parcel size for subdivision shall be 2.0 ha.



xix) replacing Section 16.16 (Site Specific Tourist Commercial Two (Limited) (CT2s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

**16.16 Site Specific Campground Commercial (CT2s) Provisions:**

- .1 in the case of land shown shaded yellow on Figure 16.16.1:
  - a) the following accessory use shall be permitted on the land in addition to the permitted accessory uses listed at Section 14.2.1:
    - i) "motel".
  - b) the maximum floor area ratio for a motel shall not exceed 0.5.

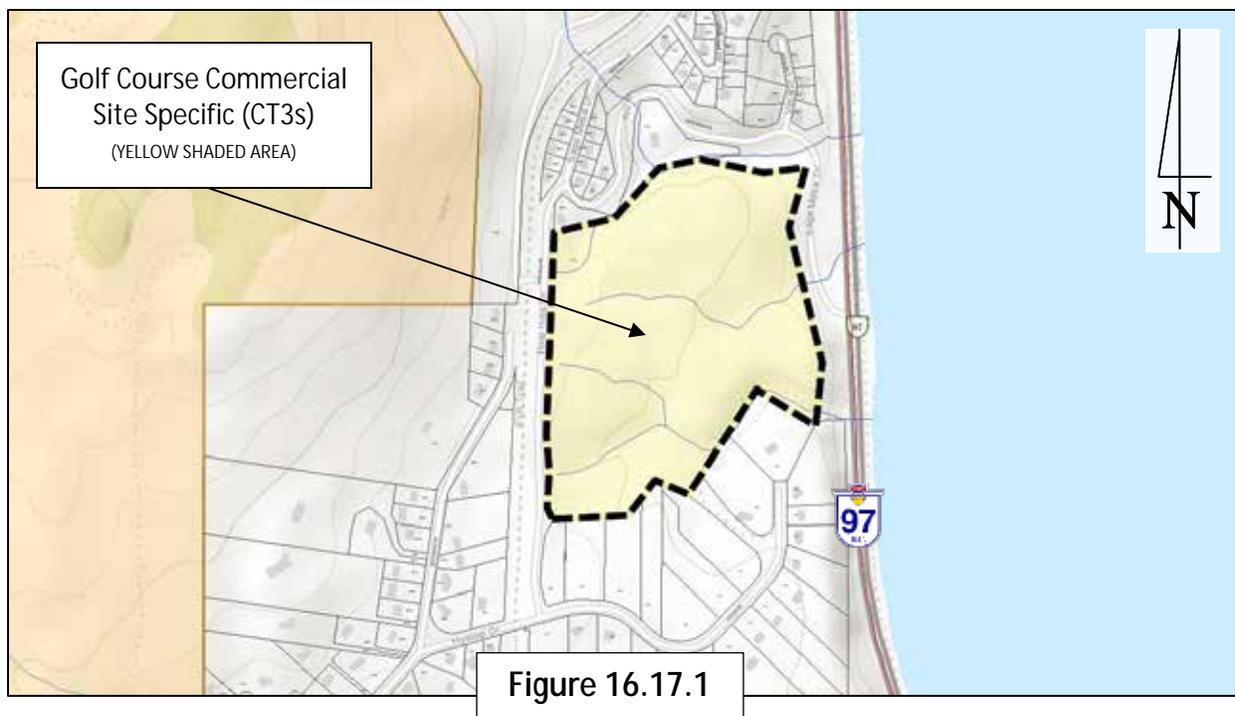


Figure 16.16.1

- xx) replacing Section 16.17 (Site Specific Tourist Commercial Three (Limited) (CT3s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

**16.17 Site Specific Golf Course Commercial (CT3s) Provisions:**

- .1 in the case of land described as Lot A, Plan KAP45722, ODYD, District Lot 5076 5087 (3215 Pine Hills Drive), and shown shaded yellow on Figure 16.17.1:
  - a) the following accessory use shall be permitted on the land in addition to the permitted accessory uses listed at Section 14.3.1:
    - i) "tourist accommodation", subject to the following regulations:
      - .1 The maximum number of sleeping units permitted per parcel shall be 10.
      - .2 All sleeping units shall be contained under the same roof.
      - .3 No sleeping unit shall have an area of greater than 30.0 m<sup>2</sup>.
      - .4 No cooking facilities shall be provided for within individual sleeping units.
      - .5 One (1) parking space per sleeping unit is required.



xxi) replacing Section 16.18 (Site Specific Tourist Commercial Five (CT5s) Provisions) under Section 16.0 (Site Specific Provisions) in its entirety with the following:

**16.18 *deleted.***

13. The Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
  - i) changing the land use designation of the land described as Lots 10-11, Plan KAP621, District Lot 2536, ODYD, Except Plan H578 36630 KAP75352; Lot 1, Plan KAP83579, District Lot 2536, ODYD; Lot A, Plan KAP83581, District Lot 2536, ODYD; District Lot 5127, ODYD, Except Plan 36630 KAP75352 (619 & 625 Highway 97), and shown shaded yellow on Schedule 'F-1', which forms part of this Bylaw, from Commercial (C) to Commercial Campground Site Specific (CT2s).
  - ii) changing the land use designation of the land described as Lot 3, Plan KAP51211, District 2893, ODYD (8132 Princeton-Summerland Road), and shown shaded yellow on Schedule 'F-2', which forms part of this Bylaw, from Tourist Commercial Three (Limited) (CT3) to Small Holdings Four Site Specific (SH4s).
  - iii) changing the land use designation of an approximately 11.49 ha part of the land described as Lot A, Plan EPP5204, District 2695, ODYD (365 Callan Road), and shown shaded yellow on Schedule 'F-3', which forms part of this Bylaw, from Tourist Commercial Five (CT5) to Tourist Commercial Site Specific (CT1s).

- iv) changing the land use designation of an approximately 7.0 ha part of the land described as Lot A, Plan KAP40762, District 702, ODYD, and District Lot 5136 (3610 Pine Hills Road), and shown shaded yellow on Schedule 'F-4', which forms part of this Bylaw, from Resource Area (RA) to Resource Area Site Specific (RAs).
- v) changing the land use designation of the land described as Lot A, Plan KAP45722, District 5076 & 5087, ODYD (3215 Pine Hills Road), and shown shaded purple on Schedule 'F-5', which forms part of this Bylaw, from Small Holdings Five (SH5) to Golf Course Commercial Site Specific (CT3s).

READ A FIRST AND SECOND TIME this 19<sup>th</sup> day of July, 2018.

PUBLIC HEARING held on this 16<sup>th</sup> day of August, 2018.

PUBLIC HEARING held on this 17<sup>th</sup> day of September, 2018.

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

I hereby certify the foregoing to be a true and correct copy of the "Regional District of Okanagan-Similkameen Okanagan Electoral Area Tourist Commercial Zone Update Amendment Bylaw No. 2808, 2018" as read a Third time by the Regional Board on this \_\_\_\_ day of \_\_\_\_, 2018.

Dated at Penticton, BC this \_\_ day of \_\_\_\_, 2018.

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

Approved pursuant to Section 52(3) of the *Transportation Act* this \_\_\_\_ day of \_\_\_\_\_, 2018.

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

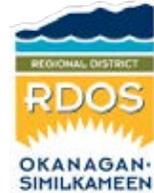
\_\_\_\_\_  
Board Chair

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

# Regional District of Okanagan-Similkameen

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

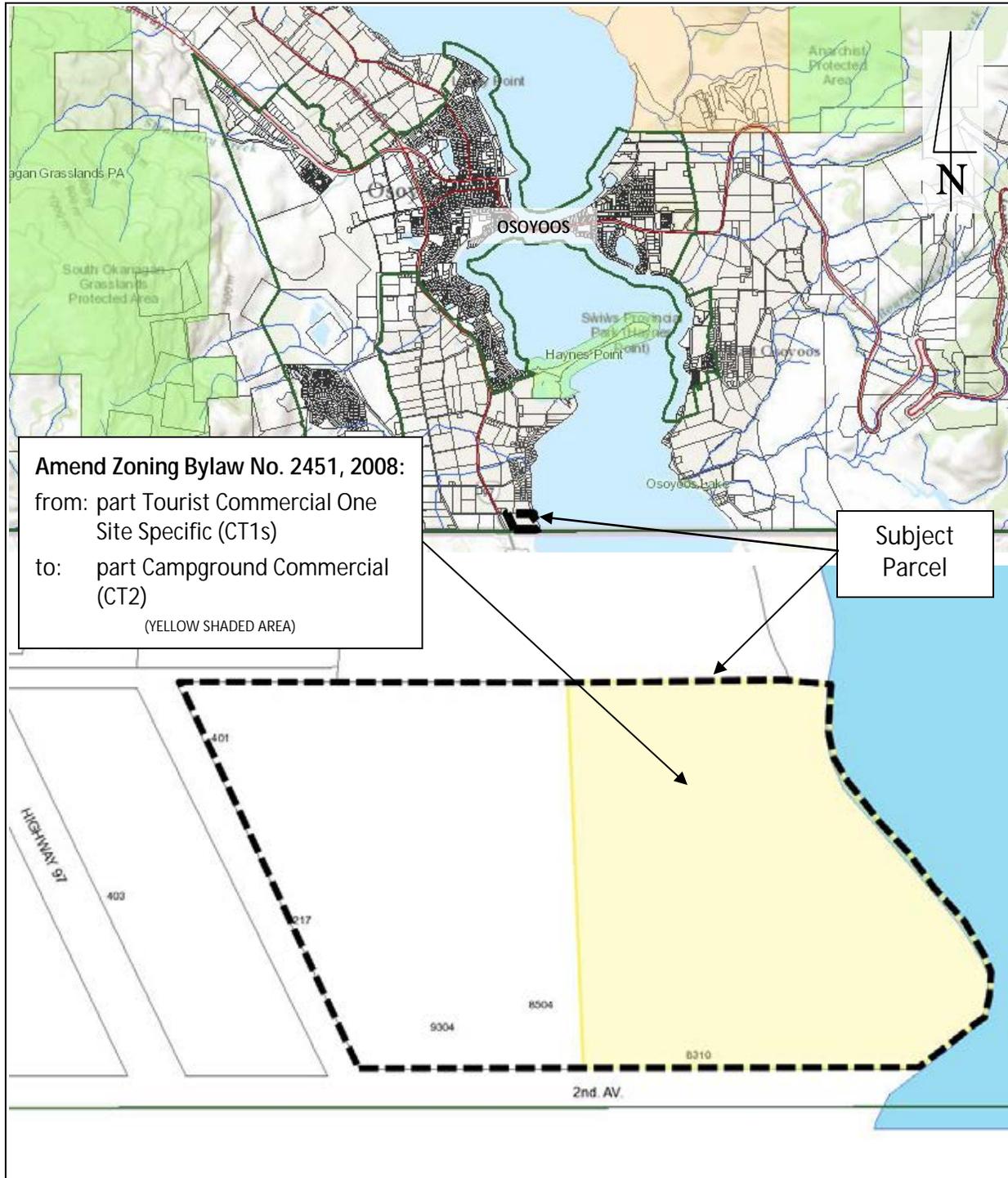
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

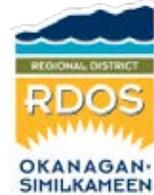
Schedule 'A-1'



# Regional District of Okanagan-Similkameen

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

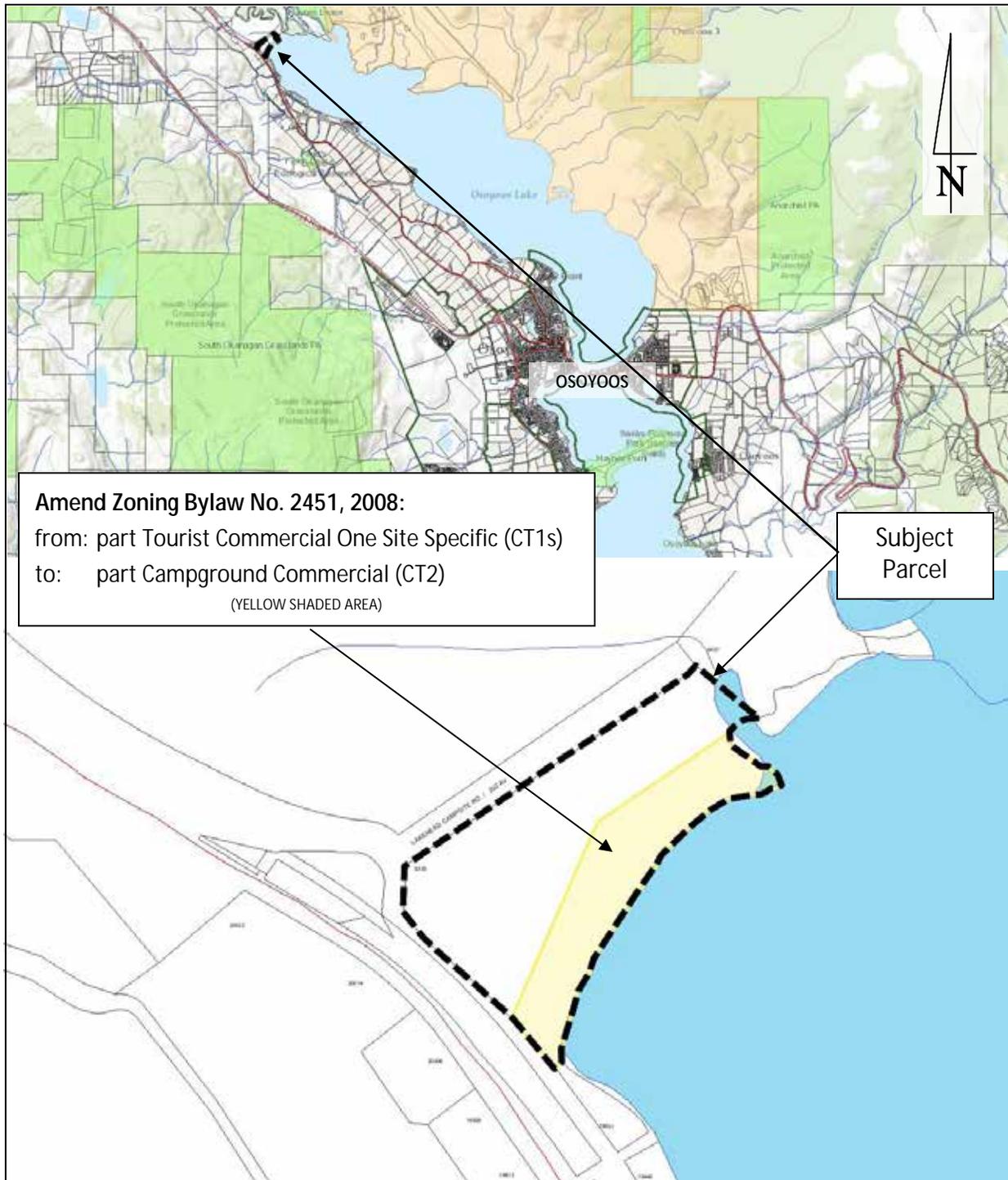
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Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

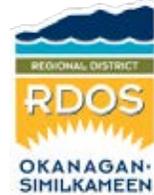
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# Regional District of Okanagan-Similkameen

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

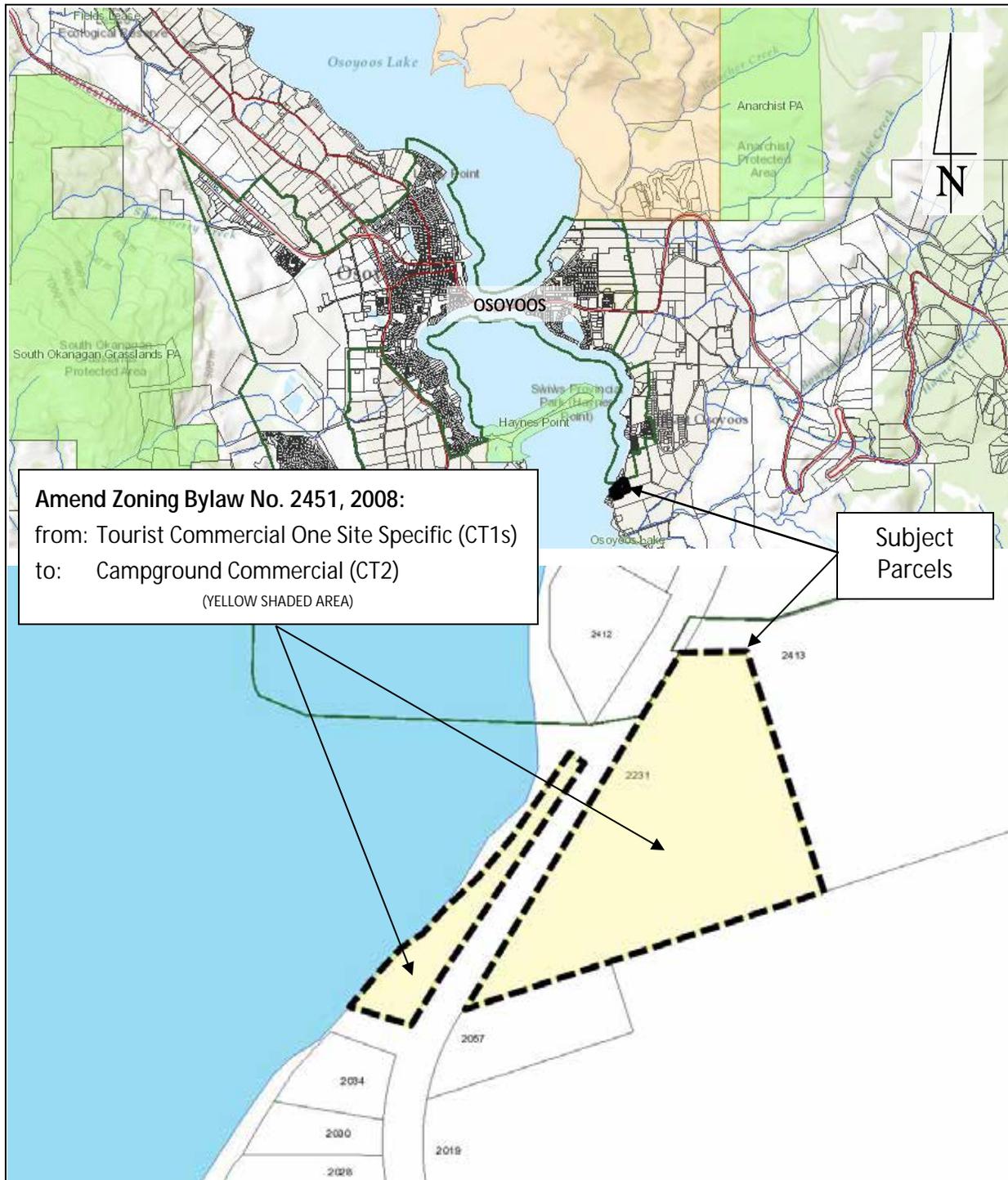
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Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

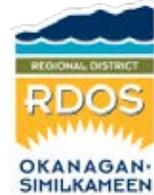
Schedule 'A-3'



# Regional District of Okanagan-Similkameen

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

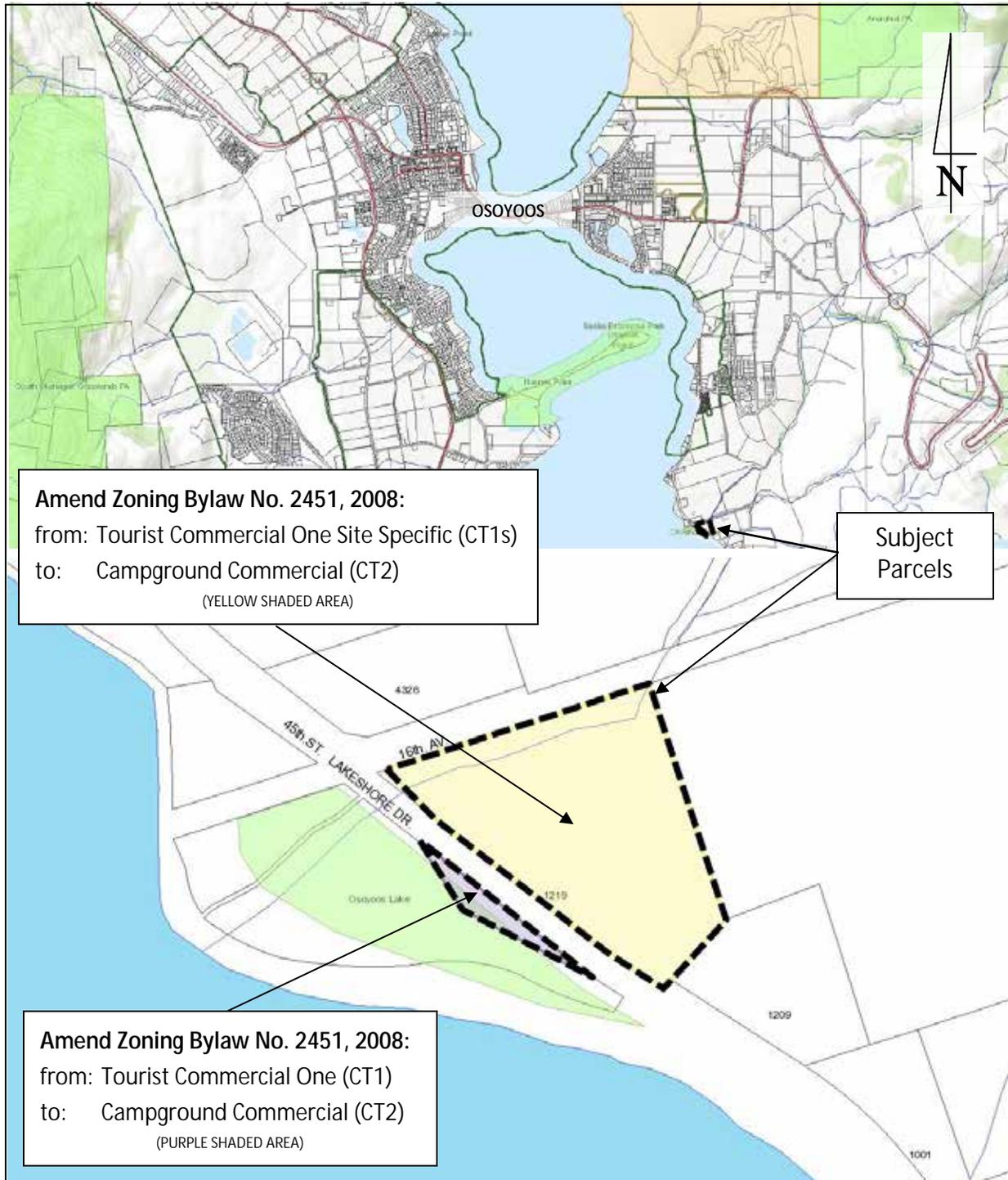
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Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

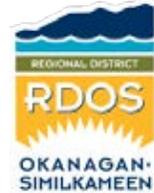
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# Regional District of Okanagan-Similkameen

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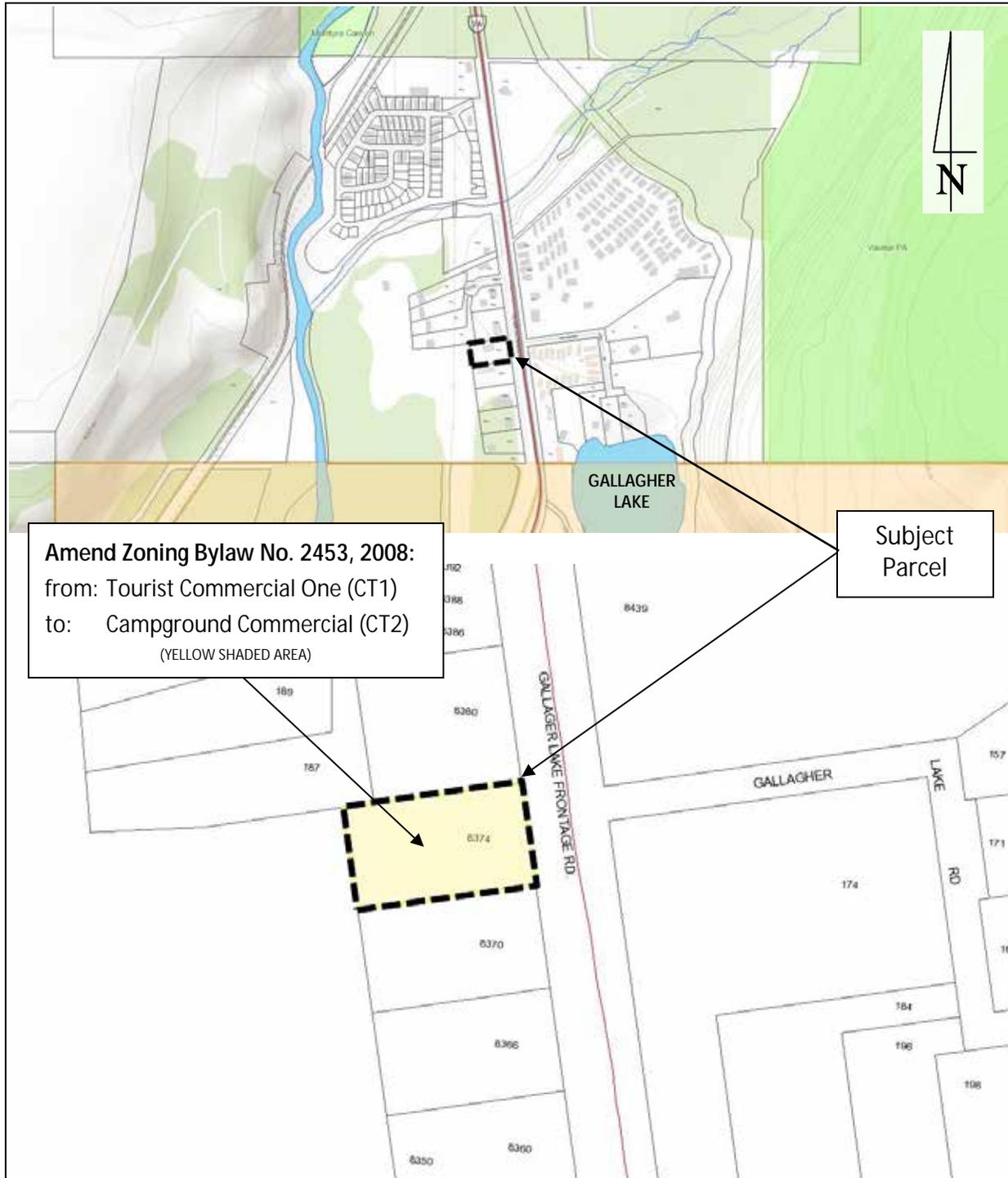
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Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'C-1'



# Regional District of Okanagan-Similkameen

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

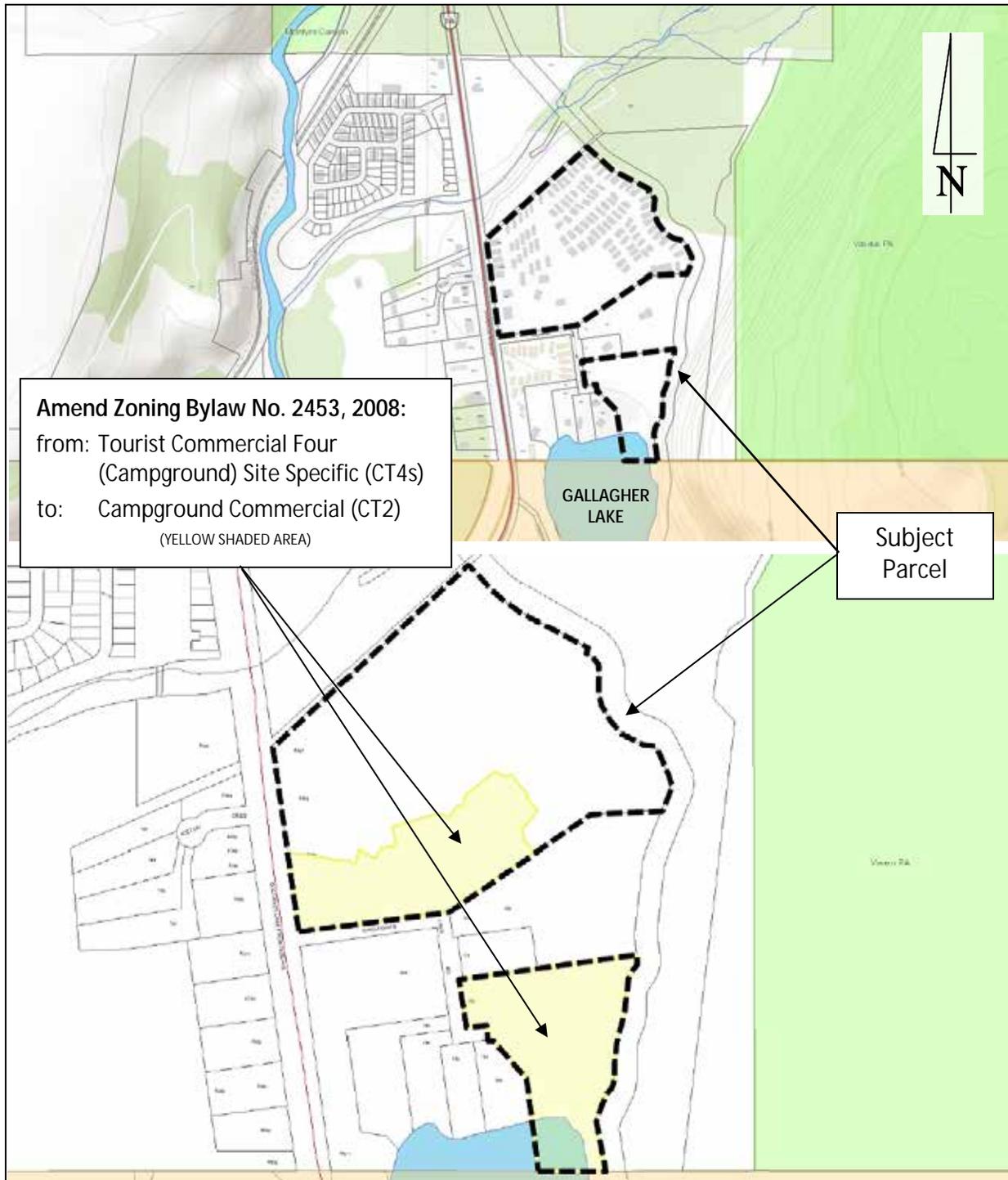
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

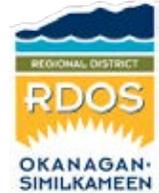
Schedule 'C-2'



# Regional District of Okanagan-Similkameen

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

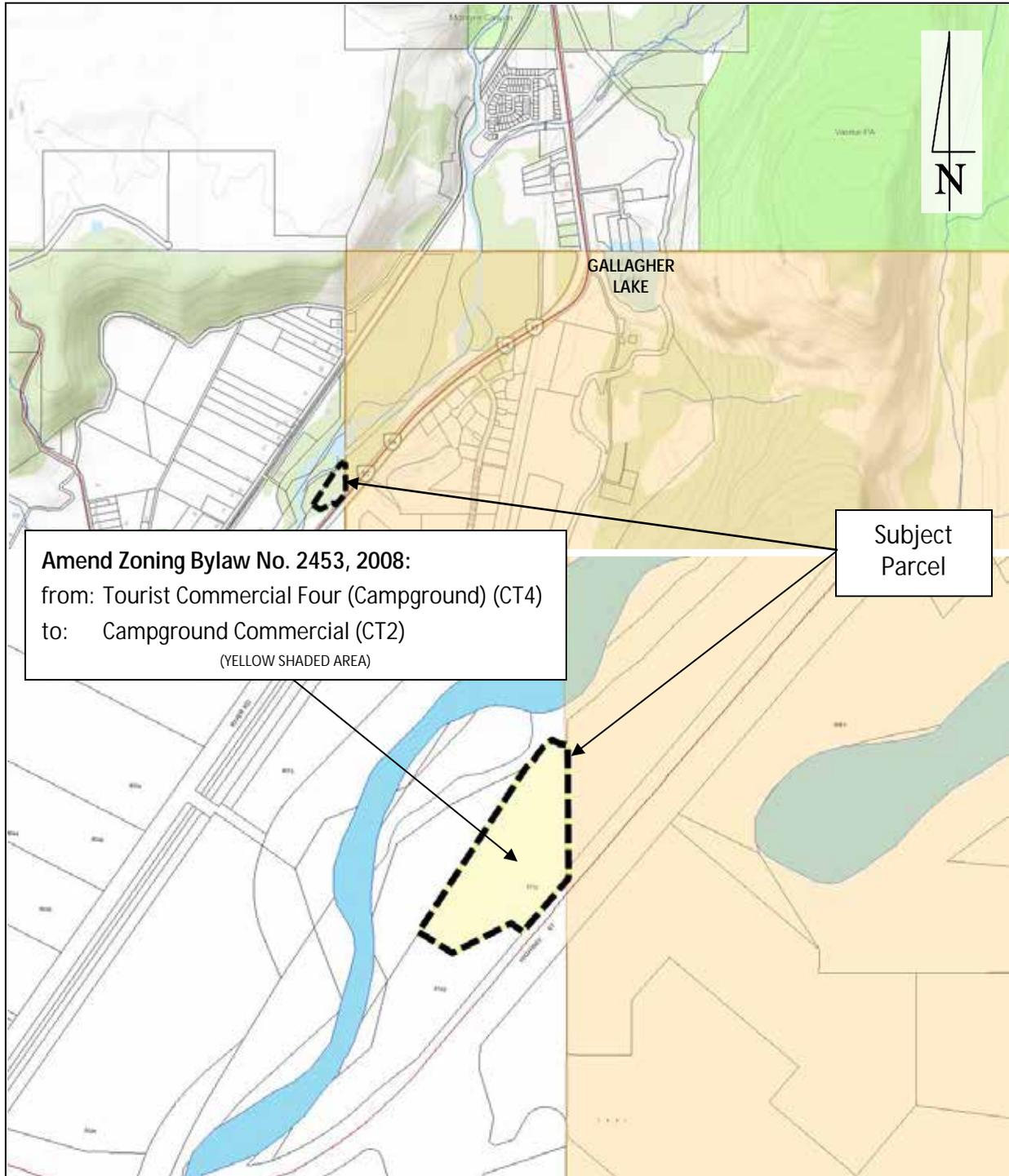
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

## Schedule 'C-3'



# Regional District of Okanagan-Similkameen

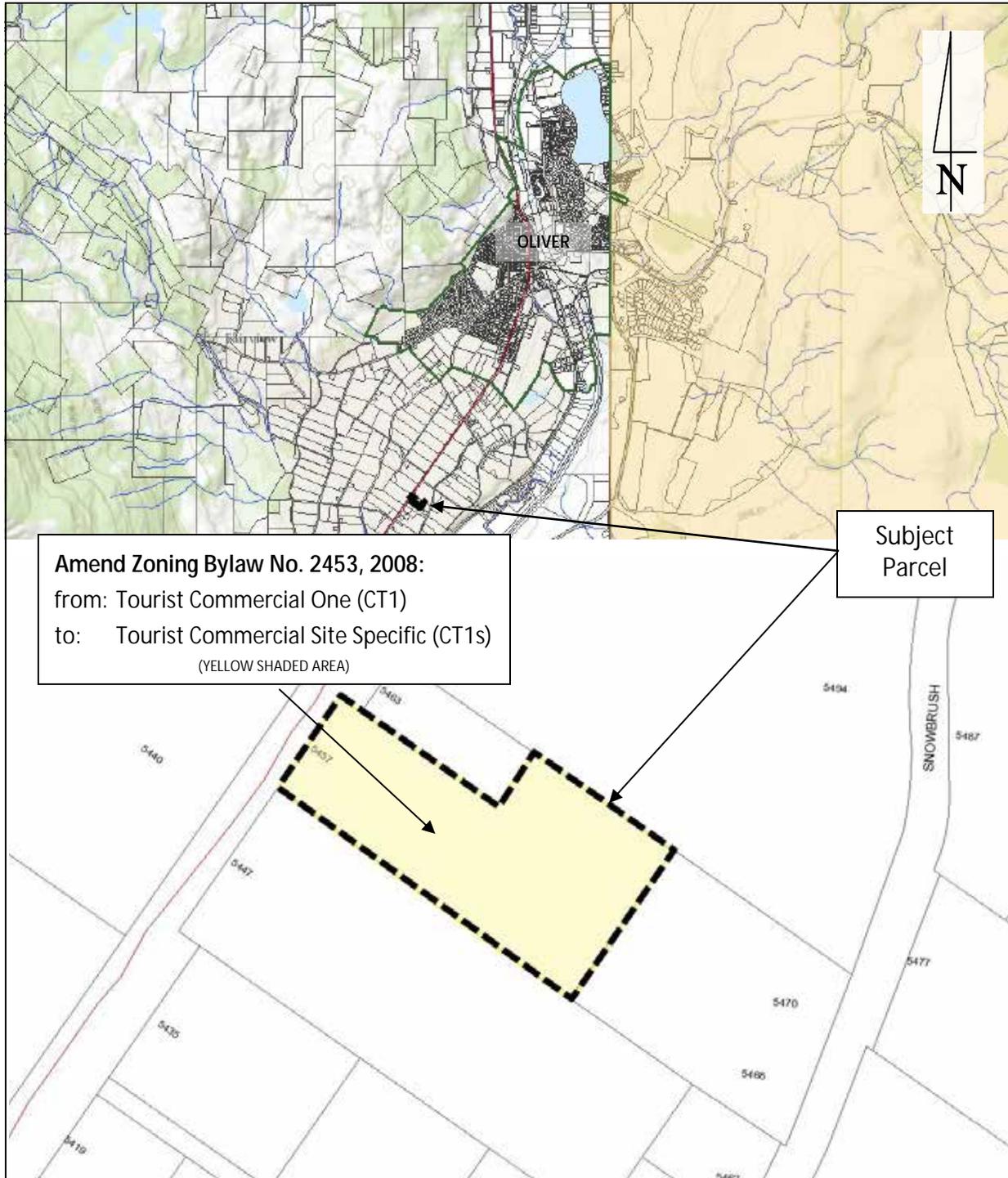
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

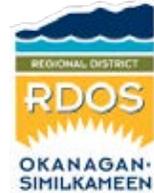
Schedule 'C-4'



# Regional District of Okanagan-Similkameen

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

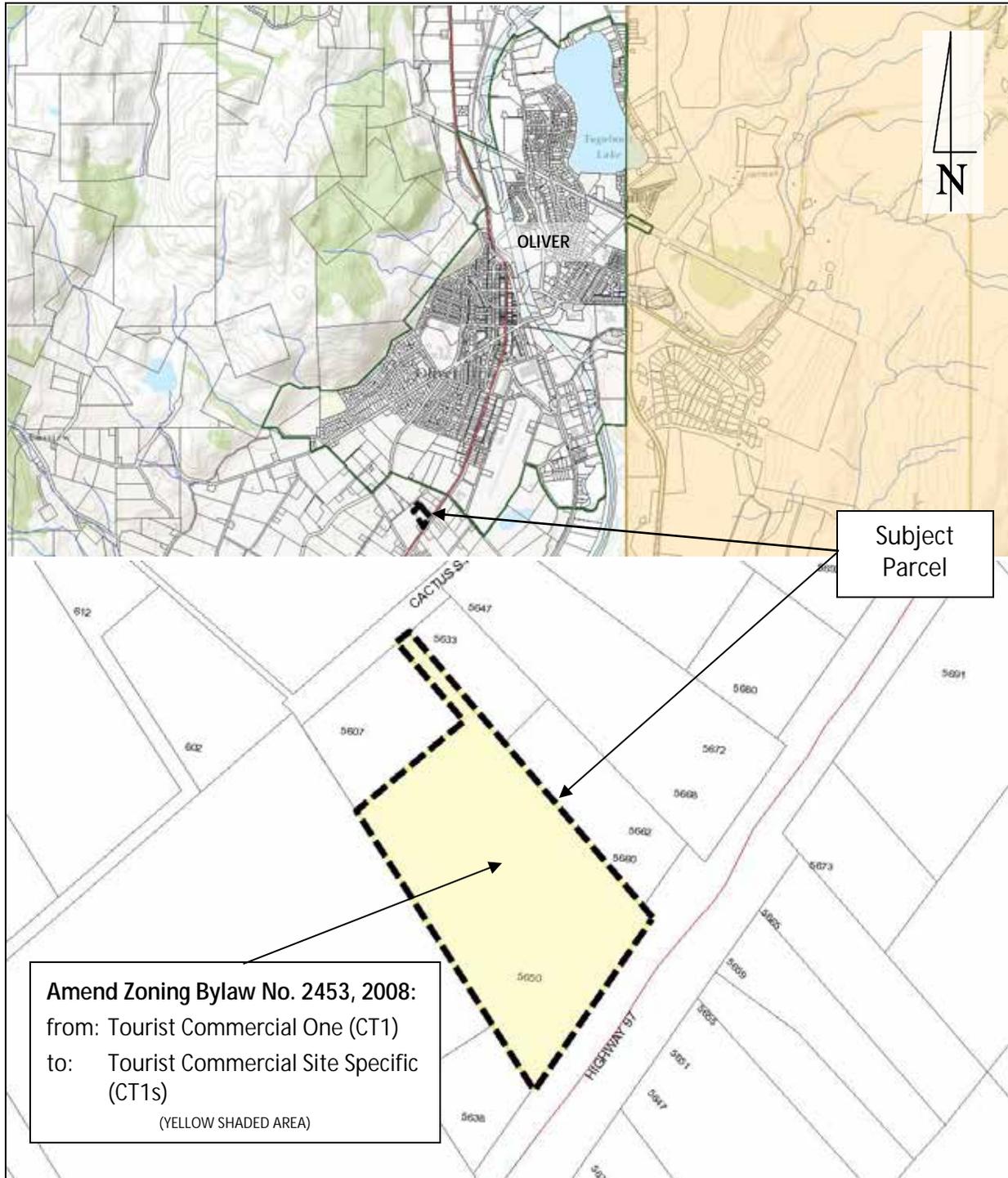
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

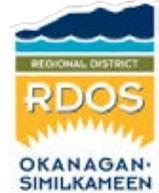
Schedule 'C-5'



# Regional District of Okanagan-Similkameen

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

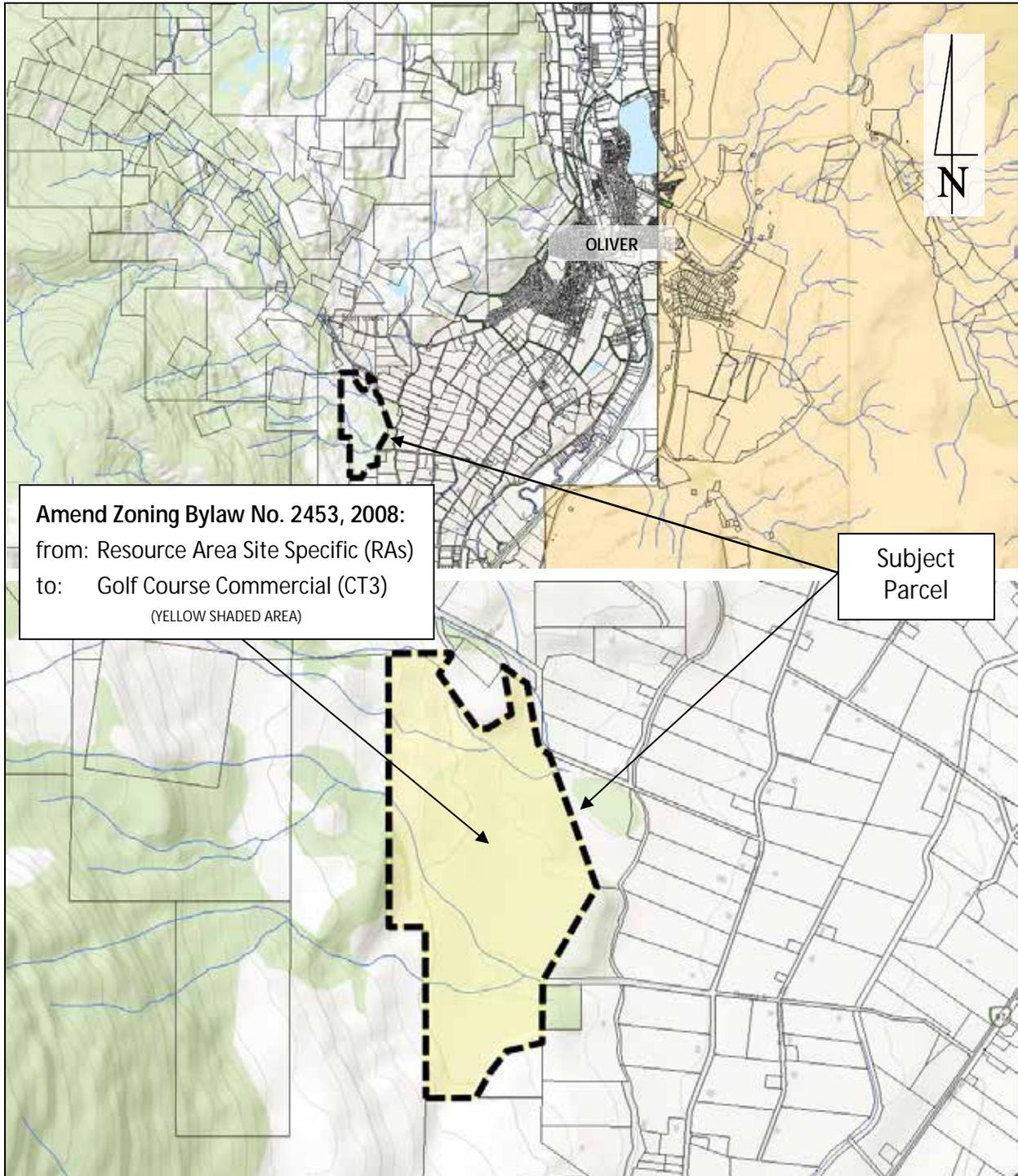
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'C-6'



Amendment Bylaw No. 2808, 2018

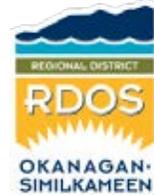
(X2018.069-ZONE)

Page 53 of 72

# Regional District of Okanagan-Similkameen

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

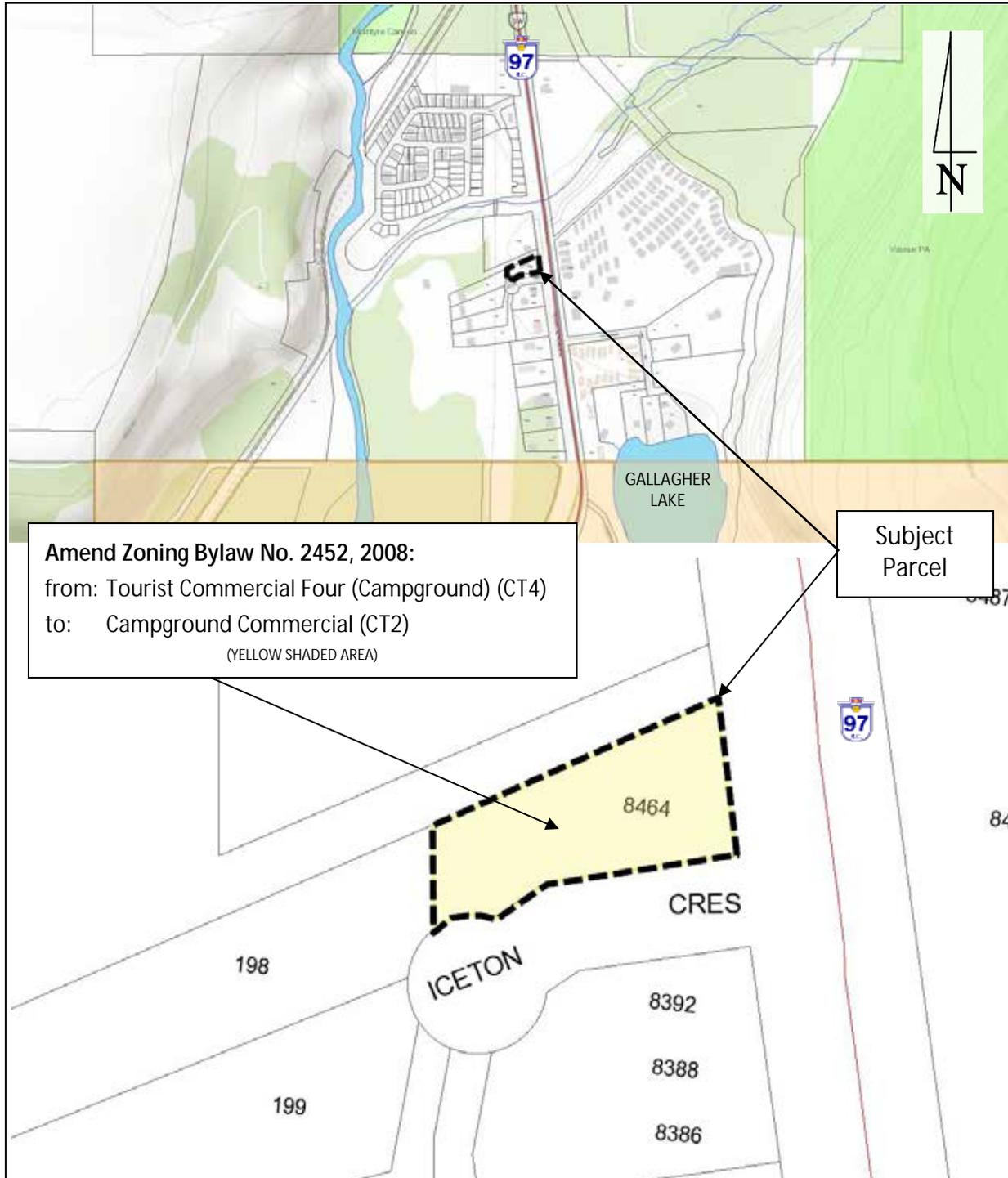
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

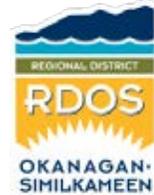
Schedule 'C-7'



# Regional District of Okanagan-Similkameen

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

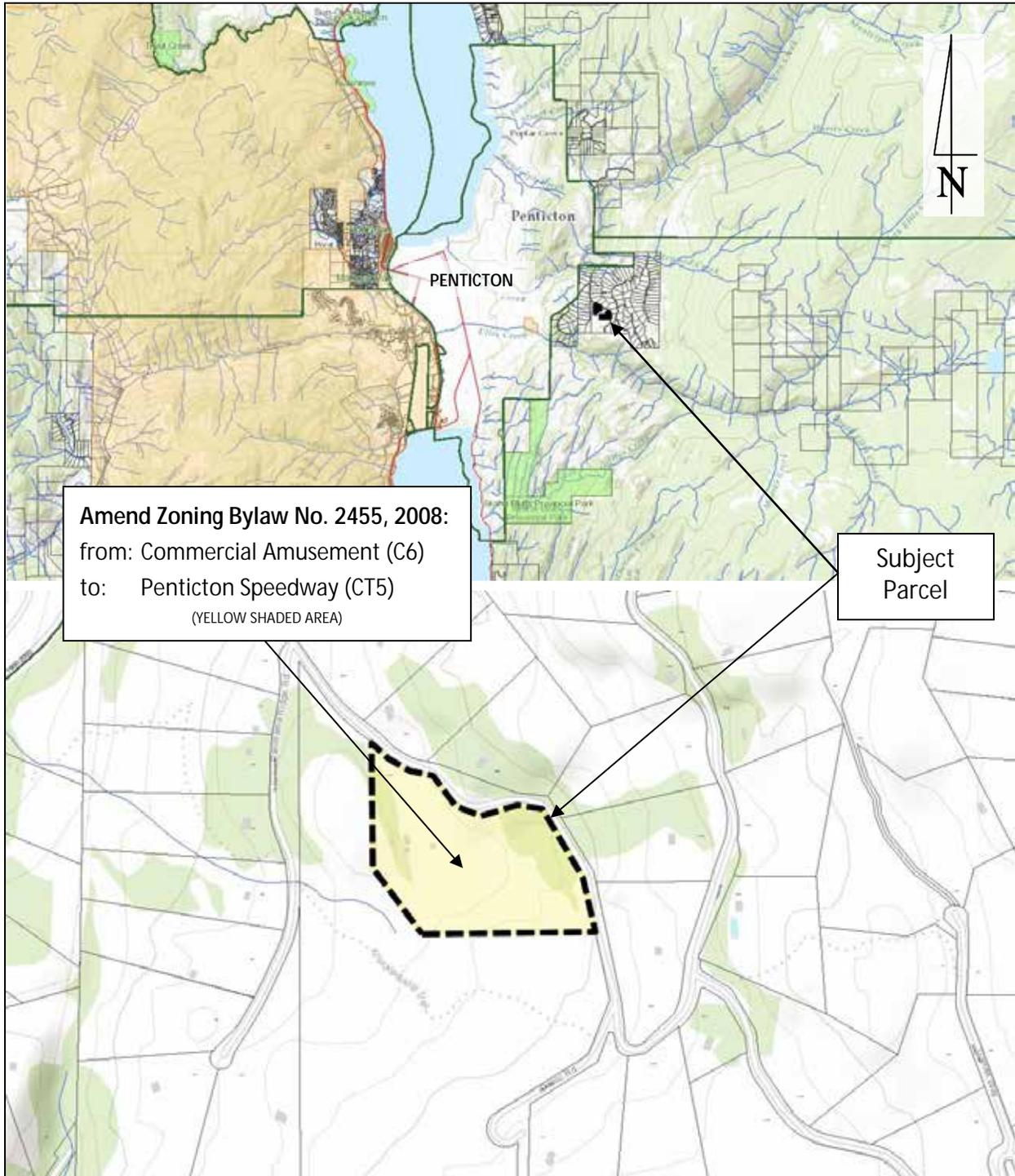
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

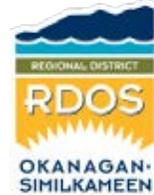
Schedule 'D-1'



# Regional District of Okanagan-Similkameen

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

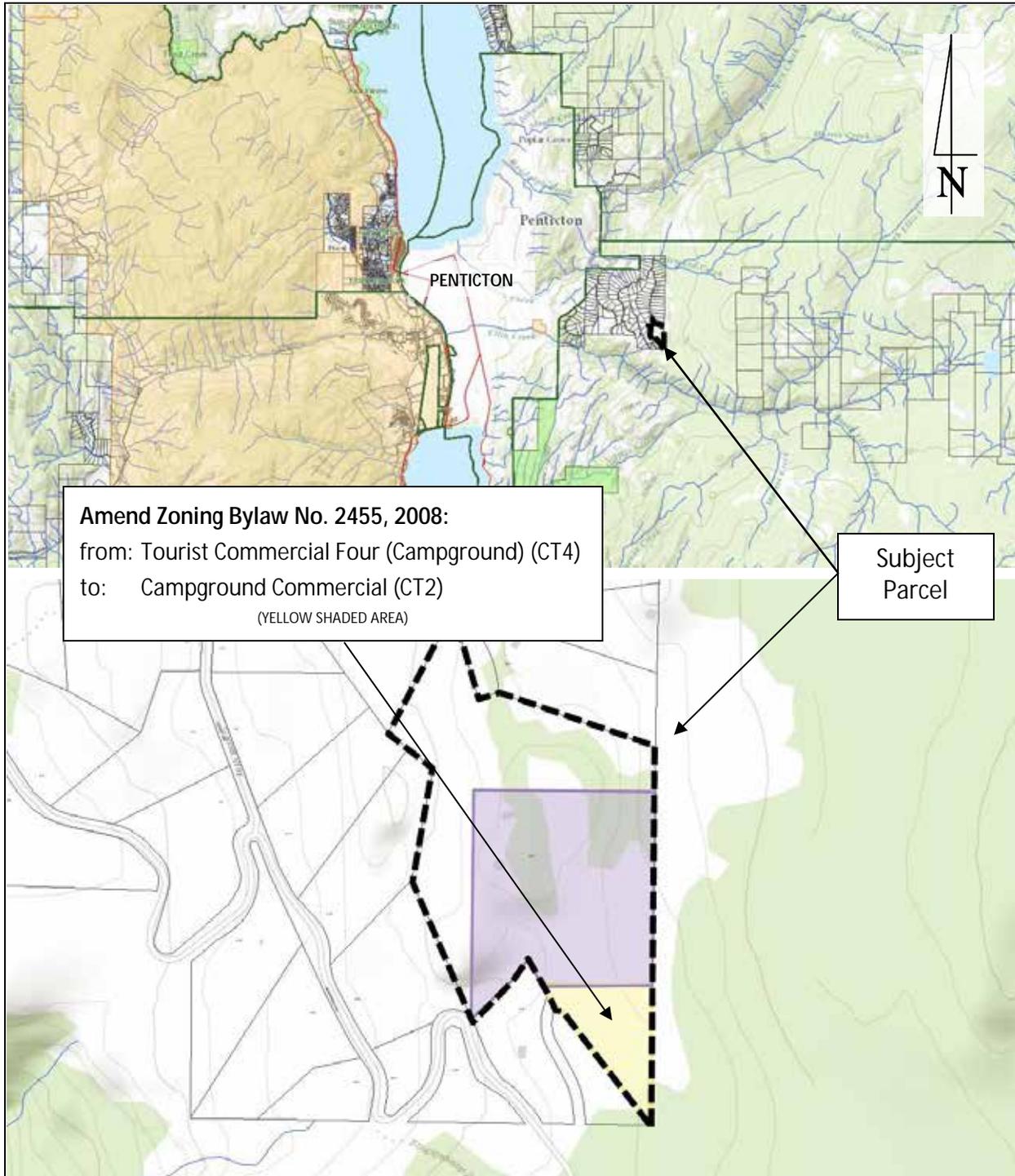
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'D-2'



# Regional District of Okanagan-Similkameen

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

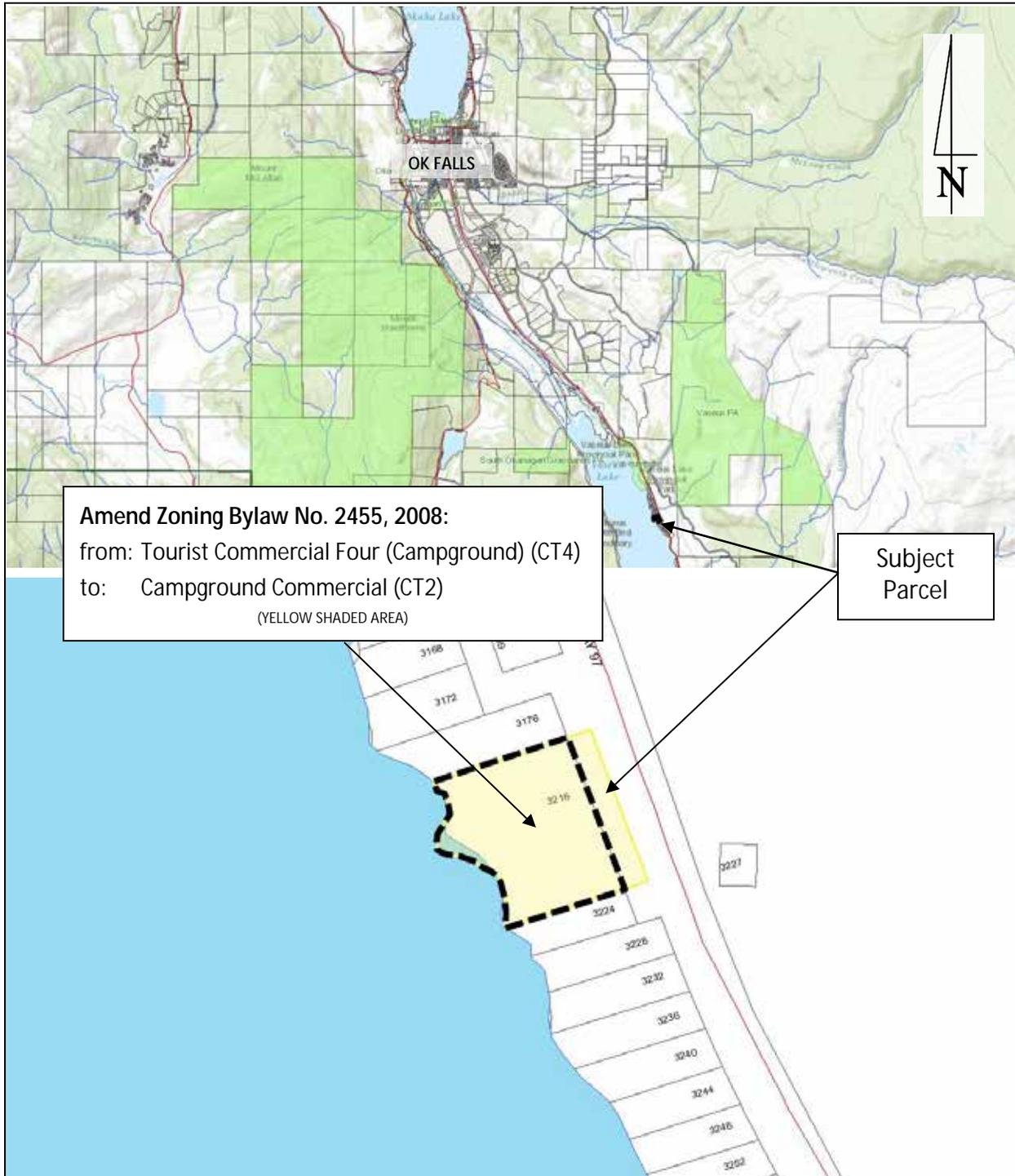
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

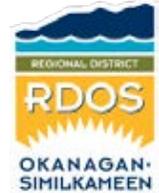
Schedule 'D-3'



# Regional District of Okanagan-Similkameen

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

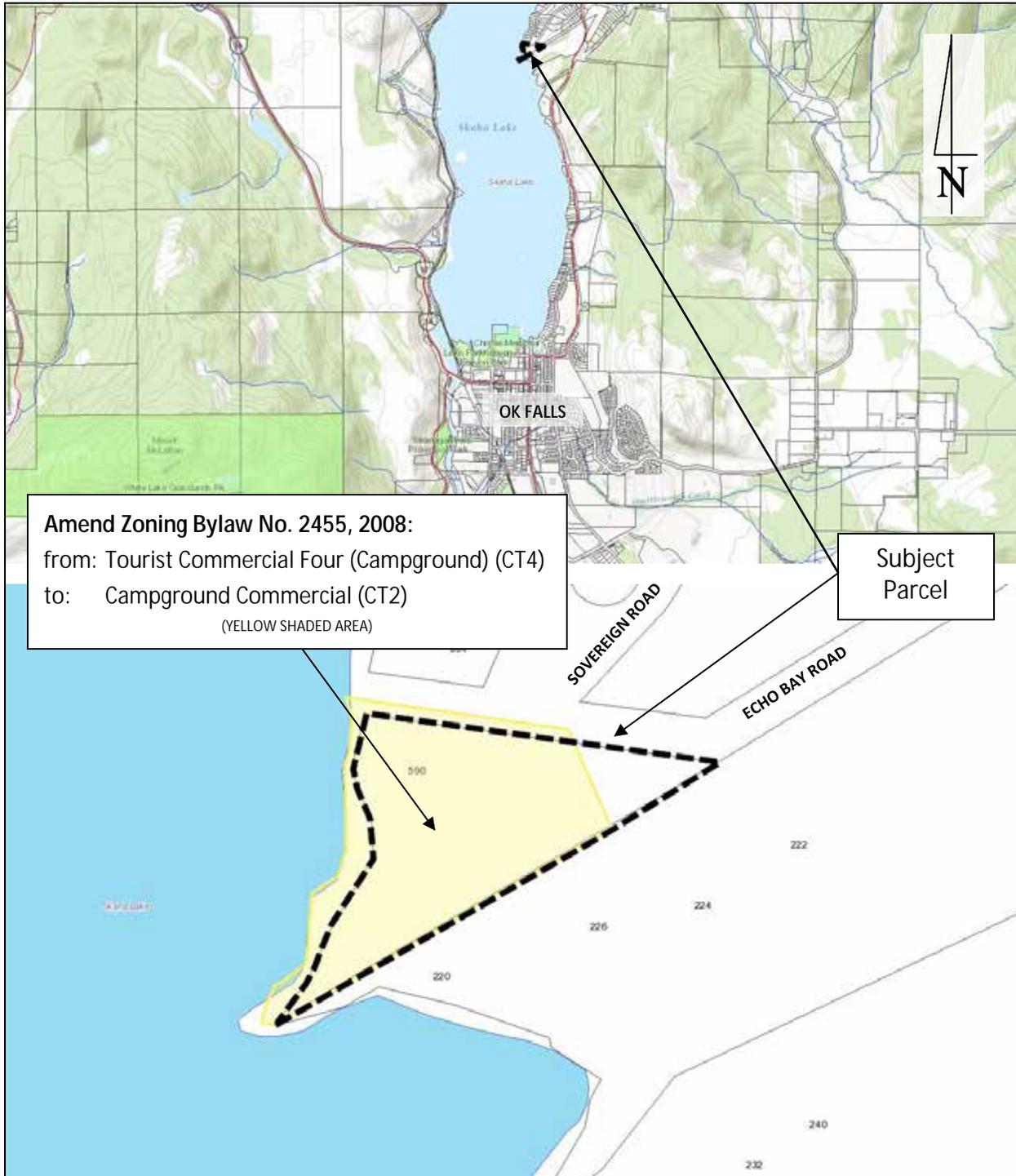
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'D-4'



# Regional District of Okanagan-Similkameen

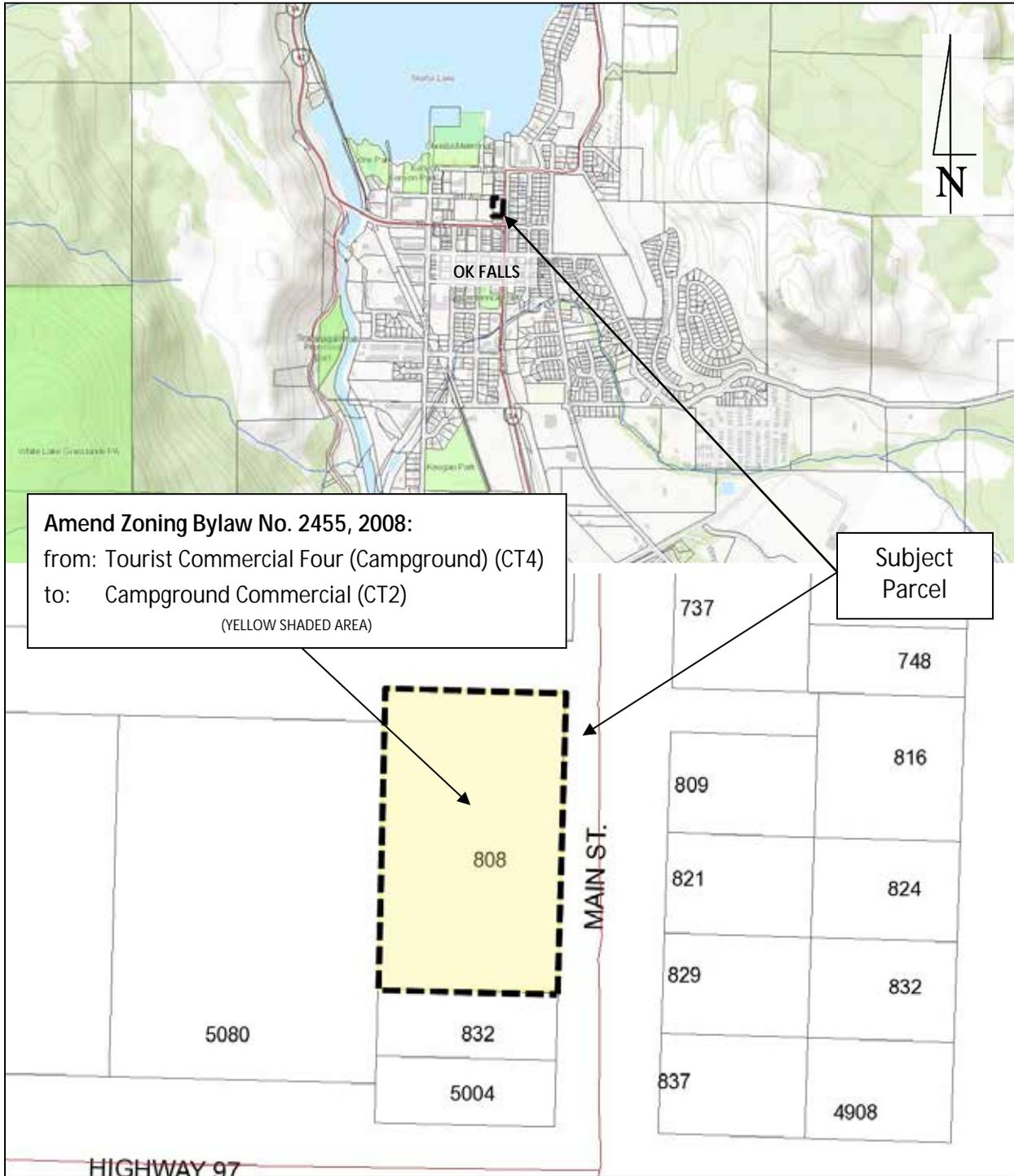
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

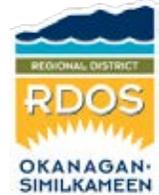
Schedule 'D-5'



# Regional District of Okanagan-Similkameen

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

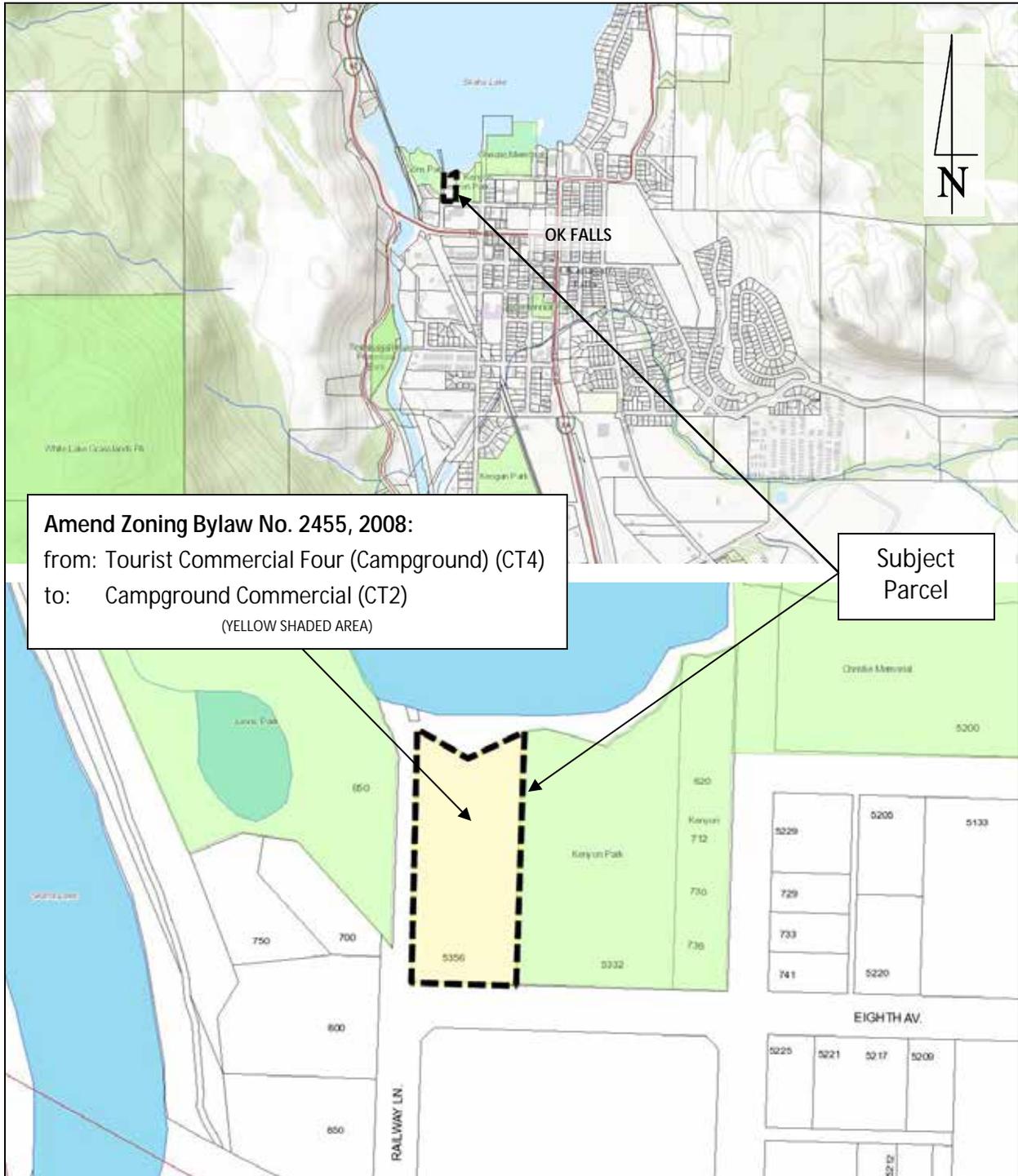
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

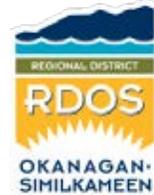
Schedule 'D-6'



# Regional District of Okanagan-Similkameen

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

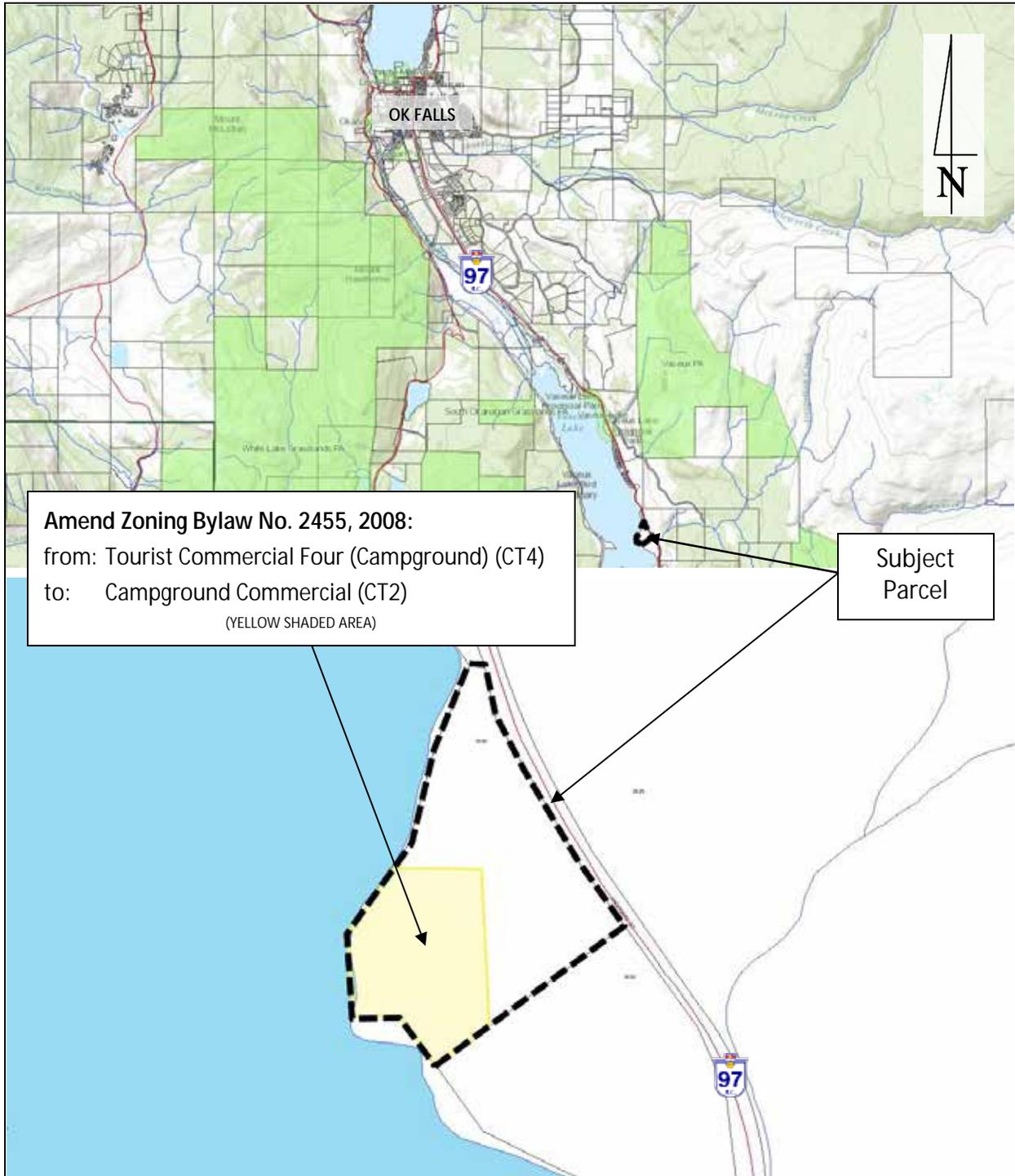
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'D-7'



**Amend Zoning Bylaw No. 2455, 2008:**  
from: Tourist Commercial Four (Campground) (CT4)  
to: Campground Commercial (CT2)  
(YELLOW SHADED AREA)

Subject  
Parcel

# Regional District of Okanagan-Similkameen

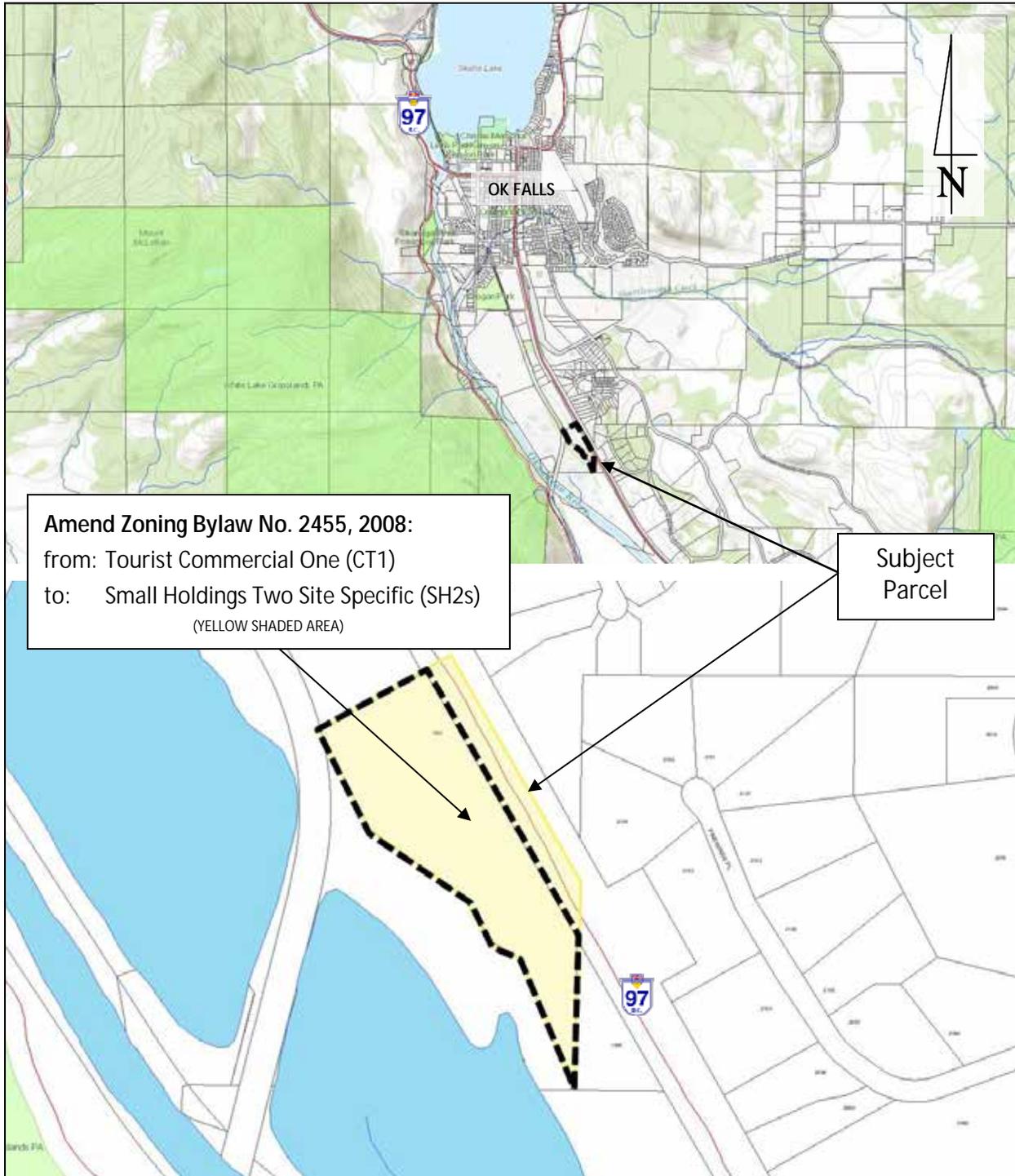
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

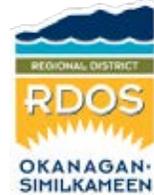
Schedule 'D-8'



# Regional District of Okanagan-Similkameen

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

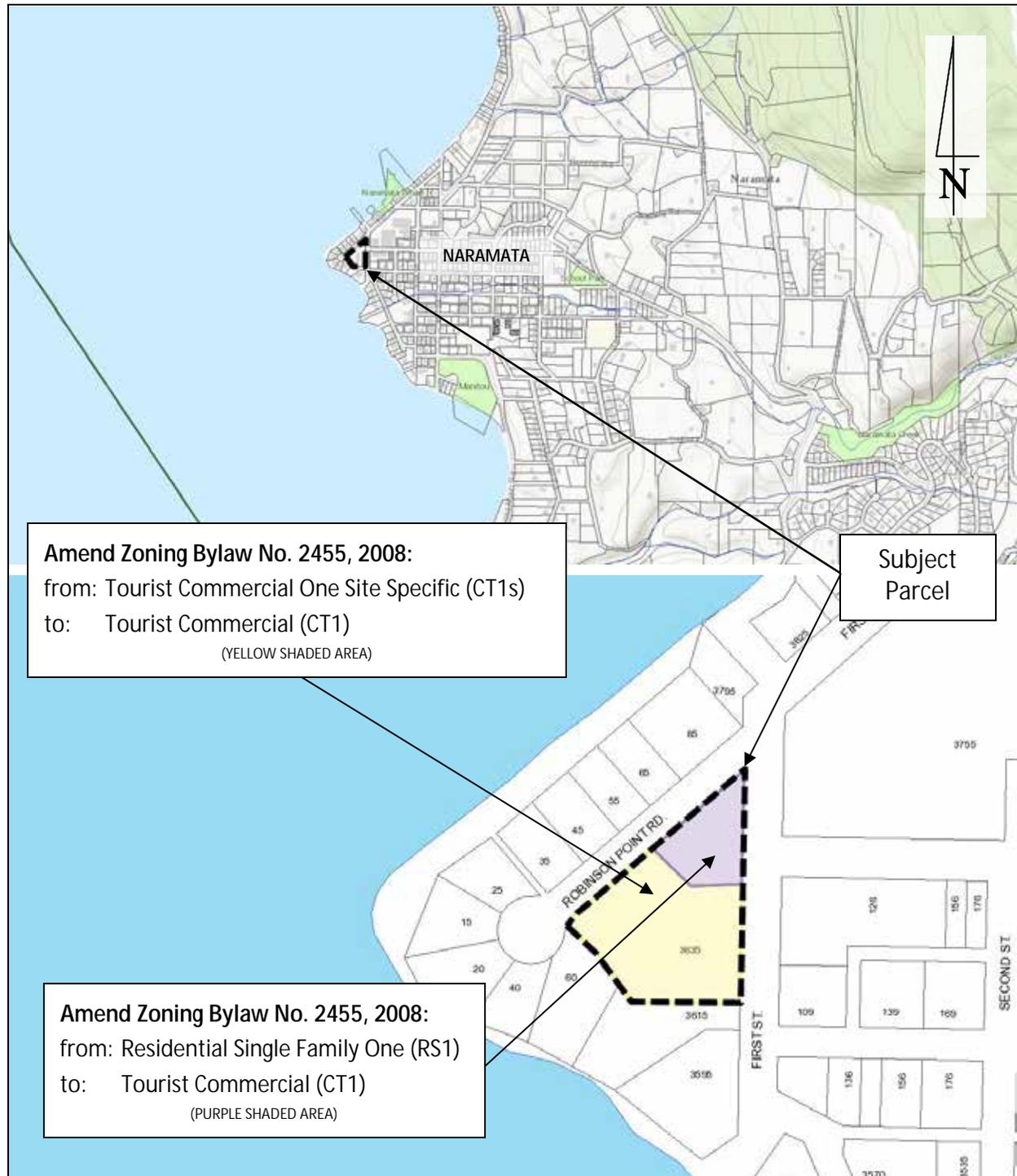
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Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

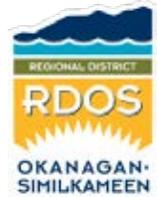
## Schedule 'E-1'



# Regional District of Okanagan-Similkameen

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

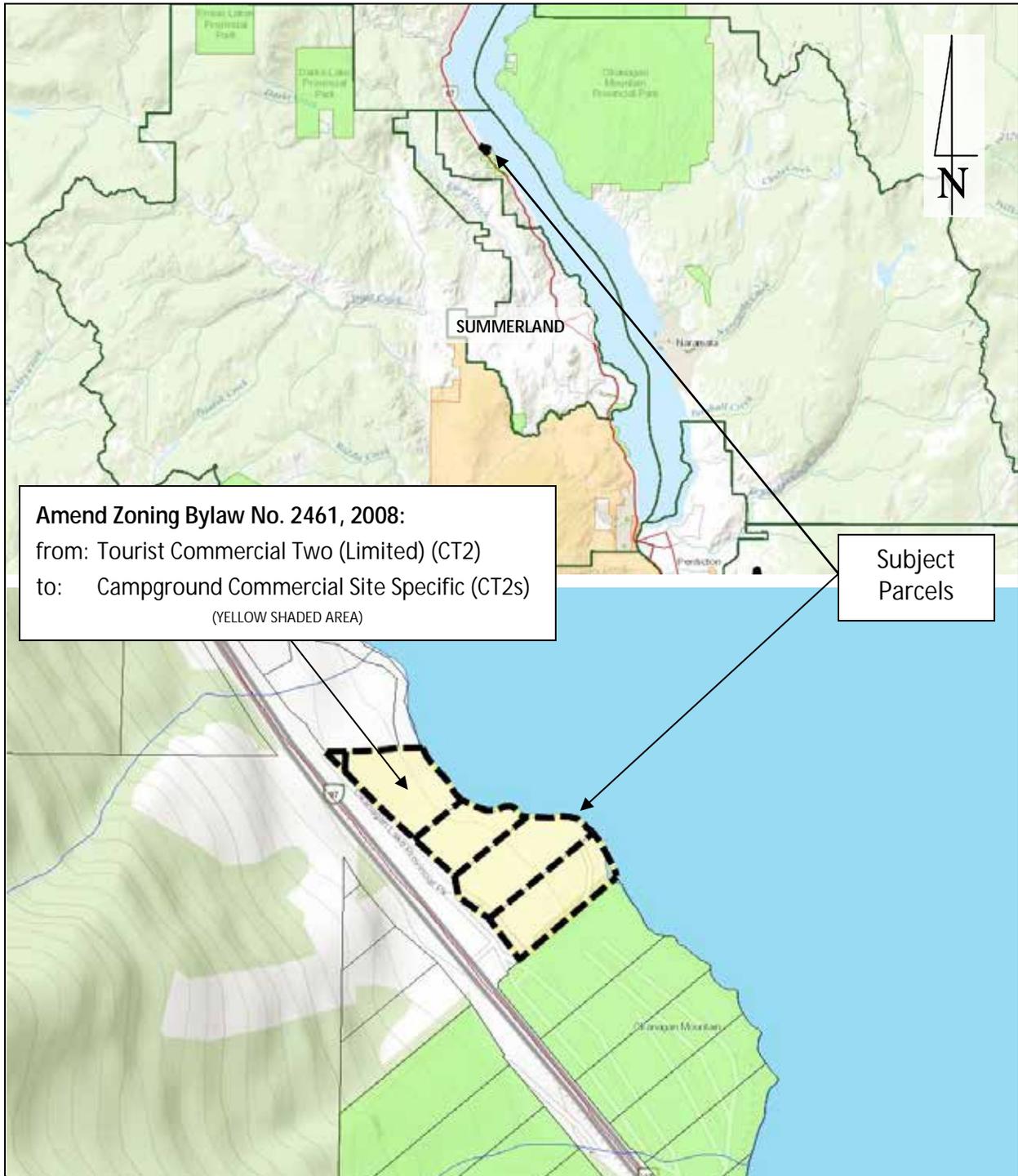
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

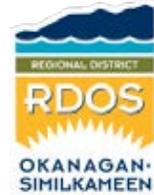
Schedule 'F-1'



# Regional District of Okanagan-Similkameen

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

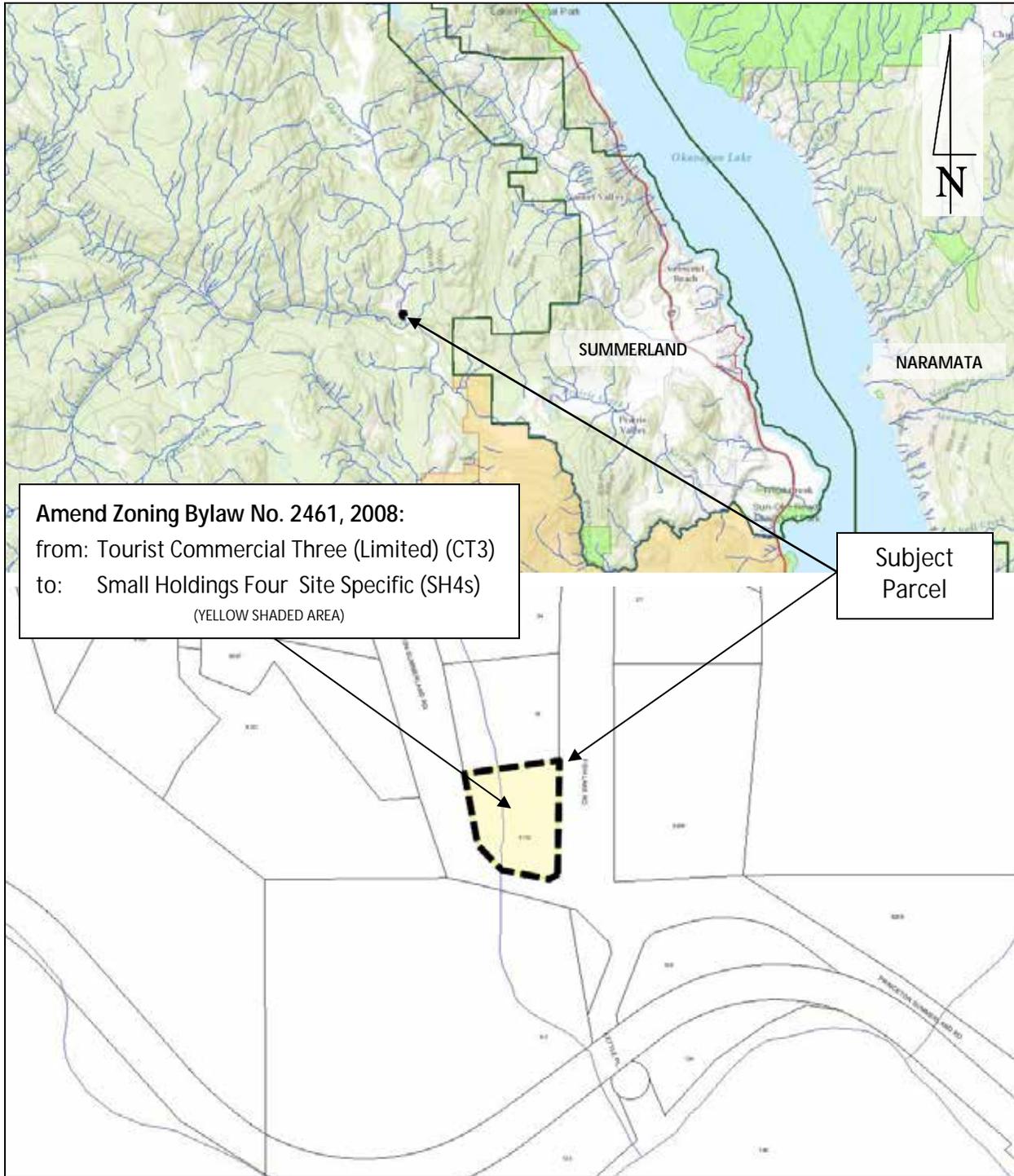
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

## Schedule 'F-2'



Amendment Bylaw No. 2808, 2018

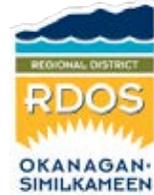
(X2018.069-ZONE)

Page 65 of 72

# Regional District of Okanagan-Similkameen

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

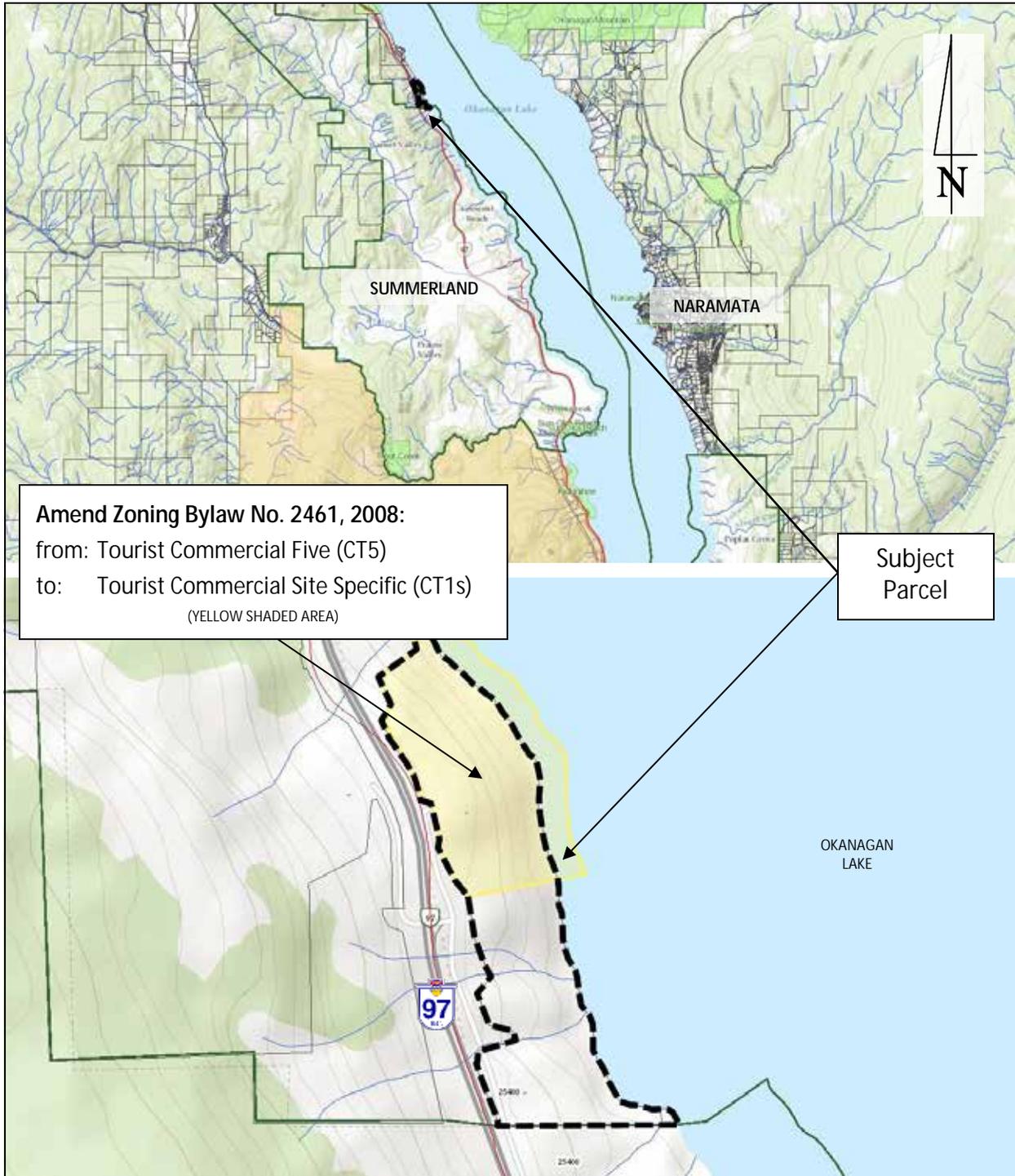
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'F-3'



**Amend Zoning Bylaw No. 2461, 2008:**

from: Tourist Commercial Five (CT5)

to: Tourist Commercial Site Specific (CT1s)

(YELLOW SHADED AREA)

Subject  
Parcel

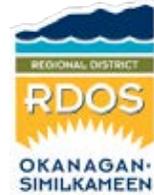
Amendment Bylaw No. 2808, 2018

(X2018.069-ZONE)

Page 66 of 72

# Regional District of Okanagan-Similkameen

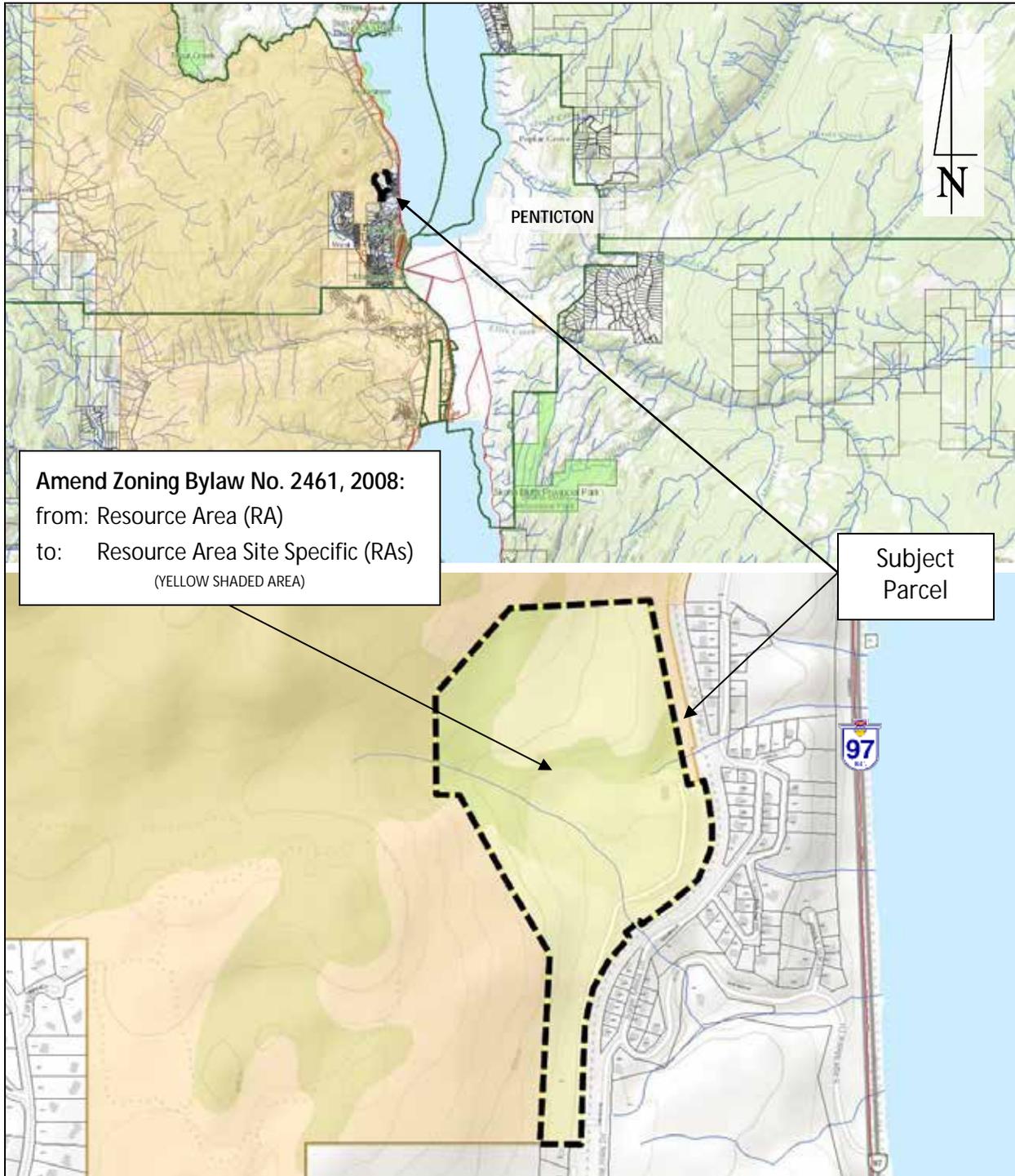
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

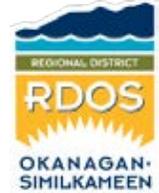
Schedule 'F-4'



# Regional District of Okanagan-Similkameen

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

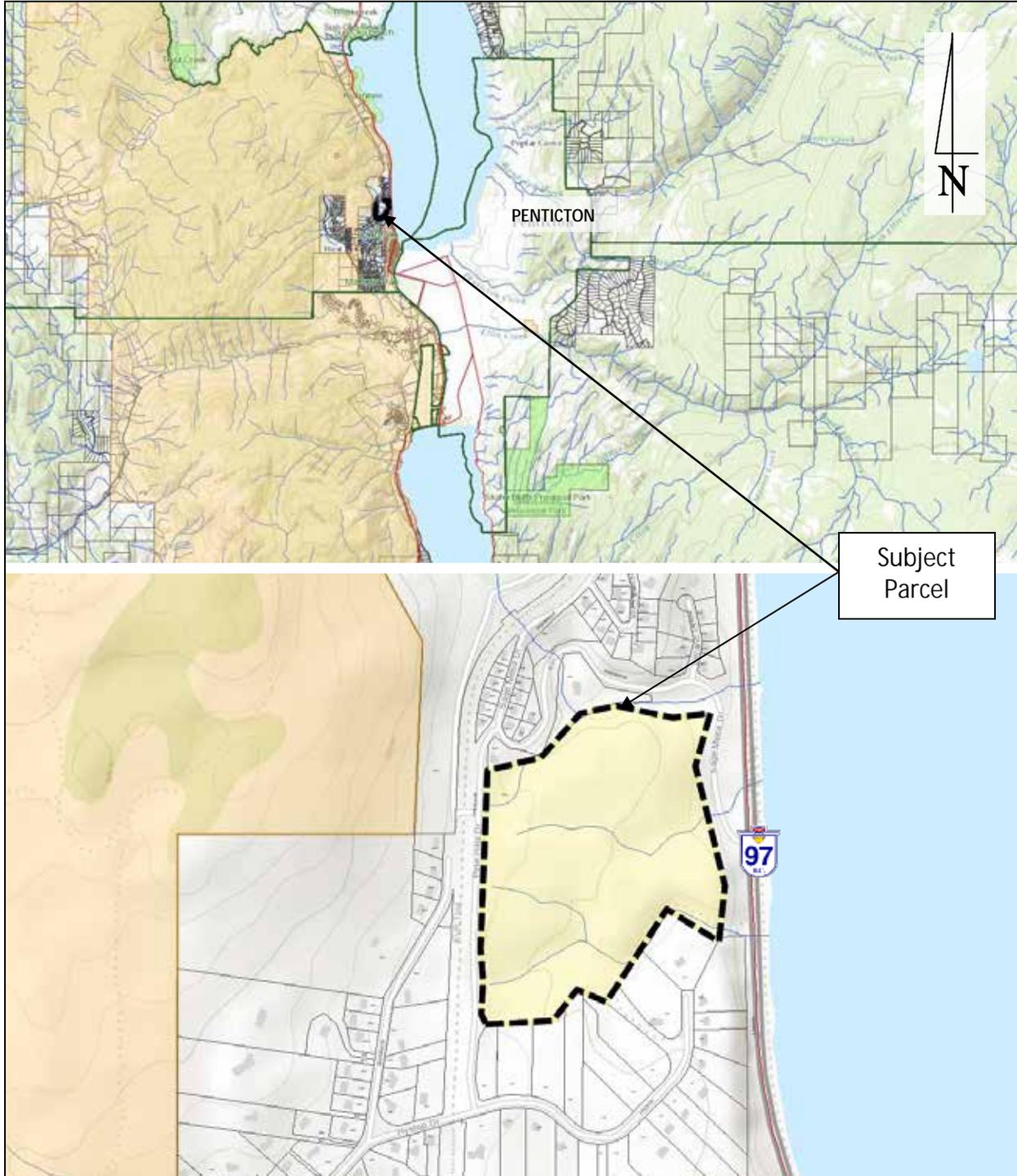
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

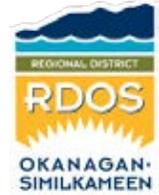
Schedule 'F-5'



# Regional District of Okanagan-Similkameen

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

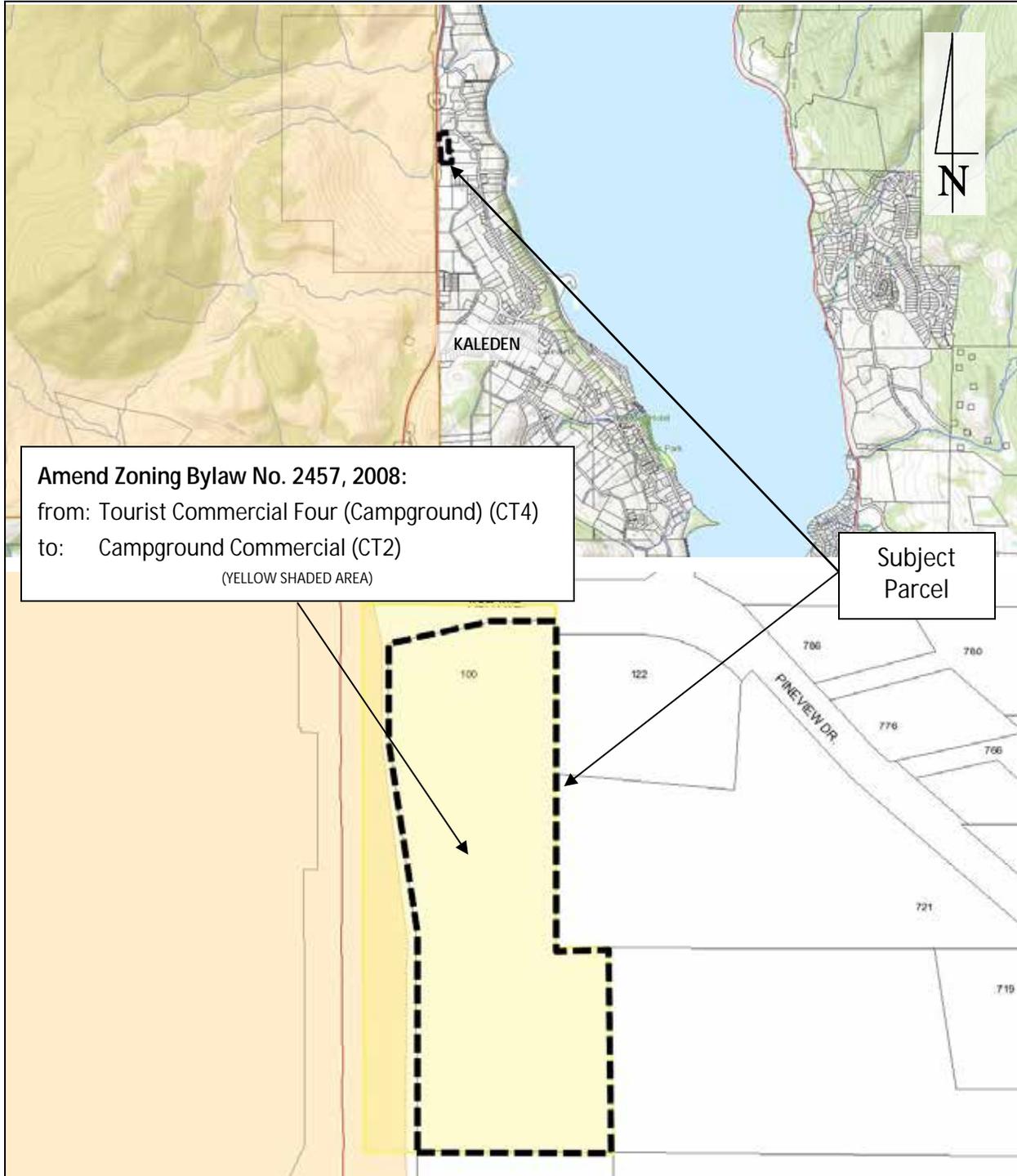
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'I-1'



# Regional District of Okanagan-Similkameen

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

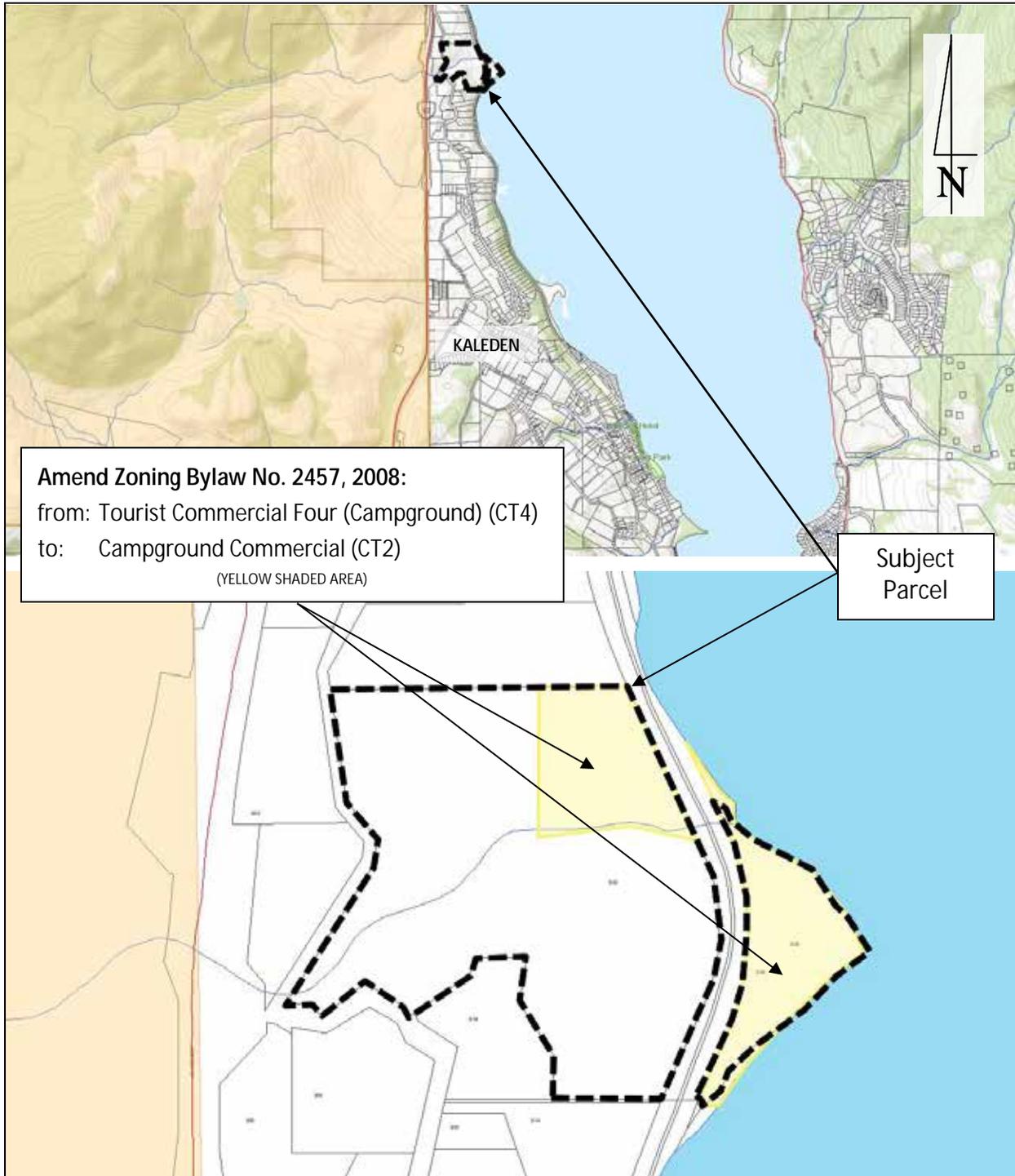
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

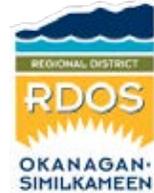
Schedule 'I-2'



# Regional District of Okanagan-Similkameen

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

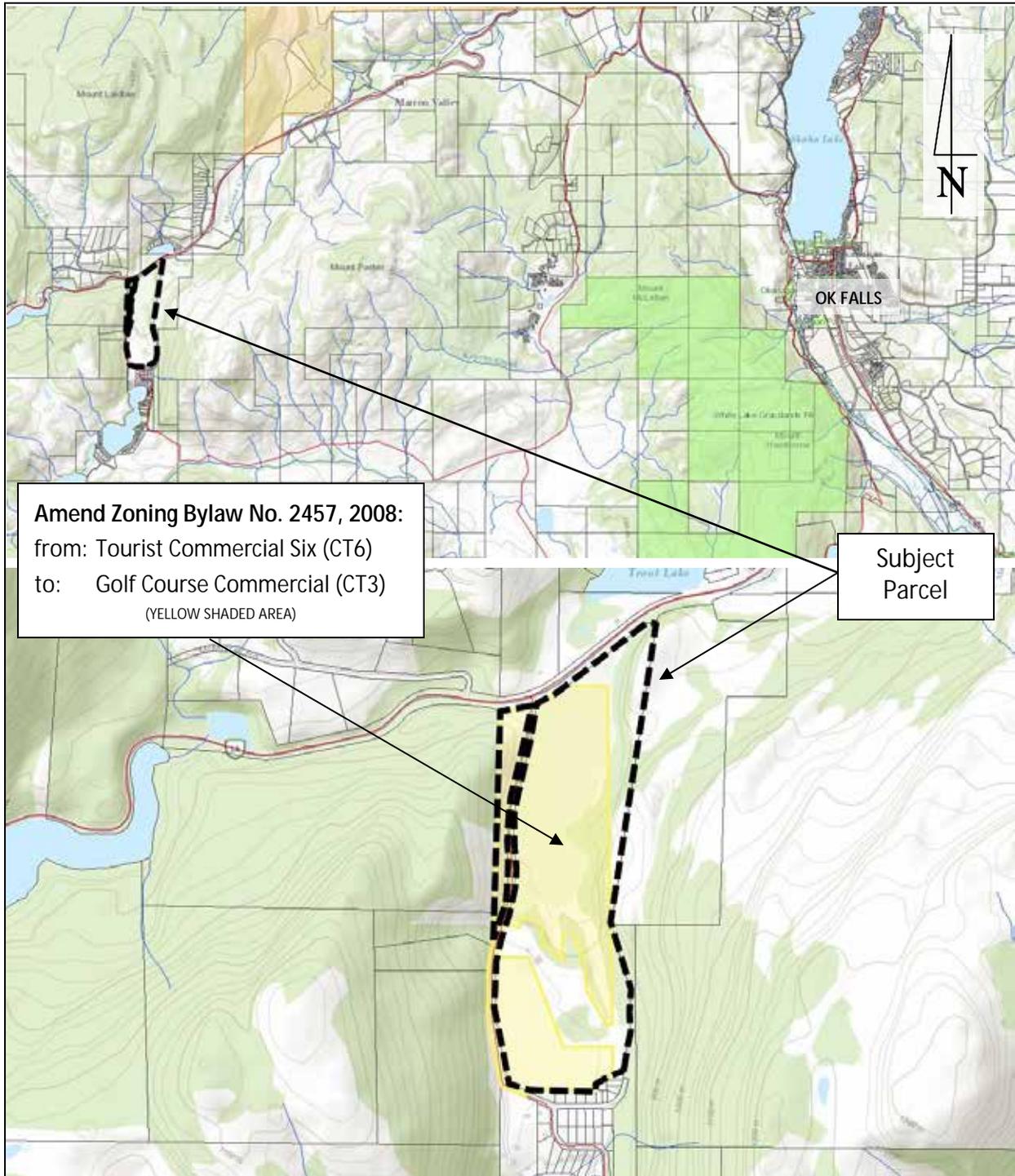
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'I-3'



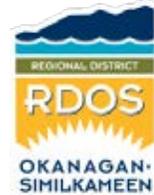
**Amend Zoning Bylaw No. 2457, 2008:**  
from: Tourist Commercial Six (CT6)  
to: Golf Course Commercial (CT3)  
(YELLOW SHADED AREA)

**Subject Parcel**

# Regional District of Okanagan-Similkameen

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

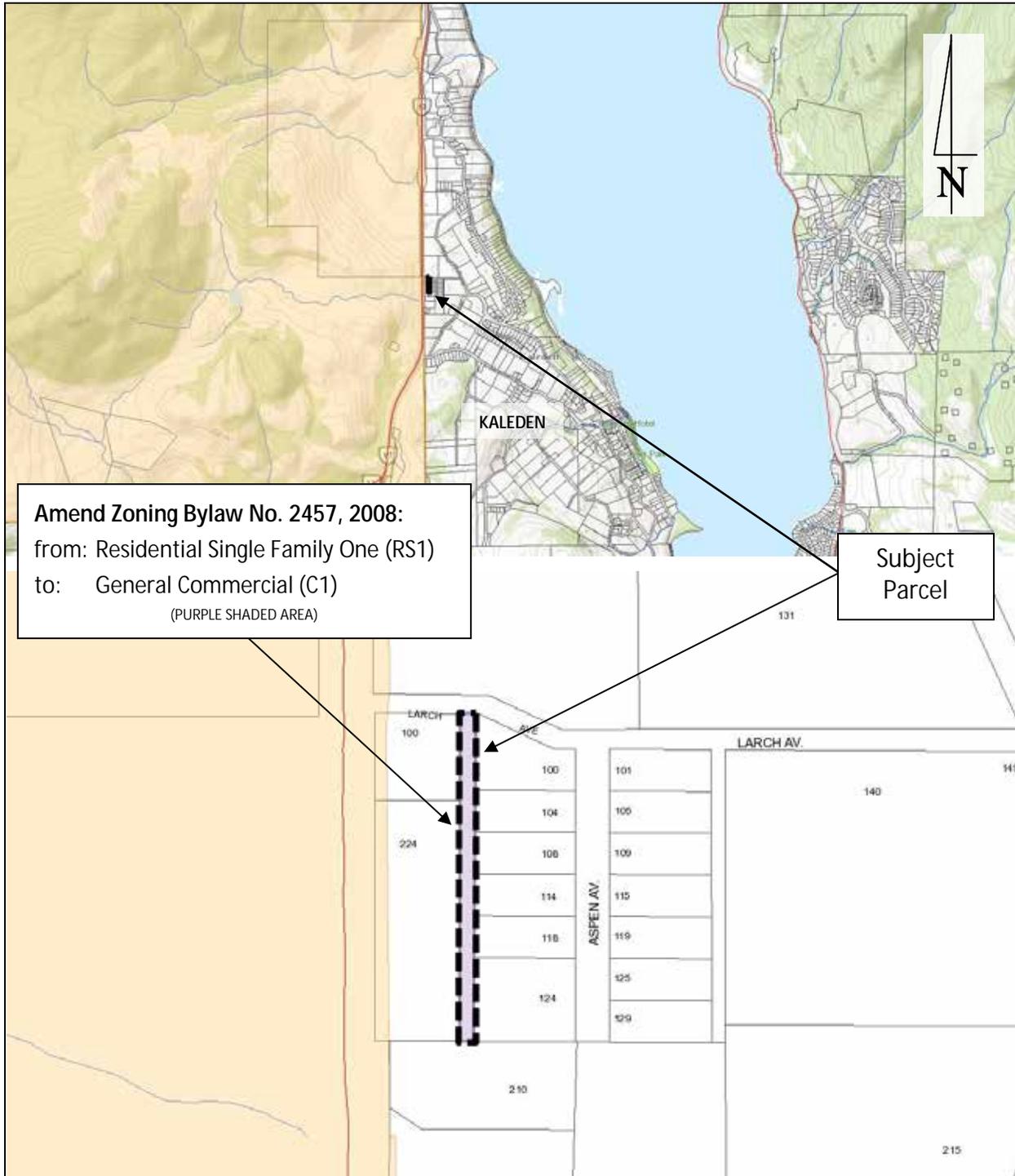
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)

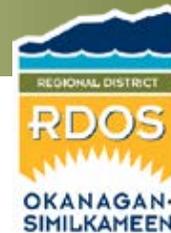


Amendment Bylaw No. 2808, 2018

Project No: X2018.069-ZONE

Schedule 'I-4'





**TO:** Chair Tom Siddon, Electoral Area "D"

**DATE:** September 17, 2018

**RE:** Public Hearing Report - Amendment Bylaw No. 2808, 2018

---

## **Purpose of Bylaw:**

The purpose of Amendment Bylaw No. 2808, 2018 is to update the tourist commercial zones found in the South Okanagan electoral Areas as part of on-gong work related to the preparation of a single zoning bylaw.

These amendments will be applied to the:

- Electoral Area "A" OCP Bylaw No. 2450, 2008, & Zoning Bylaw No. 2451, 2008;
- Electoral Area "C" OCP Bylaw No. 2452, 2008, & Zoning Bylaw No. 2453, 2008;
- Electoral Area "D-1" OCP Bylaw No. 2683, 2016, & Zoning Bylaw No. 2457, 2008;
- Electoral Area "D-2" OCP Bylaw No. 2603, 2012, & Zoning Bylaw No. 2455, 2008;
- Electoral Area "E" OCP Bylaw No. 2458, 2008, & Zoning Bylaw No. 2459, 2008; and
- Electoral Area "F" OCP Bylaw No. 2460, 2008, & Zoning Bylaw No, 2461, 2008.

## **Public Hearing Overview:**

The Public Hearing for Bylaw No. 2808, 2018, was convened on Monday, September 17, 2018 at 7:16 pm, at the RDOS Board Room, 101 Martin Street.

Members of the Regional District Board present were:

- Chair Tom Siddon

Members of the Regional District staff present were:

- Christopher Garrish, Planning Supervisor
- Lauri Feindell, Recording Secretary

There were approximately 23 members of the public present.

Chair Siddon called the Public Hearing to order at 7:16 p.m.at the Regional District of Okanagan Similkameen Board Room, 101 Martin Street, Penticton, pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Bylaw No. 2808, 2018.

In accordance with Section 466, the time and place of the public hearing was advertised in the Penticton Western on September 7<sup>th</sup> and 12<sup>th</sup>.

Copies of reports and correspondence received related to Bylaw No. 2808, 2018, were available for viewing at the Regional District office during the required posting period.

## **Summary of Representations:**

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There were three (3) written briefs and one (1) petition submitted at the public hearing.

**Chair Siddon** 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.

**C. Garrish, Planning Supervisor**, outlined the proposed bylaw.

**Chair Siddon** asked if anyone wished to speak to the proposed bylaw.

**Johnny Aantjes, 2070 Carmi Road**

- supports the proposed bylaw amendments.

**John Owens, 120 Panorama Ridge Road**

- stated that he is not opposed to the Penticton Speedway, but would like to see motorbike and drag racing removed as permitted uses in the proposed CT5 Zone.
- removing these uses would make residents happy and would be a safeguard against future potential noise.

**Grant Rowley, 160 Panorama Ridge Road and 101467 Pickering Street**

- does not support proposed addition of “equestrian centre” as an accessory use in the CT5 Zone.
- does not support the definition of “motorsport facility” including drag strip and test pad. These uses should be removed from the definition in all Electoral Area Zoning Bylaws.

**Nola Beard, 113 Daloc Road**

- appreciates RDOS Board scheduling a second public hearing on Amendment Bylaw No. 2808, 2018.
- prefers that public hearings not occur on the same day as public information meetings for an amendment bylaw.
- supports the addition of “equestrian centre” as a permitted accessory use in the CT5 Zone.
- submitted a petition with 34 signatures on it and read it aloud:
  - Ø this request to the RDOS is to ensure, long lasting ongoing compatibility of the speedway and its RDOS and City of Penticton neighbors into the future. It is not to shut down the speedway.

**Johnny Aantjes, 2070 Carmi Road**

- advised that a certain number of events are listed on the Penticton Speedway web-site, but there are at least 20 to 30 other events that happen on the course not listed on the website.

- 
- these events includes driver training, practice, track rentals, etc. and occur from April 1<sup>st</sup> to the end of September.

**Neda Joss, 168 Salikan Drive**

- supports restrictions on the zoning of the Penticton Speedway in the event the property is sold to a new owner who may not operate the track in the same manner as the current owner.
- would be better for the community if they have peace of mind in knowing the time frames of the operations of the facility.

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

**Chair Siddon** asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 7:33 p.m.

Recorded by:

***Lauri Feindell***

Lauri Feindell  
Recording Secretary

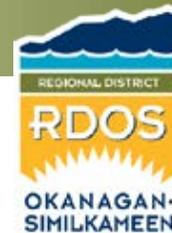
Confirmed:



Christopher Garrish  
Planning Supervisor

Confirmed:

Tom Siddon  
Chair



**TO:** Regional Board of Directors

**FROM:** Chair Karla Kozakevich, Electoral Area “D”

**DATE:** August 16, 2018

**RE:** Public Hearing Report - Amendment Bylaw No. 2808, 2018

**Purpose of Bylaw:**

The purpose of Amendment Bylaw No. 2808, 2018 is to update the tourist commercial zones found in the South Okanagan electoral Areas as part of on-gong work related to the preparation of a single zoning bylaw.

These amendments will be applied to the:

- Electoral Area “A” OCP Bylaw No. 2450, 2008, & Zoning Bylaw No. 2451, 2008;
- Electoral Area “C” OCP Bylaw No. 2452, 2008, & Zoning Bylaw No. 2453, 2008;
- Electoral Area “D-1” OCP Bylaw No. 2683, 2016, & Zoning Bylaw No. 2457, 2008;
- Electoral Area “D-2” OCP Bylaw No. 2603, 2012, & Zoning Bylaw No. 2455, 2008;
- Electoral Area “E” OCP Bylaw No. 2458, 2008, & Zoning Bylaw No. 2459, 2008; and
- Electoral Area “F” OCP Bylaw No. 2460, 2008, & Zoning Bylaw No, 2461, 2008.

**Public Hearing Overview:**

The Public Hearing for Bylaw No. 2808, 2018, was convened on Thursday, August 16, 2018 at 9:05 am, at the RDOS Board Room, 101 Martin Street.

Present

Chair Karla Kozakevich  
 Director Manfred Bauer  
 Director Frank Armitage  
 Director Tom Siddon  
 Director Susan McKortoff  
 Director Toni Boot  
 Director Mark Pendergraft  
 Director Terry Schafer  
 Director Andre Martin  
 Director Peter Waterman  
 Director Helena Konanz  
 Director Judy Sentes  
 Director Michael Brydon

Representing

RDOS, Electoral Area “E”  
 RDOS, Village of Keremeos  
 RDOS, Town of Princeton  
 RDOS, Electoral Area “D”  
 RDOS, Town of Osoyoos  
 RDOS, District of Summerland  
 RDOS, Electoral Area “A”  
 RDOS, Electoral Area “C”  
 RDOS, City of Penticton  
 RDOS, District of Summerland  
 RDOS, City of Penticton  
 RDOS, City of Penticton  
 RDOS, Electoral Area “F”

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Director George Bush

RDOS, Electoral Area "B"

Members of the Regional District staff present were:

- Bill Newell, Chief Administrative Officer
- Brad Dollevoet, Development Services Manager
- Kevin Taylor, Recording Secretary / Planning Technician

There were Twelve (12) members of the public and four (4) members of the press present.

Chair Kozakevich called the Public Hearing to order at 9:05 a.m. at the Regional District of Okanagan Similkameen Board Room, 101 Martin Street, Penticton, pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Bylaw No. 2808, 2018.

In accordance with Section 466, the time and place of the public hearing was advertised in the Penticton Western, Oliver Chronicle, and Osoyoos Times on August 1<sup>st</sup> and 8<sup>th</sup>.

Copies of reports and correspondence received related to Bylaw No. 2808, 2018, were available for viewing at the Regional District office during the required posting period.

#### **Summary of Representations:**

There was one (1) written briefs submitted at the public hearing.

**Chair Kozakevich** 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.

**B. Dollevoet, Development Services Manager**, outlined the proposed bylaw.

**Chair Kozakevich** asked if anyone wished to speak to the proposed bylaw.

**Nola Beard – 113 Daloc Road – Spoke against the proposal for the following reasons:**

- A number of residents are interested in this amendment bylaw and do not believe that sufficient public engagement and notification took place.
- A petition of 53 names has been submitted against this application.
- Request to defer the 3<sup>rd</sup> reading of the bylaw in order to entertain more public consultation.
- Believes that the notification for this public hearing was too cluttered to effectively understand the breadth of changes.
- Believes that a zoning amendment this size allows specific changes to get lost in the mix.
- There us a desire from residence to participate in the process.

- 
- It is understood that this process is to facilitate the standardization of zoning bylaws throughout the region.
  - Believes that the board directed staff to only consult with the commercial community on the commercial tourism zones.
  - Believes that the permitted uses on the speedway zone change significantly from what is currently permitted.
    - o Current zoning is "general amusement". Changing to "Motorsport Facility".
    - o Believes this change is significant beyond updating and standardizing language.
  - 2003 arbitration between Upper Carmi residents and the Speedway resulted in "terms of operation" being agreed too. The Residents would like to see these terms reflected, or considered, in zoning.
  - Does not believe the board was acting with malice to avoid public consultation; but believes that a private property owner would be held to a more rigorous standard.

**Johnny Aantjes – 2070 Carmi Road – Spoke to the proposal:**

- Comfortable with the process with the exception of notification of changes.
- Would like to clarify that he did not realize that other uses were being removed.
  - o Other uses at the Speedway include:
    - § Bull Riding
    - § Horse Boarding,
    - § Petting Zoo,
    - § Concerts,
    - § Camping,
    - § On Site Caretaker,
    - § Vehicle Storage etc.
- Would like historical uses to be taken into consideration.

**Jeffery Makwich – 3010 Carmi Road – Spoke against the proposal for the following reasons:**

- Would like to echo what was been said regarding lack of public engagement.
- This proposal is a life changing change.
- Believes that the process has not been thorough.

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

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**Chair Kozakevich** 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 9:27 a.m.

Recorded by:



Kevin Taylor  
Recording Secretary

Confirmed:



Brad Dollevoet  
Development Services Manager

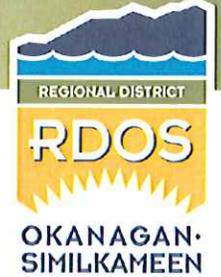
Confirmed:

***Karla Kozakevich***

Karla Kozakevich  
Chair

# FILE NOTE

## Development Services Department



**DATE:** September 17, 2018

**FROM:** Christopher Garrish, Planning Supervisor

**RE:** Commercial Tourist Zone Update – Amendment Bylaw No. 2808  
Proposed amendments to bylaw at 3<sup>rd</sup> reading

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Bylaw No. 2808, 2018, proposes to amend the Okanagan Valley Electoral Area Zoning Bylaws in order to update the Tourist Commercial Zones as part of on-going work related to the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

At its meeting of July 19, 2018, the Regional District Board resolved to approve first and second reading of Amendment Bylaw No. 2808, 2018, and scheduled the holding of the public hearing ahead of its meeting of August 16, 2018.

It is understood that concerns were expressed by some residents of the Upper Carmi area of Electoral Area “D-2” at the public hearing regarding consultation and the content of the bylaw as it relates to the property at 2070 Carmi Road (i.e. Penticton Speedway).

As a result of these representations, the Board resolved to defer consideration of 3<sup>rd</sup> reading of Bylaw No. 2808, 2018, “until the Oct 4, 2018 Board Meeting to enable a public information meeting and a second statutory public hearing to which be delegated to the Electoral Area “D” Director.”

Based upon feedback received following the Board’s meeting of August 16<sup>th</sup>, a number of minor changes are proposed to the definition of “motorsport facility” and that it read as follows (proposed edits shown by underlined and struck-through text):

“**motorsports facility**” means land, buildings or structures used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, ~~drag strip, racing circuit, sports car track, skid pad, off road course~~ and other uses accessory to motorized vehicle racing;

It is proposed that this amended definition of “motorsports facility” be applied to all of the South Okanagan Electoral Area Zoning Bylaws covered by Bylaw No. 2808, 2018.

In addition, it is also proposed to include the definition of “equestrian centre” as a permitted accessory use in CT5 Zone to reflect current uses occurring at 2070 Carmi Road.

Finally, and based upon separate feedback received from the Ministry of Transportation and Infrastructure (MoTI), it is being proposed to amend the zoning of a laneway that provides access from Larch Avenue in Kaleden to properties fronting Highway 97 and Aspen Avenue.

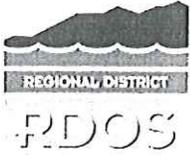
The Ministry has requested that the zoning of this laneway be made General Commercial (C1) under the Electoral Area “D-1” Zoning Bylaw No. 2457, 2008. It is currently split-zoned part C1 and part Residential Single Family One (RS1).

It is proposed that the Regional District Board consider these amendments at 3<sup>rd</sup> reading of Bylaw No. 2808, 2018 (by reading the bylaw a 3<sup>rd</sup> time, as amended).

A handwritten signature in blue ink, appearing to be "C. Garrish", is located at the bottom left of the page.

C. Garrish, Planning Supervisor





# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

OKANAGAN-SIMILKAMEEN

TO: Regional District of Okanagan Similkameen

FILE NO.: D2018.069-ZONE

FROM: Name:

Anne Laird  
(please print)

Street Address: \_\_\_\_\_

RE: Amendment Bylaw No. 2808 – Tourist Commercial Zone Update

My comments / concerns are:

- I do support the Amendment Bylaw No. 2808.
- I do support the Amendment Bylaw No. 2808, subject to the comments listed below.
- I do not support the Amendment Bylaw No. 2808.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 3<sup>rd</sup> reading of Amendment Bylaw No. 2808.

- No adding to zoning

- No added events

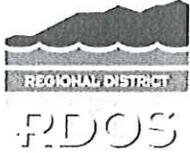
- Decrease practice days per week, etc.

\* This is a RESIDENTIAL area NOT commercial

Noise is a huge issue for property values  
- as I have said the speedway property was owned by the Christian School when we purchased our property

Feedback Forms must be completed and returned to the Regional District prior to **Monday September 17, 2018.**

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



# Feedback Form

**Regional District of Okanagan Similkameen**

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

OKANAGAN-SIMILKAMEEN

TO: Regional District of Okanagan Similkameen FILE NO.: D2018.069-ZONE

FROM: Name: ROLANDE GIROUARD  
(please print)

Street Address: \_\_\_\_\_

RE: Amendment Bylaw No. 2808 – Tourist Commercial Zone Update

My comments / concerns are:

- I do support the Amendment Bylaw No. 2808.
- I do support the Amendment Bylaw No. 2808, subject to the comments listed below.
- I do not support the Amendment Bylaw No. 2808.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 3<sup>rd</sup> reading of Amendment Bylaw No. 2808.

① That the noise levels not be augmented.

② Quiet time to be limited to after 10 pm. To 9am.

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\_\_\_\_\_

Feedback Forms must be completed and returned to the Regional District prior to **Monday September 17, 2018.**

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**Petition:**

We request that RDOS adopt the following for the CT5 Pentiction Speedway zoning:

- 1) the definition for 'motorsports facility' be: "means land, buildings or structures used for the purpose of racing automobiles and go-karts; includes driver training and vehicle testing; excludes drag strip, skid pad, and off-road motorsports."
- 2) Eating and drinking establishment hours be restricted to those of large spectating events and no later than 10:00 PM.
- 3) Motorsports activity be allowed as follows:
  - April 1 to October 31;
  - a maximum of 45 days of motorsports per year [note: this is more than the number of motorsport days on the published 2018 Pentiction Speedway schedule];
  - no motorsports before 9:00 AM;
  - no motorsports after 10:00 PM; and,
  - a maximum of six contiguous hours of motorsports from the first motorsport activity to the last motorsport activity per day.

	First Name	Last Name	Check all that apply. I live in:	Additional comments for RDOS?
1	Andy	McEachern	RDOS, Carmi	
2	Lisa	McEachern	RDOS, Carmi	
3	Neil and Arlene	Mackay	City of Pentiction, not Sendero Canyon	
4	mark	makwich	RDOS, Carmi	
5	Kim	Martins	City of Pentiction, Sendero Canyon	
6	Kelly	Fairholm	RDOS, Carmi	
7	Leanne	Fairholm	RDOS, Carmi	

8	Anne	Laird	RDOS, Carmi	<p>When we moved to the upper Carmi area over 20 yrs ago the Christian school owned the speedway property and wanted to build a school.</p> <p>We are not sure how the RDOS has the right to think the expansion of the speedway wouldn't affect it's neighbors!!!! ie: we never received anything from you in the mail to update us.</p> <p>We could go on and on as to why we don't think this expansion should happen!</p> <p>We moved here to enjoy nature and to be away from this not to have it in our backyards! This is a RESIDENTIAL area with nature in our backyards!</p> <p>We DO NOT want the speedway to expand its commercial property! This is a RESIDENTIAL AREA and we would like it to stay residential!</p> <p>When we moved to the upper Carmi area over 20 yrs ago the Christian school owned the speedway property and wanted to build a school.</p> <p>We would also like to see set days for practices at the speedway as well.</p> <p>We are not sure how the RDOS has the right to think the expansion of the speedway wouldn't affect it's neighbors!!!! ie: we never received anything from you in the mail to update us.</p> <p>We could go on and on as to why we don't think this expansion should happen!</p> <p>We moved here to enjoy nature and to be away from this not to have it in our backyards! This is a RESIDENTIAL area with nature in our backyards!</p> <p>We DO NOT want the speedway to expand its commercial property! This is a RESIDENTIAL AREA and we would like it to stay residential!</p>
9	Laurie	Laird	RDOS, Carmi	<p>We would also like to see set days for practices at the speedway as well.</p> <p>We are not sure how the RDOS has the right to think the expansion of the speedway wouldn't affect it's neighbors!!!! ie: we never received anything from you in the mail to update us.</p> <p>We could go on and on as to why we don't think this expansion should happen!</p> <p>We moved here to enjoy nature and to be away from this not to have it in our backyards! This is a RESIDENTIAL area with nature in our backyards!</p> <p>We DO NOT want the speedway to expand its commercial property! This is a RESIDENTIAL AREA and we would like it to stay residential!</p> <p>When we moved to the upper Carmi area over 20 yrs ago the Christian school owned the speedway property and wanted to build a school.</p> <p>We would also like to see set days for practices at the speedway as well.</p> <p>We are not sure how the RDOS has the right to think the expansion of the speedway wouldn't affect it's neighbors!!!! ie: we never received anything from you in the mail to update us.</p> <p>We could go on and on as to why we don't think this expansion should happen!</p> <p>We moved here to enjoy nature and to be away from this not to have it in our backyards! This is a RESIDENTIAL area with nature in our backyards!</p> <p>We DO NOT want the speedway to expand its commercial property! This is a RESIDENTIAL AREA and we would like it to stay residential!</p>
10	Grant	Rowley	RDOS, Carmi, City of Pentiction, not Sendero Canyon.	<p>The RDOS initiated this update and has an obligation to ensure the compatibility of all uses in a mixed-use area. Why a broad 'motorsports facility' definition instead of a 'driving oval' definition? The Region has taken responsibility for ensuring compatibility of uses in other locations, and owes the Upper Carmi &amp; nearby Pentiction owners the same consideration. The Region must acknowledge and take responsibility for zoning for combined uses and ensure the disruption to the peace and enjoyment of other properties remains at a reasonable balance. The requested constraints are reasonable (Vernon restricted the Speedway in their jurisdiction to 18 days per year) and still allow for growth, simply in a manner compatible with the majority-residential area that this has become.</p>
11	Nola	Beard	RDOS, Carmi	<p>The RDOS initiated this update and has an obligation to ensure the compatibility of all uses in a mixed-use area. Why a broad 'motorsports facility' definition instead of a 'driving oval' definition? The Region has taken responsibility for ensuring compatibility of uses in other locations, and owes the Upper Carmi &amp; nearby Pentiction owners the same consideration. The Region must acknowledge and take responsibility for zoning for combined uses and ensure the disruption to the peace and enjoyment of other properties remains at a reasonable balance. The requested constraints are reasonable (Vernon restricted the Speedway in their jurisdiction to 18 days per year) and still allow for growth, simply in a manner compatible with the majority-residential area that this has become.</p>

12	Charmaine	daoust	Summerland		
13	Liam	Mccready	Summerland		
14	Marian	Bridson	RDOS, Carmi		
15	Michael	Bridson	RDOS, Carmi		
16	Greg	Rowley	Ottawa		
17	Kathy	Boudreau	RDOS, Carmi		
18	Neda	Joss	RDOS, Carmi		I would like to see some business operation guidelines set that addresses neighbourhood compatibility. Presently there seems to be no limits to the activities carried out, or hours of operation, or how business is conducted in terms of safety for the community, and this is a concern for upper carmi residents.
19	Dana	Makwich	RDOS, Carmi		The general noise bylaw says that after 5pm on sundays and 8pm on regular days, residents should be expected to enjoy quiet. The racetrack should respect these times as well. <a href="http://www.rdosmaps.bc.ca/min_bylaws/bylaws/leg_services/RDOS/2007/BL1527.01_Consolidated.pdf">http://www.rdosmaps.bc.ca/min_bylaws/bylaws/leg_services/RDOS/2007/BL1527.01_Consolidated.pdf</a> As an environmentally sensitive area as well, area D residents are required to meet certain guidelines. The racetrack seems exempt from these guidelines. <a href="http://www.rdosmaps.bc.ca/min_bylaws/community_services/BL2326consolidated.pdf">http://www.rdosmaps.bc.ca/min_bylaws/community_services/BL2326consolidated.pdf</a> A clear view of large garbage piles is visible from the road at the racetrack. In general, the racetrack should adhere by the area D guidelines that we all must follow.
20	Paul	Beard	RDOS, Carmi		
21	Ronald	Hayman	RDOS, Carmi		
22	Natalie	Minunzie	RDOS, Other		Although I do not live in the Carmi area of the RDOS, I think the revisions to a zoning bylaw are reasonable and that those who do live in the area cannot be accused of NIMBYism. All they want is more precise conditions under which the race track can operate and which will provide some predictability for their lives. Coming from Langley where car racing in Campbell Valley Park made life utterly miserable for people living in the area, I believe more foresight on the part of the RDOS in this zoning bylaw is extremely important in order to avoid unnecessary conflict in the future.
23	Cathy	Martin	RDOS, Carmi		
24	Janet	Scott	RDOS, Carmi		
25	Cameron	Smith	RDOS, Carmi		
26	Kerri	Harmati	RDOS, Carmi		
27	Lars	Elkjar	RDOS, Carmi		
28	Monalee	Rendall	RDOS, Carmi		I believe the requested zoning adjustments are necessary to ensure the Racetrack respects the citizens of the Upper Carmi Neighbourhood

29	Robbin	Harmati	RDOS, Carmi	
30	Urs	Harri	RDOS, Carmi	Nice to have a Speedway, but just keep the status quo
31	David	Roberts	Alberta	
32	Rhonda	Rowley	RDOS, Carmi	The RDOS, Carmi area includes residential, agriculture and commercial properties. When considering zoning or rezoning, it should be noted that each zone currently has certain restrictions in place as all areas are symbiotic and affect each other. Please take into consideration how this updated zoning for the speedway will impact the area. Thank you!
33	Ashley	Wilson	RDOS, Carmi	
34	Simon	Wilson	RDOS, Carmi	

Board Date: August 16, 2018

Additional Representation –

C.7.. Representatiosn PH BL 2808-Tourist Commercial)

Lauri Feindell

PUBLIC HEARING BINDER

2808

To: Info  
Subject: RE: Re-Zoning of Speedway

From: Info  
Sent: August 16, 2018 8:45 AM  
To: Planning <planning@rdos.bc.ca>  
Subject: FW: Re-Zoning of Speedway

From: McEachern <mceachernhome@gmail.com>  
Sent: August 15, 2018 6:06 PM  
To: Info <info@rdos.bc.ca>  
Cc: okbc2004@gmail.com  
Subject: Re-Zoning of Speedway

Dear Planning Department,

I have an issue with the process being followed to re-zone the Speedway to a "Motorsports Facility" if this includes the items under the definition provided in the RDOS proposal:

"motorsports facility" means land, buildings or structures used for the purpose of racing automobiles, **motorcycles**, go-karts and other motorized vehicles, and includes advanced driver training and vehicle testing, **drag strip**, racing circuit, sports car track, **skidpad, off-road course** and other uses and facilities accessory to motor vehicle racing;

We have already been through an arbitration process with the RDOS and the Speedway with local neighbouring residents who had noise concerns back in 2003 (sections attached for information). If this proposed zoning change takes place, then we are then subject to more potential issues for noise and nuisance, and without the proper public consultation process being followed.

We need to review these broad and substantial changes that you are proposing. This cannot follow a rubber stamp process.

I strongly object to the proper public consultation process not being followed in the re-zoning process.

Regards

Andy & Lisa McEachern  
2149 Carmi Road  
Penticton BC  
V2A 8V5

SCHEDULE-D

CITY of  
PENTICTON

CARRI



(13) Racing and/or loud revving of engines past 10:30 PM up until 1:00 AM in some cases.

(14) Increase in number of Race Events from 16 per year for years prior to new ownership to now 27 events per year (almost 70% increase).

(15) Increase the racing season. Two months have been added to the previous racing season.

(16) Practice laps ending as late at 10:30 PM on week nights.

(17) Practice laps on race Weekends for evening races start at 10:00 AM in some cases, when Hot Laps are supposed to start at 5:00 PM.

### Petition for a Noise Control Bylaw:

A **petition** has been endorsed by roughly 400 acres worth of bordering residents surrounding the Penticton Speedway requesting that the RDOS enact a Noise Control Bylaw to control **nuisance noise**. This point is non-negotiable and is the primary complaint by the local residents. See Appendix A and B attached.

The RDOS, RCMP, Speedway owner and local residents **have already held a meeting** to discuss noise concerns and develop a "Win-Win" arrangement on noise control. This meeting was held on 9 November 1998. See Appendix C. Since this meeting, there has been a steady increase in days with practice laps – and no evidence of the Speedway returning to the historic one day per week levels. This is the basis for the petitioned noise control Bylaw.

The Penticton Speedway has undergone several **zoning** changes over the years. When the current owner of the Speedway purchased the property it was zoned 50% Tourism and the remaining 50% was "Administrative/Institutional". See Appendix D dated August 1999.

Several families purchased bordering property and built homes based on the fact that the practice days were held a maximum of once per week for decades, and the zoning was 50% Institutional, with the previous owner intending to **build a school/recreational** facility on the property, implying that future noise levels would remain relatively constant. The RDOS then rezoned the property to 100% Tourism/Commercial after the first Noise Concern Meeting in 1998 and without any direct consultation with bordering residents. Many residents believe the RDOS is risking assuming liability for reduced property values due to uncontrolled nuisance noise. This risk can be mitigated with a suitable noise control Bylaw.

'**Grandfathering**' of the existing noise Bylaw exemption implies a reversion to the historic frequency of days with practice laps – ie. once per week.

Many property owners who have been living bordering the Speedway for years have agreed that the practice laps have escalated in an uncontrolled manner under the new ownership, well beyond the levels with which they were accustomed. They believe the duty to protect the peace and enjoyment of property that the RDOS has promised

Meeting - Carmi Residents and Owner of the Carmi Speedway  
July 28, 2003

Consensus Items

- Owner will restrict practice days to Tuesday and Thursday from noon until 6 p.m.
- On site staff will "police" practice days.
- Owner will restrict practices on race days to noon at the earliest.
- Owner will restrict practice days to the month of April to October, inclusive.
- Owner will place a gate at the entrance to the track next year.
- Owner will look at putting a chain at the entrance to the track with signage.
- Owner will place signage indicating "no alcohol."
- Owner will continue to clean up derelict vehicles.
- RCMP will look at ticketing illegally parked cars.

## **RDOS Speedway expansion - RDOS final vote this week**

**Did you know? This Thursday a final RDOS vote is scheduled to change the zoning for the Penticon Speedway lot without public consultation. We are petitioning RDOS to defer this vote and offer public consultation for these changes, at <http://bit.ly/SpeedwayPetition>.**

A Public Hearing and final vote is 9 a.m., Thursday, August 16. A Public Hearing on the same day as a final vote is insufficient and unacceptable.

This changes the permitted property uses from general amusement (most amusement businesses allowed) to motorsports only (only driving businesses allowed).

It also pre-approves activities that aren't at the speedway now, including, **a drag strip, a skid pad, motorcycle racing, motocross and off-road racing, and more**. Uses like the drag strip would produce exponentially more pollution & noise than the current events.

### **Why should RDOS defer this 'zoning update'?**

This is NOT about trying to shut down the speedway.

It IS about RDOS unilaterally & substantially changing the zoning without consulting area residents with a standard rezoning process. If any other lot owner wants to change their zoning, they have to do the full process with public notification, public consultation, etc.

In this case, RDOS only consulted the owner of the Speedway lot.

RDOS says that they did not consult area residents because the proposed update is part of a process to standardize commercial zoning bylaws across the region. It is supposed to MINIMIZE change to permitted uses, have MINIMAL effect on area residents, and they communicated with the Speedway owners to address their issues.

But, this proposal is a change, not just an update. It SUBSTANTIALLY CHANGES permitted uses, SIGNIFICANTLY AFFECTS residents in the area, and RDOS did not consult any area residents for their input.

The process needs to stop. The decision needs to be deferred. Residents in the area have to be consulted, and due process needs to be followed.

(Contact: Neda, [okbc2004@gmail.com](mailto:okbc2004@gmail.com))

Petition: We request that RDOS defer the August 16, 2018, Speedway zoning update and offer public consultation for these zoning changes.

	First Name	Last Name	I live in:	Additional comments for RDOS?	Date
1	Lars	Elkjar	RDOS, Carmi		8/12/2018
2	mark	makwich	RDOS, Carmi	I thought in a democracy I would have a say in my community planning. There is so much wrong with this process. We need our elected reps. to hear our voices.	8/12/2018
3	Kathy	Boudreau	RDOS, Carmi		8/12/2018
4	Robert	Boudreau	RDOS, Carmi		8/12/2018
5	dana	makwich	RDOS, Carmi	Nobody should be permitted to skip the process or benefit unfairly. Any rules need to apply to ALL residents.	8/12/2018
6	Ron	Hayman	RDOS, Carmi		8/12/2018
7	Natalie	Minunzle	RDOS, Other	The proposed rezoning means major changes to the residents of Carmi and standardizing rezoning of commercial businesses notwithstanding, they should be consulted on something that will affect them significantly.	8/12/2018
8	Kelly & Leanne	Fairholm	RDOS, Carmi	We want consultation with area residents about this change	8/12/2018
9	Simon	Wells	City of Pentiction, not Sendero Canyon	I can sometimes hear the races now from my home and can hear them often walking on Campbell Mountain. I do not oppose the racing, but this is a use that requires a careful balancing of interests because of the potential for noise and so change needs to be deliberate. I am fine with the status quo or even limited specific considered changes that follow a specific careful public hearing process, but a large general expansion in available uses, and especially adding drag racing as use, is offside.	8/12/2018
10	Lori	Parker	RDOS, Other		8/13/2018
11	Monalee	Rendall	RDOS, Carmi		8/13/2018
12	Anna-Maria	Robinson	RDOS, Other		8/13/2018
13	Annette	Glover	Okanagan falls		8/13/2018
14	Daniel	Kilian	RDOS, Carmi		8/13/2018
15	Raven	Huyton	RDOS, Other		8/13/2018
16	Karl	Pramberger	RDOS, Other		8/13/2018
17	Marta	Deak	RDOS, Other	Although I do not live in Pentiction, I do spend my vacation there in the summer. When I go up there I usually stay up the Bench. I've heard the racing every time I'm up there and I've commented on how loud it is already. I can't even imagine how loud it would be with all the proposed addition to the existing tracks. I support the local people opposing this proposal 100%.	8/14/2018
18	Cameron	Smith	RDOS, Carmi	Please, no more noise in the residential neighborhood.	8/14/2018
19	Kim	Martins	RDOS, Other		8/14/2018
20	rachel	rowley	RDOS, Carmi		8/14/2018
21	Neda	Joss	RDOS, Carmi	I am not please with the lack of concern RDOS has for Upper Carmi community planning. Not bringing this change in zoning to the members of the community shows disregard for the residents as a whole and bias for one property owner. Anyone else asking for zoning change would have to canvass the community for approval and meet all RDOS requirements.	8/14/2018
22	Robert	Crawford	City of Pentiction, not Sendero Canyon	The development of the speedway would be inconsiderate to land owners in the area	8/14/2018

Petition: We request that RDOS defer the August 16, 2018, Speedway zoning update and offer public consultation for these zoning changes.

	First Name	Last Name	I live in:	Additional comments for RDOS?	Date
23	Glenda	Buyan	RDOS, Carmi	It would have been nice to receive earlier notice on this proposed changes. I am not in favour of having a drag strip , skid pad or motor cross as it would cause more pollution problems and environmental issues. It goes without saying that it will also reflect our property values in a real negative way.	8/14/2018
24	Marian	Bridson	RDOS, Carmi	When planning happens for our area we should all be notified and consulted! RDOS needs to stop and listen.	8/14/2018
25	Nick	Buyan	RDOS, Carmi	It is hard enough to listen to the noise and deal with the pollution from the cars racing at the speedway as it stands now can't believe this is even being considered as a drag strip, skid pad, motor Ross and whatever else they have up their sleeves. Changing or approving this to happen will drastically reduce the land values all around this area. Please think twice before approving such a ridiculous zoning within a residential area. Come up and smell the burning rubber from the cars one Hot Saturday Night and see if you like your eyes burning.....I'm sure you wouldn't like it either. Please consider what you are thinking of doing before it's too late.	8/14/2018
26	kathy	Jenkins	City of Pentiction, not Sendero Canyon		8/14/2018
27	Anne	Laird	RDOS, Carmi	This is inappropriate to NOT BE CONSULTED/NOTIFIED when we live in this RESIDENTIAL AREA!! When we purchase our property the Christian School owned the now Speedway property and we were not subject to all the traffic and racing events that there are now! The Speedway has devalued our property already never mind adding extra events etc. that would devalue our property more! We live in a beauty area with wildlife that would be affected even more than it already is!! I am totally against this expansion of the speedway and very concerned that we were not notified prior!!!! THIS IS A RESIDENTIAL NEIGHBOURHOOD NOT A COMMERCIAL NEIGHBOURHOOD!!!	8/14/2018
28	Margaret	Mantha	City of Pentiction, not Sendero Canyon	Public and residents must be informed and included in the processes from beginning to end. Proper informative notices and sufficient voting options are priority to any developments taking place	8/14/2018
29	Mike	Bridson	RDOS, Carmi		8/14/2018
30	Laurie	Laird	RDOS, Carmi	This is inappropriate to NOT BE CONSULTED/NOTIFIED when we live in this RESIDENTIAL AREA!! When we purchase our property the Christian School owned the now Speedway property and we were not subject to all the traffic and racing events that there are now! The Speedway has devalued our property already never mind adding extra events etc. that would devalue our property more! We live in a beauty area with wildlife that would be affected even more than it already is!! I am totally against this expansion of the speedway and very concerned that we were not notified prior!!!! THIS IS A RESIDENTIAL NEIGHBOURHOOD NOT A COMMERCIAL NEIGHBOURHOOD!!!	8/14/2018
31	John	Owens	RDOS, Carmi		8/14/2018
32	Shelia	Owens	RDOS, Carmi		8/14/2018

**Petition: We request that RDOS defer the August 16, 2018, Speedway zoning update and offer public consultation for these zoning changes.**

	<b>First Name</b>	<b>Last Name</b>	<b>I live in:</b>	<b>Additional comments for RDOS?</b>	<b>Date</b>
33	Grant	Rowley	RDOS, Carmi	This should have included residents from around the racetrack with regards to consultation. Just because it isn't in your backyard, does not make it right in someone else's backyard. I served my country for 22 years, bought a piece of land to retire on. I knew nothing about a racetrack when I bought. Now I'm quite positive that the people who came up with the new proposals for the racetrack never heard of consulting with everyone affected by the outcome. What are you people at RDOS thinking. It's a residential neighborhood, not a huge city with room to expand. The old days are done, get with the current way things are being done. Remember Vancouver's Racetrack and the Supreme Court.	8/14/2018
34	Allyson	Diederich	City of Penitction, not Sendero Canyon		8/15/2018
35	Perianne	Jones	RDOS, Carmi		8/15/2018
36	Drew	Carille	RDOS, Carmi		8/15/2018
37	Urs	Harri	RDOS, Carmi	I don't see any logic behind all the changes that are going on	8/15/2018
38	Kerri	Harmati	RDOS, Carmi	I don't believe that the RDOS followed the same process for this zoning change than past zoning changes. This meeting needs to be postponed, and proper protocol followed as per past zoning changes.	8/15/2018
39	Robbin	Harmati	RDOS, Carmi	Proper protocol needs to followed prior to any zoning changes. It doesn't appear that the RDOS has done this. Please postpone the meeting.	8/15/2018
40	Rhonda	Rowley	RDOS, Carmi	I, as a land owner in close proximity to the property requesting a change, was not contacted, consulted or made aware of this request. This greatly affects me. A fair and just process must be abided by to include all residents affected by this change. Due diligence must surely be provided.	8/15/2018
41	Karen	Struve	City of Penitction, Sendero Canyon	I'm opposed to the lack of consultation with the public.	8/15/2018
42	Andy	McEachern	RDOS, Carmi	The residents of Upper Carmi met with the RDOS on 28 July 2003 regarding the Speedway, following a petition concerning noise complaints. A resolutions was agreed to with an Arbitrator to limit the practice days and times. This zoning change is being conducted without proper due process. I have all of the documents from our 2003 meetings and the petition. This process cannot be fast tracked and must follow the proper consultation process with neighbours as this will be affecting our quality of life and property values.	8/15/2018
43	Lisa	McEachern	RDOS, Carmi	The residents of Upper Carmi met with the RDOS on 28 July 2003 regarding the Speedway, following a petition concerning noise complaints. A resolutions was agreed to with an Arbitrator to limit the practice days and times. This zoning change is being conducted without proper due process. I have all of the documents from our 2003 meetings and the petition. This process cannot be fast tracked and must follow the proper consultation process with neighbours as this will be affecting our quality of life and property values.	8/15/2018
44	Marilyn	Ray	City of Penitction, not Sendero Canyon	This has become a special residential area and the racetrack should remain as it is without further traffic and noise.	8/15/2018
45	Cathy	Martin	RDOS, Carmi		8/15/2018
46	Shelley	LeFranc	City of Penitction, not Sendero Canyon		8/15/2018
47	Gregg	LeFranc	City of Penitction, not Sendero Canyon		8/15/2018

Petition: We request that RDOS defer the August 16, 2018, Speedway zoning update and offer public consultation for these zoning changes.

	First Name	Last Name	I live in:	Additional comments for RDOS?	Date
48	Nola	Beard	RDOS, Carmi	The area residents need to be informed and consulted about the proposed zoning update. While consultation may not be required when updated zoning is comparable to the existing, it's insufficient to only consult the commercial property owners when the update is significantly changing the permitted uses, with significant potential impacts to the area's residents. Upper Carmi residents are prepared to participate in changes that affect them. Please defer the decision, and engage the community in this process.	8/15/2018
49	Paul	Beard	RDOS, Carmi	Commercial and residential properties coexist in Upper Carmi. We need to collaborate with RDOS and each other. It sounds like it wasn't the intention, but the review is resulting in a big zoning change so the usual rezoning process with consultation should apply.	8/15/2018
50	Vanessa	Burton	Family owns property up Carmi next to the race track	Family feels that with this expansion there will be a loss of property value as well as extra noise.	8/13/2018
51	Sara	Deak	Vancouver, BC	I vacation in penitction often during the summer months and the speedway ring creates a lot of noise. I stay with friends at the Bench in Penitction.	8/14/2018
52	Jason	Laird	Squamish	This speedway is in a residential area and therefore any expansion should require public consultation. People who live in the area have a right to be able to voice concerns about things like the higher risk of forest fires, and increased noise levels that would result from any expansion.	8/14/2018

53 Janet Scott RD05, Carmi 2225 Carmi Road, Patricton, B.C.

DOCUMENTS PRESENTED PRIOR AT  
BOARD MEETING DATED JULY 19, 2018

RECEIVED  
Regional District

2018 07 25

Dear Regional Board Directors:

My property has been the subject of some zoning changes that have removed significant value from my property. These changes were part of a major zoning bylaw review and as such, I was never included or notified of these changes. There is now another major zoning bylaw review and I have been in touch with the planning staff of the RDOS. They have been very helpful and have restored some of the value removed with the last zoning review. I am requesting some slight changes in the latest proposal to make them feasible for my golf course business. This letter is intended to explain the process and clarify my request.

PROPERTY

Wow Golf Course

PID 017-463-971

Lot A, Plan KAP45722, ODYD, DL 5076, 5087

Area: 18.6ha (46 ac)

HISTORY

This property is currently zoned SH5 (Small Holding 5). I purchased this property with this zoning in September of 2010. The property is operated as a golf course. The SH5 zone at the time of purchase included the following uses:

- Agriculture
- Single detached dwelling
- Bed and Breakfast
- Home Occupation
- Care Centre Minor
- Open Land Recreation
  - Golf driving range
  - Golf course
  - Riding stable
  - Paint ball course
  - Guest ranch/resort
  - Club house & lodge
- Docks
- Accessory Buildings

❖ The minimum lot size was 2020m<sup>2</sup> (0.5ac)

In July of 2017 the provisions of the SH5 zone were changed without consulting or advising me. The new provisions of the SH5 zone are:

- Agriculture
- Single detached dwelling
- Bed and Breakfast
- Home occupation
- Docks

farming is the primary activity. My primary activity is tourism and these limitations will essentially remove the ability to have any reasonable on-course accommodation. I am prepared to accept all the other changes that are proposed and reduce the value of my investment however respectfully request that the 10 units, that must be under a single roof, can be 60m<sup>2</sup> in size and can have cooking facilities. This is the size of a modest carriage house and without cooking facilities, I would have to construct a restaurant to service my guests. This is not reasonable for a 10-room facility.

There is no risk to the RDOS to allow this as any construction would be governed by the BC Building Code and would require full septic and geotechnical approval.

Thank you for your consideration and please make these minor changes allowing me to recoup some of my lost value.

Regards,

Mark Moore  
Owner, WOW Golf Course





Your File #: X2018.069-  
ZONE (Tourist  
Commercial  
Zones)

eDAS File #: 2018-02571

Date: May/15/2018

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw for:  
Electoral Areas "A", "C", "D", "E" and "F" – Tourist Commercial Zones**

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



## RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2808

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: Janelle Rimell

Agency: Interior Health Authority

Title: Environmental Health Officer

Date: May 25, 2018



## RESPONSE SUMMARY

### AMENDMENT BYLAW NO. 2808

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: Joseph E. Della

Signed By: CHERYL HALLA

Agency: Salinas Irrigation District

Title: Financial/Corp. Admin.

Date: May 17/2018



## RESPONSE SUMMARY

### AMENDMENT BYLAW NO. 2808

- 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: 

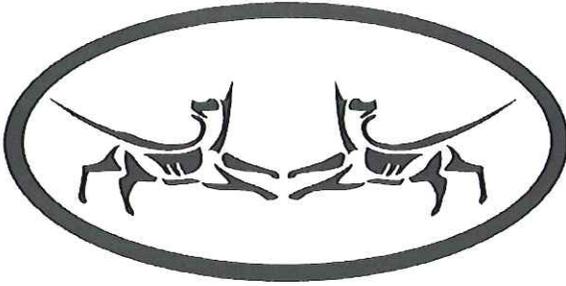
Signed By: Judy Morris

Agency: Okanagan Falls Irrigation District Title: Manager

Date: May 24, 2018







## 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

June-06-18

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

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

**RTS ID:** 3228

**Referral ID:** X2018.069-ZONE

**Referral Date:** May-11-18

**Reference ID:**

**Summary:** The purpose of proposed amendments to the Okanagan Electoral Area Zoning Bylaws is generally to update and consolidate the Tourist Commercial Zones.

**ATTENTION: Christopher Garrish**

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

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

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

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

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

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



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

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

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

**Invoice Number: 1068**

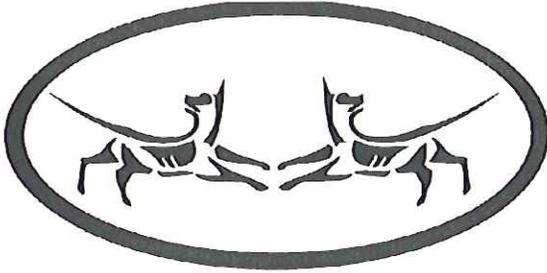
	SubTotal	Tax	Total
Admin (12%)	\$ 52.50	\$ 0.00	\$ 52.50
G.I.S. Tracking and Review (GIS Project Technican)	\$ 110.00	\$ 0.00	\$ 110.00
R.T.S. Data Entry (Technical Services)	\$ 80.00	\$ 0.00	\$ 80.00
Referral Assessment (Band Administrator)	\$ 67.50	\$ 0.00	\$ 67.50
Referral Coordination (Referrals Coordinator)	\$ 190.00	\$ 0.00	\$ 190.00
<b>Total</b>	<b>\$ 500.00</b>	<b>\$ 0.00</b>	<b>\$ 500.00</b>

**INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00**  
Please make cheque payable to Penticton Indian Band. re: P.C.132 RTS #3228

limlæmt,

Venessa Gonzales  
Referrals Administrator  
P: 250-492-0411  
Referrals@pib.ca

RTS ID: 3228  
CC: Osoyoos Indian Band (Referrals@oib.ca), Lower Similkameen Indian Band (referrals.coordinator@lsib.net)



## 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**

June-06-18

Regional District of Okanagan Similkameen  
101 Martin Street  
PentictonBC V2A 5J9

**RTS ID:** 3228

**Referral Date:** May-11-18

**Referral ID:** X2018.069-ZONE

**Reference ID:**

**Summary:** The purpose of proposed amendments to the Okanagan Electoral Area Zoning Bylaws is generally to update and consolidate the Tourist Commercial Zones.

**Attention: Christopher Garrish**

RE: Request for a 60 (sixty) day extension

Thank you for the above application that was received on June-06-18. 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.

Limlæmt,  
Venessa Gonzales  
Referrals Administrator

RTS ID: 3228

CC: Osoyoos Indian Band (Referrals@oib.ca), Lower Similkameen Indian Band (referrals.coordinator@lsib.net)

RECEIVED  
Regional District



# Feedback Form

MAY 31 2018

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

101 Martin Street  
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: D2018.069-ZONE

FROM: Name: Scott Appleton

Street Address: Banbury Green <sup>(please print)</sup> Campground, Kaleden BC.

RE: Amendment Bylaw No. 2808 -- Tourist Commercial Zone Update

My comments / concerns are:

- I do support the Amendment Bylaw No. 2808.
- I do support the Amendment Bylaw No. 2808, subject to the comments listed below.
- I do not support the Amendment Bylaw No. 2808.

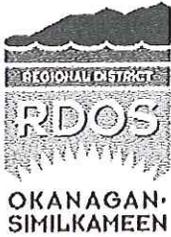
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2808.

Banbury Green would have to be grandfathered  
as with the new rules it would be in  
violation of the new rules if introduced.

Feedback Forms must be completed and returned to the Regional District prior to Friday June 1, 2018.

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

RECEIVED  
Regional District



# Feedback Form

MAY 31 2018

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

101 Martin Street  
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: D2018.069-ZONE

FROM: Name: Adele Dewar (Director for Douglas Dewar Inc)  
Banbury Green, Penticton, BC (please print)  
Street Address: 6100 Highway 1, Penticton, BC

RE: Amendment Bylaw No. 2808 — Tourist Commercial Zone Update

My comments / concerns are:

- I do support the Amendment Bylaw No. 2808.
- I do support the Amendment Bylaw No. 2808, subject to the comments listed below.
- I do not support the Amendment Bylaw No. 2808.

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## Lauri Feindell

---

**From:** Lacey, Cathy M FLNR:EX <Cathy.Lacey@gov.bc.ca>  
**Sent:** June 6, 2018 8:12 AM  
**To:** Planning  
**Cc:** Christopher Garrish  
**Subject:** Response - MFLNRO

Hi,

Ecosystems Biologist, Jamie Leathem, with the Ministry of Forest Lands & Natural Resource Operations and Rural Development has reviewed the above noted referral and has "No Concerns".

Thank you

Cathy Lacey  
Admin Support  
MFLNRO Penticton

## Lauri Feindell

---

**To:** Christopher Garrish  
**Subject:** RE: 933 Old Golf Course Road

Hi Chris,

No concerns from the Town of Oliver with regard to the zone update for Fairview Mountain Golf Course.

**Diane Vaykovich | Corporate Officer | CMC**  
Town of Oliver | Box 638, 6150 Main Street | Oliver, BC V0H 1T0  
Direct: 250-485-6207  
Email: [dvaykovich@oliver.ca](mailto:dvaykovich@oliver.ca)



**From:** Bev O'Reilly  
**Sent:** June-05-18 3:58 PM  
**To:** Cathy Cowan <[ccowan@oliver.ca](mailto:ccowan@oliver.ca)>; Devon Wannop <[DWannop@oliver.ca](mailto:DWannop@oliver.ca)>  
**Cc:** Diane Vaykovich <[dvaykovich@oliver.ca](mailto:dvaykovich@oliver.ca)>  
**Subject:** Daily Mail - May 15

Sorry, I have attached the full document now.

**From:** Cathy Cowan  
**Sent:** Tuesday, June 05, 2018 12:49 PM  
**To:** Bev O'Reilly <[BOReilly@oliver.ca](mailto:BOReilly@oliver.ca)>  
**Cc:** Diane Vaykovich <[dvaykovich@oliver.ca](mailto:dvaykovich@oliver.ca)>  
**Subject:** FW: Daily Mail - May 15

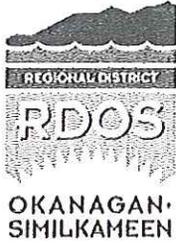
Hi Bev

Could you please check to see if there was a second page with this that did not get scanned. Asking as there should have been a second page and if we didn't get then either did anyone else so the RDOS will have to send out the information again.

Thanks

*Cathy Cowan*

Chief Administrative Officer  
Town of Oliver  
Wine Capital of Canada  
Box 638, 6150 Main Street  
Oliver, BC V0H 1T0  
Tel: 250-485-6202  
Fax: 250-498-4466  
Email: [ccowan@oliver.ca](mailto:ccowan@oliver.ca)



# Feedback Form

Regional District of Okanagan Similkameen

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

Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen

FILE NO.: D2018.069-ZONE

FROM: Name:

Decker Yip (Playa Okanagan Rv Park)  
(please print) *OK.*

Street Address:

OKanagan Falls

RE: Amendment Bylaw No. 2808 -- Tourist Commercial Zone Update

My comments / concerns are:

- I do support the Amendment Bylaw No. 2808.
- I do support the Amendment Bylaw No. 2808, subject to the comments listed below.
- I do not support the Amendment Bylaw No. 2808.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2808.

how can you possibly place all tourist accomodaters  
in a single uniform zoning bylaw

Campground refers to lands unserviced (no outrageous  
sewer fees collected) they are mainly rural in nature  
and not located in an urban area. Campgrounds  
are closed in the winter and do not accommodate  
the peoples who are here working to build out our  
area (Suniva ranches grow site - south side Housing  
Society's projects) or people moving into the area searching  
for housing that now is hard to find (that includes rentals)  
I believe the few accomodaters that are here remaining  
do a good job self regulating under the current bylaws  
and don't need a change at this present time

Feedback Forms must be completed and returned to the Regional District  
prior to Friday June 1, 2018.

RECEIVED  
Regional District



# Feedback Form

MAY 31 2018

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

101 Martin Street  
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: D2018.069-ZONE

FROM: Name: DOUGLAS A. DEWAR  
(please print)  
Street Address: BANBURY GREEN CAMPBELL

RE: KAPEDAN, BC  
Amendment Bylaw No. 2808 – Tourist Commercial Zone Update

My comments / concerns are:

- I do support the Amendment Bylaw No. 2808.
- I do support the Amendment Bylaw No. 2808, subject to the comments listed below.
- I do not support the Amendment Bylaw No. 2808.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2808.

In order to conform to your new rules  
Banbury Green would have to be  
grandfathered because it would be  
violating several proposed new rules  
if these were introduced.

Feedback Forms must be completed and returned to the Regional District  
prior to Friday June 1, 2018.

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



# Feedback Form

RECEIVED  
Regional District

MAY 31 2018

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

101 Martin Street  
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen

FILE NO.: D2018.069-ZONE

FROM: Name:

Janis McCaffrey (Director of Parks Dept Inc)  
(please print)

Street Address:

Kelode

RE: Amendment Bylaw No. 2808 -- Tourist Commercial Zone Update

My comments / concerns are:

- I do support the Amendment Bylaw No. 2808.
- I do support the Amendment Bylaw No. 2808, subject to the comments listed below.
- I do not support the Amendment Bylaw No. 2808.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2808.

In order to conform to the new rules  
Barby Cree would have to be guaranteed  
due to it violating several proposed new  
rules if those rules were introduced.

Feedback Forms must be completed and returned to the Regional District prior to Friday June 1, 2018.

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# Feedback Form

Regional District of Okanagan Similkameen  
101 Marlin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: D2018.069-ZONE

FROM: Name: Susan Kirschmann for M.K. Chapman & Pine Hills Golf  
(please print) Course Ltd.

Street Address: 700 ... e, Penticton

RE: Amendment Bylaw No. 2808 — Tourist Commercial Zone Update

My comments / concerns are:

- I do support the Amendment Bylaw No. 2808.
- I do support the Amendment Bylaw No. 2808, subject to the comments listed below.
- I do not support the Amendment Bylaw No. 2808.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2808.

We are not opposed to this rezoning as long as we can retain the current Resource Area (RA) uses, number of dwellings, and maximum height under the new CT3 zoning. We therefore request that the Principal Uses, Accessory Uses, Maximum Number of Dwellings per parcel, and Maximum Height as defined under the current RA zone (as per the left column of your table, which is attached) all be grandfathered into our CT3 zone.

Please provide us with a written response to this request.

**RECEIVED**  
Regional District

JUN - 1 2018

Feedback Forms must be completed and returned to the Regional District Martin Street  
prior to Friday June 1, 2018. Penticton BC V2A 5J9

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

CURRENT RESOURCE AREA (RA) ZONE	PROPOSED GOLF COURSE COMMERCIAL (CT3) ZONE
<b>Permitted Uses:</b> <u>Principal Uses:</u> agriculture; packing, processing, storage of farm/off-farm prod.; campground; cemetery; equestrian centre; forestry; golf course; government airport; guest ranch; guide camp; natural resource extraction; open land recreation on parcels greater than 12.0 ha place of worship; Regional District sanitary landfill; single detached dwelling or mobile home; veterinary establishment; <u>Accessory Uses:</u> accessory dwelling or mobile home; bed and breakfast operations; docks; home industry; home occupation; kennels; retail sales of farm and off-farm products; accessory buildings and structures.	<b>Permitted Uses:</b> <u>Principal Uses:</u> golf course; <u>Accessory Uses:</u> accessory dwelling; accessory buildings and structures.
<b>Minimum Parcel Size for Subdivision:</b> 20.0 ha	<b>Minimum Parcel Size for Subdivision:</b> 20.0 ha
<b>Minimum Parcel Width for Subdivision:</b> Not less than 25% of parcel depth	<b>Minimum Parcel Width for Subdivision:</b> Not less than 25% of parcel depth
<b>Maximum Number of Dwellings Per Parcel:</b> two (2) accessory dwellings	<b>Maximum Number of Dwellings Per Parcel:</b> one (1) accessory dwelling.
<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 9.0 metres rear parcel line: 9.0 metres interior side parcel line: 3.0 metres exterior side parcel line: 4.5 metres	<b>Minimum Setbacks:</b> <u>Buildings and Structures:</u> front parcel line: 7.5 metres rear parcel line: 7.5 metres interior side parcel line: 4.5 metres exterior side parcel line: 4.5 metres
<b>Maximum Height:</b> 10.0 metres	<b>Maximum Height:</b> 10.0 metres (principal) / 4.5 metres (accessory)
<b>Maximum Parcel Coverage:</b> 5%	<b>Maximum Parcel Coverage:</b> 5%

“golf course” means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar accessory facilities necessary for golf purposes and which may include buildings necessary for the maintenance and administration of the golf course;

**TO:** Board of Directors

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

**DATE:** October 4, 2018

**RE:** Board Policy Update – Communication Towers/Antenna Systems Approval Process and Location & Design Guidelines

---

## **Administrative Recommendation:**

**THAT the Board of Directors amend the May 7<sup>th</sup>, 2015 Communication Towers / Antenna Systems Approval Process and Location & Design Guidelines Policy by adding “notice of development” sign requirements.**

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## **Purpose:**

The purpose of amending the *Communication Tower / Antenna Systems Approval Policy* is to include a requirement for the placement of a ‘development’ sign to be erected at the proposed tower/antenna site. This development sign will provide additional notification to the public of an application and the ability to provide input into the consultation process.

## **Background:**

On May 7, 2015, the Board passed a resolution approving the Communication Towers/Antenna Systems Approval Process and Location & Design Guidelines. The purpose of this policy, in part, is to ensure that adequate public consultation is carried out by the proponent and to establish a process for the RDOS to gather adequate information to provide a “letter of concurrence” to Innovation, Science and Economic Development Canada (Industry Canada).

## **Analysis:**

Any proponent that wishes to establish a new communication tower must receive federal approval from Innovation, Science and Economic Development Canada (Industry Canada). Federal guidelines provide minimum requirements for public consultation, including a “letter of concurrence or non-concurrence” from local governments accepting the location and design of the proposed tower.

The RDOS Policy, established in 2015, enhances the amount of public consultation that a proponent needs to complete prior to requesting a “letter of concurrence”. This enhanced consultation includes a minimum a 1,000 metre notification radius of landowners, two additional newspaper advertisements, and the holding of a public meeting. All of this information needs to be documented and submitted at the time the concurrence letter is requested.

Requiring a ‘development’ sign be posted on the proposed site is seen to contribute to the public consultation process and is similar to the RDOS requirement for a rezoning or temporary use permit application. The development sign will need to be placed at the site of the proposed antenna/tower, clearly visible from the road, and provide information on proposed antenna/tower with contact details for more information. Proof of the sign placement must be included in the letter of concurrence request.

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For reference purposes, the proposed new text to be added to the policy is highlighted in yellow at Attached No. 1.

**Alternative:**

THAT the Board policy not be updated and maintained in its current format.

Respectfully submitted

Endorsed by:

Endorsed by:

*ERiechert*



\_\_\_\_\_

E. Riechert, Planner

C. Garrish, Planning Supervisor

B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Proposed Communication towers / Antenna Systems Approval Process and Location & Design Guidelines Policy

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Attachment No. 1 – Proposed Communication towers / Antenna Systems Approval Process and Location & Design Guidelines Policy

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

**POLICY:**       **Communication Towers / Antenna Systems Approval Process and Location & Design Guidelines**

**AUTHORITY:** Board Resolution dated May 7, 2015,  
Amended by Board Resolution dated \_\_\_\_\_, 20\_\_.

**POLICY STATEMENT**

The policy establishes the preferences of the Board of Directors for enhanced public consultation and locational & design guidelines in the Antenna System approval process.

**PURPOSE**

Overall the purpose of the Antenna approval process is to:

1. Consider co-locations and optimal site selection prior to the submission of site proposal.
2. Provide that telecommunications structures required with the RDOS are located and designed in a manner that is sensitive to potential impacts on the surrounding community.
3. Ensure that adequate public consultation is carried out by proponents with all property owners and residents affected by the proposed towers.
4. Establish a process for the RDOS to gather adequate information to provide a “letter of concurrence or non-concurrence” to Innovation, Science and Economic Development Canada (formally Industry Canada) at the end of the process

**RESPONSIBILITIES**

Development Services Department – Planning Services.

**PROCEDURES**

The Board of Directors, at the April 16, 2015 meeting, acknowledged the Innovation, Science and Economic Development Canada (formally Industry Canada) Public Consultation Process for processing of referrals by proponents seeking to install or modify Antenna Systems. A number of preferences for expanded public consultation in the RDOS are provided in this Board Policy as follows:

**NOTIFICATION:**

1. Prior to submitting an Antenna System proposal, the Proponent is requested to undertake Pre-Consultation with the RDOS Planning Department. This will include a review of:
  - a) Co-location opportunities in the area of the proposed new Antenna;
  - b) RDOS public consultation preferences; and

- 
- c) Location and Design Guidelines.
2. Submission of an Antenna System siting proposal shall be accompanied by a processing fee, as per the Fees and Charges Bylaw, information on co-location opportunities/use of other existing structures and plans indicating the location and design of the structure and other relevant information.
  3. Prior to submitting a 'Letter of Concurrence' request, the proponent, at his or her cost, must erect a notice of development sign at the location proposed for the Antenna System. Proof of the sign installation must be provided to the Regional District by the proponent in the form of photographs of the sign(s) located on the property, including a close-up photograph sufficient to read sign details, and a distant photograph of the sign(s) in order to verify the location.
  4. The development sign must adhere to the following requirements:
    - a) Not less than 1.2 metres x 1.8 metres in area;
    - b) Constructed of 1.3 centimetre plywood or other durable material;
    - c) Comprised of black letters on a white background;
    - d) Securely fixed in order to withstand wind and weather;
    - e) Clearly visible from the road;
    - f) Not create a hazard or interfere with pedestrian or vehicular traffic, or obstruct visibility from roads, walkways or driveways.
    - g) Information on the proposed Antenna System must be clearly shown and contact information shown.
  5. Upon receipt of the submission, RDOS staff will notify the Electoral Area Director (s) and the adjacent municipality (s) if in close proximity to the proposed Antenna.
  6. Public Notification Area is requested to include all properties within a minimum of 1000 m from the Antenna system. A greater Notification Area may be requested by the RDOS.
  7. The proponent is requested to hold a public meeting and to include the details of the public meeting in the written notice to properties. In addition 2 newspaper advertisements is requested to be placed in separate editions.
  8. Throughout the Innovation, Science and Economic Development Canada Public Consultation process, the proponent will keep the RDOS informed of significant public concerns. During the consultation process or upon completion of the Innovation, Science and Economic Development Canada Process, the RDOS may request additional public engagement opportunities including a second public meeting.

#### LOCATION AND DESIGN GUIDELINES

9. **Preferred Locations:**
  - a) Every effort to locate on existing structures, including antenna systems, transmission towers, utility poles, roof tops and similar structures.
  - b) Areas that maximize the distance from Residential zoned areas and dwellings in Small and Large Holdings zoned areas.

- 
- c) Industrial and commercial areas, including on buildings and structures within a downtown commercial area.
  - d) Areas that minimize the impact on public views and vistas of important natural or manmade features.
  - e) Agricultural and Rural areas.
  - f) Transportation and utility corridors.
  - g) Institutional areas, including but limited to those institutions that require telecommunications technology, such hospitals, colleges, research centres and public works facilities, but excluding schools.
  - h) Adjacent to parks, green spaces and golf courses and sites and sites with mature trees.
  - i) Other non-residential areas where appropriate.

10. **Discouraged Locations:**

- a) Residential areas and locations directly in front of dwellings and their view scape.
- b) Lakeshore and riverbank lands.
- c) Inappropriate sites within parks and green spaces.
- d) Sites of topographic prominence.
- e) Heritage areas or sites, unless integrated into the structure in a compatible manner
- f) Locations that impact community view corridors from trail and road systems and other public lands.

11. **Environmentally Sensitive Areas:**

- a) Where a proposed Antenna is on a site indicated as "Environmentally Sensitive" in a Community Plan, an Environmental Impact Assessment shall be prepared and recommendations incorporated into the Antenna site design.

12. **Design, Style and Colour:**

- a) Architectural style of Antenna system should be compatible with the surrounding area and adjacent uses (i.e. monopole near residential area or lattice-style in industrial areas.
- b) The proponent should mitigate negative visual impacts through use of appropriate landscaping, screening, stealth design techniques and similar approaches.
- c) An Antenna System may be designed or combined as a landmark feature to resemble features found in the area, such as a flagpole or clock tower, where appropriate.
- d) In commercial areas and Downtowns, and in parks, public spaces or heritage areas, the design of the Antenna system should generally be unobtrusive and consider special design treatments. Cable trays should generally not be run up the exterior faces of buildings.
- e) Towers and communication equipment should have a non-reflective surface and colours that blend into the surroundings.
- f) Antennas that extend above the top of a supporting utility pole or light standard should appear in terms of colour, shape and size, to be a natural extension of the pole.

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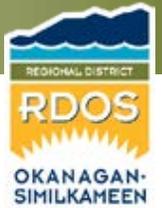
13. **Buffering and Screening**

- a) Antenna Systems and associated equipment shelters should be attractively designed or screened and concealed from ground level or other public views to mitigate visual impacts. Screening could include existing vegetation, landscaping, fencing or other means in order to blend with the built and natural environment.
- b) A mix of deciduous and coniferous trees is preferred to provide year round coverage. Irrigation should be provided if available alternatively low water requirements plants be selected.

14. **Security**

- a) The RDOS may request the posting of security for the construction of any proposed fencing, screening or landscaping.

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** October 4, 2018  
**RE:** Liquor Licensing Application Policy

---

**Administrative Recommendation:**

**THAT the Board of Directors rescind the *Liquor Licensing Application Policy*.**

---

**Purpose:**

The purpose of this report is to propose the repeal of the Regional District's *Liquor Licensing Application Policy*.

**Background:**

At its meeting of September 20, 2018, the Board adopted Development Procedures Amendment Bylaw No. 2500.10, 2018, which introduced new processing procedures for referrals received from the Liquor and Cannabis Regulations Branch (LCRB) regarding the application to obtain or amend a liquor licence.

**Analysis:**

The procedures now contained within the Development Procedures Bylaw for the handling of liquor licence referrals from the LCRB were intended to replace the Board's *Liquor Licensing Application Policy*. For this reason, and to avoid confusion in future as to the Board's direction regarding the handling of referrals from the LCRB, Administration is recommending that this Policy be rescinded.

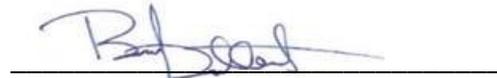
**Alternative:**

THAT the Board of Directors not rescind the *Liquor Licensing Application Policy*.

**Respectfully submitted:**

  
C. Garrish, Planning Supervisor

**Endorsed by:**

  
B. Dollevoet, Dev. Services Manager

**Attachments:** No. 1 — Liquor Licensing Applications Policy (2017)

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Attachment No. 1 – Liquor Licensing Applications Policy (2017)

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

**POLICY:** Liquor Licensing Applications

**AUTHORITY:** Board Resolution dated June 15, 2017.

**PREAMBLE**

The Liquor Control and Licensing Act (LCLA) states that a license of a prescribed class or category must not be issued unless the General Manager of the Liquor Control and Licensing Branch has provided the local government or first nation with notice of the license application. The LCLA provides local governments and first nations with the option not to comment on liquor license applications. The Regional District of Okanagan-Similkameen has decided by way of its actions, resolutions and policy to adopt such a position.

**POLICY STATEMENT**

The Regional District of Okanagan-Similkameen (RDOS) will not provide comment on liquor license referral concerning an amendment to an existing license or a new license but does wish to be notified of such applications.

**PURPOSE**

To establish a process to respond to liquor license application referrals from the Liquor Control and Licensing Branch.

**RESPONSIBILITIES**

Manager of Development Services is responsible to oversee the process for receiving and signing off of liquor licensing applications for the RDOS.

**PROCEDURES**

1. Upon receipt of a liquor licensing application, the Manager of Development Services shall refer the application to Development Services staff to confirm compliance with relevant land use regulations.
2. The Manager of Development Services will be the designated liaison with LCLB and will, on the required forms, provide confirmation that the RDOS does not wish to comment on the application. The application will then be returned to the applicant and copied to the LCLB.
3. Development Services staff will provide, on a bi-monthly basis, a report to the Board of Directors, summarizing the applications received.
4. The Manager of Development Services will advise the Board of any controversial applications, and will recommend to the Board a course of action to remedy any issues. In this event, the application shall be held until the matter is resolved.

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** October 4, 2018

**RE:** Electoral Area "D" Community Works Program Reserve Expenditure

---

### Administrative Recommendation:

**THAT Bylaw No. 2832, 2018, Electoral Area "D" Community Works Program Reserve Fund Expenditure Bylaw to allocate \$220,000 towards the upgrades and repairs of boat launches 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 2832, 2018 – Electoral Area "D" Community Works Program Reserve Fund Expenditure Bylaw

### Background:

The public boat launches in Okanagan Falls and Kaleden are in high demand by residents and the visitors. Both boat launches have issues with access, parking, and condition of infrastructure. Through Okanagan Falls and Kaleden Parks service areas, upgrades and repairs of the boat launches happen aggregately as budget permits. The Gas Tax funds will provide the capital to plan design and reconstruct the boat launches concurrently instead of through a phased approach. Many community members and the two Area "D" Parks and Recreation Commissions recognize the importance of the boat launches for residents and visitors. As such both the Okanagan Falls and Kaleden parks service areas have allotted funding in the 2018 budget to improve their respective boat launches.

### Analysis:

This project falls within the recreational category of the Community Works Gas Tax Guidelines.

The requested funding for this project is \$220,000.00.

The current uncommitted balance in the Electoral Area "D" Community Works Program Reserve account is \$412,819.46.

**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. 2832, 2018**

---

A bylaw to authorize the expenditure of monies from the Electoral Area 'D' Community Works Program Reserve Fund for the reconstruction of the public boat launches in Kaleden and Okanagan Falls

---

**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. 2832, 2018"
2. The expenditure of \$220,000 from the Electoral Area 'D' Community Works Program Reserve Fund is hereby authorized towards the reconstruction of the public boat launches in Kaleden and Okanagan Falls.

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

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

---

RDOS Board Chair

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Corporate Officer

## ADMINISTRATIVE REPORT

**TO:** Board of Directors

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

**DATE:** October 4, 2018

**RE:** Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure

---

### Administrative Recommendation:

**THAT Bylaw No. 2833, 2018, Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure Bylaw to allocate \$32,878.83 towards the upgrades and repairs of the Missezula Lake Boat Launch be read a first, second and third time and be adopted.**

---

### Reference:

Bylaw 2653, 2014 - Regional District Okanagan Similkameen Electoral Area "H" Community Facilities Capital Reserve Fund Establishment Bylaw.

Bylaw 2333, 2018 – Electoral Area "H" Community Facilities Capital Reserve Fund Expenditure Bylaw

### Background:

In 2009, The Board approved the formation of the Vermillion Forks Community Forest Corporation (VFCC) for the purpose of acquiring and managing a Community Forest Agreement. The Upper Similkameen Indian Band, the Town of Princeton and the Regional District are 1/3 shareholders in the Corporation. The Electoral Area "H" Director and the CAO were appointed as the Regional District's Board Members on the Corporation.

In 2014, the RDOS Board created the Electoral Area "H" Community Facilities Capital Reserve Fund for the purpose of expenditures for or in respect of capital projects within Electoral Area "H". Annual dividends received from the Vermillion Forks Community Forest Corporation (VFCC) are transferred into the reserve.

### Analysis:

Due to many years of community use the boat launch at the south end of Missezula Lake has eroded to the point it is becoming dangerous and unusable. This project will result in the upgrading

of the boat ramp and resurfacing. The work is being undertaken by the Missezula Lake Property Owners Association who have requested \$32,878.83. Fundraising is expected to contribute \$5,000.00 towards the project through local efforts and corporate donations.

After deducting the expenditures already committed in 2018, the balance in the Area H Community Facilities Reserve Fund is \$884,919.05.

**Alternatives:**

Status Quo – Project does not go forward.

**Respectfully submitted:**

*“John Kurvink, Manager of Finance/CFO”*

---

J. Kurvink, Finance Manager

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2833, 2018**

---

A bylaw to authorize the expenditure of monies from the Electoral Area 'H' Community Facilities Reserve Fund for the Missezula Lake Boat Launch Rehabilitation

---

**WHEREAS** Section 377 of the Local Government Act, and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;

**AND WHEREAS** the 'Electoral Area 'H' Community Facilities Capital Reserve Fund' has sufficient monies available for community capital projects;

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

**1 Citation**

1.1 This Bylaw shall be cited as the "Electoral Area 'H' Community Facilities Capital Reserve Fund Expenditure Bylaw No. 2833, 2018"

---

2. The expenditure of \$32,878.83 from the Electoral Area 'H' Community Facilities Reserve Fund is hereby authorized for the Missezula Lake Boat Launch Rehabilitation

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

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

---

RDOS Board Chair

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Corporate Officer