



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, January 23, 2020
RDOS Boardroom – 101 Martin Street, Penticton

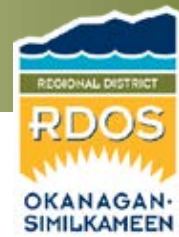
SCHEDULE OF MEETINGS

9:00 am	-	9:15 am	Public Hearing – Residential Multiple Family (RM1) Zone Update
9:15 am	-	10:00 am	Planning and Development Committee
10:00 am	-	10:30 am	Environment and Infrastructure Committee Community Services Protective Services
10:30 am	-	11:45 am	Corporate Services
11:45 am	-	12:15 pm	Lunch
12:15 pm	-	1:45 pm	OSRHD Board
1:45 pm	-	3:00 pm	RDOS Board

“Karla Kozakevich”

Karla Kozakevich
RDOS Board Chair

2020 Notice of Meetings			
February 6	RDOS Board		Committee Meetings
February 20	RDOS Board	OSRHD Board	Committee Meetings
March 5	RDOS Board		Committee Meetings
March 19	RDOS Board	OSRHD Board	Committee Meetings
April 2	RDOS Board		Committee Meetings
April 16	RDOS Board	OSRHD Board	Committee Meetings
May 7	RDOS Board		Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Services Committee

Thursday, January 23, 2020

9:15 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Development Services Committee Meeting of January 23, 2020 be adopted.

B. Q4 2019 ACTIVITY REPORT

C. MICRO CANNABIS PRODUCTION FACILITIES

1. Bylaw No 2858

RECOMMENDATION 2

THAT Amendment Bylaw No. 2858 be amended to specify a maximum floor area allowance for cultivation purposes of 200.0 m² for micro cannabis production facilities and proceed to 1st reading.

D. REVIEW OF RESIDENTIAL ZONES AT APEX – ELECTORAL AREA “I” – Information Report

E. ADJOURNMENT

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Q4 2019 Activity Report – Development Services Department
For Information Only

Overview:

The Development Services Department comprises the functional areas of Planning, Building Inspection, Bylaw Enforcement, Heritage, Development Engineering, and recently added, Economic Development.

PLANNING:

Q4 Activities

Regional Growth Strategy:

- ∅ RGS Technical Advisory Committee met twice and provided a recommendation for Board consideration of an RGS review in 2020.
- ∅ Housing Needs Assessment presented to RGS committee and Board. Board approved project and a grant application was submitted to the province.
- ∅ Budget Committee report provided to gauge the Board's preference for the "level of review" to be completed for the Regional Growth Strategy, starting in 2020.
- ∅ Participation on Writing Committee with RDCO and RDNO for the Okanagan Region Climate Projections Report.

Electoral Area Planning:

The following reports were prepared for consideration by the Planning and Development Committee:

- ∅ Housing Needs Assessment;
- ∅ AI Zone Review;
- ∅ Micro Cannabis Production Facilities;
- ∅ Parkland Dedication Policy;
- ∅ Development Procedures Bylaw Updated – Subdivision Referrals;
- ∅ CAO Delegation Amendment Bylaw;
- ∅ Watercourse Development Permit (WDP) Area Update (Provincial).

The following reports were prepared for consideration by the Board:

- ∅ 27 Official Community Plan and/or Zoning Bylaw Amendments*;

- ∅ 10 Development Variance Permits;
- ∅ 4 Temporary Use Permits;
- ∅ 1 Liquor & Cannabis Regulation Branch Referral (Green Light Cannabis);
- ∅ 2 Floodplain Exemptions;
- ∅ 1 Agriculture Land Commission Referral;
- ∅ Area A OCP Review RFP Award;
- ∅ Greater West Bench Geotech Review RFP Award;
- ∅ Housing Needs Report – Grant Application; and
- ∅ Parkland Dedication Policy.

*may include multiple readings of same amendment bylaw(s)

- ∅ 12 Advisory Planning Commission (APC) Meetings were scheduled.
- ∅ 8 Public Information Meetings for Bylaw Amendments or Temporary Use Permits were scheduled.
- ∅ 3 Public Hearings were scheduled.
- ∅ 17 Development Permits (i.e. Environmentally Sensitive, Watercourse, etc.) were issued under delegated authority. Yearly totals for 2019 are as follows:

Environmentally Sensitive Development Permits

	"A"	"B"	"C"	"D"	"E"	"F"	"G"	"H"	"I"	Total
Development (i.e. construction)	13	n/a	2	7	5	3	n/a	-	6	36
Land Alteration	-	n/a	-	1	-	-	n/a	-	-	1
Subdivision	1	n/a	-	-	1	-	n/a	-	-	2
Yearly Total (2019)	14	n/a	2	8	6	3	n/a	-	6	39

Watercourse Development Permits

	"A"	"B"	"C"	"D"	"E"	"F"	"G"	"H"	"I"	Total
Development (i.e. construction)	3	n/a	-	6	2	2	n/a	4	4	21
Land Alteration	-	n/a	-	-	-	-	n/a	-	-	-
Subdivision	-	n/a	-	1	1	-	n/a	1	1	4
Yearly Total (2019)	3	n/a	-	7	3	2	n/a	5	5	25

- ∅ The following represents the subdivision referrals (YTD) that were received from the Ministry of

Transportation and Infrastructure (MoTI):

Subdivisions Referrals Received: January 1 to December 31, 2019

	A	B	C	D	E	F	G	H	I	Total
Fee Simple										
Bare Land Strata									1	1
Conventional	1		2		3		2	4		12
Road Closure								1		1
Year to Date	1		2		3		2	5	1	14

- ∅ Provision of planning services to the Village of Keremeos
- ∅ Provision of planning services to the Town of Princeton

Planned Activities for Q1 – 2020

- Continue work in support of South Okanagan Electoral Area Zoning Bylaw No. 2800 (i.e. Apex Zones, Small Holdings & Residential zones, etc.);
- Complete background work related to the Electoral Area “A” OCP Bylaw Review and commence community engagement (i.e. visioning and goals);
- Bring forward amendments to allow Accessory Dwelling Units (i.e. “carriage houses”) in a wider range of zones;
- Bring forward amendments to the Development Procedures Bylaw related to the processing of parkland dedication proposals submitted in relation to subdivision applications;
- Prepare amendments related to the regulation of docks through the various Electoral Area zoning bylaws;
- Bring forward amendment bylaws for Micro Cannabis Production Facilities;
- Working with Avocette Technologies on the construction of software requirements needed for Regional District planning applications;
- Prepare a Request for Proposals (RFP) in relation to the 5-year review of the Regional Growth Strategy (RGS) Bylaw; and
- Continue to provide planning services to the Village of Keremeos and Town of Princeton.

BUILDING INSPECTION:

Q4, 2019 Activities

- Year-end total of 527 permits were issued, with an addition of 24 farm building exemptions, to December 31, 2019, compared to 515 which were issued to the same date in 2018. (see Attachment No. 2 for the annual summary of issued Building Permits).

- A total construction value of \$48,675,452 was issued through building permits in 2019. This is down from 2018, which had a construction value of \$61,897,739. As a result, building permit fee revenue was much lower than projected for 2019 (\$558,865 Actual, \$650,000 Budgeted).
- Active enforcement of Building bylaw violations continues. Below is a table of annual enforcement files which were brought before the Board for decision.

	Category 2	Category 3	Total
2019	7	19	26
2018	8	17	25
2017	3	7	10
2016	4	7	11

- Average timeline from application date to permit issuance is up to approximately 44 business days (i.e ~ 9 weeks). This timeline is targeted to come back down to 25 days (i.e. 5 weeks) following the hiring of the Level 1 Building Official in April, 2020.
- Provision of inspection services to the Village of Keremeos continues.
- Continued meetings with Avocette Technologies Inc. for development of BasicGov software to be introduced for Development Services in July, 2020.

Planned Activities for Q1 – 2020

- Fee incentive program for Step Code implementation for Committee presentation.
- Continued meetings and discussions with Avocette for implementation of BasicGov software for Building inspection modules.
- Town of Princeton has hired a full time Building Official and will result in reduced hours of service to the Town of Princeton.

BYLAW ENFORCEMENT:

Q4, 2019 Activities

- Finalization of internal processes to work towards standardizing and streamlining workflows (Deliverable in the department business plan).
- Site clean up – Electoral Area H
(see Attachment No. 3 for Summary of Bylaw Enforcement Complaints)

Planned Activities for Q1 – 2020

- Meetings with Avocette Technologies Inc. for development of BasicGov software to be introduced for Development Services in July, 2020.
- Work with Legislative Services to develop processes for board hearings.

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- . Initiation of consolidation of Untidy/Unsightly regulatory bylaws.
 - . Review of annual dog licensing – explore potential for non-expiring dog licenses.

DEVELOPMENT ENGINEERING:

Q4, 2019 Activities

- ∅ Twin Lake Golf Course Resort development
 - . Review of water and sewer infrastructure for servicing agreement. Nearing agreement on domestic water and sewer design. Public Hearing scheduling expected in Spring, 2020.
- ∅ Village of Keremeos Building Permits Review:
 - . Off-site infrastructure requirements for two Building Permits and one rezoning referral.
- ∅ Village of Keremeos Subdivisions:
 - . Issued Preliminary Layout Review for S-2018-02
 - . DVP application review for S-2018-02
- ∅ Town of Princeton
 - . Review of development engineering for five subdivision applications and two rezoning referrals.
- ∅ Works and Services Bylaw
 - . Finalizing draft of Sanitary Section
 - . Reviewing Levels of Service
 - . External agency consultation ongoing and project will continue into early 2020.
- ∅ Greater West Bench Geotechnical RFP
 - . RFP closed in September. Award of project to Ecora Engineering in Q4, 2019. Document review occurred in 2019.
- ∅ Ongoing Works and Services consultations for Subdivisions:
 - . Grace Estates (Area E)
 - . Naramata Benchlands (Area E)
 - . Kettle Ridge – Phase 3a (Area E)
 - . Patterson and Hayman (Area E)

Planned Activities for Q1 – 2020

- . Twin Lakes Golf Course Resort
 - . Finalize concept of the water and sewer infrastructure.
 - . Finalize Servicing Agreement(s) prior to scheduling public hearing for rezoning.
- . Continue Works and Services Bylaw and Schedules preparation.

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- Continue to provide development engineering services to the Village of Keremeos.
 - Continue to provide development engineering services to the Town of Princeton.
 - Completing works and services reviews for Planning Services applications.

AREA "D" ECONOMIC DEVELOPMENT:

Q4, 2019 Activities

- Grand Opening event of the new Economic Development Office was held on November 26, 2019. An approximate total of ~100 people attended the day event.
- Completed Christmas Holiday lights project in Christie Memorial and Kenyon Parks.
- Start of literature review for Economic Development Strategic Plan.

Planned Activities for Q1 – 2020

- Working with newly incorporated society: Okanagan Falls Community Association (OFCA) to host strategic planning sessions with community to include feedback in new Economic Development Strategic Plan.
- Start development on investment marketing packages.
- Contacting grocery corporations to determine barriers to new store location in Okanagan Falls.

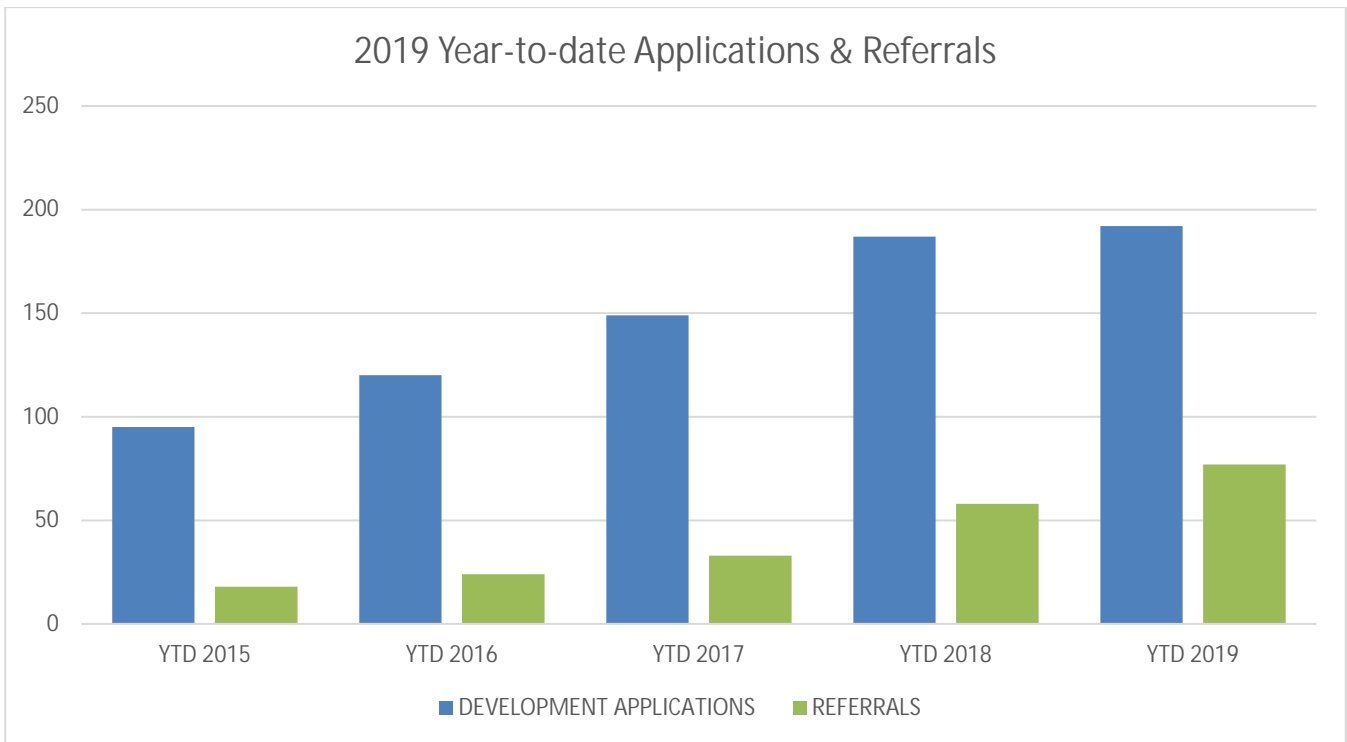
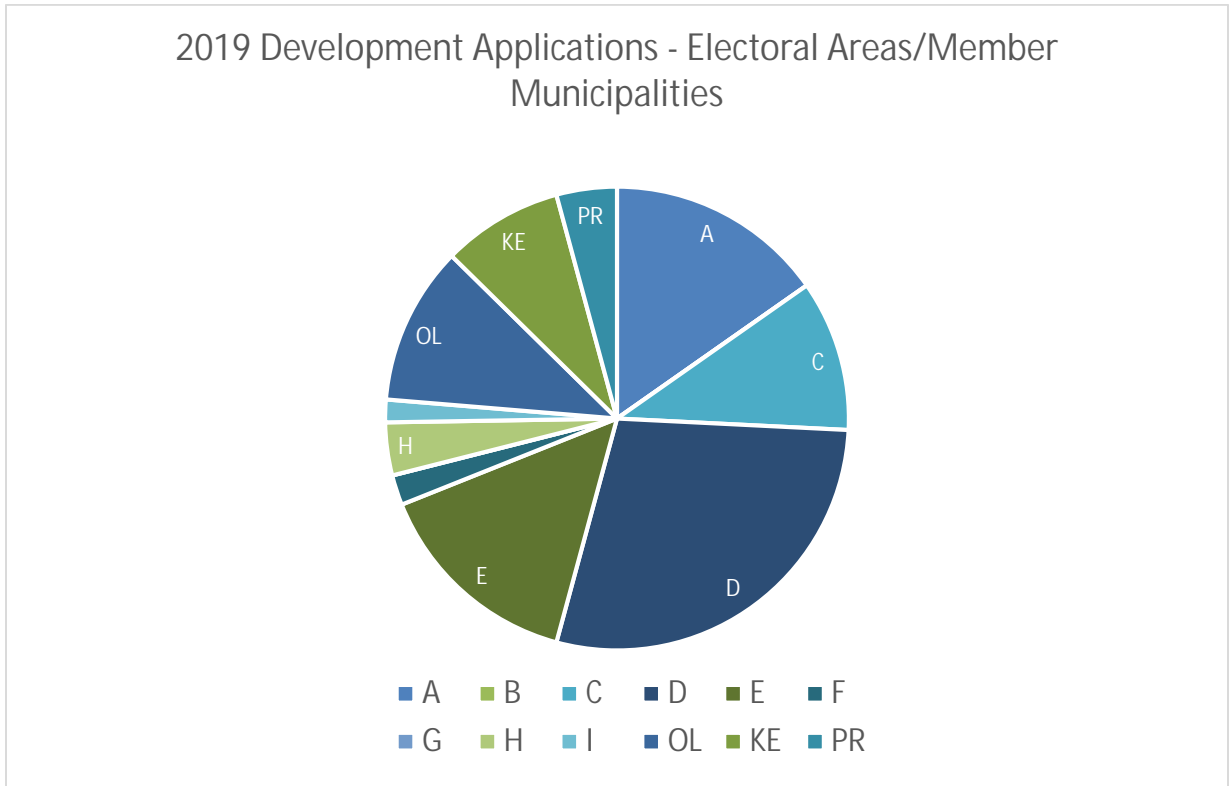
Respectfully Submitted



B. Dollevoet, General Manager, Development Services

Attachments: No. 1 – Number of Development Applications / Referrals (2019 Year end)
No. 2 – Summary of Building Permits (2019 Year end)
No. 3 – Summary of Bylaw Enforcement Complaints (4th Quarter)

Attachment No. 1 - Number of Development Applications / Referrals, Year to Date - 2019



Attachment No. 2 – Summary of Building Permits Issued, Year-end 2019

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
SUMMARY OF BUILDING PERMITS FOR THE MONTH OF DECEMBER 2019**

NUMBER OF PERMITS ISSUED										
DESCRIPTION	A	C	D	E	F	H	I	TOTAL	2019	2018
RENEWAL/DEFICIENCY		2	2					4	39	50
S.F.D.					1		2	3	71	87
MOBILE/MANU HOMES								0	35	39
CABINS/REC SEMI-DETACHED, DUPLEX, MULTI		2						2	15	2
DEMOLITION / MOVE	1	1	1		1	1		5	33	30
ACCESSORY USES				2	1		2	5	135	118
ADDITIONS / REPAIRS / PLUMBING			2	1	1	3	5	12	121	120
COMMERCIAL								0	19	24
INDUSTRIAL								0	1	2
FARM BUILDINGS						1		1	37	27
INSTITUTIONAL								0	1	1
SOLID FUEL APPLIANCE								0	19	12
MONTHLY TOTAL	1	5	5	3	4	5	9	32	527	515
YEAR TO DATE 2019	50	73	59	80	31	132	102	527		
<i>SAME MONTH 2018</i>	10	5	6	4	2	12	7	46		
<i>YEAR TO DATE 2018</i>	83	69	136	83	27	95	22	515		

DOLLAR VALUE OF PERMITS										
DESCRIPTION	A	C	D	E	F	H	I	TOTAL	TOTAL YEAR	
RENEWAL/DEFICIENCY		\$2,000	\$11,000					\$13,000	\$396,500	
S.F.D.					\$342,805		\$570,825	\$913,630	\$20,840,515	
MOBILE/MANU HOMES								\$0	\$4,745,069	
CABINS/REC SEMI-DETACHED, DUPLEX, MULTI		\$38,880						\$38,880	\$1,696,975	
DEMOLITION / MOVE	\$1,000	\$1,000	\$1,000		\$1,000	\$1,000		\$5,000	\$72,000	
ACCESSORY USES				\$46,160	\$4,480		\$40,160	\$90,800	\$4,668,378	
ADDITIONS / REPAIRS / PLUMBING			\$38,650	\$15,000	\$12,500	\$63,830	\$356,300	\$486,280	\$6,720,159	
COMMERCIAL								\$0	\$8,479,619	
INDUSTRIAL								\$0	\$217,858	
FARM BUILDINGS						\$1,000		\$1,000	\$21,000	
INSTITUTIONAL								\$0	\$500,000	
SOLID FUEL APPLIANCE								\$0	\$19,000	
MONTHLY TOTAL	\$1,000	\$41,880	\$50,650	\$61,160	\$360,785	\$65,830	\$967,285	\$1,548,590	\$48,675,452	
YEAR TO DATE 2019	\$4,405,232	\$8,538,851	\$7,043,846	\$8,348,815	\$1,908,399	\$8,910,325	\$9,519,984	\$48,675,452		
<i>SAME MONTH 2018</i>	\$736,030	\$3,000	\$370,100	\$939,576	\$22,000	\$373,430	\$235,960	\$2,680,096		
<i>YEAR TO DATE 2018</i>	\$9,665,490	\$8,775,063	\$23,194,246	\$11,537,421	\$1,357,990	\$6,323,240	\$1,044,290	\$61,897,739		

BUILDING INSPECTION REVENUE							
MONTH	2013	2014	2015	2016	2017	2018	2019
JANUARY	\$15,847.48	\$8,965.60	\$17,905.98	\$38,090.55	\$39,602.01	\$55,887.27	\$30,704.46
FEBRUARY	\$18,055.76	\$25,842.00	\$19,575.32	\$29,419.02	\$44,897.41	\$37,396.10	\$86,493.92
MARCH	\$28,007.02	\$30,397.81	\$32,251.07	\$41,406.24	\$62,053.58	\$72,804.20	\$51,199.20
APRIL	\$20,973.73	\$28,055.24	\$47,883.66	\$15,209.80	\$35,550.35	\$41,018.96	\$42,268.02
MAY	\$43,054.17	\$47,678.54	\$34,819.01	\$88,336.89	\$335,459.36	\$61,771.86	\$47,130.81
JUNE	\$42,069.21	\$78,964.49	\$62,473.80	\$105,215.54	\$66,954.09	\$70,972.42	\$46,253.49
JULY	\$46,889.56	\$48,610.54	\$93,218.43	\$70,891.24	\$95,394.43	\$71,463.33	\$70,064.71
AUGUST	\$35,669.63	\$41,182.51	\$59,620.80	\$73,568.01	\$47,165.53	\$42,822.93	\$25,798.34
SEPTEMBER	\$24,607.81	\$68,044.72	\$121,384.59	\$102,226.37	\$90,566.53	\$45,924.16	\$30,728.49
OCTOBER	\$28,791.57	\$36,694.11	\$39,069.81	\$44,894.56	\$43,695.30	\$84,294.81	\$55,999.70
NOVEMBER	\$25,620.64	\$40,766.83	\$58,845.97	\$32,663.33	\$58,442.60	\$43,348.80	\$51,766.51
DECEMBER	\$16,484.32	\$39,792.14	\$40,132.41	\$29,147.95	\$41,432.10	\$32,698.12	\$20,458.33
TOTAL	\$346,070.90	\$494,994.53	\$627,180.85	\$671,069.50	\$961,213.29	\$660,402.96	\$558,865.98

Attachment No. 3 – Summary of Bylaw Enforcement Complaints, 4th Quarter

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
SUMMARY OF BYLAW INFRACTIONS
4TH QUARTER (October - December 2019)**

COMPLAINTS RECEIVED October - December 2019

DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD	2018	2018 YTD
LAND USE	1	0	9	0	0	1	0	2	2	15	48	13	41
ESDP	1	0	0	0	0	0	0	0	0	1	6	1	3
WDP	0	0	0	0	0	0	0	0	0	0	3	0	9
MULTIPLE	0	0	0	0	0	0	0	0	0	0	1	0	2
UNTIDY/UNSIGHTLY	0	0	0	0	0	0	0	0	0	0	13	3	15
BUILDING BYLAW	2	0	3	1	1	0	0	2	0	9	18	4	14
ANIMAL CONTROL	1	0	3	1	0	4	4	0	5	18	83	11	107
NOISE CONTROL	0	0	4	0	5	6	0	0	2	17	95	23	117
BURNING BYLAW	0	0	1	0	0	0	0	0	0	1	1	0	0
Totals	5	0	20	2	6	11	4	4	9	61	268	55	308

COMPLAINTS RESOLVED October - December 2019

DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD	2018	2018 YTD
LAND USE	1	0	7	4	1	2	0	1	3	19	50	43	101
ESDP	0	0	0	0	1	0	0	0	1	2	4	5	7
WDP	0	0	0	0	0	2	0	0	0	2	3	6	14
MULTIPLE	0	0	1	0	0	0	0	0	1	2	5	2	2
UNTIDY/UNSIGHTLY	0	0	4	1	1	1	2	0	3	12	26	21	45
BUILDING BYLAW	0	0	3	0	0	1	0	2	0	6	16	4	10
ANIMAL CONTROL	1	0	3	1	0	4	4	0	5	18	78	17	49
NOISE CONTROL	0	0	4	0	5	6	0	0	2	17	93	22	104
BURNING BYLAW	0	0	1	1	0	0	0	0	0	2	3	0	0
Totals	2	0	23	7	8	16	6	3	15	80	278	120	332

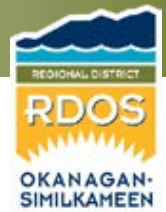
TOTAL ACTIVE COMPLAINTS

DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL
LAND USE	5	0	24	4	5	9	1	4	10	62
ESDP	1	0	1	1	0	1	0	0	1	5
WDP	2	0	0	2	0	0	0	0	2	6
MULTIPLE	0	0	1	0	0	0	0	3	0	4
UNTIDY/UNSIGHTLY	0	0	1	5	1	2	2	3	0	14
BUILDING BYLAW	2	0	1	2	0	0	0	1	2	8
ANIMAL CONTROL	1	0	1	0	0	4	0	0	3	9
NOISE CONTROL	0	0	0	0	1	2	0	0	0	3
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0
Totals	11	0	29	14	7	18	3	11	18	111
Previous Quarter	8	0	29	17	10	13	5	10	20	112

MILEAGE

DESCRIPTION	A	B	C	D	E	F	G	H	I	TOTAL	2019 YTD
LAND USE	303	0	650	94	7	73.5	0	225	133	1485.5	3241.5
ESDP	0	0	0	0	0	0	0	0	0	0	0
WDP	0	0	0	0	0	0	0	0	0	0	104
MULTIPLE	0	0	0	0	0	0	0	0	0	0	0
UNTIDY/UNSIGHTLY	0	0	255	101	0	60	172.5	609	331.5	1529	3690
ANIMAL CONTROL	70	0	475	1271	1214	856	463		2777	7126	24082
NOISE CONTROL	0	0	159	0	178	102	0	0	119	558	7859
BURNING BYLAW	0	0	0	0	0	0	0	0	0	0	0
Totals	373	0	1539	1466	1399	1091.5	635.5	834	3360.5	10698.5	38976.5
YTD	1737.5	214	8724	7354.5	5554	3496.5	1701.5	3172	9759.5	41713.5	

ADMINISTRATIVE REPORT



TO: Planning & Development Committee
FROM: B. Newell, Chief Administrative Officer
DATE: January 23, 2020
RE: Micro Cannabis Production Facilities

Administrative Recommendation:

THAT Amendment Bylaw No. 2858 be amended to specify a maximum floor area allowance for cultivation purposes of 200.0 m² for micro cannabis production facilities and proceed to 1st reading.

Purpose:

The purpose of this report is to seek direction from the Board with regard to possible amendments pertaining to the introduction of micro cannabis production facilities as a permitted accessory use on parcels greater than 2.0 ha in area.

Background:

At its meeting of May 23, 2019, the Planning and Development (P&D) Committee resolved to direct staff to separate Amendment Bylaw 2849 into two separate bylaws to deal with the following issues:

- 1) the prohibition of cannabis production facilities in all non-Industrial zones (Bylaw No. 2849); and
- 2) the introduction of micro cannabis production facilities as a permitted use in specified zones as well as new general regulations governing the use (Bylaw No. 2858).

At its meeting of June 6, 2019, P&D Committee resolved that prior to consideration of first reading of Amendment Bylaw No. 2858, public information meetings regarding the proposed amendments be held in Oliver, Naramata, Kaleden and Princeton.

Public information meetings were subsequently held on July 31st (Kaleden), August 1st (Princeton), August 19th (Oliver) and August 21st (Naramata). Attendance at these meetings consisted of four (4) persons in Kaleden, two (2) persons in Princeton, four (4) persons in Oliver and approximately 37 persons in Naramata.

At its meeting of October 17, 2019, the P&D Committee considered all representations received in relation to this consultation process as they related to Bylaw No. 2858 (Micro Cannabis) and resolved that "more information is required."

At its meeting of December 5, 2019, the Board adopted Amendment Bylaw No. 2849, which, amongst other things, restricted indoor cannabis production facilities as a permitted use to the General Industrial (I1) and Heavy Industrial (I2) zones, unless a parcel is situated in the ALR and the structure comprises a soil-based floor system.

Analysis:

A majority of the representations received from the public consultation process were submitted by residents of Electoral Area "E", with a majority of these opposed to introducing micro cannabis production facilities as a permitted use.

Many of the representations express concern about the potential for adverse impacts on residential amenity and property values resulting from the development of micro cannabis production facilities, including:

- noise, odour, light, fire and security;
- visual impact of production facilities in an agricultural landscape; and
- increased water and energy consumption by production facilities in comparison to other agricultural uses.

While generally opposed to cannabis production facilities, some representations contained suggestions related to requiring a larger minimum parcel size requirement to qualify for a production facility (i.e. 10 ha) and the need for greater minimum parcel line setback requirement for production facilities (i.e. 200 metres).

In light of these comments, the Board may wish to provide additional direction regarding the treatment of micro cannabis production facilities:

Permitted Use Requirements:

At present, Amendment Bylaw No. 2858 is proposing that micro cannabis production facilities be permitted as an accessory use in the Resource Area (RA), Agriculture (AG1, AG2 & AG3), Large Holdings (LH1 & LH2) and Small Holdings Two (SH2) zones.

This would allow such uses to occur without the need for additional Regional District Board approvals, subject to compliance with applicable regulations, some of which are outlined below.

While Administration favours the current approach contained within the bylaw, the Board may wish to give consideration to requiring micro cannabis production facilities seek approval on a case-by-case basis through application for a site specific zoning.

By way of example, this is the approach recently implemented by the Squamish-Lillooet Regional District, with site specific zoning applications being assessed against the following criteria:

- i) *Minimum parcel size of 5 hectares is required for consideration of a zoning amendment application for Micro Cannabis Production in the rural zones;*
- ii) *Maximum size of plant surface cultivation area is 200 m² and maximum processing is 600 kg dried cannabis in 1 calendar year, as per the Cannabis Act and its Regulations;*
- iii) *Must be licenced by Health Canada;*
- iv) *Adequate water and servicing must be proved out; and*
- v) *Residential zones will not be considered for cannabis production.*

Requiring a rezoning would allow for the community to be consulted on new production facilities, but could be seen as creating a significant regulatory hurdle for new operations and the threat of NIMBY-ism (Not-In-My-Backyard), potentially discouraging their development in the Regional District.

Floor Area Requirement:

At present Amendment Bylaw No. 2858 is proposing that a 400.0 m² floor area allowance be permitted in order to provide additional space for the packaging, processing and storage of cannabis

as well as space for staff office space. The maximum production (“canopy”) area permitted by Health Canada for a micro cannabis production facility is understood to be 200.0 m².

Administration notes that the packaging, processing and storage of other agricultural products (i.e. tree fruits and grapes) is regulated by the maximum parcel coverage listed in a zone as opposed to specific floor area restrictions.

Upon further review, Administration favours regulating the cultivatable floor area associated with a micro license only (i.e. 200.0 m² production area) and relying on existing maximum parcel coverage regulations within a zone to govern all processing, packing and storage requirements.

Parcel Size Requirement:

At present, Amendment Bylaw No. 2858 is proposing a minimum parcel size requirement of 2.0 ha in order to undertake a micro cannabis production facility use.

Administration is not aware of a consistent parcel size requirement applied by local governments, but is aware of examples where 3.0 ha (Regional District of Central Kootenay), 5.0 ha (Squamish-Lillooet Regional District), 8.0 ha (Sunshine Coast Regional District) have been applied.

Administration favours retaining the 2.0 ha parcel size requirement.

Parcel Line Setback Requirement:

At present, the setbacks applied to a cannabis production facility are 15.0 metres from all parcel lines, and that this is in conformance with the Ministry of Agriculture’s guidelines for greenhouses.

The 15.0 metres setback is also applied to livestock shelters, equestrian centres, generator sheds, boilers or walls with fans whereas a 30.0 metre setback is generally applied to agricultural uses with greater potential to impact adjacent properties, such as incinerators or compost facilities.

Administration is not aware of a consistent setback standard that has been applied by local governments to cannabis production facilities, but is aware of examples where 30.0 metres (Regional Districts of Nanaimo & Kootenay Boundary and Sooke), 50.0 metres (Vernon) and 60.0 metres (Kelowna) have been applied. The City of Abbotsford has also applied a 100.0 metre setback if a parcel line is adjacent to a residential neighbourhood.

While Administration favours retaining the current requirement for a 15.0 metres setback, the Board may wish to consider applying a 30.0 metre setback if a parcel line adjoins a low density residential (RS1, RS2, RS3, RS4 or RSM1) zone.

Alternatives:

- .1 THAT Amendment Bylaw No. 2858 proceed to first reading; OR
- .2 THAT prior to first reading, Amendment Bylaw No. 2858 be amended to:
 - i) *TBD*

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, General Manager of Dev. Services

Attachments: No. 1 — Draft Amendment Bylaw No. 2858 (version 2019-05-27)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2858, 2020

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

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Electoral Area Zoning Amendment Bylaw No. 2858, 2020."

Electoral Area "A"

2. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:

- i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 7.27 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.27 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.

- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
- iii) adding a new sub-Section 10.1.1(p) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - p) micro cannabis production facility, subject to Section 7.27;
 - iv) adding a new sub-Section 10.2.1(m) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.27;
 - v) adding a new sub-Section 10.3.1(m) under Section 10.3 (Agriculture Two (AG2) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.27;
 - vi) adding a new sub-Section 10.4.1(k) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.27;
 - vii) adding a new sub-Section 10.5.1(f) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - f) micro cannabis production facility, subject to Section 7.27;

Electoral Area "C"

3. The "Regional District of Okanagan-Similkameen, Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:
 - i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 7.28 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.28 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
 - .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
- iii) adding a new sub-Section 10.1.1(q) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - q) micro cannabis production facility, subject to Section 7.28;
 - iv) adding a new sub-Section 10.2.1(k) under Section 10.1 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.28;
 - v) adding a new sub-Section 10.3.1(k) under Section 10.3 (Agriculture Two (AG2) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.28;
 - vi) adding a new sub-Section 10.4.1(j) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - j) micro cannabis production facility, subject to Section 7.28;
 - vii) adding a new sub-Section 10.5.1(f) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - f) micro cannabis production facility, subject to Section 7.28;

Electoral Area "D"

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

- i) adding a new definition of “micro cannabis production facility” under Section 4.0 (Definitions) to read as follows:

“**micro cannabis production facility**” means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 7.28 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.28 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
- .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
- .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.

- iii) adding a new sub-Section 10.1.1(r) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:

r) micro cannabis production facility, subject to Section 7.28;

- iv) adding a new sub-Section 10.2.1(n) under Section 10.1 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:

n) micro cannabis production facility, subject to Section 7.28;

- v) adding a new sub-Section 10.3.1(m) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows and re-numbering all subsequent sections:

m) micro cannabis production facility, subject to Section 7.28;

- vi) adding a new sub-Section 10.4.1(k) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:

k) micro cannabis production facility, subject to Section 7.28;

- vii) adding a new sub-Section 10.5.1(k) under Section 10.5 (Large Holdings Two (LH2) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.28;
- viii) adding a new sub-Section 10.7.1(g) under Section 10.7 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - g) micro cannabis production facility, subject to Section 7.28;

Electoral Area "E"

5. The "Regional District of Okanagan-Similkameen, Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:

- i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 7.28 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.28 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
- .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
- .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.

- iii) adding a new sub-Section 10.1.1(o) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:

- o) micro cannabis production facility, subject to Section 7.28;

- iv) adding a new sub-Section 10.2.1(m) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.28;
- v) adding a new sub-Section 10.3.1(l) under Section 10.3 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - l) micro cannabis production facility, subject to Section 7.28;
- viii) adding a new sub-Section 10.5.1(g) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - g) micro cannabis production facility, subject to Section 7.28;

Electoral Area "F"

- 6. The "Regional District of Okanagan-Similkameen, Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:
 - i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;
 - ii) adding a new Section 7.29 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.29 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
- .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
- .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.

- iii) adding a new sub-Section 10.1.1(w) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - w) micro cannabis production facility, subject to Section 7.29;
- vi) adding a new sub-Section 10.2.1(p) under Section 10.2 (Agriculture Two (AG2) Zone) to read as follows and re-numbering all subsequent sections:
 - p) micro cannabis production facility, subject to Section 7.29;
- vii) adding a new sub-Section 10.3.1(q) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows and re-numbering all subsequent sections:
 - q) micro cannabis production facility, subject to Section 7.29;
- viii) adding a new sub-Section 10.4.1(p) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - p) micro cannabis production facility, subject to Section 7.29;
- ix) adding a new sub-Section 10.5.1(k) under Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - k) micro cannabis production facility, subject to Section 7.29;

Electoral Area "G"

7. The "Regional District of Okanagan-Similkameen, Electoral Area "G" Zoning Bylaw No. 2781, 2017" is amended by:

- i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 6.16 (Micro Cannabis Production Facility) under Section 6.0 (General Regulations) to read as follows:

6.15 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.

- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
- iii) adding a new sub-Section 10.1.1(i) under Section 10.1 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
- i) micro cannabis production facility, subject to Section 6.15;

Electoral Area "H"

8. The "Regional District of Okanagan-Similkameen, Electoral Area "H" Zoning Bylaw No. 2498, 2012" is amended by:

- i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;

- ii) adding a new Section 7.29 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.29 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
- .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
- .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.

- iii) adding a new sub-Section 11.1.1(o) under Section 11.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - o) micro cannabis production facility, subject to Section 7.29;
- iv) adding a new sub-Section 11.3.1(p) under Section 11.3 (Agriculture Three (AG3) Zone) to read as follows and re-numbering all subsequent sections:
 - p) micro cannabis production facility, subject to Section 7.29;
- v) adding a new sub-Section 11.4.1(l) under Section 11.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - l) micro cannabis production facility, subject to Section 7.29;
- vi) adding a new sub-Section 11.5.1(n) under Section 11.5 (Large Holdings Two (LH2) Zone) to read as follows and re-numbering all subsequent sections:
 - n) micro cannabis production facility, subject to Section 7.29;
- vii) adding a new sub-Section 10.6.1(i) under Section 10.6 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - i) micro cannabis production facility, subject to Section 7.29;

Electoral Area "I"

9. The "Regional District of Okanagan-Similkameen, Electoral Area "I" Zoning Bylaw No. 2457, 2008" is amended by:
 - i) adding a new definition of "micro cannabis production facility" under Section 4.0 (Definitions) to read as follows:

"micro cannabis production facility" means the small-scale commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by federal enactment, but excludes the growing of cannabis by an individual for their personal use and consumption;
 - ii) adding a new Section 7.31 (Micro Cannabis Production Facility) under Section 7.0 (General Regulations) to read as follows:

7.31 Micro Cannabis Production Facility

The following regulations apply to micro cannabis production facilities where permitted as a use in the bylaw:

- .1 No micro cannabis production facility shall be permitted on a parcel less than 2.0 hectares in size.

- .2 The maximum floor area utilized for a micro cannabis production facility, including the storage of materials, commodities or finished products associated with the micro cannabis production facility shall not exceed 400.0 m².
 - .3 A micro cannabis production facility shall be conducted within an enclosed building or structure.
 - .4 No retail sales of products produced by the micro cannabis production facility shall be permitted on the parcels.
- iii) adding a new sub-Section 10.1.1(s) under Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent sections:
 - s) micro cannabis production facility, subject to Section 7.31;
 - iv) adding a new sub-Section 10.2.1(m) under Section 10.2 (Agriculture One (AG1) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.31;
 - v) adding a new sub-Section 10.3.1(m) under Section 10.3 (Agriculture Three (AG3) Zone) to read as follows and re-numbering all subsequent sections:
 - m) micro cannabis production facility, subject to Section 7.31;
 - vi) adding a new sub-Section 10.4.1(n) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
 - n) micro cannabis production facility, subject to Section 7.31;
 - vii) adding a new sub-Section 10.5.1(n) under Section 10.5 (Large Holdings Two (LH2) Zone) to read as follows and re-numbering all subsequent sections:
 - n) micro cannabis production facility, subject to Section 7.31;
 - viii) adding a new sub-Section 10.6.1(g) under Section 10.6 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:
 - g) micro cannabis production facility, subject to Section 7.31;

READ A FIRST AND SECOND TIME this ____ day of _____, 2020.

PUBLIC HEARING held on this ____ day of _____, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

I hereby certify the foregoing to be a true and correct copy of the " Regional District of Okanagan-Similkameen Amendment Bylaw No. 2858, 2020" as read a Third time by the Regional Board on this __ day of __, 2020.

Dated at Penticton, BC this __ day of __, 2020.

Corporate Officer

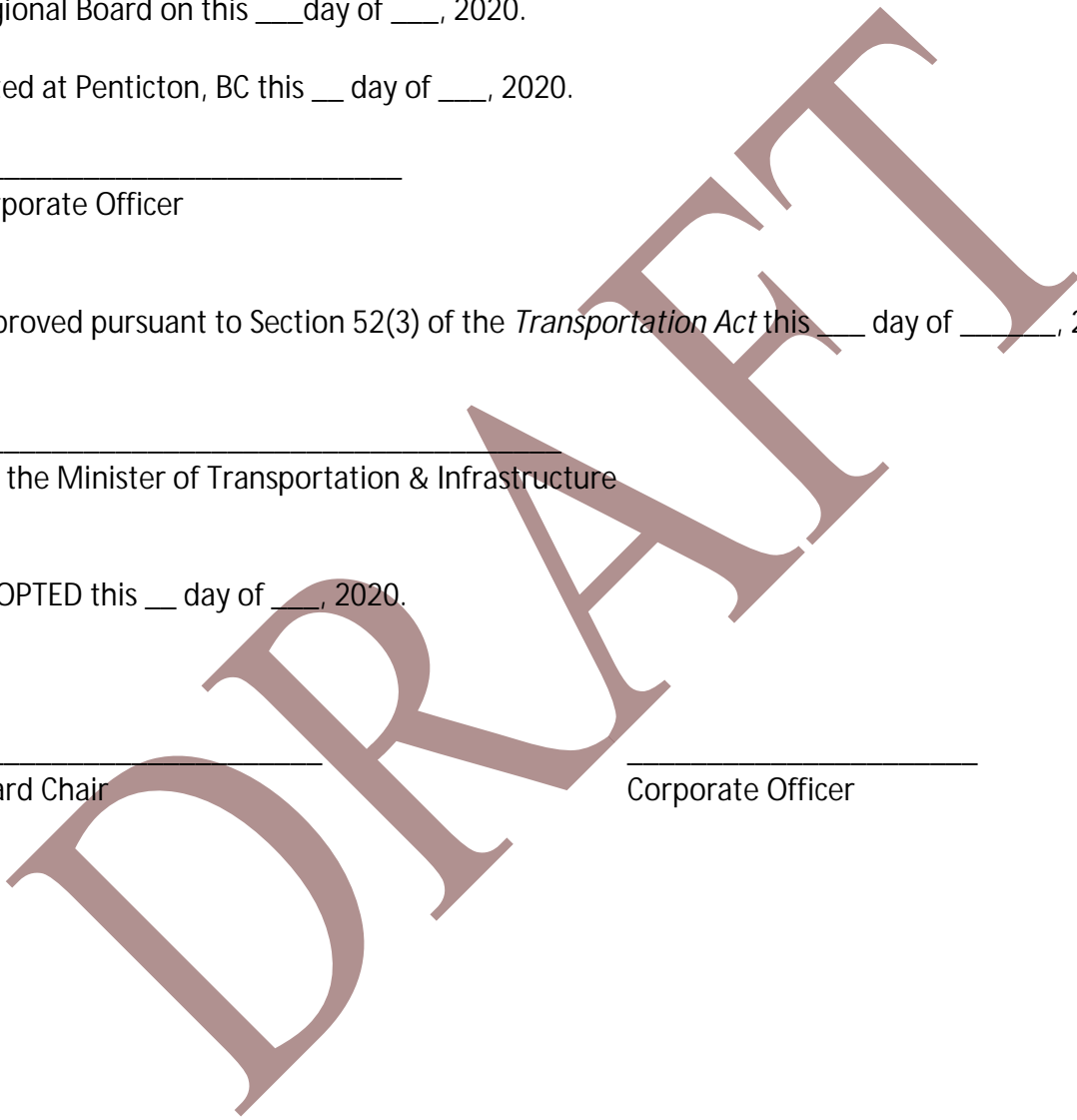
Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2020.

For the Minister of Transportation & Infrastructure

ADOPTED this __ day of __, 2020.

Board Chair

Corporate Officer



ADMINISTRATIVE REPORT



TO: Planning and Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Review of Residential Zones at Apex — Electoral Area “I”
For information purposes

Purpose:

The purpose of this report is to provide the Board with an update on a review of the Residential Zones at Apex Mountain which is being undertaken as part of on-going work related to the preparation of a single zoning bylaw for the South Okanagan Valley Electoral Areas.

Background:

In preparation of a single zoning bylaw for the Okanagan Electoral Areas, Administration has been reviewing and updating the various zoning districts such as Commercial, Tourist Commercial and Residential.

At present, the predominant zoning district at Apex Mountain is Residential, and is made up of the Residential Apex Alpine (RS4), Residential Multiple Unit Three (RM3) and Mixed Use Apex Alpine (RMU) zones, all of which apply to a majority of the land at the resort.

The RMU Zone is not, however, seen to be a Residential zone due to its mixed-use nature (i.e. it permits both commercial and residential uses) and is more akin to the Okanagan Falls Town Centre Zone and Naramata Village Centre Zone, both of which were reviewed in 2018.

Accordingly, the Planning and Development Committee (P&D) Committee of the Board, at its meeting of April 19, 2018, resolved to initiate amendments to the Electoral Area “I” Official Community Plan (OCP) and Zoning Bylaws in order to update the zones at Apex Mountain Resort as a stand-alone review.

As this direction was provided by the previous Board, Administration is presenting this update to Committee a second time in anticipation of bringing forward Amendment Bylaw Nos. 2683.03 and 2457.26 for consideration of first reading by the Board in the near future.

Analysis:

OCP Bylaw:

In support of the Apex Zone Review, it is being proposed to replace the current RMU designation with a new “Village Centre” designation to the Electoral Area “I” OCP Bylaw in order to present objectives and policies specific to Apex Mountain. These policies speak to, amongst other things, permitted uses, density, status as a Growth Area, vehicle parking, snow storage and potential design standards for the village core area.

NOTE: due to the Twin Lakes Growth Area similarly being previously designated RMU, it is being proposed that the objectives and policies for this site similarly be transitioned to the new “Village Centre” designation.

Apex Mountain Village Zone:

During the 2016 review of the Electoral Area “1” OCP Bylaw, the community expressed a desire to “consolidate and improve the village centre as the community’s service centre and social heart”. Administration is also aware of the community previously expressing concerns regarding the composition of the RMU Zone and the extent to which it contemplates the spread of commercial uses into residential areas, and that such a spread would be to the possible detriment of the Village core.

While the preparation of a Local Area Plan for Apex exceeds the scope of the current work being undertaken in support of a single zoning bylaw, Administration considers there to be merit in reconsidering the RMU Zone at this time.

Specifically, and in accordance with the approach previously applied to the Okanagan Falls and Naramata town sites, it is being proposed to replace the RMU Zone with a new Apex Mountain Village (AMV) Zone, and that the physical area of this zone be reduced to the village core of Apex.

While the range of uses permitted in the AMV Zone will not differ significantly from the RMU Zone, it is proposed to delete allowances for single detached and duplex dwellings as these are not seen to be compatible with the character and density of the village core.

With regard to densities, Apex is a Rural Growth Area under the Regional Growth Strategy (RGS) Bylaw and Administration has determined that a number of buildings previously constructed within the village core exceed the current density restriction of 55 units/ha.

To address this, it is being proposed to delete the units/ha density regulation, to increase the Floor Area Ratio (FAR) from 2.0 to 3.0 and to increase the maximum building height from 10-19.0 metres to 20.0 metres in order to address a number of existing non-conformities and to encourage further densification (subject to parking and servicing requirements being met).

It is further proposed to replace a number of other variable zoning regulations, such as minimum parcel size for subdivision (505-1,010 m²), minimum parcel width (15-30 metres) and maximum parcel coverage (45-75%) with a single, standard regulations; 1,000 m² (parcel size), Not less than 25% of the parcel depth (parcel width) and 75% (parcel coverage).

Finally, it is being proposed to introduce regulations for snow storage based upon the number of outdoor vehicle parking spaces being provided on a parcel (i.e. when more than 4 are required).

Medium Density Residential Zone:

It is being proposed to introduce a new Medium Density Residential Apex (RM2) Zone for existing apartment buildings and townhouses at Apex, and to carry forward the vacation rental allowance that was introduced into the zoning bylaw in 2014.

In accordance with the direction contained in Phase 1 of the Residential Zone Review, it is further being proposed that single detached and duplex dwellings not be carried forward into the RM2 Zone from the RMU and RM3 zones.

The other significant amendment related to the RM2 Zone is to apply it to a large parcel of undeveloped Crown land at the south-west part of the community, and which is currently zoned RMU.

Duplex Zone:

It is being proposed to apply a new Low Density Residential Duplex Apex (RD2) Zone to all existing duplexes at Apex as well as a majority of parcels on Clearview Drive.

When the Clearview Drive subdivision occurred, the RMU Zone stipulated that parcels less than 1,010 m² were to be developed to single detached and duplex dwellings only, whereas parcels greater than 1,010 m² could also be developed to multi-dwelling units (i.e. more than 3-units). A majority of the parcels on Clearview Drive are less than 1,000 m² in area.

Consultation:

The amendment bylaws have currently been distributed to external agencies for comment and a public information meeting with affected property owners is currently scheduled for February 4, 2020.

Respectfully submitted:



C. Garrish, Planning Supervisor

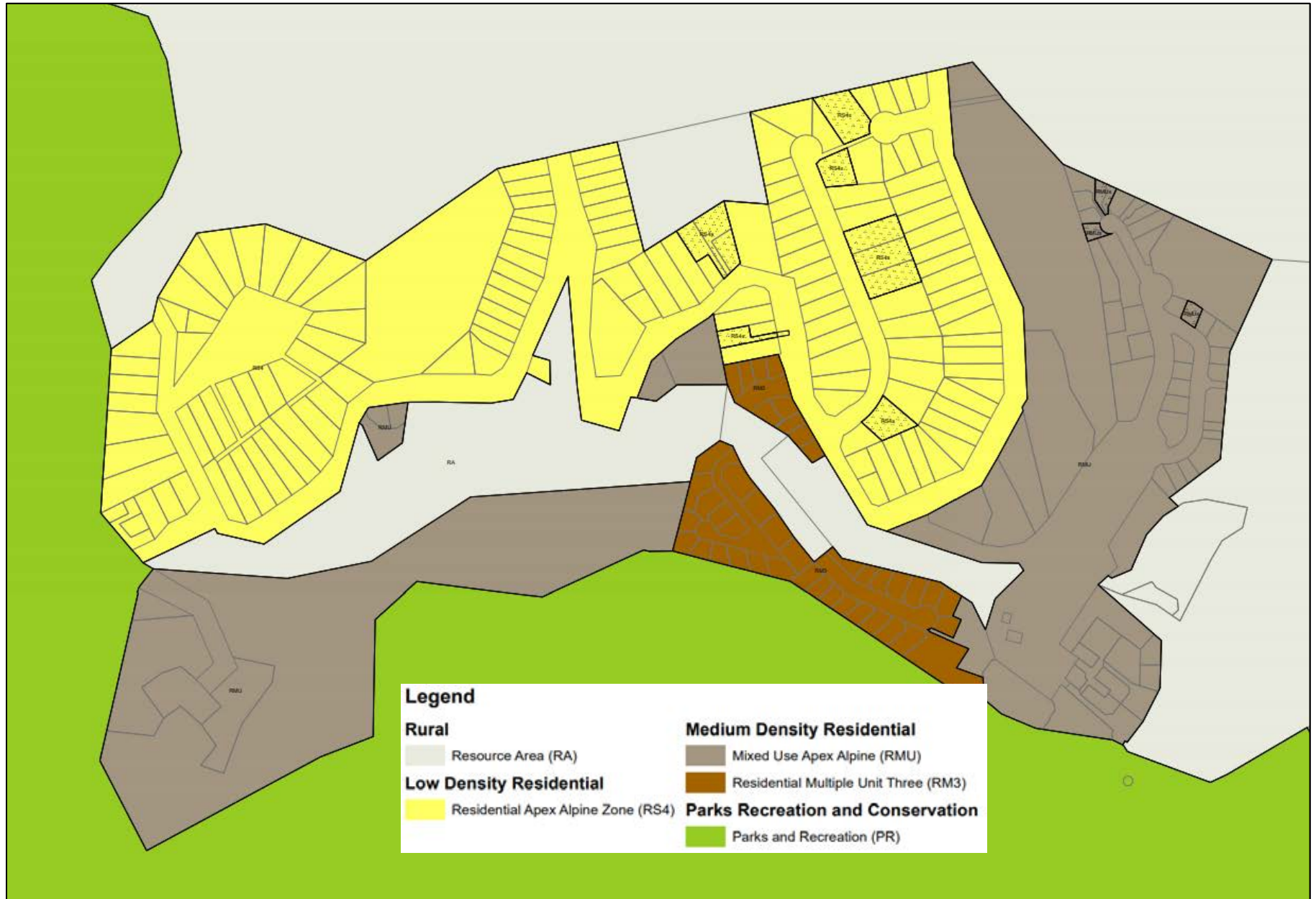
Endorsed by:



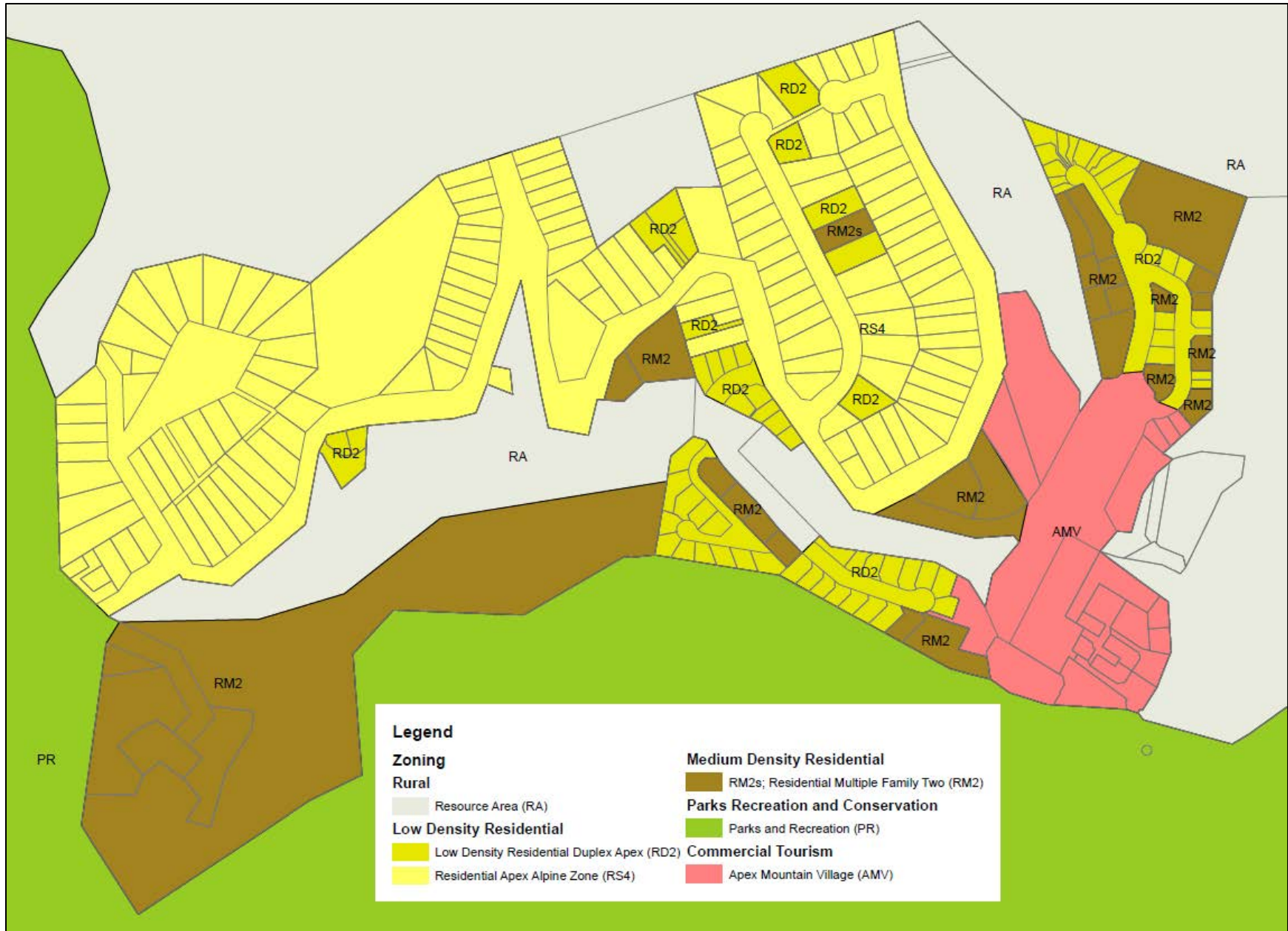
B. Dollevoet, General Manager of Dev. Services

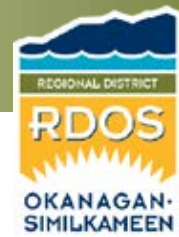
Attachments: No. 1 – Current Zoning Map (Apex)
No. 2 – Proposed Zoning Map (Apex)

Attachment No. 1 – Current Zoning Map (Apex)



Attachment No. 2 – Proposed Zoning Map (Apex)





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Environment and Infrastructure Committee

Thursday, January 23, 2020
10:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of January 23, 2020 be adopted.

B. Q4 2019 ACTIVITY REPORT

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Fourth Quarter Activity Report – For Information Only

ACTIVITIES COMPLETED IN Q4 2019:

SOLID WASTE

- Campbell Mountain Landfill Bio-cover Pilot – questions from the Ministry of Environment raised from the final report, were responded to by a short memo. A follow up discussion is planned to be held in early January of 2020 to address any remaining items.
- Campbell Mountain Landfill Drainage and Leachate – Leachate extraction wells are pumping leachate into the pond and data is being collected. The data collected to date will be analysed and reported on in the 2020 Phase 2 of the overall project to determine treatment needs and any additional extraction well requirements.
- Campbell Mountain Landfill Entrance/Exit review – Consultant is continuing to prepare detailed drawings for the proposed new alignment. Application is underway for receiving approval to utilize Crown Lands for the new entrance to the landfill.
- Campbell Mountain Landfill Spiller Road Drainage – Final report was received from the City of Penticton.
- Organics Composting – Study is underway to look at potential options for joint City of Penticton and RDOS organic processing facility in and around CML. A report will be presented in early January.
- Keremeos Landfill Closure Plan – Additional work completed on the closure plan as required by the Province and has been submitted for approval. The Regional District is now waiting for the Ministry of Environment comments.
- Oliver Landfill scale house and scale replacement – The scalehouse is in production, the scale has been ordered and the construction tender has been awarded. Construction started in late December and will continue into 2020.
- Keremeos Transfer Station scale house replacement – Tender was awarded to a contractor for the work that is expected in early 2020.
- Apex Waste Transfer Station – Civil site work and building construction completed. Compactors have been installed. Maintenance and hauling contracts are completed. Commissioning of the equipment is underway and will be completed shortly.

WATER

- Willowbrook Water System Chlorine Contact System – Waiting for permit for construction from IHA and MOTI. Tender document is being prepared and will be released for bids once the approvals have been received.
- Olalla Water System Generator – The site civil works have been completed, the fence has been installed and the storage sea can is installed and connected to the electrical/alarm system. Generator is on order and scheduled to arrive in February 2020.
- Missezula Lake Water System – in advance of acquiring the water system on January 1, 2020 a SCADA system has been installed to allow the operators to remotely access the status of the water system's pump house and chlorine analyser. The chlorine analyser is also being replaced. Additionally an application is being prepared to the ICIP grant opportunity for high priority upgrades and a treatment system.
- Source Water Protection Plan – RFP was released and Consultant has been retained to assess water source risks for Naramata water system. The study is scheduled to be completed in the fall of 2020. The project is on schedule and on budget.
- Willowbrook GARP study RFP was released and a Consultant was retained. The project is scheduled to be completed in October 2020. Early testing results are encouraging. SCADA Master Plan – Final report has been prepared with a matrix providing insight into the recommended stages of upgrades and the associated risks with each potential failure.

SEWER

- Skaha Estates Sewer Expansion – Investigated alternative routing options for providing sewer service to Skaha Estates. These were presented to the Sewer Committee and the Eastside Road alignment option was discussed as the best option. Potential future connections were suggested from Heritage Hills and Vintage Views – these are not RDOS systems and no interest has been received to date for a transition to the RDOS.
- Kaleden Sewer Expansion – Field testing has been completed. Initial alignments and service area presented to the Sewer Committee. Refinement of the proposed serviced area was completed. Consultant is continuing to prepare the pre-design.
- OK Falls Constructed Wetland Project – Construction of sand filter area and installation of the sheet piles has been completed. Construction is ongoing and will be completed by March 2020. Full commissioning of the plant system will take two years to complete beginning in March 2020.
- OK Falls Waste Water Treatment Plant Solids Dewatering Project – Detailed design completed and tender documents are being prepared. . Purchase of Centrifuge was awarded to Contractor.

OTHER PROJECTS/PROGRAMS

- Asset Management – Continue to review and provide supporting role to Finance.
- Follow the Water K-5 Curriculum Project – work in continuing with the En'owkin Centre to prepare the new learning materials and presentations for classroom deliveries.

ACTIVITIES PLANNED FOR Q1 2020:

SOLID WASTE

- Campbell Mountain Landfill Bio-cover Pilot – Discuss and submit an application for Substituted Requirements to the BC Ministry of Environment
- Campbell Mountain Landfill Leachate – Extraction wells and pond levels will continue to be monitored. Samples will analyse the composition of the leachate.
- Campbell Mountain Landfill Spiller Road Drainage – Continue to work the City over the next year on implementing improvements to the drainage issues.
- Campbell Mountain Landfill Entrance/Exit review – Consultant will prepare detailed designs on the selected option for access/egress for traffic within the landfill for construction and scale replacement in 2020/2021. Secure Crown land tenure for road entrance at bottom scale location.
- Keremeos Landfill Closure Plan – Upon MOE approval, the final closure plan to be detailed out and prepared for construction. The schedule for the closure will depend on the plan approved by MOE.
- Oliver Landfill scale house and scale replacement – Contractor to continue construction of equipment scale house and scale.
- Keremeos Transfer Station scale house replacement – Contractor to continue construction of equipment.
- Composting siting study will look at Campbell Mountain Landfill area for a food waste and bio solids combined site.
- Implement new Princeton Landfill Agreement.
- Oliver Landfill Compost – Plan for compost operation and waiting to see if grant application was successful.

WATER

- Cross Connection Control Bylaw – complete legal review and bring bylaw to the Board for initial readings.
- Missezula Lake Water Works District. – Complete SCADA installation and start operating the water system as of Jan 1, 2020. Prepare infrastructure grant application for the ICIP stream. Start design on urgent capital items.
- Source Water Protection Plan – Work will continue on the project by the consultant.
- Willowbrook Water – Prepare long term capital plan. Chlorine contact tank tender will be completed and construction will be started. GARP assessment completion.
- Start new 5 year operations contract with the Province for Sage Mesa Water.
- Prepare schedule for infrastructure upgrades to Sage Mesa Water from Provincial Government funding.
- Start planning for Dam Master Plan and inundation mapping review.
- Continue with water well licensing.

-
- Prepare maintenance plan for Chain Lake Dam.

SEWER

- Kaleden Sewer Expansion – Consultant to finalize pre-design work. Discussion on alignments for force main will be determined. Penticton Indian Band will work on the Preliminary Field Reconnaissance component of the archaeological review for the project. Meetings with the Sewer Committee and major Stakeholders will continue.
- OK Falls Constructed Wetland Project – Contractor will continue construction work. Begin the two year commissioning process for vegetation establishment.
- OK Falls Waste Water Treatment Plant Solids Dewatering Project – General Contract for installation of centrifuge to be completed and contractor to start work. Centrifuge equipment will be ordered.
- OK Falls Lift station 3 retrofit – upgrades for the pumps and rails will be initiated
- Naramata Liquid Waste Management Plan – Initiate LWMP process for village area.
- Skaha Estates Sewer – Explore trunk main location options and costs.

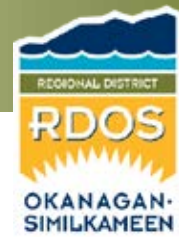
OTHER PROJECTS/PROGRAMS

- Asset Management – Continue to provide a supporting role to Finance with discussion of software needs and review of spreadsheet provided by consultant.
- Unpacking the Guidebook – Building Climate Resilience in the Okanagan was initiated and will consist of continuing education and workshops.
- Follow the Water K-5 Curriculum Project – work will continue with the En'owkin Centre to prepare the new learning materials and presentations for classroom deliveries.
- Mosquito Control Program – Develop work plan for field work for 2020 season. Equipment ordering and preparation. Retain Mosquito crew and associated helicopter bookings.
- Start update on Mosquito Control Bylaw to include Area I.
- Start update on Invasive Weeds and Pests Bylaw into Invasive Species Bylaw.
- Participate in Information Services Web site redesign.
- Review and provide comments on updated Works and Services Bylaw from Development Services
- Review and update Public Works Policies
- Prepare RFP for an engineering assessment for LNID works as part of the transition to an RDOS service

Respectfully submitted:

Neil Webb

N. Webb, General Manager of Public Works



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Community Services Committee

Thursday, January 23, 2020
10:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Community Services Committee Meeting of January 23, 2020 be adopted.

B. Q4 2019 ACTIVITY REPORT

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Community Services Committee
FROM: B. Newell, Chief Administrative Officer
DATE: January 23, 2020
RE: Fourth Quarter Activity Report – For Information Only

COMMUNITY SERVICES DEPARTMENT

Parks, Recreation, Transit, Cemeteries and Rural Projects

Activities Completed for Q4 2019

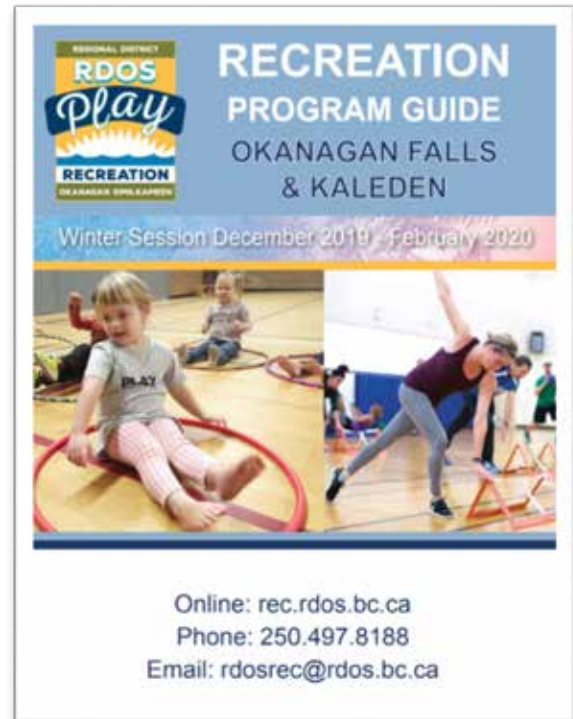
Parks, Recreation and Trails

- Capital and budget planning with Parks and Recreation Commissions.
- Engaged Tulameen and Coalmont Communities regarding Coalmont Park Development.
- Completed the Selby Park (West Bench) playground installation. (picture below)



- Manitou Park (Naramata) washroom design complete; application for building permit submitted.
- Garnet Family Park playground installation complete.
- Section 11 application for Lions Park (Okanagan Falls) pond aeration system submitted.
- Design/ RFP Award for Osoyoos Lake Park washroom.
- Installed and tested new irrigation zones at Kaboau Park in Cawston.
- Tree planting in Ok Falls, Kaleden and Naramata Parks.
- Winterized Parks irrigation systems and washrooms.
- Conducted a Naramata user survey.

- Installed gate and applied for License of Occupation for the Okanagan Falls KVR Trestle.
- Renewed License of Occupation for Okanagan Falls boat launch.
- Construction of Kaleden boat launch completed; approach grading paving planned for spring 2020.
- Construction of OK Falls boat launch started.
- Completed Fall brushing and clearing of the KVR trail.
- Submission of NFUA to ALC for Kenyon Park.
- Repaired decking of KVR Trestle at White Sands (Coalmont)
- Assisted Recreation Sites and Trails B.C. with the repairs to damaged sections of the KVR in Faulder and Tulameen.
- Renewed lease and proposed management agreement for lease of Kaleden Community Hall.
- Applied for Rural Dividend funding for Similkameen Rail Trail.
- Worked with FLNRO and BCTFA regarding trespass on abandoned rail corridor in Cawston.
- Installed updated gym pass and security system at Similkameen Recreation Center.
- Open the Ice Rink and offer associated Recreation Programs.
- Completed internal space needs assessment for Community Services and Public Works operational units.
- Development of Winter Recreation Guides. (picture to right)
- Implement PLAY OS milestones and from Community Action Teams.
- Deliver Holiday Special Events in Ok Falls and Naramata.



Transit

- Implemented the first phase of the Penticton – Kelowna Regional Transit service.
- Hosted open house to confirm interest in an introductory transit service into West Bench.
- Presented transit service expansion Memorandum of Understanding and the Annual Performance Summary to Board.
- Signed commercial vendor agreement in Okanagan Falls for sale of bus passes in the community.
- Distributed fare products for 2020.
- Undertook analysis of existing services to improve transit efficiency.
- Finalized the 2019 Transit marketing plan.
- Conducted online transit survey for Electoral Area "I."

Rural Projects

- Complete hydraulic assessment for Alison Creek trail sediment removal.

Planned Activities for Q1 2020

Parks, Recreation and Trails

- Supprt the 2020 Parks and Recreation Commission Innagural meeteetings.
- Coalmont Park development community meeting .
- Initiate tendering process for Manitou Park washrooms.
- RFP for Naramata Park maintenance.
- Continue with design/consultation for expansion of Wharf Park in Naramata.
- Prepare/submit building permit applications for gazebo and washrooms at Garnet Family Park (pending receipt of designs).
- Begin construction of Osoyoos Lake Park washroom.
- Complete work on Okanagan Falls and Kaleden boat launch projects. (picture below)



- Tree pruning contract for Kobau, Area A, West Bench, OK Falls and Naramata Parks.
- Finalize managment agreement and assume operations of the Kaleden Community Hall.
- Explore space and facility options for RDOS operations staff (Water, Parks, Facilities).
- Physical Literacy for Communities (PL4C): comple project progress report and determine next steps for the Committee.
- Physical Literacy for Communities (PL4C): Hosting a Physical Literacy Event in March at Okanagan College.
- Review PAT Business Plan and begin Summer scheduling for communities.
- Start parks and recreation volunteer data tracking.

- Initiate Recreation Program Assessments across all of Recreation.
- First steps in initiating a standard Program guide for the Region.
- Finalize a standard Recreation reporting template for Parks and Recreation Commissions.
- Launch Choose To Move and ActivAge Program (via BCRPA) Okanagan Falls and Keremeos.
- Submit Community Child Care Planning Grant.
- Secure License of Occupation for KVR from Road 21 – Road 18, & River Channel Road 22 to McAlpine Bridge.
- Apply for Active Transportation Infrastructure Grant.

Transit

- Work with the Transit working group and BC Transit to finalize the 2020 expansion of the Penticton-Kelowna Regional transit service.
- Work with aBC Transit for implementation planning process for West Bench Transit service.
- Develop service change plan to improve existing transit services.
- Update on-site transit materials (schedules and maps) at existing bus stops.
- Analyze options of online platforms for transit pass sales.
- Support BC Transit's public engagement process for the Transit Future Plan refresh.
- Host an open house in West Bench for further engagement on route set to be implemented Q3 2020.
- Discuss the implementation of ride-hailing services within British Columbia at Board level.

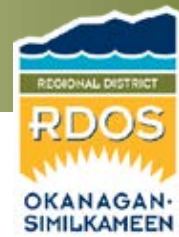
Rural Projects

- Submit Section 11 for Alison Creek sediment removal.
- Begin RDOS building assessments in Naramata.

Respectfully submitted:

Mark Woods

M. Woods, General Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, January 23, 2020
10:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Protective Services Committee Meeting of January 23, 2020 be adopted.

B. Q4 2019 ACTIVITY REPORT

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Protective Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Q4 Activity Report – For Information Only

Emergency Management, Policing, E-911, FireSmart

Activities Completed in Q4 2019:

- Hosted 3 Emergency Management training seminars for RDOS and municipal partners and 2 community emergency preparedness events.
- Conducted various Emergency Operations Centre (EOC) tours.
- Commenced with the flood response and mapping projects for the Similkameen River, Park Rill, Horn and Kerns Creeks through the Community Emergency Preparedness Fund (CEPF).
- Applied for the UBCM CEPF Indigenous Cultural Safety and Cultural Humility Grant Application with various communities and First Nations.
- Continued work on FireSmart activities under UBCM's Community Resiliency Investment (CRI) program. Community FireSmart Assessments completed for Areas D (Heritage Hills) and E (Arawana/Smethurst). Updates to the RDOS Community Wildfire Protection Plan (CWPP) are underway.
- Conducted seven volunteer appreciation events for Emergency Support Services (ESS) groups throughout the Region. (Summerland team pictured to the right).



- Submitted a grant application to UBCM for activities under the 2020 CRI program.
- Participated in a “mock” emergency evacuation exercise in Naramata.
- Conducted Emergency Evacuation Application Training with SAR and RCMP.
- Continued work on the Regional Emergency Program Bylaw amendments.
- Continued updating the RDOS Emergency Response Plan.
- Continued updating Emergency Support Services (ESS) procedures for ESS volunteers.
- Completed the 2019 Regional Emergency Preparedness training schedule.
- Began work on the Evacuation Route Planning project for the Region through UBCM grant.

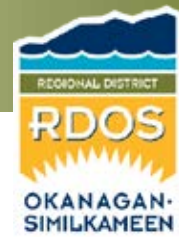
Planned Activities for Q1 2020:

- Conduct Q1 EOC and ESS training for communities and volunteer groups throughout the region.
- Continued work on the flood response and mapping projects through CEPF grant
- Continued work on the Evacuation Route Planning project.
- Continued recruitment for Emergency Support Services volunteers.
- Commence strategic planning for Kaleden E911 Radio Tower project.
- Finalize the 2020 Regional Emergency Preparedness training schedule.
- Continue to update Kelowna Fire Dispatch Operational Guidelines and procedures.
- Re-establish Emergency Communications Committee with Fire Departments.
- Implement the Regional Emergency Preparedness working committee.
- Continue work on FireSmart activities under UBCM’s CRI program through the Interagency Cooperation Initiative and CWPP update process.
- Continue to hold regional emergency management committee meetings.
- Finalize and report on the 2019 Regional Emergency Support Services Grant.
- Develop volunteer recruitment portfolio for Emergency Support Services volunteers.
- Develop Reception Centre, Group Lodging, and ESS equipment for each ESS team within the RDOS including First Nations (4).

Respectfully submitted:

Mark Woods

M. Woods, General Manager of Community Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, January 23, 2020
10:30 am

REGULAR AGENDA

-
- A. **APPROVAL OF AGENDA**
RECOMMENDATION 1
THAT the Agenda for the Corporate Services Meeting of January 23, 2020 be adopted.
-
- B. **Q4 ACTIVITY REPORT – For Information Only**
-
- C. **Q4 CORPORATE ACTION PLAN - For Information Only**
-
- D. **CAO PERFORMANCE EVALUATION**
-
- E. **PROCEDURE AND PROTOCOL – For Discussion**
1. Order of Meetings
-
- F. **2019 PERCEPTION SURVEY RESULTS – For Information Only**
-
- G. **ADJOURNMENT**

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Q4 2019 Activity Report

LEGISLATIVE SERVICES

2019 Q4 Completed Activities

- Continued to look for dates for Fall C2C
- Worked with Chute Lake Dam proponents
- Supported Citizen Review Committee for board remuneration
- Strategic Planning
- Completed Public Engagement Guidebook
- Amend West Bench Transit bylaw
- Willowbrook Fire Truck Loan Authorization process
- Reviewed Untidy/Unsightly Establishment and Regulatory bylaws
- Created New Area "I" Economic Development service
- Completed transfer process for Missezula Lake Water System
- Administered year three tranche for applications to the South Okanagan Conservation Fund

2020 Q1 Planned Activities

- Review Parks Establishment and Regulatory bylaws
 - Present municipal entry into the planning service options
 - Commence borrowing process for Oliver Parks and Recreation Society upgrades
 - Introduce public engagement philosophy to the Board
 - Present the Phase 2 Business Continuity Plan to the Board
 - Secure UBCM funding for 2020 C2C
 - Create service area for Chute Lake Dam
 - Review Shinnish Creek Diversion/Chain Lake Service
-

2.0 INFORMATION SERVICES DEPARTMENT

2019 Q4 – Completed Activities

- Import parcel map BC data from Land Titles Office into RDOS GIS
- Create new GIS transit map showing location of busses during different times of the day
- Update GIS core software so in the future can take advantage of new GIS functionality
- Added Missizula Lake Water System information into GIS
- Start process of moving data from current development tracking software to new software
- Organize strategic planning workshops for administration and the Board
- Meet with staff in Oliver, Osoyoos, Keremeos and Princeton to discuss current and possible GIS services
- Final capture of drone data in 2019 for landfills, create maps and 3D analysis
- Implement security measures such as set up new domain controllers and install hardware/software patches and updates
- Work on new interface for RDOS public website.
- Purchase new physical server to host virtual servers.
- Purchase new network switch
- Make improvements to internal grant/agreement tracking application

2020 Q1 – Planned Activities

- Electronic Document Management System (EDMS)
 - Implementing automatic declaration of records
 - Move cemetery web mapping app to new platform
 - Update datasets for EOC dashboard can display flood inundation and has more owner information
 - Update parcel dataset on GIS apps so information is sourced from LTO (Land Titles Office)
 - Decommission and remove old backup machine
 - Move RDOS backup file storage to SD67
 - Complete a RFP for an external consultant to complete an IT Assessment on the RDOS (determine what we are doing well and what we can improve)
 - Perform updates (Windows and GIS) on EOC mobile server and thin clients
 - Set up new server and database for on updated version of our Finance applications and support the migration of data from the old to the new system
 - Create an incident response/disaster recovery plan for cyber threats
 - Continue work moving data from current development tracking software to new software
 - Launch RDOS public website with updated, more user friendly interface
 - Purchase new network switch and physical server to host virtual servers.
 - Set up new switch and servers
 - Hire new IS Manager
-

FINANCE DEPARTMENT

2019 Q4 Completed Activities

- Held 3 Budget workshops for SMT and Board
- Prepare 2020 budget bylaw for 1st reading at Board
- Board adopted 2020 Permissive Tax Exemptions to BC Assessment
- Accountant hired
- Asset Management Report presented to Board
- Board Compensation Committee report presented to Board
- CEP Fire Departments Grant application submitted to UBCM
- Filed \$160,512 of 2018/2019 EOC claims

2020 Q1 Planned Activities

- Video budget presentations developed for Electoral Areas
- Budget consultation presentations delivered as requested
- Transfer to Taxes of Unpaid Utility Accounts (as at Dec 31/19)
- Board adoption of 2020 Five Year Plan for RDOS and OSRHD
- Prepare 2019 Audit Workpapers
- Implement EFT for receipts from vendors
- Document budget salary allocation process
- Continue to file EOC claims for 18/19.
- Parcel Taxes 1st Submission due Feb 28th (this includes SIR Parcel Taxes Submission as well)

4.0 HUMAN RESOURCES DEPARTMENT

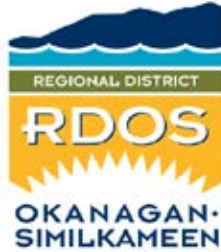
2019 Q4 Completed Activities

- Compensation survey for exempt and union staff
- Continued to create and update Safe Work Procedures
- Commenced Collective Bargaining
- 2020 budget preparations
- 2019 Staff Perception Survey completed
- Initiated the 2019 Performance Management System
- Coordinated 360^o evaluations for all supervisory/management roles

2020 Q1 Planned Activities

- Conclude collective bargaining
- Lead the Wellness Committee and assist with wellness initiatives to address organizational health

- Utilize the staff perception results to formulate a strategy for the High Performing Innovations Committee to focus on in 2020
- Complete and roll out the ergonomics program (as required per WorkSafeBC regulations)
- Recruit IS Manager and seasonal staff
- Coordinate the performance planning and review for all staff and CAO
- Attend training to bring exempt job evaluations in house and review union roles as part of the job evaluation maintenance program.



2019 Corporate Action Plan

Q4 Report

2019 Corporate Action Plan

(Adopted 21 March 2019)

Dashboard

#	Objective	Status	Page
1.1.1	By achieving a high standard of financial management and reporting		1
1.1.2	By being an effective local government		1
1.2.1	By implementing the 2019 joint occupational health and safety action plan		1
1.3.1	By implementing an Organizational Development Program		2
2.1.1	By promoting regional district facilities and services		2
2.1.2	By engaging our citizens in the development and improvement of our programs		2
2.2.1	By continuously improving bylaws, policies and process within the organization		3
2.2.2	By implementing the regional transit future plan		3
2.3.1	By working with IHA to attract physicians to the Regional District		3
3.1.1	By reviewing and updating the emergency management program		4
3.1.2	By implementing the Regional Trails Program		4
3.1.3	By implementing the 2019 phase of the parks program		4
3.1.4	By providing public recreational opportunities		5
3.2.1	By developing an Asset Management Plan		5
3.2.2	By Reviewing Long-Range Planning Documents		5
3.3.1	By implementing the 2019 Phase of the Solid Waste Management Plan		6
3.3.2	By enhancing the Okanagan Falls Waste Water Treatment System		6
3.3.3	By enhancing Regional District Water System Delivery		6
4.1.1	By executing the Strategic Planning and Enterprise Risk Management Programs		7
4.2.1	By assisting the Board to operate in an effective manner		7
4.2.2	By improving Regional District/ Municipal Relations		7

Dashboard

Progress Colour Key:

No Issues	GREEN
Minor issue(s)	YELLOW
Significant issue(s)	RED

For the full detail on each corporate objective refer to the appropriate # or page # in the document attached hereto.

Action Plan Definitions:

CAO	= Chief Administrative Officer
GMCS	= General Manager of Community Services
GMDS	= General Manager of Development Services
GMPW	= General Manager of Public Works
MFS	= Manager of Financial Services
MHR	= Manager of Human Resources
MIS	= Manager of Information Systems
MLS	= Manager of Legislative Services

Status Colour Key:

Q1 – Black
Q2 – Red
Q3 - Blue
Q4 - Green

2019 Corporate Action Plan

Key Success Driver 1.0: High Performing Organization

Goal 1.1 To Be an Effective, Fiscally Responsible Organization

Objective 1.1.1 - By achieving a high standard of financial management and reporting

#	ACTION	WHO	WHEN	STATUS
1.1.1.1	Receipt of an unqualified independent audit for 2018	MFS	Q2	Complete
1.1.1.2	Adoption of an informed 2019 – 2023 Financial Plan	MFS	Q1	Complete
1.1.1.3	Successfully meeting budget in 95% of established services	SMT	Q4	Complete
1.1.1.4	Defining enhanced financial controls; including, <ul style="list-style-type: none"> · Audit Policy · Reserves Audit and Plan 	MFS	Q4	Complete
1.1.1.5	Define performance indicators in every Dept. and report in MD&A	MFS	Q3	Complete
1.1.1.6	Review the Board Remuneration Bylaw and initiate discussion on CRA Changes	MLS	Q4	Complete

Objective 1.1.2 - By being an effective local government

#	ACTION	WHO	WHEN	STATUS
1.1.2.1	Complete phase 2 (Water Facilities) of the Business Continuity Plan	MLS	Q3	Complete
1.1.2.2	Complete Phase 3 (Other RDOS Facilities) of the business Continuity Plan	MLS	Q4	2020
1.1.2.3	Develop and implement a workspace plan for RDOS facilities	GMCS	Q4	In Progress

Goal 1.2 To Be a Healthy and Safe Organization

Objective 1.2.1 By implementing the 2019 joint occupational health and safety action plan

#	ACTION	WHO	WHEN	STATUS
1.2.1.1	Complete the 2019 phase of the Safe Work Procedures Plan	MHR	Q4	Carry Forward
1.2.1.2	Keep the RDOS injury rate below the average for our WorkSafe BC classification unit	MHR	Q3	Complete

Goal 1.3 To Cultivate a High Performing Organizational Culture				
Objective 1.3.1 By implementing an Organizational Development Program				
#	ACTION	WHO	WHEN	STATUS
1.3.1.1	Develop and support an employee organizational development committee	CAO	Q1	Referred to 2020
1.3.1.2	Create a 2019 organizational development action plan	MHR	Q2	Implemented Org. Structure
1.3.1.3	Conduct a Staff Perception Survey	MHR	Q4	Complete
1.3.1.4	Show improved results on the 2019 Staff Perception Survey over 2018 Survey	MHR	Q4	Complete
1.3.1.5	Establish a mandate and commence negotiations for a revised collective agreement	CAO	Q4	Complete

Key Success Driver 2.0: To Optimize the Customer Experience

Goal 2.1 To Provide a High Level of Customer Service				
Objective 2.1.1 By promoting regional district facilities and services				
#	ACTION	WHO	WHEN	STATUS
2.1.1.1	Participate in Local Government Awareness Week	MLS	Q2	Complete
2.1.1.2	Develop a marketing program to promote understanding of RDOS Facilities and Services	MLS	Q3	Complete
2.1.1.3	Host an open house in each Electoral Area	MLS	Q4	Complete

Objective: 2.1.2 By engaging our citizens in the development and improvement of our programs				
#	ACTION	WHO	WHEN	STATUS
2.1.2.1	Utilization of social media tools to enhance organizational engagement	MLS	Q3	Complete
2.1.2.2	Conduct 5 service-related quality assurance surveys	MLS	Q4	Complete

Goal 2.2 To Meet Public Needs Through the Continuous Improvement of Key Services				
Objective 2.2.1 By improving bylaws, policy and process within the organization				
#	ACTION	WHO	WHEN	STATUS
2.2.1.1	Review 8 Services to ensure compliance with requisition limits and geographic boundaries entrenched in Establishment Bylaws	MLS/ MFS	Q4	In Progress Complete
2.2.1.2	Ensure policies are current and reflect the priorities of the 2018 – 2022 Board of Directors	MLS	Q4	Complete
2.2.1.3	Amend the CAO Delegation Bylaw to reflect the direct oversight of Fire Departments by the Board of Directors	CAO	Q2	Complete
2.2.1.4	Purchase Internal Tracking Software for tracking of Building permits as well as other Development Services process applications	GMDS	Q3	Complete
2.2.1.5	Adopt an updated Works and Servicing Bylaw	GMDS	Q3	Carry Forward
2.2.1.6	Adoption of Okanagan Valley Consolidated Zoning Bylaw	GMDS	Q4	Carry Forward
2.2.1.7	Bring 8 Regulatory Bylaws forward to the Board for discussion and updating including, but not limited to: Parks; Untidy/Unsanitary; Fireworks; Burning; Heritage; animal control	MLS	Q3	
2.2.1.8	Investigate a Service Establishment Bylaw to capture parking enforcement in unincorporated communities	GMDS/ MLS	Q3	Complete
2.2.1.9	Process Loan Authorization bylaws including, but not limited to: Oliver Arena and Willowbrook Fire Truck	MLS	Q4	Grant dependent

Objective 2.2.2 By implementing the 2019 phase of the regional transit future plan				
#	ACTION	WHO	WHEN	STATUS
2.2.2.1	Implement the Penticton – Kelowna Service	GMCS	Q3	Complete
2.2.2.2	Review and revise the West Bench Service	MLS	Q4	Complete

Goal 2.3: To Provide Adequate Access to Health Care				
Objective 2.3.1 By Working with IHA to Attract Physicians to the Regional District				
#	ACTION	WHO	WHEN	STATUS
2.3.1.1	Organize a workshop to gather information on a preferred standard of health care; including IHA, Physicians Assoc.	CAO	Q2	Complete
2.3.1.2	Determine the RDOS role in physician attraction for the 2020 Budget, including service establishment and financial support	CAO	Q4	Complete

Key Success Driver 3.0: To Build a Sustainable Region

KSD 3: BUILDING A SUSTAINABLE REGION

Goal 3.1 To Develop a Socially Sustainable Region

Objective 3.1.1 By reviewing and updating the emergency management program

#	ACTION	WHO	WHEN	STATUS
3.1.1.1	Review and update the emergency program bylaw	GMCS	Q3	Carry Forward
3.1.1.2	Review and update the emergency response plan	GMCS	Q3	Carry Forward
3.1.1.3	Develop an emergency response plan exercise program and implement the 2019 phase	GMCS	Q2	Complete
3.1.1.4	Plan and organize the 2019 emergency response and recovery	GMCS	Q2	Complete
3.1.1.5	Prepare an approach to the Minister of Public Safety regarding Emergency/Disaster Mitigation Future Plan	CAO	Q1	Complete
3.1.1.6	Investigate development of a “Flood Management Service”	GMCS	Q2	Suspended by the Board
3.1.1.7	Update the Community Wildfire Protection Plan	GMCS	Q3	In progress

Objective 3.1.2: By implementing the regional trails program

#	ACTION	WHO	WHEN	STATUS
3.1.2.1	Establish a Regional Trail network connection at Hedley	GMCS	Q2	Cancelled
3.1.2.2	Install trail head signage at 4 locations throughout the Regional District	GMCS	Q3	Complete
3.1.2.3	Develop a regional parks and trails maintenance standards policy	GMCS	Q4	In progress Carry Forward
3.1.2.4	Review the Regional Trails Master Plan with the Board	GMCS	Q3	Carry Forward

Objective 3.1.3: By implementing the 2019 Phase of the Parks Program

#	ACTION	WHO	WHEN	STATUS
3.1.3.1	Implement the 2019 phase of the Heritage Hills Park development plan	GMCS	Q4	Complete
3.1.3.2	Implement the 2019 phase of the Pioneer Park redevelopment plan	GMCS	Q2	Complete
3.1.3.3	Construct public boat launches in Okanagan Falls and Kaleden	GMCS	Q4	In progress/ Complete

3.1.3.4	Prepare a park development plan for the Coalmont Park	GMCS	Q2	Complete
3.1.3.5	Construct a public restroom at Osoyoos lake Park	GMCS	Q3	In Progress/ Complete
3.1.3.6	Construct the Mariposa Park Sports Court and Selby Park Playground	GMCS	Q2	Selby Complete Mariposa – No Grant
3.1.3.7	Implement the 2019 phase of the Manitou Park development plan	GMCS	Q4	Grant Dependent

Objective 3.1.4: By providing public recreational opportunities				
#	ACTION	WHO	WHEN	STATUS
3.1.4.1	Carry out the Physical Literacy for Communities initiative (PL4C) project throughout the Region	GMCS	Q3	Complete
3.1.4.2	Redevelopment of the Similkameen Swimming Pool	GMCS	Q3	Grant dependent

Goal 3.2 To Develop an Economically Sustainable Region				
Objective: 3.2.1: By Developing an Asset Management Plan				
#	ACTION	WHO	WHEN	STATUS
3.2.1.1	Implement Phase 3 of the Asset Management Plan	MFS	Q4	Complete

Objective: 3.2.2: By Reviewing Long-Range Planning Documents to keep Current with Best Practice				
#	ACTION	WHO	WHEN	STATUS
3.2.2.1	Review the allowance of Carriage Homes and Accessory Dwellings in Residential Zones	GMDS	Q1	complete
3.2.2.2	Update the Geotechnical Hazard area study for the Greater West Bench community	GMDS	Q3	Carry Forward
3.2.2.3	Commence the Electoral Area “A” Official Community Plan review process	GMDS	Q4	Complete

Goal 3.3: To Develop an Environmentally Sustainable Region

Objective: 3.3.1: By implementing the 2019 Phase of the Solid Waste Management Plan

#	ACTION	WHO	WHEN	STATUS
3.3.1.1	Present a Solid Waste Orientation to the Board	GMPW	Q2	Complete
3.3.1.2	Acquire a regional organics facility site	GMPW	Q4	Carry Forward
3.3.1.3	Work with the City of Penticton to relocate the Penticton Compost Facility at CMLF	GMPW	Q4	Carry Forward
3.3.1.4	Complete the leachate treatment design and construction plan for CMLF Extraction wells Treatment Design	GMPW	Q4 Q3 Q4	Complete
3.3.1.5	Proceed with approved landfill gas management system design	GMPW	Q3	MoE
3.3.1.6	Complete the closure works for the Keremeos landfill Response from MoE	GMPW	Q3 Q4	MoE
3.3.1.7	Commence planning for an expanded entrance to the Campbell Mountain Landfill	GMPW	Q3	Complete
3.3.1.8	Construct the Apex transfer station Completion	GMPW	Q3 Q4	Complete

Objective 3.3.2 By enhancing the Okanagan Falls Waste Water Treatment System

#	ACTION	WHO	WHEN	STATUS
3.3.2.1	Complete design on the Wetland Project Construction	GMPW	Q4	Complete 2020
3.3.2.2	Repurpose the Building Canada II sewer project	GMPW	Q3	Complete
3.3.2.3	Complete design of a new solids dewatering works at the WWTP	GMPW	Q2 Q3	In progress Complete

Objective: 3.3.3: By enhancing the Regional District Water System Delivery

#	ACTION	WHO	WHEN	STATUS
3.3.3.1	Finalize the Cross-Connection Control Bylaw and the financial plan Present to Board	GMPW	Q3 2020	Legal Review Carry Forward
3.3.3.2	Develop a Water System Acquisition Policy and Procedure	GMPW	Q2	Complete
3.3.3.3	Review and adopt the regional Water Regulatory Bylaw	GMPW	Q2	Complete
3.3.3.4	Develop a Filtration Deferral and Source Water Protection Plan for the Naramata Water System	GMPW	2019/ 2020	Carry Forward

Key Success Driver 4.0: Provide Governance and Oversight in a Representative Democracy

Goal 4.1 To Execute a Well-Defined Strategic Planning Cycle				
Objective: 4.1.1: By executing the Strategic Planning and Enterprise Risk Management Programs.				
#	ACTION	WHO	WHEN	STATUS
4.1.1.1	Develop a 2019 – 2022 Strategic Plan	CAO	Q1	Complete
4.1.1.2	By conducting a Values Workshop for the 2018 – 2022 Board of Directors	CAO	Q3	Carry Forward
4.1.1.3	Adoption of the 2019 Corporate Business Plan	CAO	Q1	Complete
4.1.1.4	Update the Enterprise Risk Management Register and present to 2018-2022 Board of Directors	MIS	Q2	Complete
4.1.1.5	Initiate the 2020 Corporate Business Plan Cycle	MIS	Q3	Complete

Goal 4.2 To Promote Board and Chair Effectiveness				
Objective: 4.2.1: By assisting the Board to operate in an effective manner				
#	ACTION	WHO	WHEN	
4.2.1.1	Plan and implement a Board orientation program for the 2018 – 2022 Board-elect	MLS	Q4 2018 Q2 2019	Complete Berry Wkshp
4.2.1.2	Develop and present an accountability framework to the Board to assist with oversight responsibilities	CAO	Q3	Complete
4.2.1.3	Develop a report on Board evaluation as part of the Governance discussions for the Board	CAO	Q3	Complete
4.2.1.4	Review the Legislative Structure	CAO	Q3	Complete
4.2.1.5	Present governance sessions for Area Planning, Recreation and Water Commissions	MLS	Q2	Complete

Objective: 4.2.2: By Improving Regional District/ Municipal Relations				
#	ACTION	WHO	WHEN	
4.2.2.1	Identify relationship success factors	CAO	Q3	Suspended
4.2.2.2	Organize a workshop with member municipalities to discuss relationship-building	CAO	Q3	Chair/Council Mtgs.
4.2.2.3	Re-establish the CAO Group Working Committee	CAO	Q3	Complete

TO: Corporate Services
FROM: Karla Kozakevich, Chair
DATE: 23 January 2020
RE: Chief Administrative Officer Performance Appraisal – 2019

Section 6.01 of the CAO Employment Agreement provides that the employee shall receive an annual performance evaluation completed by the Board Chair. While the anniversary of the employee is August 1, 2008, the Regional District operates on a calendar year and all management performance plans are done annually on the calendar year. The CAO's review date was changed to December 31st to match our planning cycle.

The Chair has commenced the appraisal process and has determined that the complete Board of Directors should be involved in the evaluation.

- 1) The components the CAO Review have been previously determined, with the intent to use the same survey tool as the 2015 evaluation. The evaluation will include:
 - a. Position competencies/qualities established by the Board in 2015.
 - b. Intangible qualities (Attitude, behaviour, values, characteristics)
 - c. Board of Directors perspective
 - d. Staff perspective
 - e. CAO Self-Assessment
- 2) Process
 - a. The Board Evaluation Survey will be distributed electronically for completion by members.
 - b. Direct Reports (SMT) will complete a 360° type of non-attributable survey
 - c. A consolidated evaluation report will be presented to the CAO by the Chair/Vice Chair.
 - d. A presentation of the results of both surveys will be provided to gather comments from the Board.
- 3) The Manager of Human Resources has been assigned to provide administrative support for the distribution and analysis of the board and direct report surveys and to assist the Chair with the presentation of results.
- 4) The CAO will prepare an administrative evaluation of performance against the 2019 Business Plan and bring this to Corporate Services for discussion the 2nd meeting in January. The 2020 Corporate Objectives will be presented once the consultation process is complete.

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Protocol/Procedure Discussion

Purpose:

1. To open a discussion for the operation of Board procedure and protocol.
2. Classification of information
- 3.

Reference:

20200109 – That Administration investigate the feasibility and impact of changing the order of the board/committee meeting structure.

Background:

The Regional District of Okanagan Similkameen meets the 1st and 3rd Thursday of each month. The Board of Directors has established a legislative structure, forming 5 Select Committees in addition to the Board of Directors meeting. Committees are advisory, each has a terms of reference and each contains all 19 members of the Board. They are, in effect, committees of the whole, but each with a specific mandate. Past practice has been to schedule Committees in the morning, followed by the Board of Directors and the Hospital District Board of Directors meetings.

S. 225 (1) of the Local Government Act provides that a board must, by bylaw, do the following:

- (a) establish the general procedures to be followed by the board and by board committees in conducting their business, including the manner by which resolutions may be passed and bylaws adopted;
- (b) provide for advance public notice respecting the date, time and place of board and board committee meetings and establish the procedures for giving that notice;

Consequently, the Board has adopted Bylaw 2620/13, being a bylaw of the Regional District of Okanagan Similkameen to regulate the meetings of the Board and the conduct thereof. S. 1.1 of the bylaw provides that the provisions of the bylaw shall govern not only the board of directors, but all standing, select and other committees of the Board.

A policy setting out the terms of reference for select committees was adopted by Board Resolution No. B281/09 dated May 21, 2009, but nowhere has the board set out how the order of meetings is to be organized, although the preparation of agendas is left to the Executive during agenda review.

Alternatives:

1. Committee Meetings Following the Board Meeting
 - a. Members not interested in committee attendance can leave at the end of the Board Meeting.

[https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2020/20200123/Corporate Services/E. Meeting Protocol.DocxFile](https://Portal.Rdos.Bc.Ca/Departments/Officeofthecao/Boardreports/2020/20200123/Corporate%20Services/E.%20Meeting%20Protocol.DocxFile)

No: [Click here to enter text.](#)

- b. Board meetings in the morning may allow the members to deal with more important issues while fresh rather than at the end of a long day when decisions may be rushed.
- 2. Committee Meetings in the Morning
 - a. If time is a factor, complex issues may be introduced or elaborated on at committee and sent on to the board meeting that afternoon.
 - b. Travel time from the far reaches of the regional district may cause some members to be late to committee meetings in inclement weather, but still attend the board meeting.
 - c. Some members may have recurring morning conflicts that don't always allow them to attend at 101 Martin St. by 9:00 a.m.
 - d. Committee meeting times are flexible where the board meeting schedule must be locked down and advertised in advance. This sometimes help set a structure to allow meeting days to end at an appropriate time.

Analysis:

There is no regulation on how the board chooses to organize meetings. This is totally discretionary and may boil down to individual preference.

BOARD OF DIRECTORS MEETING

Thursday, January 23, 2020

12:15 pm

BOARD MEETING AGENDA

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of January 23, 2020 be adopted.

B. MINUTES

1. OSRHD Board Meeting – December 19, 2019

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Minutes of the December 19, 2019 Okanagan-Similkameen Regional Hospital District Board meeting be adopted.

C. INTERIOR HEALTH AUTHORITY – CARL MEADOWS, EXECUTIVE DIRECTOR CLINICAL OPERATIONS AND DAN GOUGHNOUR, DIRECTOR BUSINESS SUPPORT

1. Letter

D. DIVISION OF FAMILY PRACTICE – DR. TIM PHILLIPS, CO-CHAIR/PHYSICIAN LEAD AND TRACY ST. CLAIRE, CEO SOS DIVISION OF FAMILY PRACTICE

1. Primary Care Clinics

E. ADJOURNMENT

OKANAGAN – SIMILKAMEEN

R E G I O N A L H O S P I T A L D I S T R I C T

BOARD of DIRECTORS MEETING

Thursday, December 19, 2019

3:43 pm

BOARD MEETING AGENDA

Minutes of the Board Meeting of the Okanagan-Similkameen Regional Hospital Board (OSRHD) of Directors held at 3:43 pm on Thursday, December 19, 2019, in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair P. Veintimilla, Town of Oliver
Vice Chair T. Boot, District of Summerland
Director M. Bauer, Village of Keremeos
Director J. Bloomfield, City of Penticton
Director J. Kimberley, City of Penticton
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director S. Coyne, Town of Princeton
Director R. Gettens, Electoral Area "F"
Director D. Holmes, District of Summerland

Director R. Knodel, Electoral Area "C"
Director K. Kozakevich, Electoral Area "E"
Director S. McKortoff, Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director M. Pendergraft, Electoral Area "A"
Director R. Obirek, Electoral Area "D"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton

STAFF PRESENT:

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

A. ADOPTION OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Agenda for the Okanagan-Similkameen Regional Hospital District Board meeting of December 19, 2019 be adopted.

B. MINUTES

1. OSRHD Board Meeting – September 19, 2019
RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)
It was MOVED and SECONDED
THAT the Minutes of the September 19, 2019 Okanagan-Similkameen Regional Hospital District Board meeting be adopted. - **CARRIED**

 2. OSRHD Board Meeting – November 7, 2019
RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)
It was MOVED and SECONDED
THAT the Minutes of the November 7, 2019 Okanagan-Similkameen Regional Hospital District Board meeting be adopted. - **CARRIED**
-

C. PENTICTON MEDICAL SOCIETY – Dr. Michelle Scheepers and Dr. Tim Phillips

1. Presentation

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional Hospital District Board approve a \$5,000 contribution to the Penticton Medical Association for the 2020 hospital budget and that staff provide funding options for future years. – **CARRIED**

D. ADJOURNMENT

By consensus, the meeting adjourned at 4:07 pm.

APPROVED:

CERTIFIED CORRECT:

P. Veintimilla
OSRHD Board Chair

B. Newell
Corporate Officer

Interior Health Capital Update 2020/21 Funding Request

Presentation to Okanagan Similkameen Regional Hospital District

Carl Meadows – Executive Director, South Okanagan

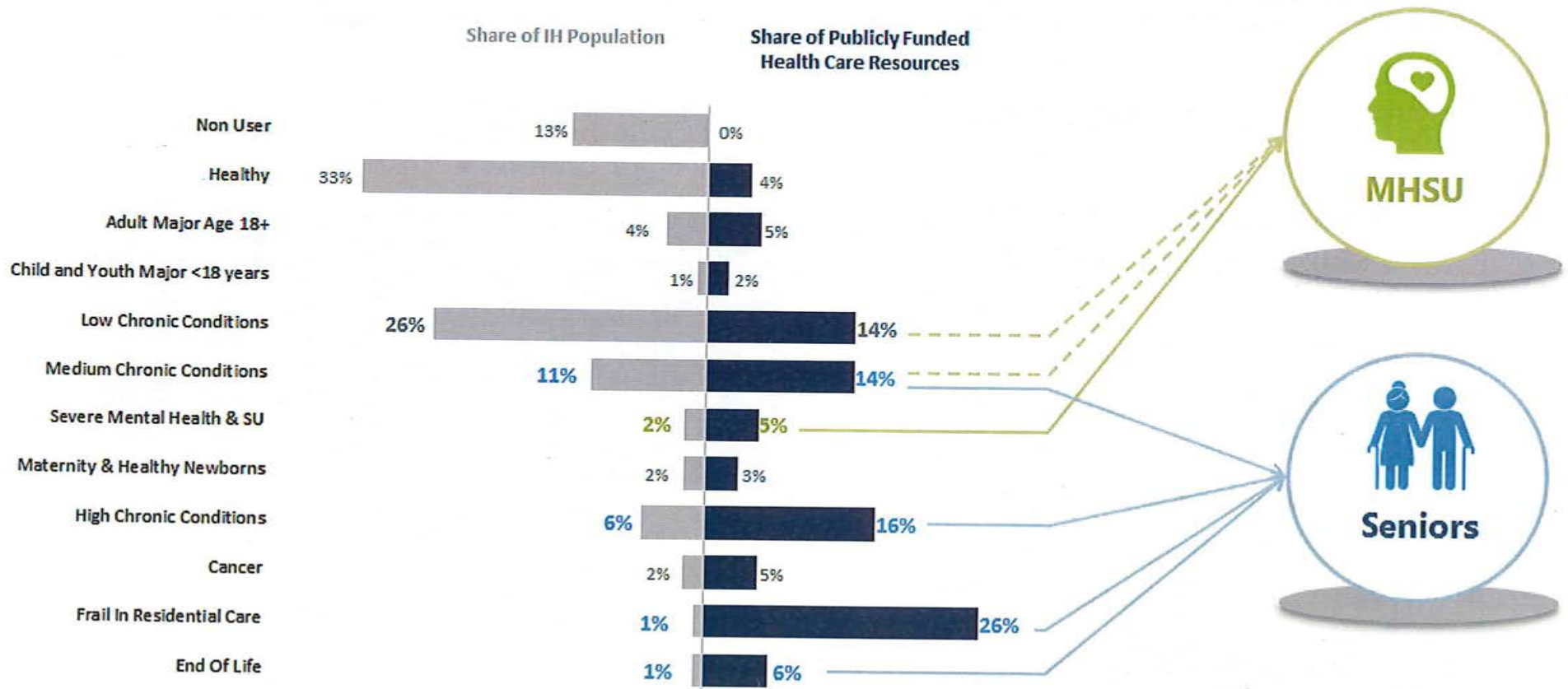
Dan Goughnour – Director, Business Support

January 23, 2020



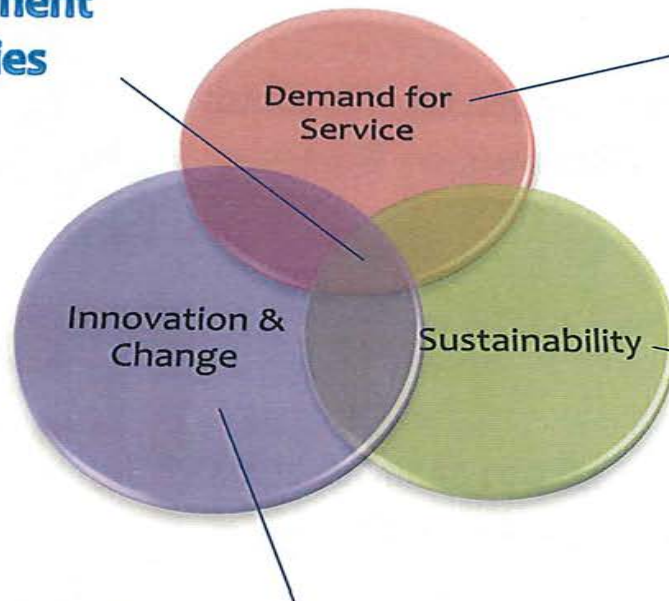
Interior Health
Every person matters

System Pressures



Key Drivers for Capital Investment

Capital Investment Priorities



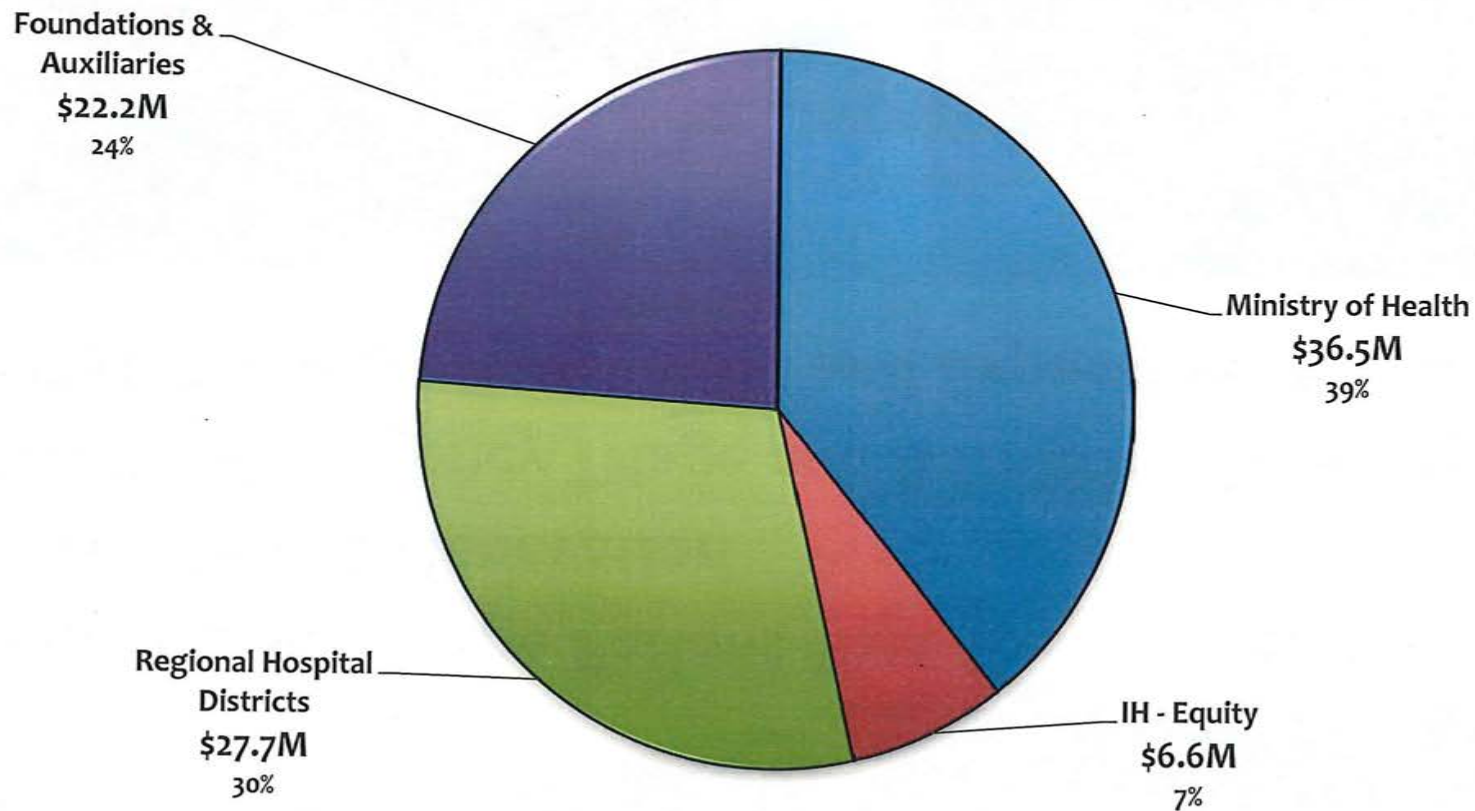
- Bed Projections
- Surgical Services Capacity
- Emergency and Trauma Services
- Intensive Care Services

- Technology and Equipment
- Facility Condition Index
- Operational Efficiency

- Evidence Based Practices and Building Standards
 - e.g. Wood-first; CSA
- Ministry of Health Direction
 - e.g. Primary Care Transformation
- Transportation: Patients and Information

Where Capital Funding Comes From

2020/21 Capital Budget (In millions) = \$93.1M

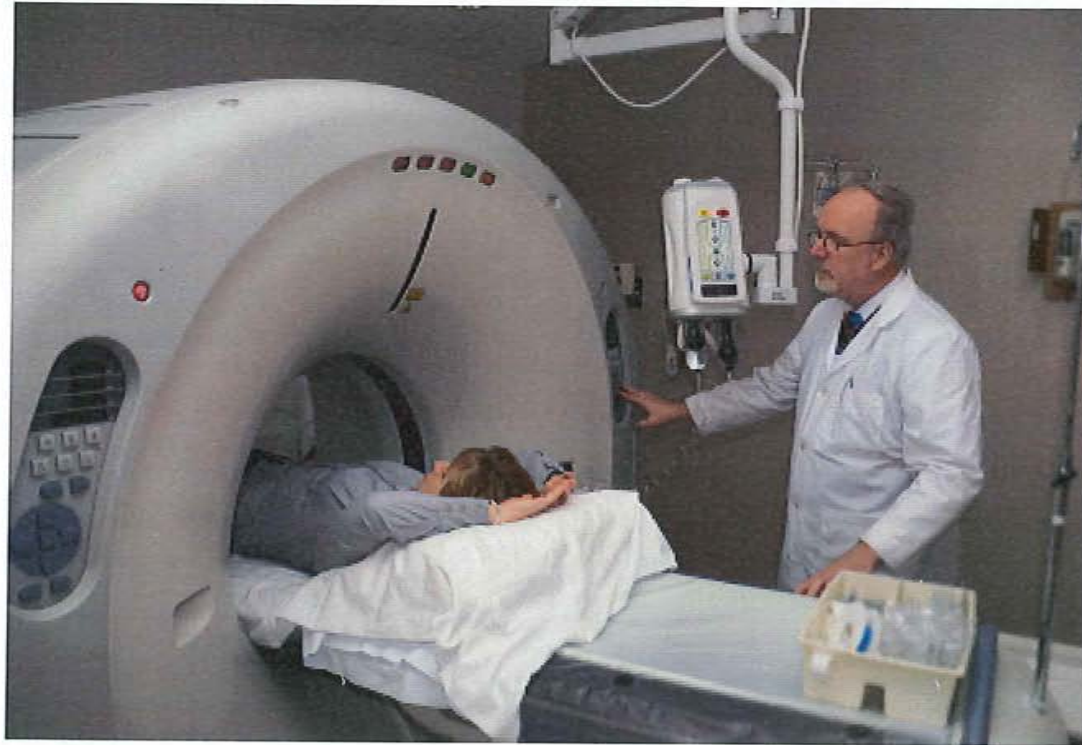


2020/21 Capital Funding Request

Facility	Location	Project Description	Total Budget	RHD Share	2020/21 Funding Request
		<u>Construction Projects over \$100,000</u>			
Princeton General Hospital	Princeton	Electrical Infrastructure Upgrade - Phase 1	\$ 1,150,000	\$ 460,000	\$ 460,000
Penticton Regional Hospital	Penticton	Medical Vacuum System Replacement	735,000	294,000	294,000
		<u>Construction Project under \$100,000</u>			
Summerland Health Centre	Summerland	UPS Replacement	95,000	38,000	38,000
		<u>IH-Wide IMIT</u>			
Regional		Various	1,064,250	425,700	425,700
		<u>Equipment over \$100,000</u>			
Penticton Regional Hospital	Penticton	CT Scanner	5,000,000	2,000,000	2,000,000
Penticton Regional Hospital	Penticton	Ultrasound (x2)	354,000	141,600	141,600
Penticton Regional Hospital	Penticton	Digital Video Cameras	325,000	130,000	130,000
		<u>Equipment under \$100,000 (Global Grant)</u>			
All Facilities		Equipment between \$5,000 and \$100,000	1,101,000	440,400	440,400
TOTAL			\$ 9,824,250	\$ 3,929,700	\$ 3,929,700

2020/21 Capital Funding Request - Highlights

* Penticton Regional Hospital – 2nd CT Scanner



Thank you for your continued
support!



Interior Health
Every person matters



Mr. Bill Newell, Chief Administrative Officer
Okanagan Similkameen Regional Hospital District
101 Martin Street
Penticton, BC V2A 5J9

December 12, 2019

Dear Mr. Newell:

RE: CAPITAL FUNDING REQUEST FOR THE 2020/21 FISCAL YEAR

Please find enclosed our annual funding request for Interior Health's (IH) next fiscal year for your approval. It is based on IH's capital budget, which has been approved by our Board. The budget is developed by prioritizing identified capital needs throughout our organization with available funding sources while considering IH's and government strategies.

Sometimes there is a shift in these strategies, the timing of which does not align well with IH's capital budget cycle. For example, we are presently engaged in planning towards capital investments for Primary & Community Care, as well as Senior's Care. Specifically, we are anticipating the establishment of more Urgent and Primary Care Centres and renovations of existing long-term care facilities. However, the specifics of these investments have not been determined yet. We always strive to provide the majority of our planned expenditures in our annual funding request letter. But please be advised that we possibly may approach you for additional requests once the scope of these projects has been determined.

Please note that all capital initiatives over \$100,000 are subject to government approval. To aid you with your planning efforts, we will be providing you with information regarding notional government funding, a high level estimate of the three year funding requirement and a listing of IH's major prioritized items under separate cover.

For the 2020/21 fiscal year we are requesting funding for the following projects and equipment:

1. Construction Projects over \$100,000

a. Electrical Infrastructure Upgrade – Phase 1 at Princeton General Hospital, Princeton

This site has an aged electrical infrastructure that is in need of upgrading. The modifications are specifically considered in order to meet minimum Canadian Standards Association (CSA) requirements. These upgrades will be staged to proceed over the next two years and carry an overall budget of approximately \$2.3 million.

The first phase will develop the overall design of the electrical system and replace the 1999 back-up generator with a stand-alone walk-in enclosure outside the building adjacent to the exterior fuel tanks for a cost of \$1.15 million, which has been included in this year's funding request. This project will improve the reliability of the electrical system while adding some flexibility to more easily allow future maintenance tasks. The second phase of upgrades will include replacement of major components such as panels, automatic transfer switch and the emergency distribution switchboard.

b. Medical Vacuum System Replacement at Penticton Regional Hospital, Penticton

The existing medical vacuum systems were installed 10 years ago and are a critical component to patient care. New vacuum systems are more energy efficient, ensure adequate redundancy and comply with the latest standards. The scope of work will include a new vacuum system, associated controls, alarms and CSA compliance commissioning.

2. Construction Project under \$100,000

Uninterruptible Power Supply (UPS) Replacement for Summerland Health Centre, Summerland

There are uninterrupted power requirements for a variety of building systems, such as lighting, security systems and life-support/critical medical equipment which all require reliable backup power in the event of a loss of utility power. This project entails the replacement of the 1998 UPS which is past its useful life and parts are no longer available.

3. IH-Wide Information Technology (IMIT)

The ongoing advancement of the IH digital platform is a key enabler of IH's ability to support health service operations, enable key strategies, improve quality and patient safety, and incorporate innovation to improve effectiveness and efficiency. IH's IMIT strategy focuses on expanding technology that supports information exchange between providers and improves access and service delivery through efficiency. This includes improved communication systems between providers and patients and improved processing of clinical documentation.

This IMIT project is an IH-wide initiative costing approximately \$9.5 million. The project's benefits are distributed equally across IH regions; therefore the cost allocation to each of the seven Regional Hospital Districts (RHD) is based upon population data using the PEOPLE 2019, BC Statistics. The Okanagan Similkameen RHD's percentage ratio is approximately 11%. Claims on this project will be calculated using this percentage for the actual cost distribution.

4. Equipment over \$100,000

Please note that pictures shown below are for illustrative purposes only and may not depict the actual equipment to be purchased by IH, which will be established during the procurement process.

a. Computed Tomography (CT) Scanner for Penticton Regional Hospital, Penticton

A CT scan combines a series of X-ray images taken from different angles around the body and uses computer processing to create cross-sectional images (slices) of the bones, blood vessels and soft tissues. This additional CT scanner to the medical imaging department is required to meet the current and future demands of this site. This premium CT scanner is larger, requiring more cooling, and will draw more power than a standard CT, resulting in substantial renovation costs. The South Okanagan Similkameen Medical Foundation is contributing towards this purchase.



b. Ultrasound (x2) for Penticton Regional Hospital, Penticton

These machines are used in the medical imaging department to generate images of internal soft tissue. By sending and receiving sound waves, the system can generate a quality image of internal organs, fetuses and free fluids such as internal bleeding. This purchase is replacing a 2009 and 2011 machine.



c. Digital Video Cameras for Penticton Regional Hospital, Penticton

Effective May 2021, the College of Pharmacists of British Columbia bylaws will require all pharmacies in B.C. to adopt the National Association of Pharmacy Regulatory Authorities model standards for sterile compounding. This will include the verification of each sterile compounded medication by a technician or pharmacist other than the individual who prepared the compound. This equipment will deliver verification by remote observation using a digital camera connected to a monitor in this site's pharmacy department. In addition, the software will retain information and gain workflow efficiencies.



5. Equipment under \$100,000 (Global Grant)

We are requesting global funding for equipment that costs between \$5,000 and \$100,000.

A financial summary of our funding requests is provided in Appendix 1. We would appreciate it, if you could submit the requests to your Board for approval. Please advise us of the meeting date when they will be discussed to enable us to have IH representatives attend and to answer questions that may arise. Upon approval, please send Birgit Koster copies of the relevant bylaws for our records.

We thank you for your on-going support of our capital initiatives. If you require further information, or if you have any questions or concerns, please contact Dan Goughnour or me directly.

Sincerely,

Donna Lommer, CPA, CGA, EMBA
VP Support Services & CFO

/at

Encl. Appendix 1 ~ Summary of Regional Health District Funding Request for 2020/21

cc: Petra Veintimilla, Chair, Okanagan Similkameen RHD
John Kurvink, Finance Manager, Okanagan Similkameen RHD
Carl Meadows, Executive Director, Clinical Operations Acute – PRH, SOGH, SHC
Dan Goughnour, Director, Business Support
Lorne Sisley, Corporate Director, Facilities Management and Operations
Birgit Koster, Director Business Support, Capital Planning

Interior Health
Okanagan Similkameen
Summary of Regional Hospital District Funding Request
for 2020/21

Facility	Location	Project Description	Total Budget	RHD Share	2020/21 Funding Request
		<u>Construction Projects over \$100,000</u>			
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TOTAL			\$ 9,824,250	\$ 3,929,700	\$ 3,929,700

ADMINISTRATIVE REPORT

TO: Okanagan-Similkameen Regional Hospital Board
FROM: B. Newell, Chief Administrative Officer
DATE: January 23, 2020
RE: Division of Family Practice – For Information Only

Purpose:

To determine participation, if any, by the Regional Hospital District with the Division of Family Practice to assist in physician recruitment.

Reference:

1. Tax Support for Primary Care Facilities Paper
2. Community Care And Assisted Living Act, [Sbc 2002] Chapter 75
3. The Hospital Act, [RSBC 1996] CHAPTER 200
4. The Hospital District Act, [RSBC 1996] CHAPTER 202

Business Plan Objective:

Goal 2.3: To Provide Adequate Access to Health Care
Objective 2.3.1 By Working with IHA to Attract Physicians to the Regional District
Indicator: 2.3.1.1 By determining the RDOS role in physician attraction for the 2020 Budget, including service establishment and financial support.

Background:

During discussions setting up the 2019 Business Plan, the Regional District identified physician recruitment as a deteriorating factor in determining quality of life in our regional district. We have partnered with the Division of Family Practice over the past year to get a better understanding of the issues and try and determine what role a local government might play to assist in recruitment/retention.

After organizing several discussions over the past year, with a diverse participation from around the region, the Division of Family Practice has identified many issues with regard to attracting general practitioners to our area, but many of which could be resolved by developing Primary Care Clinics. In a discussion paper attached, a proposal has been put forward for a capital contribution.

Legislation:

Hospital District Act

Definitions:

"hospital" means a hospital as defined by any provision of the Hospital Act and includes an institution or facility in the health field designated by the minister under section 49 as a health facility for the purposes of this Act;

"hospital facilities" includes laboratories, laundries and things, services and premises used or supplied in conjunction with a hospital;

8 (1) A regional hospital district board consists of the directors on the board of the regional district that corresponds to the regional hospital district.

18 A regional hospital district has, for the purpose of exercising its powers and duties, full power to acquire, hold and dispose of property and to contract for materials and services, both personal and otherwise.

20 (1) The purposes of a regional hospital district are the following:

- (a) to establish, acquire, construct, reconstruct, enlarge, operate and maintain hospitals and hospital facilities;
- (b) to grant aid for the establishment, acquisition, reconstruction, enlargement, operation and maintenance of hospitals and hospital facilities;

The Hospital Act

Definitions:

"hospital", except in Parts 2 and 2.1, means a nonprofit institution that has been designated as a hospital by the minister and is operated primarily for the reception and treatment of persons

- (a) suffering from the acute phase of illness or disability,
- (b) convalescing from or being rehabilitated after acute illness or injury,

Further application of section 48

50 (1) The minister may, by order, designate as a hospital, for the purposes of a provision of section 48, a licensed community care facility that:

- (a) is owned or operated by
 - (i) a society as defined in section 1 of the Societies Act, or
 - (ii) a registered extraprovincial non-share corporation as defined in section 167 of the Societies Act, and
- (b) receives from the government financial assistance, including financial assistance for the retirement of debt arising out of the planning, constructing, reconstructing, equipping or acquiring of land or buildings for the purposes of the facility.

(2) If the minister designates, under subsection (1), a licensed community care facility as a hospital for the purposes of a provision of section 48,

- (a) that provision applies to the facility as if that facility were a hospital, and
- (b) if either or both of paragraphs (c) and (d) of section 48 (1) are made applicable to that facility under paragraph (a) of this subsection, a notice that is required to be or may be filed in a land title office, indicating that the hospital land of a hospital, as defined in section 1 or 5, is subject to section 48 (1) (c) and (d), may be filed in respect of
 - (i) licensed community care facility land, and
 - (ii) either or both of paragraphs (c) and (d) of section 48 (1), even if the regulation providing for filing
 - (iii) does not refer to licensed community care facilities or licensed community care facility land, and
 - (iv) refers to both paragraphs (c) and (d) of section 48 (1).

Analysis:

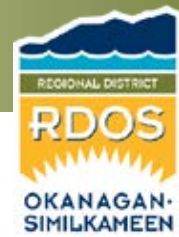
Typically, the Okanagan Similkameen Regional Hospital District has interpreted their role as to pay our 40% of capital improvements to hospitals, as requested by the Interior Health Authority. We receive a presentation each calendar year from IHA identifying their requirements for the next year, with the remaining 60% coming from the IHA Budget.

The Board would need to determine if it would be appropriate for local tax dollars to be used to fund a primary care clinic. If so, further discussion would be required to determine if the Minister of Health would include a primary care clinic within the definition of "hospital" under the Hospital Act. The legislation is not clear in this regard and the Minister has discretion on that definition. We know that the Ministry has funded the pilot Primary Care Clinic just opened in Penticton. Further, it has been determined that Emergency Rooms are currently being used as clinics at the hospital facilities in Oliver and Princeton.

Contact has been made with the Ministers Office to request an opinion on the flexibility in the legislation, but no determinative answer has been received at the time of writing.

Alternatives:

1. Budget for a capital contribution to a primary care clinic
2. Decline the proposal to fund a primary care clinic with tax dollars



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, January 23, 2020
2:00 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of November 7, 2019 be adopted.

1. Consent Agenda – Corporate Issues

a. **Electoral Area “A” Advisory Planning Commission – December 9, 2019**

THAT the Minutes of the December 9, 2019 Electoral Area “A” Advisory Planning Commission be received.

b. **Electoral Area “D” Advisory Planning Commission – December 10, 2019**

THAT the Minutes of the December 10, 2019 Electoral Area “D” Advisory Planning Commission be received.

c. **Community Services Committee – January 9, 2020**

THAT the Minutes of the January 9, 2020 Community Services Committee meeting be received.

d. **Corporate Services Committee – January 9, 2020**

THAT the Minutes of the January 9, 2020 Corporate Services Committee meeting be received.

e. **Environment and Infrastructure Committee – January 9, 2020**

THAT the Minutes of the January 9, 2020 Environment and Infrastructure Committee meeting be received.

f. **RDOS Regular Board Meeting – January 9, 2020**

THAT the minutes of the January 9, 2020 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. Temporary Use Permit Application — 166 Sundial Road Electoral Area “C”**

- i. Permit
- ii. Representation

THAT the Board of Directors approve Temporary Use Permit No. C2019.012-TUP.

b. Development Variance Permit Application — 326 Carmel Crescent, Electoral Area “D”

- i. Permit

THAT the Board of Directors approve Development Variance Permit No. D2019.034-DVP.

c. Agricultural Land Commission Referral (“non-farm” use) – 4094 McLean Creek Road, Electoral Area “D”

THAT the RDOS “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 4094 Mclean Creek Road (Lot 4, Plan KAP2480, District Lot 3090, SDYD) in Electoral Area “D” 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 – Untidy/Unsightly Bylaw Enforcement**1. Untidy and Unsightly Zoning and Building Bylaw Contraventions – 847 Highway 5A, Electoral Area “H”**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3, District Lot 1185, KDYD, Plan 35988, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018; and,

THAT the Regional District Board direct the owners to bring the property located at 847 Highway 5A and legally described as Lot 3, District Lot 1185, KDYD, Plan 35988 into compliance with the Regional District of Okanagan-Similkameen’s Electoral Area ‘H’ Similkameen Valley Zoning Bylaw No. 2498, 2012 and the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2637, 2013 within 30 days; and,

THAT if the property owners fail to comply within 30 days, injunctive action be commenced.

2. Untidy and Unsightly, Zoning and Building Bylaw Contraventions – 1916 Kennedy Lake Road, Electoral Area “H”

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as District Lot 889, YDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333, 2005 and 2805, 2018; and,

THAT the Regional District Board direct the owners and the tenant to bring the property located at #6 Marmot Crescent and #1 Chicken Alley (Kennedy Lake Resort) and legally described as District Lot 889, YDYD, into compliance with the Regional District of Okanagan-Similkameen’s Electoral Area ‘H’ Similkameen Valley Zoning Bylaw No. 2498, 2012 and the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2637, 2013 within 30 days; and,

THAT if the property owners fail to comply within 30 days, injunctive action be commenced.

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Official Community Plan & Zoning Bylaw Amendment – Residential Zone Update (Phase 1) Electoral Areas “A”, “C”, “D”, “E”, “F” & “I”

- a. Bylaw No. 2804
- b. Representation

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2804, 2019, Regional District of Okanagan-Similkameen Residential OCP & Zone Update Amendment Bylaw, be read a third time, as amended.

2. Early Termination of Land Use Contract No. LU-1-F – 461 North Beach Road, Electoral Area “F”

- a. Bylaw No. 2790.01
- b. Bylaw No. 2461.12

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2790.01, 2019, Electoral Area “F” Official Community Plan Amendment Bylaw and Bylaw No. 2461.12, 2019, Electoral Area “F” Zoning Amendment Bylaw be adopted.

3. Zoning Bylaw Amendment – AI Zone Update Electoral Areas “A”, “C”, “D”, “E”, “F” & “I”

- a. Bylaw No. 2873

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2873, 2019, Regional District of Okanagan-Similkameen Administrative and Institutional Zone Update Zoning Amendment Bylaw be adopted.

4. **Official Community Plan Bylaw Amendment – Electoral Area “A”, “C”, “D”, “E”, “F”, “H” & “I”**
 - a. Bylaw No. 2500.13
 - b. Bylaw No. 2876
 - c. Representation

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2500.13, 2020, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first and second time; and,

THAT Bylaw No. 2876, 2020, Regional District of Okanagan-Similkameen Watercourse Development Permit Area Update Amendment Bylaw be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers, in accordance with Section 12(4)(b) of the Riparian Areas Protection Act, that the requirements for an Expedited Watercourse Development Permit contained in Bylaw No. 2876, 2020, provides a level of protection that is comparable to or exceeds that established by the Riparian Areas Protection Regulation; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated January 23, 2020, 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. 2876, 2020, 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 February 20, 2020; and,

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

D. PUBLIC WORKS

1. **Request for resolution of support for applications to the ICIP Green Infrastructure – Environmental Quality Program**

RECOMMENDATION 10 (Weighted Corporate Vote – Simple Majority)

THAT the Board of Directors support the following applications to the Investing in Canada Infrastructure Program - British Columbia - Green Infrastructure - Environmental Quality for the following projects, given in priority order:

1. Missezula Lake Water System Upgrades
2. Organics Composting Facility; and,

THAT the Board of Directors commits to its 27.66% share of each project.

E. COMMUNITY SERVICES**1. Age Friendly Communities Grant Application**

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors support the following application to the Age Friendly Communities Grant program for the following projects:

- Stream 1 – Greater West Bench Development of an Age Friendly Assessment & Action Plan
 - Stream 2 – Naramata Age Friendly Healthy Living Initiatives
-

F. LEGISLATIVE SERVICES**1. Southern Interior Local Government Association - Restructuring Regional Governance in British Columbia****a. Resolution**

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

THAT the following resolution be submitted prior to the February 28th, 2020 deadline to the Southern Interior Local Government Association (SILGA) for consideration at their April 28th to May 1st, 2020 conference:

“WHEREAS the Province of British Columbia is responsible for delivering all university, school and health services, and many municipal services (MUSH) throughout the Province; and service to British Columbians may be enhanced by consolidating services through a regional district; and,

WHEREAS the nature of Local Government is evolving and it may be time for a discussion on streamlining structure and powers to facilitate better communication, economies of scale and more transparent customer service; and

NOW THEREFORE BE IT RESOLVED that the Province of British Columbia be requested to investigate a consolidation of local services to be delivered through Regional Districts.”

2. Security Issuing Bylaw No. 2887**a. Bylaw No. 2887**

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

THAT Bylaw No. 2887, 2020 Security Issuing Bylaw be read a first, second, third time and adopted for the purposes of borrowing funds for the Apex Waste Transfer Station and Keremeos Fire Truck.

3. Board Policy Review

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT the following policies be rescinded:

- Beer Garden License Application Referral
 - Bylaw Enforcement – Recouping Outstanding Legal Costs
 - Bylaw Enforcement – Vicious Dogs
 - Co-Permitee Liquid Waste Management Permits Package Type Sewage Treatment Plants
 - Emergency Response Outside of Service Area
 - Internal Audit – RDOS Departments
 - Mutual Aid Cost Recovery
 - Noon Hour Closure
 - Notice on Title & Procedure Policy
 - Special Events
 - Temporary Commercial and Industrial Permits
-

G. CAO REPORTS

1. Verbal Update

H. OTHER BUSINESS

1. Chair's Report

2. Board Representation

- a. BC Grape Growers Association and Starling Control – Bush, Monteith (Alternate)
 - b. Intergovernmental Indigenous Joint Council - Kozakevich, Bauer, Pendergraft
 - c. Municipal Finance Authority – Kozakevich (Chair), Bauer (Vice Chair, Alternate)
 - d. Municipal Insurance Association – Kozakevich (Chair), Bauer (Vice Chair, Alternate)
 - e. Okanagan Basin Water Board - McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff), Holmes (Alternate to Boot), Monteith (Alternate to Knodel)
 - f. Okanagan Film Commission – Gettens, Holmes (Alternate)
 - g. Okanagan Regional Library – Kozakevich, Roberts (Alternate)
 - h. Okanagan-Kootenay Sterile Insect Release Board – Bush, Knodel (Alternate)
 - i. South Okanagan Similkameen Fire Chief Association – Pendergraft, Knodel, Monteith, Obirek, Roberts
 - j. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – McKortoff, Bauer (Alternate)
 - k. Southern Interior Municipal Employers Association – Knodel, Kozakevich (Alternate)
-

3. Directors Motions

4. Board Members Verbal Update

I. ADJOURNMENT

Regional District Okanagan Similkameen

Electoral Area "A" Advisory Planning Commission

Minutes

Monday, Dec. 9, 2019

Sonora Centre, 8505 - 68 Ave., Osoyoos, B.C.

APC Present: Dwayne Svendsen, Gerry Hesketh, Manfred Freese and Peter Beckett
Absent: Bill Plaskett, Mark McKenney, Grant Montgomery

Staff: Christopher Garrish, Planning Manager

Consultant: Evelyn Riechert representing Eco Plan out of Vancouver

Meeting called to order by Chair Peter Beckett at 7:10 pm

Chris outlined the process that the RDOS will use to review and update the Area "A" Official Community Plan (OCP). The RDOS Board has recommended that the APC be used to expand participation in the review process during 2020.

We discussed the need to expand the number of individuals in the review group to truly represent Area "A". We also brainstormed possible community activities and public gatherings where a booth could be set up to inform the public about the review: Cherry Fiesta, Farmers' Markets, Growers' Supply mtg. in February.

We also suggested possible individuals to invite to join the review group: Dennis Potter from Area A Ratepayers Association, Toni Bousquet from The Cottages, residents from the Indo-Canadian community, More female participants are desirable. One APC member indicated that he might "not have time for all this" and that is another reason for us to expand the working group.

Procedurally, our role is to provide contact information of possible participants in the review group to Chris who will forward the information to the consultants.

Meeting Adjourned at 8:10 pm

Minutes

Electoral Area “D” Advisory Planning Commission

Meeting of Tuesday, December 10, 2019

Okanagan Falls Community Centre (Gymnasium)

1141 Cedar Street, Okanagan Falls, BC

-
- Present: Ron Obirek, Director, Electoral Area “D”
- Members: Doug Lychak, Alf Hartviksen, Navid Chaudry, Don Allbright, Malcolm Paterson, Almira Nunes
- Absent: Jerry Stewart, Norm Gaumont, Kurtis Hiebert, Jill Adamson, Kelvin Hall, Tom Styffe
- Staff: JoAnn Peachey, Planner
Sue Gibbons, Recording Secretary
- Delegates: Tyler Mack, Agent, Kristin Mack and Paul Grewal

1. CALL TO ORDER

The meeting was called to order at 7:02 p.m.

2. ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED

3. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of November 12, 2019 be approved.

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

CARRIED

4. DEVELOPMENT APPLICATIONS

4.1 D02894.051 / (D2019.034-DVP) – Development Variance Permit Application

Delegates: Toporowski, Stephen & Yvonne
Mack, Tyler, Agent

Discussion

MOTION

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

CARRIED UNANIMOUSLY

5. ADJOURNMENT

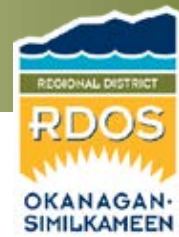
MOTION

It was Moved and Seconded that the meeting be adjourned at 8:00 pm.

CARRIED

Advisory Planning Commission Chair

Advisory Planning Commission Recording Secretary



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Community Services Committee

Thursday, January 9, 2020

1:38 pm

MINUTES

MEMBERS PRESENT:

Chair M. Bauer, Village of Keremeos
Vice Chair R. Gettens, Electoral Area "I"
Director J. Bloomfield, City of Penticton
Director T. Boot, District of Summerland
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director S. Coyne, Town of Princeton
Director D. Holmes, District of Summerland
Director J. Kimberley, City of Penticton
Alt. Director T. Schafer, Electoral Area "C"

Director K. Kozakevich, Electoral Area "E"
Director S. McKortoff, Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director R. Obirek, Electoral Area "D"
Director M. Pendergraft, Electoral Area "A"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"
Alt. Director K. Robinson, City of Penticton
Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton

Director R. Knodel, Electoral Area "C"

STAFF PRESENT:

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

M. Woods, Gen. Mgr. of Community Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED.

THAT the Agenda for the Corporate Services Committee Meeting of January 9, 2020 be adopted. -
CARRIED

B. OKANAGAN REGIONAL LIBRARY

Don Nettleton, ORL CEO provided an update on Okanagan Regional libraries.

1. Presentation

C. ADJOURNMENT

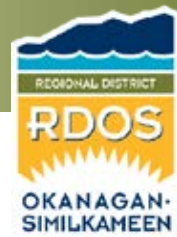
By consensus, the Community Services Committee meeting adjourned at 2:04 pm.

APPROVED:

CERTIFIED CORRECT:

M. Bauer
Community Services Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, January 9, 2020
9:07 am

MINUTES

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"	Alt. Director T. Schafer, Electoral Area "C"
Vice Chair D. Holmes, District of Summerland	Director S. McKortoff, Town of Osoyoos
Director M. Bauer, Village of Keremeos	Director S. Monteith, Electoral Area "I"
Director J. Bloomfield, City of Penticton	Director R. Obirek, Electoral Area "D"
Director T. Boot, District of Summerland	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director F. Regehr, City of Penticton
Director B. Coyne, Electoral Area "H"	Director T. Roberts, Electoral Area "G"
Director S. Coyne, Town of Princeton	Alt. Director K. Robinson, City of Penticton
Director R. Gettens, Electoral Area "F"	Director P. Veintimilla, Town of Oliver
Director J. Kimberley, City of Penticton	

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton	Director R. Knodel, Electoral Area "C"
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STAFF PRESENT:

B. Newell, Chief Administrative Officer	J. Kurvink, Manager of Finance
C. Malden, Manager of Legislative Services	N. Webb, Gen. Mgr. of Public Works

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Corporate Services Committee Meeting of January 9, 2020 be adopted. -
CARRIED

B. 2020 BUDGET DISCUSSION – For Information Only

1. Time Tracker Report
 - a. Guidelines
 2. 2020 Budget - Program Changes
-

C. SOUTHERN INTERIOR LOCAL GOVERNMENT ASSOCIATION (SILGA) CALL FOR RESOLUTIONS

1. Call for Resolutions December 2019
 - a. The Concept of Governance

RECOMMENDATION 2**It was MOVED and SECONDED**

THAT the following resolution be submitted to the Southern Interior Local Government Association (SILGA) prior to the 28 February deadline for consideration at their 28 April – 1 May 2020 Conference.

“That the Province of British Columbia be requested to investigate a consolidation of local services to be delivered through Regional Districts”.

CARRIED

Opposed: Directors B. Coyne, Bush

2. 2020 Call for Nominations – For Information Only
-

D. FEES AND CHARGES – For Information Only

1. Marked Up Bylaw No. 2877
 2. Clean Copy Bylaw No. 2877
-

E. STRATEGIC PLANNING

1. Assumptions
2. 2020 Objectives

Committee reviewed some of the assumptions. It was determined that an additional Strategic Planning workshop be scheduled.

F. CLOSED SESSION

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

Due to time constraints, this item was moved to the next Corporate Services Meeting.

G. ADJOURNMENT

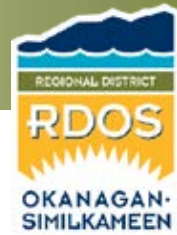
By consensus, the Corporate Services Committee meeting adjourned at 12:18 pm.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Environment and Infrastructure Committee**

Thursday, January 9, 2020
12:47 pm

MINUTES

MEMBERS PRESENT:

Chair G. Bush, Electoral Area "B"	Director. K. Kozakevich, Electoral Area "E"
Vice Chair R. Gettens, Electoral Area "F"	Director S. McKortoff, Town of Osoyoos
Director M. Bauer, Village of Keremeos	Director S. Monteith, Electoral Area "I"
Director J. Bloomfield, City of Penticton	Director R. Obirek, Electoral Area "D"
Director T. Boot, District of Summerland	Director M. Pendergraft, Electoral Area "A"
Director B. Coyne, Electoral Area "H"	Director F. Regehr, City of Penticton
Director S. Coyne, Town of Princeton	Director T. Roberts, Electoral Area "G"
Director D. Holmes, District of Summerland	Alt. Director K. Robinson, City of Penticton
Director J. Kimberley, City of Penticton	Director P. Veintimilla, Town of Oliver
Alt. Director T. Schafer, Electoral Area "C"	

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton	Director R. Knodel, Electoral Area "C"
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STAFF PRESENT:

B. Newell, Chief Administrative Officer	N. Webb, Gen. Mgr. of Public Works
C. Malden, Manager of Legislative Services	

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Environment and Infrastructure Committee Meeting of January 9, 2020 be adopted.

B. CLOSED SESSION - ORGANIC COMPOSTING

RECOMMENDATION 2

It was MOVED and SECONDED

THAT in accordance with Section (90)(e) of the Community Charter, the meeting be closed to the public on the basis of the acquisition, disposition or expropriation of land or improvement.

The meeting closed to the public at 12:48 pm.

The meeting was opened to the public at 1:36 pm.

C. ADJOURNMENT

By consensus, the Environment and Infrastructure Committee meeting adjourned at 1:36 pm.

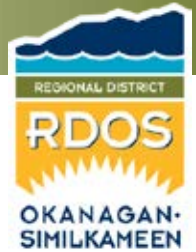
APPROVED:

CERTIFIED CORRECT:

G. Bush
Committee Chair

B. Newell
Chief Administrative Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 23, 2020
RE: Temporary Use Permit Application — Electoral Area “C”

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. C2019.012-TUP.

Purpose: To allow for continuation of a short-term vacation rental use through issuance of a TUP

Owner: Leif and Clihoe and Dana Nielsen Applicant: Dana Neilsen Folio: C01963.005

Civic: 166 Sundial Road Legal: Lot 8, Plan 7333, District Lot 158, SDYD

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

Proposed Development:

This application seeks continuation of a short-term vacation rental use previously authorized under Temporary Use Permit (TUP) No. C2015.014-TUP and No. C2016.103-TUP. The temporary use permit is to authorize the operation of a short-term vacation rental use at the subject property, for a three-year term from January 1, 2020 to December 31, 2022.

Site Context:

The subject parcel is approximately 1,227 m² in area, is situated on the north side of Sundial Road and abuts by Vaseux Lake along its rear boundary. The property is seen to be comprised of a single detached dwelling.

The surrounding pattern of development is characterised by low density residential parcels and three tourist commercial zoned properties along the lake foreshore, and agricultural land (in the Agricultural Land Reserve) on the south side of Sundial Road.

Background:

The subject property was created by a subdivision plan deposited in the Land Title Office in Kamloops on December 28, 1955, while available Regional District records indicate that a Building Permit has previously been issued for a single detached dwelling (1999).

At its meeting of August 20, 2015, the Regional District Board resolved to approve TUP application No. C2015.014-TUP and subsequently resolved to renew this permit, as TUP No. C2016.103-TUP, at its meeting of December 15, 2016. The current permit is due to expire on December 31, 2019.

In support of the previous TUP applications, the previous owner provided a Health & Safety Inspection (May 2015) and a Letter of Certification from a ROWP regarding the septic system filed with IHA (June 2009).

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the property is designated Low Density Residential (LR) and is also the subject of a Watercourse Development Permit (WDP) Area and Protection of Farming Development Permit Area designations.

Section 20.2 of the Electoral Area "C" OCP Bylaw contains the objective to consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

Section 22.3.4 of Electoral Area "C" OCP Bylaw contains criteria in evaluating a temporary use permit application. Section 22.5 and 22.6 specify conditions for temporary use permits and short-term vacation rentals respectively. The previously issued TUPs for the subject property included conditions to limit or require the following:

- Period of use (April 1st-October 31st);
- Posting of information within vacation rental;
- Maximum number of bedrooms (8);
- Maximum occupancy (16);
- Minimum number of on-site parking stalls (8);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy; and
- Providing TUP and contact information to neighbours.

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is currently zoned Residential Single Family Two (RS2) which only allows for single detached dwellings as a principal use.

The subject property has been assessed as "residential" (Class 01) and is within the floodplain associated with Vaseux Lake.

Public Process:

A Public Information Meeting was held on December 17, 2019, at the Oliver Community Centre and was attended by the applicant and no members of the public.

This item was referred to the Electoral Area "C" Advisory Planning Commission (APC) in the December 17, 2019 meeting agenda; however, the meeting was cancelled due to lack of quorum.

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

In accordance with Section 2.3 of Schedule '5' of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed in Attachment No. 1. Comments received from this referral are included as a separate item on the Board's Agenda.

Analysis:

In assessing this proposal, Administration notes that there have been no recorded complaints received in relation to the operation of this vacation rental use since issuance of the TUP in 2015.

The applicant has indicated that there have been no changes to the use since the permit was issued in 2015 (i.e. the use remains limited to eight bedrooms and sixteen paying guests between April 1st and October 31st). However, ownership of the property has changed.

While it is recognised that the Electoral Area "C" OCP Bylaw, contains a number of specific criteria against which vacation rental TUPs are to be assessed (i.e. septic capacity, screening, health & safety assessment and on-site vehicle parking provisions), this criteria was previously considered by the Board when it approved TUP No. C2015.014-TUP in 2015.

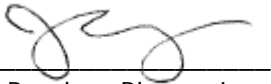
Further, the Electoral Area "C" OCP Bylaw recognizes "on-going" vacation rental uses through temporary use permits.

Accordingly, and in light of the absence of any change to the use or received complaints regarding its operation, Administration supports the continuation of a vacation rental use through a temporary use permit for a further three years (to December 31, 2022), provided the TUP includes the same conditions as the previously issued TUPs.

Alternative:

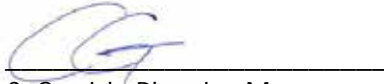
1. That the Board deny Temporary Use Permit No. C2019.012-TUP.

Respectfully submitted:



J. Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, GM of Development Services

Attachments: No. 1 – Agency Referral List

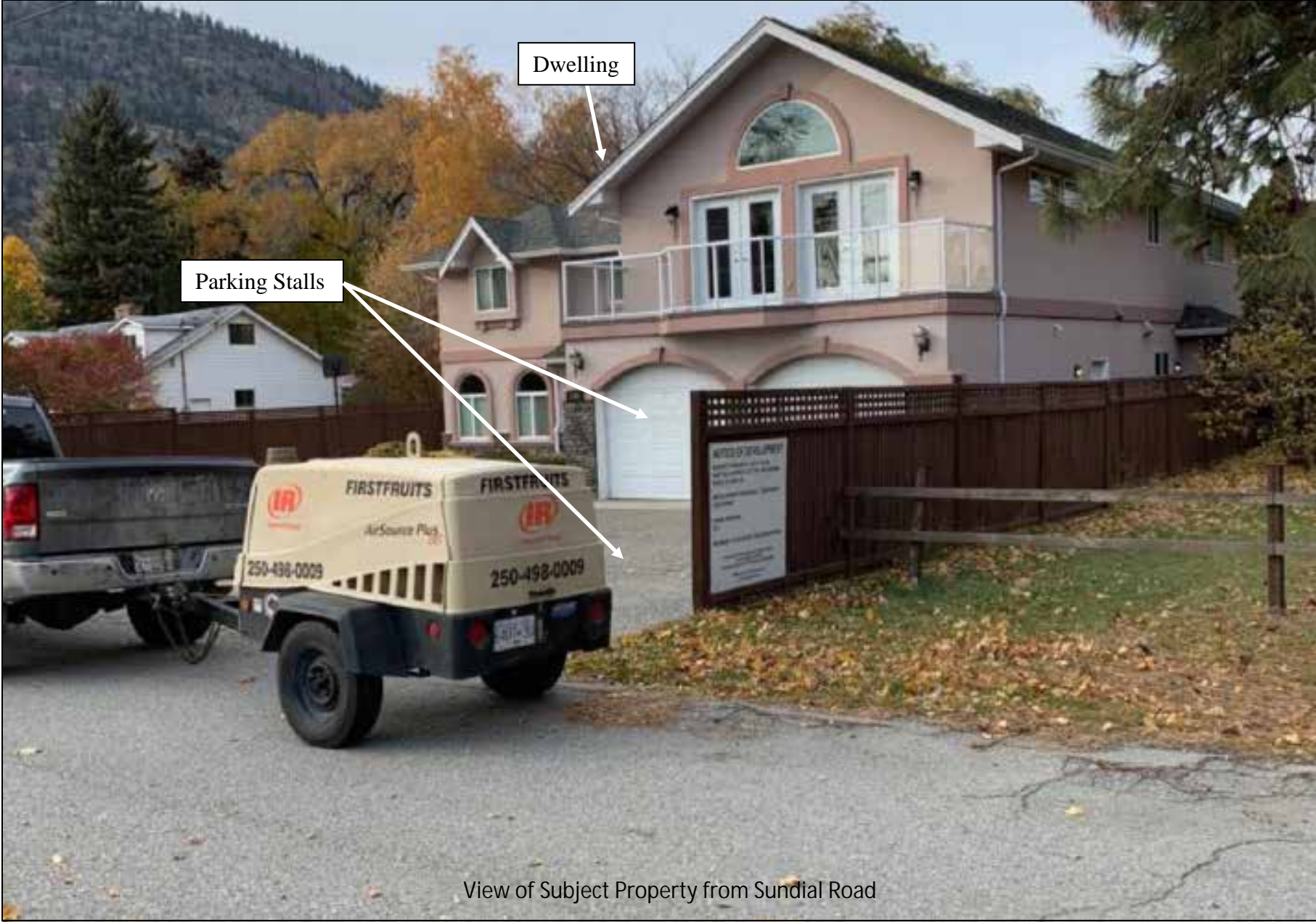
No. 2 – Site Photo (May 2019)

Attachment No. 1 – Agency Referral List

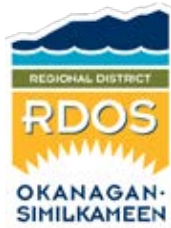
Referrals have been sent to the following agencies as highlighted with a **p**, prior to Board consideration of TUP No. C2019.012-TUP:

p	Agricultural Land Commission (ALC)	p	Fortis
p	Interior Health Authority (IHA)	○	City of Penticton
p	Ministry of Agriculture	○	District of Summerland
○	Ministry of Energy, Mines & Petroleum Resources	○	Town of Oliver
○	Ministry of Municipal Affairs & Housing	○	Town of Osoyoos
p	Ministry of Environment & Climate Change Strategy	○	Town of Princeton
○	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	○	Village of Keremeos
○	Ministry of Jobs, Trade & Technology	○	Okanagan Nation Alliance (ONA)
p	Ministry of Transportation and Infrastructure	○	Penticton Indian Band (PIB)
○	Integrated Land Management Bureau	○	Osoyoos Indian Band (OIB)
○	BC Parks	○	Upper Similkameen Indian Band (USIB)
○	School District #53 (Areas A, B, C, D & G)	○	Lower Similkameen Indian Band (LSIB)
○	School District #58 (Area H)	○	Environment Canada
○	School District #67 (Areas D, E, F, I)	p	Fisheries and Oceans Canada
○	Central Okanagan Regional District	○	Canadian Wildlife Services
○	Kootenay Boundary Regional District	○	OK Falls Irrigation District
○	Thompson Nicola Regional District	○	Kaleden Irrigation District
○	Fraser Valley Regional District	○	Irrigation District / improvement Districts / etc.
p	Oliver Fire Department		

Attachment No. 2 – Applicant’s Site Photo (November 2019)



View of Subject Property from Sundial Road



TEMPORARY USE PERMIT

FILE NO.: C2019.012-TUP

Owners: Leif and Joy Nielsen
702-137 17th Street W
North Vancouver, BC, V7M 1V5

Agent: Dana Nielsen
14582 106A Avenue
Surrey, BC, V3R 1T4

Dana Nielsen
14582 106A Avenue
Surrey, BC, V3R 1T4

GENERAL CONDITIONS

1. This Temporary Use Permit is issued subject to compliance with all of the bylaws of the Regional District of Okanagan-Similkameen applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions of this Permit, and any plans and specifications attached to this Permit which shall form a part thereof.
3. Where there is a conflict between the text of the permit and permit drawings or figures, the drawings or figures shall govern the matter.
4. This Temporary Use Permit is not a Building Permit.

APPLICABILITY

5. This Temporary Use Permit applies to, and only to, those lands, including any and all buildings, structures and other development thereon, within the Regional District as shown on Schedules 'A', 'B', 'C', and 'D' and described below:

Legal Description: Lot 8, Plan 7333, District Lot 158, SDYD

Civic Address: 166 Sundial Road

Parcel Identifier (PID): 010-001-514 Folio: C-01963.005

TEMPORARY USE

6. In accordance with Section 20.0 of the Electoral Area "C" Official Community Plan Bylaw No. 2450, 2008, the land specified in Section 5 may be used for a for a vacation rental use as defined in the Electoral Area "C" Zoning Bylaw, being the use of a residential dwelling unit for the temporary commercial accommodation of paying guests for a period of less than one month.

CONDITIONS OF TEMPORARY USE

7. The vacation rental use of the land is subject to the following conditions:
 - a) the vacation rental use shall occur only between April 1st and October 31st;
 - b) the following information must be posted within the dwelling unit while the vacation rental use is occurring:
 - i) the location of property lines by way of a map;
 - ii) a copy of the Regional District's Electoral Area "C" Noise Regulation and Prohibition Bylaw;
 - iii) measures to address water conservation;
 - iv) instructions on the use of appliances that could cause fires, and for evacuation of the building in the event of fire;
 - v) instructions on the storage and management of garbage;
 - vi) instructions on septic system care; and
 - vii) instructions on the control of pets (if pets are permitted by the operator) in accordance with the Regional District's Animal Control Bylaw.
 - c) the maximum number of bedrooms that may be occupied by paying guests shall be eight (8);
 - d) the number of paying guests that may be accommodated at any time shall not exceed sixteen (16);
 - e) a minimum of eight (8) vehicle parking spaces shall be provided for paying guests, in accordance with Schedule 'B';
 - f) camping and the use of recreational vehicles, accessory buildings and accessory structures on the property for vacation rental occupancy are not permitted; and
 - g) current telephone contact information for a site manager or the property owner, updated from time to time as necessary, shall be provided to the owner of each property situated within 100 metres of the land and to each occupant of such property if the occupier is not the owner.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

10. This Permit shall expire on December 31st, 2022.

Authorising resolution passed by Regional Board on ____ day of _____, 2020.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

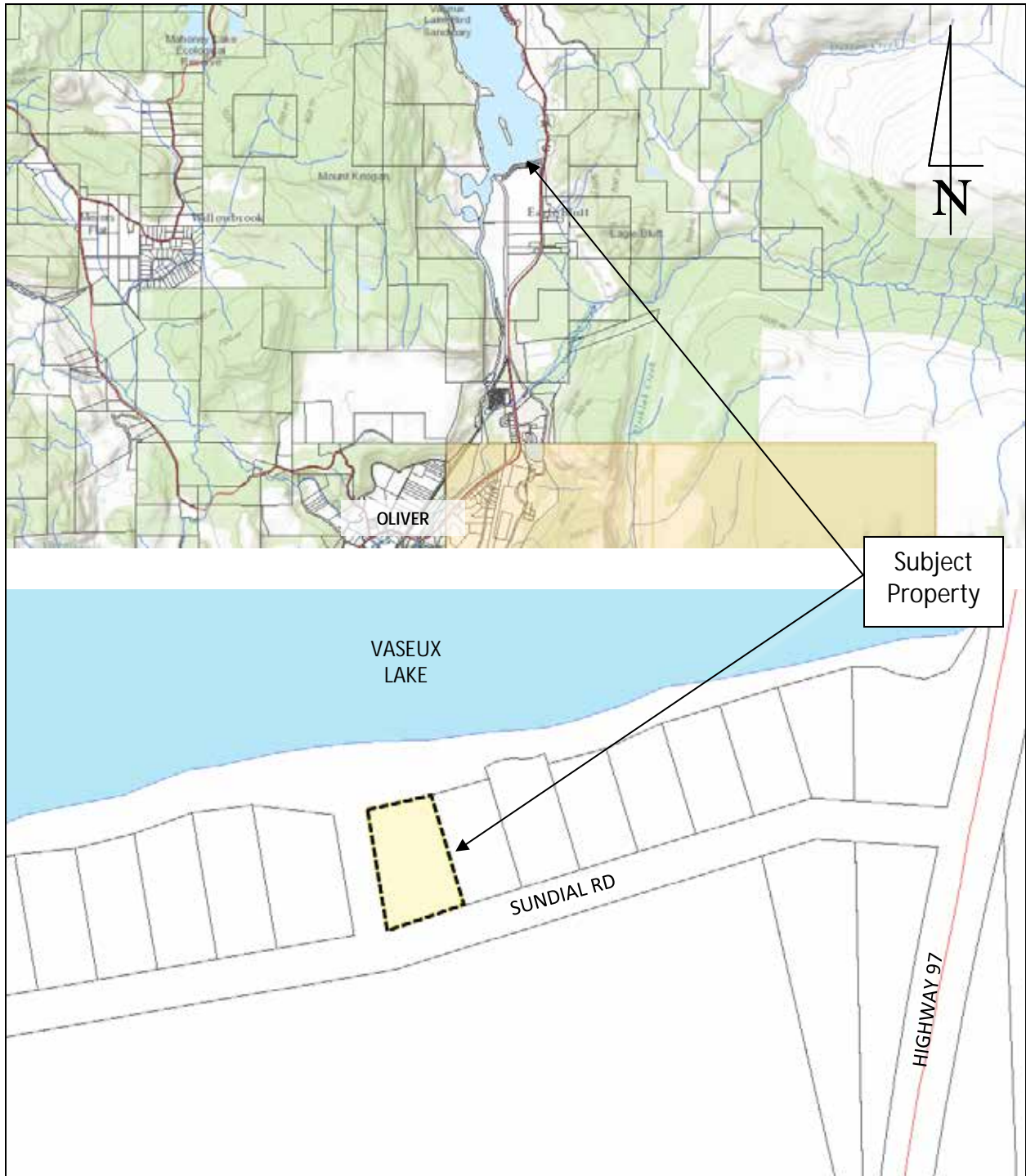
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. C2019.012-TUP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

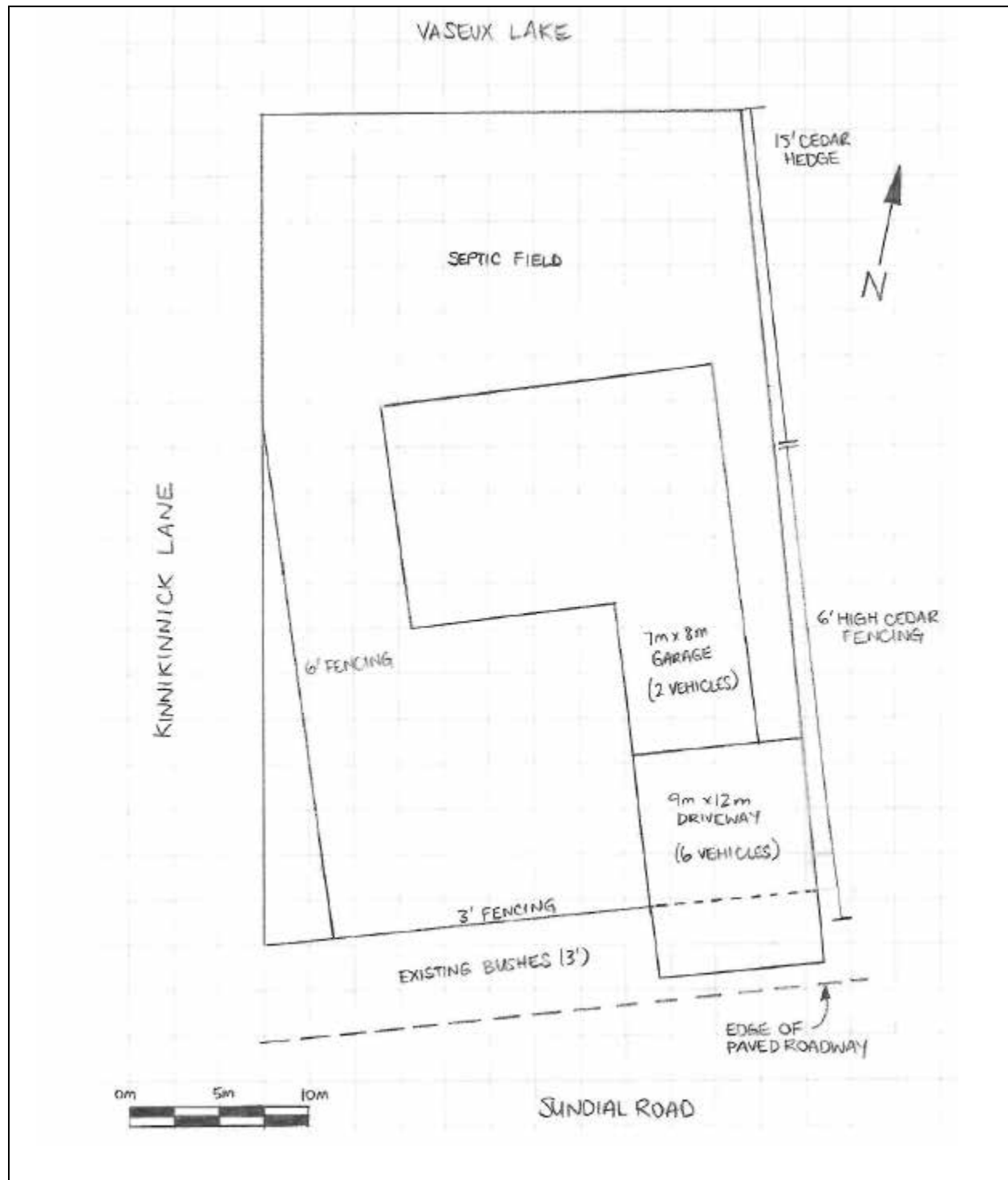
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. C2019.012-TUP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

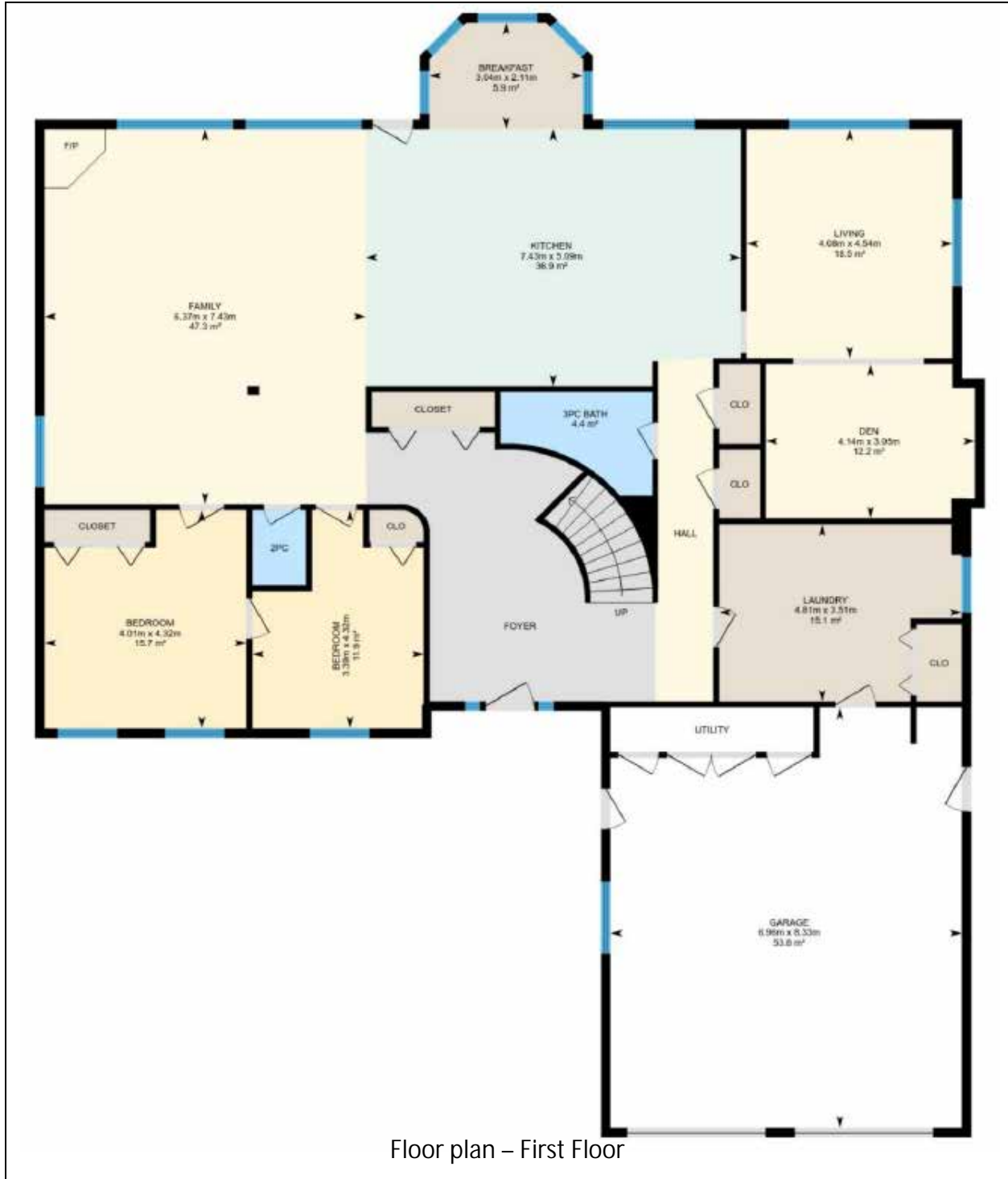
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. C2019.012-TUP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

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



Temporary Use Permit

File No. C2019.012-TUP

Schedule 'D'



Floor Plan – Second Floor



Interior Health

Every person matters

December 3, 2019

Regional District of Okanagan-Similkameen
Planning Department
101 Martin Street, Penticton, BC, V2A-5J9
Mailto: planning@rdos.bc.ca

Dear Regional District of Okanagan-Similkameen:

RE: File #: C2019.012-TUP
Our interests are unaffected

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority

Lauri Feindell

Subject: FW: Temporary Use Permit - C2019.012-TUP

From: Hedderson, Lisa <Lisa.Hedderson@dfo-mpo.gc.ca>

Sent: December 3, 2019 11:39 AM

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

Subject: RE: Temporary Use Permit - C2019.012-TUP

Dear Lauri,

At this time, the Fish and Fish Habitat Protection Program will not be participating in the reviewing the temporary use permit application for 166 Sundial Road in Oliver, BC. The role of the DFO's Fish and Fish Habitat Protection Program (FFHPP) is to protect and conserve fish and fish habitat in support of Canada's coastal and inland fisheries resources, and to make regulatory decisions under the fisheries protection provisions of the *Fisheries Act*. The FFHPP is specifically responsible for reviewing projects for which a s.35(2) Fisheries Act Authorization is required.

If you feel that the project proposes works, undertakings or activities that may result in harm to fish or fish habitat, DFO's Projects Near Water website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) includes information for proponents on how to comply with the Fisheries Act, request a DFO review of a project, and request a Fisheries Act authorization.

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fish and Fish Habitat Protection Program toll free: 1-866-845-6776 or email: ReferralsPacific.XPAC@dfo-mpo.gc.ca.

Lisa Hedderson

Biologist
Fish and Fish Habitat Protection Program
Ecosystem Management Branch
Fisheries and Oceans Canada / Government of Canada

Biologiste
Programme de protection du poisson et de son habitat
Direction des ecosystems
Pêches et Océans Canada / Gouvernement du Canada



Lauri Feindell

Subject: FW: Temporary Use Permit - C2019.012-TUP

From: Forbes, Christina D AGRI:EX <Christina.Forbes@gov.bc.ca>

Sent: December 4, 2019 3:38 PM

To: Planning <planning@rdos.bc.ca>

Subject: RE: Temporary Use Permit - C2019.012-TUP

Hello,

Thank you for the opportunity to comment on the TUP renewal. I have reviewed the documentation, including the TUP and have no additional comments on this file.

Thank you,
Christina

Christina Forbes BSc, P.Ag | Regional Agrologist | Kelowna
p: 250-861-7201 | c: 250-309-2478
Email: Christina.Forbes@gov.bc.ca

Generic Email: AgriServiceBC@gov.bc.ca



JoAnn Peachey

From: Bitte, Rob TRAN:EX <Rob.Bitte@gov.bc.ca>
Sent: December 3, 2019 12:41 PM
To: JoAnn Peachey
Subject: RE: Informal Referral - C2019.012-TUP (Nielsen)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi JoAnn,

Thank you for the email referral for this proposed TUP.

After a review of the information you provided, please be advised that the ministry of Transportation has no concerns with this temporary use.

Regards,

ROB BITTE
DEVELOPMENT OFFICER
BC MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
102 INDUSTRIAL PLACE PENTICTON V2A 7C8
T: 250.490.2280 | C: 250.809.6886 | F: 250.490.2231

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From: JoAnn Peachey [mailto:jpeachey@rdos.bc.ca]
Sent: Monday, December 2, 2019 3:48 PM
To: Bitte, Rob TRAN:EX
Subject: Informal Referral - C2019.012-TUP (Nielsen)

Hi Rob,

I am sending an informal referral for a temporary use permit application for 166 Sundial Road near Vaseux Lake.

The applicant has requested a vacation rental use for eight bedrooms, for up to 16 people, from April 1st to October 31st. This is a "new" application, as there have been two previously issued TUPs for a vacation rental at this location (issued in 2015 and 2016).

The property is zoned Residential Single Family Zone Two (RS2). The property is the subject of a Watercourse Development Permit (WDP) Area and Protection of Farming Development Permit Area. It is also located within a floodplain.

Information about the application can be found via this link:

<https://www.rdos.bc.ca/departments/development-services/planning/current-applications-decisions/electoral-area-c/c2019012-tup/>

If you have any questions, concerns or comments, please let me know.





December 12, 2019

File: 2019094
Your File: C2019.012-TUP

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

Attention: JoAnn Peachey, Planner

Re: Temporary Use Permit application for property located at 166 Sundial Rd., Oliver, B.C.

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations & Rural Development has reviewed the above noted referral. We understand that the application is for a Temporary Use Permit to operate a short-term vacation rental at the subject property.

According to our records, the proposed development area contains the following sensitive values:

- Migratory Bird Sanctuary
- Critical Habitat for
 - Western Rattlesnake
 - Great Basin Gopher Snake
 - Desert Nightsnake
 - Pallid Bat
 - Great Basin Spadefoot
 - Behr's Hairstreak
- Directly adjacent to an area with a conservation ranking of Very High

Given the very sensitive nature of this area and its status as a federally protected Migratory Bird Sanctuary, it is important to consider the potential impact of large groups and frequent turnover of guests. We recommend that the owner of the property be able to demonstrate that no impacts to these values occur as a result of the high number of visitors and attendant vehicle, pedestrian and pet (if applicable) traffic. For instance, are guests educated about permissible activities in a federal Migratory Bird Sanctuary? Have the homeowners demonstrated awareness of and care for the surrounding native vegetation? Other than this we have no concerns with the application as proposed.



It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the *Water Sustainability Act* and the *Wildlife Act*. The undersigned may be reached at Jamie.Leathem@gov.bc.ca or 250-490-8294 if you have further questions or require additional information.

Sincerely,



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

JL/jl



JoAnn Peachey

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: December 31, 2019 12:36 PM
To: Planning
Subject: Sundial Rd, 166 Oliver RDOS (C2019.012-TUP)

Follow Up Flag: Follow up
Flag Status: Flagged

With respect to the above noted file,

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

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

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

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

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

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

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

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

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

Best Regards,

Steve Danielson, AACI, SR/WA

Contract Land Agent | Property Services | FortisBC Inc.

2850 Benvoulin Rd

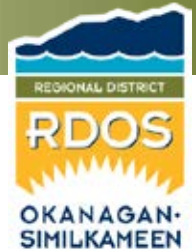
Kelowna, BC V1W 2E3

Mobile: 250.681.3365

Fax: 1.866.636.6171

FBCLands@fortisbc.com

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 23, 2020
RE: Development Variance Permit Application — Electoral Area “D”

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. D2019.034-DVP

Purpose: To allow for the development of an enclosed porch.

Owners: Alan & Elizabeth Forsey Applicant: Alan Forsey Folio: 02893.113

Civic: 326 Carmel Crescent Legal: Lot 57, Plan KAP12472, District Lot 461, SDYD

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

Requested Variance: To reduce the front parcel line setback from 7.5 metres to 6.13 metres.

Proposed Development:

This application seeks a development variance permit to increase the maximum height and to reduce the front parcel line setback to accommodate the construction of a new 11 m² enclosed porch onto an existing single detached dwelling.

Specifically, it is proposed to reduce the front parcel line setback for a principal building from 7.5 metres to 6.13 metres.

The applicants have stated, among other things, that “The requested variance is minimal and will not be detrimental to the Regional District’s criteria. It would give us an area between the weather and the interior of the house... the proposed porch would not adversely affect adjacent or nearby properties.”

Site Context:

The subject lot is approximately 1,003 m² in area, and is located on Carmel Crescent, approximately 3 km north of Okanagan Falls.

The property is currently developed and contains a single detached dwelling. The surrounding pattern of development is characterised by similar residential development.

Background:

The subject property was created by Plan of Subdivision on November 14th, 1961, while available Regional District records indicate building permits have been issued for a single family dwelling and a rear deck.

Under the Electoral Area "D" Official Community Plan (OCP) Bylaw No. 2603, 2013, the property is designated Low Density Residential (LR).

Under the Electoral Area "D" Zoning Bylaw No. 2455, 2008, the property is currently zoned Residential Single Family One Zone (RS1) which allows for single detached dwellings as a principal use.

The subject property has been classified by BC Assessment as "Residential" (Class 01).

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

Analysis:

The purpose of minimum setbacks is to provide a physical separation between the road and a building to manage traffic and pedestrian safety, maintain an attractive streetscape, mitigate overshadowing or loss of privacy of neighbouring properties, encourage open and landscaped areas along roadways, and contain development impacts on the property.

In considering this proposal, Administration notes that the requested variance is minimal, so as to construct a modestly sized enclosed front porch.

Due to the location and minimal nature of the variance, traffic and pedestrian safety are unlikely to be impacted by the proposed development.

The size and location of the proposed enclosed porch appears consistent with the character of the house. It also appears to be consistent with the surrounding neighbourhood, including the neighbouring property to the south, which received a building permit for a vestibule entrance in 2009.

Conversely, the existing single detached house is currently providing shelter without the existence of an enclosed porch, and may not be necessary for the full enjoyment of the property.

For the reasons stated above, Administration supports the variance request.

Alternative:

1. That the Board deny Development Variance Permit No. D2019.034-DVP.

Respectfully submitted

Endorsed by:

Endorsed by:

Cory Labrecque





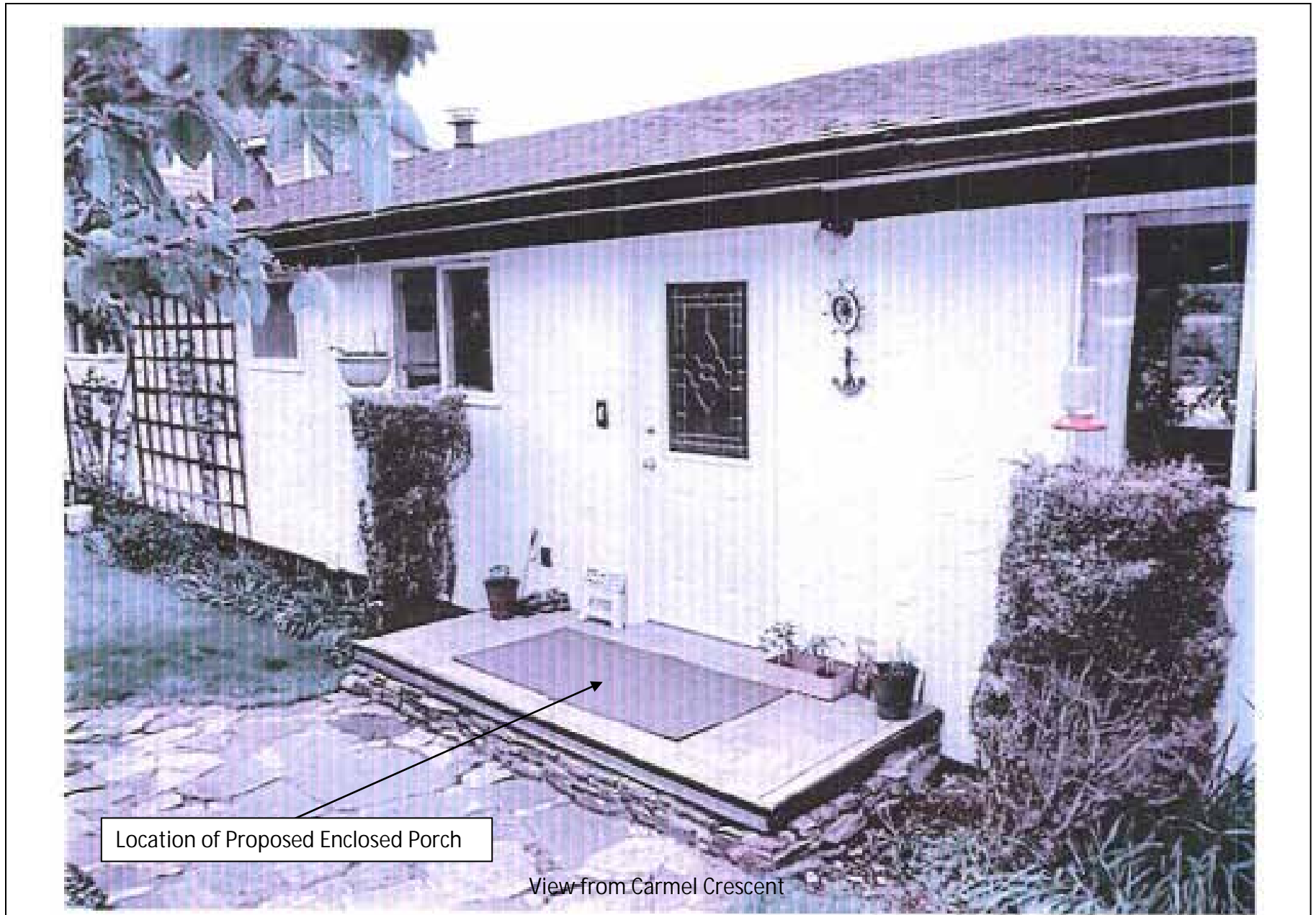
C. Labrecque, Planner II

C. Garrish, Planning Manager

B. Dollevoet, G.M. of Dev. Services

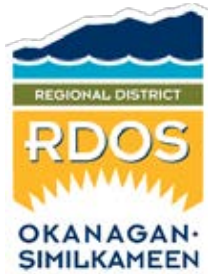
Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo of Subject Property



Location of Proposed Enclosed Porch

View from Carmel Crescent



Development Variance Permit

FILE NO.: D2019.035-DVP

Owner: Alan & Elizabeth Forsey
326 Carmel Crescent
Okanagan Falls, BC
V0H 1R5

GENERAL CONDITIONS

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District of Okanagan-Similkameen applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit that shall form a part thereof.
3. Where there is a conflict between the text of the permit and permit drawings or figures, the drawings or figures shall govern the matter.
4. This Development Variance Permit is not a Building Permit.

APPLICABILITY

5. This Development Variance Permit is substantially in accordance with Schedules 'A', and 'B', and applies to and only to those lands within the Regional District described below, and any and all buildings, structures and other development thereon:

Legal Description: Lot 57, Plan KAP12472, District Lot 461, SDYD

Civic Address: 326 Carmel Crescent

Parcel Identifier (PID): 009-238-611 Folio: 02893.113

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "D" Zoning Bylaw No. 2455, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the minimum front parcel line setback for a principal building in the Residential Single Family One (RS1) Zone, as prescribed in Section 11.1.6 a)(i), is varied:
 - i) from: 7.5 metres

to: 6.13 metres to the outermost projection as shown on Schedule 'B'.

7. **COVENANT REQUIREMENTS**

a) Not Applicable

8. **SECURITY REQUIREMENTS**

a) Not applicable

9. **EXPIRY OF PERMIT**

The development shall be carried out according to the following schedule:

- a) In accordance with Section 504 of the *Local Government Act* and subject to the terms of the permit, if the holder of this permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date it was issued, the permit lapses.
- b) Lapsed permits cannot be renewed; however, an application for a new development permit can be submitted.

Authorising resolution passed by the Regional Board on _____, 2020.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

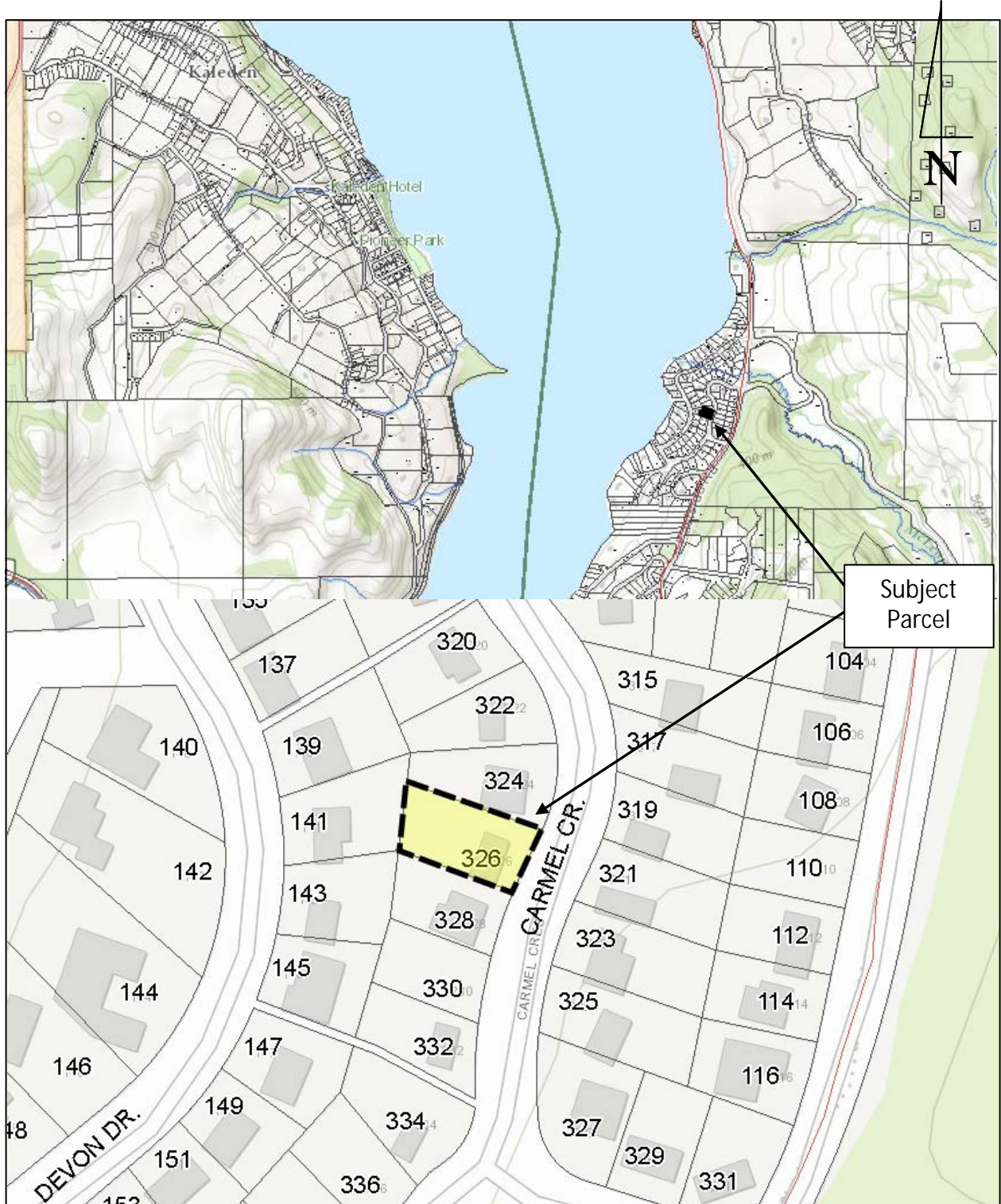
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. D2019.035-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

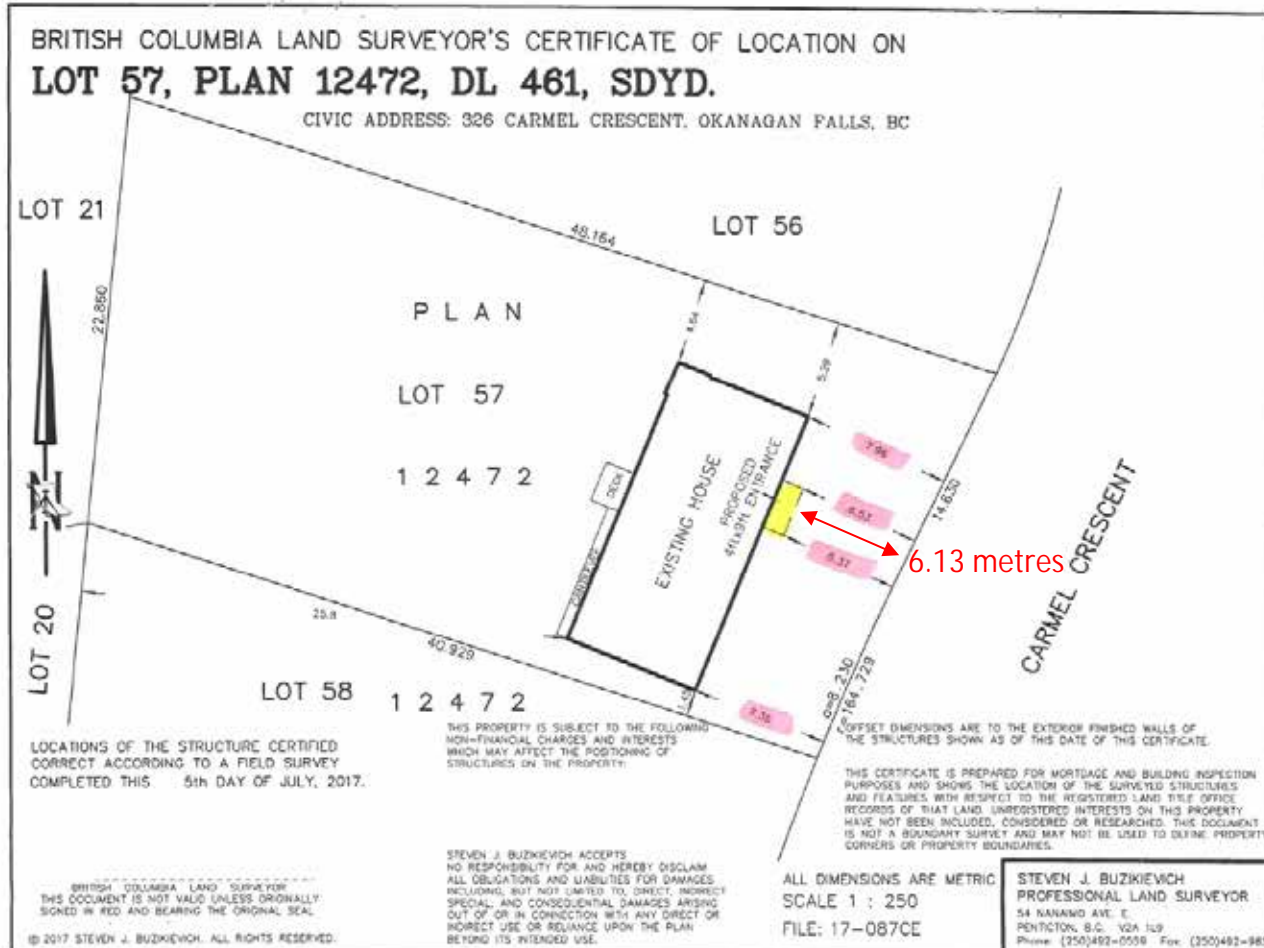
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. D2019.035-DVP

Schedule 'B'

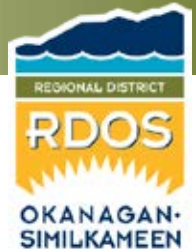


Development Variance Permit No. E2019.020-DVP

DRAFT VERSION - 2019-07-10

Page 4 of 4

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 23, 2020
RE: Agricultural Land Commission Referral ("non-farm" use) – Electoral Area "D"

Administrative Recommendation:

THAT the RDOS "authorize" the application for a "non-adhering residential use – additional residence for farm use" at 4094 Mclean Creek Road (Lot 4, Plan KAP2480, District Lot 3090, SDYD) in Electoral Area "D" to proceed to the Agricultural Land Commission.

Purpose: To allow for an "accessory dwelling" in the Agricultural Land Reserve.

Owner: Kelvin & Judith Hall Agent: N/A Folio: D07061.040

Legal: Lot 4, Plan KAP2480, District Lot 3090, SDYD

Civic: 4094 McLean Creek Rd. OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

An application to the Agricultural Land Commission (ALC) under Section 20.1(2) of the *Agricultural Land Commission Act* (the Act) has been referred to the Regional District, in order to formalize an accessory dwelling on a parcel of land within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission's approval to formalize an existing accessory dwelling near the primary residence that was constructed inside of an existing detached garage.

In support of this proposal, the applicant has stated that they are seeking "...the approval of a non adhering secondary residence on the property to accommodate my parents and expand McLean Creek Family Farm operations from a hobby farm to a full orchard and cidery within the next five to eight years."

Statutory Requirements:

Under Section 34 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) applies wherein the Board has the ability to refuse to "authorise" an application.

In this instance, Section 25(3) is seen to apply as the property "is zoned by bylaw to permit [an] agricultural or farm use".

Site Context:

The subject property is approximately 2.0 ha in area and is located on the west side of McLean Creek Road, approximately 800 metres northeast of Okanagan Falls. The property is understood to

comprise an existing principal dwelling, accessory agricultural-related structures, and the accessory dwelling in question, with portions of the property used for agricultural production.

The surrounding pattern of development is characterised by similar agricultural parcels to the north, south and east, with a large holdings parcel to the west.

Background:

The current boundaries of the subject property were created by a plan of subdivision deposited with the Land Titles Office on July 22, 1936, while available Regional District records indicate that building permits have previously been issued for a single detached dwelling (2007), as well as to convert an attached garage to a "living space" (2016).

On February 22, 2019, amendments to the *Agricultural Land Commission (ALC) Act* came into effect, and made key changes to the regulations governing the construction of dwelling units on lands in the Agricultural Land Reserve (ALR). This includes land in the ALR having no more than one (1) residence per parcel, with the Commission having authority to approve additional residences if necessary for farm use.

On November 4, 2019, it came to the Regional District's attention that the "living space" permitted in 2016 had been converted to a dwelling unit, without approval, through the installation of a kitchen.

As this came to light after the February 22, 2019, the property is now required to seek ALC approval as the dwelling unit was not lawfully established prior to the changes to the ALC Act.

Under the Electoral Area "D" Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is designated as Agriculture (AG), and is outside of the Okanagan Fall Primary Growth Area boundary.

Under the Electoral Area "D" Zoning Bylaw No. 2455, 2008, the property is zoned Agriculture One (AG1), which allows for a maximum of one (1) secondary suite or accessory dwelling unit on parcels less than 8.0 ha in area. The bylaw further limits the floor area of an accessory dwelling to 90.0 m², whereas the applicant's dwelling unit is understood to have a floor area of approximately 105.0 m².

The property has also been assessed as Residential (Class 01) and Farm (Class 09) by BC Assessment.

Analysis:

In considering this proposal, Administration notes that the Electoral Area "D" OCP Bylaw speaks to "... restrict[ing] residential development in the Agricultural Land Reserve to single farm residences ..."

Administration is further aware, however, that in other Electoral Area OCP Bylaws the Board has taken a position of considering "second dwelling applications within the ALR in accordance with second dwelling policies established in the implementing Zoning bylaw, and reflective of the views of the farming community."

Against this latter criteria, it is noted that the AG1 Zone is seen to permit an accessory dwelling and, despite being only 2.0 ha in area, the property has been classed as "farm" by BC Assessment and the applicant has indicated that the accessory dwelling unit is required for farm (family) labour to assist in the expansion their orchard operation.

In addition, the dwelling unit has been located within the “farm home plate” of the principal dwelling (i.e. it has been constructed in close proximity), thereby minimizing the alienation of agricultural land on the property.

Conversely, Administration notes that 2.0 ha is not normally a parcel size associated with the need for additional farm labour, the accessory dwelling’s floor area is a size otherwise permitted on parcels greater than 8.0 ha, that the property is within close proximity of Okanagan Falls and that accommodation options may be available there, and that the OCP does speak to limiting residential development on parcels in the AG designation to a single dwelling.

Nevertheless, and for the reasons outlined above, Administration is recommending that the application be “authorised” to proceed to the ALC for their determination.

The Board is asked to be aware that, should this application be approved by the ALC, an amendment to the Zoning Bylaw will be required as the dwelling unit exceeds the maximum floor area allowance of 90.0 m² for an accessory dwelling (i.e. it is approximately 105.0 m²).

Alternatives:

1. THAT the RDOS “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 4094 Mclean Creek Road (Lot 4, Plan KAP2480, District Lot 3090, SDYD) in Electoral Area “D” 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 “D” Advisory Planning Commission (APC).

Respectfully submitted

Endorsed by:

Endorsed by:

Cory Labrecque

C. Labrecque, Planner II



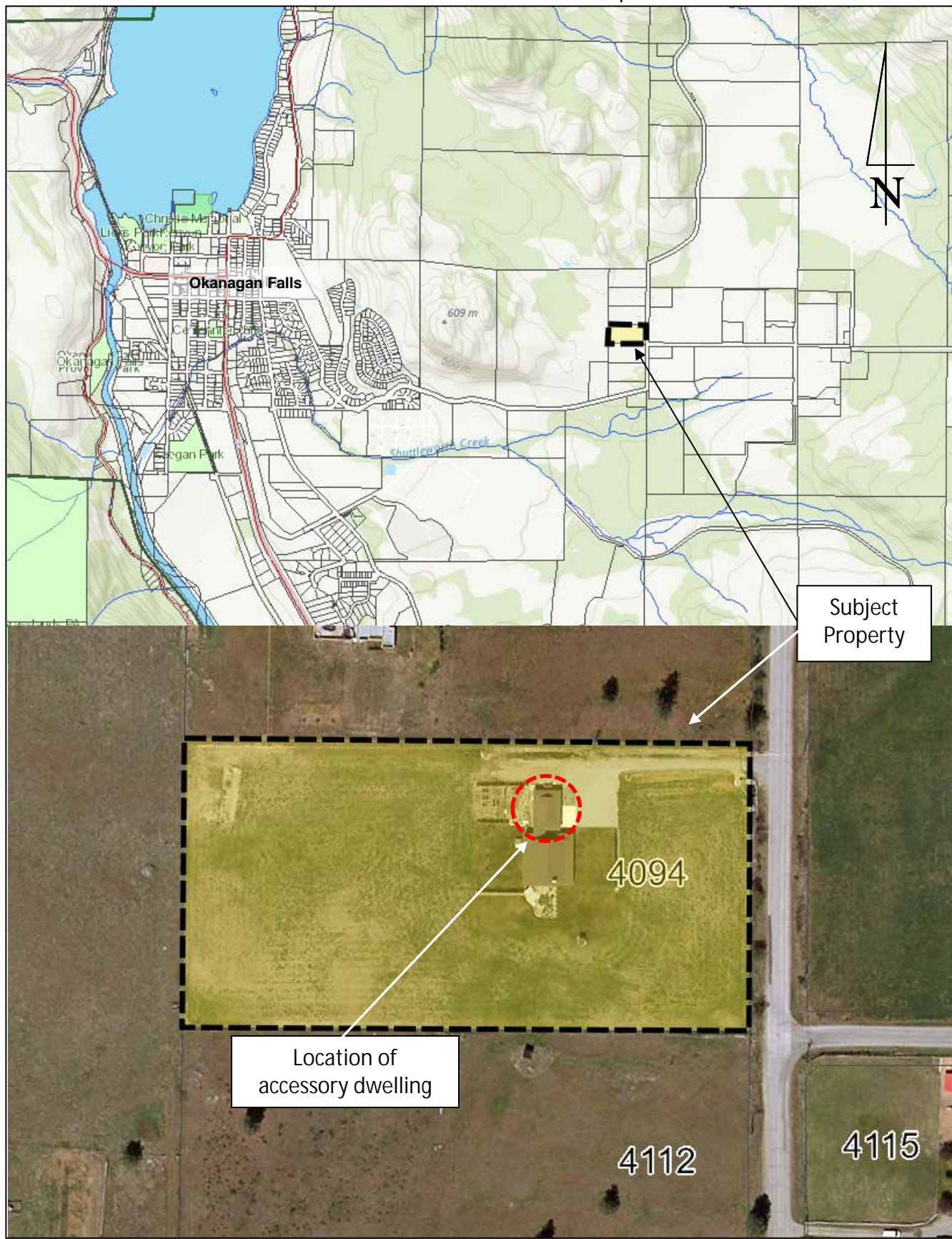
C. Garrish, Planning Manager



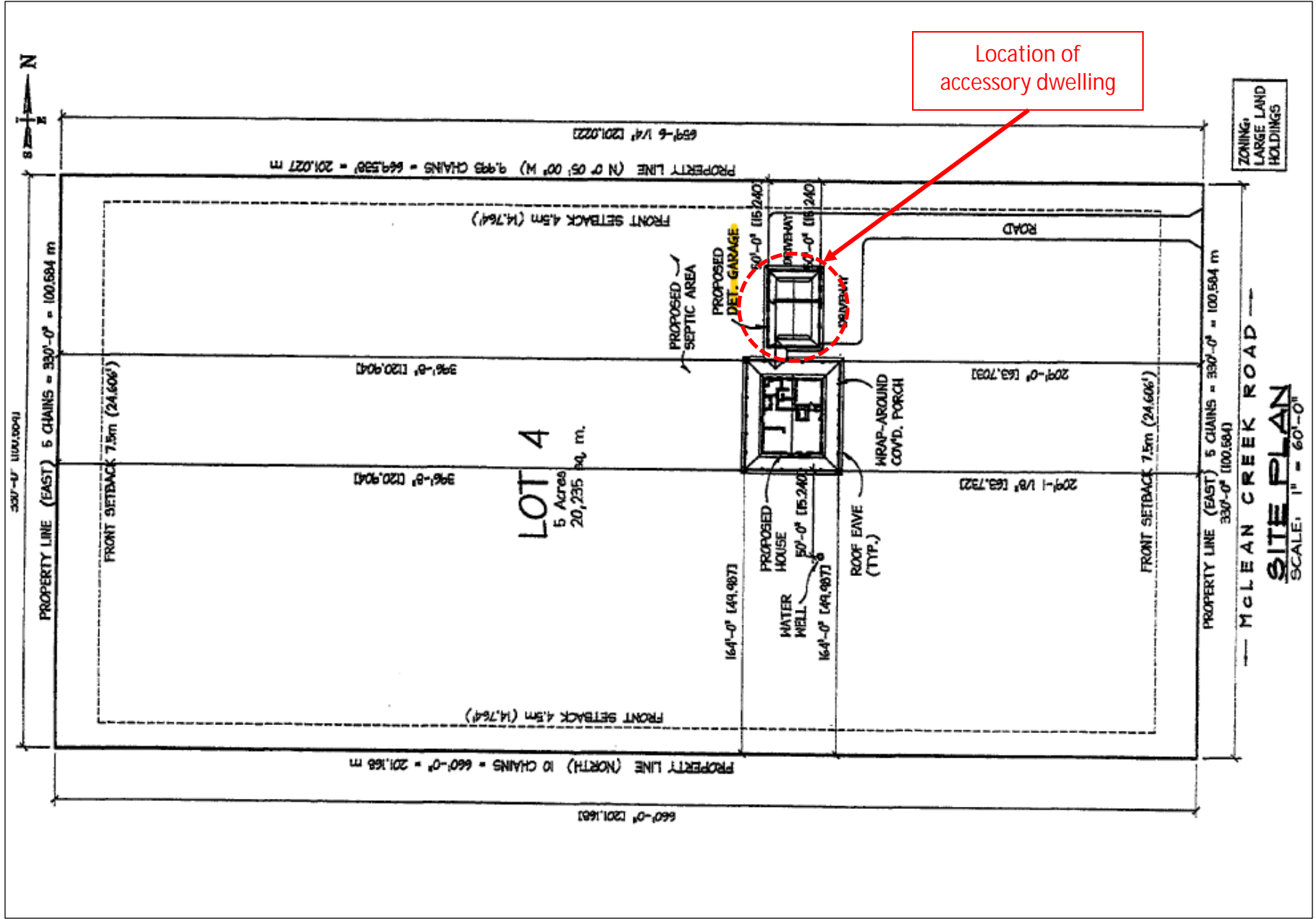
B. Dollevoet, G.M. of Dev. Services

Attachments: No. 1 – Context Maps
No. 2 – Applicant’s Site Plan
No. 3 – Photo of Property
No. 4 – Site Plan (2016) and Interior Photo (2019)

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Photo of Property



Attachment No. 4 – Site Plan (2016) and Interior Photo (2019)



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Untidy and Unsightly Zoning and Building Bylaw Contraventions
Electoral Area: H Folio: H00905.450
PID: 025-462-491
Civic Address: 847 Highway 5A, Princeton

Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3, District Lot 1185, KDYD, Plan 35988, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018;

AND THAT the Regional District Board direct the owners to bring the property located at 847 Highway 5A and legally described as Lot 3, District Lot 1185, KDYD, Plan 35988 into compliance with the Regional District of Okanagan-Similkameen's Electoral Area 'H' Similkameen Valley Zoning Bylaw No. 2498, 2012 and the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2637, 2013 within 30 days;

AND THAT if the property owners fail to comply within 30 days, injunctive action be commenced.

Civic: 847 Highway 5A, Princeton Folio: H00905.450

Legal: Lot 3, District Lot 1185, KDYD, Plan 35988

Zone: Agricultural 3 (AG3)

Purpose:

The purpose of this report is to seek direction from the Regional District Board regarding enforcement against the property owner of 847 Highway 5A, legally described as Lot 3, District Lot 1185, KDYD, Plan 35988 in relation to:

1. Residential occupancy of recreational vehicles;
2. Storage of salvageable materials;
3. The number of derelict vehicles on the property;

4. The untidy and unsightly condition of the property; and
5. Placement of structures without building permits

Site Context

The subject property is approximately 78,794 m² (7.79 ha) in area and is situated at 847 Highway 5A, approximately 8 km northeast of Princeton. Building permits were issued to previous owners in 1987 and 1988 for a single family dwelling and a garage.

Regulatory Provisions:

RDOS Bylaw No. 2637, 2013 – Untidy and Unsightly Premises Regulatory Control Bylaw (“Untidy and Unsightly Premises Bylaw”)

Section 7.4.3 of the **RDOS Electoral Area ‘H’ Zoning Bylaw No. 2498, 2012 (“Zoning Bylaw”)** states that the wrecking, salvage or storage of more than two derelict vehicles or the use of land as a salvage operation is prohibited in all zones except the I2 Zone.

“Derelict vehicle” includes a vehicle, except for a farm vehicle, that is not displaying a current licence, pursuant to Provincial regulations, and which is not enclosed within a garage or carport.

Section 7.4.2 of the Zoning Bylaw states that the use of a recreational vehicle as a permanent residence is prohibited in all zones except the RA, LH1, LH2, SH2, SH3, SH4 AND CD6.

Section 7.14.3 of the Zoning Bylaw states that only recreational vehicles belonging to the owner or occupier of the principal single detached dwelling on a parcel may be stored or parked on the same parcel. Furthermore, despite 7.14.3, one (1) recreational vehicle belonging to a guest or visitor of the owner or occupier of the principal single detached dwelling may be located on the same parcel, not to be used for a period exceeding a total of 90 days in any one year.

RDOS Building Bylaw #2805, 2018 (“Building Bylaw”)

Background:

The subject property has a history of complaints for a variety of unsightly and untidy conditions, including storage of derelict vehicles.

The Bylaw Enforcement Officer has attended the site on a number of occasions. On September 18, 2014, during an inspection while the site was owned by a previous owner, a sign was noted that declared the current owner as agent to assist in cleaning up the property. That enforcement file was closed in 2016.

In the spring of 2019 the property was once again brought to the attention of Bylaw Enforcement. At that time it was determined that title had recently transferred to the current owner (the previous agent).

At the time of his initial investigation on May 28, 2019, the Bylaw Enforcement Officer, who was accompanied by the property owner and a friend who was living in the house on the property, observed a vast assortment of metal pieces, wood, plastic, old tires, old boats, furniture and many other sorts of scrap materials. The materials are located throughout the property and the property appeared to be used as a salvage operation as evidenced by numerous auto parts and pieces in sorted piles located at many places on the property. The owner advised that several RV's were brought onto the property, that they were planning on bringing in 5 more, and that they had further plans to build "tiny houses" on the property. At the time of the inspection, there were in excess of twenty derelict vehicles on the property, and 8 RV units (both trailer and motor homes). At that time, it appeared that at least one of the RV's was occupied.

The Bylaw Enforcement Officer attended at the site for follow up investigations on June 18 and July 8, 2019. At that time of those inspections no apparent clean-up work appeared to have been done and more materials may have been brought on to the property.

On July 16, 2019, a meeting was held between the owner representatives, Bylaw Enforcement staff and Planning Staff to discuss a proposal from the owners with respect to conducting manufacturing and distribution of tiny homes on the property and to create a residential pocket neighbourhood. Planning staff advised that the property was located in the Agricultural Land Reserve and ALC approval was required for their proposal prior to proceeding with any potential rezoning or development. At that meeting, staff was advised that clean up efforts were underway on the property by the property owner and that ICBC had been contacted to determine ownership of the derelict vehicles.

On August 28, 2019, the property owner was notified by letter that the property was in contravention of the Untidy and Unsightly Premises Bylaw and must be brought into compliance within 30 days. In addition, the infractions with respect to the occupancy of recreational vehicles, the storage of salvage materials and the derelict vehicles were to be corrected immediately.

The Bylaw Enforcement Officer attended at the property on September 10, 2019. The Bylaw Enforcement Officer noted in his inspection that in excess of twenty derelict vehicles remained on the property, at least 11 RV units were at various locations, two of which (possibly 4) were occupied with the remainder set up and appearing to be ready for occupancy. A large amount of materials of all kind were observed on the property which he determined was clearly being used as a salvage operation with car parts and other items sorted for apparent sale. Many items, some clearly brought to the property from elsewhere, were set up for sale on tables near the property entrance.

On September 23, 2019, subsequent to the Bylaw Enforcement Officer's site investigation on September 10, 2019, a letter was provided to the property owner confirming the continuing and

increased non-compliance, and advising that if the property was not brought into compliance by September 28th that this matter would proceed to the Regional Board for additional enforcement action.

On October 1, 2019 the Building Official placed stop work notices on two mobile homes which had been relocated to the property. A follow up letter regarding the stop work notices was sent to the owner on October 2, 2019. A final notice letter with a Bylaw Offence Notice (\$500 fine) was sent to the property owner on November 5, 2019. On November 17, 2019, the Building Official noted that a hole in the side of one of the mobile homes had been framed in and smoke was coming out of the chimney.

The Building Bylaw infraction is considered to be Category 3.

Analysis:

Section 6.6 of the Board's "Bylaw Enforcement Procedures" Policy sets out that where unlawful activity has not ceased or where compliance is not being actively pursued within the time period provided for voluntary compliance, that legal proceedings or direct enforcement action should be initiated.

Schedule A of the Untidy & Unsightly Premises Bylaw 2637, 2013 sets out the procedures for regulating and controlling untidy and unsightly premises. Schedule A, paragraph (f) sets out the option to provide a recommendation to the Regional Board to request that the owner or occupier undertake the work necessary to bring the property into compliance. Further, if compliance is not met within the time period requested, a recommendation may be forwarded to the Regional Board to undertake further action (i.e. court action) as deemed necessary. Administration is asking the Board to support both actions (30 days notice, and court action) in accordance with the Bylaw.

Reasonable efforts have been made to achieve voluntary compliance with the property owner.

The recent site investigation reports demonstrates that the property remains in contravention of the bylaw(s) despite the property owners receiving repeated notices. In fact, the property owner has continued to increase non-compliance including re-locating two manufactured homes to the property in contravention of the Building Bylaw.

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

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

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

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

As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff with respect to the building bylaw violations. The Notice on Title advises the current and future owners of the deficiency and

injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

It is more cost effective to initiate legal action for all the non-compliance issues simultaneously.

For these reasons, we are recommending that injunctive action be initiated against the property owners of 847 Highway 5A.

Injunctive action will require an application be submitted to the British Columbia Supreme Court. Seeking a court injunction has a legal cost which, if successful, can only partially be recovered from the property owners.

Alternatives:

1. To commence a process through direct action to bring Lot 3, District Lot 1185, KDYD, Plan 35988 into compliance with the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2637, 2013, place a Section 302 Notice on Title (Category 2 Building) and forward the zoning bylaw contraventions for injunctive action;
2. That the RDOS abandon enforcement of the Electoral Area 'H' Similkameen Valley Zoning Bylaw No. 2498, 2012, the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2637, 2013, and not enforce the Building Bylaw violations against Lot 3, District Lot 1185, KDYD, Plan 35988.

Respectfully submitted:

"L. Miller"

L. Miller, Building & Enforcement Services
Manager

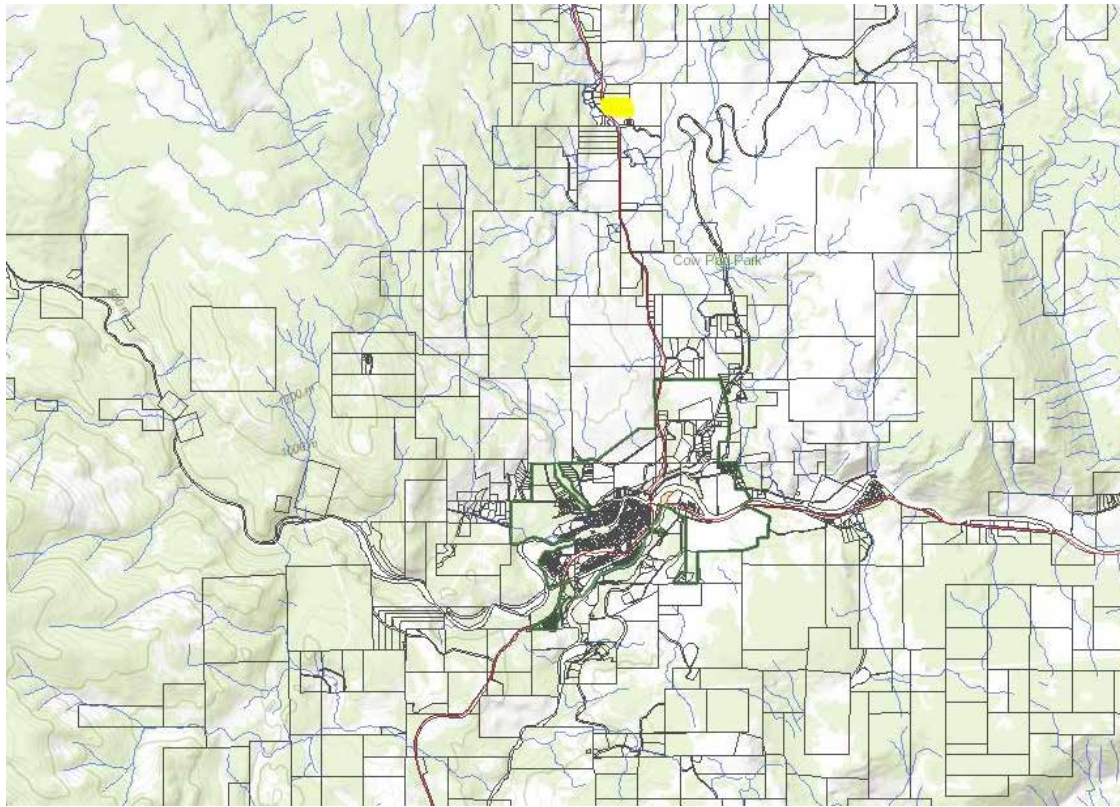
Endorsed by:

"B. Dollevoet"

B. Dollevoet, Development Services General
Manager

Attachments: No. 1 – Parcel Map
No. 2 – Site Photos (2019)

ATTACHMENT No. 1



ATTACHMENT 2

RV OCCUPANCY



SALVAGE OPERATION



DERELICT VEHICLES



UNTIDY & UNSIGHTLY



BUILDING CONTRAVENTIONS



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Untidy and Unsightly, Zoning and Building Bylaw Contraventions
Electoral Area: H Folio: H00789.000
PID: 015-006-948
Civic Address: 1916 Kennedy Lake Road

Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as District Lot 889, YDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333, 2005 and 2805, 2018;

AND THAT the Regional District Board direct the owners and the tenant to bring the property located at #6 Marmot Crescent and #1 Chicken Alley (Kennedy Lake Resort) and legally described as District Lot 889, YDYD, into compliance with the Regional District of Okanagan-Similkameen's Electoral Area 'H' Similkameen Valley Zoning Bylaw No. 2498, 2012 and the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2637, 2013 within 30 days;

AND THAT if the property owners fail to comply within 30 days, injunctive action be commenced.

Civic: 1916 Kennedy Lake Road (Sites located at #1 Chicken Alley and #6 Marmot Crescent)

Folio: H00789.000

Legal: District Lot 889, YDYD

Zone: Kennedy Lake Comprehensive Development Zone (CD6)

Purpose:

The purpose of this report is to seek direction from the Board regarding enforcement against the property owner of 1916 Kennedy Lake Road (specific to sites located at #1 Chicken Alley and #6 Marmot Crescent), legally described as District Lot 889, YDYD in relation to:

1. The number of recreational vehicles on the sites;
2. Storage of derelict vehicles on the sites;
3. The untidy and unsightly condition of the sites; and
4. Placement of structures without building permits

Site Context

The subject property is approximately 129 hectares (ha) in area and is situated approximately 20 km south of the Town of Princeton and west of Highway 3 approximately 2000 metres to the west of the mining operation at Copper Mountain.

Regulatory Provisions:

RDOS Bylaw No. 2637, 2013 – Untidy and Unsightly Premises Regulatory Control Bylaw (“Untidy and Unsightly Premises Bylaw”)

Section 7.4.3 of the **RDOS Electoral Area ‘H’ Zoning Bylaw No. 2498, 2012** (“Zoning Bylaw”) states that the wrecking, salvage or storage of more than two derelict vehicles or the use of land as a salvage operation is prohibited in all zones except the I2 Zone.

“Derelict vehicle” includes a vehicle, except a farm vehicle, that is not displaying a current licence, pursuant to Provincial regulations, and which is not enclosed within a garage or carport.

Section 16.1.9(a) of the **RDOS Electoral Area ‘H’ Zoning Bylaw No. 2498, 2012** states that in the “Recreational Use Area” shown on Schedule ‘4’ of this Bylaw (attached as Attachment 2), the maximum density shall be as follows:

- iv) in the area shown shaded olivine yellow and described as “Block D”, the maximum number of:
 - .1 seasonal cabins shall not exceed 14; and
 - .2 recreational vehicles shall not exceed 11.
- xvi) in the area shown shaded solar yellow and described as “Block P”, the maximum number of:
 - .1 seasonal cabins shall not exceed 8; and
 - .2 recreational vehicles shall not exceed 6.

RDOS Building Bylaw #2805, 2018 (“Building Bylaw”)

Background:

Zoning

Use of Kennedy Lake for commercial recreation purposes originated in the late 1960’s with the establishment of a campground adjacent to the water body of the same name, which predated the introduction of zoning to Electoral Area ‘H’ in 1974.

With the introduction of zoning, an approximately 16.8 hectare (ha) part of Kennedy Lake encompassing the campground use and accessory dwelling was zoned commercial. This commercial zoning would be carried forward over a number of land use bylaw reviews undertaken by the Regional District between 1974 and 1997.

In 1982, an application to rezone the whole of the Kennedy Lake property to residential was submitted to the Regional District. This proposal was ultimately abandoned by the property owner, with a similar proposal submitted in 1985 refused by the Regional District Board.

Completion of the Coquihalla Highway in 1986 significantly altered traffic volumes along Highway 3, resulting in reduced commercial traffic to the campground operation. To compensate for this loss of business, the property owner increasingly leased individual parts of the property to interested lessees on an annual basis (under the *Land Title Act*, leases greater than 3 years in length trigger the requirement for subdivision). Consequently, what had been only a few small cabins and permanently parked travel trailers expanded in numbers and extend beyond the 16.8 ha area zoned for commercial uses in 1974, and without due regard for the density regulations contained within the Zoning Bylaws.

In 2005, the Board approved a rezoning of part of the property to “resort” in order to formalize a mix of recreational vehicles and cabins totaling 132 units. The new zoning contained a provision for an additional 10% expansion (145 units).

By 2013, these numbers had increased to approximately 300 units and the Regional District Board initiated legal action to obtain an injunction ceasing further development of the property. This action was successful and led to the consideration of new zoning to be applied to the property.

Past Building Enforcement

A court order was obtained January 14, 2014 which, among other relief, granted the RDOS the liberty to remove all buildings and structures located on the Lands that were constructed without a building permit. The majority of structures were brought into compliance by obtaining permits and completing the approval process. A total of 5 structures were demolished and removed in accordance with the terms of the court order.

The property owner and the tenant of the sites located at #1 Chicken Alley and #6 Marmot Lane are in dispute regarding the lease of the sites. The tenant had applied for two building permits on these sites. One for a seasonal cabin on the Chicken Alley site and an accessory building on the Marmot Lane site. Due to the dispute regarding tenancy building permits were not issued (or, in the case of Marmot Lane, a building permit was issued for an accessory structure on March 15, 2016 and was subsequently revoked on August 18, 2017). No other permits were applied for despite the number of structures located on the sites.

Current building enforcement

On December 21, 2018 a stop work order was placed on new construction, an addition to a recreational vehicle located at the Marmot Crescent site. The Building Official noted that the stop work notice had been removed and work had continued and placed another stop work notice on

March 8, 2019. On May 10, 2019 the Building Official once again noted continued work and placed a further stop work notice. Bylaw Offence notices were issued in May, 2018 and October 2018 for building without permit and disobeying a stop work order.

The Building Bylaw infraction is considered to be Category 3.

Untidy & Unsightly

The tenant of the property was advised by letter from the Building Supervisor dated August 17, 2017 that both sites were in an untidy and unsightly condition.

A written complaint was received on March 18, 2019 regarding the unsightly condition of the Marmot Crescent site.

On April 1, 2019 the Bylaw Enforcement Officer attended at the Marmot Crescent site and noted that there were considerable quantities of scap and waste plastics, metals, wood and other items on all area of the site.

On May 28, 2019 the Bylaw Enforcement Officer attended at both the Marmot Crescent site as well as the Chicken Alley site. The Chickey Alley site was noted by the Bylaw Enforcement Officer as being particularly unsightly due to the large amount of scap metals, plastics, lumber and a wide assortment of other waste materials. The tenant's female friend was at the Chicken Alley site and she advised that clean up work was underway and some items had already been removed. The Bylaw Enforcement Officer attended at the Marmot Crescent site and met the tenant there. The tenant advised that he had just purchased the property at 847 Hwy 5A and was moving some items there. The tenant further advised the Bylaw Enforcement Officer that the building addition on Marmot Crescent which was the subject of the recent stop work order was going to be re-located to the property on Highway 5A.

The Bylaw Enforcement attended at both sites for additional follow up investigations on June 18 and July 8, 2019. On those occasions the Bylaw Enforcement Officer's noted that minor clean-up work had been initiated but the properties remained in an Untidy and Unsightly condition.

The Bylaw Enforcement Officer attended at the property on November 25, 2019. As previously reported there were a large amounts of a wide variety of scap metals, plastic and other apparenty waste items on the properties.

Zoning non-compliance

Zoning of the entire property which is a district lot has been divided into "recreational use area" and "non-occupancy use area". Maximum density of the recreational use area has been segmented into blocks limiting the number of seasonal cabins and recreational vehicles.

The site located at #6 Marmot Crescent is located within Block D which limits seasonal cabins to not more than 14 and recreational vehicles to not more than 11. The number of recreational vehicles allowed by zoning has been exceeded in this block. As at May 24, 2019 there were a total of 14 recreational vehicles located in Block D with a minimum of 4 recreational vehicles being located on #6 Marmot Crescent including an unlicensed motorhome and 3 campers (one of which is occupied). Additionally there is a semi-trailer on the site.

The site located at #1 Chicken Alley is located within Block P which limits seasonal cabins to not more than 8 and recreational vehicles to not more than 6. The number of recreational vehicles allowed by zoning has been exceeded in this block. As at May 24, 2019 there were a total of 11 recreational vehicles located in Block P which includes 3 broken down recreational vehicles being located on #1 Chicken Alley.

In addition to the 3 recreational vehicles there is an abandoned mobile home, a small cabin, two tractor trailers and three tow trailers and 5 "derelict vehicles" located on #1 Chicken Alley. There are 3 "derelict vehicles" (not including the unlicensed motor home) located on #6 Marmot Crescent.

Summary

On December 10, 2019, a final letter was provided to the property owner and the tenant confirming the continuing non-compliance, and advising that if the property was not brought into compliance within 30 days that this matter would proceed to the Regional Board on January 23, 2020 for a recommendation to the Regional Board for additional enforcement action.

Analysis:

Section 6.6 of the Board's "Bylaw Enforcement Procedures" Policy sets out that where unlawful activity has not ceased or where compliance is not being actively pursued within the time period provided for voluntary compliance, that legal proceedings or direct enforcement action *should* be initiated.

Schedule A of the Untidy & Unsightly Premises Bylaw 2637, 2013 sets out the procedures for regulating and controlling untidy and unsightly premises. Schedule A, paragraph (f) sets out the option to provide a recommendation to the Regional Board to request that the owner or occupier undertake the work necessary to bring the property into compliance. Further, if compliance is not met within the time period requested, a recommendation may be forwarded to the Regional Board to undertake further action (i.e. court action) as deemed necessary. Administration is asking the Board to support both actions (30 days notice, and court action) in accordance with the Bylaw.

Reasonable efforts have been made to achieve voluntary compliance with the property owner.

The recent site investigation reports demonstrates that the property remains in longstanding contravention of the bylaw(s) despite the property owners receiving notice.

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

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

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

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

As there are potential construction and health and safety deficiencies on this property, a Section 302 Notice on Title and injunctive action are recommended by staff with respect to the building bylaw violations. The Notice on Title advises the current and future owners of the deficiency and injunctive action will require that the deficiencies be remedied and the property be brought into compliance with RDOS bylaws.

It is more cost effective to initiate legal action for all the non-compliance issues simultaneously.

For these reasons, we are recommending that injunctive action be initiated against the property owner of 1916 Kennedy Lake Road as well as the tenant of #1 Chicken Alley and #6 Marmot Crescent.

Injunctive action will require an application be submitted to the British Columbia Supreme Court. Seeking a court injunction has a legal cost which, if successful, can only partially be recovered from the property owner.

Alternatives:

1. To commence a process through direct action to bring District Lot 889, YDYG into compliance with the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2637, 2013, place a Section 302 Notice on Title (Category 2 Building) and forward the zoning bylaw contraventions for injunctive action;
2. That the RDOS abandon enforcement of the Electoral Area 'H' Similkameen Valley Zoning Bylaw No. 2498, 2012, the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2637, 2013 and not enforce the Building Bylaw violations against District Lot 889, YDYG.

Respectfully submitted:

"L. Miller"

L. Miller, Building & Enforcement Services
Manager

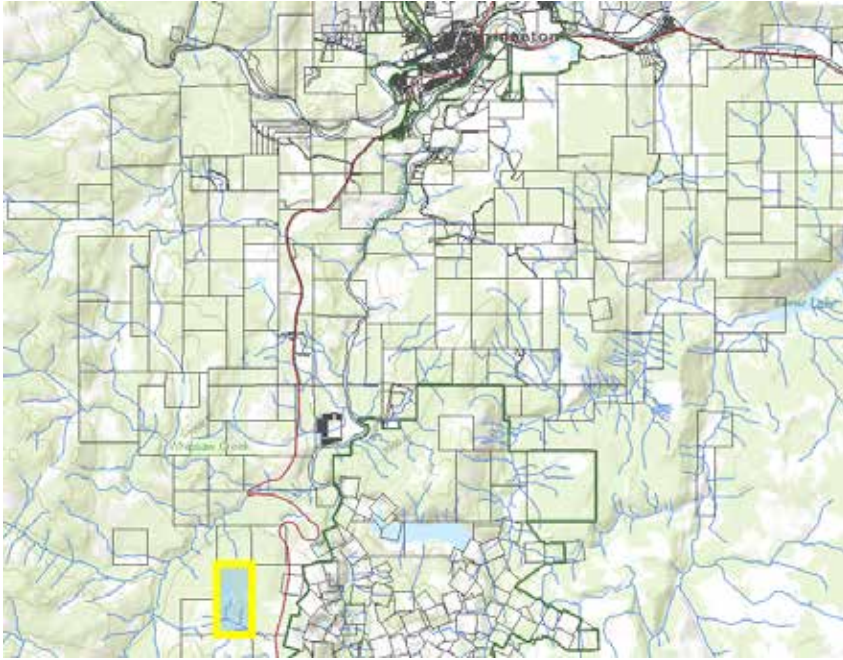
Endorsed by:

"B. Dollevoet"

B. Dollevoet, Development Services General
Manager

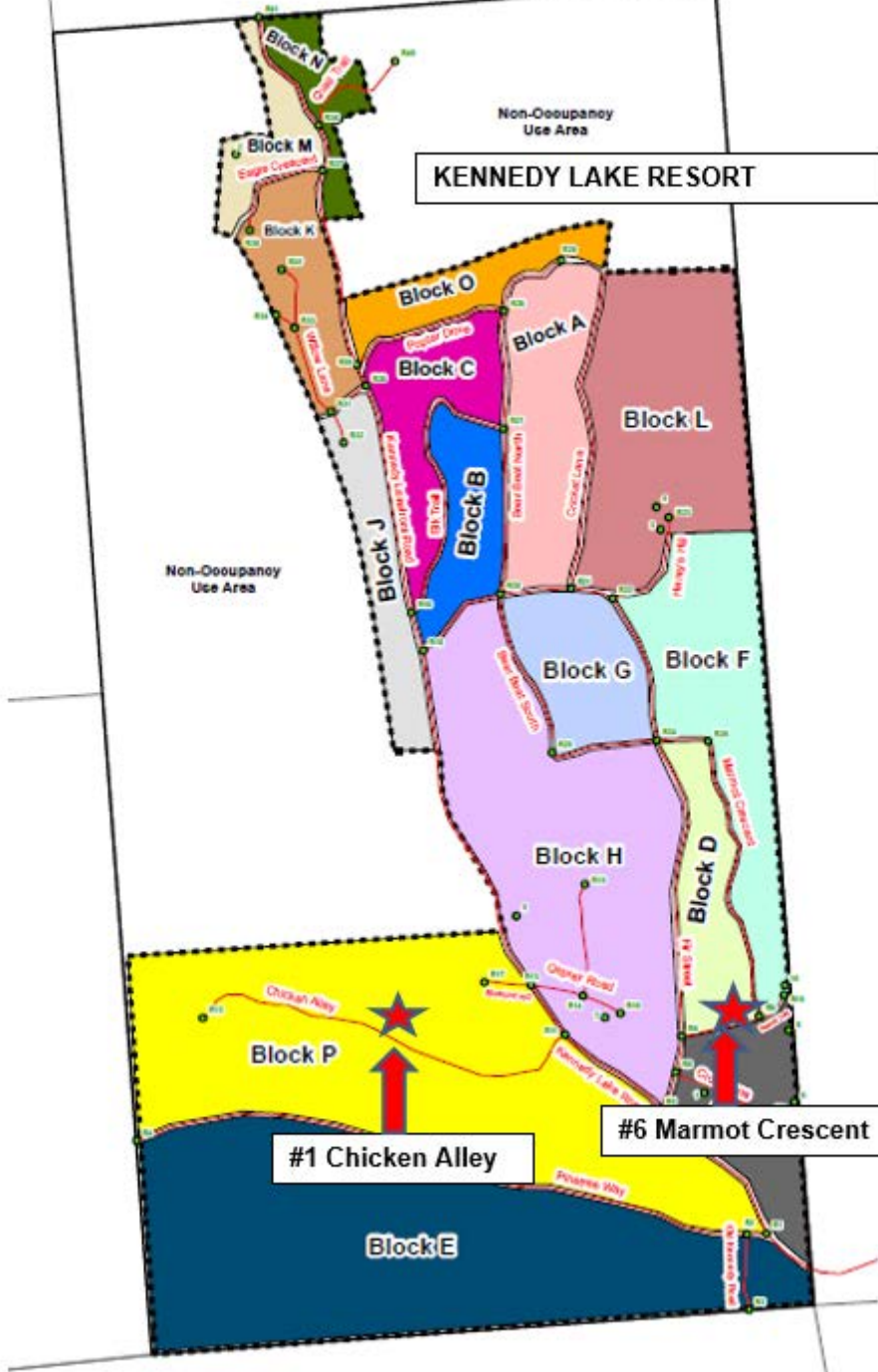
Attachments: No. 1 – Parcel Map
No. 2 – Zoning block map
No. 2 – Site Photos

ATTACHMENT No. 1



ATTACHMENT 2

KENNEDY LAKE RESORT



ATTACHMENT 3

BUILDING BYLAW – STOP WORK



UNTIDY & UNSIGHTLY – CHICKEN ALLEY



UNTIDY & UNSIGHTLY – MARMOT



ZONING / DERELICT VEHICLES – CHICKEN ALLEY



ZONING / DERELICT VEHICLES – MARMOT



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Official Community Plan & Zoning Bylaw Amendment – Residential Zone Update (Phase 1) Electoral Areas “A”, “C”, “D”, “E”, “F” & “I”

Administrative Recommendation:

THAT Bylaw No. 2804, 2019, Regional District of Okanagan-Similkameen Residential OCP & Zone Update Amendment Bylaw, be read a third time, as amended.

Proposed Development:

The purpose of Bylaw No. 2804, 2019, is to update the objective and policies for the various residential land use designations in the South Okanagan Official Community Plan (OCP) Bylaws and to further update the residential medium density (RM) zones in the zoning bylaws.

These amendments are part of on-going work related to the preparation of an Okanagan Valley Electoral Area Zoning Bylaw and represent Phase 1 of the residential zones. Subsequent phase(s) will deal with the low density residential (RS) zones.

Background:

At its meeting of April 19, 2018, the Planning and Development (P&D) Committee of the Board considered an Administrative report that provided a broad outline of the Residential Zone Update.

On October 10, 2019, the Regional District sent letters to all owners of land currently zoned RM1 (approximately 40 different parcels) advising of the proposed changes contained within Bylaw No. 2804, and offering to meet to discuss any questions or comments they may have had. In response, approximately five (5) property contacted the Regional District.

At its meeting of December 19, 2019, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur at the Board meeting of January 23, 2020.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed zoning amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97 & 3).

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

Administration supports the proposed amendments as they will facilitate the introduction of a single zoning bylaw for the South Okanagan Electoral Areas. The following is a summary overview of some of the more significant amendments contained within Bylaw 2804:

- introducing consistent layout, formatting and description of common Board objectives and policies for the residential land use designations across Electoral Areas;
- introducing a consistent maximum density in the Low Density Residential (LR) designation of 30 units/ha for single detached dwellings (excluding secondary suites and accessory dwellings);
- introducing a consistent maximum density in the LR designation of 45 units/ha for duplex dwellings;
- introducing a consistent maximum density in the Medium Density Residential (MR) designation of 60 units/ha for apartment buildings and townhouses;
- expanding references to the “1.0 ha Policy” as follows:
 - Ø *Requires that new parcels to be created by subdivision that are less than 1.0 hectare in area be connected to a community sanitary sewer system.*
 - Ø *Requires that accessory dwellings on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system.*
 - Ø *Requires that secondary suites on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.*
- standardizing the RM1 Zone across Electoral Areas as follows:
 - Ø amended and new definitions for “amenity space”, “apartment building” and “townhouse”;
 - Ø replacing references to “multi-dwelling units” with “apartment building” and “townhouse”;
 - Ø deleting low density dwellings (i.e. single detached & duplexes) as permitted types/uses;
 - Ø deleting references to a minimum density of 3 dwelling units;
 - Ø introducing a minimum floor area of 40 m² for dwelling units;
 - Ø deleting Floor Area Ratio (FAR) requirements;
 - Ø revising the amenity space requirements “apartment building” and “townhouse” units;
 - Ø combining the RM1 & RM2 Zones in Electoral Area “F”; and
 - Ø introducing a new Comprehensive Development Zone for a “share lot” development in Area “D”.

With regard to the proposed amendments to Bylaw 2804, this is related to revised feedback received from a property owner in Electoral Area “D”. In responding to the notification of the changes to the RM1 Zone, this property owner requested that five (5) parcels in Okanagan Falls be transitioned to the RS1 Zone (due to the occurrence of single detached dwellings on these parcels).

Bylaw 2804 was drafted to reflect this request, but the Regional District was subsequently advised by the property owner that they wished to retain the RM1 Zone with an interim allowance for single detached dwellings.

To accommodate this request, Administration is proposing that Bylaw 2804 be amended to reinstate a site specific RM1 zoning on the subject parcels (see Schedule ‘D-202’ of the Bylaw), with the site specific zoning allowing single detached dwellings as a permitted use.

In further support of this, Administration is recommending that a policy statement be included in the Electoral Area "D" OCP Bylaw speaking to this allowance as well as an acknowledgement that the site specific zoning be reviewed for continuing relevance when the OCP Bylaw is next reviewed. The property owner has indicated it is their intention to redevelopment the parcels to medium density before the next OCP Review for Electoral Area "D".

Alternatives:

1. THAT third reading of Bylaw No. 2804, 2019, Regional District of Okanagan-Similkameen Residential OCP & Zone Update Amendment Bylaw be deferred; or
2. THAT first and second reading of Bylaw No. 2804, 2019, Regional District of Okanagan-Similkameen Residential OCP & Zone Update Amendment Bylaw be rescinded and the bylaw abandoned.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed By:



B. Dollevoet, G.M. of Development Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2804, 2019

**A Bylaw to amend the Electoral Area "A", "C", "D", "E", "F" & "I"
Official Community Plan and Zoning Bylaws**

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

1. This Bylaw may be cited for all purposes as the "Okanagan Electoral Area Residential OCP & Zone Update Amendment Bylaw No. 2804, 2019."

Electoral Area "A"

2. The Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended by:
 - i) replacing Section 8.0 (Residential) in its entirety with the following:

8.0 RESIDENTIAL

8.1 Background

There are two residential land use designations recognized within this Plan. Rural Holdings (i.e., Large Holdings and Small Holdings) are not included as residential designations.

- **Low Density Residential (LR):** generally includes single detached dwellings, mobile homes, duplexes, and complementary secondary uses such as daycares, preschools, and parks which are integral to a low density residential neighbourhood.
- **Medium Density Residential (MR):** generally includes townhouses, triplexes, fourplexes, and those complementary secondary uses such as daycares, preschools, and parks, which are integral to a medium density area.

Low Density Residential (LR) development in the Plan Area has typically occurred adjacent to or near Osoyoos Lake and low-density single detached dwellings are the predominant housing form throughout the Plan Area. Other forms of low-density residential housing include semi-detached, and manufactured homes.

Medium Density Residential (MR) designated lands in the Plan Area are limited and exist at the north end of Osoyoos Lake and also near the Town of Osoyoos.

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw, Willow Beach and Osoyoos Mountain Estates have been designated as Rural Growth Areas in the Plan area, while the Town of Osoyoos is a designated Primary Growth Area.

The Plan supports these designations by directing new LR and MR designations to Rural Growth Areas, subject to servicing, as well as to Primary Growth Areas (i.e. Town of Osoyoos), and that proposed high density residential developments also be directed to Primary Growth Areas.

8.2 Objectives

- .1 Direct new residential development to existing serviced areas, within designated Primary and Rural Growth Areas to protect the predominately rural character of the Plan Area.
- .2 Minimize impacts from new residential development on the natural environment.
- .3 Accommodate a range of housing types and tenures to meet the socio-economic needs of the community.
- .4 Direct new residential development away from hazard lands, critical habitat areas, and watercourses.

8.3 Policies – General Residential

The Regional Board:

- .1 Directs the development of new housing to existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more residential development on non-residential designations in identified Primary and Rural Growth Areas.
- .2 Encourages residential infill development to maximize land use and servicing efficiencies.
- .3 Supports a range of residential densities and parcel sizes for the existing residential areas in the Plan Area.

- .4 Supports housing for a range of income levels, lifestyles and ages including rental housing and secondary suites where appropriate and feasible.
- .5 Will assess proposed residential developments on the following development criteria:
 - a) capability of accommodating on-site domestic water and sewage disposal, or the availability of community water or sewer;
 - b) ability of community water or sewer systems to be extended to existing neighbouring subdivisions which are presently un-serviced;
 - c) proximity to Environmentally Sensitive Development Permit Areas;
 - d) proximity to Watercourse Development Permit Areas;
 - e) impact on adjacent land uses and character of the existing area;
 - f) proximity to existing roads and other community and essential services;
 - g) susceptibility to natural hazards including, but not limited to, flooding, soil instability, land slide, rockfall, moderate or higher forest fire;
 - h) parkland dedication; and
 - i) demonstration of housing need, and provision for a variety of housing types.
- .6 Will evaluate any new residential development on its implications and impacts on adjacent lands designated as Agriculture (AG).
- .7 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .8 Encourages residential development that abuts land designated Agriculture (AG) to provide buffers pursuant to Ministry of Agriculture guidelines.
- .9 Requires that new parcels to be created by subdivision that are less than 1.0 hectare in area be connected to a community sanitary sewer system.
- .10 Requires that accessory dwellings on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system.
- .11 Requires that secondary suites on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.
- .12 Encourages new residential development to locations away from Osoyoos Lake to protect this important resource, reducing human impact on the lake and maintaining and improving water quality and habitat, and encourages a strong component of redesign for redevelopment of areas adjacent to the lake.

8.4 Policies – Low Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single detached dwellings, duplexes, secondary suites, accessory dwellings, manufactured home parks, parks, religious buildings and facilities, institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.
- .2 Support a maximum net density for single detached dwelling units on lands designated Low Density Residential (LR) to be 30 units per hectare for areas served by a community water system and a community sewage treatment system. The calculation of net density does not include accessory dwellings and secondary suites.
- .3 Supports a maximum net density for duplexes on lands designated Low Density Residential (LR) to be 45 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .4 Supports the re-designation of lands to Low Density Residential (LR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- .5 Supports home occupations and bed and breakfasts within a single detached dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.

8.5 Policies – Medium Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes, townhouses and apartment buildings that fit with the residential intent of the designation.
- .2 Supports a maximum net density on lands designated Medium Density Residential (MR) of 60 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.

- .4 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.
- .5 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands designated as Medium Density Residential (MR) in a Multi-Family Development Permit Area.
- .6 Will avoid locating Medium Density Residential (MR) development next to land designated as Agriculture (AG). If multiple family development is to be located near land designated as Agriculture (AG), then the following steps must be taken:
 - a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;
 - b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and
 - c) the building should be designed to step back away from the Agriculture land as the building increases in height.

8.6 Policies – Vacation Rentals

The Regional Board:

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.
 - .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit. The Regional Board may use the following criteria to assess applications:
 - a) capability of accommodating on-site domestic water and sewage disposal;
 - b) mitigating measures such as screening and fencing;
 - c) provision of adequate off-street parking;
 - d) confirmation that the structure proposed complies with the BC Building Code; and
 - e) benefits that such accommodation may provide to the community.
3. The Electoral Area “A” Zoning Bylaw No. 2451, 2008, is amended by:
- i) deleting the definitions of “boarding home”, “cluster housing development”, “integrated housing” and “multi-dwelling unit” under Section 4.0 (Definitions).

- ii) replacing the definition of “amenity and open space area” under Section 4.0 (Definitions) in its entirety with the following:

“**amenity space**” means a useable open space area exclusive of required front and side parcel line setback areas and parking areas which is developed for the recreational use of the residents of a residential dwelling unit, and may include balconies, patios, decks and level landscaped recreation areas;

- iii) adding the definition of “apartment building” under Section 4.0 (Definitions) to read as follows:

“**apartment building**” means a building other than a townhouse containing three (3) or more dwellings each of which has its principal access from an entrance common to the dwellings;

- iv) adding the definition of “apartment building” under Section 4.0 (Definitions) to read as follows:

“**townhouse**” means a building not more than three storeys high divided into three or more dwelling units located side by side under one roof with private entrances to each dwelling from the exterior of the building and with each dwelling sharing common walls or party walls;

- v) replacing the reference to “Medium Density Residential Zones” under Section 5.1 (Zoning Districts) in its entirety with the following:

Medium Density Residential Zones

Medium Density Residential One Zone RM1

- vi) adding a new Section 6.1.3 (Minimum Parcel Size Exceptions for Subdivisions) under Section 6.0 (Subdivision Regulations) to read as follows and renumbering all subsequent sections:

.3 building strata lots authorised pursuant to the *Strata Property Act*.

- vii) replacing the reference to the “Residential (Multi-Dwelling)” use under Table 9.2 (Off-Street Parking and Loading Requirements) in its entirety with the following:

Residential (apartment building, townhouse)	1.75 dwelling unit	0
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- viii) replacing Section 12.0 (Medium Density Residential) in its entirety with the following:

12.0 MEDIUM DENSITY RESIDENTIAL

12.1 MEDIUM DENSITY RESIDENTIAL ONE ZONE (RM1)

12.1.1 Permitted Uses:

Principal Uses:

- a) apartment building;
- b) community care facility;
- c) townhouse;

Secondary Uses:

- d) home occupations, subject to Section 7.17;
- e) accessory buildings and structures, subject to Section 7.13.

12.1.2 Site Specific Medium Density Residential One (RM1s) Provisions:

- a) see Section 17.10

12.1.3 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

12.1.4 Minimum Parcel Width:

- a) 30.0 metres

12.1.5 Maximum Density:

- a) 60 dwellings per hectare

12.1.6 Minimum Floor Area:

- a) 40.0 m² for dwelling units

12.1.7 Minimum Setbacks:

- a) Principal Building:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 4.5 metres
 - iii) Interior side parcel line 3.0 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres

- iv) Exterior side parcel line 4.5 metres
- c) Despite 12.1.7(a) and (b), internal parcel lines for a strata subdivision are subject to Section 7.21.

12.1.8 Maximum Height:

- a) No building shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

12.1.9 Maximum Parcel Coverage:

- a) 50%

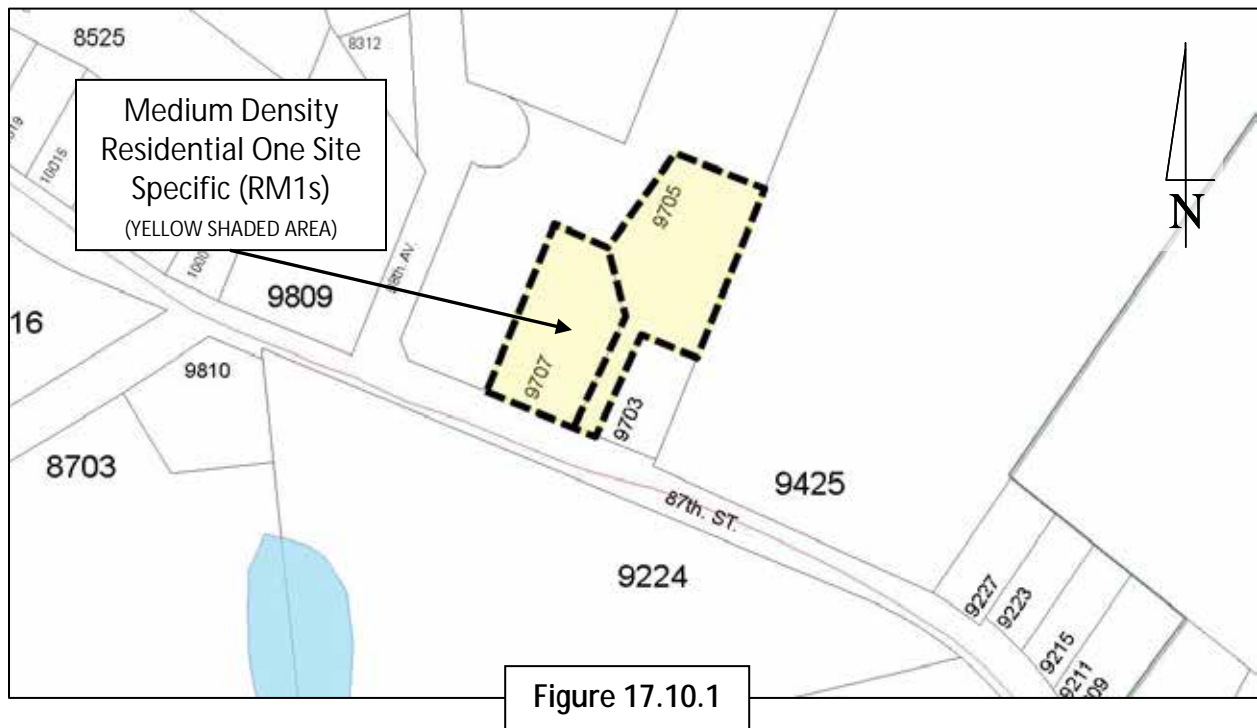
12.1.10 Amenity Space Requirements:

- a) The following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

- ix) replacing Section 17.10 (Site Specific Residential Multiple Family (RM1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.10 Site Specific Medium Density Residential One (RM1s) Provisions:

- .1 In the case of land described as Lot 2, Plan KAP32993, District Lot 2450S, SDYD, Portion L 507, Except Plan 35191 (9705 87th Street) and Lot A, Plan KAP28945, District Lot 2450S, SDYD, Portion L 507 (9707 87th Street), and shown shaded yellow on Figure 17.10.1:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:
 - .1 “community care facility”.



4. 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 2, Plan KAP32993, District Lot 2450S, SDYD, Portion L 507, Except Plan 35191; and Lot A, Plan KAP28945, District Lot 2450S, SDYD, Portion L 507, and as shown shaded yellow on Schedule 'A-201', which forms part of this Bylaw, from Residential Multiple Family (RM1) to Medium Density Residential One Site Specific (RM1s).
 - ii) changing the land use designation of all parcels zoned Residential Multiple Family (RM1) to Medium Density Residential One (RM1).

Electoral Area "C"

5. The Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:
- i) replacing Section 11.0 (Residential) in its entirety with the following:

11.0 RESIDENTIAL

11.1 Background

There are two residential land use designations recognized within this Plan. Rural Holdings (i.e., Large Holdings and Small Holdings) are not included as residential designations.

- **Low Density Residential (LR):** generally includes single detached dwellings, mobile homes, duplexes, and complementary secondary uses such as daycares, preschools, and parks which are integral to a low density residential neighbourhood.
- **Medium Density Residential (MR):** generally includes townhouses, triplexes, fourplexes, and those complementary secondary uses such as daycares, preschools, and parks, which are integral to a medium density area.

Low Density Residential (LR) development in the Plan Area has typically occurred at Vaseux Lake, the Gallagher Lake area, south end of Island Road, Inkaneep Provincial Park area, and along Sawmill Road, with low-density single detached dwellings being the predominant housing form throughout the Plan Area. Other forms of low-density residential housing include semi-detached, and manufactured homes.

At present, there is a single Medium Density Residential (MR) designated parcel within the Plan Area located at Rabbit Brush Street.

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw, Gallagher Lake has been designated as Rural Growth Areas in the Plan area, while the Town of Oliver is a designated Primary Growth Area.

The Plan supports these designations by directing new LR and MR designations to Rural Growth Areas, subject to servicing, as well as to Primary Growth Areas (i.e. Town of Oliver), and that proposed high density residential developments also be directed to Primary Growth Areas.

11.2 Objectives

- .1 Direct new residential development to existing serviced areas, within designated Primary and Rural Growth Areas to protect the predominately rural character of the Plan Area.
- .2 Minimize impacts from new residential development on the natural environment.
- .3 Accommodate a range of housing types and tenures to meet the socio-economic needs of the community.
- .4 Direct new residential development away from hazard lands, critical habitat areas, and watercourses.
- .5 Protect the Dominion Radio Astrophysical Observatory by minimizing residential uses in the White Lake Basin, St. Andrews and other areas within the RFI areas shown on Schedule 'C' (Dominion Radio Astrophysical Observatory RFI Area), to help minimize Radio Frequency Interference (RFI) from residential uses.

11.3 Policies – General Residential

The Regional Board:

- .1 Directs the development of new housing to existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more residential development on non-residential designations in identified Primary and Rural Growth Areas.
- .2 Encourages residential infill development to maximize land use and servicing efficiencies.
- .3 Supports a range of residential densities and parcel sizes for the existing residential areas in the Plan Area.
- .4 Supports housing for a range of income levels, lifestyles and ages including rental housing and secondary suites where appropriate and feasible.
- .5 Will assess proposed residential developments on the following development criteria:
 - a) capability of accommodating on-site domestic water and sewage disposal, or the availability of community water or sewer;
 - b) ability of community water or sewer systems to be extended to existing neighbouring subdivisions which are presently un-serviced;
 - c) proximity to Environmentally Sensitive Development Permit Areas;
 - d) proximity to Watercourse Development Permit Areas;
 - e) impact on adjacent land uses and character of the existing area;
 - f) proximity to existing roads and other community and essential services;
 - g) susceptibility to natural hazards including, but not limited to, flooding, soil instability, land slide, rockfall, moderate or higher forest fire;
 - h) parkland dedication; and
 - i) demonstration of housing need, and provision for a variety of housing types.
- .6 In consideration of the potential of RFI impacts on the Dominion Radio Astrophysical Observatory facility, generally will not support applications for rezoning or subdivision upon lands identified as radio frequency interference (RFI) areas as shown on Schedule 'C' (Dominion Radio Astrophysical Observatory RFI Area).
- .7 Will evaluate any new residential development on its implications and impacts on adjacent lands designated as Agriculture (AG).
- .8 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.

- .9 Encourages residential development that abuts land designated Agriculture (AG) to provide buffers pursuant to Ministry of Agriculture guidelines.
- .10 Requires that new parcels to be created by subdivision that are less than 1.0 hectare in area be connected to a community sanitary sewer system.
- .11 Requires that accessory dwellings on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system.
- .12 Requires that secondary suites on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.

11.4 Policies – Low Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single detached dwellings, duplexes, secondary suites, accessory dwellings, manufactured home parks, parks, religious buildings and facilities, institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.
- .2 Support a maximum net density for single detached dwelling units on lands designated Low Density Residential (LR) of 30 units per hectare for areas served by a community water system and a community sewage treatment system. The calculation of net density does not include accessory dwellings and secondary suites.
- .3 Supports a maximum net density for duplexes on lands designated Low Density Residential (LR) of 45 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .4 Supports the re-designation of lands to Low Density Residential (LR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- .5 Supports home occupations and bed and breakfasts within a single detached dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.

11.5 Policies – Medium Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes,

townhouses and apartment buildings that fit with the residential intent of the designation.

- .2 Supports a maximum net density on lands designated Medium Density Residential (MR) of 60 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- .4 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.
- .5 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands designated as Medium Density Residential (MR) in a Multi-Family Development Permit Area.
- .6 Will avoid locating Medium Density Residential (MR) development next to land designated as Agriculture (AG). If multiple family development is to be located near land designated as Agriculture (AG), then the following steps must be taken:
 - a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;
 - b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and
 - c) the building should be designed to step back away from the Agriculture land as the building increases in height.

11.6 Policies – Vacation Rentals

The Regional Board:

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

- d) confirmation that the structure proposed complies with the BC Building Code; and
 - e) benefits that such accommodation may provide to the community.
6. 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 14, Plan KAP12820, District Lot 2450S, SDYD, Portion Lot 135 (5611 Rabbit Brush Street), and as shown shaded yellow on Schedule 'C-102', which forms part of this Bylaw, from Low Density Residential (LR) to Medium Density Residential (MR).
7. The Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
- i) deleting the definitions of "boarding home", "cluster housing development", "integrated housing", "multi-dwelling unit" and "residential use zone" under Section 4.0 (Definitions).
 - ii) replacing the definition of "amenity and open space area" under Section 4.0 (Definitions) in its entirety with the following:

"amenity space" means a useable open space area exclusive of required front and side parcel line setback areas and parking areas which is developed for the recreational use of the residents of a residential dwelling unit, and may include balconies, patios, decks and level landscaped recreation areas;
 - iii) adding the definition of "apartment building" under Section 4.0 (Definitions) to read as follows:

"apartment building" means a building other than a townhouse containing three (3) or more dwellings each of which has its principal access from an entrance common to the dwellings;
 - iv) adding the definition of "apartment building" under Section 4.0 (Definitions) to read as follows:

"townhouse" means a building not more than three storeys high divided into three or more dwelling units located side by side under one roof with private entrances to each dwelling from the exterior of the building and with each dwelling sharing common walls or party walls;
 - v) deleting the reference to "Medium Density Residential Zones" under Section 5.1 (Zoning Districts) in its entirety.

vi) adding a new Section 6.1.3 (Minimum Parcel Size Exceptions for Subdivisions) under Section 6.0 (Subdivision Regulations) to read as follows and renumbering all subsequent sections:

.3 building strata lots authorised pursuant to the *Strata Property Act*.

vii) replacing the reference to the "Residential (Multi-Dwelling)" use under Table 9.2 (Off-Street Parking and Loading Requirements) in its entirety with the following:

Residential (apartment building, townhouse)	1.75 dwelling unit	0
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viii) replacing Section 12.0 (Medium Density Residential) in its entirety with the following:

12.0 MEDIUM DENSITY RESIDENTIAL

12.2 MEDIUM DENSITY RESIDENTIAL ONE ZONE (RM1)

12.1.11 Permitted Uses:

Principal Uses:

- a) apartment building;
- b) community care facility;
- c) townhouse;

Secondary Uses:

- d) home occupations, subject to Section 7.17;
- e) accessory buildings and structures, subject to Section 7.13.

12.1.12 Site Specific Medium Density Residential One (RM1s) Provisions:

- a) see Section 16.13

12.1.13 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

12.1.14 Minimum Parcel Width:

- a) 30.0 metres

12.1.15 Maximum Density:

- a) 60 dwellings per hectare

12.1.16 Minimum Floor Area:

- a) 40.0 m² for dwelling units

12.1.17 Minimum Setbacks:

- a) Principal Building:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 4.5 metres
 - iii) Interior side parcel line 3.0 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres
- c) Despite 12.1.7(a) and (b), internal parcel lines for a strata subdivision are subject to Section 7.21.

12.1.18 Maximum Height:

- a) No building shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

12.1.19 Maximum Parcel Coverage:

- a) 50%

12.1.20 Amenity Space Requirements:

- a) The following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

- ix) replacing Section 17.13 (Site Specific Residential Multiple Family (RM1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.13 Site Specific Medium Density Residential One (RM1s) Provisions:

.1 Not applicable.

- x) replacing Section 17.14 (Site Specific Integrated Housing (RM2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.14 *deleted.*

8. 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 14, Plan KAP12820, District Lot 2450S, SDYD, Portion Lot 135, and as shown shaded yellow on Schedule 'C-202', which forms part of this Bylaw, from Residential Single Family One (RS1) to Medium Density Residential One (RM1).

Electoral Area "D"

9. The Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:
- i) replacing Section 11.0 (Residential) in its entirety with the following:

11.0 RESIDENTIAL

11.1 Background

There are two residential land use designations recognized within this Plan. Rural Holdings (i.e., Large Holdings and Small Holdings) are not included as residential designations.

- **Low Density Residential (LR):** generally includes single detached dwellings, mobile homes, duplexes, and complementary secondary uses such as daycares, preschools, and parks which are integral to a low density residential neighbourhood.
- **Medium Density Residential (MR):** generally includes townhouses, triplexes, fourplexes, and those complementary secondary uses such as daycares, preschools, and parks, which are integral to a medium density area.

Low Density Residential (LR) development in the Plan Area has typically occurred in Okanagan Falls and adjacent to Skaha Lake with low-density single detached dwellings being the predominant housing form throughout the Plan Area. Other forms of low-density residential housing include semi-detached, and manufactured homes.

Medium Density Residential (MR) designated lands and developments in the Plan Area occur primarily in Okanagan Falls.

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw, Skaha Estates and Eastside Road have been designated as Rural Growth Areas in the Plan area, while the Okanagan Falls is a designated Primary Growth Area. The City of Penticton, which is also a designated Primary Growth Area also adjoins the Plan area at its north-west boundary.

The Plan supports these designations by directing new LR and MR designations to Rural Growth Areas, subject to servicing, as well as to Primary Growth Areas, and that proposed high density residential developments also be directed to Primary Growth Areas.

Comprehensive Development (CD) zones have also been applied to lands designated LR and MR, generally in order to address legally non-conforming 'shared lot' residential use that have existing for several decades.

11.2 Objectives

- .1 Direct new residential development to existing serviced areas, within designated Primary and Rural Growth Areas to protect the predominately rural character of the Plan Area.
- .2 Minimize impacts from new residential development on the natural environment.
- .3 Accommodate a range of housing types and tenures to meet the socio-economic needs of the community.
- .4 Direct new residential development away from hazard lands, critical habitat areas, and watercourses.

11.3 Policies – General Residential

The Regional Board:

- .1 Directs the development of new housing to existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more residential development on non-residential designations in identified Primary and Rural Growth Areas.
- .2 Encourages residential infill development to maximize land use and servicing efficiencies.
- .3 Supports a range of residential densities and parcel sizes for the existing residential areas in the Plan Area.
- .4 Supports housing for a range of income levels, lifestyles and ages including rental housing and secondary suites where appropriate and feasible.
- .5 Will assess proposed residential developments on the following development criteria:

- a) capability of accommodating on-site domestic water and sewage disposal, or the availability of community water or sewer;
 - b) ability of community water or sewer systems to be extended to existing neighbouring subdivisions which are presently un-serviced;
 - c) proximity to Environmentally Sensitive Development Permit Areas;
 - d) proximity to Watercourse Development Permit Areas;
 - e) impact on adjacent land uses and character of the existing area;
 - f) proximity to existing roads and other community and essential services;
 - g) susceptibility to natural hazards including, but not limited to, flooding, soil instability, land slide, rockfall, moderate or higher forest fire;
 - h) parkland dedication; and
 - i) demonstration of housing need, and provision for a variety of housing types.
- .6 Will evaluate any new residential development on its implications and impacts on adjacent lands designated as Agriculture (AG).
 - .7 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
 - .8 Encourages residential development that abuts land designated Agriculture (AG) to provide buffers pursuant to Ministry of Agriculture guidelines.
 - .9 Requires that new parcels to be created by subdivision that are less than 1.0 hectare in area be connected to a community sanitary sewer system.
 - .10 Requires that accessory dwellings on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system.
 - .11 Requires that secondary suites on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.
 - .12 Will ensure that an adequate buffer shall be maintained around the Okanagan Falls Sewage Treatment Plant through the discouragement of new residential areas being designated within 300 metres of the facility.
 - .13 Strongly discourages the re-designation and re-zoning of the Industrial lands in the Okanagan Falls Primary Growth Area to allow residential uses.
 - .14 Will consider preparing a Housing Needs Report.
 - .15 Encourages new residential development to take advantage and retain natural amenities including tree stands, view potential, natural features and view corridors;

- .16 Discourages subdivisions that will result in the creation of hooked parcels.
- .17 Will consider zoning bylaw amendment proposals that would allow clustering of development on appropriate parts of a site, leaving other parts undeveloped.
- .18 Ensures that all new residential neighbourhoods have at least two road access points.
- .19 Discourages the re-designation of land within the Okanagan Falls Primary Growth Area to accommodate additional manufactured home parks in view of the high numbers of manufactured homes and manufactured home park units that already exist in these areas.
- .20 Will consider the provision of affordable, rental or special needs housing when reviewing options for using land held by the Regional District, or land to be acquired by the Regional District.

11.4 Policies – Low Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single detached dwellings, duplexes, secondary suites, accessory dwellings, manufactured home parks, parks, religious buildings and facilities, institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.
- .2 Support a maximum net density for single detached dwelling units on lands designated Low Density Residential (LR) of 30 units per hectare for areas served by a community water system and a community sewage treatment system. The calculation of net density does not include accessory dwellings and secondary suites.
- .3 Supports a maximum net density for duplexes on lands designated Low Density Residential (LR) of 45 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .4 Supports the re-designation of lands to Low Density Residential (LR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- .5 Supports home occupations and bed and breakfasts within a single detached dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.
- .6 Requires that all new Low Density Residential designations shall be connected to a community water system and a community sewer system

and be located within either the primary or secondary growth containment boundaries.

- .7 Requires that any proposal seeking to rezone the parcel described as Lot 8, Plan KAP34520, District Lot 374, SDYD, Except Plan 35861, 35862 and 38924 (1138 Maple Street, Okanagan Falls) in order to facilitate subdivision demonstrate the ability to connect to a community water and sewer system.

11.5 Policies – Medium Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes, townhouses and apartment buildings that fit with the residential intent of the designation.
- .2 Supports a maximum net density on lands designated Medium Density Residential (MR) of 60 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- .4 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.
- .5 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands designated as Medium Density Residential (MR) in a Multi-Family Development Permit Area.
- .6 Ensures the overall building form and character, as well as roof slopes, design details, landscaping, street orientation and other features shall be designed to reduce the impression of mass and ensure the building fits with the small town rural character of Okanagan Falls.
- .7 Ensures that, to the greatest extent possible, lake and mountain views, and access to sunlight and air circulation for surrounding uses are respected in the design of Multiple Family developments.
- .8 Requires that all Medium Density Residential development connect to a community water system and a community sewer system.
- .9 Will avoid locating Medium Density Residential (MR) development next to land designated as Agriculture (AG). If multiple family development is to

be located near land designated as Agriculture (AG), then the following steps must be taken:

- a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;
 - b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and
 - c) the building should be designed to step back away from the Agriculture land as the building increases in height.
- .10 Supports the interim use of the lands described as Lots 2-6, Plan KAP20086, District Lot 374, SDYD (1021, 1025 & 1033 Ash Street and 1036 & 1040 Willow Street) for single detached dwellings through the use of a site specific zoning regulation, and that continued use of this zoning regulation be reconsidered when this OCP bylaw is next reviewed.

11.6 Policies – Vacation Rentals

The Regional Board:

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighborhood residential needs and other land use needs can be addressed. In the areas shown on Eastside Road North and Eastside Road South on Figures 4-9 and 4-10, and generally known as Heritage Hills, Lakeshore Highlands and Skaha Estates, the short-term rental of residences is generally discouraged.
 - .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit. The Regional Board may use the following criteria to assess applications:
 - a) capability of accommodating on-site domestic water and sewage disposal;
 - b) mitigating measures such as screening and fencing;
 - c) provision of adequate off-street parking;
 - d) confirmation that the structure proposed complies with the BC Building Code; and
 - e) benefits that such accommodation may provide to the community.
10. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:
- i) changing the land use designation of the land described as Lot 8, Plan KAP34520, District Lot 374, SDYD, Except Plan 35861, 35862 & 38924 (1138 Maple Street), and

shown shaded yellow on Schedule 'D-101', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).

11. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:

i) deleting the definitions of "boarding home", "cluster housing development", "density averaging", "designated official", "integrated housing" and "multi-dwelling unit" under Section 4.0 (Definitions).

ii) replacing the definition of "amenity area" under Section 4.0 (Definitions) in its entirety with the following:

"amenity space" means a useable open space area exclusive of required front and side parcel line setback areas and parking areas which is developed for the recreational use of the residents of a residential dwelling unit, and may include balconies, patios, decks and level landscaped recreation areas;

iii) adding the definition of "apartment building" under Section 4.0 (Definitions) to read as follows:

"apartment building" means a building other than a townhouse containing three (3) or more dwellings each of which has its principal access from an entrance common to the dwellings;

iv) adding the definition of "apartment building" under Section 4.0 (Definitions) to read as follows:

"townhouse" means a building not more than three storeys high divided into three or more dwelling units located side by side under one roof with private entrances to each dwelling from the exterior of the building and with each dwelling sharing common walls or party walls;

v) replacing the section for "Medium Density Residential Zones" under Section 5.1 (Zoning Districts) in its entirety with the following:

Medium Density Residential Zones

Medium Density Residential One Zone RM1

vi) adding a reference under "Comprehensive Development Zones" under Section 5.1 (Zoning Districts) to read as follow:

Maple Street Comprehensive Development Zone CD5

vii) adding a new Section 6.1.3 (Minimum Parcel Size Exceptions for Subdivisions) under Section 6.0 (Subdivision Regulations) to read as follows and renumbering all subsequent sections:

.3 building strata lots authorised pursuant to the *Strata Property Act*.

viii) replacing the reference to the “Residential (Multi-Dwelling)” use under Table 9.2 (Off-Street Parking and Loading Requirements) in its entirety with the following:

Residential (apartment building, townhouse)	1.75 dwelling unit	0
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ix) replacing Section 12.0 (Medium Density Residential) in its entirety with the following:

12.0 MEDIUM DENSITY RESIDENTIAL

12.1 MEDIUM DENSITY RESIDENTIAL ONE ZONE (RM1)

12.1.1 Permitted Uses:

Principal Uses:

- a) apartment building;
- b) community care facility;
- c) townhouse;

Secondary Uses:

- d) home occupations, subject to Section 7.17;
- e) accessory buildings and structures, subject to Section 7.13.

12.1.2 Site Specific Medium Density Residential One (RM1s) Provisions:

- a) see Section 17.12

12.1.3 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

12.1.4 Minimum Parcel Width:

- a) 30.0 metres

12.1.5 Maximum Density:

- a) 60 dwellings per hectare

12.1.6 Minimum Floor Area:

- a) 40.0 m² for dwelling units

12.1.7 Minimum Setbacks:

- a) Principal Building:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 4.5 metres
 - iii) Interior side parcel line 3.0 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres
- c) Despite 12.1.7(a) and (b), internal parcel lines for a strata subdivision are subject to Section 7.21.

12.1.8 Maximum Height:

- a) No building shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

12.1.9 Maximum Parcel Coverage:

- a) 50%

12.1.10 Amenity Space Requirements:

- a) The following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

- x) adding a new Section 18.2 (Maple Street Comprehensive Development (CD5) Zone) under Section 18.0 (Comprehensive Development Zones) to read as follows:

18.2 MAPLE STREET COMPREHENSIVE DEVELOPMENT (CD5) ZONE

18.2.1 Purpose

The purpose of the Maple Street Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for the parcel located at 1138 Maple Street, Okanagan Falls, which is legally described as Lot 8, Plan KAP34520, District Lot 374, SDYD, Except Plan 35861, 35862 and 38924, in order to reconcile the historical land use pattern on the lands with the regulations of the Zoning Bylaw.

18.2.2 Location

The property is situated on the east side of Maple Street in Okanagan Falls and is bounded by Shuttleworth Creek along its northern boundary.



Figure 18.2.1

18.2.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on January 20, 1984, while available Regional District records indicate buildings permits were subsequently issued for a “fourplex” (1985), a single detached dwelling (1987) and five single detached dwellings (1993).

18.2.4 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Accessory Uses:

- b) bed and breakfast operation, subject to Section 7.19;

- c) home occupation, subject to Section 7.17;
- d) secondary suite, subject to Section 7.12;and
- e) accessory buildings and structures, subject to Section 7.13.

18.2.5 Minimum Parcel Size for Subdivision:

- a) 0.5 ha

18.2.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.2.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) 10 principal dwelling units.

18.2.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

18.2.9 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.

18.2.10 Maximum Parcel Coverage:

- a) 35%

18.2.11 Minimum Building Width:

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

- xi) replacing Section 19.12 (Site Specific Residential Multiple Family (RM1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.12 Site Specific Medium Density Residential One (RM1s) Provisions:

- .1 in the case of land described as Lots 2-6, Plan KAP20086, District Lot 374, SDYD (1021, 1025 & 1033 Ash Street and 1036 & 1040 Willow Street), and shown shaded yellow on Figure 19.12.1:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed at Section 12.2.1:
 - a) single detached dwelling.

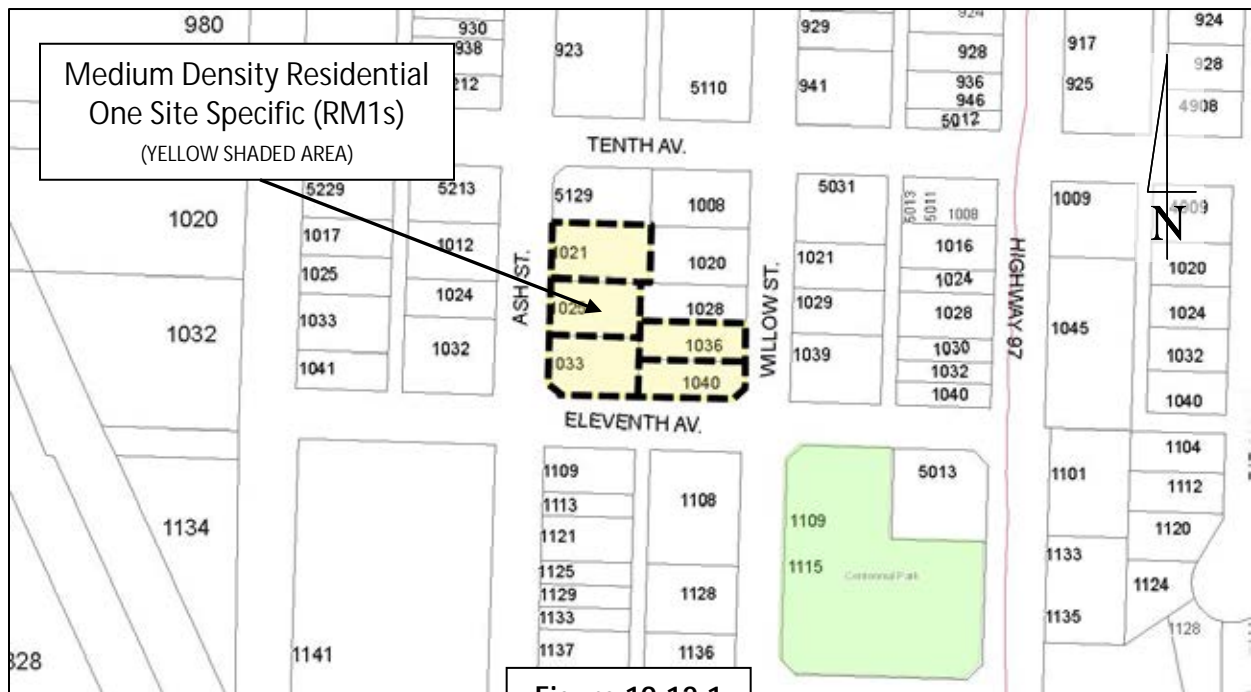


Figure 19.12.1

- 12. 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 8, Plan KAP34520, District Lot 374, SDYD, Except Plan 35861, 35862 & 38924 (1138 Maple Street), and shown shaded yellow on Schedule 'D-201', which forms part of this Bylaw, from Residential Multiple Family (RM1) to Maple Street Comprehensive Development (CD5).
 - ii) changing the land use designation of the land described as Lots 2-6, Plan KAP20086, District Lot 374, SDYD (1021, 1025 & 1033 Ash Street and 1036 & 1040 Willow Street), and shown shaded yellow on Schedule 'D-202', which forms part of

this Bylaw, from Residential Multiple Family (RM1) to Medium Density Residential One Site Specific (RM1s).

- iii) changing the land use designation of the land described as Lot B, Plan KAP35862, District Lot 374, SDYD (1152 & 1160 Maple Street), and shown shaded yellow on Schedule 'D-203', which forms part of this Bylaw, from Residential Multiple Family (RM1) to Residential Two Family (Duplex) (RS3).
- iv) changing the land use designation of all parcels zoned Residential Multiple Family (RM1) to Medium Density Residential One (RM1).

Electoral Area "E"

13. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:

- i) replacing Section 11.0 (Residential) in its entirety with the following:

11.0 RESIDENTIAL

11.1 Background

There are two residential land use designations recognized within this Plan. Rural Holdings (i.e., Large Holdings and Small Holdings) are not included as residential designations.

- **Low Density Residential (LR):** generally includes single detached dwellings, mobile homes, duplexes, and complementary secondary uses such as daycares, preschools and parks which are integral to a low density residential neighbourhood.
- **Medium Density Residential (MR):** generally includes townhouses, triplexes, fourplexes, and those complementary secondary uses such as daycares, preschools and parks, which are integral to a medium density area.

Low Density Residential (LR) development in the Plan Area has typically occurred within the Naramata townsite and low-density single detached dwellings are the predominant housing form throughout the Plan Area. Other forms of low-density residential housing include semi-detached, and manufactured homes.

Medium Density Residential (MR) designated lands in the Plan Area typically occur within the Naramata townsite.

Under the South Okanagan Regional Growth Strategy (RGS) Bylaw, the Naramata townsite is designated as Rural Growth Areas in the Plan area, while the City of Penticton, which adjoins the Plan area at its southern boundary, is a designated Primary Growth Area.

The Plan supports these designations by directing new LR and MR designations to Rural Growth Areas, subject to servicing, as well as to Primary Growth Areas (i.e. City of Penticton), and that proposed high density residential developments also be directed to Primary Growth Areas.

Comprehensive Development (CD) zones have also been applied to lands designated LR and MR, generally in order to address legally non-conforming 'shared lot' residential use that have existing for several decades.

11.2 Objectives

- .1 Direct new residential development to existing serviced areas, within designated Primary and Rural Growth Areas to protect the predominately rural character of the Plan Area.
- .2 Minimize impacts from new residential development on the natural environment.
- .3 Accommodate a range of housing types and tenures to meet the socio-economic needs of the community.
- .4 Direct new residential development away from hazard lands, critical habitat areas, and watercourses.

11.3 Policies – General Residential

The Regional Board:

- .1 Directs the development of new housing to existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more residential development on non-residential designations in identified Primary and Rural Growth Areas.
- .2 Encourages residential infill development to maximize land use and servicing efficiencies.
- .3 Supports a range of residential densities and parcel sizes for the existing residential areas in the Plan Area.
- .4 Supports housing for a range of income levels, lifestyles and ages including rental housing and secondary suites where appropriate and feasible.
- .5 Will assess proposed residential developments on the following development criteria:
 - a) capability of accommodating on-site domestic water and sewage disposal, or the availability of community water or sewer;
 - b) ability of community water or sewer systems to be extended to existing neighbouring subdivisions which are presently un-serviced;
 - c) proximity to Environmentally Sensitive Development Permit Areas;

- d) proximity to Watercourse Development Permit Areas;
 - e) impact on adjacent land uses and character of the existing area;
 - f) proximity to existing roads and other community and essential services;
 - g) susceptibility to natural hazards including, but not limited to, flooding, soil instability, land slide, rockfall, moderate or higher forest fire;
 - h) parkland dedication; and
 - i) demonstration of housing need, and provision for a variety of housing types.
- .6 Will evaluate any new residential development on its implications and impacts on adjacent lands designated as Agriculture (AG).
 - .7 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
 - .8 Encourages residential development that abuts land designated Agriculture (AG) to provide buffers pursuant to Ministry of Agriculture guidelines.
 - .9 Requires that new parcels to be created by subdivision that are less than 1.0 hectare in area be connected to a community sanitary sewer system.
 - .10 Requires that accessory dwellings on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system.
 - .11 Requires that secondary suites on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.
 - .12 Encourages future residential development to locations away from Okanagan Lake to protect this important resource, reducing human impact on the lake and maintaining and improving water quality and habitat, and encourages a strong component of redesign for redevelopment of areas adjacent to the lake.
 - .13 Develop a Housing Needs Report for Naramata in order to determine ways to provide more housing variety and options, including:
 - a) strategies and guidelines to provide for affordable, rental, or special needs housing;
 - b) conditions that would allow carriage homes secondary to a main residence on a property provided there are guidelines that deal with size, parking, overlook of neighbouring properties, fencing and buffering, and character; and
 - c) varied tenure and forms of dwellings within specific neighbourhoods.

11.4 Policies – Low Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single detached dwellings, duplexes, secondary suites, accessory dwellings, manufactured home parks, parks, religious buildings and facilities, institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.
- .2 Support a maximum net density for single detached dwelling units on lands designated Low Density Residential (LR) of 30 units per hectare for areas served by a community water system and a community sewage treatment system. The calculation of net density does not include accessory dwellings and secondary suites.
- .3 Supports a maximum net density for duplexes on lands designated Low Density Residential (LR) of 45 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .4 Supports the re-designation of lands to Low Density Residential (LR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts (i.e. human impact on Okanagan Lake).
- .5 Supports home occupations and bed and breakfasts within a single detached dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.

11.5 Policies – Medium Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes, townhouses and apartment buildings that fit with the residential intent of the designation.
- .2 Supports a maximum net density on lands designated Medium Density Residential (MR) of 60 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.

- .4 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.
- .5 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands designated as Medium Density Residential (MR) in a Multi-Family Development Permit Area.
- .6 Encourages the inclusion of a maximum height of two (2) storeys for multi-family residential dwelling types, such as triplexes, fourplexes, townhouses, condominiums, and apartments through a Multi-Family Development Permit Area designation.
- .7 Will avoid locating Medium Density Residential (MR) development next to land designated as Agriculture (AG). If multiple family development is to be located near land designated as AG, then the following steps must be taken:
 - a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;
 - b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and
 - c) the building should be designed to step back away from the Agriculture land as the building increases in height.

11.6 Policies – Vacation Rentals

The Regional Board:

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

14. The Electoral Area “E” Zoning Bylaw No. 2459, 2008, is amended by:

- i) deleting the definitions of “boarding home”, “cluster housing development”, “multiple dwelling unit” and “residence”, under Section 4.0 (Definitions).

- ii) replacing the definition of “amenity and open space area” under Section 4.0 (Definitions) in its entirety with the following:

“**amenity space**” means a useable open space area exclusive of required front and side parcel line setback areas and parking areas which is developed for the recreational use of the residents of a residential dwelling unit, and may include balconies, patios, decks and level landscaped recreation areas;

- iii) adding the definition of “apartment building” under Section 4.0 (Definitions) to read as follows:

“**apartment building**” means a building other than a townhouse containing three (3) or more dwellings each of which has its principal access from an entrance common to the dwellings;

- iv) adding the definition of “apartment building” under Section 4.0 (Definitions) to read as follows:

“**townhouse**” means a building not more than three storeys high divided into three or more dwelling units located side by side under one roof with private entrances to each dwelling from the exterior of the building and with each dwelling sharing common walls or party walls;

- v) replacing the section for “Medium Density Residential Zones” under Section 5.1 (Zoning Districts) in its entirety with the following:

Medium Density Residential Zones

Medium Density Residential One Zone RM1

- vi) adding a new Section 6.1.3 (Minimum Parcel Size Exceptions for Subdivisions) under Section 6.0 (Subdivision Regulations) to read as follows and renumbering all subsequent sections:

.3 building strata lots authorised pursuant to the *Strata Property Act*.

- vii) replacing the reference to the “Residential (Multi-Dwelling)” use under Table 9.2 (Off-Street Parking and Loading Requirements) in its entirety with the following:

Residential (apartment building, townhouse)	1.75 dwelling unit	0
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- viii) replacing Section 12.0 (Medium Density Residential) in its entirety with the following:

12.0 MEDIUM DENSITY RESIDENTIAL

12.1 MEDIUM DENSITY RESIDENTIAL ONE ZONE (RM1)

12.1.1 Permitted Uses:

Principal Uses:

- a) apartment building;
- b) community care facility;
- c) townhouse;

Secondary Uses:

- d) home occupations, subject to Section 7.17;
- e) accessory buildings and structures, subject to Section 7.13.

12.1.2 Site Specific Medium Density Residential One (RM1s) Provisions:

- a) see Section 17.12

12.1.3 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

12.1.4 Minimum Parcel Width:

- a) 30.0 metres

12.1.5 Maximum Density:

- a) 60 dwellings per hectare

12.1.6 Minimum Floor Area:

- a) 40.0 m² for dwelling units

12.1.7 Minimum Setbacks:

- a) Principal Building:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 4.5 metres
 - iii) Interior side parcel line 3.0 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:

- i) Front parcel line 7.5 metres
- ii) Rear parcel line 1.0 metres
- iii) Interior side parcel line 1.0 metres
- iv) Exterior side parcel line 4.5 metres
- c) Despite 12.1.7(a) and (b), internal parcel lines for a strata subdivision are subject to Section 7.21.

12.1.8 Maximum Height:

- a) No building shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

12.1.9 Maximum Parcel Coverage:

- a) 50%

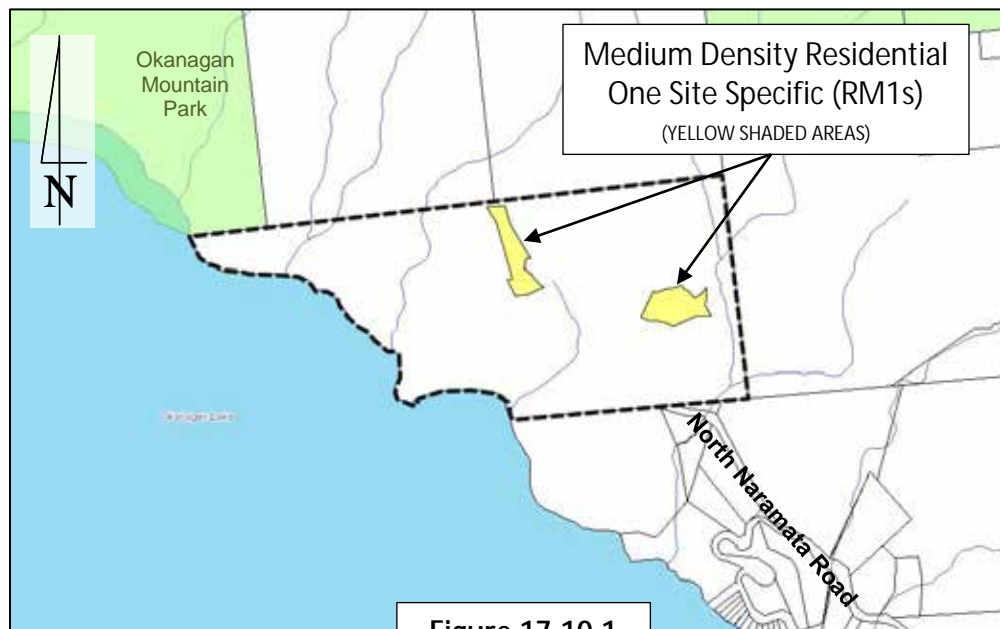
12.1.10 Amenity Space Requirements:

- a) The following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

- ix) replacing Section 17.10 (Site Specific Residential Multiple Family (RM1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.10 Site Specific Medium Density Residential One (RM1s) Provisions:

- .1 In the case of land described as District Lot 86s, SDYD (7451 North Naramata Road), and shown shaded yellow on Figure 17.10.3:
 - i) Despite Section 12.1.5, the maximum density shall be 20 dwellings per hectare.



15. 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 shown shaded yellow on Schedule 'E-201', which forms part of this Bylaw, from Residential Multiple Family Site Specific (RM1s) to Medium Density Residential One (RM1).
 - ii) changing the land use designation of the land shown shaded purple on Schedule 'E-201', which forms part of this Bylaw, from Residential Multiple Family (RM1) to Medium Density Residential One (RM1).
 - iii) changing the land use designation of the land shown shaded yellow on Schedule 'E-202', which forms part of this Bylaw, from Residential Multiple Family Site Specific (RM1s) to Medium Density Residential One Site Specific (RM1s).

Electoral Area "F":

16. The Electoral Area "F" Official Community Plan Bylaw No. 2460, 2008, is amended by:
- i) replacing Section 11.3.1 (Policies – General Residential) under Section 11.0 (Residential) in its entirety with the following:
 - .1 Directs the development of new housing to existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more residential development on non-residential designations in identified Primary and Rural Growth Areas.
 - ii) replacing Section 11.3.10 (Policies – General Residential) under Section 11.0 (Residential) in its entirety with the following:

- .10 Requires that new parcels to be created by subdivision that are less than 1.0 hectare in area be connected to a community sanitary sewer system.
- iii) adding a new sub-section 11.3.11 and 11.3.12 (Policies – General Residential) under Section 11.0 (Residential) to read as follows:
 - .11 Requires that accessory dwellings on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system.
 - .12 Requires that secondary suites on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.
- iv) replacing Section 11.4.1 (Policies - Low Density Residential) under Section 11.0 (Residential) in its entirety with the following:
 - .1 Supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single detached dwellings, secondary suites, accessory dwellings, manufactured home parks, parks, religious buildings and facilities, institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.
- v) replacing Section 11.4.2 (Policies – Low Density Residential) under Section 11.0 (Residential) in its entirety with the following:
 - .2 Support a maximum net density for single detached dwelling units on lands designated Low Density Residential (LR) of 30 units per hectare, for areas served by a community water system and a community sewage treatment system. The calculation of net density does not include accessory dwellings and secondary suites.
- vi) adding a new Section 11.4.3 (Policies – Low Density Residential) under Section 11.0 (Residential) to read as follows and renumbering all subsequent sections:
 - .3 Supports a maximum net density for duplexes on lands designated Low Density Residential (LR) of 45 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- vii) replacing Section 11.5.1 (Policies – Medium Density Residential) under Section 11.0 (Residential) in its entirety with the following:
 - .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes, townhouses and apartment buildings that fit with the residential intent of the designation.
- viii) replacing Section 11.5.2 (Policies – Medium Density Residential) under Section 11.0 (Residential) in its entirety with the following:

- .2 Supports a maximum net density on lands designated Medium Density Residential (MR) of 60 dwelling units per hectare for areas served by a community water system, community sewage treatment system and stormwater.
- ix) replacing Section 11.5.3 (Policies – Medium Density Residential) under Section 11.0 (Residential) in its entirety with the following:
 - .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- x) adding a new Section 11.5.4 (Policies – Medium Density Residential) under Section 11.0 (Residential) to read as follows:
 - .4 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.
- xi) adding a new Section 11.5.5 (Policies – Medium Density Residential) under Section 11.0 (Residential) to read as follows:
 - .5 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands designated as Medium Density Residential (MR) in a Multi-Family Development Permit Area.
- xii) replacing Section 11.5.5 (Policies – Medium Density Residential) under Section 11.0 (Residential) to read as follows:
 - .6 Will avoid locating Medium Density Residential (MR) development next to land designated as Agriculture (AG). If multiple family development is to be located near land designated as AG, then the following steps must be taken:
 - a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;
 - b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and
 - c) the building should be designed to step back away from the Agriculture land as the building increases in height
- xiii) adding a new Section 11.7.2(d) (Policies – Vacation Rentals) under Section 11.0 (Residential) to read as follows and renumbering all subsequent sections:
 - d) confirmation that the structure proposed complies with the BC Building Code; and

17. The Electoral Area “F” Zoning Bylaw No. 2461, 2008, is amended by:

i) deleting the definitions of “boarding home”, “cluster housing development”, “multiple dwelling unit” and “residence”, under Section 4.0 (Definitions).

ii) replacing the definition of “amenity space” under Section 4.0 (Definitions) in its entirety with the following:

“amenity space” means a useable open space area exclusive of required front and side parcel line setback areas and parking areas which is developed for the recreational use of the residents of a residential dwelling unit, and may include balconies, patios, decks and level landscaped recreation areas;

iii) adding the definition of “apartment building” under Section 4.0 (Definitions) to read as follows:

“apartment building” means a building other than a townhouse containing three (3) or more dwellings each of which has its principal access from an entrance common to the dwellings;

iv) adding the definition of “apartment building” under Section 4.0 (Definitions) to read as follows:

“townhouse” means a building not more than three storeys high divided into three or more dwelling units located side by side under one roof with private entrances to each dwelling from the exterior of the building and with each dwelling sharing common walls or party walls;

v) replacing the section for “Medium Density Residential Zones” under Section 5.1 (Zoning Districts) in its entirety with the following:

Medium Density Residential Zones

Medium Density Residential One Zone RM1

vi) adding a new Section 6.1.3 (Minimum Parcel Size Exceptions for Subdivisions) under Section 6.0 (Subdivision Regulations) to read as follows and renumbering all subsequent sections:

.3 building strata lots authorised pursuant to the *Strata Property Act*.

vii) replacing the reference to the “Residential (Multi-Dwelling)” use under Table 9.2 (Off-Street Parking and Loading Requirements) in its entirety with the following:

Residential (apartment building, townhouse)	1.75 dwelling unit	0
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viii) replacing Section 12.0 (Medium Density Residential) in its entirety with the following:

12.0 MEDIUM DENSITY RESIDENTIAL

12.1 MEDIUM DENSITY RESIDENTIAL ONE ZONE (RM1)

12.1.1 Permitted Uses:

Principal Uses:

- a) apartment building;
- b) community care facility;
- c) townhouse;

Secondary Uses:

- d) home occupations, subject to Section 7.17;
- e) accessory buildings and structures, subject to Section 7.13.

12.1.2 Site Specific Medium Density Residential One (RM1s) Provisions:

- a) see Section 16.12

12.1.3 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

12.1.4 Minimum Parcel Width:

- a) 30.0 metres

12.1.5 Maximum Density:

- a) 60 dwellings per hectare

12.1.6 Minimum Floor Area:

- a) 40.0 m² for dwelling units

12.1.7 Minimum Setbacks:

- a) Principal Building:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 4.5 metres
 - iii) Interior side parcel line 3.0 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:

- i) Front parcel line 7.5 metres
- ii) Rear parcel line 1.0 metres
- iii) Interior side parcel line 1.0 metres
- iv) Exterior side parcel line 4.5 metres
- c) Despite 12.1.7(a) and (b), internal parcel lines for a strata subdivision are subject to Section 7.21.

12.1.8 Maximum Height:

- a) No building shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

12.1.9 Maximum Parcel Coverage:

- a) 50%

12.1.10 Amenity Space Requirements:

- a) The following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

- ix) replacing Section 17.11 (Site Specific Residential Multiple Family (RM1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.11 Site Specific Medium Density Residential One (RM1s) Provisions:

- .1 Not applicable.

- x) replacing Section 17.12 (Integrated Housing Site Specific (RM2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.12 *deleted.*

- 18. The Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:

- i) changing the land use designation of the land shown shaded yellow on Schedule 'F-202', which forms part of this Bylaw, from Residential Multiple Family (RM1) to Medium Density Residential One (RM1).
- ii) changing the land use designation of the land shown shaded purple on Schedule 'F-202', which forms part of this Bylaw, from Integrated Housing (RM2) to Medium Density Residential One (RM1).

Electoral Area "I":

19. The Electoral Area "I" Official Community Plan (OCP) Bylaw No. 2683, 2016, is amended by:

- i) adding new paragraph under Sections 11.1 (Background) under Section 11.0 (Residential) to read as follows:

Comprehensive Development (CD) zones have also been applied to lands designated LR and MR, generally in order to address legally non-conforming 'shared lot' residential uses that have existing for several decades.
- ii) replacing Section 11.3.2 (Policies – General Residential) under Section 11.0 (Residential) in its entirety with the following:
 - .2 Encourages residential infill development to maximize land use and servicing efficiencies.
- iii) adding new Sections 11.3.10, 11.3.11 & 11.3.12 (Policies – General Residential) under Section 11.0 (Residential) to read as follows and renumbering all subsequent sections:
 - .10 Requires that new parcels to be created by subdivision that are less than 1.0 hectare in area be connected to a community sanitary sewer system.
 - .11 Requires that accessory dwellings on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system.
 - .12 Requires that secondary suites on parcels less than 1.0 hectare in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.
- iv) replacing Section 11.4 (Policies – Low Density Residential) under Section 11.0 (Residential) in its entirety with the following:

11.4 Policies – Low Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single detached dwellings, duplexes, secondary suites, accessory dwellings, manufactured home parks, parks, religious buildings and facilities,

institutional buildings, local convenience stores and other uses that fit with the low density residential character of the designation.

- .2 Support a maximum net density for single detached dwelling units on lands designated Low Density Residential (LR) of 30 units per hectare, for areas served by a community water system and a community sewage treatment system. The calculation of net density does not include accessory dwellings and secondary suites.
 - .3 Supports a maximum net density for duplexes on lands designated Low Density Residential (LR) of 45 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
 - .4 Supports the re-designation of lands to Low Density Residential (LR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
 - .5 Supports home occupations and bed and breakfasts within a single detached dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.
- i) replacing Section 11.5.1 (Policies – Medium Density Residential) under Section 11.0 (Residential) in its entirety with the following:
- .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes, townhouses and apartment buildings that fit with the residential intent of the designation.
- ii) replacing Section 11.5.2 (Policies – Medium Density Residential) under Section 11.0 (Residential) in its entirety with the following:
- .2 Supports a maximum net density on lands designated Medium Density Residential (MR) of 60 dwelling units per hectare for areas served by a community water system and a community sewage treatment system.
- iii) adding a new Section 11.5.3 (Policies – Medium Density Residential) under Section 11.0 (Residential) with the following and renumbering all subsequent sections:
- .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- iv) adding a new Section 11.5.5 (Policies – Medium Density Residential) under Section 11.0 (Residential) with the following and renumbering all subsequent sections:
- .5 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.

- v) adding a new Section 11.5.6 (Policies – Medium Density Residential) under Section 11.0 (Residential) with the following and renumbering all subsequent sections:
 - .6 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands designated as Medium Density Residential (MR) in a Multi-Family Development Permit Area.
- vi) replacing Section 11.6.2 (Policies – Residential Mixed Use) under Section 11.0 (Residential) in its entirety with the following:
 - .2 Considers the maximum density of lands designated Residential Mixed Use (RMU) to be 55 dwelling units (townhouses and apartments) per gross hectare, subject to servicing requirements.

20. The Electoral Area “I” Zoning Bylaw No. 2457, 2008, is amended by:

- i) deleting the definitions of “cluster housing development”, “density”, “density averaging”, “multi-dwelling unit”, “multi-unit residential” under Section 4.0 (Definitions).
- ii) replacing the definition of “amenity area” under Section 4.0 (Definitions) in its entirety with the following:

“**amenity space**” means a useable open space area exclusive of required front and side parcel line setback areas and parking areas which is developed for the recreational use of the residents of a residential dwelling unit, and may include balconies, patios, decks and level landscaped recreation areas;
- iii) replacing the definition of “apartment building” under Section 4.0 (Definitions) in its entirety with the following:

“**apartment building**” means a building other than a townhouse containing three (3) or more dwellings each of which has its principal access from an entrance common to the dwellings;
- iv) adding the definition of “apartment building” under Section 4.0 (Definitions) to read as follows:

“**townhouse**” means a building not more than three storeys high divided into three or more dwelling units located side by side under one roof with private entrances to each dwelling from the exterior of the building and with each dwelling sharing common walls or party walls;
- v) replacing the reference to “Residential Multiple Family Zone” under Section 5.1 (Zoning Districts) in its entirety with the following:

vi) adding a new Section 6.1.3 (Minimum Parcel Size Exceptions for Subdivisions) under Section 6.0 (Subdivision Regulations) to read as follows and renumbering all subsequent sections:

.3 building strata lots authorised pursuant to the *Strata Property Act*.

vii) replacing the reference to the “Residential (Multi-Dwelling)” use under Table 9.2 (Off-Street Parking and Loading Requirements) in its entirety with the following:

Residential (apartment building, townhouse)	1.75 dwelling unit	0
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viii) replacing Section 12.1 (Residential Multiple Family (RM1) Zone) under Section 12.0 (Medium Density Residential) in its entirety with the following:

12.1 MEDIUM DENSITY RESIDENTIAL ONE ZONE (RM1)

12.1.1 Permitted Uses:

Principal Uses:

- a) apartment building;
- b) community care facility;
- c) townhouse;

Secondary Uses:

- d) home occupations, subject to Section 7.17;
- e) accessory buildings and structures, subject to Section 7.13.

12.1.2 Site Specific Medium Density Residential One (RM1s) Provisions:

- a) see Section 17.12

12.1.3 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

12.1.4 Minimum Parcel Width:

- a) 30.0 metres

12.1.5 Maximum Density:

- a) 60 dwellings per hectare

12.1.6 Minimum Floor Area:

- a) 40.0 m² for dwelling units

12.1.7 Minimum Setbacks:

- a) Principal Building:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 4.5 metres
 - iii) Interior side parcel line 3.0 metres
 - iv) Exterior side parcel line 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 1.0 metres
 - iii) Interior side parcel line 1.0 metres
 - iv) Exterior side parcel line 4.5 metres
- c) Despite 12.1.7(a) and (b), internal parcel lines for a strata subdivision are subject to Section 7.21.

12.1.8 Maximum Height:

- a) No building shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

12.1.9 Maximum Parcel Coverage:

- a) 50%

12.1.10 Amenity Space Requirements:

- a) The following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

- ix) replacing Section 17.12 (Site Specific Residential Multiple Family (RM1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.12 Site Specific Medium Density Residential One Site Specific (RM1s) Provisions:

- .1 In the case of land described as Lot A, Plan KAP46761, District Lot 228S 2169 4098S, SDYD, Except Plan KAP53180; and Lot 2, Plan KAP26332, District Lot 228S 2169, SDYD, Except Plan H15455 (79 Twin Lakes Road) and shown shaded yellow on Figure 17.12.1:
 - i) despite Section 12.1.3, the minimum parcel size for subdivision shall be 500 m².
 - ii) despite Section 12.1.4, the minimum parcel width for subdivision shall be 16.0 metres.
 - iii) despite Section 12.1.5, the maximum density shall not exceed 20 dwellings per hectare.
 - iv) despite Section 12.1.8(a), the maximum building height of a principal building shall not exceed 10.5 metres.
 - v) despite Section 12.1.8(b), the maximum building height of an accessory building shall not exceed 5.5 metres.
 - vi) despite Section 12.1.9, the maximum parcel coverage shall be 40%.
 - vii) despite Section 12.1.10, amenity space requirements shall be 50.0 m² for each dwelling unit.



21. The Zoning Map, being Schedule '2' of the Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended by:
- iii) changing the land use designation of the land shown shaded yellow on Schedule 'I-201', which forms part of this Bylaw, from Residential Multiple Family (RM1) to Medium Density Residential One Site Specific (RM1s).

READ A FIRST AND SECOND TIME this 19th day of December, 2019.

PUBLIC HEARING held on this 23rd day of January, 2020.

READ A THIRD TIME, AS AMENDED, this ____ day of _____, 2020.

I hereby certify the foregoing to be a true and correct copy of the " Okanagan Electoral Area Residential OCP & Zone Update Amendment Bylaw No. 2804, 2019" as read a Third time by the Regional Board on this ____ day of _____, 2020.

Dated at Penticton, BC this ____ day of _____, 2020.

Corporate Officer

Approved pursuant to Section 52(3) of the Transportation Act this ____ day of _____, 2020.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2020.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

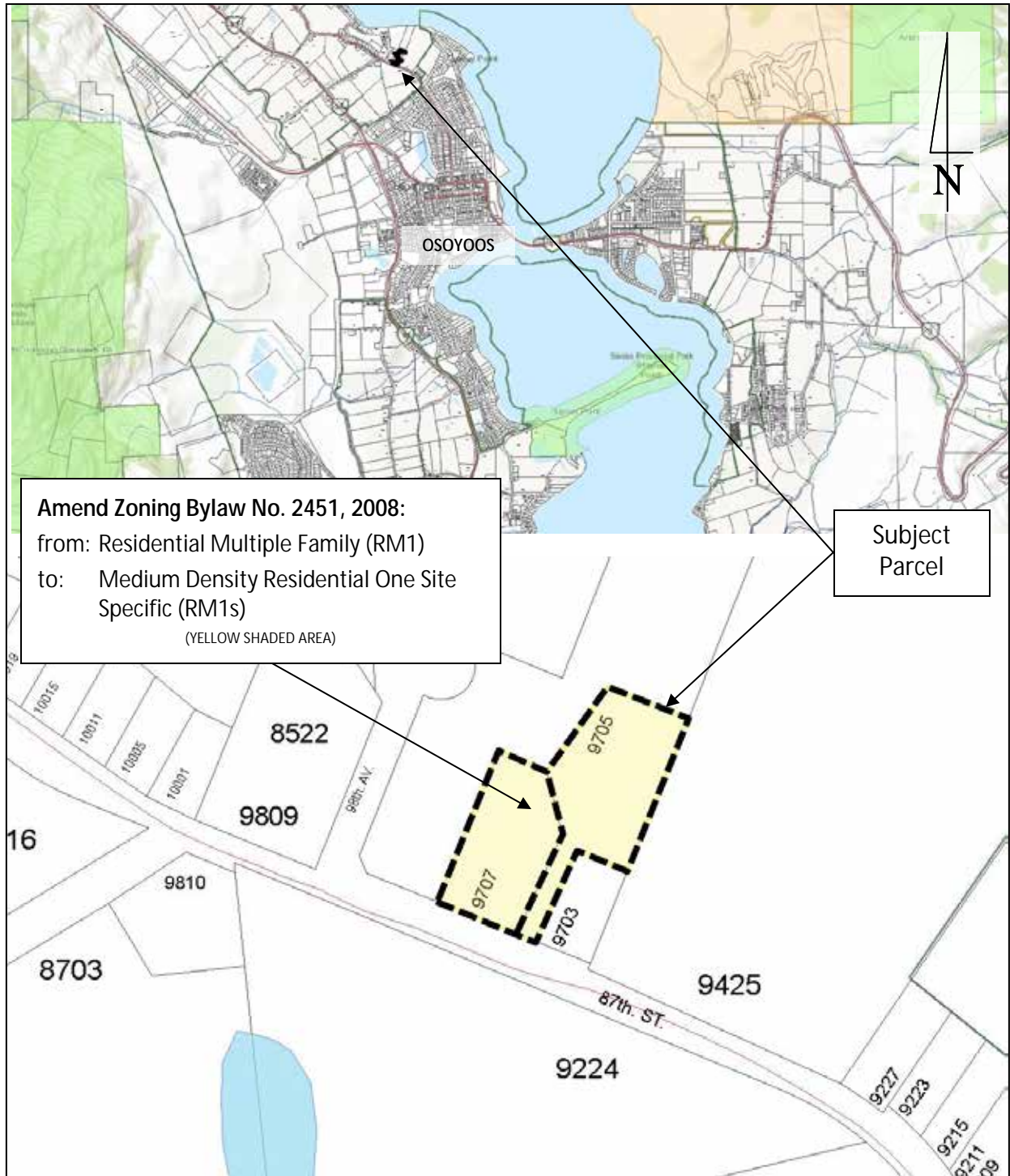
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

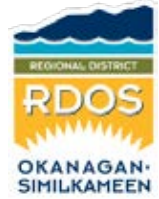
Project No: X2018.053-ZONE

Schedule 'A-201'



Regional District of Okanagan-Similkameen

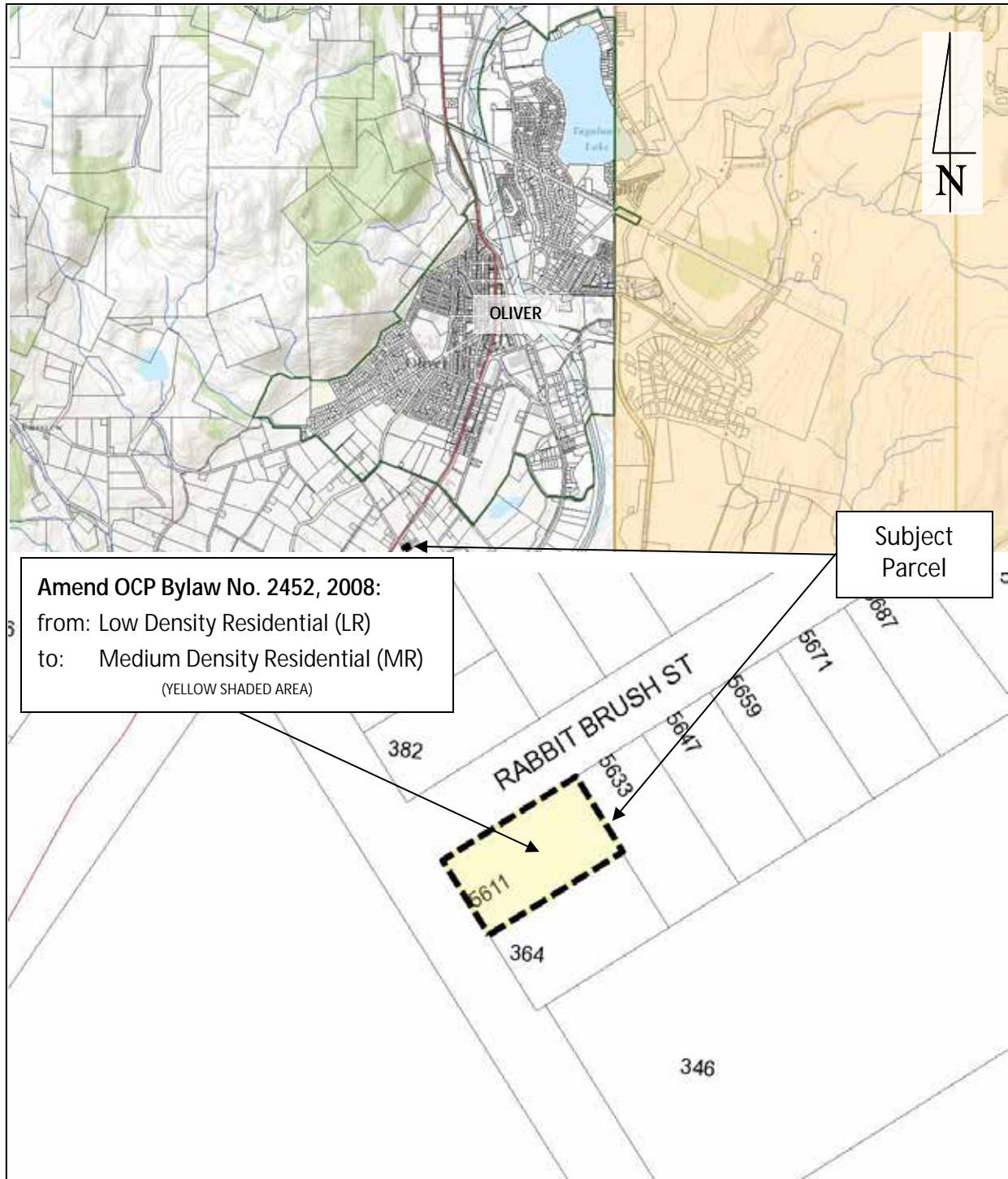
101 Martin St, Penticton, BC, V2A-5J9
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

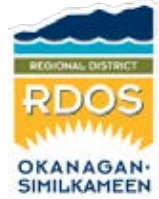
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Schedule 'C-101'



Regional District of Okanagan-Similkameen

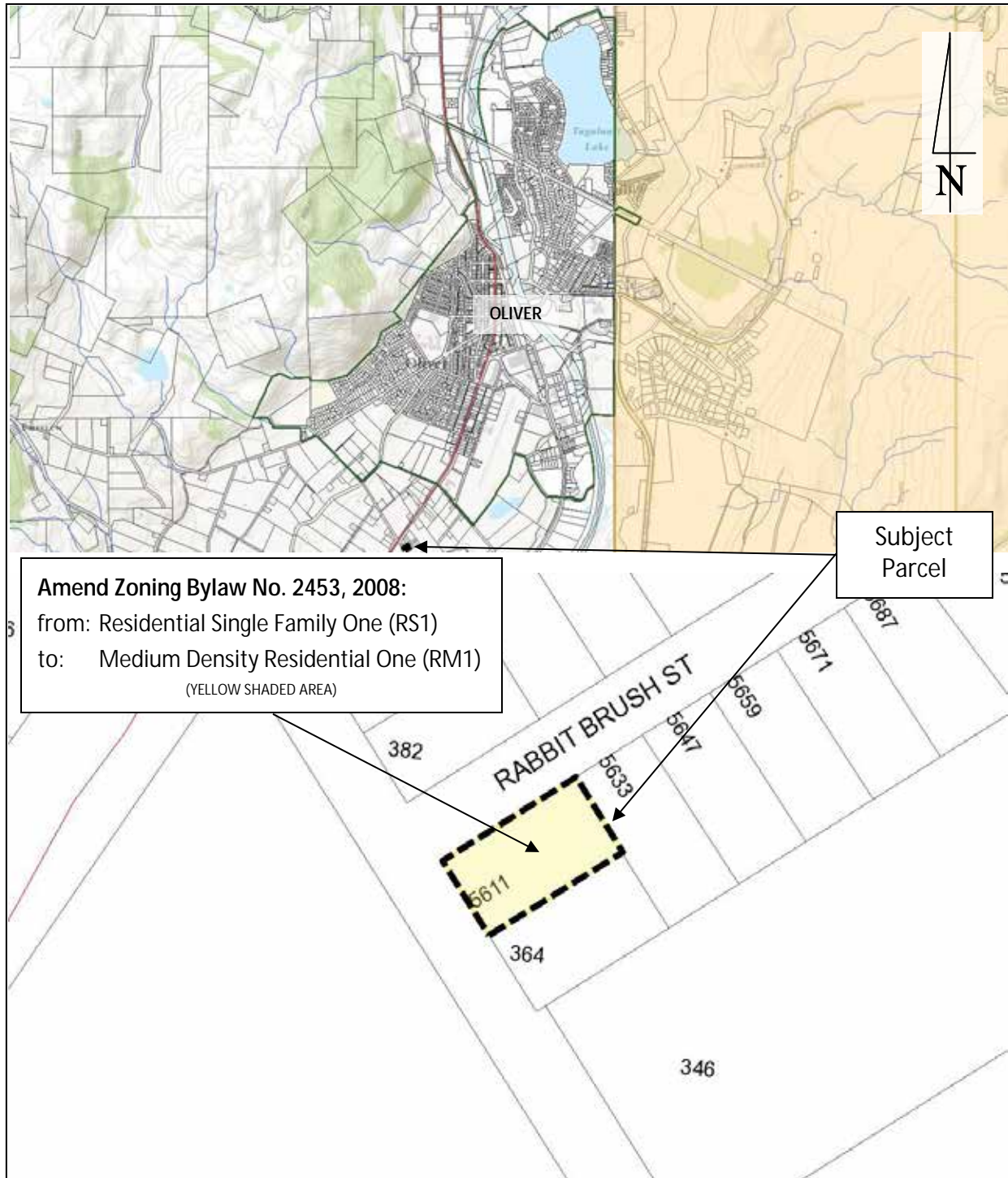
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Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.053-ZONE

Schedule 'C-201'



Regional District of Okanagan-Similkameen

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

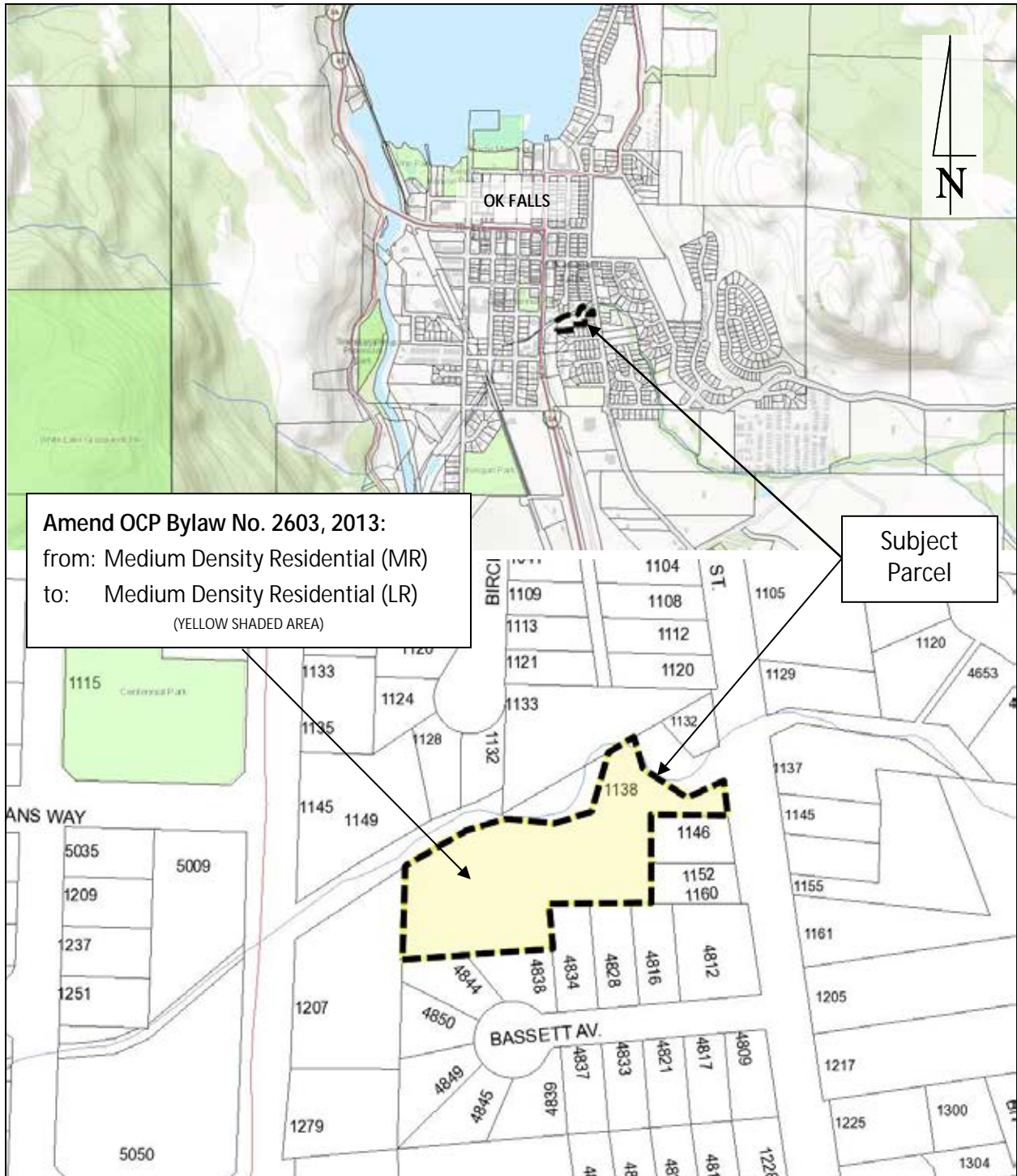
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.054-ZONE

Schedule 'D-101'



Regional District of Okanagan-Similkameen

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

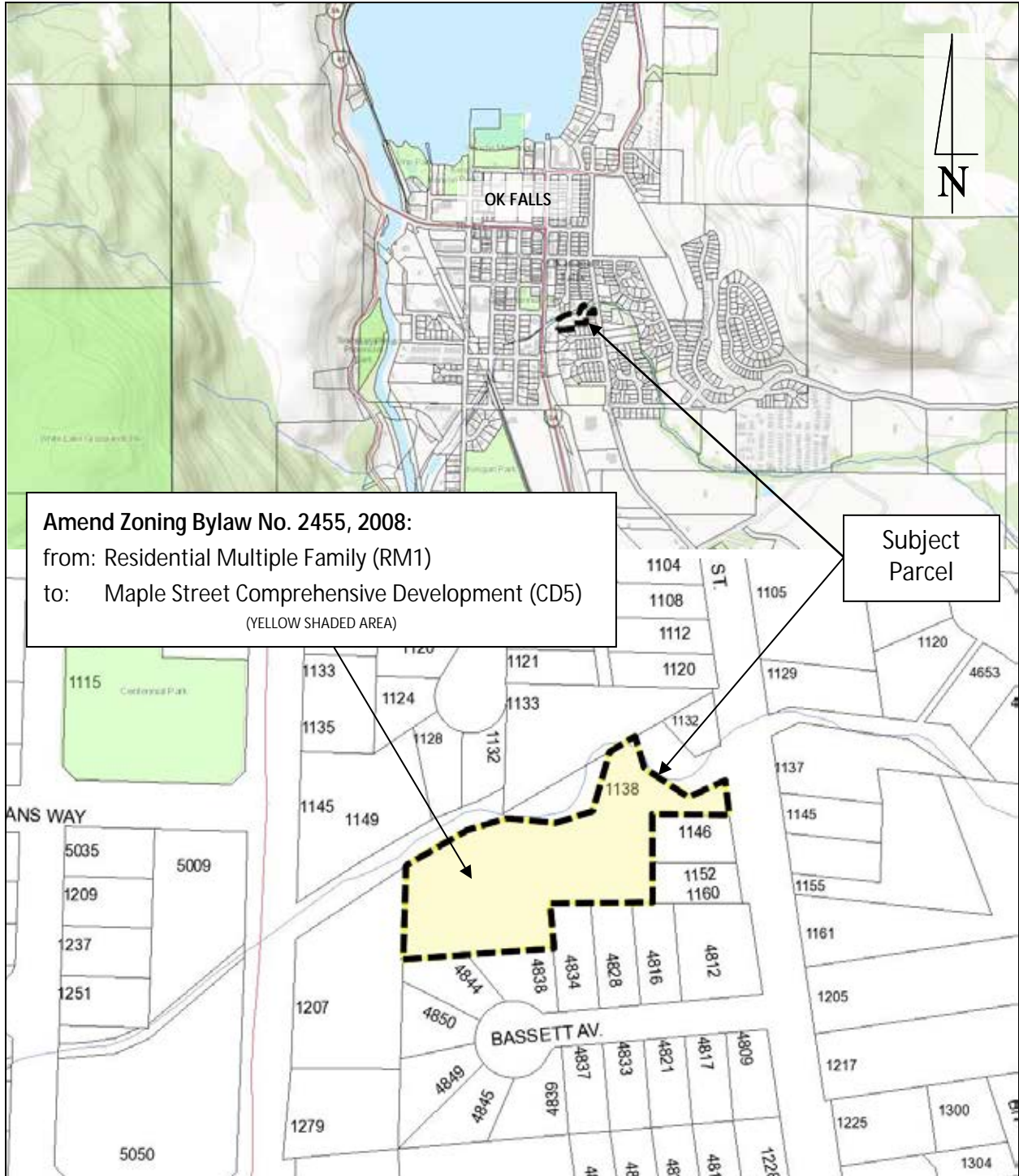
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.054-ZONE

Schedule 'D-201'



Regional District of Okanagan-Similkameen

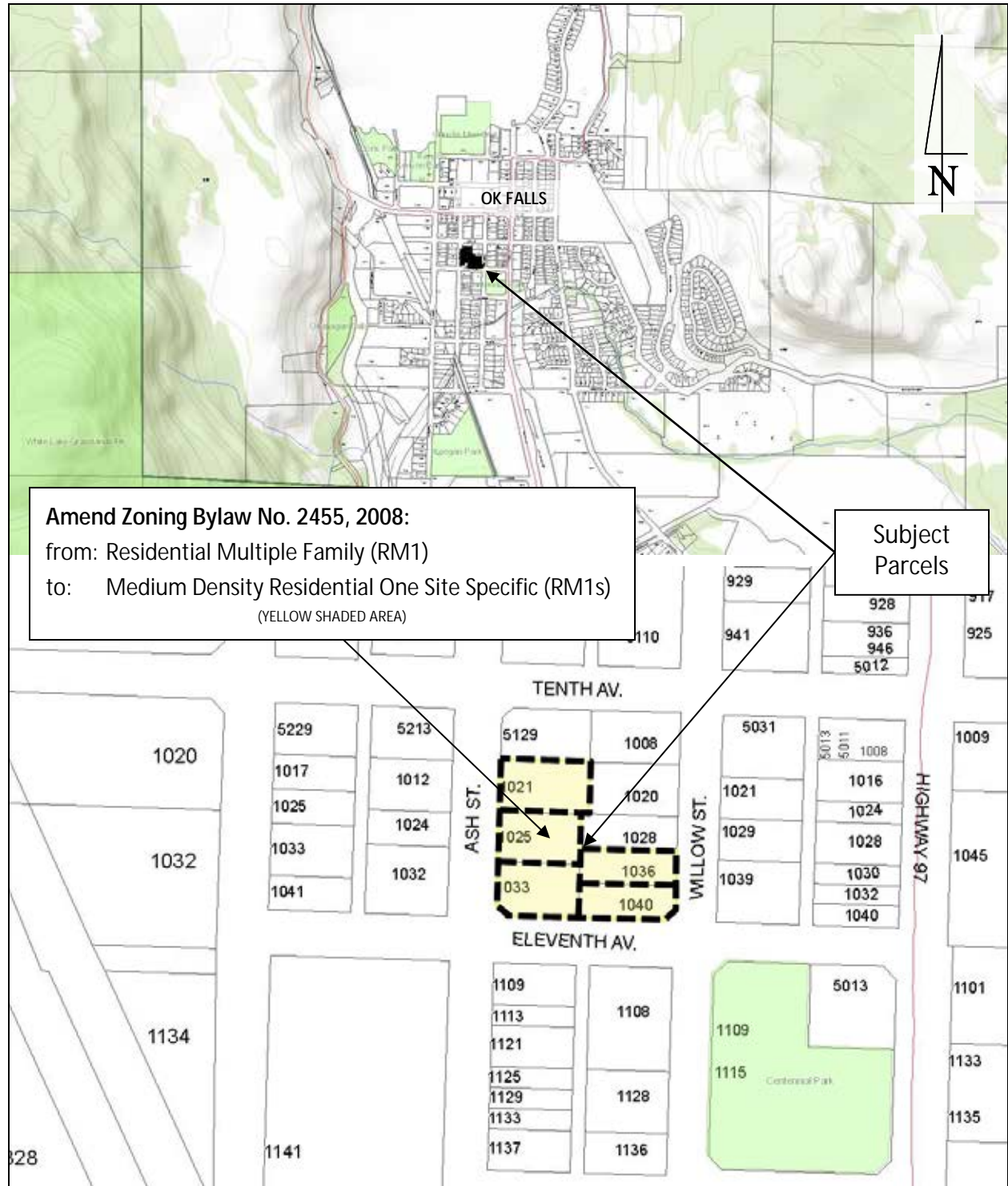
101 Martin St, Penticton, BC, V2A-5J9
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.054-ZONE

Schedule 'D-202'



Regional District of Okanagan-Similkameen

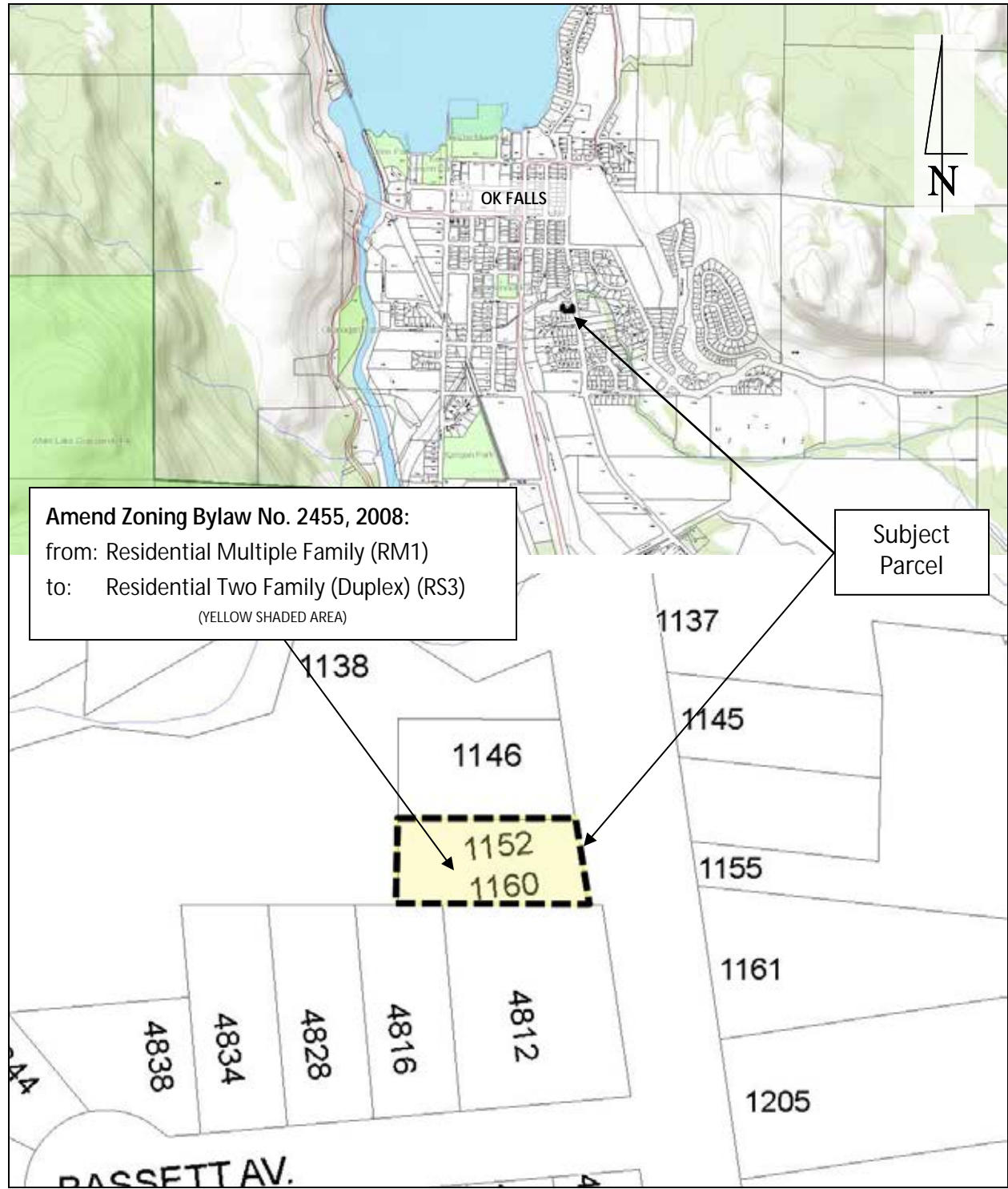
101 Martin St, Penticton, BC, V2A-5J9
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.054-ZONE

Schedule 'D-203'



Regional District of Okanagan-Similkameen

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

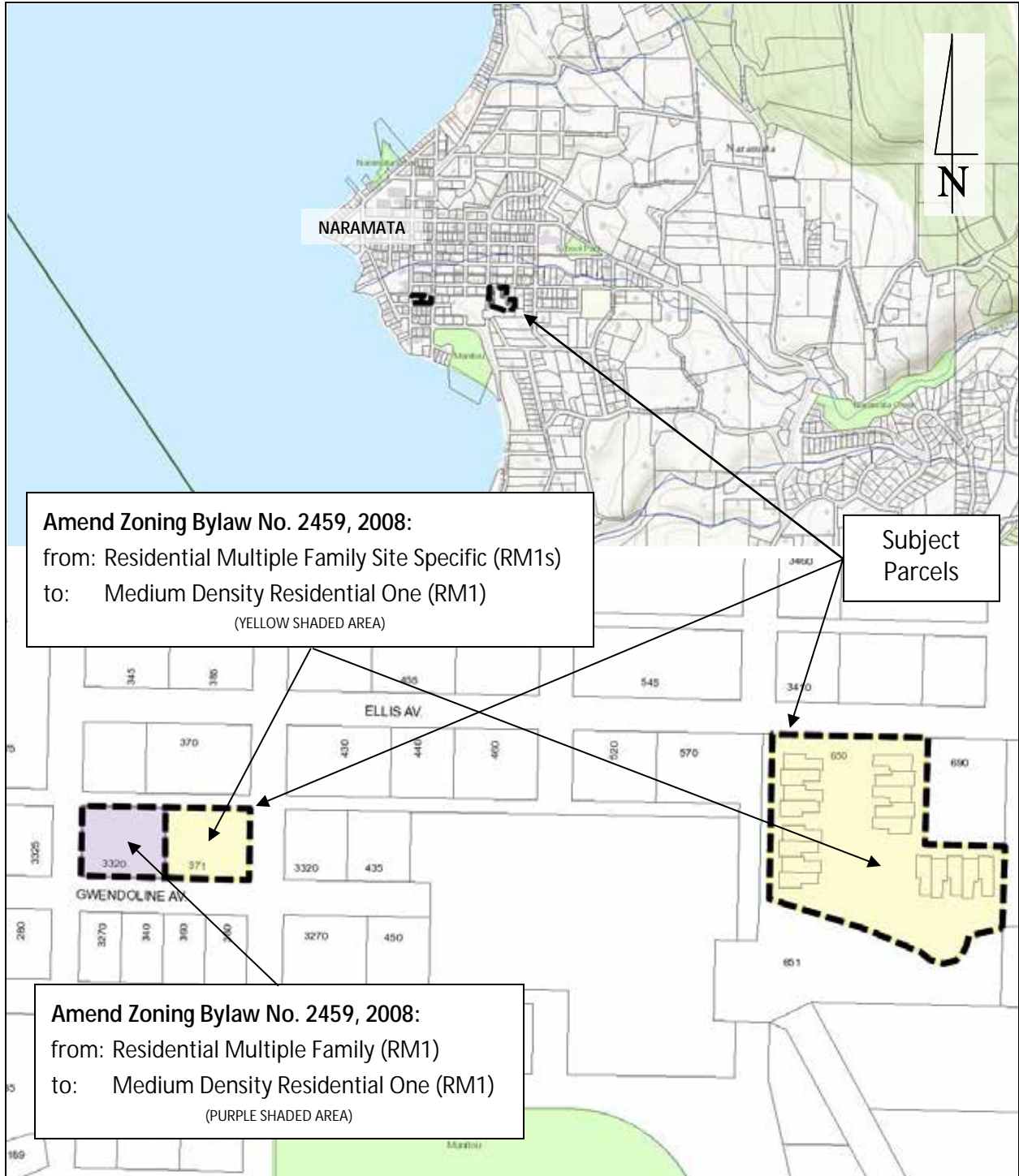
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.054-ZONE

Schedule 'E-201'



Regional District of Okanagan-Similkameen

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

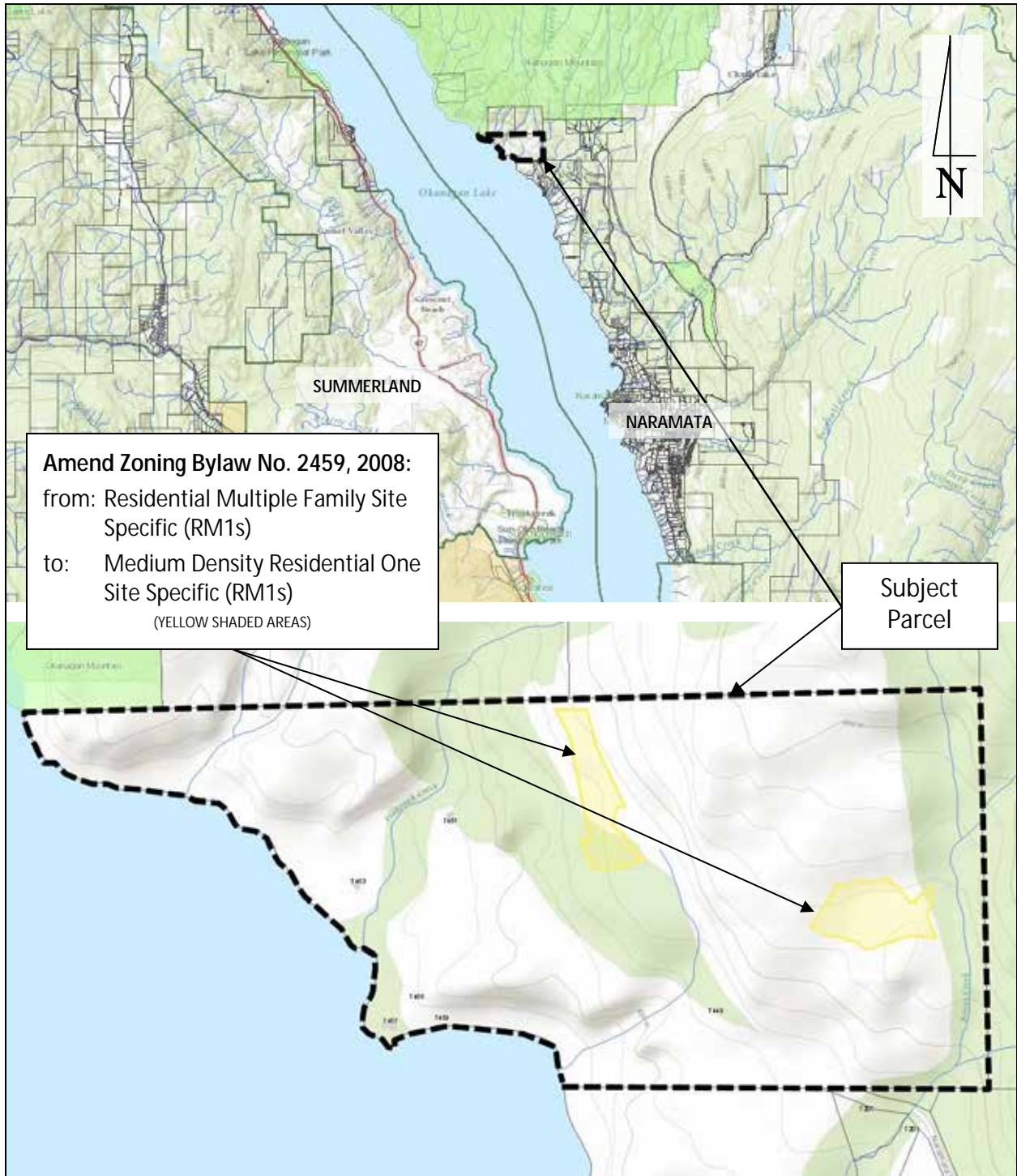
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.054-ZONE

Schedule 'E-202'



Regional District of Okanagan-Similkameen

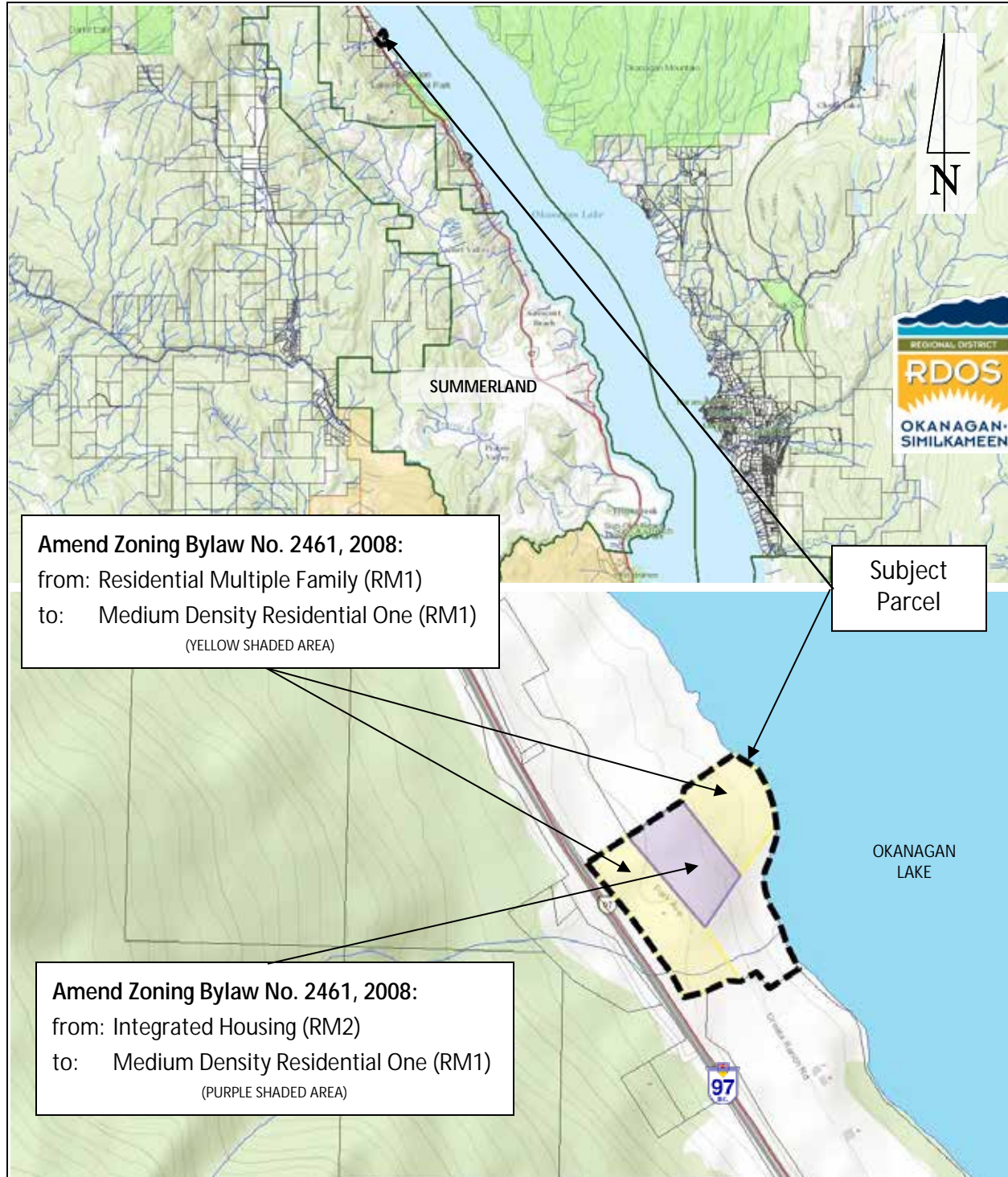
101 Martin St, Penticton, BC, V2A-5J9
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.054-ZONE

Schedule 'F-201'



Regional District of Okanagan-Similkameen

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

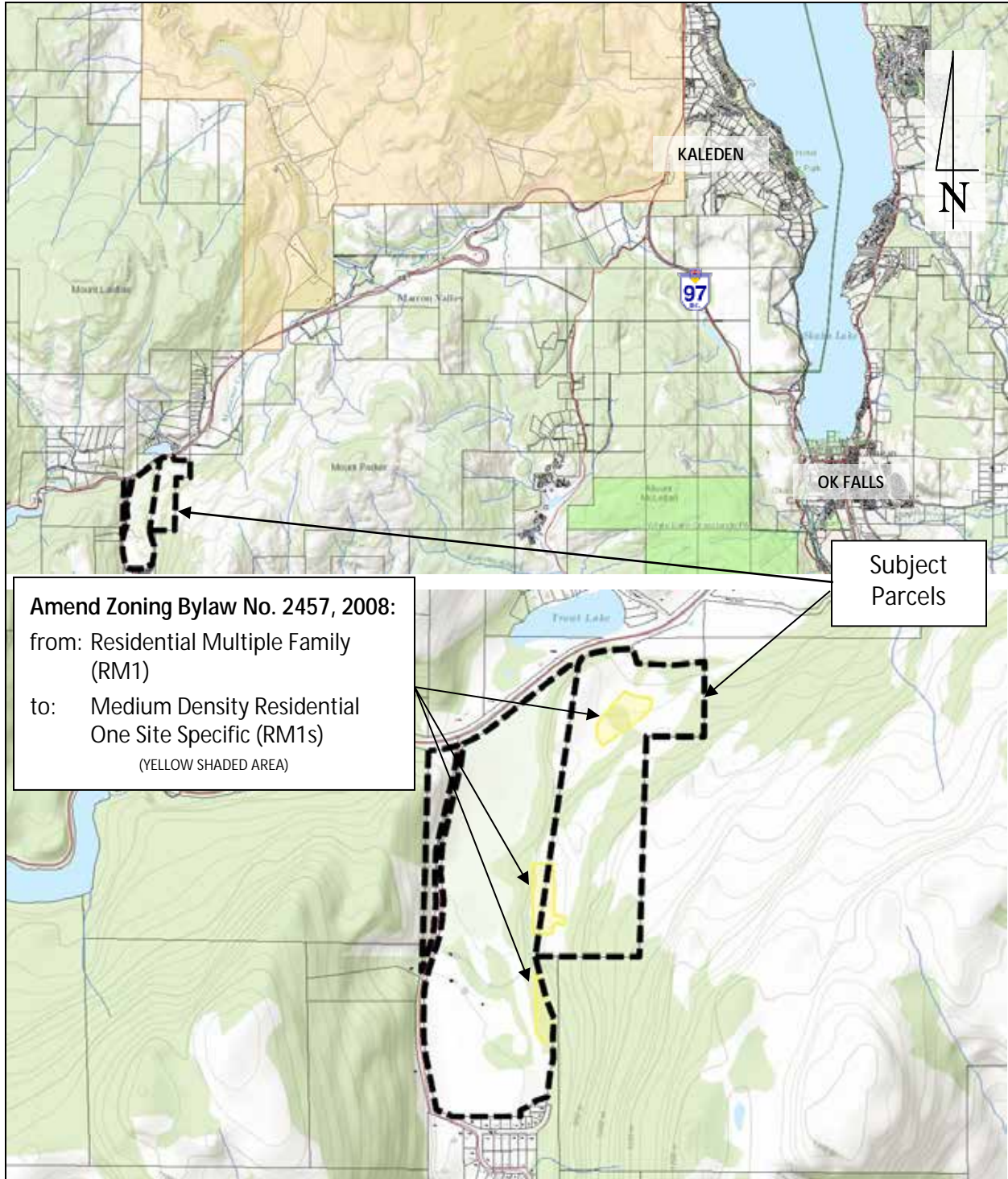
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2804, 2019

Project No: X2018.054-ZONE

Schedule 'I-201'



Representations attached included in Agenda Package to the Board Members:

Board Date: December 19, 2019

Bylaw No. 2804:

Residential Land Use Objectives and Policies Update / Residential Multiple Family (RM1) Zone Update



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

November 19, 2019

Reply to the attention of Sara Huber
ALC Issue: 46696
Local Government File: X2019.053-ZONE

Lauri Feindell
Administrative Assistant, Regional District of Okanagan Similkameen
lfeindell@rdos.bc.ca

Delivered Electronically

Re: **Regional District of Okanagan Similkameen OCP and Zoning Amendment
Bylaw No. 2804, 2019**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Okanagan Electoral Area Official Community Plans and Okanagan Electoral Area Zoning Amendment Bylaw No. 2804, 2019 (the "Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the "General Regulation"), the Agricultural Land Reserve Use Regulation (the "Use Regulation"), and any decisions of the ALC.

The amendments to the Okanagan Electoral Area Official Community Plans (OCPs) include the following:

- Text amendments to the Low Density Residential (LR) and Medium Density Residential (MR) designations to ensure consistent density provisions, specifically:
 - LR designation:**
 - 30 detached dwelling units per ha (subject to servicing requirements); minimum parcel size 350 m²
 - 45 duplex dwellings unit per ha (subject to servicing requirements); minimum strata parcel size 225 m²
 - MR designation:**
 - 50 multi-unit dwelling units per ha
- Consistent policy statements in relation to the provision of community sewer connections for new parcels less than one ha, or the development of accessory dwelling units on parcels less than one ha; and,
- Consistent use of language to describe land use objectives and policies across Electoral Areas.

The amendments to the Okanagan Electoral Area Zoning Bylaws, which are proposed in anticipation of a single zoning bylaw for the Electoral Areas, include the following:

- Amendments to the Residential Multiple Family Zones. Primarily related to introducing a consistent Medium Density Residential One (RM1) Zone, including definitions related to the uses permitted in this zone; and,
- Consolidation of the RM2 Zone in the Electoral Area “F” Zoning Bylaw into the new RM1 Zone.

The Bylaw also includes the following policies with respect to agriculture:

8.3.6 Will evaluate any new residential development on its implications and impacts on adjacent lands designated as Agriculture (AG).

8.3.7 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.

8.3.8 Encourages residential development that abuts land designated Agriculture (AG) to provide buffers pursuant to Ministry of Agriculture guidelines.

8.5.6 Will avoid locating Medium Density Residential (MDR) development next to land designated as Agriculture (AG). If multiple family development is to be located near land designated as Agriculture (AG), then the following steps must be taken:

- a) buffering should be constructed in accordance with Ministry of Agriculture guidelines;*
- b) the ground floor of the building should be set back far enough from the agricultural use to minimize conflicts; and*
- c) the building should be designed to step back away from the Agriculture land as the building increases in height.*

ALC staff generally support these policies which seek to minimize the impact of residential development occurring adjacent to agricultural lands.

ALC staff also note that there are four ALR properties, or former ALR properties, affected by the Bylaw, summarized in Table 1. Generally speaking, ALC staff has no objection to the amendments proposed for these properties, given the properties’ application history with the Commission. However, PID: 004-642-139 (shown on Schedule C-201), which is proposed to be rezoned from Residential Single Family One (RS1) to Medium Density Residential One (RM1) and re-designated from Low Density Residential (LR) to Medium Density Residential (MR), does not appear to have previous approvals or endorsements of the Commission to support these amendments. Further discussion with ALC staff regarding the history of this property may be required in order to support these amendments, as the Medium Density Residential One (RM1) permits as a principal use an apartment building and townhouse, and the Medium Density Residential (MR) generally includes townhouses, triplexes, fourplexes, all of which are not permitted within the ALR.

Table 1: ALR Properties Impacted

Parcel Identifier	Application History	ALC Staff Comments
017-694-841 (partially within ALR) Shown on	Application 41813: approved 7.5 ha for residential and recreational resort adjacent to golf course (137 units of 25-30 recreational cottages; 32 multi-family	No objection – rezoning from Residential Multiple Family (RM1) to Medium Density Residential One Site Specific

<p>Schedule I-201</p> <p>Amendment to Bylaw No. 2457, 2008 (Electoral Area "I")</p>	<p>condos, 75 hotel units); RV resort expansion (Resolution #191/2005)</p> <p>Application 336: approved rezoning of 1.7 ha to General Commercial to allow expansion of RV park, 10 unit motel, tennis courts, recreation building (Resolution #1073/1992)</p> <p>Application 31497: refused exclusion, but approved subdivision of 14 lots on the southern portion of the property and the expansion of the golf course by 9 holes. Commission requested a more detailed plan for the RV campground, condos, swimming pool, cabins, etc. before making a decision (Resolution #1308/1981).</p> <p>The Commission received the detailed plan and approved the recreational complex (including RV campground, swimming pool, caretaker's residence, food store, etc.) (Resolution #897/1983).</p> <p>In 1983, the Commission approved an amendment to Resolution #1308/1981 to allow 16 lots rather than the 14 previously approved (Resolution #1850/1983).</p>	<p>(RM1s) appears to apply to areas which are outside of the ALR. Areas within the ALR have been approved for non-farm use.</p>
<p>027-045-145 (former ALR property)</p> <p>Shown on Schedule F-201</p> <p>Amendment to Bylaw No. 2461, 2008 (Electoral Area "F")</p>	<p>Application 32456: approved additional right-of-way for three lane Highway design (Resolution #7603/1977).</p> <p>Application 31503: approved the exclusion of the alluvial valley in the central portion of the property and the clay cliffs. Property is within the alluvial valley (Resolution #10995/1979).</p>	<p>No objection – property excluded from the ALR in 1979 (Resolution #10995/1979). Rezoning portion of property from Residential Multiple Family (RM1) to Medium Density Residential One (RM1) and other portion from Integrated Housing (RM2) to Medium Density Residential One (RM1).</p>
<p>005-931-479 (partially within ALR)</p> <p>Shown on</p>	<p>Application 5991: approved inclusion of portions of property into ALR (Resolution #7577/1977).</p>	<p>No objection – appears to be outside of the ALR portions of property. Rezoning from Residential Multiple Family Site Specific (RM1s) to</p>

<p>Schedule E-202</p> <p>Amendment to Bylaw No. 2459, 2008 (Electoral Area "E")</p>	<p>Application 32979: approved subdivision into three lots subject to consolidations (Resolution #316/1981). Commission approved applicant request not to consolidate (Resolution #748/1981).</p> <p>Application 1156: refused the exclusion of the property but allowed the constructed of 15 cabins for tourist commercial use subject to inclusion of lands (Resolution #269/1993).</p> <p>Application 7524: approved exclusion of portions of property from ALR (Resolution #452/1997).</p> <p>Application 53021: approved inclusion of portions of property into ALR (Resolution #207/2013).</p> <p>Application 53022: approved exclusion of portions of property from ALR (Resolution #206/2013).</p>	<p>Medium Density Residential One Site Specific (RM1s).</p>
<p>004-642-139</p> <p>Shown on Schedule C-201</p> <p>Amendment to Bylaw No. 2453, 2008 (Electoral Area "C")</p>	<p>No previous ALC applications.</p>	<p>Within ALR; 0.17 acres in size, but has not been confirmed excepted at this time. See ALC Policy P-02</p> <p>Rezoning from Residential Single Family One (RS1) to Medium Density Residential One (RM1).</p> <p>Amending OCP from Low Density Residential (LR) to Medium Density Residential (MR).</p>

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

If you have any questions about the above comments, please contact the undersigned at 604-660-7019 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of OCP and Zoning Text Amendments

CC: Ministry of Agriculture – Attention: Christina Forbes

46696m1

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2804

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

Kaleden Irrigation District does not approve of the amendments listed above. The proposed increase of dwelling units for LR and MR would add a higher number of septic systems or increase loading to existing systems that could affect the water quality inside our Intake Protection Zone. The added number of dwellings would also add extra stress to the water system which would result in major upgrade requirements for approval of the subdivisions.

The District would like more details regarding the proposed "textual amendments".

Signature: *Cheryl G. Wells*

Signed By: *CAEROL & TAYLOR for Taylor Dean, MGR*

Agency: Kaleden Irrigation District

Title: Manager / Financial Administrator

DATE October 21, 2019





Interior Health
Every person matters

October 17, 2019

Christopher Garrish
Regional District of Okanagan-Similkameen
101 Martin St
Penticton, BC V2A 5J9
<mailto:planning@rdos.bc.ca>

Dear Christopher Garrish:

RE: File #: X2019.053-ZONE
Our interests are unaffected

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority

Bus: 1-855-744-6328, Option 4
Email: hbe@interiorhealth.ca
Web: interiorhealth.ca

Kamloops Health Unit
519 Columbia Street
Kamloops, BC V2C2T8



RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2804

- 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: P. J. Subramanian
Agency: CD 53
Date: 16/10/19

Signed By: SUREA PALIAPPA
Title: SECRETARY TREASURER



RESPONSE SUMMARY


AMENDMENT BYLAW NO. 2804

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

Council considered this at the November 4th Council meeting with the following staff recommendations see below:

Staff recommend the following:

Approval Recommended with a notation that ~~RDOS~~ staff and Town of Osoyoos staff continue to work together to ensure that incompatible uses are prevented from locating adjacent to each other across jurisdictional boundaries.

Signature: 

Signed By: Gina MacKay, MCIP, RPP

Agency: Town of Osoyoos

Title: Director of Planning and Development

Date: November 6 2019

SINGLEZONE 2804





Oct 28 2019

File No: X2019.053-ZONE

Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Re: Bylaw Referral – File No. X2019.053-ZONE

Dear Christopher Garrish,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the bylaw referral X2019.053-ZONE (Residential Multiple Family Zoning) regarding draft Bylaw No. 2804, 2019 for Electoral Areas A, C, D, E, F, G, H and I. I have reviewed the documentation you have provided. From an agricultural perspective I can offer the following comments:

- Ministry staff support the draft policy encouraging fencing adjacent to agricultural properties. Additional information about appropriate fencing requirements, along with more rigorous requirements may be beneficial to include within the proposed bylaw.
- Ministry staff also support the draft policy encouraging buffers when properties abut agricultural land as per the Ministry of Agriculture's Edge Planning guidelines. Additional information concerning vegetative buffers, along with more rigorous requirements, may also be beneficial to include with the proposed bylaw.
- The RDOS may also wish to consider requiring a restrictive covenant on a property adjacent to agricultural land's land title necessitating preservation of a vegetative buffer and prohibiting the construction of, or addition to, any buildings structures within the buffer area or yard adjacent to the buffer.

If you have any questions, please contact me directly at christina.forbes@gov.bc.ca or 250-861-7201.

Sincerely,

Christina Forbes, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
Office: (250) 861-7201
E-mail: christina.forbes@gov.bc.ca

Email copy: Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca



Lauri Feindell

Subject: FW: Referral: Bylaw Referral X2019.053-ZONE

From: Leathem, Jamie FLNR:EX <Jamie.Leathem@gov.bc.ca>
Sent: November 13, 2019 5:21 PM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: FW: Referral: Bylaw Referral X2019.053-ZONE

The above noted referral has been reviewed by the Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development.

We have no concerns with the amendments as proposed.

Thank you,

Jamie Leathem, M.Sc.
Ecosystems Biologist | BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development
102 Industrial Place, Penticton, BC V2A 7C8 | (250) 490-8294 | Jamie.Leathem@gov.bc.ca

Please note my regular hours are Mon-Thurs 9:00am-5:00pm.





DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION

Your File #: X2019.053-
ZONE

eDAS File #: 2019-05938

Date: October 25, 2019

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw 2804, 2019 for:
Electoral Area A, C, D, E, F and I**

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
Development Officer

Local District Address

Penticton Area Office

102 Industrial Place
Penticton, BC V2A 7C8
Canada

Phone: (250) 712-3660 Fax: (250) 490-2231



Lauri Feindell

From: Christopher Garrish
Sent: November 1, 2019 2:19 PM
To: 'Lszelei@telusplanet.net'
Cc: Bruce 3884
Subject: RE: Medium Density Residential Zone Update - 650 Ellis Avenue, Naramata

Hi Les,

Thanks for touching base and I have provided some responses in red below.

Hope this helps.

Sincerely,
Chris.



Christopher Garrish MA, MSS, MCIP, RPP - Planning Manager

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

p. 250.490.4101 | tf. 1.877.610.3737 | f. 250.492.0063

www.rdos.bc.ca | cgarrish@rdos.bc.ca | [FACEBOOK](#) | [YOUTUBE](#) | Sign up for [REGIONAL CONNECTIONS](#)

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From: [REDACTED]
Sent: October 29, 2019 7:55 AM
To: Christopher Garrish <cgarrish@rdos.bc.ca>
Cc: [REDACTED]
Subject: Medium Density Residential Zone Update - 650 Ellis Avenue, Naramata

Mr. Christopher Garrish,
Planning Manager

Subsequent to your letter of October 10, 2019 would you please address and clarify the following concerns:

- Permitted Uses – Naramata Court consists of eighteen (18) townhouse condominium (strata) units, configured in two (2) buildings of four (4) units each, plus two (2) buildings of five (5) units each. The complex has an existing septic system for household sewage disposal, consisting of piping, tanks, field pump and field. Your new Accessory Uses column has deleted “Common Sewage Disposal Facilities” from Permitted Uses. Unless the Village of Naramata is installing a new sewage treatment plant, that Naramata Court will be tied into, our Strata will require the existing septic system to be maintained, and thus common sewage disposal facilities to be maintained as a Permitted Use.

Naramata Court is the only RM1 zoned parcel in the whole of the RDOS that has the requirement for “Common Sewage Disposal Facilities” listed as a permitted accessory use. Not even other RM1 zoned parcels in Electoral Area “E” have this requirement in their zoning (despite having similar systems). I would argue that placing this into your zoning was un-necessary (i.e. how could the property have been developed to multi-family without such a sewer system?) and, given it is the exception rather than the rule, that it need not be carried forward into



the new RM1 zone. Rather, if there was ever a question about how such a system could be allowed in future, my position would be that it constitutes an "accessory structure" to the residential units and is permitted.

- Naramata Court has existed at full build-out now, of eighteen (18) units, for over seven (7) years. Parcel size, density, floor areas, setbacks, building heights, parcel overage, and amenity area requirements were all set and approved when the original development was approved by the RDOS & Wildstone Construction. Please confirm that your proposed RM1 Zone parameters refer to future developments, and not currently constructed developments.

Yes, the proposed regulations would not apply to already existing developments and are intended for future development. Naramata Court would be considered "grandfathered" under the previous regulations.

I have included Mr. Bruce Martel in this communication, who is our current Strata President, to ensure all stakeholder concerns at Naramata Court with respect to this notification will be addressed.

As an item unrelated to this RM1 Zone Update, would you also please advise who the RDOS representative would be to address concerns relative to the current \$267.00/quarter per unit billing for domestic water use. Based on the RDOS minimum billing of ¼ acre per unit, this currently costs the owners of Naramata Court \$19,244.00 yearly for summer irrigation of lawn space that is nowhere near four & half (4 ½) acres in area. The ¼ acre spacing is particularly disproportionate for the inside units of our two (2) four unit and two (2) five unit buildings. **I will look into this and follow-up with a separate email.**

Thank you,
Les Szelei



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 23, 2020
RE: Early Termination of Land Use Contract No. LU-1-F – Electoral Area “F”

Administrative Recommendation:

THAT Bylaw No. 2790.01, 2019, Electoral Area “F” Official Community Plan Amendment Bylaw and Bylaw No. 2461.12, 2019, Electoral Area “F” Zoning Amendment Bylaw be adopted.

Purpose: To replace Land Use Contract No. LU-1-F with a Comprehensive Development (CD7) Zone.

Owners: Lombardy Bay Estates Agent: Not applicable Folio: F-06703.000

Civic: 461 North Beach Road Legal: Lot 14, Plan KAP11635, DL 2694, ODYD, Except Plan 12498

Zone: Not applicable (Land Use Contract) Proposed Zoning: Lombardy Bay Estates Comprehensive Development Zone (CD7)

Purpose:

It is being proposed that the Regional District Board initiate an “Early Termination” of Land Use Contract No. LU-1-F (being Bylaw No. 223) that applies to the property at 461 North Beach Road (“Lombardy Bay Estates”).

Background:

On September 30, 2019, a Public Information Meeting (PIM) was held with affected property owners at the RDOS office at 101 Martin Street, Penticton, and was attended by approximately 2 members of the public as well as a number of members of the Advisory Planning Commission (APC).

At its meeting of September 30, 2019, the Electoral Area “F” APC resolved to recommend to the RDOS Board that the proposed discharge and termination of part of LUC No. LU-1-F be approved.

At its meeting of October 17, 2019, the Regional District Board resolved to approve first and second reading of the amendment bylaws and delegated the holding of a public hearing to Director Gettens, or their delegate.

On December 10, 2019, a public hearing was held at 101 Martin Street, Penticton, BC (RDOS Boardroom) and was attended by no members of the public.

At its meeting of December 19, 2019, the Regional District Board resolved to approve third reading of the amendment bylaws.

Approval from the Ministry of Transportation and Infrastructure (MoTI) was obtained on January 2, 2020, as the proposal is situated within 800 metres of a controlled area (i.e. Highway 97).

Alternatives:

-
- .1 THAT adoption of Bylaw No. 2790.01, 2019, Electoral Area "F" Official Community Plan Amendment Bylaw and Bylaw No. 2461.12, 2019, Electoral Area "F" Zoning Amendment Bylaw be deferred; or
 - .2 THAT first, second and third readings of the Electoral Area "F" Official Community Plan Amendment Bylaw No. 2790.01, 2019, and Electoral Area "F" Zoning Amendment Bylaw No. 2461.12, 2019, be rescinded and the bylaws abandoned.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed by:



B. Dollevoet, G.M. of Development Services

Attachments: No. 1 – Aerial Photo (2017)

Attachment No. 1 – Aerial Photo (2017)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2790.01, 2019

A Bylaw to amend the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018

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 "F" Official Community Plan Amendment Bylaw No. 2790.01, 2019."
2. The Electoral Area "I" Official Community Plan Bylaw No. 2790, 2018, is amended by:
 - i) adding a new sub-section 4 under Section 10.5 (Policies – Small Holdings) to read as follows:
 - .4 Requires that any proposal seeking to amend the land use designation or zoning of the parcel described as Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498 (461 North Beach Road) in order to facilitate subdivision demonstrate an ability to connect to a community water and sewer system.

READ A FIRST AND SECOND TIME this 17th day of October, 2019.

PUBLIC HEARING held on this 10th day of December, 2019.

READ A THIRD TIME this 19th day of December, 2019.

ADOPTED this ____ day of _____, 2020.

Board Chair

Chief Administrative Officer

The purpose of the Lombardy Bay Estates Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for the parcel located at 461 North Beach Road, which is legally described as Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498, in order to reconcile the historical land use pattern on the lands with the regulations of the Zoning Bylaw.

17.2.2 Location

The property is bounded by North Beach Road to the west and Okanagan Lake to the east approximately 2.0 km north of the boundary between Electoral Area "F" and the District of Summerland.



17.2.3 Background:

At its meeting of September 18, 1975, the Regional District Board adopted Amendment Bylaw No. 223, which authorised Land Use Contract No. LU-1-F, the purpose of which was to facilitate the development of four additional dwellings on sites at Lombardy Bay Estates that had been created in 1968, and no longer complied with the zoning introduced to the area in 1971. The LUC permitted the development of nine (9) total dwelling units on the property.

In 2019, the Regional District initiated the "Early Termination" of LUC No. LU-1-F. Due to the "share-lot" nature of development at 461 North Beach Road, a comprehensive development zone was created to replace the LUC.

This zone limits density to that which was previously permitted under the LUC (i.e. 9 dwelling units, and no accessory dwelling units such as secondary suites or carriage houses) due to the “share-lot” nature of the property. Similarly, the zone does not contemplate subdivision due to the absence of a community sewer system at Lombardy Bay Estates.

17.2.4 Permitted Uses:

Principal Uses:

- a) single detached dwelling;

Accessory Uses:

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

17.2.5 Minimum Parcel Size for Subdivision:

- a) 1.5 ha

17.2.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

17.2.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) nine (9) principal dwelling units.

17.2.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

17.2.9 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.

17.2.10 Maximum Parcel Coverage:

- a) 35%

17.2.11 Minimum Building Width:

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

- 4. The land described as Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498, and shown shaded yellow on the attached Schedule 'A' (which forms part of this Bylaw) is zoned Lombardy Bay Estates Comprehensive Development (CD7) in the Regional District of Okanagan-Similkameen, Electoral Area "F" Zoning Bylaw No. 2461, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended accordingly.
- 5. Sections 2, 4 & 5 of this Bylaw shall come into force on the day that is one year and one day after the date this Bylaw is adopted.

READ A FIRST AND SECOND TIME this 17th day of October, 2019.

PUBLIC HEARING held on this 10th day of December, 2019.

READ A THIRD TIME this 19th day of December, 2019.

Approved pursuant to section 52(3)(a) of the *Transportation Act* this 2nd day of January, 2020.

ADOPTED this ____ day of _____, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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

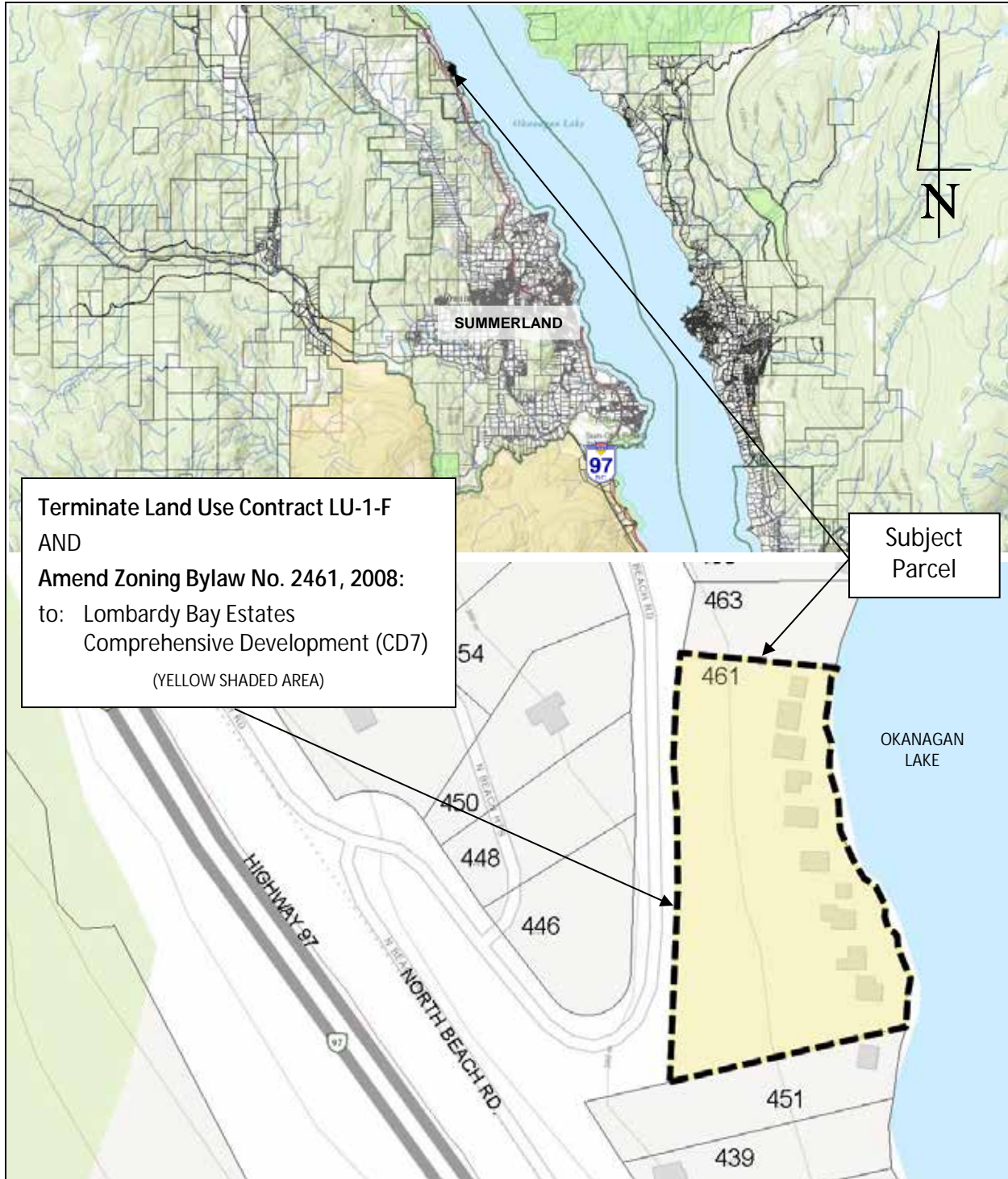
Telephone: 250-492-0237 Email: info@rdos.bc.ca



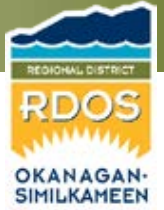
Amendment Bylaw No. 2461.12, 2019

File No. F2019.013-ZONE

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 23, 2020
RE: Zoning Bylaw Amendment – AI Zone Update
Electoral Areas “A”, “C”, “D”, “E”, “F” & “I”

Administrative Recommendation:

THAT Bylaw No. 2873, 2019, Regional District of Okanagan-Similkameen Administrative and Institutional Zone Update Zoning Amendment Bylaw be adopted.

Proposed Development:

The purpose of Bylaw No. 2873, 2019, is to update the Administrative and Institutional (AI) zones as part of on-going work related to the preparation of an Okanagan Valley Electoral Area Zoning Bylaw.

Background:

At its meeting of October 3, 2019, the Planning and Development (P&D) Committee of the Board resolved that Bylaw No. 2873 proceed to first reading.

At its meeting of December 5, 2019, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur at the Board meeting of January 9, 2020.

On January 9, 2020, a public hearing was held at 101 Martin Street, Penticton, BC (RDOS Boardroom) and was attended by no members of the public.

At its meeting of January 9, 2020, the Regional District Board resolved to approve third reading of the amendment bylaw.

Approval from the Ministry of Transportation and Infrastructure (MoTI) was obtained on January 14, 2020, as the bylaw affects lands situated within 800 metres of a controlled area (i.e. Highway 97 & 3).

Alternatives:

1. THAT adoption of Bylaw No. 2873, 2019, Regional District of Okanagan-Similkameen Administrative and Institutional Zone Update Zoning Amendment Bylaw be deferred; or
2. THAT first, second and third readings of Bylaw No. 2873, 2019, Regional District of Okanagan-Similkameen Administrative and Institutional Zone Update Zoning Amendment Bylaw be rescinded and the bylaw abandoned.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read "C. Garrish", written over a horizontal line.

C. Garrish, Planning Manager

Endorsed By:

A handwritten signature in blue ink, appearing to read "B. Dollevoet", written over a horizontal line.

B. Dollevoet, G.M. of Development Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2873, 2019

A Bylaw to amend the Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Administrative and Institutional Zone Update Zoning Amendment Bylaw No. 2873, 2019."

Electoral Area "A"

2. The "Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) deleting the definitions of "charitable, fraternal or philanthropic institution", "community care and/or social care facility", "community hall", "integrated housing", "institutional use" under Section 4.0 (Definitions).
 - ii) adding a definition of "assembly" under Section 4.0 (Definitions) to read as follows:

"**assembly**" means a building or land used for the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes, and includes a church and community hall;
 - iii) adding a definition of "community care facility" under Section 4.0 (Definitions) to read as follows:

"**community care facility**" means premises for the accommodation and care of persons who require continuing assistance due to age, medical infirmity or disability. A community care facility may or may not be licensed under the *Community Care and Assisted Living Act*;
 - iv) replacing the definition of "church" under Section 4.0 (Definitions) in its entirety with the following:

“**church**” means a building or structure used for religious worship or organized religious services and associated accessory uses which may include an auditorium, child care centre and one (1) accessory dwelling unit;

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

“**child care centre**” means a building or structure in which child care services are provided for more than eight (8) children in accordance *Child Care Licensing Regulation* under the *Community Care and Assisted Living Act*;

- vi) adding a definition of “civic facility” under Section 4.0 (Definitions) to read as follows:

“**civic facility**” means a building or structure in which government services are provided to the public including but not limited to a government offices, law court, hospital, fire hall, library, ambulance or police station;

- vii) adding a definition of “cultural facility” under Section 4.0 (Definitions) to read as follows:

“**cultural facility**” means a building or structure used for artistic performances and the display of art and cultural artefacts, including but not limited to art galleries, community theatres, and museums;

- viii) replacing Section 7.20.1(f) (Signs) under Section 7.0 (General Regulations) in its entirety with the following:

- f) to denote a church use of assembly use on the property on which the sign is located;

- ix) adding a new reference to “child care centre” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Child Care Centre	0.75 space per employee on duty; and 1 space per 10 children in care	0
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- x) replacing the reference to “community care and social case facilities” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) in its entirety with the following:

Community Care Facility	1 per 2 sleeping units	0
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- xi) replacing Section 16.1 (Administrative and Institutional Zone (AI)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

16.1 ADMINISTRATIVE AND INSTITUTIONAL ZONE (AI)

16.1.1 Permitted Uses:

Principal Uses:

- a) assembly;
- b) cemetery;
- c) child care centre;
- d) civic facility;
- e) community care facility;
- f) cultural facility;
- g) educational facility;
- h) funeral home;

Secondary Uses:

- i) accessory buildings and structures, subject to Section 7.13.

16.1.2 Site Specific Administrative and Institutional (AIs) Provisions:

- a) see Section 17.14

16.1.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

16.1.4 Minimum Parcel Width:

- a) 30.0 metres

16.1.5 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

16.1.6 Maximum Height:

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

16.1.7 Maximum Parcel Coverage:

- a) 40%

Electoral Area "C"

3. The "Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:
 - i) deleting the definitions of "charitable, fraternal or philanthropic institution", "community care and/or social care facility", "community hall", "integrated housing", "institutional use" under Section 4.0 (Definitions).
 - ii) adding a definition of "assembly" under Section 4.0 (Definitions) to read as follows:

"assembly" means a building or land used for the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes, and includes a church and community hall;
 - iii) adding a definition of "community care facility" under Section 4.0 (Definitions) to read as follows:

"community care facility" means premises for the accommodation and care of persons who require continuing assistance due to age, medical infirmity or disability. A community care facility may or may not be licensed under the *Community Care and Assisted Living Act*;
 - iv) replacing the definition of "church" under Section 4.0 (Definitions) in its entirety with the following:

"church" means a building or structure used for religious worship or organized religious services and associated accessory uses which may include an auditorium, child care centre and one (1) accessory dwelling unit;
 - v) adding a definition of "child care centre" under Section 4.0 (Definitions) to read as follows:

"child care centre" means a building or structure in which child care services are provided for more than eight (8) children in accordance *Child Care Licensing Regulation* under the *Community Care and Assisted Living Act*;
 - vi) adding a definition of "civic facility" under Section 4.0 (Definitions) to read as follows:

"civic facility" means a building or structure in which government services are provided to the public including but not limited to a government offices, law court, hospital, fire hall, library, ambulance or police station;

vii) adding a definition of “cultural facility” under Section 4.0 (Definitions) to read as follows:

“**cultural facility**” means a building or structure used for artistic performances and the display of art and cultural artefacts, including but not limited to art galleries, community theatres, and museums;

viii) replacing Section 7.20.1(f) (Signs) under Section 7.0 (General Regulations) in its entirety with the following:

f) to denote a church use of assembly use on the property on which the sign is located;

ix) adding a new reference to “child care centre” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Child Care Centre	0.75 space per employee on duty; and 1 space per 10 children in care	0
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x) replacing the reference to “community care and social case facilities” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) in its entirety with the following:

Community Care Facility	1 per 2 sleeping units	0
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xi) replacing Section 16.1 (Administrative and Institutional Zone (AI)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

16.1 ADMINISTRATIVE AND INSTITUTIONAL ZONE (AI)

16.1.1 Permitted Uses:

Principal Uses:

- a) assembly;
- b) cemetery;
- c) child care centre;
- d) civic facility;
- e) community care facility;
- f) cultural facility;
- g) educational facility;
- h) funeral home;

Secondary Uses:

- i) accessory buildings and structures, subject to Section 7.13.

16.1.2 Site Specific Administrative and Institutional (AIs) Provisions:

- a) see Section 17.24

16.1.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

16.1.4 Minimum Parcel Width:

- a) 30.0 metres

16.1.5 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

16.1.6 Maximum Height:

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

16.1.7 Maximum Parcel Coverage:

- a) 40%

Electoral Area "D"

4. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:

- i) deleting the definitions of "charitable, fraternal or philanthropic institution", "community hall", "congregate care housing", "group home" "integrated housing", "institutional use" and "retirement home" under Section 4.0 (Definitions).
- ii) adding a definition of "assembly" under Section 4.0 (Definitions) to read as follows:
"assembly" means a building or land used for the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes, and includes a church and community hall;

iii) adding a definition of “community care facility” under Section 4.0 (Definitions) to read as follows:

“**community care facility**” means premises for the accommodation and care of persons who require continuing assistance due to age, medical infirmity or disability. A community care facility may or may not be licensed under the *Community Care and Assisted Living Act*;

iv) replacing the definition of “church” under Section 4.0 (Definitions) in its entirety with the following:

“**church**” means a building or structure used for religious worship or organized religious services and associated accessory uses which may include an auditorium, child care centre and one (1) accessory dwelling unit;

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

“**child care centre**” means a building or structure in which child care services are provided for more than eight (8) children in accordance *Child Care Licensing Regulation* under the *Community Care and Assisted Living Act*;

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

“**civic facility**” means a building or structure in which government services are provided to the public including but not limited to a government offices, law court, hospital, fire hall, library, ambulance or police station;

vii) adding a definition of “cultural facility” under Section 4.0 (Definitions) to read as follows:

“**cultural facility**” means a building or structure used for artistic performances and the display of art and cultural artefacts, including but not limited to art galleries, community theatres, and museums;

viii) replacing Section 7.20.1(f) (Signs) under Section 7.0 (General Regulations) in its entirety with the following:

f) to denote a church use of assembly use on the property on which the sign is located;

ix) adding a new reference to “child care centre” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Child Care Centre	0.75 space per employee on duty; and 1 space per 10 children in care	0
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- x) replacing the reference to “community care and social case facilities” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) in its entirety with the following:

Community Care Facility	1 per 2 sleeping units	0
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- xi) replacing Section 10.1.1(c) (Permitted Uses – Resource Area (RA) Zone) under Section 10.0 (Rural) in its entirety with the following:
- c) *deleted.*
- xii) replacing Section 13.1.1(a) (Permitted Uses – Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) in its entirety with the following:
- a) assembly.
- xiii) replacing Section 13.1.1(c) (Permitted Uses – Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) in its entirety with the following:
- c) civic facility.
- xiv) replacing Section 13.1.1(d) (Permitted Uses – Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) in its entirety with the following:
- d) cultural facility.
- xv) adding a new Section 13.1.1(c) (Permitted Uses – Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) to read as follows and renumbering all subsequent sections:
- c) child care centre.
- xvi) replacing Section 14.2.1(a) (Permitted Uses – Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) in its entirety with the following:
- a) *deleted.*
- xvii) replacing Section 17.1 (Administrative and Institutional Zone (AI)) under Section 17.0 (Administrative and Open Space) in its entirety with the following:

17.1 ADMINISTRATIVE AND INSTITUTIONAL ZONE (AI)

17.1.1 Permitted Uses:

Principal Uses:

- a) assembly;
- b) cemetery;

- c) child care centre;
- d) civic facility;
- e) community care facility;
- f) cultural facility;
- g) educational facility;
- h) funeral home;

Secondary Uses:

- i) accessory buildings and structures, subject to Section 7.13.

17.1.2 Site Specific Administrative and Institutional (AIs) Provisions:

- a) see Section 19.27

17.1.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

17.1.4 Minimum Parcel Width:

- a) 30.0 metres

17.1.5 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

17.1.6 Maximum Height:

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

17.1.7 Maximum Parcel Coverage:

- a) 40%

xviii) replacing Section 19.4.3(a)(ii) (Site Specific Large Holdings One Regulations) under Section 19.0 (Site Specific Designations) in its entirety with the following:

- ii) assembly.

Electoral Area "E"

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

- i) deleting the definitions of "charitable, fraternal or philanthropic institution", "community care and/or social care facility", "community hall", "institutional use" under Section 4.0 (Definitions).

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

"assembly" means a building or land used for the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes, and includes a church and community hall;

- iii) adding a definition of "community care facility" under Section 4.0 (Definitions) to read as follows:

"community care facility" means premises for the accommodation and care of persons who require continuing assistance due to age, medical infirmity or disability. A community care facility may or may not be licensed under the *Community Care and Assisted Living Act*;

- iv) replacing the definition of "church" under Section 4.0 (Definitions) in its entirety with the following:

"church" means a building or structure used for religious worship or organized religious services and associated accessory uses which may include an auditorium, child care centre and one (1) accessory dwelling unit;

- v) adding a definition of "child care centre" under Section 4.0 (Definitions) to read as follows:

"child care centre" means a building or structure in which child care services are provided for more than eight (8) children in accordance *Child Care Licensing Regulation* under the *Community Care and Assisted Living Act*;

- vi) adding a definition of "civic facility" under Section 4.0 (Definitions) to read as follows:

"civic facility" means a building or structure in which government services are provided to the public including but not limited to a government offices, law court, hospital, fire hall, library, ambulance or police station;

- vii) adding a definition of "cultural facility" under Section 4.0 (Definitions) to read as follows:

“cultural facility” means a building or structure used for artistic performances and the display of art and cultural artefacts, including but not limited to art galleries, community theatres, and museums;

viii) replacing Section 7.20.1(f) (Signs) under Section 7.0 (General Regulations) in its entirety with the following:

f) to denote a church use of assembly use on the property on which the sign is located;

ix) adding a new reference to “child care centre” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Child Care Centre	0.75 space per employee on duty; and 1 space per 10 children in care	0
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x) replacing the reference to “community care and social case facilities” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) in its entirety with the following:

Community Care Facility	1 per 2 sleeping units	0
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xi) replacing Section 13.1.1(a) (Permitted Uses – Naramata Village Centre (NVC) Zone) under Section 13.0 (Village Centre) in its entirety with the following:

a) assembly;

xii) replacing Section 13.1.1(c) (Permitted Uses – Naramata Village Centre (NVC) Zone) under Section 13.0 (Village Centre) in its entirety with the following:

c) civic facility;

xiii) replacing Section 13.1.1(d) (Permitted Uses – Naramata Village Centre (NVC) Zone) under Section 13.0 (Village Centre) in its entirety with the following:

d) cultural facility;

xiv) adding a new Section 13.1.1(c) (Permitted Uses – Naramata Village Centre (NVC) Zone) under Section 13.0 (Village Centre) to read as follows and renumbering all subsequent sections:

c) child care centre;

xv) replacing Section 16.1 (Administrative and Institutional Zone (AI)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

16.1 ADMINISTRATIVE AND INSTITUTIONAL ZONE (AI)

16.1.1 Permitted Uses:

Principal Uses:

- a) assembly;
- b) cemetery;
- c) child care centre;
- d) civic facility;
- e) community care facility;
- f) cultural facility;
- g) educational facility;
- h) funeral home;

Secondary Uses:

- i) accessory buildings and structures, subject to Section 7.13.

16.1.3 Site Specific Administrative and Institutional (AIs) Provisions:

- a) see Section 17.13

16.1.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

16.1.4 Minimum Parcel Width:

- a) 30.0 metres

16.1.5 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

16.1.6 Maximum Height:

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

16.1.7 Maximum Parcel Coverage:

a) 40%

xvi) replacing Section 16.3.1(e) (Permitted Uses – Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

e) assembly.

Electoral Area "F"

6. The "Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:

i) deleting the definitions of "care centre, minor", "care centre major", "community recreation services", "congregate care facility", "daycare", "place of worship", "public facilities" under Section 4.0 (Definitions).

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

"assembly" means a building or land used for the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes, and includes a church and community hall;

iii) adding a definition of "community care facility" under Section 4.0 (Definitions) to read as follows:

"community care facility" means premises for the accommodation and care of persons who require continuing assistance due to age, medical infirmity or disability. A community care facility may or may not be licensed under the *Community Care and Assisted Living Act*;

iv) adding a new definition of "church" under Section 4.0 (Definitions) to read as follows:

"church" means a building or structure used for religious worship or organized religious services and associated accessory uses which may include an auditorium, child care centre and one (1) accessory dwelling unit;

v) adding a definition of "child care centre" under Section 4.0 (Definitions) to read as follows:

"child care centre" means a building or structure in which child care services are provided for more than eight (8) children in accordance *Child Care Licensing Regulation* under the *Community Care and Assisted Living Act*;

vi) adding a definition of "civic facility" under Section 4.0 (Definitions) to read as follows:

“civic facility” means a building or structure in which government services are provided to the public including but not limited to a government offices, law court, hospital, fire hall, library, ambulance or police station;

vii) adding a definition of “cultural facility” under Section 4.0 (Definitions) to read as follows:

“cultural facility” means a building or structure used for artistic performances and the display of art and cultural artefacts, including but not limited to art galleries, community theatres, and museums;

viii) replacing Section 7.20.1(f) (Signs) under Section 7.0 (General Regulations) in its entirety with the following:

f) to denote a church use of assembly use on the property on which the sign is located;

ix) adding a new reference to “child care centre” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Child Care Centre	0.75 space per employee on duty; and 1 space per 10 children in care	0
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x) replacing the reference to “community care and social case facilities” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) in its entirety with the following:

Community Care Facility	1 per 2 sleeping units	0
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xi) replacing Section 10.1.1(m) (Permitted Uses – Resource Area (RA) Zone) under Section 10.0 (Rural) in its entirety with the following:

m) church;

xii) replacing Section 10.4.1(i) (Permitted Uses – Large Holdings One (LH1) Zone) under Section 10.0 (Rural) in its entirety with the following:

i) church;

xiii) replacing Section 10.5.1(e) (Permitted Uses – Small Holdings Two (SH2) Zone) under Section 10.0 (Rural) in its entirety with the following:

e) *deleted*;

xiv) replacing Section 17.1.2(b)(xvii) (Site Specific Resource Area (RAs) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

xvii) church;

xv) replacing Section 17.1.2(b)(xviii) (Site Specific Resource Area (RAs) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

xviii) *deleted*;

xvi) replacing Section 16.1 (Administrative and Institutional Zone (AI)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

16.1 ADMINISTRATIVE AND INSTITUTIONAL ZONE (AI)

16.1.1 Permitted Uses:

Principal Uses:

- a) assembly;
- b) cemetery;
- c) child care centre;
- d) civic facility;
- e) community care facility;
- f) cultural facility;
- g) educational facility;
- h) funeral home;

Secondary Uses:

- i) accessory buildings and structures, subject to Section 7.13.

16.1.4 Site Specific Administrative and Institutional (AIs) Provisions:

- a) see Section 17.20

16.1.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

16.1.4 Minimum Parcel Width:

- a) 30.0 metres

16.1.5 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line 7.5 metres

- ii) Rear parcel line 7.5 metres
- iii) Interior side parcel line 4.5 metres
- iv) Exterior side parcel line 4.5 metres

16.1.6 Maximum Height:

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

16.1.7 Maximum Parcel Coverage:

- a) 40%

xvii) replacing Section 16.2.1(e) (Permitted Uses – Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

- e) assembly.

Electoral Area “I”

7. The “Electoral Area “I” Zoning Bylaw No. 2457, 2008” is amended by:

- i) deleting the definitions of “administrative, culture and institutional”, “care centre, minor”, “care centre major”, “care centre intermediate”, “community hall” and “special needs housing” under Section 4.0 (Definitions).
- ii) adding a definition of “assembly” under Section 4.0 (Definitions) to read as follows:

“**assembly**” means a building or land used for the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes, and includes a church and community hall;
- iii) adding a definition of “community care facility” under Section 4.0 (Definitions) to read as follows:

“**community care facility**” means premises for the accommodation and care of persons who require continuing assistance due to age, medical infirmity or disability. A community care facility may or may not be licensed under the *Community Care and Assisted Living Act*;
- iv) adding a new definition of “church” under Section 4.0 (Definitions) to read as follows:

“**church**” means a building or structure used for religious worship or organized religious services and associated accessory uses which may include an auditorium, child care centre and one (1) accessory dwelling unit;

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

“**child care centre**” means a building or structure in which child care services are provided for more than eight (8) children in accordance *Child Care Licensing Regulation* under the *Community Care and Assisted Living Act*;

- vi) adding a definition of “civic facility” under Section 4.0 (Definitions) to read as follows:

“**civic facility**” means a building or structure in which government services are provided to the public including but not limited to a government offices, law court, hospital, fire hall, library, ambulance or police station;

- vii) adding a definition of “cultural facility” under Section 4.0 (Definitions) to read as follows:

“**cultural facility**” means a building or structure used for artistic performances and the display of art and cultural artefacts, including but not limited to art galleries, community theatres, and museums;

- viii) replacing Section 7.20.1(f) (Signs) under Section 7.0 (General Regulations) in its entirety with the following:

- f) to denote a church use of assembly use on the property on which the sign is located;

- ix) adding a new reference to “child care centre” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Child Care Centre	0.75 space per employee on duty; and 1 space per 10 children in care	0
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- x) replacing the reference to “community care and social case facilities” at Table 9.2 (Off-Street Parking and Loading Requirements) under Section 9.0 (Off-Street Parking, Loading Requirements) in its entirety with the following:

Community Care Facility	1 per 2 sleeping units	0
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- xi) replacing Section 16.1 (Administrative and Institutional Zone (AI)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

16.1 ADMINISTRATIVE AND INSTITUTIONAL ZONE (AI)

16.1.1 Permitted Uses:

Principal Uses:

- a) assembly;
- b) cemetery;
- c) child care centre;
- d) civic facility;
- e) community care facility;
- f) cultural facility;
- g) educational facility;
- h) funeral home;

Secondary Uses:

- i) accessory buildings and structures, subject to Section 7.13.

16.1.5 Site Specific Administrative and Institutional (AIs) Provisions:

- a) see Section 17.21

16.1.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

16.1.4 Minimum Parcel Width:

- a) 30.0 metres

16.1.5 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line 7.5 metres
 - ii) Rear parcel line 7.5 metres
 - iii) Interior side parcel line 4.5 metres
 - iv) Exterior side parcel line 4.5 metres

16.1.6 Maximum Height:

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

16.1.7 Maximum Parcel Coverage:

- a) 40%
- xii) replacing Section 16.2.1(e) (Permitted Uses – Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:
 - e) assembly;

READ A FIRST AND SECOND TIME this 5th day of December, 2019.

PUBLIC HEARING held on this 9th day of January, 2020.

READ A THIRD TIME this 9th day of January, 2020.

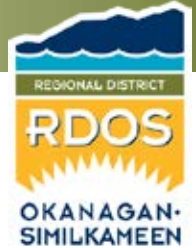
Approved pursuant to Section 52(3) of the *Transportation Act* this 14th day of January, 2020.

ADOPTED this ____ day of _____, 2020.

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Official Community Plan Bylaw Amendment – Electoral Area “A”, “C”, “D”, “E”, “F”, “H” & “I”
Development Procedures Bylaw Amendment
Watercourse Development Permit (WDP) Area Update

Administrative Recommendation:

THAT Bylaw No. 2500.13, 2020, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be read a first and second time;

AND THAT Bylaw No. 2876, 2020, Regional District of Okanagan-Similkameen Watercourse Development Permit Area Update Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers, in accordance with Section 12(4)(b) of the *Riparian Areas Protection Act*, that the requirements for an Expedited Watercourse Development Permit contained in Bylaw No. 2876, 2020, provides a level of protection that is comparable to or exceeds that established by the *Riparian Areas Protection Regulation*;

AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated January 23, 2020, 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. 2876, 2020, 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 February 20, 2020;

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

Proposed Development:

The purpose of the proposed amendments to the Electoral Area Official Community Plan (OCP) Bylaws is to update the Watercourse Development Permit (WDP) Area designations in order to remain consistent with the recently implemented provincial *Riparian Area Protection Regulation* (RAPR) (November 1, 2019).

The proposed amendments to the application requirements and processing procedures for WDPs found in the Regional District’s Development Procedures Bylaw No. 2500, 2011, is intended to further ensure consistency with the RAPR.

Background:

On March 31, 2005, the provincial *Riparian Areas Regulation* (RAR) came into effect with the purpose of establishing "directives to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes."

At Section 3 of the *Regulation*, the provincial government listed 14 regional districts — including the Regional District of Okanagan-Similkameen — that were required to implement RAR through their land use bylaws.

At its meeting of June 8, 2006, the Regional District Board adopted Amendment Bylaw No. 2337, 2006, which introduced Watercourse Development Permit (WDP) Area designations into the Electoral Area "A", "C", "D", "E", "F", "H" & "I" OCP Bylaws.

On November 1, 2019, a new provincial *Riparian Area Protection Regulation* (RAPR) came into effect and, amongst other things, introduced a requirement allowing the provincial government to withhold an assessment report that does not comply with RAPR until the deficiencies are rectified.

At its meeting of December 5, 2019, the Planning and Development (P&D) Committee of the Board resolved "that Bylaw No. 2876, Watercourse Development Permit Area Update and Bylaw No. 2500.14, 2019, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw, be brought forward for consideration of first reading."

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments are to an OCP Bylaw.

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 53, 58 & 67 have been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural land. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaw.

Public Process:

Administration recommends that the formal referral to the agencies listed in Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, the consultation process undertaken is seen to be sufficiently early and does not need to further ongoing.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

Administration considers that the proposed amendments to the WDP Area designation will ensure greater compliance with the recently enacted provincial *Riparian Area Protection Regulation* (RAPR). These amendments include, amongst other things, the following:

- submission of an Assessment Report prepared in accordance with Part 4 (Assessments and Assessment Reports) of the provincial RAPR and which has been successfully reviewed by the responsible provincial minister;
- updating the list of activities that constitute “development”, which is currently based on the (now rescinded) *Riparian Area Regulation* (RAR), to those used in other DP Areas (i.e. ESDP triggers);
- placing development permit triggers (i.e. building, subdivision, land disturbance) in their own sub-section as is done with other DP Area designations (currently, the triggers are comprised within the “Guidelines” section);
- removing the section related to the requirement for monitoring reports as the Regional District does not have the legal authority to require these; and
- introducing new exemptions for in-stream works approved under the Water Sustainability Act and for works undertaken in relation to an emergency event (i.e. emergency flood or protection works).

In support of this, and to prevent the Regional District from having to manage applications that are still being assessed by the provincial government, it is further proposed that the Development Procedures Bylaw be amended to require that applications may only be submitted once successfully reviewed by the responsible provincial minister.

Expedited Development Permit Process:

To ensure the continuing validity of the “Expedited” permitting option in light of the new requirements contained within the RAPR, Administration is recommending that the Board consider a resolution to the effect that;

The Regional District Board considers, in accordance with Section 12(4)(b) of the Riparian Areas Protection Act, that the requirements for an Expedited Watercourse Development Permit provides a level of protection that is comparable to or exceeds that established by the Riparian Areas Protection Regulation.

Alternatives:

1. THAT Bylaw No. 2500.13, 2020, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw and Bylaw No. 2876, 2020, Regional District of Okanagan-Similkameen Watercourse Development Permit Area Update Amendment Bylaw be deferred; or
2. THAT Bylaw No. 2500.13, 2020, Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw and Bylaw No. 2876, 2020, Regional District of Okanagan-Similkameen Watercourse Development Permit Area Update Amendment Bylaw be denied.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed By:



B. Dollevoet, G.M. of Dev. Services

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Amendment Bylaw No. 2876:

<input checked="" type="checkbox"/>	Agricultural Land Commission (ALC)	<input type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input checked="" type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input checked="" type="checkbox"/>	Town of Osoyoos
<input checked="" type="checkbox"/>	Ministry of Environment & Climate Change Strategy	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input checked="" type="checkbox"/>	Ministry of Transportation and Infrastructure	<input checked="" type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input checked="" type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input checked="" type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input checked="" type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input checked="" type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input checked="" type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input checked="" type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input checked="" type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input checked="" type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input checked="" type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input checked="" type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District		

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2500.13, 2020

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

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Development Procedures Amendment Bylaw No. 2500.13, 2020."
2. The "Regional District of Okanagan-Similkameen Development Procedures Bylaw No. 2500, 2011" is amended by:
 - (i) replacing Section 1(b)(1)(a) (Watercourse Development Permit Application Requirements) under Schedule 3.0 (Application for a Development Permit) to read as follows:
 - a) an assessment report, provided to the Regional District by the responsible provincial minister under Section 6 of the *Riparian Areas Protection Regulation* in relation to the development, and which is not expired under Section 7 of the Regulation.

READ A FIRST TIME on the __ day of ____, 2020.

READ A SECOND TIME on the __ day of ____, 2020.

READ A THIRD TIME on the __ day of ____, 2020.

ADOPTED on the __ day of ____, 2020.

Board Chair

Corporate Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2876, 2020

**A Bylaw to amend the Electoral Areas "A", "C", "D", "E", "F", "G", "H" and "I"
Official Community Plan Bylaws**

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Watercourse Development Permit Area Update Amendment Bylaw No. 2876, 2020."

Electoral Area "A"

2. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008" is amended by:
 - i) replacing Section 18.3 (Watercourse Development Permit (WDP) Area) under Section 18.0 (Development Permit Areas) in its entirety with the following:

18.3 Watercourse Development Permit (WDP) Area

18.3.1 Category

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

18.3.2 Area

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'D'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:
 - a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or

- b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation* (RAPR) shall apply.

18.3.3 Justification

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

18.3.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 18.3.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

18.3.5 Guidelines

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:
 - a) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the provincial *Riparian Area Protection Regulation*, must be received by the Regional District in respect of the proposed development from the responsible provincial minister.

18.3.6 Variances to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.

18.3.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.
- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;
- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

18.3.8 Exemptions

A WDP is not required under this section for any of the following:

- .1 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails.

- .2 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works.
- .3 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.
- .4 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the *Riparian Areas Protection Regulation* on the parcel of land.
- .5 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial "Firesmart" standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.
- .6 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .7 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .8 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
- .9 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Act*.
- .10 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a) emergency flood or protection works;
 - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;

- c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

Electoral Area "C"

- 3. The "Regional District of Okanagan-Similkameen, Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008" is amended by:

- i) replacing Section 21.3 (Watercourse Development Permit (WDP) Area) under Section 21.0 (Development Permit Areas) in its entirety with the following:

21.3 Watercourse Development Permit (WDP) Area

21.3.1 Category

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

21.3.2 Area

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'D'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:
 - a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or
 - b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation (RAPR)* shall apply.

21.3.3 Justification

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

21.3.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 21.3.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

21.3.5 Guidelines

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:
 - d) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the provincial *Riparian Area Protection Regulation*, must be received by the Regional District in respect of the proposed development from the responsible provincial minister.

21.3.6 Variances to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.

21.3.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.

- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;
- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

21.3.8 Exemptions

A WDP is not required under this section for any of the following:

- .1 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails;
- .2 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works;
- .3 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.
- .4 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the *Riparian Areas Protection Regulation* on the parcel of land.
- .5 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by

the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial “Firesmart” standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.

- .6 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .7 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .8 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
- .9 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Ac.*
- .10 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a) emergency flood or protection works;
 - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
 - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

Electoral Area “D”

4. The “Regional District of Okanagan-Similkameen, Electoral Area “D” Official Community Plan Bylaw No. 2603, 2013” is amended by:
 - i) replacing Section 24.3 (Watercourse Development Permit (WDP) Area) under Section 24.0 (Development Permit Areas) in its entirety with the following:

24.3 Watercourse Development Permit (WDP) Area

24.3.1 Category

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

24.3.2 Area

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'D'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:
 - a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or
 - b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation (RAPR)* shall apply.

24.3.3 Justification

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

24.3.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 24.3.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

24.3.5 Guidelines

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:

- a) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the provincial *Riparian Area Protection Regulation*, must be received by the Regional District in respect of the proposed development from the responsible provincial minister.

24.3.6 Variances to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.

24.3.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.
- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;

- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

24.3.8 Exemptions

A WDP is not required under this section for any of the following:

- .1 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails.
- .2 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works.
- .3 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.
- .4 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the *Riparian Areas Protection Regulation* on the parcel of land.
- .5 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial "Firesmart" standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.
- .6 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .7 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and

- shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .8 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
 - .9 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Ac.*
 - .10 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a) emergency flood or protection works;
 - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
 - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

Electoral Area "E"

- 5. The "Regional District of Okanagan-Similkameen, Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008" is amended by:
 - i) replacing Section 23.3 (Watercourse Development Permit (WDP) Area) under Section 23.0 (Development Permit Areas) in its entirety with the following:

23.3 Watercourse Development Permit (WDP) Area

23.3.1 Category

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

23.3.2 Area

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'D'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:

- a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or
- b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation* (RAPR) shall apply.

23.3.3 Justification

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

23.3.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 23.3.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

23.3.5 Guidelines

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:
 - a) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the provincial *Riparian Area Protection Regulation*, must be received by the Regional District in respect of the proposed development from the responsible provincial minister.

23.3.6 Variances to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.

23.3.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.
- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;
- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

23.3.8 Exemptions

A WDP is not required under this section for any of the following:

- .1 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails.

- .2 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works.
- .3 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.
- .4 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the *Riparian Areas Protection Regulation* on the parcel of land.
- .5 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial "Firesmart" standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.
- .6 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .7 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .8 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
- .9 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Ac.*
- .10 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a) emergency flood or protection works;
 - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;

- c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

Electoral Area "F"

6. The "Regional District of Okanagan-Similkameen, Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018" is amended by:

- i) replacing Section 23.3 (Watercourse Development Permit (WDP) Area) under Section 23.0 (Development Permit Areas) in its entirety with the following:

23.3 Watercourse Development Permit (WDP) Area

23.3.1 Category

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

23.3.2 Area

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'D'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:
 - a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or
 - b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation* (RAPR) shall apply.

23.3.3 Justification

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

23.3.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 23.3.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

23.3.5 Guidelines

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:
 - a) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the provincial *Riparian Area Protection Regulation*, must be received by the Regional District in respect of the proposed development from the responsible provincial minister.

23.3.6 Variances to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.

23.3.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.

- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;
- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

23.3.8 Exemptions

A WDP is not required under this section for any of the following:

- .1 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails.
- .2 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works.
- .3 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.
- .4 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the *Riparian Areas Protection Regulation* on the parcel of land.
- .5 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by

the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial “Firesmart” standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.

- .6 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .7 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .8 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
- .9 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Act*.
- .10 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a) emergency flood or protection works;
 - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
 - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

Electoral Area “H”

- 7. The “Regional District of Okanagan-Similkameen, Electoral Area “H” Official Community Plan Bylaw No. 2497, 2012” is amended by:
 - i) replacing Section 22.3 (Watercourse Development Permit (WDP) Area) under Section 22.0 (Development Permit Areas) in its entirety with the following:

22.3 Watercourse Development Permit (WDP) Area

22.3.1 Category

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

22.3.2 Area

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'D'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:
 - a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or
 - b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation (RAPR)* shall apply.

22.3.3 Justification

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

22.3.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 22.3.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

22.3.5 Guidelines

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:

- a) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the provincial *Riparian Area Protection Regulation*, must be received by the Regional District in respect of the proposed development from the responsible provincial minister.

22.3.6 Variances to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.

22.3.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.
- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;

- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

22.3.8 Exemptions

A WDP is not required under this section for any of the following:

- .1 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails;
- .2 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works;
- .3 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected;
- .4 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the Riparian Areas Regulation on the parcel of land.
- .5 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial "Firesmart" standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.
- .6 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .7 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and

- shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .8 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
 - .9 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Act*.
 - .10 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a) emergency flood or protection works;
 - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
 - c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

Electoral Area "I"

- 8. The "Regional District of Okanagan-Similkameen, Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016" is amended by:
 - i) replacing Section 23.3 (Watercourse Development Permit (WDP) Area) under Section 23.0 (Development Permit Areas) in its entirety with the following:

23.3 Watercourse Development Permit (WDP) Area

23.3.1 Category

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

23.3.2 Area

Lands designated as Watercourse Development Permit Area are:

- .1 shown as Watercourse Development Permit Area on Schedule 'D'; or
- .2 within 30.0 metres of a stream; or
- .3 where a stream is in a ravine:

- a) within 30.0 metres of the top of a ravine bank when the ravine is less than 60.0 metres wide; or
- b) within 10.0 metres of the top of a ravine bank when the ravine is more than 60.0 metres wide.

The definitions used in the *Local Government Act* and provincial *Riparian Area Protection Regulation* (RAPR) shall apply.

23.3.3 Justification

To regulate development activities within riparian assessment areas as a means to protect aquatic habitat, enhance, conserve and restore watercourses and their riparian areas.

23.3.4 Development requiring a permit

- .1 A development permit is required, except where exempt under Section 23.3.8 (Exemptions), for residential, commercial or industrial development on lands within the WDP area, which includes the following:
 - a) subdivision;
 - b) the construction of, addition to or alteration of a building or other structure; and
 - c) alteration of the land, including grading, removal of vegetation, deposit or moving of soil, paving, installation of drainage or underground services.

23.3.5 Guidelines

- .1 A Development Permit is required for development within the WDP Area, and shall be in accordance with the following guidelines:
 - a) An Assessment Report, prepared in accordance with Part 4 (Assessments and Assessment Reports) of the provincial *Riparian Area Protection Regulation*, must be received by the Regional District in respect of the proposed development from the responsible provincial minister.

23.3.6 Variances to Protect the SPEA

The Regional District encourages Development Variance Permit (DVP) applications for the relaxation of zoning (parcel line) setbacks on existing small lots in order to reduce impacts and preserve the SPEA.

23.3.7 Expedited Development Permit

In the following cases the Regional District may issue a development permit without the provision of an Assessment Report:

- .1 where the development applicant provides a sketch or plan prepared by a B.C. Land Surveyor or QEP indicating to the Regional District's satisfaction that no physical alteration of land is proposed within the Watercourse Development Permit Area or within any RAA within the Watercourse Development Permit Area, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted;
- .2 where the applicant proposes to reconstruct, repair, alter or add to an existing permanent building or other structure without increasing the footprint of the building or structure within any RAA or within a SPEA identified in a riparian area assessment previously provided to the Regional District, in which case the development permit must indicate by means of a sketch or plan the location and extent of the footprint.
- .3 Where the applicant proposes a subdivision of land that adjusts an interior lot line and each proposed lot provides, outside any RAA, a building envelope of sufficient area to permit the construction of a building of reasonable floor area complying with all building siting regulations applicable to the lot, in which case the development permit must indicate by means of a sketch or plan the proposed lot configuration and the location of the building envelope.
- .4 Where the applicant proposes a subdivision of land in which each proposed lot complies with the applicable minimum parcel area and width regulations exclusive of any area within the Watercourse Development Permit Area and no land alteration is proposed within that area, in which case the development permit must indicate by means of a sketch or plan the proposed subdivision layout and the area of the land to which physical alterations are restricted;
- .5 Where the applicant proposes a subdivision of land in respect of which no land alteration is proposed within any RAA, in which case the development permit must indicate by means of a sketch or plan the area of the land to which physical alterations are restricted; and
- .6 Where the applicant proposes to restore the natural environment based upon a planting plan completed by a QEP and submitted to the RDOS for approval.

23.3.8 Exemptions

A WDP is not required under this section for any of the following:

- .1 the construction, repair, maintenance or alteration of any public structure, facility or land, including park land, open space, roads or trails.

- .2 the construction, repair, maintenance or alteration of public utility works, including sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric or telecommunications works.
- .3 An area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied, or a development permit for the same area has already been issued in the past and conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.
- .4 A letter is provided by a QEP confirming that there is no watercourse or riparian area as defined by the *Riparian Areas Protection Regulation* on the parcel of land.
- .5 The activity is limited to the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester or professional biologist registered in British Columbia and certified by the Wildfire Danger Tree Committee for Danger Tree Assessment in Urban and Recreational Areas, in accordance with Provincial "Firesmart" standards or those trees and shrubs designated as host trees by the Sterile Insect Release Program as recommended in a report submitted to the Regional District.
- .6 Environmentally sensitive removal of infested, diseased, or hazardous trees in accordance with Best Management Practices for Tree Topping, Limbing and Removal in Riparian Areas (Provincial Guidelines) as indicated in a report by a QEP or IAS certified Arborist with the provision of environmental monitoring to ensure the tree removal is carried out in accordance with the report recommendations.
- .7 Development Permit provisions do not apply to activities such as gardening and yard maintenance activities within an existing landscaped area, such as mowed lawns, minor pruning of trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .8 Development and land alteration proposals for which an authorization by DFO for HADD has been granted.
- .9 Changes in an about a stream approved pursuant to Section 11 of the *Water Sustainability Act*.
- .10 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a) emergency flood or protection works;
 - b) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;

- c) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District must be reported to the Regional District immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

READ A FIRST AND SECOND TIME this ____ day of _____, 2020.

PUBLIC HEARING held on this ____ day of _____, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

ADOPTED this __ day of ____, 2020.

Board Chair

Corporate Officer

Lauri Feindell

Subject: FW: Bylaw Referral X2019.019-ZONE

From: Forbes, Christina D AGRI:EX <Christina.Forbes@gov.bc.ca>
Sent: December 11, 2019 2:37 PM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: RE: Bylaw Referral X2019.019-ZONE

Hello,

The Ministry of Agriculture supports these changes in line with the new Riparian Area Regulations and has no additional comments.

Christina

Christina Forbes BSc, P.Ag | Regional Agrologist I Kelowna
p: 250-861-7201 | c: 250-309-2478
Email: Christina.Forbes@gov.bc.ca

Generic Email: AgriServiceBC@gov.bc.ca



Lauri Feindell

Subject: FW: Bylaw Referral X2019.019-ZONE

From: Hedderson, Lisa <Lisa.Hedderson@dfo-mpo.gc.ca>
Sent: December 11, 2019 4:18 PM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: RE: Bylaw Referral X2019.019-ZONE

Dear Lauri Feindell,

At this time, the Fish and Fish Habitat Protection Program will not be participating in the Bylaw Referral for the Regional District of Okanagan-Similkameen Project No. X2019.019-ZONE. The role of the DFO's Fish and Fish Habitat Protection Program (FFHPP) is to protect and conserve fish and fish habitat in support of Canada's coastal and inland fisheries resources, and to make regulatory decisions under the fisheries protection provisions of the *Fisheries Act*. The FFHPP is specifically responsible for reviewing projects for which a s.35(2) Fisheries Act Authorization is required.

If you feel that the project proposes works, undertakings or activities that may result in harm to fish or fish habitat, DFO's Projects Near Water website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) includes information for proponents on how to comply with the Fisheries Act, request a DFO review of a project, and request a Fisheries Act authorization.

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fish and Fish Habitat Protection Program toll free: 1-866-845-6776 or email: ReferralsPacific.XPAC@dfo-mpo.gc.ca.

Lisa Hedderson

Biologist
Fish and Fish Habitat Protection Program
Ecosystem Management Branch
Fisheries and Oceans Canada / Government of Canada

Biologiste
Programme de protection du poisson et de son habitat
Direction des écosystèmes
Pêches et Océans Canada / Gouvernement du Canada





Interior Health
Every person matters

December 9, 2019

Christopher Garrish
Regional District of Okanagan-Similkameen
101 Martin St
Penticton, BC V2A 5J9
<mailto:planning@rdos.bc.ca>

Dear Christopher Garrish:

RE: File #: X2019.019-ZONE
Our interests are unaffected

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Request for resolution of support for applications to the ICIP Green Infrastructure – Environmental Quality Program

Administrative Recommendation:

THAT the Board of Directors support the following applications to the Investing in Canada Infrastructure Program - British Columbia - Green Infrastructure - Environmental Quality for the following projects, given in priority order:

1. Missezula Lake Water System Upgrades
2. Organics Composting Facility

AND THAT the Board of Directors commits to its 27.66% share of each project.

Purpose:

To obtain a formal Board Resolution containing the required recommendations in support of the grant applications to the ICIP – Green Infrastructure – Environmental Quality Program and discuss the postponement of the Skaha Estates Sewer Expansion project application.

Reference:

[Investing in Canada Infrastructure Program – Environmental Quality Program \(ICIP-EQP\)](#)

Background:

The ICIP Green Infrastructure - Environmental Quality Program Stream is focused on infrastructure that will support quality and management improvements for drinking water, wastewater and stormwater, as well as reductions to soil and air pollutants through solid waste diversion and remediation. The funding formula for this grant program is 40% Federal, 33% Provincial and 27% from the grant recipient. The application deadline is February 26, 2020.

On December 19, 2019, three potential projects were brought to the Environmental Committee for discussion. These included the Missezula Lake Water System Upgrades, the Skaha Estates Sewer Expansion to Okanagan Falls and the Organics Composting Facility.

On January 9, 2020, the Organic Composting Facility resolution was brought to the Board, but did not contain all of the necessary components. Hence, the updated resolution for this report.

Analysis:

The Missezula Lake Water System Upgrades project will include the design and construction of a treatment system and modifications to the lake intake. The estimated project cost is about \$3 Million.

The Organics Composting Facility will include the design and construction of a food waste and biosolids composting facility. The project total is estimated at about \$17 Million.

As part of the application requirements, a Board resolution is required providing support for the application submission and committing to its share (27.66%) of each of the projects. Both of these projects will likely require borrowing for the service area. The Missezula Lake Water System Upgrades project had funds approved by the residents prior to the Improvement District's transfer to the RDOS. Public consultation will be carried out to confirm the directives in the Solid Waste Management Plan, and the resulting funding source, for constructing an organics diversion facility.

The third project, Skaha Estates Sewer Expansion to Okanagan Falls is recommended to be postponed to the next infrastructure grant program. The reasoning is as follows:

- Using the costs presented for capital in the Predesign Report and operational estimates, staff have estimated the cost per connection at about \$2,000/yr for at least 25 years until the capital cost loan is paid off.
 - This assumes sewer in the Skaha Estates community and pumping to Okanagan Falls along Eastside Road as presented in the 2018 Predesign report.
- MOTI is not upgrading Eastside Road in the near future so all the costs will be borne by the new service area residents.
- Potential connections from Vintage Views and Heritage Hills area have been mentioned at a recent meeting with the sewer committee and should be investigated as a possible additional stage to decrease the capital cost per connection for the service area; thus reducing the annual cost per connection.
- The Skaha Estates application could be prepared and it could be added as the third priority project. However, as the total funds available are \$150M for the province, it is not likely that the RDOS would receive funding for all three high priority projects.

Alternative:

The Board may choose to not provide support for the grant application, or support all three initially suggested projects, including the Skaha Estates Sewer project, or change the order of priority of the proposed projects.

Respectfully submitted:

Liisa Bloomfield

L. Bloomfield, Manager of Engineering

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Age Friendly Communities Grant Application

Administrative Recommendation:

THAT the Board of Directors support the following application to the Age Friendly Communities Grant program for the following projects:

- Stream 1 – Greater West Bench Development of an Age Friendly Assessment & Action Plan
- Stream 2 – Naramata Age Friendly Healthy Living Initiatives

Purpose:

To obtain Board support for the development of a Greater West Bench Age Friendly Assessment and Action Plan, and and Naramata Age Friendly Healthy Living initiative grant application to the UBCM Age Friendly Communities Program.

Reference:

Link to program details: <https://www.ubcm.ca/EN/main/funding/lgps/age-friendly-communities.html>

Background:

The Age Friendly Communities Grant Program offers grant funding to municipalities to support the initiatives that engage the older demographic of residents. The different streams available offer funding for a variety of activities including the creation of an Age Friendly community plan or assessment, the adjustment of OCP's to reduce barriers for seniors, the creation of programs that foster healthier life styles, and overall initiative that are valuable to seniors within the community.

Funds available under Stream 1 have a maximum of \$25,000 to apply to develop or update plans or assessments. Funds available under Stream 2 have a maximum of \$15,000 to apply towards the development of programs and service delivery.

Analysis:

Greater West Bench – Development of Age Friendly Assessment & Action Plan

Developing an Age Friendly Assessment & Action Plan similar to Naramata and Okanagan Falls will enable Greater West Bench the opportunity to explore opportunities and barriers that are currently in place for residents over the age of 55. The 2016 federal census indicates that 20% of the population

in Area F is over the age of 65, and statistics indicate that it will continue to increase in the coming years. An increasing population of seniors has a direct correlation to the increase in demand of assessable community services such as health care, recreation, transportation, and housing. The RDOS is focused on supporting the increase in demands and ensuring seniors maintain a high quality of life while aging in place within their community.

Although the plan is focused on seniors it will highlight opportunities and barriers that will have a positive impact on the younger demographic, and the community as a whole. To understand the needs of the community a variety of outreach initiatives will take place. Examples of effective communication strategies from other communities whom has previously engaged in this excersise will be consulted to ensure the best practices are used. Examples of community consultations that may be utilized include creating a committee of local volunteers, surveys, open houses, and other previously successful outreach methods.

Naramata – Age Friendly Healthy Living Initiatives

In 2017 an Age Friendly Assessment and Action Plan was developed for Naramata that engaged in conversations with residents regarding opportunities and barriers within the community. In 2019 Naramata was recognized by the province with an official Age Friendly designation from the assessment and action plan that was created. To assist with addressing some of the barriers addressed in the assement, a successful grant application will enable the RDOS Recreation Coordinator the funds to initiate Healthy Living Initiatives for the senior demographic in Naramata.

Areas where barriers were highlighted include healthy living, social inclusion, intergenerational programming, transportation, housing, and general community supports. Healthy Living Initiatives will work with the identified Action Plan to facilitate workshops, programs, and partnerships with agencies in Naramata.

Alternatives:

The Board may choose not to support the grant applications.

Respectfully submitted:

“Adrienne Fedrigo”

A. Fedrigo, Recreation Coordinator

Endorsed by:

“Augusto Romero”

A. Romero, Recreation Manager

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Proposed Resolution – Southern Interior Local Government Association - Restructuring Regional Governance in British Columbia

Administrative Recommendation:

THAT the following resolution be submitted prior to the February 28th, 2020 deadline to the Southern Interior Local Government Association (SILGA) for consideration at their April 28th to May 1st, 2020 conference:

“WHEREAS the Province of British Columbia is responsible for delivering all university, school and health services, and many municipal services (MUSH) throughout the Province; and service to British Columbians may be enhanced by consolidating services through a regional district; and,

WHEREAS the nature of Local Government is evolving and it may be time for a discussion on streamlining structure and powers to facilitate better communication, economies of scale and more transparent customer service; and

NOW THEREFORE BE IT RESOLVED that the Province of British Columbia be requested to investigate a consolidation of local services to be delivered through Regional Districts.”

Purpose:

The purpose of this report is to seek direction from the Regional District Board with regard to a proposed Resolution to be forwarded for consideration at the 2020 Annual General Meeting of the Southern Interior Local Government Association (SILGA), regarding a consolidation of local services to be delivered through Regional Districts and to raise a discussion amongst local government leaders about how services are delivered to their constituents.

Reference:

January 9th, 2020 – Corporate Services Committee Administrative Report – Restructuring Regional Governance in British Columbia.

Background:

The deadline for Resolutions to be submitted to SILGA is February 28th, 2020, these must be accompanied by an endorsement from the Board and the topic of the Resolution should be of regional interest and not pertain to a local matter.

Resolutions endorsed at SILGA are automatically submitted to the Annual Convention of the Union of British Columbia Municipalities (UBCM).

Analysis:

That the Board review the attached SILGA proposed Resolution.

Alternatives:

THAT the Board of Directors *not* submit and/or endorse the resolution to the 2020 Annual General Meeting of the Southern Interior Local Government Association (SILGA).

Respectfully submitted:

"Christy Malden"

C. Malden, Legislative Services Manager

Attachment: Resolution to the SILGA

RESOLUTION TO THE
Southern Interior Local Government Association
(SILGA)

RESTRUCTURING REGIONAL GOVERNANCE IN BRITISH COLUMBIA

Sponsored by
Regional District of Okanagan-Similkameen

WHEREAS the Province of British Columbia is responsible for delivering all university, school and health services, and many municipal services (MUSH) throughout the Province; and

WHEREAS each service seems to operate autonomously without much seeming communication, at the root of service delivery is communication, including decisions on service level, including rural and provincial roads, water and wastewater, universities, schools and hospitals; and

WHEREAS the nature of Local Government is evolving and it may be time for a discussion on streamlining structure and powers to facilitate better communication, economies of scale and more transparent customer service; and

NOW THEREFORE BE IT RESOLVED that the Province of British Columbia be requested to investigate a consolidation of local services to be delivered through Regional Districts.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Security Issuing Bylaw No. 2887

Administrative Recommendation:

THAT Bylaw No. 2887, 2020 Security Issuing Bylaw be read a first, second, third time and adopted for the purposes of borrowing funds for the Apex Waste Transfer Station and Keremeos Fire Truck.

Reference:

Bylaw No. 2843, 2019 Apex Mountain Waste Transfer Station Loan Authorization Bylaw
Bylaw No. 2861, 2019 Apex Mountain Waste Transfer Station Temporary Borrowing Bylaw
Bylaw No. 2727, 2016 Apex Mountain Waste Transfer Station Temporary Borrowing Bylaw
Bylaw No. 2669, 2014 Apex Mountain Waste Transfer Loan Authorization Bylaw

Bylaw No. 2802, 2018 Keremeos Fire Department Loan Authorization Bylaw
Bylaw No. 2863, 2019 Keremeos Fire Department Temporary Borrowing Bylaw

Background:

Apex Waste Transfer Station

In late 2019, the new Apex Waste Transfer Station was completed and is now operational.

The total cost of the project was \$714,643.10.

Keremeos Fire Truck

In 2019, the Keremeos Fire Department finalized the purchase of a new fire truck for the department, the total cost of which is \$511,969.60

The purchase was funded by department reserves of \$161,969.60 and short-term borrowing of \$350,000.00

Analysis:

Municipal Finance Authority long term borrowing intakes only occur in April and October. To repay the short term borrowing utilized to complete these expenditures, we need to borrow \$1,065,000 in the Spring/2020 intake.

The Security Issuing Bylaw has been reviewed by the Municipal Finance Authority. The borrowing is supported by two underlying Loan Authorization Bylaws. Funds will be borrowed under a 20 and 15 year terms respectively with the principal and interest payments funded through taxation of the residents in the respective service area. These payments have been included in the 2020 RDOS Five Year Financial Plan.

Respectfully submitted:

"John Kurvink, Manager of Finance/CFO"

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2887, 2020

A bylaw to authorize the entering into of an Agreement respecting financing between the Regional District of Okanagan-Similkameen and the Municipal Finance Authority of British Columbia

WHEREAS the Municipal Finance Authority of British Columbia (the "Authority") may provide financing of capital requirements for Regional Districts by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the Regional District on whose request the financing is undertaken;

AND WHEREAS under the provisions of section 411 of the *Local Government Act*, the amount of borrowing authorized by each of the following loan authorization bylaws, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder, and the amount being issued under the authority thereof by this bylaw;

AND WHEREAS the table contained in this bylaw is to provide clarity and information for the purposes of this bylaw;

AND WHEREAS the Regional Board, by this bylaw, hereby requests such financing shall be undertaken through the Authority;

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

Regional District Loan Authorization Bylaw

L/A Bylaw Number	Purpose	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
2843	Establish Apex Mountain Waste Transfer Station	\$700,000.00	\$0	\$700,000.00	20	\$700,000.00
2669	Establish Apex Mountain Waste Transfer Station	\$265,000.00	\$0	\$265,000.00	20	\$15,000.00
2802	Acquisition of Keremeos Fire Truck	\$350,000.00	\$0	\$350,000.00	15	\$350,000.00
Total						\$1,065,000.00

Total Financing under Section 411: \$1,065,000.00

- 1 The Authority is hereby requested and authorized to finance from time to time the above noted undertakings, under further described in the Regional District Loan Authorization Bylaws table, at the sole cost of the Regional District not to exceed one million, sixty-five thousand dollars (\$1,065,000.00) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees the Authority shall determine but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$1,065,000.00 in Canadian Dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.
- 2 Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and officer assigned the responsibility of financial administration of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements, which said agreement or agreements shall be substantially in the form annexed hereto as Schedule "A" and made part of this bylaw (such Agreement or Agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
- 3 The Agreement in the form of Schedule "A" shall be dated and payable in the principal amount or amounts of monies and in Canadian Dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under Section 2 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
- 4 The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.
- 5 The Agreement shall be sealed with the seal of the Regional District and shall bear the signature of the Chair and the officer assigned the responsibility of financial administration of the Regional District.
- 6 The obligations incurred under said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
- 7 During the currency of the obligations incurred under the said Agreement to secure borrowings in respect of Regional District Okanagan-Similkameen Loan Authorization bylaw numbers 2802, 2669 and 2843, the anticipated revenues accruing to the Regional District from the operation of the relative service areas are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

- 8 The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided, however, that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional Board of the Regional District shall make due provision to discharge such liability.

- 9 The Regional District shall pay over to the Authority at such time or times as the Treasurer of the Authority so directs such sums as are required pursuant to section 15 of the *Municipal Finance Authority Act* to be paid into the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.

- 10 This Bylaw shall be cited as the Regional District of Okanagan-Similkameen Security Issuing Bylaw No. 2887, 2020.

READ A FIRST, SECOND, AND THIRD TIME this ___ day of ___, 20__

ADOPTED this ___ day of ___, 20__

RDOS Board Chair

Corporate Officer

C A N A D A
PROVINCE OF BRITISH COLUMBIA
A G R E E M E N T

Regional District of Okanagan-Similkameen

The Regional District of Okanagan-Similkameen (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia at its Head Office in Victoria, British Columbia, (the "Authority") the sum of ___ dollars (\$___) in lawful money of Canada, together with interest thereon from the ___ day of _____ 20__, at varying rates of interest, calculated semi-annually, in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the schedule attached commencing on the ___ day of _____ 20__, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

DATED at _____, British Columbia, this _day of _____, 20__

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 2887 cited as "Regional District of Okanagan-Similkameen Security Issuing Bylaw" This Agreement is sealed with the Corporate Seal of the Regional District of and signed by the Chair and the officer assigned the responsibility of financial administration thereof.

Chair

Financial Administration Officer

Pursuant to the Local Government Act, I certify that this Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any Court of the Province of British Columbia.

Dated _____ (month,day) 20__

Inspector of Municipalities

(Reverse Side)

PRINCIPAL AND/ OR SINKING FUND DEPOSIT AND INTEREST PAYMENTS

Date of Payment	Principal and/or Sinking Fund Deposit	Interest	Total
	\$	\$	\$
	\$	\$	\$

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 23, 2020

RE: Board Policy Review

Administrative Recommendation:

THAT the following policies be rescinded:

- Beer Garden License Application Referral
- Bylaw Enforcement – Recouping Outstanding Legal Costs
- Bylaw Enforcement – Vicious Dogs
- Co-Permitee Liquid Waste Management Permits Package Type Sewage Treatment Plants
- Emergency Response Outside of Service Area
- Internal Audit – RDOS Departments
- Mutual Aid Cost Recovery
- Noon Hour Closure
- Notice on Title & Procedure Policy
- Special Events
- Temporary Commercial and Industrial Permits

Purpose:

To rescind policies that are no longer relevant.

Reference:

Regional District of Okanagan-Similkameen Policy Manual (<https://www.rdos.bc.ca/regional-government/board-policies/>)

Business Plan Objective:

Goal 2.2 of the RDOS Corporate Action Plan is to meet public needs through continuous improvement of key services. One of the objectives of this goal is achieved by ensuring policies are current and reflect the priorities of the Board of Directors.

Analysis:

Board policy provides direction for the consistent administration of recurring issues. Policy statements allow Administration to carry on their day-to-day chores transparently, consistently, fairly and in a manner preferred by elected officials. It's important that a process to ensure the

timely review and update of Board policies is practiced and that current policies are easily available for the public to access.

The Board may access the RDOS Board Policy manual at the referenced hyperlink to view the current policies.

The above-noted policies are recommended to be rescinded as follows:

- Beer Garden License Application Referral Policy
 - o Covered by the Development Procedures bylaw

- Bylaw Enforcement – Recouping Outstanding Legal Costs
 - o Once a file proceeds to injunctive action, we typically use our lawyer to negotiate the garnishing of wages with the other party. Administration believes this process is more administrative in nature and best worked out in discussion with our legal representative on a case-by-case basis.

- Bylaw Enforcement – Vicious Dogs
 - o Covered by the *Local Government Act* and RDOS Dog Control bylaw

- Co-Permittee Liquid Waste Management Permits Package Type Sewage Treatment Plants Policy
 - o Will be addressed in Works and Services bylaw

- Emergency Response Outside of Service Area
 - o Covered by *Emergency Program Act* and Fire Department Operational bylaws

- Internal Audit – RDOS Departments
 - o Covered by current RDOS budgeting process

- Mutual Aid Cost Recover
 - o Covered in the Mutual Aid Agreement and Fire Department Operational bylaw

- Notice on Title & Procedure policy
 - o Procedure based and therefore more appropriately covered by an Administrative Directive

- Noon Hour Closure
 - o Covered by Corporate Action Plan Key Success Driver 2.0 “to Optimize the Customer Experience”.

- Special Events
 - o Procedure based and therefore more appropriately covered by an Administrative Directive

- Temporary Commercial and Industrial Permits
 - o Predates establishment of RDOS Bylaw Enforcement department and thus no longer serves a purpose

Alternatives:

1. THAT the following policies be rescinded:
2. THAT the following policies be retained:

Communication Strategy:

The Board Policy Index on the RDOS website is updated as policies are adopted, revised or rescinded.

Respectfully submitted:

"Gillian Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

P O L I C Y

POLICY NO: P4000-00.02

Page 1 of 1

**SUBJECT: BYLAW ENFORCEMENT -
RECOUPING OUTSTANDING LEGAL COSTS**

Effective Date
February 5, 1998

Amendment

Board Resolution
SB28/98

Administered By
Director of Planning & Bldg.

In appropriate circumstances, the RDOS Board will direct our solicitor to garnishee wages of defendant(s) for the payment of costs incurred by the Regional District in bringing bylaw enforcement matters to Court; and in bringing the property into compliance with our bylaws.

The Board's solicitor is authorized to use any or all of the following four options:

- (a) registering costs against the title of property;
- (b) conducting an examination in aid of execution;
- (c) garnishing wages each payday to a maximum of 30% of gross salary;
- (d) obtaining a writ of seizure and sale for chattels of significant value (vehicles, etc.)

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

P O L I C Y

POLICY NO: P4000-00.04

Page 1 of 1

SUBJECT: BYLAW ENFORCEMENT – VICIOUS DOGS

Effective Date
August 2, 2001

Amendment

Board Resolution
B524/01A

Administered By
K. Newholm
Legislative
Services/Special Projects
Manager

Note: Local Government Act

Last year, the Provincial government amended the Local government Act to provide local government greater flexibility with respect to dangerous dogs. The Local Government Act defines a dangerous dogs as: “a dog that

- (a) has killed or seriously injured a person,*
- (b) an animal control officer has reasonable grounds to believe is likely to kill or seriously injure a person, or*
- (c) while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog, has killed or seriously injured a companion animal or a domestic animal;”*

Pursuant to section 707.1 of the Local Government Act, the Regional District can obtain a warrant from a justice authorizing an animal control officer to enter a property and seize a dangerous dog. If a dog is seized under this section, it may not be impounded for more than 21 days unless proceedings under section 8 of the Livestock Protection Act are commenced to obtain an order from the Provincial Court to destroy the dog.

POLICY:

That staff be directed to contact the owner of the dog and advise that the dog may be apprehended and destroyed.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

P O L I C Y

POLICY NO: P5340-00.02 **Page 1 of 1**

SUBJECT: CO-PERMITEE LIQUID WASTE MANAGEMENT PERMITS
PACKAGE TYPE SEWAGE TREATMENT PLANTS

Effective Date	Amendment	Board Resolution	Administered By
September, 1993	December, 1994	B494/93 SB127/94	Public Works Manager

Waste Management Permits are issued by BC Environment under the Waste Management Act. Permits for disposal of effluent (wastewater) involving a private development (which could require expansion and connections at some future date) may be issued to both a developer and the local government.

The Board of Directors, Regional District of Okanagan-Similkameen resolved that this District will not be a co-permittee for any application of a package treatment plant.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

P O L I C Y

POLICY NO: P1680-00.02**Page 1 of 1****SUBJECT: INTERNAL AUDIT – RDOS DEPARTMENTS**

Effective Date	Amendment	Board Resolution	Administered By
October, 1992		SB144/92	Chief Administrative Officer
	October, 1997	SB365/97	

The Chief Administrative Officer is empowered to include a \$5,000 annual internal audit consulting fee provision within the general administration budget commencing in 1998, on an as needed basis, to retain the services of appropriate professionals (i.e. engineer, accountant, planner, solicitor) to undertake an independent cost efficiency review of each department on a four year rotational basis to ensure that the Board's Mission Statement, and sound Public Administration practices are respected.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

P O L I C Y

POLICY NO:P1610-00.05**Page 1 of 1****SUBJECT: MUTUAL AID COST RECOVERY**

Effective Date	Amendment	Board Resolution	Administered by
November, 1991		B628/91	Treasurer
	December, 1991	SB196/91	
	November, 1994	SB109/94	
	March 22, 2001 (Maintain)	B202/01A	

1. Municipal councils must be notified in advance of any proposed change respecting the Mutual Aid Agreement (refer RDOS Mutual Aid Agreement Bylaw No. 1218, 1991), especially the funding formula.
2. Reimbursement of labour costs over and above normal operation expenses will be pursued from the Provincial Emergency Program; but no labour cost recovery will be sought between any responding Fire Departments.

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

POLICY: Noon Hour Closure

AUTHORITY: Board Resolution No. SB78/95 dated ---, 1995 (based on historical practice).
Board Resolution No. B202/01 dated March 22, 2001 (maintain).
Administrative Review June 29, 2015.

PROCEDURES

1. The Regional District of Okanagan-Similkameen Office shall remain open to the public during the noon hour (12:00 to 1:00 p.m.).
2. Appropriate front counter staff must respond to all phone calls received during the noon hour.

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

POLICY: Notice on Title & Procedure Policy

AUTHORITY: Board Resolution No. B290/11 dated June 16, 2011.

POLICY STATEMENT

To advise individuals with interest in the land of the regulations contravened and provide disclosure to future owners to protect taxpayers of potential claims against the contravention.

PURPOSE

To encourage compliance with Regional District Bylaws, BC Building Code and other building regulations to reduce risk to the Regional District for construction work done by property owners, business owners or contractors without building permits and inspections.

RESPONSIBILITIES

RDOS Board of Directors – To direct that a Section 695, Section 57 Notice on Title be registered

Building Official – To recommend that a Section 695, Section 57 Notice on Title be registered

PROCEDURES

1. Start of File:

Where, during the course of carrying out their duties, a Building Official observes an infraction for construction work done by property owners, business owners or contractors without building permits and inspections, the building official may recommend that a Section 695 Notice be filed. The building official would consider making a recommendation where the following conditions are observed:

- i) start of construction without a valid building permit
- ii) construction deficiencies not corrected
- iii) covering construction without required inspections
- iv) where a permit has expired and the owner refuses to reapply for a new permit
- v) any such circumstance as the Building Inspector may deem necessary

All matters that fall under the scope of Section 695 must be dealt with in an expedient yet fair manner.

2. Processing of files:

- Step 1 The Building Official shall inspect the property, take photographs (dated and signed), note details of contravention(s) relating to the land, building or structures and how the contravention(s) render the building or structure unsafe (if applicable).
- Step 2
 - a) An informal notice to the owner of the property by an inspection slip notice issued by the inspector during an inspection. A notice period of fourteen (14) days should be given to allow for contact by the owner or that the issue/deficiency has been corrected and inspected prior to being covered.

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- b) when the non-compliance involves work that has been carried out without a permit, a notification is left on site and a registered letter is sent to the registered property owner(s). The notification and letter will detail the contravention(s), citing contravened regulations, and direct remedial action within a thirty (30) day period. The notification will further advise the owner(s) that if compliance is not met within the time period stated, a recommendation will be forwarded to the Regional District Board to place a Section 695 Notice on Title and further legal court action may be undertaken.

The Building Official may provide for a shorter period of time to undertake compliance where there appears to be an immediate and serious safety concern.

- Step 3 If by the expiration of the first in-formal notice period under Step 2 a) above, no contact has been made by the owner and/or the deficiency has not been corrected, the building official shall send a second notice by "Registered" mail to the property owner(s) detailing the contravention(s), citing contravened regulations, and direct remedial action within a thirty (30) day period. The notification will further advise the owner(s) that if compliance is not met within the time period stated, a recommendation will be forwarded to the Regional District Board to place a Section 695 Notice on Title and further legal court action may be undertaken.

The Building Official may provide for a shorter period of time to undertake compliance where there appears to be an immediate and serious safety concern.

- Step 4 At this juncture, if no response is made to the non-compliance issues, a contravention report from the Building Official and Administrative Report from the Development Services Manager is forwarded to the Corporate Officer pursuant to Enforcement of Building Bylaw Violations Policy category 2 or 3 recommending a Section 695 Notice on Title be considered by the District Board.

- Step 5 Upon receipt of the contravention report and administrative report recommending placement of a Section 695 Notice on Title approved by the Development Services Manager to go forward to a Board Meeting:

A Notice of Hearing is prepared and the required documentation is forwarded to the property owner by registered mail in sufficient time to allow thirty (30) days' notice. A copy of the administrative report and recommendation to place a Section 659 Notice on Title is included.

The Corporate Officer may provide for a shorter time period for the hearing, as requested by the Building Official where there appears to be an immediate safety concern.

In the event the registered item is returned unclaimed or refused, if time permits prior to the Board Meeting, building official will attempt to deliver the same Notice of Hearing by hand, and the item will proceed to the Board as scheduled for consideration.

- Step 6 On the day of the meeting, the item shall be announced, and the Chair shall ask if the owner(s) of the property is present and wishes to make representations. The Board shall listen fairly to the owners for an approximate time of ten (10) minutes, as well as to the Building Official. If the Board decides that a notice should be filed against the title, the Board shall pass a resolution.

Cancellation of note against land title – Section 58 of the Community Charter references the process accordingly.

Inadvertent cancellation of a Notice on Title

Community Charter.

57 (6) *the note of a filing of a notice under this section is extinguished when a new title to the land is issued as a result of the deposit of a plan of subdivision or a strata plan.*

When this occurs and the deficiencies have not been corrected or approved by the building Official, a re-application to the Board to reinstate the Notice on Title must be undertaken by the building Official. Refer to Step 4.

The Fees and Charges bylaw provides for a fee of \$250 for a deficiency inspection permit and inspections for the removal of a notice on title.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

POLICY

POLICY NO.: 8100-00.02 **Page 1 of 2**

SUBJECT: SPECIAL EVENTS

Effective Date April 17, 2003	Amendment	Board Resolution B324/03	Administered By Legislative Services Mgr.
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A. Interpretation

1. In this policy:
 - a. “local fire department” means the fire department, if any, serving the area in which a special event is to be held;
 - b. “local RCMP” means the detachment of the Royal Canadian Mounted Police having jurisdiction where a special event is to be held;
 - c. “Regional District” means the Regional District of Okanagan-Similkameen; and
 - d. “special event” means a public show, exhibition, carnival, fair, concert or commercial performance:
 - i. held in an electoral area in premises not owned or occupied by the Regional District; and
 - ii. attended by more than 500 persons in total or at any time.
2. The definitions section of the *Local Government Act*, so far as the terms defined can be applied, extends to this policy.

B. General

1. If an owner or occupier of premises where a special event is to be held, or the promoter of the special event, contacts the Regional District to determine what approvals the Regional District requires to hold the special event, staff are to:
 - a. obtain the legal description of each parcel on which the special event is to be held, a general description of the special event and the mailing address of the owner, occupier or promoter; and

- b. determine whether land use regulations apply to each parcel.
2. If land use regulations apply to at least one parcel on which the special event is to be held, staff are to:
 - a. determine, for each parcel to which land use regulations apply, whether the special event is a permitted use;
 - b. state, in a letter to the owner, occupier or promoter, whether the special event is a permitted use on each parcel to which land use regulations apply; and
 - c. state, in the same letter, that land use regulations do not apply to the other parcels, if any.
3. If the special event is not a permitted use on at least one parcel, staff are to advise the owner, occupier or promoter, in the same letter as in B.2 above:
 - a. whether the owner, occupier or promoter may apply for a temporary commercial permit allowing the special event to be held; and
 - b. that the owner, occupier or promoter may apply for an amendment to the land use regulations.
4. If land use regulations do not apply to any parcel on which the special event is to be held, staff are to so state in a letter to the owner, occupier or promoter.
5. Whether or not land use regulations apply to any parcel on which the special event is to be held, staff are to:
 - a. remind the owner, occupier or promoter, in the same letter as in B.2 or B.4 above, to:
 - i. contact the medical health officer and local RCMP and local fire department to determine what approvals they may lawfully require to hold the special event; and
 - ii. obtain all approvals lawfully required to hold the special event; and
 - b. provide courtesy copies of the letter to the medical health officer and local RCMP and local fire department for their information.

POLICY

POLICY NO: P6410-00.08

Page 1 of 1

SUBJECT: TEMPORARY COMMERCIAL AND INDUSTRIAL PERMITS
Enforcement upon expiry of temporary permit

Effective Date
June 3, 2004

Amendment

Board Resolution
B339/04

Administered By
Director of Planning

* *Reference: Local Government Act Temporary Permits Sec. 921*

- *authorizes a local government to issue a temporary commercial or industrial permit,*
- *set conditions for the permit, and*
- *gives the owner of the land in respect of which a temporary commercial or industrial use permit has been issued the right to put the land to the use including the date the permit expires.*

POLICY:

The Board authorizes staff to proceed with bylaw enforcement upon the expiry of a Temporary Commercial or Industrial Permit in the context of the applicable land use bylaw and its regulations.