



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, June 4, 2020

RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	09:15 am	Public Hearing
09:15 am		10:00 am	Corporate Services Committee
10:00 am	-	10:30 am	Planning and Development Committee
10:30 am	-	11:00 am	Environment and Infrastructure Committee
11:00 am	-	1:30 pm	RDOS Board

“Karla Kozakevich”

Karla Kozakevich
RDOS Board Chair

2020 Notice of Meetings			
June 18	RDOS Board	OSRHD Board	Committee Meetings
July 2	RDOS Board		Committee Meetings
July 16	RDOS Board	OSRHD Board	Committee Meetings
August 6	RDOS Board		Committee Meetings
August 20	RDOS Board	OSRHD Board	Committee Meetings
September 3	RDOS Board		Committee Meetings



NOTICE OF PUBLIC HEARING

Electoral Area "I" Official Community Plan Bylaw and Zoning Bylaw Amendments Apex Mountain Zone Update

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area "I" Official Community Plan Amendment Bylaw No. 2683.03, 2020**, or **Electoral Area "I" Zoning Amendment Bylaw 2457.26, 2020**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a public hearing to be held by electronic means on:

Date: Thursday, June 4, 2020

Time: 9:00 a.m.

Location: <https://rdos.webex.com> (Meeting Number: 963 813 849)

INSTRUCTIONS ON HOW TO PARTICIPATE

To participate in the electronic public hearing, please enter the text provided under "Location" (above) into the address bar of an internet browser (e.g. Chrome, Firefox, Safari, Edge). The "Meeting Number" for the public hearing is: 963 813 849. Interested individuals may also participate in the public hearing by calling 250-490-4217 or Toll Free at 1-877-610-3737.

The Regional District is utilizing Cisco's Webex videoconferencing services and individuals interested in participating in the public hearing are encouraged to test this service on their computer or mobile device prior to the date of the hearing. Additional instructions on how to participate in an electronic public hearing are available on the Regional District's website: www.rdos.bc.ca.

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

PURPOSE OF THE BYLAW(S):

The purpose of the proposed amendments is to update a number of residential zones at Apex Mountain as part of on-going work related to the preparation of a single zoning bylaw for the South Okanagan Valley Electoral Areas. More specifically:

Amendment Bylaw No. 2683.03, 2020, proposes to amend Schedule 'A' (OCP Text) of the Electoral Area "I" OCP Bylaw No. 2683, 2016, in order to replace the Residential Mixed Use (RMU) land use designation with a new "Village Centre" to be applied to the "Apex Village Centre (AVC)" and "Twin Lakes Village Centre (TLVC)".

It is further proposed to amend Schedule 'B' (OCP Map) of Bylaw No. 2683, 2016, in order to replace the RMU land use designation at Apex and to replace it with the AVC, Medium Density Residential (MR) or Low Density Residential (LR) land use designations. At Twin Lakes, the RMU designation will be replaced with the TLVC designation.

Amendment Bylaw No. 2457.26, 2020, proposes to amend Schedule '1' (Zoning Text) of the Electoral Area "I" Zoning Bylaw No. 2457, 2008, in order to introduce a new Low Density Residential Duplex Apex (RD2), Medium Density Residential Apex (RM2), Apex Mountain Village (AMV) and Chutes End Comprehensive Development (CD8) zones. The RD2, RM2, AMV and CD8 zones contain revised regulations to those found in the zones they are replacing.

It is further proposed to amend Schedule '2' (Zoning Map) of Bylaw No. 2457, 2008, in order to replace the Residential Apex Alpine Site Specific (RS4s), Residential Multiple Unit Three (RM3) and Mixed Use Apex Alpine (RMU) with the RD2, RM2, AMV and CD8 zones.

FURTHER INFORMATION

For further information about the content of **Amendment Bylaw No. 2683.03, 2020**, and **Amendment Bylaw No. 2457.26, 2020**, and the land affected by them, persons are encouraged to inspect a copy of the proposed Bylaws at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

Please note that the RDOS office is currently closed to the public due to the on-going provincial health emergency and this information will be available in the front entry vestibule. This same information is also available at: www.rdos.bc.ca (Departments → Development Services → Planning → Strategic Projects → Apex Mountain Zone Review).

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA.



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, June 4, 2020
9:15 am

AGENDA

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- A. APPROVAL OF AGENDA**
RECOMMENDATION 1
THAT the Agenda for the Corporate Services Meeting of June 4, 2020 be adopted.
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- B. STIMULUS PROJECT PREPARATION – For Discussion**
1. Project List
-
- C. ELECTED OFFICIAL REMUNERATION BYLAW**
1. Report
2. Marked Up Bylaw
3. Clean Copy Bylaw
-
- D. LOCAL GOVERNMENT AWARENESS WEEK RESULTS – FOR INFORMATION**
1. Report
-
- E. ADJOURNMENT**

Proposed New Capital or Consulting Projects

Rank	Service	Project Name	Rationale	Description	Current stage/Required before grant application	Matching funds available? Where?	Estimated total cost	PW Priority	Why a priority?	Type of Project
RURAL PROJECTS AREA A - OSOYOOS RURAL										
RURAL PROJECTS AREA B - CAWSTON AREA										
RURAL PROJECTS AREA C - OLIVER RURAL										
	Willowbrook Water System	New Reservoir	Existing reservoir capacity too small, fire protection issue	Replacement of existing reservoir or adding a second reservoir	No design currently completed	No reserves or secured funding in place	\$1.5-2M	1	Fire Protection; Operational	Capital
	Willowbrook Water System	Watermain upgrades and service replacements	Numerous breaks occurring	Replacement and looping of watermains and service connections	No design currently completed	No reserves or secured funding in place	\$1-2M	2	Operational	Capital
	Willowbrook Water System	Onsite permanent generator	Eliminate dependence and delays from sharing of mobile unit	Installation of a permanent generator at the pumphouse	Some infrastructure in place; some civil design required	No reserves or secured funding in place	\$150k	3	Operational	Capital
RURAL PROJECTS AREA D - OKANAGAN FALLS AREA										
	OK Falls Sewer and WWTP	Solids Processing	Additional funds needed; COVID-19 increased costs	Installation of a centrifuge in a building addition to the WWTP	Full design completed; tendered but not yet awarded	\$2.0M in Strategic Priorities Fund from UBCM	\$3.0M	1	Critical Infrastructure; Operational	Capital
	OK Falls Sewer and WWTP	Master Plan	Critical to creating a replacement and upgrade plan	Create overall capital plan including dynamic sewer model, upgrades, deficiencies and prioritization	No master plan has been created; basic info from AMIP but does not include condition assessments or modelling	No reserves or secured funding in place	\$75-100k	1	Operational; Critical infrastructure, Regulatory Financial Planning	Capacity Building; Assessment
	Sun Valley Water System	Water Treatment System	Precipitate from water needs to be removed as issues with water quality arise during the year	Installation of a treatment system to remove the	No design currently completed	No reserves or secured funding in place; Gas tax funded (?)	\$25-50k	1	Health & Safety; Operational	Capital
	OK Falls Sewer and WWTP	Asset Management Condition Assessment of Sewer Mains	Recent condition assessments not completed on extensive sewer network for asset management	CCTV camera into all sewer mains to assess conditions to accurately include data in Asset Management plan for sewer replacement	Small sections are completed every 1-2 years when the lines are flushed	OK Falls WWTP has a small allocated budget each year for this purpose	\$100-150k for entire system	2	Liability; Critical infrastructure	Capacity Building; Assessment
		Heritage Hills Park Washroom					\$ 140,000			
		605 Willow (Lake Front Development)					\$ 140,000			
		Okanagan Falls Parks Master Plan					\$ 80,000			
		Okanagan Falls Beach Front Parks Plan					\$ 20,000			
		Trestle Jumping Platforms and Ladders					\$ 20,000			
		Year Round Washrooms Renovation Kenyon Park					\$ 15,000			
		Year Round Washrooms Renovation Christie Park					\$ 50,000			
		Pickel Ball Courts					\$ 75,000			
RURAL PROJECTS AREA E - NARAMATA										
	Naramata Water System	Watermain Upgrade Works	Watermains are at or nearing end of useful life; breakages are increasing	Replacement of high priority water mains	Currently preparing RFP for design completion	Possible Capital reserves/user fees	\$5-6M+	1	Liability; Operational	Capital
	Naramata Water System	Filtration Deferral Plan	Regulatory; if not approved a filtration system would be required	Creation of the filtration deferral plan and required analysis	Source Water Protection project is almost complete - first part of deferral plan	Capital reserves	\$100K	1	Health & Safety; Operational	Capacity Building; Assessment

	Naramata Water System	North Reservoir Design and Installation	Insufficient pressures and volumes occur; inadequate storage in system	Add a new reservoir to service the north part of Naramata for better balancing and fire storage	Location is not secured and No design work completed	Possible Development reserves, Capital reserves, user fees	\$3-5M	2	Fire Protection; Operational	Capital
	Naramata Water System		Insufficient volumes; System expansions have increased demand on reservoir and pumpstation	Design and construct a new reservoir cell at site	No design work completed; property available	Possible Development reserves, Capital reserves, user fees	\$1-2M	2	Fire Protection; Operational	Capital
	Naramata Water System	Universal Metering and Mainline Magmeters	Partial installs completed; usage billing and leak detection	Installation of meter pits and meters on all connections; Magmeters on main lines for leak detection	Partial infrastructure in place; simple design work required	Possible Capital reserves/user fees	\$750k	3	Operational	Capital
		Manitou Park Pathway and accessibility					\$ 330,000			
		Spirit Park Development Plan					\$ 10,000			
		Wharf Park Acquisition (MoTI)					\$ 80,000			
		Creek Park Trail Enhancements Plan					\$ 10,000			
		Creek Park Trail Improvements					\$ 15,000			
		Community Wayfinding Signs					\$ 7,500			
		Museum/Downtown office					\$ 100,000			
		Community Hall					\$ 107,500			
RURAL PROJECTS AREA F										
	Faulder Water System	Mainline Valve Replacement	Issues with aging valves; inability to completely turn off	Replacement of valves along mains throughout distribution system	No design completed but will be very minimal; mostly construction work	Capital reserves		2	Operational	Capital
	West Bench Water System	Reservoir Upgrade	Reaching end of useful life; increase storage capacity	Old reservoir needs to be upgraded or add new cell onto newer reservoir	No design work completed. Structural Assessment Required first	Capital reserves	\$1M	3	Operational	Capital
		Mariposa Tennis/Pickle Ball courts					\$ 130,000			
		SD 67 Land Acquisition					\$ 750,000			
RURAL PROJECTS AREA G										
	Olalla Water System	Watermain Replacement	Reaching end of useful life; see increase breakage	Old watermains on side streets require replacement	Design planned for 2020 for all remaining	Community Works Gas Tax	\$2M+	2	Operational	Capital
		New Community Pool					\$ 3,100,000			
		or								
		Existing Pool Renovations					\$ 150,000			
		Bowling - Automated Scoring					\$ 50,000			
		Recreation Center - Entrance Landscaping					\$ 10,000			
		Rink surface repair					\$ 10,000			
		Rink surface painting - (pickle ball, hockey, basketball)					\$ 30,000			
		Complete Rink Rebuild					\$ 1,000,000			
RURAL PROJECTS AREA H										
	Missezula Lake Water System	Treatment Plant and Intake Improvements	Required to meet health standards	Design and Installation of new treatment system and revised intake structure	ICIP grant application submitted; if funds not received, reapplication will be necessary	Borrowing Bylaw in place	\$2.5M	1	Regulatory; Health & Safety; Operational	Capital
	Missezula Lake Water System	Watermain Upgrades	Mains buried too shallow; increased breakage issues	Design and construction of priority watermains	No design completed	No funds available	\$1M+	1	Operational	Capital
		Coalmont Park Improvements					\$ 10,000			
RURAL PROJECTS AREA I										
	LNID	Emergency Overflow for Flood Protection	Reduce flood risk to residents by re-establishing flow in Park Rill CK	Design and construction of overflow structure including culvert, valves and flow monitors	Design is at conceptual level; detailed design required; acquisition of LNID; public assent	Part of larger discussion on Twin Lakes/Park Rill Flood Service	\$1.6 M	1	Health & Safety; Environment	Capital
		Pioneer Park Paths and Landscape					\$ 130,000			
		Kaleden Hotel Project					\$ 1,000,000			
		Kaleden Waterfront acquisition plan (Crown)					\$ 10,000			
		Twin Lakes Lake Access					\$ 10,000			

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Board Remuneration Bylaw No. 2903, 2020

Administrative Recommendation:

THAT the Corporate Services Committee recommend that Board Remuneration Bylaw No. 2903, 2020 be given first, second and third readings and be adopted.

Business Plan Objective:

KSD 1 - By being an effective, fiscally responsible organization

Background:

Federal legislation effective January 1, 2019 eliminated the one-third tax exemption from provincial and local government elected officials, resulting in significant changes to remuneration for Regional District directors.

As a result of this change, and because Board compensation had not been formally reviewed for at least 10 years, the Board of Directors resolved to create a committee comprised of citizens to consider equalization and remuneration for the Board of Directors. Five citizens responded to the call for committee members and worked together to understand local government compensation around the Province so they could bring forward informed recommendations to the Board of Directors.

The Committee benchmarked compensation rates from multiple other local governments and reviewed the newly released UBCM *Council and Board Remuneration Guide*. The committee completed their analysis and formulated their recommendations by mid-November for presentation at the December 5, 2019 Corporate Services committee meeting.

The Board of Directors adopted the recommendations of the committee and adjustments were made.

Analysis:

The Board remuneration bylaw requires amendment to reflect the adjustments. Administration also took the opportunity to review the remuneration bylaw overall for any additional housekeeping changes. As there are several changes it was determined that a repeal of the existing bylaw and the creation of a new bylaw was the most efficient course of action.

Changes are as follows:

- Additional definitions, such as *Alternate Director*, *Consumer Price Index*, *Discretionary Meeting* offer more clarity;
- Removal of the reference to 1/3 tax free allowance for expenses, to comply with new Canada Revenue Agency (CRA) rules;
- Addition of clauses to address when the Vice Chair would be compensated as Chair during the Chair's absence;
- Addition of clause to address suspension of compensation when a Director is absent for a designated period of time without Board support;
- An avenue for review, adjudication and appeal for a matter which may arise under this bylaw;
- The requirement to review the Board Remuneration Bylaw one year prior to each Local Government Election, as recommended in the UBCM Council & Board Remuneration Guide;
- An adjustment in the base rate calculation for travel by automobile expenses, based on new CRA legislation;
- The addition of the clause clarifying that Directors must pay all premiums for benefits received;
- The removal of reference to Accident Insurance, which is not available through the RDOS.

Alternatives:

- That the Board of Directors approve the proposed bylaw.
- That the Board of Directors reject the proposed bylaw.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. xx, 2020

A bylaw to provide for remuneration and expenses to Elected Officials of the Regional District of Okanagan-Similkameen.

1.0 CITATION

1.1 This Bylaw may be cited for all purposes as the **“Board Remuneration, Expenses and Benefits Bylaw No. xx, 2020”**

2.0 DEFINITIONS

2.1 In this Bylaw:

‘Alternate Director’ is a person appointed as an Alternate Director pursuant to the *Local Government Act*, and when that person is acting in the place of the Electoral Area Director;

‘Committee’ means a standing, select or special Committee of the Regional Board and also means an appointment of a Director for representation to an outside committee whereby the Director does not receive remuneration or expenses from that committee.

‘Consumer Price Index adjustment’ means the British Columbia, All-Items CPI year-over-year percentage change, as reported by Statistics Canada.

‘Director’ means a Municipal Director or Electoral Area Director of the Board, and includes Alternate Directors when that Alternate Director has been delegated by the Director to act in the place of the Director for an event or a specified period of time.

‘Discretionary meeting’ means all other meetings, conferences and workshops relating to RDOS business not covered elsewhere in this Bylaw.

‘Double Occupancy Rates’ means the rate charged when one or two individuals occupy a hotel or motel room. Additional persons would result in a higher rate charged.

'Regional District' means the Regional District of Okanagan-Similkameen (RDOS).

'RDOS Chair' means where the context requires, the Chair of the Board elected pursuant to the Local Government Act or the person appointed as the Chair, or other person presiding at a meeting of the Board or Committee.

'RDOS Vice-Chair' means where the context requires, the Vice Chair of the Board elected pursuant to the Local Government Act or the person appointed as Vice Chair at a meeting of the Board or Committee.

3.0 REMUNERATION

3.1 There shall be provided in the annual budget an amount sufficient to pay remuneration to each of the Directors the amounts indicated on Schedule 'A' attached to and forming part of this bylaw.

3.2 The annual remuneration listed in Schedule 'A' shall be increased each January 1 by the change in the Consumer Price Index for the Province of British Columbia. This amount shall be reviewed after each five years to ensure that the amount paid is reasonable in comparison to other Regional Districts in the Province of a similar size.

~~3.3 One-third (1/3) of the annual remuneration listed in Schedule 'A' shall be considered as an allowance for expenses incidental to the discharge of the Director's duties of office and does not form a part of the expense allowances provided for in Section 4 of this bylaw.~~

Commented [CM1]: Removed to reflect change in CRA legislation

3.43 In the event of the resignation or death of the Chair, the Vice Chair shall automatically be entitled to the remuneration for Chair as set out in Schedule 'A' until such time as another Chair is elected pursuant to the Board Procedure Bylaw.

3.54 In the event that the Chair becomes incapacitated for longer than thirty days, the Vice Chair shall be entitled to the remuneration for Chair as set out in Schedule 'A'

3.65 'Notwithstanding any other section of this bylaw, if a Director is absent for three consecutive meetings of the Regional Board without the leave of the Regional Board, the Regional District shall suspend payment to that Director, which shall be effective the day following the date of such third consecutive meeting of the Regional Board.'

3.6 Whereas subsection 3.5 of this bylaw has been invoked in respect of a Director and such Director subsequently attends a meeting of the Regional Board, the Regional District shall reinstate payment, which shall be effective the day of the first meeting of the Regional Board that such Director attends after his or her absence.

4.0 EXPENSES

- 4.1 There shall be provided in the annual budget an amount sufficient to pay expenses to each of the Directors the amounts indicated in Schedule 'B' attached to and forming part of this bylaw.
- 4.2 Such amounts are payable only to reimburse each Director for expenses incurred when the Director is representing the Regional District, or engaging in Regional District business, or attending a meeting, course, seminar or convention, or attending a meeting of a committee of which the Director is a member.
- 4.3 [Electoral Area Directors shall be provided a form T2200 "Declaration of Conditions of Employment", indicating that a portion of his or her home is required to be used for work.](#)

5.0 BENEFITS

- 5.1 There shall be provided in the financial plan an amount sufficient to pay benefits, if applicable, on behalf of each of the Directors. The amounts are indicated on Schedule 'C' attached hereto and forming part of this bylaw.

6.0 REPORTING

- 6.1 The remuneration, expenses and benefits paid to each member of the Board, by name, shall be reported annually in accordance with the *Local Government Act*.

7.0 INTERPRETATION AND APPLICATION:

- [7.1 The Regional District of Okanagan-Similkameen Finance department will be responsible for ensuring that Director's Remuneration and Expense Reports are consistent with this Bylaw.](#)
- [7.2 Any issues, discrepancies or conflict in the interpretation of the Bylaw shall be referred to the Regional Board Chair together with the Chief Administrative Officer, for review and adjudication. If the matter is not resolved to the satisfaction of the Director, the matter will be referred to the Regional Board.](#)
- [7.3 A review of the Board Remuneration, Expenses and Benefits Bylaw is to be conducted one year prior to each Local Government Election, as recommended in the UBCM Council & Board Remuneration Guide \(2019\).](#)
- [7.4](#) The decision of a court that a provision of this bylaw is invalid shall not affect the validity of the remainder of this bylaw.

| **8.0 REPEAL**

| 8.1 Bylaw No. ~~25422621~~, 2012 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME this xx day of xx, 2020.

ADOPTED BY AT LEAST 2/3 OF THE VOTE this xx day of xx, 2020.

RDOS Chair

Chief Administrative Officer

SCHEDULE 'A'

**DIRECTOR REMUNERATION
CPI at Dec 2012/2017**

DESCRIPTION	REMUNERATION	EXPENSE ALLOWANCE	TOTAL
Municipal Director	\$325,345.75/3/month	\$162,172.63/61/month	\$488,385.18.34/month
Electoral Area Director	\$1,126,751,195.85/month	\$562,535,97.03/month	\$1,689,281,792.88/month
RDOS Chairperson	\$1,689,791,793.39/month	\$843,638,95.35/month	\$2,533,416,88.75 month ¹
RDOS Vice-Chair	\$300,723,26.81/month	\$153,731,63.16/month	\$461,654,89.96/month ²
Attendance at Board Meetings	\$146,071,55.03/meeting	\$72,937,7.40/meeting	\$219,002,32.44/meeting
Attendance at Committee Meetings — same day as Board meeting	\$48,695,1.68/meeting	\$24,312,5.80/meeting	\$73,007,7.48/meeting ³
Attendance at Committee Meetings — separate day from Board meeting	\$108,351,15.01/mtg day	\$54,105,7.42/ mtg day	\$162,451,72.42/mtg day
Electronic Attendance at meetings	\$54,185,7.51/meeting day		\$54,185,7.51/meeting day

ALTERNATE DIRECTOR REMUNERATION⁴

CLASSIFICATION	REMUNERATION	EXPENSE ALLOWANCE	TOTAL
Attendance at Board Meetings (in place of Director)	\$146,071,55.03/meeting	\$72,937,7.40/meeting	\$219,002,32.44/meeting
Attendance at Committee Meetings — same day as Board meeting (in place of Director)	\$48,695,1.68/meeting	\$24,312,5.80/meeting	\$73,007,7.48/meeting ⁵
Attendance at Committee Meetings — separate day from	\$108,351,15.01/mtg day	\$54,105,7.42/ mtg day	\$162,451,72.42/mtg day

¹The RDOS Chairperson, in addition, also receives the respective annual remuneration for being a Rural or Municipal Director.

²The Vice-Chairperson, in addition, also receives the respective annual remuneration for being a Rural or Municipal Director.

³The maximum remuneration for attendance at a full day of Board and Committee meetings is \$292.

⁴Bylaw No. 2621-01, 2014 Board Remuneration, Expenses and Benefits Amendment Bylaw.

⁵The maximum remuneration for attendance at a full day of Board and Committee meetings is \$292.

Board meeting (in place of Director)			
Attendance at Other Meetings (in place of Director)	\$108.35115.01/ mtg day (pro-rated to time spent)	\$54.1057.42/ mtg day	\$162.45172.42/mtg day
Electronic Attendance at meetings – teleconference	\$54.1857.51/meeting day		\$54.1857.51/meeting day
Electoral Area Alternate Director	\$48.6951.68/month	\$24.3125.80/month	\$73.0077.48/month

SCHEDULE 'A'
CPI at Dec 2019

<u>DESCRIPTION</u>	<u>REMUNERATION</u>	<u>EXPENSE ALLOWANCE</u>	<u>TOTAL</u>
<u>Municipal Director</u>	<u>\$406.46/month</u>	<u>\$202.93/month</u>	<u>\$609.39/month</u>
<u>Electoral Area Director</u>	<u>\$1,405.90/month</u>	<u>\$701.89/month</u>	<u>\$2107.79/month</u>
<u>RDOS Chairperson</u>	<u>\$2108.40/month</u>	<u>\$1052.62/month</u>	<u>\$3161.02 month⁶</u>
<u>RDOS Vice-Chair</u>	<u>\$384.21/month</u>	<u>\$191.81/month</u>	<u>\$576.02/month⁷</u>
<u>Attendance at Board Meetings</u>	<u>\$182.27/meeting</u>	<u>\$91.00/meeting</u>	<u>\$273.27/meeting</u>
<u>Attendance at Committee Meetings – same day as Board meeting</u>	<u>\$60.75/meeting</u>	<u>\$30.33/meeting</u>	<u>\$91.09/meeting⁸</u>
<u>Attendance at Committee Meetings – separate day from Board meeting</u>	<u>\$135.21/mtg day</u>	<u>\$67.50/mtg day</u>	<u>\$202.71/mtg day</u>
<u>Electronic Attendance at Meetings</u>	<u>\$67.61/mtg day</u>		<u>\$67.61/mtg day</u>

ALTERNATE DIRECTOR REMUNERATION

<u>CLASSIFICATION</u>	<u>REMUNERATION</u>	<u>EXPENSE ALLOWANCE</u>	<u>TOTAL</u>
<u>Attendance at Board Meetings(in place of director)</u>	<u>\$182.27/meeting</u>	<u>\$91.00/meeting</u>	<u>\$273.27/meeting</u>
<u>Attendance at Committee Meetings – same day as Board meeting (in place of Director)</u>	<u>\$60.75/meeting</u>	<u>\$30.33/meeting</u>	<u>\$91.09/meeting³</u>
<u>Attendance at Committee Meetings – separate day from Board meeting (in place of Director)</u>	<u>\$135.21/mtg day</u>	<u>\$67.50/mtg day</u>	<u>\$202.71/mtg day</u>
<u>Attendance at Other Meetings (in place of Director)</u>	<u>\$135.21/mtg day (prorated to time spent)</u>	<u>\$67.50/mtg day</u>	<u>\$202.71/mtg day</u>
<u>Electronic Attendance at meetings - teleconference</u>	<u>\$67.61/mtg day</u>		<u>\$67.61/mtg day</u>
<u>Alternate Rural Area Director</u>	<u>\$60.75/month</u>	<u>\$30.33/month</u>	<u>\$91.09/month</u>

⁶ The RDOS Chairperson, in addition, also receives the respective annual remuneration for being a Rural or Municipal Director.

⁷ The Vice-Chairperson, in addition, also receives the respective annual remuneration for being a Rural or Municipal Director.

⁸ The maximum remuneration for attendance at a full day of Board and Committee meetings is \$364.36

SCHEDULE 'B'

DIRECTORS' EXPENSES

TRAVEL EXPENSES

1. (a) Travel throughout the Regional District by a Director to attend Board meetings, public hearings and other non-sanctioned meetings to fulfill the duties of an elected official will be reimbursed. Travel expenses will commence from the home or place of work (whichever is closer) of the director to the place of the meeting, and return.

A base is set at \$1.00 per liter of gas which equates to \$.048 per kilometer. All increases above \$1.00 will result in an increase of the kilometer rate by 20% of the increase

Regular Travel: \$0.48 per kilometer

Regular Travel will be reimbursed at the Canada Revenue Agency non-taxable reasonable per kilometer rate

- (b) For other travel – travel by automobile will be reimbursed at the rate of \$0.48 per kilometer.

Actual expenses incurred will be reimbursed for travel by bus, train, ferry or air (economy class). Receipts are required. The Regional District will reimburse the lower transportation cost of airfare or vehicle. An analysis must be made to identify the most economical mode of transportation that will be reimbursed.

Commented [CM2]: No longer compliant with CRA legislation.

For the 2019 reporting year CRA has set the non-taxable reasonable per kilometer rate for business travel at .58 cents per kilometer. The current RDOS mileage rate is .54 cents, and the rate changes monthly as per bylaw and fluctuates with any price changes on the first of each month.

The RDOS mileage is no longer meeting the non-taxable amount set by CRA when we are no longer meeting a reasonable amount all mileage paid becomes a taxable benefit for all employees. If mileage is higher or lower than the amount set by CRA it's considered a taxable benefit.

MEALS

2. (a) When travel requires over 24 hours absence from place of residence, a daily allowance in accordance with 2(b) will be paid to a Director. Partner or spouse's meals cannot be claimed. Alcoholic Beverages cannot be claimed.
- (b) When travel requires less than 24 hours absence from place of residence, meal expenses will be paid as follows:

	<u>Zone A</u>	<u>Zone B</u>	<u>Zone C</u>	<u>Zone D</u>
Breakfast:	\$20	\$20	\$15	\$15

Lunch:	\$30	\$30	\$25	\$20
Dinner:	<u>\$41</u>	<u>\$51</u>	<u>\$36</u>	<u>\$31</u>
Daily Allowance:	<u>\$91</u>	<u>\$101</u>	<u>\$76</u>	<u>\$66</u>

Zone A – Vancouver Island

Zone B – Lower Mainland – includes Whistler and meals outside BC and Canada

Zone C – Okanagan & Thompson Valley's

Zone D – All other BC

(c) Partial Day Travel Allowance

On the day of departure, if the travel status begins:

- After 7:00 a.m., breakfast cannot be claimed;
- After 12:00 noon, breakfast and lunch cannot be claimed;
- After 6:00 p.m., no meals can be claimed.

On the day of return, if a Director's travel status terminates:

- Prior to 7:00 a.m., no meals can be claimed;
- Prior to 12:00 noon, breakfast can be claimed;
- Prior to 6:00 p.m., breakfast and lunch can be claimed;
- After 6:00 p.m., all meals can be claimed.

* *As meal expenses will be claimed on the Director Mileage and Claim form and reimbursed in accordance with the terms of Section 2 of this Schedule; the submission of receipts is not required. Should a Director not use the full amount of the daily allowance/partial day allowance, nothing precludes that individual from claiming a lesser amount by submitting receipts.*

SEMINARS, COURSES, CONFERENCES AND MEETINGS

3. Registration fees will be paid for single participation only. Receipts are required. If any meals are included with registration fee, they are to be deducted accordingly from the daily allowance/partial day allowance.

ACCOMMODATION

4. Expenses will be reimbursed based on double occupancy rates. Receipts are required. If a Director chooses not to stay at a hotel, a \$52 per day accommodation allowance may be claimed.

TAXI EXPENSES, LONG DISTANCE TELEPHONE CALLS, PARKING, MISCELLANEOUS EXPENSES

5. Reimbursement will be made for actual expenses incurred while performing duties for the Regional District. Receipts are required.

MISCELLANEOUS EXPENSES

6. Commemorative expenses and the postage, stationary and printing costs associated with providing newsletters to constituents while performing the duties of an [rural electoral](#) area director within the Regional District shall be reimbursed from each Electoral Area's Directors administration budget.

SCHEDULE -C

DIRECTORS' BENEFITS

1. Pursuant to the *Local Government Act*, the Regional Board may enter into agreements for benefits for all or some of its Directors and their dependents, including medical and dental services and insurance policies.

Benefits provided to a Director and their dependants shall terminate at the end of the month in which they cease to be a member of the Board.

- ~~2.~~ The Directors shall pay premiums for any Benefits received; the Board must not pay all or part of the premiums for coverage.

Director Benefits may include, but are not limited to:

- Medical and dental services
- Extended health
- Life insurance
- Accidental death and dismemberment

ACCIDENT INSURANCE

- ~~2.~~ The Board may provide all or part of a premium required by an agreement under Section 1 of this Schedule for accident insurance coverage for Directors while on Regional District business.

Commented [GC3]: Not available

MEDICAL AND DENTAL SERVICES

- ~~32.~~ The Board may provide medical and/or dental services by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

EXTENDED HEALTH BENEFITS

- ~~43.~~ The Board may provide extended health benefits by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

LIFE INSURANCE

54. The Board may provide life insurance coverage by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

ACCIDENTAL DEATH AND DISMEMBERMENT

65. The Board may provide accidental death and dismemberment coverage by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2903, 2020

A bylaw to provide for remuneration and expenses to Elected Officials of the Regional District of Okanagan-Similkameen.

1.0 CITATION

1.1 This Bylaw may be cited for all purposes as the “**Board Remuneration, Expenses and Benefits Bylaw No. 2903, 2020**”

2.0 DEFINITIONS

2.1 In this Bylaw:

‘Alternate Director’ is a person appointed as an Alternate Director pursuant to the *Local Government Act*, and when that person is acting in the place of the Electoral Area Director.

‘Committee’ means a standing, select or special Committee of the Regional Board and also means an appointment of a Director for representation to an outside committee whereby the Director does not receive remuneration or expenses from that committee.

‘Consumer Price Index adjustment’ means the British Columbia, All-Items CPI year-over-year percentage change, as reported by Statistics Canada.

‘Director’ means a Municipal Director or Electoral Area Director of the Board, and includes Alternate Directors when that Alternate Director has been delegated by the Director to act in the place of the Director for an event or a specified period of time.

‘Discretionary meeting’ means all other meetings, conferences and workshops relating to RDOS business not covered elsewhere in this Bylaw.

‘Double Occupancy Rates’ means the rate charged when one or two individuals occupy a hotel or motel room. Additional persons would result in a higher rate charged.

‘Regional District’ means the Regional District of Okanagan-Similkameen (RDOS).

‘RDOS Chair’ means where the context requires, the Chair of the Board elected pursuant to the Local Government Act or the person appointed as the Chair, or other person presiding at a meeting of the Board or Committee.

'RDOS Vice-Chair' means where the context requires, the Vice Chair of the Board elected pursuant to the Local Government Act or the person appointed as Vice Chair at a meeting of the Board or Committee.

3.0 REMUNERATION

- 3.1 There shall be provided in the annual budget an amount sufficient to pay remuneration to each of the Directors the amounts indicated on Schedule 'A' attached to and forming part of this bylaw.
- 3.2 The annual remuneration listed in Schedule 'A' shall be increased each January 1 by the change in the Consumer Price Index for the Province of British Columbia. This amount shall be reviewed after each five years to ensure that the amount paid is reasonable in comparison to other Regional Districts in the Province of a similar size.
- 3.3 In the event of the resignation or death of the Chair, the Vice Chair shall automatically be entitled to the remuneration for Chair as set out in Schedule 'A' until such time as another Chair is elected pursuant to the Board Procedure Bylaw.
- 3.4 In the event that the Chair becomes incapacitated for longer than thirty days, the Vice Chair shall be entitled to the remuneration for Chair as set out in Schedule 'A'
- 3.5 Notwithstanding any other section of this bylaw, if a Director is absent for three consecutive meetings of the Regional Board without the leave of the Regional Board, the Regional District shall suspend payment to that Director, which shall be effective the day following the date of such third consecutive meeting of the Regional Board.
- 3.6 Whereas subsection 3.5 of this bylaw has been invoked in respect of a Director and such Director subsequently attends a meeting of the Regional Board, the Regional District shall reinstate payment, which shall be effective the day of the first meeting of the Regional Board that such Director attends after his or her absence.

4.0 EXPENSES

- 4.1 There shall be provided in the annual budget an amount sufficient to pay expenses to each of the Directors the amounts indicated in Schedule 'B' attached to and forming part of this bylaw.
- 4.2 Such amounts are payable only to reimburse each Director for expenses incurred when the Director is representing the Regional District, or engaging in Regional District business, or attending a meeting, course, seminar or convention, or attending a meeting of a committee of which the Director is a member.
- 4.3 Electoral Area Directors shall be provided a form T2200 "Declaration of Conditions of Employment", indicating that a portion of his or her home is required to be used for work.

5.0 BENEFITS

5.1 There shall be provided in the financial plan an amount sufficient to pay benefits, if applicable, on behalf of each of the Directors. The amounts are indicated on Schedule 'C' attached hereto and forming part of this bylaw.

6.0 REPORTING

6.1 The remuneration, expenses and benefits paid to each member of the Board, by name, shall be reported annually in accordance with the *Local Government Act*.

7.0 INTERPRETATION AND APPLICATION:

7.1 The Regional District of Okanagan-Similkameen Finance department will be responsible for ensuring that Director's Remuneration and Expense Reports are consistent with this Bylaw.

7.2 Any issues, discrepancies or conflict in the interpretation of the Bylaw shall be referred to the Regional Board Chair together with the Chief Administrative Officer, for review and adjudication. If the matter is not resolved to the satisfaction of the Director, the matter will be referred to the Regional Board.

7.3 A review of the Board Remuneration, Expenses and Benefits Bylaw is to be conducted one year prior to each Local Government Election, as recommended in the UBCM Council & Board Remuneration Guide (2019).

7.4 The decision of a court that a provision of this bylaw is invalid shall not affect the validity of the remainder of this bylaw.

8.0 REPEAL

8.1 Bylaw No. 2621, 2012 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME this xx day of xx, 2020.

ADOPTED BY AT LEAST 2/3 OF THE VOTE this xx day of xx, 2020.

RDOS Chair

Chief Administrative Officer

SCHEDULE 'A'
CPI at Dec 2019

DESCRIPTION	REMUNERATION	EXPENSE ALLOWANCE	TOTAL
Municipal Director	\$406.46/month	\$202.93/month	\$609.39/month
Electoral Area Director	\$1,405.90/month	\$701.89/month	\$2107.79month
RDOS Chairperson	\$2108.40/month	\$1052.62/month	\$3161.02 month ¹
RDOS Vice-Chair	\$384.21/month	\$191.81/month	\$576.02/month ²
Attendance at Board Meetings	\$182.27/meeting	\$91.00/meeting	\$273.27/meeting
Attendance at Committee Meetings – same day as Board meeting	\$60.75/meeting	\$30.33/meeting	\$91.09/meeting ³
Attendance at Committee Meetings – separate day from Board meeting	\$135.21/mtg day	\$67.50/mtg day	\$202.71/mtg day
Electronic Attendance at Meetings	\$67.61/mtg day		\$67.61/mtg day

ALTERNATE DIRECTOR REMUNERATION

CLASSIFICATION	REMUNERATION	EXPENSE ALLOWANCE	TOTAL
Attendance at Board Meetings(in place of director)	\$182.27/meeting	\$91.00/meeting	\$273.27/meeting
Attendance at Committee Meetings – same day as Board meeting (in place of Director)	\$60.75/meeting	\$30.33/meeting	\$91.09/meeting ³
Attendance at Committee Meetings – separate day from Board meeting (in place of Director)	\$135.21/mtg day	\$67.50/mtg day	\$202.71/mtg day
Attendance at Other Meetings (in place of Director)	\$135.21/mtg day (prorated to time spent)	\$67.50/mtg day	\$202.71/mtg day
Electronic Attendance at meetings - teleconference	\$67.61/mtg day		\$67.61/mtg day
Alternate Rural Area Director	\$60.75/month	\$30.33/month	\$91.09/month

¹ The RDOS Chairperson, in addition, also receives the respective annual remuneration for being a Rural or Municipal Director.

² The Vice-Chairperson, in addition, also receives the respective annual remuneration for being a Rural or Municipal Director.

³ The maximum remuneration for attendance at a full day of Board and Committee meetings is \$364.36

SCHEDULE 'B'

DIRECTORS' EXPENSES

TRAVEL EXPENSES

1. (a) Travel throughout the Regional District by a Director to attend Board meetings, public hearings and other non-sanctioned meetings to fulfill the duties of an elected official will be reimbursed. Travel expenses will commence from the home or place of work (whichever is closer) of the director to the place of the meeting, and return.

Regular Travel will be reimbursed at the Canada Revenue Agency non-taxable reasonable per kilometer rate

- (b) For other travel – travel by automobile will be reimbursed at the rate of \$0.48 per kilometer.

Actual expenses incurred will be reimbursed for travel by bus, train, ferry or air (economy class). Receipts are required. The Regional District will reimburse the lower transportation cost of airfare or vehicle. An analysis must be made to identify the most economical mode of transportation that will be reimbursed.

MEALS

2. (a) When travel requires over 24 hours absence from place of residence, a daily allowance in accordance with 2(b) will be paid to a Director. Partner or spouse's meals cannot be claimed. Alcoholic Beverages cannot be claimed.

- (b) When travel requires less than 24 hours absence from place of residence, meal expenses will be paid as follows:

	<u>Zone A</u>	<u>Zone B</u>	<u>Zone C</u>	<u>Zone D</u>
Breakfast:	\$20	\$20	\$15	\$15
Lunch:	\$30	\$30	\$25	\$20
Dinner:	<u>\$41</u>	<u>\$51</u>	<u>\$36</u>	<u>\$31</u>
Daily Allowance:	<u>\$91</u>	<u>\$101</u>	<u>\$76</u>	<u>\$66</u>

Zone A – Vancouver Island

Zone B – Lower Mainland – includes Whistler and meals outside BC and Canada

Zone C – Okanagan & Thompson Valley's

Zone D – All other BC

(c) Partial Day Travel Allowance

On the day of departure, if the travel status begins:

- After 7:00 a.m., breakfast cannot be claimed;
- After 12:00 noon, breakfast and lunch cannot be claimed;
- After 6:00 p.m., no meals can be claimed.

On the day of return, if a Director's travel status terminates:

- Prior to 7:00 a.m., no meals can be claimed;
- Prior to 12:00 noon, breakfast can be claimed;
- Prior to 6:00 p.m., breakfast and lunch can be claimed;
- After 6:00 p.m., all meals can be claimed.

** As meal expenses will be claimed on the Director Mileage and Claim form and reimbursed in accordance with the terms of Section 2 of this Schedule; the submission of receipts is not required. Should a Director not use the full amount of the daily allowance/partial day allowance, nothing precludes that individual from claiming a lesser amount by submitting receipts.*

SEMINARS, COURSES, CONFERENCES AND MEETINGS

3. Registration fees will be paid for single participation only. Receipts are required. If any meals are included with registration fee, they are to be deducted accordingly from the daily allowance/partial day allowance.

ACCOMMODATION

4. Expenses will be reimbursed based on double occupancy rates. Receipts are required. If a Director chooses not to stay at a hotel, a \$52 per day accommodation allowance may be claimed.

TAXI EXPENSES, LONG DISTANCE TELEPHONE CALLS, PARKING, MISCELLANEOUS EXPENSES

5. Reimbursement will be made for actual expenses incurred while performing duties for the Regional District. Receipts are required.

MISCELLANEOUS EXPENSES

6. Commemorative expenses and the postage, stationary and printing costs associated with providing newsletters to constituents while performing the duties of an electoral area director within the Regional District shall be reimbursed from each Electoral Area's Directors administration budget.

SCHEDULE 'C'

DIRECTORS' BENEFITS

1. Pursuant to the *Local Government Act*, the Regional Board may enter into agreements for benefits for all or some of its Directors and their dependents, including medical and dental services and insurance policies.

Benefits provided to a Director and their dependants shall terminate at the end of the month in which they cease to be a member of the Board.

2. The Directors shall pay premiums for any Benefits received; the Board must not pay all or part of the premiums for coverage.

Director Benefits may include, but are not limited to:

- Medical and dental services
- Extended health
- Life insurance
- Accidental death and dismemberment

MEDICAL AND DENTAL SERVICES

2. The Board may provide medical and/or dental services by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

EXTENDED HEALTH BENEFITS

3. The Board may provide extended health benefits by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

LIFE INSURANCE

4. The Board may provide life insurance coverage by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

ACCIDENTAL DEATH AND DISMEMBERMENT

5. The Board may provide accidental death and dismemberment coverage by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Local Government Awareness Week Results – For Information

Purpose:

To generate awareness and educate the public about the roles and responsibilities of local government, and encourage the public to participate in local government processes.

Business Plan Objective:

KSD 2: Optimize the Customer Experience

Background:

The Local Government Awareness Week (LGAW) initiative is a partnership between the Union of BC Municipalities, CivicInfo BC and the Ministry of Municipal Affairs & Housing. LGAW is celebrated annually during the third week of May.

Due to COVID-19 protocols across the Province, social activities that had been planned to celebrate Local Government Awareness Week were not an option this year; however, the RDOS ran a successful online trivia contest from May 18-22 through our Facebook site, the goal of which was to raise awareness of the RDOS and the services we provide.

A Facebook message introducing LGAW was posted the week before the contest was held, advising that the RDOS would be sharing a fact of the day and related trivia question, inviting residents of the RDOS to submit their answers for a daily chance to win a draw prize of a \$25 gift certificate towards a local business in their community. Providing these prizes from local businesses was felt to be just one small way that local government could give back locally during this unprecedented pandemic.

In order to provide two way communication for this contest, facebook comments were enabled on the RDOS page for these posts. Participants were to reside within the RDOS, “like” and follow the RDOS Facebook page as well as submit the correct answer in order to be entered into the draw. Submissions were limited to one entry per person per day.

Analysis:

Facebook Insights tell us that from the week of May 18-24, post engagement on our Facebook page was up 21%.

Other statistics from Insights note the following:

Monday

Reached:873
Post clicks: 34
Reactions/shares: 6
Comments: 2

Tuesday

Reached: 294
Post clicks:5
Reactions/shares:2
Comments:1

Wednesday

Reached:878
Post clicks:46
Reactions/shares: 18
Comments: 7

Thursday

Reached: 1,271
Post clicks: 61
Reactions/shares: 14
Comments: 3

Friday

Reached: 664
50 post clicks
15 reactions/shares
Comments:11

Despite COVID-19 protocols, moving Local Government Awareness Week online proved to be a successful endeavour to share fun facts with residents while educating them on local government services and encouraging them to check us out!

As of Monday, May 25, all draw prize winners have been notified and arrangements are being made to coordinate prizes.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, June 4, 2020

10:00 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of June 4, 2020 be adopted.

B. DELEGATIONS

1. Peter Robinson, Chief Technology Officer, Community Energy Association (CEA)

Mr. Robinson will address the Board to discuss the following:

- Climate Action for the Okanagan-Similkameen, CEA and FCM Partners for Climate Protection Program
 - BC Energy Step Code and support for adoption in RDOS and regionally
 - BC Building Code Timelines
 - Working with an Energy Advisor/Local Government role
 - Support for the building industry
 - Community benefits
- a. Presentation
-

C. ADJOURNMENT

ENERGY
STEPCODE
BUILDING BEYOND THE STANDARD



**Okanagan-Similkameen
Board Presentation**

Peter Robinson
Chief Technology Officer
Community Energy Association

June 2020



The trusted independent advisor to local governments on climate and energy.



Waste Management
Renewable Energy
Transportation
Buildings
Land Use

CEA are regional advisors for FCM-ICLEI Partners for Climate Protection Program (PCP).

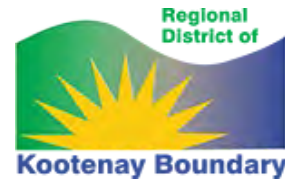
Connecting communities, energy and sustainability.

Implementation
Engagement
Education
Research
Planning



The first step for local governments wanting to close the implementation gap & take climate action.

Community Energy Association Members



Community Energy Association Members



CEA Step Code Support

Free support for local governments interested in Step Code adoption.

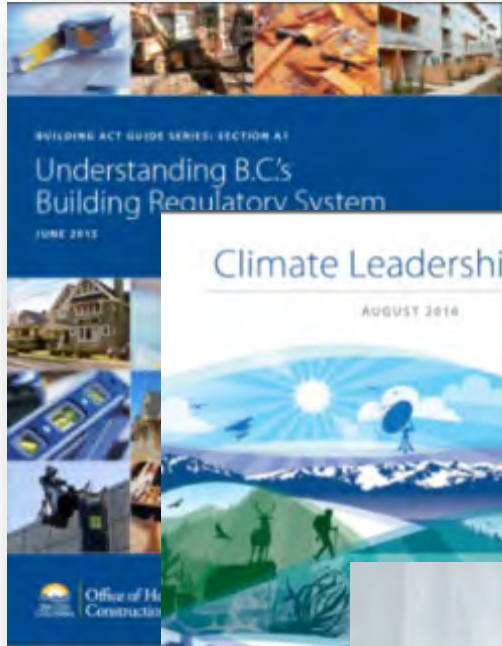
Funding courtesy of:





ENERGY
STEPCODE
BUILDING BEYOND THE STANDARD

Provincial Initiatives Set the Stage



Building Act

- Consistency, Competency & Innovation
- December 2017 marked the end of local building requirements in bylaws.

Climate Leadership Plan

Establishes target: all new construction will be net-zero ready by 2032.

CleanBC

Pathway to achieve legislated mid-term targets

Energy Step Code Council

Industry



ASTTBC
TECHNOLOGY
PROFESSIONALS



AIBC
ARCHITECTURAL
INSTITUTE OF
BRITISH COLUMBIA



Building Owners and Managers
Association of British Columbia



CANADIAN
HOME BUILDERS' ASSOCIATION
BRITISH COLUMBIA

The Voice of the Residential Construction Industry in BC



Professional Engineers
and Geoscientists of BC

Government



Natural Resources Canada
Ressources naturelles Canada

Canada



BRITISH
COLUMBIA



Homeowner
Protection Office
Branch of BC Housing



LGMA
LOCAL GOVERNMENT
MANAGEMENT ASSOCIATION
OF BRITISH COLUMBIA



UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES



Utilities



BC Hydro
Power smart

Academia & NGO



THE UNIVERSITY
OF BRITISH COLUMBIA



Roadmap to Net-Zero Energy-Ready Buildings

Timeline for Energy Efficiency Regulatory Requirements in the BC Building Code

Here's what the province's CleanBC plan will mean for new-construction requirements.

2032

STEP 5

STEP 4

NET-ZERO ENERGY-READY

UP TO:

80%

2027*

STEP 4

STEP 3

40%

2022*

STEP 3

STEP 2

20%

*NEW TARGET DEADLINES



PART 9 BUILDINGS



PART 3 BUILDINGS

Energy-efficiency improvement above 2018 BC Building Code requirements

ENERGY
STEPCODE
BUILDING BEYOND THE STANDARD



Performance Compliance

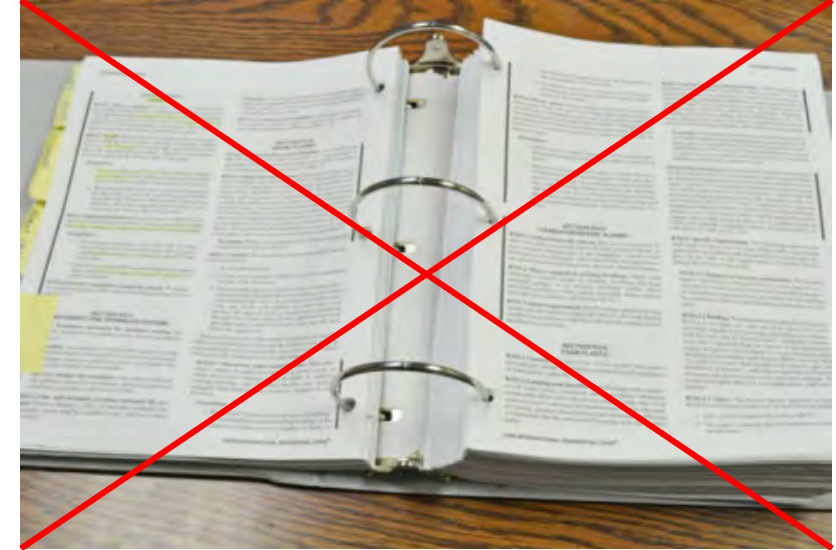


Energy Modeling by Natural Resources Canada Certified Energy Advisor



Air-Tightness Testing

- Achieve minimum performance levels

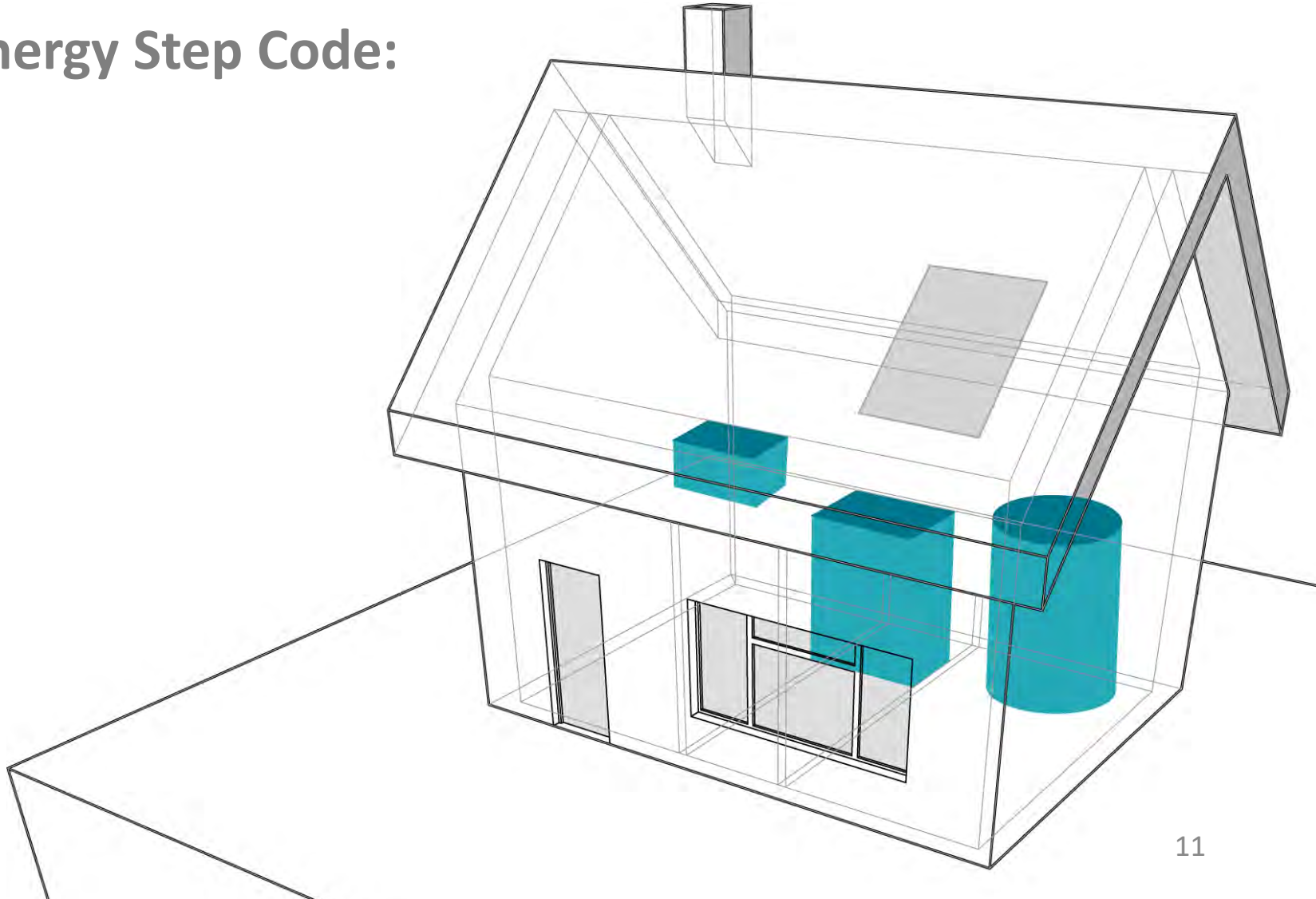


No Prescriptive Energy Requirements

What does the Energy Step Code Measure (Part 9)?

‘Energy Efficiency’ in the Energy Step Code:

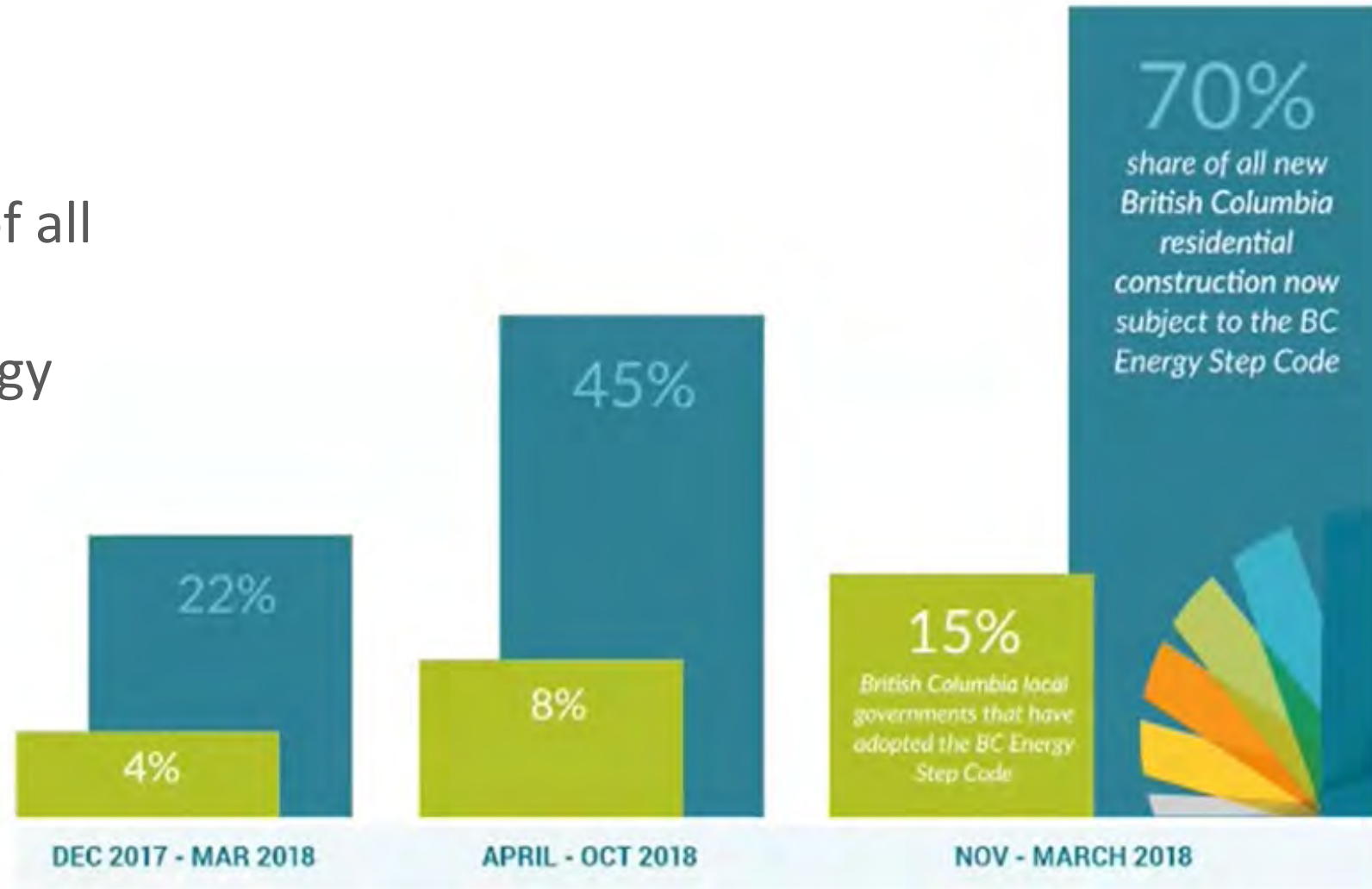
- ✓ **Envelope Efficiency**
- ✓ **Equipment Efficiency**
- ✓ **Performance Based**



Local Government Adoption in Bylaws

Policy in Practice:

- Communities that collectively issue 70% of all building permits have referenced the BC Energy Step Code in bylaws.



Local Government Adoption in Bylaws - Okanagan

- City-wide requirements (Part 9 homes):

- **Penticton**

Step 1 - March 15, 2019

Step 3 - March 15, 2020

- **Lake Country**

Step 1 - April 1, 2019

Step 3 - October 1, 2020

- **Kelowna**

Step 1 - December 1, 2019

Step 3 - June 1, 2021

- Consulting: Summerland, Vernon, Peachland, West Kelowna

Step Code Recommendations

- Participate in Step Code Peer Network – Resources Available
- Submit initial notification form on Step Code consultation
- Continue communication / outreach to building community
- Contact CEA for help (policy development, communication materials)
- Support for Climate Leadership: FCM-ICLEI PCP Program & CEA membership

FCM-ICLEI Partners for Climate Protection



1. Establish a baseline GHG inventory and forecast



2. Set GHG reduction targets



3. Develop a local action plan



4. Implement the plan or set of activities



5. Monitor progress and report results



The Partners for Climate Protection Program (PCP)

FCM FEDERATION OF CANADIAN MUNICIPALITIES
FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

ICLEI
Local Governments for Sustainability

Canada



www.fcm.ca/pcp

Thank You!

Let me know if you are interested...

Peter Robinson

Chief Technology Officer

Community Energy Association

probinson@communityenergy.bc.ca





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Environment and Infrastructure Committee

Thursday, June 4, 2020
10:30 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of June 4, 2020 be adopted.

B. KALEDEN SEWERAGE COLLECTION SYSTEM – For Information Only

1. Report
 2. Preliminary Design Report from Urban Systems
-

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Environment and Infrastructure Committee

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Kaleden Sewer Project – Predesign Report

For Information

Purpose:

To provide a summary of the predesign report and the next stages of the project for the sewer expansion to Kaleden from Okanagan Falls.

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

Key Success Driver #3 – Build a Sustainable Region

Goal 3.3: To develop an environmentally sustainable region with Objective 3.3.3 by enhancing RDOS Wastewater Treatment Systems under Task #3.3.3.2 Present preliminary costs for the design and construction of the Kaleden Sewer Collection Project.

Background:

The addition of the Skaha Estates and Kaleden communities into the Okanagan Falls sewer system has been discussed since the late 1980's when the first Liquid Waste Management Plan was completed for the area. In 2014, the Board of Directors made the sewerage of Skaha Estates and Kaleden the top priority for the Regional District. A Building Canada Fund – Small Communities Component Grant of approximately \$6.6M has been allocated to the Kaleden sewer project.

In September 2019, Urban Systems Ltd. was retained to complete the predesign report for the sewer expansion project to Kaleden from the Okanagan Falls sewer system.

Predesign Report:

The results of the predesign, also referred to as preliminary design, report are now available for review with the residents of Kaleden for the new sewer collection system.

The preliminary design report summarizes the findings, conclusions and recommendations for the new sanitary sewer system and trunk conveyance system for the lakeshore area in Kaleden. The trunk conveyance system will connect into the Okanagan Falls existing sewer system. The sewage will then be treated at the Okanagan Falls Biological Nutrient Removal Wastewater Treatment Plant (WWTP).

The Kaleden sanitary sewer system will consist of two main elements. The first is a collection system comprised of gravity mains, service connections, and a small sewage lift station on Alder

Avenue with an associated forcemain. The second element is the main liftstation located at Pioneer Park and the approximately 5km forcemain that will be installed along the KVR trail

The results of the report will be presented through an online engagement platform instead of typical public open house events, as these gatherings are not yet permitted due to COVID-19 protocols. A website at the address of www.kaledensewer.ca has been created to provide all the information available to the residents and general public. All of the report information will be presented at this site and there will be options to provide feedback and questions. These will be reviewed and a response to each question will be added as soon as possible. The site is intended to ensure that all residents who will be involved in the public assent process will be fully informed.

The main engagement platform will be operational starting on June 5th, 2020.

Next Steps:

The originally scheduled June 20, 2020 referendum vote has been postponed; when a new date for a public assent process is determined, it will be communicated to the community.

Following a successful public assent process and final approval of a borrowing bylaw, the consultant will complete detailed designs for the new works. Public tendering of the project would then follow. It is anticipated that construction would commence within a year of detailed design initiation and take roughly 12-15 months to fully complete.

Funding:

The RDOS has grant funding through the New Building Canada II Fund – Small Communities Fund program to assist with costs for the design and construction of a sewer system for Kaleden. The original grant amount received was \$6.6 Million.

With the previous predesign work for the Skaha Estates community and this predesign work, the remaining grant available for the detailed design and construction is approximately \$6.2 Million. The predesign has estimated the total cost for the system at about \$9.7 Million. All of these cost estimate details will be available on our engagement website.

Attachment:

The main body of the Predesign report, without the appendices, has been included with this Board report for information.

Respectfully submitted:

Liisa Bloomfield

L. Bloomfield, Manager of Engineering

Regional District of
Okanagan-Similkameen

New Sewer Extension to Kaleden From Okanagan Falls Preliminary Design Report

April 28, 2020

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EXECUTIVE SUMMARY

This preliminary design report summarizes findings, conclusions and recommendations for a new sanitary sewer collection and trunk conveyance system for the community of Kaleden, BC.

The preliminary design study was completed in accordance with Terms of Reference for the assignment issued by the Regional District of Okanagan-Similkameen (RDOS) on June 28, 2019.

The Regional District currently has approval for \$6.6 million as a grant from the New Building Canada Fund – Small Communities Fund to assist with costs for the design and construction of a sewer system for Kaleden. An additional \$3.3 million would be funded from the property owners within the initial sewer service area. We do note that the overall grant amount of \$6.6 million would be reduced by about \$219,900 to reflect the portion used for the preliminary engineering studies completed in 2018 for a proposed sewer system in the Skaha Estates community located on the east side of Skaha Lake. The table below provide a summary of grant funding and allocations.

SUMMARY OF GRANT FUNDS USED AND AVAILABILITY	2/3 Grant funds provided	Matching 1/3 expense from residents	Total Estimated Eligible Costs associated with the Grant Funding
2017 New Building Canada Grant	\$ 6,600,000	\$ 3,300,000	\$ 9,900,000
2018: Skaha Estates Preliminary Design - Completed	\$ 219,900	\$ 109,900	\$ 329,800
	This expense paid by grant funds	This expense paid by Rural Projects Area "D" Budget	Total Cost of Skaha Estates Preliminary Design
2019: Kaleden Preliminary Design	\$ 160,500	\$ 80,300	\$ 240,800
	This expense paid by grant funds	This expense paid by Rural Projects Area "I" budget	Total Cost of Kaleden Preliminary Design
Remaining funds associated with the grant for Kaleden detailed design and construction	\$ 6,219,600	\$ 3,109,800	\$ 9,329,400
Note: \$9.33M is the amount of the total project that is eligible for grant funding; there will costs incurred that cannot be recovered with the grant called ineligible expenses that will be 100% paid for by the new sewer service area; the estimated total cost for the project is provided in the Preliminary Design Costing Summary of this report			

In advance of the preliminary engineering exercise for the Kaleden area, the RDOS arranged for a planning study to confirm current and future service areas and tributary populations for the sewer system. The results of the planning study are provided as Appendix A of this report.

As noted above, an earlier engineering study completed by Tetra Tech Canada examined the requirements for, and costs associated with a sewer system in the Skaha Estates area on the east side of Skaha Lake. The Tetra Tech report established several unit criteria for the Skaha Estates system (e.g. unit domestic sewage flows, infiltration/inflow allowances) which differ from the current RDOS Subdivision and Development Bylaw No. 2000, 2002. These values were determined in conjunction with the RDOS staff currently preparing an updated Works and Services bylaw. Those unit values have been adopted in our report for the design and operation of the Kaleden system.

The preliminary design engineering work completed for the Kaleden sewer system includes the following:

- Topographic surveys and development of base mapping;
- Geotechnical investigations;
- Environmental assessments;
- Archeological studies;
- Collaboration with Indigenous Peoples;
- Site reconnaissance;
- Structural reviews;
- Downstream capacity analyses;
- Geometric design (linear) and facility design; and
- Consultation with third party utilities.

The Kaleden sanitary system will consist of two main elements, namely;

- A collection system comprised of gravity mains, service connections, a small sewage lift station and force main and, by association, restoration of roads, lanes and other surface features affected by the construction; and
- A main sewage lift station conveying the sewage via a 250 mm diameter force main some five kilometers to a connection point with the Okanagan Falls sewer system. The majority of the force main will be installed within the existing KVR trail.

Figures 1.3 and 1.4 in the report will assist the reader with understanding the location and extent of the proposed works for the Kaleden system.

Following a successful referendum and approval of a borrowing bylaw by the property owners within the new service area (comprised of some 146 properties), the consultant will complete detailed designs for the new works. Public tendering of the project would then follow.

We expect construction would commence around mid-2021 within the collection system service area. Installation of works in Okanagan Falls, including installation of the Cedar Street gravity main, along with construction of the main Kaleden lift station and the installation of the KVR force main, is anticipated to begin in the late summer or early fall of 2021. A detailed construction schedule will be prepared so as to avoid major impacts to the public during the summer months and to keep within the anticipated environmental work windows. The entire project should be completed and fully commissioned by the end of 2022.

Overall costs for the system, including previous preliminary engineering work completed for Skaha Estates, is estimated at **\$9,722,000** which includes a 15% contingency. A contingency allowance of fifteen percent is considered standard for a preliminary level study of this nature.

In addition to finalizing borrowing for the project, several key issues will need early resolution. These include:

- Approval from the Province for tenure and to construct works within the KVR trail. Currently applications for approval to the relevant Ministry can take up to a year;
- A number of environmental approvals which may also require a year's time for Ministry approval;
- About 10 (ten) statutory rights-of-way across private property are required in order to accommodate the proposed collection system mains and services. Discussions and negotiations with private property owners can often take considerable time; and
- The RDOS does not currently have approved access points to the KVR trail to accommodate construction equipment and activities. As with the right-of-way acquisitions, working with private property owners to obtain approvals may take considerable time.

The RDOS may wish to consider initiating action on these issues in advance of completing the referendum process, given the potential time delays for approvals. The critical nature and time sensitivity of these issues warrant a proactive and early course of action to prevent significant delays during detailed design or tendering phases of the project.

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1. INTRODUCTION

1.1. Preamble

The Regional District of Okanagan-Similkameen owns and operates the Okanagan Falls sewer collection system and wastewater treatment plant. Since the first Liquid Waste Management Plan was completed in 1989, the community areas of Skaha Estates and Kaleden have been anticipating the addition of a sanitary sewer extension from Okanagan Falls. Several studies were completed over the years to determine the optimal servicing methods for these communities.

In 2016, a New Building Canada Fund – Small Communities Component Grant was submitted for Phase 1 of the Skaha Estates and Kaleden Sewering Project. The funding application was based upon a conceptual report entitled “Kaleden Lakeshore and Skaha Estates Conceptual Sewer Design” prepared by MMM Group. According to RDOS staff, an \$8 Million grant application was prepared based on an estimated \$12 Million project.

In late March 2017, the RDOS was notified that funding for Phase 1, a community sewer system for the Skaha Estates community, was approved, although the overall value of the grant was reduced to \$6.6M for a total funded project of \$9.9M. Phase 2 of the overall project, namely a sewer system for the Kaleden community, would hopefully be funded in a future grant program.

The Regional District would need formal approval from the residents of the Skaha Estates community to proceed with the project and, further, to borrow the monies needed to fund the additional \$3.3 million required to match the Small Communities Grant of \$6.6 Million. Prior to proceeding with a referendum on the borrowing bylaw, the RDOS needed to complete a preliminary engineering design and updated costing for the Skaha Estates sewer project.

Tetra Tech Canada Inc. (“Tetra Tech”) was engaged in January 2018 by the RDOS to undertake a preliminary design report, Class B cost estimates and recommendations for the Skaha Estates Sanitary Sewer Extension to Okanagan Falls. The outcome of that preliminary study was the conclusion that bringing sewers along Eastside Road to Skaha Estates would cost closer to \$14.2 Million. This amount was financially out of reach for the majority of the Skaha Estates residents as over \$8 Million would need to be covered by under 200 properties.

The Regional District was subsequently successful in having the grant monies redirected to the Kaleden Lakeshore service area. The RDOS then undertook a public procurement process to select a consulting firm to complete a preliminary study and cost estimate for the sewerage of the Kaleden Lakeshore area (**Figure 1.1**), similar to the preliminary study completed for Skaha Estates. The RDOS ultimately selected Urban Systems Ltd. as the successful candidate firm.

FIGURE 1.1: INITIAL PROPOSED KALEDEN LAKESHORE SERVICE AREA



The terms of reference and scope of work for this assignment are set out in the following documents:

- Urban System's proposal for Engineering Services dated July 24, 2019; and
- Request for Proposals for the New Sewer Extension to Kaleden from Okanagan Falls (RDOS-19-PW-19); dated June 28, 2019 including addendum #1.

As with the Skaha Estates initiative, the RDOS first requires completion of a fairly detailed preliminary design, complete with Class 'B' cost estimates. The objective of this preliminary design exercise is to not only verify the viability of the concept laid out by the MMM Group but to confirm that the Kaleden Lakeshore area sewer project can be completed with the grant funds available to the RDOS.

Prior to the start of the preliminary design, the Regional District contracted with CML Project Services Ltd. to determine the magnitude and type of future development within a potentially expanded sewer service area. Urban Systems was retained as a subconsultant by CML Project Services to complete that assessment. This information was critical for sizing and phasing of specific elements of the proposed sewage collection and conveyance systems. The results of this planning work are provided in **Appendix A** of this report.

1.2. Servicing Concept

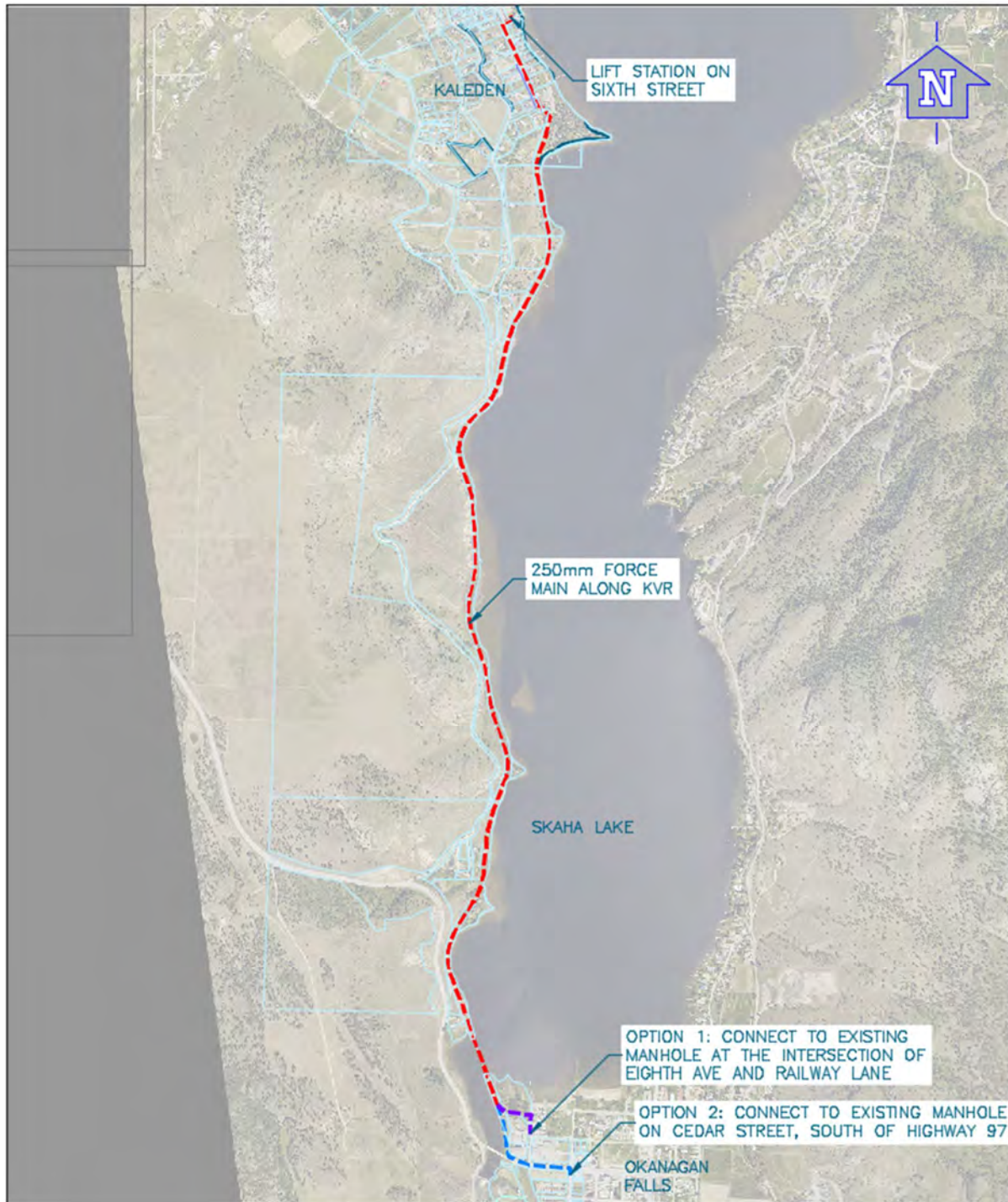
The servicing concept, as generally proposed by the MMM Group, envisions a local collection system for the Old Kaleden Road Service Area (initial service area), coupled with a main lift station and linear force main along the former KVR rail corridor. The force main would terminate at and connect to the existing sanitary sewer system in Okanagan Falls.

At the outset of the preliminary design assignment, Urban Systems proposed two potential connections points to the existing Okanagan Falls system, namely:

1. Into an existing manhole at the intersection of Eighth Ave and Railway Lane, via Lions Gardens Park. This would be the shortest (and likely the least costly) route. However, all sewage from Kaleden would ultimately have to flow through existing Lift Station #3 near the lakeshore, at the north end of Main Street. This may be an acceptable approach if the existing lift station and force main both have sufficient capacity for sewage flows from Kaleden; or
2. Into an existing manhole on Cedar Street, just south of Highway 97. This route is about 320 meters longer than the Eighth Ave option but avoids loading Lift Station #3 and, additionally, avoids disrupting an existing community park and adjacent riparian area. The force main would route along Highway 97, through to Cedar Street.

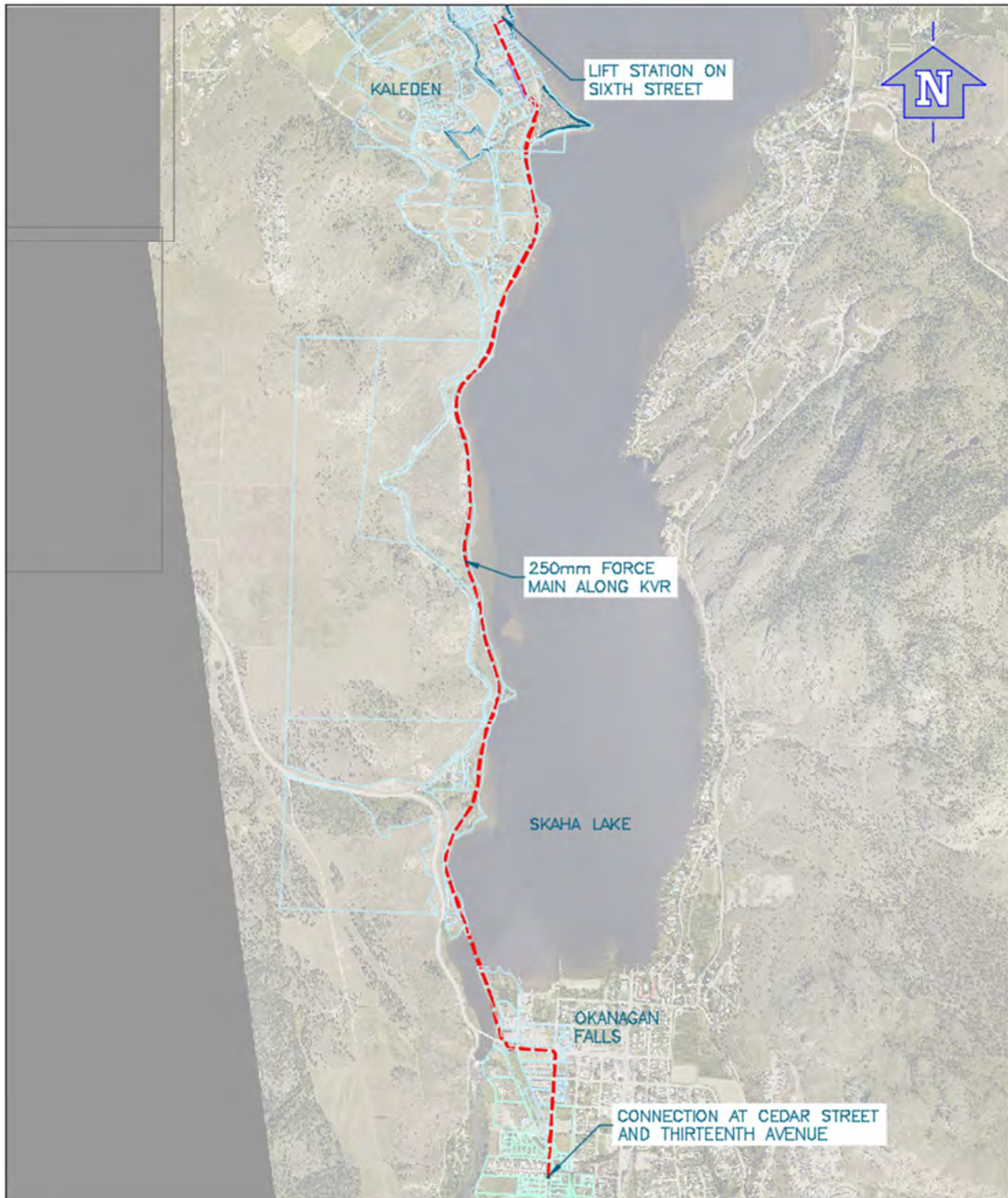
Both of these connection locations and force main routes are identified in **Figure 1.2**.

FIGURE 1.2: FORCE MAIN ROUTING OPTIONS – KALEDEN TO OK FALLS



The RDOS subsequently confirmed that the first option was not viable, given the limited capacity of the existing Lift Station #3 on Main Street. The RDOS also confirmed that their preference for a connection point for the second option was about 500 m south of the location noted by Urban Systems, on Cedar Street (**Figure 1.3**). At that more southerly location, the downstream piping is somewhat larger, offering greater capacity to accommodate flows from Kaleden. Reference **Appendix M** for further discussion on downstream capacity matters.

FIGURE 1.3: CEDAR STREET FORCE MAIN TIE-IN LOCATION (OK FALLS)



After additional analysis and vetting by both Urban and the RDOS, two additional sub-service areas were added to the initial service area originally noted in the RFP. These sub-service areas, described respectively as “the north end of Oak Avenue” and “Pine Avenue”, can be provided with sewer relatively easily without negatively impacting the cost-per-parcel for the initial service area. Expansion into these two sub-service areas adds an additional 14

properties to the initial service area. **Figure 1.4** illustrates this revised initial service area on which this report is based.

FIGURE 1.4: REVISED INITIAL SERVICE AREA BOUNDARY



1.3. Report Structure and Content

Sections 2 through 10 of this report address topics generally applicable to the entire project.

From there, our preliminary design investigation essentially divides the project into two distinct discussion topics, given their unique characteristics and challenges. More specifically, the report addresses the collection system separately from the works required to convey sewage from the collection area to the point of connection with the Okanagan Falls sewer system (conveyance system). Section 11 speaks specifically to the collection system. Section 12 summarizes our findings about the conveyance system.

Sections 13-16 summarize cost, risk, schedule and recommended action items related to the project as a whole.

The reader may note similarities in the structure of and, in some cases, text from the Tetra Tech Skaha Estates preliminary report ⁽¹⁾. We attempted to maintain consistency between the two reports as much as possible. Further, where specific wording or descriptions applied to both reports, we have taken the liberty of utilizing relevant text from the Tetra Tech report in this document about the Kaleden system.

2. EXISTING AND FUTURE DEVELOPMENT

Both the RDOS and the consultant team recognize that prior to sizing and locating sewer infrastructure for any service area, an agreed upon plan for future growth and development is necessary for the project. For the Kaleden community, development of such a plan was prepared by CML Projects Services Ltd. with Urban Systems' planning staff engaged by CML as a sub-consultant. The future growth and development plan for Kaleden was prepared in advance of Urban Systems' engagement as the RDOS's consultant for the preliminary sewer design assignment.

The planning work considered the following elements:

- The land use recommendations and designations contained in the Official Community Plan;
- The Zoning Bylaw for the community;
- Topography within the future service area; and
- Environmental Development Permit Area designations.

The subsequent analysis determined the maximum allowable development potential for each land parcel by overlaying the above noted individual elements for the service area, based on the constraints associated with each element. The analysis also generated "Future Buildout" and "Ultimate Buildout" scenarios, which represents successive development within the service area.

CML's work identifies both the expected number of single-family homes and the number of anticipated secondary suites within each subarea. The Regional District agreed that the maximum percentage of units developing secondary suites, either in the form of suites within a building or suites in a separate accessory building (carriage homes), would be 50% for preliminary design purposes. **Figure 2.0 in Appendix A** summarizes the results of Urban's analysis.

The "Initial Service Area-Current Development" scenario reflects current conditions and current populations within the Initial Service Area-some 146 lots with a population of approximately 355 people.

¹ Tetra Tech Canada Inc., 'Skaha Estates Sanitary Sewer Extension to Okanagan Falls', Predesign Report, File No. 704-PENG.KGEO03112-01, (July 2018).

The “Initial Service Area-Full Buildout” scenario reflects potentially full development within the Initial Service Area with a projected service population of approximately 1055 people.

The “Ultimate Service Area Full Buildout” reflects the potential to fully develop well beyond the limits of the Initial Service Area with a projected service population of some 3150 people.

For the purposes of this study, the following has been discussed and agreed upon with the RDOS:

- Detached Dwelling: 2.5 persons/residential unit
- Secondary Suite: 1.5 persons/residential unit

3. DESIGN CRITERIA

The relevant design criteria applied to this project were selected from the Regional District of Okanagan-Similkameen’s Subdivision Servicing Bylaw No. 2000, 2002, Appendix A, Section 4.2. A copy of the design criteria is provided in **Appendix B** of this preliminary design report.

Having said that, the preliminary design also recognizes that:

- the project will be constructed under an MMCD contract and where the specifications of MMCD are thought to be more up to date than the Bylaw, the MMCD requirements would prevail; and
- This is a utility project constructed in a developed area with many challenges facing both the designer and the constructor. As a result, the design may incorporate features which are intended to address both cost savings, practicality and constructability, with the result that not every aspect of the Subdivision Servicing Bylaw will necessarily be incorporated into the work.

We also note the RDOS Bylaw gives a great deal of latitude to the designer and the Regional District in terms of the requirements for and features of sewage lift stations. For the purposes of this preliminary design report and this project, we extracted relevant lift station design standards from the Tetra Tech Canada report for Skaha Estates. We understand the RDOS reviewed and approved these standards earlier. The sanitary sewer lift station design criteria are provided in **Appendix C**.

We also applied the inflow/infiltration allowances adopted for the Skaha Estates preliminary design study as these allowances amended the RDOS Bylaw rates (**Table 3.1**). The Regional District has confirmed acceptance of this recommendation.

TABLE 3.1: UNIT INFILTRATION/INFLOW RATES (L/HA/D)

For new pipe in water table	For new pipe not in water table
8,000	5,000

Lastly, we also applied the unit value of 350 Lpcd (litres per capita per day) for domestic sewage generation. Again, this figure was used for the Skaha Estates preliminary design study and the Regional District has confirmed acceptance of this figure for the Kaleden service area.

4. DESIGN FLOWS

The planning and growth projection information from **Section 2.0** was then fused with the design criteria in **Section 3.0** to generate design flows for a combination of design horizons and hydraulic loading conditions.

Detailed derivation of the design flows is provided in **Figures 1.0, 2.0, and 3.0** of **Appendix D**.

For the Kaleden Service area, we summarized the anticipated flows for three key development scenarios in **Table 4.1** below.

TABLE 4.1: SEWAGE FLOWS VERSUS DEVELOPMENT SCENARIO

Growth and Development Scenario			
Flow Condition (Lps)	Initial Service Area Current Development	Initial Service Area Full Buildout	Ultimate Service Area Full Buildout
Average Dry Weather Flow	1.4	3.9	13.5
Average Wet Weather Flow	3.7	6.1	23.2
Peak Wet Weather Flow	8.0	17.8	57.0

Average Dry Weather Flow (ADWF) means the average daily rate of wastewater flows generated by the service population during periods of dry weather, without inflow from rainwater.

Average Wet Weather Flow (AWWF) means the average rate of wastewater flows generated by the service populations during periods of wet weather.

Peak Wet Weather Flow (PWWF) means the highest measured rate of wastewater flows generated by the service populations during periods of wet weather.

The information in Table 4.1 was used to size trunk mains, force mains and lifts stations under a variety of operating conditions. The information also allowed the design team to determine how best to phase specific aspects of the sewer system so as to fit costs within the current budget while, additionally, allowing for expansion of the service area well into the future.

5. BASE MAPPING

For this assignment, we developed preliminary design level base mapping, allowing us to generate reliable sewer main and service alignments both within road rights-of-way and across private properties, as required. The objective was to achieve sufficiently accurate quantities for both pipeline and road works in order to generate Class B cost estimates for the proposed sewer project.

The base mapping was compiled using the following information:

- 1m LiDAR mapping provided by the Regional District, with an accuracy of +/- 30 cm depending on terrain, forest cover, and the like;

- Cadastral information, based on field surveys completed by our BCLS sub-consultant, to an accuracy of +/- 30 cm;
- Preliminary topographic surveys of existing surface infrastructure to an accuracy of +/- 5 cm; and
- Record information provided by the various utility purveyors operating services within the subject area including: FortisBC Electric, FortisBC Gas, Telus, Shaw, and Kaleden Irrigation District (KID).

As the project evolves to detailed design, additional information and detail will be required to inform the higher level of technical and costing accuracy. Such additional information and detail includes:

- Surveying the limits of all asphalt roadway surfaces to accurately identify horizontal limits and elevations for pavement restoration purposes;
- Topographic surveys of all roadway ditching and adjacent embankments to support sanitary service details for each land parcel;
- Determining finished floor elevations for the lowest living space in each home to ensure adequate sanitary sewer service grades;
- Surveying locations of all major vegetation/trees that may be impacted by the proposed sanitary sewer construction; and
- Completing additional topographic surveys both at lift station sites and along rights-of-ways within private properties.

6. ENVIRONMENTAL CONSIDERATIONS

Urban Systems' scope for the preliminary design assignment includes completing an Environmental Impact Assessment (EIA) for the project, given the proximity of Skaha Lake and other sensitive land use designations potentially affected by the planned works. A copy of the EIA documentation is provided in **Appendix E**. Highlights of the EIA and information pertinent to the collection system and trunk system are discussed in **Section 11.0** (Collection System) and **Section 12.0** (KVR Trail Trunk Conveyance System) respectively.

7. GEOTECHNICAL CONSIDERATIONS

Urban Systems retained the professional services of Interior Testing Services Ltd. (ITSL) to examine the geotechnical aspects of the project. The geotechnical work was completed in two stages. The initial stage addressed geotechnical conditions within the proposed initial Kaleden service area. The second investigation concentrated on geotechnical conditions along the KVR trail between Kaleden and Okanagan Falls, the proposed route for the force main conveying sewage to Okanagan Falls. In addition, ITSL completed sieve analyses for subsurface soils along Alder Avenue to better understand the soil stratigraphy and, more importantly, anticipated well-point dewatering requirements during trenching operations. Copies of Interior Testing's reports are provided in **Appendix F**. Highlights of the geotechnical investigation and information pertinent to the collection system and trunk system are discussed in **Section 11.0** (Collection System) and **Section 12.0** (KVR Trail Trunk Conveyance System) respectively.

8. ARCHAEOLOGICAL CONSIDERATIONS

4 Seasons Heritage Consulting (4SHC) was retained, with agreement from the Penticton Indian Band (PIB), to undertake the archaeological Preliminary Field Reconnaissance (PFR) report and associated cost estimate for additional archaeological components for the sewerage project. A draft PFR has been completed by 4SHC.

Unfortunately, PIB field crews have not been available yet to complete a field review, so the PFR is considered to be in draft form until this field review, plus a secondary joint field review in conjunction with 4SHC is conducted. These field reviews are imperative to ensure PIB's observations and interests are incorporated into the final PFR. With permission from the PIB-Natural Resources department, a draft PFR and associated cost estimate was provided by 4SHC and can be found in **Appendix G**.

The proposed Kaleden collection area and KVR conveyance route have been previously impacted by the construction and decommissioning of the Kettle Valley Railway, the construction and maintenance of the Kettle Valley Trail and by major residential developments and associated infrastructure. Despite previous impacts to the area, numerous areas along the proposed route were observed and professionally assessed to contain high potential for archaeological materials or features.

In-field observations of the proposed route indicated five (5) areas of potential (AOPs) for further archaeological work along the proposed route that have high probability of recovering archaeological resources and should be subjected to subsurface testing. The north extent, where the proposed forcemain connects to the Kaleden collection system, and the south extent, in the community of Okanagan Falls, are also considered to have high archaeological potential due to the presence of registered archaeological sites. The determination for these AOPs was based on a number of factors including: level, or near level landforms; well-drained landforms; access to fresh water; access to utilitarian, food and medicinal resources; ease of access to upper benches, knolls and bedrock outcrops.

Based on the results of the PFR survey, in accordance with the Heritage Conservation Act, all further archaeological work is recommended to be conducted under a concurrent Section 12.2 Heritage Inspection Permit and Section 12.4 Site Alteration Permit. These components will be completed during the detailed design and construction phases of the project.

9. ROAD ASSESSMENT

Retrofit projects of this nature normally entail a significant amount of road restoration following utility installation. In fact, the costs for removal and replacement of roads can often exceed the cost of the underground utility work.

A unique aspect of this project is that the existing roads are neither owned nor maintained by the Regional District. Rather, the Ministry of Transportation and Infrastructure (MOTI) is the agency responsible for the roads within the Kaleden project limits. This authority will ultimately be responsible for providing reconstruction specifications and approvals prior to the project moving forward to public tender.

At the outset of the preliminary engineering phase, the Regional District was hopeful that a detailed road assessment would potentially identify cost sharing opportunities with MOTI. The thinking was that many of the roads were possibly in need of repair and/or past their design life. If so, would MOTI then participate in part for the reconstruction of those roads impacted by utility construction?

However, after meeting with MOTI, the RDOS now understands that MOTI has very limited funds available for any cost sharing program and the entire cost of road reconstruction will likely be borne by the sewer project. Potentially, the MOTI's maintenance contractor may be able to assist with some resurfacing as part of their annual repaving work. This matter will be discussed further with MOTI and their maintenance contractor during the detailed design phase.

MOTI also indicated that they would not approve of any drilling through the existing asphalt for the purposes of subsurface investigation - all drilling would have to be completed within the shoulders of the roads. And, lastly,

MOTI prefers that for all roads affected by construction, where the paved surface is disturbed, a minimum of one half of the road must be fully replaced. No partial lane replacement will likely be permitted.

Given MOTI's limitations, Interior Testing's scope was altered for the road assessment portion of the project. Interior Testing completed the following:

- Assessed the soil stratigraphy of each test pit and bore hole;
- Assessed depth to groundwater table where applicable;
- Assessed soil conditions on Alder Avenue to support a well-point dewatering strategy;
- Completed a general visual assessment of road surfaces and conditions in the Kaleden service area;
- Worked with Vector Geomatics to georeference tests pits along the KVR; and
- Provided recommendations for appropriate reconstruction of roads and suitability of native materials for re-use.

Copies of the Interior Testing's reports are provided in **Appendix F**.

In general, the Interior Testing report for the Kaleden area (Job 19.318 – November 6, 2019) identifies the following:

- The majority of the roads within the project area are in relatively fair to good condition with respect to signs of cracking or base failure. However, when asphalt nears the end of its design life it often becomes quite brittle and will be susceptible to breaking and cracking during trenching, saw-cutting and heavy vehicle loading activities. Much of the asphalt in the service area appears to be close to the end of its design life;
- Complete road reconstruction/resurfacing is recommended for older, narrower roads;
- Fillet construction (as opposed to complete road reconstruction) adjacent to older, brittle asphalt can lead to reduced quality and life span of the new asphalt surface. Regardless, economics of the project may mean fillet construction is the only viable option irrespective of the reduced design life of the new surface. This would be subject to MOTI approval.

The Interior Testing report also outlines recommended road structures (asphalt, base and sub-base) for road reconstruction after completion of the utility installations.

10. INDIGENOUS PEOPLES COLLABORATION

Per the Terms of Reference for the preliminary design phase of the project, the Regional District managed and facilitated all discussions and collaboration with First Nation governments and organizations as they relate to the extension of sewer from Okanagan Falls to Kaleden.

Indigenous engagement and communication was initiated at the very beginning of the project, prior to the consultant being retained, as involving the local Indian Bands is considered to be essential to project success. The two entities engaged during the steps leading up to the preliminary design for Kaleden being completed were the Penticton Indian Band (PIB) and the Osoyoos Indian Band (OIB).

The first communication with the PIB was upon requesting a letter of support for the grant application to the New Building Canada –Small Communities Fund for the sewerage project. A very supportive letter was provided in April 2016 as they recognize and affirm the importance for the preservation of lands, water and natural resources.

In July of 2019, while the RDOS was in the process of retaining a consultant, the PIB and the OIB were contacted initially through a formal letter addressed to their respective Chief and Council. The letter contained information about the purpose of the project and invited participation in an archaeological review assessment. The intent was

to have a team from one or both of the Bands conduct the Archaeological Overview Assessment and the Preliminary Field Reconnaissance as part of the preliminary design of the sewer system.

In September 2019, the Regional District met with a representative from the PIB and discussed retaining an archaeologist and field technicians for the project. In October 2019, the OIB confirmed that they would be deferring further consultation and engagement and had requested that PIB take the lead on this essential work. A quote was received through PIB from 4 Seasons Heritage Consulting to complete the archeological tasks for the Predesign work.

Once the report is complete, the RDOS will be providing the document to PIB for review and comment. Meetings will be held as requested to answer questions that may arise. The RDOS intends to retain the important archeological services through PIB for the remainder of the project and are committed to ongoing communication and collaboration for project success.

11. COLLECTION SYSTEM

11.1. Introduction

The proposed collection system consists primarily of 150 mm, 200 mm and 300 mm diameter gravity mains terminating at two lift stations—the Alder Avenue Lift Station and the Ponderosa Avenue Lift Station. The Ponderosa Avenue Lift Station forms a major part of the KVR Trail Trunk Conveyance System and is more fully discussed in **Section 12.0** of this report. Details about the Alder Avenue Lift Station are provided in **Section 11.4** below.

Preliminary plan/profile drawings and detail sheets for the collection system are provided in **Appendix I**.

11.2. Existing Utilities

11.2.1. Kaleden Irrigation District

Kaleden Irrigation District (KID) maintains an existing water distribution system that services the Kaleden community. The piping system is comprised primarily of Asbestos Concrete (AC) mains, ranging in size from 100mm to 150mm diameter. Some localized areas of the distribution system were replaced with 150mm diameter PVC. The approximate location and alignment of the mains and services are generally known. However, detailed record drawings, with precise and reliable measurements of pipe alignments relative to property line and/or pipe obverts, are not available. KID did provide a composite map that generally depicts the configuration, horizontal location and size of their water mains. However, we've had difficulty reconciling the information provided by KID with our survey of physically evident items such as water valves and hydrants. Also, no reliable, accurate record information exists with regards to the depth of the mains.

KID also provided Urban Systems and the RDOS with a GIS record of all curb stop locations. Our understanding is that this information was gathered by a surveyor while KID was endeavoring to identify and locate all water service locations within their service area.

As noted, our survey partner, Vector Geomatics, located any visible water main valves and hydrants so as to partially manage the challenge posed by the questionable reliability of the KID record information. In addition, KID was provided with our base drawings for the sewer service area and were asked to plot, to the best of their recollection and knowledge, where their system is located in the streets. The results of these two investigative approaches are compiled as accurately as possible, given the quality of the information, and are reflected within the plan/profile drawings contained in **Appendix I**.

We strongly recommend that the RDOS complete an extensive program of pre-locating KID mains well before the final design is completed and the project is issued for tender. Such an approach will mitigate risk to the RDOS and, hopefully, reduce costly surprises during the construction period.

11.2.2. Power and Communications

With but a few minor exceptions, power and communications infrastructure is suspended aerially on utility poles. Pole locations, for the most part, do not appear to impact the design and construction of sewer mains, although there may be isolated locations where a “pole-hold” could be required to assist with trench excavation activities.

11.2.3. Gas Mains

Many of the road rights-of-way in the service area also contain buried FortisBC Gas mains. The alignment and size of the gas mains, based on FortisBC Gas record drawings and some field locates, are also reflected on the plan/profile drawings located in **Appendix I**. We expect to cross a few of these gas mains within the road corridor, however, we do not anticipate major conflicts as the standard depth for gas mains are much shallower than the proposed sanitary mains.

11.2.4. Alignments

The alignments of the proposed sanitary mains are illustrated on the preliminary plan/profile drawings. The alignments take into consideration such criteria as:

- Location of existing infrastructure, both below and above ground;
- Position of carriageway in the right-of-way;
- Right-of-way width;
- Topography;
- Asphalt and shoulder restoration requirements;
- Road geometry; and
- Potential sanitary sewer service connection locations.

Ideally, new sewer mains and existing water mains should be separated horizontally by a distance of three meters—a standard Interior Health Authority guideline. However, given the limitations imposed by constructing new utilities in developed areas, maintaining such a separation is not always realistic or achievable. Where such limited conditions exist, the following precautions will be implemented:

- The sewer will be installed at a lower elevation than the water mains; and
- All sewer main joints will be wrapped with a petrolatum tape to supplement the air tested bell and spigot pipe connections.

Lakehill Road is particularly challenging, in that the road right-of-way currently contains a dedicated steel water supply main, a new PVC water distribution main, an abandoned water distribution main, a HDPE storm main and, at surface, a pedestrian sidewalk. KID also indicated they might want to install a future dedicated supply main to replace the existing steel supply main. The proposed sewer main alignment on Lakehill Road takes all of this existing and proposed infrastructure into consideration. Reference **Drawing C06** in **Appendix I**.

A two-meter-high mechanically stabilized earth (MSE) wall will be required at the south end of Ponderosa Avenue to create a platform for the sanitary sewer, thereby assisting with a reduction in the required trench depth further to the north. This wall location is noted on **Drawing C05** in **Appendix I**. Without this arrangement, the trench (and sewer main) through the summit on Ponderosa Avenue would be unreasonably deep and would necessitate removal and replacement of the existing water main as part of the sanitary sewer main installation.

Alternatively, if the RDOS is able to obtain a Statutory Right-of-Way across the eastern boundary of the adjacent private property at #290 Ponderosa Avenue, the costly MSE wall can be eliminated. (The approximate cost of the wall is \$73,000).

11.3. Environmental, Geotechnical and Archaeological Considerations

As noted previously, extensive assessments and investigatory work were undertaken to better understand any sensitivities or specific site information that could impact the proposed project. These include environmental, geotechnical and archaeological reviews.

11.3.1. Environmental

Within the proposed service area for the collection system, there does not appear to be any environmental issues or concerns. As a general rule, standard Best Management Practices would apply. Some consideration may need to be given to well-point dewatering on Alder Avenue, specifically where and how to discharge groundwater if turbidity levels are high. Typically, such an issue is best remedied by overland pumping to a suitable site for surface-to-ground recharge.

11.3.2. Geotechnical

Our geotechnical consultant drilled a total of 13 test holes within the sewer collection area. Highlights of the Interior Testing Services Ltd. report in relation to the collection system include the following:

- The native sandy soil mixtures can be used for trench backfill;
- Groundwater will be an issue along Alder Avenue given the close proximity of the lake; and
- Complete road reconstruction, rather than installation of patches and fillets, is recommended for older, narrow roads disturbed by the trenching operations.

The absence of bedrock and the ability to reuse the native soils for backfill is good news in terms of cost.

A high groundwater table along Alder Avenue will necessitate well-point dewatering in order to install the sanitary mains and services in dry trench conditions. Alternatively, where well-point dewatering is less effective and proper bedding compaction becomes difficult, drain rock within the pipe bedding zone can be an effective solution.

11.4. Alder Avenue Lift Station

11.4.1. Commentary

This lift station will service a small tributary portion of the overall Kaleden community service area. The majority of the Alder Avenue Lift Station service area consists of lakeshore lots located between Alder Avenue and Skaha Lake. The service area also incorporates future properties to the west and north, as indicated in Drawings **C01 and C02, Appendix I**.

The lift station will be constructed within an existing right-of-way situated between Alder Avenue and Skaha Lake, and between #198 Alder Avenue and #206 Alder Ave.

Drawing **C29, Appendix I** sets out the general layout of the lift station elements. Specifically, the duplex lift station will include:

- A 2.4 m diameter concrete wet well housing the submersible pumps;

- Two 240V, single-phase, 5 HP submersible pumps rated for 8 L/s at 15 m TDH ⁽²⁾;
- An above ground valve box attached to the wet well structure;
- A standby power unit housed in an acoustic enclosure installed on a concrete pad; and
- An electrical and controls kiosk.

We note that while the RDOS lift station standards specify three-phase motors for the pumps, only single-phase power is available on Alder Avenue. We propose the RDOS allow single phase motors for the Alder Lift Station as single-phase pumps are less expensive, and in this case, there would be no difference in performance or life expectancy of the pumps. The cost estimate in this report assumes this is an acceptable approach. As an alternative, Variable Frequency Drives (VFDs) can be installed for phase conversion thereby allowing for three-phase pump motors.

11.4.2. Design Flows

Table 11.1 summarizes the hydraulic loadings on the Alder Avenue Lift Station under various growth/development conditions. Please reference Sections 2 and 4 for an explanation of the development scenarios and the different flow conditions outlined in Table 11.1. Of course, the tributary populations described in Section 2 are considerably smaller for the Alder Avenue Lift Station since the collection area for the lift station forms a portion only of the initial and ultimate service areas.

TABLE 11.1: ALDER AVENUE LIFT STATION HYDRAULIC LOADINGS

Flow Condition (Lps)	Initial Service Area Current Development	Initial Service Area Full Buildout	Ultimate Service Area Full Buildout
Average Dry Weather Flow	0.30	1.00	1.00
Average Wet Weather Flow	0.96	1.66	1.66
Peak Wet Weather Flow	1.87	4.7	4.7

11.4.3. Pump Selection

We selected a design flow of 8 L/s, which exceeds the peak wet weather flow, for selecting the proposed pumps. This flow rate ensures a minimum cleansing velocity of 1 m/s is achieved in the force main. A 5 HP Flygt NP 3085 SH 3 256 pump equipped with a 240V single phase motor was selected as the preferred unit. Refer to **Appendix P** for a copy of the preliminary system curve and pump selection.

11.4.4. Above Ground Valve Box

An above ground valve box will be installed on the Alder Avenue Lift Station. The valve box will house the check valve and isolation valve for each pump. Installing the valves in an above ground box eliminates the need for RDOS operational staff to enter the wet well during routine operation and maintenance functions.

² TDH “Total Dynamic Head” - The vertical distance from the elevation of the energy grade line on the suction side of the pump to the elevation of the energy grade line on the discharge side of the pump

11.4.5. Odor Control

A passive carbon filter will be installed on the wet well vent pipe to reduce odors. An odor control system, using injection of odor control chemicals (e.g. Biomaxx), is deemed unnecessary for this small, localized facility.

11.4.6. Standby Power

A standby power unit will be provided in an acoustic enclosure located outside and adjacent to the wet well. The standby power unit is considered prudent as a mitigation measure against the potential risk of a sewage spill or overflow, particularly given the proximity of this lift station to Skaha Lake. We recommend diesel rather than natural gas as the preferred fuel for the standby power unit since the natural gas distribution system can be shut down in the event of a local or regional emergency situation. Diesel is not subject to the same considerations and thus is considered more reliable. The standby power unit comes equipped with a spill containment vessel in case of leakage or a fueling accident.

Lastly, the diesel motor is specifically muffled to reduce noise levels to 65 dB, a standard level for most Okanagan communities.

11.4.7. Emergency Storage

Emergency storage will be provided in the station’s wet well, influent pipe and adjacent storage pipe to contain up to one hour of Peak Wet Weather Flow. **Table 11.2** outlines the total storage volumes required for the initial service area and ultimate service area buildouts.

While the Alder Avenue Lift Station wet well will provide up to 10.2 m³ of storage, based on an initial peak flow of 4.7 L/s, an overflow pipe will be required to accommodate the emergency storage requirement. We recommend installing 10.5 m of 900 mm pipe which will provide an additional 6.7m³ of storage capacity, satisfying the emergency storage requirement for the ultimate buildout scenario.

Using an oversized pipe to provide emergency storage (as opposed to over sizing the wet well) offers several advantages:

- Reduces the overall costs for wet well storage;
- Reduces the short-term costs for wet well storage; and
- Simplifies the wet well and lift station construction.

TABLE 11.2: EMERGENCY STORAGE REQUIREMENTS

Emergency Storage Condition	Initial Service Area Full Buildout	Initial Service Area Full Buildout Storage	Ultimate Service Area Full Buildout	Ultimate Service Area Full Buildout Storage
	Lps	Cubic Meters	Lps	Cubic Meters
Peak Wet Weather Flow	4.7	16.9	4.7	16.9

11.4.8. Wet Well Installation

Since the majority of the wet well for the Alder Avenue Lift Station will be below groundwater levels, the wet well will be constructed by lowering a 2.4 m diameter concrete barrel into the subsurface soils as the interior soils and groundwater are removed. A concrete plug will then be tremied into place to seal the bottom of the concrete barrel, as well as to act as a counterweight against uplift.

11.4.9. Easements and Rights-of-Way

The majority of the sanitary sewer mains and services will be accommodated in gazetted road rights-of way as they are currently configured. Currently, we only see the need for ten additional and separate statutory rights-of-way (SROW) across private properties in order to provide the necessary corridors for the new sewer mains. The addresses of the specific properties and a short explanation of each SROW are provided as follows:

- ROW and Easement details will be available after initial discussions with the property owners

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Copies of the proposed SROW drawings for each affected parcel are provided in **Appendix J**.

11.5. Construction Zoning

For construction within a developed area, we recommend development of a construction and zoning plan that places some control on where and when the contractor can proceed with the work. This plan addresses such things as traffic management, timing of road and boulevard restoration and backfilling requirements. Such a plan endeavors to balance the contractor’s desire to maximize the rate of work (and hence improve profitability and lower costs) with the needs of and impacts upon those living within the work area.

More specifically, the plan places limits on the extent of additional trenching operations until road restoration and cleanup behind the current trenching zone is completed. The plan also ensures the contractor’s operations within key zones does not jeopardize access to other portions of the service area. Further, the construction and zoning plan places areal limits on the extent of unpaved roads where utility installation, clean up and placement of road gravels has already been completed. While this latter condition does add some additional mobilization and demobilization costs for the paving subcontractor, we suggest this premium is offset by savings associated with eliminating both maintenance of graveled surfaces and provision of dust control measures. In addition, paving streets soon after the utility work is completed normally leads to decreased complaints from those impacted by the construction project.

Figures 16.1 and 16.2, Appendix H outline our recommended construction and zoning plan for the collection area. We note that the plan is normally supplemented by zone specific language in the final contract documents and specifications binding the Contractor.

11.6. Pumped Services

In our experience, we’ve encountered a number of approaches to address the cost and installation of pumped services for residential properties connecting to a new sewer system. These are:

1. The homeowner is responsible for the entire cost of supply and installation with no compensation by the governing jurisdiction to offset the additional cost for a pump unit;
2. The homeowner is responsible for the entire cost of supply and installation with some compensation provided by the governing jurisdiction to offset the additional cost for a pump unit. Usually this is a lump sum amount which is identical for all situations where a pump is required;
3. The governing jurisdiction pays for the cost of supply and installation of the pump unit after receipt of three quotes provided by the homeowner. The homeowner is then responsible for overseeing the work and is compensated by the municipality once the work is complete; or
4. The governing jurisdiction pays for the cost of supply and installation of the pump unit after receipt of three quotes provided from contractors. The governing jurisdiction is then responsible for overseeing the work and takes care of payment once the work is completed.

We would not recommend Options 3 and 4, as they carry a significant burden, in terms of resources and risk, for the Regional District.

Option 2 is likely the fairest and simplest approach for the following reasons:

- Easy to administer;
- Homeowner retains responsibility for ownership, operation and maintenance along with the warranties for the materials and labour;
- Treats all properties requiring a pump service equally, irrespective of any individual differences in actual circumstances at each property; and
- Recognizes the incremental cost for a pumped service versus a gravity service.

However, providing compensation for a pumped service does raise a few questions:

- Do the Federal and Provincial grant monies for the project cover the cost of compensation to homeowners for a pumped service?
- Does the project budget have adequate funds for compensation?
- Will homeowners with a pumped service accept compensation which may be less than the actual incremental cost for the pump installation?

We suggest the first two points are the most critical of the three and will be explored during detailed design.

11.7. Residential Connection Program

We expect while the new sewer is being constructed and getting ready for use by the property owners, the RDOS would embark upon a communications plan addressing such matters as:

- Final costs per parcel;
- Payment options; and
- Connection procedures and timelines.

For the latter, we've generated a guideline document, which is contained in **Appendix K**. The guideline is intended to assist homeowners with arranging and organizing the connection of their properties to the new sewer system.

Determining a "typical" cost for a property to complete onsite work, such as decommissioning the septic system and installing the necessary piping to bring it out to the RDOS installed main, is very difficult. A unit cost for each meter of service pipe is also difficult, in that each connection will have its own individual challenges and characteristics. These would include:

- Length of the service;
- Location of the septic tank
- Ease of access;
- Proximity of adjacent structures and trees;
- Any asphalt and concrete driveway cutting and restoration requirements;
- Gravity or pumped connection;
- Landscape and yard restoration requirements;
- Retaining walls;
- Availability of contractors and market conditions; and
- Subsurface conditions including the potential for encountering rock, groundwater or unsuitable soils.

11.8. Maintenance Considerations

Regular maintenance of the entire collection system, including lift stations, is imperative to ensure the functionality, performance and lifespan of each component and the system as a whole. General operations and maintenance recommendations, along with associated costs, have been provided in **Section 13.0** below.

11.9. Preliminary Class B Costing-Collection System Construction

Appendix L summarizes the estimated construction costs for only the Collection System within the service area. See **Section 15.0** of this report for a complete Class 'B' estimate summary for the entire project.

12. KVR TRAIL TRUNK CONVEYANCE SYSTEM

12.1. Introduction

The KVR Trail Trunk Conveyance System consists of the following general elements:

- Ponderosa Avenue Lift Station;
- Five-kilometer-long force main to Okanagan Falls;
- Trestle and highway crossings;
- Approximately 500m of 300 mm diameter gravity main on Cedar Street in Okanagan Falls;
- Tie-in to Cedar Street Trunk Main; and
- Pinch Valve and Odor Control facilities at terminus of the force main.

Each of the components of the trunk conveyance system is discussed in detail in the following pages.

12.2. Existing Utilities

Section 11.2 of this report describes the type and general location of the existing utilities within the Kaleden sewer service area collection system. This section, **Section 12.2**, speaks to the existing utilities impacting design and construction of the Conveyance System.

The most significant utility within the old railway trail corridor is a 400 mm diameter high pressure gas main bisecting the trail alignment. As part of the crossing permitting process, this main will require exposure and confirmation of its exact location and elevation. This can be accomplished with the assistance of a hydrovac truck. The approximate location of the gas line is indicated on **Drawing C20** in **Appendix I**.

Additionally, two drainage culverts cross the trail about 0.66 km and 0.84 km, respectively, north of the trestle. The obvert elevations and exact diameter of the culverts should be confirmed as part of the final design program.

A private residential water line also bisects the KVR some distance north of the trestle crossing the Okanagan River at Okanagan Falls. The location of this water line will also be confirmed with the assistance of a hydrovac truck during the detailed design phase to ensure the main is not damaged during installation of the forcemain.

We also note the potential presence of a private sewer force main crossing the KVR trail near the Ponderosa Resort. We believe this pipe connects the resort with a small tile field adjacent to the trail.

Within the Highway 97 corridor, between the terminus of the KVR trail and Cedar Street, a number of shallow utilities, including a critical fibre optics communications line, will need to be addressed. As part of the crossing

permit process and to avoid potential conflicts with new mains, further information will be required to confirm exact locations and elevations of this existing underground infrastructure.

The Cedar Street right-of-way, between Highway 97 and 13th Street, contains an OK Falls Irrigation District water main on the east side of the street as well as overhead power and communications infrastructure and a gravity sewer main on the west side of the street. These utilities are identified on the plan/profile drawings in **Appendix I**.

12.3. Environmental, Geotechnical and Archeological Considerations

12.3.1. Environmental

As noted in the environmental report contained in **Appendix E**, the trunk conveyance system passes through critical habitat identified for seven species-at-risk listed under the federal Species-At-Risk-Act (SARA).

The species are:

- Western rattlesnake;
- Great basin gopher snake;
- Desert nightsnake;
- Pallid bat;
- Lewis’s woodpecker;
- Yellow breasted chat; and
- Behr’s hairstreak (butterfly).

Based on our preliminary discussions with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development (FLNRORD), we understand the project (land tenure) will not be recommended for approval if critical habitat is destroyed as a result of the planned construction.

Urban Systems undertook a review of the physical habitat in the area and the specific attributes that comprise critical habitat for these species. More importantly, we needed to understand what construction activities could potentially destroy or damage critical habitat in order to determine how best to mitigate any risks associated with the work.

Potential adverse effects to six of the seven species are linked to removal of trees (i.e. pallid bat, Lewis’s woodpecker), removal of rose shrubs (yellow breasted chat), and alteration to rock cliffs (all snake species and pallid bat). For the Kaleden sewer project, tree and/or shrub removal is not expected to occur, or only anticipated in isolated instances. Alteration of rock cliffs will not be included in the scope of work either.

Snakes start returning to their dens in late summer or early fall, with all snakes at their dens by October. Snakes stay at the surface of the den, emerging on warm days until mid-October or, in isolated cases, until November (Environment and Climate Change Canada. 2017).

Therefore, during the proposed fall construction period (i.e. beginning after Labour Day long weekend), snakes will be making their way back to their dens and may pass through the worksite. The construction contract will include provisions to ensure that individual snakes are not harmed.

Construction will be slow moving (50 to 75 m per day) and the open trench will be backfilled each day as construction progresses. During September and October when temperatures are suitable for snake movement, site personnel will visually inspect the worksite throughout the day. Should a snake be observed within the worksite, works will be temporarily halted to allow the individual animal to pass through the site.

Destruction of Behr’s hairstreak butterfly critical habitat could occur by any impacts to, or removal of, antelope-brush. To better understand the potential impacts and how to protect the species, Urban engaged Crispin Guppy,

wildlife habitat biologist and entomologist with Ecofor Consulting BC Ltd, to provide further insights and recommendations for mitigation of potential impacts to the Behr’s hairstreak butterfly. These mitigation measures are identified in **Appendix E**.



To better address the challenges presented by the proximity of the antelope-brush habitat, Urban Systems subsequently mapped the extent and location of antelope-brush within five meters of the KVR trail. Urban also noted where shrubs leaning into the active trail area may be contacted by machinery during the construction process. Location of the antelope brush within the project area is outlined in **Figure 3.2, Appendix E**.

At this point, we have devised a potential mitigation plan for dealing with the antelope-brush during the construction phase. Our contractor consultant, who provides guidance on constructability issues, confirmed that the force main could be installed within a 3.3m wide corridor—enough width to accommodate the excavator tracks.

To protect the antelope-brush, any protruding branches would be tied back, out of the path of the machinery. In a few locations, the branches overhang into the trail by a meter. The thickness and stiffness of the branches in these locations likely precludes tying them back. In such locations, we suggest that cutting a few branches to allow the excavator to pass freely may be less intrusive. For the few branches that may warrant cutting, our environmental staff recommend the branches be inspected for butterfly larva prior to cutting. The branch would then be placed on a live antelope brush bush back from the trail. Where the antelope brush is densely populated along the trail corridor, the environmental report recommends installation of a temporary steel construction fence to protect the antelope-brush and to better demarcate the limits of the corridor for the construction forces. Construction activities would take place after Labour Day weekend to avoid butterfly feeding activities occurring prior to August 10.

We note that the aforementioned mitigation measures would ultimately be contained in a general Environmental Management Plan (EMP). The EMP is included with environmental permitting applications submitted to the Province for the overall project. The EMP will provide watercourse crossing mitigations specifics, an environmental monitoring plan, a spill contingency plan and a species mitigation plan. We also point out that:

- Environmental approvals from the Province can take up to one year to process; and
- There is no guarantee the Province will approve the proposed measures for addressing the antelope brush intrusions into the work area as laid out in this report.

12.3.2. Geotechnical

As mentioned earlier in this document, Interior Testing Services Ltd. completed a geotechnical investigation along the old railway corridor, between Kaleden and the trestle across the Okanagan River, near Okanagan Falls. The field work included excavation of 13 test pits along the route. A copy of the Interior Testing report (Job 19.318 – December 2, 2019) is provided in **Appendix F**.

Highlights of the geotechnical investigation include:

- The route is generally characterized by natural sands and silts overlain by various depths of fill;
- Relatively shallow bedrock (under 1.5 m depth) was encountered in three of the 13 test locations; and
- Groundwater was not encountered in any of the test pits.

In addition to the work carried out by Interior Testing, Urban Systems completed a field reconnaissance exercise using GPS technology to map the extent of rock cuts along the KVR route. The objective was to better identify the limits of those areas where trench rock removal will likely be necessary and, ultimately, determine the probable cost of that trench rock removal. The results of that investigation, coupled with the work completed by Interior Testing, is summarized in the plan/profile drawings for the force main, provided in **Appendix I**. Based upon these observations, the extent of the trench rock removal sections constitutes approximately 15 percent (720m) of the overall five-kilometre force main length.

12.4. Ponderosa Avenue Lift Station

12.4.1. Location and Configuration

At the outset of the assignment, the Regional District and Urban Systems identified two potential sites for the Ponderosa Avenue Lift Station. This is a fairly major facility and consideration of a number of factors entered into the site evaluations. Ultimately the RDOS selected the recommended site just north of 6th Avenue, adjacent to the boat launch access, in Pioneer Park. A summary of the site evaluations is provided in **Appendix O**.

Drawing C28 in **Appendix I** sets out the general layout of the lift station elements. Specifically, the triplex lift station will include:

- A 3.0 m diameter concrete wet well housing the submersible pumps;
- Three 600V, 3-phase, 50 HP submersible pumps that are each rated for 29 L/s at 57.5 m TDH (two pumps will deliver 58 L/s at 57.5 m TDH);
- A 7m x 10m utility building to house process piping, instrumentation, odor control chemicals and electrical controls;
- A standby power unit housed in an acoustic enclosure and installed on a concrete pad; and,
- A 1.2 m diameter emergency storage pipe, discussed further in Section 12.4.7 below.

12.4.2. Design Flows

Table 12.1 below summarizes the near term and future hydraulic loadings that will be imposed on the Ponderosa Avenue Lift Station. Please reference Sections 2 and 4 for an explanation of the development scenarios and the different flow conditions outlined in Table 11.1.

TABLE 12.1: PONDEROSA AVENUE LIFT STATION HYDRAULIC LOADINGS

Flow Condition (Lps)	Initial Service Area Current Development	Initial Service Area Full Buildout	Ultimate Service Area Full Buildout
Average Dry Weather Flow	1.4	3,9	13.5
Average Wet Weather Flow	3.7	6.1	23.2
Peak Wet Weather Flow	8.0	17.8	57.0

12.4.3. Pump Selection

Refer to **Appendix P** for a copy of the preliminary system curve and pump selection. The pumps will be equipped with variable frequency drives (VFD’s) to accommodate the wide flow range as noted in **Table 12.1**. A 50 HP Flygt NP 3202 SH 3 275 pump was selected as the preferred unit. Each pump is capable of delivering between 8 Lps and 29 Lps.

12.4.4. Utility Building

The building will be constructed next to the wet well and will house process piping (including check, isolation and air release valves), instrumentation (including flow meter, pressure transmitter and level transmitter), odor control chemicals, and electrical controls. Locating the process piping and valves in the utility building will eliminate the need to enter the wet well for routine operation and maintenance functions.

At this preliminary state we estimate the building will be approximately 70 m² (10m x 7m) in area constructed of either pre-cast concrete panels or masonry block. Pre-cast concrete panels are manufactured with internal rigid insulation panels and decorative finishes can be added to the exterior of the panels for aesthetic purposes. If a masonry block structure is preferred by the RDOS, we recommend finishing the exterior with rigid insulation and cement board (e.g., Hardie board) for aesthetic purposes.

Process piping, instrumentation, odor control chemicals and electrical equipment will all be housed in a single room.

A public or private washroom can be added to the facility upon request from the RDOS. Of course, this addition would increase the cost of the building, but could offer additional function for the park. If budget is a concern, the facility can be designed to allow for a future washroom expansion if and when funding does become available.

12.4.5. Odor Control

The force main is designed to accommodate peak hour flows from the ultimate Kaleden service area. However, expansion of the service area from the initial Service Area will take many years. The impact of that lengthy development timeframe is that the initial detention time in the force main will be significant, necessitating the need to mitigate the formation of H₂S gas and odors in the system. Furthermore, the station will receive seasonally variable flows, given that many of the homes do not see full occupancy throughout the year. We also anticipate longer detention times in the wet well during winter months. And, lastly, irrespective of the very low initial service population, a five-kilometer long force main will result in lengthy detention times between the lift station and the point of discharge.

All of these factors-- low initial service populations, low winter flows and long detention times-- will likely result in generation of hydrogen sulphide (H₂S) gas and other odors. To address this issue, the Ponderosa Avenue Lift Station will be equipped with measures to reduce/eliminate odor as follows:

- A passive carbon filter will be installed on the wet well vent;
- *Evoqua Bioxide®* or *Biomaxx OXYN8 B*, trademarked liquid phase chemical solutions, will be injected into the sewage as it departs the station via the force main. These chemicals are designed to negate hydrogen sulphide and other odor generation in the force main. The chemical totes and metering equipment will be housed within the proposed utility building. The RDOS can expect to spend \$5,000 to \$25,000 annually for the supply and delivery of Biomaxx. The cost will vary based on recorded H₂S levels.
- An H₂S sensor will be housed in the terminus manhole located at the discharge point of the force main. The sensor will be energized from the flow control kiosk located immediately upstream of the terminus manhole. Data from the sensor will be fed from the sensor back to the flow control kiosk, with the intention that the chemical injection rates can be adjusted as necessary to minimize H₂S formation. The introduction of Bioxide or OXYN8 into the force main will go a long way to managing potential odor issues at both the discharge point and in downstream infrastructure. The chemical can be relatively costly, so careful calibration for the amount of chemical introduced into the force main is very desirable both from a cost and odor perspective. The data collected at the sensing locations will allow operations staff to optimize the dosing rates.

12.4.6. Standby Power

Similar to the Alder Avenue Lift Station, the Ponderosa Avenue Lift Station will be equipped with a diesel genset housed in an acoustic enclosure. The unit will be installed on a concrete pad beside the building.

12.4.7. Emergency Storage

Emergency storage will contain up to one hour of Peak Wet Weather Flow. Storage will be available in the station’s wet well, influent pipe and in an adjacent storage pipe. **Table 12.2** summarizes the total storage volumes required for the initial service area and for the ultimate service area, both at full buildout.

The Ponderosa Avenue Lift Station wet well will provide up to 22.8 m³ of storage with the additional storage available in a 1.2 m diameter pipe installed underground in the 6th Street and Ponderosa Avenue rights-of-way. Initially, some 36 m of 1.2 m diameter pipe will be installed, increasing the total available storage to 64 m³. This storage pipe must eventually be extended an additional 124 m (160 m total length) to satisfy the 205 m³ storage requirements for the ultimate buildout scenario.

The storage pipe will be graded back to the wet well allowing the storage pipe to drain after each use.

TABLE 12.2: EMERGENCY STORAGE REQUIREMENTS

Emergency Storage Condition	Initial Service Area Full Buildout	Initial Service Area Full Buildout Storage	Ultimate Service Area Full Buildout	Ultimate Service Area Full Buildout Storage
	Lps	Cubic Meters	Lps	Cubic Meters
Peak Wet Weather Flow	17.8	64	57.0	205

The 1.2 m diameter storage pipe can be extended further northward on Ponderosa Avenue at some point in the future, as demands on the system dictate. Unfortunately, extending the storage pipe northward will be expensive and disruptive to the newly finished Pioneer Park parking lot. Installation of the storage main will necessitate removal and replacement of the existing drainage swale, catch basins and a portion of the western perimeter of the parking lot. Any future funding for the extension of the storage pipe should be sufficient to cover costs for restoration of the surface works.

12.4.8. Other Features

Other features of the Ponderosa Avenue Lift Station design include:

- Cost effective wet well selection – Similarly to the Alder Avenue Lift Station, the Ponderosa Avenue Lift Station will be installed below the groundwater level in manner that does not require expensive dewatering.
- Allowance for wash water supply - Water supply for the station will be available from the nearby Kaleden Irrigation District system.
- Means for cleaning the force main - A pigging station to allow cleaning of the force main as required.

12.5. Force Main to Okanagan Falls

Drawings C14 - C25, contained in **Appendix I**, outline the preliminary details for the force main construction.

Ultimately, at full buildout of the Kaleden community and well beyond the limits of the initial phase of the sewer program, the force main must be capable of conveying peak wet weather flow of 57 Lps (Reference **Section 4** above). To provide for a minimum flushing velocity of 1 m/sec, the diameter of the main must be in the order of 250 mm for this peak flow rate. DR 25 PVC pipe conforming to AWWA C-900, with an interior diameter of 258 mm, nicely accommodates this requirement. In addition, our construction consultant advises us that the narrow construction corridor associated with the KVR route for the force main lends itself well to a bell and spigot type of pipe, rather than a fused HDPE alternative.

The option of decreasing the pipe diameter (to save costs) and increasing the fluid velocity unfortunately is not viable. The hydraulic friction losses associated with the five-kilometer long pipe escalate quickly once velocities increase much above 1 m/sec. Installing two smaller mains (say 2- 200 diameter pipes) would increase costs and introduce hydraulic complications related to the very lengthy force main.

The force main will be installed with a saw tooth profile in order to create high points where air release valves can release air pockets. A.R.I. Model D-0205B Direct Bury combination air valves (or equivalent) lend themselves well for this project since the direct bury feature will not interfere with traffic on the trail and obviates any confined space issues.

The force main will be attached to the existing pedestrian trestle crossing the Okanagan River, near the outlet of Skaha Lake. This crossing will consist of a steel pipe conduit, insulated and heat traced, with protective aluminum jacket encasing the pipe and insulation. Additional details on the trestle crossing are provided in **Section 12.6** below.

Farther south, the force main will cross under Highway 97. The Ministry of Transportation and Infrastructure (MOTI) has confirmed that the force main crossing under Highway 97 must be installed by boring, auguring or some other trenchless method. In addition, the force main must be contained within a steel casing pipe. To accommodate the carrier pipe and appropriate spacers and fittings, a 450mm steel casing will be required, approximately 16m in length.

The terminus of the force main will be on Cedar Street, just south of Highway 97, in Okanagan Falls. Currently, the downstream mains provide limited capacity for the proposed flows from Kaleden. This challenge will be met with installation of about 470 m of new 300 mm diameter gravity main along Cedar Street, connecting at the intersection of Cedar Street and 13th Avenue. This upgrade is discussed in some detail in **Appendix O**.

The highest point along the force main route will be south of the Ponderosa Avenue Lift Station, where the summit of the hill is higher than the terminus of the force main in Okanagan Falls. After completion of a transient analysis assessing the effects of water hammer on the proposed force main, we determined the need for a pinch valve to keep the force main full and maintain a fixed upstream pressure. A modulating pinch valve will be installed in a kiosk located immediately upstream of the force main discharge point on Cedar Street. The pinch valve will normally be closed to prevent the force main from draining and will modulate so as to maintain a constant upstream pressure when the Ponderosa Avenue Lift Station operates. A copy of the transient analysis is included in **Appendix Q**.

The transient analysis also identified the need for three 50 mm combination air release and air/vacuum valves to alleviate negative pressures should a sudden pump stoppage occur, usually immediately following a system power failure. The required air valves are identified on the preliminary drawings contained in **Appendix I**.

12.6. Okanagan River Pedestrian Trestle

The KVR trail corridor crosses the Okanagan River slightly north of Okanagan Falls. The trail utilizes a former railway trestle, modified to accommodate pedestrian traffic only. Vehicles are prohibited from using the trestle.

Where the force main crosses the Okanagan River, we propose it be attached to the outside of the trestle, on the west side. The west side of the structure provides more heat from the sun in winter and, additionally, avoids any conflicts with the diving platforms on the trestle. The carrier pipe will be steel, equipped with a premanufactured insulation collar and a polyethylene, protective jacket. The pipe will also be provided with heat tracing to supplement the insulation. Details of the connection are provided in **Drawing D02** in **Appendix I**.

The Regional District recently received a report from the Ministry of Forests, Lands, Natural Resources Operations & Rural Development which summarizes the results of a condition assessment of the trestle. A copy of the Ministry's report is provided in **Appendix M**. Generally speaking, the trestle is in good condition. Some immediate work is needed on several wooden piles to extend their life. Five piles appear to need replacement in the near future. Both abutments will need work in the next couple of years.

Our structural sub-consultant, CWMM Consulting Engineers, also examined the trestle, with a view to connecting the insulated force main to the trestle. A copy of the CWMM report is provided in **Appendix M**.

The main conclusion drawn from the CWMM report is as follows:

"Recognizing there is no pedestrian loading on the outer edges of the pier cap, the trestle pier cap and outermost pile were found to be able to safely support the marginal new sewer pipe loading."

The RDOS may wish to consider economies of scale by incorporating identified work at the two abutments into the construction contract for the force main. Presumably the abutment replacement work would be funded separately. The insulated force main will penetrate both the north and south abutments.

Co-ordinating both initiatives will avoid duplication of costs and, potentially, any higher costs for the abutment replacement if the force main is in place prior to the abutment replacement work.

We recommend that the RDOS initiate the abutment replacement design and budget allocation well in advance of tendering the Kaleden sewer project.

12.7. Access to the Force Main Corridor

During our earlier discussions with the RDOS, we highlighted that construction access to the KVR trail, between Kaleden and Okanagan Falls, is absolutely critical to the financial and physical success of this project if the force main from Kaleden is to be aligned within the trail. The trestle at the south end of the trail is physically and structurally inadequate for heavy, wide construction equipment. At the north end, the trail width through the Ponderosa Resort property is entirely too narrow to reasonably accommodate construction activities. Further, we note a designated right-of way through the Ponderosa Resort lands to accommodate the trail is currently not in place.

We've identified several potential solutions for access to the railway grade:

- Arrange for a temporary construction right-of-way through the Ponderosa Resort property. However, the April-October tourist season may dictate construction in less desirable months of the year.
- Negotiate a temporary (or possibly permanent) construction right-of-way nearer the south end of the project, about one kilometer north of the trestle. At the moment, the lakefront property east of the rail right-of-way is accessed via an easement from the Old Kaleden Highway. Is it possible to arrange for access down this easement for construction traffic?
- Investigate a potential access from Highway 3A down to the former railway right-of way. Is it possible to arrange for access down this easement for construction traffic?

We strongly recommend that prior to finalizing the design and proceeding to the tender phase, the temporary access solutions be in place with the respective landowners.

Reference **Appendix N** for additional information on the location and extent of these suggested access points.

12.8. Road Restoration

Design and construction of the trunk conveyance system (and associated costing) must also account for the MOTI's position on road restoration. As with the roads in the collection system, MOTI has also indicated that for all roads, if the paved surface is disturbed, a minimum of one half of the road must be fully replaced. No partial lane replacement will be permitted. This condition primarily affects work on Cedar Street in Okanagan Falls.

12.9. Preliminary Class B Costing—KVR Trail Trunk Conveyance System

Appendix L summarizes the preliminary design level estimated construction costs for the KVR Trail Trunk Conveyance System only. The KVR Trail Trunk Conveyance system consists of the Ponderosa Avenue Lift Station, the force main, trestle crossing, Cedar Street gravity main and the connection point with the Okanagan Falls sanitary sewer system. See **Section 15.0** of this report for a complete Class 'B' estimate summary for the entire project.

13. MAINTENANCE CONSIDERATIONS

The required maintenance tasks for the Kaleden sewer project are summarized in **Table 13.1**. This table is intended to highlight major tasks and does not identify every task that may need to be completed over the service life of the infrastructure.

TABLE 13.1: RECOMMENDED MAINTENANCE SUMMARY

Component	Routine Maintenance Tasks	Estimated Annual Cost
Gravity Sewer Collection System	<ul style="list-style-type: none"> General O&M – pipes (\$1.50/m) 	<ul style="list-style-type: none"> \$7,945
Lift Stations	<ul style="list-style-type: none"> Inspect building or kiosk weekly (4hrs) Test backup power monthly (2hrs) Replace chemical metering pump parts as required, arranging for chemical deliveries, changing out drums or totes as needed, reviewing H₂S data periodically and adjusting dosage rates, and periodically cleaning injection quill (30hrs every 6 months) Test check valves every six months to a year (2hr per LS) Maintain HVAC equipment as specified (20 hrs) Test chemical secondary containment system annually (4hrs) Exercise internal valves annually (2hrs per LS) Unblock pumps as needed 	<ul style="list-style-type: none"> \$13,520 \$1,560 \$3,900 \$260 \$1,300 \$260 \$260
Force Mains	<ul style="list-style-type: none"> General O&M – pipes (\$1.50/m) 	<ul style="list-style-type: none"> \$7,040
Flow Control Kiosk	<ul style="list-style-type: none"> Lubricate valve and actuator each month (4hrs per month) Calibrate and maintain H₂S sensor as per supplier recommendations (20 hrs per year) 	<ul style="list-style-type: none"> \$3,120 \$1,300
TOTAL:		\$40,465/ year

Notes:

1. Labour cost of \$65/hr used in above estimates.

14. KNOWN UNCERTAINTIES AND RISKS

At the conclusion of the preliminary design stage, some items were identified as requiring additional investigation. The RDOS should be aware of a number of uncertainties and risks associated with the project that may impact both cost and schedule. These include:

- Extent of bedrock on the KVR Trail – level of information needs to be increased;
- Construction access approval – subject to private property owners’ co-operation;
- Statutory right-of-way acquisitions – subject to private property owners’ co-operation;
- Government agency approvals – lengthy approval process and subject to Ministry staff position;
- FortisBC’s commitment to providing a timely power supply to the lift stations;
- Public reaction to KVR trail closure during construction period;
- Downstream capacity – real time flow measurement and capacity analysis confirmed;
- Accuracy of KID record information – needs to be confirmed with additional field effort; and
- Restoration requirements of the KVR trail – can we re-use existing materials or is there a stringent RDOS specification for the trail replacement?

15. PREDESIGN COSTING SUMMARY

Construction costs for the Kaleden sewer system, including both collection and conveyance systems, are summarized in **Table 15.1** below. In addition, we summarized costs already incurred by the RDOS for preliminary designs for both the Skaha Estates and Kaleden systems and have accounted for anticipated detailed design costs to advance the current design through to award of the construction contract.

TABLE 15.1: COLLECTION AND TRUNK CONVEYANCE SYSTEM - PRELIMINARY CLASS 'B' ESTIMATE

Project Element	Class "B" Estimate	Grant Funding Portion	Kaleden Portion
Preliminary Design			
- Kaleden Preliminary Design	\$ 240,800	\$ 160,500	\$ 80,300
- Skaha Estates Preliminary Design (*Remaining \$109,900 paid by Electoral Area D)	\$ 329,800	\$ 219,900	
Detailed Design			
- Engineering (Including tendering services and expanded service area)	\$ 210,200	\$ 140,100	\$ 70,100
- Additional Geotechnical Investigation	\$ 15,000	\$ 10,000	\$ 5,000
- Additional Surveys	\$ 10,000	\$ 6,700	\$ 3,300
- Additional Environmental	\$ 7,600	\$ 5,100	\$ 2,500
- Additional Structural Design	\$ 15,000	\$ 10,000	\$ 5,000
- Pre-locate Utilities	\$ 10,000	\$ 6,700	\$ 3,300
- Public Engagement and Communications	\$ 60,000	\$ 40,000	\$ 20,000
- Archaeological Pre-Construction Field Work, Permit, and Reporting (Per PIBNR Memo)	\$ 77,400	\$ 51,600	\$ 25,800
Construction costs			
- Collection System only (Appendix)	\$ 2,937,700	\$ 1,958,500	\$ 979,200
- Trunk Conveyance System only (Appendix)	\$ 4,049,600	\$ 2,699,700	\$ 1,349,900
- Construction Engineering Services (per USL proposal) Plus Expanded Service Area	\$ 378,200	\$ 252,100	\$ 126,100
- Public Communications	\$ 50,000	\$ 33,300	\$ 16,700
- Environmental Monitoring Allowance (Estimate 12hrs/wk, 4 months)	\$ 42,100	\$ 28,100	\$ 14,000
- Archaeological Monitoring Allowance (Per PIBNR Memo)	\$ 74,600	\$ 49,700	\$ 24,900
- Geotechnical Testing Quality Assurance	\$ 20,000	\$ 13,300	\$ 6,700
Subtotal	\$ 8,528,000	\$ 5,685,300	\$ 2,732,800
Contingency allowance (15%) - Applied to Detailed Design and Construction Costs Only	\$ 1,193,600	\$ 795,700	\$ 397,900
TOTAL (Excl. GST):	\$ 9,722,000	\$ 6,481,000	\$ 3,131,000

Costing Summary Notes:

Engineering fees and archeological/environmental monitoring reflect administration of a single construction contract comprised of both the collection system and the trunk conveyance system works.

A Class B estimate is categorized as follows:

“This estimate is prepared after site investigations and studies have been completed and the major systems defined. It is based on a project brief and preliminary design. It is used for obtaining firm financial commitments, budgetary control and design cost control. A contingency allowance of 15% plus engineering and other allowances is appropriate for this class of estimate.”

We also note the cost estimate reflects current and general 2021 construction year values and therefore should be modified for inflation and local construction cost increases for the actual year of construction.

No allowances have been made in the estimate for:

- Private homeowner connection charges;
- Statutory rights-of-way or private property acquisitions;
- Legal fees and legal survey fees;
- Interim or short-term financing;
- Municipal Financing Authority charges;
- RDOS and/ or KID staff administration charges; or
- Goods and Services Tax (GST)

16. SCHEDULE AND CONSTRUCTION

With input from our construction consultant, we developed a preliminary construction schedule:

- Designed to minimize impacts to residents while maintaining construction efficiencies,
- That can be completed in one construction season; and
- That reduces or prevents risks to sensitive species and critical habitat.

In conjunction with the construction zoning plan (**Figures 16.1 and 16.2, Appendix H**), we believe construction could commence as early as Spring, 2021 with commissioning completed by the end of 2022, barring any challenges or delays receiving all necessary permits and approvals. We base this belief on the following strategy:

- Construction start-up –Spring 2021
- Kaleden Collection System – Spring to late fall 2021 (possibly multiple crews – multiple mainline crews and Alder Avenue Lift Station crew)
- Cedar Street gravity system –three to four weeks between Spring and Summer 2021
- Ponderosa Avenue Lift Station – Fall 2021
- Kaleden/KVR Trail force main to Cedar Street tie-in – Fall 2021 within the allowable environmental work window and outside of peak trail user season
- Final miscellaneous items – wrapping up in 2022

17. NEXT STEPS

Assuming funding for this project is confirmed, we suggest the following steps be initiated prior to tendering the project. A number of them are time sensitive.

17.1. Meeting with MOTI and Kaleden Irrigation District

Since MOTI will be approving the application to construct works within their rights-of-way, we suggest an early meeting with that agency to ensure they are “on board” with the project and the impacts on their infrastructure. In addition, road restoration prescriptions will be confirmed.

Similarly, KID will be substantially impacted by the construction and we understand KID may be contemplating a new supply main up Lakehill Road. An early meeting with KID to discuss partnering and co-operation related to the project is deemed highly worthwhile.

17.2. Arrange for Power Supply for Lift Stations

We recommend initiating the process with Fortis BC as early as possible, given the length of time required to arrange for third party utilities work.

17.3. Secure Construction Access Points

This topic is discussed in **Section 12.7** of this report. Addressing this topic is considered a high priority for the project.

17.4. Questionnaires

Individual questionnaires to each property owner should be issued as soon as the design phase is initiated. These questionnaires provide valuable information to the designer and, as well, can generate insightful conversations between the design team and the property owners.

17.5. Additional Surveys

The survey work required to complete the design will entail acquiring main floor and/or basement elevations in order to establish service elevations at both the property line and at the main. Road cross-sections will be needed to re-establish roads to their existing locations and elevations. Additional survey information will be needed to confirm the location and/or grades of existing utilities within the construction area, including Cedar Street. Lastly, elevations of the cross-members of the trestle should be confirmed in order to establish precise settings for the hangers supporting the insulated pipe crossing.

17.6. Rights-of-Way Acquisition

The preliminary design is based upon the assumption that all rights-of-way through private properties can be acquired by the RDOS. The process of contacting the individual property owners and confirming the rights-of-way is time critical and should be initiated as early as possible.

17.7. Additional Geotechnical work

We expect that some additional drill holes will be needed to more accurately define the extent and depth of bedrock on the KVR force main route. In addition, we recommend additional test holes south of the trestle up to the point of connection with the Okanagan Falls collection system and at the augured crossing location under Highway 97. At the moment, we do not have geotechnical information for this segment of the force main construction.

17.8. Expose Key Points of Vertical Conflict

The expense of dealing with grade conflicts during construction can be significant, both in terms of time and cost. We recommend where there may be potential grade conflicts between the existing storm and water mains and the proposed new sewer main, the existing utilities be exposed during the design stage in order to verify the pipe obverts. The location and elevation of the existing KID water supply main running up Lakehill Road should also be verified. We noted earlier that exposing the gas main under the KVR trails will be required as part of the crossing application to FortisBC Gas. The private water line and two drainage culverts north of the trestle should also be checked at the same time for invert elevation and grade across the trail.

17.9. Finalize Plan/Profile drawings

The plan/profile drawings provided at the preliminary design stage will need to be modified and adjusted to reflect the new information generated by the questionnaire process and the basement/main floor surveys. We expect that a number of sewer main depths and profiles will need adjustment.

17.10. Finalize Detail Drawings

The details provided in the preliminary design report are generally schematic in nature. The final design package will require far more details in order to supplement the MMCD contract. Of particular note will be the undercrossing details required for sanitary service connections beneath the existing asbestos cement water mains. The detail will need to address the fragility of the AC piping relative to any settlement underneath the conduit.

17.11. Finalize Lift Station Design

As with the detail drawings, the preliminary design report does not provide a design level of detail for the lift stations. Mechanical, electrical, architectural, civil and structural input will be required. In addition, the pump selection and system hydraulics should be reviewed and confirmed during the design process.

17.12. Approvals

Approvals for this project will be required from:

- MOTI – An Application to Construct Works in a Public Right-of-Way will be required from the Ministry.
- FLNRORD and DFO – We anticipate approvals to construct works on the KVR trail, including installing the pipe on the trestle, may take up to a year. Preparation and submission of the following applications should be completed as soon as possible, perhaps even before the referendum process, as the approvals are often time critical.
 - Environmental Management Plan (EMP)
This plan typically guides the development of environmental work plans for construction activities and provides effective environmental protection during the construction and operations phases of the project. The EMP typically includes the environmental monitoring program, identifies reporting requirements and outlines an emergency response plan.
 - WSA Section 11 Approval Application
A Water Sustainability Act (WSA) Section 11 Notification Application will be needed for the aerial crossing of the sewer line on the trestle crossing the Okanagan River. This application would also cover crossing of multiple streams along the proposed project site.
 - WSA Section 10 Short-term Use Approval
During construction of the sewage pump stations and Alder Avenue sewer mains, groundwater from well-point watering will need to be pumped and discharged. A Section 10 Short-term Use approval from FLNRO will be required.

- Crown Land Tenure
All utilities located on Crown land require permission from the Province to use the land. This permission will be obtained via an application under the Land Act. We expect the entirety length of the force main within the KVR trail will require either a Licence of Occupation or a statutory Right-Of-Way.
- First Nations – Continue with PFR and apply for permit to alter if necessary.
- FortisBC Gas – RDOS will need to apply for a pipeline right-of-way permit at <https://www.fortisbc.com/build-renovate/pipeline-right-of-way-permits>. The permit application is reviewed by FortisBC’s engineering department and they will provide RDOS with their specific requirements and the applicable Oil and Gas Commission (OGC) regulations. Such requirements will likely include minimum separation, crossing angle and the requirements for ground disturbance activities and heavy equipment use around the pipeline. This approval will likely only be required for the transmission main crossing on the KVR.

17.13. Supplementary Specifications and Measurement and Payment Clauses

While MMCD is an admirable contract document, retro fit projects such as Kaleden sewer project necessitate development of additional specific technical and contractual language. Equally as important is provision of measurement and payment clauses for each of the units of work associated with the project, many of which are not covered within the base MMCD document. The standard details contained within the MMCD document itself will also need modification and adaptation to suit this particular project.

17.14. Public Consultation

An ongoing public consultation and information program will be essential to the success of the project. The public will need to be kept informed on an ongoing basis about the progress of both the design and construction phases. Further, we recommend the residents be made very much aware that the construction will be disruptive and noisy, since these inconveniences come with utility and road construction within developed residential neighborhoods. We believe being candid about the construction impacts upfront will keep expectations in check, rather than painting too rosy a picture initially and face criticism later when the reality becomes apparent.

17.15. Evaluate Alternative Procurement Models

Historically, communities and governments have tendered and awarded capital projects to the lowest tenderer, assuming of course that contractor has submitted a compliant tender. The MMCD tender documents are founded on that model. Unfortunately, the lowest tender does not necessarily mean that the contractor has the requisite experience working in developed areas and/or will not be prone to submit a continuous string of extra claims to make up for a tender price that was too low.

Amongst some of our municipal clients we are seeing innovative and successful alternatives to the historical low bid ethos. These include:

- *Prequalification of contractors:* Under this model, the RDOS would issue a request for qualifications, similar to the process used for selecting consultants. A short list of three or four qualified contractors is prepared and these firms are then asked to submit competitive tenders. The benefit of this model is that only those contractors with a history of successfully completing similar retrofit projects in a co-operative partnering fashion are eligible to participate in the tendering process.

- *Modified MMCD tender documents:* A recent court case decision has opened the doors for municipalities to include selection criteria other than price into the MMCD form of contract. This approach eliminates the prequalification step while incorporating the benefits of a prequalification process.
- *Negotiated Request for Proposal:* The City of Kamloops has adopted this model of procurement for larger capital projects and is extremely pleased with the results. This approach requires the contractors to submit a proposal, (including detailed pricing based on a standard Schedule of Quantities and Prices) rather than a tender. The appeal of this model is that the contractors can provide suggestions, ideas and pricing alternatives that otherwise cannot be submitted to the Owner under the traditional tender process. The final result is a negotiated contract and price, although the price originally submitted with the proposal would only change (up or down) where the scope changes significantly from that outlined in the final design documents provided by the Consultant.

17.16. Other Considerations

Other items the RDOS may want to consider initiating prior to (or as part of) the detailed design work which will further support the design, design assumptions or proposed construction schedule include:

- Timing of any tree removals should be carried out to avoid any bird nesting issues.
- Completion of any engineering designs for the north and south abutments of the pedestrian trestle across the Okanagan River.
- Real-time flow measurement and downstream analysis update. We recommend the RDOS acquire reliable data on daytime peak flows and night low flows in order that the assumptions and calculations completed earlier by Urban Systems can be confirmed.

17.17. Summary

Please note items **17.1 - 17.16** are not an exhaustive summary. The items listed above are seen as significant tasks that should be considered when setting a timeline to complete the project as well as to address regulatory, coordination and design matters. Many of the items are already included in the detailed design phase scope for the consulting assignment. Others have been identified as the preliminary design phase has unfolded. **Table 17.1** below summarizes key elements of the project and assigns a rating to the element in terms of its urgency from a schedule and impacts perspective.

TABLE 17.1: PRIORITY POST PRELIMINARY DESIGN TASKS

Project Element	Urgency Rating
Preparation and submission of FLNRORD and DFO approvals (tenure, environmental, fisheries)	Critical - could take one year
Access permission to KVR trail	High
SROW acquisitions	High
FortisBC power service to lift stations	High
Trestle abutment design	High
Additional geotechnical investigation	Moderate
Additional Surveys	Moderate
Vertical conflicts investigation	High-especially for FortisBC Gas approval
Issue homeowner questionnaires	High
MOTI approval	High
Downstream flow monitoring and capacity analysis	Critical - hopefully confirms assumptions and calculations made for preliminary design purposes

The RDOS may wish to consider initiating action on some or all of these items in advance of public consultation and information activities, the Bylaw referendum, as well as the final design and tendering phases for the project. Given the critical nature and the time sensitivity of several these items, a proactive and early course of action is recommended to realize their early resolution.



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, June 4, 2020

11:00 am

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of June 4, 2020 be adopted.

1. Consent Agenda – Corporate Issues

a. Corporate Services Committee – May 21, 2020

THAT the Minutes of the May 21, 2020 Corporate Services Committee meeting be received.

THAT the Committee recommend that Board of Directors adopt the UBCM Meeting Request Policy.

b. Planning and Development Committee – May 21, 2020

THAT the Minutes of the May 21, 2020 Planning and Development Committee meeting be received.

THAT the Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw No. 2862 proceed to first reading.

c. Protective Services Committee – May 21, 2020

THAT the Minutes of the May 21, 2020 Protective Services Committee meeting be received.

THAT the Protective Services Committee recommend that Bylaw No. 2901, 2020, being of the Regional District of Okanagan-Similkameen, to regulate the administration and operation of the Regional Emergency Management Program be given first, second and third readings and adopted by the Board of Directors.

d. RDOS Regular Board Meeting – May 21, 2020

THAT the minutes of the May 21, 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. Development Variance Permit Application – 1802 45th Street, Osoyoos/Area “A”**

- i. Permit

THAT Development Variance Permit No. A2020.004-DVP be approved.

b. Temporary Use Permit Application – Electoral Area “E”

- i. Permit
- ii. Representations

THAT Temporary Use Permit No. E2020.003-TUP be approved.

c. Temporary Use Permit Application – Electoral Area “E”

- i. Permit
- ii. Representations

THAT Temporary Use Permit No. E2020.005-TUP be approved.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

THAT the Consent Agenda – Development Services be adopted.

B. DELEGATIONS**1. Mr. Dan Albas, Member of Parliament**

MP Albas will address the Board to with regards to 5G networks.

C. DEVELOPMENT SERVICES**1. Appointment of Bylaw Enforcement Officer**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

THAT the Regional District of Okanagan-Similkameen Board appoint Wayne Belleville as a Bylaw Enforcement Officer to enforce regulatory bylaws for the Regional District of Okanagan-Similkameen.

D. DEVELOPMENT SERVICES – Building Inspection**1. Building Bylaw Infraction at 117/115 Farleigh Lake Road, Electoral Area “I”**

RECOMMENDATION 5 (Unweighted Rural 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 15, District Lot 1444, District Plan KAP23234, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805; and

THAT injunctive action be commenced.

2. Building Bylaw Infraction at 465 North Beach Road, Electoral Area “F”

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

THAT, if an application for a building permit and a Watercourse Development Permit has not been submitted by September 30, 2020, 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 12, Plan KAP11635, District Lot 2694, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805; and

THAT injunctive action be commenced.

3. Building Bylaw Infraction at 2881 Princeton-Summerland Road, Electoral Area “H”

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 14, Plan KAP30710, District Lot 2140 KDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805; and

THAT injunctive action be commenced.

4. Building Bylaw Infraction at 3582 Princeton-Summerland Road, Electoral Area “H”

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, Plan 29330, District Lot 2075, KDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805.

5. Building Bylaw Infraction at 3027 Spruce Drive, Electoral Area “E”

RECOMMENDATION 9 (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 2, Plan KAP24519, District Lots 207 and 266, SDYD, that certain works have been undertaken on

the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805.

6. **Building Bylaw Infraction at 2620 Nicola Avenue, Electoral Area “H”** **RECOMMENDATION 10** (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 Parcel A (KJ30021), Block 17, District Lot 128 YDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805.

7. **Building Bylaw Infraction at 99 Apex Mountain Road, Electoral Area “I”**

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 1801, Plan 14698 Except Plans H13599 & KAP54136, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805; and
THAT injunctive action be commenced.

8. **Building Bylaw Infraction at 8490 Princeton-Summerland, Electoral Area “F”**

RECOMMENDATION 12 (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 6, District Lot 2888, Plan 647, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805; and
THAT injunctive action be commenced.

E. DEVELOPMENT SERVICES – Rural Land Use Matters

1. **Development Variance Permit Application – 3008 Highway 5A, Allison Lake/ Area H**
 - a. Permit
 - b. Representations

To allow for the construction of an accessory structure.

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)

THAT Development Variance Permit No. H2019.031-DVP be approved.

2. Development Variance Permit Application – 407 Valiant Drive, Electoral Area “F”

- a. Permit
- b. Representations

To increase the maximum height for a retaining wall.

RECOMMENDATION 14 (Unweighted Rural Vote – Simple Majority)

THAT Development Variance Permit No. F2020.003-DVP be approved.

3. Official Community Plan (OCP) and Zoning Bylaw Amendment – Electoral Area “I” Apex Mountain Zone Review

- a. Bylaw No. 2683.03
- b. Bylaw No. 2457.26
- c. Representations

RECOMMENDATION 15 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2683.03, 2020, Electoral Area “I” Official Community Plan Amendment Bylaw and Bylaw No. 2457.26, 2020, Electoral Area “I” Zoning Amendment Bylaw be read a third time and adopted.

4. Temporary Use Permit Application – 3055 Hayman Road, Electoral Area “E”

- a. Permit
- b. Representations

RECOMMENDATION 16 (Unweighted Rural Vote – Simple Majority)

THAT Temporary Use Permit No. E2020.004-TUP be approved.

5. Zoning Bylaw Amendment – 256 Copper Mountain Road, Electoral Area “H”

- a. Bylaw No. 2498.21

RECOMMENDATION 17 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2498.21, 2020, Electoral Area “H” Zoning Amendment Bylaw be adopted.

6. Zoning Bylaw Amendment – Duplex Zone Review (Residential Zone Update – Phase 2) Electoral Areas “A”, “C”, “D”, and “E”

- a. Bylaw No. 2886

RECOMMENDATION 18 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2886, 2020, Regional District of Okanagan-Similkameen Duplex Zone Update Amendment Bylaw be adopted.

7. Zoning Bylaw Amendment – 8025 Princeton-Summerland Road, Electoral Area “F”

- a. Bylaw 2461.14
b. Representations

RECOMMENDATION 19 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2461.14, 2020, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of July 16, 2020;

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

AND THAT a statutory covenant be registered on title prior to bylaw adoption to ensure the home industry operations are fully contained and within a sound-dampened building.

8. Regional District of Okanagan-Similkameen Wildfire Hazard Development Permit Area Project – Contract Award

RECOMMENDATION 20 (Weighted Corporate Vote – Majority)

THAT the Board of Directors award the RDOS Wildfire Hazard Mapping and Development Permit Area Guidelines Project contract to B.A. Blackwell & Associates in the amount of \$49,896.00.

9. Statement of Significance – David Woodbury McLellan Residence, 995 Ellis Avenue, Hedley, BC

- a. Statement of Significance

RECOMMENDATION 21 (Unweighted Rural Vote – Simple Majority)

THAT the David Woodbury McLellan Residence be included on the RDOS Community Heritage Register.

F. FINANCE**1. Area "H" Community Works (Gas Tax) Reserve Expenditure Bylaw**

- a. Bylaw No. 2902
- b. Quote

RECOMMENDATION 22 (Weighted Corporate Vote – Majority)

Bylaw No.2902, 2020, Electoral Area "H" Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$26,515.98 for the installation of a community domestic water system at the Coalmont Fire Hall be given first, second, and third readings and adopted.

G. LEGISLATIVE SERVICES**1. Okanagan Falls Sanitary Sewer Service Petition**

- a. Bylaw 1239.08

RECOMMENDATION 23 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 1239.08, 2020 Okanagan Falls Sanitary Sewer Service Area Extension Bylaw be read a first, second and third time.

2. Willowbrook Fire Protection Local Service Establishment Amendment Bylaw

- a. Bylaw 2388.03
- b. Bylaw 1388.02
- c. Bylaw 2874

RECOMMENDATION 24 (Unweighted Corporate Vote – Simple Majority)

- 1. THAT Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.03, 2020, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval.**
 - 2. THAT first, second and third readings of Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.02, 2019 and Willowbrook Fire Truck Acquisition Loan Authorization Bylaw No. 2874, 2019 be rescinded and the bylaws abandoned.**
-

3. Emergency Program Regulatory Bylaw

- a. Bylaw 2901

RECOMMENDATION 25 (Unweighted Corporate Vote – Simple Majority)

That Bylaw 2901, 2020, being a bylaw of the Regional District of Okanagan Similkameen to regulate the administration and operation of the Regional Emergency Management Program be read a first, second and third time and adopted.

4. Open Burning Regulations Bylaw

- a. Bylaw No. 2898
- b. Bylaw No. 2364

RECOMMENDATION 26 (Unweighted Participant Vote “A”, “B”, “C”, “D”, “E”, “G”, “I” – Simple Majority)

THAT Bylaw No. 2898, 2020 Regional District of Okanagan-Similkameen Open Burning Regulations Bylaw be read a first, second and third time and be adopted.

5. UBCM Meeting Request Policy

- a. Policy

RECOMMENDATION 27 (Unweighted Corporate Vote – Simple Majority)

THAT the UBCM Meeting Request Policy be adopted.

H. CAO REPORTS**1. Verbal Update**

I. OTHER BUSINESS**1. Chair’s Report**

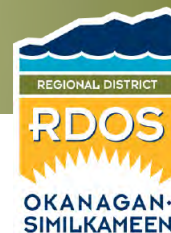
2. Directors Motions – Chair Kozakevich

RECOMMENDATION 28 (Unweighted Corporate Vote – Simple Majority)

That staff bring forward options for zoning regulations to govern the placement of solar energy devices including but not limited to solar panels and solar trees.

3. Board Members Verbal Update

J. ADJOURNMENT



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee**

Thursday, May 21, 2020
9:02 am

MINUTES

MEMBERS PRESENT:

- Chair K. Kozakevich, Electoral Area "E"
- Vice Chair D. Holmes, District of Summerland
- * Director M. Bauer, Village of Keremeos
- * 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 R. Gettens, Electoral Area "F"
- * Director J. Kimberley, City of Penticton
- * Director R. Knodel, Electoral Area "C"
- * 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"
- * Director J. Vassilaki, City of Penticton
- Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

STAFF PRESENT:

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

* denotes electronic attendance

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Corporate Services Meeting of May 21, 2020 be amended to add Item E Potential Projects List. - **CARRIED**

B. CLOSED SESSION

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT in accordance with Section 90(1) (k) of the Community Charter, the Committee close the meeting to the public on the basis of regional service that are at their preliminary stages and that, in the view of the Regional District, could reasonably be expected to harm the interests of the Regional District if they were held in public. – **CARRIED**

Opposed: Directors B. Coyne, S. Coyne, Bauer, Roberts

The meeting closed to the public at 9:08 a.m.

The meeting opened to the public at 9:55 a.m.

C. Union of British Columbia Municipalities Meeting Request Policy**1. Policy**

The Committee was advised that the proposed policy provides a consistent approach for submission of topics for Ministerial meetings at the annual UBCM Convention

RECOMMENDATION 3**It was MOVED and SECONDED**

THAT the Committee recommend that Board of Directors adopt the UBCM Meeting Request Policy. - **CARRIED**

D. Local Government Awareness Week

The Committee was advised of the activities planning for LGAW which is celebrated May 17-23 this year.

E. Potential Projects List

Due to time constraints, this item was postponed to the next Corporate Services Committee meeting.

F. ADJOURNMENT**It was MOVED and SECONDED**

THAT the meeting adjourn at 10:11 a.m. - **CARRIED**

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Committee

Thursday, May 21, 2020
10:12 am

MEMBERS PRESENT:

- * Chair M. Pendergraft, Electoral Area "A"
- * Vice-Chair R. Knodel, Electoral Area "C"
- * Director M. Bauer, Village of Keremeos
- * 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 R. Gettens, Electoral Area "F"
- Director D. Holmes, District of Summerland
- * Director J. Kimberley, City of Penticton
- * 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 F. Regehr, City of Penticton
- * Director T. Roberts, Electoral Area "G"
- * Director J. Vassilaki, City of Penticton
- Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

STAFF PRESENT:

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

* denotes electronic attendance

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of May 21, 2020 be adopted.
CARRIED

B. Official Community Plan (OCP) and Zoning Bylaw Amendments Proposed Dock Regulations – Okanagan Basin Lakes

1. Bylaw No. 2862

Administration is seeking direction regarding OCP and Zoning bylaw amendments related to regulation of docks on major lakes withing Electoral Areas "A", "C", "D", "E", "F" and "I".

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw No. 2862 proceed to first reading. - **CARRIED**

C. Statement of Significance – David Woodbury McLellan Residence, 995 Ellis Avenue, Hedley BC

1. Statement of Significance

Due to time constraints, this item was postponed to the next Planning and Development Committee meeting.

D. ADJOURNMENT

By consensus, the Planning and Development Committee meeting adjourned at 10:30 a.m.

APPROVED:

CERTIFIED CORRECT:

M. Pendergraft
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, May 21, 2020

10:30 am

MINUTES

MEMBERS PRESENT:

- Chair D. Holmes, District of Summerland
- * Vice Chair T. Roberts, Electoral Area "G"
- * Director M. Bauer, Village of Keremeos
- * 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 R. Gettens, Electoral Area "F"
- * Director J. Kimberley, City of Penticton
- * 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 R. Obirek, Electoral Area "D"
- * Director M. Pendergraft, Electoral Area "A"
- * Director F. Regehr, City of Penticton
- * Director J. Vassilaki, City of Penticton
- Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

STAFF PRESENT:

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

* denotes electronic attendance

A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Protective Services Meeting of May 21, 2020 be adopted. - **CARRIED**

B. DELEGATIONS

1. Brian Hunter, Superintendent, RCMP

- a. Penticton South Okanagan Similkameen Regional Detachment Quarterly Report (January – March 2020)

Superintendent Hunter addressed the Board to present the Detachment's quarterly report.

2. Christine Walsh, Manager of Police and Community Support Services, Regional District of Central Okanagan

This item was postponed to next meeting.

C. Emergency Management Regulatory Bylaw

1. Bylaw No. 2901

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Protective Services Committee recommend that Bylaw No. 2901, 2020, being of the Regional District of Okanagan-Similkameen, to regulate the administration and operation of the Regional Emergency Management Program be given first, second and third readings and adopted by the Board of Directors. - **CARRIED**

D. ADJOURNMENT

By consensus, the Protective Services Committee meeting adjourned at 11:43 am.

APPROVED:

CERTIFIED CORRECT:

D. Holmes
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 1:00 p.m.. Thursday, May 21, 2020 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

- | | |
|--|---|
| Chair K. Kozakevich, Electoral Area "E" | * Director R. Knodel, 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 M. Pendergraft, Electoral Area "A" |
| * Director T. Boot, District of Summerland | * Director R. Obirek, Electoral Area "D" |
| * 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 | * Director J. Vassilaki, City of Penticton |
| * Director R. Gettens, Electoral Area "F" | * Director P. Veintimilla, Town of Oliver |
| * Director J. Kimberley, City of Penticton | |

MEMBERS ABSENT:

STAFF PRESENT:

- B. Newell, Chief Administrative Officer
 - C. Malden, Manager of Legislative Services
 - D. Francisco, Manager of Information Services
-

* denotes electronic attendance

Ministerial Order 139/2020 directed that, despite section 228 of the *Local Government Act*, a board may adopt a bylaw described in that section at the same meeting at which the bylaw passes third reading if the motion for adoption receives the majority of the votes cast.

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Agenda for the RDOS Board Meeting of May 7, 2020 be adopted. - **CARRIED**

1. Consent Agenda – Corporate Issues

a. RDOS Regular Board Meeting – May 7, 2020

THAT the minutes of the May 7, 2020 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Majority)

It was MOVED and SECONDED

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

B. DEVELOPMENT SERVICES – Building Inspection

1. **Princeton-Regional District of Okanagan-Similkameen Building Inspection Mutual Aid Agreement**
 - a. Agreement

RECOMMENDATION 3 (Weighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District enter into agreement with the Town of Princeton to provide coverage for building inspections, when required. - **CARRIED**

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. **Zoning Bylaw Amendment – Electoral Area “H”**
 - a. Bylaw No. 2498.20

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2498.20, 2020 Electoral Area “H” Zoning Amendment Bylaw be read a third time and adopted. - **CARRIED**

2. **Zoning Bylaw Amendment – Electoral Area “H”**
 - a. Bylaw No. 2498.21

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2498.21, 2020 Electoral Area “H” Zoning Amendment Bylaw be read a third time. **CARRIED**

3. **Zoning Bylaw Amendment – Duplex Zone Review (Residential Zone Update – Phase 2) Electoral Areas “A”, “C”, “D”, and “E”**
 - a. Bylaw No. 2886

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2886, 2020, Regional District of Okanagan-Similkameen Duplex Zone Update Amendment Bylaw be read a third time. - **CARRIED**

D. PUBLIC WORKS**1. Sage Mesa Controls and Communications Upgrades Tender Summary and Recommendation of Award of Contract**

- a. Letter of Recommendation

RECOMMENDATION 7 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District receive the Award Recommendation Report for the “Sage Mesa Controls and Communications Upgrades” tender dated May 5, 2020 from MPE Engineering Ltd.; and

THAT the contract for the “Sage Mesa Controls and Communications Upgrades” construction project be awarded to Betts Electric Ltd. In the amount up to \$74,513.25 including GST.

CARRIED

2. Oliver Landfill Design Operations and Closure Plan Update and Organics Facility Design Project Award

RECOMMENDATION 8 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District award the “Oliver Landfill Design, Operations, Closure Plan Update, and Organics Facility Design” project to Sperling Hansen Associated in the amount of \$203,700 plus applicable taxes; and

THAT the Regional District approve a contingency for the project in the amount of \$60,000 for the potential additional infrastructure design and optional tasks that may be required as a result of more detailed information gathering.

CARRIED

E. FINANCE**1. First Quarter Budget Projection – For Information**

- a. Powerpoint
-

Directors Boot, Vassilaki, McKortoff, Bauer, Pendergraft left the meeting at 2:00 p.m.

Director S. Coyne left the meeting at 2:20 p.m.

F. LEGISLATIVE SERVICES**1. Regional District of Okanagan-Similkameen Restart Plan****It was MOVED and SECONDED**

- a. That in-place Commission meetings be allowed to reconvene if they have an appropriate space to do so or, if not, that they be allowed to meet electronically.
- b. That Board of Director meetings continue on the normal schedule, but that they do so by video conference.
- c. That Board meetings remain closed to the public, but access be provided electronically.
- d. That delegations scheduled to come before the Board be reconvened, but they attend by video conference.

CARRIED**It was MOVED and SECONDED**

That the Regional District:

- e. Implement a plan for safe access to the Similkameen Recreation Centre based on the approved provincial BCRPA guidelines.
- f. Implement a plan for safe access to the Keremeos Community Pool based on approved provincial BCRPA and Royal Life Saving Society guidelines.
- g. Plan and deliver outdoor recreation programming in public spaces after June 1, based on the approved provincial BCRPA guidelines.
- h. Implement a plan for safe access to the Okanagan Falls Community Centre, Naramata Recreation Centre and Kaleden Community Hall, based on the approved provincial gathering and BCRPA guidelines.
- i. Coordinate the reopening of playgrounds with municipalities and school districts in the region (Phase IV).
- j. Outdoor tennis, pickle ball and multiuse courts were opened May 15th, with signage for use during COVID-19.
- k. Loose Bay Campground was opened May 1st.
- l. RDOS parks and trails, beaches and boat launches remained open throughout the pandemic.
- m. RDOS Seasonal Park Washroom Facilities were opened May 15th.

CARRIED**It was MOVED and SECONDED**

- n. That the Regional District open their corporate and satellite offices to the public by June 1st, as long as physical barriers are installed or social distancing is possible.

CARRIED

2. Missezula Lake Water System Loan Authorization

- a. Bylaw No. 2891

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2891, 2020, Regional District of Okanagan-Similkameen Missezula Lake Water System Loan Authorization Bylaw be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval. - **CARRIED**

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. Municipal Finance Authority – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - c. Municipal Insurance Association – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - d. Okanagan Basin Water Board - *McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff), Holmes (Alternate to Boot), Monteith (Alternate to Knodel)*
 - i. April 8, 2020 OBWB March Minutes
 - e. Okanagan Film Commission – *Gettens, Holmes (Alternate)*
 - f. Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
 - g. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
 - h. South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - i. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - j. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
-

3. Directors Motions

- a. Chair Kozakevich

It was MOVED and SECONDED

THAT staff bring forward options for zoning regulations to govern the placement of solar energy devices (e.g. solar panels, solar trees, etc.). - **CARRIED**

4. Board Members Verbal Update

I. ADJOURNMENT

By consensus, the meeting adjourned at 3:00 p.m.

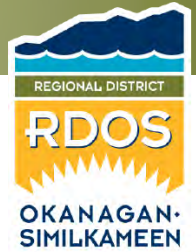
APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 4, 2020
RE: Development Variance Permit Application — Electoral Area “A”

Administrative Recommendation:

THAT Development Variance Permit No. A2020.004-DVP be approved.

Purpose: To allow for a construction of a secondary suite addition within a front parcel line setback area

Owners: Doug & Tia Moore Agent: Reger Enterprises Folio: A-01345.000

Civic: 1802 45th Street Legal: Lot 19, Plan KAP1958, District Lot 100, SDYD

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

Variance Request: to reduce the minimum front parcel line setback from 7.5 metres to 4.54 metres

Proposed Development:

This application is seeking a variance to permit a dwelling addition in the form of a garage and secondary suite to be sited within the front parcel line setback area of the property at 1802 45th Street, Osoyoos.

Specifically, it is being proposed to reduce the minimum front parcel line setback from 7.5 metres (for an addition to principle building) to 4.54 metres.

In support of this request, the applicant has stated that “due to the use of the lot and purpose of the project, only the south side of the existing dwelling can suffice for the project. The variance gives us the space needed to build outside the Streamside Protection and Enhancement Area (SPEA) setback, protect natural habitat in the area. Proposed project location has already been influenced by man [human disturbance].”

Site Context:

The subject property is approximately 6,531 m² in area and is situated on the west side of 45th Street (a.k.a Lakeshore Drive), approximately 330 metres south from the boundary with Town of Osoyoos. The property is understood to contain one (1) singled detached dwelling and a pump house.

The subject property is within ALR lands surrounded by Osoyoos lake on three sides and no neighbouring residential development along north and south side and agriculture to the east across 45th Street.

Background:

It is not known when the current boundaries of the subject property were established, as the plan of subdivision that was deposited with the Land Title Office in Kamloops is unavailable. Available

Regional District records indicate that building permits have previously been issued for a mobile home (1977), enclosure of a patio (1979), and an addition to a mobile home (1987).

Under the Electoral Area “A” Official Community Plan (OCP) Bylaw No. 2450, 2008, the property is designated Low Density Residential (LR), and is subject to a Watercourse Development Permit (WDP) Area designation. A WDP was previously approved, that proposed construction of a foundation wall and footing for a garage, 2019 and reduced the Streamside Protection and Enhancement Area (SPEA) for Osoyoos Lake from 30.0 metres to 15.0 metres.

Under the Electoral Area “A” Zoning Bylaw No. 2451, 2008, the property is zoned Residential Single Family One (RS1), which lists single detached dwelling as a permitted principal use and is also within the floodplain associated with Osoyoos Lake.

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, although development within a front setback area is considered to represent poor streetscape design, Administration notes that the OCP Bylaw speaks to encouraging variances to a building envelope in order to preserve a SPEA.

In this instance, reducing the front setback will allow the property owner to develop outside of the 15.0 metre SPEA, thereby ensuring RAR is adhered to.

While the development of dwellings within a front setback area is not characteristic of the streetscape in this area, it is also noted that the property is not directly adjoined by any neighbouring properties due to the road alignment of 45th street and foreshore of Osoyoos Lake. As a result, a protrusion into the front setback is not going to be noticeable vis-à-vis other development on adjoining properties.

For these same reasons, allowing development in the setback is not going to result a loss of privacy or overshadowing on adjoining properties and it is not thought that traffic and pedestrian safety will be impacted.

Conversely, other options are seen to be available to the proponent in order to construct a garage and suite without varying the front setback, such as developing within the footprint of the existing dwelling (i.e. additional stories or conversion of existing space). That the current proposal requires variances to setbacks could be seen as an over-development of the site.

Nevertheless, and for these reasons outlined above, Administration supports the requested variance and is recommending approval.

Alternatives:

-
1. That the Board deny Development Variance Permit No. A2020.004-DVP.
 2. That the Board defer consideration of the application and it be referred to the Electoral Area "A" Advisory Planning Commission.

Respectfully submitted

R. Gadoya

R. Gadoya, Planning Tech.

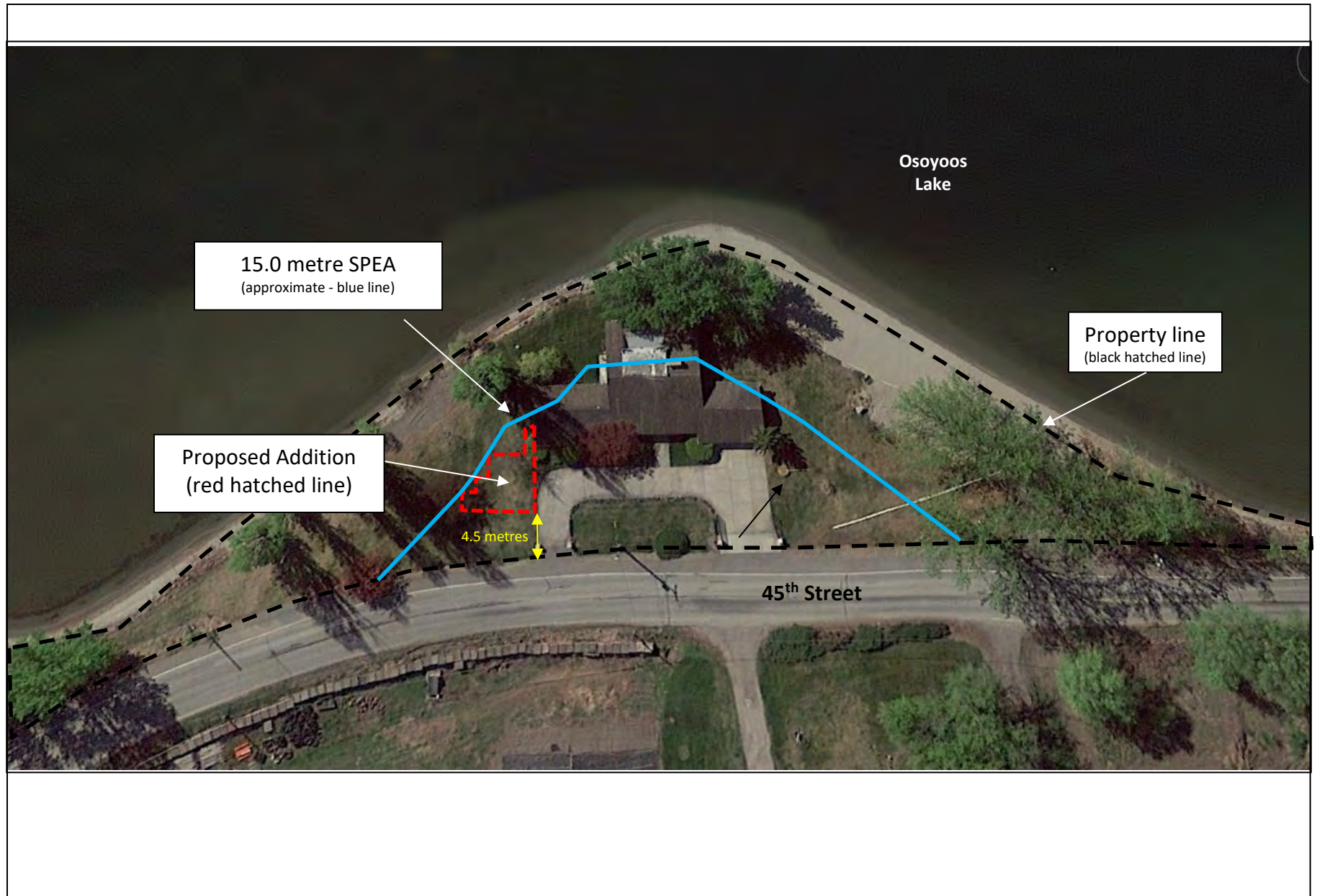
Endorsed by:



C. Garrish, Planning Manager

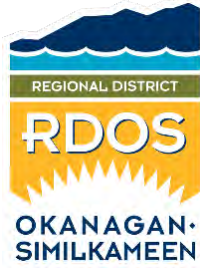
- Attachments: No. 1 – Context Maps
No. 2 – Site Photo (Google)
No. 3 – Site photo (Street view)

Attachment No. 1 – Site Photo (Google)



Attachment No. 3 – Site photo (Street view)





Development Variance Permit

FILE NO.: A2020.004-DVP

Owner: Doug and Tia Moore
1802 45 Street
Osoyoos, BC V0H 1V6

Agent: Reger Enterprises
198 Vanhorn St
Penticton, BC V2A 4K2

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 19, Plan KAP1958, District Lot 100, SDYD

Civic Address: 1802 45th Street

Parcel Identifier (PID): 010-370-889 Folio: A-01345.000

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "A" Zoning Bylaw No. 2451, 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 Zone (RS1), as prescribed in Section 11.1.6.(a).(i), is varied:
 - i) from: 7.5 metres

to: 4.54 metres

COVENANT REQUIREMENTS

7. Not Applicable

SECURITY REQUIREMENTS

8. Not applicable

EXPIRY OF PERMIT

9. 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

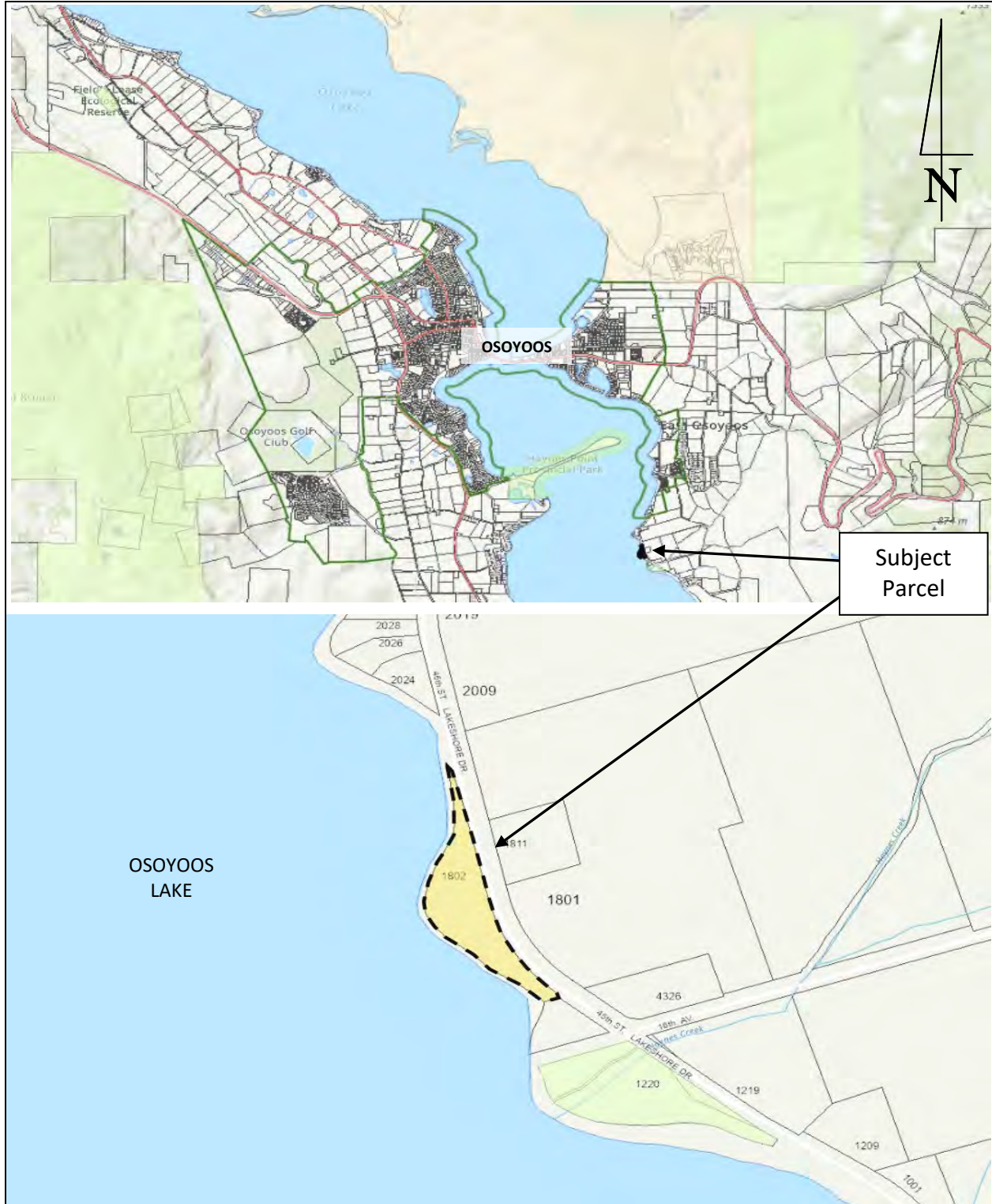
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. A2020.004-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

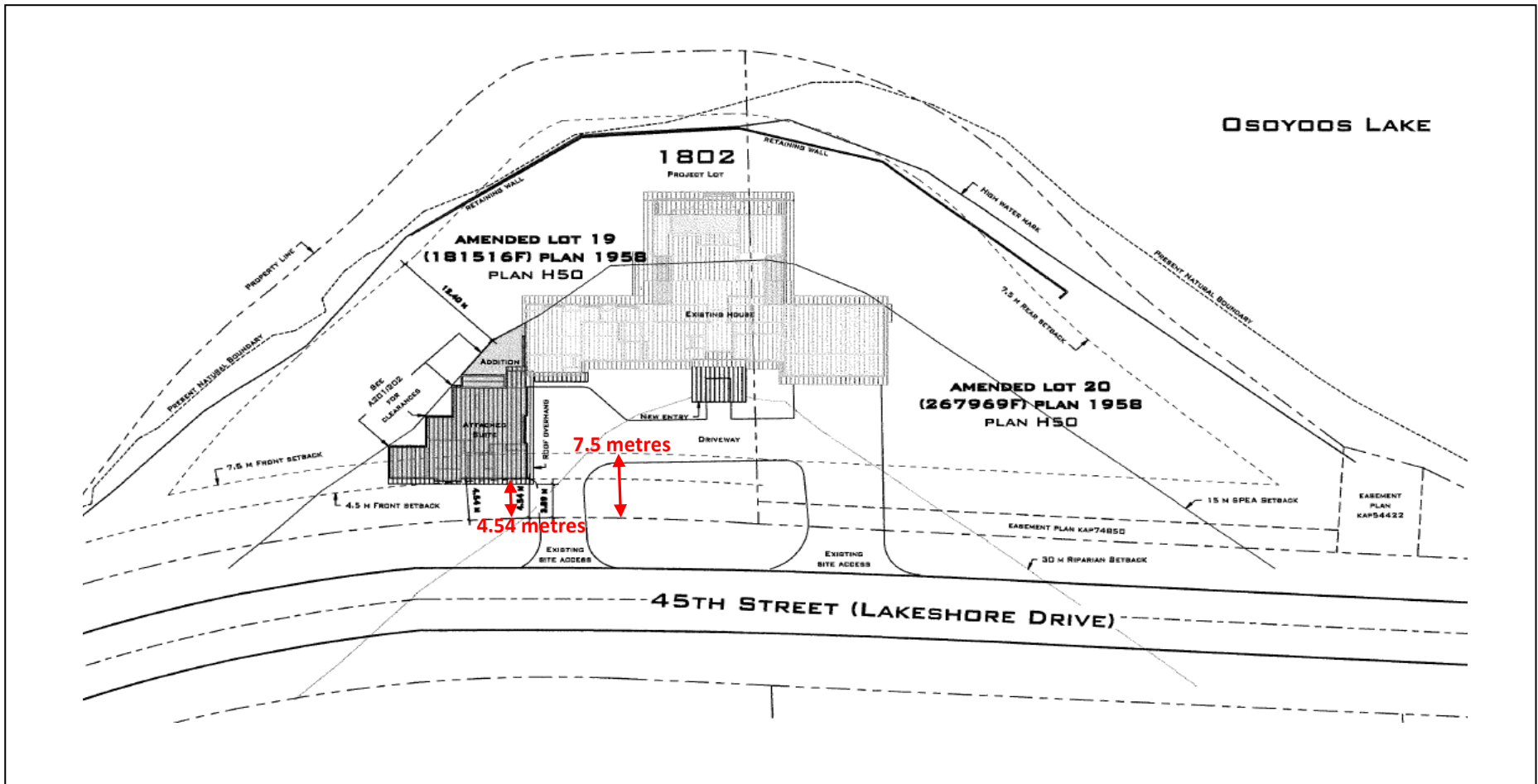
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. A2020.004-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

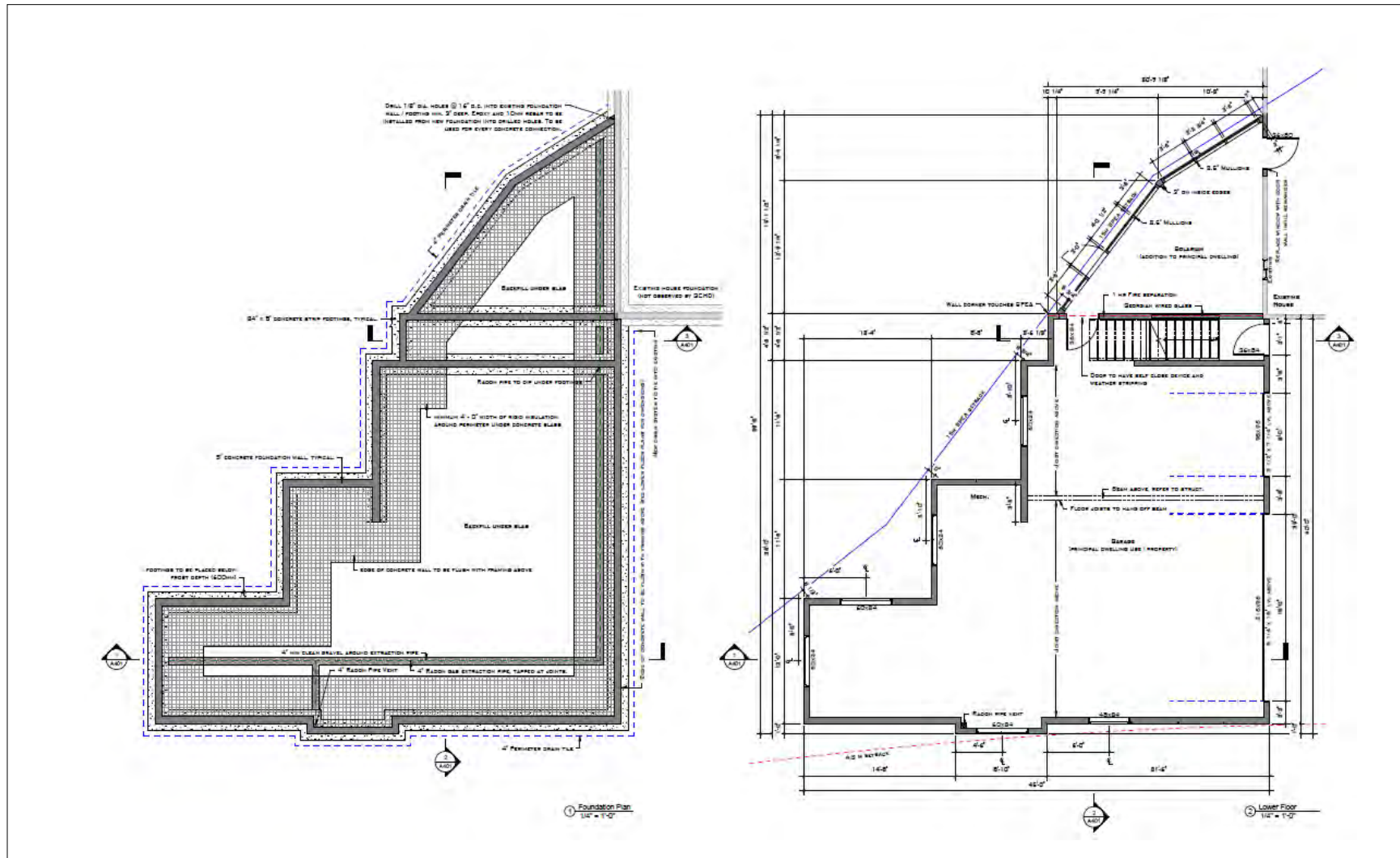
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. A2020.004-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

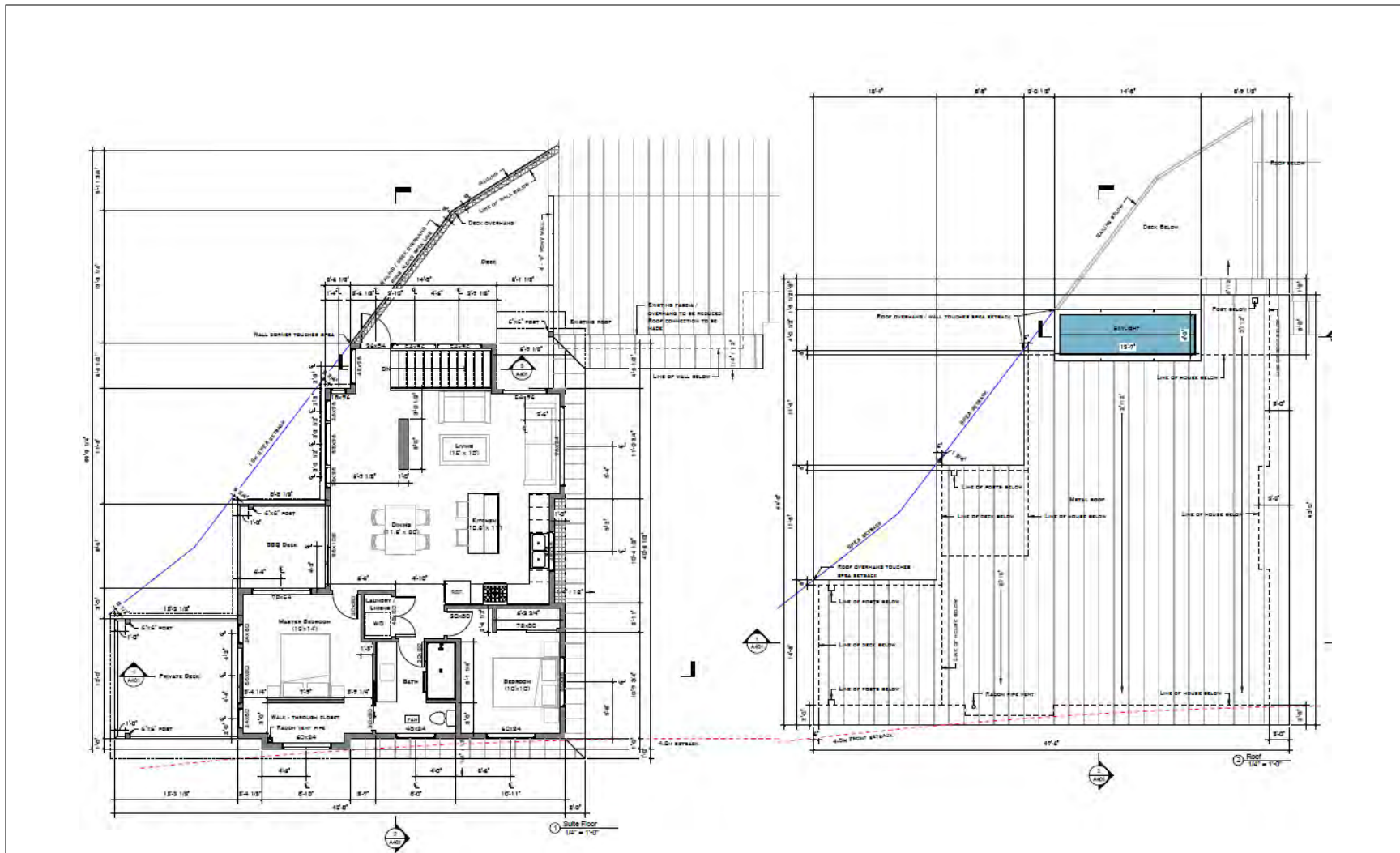
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. A2020.004-DVP

Schedule 'D'



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Temporary Use Permit Application — Electoral Area “E”

Administrative Recommendation:

THAT Temporary Use Permit No. E2020.003-TUP be approved.

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

Owners: Robbins, et. al. Applicants: Kathryn Robbins Folio: E-00754.010

Civic: 4245 Mill Rd., Naramata Legal: Lot A, Plan KAP48883, District Lot 210, Land District SDYD

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

Proposed Development:

This application seeks approval for the renewal of Temporary Use Permit (TUP) No. E2016.119–TUP, which authorises the operation of a short-term vacation rental use at the subject property for a three year term from April 1, 2020 to December 31, 2022.

Site Context:

The subject parcel is approximately 3,189 m² in area, is situated on the west side of Mill Road and is bounded by Okanagan Lake on the east side. A single detached dwelling exists on subject property.

The surrounding pattern of development is characterised by low density residential parcels zoned Residential Single Family One (RS1) along the lake foreshore, and agriculture to the east.

Background:

The subject property has been operating short-term vacation rental use since 2015. The previous temporary use permit E2016.119-TUP expired on December 31, 2019. As such, the proposed Temporary Use Permit will allow the applicant to continue this use in future.

The property is also located within a Watercourse Development Permit (WDP) Area under the OCP and is shown as possessing a geological classification of “hazard of land receiving slide or slump materials from above”.

At its meeting of November 14, 2016, the Electoral Area “E” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that TUP application No. E2016.119-TUP be approved.

At its meeting of December 15, 2016, the Regional District Board of Directors resolved to approve TUP No. E2016.119-TUP.

In support of the previous TUP applications, the applicant has provided a Health & Safety Inspection (May 2015). An assessment from a ROWP regarding the septic system was not provided for the original application nor the previous renewal.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Low Density Residential (LR) and a small portion of the property along the northeastern side is designated as Watercourse Development Permit (WDP) Area.

Section 22.2 of the Electoral Area “E” 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 “E” 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 - October);
- Posting of information within vacation rental;
- Maximum number of bedrooms (7);
- Maximum occupancy (14);
- Minimum number of on-site parking stalls (7);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy;
- Providing TUP and contact information to neighbours.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One Zone (RS1) which only allows for single detached dwellings as principal uses.

The subject property has been assessed as “Residential” (Class 01).

Public Process:

Adjacent property owners will have received two notifications 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.

In accordance with Section 5.5 of the Development Procedures Bylaw, public information meeting and referral to an Advisory Planning Commission requirements are waived during the provincial state of emergency declaration in relation to COVID-19.

As such, a public information meeting was not held and the TUP request has not been reviewed by the Electoral Area “E” APC. However, Electoral Area “E” APC members were invited to comment individually on the application and early notification was provided to adjacent property owners.

Analysis:

Administration notes that there have been no recorded complaints received in relation to the operation of this vacation rental use and that the applicant has indicated that there have been no changes to the use since the permit was issued in 2016 (i.e. the use remains limited to seven bedrooms and fourteen paying guests).

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which only allows for “single detached dwellings” as a principal permitted use, with a limited accommodation of commercial uses in the form of “home occupations” and “bed and breakfast operations” as permitted secondary uses.

While it is recognised that the Electoral Area “E” OCP Bylaw No. 2458, 2008, 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. E2016.119-TUP in 2016.

The applicant has indicated that no changes to operation of the vacation rentals (including changes to the occupancy or number of bedrooms) from previous permits are proposed and in support of this administration does not feel a new assessment from ROWP is required.

Further, the Electoral Area “E” 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 three years (to December 31, 2022), provided the TUP includes the same conditions as the previously issued TUPs and also includes conditions for operators and guests of the vacation rental to adhere to provincial health orders during the Provincial State of Emergency for COVID-19.

Alternatives:

1. That the Board deny Temporary Use Permit No. E2020.003-TUP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area “E” Advisory Planning Commission.

Respectfully submitted:

R. Gadoya
R. Gadoya, Planning Technician

Endorsed By:


C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo (2017)

Attachment No. 1 – Agency Referral List

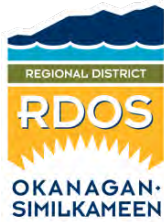
Referrals have been sent to the following agencies as highlighted with a , prior to Board consideration of TUP No. E2020.003-TUP:

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input type="checkbox"/>	City of Penticton
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Community, Sport and Cultural Development	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Energy & Mines	<input type="checkbox"/>	Town of Princeton
<input checked="" type="checkbox"/>	Ministry of Environment	<input type="checkbox"/>	Village of Keremeos
<input checked="" type="checkbox"/>	Ministry of Forests, Lands & Natural Resource Operations	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input checked="" type="checkbox"/>	Archaeology Branch	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Upper Similkameen Indian Bands (USIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Lower Similkameen Indian Bands (LSIB)
<input type="checkbox"/>	School District #53 (Okanagan Similkameen)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #58 (Nicola Similkameen)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	School District #67 (Okanagan Skaha)	<input checked="" type="checkbox"/>	Fortis
<input type="checkbox"/>	Canadian Wildlife Service		

Attachment No. 2 – Site Photo (2017)



Subject
Property



TEMPORARY USE PERMIT

FILE NO.: E2020.003-TUP

Owner: Kathryn Robbins
28494 Maclure Road
Abbotsford, BC V4X-1L4

Owner: Hollyhock Trust
4245 Mill Road
Naramata, BC, V0H-1N-0

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 A, Plan KAP48883, District Lot 210, SDYD

Civic Address: 4245 Mill Road, Naramata

Parcel Identifier (PID): 018-064-299 Folio: E-00754.010

TEMPORARY USE

6. In accordance with Section 19.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a vacation rental use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the accommodation of paying guests occupying the dwelling unit for a period of less than 30 days.

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 "E" 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 seven (7);
 - d) the number of paying guests that may be accommodated at any time shall not exceed fourteen (14);
 - e) a minimum of seven (7) on-site vehicle parking spaces shall be provided for paying guests;
 - 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, as well as a copy of this Temporary Use Permit 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.
 - h) Vacation rental operation must follow the Ministry of Health's COVID-19 Guidance for the Hotel Sector during the Provincial State of Emergency, including environmental cleaning, staff health and communication, and any subsequent provincial health orders for hotel operators.
 - i) Information shall be posted within the dwelling unit during the Provincial State of Emergency for COVID-19 following Provincial recommended communication, signage and posters for the Hotel Sector on the following topics:
 - i) Symptoms of COVID-19
 - ii) B.C.'s COVID-19 Self-Assessment Tool

- iii) Handwashing
 - iv) Respiratory/cough etiquette
 - v) Self-isolation and self-monitoring
- j) A sign must be posted on the front entrance telling staff not to enter the premises if they are feeling ill.
- k) All guests must follow Provincial guidelines during the Provincial State of Emergency for COVID-19, including avoiding non-essential travel as a measure to protect vulnerable people in communities from COVID-19.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

10. This Permit is a renewal of Permit E2016.119-TUP and shall expire on the 31st day of December, 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

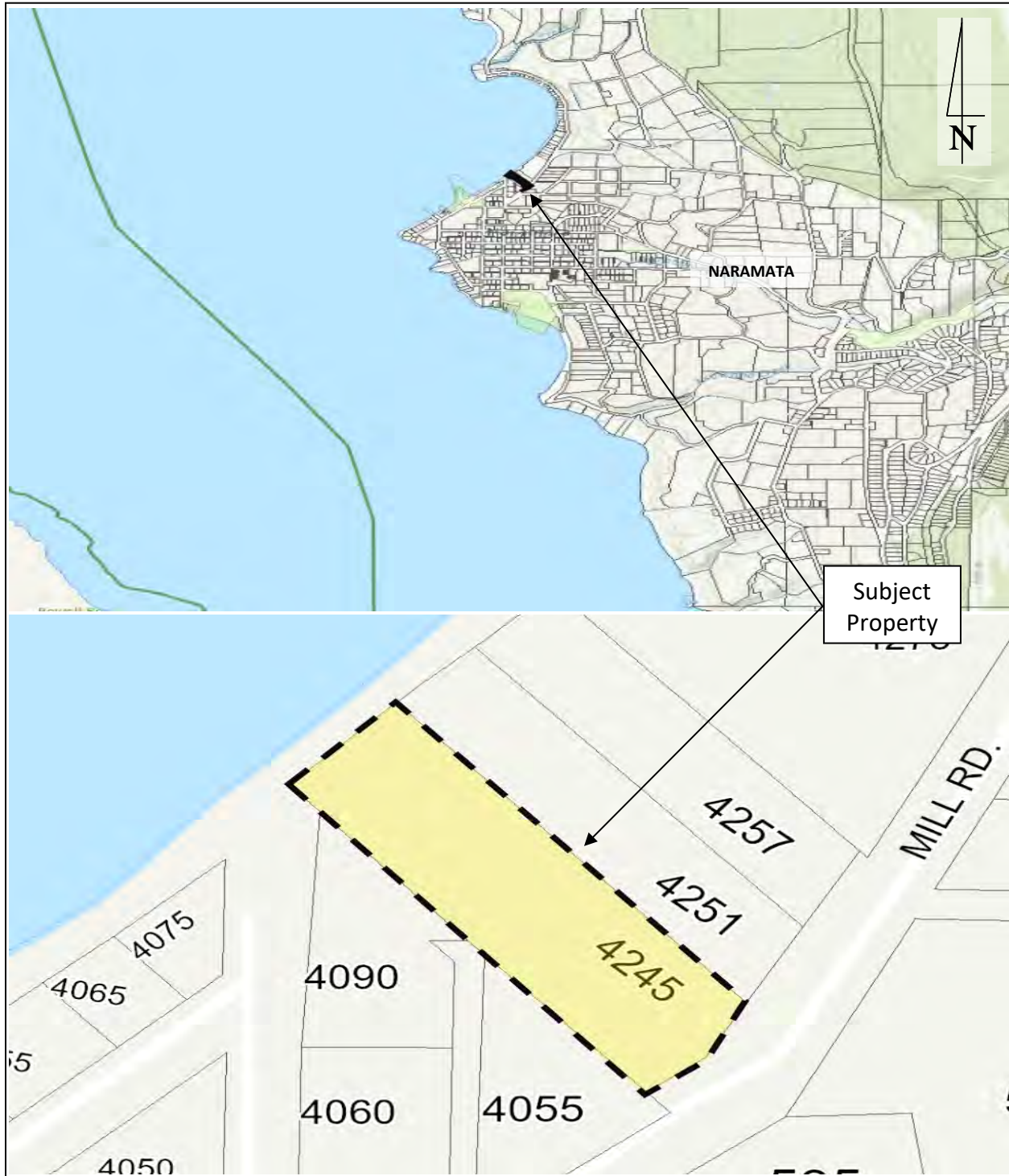
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.003-TUP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

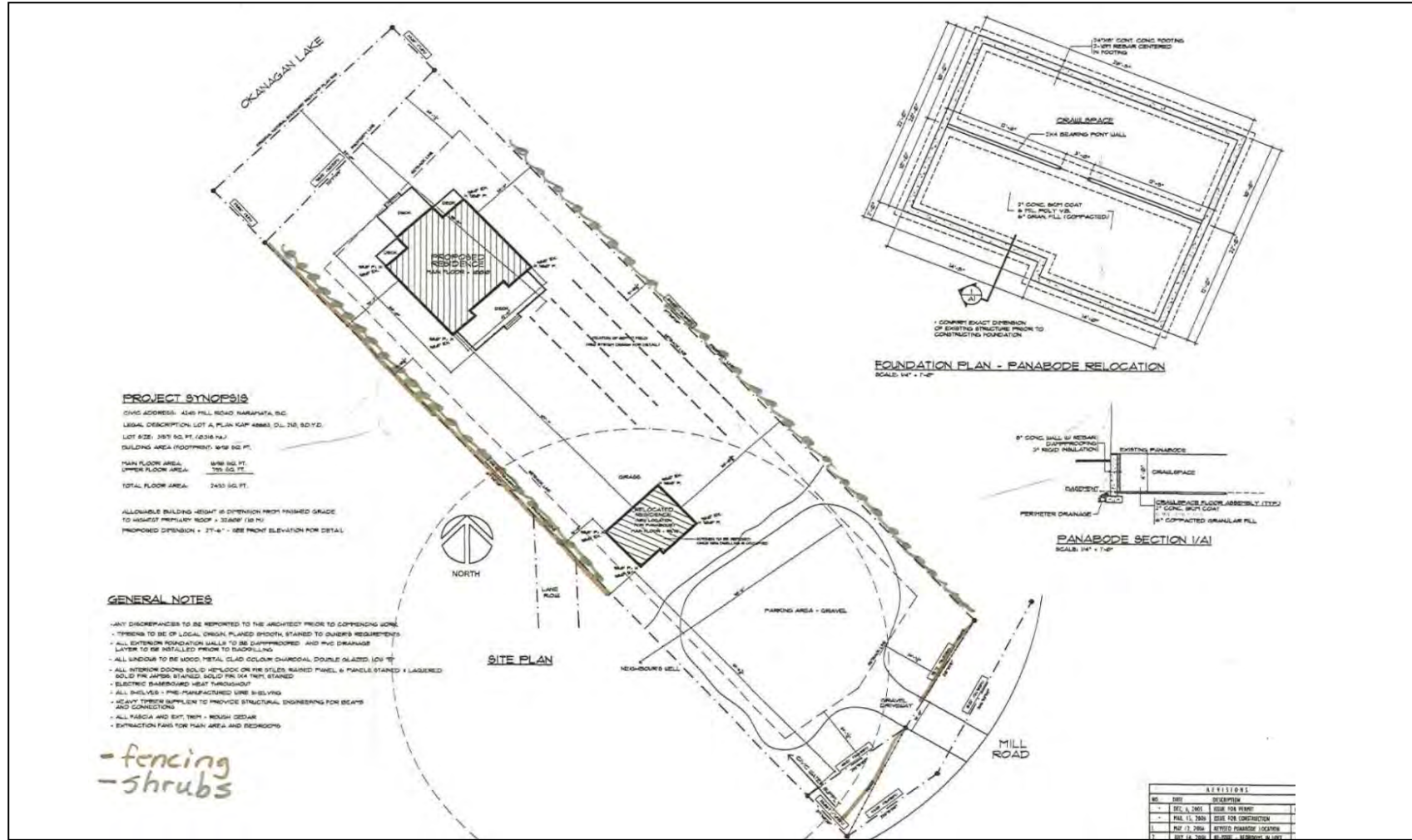
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.003-TUP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

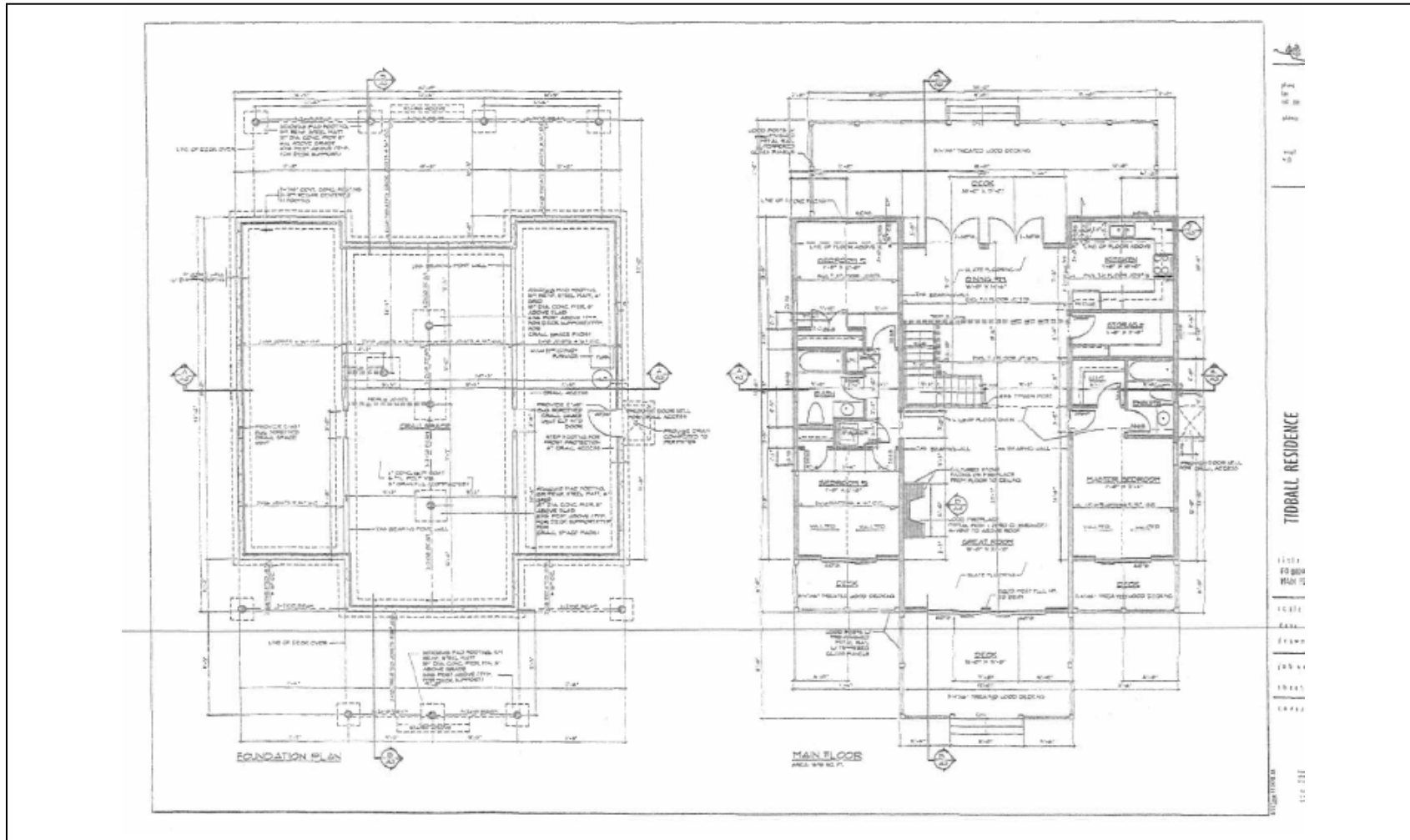
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.003-TUP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

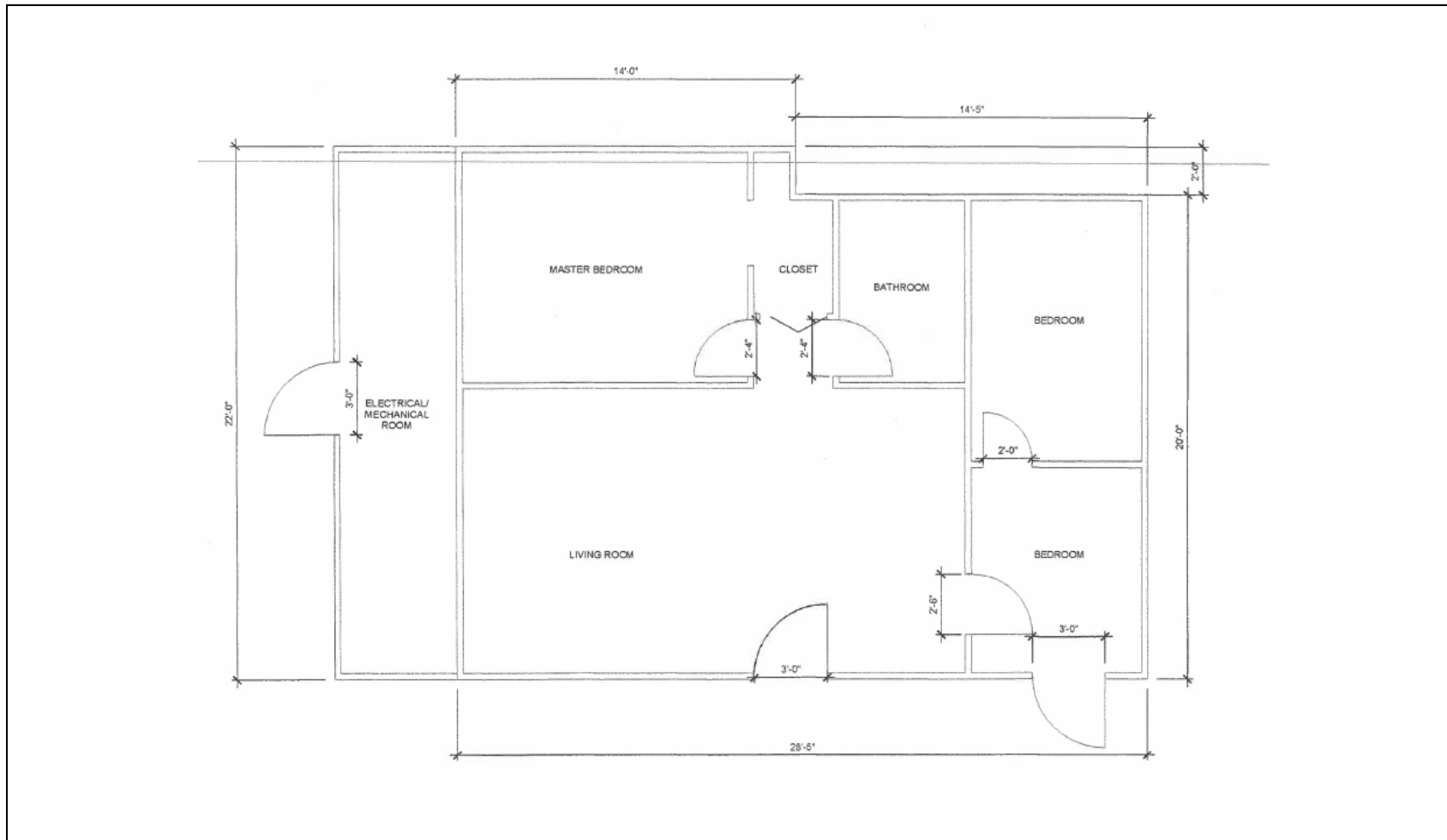
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.003-TUP

Schedule 'D'



Lauri Feindell

Subject: FW: TUP Referral - Project E2020.003-TUP (2020027)

From: Leathem, Jamie FLNR:EX <Jamie.Leathem@gov.bc.ca>

Sent: April 15, 2020 5:05 PM

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

Cc: Lacey, Cathy M FLNR:EX <Cathy.Lacey@gov.bc.ca>

Subject: RE: TUP Referral - Project E2020.003-TUP (2020027)

No concerns, thank you.



Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: April 20, 2020 10:22 AM
To: Planning
Subject: Mill Rd, 4245 Naramata (E2020.003-TUP)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Mill Road. All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.

For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

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

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

FortisBC Overhead Design Requirements
<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification
<http://www.fortisbc.com/InstallGuide>

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

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





APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** E2020.003-TUP

FROM: Electoral Area "E" APC Member Name:
Bruce CLOUGH
(please print)

DATE: May 14 / 2020

RE: Temporary Use Permit – "Vacation Rental" Use
4245 Mill Rd., Naramata – Lot A, Plan KAP48883, District Lot 210, Land District SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

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





APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** E2020.003-TUP

FROM: Electoral Area "E" APC Member Name:
PHIL LANZEN
 (please print)

DATE: MAY 8/20

RE: Temporary Use Permit – "Vacation Rental" Use
 4245 Mill Rd., Naramata — Lot A, Plan KAP48883, District Lot 210, Land District SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

RECEIVED
Regional District

MAY 14 2020

101 Martin Street
Penticton BC V2A 5J9

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RDOS

OKANAGAN-SIMILKAMEEN

APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: E2020.003-TUP

FROM: Electoral Area "E" APC Member Name:

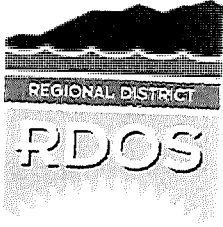
DATE: _____
(please print)
 may 8 2020

RE: Temporary Use Permit – "Vacation Rental" Use
4245 Mill Rd., Naramata — Lot A, Plan KAP48883, District Lot 210, Land District SDYD

My comments / concerns are:

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APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: E2020.003-TUP

FROM: Electoral Area "E" APC Member Name:

Dianna Smith
(please print)

DATE: May 9, 2020

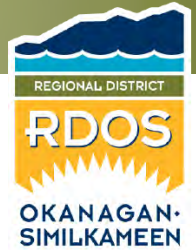
RE: Temporary Use Permit – "Vacation Rental" Use
4245 Mill Rd., Naramata – Lot A, Plan KAP48883, District Lot 210, Land District SDYD

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ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 4, 2020
RE: Temporary Use Permit Application — Electoral Area “E”

Administrative Recommendation:

THAT Temporary Use Permit No. E2020.005-TUP be approved.

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

Owners: Lia Ashbrook & Blair Cresswell Applicants: Blair Cresswell Folio: E-00747.005

Civic: 3189 3rd Street, Naramata Legal: Lot 1, Plan KAP67634, District Lot 210, SDYD

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

Proposed Development:

This application seeks approval for the renewal of Temporary Use Permit (TUP) No. E2016.120-TUP, which authorises the operation of a short-term vacation rental use at the subject property for a three year term from May 1, 2020 to December 31, 2022.

Site Context:

The subject parcel is approximately 768 m² in area, is situated on the west side of Third Street and is bounded by Okanagan Lake on the east side. A single detached dwelling exists on subject property.

The surrounding pattern of development is characterised by low density residential parcels zoned Residential Single Family One (RS1) along the lake foreshore, and along west side of Third Street.

Background:

The subject property has been operating short-term vacation rental use since 2015. The previous temporary use permit E2016.120-TUP expired on December 31, 2019. As such, the proposed Temporary Use Permit will allow the applicant to continue this use in future.

The property is also located within a Watercourse Development Permit (WDP) Area under the OCP and is shown as possessing a geological classification of “Limited or no hazard of slumps and slides”.

At its meeting of November 14, 2016, the Electoral Area “E” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that TUP application No. E2016.120-TUP be approved.

At its meeting of December 15, 2016, the Regional District Board of Directors resolved to approve TUP No. E2016.120-TUP.

In support of the previous TUP applications, the applicant has provided an assessment from Enviro Choice Sewage Maintenance and Repair which concluded that “the existing system and field fall well within the limits required for a 4 bedroom dwelling” (August 2015).

File No: E2020.005-TUP

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Low Density Residential (LR) and a small portion of the property along the southeast side is designated as Watercourse Development Permit (WDP) Area.

Section 22.2 of the Electoral Area “E” 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 “E” 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 (May - October);
- Posting of information within vacation rental;
- Maximum number of bedrooms (4);
- Maximum occupancy (8);
- Minimum number of on-site parking stalls (4);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy;
- Providing TUP and contact information to neighbours.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One Zone (RS1) which only allows for single detached dwellings as principal uses.

The subject property has been assessed as “residential” (Class 01).

Public Process:

Adjacent property owners will have received two notifications 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.

In accordance with Section 5.5 of the Development Procedures Bylaw, public information meeting and referral to an Advisory Planning Commission requirements are waived during the provincial state of emergency declaration in relation to COVID-19.

As such, a public information meeting was not held and the TUP request has not been reviewed by the Electoral Area “E” APC. However, Electoral Area “E” APC members were invited to comment individually on the application and early notification was provided to adjacent property owners.

Analysis:

Administration notes that there have been no recorded complaints received in relation to the operation of this vacation rental use and that the applicant has indicated that there have been no changes to the use since the permit was issued in 2016 (i.e. the use remains limited to four bedrooms and eight paying guests).

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which only allows for “single detached dwellings” as a principal permitted use, with a limited accommodation of commercial uses in the form of “home occupations” and “bed and breakfast operations” as permitted secondary uses.

While it is recognised that the Electoral Area “E” OCP Bylaw No. 2458, 2008, 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. E2016.120-TUP in 2016.

The applicant has indicated that no changes to operation of the vacation rentals (including changes to the occupancy or number of bedrooms) from previous permits are proposed and in support of this administration does not feel a new assessment from ROWP is required.

Further, the Electoral Area “E” 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 three years (to December 31, 2022), provided the TUP includes the same conditions as the previously issued TUPs and also includes conditions for operators and guests of the vacation rental to adhere to provincial health orders during the Provincial State of Emergency for COVID-19.

Alternatives:

1. That the Board deny Temporary Use Permit No. E2020.005-TUP; or
2. That the Board defer consideration of the application and it be referred to the Electoral Area “E” Advisory Planning Commission.

Respectfully submitted:

R. Gadoya
R. Gadoya, Planning Technician

Endorsed By:


C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo (2015)

No. 3 – Aerial Photo (2017)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , prior to Board consideration of TUP No. E2020.003-TUP:

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input type="checkbox"/>	City of Penticton
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Community, Sport and Cultural Development	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Energy & Mines	<input type="checkbox"/>	Town of Princeton
<input checked="" type="checkbox"/>	Ministry of Environment	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Forests, Lands & Natural Resource Operations	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Archaeology Branch	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Upper Similkameen Indian Bands (USIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Lower Similkameen Indian Bands (LSIB)
<input type="checkbox"/>	School District #53 (Okanagan Similkameen)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #58 (Nicola Similkameen)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	School District #67 (Okanagan Skaha)	<input checked="" type="checkbox"/>	Fortis
<input type="checkbox"/>	Canadian Wildlife Service		

Attachment No. 2 – Site Photos (2015)



Attachment No. 3 – Aerial Photos (2017)



Subject
Property



TEMPORARY USE PERMIT

FILE NO.: E2020.005-TUP

Owner: Lia Ashbrook & Blair Cresswell
450 E37 Avenue
Vancouver, BC V5W 1E9

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 1, Plan KAP67634, District Lot 210, SDYD

Civic Address: 3189 3rd Street, Naramata

Parcel Identifier (PID): 024-993-701 Folio: E-00747.005

TEMPORARY USE

6. In accordance with Section 19.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a vacation rental use as defined in the Electoral Area "E" Zoning Bylaw, being the use of a residential dwelling unit for the accommodation of paying guests occupying the dwelling unit for a period of less than 30 days.

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 May 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 "E" 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 four (4);
 - d) the number of paying guests that may be accommodated at any time shall not exceed eight (8);
 - e) a minimum of four (4) on-site vehicle parking spaces shall be provided for paying guests;
 - 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, as well as a copy of this Temporary Use Permit 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.
 - h) Vacation rental operation must follow the Ministry of Health's COVID-19 Guidance for the Hotel Sector during the Provincial State of Emergency, including environmental cleaning, staff health and communication, and any subsequent provincial health orders for hotel operators.
 - i) Information shall be posted within the dwelling unit during the Provincial State of Emergency for COVID-19 following Provincial recommended communication, signage and posters for the Hotel Sector on the following topics:
 - i) Symptoms of COVID-19
 - ii) B.C.'s COVID-19 Self-Assessment Tool

- iii) Handwashing
- iv) Respiratory/cough etiquette
- v) Self-isolation and self-monitoring
- j) A sign must be posted on the front entrance telling staff not to enter the premises if they are feeling ill.
- k) All guests must follow Provincial guidelines during the Provincial State of Emergency for COVID-19, including avoiding non-essential travel as a measure to protect vulnerable people in communities from COVID-19.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

10. This Permit is a renewal of Permit E2016.120-TUP and shall expire on the 31st day of December, 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

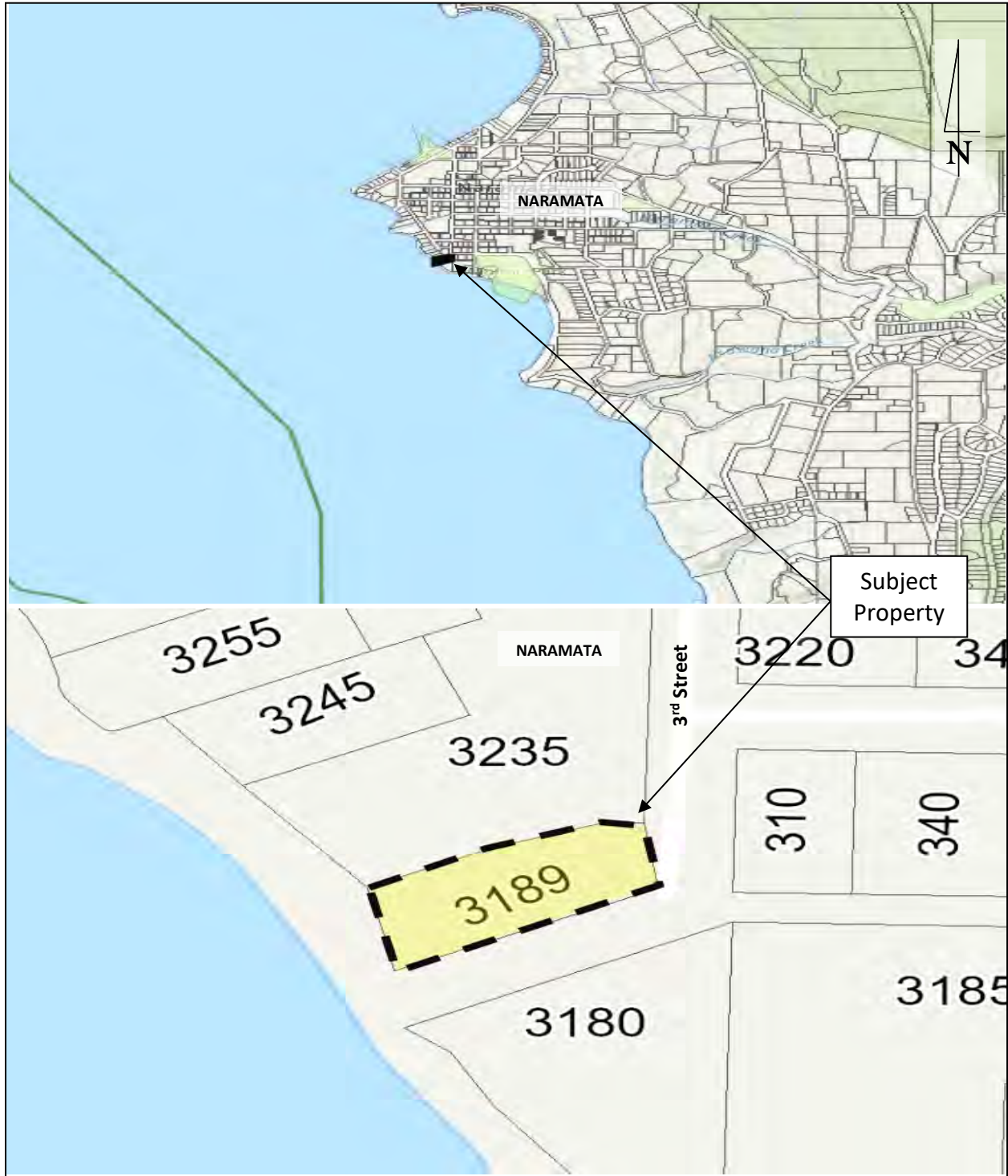
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.003-TUP

Schedule 'A'



Temporary Use Permit No. E2020.005-TUP

Page 4 of 7

Regional District of Okanagan-Similkameen

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

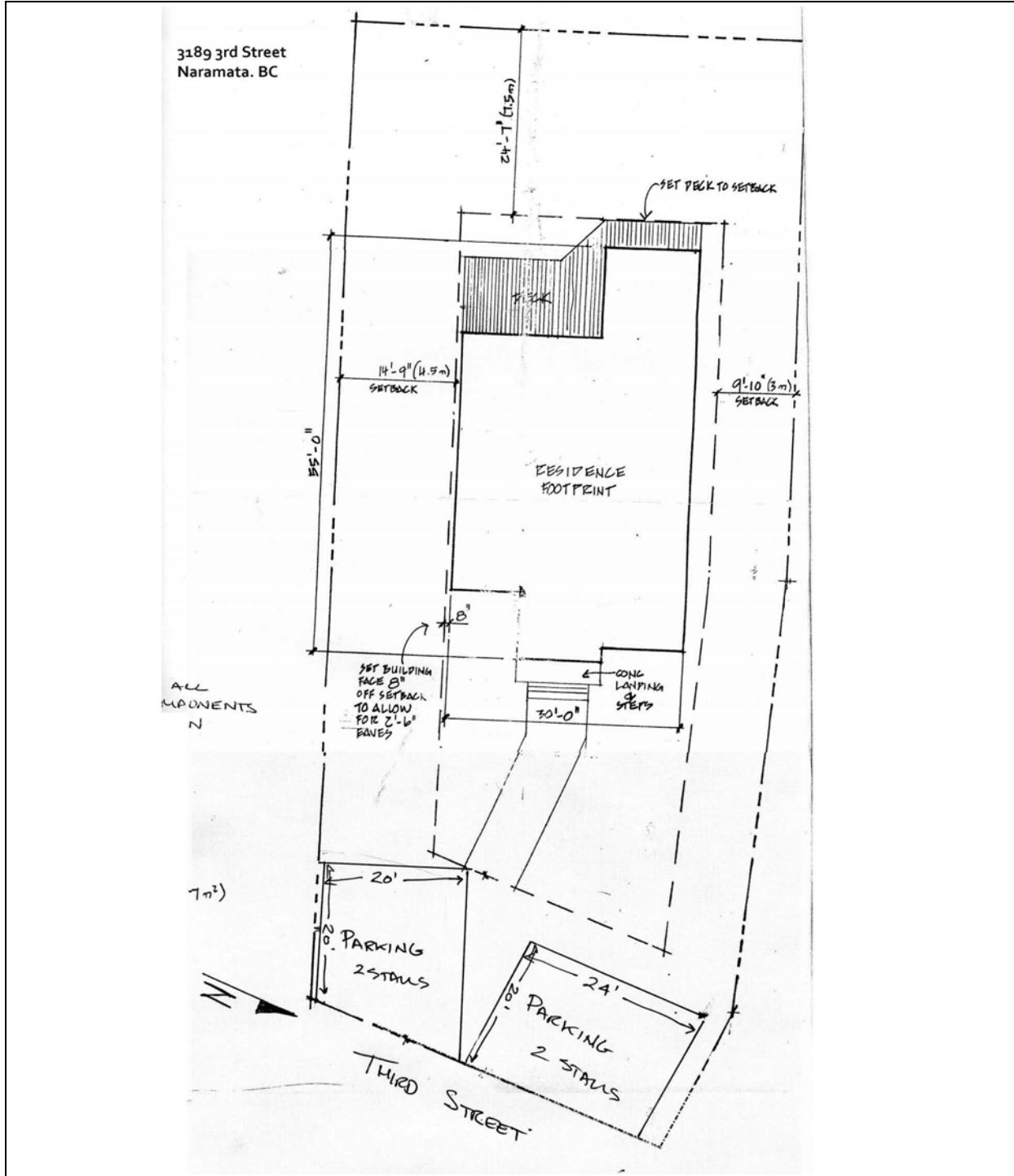
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.005-TUP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

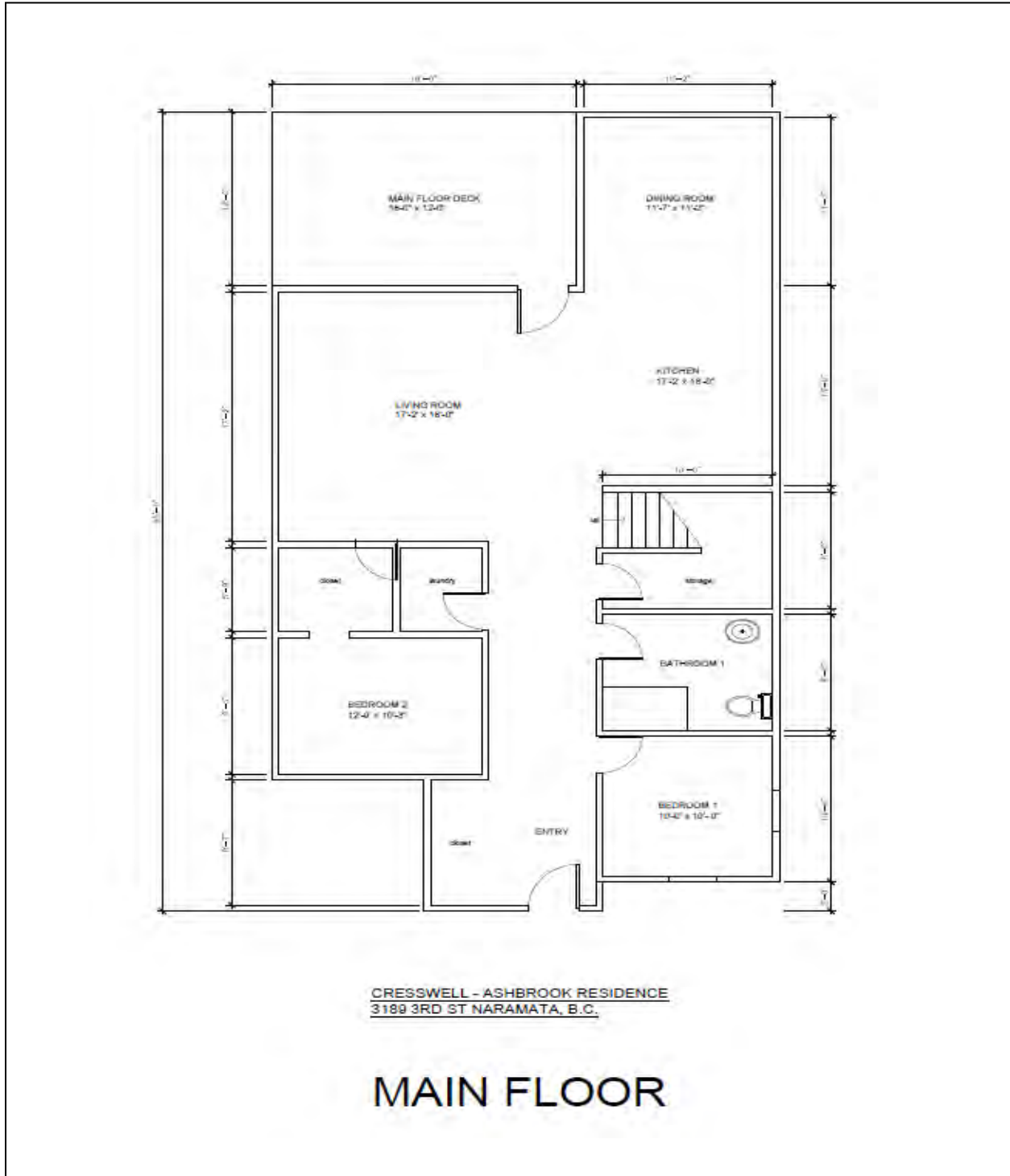
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.005-TUP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

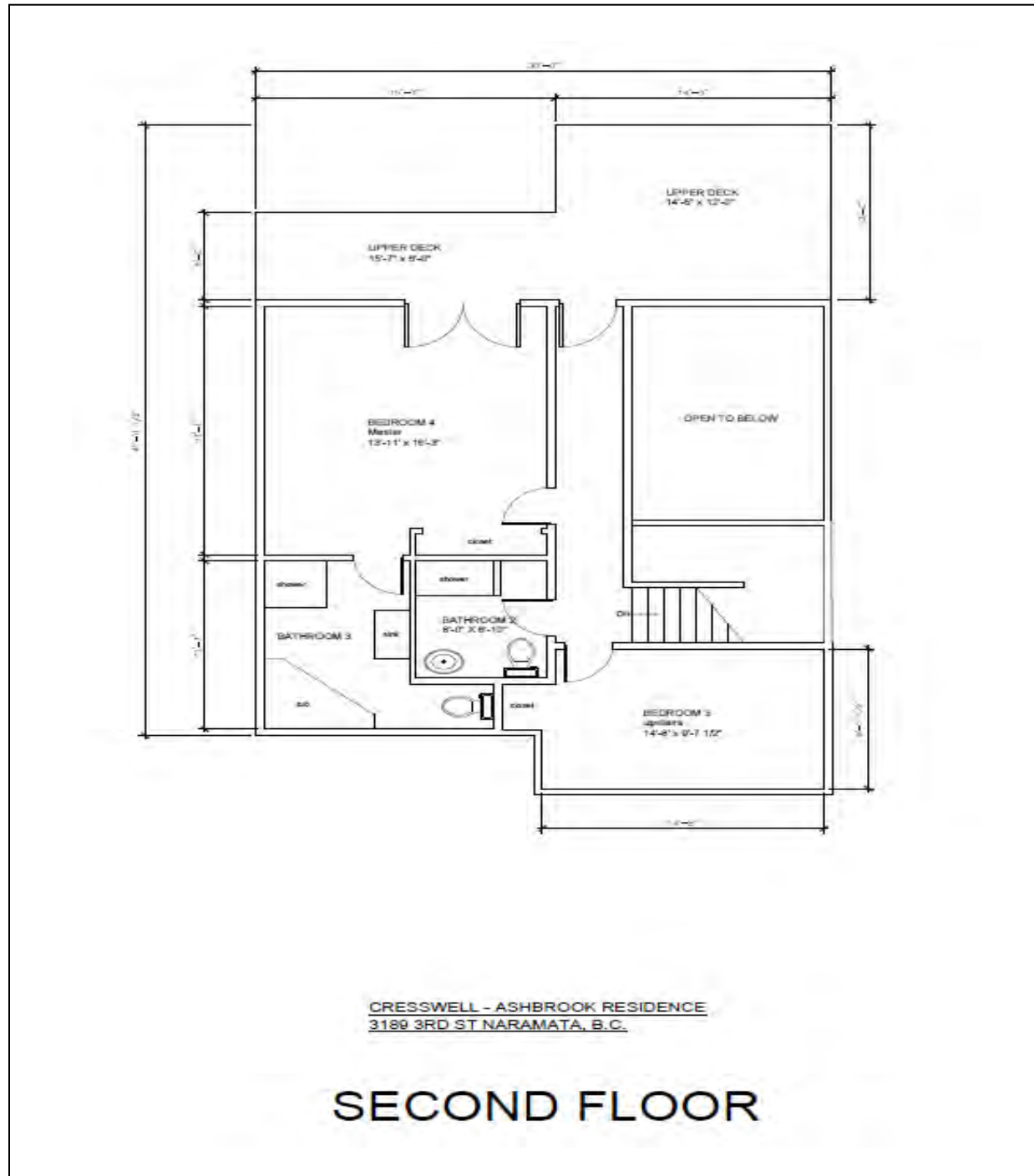
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.005-TUP

Schedule 'D'



Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: April 21, 2020 3:23 PM
To: Planning
Cc: Lauri Feindell
Subject: RE: TUP Referral E2020.005-TUP

Greetings to the Great and Powerful RDOS Planners!

Thank you for your referral regarding a Temporary Use Permit to use 3189 3rd Street, Naramata, PID 024993701, LOT 1 DISTRICT LOT 210 SIMILKAMEEN DIVISION YALE DISTRICT PLAN KAP67634 as a vacation rental. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded on the subject property.

However, archaeological potential modelling for the area indicates there is high potential for previously unidentified archaeological sites to exist on the property, as indicated by the brown colour over everything shown in the second screenshot below. Archaeological potential modelling is compiled using existing knowledge about archaeological sites, past indigenous land use, and environmental variables. Models are a tool to help predict the presence of archaeological sites but their results may be refined through further assessment.

Archaeology Branch Advice

If there are no plans for any kind of land alterations, there are no archaeological concerns with regard to the TUP.

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned for the subject property, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

Rationale and Supplemental Information

- There is high potential for previously unidentified archaeological deposits to exist on the property.



- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.
- If a permit is required, be advised that the permit application and issuance process takes approximately 8-12 weeks; the permit application process includes referral to First Nations and subsequent engagement.
- The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.
- The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person's expense, in certain circumstances, as set out in the *Heritage Conservation Act*.
- Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit.

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories.

Questions?

For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Please let me know if you have any questions regarding this information.

Kind regards,

Jiana







Please note that subject lot boundaries (yellow) and areas of archaeological potential (brown) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change.



Diana Cooper
Archaeologist/Archaeological Site Inventory Information & Data Administrator
Archaeology Branch | [Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#)
Phone: (250) 953-3343 | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: April 20, 2020 1:33 PM
To: 'fbclands@fortisbc.com' <fbclands@fortisbc.com>; Arch Data Request FLNR:EX <ArchDataRequest@gov.bc.ca>; Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>
Cc: Rushi Gadoya <rgadoya@rdos.bc.ca>
Subject: TUP Referral E2020.005-TUP

Re: E2020-005-TUP
3189 – 3rd Street, Naramata
Temporary Use Permit Application



Lauri Feindell

Subject: FW: TUP Referral E2020.005-TUP (2020037)
Attachments: TUP Referral Sheet - E2020.005-TUP (Ashbrook & Cresswell).pdf

From: Leathem, Jamie FLNR:EX <Jamie.Leathem@gov.bc.ca>
Sent: May 1, 2020 3:37 PM
To: Planning <planning@rdos.bc.ca>
Cc: Lacey, Cathy M FLNR:EX <Cathy.Lacey@gov.bc.ca>
Subject: FW: TUP Referral E2020.005-TUP (2020037)

The above noted referral (our file 2020037) has been reviewed by the Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development.

There are no concerns with the rezoning 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.



RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. E2020.006-TUP

Approval Recommended for Reasons Outlined Below

Interests Unaffected by TUP

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Thank you for the opportunity to provide a health perspective on this application. It is our understanding that this application is to allow for temporary short term vacation rental at 3161 Hayman Road in Naramata. This referral has been reviewed from a Healthy Community Development perspective.

Though there is no evidence yet for the long term implication of short term rentals on the health of our communities, the PHSA Healthy Built Environment Linkages Toolkit (HBE Toolkit) identifies that:

- Housing instability disproportionately affects low income people and vulnerable groups and can cause financial and psychological stress;
- Lack of affordable housing can lead to overcrowding;
- Higher housing costs can lead a decrease in disposable income making it more difficult to afford medication, healthy food, etc.;
- Differences in housing (i.e. quality, accessibility, and affordability) all have impacts on health over both the short term and long term.

The HBE toolkit also encourages housing to be within a reasonable distance from amenities in which to encourage alternative modes of transportation, such as active transportation. Having safe and convenient access to trails and paths encourages walking and cycling as a mode of active transport and can increase residents quality of life and overall health.

There is no assessment for the existing onsite sewerage regarding any potential health risk. If this sewerage system (SDS) is intended for continued usage, it is recommended that an Authorized Person confirm adequate performance, condition, size and location for the continued use of the existing onsite sewerage system. The SDS assessment is to determine location and to ensure that there is no health hazard /risk.

Please feel free to contact me directly if you have any questions or comments.

Signature: 

Signed By: Tanya Osborne

Agency: Interior Health

Title: Community Health Facilitator

Date: May 15, 2020





APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: E2020.005-TUP

FROM: Electoral Area "E" APC Member Name:

Barce Chugh
(please print)

May 14/2020

RE: Temporary Use Permit – "Vacation Rental" Use
3189 3rd Street — Lot 1, Plan KAP67634, District Lot 210, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: May 24, 2020 5:40 PM
To: Planning
Subject: 3 St, 3189 Naramata (E2020.005-TUP)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along 3rd Street. All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.

For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

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

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

FortisBC Overhead Design Requirements
<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification
<http://www.fortisbc.com/InstallGuide>

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

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





APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** E2020.005-TUP

FROM: Electoral Area "E" APC Member Name:

PHIL JANZEN
(please print)

RE: Temporary Use Permit – "Vacation Rental" Use
3189 3rd Street — Lot 1, Plan KAP67634, District Lot 210, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

RECEIVED
Regional District

MAY 14 2020

101 Martin Street
Penticton BC V2A 5J9

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



RDOS

OKANAGAN-SIMILKAMEEN

APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: E2020.005-TUP

FROM: Electoral Area "E" APC Member Name:

HEATHER FLECK
(please print)

mail 8 2020

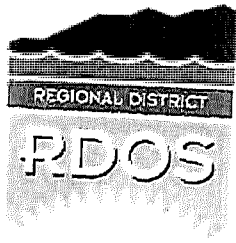
RE: Temporary Use Permit – "Vacation Rental" Use
3189 3rd Street — Lot 1, Plan KAP67634, District Lot 210, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

SITE COMMENT: LAKE IS ON WEST SIDE

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



OKANAGAN-SIMILKAMEEN

APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: E2020.005-TUP

FROM: Electoral Area "E" APC Member Name:

Dianna Smith
(please print)

RE: Temporary Use Permit – "Vacation Rental" Use
3189 3rd Street — Lot 1, Plan KAP67634, District Lot 210, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Appointment of Bylaw Enforcement Officer

Administrative Recommendation:

THAT the Regional District of Okanagan-Similkamen Board appoint Wayne Belleville as a Bylaw Enforcement Officer to enforce regulatory bylaws for the Regional District of Okanagan-Similkameen.

Purpose:

To appoint Wayne Belleville as a Bylaw Enforcement Officer for enforcement of regulatory bylaws.

Reference:

Section 264(1)(b) of the *Community Charter* (made applicable to Regional Districts by Section 414 of the *Local Government Act*) requires that a bylaw enforcement officer be designated for the purposes of issuing municipal ticket informations.

Background:

On July 4, 2019, the Regional District Board appointed Wayne Belleville as an Animal Control Officer for the purposes of enforcing the RDOS Animal Control Bylaw 2763 and the RDOS Dog Control Bylaw No. 2671.

Wayne Belleville is currently the Animal Control Officer for South Okanagan Security. SOS is wishing to have Mr. Belleville appointed as a Bylaw Enforcement Officer to assist with noise issues in the Oliver area in a more timely and cost effective manner. All work will be under specific direction and guidance by Don Moore or Ken Stockman.

Analysis:

South Okanagan Security Ltd. (SOS) currently holds the contract to provide enforcement services for the RDOS. The Regional District currently has 3 officers appointed as Bylaw Enforcement Officers for the purposes of enforcing the regulatory bylaws, Don Moore, Cliff Hooper and Ken

Stockman. Appointment of an additional officer will improve the service and provide additional resources for enforcement and provide for a quicker response time with no additional costs incurred to the Regional District.

Alternatives:

That the Regional District of Okanagan-Similkameen not appoint Wayne Belleville as a Bylaw Enforcement Officer to enforce regulatory bylaws for the Regional District of Okanagan-Similkameen

Respectfully submitted:

"Laura Miller"

L. Miller, Building & Enforcement Services Manager

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Building Bylaw Infraction
Electoral Area: I Folio: I-04768.375
PID: 006-536-573
Civic Address: 117/115 FARLEIGH LAKE RD

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 15, District Lot 1444, District Plan KAP23234, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805; and

THAT injunctive action be commenced.

Civic:	115/117 Farleigh Lake Road	Folio: I-04768.375
Legal:	Lot 15 Plan KAP23234 District Lot 1444 SDYD	
Zone:	AG1	Zoning Bylaw: 2457

Site Context:

The subject property is approximately 5.09 ha. in area and is located within the Agricultural Land Reserve approximately 15 km from the City of Penticton.

Regulatory Provisions:

Regional District of Okanagan-Similkameen Building Bylaws No.2333 and 2805.

Area I Zoning Bylaw 2457, 2008 allows one (1) accessory dwelling with a gross floor area no greater than 90.0 m². A mobile home is permitted on parcels greater than 4.0 ha in area.

Under Section 25(3) of the *Agricultural Land Commission Act*, an application for a non-farm use that applies to land that is zoned to permit a farm use or requires an amendment to a land use bylaw in

order to proceed may only be considered by the ALC if it is “authorized” by a resolution of the applicable local government.

Background:

The Contravention of Building Regulations Report dated April 21, 2020 from the Building Official indicates that this property is listed for sale with a real estate agent. The listing advertises that the property has three dwellings. The real estate advertisement lists a main house (2 bedroom ranch), a carriage house with a 1 bedroom suite and a 3 bed mobile on foundation. The listing also states that all homes are currently rented.

In 1979, Permit #4418 was issued to a previous property owner, to place a mobile home on this property.

In May 1997, Permit #12235 was issued to a previous property owner, for a new single family dwelling (2 bedroom). As only one dwelling was permitted for this property, the original dwelling (mobile) was required to become an accessory farm storage building as a permit condition.

In February 2000, Permit #13214 was issued to previous owners, to convert the accessory farm building (mobile) back to a farm help only residence with a condition that a 2nd dwelling is only allowed by the Agricultural Land Commission (ALC) if it is “necessary for farm operations”. If this dwelling was not necessary to house workers for the farm operations, then approval from the ALC was necessary to allow the mobile to remain as a dwelling. This property was, and still remains, wholly within the ALR.

On April 30, 2008, Permit #16457 was issued to the current property owners for a two storey garage. An inspection on January 29, 2009 revealed that a kitchen had been added to the upper storey of the garage. As an additional accessory dwelling was not permitted by zoning or by the ALC, the owners were told that the kitchen had to be removed. On February 6, 2009, the RDOS received an e-mail from the property owners stating that the use of the garage’s upstairs area was a “work area for preparation of organic jams and jellies produced from the organic orchard on the property.” The owner also submitted a revised floor plan showing the upper floor to be a workshop and storage area. The RDOS Planning department sent a letter with a copy of the approved, revised floor plan and a copy of the zoning requirements for home industry, to the owners regarding this matter on February 19, 2009. The letter stated that the upstairs area in the garage is for home industry use by inhabitants of the principal dwelling only and was “not permitted to be inhabited, occupied and/or used as a dwelling unit secondary suite or bed and breakfast.” The letter also stated, “Should you wish to sell the subject property, we suggest that any prospective purchasers be advised of the approved use of this building”. The garage had the Final Inspection on August 9, 2011 and the permit was completed and closed.

On April 17, 2020, the Building Official was notified by a member of the public that this property has been listed for sale and is advertising three dwellings (house, carriage house and mobile) which are all currently rented out. Photos provided by the realtor show that the upper level of the garage has a bedroom, full kitchen and that a solid fuel burning appliance has been also added.

Analysis:

In order to remedy this matter:

1. One of the accessory dwellings must be removed:
 - a. If the Mobile Home remains– approval from Agricultural Land Commission for a non-farm use is required. The Garage Dwelling Unit must be decommissioned in accordance with the Decommissioning a Dwelling Unit Board Policy (attached)
 - b. If the Garage Dwelling Unit remains – approval from Agricultural Land Commission is required for a non-farm use. A building permit is required to convert the use to a Dwelling Unit and for a woodstove. Removal of the mobile home or decommissioning in accordance with the aforesaid Board Policy.

Alternatively, the property owner can apply for rezoning to permit the current uses. This property is wholly in the Agricultural Land Reserve and their regulations do not permit accessory dwellings without approval. Under Section 25(3) of the *Agricultural Land Commission Act*, an application for a non-farm use that applies to land that is zoned to permit a farm use or requires an amendment to a land use bylaw in order to proceed may only be considered by the ALC if it is “authorized” by a resolution of the applicable local government.

This Building Bylaw infraction is considered to be Category 3 due to the inherent health & safety issues which may exist due to the unauthorized construction and installation of a solid fuel fired appliance.

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

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

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

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

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

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

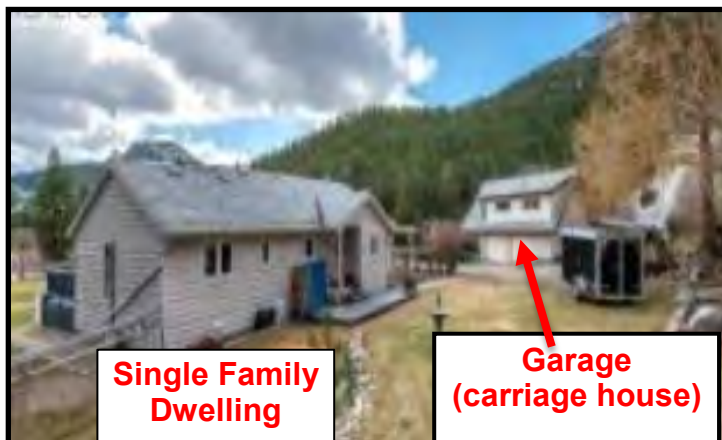
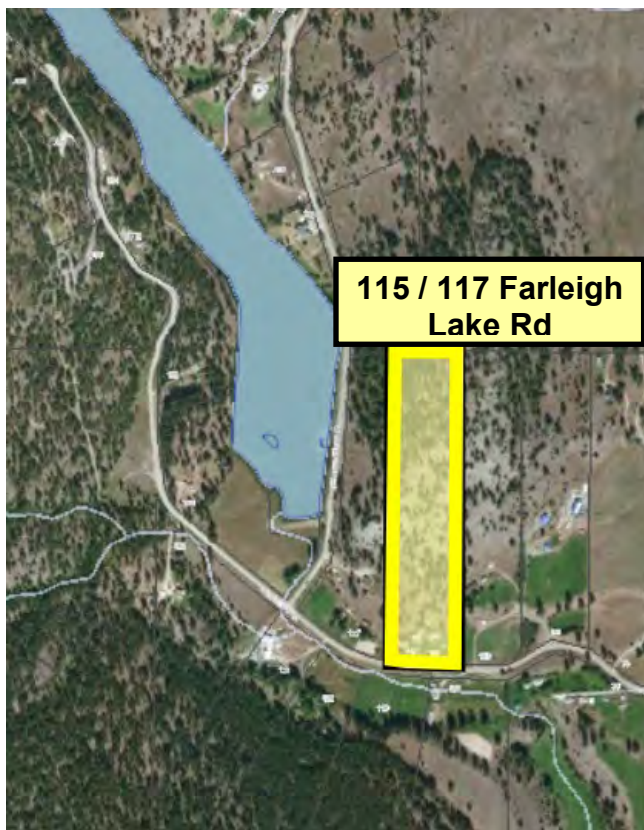
Alternatives:

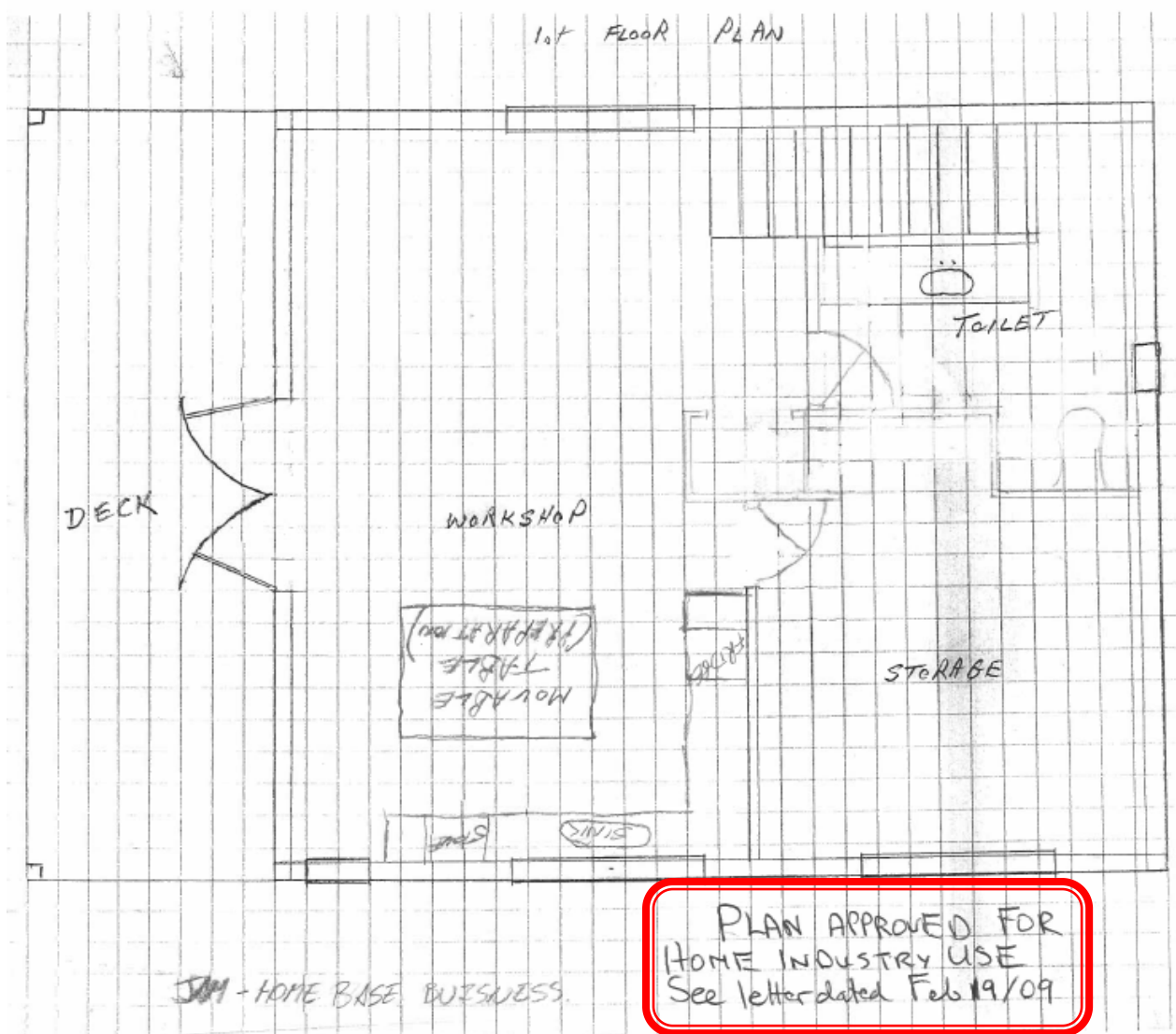
1. Do not proceed with enforcement action
2. Place a notice of deficiencies on the folio file (Category 1)
3. Place a Section 302 Notice on title (Category 2)

Respectfully submitted:

“L. Miller”

Laura Miller, Manager of Building and Enforcement Services





REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

- POLICY:** Decommissioning a Dwelling Unit
- AUTHORITY:** Board Resolution dated June 16, 2016.
- AMENDED:** Board Resolution No. _____ dated _____.

POLICY STATEMENT

The Regional District of Okanagan-Similkameen (RDOS) requires that a building or structure which constitutes a dwelling unit under the applicable Zoning Bylaw or BC Building Code, and which is not in compliance with the applicable Zoning Bylaw or BC Building Code regulations be decommissioned.

PURPOSE

To inform staff, developers, builders, subcontractors, designers and home owners of the Regional District's requirements for decommissioning a dwelling unit.

RESPONSIBILITIES

Development Services Department

PROCEDURES

The decommissioning of a dwelling unit will involve, at a minimum, the removal of the following:

- all bathrooms in excess of one (1) including tubs, showers, sinks, toilets, exhaust fans, waterlines and associated drain lines;
- the kitchen range hood, exhaust fan and applicable exhaust venting and wiring;
- 220-volt stove outlet (and capping of wiring to the electrical panel) and/or natural gas rough-in;
- all upper kitchen cabinets and washroom vanities; and
- all counter space and lower cabinets in excess of 1.5 metres.

All works related to the decommissioning of a dwelling unit shall be the subject of a Building Permit application showing the decommissioning plan and related structural changes and/or demolition.

All decommissioned buildings and structures shall comply with the applicable zoning regulations for an "accessory building and structure" (i.e. building heights, setbacks, bathroom floor area, etc.).

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Building Bylaw Infraction Electoral Area: F
Folio: F-06701.000
PID: 009-478-442 Lot: 12 Plan: KAP11635 DL: 2694
Civic Address: 465 NORTH BEACH RD

Administrative Recommendation:

THAT, if an application for a building permit and a Watercourse Development Permit has not been submitted by September 30, 2020, 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 12, Plan KAP11635, District Lot 2694, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805; and

THAT injunctive action be commenced.

Reference:

Regional District of Okanagan-Similkameen Building Bylaws No.2333 and 2805.

Background:

The Contravention of Building Regulations Report dated January 29, 2020 from the Building Official indicates that on August 17, 2018 construction of a deck addition off the east (lake) side of a home, a deck addition to the north side of the home, renovations requiring a building permit and a concrete retaining wall, all within the Watercourse Development Permit (WDP) area, was noted. A Stop Work Order was placed and construction was ordered to be stopped.

A letter was sent to the registered owner advising of the Stop Work and requirements to obtain a permit on August 17, 2018.

Discussions were held with the owner's agent as to the requirements to get permits for all aspects of the works.

The owner applied for a Watercourse Development Permit in September 2018 for the deck addition (called a carport) on the north side of the house only. WDP F2018.161 was issued on October 19, 2018.

A site visit on November 22, 2019 revealed that work had continued, despite the Stop Work Order.

A Final Notice letter was set to the registered owner on January 09, 2019 with two bylaw offence notices (#669 & 670) for failure to get a building permit and failure to obey a Stop Work Order.

On March 21, 2019 the owner applied for a building permit for the renovations (replacing doors and windows) and the north deck/carport (covered by WDP F2018.161) and Permit #21325 was issued on May 7, 2019 for these items.

To date, no further Watercourse Development Permit or building permit have been applied for or obtained for the east deck or the retaining wall.

In order to close the permit file the owner must obtain a Watercourse Development Permit and building permit for the works.

This Building Bylaw infraction is considered to be Category 3. The deck does not have required railings and does not appear to meet the BC Building Code. The retaining wall requires a structural engineer report.

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

Update – May 7, 2020

After receiving the Notice of Hearing the owner contacted us to advise that an application for an accretion has been submitted in cooperation with a local surveyor. Presently, the high water mark runs through a portion of the existing house and obtaining a building permit application or a Watercourse Development Permit would not be feasible until the accretion has been approved. The surveyor has advised that this process typically takes approximately one month but due to the pandemic timelines may be longer.

Analysis:

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

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

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

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

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

Alternatives:

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

Respectfully submitted:

"L. Miller"

Laura Miller, Manager of Building and Enforcement Services



F-06701.000
465 North Beach Rd
April 15, 2020



F-06701.000
465 North Beach Rd
April 15, 2020

F-06701.000
465 North Beach Rd
August 17, 2019



F-06701.000
465 North Beach Rd
April 15, 2020

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Building Bylaw Infraction
Folio: H-01138.840 Lot: 14 Plan: KAP30710 DL: 2140 KDYD
PID: 003-861-341
Civic Address: 2881 Princeton-Summerland 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 Lot 14, Plan KAP30710, District Lot 2140 KDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805; and

THAT injunctive action be commenced.

Reference:

Regional District of Okanagan-Similkameen Building Bylaw No.2805.

Background:

The Contravention of Building Regulations Report dated May 13, 2020 from the Building Official indicates that on April 20, 2020 construction of an accessory building without a building permit was noted. Forms had been erected for a foundation. The tenant who was doing the work was on site and spoke with the Building Official, telling him that the property owner had obtained a building permit. As no permit had been issued or applied for, a Stop Work Order was placed and construction was ordered to be stopped. A letter was sent to the registered owner advising of the Stop Work and requirements to obtain a permit on April 21, 2020.

On April 27, 2020 a visit to the property revealed that the foundation had been poured, the forms were removed and the foundation was backfilled. The Stop Work notice had been removed. The Building Official reposted it onto the poured foundation. Another letter and a Bylaw Offence Notice (#889) for \$500 for violation of the Stop Work order was sent to the property owner on April 29, 2020.

Background con't:

On May 11, 2020 a visit to the property revealed that framing of the building had been taking place and walls were up and the roof was being framed. Another Stop Work Order was posted as the original one had again been removed. Another Stop Work letter and Bylaw Offence Notice (#855) for \$500 was sent to the property owner on May 13, 2020.

The Building Official has had several discussions with the owner. The tenant is doing the building without his permission. The owner is attempting to have the tenant removed from the property.

A single wide mobile home had been located on the property and several permits were issued to previous owners including:

18774 – roof over mobile – May, 1996

12717 – carport addition – July, 1998

21078 – construction of garage accessory to the mobile home - September, 1997

At some point the single wide mobile was destroyed by fire. Accordingly, there is no principal use on the property, as required by SH2 Zone in RDOS Zoning Bylaw 2498, therefore a new accessory building is not permitted. The existing garage would be considered legal non-conforming, however, it appears that the garage is now being utilized as a dwelling. A building permit is also required for this change of use.

To date, no permits have been applied for despite several discussions with the property owner and the tenant.

In order to close the permit file an approved principal use must be in place and a valid building permit issued.

This Building Bylaw infraction is considered to be Category 3.

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

Analysis:

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

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

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

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

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

Alternatives:

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

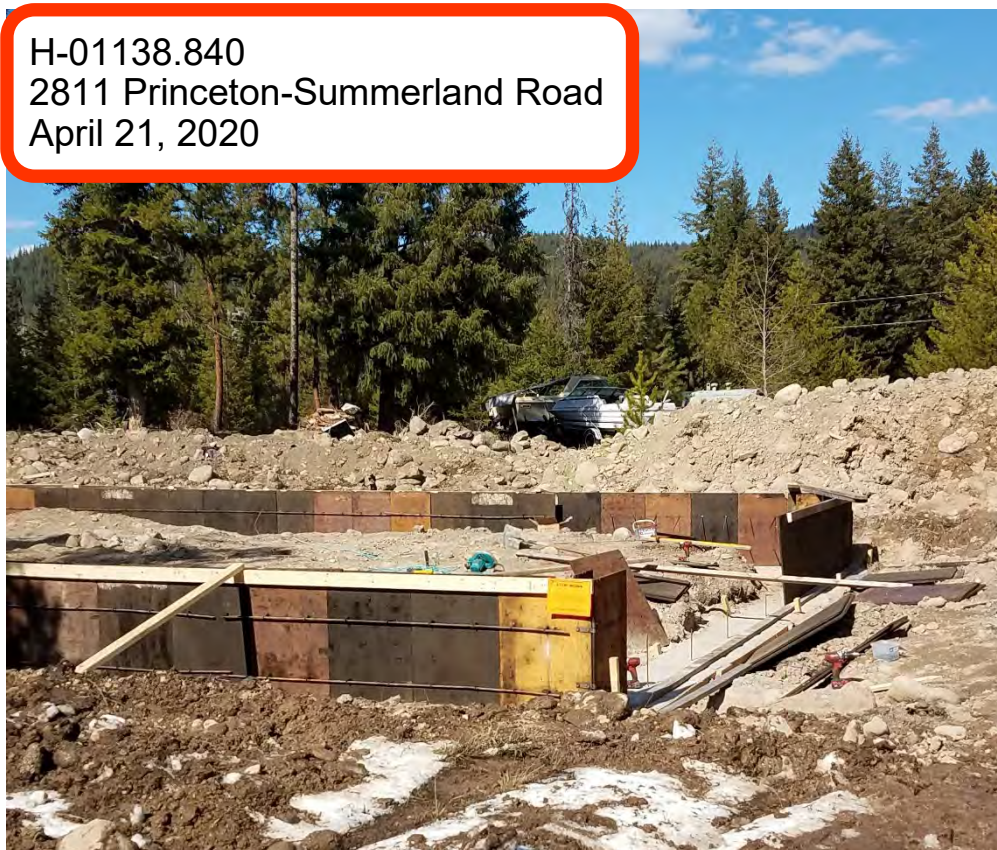
Respectfully submitted:

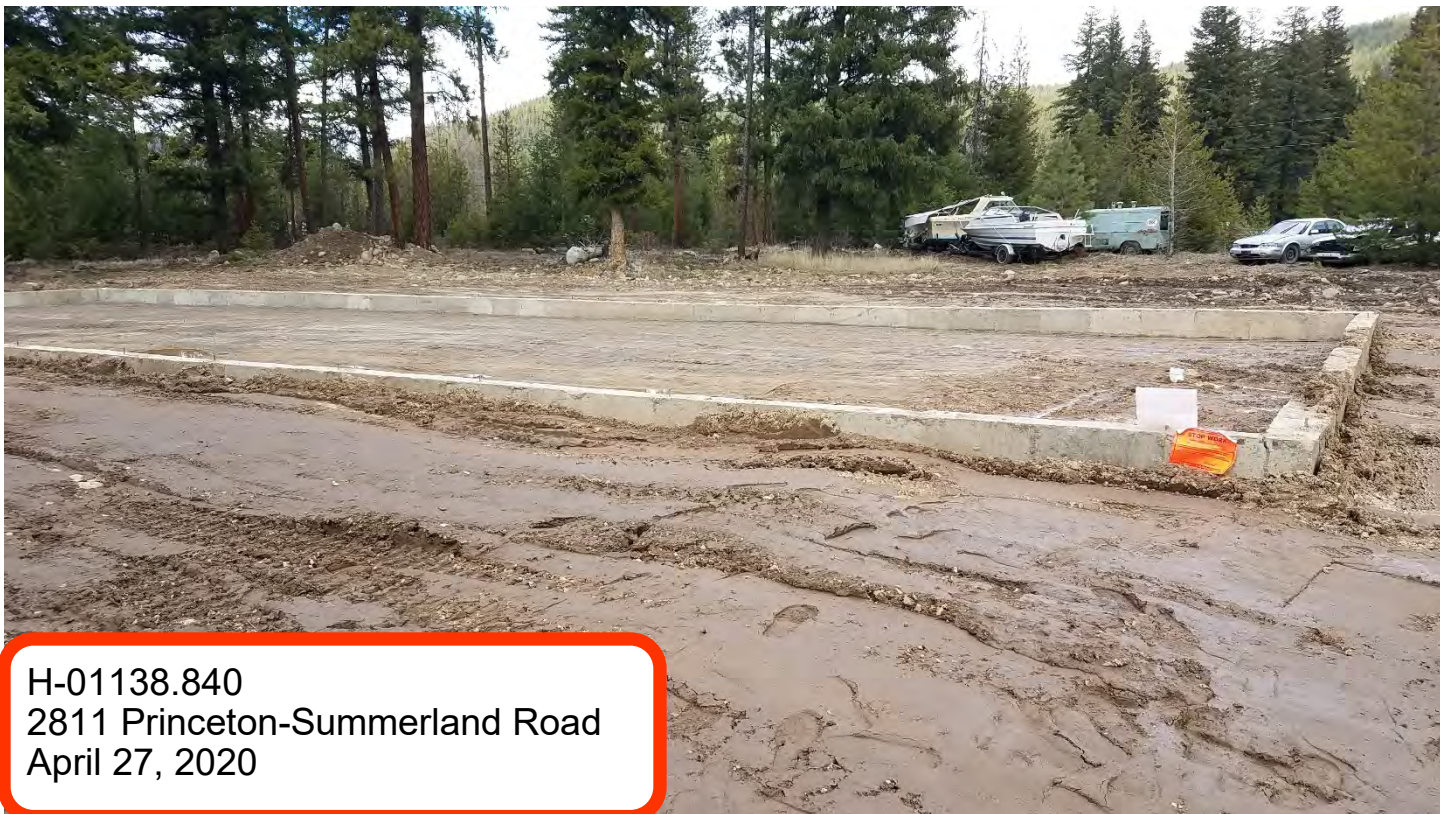
“L. Miller”

Laura Miller, Manager of Building and Enforcement Services

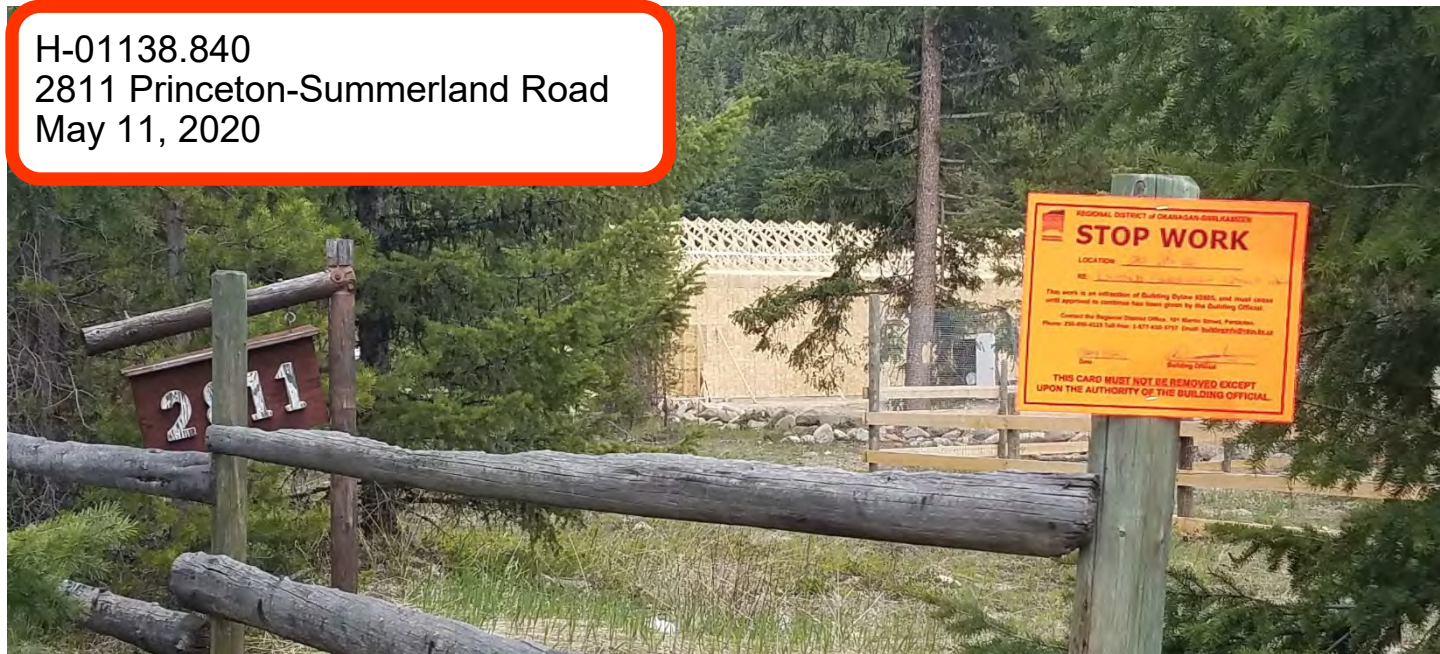


H-01138.840
2811 Princeton-Summerland Road
April 21, 2020





H-01138.840
 2811 Princeton-Summerland Road
 April 27, 2020



H-01138.840
 2811 Princeton-Summerland Road
 May 11, 2020

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Building Bylaw Infraction
Folio: H5-01088.001 Lot: 1 Plan: KAP29330 DL: 2075 KDYD
PID: 004-357-906
Civic Address: 3582 PRINCETON-SUMMERLAND RD

Administrative Recommendation:

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, Plan 29330, District Lot 2075, KDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805.

Reference:

Regional District of Okanagan-Similkameen Building Bylaws No.2333 & 2805.

Background:

The Contravention of Building Regulations Report dated December 18, 2019 from the Building Official indicates that despite correspondence to the property owners by letters dated June 28, 2019 and October 3, 2019 no permit has not been applied for.

On June 27, 2019, construction of steel accessory building was noted. A Stop Work Order was placed and construction was ordered to be stopped.

A letter was sent to the registered property owners advising of the Stop Work and requirements to obtain a permit on June 28, 2019.

A Final Notice letter was set to the owners on October 3, 2019 with a Bylaw Offence Notice (#829) in the amount of \$200.

To date, no permit has been applied for.

Background con't:

In order to close the permit file a building permit must be issued and successfully completed. The building requires professional engineering to determine the proper structural design and installation as it is a steel building.

This Building Bylaw infraction is considered to be Category 2 as this is a storage building and there are no health & safety concerns.

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

Analysis:

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

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

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

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

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

Alternatives:

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

Respectfully submitted:

“L. Miller”

Laura Miller, Manager of Building and Enforcement Services



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Building Bylaw Infraction
Folio: E-02077.030 Lot: 2 Plan: KAP24519 DL: 207 & 266 SDYD
PID: 002-076-360
Civic Address: 3027 SPRUCE DR (Permit #20216)

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 2, Plan KAP24519, District Lots 207 and 266, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805.

Reference:

Regional District of Okanagan-Similkameen Building Bylaws No.2333 and 2805.

Background:

The Contravention of Building Regulations Report dated April 8, 2020 from the Building Official indicates that Building Permit #20216 has expired without the Schedule C-B from the structural engineer.

Permit #17163 was issued in March 2010 for renovations and addition to a single family dwelling. The permit expired in March 2013.

Permit #18321 was issued in March 2013 to complete the work remaining from Permit #17163. This permit expired in March 2016.

Permit #20216 was issued on April 10, 2017 to complete the work remaining from Permits #18321 & 17163. This permit expired on April 10, 2019.

Background con't:

A structural engineer provided a Schedule B for design and field reviews for the renovation portion of the project. He did provide a field review, but withdrew his services in May 2011 and will not provide a Schedule C for the structural elements, which is required to complete the project.

The last inspection was done on April 8, 2020 which approved the deck addition.

The deficiencies are not health & safety related.

In order to close the permit file a Schedule C-B from a structural engineer is required.

This Building Bylaw infraction is considered to be Category 2.

A map showing the location of this property and a photo of the property are attached.

Analysis:

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

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

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

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

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

Alternatives:

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

Respectfully submitted:

“L. Miller”

Laura Miller, Manager of Building and Enforcement Services



E-02077.030
3027 Spruce Dr.



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Building Bylaw Infraction
Folio: H-00442.500 Parcel A, Block 17, DL 128
PID: 023-041-935
Civic Address: 2620 Nicola Ave., Tulameen

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 Parcel A (KJ30021), Block 17, District Lot 128 YDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805.

Reference:

Regional District of Okanagan-Similkameen Building Bylaws No.2333 and 2805.

Background:

The Contravention of Building Regulations Report dated February 6, 2020 from the Building Official indicates that on June 5, 2018 construction of vehicle shelter, very close to the side exterior setback, was noted. A Stop Work Order was placed and construction was ordered to be stopped. A letter was sent to the registered owners in June 6, 2018, mentioning the setback problem and requesting a building permit application be made by July 6, 2018.

An application for a building permit was submitted on June 27, 2018, however, as noted by the Planning Technician, the structure is too close to the side exterior setback and a Development Variance Permit (DVP) is required before the building permit application can be processed. The owners were notified by the Planning Technician of the requirement for a DVP.

Background con't:

A site visit on March 19, 2019 revealed that the structure had been completed.

A Final Notice letter was sent to the registered owners on March 22, 2019.

To date, no variance has been applied for, therefore a building permit cannot be obtained.

In order to close the permit file either the shelter must be removed from the property, or a DVP and building permit issued and all inspections completed.

This Building Bylaw infraction is considered to be Category 2 as no complaint has been received and there are no safety concerns.

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

Analysis:

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

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

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

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

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

Alternatives:

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

Respectfully submitted:

"L. Miller"

Laura Miller, Manager of Building and Enforcement Services



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Building Bylaw Infraction
Folio: I-04927.100
Lot: 1 DL: 1801 Plan: KAP14698 Except Plans H13599 & KAP54136, SDYD
PID: 008-951-063
Civic Address: 99 APEX MTN RD (Permit #19526)

Administrative Recommendation:

THAT if the health and safety aspects have not been corrected by June 30, 2020, a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 1801, Plan 14698 Except Plans H13599 & KAP54136, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805; and

THAT injunctive action be commenced.

Reference:

Regional District of Okanagan-Similkameen Building Bylaws No.2333 and 2805.

Background:

The Contravention of Building Regulations Report dated September 19, 2019 from the Building Official indicates that a building permit has expired without required inspections. It is unknown whether there are health & safety related deficiencies.

Expired Building Permit No. 19526 issued November 16, 2015 for a new Single Family Dwelling. The permit expired November 16, 2018.

Despite correspondence to the owner(s) the permit has not been completed.

The most recent inspection was an Occupancy Inspection on February 20, 2017. At that time, occupancy was granted but five deficiencies, including guards/handrails and the exterior finishes were noted. No further inspections have been called for.

Background con't:

In order to close the permit file, a new permit to complete the deficiencies noted in the February 20, 2017 inspection report is required with a determined end date. If not completed, alternatively, placement of a notice on title and proceed to injunctive action to obtain compliance.

This Building Bylaw infraction is considered to be Category 3 as handrails/guards are outstanding and the exterior of the building is unprotected.

A map showing the location of this property and a photo of the building are attached.

Update:

The property owner has contacted staff and advised that he is working on completing the outstanding deficiencies.

Analysis:

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

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

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

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

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

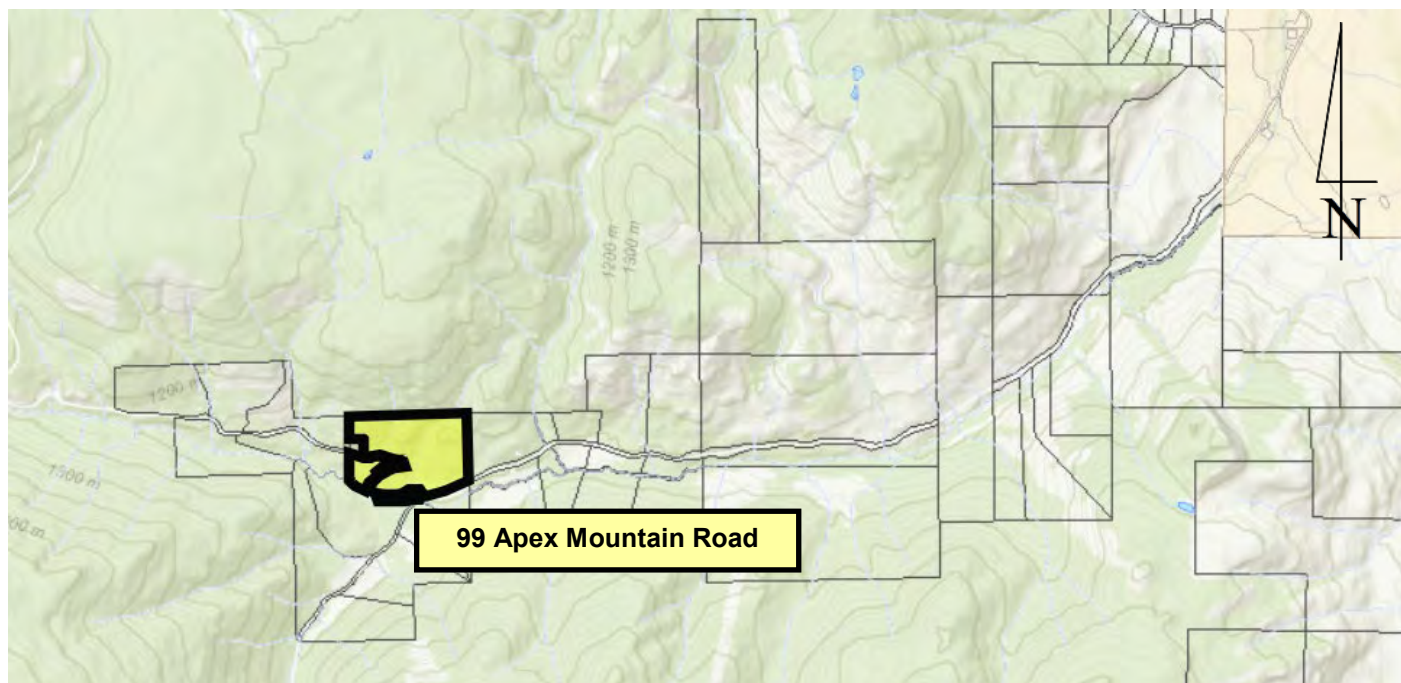
Alternatives:

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

Respectfully submitted:

“L. Miller”

Laura Miller, Manager of Building and Enforcement Services



I-04927.100
99 Apex Mountain Road
September 24, 2019



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Building Bylaw Infraction
Folio: F1-06932.000 Lot: 6 Plan: KAP647 DL: 2888
PID: 012-149-578
Civic Address: 8490 PRINCETON-SUMMERLAND

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 6, District Lot 2888, Plan 647, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaws No. 2333 and 2805; and

THAT injunctive action be commenced.

Reference:

Regional District of Okanagan-Similkameen Building Bylaws No.2333 and 2805.

Background:

The Contravention of Building Regulations Report dated November 29, 2019 from the Building Official indicates that On April 18, 2019 placement of a single-family dwelling (on blocking) in an Environmentally Sensitive Habitat Development Permit (ESDP) area was noted. A Stop Work Order was placed and construction was ordered to be stopped. There is an existing dwelling on the property and the zoning (SH2) does not permit a second dwelling.

A letter was sent to the registered owner advising of the Stop Work and requirements to obtain a permit on April 23, 2019.

A 2nd letter was sent to the Registered owner on July 23, 2019.

A Final Notice letter was sent to the Registered owner on September 30, 2019 with Bylaw Offence Notice #826.

Background con't:

To date, no re-zoning, ESDP or building permit has been applied for or obtained.

The property must be re-zoned to allow an additional dwelling and an Environmentally Sensitive Habitat Development Permit (ESDP) is required before a building permit can be issued.

In order to close the file a building permit must be issued and successfully completed.

This Building Bylaw infraction is considered to be Category 3.

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

Analysis:

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

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

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

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

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

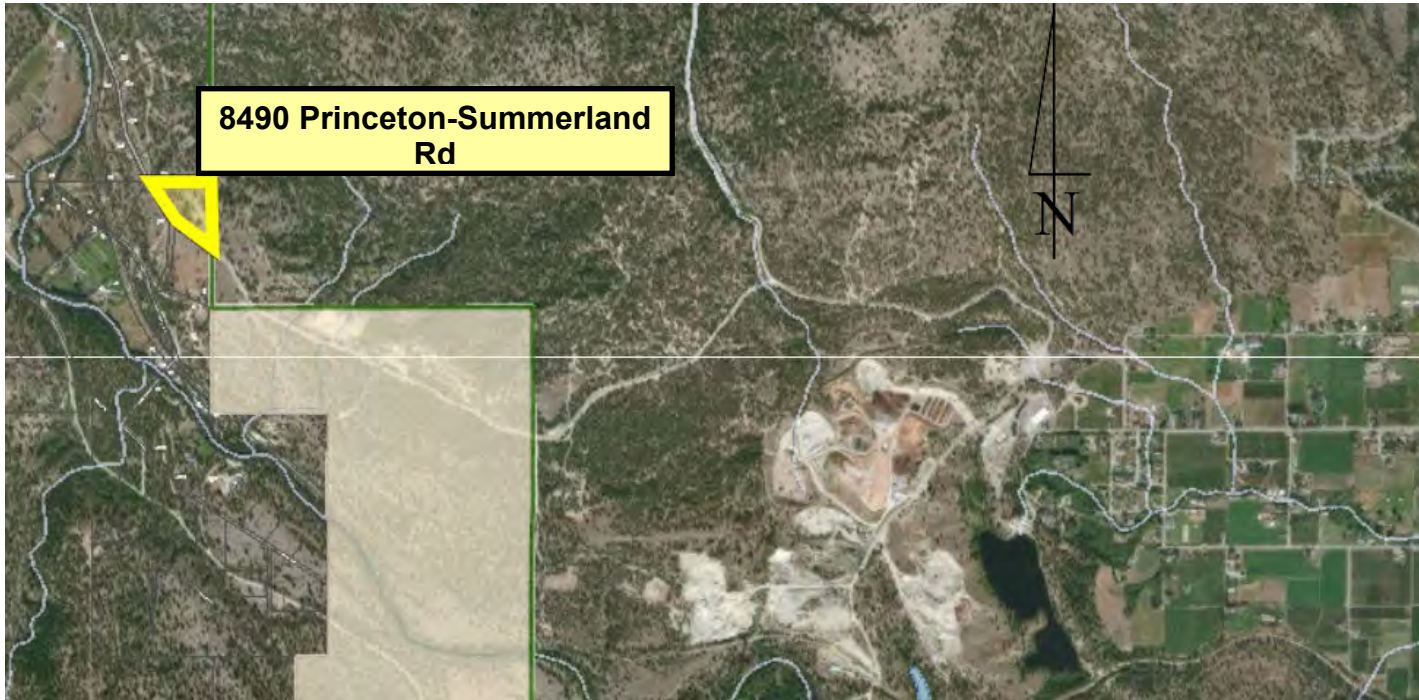
Alternatives:

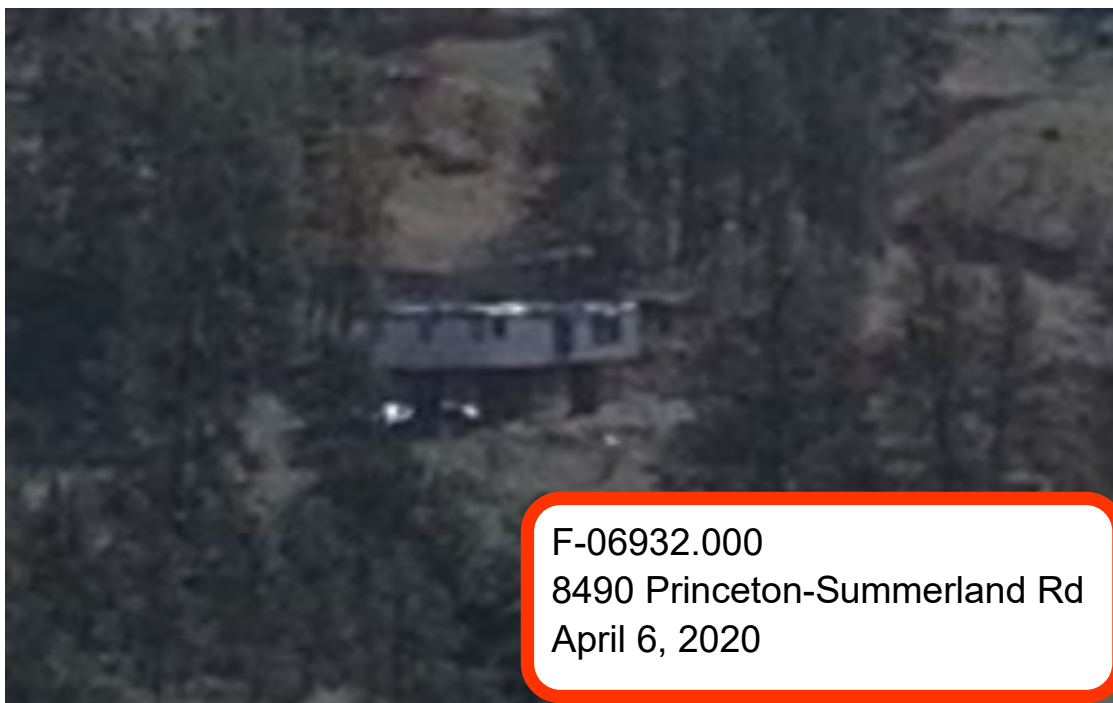
1. Do not proceed with enforcement action
2. Place a notice of deficiencies on the folio file (Category 1)
3. Place a Section 302 Notice on title (Category 2)

Respectfully submitted:

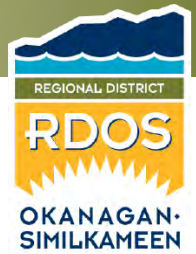
"L. Miller"

Laura Miller, Manager of Building and Enforcement Services





ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 4, 2020
RE: Development Variance Permit Application — Electoral Area “H”

Administrative Recommendation:

THAT Development Variance Permit No. H2019.031-DVP be approved.

Purpose: To allow for the construction of an accessory structure.

Owners: David Cooper & Karen Hamilton Agent: NA Folio: H-01196.000

Civic: 3008 Highway 5A, Allison Lake Legal: Lot 11, Plan 8079, District Lot 2697, KDYD

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

Variance Request: to increase the maximum height for an accessory building from 4.5 metres to 5.0 metres

Proposed Development:

This application is seeking a variance to increase the maximum height for an accessory building to accommodate a two-storey accessory structure.

Specifically, it is proposed to increase the maximum height for an accessory building in the RS1 zone from 4.5 metres to 5.0 metres.

In support of this request, the applicant has stated that “the garage is located near the back of the lot adjacent to the highway and will not obstruct or obscure the view. The over height portion of the garage is not significant to the characteristics of the neighborhood.”

Site Context:

The subject property is approximately 1,945 m² in area and is situated on the west side of Highway 5A. The property is currently developed and contains a single detached dwelling.

The surrounding pattern of development is characterised by low density residential properties; the property subject is bounded to the west by Alison Lake.

Background:

The subject property was created by a plan of subdivision registered with the Land Titles Office in Kamloops on May 9, 1957, while available Regional District records indicate that no Building Permits have been issued.

Under Electoral Area “H” Official Community Plan No. 2497, 2012, the subject property is designated as Low Density Residential (LR) and is the subject of a Watercourse Development Permit (WDP) Area designation.

Under the Electoral Area “H” Zoning Bylaw No. 2498, 2012, the property is zoned as Residential Single Family One Zone (RS1), which allows for single detached dwellings as a principal use and accessory buildings, among other uses, as a secondary use.

Accessory buildings are subject to regulations in Section 7.12 of the Electoral “H” Zoning Bylaw, including prohibiting showers and bathtubs, bedrooms, sleeping facilities or other living facilities, and limiting bathrooms to one (1) with a maximum floor area of 3.0 m².

Under Section 4.0 (Definitions) of the Electoral Area “H” Zoning Bylaw, the “height” of a building is determined by taking the average of all sides of a building from the finished ground level at its perimeter. The resulting average *may* be less than the actual height of the building from its highest point to the natural ground level.

The subject property has been assessed 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.

At its meeting of November 19, 2019, the Electoral Area “H” Advisory Planning Commission (APC) reviewed the applicant’s original variance proposal for a 7.8 m accessory building and resolved to recommend to the RDOS Board that the subject application be denied.

The applicant has since amended their building design and reduced the proposed building height and proposed variance from 7.8 m to 5.0 m.

At its meeting of March 19, 2020, the RDOS Board resolved that all Commission meetings be cancelled indefinitely. As such, the revised variance request has not been reviewed by the Electoral Area “H” APC; however, Electoral Area “H” APC members were invited to comment individually on the application.

Analysis:

In consideration of this proposal, Administration notes that the purpose of a maximum height regulation is to establish a uniform built environment with consistency of streetscape and reasonable expectations of built form within a neighbourhood. In absence of maximum floor area regulations for accessory buildings, it can act as a mechanism to limit the size and prominence of accessory buildings to maintain the dominance of the principal dwelling on the parcel.

Administration considers the redesign of the building to be less impactful on the streetscape and notes that the east elevation, facing the street, appears as one storey. Further, the building is stepped so that there are two rooflines, which reduces the building massing and overall prominence of the building.

Although the building exceeds the overall maximum height, at no point does the height from finished grade to the top of each individual roof extend beyond the maximum height permitted under the bylaw. In other words, the height calculation is from average finished grade to the top of the highest roof peak and increases the overall average height.

The building utilizes grade change (downward slope from the street towards the lake) to position approximately half of the lower level below finished grade, which reduces the visibility of the building's massing and the only portion of the building that is two-storeys.

In this instance, the applicant is proposing a two-storey accessory building, which includes a double garage, bathroom, and gym on the lower level and woodworking shop on the upper level. The design of the building functions as two adjoined one-storey buildings, in contrast to a typical two-storey building, as the building design provides no interior connection between the upper and lower levels.

Conversely, surrounding residential properties along Highway 5A are generally one or two storey dwellings and do not feature two-storey accessory buildings. There is concern that permitting a variance would set a negative precedent for the neighbourhood.

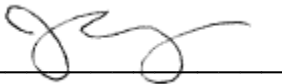
Further, it remains a concern that large accessory buildings, like the one proposed, may be converted to an accessory dwelling or for living/sleeping facilities (bedroom) in the future, which is not permitted in the RS1 zone.

For these reasons, Administration supports the requested variances and is recommending approval.

Alternatives:

1. That the Board deny Development Variance Permit No. H2019.031-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "H" Advisory Planning Commission.

Respectfully submitted



JoAnn Peachey, Planner I

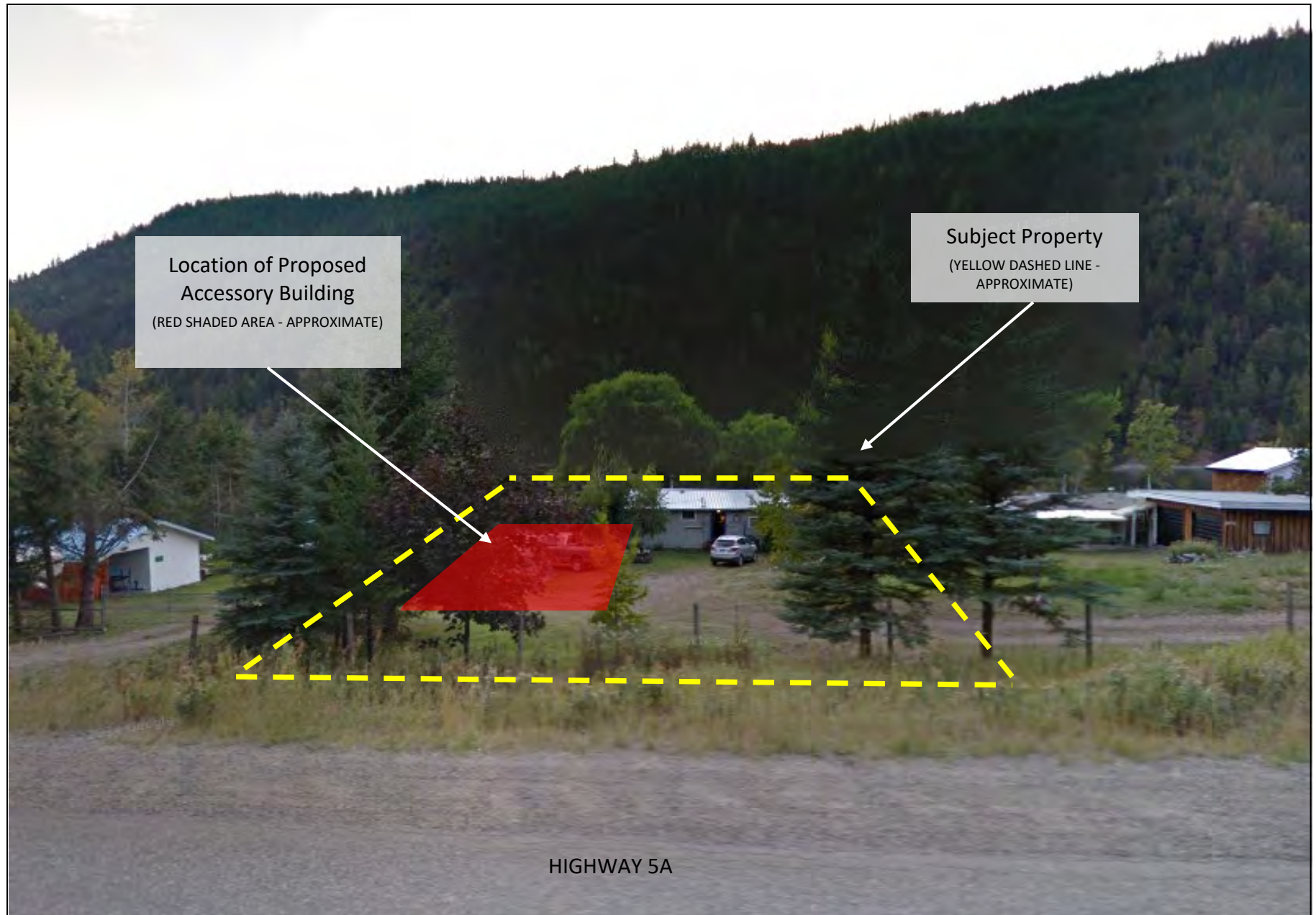
Endorsed by:

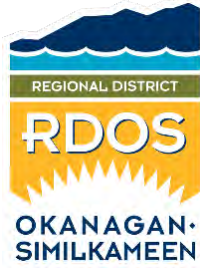


C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)





Development Variance Permit

FILE NO.: H2019.031-DVP

Owner: David D. Cooper
18B W Etrurua St.
Seattle, WA, 98119

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 11, Plan KAP8079, District Lot 2697, KDYD

Civic Address: 3008 Highway 5A

Parcel Identifier (PID): 009-882-405 Folio: H-01196.000

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "H" Zoning Bylaw No. 2498, 2012, in the Regional District of Okanagan-Similkameen:
 - a) the minimum height for an accessory building in the Residential Single Family One (RS1) Zone, as prescribed in Section 12.1.6(b), is varied:
 - i) from: 4.5 metres

to: 5.0 metres

COVENANT REQUIREMENTS

7. Not Applicable

SECURITY REQUIREMENTS

8. Not applicable

EXPIRY OF PERMIT

9. 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

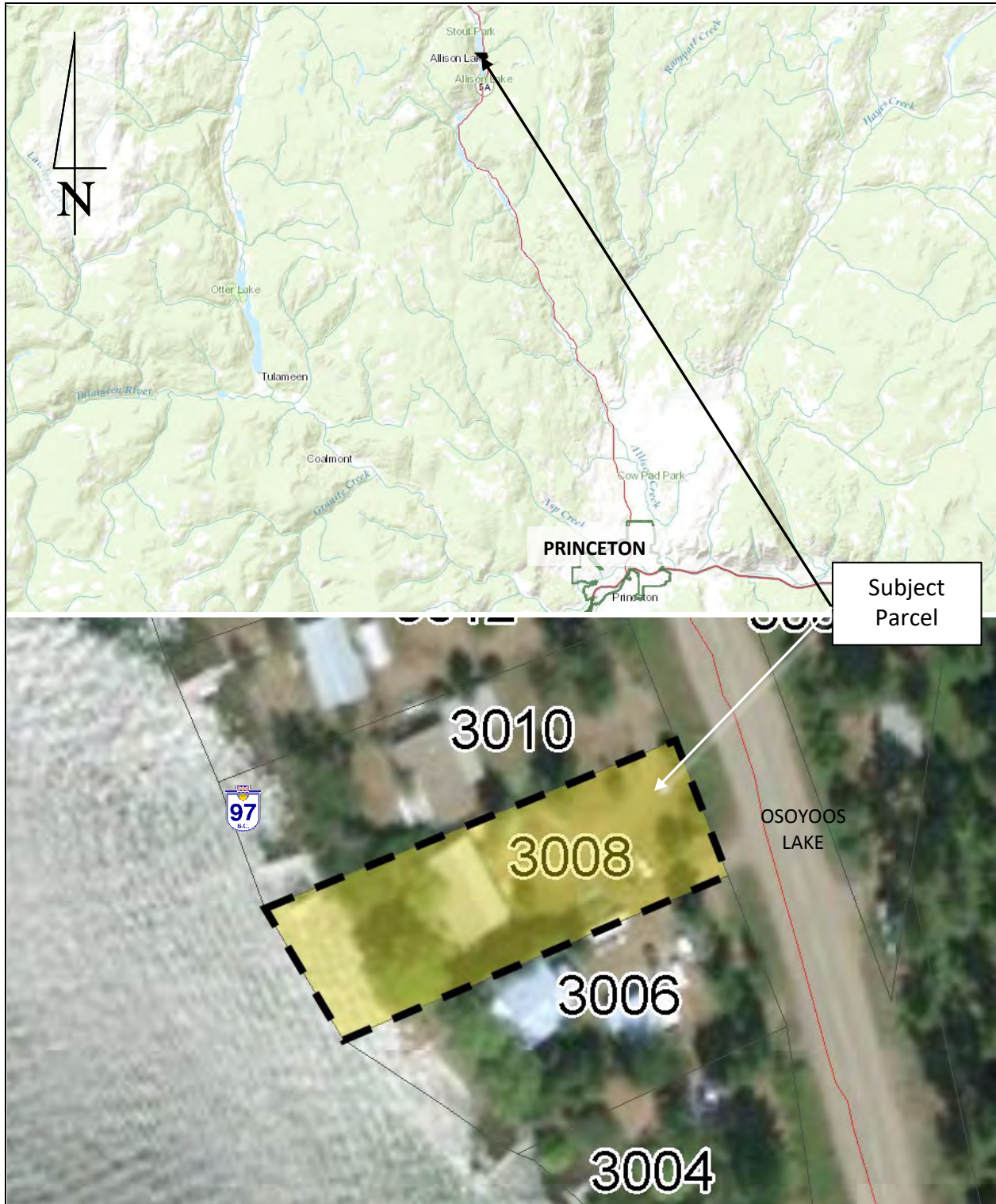
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. H2019.031-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

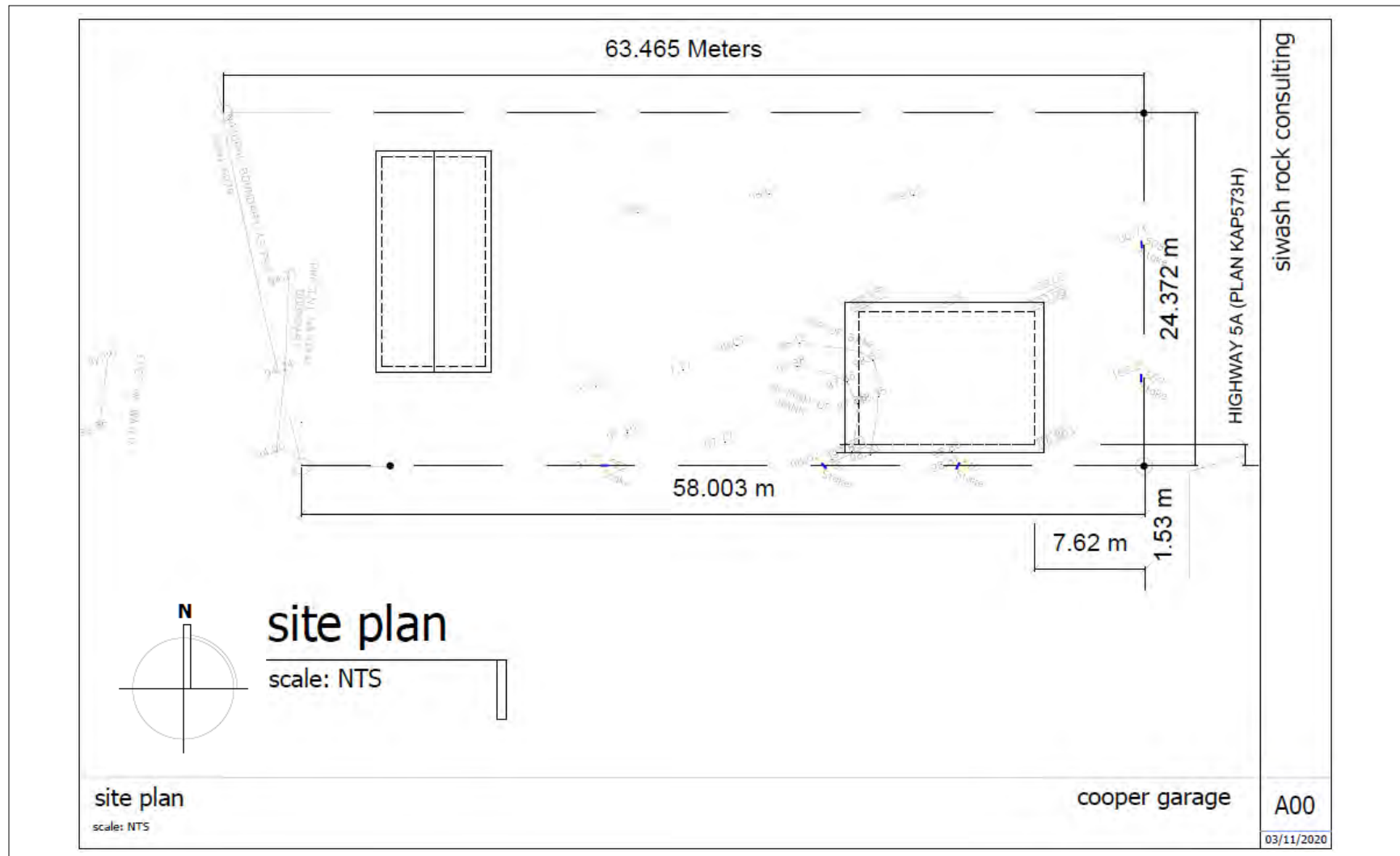
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. H2019.031-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

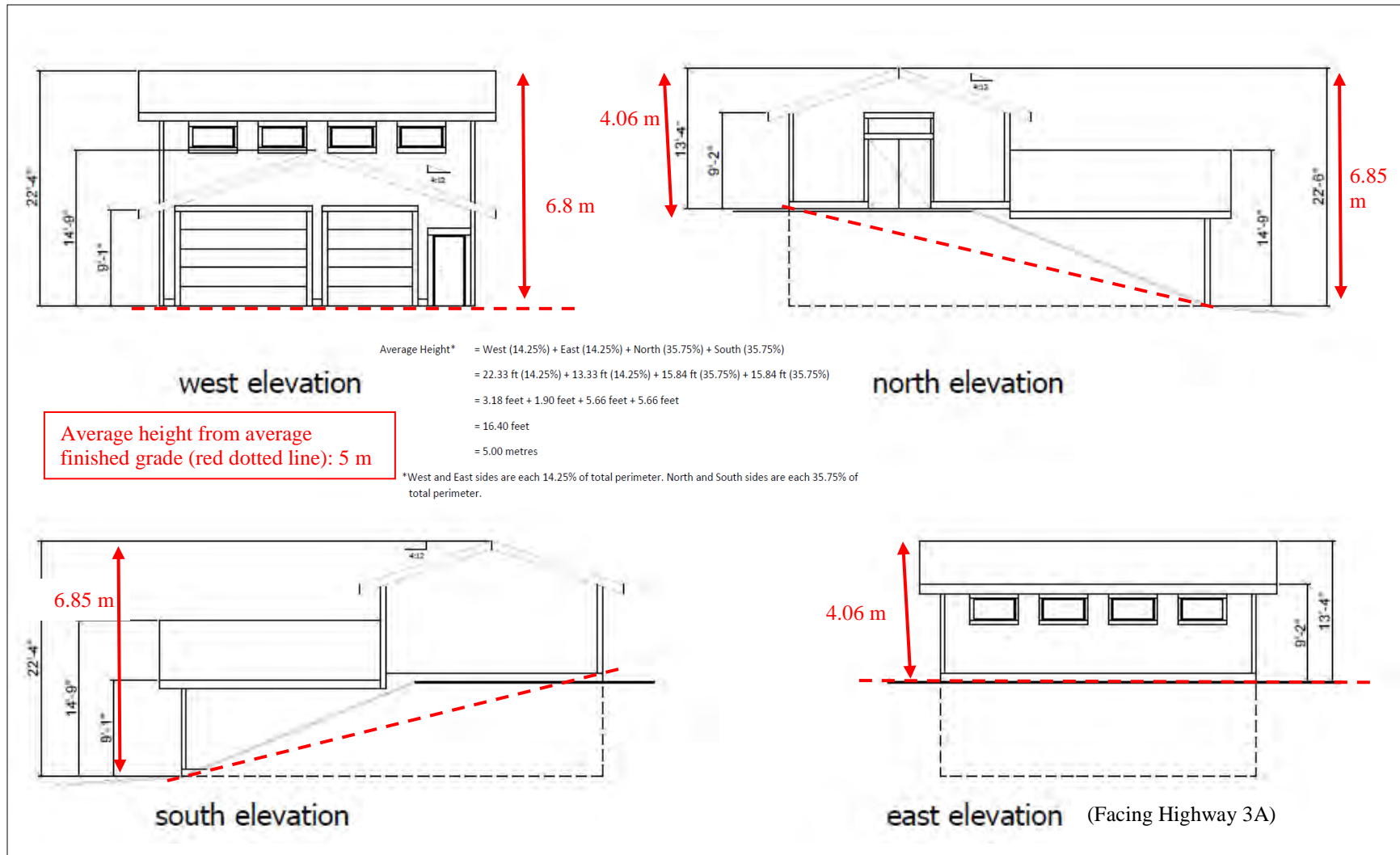
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. H2019.031-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

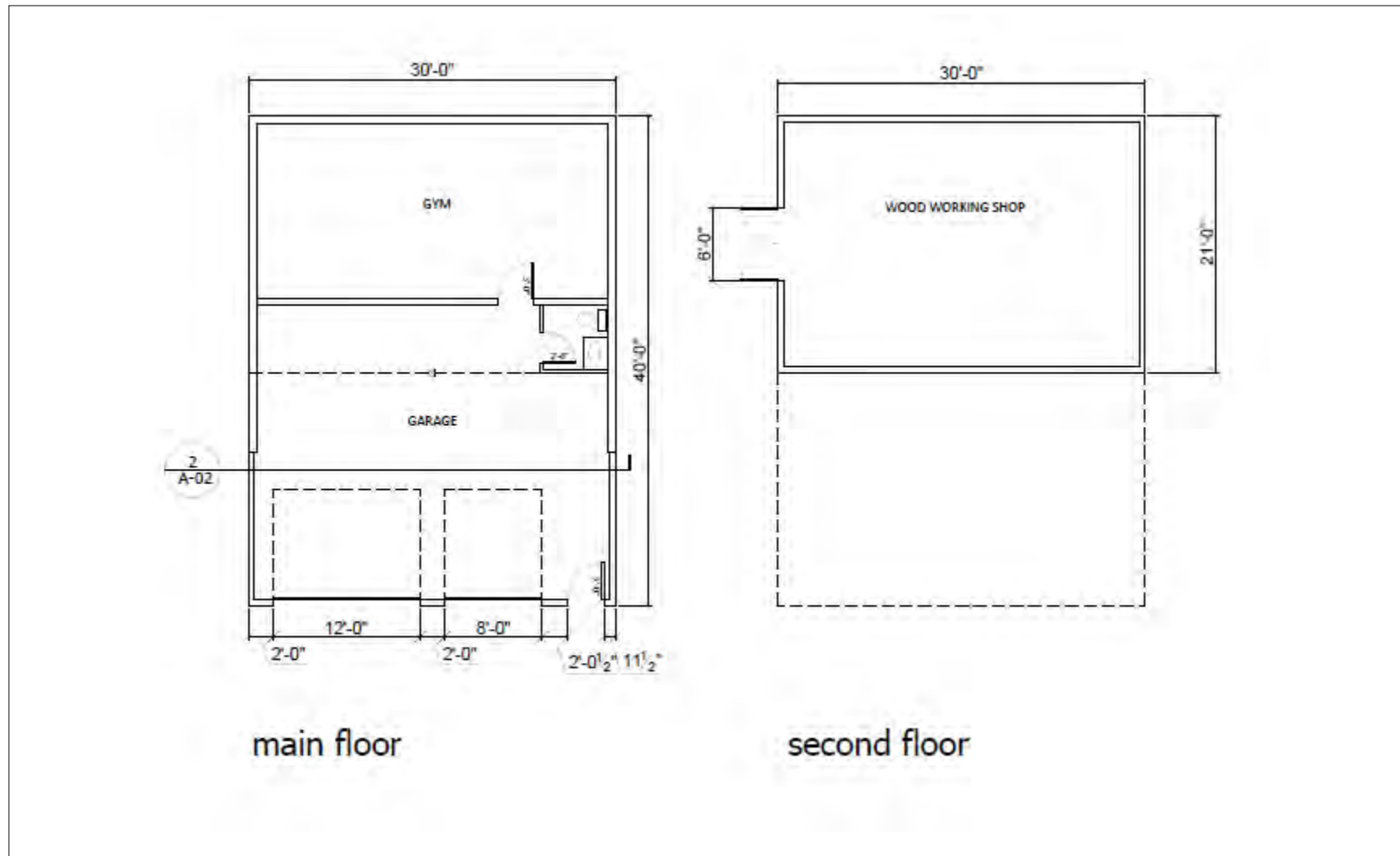
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. H2019.031-DVP

Schedule 'D'



Lauri Feindell

From: Stout, Jerry [REDACTED]
Sent: May 28, 2020 10:38 AM
To: Planning
Subject: DVP Applicatoin no. H2019.031-DVP

To whom it may concern:

Re: Development Variance Permit (DVP) Application No. H2019.031-DVP
3008 Highway 5A, Allison Lake (Lot 11, Plan 8079, District Lot 2697, KDYD)

I support this application to increase the maximum height for an accessory building from 4.5 metres to 5.0 metres.

This increase in height will NOT impede the view of any of the surrounding cabins.

Regards

Gerald Stout,
[REDACTED]
Allison Lake

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JoAnn Peachey

From: Barbara Hamilton [REDACTED]
Sent: May 3, 2020 4:41 PM
To: Christopher Garrish; Bob Coyne; JoAnn Peachey
Subject: Fwd: RE: Development Variance Permit (DVP) Application No. H2019.031-DVP

Follow Up Flag: Follow up
Flag Status: Flagged

Hello again Chris Garrish

I misplaced the last email you sent out re: the height variance @ 3008 Highway 5A (lot 31, Plan KAP8079, District 2697, KDYD). I still have the same concerns that I wrote in my Dec. 9, 2019 letter. I would like to wager that the original home on that property has never had a building permit. Being a seasonal resident; numerous times I observed additions being made to the original home and I have never seen a permit. I hope I am mistaken. One of the additions was a new front deck and stairs into the riparian area. That is not relevant now; but it does make me suspicious about the owners intent for this building. The location and the height of the building are concerning and it is not consistent with the other homes; there is an exception next door @ 3006 Highway 5A that converted a garage at the back of the property to a second home for the parents. There are many building and bylaw infractions at Allison Lake, and I do understand that staff and resources are limited.

Thank you for the opportunity to allow for input Re; the Development Variance Permit Application No. H2019.031-DVP.
Barbara Hamilton

----- Forwarded Message -----

Subject: RE: Development Variance Permit (DVP) Application No. H2019.031-DVP
Date: Tue, 10 Dec 2019 17:19:53 +0000
From: Christopher Garrish <cgarrish@rdos.bc.ca>
To: Barbara Hamilton [REDACTED]
CC: Bob Coyne <bcoyne@rdos.bc.ca>, Lauri Feindell <lfeindell@rdos.bc.ca>, JoAnn Peachey <jpeachey@rdos.bc.ca>

Hi Barbara,

Thank you for providing these comments regarding the proposed variances at 3008 Highway 5A.

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: Barbara Hamilton [REDACTED]
Sent: December 9, 2019 3:02 PM
To: Christopher Garrish <cgarrish@rdos.bc.ca>; Bob Coyne <bcoyne@rdos.bc.ca>
Subject: Development Variance Permit (DVP) Application No. H2019.031-DVP

RE: 3008 Highway 5A (Lot 31, Plan KAP8079, District 2697, KDYD)
FOLIO No. H0119986.000

Mr. Garrish and Mr. Coyne

In response to the RDOS Administration analysis of the Development Variance Permit Application No. H2019.031-DVP; I share all the concerns as expertly outlined by the RDOS administration. I have merely re-iterated the RDOS planning points. I do not support the variance request to exceed the maximum height regulations.

1. The Administration notes that the purpose of a maximum height regulation @ 4.5 meters is to establish a uniform built environment with consistency of streetscape and built form within the neighbourhood.
2. Accessory buildings like the one proposed; could easily be converted to an accessory dwelling for living/sleeping facilities which is not permitted in the RS1 zone.
3. Large buildings of this height will negatively affect the neighbouring properties by decreasing rear yard privacy and substantially increasing shadowing.
4. The proposed accessory building takes advantage of grade averaging to increase the height of the building, and are larger buildings than what is typically built within the height regulations and what are existing in the neighbourhood. Surrounding residential properties along Highway 5A are generally one or two storey dwellings and do not feature two-storey accessory buildings; buildings of this size would set a negative precedent.
5. The building could be redesigned to be less impactful to the neighborhood.

Thank you for the opportunity to see the application and respond.

Barbara Hamilton
[REDACTED]

JoAnn Peachey

From: Christopher Garrish
Sent: December 10, 2019 9:20 AM
To: Barbara Hamilton
Cc: Bob Coyne; Lauri Feindell; JoAnn Peachey
Subject: RE: Development Variance Permit (DVP) Application No. H2019.031-DVP

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Barbara,
Thank you for providing these comments regarding the proposed variances at 3008 Highway 5A.
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: Barbara Hamilton [REDACTED]
Sent: December 9, 2019 3:02 PM
To: Christopher Garrish <cgarrish@rdos.bc.ca>; Bob Coyne <bcoyne@rdos.bc.ca>
Subject: Development Variance Permit (DVP) Application No. H2019.031-DVP

RE: 3008 Highway 5A (Lot 31, Plan KAP8079, District 2697, KDYD)
FOLIO No. H0119986.000

Mr. Garrish and Mr. Coyne

In response to the RDOS Administration analysis of the Development Variance Permit Application No. H2019.031-DVP; I share all the concerns as expertly outlined by the RDOS administration. I have merely re-iterated the RDOS planning points. I do not support the variance request to exceed the maximum height regulations.

1. The Administration notes that the purpose of a maximum height regulation @ 4.5 meters is to establish a uniform built environment with consistency of streetscape and built form within the neighbourhood.
2. Accessory buildings like the one proposed; could easily be converted to an accessory dwelling for living/sleeping facilities which is not permitted in the RS1 zone.
3. Large buildings of this height will negatively affect the neighbouring properties by decreasing rear yard privacy and substantially increasing shadowing.

4. The proposed accessory building takes advantage of grade averaging to increase the height of the building, and are larger buildings than what is typically built within the height regulations and what are existing in the neighbourhood. Surrounding residential properties along Highway 5A are generally one or two storey dwellings and do not feature two-storey accessory buildings;

buildings of this size would set a negative precedent.

5. The building could be redesigned to be less impactful to the neighborhood.

Thank you for the opportunity to see the application and respond.

Barbara Hamilton



Lauri Feindell

Subject: FW: Fwd: RDOS File: H2019.031-DVP, Folio no. HO1196.000

From: Barbara Hamilton
Sent: May 27, 2020 10:31 AM
To: JoAnn Peachey <jpeachey@rdos.bc.ca>
Subject: Re: Fwd: RDOS File: H2019.031-DVP, Folio no. HO1196.000

Good Morning JoAnn

Thank you for your prompt response. I have some concerns regarding this auxiliary building plans. Recently another neighbor @ 3014 Highway 5A had their garage plans approved. The "Garage" is built into the current landscape and is in close proximity to the existing home. I fully support this project.

The plans for the auxiliary building, file H2019.031, Folio no. H01196.00 would be a two story building of 2400 sq. ft. at the back of the property. Approximately 400 of the 2400 sq. feet is actual garage. This could potentially start a trend for residents to build second buildings on their properties for living quarters. We already have, because of no bylaw enforcement, many trailers used for this purpose. This building would obstruct the view of the lake from the highway. It does not conform with other homes in our subdivision.

I appreciate the work that the planners and building inspectors do in Area H.

Thank you

Barbara Hamilton

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 4, 2020
RE: Development Variance Permit Application — Electoral Area “F”

Administrative Recommendation:

THAT Development Variance Permit No. F2020.003-DVP be approved.

Purpose: To increase the maximum height for a retaining wall.

Owners: Kelly and Robert Arsenault Agent: Donna Butler, Ecora Engineering Ltd. Folio: F-07344.055

Civic: 407 Valiant Drive Legal: Lot 2, Plan KAP2899, District Lot 5076, ODYD

OCP: Small Holdings (SH) Zone: Small Holdings Six Zone (SH6)

Variance Request: to increase the maximum height for a retaining wall from 2.0 m to 2.8 m

Proposed Development:

This application is seeking a variance to the maximum height for a new retaining wall to accommodate a level parking area for a future detached garage.

Specifically, it is being proposed to increase the maximum height for a retaining wall from 2.0 metres to 2.8 metres.

In support of this request, the applicant has stated that “the current parking and on-site access is constrained. Considering the location of the house and slope the proposed retaining wall is the only reasonable approach to developing a level parking area. To create a new parking area at the level of the main floor of the house and with adequate dimensions, a retaining wall is needed on the south and west sides of the parking area.”

Site Context:

The subject property is approximately 2,304 m² in area and accessed by a panhandle located at the end of Valiant Drive. The eastern property line Mariposa Park. The property is currently developed to a single detached dwelling.

The surrounding pattern of development is characterised by residential and park.

Background:

The subject property was created by a plan of subdivision registered with the Land Titles Office in Kamloops on May 31, 1978, while available Regional District records indicate that no Building Permits have previously been issued.

Under Electoral Area “F” Official Community Plan No. 2790, 2018, the subject property is designated as Small Holdings (SH).

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the property is zoned as Small Holdings Six Zone (SH6), which allows for single detached dwellings as principal use and accessory structures, among other uses, as a secondary use.

Retaining walls are subject to regulations in Section 7.28 of the Electoral Area “F” Zoning Bylaw No. 2462, 2008, including a maximum height of 2.0 metres.

The height of a retaining wall is measured from the lowest finished grade at the base to the top of any part of the wall.

The property has been assessed as Residential (Class 01) by BC Assessment.

Public Process:

Adjacent property owners will have received two notifications 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 a maximum height regulation for retaining walls is generally to mitigate visual impacts associated with large walls, to reduce potential impact on adjacent properties (e.g. overshadowing), and to encourage development that integrates into the natural topography of a site (e.g. use of stepping, smaller scale retaining walls, or building into the hillside).

In considering this proposal, Administration notes that the decorative redi-rock retaining wall is situated to overlook the rear yard and neighbouring park to the east and an undevelopable, triangular portion of the neighbour’s lot to the south. As such, the visual impact of the retaining wall from the street and adjoining parcels is minimal.

The retaining wall adheres to all other zoning requirements, including parcel line setbacks to provide further separation between the retaining wall and adjacent parcels.

Conversely, a series of smaller, stepped retaining walls could be used to modify the site’s topography. As there are existing areas for parking on-site, a garage may be considered over-development when large retaining walls are needed to facilitate this work.

For these reasons, Administration supports the requested variances and is recommending approval.

Alternatives:

1. That the Board deny Development Variance Permit No. F2020.003-DVP; or
2. That the Board defer consideration of the application and it be referred to the Electoral Area “F” Advisory Planning Commission.

Respectfully submitted



JoAnn Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

Attachments:

No. 1 – Applicant’s Site Photo
(March 2020)

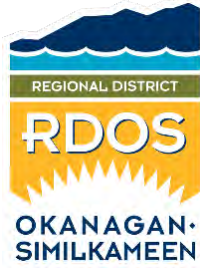
No. 2 – Aerial Photo

Attachment No. 1 – Applicant’s Site Photo (March 2020)



Attachment No. 2 – Aerial Photo





Development Variance Permit

FILE NO.: F2020.003-DVP

Owner: Kelly and Robert Arsenault
407 Valiant Drive
Penticton, BC, V2A 7K8

Agent: Ecora Engineering Ltd
Donna Butler
201-284 Main Street
Penticton, BC, V2A 5B2

GENERAL CONDITIONS

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

APPLICABILITY

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

Legal Description: Lot 2, Plan 28994, District Lot 5076, SDYD

Civic Address: 407 Valiant Drive

Parcel Identifier (PID): 004-449-151 Folio: F-07344.005

CONDITIONS OF DEVELOPMENT

6. The land specified in Section 5 may be developed in accordance with the following variances to the Electoral Area "F" Zoning Bylaw No. 2461, 2008, in the Regional District of Okanagan-Similkameen:
 - a) the maximum height for a retaining wall, as prescribed in Section 7.28.4, is varied:
 - i) from: 2.0 metres
 - to: 2.8 metres as shown on Schedule 'C'.

COVENANT REQUIREMENTS

7. Not Applicable

SECURITY REQUIREMENTS

8. Not applicable

EXPIRY OF PERMIT

9. 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

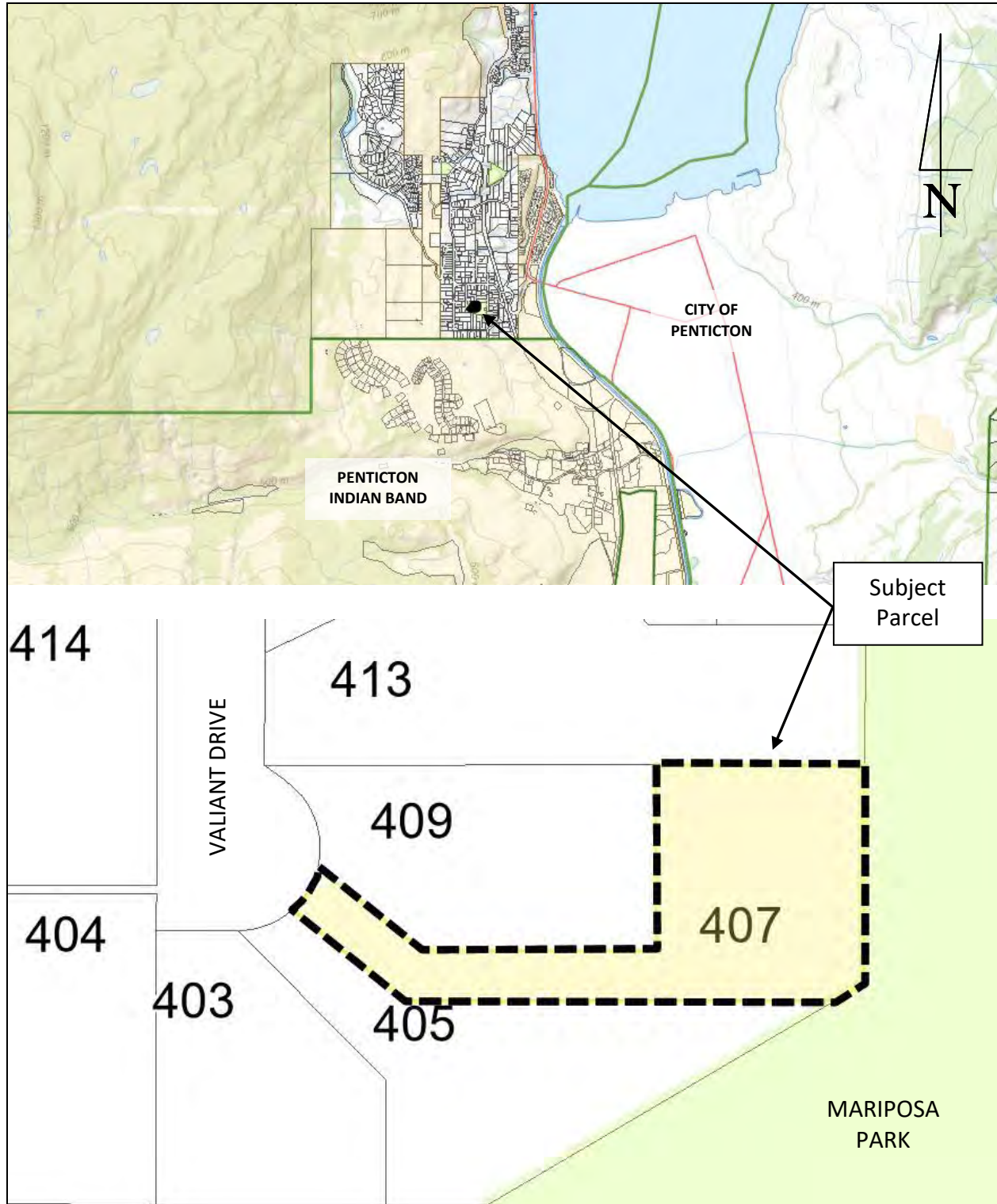
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: planning@rdos.bc.ca



Development Variance Permit

File No. F2020.003-DVP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

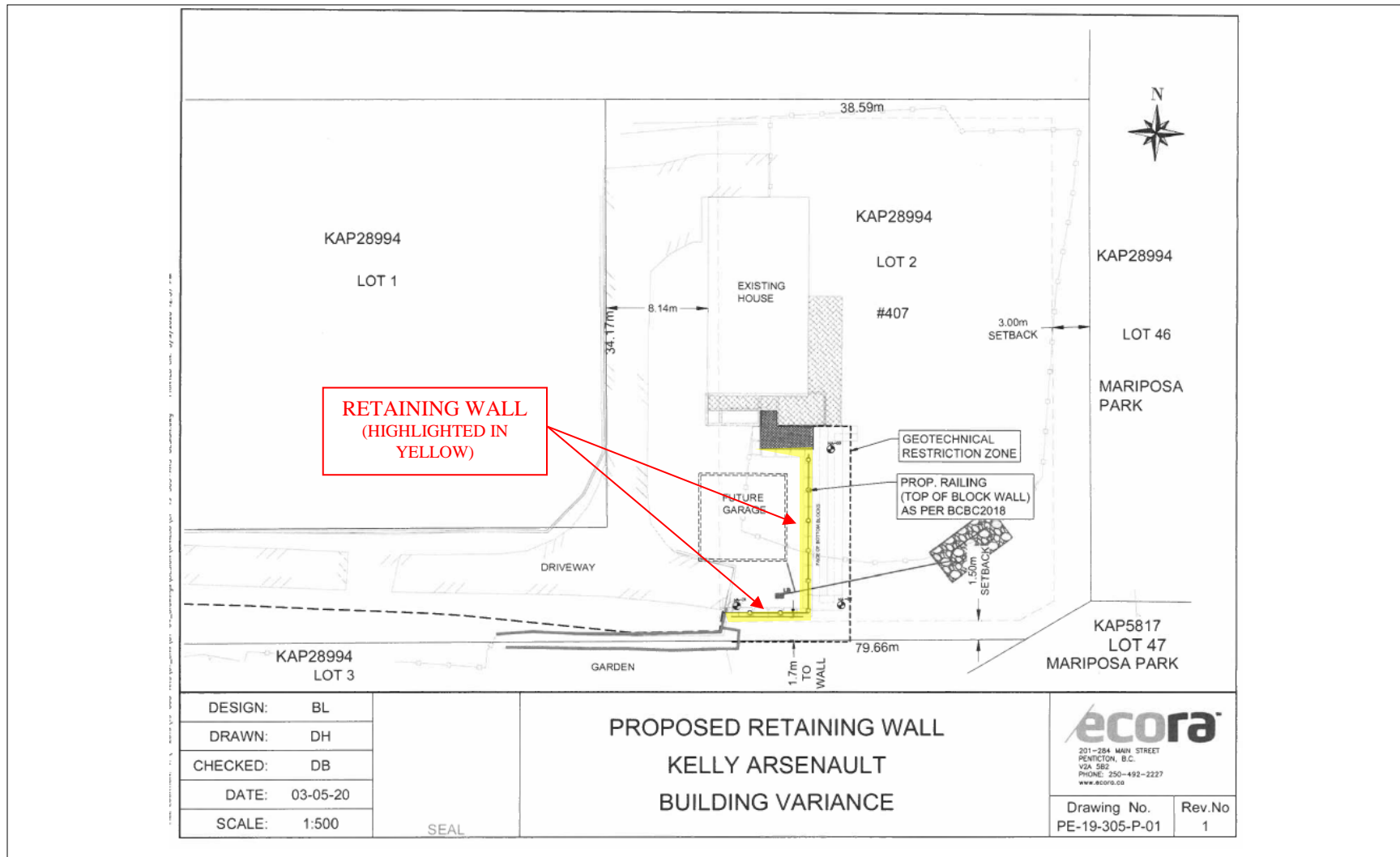
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. F2020.003-DVP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

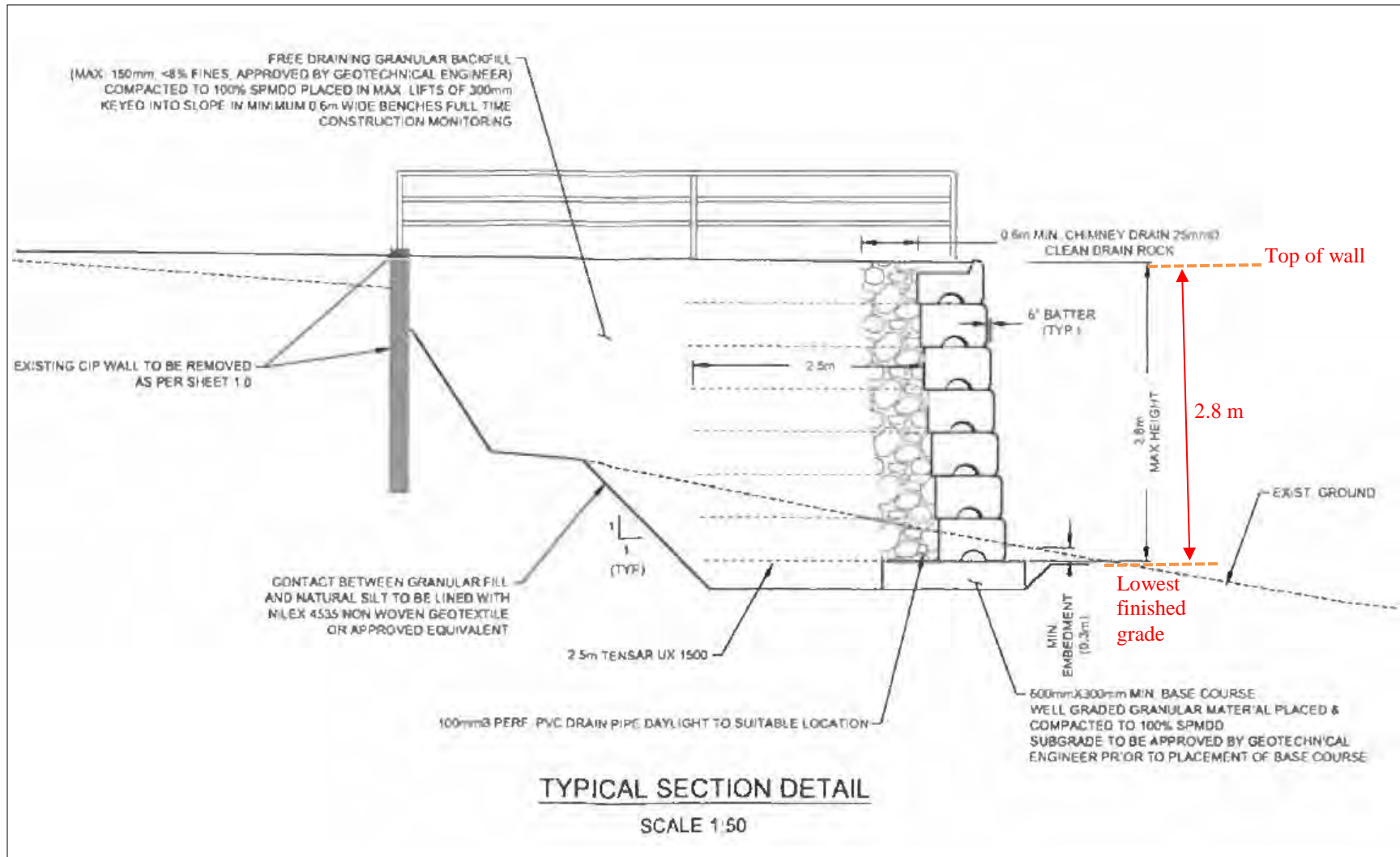
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. F2020.003-DVP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

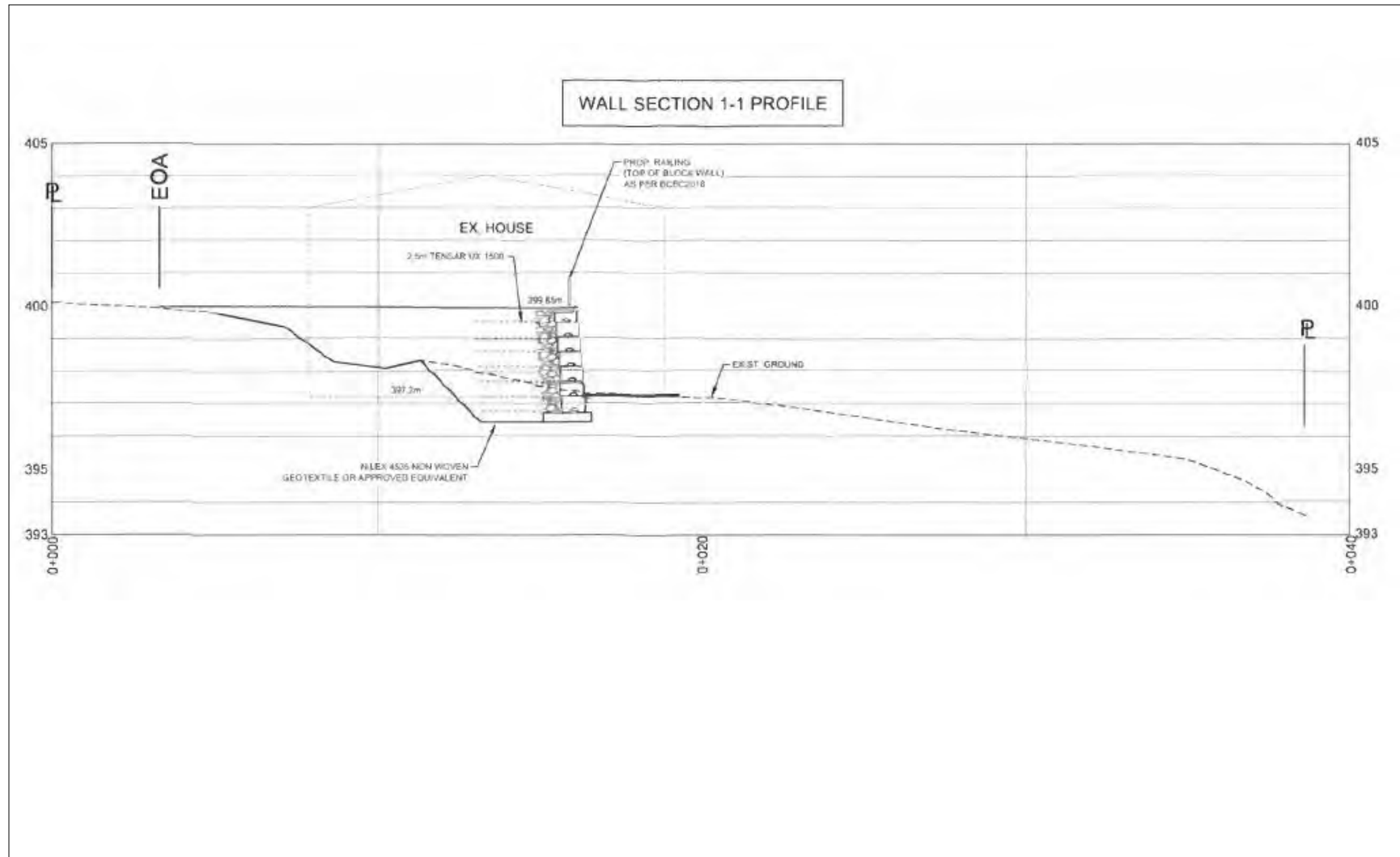
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. F2020.003-DVP

Schedule 'D'



Regional District of Okanagan-Similkameen

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

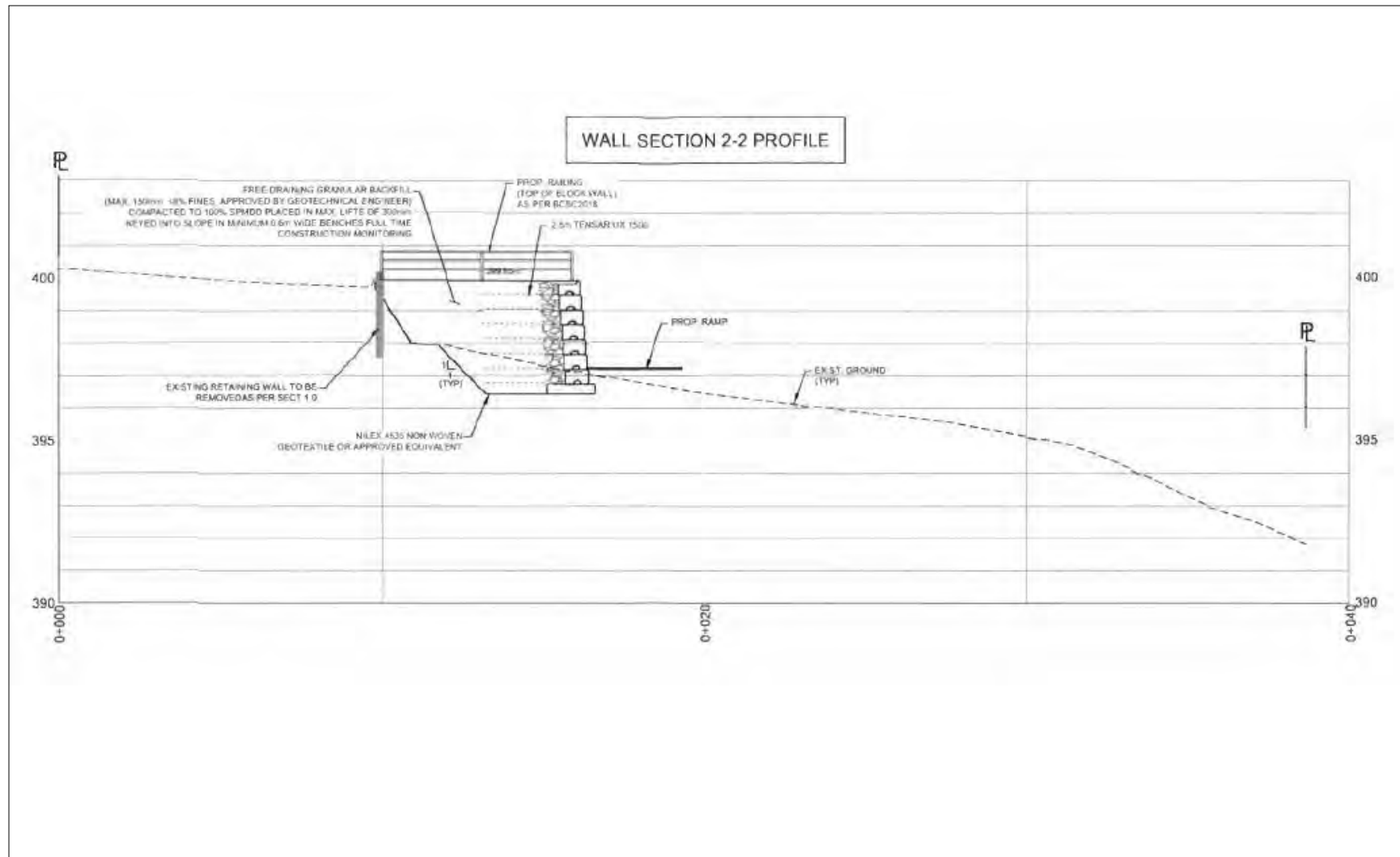
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. F2020.003-DVP

Schedule 'E'



Regional District of Okanagan-Similkameen

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

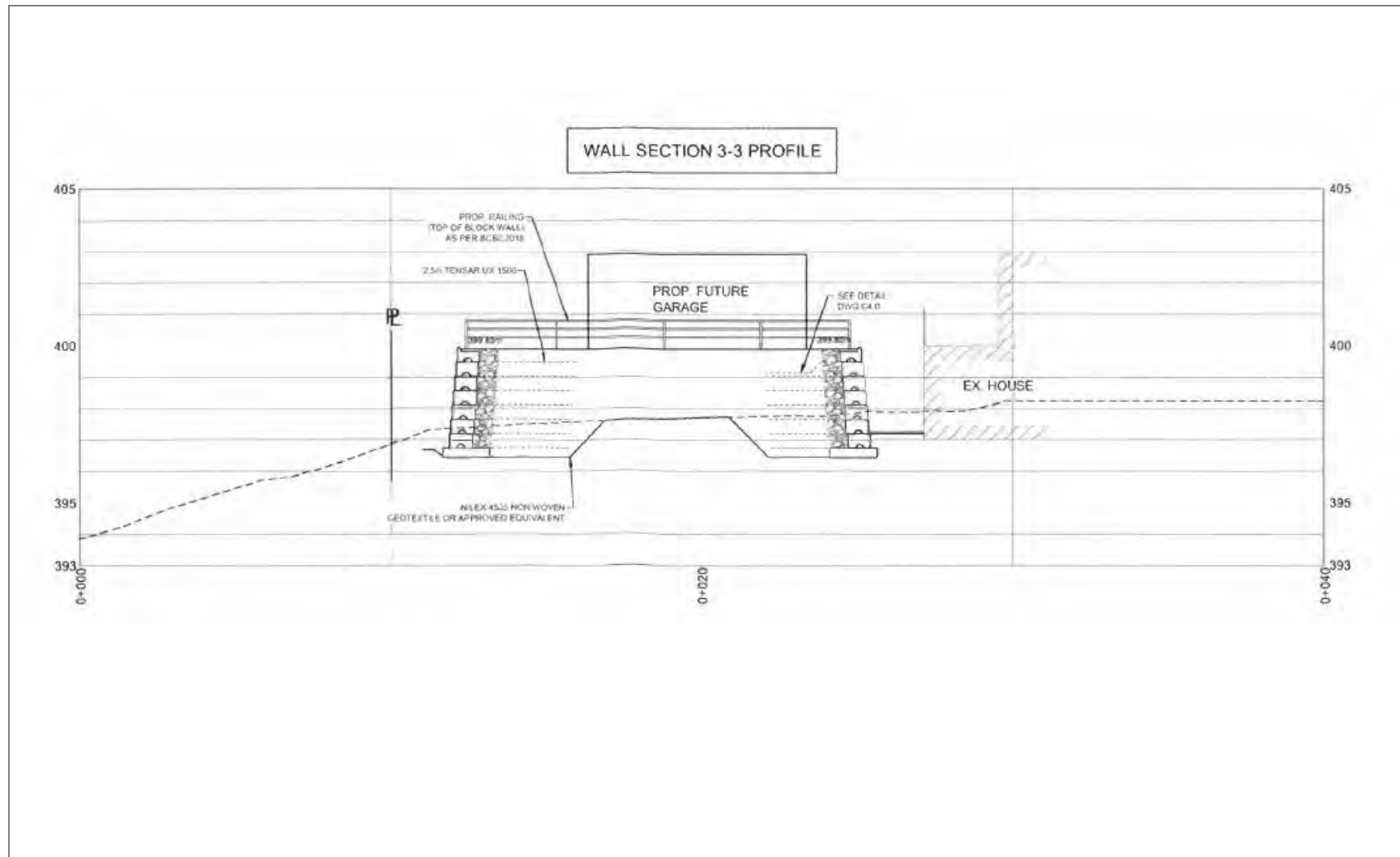
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Development Variance Permit

File No. F2020.003-DVP

Schedule 'F'



JoAnn Peachey

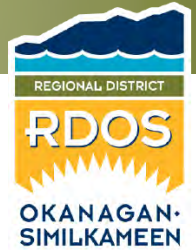
From: Gardner Clarkson [REDACTED]
Sent: May 14, 2020 5:01 PM
To: JoAnn Peachey; Riley Gettens
Subject: 407 Valiant retaining wall

Follow Up Flag: Follow up
Flag Status: Flagged

I received a copy of the variance application for this project. I find it interesting that the project is now completed even before any input had a chance to be added. The lot with the new wall and 'scotched' earth landscape now looks atrocious from our vantage point. Another project on the West Bench where the neighbours input is for naught and the ambiance of the area is eroded.

Alex Gardner

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “D”
Apex Mountain Zone Review

Administrative Recommendation:

THAT Bylaw No. 2683.03, 2020, Electoral Area “I” Official Community Plan Amendment Bylaw and Bylaw No. 2457.26, 2020, Electoral Area “I” Zoning Amendment Bylaw be read a third time and adopted.

Purpose:

It is being proposed that the Regional District Board initiate an amendment to the Electoral Area “I” Official Community Plan No. 2603, 2013, and Zoning Bylaw No. 2457, 2008, in order to update a number of residential zones at Apex Mountain. The proposed bylaws support the on-going work related to the preparation of a single zoning bylaw for the South Okanagan Valley Electoral Areas.

Background:

At its meeting of April 19, 2018, the Planning and Development Committee (P&D) Committee of the Board 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.

On January 6, 2020, affected property owners (approximately 394) were notified of the proposed zoning changes and of a public information meeting.

On February 4, 2020, a Public Information Meeting (PIM) was held at the RDOS Boardroom (101 Martin Street, Penticton) and was attended by approximately five (5) members of the public.

The proposed bylaw amendments were notified on the Regional District’s web-site, social media accounts and by inclusion in the “bi-weekly” advertisement in local newspapers.

At its meeting of March 5, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of April 2, 2020.

At its meeting of March 19, 2020, the Board subsequently resolved that all non-regulatory public hearings on land use matters be waived, and all regulatory public hearings be postponed until further notice in response to the on-going health crisis related to the COVID-19 virus.

On May 1, 2020, Ministerial Order M139, issued under the *Emergency Program Act*, enables local governments to hold a public hearing by means of electronic or other communication facilities.

An electronic public hearing on the amendment bylaws is scheduled to occur on June 4, 2020, ahead of the regular meeting of the Board.

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

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97 & 3).

Analysis:

OCP Bylaw:

In support of the Apex Zone Review, it is being proposed to replace the current Residential Mixed use (RMU) designation with a new "Village Centre" designation to the Electoral Area "1" 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 designated RMU, it is being proposed that the objectives and policies for this site similarly be transitioned to the new "Twin Lakes Village Centre (TLVC)" designation as part of Amendment Bylaw No. 2683.03.

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 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.

“Chutes End” Comprehensive Development Zone:

The provincial Apex Alpine Resort Area Master Plan (1981) envisioned “seven phases of development” at Apex Mountain, five (5) of which had been completed by November of 1981.

Phase 7 of the Master Plan was to have been completed between 1983-85 and included, amongst other things, “60 residential strata lots” as well as “roads and services” to “Chutes End”, which comprised an approximately 2.0 ha area near the upper parking lot (by the original “Gunbarrel”).

While this area of Crown land remains undeveloped and is zoned RMU, the operator of Apex Mountain has requested a replacement zoning be introduced to allow for a range of residential densities as well as the ability to develop a new hotel near the upper parking lot.

In response, Administration is proposing the introduction of a new “Chutes End Comprehensive Development (CD8) Zone that would allow for these range of uses and densities. This CD8 Zone is envisioned as a “holding” zone and one that would be replaced with existing low and medium density residential and tourist commercial zoning as the area is developed.

The boundaries of the proposed CD8 Zone have been expanded beyond the current RMU Zone to reflect a 2007 provincial approval for expanded development in this area of the resort.

Alternatives:

-
1. THAT first and second readings of Bylaw No. 2603.03, 2020, Electoral Area "I" Official Community Plan Amendment Bylaw and Bylaw No. 2457.26, 2020, Electoral Area "I" Zoning Amendment Bylaw be rescinded and the bylaws abandoned; or
 2. THAT third reading of Bylaw No. 2603.03, 2020, Electoral Area "I" Official Community Plan Amendment Bylaw and Bylaw No. 2457.26, 2020, Electoral Area "I" Zoning Amendment Bylaw be deferred.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'C. Garrish', is written over a horizontal line.

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2683.03, 2020

A Bylaw to amend the Electoral Area “I” Official Community Plan Bylaw No. 2683, 2016

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

1. This Bylaw may be cited for all purposes as the “Apex Mountain Commercial and Residential Designation Update Amendment Bylaw No. 2683.03, 2020.”
2. The Electoral Area “I” Official Community Plan (OCP) Bylaw No. 2683, 2016, is amended by:
 - i) adding a new reference under Section 4.0 (Official Community Plan Designations) to read as follows:

Village Centre Designations

Apex Village Centre	AVC
Twin Lakes Village Centre	TLVC

- ii) replacing Section 11.1 (Background) under Section 11.0 (Residential) in its entirety with the following:

11.1 Background

Residential development in the Plan Area has occurred in four primary locations -- Kaleden, St. Andrews, Twin Lakes and Apex. Low-density single detached dwellings are the predominant housing form throughout the Plan Area including these settlement areas. Other forms of low-density residential housing include semi-detached, and manufactured homes.

The Plan Area contains a significant amount of medium density residential housing in the Apex area. The Twin Lakes Golf Resort also contains lands which are designated Medium Density Residential, but which are not yet developed. The St. Andrews Land Use Contract includes ‘rowhouses’ and ‘semi-detached’ housing.

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

Comprehensive Development (CD) 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 or to act as a transitional zone pending development to specific residential forms.

iii) adding a new Section 11.5.8 (Policies – Medium Density Residential) under Section 11.0 (Residential) to read as follows:

- .8 Supports the use of a comprehensive development zone to allow a range of Medium Density Residential (MR) and Low Density Residential (LR) densities and dwelling types, and a limited range of tourist commercial uses on an approximately 12.5 ha parcel land that comprises an unfinished phase ("Chutes End") of the *Apex Alpine Resort Area Master Plan (1981)*. As this land is developed, the comprehensive development zone should be replaced with existing zones found in the applicable zoning bylaw.

iv) replacing Section 11.6 (Policies – Residential Mixed Use) under Section 11.0 (Residential) in its entirety with the following:

11.6 *deleted.*

v) adding a new Section 12.0 (Village Centre) to read as follows and renumbering all subsequent sub-sections:

12.0 VILLAGE CENTRE

12.1 Background

The Village Centre designation generally incorporates mixed medium density residential, institutional and commercial lands at Apex Mountain and the designated Rural Growth Area in Twin Lakes. The designation also includes a range of higher density housing types from row housing to apartments, mixed

use recreation and commercial uses, natural open spaces, and administrative, cultural or institutional uses

The Village Centre designation supports this by focusing medium density residential growth which, in turn, will promote a more compact urban form and a more complete community.

To meet these objectives, the Village Centre designation includes a strong emphasis on encouraging commercial, tourist commercial, mixed-use commercial, and medium density residential development.

12.2 Objectives

- .1 Reinforce the role of lands designated Village Centre as the commercial, institutional and social heart of a community.
- .2 Retain existing business and institutional uses, while supporting their expansion and attracting additional cultural, entertainment, and commercial development to areas designated Village Centre.
- .3 Support mixed-use, commercial/office/residential uses, including development that includes medium density residential dwelling types.
- .4 Encourage the integration of medium density residential dwelling types above ground floor commercial uses.

12.3 Policies – Apex Village Centre

The Regional Board:

- .1 Generally supports the use of lands designated Apex Village Centre (AVC) identified in Schedule 'B' *Official Community Plan Map* for medium density mixed use developments with residential and commercial components that fit with the mixed use intent of the designation.
- .2 Supports a maximum Floor Area Ratio (FAR) of 3.0 and a maximum building height of 20.0 metres in the Apex Village Centre (AVC) designation.
- .3 Supports a high standard of architectural building design for development within the Apex Village Centre (AVC) and may explore the creation of a development permit area designation for form and character.
- .4 Encourages the continued intensification and growth of commercial activities at Apex on lands designated Apex Village Centre (AVC).
- .5 Directs the development of existing vacant lots (with servicing), or previously approved subdivisions, prior to considering more development on non-residential and non-commercial designations in identified Rural Growth Areas.
- .6 Will generally not support designating additional lands Apex Village Centre (AVC) that are outside of the Apex Rural Growth Area.

- .7 Commercial uses in the Apex Village Centre (AVC) designation are encouraged that cater to the local neighbourhood service and retail needs or provide tourist accommodation services.
- .8 Encourages the Ministry of Transportation and Infrastructure (MoTI) to provide sufficient snow storage areas for road clearing within the Apex Village Centre (AVC) designation
- .9 Supports the preparation of a strategy to address day-use and/or overnight parking at Apex Mountain Resort.
- .10 Supports the provision of paid accommodation for visitors through the short-term rental of residences in the Apex Village Centre (AVC) designation.

12.4 Policies – Twin Lakes Village Centre

The Regional Board:

- .1 Generally supports the use of lands designated Twin Lakes Village Centre (TLVC) identified in Schedule 'B' *Official Community Plan Map* for medium density mixed use developments with residential and commercial components that fit with the mixed use intent of the designation.
- .2 Considers the maximum density of lands designated Twin Lakes Village Centres (TLVC) to be 60 dwelling units (townhouses and apartments) per gross hectare, subject to servicing requirements.
- .3 Supports the following types of special housing in areas designated Twin Lakes Village Centres (TLVC), subject to the creation of a local service area for fire protection:
 - a) community care housing; and
 - b) seniors and special needs housing
- .4 Will avoid locating Twin Lakes Village Centres (TLVC) development next to land designated as Agriculture. Low Density Residential (LR) uses will be preferred as a transition between Agriculture and Residential Mixed Use (RMU) development. If residential mixed use development is to be located near land designated as Agriculture (AG), 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 designated Agriculture (AG) land as the building increases in height.

- .5 Commercial uses in Twin Lakes Village Centres (TLVC) development are encouraged that cater to the local neighbourhood service and retail needs or provide small scale tourist accommodation services.
 - .6 Supports the provision of paid accommodation for visitors through the short-term rental of residences in the Twin Lakes Village Centre (TLVC) designation.
3. The Official Community Plan Map, being Schedule 'B' of the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, is amended by:
 - i) changing the land use designation of the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Apex Village Centre (AVC).
 - ii) changing the land use designation of the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
 - iii) changing the land use designation of an approximately 12.5 ha area of land shown shaded red on Schedule 'C', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Medium Density Residential (MR).
 - iv) changing the land use designation of an approximately 11.0 ha area of land shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Resource Area (RA) to Medium Density Residential (MR).
 - v) changing the land use designation of the land described as Lot 2, Plan KAP78308, District Lot 395S, SDYD, and Lots A & B, Plan KAP92902, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Low Density Residential (LR).
 - vi) changing the land use designation of the land shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Medium Density Residential (MR).
 - vii) changing the land use designation of the land shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
 - viii) changing the land use designation of the land shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Medium Density Residential (MR).
 - ix) changing the land use designation of the land described as Lots 1-2, 4, 6-8, 10-11 & 12-15 Plan KAS1487, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Low Density Residential (LR).

- x) changing the land use designation of the land shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
- xi) changing the land use designation of the land described as Lots 1-3, Plan KAS3073, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'J', which forms part of this Bylaw, from Medium Density Residential (MR) to Apex Village Centre (AVC).
- xii) changing the land use designation of the land described as Lots 1 & 2, Plan KAP81773, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Low Density Residential (LR).
- xiii) changing the land use designation of the land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD (131-133 Whitetail Road), and shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Medium Density Residential (MR) to Low Density Residential (LR).
- xiv) changing the land use designation of the land shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Residential Mixed Use (RMU) to Twin Lakes Village Centre (TLVC).

READ A FIRST AND SECOND TIME this 5th day of March, 2020.

PUBLIC HEARING held on this 4th day of June, 2020.

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

ADOPTED this ____ day of June, 2020.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

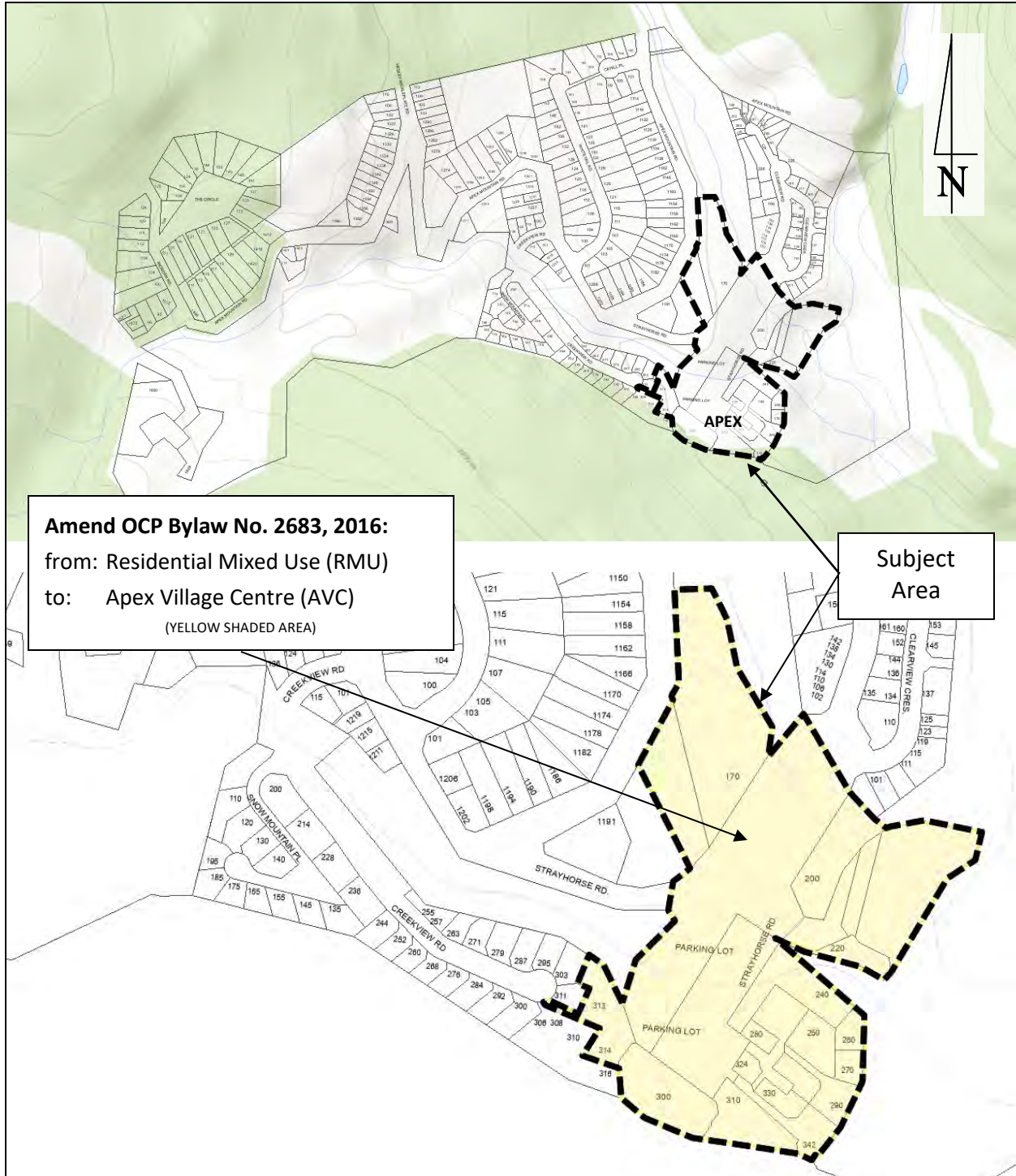
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'A'



Amendment Bylaw No. 2683.03, 2020

(D2018.059-ZONE)

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Regional District of Okanagan-Similkameen

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

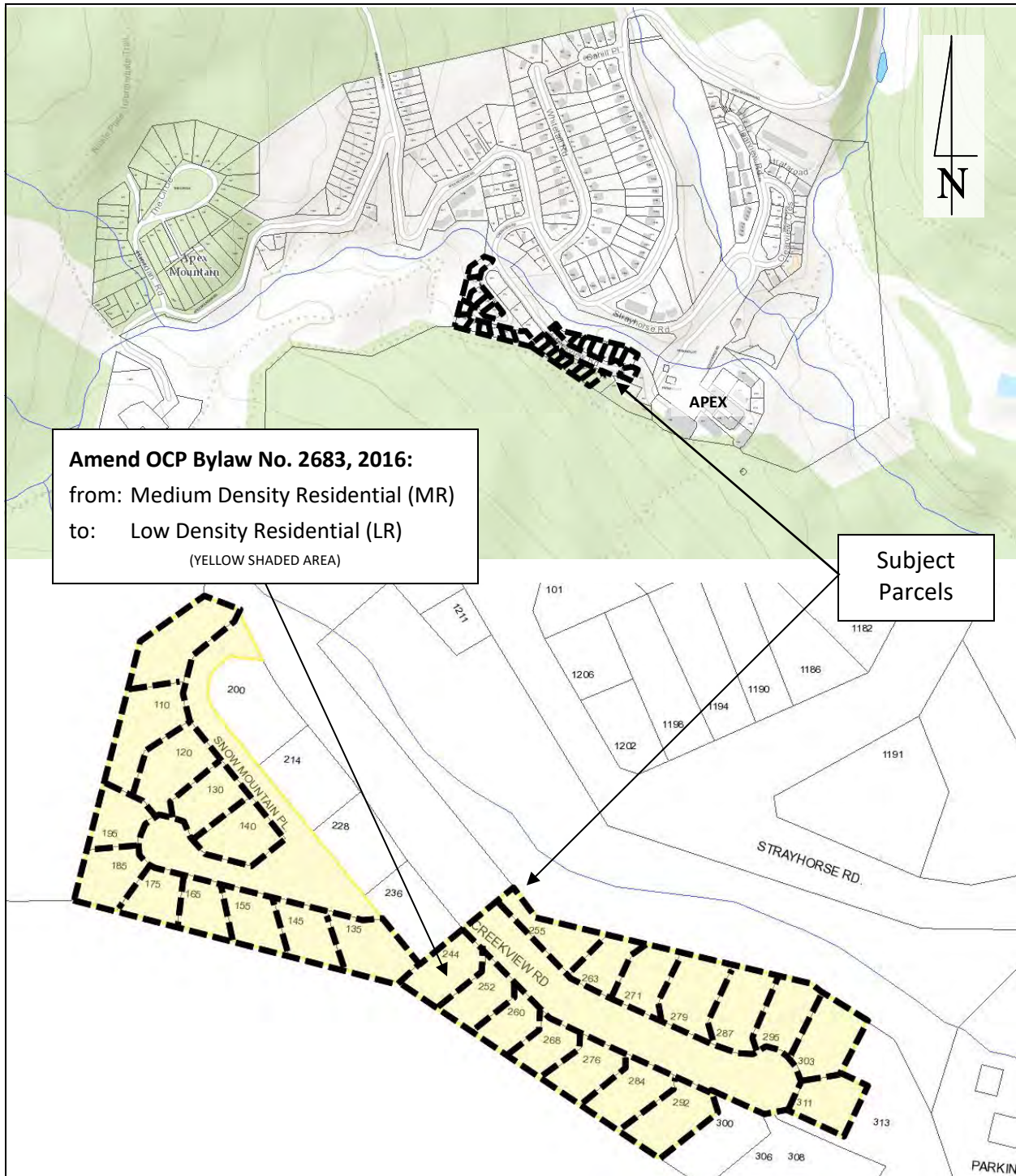
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'B'



Regional District of Okanagan-Similkameen

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

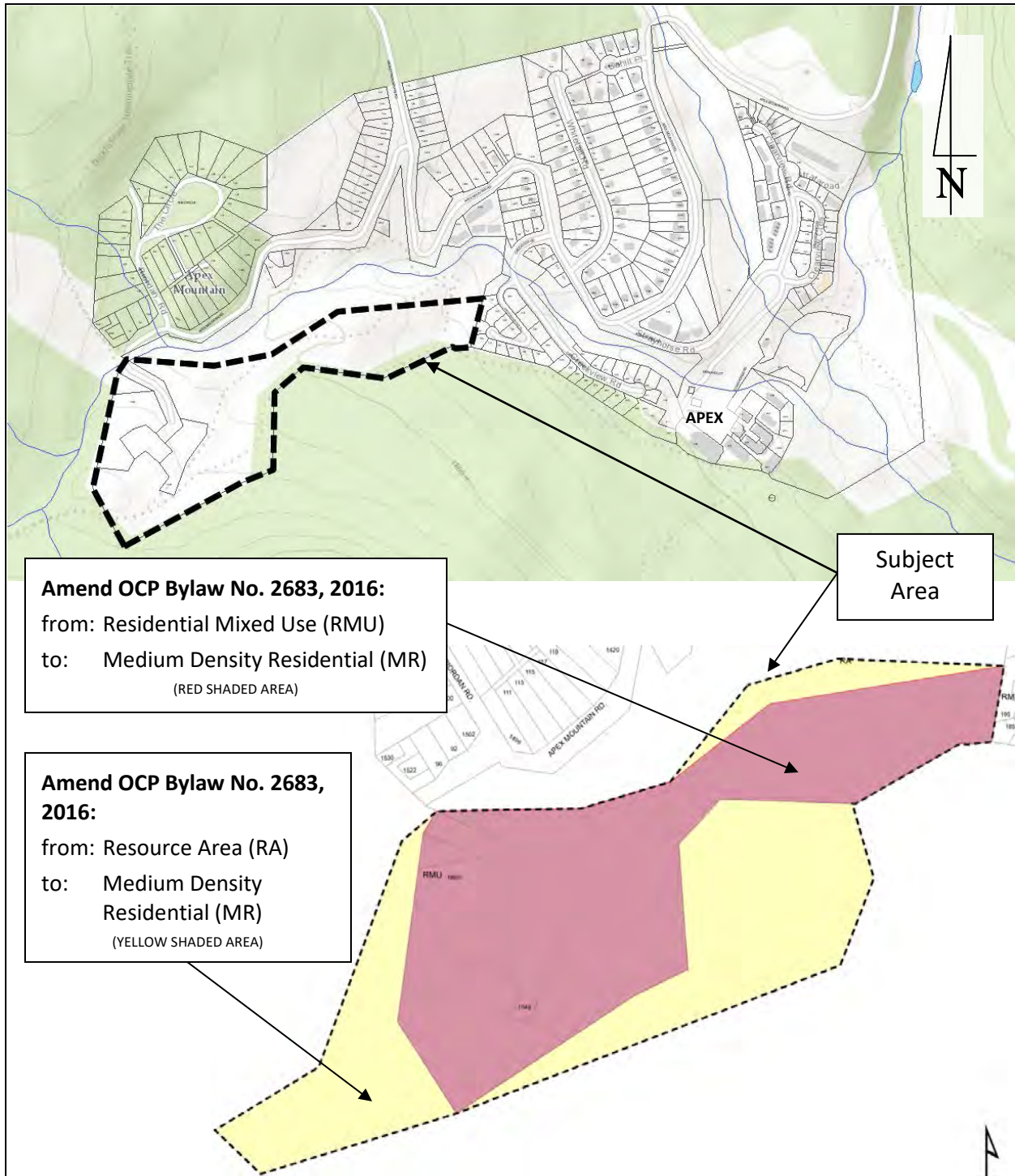
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'C'



Regional District of Okanagan-Similkameen

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

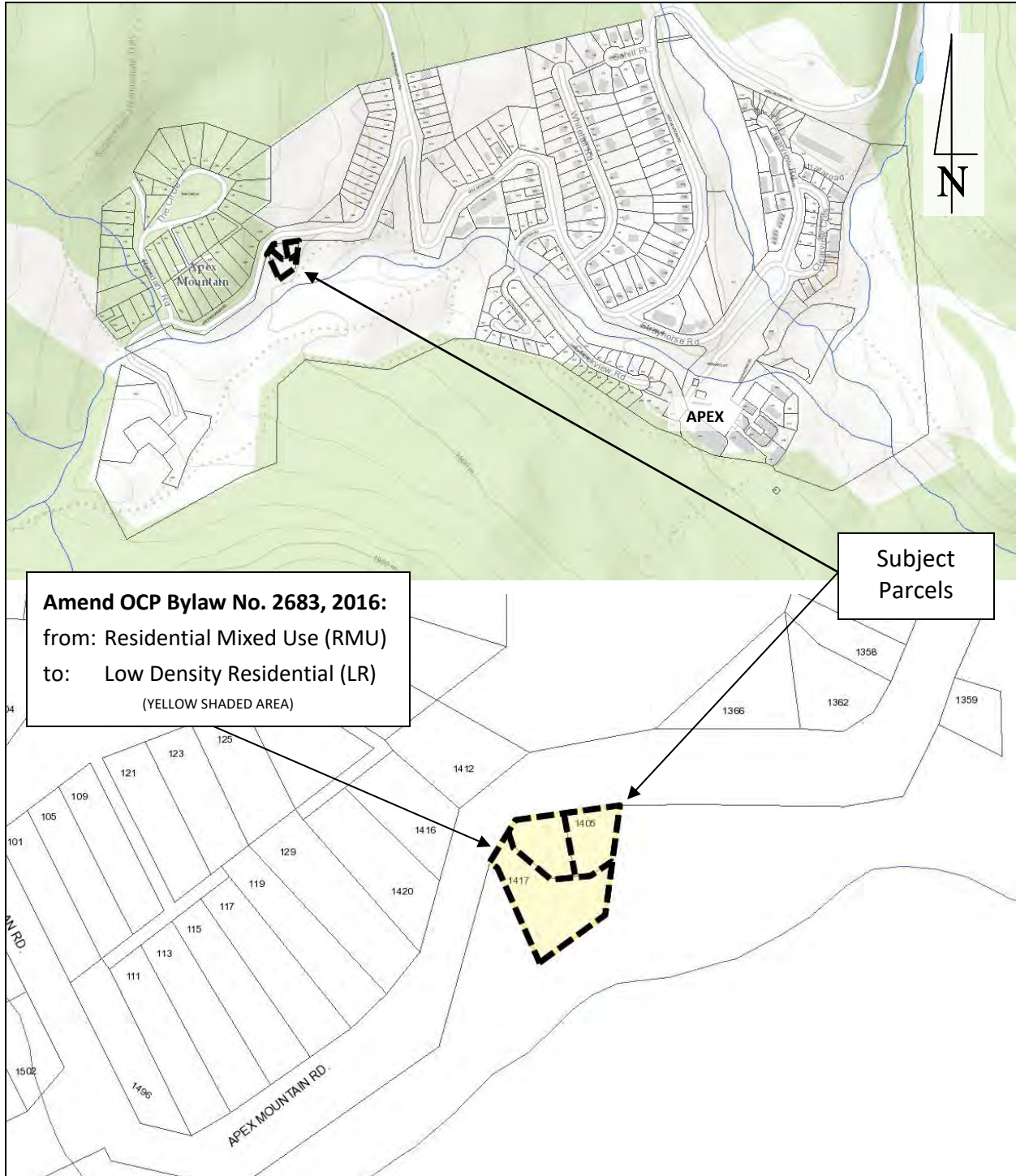
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'D'



Regional District of Okanagan-Similkameen

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

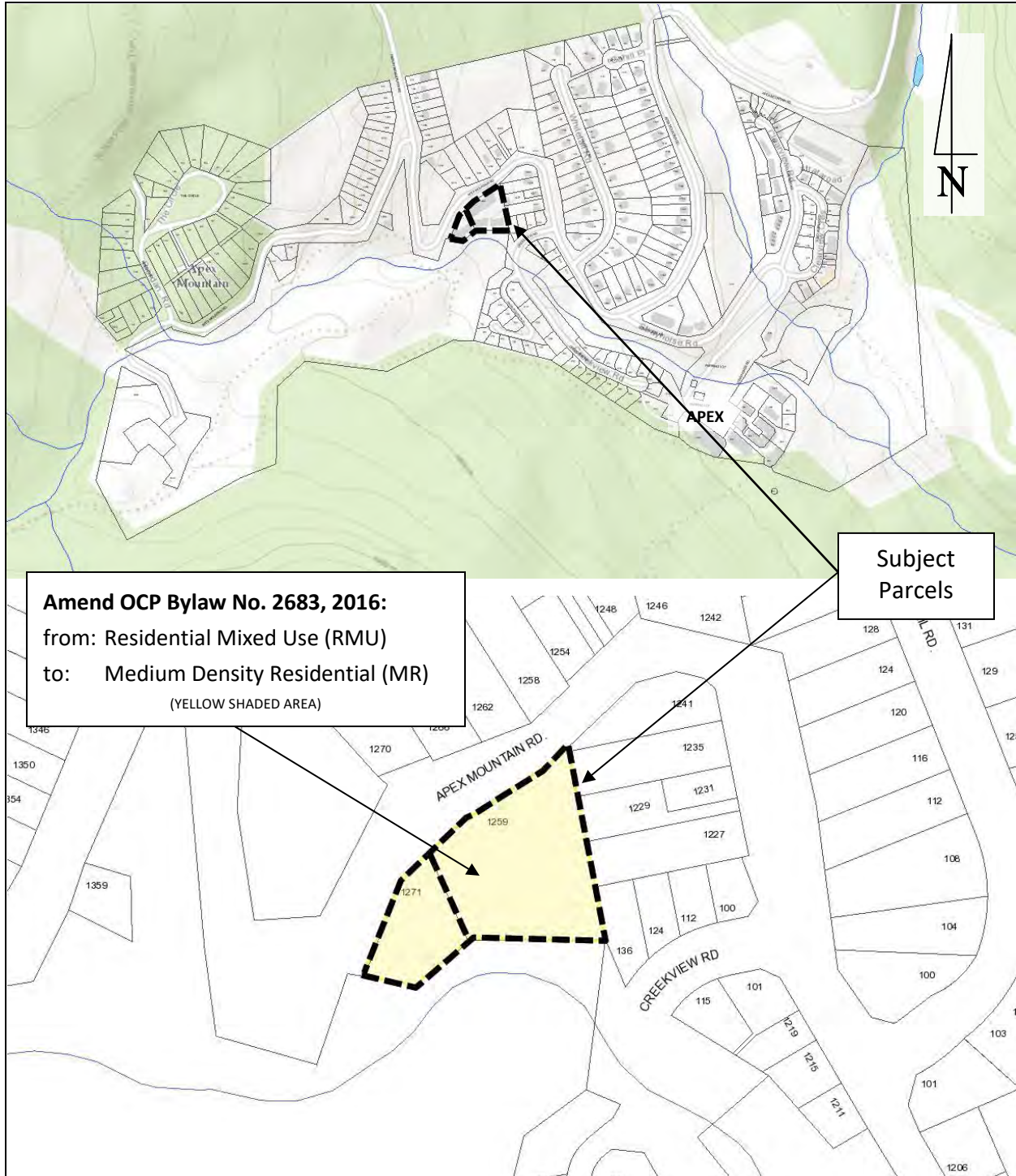
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'E'



Regional District of Okanagan-Similkameen

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

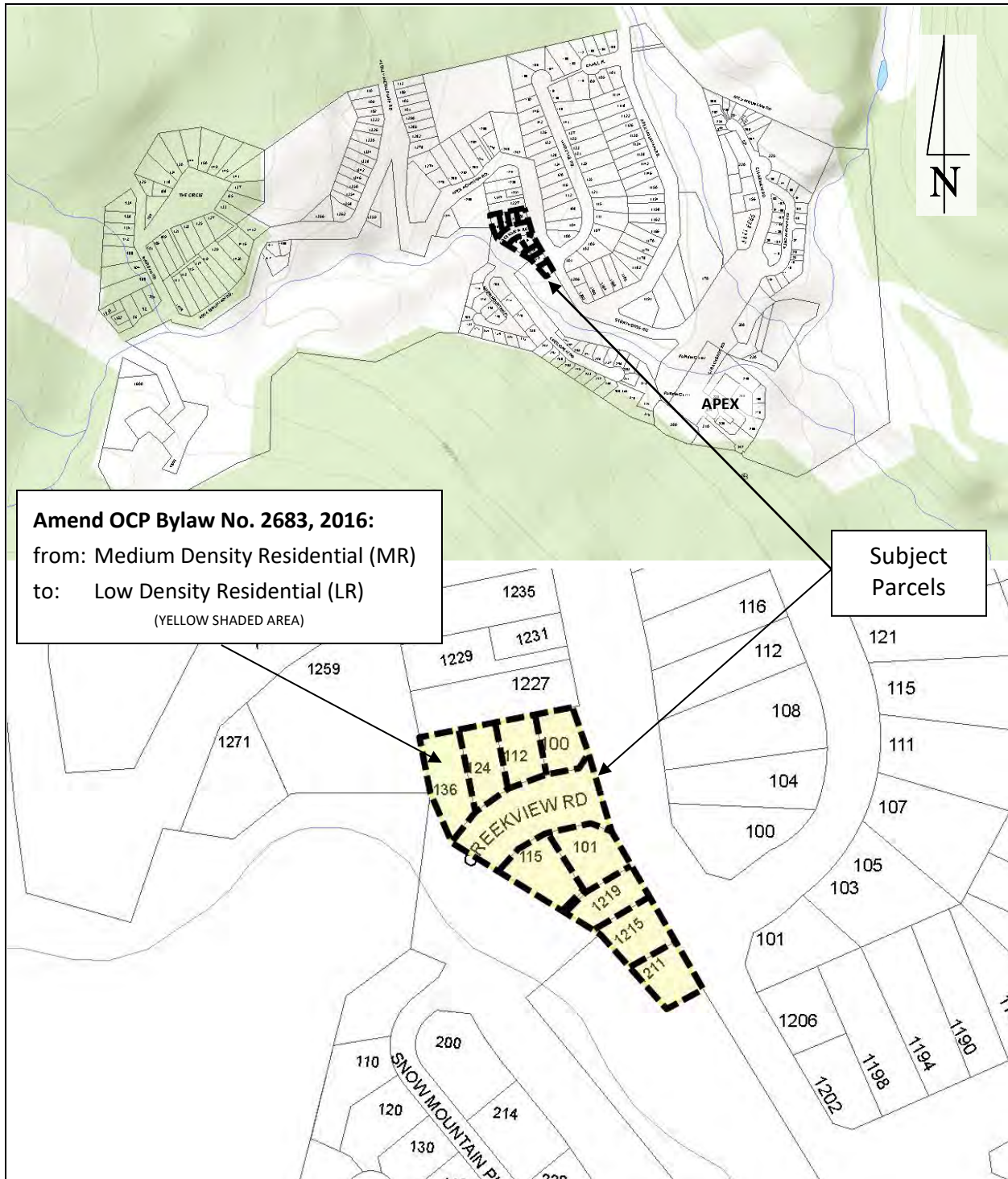
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'F'



Regional District of Okanagan-Similkameen

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

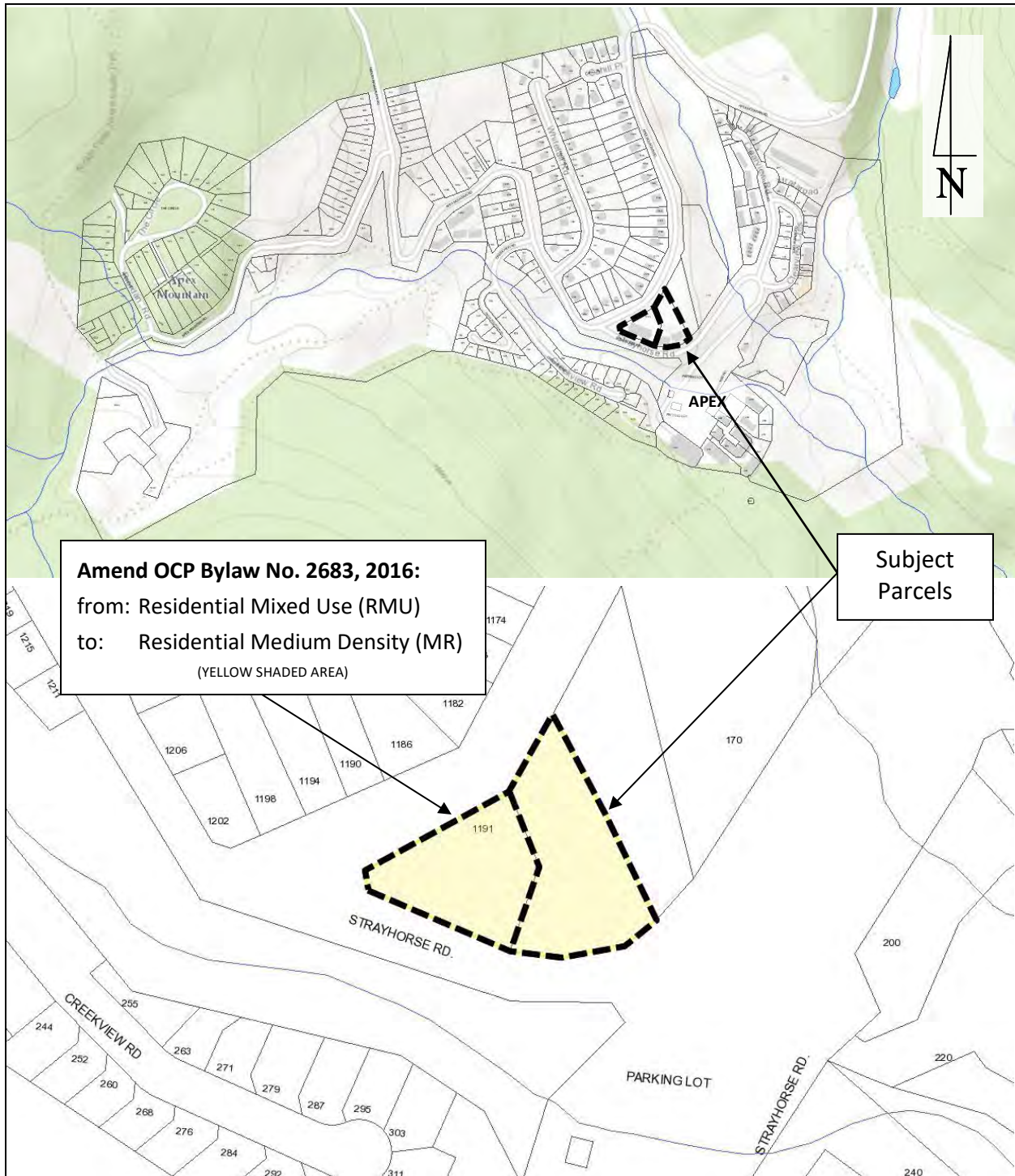
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'G'



Regional District of Okanagan-Similkameen

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

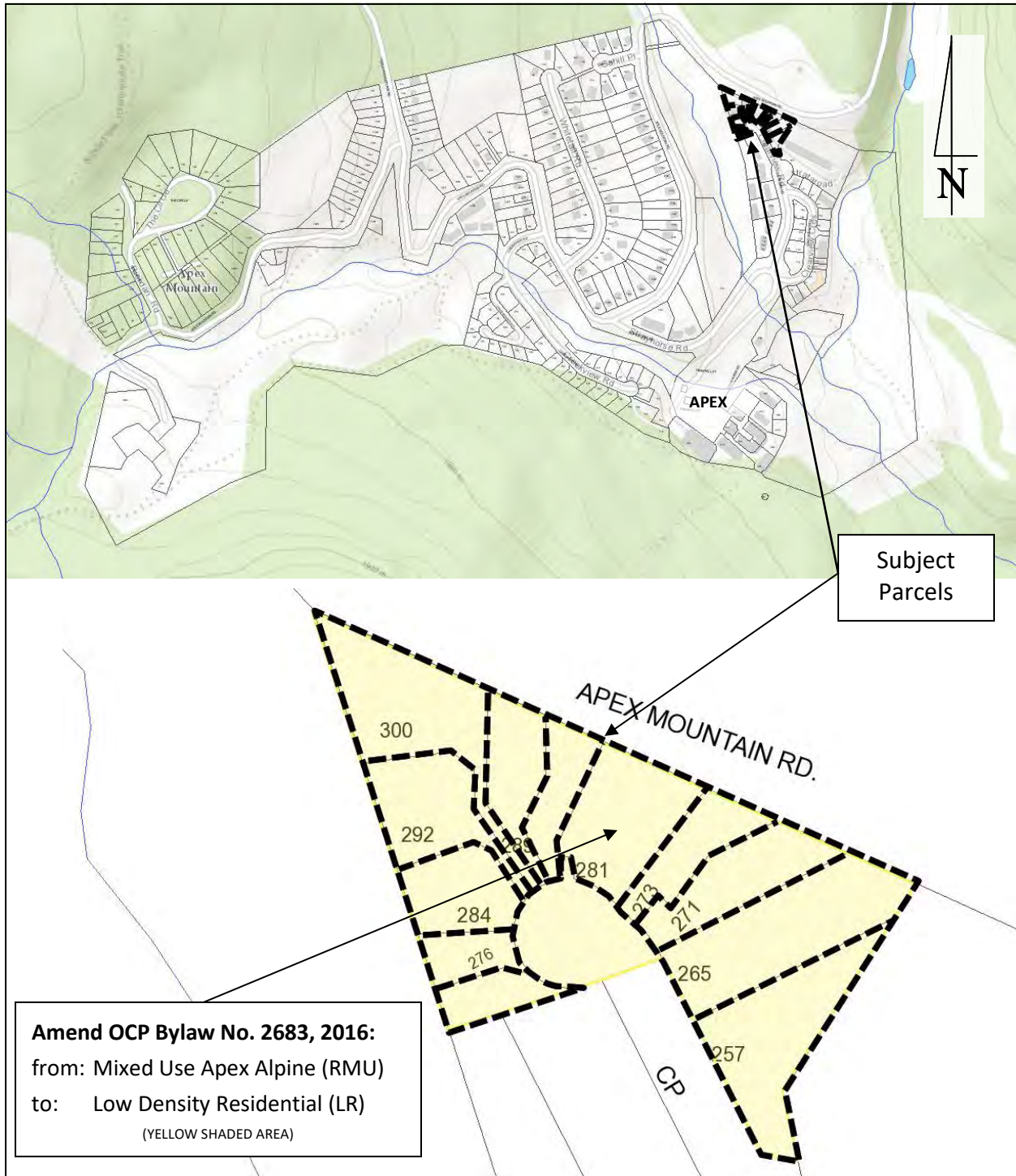
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'H'



Regional District of Okanagan-Similkameen

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

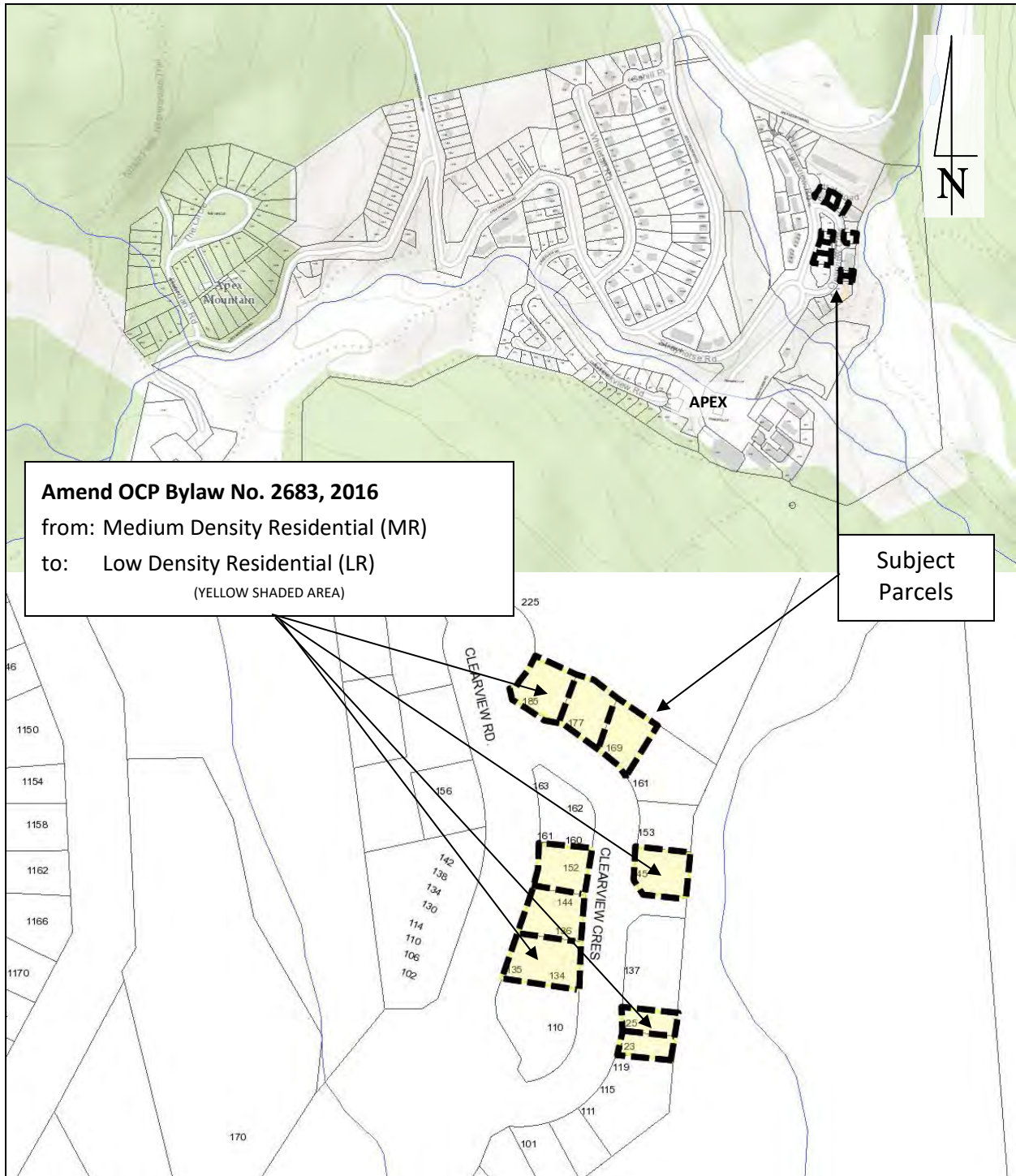
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'I'



Regional District of Okanagan-Similkameen

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

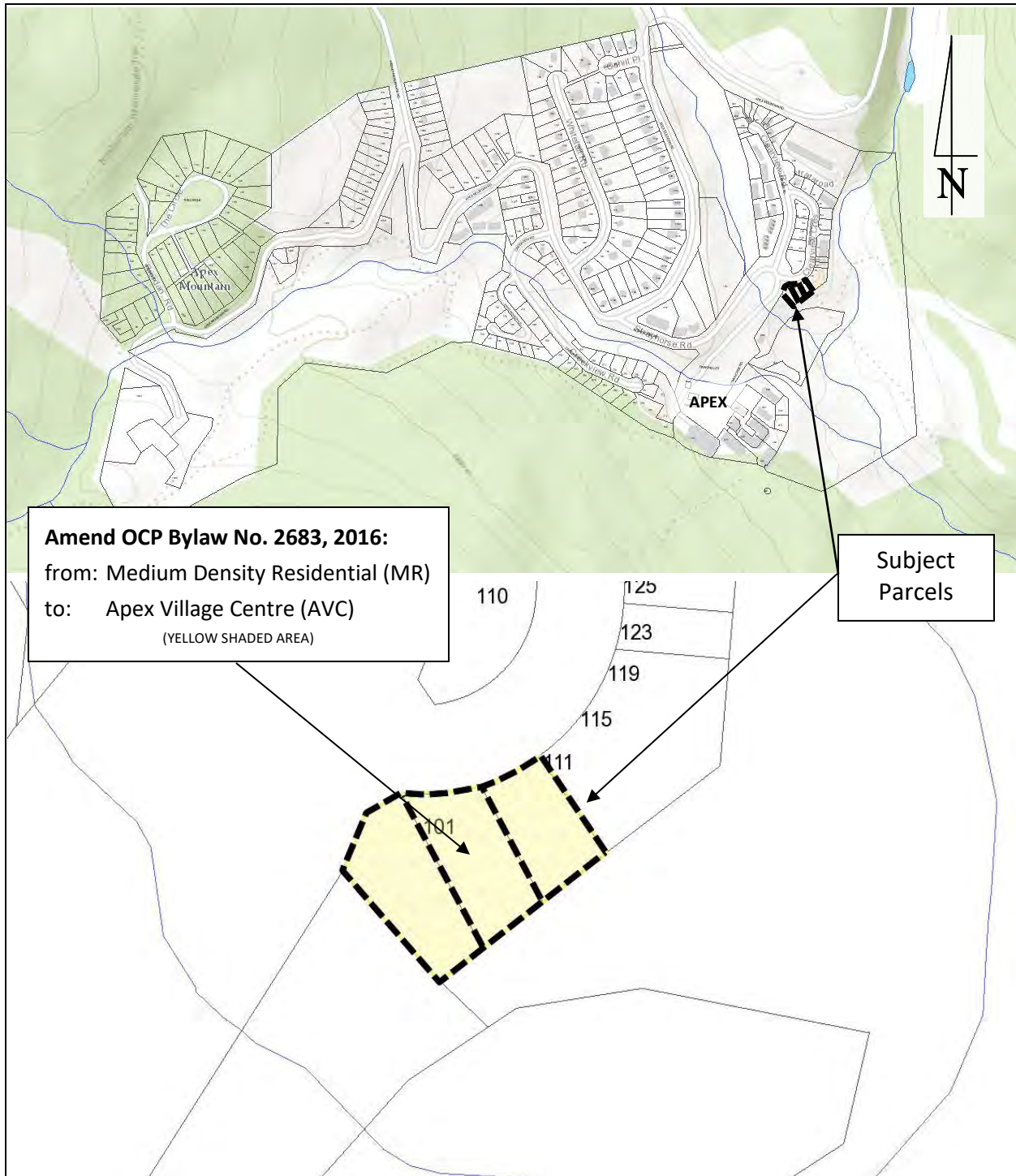
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'J'



Regional District of Okanagan-Similkameen

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

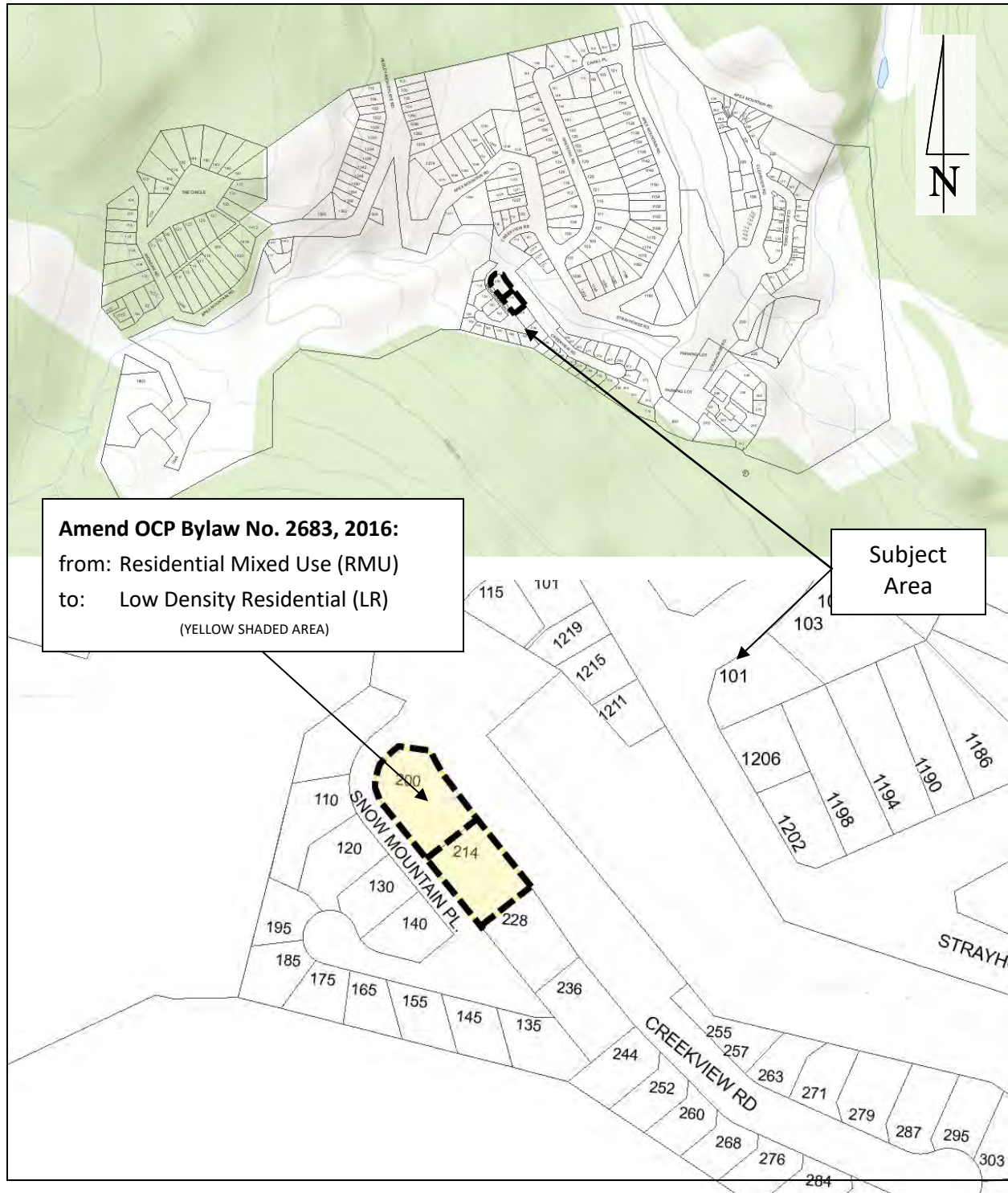
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'K'



Regional District of Okanagan-Similkameen

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

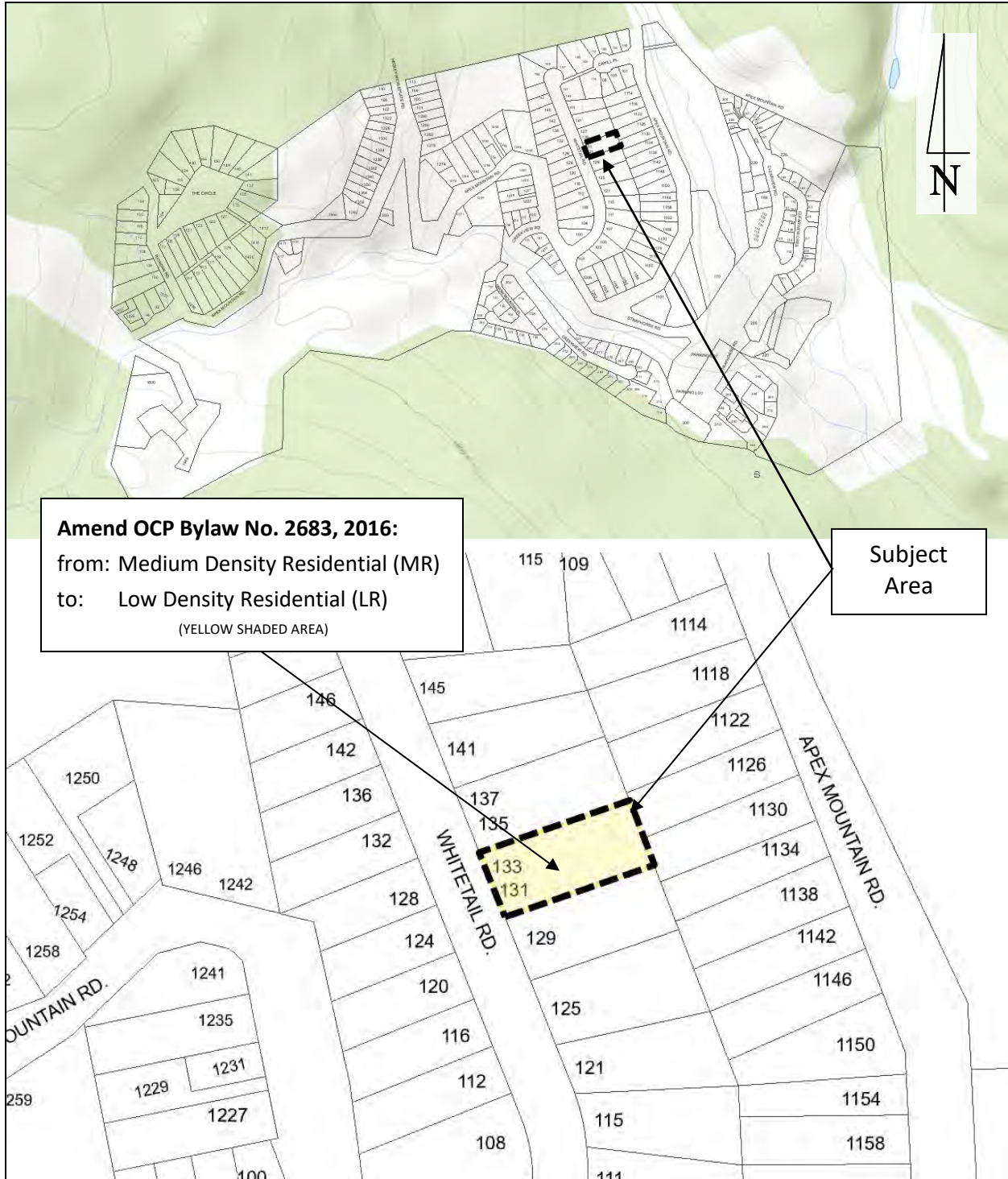
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'L'



Regional District of Okanagan-Similkameen

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

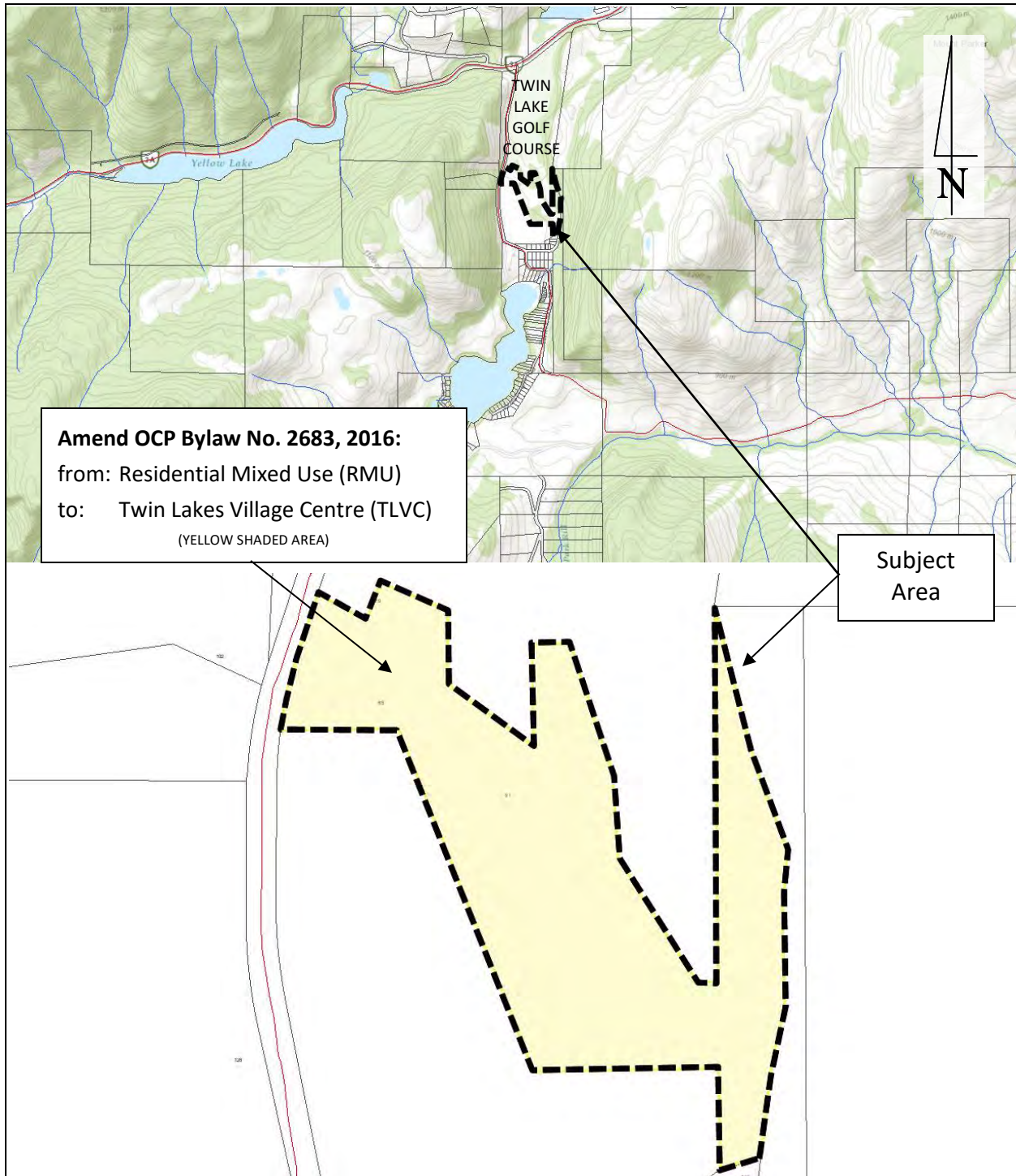
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2683.03, 2020

Project No: D2018.059-ZONE

Schedule 'M'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.26, 2020

A Bylaw to amend the Electoral Area “I” Zoning Bylaw No. 2457, 2008

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

1. This Bylaw may be cited for all purposes as the “Apex Mountain Commercial and Residential Zone Update Amendment Bylaw No. 2457.26, 2020.”
2. The Electoral Area “I” Zoning Bylaw No. 2457, 2008, is amended by:
 - i) adding a reference to “Low Density Residential Duplex Apex Zone” at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Low Density Residential Duplex Apex Zone	RD2
--	-----
 - ii) replacing the reference to “Medium Density Residential Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Medium Density Residential Zones

Medium Density Residential One Zone	RM1
Medium Density Residential Apex Zone	RM2
 - iii) adding a new reference to “Village Centre Zones” at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Village Centre Zones

Apex Mountain Village Zone	AMV
----------------------------	-----
 - iv) adding a new reference to “Chutes End Comprehensive Development Zone CD8” at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones).

v) replacing Section 7.28.1 (Vacation Rentals) under Section 7.0 (General Regulations) in its entirety with the following:

.1 no more than one (1) vacation rental use is permitted per principal dwelling unit.

vi) adding a new Section 11.5 (Low Density Residential Duplex Apex Zone) under Section 11.0 (Low Density Residential) to read as follows:

11.5 LOW DENSITY RESIDENTIAL DUPLEX APEX ZONE (RD2)

11.5.1 Permitted Uses:

Principal uses:

- a) duplex;
- b) single detached dwelling;
- c) vacation rental, subject to Section 7.28;

Secondary uses:

- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupations, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory buildings and structures, subject to Section 7.13.

11.5.2 Site Specific Residential Duplex Apex (RD2s) Provisions:

- a) see Section 18.30

11.5.3 Minimum Parcel Size:

- a) 600 m², subject to servicing requirements;
- b) 300 m², for the purpose of subdivision of *duplexes* into their individual units, subject to servicing requirements.

11.5.4 Minimum Parcel Width:

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

11.5.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) principal dwelling units, provided that both dwellings are located in one (1) residential building; and
- b) one (1) secondary suite in a single detached dwelling.

11.5.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 3.0 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 3.0 metres
 - iii) Interior side parcel line: 3.0 metres
 - iv) Exterior side parcel line: 4.5 metres

11.5.7 Maximum Height:

- a) No building and structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 5.5 metres.

11.5.8 Maximum Parcel Coverage:

- a) 45%

11.5.9 Minimum Building Width:

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

11.5.9 Conditions of Use:

- a) For parcels containing four (4) or more outdoor vehicle parking spaces, the following regulations shall apply:
 - i) an additional area equal to 25% of the required parking area shall be provided for snow storage on-site;
 - ii) areas required for snow storage shall not be counted towards vehicle parking requirements;
 - iii) snow storage area shall be located away from public roads and other areas so that motorist and pedestrian sight lines are not impacted.

- vii) replacing Section 12.2 (Mixed Use Apex Alpine (RMU) Zone) under Section 12.0 (Medium Density Residential) in its entirety with the following:

12.2 *deleted.*

viii) replacing Section 12.3 (Residential Multiple Unit Three Zone) under Section 12.0 (Medium Density Residential (MR) in its entirety with the following:

12.3 MEDIUM DENSITY RESIDENTIAL APEX ZONE (RM2)

12.3.1 Permitted Uses:

Principal uses:

- a) apartment building;
- b) townhouse;
- c) vacation rental, subject to Section 7.28;

Secondary uses:

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

12.3.2 Site Specific Medium Density Residential Apex (RM2s) Provisions:

- a) see Section 18.14

12.3.3 Minimum Parcel Size:

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

12.3.4 Minimum Parcel Width:

- a) 30.0 metres

12.3.5 Maximum Density:

- a) 60 dwelling units per ha

12.3.6 Minimum Floor Area:

- a) 40.0 m² for dwelling units

12.3.7 Minimum Setbacks:

- a) Buildings and Structures:
 - i) Front parcel line: 6.0 metres
 - ii) Rear parcel line: 3.0 metres
 - iii) Interior side parcel line: 3.0 metres

- iv) Exterior side parcel line: 5.0 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line: 6.0 metres
 - ii) Rear parcel line: 3.0 metres
 - iii) Interior side parcel line: 3.0 metres
 - iv) Exterior side parcel line: 5.0 metres

12.3.8 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres; or
- b) No accessory building or structure shall exceed a height of 5.0 metres.

12.3.9 Maximum Parcel Coverage:

- a) 50%

12.3.10 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.

12.3.11 Conditions of Use:

- a) For parcels containing four (4) or more outdoor vehicle parking spaces, the following regulations shall apply:
 - i) an additional area equal to 25% of the required parking area shall be provided for snow storage on-site;
 - ii) areas required for snow storage shall not be counted towards vehicle parking requirements;
 - iii) snow storage area shall be located away from public roads and other areas so that motorist and pedestrian sight lines are not impacted.

- ix) adding a new Section 13.0 (Town Centre) to read as follows and renumbering all subsequent sub-sections:

13.0 VILLAGE CENTRE

13.1 APEX MOUNTAIN VILLAGE ZONE (AMV)

13.1.1 Permitted Uses:

Principal uses:

- a) apartment building, subject to Section 13.1.10;
- b) community hall;
- c) cultural facilities;
- d) eating and drinking establishment;
- e) indoor recreational facilities;
- f) office;
- g) personal service establishment;
- h) retail store, general;
- i) tourist accommodation;
- j) townhouse;
- k) vacation rental, subject to Section 7.28;

Secondary uses:

- l) home occupation, subject to Section 7.17; and
- m) accessory buildings and structures, subject to Section 7.13.

13.1.2 Site Specific Apex Mountain Village (AMVs) Provisions:

- a) see Section 18.13

13.1.3 Minimum Parcel Size:

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

13.1.4 Minimum Parcel Width:

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

13.1.5 Maximum Floor Area Ratio:

- a) 3.0

13.1.6 Minimum Setbacks:

- a) Buildings and Structures:
 - i) Front parcel line: 3.0 metres
 - ii) Rear parcel line: 3.0 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: 3.0 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

13.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 20.0 metres;
- b) No accessory building or structure shall exceed a height of 5.0 metres.

13.1.8 Maximum Parcel Coverage:

- a) 75%

13.1.9 Dwelling Unit Regulations:

- a) Dwelling units located in the same building as a commercial use shall have separate entrances from the exterior of the building and shall not share a common hallway with a commercial use.
- b) 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
- c) not less than 25% of required amenity space is to be located at grade;
- d) 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.

13.1.10 Conditions of Use:

- a) For parcels containing four (4) or more outdoor vehicle parking spaces, the following regulations shall apply:

- i) an additional area equal to 25% of the required parking area shall be provided for snow storage on-site;
 - ii) areas required for snow storage shall not be counted towards vehicle parking requirements;
 - iii) snow storage area shall be located away from public roads and other areas so that motorist and pedestrian sight lines are not impacted.
- x) adding a new Section 17.2 (Chutes End Comprehensive Development (CD8) Zone) under Section 17.0 (Comprehensive Development) to read as follows:

17.2 CHUTES END COMPREHENSIVE DEVELOPMENT (CD8) ZONE

17.2.1 Purpose

The purpose of the Chutes End Comprehensive Development Zone is to create a transitional zone that will allow for the subsequent development of an approximately 12.5 ha area of predominantly vacant Crown land to a range of residents densities and dwelling types. This area comprises an incomplete phase in the development of the Apex Mountain Ski Resort.

17.2.2 Location

The subject area comprises the Upper Parking Lot and related maintenance buildings and extends eastwards to Creekview Road. The area is bounded by Keremeos Creek to the north and existing ski runs associated with Apex Mountain to the south.



Figure 17.2.1

17.2.3 Background:

The Apex Alpine Resort Area Master Plan (1981) envisioned “seven phases of development” at Apex Mountain, five (5) of which had been completed by November of 1981.

The Plan called “for the ultimate development of 126 single family units, 411 condominium and 100 hotel units as well as 36, 281 square feet of commercial floor space. Apex Alpine also intends to construct 45 employee accommodation units with a total of 106 beds.”

Phase 7 of the Master Plan was to have been completed between 1983-85 and included, amongst other things, “60 residential strata lots” as well as “roads and services” to “Chutes End”, which is shown as comprising an approximately 2.0 ha (5.0 acre) area to be developed to “condo” (i.e. townhomes) units (see Figure 17.2.2).

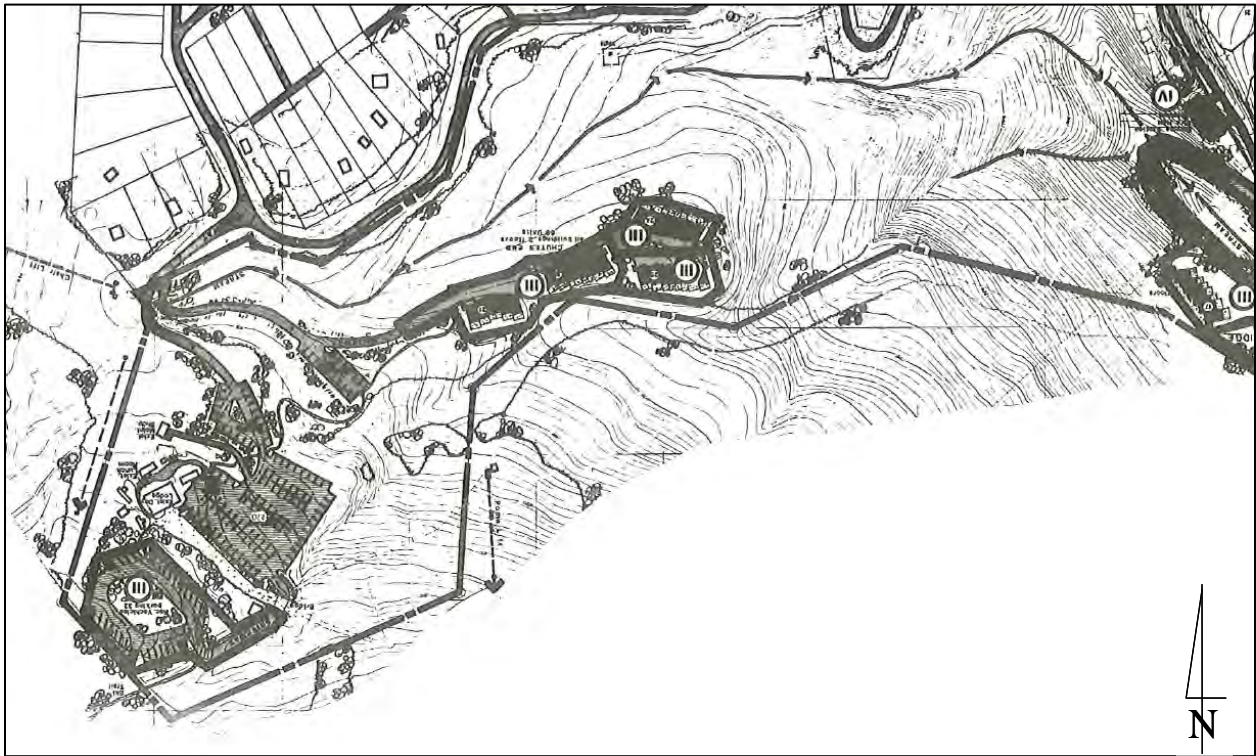


Figure 17.2.2

17.2.4 Permitted Uses:

Principal uses:

- a) apartment building, subject to Section 17.2.13;
- b) duplex;
- c) single detached dwelling;
- d) townhouse, subject to Section 17.2.13;
- e) vacation rental, subject to Section 7.28;

Secondary uses:

- f) bed and breakfast operation, subject to Section 7.19;
- g) home occupation, subject to Section 7.17;
- h) secondary suite, subject to Section 7.12; and
- i) accessory buildings and structures, subject to Section 7.13.

17.2.5 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;

- c) 0.5 ha, when connected to community sewer system and serviced by well;
or
- d) 1.0 ha, when serviced by well and approved septic system.

17.2.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

17.2.7 Maximum Density:

- a) for an apartment building or townhouse: the maximum density shall not exceed 60 dwelling units per hectare;
- b) for duplex dwellings: two (2) dwelling units per parcel, provided that both dwellings are located in one (1) residential building; or
- c) for single detached dwellings: one (1) principle dwelling unit per parcel and one (1) secondary permitted per parcel.

17.2.8 Minimum Setbacks:

- a) Buildings and structures:

	DWELLING TYPE		
	single detached dwelling	duplex	apartment building or townhouse
i) Front parcel line:	7.5 metres	7.5 metres	7.5 metres
ii) Rear parcel line:	7.5 metres	7.5 metres	4.5 metres
iii) Interior side parcel line:	3.0 metres	3.0 metres	3.0 metres
iv) Exterior side parcel line:	4.5 metres	4.5 metres	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

17.2.9 Maximum Height:

- a) No apartment building or townhouse shall exceed a height of 15.0 metres;
- b) No single detached dwelling or duplex shall exceed a height of 10.0 metres;

- c) No accessory building or structure shall exceed a height of 4.5 metres.

17.2.10 Maximum Parcel Coverage:

- a) 50% for apartment buildings, townhouses and accessory buildings structures;
- b) 45% duplexes and accessory buildings structures; or
- c) 35% for single detached dwellings and accessory buildings structures.

17.2.11 Minimum Building Width:

- a) Detached Dwelling Units: 5.0 metres, as originally designed and constructed.

17.2.12 Minimum Building Width:

- 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.

17.2.13 Conditions of Use:

- a) the minimum land area required for the development of an apartment building or townhouse is 1,000.0 m².
- b) for parcels containing four (4) or more outdoor vehicle parking spaces, the following regulations shall apply:
 - i) an additional area equal to 25% of the required parking area shall be provided for snow storage on-site;
 - ii) areas required for snow storage shall not be counted towards vehicle parking requirements;
 - iii) snow storage area shall be located away from public roads and other areas so that motorist and pedestrian sight lines are not impacted.

17.2.14 Site Specific Chutes End Comprehensive Development (CD8s) Regulations:

- .1 in the case of an approximately 2.0 ha area of land shown shaded yellow on Figure 17.2.14.1:
 - a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 17.2.1:
 - i) tourist accommodation.
 - b) the minimum parcel line setbacks for a building or structure to be used for tourist accommodation purposes shall be in accordance with those for an apartment building at Section 17.2.8.
 - c) despite Section 17.2.9, the maximum height for a building or structure to be used for tourist accommodation purposes shall not exceed 20.0 metres.
 - d) despite Section 17.2.10, the maximum parcel coverage for a building or structure to be used for tourist accommodation purposes shall not exceed 75%.

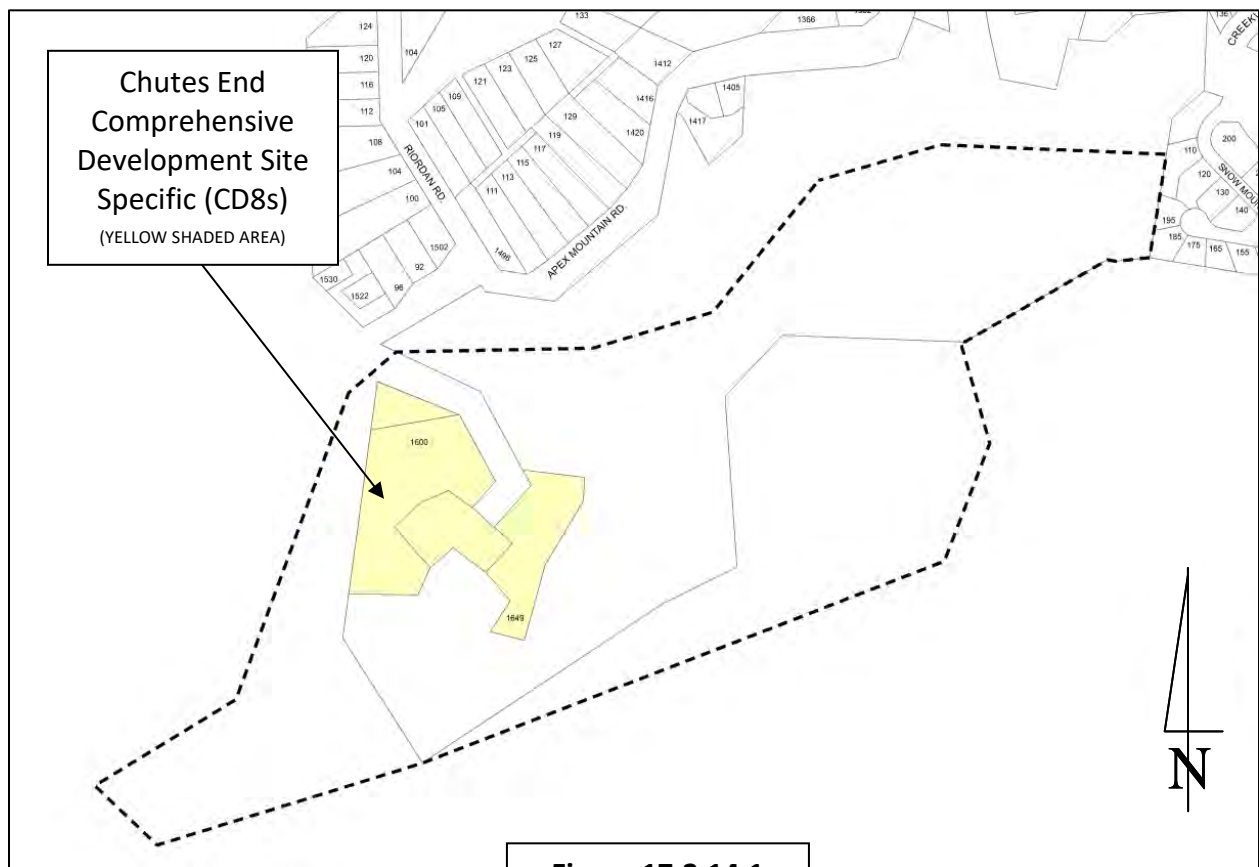


Figure 17.2.14.1

- xi) replacing Section 18.9 (Site Specific Residential Apex Alpine (RS4s) Provisions) under Section 18.0 (Site Specific Designations) in its entirety with the following:

18.9 Site Specific Residential Apex Alpine (RS4s) Provisions:

.1 *deleted.*

- xii) replacing Section 18.13 (Site Specific Mixed Use Apex Alpine (RMUs) Provisions) under Section 18.0 (Site Specific Designations) in its entirety with the following:

18.13 Site Specific Apex Mountain Village (AMVs) Provisions:

.1 *deleted.*

.2 *deleted.*

.3 *deleted.*

- xiii) replacing Section 18.14 (Site Specific Multiple Family Three (RM3s) Provisions) under Section 18.0 (Site Specific Designations) to read as follows:

18.14 Site Specific Medium Density Residential Apex (RM2s) Provisions:

.1 Not applicable

- xiv) adding a new Section 18.30 (Site Specific Residential Apex Alpine Duplex (RD2s) Provisions) under Section 18.0 (Site Specific Designations) to read as follows:

18.30 Site Specific Low Density Residential Duplex Apex (RD2s) Provisions:

.1 in the case of land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD (131-133 Whitetail Road, Apex), and shown shaded yellow on Figure 18.30.1:

- a) despite Section 4.0 (Definitions), a secondary suite may be located within a duplex dwelling.
- b) despite Section 7.12.2, the maximum floor area of a secondary suite shall not exceed 120.0 m².
- c) despite Section 7.28.4, no more than 16 patrons, with an aggregate occupancy of eight (8) patrons per dwelling unit (principal and secondary suite) shall be accommodated per strata parcel.
- d) despite Section 11.5.5 (Maximum Number of Dwellings Permitted Per Parcel), the maximum number of dwellings permitted shall be two (2) principal dwelling units and 2 secondary suites, provided all dwellings are located in one (1) residential building.

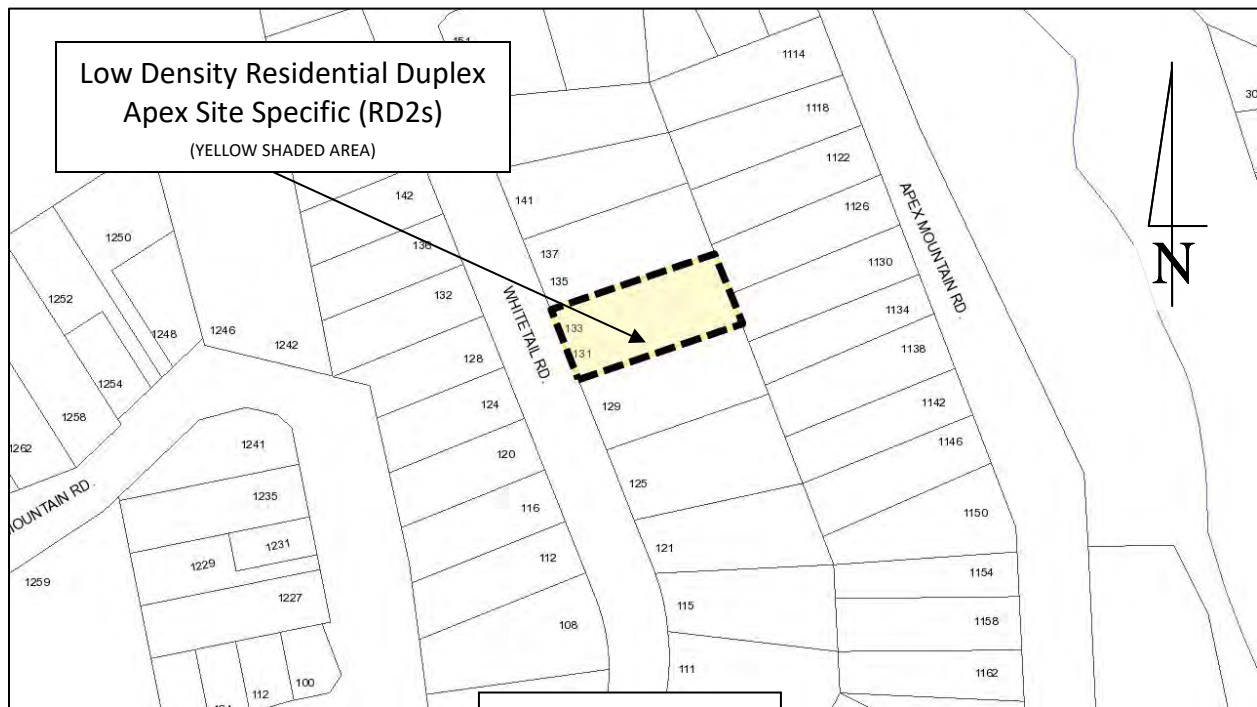


Figure 18.30.1

3. The Zoning Map, being Schedule '2' of the Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) changing the land use designation of the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Apex Mountain Village (AMU).
 - ii) changing the land use designation of the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Residential Multiple Unit Three (RM3) to Medium Density Residential Apex (RM2).
 - iii) changing the land use designation of the land shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Residential Multiple Unit Three (RM3) to Low Density Residential Duplex Apex (RD2).
 - iv) changing the land use designation of the land shown shaded purple on Schedule 'C', which forms part of this Bylaw, from Residential Multiple Unit Three (RM3) to Residential Apex Alpine (RS4).
 - v) changing the land use designation of the land shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Residential Multiple Unit Three (RM3) to Medium Density Residential Apex (RM2).
 - vi) changing the land use designation of an approximately 11.0 ha area of land shown shaded red on Schedule 'E', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Chutes End Comprehensive Development (CD8).

- vii) changing the land use designation of an approximately 2.5 ha area of land shown shaded blue on Schedule 'E', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Chutes End Comprehensive Development Site Specific (CD8s).
- viii) changing the land use designation of an approximately 10.0 ha area of land shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Resource Area (RA) to Chutes End Comprehensive Development (CD8).
- ix) changing the land use designation of the land described as Lot 2, Plan KAP78308, District Lot 395S, SDYD, and Lots A & B, Plan KAP92902, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Duplex Apex (RD2).
- x) changing the land use designation of the land shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- xi) changing the land use designation of the land shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Residential Apex Alpine Site Specific (RS4s) to Low Density Residential Duplex Apex (RD2).
- xii) changing the land use designation of the land shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Apex Medium Density Residential (RM3) to Low Density Residential Duplex Apex (RD2).
- xiii) changing the land use designation of the land shown shaded yellow on Schedule 'J', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- xiv) changing the land use designation of an approximately 4.2 ha area of land shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Resource Area (RA).
- xv) changing the land use designation of the land shaded blue on Schedule 'L', which forms part of this Bylaw, from Mixed Use Apex Alpine Site Specific (RMUs) to Low Density Residential Duplex Apex (RD2).
- xvi) changing the land use designation of the land shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Duplex Apex (RD2).
- xvii) changing the land use designation of the land shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- xviii) changing the land use designation of the land shown shaded yellow on Schedule 'N', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).

- xix) changing the land use designation of the land shown shaded blue on Schedule 'N', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Duplex Apex (RD2).
- xx) changing the land use designation of the land shown shaded purple on Schedule 'N', which forms part of this Bylaw, from Mixed Use Apex Alpine Site Specific (RMUs) to Low Density Residential Duplex Apex (RD2).
- xxi) changing the land use designation of the land shown shaded yellow on Schedule 'O', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- xxii) changing the land use designation of the land shown shaded yellow on Schedule 'P', which forms part of this Bylaw, from Residential Apex Alpine Site Specific (RS4s) to Low Density Residential Duplex Apex (RD2).
- xxiii) changing the land use designation of the land shown shaded blue on Schedule 'P', which forms part of this Bylaw, from Residential Multiple Family Site Specific (RM3s) to Low Density Residential Duplex Apex Site Specific (RD2s).

READ A FIRST AND SECOND TIME this 5th day of March, 2020.

PUBLIC HEARING held on this 4th day of June, 2020.

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

ADOPTED this ____ day of _____, 2020.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

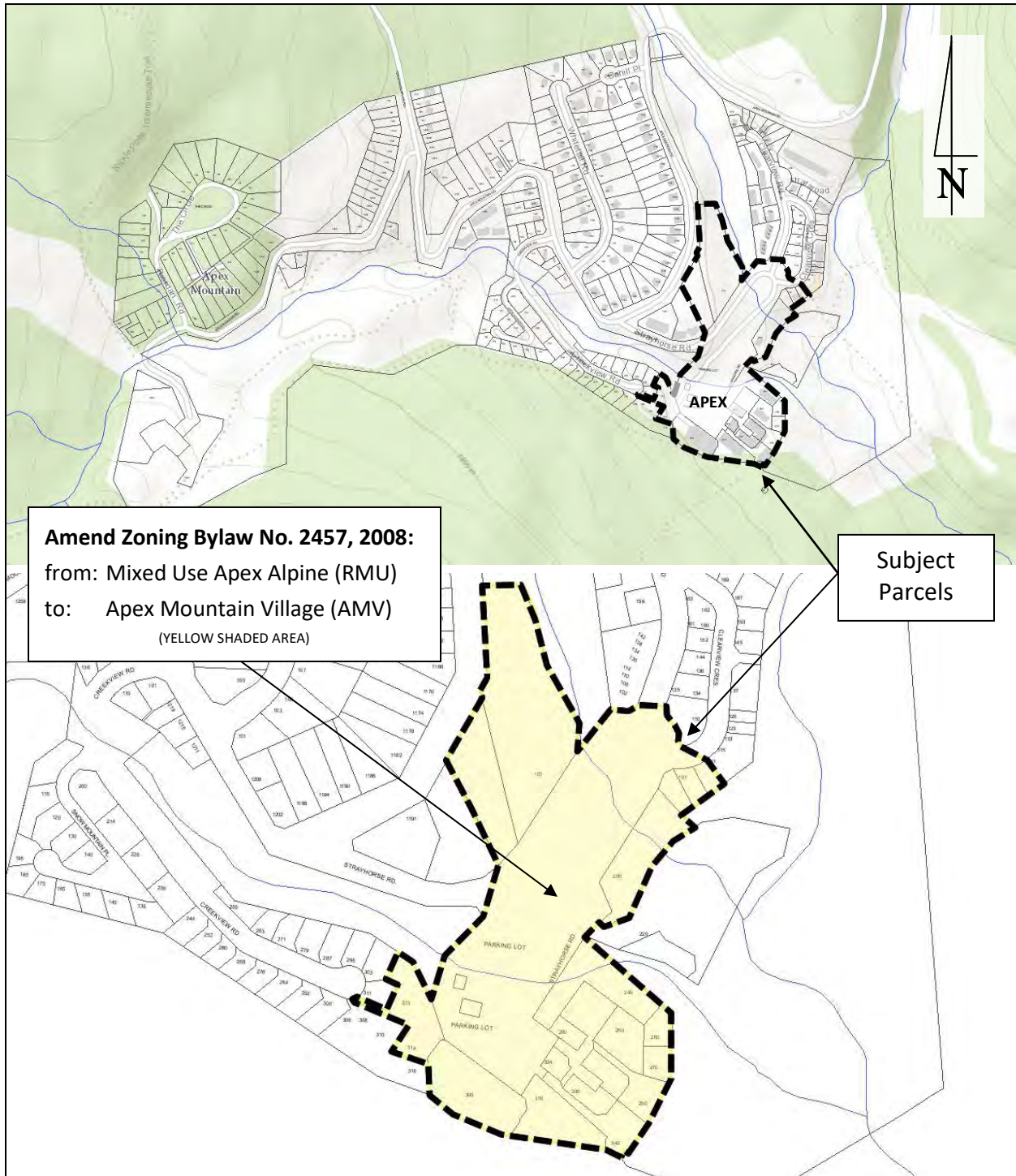
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'A'



Regional District of Okanagan-Similkameen

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

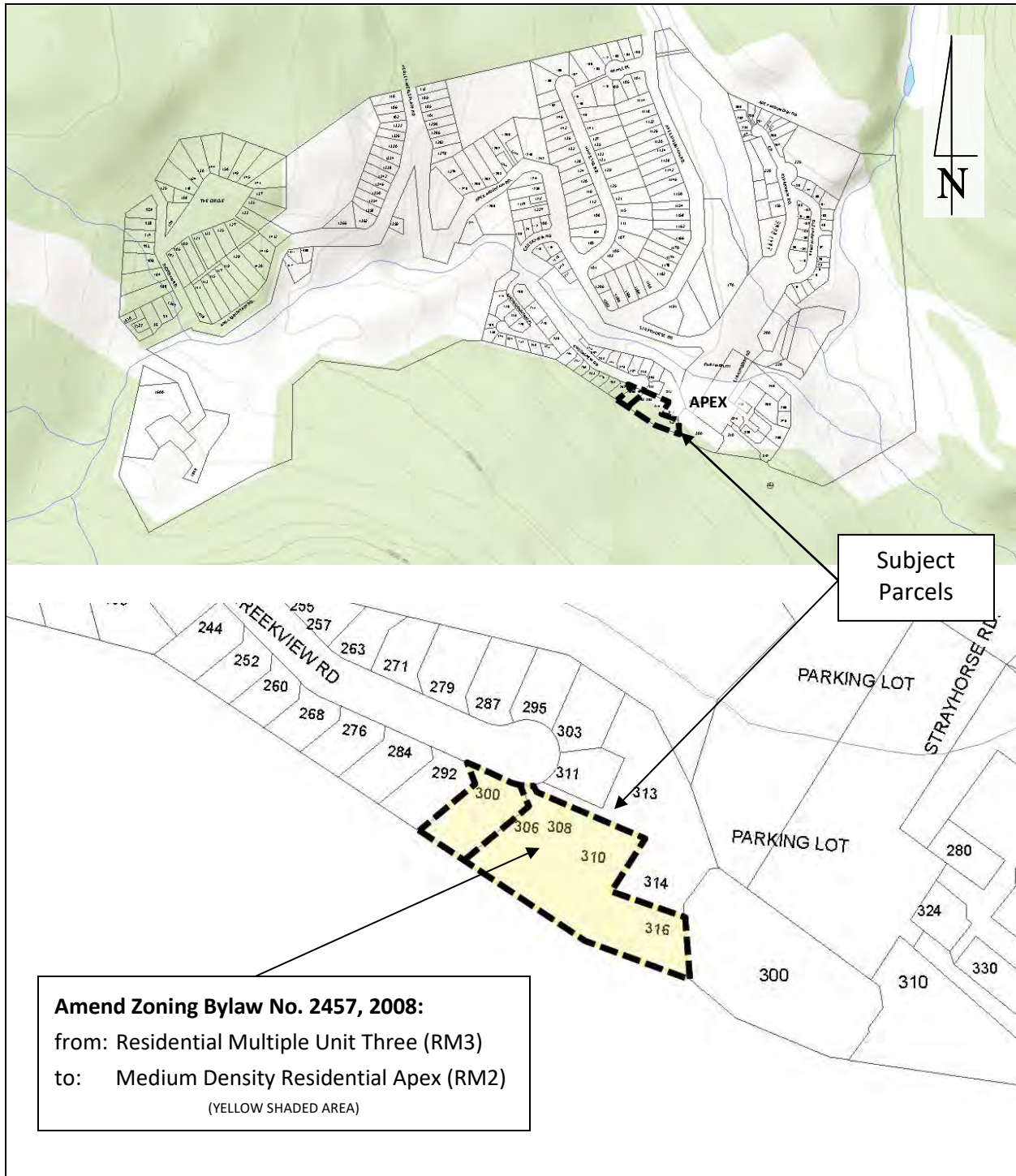
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'B'



Regional District of Okanagan-Similkameen

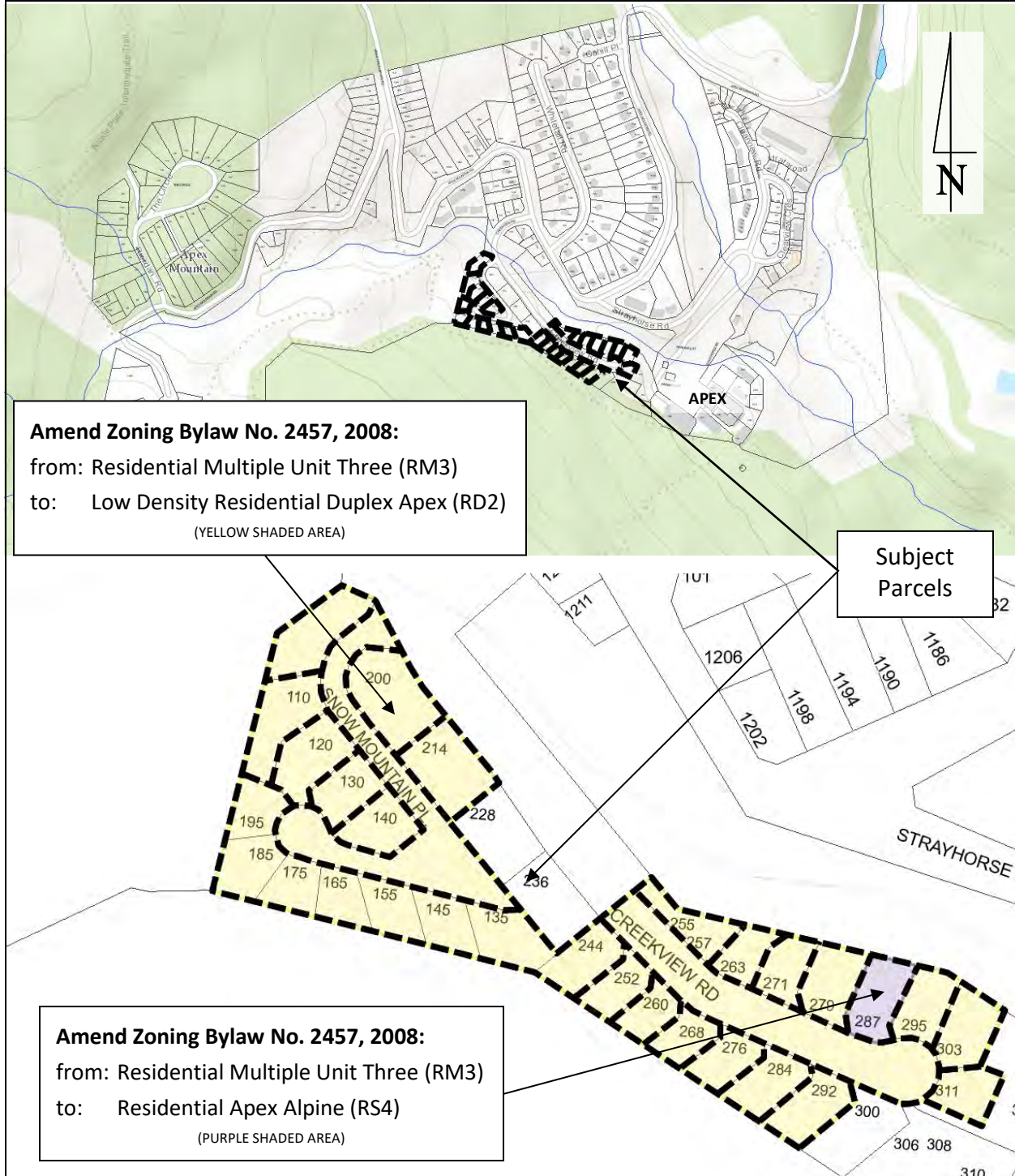
101 Martin St, Penticton, BC, V2A-5J9
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'C'



Regional District of Okanagan-Similkameen

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

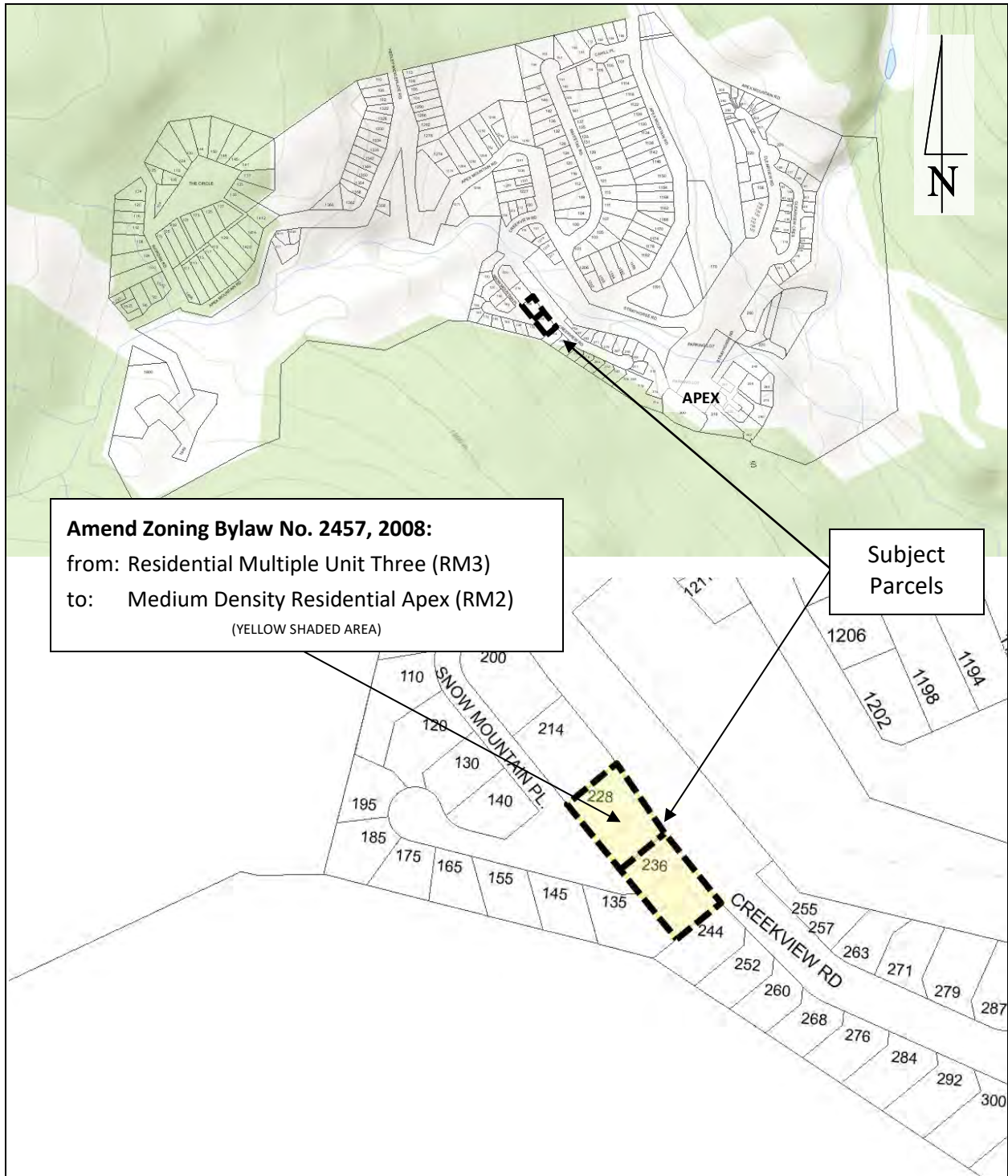
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'D'



Regional District of Okanagan-Similkameen

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

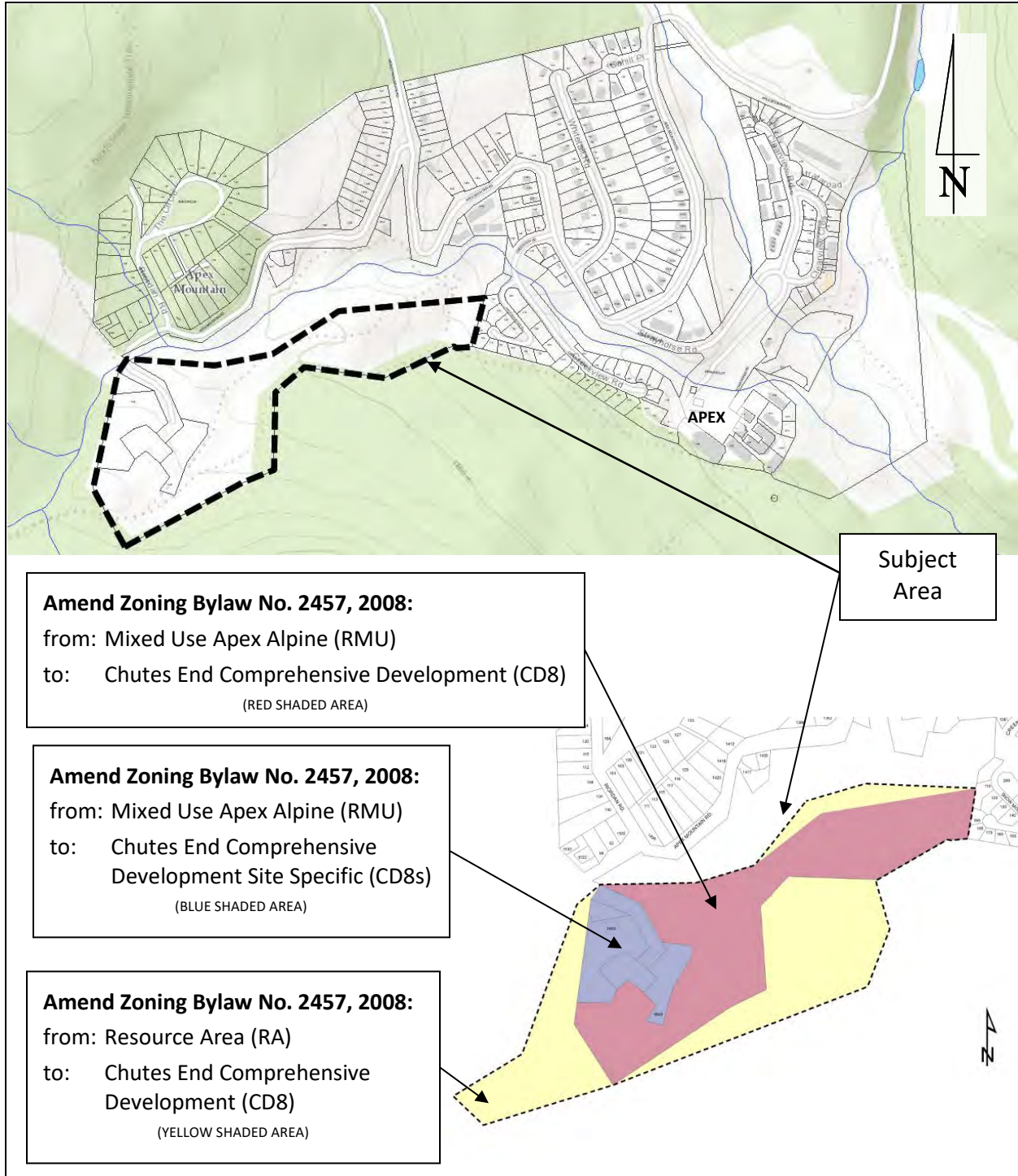
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'E'



Amendment Bylaw No. 2457.26, 2019

(D2018.059-ZONE)

Page 22 of 33

Regional District of Okanagan-Similkameen

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

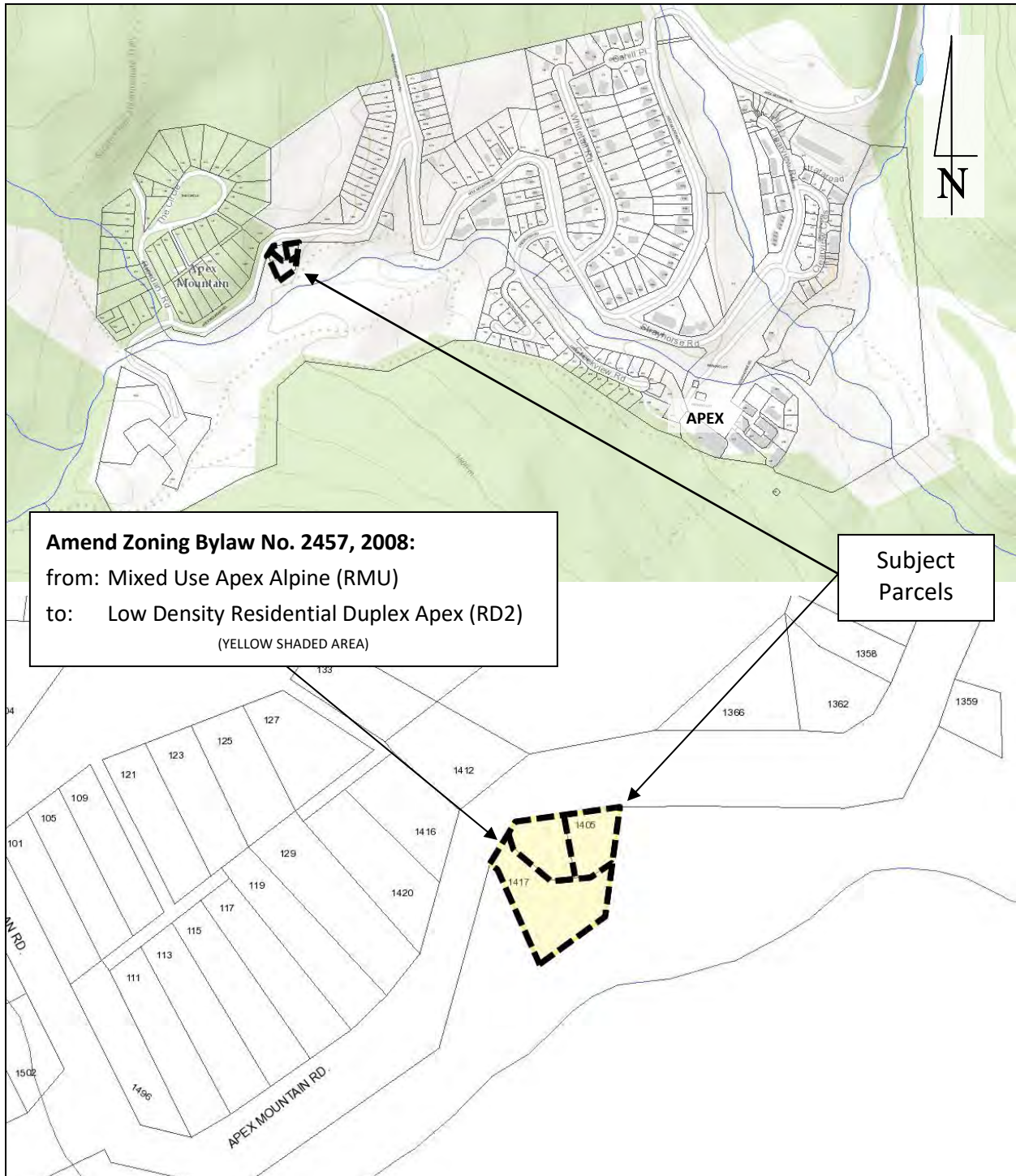
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'F'



Regional District of Okanagan-Similkameen

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

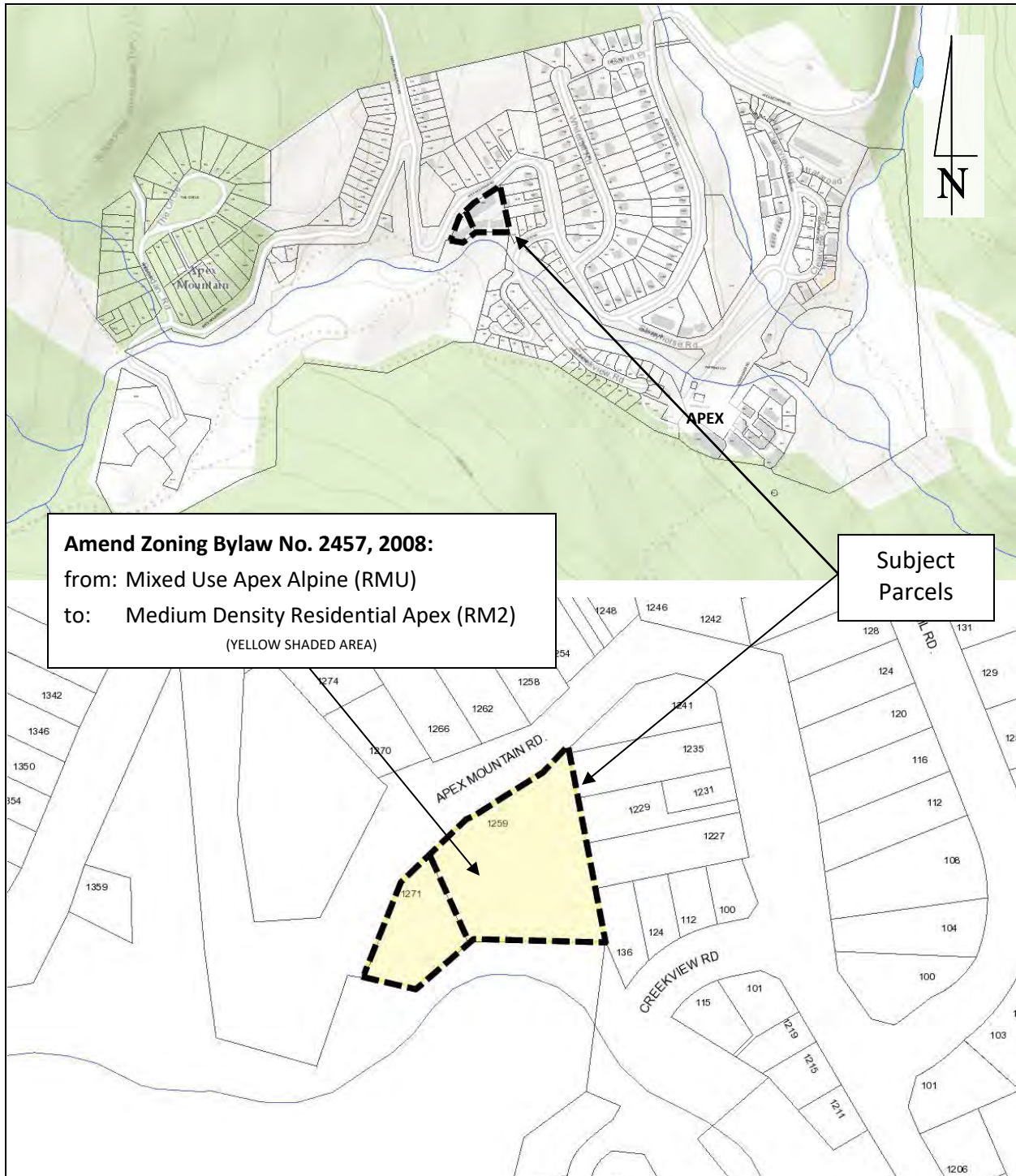
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'G'



Regional District of Okanagan-Similkameen

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

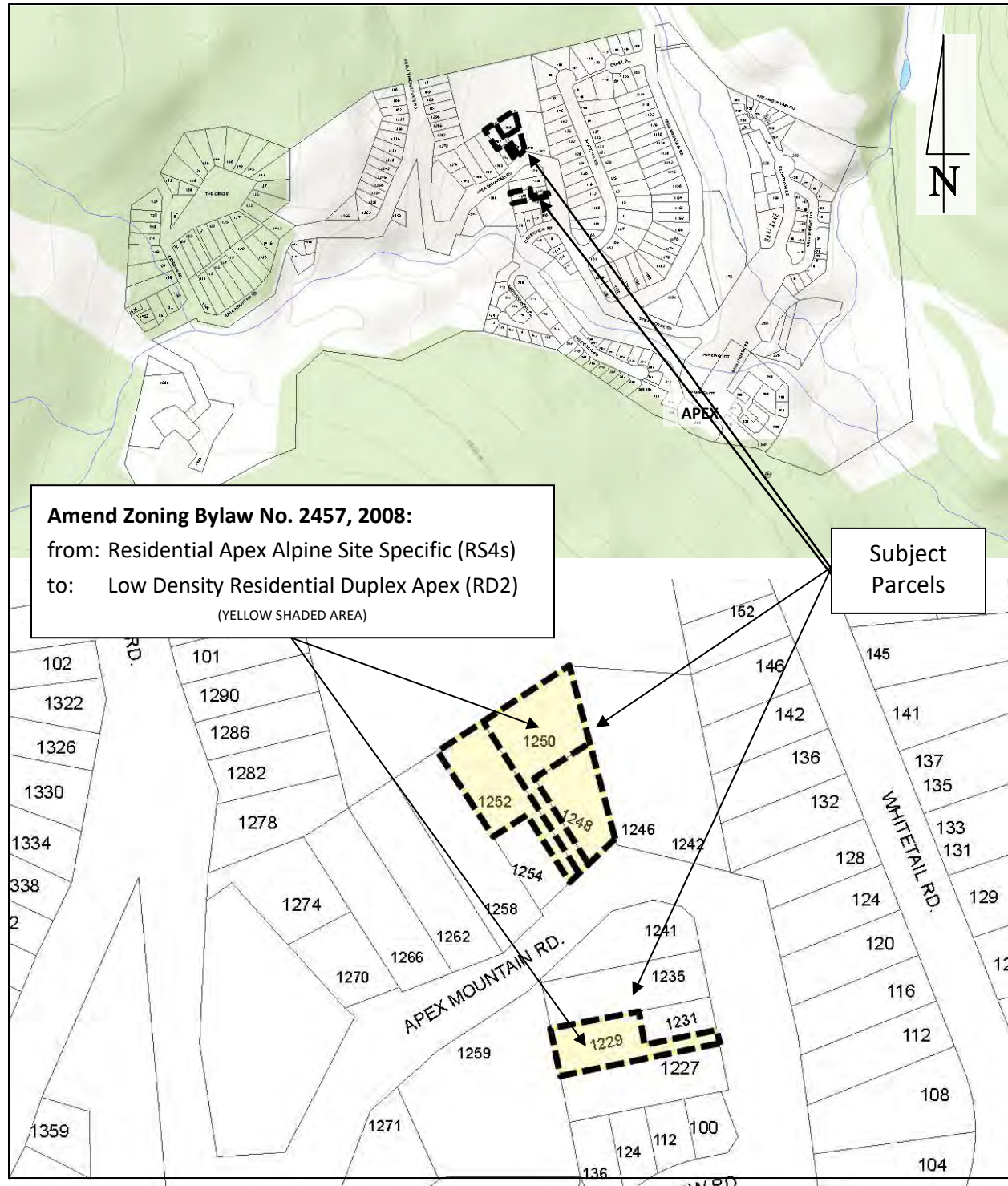
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'H'



Regional District of Okanagan-Similkameen

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

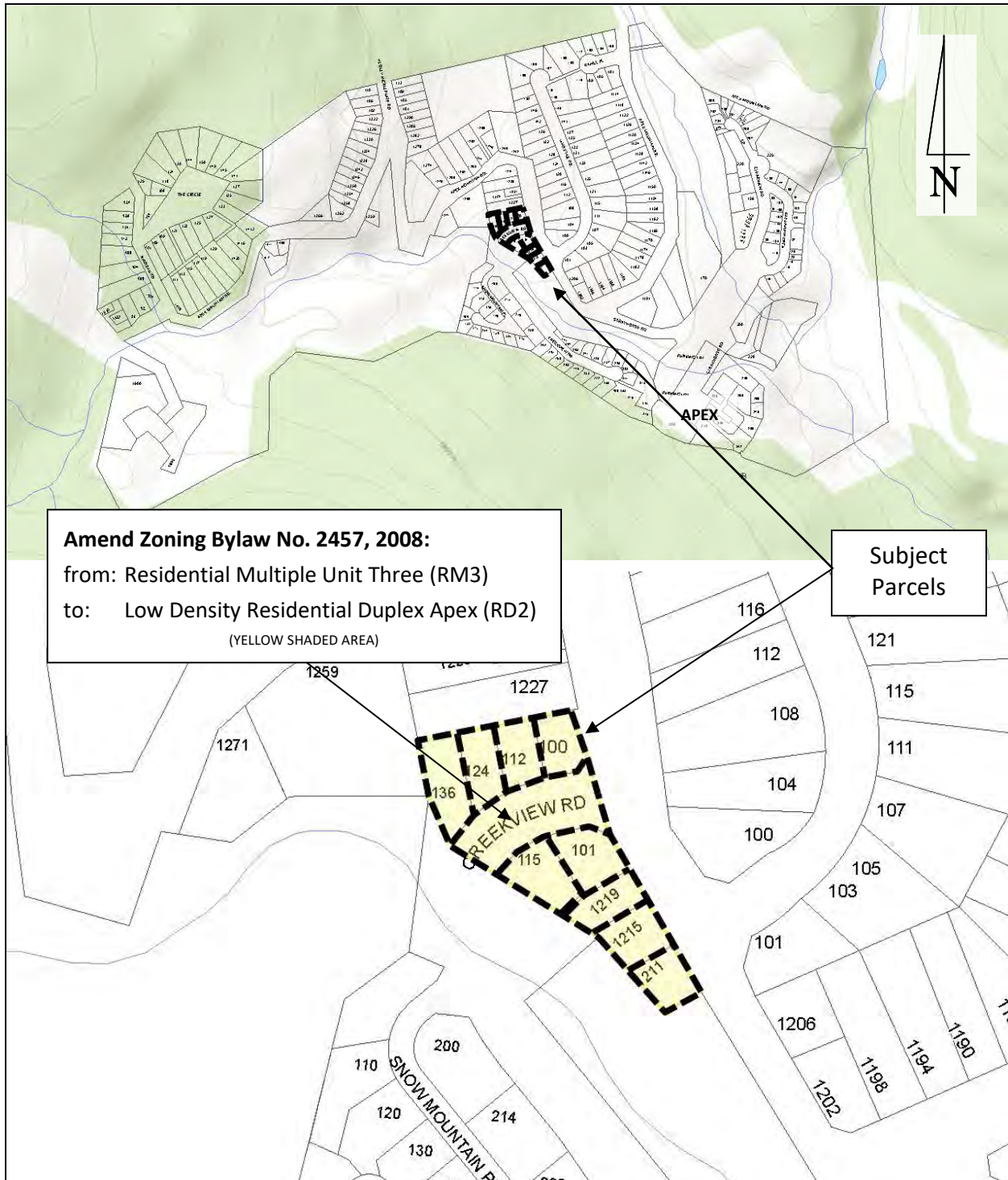
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'I'



Regional District of Okanagan-Similkameen

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

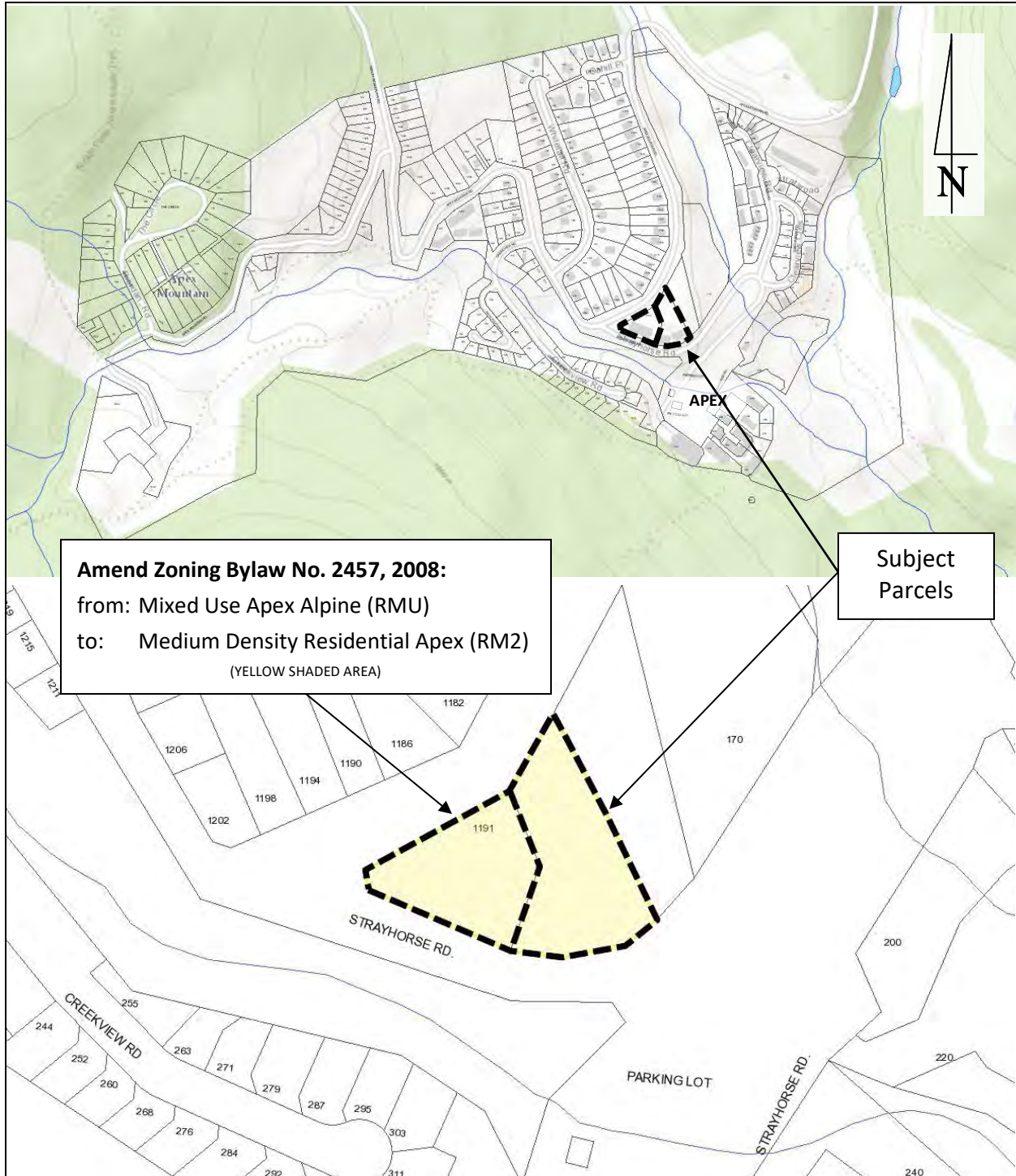
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'J'



Regional District of Okanagan-Similkameen

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

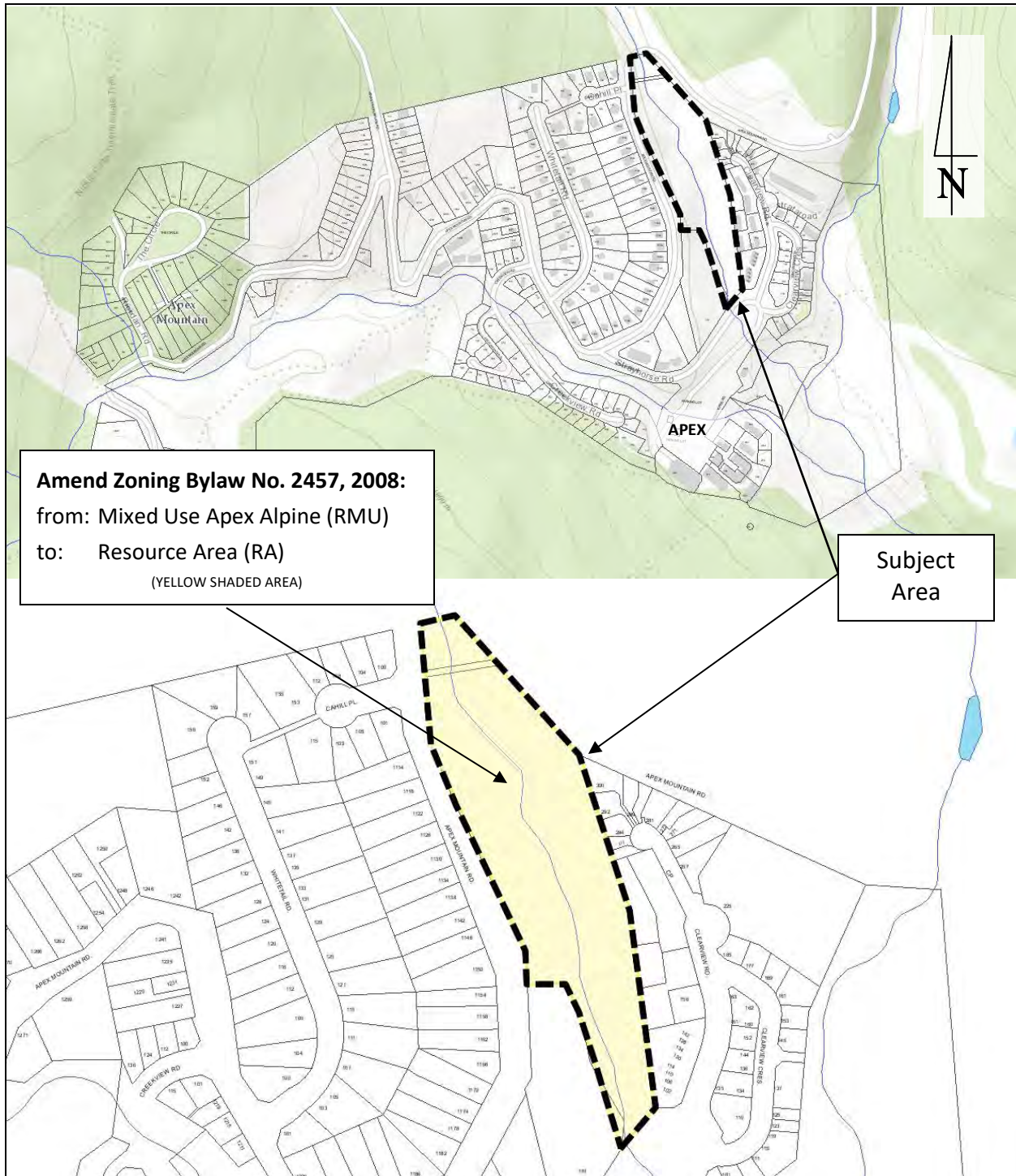
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'K'



Amendment Bylaw No. 2457.26, 2019

(D2018.059-ZONE)

Page 28 of 33

Regional District of Okanagan-Similkameen

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

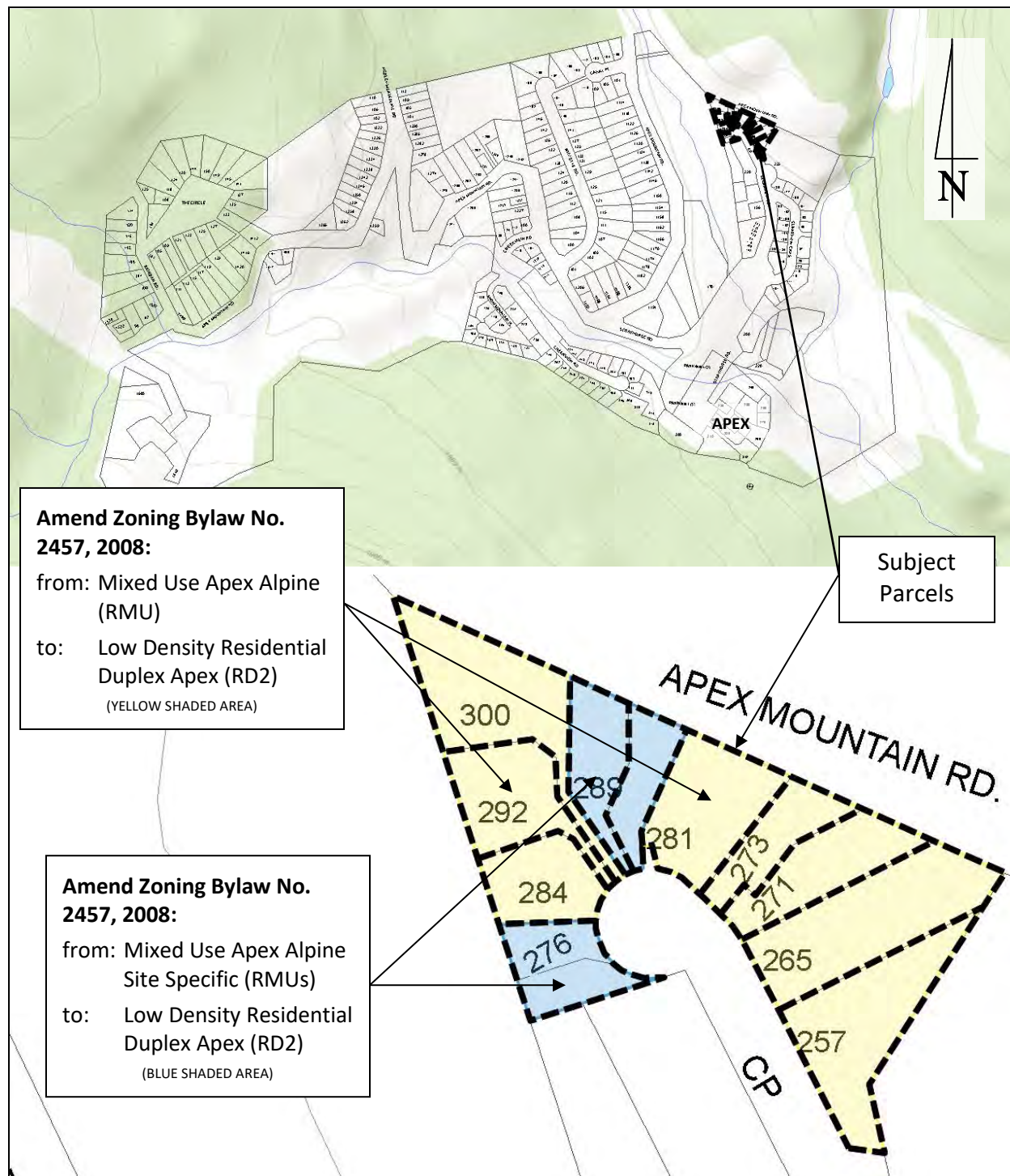
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'L'



Regional District of Okanagan-Similkameen

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

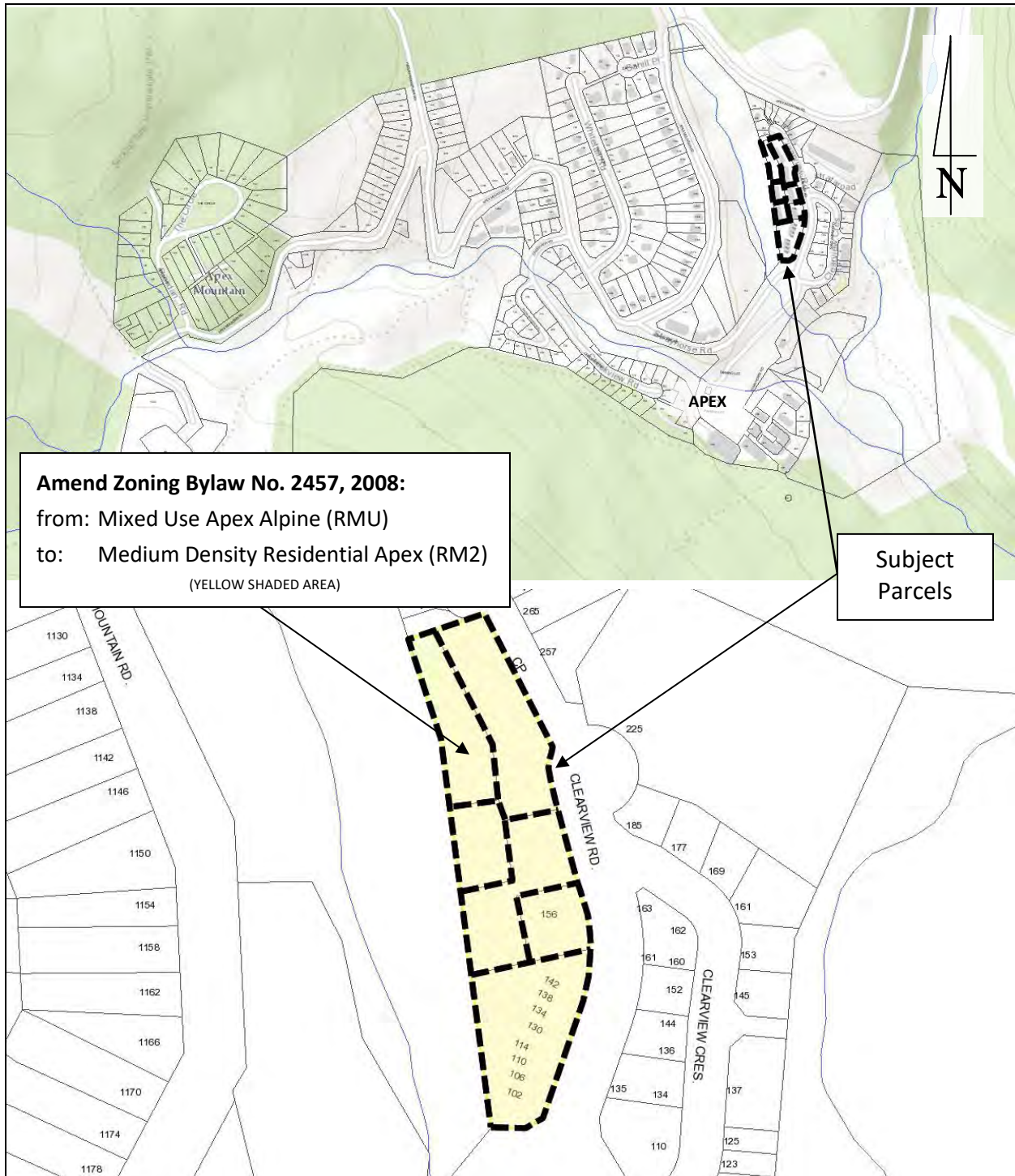
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'M'



Regional District of Okanagan-Similkameen

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

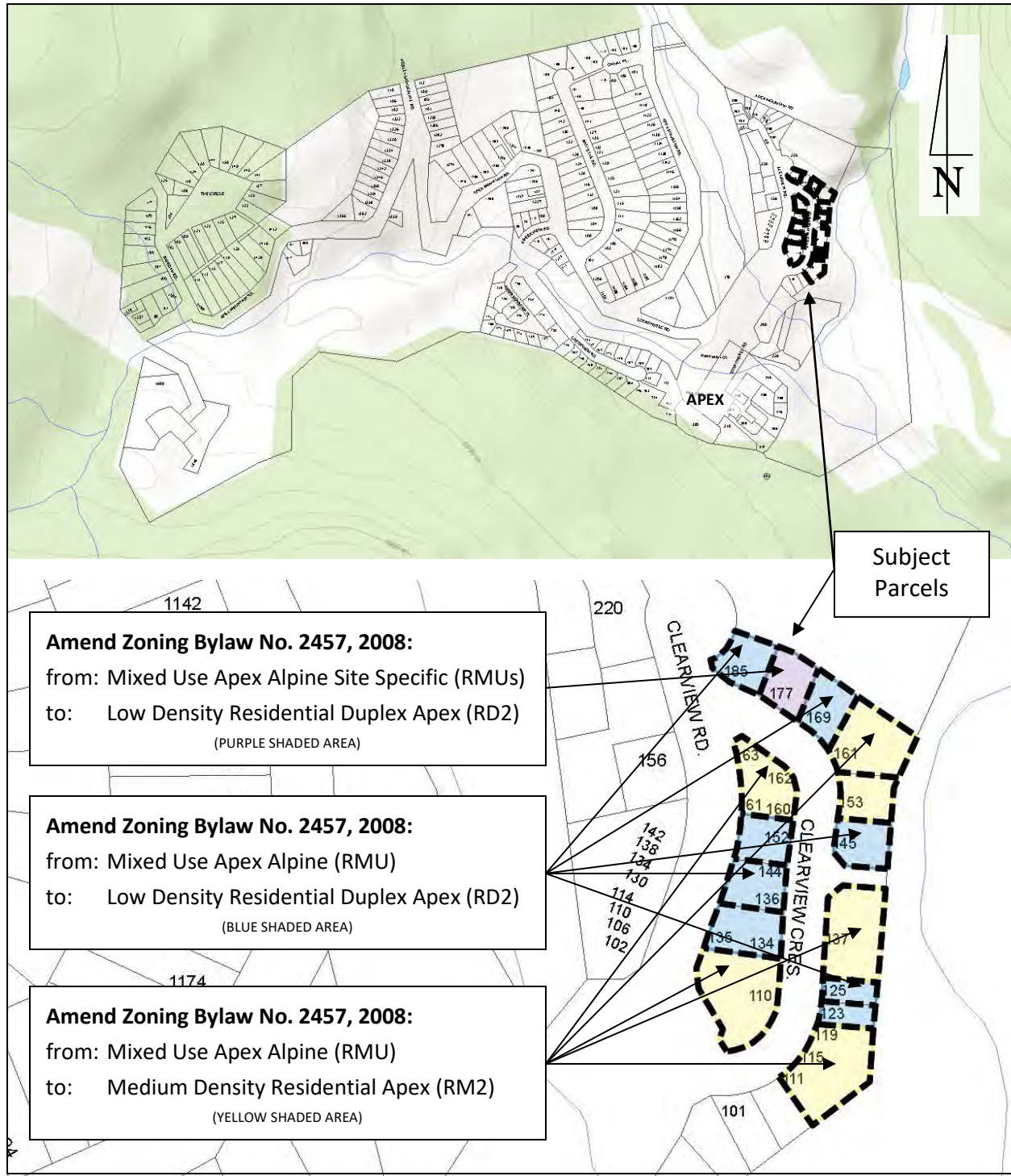
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'N'



Regional District of Okanagan-Similkameen

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

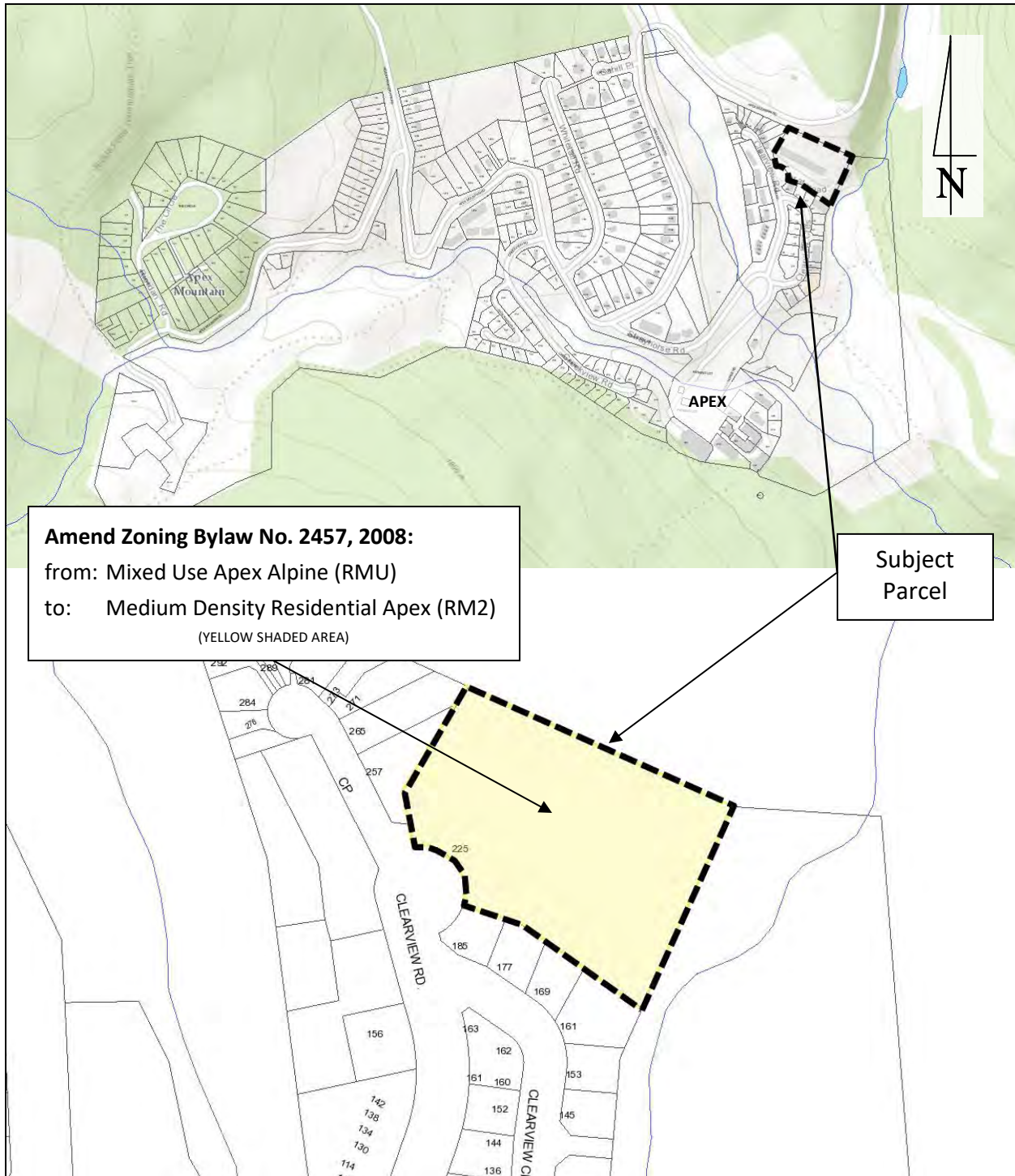
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'O'



Regional District of Okanagan-Similkameen

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

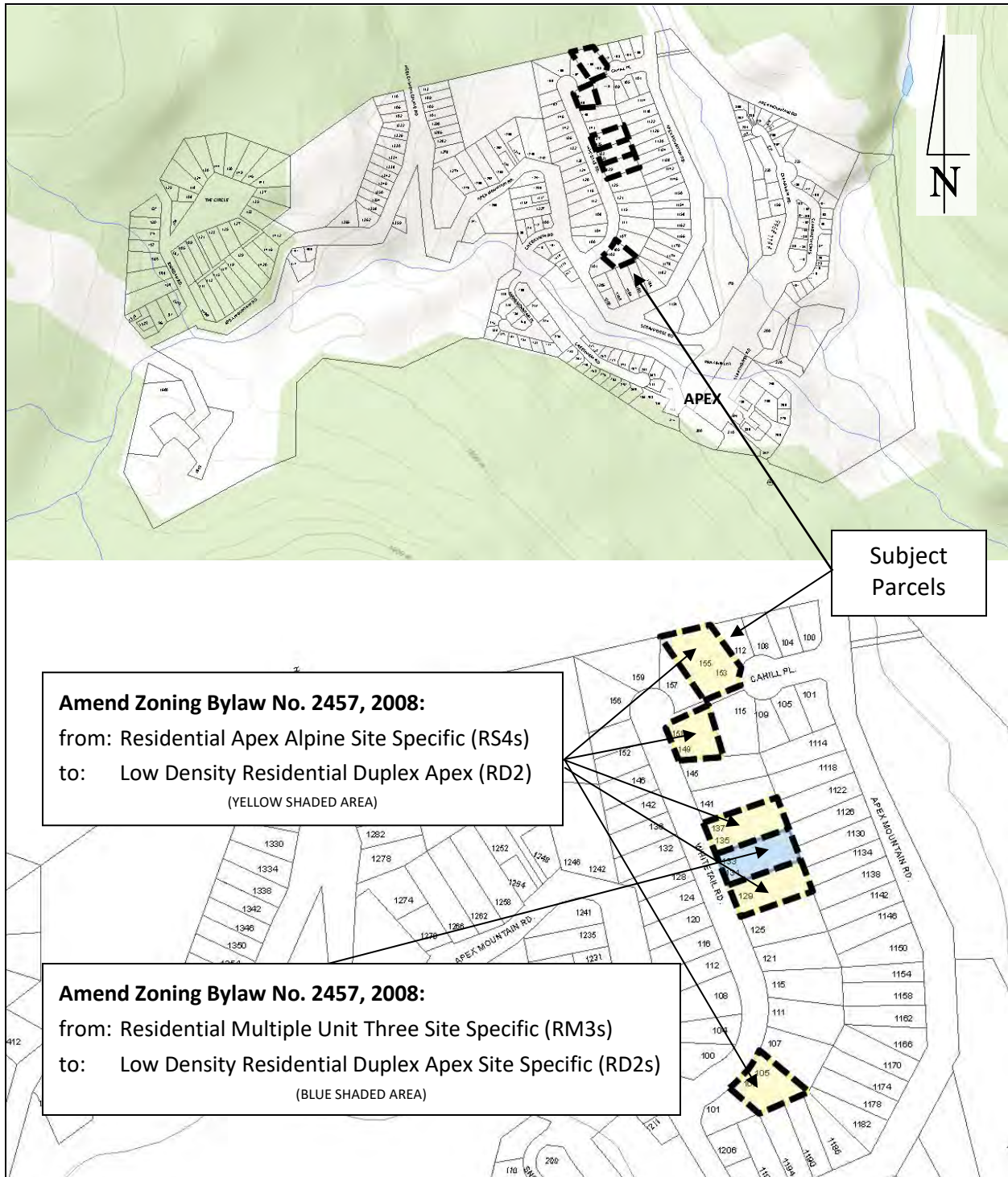
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2788, 2019

Project No: X2017.106-ZONE

Schedule 'P'



Amendment Bylaw No. 2457.26, 2019

(D2018.059-ZONE)

Page 33 of 33



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2018.059-ZONE

FROM: Name: Norm Davies
(please print)

Street Address: _____

RE: **Apex Zone Review**
Electoral Area "1" Official Community Plan Amendment Bylaw No. 2683.03
Electoral Area "1" Zoning Amendment Bylaw No. 2457.26

My comments / concerns are:

- I do support the proposed amendments to the Electoral Area "1" OCP & Zoning Bylaws.
- I do support the proposed amendments to the Electoral Area "1" OCP & Zoning Bylaws, subject to the comments listed below.
- I do not support the proposed amendments to the Electoral Area "1" OCP & Zoning Bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2683.03 & 2457.26.

Feedback Forms must be completed and returned to the Regional District
no later than **February 14, 2020**

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

Christopher Garrish

From: Kerry Patemar
Sent: February 18, 2020 1:29 PM
To: Christopher Garrish
Cc: Ward Pateman; johnpateman@wicltd.com
Subject: Apex Mountain zoning

Hi Christopher,

We have just become aware of the proposed zoning plan for Apex Mountain Resort. I am not sure what the best way is, to have our comments heard - and hope this email will work. If not please advise. We just stopped in today and the planner mentioned that we should contact you with comments.

I am acting for Mountain Landco Ltd who own property at the corner of Snow Mountain Place and Creekview Road - addresses are 200 and 214 Creekview. In reviewing the proposed zoning map, it shows these lots as RM2 and we would like it to be zoned as the proposed RD2. This would be similar to the lots currently on Snow Mountain Place.

There has been no interest in developing multiple family residential on these two lots and we would like to subdivide for single family or duplex residential.

We had dropped in today to see about a rezoning to permit duplexes instead of multiple family. Please let me know what the process is to get this considered.

Thanks so much,

Kerry

Kerry Pateman, MCIP, Registered Professional Planner



Interior Health
Every person matters

January 8, 2020

Christopher Garrish
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A 5J9
<mailto:planning@rdos.bc.ca>

Dear Christopher Garrish:

RE: File #: D2018.059-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

Thank you for the opportunity to review the proposed amendments to the OCP and zoning bylaws. Mountain Resorts Branch's (MRB's) review is in the context of Provincial approvals and authorizations on Crown land at Apex, given that:

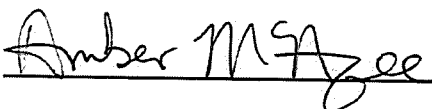
- The Province has a significant interest in the long term success of the resort, ensuring highest and best use of Crown land, balanced resort capacity and controlled, phased development in return for the investment in Crown land recreational infrastructure.
- The Province also has a significant interest in and remains committed to enabling growth and development of the resort in the future as per the Master Plan and the contractual obligations set out within the signed Master Development Agreement (MDA) between BC and Apex.

Some of the subject parcels being considered for zoning and bylaw amendments at Apex contain Crown land, and MRB would like the RDOS to consider that these parcels are located entirely within the Controlled Recreation Area and under the MDA for the resort. MRB encourages the RDOS to work with Apex to make sure that the proposed bylaw and zoning changes will not conflict with existing and future resort development interests. The subject parcels containing Crown land are shown on the following RDOS amendment schedules:

- Zoning Amendment Bylaw No. 2457.26, 2019
 - Schedule 'A'
 - Schedule 'E'
 - Schedule 'K'
- OCP Amendment Bylaw No. 2683.03, 2019
 - Schedule 'A'
 - Schedule 'C'

MRB will defer to the RDOS on the decision to make bylaw amendments to those surveyed lots at Apex that are privately owned. MRB's interests are unaffected by the amendment bylaw pertaining to the Twin Lakes area.

It has been noted that Schedule 'J' of the OCP amendment bylaw proposes to change three subject parcels from Medium Density Residential (MR) to Mixed Use Apex Alpine (RMU), which is contrary to the objective of deleting/replacing the RMU land use designation. This appears to be an error, given that the same three parcels are shown on Schedule 'A' as belonging to the Apex Village Centre (AVC) designation.

Signature: 

Signed By: Amber McAfee

Agency: Mountain Resorts Branch

Title: Licensed Land Officer

Date: January 30, 2020



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Apex Bylaw Referral

FN Consultation ID:

L-200106-D2018059-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Wednesday, January 8, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

January 8, 2020

Applicant: Apex

Attention: Planning RDOS

File Number: D2018.059-ZONE

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

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

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

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

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

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

future negotiations or court actions.

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

limlæmt,

Maryssa Bonneau
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Apex Bylaw Referral

FN Consultation ID:

L-200106-D2018059-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Wednesday, January 8, 2020

Activity No Payment

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

February 13, 2020

File number: D2018.059-ZONE

Attention: Planning RDOS

Re: Apex Bylaw Referral: 30 Day No Payment Activity

We write regarding your failure to pay invoice #L-200106-D2018059-ZONE to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated January 6, 2020.

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

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

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

- Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.
- The Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in Aboriginal title lands and resources; the beneficial interest is held by the Aboriginal title holding group. Allocations of

Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.

- Aboriginal title includes the right to proactively use and manage the resources.
- Once Aboriginal title is “established”, the constitution prohibits incursions without the consent of the Aboriginal title holders unless the Crown can justify the infringement, which in turn requires a compelling and substantial public purpose as well as consistency with the Crown’s fiduciary duty to the Aboriginal title holders, requiring the involvement of the Aboriginal title holding group in decisions.
- Before Aboriginal title is “established”, the only way to ensure certainty is to obtain consent; in the absence of consent, the Crown must consult and accommodate. If consultation or accommodation is inadequate, the Crown decision can be suspended or quashed. Moreover, fulfilling the duty to consult and accommodate does not provide the certainty that consent provides; once Aboriginal title is established, the Crown may be required to cancel projects where there was no consent and the justification test noted above cannot be met.

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

lilmamt,

Maryssa Bonneau
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Apex Bylaw Referral

FN Consultation ID:

L-200106-D2018059-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Wednesday, January 8, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

January 8, 2020

Applicant: Apex

Attention: Planning RDOS

File number: D2018.059-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was sent on January 6, 2020.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economically from those uses.

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

I appreciate your co-operation.

limlæmt,

Maryssa Bonneau
Referrals Administrator
P: 250-492-0411
Referrals@pib.ca



Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** D2018.059-ZONE

FROM: Name: ROBERT ROSS

Street Address: _____

RE: **Apex Zone Review**
Electoral Area "I" Official Community Plan Amendment Bylaw No. 2683.03
Electoral Area "I" Zoning Amendment Bylaw No. 2457.26

My comments / concerns are:

- I do support the proposed amendments to the Electoral Area "I" OCP & Zoning Bylaws.
- I do support the proposed amendments to the Electoral Area "I" OCP & Zoning Bylaws, subject to the comments listed below.
- I do not support the proposed amendments to the Electoral Area "I" OCP & Zoning Bylaws.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2683.03 & 2457.26.

**Feedback Forms must be completed and returned to the Regional District
no later than February 14, 2020**

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

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2683.03 & 2457.26

- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reasons Outlined Below

Communication with Residents by R.D.O.S. - to give clarity to purpose of By laws.

RECEIVED
Regional District

JAN 30 2020

101 Martin Street
Penticton BC V2A 5J9

Signature: 

Agency: APOA.

Date: JAN 18 / 2020.

Signed By: ARWIE ERICKSON
President.

Title: President.



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 4, 2020
RE: Temporary Use Permit Application — Electoral Area “E”

Administrative Recommendation:

THAT Temporary Use Permit No. E2020.004-TUP be approved.

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

Owner: Lucio and Patricia Riccio Agent: Traudy Taylor Folio: 02120.001

Civic: 3055 Hayman Road Legal: Lot 1, Block 1, Plan 576, District Lot 209, SDYD

OCP: Small Holdings (SH) Zone: Small Holdings Four Zone (SH4)

Proposed Development:

This application seeks continuation of a short-term vacation rental use previously authorized under Temporary Use Permit (TUP) No. E2006.006-TUP and No. E2016.104-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 4,761 m² in area, is a dual-fronting parcel situated between Hayman Road to the east and Old Main Road to the west. The property is seen to be comprised of a single detached dwelling and vineyard.

The surrounding pattern of development is characterised by and a mix of rural residential and agricultural (vineyards) to the east, south and immediate north, with low density residential further north, closer to the Naramata Town Centre. Although not directly abutting, Okanagan Lake is to the west.

Background:

The subject property was created by a subdivision plan dated March 1909, while available Regional District records indicate that Building Permit has previously been issued for a single detached dwelling in 1995.

At its meeting of April 7, 2016, the Regional District Board resolved to approve TUP application No. E2016.006-TUP.

At its meeting of December 15, 2016, Regional District Board resolved to approve TUP application No. E2016.104-TUP.

In support of the previous TUP applications, the applicant has provided a Health & Safety Inspection (March 2016). An assessment from a ROWP regarding the septic system was not provided for the original application nor the previous renewal.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the property is designated Small Holdings (SH) and a small area along the western parcel line is designated as Environmentally Sensitive Development Permit (ESDP) Area.

Section 22.2 of the Electoral Area “E” 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 “E” 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 (May-October);
- Posting of information within vacation rental;
- Maximum number of bedrooms (3);
- Maximum occupancy (6);
- Minimum number of on-site parking stalls (3);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy;
- Providing TUP and contact information to neighbours.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Small Holdings Four (SH4) which only allows for single detached dwellings and agriculture as principal uses.

The subject property has been assessed as “Residential” (Class 01).

Public Process:

Adjacent property owners will have received two notifications 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.

In accordance with Section 5.5 of the Development Procedures Bylaw, public information meeting and referral to an Advisory Planning Commission requirements are waived during the provincial state of emergency declaration in relation to COVID-19.

As such, a public information meeting was not held and the TUP request has not been reviewed by the Electoral Area “E” APC. However, Electoral Area “E” APC members were invited to comment individually on the application and early notification was provided to adjacent property owners.

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 2016.

The applicant has indicated that there have been no changes to the use since the permit was issued in 2016 (i.e. the use remains limited to three bedrooms and six paying guests between May 1st and October 31st) and the ownership remains unchanged.

While it is recognised that the Electoral Area “E” 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. E2016.006-TUP in 2016.

Further, the Electoral Area “E” 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 three years (to December 31, 2022), provided the TUP includes the same conditions as the previously issued TUPs and also includes conditions for operators and guests of the vacation rental to adhere to provincial health orders during the Provincial State of Emergency for COVID-19.

Alternatives:

1. That the Board deny Temporary Use Permit No. E2020.004-TUP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area “E” Advisory Planning Commission.

Respectfully submitted:

J. Peachey, Planner I

Endorsed by:

C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo (Google Streetview)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , prior to Board consideration of TUP No. E2020.004-TUP

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input 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 type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Naramata Volunteer Fire Department		

Attachment No. 2 – Site Photo (Streetview)

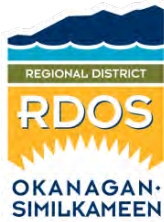


Dwelling

Garage

Parking Stall

View of Subject Property from Hayman Road



TEMPORARY USE PERMIT

FILE NO.: E2020.004-TUP

Owner: Lucio and Patricia Riccio

Agent: Traudy Taylor

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', and 'C' and described below:

Legal Description: Lot 1, Plan 576, Block 1, District Lot 209, SDYD

Civic Address: 3055 Hayman Road, Naramata

Parcel Identifier (PID): 012-217-018 Folio: E-02120.001

TEMPORARY USE

6. In accordance with Section 22.0 of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, the land specified in Section 5 may be used for a "vacation rental" use as defined in the Electoral Area "E" 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 May 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 "E" 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 three (3);
 - d) the number of paying guests that may be accommodated at any time shall not exceed six (6);
 - e) a minimum of three (3) on-site vehicle parking spaces shall be provided for paying guests;
 - 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, as well as a copy of this Temporary Use Permit 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.
 - h) Vacation rental operation must follow the Ministry of Health's COVID-19 Guidance for the Hotel Sector during the Provincial State of Emergency, including environmental cleaning, staff health and communication, and any subsequent provincial health orders for hotel operators.
 - i) Information shall be posted within the dwelling unit during the Provincial State of Emergency for COVID-19 following Provincial recommended communication, signage and posters for the Hotel Sector on the following topics:
 - i) Symptoms of COVID-19
 - ii) B.C.'s COVID-19 Self-Assessment Tool

- iii) Handwashing
- iv) Respiratory/cough etiquette
- v) Self-isolation and self-monitoring
- j) A sign must be posted on the front entrance telling staff not to enter the premises if they are feeling ill.
- k) All guests must follow Provincial guidelines during the Provincial State of Emergency for COVID-19, including avoiding non-essential travel as a measure to protect vulnerable people in communities from COVID-19.

COVENANT REQUIREMENTS

8. Not applicable.

SECURITY REQUIREMENTS

9. Not applicable.

EXPIRY OF PERMIT

10. This Permit shall expire on December 31, 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

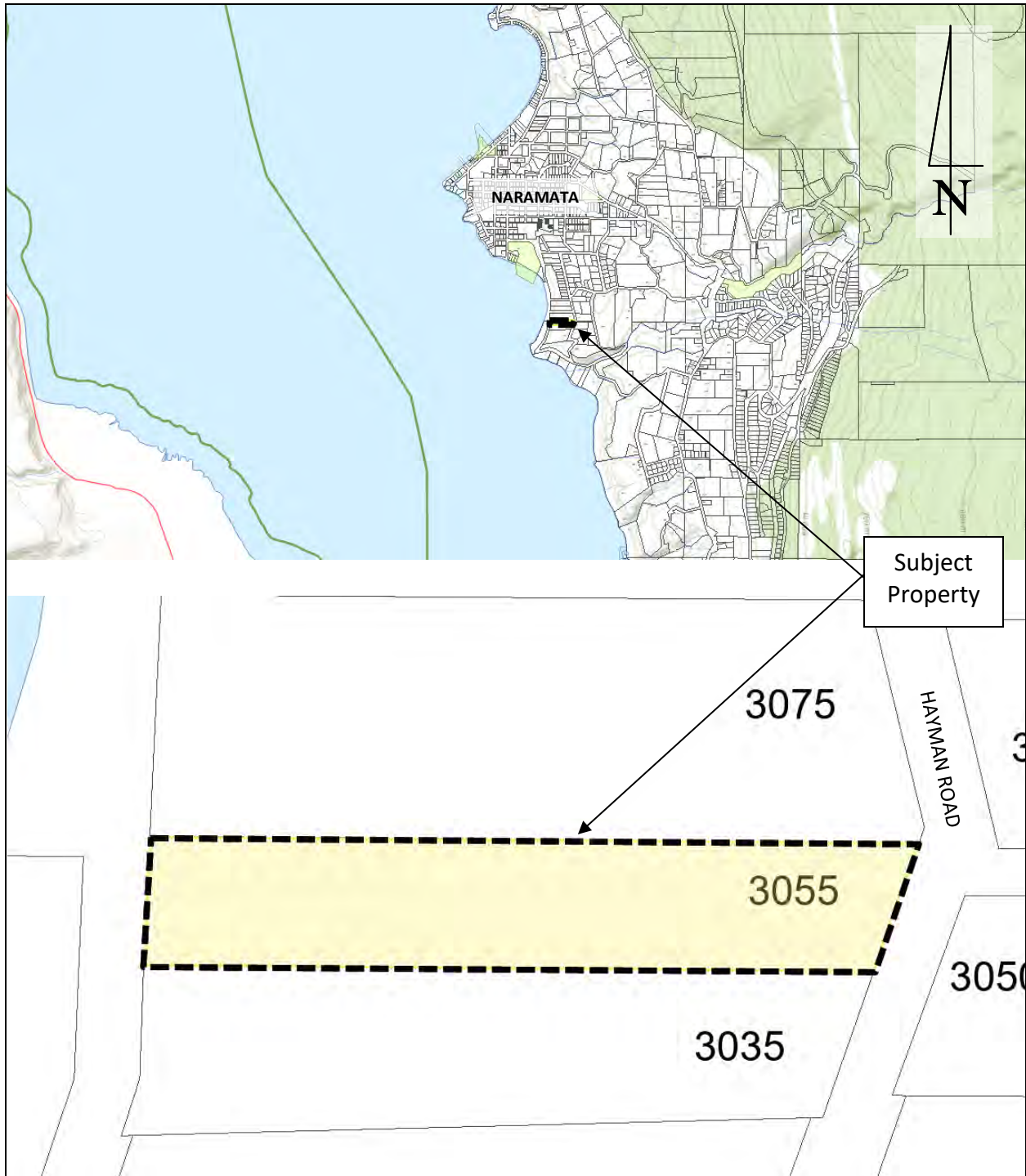
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.004-TUP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

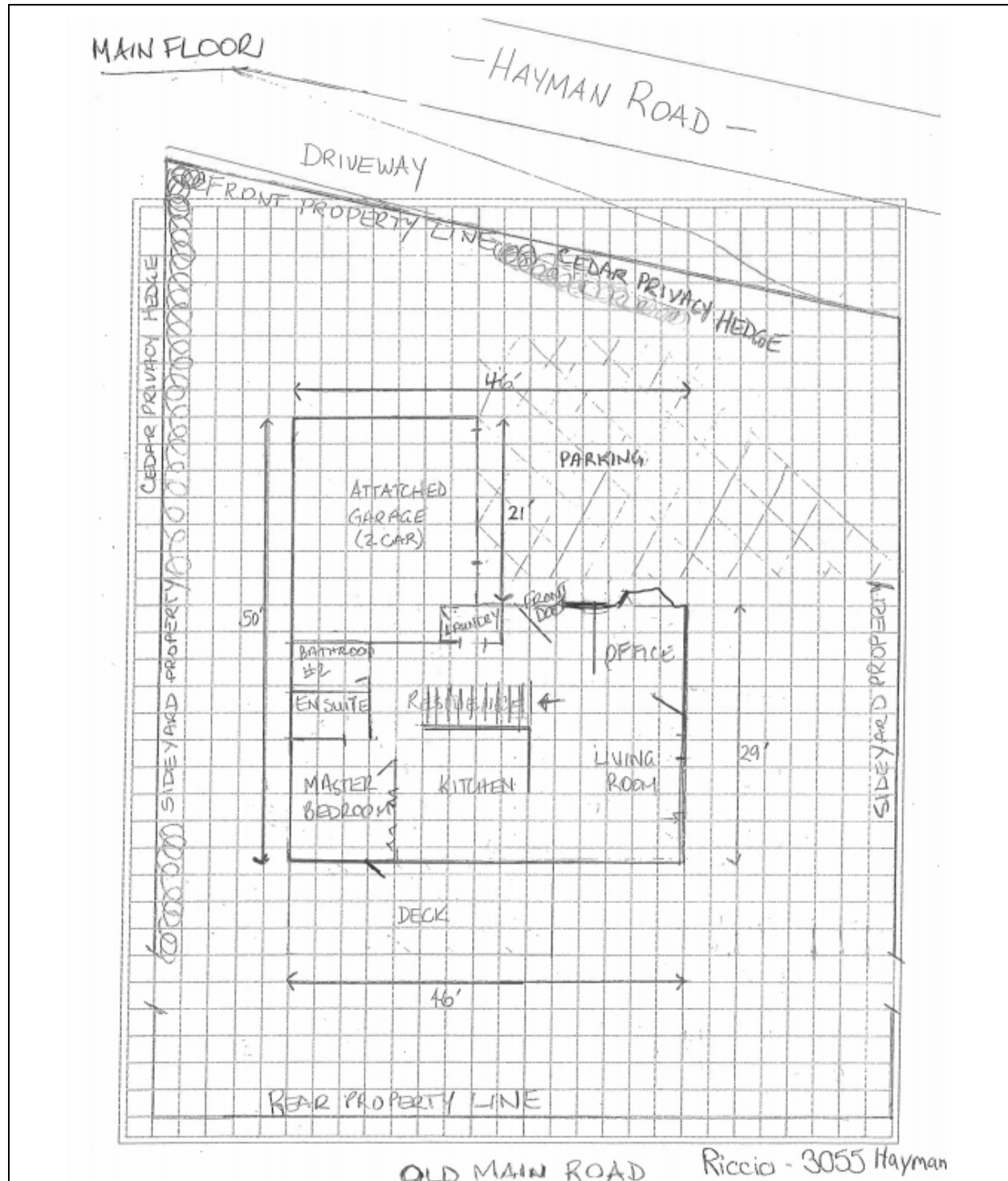
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.004-TUP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

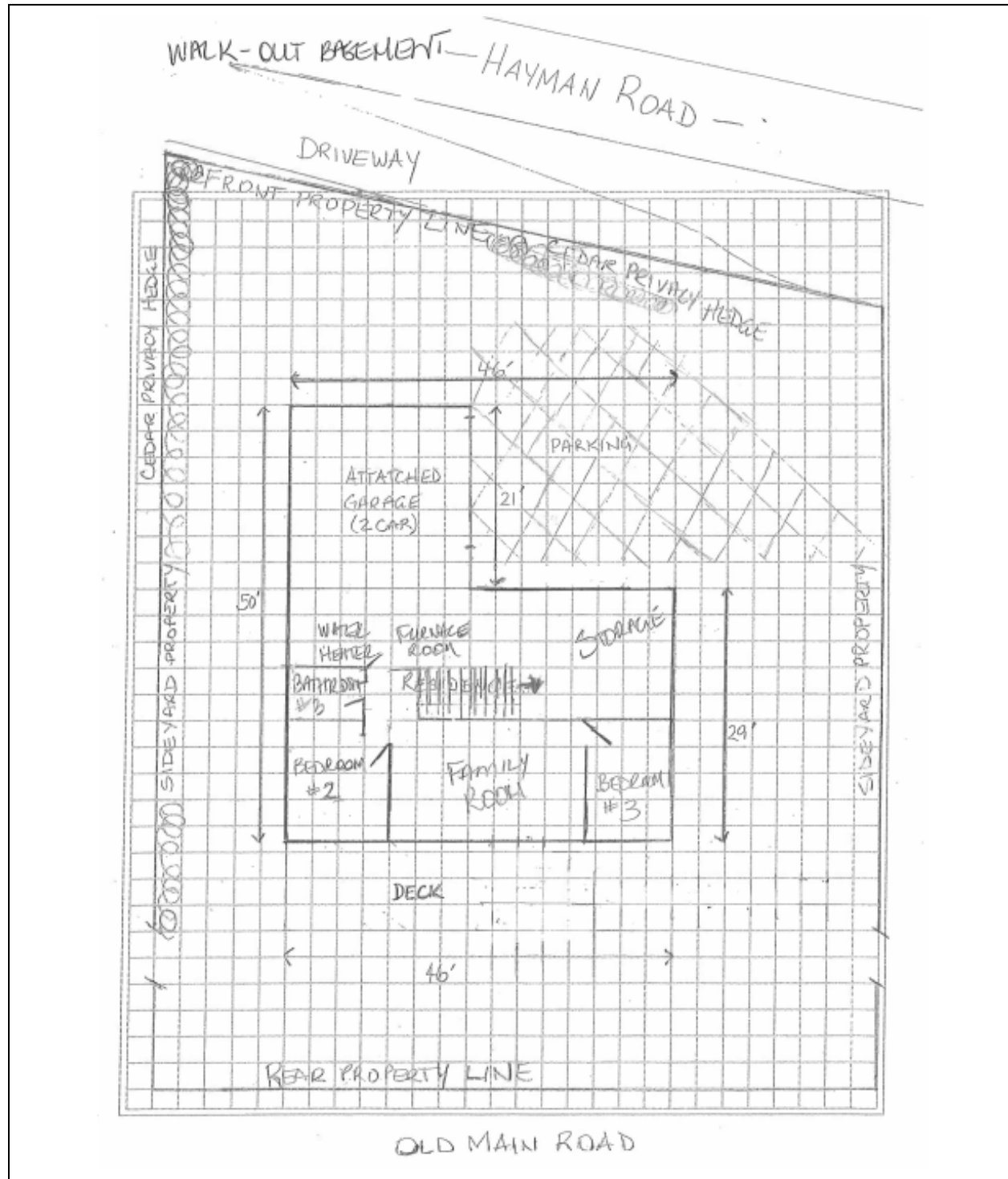
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. E2020.004-TUP

Schedule 'C'



RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. E2020.004-TUP

- | | |
|---|---|
| <input type="checkbox"/> Approval Recommended for Reasons Outlined Below | <input type="checkbox"/> Interests Unaffected by TUP |
| <input type="checkbox"/> Approval Recommended Subject to Conditions Below | <input type="checkbox"/> Approval Not Recommended Due to Reasons Outlined Below |

Thank you for the opportunity to provide comments from a healthy built environment perspective regarding the above referenced temporary use permit. It is my understanding that the intent is to allow for a vacation rental use.

An initial review has been completed and there are no concerns at this time. However, it is recommended for long term sustainability that property owners confirm the design of their existing system is appropriate for the proposed use and that the parcel maintains a back-up area of land suitable for onsite sewerage based on the proposed new use for when the existing system fails.

If you have any questions or comments, please contact us at hbe@interiorhealth.ca or 1-855-744-6328 and choose option 4.

Signature: _____



Signed By: Faith Kwong

Agency: Interior Health

Title: Environmental Health Officer

Date: April 7, 2020





APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: E2020.004-TUP

FROM: Electoral Area "E" APC Member Name:

Donald Marcell
(please print)

RE: Temporary Use Permit – "Vacation Rental" Use
3055 Hayman Road — Lot 1, Block 1, Plan 576, District Lot 209, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

No comments



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





RDOS

OKANAGAN-SIMILKAMEEN

APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: E2020.004-TUP

FROM: Electoral Area "E" APC Member Name:

Helen Weir Fleck
(please print)

may 8 2020

RE: Temporary Use Permit - "Vacation Rental" Use
3055 Hayman Road - Lot 1, Block 1, Plan 576, District Lot 209, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

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APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: E2020.004-TUP

FROM: Electoral Area "E" APC Member Name:

Dianna Smith
(please print)

RE: Temporary Use Permit – "Vacation Rental" Use
3055 Hayman Road — Lot 1, Block 1, Plan 576, District Lot 209, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

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



JoAnn Peachey

From: dave [REDACTED]
Sent: May 10, 2020 3:48 PM
To: Planning; JoAnn Peachey
Subject: Temporary use permit

Follow Up Flag: Follow up
Flag Status: Flagged

Many thanks for your very comprehensive information re. 3050 Hayman Rd. Naramata.

Will we be receiving similar information re. 3161 Hayman Rd. Naramata. Which presently has a large notice posted of intent to obtain a Temporary use Permit.

Also. Should any permits be issued please make them easily and quickly cancelled when the second and or third wave of the virus should hit.

Barbara Mackenzie. 3169 Hayman Rd. Naramata.



JoAnn Peachey

From: Debbie Schulz
Sent: April 24, 2020 9:05 AM
To: Planning
Subject: FW: Summer Rentals

Follow Up Flag: Follow up
Flag Status: Completed

From: Info
Sent: April 24, 2020 8:28 AM
To: EOC <eoc@rdos.bc.ca>; EOC Info <eocinfo@rdos.bc.ca>
Subject: FW: Summer Rentals

From: dave <[REDACTED]>
Sent: April 23, 2020 7:45 PM
To: Info <info@rdos.bc.ca>
Subject: Summer Rentals

My husband and I notice that there are two applications for Summer rentals on Hayman Road Naramata. We have been isolating for five weeks now from Covid 19 and wonder what you are going to do about the weekly rentals that are proposed for the house beside us from 1 May to 31 October. Are these people going to self isolate when they get here? What is going to happen when we get the second wave of Covid 19 in the fall which is supposed to be even worse than this first one that we are dealing with. We are deeply concerned about what you are going to do about this situation. Barb and Dave Mackenzie. Naramata.



JoAnn Peachey

From: Debbie Schulz
Sent: April 24, 2020 9:05 AM
To: Planning
Subject: FW: Barb in Naramata Again

Follow Up Flag: Follow up
Flag Status: Flagged

From: Info
Sent: April 24, 2020 8:51 AM
To: EOC <eoc@rdos.bc.ca>; EOC Info <eocinfo@rdos.bc.ca>
Subject: FW: Barb in Naramata Again

A follow-up to her previous email I forwarded to you.

Debbie Schulz – Client Services Clerk
Ext. 1000

From: dave [REDACTED]
Sent: April 24, 2020 8:37 AM
To: Karla Kozakevich <kkozakevich@rdos.bc.ca>; Info <info@rdos.bc.ca>
Subject: Barb in Naramata Again

I would also like to point out that many of the residents on Hayman Road Naramata are over seventy years of age. Two younger couples are fighting major health issues. It has already been difficult for them and us to deal with our health issues in the present situation. I do not believe that this is going to be any easier in the coming months.

To add new visitors every week to this road is beyond comprehension.

I would like to know what you are going to do about these applications for these two houses that have made an application for renting out their houses as weekly rentals.

Thank you. Barb



JoAnn Peachey

From: [REDACTED]
Sent: April 24, 2020 1:22 PM
To: JoAnn Peachey
Subject: Re: Summer Rentals

Follow Up Flag: Follow up
Flag Status: Completed

Hi JoAnn,

Thanks for the prompt reply.

Please point out to the board; In the event travel is unrestricted

it will be hard for a renter to self-isolate for ten days during a one week rental.

Please also consider this virus situation may go on for some years.

Please keep us informed of developments.

cheers
dave

On 24-Apr.-2020 12:01, JoAnn Peachey wrote:

Hi Barb and Dave,

Thanks for your email regarding temporary use permit applications on Hayman Road.

I acknowledge your concern about vacation rentals operating during the Provincial State of Emergency in response to COVID-19 and non-essential travellers being introduced in your neighbourhood.

In response to this, we will be considering placing restrictions for TUPs issued for vacation rentals during this time. Specifically, we are considering an additional condition of the TUP to prevent stays during the Provincial State of Emergency for COVID-19. This would allow for the TUP to be issued, but would prevent the vacation rental use until travel restrictions are lifted. Ultimately, it is the RDOS Boards' decision but staff will be putting forward this additional condition for their consideration.

We are also looking at alternative ways to process applications and obtain public input, in light of the restrictions on public meetings.

I also encourage you to provide feedback on the specific applications. We currently have an application for 3055 Hayman Road but I know that there is another application on its way for another property in the area.

I can also include your previous email for both applications, if you wish to include it as public feedback to be considered by the Board.

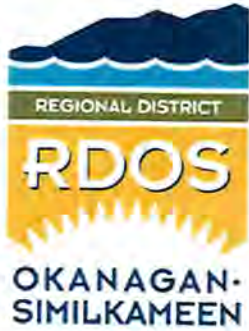


supposed to be even worse than this first one that we are dealing with.

We are deeply concerned about what you are going to do about this situation

Barb and Dave Mackenzie. Naramata.





APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** E2020.004-TUP

FROM: Electoral Area "E" APC Member Name:

Bruce CLOUGH
(please print) May 14/20

RE: Temporary Use Permit – "Vacation Rental" Use
3055 Hayman Road — Lot 1, Block 1, Plan 576, District Lot 209, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

I did hear from neighbors that generally too many vacation rentals in total on Hayman Rd. but not complaining about this property specifically.

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: April 29, 2020 5:16 PM
To: Planning
Subject: Hayman Rd, 3055 Naramata (E2020.004-TUP)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Hayman Road. All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.

For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

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

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

FortisBC Overhead Design Requirements
<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification
<http://www.fortisbc.com/InstallGuide>

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

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



Lauri Feindell

Subject: FW: Temporary use Permit

From: Brenda [REDACTED]
Sent: May 23, 2020 11:37 AM
To: Planning <planning@rdos.bc.ca>
Subject: Temporary use Permit

File No: E2020.004-TUP

We are not in favor of this permit.

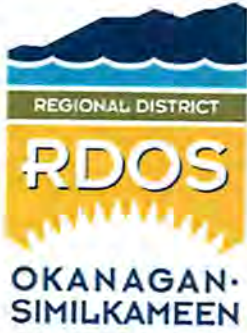
The increase in traffic on very narrow roads with no shoulders and the noisy holiday atmosphere that these guests bring do not fit into our quiet, rural residential neighborhood.

Having personal experience from being very close to two holiday rentals, we know this to be true.

Therefore, we do not support the application for unsupervised holiday rentals.

Sincerely,
Brenda & Earl Roulston





APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** E2020.004-TUP

FROM: Electoral Area "E" APC Member Name:

PHIL JANZEN

(please print)

RE: **Temporary Use Permit – "Vacation Rental" Use**
3055 Hayman Road – Lot 1, Block 1, Plan 576, District Lot 209, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

RECEIVED
Regional District

MAY 14 2020

101 Martin Street
Penticton BC V2A 5J9



RDOS

OKANAGAN-SIMILKAMEEN

APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: E2020.004-TUP

FROM: Electoral Area "E" APC Member Name:

HENRIE FLECK
(please print)

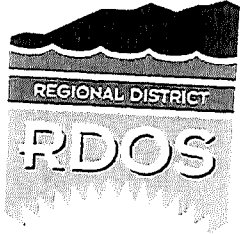
may 8 2020

RE: Temporary Use Permit – "Vacation Rental" Use
3055 Hayman Road — Lot 1, Block 1, Plan 576, District Lot 209, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

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



OKANAGAN-SIMILKAMEEN

APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen

FILE NO.: E2020.004-TUP

FROM: Electoral Area "E" APC Member Name:

Dianna Smith
(please print)

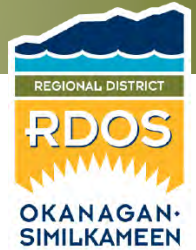
RE: Temporary Use Permit – "Vacation Rental" Use
3055 Hayman Road – Lot 1, Block 1, Plan 576, District Lot 209, SDYD

My comments / concerns are:

- I do support the proposed vacation rental use of the subject parcel.
- I do support the proposed vacation rental use of the subject parcel, subject to the comments listed below.
- I do not support the proposed vacation rental use of the subject parcel.

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

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 4, 2020
RE: Zoning Bylaw Amendment – Electoral Area “H”

Administrative Recommendation:

THAT Bylaw No. 2498.21, 2020, Electoral Area “H” Zoning Amendment Bylaw be adopted.

Purpose: To rezone the property to formalize an existing salvage operation.

Owner: William & Robert Reichert Agent: N/A Folio: H01005.005

Civic: 256 Copper Mountain Road Legal: Lot A, Plan KAP17187, DL 1822, SDYD, Except Plan H17425

Zoning: Industrial (Light) One (I1) Proposed Zoning: Industrial (Heavy) Two (I2)

Proposed Development:

This application proposes to amend the subject property in order to allow for Salvage Operations as a permitted principal use.

Background:

At its meeting of March 17, 2020, the Electoral Area “H” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of April 16, 2020, the Board of Directors resolved to give Bylaw No. 2498.20, 2020 first and second reading, and waive the holding of a public hearing for Zoning Amendment Bylaw 2498.20, 2020, in accordance with the requirements of the Local Government Act.


At its meeting of May 21, 2020, the Board of Directors resolved to give Bylaw No. 2498.20, 2020 third reading.

Approval from the Ministry of Transportation and Infrastructure (MoTI), due to the proposal affecting lands situated within 800 metres of a controlled area (i.e. Highway 3), was obtained on May 22, 2020.

Alternatives:

THAT first, second and third readings of Amendment Bylaw No. 2498.21, 2020, Electoral Area “H” Zoning Amendment Bylaw be rescinded and the bylaw abandoned.

Respectfully submitted:


C. Labrecque, Planner II

Endorsed By:


C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.21, 2020

A Bylaw to amend the Electoral Area “H” Zoning Bylaw No. 2498, 2012

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “H” Zoning Amendment Bylaw No. 2498.21, 2020.”
2. The Official Zoning Map, being Schedule ‘2’ of the Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by changing the land use designation on the land described as, and shown shaded yellow on Schedule ‘A’, which forms part of this Bylaw, from Industrial (Light) One (I1) to Industrial (Heavy) Two (I2).

READ A FIRST AND SECOND TIME this 16th day of April, 2020.

PUBLIC HEARING WAIVED on this 16th day of April, 2020.

READ A THIRD TIME this 21st day of May, 2020.

Approved pursuant to Section 52(3) of the *Transportation Act* this 22nd day of May, 2020.

ADOPTED this ____ day of June, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

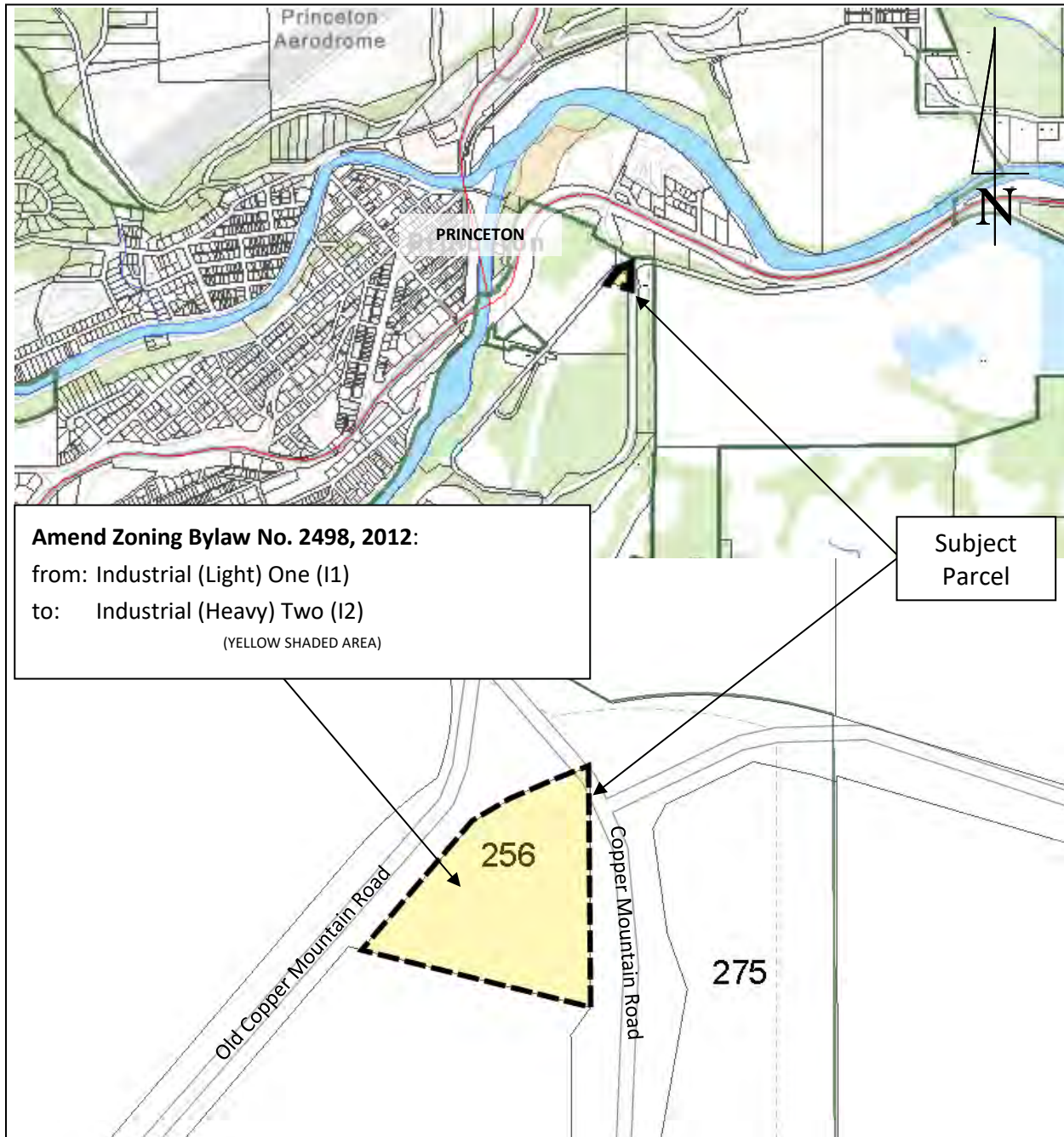
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



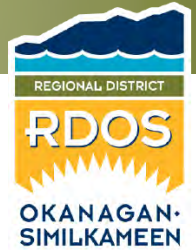
Amendment Bylaw No. 2498.21, 2020

File No. H2019.026-ZONE

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Zoning Bylaw Amendment – Duplex Zone Review (Residential Zone Update – Phase 2)
Electoral Areas “A”, “C”, “D” & “E”

Administrative Recommendation:

THAT Bylaw No. 2886, 2020, Regional District of Okanagan-Similkameen Duplex Zone Update Amendment Bylaw be adopted.

Proposal:

It is being proposed that the Regional District Board initiate an amendment to the Electoral Area “A”, “C”, “D” & “E” Zoning Bylaws in order to update the duplex zone as part of on-going work related to the preparation of a single zoning bylaw for the South Okanagan Valley Electoral Areas.

Background:

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

At its meeting of March 5, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of April 2, 2020.

At its meeting of March 19, 2020, the Board subsequently resolved that all non-regulatory public hearings on land use matters be waived, and all regulatory public hearings be postponed until further notice in response to the on-going health crisis related to the COVID-19 virus.

At its meeting of April 16, 2020, the Board, in accordance with Section 464 of the *Local Government Act*, resolved to waive the holding of a public hearing for Zoning Amendment Bylaw No. 2886, 2020, and directed staff give notice of the waiving of the public hearing.

In accordance with Section 467 of the Act, staff gave notice of the waiving of the public hearing in the May 6, 2020, and May 13, 2020, editions of the *Penticton Western*.

At its meeting of May 21, 2020, the Board resolved to approve third reading of the amendment bylaw.

Approval from the Ministry of Transportation and Infrastructure (MoTI), due to the proposed zoning amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97), was obtained on May 22, 2020.

Alternatives:

-
1. THAT first, second and third reading of Bylaw No. 2886, 2020, Regional District of Okanagan-Similkameen Duplex Zone Update Amendment Bylaw be rescinded and the bylaw abandoned; or
 2. THAT adoption reading of Bylaw No. 2886, 2020, Regional District of Okanagan-Similkameen Duplex Zone Update Amendment Bylaw be deferred.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'C. Garrish', is written over a horizontal line.

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2886, 2020

A Bylaw to amend the Electoral Area “A”, “C”, “D” & “E” 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 Duplex Zone Update Amendment Bylaw No. 2886, 2020.”

Electoral Area “A”

2. The “Electoral Area “A” Zoning Bylaw No. 2451, 2008” is amended by:
 - i) replacing the reference to “Residential Two Family (Duplex) Zone RS3” under Section 5.1 (Zoning Districts) in its entirety with “Low Density Residential Duplex Zone RD1”.
 - ii) replacing the reference to “RS3” under Table 7.9 (Screening and Landscaping Requirements) under Section 7.0 (General Regulations) with “RD1”.
 - iii) replacing Section 11.2 (Residential Two Family (Duplex) (RS3) Zone under Section 11.0 (Low Density Residential) in its entirety with the following:

11.2 LOW DENSITY RESIDENTIAL DUPLEX ZONE (RD1)

11.2.1 Permitted Uses:

Principal Uses:

- a) duplex dwellings;
- b) single detached dwellings;

Secondary Uses:

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

11.2.2 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- a) see Section 17.9

11.2.3 Minimum Parcel Size:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

11.2.4 Minimum Parcel Width:

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

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) dwelling units, provided that both dwellings are located in one (1) residential building.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - 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 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

11.2.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;

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

11.2.8 Maximum Parcel Coverage:

- a) 45%

11.2.9 Minimum Building Width:

- a) Dwelling Unit: 5.0 metres, as originally designed and constructed.
- iv) replacing Section 17.9 (Site Specific Residential Two Family (Duplex) (RS3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.9 Site Specific Low Density Residential Duplex (RD1s) Provisions:

.1 *blank*

- 3. The Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
 - i) changing the land use designation of all parcels zoned Residential Two Family Duplex (RS3) to Low Density Residential Duplex (RD1).

Electoral Area "C"

- 4. The "Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:
 - i) replacing the reference to "Residential Two Family (Duplex) Zone RS3" under Section 5.1 (Zoning Districts) in its entirety with "Low Density Residential Duplex Zone RD1".
 - ii) replacing Section 11.3 (Residential Two Family (Duplex) (RS3) Zone under Section 11.0 (Low Density Residential) in its entirety with the following:

11.3 LOW DENSITY RESIDENTIAL DUPLEX ZONE (RD1)

11.3.1 Permitted Uses:

Principal Uses:

- a) duplex dwellings;
- b) single detached dwellings;

Secondary Uses:

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

11.3.2 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- a) see Section 17.10

11.3.3 Minimum Parcel Size:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

11.3.4 Minimum Parcel Width:

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

11.3.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) dwelling units, provided that both dwellings are located in one (1) residential building.

11.3.6 Minimum Setbacks:

- a) Principal buildings:
 - 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 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

11.3.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.3.8 Maximum Parcel Coverage:

- a) 45%

11.3.9 Minimum Building Width:

- a) Dwelling Unit: 5.0 metres, as originally designed and constructed.
- iii) replacing Section 17.10 (Site Specific Residential Two Family (Duplex) (RS3s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

17.10 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- .1 *blank*

- 5. The Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
 - i) changing the land use designation on the land shown shaded yellow on Schedule 'C-1', which forms part of this Bylaw, from Residential Two Family Duplex (RS3) to Residential Single Family One (RS1).
 - ii) changing the land use designation of all parcels zoned Residential Two Family Duplex (RS3) to Low Density Residential Duplex (RD1).

Electoral Area "D"

- 6. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:
 - i) replacing the reference to "Residential Two Family (Duplex) Zone RS3" under Section 5.1 (Zoning Districts) in its entirety with "Low Density Residential Duplex Zone RD1".
 - ii) replacing Section 11.3 (Residential Two Family (Duplex) (RS3) Zone under Section 11.0 (Low Density Residential) in its entirety with the following:

11.3 LOW DENSITY RESIDENTIAL DUPLEX ZONE (RD1)

11.3.1 Permitted Uses:

Principal Uses:

- a) duplex dwellings;
- b) single detached dwellings;

Secondary Uses:

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

11.3.2 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- a) see Section 19.10

11.3.3 Minimum Parcel Size:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

11.3.4 Minimum Parcel Width:

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

11.3.6 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) dwelling units, provided that both dwellings are located in one (1) residential building.

11.3.6 Minimum Setbacks:

- a) Principal buildings:
 - 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 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

11.3.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;

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

11.3.8 Maximum Parcel Coverage:

- a) 45%

11.3.9 Minimum Building Width:

- a) Dwelling Unit: 5.0 metres, as originally designed and constructed.
- iv) replacing Section 19.10 (Site Specific Residential Two Family (Duplex) (RS3s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.10 Site Specific Low Density Residential Duplex (RD1s) Provisions:

.1 *blank*

- 7. 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 all parcels zoned Residential Two Family Duplex (RS3) to Low Density Residential Duplex (RD1).

Electoral Area "E"

- 8. The "Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:
 - i) replacing the reference to "Residential Two Family (Duplex) Zone RS3" under Section 5.1 (Zoning Districts) in its entirety with "Low Density Residential Duplex Zone RD1".
 - ii) replacing the reference to "RS3" under Table 7.9 (Screening and Landscaping Requirements) under Section 7.0 (General Regulations) with "RD1".
 - iii) replacing Section 11.3 (Residential Two Family (Duplex) (RS3) Zone under Section 11.0 (Low Density Residential) in its entirety with the following:

11.3 LOW DENSITY RESIDENTIAL DUPLEX ZONE (RD1)

11.3.1 Permitted Uses:

Principal Uses:

- a) duplex dwellings;
- b) single detached dwellings;

Secondary Uses:

- c) home occupations, subject to Section 7.17;

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

11.3.2 Site Specific Low Density Residential Duplex (RD1s) Provisions:

- a) see Section 19.10

11.3.3 Minimum Parcel Size:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

11.3.4 Minimum Parcel Width:

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

11.3.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) dwelling units, provided that both dwellings are located in one (1) residential building.

11.3.6 Minimum Setbacks:

- a) Principal buildings:
 - 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 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

11.3.7 Maximum Height:

- a) No building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.3.8 Maximum Parcel Coverage:

- a) 45%

11.3.9 Minimum Building Width:

- a) Dwelling Unit: 5.0 metres, as originally designed and constructed.
- iv) replacing Section 19.10 (Site Specific Residential Two Family (Duplex) (RS3s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.10 Site Specific Low Density Residential Duplex (RD1s) Provisions:

.1 *blank*

9. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:
- i) changing the land use designation of all parcels zoned Residential Two Family Duplex (RS3) to Low Density Residential Duplex (RD1).

READ A FIRST AND SECOND TIME this 5th day of March, 2020.

PUBLIC HEARING WAIVED this 16th day of April 2020.

READ A THIRD TIME this 21st day of May, 2020.

Approved pursuant to Section 52(3) of the *Transportation Act* this 22nd day of May, 2020.

ADOPTED this ____ day of June, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

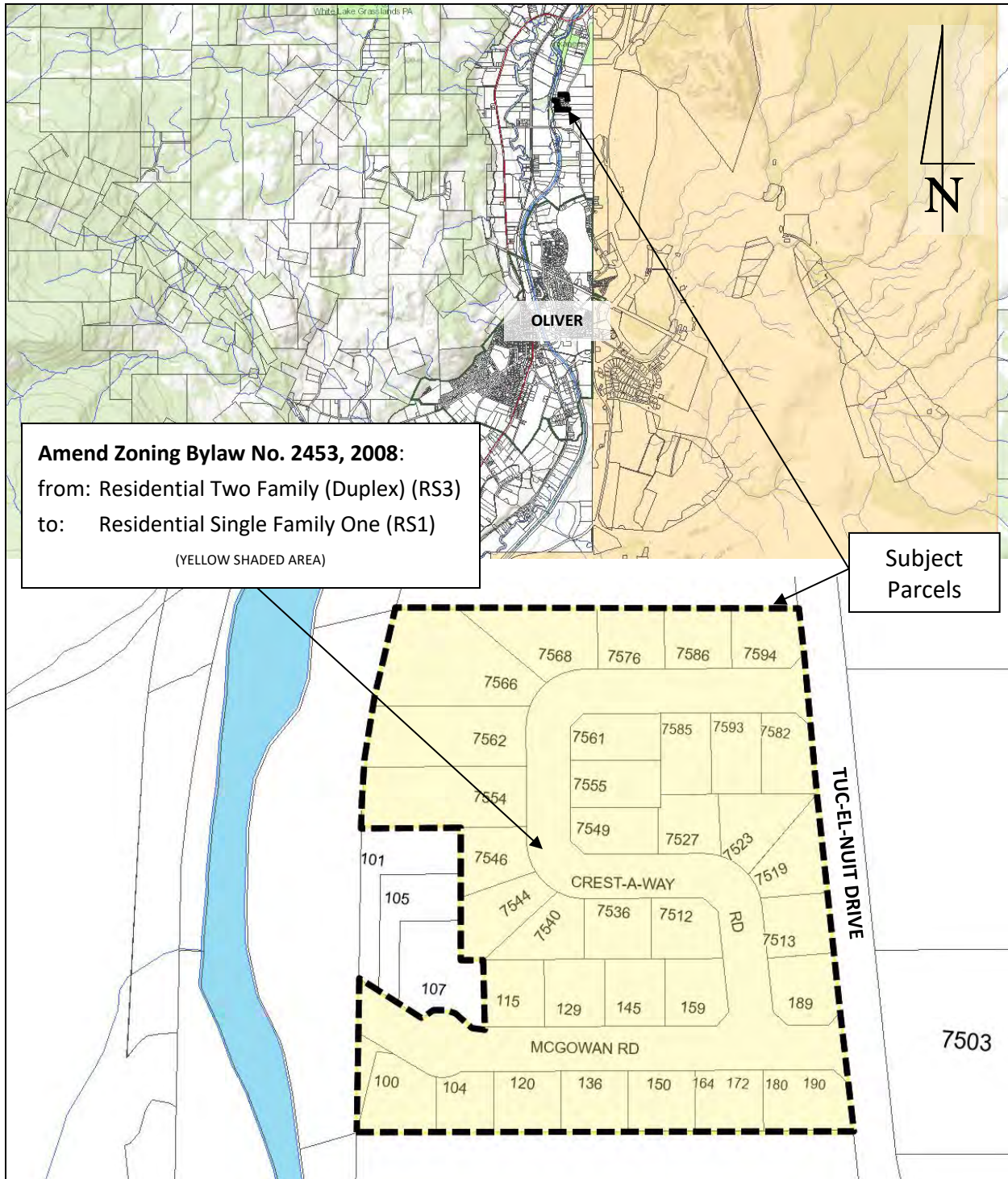
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



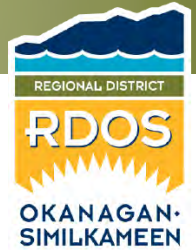
Amendment Bylaw No. 2886, 2020

File No. X2020.003-ZONE

Schedule 'C-1'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 4, 2020
RE: Zoning Bylaw Amendment – Electoral Area “F”

Administrative Recommendation:

THAT Bylaw No. 2461.14, 2020, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of July 16, 2020;

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

AND THAT a statutory covenant be registered on title prior to bylaw adoption to ensure the home industry operations are fully contained and within a sound-dampened building.

Purpose: To permit a home industry with a 300 m² floor area

Owners: Plateau Rousseau Estates, Inc. Agent: John Rousseau Folio: F-07241.090

Civic: 8025 Princeton-Summerland Rd Legal: Lot 10, Plan 27332, DL 2893, ODYD, Except Plan KAP27332

OCP: Small Holdings (SH) Proposed OCP: Small Holdings (SH)

Zone: Small Holdings Three (SH3) Proposed Zoning: Site Specific Small Holdings Two (SH2s)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to accommodate a 300 m² home industry use on a site-specific basis.

In order to accomplish this, the applicant is proposed to amend the zoning of a 3.3 ha portion of the property under the Electoral Area “F” Zoning Bylaw No. 2461, 2008 from Small Holdings Three (SH3) to Site Specific Small Holdings Two (SH2s), with the site specific regulation to increase the permitted floor area of a home industry from 200 m² to 300 m².

In support of the rezoning, the applicant has stated that:

My wife and I run a small woodworking studio where we design and fabricate everything from custom furniture to chopping blocks to modern timber frame assemblies....due to the nature of our business, we require additional interior storage for materials (both finished and raw) as fine hard and soft woods, once dried, must be stored inside...we are so lucky to have found this rare piece of land outside of the ALR that we can relocate to...and look forward to having our business on the same parcel as our home...our business while on the property will be entirely enclosed in a building framed

with 2x10 walls, insulated with dense pack cellulose. Even though we are a small operation, this assembly offers maximum sound dampening capabilities to ensure our neighbours don't hear us.

Site Context:

The subject property is approximately 5.32 ha in area and is situated on the south side of Princeton-Summerland Road. It is understood that the parcel is comprised of vacant land.

The surrounding pattern of development is generally characterised by rural residential enclave of small holdings parcels surrounded by undeveloped resource area.

Background:

Parcel Information

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 26, 1976, while available Regional District records indicate that building permits have not previously been issued for this property.

OCP Bylaw:

Under the Electoral Area "F" Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Small Holdings (SH), and a small portion is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation.

Zoning Bylaw:

Under the Electoral Area "F" Zoning Bylaw No. 2461, 2008, the property is currently zoned Small Holdings Three (SH3) which does not allow a home industry as an accessory use.

Home industry use includes commercial uses that are accessory to the principal residential use and may include manufacturing of goods and materials, including a woodworking shop, subject to several regulations, including a minimum parcel area of 2.0 ha, limit of two (2) non-resident employees, and maximum floor area of 200.0 m².

Miscellaneous:

On February 27, 2020, the Ministry of Transportation and Infrastructure (MoTI) referred a proposed three (3) lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws.

BC Assessment has classified the property as "Residential" (Class 01).

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97 & 3).

Public Process:

In accordance with Section 5.5 of the Development Procedures Bylaw, public information meeting and referral to an Advisory Planning Commission requirements are waived during the provincial state of emergency declaration in relation to COVID-19.

As such, a public information meeting was not held and the rezoning application has not been reviewed by the Electoral Area “F” APC. However, Electoral Area “F” APC members were invited to comment individually on the application and early notification was provided to adjacent property owners.

Analysis:

In considering this proposal, Administration notes that the applicant is proposing to create a 3.3 ha parcel in order to accommodate the proposed “home industry” use and that this is consistent with the OCP Bylaw, which requires a minimum 2.0 ha parcel area for a home industry, discourages further subdivision in the Faulder area (Section 7.3.1.2), and discourages such uses on environmentally sensitive lands (Section 10.3.5).

Although the requested SH2 Zone permits a wider range of uses than does the current SH Zone, these uses are consistent with permissions of other rural holdings parcels of similar size and are considered generally compatible with the surrounding rural area.

While there is concern that introducing a home industry into this neighbourhood could create expectations for other commercial uses, it is noted that a majority of the parcels do not have sufficient parcel area (i.e. they are less than 2.0 ha in area).

Administration also has concerns that introduction of a commercial use into an area that is primarily rural residential may create additional noise, dust, fire risk, traffic and impacts to streetscape (i.e. outdoor storage) that could impact neighbouring properties.

The applicant is proposing, however, that the woodworking shop, including all building materials and finished products, are proposed to be entirely within a 300 m² sound-dampened building to be located an area designated as Low Risk in the Community Wildfire Protection Plan and with a Noise Bylaw in effect.

Conversely, Administration recognises that it is not generally considered good planning practice to allow “spot zoning”. “Spot zoning” is a non-comprehensive approach to zoning that introduces discrepancies between permitted uses within a specific area.

The proposed zoning would introduce a site-specific home industry into a rural residential area in perpetuity, thereby introducing potential competing interests between a home industry and residential uses.

Further, allowing commercial uses in rural areas does not support commercial growth in Primary Growth Areas, like the District of Summerland and enables relocation of a business from the District of Summerland.

However, the proposed woodworking studio is limited in operations by other provisions for home industry use and has provided mitigation measures to ensure that all home industry activities are contained within a sound-dampened building.

In summary, Administration supports the proposed zoning amendment bylaw, provided a restrictive covenant is registered prior to bylaw adoption to ensure the home industry is fully contained and within a sound-dampened building.

Alternatives:

-
1. THAT Bylaw No. 2461.14, 2020, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of the public hearing be delegated to Director Gettens, or their delegate;

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

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

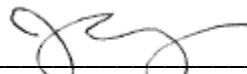
2. THAT Bylaw No. 2461.14, 2020, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time;

AND THAT pursuant to section 464 of the Local Government Act, the Regional District Board resolves to waive the holding of a public hearing for Bylaw No. 2461.14, 2020, Electoral Area “F” Zoning Amendment Bylaw;

AND THAT pursuant to sub-section 467 of the Local Government Act, staff give notice of the waiving of the public hearing for Bylaw No. 2461.14, 2020, Electoral Area “F” Zoning Amendment Bylaw.

3. THAT Bylaw No. 2461.14, 2020, Electoral Area “F” Zoning Amendment Bylaw be deferred; or
4. THAT first reading of Bylaw No. 2461.14, 2020, Electoral Area “F” Zoning Amendment Bylaw be, be denied.

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:

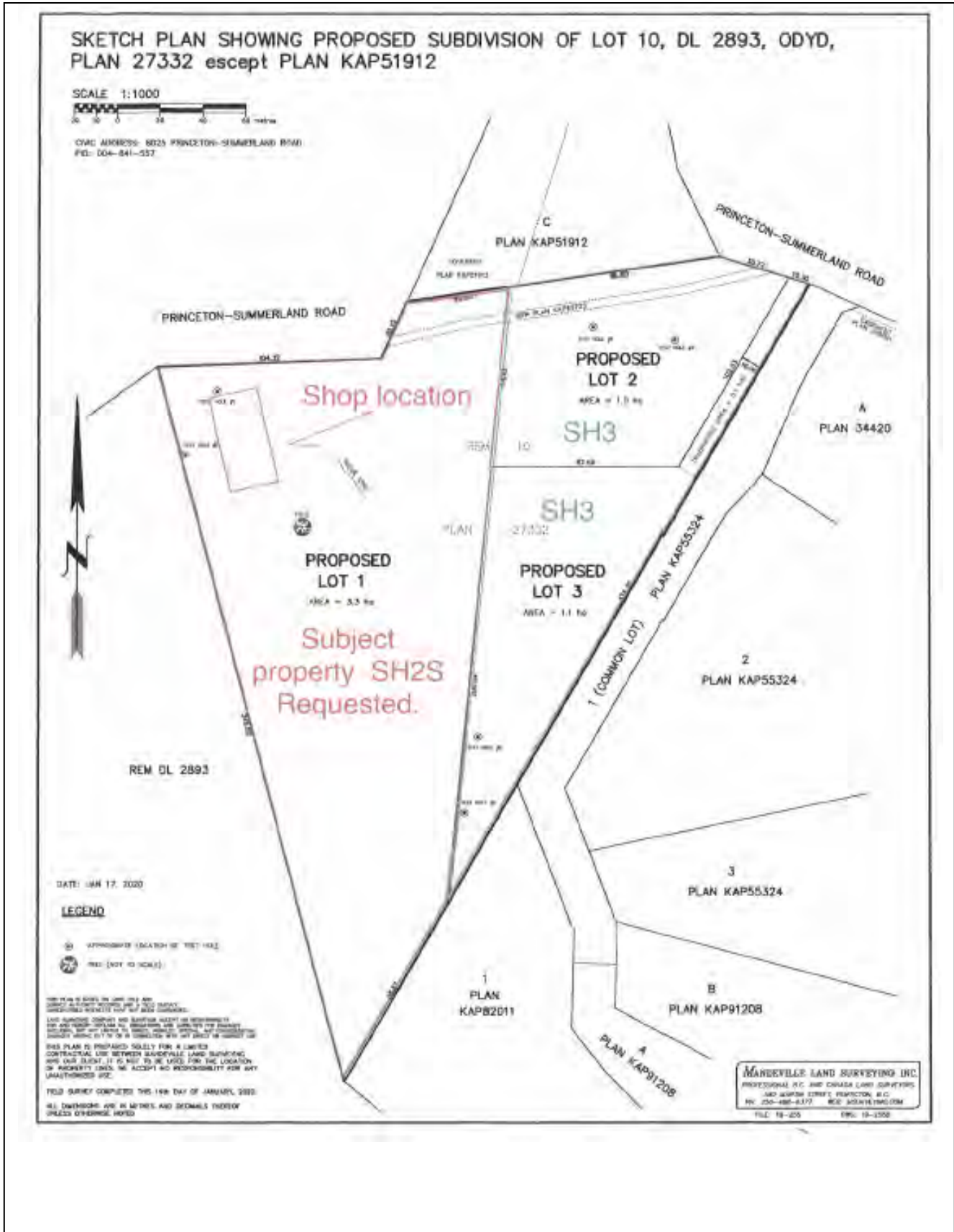


C. Garrish, Planning Manager

Attachments: No. 1 – Applicant’s Site Plan

No. 4 – Site Photo (Google Streetview)

Attachment No. 1 – Applicant’s Site Plan



Attachment No. 2– Site Photo (Google Streetview)



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2461.14, 2020

A Bylaw to amend the Electoral Area “F” Zoning Bylaw No. 2461, 2008

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “F” Zoning Amendment Bylaw No. 2461.14, 2020.”
2. The “Electoral Area “F” Zoning Bylaw No. 2461, 2008” is amended by:
 - i) adding a new sub-section .2 under Section 17.5 (Site Specific Small Holdings Two (SH2s) Provisions) to read as follows:
 - .2 in the case an approximately 3.3 ha part of the land described as Lot 10, Plan 27332, District Lot 2893, ODYD, Except Plan KAP51912 (8025 Princeton-Summerland Road), and shown shaded yellow on Figure 17.5.2:
 - i) despite Section 7.18.2, the maximum floor area utilized for a home industry, including the indoor and outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 300 m².

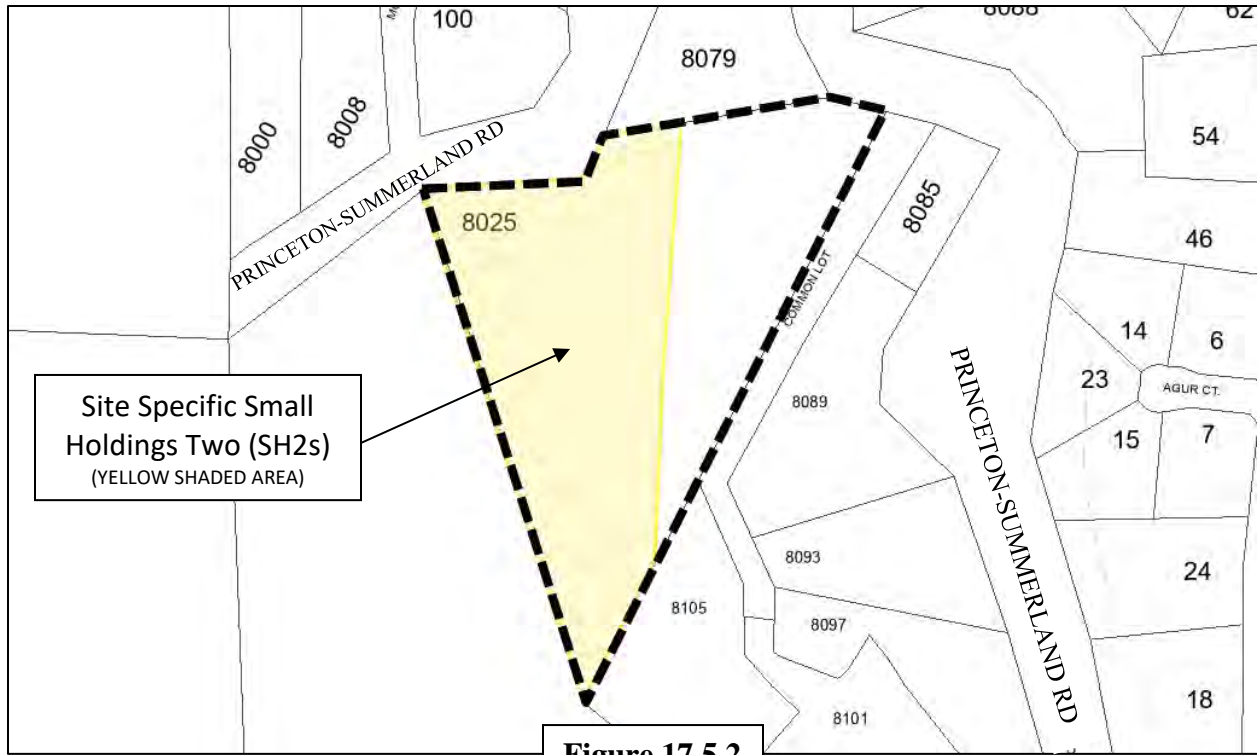


Figure 17.5.2

3. The Official Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2641, 2008, is amended by:
 - i) changing the land use designation of an approximately 3.3 ha part of the land described as Lot 10, Plan 27332, District Lot 2893, ODYD, Except Plan KAP51912, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Three (SH3) to Site Specific Small Holdings Two (SH2s).

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

Regional District of Okanagan-Similkameen

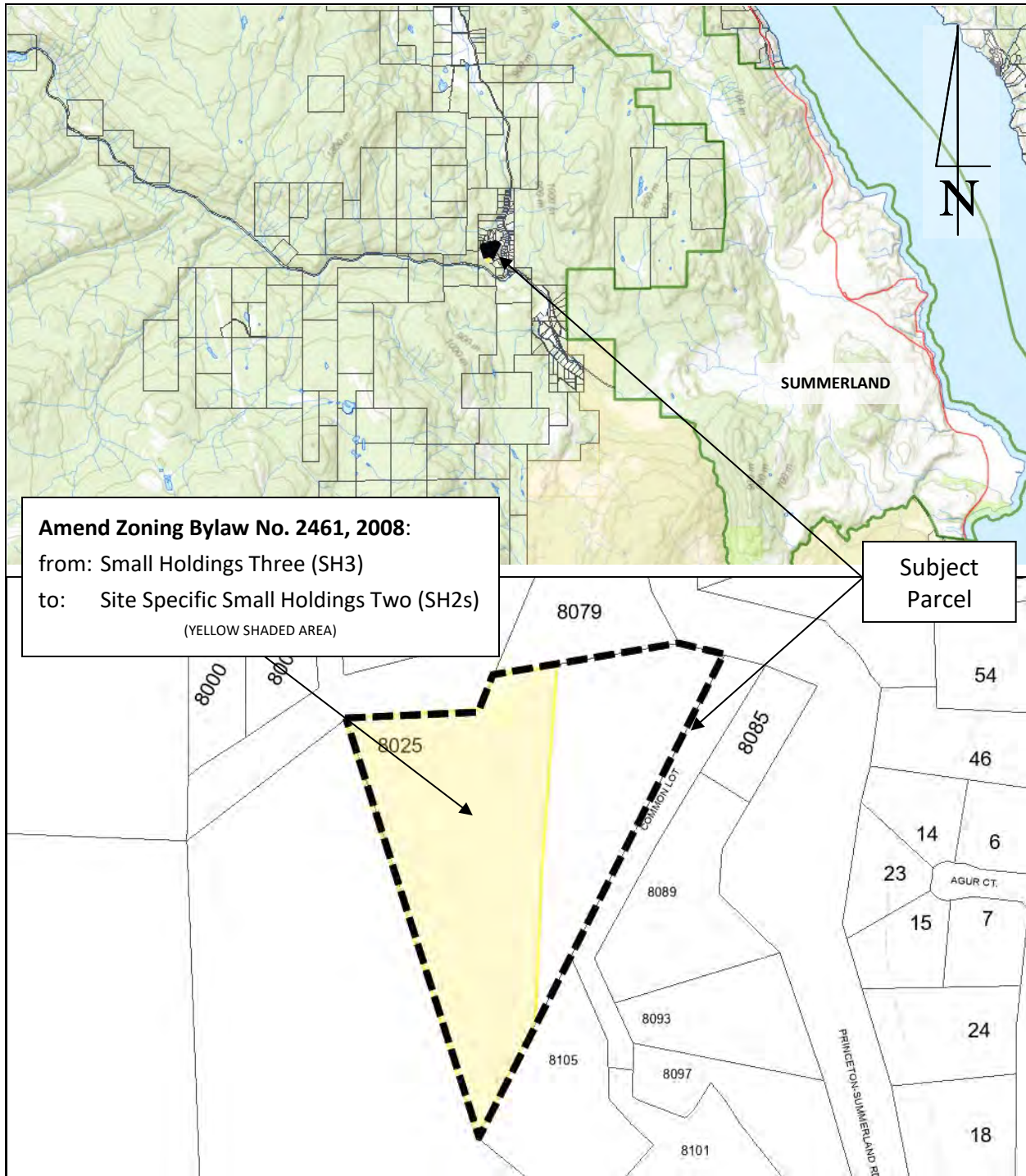
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2461.14, 2020

File No. F2020.008-ZONE

Schedule 'A'



Lauri Feindell

From: Poole, Kathryn ENV:EX <Kathryn.Poole@gov.bc.ca>
Sent: April 2, 2020 4:34 PM
To: Lauri Feindell
Subject: RE: Bylaw Referral - F2020.008-ZONE

Hi Lauri,

Thank you for the email, but the Ministry of Environment doesn't do Bylaw Referrals.

Best regards,

Kathryn Poole

Program Assistant & Director Support for Brady Nelles | Compliance | Regional Operations Branch | Ministry of Environment and Climate Change Strategy
102 Industrial Place | Penticton BC V2A 7C8 | Tel: 250-490-2205

24-hour RAPP (Report All Poachers and Polluters) tip-line: 1-877-952-7277 (Conservation Officer Service)
24 hour Spill/Environmental Emergency Reporting: 1-800-663-3456 (Provincial Emergency Program)

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: April 2, 2020 4:19 PM
To: HBE@interiorhealth.ca; 'fbclands@fortisbc.com' <fbclands@fortisbc.com>; Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>; Poole, Kathryn ENV:EX <Kathryn.Poole@gov.bc.ca>; XT:Summerland, District ENV:IN <info@summerland.ca>
Cc: JoAnn Peachey <jpeachey@rdos.bc.ca>
Subject: Bylaw Referral - F2020.008-ZONE

Re: Project No. F2020.008-ZONE
Bylaw Amendment No. F2461.14
8025 Princeton-Summerland Road

Attached is a bylaw referral along with a link to the documents supporting the application. Please review and forward any comments you may have to planning@rdos.bc.ca by May 2, 2020.

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-f/f2020-008-zone/>

Kind Regards,





Interior Health

Every person matters

April 3, 2020

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

mailto: planning@rdos.bc.ca

To Whom It May Concern:

RE: File #: F2020.008-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



Lauri Feindell

From: Riley Gettens
Sent: May 19, 2020 9:32 AM
To: JoAnn Peachey
Subject: Fw: Rezoning application

Follow Up Flag: Follow up
Flag Status: Flagged

Hi JoAnn,

Please see below re Princeton/Summerland Road.
Thx.

Riley M. Gettens Director, Electoral Area "F"
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.488-0246 e. rgettens@rdos.bc.ca

www.rdos.bc.ca www.OurAreaF.com

[FACEBOOK](#) [YOUTUBE](#)

This Communication is intended for the use of the recipient to which it is addressed, and may contain confidential, personal and/or privileged information. Please contact the sender immediately if you are not the intended recipient of this communication and do not copy, distribute or take action relying on it. Any communication received in error or subsequent reply should be deleted or destroyed.

From: sandy berry <[REDACTED]>
Sent: May 18, 2020 11:12 AM
To: Riley Gettens
Subject: Rezoning application

Good Morning Riley

Thanks for asking, things are going well. These are certainly extraordinary times. I hope all is well with you and your family too.

I have had a chance to investigate the proposed rezoning/subdivision for 8025 Princeton Summerland Road.

I have talked to a few of the residents in the area and will share their perspectives with you. I have also encouraged them to contact you directly themselves regarding any thoughts or concerns they may have.

1. A primary concern of residents immediately adjacent to the proposed workshop is the noise and increased traffic that may be associated with a wood working shop. The proponent has

stated that they will make a strong effort to mitigate noise but in a wood working shop of this size even with the doors closed there is likely to be a dust collection system in place which is generally mounted on the outside of the building and can be quite noisy. If this was the only concern and there were strong conditions in place regarding noise abatement there is probably a fair likely hood of community support for the shop and business. I can not speak to the fact that in the immediately adjacent area there are quite a few small rural lots that could be impacted by the operation of a home business of this nature and size in their neighborhood.

2. I think that the water issue should be a major concern for those that are at present currently on the Faulder Water system. There has been a longstanding moratorium on subdivision within the water system area as the number of connections apportioned to the existing lots was deemed to be the maximum number that can be supported by the system's reservoir. This application not only changes the zoning of one part of the present lot to accommodate the proponents wish to build a larger shop but it is also a subdivision application as well as it creates two smaller lots on the remainder of the original lot. Although it does not, I believe state it in the application the intent apparently is to have these two lots provide water from their own wells. This raises another concern that because back in the day that the water system was created there were a few owners in the specified area that were forced to become part of the system to help defray the cost even though they had reliable wells that produced enough water to meet their needs, to now go the other way doesn't seem to be fair. Also to now go in this direction saying these new proposed lots would provide their own water from wells located on the property could likely trigger other applications for subdivision on at least two large holdings that currently exist in the immediate area. Another concern about water is and I have mentioned to you before that I have a fair amount of information about wells that were drilled in the Faulder area, is that drilling a well with a high enough capacity to support a household in this particular area is no sure thing. I have a well log from a property across the Princeton Summerland Road (civic address 8064), that records a well that was drilled to a depth of 620 feet and was rated to produce 3 gallons a minute. This well was drilled in 1982 prior to the water system being constructed. If these two lots once approved, or others that might be approved because of the precedent being set here were having trouble with their water supply, it is not I think an unreasonable assumption that there might be a lot of pressure brought to bear to have the Faulder Water system expanded to meet their needs for water.

One long term property owner I talked to immediately adjacent to the subject property expressed concern about not having the two lots subdivided unless water was proven on the lots in question prior to approval. And a concern about how it could possibly present a precedent for two large parcels of land in the immediate area to apply for subdivision.

3. There is an historical context to the issue of water in this area that perhaps people in administration and those that are recently elected may not be fully aware of regarding what it was like when many of our neighbors had to haul water in for a number of years prior to the water system being built because the small aquifer they were relying on went dry. There are several us who have lived in this area for many years both in the water service area and in the immediate area who remember vividly the challenges those residents faced when their wells went dry. I think it is probably safe to say that there could be a reasonable level of support for some subdivision in the area if it were fully sustainable development especially as it applies to water supply.
4. I think that there might be an acceptable way forward with this application Riley, and that is if the proponent were to consider applying to rezone the entire property from SH 2 to SH 3 to allow the larger shop to be constructed and not apply for the creation of two new lots within the Faulder Water System area.

Hopefully, my thoughts will provide you with some help in proceeding with this application.

Regards,

Sandy



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** F2020.008-ZONE

FROM: Electoral Area "F" APC Member Name:
Brad Hillis
(please print)

DATE: May 18, 2020

RE: Electoral Area "F" Zoning Amendment Bylaw No. 2461.14
8025 Princeton Summerland Road — Lot 10, Plan 27332, District Lot 2893, ODYD, Except
Plan KAP51912

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

A restrictive covenant is utilized to ensure the proposed mitigation measures for noise are kept to a high standard of sound dampening measures with a provision that outdoor storage of materials is prohibited to ensure no negative impacts to the streetscape and that all associated storage and business activities are fully contained. _____

JoAnn Peachey

From: Sue Dennis [REDACTED]
Sent: May 15, 2020 1:15 PM
To: JoAnn Peachey
Subject: Rezoning Application at 8025 Princeton-Summerland Rd.

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Joan. We have lived since 2004 at 100 Mountain View Road. We enjoy the peace and tranquility. While as Mr Rousseau States yes, surrounding Parcels do have large shops,ours being 525 square feet. According to the paperwork we have read, Mr Rousseau's shop will be several times larger.The surrounding shops on various parcels in our neighborhood are used for small Cabinetry jobs, Home Improvement , and other projects. Our concerns are as follows:

What about dust-collecting systems? Will these be inside as stated that the business will be "entirely enclosed?" The constant drone would be a blight to our rural Lifestyle.

Will there be bright security lights pointing towards our property? Currently we enjoy the lack of light pollution.

What hours and days are proposed for work ?weekends? Nine to five? How many employees ?These are important questions.

In summary we do not want to be negative but as we have learned in life , "beware of beginnings" !

While we appreciate the applicants respect for the environment, this as neighbours , is not our chief concern in this instance. It is primarily, noise, noise?!!!

We felt the need to voice our concerns because, if approved, it's forever. This has the potential to have an impact on our daily life and property value.

We Wish John and Karen the best and if these questions\concerns can be answered satisfactorily we welcome them to the neighbourhood.

Sincerely, Andrew and Susan Dennis.

JoAnn Peachey

From: [REDACTED]
Sent: May 14, 2020 10:51 AM
To: Planning
Subject: Fwd: 8025 Princeton-Summerland Rd rezoning proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: April 29, 2020 at 9:45:56 AM PDT
To: jpeachey@rdos.bc.ca
Subject: 8025 Princeton-Summerland Rd rezoning proposal

Hi JoAnn,

Thanks for taking the time to speak with me this morning regarding this rezoning proposal.

As discussed, our main concern is the increase of noise level that will be generated from the proposed woodworking business. We understand the owner is proposing increased insulation but do not feel this would be sufficient to dampen the noise level. This is a quiet peaceful community. We feel this would affect our quality of life as well as decrease our property value.

Kind regards,

Tammy and Larry McArthur

Sent from my iPhone

JoAnn Peachey

From: Sharon [REDACTED]
Sent: May 12, 2020 10:37 AM
To: Planning
Subject: REZONING APPLICATION NO. F2020.008-ZONE

To Whom It May Concern:

I hope this email finds you all well. I received a letter in the mail from the RDOS in regards to 8025 Princeton-Summerland Road and the request of the owner to rezone the property.

Thank you for giving me the opportunity as the owner of 197 Mountain View Road to express my concern.

It is my understanding that the owner of the above for mentioned property is wanting to build a shop and operate his business from their. As a homeowner in the area, I am concerned about a few things. First and foremost, will rezoning the property hinder the value of the homes in the area? Will our water system be taxed? Will the noise from the continuous use of the saws ruin the reason why I moved way out of town in the first place to find peace? Will the traffic be crazy? The noise in our area travels for quite a distance. I can actually here people in Faulder talking sometimes.

I have never wrote a letter like this but I really am concerned. I notice that the owner has already assumed that the zoning will go through and has done a ton of land clearing etc. on the property. Can he put sound board like they use in the recording studios to muffle the sound of the saws? Can he leave his bay doors closed at all times to alleviate the sound? (I have heard from where his current business location is that the shop is very noisy and they always have their doors open which makes it much worse)

I welcome new neighbors but I do not welcome having to move because I no longer enjoy my home.

Thank you for your time. Please call me if you have any questions on my cell phone at [REDACTED]

Regards,
Sharon Metzger

JoAnn Peachey

From: David Boehm [REDACTED]
Sent: April 29, 2020 12:41 PM
To: Planning
Subject: Rezoning Application No. F2020.008-ZONE

Follow Up Flag: Follow up
Flag Status: Completed

Hello JoAnn Peachey,

Thank you for your efforts for our community during this time.

We have seen a lot of changes in our area during our 30 years here. Our family has spent a lot of time with the RDOS researching and establishing our community water system. It has been an excellent result. We also work on fire safety/Fire smart, rain events/flooding, Hydro, wildlife etc....things that have an effect on us all here.

I only have two concerns: 1) we do have seasons of drought and with that come watering restrictions and I do not feel increasing our current hook ups would be wise. (We have been told by the RDOS that there will be no more hook ups). 2) Fire: we do not have any fire protection here. I have fought several structural fires here over the years and it is a very frightening experience. Myself and several neighbours have spent the time and money to set up individual fire fighting equipment. I have two portable tanks with pumps and hoses and the appropriate gear. We have fought many wild fires and have received a favorable response from BC Wild Fire Service, on our ability to respond and suppress until they arrive.

A manufacturing business may represent a fire risk to our area and as such is a concern. Dust collection (and wood dust in particular) has fire implications.

David Boehm
[REDACTED]

JoAnn Peachey

From: Cindy Boehm [REDACTED]
Sent: April 28, 2020 8:19 PM
To: JoAnn Peachey
Subject: 8025 Princeton Summerland Road - rezoning application

Attention: JoAnn Peachey,

My name is Cindy Boehm and I have lived at 95 Fish Lake Rd for over 30 years. I was asked to be on the water advisory committee, by Ron Perrie, not long after Faulder had its first community well dug. I spent hundreds of hours pouring over engineering reports with Ivan, another member, doing community presentations, monitoring over a dozen community wells and bringing all the information to the table. I still have all the information which tells a story that no long term resident here ever wants to relive. We originally had a well, that was so viable that the engineering firm said we could open a water bottling facility. This proved not to be the case and not too many years later, we were in danger of running out with our pump cavitating from lack of water.

The search for new options began. We now have a new well.

We were promised during this transition that there would NOT, under any circumstances, be any new connections allowed. At the time of the drilling of our new well, Candace Piling gave away a water connection along with permission to subdivide to the adjacent property in the event that the drilling company was unable to find water within the RDOS land. The community was not informed of this move by the RDOS, but it was a prudent move even though the RDOS did not need to use this landowners property.

I personally looked into this property and phoned the realtor Wes Burdick. The property at 8025 Princeton Summerland Rd, Wes told me, was sub-dividable. I asked him about water hook-ups. He said that the RDOS told him that they would give him more hook-ups. I told him that I did not think that was the case as all the hookups had been spoken for. He told me I was wrong and that

JoAnn Peachey

From: Cindy Boehm [REDACTED]
Sent: April 28, 2020 8:34 PM
To: JoAnn Peachey
Subject: Re: 8025 Princeton Summerland Road - rezoning application

PT. 2

My apologize, a technological glitch:)

Back to the realtor, Wes Burdick, He was adamant that the RDOS would give out more water connections, no problem. I did not give him any information on my background as I did not want to have any issues. I did talk to Judy Burton, Lisa, Rob and Adam. There are no more hook-ups. As a community we were promised this, and the RDOS will be held to account on this matter. As far as the wood shop, I have no problem with that.

I will follow up with a phone cal tomorrow.

Thank you for your time. If you have any questions, I would be happy to give you some history.

Cindy Boehm

On Tue, 28 Apr 2020 at 20:18, Cindy Boehm <[REDACTED]> wrote:

Attention: JoAnn Peachey,

My name is Cindy Boehm and I have lived at 95 Fish Lake Rd for over 30 years. I was asked to be on the water advisory committee, by Ron Perrie, not long after Faulder had its first community well dug. I spent hundreds of hours pouring over engineering reports with Ivan, another member, doing community presentations, monitoring over a dozen community wells and bringing all the information tho the table. I still have all the information which tells a story that no long term resident here ever wants to relive. We originally had a well, that was so viable that the engineering firm said we could open a water bottling facility. This proved not to be the case and not too many years later, we were in danger of running out with our pump cavitating from lack of water.

The search for new options began. We now have a new well.

We were promised during this transition that there would NOT, under any circumstances, be any new connections allowed. At the time of the drilling of our new well, Candace Piling gave away a water connection along with permission to subdivide to the adjacent property in the event that the drilling company was unable to find water within the RDOS land. The community was not informed of this move by the RDOS, but it was a prudent move even though the RDOS did not need to use this landowners property.

I personally looked into this property and phoned the realtor Wes Burdick. The property at 8025 Princeton Summerland Rd, Wes told me, was sub-dividable. I asked him about water hook-ups. He said that the RDOS

JoAnn Peachey

From: Cindy Boehm [REDACTED]
Sent: April 29, 2020 9:24 PM
To: JoAnn Peachey
Subject: Re: 8025 Princeton Summerland Road - rezoning application

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for your time this morning, JoAnn.

I very much appreciate that you are holding to the 80 hookups we currently have and are not adding anymore. The only thing I would like to add is that of fire safety in regards to the manufacturing of wood products. I would like to see that this facility is required to have a certified dust collection system professionally installed.

Sincerely,

Cindy Boehm
[REDACTED]

On Wed, 29 Apr 2020 at 10:09, JoAnn Peachey <jpeachey@rdos.bc.ca> wrote:

Hi Cindy,

Thanks for the phone call this morning.

This email is just to confirm that your feedback has been received and will be included in the public submissions provided to the Board when considering this proposal.

I have also forwarded these emails to Andrew, as requested.

As discussed, if you would like to provide additional written comments about your concerns about fire and dust collection, I can also include it in the [file](#).

Regards,

JoAnn Peachey

From: Joelle Boehm [REDACTED]
Sent: April 28, 2020 9:30 PM
To: JoAnn Peachey
Subject: 8025 PRINCETON SUMMERLAND ROAD CONMPLAINT AND OBJECTION

Hello JoAnn Peachey,

Due to the crazy times our world is in at this moment I have just received news of property request tonight.

My name is Joelle and I live in Faulder outside of Summerland. Tonight (the night of April 28th) it has come to my attention there has been a request for a subdivision on property [8025 Princeton Summerland Road](#). I understand this property can be subdivided but I also understand there are NO more water hook-ups available contrary the request of John Rousseau.

My husband and I had put an offer on this property. We have lived in Faulder for many years now, and my husband has been in this area since he was born. Obviously our offer on this property was no accepted but we do know for a fact when we had been in contact with the selling realtor he had said this property could get more water hookups even when we had told him this was not true.

Please do not accept the water hook-up application as Faulder literally can not handle any more hook-ups.

What frightens me the most is if this water hook-up request is approved so many more people will request for a water hook-up as well.

I as well as my husband object the approval of all of John Rousseau requests for this property.

Thank you so very much for your time JoAnn,

Joelle B

JoAnn Peachey

From: David Boehm [REDACTED]
Sent: April 30, 2020 12:37 PM
To: JoAnn Peachey
Subject: RE: Rezoning Application No. F2020.008-ZONE

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for the response JoAnn.

The water system was researched, initiated and implemented in conjunction with the Faulder Water Advisory Committee. We also were to a lesser degree included in the process when the more recent upgrades were made. Myself, Cindy Boehm, Ivan Hagg, Ian Christiansen are members. We have not disbanded this committee and I think it would be advisable to reinstate some process, once we're into a less dramatic Covid scenario. I am not comfortable with the RDOS making decisions without our input on a system that we have put so much time and effort into and that we pay for. I will research what is required to restart the process, if you have a contact at the RDOS that would be appropriate I would be grateful. With respect to a water modelling study regardless of who pays for it and regardless of the results, it is not an exact science and mistakes are made and have been made along the way. We are very fortunate in that we have had the precipitation and the necessary conditions to maintain the appropriate water for our system currently, but we have run out and we are in a particularly dry micro climate in the shadow of Brent Mountain, we actually receive only ½ the precipitation of Summerland. We need to do everything we can to protect the water system for the current hook ups. There are at least three hook ups that I'm aware of that are not currently being used...probably more. It is important to note that several current property owners that are on the water system were told that they cannot receive a hook up on the system if they were to sub divide. It would be reasonable to give them the first option if more hook ups were ever to be considered.

I have spent years in the past watching the graphs with respect static and dynamic levels of the well, and I know it is not always predictable or easily understood. Many things influence it, obviously precipitation, but also geographical change in the ground, others wells, equipment failure (i.e. plugged screens etc.), the movement of underground water...a lot can influence our aquifer and our water system. Frankly I have put my trust in Rob and Adam and crew at the RDOS (they are exceptional and we are very fortunate to have their level of expertise on our system) and I trust them to look after it on a daily basis. I do know that the residents must have input into any significant changes.

Feel free to forward this to anyone in the RDOS that you feel would be appropriate.

Thank you,

David Boehm

From: JoAnn Peachey [REDACTED]
Sent: Thursday, April 30, 2020 10:07 AM
To: David Boehm <dave@nrgdynamics.ca>
Subject: RE: Rezoning Application No. F2020.008-ZONE

Hi David,

Thank you for submitting feedback for the rezoning application for 8025 Princeton-Summerland Road.

Your feedback has been received and will be included in the public submissions provided to the Board when considering this proposal.

In response to the water hook up, I want to clarify that the subdivision is a separate process from the rezoning application. However, I can comment that the RDOS has advised that there is no additional capacity for the Faulder water system at this time. Additional hookups will not be considered without a water modelling study (this would be at the expense of the applicant).

Regards,



JoAnn Peachey • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4384 • tf. 1.877.610.3737 • f. 250.492.0063
jpeachey@rdos.bc.ca • [RDOS](#)
[FACEBOOK](#) • [YOUTUBE](#) • Sign up for [REGIONAL CONNECTIONS](#)

From: David Boehm [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: April 29, 2020 12:41 PM
To: Planning <planning@rdos.bc.ca>
Subject: Rezoning Application No. F2020.008-ZONE

Hello JoAnn Peachey,

Thank you for your efforts for our community during this time.

We have seen a lot of changes in our area during our 30 years here. Our family has spent a lot of time with the RDOS researching and establishing our community water system. It has been an excellent result. We also work on fire safety/Fire smart, rain events/flooding, Hydro, wildlife etc....things that have an effect on us all here.

I only have two concerns: 1) we do have seasons of drought and with that come watering restrictions and I do not feel increasing our current hook ups would be wise. (We have been told by the RDOS that there will be no more hook ups). 2) Fire: we do not have any fire protection here. I have fought several structural fires here over the years and it is a very frightening experience. Myself and several neighbours have spent the time and money to set up individual fire fighting equipment. I have two portable tanks with pumps and hoses and the appropriate gear. We have fought many wild fires and have received a favorable response from BC Wild Fire Service, on our ability to respond and suppress until they arrive.

A manufacturing business may represent a fire risk to our area and as such is a concern. Dust collection (and wood dust in particular) has fire implications.

David Boehm


JoAnn Peachey

From: Riley Gettens
Sent: May 15, 2020 1:51 PM
To: Andy Dennis; JoAnn Peachey
Subject: Re: Proposed sub division district lot 2893

Thank you, Andy.

Riley M. Gettens Director, Electoral Area "F"
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.488-0246 e. rgettens@rdos.bc.ca

www.rdos.bc.ca www.OurAreaF.com

[FACEBOOK](#) [YOUTUBE](#)

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From: Andy Dennis [REDACTED]
Sent: May 15, 2020 10:16:18 AM
To: Riley Gettens
Subject: Proposed sub division district lot 2893

I'm Andrew Dennis , I live at 100 mountain view road. Across the Summerland Princeton rd from subject property. We have concerns about the proposal of sub dividing and 2700 square foot wood shop factory. Noise and visual appearance being our main concern. I am reaching retirement and looking forward to spending my years on our property in peace and quiet. Being a cabinet maker by trade I know the noise generated by the tools of the trade and don't want to have our future filled with that. I'm not against the proposal if a guarantee on zero noise pollution is enforceable. We have been here for 14 years and will be for many more God willing. We love the tranquillity of our rural home,it is how it should remain.

The Regional Board supports Home industry on lands over 2Ha, as does the current SH2 zoning. Our Parcel, even after subdivision, meets and exceeds the minimum parcel size requirement for SH2 Zoning. Due to the nature of our business, we require additional interior storage for materials (both finished and raw) as fine hard and soft woods, once dried, must be stored inside in order to retain their quality and allow us to work with them on them fly. Thus, the need for the additional 100 square meters.

The current OCP supports commercial growth in the Faulder area. Our products have never been in such high demand as they are now. Our clients are tired of buying imported particle board garbage. A resurgence of bespoke manufactures are regaining market share and we are proud to be on the front line of this revival.

We are excited for the prospect of eliminated our current shop lease in the town of Summerland, as it is the single largest expenditure of our balance sheet every month and as such, completely redundant. We are looking forward to having our business on the same parcel as our home. We are 25 year Summerland residents raising a young girl with another child on the way. We know that at the heart of this community is a contingent of strong and intelligent small business owners. We are so lucky to have found this rare piece of land outside of the ALR that we can relocate to, and we hope that the Regional board will see this as a win for Faulder and Summerland. We appreciate your support and due diligence in this matter. We are open to your questions and happy to talk anytime they come up.

Sincerely yours,
John and Karen Rousseau

- ii) Due to the fact that we are siting the shop as close to the road as we can, the impact on the natural environment will be greatly mitigated. Our business while on the property will be entirely enclosed in a building framed with 2x10 walls, insulated with dense pack cellulose. Even though we are a small operation, this assembly offers maximum sound dampening capabilities to ensure our neighbours don't hear us. The Building envelope was designed by Keith Olhauser of KO Structural out of Kelowna.
- iii) Though we do have a small polygon of ESL on southern tip of our property, the proposed siting of our shop is over 300 meters away from it. We have engaged Lisa Scott from Eco Matters Consulting in Summerland, to do a rapid assessment of the parcel and the impact of our subdivision and building scheme. She is due to have this study complete toward the end of April.
- iv) We have hired Karen Haliday of Quality Control Management out of Summerland to do an extensive waste water discovery report of our land and a copy of that report is available upon request. The conclusion of that report is that we have ample room to facilitate any kind of septic system required while remaining close to proposed buildings in order to reduce sprawl on the parcel.
- v) We are 1.5 KMS west of the turnoff to Fish Lake Rd and roughly 12 Kms west of the town of Summerland. We are the last parcel of land located in the OCP for area "F" heading west on the Princeton Summerland RD. Right next to the "middle of nowhere"
- vi) The proposed shop location does not fall into any natural hazard zone as specified by the RDOS.
- vii) Most, if not all of the surrounding parcels have large shops that are either housing Home Occupation or Home Industry activities and services. We feel that it would be out of the ordinary if we did not build a large shop when looking around at our neighbours parcels. It seems like one of the main reasons why people move out to this area.
- viii) Our shop will be tastefully presented at all times as it is a show room for our daily work. We will have a fence or short wall screening at the road with a discrete gate for access to the shop and land.
- ix) With the Regional Boards acceptance of this application, we would begin construction as soon as a building permit was granted. 2020 spring/summer/fall building season

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: RDOS Wildfire Hazard Development Permit Area Project — Contract Award

Administrative Recommendation:

THAT the Board of Directors award the RDOS Wildfire Hazard Mapping and Development Permit Area Guidelines Project contract to B.A. Blackwell & Associates in the amount of \$49,896.00.

Purpose:

The purpose of this report is to seek direction from the Board with regard to the awarding of a consulting contract for the review of the RDOS Wildfire Hazard Mapping and Development Permit Area Guidelines Project.

Background:

Wildfire response and mitigation have become annual events in the region, and the exploring the development of an Electoral Area “A” Wildfire Permit is a strategic Board priority within the Regional District’s 2020-2025 Corporate Business Plan (Objective 3.1.1).

Electoral Area “A” is currently undergoing a full Official Community Plan (OCP) review, and in alignment with the Corporate Business Plan, a new Wildfire Hazard Development Permit Area (WHDP) Area would be concurrently developed and integrated into the OCP review process.

To ensure continuity between RDOS electoral areas and to increase efficiency of RDOS’s resources, the Wildfire Hazard Mapping and Development Permit Area Guidelines Project takes a region-wide approach, so that the WHDPs could be applied to other RDOS electoral areas over time. This project will build upon the higher-level fire threat assessment currently being completed for the RDOS Community Wildfire Protection Plan Update.

On April 22, 2020, the Regional District posted a Request for Proposals (RFP) consultant teams with proven experience in wildfire hazard area mapping and Development Permit Areas to undertake the project. The scope of work outlined in the RFP included preparation of the following:

- Wildfire Hazard GIS Mapping for all RDOS Electoral Areas, including defining and mapping wildfire hazards for all nine RDOS Electoral Areas and producing GIS data/mapping that can be used for potential Wildfire Hazard Development Permit Areas in the future.
- Wildfire Hazard Development Permit Area Guidelines for all RDOS Electoral Areas, including developing a Wildfire Hazard Development Permit Area to help mitigate the risk of wildfires through best practice, and in accordance with authority available under the BC Local Government Act.

The proposed schedule for completing the OCP Bylaw Review contained within the RFP has adoption tentatively scheduled for March of 2021 (i.e. 16 months after awarding of contract), and is as follows:

Task	Completion Date
Award to Consultant	May, 2020
Start-up Meeting	May, 2020
Part 1: RDOS-wide Hazard GIS Mapping	May – August, 2020
Part 2: Draft DPA documentation & RDOS feedback	August – November, 2020
Public Open House*	September, 2020
APC Presentation*	October, 2020
Finalize WH DPA & present to RDOS Board*	November, 2020

In comparison, the Electoral Area “A” OCP Bylaw Review is anticipated to be completed (concurrently) over 16 months, and is tentatively scheduled for adoption in March, 2021.

In response to the RFP, five (5) submissions were received by the May 15, 2020, deadline, these being from B.A. Blackwell & Associates, Frontline Operations Group Ltd., Cabin Forestry Services Ltd., Frontera Forest Solutions Inc., and VDM Fire Inc.

In accordance with the terms of the RFP, an evaluation team of four (4) persons reviewed and ranked each proposal independently and then met to discuss results:

Proponent	Price (including GST)	Score
B.A. Blackwell & Associates	\$49,896.00	88.75
Frontline Operations Group Ltd.	\$42,5050.00	81.45
Cabin Forestry Services Ltd.	\$38,325.00	80.67
Frontera Forest Solutions Inc.	\$45,418.80	79.72
VDM Fire Inc.	\$46,267.20	39.51

Analysis:

The successful proponent, B.A. Blackwell & Associates, showed comparatively greater strengths in the categories of qualifications, experience, methodology, and resources. In particular, the company brings extensive and directly related experience in comparable local government Wildfire Hazard mapping and DPA guideline projects, in order to successfully undertake the RDOS’s proposed project.

Overall, the evaluation team believes that the B.A. Blackwell & Associates team provides the best value and experience for the project.

There are adequate consulting funds available to cover this project.


Alternative:

THAT the Board not award the contract to B.A. Blackwell & Associates.

Respectfully submitted:


 C. Labrecque, Planner II

Endorsed by:


 C. Garrish, Planning Manager

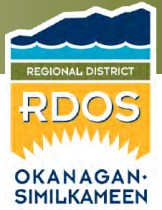
Attachments:

No. 1 – RFP Evaluation Form

Attachment No. 1 – RFP Evaluation Form

Step 1:		YES	NO
Mandatories	Proposal received prior to closing		
	Sub-consultant list submitted		
	Project Manager identified		
	Proposed schedule included		
	Reference List		
	Hourly rates provided		
	Maximum or upset fee included		
Complete proposal as requested			
Step 2:		Assigned Points	Points
Proponent (up to 35 points)	Qualifications of firm and project team members	10	
	Experience of firm and project team members	10	
	Past Performance / References	10	
	Resources	5	
Proposal (up to 45 points)	Scope	5	
	Methodology	10	
	Environmental Performance	5	
	Scheduling	10	
	Project Team - Level of Effort	5	
	Clarity of Proposal	10	
Price (up to 20 points)	Points for Price = (lowest cost Proposal divided by Proposal being evaluated) x (20% weight)	20	
Total Score	Proponent + Proposal + Price Scores	100	

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Statement of Significance - David Woodbury McLellan Residence, Hedley, B.C.

Administrative Recommendation:

THAT the David Woodbury McLellan Residence be included on the RDOS Community Heritage Register.

Purpose:

To present a Statement of Significance in relation to the David Woodbury McLellan Residence, located at 995 Ellis Avenue, Hedley, BC, for nomination to the RDOS Community Heritage Register.

Background:

Through text and photos, a Statement of Significance tells the story about a unique site or feature that is important to a community. Heritage sites can be diverse, ranging from historic buildings to natural landscapes. In this case, the site's historic, aesthetic and social values have been associated with the site, as detailed in the attached Statement of Significance.

Heritage sites are typically first identified by community members and groups. With the guidance of RDOS staff, a Statement of Significance (SOS) is drafted and brought to the RDOS Board for endorsement. If included, it is also typically placed on the RDOS's online Heritage Story Map, and forwarded to the BC Heritage Branch, where it is listed on the BC Register of Historic Places (BCRHP).

RDOS Heritage Program:

This Statement of Significance is a result of the RDOS Heritage program, which is guided by the 2015 Regional Heritage Strategic Plan. The Regional District's Heritage program recognizes and promote the value and diversity of the region's historically and culturally significant buildings, structures, districts, and landscapes.

As part of implementing the Heritage Strategic Plan, staff have been reaching out to communities to identify and heritage sites and increase the number of Statements of Significance to the RDOS's Community Heritage Register and online Story Map. Staff provide support through advice and assistance to individuals and groups during the research and drafting phases, present the Statements of Significance to the Board, and maintain the RDOS's Heritage Register and online Story Map.

Community Heritage Register & Online Story Map:

The RDOS's Heritage Register provides an inventory of sites in the RDOS that have historical, cultural, spiritual, ecological, economic, aesthetic, scientific, or educational worth to past, present and future generations. A key piece of each record on a community heritage register is the Statement of Significance, which satisfies the Local Government Act (Section 598) requirement to indicate the reasons why a property has been included in a community heritage register.

The RDOS's online Heritage Story Map is a webpage that promotes RDOS's heritage sites, using photos and regional mapping tools. The Story Map allows the public to take a highly accessible "virtual tour" of heritage sites in the region conveniently from their home.

Analysis:

Since the fall of 2019, Planning staff have been supporting property owner Ken Hoyle in developing a Statement of Significance for the David Woodbury McLellan Residence. With staff's support, the property owner has committed considerable time and energy into the process, including extensive background research, drafting text, and site photography.

As per the Province's guidelines, this Statement of Significance (SOS) summarizes the description, heritage value and character-defining elements of the historic place. It reflects modern values concerning history and historic places, identifies what part of history a historic place represents, and how and why that is of value and importance today.


In addition, and as per the Province's guidelines, the heritage values identified within this Statement of Significance extend beyond the physical aspects of the historic place, and explain how the David Woodbury McLellan Residence is a physical representation of the aesthetic, historic, cultural, and social values which form the heritage character of the community. The SOS serves to identify these values in order to guide the conservation, preservation, and appreciation of the site which represent the historic foundation of the Village of Hedley.

In summary, Administration views the Statement of Significance as being in alignment with the province's guidelines, and supports the David Woodbury McLellan Residence being included on the RDOS's Community Heritage Register.

Alternatives:

- .1 THAT the Regional District Board not include the David Woodbury McLellan Residence on the RDOS Community Heritage Register.
- .2 THAT the Regional District Board include the David Woodbury McLellan Residence on the RDOS Community Heritage Register, but with the following changes:
 - i) *TBD*

Respectfully submitted:


Cory Labrecque, Planner II

Endorsed By:


C. Garrish, Planning Manager

Attachments: No. 1 – Statement of Significance - David Woodbury McLellan Residence

Statement of Significance for **David Woodbury McLellan Residence, Hedley B.C.**

1.0 Description

1.1 Introduction

The David Woodbury McLellan residence is a craftsman style building that was originally constructed in 1935. It is located at 995 Ellis Avenue, at the corner of Webster Street and Ellis Avenue, within the village of Hedley, B.C. The home and its landscaped yard are an early example of a modest dwelling located on a classic gridiron street, within the context of a picturesque British Columbian setting. The historic place is confined to the building and its surrounding landscaped yard.

1.2 Property today

Today, the David Woodbury McLellan residence contains a 2-bedroom single detached home with detached garage. The interior was significantly renovated during the spring and summer of 2017 under the direction of its current owners, Karen Cummings and Ken Hoyle.

The renovation converted the two original main floor bedrooms to one and the attic bedrooms to a bedroom/studio and office for the current owners. Although windows were replaced and a small one added to afford a spectacular view from the kitchen to the surrounding mountains, careful attention was paid to conserving the integrity of the original architectural style. During this period the exterior was also painted and renovations to the garden commenced.

Recently installed LED streetlights casting a light like older incandescent bulbs have replaced the high-pressure sodium fixtures and now provide spectacular viewing opportunities of the night sky.

1.3 Boundaries of Property

The property consists of the joining of 2 original 25' X100' lots creating a comfortable and manageable 50'X100' lot that accommodates a nice lawn area, flower beds, small vegetable garden, front and rear sitting areas that welcome neighbours to chat and visit and a fenced yard for a dog to roam. Please see Attachment #1 and #2 – Photos.

1.4 Elements to be protected

The dwelling is a 1-1/2 story structure consisting of an approximate 800 sq. ft. ground floor and 300 sq. ft. second story. Its modest size is in stark contrast to many modern-day single detached homes with their minimum 1,500 to 3,000 sq. ft. sizes. The size of home is worthy of conservation in that it comfortably fits on the lot with room to easily accommodate other outdoor activities.

The exterior wood siding (siding #105) too is worthy of conservation as it represents a building material common to the period.

A relatively unique feature of the home, its only decorative one, is the wooden railings on the front and rear porches. Considerable work went into their original design and construction – found today only on one or two commercial buildings in the village and represent the care taken by subsequent owners, circa 1980's to personalize the exterior of their home. Their maintenance, repair and renovation with improvements to drainage should be done with respect for original design intent.

Ken Hoyle, past president of the Canadian Society of Landscape Architects is working to renovate the existing garden while conserving as much as possible existing plant material and original garden design.

1.5 Photos – historic, present

No historic photos of the property could be found. Please see Attachment #1 and #2 for current photos of the property.

2.0 Heritage Value

2.1 Modern Values re: History and Historic Places

Hedley, established circa 1897, is recognized as one of Canada's most famous gold mining towns. Because of its location within a unique geological bowl it remains among the few remaining intact modest villages.

2.2 Way of life

Primarily a retirement community of 240 residents, its quaint way of life is measured and thoughtful. Rush hour traffic and stop lights do not exist. Its simple streets, without sidewalks, are pedestrian friendly where one can greet and speak with one's neighbour without the fear or noise of traffic.

Hedley holds a simple way of life long forgotten in most communities. It is safe. People are friendly with a strong community spirit. They are resourceful and connected.

2.3 Significant stage in development of community

David Woodbury McLellan residence was constructed, likely part of a building boom, between July & November of 1935 with founding of the Mascot Mine in 1931.

Bedrooms were added in the attic as the original owners' family grew. Its garage was constructed in 1971 in keeping with the Canadian tradition of adding to one's home as the size and needs of the family grew and finances permitted. Originally a two-bedroom home the attic bedrooms added two additional.

2.4 Cultural Tradition

In the tradition of many resource rich mining towns, Hedley too spawned hotels, hospital, commerce, railway - now long gone and a rich community life much of which has been documented in the Hedley Museum. Stamp Mill Day, commemorating the era of mining is still celebrated in May. Of note is its proximity to, neighbours to the Upper Similkameen Indian Band who enrich the community with their culture and history.

2.5 Importance to community, province, territory, nation

The dwelling and property represent some of the finest attributes of the community. The home is well constructed, well proportioned and well maintained. It has been renovated and adapted to modern day needs with neither its demolition nor desecration.

The home is an example to the province, territory and nation of the beauty of a modest dwelling in a picturesque setting scaled to a property that is affordable. It could be a harbinger of future single-family homes that are designed to help address climate change.

2.6 Events

The first known cenotaph in Canada was constructed in Hedley in 1919 in honour of the *Hedley Boys* who died in the WW1. The establishment of the Nichol Plate and Mascot mines required housing, community facilities, hotels, hospital and infrastructure (water, electricity, fire department - 1912). The Hedley Improvement District (HID) was established in 1952.

2.7 People of historical importance

Mr. David Woodbury McLellan (1893-1956), the original owner of 995 Ellis, was employed at the Kelowna Exploration Co. (Nichol Plate Mine) mine laboratory from the mid 30's to the mid 50's and likely retired when the mine closed in 1955. He and his wife, Irma had two children, Ted and Marnie and may have had a third, Ed.

3.0 Character-Defining Elements

3.1 Architecture

Modest by today's standards, the storey and half residence is well proportioned and would likely be considered a vernacular craftsman architectural style popular in the 1920's and 30's. It likely utilized local materials and knowledge, without the services of a professional architect.

The home is simple and practical, typical of a vernacular building. Windows are large emitting much natural light into the home and providing stunning views of the surrounding mountains.

3.2 Character

The character of the home is simple without embellishments of any kind. Its form follows function is cozy and in human scale contrasting sharply,

with many houses built today. It is an anachronism but perhaps visionary.

3.3 Historic context

Hedley named after Robert R. Hedley, manager of the Hall Smelter in Nelson B.C. is an unincorporated town in southern British Columbia. It was founded, with the discovery of gold, in 1897 and is a great name in Canadian gold mining history.

3.4 Location

The property is location in the heart of the developed portion of Hedley. Please see attachments #2 and #3 – Context Map and Townsite Survey.

3.5 Materials

The home is of typical wood frame construction sheaved in two 2 layers of 1" X 6" Douglas fir – the exterior being horizontal shiplap (siding #105) over a 45-degree tongue and groove backing. All original interior room partitions are wood frame clad with tongue and groove Douglas Fir faced with paper and later drywalled.

3.6 Planning

Hedley has a well-planned grid street and lane system. The original planner(s) understood the value of a grid street system and imposed it wisely on the land within currently settled portion of Hedley. Those areas planned but not presently developed are restricted by topography and, geology typical of plans not ground-truthed.

3.7 Quality

The home is well constructed and solid showing little wear and tear over its 85-year history.

3.8 Technology

The technology used in the construction of the home drew upon historical construction techniques commonly used in the period i.e. balloon wall-framing.

3.9 Use

The home was built as a single-detached house and is currently used as the same.

3.10 Patina/Historic evidence of use

The original floors were constructed of 1" X 2" Douglas Fir tongue and groove and show remarkably little wear and tear. The original back porch is now part of the interior kitchen. The current porches, constructed some time after the garage, are built of pressure-treated pine decking. The rear porch is covered with a 1970/80's corrugated fibreglass which is due for replacement.

Attachment #1: Photos of Woodbury McLellan Residence (2019)



Attachment #2: Residence Photo (2019) and Context Map (2020)



Attachment #3: Hedley Townsite Survey (1936) Featuring Woodbury McLellan Residence - 995 Ellis Avenue

Province of British Columbia

Plan of that Part of the Townsite of
HEDLEY
 covered by Plans 107, 124, 137 & 175,
 according to the Re-Survey carried out under
 the Provisions of the "Special Surveys Act",
 pursuant to the Order of the Honourable Attorney General
 dated the fifteenth day of April,
A.D. 1936.

Scale: 1 in. = 100 ft.

— Legend —

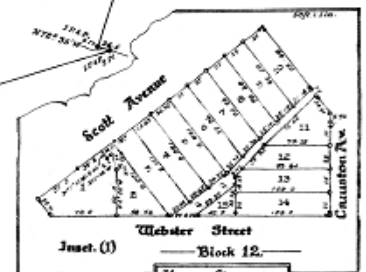
Shaded Parts show "As Shown"
 lines that show "As Shown"
 D.D. Unless otherwise marked, all
 lines show size and exact measurement.
 Special Survey Measurements above
 lines — ■■■■

Ready Cash Tr. M.C.
 E 2482

Charter Oak M.C.
 E 3466



Red Eagle M.C.
 E 3032



Mayflower M.C.
 E 3034



995 Ellis Avenue

Parcel "B" Reg. Plan B-1884

Value here
 1936
 1937
 1938
 1939
 1940
 1941
 1942
 1943
 1944
 1945
 1946
 1947
 1948
 1949
 1950

J. P. M. Gregory of Vancouver, a British Columbia Land
 Surveyor, made oath and says that I was present at and did
 personally superintend the Survey represented by this Plan
 and that the Survey and Plans are correct. The said
 Survey was completed on the 25th day of October 1936.
 A. D. 1936.

Sworn before me this 25th day
 of November, 1936

British Columbia Land Surveyor

Commissioner

Indian Reserve No. 2



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: BYLAW 2902 – Area “H” Community Works (Gas Tax) Reserve Expenditure Bylaw

Administrative Recommendation:

THAT Bylaw No.2902, 2020, Electoral Area “H” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$26,515.98 for the installation of a community domestic water system at the Coalmont Fire Hall be given first, second, & third reading and adopted.

Reference:

Bylaw 2407, 2006 - Regional District Okanagan Similkameen Electoral Area “H” Community Works (Gas Tax) Reserve Fund Establishment Bylaw.

Bylaw 2902 – Bylaw 2902, 2020 Electoral Area “H” Community Works (Gas Tax) Reserve Expenditure.

Background:

The new Coalmont fire hall requires a domestic water system as a component of the construction project. The addition of a domestic water system to this project will provide local residents with a reliable source of potable water as well as meeting the needs of the fire department. Per the attached quotation this work will cost \$26,515,98.

Analysis:

This project meets the criteria as set out for the Community Works Gas Tax Program since it provides community water infrastructure.

After deducting the expenditures already committed in 2020, the balance in the Area H Community Works (Gas Tax) Reserve Fund is 544,866.54.

Alternatives:

Status Quo – alternative sources of funding are found or project does not move forward.

Respectfully submitted:

“John Kurvink, Manager of Finance/CFO”

J. Kurvink, Finance Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2902, 2020

A bylaw to authorize the expenditure of monies from the Electoral Area 'H' Community Works (Gas Tax) Reserve Fund for the installation of a community domestic water treatment system at the Coalmont Fire Hall..

WHEREAS Section 377 of the Local Government Act, and Section 189 of the Community Charter authorises the Board, by bylaw adopted by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;

AND WHEREAS the 'Electoral Area 'H' Community Works (Gas Tax) Reserve Fund' has sufficient monies available for community capital projects;

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

1 Citation

1.1 This Bylaw shall be cited as the "Electoral Area 'H' Community Works (Gas Tax) Reserve Fund Expenditure Bylaw No. 2902, 2020"

2. The expenditure of \$26,515.98 from the Electoral Area 'H' Community Works (Gas Tax) Reserve Fund is hereby authorized towards the installation of a community domestic water treatment system at the Coalmont Fire Hall.

READ A FIRST, SECOND, AND THIRD TIME this ___ day of ___, 2020

ADOPTED this ___ day of ___, 2020

RDOS Board Chair

Corporate Officer

Tulameen & District Fire Department
132 1st Street
Tulameen, BC
V0X 1W0
250 295 6688

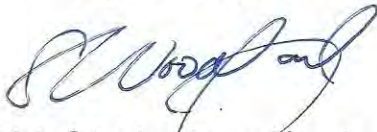
April 14, 2020

RDOS Director Bob Coyne
101 Martins Street
Penticton, BC
V2A 5J9

Dear Director Coyne,

The Tulameen & District Fire Department is requesting a Gas Tax Grant for the installation of a domestic water system for the new Coalmont Fire Hall. The amount requested is for well drilling, pump install and plumbing (supplies). The amount total is \$26,515.98.

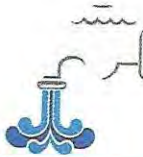
Thank you for your consideration,



Chief Jody Woodford

Gas Tax Grant Request
Tulameen & District Fire Department
Domestic Water for Coalmont Fire Hall

	<u>Cost</u>
<u>Aqua Source Drilling</u>	
<u>50' well</u>	6,195.00
gst	309.75
pst	<u>433.65</u>
	6,938.40
<u>Value Contracting Pumps</u>	14,017.49
gst	700.87
pst	<u>939.22</u>
	15,657.58
<u>Fletcher Home Hardware</u>	3,500.00
gst	175
Total	<u>245.00</u>
	3,920.00
<u>Project Total</u>	<u>26,515.98</u>



VALUE CONTRACTING PUMPS

SALES · SERVICE · INSTALLATIONS & REPAIRS

Contact Bob or Mike Pearce - Phone No. 250-497-8284 Fax No. 250-497-6533 e-mail: info@valuecontracting.ca
Certified Electrical Contractor #17198

Certified Pump Installer Mike: WP105080802; Bob: WP105071301, Alistair: WPI 16121901

Authorized Dealer for Franklin, Grundfos, Gould, and Berkeley Pumps

G.S.T. # R101382661

WELL INFORMATION	QTY	PARTS	PRICE
Customer Coalmont Fire Department	1	Make Franklin Model 90JS3 PE	
Address _____		5 H.P. 230 Volts 3 Phase	\$4,305.00
Jody Woodford	1	Constant Pressure Controller SD50 VFD	\$4,423.00
Email tulfd@nethop.net	40	Feet No 10/4 TWU Sub. Cable	\$78.40
Location _____	30	Feet 2 Inch SC80 Riser Pipe	\$165.00
Physical _____	1	WTCC-6 Well Cap.	\$90.00
Address _____	1	2" Check Valve	\$155.29
	1	Model PSC48 Pressure Tank	\$779.04
Phone: 250-295-6688 Cell: _____		Pressure Switch	
Fax No. _____	1	0-100 Oil Filled Pressure Gauge	\$35.00
Well Dia: 6 (not drilled) In. Well Depth 40 Ft	1	2" Pitless Adapter	\$516.76
Static Level _____ Ft	1	Splice Kit	\$30.00
Well Capacity _____ G.P. M.		Miscellaneous Shop Supplies	\$20.00
R.P.S. _____ Feet		Miscellaneous Plumbing and Electrical	\$300.00
Elevation Well to House _____ Feet		Feet No. Tec. Cable Well to House	
Distance Well to House _____ Feet		Feet Water line to House	
Power Supply _____ Volts _____ Phase		Foot Bury Yard Hydrant	
Panel Make _____	1	2" Stand Pipe	\$2,520.00
Pump Cap: _____ US GPM at _____ PSI			
<p>Backhoe work and bedding sand is NOT included in this quotation. Not responsible for capacity or quality of water in well. Warranty on pumps / controls as per the manufacturer's on parts only. 1 Year labour warranty</p>			
Notes		Labour to install above ...1st Trip	
Pump capacity Not included pipe & wire to fire hall.		Labour to complete if a 2nd trip is required	
Possibly EL permit needed		By the Hour or Agreed Amount	\$600.00
100 USGPM@40PSI		Total Parts	\$13,417.49
87 USGPM@50PSI		Total Labour	\$600.00
75 USGPM @ 60PSI		Electrical Permit	
		7% PST	\$13,417.49
		5% GST	\$14,017.49
		Total	\$15,657.58

Terms: All accounts are due and payable upon receipt, unless previously arranged. 2% per month is charge on overdue accounts. Errors and Omissions excepted. VISA or MASTERCARD ACCEPTED. Quote given by Bob Pearce

Quotation good for 30days from February 25, 2020

Signature _____

AQUA SOURCE DRILLING LTD.

Jim Howe

2307 - 39th Avenue, Vernon BC V1T 3B3
 PHONE: (250) 275.0920 FAX: (250) 275.0921

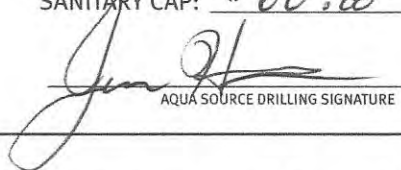
Water Well Drilling
 Geothermal Open Loop

DATE: Feb 24 2020

SITE ADDRESS: Coalmont

CUSTOMER NAME: Coalmont Fire Hall tulfd + nst hops. net.

MOBILIZATION CHARGE: <u>\$1200.00.</u>	<u>\$1200.00</u>
SURFACE SEAL: <u>\$800.00.</u>	<u>\$800.00</u>
CASING SHOE: <u>\$130.00.</u>	<u>\$130.00</u>
6" CASED HOLE: <u>\$49.00 per ft.</u>	<u>50' 2,450.00</u>
8" CASED HOLE: <u>—</u>	
6" SCREEN ASSEMBLY: <u>\$1200.00</u>	<u>\$1,200.00</u>
8" SCREEN ASSEMBLY: <u>—</u>	
6" BEDROCK HOLE: <u>—</u>	
LINER: <u>—</u>	
DEVELOPING: <u>\$375.00</u>	<u>\$355.00</u>
SANITARY CAP: <u>\$60.00</u>	<u>60.00</u>


 AQUA SOURCE DRILLING SIGNATURE

 CUSTOMER SIGNATURE

6,195.00
1,309.75
433.65

Quotes are valid for 30 days. Wells must be booked in within this period to get the rate shown.
 Aqua Source Drilling Ltd. is not responsible for extra incurred costs due to dealing with an artesian flow.
 A legal lot description is mandatory for all wells so that a legal well log can be completed and registered with the Ministry of Lands and Water. At this point, the customer will receive a legal well log & the well will be tagged.
 Payment is due upon completion of well unless arrangements have been made prior.
 GST Not Included

7,124.25

6,938.40

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Okanagan Falls Sanitary Sewer Service Petition

Administrative Recommendation:

THAT Bylaw No. 1239.08, 2020 Okanagan Falls Sanitary Sewer Service Area Extension Bylaw be read a first, second and third time.

Purpose:

To bring a parcel into the Okanagan Falls Sanitary Sewer Service Area

Reference:

Bylaw No. 1239, 1991

Background:

The owner of 1543 Maple Street, Okanagan Falls has petitioned the Regional District to amend the Okanagan Falls Sanitary Sewer Service Area to include Lot 2, Plan KAP14822, DL551, SDYD. The parcel is adjacent to the existing Service Area boundary.

Analysis:

Under Regional District Establishing Bylaw Approval Exemption Regulation 113/2007, the Board may adopt a bylaw without approval of the Inspector of Municipalities if a sufficient petition and consent from the Electoral Area Director is received. The regulation requires that a local government must allow one meeting between third reading and adoption.

The Manager of Engineering and Manager of Public Works are supportive of the inclusion of the parcel. The Corporate Officer has certified the petition as sufficient and valid.

Alternatives:

1. Provide three readings to Bylaw No. 1239.08, 2020 Okanagan Falls Sanitary Sewer Service Area Extension Bylaw.
2. Decline the petition to enter the service area.

Respectfully submitted:

"Gillian Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

"Christy Malden"

C. Malden, Manager of Legislative Services

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 1239.08, 2020**

A bylaw to amend the Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw No.1239, 1991.

WHEREAS the owner of the property described in this bylaw have petitioned the Board of the Regional District to extend the boundaries of the Okanagan Falls Sanitary Sewer Service Area to include the property;

AND WHEREAS the Regional District of Okanagan-Similkameen wishes to proceed under the *Local Government Act* to amend the boundaries of the service area of the Okanagan Falls Sanitary Sewer Service Area;

AND WHEREAS the Regional District has agreed to act on that request in accordance with sections 349 and 350 of the *Local Government Act*;

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

1. CITATION

1.1. This bylaw may be cited as the "Okanagan Falls Sanitary Sewer Service Area Extension Bylaw No. 1239.08, 2020."

2. SERVICE AREA EXTENSION

2.1. The Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw No. 1239, 1991 is amended by adding the property legally described as:

Lot 2, Plan KAP14822, DL551, SDYD

shown shaded on Schedule "A" which is attached to and forms part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this ___ day of ___, 20__.

ELECTORAL AREA DIRECTOR CONSENT OBTAINED this ___ day of ___, 20__.

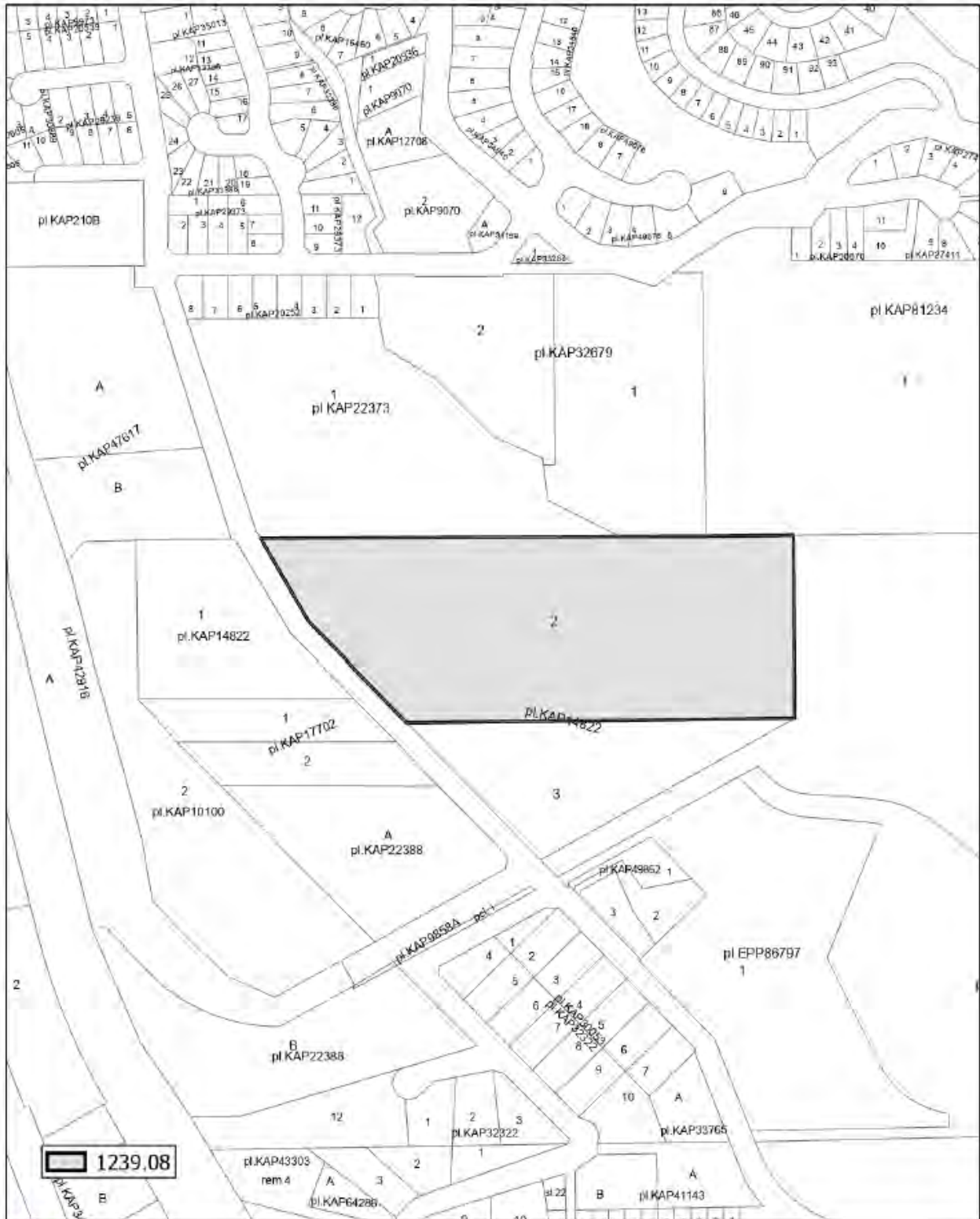
ADOPTED this ___ day of ___, 20__.

Board Chair

Corporate Officer

FILED with the Inspector of Municipalities this ___ day of ___, 20__.

SCHEDULE A



OKANAGAN FALLS SANITARY SEWER SERVICE AREA
Amendment Bylaw No. 1239.08



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Willowbrook Fire Protection Local Service Establishment Amendment Bylaw

Administrative Recommendation:

1. **THAT Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.03, 2020, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval.**
2. **THAT first, second and third readings of Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.02, 2019 and Willowbrook Fire Truck Acquisition Loan Authorization Bylaw No. 2874, 2019 be rescinded and the bylaw abandoned.**

Reference:

1. Order in Council No. 216, dated April 27, 2018
2. Willowbrook Fire Protection Local Service Establishment Bylaw No. 1388, 1993
Willowbrook Fire Protection Local Service Establishment Bylaw No. 1388.02, 2019
Willowbrook Fire Truck Acquisition Loan Authorization Bylaw No. 2874, 2019

Business Plan Objective:

KSD 2 Meet public needs through the continuous improvement of key services by improving bylaws, policy and process within the organization

History:

1. The Order in Council creating Electoral Area "I" directed that the local area services that were provided to Electoral Area "D" must be provided to Electoral Area "D" and Electoral Area "I", as applicable. In addition, the Regional District must, as soon as practicable, amend or repeal its bylaws in respect of services to Electoral Areas "D" and "I".
2. Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.02, 2019, and Willowbrook Fire Truck Acquisition Loan Authorization Bylaw No. 2874, 2019, received three readings on October 3, 2019.

Analysis:

1. The Willowbrook Fire Protection Local Service Area straddles the boundary of Electoral Area “C” and what is now Electoral Area “I”, previously Electoral Area “D”. Bylaw No. 1388.03 updates references in Bylaw No. 1388 that had previously referred to Electoral Area “D” to now refer to Electoral Area “I”. There is no change to which parcels are affected by the bylaw or receiving service from the fire department.
2. The purpose of Bylaw Nos. 1388.02 and 2874 was to facilitate the purchase of a new fire truck. The service’s requisition limit required an increase to reflect debt servicing. However, in November, the Fire Department was successful in finding and purchasing a used fire truck, funded from a combination of capital reserves and operating surplus. Therefore, the loan authorization and increase of requisition limit is not required at this time and the bylaws can be abandoned.

Alternatives:

1. The Board may choose not to abandon Bylaw Nos. 1388.02 and 2874.

Respectfully submitted:

“Gillian Cramm”

G. Cramm, Legislative Services Coordinator

Endorsed by:

“Christy Malden”

C. Malden, Manager of Legislative Services

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 1388.03, 2020**

A bylaw to amend the Willowbrook Fire Protection Local Service Establishment Bylaw

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wish to proceed under the *Local Government Act*, to amend the Willowbrook Fire Protection Local Service Establishment Bylaw No. 1388, 1993;

AND WHEREAS the Order in Council No. 216 dated April 27, 2018 amended the Letters Patent for the Regional District of Okanagan-Similkameen to create Electoral Area "I";

AND WHEREAS the Order in Council No. 216 directed that the services that were provided to Electoral Area "D" on the date of the Order in Council came into force are continued and must be provided to Electoral Area "D" and Electoral Area "I";

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

CITATION

1. This bylaw may be cited for all purposes as the "Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.03, 2020".

AMENDMENT OF SERVICE

2. Bylaw No. 1388 is amended by:
 - (a) deleting its long title in its entirety and substituting the following:

"A bylaw to convert the fire protection service within a specified area of Electoral Areas 'C' and 'I' to a local service";
 - (b) deleting the second WHEREAS clause in its entirety and substituting the following:

"AND WHEREAS the Regional District of Okanagan-Similkameen Bylaw No. 875 cited as the C3 D3 Specified Area Establishment and Loan Authorization Bylaw No. 875, 1985 established the fire protection specified area in the community of Willowbrook within Electoral Areas 'C' and 'I'";

- (c) deleting the third WHEREAS clause in its entirety and substituting the following:

“AND WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen wishes to convert the aforesaid C3 D3 Specified Area, within Electoral Areas ‘C’ and ‘I’ to a local service for the purpose of providing fire protection services”;

- (d) deleting section 3 in its entirety and substituting the following:

“The Willowbrook Fire Protection Local Service Area is located entirely within the boundaries of Electoral Areas ‘C’ and ‘I’”.

READ A FIRST, SECOND AND THIRD TIME this ___ day of _____, 20__.

DIRECTOR CONSENT OBTAINED this ___ day of _____, 20__.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this ___ day of _____, 20__.

ADOPTED this ___ day of _____, 20__.

RDOS Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ___ day of _____, 20__.

**REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN
BYLAW NO. 1388.02, 2019**

A bylaw to amend the Willowbrook Fire Protection Local Service Establishment Bylaw

WHEREAS the Board of Directors of the Regional District Okanagan-Similkameen wishes to proceed under the *Local Government Act*, to amend **Willowbrook Fire Protection Local Service Establishment Bylaw No. 1388, 1993**;

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

1.0 CITATION

1.1 This bylaw may be cited for all purposes as the “**Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.02, 2019**”.

2.0 AMENDMENT OF SERVICE

2.1 Section 5 of Bylaw No. 1388 is hereby repealed and replaced with:

The annual maximum amount that may be requisitioned for the cost of the service shall not exceed \$3.67 per \$1,000 of the net taxable value of land and improvements within the service area.

READ A FIRST, SECOND AND THIRD TIME this 3rd day of October, 2019.

DIRECTOR CONSENT OBTAINED this 3rd day of October, 2019.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, ____.

ADOPTED this ____ day of _____, ____.

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, ____.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2874, 2019

A bylaw to authorize the long-term borrowing for the acquisition of a Fire Truck for the Willowbrook Fire Protection Local Service Area.

WHEREAS pursuant to Section 406 of the Local Government Act and Section 179 of the Community Charter, the Regional District of Okanagan-Similkameen may, by loan authorization bylaw, borrow money for capital purposes;

AND WHEREAS the Board of the Regional District of Okanagan-Similkameen has established by Bylaw No.1388, 1993, a service for the purpose of providing fire prevention and fire suppression in and for the Willowbrook Fire Protection Service Area;

AND WHEREAS the authority to borrow under this bylaw expires five (5) years from the date on which this bylaw is adopted;

AND WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen has obtained the approval of electors in accordance with the *Local Government Act*,

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

1. **AUTHORIZATION OF PURCHASE**

The Regional Board is hereby empowered and authorized, under Bylaw No. 1388, 1993, to provide fire prevention and suppression services in and for the Willowbrook Fire Protection Service Area and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

2. **LOAN AUTHORIZATION**

- a) To borrow upon the credit of the Regional District a sum not more than the greater of five hundred thousand dollars (\$ 500,000).
- b) To acquire and have installed all such materials as may be requisite or desirable in connections with the purchase of a fire truck in and for the Willowbrook Fire Protection Local Service.

3. **TERM OF DEBENTURE**

The maximum term for which debentures may be issued to secure debt created by this bylaw is fifteen (15) years.

4. CITATION

This bylaw may be cited as Willowbrook Fire Truck Acquisition Loan Authorization Bylaw No. 2874, 2019.

READ A FIRST, SECOND, AND THIRD TIME this 3rd day of October, 2019

APPROVED by the Inspector of Municipalities this xxx day of xxx, 2019

RECEIVED APPROVED BY THE ELECTORS IN THE WILLOWBROOK FIRE PROTECTION SERVICE AREA THROUGH ASSENT this XXX day of XXX, 20__

ADOPTED this XXX day of XXX, 20__

RDOS Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Protective Services Committee
FROM: B. Newell, Chief Administrative Officer
DATE: 4 June 2020
RE: Emergency Program Regulatory Bylaw

Recommendation:

That Bylaw 2901, 2020, being a bylaw of the Regional District of Okanagan Similkameen to regulate the administration and operation of the Regional Emergency Management Program be given 1st, 2nd and 3rd Readings and adopted.

Reference:

1. Emergency Program Act, RSBC 1996, C. 111 (the "Act")
2. Bylaw 2375/06 Emergency Planning Program Establishment Bylaw
3. Bylaw 2423/07 Emergency Planning Program Regulatory Bylaw

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

3.1.1.1 To update the Regional District Emergency Management Regulatory Bylaw

Background:

The Emergency Program Act, S. 6, stipulates that each local authority is at all times responsible for the direction and control of the local authority's emergency response, must have an emergency plan and must establish and maintain an emergency management organization. By Bylaw 2375/06, the Regional District established a regional emergency management program which sets out the service boundaries and method of cost recovery.

Further, the Act enables a local authority to appoint a committee to advise and assist them with their responsibility and to appoint a coordinator. By Bylaw 2423/07, the Regional District sets up an emergency management organization and the administration thereof.

Analysis:

The Regional District of Okanagan Similkameen, in cooperation with our six member municipalities, has reviewed the Emergency Management Program and, at their meeting of 21 May 2020, the Protective Services Committee reviewed the proposed amendment and sent the Regulatory Bylaw forward to the Board of Directors for discussion.

It is important to keep the Establishment Bylaw and the Regulatory Bylaw distinct and separate. We have some questions about the Service Establishment Bylaw and what the Act enables a Regional District and its member municipalities to undertake and we have that on the agenda for later discussion. This report deals only with the regulatory bylaw and the establishment of the organization.

Governance

The Regional District is composed of 15 unique jurisdictions. Emergencies or Disasters rarely follow geographic boundaries and they're rarely selective. When facing imminent risk or having experienced a disaster within a certain jurisdiction, it would seem beneficial to have the representative(s) for the jurisdiction on the Emergency Management Committee. There would be important communication and political actions required that the representative would be expected to fulfill in those circumstances and use of the Protective Services Committee format seems appropriate.

Administration

Emergency management is a very complex and technical responsibility. Familiarity with the Act, government programs, the incident command system, EOC management, government relationships, etc. are not only technical, but they take a lot of time. Add on top of that the knowledge and experience necessary to organize training and exercises, the constant turn-over of personnel, the different types of events, new equipment and technology; but most importantly the coordination required between our jurisdictions.

The Emergency Planning Committee (the political side) would benefit from support from a Management Planning Team (the administrative/technical side) in order to fulfil the obligations of creating an emergency organization referred to in S. 6 (3) of the Act.

Communication Strategy:

Should the Board be satisfied with the proposed direction and structure of the Emergency Management Organization, it would be the intent to meet with the proposed Emergency Management Team to discuss how we want to proceed in the future. While the draft Bylaw relies on the CAO Group to take responsibility for emergency management, it is anticipated that each member would involve those in their organization who could add value to the discussions.

Recommendations from the Team on Bylaw 2375/06 would then come back from the Management Team to the Emergency Planning Committee for discussion.

REGIONAL DISTRICT of OKANAGAN-SIMILKAMEEN

BYLAW NO. 2901, 2020

A bylaw of the Regional District of Okanagan Similkameen to regulate the administration and operation of the Regional Emergency Management Program

WHEREAS the Local Government Act enables regional districts to establish and operate services for the benefit of service area residents; and,

WHEREAS the Regional District of Okanagan-Similkameen has, by Emergency Planning Program Services Bylaw 2375, 2006 established a regional service for Emergency Management Planning and Preparedness; and,

WHEREAS pursuant to the Emergency Program Act of British Columbia each local government in the Regional District is at all times responsible for the direction and control of the local authority's emergency response; and,

WHEREAS each local government must establish and maintain an emergency management organization to develop and implement emergency plans and other preparedness, response and recovery measures for emergencies and disasters within their geographic boundaries; and,

WHEREAS the Regional District wishes to provide a comprehensive management structure for the regional program to prepare for, respond to and recover from emergencies and disasters; and,

WHEREAS section 6 (3.1) of the Emergency Program Act provides that a Board may appoint a coordinator for the emergency management organization.

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

Section 1 - Citation

1.1 This Bylaw shall be cited as the "**Regional Emergency Management Program Regulatory Bylaw**".

Section 2 - Definitions

2.1 In this bylaw, including in the recitals hereto, unless the context otherwise requires, the following bolded terms have the following respective meanings:

- (a) "**Act**" means the Emergency Program Act (1996), RSBC Chapter 111 and all regulations made thereunder.

- (b) **"Board"** means the Board of Directors of the Regional District of Okanagan Similkameen.
- (c) **"Chair"** means that person elected annually by the Board as Chair, in accordance with S. 215 (1) of the Local Government Act.
- (d) **"Council"** means the council of a member municipality.
- (e) **"Disaster"** means a calamity that:
 - i. is caused by accident, fire, explosion or technical failure or by the forces of nature, and
 - ii. has resulted in serious harm to the health, safety or welfare of people, or in widespread damage to property;
- (f) **"Emergency"** means a present or imminent situation or condition that:
 - i. is caused by accident, fire, explosion or technical failure or by the forces of nature, and
 - ii. requires prompt coordination of action or special regulation of persons or property, to protect the health, safety or welfare of people or to limit widespread damage to property;
- (g) **"Emergency Coordinator"** means the coordinator for the Regional Emergency Management Organization appointed by and responsible to the CAO;
- (h) **"Emergency Management Organization"** means the Emergency Management Committee and the Emergency Management Team established in this bylaw to develop and implement emergency plans and other preparedness, response and recovery measures for emergencies and disasters for the Regional Emergency Management Program in accordance with S. 6.(3) of the Act.
- (i) **"Emergency Planning Team"** means those positions appointed under this bylaw who are responsible for the implementation of the Regional Emergency Response and Recovery Plan.
- (j) **"Regional District ERRP"** means the Emergency Response and Recovery Plan containing objectives, responsibilities and strategies that shall be used to prepare, respond to and recover from regional emergencies or disasters in the Regional District of Okanagan-Similkameen.
- (k) **"Member Municipality"** means Osoyoos, Oliver, Penticton, Summerland, Keremeos and Princeton.
- (l) **"Regional District"** means the Regional District of Okanagan Similkameen
- (m) **"Regional District CAO"** means the person appointed by the Board as the Chief Administrative Officer for the Regional District and who is hereby delegated the responsibility for coordinating emergency management in the Regional District.

- (n) "**SoLE**" means the declaration of a state of local emergency by the Board or a Council, the Chair or Mayor, that an emergency exists or is imminent in the Regional District or a member municipality.

Section 3 - Interpretation

3.1 In this bylaw:

- (a) wherever the singular or the masculine is used in this bylaw, the same shall be deemed to include the plural or the feminine or the body politic or corporate where the context or the bylaw requires; and
- (b) any reference in this bylaw to a statute, regulation, ministerial order or other bylaw, means such statute, regulation, ministerial order or other bylaw as updated, amended, revised or replaced, unless otherwise specifically noted.

3.2 This bylaw does not contemplate or extend in its purpose, to any of the following:

- (a) the protection of any person from economic loss;
- (b) a guarantee or warranty by the RDOS or any of its agents, as to the service level expectations of the Emergency Management Organization under this bylaw, or any other applicable codes, enactments, agreements or standards; or
- (c) providing to any person a warranty with respect to the functions of the Emergency Management Organization or with respect to the certainty of timely responses. The list of functions does not, of itself, mean that each Fire Department provides such services or will, in relation to any particular Incident, be able to deliver such services.

Section 4 – Emergency Management Committee

4.1 There is established a Regional Emergency Management Committee, the membership of which shall consist of all members of the Board and be chaired by the Chair of the Protective Services Committee, who shall be appointed annually by resolution of the Board that shall provide policy direction and assist in ensuring that all aspects of the Regional Emergency Management Program are adequately addressed.

4.2 Subject to the direction of the Board, the Emergency Management Committee shall be responsible for the oversight of any emergency measures or emergency activities or works in furtherance of the British Columbia Emergency Program Act or this bylaw. To that end, the Committee shall have delegated to it the duties and resources of the Board except the powers to declare a State of Local Emergency, borrow money, to pass a bylaw or enter into any contracts; provided however, such delegation of duties and powers of the Board is expressly limited to only those powers of the Board necessary to carry out its rights, responsibilities, or duties under the Act.

Section 5 – Regional Emergency Planning Team

5.1 There is established an Emergency Planning Team, chaired by the Regional District CAO, that shall report to the Emergency Management Committee. The Team shall consist of the Chief Administrative Officers for the jurisdictions listed in bylaw No. 2375, 2006 being

- i) the Regional District
 - ii) the District of Summerland
 - iii) the City of Penticton
 - iv) the Town of Oliver
 - v) the Town of Osoyoos
 - vi) the Village of Keremeos
 - vii) the Town of Princeton
- 5.2 Subject to the direction of the Emergency Management Committee (the “Committee”), the Emergency Planning Team shall be responsible for:
- a. the formation, ongoing review and evaluation of the Regional District ERRP;
 - b. the integration of Regional District, Member Municipality, other agency and volunteer emergency services required for the preparedness, response and recovery of a regional emergency or disaster;
 - c. ensuring that the regional emergency operations centre is organized and prepared to respond to regional events;
 - d. to work closely with and support Member Municipalities implementing the municipal emergency plan or declaring a state of local emergency;
 - e. the submission to the Committee of annual estimates of expenditures for the maintenance and operation of the Emergency Organization;
 - f. the submission to the Committee, at least once per year, of a progress report of activities;
 - f. the training of individuals in emergency preparedness and the implementation of the Regional ERRP; and
 - g. the exercising of the Regional ERRP.

Section 6 – Liability

- 6.1 As enabled by the Act, no person, including without limitation, the Board, the Chair, members of the Emergency Planning Committee, employees of the Regional District, a volunteer and any other persons appointed, authorized or requested to carry out measures relating to emergencies or disasters, is liable for any loss, cost, expense, damages or injury to persons or property that result from:
- (a) The person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this Bylaw or the regulations, unless, in doing or omitting to do the act, the person was grossly negligent; or
 - (b) Any acts done or omitted to be done by one or more of the persons who were, under this Bylaw or the regulations, appointed, authorized or required by the person to do the acts, unless in appointing, authorizing or requiring those persons to do the acts, the person was not acting in good faith.

Section 7 - Severability

7.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the portion so severed.

Section 8 - Coming into Force

8.1 This bylaw shall come into full force and effect upon final passage thereof.

Section 9 - Repeal of Bylaws

9.1 Upon this bylaw coming into force, the following bylaws, including all amendments thereto, are hereby repealed:

- (a) Bylaw 2423/07 Emergency Planning Program Regulatory Bylaw

READ A FIRST, SECOND, AND THIRD TIME this _____ day of _____

ADOPTED BY AT LEAST 2/3 OF THE VOTES this _____ day of _____

Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: Open Burning Regulations Bylaw

Administrative Recommendation:

THAT Bylaw No. 2898, 2020 Regional District of Okanagan-Similkameen Open Burning Regulations Bylaw be read a first, second and third time and be adopted.

Purpose:

To update the open burning regulation bylaw to ensure community safety, ease of use, and compliance with Provincial legislation.

Reference:

BC Wildfire Act Wildfire Regulation
Environmental Management Act Open Burning Regulation
Bylaw No. 2898 (draft)
Bylaw No. 2364 (consolidated; to be rescinded)

Business Plan Objective:

Goal 2.2.1 To meet public needs through the continuous improvement of key services by improving bylaws, policy and process within the organization

Background:

Burning of leaves, foliage, weeds, crops or stubble for domestic or agricultural purposes is exempt from the Open Burning Smoke Control Regulation and falls entirely under the responsibility of local governments.

Analysis:

Administration has undertaken considerable consultation with all the Fire Chiefs of the Regional District fire departments as well as other wildfire professionals and the Province regarding the draft Open Burning bylaw.

Summary of changes:

- Anarchist Mountain and Keremeos Volunteer Fire Departments are now included, ensuring that all residents of Regional District fire protection areas are subject to consistent regulations
- Streamlined process for requesting burn authorization, saving time for both residents and fire chiefs.
- Removes the requirement for a fee for a permit.
- Expanded list of Prohibited Burning Materials to be compliant with the *Open Burning Smoke Control Regulation* and the *Waste Management Regulation*.
- All definitions have been reviewed to ensure consistency with Provincial legislation.

The current Open Air Burning Bylaw No. 2364 will be rescinded by Bylaw No. 2898.

Alternatives:

1. THAT the bylaw be read a first, second and third time and be adopted.
2. THAT the bylaw not proceed.
3. THAT Administration be directed to make the following changes to the draft bylaw:

Communication Strategy:

Fact sheets and copies of the bylaw will be provided both on our website and in the office to advise the public about the requirements for burning. Fire departments will also have educational materials on hand for citizens in their communities.

Respectfully submitted:

"Gillian Cramm"

G. Cramm, Legislative Services Coordinator

Endorsed by:

"Christy Malden"

C. Malden, Manager of Legislative Services

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2898, 2020

A bylaw to regulate Open Burning within the Regional District of Okanagan-Similkameen Fire Protection Areas.

WHEREAS it is deemed desirable and expedient to provide for regulations of Open Burning within the Regional District of Okanagan-Similkameen and,

WHEREAS it is deemed desirable and expedient to provide regulations for the prevention and spread of fire and for the preservation of life within the boundaries of the fire protection areas of Kaleden, Naramata, Okanagan Falls, Tulameen, Willowbrook, Anarchist Mountain and Keremeos of the Regional District of Okanagan-Similkameen,

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

PART I – CITATION

1. This Bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen Open Burning Regulations Bylaw No. 2898, 2020”

PART II – DEFINITIONS

1. **“Authorization”** means acceptance as satisfactory to the Fire Chief.
2. **“Bear Banger”** means a loud explosive type noisemaker that is launched from a hand held device to ward off bears.
3. **“Burn Season”** means the time period when approved open burning can take place.
4. **“Bylaw Enforcement Officer”** means an individual appointed by the Board of Directors of the Regional District as a Bylaw Enforcement Officer.
5. **“Campfire”** means an open fire that burns wood in one pile not exceeding 0.5 m in height and 0.5 m in width and specifically for heating or warmth, cooking or Indigenous ceremonial purposes.
6. **“Chimney”** means a vertical channel or pipe that conducts smoke and combustion gases up from a fire.
7. **“Compostable Materials”** means waste products from plants, trees or other vegetation that is naturally biodegradable including grass clippings, leaves, tree needles, garden waste and weeds.
8. **“Fire Chief”** means the officer in charge of a Fire Department as appointed, after consultation, by the CAO and in the absence of the Fire Chief, his or her designate.

9. **“Fire Department”** means the established volunteer Fire Department for a given Fire Protection Service Area.
10. **“Fireworks”** means cannon crackers, fireballs, firecrackers, mines, Roman candles, skyrockets, squibs, torpedoes and any other explosive designated as a firework by regulation.
11. **“Nuisance”** means, in this bylaw, Smoke that creates unreasonable discomfort or inconvenience to persons in the vicinity.
12. **“Open Burning”** means the combustion of Permitted Burning Materials using an open fire.
13. **“Open Fire”** means the combustion of material without using a stack or chimney to vent the emitted products of combustion to the atmosphere. Open Fire does not include a fire vented through a structure that has an approved flue and spark arrestor and is incorporated in a building.
14. **“Outdoor Stove”** means a device that uses liquid or gaseous fuel, or briquettes, and is manufactured for the purpose of heating or cooking. It does not include a fire vented through a structure that has an approved flue and is incorporated in a building.
15. **“Permitted Burning Materials”** means parts of trees or other vegetation that does not constitute compostable materials and includes prunings, branches, trunks and tree stumps.
16. **“Prohibited Burning Materials”** includes but not limited to those materials referenced in the *Open Burning Smoke Control Regulation* and listed in the *Waste Discharge Regulation*, enacted pursuant to the *Environmental Management Act* as amended from time to time, and includes:
 - a. animal carcasses and waste from animal slaughtering
 - b. Asphalt or asphalt products
 - c. batteries
 - d. biomedical waste
 - e. cardboard
 - f. carpets
 - g. construction waste other than lumber that has not been treated with wood preservatives or other chemicals and is not coated with paint, varnish, oil or other finishing material or glue
 - h. demolition waste
 - i. drywall
 - j. domestic waste
 - k. electric wire
 - l. fibreglass and other fibre-reinforced polymers
 - m. fuel and lubricant containers
 - n. furniture and appliances
 - o. hazardous materials
 - p. manure
 - q. paint and varnish
 - r. paper products
 - s. plastics
 - t. polystyrene foam
 - u. railway ties
 - v. rubber
 - w. tar paper
 - x. tires
 - y. treated or painted wood products
 - z. used oil

17. **“Regional District”** means the Regional District of Okanagan-Similkameen, or the area included therein as the context may require.
18. **“Smoke”** means the gasses, particulate matter and all other products of combustion emitted into the atmosphere from open burning.
19. **“Torch”** means a long stick of wood, bamboo, metal or plastic, with flammable material at one end, which is ignited and used to provide light.

PART III – BURNING SEASON

1. Open Burning shall only occur as follows:
 - a. Campfires may occur year round provided there is not a Provincial fire ban applicable to campfires.
 - b. Notwithstanding Part III section 1.a., the Fire Chief may impose a Campfire ban in a fire protection area.
 - c. Permitted Burning Material piles and stubble grass burns shall be restricted between the period of October 15 at 0001hrs until April 15 2400hrs.
 - d. Burning of infected woody material, outside of the burn season, shall only be burned after obtaining a burn registration number from British Columbia Wildfire Service and a direct clearance authorization from the Ministry of Agriculture, then submitting the said references with a permit application to the appropriate Fire Department. Should burning of infected woody material be required during a Provincial Burn Prohibition, an exemption from the British Columbia Wildfire Service shall also be required.
 - e. The Fire Chief may extend or reduce burning season should conditions allow or require.

PART IV – APPROVAL TO BURN

1. Open burning may be authorized where:
 - a. A request to burn is made in the form prescribed.
 - b. All requirements of this bylaw and Provincial enactments have been satisfied.
2. All requests for authorization for Open Burning may be subject to a site inspection by the Fire Chief.
3. The Fire Chief may refuse to authorize a request for Open Burning whenever, in his or her opinion, such burning is deemed unsafe, hazardous or may create a nuisance.
4. The Fire Chief may revoke authorization at any time.
5. The Fire Chief may invoke a complete fire restriction at any time should fire danger require it.
6. This bylaw shall not be construed to hold the Regional District or the representative Fire Department responsible for any damages to persons or property by reason of:
 - a. Inspections authorized by this bylaw;
 - b. The failure to carry out an inspection;
 - c. An authorization granted as herein provided.

PART V – OPEN BURNING

1. Any person who lights, fuels or uses a Campfire shall:
 - a. Ensure that it is safe to burn and that it will continue to be safe to burn.
 - b. Ensure that the Campfire has an adequate fuel break completely around the Campfire at all times.
 - c. Ensure that the Campfire is monitored at all times by a responsible adult.
 - d. Ensure that adequate firefighting hand tools and adequate water are immediately available to the responsible adult.
 - e. Ensure that the Campfire is completely out and cold before leaving the fire unattended.
 - f. Ensure that the Campfire is not ignited before 0600hrs and is extinguished before 2300hrs each evening, unless otherwise authorized by the Fire Chief.
 - g. Ensure that no burning occurs when the forecast is for windy period during or immediately after the burn.

2. Any person who lights, fuels or burns Permitted Burning Materials or burns stubble or grass shall:
 - a. Ensure that it is safe to burn and that it will continue to be safe to burn.
 - b. Ensure that burn area has an adequate fuel break completely around it.
 - c. Ensure that the burn area is monitored at all times by a responsible adult.
 - d. Ensure that adequate people are immediately available with firefighting hand tools to assist the responsible adult monitoring the burn.
 - e. Ensure that the fire is completely out and cold before leaving the fire unattended unless previously approved by the Fire Chief.
 - f. Ensure that the fire is not ignited before 0800hrs and is extinguished before 2300hrs each evening unless otherwise authorized by the Fire Chief.
 - g. Ensure that no burning occurs when the forecast is for windy period during or immediately after the burn.

3. The use of fireworks shall be in accordance with Provincial Regulations or Regional District Fireworks Bylaw.

4. Torches, including decorative patio torches, are prohibited during complete fire restricted times.

5. Bear bangers and other warning devices capable of starting fires are prohibited during complete fire restricted times.

6. Notwithstanding Part V section 5, for personal safety reasons, bear bangers are permitted in the Tulameen Fire Protection area.

7. All fires are subject to local and Provincial fire restrictions and are subject to withdrawal of approval at any time by an authority having jurisdiction.

8. A person who lights, ignites, or starts, or allows a fire to be lighted, ignited, or started, shall report any escape to 9-1-1 immediately and attempt to control any fire that escapes or threatens to escape from the intended burning area, shall stay on scene until fire is extinguished unless released by the Fire Chief or person acting on behalf of the Fire Chief.

9. The use of outdoor stoves and portable propane campfires are permitted unless

specifically restricted by Provincial fire restrictions.

10. The burning of prohibited materials is not permitted under any circumstances.

PART VI – SMOKE MANAGEMENT

1. A person who carries on open burning shall ensure that the open burning is carried on in accordance with the Environmental Management Act Open Burning Regulation B.C. Reg. 152/2019, and any other Provincial enactment, as amended from time to time.
2. The Fire Chief has authority to suspend open burning if he or she believes that the smoke from the burning is causing a nuisance or may cause an immediate health hazard.

PART VII - ENFORCEMENT

1. Offences listed in the Regional District's Bylaw Notice Enforcement Bylaw as amended are designated for enforcement.
2. In addition to the penalties which may be imposed under this bylaw, any person who breaches this bylaw and thereby causes the Regional District any direct or indirect expenses to remedy the breach, shall reimburse the Regional District for such expenses. The Fire Chief shall certify the expenses actually and necessarily incurred and the Regional District may recover the costs of undertaking the remedy either as a debt against the person in default or in the same manner and with the same remedies as property taxes.
3. In relation to any particular Fire Protection Service Area, the Fire Chief or his or her designate in such area may enforce the provisions of this bylaw.
4. A Bylaw Enforcement Officer may enforce the provisions of this bylaw.

PART VIII - LIABILITY

1. This bylaw shall not create a duty of the Regional District, its officers, employees, or persons acting on its behalf pursuant to this bylaw concerning enforcement or failure to enforce any matter contained in this bylaw.
2. No act, error, omission or other neglect of the Regional District in relation to any matter contained in the bylaw shall give rise to a cause of action or liability to any person.

PART IX – REPEAL

1. Bylaw No. 2364, 2005 Open Air Burning Regulations and any amendments thereto are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME this ____ day of ____, 20__.

ADOPTED this ____ day of ____, 20__

RDOS Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen
Open Air Burning Regulations
Bylaw No. 2364, 2005

Consolidated

Amendment
No. 2364.01 adopted August 16, 2007
No. 2364.02 adopted June 18, 2009

This Bylaw has been consolidated for convenience only
and includes amendments to the text up to June 18, 2009.

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

BYLAW No. 2364, 2005

A bylaw to establish Open Air Burning Regulations within the Regional District Okanagan-Similkameen

WHEREAS it is deemed desirable and expedient to provide for regulations of Open Air Burning within the Regional District Okanagan-Similkameen and,

WHEREAS it is deemed desirable and expedient to provide regulations for the prevention and spread of fire and for the preservation of life within the boundaries of the fire protection areas; Kaleden, Naramata, Okanagan Falls, Tulameen, and Willowbrook, of the Regional District Okanagan-Similkameen,

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

PART I – CITATION

1. This Bylaw may be cited for all purposes as the “Regional District Okanagan-Similkameen Open Air Burning Regulations Bylaw No. 2364, 2005”

PART II – ADMINISTRATION

1. The British Columbia Fire Code Regulations, as amended from time to time, are hereby adopted and made applicable within the Regional District Okanagan Similkameen.

PART III – DEFINITIONS

1. Approval means acceptance as satisfactory to the Fire Chief.
2. BC Fire Code Regulations means the regulations made pursuant to the Fire Services Act and amendments thereto and includes British Columbia Regulation 15/87.
3. Campfire means a fire not exceeding 75 cm in diameter and 75 cm in height, intended for and used solely for the preparation of food and to provide warmth.
4. Compostable materials means waste products from plants, trees or other vegetation that is naturally biodegradable including grass clippings, leaves, tree needles, garden waste and weeds.
5. Equipment means any tools, contrivances, devices, or materials used by the Fire Department to combat an incident or other emergency.
6. Fire Department means a Fire Department of the Regional District.

7. Fire Chief means the member appointed by the Board, as head of the Fire Department, and shall be deemed to be a Regional District Public Officer as defined in the *Local Government Act*.
8. Fire Pit means a non-combustible enclosure, being a minimum of 30 cm in height; having a minimum of three sides, if rectangular; and having a maximum outside width of 1 meter and length of 1 meter; or having a maximum diameter (if round) of 1 meter; and being a minimum of 30 cm in height.
9. Fire Services Act means Chapter 133, R.S.B.C., 1979, and amendments thereto and regulations made thereunder.
10. Garbage means all household and commercial waste or refuse, whether it contains the remains of edible food or not.
11. Incident means a fire or situation where a fire or explosion is imminent.
12. Inspector means any Fire Services personnel authorized in writing by the Fire Chief to act in such capacity.
13. Member means any person or officer that is duly appointed by the Regional Board as a member of the Fire Department and shall be deemed to be a Regional District Public Officer as defined in the *Local Government Act*.
14. Local Government Act means Chapter 323 R.S.B.C., 1996, and amendments thereto.
15. Regional District shall mean the Regional District Okanagan-Similkameen, or the area included therein as the context may require.
16. Nuisance means the emission into the atmosphere of smoke by any means, which disturbs the comfort or convenience of persons in the vicinity.
17. Occupier includes tenant, lessee, agent and any other person who has the right of access to and control of a building or premises to which this bylaw applies.
18. Officer in Command means the senior Fire Department member present.
19. Open air burning means the combustion of material without control of the combustion air and without a stack or chimney to vent the emitted products of combustion to the atmosphere.
20. Order includes an approval, a decision, a determination, a permit, and the exercise of discretion made under the Fire Services Act, the BC Fire Code Regulations, or this Bylaw.
21. Permit means a document issued pursuant to this Bylaw authorizing a person to carry on a procedure or undertaking, under certain and specific conditions.
22. Permitted burning materials means parts of trees or other vegetation that does not constitute compostable materials and will include prunings, branches, trunks and tree

stumps.

23. Prohibited burning materials means waste material including demolition, renovation or construction waste material and those materials listed in the Open Burning Smoke Control Regulation enacted pursuant to the Environmental Management Act as amended from time to time including the following:
- a. tires
 - b. treated lumber
 - c. plastics
 - d. railway ties
 - e. drywall
 - f. manure
 - g. demolition waste
 - h. rubber
 - i. domestic waste
 - j. asphalt
 - k. paint
 - l. asphalt products
 - m. special waste
 - n. fuel and lubricant containers
 - o. tar paper
 - p. biomedical waste
24. Smoke means the gasses, particulate matter and all other products of combustion emitted into the atmosphere when a substance or material is burned including, without limitation, smoke, dust, gas, sparks, ash, soot, cinders, fumes, or other effluvia.

PART IV – PERMITS

1. Permit Fees

The fees hereinafter specified shall be paid to the Regional District by all applicants for any permit required by this bylaw, or under the Code adopted by this bylaw, or by the regulations passed pursuant to the provisions of the Fire Services Act, as amended from time to time, and for inspection of any work or thing for which the said permit is required.

Open Air Burning Permit (valid for one year) \$30.00

All permits may be subject to a site inspection.

2. Issuing and Posting of Permits

- 2.1 The Fire Chief may issue a permit where:
- a. An application is made in the form prescribed
 - b. The proposed use or occupancy conforms with applicable bylaws, codes and regulations; and
 - c. The permit fee has been paid
- 2.2 The Fire Chief may revoke a permit where there is a violation of:
- a. Any condition under which the permit was issued; or
 - b. Any requirement of this bylaw, codes or regulations
- 2.3 This bylaw shall not be construed to hold the Regional District responsible for any damage to persons or property by reason of:
- a. Inspections authorized by this bylaw
 - b. The failure to carry out an inspection
 - c. A permit issued as herein provided; or
 - d. The approval or disapproval of any equipment authorized by this bylaw

2.4 Permits and licenses shall be posted upon the building or premises described therein and made available for inspection by the Fire Chief.

3. Burn Permit Requirement

3.1 No person will light, ignite or start, or allow, or cause to be lighted, ignited, or started, a fire of any kind whatsoever in the open air, without first obtaining a written "Burn Permit" to do so from the Fire Chief or his appointee, except as follows:

- a. The operation of a permanent outdoor barbeque or portable outdoor barbecue, intended for and used solely for the preparation of food.
- b. The operation of Regional District installed fire pits located on Regional District beaches and parks, or privately installed fire pits located in campgrounds and tourist parks as approved by the Regional District.
- c. Necessary burning by the Regional District, including fire department authorities for the purposes of education, training and for fire safety purposes.
- d. Campfires intended for and used solely for the preparation of food and to provide warmth.

3.2 Every person to whom a "Burn Permit" has been issued will place and keep a competent person at all times in charge while the fire is burning or smoldering and until the fire is completely extinguished and will provide such person with sufficient and adequate fire fighting appliances and equipment as is required in order to prevent the fire from getting beyond control or causing damage or becoming a danger to life and property.

3.3 The Fire Chief or his appointee may refuse to issue or may cancel a "Fire Permit" whenever, in his opinion; such burning is deemed hazardous or creates a nuisance.

3.4 The Fire Chief or his appointee may issue a "Burn Permit" to a property owner to ensure compliance with a Provincial Act or Legislation.

3.5 Every person who after registering their property with the fire department and meets the Open Air Burning Regulations and follows the procedure as outlined in the written "Burn Permit" may obtain a verbal "Burn Permit" via telephone from the Fire Chief or his appointee. Each verbal permit obtained by the Fire Chief counts towards the total allowable burns per year as outlined in Part V, 1., 1.1 (j).

3.6 The Fire Chief or his/her appointee may issue a special permit to owner or occupier of land authorizing outdoor burning for the removal of woody material, grass, or stubble.

PART V – OPEN AIR BURNING

1. Open Air Burning Regulations And Prohibitions

- 1.1 No person will light, ignite or start, or allow, or cause to be lighted, ignited, or started, a fire of any kind whatsoever in the open air except in accordance with the following regulations
- a. Only permitted burning materials will be burned;
 - b. All permitted burning materials to be burned will originate from the land on which it is to be burned;
 - c. All burning will be conducted and concluded between 7:00 a.m. and sunset of the same day except for burning permitted under section 1.1.D;
 - d. All burning of stumps and other materials exceeding 20 cm (8”) in diameter may be maintained for a maximum of 72 hours if the fire is substantially smokeless, provided that no further combustible materials will be added to the fire after sunset of each day of the fire;
 - e. All fires will be continuously controlled and supervised by a competent person properly equipped with sufficient fire extinguishing equipment and material;
 - f. All fires will be maintained so as to not constitute a nuisance;
 - g. The Fire Chief, or designate, may, by permit allow open air burning provided a minimum separation of:
 - i) 30 metres will be maintained between the location of the fire and any buildings and between any public roadway;
 - ii) 100 metres will be maintained between the location of the fire and any buildings on neighboring properties which may be a dwelling, business or public facility;
 - iii) 500 metres will be maintained between the location of the fire and schools in session, hospitals and facilities used for continuing care as defined under the Continuing Care Act.
 - iv) 10 metres will be maintained between the location of the fire and any power poles and power lines.
 - h. Favorable weather for smoke dispersion - Open burning must not be initiated unless the ventilation index is forecast as:
 - i) “good” for the day on the open burning is to be started, and
 - ii) “good” or “fair” on the second and third day the fire is anticipated to release smoke.
 - iii) Open burning of debris must not be initiated if the local air flow will cause the smoke to negatively impact on a nearby population or cause pollution.
 - i. Duration of smoke release from open burning – The smoke release period for each parcel of land must not be greater than 72 consecutive hours for burns described in Part V, 1., 1.1 (d).
 - j. Burn periods per year – Smoke may be released during open burning on a parcel of land on no more than 4 separate occasions during a calendar year.
 - k. No open burning between April 15th and October 15th unless deemed safe conditions by the Fire Chief. On the authority of the Fire Chief open

burning dates may be extended if the risk of wildfire is reduced due to wet weather conditions.

2. Campfire Regulations And Prohibitions

- 2.1 No person will light, ignite or start, or allow, or cause to be lighted, ignited, or started, a campfire except in accordance with the following regulations:
- a. Campfire size shall not exceed 75 cm in diameter and 75 cm in height.
 - b. Campfires must be located a minimum of 5 metres from adjoining property lines and buildings.
 - c. Campfires must be constructed 3 metres away from any combustibles.
 - d. Campfires will not be permitted between 12 a.m. and 6 a.m.
 - e. Only permitted burning materials, including seasoned untreated lumber, dry and seasoned firewood will be used in campfires.
 - f. Campfires will be continuously controlled and supervised by a competent person equipped with extinguishing equipment and material, and must be completely extinguished before the person leaves the area.
 - g. Campfires will be maintained so as not to cause a nuisance.
 - h. Campfires will be contained within a fire pit.
 - i. Campfires must be intended for and used solely for the preparation of food and to provide warmth.
 - j. Campfires for cooking, warmth, or ceremonial purposes may be permitted in exceptional circumstances with the approval of a designated fire authority. A fire in a stove that uses gas, propane or briquettes is not considered a campfire.
 - k. Campfires will not be permitted on property owned, or rented without written permission of the owner.

3. Restrictions

- 3.1 No person will burn prohibited burning materials, compostable materials or garbage in the open air, campfire, fireplace or woodstove.
- 3.2 All fires are subject to local fire hazard restrictions and Ministry of Forests fire hazard restrictions and are subject to cancellation at any time by an authority having jurisdiction.
- 3.3 No person shall cause or permit smoke from use of an incinerator, burning barrel, outdoor barbecue, or other appliance for burning prohibited materials, compostable materials or garbage, nor will any enclosed fire be built, set or maintained outside the walls of a building at any time.
- 3.4 No person will light, ignite or start or allow, or cause to be lighted, ignited or started a fire, when a reasonable person would know that the wind is strong enough to cause sparks or other burning material to be carried to combustible material.
- 3.5 A person who lights, ignites, or starts, or allows a fire to be lighted, ignited, or started, will report and/or attempt to control any fire that escapes or threatens to escape from the intended burning area.

PART VI - ENFORCEMENT

1. Issuance Of Order

- 1.1 If an Inspector finds that any provision of this bylaw has been contravened or has not been compiled with, or has been complied with improperly or only in part, or that conditions exist in or upon a building or property to which the bylaw applies and which, in his opinion, constitute a fire hazard or otherwise constitutes a hazard to life or property, he may make such order to ensure full and proper compliance with this bylaw and in particular, but without limiting the generality of the foregoing, he may:
- a. require the owner or occupier of such building or property to take such action as might in the opinion of the Inspector be necessary to remedy the contravention of this bylaw or to ensure compliance with this bylaw or to remove the hazard, or
 - b. make such orders as are, in his opinion, necessary with respect to any matter referred to in this bylaw.
- 1.2 An order made under this bylaw shall be in writing and shall be directed to either the owner or occupier of the building or property in respect of which the order is made or to both.

2. Service Of Order

- 2.1 An order made under this bylaw shall be served by:
- a. delivering it or causing it to be delivered to the person to whom it is directed, or
 - b. mailing the Order by return registered mail to the address of the owner as shown on the records of the Land Title Office at Kamloops, British Columbia.

3. Penalty

- 3.1 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw or an act or thing or omits any act or thing, thus violating any of the provisions of this bylaw, shall be liable, on conviction, to a penalty of not less than Fifty Dollars (\$50.00) or more than Two Thousand Dollars (\$2000.00) for each offence, and in the case of a continuing offence, to a further penalty for each day during which the offence continues as provided by the *Offence Act*.
- 3.2 In addition to the penalties which may be imposed under Part VI, Section 3.1 of this bylaw, any person who breaches Part V, of this bylaw and thereby causes the Regional District any direct or indirect expenses to remedy the breach shall,

reimburse the Regional District for such expenses. The Fire Chief shall certify the expenses actually and necessarily incurred and the Regional District may recover the costs of undertaking the remedy either as a debt against the person in default or in the same manner and with the same remedies as property taxes.

PART VII – EFFECTIVE DATE

This Bylaw takes affect on April 15, 2006.

READ A FIRST, SECOND AND THIRD TIME this 17th day of November, 2005.

THIRD READING RESCINDED AND RE-READ A THIRD TIME this 30th day of March, 2006

ADOPTED BY AT LEAST 2/3 OF THE VOTE this 30th day of March, 2006

RDOS Board Chair

Director of Administration Services

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 4, 2020

RE: UBCM Meeting Request Policy

Administrative Recommendation:

THAT the Board of Directors adopt the UBCM Meeting Request Policy.

Reference:

Administrative Report of May 18, 2020 Corporate Services Committee

Analysis:

At the May 18, 2020 Corporate Services Committee, Directors considered the proposed UBCM Meeting Request Policy, the goal of which is to ensure that future issues or topics for UBCM are supported by and submitted on behalf of the Board as a whole. Securing a meeting with a Minister or other provincial representative at UBCM is competitive, in that the RDOS is in the queue with up to 200 other local governments for limited meeting times and a clear, succinct and standardized approach may increase the likelihood of successfully securing the desired meeting.

During that discussion, the Board identified that although a request may have already been submitted in past years, there should be no requirement to have the current request be different in any way from past requests; therefore a minor change in the last question ‘.....how is this request different from past requests?’ be changed to ‘....what is the desired outcome of the re-submission?’

For 2020, due to COVID-19, UBCM has advised that the conference will be conducted virtually. Local Government meeting requests are still to be submitted as per the usual process; however, the way that the meetings are to be conducted will be announced shortly. As UBCM is scheduled for September, the Board may wish to start consideration of topics now.

Alternatives:

That the proposed UBCM Meeting Request policy be abandoned.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

Schedule A
Request for Ministerial/Opposition Meeting at UBCM

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY

POLICY: UBCM Meeting Requests Policy

AUTHORITY: Board Resolution dated _____

POLICY STATEMENT:

The Regional District of Okanagan-Similkameen endeavours to develop clear, concise requests for meetings at UBCM, which are supported by all members of the Board.

PURPOSE:

To ensure the Regional District of Okanagan-Similkameen (RDOS) Board understands and supports UBCM meeting requests submitted by Directors.

SCOPE: This policy applies to RDOS Board Directors.

POLICY

Each year the Regional District is invited to request meetings with provincial government ministers, members of the official opposition, Ministry staff and staff of crown corporations. When Directors attend meetings, along with the Chair and staff, the province understands that the delegation is participating on behalf of the Corporation, not simply representing one Director's concern or topic of interest.

Directors who wish to submit a meeting request must complete the form found as Schedule "A" to this policy. The form will then be approved by the Board to ensure the issue, information and proposed solutions of the request reflect the view point of the Board as a whole. As the topics raised at the UBCM meetings may have implications on various areas of the region, the issues and proposed solutions should be clear to all Directors prior to the Board demonstrating support for the meeting request.

Schedule A
Request for Ministerial/Opposition Meeting at UBCM

This form is to be completed when a Director wishes to request a meeting with a Provincial Government elected official at UBCM on behalf of the Regional District of Okanagan-Similkameen

Initiating Director's Name:

Ministry/Minister or Opposition Member you wish to meet with:

Issue/Situation:

Background: (Include context, timeframe, parties involved, previous steps/actions)

Request: (Provide a summation of proposed solutions)

To your knowledge, has this issue been raised to a Provincial Minister by the RDOS in the past? If yes, what is the desired outcome for re--submission?