



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, June 3, 2021
RDOS Boardroom – 101 Martin Street, Penticton

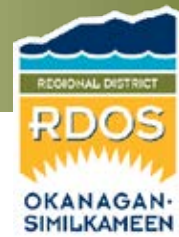
SCHEDULE OF MEETINGS

9:00 am	-	9:45 am	Planning and Development Services Committee
9:45 am	-	10:00 am	Corporate Services Committee
10:00 am	-	10:45 am	Community Services Committee
10:45 am	-	12:30 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

2021 Notice of Meetings			
June 17	RDOS Board	OSRHD Board	Committee Meetings
July 8	RDOS Board		Committee Meetings
July 22	RDOS Board	OSRHD Board	Committee Meetings
August 5	RDOS Board		Committee Meetings
August 19	RDOS Board	OSRHD Board	Committee Meetings
September 2	RDOS Board		Committee Meetings
September 23	RDOS Board	OSRHD Board	Committee Meetings
October 7	RDOS Board		Committee Meetings



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Committee

Thursday, June 3, 2021

9:00 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of June 3, 2021 be adopted.

B. Zoning Amendment Bylaw No. 2895 – Regulation of Metal Storage Containers

Electoral Areas "A", "C", "D", "E", "F" & "I"

RECOMMENDATION 2

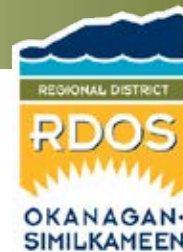
THAT Zoning Amendment Bylaw No. 2895, 2020, being an amendment to introduce zoning regulations for metal storage containers, be amended to:

1. prohibit metal storage containers in the Residential (RS & RM), Town & Village Centre and Administrative and Open Space zones; and
2. allow a maximum of one (1) metal storage container not exceeding 10.0 m² in the Small Holdings (SH), Commercial (C) and Tourist Commercial (CT) zones.

RECOMMENDATION 3

THAT an amendment to the Regional District's Building Bylaw No. 2805, 2018, be initiated in order to delete the requirement for a Siting Permits when placing a metal storage container.

C. ADJOURNMENT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: June 3, 2021

RE: Zoning Amendment Bylaw No. 2895 — Regulation of Metal Storage Containers
Electoral Areas "A", "C", "D", "E", "F" & "I"

Administrative Recommendation:

THAT Zoning Amendment Bylaw No. 2895, 2020, being an amendment to introduce zoning regulations for metal storage containers, be amended to:

- 1. prohibit metal storage containers in the Residential (RS & RM), Town & Village Centre and Administrative and Open Space zones; and**
- 2. allow a maximum of one (1) metal storage container not exceeding 10.0 m² in the Small Holdings (SH), Commercial (C) and Tourist Commercial (CT) zones.**

AND THAT an amendment to the Regional District's Building Bylaw NO. 2805, 2018, be initiated in order to delete the requirement for a Siting Permits when placing a metal storage container.

Purpose:

The purpose of this report is to continue the discussion regarding Amendment Bylaw No. 2895, which proposes to introduce zoning regulations governing the use and placement of metal storage containers within the Okanagan Electoral Area zoning bylaws.

Background:

At its meeting of October 15, 2020, the Regional District resolved to approve first and second reading of Amendment Bylaw No. 2895, 2020, and delegated the holding of a public hearing to Chair Kozakevich.

Electronic public hearings were subsequently held on November 19, 2020 (attended by 10 members of the public) and December 15, 2020 (attended by 7 members of the public and 5 Directors).

At its meeting of February 4, 2021, consideration of third reading of Amendment Bylaw No. 2895, 2020 was referred to the Planning & Development (P&D) Committee for further discussion.

At its meeting of February 18, 2021, the P&D Committee considered, for information, reports related to options for the regulation of shipping container and siting permits.

A third public hearing will be required if changes are to be made to Amendment Bylaw No. 2895.

Analysis:

Despite the Electoral Area Zoning Bylaws being silent on the use of metal storage ("shipping") containers, they have historically been interpreted to be "accessory structures" that are allowed

within a zone provided they are being used in association with a principal permitted use and comply with all relevant zoning provisions (i.e. setback, building height, parcel coverage, etc.).

While popular due to their versatility and ease of re-use for residential, agricultural, commercial and industrial storage purposes, the placement of metal storage containers in residential areas generates concerns about:

- aesthetics (i.e. compatibility with residential neighbourhoods / highway commercial developments);
- safety (i.e. targets for break-ins when being used for storage purposes); and
- Building Permit implications (i.e. confirmation the structure complies with the BC Building Code in relation to its intended re-use).

However, in light of the discussion at the February 18, 2021, meeting of the P&D Committee, The following options are presented for consideration:

Option 1 (recommended):

Amendment Bylaw No. 2895, 2020, is amended to prohibit metal storage containers in the Residential (RS & RM), Town & Village Centre, Administrative and Open Space zones and to allow a maximum of one (1) metal storage container not exceeding 10.0 m² in the Small Holdings (SH), Commercial (C) and Tourist Commercial (CT) zones.

In all other zones, the only restriction on the placement of metal storage containers would be to limit stacking to no more than two (2), subject to the issuance of a building permit.

Anyone seeking to place larger or additional metal storage containers on a property would be required to obtain a development variance permit (DVP) from the Regional District, which would allow for input from surrounding residents and property owners.

This approach would address the concerns raised about the placement of containers in residential areas (i.e. Apex Mountain Resort) and would further support the “form and character” development permit area guidelines that generally apply in the Town and Village Centre Area zones and which do not support the placement of metal storage containers.

This approach would not address all of the concerns raised by residents of Anarchist Mountain and the West Bench regarding the placement of metal storage containers in their communities.

It is further proposed that the Siting Permit provisions in the Building Bylaw No. 2805, 2018, be repealed as structures less than 10.0 m² in area are exempt from building permit requirements.

If implemented, enforcement would be through the land use bylaws and only initiated through the receipt of a formal complaint as opposed to the current practice which is through observation by a Building Inspector. The modification and/or stacking of storage containers would still require the issuance of a building permit due to being a pre-engineered structure.

Option 2:

Amendment Bylaw No. 2895, 2020, is amended to only permit metal storage containers in the Resource Area, Agriculture, Large Holdings and Industrial zones.

This is the approach recommended at the March 5, 2020, meeting of the P&D Committee and is generally consistent with the regulations applied by the Okanagan member municipalities, all of whom currently prohibit metal storage containers in their residential and rural-residential zones.

With regard to the commercial zones, these zones are common along major highway corridors (i.e. Highway 97) that are important gateways into the South Okanagan, or occur within town centres such as Okanagan Falls, Naramata and Apex Village and the visual prominence of metal storage containers in these locations should be restricted.

It would be further proposed that the Siting Permit provisions in the Building Bylaw No. 2805, 2018, be repealed.

If implemented, enforcement would be through the land use bylaws and only initiated through the receipt of a formal complaint as opposed to the current practice which is through observation by a Building Inspector. The modification and/or stacking of storage containers would still require the issuance of a building permit due to being a pre-engineered structure.

Option 3:

Amendment Bylaw No. 2895, 2020, proceeds to third reading unchanged and consistent with the direction provided by the P&D Committee at its meeting of October 1, 2020.

Metal storage containers would be limited in the Low Density Residential and Small Holdings zones to a maximum of one (1) provided that:

- i) a parcel is greater than 0.5 ha in area;
- ii) the metal storage container is painted in a colour consistent with the principal building; and
- iii) the metal storage container is not sited between the front parcel line and a principal building.

Short-term exemptions would be provided for construction projects and the relocation of a residential or commercial use.

It would be further proposed that the Siting Permit provisions in the Building Bylaw No. 2805, 2018, be repealed.

Option 4:

Amendment Bylaw No. 2895, 2020, is abandoned and no changes are made to the Electoral Area Zoning Bylaw.

Metal storage containers would continue to be interpreted as an "accessory building or structure" and permitted in all zones, subject to compliance with existing regulations for setbacks, building height and parcel coverage.

It would be further proposed that the Siting Permit provisions in the Building Bylaw No. 2805, 2018, not be amended.

Alternatives:

1. THAT Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw proceed to third reading; or

-
2. THAT Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw be amended as follows:
 - a) *TBD*
 3. THAT first and second readings of Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw, be rescinded and the bylaw abandoned.

Respectfully submitted:



C. Garrish, Planning Manager

Attachments: No. 1 – Metal Storage Container Regulations (Option 1)
No. 2 – Metal Storage Container Regulations (Option 2)
No. 3 – Metal Storage Container Regulations (Option 3)
No. 4 – Illustration of Typical Metal Storage Containers Sizes

Metal Storage Containers

- .1 The use of a “metal storage container” as an “accessory building or structure” is permitted in accordance with the following:
 - a) in the Low Density Residential, Medium Density Residential, Town & Village Centre and Administrative and Open Space zones placement of a metal storage container is prohibited.
 - b) in the Small Holdings zones a metal storage container shall:
 - i) not exceed 10.0 m² in area;
 - ii) be limited to one (1) per parcel; and
 - iii) not be sited between the front parcel line and a principal building.
 - c) in a Commercial and Tourist Commercial zones a metal storage container shall:
 - a) not be sited between the front parcel line and a principal building; and
 - b) be limited to one (1) per parcel.
 - d) in all other zones metal storage containers shall only be stacked vertically to a maximum of two (2) containers, subject to the prior issuance of a building permit.
- .2 Despite sub-section 1, one (1) metal storage container may be used for temporary storage:
 - a) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or
 - b) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential use in any zone.

Metal Storage Containers

- .1 The use of a “metal storage container” as an “accessory building or structure” is permitted in the Resource Area, Agriculture, Large Holdings and Industrial in accordance with the following:
 - a) metal storage containers shall only be stacked vertically to a maximum of two (2) containers, subject to the prior issuance of a building permit.
- .2 Despite sub-section 1, one (1) metal storage container may be used for temporary storage:
 - a) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or
 - b) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential use in any zone.

Metal Storage Containers

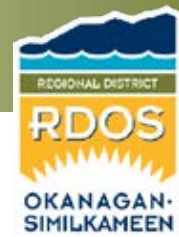
- .1 The use of Metal Storage Containers as accessory buildings or structures is permitted in accordance with the following criteria:
- a) in the Resource Area, Agriculture, Large Holdings and Industrial zones metal storage containers may only be stacked vertically to a maximum of two (2) containers and subject to the prior issuance of a building permit.
 - b) in the Low Density Residential and Small Holdings zones only one (1) metal storage container may be used as an accessory building or structure on a parcel, and only if:
 - i) a parcel is greater than 0.5 ha in area;
 - ii) the metal storage container is painted in a colour consistent with the principal building; and
 - iii) the metal storage container is not sited between the front parcel line and a principal building.
 - c) Despite sub-section 7.27.1(a) and (b), one (1) metal storage container may be used for temporary storage:
 - i) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The metal storage container must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or
 - ii) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential or commercial use.

Attachment No. 4 – Illustration of Typical Metal Storage Containers Sizes

Dimensions (L x W X H)	Area
6' x 6' x 6'6"	3.34 m ²
8' x 7' x 7'6"	5.02 m ²
10' x 8' x 8'6"	7.43 m ²
20' x 8' x 8'6"	14.87 m ²
40' x 8' x 8'6"	29.73 m ²



IMAGES: <https://www.containerdiscounts.com>



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, June 3, 2021

9:45 am

AGENDA

- A. **APPROVAL OF AGENDA**
RECOMMENDATION 1
THAT the Agenda for the Corporate Services Meeting of June 3, 2021 be adopted.
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- B. **2021 UBCM CONVENTION**
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- C. **ADJOURNMENT**

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 3, 2021

RE: 2021 UBCM Resolutions and Convention

UBCM Resolutions:

The following Resolution has previously been approved for submission to the Union of BC Municipalities (UBCM) for consideration at the 2021 UBCM Convention:

1. Organ Donation

WHEREAS the population of British Columbia is 5.071 million but only 1.555 million British Columbians have registered their organ donor decision;

AND WHEREAS one organ donor can save up to 8 lives:

THEREFORE BE IT RESOLVED that UBCM request that the Province of British Columbia enact Provincial legislation whereby an individual is deemed to consent to the individual's organs and tissues being used for transplantation activities, with the inclusion of an "opt-out" provision, similar to the Presumed Consent Organ Transplant Act passed by the Province of Nova Scotia.

2. Multi-jurisdictional resolution

WHEREAS regulatory enforcement issues in Electoral Areas may have jurisdictional boundaries that fall within Federal or Provincial, First Nations and/or Regional Districts or multi-jurisdictional areas,

THEREFORE BE IT RESOLVED that a formal multi-jurisdictional process for working in conjunction with lead agencies and governing bodies be established to resolve outstanding regulatory enforcement issues by joint cooperation of various governmental agencies.

Analysis:

At the May 20, 2021 Corporate Services Committee meeting it was resolved that the multi-jurisdictional issues resolution be brought back for rewording and discussion and the organ donation resolution be amended to add an "opt-out" provision.

Alternatives:

- THAT either of the resolutions proposed for direct submission to UBCM be abandoned;
- THAT either of the resolutions proposed for direct submission to UBCM be returned to committee for further discussion in preparation of submitting back through the Area Association (SILGA) in a future year

- THAT either of the resolutions be submitted directly to UBCM for consideration at the 2021 UBCM convention.

Ministry Meetings:

The 2021 Union of BC Municipalities (UBCM) convention will take place September 14 through 17 in a virtual format, as a result of the COVID-19 pandemic. Exact details of the virtual platform will be released in late June. Cabinet Ministers and provincial staff will still be receiving meeting requests in an abbreviated format.

The typical process involves the Board identifying issues they would like to discuss with the Province, whether that be the Premier, a specific Minister or senior staff representative. Administration will then submit the list along with the issue/purpose, background and expected outcome. Shortly before the convention, confirmation of meeting time and date will be received.

The deadline to request meetings with the Premier, the Minister of Municipal Affairs and other Cabinet Ministers is **June 30, 2021**. The deadline to request meetings with Ministry staff has not been determined as of yet. Directors with an interest in having issues considered should provide those, on the form approved in the *UBCM Meeting Request Policy* (attached), to the Manager of Legislative Services so they can be brought to the Board for approval at the June 17, 2021 meeting.

For the Board’s reference, in 2020 the meetings were requested with Ministers on the following topics:

Minister of Agriculture	• ALC Regulations
Minister of Environment & Minister of Agriculture	• Trench or Air Curtain burners and vent index requirements

Potential 2021 Issues for Discussion:

- Orphan Dikes
- Solid Waste

Respectfully submitted:

“C. Malden”

C. Malden, Manager, Legislative Services

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

POLICY: UBCM Meeting Requests Policy

AUTHORITY: Board Resolution dated June 4, 2020

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.

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:

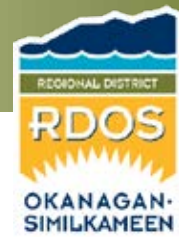
Ministry/Minister or Opposition Member you wish to meet with:

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?



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Community Services Committee

Thursday, June 3, 2021
10:00 am

AGENDA

- A. APPROVAL OF AGENDA**
RECOMMENDATION 1
THAT the Agenda for the Community Services Meeting of June 3, 2021 be adopted.
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- B. BC Transit – For Information Only**
Delegation
- Chelsea Mossey, Senior Manager, Government Relations; and,
 - Adriana McMullen, Senior Transit Planner
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- C. ADJOURNMENT**



South Okanagan-Similkameen Transit Future Action Plan

Terms of Reference

Revision # 3 March 2021

1. INTRODUCTION

Completed in 2015, the Okanagan-Similkameen Transit Future Plan provided a vision of the transit network within the South Okanagan-Similkameen region over the next 25 years. This included establishing the vision and goals of the transit system, identifying the future transit network, and outlining the detailed implementation priorities for service, infrastructure and investments needed to achieve the goals. Since the adoption of the Transit Future Plan, several of the short-term priorities have since been accomplished or are actively underway, as shown below:

- ✓ Introduction of local transit to Okanagan Falls
- ✓ Consolidation of Rider's Guides across region
- ✓ Adoption of a comprehensive and consistent menu of fares and fare products
- ✓ Introduction of Route 5 to Penticton Sunday service
- ✓ Introductory commuter service between Penticton and Kelowna
- ✓ Monday service on route 40 Osoyoos/Penticton

There are still multiple short-term service and infrastructure priorities within the Transit Future Plan that have not yet been implemented, and all of the medium and longer-term priorities are still outstanding.

Now, six years after adoption, it is time for the transit priorities in the South Okanagan & Similkameen area to be revisited to reaffirm and reprioritize proposals over the next 1 - 5 years and beyond. BC Transit refers to the next phase of required work as the Transit Future Action Plan, and this Terms of Reference outlines the objectives, scope, deliverables, approach and timeline for completion. The updated plan will be developed in collaboration with the local partners, and in consideration of the goals and directives of local / regional plans, as well as the impact that COVID-19 has had on the system.

COVID-19 has significantly impacted travel behaviours across the region, this TFAP will focus on scenario planning to help direct decision making over the next five years. This will include an evaluation of the system and route performance and provide targeted improvements and optimization strategies for service and infrastructure proposals to ensure that existing and future resources are used efficiently.

Restart Funding Contribution Agreement

In response to the significant financial impacts of COVID-19, BC Transit signed a Contribution Agreement in December 2020 with the Government of Canada and the Province of BC for \$86 million of Safe Restart Funding. This funding is intended to support our local government partners in ensuring that essential service levels can be maintained and that fares remain stable and affordable as the region recovers from the economic impacts of COVID-19. By accepting the funding allocated through the Annual Operating Agreement, our local government partners are agreeing to a limit on annual fare increases of 2.3%, and to maintaining targeted essential service levels (equal to the base service levels provided in the 2020/21 fiscal year) until March 31, 2024

2. PLAN PURPOSE

The TFAP is the next phase of the 2015 TFP work. The new plan will build on the vision, goals and targets of the previous plan, and will present updated transit service and infrastructure priorities for the South Okanagan-Similkameen. A key goal of the TFAP is to revisit the annual investment targets originally established within the 2015 TFP, and confirm if those targets and investment trajectories still align with regional goals, particularly within the context of the COVID-19 pandemic, which has caused significant shifts in travel behaviour.

As with the TFP, the TFAP will uphold community goals and objectives to strengthen the link between transportation and land use in support of sustainable growth. The Plan will also serve to inform any future local or regional transportation plans.

Additionally, this plan will work to collaboratively support emerging priorities in the Penticton Master Transportation Plan (underway) and serve to inform other future local and regional transportation plans.

3. PLAN OBJECTIVES

The objectives of the South Okanagan TFAP are as follows:

- **Itemize Transit Future Plan progress to date:**
 - o Identify items completed in the 2015 Transit Future Plan, items underway, and items outstanding
 - o Review and identify relevant priorities to carry forward into the plan update.
- **Reaffirm mode share targets and associated annual investment:**
 - o The Transit Future Plan identified mode share targets for the South Okanagan-Similkameen Region based on the Provincial Transit Plan
 - Penticton's 25-year transit mode share target will be reviewed and the corresponding annual investment required to achieve those targets will be adjusted.
 - If requested by any other local partners, this plan could revisit the 25-year mode share targets, including a review of the associated annual investment required to achieve those targets
- **Provide a review of the impact of the COVID-19 pandemic on South Okanagan-Similkameen Transit:**

- Provide an overview of ridership trends since mid-March 2020, including shifting peak period travel and average daily ridership.
- System and route level performance review including runtime analysis
- Future service priorities will be viewed through the lens of COVID-19, acknowledging that previously established priorities carried through to the TFAP may require adjusted timelines to ensure they are reflective of community needs
- **Identify transit service and infrastructure¹ priorities:**
 - Short and medium-term service and infrastructure priorities (1-5 years) to assist in the development of local capital and operating budgets
 - Transit service expansion, optimization and infrastructure (i.e. fleet and facility) changes required to support the priorities
 - Identify longer-term service and infrastructure priorities, including recommendations for phasing.
 - This will include an identification of opportunities to simplify route alignments within the City of Penticton and a subsequent evaluation of considerations associated with adopting new route alignments.
- **Build on relevant transportation plans and policies:**
 - Ensure transit priorities align with updated Official Community Plans, Transportation Master Plans, Economic Development Plans, Climate Action Plans, and other local planning initiatives
 - Align with the BC Transit Strategic Plan 2020-2025, including initiatives to increase integration with sustainable travel modes, influence land use and development patterns, develop transit priority corridors, and enhance partnerships.
- **Ensure the planning process and the TFAP is consistent with provincial commitments to reconciliation:**
 - Undertake meaningful consultation with First Nation communities, involving indigenous communities of the South Okanagan-Similkameen in the planning and development and delivery of transit service.

4. PROJECT WORKING GROUP

The previously established steering committee will resume, rebranded as the Project Working Group to assist with the development of the TFAP. The project working group will include staff from BC Transit, the Okanagan-Similkameen Regional District, the City of Penticton, the District of Summerland, the Town of Princeton and Berry & Smith.

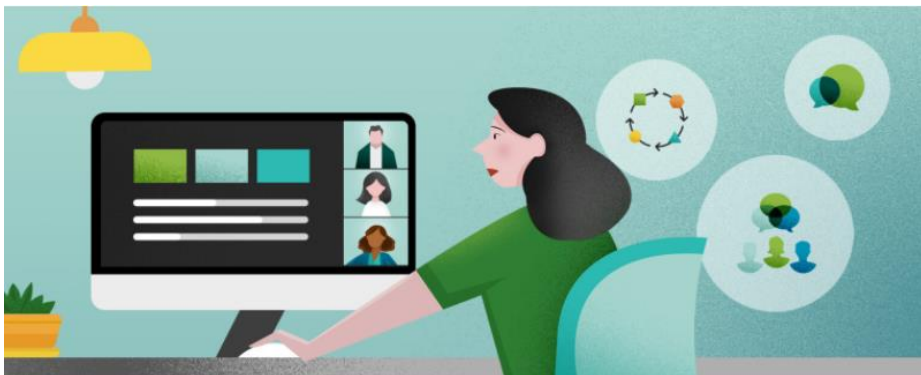
Three project working group (PWG) meetings will be continued as:

¹ Infrastructure refers to physical elements essential to supporting transit service, such as transit stops, exchanges, park'n'rides and transit maintenance garages.

2021 PWG Meeting 1: Project relaunch #2, confirm updated project timeline, review system and route level performance and intercept survey findings, review workshop high level of objectives, key stakeholders, discuss the role of mode share.

2021 PWG Meeting 2: Project Planning, review workshop data and proposed draft priorities and public open house engagement materials for all areas.

2021 PWG Meeting 3: Project Execution and closure, includes a review of the public engagement including observations, impact and implications to draft service priorities. Prior to meeting the PWG will be provided a copy of the final draft TFAP including the service and infrastructure proposals, once endorsed by the PWG the final plan will be presented to the Okanagan-Similkameen Regional District, City of Penticton, District of Summerland and Town of Princeton for their endorsement.



5. ENGAGEMENT APPROACH

The resulting TFAP will show local government staff, decision makers, stakeholders and citizens how to most effectively improve transit services over the next five years. The engagement strategy will be reflective of community desires, and galvanize support and build knowledge about the important role transit plays in the delivery of essential services and how transit improvements to grow ridership will help achieve the regions goals towards climate change objectives.

The revised TFAP Engagement Strategy will use many virtual tools and has been structured to avoid in-person outreach. COVID- 19 social distancing measures will make the typical open house approach unviable. Online Engagement will be facilitated through BC Transits Engagement HQ (Bang the Table) to be launched in early 2021. The TFAP project page will be updated once the TOR is endorsed and will seek registration from those interested in receiving project updates.

First Nations

The project area includes four indigenous communities: Penticton Indian Band (PIB), Osoyoos Indian Band (OIB), Lower Similkameen Indian Band (LSIB) and Upper Smelqmix that have direct jurisdiction over their respective lands. Leaders from these indigenous communities will be individually contacted to be made aware of the future transit projects and asked how they would like to be involved and consulted. These targeted conversations will help to develop the final engagement plan for the TFAP project.

Operator Consultation

Engagement with the front line operators will include separate online and /or paper surveys. BC Transit will display project materials at the Penticton, Princeton, and Osoyoos garages to promote participation and feedback from operators to understand existing issues, and to gather their feedback opportunities and challenge in developing service priorities over the next five years.

Local Government Partner & Key Stakeholder Consultation

The development of the plan will be collaborative, with extensive partner and key stakeholder input. The PWG, as discussed above, will assist with the development of the TFAP. BC Transit will work with the PWG to confirm key stakeholders and their contact information. Key stakeholder outreach will include:

- Emailed project updates
- Invitation to participate in public processes
- Opportunities for individual or group virtual workshops. The need for an online key stakeholder workshop will be determined through the PWG.

Upon request, information vetted through the PWG may be presented to elected officials as required. Information to other local government Councils including the Town of Oliver, Town of Osoyoos, and Village of Keremeos will be facilitated through the Okanagan Similkameen Regional District.

Public Engagement:

The first phase of public engagement was completed in 2020. Plans to complete engagement were delayed by the onset of the COVID-19 pandemic and by the blackout period associated with the October 24 Provincial election.

During this time BC Transit redesigned the strategic planning engagement model, initiating the adoption of new tools that will facilitate primarily online public engagement in order to comply with public health orders and social distancing protocols.

Phase 1: Intercept Surveys **Completed 2020**

Intercept Surveys comprised of onboard customer satisfaction surveys and were completed March 2-4, 2020 before the almost two weeks before the first wave pandemic shut down. Leger Marketing facilitated interviews with 163 people aged 15 and older on board of buses and at bus stops.

- **Pandemic Hiatus** -

- **Provincial Election Blackout** -

Phase 2: Online Public Engagement

Public engagement will take place in the spring of 2021, and will be directed to key stakeholders and the wider public. BC Transit in collaboration with the PWG will design and develop content for social media and communications channels to help promote the virtual engagement platform

The online platform will use the suite of engagement tools available through Engagement HQ, including the surveys, forums and poll functions to gather feedback on the system. The ideas tools

will be used to gather feedback on routing and service improvements. The places tool will be used to gather feedback on bus stop and route improvement suggestions.

- **Summarized Engagement Schedule**

The following provides a summary of the engagement approach with opportunities for additional local government partner updates as required.

Event	Topic	Est. Timeframe *
Project working group 2021 meeting 1	Share updated project website, review system performance data, and phase 1 survey outcomes, finalize phase 2 engagement strategy, and review stakeholder workshop goals	March 2021
Online Key Stakeholder Workshop	Outreach targeted to key stakeholders to identify current challenges as well as opportunities to simplify route alignments within the City of Penticton.	May2021
Project working group workshop 2	Provide and present findings of the workshop, review the draft service change proposals, confirm General Public Engagement materials	May 2021
Online Public engagement	Host online engagement** - present draft priorities and get general public and transit user feedback.	June 2021
Project working group meeting 3	Review of Engagement Summary Report -finalization of service and infrastructure options for final TFAP	Summer 2021
Presentation to the Regional District of Okanagan-Similkameen, City of Penticton, District of Summerland and Town of Princeton	Seek endorsement SOKS TFAP 2021.	Fall 2021

*Dates and timelines subject to change.

** mail-outs may be considered to accommodate those groups not able to use online tools

6. SCOPE OF WORK

The Transit Future Action Plan will include the following components:

A. Project Launch: Set the stage to identify priorities for the South Okanagan-Similkameen System. This includes:

- Project page established on Engagement HQ invite registrations for project updates
- Review the 2015 TFP priorities, and determine which are to be carried forward **Complete**
- Conduct an intercept survey gauging user satisfaction with the existing transit service **Complete**
- Collect early input on priorities for the transit system
 - Gather input and feedback from the PWG on current transit planning issues and opportunities
 - Gather input and feedback from operators and front line staff.
 - Identify key stakeholder groups.

B. Existing Conditions: Review key aspects of the South Okanagan-Similkameen Transit System today:

- Analyze service and ridership trends since 2014, including ridership changes due to COVID-19, review customer surveys, front-line staff feedback
- Conduct ridership analysis, schedule adherence and service reliability (according to available data)
- Review local plans to identify trends in land use, road network, population and employment etc. With information available, identify implications for local area service infrastructure and fleet
- Review issues and opportunities for transit operations, facilities, passenger amenities, and accessibility
 - As part of this conduct key stakeholder workshop(s) to identify opportunities to simplify route alignments within the City of Penticton.

Deliverable: Existing conditions and intercept survey results will be documented and provided within a **Background Working Paper** for the project working group for review and comment. This information will support the final TFAP.

C. Draft Options: BC Transit will prepare draft options to be included within the Background Working Paper including:

- Draft transit service priorities, route concepts and infrastructure improvement options for the short- and medium-term (1-5 years)
- Scenario planning options for the short-term, including system optimization due to COVID-19 impacts

Deliverable: Background Working Paper and circulated to the PWG for review and comment. Feedback received will be considered in the refinement of the draft options. The endorsed draft service options will be used for public engagement. The Background Working Paper can be made available on the online project site.

D. Engagement: A public engagement process will be used to present draft transit priorities for input, feedback and prioritization. This process will include hosting virtual meetings/workshops, online and intercept surveys. Marketing and promotion for these events will take place in various formats, including online (project website), social media, local media, and on transit vehicles.

Partially Complete - some of the components prepared for March 2020 can be carried forward.

Deliverable: Engagement Summary Report. Feedback received during engagement will be compiled and documented within this report. This information will be available through the online project site and registered engagement participants and key stakeholders will receive updates.

E. Final Service and Infrastructure options: A final detailed service options and scenario planning technical report will be developed (informed by the Background Working Paper and the Engagement Summary Report). This document will contain detailed information which supports the service and infrastructure options for implementation. These elements will be summarized in the final report.

Deliverable: Future Service and Infrastructure Options Technical Report. This information is intended to be an internal BC Transit document to be used by transit scheduler's, service and Infrastructure planners to inform the annual Transit Implementation Process (TIPS) and Infrastructure Capital Improvement Process (ICAP) for the implementation of future options.

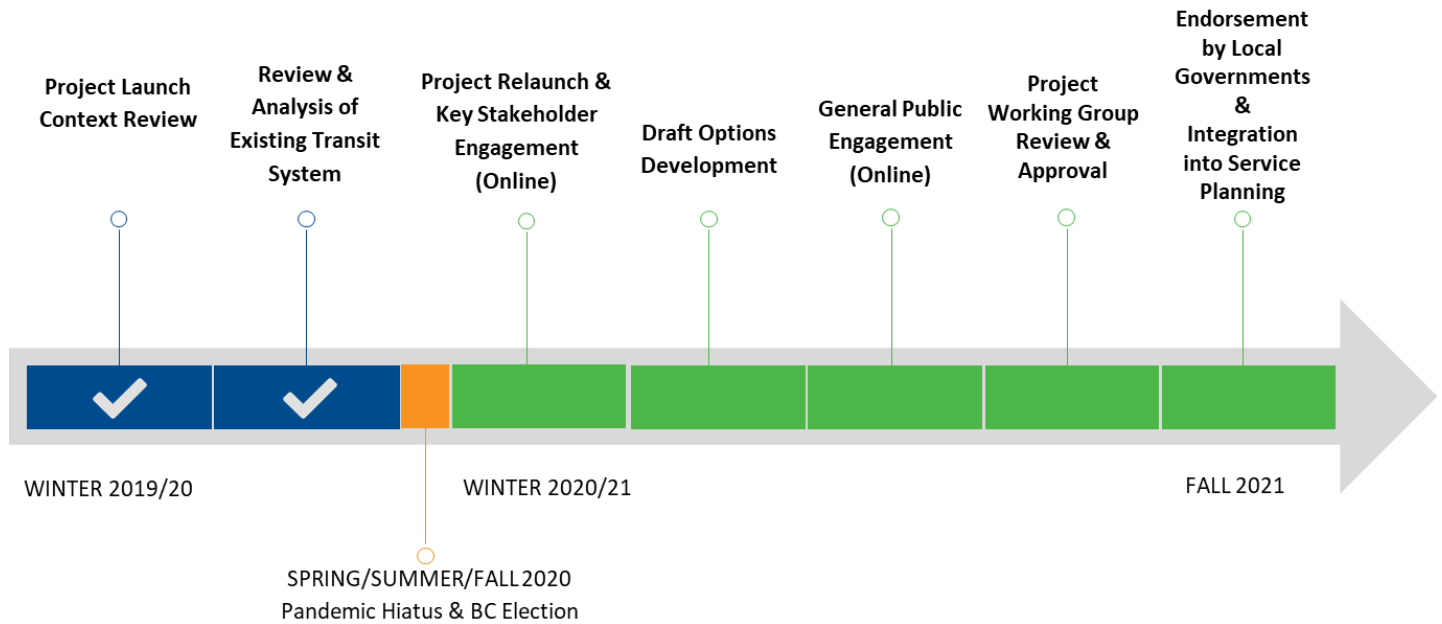
F. Final Report: A Draft final South Okanagan-Similkameen TFAP document with service and infrastructure options and scenario planning recommendations will be presented to the PWG for review and endorsement to proceed to the local government partners for their endorsement.

Deliverable: South Okanagan-Similkameen Transit Future Acton Plan 2021. Once endorsed a link to the final document will be published on the BC Transit and local government partner websites.

G. Implementation: Once the TFAP is approved, service change priorities will inform the development of future three-year Service and Financial Strategies and Annual Service Plans for the local governments' approval. These service expansions will be detailed in the annual TIPS memorandums distributed from BC Transit to the local partners.

7. Project Timeline

The following is a high-level summary of the estimated project timeline a detailed project schedule will be used with the PWG for communication and project development.



RECOMMENDATION AND SIGNOFF

That the Regional District of Okanagan Similkameen, City of Penticton, District of Summerland, and Town of Princeton endorse the objectives, deliverables, scope of work and timelines of this Transit Future Action Plan and will support BC Transit to complete it within the noted timeline.

Okanagan-Similkameen Regional District

Name: **Mark Woods**

Position: **General Manager, Finance**

Signature:

Date

City of Penticton

Name: **Anthony Haddad**

Position: **General Manager of Community Services**

Signature:

Date

District of Summerland

Name: **David Svetlichny**

Position: **Director of Finance**

Signature:

Date

Town of Princeton

Name: **Lyle Thomas**

Position: **Chief Administrative Officer**

Signature:

Date

BC Transit

Name: **Chelsea Mossey**

Position: **Senior Manager, Government Relations**

Signature:

Date:



South Okanagan-Similkameen Transit System

Regional District of Okanagan-Similkameen

June 3, 2021

Chelsea Mossey

Senior Manager, Government Relations

Adriana McMullen

Senior Transit Planner

Presentation Topics

- q BC Transit Overview
- q COVID-19 Response and Impacts
- q Looking Ahead
 - q Electronic Fare Collection
 - q Low Carbon Fleet Program
- q Expansions
- q Transit Future Action Plan



BC Transit Overview

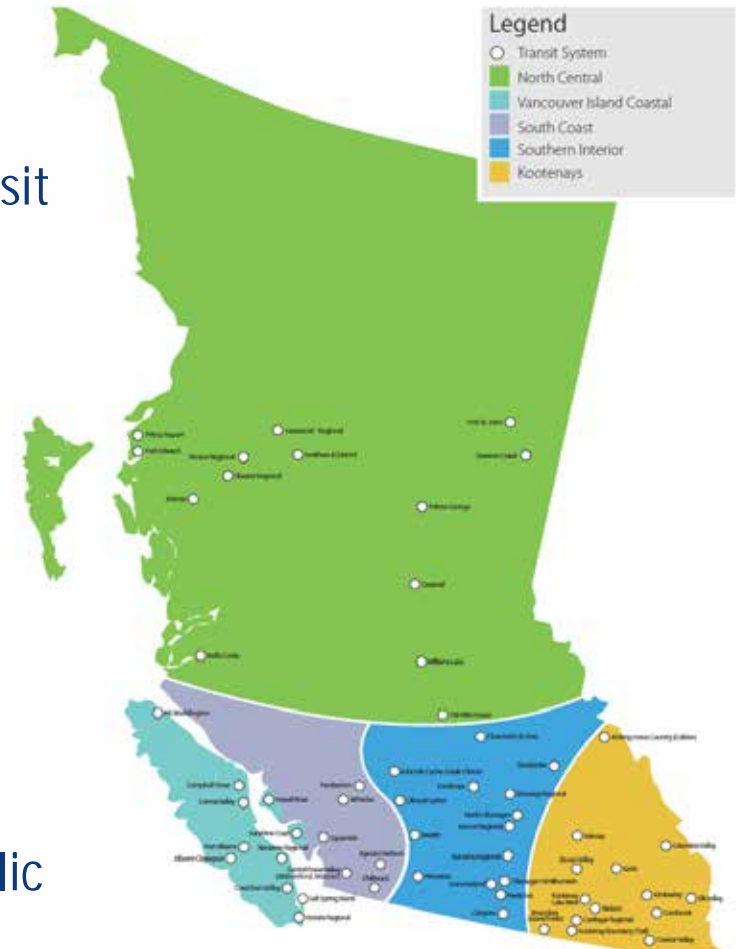


Who is BC Transit?

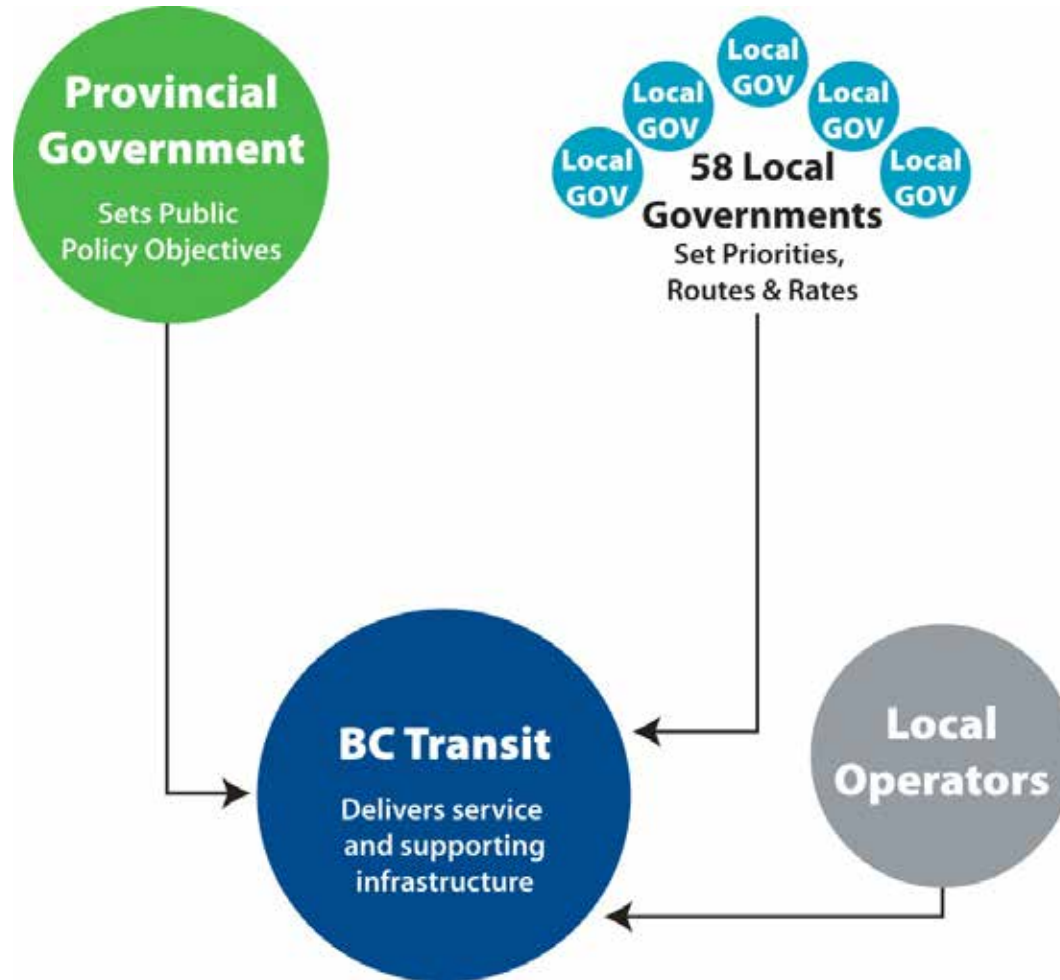
- Provincial authority responsible for the planning, funding and operation of all transit throughout the Province outside of Metro Vancouver
 - » 51+ million passenger trips
 - » 1,013 buses in a range of sizes
 - » 1.5 million British Columbians served
 - » 130 Communities, 81 transit systems

Partnerships:

- 58 local government partners
- 18 private management companies, 5 public organizations, 14 non-profits



BC Transit Partnership Model



COVID-19: Response and Impacts



COVID-19 Respond, Recover, Rebuild

Respond Phase

- Emergency Scale-Down

Recovery Phase

- Scaling Back Up

Rebuilding Phase

- Long-Term Sustainability

Respond
Phase

Recovery
Phase

Rebuilding
Phase



Recovery Phase: Scaling Back Up

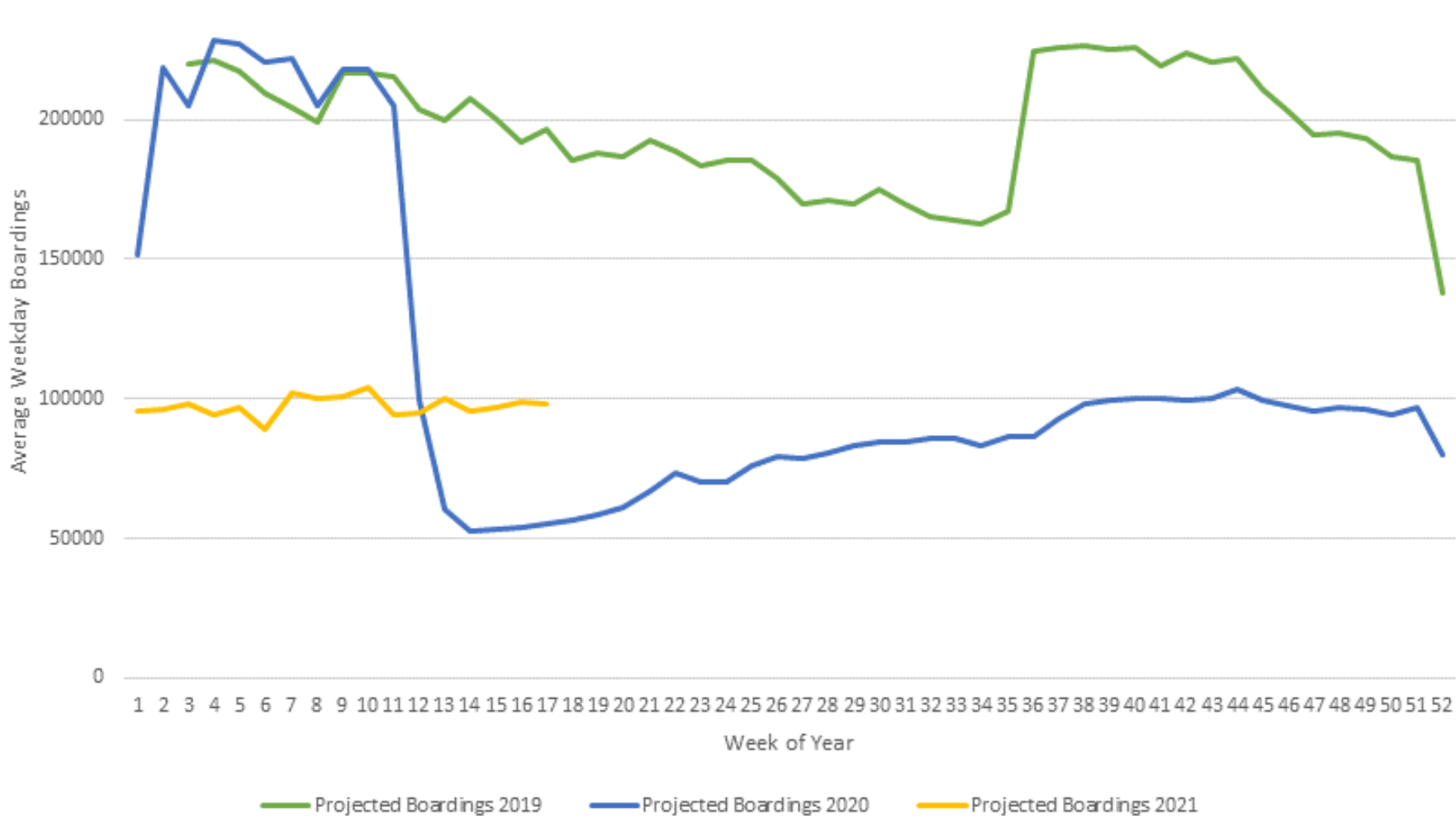
British Columbia's Restart Plan		BC Transit Response Plan
Phase 1	Essential services and some business are open	<ul style="list-style-type: none"> • Capacity constrained on buses • Enhanced cleaning protocols • Rear door boarding, no fare collection
Phase 2	Restoration of some services, under enhanced protocols <ul style="list-style-type: none"> • Elective surgeries, dentists, chiropractic, physiotherapy, massage therapy • More retail, restaurants, cafes, pubs, personal • Offices • Recreation/sports 	<ul style="list-style-type: none"> • Public education campaign encouraging the use of face coverings on buses • Signage on buses and at stops encouraging personal etiquette • Stabilize service levels, monitor demand • Continued enhanced cleaning protocols • Installation of driver barriers on all buses
Phase 3	September Further restoration of services, under enhanced protocol <ul style="list-style-type: none"> • Hotels • Universities • Workplaces 	<ul style="list-style-type: none"> • Return to in person classes • Ridership recovery campaign
Phase 4	TBD Large gatherings, conditional on vaccination or treatment	<ul style="list-style-type: none"> • Return to maximum capacity on buses • Continue rebuilding ridership

Rebuild Phase: Future of Transit

- Support economic recovery
- Address community challenges – climate change, social isolation, access to essential services
- Contribute to vibrant and thriving communities



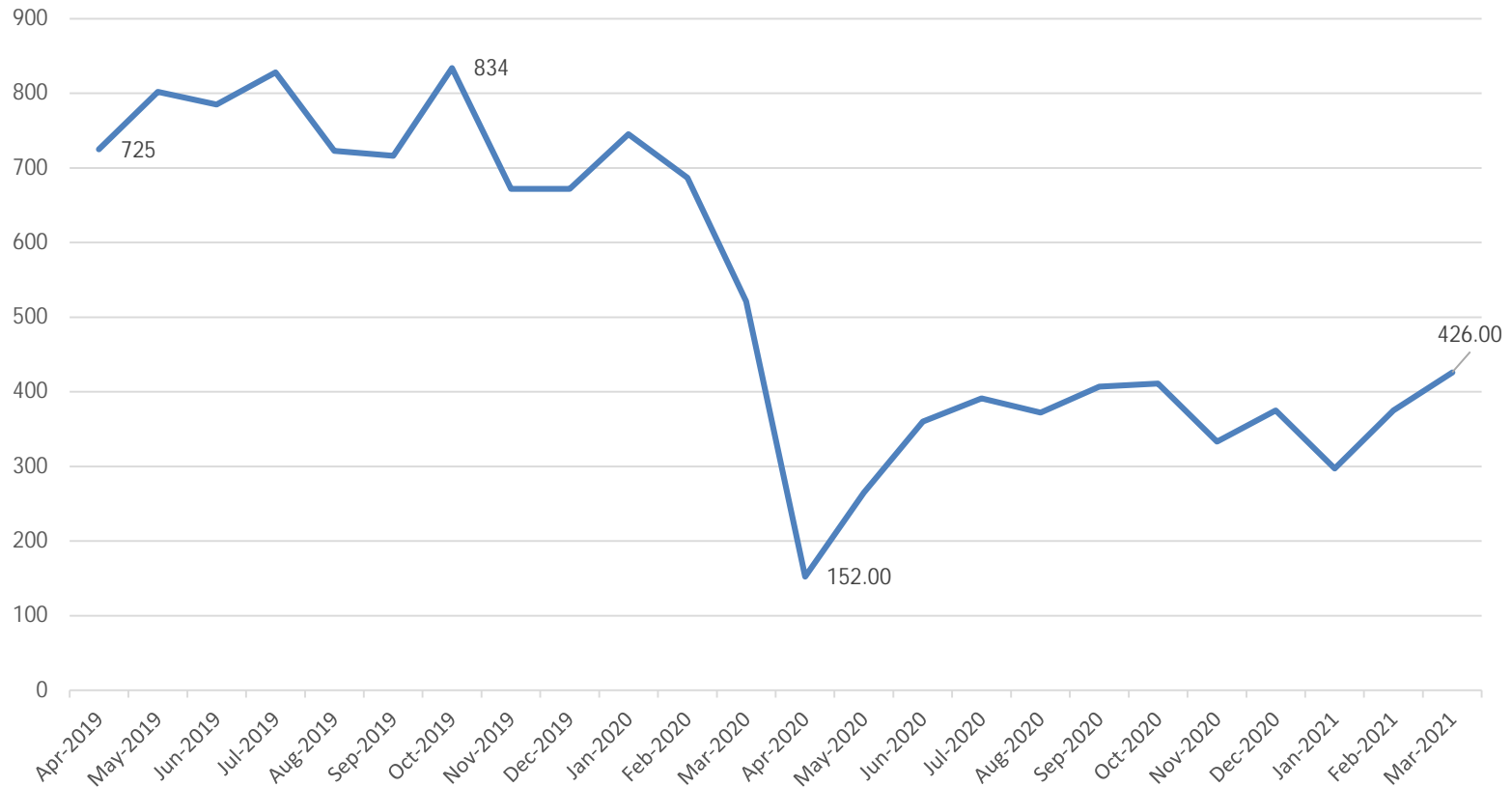
Impacts of COVID-19: Ridership in BC



Osoyoos Paratransit Ridership

Route 40 Osoyoos/Penticton & Route 41 Osoyoos Local

2019/20 – 2020/21



Okanagan-Similkameen Paratransit Ridership

Route 10 Naramata/Penticton & Route 20 Okanagan Falls/Penticton

2019/20 – 2020/21



South Okanagan Connector Ridership

Route 70 Kelowna/Penticton

Sept 20 – 2020/21



Looking Ahead



Electronic Fare Collection System

- Remove barriers to selecting transit
- Introduce new ways to pay – contactless credit card and mobile device
- Improve planning and decision making with new data sources
- NRFP evaluation and partner engagement currently underway



Low Carbon Fleet Program

- Approved in November 2018 to support provincial targets for GHG emissions
- Transitioning vehicles to electric propulsion based on fleet replacement plan
- Bridging transition to electric with renewable fuels
- RFP released in November 2020



Program Objectives



- 2022 – Deploy the first 10 heavy duty battery electric buses (BEBs) in Victoria
- 2023 – Begin purchasing only electric heavy duty buses
- 2028 – Begin purchasing only electric buses in all fleet classifications
- Exceed greenhouse gas reductions identified through the Provincial CleanBC program for 2030, 2040, and 2050.
- Achieve a 100% zero emission fleet by 2040



UPCOMING EXPANSIONS



Upcoming Service Changes: Route 70 Middays

Route 70 Currently:

- Began September 2019
- Commuter-round trips Mon-Fri
- Midday round trips Monday only

January 2022:

- 2000 additional hours of service
- Midday trips will be offered on all weekdays

70 Penticton to Kelowna Interregional										
Monday to Friday										
(P)	(K)	(R2)	(C4)	(B)	(A1)	(AL)	(B2)	(PE2)	(W)	(KQ)
Real Canadian Superstore (on Dawson)	Yorkton and South Main	Peachtree Square	Cherry Lane: Atkinson at Warren	IGA (Government at Nelson)	Wade and Martin	Albemi Street Park & Ride	Peach Orchard at Rosedale	Peachland: 13th Street at Lake Ave	Westbank Exchange (Hwy 97 at Elliot)	Kelowna: Queensway Exchange
5:51	5:55	5:59	6:03	6:08	6:12	6:17	6:33	—	6:59E	7:25E
—	—	—	9:08	9:13	9:17	9:22	9:37	9:55E	10:06E	10:28E
—	—	—	12:32	12:37	12:41	12:46	1:01	—	1:27E	1:50E
—	—	—	3:32	3:37	3:41	3:46	4:01	4:21E	4:33E	4:55E

A Trip operates Monday only.
E Estimated arrival time. Buses will not wait at timing point.

70 Kelowna to Penticton Interregional										
Monday to Friday										
(KQ)	(W)	(PE1)	(B1)	(AL)	(A2)	(B)	(C3)	(R1)	(K)	
Kelowna: Queensway Exchange	Westbank Exchange (Hwy 97 at Elliot)	Peachland: Beach & 4th Street	Rosedale at Jubilee	Albemi Street Park & Ride	Wade and Martin	IGA (Government at Nelson)	Cherry Lane: Atkinson at Warren	Peachtree Square	Yorkton and South Main	South Main at Kirney
7:40	7:59	8:06	8:27	8:41E	8:45E	8:48E	8:57E	—	—	—
10:40	10:59	—	11:23	11:37E	11:41E	11:44E	11:53E	—	—	—
2:00	2:19	2:26	2:48	3:02E	3:06E	3:09E	3:18E	—	—	—
5:10	5:29	—	5:53	6:07E	6:11E	6:14E	6:19E	6:22E	6:26E	6:34E

A Trip operates Monday only.
E Estimated arrival time. Buses will not wait at timing point.



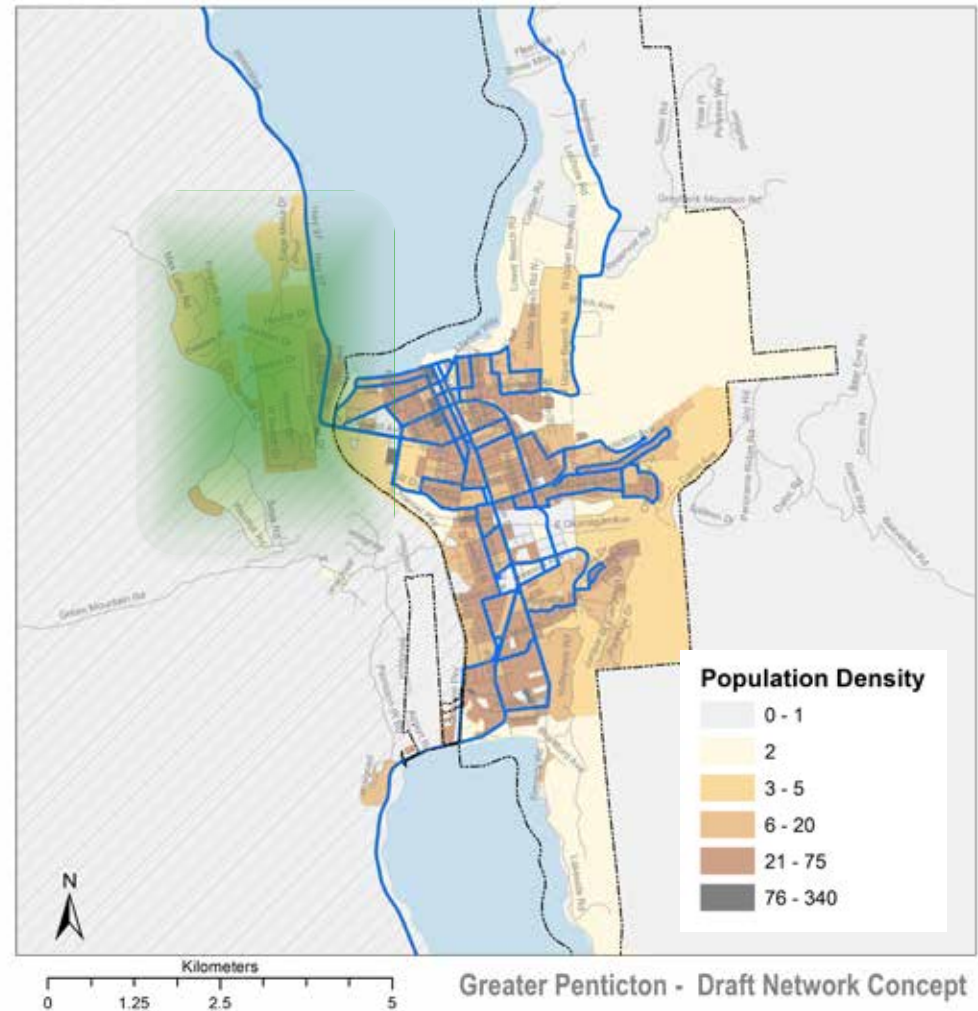
Upcoming Service Changes: New Route West Bench

Currently:

- No service
- Low population density
- Introductory service was identified in 2015 Transit Future Plan

January 2022:

- 400 annual hours of expansion
- Introduction of basic service
- Will form part of the Okanagan-Similkameen service (Routes 10, 20 and 21)



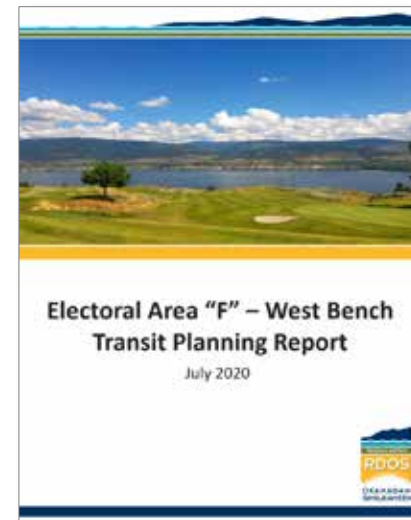
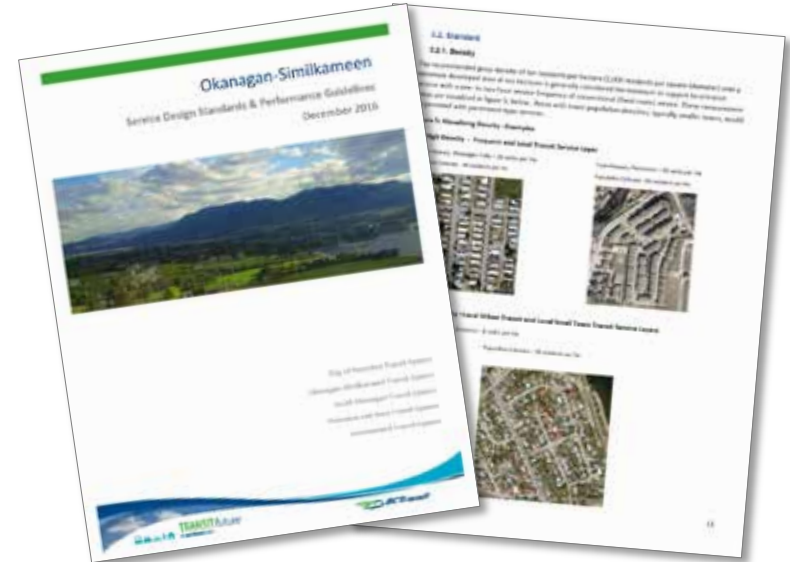
Upcoming Service Changes: New Route West Bench

Service design is shaped by:

- Service Design Standards and Performance Guidelines
- RDOS Electoral Area F Survey and Report
- Hours resources
- Fleet resources

Service Plan:

- 3 round trips per day
- Weekdays
- Review after 12-18 months



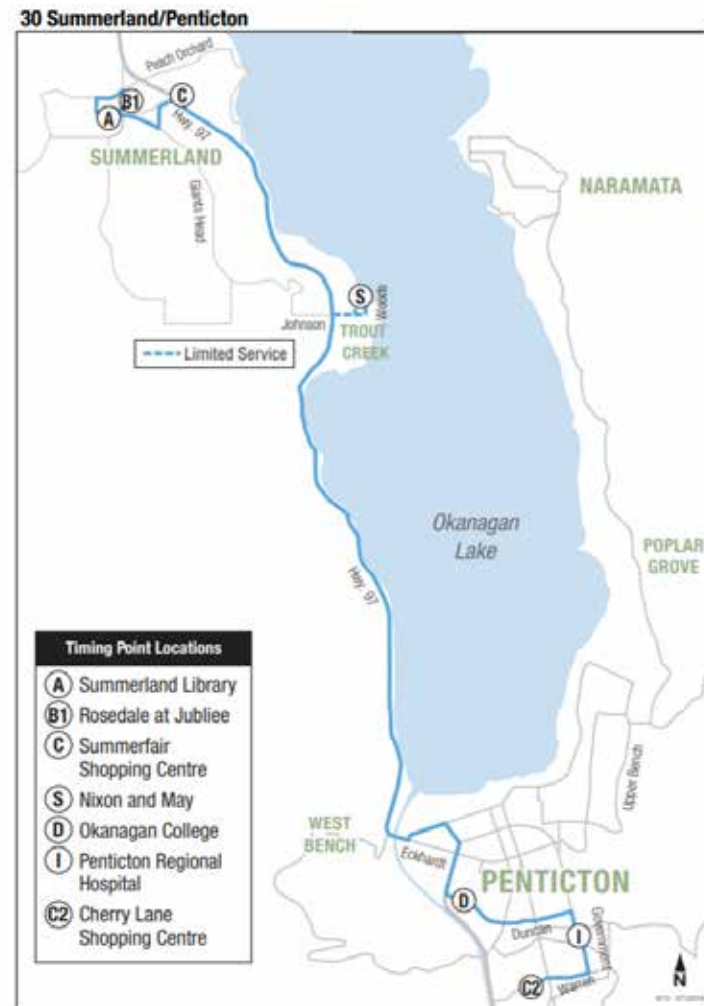
Upcoming Service Changes: Route 30

Route 30 Currently:

- Began October 2013
- Four scheduled round trips a day between Summerland and Penticton
- Operates on weekdays only

January 2022:

- 900 additional hours of service
- 10 additional trips per week
- Public engagement in summer 2021 to determine implementation details



Transit Future Action Plan

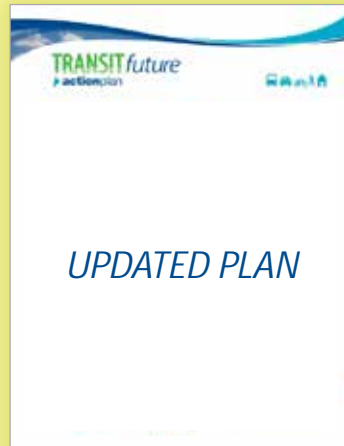


Purpose of the Plan

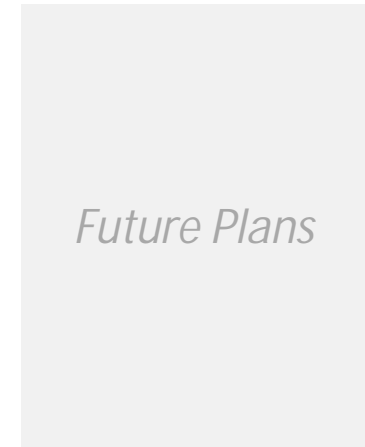
- To inform future transit decision-making



2015



2021



future
investment



Ridership targets



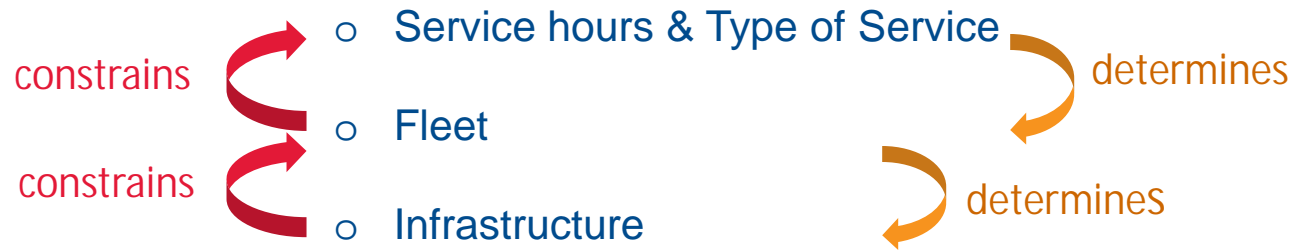
Transit network



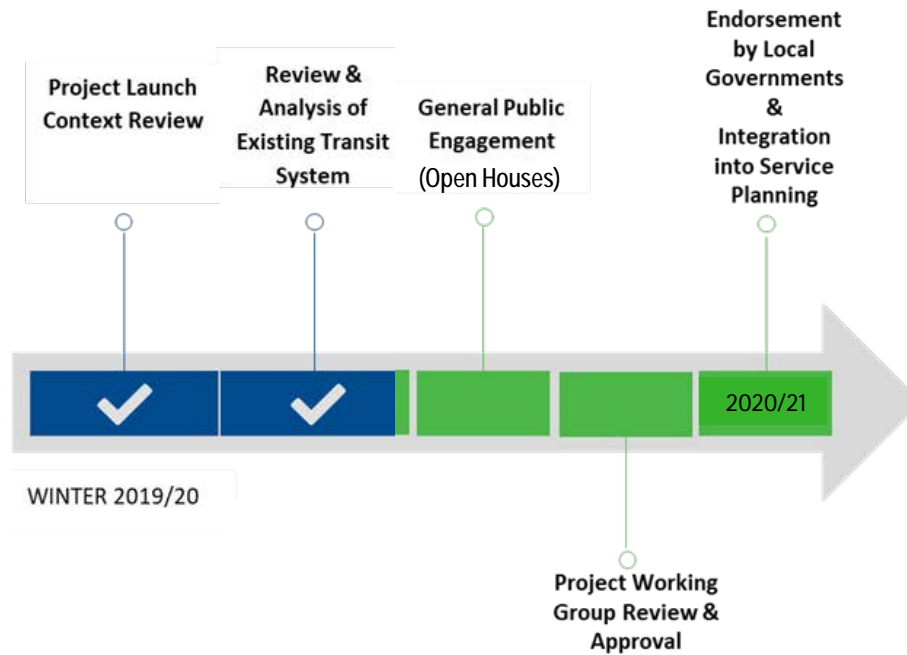
Fleet and Infrastructure



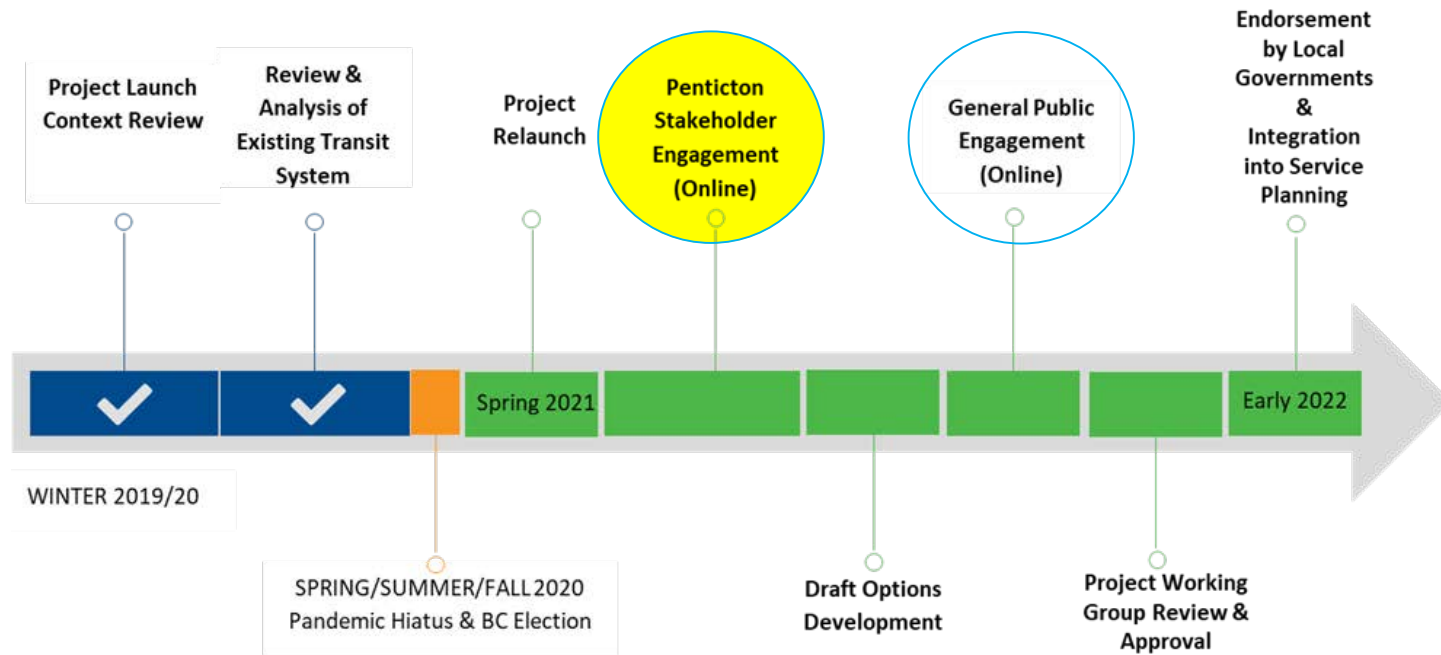
Transit Planning 101



New Timeline & updated tasks



New Timeline & updated tasks



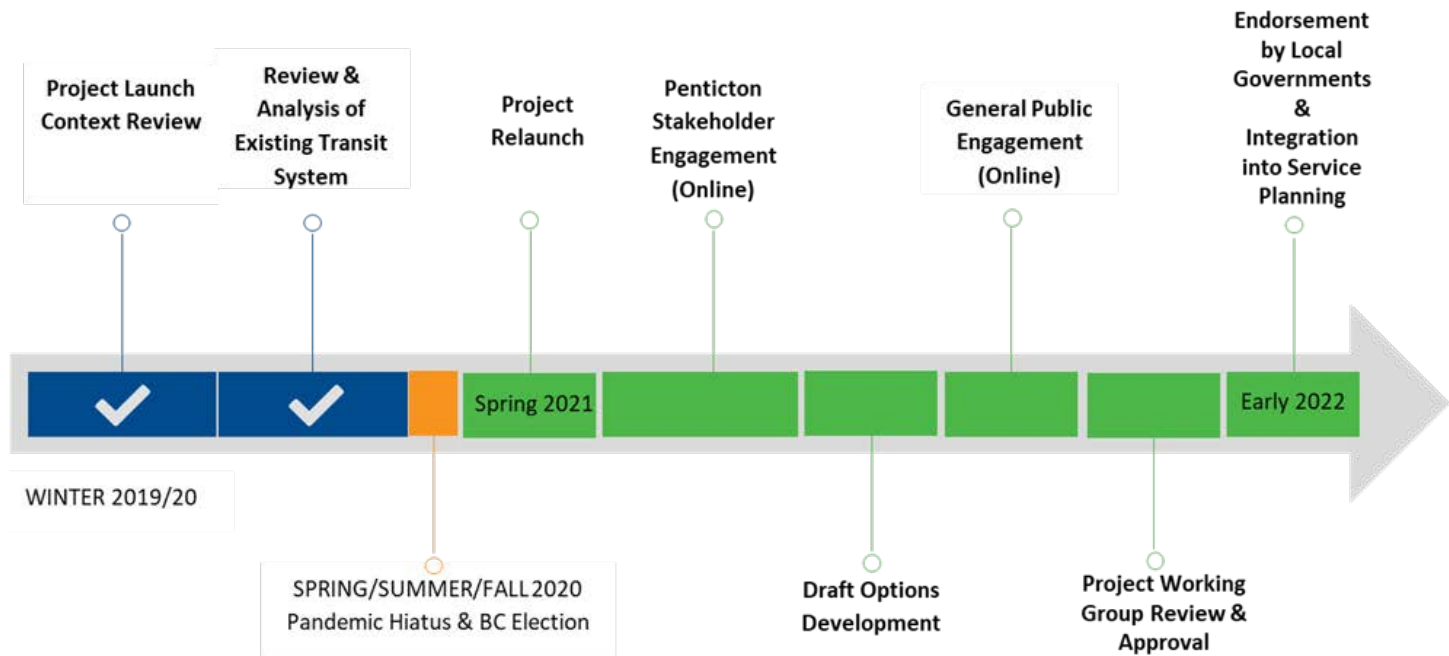
Examine opportunities to simplify Pentiction routes:

- Straighten out routes
- Improve access to the college
- Relocate as to simplify AAA development

Network alignment for Wiltse & Sendero Canyon

Use new online engagement platforms:

- Remote workshops
- Interactive Mapping

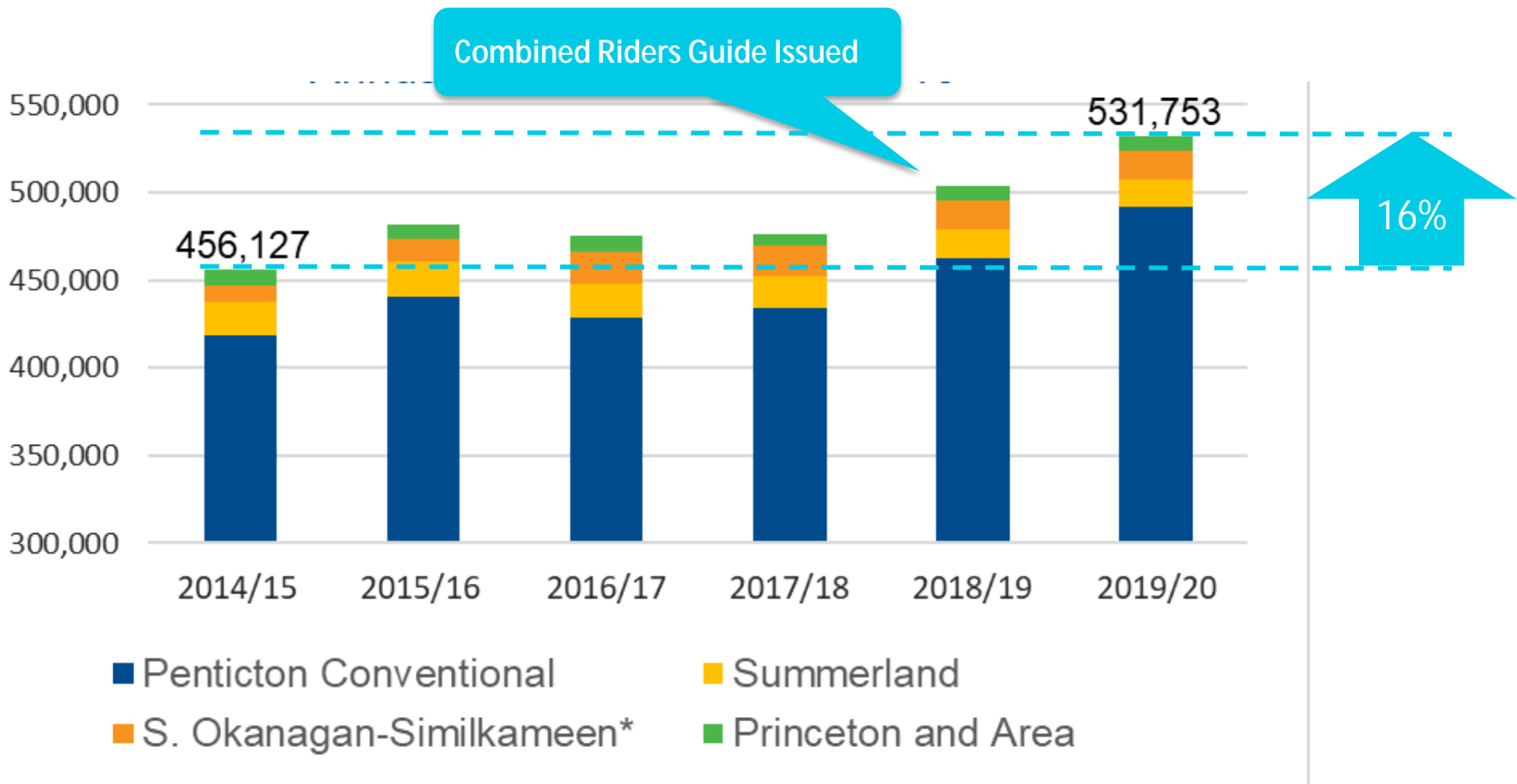


REQUEST TO THE BOARD: Endorse the revised TFAP timeline and Terms of Reference.

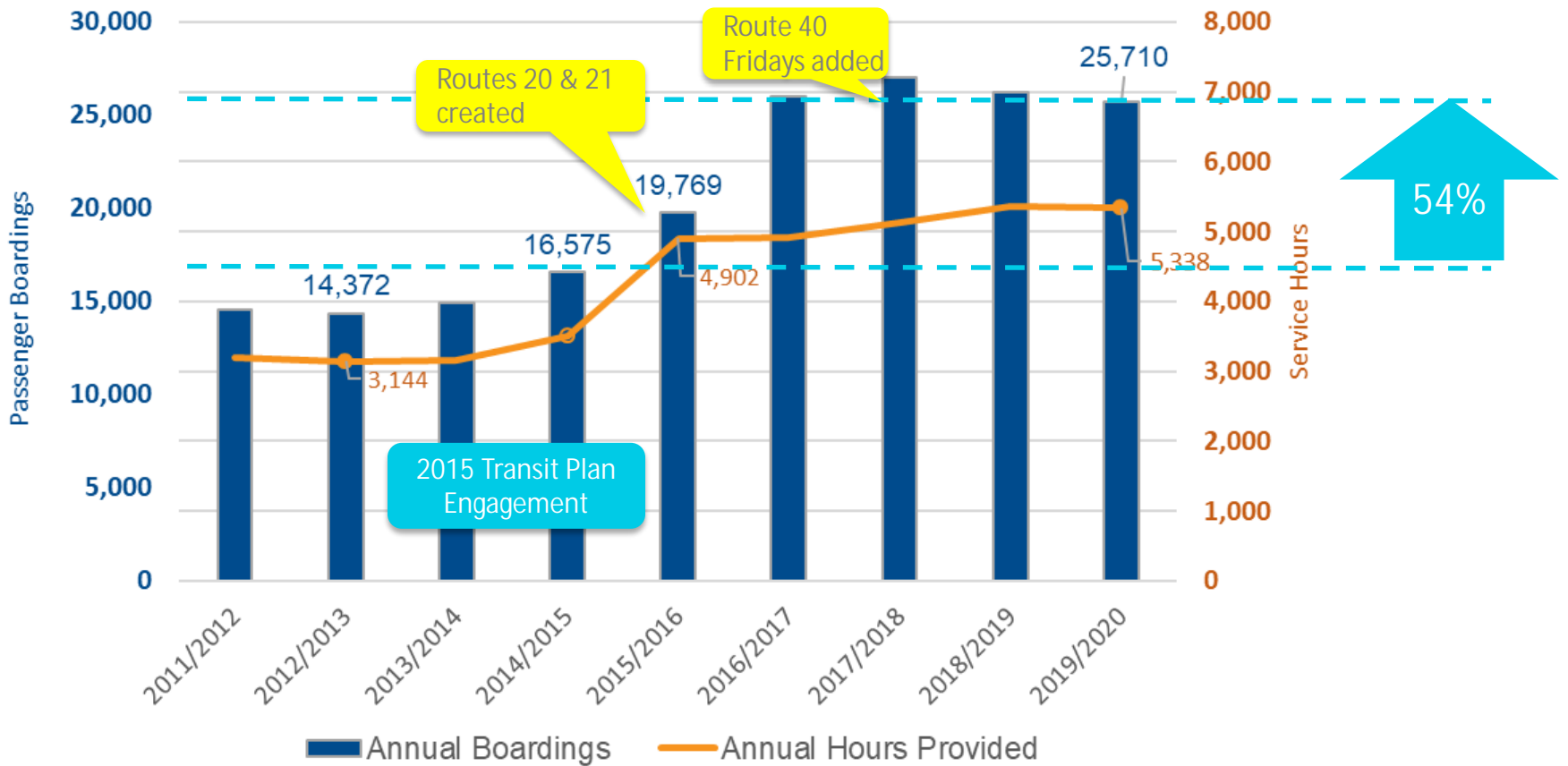


Context – Transit across the RDOS

Services within the South Okanagan Similkameen Transit System

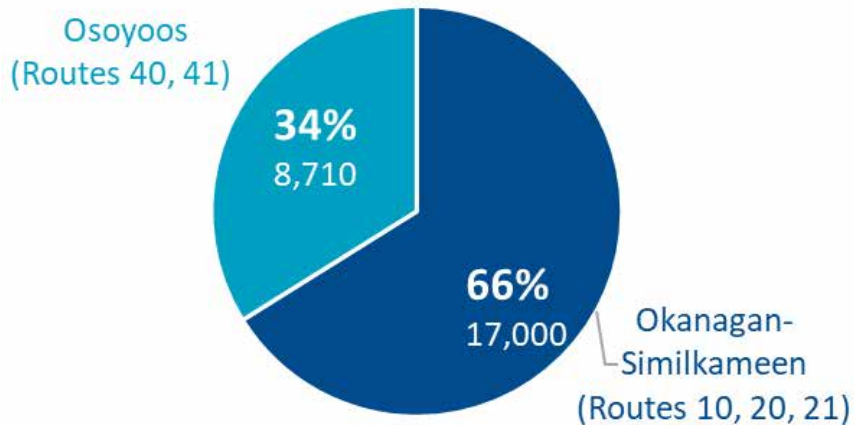


Context – Okanagan-Similkameen & Osoyoos

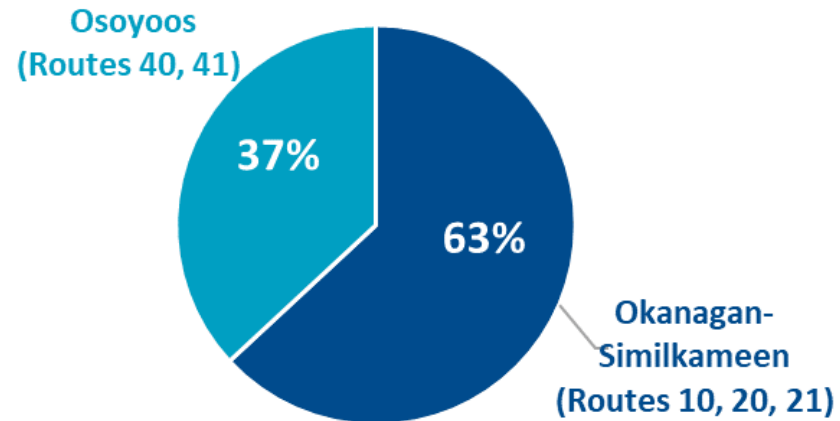


Context – Ridership and Hours between Service

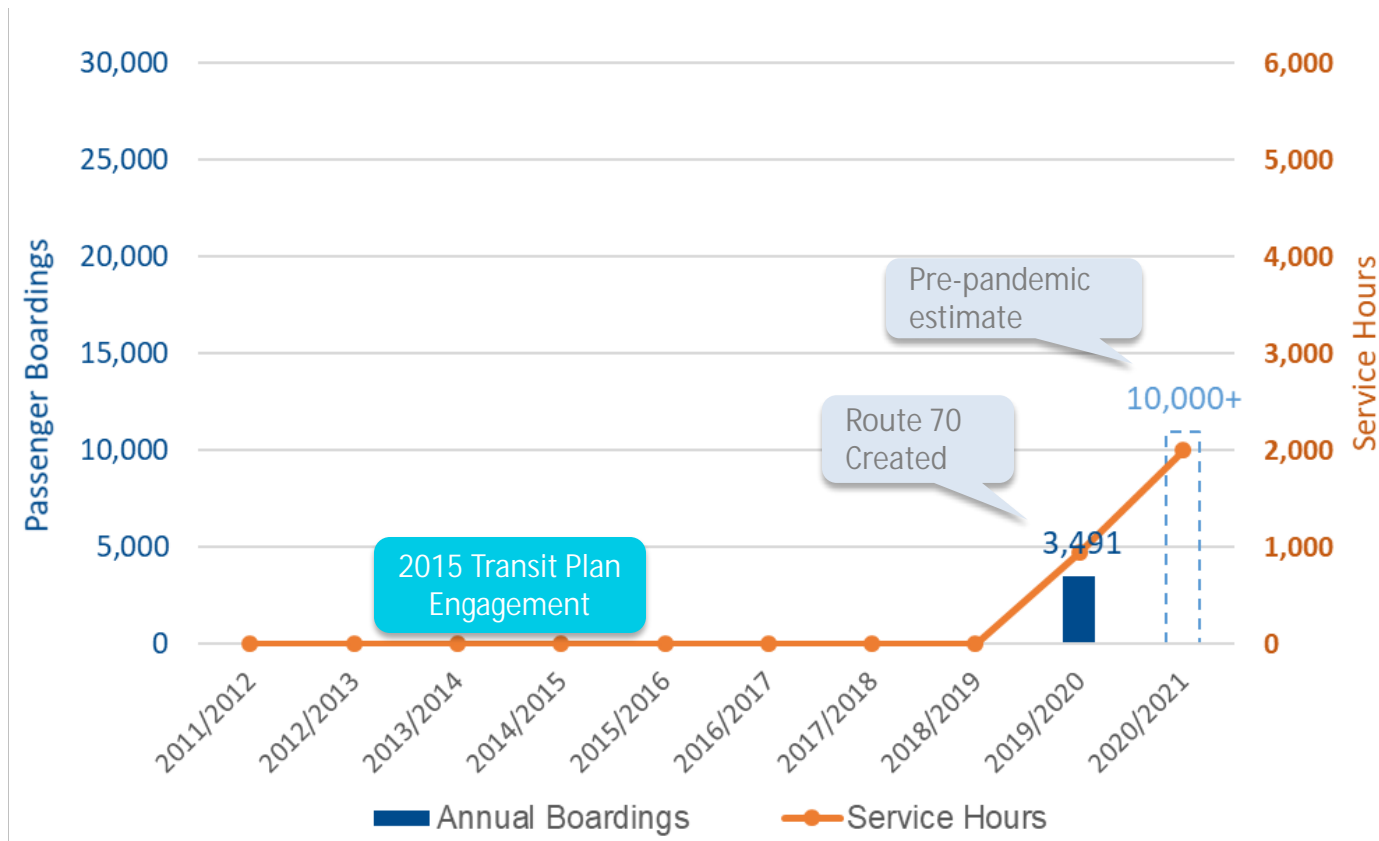
Ridership Split by Service
2019/20 Annual



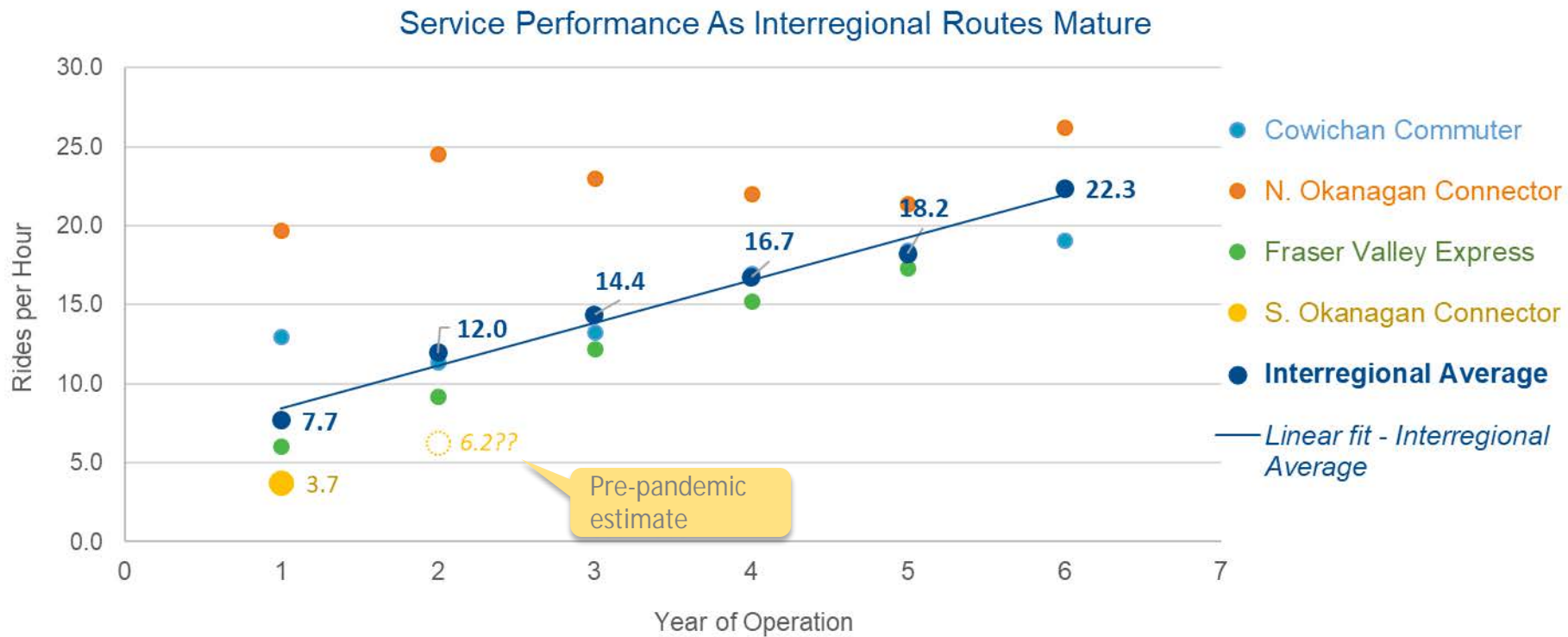
Hours Distributed by Service



Context – South Okanagan Connector



Context – Maturation of Interregional Routes



Questions?



Chelsea Mossey – Senior Manager, Government Relations

Chelsea_Mossey@bctransit.com

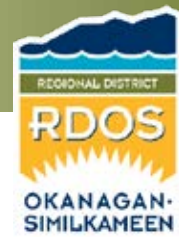
250-880-2520

Adriana McMullen – Senior Transit Planner

Adriana_McMullen@bctransit.com

250-508-4959





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

Thursday, June 3, 2021
10:45 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of June 3, 2021 be adopted.

1. Consent Agenda – Corporate Issues

a. Advisory Planning Commission, Electoral Area “A” APC – March 5, 2021

THAT the minutes for the March 5, 2021, Electoral Area “A” Advisory Planning Commission be received.

b. Advisory Planning Commission, Electoral Area “E” – May 10, 2021 Minutes

THAT the minutes of the May 10, 2021 Electoral Area “E” Advisory Planning Commission be received.

c. Advisory Planning Commission, Electoral Area “F” – March 22, 2021 Minutes

THAT the minutes of the March 22, Electoral Area “F” Advisory Planning Commission be received.

d. Corporate Services Committee – May 20, 2021

THAT the Minutes of the May 20, 2021 Corporate Services Committee meeting be received.

e. Environment and Infrastructure Committee – May 20, 2021

THAT the Minutes of the May 20, 2021 Environment and Infrastructure Committee meeting be received.

f. Planning and Development Committee – May 20, 2021

THAT the Minutes of the May 20, 2021 Planning and Development Committee meeting be received.

g. Protective Services Committee – May 20, 2021

THAT the Minutes of the May 20, 2021 Protective Services Committee meeting be received.

h. RDOS Regular Board Meeting – May 20, 2021

THAT the minutes of the May 20, 2021 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Consent Agenda – Corporate Issues be adopted.

B. DEVELOPMENT SERVICES – Building Inspection**1. Building and Bylaw Contraventions – 2857 Naramata Road, Electoral Area “E”**

RECOMMENDATION 3 (Unweighted Corporate Vote – Simple Majority)
THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 22, District Lot 207, SDYD, Plan 576 except Plan H16696, that certain works have been undertaken on the lands contrary to the Regional District of Okanagan-Similkameen Building Bylaw No. 2805, 2018;

AND THAT injunctive action be commenced against the property owners to bring the property into compliance with Regional District regulations.

C. DEVELOPMENT SERVICES – Untidy/Unsightly Bylaw Enforcement**1. Untidy and Unsightly Property Contravention – 1108 Kingston Avenue, Hedley – Electoral Area “G”**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)
THAT the Regional District commence the process to bring Lot 16, Block 2, District Lot 2482, SDYD, Plan KAP2565 (1108 Kingston Avenue) into compliance with the Regional District of Okanagan-Similkameen’s Untidy and Unsightly Premises Regulatory Control Bylaw No. 2521, 2010.

D. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Temporary Use Permit Application – 128 Saliken Drive, Electoral Area “D”**

- a. Permit
- b. Representations

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)
THAT Temporary Use Permit No. D2021.005-TUP to allow a short-term vacation rental in a 4-bedroom house at 128 Saliken Drive be denied.

2. **OCP & Zoning Bylaw Amendments – Okanagan Falls Commercial Zone review (Okanagan Falls Town Centre Plan- Phase 3)**
 - a. Bylaw No. 2455.38
 - b. Bylaw No. 2603.15
 - c. Representations

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2021, and Zoning Amendment Bylaw 2455.38, 2021 be read a first and second time and proceed to public hearing; AND,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated June 3, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; AND,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.15, 2021, in conjunction with its Financial and applicable Waste Management Plans; AND,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of July 8, 2021; AND

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

3. **Zoning Bylaw Amendment – Electoral Areas “A”, “C”, “D”, “E”, “F”, “G”, “H” & “I”**
 - a. Bylaw No. 2932
 - b. Representations

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2932, 2021, Regional District of Okanagan-Similkameen Secondary Suite and Accessory Dwelling Floor Area 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 8, 2021; AND,

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

4. **Minutes – Board of Variance – April 6, 2021**

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Variance minutes of April 6, 2021 be referred to administration to undertake a review of the Board recommendations contained therein to determine potential impact to current resources and workplans or to confirm legislative and/or legal authority.

5. Minutes – Electoral Area “D” APC – April 13, 2021

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

THAT the April 13, 2021 minutes of the Area “D” APC be referred to administration to undertake a review of the recommendations therein to determine potential impact to current resources and workplans or to confirm legislative and/or legal authority.

E. PUBLIC WORKS

1. Air Quality – Central Okanagan Regional District

a. Request to present

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

THAT the Chair of the Central Okanagan Regional District be invited to appear before the Board to discuss Air Quality, at her earliest convenience.

F. COMMUNITY SERVICES

1. Okanagan Falls Parks and Recreation Commission Resolutions.

a. Okanagan Falls Parks and Recreation minutes – March 25, 2021

b. Okanagan Falls Parks and Recreation minutes – April 8, 2021

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

THAT the minutes of the March 25th & April 8th, 2021 Okanagan Falls Parks and Recreation Commission be received.

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

That the request for the Regional District to submit an application to South Okanagan Similkameen Conservation Program (SOSCP) to investigate “save the aster, save the beach” be referred to SOSCP for comment.

2. Commitment of Funds to Construct a Multi-Purpose Sports Facility in Princeton

RECOMMENDATION 13 (Weighted Corporate Vote – Majority)

THAT the Regional District of Okanagan Similkameen authorize the use of up to \$31,250 from the Area “H” Community Works Program; contingent on the Princeton Lacrosse Association receiving a Provincial Community Gaming Program grant to construct a multi-sports facility.

G. LEGISLATIVE SERVICES

1. Indigenous relations update – Information Only

H. CAO REPORTS

1. Verbal Update

I. OTHER BUSINESS

1. Chair's Report

2. Directors Motions

3. Board Members Verbal Update

J. ADJOURNMENT



Minutes

Electoral Area “A” Advisory Planning Commission

Meeting of Monday March 8, 2021

Location: <https://rdos.webex.com> / 1-833-311-4101

Time: 7:00pm

Present: Mark Pendergraft, Director, Electoral Area “A”

Members: Peter Beckett (Chair) Dwayne Svendsen Bill Plaskett
Manfred Freese Grant Montgomery

Absent: Gerry Hesketh, Jim Thornton (clerical error-Jim was not notified of meeting)

Staff: Christopher Garrish, Planning Manager

Recording Secretary: Grant Montgomery

Delegates: N/A

1. CALL TO ORDER

The meeting was called to order at 7:02pm.

ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda for the Electoral Area “A” Advisory Planning Commission (APC) meeting of March 8, 2021 be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 ADOPTION OF THE MINUTES

MOTION

It was Moved and Seconded That the Minutes of the February 08, 2021, Electoral Area “A” Advisory Planning Commission (APC) meeting be adopted.

CARRIED

3. DEVELOPMENT APPLICATIONS

3.1 Official Community Plan (OCP) Bylaw Review

Discussion re: Rural Growth Areas:

- Suitability of Willow Beach and why there are not more?
- When will new wildfire mapping be available?
- When is the ESDP areas being reconsidered? And can they be challenged?

MOTION

It was moved and seconded that the Review of the Regional Growth Strategy (RGS) Bylaw consider the designation of new growth areas in Electoral Area "A".

CARRIED (UNANIMOUSLY)

4. REFERRALS

Not applicable

5. AMENDMENT BYLAWS

Not applicable

6. OTHER

7. ADJOURNMENT

MOTION

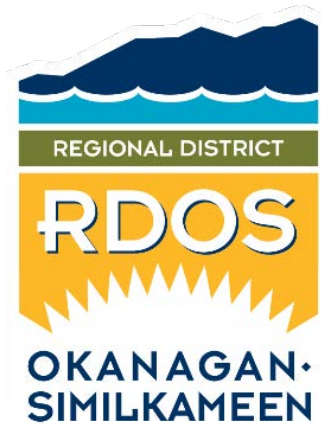
It was Moved and Seconded that the meeting be adjourned at 8:20 pm.

CARRIED (UNANIMOUSLY)

P. Beckett

Advisory Planning Commission Chair

Advisory Planning Commission Recording Secretary / minute taker



Minutes

Electoral Area 'E' Advisory Planning Commission

Meeting of Monday, May 10, 2021 at 7:00 p.m.

RDOS WebEx, Naramata, BC

Present:

Members: Don Mancell (Vice-Chair, Electoral Area 'E' APC, as Chair), Heather Fleck, Dianna Smith, Maureen Redman, Richard Roskell, Debbie Selwood

Absent: None

Staff: JoAnn Peachey (RDOS, Planner I), Rushi Gadoya (RDOS, Planning Technician)

Guests: Karla Kozakevich (RDOS Area 'E' Director)

Recording Secretary: Heather Lemieux

Delegates: Marco Pimentel

1. ADOPTION OF AGENDA

The meeting was called to order at 7:31 p.m. Quorum Present.

1.1 MOTION

That the Agenda for the Electoral Area 'E' Advisory Planning Commission (APC) meeting of May 10, 2021 be adopted as presented.

CARRIED

2. APPROVAL OF MINUTES

2.1 MOTION

It was Moved and Seconded That the Minutes of the April 12, 2021, Electoral Area 'E' Advisory Planning Commission (APC) meeting be adopted as presented.

CARRIED

3. DELEGATIONS

- 3.1 Pimentel - Development Temporary Use Permit - E2021.006-TUP

4. DEVELOPMENT APPLICATIONS

- 4.1 Temporary Use Permit - E2021.006-TUP
Administrative Report submitted by JoAnn Peachey, Planner I

MOTION

It was Moved and Seconded in favour of Option 2. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved with the following conditions:

- i) THAT the permit renewal date be amended to May 31, 2022 and that the permitted operating duration be ended on November 30, 2021.

CARRIED

5. OTHER

- 5.1 Election of the Chair and Vice-Chair (Section 5.1; Bylaw No. 2339)

Karla Kozakevich called for Nominations for Chair. Don Mancell nominated, nomination declined.

Karla Kozakevich called for Nominations for Chair. Heather Fleck nominated, nomination declined.

Karla Kozakevich called for Nominations for Chair. Dianna Smith nominated, nomination declined.

Karla Kozakevich called for Nominations for Chair. Debbie Selwood nominated, nomination declined.

Karla Kozakevich called for Nominations for Chair. Richard Roskell nominated, nomination accepted, and seconded.

Richard Roskell elected Chair of the Area 'E' APC via acclamation.

Karla Kozakevich called for Nominations for Vice Chair. Don Mancell nominated, nomination accepted, and seconded.

Don Mancell elected Vice Chair via acclamation.

6. ADJOURNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 7:46 p.m.

CARRIED

Next Meeting – June 14, 2021 at 7:00 p.m.

Location TBD

Don Mancell, Vice-Chair of the Area 'E' Advisory Planning Commission



Advisory Planning Commission Recording Secretary / minute taker



Minutes

Electoral Area “F” Advisory Planning Commission

Meeting of Monday, March 22, 2021

Location: <https://rdos.webex.com>

Present:

Members: Brad Hillis (Chair), Margaret Holm, Mike Stokker, Gerry Lalonde, Galina Pentecost, Rick Hatch, Richard Johnson

Absent: Don Barron

Staff: Rushi Gadoya, Planning Technician

Delegates: Bill Coates

1. CALL TO ORDER

The meeting was called to order at 7:05 p.m.

ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes of January 25, 2021 be approved.

CARRIED

3. DELEGATIONS

3.1 Bill Coates-Zoning Bylaw Amendment-F2021.002-ZONE

4. DEVELOPMENT APPLICATION

4.1 Proposed Zoning Bylaw Amendment Application – F2021.002-ZONE

Delegate present.

Discussion.

MOTION

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

CARRIED

5. ADJOURNMENT

5.1 MOTION

It was Moved and Seconded that the meeting be adjourned at 7:51 pm.

CARRIED

Advisory Planning Commission Chair

JoAnn Peachey

Advisory Planning Commission minute taker



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, May 20, 2021
10:21 am

MINUTES

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair S. Coyne, Town of Princeton
Director M. Bauer, Village of Keremeos
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director R. Gettens, Electoral Area "F"
Director D. Holmes, District of Summerland
Director M. Johansen, Town of Oliver
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 T. Roberts, Electoral Area "G"
Director K. Robinson, City of Penticton
Director J. Sentes, City of Penticton
Director E. Trainer, District of Summerland
Director J. Vassilaki, City of Penticton
Director C. Watt, City of Penticton

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1

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

THAT the Agenda for the Corporate Services Meeting of May 20, 2021 be amended to bring forward Item C Public Private Competition Process for Landfill Operations before Item B UBCM Resolutions - **CARRIED**

C. PUBLIC PRIVATE COMPETITION PROCESS FOR LANDFILL OPERATIONS – For Information Only

Mitch Moroziuk, consultant retained by the Regional District as Project Manager for the competition process, advised the Committee of the measures being taken to ensure that accountability, transparency and fairness for the Regional District's bid in the Public Private Competition process for the landfill operations.

B. UBCM RESOLUTIONS***Multi-jurisdictional Issues in Electoral Areas***

The proposed resolution regarding Multi-jurisdictional Issues will be brought back to the next Corporate Services Committee for discussion.

RECOMMENDATION 2**It was MOVED and SECONDED**

THAT the following Resolution be submitted to the Union of BC Municipalities (UBCM) for consideration at the 2021 UBCM Convention:

Organ Donation – Presumed Consent

WHEREAS the population of British Columbia is 5.071 million but only 1.555 million British Columbians have registered their organ donor decision;

AND WHEREAS one organ donor can save up to 8 lives:

THEREFORE BE IT RESOLVED that UBCM request that the Province of British Columbia enact Provincial legislation whereby an individual is deemed to consent to the individual's organs and tissues being used for transplantation activities, similar to the Presumed Consent Organ Transplant Act passed by the Province of Nova Scotia.

It was MOVED and SECONDED

THAT the proposed UBCM Resolution be amended to add an "opt-out" provision. - **CARRIED**

Question on the Main Motion:

THAT the following Resolution be submitted to the Union of BC Municipalities (UBCM) for consideration at the 2021 UBCM Convention:

Organ Donation – Presumed Consent

WHEREAS the population of British Columbia is 5.071 million but only 1.555 million British Columbians have registered their organ donor decision;

AND WHEREAS one organ donor can save up to 8 lives:

THEREFORE BE IT RESOLVED that UBCM request that the Province of British Columbia enact Provincial legislation whereby an individual is deemed to consent to the individual's organs and tissues being used for transplantation activities, with the inclusion of an "opt-out" provision, similar to the Presumed Consent Organ Transplant Act passed by the Province of Nova Scotia.

CARRIED

D. LOCAL GOVERNMENT WEEK - For Information Only

The Committee was advised of the initiatives undertaken to recognize Local Government Awareness Week, May 16-22, 2021.

It was MOVED and SECONDED

THAT The Board of Directors support the 2020 RDOS Communications and Public Engagement project to be considered for a 2021 Community Excellence Award, and forwarded to the Board this afternoon for approval. - **CARRIED**

E. ADJOURNMENT

**It was MOVED and SECONDED
THAT the meeting adjourn - CARRIED**

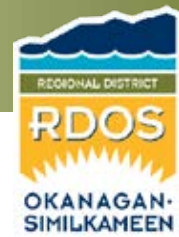
The meeting adjourned at 11:10 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



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

Thursday, May 20, 2021

9:34 a.m.

MINUTES

MEMBERS PRESENT:

Chair R. Gettens, Electoral Area "F"	Director S. Monteith, Electoral Area "I"
Vice Chair G. Bush, Electoral Area "B"	Director R. Obirek, Electoral Area "D"
Director M. Bauer, Village of Keremeos	Director M. Pendergraft, Electoral Area "A"
Director B. Coyne, Electoral Area "H"	Director T. Roberts, Electoral Area "G"
Director S. Coyne, Town of Princeton	Director K. Robinson, City of Penticton
Director D. Holmes, District of Summerland	Director J. Sentes, City of Penticton
Director M. Johansen, Town of Oliver	Director E. Trainer, District of Summerland
Director R. Knodel, Electoral Area "C"	Director J. Vassilaki, City of Penticton
Director K. Kozakevich, Electoral Area "E"	Director C. Watt, City of Penticton
Director S. McKortoff, Town of Osoyoos	

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer	C. Malden, Manager of Legislative Services
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A. APPROVAL OF AGENDA

RECOMMENDATION 1

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

THAT the Agenda for the Environment and Infrastructure Committee Meeting of May 20, 2021 be adopted. - **CARRIED**

B. MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

a. Erik Lachmuth & Jeff Wiseman – Quarterly Update

Messrs. Lachmuth and Wiseman responded to concerns and questions raised by the Directors.

C. HEDLEY CLEAN UP PROJECT – Information Only

The Committee was advised of the Hedley clean up pilot proposed to take place in 2021/2022.

D. ADJOURNMENT

**It was MOVED and SECONDED
THAT the meeting adjourn. - CARRIED**

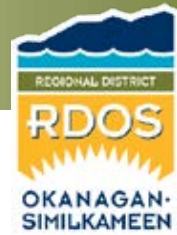
The meeting adjourned at 10:20 a.m.

APPROVED:

CERTIFIED CORRECT:

R. Gettens
Committee Chair

B. Newell
Corporate Officer



**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Planning and Development Committee**

Thursday, May 20, 2021

9:01 am

MINUTES

MEMBERS PRESENT:

Chair R. Knodel, Electoral Area "C"	Director S. McKortoff, Town of Osoyoos
Vice Chair M. Pendergraft, Electoral Area "A"	Director S. Monteith, Electoral Area "I"
Director M. Bauer, Village of Keremeos	Director R. Obirek, Electoral Area "D"
Director G. Bush, Electoral Area "B"	Director T. Roberts, Electoral Area "G"
Director B. Coyne, Electoral Area "H"	Director K. Robinson, City of Penticton
Director S. Coyne, Town of Princeton	Director J. Sentes, City of Penticton
Director R. Gettens, Electoral Area "F"	Director E. Trainer, District of Summerland
Director D. Holmes, District of Summerland	Director J. Vassilaki, City of Penticton
Director M. Johansen, Town of Oliver	Director C. Watt, City of Penticton
Director K. Kozakevich, Electoral Area "E"	

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer	C. Malden, Manager of Legislative Services
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A. APPROVAL OF AGENDA

RECOMMENDATION 1

It was MOVED and SECONDED

THAT the Agenda for the Planning and Development Committee Meeting of May 20, 2021 be adopted.
CARRIED

B. OKANAGAN FOOD INNOVATION AND PROCESSING HUB

Brad Dollevoet, District of Summerland
Jane Campardo, Engage People and Business Solutions
Charles Cornell, Community Futures, Okanagan-Similkameen
1. Presentation

RECOMMENDATION 2

It was MOVED and SECONDED

THAT the Regional District Board support the District of Summerland in its pursuit of an Okanagan Food Innovation and Processing Hub. - **CARRIED**

C. ADJOURNMENT

**It was MOVED and SECONDED
THAT the meeting adjourn. - CARRIED**

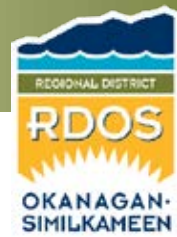
The meeting adjourned at 9:33 a.m.

APPROVED:

CERTIFIED CORRECT:

R. Knodel
Committee Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, May 20, 2021

11:22 am

MINUTES

MEMBERS PRESENT:

Chair T. Roberts, Electoral Area "G"	Director S. McKortoff, Town of Osoyoos
Vice Chair S. Coyne, Town of Princeton	Director S. Monteith, Electoral Area "I"
Director M. Bauer, Village of Keremeos	Director R. Obirek, Electoral Area "D"
Director G. Bush, Electoral Area "B"	Director M. Pendergraft, Electoral Area "A"
Director B. Coyne, Electoral Area "H"	Director K. Robinson, City of Penticton
Director R. Gettens, Electoral Area "F"	Director J. Sentes, City of Penticton
Director D. Holmes, District of Summerland	Director E. Trainer, District of Summerland
Director M. Johansen, Town of Oliver	Director J. Vassilaki, City of Penticton
Director R. Knodel, Electoral Area "C"	Director C. Watt, City of Penticton
Director K. Kozakevich, Electoral Area "E"	

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer	C. Malden, Manager of Legislative Services
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A. APPROVAL OF AGENDA

RECOMMENDATION 1

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

THAT the Agenda for the Protective Services Meeting of May 20, 2021 be adopted. - **CARRIED**

B. Regional Emergency Management Training and Exercise Incendiary Follow-up – For Information Only

1. Administrative Report

The Committee was advised of the ongoing emergency preparedness training and review action arising out of the Exercise Incendiary.

C. ADJOURNMENT

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

THAT the meeting adjourn. - **CARRIED**

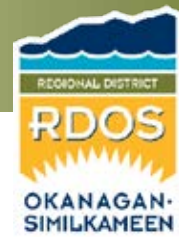
The meeting adjourned at 11:35 a.m.

APPROVED:

CERTIFIED CORRECT:

T. Roberts
Committee Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 12:45 p.m. on Thursday, May 20, 2021 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair S. Coyne, Town of Princeton
Director M. Bauer, Village of Keremeos
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director R. Gettens, Electoral Area "F"
Director M. Johansen, Town of Oliver
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 T. Roberts, Electoral Area "G"
Director K. Robinson, City of Penticton
Director J. Sentes, City of Penticton
Director E. Trainer, District of Summerland
Director J. Vassilaki, City of Penticton
Director C. Watt, City of Penticton
Director D. Holmes, District of Summerland

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer

C. Malden, Manager of Legislative Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Agenda for the RDOS Board Meeting of May 20, 2021 be amended by adding Item F3 Excellence in Service Delivery. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Kaleden Parks and Recreation Commission – April 20, 2021
THAT the Minutes of the April 20, 2021 Kaleden Parks and Recreation Commission meeting be received.
- b. Naramata Parks and Recreation Commission – April 26, 2021
THAT the Minutes of the April 26, 2021 Naramata Parks and Recreation Commission meeting be received.
- c. Area "F" Parks and Recreation Commission – May 4, 2021
THAT the Minutes of the May 4, 2021 Area "F" Parks and Recreation Commission meeting be received.
- d. Area "F" Parks and Recreation Commission – May 4, 2021 (AGM)
THAT the Minutes of the May 4, 2021 Area "F" Parks and Recreation Commission AGM meeting be received.
- e. Community Services Committee – May 6, 2021
THAT the Minutes of the May 6, 2021 Community Services Committee meeting be received.

- f. Corporate Services Committee – May 6, 2021
THAT the Minutes of the May 6, 2021 Corporate Services Committee meeting be received.

Although the Minutes of March 18, 2021 were received at the April 1, 2021 Board meeting, the following recommendation was not acknowledged in the consent agenda as is standard process:

THAT the installation of 3 video surveillance cameras on the outside of the Willowbrook Volunteer Fire Department Building be approved (March 18, 2021 Corporate Services Committee).

- g. Planning and Development Committee – May 6, 2021
THAT the Minutes of the May 6, 2021 Planning and Development Committee meeting be received.
- h. Protective Services Committee – May 6, 2021
THAT the Minutes of the May 6, 2021 Protective Services Committee meeting be received.
- i. RDOS Regular Board Meeting – May 6, 2021
THAT the minutes of the May 6, 2021 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

2. Consent Agenda – Development Services

- a. Development Variance Permit Application – 1205 Maple Street, Electoral Area “D”
i. Permit

THAT Development Variance Permit No. D2021.015-DVP to formalize an accessory dwelling at 1205 Maple St. in Okanagan Falls be approved.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

B. DEVELOPMENT SERVICES – Rural Land Use Matters

- 1. Agricultural Land Commission Referral (Non-Adhering Residential Use) – 2185 Naramata Road, Electoral Area “E”**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT “the application for a “non-adhering residential use – Additional Residence for Farm Use” at 2185 Naramata Road (Lot 24, Plan KAP576, District Lot 206, SDYD, except Plan B4825, 14888, B7983, 16800 & H17800) “be authorized” to proceed to the Agricultural Land Commission. - **CARRIED**

2. **Official Community Plan (OCP) & Zoning Bylaw Amendment – 1750 Highway 3 – Electoral Area “A”**
 - a. Bylaw No. 2905.01
 - b. Bylaw No. 2451.27
 - c. Representations

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2905.01, 2021, Electoral Area “A” Official Community Plan Amendment Bylaw and Bylaw No. 2451.27, 2021, Electoral Area “A” Zoning Amendment Bylaw be postponed to allow for a hydrogeological assessment and an updated environmental assessment to be prepared. - **CARRIED**

3. **Zoning Bylaw Amendment – Electoral Area “D”, “E”, “F”, & “I”
Regulation of “Solar Energy Systems”**
 - a. Amendment Bylaw No. 2911

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2911, 2021, Regional District of Okanagan Similkameen Solar Energy Systems Regulation Zoning Amendment Bylaw be adopted. -**CARRIED**

4. **Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002
Requirement to connect to an RDOS Sewer System**
 - a. Bylaw No. 2000.11

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

It was MOVED and SECONDED

THAT Bylaw No. 2000.11, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to require connection of parcels within a sewer system, be read a first, second and third time and be adopted. - **CARRIED**

5. **Proposed Amendment to the Subdivision Servicing Bylaw No. 2000, 2002**
 - a. Amendment Bylaw No. 2000.12

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

It was MOVED and SECONDED

THAT Bylaw No. 2000.12, 2021, being a bylaw of the Regional District of Okanagan-Similkameen to amend the Subdivision Servicing Bylaw to exempt large parcels from the requirement to prove water, be read a first, second and third time and be adopted. - **CARRIED**

C. PUBLIC WORKS**1. Naramata Village Liquid Waste Management Plan**

RECOMMENDATION 9 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the “Naramata Village Liquid Waste Management Plan” project be awarded to McElhanney Ltd. in the amount of \$89,949 plus tax; and

THAT a contingency for the project be established in the amount of \$20,000.

CARRIED

2. Fortis Gas Line Right of Way at the Campbell Mountain Landfill

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District enter into a Gas Line Right-of-Way agreement with the City of Penticton (the “City”) and FortisBC Energy Inc. (Fortis) to permit FortisBC to construct a gas line main through the CMLF Lease on the following conditions:

- a. that Fortis fund all expenses for a risk assessment, legal fees and mitigation activities to protect the RDOS and the City from installation of the Works;
- b. that a connection on the proposed high pressure gas main crossing at Reservoir Road be provided to the RDOS for a future natural gas generation project at no expense to the Regional District.

CARRIED

D. COMMUNITY SERVICES**1. Okanagan Falls Parks & Recreation Commission Meeting – March 25, 2021**

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the minutes of March 25, 2021 be referred to administration to undertake a review of the commission recommendations contained within the commission minutes of March 25, 2021 to determine impacts to current resources and workplans or to confirm legislative and/or legal authority. - **CARRIED**

2. Okanagan Falls Parks & Recreation Commission Meeting – April 8, 2021

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the minutes of April 8, 2021 be referred to administration to undertake a review of the commission recommendations contained within the commission minutes of April 8, 2021 to determine impacts to current resources and workplans or to confirm legislative and/or legal authority. - **CARRIED**

3. Similkameen Community Centre – Bowling Lane Upgrades

RECOMMENDATION 13 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the contract for the supply and installation of a new electronic bowling lane scoring/entertainment system be awarded to Buffa Distribution up to the amount of \$55,216.06, exclusive of GST. - **CARRIED**

4. Town of Oliver Request to Provide Road Rescue Service in RDOS

a. Town of Oliver Letter

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District grant authority to the Town of Oliver to provide a Road Rescue Service along Fairview Road between the Town of Oliver west boundary and the Keremeos Fire Department Service Area.

It was MOVED and SECONDED

THAT the matter of authorizing the Town of Oliver to provide Road Rescue Service along Fairview Road between the Town of Oliver west boundary and the Keremeos Fire Department Service Area be deferred. – **CARRIED**

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

5. South Okanagan-Similkameen Fire Chief Association Request for amendment to Fire Department Operational Bylaw No. 2857, 2019

a. Bylaw No. 2857 Amendment – Mark-up

b. Bylaw No. 2857.02

RECOMMENDATION 15 (Unweighted Participant Vote – 2/3 Majority)

Participants: Electoral Areas A, B, C, D, E, G, H, I, Keremeos

It was MOVED and SECONDED

THAT Bylaw 2857.02, 2021, a Bylaw to amend the Fire Department Operational Bylaw to include a definition for “Road Rescue” and grant permission for Fire Departments to leave their service area be read a first, second, and third time and adopted. - **CARRIED**

E. FINANCE

1. Town of Osoyoos Rural Water Twinning Program – Long Term Borrowing Security Issue Fall 2020 – Bylaw 2928, 2021

a. Bylaw No. 2928, 2021

RECOMMENDATION 16 (Weighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2928, 2021 being District of Okanagan Similkameen Security Issue Bylaw No. 2928, 2021, be read a first, second, third time and adopted for the purposes of borrowing up to \$1,538,859 for the design and construction of the rural water twinning program. - **CARRIED**

F. LEGISLATIVE SERVICES**1. Communications Policy**
a. Policy

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors adopt the RDOS Communications Policy as amended at the May 6, 2021 Corporate Services Committee. - **CARRIED**

2. Electoral Area “D” Service and Boundary Configuration Study

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the following residents be appointed as members of the Area “D” Service and Boundary Configuration Study Committee:

- | | |
|------------------|---------------------|
| - Bob Daly | - Kay Medland |
| - David Forst | - Matt Taylor |
| - Eleanor Walker | - Myleen Mallach |
| - Kerrie MacLean | - Phyllis Radchenko |
| - Kurt Hiebert | - Vi Creasy |

CARRIED

Addendum

3. Excellence in Service Delivery

It was MOVED and SECONDED

THAT the Board of Directors support the 2020 RDOS Communications and Public Engagement project to be submitted for consideration for a 2021 Community Excellence Award. - **CARRIED**

G. CAO REPORTS**1. Verbal Update**

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

2. Board Representation

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

3. Directors Motions

- a. Motion - Director Obirek
This item was brought as a Notice of Motion at the May 6, 2021 Board Meeting. Administration has provided a report on the matter.
 - i. Administrative Report

It was MOVED and SECONDED

THAT administration be directed to draft a zoning amendment bylaw for retail cannabis stores in Electoral Area "D". - **CARRIED**

- b. Motion - Director Roberts
The Notice of Motion made by Director Roberts at the May 6, 2021 Board meeting regarding multi-jurisdictional issues in electoral areas was considered at the May 20, 2021 Corporate Services Committee meeting and will come back to the next Corporate Services Committee meeting.
-

4. Board Members Verbal Update

I. ADJOURNMENT

It was MOVED and SECONDED

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 1:45 p.m.

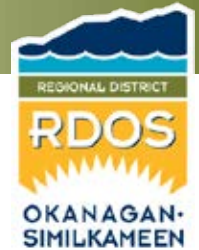
APPROVED:

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 3, 2021

RE: Building and Bylaw Contraventions – Electoral Area "E"
2587 Naramata Road, Naramata

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 22, District Lot 207, SDYD, Plan 576 except Plan H16696, that certain works have been undertaken on the lands contrary to the Regional District of Okanagan-Similkameen Building Bylaw No. 2805, 2018;

AND THAT injunctive action be commenced against the property owners to bring the property into compliance with Regional District regulations.

Purpose:

The purpose of this report is to seek direction from the Regional District Board regarding the following bylaw contraventions by the property owner(s) of 2587 Naramata Road, Naramata (legally described as Lot 22, District Lot 207, SDYD, Plan 576 except Plan H16696):

1. Placing and/or altering building and structures without a Building Permit(s) having been issued; and
2. Contravening the following regulations in the Electoral Area "E" Zoning Bylaw No. 2459, 2008:
 - i) Section 7.19 – Bed and Breakfast Operations
 - ii) Section 7.11.3 – Accessory dwellings
 - iii) Section 7.13.1 – Accessory buildings and Structures

Property Overview:

The property at 2587 Naramata Road is approximately 4,297 m² in area and is situated approximately 3.2 km south of the Naramata town center.

The property was originally created by a Plan of Subdivision prepared in 1909, while available Regional District records indicate that building permits have previously been issued for the following:

- a single family dwelling with an undeveloped basement (February, 2002);
- a garden equipment shed (March, 2003); and
- a swimming pool (June, 2006).

Under the Electoral Area "E" Zoning Bylaw No. 2459, 2008, the subject property has been zoned as Agriculture One (AG1), it has been designated as Agricultural Land Reserve (ALR) and has been classed as "Residential" by BC Assessment.

Board Policies:

Under the Regional District Board's *Enforcement of Building Bylaw Violations* Policy (2009), a consistent and cost effective approach to the enforcement of Building Bylaw violations has been established with three categories of infractions and recommended actions:

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.

Under the Board's *Bylaw Enforcement Procedures* Policy (2018), where unlawful activity has not ceased or where compliance is not being actively pursued within the time period provided for voluntary compliance, that legal proceedings or direct enforcement action should be initiated. This step towards legal action is at the discretion of the Board.

Issues:

While a full timeline of events, including the receipt of complaints, posting of Stop Work Orders and meetings between Regional District staff and the property owner is presented at Attachment No. 2, the following issues have been identified by Administration:

- at some point between 2002-18, the basement in the single detached dwelling was finished and the dwelling began operating as a bed and breakfast (i.e. "Apple D'Or");
- at some point between 2003-18, an unpermitted addition was added to a garden shed and included a kitchen area and sleeping accommodation on the second level, while bathrooms were added to the main level and second level of a shed;
- the zoning bylaw requires that a bed and breakfast operation be conducted by persons residing in the principal dwelling and that they be present on the property during a patron's stay. It is understood that the owners of the subject property reside off-site;
- the current use of the property is considered to be tourist accommodation ("boutique hotel") and is not permitted by the AG1 Zone;
- ALC approval for use of the site for tourist accommodation is required prior to the Board considering an amendment to the zoning bylaw to allow the use;
- Building Permits formalizing a "coffee room" addition to the dwelling as well as the basement development cannot be considered unless the ALC *and* the Board approve the tourist accommodation use;
- an existing accessory dwelling on the property is not permitted zoning, and has not been approved by the ALC and will require decommissioning in accordance with the Board's *Decommissioning a Dwelling Unit* Policy (2016); and

-
- the addition to the garden shed has been located approximately 0.3 metres from the interior side parcel line setback and requires a variance in order to remain in its present location.

Analysis:

To date, Administration has undertaken reasonable and substantial efforts to achieve voluntary compliance with the property owners regarding the identified building bylaw and zoning bylaw infractions.

Yet, despite this engagement as well as stop work notices being placed on various structures on multiple occasions, the property owners have continued to undertake construction without permits and to operate a tourist accommodation use (i.e. "boutique hotel"), without approval, from the principal dwelling.

The Regional District has not received a referral from the Agricultural Land Commission (ALC) for a non-farm use application to formalize the tourist accommodation use of the property, nor has a rezoning application been (re)submitted to the Regional District formalize this same use.

For these reasons, Administration is recommending that a Section 302 Notice on Title be filed against the title of the subject property and that injunctive action be commenced.

Injunctive action will require an application be submitted to the British Columbia Supreme Court, and will incur a legal cost which, if successful, can only partially be recovered from the property owners (NOTE: the estimated cost of legal action is approximately \$25,000).

Alternatives:

1. Place a notice of deficiencies on the folio file and abandon further enforcement action;
2. Place a Section 302 Notice on Title; or
3. Place a Section 302 Notice on Title and seek injunctive action.

Respectfully submitted:

L. Miller, Building & Enforcement Services Manager

Attachments: No. 1 – Context Maps
No. 2 – Timeline of Events
No. 3 – Site Photos (2019)
No. 4 – Site Photos (2019 & 2021)
No. 5 – Site Photos (2019 & 2021)

Attachment No. 1 – Context Maps



Subject Property



Attachment No. 2 – Timeline of Events

The following chronology summarizes activity with respect to this matter:

February 12, 2019 – application for rezoning from new owners for construction of a coffee shop within the pre-existing Bed & Breakfast located at the subject property for guest use as well as a service for the community

March 26, 2019 – letter from ALC confirming that the property was not exempt from the requirements of the *Agricultural Land Commission Act* which does not permit an eating or drinking establishment

April 10, 2019 – letter from property owner withdrawing rezoning application

May 2, 2019 – complaint received regarding construction of a retaining wall, occupancy of an RV and construction of a coffee shop within the residence

May 3, 2019 – Stop Work Notice posted with respect to retaining wall and interior plumbing renovations (change of use/plumbing)

May 9, 2019 – follow up stop work letter to property owner with respect to non-permitted works. Owner was advised that eating and drinking establishments were not allowed under zoning regulations nor ALC regulations. Coffee shop was to be reverted to single family dwelling use. Owner advised on site on May 3, 2019 that the retaining wall would be reduced to less than 1.2 m to negate the requirement for a building permit

May 27, 2019 – site inspection. Further Stop Work Orders placed on two gazebo structures.

May 29, 2019 – discussion between Planner, Building Official and property owner at RDOS office. To summarize the discussion an email was provided to the owner which stated:

- Zoning allows for a bed and breakfast operation but the regulations restrict the use (reviewed in detail)
- No more than 4 bedrooms can be used for the bed and breakfast. The floor plan currently show 5 bedrooms with further indication that the accessory building also had sleeping accommodations. Plans to be modified to limit the bedrooms to 4 and remove sleeping/living accommodations from the accessory building
- Bed and breakfast rooms cannot have cooking facilities. Cooking facilities are limited under the decommissioning policy to a 'wet bar'. The kitchenettes can have no more than 1.5 m of counter/lower cabinets, no upper cabinets, no stove or 220 volt stove outlet, and no range hood or exhaust fans. Understanding was that stoves had been removed and plans were to be modified to fit the criteria
- An accessory building in the AG1 zone can have 1 shower and a bathroom with a maximum floor area of 6 m² and no sleeping accommodations. Plans were to be modified to meet the criteria
- Noted that coffee shop was for personal use and breakfast guests only.
- Summary from building official that the following building permit applications would be required
 - Renovation permit for single family dwelling

-
- Decommissioning of accessory building / classify the use
 - Gazebos (x2)
 - Plumbing permit (coffee bar area)

July 9, 2019 – applications made for building permits for two gazebos (permits issued November 18, 2019)

July 19, 2019 – applications made for building permits for the addition to studio (accessory building) and a plumbing permit for the coffee shop alteration, and basement finishing of the single family dwelling

November 7, 2019 – letter to property owners summarizing enforcement issues as well as reasons for refusal of submitted building permit applications for the studio addition and the single family dwelling. These issues are summarized as:

Single Family Dwelling (Bed and Breakfast)

Under Section 4 of the Zoning Bylaw, not more than one set of cooking facilities is permitted in a dwelling unit. The submitted floor plan shows three kitchen facilities (“Kitchenettes”) on Floor 1 and two kitchen facilities on Floor 2 (“coffee bar” and “kitchen”)

To meet Section 7.19.4 of the Zoning Bylaw, no cooking facilities shall be provided for within the bedrooms intended for the bed and breakfast operation. The submitted floor plan shows cooking facilities within the bedroom intended for the bed and breakfast operation

To meet Section 7.19.3 of the Zoning Bylaw, no more than 4 bedrooms can be used for the bed and breakfast operation. The submitted floor plan indicates 4 bedrooms on the lower level and 1 bedroom on the upper level for bed and breakfast operation use (excludes Master Bedroom)

Addition to accessory building

Under Section 7.13.4. of the Zoning Bylaw, the maximum number of bathrooms permitted in an accessory building is one. The submitted floor plan show one bathroom on the lower level and one bathroom on the 2nd storey

Under Section 7.13.3. no accessory building shall contain a bathtub. It is unclear from the submitted plans if a bathtub is proposed

Under Section 4.0 of the Zoning Bylaw, a wet bar is not permitted in an accessory building or structure. The submitted floor plan indicates a wet bar (“decommissioned kitchen”)

January 8, 2020 – meeting with property owner at the RDOS after having received the November 7, 2019 letter. In attendance with the property owner were the General Manager of Development Services, Manager of Building and Enforcement Services and the Electoral Area ‘E’ Director. The owner was advised that rezoning to accommodate the existing use was required in addition to approval from the ALC for the non-farm use.

March 9, 2020 – as no progress had been made towards resolution a final letter was sent to the property owners advising that this matter would be proceeding to the regional board for resolution.

March 23, 2020 – telephone discussion between the property owner and the Building and Enforcement Services Manager wherein the property owner advised that he had had discussions with the ALC as well as his lawyer. The property owner was advised that in the interim the property should

cease operating as a hotel (Bed & Breakfast). Options presented to the owner for potential enforcement efforts included posting of a Do Not Occupy Notice, filing of a Notice on Title, proceeding to injunctive action and /or issuance of fines for non-conforming uses.

October 15, 2020 – the Building Official placed a Stop Work Order on a newly constructed elevated platform located on the property located at 1025 Sammet Road. The standard stop work letter was provided to the owners by letter dated October 20, 2020. The owners advised that they had not constructed the platform. The structure had been constructed by the owners of 2587 Naramata Road on the incorrect property.

January 8, 2021 – application for building permit for the elevated platform and shed. Platform to be relocated onto correct property.

January 21, 2021 – site visit by Building Official which revealed additional construction had occurred on the property, including construction of a set of stairs from the upper level bedroom to the main level deck of the principal dwelling and construction of a set of spiral stairs from the accessory building upper level to ground.

Attachment No. 3 – Photos (2019)



March 14, 2019



May 3, 2019



May 3, 2019

Attachment No. 4 – Photos (2019 & 2021)





May 27, 2019



January 27, 2021

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 3, 2021

RE: Untidy and Unsightly Property Contravention
Electoral Area: G Folio: G03502.150
PID: 010-923-021
Civic Address: 1108 Kingston Avenue, Hedley

Administrative Recommendation:

THAT the RDOS commence the process to bring Lot 16, Block 2, District Lot 2482, SDYD, Plan KAP2565 (1108 Kingston Avenue) into compliance with the Regional District of Okanagan-Similkameen's Untidy and Unsightly Premises Regulatory Control Bylaw No. 2521, 2010.

Purpose:

To commence the process to clean up a property in contravention of the Untidy and Unsightly Premises Regulatory Control Bylaw No. 2521, 2010 ("Untidy and Unsightly Premises Bylaw")

Reference:

RDOS Bylaw No. 2521, 2010 – Untidy and Unsightly Premises Bylaw

Background:

At the beginning of August, 2020 the house and outbuildings located on the subject property located at 1108 Kingston Avenue, Hedley, Electoral Area 'G' were destroyed by fire. After submission of several complaints, the Bylaw Enforcement Officer attended at the property on September 8, 2020 and found it to be in clear contravention of the RDOS Untidy and Unsightly Premises Bylaw.

October 7, 2020 - The property owner was notified by letter that the property was in violation of the Untidy and Unsightly Premises Bylaw and given until November 9, 2020 to bring the property into compliance.

November 10, 2020 – The Bylaw Enforcement Officer attended at the property for a follow up site investigation. The elderly property owner was residing in an RV on the site and attempting to get clean-up work done. Work was hampered by limited income, no insurance as well as the COVID 19 restrictions. The owner was hoping to receive assistance from a local man with a truck to assist in his efforts. The property remained in contravention of the Untidy and Unsightly Premises Bylaw.

January 28, 2021 – a follow up letter of the November 10, 2020 site investigation was provided to the property owner advising that property clean-up must continue and once the winter conditions

were over clean-up had to be completed. The property owner was advised that continued monitoring would be undertaken by the Bylaw Enforcement Officer and if there was no indication of clean-up then fines would be issued.

February 2, 2021 – telephone discussion with the property owner after receiving the January 28, 2021 letter. He expressed his wishes to cooperate with the Regional District and proceed to the Board for direct action for the property clean-up.

Analysis:

Pursuant to the requirement of the Untidy and Unsightly Premises Bylaw, the owner has been notified that a compliance process has been initiated. In accordance with the procedure set out in the Untidy and Unsightly Premises Bylaw, a final notice has been given to the property owners giving 30 days to bring the property into compliance. The owner has also been made aware that direct action clean up by either a contractor or RDOS staff in accordance with the Untidy and Unsightly Premises Bylaw may commence on Monday, June 7, 2021 dependent on approval of the Board resolution.

Section 4 of the Untidy and Unsightly Premises Bylaw gives authority for the RDOS to undertake direct action through its own forces, or those of a contractor, to carry out the work necessary to comply with the provisions of the bylaw at the expense of the owner or occupier. Upon failure to pay, the Regional District may recover the costs of undertaking the work through property taxes.

Alternatives:

1. That the RDOS abandon enforcement of the Regional District of Okanagan-Similkameen Untidy and Unsightly Premises Regulatory Control Bylaw No. 2521, 2010 against Lot 16, Block 2, District Lot 2482, SDYD, Plan KAP2565 (1108 Kingston Avenue).

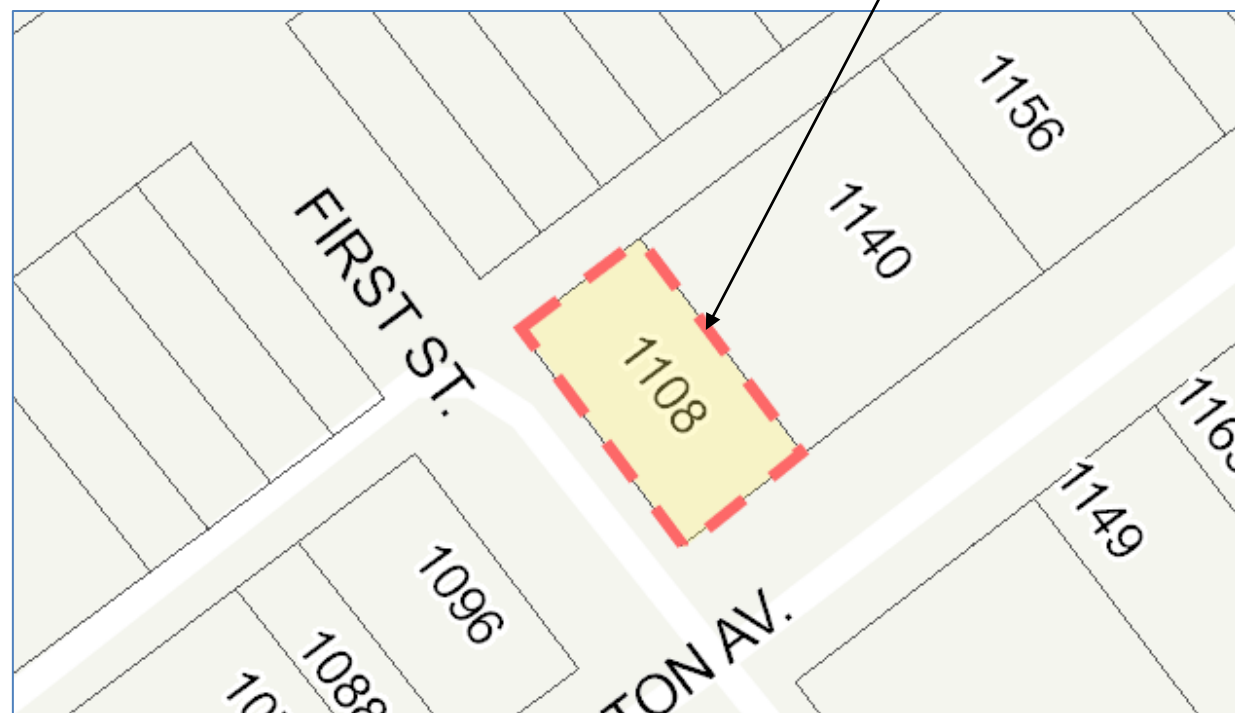
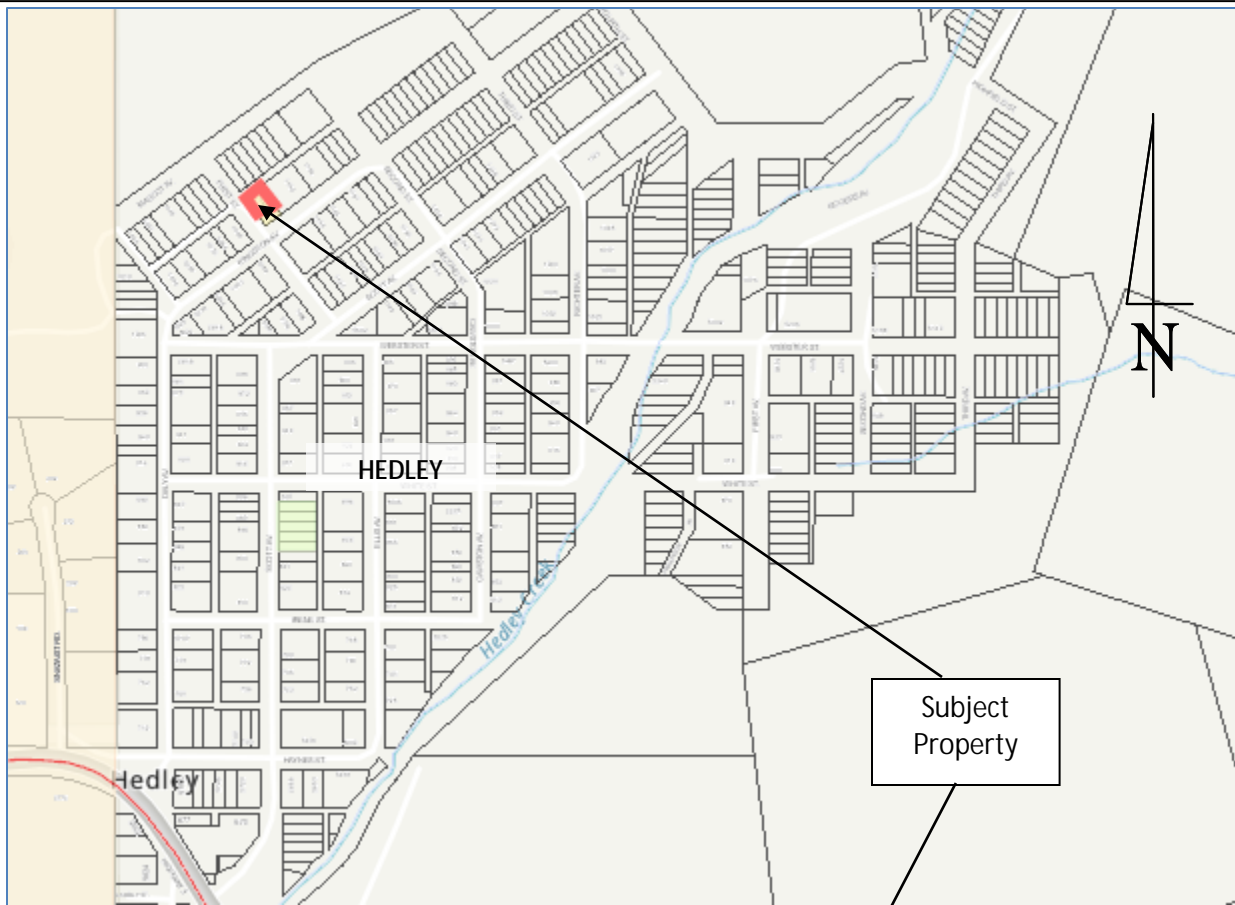
Respectfully submitted:

"Laura Miller"

L. Miller, Building & Enforcement Services Manager

Attachments: Context Map
Site photos

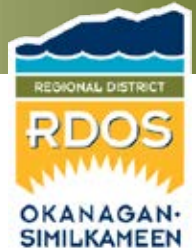
Attachment No. 1 – Context Maps



Attachment No. 2 – Photos



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 3, 2021
RE: Temporary Use Permit Application – Electoral Area “D”

Administrative Recommendation:

THAT Temporary Use Permit No. D2021.005-TUP to allow a short-term vacation rental in a 4-bedroom house at 128 Saliken Drive be denied.

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

Owners: Terrence and Donna-May Scramstad Agent: n/a Folio: D-06752.290

Civic: 128 Saliken Drive Legal: Lot A, Plan KAP86573, District Lot 2710, SDYD

OCP: Large Holdings (LH) Zoning: Site Specific Large Holdings One (LH1s)

Proposed Development:

This application is seeking to authorize the operation of a short-term vacation rental use of a four-bedroom dwelling on the subject property for a one season term to expire on December 31, 2021, through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “this is our inaugural season, and our demographic is a family-oriented holiday to a maximum of 6 people. Stipulating in our rules, no parties, or gatherings and a designated outside quiet time.”

Site Context:

The subject property is approximately 3,107 m² in area and is situated on the southwest side of Saliken Drive and approximately 100 metres from the City of Penticton municipal boundary.

The surrounding pattern of development is generally characterised by rural residential parcels that have been developed with single detached dwellings.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on May 9, 2008, while available Regional District records indicate that building permits for a single detached dwelling (1998), garage (2010), deck addition (2015) and porch/deck enclosure (2015) have previously been issued for this property.

BC Assessment has classified the property as “Residential” (Class 01).

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Large Holdings (LH), and is the subject of a Environmentally Sensitive

Development Permit (ESDP) Area designations on a portion of the parcel and is within the Hillside Development Permit Area.

Section 23 of the Electoral Area "D" OCP Bylaw contains the objective to consider allowing on-going vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits and supportive policy under Section 10.3.9 Rural Holdings, provided that community and neighbourhood residential needs and other land use needs can be addressed

Evaluation criteria under 10.3.10 includes the capability of accommodating on-site sewage disposal, among other criteria.

Under the Electoral Area "D" Zoning Bylaw No. 2455, 2008 the property is currently zoned Site Specific Large Holdings One (LH1s) which permits single detached dwellings as a principal use.

Public Process:

On May 11, 2021, a Public Information Meeting (PIM) was held electronically and was attended by approximately 3 members of the public.

At its meeting of May 11, 2021, the Electoral Area "D" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be denied.

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.

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

Analysis:

In considering this proposal, Administration notes that the Electoral Area "D" OCP Bylaw includes supportive policy for vacation rental uses under Rural Holdings designations and outlines a number of criteria against which the Board will consider such a use.

In response to the criteria outlined in Section 23, in favour of the application, a vacation rental is considered a seasonal use as it only occurs for a portion of the year (i.e. May-September), is located outside of designated environmentally sensitive areas, and is contained within an existing dwelling.

In response to the criteria outlined in Section 10.3.10, in favour of the application, the applicant has submitted a site plan which shows provision of adequate parking on-site, including a garage and additional spaces in front, exceeding the four parking space requirement.

Further, a health and safety inspection was completed on March 10, 2021 and did not identify any deficiencies.

A letter prepared by a Registered On-site Wastewater Practitioner (ROWP) has been provided stating "the septic system is designed for, and can handle flow of 1818 liters per day. Therefore at 450 liters per day, per person a 4 person/3-bedroom rental will have no negative effects on the onsite wastewater system".

With regards to mitigations measures such as screening and fencing, the applicant has noted the land is fully fenced with a designated backyard that has a separate fenced area.

However, Administration has concerns regarding the capability of accommodating on-site domestic sewage disposal based on the ROWP letter provided and the number of bedrooms in the dwelling.

The ROWP letter stated existing onsite sewage disposal system “can handle daily flow of 1818 liters per day. Therefore at 450 liters per day, per person, a 4 person/3-bedroom rental will have no negative effects”. This is half of the capacity required of a 4-bedroom rental, which is based on 2 people per bedroom (8-person occupancy).

Although the TUP could be modified to reduce the occupancy to a maximum of 4 persons to reflect the on-site septic system limitations, Administration does not support this approach as it places a matter of public health in the hands of behavioural compliance and enforcement of TUP condition (i.e. 4-person occupancy) that is at odds with the built form (i.e. 4-bedroom house).

Conversely, the intent of the Regional District’s “Vacation Rental Temporary Use Permit Policy”, and supportive OCP policies is to allow for a new vacation rental use to operate for one “season” in order to determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

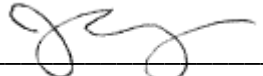
The Electoral Area “D” OCP Bylaw supports vacation rentals in rural residential areas, and the applicant could satisfy the evaluation criteria for a 2-bedroom (4-person occupancy) vacation rental with the existing on-site septic system.

In summary, Administration does not support the use of this 4-bedroom dwelling for a vacation rental use, based on known on-site septic system limitations, and is recommending that the permit be denied.

Alternatives:

1. THAT the Board of Directors approve Temporary Use Permit No. D2021.005-TUP; or
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. D2021.005-TUP for the following reasons:
 - i) *TBD*

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List
No. 2 – Applicant’s Site Photo

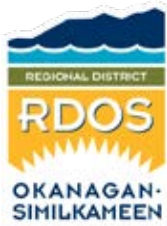
Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a p, regarding D2021.005-TUP:

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

Attachment No. 2 – Applicant's Site Photo





TEMPORARY USE PERMIT

FILE NO.: D2021.005-TUP

Owner: Terrance and Donna-May
Scramstad

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', 'D', 'E', and 'F' and described below:

Legal Description: Lot A, Plan KAP86573, District Lot 2710, SDYD

Civic Address: 128 Saliken Drive

Parcel Identifier (PID): 027-507-319 Folio: D-06752.290

TEMPORARY USE

6. In accordance with Section 21.0 of the Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012, the land specified in Section 5 may be used for a "vacation rental" use as defined in the Electoral Area "H" 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 September 30th;
 - 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 "D" 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 shall expire on December 31, 2021.

Authorising resolution passed by Regional Board on ____ day of _____, 2021.

B. Newell, Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

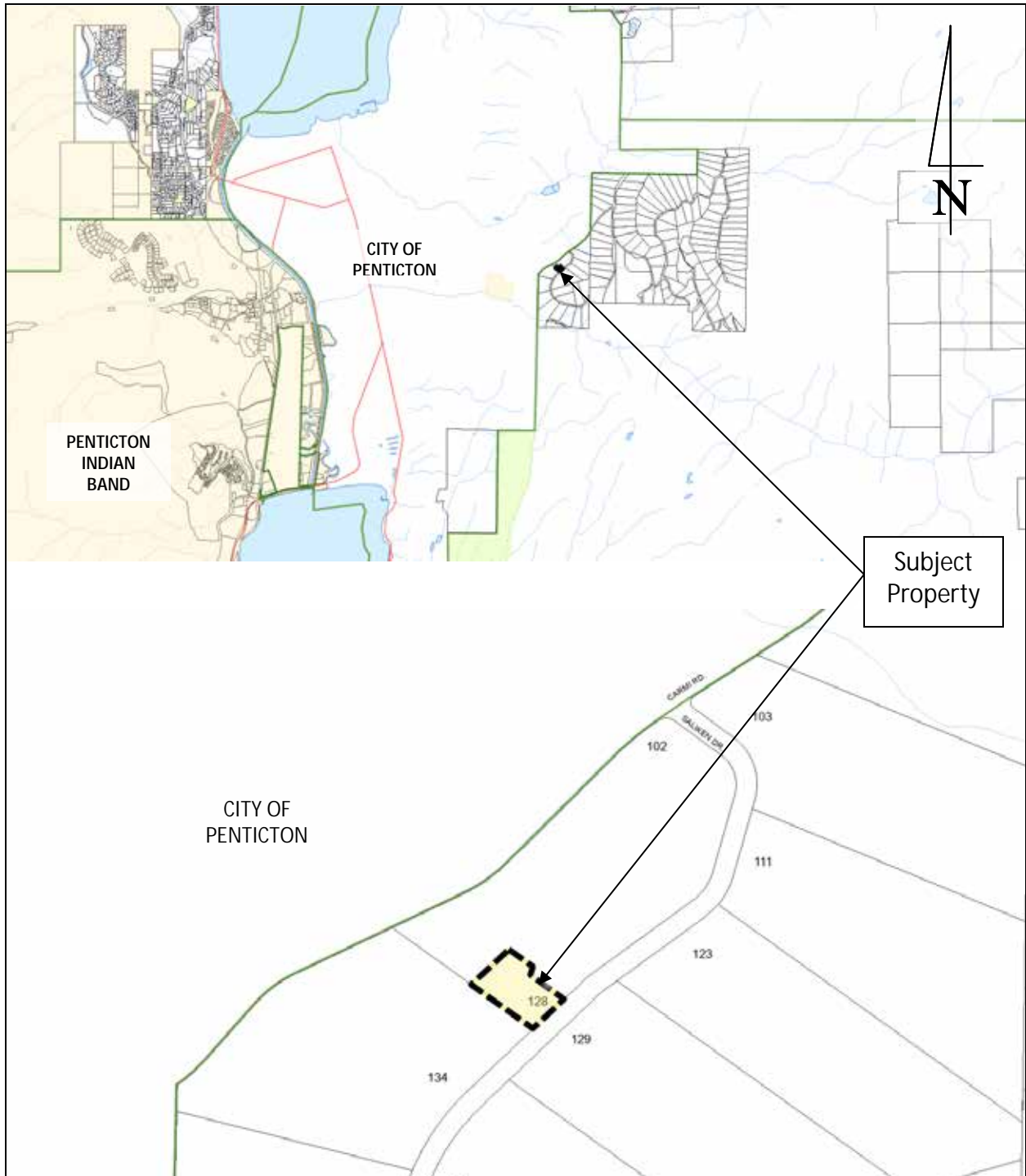
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. D2021.005-TUP

Schedule 'A'



Regional District of Okanagan-Similkameen

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

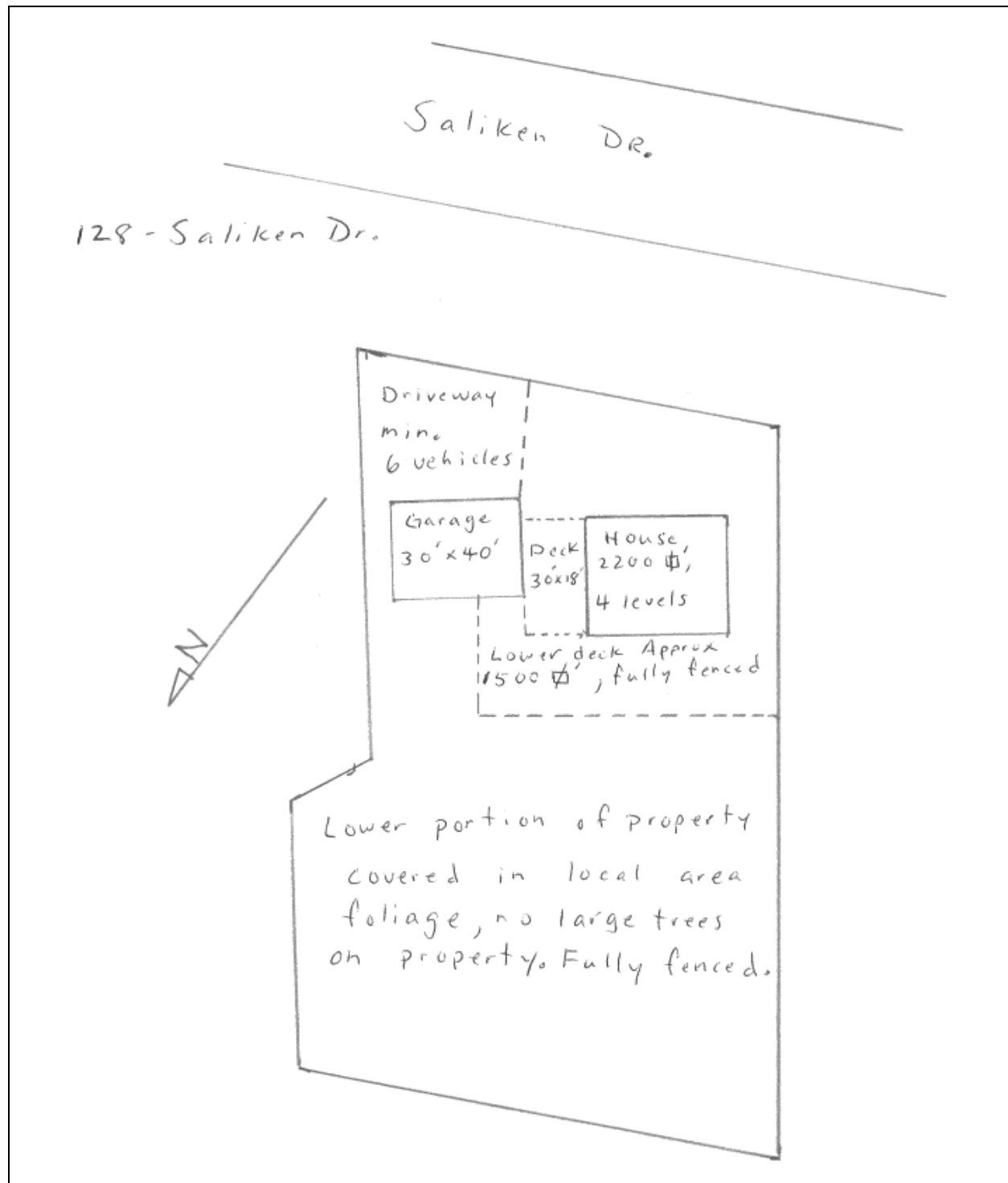
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. D2021.005-TUP

Schedule 'B'



Regional District of Okanagan-Similkameen

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

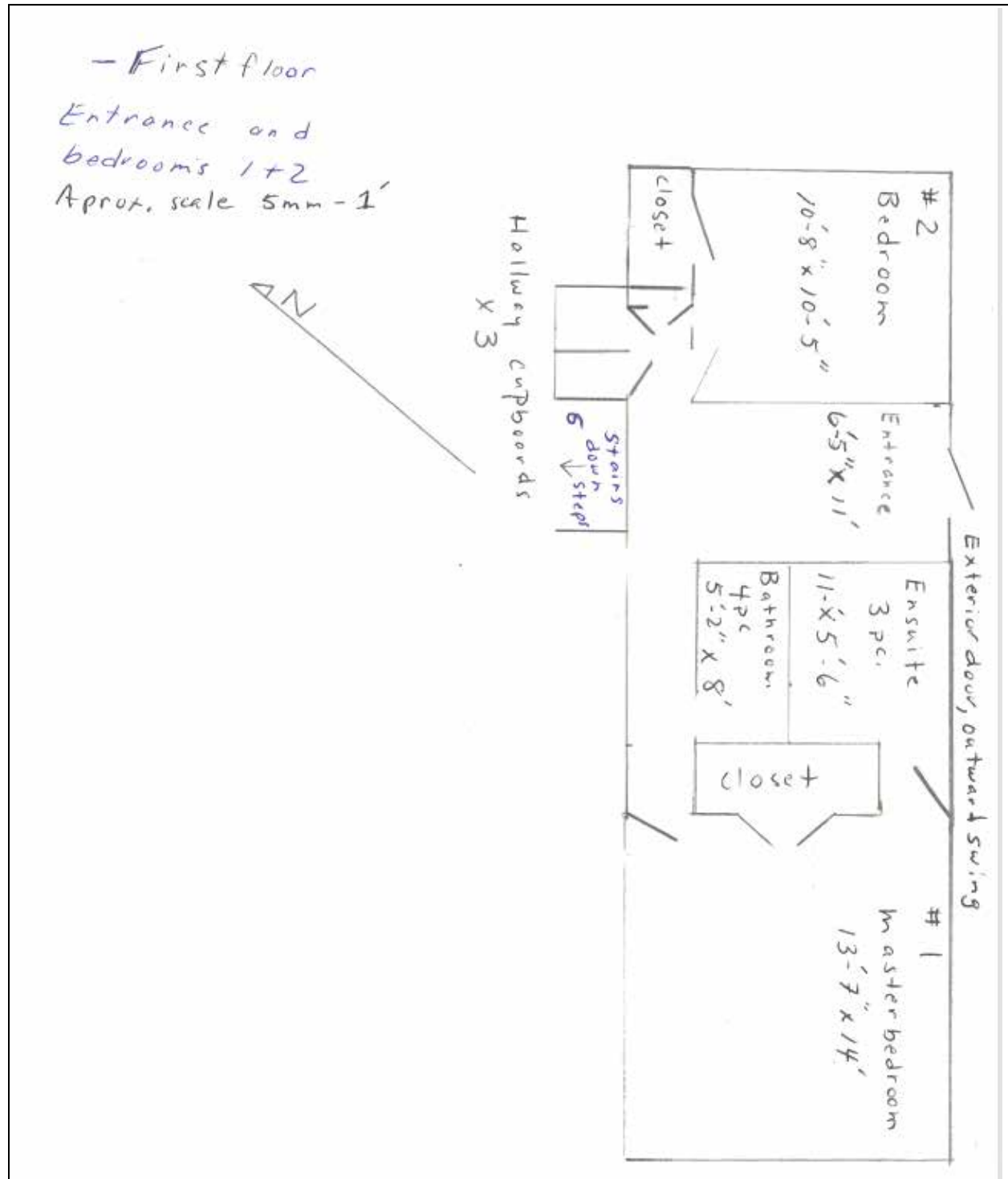
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. D2021.005-TUP

Schedule 'C'



Regional District of Okanagan-Similkameen

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

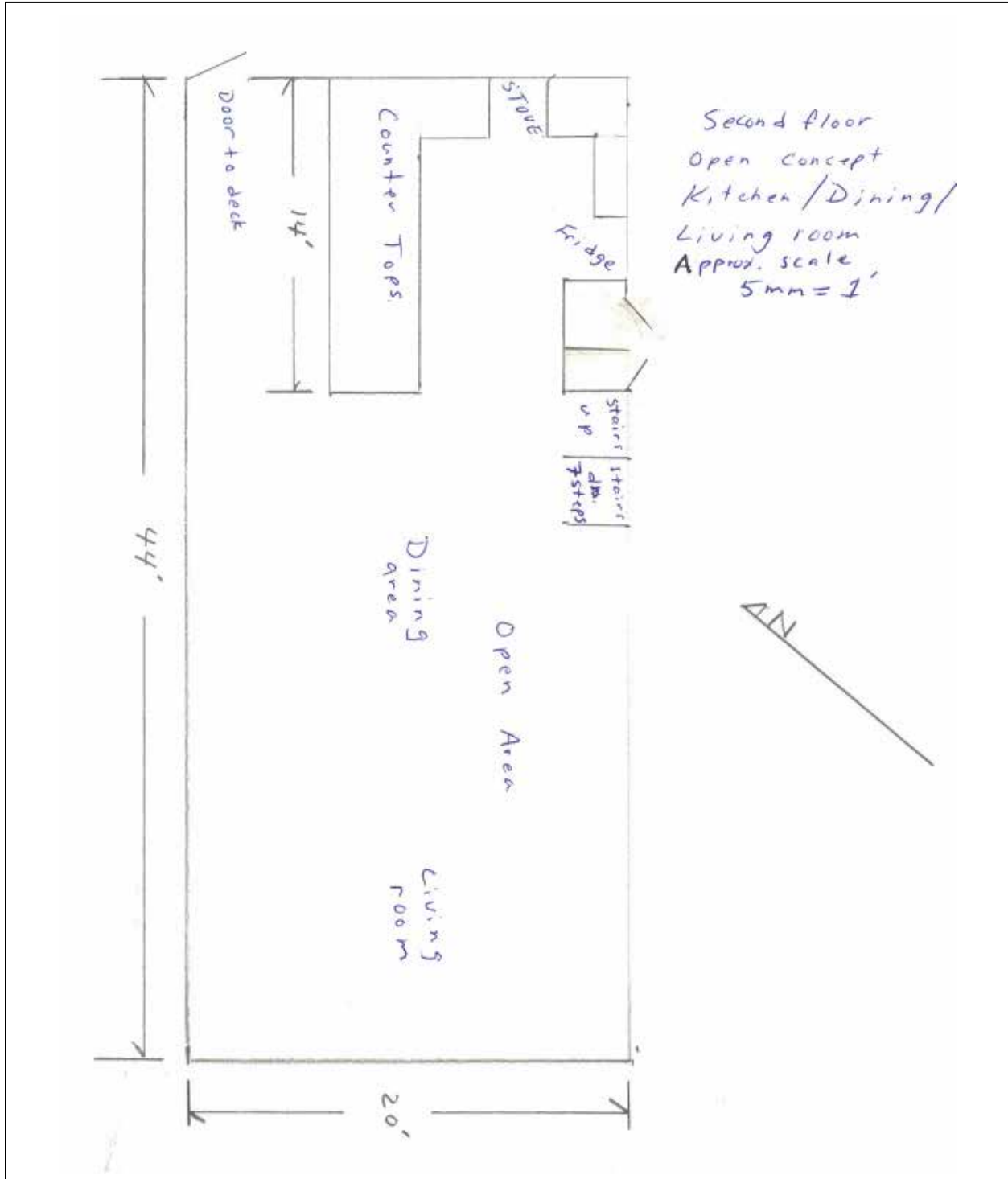
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. D2021.005-TUP

Schedule 'D'



Regional District of Okanagan-Similkameen

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

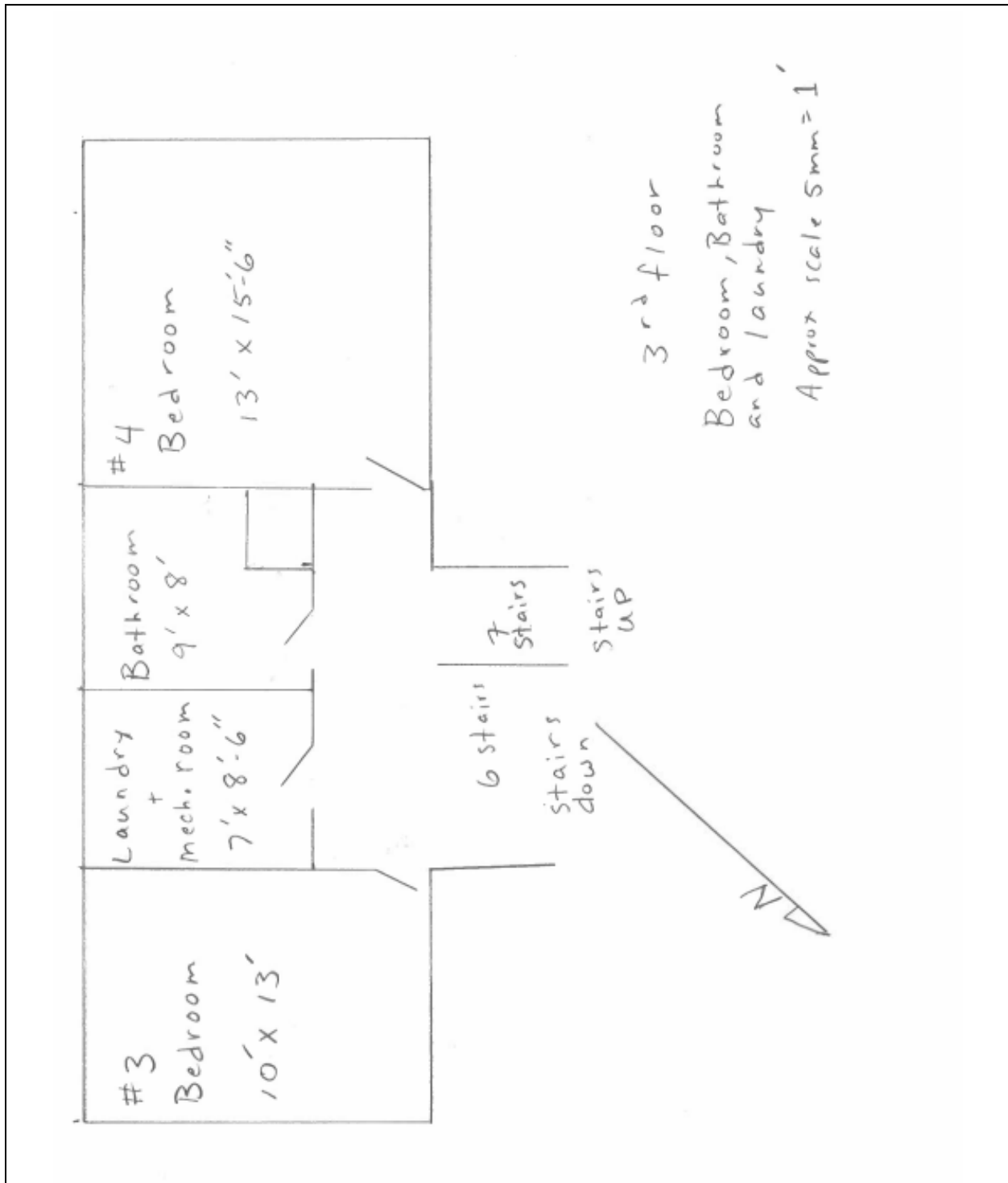
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. D2021.005-TUP

Schedule 'E'



Regional District of Okanagan-Similkameen

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

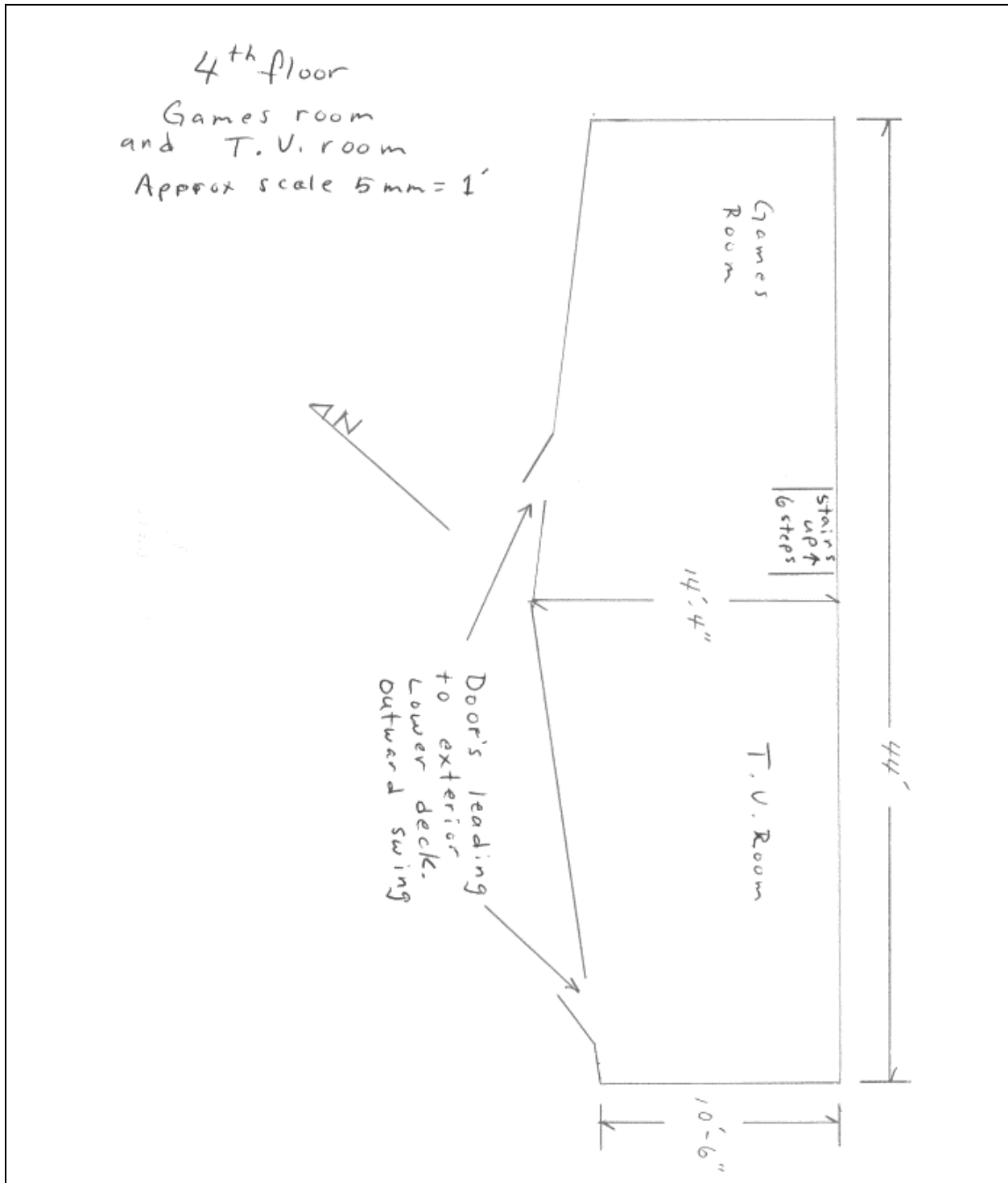
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. D2021.005-TUP

Schedule 'F'



RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. D2021.005-TUP

Approval Recommended for Reasons Outlined Below

Interests Unaffected

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

See attached letter.

Signature:  _____

Signed By: Tanya Osborne, BAHS

Agency: Interior Health Authority

Title: Community Health Facilitator

Date: May 7, 2021



Interior Health
Every person matters

May 7, 2021

JoAnn Peachey
Planning Department
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC V2A-5J9

RE: File No. D2021.005-TUP: 128 Saliken Drive: Lot A, Plan KAP86573, District Lot 2710, SDYD

Dear JoAnn Peachey,

Thank you for the opportunity to provide comments on this application. It is our understanding that the applicant is requesting a temporary use permit (TUP) to operate a short-term vacation rental use at the subject property. This referral has been reviewed from a Healthy Communities Development and an Environmental Management perspective. The following is for your consideration:

Healthy Communities Development:

Housing is a key determinant of health. It has a significant influence on our physical and mental health, social well-being, and indirectly influences many other determinants of health such as income, early childhood development, educational opportunities, and access to health services. Healthy housing is affordable, high quality, and in a location and community that meets our needs and supports health and well-being.

Living in affordable, safe, and stable housing is associated with positive physical and mental health outcomes. Access to affordable housing can reduce stress as well as allow residents to have adequate financial and personal resources available to live a healthy life.

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](#) does identify 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 in both the short term and long term.

Interior Health recommends that the Board considers the local need for long term rentals in the community while balancing the creation of short term vacation rentals.

Environmental Management:

Thank you for the opportunity to provide comments on the above referenced Temporary Use Permit to operate a vacation rental on the subject property from the viewpoint of our policies and regulations governing onsite sewerage dispersal systems and drinking water supply.

An internal file search produced no documentation on the existing on-site sewerage disposal system. As such, this office recommends having an [Authorized Person](#) as defined in the [Sewerage System Regulation](#) perform a Performance Inspection and provide a report on the existing sewerage dispersal system as per Section 7.2 of the [Onsite Wastewater Certification Board Policy: APPENDIX 2, Registered Onsite Wastewater Practitioner \(ROWP\) Practice Guidelines](#) to confirm adequate performance, condition, size and location for the continued/intended use of the existing onsite sewerage system. This assessment is to ensure that it does not pose a health hazard/risk and that it meets the required vertical and horizontal separation distances as well as today's [Sewerage System Standard Practice Manual, Version 3](#) standards.

The [Registered Onsite Wastewater Practitioner](#) performing the inspection should be certified by the Applied Science Technologists & Technicians of British Columbia (ASTTBC) in the discipline of Private Inspector.

Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health. Please do not hesitate to reach out to if you require clarification or have questions.

Sincerely,



Tanya Osborne, BAHS
Community Health Facilitator
Healthy Communities



Jannine Kowalchuk, B.Tech, C.P.H.I.(C)
Environmental Health Officer
Environment Assessment

RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. D2021.005-TUP

Approval Recommended for Reasons
Outlined Below

Interests Unaffected

Approval Recommended Subject to
Conditions Below

Approval Not Recommended Due
to Reasons Outlined Below

Signature: Jennifer Wells

Signed By: Jennifer Wells

Agency: City of Penticton

Title: Property Use & Licence Inspector

Date: April 19, 2021

Lauri Feindell

Subject:

FW: D2021.005-TUP

From: B Stewart

Sent: May 26, 2021 4:26 PM

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

Subject: D2021.005-TUP

To whom it may concern,

I wish to support this application.

I would like to add that one should not have to ask for permission to do what they desire on their property.

I believe that no one should have the power to prevent anyone from capitalizing on their investment nor does anyone have an invested interest in one's private property other than the property owner.

There seems to always be a whiner that is going to B about something.

I hope the board is open minded to the needs of the particular property owner over Neighbours. To own a piece of property and be limited to capitalizing from it is downright wrong, in my opinion.

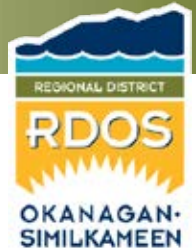
Having said that I am in favour and supportive of D2021.005-TUP application and anyone else that takes the initiative to make money in Canada off of their property.

I also believe that if a property owner is limited or suppressed by the use of their land that they should be able to apply for a tax exemption.

Thank you

Brian Stewart

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 3, 2021

RE: OCP & Zoning Bylaw Amendments – Okanagan Falls Commercial Zone Review
(Okanagan Falls Town Centre Plan – Phase 3)

Administrative Recommendation:

THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2021, and Zoning Amendment Bylaw 2455.38, 2021 be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated June 3, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.15, 2021, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of July 8, 2021;

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

Proposal:

It is being proposed that the Regional District Board initiate an amendment to the Electoral Area “D” Official Community Plan (OCP) and Zoning Bylaws in order to update the Okanagan Falls Commercial Transition zone as part of the final phase of implementing the Okanagan Falls Town Centre Plan as well as on-going work related to the preparation of a single zoning bylaw for the Okanagan Electoral Areas.

Specifically, it is being proposed that the Okanagan Falls Town Centre Transition Zone (C4), which applies to 31 parcels, be replaced as follows:

- that 16 parcels be rezoned to a General Commercial (C1);
- that 7 parcels be rezoned to Medium Density Residential (RM1),
- that 5 parcel be rezoned to Highway Commercial (C4),
- that 2 parcels be rezoned to Administrative and Institutional (AI); and
- that 1 parcel be rezoned to Tourist Commercial (CT1).

Background:

The Okanagan Falls Town Centre Plan was commenced in 2014 with the objective of helping to “reverse the economic fortunes of Okanagan Falls” by creating a land use plan to guide strategic

public and private investments and partnerships, and to foster positive streetscape improvements and quality urban design that together will provide a distinctive sense of place. The planning process was conducted in three (3) phases and included significant consultation with the community and other stakeholders.

At its meeting of November 16, 2017, the Planning and Development (P&D) Committee of the Regional District Board resolved to accept the Okanagan Falls Town Centre Plan as a guiding document for the future amendments to the Electoral Area "D" Official Community Plans (OCP) and Zoning Bylaws.

At its meeting of November 16, 2017, the Board also directed Administration to complete a review of the Electoral Area "D-2" Zoning Bylaw to ensure conformance to the Okanagan Falls Town Centre Plan – Phase 3 Report as a strategic project for 2018, and this work remains on-going.

Incorporating changes into the OCP and Zoning Bylaws has been done in phases: Phase 1 amendments to the OCP Bylaw were adopted on August 2, 2018, while Phase 2 amendments to the Zoning Bylaw were adopted on February 7, 2019. Phase 3, which is the section of Highway 97 south of Main Street was originally scheduled to occur in 2019, but was delayed until 2021.

Amendment Bylaw No. 2603.15 and No. 2455.38, 2018, represent the third and final phase of incorporating the OK Falls Town Centre Plan's recommendations.

At its meeting of April 15, 2021, the Board resolved "that consideration of Zoning Bylaw Amendment – Okanagan Falls Commercial Zone Review be postponed to next meeting."

At its meeting of May 6, 2021, the Board resolved to defer consideration of the amendment bylaws pending review by the Electoral Area "D" Advisory Planning Commission (APC).

Referrals:

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

Public Process:

In lieu of holding an in person Public Information Meeting (PIM), letters were sent to all affected property owners on October 29, 2020. This involved approximately 52 different owners of 31 different parcels (including strata parcels) advising of the proposed zoning changes, and offering to meet to discuss any questions or comments they may have had. In response, one (1) property owner contacted the Regional District.

On February 9, 2021, the regional District resent letters to all property owners advising them of the proposed zoning amendments. Subsequently, on February 23, 2021, and as a result of received feedback, five (5) property owners were advised of a new proposed Highway Commercial (C4) zone.

At a special meeting of May 25, 2021, the Electoral Area "D" APC resolved to recommend to the Board that the proposed amendments to the OCP & Zoning Bylaw be approved.

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

Analysis:

A principal objective of the Okanagan Falls Town Centre Plan is to encourage the area north of Highway 97 to become the focal point of the community through the encouragement of new, mixed-used and multi-family residential developments.

In support of this strategic direction, the final phase of the Town Centre Plan involves a review of the commercial C4 zoning south of the Town Centre adjacent to Highway 97 and to replace it with more suitable zoning.

While many of the buildings along this corridor are being used for commercial purposes in the past, and are being proposed for conversion to a different commercial zone, others have been converted to non-commercial uses, such as residential or administrative.

The replacement zoning being proposed for each property was done in consideration of information obtained from BC Assessment classifications, current land use, potential re-development, and policy directions from the OCP and the Town Centre Plan.

Also, through public feedback, a number of properties have been re-designated as Highway Commercial (C4), a new zone that allows a mixed use that retains uses similar to a commercial zone and also allows for dwelling units above or at the rear of the property.

In summary, Administration believes that the proposed changes support the direction of the Okanagan Falls Town Centre Plan, and the Electoral Area "D" OCP while encouraging a broad range of commercial uses along the highway and the potential for greater residential density by introducing a Medium Density zone.

Alternatives:

1. THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2018, and Zoning Amendment Bylaw 2455.38, 2018 be read a first and second time and proceed to public hearing;
AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated May 6, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;
AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.15, 2021, in conjunction with its Financial and applicable Waste Management Plans;
AND THAT the holding of the public hearing be delegated to Director Obirek, or their delegate;
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Obirek;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2021 and Zoning Amendment Bylaw No. 2455.38, 2021 be deferred; or
3. THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2021 and Zoning Amendment Bylaw No. 2455.38, 2021 be denied.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'C. Garrish', written over a horizontal line.

C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.38, 2021

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

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Okanagan Falls Town Centre Update Zoning Amendment Bylaw No. 2455.38, 2021."
2. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:
 - i) replacing Section 14.2 (Okanagan Falls Town Centre Transition Zone) under Section 14.0 (Commercial) in its entirety with the following:

14.2 HIGHWAY COMMERCIAL ZONE (C4)

14.2.1 Permitted Uses:

Principal uses:

- a) brewery, cidery, distillery, meadery or winery;
- b) eating and drinking establishments;
- c) indoor recreation;
- d) apartment building, subject to Section 14.2.5;
- e) offices;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) townhouse, subject to Section 14.2.5;
- j) tourist accommodation;

Secondary uses:

- k) dwelling units;

- l) bed and breakfast operation, subject to Section 7.19;
- m) home occupations, subject to Section 7.17; and
- n) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Highway Commercial Zone (C4s) Provisions:

- a) see Section 19.15

14.2.3 Minimum Parcel Size:

- a) 1000 m², subject to servicing requirements.

14.2.4 Minimum Parcel Width:

- a) Not less than 25% of parcel depth.

14.2.5 Dwelling Unit Regulations:

- a) dwelling units shall be located above the first floor or at the rear of a building containing a principal commercial use.

14.2.6 Minimum Setbacks:

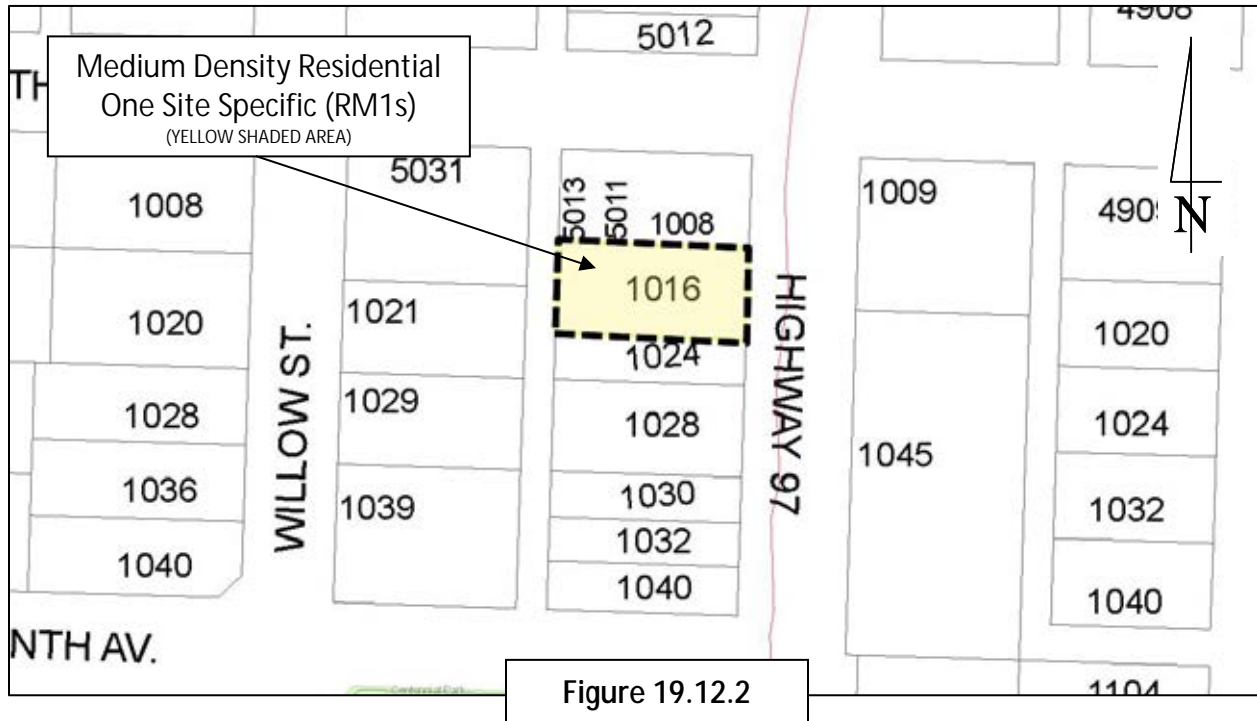
- a) Buildings and Structures:
 - i) Front parcel line: 3.0 metres
 - ii) Rear parcel line: 0.0 metres
 - iii) Interior side parcel line: 0.0 metres
 - iv) Exterior side parcel line: 3.0 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 3.0 metres
 - ii) Rear parcel line: 0.0 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 3.0 metres

14.2.7 Maximum Height:

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

14.2.8 Maximum Parcel Coverage:

- a) 80%
- ii) adding a new Section 19.12.2 (Site Specific Medium Density Residential One) under Section 19.0 (Site Specific Designations) to read as follows:
 - .2 In the case of land described as Parcel A, Block 10, Plan KAP1280, District Lot 374, SDYD, Portion KD20684 (1016 Main Street), and shown shaded yellow on Figure 19.12.2:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:
 - a) eating and drinking establishments;
 - b) offices;
 - c) personal service establishment; and
 - d) retail stores, general.



- iii) adding a new Section 19.12.3 (Site Specific Medium Density Residential One) under Section 19.0 (Site Specific Designations) to read as follows:
 - .3 In the case of land described as Plan KAS1099, District Lot 374, SDYD (1135 Highway 97), and shown shaded yellow on Figure 19.12.3:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

- a) eating and drinking establishments;
- b) offices;
- c) personal services establishment; and
- d) retail stores, general

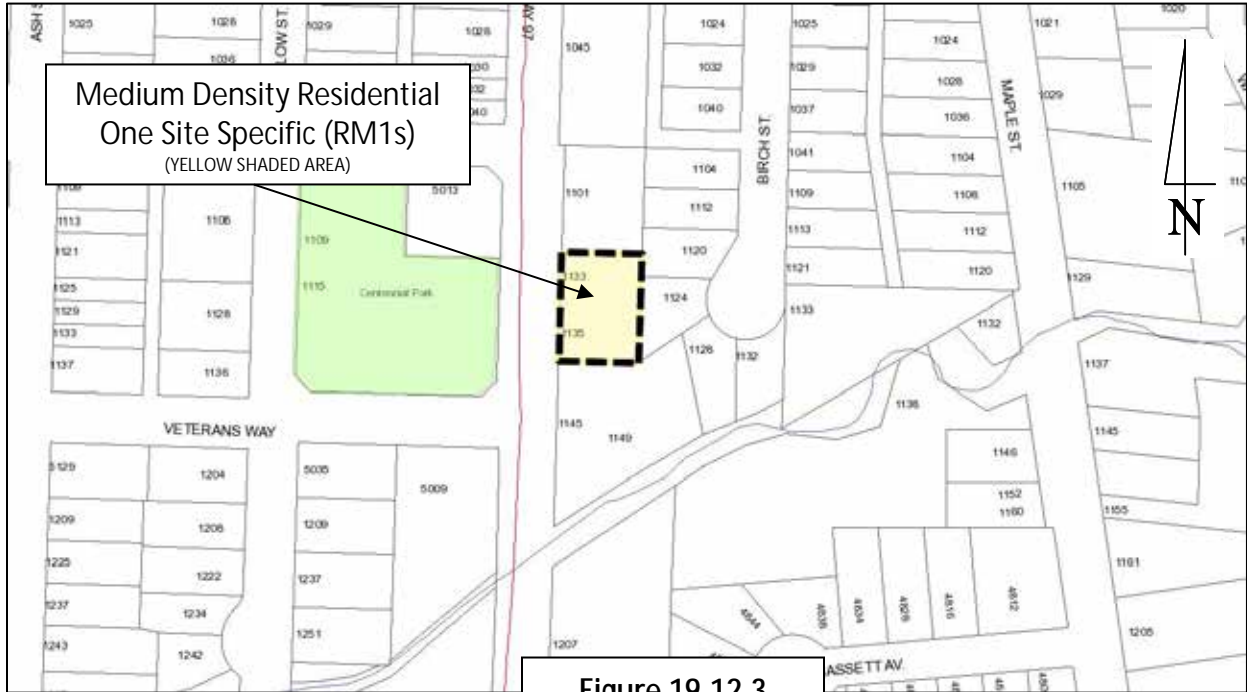
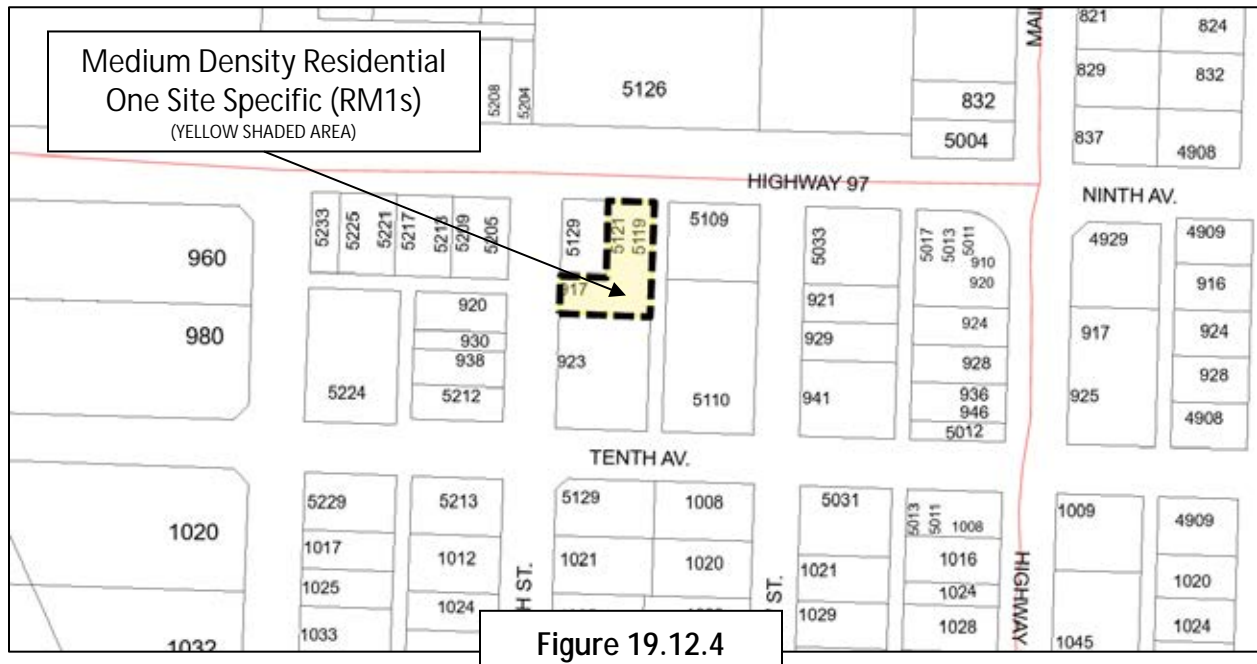


Figure 19.12.3

iv) adding a new Section 19.12.4 (Site Specific Medium Density Residential One) under Section 19.0 (Site Specific Designations) to read as follows:

.4 In the case of land described as Lot A, Plan KAP52004, District Lot 374, SDYD (917 Ash Street) and shown shaded yellow on Figure 19.12.5:

- ii) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:
 - a) eating and drinking establishments;
 - b) offices;
 - c) personal services establishment; and
 - d) retail stores, general.



- v) replacing Section 19.14.1 (Site Specific General Commercial Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:
 - .1 In the case of land described as Lot 1, Plan KAP3828, District Lot 374, SDYD (5129 9th Avenue), and shown shaded yellow on Figure 19.14.1:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 14.1.1:
 - a) service industry establishment, excluding household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair.



Figure 19.14.1

vi) replacing Section 19.15 (Site Specific Okanagan Falls Town Centre Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.15 Site Specific Highway Commercial (C4s) Provisions:

.1 Not applicable.

3. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing land use designation of the land:
 - i) shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to General Commercial (C1).
 - ii) described as Lot 1, Plan KAP3828, District Lot 374, SDYD (5129 9th Avenue) and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition Site Specific (C4s) to General Commercial Site Specific (C1s).
 - iii) described as Lot A, Plan KAP42658, District Lot 374, SDYD (1101 Highway 97) and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to General Commercial (C1).
 - iv) described as Lot 16, Block 10, Plan KAP1280, District Lot 374, SDYD (1024 Main Street;) and Parcel Z, Block 10, Plan KAP1280, District Lot 374, SDYD (1028 Main Street); and Lots 11-13, Block 10, Plan KAP1280, District Lot 374, SDYD (1030, 1032 & 1040 Main Street) and shown as shaded yellow on Schedule 'D', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Highway Commercial (C4).

- v) described as Plan KAP3787, District Lot 374, SDYD, Parcel A, Portion KV78711 (1045 Highway 97) and shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Tourist Commercial One (CT1).
- vi) described as Lots 8-12, Block 9, Plan KAP4, District Lot 374, SDYD (923 Ash Street) and Lots 13-17, Block 9, Plan KAP4, District Lot 374, SDYD (5110 10th Avenue), and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One (RM1).
- vii) described as Plan KAP5823, District Lot 374, SDYD, Parcel A, Portion (KD776), Okanagan Falls Townsite (917 Highway 97), and shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One (RM1).
- viii) described as Lot 20, Block 10, Plan KAP1280, District Lot 374, SDYD (1008 10th Avenue), and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One (RM1).
- ix) described as Lots 1-18, Plan KAS1099, District Lot 374, SDYD, (1133 & 1135 Main Street) and shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One Site Specific (RM1s).
- x) described as Lot 1, Plan KAP23248, District Lot 374, SDYD, Okanagan Falls Townsite (5099 Veterans Way) and shown shaded yellow on Schedule 'J', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Administrative and Institutional (AI).
- xi) described as Lot 9, Plan KAP34520, District Lot 374, SDYD (1145 Highway 97) and shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Administrative and Institutional (AI).
- xii) described as Parcel A, Block 10, Plan KAP1280, District Lot 374, SDYD, Portion KD20684 (1016 Highway 97) and shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One Site Specific (RM1s).
- xiii) described as Lot A, Plan KAP52004, District Lot 374, SDYD (917 Ash Street) and shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One Site Specific (RM1s).

READ A FIRST AND SECOND TIME this ____ day of _____, 2021.

PUBLIC HEARING HELD this ____ day of _____, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Okanagan Falls Town Centre Update Zoning Amendment Bylaw No. 2455.38, 2021" as read a Third time by the Regional Board on this ____ day of ____, 2021.

Dated at Penticton, BC this __ day of ____, 2021.

Chief Administrative Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

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

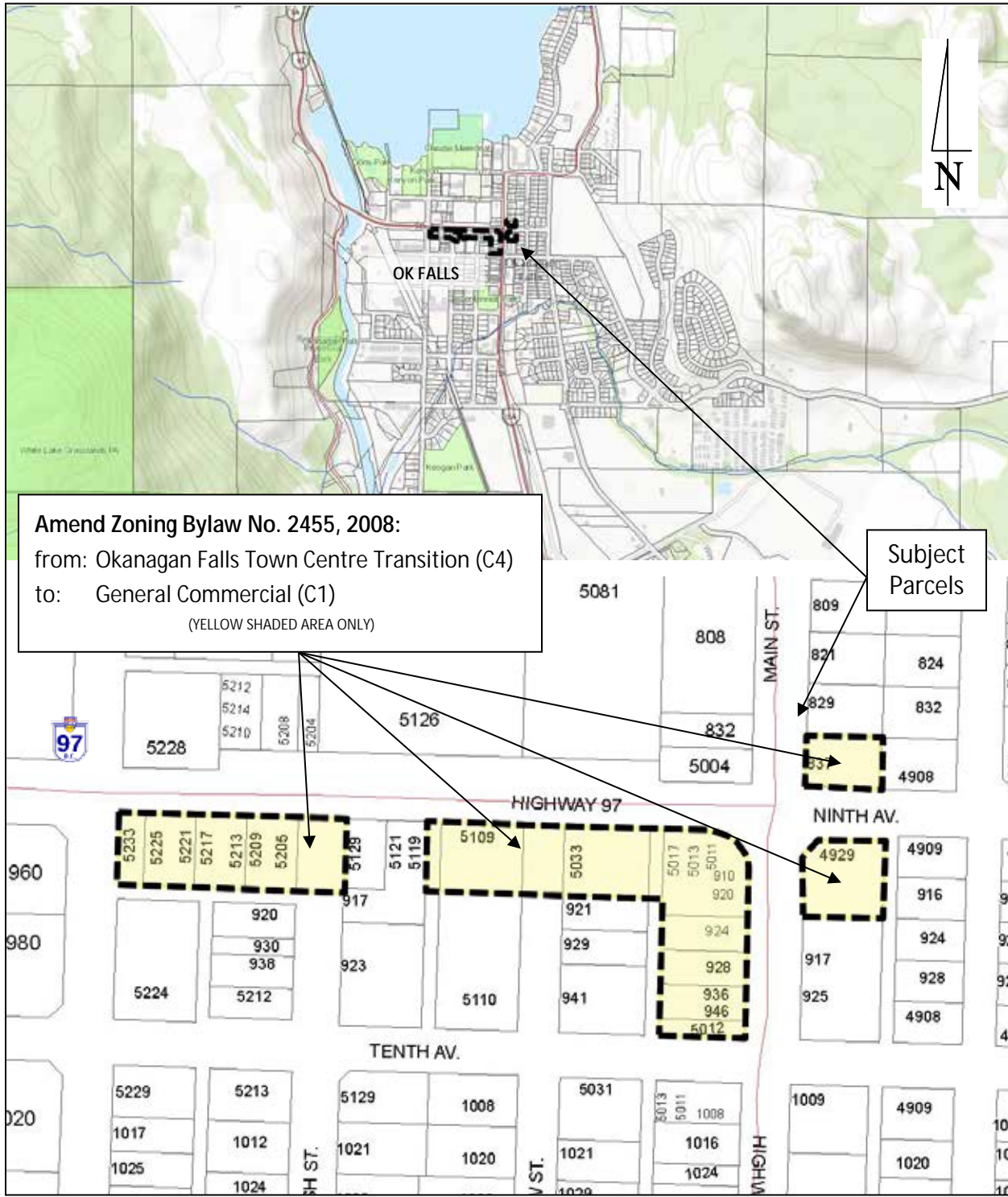
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'A'



Regional District of Okanagan-Similkameen

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

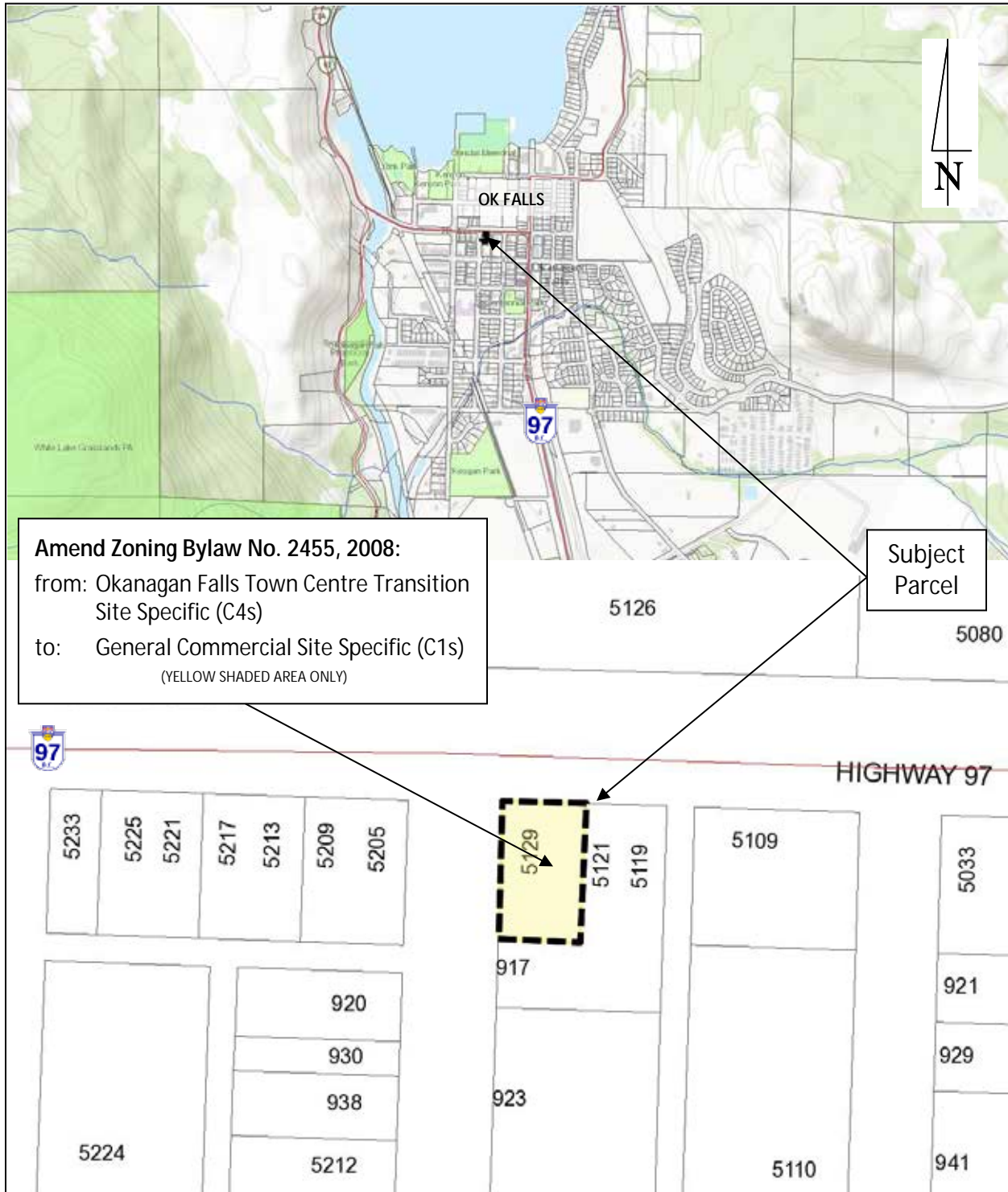
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'B'



Regional District of Okanagan-Similkameen

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

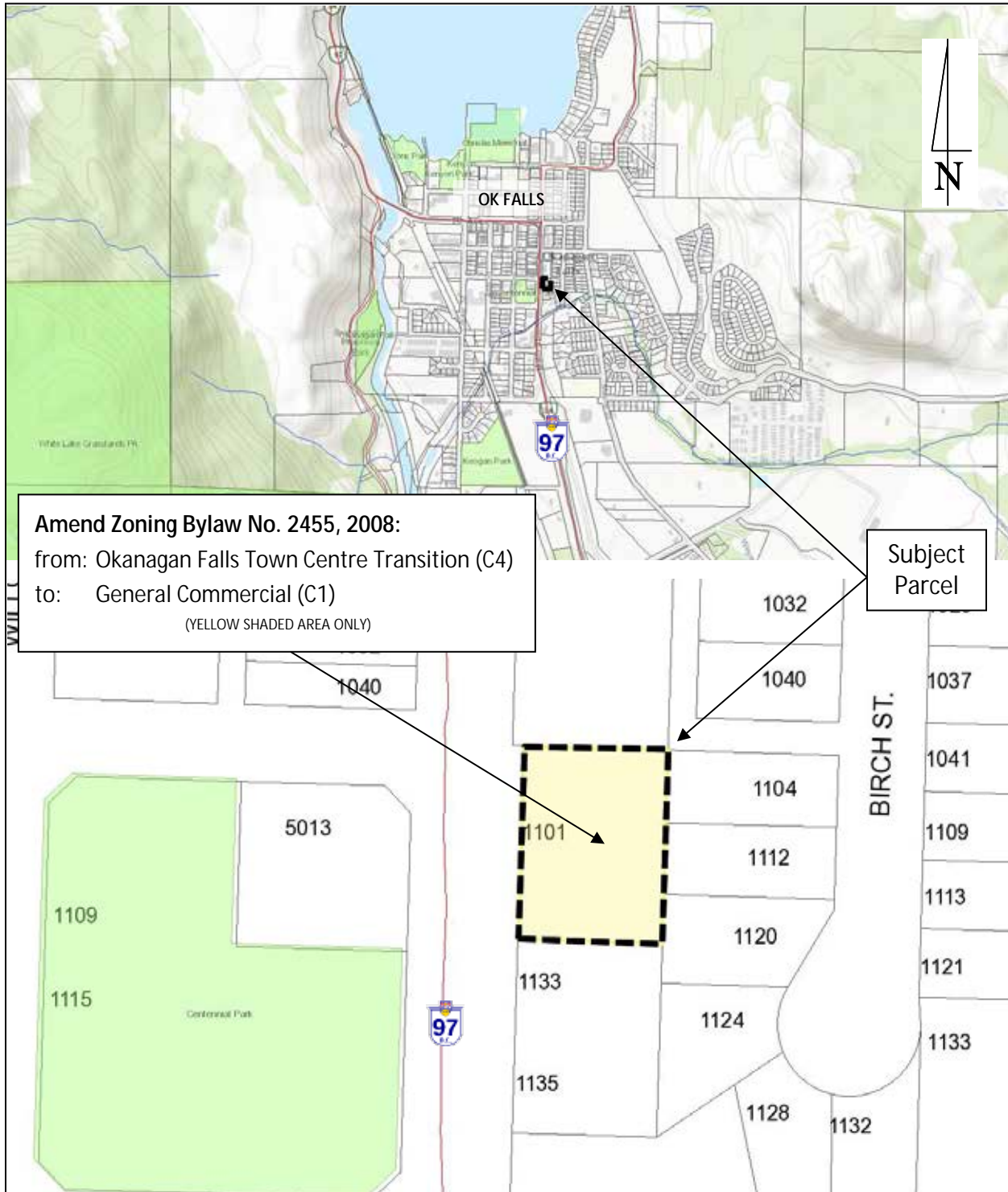
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'C'



Regional District of Okanagan-Similkameen

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

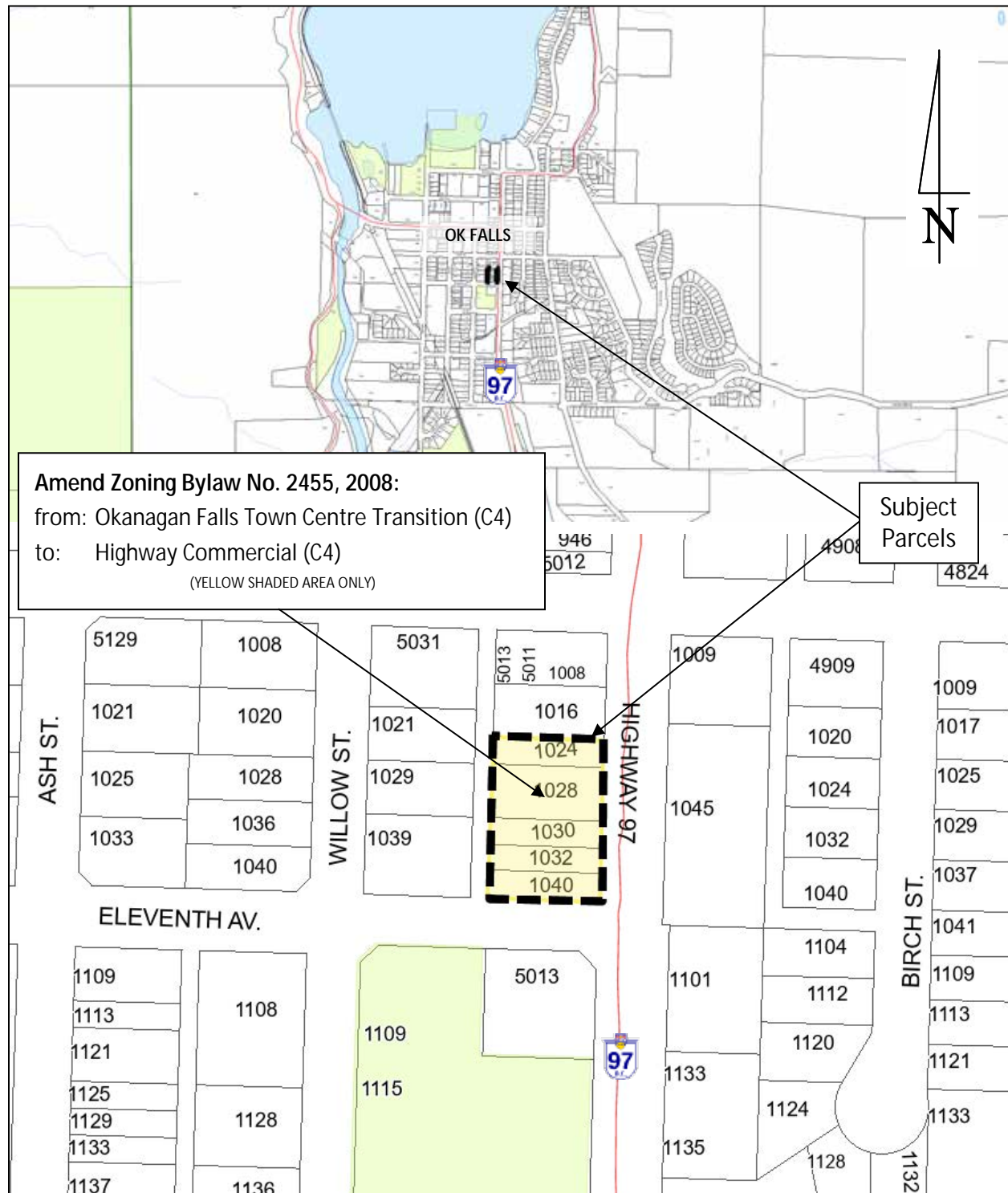
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Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'D'



Regional District of Okanagan-Similkameen

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

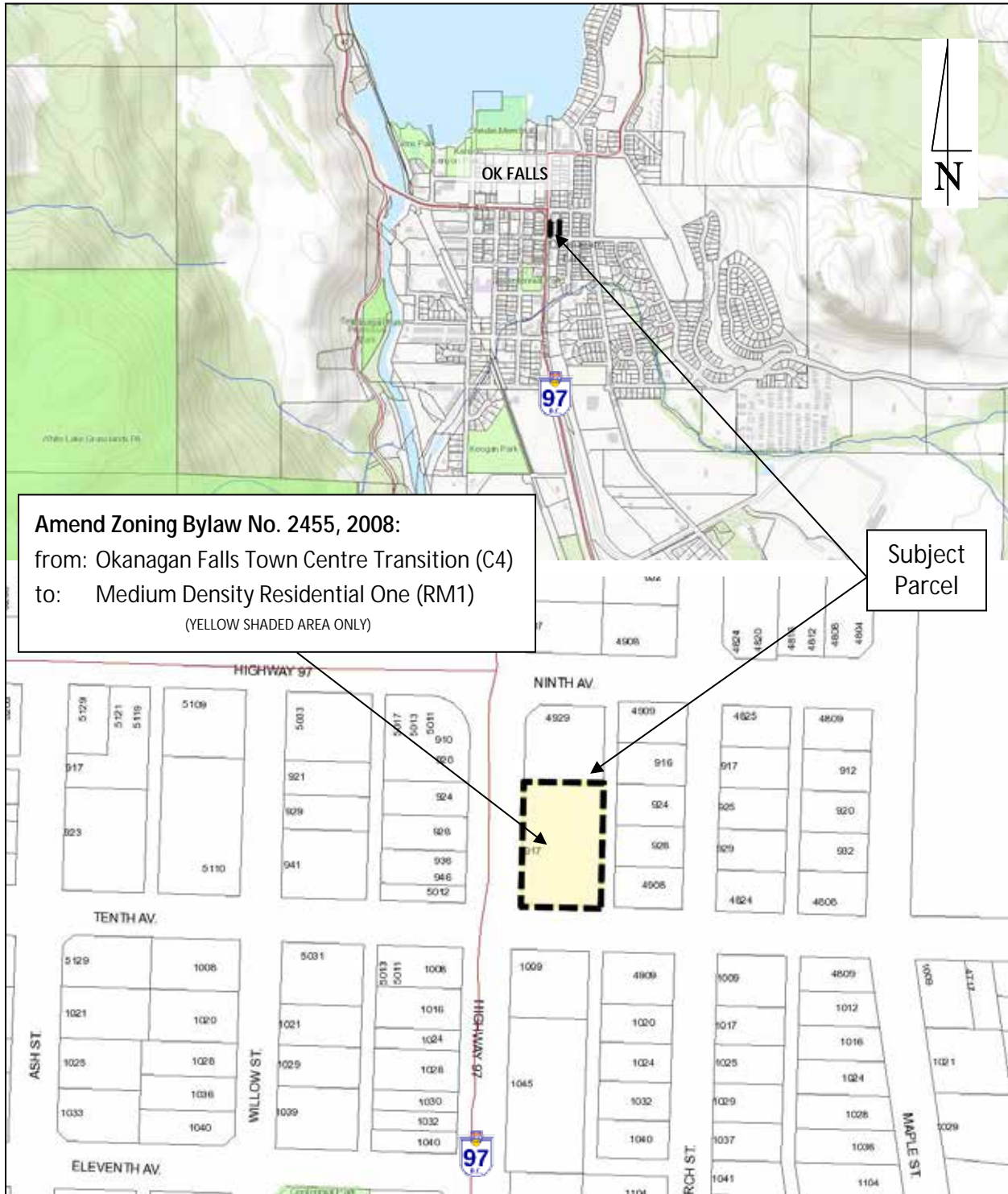
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'G'



Regional District of Okanagan-Similkameen

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

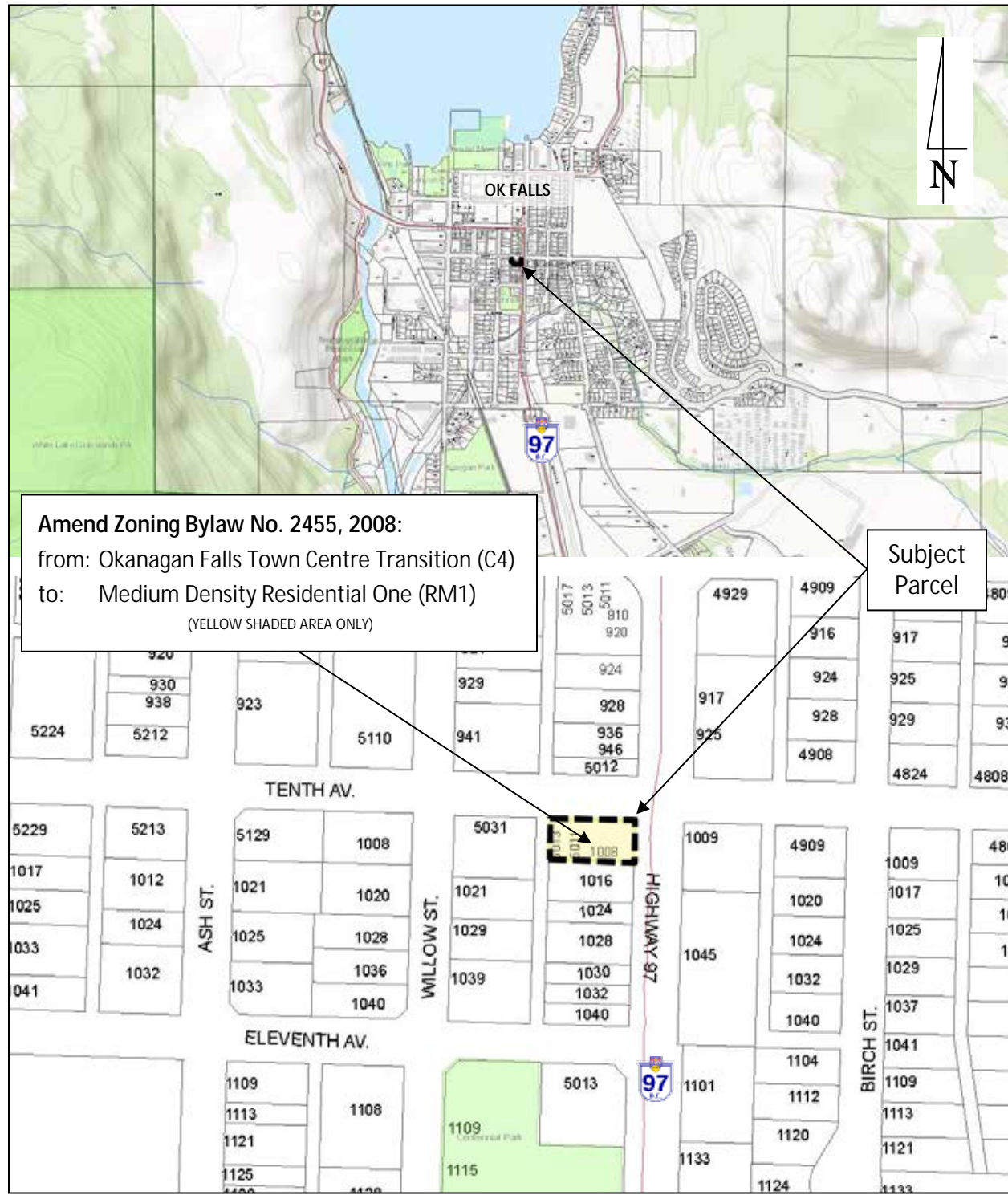
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'H'



Regional District of Okanagan-Similkameen

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

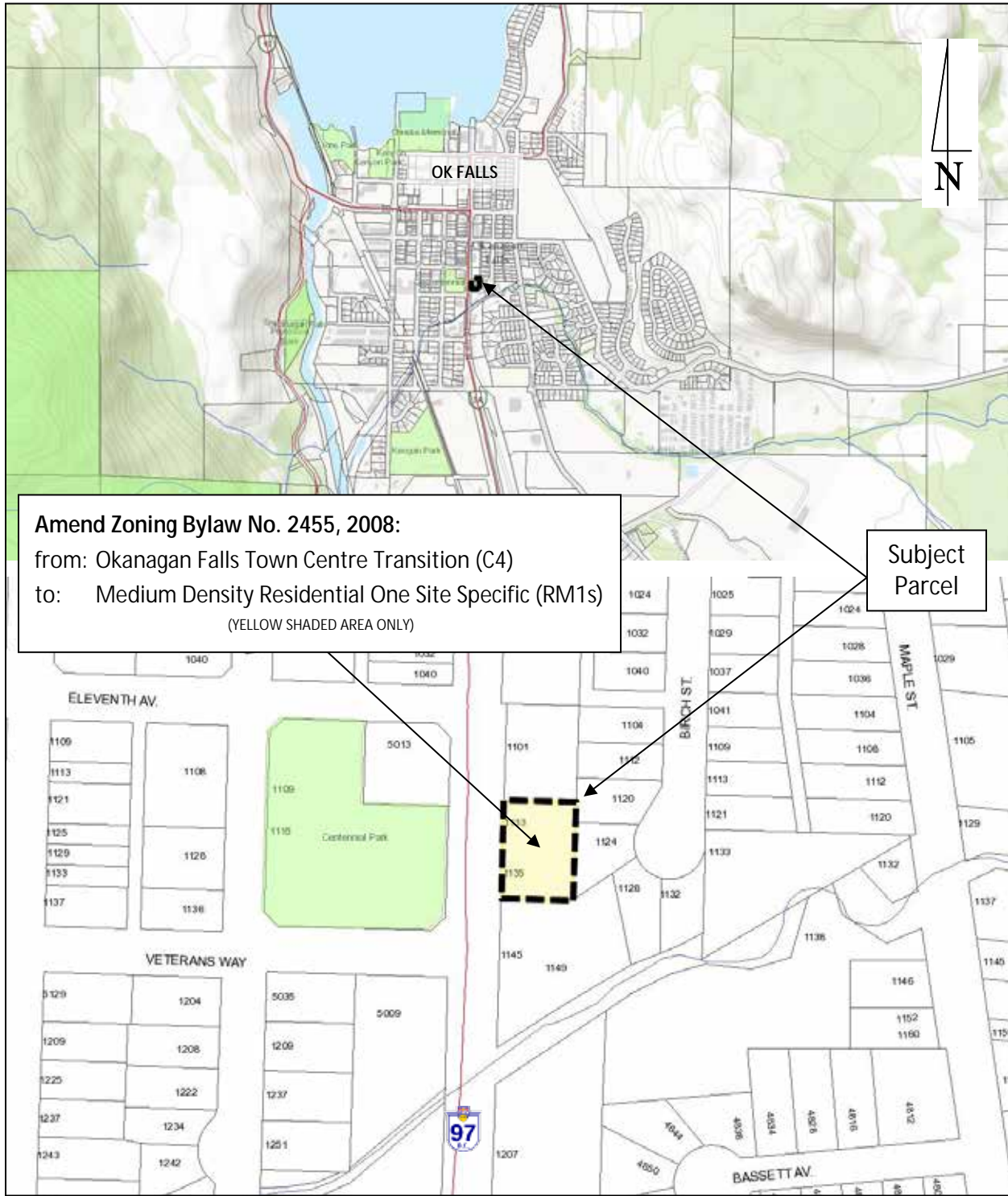
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule '1'



Regional District of Okanagan-Similkameen

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

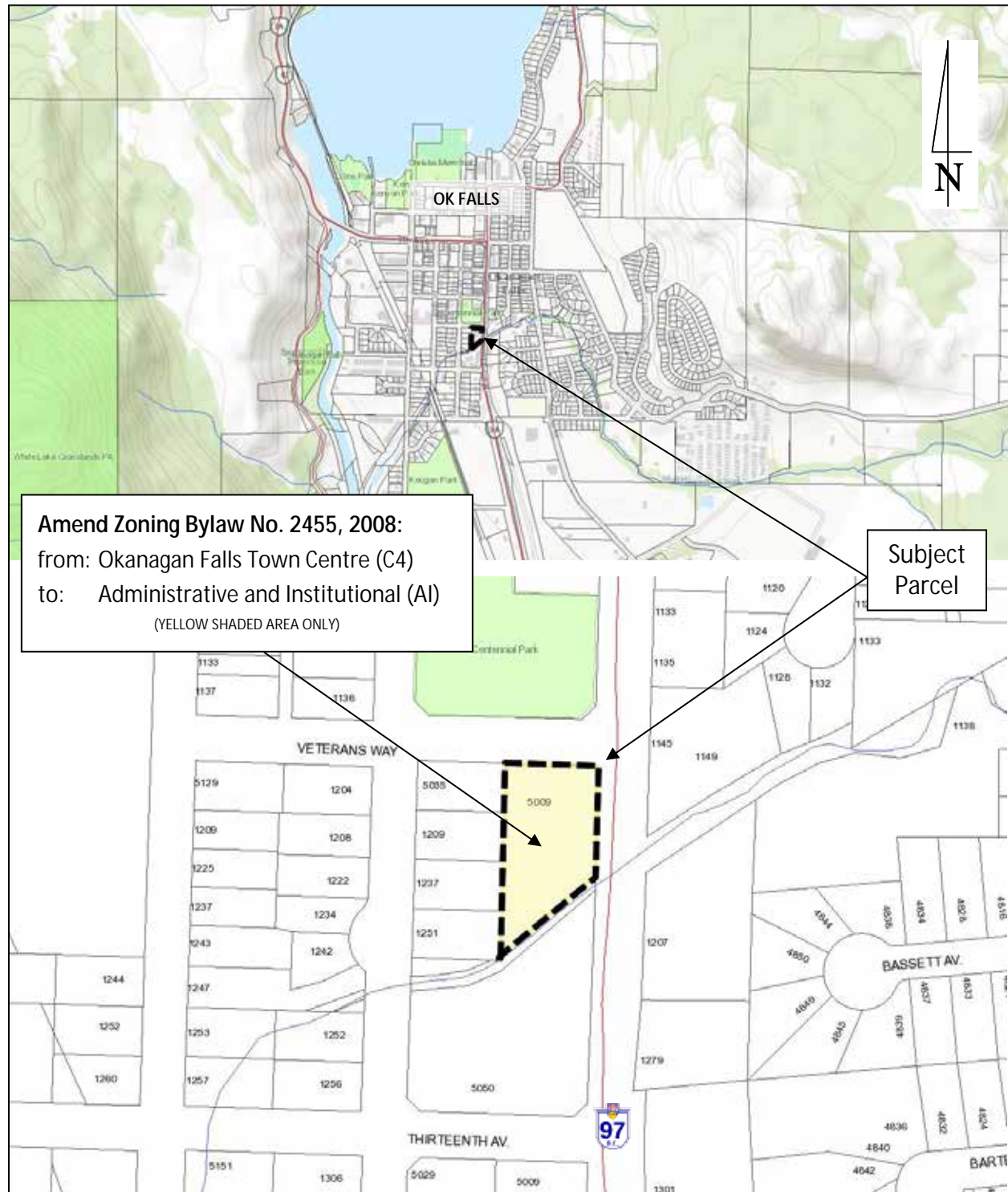
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'J'



Amendment Bylaw No. 2455.38, 2021

(D2018.089-ZONE)

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Regional District of Okanagan-Similkameen

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

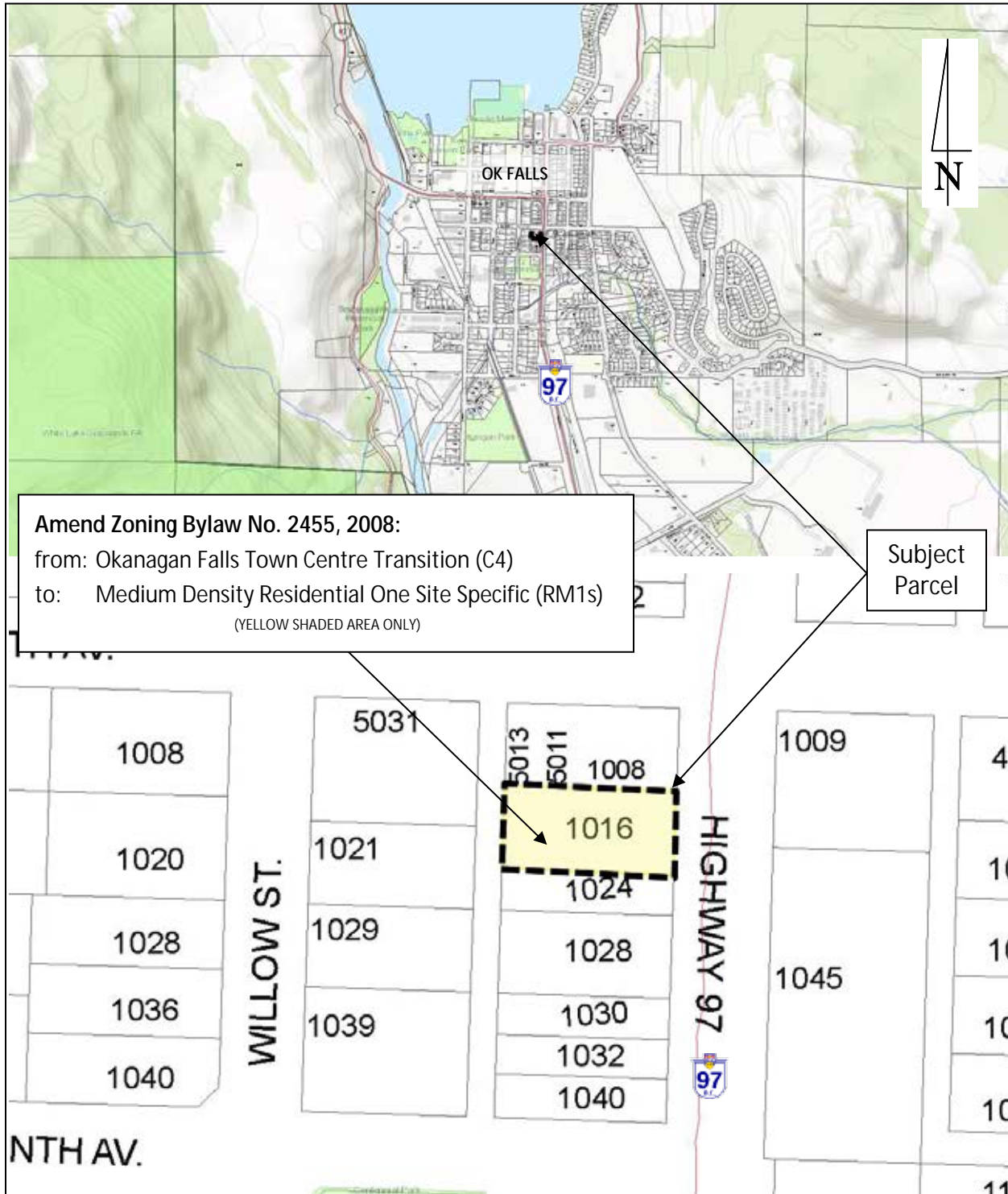
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'L'



Regional District of Okanagan-Similkameen

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

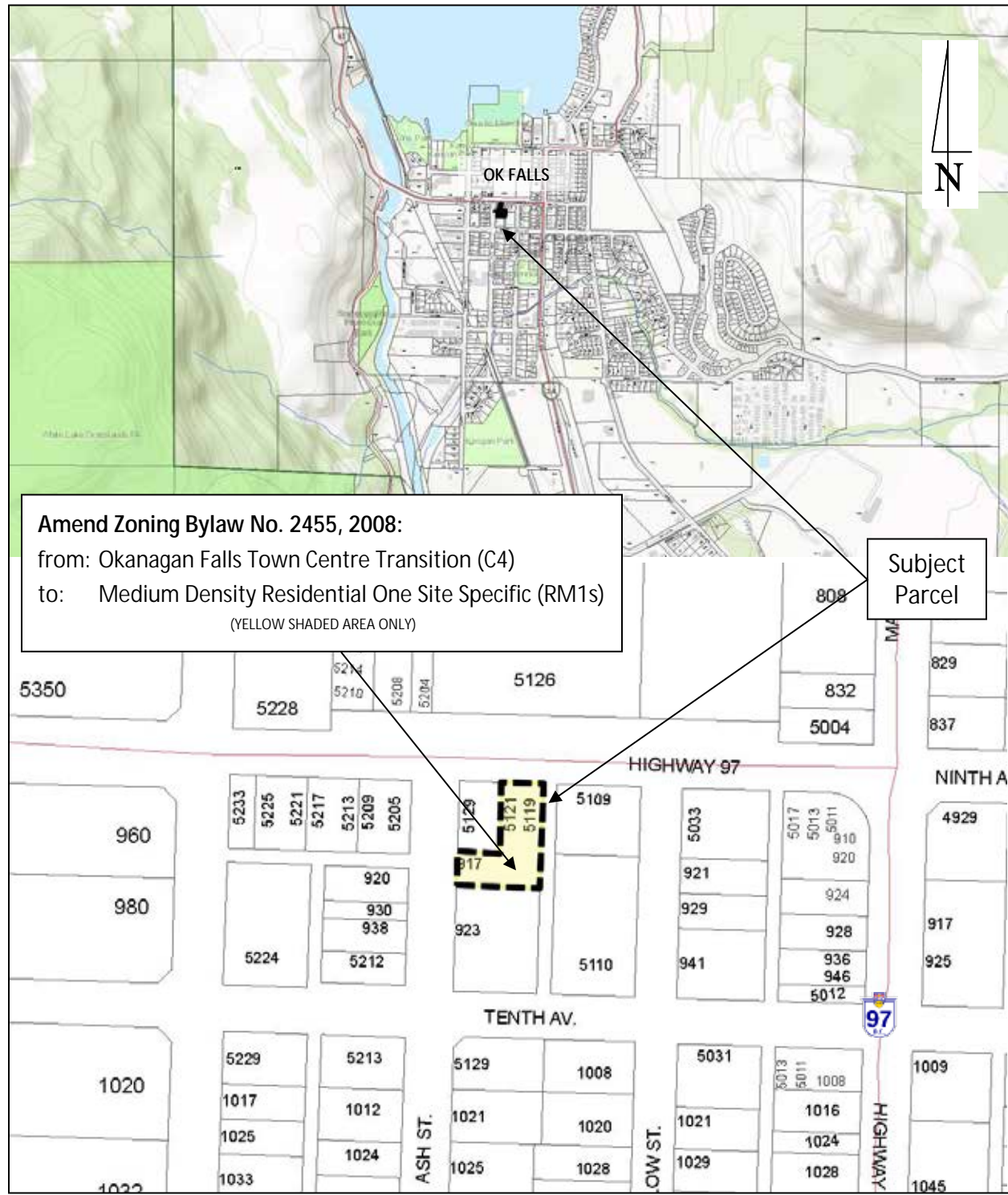
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'M'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2603.15, 2021

A Bylaw to amend the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "D" Okanagan Falls Town Centre Update Official Community Plan Amendment Bylaw No. 2603.15, 2021."
2. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by changing the land use designation of the land described as:
 - i) Plan KAP3787, District Lot 374, SDYD, Parcel A, Portion KV78711 (1045 Highway 97) and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Commercial (C) to Commercial Tourist (CT).
 - ii) Lots 8-12, Block 9, Plan KAP4, District Lot 374, SDYD (923 Ash Street) and Lots 13-17, Block 9, Plan KAP4, District Lot 374, SDYD (5110 10th Avenue), and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Commercial (C) to Medium Density Residential (MR).
 - iii) Plan KAP5823, District Lot 374, SDYD, Parcel A, Portion (KD776), Okanagan Falls Townsite (917 Highway 97), and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Commercial (C) to Medium Density Residential (MR).
 - iv) Lot 20, Block 10, Plan KAP1280, District Lot 374, SDYD (1008 10th Avenue), and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Commercial (C) to Medium Density Residential (MR).
 - v) Lot A, Plan KAP52004, District Lot 374, SDYD (917 Ash Street) and shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Commercial (C) to Medium Density Residential (MR).
 - vi) Parcel A, Block 10, Plan KAP1280, District Lot 374, SDYD, Portion KD20684, (1016 Highway 97) and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Commercial (C) to Medium Density Residential (MR).

- vii) Plan KAS1099, District Lot 374, SDYD, (1133 & 1135 Main Street) and shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Commercial (C) to Medium Density Residential (MR).
 - viii) Lot 1, Plan KAP23248, District Lot 374, SDYD, Okanagan Falls Townsite (5099 Veterans Way) and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Commercial (C) to Administrative, Cultural and Institutional (AI).
 - ix) Lot 9, Plan KAP34520, District Lot 374, SDYD (1145 Highway 97) and shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Commercial (C) to Administrative, Cultural and Institutional (AI).
3. The Official Community Plan Bylaw Form and Character Development Permit Areas Map, being Schedule 'E' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:
- i) deleting the Okanagan Falls Multiple Family Development Permit Area from the property described as Lot 1, Plan KAP23248, District Lot 374, SDYD, Okanagan Falls Townsite (5099 Veterans Way) and shown shaded yellow on Schedule 'J', which forms part of this Bylaw.
 - ii) by deleting the Okanagan Falls Commercial Development Permit Area from the property described as Lot 9, Plan KAP34520, District Lot 374, SDYD (1145 Highway 97) and shown shaded yellow on Schedule 'K', which forms part of this Bylaw.
 - iii) replacing the Okanagan Falls Commercial Development Permit Area with the Okanagan Falls Multiple Family Development Permit Area on the property described as Plan KAP5823, District Lot 374, SDYD, Parcel A, Portion (KD776), Okanagan Falls Townsite (917 Highway 97), and shown shaded yellow on Schedule 'L', which forms part of this Bylaw.
 - iv) replacing the Okanagan Falls Commercial Development Permit Area with the Okanagan Falls Multiple Family Development Permit Area on the property described as Parcel A, Block 10, Plan KAP1280, District Lot 374, SDYD, Portion KD20684, (1016 Highway 97) and shown shaded yellow on Schedule 'M', which forms part of this Bylaw.
 - v) replacing the Okanagan Falls Commercial Development Permit Area with the Okanagan Falls Multiple Family Development Permit Area on the property described as Lots 8-12, Block 9, Plan KAP4, District Lot 374, SDYD (923 Ash Street) and Lots 13-17, Block 9, Plan KAP4, District Lot 374, SDYD (5110 10th Avenue), and shown shaded yellow on Schedule 'N', which forms part of this Bylaw.
 - vi) replacing the Okanagan Falls Commercial Development Permit Area with the Okanagan Falls Multiple Family Development Permit Area on the property described as Lot 20, Block 10, Plan KAP1280, District Lot 374, SDYD (1008 10th Avenue), and shown shaded yellow on Schedule 'O', which forms part of this Bylaw.

- vii) replacing the Okanagan Falls Commercial Development Permit Area to Okanagan Falls Multiple Family Development Permit Area on the property described as Plan KAS1099, District Lot 374, SDYD, (1133 & 1135 Main Street) and shown shaded yellow on Schedule 'P', which forms part of this Bylaw.
- viii) replacing the Okanagan Falls Commercial Development Permit Area to Okanagan Falls Multiple Family Development Permit Area on the property described as Lot A, Plan KAP52004, District Lot 374, SDYD (917 Ash Street) and shown shaded yellow on Schedule 'Q', which forms part of this Bylaw.

READ A FIRST AND SECOND TIME this ____ day of _____, 2021.

PUBLIC HEARING HELD this ____ day of _____, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Chief Administrative Officer

DRAFT

Regional District of Okanagan-Similkameen

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

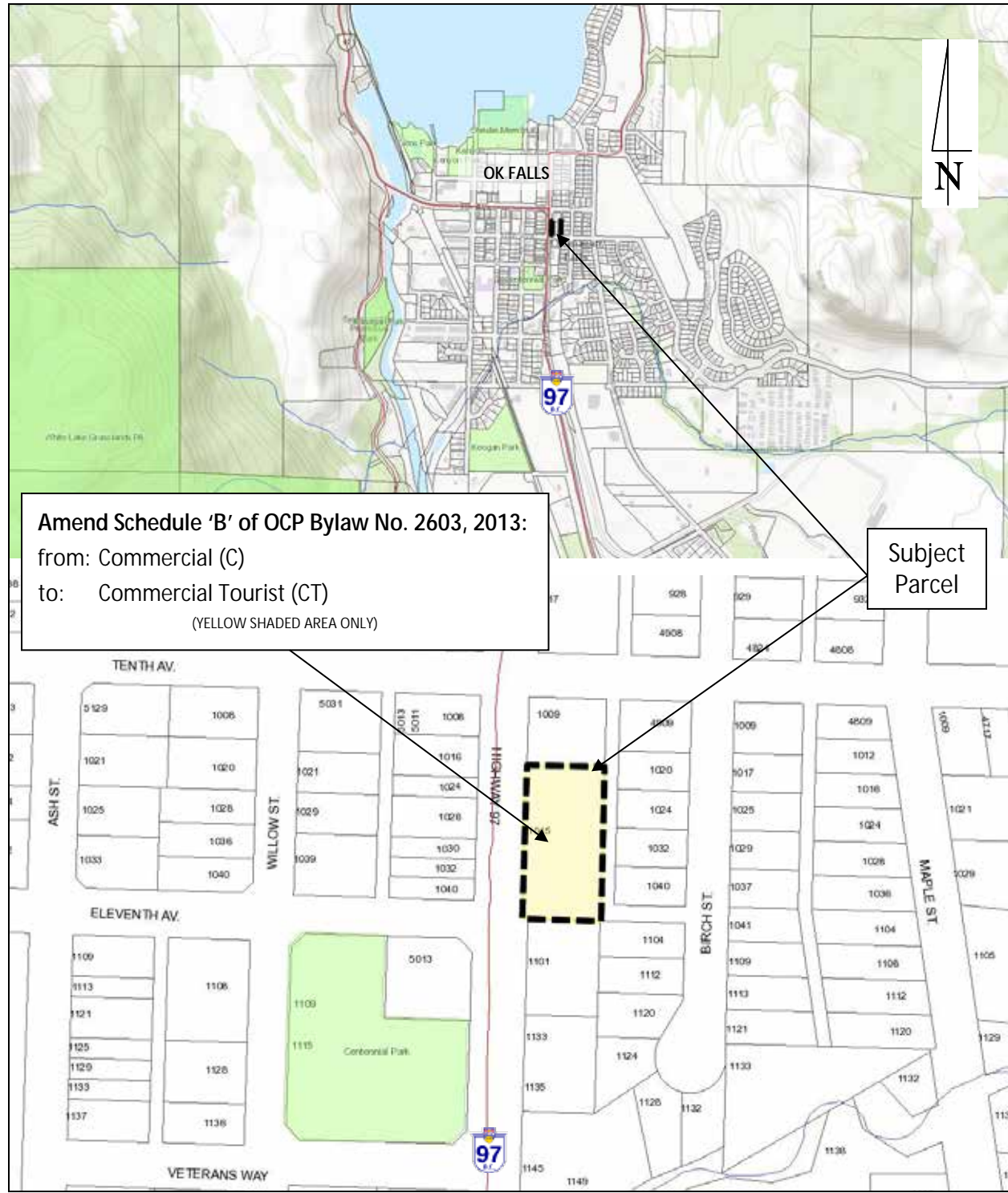
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'A'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

DRAFT VERSION – 2021-03-29

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Regional District of Okanagan-Similkameen

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

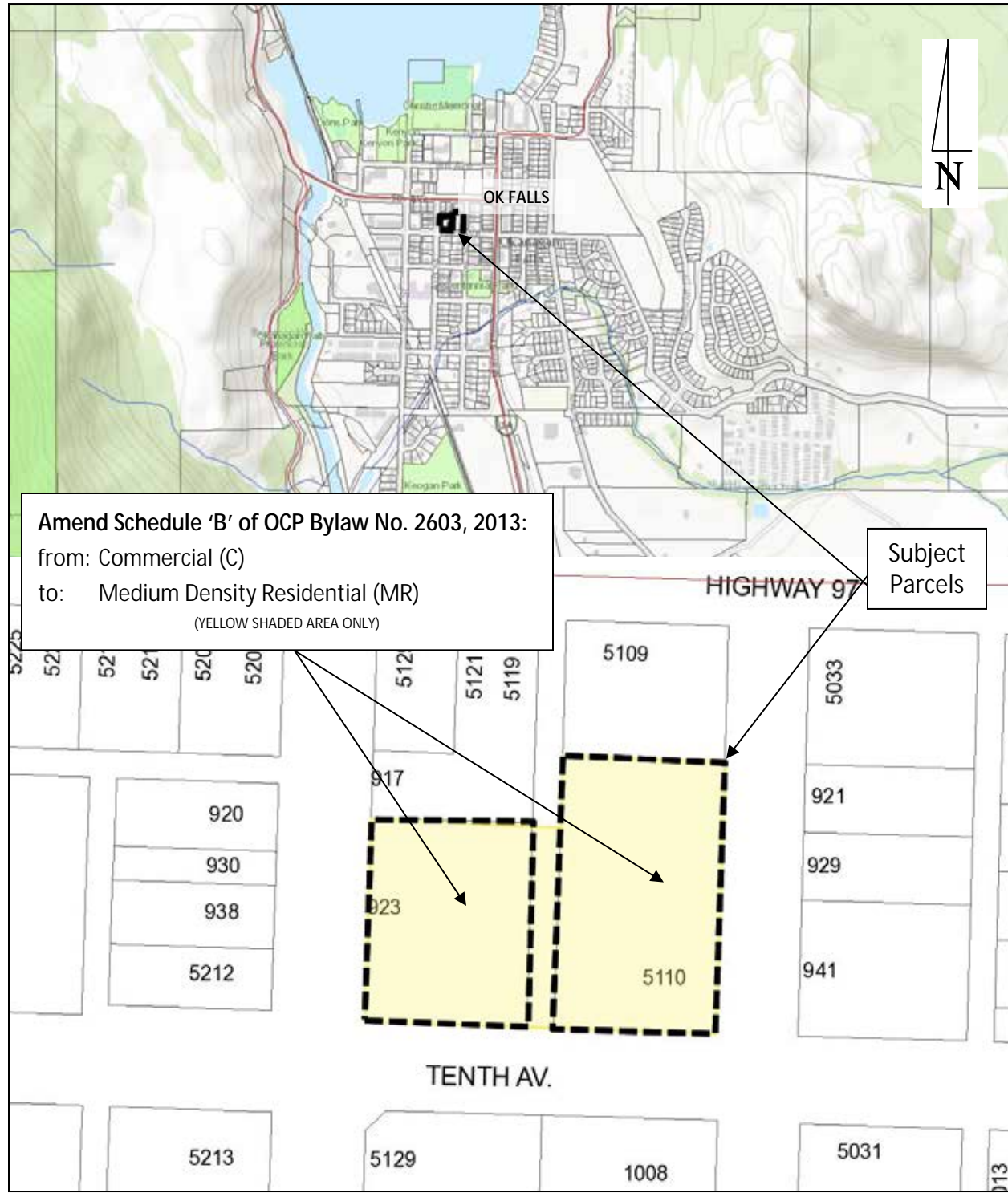
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'B'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

DRAFT VERSION – 2021-03-29

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Regional District of Okanagan-Similkameen

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

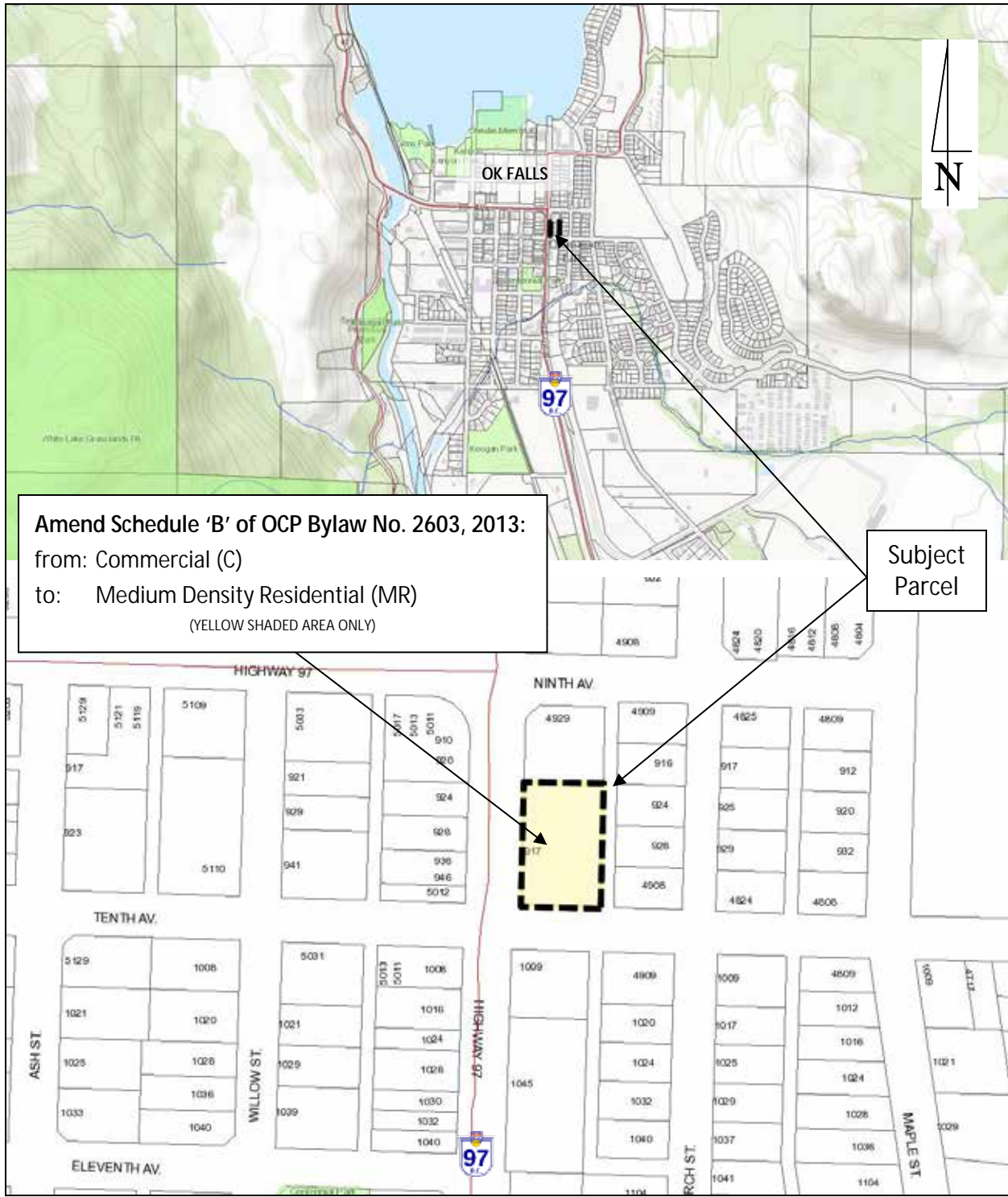
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'C'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

DRAFT VERSION – 2021-03-29

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Regional District of Okanagan-Similkameen

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

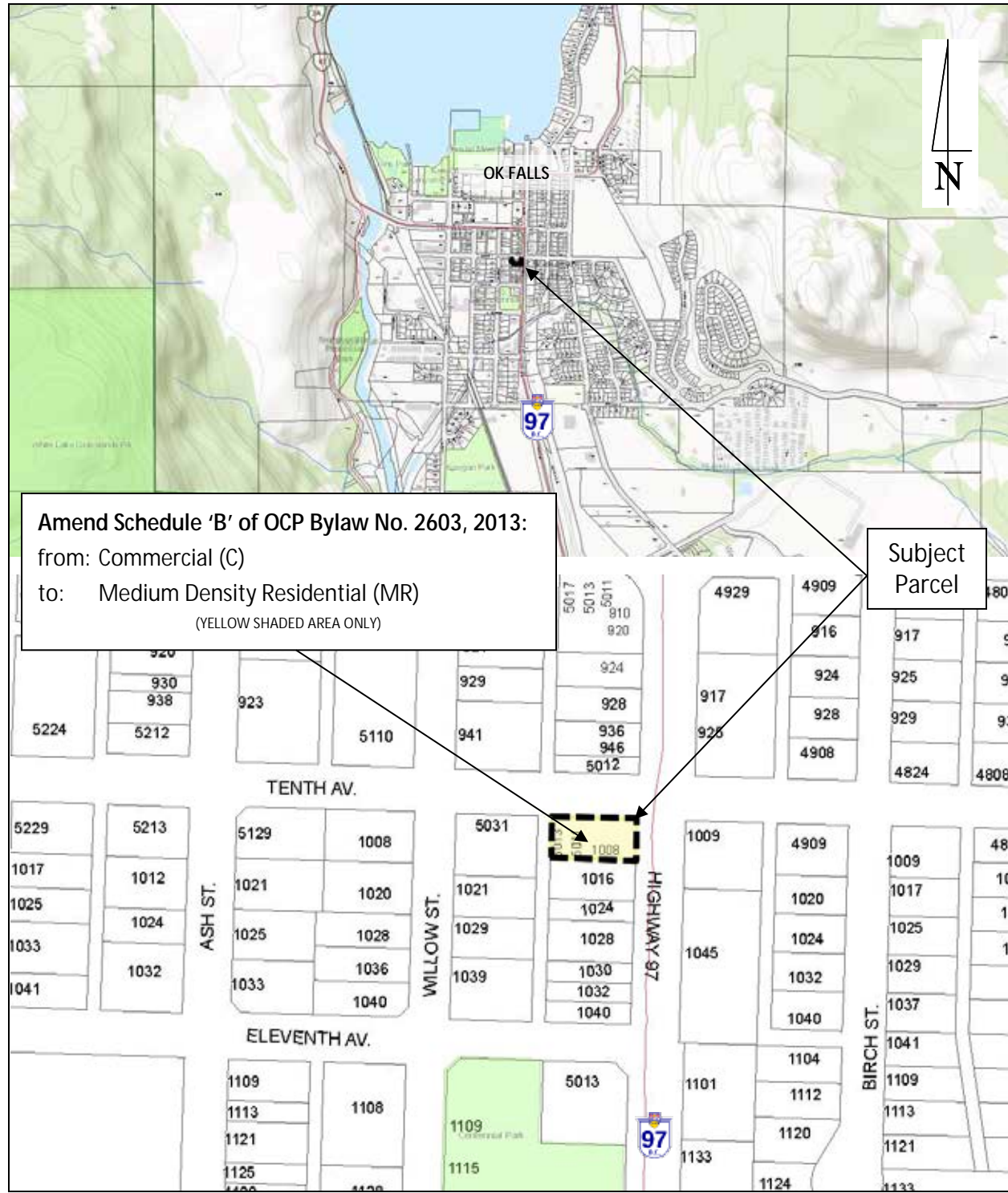
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'D'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

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Regional District of Okanagan-Similkameen

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

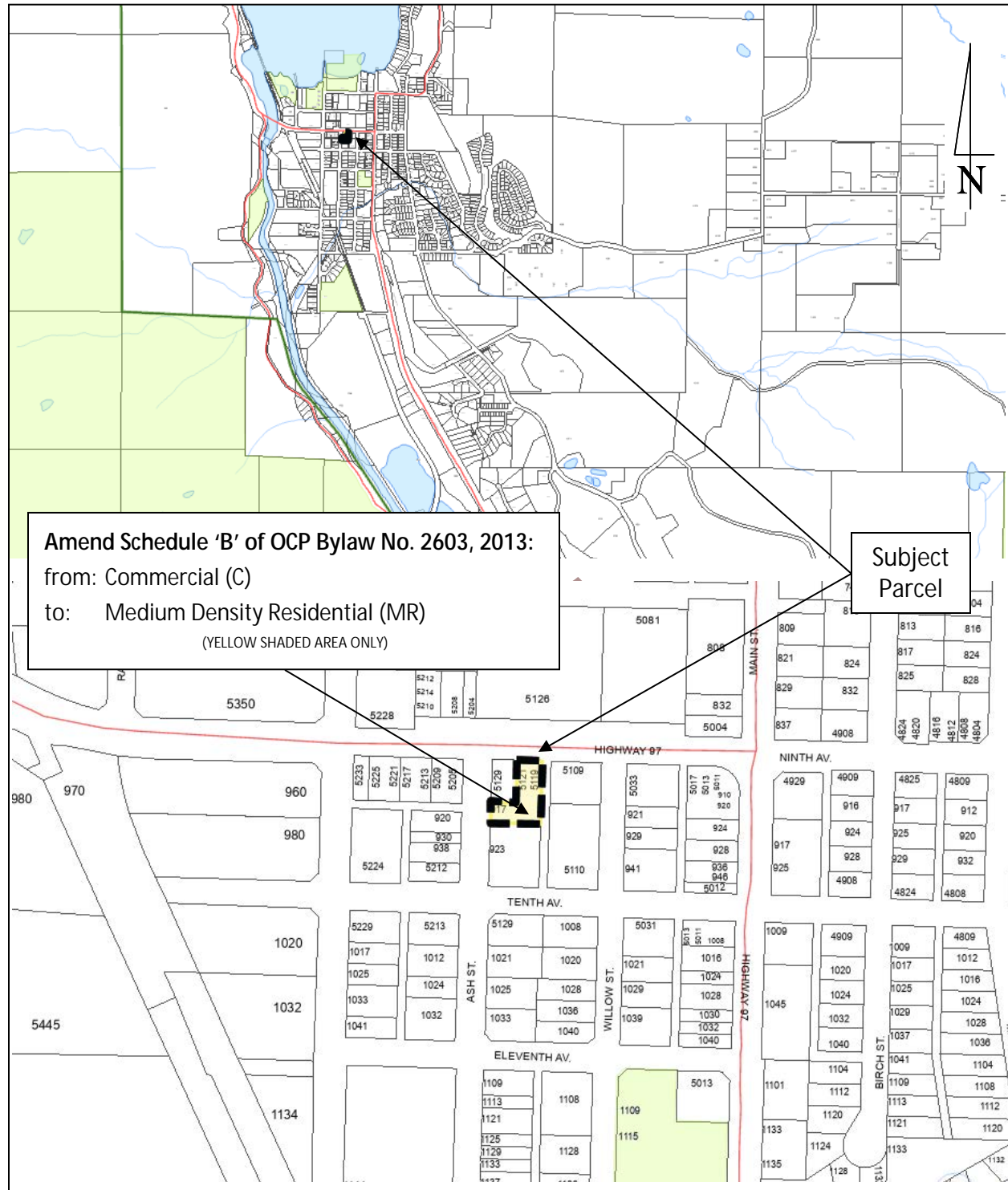
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'E'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

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Regional District of Okanagan-Similkameen

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

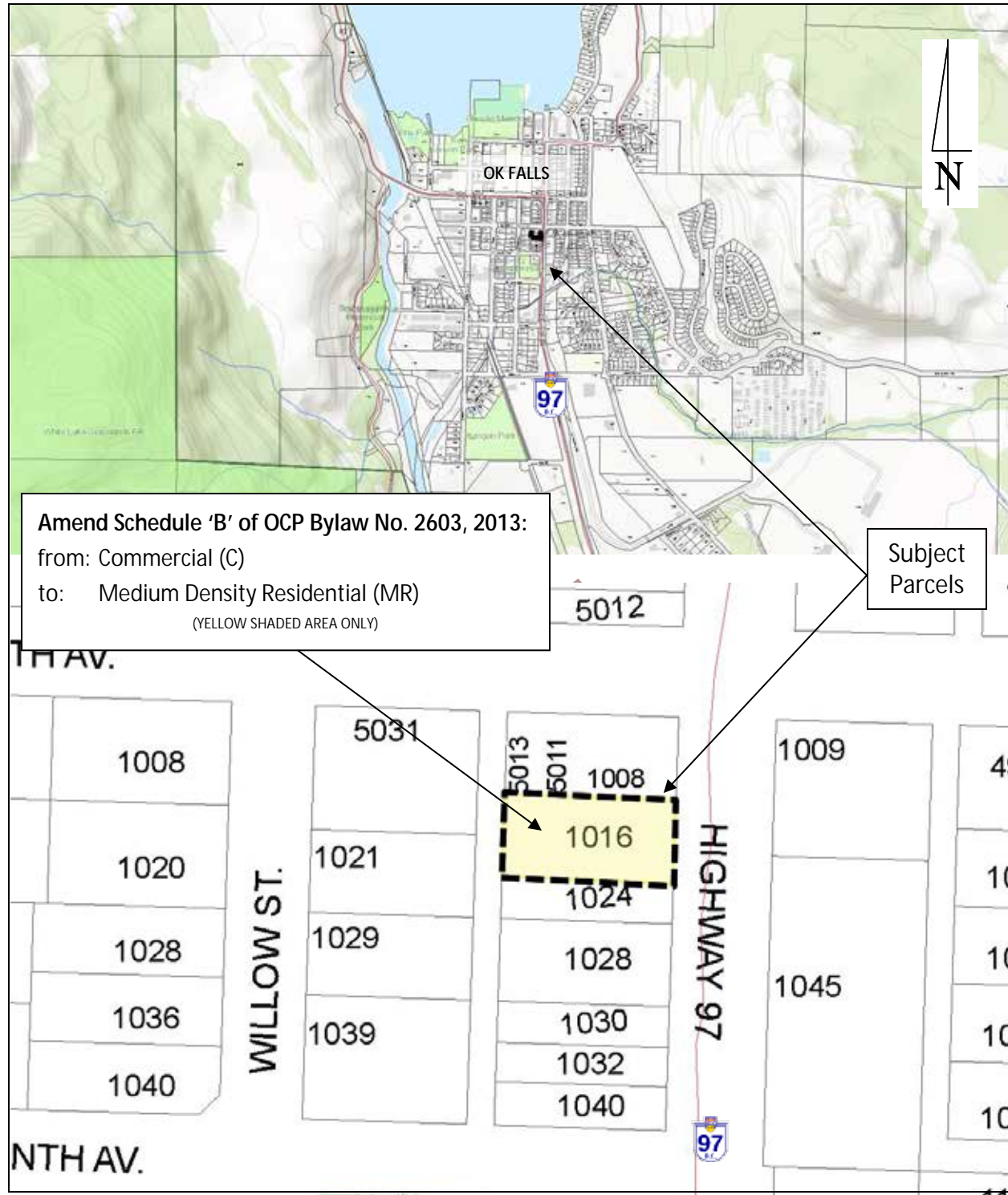
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'F'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

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Regional District of Okanagan-Similkameen

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

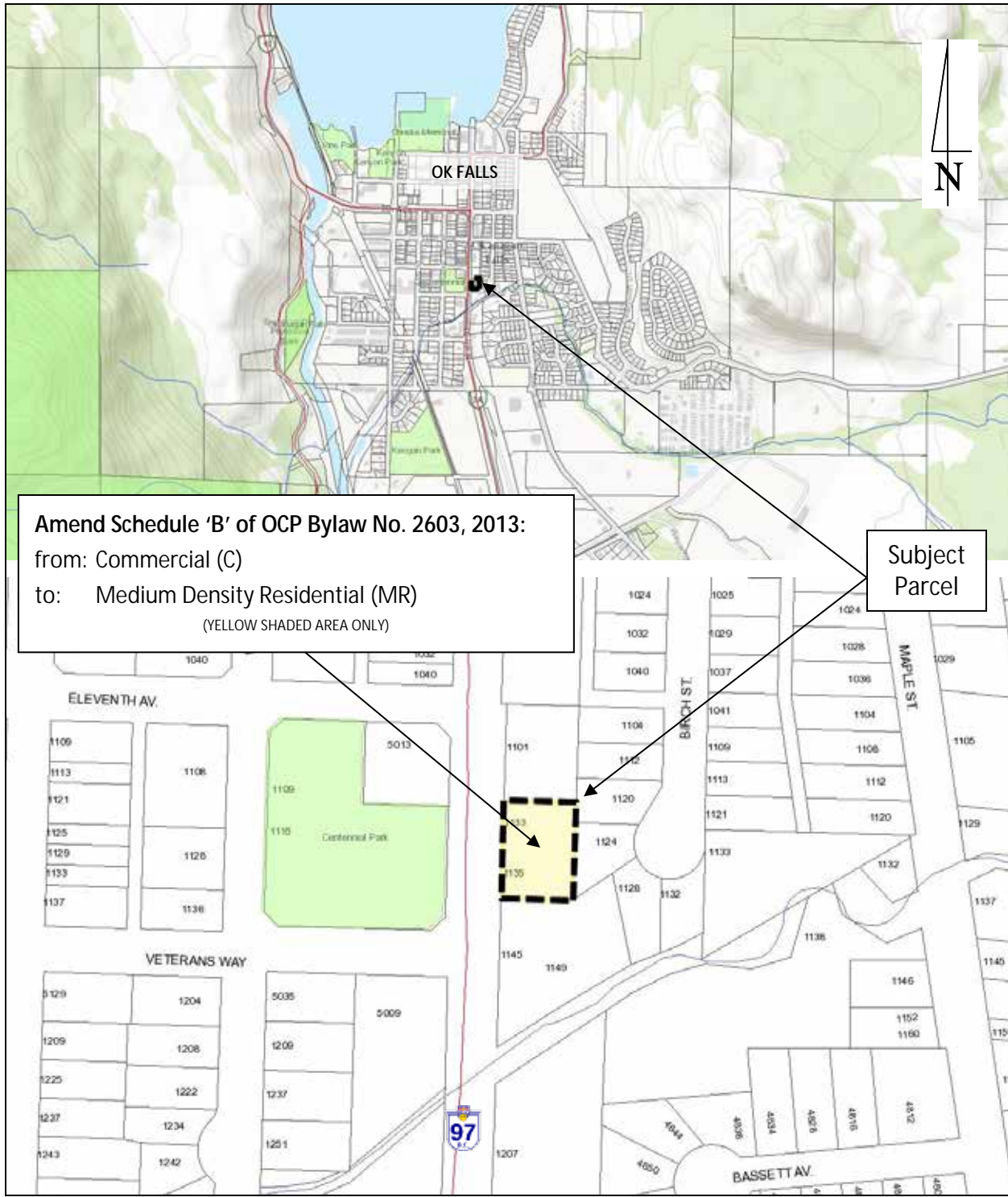
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'G'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

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Regional District of Okanagan-Similkameen

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

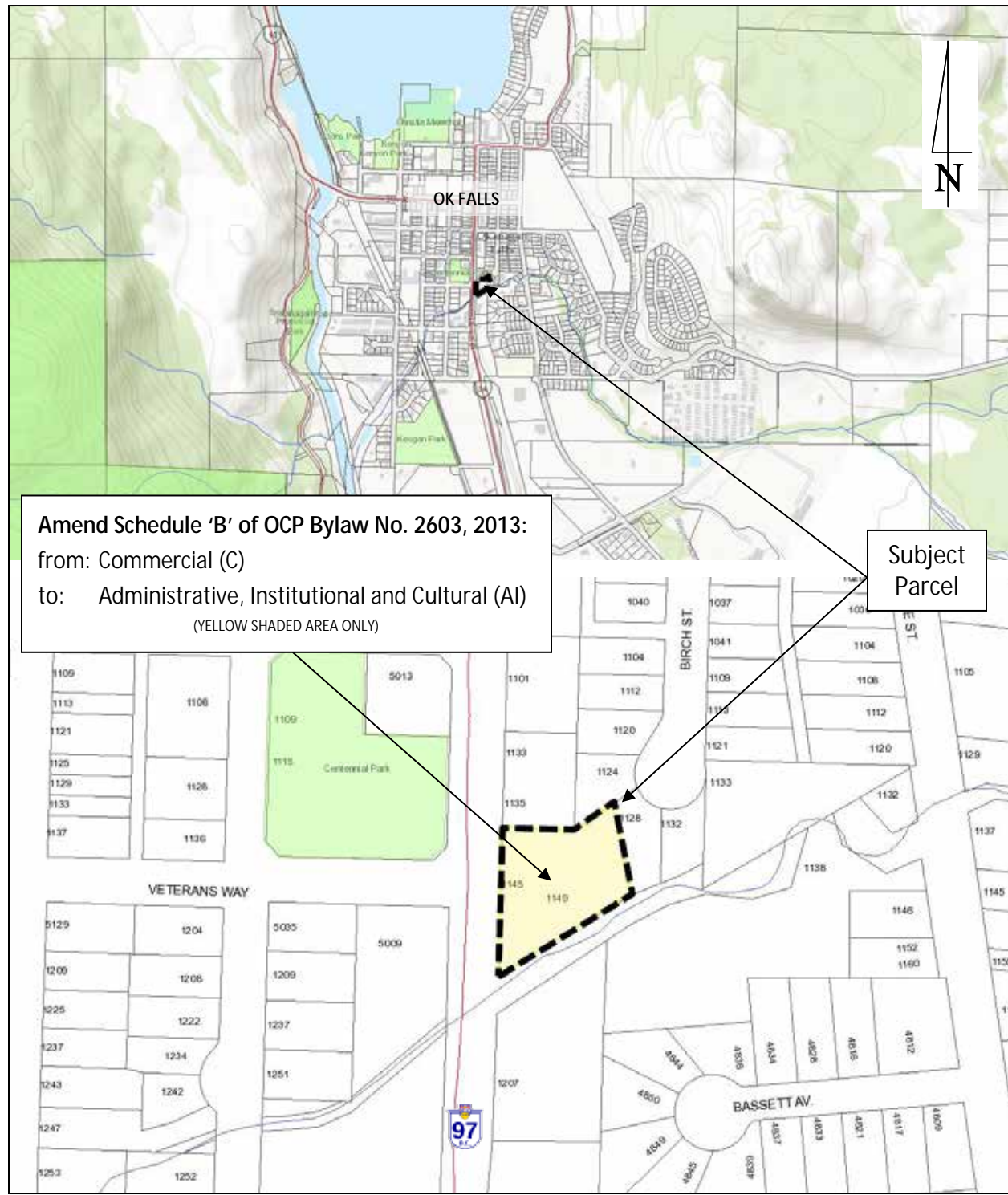
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'I'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

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Regional District of Okanagan-Similkameen

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

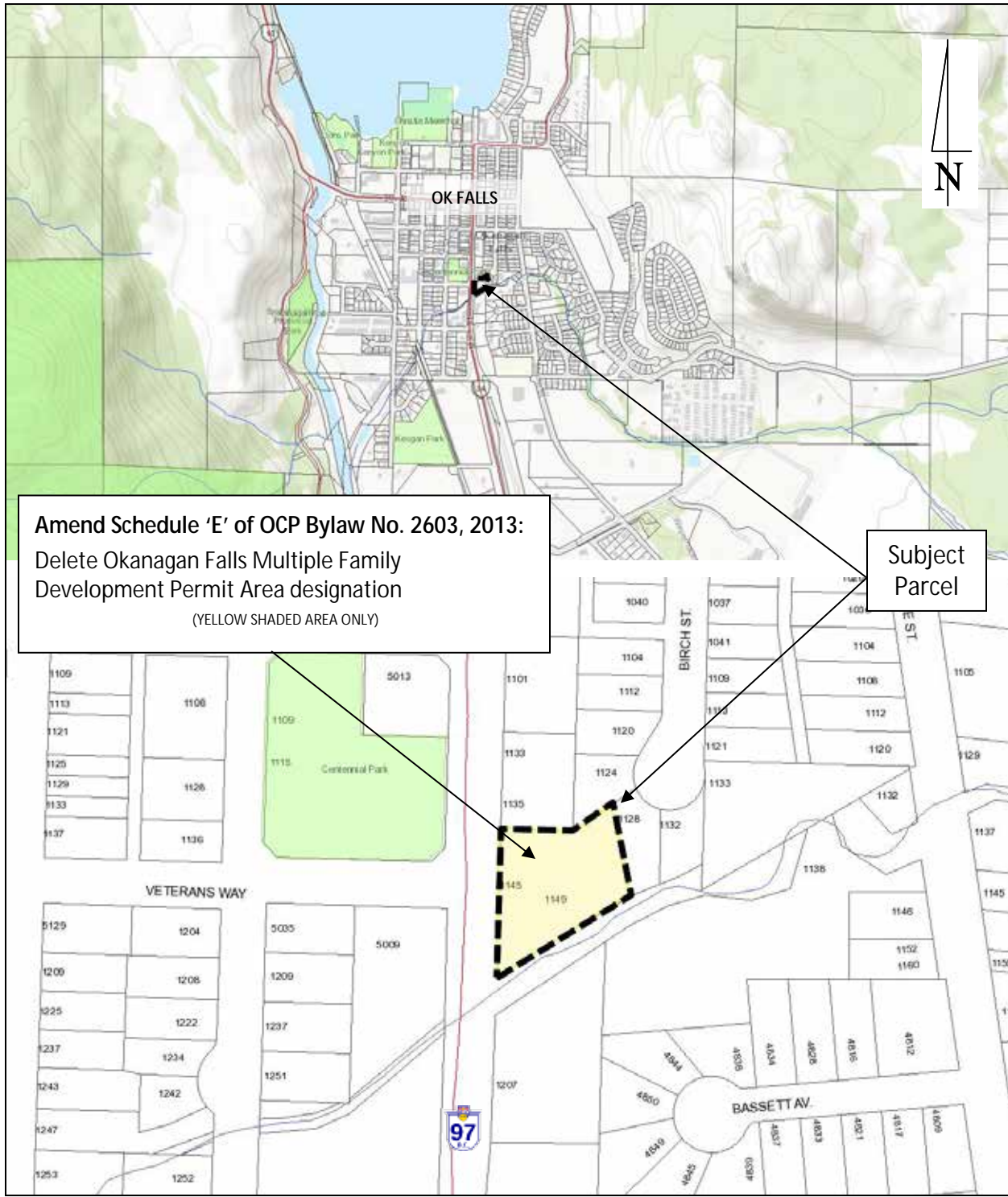
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'K'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

DRAFT VERSION – 2021-03-29

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Regional District of Okanagan-Similkameen

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

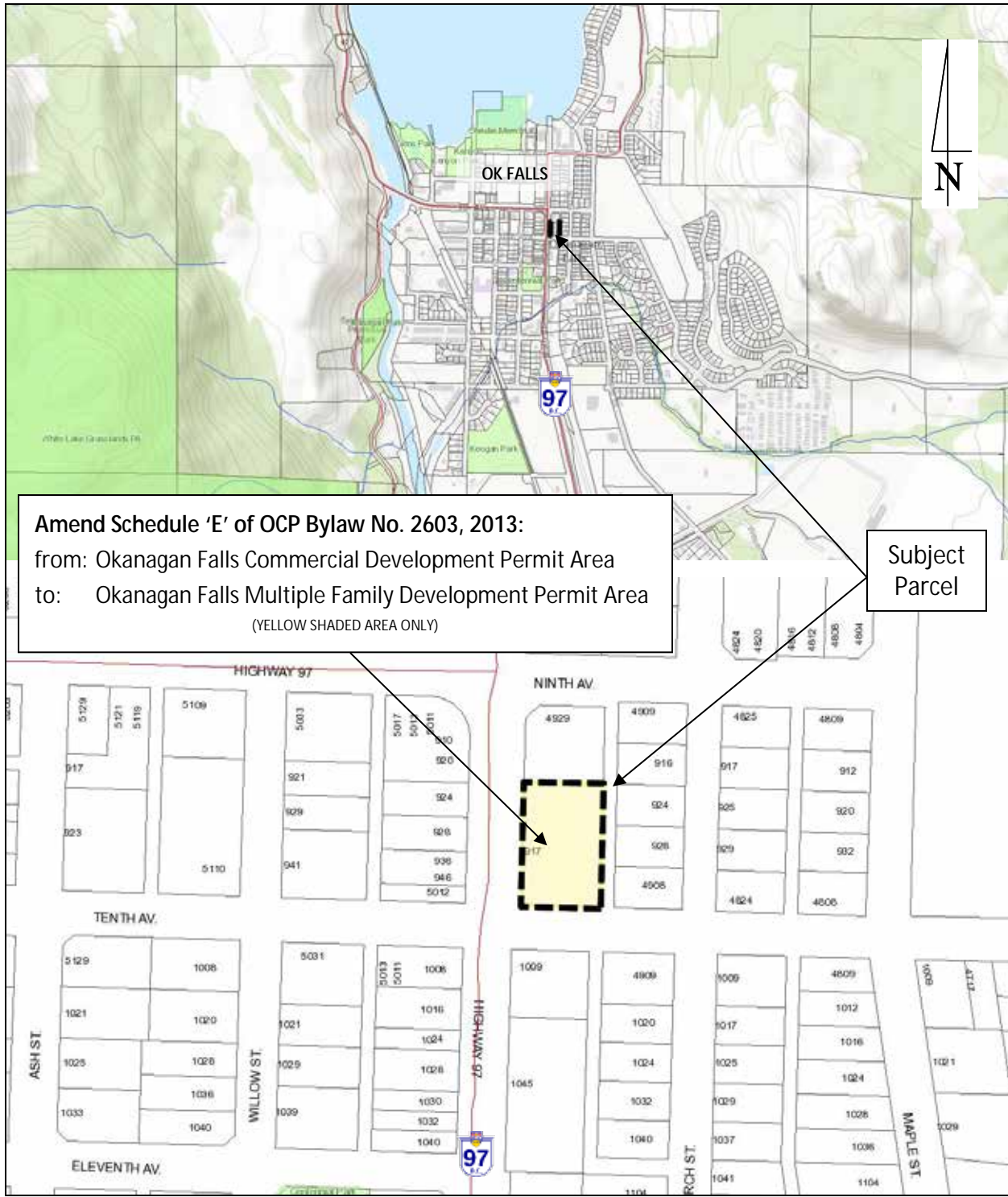
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'L'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

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Regional District of Okanagan-Similkameen

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

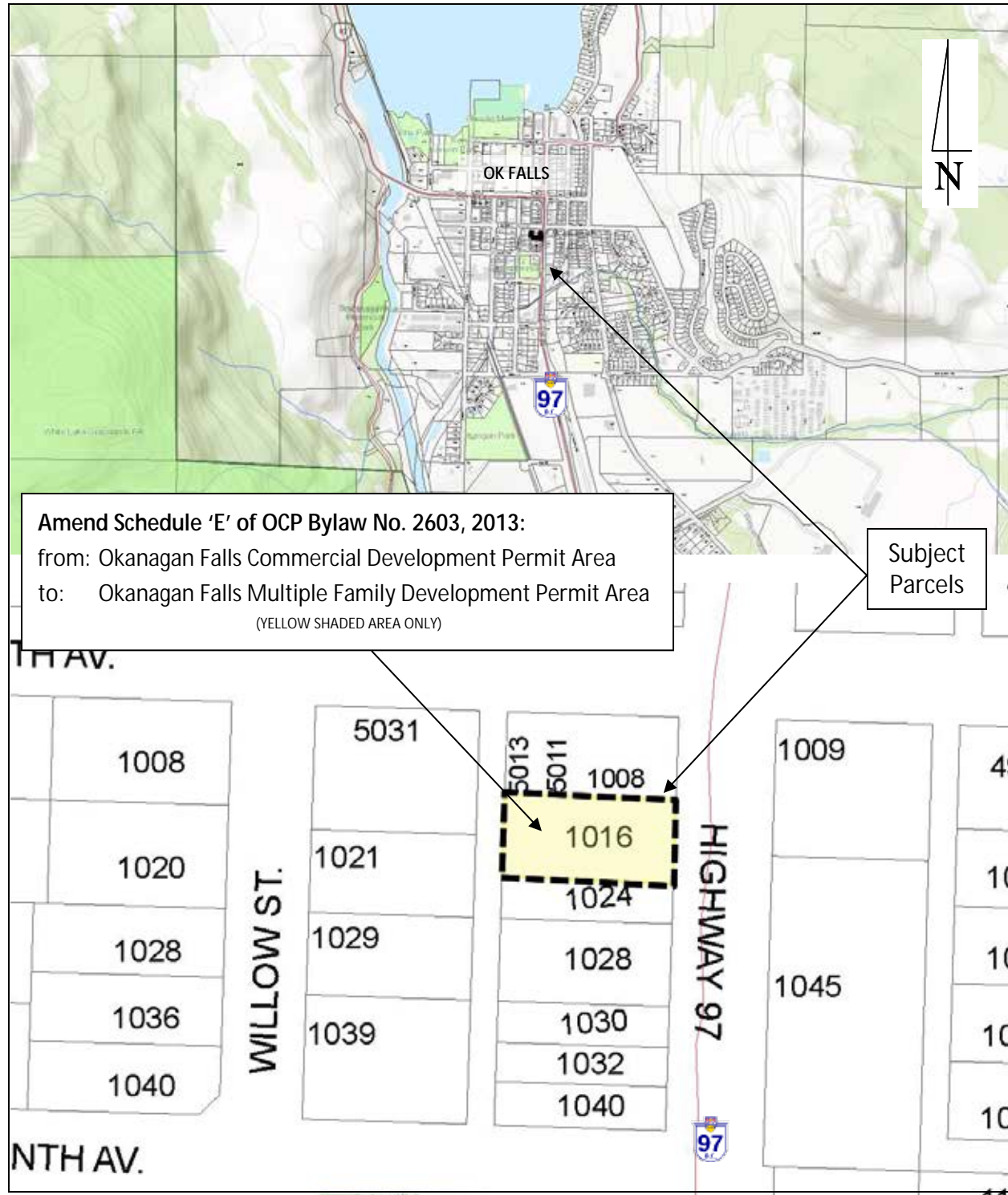
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'M'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

DRAFT VERSION – 2021-03-29

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Regional District of Okanagan-Similkameen

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

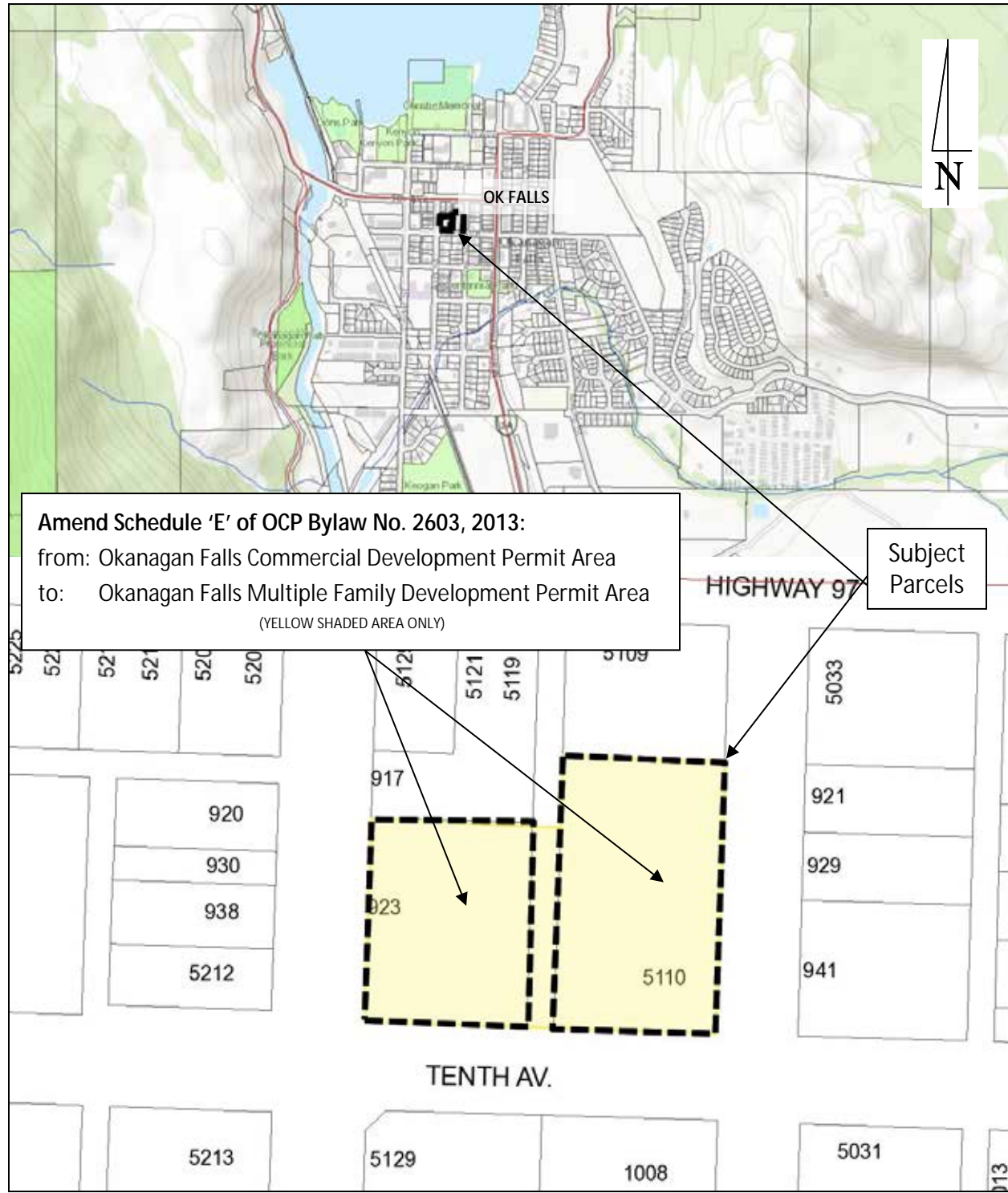
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'N'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

DRAFT VERSION – 2021-03-29

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Regional District of Okanagan-Similkameen

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

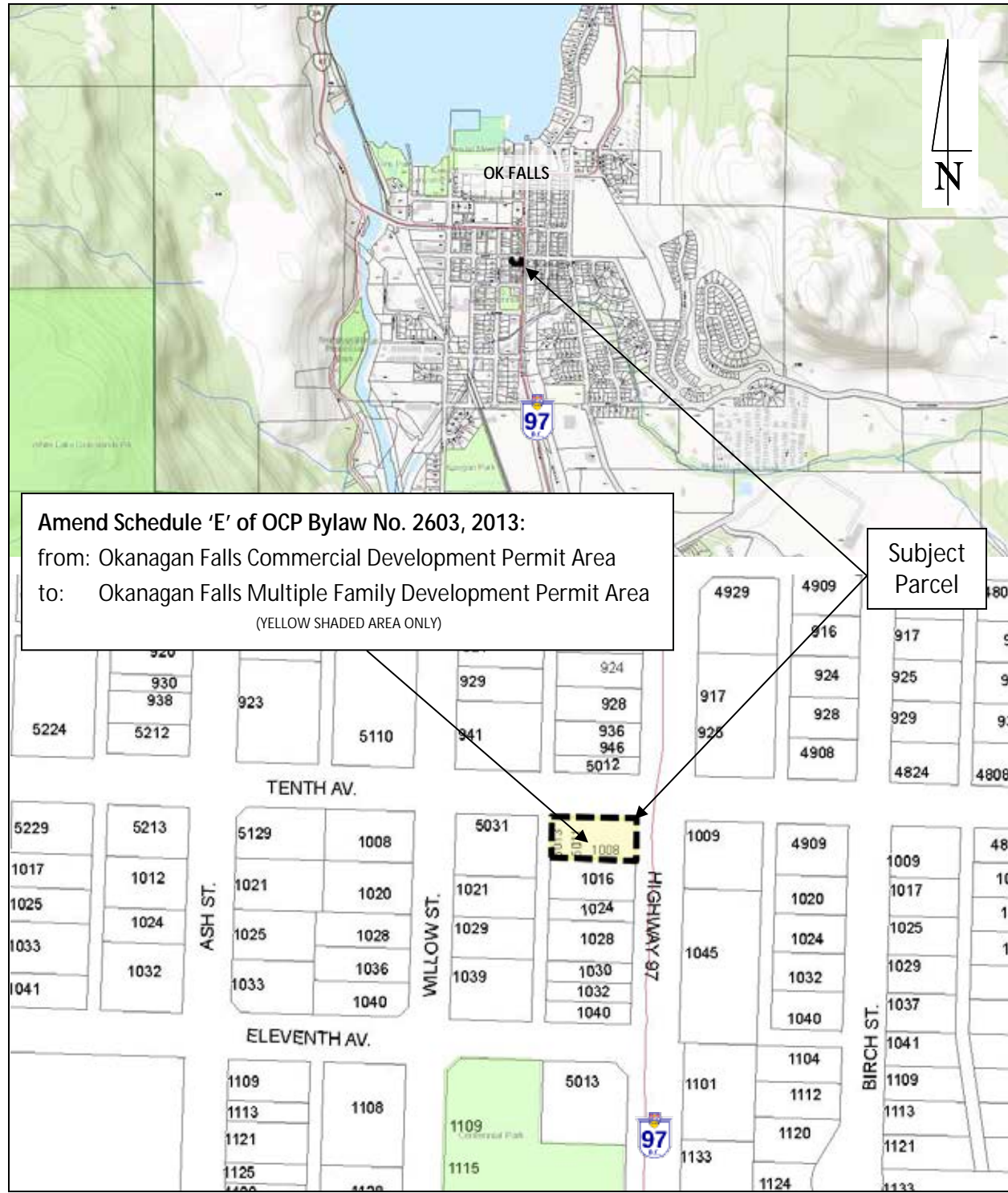
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'O'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

DRAFT VERSION – 2021-03-29

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Regional District of Okanagan-Similkameen

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

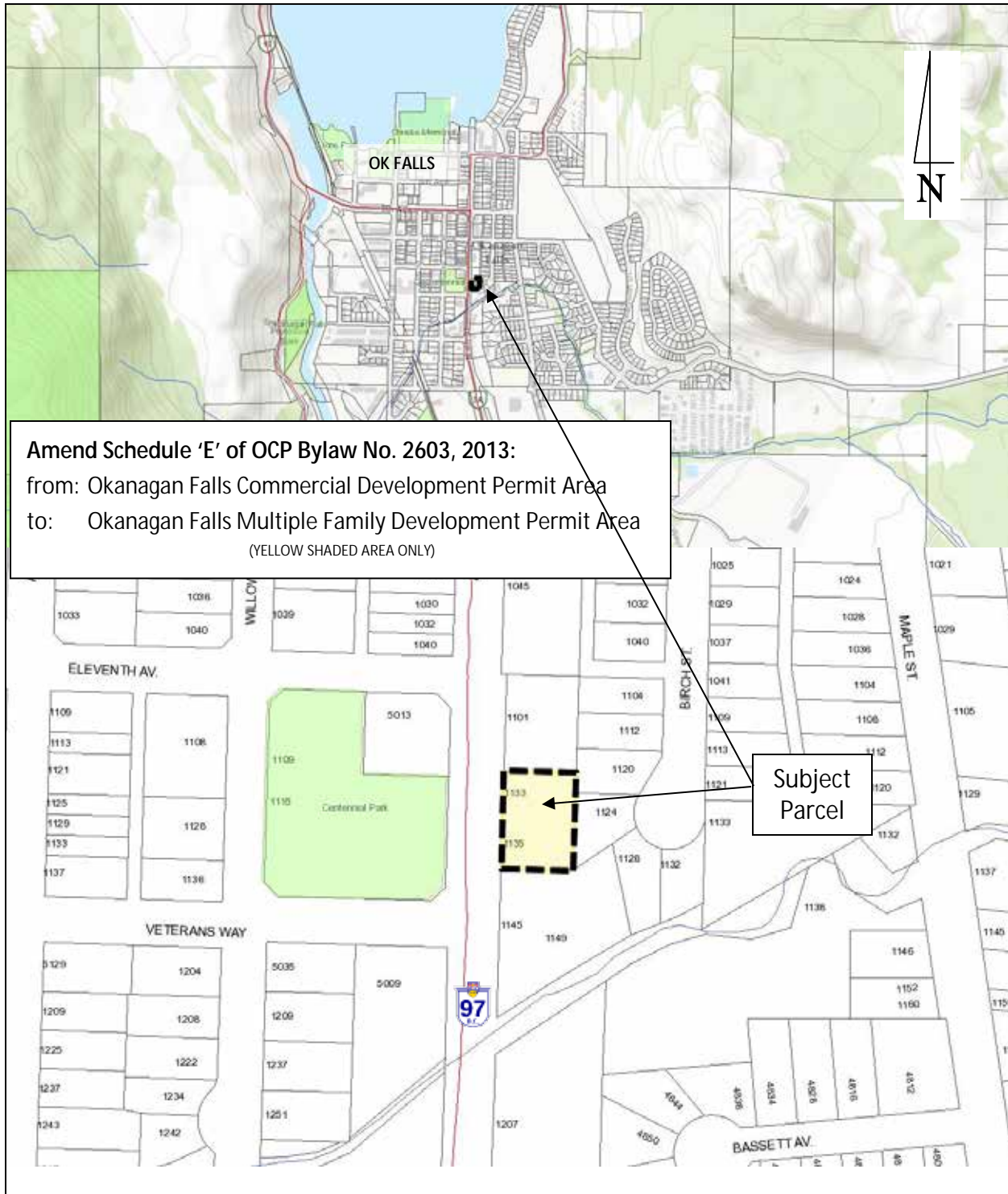
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'P'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

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Regional District of Okanagan-Similkameen

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

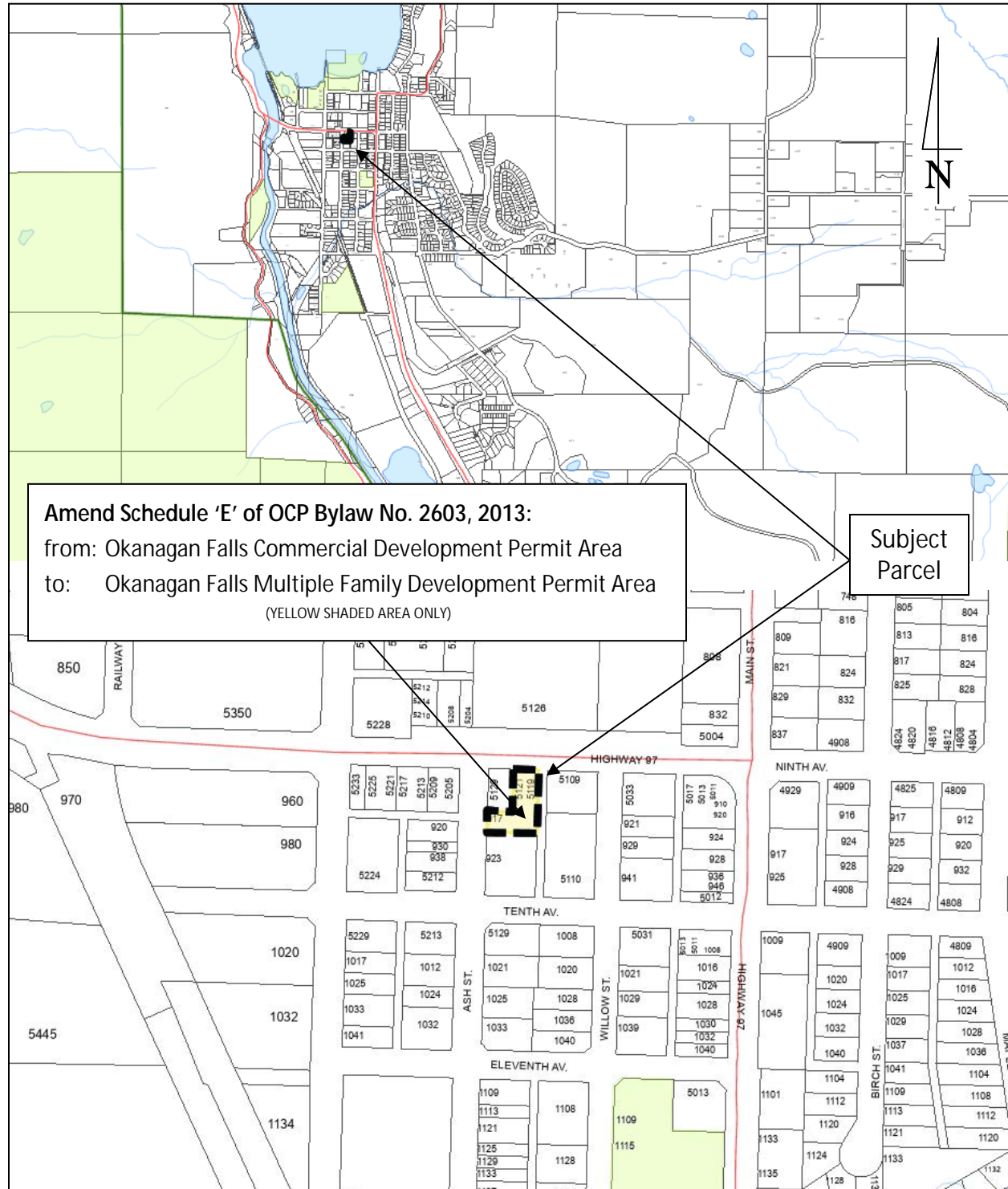
Telephone: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2603.15, 2021

Project No: D2018.089-ZONE

Schedule 'Q'



Amendment Bylaw No. 2603.15, 2021
(D2018.089-ZONE)

DRAFT VERSION – 2021-03-29

Page 20 of 20

Sent: March 16, 2021 11:19 AM
To: Evelyn Riechert
Cc: Christopher Garrish; Eleanor Walker
Subject: Re: Proposed Zoning Review - DUPLEX, 1028 Main Street, OK Falls ~ Proposed Highway Commercial C4 Zone

Thx.

Thanks, Evelyn, I appreciate the info.

Going forward, I'm torn between retail or office space, etc. (for the "principal" commercial use), or focus on tourist accommodation.

Tourist Accommodation means more "hands on" managing same... but given the lack of demand over the past several years for more retail or office space, I really wonder if more tourist accommodation wouldn't be the way to go??? ... the Hotel (Pub) and Falls Restaurant being located so close by are a plus, with regard to catering to tourists.

Deciding "what" to develop will also depend on building permits, cost, code, etc., etc., but it's good to know that the option will still be there (for tourist accommodation) in the "new" C4 zoning.

One way or another, I'll be doing "something" with the 1028 Main Street property. :-)

Ciao for now, Mel

From: "Evelyn Riechert" <eriechert@rdos.bc.ca>
To: "Melody L Walker"
Cc: "cgarrish" <cgarrish@rdos.bc.ca>,
Sent: Tuesday, March 16, 2021 9:43:35 AM
Subject: RE: Proposed Zoning Review - DUPLEX, 1028 Main Street, OK Falls ~ Proposed Highway Commercial C4 Zone

Hi Melody,

Thank you for your response. I will address your questions below.

1. There are a number of ways to provide temporary accommodation to tourists under the new C4 zone. First it is possible to develop a property as a hotel, motel, hostel, etc and to provide rooms to the travelling public as under the 'tourist accommodation' use permitted in the zone. Secondly, if a property is developed with dwelling units above or behind a commercial space, these may be rented out as a 'vacation rental', subject to meeting all the other requirements, and thirdly, the resident of a dwelling unit may also carry out a 'bed and breakfast' operation, again subject to requirements. Mainly the difference between the two is that in a B&B, the owners need to live and be on site to rent out rooms, whereas, a vacation rental can rent out the whole home.
2. The new C4 zone allows for dwelling units as a secondary use to be located above or at the rear of a commercial use. It does not specify the number of units, so it could be 1 or more. The development of a property would depend on the size of the property and the various other zoning regulations and building requirements applicable to a particular parcel.

I hope this clarifies your queries.

Regards,

Evelyn



**DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION**

Your File #: D2018.089-
ZONE (2455.38)
eDAS File #: 2021-01003
Date: March 2, 2021

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

Attention: Planning Department

**Re: Proposed Text Amendment Bylaw 2455.38 for various
properties within the OK Falls downtown area.**

Preliminary Approval is granted for the rezoning for one year pursuant to section
52(3)(a) of the *Transportation Act*.

If you have any questions, please feel free to call Penticton Development Services at
(250) 712-3660.

Yours truly,

Rob Bitte
Development Officer

Local District Address
Penticton Area Office 102 Industrial Place Penticton, BC V2A 7C8 Canada Phone: (250) 712-3660 Fax: (250) 490-2231



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:

Bylaw 2455.38 and 2603.15

FN Consultation ID:

L-210210-245538-260315

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Friday, March 19, 2021

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

March 19, 2021

Attention: Planning RDOS

File number: 2455.38 and 2603.15

RE: 40 (forty) day extension

Thank you for the above application that was sent on February 10, 2021.

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.

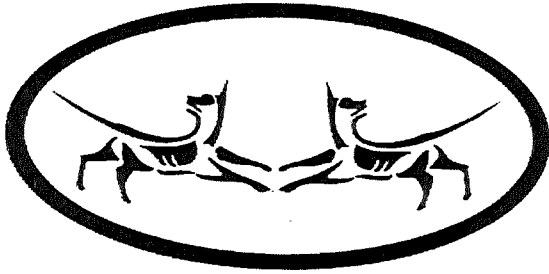
Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the 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 Coordinator
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:

Bylaw 2455.38 and 2603.15

FN Consultation ID:

L-210210-245538-260315

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan-Similkameen

Date Received:

Friday, March 19, 2021

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

March 19, 2021

Attention: Planning RDOS

File Number: 2455.38 and 2603.15

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.

Invoice Number: L-210210-245538-260315

SubTotal Tax Total

Referral Processing \$ 500.00 \$ 0.00 \$ 500.00

Total \$ 500.00 \$ 0.00 \$ 500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque or cash payable to Penticton Indian Band. re: P.C.132 and send to 841 Westhills Drive, Penticton, British Columbia, Canada V2A 0E8

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.

limlømt,

Maryssa Bonneau
Referrals Coordinator
P: 250-492-0411
Referrals@pib.ca

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: March 10, 2021 10:28 AM
To: Planning
Subject: Electoral Area 'D', Okanagan Falls (D2018.089-ZONE)

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities with the Okanagan Falls town boundary along public roads and lanes servicing the affected properties. FBC(E) has no concerns with the proposed bylaw changes. Any specific servicing and setback concerns will be addressed when and if the respective property owners submit applications for development or changes to the existing service.

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

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



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RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2455.38 & 2603.15

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

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 rezone the current Okanagan Falls Town Centre Transition (C4) Zone into a variety of other zones, including a Tourist Commercial (CT1), Medium Density Residential (RM1), and Administrative and Institutional (AI) Zone, as a part of the on-going work to modernize the downtown core of Okanagan Falls. This referral has been reviewed from a Healthy Community Development perspective and all comments are based on best practice health evidence.

We are pleased to see this update, as it supports bringing more people to the downtown core. Following the principals identified within the Provincial Health Services Authority- Healthy Built Environment Linkages Toolkit, higher densities tend to result in more people on the streets. Ensuring the walkability of the downtown core with safe and connected alternative transportation modes, further enhances both the health and economic benefits to the community.

Thank you for the opportunity to comment on this application. If you have any questions or concerns, please feel free to contact me at 250-469-7070 x12287 or via email Tanya.Osborne@interiorhealth.ca.

Signature:  _____

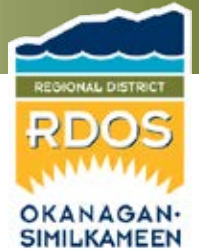
Signed By: _____ Tanya Osborne

Agency: _____ Interior Health

Title: _____ Community Health Faciliator

Date: _____ Feb 22, 2021

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 3, 2021
RE: Zoning Bylaw Amendment – Electoral Areas “A”, “C”, “D”, “E”, “F”, “G”, “H” & “I”

Administrative Recommendation:

THAT Bylaw No. 2932, 2021, Regional District of Okanagan-Similkameen Secondary Suite and Accessory Dwelling Floor Area 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 8, 2021;

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

Purpose:

Amendment Bylaw No. 2932 is proposing to amend the Electoral Area zoning bylaw in order to increase the maximum floor area allowance provided for secondary suites and accessory dwelling units from 90.0 m² to 125.0 m².

Background:

Under the Electoral Area Zoning Bylaws, the maximum floor area currently permitted for a secondary suite and an accessory dwelling is generally limited to 90.0 m² (NOTE: an exception is provided in some zones for accessory dwellings to have a larger floor area if the overall number of accessory dwelling units is reduced).

This floor area allowance is based on a regulation that was previously contained within the BC Building Code that limited the maximum size of a secondary suite to 90.0 m² or 40% of the floor area of the dwelling unit, but was removed from the Building Code following provincial amendments in December of 2019.

The province further amended the Building Code to allow secondary suites in more building types, such as side-by-side duplexes, and side-by-side (row house) townhouse style buildings.

In announcing these changes, the province stated that “allowing the construction of more secondary suites in more building types helps create more housing units while providing an acceptable level of health and fire safety to occupants. Secondary suites also help provide more affordable housing options, and by making more efficient use of land and infrastructure, they support community vitality and sustainability.”

At its meeting of September 3, 2020, the Regional District Board accepted the *Okanagan Falls 2020 Economic Development and Recovery Plan* as a guiding document. This plan included, amongst other things, the following "Action Item" (1.3):

Complete a review of zoning regulations in Okanagan Falls to ensure that single family residential lots have the flexibility to construct a carriage home or a secondary suite suitable for young families (i.e. review of maximum floor area and number of bedrooms).

At its meeting of October 15, 2020, the Planning and Development (P&D) Committee of the Board resolved "that the maximum floor area of a secondary suite and accessory dwelling be set at 125.0 m² in the Draft South Okanagan Electoral Area Zoning Bylaw No. 2800."

Referrals:

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

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

Analysis:

Despite the direction provided by the P&D Committee at its meeting of October 15, 2020, Administration is proposing that the amendments required to increase the maximum floor area of secondary suites and accessory dwellings be considered separate from Draft Zoning Bylaw No. 2800.

This is primarily due to an active compliance issue requiring an amendment to the Electoral Area "D" Zoning Bylaw that would increase the floor area of an accessory dwelling to a size less than the 125.0 m² previously supported by the Board (i.e. from 90.0 m² to 105.0 m²).

Administration has also been fielding on-going queries from the public regarding the timing of the change and is aware of new dwelling designs being prepared in anticipation of the increase to floor area allowances.

Accordingly, Administration is concerned that a spot rezoning grant will grant a privilege to an individual property owner that others are known to be waiting for and that the staff time required to process an ad hoc rezoning request would be better utilized on a broader amendment.

As was presented to the P&D Committee, Administration supports increasing the floor area of secondary suites and accessory dwellings to 125.0 m² in order to allow for the development of secondary suites that are more accommodating of families.

The basis of this increase is to allow for a third bedroom to comfortably be added to a suite (e.g. a master bedroom and bath requires approximately 20.0 m²) and to provide additional space to be used on increasing the size of other living areas in a suite.

Alternatives:

1. THAT Bylaw No. 2932, 2021, Regional District of Okanagan-Similkameen Secondary Suite and Accessory Dwelling Floor Area 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 Chair Kozakevich;

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

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

2. THAT Bylaw No. 2932, 2021, Regional District of Okanagan-Similkameen Secondary Suite and Accessory Dwelling Floor Area Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2932, 2021, Regional District of Okanagan-Similkameen Secondary Suite and Accessory Dwelling Floor Area Zoning Amendment Bylaw be denied.

Respectfully submitted:



C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2932, 2021

A Bylaw to amend the Electoral Area "A", "C", "D", "E", "F", "G" & "I" Zoning Bylaws

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Secondary Suite and Accessory Dwelling Floor Area Zoning Amendment Bylaw No. 2932, 2021."

Electoral Area "A"

2. The "Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) replacing sub-section .2 under Section 7.11 (Accessory Dwelling) in its entirety with the following:
 - .2 No accessory dwelling shall have a floor area greater than 125.0 m², unless otherwise specified.
 - ii) replacing sub-section .2 under Section 7.12 (Secondary Suites) in its entirety with the following:
 - .2 The maximum floor area of a secondary suite shall not exceed 125.0 m².
 - iii) replacing sub-section 10.1.5(b) under Section 10.1 (Resource Area Zone) in its entirety with the following:
 - b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

iv) replacing sub-section 10.2.5(b) under Section 10.2 (Agriculture One Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

v) replacing sub-section 10.3.5(b) under Section 10.3 (Agriculture Two Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- vi) replacing sub-section 10.4.5(b) under Section 10.4 (Large Holdings One Zone) in its entirety with the following:
- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

Electoral Area "C"

3. The "Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:

- i) replacing sub-section .2 under Section 7.11 (Accessory Dwelling) in its entirety with the following:
- .2 No accessory dwelling shall have a floor area greater than 125.0 m², unless otherwise specified.
- ii) replacing sub-section .2 under Section 7.12 (Secondary Suites) in its entirety with the following:
- .2 The maximum floor area of a secondary suite shall not exceed 125.0 m².
- iii) replacing sub-section 10.1.5(b) under Section 10.1 (Resource Area Zone) in its entirety with the following:
- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²

Greater than 16.0 ha	4	500 m ²
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iv) replacing sub-section 10.2.5(b) under Section 10.2 (Agriculture One Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

v) replacing sub-section 10.3.5(b) under Section 10.3 (Agriculture Two Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

vi) replacing sub-section 10.4.5(b) under Section 10.4 (Large Holdings One Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

Electoral Area “D”

4. The “Electoral Area “D” Zoning Bylaw No. 2455, 2008” is amended by:

i) replacing sub-section .2 under Section 7.11 (Accessory Dwelling) in its entirety with the following:

.2 No accessory dwelling shall have a floor area greater than 125.0 m², unless otherwise specified.

ii) replacing sub-section .2 under Section 7.12 (Secondary Suites) in its entirety with the following:

.2 The maximum floor area of a secondary suite shall not exceed 125.0 m².

iii) replacing sub-section 10.1.5(b) under Section 10.1 (Resource Area Zone) in its entirety with the following:

b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

iv) replacing sub-section 10.2.5(b) under Section 10.2 (Agriculture One Zone) in its entirety with the following:

b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and

the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

v) replacing sub-section 10.3.5(b) under Section 10.3 (Agriculture Three Zone) in its entirety with the following:

b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

vi) replacing sub-section 10.4.5(b) under Section 10.4 (Large Holdings One Zone) in its entirety with the following:

b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- vii) replacing sub-section 10.5.5(b) under Section 10.5 (Large Holdings Two Zone) in its entirety with the following:
- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

Electoral Area "E"

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

- i) replacing sub-section .2 under Section 7.11 (Accessory Dwelling) in its entirety with the following:
- .2 No accessory dwelling shall have a floor area greater than 125.0 m², unless otherwise specified.
- ii) replacing sub-section .2 under Section 7.12 (Secondary Suites) in its entirety with the following:
- .2 The maximum floor area of a secondary suite shall not exceed 125.0 m².
- iii) replacing sub-section 10.1.5(b) under Section 10.1 (Resource Area Zone) in its entirety with the following:
- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²

Greater than 16.0 ha	4	500 m ²
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iv) replacing sub-section 10.2.5(b) under Section 10.2 (Agriculture One Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

v) replacing sub-section 10.3.5(b) under Section 10.3 (Large Holdings One Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

Electoral Area "F"

6. The "Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:

- i) replacing sub-section .2 under Section 7.11 (Accessory Dwelling) in its entirety with the following:
- .2 No accessory dwelling shall have a floor area greater than 125.0 m², unless otherwise specified.

- ii) replacing sub-section .2 under Section 7.12 (Secondary Suites) in its entirety with the following:

.2 The maximum floor area of a secondary suite shall not exceed 125.0 m².

- iii) replacing sub-section 10.1.6(b) under Section 10.1 (Resource Area Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- iv) replacing sub-section 10.2.5(b) under Section 10.2 (Agriculture Two Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- v) replacing sub-section 10.3.5(b) under Section 10.3 (Agriculture Three Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	501 m ²

- vi) replacing sub-section 10.4.5(b) under Section 10.4 (Large Holdings One Zone) in its entirety with the following:
- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

Electoral Area "G"

7. The "Electoral Area "G" Zoning Bylaw No. 2781, 2017" is amended by:

- i) replacing sub-section .4 under Section 6.9 (Secondary Suites) in its entirety with the following:
- .2 The maximum floor area of a secondary suite shall not exceed 125.0 m².
- ii) replacing sub-section 10.1.4(b) under Section 10.1 (Large Holdings One Zone) in its entirety with the following:
- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES, ACCESSORY DWELLINGS OR MOBILE HOMES	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES, ACCESSORY DWELLINGS AND MOBILE HOMES PER PARCEL
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Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

Electoral Area “H”

8. The “Electoral Area “H” Zoning Bylaw No. 2498, 2012” is amended by:

- i) replacing sub-section .1 under Section 7.9 (Accessory Dwellings or Mobile Homes) in its entirety with the following:
 - .1 No accessory dwelling or mobile home shall have a floor area greater than 125.0 m², unless otherwise specified.
- ii) adding a sub-section .5(iii) under Section 7.9 (Accessory Dwellings or Mobile Homes) to read as follows:
 - iii) despite section 7.9.1, have a maximum floor area that does not exceed the floor area of the principal permitted use.
- iii) replacing sub-section .3 under Section 7.11 (Carriage Houses) in its entirety with the following:
 - .3 No carriage house shall have a floor area greater than 125.0 m².
- iv) replacing sub-section 11.3.1(j) under Section 11.3 (Agriculture Three Zone) in its entirety with the following:
 - j) accessory dwelling or mobile home, subject to Section 7.09;
- v) replacing sub-section 11.3.4(b) under Section 11.3 (Agriculture Three Zone) in its entirety with the following:
 - b) the maximum number of secondary suites, accessory dwellings or mobile homes permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites, accessory dwellings and mobile homes permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES, ACCESSORY DWELLINGS OR MOBILE HOMES	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES, ACCESSORY DWELLINGS AND MOBILE HOMES PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²

12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

Electoral Area “I”

9. The “Electoral Area “I” Zoning Bylaw No. 2457, 2008” is amended by:

i) replacing sub-section .2 under Section 7.11 (Accessory Dwelling) in its entirety with the following:

.2 No accessory dwelling shall have a floor area greater than 125.0 m², unless otherwise specified.

ii) replacing sub-section .2 under Section 7.12 (Secondary Suites) in its entirety with the following:

.2 The maximum floor area of a secondary suite shall not exceed 125.0 m².

iii) replacing sub-section 10.1.5(b) under Section 10.1 (Resource Area Zone) in its entirety with the following:

b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

iv) replacing sub-section 10.2.5(b) under Section 10.2 (Agriculture One Zone) in its entirety with the following:

b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
-------------	---	---

Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

v) replacing sub-section 10.3.5(b) under Section 10.3 (Agriculture Three Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

vi) replacing sub-section 10.4.5(b) under Section 10.4 (Large Holdings One Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

vii) replacing sub-section 10.5.5(b) under Section 10.5 (Large Holdings Two Zone) in its entirety with the following:

- b) the maximum number of secondary suites or accessory dwellings permitted per parcel, to a maximum of one (1) secondary suite permitted per parcel, and

the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

DRAFT

READ A FIRST AND SECOND TIME this ____ day of _____, 2021.

PUBLIC HEARING held on this ____ day of _____, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

I hereby certify the foregoing to be a true and correct copy of the "Regional District of Okanagan-Similkameen Secondary Suite and Accessory Dwelling Floor Area Zoning Amendment Bylaw No. 2932, 2021" as read a Third time by the Regional Board on this ____ day of _____, 2021.

Dated at Penticton, BC this ____ day of _____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

May 13, 2021

Reply to the attention of Sara Huber
ALC Planning Review: 46772
Local Government File: X2021.005-ZONE

Chris Garrish
Planning Manager, RDOS
planning@rdos.bc.ca

Re: Regional District of Okanagan Similkameen Electoral Area A, C, D, E, F, G, and I Zoning Amendment Bylaw No. 2932, 2021

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area A, C, D, E, F, G, and I Zoning Amendment Bylaw No. 2932, 2021 (the "Amendment Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Amendment Bylaw is consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The Amendment Bylaw proposes to increase the maximum permitted floor area for secondary suites and accessory dwellings from 90 m² to 125 m² in order to allow for units which can accommodate families (with a third bedroom).

In 2018, the British Columbia Building Code (BCBC) was revised to remove the size limitation for secondary suites to be a maximum of 90 m² or 40% of the habitable space of the building. Local governments are now able to determine appropriate sizes for secondary suites in their community.

Section 31 of the ALR Use Regulation permits secondary suites if there is one suite only and the suite is located in the principal residence. Recognizing that secondary suites are permitted within the ALR, ALC staff generally do not object to the Amendment Bylaw. That being said, ALC staff have some concern about the lack of requirement for the secondary suite to be proportional in size to the principal residence. Without requiring the secondary suite to be smaller than the principal residence, it is possible that a landowner may construct a building which is essentially a duplex, a use which is not permitted without approval of the ALC. ALC staff recommend including a requirement that the secondary suite be proportion to the size of the principal residence and suggest it be limited to one third of the principal residence.

Regarding accessory dwellings, currently there is only one residence permitted within the ALR, with the possibility of a manufactured home up to 9 m in width for the owner or the owner's immediate family. However, the Ministry of Agriculture, Food, and Fisheries (AFF) is currently pursuing proposed regulatory amendments to increase "residential flexibility" in the ALR. As such, ALC staff do not object to the inclusion of the accessory dwelling provision at this time but advise that in future the Zoning Bylaw should be updated to reflect what is permitted in the revised ALR Use Regulation.

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any decisions of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'Sara Huber', written in a cursive style.

Sara Huber, Regional Planner

Enclosure: Referral of RDOS X2021.005-ZONE

CC: Ministry of Agriculture – Attention: Alison Fox (Alison.Fox@gov.bc.ca)

46772m1



Interior Health
Every person matters

May 25, 2021

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

<mailto:planning@rdos.bc.ca>

Dear Regional District of Okanagan-Similkameen:

RE: File #: X2021.005-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

Subject: FW: RDOS-New Bylaw - Secondary/Auxiliary Dwelling Bylaw 2932

>

Sent: May 14, 2021 7:50 AM

To: Karla Kozakevich <kkozakevich@rdos.bc.ca>

Subject: RDOS-New Bylaw - Secondary/Auxiliary Dwelling Bylaw 2932

Karla

Good morning, we want to applaud the RDOS for the initiative of increasing the size of secondary/auxiliary home to 125 m2 from 90 m2.

We strongly urge the RDOS to use the appropriate resources to complete the process and to bring this bylaw into effect at its earliest opportunity.

Warm regards

Randy Kowalchuk

Randy@NaramataBenchlands.com

BOARD OF VARIANCE MINUTES



Application No: C2021.001-BOV
Applicant: Jeffrey Crowley
Location: 7337 Tuc-el-Nuit Drive
Date: Tuesday, April 6, 2021
Time: 11:00 am

Members Present: [x] Dave Corbeil [x] Margaret Chadsey [x] Tim Forty BY PHONE

Adjacent Property Owners: See attached Listing

Meeting called to order at: 11:00 a.m. p.m.

Legal Description: Lot 1, Plan 32084, District Lot 2450s, SDYD

Purpose: To allow the construction of a deck and external stairs on an existing non-conforming mobile home.

Request: To consider an appeal for an exemption under Section 531(1) of the Local Government Act to allow an addition to a non-conforming use.

Objections: NONE

Comments: RECOMMEND AHIRNING ZONING RULES REGARDING SITING OF STRUCTURES TO THOSE OF A/R REGARDING PARCELS UNDER HMA.



Does the requested variance(s) in the Board's opinion:

- | | | |
|--|---|--|
| 1. result in appropriate development of the site | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. adversely affect the natural environment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. substantially affect uses and enjoyment of adjacent land | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. vary permitted uses and densities under the applicable bylaw | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. defeat the intent of the bylaw | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 6. vary the application of an applicable bylaw in relation to residential rental tenure. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

MOVED BY THE BOARD OF VARIANCE THAT THIS APPLICATION BE:

Approved Not Approved

The meeting adjourned at 12:40 a.m. / p.m.

DAVE CORSEIL
Chair

APR. 6/21
Date

Adjacent Property Owners

SURNAME1	Attendance - Yes	Attendance - No
John Ferreira 7315 Tuc-el-Nuit		✓
1199318 B Ltd. 7361 Tuc-el-Nuit		✓
Diane Young 7352 Tuc-el-Nuit		✓
Ervin and Daphne Streeter 7342 Tuc-el-Nuit		✓
Jeffrey and Sharon Crowley (OWNER) 7335 Tuc-el-Nuit		✓
Mary Barker 7332 Tuc-el-Nuit		✓





Minutes

Electoral Area “D” Advisory Planning Commission

Meeting of April 13, 2021

Location: <https://rdos.webex.com> Time: 7:00 p.m.

Present:

Director: Ron Obirek

Members: Doug Lychak (Chair), Malcolm Paterson, Kelvin Hall, Norm Gaumont, Alf Hartviksen, Kurtis Hiebert, Jerry Stewart

Absent: Navid Chaudry, Almira Nunes, Don Albright, Jill Adamson

Staff: JoAnn Peachey, Planner I
Cory Labreque, Planner II

Recording

Secretary: Regional District Staff

Delegations: Vanita Yadev, Sherri MacDonald & Kate McLean (D2021.010-LCRB)

1. CALL TO ORDER

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

ADOPTION OF AGENDA

MOTION

It was Moved and Seconded that the Agenda be adopted.

CARRIED (UNANIMOUSLY)

2. APPROVAL OF PREVIOUS MEETING MINUTES

MOTION

It was Moved and Seconded by the APC that the Minutes February 9, 2021, be approved.

CARRIED (UNANIMOUSLY)

3. DEVELOPMENT APPLICATIONS

3.1 Temporary Use Permit Application – D2021.004-TUP

Delegate Geoffrey Orr not present.

Discussion.

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board that the subject Development Application be approved and that the legislation be looked at so we have policies around this type of application.

CARRIED

3.2 Liquor and Cannabis Regulation Branch Permit –D2020.010-LCRB

Delegates Vanita Yadev, Sherri MacDonald & Kate McLean present.

Discussion.

MOTION

It was Moved and Seconded that the APC recommends to the RDOS Board that the proposed Cannabis Retail Store application be tabled until the RDOS look at the average of what is being used in our communities around Okanagan Falls as criterias, and these criterias are brought to a public hearing to get everybodys input so a final decision can be made to be bring these criterias back to the APC and APC making a final decision on the application.

CARRIED

4. ADJORNMENT

MOTION

It was Moved and Seconded that the meeting be adjourned at 8:24 p.m.

CARRIED

Advisory Planning Commission Chair



Advisory Planning Commission Recording Secretary / minute taker

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 3, 2021

RE: Air Quality – Central Okanagan Regional District

Administrative Recommendation:

THAT the Chair of the Central Okanagan Regional District be invited to appear before the Board to discuss Air Quality at her earliest convenience.

Reference:

- Request to appear

Background:

The Regional District of North Okanagan, the Regional District of Central Okanagan and the Regional District of Okanagan Similkameen entered into a Memorandum of Understanding in 2010 to cooperatively develop initiatives to improve outdoor air quality in the Okanagan Similkameen Airshed.

The three regional governments in the Okanagan and Similkameen Valleys became very interested in air quality in the 2005/2006 period and formed an Air Quality Committee, mostly to introduce an information/education program regarding the importance of air quality and tips to protect it. Staff were hired to support the Committee and programs were developed, such as air quality monitoring, dust control, the woodstove exchange, wood chipping and others. The program formalized in 2010 with the MoU, but the Regional District of Okanagan Similkameen treated this as a pilot project at the time and funded it as a regional program through General Government.

RDNO withdrew from the partnership in 2011, discontinuing their Service. The Regional District transferred some of their programs to the solid waste budget, but for all intents and purposes, the Coalition dissolved and each Party continued with their own air quality response.

The Central Okanagan Regional District, through the City of Kelowna, seems to be very active and has requested the opportunity to discuss the program with both other regional districts.



Office of the Chair
1450 K.L.O. Road
Kelowna, B.C. V1W 3Z4

Telephone: (250) 469-6224
Fax: (250) 763-0606
gail.given@cord.bc.ca
rdco.com

May 18, 2021
File No.: 0530-02

Kevin Acton, Chair / David Sewell, CAO
Regional District of North Okanagan
9848 Aberdeen Road
Vernon, BC V1B 2K9
Via Email: info@rdno.ca

Karla Kozakevich, Chair / Bill Newell, CAO
Regional District of Okanagan Similkameen
101 Martin Street
Penticton, BC V2A 5J9
Via Email: info@rdos.bc.ca

Dear Regional Board Directors:

Re: Okanagan Valley Air Quality

Please accept this letter as an offer from the Board of Directors of the Regional District of Central Okanagan (RDCO) to make a presentation to your Board on the Central Okanagan region's air quality service.

Going back to early 2007 to 2011, the three Okanagan Valley regional districts collaborated on an intra-regional service known as the "Okanagan Airshed Coalition". Elected representatives, technical staff, and provincial health & environment staff met regularly to discuss air quality issues in the Okanagan Valley that were of mutual concern. A copy of the 2010 Memorandum of Understanding is attached for your information. The Coalition was instrumental in lobbying for senior government grants to help improve our air quality and protect the health of our residents. Public information & education programs, the wood stove exchange program, the implementation of the Venting Index Guidelines for Open Burning and the installation of air quality monitoring stations are a few examples of what we achieved.

A lot has happened in the Okanagan since 2011 including the population growing by more than 16.4% or 57,000 people for a total of more than 405,000. We are one of the fastest growing regions in Canada and can expect our combined population to exceed 475,000 by 2031. Much like the Okanagan watershed, we share an airshed that knows no boundaries between our respective regional districts. If one of our regions is experiencing poor air quality, it's just a matter of time before our neighbouring regions feel the same effects.

When the joint regional district Board Chairs and CAO meetings occurred, the issue of restarting an Okanagan Airshed Coalition was raised by the RDCO on a number of occasions. However, for various reasons, including a lack of staff/financial resources, your regional district has not been inclined to restart the Coalition.

The Regional District of Central Okanagan, through a contract with the City of Kelowna, has dedicated staff resources to oversee the region's air quality initiatives. The Regional Board recently received a program update from our Air Quality staff (report attached) that provides information about our program and illustrates how our initiatives are improving air quality and healthy outcomes in the for our residents.

Following the staff presentation, our Board raised the issue that there is one airshed in the Okanagan Valley and wondered if there would be any appetite for the three regional districts to work cooperatively and collaborate on airshed initiatives in the future.

To this end, I would like to extend an invitation to your Board should you be interested, for a presentation on the Central Okanagan's air quality service. CAO, Brian Reardon and I, along with a staff member, would be pleased to attend a future meeting to outline the various programs of our air quality service.

Should you have any questions or wish to accept our invitation please contact Brian Reardon at (250) 469-6235 or myself at (250) 575-7079.

Yours sincerely,

REGIONAL DISTRICT OF CENTRAL OKANAGAN



Gail Given
Chair

Encl. 2010 Okanagan Airshed Coalition MOU
RDCO Air Quality Program Update (May 2021)

cc: Brian Reardon, RDCO CAO

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 20, 2021

RE: Okanagan Falls Parks and Recreation Commission Resolutions

Purpose:

To provide an administrative response to recommendations submitted by the Okanagan Falls Parks and Recreation Commission (OFPRC) to the Board of Directors on various projects within the service area.

Background:

The Board is aware that we've been discussing a more efficient process for how best to get Recreation Commission minutes processed when they include recommendations that would impact on the resources of the corporation. We have a fairly smooth process for accepting advice from our Advisory Planning Commissions, whereby issues that are referred to APC's are then reported back to the Board through an Administrative Report when that specific issue comes before the Board for decision.

Parks and Recreation Commission minutes have historically been added to the Board's "consent" agenda, with limited to no discussion on those minutes and we were concerned that recommendations or advice from a Commission might be missed. The recently adjusted process allows for Commission recommendations and/or minutes, when recommendations are provided to the Board that may impact the resources of the corporation, to be referred to Administration and brought forward to the Board through an accompanying Administrative Report.

At its March 25, 2021, and April 4, 2021, Commission meetings, the OFPRC passed 6 resolutions, requesting action. At their meeting of May 20, 2021, the Board referred these minutes to administration to address the impact on the 2021 Corporate Business and Financial Plans.

Alternatives:

1. Address each individual recommendation identified below.
2. Adopt the OFPRC recommendations in the March 25th and April 4th minutes.

Analysis:

March 25, 2021 Recommendations

1. ***THAT the Okanagan Falls Parks and Recreation Commission recommends to the Board to request staff to make an application to the SOSCP to contract a QEP to investigate ways and means of investigating the save the aster, save the beach.***

The Short-rayed Alkali Aster (the "Aster") was added to the Government of Canada "protected species at risk register" in 2007. The current position of Canada is to protect the plant where it grows; in this case, within Christie Memorial Park (the "Park") in Okanagan Falls. This matter has an extensive history involving Federal and Provincial government staff and includes past analysis by a Qualified Environmental Professional.

The Regional District was advised of the Aster and that it was an endangered red-listed plant species when negotiating the park management transfer from the Provincial Government in 2010. Ministry staff and RDOS parks staff identified, inventoried and pictorially recorded the Aster and were advised that it would become an integral aspect in management of the park for the Regional District when the transfer took place. The Park Management Transfer document contains information on the plant and required that management strategies would be employed. The Ministry of Environment was very involved in the development of the management strategies.

OFPRC is concerned about the aesthetic impact of the Aster on the Park beach, where it has a firm foothold and seems to be growing. They supported the creation of a local Society to investigate this issue in 2019 and have supported it with an annual \$5,000 budget to assist their efforts. Dissatisfied with the progress, OFPRC is now recommending that the Board instruct staff to undertake the project of having the Aster re-designated in order to reduce the impact on the Park or control its spread.

Affecting any change to the Species-at-Risk Register under the Species at Risk Act will be a complex process and the Corporation would need staff and financial resources to fully investigate and engage the necessary subject matter experts to develop a proposal for the Canada Wildlife Service's consideration, neither of which are available in 2021.

Recommendation #1: That the request for the RDOS to submit an application to South Okanagan Similkameen Conservation Program (SOSCP) to investigate "save the aster, save the beach" be referred to SOSCP for comment.

2. ***THAT the Okanagan Falls Parks and Recreation Commission ask the Board to instruct staff to investigate the construction of an aster coral at Kenyon Park.***

The request to corral the aster would be an adjunct to recommendation #1.

- 3. THAT the Okanagan Falls Parks and Recreation Commission recommends to the Board to request staff to issue an RFP to install the jumping platform By July 1, 2021, or other suitable date as determined by staff.**

The RDOS holds a License of Occupation (License) to manage and maintain the KVR between Kaleden and Okanagan Falls. We have a separate License for the Trestle, limited to the 3 metre walkway between the railings; but the Province of British Columbia retains ownership and responsibility for the structure and oversight on the management of the trestle. That License for the Trestle expired in 2019 and we have a renewal application in with the Lands Branch currently pending approval.

A 2018 risk assessment commissioned by the Municipal Insurance Association of British Columbia identified the trestle as a hazard and it was determined that upgrades would be beneficial. The RDOS application to the Lands Branch to replace the jumping platform on the trestle has not yet been approved. Trestle improvements have been designed and funds are available for construction. Once approval from the Province has been provided, construction will begin.

Response: No further direction needed on this matter.

- 4. THAT the Okanagan Falls Parks and Recreation Commission recommends to the Board to direct staff to assess the damage caused by bolt removal and remediate the damage immediately by replacing and repairing this spring.**

The Regional District was made aware that bolts had been removed from the outside of the trestle in 2020 by some alert residents. We evaluated immediately and notified the Province of B.C. (owner). An engineering assessment was conducted and it was concluded by the structural engineer that the bolts that were removed did not create a risk to the public. Further, we have been in communication with the Province regularly on the matter and are advised that they are waiting for information from the structural engineer as to possible next steps, if any.

Response: No further direction needed on this matter.

- 5. THAT the Okanagan Falls Parks and Recreation Commission recommends to the Board to request staff to estimate the installation costs of a new berm in Lions Park and then come back to the Commission for final approval and recommendation to the Board.**

The information received by Administration is that a berm has been proposed for construction that would occupy RDOS, Crown and private land. Approval from the Crown will not be easy or quick and it is assumed that various surveys, Rights-of-Ways, permits and management agreements may be required. At this point, the Condominium Corporation would seem to be the main beneficiary and it may be difficult to justify directing staff time or financial resources to this project.

Response: The Condo Berm Project will be referred to the annual Corporate Strategic Planning and Budget process for discussion.

April 4, 2021 Recommendations

- 1. THAT the Okanagan Falls Parks and Recreation Commission recommends that the Board review D. Lychak's report to the RDOS regarding the Parks Donation Program and that the changes contained in the report be implemented.***

The Regional District of Okanagan Similkameen adopted the Corporate Donations and Naming Rights Policy on May 3, 2018. The Policy was widely discussed at Recreation Commission meetings prior to adoption and it had not been on the schedule for review in 2021. The Okanagan Falls Parks & Recreation Commission has submitted a report and are requesting that the Board review and implement the amendments proposed. The report has not yet been reviewed administratively and is not on the Legislative Services or Community Services 2021 Business Plan.

Response: The review of the Corporate Donations and Naming Rights Policy be referred to Legislative Services 2022 Corporate Strategic Planning process for discussion.

Respectfully submitted:

"Mark Woods"

M. Woods, Community Services General Manager



Minutes

Okanagan Falls Parks & Recreation Commission

Webex Meeting of March 25, 2021

Okanagan Falls Community Centre, 1141 Cedar Street,
Okanagan Falls, BC



Present:	Mr. R. Obirek, Director, Electoral Area “D”
Members:	Linda Finner, Chair, Kelvin Hall, Matt Taylor, Alf Hartviksen, Barbara Shanks, Doug Lychak, Joanne Kleb, Judy Garner
Absent:	Shari Rowland, Jillian Johnston, Phyllis Radchenko
Staff:	Recording Secretary: Sue Gibbons
Delegates:	None

1. CALL TO ORDER

The meeting was called to order at 7:05 p.m.

Quorum Present

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of March 25, 2021 be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

2.1 RECOMMENDATION

It was Moved and Seconded that the Minutes for the Okanagan Falls Parks and Recreation Commission meeting of March 11, 2021 be approved as amended.

CARRIED

Action Item:

Ask staff to clarify actual budget amount – Area D Master Plan actual budget is 20,450 on the sheet that Sue sent out, not 50,000 that was in the minutes. Also, is it Area D Master Plan or Waterfront Master Plan?

Response:

For clarification, it is the Area "D" Parks Master Plan and the correct budget amount is 20,450. The March 11, 2021 Minutes have been amended.

3. CORRESPONDENCE / DELEGATIONS

3.1 None

4. RDOS STAFF REPORTS

4.1 None

5. COMMISSION MEMBER REPORTS

5.1 None

6. RDOS DIRECTOR'S REPORT

6.1 Director Obirek provided an update.

7. BUSINESS ARISING

7.1 Short-rayed Alkali Aster – M. Taylor

Discussion

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend to the Board to request staff to make an application to the SOSCP to contract a QEP to investigate ways and means of investigating the save the aster, save the beach.

CARRIED

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission ask the Board to instruct staff to investigate the construction of an aster coral at Kenyon Park.

CARRIED

7.2 KVR Trestle – M. Taylor

Discussion

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend to the Board to request staff to issue a RFP to install the jumping platform by July 1, 2021 or other suitable date as determined by staff.

CARRIED

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend to the Board to direct staff to assess the damage caused by bolt removal and remediate the damage immediately by replacing and repairing this spring.

CARRIED

7.3 Lion's Park Maintenance – M. Taylor

Discussion

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend to the Board to request staff to estimate the installation costs of a new berm in Lions Park and then come back to the Commission for final approval and recommendation to the Board.

CARRIED

7.4 Lamb Property – M. Taylor

Discussion

Action Item:

For every Commission member to come back to the next meeting expressing your interest if you are interested in participating in a discussion on the Lamb property.

7.5 Waterfront Master Plan – M. Taylor

Discussion

Action Item:

This Commission to develop a draft waterfront master plan and have it on the agenda for July's commission meeting.

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 9:00 pm.

CARRIED

NEXT MEETING – Thursday, April 8, 2021

Chair, Parks and Recreation Commission – Electoral Area “D”

Sue Gibbons

Recording Secretary



Minutes

Okanagan Falls Parks & Recreation Commission

Webex Meeting of April 8, 2021

Okanagan Falls Community Centre, 1141 Cedar Street,
Okanagan Falls, BC



Present:	Mr. R. Obirek, Director, Electoral Area “D”
Members:	Linda Finner, Chair, Kelvin Hall, Matt Taylor, Alf Hartviksen, Barbara Shanks, Doug Lychak, Joanne Kleb, Judy Garner; Jillian Johnston; Phyllis Radchenko
Absent:	Shari Rowland
Staff:	Recording Secretary: Sue Gibbons
Delegates:	None

1. CALL TO ORDER

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

Quorum Present

ADOPTION OF AGENDA

RECOMMENDATION

It was Moved and Seconded that the Agenda of April 8, 2021 be adopted.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

- 2.1 The Minutes for the Okanagan Falls Parks and Recreation Commission meeting of March 25, 2021 were not available for approval and are deferred to the May 13, 2021 meeting.

3. CORRESPONDENCE / DELEGATIONS

- 3.1 None

4. RDOS STAFF REPORTS

- 4.1 None

5. COMMISSION MEMBER REPORTS

5.1 Mural on Park Wall – D. Lychak

- D. Lychak gave an overview of the community suggestions for painting a mural on the park wall in Garnett Family Park

Discussion

Action Item:

L. Finner will ask RDOS staff what is required to move this suggestion along

5.2 L. Finner provided an update on a meeting that took place with RDOS staff and Director Obirek

6. RDOS DIRECTOR'S REPORT

6.1 Director Obirek provided an update.

7. BUSINESS ARISING

7.1 Dog Signs – L. Finner

Discussion

Action Item:

Phyllis, Jillian and Judy will form a subcommittee to look into dog parks in Electoral Area "D".

7.2 Corporate Donations and Naming Rights Policy and Draft RDOS Parks and Trails Donation Program – D. Lychak

Discussion

RECOMMENDATION

It was Moved and Seconded that the Okanagan Falls Parks and Recreation Commission recommend that the Board review D. Lychak's report to the RDOS regarding the Parks Donation Program and that the changes contained in the report be implemented.

CARRIED

8. ADJOURNMENT

RECOMMENDATION

It was Moved and Seconded that the meeting be adjourned at 8:40 pm.

CARRIED

NEXT MEETING – Thursday, May 13, 2021

Chair, Parks and Recreation Commission – Electoral Area “D”

Sue Gibbons

Recording Secretary

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 3, 2021

RE: Commitment of Funds to Construct a Multi-Purpose Sports Facility in Princeton

Administrative Recommendation:

THAT the Regional District of Okanagan Similkameen authorize the use of up to \$31,250 from the Area "H" Community Works Program, contingent on the Princeton Lacrosse Association receiving a Provincial Community Gaming Program grant to construct a multi-sports facility.

Background:

The local government and the ultimate recipient must enter into an agreement that sets out the commitments of both parties for the use of gas tax funds, including reporting of project outcomes, public access to the infrastructure, and access to documentation for audit purposes.

This project is eligible under the category of Sport Infrastructure which includes under the gas tax guidelines Recreation Infrastructure, and as stated in the gas tax agreement, "*Large facilities or complexes which support physical activity such as arenas, gymnasiums, swimming pools, sports fields, tennis, basketball, volleyball or other sport-specific courts, or other facilities that have sport and/or physical activity as a primary rationale*".

Analysis:

The Princeton Lacrosse Association is planning on applying for a Community Gaming Grant for 80% of the funds required to construct a multi-sports facility. The estimated facility cost is between \$250,000 and \$300,000. The Association has requested a commitment from both the Regional District and the Town of Princeton in the amount of \$31,250 each.

For the province to accept the grant application a guarantee that the applicant's funds are available must be provided. An actual funding agreement must be made by August 2021. The proposed funding is: Province \$250,000, Town of Princeton \$31,250, RDOS \$31,250.

Area "H" Gas Tax Funds

Balance as Dec. 31, 2020 (audited)	\$ 546,648
Due in 2021	\$ 120,000
Less 2021 commitments	-\$ 269,856
	<hr/>
	\$ 396,792
Current Request	-\$ 31,250
	<hr/>
Net Available for 2022	\$ 365,542

Alternatives:

Deny the request.

Respectfully submitted:

"Jim Zaffino"

Jim Zaffino, Manager of Finance

Attachment:

Letter from Princeton Lacrosse Association.



PRINCETON PRINCETON LACROSSE ASSOCIATION

PO BOX 1 15 PRINCETON BC VOX IWO

April 27, 2021

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

Dear Director Coyne:

I represent a group attempting to get the sport of lacrosse reinstated in Princeton for the 2021 lacrosse season. We should have sufficient participation to form both a Tyke team (for 7- & 8year-olds) and a Novice team (for 9- & 10-year-olds) for the season if current Provincial Health Orders allow us to play minor sports this season. Lacrosse has a rich history in the Similkameen Valley, played in Princeton as far back as 1912 and in Hedley as far back as 1936. Several potential players have come from outside Town of Princeton boundaries and we would like to ask for your financial support in the building of a lacrosse box at the Princeton Arena.

Using the current scheduling of ice removal from the arena, it is difficult for us to provide the community with an introduction program and preseason practices in time to facilitate a season. To facilitate that programming, we are asking for the Regional District's financial support in the construction of a lacrosse box (in the format of a multi-sport box) beside the current Princeton Arena. Lacrosse boxes are excellent, multi-purpose sporting facilities that can facilitate any number of sports:

- Lacrosse
- Outdoor ice skating and ice hockey (in winter months) -
- Roller or Floor Hockey
- Basketball
- Pickleball
- Volleyball
- Baseball (batting cage)
- And much more!

The Princeton Lacrosse Association is planning on applying for a Community Gaming Grant for a Capital Project through the Province of British Columbia for 80% funding of this project. Our expectation is that the facility will cost between \$250,000 and \$300,000 to construct. We ask for the Regional District's assistance in the forming of the grant in the following ways:

We require a funding commitment for the project. Since the grant will not be approved before November 2021, we propose commencing construction of the facility in 2022. For the province to accept the surety of these funds for the project, an actual funding agreement must be made with association by the date of application (August 2021). Currently, our sources of funds for the project would be \$250,000 from the Province of British Columbia, \$31,250 from the Town of Princeton and \$31,250 from the Regional District of Okanagan-Similkameen.

Thank you for your consideration of our request. We hope to assist the Regional District in building a great asset for all residents to use and enjoy.

Sincerely,

Jamie Graham
President, Princeton Lacrosse Association

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 3, 2021

RE: Indigenous Relations Update - For Information Only

Purpose:

To provide the Board with an update on steps being taken to understand the impacts of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP); improve relations with Indigenous communities; and identify preferred communication methods.

Business Plan Objective:

The 2021 Corporate Business Plan calls for the investigation of the potential impact of UNDRIP on the Regional District, and to work with the four local Bands on improving Indigenous Relations. The Business Plan also calls for the planning and implementation of a local Board/municipal council training program.

Background:

On May 17, 2021 the Chair & Chief Administrative Officer, Manager of Legislative Services and Communications Coordinator met via WebEx with the Penticton Indian Band (PIB) Chief and Executive Assistant to have a discussion focused on communications and engagement. The intent is to have this same dialogue with each of the other three bands to better understand each band's preferences.

Analysis:

Chief Gabriel confirmed that preferred methods of communicating between the PIB and the RDOS include email or calls to be directed to the Executive Assistant. Urgent matters are to be directed to the PIB CAO. Chief Gabriel was open to meeting on a regular scheduled basis with the Chair of the RDOS, and when matters impact a single electoral area, include the Director representing that area as well.

The Chief also noted that joint meetings, such as the Steering Committee and Joint Council under the Protocol Agreement and C2C Workshops of the past were successful and would be beneficial to reactivate once COVID restrictions ease.

Administration is in the process of reaching out to the Osoyoos Indian Band, Lower Similkameen Indian Band and Upper Similkameen Indian Band to gather the same information and determine whether those bands are interested in gathering as a group again, once we are able to.

Opportunities for Indigenous Cultural Training will be provided to the Board, once a curriculum is confirmed. This training may take place online or in person, depending on restrictions at the time.

Administration continues to benchmark with and engage other local governments throughout the province to discuss existing frameworks, best practices and lessons learned, which will aid the Regional District in understanding the potential impact of UNDRIP on our region. This information is being compiled in a report to be presented to the Board for discussion in the fall of 2021.

It is anticipated that if a Regional UNDRIP working group is developed, RDOS will be present at the table.

Respectfully Submitted:

"Erick Thompson"

E. Thompson, Communications Coordinator

Approved:

"Christy Malden"

C. Malden, Manager of Legislative Services

Juanita Crook and Robert MacMillan
2587 Naramata Rd
Naramata BC
May 23, 2021

Board of Directors
RDOS Okanagan Similkameen

Re: Notification from B Newell, Chief Administrative Officer for Board Meeting **June 3, 2021**

Property Overview:

We purchased the property at 2587 Naramata Rd in November 2018. It was constructed in 2002-2003 by Colin Moores and Holly Stevens and was operated as a bed and breakfast (Apple d'Or) for 15 years until its sale to the Roloffs in 2017. The Roloffs purchased the Bed and Breakfast with its' 3 lower-level suites and paid an additional \$200,000 to purchase the business records and supplies, etc. Neither we, nor the Roloffs, nor any of our advisors had any idea that any aspect of the business had not been approved by the RDOS. The adjacent Gate House (accessory building) was also completed in 2003, the same year as the main house.

We had fallen in love with the property when we were guests at the Apple d'Or in 2015. Being able to purchase it was our retirement dream. This is our home. Robert has been living there exclusively since shortly after the purchase in order to run the bed and breakfast, check in guests and make breakfasts for them. He is partially retired from his primary career as a surgeon but still works one day per week in Kelowna at the Cancer Center. Juanita is younger and plans to continue to work full time as an oncologist in Kelowna for a few more years. This transition is difficult for us since we are accustomed to always being together. Robert spends six nights every week at the Bench d'Or and one night midweek in Kelowna when he comes up to see patients in the cancer clinic. Juanita joins him in Naramata Friday evening and stays until Monday or Tuesday morning to help him with the weekend guests. It will have to be this way until she can fully retire.

Reply to the Issues raised in Ms. Miller's document:

- The basement in the single detached dwelling was finished in 2003 when the Apple d'Or Bed and Breakfast commenced operation
- The "unpermitted addition" (Gate House) was constructed and completed at the same time as the main house, in 2003.
- The owners reside on the property, Robert 6 nights per week and Juanita 3-4 nights per week (more since able to work remotely due to COVID)
- Current use of the property is as a single-family dwelling and Bed and Breakfast.
- We obtained initial verbal approval from Tim at the Planning department of RDOS for creation of a neighbourhood coffee shop. However, this clearly became quite problematic on higher level review by Chris Garrish. Consequently, we abandoned the idea of the coffee shop and have strictly limited the use of the coffee area to only our guests at breakfast.
- The accessory dwelling has been there since 2003. We are not currently using it for anything because of the pandemic but would hope in the future to be able to accommodate visiting family when travel restrictions are lifted.

- We have discovered that this accessory dwelling is too close to the setback line with the property to the south and will require a variance. The former owners and builders of the Apple d'Or happen to be our immediate neighbours to the south. We have had a favorable discussion with them concerning various options for dealing with this situation and they are willing to help us in any way they can.

Analysis

To date we, the owners, have been working closely with Mr. Anton Wolf, building inspector for Area E, to bring our home into compliance for bed and breakfast regulations. We have had numerous visits from Bylaw Officers and many visits to the RDOS offices in Penticton throughout this period. The 3 lower-level suites had cooking stoves during the 15 years of operation of the Apple d'Or. As an example of our cooperation, we have definitively removed the stoves at our own expense. Consequently, we had to rebuild the cabinetry and counters to fill the unsightly gaps by adding shelves and wine racks etc. These may not meet the prescribed measurements but we are doing the best we can with a situation which we did not create. None of the suites now have cooking facilities, just a fridge, microwave, and dishes so guests have the option of bringing "take-out" to their suite if they wish.

There are 4 suites for guest accommodation, 3 on the lower level and one on the upper level. The "fifth bedroom" is for our permanent daily use.

As a point of information, according to Bill Oliver our real estate lawyer, we are exempt from the ALC as per their proclamation in 1976 as the property is under 2 acres and was subdivided in 1919. We have had recent discussions with Celeste Barlow at the ALC who has our file. She was very positive that this matter could be resolved satisfactorily.

Rebuttal to Chronology (as per Ms. Miller's document)

February to April 2019: We did apply for permission for a neighbourhood coffee shop (as explained above) but withdrew that request in order to comply with the OCP rules.

May 2019: The retaining wall was altered to meet height limits (1.2 m). The RV has been removed permanently from the premises.

See "Issues" above. The bed and breakfast rooms no longer have stoves, range hoods or exhausts fans. Furthermore our website makes it clear that the suites are not intended for self-catering.

The accessory building has a shower and sink (no bathtub, ever!). The lower level garden shed has a sink and toilet presumably installed by the previous owners in 2003 for convenience of landscapers and gardeners. There is no connection between these 2 levels and it is quite a long walk from the lower grounds and lawn, up and around to enter the accessory building. Furthermore muddy landscapers/gardeners shouldn't be traipsing into clean quarters every time nature calls. As we are not a "boutique hotel" and have no intention of ever renting accommodation in this accessory building, maybe the landscapers' toilet in the lower level garden shed could be grandfathered since it has been there for 18 years?

July 2019: Permits were obtained for the 2 gazebos on the lawn and they have since approved.

The sink in the coffee/breakfast area has been extremely useful during the COVID 19 pandemic when one is advised and expected to wash hands as frequently as possible, especially if in contact with members of the public. It was identified as a positive feature by Lance Valcourt when he did a health inspection at our request. We wear masks and have been doing full COVID screening on all guests, including taking their temperatures on arrival. The sink has been a huge benefit to us to maintain hygiene in an area where we greet guests and serve coffee and breakfast.

October 2020: The platform was positioned according to existing fences which, unknown to us, did not actually correspond to property lines. This was our error and the platform has since been relocated to comply with required setbacks. We have apologized for any inconvenience to our neighbour, Lorne who was very understanding.

January 2021: The outside stairs constructed for the upper level suite and the accessory building are in compliance with fire codes that require an alternate egress in case of fire. Although our entire home is non-smoking, it is a wooden construction and we believe it is prudent to provide for such an emergency. The outdoor stairs have passed an engineering inspection which we have submitted to RDOS. Robert has spoken to Anton Wolf a number of times to move this forward through the planning committee. The 3 lower-level suites each have a private alternate exit directly to the grounds which avoids having to come upstairs through the main house in case of a fire, or during the pandemic when maintaining social distancing is mandatory. The fire escape from the upper level of the Gate House leads from a door which was part of the original 2003 construction, clearly for this purpose.

Summary

We purchased the Apple d'Or Bed and Breakfast in the incredibly beautiful Naramata Bench and have made it our home. It was a means of transitioning to retirement from our medical careers. In so doing, we stumbled into a morass of contraventions and non-compliances that had been latent for almost 2 decades. Even though these were largely pre-existing and not our fault, we have been cooperative and respectful and tried to make our home compliant as a Bed and Breakfast and most importantly, safe for our guests. We provide unique, very high-quality accommodation to visitors to the Bench that fits well with the business of the wineries and the burgeoning upscale dining. Increasingly, visitors to the Bench want to be very close to the wineries. Unfortunately, the tone of Ms. Miller's document implies noncompliance and lack of cooperation which is not actually the case. Many of the issues were dealt with promptly and have been long resolved (stoves, RV, retaining wall, coffee shop, etc) but have been brought forward in this document as if they were ongoing. We hope our spirit of cooperation can be recognized and that we can continue to work together with the RDOS to realize our dream.

Signed: Juanita Crook

Robert MacMillan





To The Board of the R.O.D.S.

June 1, 2021

This letter is in regard to application #D2021.005-TUP, for the operation of a vacation rental. We started this process in Aug. 2020 by making numerous enquiries at the R.D.O.S. We asked all the questions we thought we needed to know for a T.U.P. During the next 5 months we filled out the paperwork and made small changes to our home to make it safe and appealing to our clients. We installed new fire extinguishers, a new smoke/ Co2 detectors, Emergency contact numbers posted. We reworked gates for proper egress from our deck. In doing all this our safety inspection was flawless. New lawn furniture was purchased as well as numerous hours spent on our front yard to make it more appealing.

Our initial application was for 6 people, a number we would be comfortable with having in our home. After time and money spent, we were informed that because we applied for a four bedroom house we would be applying for 8 people. In April 2021 we were asked to get a septic inspection. In going through that process it was discovered that our septic system for vacation rental standards would work for four people.

What we are asking is if we can amend our application to read four people, 2 bedrooms, being this is our first time doing this we were not aware of the people to bedroom ratio needed on this application. After spending countless hours and money on this Vacation rental we are more than willing to turn bedroom #3 into a TV room and bedroom #4 into an office.

Our original business plan was to make our home safe and appealing to our clients, and not to be a burden to our neighbours. Our intentions were to rent to couples wanting to golf and do wine tours, no stags or gatherings. We have a window of 30 – 40 days in which we can rent our place. During the rental period we will be staying at our son and daughter in-laws house in Penticton, this way if there is any situations, we can deal with them immediately by us or our son who is our emergency contact on our application.

Thank you,

Terry and Donna Scramstad

RECEIVED
Regional District

JU - 22 21

101 Martin Street
Penticton BC V2A 5J9