



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, February 4, 2021
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am	-	9:15 am	Public Hearing Electoral Area "H" Zoning Amendment Bylaw 2498.16 Electoral Area "I" Zoning Amendment Bylaw 2457.35, 2020 165 Snow Mountain Place, Apex
9:15 am	-	9:45 am	Planning and Development Services Committee
9:45 am	-	11:15 am	Protective Services Committee
11:15 am	-	11:30 am	Break
11:30 am	-	12:00 pm	Community Services Committee
12:00 pm	-	12:30 pm	Corporate Services Committee
12:30 pm	-	1:15 pm	Environment and Infrastructure Committee
1:15 pm	-	1:30 pm	Lunch
1:30 pm	-	3:30 pm	RDOS Board

"Karla Kozakevich"

Karla Kozakevich
RDOS Board Chair

2020 Notice of Meetings			
February 18	RDOS Board	OSRHD Board	Committee Meetings
March 4	RDOS Board		Committee Meetings
March 18	RDOS Board	OSRHD Board	Committee Meetings
April 1	RDOS Board		Committee Meetings



NOTICE OF PUBLIC HEARING

Electoral Area “H” Zoning Bylaw Amendments

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area “H” Zoning Amendment Bylaw 2498.16, 2021**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a public hearing to be held by electronic means on:

Date: Thursday, February 4, 2021

Time: 9:00 a.m.

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

Meeting number: 146 534 0450 **Password:** RD@S

INSTRUCTIONS ON HOW TO PARTICIPATE

To participate in the electronic public hearing, please enter the text provided under “Location” (above) into the address bar of an internet browser (e.g. Chrome, Firefox, Safari, Edge). The Regional District is utilizing Cisco’s Webex videoconferencing services and individuals interested in participating in the public hearing are encouraged to test this service on their computer or mobile device prior to the date of the hearing.

Interested individuals may also participate in the public hearing by calling **1-833-311-4101** and using meeting number **146 534 0450**. Additional instructions on how to participate in an electronic public hearing are available on the Regional District’s website: www.rdos.bc.ca.

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

PURPOSE OF THE BYLAW:

The purpose of **Amendment Bylaw No. 2498.16, 2021** to correct typographical errors and mapping inconsistencies, update maximum floor areas and allowable units for secondary suites and accessory dwellings, and to introduce “Scientific Research Facilities” as a permitted use in the Resource Area (RA) Zone of the Electoral Area “H” Zoning Bylaw 2498, 2012.

FURTHER INFORMATION

For further information about the content of **Amendment Bylaw No. 2498.16, 2021**, persons are encouraged to inspect a copy of the proposed Bylaw at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

Basic information and public feedback forms related to this proposal are also available at: www.rdos.bc.ca (Property & Development → Planning, Zoning & Subdivision → Current Applications → Electoral Area “H” → H2019.002-ZONE).

You can also contact the RDOS Planning Department by phone at 250-490-4204 or by email at planning@rdos.bc.ca for information about the proposed bylaw.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

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

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



NOTICE OF PUBLIC HEARING

Electoral Area “I” Zoning Bylaw Amendments

165 Snow Mountain Place, Apex

Notice is hereby given by the Regional District of Okanagan-Similkameen (RDOS) that all persons who believe that their interest in property is affected by the **Electoral Area “I” Zoning Amendment Bylaw 2457.35, 2020**, will be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaws at a delegated public hearing to be held on:

Date: Thursday, February 4, 2021

Time: 9:00 a.m.

Location: <https://rdos.webex.com> (Meeting number: 146 534 0450 / password: RD@S)

To participate in the electronic public hearing, please enter the text provided under “Location” (above) into the address bar of an internet browser. Interested individuals may also participate in the public hearing by calling Toll Free at 1-833-311-4101.

The Regional District is utilizing Cisco’s Webex videoconferencing services. Additional instructions on how to participate in an electronic public hearing are available on the Regional District’s website: www.rdos.bc.ca (Departments → Development Services → Planning → Current Applications → Electoral Area “I” → I2020.018-ZONE).

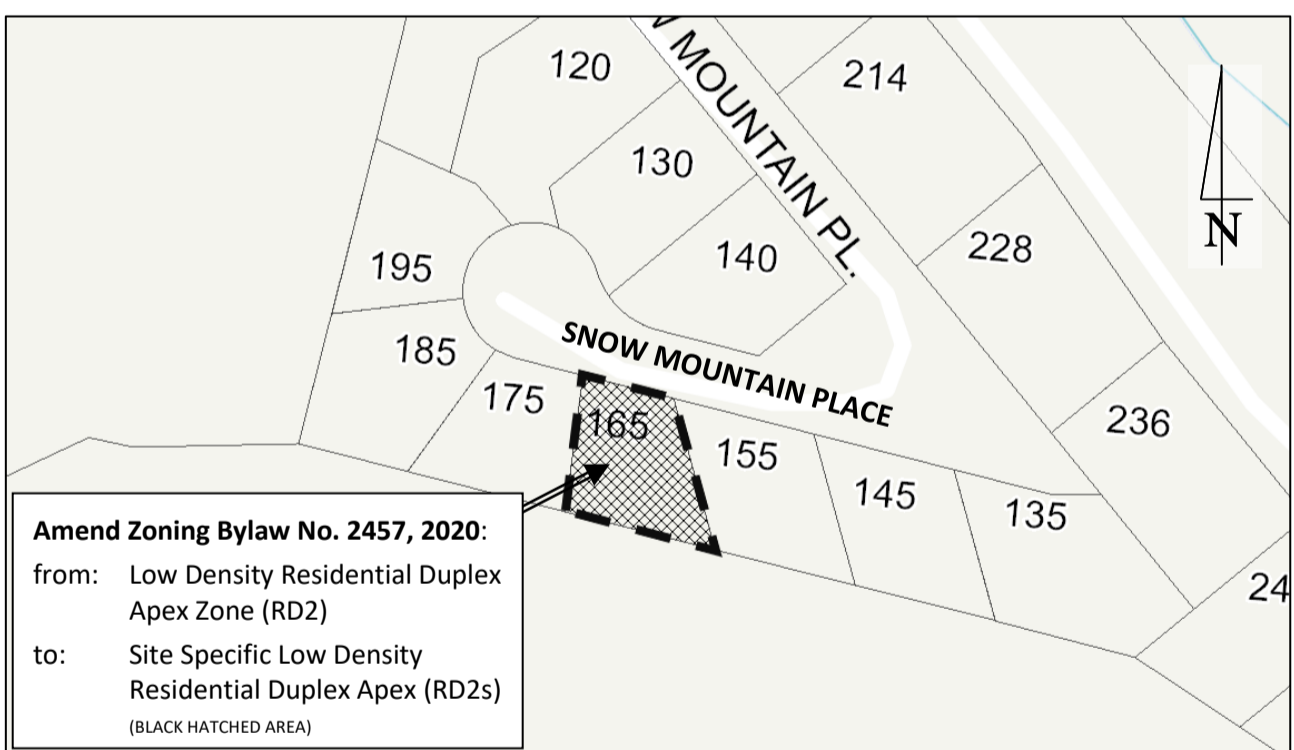
Anyone who considers themselves affected by the amendment bylaws can present written information to the Regional District prior to or during the public hearing and may also speak at the public hearing. No letter, report or representation from the public will be received after the conclusion of the public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

PURPOSE OF THE BYLAW:

The purpose of the proposed amendment is to subdivide existing duplex to create two strata lots. More specifically:

Amendment Bylaw No. 2457.35, 2020, proposes following amendments:

- amend Schedule ‘1’ (Zoning Text) by adding a new Site Specific Low Density Residential Duplex Apex (RD2s) regulation at 165 Snow Mountain Place in order to allow minimum parcel size of 236 m².
- amend Schedule ‘2’ (Zoning Map) of the Electoral Area “I” Zoning Bylaw No. 2457, 2008, by changing the land use designation of the subject property from Low Density Residential Duplex Apex (RD2) to Site Specific Low Density Residential Duplex Apex (RD2s).

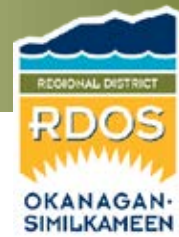


FURTHER INFORMATION:

For further information about the content of **Amendment Bylaw No. 2457.35, 2020**, and the land affected by them, persons are encouraged to inspect a copy of the proposed Bylaws at the Regional District of Okanagan-Similkameen office at 101 Martin Street, Penticton, BC, on weekdays (excluding statutory holidays) between the hours of 8:30 a.m. to 4:30 p.m.

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



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Planning and Development Committee

Thursday, February 4, 2021
9:15 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Planning and Development Committee Meeting of February 4, 2021 be adopted.

B. Building Inspection Services Fee Increases

RECOMMENDATION 2

THAT the building permit valuation be increased to align with the proposed calculations based on the RS Means Residential Cost Estimating Handbook with permit fee valuation set at \$12/\$1000 and the other fees be increased as proposed.

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: February 4, 2021

RE: Building Inspection Services Fee increases

Administrative Recommendation:

THAT the building permit valuation be increased to align with the proposed calculations based on the RS Means Residential Cost Estimating Handbook with permit fee valuation set at \$12/\$1000 and the other fees be increased as proposed;

Purpose:

To review potential fee increases in order to increase building inspection revenue to account for a 70/30 percentage split between user pay and tax requisition.

Reference:

[December 17, 2020 Administrative Report – Building Inspection Service](#)

Business Plan Objective:

KSD 1.1 – to be an effective, fiscally responsible organization

Background:

At the December 17, 2020 Board meeting options were presented to increase building permit revenue. These options included increasing the construction valuation from \$12/\$1000 to \$13/\$1000. Increasing the permit fee valuation without adjusting the methodology for construction value would not accurately reflect the market value of new buildings as assessed by BC in the annual Assessment Roll.

The annual amendments to the RDOS Fees and Charges Bylaw will be brought to the Board on February 18, 2021 to take effect on April 15, 2021. Any amendments to the building permit fees must be incorporated into the RDOS Fees and Charges Amendment Bylaw.

The proposed building budget for 2021 is \$1,238,681. This amount includes the \$171,810 carry forward which had been previously budgeted for the Avocette Software as well as \$47,623 in other revenue. Based on the 70/30 percentage split between user pay and tax requisition the amount of revenue generated from user pay should be \$710,635 and the tax requisition would be \$308,612.

It is important to note that with the elimination of using reserves to artificially reduce the tax requisition the 2021 budget will increase by 87.54%. The current status of the building reserve fund is at \$232,645.

In 2020, the total revenue was \$654,997 (\$604,648 in building permit fees and \$50,349 in other revenue). In addition to the increased tax requisition, in order to achieve the required 70% user pay model a significant increase is needed for building permit fees.

The table below sets out the approximate increase that the average household will pay based on a 30% tax requisition.

	2021 Tax Requisition Using 5.28% increase from 2020	2021 Tax Requisition Using 87.5% increase from 2020	
Tax Requisition	\$173,193	\$304,558	
	Tax per Average House	Tax per Average House	Variance
Area A	\$12.28	\$21.54	\$9.26
Area C	\$17.48	\$30.75	\$13.27
Area D	\$12.48	\$21.95	\$9.47
Area I	\$11.72	\$20.61	\$8.89
Area E	\$16.72	\$29.41	\$12.69
Area F	\$7.50	\$13.19	\$5.69
Area H	\$8.74	\$15.37	\$6.63
Tax Requisition		\$308,612	30%
User Fees		\$710,636	70%
Total:		\$1,019,248	
Other Revenue		\$47,623	
Permit Software	(carried forward)	\$171,810	
2021 budget		\$1,238,681	

Analysis:

The table below shows the current valuation per square foot for building permits as well as a proposed valuation based on the RS Means Residential Cost Estimating Handbook.

	Current value per ft. ²	Proposed value ft. ² – RS Means
One storey	\$135	\$175
Finished basement	\$50	\$75
Each Additional Storey	\$75	\$100
Renovations	\$50	\$75
Attached enclosed structure or garage	\$40	\$50
Detached enclosed structure or garage	New fee	\$65 un-heated \$100 heated
Sundeck (no roof)	\$30	\$40
Roof only	\$20	\$30
Unenclosed structure or carport	\$25	\$35
Secondary Suite	New fee	\$125

The next table shows the current valuation for an average home based on our current fees bylaw, as well as the potential increase to the fees based on increasing construction valuation through RS Means. The Permit fee valuation increase from \$12/\$1000 to \$13/\$1000 has also been included.

In addition, the permit valuation and fees for our member municipalities have been included for comparison. The member municipality permit fees are based on either \$10 or \$12/\$1000 of construction value and construction value is determined by varying methods.

Proposed Construction: 2000 ft ² , 3 bedroom SFD, full finished basement, 2.5 bathrooms, 484 ft ² attached garage and 100 ft ² deck			
	Construction Valuation	Permit Fee Valuation - \$12/\$1000	Permit Fee Valuation - \$13/\$1000
Current bylaw provisions	\$392,360	\$4,708	\$5,100
BP fee with proposed RS Means Adjustments	\$528,200	\$6,282	\$6,782
Penticton	\$503,576	\$6,042	
Summerland	\$524,005	\$5,330	n/a
Osoyoos	\$594,000	\$5,990	n/a
Oliver	\$440,000	\$4,440	n/a
Keremeos	\$392,360	\$4,708	n/a
Princeton	\$297,020	\$2,970	n/a

The increase to construction valuation based on the proposed RS Means method is approximately 35%.

Using an average annual construction valuation of \$50,000,000, and a more modest 25% increase to account for building permit fees which are not affected by increase in construction value (ie flat fee permits such as demolitions, completion permits, wood stove permits), would result in the annual construction valuation increasing to \$62,500,000 which would increase building permit fees to approximately \$750,000,000 (based on permit fee valuation at \$12/1000).

In addition to the increase in construction valuation, the following fee increases are being proposed for the RDOS Fees and Charges Bylaw:

Service	Fee	Proposed Fee	Potential increase in revenue
Plan processing fee (x500 permits x \$25)	\$150 / \$500	\$175 / \$550	\$12,500
Administrative fee (x500 permits)	New fee – to cover administrative costs in permit applications	\$25	\$12,500
Swimming pools (x30 x \$200)	Modify to flat fee	\$500	\$6,000
Plumbing permits	\$100 plus \$10 / fixture	\$175 plus \$12 / fixture	Nominal
Solid fuel appliance	\$100	\$175	Nominal
Re-inspection fees	\$100	\$125	Nominal
Health & safety inspections (Vacation rentals)	\$100	\$200	Nominal
Permit transfer fee	\$100	\$125	Nominal
Permit extension fees (x75 x \$50)	\$100	\$150	\$3,750
Demolition (31 x 25)	\$150	\$175	\$775
Total:			\$35,525

Total projected revenue with the increased construction valuation methods and other proposed fee increases could potentially be \$785,525.

Alternatives:

1. RS Means Residential Cost Estimating Handbook; \$12/\$1000; and other fees increases
2. RS Means Residential Cost Estimating Handbook; \$13/\$1000; and the other fees increases
3. RS Means Residential Cost Estimating Handbook; \$12/\$1000; and no increases to fees
4. RS Means Residential Cost Estimating Handbook; \$13/\$1000; and no increases to fees

5. RS Means Residential Cost Estimating Handbook; \$12/\$1000; and increases to permit fees as amended;
6. RS Means Residential Cost Estimating Handbook; \$13/\$1000; and increases to permit fees as amended
7. The permit fee valuation be set at \$13/\$1000 of construction value;
8. Status quo

Respectfully submitted:

"Laura Miller"

L. Miller, Building & Enforcement Services Manager

Att: 2021-2025 Financial Plan



**Regional District of Okanagan Similkameen
2021- 2025 Financial Plan
BUILDING INSPECTION**

	2020 Budget	2021 Budget	2022 Budget	2023 Budget	2024 Budget	2025 Budget
Revenue						
Tax Requisition		87.59%	2.73%	2.71%	2.69%	2.67%
TAX REQUISITION	164,512	308,613	317,034	325,618	334,370	343,292
GRANT IN LIEU OF TAXES	1,800	1,800	1,818	1,836	1,855	1,873
LEGAL SETTLEMENTS	-	-	-	-	-	-
FEE FOR SERVICE	40,000	30,000	30,300	30,603	30,909	31,218
ENFORCEMENT FEES	-	2,500	2,525	2,550	2,576	2,602
BUILDING PERMITS	600,000	710,635	717,741	724,919	732,168	739,490
BOARD OF VARIANCE	-	-	-	-	-	-
TRANSFER FROM RESERVE	186,996	171,810	-	-	-	-
TRANSFER FROM OPERATIONAL RESERVE	-	-	-	-	-	-
MISCELLANEOUS REVENUE	7,500	13,323	13,456	13,591	13,727	13,864
PRIOR YEARS SURPLUS	190,000	-	-	-	-	-
	\$ 1,190,808	\$ 1,238,681	\$ 1,082,874	\$ 1,099,117	\$ 1,115,604	\$ 1,132,338
Expense						
SALARIES & WAGES	76,250	-	-	-	-	-
ADMINISTRATION CHARGES	13,036	50,023	50,774	51,535	52,308	53,093
OPERATIONS - FACILITIES RENTALS	6,000	6,000	6,090	6,181	6,274	6,368
CONSULTANTS	-	-	-	-	-	-
EDUCATION & TRAINING	12,000	12,000	12,180	12,363	12,548	12,736
DEPRECIATION	15,000	15,000	15,225	15,453	15,685	15,920
PURCHASE OF AVOCET SOFTWARE (CWF)	-	171,810	-	-	-	-
EQUIPMENT	263,500	20,823	21,135	21,452	21,774	22,101
INSURANCE - LIABILITY	40,598	44,658	45,328	46,008	46,698	47,398
LEGAL FEES	20,000	30,000	30,450	30,907	31,370	31,841
SUPPLIES	5,000	5,000	5,075	5,151	5,228	5,307
ADVERTISING	2,000	2,000	2,030	2,060	2,091	2,123
TRAVEL/LEASING	38,130	35,000	35,525	36,058	36,599	37,148
UTILITIES - TELEPHONE	11,000	11,000	11,165	11,332	11,502	11,675
TRANSFER TO RESERVE	-	-	-	-	-	-
TRANSFER TO OPERATIONAL RESERVE	-	21,000	21,315	21,635	21,959	22,289
OTHER EXPENSES	5,000	5,000	5,075	5,151	5,228	5,307
SALARIES & WAGES	683,294	809,367	821,508	833,830	846,338	859,033
	\$ 1,190,808	\$ 1,238,681	\$ 1,082,874	\$ 1,099,117	\$ 1,115,604	\$ 1,132,338



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, February 4, 2021

9:45 am

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Protective Services Meeting of February 4, 2021 be adopted.

B. DELEGATION

1. Superintendent Brian Hunter, RCMP
 2. Sergeant Don Wrigglesworth, Area Detachment Commander Oliver
 3. Sergeant Jason Bayda, Area Detachment Commander for Osoyoos (Corporal Dave Smith will be attending as the delegate)
 4. Sergeant Rob Hughes, Area Detachment Commander for Princeton
 5. Sergeant Dave Preston, Area Detachment Commander for Summerland
 6. Corporal Brian Evans, Area Detachment Commander for Keremeos
 - a. Penticton South Okanagan-Similkameen Regional Detachment Quarterly Report
-

C. DELEGATION

1. Paul Ursich, Ally Emergency Management Inc.
 - a. Christie Mountain After Action Presentation
-

D. ADJOURNMENT

RCMP·GRC



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

**PENTICTON SOUTH OKANAGAN
SIMILKAMEEN
REGIONAL DETACHMENT**

QUARTERLY REPORT

October to December
2020



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada

2020/21 Annual Performance Plan

Policing Priorities

Penticton:

Crime Reduction (Property Crimes and Drugs)
Traffic - Road Safety
Family and Sexual Violence
Employee Wellness

Princeton:

Crime Reduction (Property Crimes)
Traffic – Road Safety
Youth – Positive interactions with youth
First Nations/Police relations

Osoyoos:

Crime Reduction (Property Crimes)
Traffic – Road Safety
Charge Approvals (Crown/Police Communication)

Keremeos:

Police/Community Relations – Police Visibility
Traffic – Road Safety (Impaired Driving)

Oliver:

Crime Reduction (Property Crimes)
Traffic - Road Safety

Summerland:

Crime Reduction (Property Crimes)
Violence in Relationships
Traffic - Road Safety
Police/Community Relations – Police Visibility



PENTICTON (MUNICIPAL) Q4 2020 STATS

<i>Calls for Service</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	3976	3519	-11%	17788	16262	-9%
<i>Violent Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	100	104	4%	439	452	3%
Sex Offences	16	17	6%	90	80	-11%
Uttering Threats	59	56	-5%	237	222	-6%
Domestic Violence (Violent Crime Only)	39	38	-3%	172	162	-6%
Violent Crime - Total	218	205	-6%	939	909	-3%
<i>Property Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	73	51	-30%	316	195	-38%
Bicycle Theft	35	25	-29%	202	150	-26%
Break & Enter - Business	42	44	5%	264	197	-25%
Break & Enter - Residence	26	11	-58%	148	93	-37%
Break & Enter - Other	21	18	-14%	125	80	-36%
Mischief to Property	331	277	-16%	1428	1318	-8%
Theft - Other	106	87	-18%	492	411	-16%
Shoplifting	128	91	-29%	463	392	-15%
Theft from Vehicle	254	151	-41%	983	829	-16%
Fraud	75	105	40%	336	374	11%
Property Crime - Total	1155	921	-20%	5018	4260	-15%

Top 10 Calls for Service - Penticton Detachment (Municipal)	
Initial Call Type	# of Calls
Unwanted Person	303
Disturbance	247
Assist Other Agency	230
Theft	211
Suspicious Person	160
Check Wellbeing	149
Suspicious Circumstances	133
Abandoned 911	129
Traffic Incident	129
Assist General Public	104

Criminal Code files: 1634 (down 5% from 1729 in Q4 2019)



PENTICTON (RURAL – ALL AREAS) Q4 2020 STATS

<i>Calls for Service</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	684	663	-3%	3048	3179	4%
<i>Violent Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	20	21	5%	77	79	3%
Sex Offences	4	2	-50%	20	15	-25%
Uttering Threats	9	6	-33%	49	50	2%
Domestic Violence (Violent Crime Only)	13	7	-46%	33	26	-21%
Violent Crime - Total	38	35	-8%	177	174	-2%
<i>Property Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	18	12	-33%	61	48	-21%
Bicycle Theft	1	1	0%	15	26	73%
Break & Enter - Business	8	3	-63%	26	11	-58%
Break & Enter - Residence	8	3	-63%	32	20	-38%
Break & Enter - Other	7	6	-14%	20	20	0%
Mischief to Property	34	33	-3%	142	148	4%
Theft - Other	9	13	44%	70	57	-19%
Shoplifting	1	2	100%	3	3	0%
Theft from Vehicle	20	15	-25%	109	110	1%
Fraud	16	18	13%	52	66	27%
Property Crime - Total	132	114	-14%	575	557	-3%

Top 10 Calls for Service - Penticton Detachment (Rural)	
Initial Call Type	# of Calls
Traffic Incident	100
MVI	40
Hazardous Situation	32
Alarm	30
Suspicious Circumstances	30
Abandoned 911	29
Assist Police/Fire/Ambulance	26
Disturbance	26
Abandoned Vehicle	23
Suspicious Person	21

Total Criminal Code files Q4 2020: 168 (decrease of 13% from 194 in Q4 2019)



SUMMERLAND Q4 2020 STATS

<i>Calls for Service</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	658	605	-8%	2802	2815	0%
<i>Violent Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	14	8	-43%	47	53	13%
Sex Offences	8	1	-88%	15	17	13%
Uttering Threats	8	9	13%	21	43	105%
Domestic Violence (Violent Crime Only)	7	1	-86%	25	22	-12%
Violent Crime - Total	31	27	-13%	106	141	33%
<i>Property Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	8	4	-50%	40	30	-25%
Bicycle Theft	2	1	-50%	15	7	-53%
Break & Enter - Business	7	7	0%	26	46	77%
Break & Enter - Residence	3	3	0%	14	12	-14%
Break & Enter - Other	2	1	-50%	9	5	-44%
Mischief to Property	28	28	0%	129	105	-19%
Theft - Other	17	11	-35%	58	59	2%
Shoplifting	4	2	-50%	10	7	-30%
Theft from Vehicle	21	22	5%	89	79	-11%
Fraud	7	5	-29%	40	48	20%
Property Crime - Total	101	85	-16%	440	406	-8%

Top 10 Calls for Service - Summerland Detachment	
Initial Call Type	# of Calls
Traffic Incident	80
Alarm	36
Assist Other Agency	36
Theft	35
Disturbance	34
Suspicious Circumstances	31
Property	29
Check Wellbeing	26
Assist General Public	22
Mischief	21

Total Criminal Code files Q4 2020: 148 (decrease of 9% from 162 in Q4 2019)



KEREMEOS Q4 2020 STATS

<i>Calls for Service</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	363	330	-9%	1558	1577	1%
<i>Violent Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	14	12	-14%	42	36	-14%
Sex Offences	1	3	200%	8	10	25%
Uttering Threats	3	3	0%	19	17	-11%
Domestic Violence (Violent Crime Only)	6	8	33%	19	20	5%
Violent Crime - Total	23	22	-4%	79	75	-5%
<i>Property Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	6	3	-50%	20	14	-30%
Bicycle Theft	0	1	N/C	4	6	50%
Break & Enter - Business	1	2	100%	5	9	80%
Break & Enter - Residence	4	1	-75%	13	5	-62%
Break & Enter - Other	1	0	-100%	7	6	-14%
Mischief to Property	16	5	-69%	51	61	20%
Theft - Other	6	5	-17%	42	33	-21%
Shoplifting	0	1	N/C	1	1	0%
Theft from Vehicle	4	7	75%	24	38	58%
Fraud	2	5	150%	16	26	63%
Property Crime - Total	44	31	-30%	199	214	8%

Top 10 Calls for Service - Keremeos Detachment	
Initial Call Type	# of Calls
Assist General Public	24
Traffic Incident	24
Suspicious Circumstances	21
Check Wellbeing	19
Assist Other Agency	18
Assist Police/Fire/Ambulance	18
MVI	16
Theft	15
Disturbance	12
Domestic in Progress	11

Total Criminal Code files: 63 (increase of 14% from 73 in Q4 2019)



PRINCETON Q4 2020 STATS

<i>Calls for Service</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	529	459	-13%	2314	2214	-4%
<i>Violent Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	21	10	-52%	62	77	24%
Sex Offences	1	2	100%	6	14	133%
Uttering Threats	10	9	-10%	44	43	-2%
Domestic Violence (Violent Crime Only)	7	5	-29%	29	25	-14%
Violent Crime - Total	37	27	-27%	138	151	9%
<i>Property Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	4	3	-25%	11	19	73%
Bicycle Theft	0	2	N/C	5	9	80%
Break & Enter - Business	3	3	0%	15	7	-53%
Break & Enter - Residence	8	1	-88%	17	9	-47%
Break & Enter - Other	3	3	0%	20	12	-40%
Mischief to Property	14	12	-14%	61	61	0%
Theft - Other	6	3	-50%	53	40	-25%
Shoplifting	2	0	-100%	10	5	-50%
Theft from Vehicle	8	6	-25%	40	36	-10%
Fraud	6	9	50%	26	29	12%
Property Crime - Total	55	43	-22%	264	234	-11%

Top 10 Calls for Service - Princeton Detachment	
Initial Call Type	# of Calls
MVI	56
Traffic Incident	36
Assist General Public	29
Suspicious Circumstances	28
Check Wellbeing	26
Assist Police/Fire/Ambulance	20
Hazardous Situation	20
Abandoned 911	18
Disturbance	18
Animal	15

Total Criminal Code files: 102 (decrease of 8% from 111 in Q4 2020)



OLIVER DETACHMENT – Q4 2020 STATS

<i>Calls for Service</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	807	651	-19%	3715	3107	-16%
<i>Violent Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	39	29	-26%	161	147	-9%
Sex Offences	2	4	100%	18	16	-11%
Uttering Threats	9	7	-22%	44	32	-27%
Domestic Violence (Violent Crime Only)	7	9	29%	28	39	39%
Violent Crime - Total	65	43	-34%	284	219	-23%
Violent Crime - OCC Only	34	10	-71%	125	73	-42%
<i>Property Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	22	15	-32%	87	55	-37%
Bicycle Theft	3	3	0%	24	5	-79%
Break & Enter - Business	9	5	-44%	48	20	-58%
Break & Enter - Residence	3	0	-100%	28	12	-57%
Break & Enter - Other	8	4	-50%	54	20	-63%
Mischief to Property	28	41	46%	107	132	23%
Theft - Other	26	17	-35%	106	66	-38%
Shoplifting	2	5	150%	26	33	27%
Theft from Vehicle	14	10	-29%	69	51	-26%
Fraud	15	12	-20%	47	61	30%
Property Crime - Total	140	125	-11%	641	497	-22%

Top 10 Calls for Service - Oliver Detachment	
Initial Call Type	# of Calls
Assist Police/Fire/Ambulance	60
Traffic Incident	40
Theft	36
Alarm	34
Disturbance	28
Suspicious Circumstances	28
Assault	24
Assist Other Agency	24
Check Wellbeing	24
Abandoned 911	23

Criminal Code files: 200 (down 16% from 238 in Q4 2019)



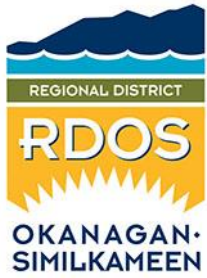
OSOYOOS DETACHMENT – Q4 2020 STATS

<i>Calls for Service</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Total Calls for Service	533	522	-2%	2651	2916	10%
<i>Violent Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Assault (Common & With Weapon/Cause Bodily Harm)	10	16	60%	55	66	20%
Sex Offences	2	0	-100%	12	15	25%
Uttering Threats	5	1	-80%	19	30	58%
Domestic Violence (Violent Crime Only)	1	10	900%	20	22	10%
Violent Crime - Total	31	29	-6%	115	153	33%
<i>Property Crime</i>	Q4 2019	Q4 2020	% Change 2019 to 2020	Q4 YTD 2019	Q4 YTD 2020	% Change YTD 2019 to 2020
Auto Theft	2	7	250%	39	22	-44%
Bicycle Theft	2	1	-50%	8	4	-50%
Break & Enter - Business	5	8	60%	31	28	-10%
Break & Enter - Residence	4	3	-25%	26	24	-8%
Break & Enter - Other	4	10	150%	25	22	-12%
Mischief to Property	17	14	-18%	93	78	-16%
Theft - Other	12	11	-8%	65	62	-5%
Shoplifting	0	5	#DIV/0!	7	19	171%
Theft from Vehicle	14	15	7%	41	54	32%
Fraud	9	17	89%	48	59	23%
Property Crime - Total	70	93	33%	392	383	-2%

Top 10 Calls for Service - Osoyoos Detachment	
Initial Call Type	# of Calls
Traffic Incident	49
Property	36
MVI	32
Abandoned 911	31
Theft	31
Alarm	27
Check Wellbeing	27
Assist Other Agency	26
Assist Police/Fire/Ambulance	24
Disturbance	20

Criminal Code files: 144 (increase of 31% from 110 in Q4 2019)





Regional District of Okanagan-Similkameen 2020 Christie Mountain Wildfire – After Action Report (AAR)

Ally Emergency Management Inc.

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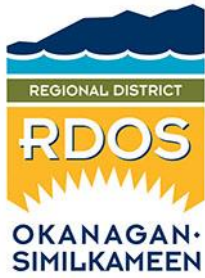


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EXECUTIVE SUMMARY

The Christie Mountain Wildfire took place from August 18-26 2020. It spread quickly and within 24-hours, evacuation orders were issued and over 4000 homes were either subject to evacuation orders or alerts – one home was lost. Fortunately, the wildfire did not progress into what could have been a much worse incident. At its peak there were over 200 firefighters and an additional 100 emergency responders from more than 50 agencies involved in the response. It should be noted that this all took place during the COVID-19 pandemic and while the Regional District of Okanagan-Similkameen’s information technology systems were largely unavailable due to a ransomware-attack. Conditions could not have been much more challenging.

This report provides an overview of the incident and the results of a survey and facilitated debrief sessions. As such it reflects input from over 500 people. It is intended to provide a record of lessons learned from this event along with some recommendations on ways to be even better prepared in future.

Key themes emerging from the survey were: Communication, Technology, Emergency Operations Centre Operations, Training, Mental Health and Wellness and COVID-19.

Key recommendations from the facilitated debrief were:

- Improved unity of command by consideration of increased regionalization
- Greater use of Liaison Officers
- Continued effort to clarify and practice internal and inter-agency communication
- Ongoing policy development, training, and support for Emergency Support Services and Reception Center staff
- Training and exercising to build relationships, practice processes and test plans
- Continuing the momentum built around Disaster Psychosocial support resources
- Creation of a dedicated team focussed explicitly on COVID-19
- Further development of Business Continuity measures
- Improve the maturity of and training for Emergency Support Services on the new Emergency Response and Assistance tool from Emergency Management British Columbia
- Some potential quick wins to generate momentum



Often reports highlight the negatives and the areas for improvement as this is where we see the most opportunity to reach perfection. However, perfection is not an achievable goal and it is too easy to lose sight of the many strengths that were shown by the large team involved in this response. Everyone is to be commended for working so well through some very adverse conditions. As a result of this effort, there were no casualties and limited property damage arising from the incident. We have learned lessons, but it is important to celebrate successes as well. Some areas of identified success:

- Joint Media Briefings were well received
- Provincial and Regional Emergency Operations Teleconferences allowed for good coordination amongst agencies
- GIS staff relationships enabled teams to troubleshoot technical problems
- All active ESS Volunteers had some level of ERA training prior to the event
- EMBC support of ESS was timely and fulsome
- RDOS Finance Process was smooth and well supported
- DPS Integration was of great help in the Reception Centre
- Volunteer commitment was high
- Flexibility and problem solving was on display throughout
- Willingness to improve as shown by open and honest dialogue and feedback in the AAR



INTRODUCTION

This After-Action Report (AAR) was commissioned by the Regional District of Okanagan-Similkameen (RDOS) through a joint Emergency Authorization Form (EAF) submitted to Emergency Management British Columbia (EMBC) between the RDOS and the City of Penticton (CoP). The AAR was prepared by Ally Emergency Management Inc. (Ally). The AAR provides a summary of information gathered from a web survey and facilitated debriefs with RDOS staff, City of Penticton (CoP) staff, Emergency Social Services (ESS) volunteers, and other agencies who participated in the response to the Christie Mountain Interface Fire event (the “incident”) from August 18-27, 2020. In addition, the AAR offers recommendations to enhance emergency response capacity in the region based on lessons learned during the event.

At its height, the Christie Mountain Wildfire was registered at over 2000 hectares in size. It interfaced with multiple neighbourhoods, and hundreds of fire personnel deployed over the course of the event. The multi-jurisdictional nature of the response, coupled with the fast pace of the fire and difficult site conditions, posed challenges for incident site personnel, Emergency Operations Centre (EOC) staff, and volunteers assisting evacuees.

Additional difficulties were experienced due to a ransomware-attack on the RDOS server on August 11th, only a few days prior to the start of the event. This was compounded by the new reality of COVID-related protocols. Despite these challenges, no lives were lost and only one home was destroyed.

A response of this scale and complexity offers valuable lessons for improved response to future interface fires. The RDOS has embraced an approach of continual improvement and this report highlights strengths to build on and highlights areas where improvement is most needed. It is hoped that various stakeholders in the Region can use this report to maintain or even accelerate momentum and continue team building within their Emergency Management Programs.

OBJECTIVES

This report has the following objectives:

- Capture an overview of the event;
- Document lessons learned;
- Provide recommendations for improvement; and
- Celebrate successes and recognize individuals for their efforts.



OVERVIEW OF THE EVENT

Shortly before 14:00hrs on the afternoon of Tuesday August 18th 2020, Fire Dispatch became aware of a small fire on Christie Mountain approximately 6km north of the Heritage Hills neighbourhood in Okanagan Falls. An initial attack crew responded immediately but extreme weather conditions caused the fire spread quickly. An EOC was activated by the Regional District Okanagan-Similkameen (RDOS) and a tactical evacuation of the threatened area began by Search and Rescue (SAR) crews.

Over the course of a few hours, the fire aggressively grew. A total of over 200 firefighters, from 50 fire departments and BC Wildfire Service, were engaged in this response. Both the RDOS and CoP Emergency Operations Centres (EOC) were activated. At the height of the incident over 4000 homes were under either an evacuation order or an alert between the two jurisdictions.

By the weekend, August 22nd/23rd, the weather and fire behaviour changed for the better, and the incident was contained. Demobilization occurred over the next few days and the recovery phase began. The fire itself was officially declared extinguished on October 14th 2020.

For a detailed, day-by-day record of the incident, refer to **Annex A – Incident Overview**.



Photo: With permission from Mike Biden



AFTER-ACTION REVIEW - SYNOPSIS

The AAR included a survey, team Hotwashes and facilitated debriefs all conducted in the month of September 2020. The facilitated debrief sessions took place on September 29th and 30th. The following agencies participated in the AAR:

- BC Emergency Health Services
- BC Ministry of Agriculture
- BC Ministry of Transportation and Infrastructure
- BC Parks
- BC Wildfire Service
- City of Penticton
- Disaster Psychosocial Services
- Emergency Management BC
- Health Emergency Management BC
- Interior Health
- Penticton Indian Band
- Penticton Search and Rescue
- Red Cross
- Regional District of Okanagan-Similkameen
- Royal Canadian Mounted Police

Key aspects of the survey are presented below with additional detail in **Annex B – Survey Results**. Key recommendations of the facilitated debrief sessions are included in the next section with additional detail in **Annex C – Facilitated Debrief Sessions**.

KEY RECOMMENDATIONS

The items below are not exhaustive but are intended to provide a sense of the items with the most overall importance. Additional detail is contained in Annexes B and C, at the end of the report.

The top 10 – each of the following items either came up several times in the AAR or are otherwise of central importance.

Unity of Command

In this incident there were multiple EOC/Site Support teams stood up. In the case of the RDOS and the CoP, this resulted in several difficulties such as managing the incident as the wildfire crossed jurisdictional



boundaries, confusing joint public information briefings, conflicting direction at the Reception Center; generally the Incident Command Structure principle of Unity of Command was compromised.

Recommendation: The RDOS and CoP should consider the establishment of a Joint EOC for major incidents. Bylaws exist to support this action and should be reviewed to ensure that they are sufficient. If a Joint EOC is not feasible then an agreed upon set of shared principles and procedures should be established to mitigate the challenges of two chains of command operating in the same space and sometimes with the same people. Increased Liaison Officers in each EOC would be a key element in this solution.

Liaison Officers

The topic of liaison came up several times during the AAR. Generally speaking, there were not enough Liaison Officers, particularly for coordination with British Columbia Wildfire Service. In addition, there were few agreed upon standard procedures for their use and they were not identified or trained in advance.

Recommendation: create a multi-agency team to build an agreed upon approach to liaisons and then identify, train, and empower Liaison Officers to engage in their roles early in an event. Critical to this will be ongoing inter-agency relationship building outside of incidents.

Communication/Coordination

In any fast moving, multi-agency event, it will be difficult to communicate accurately and in a timely fashion with all of those who need to be communicated with. The Christie Mountain Wildfire was no exception. It was demonstrated areas where there are pre-existing relationships (e.g. GIS) information sharing between EOCs was easy. In other areas where there was not the strong established relationship, individuals were providing information to individuals and information was not shared through accepted and practiced communication pathways (e.g. BCWF IC speaking directly to EOC Management instead of with the Operations Section Chief or Reception Center speaking with Deputy Chief, Operations Chief, Logistics Chief and Maintenance), at times this slowed down the ability for the EOC to provide the support being asked of the IC.

Recommendation: Continue training and exercising, both internally and with multi-agency teams to practice communicating together. Create a multi-agency team to develop or refine communication protocols. Two potential ideas would be:

1. Host an all-agency meeting in February or March to identify key points of contact and communication protocols in advance of flood or wildfire season; and
2. Conduct a table-top exercise to discuss communications under different scenarios.



In any event, these activities should be conducted by the end of March to ensure that lessons can be applied in a timely fashion.

The Reception Centre

The Reception Centre was staffed by dedicated volunteers. However, many were confused about their roles, received conflicting direction and were unfamiliar with issues such as COVID-19. Although Liaisons from both the RDOS and CoP EOCs worked together to improve role clarity, there was an underlying current where some volunteers circumvented the process, out of the perception that things were not getting done quickly enough. This ended up creating confusion and animosity amongst some of the Reception Center staff.

The volunteers were (and remain) keen. They worked extremely hard but felt that there is work left to do in order to better understand their roles and responsibilities in preparation for the next incident.

Recommendation: Engage the ESS team to develop clear guidelines for shift, to increase role clarity and to improve communication pathways.

Training and Exercising

Some observations were primarily related to policy, systems, or equipment. However, the majority of observations would show improvement through training individuals and exercising teams; including multi-disciplinary teams. See Annex B for further information about how each AAR working group viewed training and exercising.

Recommendation: Training and exercising is already a part of the ongoing routine for those involved in this response. Hopefully, this report will help to refine and build further momentum for multi-agency training and exercise programs. It is difficult to find the time and resources to do this so it is hoped that this report will provide some ideas for specific topics. Several training and exercise ideas have been presented already but they can only be acted on if time and resources continue to be applied. See **Annex B – Survey Results** for further insight on survey respondents' views on areas for further preparation in advance of an incident.

Disaster Psychosocial Services

DPS was viewed as an outstanding resource. It was not well understood at the beginning of the incident but was viewed as invaluable as time passed.



Recommendation: Continue the momentum begun by this incident. Ongoing familiarization, training, exercising and inclusion in plans will help to ensure that the most can be made of this capability in future incidents.

COVID-19

No one is trained or experienced in response to an emergency incident of this magnitude under pandemic conditions and the need to do it created enormous stress. In addition to stress and health related issues, COVID-19 imposes planning and logistical complexity that needs careful consideration. If the event had gone much longer, these issues would have surged to the forefront.

Recommendation: Build a team specifically to consider and manage the COVID-19 aspects of any large-scale response that might be required while we are still caught in a pandemic. Develop a common message and supporting materials on COVID-19 protocols. Health and safety positions in EOCs might be one way ensure that there is a dedicated focus on COVID-19 or other specific issues in a given incident. Consider an early discussion amongst key responding agencies to identify any differences in approach to COVID-19 and resolve any issues early in the response.

Business Continuity

COVID-19 has imposed business continuity challenges. The successful ransomware-attack on RDOS highlighted our reliance on electronic systems, and subsequently the high-level of individual flexibility and creativity that was shown in problem solving. The RDOS made it work because of their people and not because of their systems or processes. No doubt, this is the purview of IT and cyber-security professionals. However, the emergency still needs to be managed despite these challenges and some things can be done to mitigate this threat in future.

Recommendation: Develop multiple redundant systems, keep some stand-alone systems on hand, practice the use of less technological solutions such as paper and pens. Consider the establishment of dedicated IT personnel operating in EOCs to ensure direct support to the incident.

Evacuee Registration and Assistance

The ERA tool is part of Emergency Management British Columbia's Emergency Support Services (ESS) program to provide registration and referrals to evacuees. Due to COVID-19, EMBC recognized there was a need to push up the implementation date. Through the UBCM ESS grant the RDOS purchased computers and provided ERA training across the RDOS through the Spring and Summer. Although the program had been piloted for one year in other communities, there had been no activation of this magnitude to



thoroughly test the tool. Most ESS volunteers had received training on the tool but had not used the tool during an activation.

Through the regional ESS program, 16% of the province's ESS ERA trained volunteers were part of the RDOS ESS Program (which includes all partner municipalities).

ERA was widely viewed as a good tool, but it was not mature enough to fully meet ESS needs. It is understood that this system will continue to be developed by EMBC and it is hoped that it will reach full functionality by the spring of 2021.

EMBC hosted a separate After-Action Review of the ERA tool with ESS volunteers and after the interregnum period will be reporting back to ESS volunteers with the results and their actions arising.

It is important to note communities are responsible to deliver the ESS program but are not the owners of the policies and processes within the ESS program.

Recommendation: EMBC continue regular updates to the Modernization Program. ESS continue to ongoing training/familiarization for those who need to operate it.

Potential Quick-Wins and Momentum Building Activities

It can be difficult to lose sight of items that are relatively simple to implement when faced with larger scale issues. Relatively simple to implement, quick wins can be a good way to demonstrate responsiveness and build momentum. A few potential quick wins that emerged from the AAR are:

- Add another laptop to the Information Section in the RDOS EOC
- Modify the RDOS EOC planning document for re-entry planning
- Add DPS to the immediate notification list for ESS / Reception Center activation
- Purchase items to identify Reception Center leadership personnel better
- Provide a mechanism for SAR to obtain or print large quantities of notices
- Add Interior Health to the immediate notification list for ESS / Reception Center activation
- Put together 2 "go-bags" in each EOC for Liaison Officers to use on short notice
- Have separate backups of applicable electronic files and documents on hand
- Procure a stock of COVID-19 specific items such as hand sanitizer, hand soap, masks, gloves, and signage to have on hand at EOCs or other likely locations
- Identify vendors who could produce and deliver food to responders or to support ESS activities in advance.

CONCLUSION

It should be noted that this entire incident began on Tuesday, August 18th and was wrapped up on Wednesday, August 26th – a total of 8 days. In many cases, the items identified for improvement in this report would have resolved themselves in a longer event. The fast moving and unpredictable nature of this fire would have been incredibly challenging under normal circumstances. To deal with it under conditions of COVID-19 and a concurrent ransomware attack on one of the key response agencies was remarkable. The sense of care for community, ingenuity and strong team spirit shown by participants shone through during this AAR and will stand teams in good stead for future incidents.

The challenge is not so much in identifying what went well, what could have gone better or even recommendations for improvement. It is relatively easy to do that. The challenge will be to use this report to achieve a narrow enough focus on a few selected items for action and then to maintain forward momentum on those items.



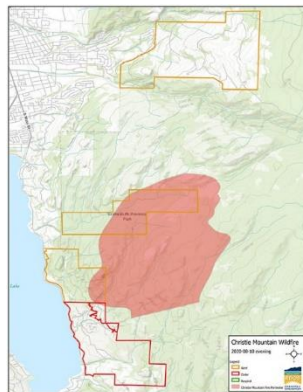
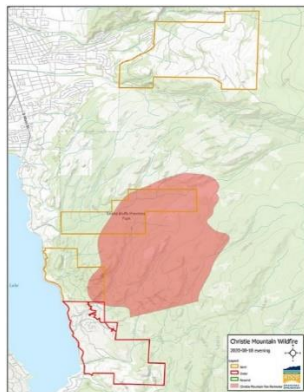
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ANNEX A: Incident Overview

Tuesday August 18

Time	Regional District of Okanagan Similkameen	City of Penticton
13:56	Fire Dispatch is made aware of the incident <ul style="list-style-type: none"> RDOS is made aware at 14:00 ~0.1ha and moving - EMBC Task # 212858 	
16:00	<ul style="list-style-type: none"> EOC Activated <ul style="list-style-type: none"> GIS & Information ESS Reception Center Open <ul style="list-style-type: none"> Strong messaging to use ERA Requests received from IC for support SAR begins tactical evacuation 	16:18 CoP offers support to RDOS <ul style="list-style-type: none"> Plans for overnight staffing of Water Treatment Plant
18:00	<ul style="list-style-type: none"> BCWS Update – 40ha and rank 3 <ul style="list-style-type: none"> Provided KMZ for Evacuation Area SOLE signed, 319 Homes on Evacuation Order and 119 Homes on Alert EMBC Task Number Corrected #212499 	19:30 EOC Activated <ul style="list-style-type: none"> Mapping EMBC Task # 212867 SOLE signed, 3700 homes on Evacuation Alert Supported IC with meals Acquired a block of rooms for IC and critical staff
24:00	<ul style="list-style-type: none"> Reception Center Closed Door to Door Evacuation Completed by SAR 	





Wednesday August 19

Time	Regional District of Okanagan Similkameen	City of Penticton
	<ul style="list-style-type: none"> BCWS confirmed fire had grown to 1000 ha, anticipated Type 1 Incident Management Team by end of day 	
	<ul style="list-style-type: none"> 1 home lost 00:00-04:00 Fire at: Osprey Lake, Palmer Fire, and small fire along Summerland Princeton Road being monitored 2 MVIs impacting travel through the corridor 	
12:00	<ul style="list-style-type: none"> Joint Media Briefing (BCWS, RDOS & CoP) 	
	<ul style="list-style-type: none"> Additional Support needed for ESS in EOC EHO at reception centre to do a COVID-19 Audit EMBC hosted TCONN regarding accommodations 	<ul style="list-style-type: none"> Information Release: Boaters stay clear of air tankers Moved EOC to a larger room Information on City Website “What is ESS” Chief Watkinson assigned to SPU for BCWS CoP moved critical assets
18:00	<ul style="list-style-type: none"> RDOS & CoP met regarding ESS (Flow, Process, ERA tool) 	



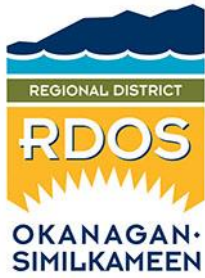
Thursday August 20

Time	Regional District of Okanagan Similkameen	City of Penticton
	<ul style="list-style-type: none"> • Fire growth increased to 2000ha • Communication structure between BCWS IC, RDOS, CoP, and BC Parks set – 1900 daily at Skaha Bluffs • Management Team by end of day 	
	<ul style="list-style-type: none"> • Advanced Planner for ESS arrived in the EOC • Hosted first of 5 Incident Specific Regional EOC TCONNs • Evacuation Route planning 	<ul style="list-style-type: none"> • CoP opens call center for Christie Mountain Wildfire • Evacuation route planning for CoP and mapping
12:00	<ul style="list-style-type: none"> • Joint Media Briefing (BCWS, RDOS & CoP) 	
	<ul style="list-style-type: none"> • EMBC facilitated ESS Conversation • Received additional 3 days extension for ESS • RDOS provided ERA training to 2 CoP EOC Staff 	<ul style="list-style-type: none"> • Group Lodging <ul style="list-style-type: none"> • EMBC ESS MST provided support
18:00	<ul style="list-style-type: none"> • Joint meeting with BCWFS, RDOS, PIB, and CoP, CAOs and EOC Directors to establish overarching goals for unified command 	



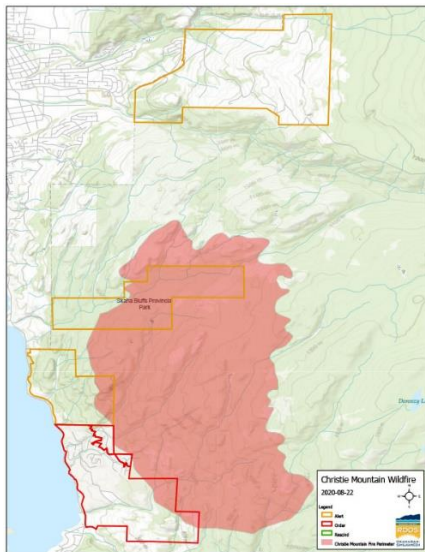
Friday August 21

Time	Regional District of Okanagan Similkameen	City of Penticton
	<ul style="list-style-type: none"> BCWS indicated not a lot of growth over night Daily ICP and meeting schedule in place Concern remained around anticipated cold front and high winds IHA established EOCs, patients were diverted to KGH and decanting of the ICU at PRH, evacuation of long-term care facility: Braemore Lodge in progress 	
	<ul style="list-style-type: none"> Reception Centre had processed: <ul style="list-style-type: none"> 161 persons in person, 103 into lodging, 101 billeting, 2885 had registered through ERA 	<ul style="list-style-type: none"> Kings Park BCWS camp established Triggers for group lodging were created Prepared Evacuation Orders for 5 neighborhoods
12:00	<ul style="list-style-type: none"> Joint Media Briefing (BCWS, RDOS & CoP) 	
	<ul style="list-style-type: none"> Temporary Access Permits were being requested at the EOC – none were being granted 	<ul style="list-style-type: none"> Temporary Access Permits were being requested at the EOC – none were being granted



Saturday August 22

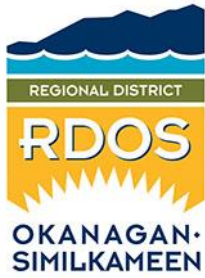
Time	Regional District of Okanagan Similkameen	City of Penticton
	<ul style="list-style-type: none"> BCWS Update: Although there were significant winds for a period of time, the growth was minimal around 50ha, and there was minimal movement north. The fire remained ~2000ha 	
	<ul style="list-style-type: none"> Focus moved to re-entry plan and continual support of the Reception Centre 	<ul style="list-style-type: none"> Demobilization planning commences Smyth Drive access was approved from BCWS
12:00	<ul style="list-style-type: none"> Joint Media Briefing (BCWS, RDOS & CoP) 	
	<ul style="list-style-type: none"> Determined Geo-Tech analysis was required prior to re-opening EAF submitted, EMBC declined – determined they would send a resource 	





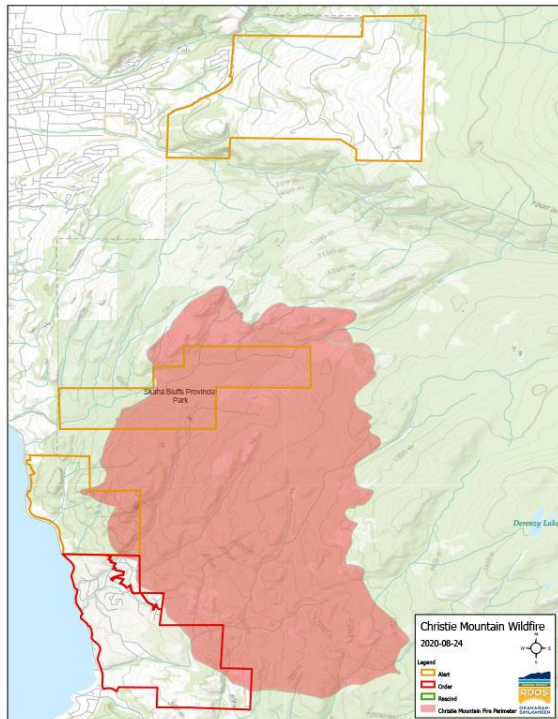
Sunday August 23

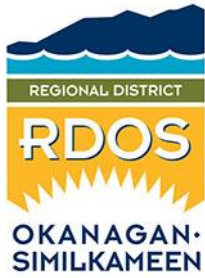
Time	Regional District of Okanagan Similkameen	City of Penticton
	<ul style="list-style-type: none"> • Continued Re-entry planning • Production of Re-entry kits began • EMBC Geomorphologist completed assessment and determine that further assessment needed to be completed • EAF for Geo-Tech was approved 	
12:00	<ul style="list-style-type: none"> • CoP News Conference (RDOS in attendance) 	
	<ul style="list-style-type: none"> • MoTI, FORTIS, Water Purveyor, Bell Media, completed their assessments and work for re-entry 	<ul style="list-style-type: none"> • Plan for debrief meeting to document lessons learned



Monday August 24

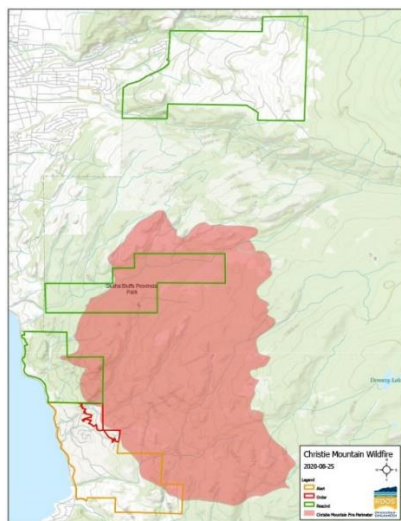
Time	Regional District of Okanagan Similkameen	City of Penticton
	<ul style="list-style-type: none"> Visit from Minister Farnworth and MLA Cannings 	
	<ul style="list-style-type: none"> DPS attended to Reception Center, EOC, and RDOS 	10:30 CoP lifted Evacuation Alert <ul style="list-style-type: none"> Traffic confusion at Smythe Drive
12:00	<ul style="list-style-type: none"> Joint Media Briefing (BCWS, RDOS & CoP) 	
	<ul style="list-style-type: none"> RDOS residents remained on Evacuation Order and Alert while the RDOS waited for the Geo-Tech 	<ul style="list-style-type: none"> Demobilization and Recovery EOC Closed

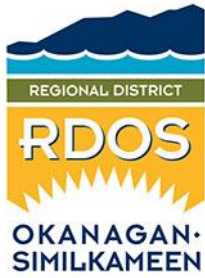




Tuesday August 25

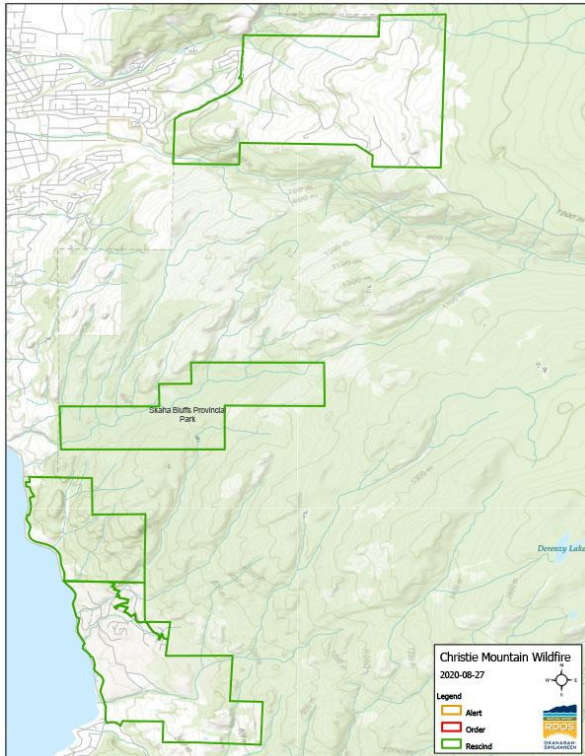
Time	Regional District of Okanagan Similkameen	City of Penticton
	<ul style="list-style-type: none"> • Re-entry and demobilization – preparation of evacuation rescind and completion of re-entry kits 	
12:00	<ul style="list-style-type: none"> • News Conference • Lift Evacuation Alert in the Carmi Area • Partial Rescind of Evacuation Order, replaced with Alert 	
	<ul style="list-style-type: none"> • Geo-Tech arrived on site and able to complete assessment • Complete rescind of Evacuation Order with notification to two home-owners regarding the safety of their properties • Reception Center Closed 	





Wednesday August 26

Time	Regional District of Okanagan Similkameen	City of Penticton
	<ul style="list-style-type: none"> RDOS Alerts lifted RDOS SOLE Rescinded Continued follow-up with Extraordinary Evacuees who had registered through ERA 	
	<ul style="list-style-type: none"> Demobilization 	
	<ul style="list-style-type: none"> Continued ESS Support for Evacuees - ongoing 	





ANNEX B: Survey Results

The Survey

The following themes were identified in the qualitative survey responses. Below each theme is a list of the main points identified. Often, the items below point to areas for improvement although in many cases there are strengths identified as well.

- Theme 1: Communication.**
- Theme 2: Technology.**
- Theme 3: EOC Operations.**
- Theme 4: Training.**
- Theme 5: Mental Health and Wellness.**
- Theme 6: COVID-19.**



Theme 1: Communication.

Communication can take various forms and traditionally identified as an area of improvement for any event or incident. The areas captured for this report focus on both internal and external communication, but also capture individual agencies ability to improve.

Although not specific in the survey results, the responses generally pointed towards a more concerted effort to establish better mechanisms for external communication protocols. As cited by multiple respondents: *“Communication between partners could be better”* is to be expected in any operation of this scale and magnitude. Of the respondents, 33% identified external communications as an area which required improvement whereas internal communications were cited by 30% of respondents - same sample size. These results are indicative of the communication procedures which exist in many agencies. Accordingly, there are opportunities to improve and or sustain communications throughout single or multi-agency constructs. Regardless this area should be continually revisited as standalone or group discussion points. While the survey did not lend itself to identifying clear areas of focus, the facilitated debrief sessions did. Please see the “Key Recommendations” section for more specifics.

Theme	Review	Comments
Inter-agency communications understanding	Some confusion amongst agencies as to specific protocols and direction from external sources. Interagency management of same event had redundancy of efforts.	Collaborative efforts should be explored through multi-agency training models. Sharing of SOPs could provide more efficiency to answer questions at start of activations.
Internal information sharing	Internal processes were generally effective however some external resources to single agencies found information delayed.	Training related to EOC information dissemination could be quick solve for information sharing. Employing EOC protocols under ICS (e.g. Ops to Ops) could be improved.
Decision making communications	Decision making was effective and aligned with appropriate EOC practises.	Information sharing should be reviewed and practised through future training scenarios.
External information communications flow	Information sharing amongst responding agencies should be solidified at start of events and disseminated to all appropriate personnel.	Information sharing should be reviewed and practised through future training scenarios.



Theme 2: Technology.

Technology utilized can be identified through agency specific protocols. Intangibles such as the ransomware attack permeated throughout the incident but must be captured to develop work arounds for future planning. Comments such as: *“overcoming frustration due to ransomware attack”* was cited throughout various sections of the survey. Although the ransomware attack was unique within an EOC situation, redundancy discussions with mitigation strategies would be prudent to ensure procedures are in place for any similar future event. Other areas of concern were captured as all agency management issues such as the ability to manage multi-faceted technology platforms. Specifically, EDMS, GIS, and ERA should form discussion areas for future emergency management planning and/or training modules.

Theme	Review	Comments
Network issues due to ransomware (EDMS)	Ransomware attack provided challenges across all network capabilities.	Develop protocols for non-electronic information management. Utilize this event as a Table Top Exercise (TTX) for future planning.
Multiple platforms running concurrently	Some challenges (outside ransomware) of management of technology and platform usage.	As some platforms were new to user groups, training and development opportunities exist for all staff that would likely be exposed to all networks.
GIS mapping tool functionality	Functionality of GIS mapping tool provided some challenges for staff.	Training and exposure to all tools are prudent for staff prior to future events. Phone applications such as the collector app did not work in areas without cell service – consideration with the ability to work offline in all applications.
Online access	Ransomware attack provided challenges across all network capabilities.	Develop protocols for non-electronic information management. Utilize this event as a TTX for future planning.



Theme 3: EOC Operations.

Emergency Operations Centre issues pertain to the overall response to the incident. Some identified areas of concern relate to specific agency management and operating protocols within an EOC structure. The general themes within this topic can be applied across reporting lines regardless of the agency. Survey respondents reported a high level of understanding of an EOC operation including roles and responsibilities. Terminology related to the functionality of an EOC was accurate and applied to the appropriate sections. The positivity amongst survey respondents was very apparent with numerous comments such as: *“training sessions and good EOC communication”* are directly attributable to previous experience in numerous EOC activations in the RDOS geographic area.

Theme	Review	Comments
Clearly defined roles & responsibilities / identification	EOC structure was solid, but some remarks indicated that some roles or personnel were not defined as per EOC protocols.	Review and ensure that the appropriate ICS protocols are in place which includes positional vests to avoid confusion.
Chain/transfer of command/positions	Transfer of command was not specifically reviewed in post-event survey. This is an integral part of an EOC activation so should be readily available and documented.	Review transfer of command protocols and ensure all staff utilizes Incident Action Plan for this specific topic.
Operational rhythm	Operational periods were not specifically identified through survey results.	Ensure Incident Action Plan is regularly updated with critical information captured for smooth transitions.
Daily Briefings	Briefings were generally well reported, however some staff in the field was not provided with incident specific information.	Consider all staff briefing protocols such as coordination calls utilized by EMBC.
Demobilization process	Demobilization and EOC closure is critical to an event’s termination. Appropriate communication to all involved staff needs to be well coordinated.	Demobilization should be part of future TTX and Full Scale Exercise (FSX) training models to ensure seamless transition for termination.
Documentation	Documentation is vital to a successful EOC activation. There were no specific survey questions related to this topic.	Documentation should be included in future post-event debriefs and surveys to ensure accurate information is captured.



Theme 4: Training.

Training is a theme which is regularly identified as an area for improvement or development. Some agencies in this specific incident have robust training initiatives engrained organizationally. Survey respondents reported that 63% were either very solid or very prepared for this incident. This speaks to the preparation and training models in place for all agencies which participated in some capacity for the wildfire response. Comments cited, such as: *“We had been meeting monthly in addition to a full-on training session (sic: full-scale exercise) in February. Additional in-house ERA training sessions were available at the portable”* identify a culture of learning and preparedness. This is an area where the teams excelled. Regardless, all items identified within this area should form a common baseline of knowledge which personnel should be trained to for similar future incidents. Of all respondents, 33% and 30% respectively identified training within their own specific teams as well as multi-agency as an area for further development.

Theme	Review	Comments
Formal ICS / EOC / Exercise training	Survey results identified the desire for more extensive training across the board. Overall, the level of training and experience for all respondents indicated a high level of readiness.	Identify and train all staff to a baseline for ICS, EOC operations and roles/responsibilities. Develop and access skills through future TTX and FSX scenarios.
ICS forms	Utilization of proper ICS forms is critical for future events. Respondents identified this as an area for development.	Reinforce ICS forms through Tabletop Exercise (TTX) and Full-scale Exercise (FSX) scenarios.
Evacuation Registration and Assistance tool	There was some confusion as to the functionality of this specific tool (identified in technology section).	Training and exposure to all tools are prudent for staff prior to future events. All ESS should have training in ERA and ESS Branch Coordinator /ESS EOC Liaison should be fluent with ERA
EMBC Registration & Referral	There was some confusion as to the appropriate support for evacuees who have insurance	Utilize subject matter experts from EMBC to provide training on evacuees who present at the reception center and have insurance.
Cross training	Multi-agency training and exposure was identified by numerous respondents. This theme permeated through communication (external).	Continue to invite inter-agency partners to training in order to reinforce communication pathways and evaluate operational readiness.



Theme 5: Mental Health and Wellness.

Overwhelmingly, this theme was raised out of the Reception Centre’s response. Mental health and well-being is an area which is critical for any incident. It is paramount that this be assessed with regularity throughout an incident regardless of scope and nature of the incident itself. Comments from respondents such as: *“Health Care Providers for emotional support”* identify a critical area for improvement in the general area. More specific areas of concern related to the availability of Personal Protective Equipment, set times for meal service and rest times during the incident. Although topics were not reported on by all agencies present, it is important to maintain a healthy work environment that involves external stressors. This theme should be a non-negotiable item for review and improvement for all future training, education and responses. Mental health should be built into EOC and Reception Center functionality and appropriate checks should be part of daily briefings.

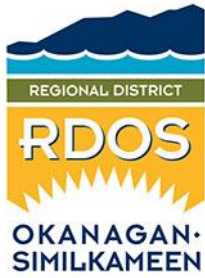
Theme	Review	Comments
Anxiety Mental Health support	Mental health support was identified throughout survey responses as some respondents experienced anxiety and/or stress. DPS was seen to be a welcome addition toward the end of the event.	Mental health check in procedures should be reinforced at activation and throughout any event. The addition of a mental health professional (DPS) engaged within the EOC and Reception Center should be explored.
Food, water, rest	Appropriate food water and rest protocols were identified as areas for improvement. These issues should be identified through briefings and operational periods.	Review food water and rest protocols by all agencies.
Personal Protective Equipment	Some respondents were ill prepared for heat during this event which included head protection and sunscreen.	Review PPE protocols and ensure all personnel have been provided with appropriate kit prior to deployment. Ensure EOC is continually monitoring situation.



Theme 6: COVID-19.

COVID-19 is an outlier for the year 2020 although prognosis for 2021 is unclear. Although this may be a once in a lifetime event, it is important to identify safe protocols for future emergency activations during a similar activation. The survey identified COVID-19 protocols throughout all stages of the response. It created issues from staff availability to the management of evacuees, but also created anxiety within response teams which may have indirectly affected the mental health and wellness theme. Plans and protocols should continue to be developed for COVID-19 and should form future state planning efforts should they be required again.

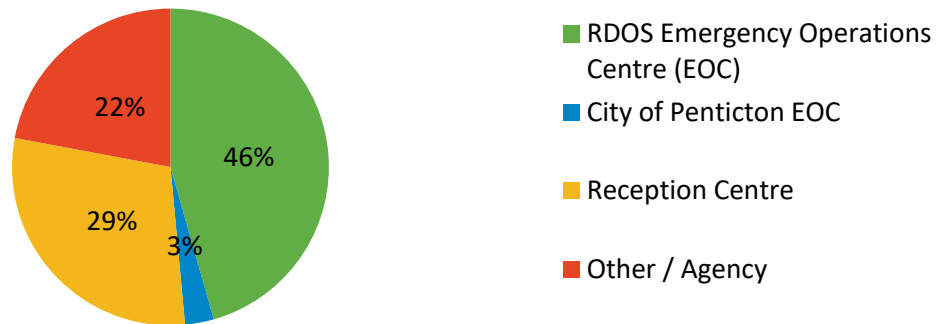
Theme	Review	Comments
Staff issues due to COVID-19 related to scheduling	Some positions were difficult to maintain staffing levels due to virus. A request for COVID-19 Screeners went to EMBC for support from Interior Health early in the activation, however Interior Health was unable to provide staffing until late. COVID-19 Screeners, IH, HEMBC, and the Reception Center all through this was a good partnership.	Consider using alternate agency staff for key positions. (Cross-training opportunity) Improvements need to be made in the pathway to request COVID-19 Screeners to be present at the Reception Center within a more-timely manner.



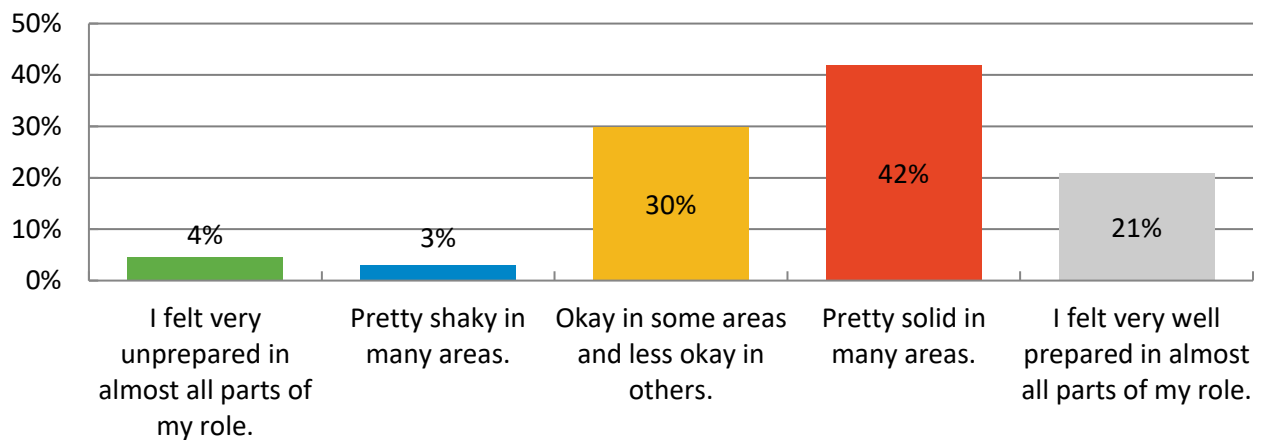
Web Survey - Selected Results (Quantitative)

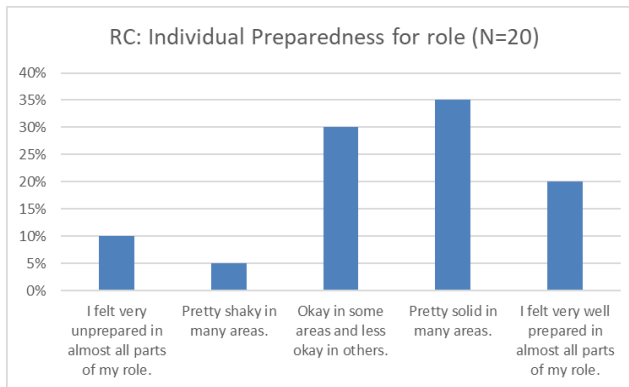
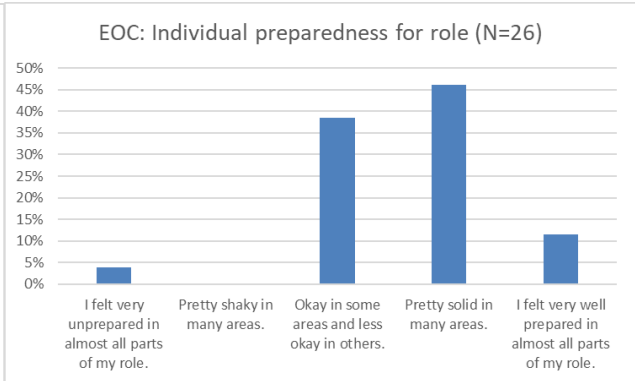
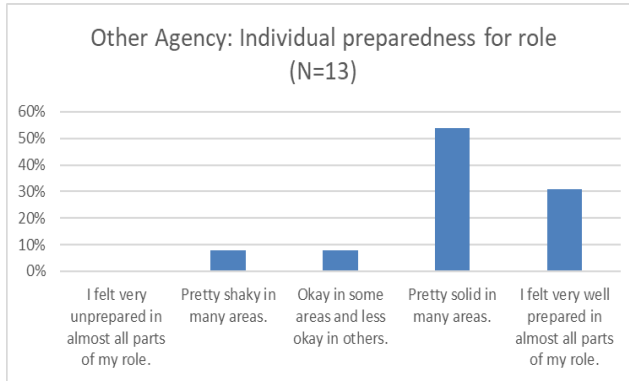
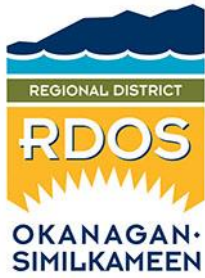
Selected quantitative results from the web survey are presented below, with a focus on questions that sought to determine the perceived preparedness and performance of respondents.

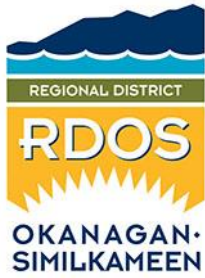
Which team or organization did you primarily work/volunteer with? (N=68)



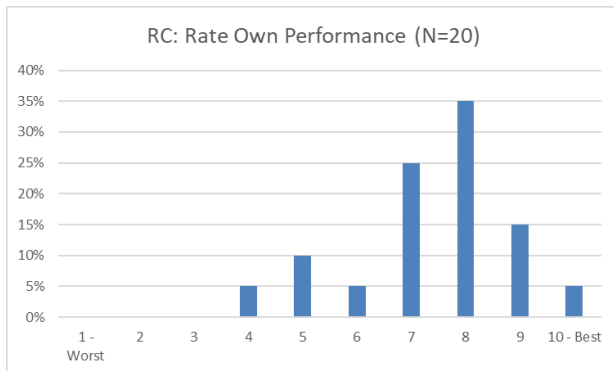
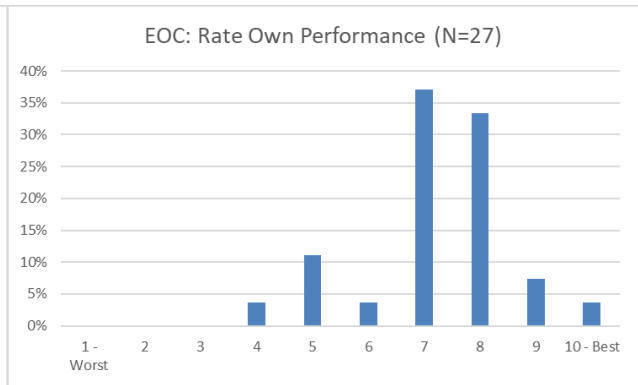
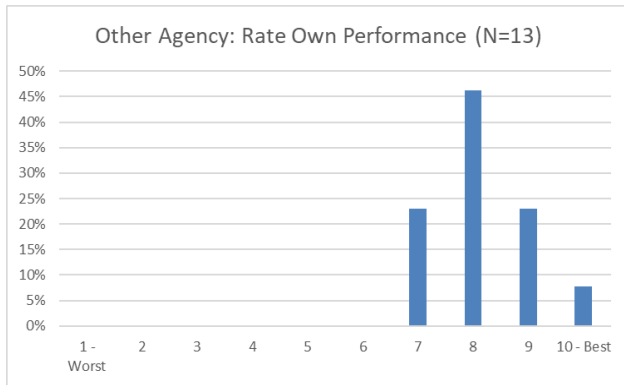
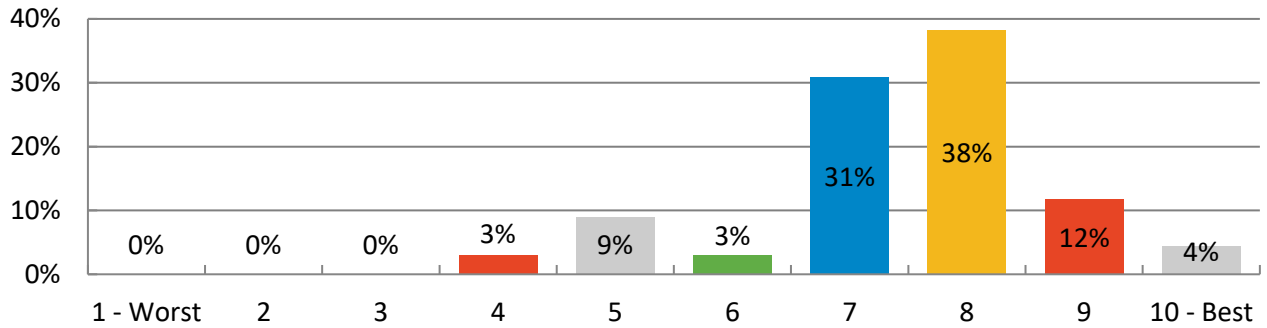
How well prepared were you, in advance, for your role during the event? (N = 67)

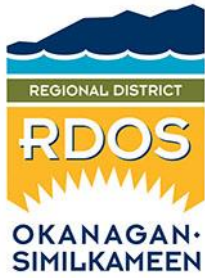




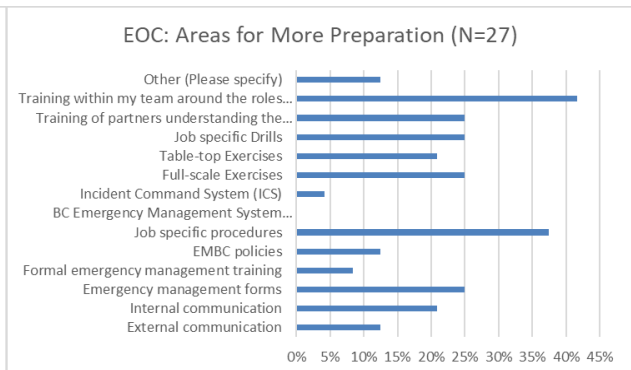
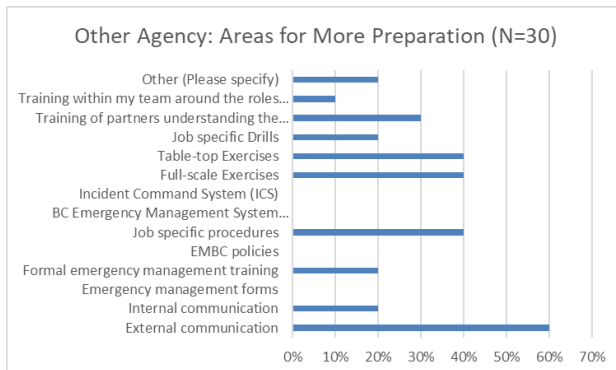
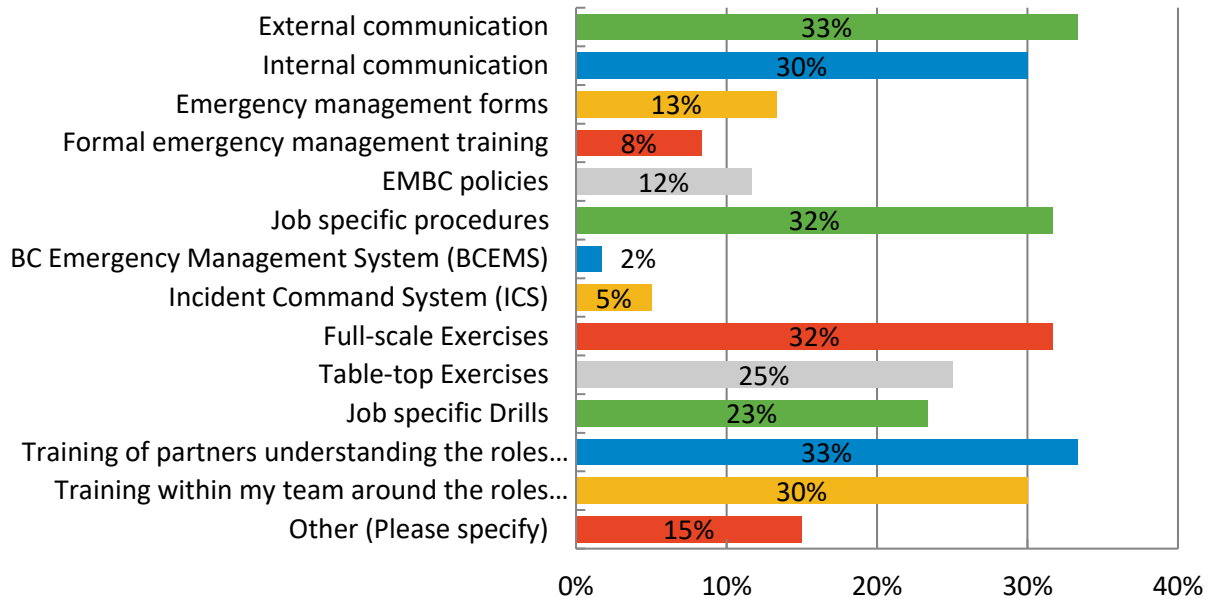


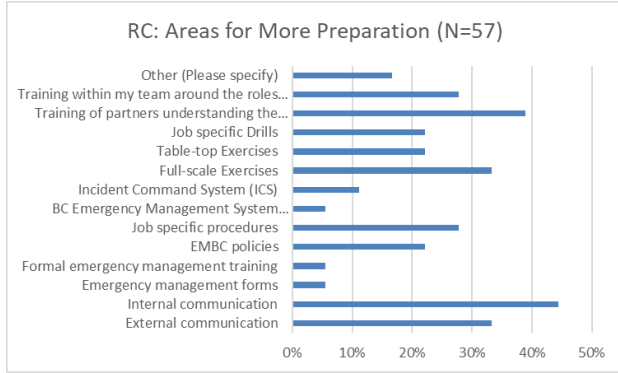
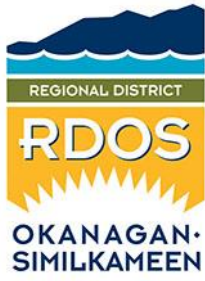
How would you rate your own performance during the event (N=68)?





What area(s) would you like to have had more preparation on in advance of the wildfire season (N=60)?







ANNEX C: Facilitated Debrief Sessions

The following is a list of the top-ranked items raised in the facilitated debrief sessions. Each working group identified its key items in its session, and these were then presented in plenary to all four working groups. Ranking of the issues was done within each group, by either an online vote or through facilitated discussion. A separate document containing the full suite of whiteboard comments was provided to RDOS Emergency Management staff for their internal reference. The items are broken into points to “Sustain” or “Improve” and then organized under the 6 themes pulled from the survey.

SUSTAIN

In this section, we will outline the items that participants assessed as strengths that should be sustained in future incidents. It can be easy to overlook items to sustain but if ignored they can deteriorate or otherwise become lost opportunities to build even further strength.

Communications

Joint media briefings: Joint media briefs included British Columbia Wildfire Service (BCWS), RDOS and CoP. The briefings were well received and helpful in getting information out and reducing the number of calls coming in from the public. Joint briefings began on the second day and were held daily, with the exception of 2 days when each EOC hosted their own news conference. It was noted that clarity is needed regarding who speaks and specific public messaging. While this item was viewed as a success, it should be noted that some issues arose due to the multi-agency/jurisdiction nature of the event.

Provincial Regional Emergency Operations Centre (PREOC) calls: PREOC calls were believed to increase situational awareness for agencies, including the need for additional resources. TCONN was mentioned as a particularly useful component of the calls. Note: RDOS regional teleconferences were also well received.

Technology

Geographic Information Systems (GIS): CoP’s GIS worked well for this event and advance training likely contributed to this outcome. It also helped provide redundancy in the ransomware attack on RDOS’ systems. RDOS was able to support the CoP’s GIS team with data requirements.

Evacuee Registration & Assistance (ERA) Tool: Expanded use of the online ERA tool was deemed positive and helpful from the perspective of ESS volunteers.



Ransomware attack: The degradation of the RDOS's Information Technology system forced people to think out of the box. Process and procedures were developed on the fly, the EMBC site was helpful, and the effective design of the EOC room helped as well. RDOS emergency management team had created unofficial backups prior to the attack, and these proved to be invaluable when the system was taken down.

EOC Operations

EOC rhythm: Although the first operational period was choppy, the CoP EOC worked through issues, found solutions, and improved operational flow as the event continued.

EMBC support: EMBC support to the ESS team in the CoP EOC was timely and fully sufficient.

PREOC approvals: Once PREOC gave approvals for resource requests, things moved quickly. However, it was noted that the approval process was too slow in the early stages of the event, and contingencies are needed in the future.

Resource requests: The CoP EOC was able to support structural defence resource requests.

ESS branch coordinators: Additional ESS Coordination was great for RDOS logistics. - everything flowed once the go to people were identified in the Operations and Logistics branches. Consider one ESS branch coordinator / LO for each RC. Span of control should be deliberately considered in this decision.

Training

Evacuee Registration & Assistance (ERA) Tool: ERA Tool training had been provided to ESS volunteers and this proved useful. However, it was noted that further or more in-depth training is desired.

Finance process: The RDOS EOC finance process functioned well through this event. This outcome was attributed to strong management support of team members, and good advance training.



IMPROVE

In this section, we identify areas that were not considered strengths by the participants. Not every item is of equal weight. However, these items were all considered by the working groups in the facilitated debriefs as being of greater importance than several other items in each category.

Communications

Communications pathways: The event involved multi-jurisdictional EOCs and this caused some confusion over the correct communications pathways between a wide range of groups involved in the response.

Incident Site requests to EMBC: In at least some cases, the process to request fire support from the IC through to EMBC was unclear.

Mutual aid requests to EOCs: Increased clarity (processes and guidelines) is needed for IC requests for mutual aid from an EOC.

Liaison Officers to BC Wildfire Service: Establish LOs (from municipalities and/or Regional District) to BCWS. It was and will be difficult to have BCWS LOs sent out to multiple EOCs.

Role autonomy in the RC: RC manager was not provided with the necessary autonomy to control the RC. As a result, communication lines were diminished, and many requests were unnecessarily delayed. Note: this point is contentious. The RC manager needs to work under the direction of the ESSD Branch Coordinator. The RC manager must be trained to understand areas where they have freedom of action and those areas which require coordination or direction from the ESSD Branch Coordinator.

RC orientation: ESS volunteers indicated they were not provided with an orientation upon arrival to the Reception Centre. This made it challenging to hit the ground running and feel confident in their role.

Information flow to RC: The flow of information regarding Evacuation Alerts and Orders was slow to get to ESS volunteers and they indicated a desire to see improvements made.

Call line for RC volunteers: ESS volunteers were not provided with a phone number to call regarding shift or other relevant information. This was noted as especially challenging for ESS volunteers coming in from a long distance.

Public communications: At times, mixed public messaging was perceived due to having two EOCs operating simultaneously. It can be confusing for the public if key information comes from more than one



source. This was identified as an issue with respect to media briefings, press releases, and public information hotlines. This issue is one of several arguments raised that support increased movement toward a more regional model for EOCs (e.g. joint EOC and/or JIC).

Handover process (RDOS): Logistics, Operations and Finance sections had a good process for handover, improvements to the Information and Planning sections can be made.

EMBC Reimbursement Rates: Rates for reimbursable expenses were unknown and/or too low. With greater clarity, reimbursements could be more accurately embedded in the budgets of responding districts and municipalities. Should examine reimbursement policy options for per diem vs specific receipt submissions, as well an allowance for tips should be considered.

Technology

Evacuation Notices: SAR ran out of notices during the event and indicated this was also an issue from previous fire events.

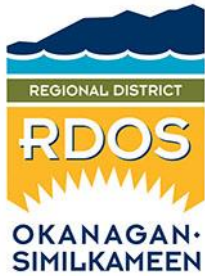
Online registration for RC: Volunteers and EMBC personnel indicated that online registration worked well overall, but some important aspects were unclear and inconsistent including insurance issues and ESS referrals.

IT Support at RC: Technology was slow to be set up, IT support needs to be provided early in an event.

Telecommunications and printers at RC: Telecommunications were lacking in the RC (e.g. not enough telephones, no secure Wi-Fi connection). Printers were also insufficient (e.g. need larger scanner, faster printing capacity, ability to print larger than 8½" x 11", and ability to print on two different colours of paper at the same time).

Evacuation Planning: The GIS mapping system that supports evacuation planning was a challenge and caused confusion about home ownership and evacuees. Some workarounds had to be developed on the fly. The ransomware attack on RDOS's IT system contributed to this. Even in the absence of a security breach, the GIS system is fragile, and improvements are being made.

Information Branch in EOC (RDOS): Two workstations in the Info Section would help increase efficiency and speed of info sharing.



EOC Operations

Agency knowledge: Advance training to understand the role and communication of agencies would be useful. Consider a multi-agency committee model with external partners to establish a regular training regime and Liaison Officer network.

Liaison Officer network for external agencies: EOC liaisons for external agencies would have really helped and this should be developed into the future

Fire Branch Coordinator: RDOS identified not having a fire branch coordinator in the EOC. This resulted in some instances where communication was lacking.

Transfer of command: A more streamlined process for BCWS releasing the site to the local authority and rescinding the evacuation order is needed. In general, there is room for interagency cooperation here, including having BCWS Liaison Officer in EOC if possible, or RDOS sending an Liaison Officer to the BCWS Incident Command. COVID-19 concerns made this difficult, but both agencies have indicated a desire to continue this conversation.

EOC Liaison Officers to site: Likely EOC Liaison Officers to site should be pre-identified and trained accordingly. Preparations should include Personal Protective Equipment and other "go bag" items to be able to deploy forward to site or other locations quickly.

Multi-jurisdictional response: The RDOS and CoP did well to establish joint coordination (which could have evolved into unified command if needed) at site level, and it maintained situational awareness plus the necessary authorities to make decisions. However, more planning could be in place to ensure successful command/coordination of a fire event as it moves across boundaries.

Mutual aid response: A more tightly coordinated mutual aid response would be beneficial.

Role clarification and chain of command in RC: Specific roles needed much more clarification for those in them and for those around them, including visual clues like vests/hats/badges. People were very unsure of who was in which role early on. While this did improve over time, this would have greatly reduced stress in the early stages of the event. Chain of command was also not clear.

Temporary access permits: Overall improvements to this process is necessary (e.g. criteria and communications) as current Standard Operating Practices are scaled to smaller incidents. Exploring one-off solutions with partners with specific needs to re-enter an evacuated area would be helpful. The ability to map the temporary access permits within the GIS Dashboard would also be helpful. Strong consideration should be given to moving management of the temporary access permits to the ESS team as they are



closer to those who need temporary access and this would reduce the complexity of working back and forth with EOCs.

Re-entry planning: Re-entry plan could have been better planned for day of coordination. The plan needed to get down to a sufficient level of detail to support execution. An easy fix would be to add some additional boxes to the existing re-entry plan. It is important to find the right level of EOC Director involvement in planning.

ERA tool: There were large fluctuations in planning data coming from ESS which made matching with ERA difficult. The issue was not resolved by the end of the event. However, it is understood that ERA is in its infancy and that it will continue to mature over time.

Roles and staffing in the EOC: Role clarity and the process of assigning roles could improve. EOC members should not be afraid to pull in more people if required to keep span of control manageable.

Training

Regional training model: A regional training model and development of joint policies would likely mitigate many issues faced in this event. There had been plans for regional-level training, but COVID-19 interfered this year. Look to Kelowna for a functional model for regional training. It was noted that a regional approach would require CAO engagement.

Evacuation Planning: Specific lessons were learned regarding the information required for evacuation and ESS planning. The systems utilized (e.g. GIS) require a process review and training plan for individuals using or reliant on these systems. Hootsuite was noted as a possible tool that can help in overall evacuation planning, particularly regarding the posting of data lists associated with the addresses.

ICS Training for Incident Command Staff: JIBC Training to the level of ICS 400 is preferred, but due to COVID-19 the JIBC is not offering this course in person.

RC training: A wide range of training is desired, including full-scale exercises, ERA training and cross training with other agencies. Increased understanding among agencies would result by including DPS and EOC staff.

Differences in operational capacity: It was noted that not all partners have the same level of capacity. A question is how best to support each other, and this could be part of a joint training regimen.



Mental Health and Wellness

DPS awareness and integration: The DPS team was immensely valuable once they arrived, however it would have been better to have them earlier. The process for activation requires clarification, and there is room for improvement regarding general awareness and understanding of DPS program services.

Increase DPS capacity: Enhanced regional DPS capacity should be a goal, in coordination with the HEMBC DPS team. Lessons learned this year can help to build the partnership.

Communications to RC: Management from RDOS and CoP were both providing direction in the RC resulting in a divide amongst leadership in the RC and stress for volunteers. This point reinforces the issue of role clarity and tighter regional coordination/cooperation, as raised in other themes.

Role clarity in RC: Unclear roles and responsibilities (especially among management) affected staff and increased stress for volunteers.

Food procurement: It was difficult to manage food in this event. COVID-19 concerns affected meal planning and procurement, including the food industry's ability to support. It was very difficult to ensure that food was ordered on time or that it was properly delivered to multiple locations simultaneously. Managing dietary issues is a complicating factor which has room for improvement.



COVID-19

Standardized COVID-19 procedures: The development of standardized COVID-19 protocols and procedures between agencies would be beneficial for future events. Consider the creation of “COVID-19 ambassadors”.

COVID-19 compliant facilities and procedures: An inventory of COVID-19-friendly facilities already existed and new locations were found on the fly, however it was a challenge to incorporate out-of-jurisdiction responders in large numbers (quarters, meals, etc.). It was noted that had the event gone much longer it would have been exponentially more difficult to operate and be COVID-19 compliant. (quarantining, feeding, hygiene, PPE). COVID-19 specific issues could also lead to problems in a WorkSafeBC audit.

COVID-19 management in RC: COVID-19 checks were handled by SAR (first two days) and then ESS, but this felt beyond the scope of ESS. Explicit information for volunteers re: COVID-19 protocols was not provided, including the correct actions upon receiving a positive COVID-19 test. Once IH arrived they took on the task which was a relief to ESS. The relationship between ESS and IH should be formalized including developing a process for training and overall coordination of COVID-19 management in the RC. The use of masks and distancing was lacking among staff in the RC, with the extreme heat being a contributing factor to low mask compliance.

RC Building: The RC venue was very noisy which made it difficult to work with plexiglass screens (COVID-19 environment).



ANNEX D: Acronyms

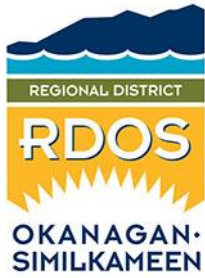
AAR	After-Action Report	JIBC	Justice Institute of BC
Ally	Ally Emergency Management Inc.	JIC	Joint Information Centre
BCEHS	BC Emergency Health Service	KGH	Kelowna General Hospital
BCWS	BC Wildfire Service	LO	Liaison Officer
CAO	Chief Administrative Officer	MoTI	Ministry of Transportation and Infrastructure
CMW	Christie Mountain Wildfire	MST	Mobile Support Teams
CoP	City of Penticton	MVI	Motor Vehicle Incident
DPS	Disaster Psychosocial Support	PIB	Penticton Indian Band
EAF	Emergency Assistance Form	PPE	Personal Protective Equipment
EDMS	Electronic Data Management System	PRH	Penticton Regional Hospital
EHO	Environmental Health Officer	RC	Reception Centre
EMBC	Emergency Management BC	RCMP	Royal Canadian Mounted Police
EOC	Emergency Operations Centre	RDOS	Regional District of Okanagan-Similkameen
ERA	Evacuee Registration and Assistance	SAR	Search and Rescue
ESS	Emergency Support Services	SOLE	State of Local Emergency
FSX	Full-scale Exercise	SPU	Structural Protection Unit
GIS	Geographic Information System	TCONN	Tele-conference
HEMBC	Health Emergency Management BC	TTX	Tabletop Exercise
IC	Incident Commander		
ICS	Incident Command System		
IHA	Interior Health Authority		
IT	Information Technology		



ANNEX E: Recognition

In the surveys we asked participants if there were individuals who deserved extra recognition and the responses came in. Several people were mentioned multiple times. Please note that, in many cases, one or two individuals were representing large teams and there will be many people who deserve recognition that could not be captured in the survey results. Many kudos were directed at teams and groups as well. Considering the challenges inherent in this response, it is no surprise that many people are recognized below.

Mike Arychuk – Oliver Osoyoos SAR – SAR Evacuations
Anne Benn – RDOS Emergency Program Coordinator – Deputy Director EOC
Bonnie Bordas – ESSD Summerland – ERA Super User and trouble-shooter at the Reception Center
Randy Brown – Penticton SAR – SAR Command Advanced Planning
Debbie Clarke – RDOS EOC Finance
Norma Clarke – ESS Naramata – Reception Center Documentation Unit
Angela Cormano – Central Okanagan SAR – SAR Command Operations
Wanda Crowell – RDOS EOC Logistics
Joyce Ericson – ESS Penticton – Reception Center Supervisor
Alida Erickson – ESSD Penticton – Reception Center Manager
Cheryl Eshlemsn – ALERT – Search and Response Leader
Danny Francisco – RDOS Manager of Information Systems
Dinesh Gunawardena – RDOS Assistant GIS and Information Systems
John Kurvink – RDOS EOC Finance
Cris Hamilton – ESS Oliver – Reception Center Documentation Unit
Pat Handley – ESS Penticton – Reception Center Documentation Unit
Roger Handley – ESS Penticton – Reception Center Documentation Unit
Mark Healey – Incident Command
Tannis Heibert – Disaster Psychosocial Volunteer
John Hong – ESS Oliver – Reception Center Registration and Referrals, and unofficial IT support
Vicky Horton – ESS Penticton – Reception Center Floor Supervisor
Dale Jorgenson – Penticton SAR – SAR Command Planning
Mike Law – Incident Command
Marion Langlois – ESS Oliver – Reception Center Documentation Unit
Deborah MacDonald – ALERT
Pete Methot – ESS Penticton – Reception Center Front Door (Greeter, Interim COVID-19 Screener, Security)
Marianne Moeliker – Interior Health – Quick Response Team support of Extraordinary Evacuees
Rosemary Oakes – RDOS EOC Logistics
Rob Osioy – BC Wildfire Services – Penticton Zone Command
Patty Otteson – RDOS ESSD – ESS Branch Coordinator



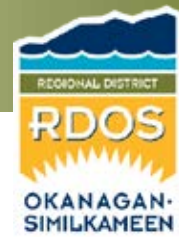
Crystal Ozaraci – RDOS EOC Information Officer
Ryan Periana – RDOS EOC Planning – GIS Dashboard
David Strohmann – Oliver Osoyoos SAR – SAR Evacuations
Nancy Szaztiw – Disaster Psychosocial Volunteer
Richard Terry – Penticton SAR – SAR Manager
Erick Thompson – RDOS Information Officer
Cathy Tremblay – Disaster Psychosocial Volunteer
Sean Vaisler – RDOS Manager Emergency Services – EOC Director
June Waddell – ESS Summerland – Reception Center Information Section and unofficial cleaner
Larry Watkinson – City of Penticton Fire Chief and BC Wildfire Structural Protection Unit

Group/Team Recognition:

City of Penticton EOC Staff
Reception Center Staff
RDOS Information Officers
RDOS EOC Staff



Photo: With permission from Mike Biden



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Community Services Committee
Thursday, February 4, 2021
11:30 am

AGENDA

- A. **APPROVAL OF AGENDA**
RECOMMENDATION 1
THAT the Agenda for the Community Services Meeting of February 4, 2021 be adopted.
-
- B. **Regional Recreation Update – For information only**
-
- C. **ADJOURNMENT**

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: February 4, 2021

RE: RDOS Regional Recreation Update – For Information Only

Purpose:

This update report will provide an overview of the Regional Recreation program activities in 2020 and the work expected for 2021.

Business Plan Objective:

Key Success Driver 1.0: High Performing Organizing (Goal: 1.1,1.3)

Key Success Driver 2.0: Optimize the Customer Experience (Goal: 2.1-2.3)

Key Success Driver 3.0: Build a Sustainable Region (Goal: 3.1-3.3)

Background:

Recreation as a service has been offered by the RDOS for many years, mainly in localized communities. The concept of Regional Recreation was initiated in 2017 with the following objectives:

- Develop a sustainable region
- Create a shared regional recreation approach through community partnerships
- Have the ability to respond to localized needs and demands
- Have shared agenda and policies guided by the National Framework and Provincial Strategies (Recreation)

The purpose of a regional approach is to clarify a shared vision, a set of priorities, strengthen alignment and facilitate opportunities for collaboration and resource sharing. At the core of the regional approach is a commitment to advance the positive impacts of recreation in the RDOS. In 2018, funding was successfully acquired through the PlanH program (BC Healthy Communities Society) to help stimulate more local actions that support healthy living. Through the PlanH funding, assets/programs such as the Physical Activity Trailer (PAT trailer) and the Physical Literacy for Communities (PL4C) committee were initiated. Additionally, another Regional initiative that was triggered and implemented included a Book King software for all of recreation and special events, which is still being used.

Analysis:

The intent of the report is to provide the Board with a yearly summary of recreation activities, initiatives and outcomes. This Regional Recreation report will include: an overview of Recreation's Mission/goal, outline of Recreation's work, Recreation's resourcing, highlights from 2020, and an outline for the work expected in 2021 (see attached PowerPoint).

Overview of Recreation

In addition to the RDOS Corporate Business Plan and Community Services Business Plan, Recreation's work is guided by several foundational documents which includes: A Framework for Recreation in Canada 2015: Pathway to Wellbeing, Plan H: Planning a Healthy Community and Physical Literacy in Canada: Sport for Life. In aligning with these guiding documents and RDOS's Mission, RDOS Recreation's Mission is "*To increase a citizen's quality of life and a community's well-being through recreation opportunities, while achieving social, economical and environmental benefits*".

Ultimately, our outcome is "***Healthy individual and Communities***".

To achieve our outcome, Recreation is tasked to provide recreation services throughout the regional district from a local and regional perspective. These services mainly include recreation programs, special events/bookings and in the Similkameen, a Recreation center & Pool. But as the definition of recreation is often so inclusive of many aspects of community wellbeing, Recreation's work also includes the development of partnerships, management of volunteers, community studies and liaising with Commissions.

In 2020, to deliver on Recreation's work, the recreation resource approach (for program delivery) was through a small core staff team to coordinate the delivery while contracting out instructors/leaders/specialist and volunteers to do the direct delivery. This approach to delivery of Recreation services is established to be the most cost effective, flexible and efficient. The current regional rec team was staffed with the equivalent of 3.0 full-time staff (2.0 fulltime equivalent Coordinators/programmer and 1.0 Rec Clerk) and 1.0 Regional Rec Manager. As Recreation within the RDOS does not operate in isolation, there is often regular cross over with Similkameen Recreation and Parks/facilities.

2020 Year in Review

Although 2020 was not a typical year and not the year to benchmark against, Recreation still managed to realize a number of accomplishments. Even with the number of COVID-19 closures/adjustments, Recreation delivered over 50 session programs, 9 one-day programs, 160 + Ice rink events/programs, 3 months of bowling, 1.5 months of rock climbing, 2 months of swimming pool operations, 9 months of Similkameen Gym operations and 13 special events. In addition to still running numerous programs and special events, the team also managed to complete a number of key pieces of work such as; curate a COVID-19 friendly regional rec special events program, review of the PAT program, initial high-level review of special events/booking process, updates to branding (including initial updates to Rec website, marketing templates, consistent communication approaches, first Regional Rec Guide), a Youth Advisory (Similkameen) pilot program and ongoing safety plan/agreement management

updates due to the changing COVID-19 measures. Recreation provided services to the public through eleven partnerships which included partnerships with; Boys and Girls Club, Get Bent Glow SUP, Grist Mill, Startlit Yoga, City of Penticton, Pacific Sport Okanagan, Penticton & District Arts Council, Sandy Beach Lodge, Lower Similkameen Community Services Society, Friends of the Rink and Naramata Centre.

Additionally, Recreation was also leading the work associated with the Regional Child Care Assessment project, West Bench Age-Friendly Assessment/plan, launch of the formal RDOS Volunteer Program, Facilitation of the Physical Literacy for Communities (PL4C) Committee and updating a number of agreements (Sunbowl Arena with Town of Osoyoos, School District 53 Joint Use and Interior Health Partnership agreement).

Consistent in 2020, volunteers continue to be a critical asset for Recreation and in engaging the community from a program and special events perspective. Accounting for about 550 hours of service, from 17 volunteers. We can roughly equate this to approximately \$10,000 worth of additional services across the region.

Overall, 2020 has proven to be a challenging year. 2020 could be described as a non-conventional learning year, with continued adjustments and short-term planning. With the challenges came opportunities for Recreation staff to focus on many of the foundational and review efforts that often fall short to direct delivery of work. There was an increased need to work even more regionally, with partners and to expand our traditional thinking within recreation. This resulted in new pilot intro programs in areas like lake swim/safety, fishing, snowshoeing and whittling.

From a performance measures stand point, unfortunately at this time, Recreation has not solidified which performance measures are most critical to track and report on. As part of the 2021 work plan, performance measures will be identified and reported consistently so that improvements and trends can be better tracked.

Expectations for 2021

For 2021, Recreation will be keeping the following guiding principles: remain flexible/adaptable and to continue to develop/establish foundational aspects of Recreation Services.

Flexibility/Adaptability:

With continued uncertainty of COVID-19 measures, Recreation will be focusing on program services that have a higher likelihood of being allowable due to reduced risks.

- Continue to manage and update COVID-19 safety plan, agreements and measures so that programs and services can still be offered
- Recreation will focus on expanding outdoor program offerings
- Explore options and opportunities to offer children/youth programs

- Continue with creative regional recreation programming, special events and online offerings
- Look to leverage partnerships

Foundational Aspect of Recreations Services:

As Recreation continues to focus on a sustainable model for delivering services across the region, the front end work to develop consistency and foundational processes is critical.

- Continue to establish and implement Recreation Business processes
- Further expand our Volunteer program
- Establish consistency in how Recreation is marketing and communicating
- Establish and record consistent performance measures

In addition, Recreation will be closing out two assessments/plans from 2020 (West Bench Age-Friendly and Regional Child care) in Q1 of 2021 only to initiate several other projects. Recreation will take a lead coordination role in the Parks, Trails and Recreation Master Plan and in updating the Special Events and Bookings process for the RDOS.

Alternatives:

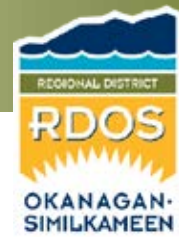
Do not receive this report for information.

Communication Strategy:

Recreation's update report will be available to the public through the meeting minutes and on the RDOS Recreation website.

Respectfully submitted:

A. Romero, Regional Recreation Manager



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, February 4, 2021
12:00 pm

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Corporate Services Meeting of February 4, 2021 be adopted.

B. Southern Interior Local Government Association (SILGA) - Call for Resolutions

1. Call for Resolutions – December 2020

RECOMMENDATION 2

THAT the resolutions contained in Appendix 'A' to the administrative report of February 4, 2021 be submitted to the Southern Interior Local Government Association (SILGA) for consideration at their 2021 conference.

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Corporate Services Committee

FROM: B. Newell, Chief Administrative Officer

DATE: February 4, 2021

RE: Southern Interior Local Government Association (SILGA) – Call for Resolutions

Purpose:

The purpose of this report is to seek direction from the Regional District Board with regard to proposed Resolutions to be forwarded for consideration at the 2021 Annual General Meeting of the Southern Interior Local Government Association (SILGA).

Reference:

- Call for Resolutions for 2021 Convention (December 18 letter attached)

Background:

The 2021 SILGA Annual General Meeting and Convention is scheduled to held in Vernon from April 27 to April 30, 2021. However, a final decision on an in-person convention will not be made until the end of January.

The deadline for SILGA resolutions is February 26, 2021. Resolutions not received by this date will be considered late resolutions and must go through a late resolution procedure at the Annual General Meeting.

Resolutions must be endorsed by the Board and should be relative to regional issues and should not pertain to a finite local interest.

All resolutions should be ratified by the Board at the February 18, 2021 Board meeting to ensure they meet the SILGA deadline.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

Appendix 'A'

Resolution 1

5 ¼ % Provincial Collection Fee

To be walked in

Resolution 2

Derelict Vehicles on Crown Land

To be walked in

Resolution 3

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.

Resolution 4

COVID funding deadline for Regional Districts

To be walked in

Resolution 5 (Bauer)

Flood Mitigation Response

Director Bauer suggests that the Regional District submit a resolution to SILGA requesting the Province to take the responsibility for flood mitigation. The Regional District received a significant grant to study the Similkameen River and develop Lidar mapping. We have no flood mitigation Service in the Regional District and, while that information will be interesting, it will end up as another study that sits on a shelf, i.e. Park Rill/Twin Lakes.

Administration is researching previous similar SILGA/UBCM resolutions and we'll craft something that would get our point across about not providing funding for more studies unless somebody's going to do something with them.

Incorporated communities are already looking after flood control within their boundaries, but they're concerned about the water coming at them from the electoral areas upstream.

Resolution 6 (Pendergraft)

911 Dropped Calls

That the Government of BC require cell phone providers to keep records of names and addresses of all cell phone clients and make those available to RCMP when tracking down dropped 911 calls.

Background:

Significant police time and effort is spent tracking down dropped 911, when there is a dropped call the process is the dispatcher usually calls the number back and asks if everything is ok. If there is no answer the police are then notified and they have to try to track down the caller.

1. Calls where the clients number is displayed. These are the easiest for RCMP to deal with if the number is from one of the major suppliers (Telus, Rogers, Bell) as we can usually obtain the subscriber information from those companies. However, if the person is not from the area and we cannot reach them by calling the number back then we still need to make patrols to the area the call came from, which again is a radius to the cell tower.
2. Calls where the number is displayed but it is either from a prepaid cell phone or not from one of the major suppliers and often we have no way of tracking down who owns the phone, where they reside, etc. This again prompts a patrol of the area the cell call came from and often the radius we obtain for the cell tower is up to 3 kms.
3. The most difficult calls are where the only number that comes up is the number of the cell tower. There is no possible way to follow up to determine who owns the phones so again a patrol in the area is our only option.
4. There are occurrences where a number is displayed however the prefix for the number is 911. For example, the number might be displayed as 911-689-1234. The RCMP cannot call those numbers back. The call goes immediately to the 911 call centre.

Abandoned 911 calls are most often the number one type of call for service the Osoyoos detachment receives in any given quarter. Last quarter alone we had 109 abandoned 911 calls. The amount of policing resources these calls amount to is significant especially on the ones where we have no way of identifying the subscriber. We know many 911 calls are pocket dials or are calls made in error, however 911 is an emergency system and we must treat every call as a potential emergency until proven otherwise or as in many cases until we have done as much as we can to ensure the area the call originated from has been patrolled and people in the area have been spoken to in order to determine if they had seen or heard anything (person in distress, etc) that would help direct us to the caller.

SILGA Southern Interior Local Government Association

December 12, 2020

To: All SILGA Members

Call for Resolutions for 2021 Convention

The SILGA Annual General Meeting and Convention is scheduled to be held virtually sometime between April 27th and April 30th, 2021. The SILGA Constitution requires that resolutions to be considered at the Annual Meeting are to be received by the Secretary-Treasurer no later than 60 days prior to this meeting. Friday February 26th, 2021 will be the deadline for receipt of resolutions.

If your local government wishes to submit a resolution for consideration at the 2021 SILGA Convention, please forward by email your resolution to yoursilga@gmail.com. Any background information on the resolution would be helpful. Each resolution should be endorsed by the sponsoring Member's Municipal Council or Regional Board. The resolution should be relative to regional issues and should not pertain to a finite local interest.

If you do not receive a confirmation email regarding your resolution, please contact the SILGA office at 250 851 6653.

For information on how to properly write a resolution please refer to the UBCM website below.

<http://www.ubcm.ca/EN/main/resolutions/resolutions/resolutions-procedures.html>

or go to the resolutions page on the SILGA website at

<http://www.silga.ca/convention/resolutions/>

Resolutions not received by February 26th, 2021 will be considered late resolutions and must go through the following procedures to be considered at the AGM.

Late Resolutions

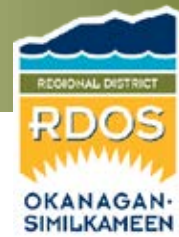
- (1) Resolutions submitted following the expiry of the regular deadline noted in section 10.4 shall be considered "Late Resolutions" and shall comply with all other submission requirements, except that a copy of the resolution shall be provided to SILGA by noon on the Friday preceding the date of the Annual General Meeting. The resolutions committee will meet on the Tuesday preceding the Annual General Meeting to provide recommendations as to whether the late resolution(s) should be brought to the Members for inclusion in the resolution debate. All late resolutions must be adopted by a Special

SILGA Southern Interior Local Government Association

Resolution of the Member Representatives in attendance at the Annual General Meeting to be included in the discussion.

- (2) Late resolutions will be reviewed by the Resolutions Committee prior to the Meeting and only those of a subject matter which could not have been submitted by the normal deadline date outlined in section 10.4 will be considered.
- (3) Late Resolutions shall be available for discussion after resolutions printed in the resolutions book have been considered.
- (4) Late Resolutions admitted for plenary discussion shall be dealt with in the order presented in the Late Resolutions report.
- (5) In the event that a late resolution is recommended to be admitted for discussion, the sponsoring member of the late resolution shall produce sufficient copies for distribution to the Members at the Annual General Meeting.
- (6) The Late Resolution will, after reading, be properly before the meeting, and the regular procedures for handling resolutions will apply.

Alison Slater
SILGA



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Environment and Infrastructure Committee

Thursday, February 4, 2021
12:30 pm

AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1

THAT the Agenda for the Environment and Infrastructure Committee Meeting of February 4, 2021 be adopted.

B. Delegation

1. Lisa Scott, OASSIS

2. Zoe Kirk, Cam Baughan and Emma Cameron
Recycling/Landfill and Noxious Pests

C. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Corporate Services Committee
FROM: B. Newell, Chief Administrative Officer
DATE: February 4th, 2021
RE: RDOS BL2796, 2018 Consolidated March 19, 2020
Waste Management Service Regulatory Bylaw to repeal and
replace with - Bylaw No. 2925, 2021 RDOS Administered
Landfills Regulatory Bylaw



Reference:

Local Government Act

Background:

Through the *Local Government Act*, the Regional District has the authority to create a bylaw for solid waste disposal or recycling services for materials received at RDOS Administered Landfills (Campbell Mountain Landfill, Oliver Landfill, Okanagan Falls Landfill, and Keremeos Transfer Station).

The existing RDOS Waste Management Service Regulatory Bylaw provides the definitions for the items listed in the RDOS Fees and Charges Bylaw Schedule 5, Section 7 Sanitary Landfills and rules of the landfill.

This Bylaw is reviewed as needed to meet any changes to material types, to refine definitions and terms, and to clarify and reflect more accurately solid waste materials.

Analysis:

Bylaw No. 2925, 2021 will repeal Bylaw No. 2976, 2018 including its Amendments Consolidated in March 19, 2020.

A summary of the changes and rationale is attached that includes marked up bylaw showing those changes. See Schedule A.

Bylaw No. 2925, 2021 with those changes incorporated is Schedule B.

Communication Strategy:

RDOS has a Haulers list, and will email the updated Bylaw, along with Schedule A to show the changes. The updated Bylaw will be posted on the RDOS website, under each of the Landfill webpages.

Respectfully submitted:

A. Reeder, Manager of Operation

2021 Summary of Changes to the existing Waste Management Regulatory Bylaw

- Highlighted in yellow is the wording added for further clarification and to reflect more accurately the material
- Text that is in red is the existing bylaw wording to delete creating a more accurate definition.

1.1 Bylaw title change from **Waste Management Service Reg. Bylaw** to **RDOS Administered Landfills Regulatory Bylaw**.

This Bylaw may be cited as the "**RDOS Administered Landfills Waste Management Service Regulatory Bylaw No. 2925, 2021 2796, 2018**".

2.1 "Waste Management Service Regulatory Bylaw No. **2796, 2018 2535, 2014**" and all amendments thereto are hereby repealed.

AGRICULTURAL ORGANIC MATERIAL means suitably prepared and separated plant derived crop materials originating from agricultural operations, excluding **FRUIT WASTE, FOOD PROCESSING WASTE, FRUIT/GRAIN BY-PRODUCTS** and **FOOD WASTE**, that is not **CONTAMINATED**, and has been suitably prepared for **DISPOSAL** in a manner acceptable to the **MANAGER**, including but not limited to orchards, nurseries, vineyards and silviculture operations **and does not include METAL, WOOD PRESERVED, ROCKS, soil, plastics and non-agricultural organic material** (see **CONTROLLED WASTE**).

ASPHALT means **a sticky, black and highly viscous liquid or semi-solid petroleum based material used primarily in roads** (see **RECYCLABLE**).

CONCRETE means a construction material that consists of cement, aggregate (generally gravel and sand) and water. **CONCRETE** must not contain **ASBESTOS**, large amounts of metal protruding (greater than 15 cm) nor measure greater than 1 m. in any dimension. **CONCRETE** also includes **ASPHALT, CERAMICS, bricks, plaster & stucco without wire, cement board,** **MASONRY** and **ROCKS** not greater than 40 cm **in diameter any dimension** (see **RECYCLABLE**).

CONCRETE BULKY means **CONCRETE** measuring greater than 1 m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm, and including **ROCKS** greater than 40 cm **in diameter any dimension** (see **CONTROLLED WASTE**).

CONSTRUCTION NEW MIXED LOAD means **MIXED LOAD SOLID WASTE** produced through new construction, where no existing structures have been altered, and that contains two or more **RECYCLABLE new** building materials including but not limited to **ASPHALT SHINGLES, WOOD CLEAN, RECYCLABLE TAR AND GRAVEL ROOFING, and GYPSUM BOARD-NEW,** and must not contain **DEMOLITION AND RENOVATION MIXED LOAD materials, packaging, FOOD WASTE, any other type of CONTROLLED WASTE or PROHIBITED WASTE.** The **HAULER** must provide appropriate documentation in a manner acceptable to the **MANAGER** (see **CONTROLLED WASTE**). All **CONSTRUCTION NEW MIXED LOAD** arriving at the **SITE** without appropriate documentation shall be determined to be **DEMOLITION AND RENOVATION MIXED LOAD NON-ASSESSED**.

CONSTRUCTION – REFUSE means non-RECYCALBE SOLID WASTE building materials such as insulation, carpet, vinyl and non-RECYCLABLE **commercial** packaging materials such as plastic wrap, and Styrofoam.

CONTAMINATED means the presence in a material of a minor and unwanted constituent which renders the material impure or inferior **for reuse or recycling** as defined by the MANAGER.

DEMOLITION AND RENOVATION MIXED LOAD means MIXED LOAD SOLID WASTE produced through the demolishment of a structure or the act of alteration through addition, remodeling, refurbishing or restoring of buildings, structures, or other types of real property that contains two or more RECYCLABLE Building Materials; including but not limited to ASPHALT SHINGLES, WOOD **CLEAN**, RECYCLABLE TAR AND GRAVEL ROOFING, and GYPSUM **BOARD ASSESSED** and GYPSUM **BOARD NEW**, but must not contain **packaging, FOOD WASTE, any type of CONTROLLED WASTE OR PROHIBITED WASTE** (see DEMOLITION AND RENOVATION MIXED LOAD ASSESSED and see CONTROLLED WASTE).

DEMOLITION AND RENOVATION MIXED LOAD ASSESSED means a DEMOLITION AND RENOVATION MIXED LOAD that has been ASSESSED as required by the REGIONAL DISTRICT. Verification of the abatement of all identified HAZARDOUS materials is required. This assessment and verification has been provided in a manner acceptable to the MANAGER (see CONTROLLED WASTE). **A DEMOLITION AND RENOVATION MIXED LOAD arriving at a SITE must not contain packaging, FOOD WASTE, any other type of CONTROLLED WASTE or PROHIBITED WASTE** and if arriving at the SITE without appropriate assessment documentation will be determined a DEMOLITION AND RENOVATION MIXED LOAD NON-ASSESSED.

GLASS CONTAINERS means all clear and coloured **bottles and jars** **containers** made of glass **as defined as a PRODUCT STEWARDSHIP MATERIAL** and does not include window glass, laminated glass, safety or tempered glass, mirrored glass, automotive glass, fiberglass, Plexiglas, light bulbs, fluorescent tubes, kitchenware, ceramics or other types of containers, or any container that contained HAZARDOUS WASTE, or ASBESTOS CONTAINING MATERIAL and does not contain any liquid or solids (see RECYCLABLE).

GYPSUM BOARD-NEW also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper, and consists of non-CONTAMINATED off-cuts and scraps of gypsum **obtained solely from new construction and does not include GYPSUM BOARD ASSESSED, GYPSUM BOARD NON-RECYCLABLE**, gypsum board materials from an existing **structure**, is not an ASBESTOS CONTAINING MATERIAL, and does not contain LEAD-BASED PAINT (see RECYCLABLE).

GYPSUM BOARD-ASSESSED also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper, and consists of non-CONTAMINATED gypsum removed from an existing structure and has been ASSESSED to prove it is not an ASBESTOS CONTAINING MATERIAL and does not contain LEAD-BASED PAINT (see RECYCLABLE).

GYPSUM BOARD-NON-RECYCLABLE means gypsum board removed from existing structures **that has not been ASSESSED** and is not RECYCLABLE (see CONTROLLED WASTE).

LOCAL GOVERNMENT IMPROVEMENTS refers to the structures, systems, lands and facilities owned or operated by an Indian Band, Municipality or Regional-Government within the SITE SERVICE AREA and suitably prepared as determined by the MANAGER, such as but not limited to, roads, bridges, tunnels, water supply, sewers, electrical grids, and telecommunications.

METAL means RECYCLABLE ferrous and non-ferrous metallic materials, containing more than 90% metal by volume, and under 2.4 meters (8 feet) in any dimension, including but not limited to, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, fencing, metal furniture, bicycles, tire rims and metal appliances. METAL also includes REFRIDGERATION UNITS evacuated of ODS by a certified technician, suitably prepared METAL DRUMS AND TANKS, barbeques, wood heating units, motorized equipment and VEHICLE parts, that do not contain fluids, filters, batteries, coal, bricks and rubber tires. METAL items must not contain mercury switches, batteries, PCB ballasts, or other HAZARDOUS WASTE. METAL does not include BULKY WASTE, PRESSURIZED TANKS, ODS containing REFRIDGERATION UNITS or VEHICLES.

NON-SERVICE AREA means materials generated outside the SERVICE AREA of a landfill SITE.

RESIDENTIAL PLASTIC FILM means SOURCE SEPARATED residentially generated stretchy plastic film, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes grocery bags and overwrap for paper towels.

Deleted as falls under RESIDENTIAL RECYCLING

RESIDENTIAL RECYCLING means all packaging and printed paper generated by RESIDENTIAL structures, single family and multifamily units included in Schedule 5 of the Recycling Regulation of the ENVIRONMENTAL MANAGEMENT ACT as accepted by RecycleBC, and sorted into the appropriate material types as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR (see RECYCLABLE).

ROCKS means natural inorganic mineral matter of variable composition assembled by the action of heat or water. ROCKS 40 centimetres or less in diameter any dimension see CONCRETE. ROCKS greater than 40 centimetres in diameter any dimension see CONCRETE BULKY.

SERVICE AREA means the SERVICE AREA of the landfill SITE as defined by the SITE's applicable Service Establishment Bylaw.

SITE OPERATOR means a PERSON contracted by the REGIONAL DISTRICT to provide operation and maintenance services at the SITE, including but not limited to inspecting, sorting, hauling, compacting and covering SOLID WASTE.

SOIL CLEAN means not CONTAMINATED mineral soil materials free of ROCKS exceeding 30 cm. in any diameter dimension that is suitable for OPERATIONALLY BENEFICIAL cover material and includes sod, humus, COMPOST and top soil, and does not include YARD WASTE.

TAR AND GRAVEL ROOFING means roofing consisting of layers of bitumen and felt paper that form the roof surface and may contain embedded gravel including Torch-on, SBS, membrane and TAR AND GRAVEL roofing products and other inextricably adhered roofing materials, and not to exceed 1 meter in any dimension. Loads must be free of contaminants such as, but not limited to, REFUSE, loose tar paper, roof ventilators and flashing materials (see RECYCLABLE, and see OPERATIONALLY BENEFICAL).

Existing Definition: TIRE means the outer pneumatic rubber covering of wheels including but not limited to PLT (Passenger Light Truck), MT (Motor Truck) and OTR TIRES which are included within *Schedule 4 of the Recycling Regulation of the EMA*. (See RECYCLABLE).

Replaced existing definition TIRE with:

TIRE means the outer pneumatic rubber covering of wheels as per accepted under the *Tire Stewardship BC Program* including but not limited to tires from, Passenger, Small RV, Light and Medium Truck, Motorcycle, Turf, All Terrain Vehicle, Farm Equipment tires up to 16", and Forklift, Small Utility, RV Trailer, Bobcat/Skid Steer tires, and tires listed in *The Tire and Rim Association Inc. annual yearbook Section 5 Agricultural* such as but not limited to Medium Agricultural Tires 16.5"-25.5" identified with a sidewall marking with suffix letters R(Radial Ply) or HF (High Flotation), Logger/skidder and large Agricultural Drive and free rolling tires measuring 26" and up. TIRE does not include bicycle, wheelchair, aircraft, wheelbarrow, or three-wheeled motorized device tires, inner tubes and tracks (see RECYCLABLE).

Existing Definition: TIRE WITH RIMS means the outer pneumatic rubber covering of wheels with a rim including but not limited to PLT (Passenger Light Truck), MT (Motor Truck) and OTR (Off The Road) TIRES which are included within *Schedule 4 of the Recycling Regulation of the EMA*. (See RECYCLABLE), and does n. Not include bicycle tires. with rims.

Replaced existing definition TIRE WITH RIMS with:

TIRE WITH RIM means a TIRE that is mounted on a rim (see TIRE).

TIRE-OVERSIZE means assorted agricultural, industrial and OTR (Off The Road) TIRES that are not identified as a TIRE excluded from *Schedule 4 of the Recycling Regulation of the EMA*. (see TIRE and see RECYCLABLE).

VEHICLE means, as per the *British Columbia Motor Vehicle Act*, a device in, on or by which a PERSON or thing is or may be transported or drawn on a highway (see (PROHIBITED WASTE)). but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks, mobile equipment or a motor assisted cycle, such as a golf cart, or riding lawnmower.¹

WOOD-PRESERVED means wood products which have been treated or coated with preservatives such as fire retardant, chromated copper arsenate (CCA), aromatic hydrocarbons (PAHs) and/or ammonium copper arsenate (ACA) to prevent rotting or wood containing LEAD-BASED PAINT or other paint containing HAZARDOUS substances and is no longer than 2.4 meters (8 feet) in length (see CONTROLLED WASTE).

Existing Definition: **WOOD PRODUCT CONTAMINATED** means engineered, manufactured or finished wood products containing 95% or greater wood fibre including but not limited to; painted wood, composite wood, glued and laminated wood and veneered wood products such as: particle and fibre board, panels, doors, window frames, furniture, flooring, cabinetry and molding's; but does not include WOOD-PRESERVED or LEAD-BASED PAINT.

Replaced with:

WOOD PRODUCT means engineered, manufactured, composite or finished wood products containing 90% or greater wood fibre such as plywood, particle board, fibreboard, hardboard, oriented strand board, laminated lumber, veneered wood, or engineered wood products but not limited to panels, doors, window frames, furniture, engineered wood flooring, cabinetry and moldings. **WOOD PRODUCT** also includes painted, stained or glued wood. **WOOD PRODUCT does not included** arborite counter tops or vinyl or laminate flooring, wood with upholstery, or other materials attached such as glass, WOOD-PRESERVED or LEAD-BASED PAINT, or METAL other than nails, screws, and small hardware.

WOOD CLEAN WASTE means clean, organic material including, but not necessarily limited to, kiln dried dimensional lumber, wood pallets; which are a maximum of 2.4 metres (8 feet) in length and may contain metallic nails or screws (see RECYCLABLE). **WOOD CLEAN** must not be CONTAMINATED with any other material including but not limited to **WOOD PRODUCT, WOOD-PRESERVED, ROCKS, METALS** other than nails, screws or small hardware, stained or painted wood including LEAD-BASED PAINT, wire, fiberglass, asphalt roofing material, plastic and any other non-wood materials. **WOOD CLEAN** does not include **WOOD INDUSTRIAL** or **WOOD WASTE-SMALL DIMENSION CHIPPED OR GROUND**.

WOOD WASTE SMALL DIMENSION-CHIPPED OR GROUND means kiln dried dimensional **WOOD WASTE** and **WOOD PRODUCT CONTAMINATED** that is processed to less than 5cm (2 inches) in diameter and width and no longer than 15 cm. (6 inches) in length including but not limited to sawdust (see CONTROLLED WASTE).

Existing Definition: **YARD AND GARDEN WASTE** means non-food vegetative matter free of CONTAMINANTS including prunings, branches and tree trunks maximum of 2.4 metres (8 feet) in length, hedge, shrub and tree clippings, flowers, vegetable stalks, woody or herbaceous waste (see RECYCLABLE). **YARD AND GARDEN WASTE** does not include **FRUIT WASTE, vegetable waste, YARD WASTE SMALL DIMENSION, or WOOD WASTE-TREE STUMP.**²

Replaced with:

YARD WASTE means non-food vegetative material resulting from gardening, and landscaping including flower and vegetable plants free of soil and rocks with no fruit or vegetables attached, prunings, branches and tree trunks maximum of 2.4 metres (8 feet) in length, hedge, shrub and tree clippings, leaves, flowers, woody or herbaceous waste (see RECYCLABLE). **YARD WASTE** must not be CONTAMINATED and does not include **FRUIT WASTE** or **YARD WASTE-TREE STUMP** and is not CONTAMINATED with materials such as **REFUSE, METAL, soil, ROCKS** and plastic (see RECYCLABLE).

YARD WASTE SMALL DIMENSION -CHIPPED, GRASS, LEAVES means chipped YARD WASTE or chipped YARD WASTE-TREE STUMPS that is no greater than 4 cm. (1.5 inches) in diameter and no longer than 13 cm. (5 inches) in length. YARD WASTE – CHIPPED, GRASS, LEAVES also includes lawn clippings, coniferous needles and cones, and leaves that is not CONTAMINATED with materials such as REFUSE, METAL, soil, ROCKS and plastic (see RECYCLABLE).

WOOD YARD WASTE-TREE STUMP means non-agricultural part of a plant, tree, or shrub that remains attached to the roots after the trunk is cut, whereby the trunk is greater than 20 cm (8 inches) in diameter and the stump and trunk combined is not longer than 2.4 metres (8 feet) in length, and must be free of ROCKS, soil, METAL and other debris (see RECYCLABLE).

Wording added for Clarity

5.2.7 The MANAGER may designate SOLID WASTE materials delivered to the SITE as being OPERATIONALLY BENEFICIAL and may apply restrictions, specifications and TIPPING FEES accordingly.

5.4.10 All VEHICLES DISPOSING SOLID WASTE shall maintain a safe lateral distance (equal to the maximum unloading vertical height extension) between adjacent away from other VEHICLES and shall limit the linear spread of loads to no greater than its VEHICLE length from the designated unloading location.

Below are the definition titles that were changed to group like materials alphabetically:

ASSESSED DEMOLITION AND RENOVATION MIXED LOAD to DEMOLITION AND RENOVATION MIXED LOAD ASSESSED

NON ASSESSED DEMOLITION AND RENOVATION MIXED LOAD to DEMOLITION AND RENOVATION MIXED LOAD NON ASSESSED

WOOD PRODUCT CONTAMINATED to WOOD PRODUCT

WOOD WASTE to WOOD CLEAN

WOOD WASTE SMALL DIMENSION to WOOD-CHIPPED OR GROUND

WOOD WASTE INDUSTRIAL to WOOD INDUSTRIAL

WOOD WASTE TREE STUMP to YARD WASTE-TREE STUMP

YARD AND GARDEN WASTE to YARD WASTE

YARD WASTE SMALL DIMENSION to YARD WASTE-CHIPPED, GRASS, LEAVES

The order of list alphabetically has changed– due to some title changes

CONTROLLED WASTE means waste that is approved for DISPOSAL at the SITE but which, because of its inherent nature and quantity, may require special handling and DISPOSAL techniques to avoid creating health hazards, nuisances, or environmental pollution, including, but not limited to:

- (a) AGRICULTURAL ORGANIC MATERIAL;
- (b) AGRICULTURAL PLASTIC;
- (c) ASBESTOS CONTAINING MATERIAL
- (d) BULKY WASTE;
- (e) BURNED MATERIAL;
- (f) BURNED MATERIAL -ASBESTOS CONTAINING
- (g) CARCASSES;
- (h) CLINICAL/LABORATORY STERILIZED WASTE;
- (i) CONCRETE BULKY;
- (j) Condemned foods;
- (k) CONSTRUCTION NEW MIXED LOAD;
- (l) DEMOLITION AND RENOVATION MIXED LOAD;
- (m) DEMOLITION AND RENOVATION MIXED LOAD ASSESSED;
- (n) DEMOLITION AND RENOVATION MIXED LOAD NON-ASSESSED;
- (o) Foundry Dust;
- (p) GYPSUM BOARD NON-RECYCLABLE;
- (q) HAZARDOUS WASTE those specifically approved for disposal to authorized landfills, as defined in the *Hazardous Waste Regulation* under the *EMA*;
- (r) ILLEGALLY DUMPED WASTE
- (s) INFESTED VEGETATION;
- (t) INVASIVE PLANTS;
- (u) LEAD-BASED PAINT coated materials;
- (v) METAL DRUMS AND TANKS;
- (w) REFRIGERATION UNIT containing ODS;
- (x) RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE;
- (y) Sludge and screenings from municipal sewage treatment plants;
- (z) SOIL CONTAMINATED, and SOIL SMALL VOLUME CONTAMINATED;
- (aa) WOOD-PRESERVED; and
- (bb) WOOD-CHIPPED OR GROUND.

The order of list alphabetically has changed– due to some title changes

RECYCLABLE means all SOURCE SEPARATED materials that are suitably prepared and not CONTAMINATED as determined by the MANAGER, including but not limited to:

- (a) ASPHALT;
- (b) ASPHALT SHINGLES;
- (c) Ballasts not containing PCBs;
- (d) Baseboards with thermostat switches removed & switches disposed to HHW;
- (e) BATTERIES-LEAD-ACID, BATTERIES-HOUSEHOLD;
- (f) CERAMIC FIXTURES and Ceramic Tile;
- (g) CONCRETE;
- (h) CORRUGATED CARDBOARD - RESIDENTIAL;
- (i) CORRUGATED CARDBOARD - ICI;
- (j) ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE);
- (k) FRUIT WASTE;
- (l) FRUIT/GRAIN BY-PRODUCTS;

- (m) GLASS CONTAINERS;
- (n) GYPSUM BOARD-NEW;
- (o) GYPSUM BOARD-ASSESSED;
- (p) MASONARY;
- (q) Mattress, Box spring;
- (r) METAL;
- (s) PRESSURIZED TANK;
- (t) PRODUCT STEWARDSHIP MATERIAL;
- (u) REFRIGERATION UNIT with ODS removed;
- (v) RESIDENTIAL RECYCLING;
- (w) ROCKS (not greater than 40 centimetres in any direction);
- (x) TAR AND GRAVEL ROOFING;
- (y) TIRE and TIRE – OVERSIZE;
- (z) WOOD CLEAN;
- (aa) WOOD INDUSTRIAL;
- (bb) YARD WASTE;
- (cc) YARD WASTE-CHIPPED, GRASS, LEAVES; and
- (dd) YARD WASTE-TREE STUMP

~~Bylaw No. 2796, 2018~~

**~~Regional District of Okanagan-Similkameen
Waste Management Service Regulatory Bylaw~~**

~~Consolidated for convenience purposes.
Includes all amendments to the text up to:
March 19, 2020~~

~~Summary of Amendments~~

Bylaw No.	Adopted	Amendment	Purpose
2796-01	March 19, 2020	Amend Sections 4 and 5	To ensure consistency with the Fees and Charges bylaw

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. ~~2925796~~, 2021~~148~~

A bylaw to establish regulations for ~~SOLID WASTE~~waste disposal at ~~RDOS Administered Landfills: the~~ Campbell Mountain, Okanagan Falls, Oliver and Keremeos Landfills.

WHEREAS the Regional District operates the “Campbell Mountain Landfill” (CML) located on District Lot 368, SDYD, the “Okanagan Falls Landfill” (OFL) located on a portion of District Lot 2710, SDYD, the “Keremeos Landfill” (KL) located on a portion of District Lot 2821, SDYD; and the “Oliver Landfill” (OL) located on a portion of District Lot 2450s, SDYD.

AND WHEREAS under the *Local Government Act*, the Regional Board may, by bylaw, require persons to use a waste disposal or recycling service and require owners or occupiers of real property to remove trade waste, garbage, rubbish and other matter from their property and take it to a specified place; may operate any service that the board considers necessary or desirable for all or part of the Regional District; may, by bylaw, regulate and prohibit the use of Regional District works and facilities; may, by bylaw, impose a fee or charge payable in respect of a service of the Regional District; and may base the fee or charge on any factor specified in the bylaw;

NOW THEREFORE, the Board of the Regional District of Okanagan-Similkameen, in open meeting assembled, enacts as follows:

1.0 Citation

1.1 This Bylaw may be cited as the “~~RDOS Administered Landfills~~**Waste Management Service Regulatory Bylaw No. 2925796, 202148**”.

2.0 Repeal

2.1 “Waste Management Service Regulatory Bylaw No. ~~2796535~~, 201~~84~~” and all amendments thereto are hereby repealed.

3.0 Interpretation

3.1 Words or phrases defined in the *British Columbia Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw, unless otherwise defined in this Bylaw. Unless otherwise stated, and notwithstanding the case used (upper case or lower case), when words or phrases that are defined in Section 4 of this Bylaw are used in the body or schedules of this Bylaw, they have the meaning ascribed to them as set out in Section 4.

3.2 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting the scope or the intent of the provisions of this Bylaw.

3.3 Any act or enactment referred to herein is a reference to an enactment of the

Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Regional District, as amended, revised, consolidated or replaced from time to time.

- 3.4 If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw

4.0 **Definitions**

- 4.1 In this Bylaw:

ACTIVE FACE means the area of the SITE where the placing, spreading, compacting and covering of REFUSE is currently taking place.

AGRICULTURAL ORGANIC MATERIAL means suitably prepared and separated plant derived crop materials originating from agricultural operations, excluding FRUIT WASTE, FOOD PROCESSING WASTE, FRUIT/GRAIN BY-PRODUCTS and FOOD WASTE, that is not CONTAMINATED, and has been suitably prepared for DISPOSAL in a manner acceptable to the MANAGER, including but not limited to orchards, nurseries, vineyards and silviculture operations and does not include METAL, WOOD PRESERVED, ROCKS, soil, plastics and non-agricultural organic material (see CONTROLLED WASTE).

AGRICULTURAL PLASTIC means plastic used in agricultural applications that are not CONTAMINATED, and have been suitably contained and prepared for DISPOSAL in a manner acceptable to the MANAGER, including but not limited to, ground crop plastic, silage bags, fertilizer bags, baler twine, and greenhouse plastic including containers and structural film (see CONTROLLED WASTE).

ASBESTOS CONTAINING MATERIAL (ACM) means a material as defined in the *OCCUPATIONAL HEALTH AND SAFETY REGULATION*, *ENVIRONMENTAL MANAGEMENT ACT*, and *HAZARDOUS WASTE REGULATION*, and suitably contained for disposal as per the Regulation, RDOS Bylaws and RDOS Guidelines (see CONTROLLED WASTE).[†]

ASPHALT means a sticky, black and highly viscous liquid or semi-solid form of solid petroleum based material used primarily in roads (see RECYCLABLE).

ASPHALT SHINGLES are a waterproof roof covering consisting of ASPHALT SHINGLES and ASPHALT Roll Roofing and must not be CONTAMINATED with, including, but not limited to; Tar Paper, TAR AND GRAVEL ROOFING, Torch-on or SBS roofing products, organic material and large metal and flashing materials (see RECYCLABLE).

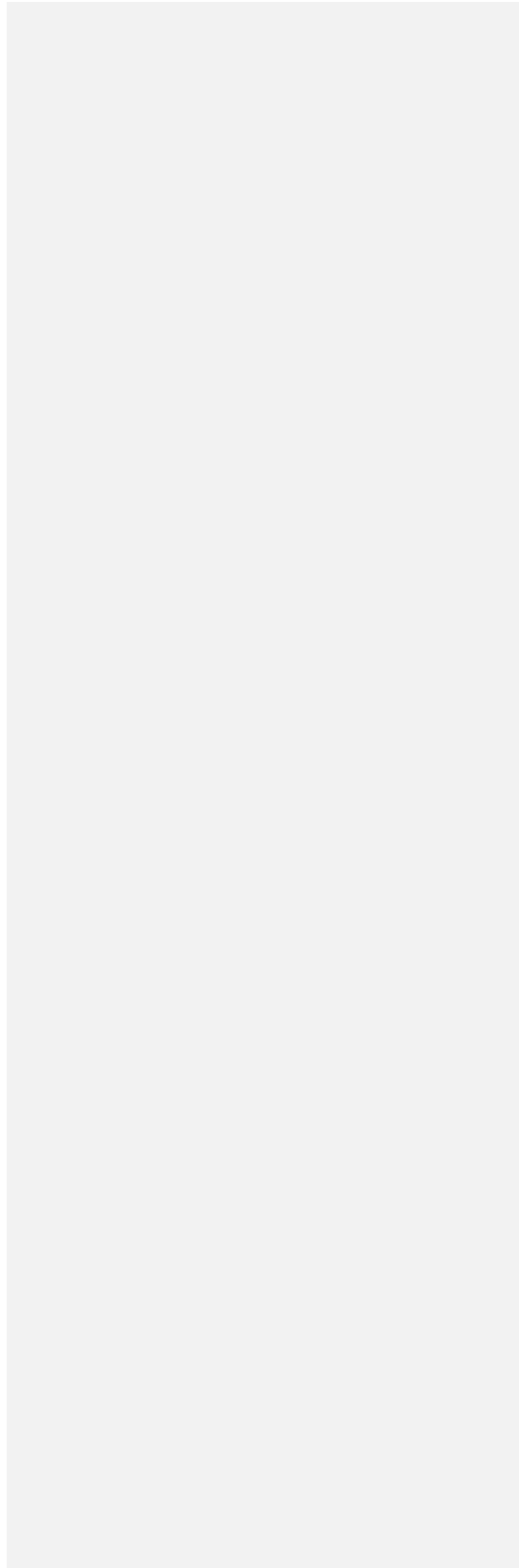
ASSESSED means to evaluate and determine the quality, extent, significance of a SOLID WASTE, which is verified by the required documentation provided by the HAULER, in a manner determined by the MANAGER.

[†]~~Bylaw No. 2796.01, 2020~~

Commented [CB1]: Cannot be liquid or semi-solid as would be Prohibited

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~~ASSESSED DEMOLITION AND RENOVATION MIXED LOAD means a DEMOLITION AND RENOVATION MIXED LOAD that has been ASSESSED as required by the REGIONAL DISTRICT. Verification of the abatement of all identified HAZARDOUS materials is required. This assessment and verification has been provided in a manner acceptable to the MANAGER (see CONTROLLED WASTE). A DEMOLITION AND RENOVATION MIXED LOAD arriving at a SITE without appropriate assessment documentation will be determined a NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD.~~

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BATTERIES - LEAD-ACID means a product that falls under the 'Lead-acid Battery' product category in the *Recycling Regulation* B.C. Reg. 449/2004 including, but not limited to: Lead-acid batteries for automobiles, motorcycles, recreation vehicles, marine vehicles and locomotives (see RECYCLABLE).

BATTERIES – HOUSEHOLD means batteries that fall under the 'Electronic and Electrical' product category in the *Recycling Regulation* B.C. Reg. 449/2004 including, but not limited to: Nickel Cadmium (NiCad), Lithium Ion (Li-Ion), Nickel Metal Hydride (Ni-MH), Small-Sealed Lead (Pb), or non-chargeable and rechargeable batteries weighing no more than 5 kilograms (11 pounds) each (see RECYCLABLE).

BIOMEDICAL WASTE means waste that is defined as such in the *Hazardous Waste Reg.* B.C. 63/88 and in the document "*Guidelines for the Management of Biomedical Waste in Canada*" (CCME, February 1992) (see PROHIBITED WASTE).

BULKY WASTE means waste articles that are too large by reason of their bulk or shape to manage using regular DISPOSAL methods as determined by the MANAGER, including but not limited to those items with materials greater than 2.4 metres (8 feet) in length (see CONTROLLED WASTE).

BURNED MATERIAL means materials damaged by fire, heat, electricity or a caustic agent that have been allowed to entirely cool for no less than a two-week period, and in a manner acceptable to the MANAGER, as per RDOS Guidelines (see CONTROLLED WASTE). BURNED MATERIALS that are hot or smoldering or not entirely cooled for more than a two week period is a PROHIBITED WASTE.²

~~BURNED MATERIAL – ASBESTOS CONTAINING means BURNED MATERIAL that has been designated as ASBESTOS CONTAINING MATERIAL and DISPOSED as per the OCCUPATIONAL HEALTH AND SAFETY REGULATION, ENVIRONMENTAL MANAGEMENT ACT, HAZARDOUS WASTE REGULATION, RDOS Bylaws and RDOS Guidelines.(see BURNED MATERIAL, ASBESTOS CONTAINING MATERIAL, and CONTROLLED WASTE).²~~

CARCASSES means dead animals, or portions thereof, that are not a PROHIBITED WASTE and in a manner acceptable to the MANAGER (see CONTROLLED WASTE and SPECIFIED RISK MATERIAL WASTE).²

CERAMIC FIXTURES means toilets, sinks, bathtubs, other fixtures or other products such as tile made of ceramic material, and can also include ceramic tiles, where non-ceramic materials, such as metal and plastic are removed (see RECYCLABLE).

² Bylaw No. 2796.01, 2020

CLINICAL/LABORATORY STERILIZED WASTE means non-anatomical waste, including SHARPS, that is generated by institutions including but not limited to, hospitals, laboratories, doctors' offices, medical clinics, and veterinary clinics, and has been sterilized such that all micro-organisms including bacteria, viruses, spores, and fungi are killed (see CONTROLLED WASTE).

COMPOST means a stabilized earthy matter having the properties and structure of humus produced in accordance with the *Organic Matter Recycling Regulation* of the *ENVIRONMENTAL MANAGEMENT ACT*.

CONCRETE means a construction material that consists of cement, aggregate (generally gravel and sand) and water. CONCRETE must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm) nor measure greater than 1 m. in any dimension. CONCRETE also includes ASPHALT, CERAMICS, bricks, plaster & stucco without wire, cement board, MASONRY and ROCKS not greater than 40 cm in diameter any dimension (see RECYCLABLE).³

CONCRETE BULKY means CONCRETE measuring greater than 1 m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm, and including ROCKS greater than 40 cm in any diameter (see CONTROLLED WASTE).³

CONSTRUCTION NEW MIXED LOAD means MIXED LOAD SOLID WASTE produced through new construction, where no existing structures have been altered, and that contains two or more RECYCLABLE new building materials including but not limited to ASPHALT SHINGLES, WOOD CLEANWASTE, RECYCLABLE TAR AND GRAVEL ROOFING, and GYPSUM BOARD-NEW, and must not contain DEMOLITION AND RENOVATION MIXED LOAD materials, packaging, FOOD WASTE, any other type of CONTROLLED WASTE or PROHIBITED WASTE. The HAULER must provide appropriate documentation in a manner acceptable to the MANAGER (see CONTROLLED WASTE). All CONSTRUCTION NEW MIXED LOAD arriving at the SITE without appropriate documentation shall be determined to be NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD NON-ASSESSED.³

CONSTRUCTION – REFUSE means non-RECYCALBE SOLID WASTE building materials such as insulation, carpet, vinyl and non-RECYCLABLE packaging materials such as commercial plastic wrap, and Styrofoam.³

CONTAMINATED means the presence in a material of a minor and unwanted constituent which renders the material impure or inferior for reuse or recycling as defined by the MANAGER.

CONTROLLED WASTE means waste that is approved for DISPOSAL at the SITE but which, because of its inherent nature and quantity, may require special handling and DISPOSAL techniques to avoid creating health hazards, nuisances, or environmental pollution, including, but not limited to:

- (a) AGRICULTURAL ORGANIC MATERIAL;
- (b) AGRICULTURAL PLASTIC;
- (c) ASBESTOS CONTAINING MATERIAL;

(d) ASSESSED DEMOLITION AND RENOVATION MIXED LOAD;

³Bylaw No. 2796.01, 2020

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- (e)(d) BULKY WASTE;
- (f)(e) BURNED MATERIAL;
- (g)(f) BURNED MATERIAL ~~-with~~ ASBESTOS CONTAINING; ~~MATERIAL~~
- (h)(g) CARCASSES;
- (i)(h) CLINICAL/LABORATORY STERILIZED WASTE;
- (j)(i) CONCRETE BULKY;
- (k)(j) Condemned foods;
- (l)(k) CONSTRUCTION ~~NEW~~ MIXED LOAD;
- (l) DEMOLITION AND RENOVATION MIXED LOAD;
- (m) ~~DEMOLITION AND RENOVATION MIXED LOAD -~~ ~~ASSESSED~~;
- (m)(n) ~~DEMOLITION AND RENOVATION MIXED LOAD -~~ ~~NON-~~ ~~ASSESSED~~;
- (n)(o) Foundry Dust;
- (o)(p) GYPSUM BOARD NON-RECYCLABLE;
- (p)(q) HAZARDOUS WASTE those specifically approved for disposal to authorized landfills, as defined in the *Hazardous Waste Regulation* under the *EMA*;
- (q)(r) ILLEGALLY DUMPED WASTE;
- (r)(s) INFESTED VEGETATION;
- (s)(t) INVASIVE PLANTS;
- (t)(u) LEAD-BASED PAINT coated materials;
- (u)(v) METAL DRUMS AND TANKS;
- (v) ~~NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD~~;
- (w) REFRIGERATION UNIT containing ODS;
- (x) RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE;
- (y) Sludge and screenings from municipal sewage treatment plants;
- (z) SOIL CONTAMINATED, and SOIL SMALL VOLUME CONTAMINATED;
- (aa) WOOD-PRESERVED; and
- (bb) WOOD ~~WASTE-CHIPPED OR GROUND~~ ~~SMALL DIMENSION~~.

CORRUGATED CARDBOARD ~~---~~ RESIDENTIAL means RESIDENTIALLY generated containers consisting of three or more layers of paper materials with a corrugated or rippled core, but excluding containers that are impregnated with blood, grease, oil, chemicals, rodent secretions, food residue, wax, or have polyethylene, polystyrene, foil or other non-paper liners, or are otherwise CONTAMINATED. Must be suitably prepared; clear of all contents, and flattened prior to placement in the RecycleBC container(s) (see RECYCLABLE)⁴.

CORRUGATED CARDBOARD ~~---~~ ICI means ICI generated containers consisting of three or more layers of paper materials with a corrugated or rippled core, but excluding containers that are impregnated with blood, grease, oil, chemicals, rodent secretions, food residue, wax, or have polyethylene, polystyrene, foil or other non-paper liners, or are otherwise CONTAMINATED. Must be suitably prepared, cleared of all contents, and flattened prior to placement in the ICI commercial container(s) (see RECYCLABLE, see INDUSTRIAL COMMERCIAL INDUSTRIAL ICI).⁴

DEMOLITION AND RENOVATION MIXED LOAD means MIXED LOAD SOLID WASTE produced through the demolishment of a structure or the act of alteration through addition, remodeling, refurbishing or restoring of buildings, structures, or other types of real property that contains two or more RECYCLABLE Building Materials; including but not limited to ASPHALT SHINGLES, WOOD ~~WASTE-~~ CLEAN, RECYCLABLE TAR AND GRAVEL ROOFING, ~~and~~ ~~GYPSUM BOARD~~

⁴ Bylaw No. 2796.01, 2020

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ASSESSED, and GYPSUM BOARD NEW, but must not contain packaging, FOOD WASTE, any other type of CONTROLLED WASTE or PROHIBITED WASTE (see ASSESSED-DEMOLITION AND RENOVATION MIXED LOAD ASSESSED, and see CONTROLLED WASTE).

DEMOLITION AND RENOVATION MIXED LOAD--ASSESSED means a DEMOLITION AND RENOVATION MIXED LOAD that has been ASSESSED as required by the REGIONAL DISTRICT. Verification of the abatement of all identified HAZARDOUS materials is required. This assessment and verification has been provided in a manner acceptable to the MANAGER (see CONTROLLED WASTE). A DEMOLITION AND RENOVATION MIXED LOAD arriving at a SITE must not contain packaging, FOOD WASTE, any other type of CONTROLLED WASTE or PROHIBITED WASTE and if arriving at the SITE without appropriate assessment documentation will be determined a NON-ASSESSED-DEMOLITION AND RENOVATION MIXED LOAD NON-ASSESSED.

NON-ASSESSED-DEMOLITION AND RENOVATION MIXED LOAD--NON-ASSESSED means a DEMOLITION AND RENOVATION MIXED LOAD or CONSTRUCTION NEW MIXED LOAD brought to a SITE without verification of assessment as determined by the MANAGER (See ASSESSED-DEMOLITION AND RENOVATION MIXED LOAD ASSESSED and CONTROLLED WASTE).

DESIGNATED LOCATION means an area dedicated to the collection of SOURCE SEPARATED SOLID WASTE.

DISPOSE, DISPOSAL, DISPOSED, DISPOSING means the transfer of SOLID WASTE from a VEHICLE to a DESIGNATED LOCATION at the SITE. The SOLID WASTE becomes the jurisdiction of the REGIONAL DISTRICT and subject to the restrictions, allocations and policies/procedures of the REGIONAL DISTRICT.

ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE) means various types of domestic and commercial waste containing mainly electronic components, including, but not limited to computers, televisions, small appliances, residential light bulbs and lighting fixtures which are included within the *Recycling Regulation* of the *EMA* (see RECYCLABLE), and does not include METAL and REFRIDGERATION UNITS.

ENVIRONMENTAL MANAGEMENT ACT (EMA) means the Province of British Columbia Law brought into force on July 8, 2004. The *EMA* provides an authorization and enforcement framework based on contemporary environmental management technologies to protect human health and the quality of water, land and air in British Columbia. The *EMA* replaces the *Waste Management Act*.

FOOD PROCESSING WASTE means any organic materials and/or waste by-product that may be produced in commercial volumes by a food processing operation as determined by the MANAGER, such as slaughter house, fish hatchery, and cannery operations (see PROHIBITED WASTE).

FOOD WASTE means any food substance, raw or cooked, which is discarded, or intended or required to be discarded from RESIDENTIAL, agricultural and INDUSTRIAL, COMMERCIAL, INSTITUTIONAL establishments, but does not include FOOD PROCESSING WASTE or SPECIFIED RISK MATERIALS.

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FRUIT WASTE means waste consisting of the fleshy seed-associated structures of a plant that are sweet or sour and edible in the raw state, such as, but not limited to, apples, apricots, cherries, peaches, pears, plums, grapes, strawberries, tomatoes, and raspberries (see RECYCLABLE).

FRUIT/GRAIN BY-PRODUCTS means waste by-products typically generated by beverage producers, such as but not limited to; breweries, cideries, distilleries, and wineries. (see RECYCLABLE).

GLASS CONTAINERS means all clear and coloured ~~bottles and jars~~ containers made of glass ~~as defined as a PRODUCT STEWARDSHIP MATERIAL~~ and does not include window glass, laminated glass, safety or tempered glass, mirrored glass, automotive glass, fiberglass, Plexiglas, light bulbs, fluorescent tubes, kitchenware, ceramics or other types of containers, or any container that contained HAZARDOUS WASTE, or ASBESTOS CONTAINING MATERIAL and does not contain any liquid or solids (see RECYCLABLE).

GLASS SHEET means glass windows, mirrors, etc. with or without a frame, laminated glass, safety or tempered glass, automotive glass, Plexiglas, , but does not include light bulbs, fluorescent tubes, kitchen or GLASS CONTAINERS (see REFUSE).⁵

GYPSUM BOARD--NEW also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper, and consists of non-CONTAMINATED off-cuts and scraps of ~~gypsum obtained solely removed~~ from new construction and ~~does not include GYPSUM BOARD ASSESSED, GYPSUM BOARD NON-RECYCLABLE, gypsum board materials any gypsum board materials from an existing structure, and is not is not~~ an ASBESTOS CONTAINING MATERIAL, and does not contain LEAD-BASED PAINT (see RECYCLABLE).

GYPSUM BOARD--ASSESSED also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper, and consists of non-CONTAMINATED gypsum removed from an existing structure and has been ASSESSED to prove it is not an ASBESTOS CONTAINING MATERIAL and does not contain LEAD-BASED PAINT (see RECYCLABLE).

GYPSUM BOARD--NON-RECYCLABLE means gypsum board removed from existing structures ~~that has not been ASSESSED~~ and is not RECYCLABLE (see CONTROLLED WASTE).

HAULER means the VEHICLE in which a load is contained as measured by the SCALE.

HAZARDOUS WASTE means any material defined as such in the Hazardous Waste Regulation, *British Columbia Reg. 63/88* of the *ENVIRONMENTAL MANAGEMENT ACT* (see CONTROLLED WASTE and see PROHIBITED WASTE).

HOUSEHOLD HAZARDOUS WASTE (HHW) see RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE.

⁵ ~~Bylaw No. 2796.01, 2020~~

IGNITABLE WASTE as per the meaning prescribed in the *HAZARDOUS WASTE REGULATION BC Reg. 63/88* (see PROHIBITED WASTE).

ILLEGALLY DUMPED WASTE means SOLID WASTE discarded in an improper or illegal manner. The HAULER must obtain permission from the MANAGER to bring the ILLEGALLY DUMPED WASTE to the SITE (see CONTROLLED WASTE).

INDUSTRIAL, COMMERCIAL, INSTITUTIONAL (ICI) means any operation or facility other than a RESIDENTIAL household, including but not limited to industrial, agricultural, and commercial operations of any size including small businesses with one or more employees retail stores, vacation facilities such as hotels, motels, cottages, accommodation associated with sports and leisure facilities and institutional operations of any size including churches, community buildings, local government buildings, libraries, fire and police stations, service organizations, hospitals, care facilities and hospices.⁶

INFESTED VEGETATION means trees, shrubs, herbaceous plants or associated fruit that show the presence of plant disease, NOXIOUS INSECTS, pathogens or related pests that have caused or are likely to cause significant damage to the trees, shrubs, herbaceous plants or associated fruit and that may be spread to another plant or plants with economic, ornamental or aesthetic value (see CONTROLLED WASTE).

INVASIVE PLANTS means all plants as designated in the *Weed Control Regulation, Schedule A, Parts I & II* of the *Weed Control Act* (see CONTROLLED WASTE).

LEAD-BASED PAINT means any coated or painted materials containing lead with a concentration of 90mg/kg (0.009%, 90ppm) or greater, and is not permitted for DISPOSAL to any SOLID WASTE DESIGNATED LOCATION that is to be chipped. (see CONTROLLED WASTE).⁶

LOCAL GOVERNMENT IMPROVEMENTS refers to the structures, systems, lands and facilities owned or operated by an Indian Band, Municipality or Regional Government within the SITE SERVICE AREA and suitably prepared as determined by the MANAGER, such as but not limited to, roads, bridges, tunnels, water supply, sewers, electrical grids, and telecommunications.

MANAGER means the official appointed to that position by the REGIONAL DISTRICT responsible for SOLID WASTE Management and includes any PERSON appointed or designated by the MANAGER to act on his or her behalf.

MASONRY means material bound by mortar used primarily in structures. RECYCLABLE MASONRY must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm.) or be a BULKY WASTE (see RECYCLABLE).

METAL means RECYCLABLE ferrous and non-ferrous metallic materials, containing more than ~~98~~90% metal by volume, and under 2.4 meters (8 feet) in any dimension, including but not limited to, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, fencing, metal furniture, bicycles, tire rims and metal appliances. METAL also includes

⁶ ~~Bylaw No. 2796.04~~

REFRIDGERATION UNITS evacuated of ODS by a certified technician, suitably prepared METAL DRUMS ~~and AND~~ TANKS, barbeques, wood heating units, motorized equipment and VEHICLE parts, **that do not contain** fluids, filters, batteries, coal, bricks and rubber tires. METAL items must not contain mercury switches, batteries, PCB ballasts, or other HAZARDOUS WASTE. METAL does not include BULKY WASTE, ~~and~~ PRESSURIZED TANKs, ODS containing REFRIDGERATION UNITS or VEHICLES.⁷

METAL DRUMS AND TANKS a drum is cylindrical container designed to confine or contain materials most commonly liquids. To receive at the SITE all DRUMS must be empty and have the lid or one end removed. A TANK is a vessel used to store liquids, for SITE acceptance TANKs must be empty with an sufficiently sized aperture (minimum 35 cm X 35 cm (14"x14")) to verify that the TANK is empty and allow for sufficient venting, does not include PRESSURIZED TANKs. (see CONTROLLED WASTE).

MIXED LOAD means a load containing two or more SOLID WASTES, as designated in the RDOS Fees and Charges Bylaw as amended from time to time.

~~NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD means a DEMOLITION AND RENOVATION MIXED LOAD or CONSTRUCTION MIXED LOAD brought to a SITE without verification of assessment as determined by the MANAGER (See ASSESSED DEMOLITION AND RENOVATION MIXED LOAD and CONTROLLED WASTE).~~

NON-SERVICE AREA means materials generated outside the SERVICE AREA of a landfill SITE.

NOXIOUS INSECTS means all insects so designated by the REGIONAL DISTRICT'S *Noxious and Destructive Insects Bylaw* (see INFESTED VEGETATION).

OCCUPATIONAL HEALTH AND SAFETY (OHS) REGULATION means a Regulation under the *Workers Compensation Act* which contains legal requirements that must be met by all workplaces under the inspection jurisdiction of WorkSafeBC.

OPERATIONALLY BENEFICIAL means a material which is of functional value to the operation of the Landfill process, for use as cover material, erosion control, construction and other operational benefits as determined by the MANAGER.

OZONE DEPLETING SUBSTANCE (ODS) means a substance defined as such in the *Ozone Depleting Substances and other Halocarbons Regulation, British Columbia Reg. 387/99* under the *ENVIRONMENTAL MANAGEMENT ACT*.

PERSON means an individual, corporation, partnership, association or any other legal entity or an employee or agent thereof.

PRESSURIZED TANK means a closed metal container designed to hold gases or liquids at a pressure substantially different from the ambient pressure including, but not limited to, diving cylinders, fire extinguishers and storage vessels for

⁷ Bylaw No. 2796.01, 2020

liquefied gases such as ammonia, propane, butane, or helium (see RECYCLABLE).

PRODUCT STEWARDSHIP MATERIAL means suitable prepared residential quantities of materials that falls under a product category of the *Recycling Regulation, B.C. Reg. 449/2004* (see RECYCLABLE).⁸

PROHIBITED WASTE means SOLID WASTE designated in an Operational Certificate or by the REGIONAL DISTRICT from time to time, to be inappropriate for DISPOSAL for environmental, regulatory or legal reasons, or reasons related to the safe or efficient operation of the SITE except as permitted in this bylaw, currently including but not limited to the following specified materials:

- (a) BIOMEDICAL WASTE defined as such in the document "*Guidelines for the Management of Biomedical Waste in Canada*" (CCME, February 1992);
- (a) BURNED MATERIALS that are hot or smoldering or not entirely cooled for more than a two-week period;
- (b) Commercial Cooking Oil;⁸
- (c) FOOD PROCESSING WASTE;
- (d) HAZARDOUS WASTE other than those specifically approved for disposal to authorized landfills, as defined in the *Hazardous Waste Regulation* under the *EMA*;
- (e) IGNITABLE WASTE;
- (f) Liquid or semi-solid wastes;
- (g) RADIOACTIVE WASTE;
- (h) REACTIVE WASTE;
- (i) SHARPS;
- (j) SPECIFIED RISK MATERIAL regulated federally under the *Health of Animals Act and Regulations*;
- (k) VEHICLES and other large metallic objects; and
- (l) Such other materials as are designated by the MANAGER from time to time to be inappropriate for DISPOSAL at the SITE for environmental reasons or reasons related to the safe or efficient operation of the SITE.

RADIOACTIVE WASTE means a "nuclear substance" as defined in the *Nuclear Safety and Control Act* (Canada), in sufficient quantity or concentration to require a licence for possession or use under the Act and regulations made under that Act (see PROHIBITED WASTE).

REACTIVE WASTE means waste that is defined as such in the *Hazardous Waste Regulation* (see PROHIBITED WASTE).

RECYCLABLE means all SOURCE SEPARATED materials that are suitably prepared and not CONTAMINATED as determined by the MANAGER, including but not limited to:

- (a) ASPHALT;
- (b) ASPHALT SHINGLES;
- (c) Ballasts not containing PCBs;
- (d) Baseboards with thermostat switches removed & switches disposed to HHW;
- (e) BATTERIES-LEAD-ACID, BATTERIES-HOUSEHOLD;
- (f) CERAMIC FIXTURES and Ceramic Tile;
- (g) CONCRETE;
- (h) CORRUGATED CARDBOARD--RESIDENTIAL;

⁸ ~~Bylaw No. 2796.01, 2020~~

- ~~(h)(i) CORRUGATED CARDBOARD--ICI;~~
- ~~(h)(j) ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE);~~
- ~~(h)(k) FRUIT WASTE;~~
- ~~(h)(l) FRUIT/GRAIN BY-PRODUCTS;~~
- ~~(h)(m) GLASS CONTAINERS;~~
- ~~(n) GYPSUM BOARD-NEW-non-CONTAMINATED;~~
- ~~(m)(o) GYPSUM BOARD-ASSESSED;~~
- ~~(n)(p) MASONARY;~~
- ~~(o)(q) Mattress, Box spring;~~
- ~~(p)(r) METAL;~~
- ~~(q)(s) PRESSURIZED TANK;~~
- ~~(r)(t) PRODUCT STEWARDSHIP MATERIAL;~~
- ~~(s)(u) REFRIGERATION UNIT with ODS removed;~~
- ~~(t)(v) RESIDENTIAL RECYCLING and RESIDENTIAL RECYCLING UNSORTED;~~
- ~~(u)(w) ROCKS (not greater than 40 centimetres in any direction);~~
- ~~(v)(x) TAR AND GRAVEL ROOFING;~~
- ~~(w)(y) TIRE and TIRE – OVERSIZE;~~
- ~~(x)(z) WOOD WASTE-CLEAN;~~
- ~~(y)(aa) WOOD WASTE-INDUSTRIAL;~~
- ~~(z)(bb) YARD WASTEWOOD WASTE-TREE STUMP;~~
- ~~(aa)(cc) YARD AND GARDEN WASTE-CHIPPED, GRASS, LEAVES; and~~
- ~~(bb)(dd) YARD WASTE-TREE STUMP-SMALL DIMENSIONAL~~

REFRIGERATION UNIT means refrigerators, freezers, air conditioners, water coolers or any other item that may contain an OZONE DEPLETING SUBSTANCE (see CONTROLLED WASTE).⁹

REFUSE means any SOLID WASTE that is designated for DISPOSAL in the ACTIVE FACE that does not constitute a RECYCLABLE, a HAZARDOUS WASTE, a CONTROLLED WASTE, or a PROHIBITED WASTE. Any SOLID WASTE materials over 8 feet will be charged as BULKY WASTE.⁹

REFUSE BINS means the large bins at the SITE that have been provided to receive REFUSE from self-haul residential customers.

REGIONAL BOARD means the Board of the REGIONAL DISTRICT.

REGIONAL DISTRICT (RDOS) means the REGIONAL DISTRICT of Okanagan-Similkameen.

RE-SCALE means to pass over a scale with a MIXED LOAD more than once in order to determine the weight of each of the different types of SOLID WASTES DISPOSED.

RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE (HHW) is a RECYCLABLE CONTROLLED WASTE accepted in RESIDENTIAL quantities at specific Landfill SITES including but not limited to:

- (a) Alarms (Smoke and Carbon Monoxide Detectors);
- (b) Aerosol Cans;
- (c) Antifreeze;
- (d) Corrosive Liquid (Inorganic Acids & Caustics);

⁹ Bylaw No. 2796-01, 2020

- (e) Cyanide;
- (f) Flammable/Toxic Liquids;
- (g) Gasoline & Fuels, Mixed Fuels;
- (h) Household Cleaning Products;
- (i) Inorganic Oxidizers;
- (j) Mercury or Mercury Containing Materials (i.e. Fluorescent Light Tubes and Compacts, Wall or Baseboard Thermostats);
- (k) Oil Filters, and Used Motor Oil, and Waste Plastic Oil Containers;
- (l) Organic Peroxides;
- (m) Organic Solids (Toxic Solids);
- (n) Paint Thinner, Solvent, Paint & Related Products;
- (o) PCB Containing Materials (i.e. Light Ballasts);
- (p) Pesticides, Pesticide Containers;
- (q) Reactive Chemicals (To Air And Water); and
- (r) Smoke Detectors

~~RESIDENTIAL PLASTIC FILM means SOURCE SEPARATED residentially generated stretchy plastic film, as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR, which commonly includes grocery bags and overwrap for paper towels.~~

RESIDENTIAL RECYCLING means all packaging and printed paper generated by RESIDENTIAL structures, single family and multifamily units included in *Schedule 5 of the Recycling Regulation of the ENVIRONMENTAL MANAGEMENT ACT as accepted by RecycleBC*, and sorted into the appropriate material types as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR (see RECYCLABLE).

RESIDENTIAL SOLID WASTE means any REFUSE generated by a single family or multifamily unit residential premise as a result of residential activities.⁴⁹

ROCKS means natural inorganic mineral matter of variable composition assembled by the action of heat or water. ~~ROCKS 40 centimetres or less or less~~ in any ~~diameter~~ ~~dimension~~ see CONCRETE. ROCKS greater than 40 centimetres in any ~~diameter~~ ~~dimension~~ see CONCRETE BULKY.⁴⁹

SCALED means to estimate or measure utilizing a standardized unit to establish the quantity, dimension, capacity or weight. SCALED by weight is established by measurement of WEIGHT GROSS minus WEIGHT TARE establishes WEIGHT NET. The TIPPING FEE is based upon the NET WEIGHT of the SOLID WASTE load type.

SERVICE AREA means the SERVICE AREA of the ~~landfill~~ -SITE as defined by the SITE's applicable *Service Establishment Bylaw*.

SHARPS means anything that may cause a puncture wound that exposes an individual to blood or other potentially infectious material for example; needles, syringes, blades or laboratory glass (see PROHIBITED WASTE).

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⁴⁹ ~~Bylaw No. 2796-01, 2020~~

SITE means, where applicable, the Campbell Mountain Landfill (CML), the Okanagan Falls Landfill (OFL), the Keremeos Landfill (KL) or the Oliver Landfill (OL).

SITE OFFICIAL means an individual employed by the REGIONAL DISTRICT and designated by the MANAGER to conduct the business of the SITE.

SITE OPERATOR means a PERSON contracted by the REGIONAL DISTRICT to provide operation and maintenance services at the SITE, including but not limited to inspecting, sorting, hauling, compacting and covering SOLID WASTE.

SOIL CLEAN means not CONTAMINATED mineral soil materials free of ROCKS exceeding 30 cm. in any ~~diameter~~dimension that is suitable for OPERATIONALLY BENEFICIAL cover material and includes ~~but not limited to~~ sod, humus, COMPOST and top soil, and does not include YARD WASTE.

SOIL CONTAMINATED means soil with organic and inorganic contaminants as identified in the *Contaminated Sites Regulation, British Columbia Reg. 375/96* under the EMA (see CONTROLLED WASTE, and see OPERATIONALLY BENEFICIAL). (Refer to RDOS Soil Relocation Application).

SOIL SMALL VOLUME CONTAMINATED means the total volume of soil does not exceed 5 cubic metres as exempted under *Part 8 - Contaminated Soil Relocation, Section 41 of the Contaminated Sites Regulation of the EMA* (see CONTROLLED WASTE, and see OPERATIONALLY BENEFICIAL).

SOLID WASTE means any material defined by this bylaw suitable for DISPOSAL at the SITE.

SOURCE SEPARATED means SOLID WASTE separated by a PERSON other than a SITE OFFICIAL or SITE OPERATOR and DISPOSED into a clearly distinguishable DESIGNATED LOCATION as directed by a SITE OFFICIAL, SITE OPERATOR or signage at the SITE.

SPECIFIED RISK MATERIAL WASTE means the skull, brain, trigeminal ganglia (nerves attached to brain), eyes, tonsils, spinal cord and dorsal root ganglia (nerves attached to the spinal cord) of cattle aged 30 months or older, the distal ileum (portion of the small intestine) of cattle of all ages, and cattle deadstock (see PROHIBITED WASTE).

TAR AND GRAVEL ROOFING means roofing consisting of layers of bitumen and felt paper that form the roof surface and may contain embedded gravel including Torch-on, SBS, membrane and TAR AND GRAVEL roofing products and other inextricably adhered roofing materials, ~~and not to exceed 1 meter in any dimension, and not to exceed 1 meter in any dimension.~~ Loads must be free of contaminants such as, but not limited to, REFUSE, loose tar paper, roof ventilators and flashing materials (see RECYCLABLE, and see OPERATIONALLY BENEFICIAL).

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TIPPING FEE means the charge levied upon a given quantity of SOLID WASTE received at a SITE to offset the costs of opening, maintaining, closure and post-closure of the SITE. The TIPPING FEE can be charged per load, per tonne, or per unit depending on the source and type of the SOLID WASTE in accordance with the RDOS Fees and Charges Bylaw.

~~TIRE means the outer pneumatic rubber covering of wheels including but not limited to PLT (Passenger Light Truck), MT (Motor Truck) and OTR (Off The Road)(Off The Road) TIRES which are included within Schedule 4 of the Recycling Regulation of the EMA. TIRE does not include and bicycle tires, without rims must be suitably prepared. (See RECYCLABLE). Check bicycle tires~~

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TIRE means the outer pneumatic rubber covering of wheels as per accepted under the Tire Stewardship BC Program including but not limited to tires from, Passenger, Small RV, Light and Medium Truck, Motorcycle, Turf, All Terrain Vehicle, Farm Equipment tires up to 16", and Forklift, Small Utility, RV Trailer, Bobcat/Skid Steer tires, and tires listed in *The Tire and Rim Association Inc. annual yearbook Section 5 Agricultural* such as but not limited to Medium Agricultural Tires 16.5"-25.5" identified with a sidewall marking with suffix letters R(Radial Ply) or HF (High Flotation), Logger/skidder and large Agricultural Drive and free rolling tires measuring 26" and up. TIRE does not include bicycle, wheelchair, aircraft, wheelbarrow, or three-wheeled motorized device tires, inner tubes and tracks (see RECYCLABLE).

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~~TIRE WITH RIMS means the outer pneumatic rubber covering of wheels with a rim including but not limited to PLT (Passenger Light Truck), MT (Motor Truck) and OTR (Off The Road) TIRES which are included within Schedule 4 of the Recycling Regulation of the EMA. (See RECYCLABLE), and does n. Not include bicycle tires, with rims.~~

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TIRE WITH RIM means a TIRE that is mounted on a rim (see TIRE).

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TIRE-OVERSIZE means assorted agricultural, industrial and OTR (Off The Road) TIREsS excluded from Schedule 4 of the Recycling Regulation of the EMA that are not identified as a TIRE (sSee TIRE and see RECYCLABLE).

VEHICLE means, as per the British Columbia Motor Vehicle Act, a device in, on or by which a PERSON or thing is or may be transported or drawn on a highway (see PROHIBITED WASTE), but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks, mobile equipment or a motor-assisted cycle, such as a golf cart, or riding lawnmower.¹⁴

VISITOR means a PERSON who is present at the SITE for purposes other than to DISPOSE of SOLID WASTE.

¹⁴ Bylaw No. 2796.01, 2020

WEIGHT GROSS means total weight of the VEHICLE and load.

WEIGHT NET means GROSS WEIGHT less TARE WEIGHT.

WEIGHT TARE means the weight of a VEHICLE or container after a load has been removed.

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~~WOOD PRESERVED means wood products which have been treated or coated with preservatives such as fire retardant, chromated copper arsenate (CCA), aromatic hydrocarbons (PAHs) and/or ammonium copper arsenate (ACA) to prevent rotting or wood containing LEAD-BASED PAINT or other paint containing HAZARDOUS substances and is no longer than 2.4 meters (8 feet) in length (see CONTROLLED WASTE).¹⁴~~

~~Old definition — WOOD PRODUCT CONTAMINATED means engineered, manufactured or finished wood products containing 90% or greater wood fibre including but not limited to; painted or stained or stained wood, composite wood, glued and thinly laminated wood, laminated lumber, and veneered wood products such as: particle and fibre board, plywood, hardboard, oriented strandboard, panels, doors, window frames, furniture, flooring, cabinetry and moldings. WOOD PRODUCT; but does not included wood with thick laminates such as counter tops or flooring, wood CONTAMINATED with glued or attached upholstery, or other materials attached such as glass, materials, WOOD PRESERVED or LEAD-BASED PAINT, or METAL other than nails, screws, and small hardware. METAL other than nails, screws, and small hardware.~~

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~~WOOD PRODUCT means engineered, manufactured, composite or finished wood products containing 90% or greater wood fibre such as plywood, particle board, fibreboard, hardboard, oriented strandboard, laminated lumber, laminated wood, veneer, laminate flooring, or engineered wood products but not limited to panels, doors, window frames, furniture, engineered wood flooring, cabinetry and moldings. WOOD PRODUCT does not included arborite counter tops or vinyl flooring, wood with upholstery, or other materials attached such as glass, WOOD PRESERVED or LEAD-BASED PAINT, or METAL other than nails, screws, and small hardware.~~

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~~WOOD WASTE — CLEAN means clean, organic material including, but not necessarily limited to, kiln dried dimensional lumber, wood pallets; which are a maximum of 2.4 metres (8 feet) in length and may contain metallic nails or screws (see RECYCLABLE). WOOD WASTE — CLEAN may not be CONTAMINATED with any other material including but not limited to WOOD PRODUCT CONTAMINATED, WOOD-PRESERVED, ROCKS, METALS other than nails, or screws or small hardware, stained or painted wood including LEAD-BASED PAINT, wire, fiberglass, asphalt roofing material, plastic and any other non-wood materials. WOOD CLEAN WASTE also does not include WOOD WASTE INDUSTRIAL or WOOD WASTE-CHIPPED OR GROUND SMALL DIMENSION.~~

~~WOOD WASTE- SMALL DIMENSION CHIPPED OR GROUND~~ means kiln dried dimensional WOOD ~~CLEAN WASTE~~ and WOOD PRODUCT ~~CONTAMINATED~~ that ~~isare~~ processed to less than 5cm (2 inches) in diameter and width and no longer than 15 cm. (6 inches) in length including but not limited to sawdust (see CONTROLLED WASTE).

WOOD ~~WASTE~~ INDUSTRIAL means large volumes WOOD ~~WASTE-CLEAN material~~ generated through industries, the industrial processing of wood including but not limited to; sawmills, and pulp and paper industry (see CONTROLLED WASTE).

~~WOOD WASTE TREE STUMP~~ means non-agricultural part of a plant, tree, or shrub that remains attached to the roots after the trunk is cut, whereby the trunk is greater than 20 cm (8 inches) in diameter and the stump and trunk combined is not longer than 2.4 metres (8 feet) in length, and must be free of ROCKS, soil and other debris (see RECYCLABLE). Does not include AGRICULTURAL ORGANIC MATERIAL.

WOOD-PRESERVED means wood products which have been treated or coated with preservatives such as fire retardant, chromate copper arsenate (CCA), aromatic hydrocarbons (PAHs) and/or ammonium copper arsenate (ACA) to prevent rotting or wood containing LEAD-BASED PAINT or other paint containing HAZARDOUS substances and is no longer than 2.4 meters (8 feet) in length (see CONTROLLED WASTE).

WOOD PRODUCT means engineered, manufactured, composite or finished wood products containing 90% or greater wood fibre such as plywood, particle board, fibreboard, hardboard, oriented strandboard, laminated lumber, veneered wood, or engineered wood products but not limited to panels, doors, window frames, furniture, engineered wood flooring, cabinetry and moldings. WOOD PRODUCT also includes painted, stained or glued wood. WOOD PRODUCT does not include arborite counter tops or vinyl or laminate flooring, wood with upholstery, or other materials attached such as glass, WOOD-PRESERVED or LEAD-BASED PAINT, or METAL other than nails, screws, and small hardware.

~~YARD WASTE AND GARDEN WASTE~~ means non-food vegetative matter free of CONTAMINANTS including prunings, branches and tree trunks maximum of 2.4 metres (8 feet) in length, hedge, shrub and tree clippings, flowers, vegetable stalks, woody or herbaceous waste (see RECYCLABLE). ~~YARD AND GARDEN WASTE~~ does not include FRUIT WASTE, vegetable waste, YARD WASTE SMALL DIMENSION, or YARD WASTE WOOD WASTE TREE STUMP and is not CONTAMINATED with materials such as REFUSE, METAL, SOIL, CLEAN and ROCKS (see RECYCLABLE).¹²

YARD WASTE means non-food vegetative material resulting from gardening, and landscaping including flower and vegetable plants free of soil and rocks with no fruit or vegetables attached, prunings, branches and tree trunks maximum of 2.4 metres (8 feet) in length, hedge, shrub and tree clippings, leaves, flowers, woody or herbaceous waste (see RECYCLABLE). YARD WASTE must not be

¹² Bylaw No. 2796.01, 2020

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~~CONTAMINATED and does not include FRUIT WASTE or YARD WASTE-TREE STUMP and is not CONTAMINATED with materials such as REFUSE, METAL, soil, ROCKS and plastic (see RECYCLABLE).~~

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~~YARD WASTE--CHIPPED, GRASS, LEAVES --SMALL DIMENSION~~ means chipped YARD ~~AND GARDEN WASTE~~ ~~or~~ ~~chipped~~ YARD WASTEWOOD WASTE-TREE ~~---~~STUMPs that is no greater than 4 cm. (1.5 inches) in diameter and no longer than 13 cm. (5 inches) in ~~---~~length. YARD WASTE ~~SMALL DIMENSION- CHIPPED, GRASS, LEAVES~~ also includes lawn clippings, coniferous needles ~~and cones~~, and leaves that is not CONTAMINATED with materials such as REFUSE, METAL, ~~soil, SOIL-CLEAN~~ and ROCKS ~~and plastic~~ (see RECYCLABLE).⁴²

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~~YARD WASTE--TREE STUMP~~ means ~~non-agricultural~~ part of a plant, tree, or shrub that remains attached to the roots after the trunk is cut, whereby the trunk is greater than 20 cm (8 inches) in diameter and the stump and trunk combined is not longer than 2.4 metres (8 feet) in length, and must be free of ROCKS, ~~soil, SOIL-CLEAN, METAL, soil~~ and other debris (see RECYCLABLE).

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5.0 SITE Regulations

5.1 Conditions of Use

5.1.1 The REGIONAL DISTRICT accepts no responsibility or liability for damage or injury to any PERSON or property. Each PERSON entering a SITE does so solely at their own risk and, as a condition of entry to a SITE waives all claims against the REGIONAL DISTRICT and releases the REGIONAL DISTRICT from any and all liability and claims for all injury, death, loss, damage and expense of any kind that the PERSON or any other PERSON may suffer as a result of or in connection with the PERSON'S use of a SITE due to any cause whatsoever, including but not limited to negligence, breach of contract, breach of any statutory duty or duty of care on the part of any of the REGIONAL DISTRICT and also including the failure on the part of the REGIONAL DISTRICT to safeguard or protect any PERSON from the risks, dangers and hazards associated with the use of a SITE.

5.1.2 No PERSON shall;

- a) remain at the SITE for longer than is reasonably required to proceed directly on designated roads to the DESIGNATED LOCATION, SCALE, make payment and immediately leave the SITE;
- b) enter the SITE or DISPOSE of any material at the SITE at any time other than the designated hours of operation, except by prior arrangement with the REGIONAL DISTRICT.
- c) remove, alter, destroy or deface any sign or traffic control device placed or erected at the SITE.
- d) DISPOSE of SOLID WASTE at the SITE without first having the SOLID WASTE inspected by the SITE OFFICIAL or SITE OPERATOR for the purpose of determining compliance with this Bylaw. All loads shall be SCALED to

determine the applicable TIPPING FEE and DISPOSED in a manner or location as directed by the bylaw, signage and the written or verbal direction of the SITE OPERATOR or SITE OFFICIAL.

e) DISPOSE of any material at the SITE that does not originate from within the SERVICE AREA unless designated acceptable within the RDOS Fees and Charges Bylaw or the MANAGER approves otherwise. Failure to obtain MANAGER approval may result in refusal of entry to the SITE.

5.1.3 All SOLID WASTE generated within the SERVICE AREA shall be handled in a manner and location that is approved by the Ministry of Environment when such approval is required, and in compliance with this Bylaw.

5.1.4 No HAULER shall enter the SITE transporting a load of SOLID WASTE which requires assistance by the SITE OPERATOR or their equipment for DISPOSAL.

5.1.5 All material DISPOSED at the SITE shall become the property of the REGIONAL DISTRICT, except where such material is DISPOSED contrary to the provisions of this Bylaw. No PERSON shall salvage or remove anything from the SITE without the express written permission of the REGIONAL DISTRICT.

5.2 DISPOSAL Restrictions

5.2.1 DISPOSAL of PROHIBITED WASTE at the SITE is not allowed unless the DISPOSAL of such waste is specifically authorized by both the REGIONAL DISTRICT and the applicable Provincial Ministry.

5.2.2 No PERSON shall cause the release to the atmosphere of an OZONE DEPLETING SUBSTANCE at the SITE.

5.2.3 DISPOSAL of CONTROLLED WASTE at the SITE;

a) is not allowed unless the MANAGER determines that special handling and DISPOSAL techniques are not required, or where special handling and DISPOSAL techniques are required, the MANAGER has determined that the CONTROLLED WASTE can be DISPOSED of safely at the SITE;

b) must be declared or manifested as required by the REGIONAL DISTRICT and by the applicable Provincial Ministry;

c) sufficient notice is provided as required by the REGIONAL DISTRICT prior to DISPOSAL of CONTROLLED WASTE at the SITE.

5.2.4 SOIL CONTAMINATED will not be accepted for DISPOSAL without completion and authorization in accordance with the RDOS Soil Relocation Agreement. The MANAGER shall determine as to when and which SITE(S) the SOIL CONTAMINATED is to be directed.

5.2.5 The REGIONAL DISTRICT shall regulate DISPOSAL time, location, containment and notice required for delivery of SOLID WASTE to the SITE.

5.2.6 The REGIONAL DISTRICT retains the right to deny acceptance or to limit the volume and frequency of any SOLID WASTE delivered to the SITE due to safety, operational, CONTAMINATION or other considerations.⁴³

5.2.7 The MANAGER may designate SOLID WASTE materials delivered to the SITE as being OPERATIONALLY BENEFICIAL and may apply restrictions, specifications and TIPPING FEES accordingly.

~~5.2.8~~ The REGIONAL DISTRICT shall require the completion of any documents that may include, Manifests, Waivers, Applications and/or Declarations for VISITORS and for any SOLID WASTE, including but not limited to ASBESTOS CONTAINING MATERIAL, LEAD-BASED PAINT, ASSESSED DEMOLITION, AND RENOVATION MIXED LOAD, CONSTRUCTION MIXED LOAD, SOIL CLEAN, SOIL SMALL VOLUME CONTAMINATED, SOIL CONTAMINATED and ILLEGALLY DUMPED WASTE.⁴³

5.3 **Secure Loads**

5.3.1 All Motor VEHICLES entering the SITE shall have their loads adequately covered and secured so as to prevent any materials from blowing, bouncing dropping, sifting, leaking, or otherwise escaping from the VEHICLE while in transit in accordance with the following criteria:

(a) *meets Motor Vehicle Act Regulation 35.06 Covering of Aggregate Loads*, which requires that: "A person must not drive or operate a vehicle on a highway while the vehicle is carrying aggregate material if any of the material is likely, if not covered, to bounce, blow or drop from the vehicle in transit, unless;

(i) the material is covered in a way that prevents any of it from blowing, bouncing or dropping from the VEHICLE, and

(ii) the cover is securely and tightly fastened so that it is not, and cannot become, a hazard".

(b) an adequate cover is a tarpaulin, other overlay, or container that is used to confine the material to the VEHICLE; or all materials must be contained within intact secured closed garbage bags or containers. The cover and/or container must be securely and tightly fastened so that it is not, and cannot become, a hazard.

(c) items such as, but not limited to, BULKY WASTE, ~~appliances,~~ YARD-WOOD WASTE-TREE STUMPs, TIRES, shall be securely chained or strapped to or in the VEHICLE as required by section 4.3.1 (a & b).

(d) loads shall be contained so as to prevent the spillage of liquids.

5.4 **Safety**

5.4.1 No VISITOR shall enter the SITE without checking in at the SITE office and completing the appropriate waiver.

5.4.2 No PERSON shall light or smoke any cigarette, cigar, pipe or any other substance, or ignite a fire, cause a fire to be ignited, within the boundaries of the SITE or DISPOSE at the SITE materials that are on fire, are smouldering or were recently on fire.

⁴³ ~~Bylaw No. 2796.01, 2020~~

- 5.4.3 No PERSON shall fail to comply with the posted notices or signs at the SITE or the verbal instructions of the SITE OFFICIAL or SITE OPERATOR.
- 5.4.4 No PERSON shall act in a manner that is threatening, discourteous, disruptive, or wilfully negligent while on the SITE.
- 5.4.5 No PERSON shall allow children shorter than 42 inches (1.6 m.) or under the age of 10 years or pets to be outside a VEHICLE at the SITE.
- 5.4.6 No PERSON shall enter the SITE in a VEHICLE that is in violation of the British Columbia *Motor Vehicle Act Section 213 "1) On the prosecution of a PERSON charged with contravention of the regulations in operating or using on a highway a VEHICLE the weight of which or the weight of the load carried on which was in excess of the weight prescribed by the regulations, it is sufficient evidence for a credible witness to state on oath that, to the best of his or her judgment and opinion, the weight of the VEHICLE or of the load carried on it at the time of the alleged contravention was in excess of the weight so prescribed"*
- 5.4.7 No PERSON shall enter the SITE in a VEHICLE that is not equipped or mechanically sound with regards to climatic or roadway conditions.
- 5.4.8 No VEHICLE shall exceed the posted speed limit while on SITE.
- 5.4.9 No PERSON shall without authorization, drive a motor VEHICLE on any part of the SITE other than on roads or areas so designated by signage or the SITE OFFICIAL or SITE OPERATOR.
- 5.4.10 All VEHICLES DISPOSING SOLID WASTE shall maintain a safe lateral distance (equal to the maximum unloading vertical height extension) between adjacent away from other VEHICLES and shall limit the linear spread of loads to no greater than its VEHICLE length from the designated unloading location.
- 5.4.11 No PERSON shall discharge any firearm at the SITE, except as permitted under any applicable enactment.
- 5.4.12 No PERSON shall climb upon waste stockpiles or climb into REFUSE BINS or rummage in areas designated for SOLID WASTE DISPOSAL.
- 5.4.13 No PERSON shall place NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD in the DESIGNATED LOCATION reserved for ASSESSED materials.
- 5.4.14 No PERSON shall approach, harass, feed or attempt to lure wildlife encountered on the SITE
- 5.4.15 No PERSON while conducting SITE business shall utilize a communication or entertainment device which includes but is not limited to mobile phones, smart phones, hands-free devices, speaker phones, pagers, text messaging, lap top, ear pieces, head phones, or two way radios, or other activities that allow for distracted driving or the inability to hear instructions.

5.4.16 No PERSON shall enter the SITE on foot, all PERSONS entering the SITE must be in a motor propelled VEHICLE equipped with a cab, PERSONS while on SITE must remain within a 45 metre (150') proximity of their VEHICLE.

6.0 Fees and Charges

6.1 Every PERSON delivering SOLID WASTE to the SITE shall pay the applicable TIPPING FEE set out in accordance with RDOS Fees and Charges Bylaw as amended from time to time.

6.2 Any TIPPING FEE assessed pursuant to this Bylaw must be paid to the SITE OFFICIAL prior to leaving the SITE. The TIPPING FEE shall be paid in cash, be placed on a REGIONAL DISTRICT pre-approved account or be paid by credit or debit card where such payment options are available at the SITE.

6.3 In the event the weigh scale is not operational, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a TIPPING FEE shall be charged as outlined in the RDOS Fees and Charges Bylaw.

7.0 Violations and Penalties

7.1 No PERSON shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.

7.2 Every PERSON who violates any provision of this Bylaw, or who permits any act or thing to be done in violation of this Bylaw, or who fails to do any act or requirement of this Bylaw, shall be deemed to have committed an offence against this Bylaw and:

- a) shall be liable, upon summary conviction, to a fine of not less than \$100.00 and not more than \$2,000.00 for a first offence, and to a fine of not less than \$200.00 and not more than \$2,000.00 for each subsequent offence;
- b) shall pay the applicable TIPPING FEE as set out in the RDOS Fees and Charges Bylaw as amended from time to time, in cases where the violation involves the contravention of a prohibition or regulation pertaining to the deposit of material at the SITE;
- c) shall pay the penalties, that may be issued, as provided under the provisions of the *British Columbia Offence Act*, or to the penalties provided under the provisions of the *British Columbia Local Government Bylaw Notice Enforcement Act* and;
- d) may be prohibited, by written notice, from DISPOSING SOLID WASTE at the SITE for such period as the REGIONAL DISTRICT may determine.

7.3 Notwithstanding any other provision of this Bylaw, any PERSON who:

- a) contravenes this Bylaw and/or fails to comply with rules or directions of a SITE OFFICIAL or SITE OPERATOR may be prohibited entry into any REGIONAL DISTRICT SITE for a specified period of time as determined by the MANAGER;
- b) contravenes this Bylaw and is deemed to be abusive or threatening may be ordered to immediately leave the SITE by a SITE OFFICIAL. Any Person deemed

to be abusive or threatening may be prohibited entry into any REGIONAL DISTRICT SITE for a specified period of time as determined by the MANAGER;

- c) contravenes this Bylaw and fails to pay the TIPPING FEES as set out in the RDOS Fees and Charges Bylaw may be refused entry into any REGIONAL DISTRICT SITE until all TIPPING FEES and charges are paid.

7.4 Each offence committed against this Bylaw shall be deemed a separate and distinct offence and subject to a separate penalty.

7.5 Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

8.0 Dispute Mechanism Notice

8.1 Once a VEHICLE is SCALED a SITE OFFICIAL shall issue an invoice indicating the waste type and corresponding TIPPING FEE assessed including penalties. Upon payment all TIPPING FEES assessed or decisions made under this Bylaw can be appealed to the MANAGER.

8.2 Appeals must be submitted to the MANAGER within 60 days of the transaction.

8.3 All decisions rendered will be on a case by case basis, resolutions shall be based upon such factors as precedent, severity and frequency.

8.4 Loads DISPOSED outside of Public Hours of Operation can not be appealed.

9.0 Severance

If a section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of Competent Jurisdiction, the invalid portion shall be severed and such decision shall not affect the validity of the remaining portions of this Bylaw.

10.0 No Limitation

Nothing in this Bylaw shall limit the REGIONAL DISTRICT from utilizing any other remedy that would otherwise be available to the REGIONAL DISTRICT at law.

READ A FIRST, SECOND, AND THIRD TIME this ~~4th~~^{2nd} day of February, 20~~21~~¹⁴8.

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ADOPTED this ~~44~~⁵th day of February, 20~~21~~¹⁴8.

Board Chair

Chief Administrative Officer

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2925, 2021

A bylaw to establish regulations for Solid WASTE disposal at RDOS administered landfills: Campbell Mountain, Okanagan Falls, Oliver and Keremeos Landfills.

WHEREAS the Regional District operates the “Campbell Mountain Landfill” (CML) located on District Lot 368, SDYD, the “Okanagan Falls Landfill” (OFL) located on a portion of District Lot 2710, SDYD, the “Keremeos Landfill” (KL) located on a portion of District Lot 2821, SDYD; and the “Oliver Landfill” (OL) located on a portion of District Lot 2450s, SDYD.

AND WHEREAS under the *Local Government Act*, the Regional Board may, by bylaw, require persons to use a waste disposal or recycling service and require owners or occupiers of real property to remove trade waste, garbage, rubbish and other matter from their property and take it to a specified place; may operate any service that the board considers necessary or desirable for all or part of the Regional District; may, by bylaw, regulate and prohibit the use of Regional District works and facilities; may, by bylaw, impose a fee or charge payable in respect of a service of the Regional District; and may base the fee or charge on any factor specified in the bylaw;

NOW THEREFORE, the Board of the Regional District of Okanagan-Similkameen, in open meeting assembled, enacts as follows:

1.0 Citation

1.1 This Bylaw may be cited as the **“RDOS Administered Landfills Regulatory Bylaw No. 2925, 2021”**.

2.0 Repeal

2.1 “Waste Management Service Regulatory Bylaw No. 2796, 2018” and all amendments thereto are hereby repealed.

3.0 Interpretation

3.1 Words or phrases defined in the *British Columbia Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw, unless otherwise defined in this Bylaw. Unless otherwise stated, and notwithstanding the case used (upper case or lower case), when words or phrases that are defined in Section 4 of this Bylaw are used in the body or schedules of this Bylaw, they have the meaning ascribed to them as set out in Section 4.

3.2 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting the scope or the intent of the provisions of this Bylaw.

- 3.3 Any act or enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Regional District, as amended, revised, consolidated or replaced from time to time.
- 3.4 If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw

4.0 Definitions

- 4.1 In this Bylaw:

ACTIVE FACE means the area of the SITE where the placing, spreading, compacting and covering of REFUSE is currently taking place.

AGRICULTURAL ORGANIC MATERIAL means suitably prepared and separated plant derived crop materials originating from agricultural operations, excluding FRUIT WASTE, FOOD PROCESSING WASTE, FRUIT/GRAIN BY-PRODUCTS and FOOD WASTE, that is not CONTAMINATED and has been suitably prepared for DISPOSAL in a manner acceptable to the MANAGER, including but not limited to orchards, nurseries, vineyards and silviculture operations and does not include METAL, WOOD PRESERVED, ROCKS, soil, plastics and non-agricultural organic material (see CONTROLLED WASTE).

AGRICULTURAL PLASTIC means plastic used in agricultural applications that are not CONTAMINATED, and have been suitably contained and prepared for DISPOSAL in a manner acceptable to the MANAGER, including but not limited to, ground crop plastic, silage bags, fertilizer bags, baler twine, and greenhouse plastic including containers and structural film (see CONTROLLED WASTE).

ASBESTOS CONTAINING MATERIAL (ACM) means a material as defined in the *OCCUPATIONAL HEALTH AND SAFETY REGULATION*, *ENVIRONMENTAL MANAGEMENT ACT*, and *HAZARDOUS WASTE REGULATION*, and suitably contained for disposal as per the Regulation, RDOS Bylaws and RDOS Guidelines (see CONTROLLED WASTE).

ASPHALT means solid petroleum based material used primarily in roads (see RECYCLABLE).

ASPHALT SHINGLES are a waterproof roof covering consisting of ASPHALT SHINGLES and ASPHALT Roll Roofing and must not be CONTAMINATED with, including, but not limited to; Tar Paper, TAR AND GRAVEL ROOFING, Torch-on or SBS roofing products, organic material and large metal and flashing materials (see RECYCLABLE).

ASSESSED means to evaluate and determine the quality, extent, significance of a SOLID WASTE, which is verified by the required documentation provided by the HAULER, in a manner determined by the MANAGER.

BATTERIES-LEAD-ACID means a product that falls under the 'Lead-acid Battery' product category in the *Recycling Regulation* B.C. Reg. 449/2004 including, but not limited to: Lead-acid batteries for automobiles, motorcycles, recreation vehicles, marine vehicles and locomotives (see RECYCLABLE).

BATTERIES-HOUSEHOLD means batteries that fall under the 'Electronic and Electrical' product category in the *Recycling Regulation* B.C. Reg. 449/2004 including, but not limited to: Nickel Cadmium (NiCad), Lithium Ion (Li-Ion), Nickel Metal Hydride (Ni-MH), Small-Sealed Lead (Pb), or non-chargeable and rechargeable batteries weighing no more than 5 kilograms (11 pounds) each (see RECYCLABLE).

BIOMEDICAL WASTE means waste that is defined as such in the *Hazardous Waste Reg.* B.C. 63/88 and in the document "*Guidelines for the Management of Biomedical Waste in Canada*" (CCME, February 1992) (see PROHIBITED WASTE).

BULKY WASTE means waste articles that are too large by reason of their bulk or shape to manage using regular DISPOSAL methods as determined by the MANAGER, including but not limited to those items with materials greater than 2.4 metres (8 feet) in length (see CONTROLLED WASTE).

BURNED MATERIAL means materials damaged by fire, heat, electricity or a caustic agent that have been allowed to entirely cool for no less than a two-week period, and in a manner acceptable to the MANAGER, as per RDOS Guidelines (see CONTROLLED WASTE). BURNED MATERIALS that are hot or smoldering or not entirely cooled for more than a two-week period is a PROHIBITED WASTE.

BURNED MATERIAL-ASBESTOS CONTAINING means BURNED MATERIAL that has been designated as ASBESTOS CONTAINING MATERIAL and DISPOSED as per the *OCCUPATIONAL HEALTH AND SAFETY REGULATION, ENVIRONMENTAL MANAGEMENT ACT, HAZARDOUS WASTE REGULATION, RDOS Bylaws and RDOS Guidelines* (see BURNED MATERIAL, ASBESTOS CONTAINING MATERIAL, and CONTROLLED WASTE).

CARCASSES means dead animals, or portions thereof, that are not a PROHIBITED WASTE and in a manner acceptable to the MANAGER (see CONTROLLED WASTE and SPECIFIED RISK MATERIAL WASTE).

CERAMIC FIXTURES means toilets, sinks, bathtubs, other fixtures or other products such as tile made of ceramic material, and can also include ceramic tiles, where non-ceramic materials, such as metal and plastic are removed (see RECYCLABLE).

CLINICAL/LABORATORY STERILIZED WASTE means non-anatomical waste, including SHARPS, that is generated by institutions including but not limited to, hospitals, laboratories, doctors' offices, medical clinics, and veterinary clinics, and has been sterilized such that all micro-organisms including bacteria, viruses, spores, and fungi are killed (see CONTROLLED WASTE).

COMPOST means a stabilized earthy matter having the properties and structure of humus produced in accordance with the *Organic Matter Recycling Regulation* of the *ENVIRONMENTAL MANAGEMENT ACT*.

CONCRETE means a construction material that consists of cement, aggregate (generally gravel and sand) and water. CONCRETE must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm) nor measure greater than 1 m. in any dimension. CONCRETE also includes ASPHALT, CERAMICS, bricks, plaster & stucco without wire, cement board, MASONRY and ROCKS not greater than 40 cm in diameter (see RECYCLABLE).

CONCRETE BULKY means CONCRETE measuring greater than 1 m. in any dimension and/or where large amounts of metal are protruding greater than 15 cm, and including ROCKS greater than 40 cm in diameter (see CONTROLLED WASTE).

CONSTRUCTION NEW MIXED LOAD means MIXED LOAD SOLID WASTE produced through new construction, where no existing structures have been altered, and that contains two or more RECYCLABLE new building materials including but not limited to ASPHALT SHINGLES, WOOD CLEAN, RECYCLABLE TAR AND GRAVEL ROOFING, and GYPSUM BOARD-NEW, and must not contain DEMOLITION AND RENOVATION MIXED LOAD materials, packaging, FOOD WASTE, any other type of CONTROLLED WASTE or PROHIBITED WASTE. The HAULER must provide appropriate documentation in a manner acceptable to the MANAGER (see CONTROLLED WASTE). All CONSTRUCTION NEW MIXED LOAD arriving at the SITE without appropriate documentation shall be determined to be DEMOLITION AND RENOVATION MIXED LOAD NON-ASSESSED.

CONSTRUCTION-REFUSE means non-RECYCALBE SOLID WASTE building materials such as insulation, carpet, vinyl and non-RECYCLABLE packaging materials such as plastic wrap, and Styrofoam.

CONTAMINATED means the presence in a material of a minor and unwanted constituent which renders the material impure or inferior for reuse or recycling as defined by the MANAGER.

CONTROLLED WASTE means waste that is approved for DISPOSAL at the SITE but which, because of its inherent nature and quantity, may require special handling and DISPOSAL techniques to avoid creating health hazards, nuisances, or environmental pollution, including, but not limited to:

- (a) AGRICULTURAL ORGANIC MATERIAL;
- (b) AGRICULTURAL PLASTIC;
- (c) ASBESTOS CONTAINING MATERIAL;
- (d) BULKY WASTE;
- (e) BURNED MATERIAL;
- (f) BURNED MATERIAL-ASBESTOS CONTAINING;
- (g) CARCASSES;
- (h) CLINICAL/LABORATORY STERILIZED WASTE;
- (i) CONCRETE BULKY;
- (j) Condemned foods;
- (k) CONSTRUCTION NEW MIXED LOAD;
- (l) DEMOLITION AND RENOVATION MIXED LOAD;
- (m) DEMOLITION AND RENOVATION MIXED LOAD-ASSESSED;
- (n) DEMOLITION AND RENOVATION MIXED LOAD-NON-ASSESSED;
- (o) Foundry Dust;
- (p) GYPSUM BOARD-NON-RECYCLABLE;

- (q) HAZARDOUS WASTE those specifically approved for disposal to authorized landfills, as defined in the *Hazardous Waste Regulation* under the *EMA*;
- (r) ILLEGALLY DUMPED WASTE;
- (s) INFESTED VEGETATION;
- (t) INVASIVE PLANTS;
- (u) LEAD-BASED PAINT coated materials;
- (v) METAL DRUMS AND TANKS;
- (w) REFRIGERATION UNIT containing ODS;
- (x) RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE;
- (y) Sludge and screenings from municipal sewage treatment plants;
- (z) SOIL CONTAMINATED, and SOIL SMALL VOLUME CONTAMINATED;
- (aa) WOOD-PRESERVED; and
- (bb) WOOD-CHIPPED OR GROUND.

CORRUGATED CARDBOARD-RESIDENTIAL means RESIDENTIALLY generated containers consisting of three or more layers of paper materials with a corrugated or rippled core, but excluding containers that are impregnated with blood, grease, oil, chemicals, rodent secretions, food residue, wax, or have polyethylene, polystyrene, foil or other non-paper liners, or are otherwise CONTAMINATED. Must be suitably prepared; clear of all contents, and flattened prior to placement in the RecycleBC container(s) (see RECYCLABLE).

CORRUGATED CARDBOARD-ICI means ICI generated containers consisting of three or more layers of paper materials with a corrugated or rippled core, but excluding containers that are impregnated with blood, grease, oil, chemicals, rodent secretions, food residue, wax, or have polyethylene, polystyrene, foil or other non-paper liners, or are otherwise CONTAMINATED. Must be suitably prepared, cleared of all contents, and flattened prior to placement in the ICI commercial container(s) (see RECYCLABLE, see INDUSTRIAL COMMERCIAL INDUSTRIAL ICI).

DEMOLITION AND RENOVATION MIXED LOAD means MIXED LOAD SOLID WASTE produced through the demolishment of a structure or the act of alteration through addition, remodeling, refurbishing or restoring of buildings, structures, or other types of real property that contains two or more RECYCLABLE Building Materials; including but not limited to ASPHALT SHINGLES, WOOD CLEAN, RECYCLABLE TAR AND GRAVEL ROOFING, GYPSUM BOARD ASSESSED, and GYPSUM BOARD NEW, but must not contain packaging, FOOD WASTE, any other type of CONTROLLED WASTE or PROHIBITED WASTE (see DEMOLITION AND RENOVATION MIXED LOAD ASSESSED, and see CONTROLLED WASTE).

DEMOLITION AND RENOVATION MIXED LOAD-ASSESSED means a DEMOLITION AND RENOVATION MIXED LOAD that has been ASSESSED as required by the REGIONAL DISTRICT. Verification of the abatement of all identified HAZARDOUS materials is required. This assessment and verification has been provided in a manner acceptable to the MANAGER (see CONTROLLED WASTE). A DEMOLITION AND RENOVATION MIXED LOAD arriving at a SITE must not contain packaging, FOOD WASTE, any other type of CONTROLLED WASTE or PROHIBITED WASTE and if arriving at the SITE without appropriate assessment documentation will be determined a DEMOLITION AND RENOVATION MIXED LOAD NON-ASSESSED.

DEMOLITION AND RENOVATION MIXED LOAD-NON-ASSESSED means a DEMOLITION AND RENOVATION MIXED LOAD or CONSTRUCTION NEW MIXED LOAD brought to a SITE without verification of assessment as determined by the MANAGER (See DEMOLITION AND RENOVATION MIXED LOAD ASSESSED and CONTROLLED WASTE).

DESIGNATED LOCATION means an area dedicated to the collection of SOURCE SEPARATED SOLID WASTE.

DISPOSE, DISPOSAL, DISPOSED, DISPOSING means the transfer of SOLID WASTE from a VEHICLE to a DESIGNATED LOCATION at the SITE. The SOLID WASTE becomes the jurisdiction of the REGIONAL DISTRICT and subject to the restrictions, allocations and policies/procedures of the REGIONAL DISTRICT.

ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE) means various types of domestic and commercial waste containing mainly electronic components, including, but not limited to computers, televisions, small appliances, residential light bulbs and lighting fixtures which are included within the *Recycling Regulation* of the *EMA* (see RECYCLABLE), and does not include METAL and REFRIDGERATION UNITS.

ENVIRONMENTAL MANAGEMENT ACT (EMA) means the Province of British Columbia Law brought into force on July 8, 2004. The *EMA* provides an authorization and enforcement framework based on contemporary environmental management technologies to protect human health and the quality of water, land and air in British Columbia. The *EMA* replaces the *Waste Management Act*.

FOOD PROCESSING WASTE means any organic materials and/or waste by-product that may be produced in commercial volumes by a food processing operation as determined by the MANAGER, such as slaughter house, fish hatchery, and cannery operations (see PROHIBITED WASTE).

FOOD WASTE means any food substance, raw or cooked, which is discarded, or intended or required to be discarded from RESIDENTIAL, agricultural and INDUSTRIAL, COMMERCIAL, INSTITUTIONAL establishments, but does not include FOOD PROCESSING WASTE or SPECIFIED RISK MATERIALS.

FRUIT WASTE means waste consisting of the fleshy seed-associated structures of a plant that are sweet or sour and edible in the raw state, such as, but not limited to, apples, apricots, cherries, peaches, pears, plums, grapes, strawberries, tomatoes, and raspberries (see RECYCLABLE).

FRUIT/GRAIN BY-PRODUCTS means waste by-products typically generated by beverage producers, such as but not limited to; breweries, cideries, distilleries, and wineries. (see RECYCLABLE).

GLASS CONTAINERS means all clear and coloured bottles and jars made of glass and does not include window glass, laminated glass, safety or tempered glass, mirrored glass, automotive glass, fiberglass, Plexiglas, light bulbs, fluorescent tubes, kitchenware, ceramics or other types of containers, or any container that contained HAZARDOUS WASTE, or ASBESTOS CONTAINING MATERIAL and does not contain any liquid or solids (see RECYCLABLE).

GLASS SHEET means glass windows, mirrors, etc. with or without a frame, laminated glass, safety or tempered glass, automotive glass, Plexiglas, , but does not include light bulbs, fluorescent tubes, kitchen or GLASS CONTAINERS (see REFUSE).

GYPSUM BOARD-NEW also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper, and consists of non-CONTAMINATED off-cuts and scraps of gypsum obtained solely from new construction and does not include GYPSUM BOARD ASSESSED, GYPSUM BOARD NON-RECYCLABLE, gypsum board materials from an existing structure, is not an ASBESTOS CONTAINING MATERIAL, and does not contain LEAD-BASED PAINT (see RECYCLABLE).

GYPSUM BOARD-ASSESSED also known as wallboard, drywall and plasterboard is a panel made of gypsum plaster pressed between two thick sheets of paper, and consists of non-CONTAMINATED gypsum removed from an existing structure and has been ASSESSED to prove it is not an ASBESTOS CONTAINING MATERIAL and does not contain LEAD-BASED PAINT (see RECYCLABLE).

GYPSUM BOARD-NON-RECYCLABLE means gypsum board removed from existing structures that has not been ASSESSED and is not RECYCLABLE (see CONTROLLED WASTE).

HAULER means the VEHICLE in which a load is contained as measured by the SCALE.

HAZARDOUS WASTE means any material defined as such in the Hazardous Waste Regulation, *British Columbia Reg. 63/88* of the *ENVIRONMENTAL MANAGEMENT ACT* (see CONTROLLED WASTE and see PROHIBITED WASTE).

HOUSEHOLD HAZARDOUS WASTE (HHW) see RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE.

IGNITABLE WASTE as per the meaning prescribed in the *HAZARDOUS WASTE REGULATION BC Reg. 63/88* (see PROHIBITED WASTE).

ILLEGALLY DUMPED WASTE means SOLID WASTE discarded in an improper or illegal manner. The HAULER must obtain permission from the MANAGER to bring the ILLEGALLY DUMPED WASTE to the SITE (see CONTROLLED WASTE).

INDUSTRIAL, COMMERCIAL, INSTITUTIONAL (ICI) means any operation or facility other than a RESIDENTIAL household, including but not limited to industrial, agricultural, and commercial operations of any size including small businesses with one or more employees retail stores, vacation facilities such as hotels, motels, cottages, accommodation associated with sports and leisure facilities and institutional operations of any size including churches, community buildings, local government buildings, libraries, fire and police stations, service organizations, hospitals, care facilities and hospices.

INFESTED VEGETATION means trees, shrubs, herbaceous plants or associated fruit that show the presence of plant disease, NOXIOUS INSECTS, pathogens or related pests that have caused or are likely to cause significant damage to the trees, shrubs, herbaceous plants or associated fruit and that may be spread to

another plant or plants with economic, ornamental or aesthetic value (see CONTROLLED WASTE).

INVASIVE PLANTS means all plants as designated in the *Weed Control Regulation, Schedule A, Parts I & II* of the *Weed Control Act* (see CONTROLLED WASTE).

LEAD-BASED PAINT means any coated or painted materials containing lead with a concentration of 90mg/kg (0.009%, 90ppm) or greater, and is not permitted for DISPOSAL to any SOLID WASTE DESIGNATED LOCATION that is to be chipped. (see CONTROLLED WASTE).

LOCAL GOVERNMENT IMPROVEMENTS refers to the structures, systems, lands and facilities owned or operated by an Indian Band, Municipality or Regional Government within the SITE SERVICE AREA and suitably prepared as determined by the MANAGER, such as but not limited to, roads, bridges, tunnels, water supply, sewers, electrical grids, and telecommunications.

MANAGER means the official appointed to that position by the REGIONAL DISTRICT responsible for SOLID WASTE Management and includes any PERSON appointed or designated by the MANAGER to act on his or her behalf.

MASONRY means material bound by mortar used primarily in structures. RECYCLABLE MASONRY must not contain ASBESTOS, large amounts of metal protruding (greater than 15 cm.) or be a BULKY WASTE (see RECYCLABLE).

METAL means RECYCLABLE ferrous and non-ferrous metallic materials, containing more than 90% metal by volume, and under 2.4 meters (8 feet) in any dimension, including but not limited to, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, fencing, metal furniture, bicycles, tire rims and metal appliances. METAL also includes REFRIDGERATION UNITS evacuated of ODS by a certified technician, suitably prepared METAL DRUMS AND TANKS, barbeques, wood heating units, motorized equipment and VEHICLE parts, **that do not contain** fluids, filters, batteries, coal, bricks and rubber tires. METAL items must not contain mercury switches, batteries, PCB ballasts, or other HAZARDOUS WASTE. METAL does not include BULKY WASTE, PRESSURIZED TANKs, ODS containing REFRIDERATION UNITS or VEHICLEs.

METAL DRUMS AND TANKS a drum is cylindrical container designed to confine or contain materials most commonly liquids. To receive at the SITE all DRUMS must be empty and have the lid or one end removed. A TANK is a vessel used to store liquids, for SITE acceptance TANKs must be empty with an sufficiently sized aperture (minimum 35 cm X 35 cm (14"x14")) to verify that the TANK is empty and allow for sufficient venting, does not include PRESSURIZED TANKs. (see CONTROLLED WASTE).

MIXED LOAD means a load containing two or more SOLID WASTES, as designated in the RDOS Fees and Charges Bylaw as amended from time to time.

NON-SERVICE AREA means materials generated outside the SERVICE AREA of a landfill SITE.

NOXIOUS INSECTS means all insects so designated by the REGIONAL DISTRICT'S *Noxious and Destructive Insects Bylaw* (see INFESTED VEGETATION).

OCCUPATIONAL HEALTH AND SAFETY (OHS) REGULATION means a Regulation under the *Workers Compensation Act* which contains legal requirements that must be met by all workplaces under the inspection jurisdiction of WorkSafeBC.

OPERATIONALLY BENEFICIAL means a material which is of functional value to the operation of the Landfill process, for use as cover material, erosion control, construction and other operational benefits as determined by the MANAGER.

OZONE DEPLETING SUBSTANCE (ODS) means a substance defined as such in the *Ozone Depleting Substances and other Halocarbons Regulation, British Columbia Reg. 387/99* under the *ENVIRONMENTAL MANAGEMENT ACT*.

PERSON means an individual, corporation, partnership, association or any other legal entity or an employee or agent thereof.

PRESSURIZED TANK means a closed metal container designed to hold gases or liquids at a pressure substantially different from the ambient pressure including, but not limited to, diving cylinders, fire extinguishers and storage vessels for liquefied gases such as ammonia, propane, butane, or helium (see RECYCLABLE).

PRODUCT STEWARDSHIP MATERIAL means suitable prepared residential quantities of materials that falls under a product category of the *Recycling Regulation, B.C. Reg. 449/2004* (see RECYCLABLE).

PROHIBITED WASTE means SOLID WASTE designated in an Operational Certificate or by the REGIONAL DISTRICT from time to time, to be inappropriate for DISPOSAL for environmental, regulatory or legal reasons, or reasons related to the safe or efficient operation of the SITE except as permitted in this bylaw, currently including but not limited to the following specified materials:

- (a) BIOMEDICAL WASTE defined as such in the document "*Guidelines for the Management of Biomedical Waste in Canada*" (CCME, February 1992);
- (a) BURNED MATERIALS that are hot or smoldering or not entirely cooled for more than a two-week period;
- (b) Commercial Cooking Oil;
- (c) FOOD PROCESSING WASTE;
- (d) HAZARDOUS WASTE other than those specifically approved for disposal to authorized landfills, as defined in the *Hazardous Waste Regulation* under the *EMA*;
- (e) IGNITABLE WASTE;
- (f) Liquid or semi-solid wastes;
- (g) RADIOACTIVE WASTE;
- (h) REACTIVE WASTE;
- (i) SHARPS;
- (j) SPECIFIED RISK MATERIAL regulated federally under the *Health of Animals Act and Regulations*;
- (k) VEHICLES and other large metallic objects; and

- (l) Such other materials as are designated by the MANAGER from time to time to be inappropriate for DISPOSAL at the SITE for environmental reasons or reasons related to the safe or efficient operation of the SITE.

RADIOACTIVE WASTE means a "nuclear substance" as defined in the *Nuclear Safety and Control Act* (Canada), in sufficient quantity or concentration to require a licence for possession or use under the Act and regulations made under that Act (see PROHIBITED WASTE).

REACTIVE WASTE means waste that is defined as such in the *Hazardous Waste Regulation* (see PROHIBITED WASTE).

RECYCLABLE means all SOURCE SEPARATED materials that are suitably prepared and not CONTAMINATED as determined by the MANAGER, including but not limited to:

- (a) ASPHALT;
- (b) ASPHALT SHINGLES;
- (c) Ballasts not containing PCBs;
- (d) Baseboards with thermostat switches removed & switches disposed to HHW;
- (e) BATTERIES-LEAD-ACID, BATTERIES-HOUSEHOLD;
- (f) CERAMIC FIXTURES and Ceramic Tile;
- (g) CONCRETE;
- (h) CORRUGATED CARDBOARD-RESIDENTIAL;
- (i) CORRUGATED CARDBOARD-ICI;
- (j) ELECTRONIC and ELECTRICAL PRODUCTS (E-WASTE);
- (k) FRUIT WASTE;
- (l) FRUIT/GRAIN BY-PRODUCTS;
- (m) GLASS CONTAINERS;
- (n) GYPSUM BOARD-NEW;
- (o) GYPSUM BOARD-ASSESSED;
- (p) MASONARY;
- (q) Mattress, Box spring;
- (r) METAL;
- (s) PRESSURIZED TANK;
- (t) PRODUCT STEWARDSHIP MATERIAL;
- (u) REFRIGERATION UNIT with ODS removed;
- (v) RESIDENTIAL RECYCLING;
- (w) ROCKS (not greater than 40 centimetres in any direction);
- (x) TAR AND GRAVEL ROOFING;
- (y) TIRE and TIRE-OVERSIZE;
- (z) WOOD CLEAN;
- (aa) WOOD INDUSTRIAL;
- (bb) YARD WASTE;
- (cc) YARD WASTE-CHIPPED, GRASS, LEAVES; and
- (dd) YARD WASTE-TREE STUMP

REFRIGERATION UNIT means refrigerators, freezers, air conditioners, water coolers or any other item that may contain an OZONE DEPLETING SUBSTANCE (see CONTROLLED WASTE).

REFUSE means any SOLID WASTE that is designated for DISPOSAL in the ACTIVE FACE that does not constitute a RECYCLABLE, a HAZARDOUS WASTE, a CONTROLLED WASTE, or a PROHIBITED WASTE. Any SOLID WASTE materials over 8 feet will be charged as BULKY WASTE.

REFUSE BINS means the large bins at the SITE that have been provided to receive REFUSE from self-haul residential customers.

REGIONAL BOARD means the Board of the REGIONAL DISTRICT.

REGIONAL DISTRICT (RDOS) means the REGIONAL DISTRICT of Okanagan-Similkameen.

RE-SCALE means to pass over a scale with a MIXED LOAD more than once in order to determine the weight of each of the different types of SOLID WASTES DISPOSED.

RESIDENTIAL HOUSEHOLD HAZARDOUS WASTE (HHW) is a RECYCLABLE CONTROLLED WASTE accepted in RESIDENTIAL quantities at specific Landfill SITES including but not limited to:

- (a) Alarms (Smoke and Carbon Monoxide Detectors);
- (b) Aerosol Cans;
- (c) Antifreeze;
- (d) Corrosive Liquid (Inorganic Acids & Caustics);
- (e) Cyanide;
- (f) Flammable/Toxic Liquids;
- (g) Gasoline & Fuels, Mixed Fuels;
- (h) Household Cleaning Products;
- (i) Inorganic Oxidizers;
- (j) Mercury or Mercury Containing Materials (i.e. Fluorescent Light Tubes and Compacts, Wall or Baseboard Thermostats);
- (k) Oil Filters, and Used Motor Oil, and Waste Plastic Oil Containers;
- (l) Organic Peroxides;
- (m) Organic Solids (Toxic Solids);
- (n) Paint Thinner, Solvent, Paint & Related Products;
- (o) PCB Containing Materials (i.e. Light Ballasts);
- (p) Pesticides, Pesticide Containers;
- (q) Reactive Chemicals (To Air And Water); and
- (r) Smoke Detectors

RESIDENTIAL RECYCLING means all packaging and printed paper generated by RESIDENTIAL structures, single family and multifamily units included in *Schedule 5* of the *Recycling Regulation* of the *ENVIRONMENTAL MANAGEMENT ACT* as accepted by *RecycleBC*, and sorted into the appropriate material types as indicated by posted notices or signs or directed by a SITE OFFICIAL and SITE OPERATOR (see RECYCLABLE).

RESIDENTIAL SOLID WASTE means any REFUSE generated by a single family or multifamily unit residential premise as a result of residential activities.

ROCKS means natural inorganic mineral matter of variable composition assembled by the action of heat or water. ROCKS 40 centimetres or less in any diameter see CONCRETE. ROCKS greater than 40 centimetres in any diameter see CONCRETE BULKY.

SCALED means to estimate or measure utilizing a standardized unit to establish the quantity, dimension, capacity or weight. SCALED by weight is established by measurement of WEIGHT GROSS minus WEIGHT TARE establishes WEIGHT NET. The TIPPING FEE is based upon the NET WEIGHT of the SOLID WASTE load type.

SERVICE AREA means the SERVICE AREA of the landfill SITE as defined by the SITE's applicable *Service Establishment Bylaw*.

SHARPS means anything that may cause a puncture wound that exposes an individual to blood or other potentially infectious material for example; needles, syringes, blades or laboratory glass (see PROHIBITED WASTE).

SITE means, where applicable, the Campbell Mountain Landfill (CML), the Okanagan Falls Landfill (OFL), the Keremeos Landfill (KL) or the Oliver Landfill (OL).

SITE OFFICIAL means an individual employed by the REGIONAL DISTRICT and designated by the MANAGER to conduct the business of the SITE.

SITE OPERATOR means a PERSON contracted by the REGIONAL DISTRICT to provide operation and maintenance services at the SITE, including but not limited to inspecting, sorting, hauling, compacting and covering SOLID WASTE.

SOIL CLEAN means not CONTAMINATED mineral soil materials free of ROCKS exceeding 30 cm. in any diameter that is suitable for OPERATIONALLY BENEFICIAL cover material and includes sod, humus, COMPOST and top soil, and does not include YARD WASTE.

SOIL CONTAMINATED means soil with organic and inorganic contaminants as identified in the *Contaminated Sites Regulation, British Columbia Reg. 375/96* under the *EMA* (see CONTROLLED WASTE, and see OPERATIONALLY BENEFICIAL). (Refer to RDOS Soil Relocation Application).

SOIL SMALL VOLUME CONTAMINATED means the total volume of soil does not exceed 5 cubic metres as exempted under *Part 8 - Contaminated Soil Relocation, Section 41 of the Contaminated Sites Regulation of the EMA* (see CONTROLLED WASTE, and see OPERATIONALLY BENEFICIAL).

SOLID WASTE means any material defined by this bylaw suitable for DISPOSAL at the SITE.

SOURCE SEPARATED means SOLID WASTE separated by a PERSON other than a SITE OFFICIAL or SITE OPERATOR and DISPOSED into a clearly distinguishable DESIGNATED LOCATION as directed by a SITE OFFICIAL, SITE OPERATOR or signage at the SITE.

SPECIFIED RISK MATERIAL WASTE means the skull, brain, trigeminal ganglia (nerves attached to brain), eyes, tonsils, spinal cord and dorsal root ganglia (nerves attached to the spinal cord) of cattle aged 30 months or older, the distal ileum (portion of the small intestine) of cattle of all ages, and cattle deadstock (see PROHIBITED WASTE).

TAR AND GRAVEL ROOFING means roofing consisting of layers of bitumen and felt paper that form the roof surface and may contain embedded gravel including Torch-on, SBS, membrane and TAR AND GRAVEL roofing products and other inextricably adhered roofing materials, and not to exceed 1 meter in any dimension. Loads must be free of contaminants such as, but not limited to, REFUSE, loose tar paper, roof ventilators and flashing materials (see RECYCLABLE, and see OPERATIONALLY BENEFICAL).

TIPPING FEE means the charge levied upon a given quantity of SOLID WASTE received at a SITE to offset the costs of opening, maintaining, closure and post-closure of the SITE. The TIPPING FEE can be charged per load, per tonne, or per unit depending on the source and type of the SOLID WASTE in accordance with the RDOS Fees and Charges Bylaw.

TIRE means the outer pneumatic rubber covering of wheels as per accepted under the *Tire Stewardship BC Program* including but not limited to tires from, Passenger, Small RV, Light and Medium Truck, Motorcycle, Turf, All Terrain Vehicle, Farm Equipment tires up to 16", and Forklift, Small Utility, RV Trailer, Bobcat/Skid Steer tires, and tires listed in *The Tire and Rim Association Inc. annual yearbook Section 5 Agricultural* such as but not limited to Medium Agricultural Tires 16.5"-25.5" identified with a sidewall marking with suffix letters R(Radial Ply) or HF (High Flotation), Logger/skidder and large Agricultural Drive and free rolling tires measuring 26" and up. TIRE does not include bicycle, wheelchair, aircraft, wheelbarrow, or three-wheeled motorized device tires, inner tubes and tracks (see RECYCLABLE).

TIRE WITH RIM means a TIRE that is mounted on a rim (see TIRE).

TIRE-OVERSIZE means assorted agricultural, industrial and OTR (Off The Road) TIRES that are not identified as a TIRE (see TIRE and see RECYCLABLE).

VEHICLE means, as per the *British Columbia Motor Vehicle Act*, a device in, on or by which a PERSON or thing is or may be transported or drawn on a highway (see PROHIBITED WASTE).

VISITOR means a PERSON who is present at the SITE for purposes other than to DISPOSE of SOLID WASTE.

WEIGHT GROSS means total weight of the VEHICLE and load.

WEIGHT NET means GROSS WEIGHT less TARE WEIGHT.

WEIGHT TARE means the weight of a VEHICLE or container after a load has been removed.

WOOD CLEAN means clean but not necessarily limited to, kiln dried dimensional lumber, wood pallets; which are a maximum of 2.4 metres (8 feet) in length (see RECYCLABLE). WOOD CLEAN must not be CONTAMINATED with any other material including but not limited to WOOD PRODUCT, WOOD-PRESERVED, ROCKS, METALS other than nails, screws or small hardware, stained or painted wood including LEAD-BASED PAINT, wire, fiberglass, asphalt roofing material, plastic and any other non-wood materials. WOOD CLEAN also does not include WOOD INDUSTRIAL or WOOD -CHIPPED OR GROUND.

WOOD-CHIPPED OR GROUND means kiln dried dimensional WOOD CLEAN and WOOD PRODUCT that is processed to less than 5cm (2 inches) in diameter and width and no longer than 15 cm. (6 inches) in length including but not limited to sawdust (see CONTROLLED WASTE).

WOOD INDUSTRIAL means large volumes WOOD CLEAN generated through industries, including but not limited to; sawmills, and pulp and paper industry (see CONTROLLED WASTE).

WOOD-PRESERVED means wood products which have been treated or coated with preservatives such as fire retardant, chromate copper arsenate (CCA), aromatic hydrocarbons (PAHs) and/or ammonium copper arsenate (ACA) to prevent rotting or wood containing LEAD-BASED PAINT or other paint containing HAZARDOUS substances and is no longer than 2.4 meters (8 feet) in length (see CONTROLLED WASTE).

WOOD PRODUCT means engineered, manufactured, composite or finished wood products containing 90% or greater wood fibre such as plywood, particle board, fibreboard, hardboard, oriented strand board, laminated lumber, veneered wood, or engineered wood products but not limited to panels, doors, window frames, furniture, engineered wood flooring, cabinetry and moldings. WOOD PRODUCT also includes painted, stained or glued wood. WOOD PRODUCT **does not included** arborite counter tops or vinyl or laminate flooring, wood with upholstery, or other materials attached such as glass, WOOD-PRESERVED or LEAD-BASED PAINT, or METAL other than nails, screws, and small hardware.

YARD WASTE means non-food vegetative material resulting from gardening, and landscaping including flower and vegetable plants free of soil and rocks with no fruit or vegetables attached, prunings, branches and tree trunks maximum of 2.4 metres (8 feet) in length, hedge, shrub and tree clippings, leaves, flowers, woody or herbaceous waste (see RECYCLABLE). YARD WASTE must not be CONTAMINATED and does not include FRUIT WASTE or YARD WASTE-TREE STUMP and is not CONTAMINATED with materials such as REFUSE, METAL, soil, ROCKS and plastic (see RECYCLABLE).

YARD WASTE-CHIPPED, GRASS, LEAVES means chipped YARD WASTE or chipped YARD WASTE-TREE STUMPS that is no greater than 4 cm. (1.5 inches) in diameter and no longer than 13 cm. (5 inches) in length. YARD WASTE-CHIPPED, GRASS, LEAVES also includes lawn clippings, coniferous needles and cones, and leaves that is not CONTAMINATED with materials such as REFUSE, METAL, soil, ROCKS and plastic (see RECYCLABLE).

YARD WASTE-TREE STUMP means part of a plant, tree, or shrub that remains attached to the roots after the trunk is cut, whereby the trunk is greater than 20 cm (8 inches) in diameter and the stump and trunk combined is not longer than 2.4 metres (8 feet) in length, and must be free of ROCKS, soil, METAL and other debris (see RECYCLABLE).

5.0 SITE Regulations

5.1 Conditions of Use

- 5.1.1 The REGIONAL DISTRICT accepts no responsibility or liability for damage or injury to any PERSON or property. Each PERSON entering a SITE does so solely at their own risk and, as a condition of entry to a SITE waives all claims against the REGIONAL DISTRICT and releases the REGIONAL DISTRICT from any and all liability and claims for all injury, death, loss, damage and expense of any kind that the PERSON or any other PERSON may suffer as a result of or in connection with the PERSON'S use of a SITE due to any cause whatsoever, including but not limited to negligence, breach of contract, breach of any statutory duty or duty of care on the part of any of the REGIONAL DISTRICT and also including the failure on the part of the REGIONAL DISTRICT to safeguard or protect any PERSON from the risks, dangers and hazards associated with the use of a SITE.
- 5.1.2 No PERSON shall;
- a) remain at the SITE for longer than is reasonably required to proceed directly on designated roads to the DESIGNATED LOCATION, SCALE, make payment and immediately leave the SITE;
 - b) enter the SITE or DISPOSE of any material at the SITE at any time other than the designated hours of operation, except by prior arrangement with the REGIONAL DISTRICT.
 - c) remove, alter, destroy or deface any sign or traffic control device placed or erected at the SITE.
 - d) DISPOSE of SOLID WASTE at the SITE without first having the SOLID WASTE inspected by the SITE OFFICIAL or SITE OPERATOR for the purpose of determining compliance with this Bylaw. All loads shall be SCALED to determine the applicable TIPPING FEE and DISPOSED in a manner or location as directed by the bylaw, signage and the written or verbal direction of the SITE OPERATOR or SITE OFFICIAL.
 - e) DISPOSE of any material at the SITE that does not originate from within the SERVICE AREA unless designated acceptable within the RDOS Fees and Charges Bylaw or the MANAGER approves otherwise. Failure to obtain MANAGER approval may result in refusal of entry to the SITE.
- 5.1.3 All SOLID WASTE generated within the SERVICE AREA shall be handled in a manner and location that is approved by the Ministry of Environment when such approval is required, and in compliance with this Bylaw.
- 5.1.4 No HAULER shall enter the SITE transporting a load of SOLID WASTE which requires assistance by the SITE OPERATOR or their equipment for DISPOSAL.
- 5.1.5 All material DISPOSED at the SITE shall become the property of the REGIONAL DISTRICT, except where such material is DISPOSED contrary to the provisions of this Bylaw. No PERSON shall salvage or remove anything from the SITE without the express written permission of the REGIONAL DISTRICT.

5.2 DISPOSAL Restrictions

- 5.2.1 DISPOSAL of PROHIBITED WASTE at the SITE is not allowed unless the DISPOSAL of such waste is specifically authorized by both the REGIONAL DISTRICT and the applicable Provincial Ministry.

- 5.2.2 No PERSON shall cause the release to the atmosphere of an OZONE DEPLETING SUBSTANCE at the SITE.
- 5.2.3 DISPOSAL of CONTROLLED WASTE at the SITE;
- a) is not allowed unless the MANAGER determines that special handling and DISPOSAL techniques are not required, or where special handling and DISPOSAL techniques are required, the MANAGER has determined that the CONTROLLED WASTE can be DISPOSED of safely at the SITE;
 - b) must be declared or manifested as required by the REGIONAL DISTRICT and by the applicable Provincial Ministry;
 - c) sufficient notice is provided as required by the REGIONAL DISTRICT prior to DISPOSAL of CONTROLLED WASTE at the SITE.
- 5.2.4 SOIL CONTAMINATED will not be accepted for DISPOSAL without completion and authorization in accordance with the RDOS Soil Relocation Agreement. The MANAGER shall determine as to when and which SITE(S) the SOIL CONTAMINATED is to be directed.
- 5.2.5 The REGIONAL DISTRICT shall regulate DISPOSAL time, location, containment and notice required for delivery of SOLID WASTE to the SITE.
- 5.2.6 The REGIONAL DISTRICT retains the right to deny acceptance or to limit the volume and frequency of any SOLID WASTE delivered to the SITE due to safety, operational, CONTAMINATION or other considerations.
- 5.2.7 The MANAGER may designate SOLID WASTE materials delivered to the SITE as being OPERATIONALLY BENEFICIAL and may apply restrictions, specifications and TIPPING FEES accordingly.
- 5.2.8 The REGIONAL DISTRICT shall require the completion of any documents that may include, Manifests, Waivers, Applications and/or Declarations for VISITORS and for any SOLID WASTE, including but not limited to ASBESTOS CONTAINING MATERIAL, LEAD-BASED PAINT, ASSESSED DEMOLITION, AND RENOVATION MIXED LOAD, CONSTRUCTION MIXED LOAD, SOIL CLEAN, SOIL SMALL VOLUME CONTAMINATED, SOIL CONTAMINATED and ILLEGALLY DUMPED WASTE.

5.3 Secure Loads

- 5.3.1 All Motor VEHICLES entering the SITE shall have their loads adequately covered and secured so as to prevent any materials from blowing, bouncing dropping, sifting, leaking, or otherwise escaping from the VEHICLE while in transit in accordance with the following criteria:
- (a) *meets Motor Vehicle Act Regulation 35.06 Covering of Aggregate Loads*, which requires that: "A person must not drive or operate a vehicle on a highway while the vehicle is carrying aggregate material if any of the material is likely, if not covered, to bounce, blow or drop from the vehicle in transit, unless;
 - (i) the material is covered in a way that prevents any of it from blowing, bouncing or dropping from the VEHICLE, and

- (ii) the cover is securely and tightly fastened so that it is not, and cannot become, a hazard”.
- (b) an adequate cover is a tarpaulin, other overlay, or container that is used to confine the material to the VEHICLE; or all materials must be contained within intact secured closed garbage bags or containers. The cover and/or container must be securely and tightly fastened so that it is not, and cannot become, a hazard.
- (c) items such as, but not limited to, BULKY WASTE, appliances, YARD WASTE-TREE STUMPS, TIRES, shall be securely chained or strapped to or in the VEHICLE as required by section 4.3.1 (a & b).
- (d) loads shall be contained so as to prevent the spillage of liquids.

5.4 Safety

- 5.4.1 No VISITOR shall enter the SITE without checking in at the SITE office and completing the appropriate waiver.
- 5.4.2 No PERSON shall light or smoke any cigarette, cigar, pipe or any other substance, or ignite a fire, cause a fire to be ignited, within the boundaries of the SITE or DISPOSE at the SITE materials that are on fire, are smouldering or were recently on fire.
- 5.4.3 No PERSON shall fail to comply with the posted notices or signs at the SITE or the verbal instructions of the SITE OFFICIAL or SITE OPERATOR.
- 5.4.4 No PERSON shall act in a manner that is threatening, discourteous, disruptive, or wilfully negligent while on the SITE.
- 5.4.5 No PERSON shall allow children shorter than 42 inches (1.6 m.) or under the age of 10 years or pets to be outside a VEHICLE at the SITE.
- 5.4.6 No PERSON shall enter the SITE in a VEHICLE that is in violation of the British Columbia *Motor Vehicle Act Section 213 “1) On the prosecution of a PERSON charged with contravention of the regulations in operating or using on a highway a VEHICLE the weight of which or the weight of the load carried on which was in excess of the weight prescribed by the regulations, it is sufficient evidence for a credible witness to state on oath that, to the best of his or her judgment and opinion, the weight of the VEHICLE or of the load carried on it at the time of the alleged contravention was in excess of the weight so prescribed”*
- 5.4.7 No PERSON shall enter the SITE in a VEHICLE that is not equipped or mechanically sound with regards to climatic or roadway conditions.
- 5.4.8 No VEHICLE shall exceed the posted speed limit while on SITE.
- 5.4.9 No PERSON shall without authorization, drive a motor VEHICLE on any part of the SITE other than on roads or areas so designated by signage or the SITE OFFICIAL or SITE OPERATOR.
- 5.4.10 All VEHICLES DISPOSING SOLID WASTE shall maintain a safe lateral distance (equal to the maximum unloading vertical height extension) between adjacent

VEHICLES and shall limit the linear spread of loads to no greater than its VEHICLE length from the designated unloading location.

- 5.4.11 No PERSON shall discharge any firearm at the SITE, except as permitted under any applicable enactment.
- 5.4.12 No PERSON shall climb upon waste stockpiles or climb into REFUSE BINS or rummage in areas designated for SOLID WASTE DISPOSAL.
- 5.4.13 No PERSON shall place NON-ASSESSED DEMOLITION AND RENOVATION MIXED LOAD in the DESIGNATED LOCATION reserved for ASSESSED materials.
- 5.4.14 No PERSON shall approach, harass, feed or attempt to lure wildlife encountered on the SITE
- 5.4.15 No PERSON while conducting SITE business shall utilize a communication or entertainment device which includes but is not limited to mobile phones, smart phones, hands-free devices, speaker phones, pagers, text messaging, lap top, ear pieces, head phones, or two way radios, or other activities that allow for distracted driving or the inability to hear instructions.
- 5.4.16 No PERSON shall enter the SITE on foot, all PERSONS entering the SITE must be in a motor propelled VEHICLE equipped with a cab, PERSONS while on SITE must remain within a 45 metre (150') proximity of their VEHICLE.

6.0 Fees and Charges

- 6.1 Every PERSON delivering SOLID WASTE to the SITE shall pay the applicable TIPPING FEE set out in accordance with RDOS Fees and Charges Bylaw as amended from time to time.
- 6.2 Any TIPPING FEE assessed pursuant to this Bylaw must be paid to the SITE OFFICIAL prior to leaving the SITE. The TIPPING FEE shall be paid in cash, be placed on a REGIONAL DISTRICT pre-approved account or be paid by credit or debit card where such payment options are available at the SITE.
- 6.3 In the event the weigh scale is not operational, the SITE OFFICIAL shall estimate the weight of each VEHICLE and a TIPPING FEE shall be charged as outlined in the RDOS Fees and Charges Bylaw.

7.0 Violations and Penalties

- 7.1 No PERSON shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- 7.2 Every PERSON who violates any provision of this Bylaw, or who permits any act or thing to be done in violation of this Bylaw, or who fails to do any act or requirement of this Bylaw, shall be deemed to have committed an offence against this Bylaw and:
 - a) shall be liable, upon summary conviction, to a fine of not less than \$100.00 and not more than \$2,000.00 for a first offence, and to a fine of not less than \$200.00 and not more than \$2,000.00 for each subsequent offence;

- b) shall pay the applicable TIPPING FEE as set out in the RDOS Fees and Charges Bylaw as amended from time to time, in cases where the violation involves the contravention of a prohibition or regulation pertaining to the deposit of material at the SITE;
- c) shall pay the penalties, that may be issued, as provided under the provisions of the *British Columbia Offence Act*, or to the penalties provided under the provisions of the *British Columbia Local Government Bylaw Notice Enforcement Act* and;
- d) may be prohibited, by written notice, from DISPOSING SOLID WASTE at the SITE for such period as the REGIONAL DISTRICT may determine.

7.3 Notwithstanding any other provision of this Bylaw, any PERSON who:

- a) contravenes this Bylaw and/or fails to comply with rules or directions of a SITE OFFICIAL or SITE OPERATOR may be prohibited entry into any REGIONAL DISTRICT SITE for a specified period of time as determined by the MANAGER;
- b) contravenes this Bylaw and is deemed to be abusive or threatening may be ordered to immediately leave the SITE by a SITE OFFICIAL. Any Person deemed to be abusive or threatening may be prohibited entry into any REGIONAL DISTRICT SITE for a specified period of time as determined by the MANAGER;
- c) contravenes this Bylaw and fails to pay the TIPPING FEES as set out in the RDOS Fees and Charges Bylaw may be refused entry into any REGIONAL DISTRICT SITE until all TIPPING FEES and charges are paid.

7.4 Each offence committed against this Bylaw shall be deemed a separate and distinct offence and subject to a separate penalty.

7.5 Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

8.0 Dispute Mechanism Notice

8.1 Once a VEHICLE is SCALED a SITE OFFICIAL shall issue an invoice indicating the waste type and corresponding TIPPING FEE assessed including penalties. Upon payment all TIPPING FEES assessed or decisions made under this Bylaw can be appealed to the MANAGER.

8.2 Appeals must be submitted to the MANAGER within 60 days of the transaction.

8.3 All decisions rendered will be on a case by case basis, resolutions shall be based upon such factors as precedent, severity and frequency.

8.4 Loads DISPOSED outside of Public Hours of Operation can not be appealed.

9.0 Severance

If a section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of Competent Jurisdiction, the invalid

portion shall be severed and such decision shall not affect the validity of the remaining portions of this Bylaw.

10.0 No Limitation

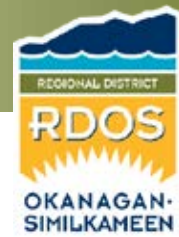
Nothing in this Bylaw shall limit the REGIONAL DISTRICT from utilizing any other remedy that would otherwise be available to the REGIONAL DISTRICT at law.

READ A FIRST, SECOND, AND THIRD TIME this 4th day of February, 2021.

ADOPTED this 4th day of February, 2021.

Board Chair

Chief Administrative Officer



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

Thursday, February 4, 2021
1:30 pm

REGULAR AGENDA

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of February 4, 2021 be adopted.

1. Consent Agenda – Corporate Issues

- a. **South Okanagan Conservation Fund – Technical Advisory Committee – Letter of Appreciation**
THAT a letter of appreciation be sent to Eva Durance and Steve Mathews on behalf of the Board, thanking them both for their dedication and support while serving on this committee for the past 4 years.
- b. **Community Services Committee – January 21, 2021**
THAT the Minutes of the January 21, 2021 Community Services Committee meeting be received.
- c. **Corporate Services Committee – January 21, 2021**
THAT the Minutes of the January 21, 2021 Corporate Services Committee meeting be received.
- d. **Environment and Infrastructure Committee – January 21, 2021**
THAT the Minutes of the January 21, 2021 Environment and Infrastructure Committee meeting be received.
- e. **Planning and Development Committee – January 21, 2021**
THAT the Minutes of the January 21, 2021 Planning and Development Committee meeting be received.

THAT an amendment to the Building Bylaw No. 2805, 2018, to revise the requirements for a Siting Permit for metal storage containers not be initiated.
- f. **Protective Services Committee – January 21, 2021**
THAT the Minutes of the January 21, 2021 Protective Services Committee meeting be received.
- g. **RDOS Regular Board Meeting – January 21, 2021**
THAT the minutes of the January 21, 2021 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

THAT the Consent Agenda – Corporate Issues be adopted.

2. Consent Agenda – Development Services**a. Electoral Area “G” Official Community Plan (OCP) Project – Citizen’s Advisory Committee - Appointments**

THAT the Board of Directors appoint the following as members of the Electoral Area “G” Official Community Plan (OCP) Project Citizen’s Advisory Committee: Gerald Partridge and Doug Woods.

b. Electoral Area “C” Advisory Planning Commission Resignation

THAT the Board of Directors accept the resignations of Louise Conant and Jack Bennest as a members of the Electoral Area “C” Advisory Planning Commission; and

THAT letters be forwarded to Louise Conant and Jack Bennest thanking them for their contributions to the Electoral Area “C” Advisory Planning Commission.

c. Electoral Area “C” Advisory Planning Commission (APC) Appointment

THAT the Board of Directors appoint Roger Hall as a member of the Electoral Area “C” Advisory Planning Commission until October 31, 2022.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

THAT the Consent Agenda – Development Services be adopted.

B. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Agricultural Land Commission Referral (Non-Adhering Residential Use) – 300 Road 20 - Electoral Area “C”**

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

THAT the RDOS Board not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 300 Road 20 (Lot A, Plan 74196, DL 2450S, SDYD) to proceed to the Agricultural Land Commission.

2. Agricultural Land Commission Referral (Non-Adhering Residential Use) – 1377 Fairview Road - Electoral Area “C”

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

THAT the RDOS Board not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 1377 Fairview Road (Lot 211A, Plan 1997, DL2450S, SDYD) to proceed to the Agricultural Land Commission.

3. Agricultural Land Commission Referral (Non-Adhering Residential Use) – 5475 Sumac Street - Electoral Area “C”

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

THAT the RDOS Board not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 5475 Sumac Street (Lot 225, Plan 1789, DL2450S, SDYD) to proceed to the Agricultural Land Commission.

4. Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “H”

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

THAT the RDOS Board “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 1029 Highway 5A (Lot 1, Plan 42455, District Lot 1406, KDYD) to proceed to the Agricultural Land Commission.

5. Temporary Use Permit Application – 8715 Road 22 – Electoral Area “A”

- a. Permit
- b. Representations

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

THAT the Board of Directors deny Temporary Use Permit No. A2020.010-TUP.

6. Official Community Plan (OCP) Bylaw Amendments – ALR Exclusion Applications

- a. Amendment Bylaw No. 2913

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2913, 2020, Electoral Area Official Community Plan Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated February 4, 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. 2913, 2020, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of March 4, 2021;

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

7. Zoning Bylaw Amendment – Electoral Area “H”

- a. Amendment Bylaw No. 2498.16
- b. Representations

RECOMMENDATION 10 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2498.16, 2021, Electoral Area “H” Zoning Amendment Bylaw be read a third time.

8. **Zoning Bylaw Amendment – Electoral Areas “A”, “C”, “D”, “E”, “F” & “I” - Regulation of Metal Storage Containers**
- a. Amendment Bylaw No. 2895
 - b. Representations

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw be read a third time.

9. **Zoning Bylaw Amendment – 5081 8th Avenue - Electoral Area “D”**
- a. Bylaw 2455.43

RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority)

THAT Bylaw No. 2455.43, 2020, Electoral Area “D” Zoning Amendment Bylaw be adopted.

10. **Zoning Bylaw Amendment – 165 Snow Mountain Place - Electoral Area “I”**
- a. Bylaw 2457.35

RECOMMENDATION 13 (Unweighted Rural Vote – 2/3 Majority)

THAT Bylaw No. 2457.35, 2020, Electoral Area “I” Zoning Amendment Bylaw be read a third time and adopted.

11. **Petition to Enter Service Area – 1316 Green Lake Road; 289 and 299 Goldtau Road and 525 Johnson Crescent – Electoral Area “C”**
- a. Amendment Bylaw 2709.01

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2709.01, 2021, Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Amendment Bylaw be read a first, second and third time.

12. **Petitions to Amend Service Areas – Electoral Area “I” & “D”**
- a. Bylaw No. 1238.04
 - b. Bylaw No. 1310.03

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 1238.04, 2021, Kaleden Fire Department Fire Protection Local Service Establishment Amendment Bylaw be adopted; and

THAT Bylaw No. 1310.03, 2021, Okanagan Falls Fire Protection Service Establishment Amendment Bylaw be adopted.

13. Petition to Enter Service Area – Electoral Area “H”

- a. Bylaw No. 2929

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)

THAT Bylaw No. 2929, 2021 “Regional District of Okanagan-Similkameen Bylaw No. 1197, 1991 to establish and operate within a portion of Electoral Area ‘H’, a local service, being a fire prevention and suppression service.” Amendment Bylaw be read a first, second and third time.

C. PUBLIC WORKS**1. Campbell Mountain Landfill MasterPlan and Design, Operations and Closure Plan Update Award**

RECOMMENDATION 17 (Weighted Corporate Vote – Majority)

THAT the Regional District award the “Campbell Mountain Landfill Master Plan and Design, Operations, and Closure Plan Update” project to Sperling Hansen Associates in the amount of \$82,264 excluding GST; and

THAT the Regional District approve a contingency for the project in the amount of \$20,000.

2. Award of RFP for Utility Crane Truck

RECOMMENDATION 18 (Weighted Corporate Vote – Majority)

THAT the Board Award the purchase of a Ford 550 Diesel, 4WD truck to Orchard Ford for \$66,168 (plus applicable tax), for the purpose of building a Utility Crane Truck.

D. CAO REPORTS**1. Verbal Update**

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

2. Directors Motions

3. Board Members Verbal Update

F. ADJOURNMENT

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: February 4, 2021

RE: South Okanagan Conservation Fund – Technical Advisory Committee Letter of Appreciation

Administrative Recommendation:

THAT a letter of appreciation be sent to Eva Durance and Steve Matthews on behalf of the Board, thanking them both for their dedication and support while serving on this committee for the past 4 years.

Purpose:

To thank the two outgoing South Okanagan Conservation Fund Technical Advisory Committee members for serving as a volunteer on this committee for the past four years.

Analysis:

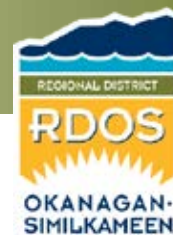
Steve Matthews has been a member of the South Okanagan Technical Advisory Committee since its inception and most recently has held the position of Chair. Eva Durance has also been a member since the establishment of the committee.

The number of volunteer hours required of each of these committee members is significant. The amount of time these members devote to reviewing each application and applying conservation principles to arrive at a thorough, well researched fact-based recommendation to the Board of Directors is invaluable. The Conservation Fund simply would not be the success that it is without these community minded volunteers.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Community Services Committee

Thursday, January 21, 2021

11:58 a.m.

MINUTES

MEMBERS PRESENT:

Chair M. Bauer, Village of Keremeos	Director S. McKortoff, Town of Osoyoos
Vice Chair S. Monteith, Electoral Area "I"	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director R. Obirek, Electoral Area "D"
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 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 F. Regehr, Alt. City of Penticton
Director R. Knodel, Electoral Area "C"	Director C. Watt, City of Penticton
Director K. Kozakevich, Electoral Area "E"	

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton

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 Community Services Meeting of January 21, 2021 be adopted. - **CARRIED**

B. Q4 Activity Report – Information Only

The Committee was advised of the activities of the fourth quarter of 2020 and the planned activities for the first quarter of 2021.

C. ADJOURNMENT

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

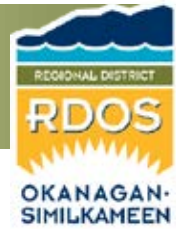
APPROVED:

CERTIFIED CORRECT:

M. Bauer
Community Services Committee Chair

B. Newell
Chief Administrative Officer

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



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Corporate Services Committee

Thursday, January 21, 2021
11:00 am

MINUTES

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"	Director S. Monteith, Electoral Area "I"
Vice Chair S. Coyne, Town of Princeton	Director R. Obirek, Electoral Area "D"
Director M. Bauer, Village of Keremeos	Director M. Pendergraft, Electoral Area "A"
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 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 F. Regehr, Alt. City of Penticton
Director R. Knodel, Electoral Area "C"	Director C. Watt, City of Penticton
Director S. McKortoff, Town of Osoyoos	

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton

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 Corporate Services Meeting of 21 January 2021 be adopted. - **CARRIED**

B. Delegation

Jon Summerland; Chair – Board of Directors, Okanagan Film Commission

Mr. Summerland addressed the Committee regarding the ongoing activities of the Okanagan Film Commission.

C. SILGA Resolutions – Call for Resolutions – Information Only

1. Letter dated December 12, 2020 from SILGA
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D. Q4- 2021 ACTIVITY REPORT – Information Only

The Committee was advised of the activities of the fourth quarter of 2020 and the planned activities of the first quarter of 2021.

E. Q1 Communications Update – Information Only

The Committee was provided an update of the activities of the fourth quarter of 2020 and the planned activities of the first quarter of 2021, with respect to corporate communications.

F. ADJOURNMENT

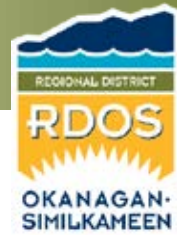
By consensus, the meeting adjourned at 11:58 a.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN Planning and Development Committee

Thursday, January 21, 2021
9:02 a.m.

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 F. Regehr, Alt. City of Penticton
Director M. Johansen, Town of Oliver	Director C. Watt, City of Penticton
Director K. Kozakevich, Electoral Area "E"	

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton

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 January 21, 2021 be adopted. - **CARRIED**

B. Q4 Activity Report – Information Only

The Committee was advised of the activities of the fourth quarter 2020 and the planned activities for the first quarter 2021.

C. Building Bylaw No. 2805, 2018 – Regulation of Metal Storage Containers (Siting Permits)

RECOMMENDATION 2

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

THAT an amendment to the Building Bylaw No. 2805, 2018, to revise the requirements for a Siting Permit for metal storage containers not be initiated. – **CARRIED**

Opposed: Director Pendergraft

D. ADJOURNMENT

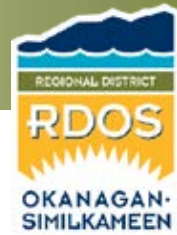
By consensus, the meeting adjourned at 9:39 a.m.

APPROVED:

CERTIFIED CORRECT:

R. Knodel
Committee Chair

B. Newell
Chief Administrative Officer



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

Thursday, January 21, 2021

9:40 am

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 F. Regehr, Alt. City of Penticton
Director K. Kozakevich, Electoral Area "E"	Director C. Watt, City of Penticton
Director S. McKortoff, Town of Osoyoos	

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton

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 January 21, 2021 be adopted. - **CARRIED**

B. Q4 ACTIVITY REPORT – For Information Only

The Committee was advised of the activities of the fourth quarter of 2020 and the planned activities for the first quarter of 2021.

C. 2021 Mosquito Control Program Use of Operating Reserves

RECOMMENDATION 2

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

THAT the program change request cost of \$18,458 for the Mosquito Control Program be funded with operational reserves for the 2021 budget year; and further,

THAT the operational reserve of the Mosquito Control Program be used to offset the expenses in the current budget year before apportionment in the amount of \$25,000.

CARRIED

Opposed: Director Bauer

D. ADJOURNMENT

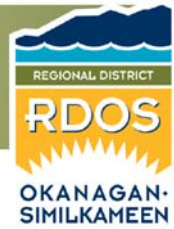
By consensus, the Committee adjourned at 10:31 a.m.

APPROVED:

CERTIFIED CORRECT:

R. Gettens
Committee Chair

B. Newell
Chief Administrative Officer



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
Protective Services Committee

Thursday, January 21, 2021
10:31 am

MINUTES

MEMBERS PRESENT:

Chair T. Roberts, Electoral Area "G"
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 K. Kozakevich, Electoral Area "E"

Director S. McKortoff, Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director M. Pendergraft, Electoral Area "A"
Director R. Obirek, Electoral Area "D"
Director K. Robinson, City of Penticton
Director J. Sentes, City of Penticton
Director E. Trainer, District of Summerland
Director F. Regehr, Alt. City of Penticton
Director C. Watt, City of Penticton

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton

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 Protective Services Meeting of January 21, 2021 be adopted. - **CARRIED**

B. Q4 ACTIVITY REPORT – For Information Only

The Committee was advised of the activities of the fourth quarter 2020 and the planned activities for the first quarter 2021.

C. ADJOURNMENT

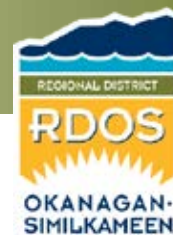
By consensus, the Protective Services Committee meeting adjourned at 10:58 a.m.

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 2:10 p.m. on Thursday, January 21, 2021 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"	Director S. Monteith, Electoral Area "I"
Vice Chair S. Coyne, Town of Princeton	Director R. Obirek, Electoral Area "D"
Director M. Bauer, Village of Keremeos	Director M. Pendergraft, Electoral Area "A"
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 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 F. Regehr, Alt. City of Penticton
Director R. Knodel, Electoral Area "C"	Director C. Watt, City of Penticton
Director S. McKortoff, Town of Osoyoos	

MEMBERS ABSENT:

Director J. Vassilaki, City of Penticton

STAFF PRESENT:

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

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Agenda for the RDOS Board Meeting of January 21, 2021 be adopted as amended with the following changes:

Move Item A.1.b to G.4;

Move Item A.2.a to C.6;

Add Item F3.

CARRIED

1. Consent Agenda – Corporate Issues

a. Electoral Area "A" Advisory Planning Commission Resignation

THAT the Board of Directors accept the resignation of Mark McKenney as a member of the Electoral Area "A" Advisory Planning Commission; and

THAT a letter be forwarded to Mark McKenney thanking him for his contribution to the Electoral Area "A" Advisory Planning Commission.

b. Electoral Area "G" Official Community Plan (OCP) Project – Citizen's Advisory Committee - Appointments

Removed from consent agenda; please refer to Item G.4.

- c. **Special Corporate Services Committee – November 13, 2020**
THAT the Minutes of the November 13, 2020 Special Corporate Services Committee meeting be received.
- d. **Special Corporate Services Committee – November 20, 2020**
THAT the Minutes of the November 20, 2020 Special Corporate Services Committee meeting be received.
- e. **Corporate Services Committee – January 7, 2021**
THAT the Minutes of the January 7, 2021 Corporate Services Committee meeting be received.
- THAT the Regional District of Okanagan Similkameen petition the City of Penticton to jointly investigate the feasibility of developing a shared corporate office facility. – CARRIED*
- THAT the Regional District adopt the Abandoned Vehicles Policy as presented in the January 7, 2020 Corporate Services Committee report. - CARRIED*
- f. **Environment and Infrastructure Committee – January 7, 2021**
THAT the Minutes of the January 7, 2021 Environment and Infrastructure Committee meeting be received.
- g. **Planning and Development Committee – January 7, 2021**
THAT the Minutes of the January 7, 2021 Planning and Development Committee meeting be received.
- h. **RDOS Regular Board Meeting – January 7, 2021**
THAT the minutes of the January 7, 2021 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

2. **Consent Agenda – Development Services**
- a. **Development Variance Permit Application – 162 Saliken Drive, Electoral Area “D”**
- i. Permit
Removed from Consent Agenda; please refer to Item C.6.
- b. **Development Variance Permit Application – 1005 Moorpark Drive, Electoral Area “F”**
- i. Permit
THAT the Board of Directors approve Development Variance Permit No. F2020.020-DVP

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

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

B. DEVELOPMENT SERVICES – BYLAW ENFORCEMENT

1. **Abandoned Vehicles as discussed at the December 17, 2020 Corporate Services Committee**
 - a. Abandoned Vehicles Policy

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District adopt the Abandoned Vehicles Policy dated January 7, 2021. - **CARRIED**

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. **Agricultural Land Commission Referral (Non-Adhering Residential Use) – 373 Road 14, 363 Road 14, Electoral Area “C”**

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors defers making a decision and directs that the ALC proposal for 373 Road 14 be considered by the Electoral Area “C” Advisory Planning Commission (APC). **CARRIED**

2. **Development Variance Permit Application, 465 North Beach Road, Electoral Area “F”**
 - a. Permit
 - b. Representations

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors defers making a decision and directs that Development Variance Permit No. F2020.015-DVP be considered by the Electoral Area “F” Advisory Planning Commission. **CARRIED**

3. **Early Termination of Land Use Contract No. LU-2-F, Electoral Area “F”**
 - a. Amendment Bylaw No. 2461.10
 - b. Representations

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2461.10, 2021, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of February 18, 2021;

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

CARRIED

4. Petitions to Amend Fire Service Areas – 326 Highway 97, Electoral Area “I”

- a. Amendment Bylaw No. 1238.04 (Electoral Area “I”)
- b. Amendment Bylaw No. 1310.03 (Electoral Area “D”)

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 1238.04, 2021, Kaleden Fire Department Fire Protection Local Service Establishment Amendment Bylaw be read a first, second and third time; and

THAT Bylaw No. 1310.03, 2021, Okanagan Falls Fire Protection Service Establishment Amendment Bylaw be read a first, second and third time.

CARRIED

5. Subdivision Servicing Amendment Bylaw No. 2000.10, 2021

- a. Draft Amendment Bylaw No. 2000.10

RECOMMENDATION 9 (Unweighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2000.10, 2021, Regional District of Okanagan-Similkameen Subdivision Servicing Amendment Bylaw be read a first, second and third time and adopted. - **CARRIED**

6. Items removed from Consent Agenda – Development Services

- a. Development Variance Permit Application – 162 Saliken Drive, Electoral Area “D”
 - i. Permit

It was MOVED and SECONDED

THAT the Board of Directors defer consideration of Development Variance Permit No. D2020.019-DVP and it be referred to the Electoral Area “D” Advisory Planning Commission.

CARRIED

D. PUBLIC WORKS**1. Cross Connection Control Bylaw**

- a. Bylaw No. 2851, 2020 – Cross Connection Control

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

It was MOVED and SECONDED

THAT Bylaw No. 2851, 2020 Cross Connection Control Bylaw be read a first, second and a third time and be adopted. - **CARRIED**

E. COMMUNITY SERVICES

1. COVID 19 Resilience Infrastructure Stream Grant Program

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT applications to the Investing in Canada Infrastructure Program – British Columbia – COVID-19 Resilience Infrastructure Stream (CVRIS) grant be submitted for:

1. Rail trail and trail amenity upgrades within each Electoral Area to promote active transportation (nine Electoral Area applications)
2. Improving RDOS facilities and infrastructure to increase the resiliency and efficiency in preventing the spread of COVID-19 (one Regional application)

CARRIED

2. RDOS Parks, Trails and Recreation Master Plan Contract Award

RECOMMENDATION 12 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the contract for the Regional District of Okanagan-Similkameen Parks, Trails, and Recreation Master Plan be awarded to RC Strategies Inc. in the amount of \$137,851. - **CARRIED**

F. FINANCE

1. RDOS 2021-2025 Five Year Financial Plan Bylaw 2922, 2021

RECOMMENDATION 13 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2922, 2021 Regional District of Okanagan Similkameen 2021-2025 Five Year Financial Plan per Schedule "A" be read a first time. - **CARRIED**

2. Early Budget Approval for Specific Items

RECOMMENDATION 14 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the CAO be authorized to proceed with the following projects totaling \$277,440.00 and identified in the 2021 Budget, prior to adoption.

Summary of Early Request				
		Budget Page	Funding	Amount
1	Campbell Mtn. Landfill Design, Operations and Closure Master plan	86	Reserve	\$ 124,200
2	Purchase of 2 - 1/2 ton trucks and Trailers	156	Reserve	\$ 43,240
3	Board Meeting Software	97	Covid Funds	\$ 15,000
4	Data Centre Lease	90	Covid Funds	\$ 50,000
5	Purchase of service body cabinets for new bush Fire Truck for Keremeos	2	Reserve	\$ 45,000
	Total			<u>\$ 277,440</u>

CARRIED

3. Use of Covid-19 Funds

It was MOVED and SECONDED

THAT the Board of the Regional District of Okanagan Similkameen approve staff's recommendations as per schedule "A" of the Administrative Report to the Board dated January 21, 2021 from CAO B. Newell. - **CARRIED**

G. LEGISLATIVE SERVICES

1. Naramata Water Advisory Committee Terms of Reference

- a. Terms of Reference – Clean
- b. Terms of Reference – Markup

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the revised Naramata Water Advisory Committee Terms of Reference be adopted. **CARRIED**

2. South Okanagan Technical Advisory Committee Recommendations of the January 7, 2021 Environment and Infrastructure Committee

RECOMMENDATION 16 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Board of Directors approve the Technical Advisory Committee recommendations for the South Okanagan Conservation Fund 2020 intake (2021 delivery) projects with the inclusion of the Vaseux Lake Stewardship Association application for an amount up to \$472,245. - **CARRIED**

3. Support for 2021 Census

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District of Okanagan Similkameen express their support for the 2021 Census, and encourage all residents to complete their census questionnaire online at www.census.gc.ca on the understanding that accurate and complete census data supports programs and services that benefit our community. - **CARRIED**

4. Items removed from Consent Agenda – Corporate Issues

a. Electoral Area “G” Official Community Plan (OCP) Project – Citizen’s Advisory Committee - Appointments

It was MOVED and SECONDED

THAT the Board of Directors appoint the following as members of the Electoral Area “G” Official Community Plan (OCP) Project Citizen’s Advisory Committee:

- | | | | |
|--------------------|------------------|------------------|--------------------|
| · Melodie Kolisnyk | · Mel Kotyk | · Rajinder Boora | · Stanley Bobowski |
| · Anne Knight | · Trisha Mills | · Gary Lawrence | · William Arnott |
| · Duncan Baynes | · Andrew English | | |

CARRIED

H. CAO REPORTS

1. Verbal Update

I. 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, Knodel (Alternate)*
 - h. Southern Interior Local Government Association – TBD
 - i. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
 - j. Starling Control – *Bush, Knodel (Alternate)*
 - k. Fire Chief Liaison Committee – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - l. Intergovernmental Indigenous Joint Council – *Kozakevich, Coyne, Roberts*
-

3. Directors Motions

4. Board Members Verbal Update

J. ADJOURNMENT

By consensus, meeting adjourned at 3:44 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: February 4, 2021

RE: Electoral Area "G" Official Community Plan (OCP) Project
Citizen's Advisory Committee - Appointments

Administrative Recommendation:

THAT the Board of Directors appoint the following as members of the Electoral Area "G" Official Community Plan (OCP) Project Citizen's Advisory Committee: Gerald Partridge and Doug Woods.

Purpose:

The purpose of this report is to appoint two additional members to serve on the Electoral Area "G" OCP Project Citizen's Advisory Committee. The Citizen's Advisory Committee will play a key role in the development of the first OCP for Electoral Area "G" by collaborating with and providing local insight to the OCP project team.

Background:

At its November 19, 2020 meeting, the Board of Directors awarded EcoPlan a contract to prepare an Official Community Plan (OCP) Bylaw for Electoral Area "G".

At its December 17, 2020 meeting, the Board of Directors adopted a Terms of Reference to provide organization structure and code of conduct for this Committee.

A call for Citizen's Committee applications were advertised in the Keremeos Review and Similkameen Spotlight, CivicReady, Facebook, RDOS webpage and by press release.

At its January 21, 2021 meeting, the Board of Directors appointed 10 members to the Electoral Area "G" OCP Project Citizen's Advisory Committee.

Analysis:

Administration notes that the appointment of two additional members will bring the Electoral Area "G" OCP Project Citizen's Advisory Committee to its maximum number of members (12).

The proposed appointments will provide additional representation for Olalla (for a total of two members) and rural Keremeos (for a total of 6 members).

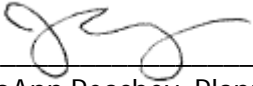
Given the above, Administration recommends appointment of the two noted Electoral Area "G" residents to serve on the Citizen's Committee for the Electoral Area "G" OCP Project.

Alternative:

1. THAT the Board of Directors appoint the following as members of the Electoral Area "G" Official Community Plan (OCP) Project Citizen's Advisory Committee:

a) *TBD*

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed by:



C. Garrish, Planning Manager

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Electoral Area "C" Advisory Planning Commission Resignation

Administrative Recommendation:

THAT the Board of Directors accept the resignations of Louise Conant and Jack Bennest as a members of the Electoral Area "C" Advisory Planning Commission; and

THAT letters be forwarded to Louise Conant and Jack Bennest thanking them for their contributions to the Electoral Area "C" Advisory Planning Commission.

Background:

Under Section 461(2) of the *Local Government Act*, a regional district board may, by bylaw, "establish an advisory planning commission ... to advise the board, or a regional district director representing [an] electoral area, on all matters referred to the commission by the board or by that director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit ..."

At its meeting of July 6, 2006, the Regional District Board adopted the *Advisory Planning Commission Bylaw No. 2339, 2006*, which establishes the ability to create an APC for each electoral area, the composition of each APC (i.e. maximum of 12 members, 2/3 thirds of whom must reside in the electoral area, etc.) and the role of the Commission members in the Regional District's planning process.

Analysis:

On January 19, 2021, the Regional District was notified that Louise Conant, a member of the Electoral Area "C" APC had tendered her resignation from the Commission. Ms. Conant was appointed by the Board, at its meeting of October 5, 2017, to serve on the Electoral Area "C" APC.

On January 24, 2021, the Regional District was notified that Jack Bennest, also a member of the Electoral Area "C" APC had tendered his resignation from the Commission. Mr. Bennest was appointed by the Board, at its meeting of December 20, 2018, to serve on the Electoral Area "C" APC

Volunteers are critical to the success of the Regional District and the Board may wish to acknowledge the significant contributions provided by Ms. Conant and Mr Bennest.

Respectfully submitted

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

C. Garrish, Planning Manager

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Electoral Area "C" Advisory Planning Commission (APC) Appointment

Administrative Recommendation:

THAT the Board of Directors appoint Roger Hall, Heide Held and Mike Stevens as members of the Electoral Area "C" Advisory Planning Commission until October 31, 2022.

Purpose:

The purpose of this report is to seek the Board appointment of a member of the Area Planning Commission for Electoral Area "C".

Background:

The role of Area Planning Commission is to provide recommendations to the Regional District on all matters referred to it by the Regional District or by its Electoral Area Director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*.

Section 4 of Bylaw 2339 (Advisory Planning Commissions) provides for the appointment of members, requiring the Board, by resolution, to appoint members to each Commission on the recommendation of the respective Electoral Area Director.

At least two-thirds of the members of a Commission for an Electoral Area shall be residents of that electoral area. Commission appointments shall be made by the Board for terms which run concurrent with the Board term, and no term of appointment shall extend beyond the term of the Electoral Area Director unless re-appointed by the Board.

Analysis:

Mr. Hall, Ms. Held and Mr. Stevens have submitted applications to sit on the APC for Electoral Area "C" and Director Knodel has recommended that these applications be brought forward for appointment by the Board.

Respectfully submitted:

C. Garrish, Planning Manager

Site Context:

The subject property is approximately 4 ha in area and is situated on the east end of Road 20. It is understood that the parcel is comprised of a mobile home.

The surrounding pattern of development is generally characterised by agricultural operations to the north, south and west and part conservation area and part agricultural lands to the east.

APC & Board Consideration

At its meeting of January 7, 2021, the Regional District Board resolved to refer this application to the Electoral Area "C" Advisory Planning Commission (APC).

At its meeting of January 19, 2021, the Electoral Area "C" APC resolved to support this application to proceed to the ALC.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 3, 2008, while available Regional District records indicate that a building permit for mobile home (2012) have previously been issued for this property.

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG). Under the Electoral Area "C" OCP Bylaw policies for Agriculture-designated lands the Board "supports establishing housing for year round farm help and seasonal farm workers" (Section 9.3.20).

Under Section 6.5 – Growth Management of the Electoral Area "C" OCP Bylaw, the Board "will direct growth to designated Primary and Rural Growth Areas, by discouraging the re-designation or re-zoning of land that permits residential uses outside of the Rural Growth Area containment boundaries" (Section 6.5.2) and "directs residential development away from designated Agricultural AG areas" (Section 6.5.7).

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One Zone (AG1) which allows for maximum number of two (2) dwellings (one principal and one accessory) for parcels less than 8.0 ha in size.

The property is within the Agricultural Land Reserve (ALR) and is classified Residential (Class 01) and Farm (Class 09) by BC Assessment.

Analysis:

The Electoral Area "C" OCP Bylaw speaks to supporting "housing for year round farm help and seasonal farm workers. The Zoning Bylaw supports this policy direction by permitting a maximum density in the AG1 Zone of one (1) principal dwelling along with one (1) accessory dwelling, the latter of which may have a floor area allowance not to exceed 90 m².

The Regional District has historically used parcel size as the basis for determining the need for additional dwellings "for farm use", with larger parcels allotted a greater number of units and smaller parcels with fewer. In this instance, the subject property is relatively small, with a limited area of agricultural land in production (~3.5 ha), however, the applicant has indicated that additional farm

workers are required to perform farm activities on roughly 48.5 ha (120 acres) that they own and/or lease.

A concern has also been identified with the intensity of the current proposal (~256 m² residential footprint) and the potential use of the units by person unrelated to the agricultural operation of the property, particularly in the off-season.

Should this proposal be authorised and subsequently approved by the ALC, the applicant will be required to seek an amendment to the Electoral Area "C" Zoning Bylaw in order to proceed. This is due to the zoning bylaw defines "accessory dwelling" as one residential living unit containing private cooking and bathroom facilities, and limits the total floor area to 90 m² for subject parcel, whereas the applicant is proposing a modular with shared cooking and bathroom facilities, multiple rooms (12), and total floor area of approximately 256 m².

The provision of additional farm labour housing may help alleviate pressure placed on existing housing due to COVID-19 (housing) regulations.

In summary, the application to allow proposed dwelling of size 256 m² is inconsistent with the OCP Bylaw, which aims to limit residential development on agricultural lands.

Alternatives:

1. THAT the Board of Directors "authorize" the application for a "Non-Adhering Residential Use – Additional Residence for Farm Use" at 300 Road 20 (Lot A, Plan 74196, DL 2450S, SDYD) to proceed to Agricultural Land Commission;

Respectfully submitted:

R. Gadoya

Rushi Gadoya, Planning Technician

Endorsed By:



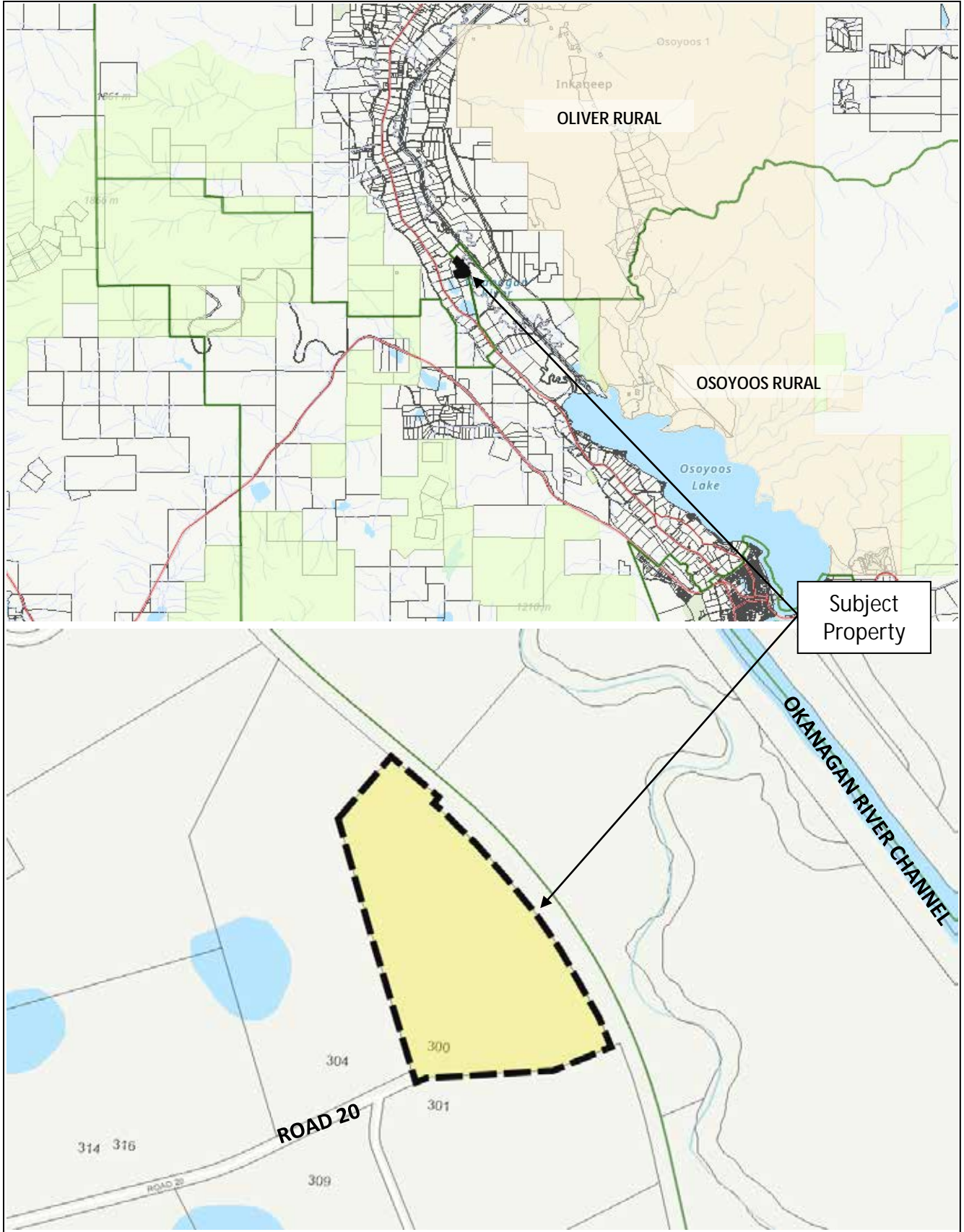
C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

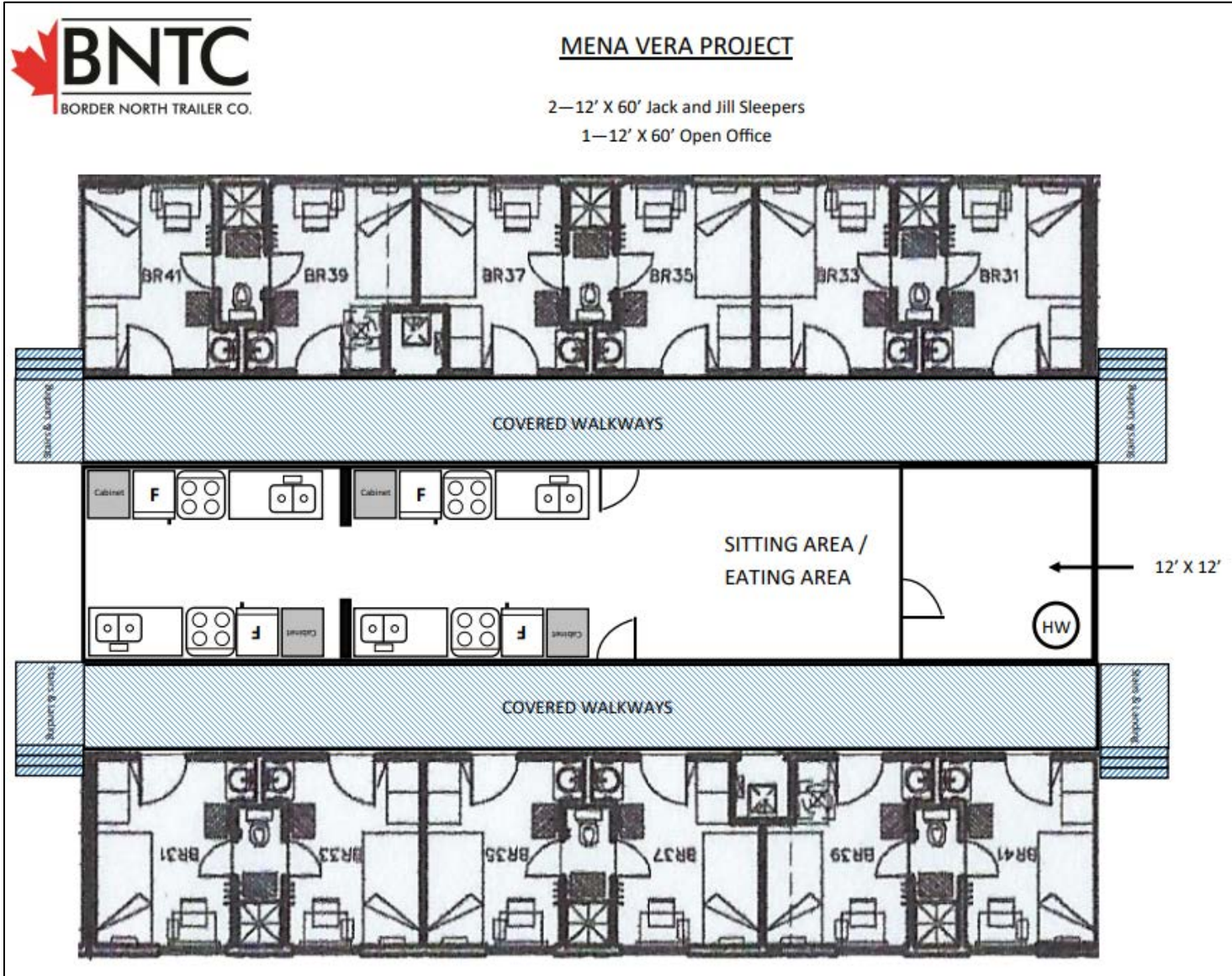
No. 2 – Applicant's Floor Plan

No. 3 – Interior Plan

Attachment No. 1 – Context Maps



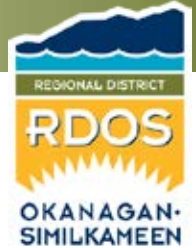
Attachment No. 2 – Applicant’s Floor Plan



Attachment No. 3 – Interior Plans



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “C”

Administrative Recommendation:

THAT the RDOS Board not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 1377 Fairview Road (Lot 211A, Plan 1997, DL2450S, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for a farm workers residence (additional dwelling) within the ALR.

Owners: Sergio Nunes and Tamara Nunes Agent: Tamara Nunes Folio: C-05615.000

Legal: Lot 211A, Plan KAP1997, District Lot 2450S, SDYD Civic: 1377 Fairview Road

OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

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

Specifically, the applicant is seeking the Commission’s approval to convert the existing two dwellings (of sizes 76.1 m² and 141 m²) into farm labour housing and be able to build another principal dwelling of approximately 368 m² area.

In support of this proposal, the applicant has stated that “the necessity for an additional residence for farm use on this property is great. Not only do we intend to expand the land use to its full potential by way of increased vineyard to include nearly 4 ac of Coronation grapes, but to achieve a biodynamic setting encompassing the addition of livestock, chickens (coop existing, though vacant), apiary, fruit and vegetables. In order to maintain this sort of production while still performing our 'day jobs' off the farm we require support in our farm operations by way of farm help.”

Statutory Requirements:

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

In this instance, Section 25(3) is seen to apply as the property “is zoned by bylaw to permit [an] agricultural or farm use” and an amendment to the Electoral Area “C” Zoning Bylaw will be required in order for the development to proceed.

Site Context:

The subject property is approximately 1.8 ha in area and is situated on the south side of Fairview Road and immediate southwest with boundary of Town of Oliver. It is understood that the parcel is comprised of a modular home (76.1 m²), a cabin (141 m²) and various accessory structures and greenhouses.

The surrounding pattern of development is generally characterised by similarly sized agricultural land parcels developed with single detached dwellings and active agricultural activities.

Background:

The current boundaries of the subject property are unknown, while available Regional District records indicate that a building permit for existing dwellings and greenhouses have not previously been issued for this property.

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG). Under the Electoral Area "C" OCP Bylaw policies for Agriculture-designated lands, the Board "supports establishing housing for year round farm help and seasonal farm workers" (Section 9.3.20).

Under Section 6.5 – Growth Management of the Electoral Area "C" OCP Bylaw, the Board "will direct growth to designated Primary and Rural Growth Areas, by discouraging the re-designation or re-zoning of land that permits residential uses outside of the Rural Growth Area containment boundaries" (Section 6.5.2) and "directs residential development away from designated Agricultural AG areas" (Section 6.5.7).

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is zoned Agriculture One (AG1), and allows for a maximum of one (1) principle dwelling and one (1) accessory dwelling (90 m²).

The property is within the Agricultural Land Reserve (ALR) and is classified as Residential (Class 01) and Farm (Class 09) under BC Assessment.

Analysis:

The Electoral Area "C" OCP Bylaw speaks to supporting "housing for year round farm help and seasonal farm workers. The Zoning Bylaw supports this policy direction by permitting a maximum density in the AG1 Zone of one (1) principal dwelling along with one (1) accessory dwelling, the latter of which may have a floor area allowance not to exceed 90 m².

It is understood that the historic practice of the Regional District was to use parcel size as a factor to determine if additional residences were "necessary for farm use", with larger parcels allotted a greater number of units and smaller parcels with fewer. In this instance, the parcel is relatively of smaller size (1.8 ha) and is already developed with two dwellings of approximately 141 m² (cabin) and 76.1 m² (modular).

Administration acknowledges that these dwellings currently accommodates a family (in cabin) and seasonal farm workers (in modular) to help with farm activities on subject parcel.

The applicant's proposal to facilitate additional (principal) residence on the subject parcel promotes more intensified residential growth in an Agriculture-designated area with a density of one unit per 0.6 ha (3 units / 1.8 ha parcel) which exceeds policy direction to support a maximum of one dwelling per 4 ha.

A concern has also been identified with the intensity of the current proposal (3 residential dwellings) and the potential use of the units by person unrelated to the agricultural operation of the property, particularly in the off-season.

Administration further considers that other options are available to the property, primarily in the form of complying with existing (zoning) regulations and decommissioning an existing dwelling to limit 2 (two) dwellings on subject site.

Further, the Electoral Area "C" OCP Bylaw contains growth management policies that discourage additional residential uses in Agriculture-designated areas and areas outside of Primary and Rural Growth Areas. Should this proposal be authorised and subsequently approved by the ALC, the applicant will be required to seek an amendment to the Electoral Area "C" Zoning Bylaw in order to proceed, which is deemed by Administration to be inconsistent with the Electoral Area "C" OCP Bylaw.

Conversely, Administration recognises that there is an accommodation crisis for farm labour housing, which has been aggravated during COVID-19 pandemic and requires additional floor area to provide safe working conditions while following provincial health and safety regulations.

Further, the proposed (principal) dwelling will be located in already disturbed area and is not anticipated to result in any further alienation from agricultural activities that occur on site.

In summary, the application to allow the proposed additional dwelling is inconsistent with the OCP Bylaw and Zoning Bylaw, which aims to limit residential development on agricultural lands.

Alternatives:

1. THAT the RDOS Board "authorize" the application for a "non-adhering residential use – Additional Residence for Farm Use" at 1377 Fairview Road (Lot 211A, Plan 1997, DL2450S, SDYD) to proceed to the Agricultural Land Commission; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "C" Advisory Planning Commission (APC).

Respectfully submitted:

R. Gadoya

R. Gadoya, Planning Technician

Endorsed By:



C. Garrish, Planning Manager

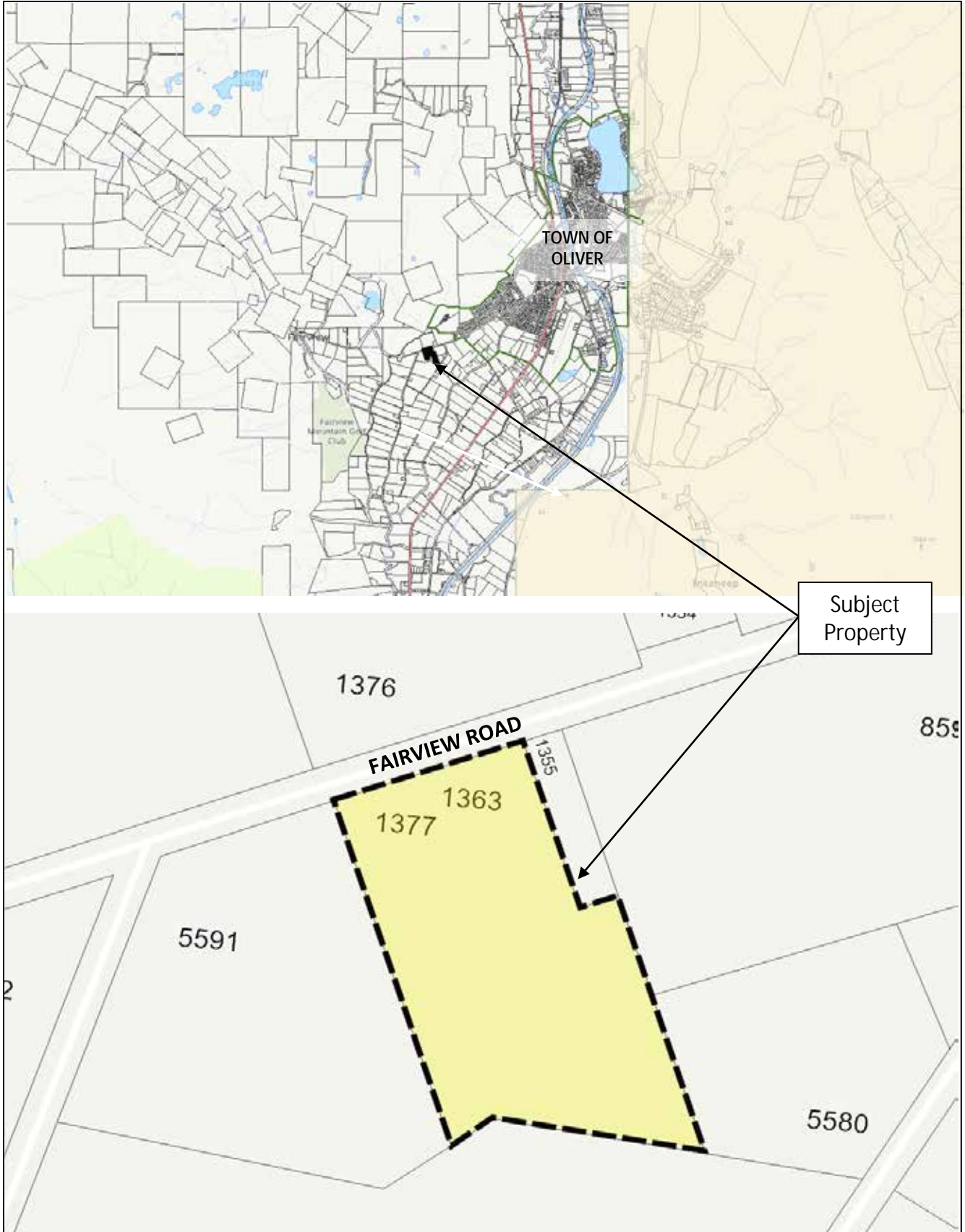
Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

No. 3 – Site Photo

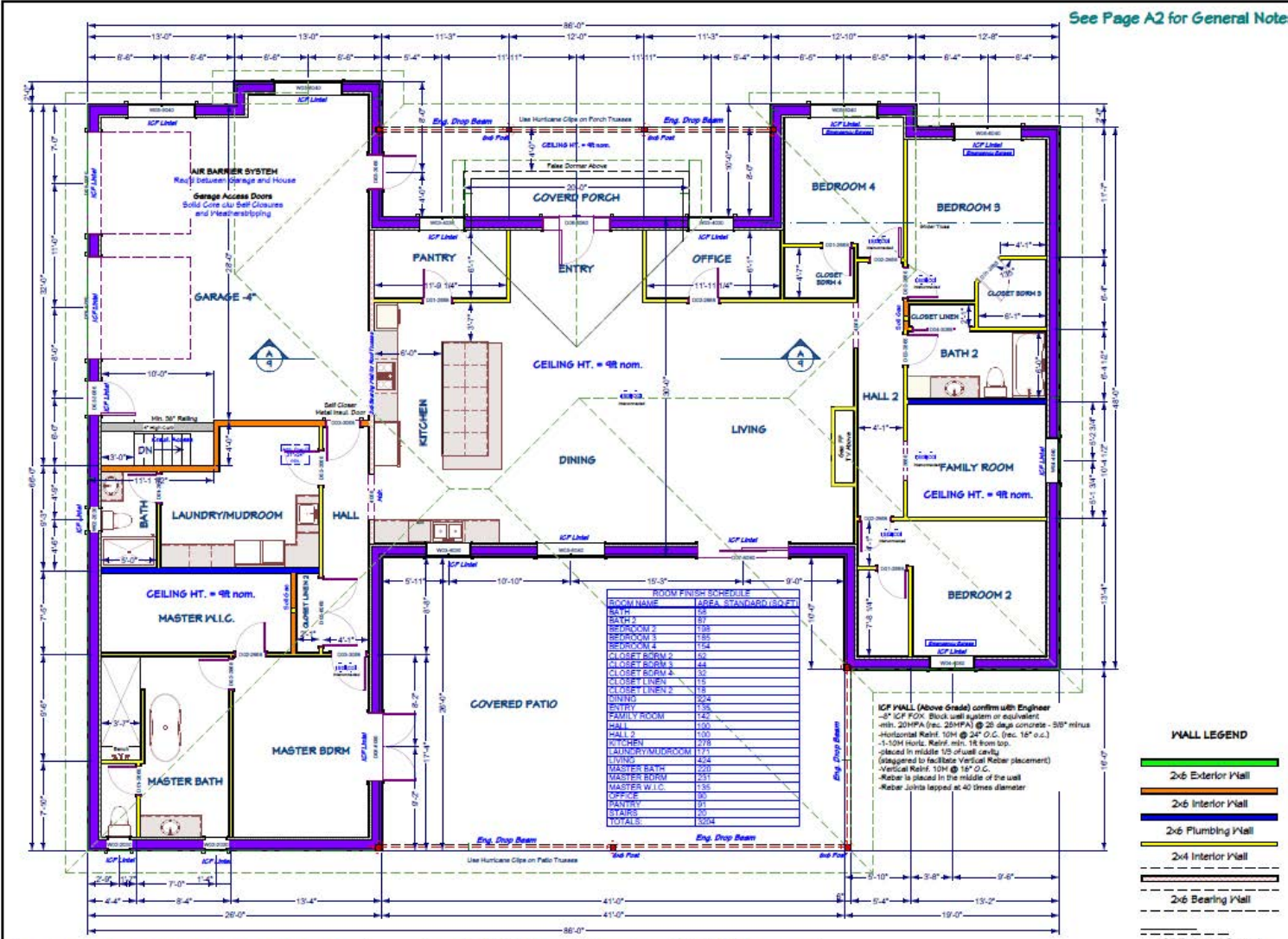
No. 4 – Elevation Drawings

Attachment No. 1 – Context Maps



Attachment No. 3 – Floor Plans

See Page A2 for General Notes



ROOM NAME	AREA (SQUARE FEET)
BATH 1	67
BATH 2	67
BEDROOM 1	138
BEDROOM 2	138
BEDROOM 3	138
BEDROOM 4	138
CLOSET BDRM 1	62
CLOSET BDRM 2	64
CLOSET BDRM 3	62
CLOSET BDRM 4	62
CLOSET LINEN 1	18
CLOSET LINEN 2	18
DINING	224
ENTRY	76
FAMILY ROOM	142
HALL	100
HALL 2	100
KITCHEN	278
LAUNDRY/MUDROOM	177
LIVING	324
MASTER BATH	220
MASTER BDRM	297
MASTER W.I.C.	135
OFFICE	90
PANTRY	61
STAIRS	35
TOTALS	3204

ENGINEERING REQUIRED FOR ICF WALLS
(Openings are less than 1.2m from corners)

ROOM NUMBER	ROOM NAME	WALL TYPE	PERIMETER (m)	AREA (sqm)
001	001-2628	1	1	2628
002	002-3288	1	1	3288
003	003-3288	1	1	3288
004	004-2628	1	1	2628
005	005-2628	1	1	2628
006	006-2628	1	1	2628
007	007-2628	1	1	2628
008	008-2628	1	1	2628

NUMBER	LABEL	FLOOR	DIMENSIONS	ADDRESS
W01	W01	1	4.20x2.40	
W02	W02	1	4.20x2.40	
W03	W03	1	4.20x2.40	
W04	W04	1	4.20x2.40	YES
W05	W05	1	4.20x2.40	
W06	W06	1	4.20x2.40	YES

- WALL LEGEND**
- 2x6 Exterior Wall
 - 2x6 Interior Wall
 - 2x6 Plumbing Wall
 - 2x4 Interior Wall
 - 2x6 Bearing Wall
 - ICF Prod. Wall System

These Plans only for use at:
NUNES RESIDENCE
1377 Fairview Road
Oliver, BC (RDOS 'C')

A5

Date: 23/10/2020
Page: 5 of 9
Scale: As Indicated

NOTES: Must be printed on 18" x 24" paper to be to Scale.

GRANT MONTGOMERY
Grant@BuildingDesigner.ca
Box 134, Coquitlam, BC
ph: (604) 415-5265

Having the seal and signature of a professional engineer is required for the use of these plans. The seal and signature of the engineer must be placed on the plans. The seal and signature of the engineer must be placed on the plans. The seal and signature of the engineer must be placed on the plans.

Attachment No. 4 – Elevation Drawings

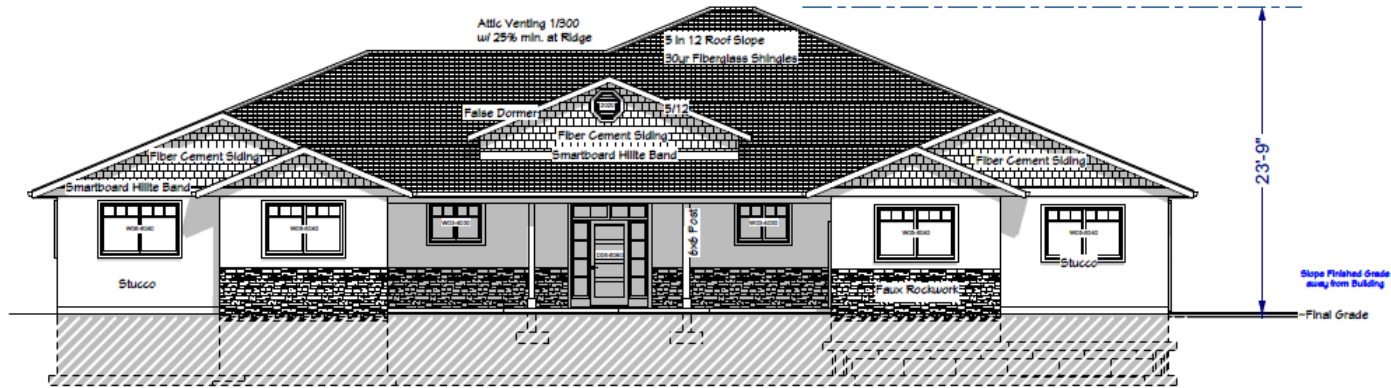
24" Roof Overhangs - Eaves
12" Roof Overhangs - Gables

Provide flashing as per BCBC 4.27.3.3
Head flashing with end dams, all flashing
where window sills are not self-flashed.
Flash all penetrations of cladding.

Window Sillings and Opening Types -
Consult with Owners at time of Ordering



RIGHT ELEVATION
Scale: 3/16" = 1' - 0"



FRONT ELEVATION
Scale: 3/16" = 1' - 0"

These Plans only for use at:
NUNES RESIDENCE
1377 Fairview Road
Oliver, BC (RDO5 'C')

A6

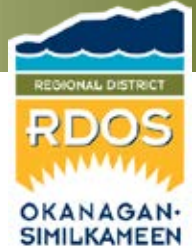
Date: 29/10/2020
Page: 6 of 9
Scale: As Indicated

NOTES: Must be printed on 18" x 24" paper to be in Scale.

GRANT MONTGOMERY
GrantMontgomery.ca
Architect, Oliver, BC
P: (250) 495-5285

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ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “C”

Administrative Recommendation:

THAT the RDOS Board not “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 5475 Sumac Street (Lot 225, Plan 1789, DL2450S, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for a farm workers residence (additional dwelling) within the ALR.

Owners: Gurden Bahniwal & Nirmaljit Bahniwal Agent: Harman Bahniwal Folio: C-05631.000

Legal: Lot 225, Plan KAP1789, District Lot 2450S, SDYD Civic: 5475 Sumac Street, Oliver

OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

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

Specifically, the applicant is seeking the Commission’s approval to construct residence of approximately 335 m² in area for additional farm labour housing.

In support of this proposal, the applicant has stated that, “the additional residence is necessary, so that the required number of farm workers can be appropriately be accommodated. Every year, we continue to plant more and more acreage of cherries; therefore, every year the production increases. Having that said, more production means more work and more farm workers to harvest and handle the fruit. We own fruit orchards all over the Okanagan Valley, so residences are required in the headquarters of all towns/cities where farm work occurs.”

Statutory Requirements:

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

In this instance, Section 25(3) is seen to apply as the property “is zoned by bylaw to permit [an] agricultural or farm use” and an amendment to the Electoral Area “C” Zoning Bylaw will be required in order for the development to proceed.

Site Context:

The subject property is approximately 2.8 ha in area and is situated on the south side of Road 3 and immediate southwest with boundary of Town of Oliver. The property is understood to comprise an existing principal dwelling (approx. size 114.5 m²) with the remainder of the property under agricultural production.

The surrounding pattern of development is characterised by similar agricultural operations as well as a nursery (greenhouse) operation to the east and the Okanagan Gleaners operation to the south.

Background:

The current boundaries of the subject property were registered in Lands Title Office on November 30, 1921, while available Regional District records indicate that a building permit(s) for existing dwelling have not previously been issued for this property.

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG). Under the Electoral Area "C" OCP Bylaw policies for Agriculture-designated lands, the Board "supports establishing housing for year round farm help and seasonal farm workers" (Section 9.3.20).

Under Section 6.5 – Growth Management of the Electoral Area "C" OCP Bylaw, the Board "will direct growth to designated Primary and Rural Growth Areas, by discouraging the re-designation or re-zoning of land that permits residential uses outside of the Rural Growth Area containment boundaries" (Section 6.5.2) and "directs residential development away from designated Agricultural AG areas" (Section 6.5.7).

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is zoned Agriculture One (AG1), and allows for a maximum of one (1) principle dwelling and one (1) accessory dwelling (90 m²).

The property is within the Agricultural Land Reserve (ALR) and is classified as Residential (Class 01) and Farm (Class 09) under BC Assessment.

The applicant previously applied to the Commission for additional farm labour housing in the form of a converted chemical shed at 5526 Primrose Lane of approximately 140 m². On June 2019, the proposal was subsequently authorized by Regional District Board to proceed to ALC for their determination. Based on the ALC's website, it appears that this application is still being considered (No 58985).

Analysis:

The Electoral Area "C" OCP Bylaw speaks to supporting "housing for year round farm help and seasonal farm workers. The Zoning Bylaw supports this policy direction by permitting a maximum density in the AG1 Zone of one (1) principal dwelling along with one (1) accessory dwelling, the latter of which may have a floor area allowance not to exceed 90 m².

It is understood that the historic practice of the Regional District was to use parcel size as a factor to determine if additional residences were "necessary for farm use", with larger parcels allotted a greater number of units and smaller parcels with fewer.

In this instance, the parcel is relatively small (2.8 ha) with limited agricultural productivity (2.7 ha) and was a part of a previous application to ALC (see background) that requested farm labour housing.

Administration is also concerned about the cumulative impact of dwellings on farmland owned by the applicant. It is noted that, in their submission to the ALC, the applicant has indicated full ownership of four (4) agricultural parcels (one parcel within City of Kelowna while other three in the surrounding area).

At present, these parcels represent a land area of approximately 28.2 ha (~70 acres) and are seen to comprise 6 dwelling units (see Attachment No. 6) with an unknown floor area. There may already be sufficient dwelling units on the applicant's various parcels to accommodate the labour requirements of their farm operation.

A concern has also been identified with the intensity of the current proposal (*335 m² residential dwelling*) and the potential use of the units by person unrelated to the agricultural operation of the property, particularly in the off-season.

Further, the farm labour housing will be located in an area which is predominantly used for agricultural activities (see Attachment 2), thereby expropriating valuable agricultural land for residential purposes in an Agriculture – designated area.

Should this proposal be authorised and subsequently approved by the ALC, the applicant will be required to seek an amendment to the Electoral Area "C" Zoning Bylaw in order to proceed, which is deemed by Administration to be inconsistent with the Electoral Area "C" OCP Bylaw.

Conversely, Administration recognises that there is an accommodation crisis for farm labour housing, which has been aggravated during COVID-19 pandemic and requires additional floor area to provide safe working conditions while following provincial health and safety regulations.

In summary, the application to allow the proposed additional dwelling is inconsistent with the OCP Bylaw and Zoning Bylaw, which aims to limit residential development on agricultural lands.

Alternatives:

1. THAT the RDOS Board "authorize" the application for a "non-adhering residential use – Additional Residence for Farm Use" at 5475 Sumac Street (Lot 225, Plan 1789, DL2450S, SDYD) to proceed to the Agricultural Land Commission; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "C" Advisory Planning Commission (APC).

Respectfully submitted:

R. Gadoya

R. Gadoya, Planning Technician

Endorsed By:



C. Garrish, Planning Manager

Attachments:

No. 1 – Context Maps

No. 3 – Elevation Drawings

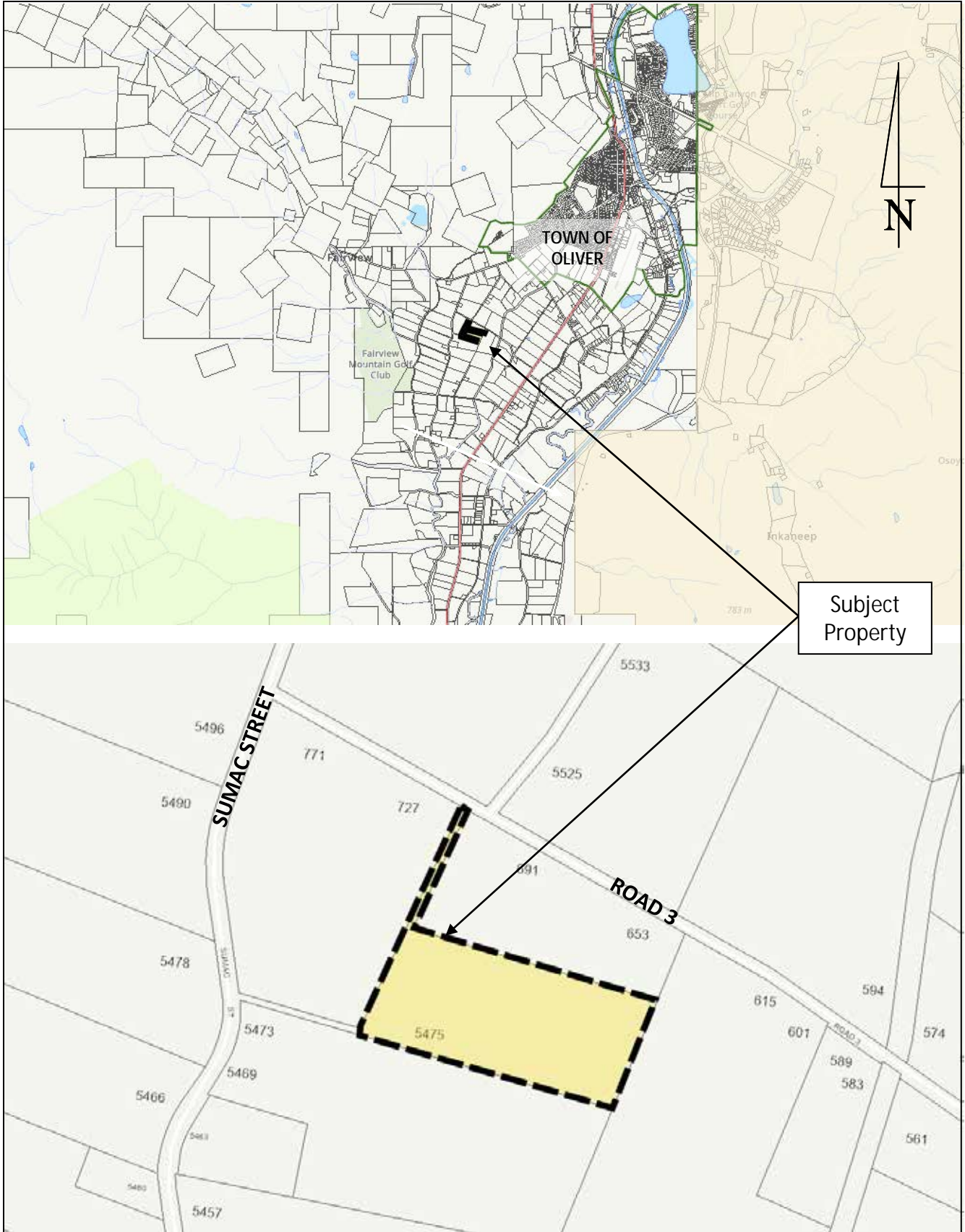
No. 5 – Floor Plans

No. 2 – Applicant's Site Plan

No. 4 – Elevation Drawings

No. 6 – Properties owned by the applicant in surrounding area

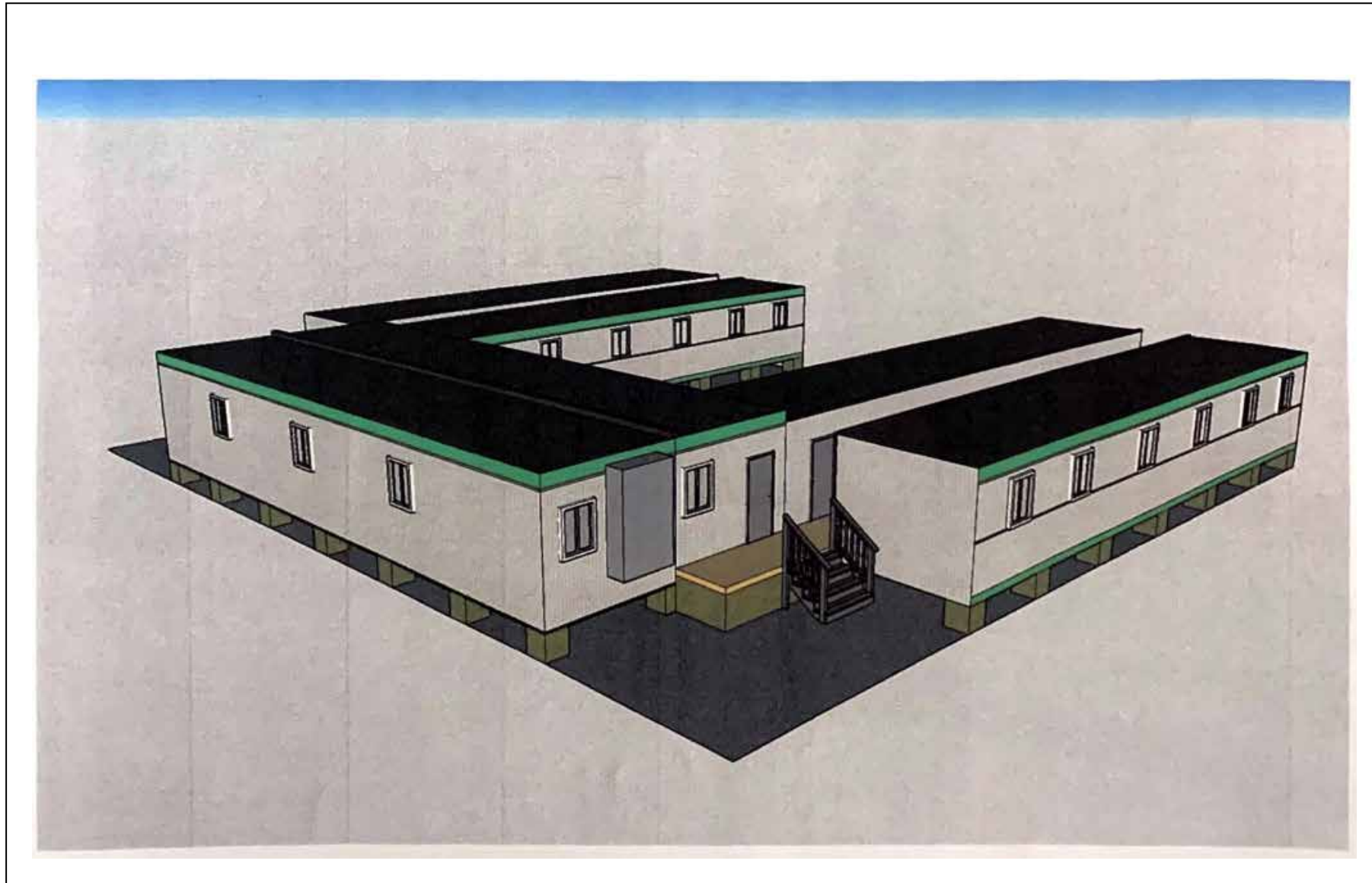
Attachment No. 1 – Context Maps



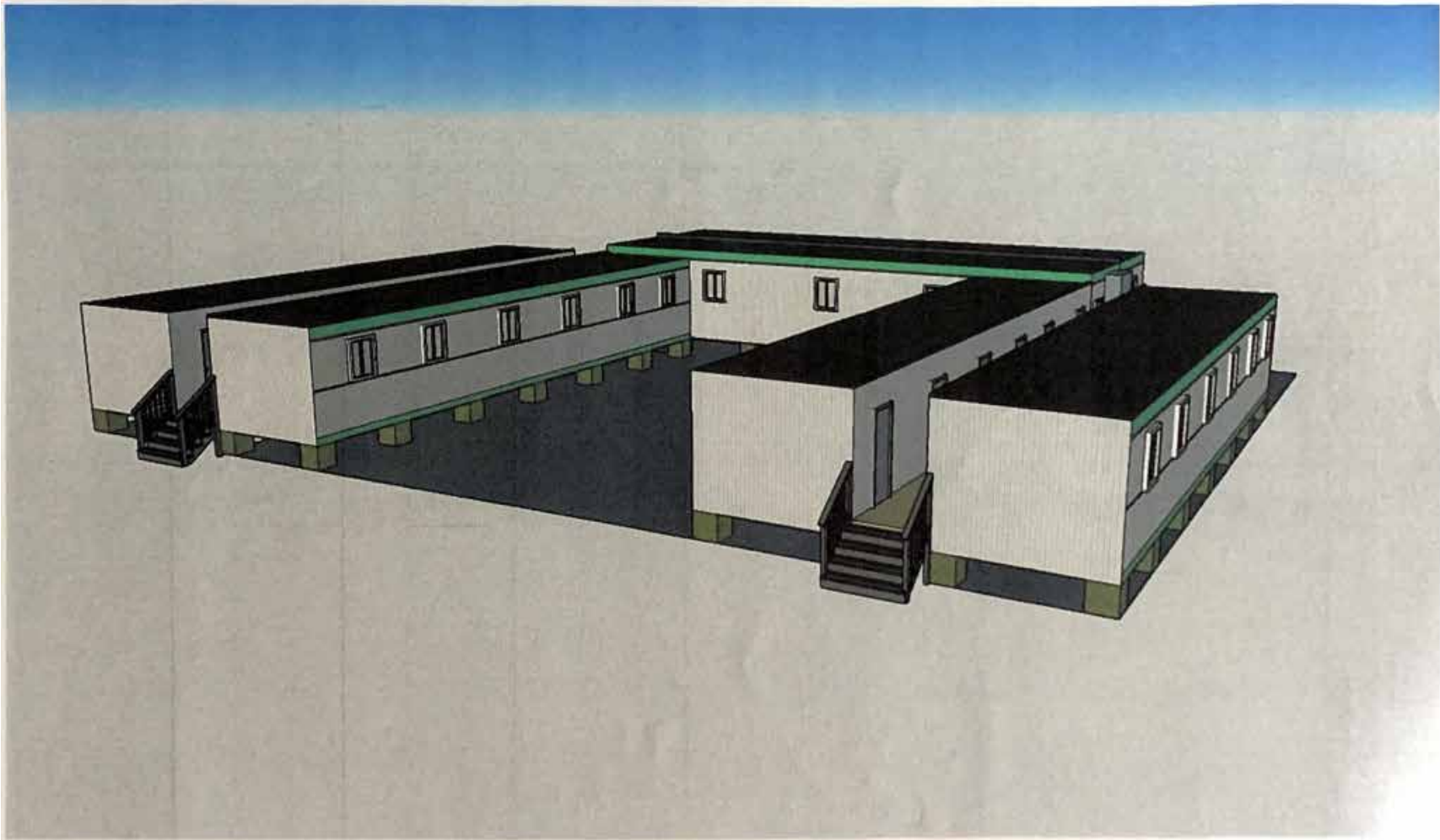
Attachment No. 2 – Applicant's Site Plan



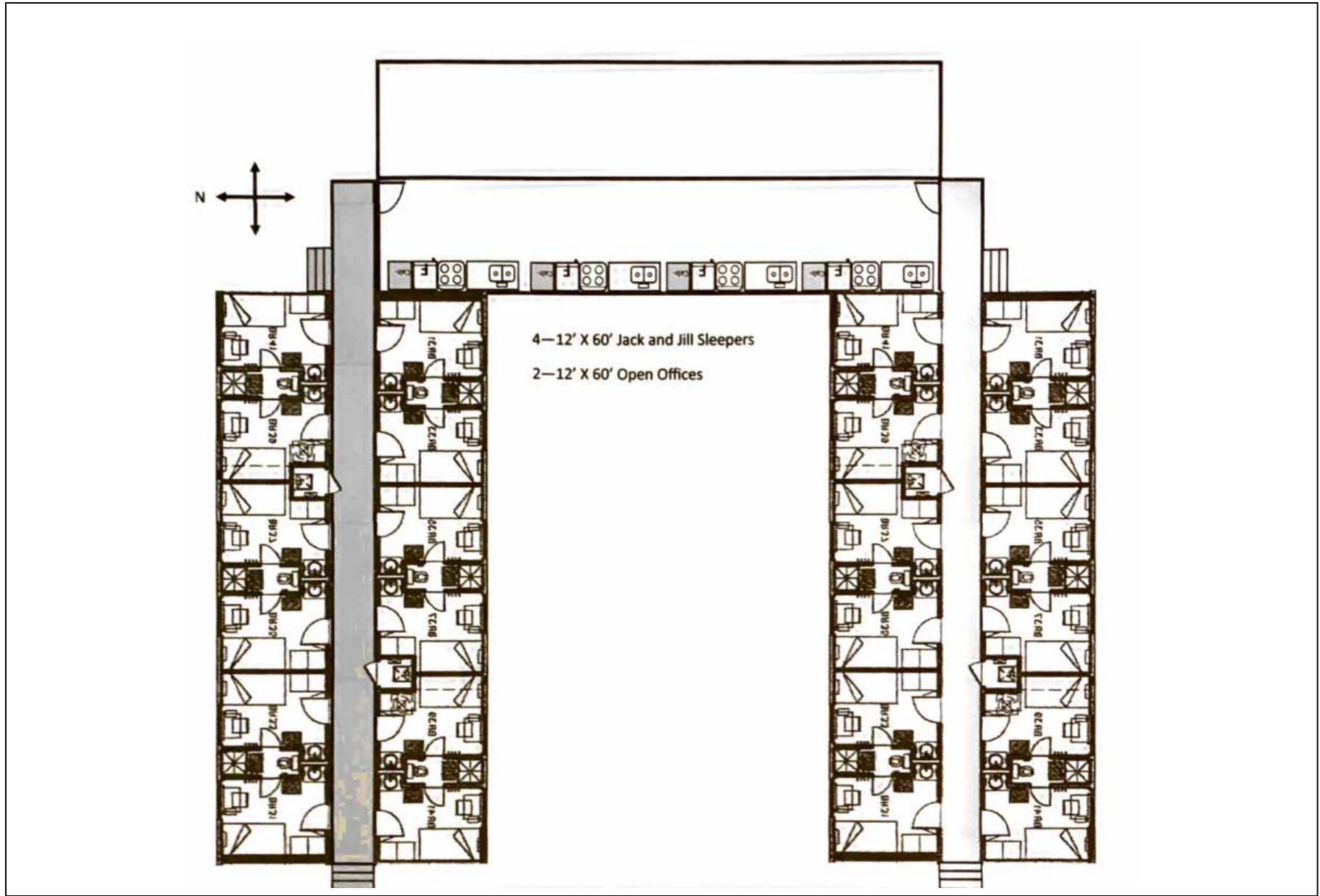
Attachment No. 3 – Elevation Drawings



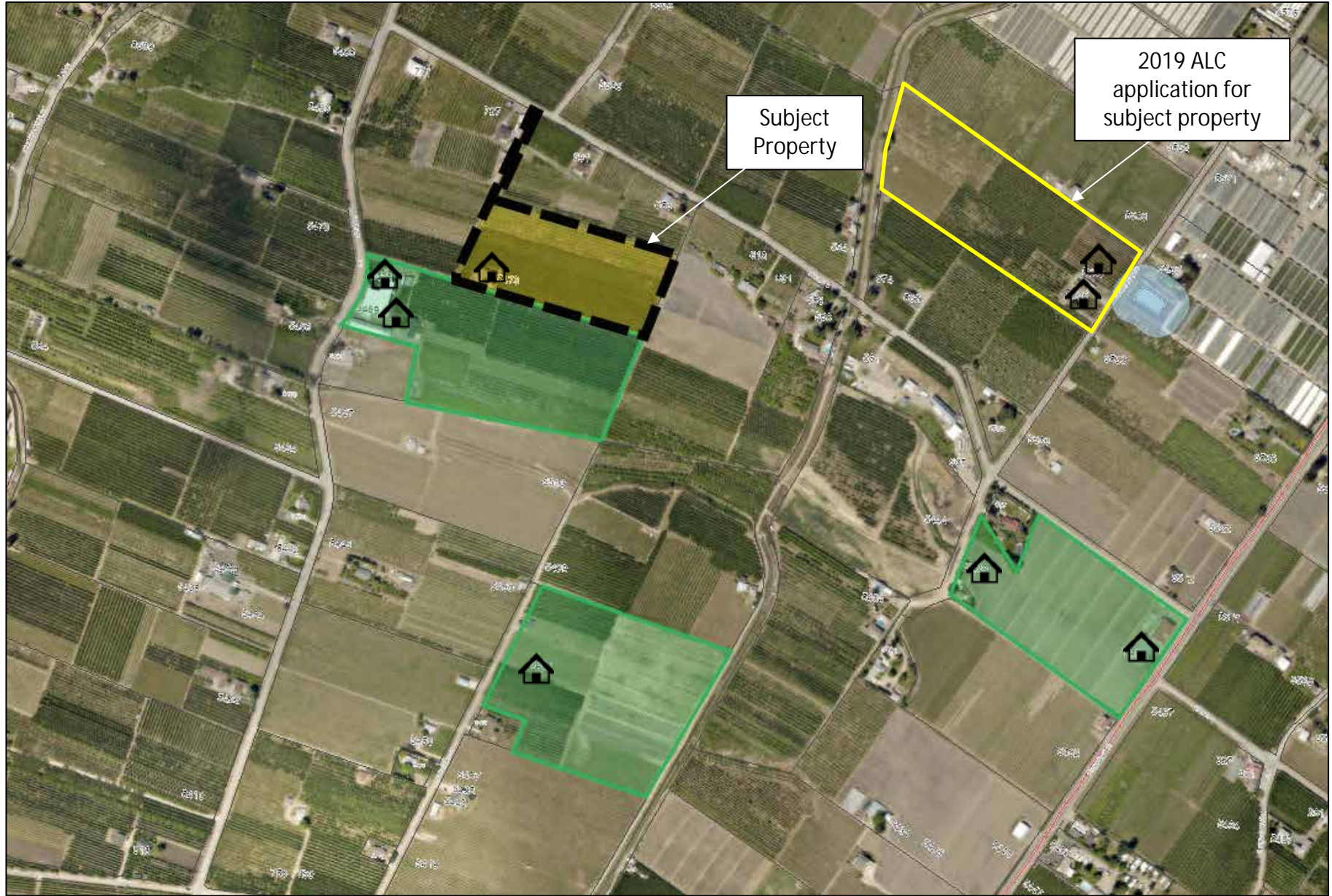
Attachment No. 4 – Elevation Drawings



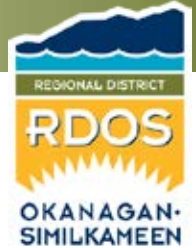
Attachment No. 5 – Floor Plans



Attachment No. 6 – Properties owned by the applicant in surrounding area



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “H”

Administrative Recommendation:

THAT the RDOS Board “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 1029 Highway 5A (Lot 1, Plan 42455, District Lot 1406, KDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for a farm workers residence (additional dwelling) within the ALR.

Owners: Luc Beauchamp & Aimee Beauchamp Agent: N/A Folio: H-00955.350

Legal: Lot 1, Plan KAP42455, District Lot 1406, KDYD Civic: 1029 Highway 5A

OCP: Agriculture (AG) Zone: Agriculture Three Zone (AG3)

Proposed Development:

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

Specifically, the applicant is seeking the Commission’s approval to allow for build living quarters for farm staff above a 4 stall horse barn.

In support of this proposal, the applicant has stated that, “Due to lack of building space on the property due to steep / side hill terrain, we are proposing to build living quarters for farm staff above a 4 stall horse barn.”

Statutory Requirements:

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

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

Section 30(4) of the Act grants the Board the authority to not “authorise” an application to proceed to the ALC if the land is zoned by bylaw to permit an agricultural or farm use, or an amendment to an Official Community Plan (OCP) Bylaw or Zoning Bylaw would be required for the proposal to proceed.

Site Context:

The subject property is approximately 9.58 ha in area and is situated on the east side of Highway 5A. It is understood that the parcel is comprised of a single detached dwelling and various accessory structures used for breeding horses.

The surrounding pattern of development is generally characterised by similarly sized agricultural parcels to north, south and west, and large holdings parcels to the east.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on February 5, 1990, while available Regional District records indicate that building permits for single detached dwelling and accessory buildings have previously been issued for this property.

Under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Agriculture (AG), and is the subject of a Watercourse Development Permit (WDP) designations.

Under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, the property is currently zoned Agriculture Three (AG3) and allows for a maximum of one (1) principle dwelling and two (2) accessory dwelling (180 m² in total).

The property is within the Agricultural Land Reserve (ALR) and is classified as Residential (Class 01).

Analysis:

In considering this proposal, Administration notes that the Zoning Bylaw permits a maximum density on the AG3 zone of one (1) principal dwelling along with two (2) accessory dwelling, the latter of which may have a varying floor area not exceeding 180 m².

It is understood that the historic practice of the Regional District was to use parcel size as a factor to determine if additional residences were "necessary for farm use", with larger parcels allotted a greater number of units and smaller parcels with fewer.

In this instance, the parcel has historically been used for horse rearing (21 horses) and cattle grazing, is approximately 9.58 ha in size and the applicant is seeking to provide farm labour housing above the horse ban, thereby limiting the footprint of non-farm use on ALR lands.

Administration considers this to be consistent with the OCP policy of "discouraging non-farm use of land designated for "Agriculture"" as well as the zoning regulations limiting the size of an accessory dwelling to no more than 180 m² on parcels between 8.0 ha and 11.9 ha in area.

Further Administration also notes that all accessory structures built on site including stud pens (75' x 75'), round pen (radius 60'), riding arena (100' x 160'), hay shed (40' x 50') and a storage shed (30' x 84') indirectly supports the agriculture, as these structures are solely intended for use by livestock on site. It is understood that additional farm workers are required to manage and maintain breeding of livestock.

Conversely, Administration recognises that carriage house(s) is not a permitted use under AG3 zone. Considering proposed dwelling as accessory dwelling, the zoning bylaw limits heights of such

dwellings to one storey except for parcels zoned agriculture, in which case the dwellings are required to comply with height regulations of principal dwelling (10 meters).

In summary, the application to allow an additional dwelling is generally consistent with the Electoral Area "H" OCP & Zoning Bylaw that aims to discourage non-farm uses in Agricultural areas. For these reasons, it is Administration's recommendation to authorize the application to proceed to the Agricultural Land Commission.

Alternatives:

1. THAT the RDOS Board not "authorize" the application for a "non-adhering residential use – Additional Residence for Farm Use" at 1029 Highway 5A (Lot 1, Plan 42455, District Lot 1406, KDYD) to proceed to the Agricultural Land Commission; OR
2. THAT the Board of Directors defers making a decision and directs that the proposal be considered by the Electoral Area "H" Advisory Planning Commission (APC).

Respectfully submitted:

R. Gadoya

R. Gadoya, Planning Technician

Endorsed By:

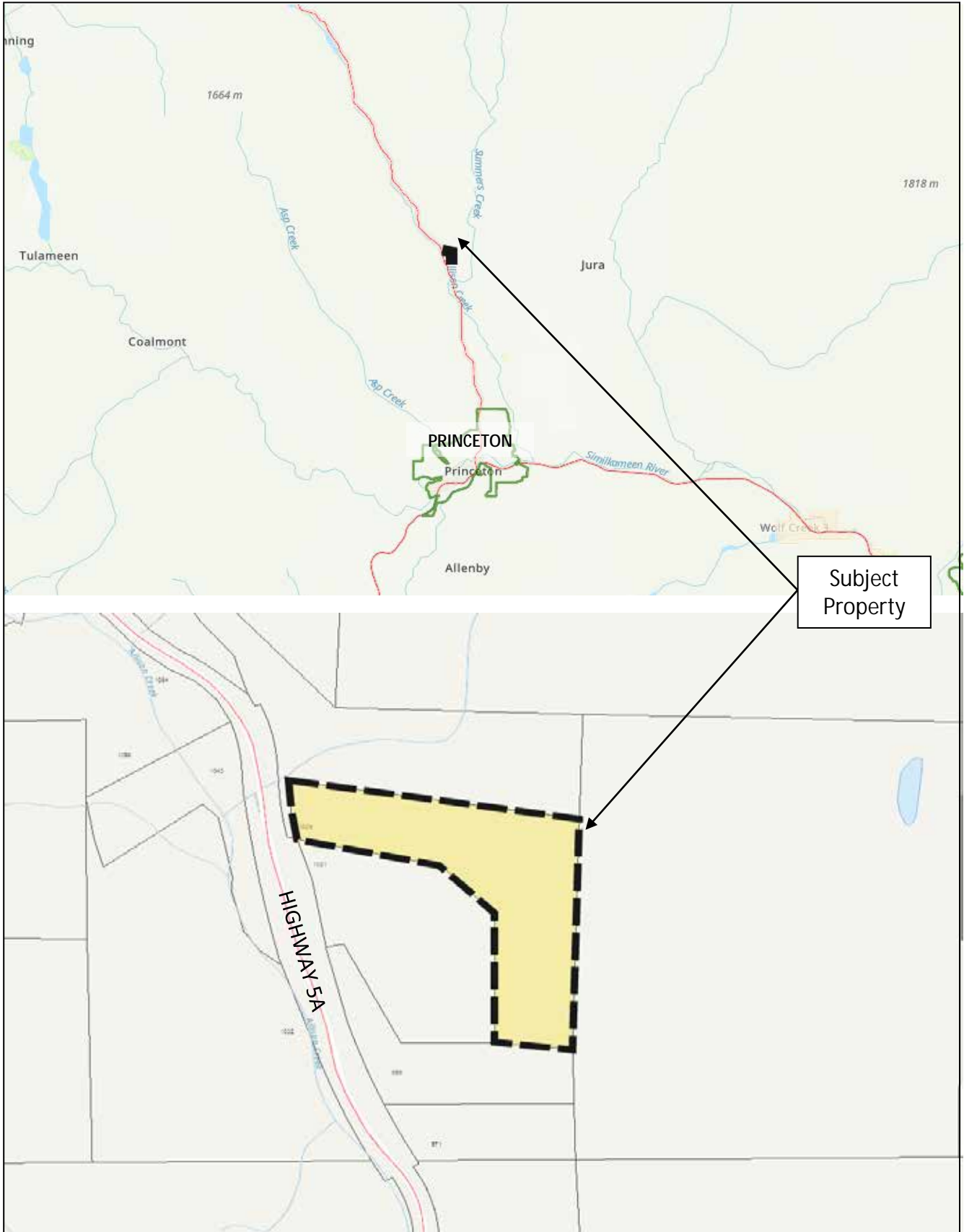


C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

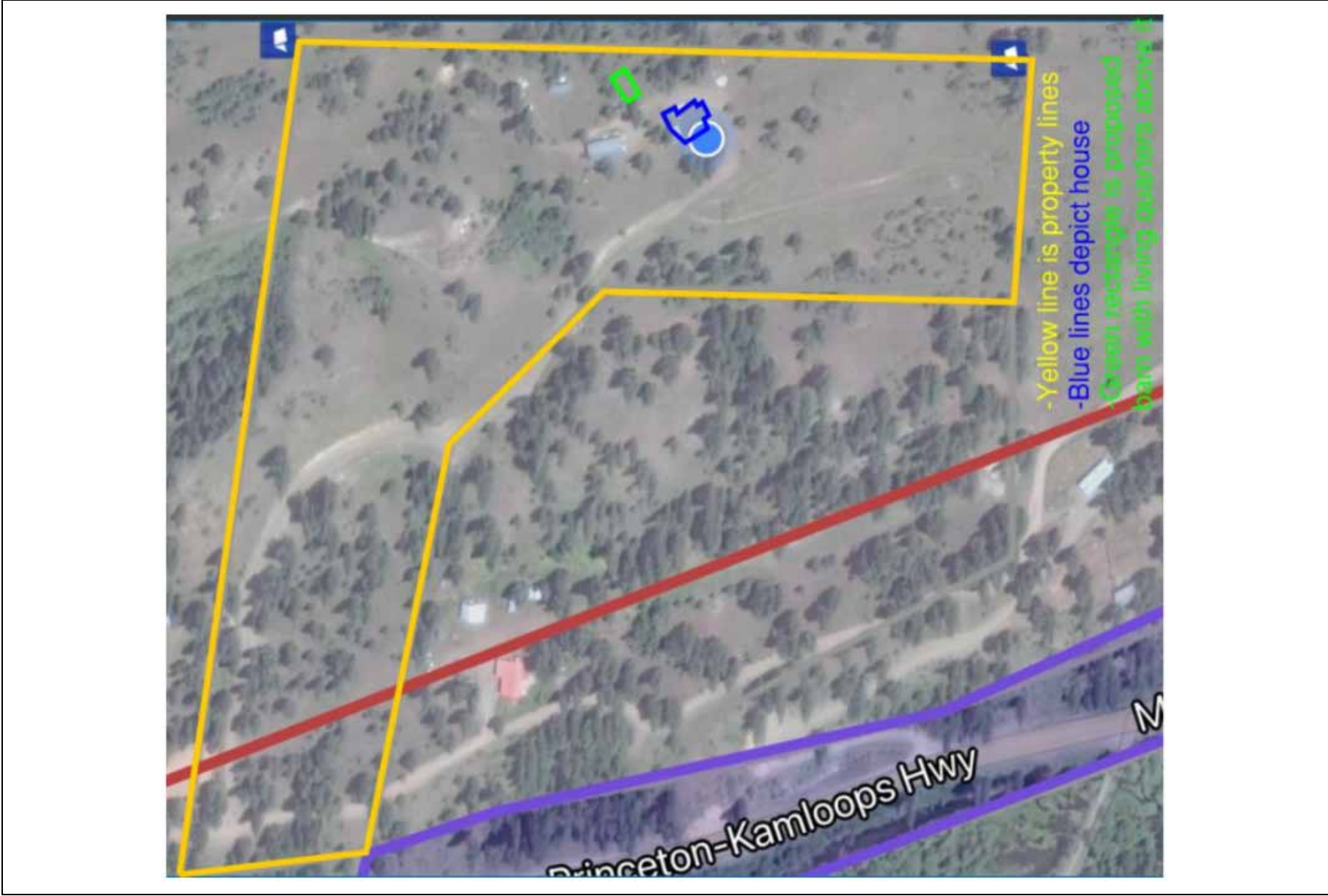
No. 2 – Applicant's Site Plan

Attachment No. 1 – Context Maps

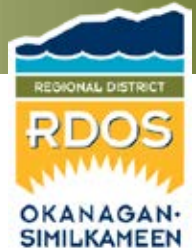


Subject Property

Attachment No. 2 – Applicant's Site Plan



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Temporary Use Permit Application – Electoral Area “A”

Administrative Recommendation:

THAT the Board of Directors deny Temporary Use Permit No. A2020.010-TUP

Purpose: To allow for continuation of an “outdoor storage” use through issuance of a TUP.

Owners: Elaine Majeau / Paul Lyver Agent: McElhanney, Inc. Folio: A-06372.050

Civic: 8715 Road 22 Legal: Lot 5, Plan KAP51250, District Lot 2450s, SDYD

OCP: Agriculture (AG) Zoning: Agriculture One (AG1)

Proposed Development:

This application is seeking to allow commercial “outdoor storage” use on the subject property through the renewal of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “the proposal is to continue to provide a row of outdoor RV storage sites that would be approximately 3.2 m wide and approximately 8 metres long to accommodate seasonal storage of recreation vehicles (campers/fifth wheel trailers) and boats.”

Site Context:

The subject property is approximately 5.11 ha in area and is situated on the south side of Road 22 approximately 400 metres from the intersection with Highway 97 (Fruitvale Way). It is understood that the parcel is comprised of a single detached dwelling, mobile home, a shop with living quarters, various accessory structures, a hay field and the subject outdoor storage area.

The surrounding pattern of development is generally characterised by environmentally sensitive conservation areas and former oxbows, and similarly sized agricultural lands along Road 22.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on January 11, 1994, while available Regional District records indicate that a building permits for a mobile home (2000), single detached dwelling (2009), mobile home relocation (2009), and renovations (2012).

Under the Electoral Area “A” Official Community Plan (OCP) Bylaw No. 2450, 2008, the subject property is currently designated Agriculture (AG), and is the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations.

Section 17.3.4 of Electoral Area "A" OCP Bylaw establishes the following criteria in evaluating a Temporary Use Permit application:

- The use must be clearly temporary or seasonal in nature;
- Compatibility of the proposal with adjacent uses;
- Impact of the proposed uses on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas;
- Intensity of the proposed use;
- Opportunity to conduct the proposed use on land elsewhere in the community; and
- The remedial measures to be carried out to mitigate any damage to the natural environment as result of the temporary use.

Under the Electoral Area "A" Zoning Bylaw No. 2451, 2008, the property is currently zoned Agriculture One (AG1) which does not permit "outdoor storage" ("outdoor storage" is only a permitted principal use in the General Industrial (I1) zone).

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with the Okanagan River and BC Assessment has classified the property as part "Residential" (Class 01) and part "Farm" (Class 09).

Public Process:

On January 13, 2021, a Public Information Meeting (PIM) was held electronically via Webex and was attended by no members of the public.

At its meeting of January 11, 2021, the Electoral Area "A" 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 the continuation of the outdoor storage use at this location fails to meet the TUP evaluation criteria outlined in the Electoral Area "A" OCP Bylaw and is considered inconsistent with the agricultural designation and values of the parcel.

Unlike vacation rentals, the Electoral Area "A" OCP Bylaw does not contain supportive policy for the ongoing use of temporary use permits for "outdoor storage" and temporary use permits are not considered a substitute for a rezoning application (Section 17.2.3).

Given the proposed use is intended to be permanent (not temporary), and occur throughout the year (not seasonal), a rezoning application is considered the appropriate avenue for evaluating this use.

Further, the proposed "outdoor storage" use can be conducted elsewhere and there are no unique circumstances that necessitate operations at this location, contrary to Section 17.3.4(e).

“Outdoor storage” as a commercial business is more suitably located within the Town of Osoyoos, Town of Oliver and the Osoyoos Indian Band industrial park where services and amenities are more readily available.

Further, the continuation of a general industrial use on agricultural lands undermines the RGS and Electoral Area “A” OCP Bylaw’s objectives to direct such development to existing industrial areas and urban areas with servicing.

In assessing the appropriateness of the use at this location, an “outdoor storage” business contravenes policy for its Agriculture designation, as the proposal does not maximize productive farm activity (Section 6.3.14) and does not preserve agricultural land with continuing value for agriculture for current and future production (Section 6.2.1).

In response to the applicant’s claim that “agricultural potential on the property is limited”, it is noted that the parcel has farm status, currently supports active farm operations, and has been identified by the Ministry of Agriculture to have “good agricultural capability” and “potential for forage, vegetable and possibly strawberry production”.

The “outdoor storage” area remains visually prominent and is easily viewed from Highway 97 (Attachment No. 3), as screening from adjacent properties has not been provided (Attachment No. 4).

It should also be noted that of a commercial storage business may not be compatible with adjacent uses (Section 17.3.4(b)), due to the ecologically sensitive nature of the abutting conservation area parcel.

Conversely, Administration recognises that the Regional District Board has previously supported “outdoor storage” under A2016.109-TUP and there have been no formal complaints during the duration of this TUP.

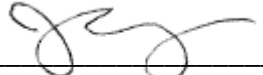
Although the applicant has also noted the general uncertainty of the global pandemic as a reason for the owners seeking a TUP without the “complexities of going through a rezoning process”, Administration considers three years of continuous operation to be ample time for the property owners to assess the viability of their business and prepare a rezoning application.

In summary, Administration does not support the continuation of a commercial “outdoor storage” use on the subject parcel and recommends that the temporary use permit not be renewed.

Alternatives:

1. THAT the Board of Directors approve Temporary Use Permit No. A2020.010-TUP; or
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. A2020.010-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 – Site Photo (November 2020)
- No. 3 – Site Photo (January 2021)
- No. 4 – Site Photo (November 2020)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, regarding A2020.010-TUP:

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

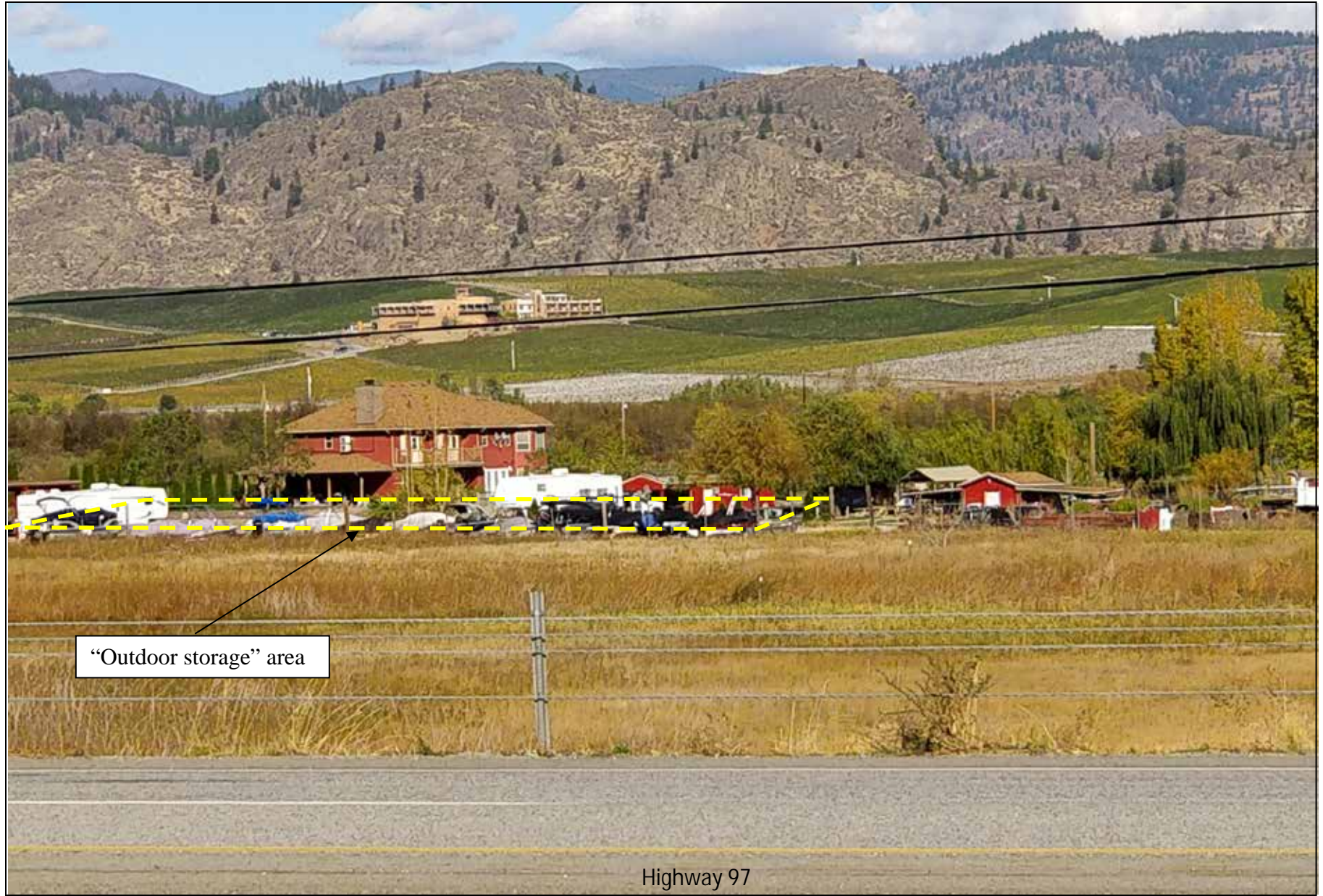
Attachment No. 2 – Site Photo (November 2020)

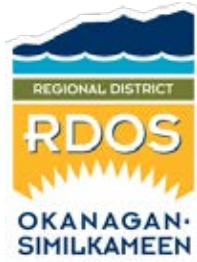


Attachment No. 3 – Site Photo (January 2021)



Attachment No. 3 – Site Photo (November 2020)





TEMPORARY USE PERMIT

FILE NO.: A2020.010-TUP

OWNER: Grant Lyver & Elaine Majeau
8705 Road 22
Oliver, BC, V0H-1T1

AGENT: Dejan Teodorovic
McElhanney Ltd.
290 Nanaimo Avenue West
Penticton, BC, V2A-1N5

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' and 'B', and described below:

Legal Description: Lot 5, Plan KAP51250, District Lot 2450S, SDYD

Civic Address/location: 8715/8705 Road 22

Parcel Identifier (PID): 018-557-279 Folio: A-06372.050

TEMPORARY USE

6. In accordance with Section 17.0 of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, the land specified in Section 5 may be used for:

- (a) "outdoor storage", which is defined as meaning the storage of trailers and recreational vehicles (including campers) in the open air where such storage of equipment does not involve the erection of permanent structures.

CONDITIONS OF TEMPORARY USE

- 7. The use of the land for an "outdoor storage" use is subject to the following conditions:
 - (a) the location and operation of the "outdoor storage" use shall not occur beyond the area shown outlined in a red dashed line on Schedule 'B';
 - (b) the "outdoor storage" use shall be screened from adjacent properties by a screen not less than 1.8 metres in height; and
 - (c) the "outdoor storage" use shall not exceed a maximum of 20 spaces for the storage of trailers, boats, recreational vehicles and other vehicles.

COVENANT REQUIREMENTS

- 8. Not applicable.

SECURITY REQUIREMENTS

- 9. Not applicable.

EXPIRY OF PERMIT

- 10. This Permit shall expire on January 4, 2024.

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

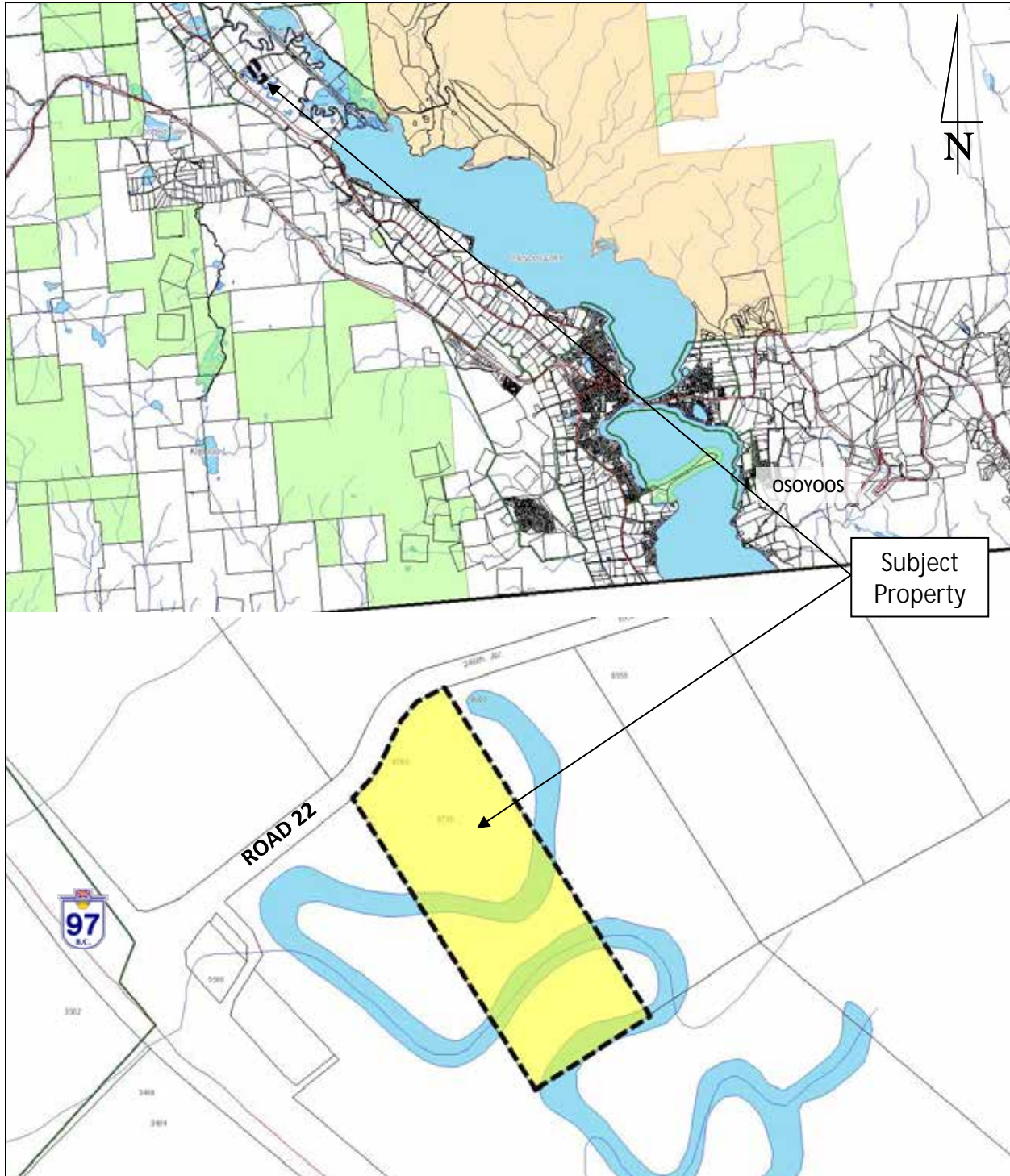
Telephone: 250-492-0237 Email: planning@rdos.bc.ca



Temporary Use Permit

File No. A2020.010-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. A2020.010-TUP

Schedule 'B'





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

November 3, 2020

Reply to the attention of Sara Huber
ALC Issue: 51960
Local Government File: A2020-010

JoAnn Peachey
Planner 1, RDOS
jpeachey@rdos.bc.ca

Delivered Electronically

Re: Regional District of Okanagan Similkameen Temporary Use Permit A2020-010

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Temporary Use Permit A2020-010 (the "TUP") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP is consistent with the purposes of the *ALC Act* (ALC Act), the Agricultural Land Reserve (ALR) General Regulation, (the "ALR General Regulation"), the ALR Use Regulation (the "ALR Use Regulation"), and any decisions of the ALC.

The TUP proposes to allow recreational vehicle (RV) and boat storage, i.e. "outdoor storage", which is defined as the storage of trailers and recreational vehicles (including campers) in the open air where such storage of equipment does not involve the erection of permanent structures on the property identified as 8705 Road 22, Oliver; PID: 018-557-279 (the "Property").

The Property is not within the ALR, nor is adjacent to the ALR. For this reason, ALC staff has no objection to the issuance of the TUP. However, ALC staff note that the Property is designated and zoned to support agriculture and given the limited supply of agricultural lands within the Province, the Property may be more appropriately used for agricultural endeavors.

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

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



November 12, 2020

File: 0280-30
Local Government File: A2020-019-TUP

JoAnn Peachy, Planner I
Regional District Okanagan Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Dear JoAnn Peachy,

Re: Temporary Use Permit Application for 8705/8715 Road 22, Oliver B.C.

Thank you for providing British Columbia Ministry of Agriculture staff the opportunity to comment on the above noted application to accommodate the continuation of commercial RV parking and storage. We note that the property is located outside of the Agricultural Land Reserve (ALR) and is not immediately adjacent to the ALR but is zoned A-1 and likely has good agricultural capability, based on provincial soils mapping.

Soils in this area are poorly drained silt loams which have good potential for forage, vegetable, and possibly strawberry production, with appropriate management. The soil compaction and placement of gravel fill for the RV parking and storage has the potential to compound drainage issues for surrounding properties. The use; therefore, may not be very compatible with keeping the area in agricultural production

In addition, given the A-1 zoning, the likelihood of good agricultural capability and to prevent further erosion of agricultural production due to non-farm uses into the future we suggest that the Regional District consider requesting the Agricultural Land Commission include properties along Road 22 into the ALR.

If you have any questions, please contact us directly at the numbers and email addresses below.

Sincerely,

Alison Fox, P.Ag.
Land Use Agrologist
B.C. Ministry of Agriculture
E-mail: Alison.Fox@gov.bc.ca
Office: (778) 666-0566

Christina Forbes, P.Ag.
Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
E-mail: Christina.Forbes@gov.bc.ca
Office: (250) 861-7201

Email copy: Sara Huber, Regional Planner, 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 TUP A2020-010

CC: Ministry of Agriculture – Attention: Alison Fox

51960m1

Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: November 17, 2020 2:05 PM
To: Planning
Cc: JoAnn Peachey
Subject: RE: Temporary Use Referral A2020.010-TUP

Follow Up Flag: Follow up
Flag Status: Flagged

Hello RDOS Planners,

Thank you for your referral A2020.010-TUP regarding a Temporary Use Permit for storage at 8715/8705 Road 22, PID 018557279, LOT 5 DISTRICT LOT 2450S SIMILKAMEEN DIVISION YALE DISTRICT PLAN KAP51250. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

Results of Provincial Archaeological Inventory Search

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

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

Archaeology Branch Advice

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

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

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

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

Rationale and Supplemental Information

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

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

How to Find an Eligible Consulting Archaeologist

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

Questions?

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

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

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

Kind regards,







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



Diana Cooper

Archaeologist/Archaeological Information Administrator

Archaeology Branch | [Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#)
Phone: (250) 953-3343 | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology

From: JoAnn Peachey <jpeachey@rdos.bc.ca>

Sent: October 21, 2020 1:27 PM

To: HBE@interiorhealth.ca; FBCLands@FortisBC.com; Forbes, Christina D AGRI:EX <Christina.Forbes@gov.bc.ca>; Huber, Sara ALC:EX <Sara.Huber@gov.bc.ca>; Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>; Arch Data Request FLNR:EX <ArchDataRequest@gov.bc.ca>; b_harrison@ducks.ca; FLNRDOS.Referrals@gov.bc.ca; ken.brock@canada.ca

Subject: Temporary Use Referral A2020.010-TUP

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Re: Temporary Use Permit (Outdoor storage)
3575 3rd Street, Naramata8715/8705 Road 22

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-a/>

Please find a referral for a temporary use and a link to the application and related documents. Please review and if you have any questions, please do not hesitate to contact me, the file manager.

Once reviewed, if you have any comments/concerns, please forward to planning@rdos.bc.ca before November 20, 2020.

Kind Regards,



JoAnn Peachey • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4384 • tf. 1.877.610.3737 • f. 250.492.0063
jpeachey@rdos.bc.ca • [RDOS](#)
[FACEBOOK](#) • [YOUTUBE](#) • Sign up for [REGIONAL CONNECTIONS](#)



November 19, 2020

File: 2020084
Your File:

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

Attention: JoAnn Peachey, Planner

Re: Temporary Use Permit for outdoor RV storage at 8705 & 8715, Road 22 in Oliver, BC

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development provides the following response to the above noted referral.

There are no concerns with the TUP as proposed, however please be advised that the province would not support rezoning of the property in future. We have spoken with Bruce Harrison of Ducks Unlimited Canada (DUC), who expressed that DUC would similarly not support future rezoning of the property. This is due to the ecologically sensitive nature of the property and environs, so zoning that allowed outdoor storage on other parts of the property would not be appropriate.

It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the Water Sustainability Act and the Wildlife Act. If you have any other questions or require further information please feel free to contact the undersigned at 778-622-6834 or Jamie.Leathem@gmail.com.

Yours truly,

Jamie Leathem, M.Sc.
Ecosystems Biologist, on behalf of the Referral Committee

JL/jl

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: November 19, 2020 1:06 PM
To: Planning
Subject: Road 22, 8705 & 8715 RDOS (A2020.010-TUP)

Follow Up Flag: Follow up
Flag Status: Flagged

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Road 22. All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.

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

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

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

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

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

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

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

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

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

Best Regards,

Steve Danielson, AACI, SR/WA

Contract Land Agent | Property Services | FortisBC Inc.

2850 Benvoulin Rd

Kelowna, BC V1W 2E3

Mobile: 250.681.3365

Fax: 1.866.636.6171

FBCLands@fortisbc.com

RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. A2020.010-TUP


- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reasons Outlined Below

Interior Health – Healthy Communities thanks you for the opportunity to provide a health perspective to the proposed temporary use permit.

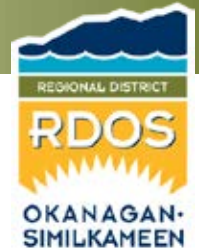
Healthy Community Development reviewed this temporary permit in 2008: Temporary Use Permit No. A2016.109-TUP. Our comments indicated that the owner of the parcel needed to provide documentation which would indicate whether the wastewater and the water supply system are in compliance with applicable legislation including but not limited to the Sewerage System Regulation, the Drinking Water Protection Act and the Drinking Water Protection Regulation.

This Temporary Use permit excludes the campsite however; it is for the storage of trailer units. The parcel is in an area of high groundwater therefore we would recommend that the owner demonstrate that it is capable of providing sustainable onsite sewerage disposal systems and drinking water systems prior to permitting additional uses that might impair these services for the existing development.

Please contact the undersigned if you have questions or concerns.

Signature:  Signed By: Clare Audet
Agency: Interior Health Title: Environmental Health Officer -HCD
Date: November 17, 2020

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Official Community Plan (OCP) Bylaw Amendments – ALR Exclusion Applications

Administrative Recommendation:

THAT Bylaw No. 2913, 2020, Electoral Area Official Community Plan Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated February 4, 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. 2913, 2020, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of March 4, 2021;

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

Proposed Development:

The purpose of Amendment Bylaw No. 2913, 2020 is to introduce Official Community Plan (OCP) Bylaw policies for Agricultural Land Reserve Exclusion applications in response to changes to the *Agricultural Land Commission Act*.

This bylaw seeks to remove policy statements in a number of Electoral Area OCP Bylaws that require agrologist reports for applications to exclude land from the ALR, and to add the following new growth management policies:

- *Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.*
 - *Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land Commission Act such as non-farm use, non-adhering residential use and subdivision.*
 - *Generally supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.*
-

It should be noted that the drafted OCP Amendment Bylaw No. 2913, 2020 does not include Electoral Area "A", as it is anticipated that any policy direction would be incorporated into the OCP update. Further, the drafted OCP Amendment Bylaw for Electoral Area "H" only includes the first two policy statements, as the Electoral Area "H" already contains policies speaking to the ALR boundaries.

Background:

At its meeting of October 15, 2020, the P&D Committee considered a draft of OCP Amendment Bylaw No. 2913, 2020 and resolved that the bylaw be initiated.

Public Process:

As part of the initiation of OCP Amendment Bylaw No. 2913, 2020, the following consultation was undertaken:

- Referral to the Electoral Area Advisory Planning Commissions (November 2020-January 2021);
- Notification to external agencies (October 23, 2020);
- Documentation added to the Regional District web-page (October 22, 2020) and updated on December 1, 2020 and December 12, 2020;
- Public information meeting held electronically (December 10, 2020);
- Notification of PIM posted on Regional District's Facebook page (December 1, 2020), on Regional District's webpage and events calendar (December 1, 2020), via CivicReady (December 1, 2020), in the Penticton Western News (December 2, 2020 and December 9, 2020 editions), and in the Keremeos OK Falls Review (December 3, 2020 and December 10, 2020 editions)

Referrals:

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 53, No. 58 and No. 67 have been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Pursuant to Section 475 of the *Local Government Act*, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect agricultural lands. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaw.

Public Process:

On December 10, 2020, a Public Information Meeting (PIM) was held electronically and was attended by approximately 3 members of the public.

At the meetings of the Electoral Area "A" Advisory Planning Commission (APC) (November 9, 2020), Electoral Area "D" APC (November 10, 2020), Electoral Area "E" APC (December 14, 2020), Electoral Area "F" APC (November 23, 2020), Area "H" APC (December 15, 2020) and Area "I" APC (December 16, 2020) the respective APCs resolved to recommend to the RDOS Board that the proposed amendment bylaw be supported.

This item was referred to the Electoral Area "C" APC in the January 19, 2021 agenda; however, this agenda item did not receive a formal recommendation due to lack of quorum.

Administration recommends that the public meeting as well as formal referral to the agencies listed at Attachment No. 1, should be considered appropriate consultation for the purpose of Section 475 of the *Local Government Act*. As such, the consultation process undertaken is seen to be sufficiently early and does not need to further ongoing consultation.

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

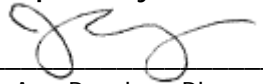
Analysis:

Amendment Bylaw No. 2913, 2020 contains policies to support growth management within the ALC and to maintain existing ALR boundaries unless part of a comprehensive OCP review process as previously initiated by the Board at committee.

Alternatives:

1. THAT Bylaw No. 2913, 2020, Electoral Area Official Community Plan Amendment Bylaw be deferred; or
2. THAT Bylaw No. 2913, 2020, Electoral Area Official Community Plan Amendment Bylaw be denied.

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a **p**, regarding Amendment Bylaw No. 2913, 2020:

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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2913, 2020

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

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

1. This Bylaw may be cited for all purposes as the "Electoral Area Official Community Plan Amendment Bylaw No. 2913, 2020."
2. The Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended by:
 - i) adding a new sub-Section 6.5.8 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .8 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.
 - ii) adding a new sub-Section 6.5.9 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .9 Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land Commission Act such as non-farm use, non-adhering residential use and subdivision.
 - iii) adding a new sub-Section 6.5.10 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .10 Generally supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.

3. The Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:
- i) adding a new sub-Section 7.6.13 under Section 7.0 (Growth Management) to read as follows:
 - .13 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.
 - ii) adding a new sub-Section 7.6.14 under Section 7.0 (Growth Management) to read as follows:
 - .14 Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land Commission Act such as non-farm use, non-adhering residential use and subdivision.
 - iii) adding a new sub-Section 7.6.15 under Section 7.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .15 Generally supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.
 - iv) replacing sub-Section 9.2.13 under Section 9.0 (Agriculture) in its entirety, to read as follows:
 - .13 *deleted*
4. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:
- i) adding a new sub-Section 7.3.11 under Section 7.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .11 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.
 - ii) adding a new sub-Section 7.3.12 under Section 7.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .12 Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land

Commission Act such as non-farm use, non-adhering residential use and subdivision.

- v) adding a new sub-Section 7.3.13 under Section 7.0 (Growth Management) to read as follows, and renumbering all subsequent sections:

- .13 Generally supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.

- 5. The Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended by:

- i) adding a new sub-Section 6.5.6 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:

- .6 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.

- ii) adding a new sub-Section 6.5.7 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:

- .7 Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land Commission Act such as non-farm use, non-adhering residential use and subdivision.

- iii) adding a new sub-Section 6.5.8 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:

- .8 Generally supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.

- iv) replacing sub-Section 9.2.13 under Section 9.0 (Agriculture) in its entirety, to read as follows:

- .13 *deleted*

- 6. The Electoral Area "H" Official Community Plan Bylaw No. 2497, 2012, is amended by:

- i) adding a new sub-Section 7.5.5 under Section 7.0 (Growth Management) to read as follows, and renumbering all subsequent sections:

- .5 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.

- ii) adding a new sub-Section 7.5.6 under Section 7.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .7 Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land Commission Act such as non-farm use, non-adhering residential use and subdivision.

- iii) replacing sub-Section 10.3.3 under Section 10.0 (Agriculture) in its entirety, to read as follows:
 - .3 *deleted*

7. The Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, is amended by:

- i) a new sub-Section 6.5.9 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .9 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.
- ii) adding a new sub-Section 6.5.10 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .10 Encourages property owners to seek, as an alternative to the exclusion of lands from the Agricultural Land Reserve, approval from the Agricultural Land Commission for other application types under the Agricultural Land Commission Act such as non-farm use, non-adhering residential use and subdivision.
- iii) adding a new sub-Section 6.5.11 under Section 6.0 (Growth Management) to read as follows, and renumbering all subsequent sections:
 - .11 Generally supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.
- iv) replacing sub-Section 9.3.5 under Section 9.0 (Agriculture) in its entirety, to read as follows:
 - .5 *deleted*

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.

ADOPTED this ____ day of _____, 2021.

Board Chair

Chief Administrative 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

October 26, 2020

Reply to the attention of Sara Huber
ALC Planning Review: 46743
Local Government File: X2020.014-ZONE

JoAnn Peachey
Planner 1, RDOS
planning@rdos.bc.ca

Delivered Electronically

Re: Regional District of Okanagan Similkameen Electoral Area Amendment Bylaw No. 2913, 2020 – ALR Exclusion Policy

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area Amendment Bylaw No. 2913, 2020 (the “Bylaw”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the *ALC Act* (ALC Act), the Agricultural Land Reserve (ALR) General Regulation, (the “ALR General Regulation”), the ALR Use Regulation (the “ALR Use Regulation”), and any decisions of the ALC.

Current Proposal:

The Bylaw proposes to include policies to guide exclusion applications in Electoral Areas C, D, E, F, H, and I, in response to recent legislative changes (i.e. Bill 15) which took effect on September 30, 2020. The components of the Bylaw will also be incorporated into the Electoral Area A OCP Bylaw, which is currently underway.

The Bylaw proposes to consider ALR exclusions only within the context of an OCP review, and to encourage private landowners to seek other forms of approval, rather than exclusions from the ALR, through other application types (e.g. subdivision, non-farm use, etc.).

The Bylaw eliminates a policy in the Electoral Area D, F, H, and I OCP Bylaws that requires an ALR exclusion application be accompanied by an assessment from a qualified Professional Agrologist.

The Bylaw also includes a statement of support for maintaining the integrity of the ALR and its existing boundaries, except in the Electoral Area H OCP Bylaw, as that bylaw contains a policy to encourage the ALC to review the ALR boundaries under Section 10.3.2.

ALC Staff Comments:

ALC staff generally do not object to the Bylaw noting that the process for identifying lands for exclusion from the ALR shall be completed through the review of an OCP, which will identify land use needs over the long-term. This is the ALC’s preferred approach as opposed to exclusion applications based on an individual’s preferences.

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2913, 2020

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Signature: Graham Daneluz

Digitally signed by Graham Daneluz
Date: 2020.10.23 11:50:57 -07'00'

Agency: Fraser Valley Regional District

Date: 23 Oct 2020

Signed By: Graham Daneluz

Title: Director of Planning & Dev't



December 1, 2020

File: 0280-30

Local Government File: X2020.014-ZONE

JoAnn Peachy, Planner I
Regional District Okanagan Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Dear JoAnn Peachy:

Re: Regional District of Okanagan Similkameen Electoral Area Amendment Bylaw No. 2913, 2020 – ALR Exclusion Policy

Thank you for providing B.C. Ministry of Agriculture staff the opportunity to comment on the proposed OCP amendments to Bylaw 2913. Overall ministry staff consider the amendments to be positive given that the process for identifying lands for exclusion from the Agricultural Land Reserve (ALR) shall be completed through the review of an OCP, which will identify land use needs over the long-term. This appears to meet the intent of the legislative change to identify lands for exclusion through a planning process rather than an individual landowner's goals.

Ministry staff are available for consultation and to provide advice on exclusions from the ALR as we are for all applications affecting the ALR and agriculturally zoned land. As recommended by Agricultural Land Commission (ALC) staff, the RDOS may wish to include a statement in the OCP that will encourage consultation by RDOS with ALC and ministry staff during any OCP review that will consider exclusion of ALR lands.

If you have any questions, please contact us directly at the email addresses or numbers below.

Sincerely,

Alison Fox, P.Ag.
Land Use Agrologist
BC Ministry of Agriculture, Food and Fisheries
Alison.Fox@gov.bc.ca
(778) 666-0566

Christina Forbes, P.Ag
Regional Agrologist
B.C. Ministry of Agriculture, Food and Fisheries
– Kelowna
E-mail: Christina.Forbes@gov.bc.ca
Office: (250) 861-7201

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission



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:

Electoral Area Official Community Plan Amendment Bylaw-Agricultural Land Reserve (ALR) Exclusion Application Policy Update

FN Consultation ID:

L-201023-X2020014-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Friday, November 13, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

November 13, 2020

File Number: X2020.014-ZONE

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

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

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

Invoice Number: L-201023-X2020014-ZONE

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.

limlmt,

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



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Electoral Area Official Community Plan Amendment Bylaw-Agricultural Land Reserve (ALR) Exclusion Application Policy Update

FN Consultation ID:

L-201023-X2020014-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Friday, November 13, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

November 13, 2020

File number: X2020.014-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was sent on 10-23-2020.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

Most recently, in November 2019, the province of British Columbia implemented the United Nations Declaration on the Rights of Indigenous Peoples which aims to emphasize the Indigenous peoples' rights to live in dignity, to maintain and strengthen Indigenous institutions, cultures and traditions and to pursue self-determined development, in keeping with Indigenous needs and aspirations. The United Nations Declaration on the Rights of Indigenous Peoples ("the Declaration") recognizes and affirms:

- Article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
- Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions

In 2014, 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. In addition 30 days is not

sufficient time to facilitate meaningful engagement.

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

I appreciate your co-operation.

limlɛmt,

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

Lauri Feindell

From: RDCO Planning Services <planning@rdco.com>
Sent: November 19, 2020 4:24 PM
To: Planning
Subject: RE: OCP Amendment Bylaw Referral -X2020.014-ZONE (ALR Exclusion Policy Update)

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Thank you for the opportunity to review the referral.

Our interests are unaffected however, it is recognized that regional consistency is beneficial and supporting the preservation of the agricultural land base is important.

RDCO staff held a Planning Lab on September 18, 2020 which focused on the changes to the ALR Exclusion Process and a discussion throughout the Okanagan as it relates to implications of this change, opportunities for regional consistency and next steps. Shannon Lambie, Regional Planner with the Agricultural Land Commission provided a brief overview of Bill 15 and changes to processing ALR Exclusion Applications.

Our understanding from ALC staff includes:

- That local governments consider the bylaw review process as a preferred policy option.
- They only want applications coming to them that benefit the long term planning objectives of the local government, which will depend on the nature of the community.
- Many objectives people are trying to meet can be achieved through other types of applications (ie: non-farm use application, etc.)

Sincerely,

Planning Services
Regional District of Central Okanagan
250-469-6227 | planning@rdco.com
Connect with us | rdco.com

From: JoAnn Peachey <jpeachey@rdos.bc.ca>

Sent: October 23, 2020 9:24 AM

To: Huber, Sara ALC:EX <Sara.Huber@gov.bc.ca>; Forbes, Christina D AGRI:EX <Christina.Forbes@gov.bc.ca>; RDCO Planning Services <planning@rdco.com>; plandept@rdkb.com; admin@tnrd.bc.ca; info@fvrd.bc.ca; jcvitko@sd53.bc.ca; kblack@sd58.bc.ca; rs@summer.com; development@penticton.ca; prince@nethop.net; tosoyoos@osoyoos.ca; admin@oliver.ca; info@summerland.ca; clerk@keremeos.ca; referrals@oib.ca; referrals@pib.ca; referrals@usib.ca; referrals@lsib.ca

Subject: OCP Amendment Bylaw Referral -X2020.014-ZONE (ALR Exclusion Policy Update)

CAUTION: This message was sent from outside the organization. Please do not click links, open attachments, or respond unless you recognize the source of this email and know the content is safe.

Re: Electoral Area Official Community Plan Amendment Bylaw
Agricultural Land Reserve (ALR) Exclusion Application Policy Update

<https://www.rdos.bc.ca/development-services/planning/strategic-projects/alr-exclusion-policy/>

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2913, 2020

- Approval Recommended for Reasons Outlined Below** **Interests Unaffected by Bylaw**
- Approval Recommended Subject to Conditions Below** **Approval Not Recommended Due to Reasons Outlined Below**

On behalf of the Regional District of Kootenay Boundary, I would like to thank the Regional District of Okanagan-Similkameen for the opportunity to comment on the proposed bylaw.

While each local government contains ALR lands and develops their own ALR Exclusion approaches, the proposed Bylaw includes an approach that considers ALR exclusions at a broader, contextual, and regional level. This allows neighbouring local governments to be provided the opportunity to comment through the regular referral process. This may prove beneficial in cases where there are cross-jurisdictional effects of ALR exclusions near local government boundaries or along watercourses that traverse local government boundaries.

Signature: *D. Patterson* **Signed By:** Danielle Patterson

Agency: Regional District of Kootenay Boundary **Title:** Planner

Date: November 26, 2020



THOMPSON-NICOLA
REGIONAL DISTRICT
The Region of BC's Best

300-465 Victoria Street
Kamloops, BC V2C 2A9
Tel: 250-377-8673
Toll Free in BC: 1-877-377-8673
Email: admin@tnrd.ca

Department: Planning

November 5, 2020

Via Email: planning@rdos.bc.ca

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

Dear Sir/Madam:

Subject: Referral Response No. REF 580
OCP Amendment Bylaw Referral -X2020.014-ZONE
(ALR Exclusion Policy Update)

Thank you for the opportunity to comment on the introduction of a new Official Community Plan (OCP) Amendment Bylaw for Electoral Area "C", "D", "E", "F", "H", and "I" (and anticipated amendments to Electoral Area "A" as part of the OCP update underway) updating Agricultural Land Reserve exclusion application policies.

This document has been reviewed by Thompson-Nicola Regional District (TNRD) staff and it has been determined that our interests are unaffected by the proposed OCP Amendment.

If you have any questions, please contact the undersigned at 250.377.7063 or uwalus@tnrd.ca.

Yours truly,

Urszula Walus, RPP, MCIP
Planner

UW/ad

MUNICIPALITIES: Ashcroft | Barriere | Cache Creek | Chase | Clearwater | Clinton
Kamloops | Logan Lake | Lytton | Merritt | Sun Peaks

ELECTORAL AREAS: "A" "B" "E" "I" "J" "L" "M" "N" "O" "P"

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2913, 2020

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Signature: 

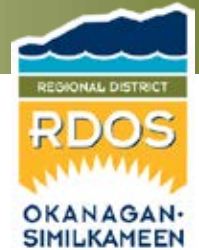
Signed By: R. Lyle Thomas

Agency: Town of Princeton

Title: CAO

Date: Nov. 4 2020

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Zoning Bylaw Amendment – Electoral Area “H”

Administrative Recommendation:

THAT Bylaw No. 2498.16, 2021, Electoral Area “H” Zoning Amendment Bylaw be read a third time.

Purpose:

Administration is proposing that an amendment to the Electoral Area “H” Zoning Bylaw No. 2498, 2012, be initiated by the Regional District Board in order to:

- correct a number of typographical errors and mapping inconsistencies;
- revise the maximum floor area permitted for secondary suites and accessory dwellings;
- revise the allotment of secondary suites and accessory dwellings permitted per parcel in the Rural Zones; and
- introduce scientific research facilities as a permitted use in the Resource Area (RA) Zone.

Background:

On December 9, 2020, a Public Information Meeting (PIM) was held electronically on the RDOS WebEx meeting platform, and was attended by no members of the public.

At its meeting of December 15, 2020, the Electoral Area “H” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of January 7, 2021, the Regional District Board resolved to approve first and second reading of the amendment bylaw and scheduled a public hearing ahead of its meeting of February 4, 2021.

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

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 3 & 5A).

Analysis:

The draft Amendment Bylaw proposes to increase the maximum floor area for an accessory dwelling or secondary suite from 90m² to 125m² to reflect changes made to the BC Building Code in 2019. The maximum gross area for accessory dwellings per parcel becomes progressively larger in relation to

size of the subject parcel. As such, the proposed bylaw would help ensure that larger suites could be constructed to meet growing demand for suitable housing in the region.

Furthermore, "Scientific Research Facility" is introduced into the Zoning Bylaw and defined as "buildings or structures used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or retail sale of products."

By defining and allowing for scientific research facilities within the Resource Area (RA) zone, the Amendment Bylaw provides opportunities for compatible institutional development associated with science and research to be a permitted use on lands in rural Resource Area lands. This change means that the "radio astrophysical observatory" would become a permitted use on the property described as District Lot 1838, SDYD, without requiring a Temporary Use Permit in the future.

Finally, correcting previous typographical errors ensures that the zoning bylaw accurately reflects the previous decisions and intentions of the RDOS Board, and helps ensure that the zoning bylaw can be implemented correctly while making planning decisions in Electoral Area "H".

In summary, RDOS Planning staff recommends that the APC recommend to the RDOS Board that Zoning Amendment Bylaw No. 2498, 2012 be approved.

The proposed amendments that Administration is recommending to occur at 3rd reading are in relation to the properties located in the East Gate area. In particular, four properties are currently "split zoned", with each property having two zones that do not align with the properties' boundaries, which is most likely an unintended consequence of a 2016 subdivision.

This mapping inconsistency was brought to staff's attention after 1st and 2nd reading of the subject bylaw, when an application for a Campground Permit was submitted for 5058 Highway 3. To correct this, Administration is recommending the following mapping changes be added to Zoning Amendment Bylaw No. 2498.16, 2021:

- 5058 Highway 3: Amend the zoning to be entirely Tourist Commercial One (CT1).
- 110 Thistle Road: Amend the zoning to be entirely Residential Single Family One (RS1).
- 112 Thistle Road: Amend the zoning to be entirely Residential Single Family One (RS1).
- 5070 Highway 3: Amend the zoning to be entirely Small Holdings Four (SH4).

Alternatives:

1. THAT third reading of Bylaw No. 2498.16, 2021, Electoral Area "H" Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2498.16, 2021, Electoral Area "H" Zoning Amendment Bylaw be rescinded and the bylaw abandoned.

Respectfully submitted:

Cory Labrecque
C. Labrecque, Planner II

Endorsed By:



C. Garrish, Planning Manager

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.16, 2021

A Bylaw to amend the Electoral Area "H" Zoning Bylaw No. 2498, 2012

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "H" Zoning Amendment Bylaw No. 2498.16, 2021."
2. The Electoral Area "H" Zoning Bylaw No. 2498, 2012, is amended by:
 - i) adding the following definition of "scientific research facilities" under Section 4.0 (Definitions):

"scientific research facilities" means buildings or structures used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or retail sale of products;
 - ii) replacing sub-section 7.10.2 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:
 - .2 The maximum floor area of a secondary suite shall not exceed 125 m².
 - iii) replacing sub-section 7.12.3 under Section 7.12 (Accessory Buildings and Structures) in its entirety with:
 - .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities or other living facilities, with the exception of an accessory building or structure in the RA, AG3 and LH Zones where one (1) shower is permitted.
 - iv) replacing sub-section 11.1.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.1 (Resource Area Zone (RA)) in its entirety with the following:

11.1.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the 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

- c) Despite Section 11.1.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.1.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.
- v) replacing sub-section 11.1.8(d)(2) (Site Specific Resource Area (RA) Regulations) under Section 11.0 (Rural) in its entirety with the following:
 - .2 two (2) seasonal cabins, which may have a floor area not greater than 150 m².
 - vi) adding a new sub-section 11.1.1(h) (Permitted Uses - Resource Area Zone) under Section 11.0 (Rural) to read as follows and renumbering all subsequent sub-sections:
 - h) scientific research facilities;
 - vii) replacing sub-section 11.3.4(c) (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.3 (Agriculture Three (AG3) Zone) in its entirety with the following:
 - c) Despite Section 11.3.4 (b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.3.4 (b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

viii) replacing sub-section 11.4.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.4 (Large Holdings One Zone (LH1)) in its entirety with the following:

11.4.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the 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

- c) Despite Section 11.4.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.4.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

ix) replacing sub-section 11.5.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.5 (Large Holdings Two Zone (LH2)) in its entirety with the following:

11.5.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the 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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- c) Despite Section 11.5.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.5.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

READ A FIRST AND SECOND TIME this 7th day of January, 2021.

PUBLIC HEARING held on this 4th day of February, 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 "H" Zoning Amendment Bylaw No. 2498.16, 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

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2498.16

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Pursuant to Section 52 of the Transportation Act, the Ministry of Transportation and Infrastructure have no issues with the proposed housekeeping amendments. Please forward the Bylaw for signature.

Feel free to contact me at (778)-684-2253 or by email at Kevin.McGowan@gov.bc.ca.

Signature: _____

Signed By: _____

Agency: _____

Title: _____

Date: _____

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2498.16

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Thank you for the opportunity to review and this referral from a healthy community development perspective. It is my understanding that the textual amendments to the Area H Zoning bylaw would allow for cannabis production to be a permitted use in the I1 and I2 zones in electoral area H. The following comments are noted and should be given consideration regarding cannabis production facilities:

1. Water Supply:

The water supply system that services the facility may be subject to the approval and permitting requirements of the BC Drinking Water Protection Act and Regulation.

2. Waste Water Disposal:

Waste water generated by these operations is not considered "domestic sewage." Domestic Sewage would include washroom, food preparation, dishwashing and showering waste. Interior Health enforces the BC Sewerage System Regulation.

Industrial Waste is managed by the Ministry of Environment, under the Environmental Waste Management Act, Municipal Sewerage Regulation.


3. Location:

Industrial operations are expected to follow best practices for protecting the environment and public health. Best practices, however, may not be adequate to contain all odors from the operation. As such, proximity and impact on adjacent land uses need to be considered:

- proximity to residences and schools
- The size and configuration of the property, including access to the property
- Proposed scale of the production facility and accessory usage
- Potential noise, glare and vibration issues
- Air quality – prevailing winds, ventilation, odors

4. Agricultural Land Reserve:

Consider food security in cannabis production on Agricultural Land Reserve (ALR) lands. Interior Health supports retention of ALR food producing lands for food production. See the [Agricultural Land Commission](#) website for further information on regulatory requirements.

Signature: 
Agency: IHA
Date: March 8, 2015

Signed By: Janelle R. ...
Title: Environmental Health Officer



Interior Health
Every person matters

November 25, 2020

Regional District of Okanagan-Similkameen
Attn: Planning Services
101 Martin Street
Penticton BC V2A 5J9

<mailto:planning@rdos.bc.ca>

Dear Cory Labrecque:

**RE: File #: Amendment Bylaw #2498.16
(File# H2019.002-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



November 18, 2020

File: 0280-30

Local Government File: H2019.002-ZONE

Cory Labreque, Planner II
Regional District Okanagan Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Dear Cory Labreque,

Re: Bylaw 2498.16

Thank you for providing British Columbia Ministry of Agriculture (Ministry) staff the opportunity to comment on the proposed zoning amendments to Bylaw 2498. Overall ministry staff consider the amendments to be positive given that one intent appears to be bringing the regulations surrounding additional dwellings into line with the *Agricultural Land Commission Act* (ALCA) and Regulations. We offer the following comments for your consideration:

Additional dwellings:

We note that the bylaw will limit additional dwellings in the Agriculture Three (AG 3) zone to one, provided a Non-Adhering Residential Use (NARU) application is approved by the Agricultural Land Commission (ALC). From an agriculture perspective, this is an improvement over the existing bylaw that allows up to four additional dwellings regardless of purpose. However, ministry staff have concerns that there is currently no provision in the bylaw or the amending bylaw for allowing housing for Temporary Farm Worker Housing (TFWH). This would mean that legitimate farms that have a requirement to house workers on site would have to go through a rezoning process. Given that the ALC has oversight on TFWH through the NARU process, it would be preferable to allow TFWH as a permitted use accessory to a farm operation on lots greater than 4ha in size as outlined in the TFWH Minister's Bylaw Standard in the Ministry's [Guide for Bylaw Development in Farming Areas](#).

The amending bylaw will still allow for up to four additional dwellings in the Resource Area (RA), Large Holdings One (LH1), and Large Holdings Two (LH2) zones. It is unclear to ministry staff whether these zones intersect with the Agricultural Land Reserve (ALR), but given the sections listed below under "Secondary suites", it appears that at least some parcels in each zone may. If this is the case, four additional dwellings for any purpose is unlikely to be consistent with the priority use of the ALR being for agriculture. The exception could be if the purpose of the additional housing is to house farm workers, in which case this should be made clear. In order to avoid the issue of zones that intersect with the ALR that contain uses not

consistent with agriculture as the priority use in an effort to accommodate non-ALR properties within the zone, we suggest that it may be prudent to encapsulate all of the ALR in Electoral Area H within a purpose-built Agriculture (AG) zone or zones.

Secondary suites:

The use of land in the ALR for one secondary suite is a permitted use if located within the principal residence (see section 31 of the Agricultural Land Reserve Use Regulation); therefore, a NARU application is not required for this use. We recommend changing sections 11.1.4(c), 11.3.4(c), 11.4.4(c), and 11.5.4(c) to reflect the fact that a NARU application is not required for one secondary suite within a principal residence but would be required for any other additional dwellings.

The Ministry has an interest in ensuring that farm workers have access to essential hygiene facilities while working on local farms. This is critical from both food safety and public health perspectives. We suggest that hygiene and cooking facilities be allowed in buildings that are accessory to farm operations. COVID-19 has demonstrated the necessity for these facilities to be provided for the health and safety of domestic farm workers.

The Ministry of Agriculture has been looking at ways of increasing residential flexibility in the ALR, which included public and local government consultation in mid-2020. Work on this may continue under the new government; if it is determined that there should be regulatory changes, this could happen as early as spring 2021.

If you have any questions, please contact us directly at the email addresses or numbers below.

Sincerely,



Alison Fox, P.Ag.
Land Use Agrologist
B.C. Ministry of Agriculture
Email: Alison.Fox@gov.bc.ca
Office: (778) 666-0566



Christina Forbes, P.Ag.
Regional Agrologist
B.C. Ministry of Agriculture - Kelowna
E-mail: Christina.Forbes@gov.bc.ca
Office: (250) 861-7201

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission



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

November 20, 2020

Reply to the attention of Sara Huber
ALC Planning Review: 46744
Local Government File: H2019.002-ZONE

Cory Labrecque
Planner 2, RDOS
planning@rdos.bc.ca

**Re: Regional District of Okanagan Similkameen Electoral Area H Zoning
Amendment Bylaw No. 2498.16**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Electoral Area H Zoning Amendment Bylaw No. 2498.16 (the “Bylaw”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the *ALC Act* (ALC Act), the Agricultural Land Reserve (ALR) General Regulation, (the “ALR General Regulation”), the ALR Use Regulation (the “ALR Use Regulation”), and any decisions of the ALC.

The Bylaw proposes a series of text amendments, including the following, underneath which, ALC staff have provided comment where applicable:

- Creates a definition and regulations for a “scientific research facility”.
- Implements a maximum size for a secondary suite of 125 m².

ALC staff support the inclusion of a maximum size for a secondary suite. In 2018, the BC Building Code was amended, and secondary suites were no longer required to be a maximum of 90 m². Due to this change, secondary suites could potentially be the same size as the rest of the residence, thus resulting in duplexes, rather than a residence with a secondary suite. The 125 m² maximum for a secondary suite seems reasonable as the secondary suite would account for 25% of the space if a proponent built a residence up to the 500 m² maximum residence size, thus would remain “secondary”.

- Restricts accessory buildings or structures from having showers, bathtubs, bedrooms, sleeping facilities or other living facility, but allows one shower in an accessory building or structure in the RA, AG3, and LH zones.

ALC staff generally do not object to this but note that some farm uses may require washing facilities. ALC staff note that the AG3 zone does have the provision for one shower, which may be sufficient to address this concern.

- Prescribes a maximum number of secondary suites or accessory dwellings and maximum gross floor area based on parcel size, including the following:

Parcel Size	Number of Secondary Suites or Accessory Dwellings	Maximum Gross Floor Area
< 8 ha	1	125 m ²
8 – 11.9 ha	2	250 m ²
12 – 15.9 ha	3	375 m ²
>16 ha	4	500 m ²

- For lands within the ALR, the Bylaw specifies that a secondary suite or accessory dwelling in excess of one may be permitted only if approved by the ALC as a non-adhering residential use.

ALC staff note that under the ALC’s current legislation, only one residence up to 500 m² with the possibility of a secondary suite contained within is permitted in the ALR. The accessory dwelling being proposed in the Bylaw would therefore not currently be permitted. Given the Ministry of Agriculture’s residential flexibility policy intentions, ALC staff do not object to this provision, but note that once the Ministry of Agriculture has concluded any regulatory changes (if applicable), the Bylaw should be amended to reflect those provisions. If an accessory dwelling is permitted in regulation in future, the RDOS may also wish to consider whether it would allow a secondary suite in the principal residence, as well as an accessory dwelling. However, the RDOS retains the ability to further restrict residential use in the ALR beyond what is permitted by regulation.

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

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

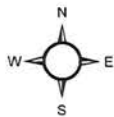
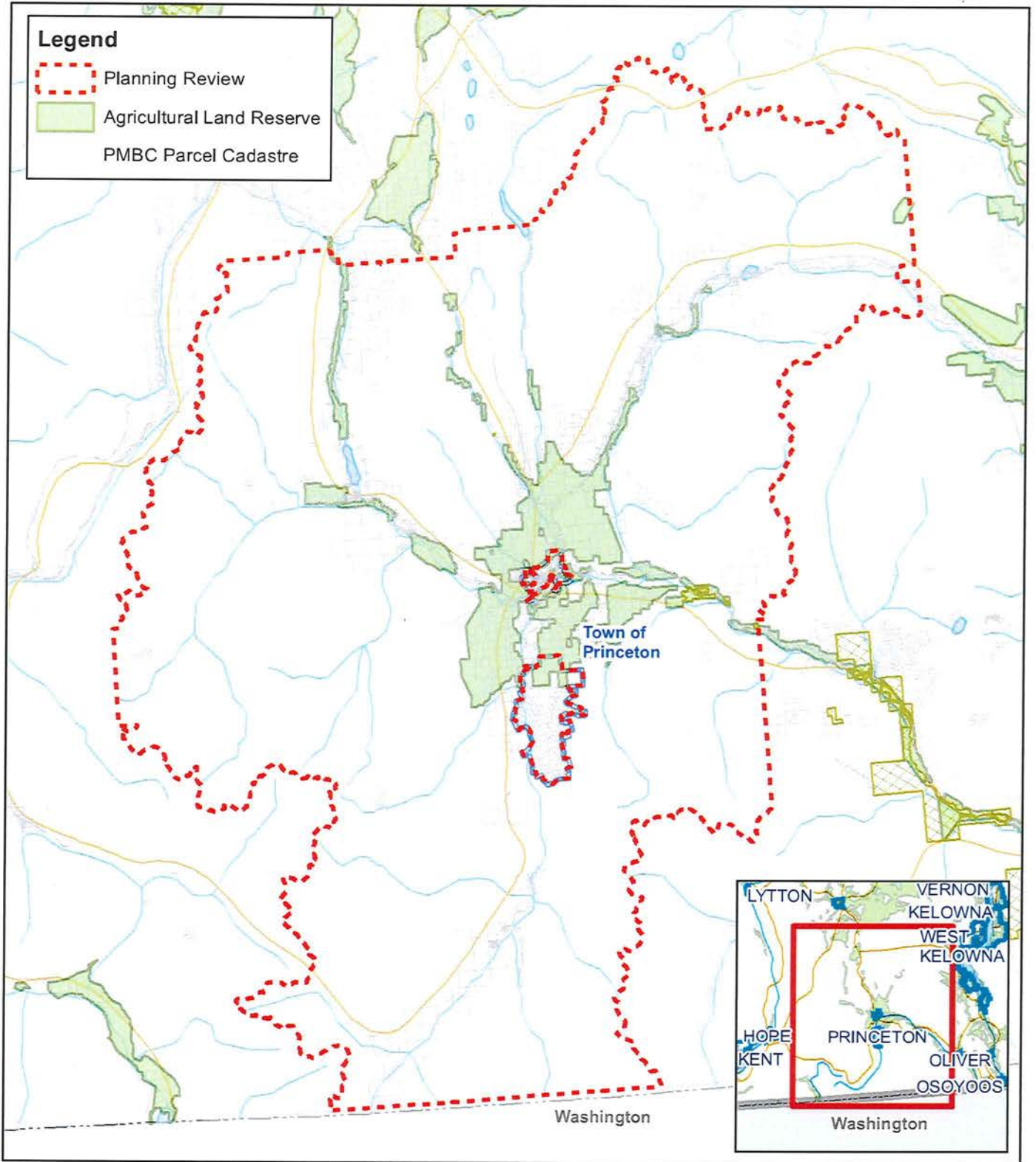


Sara Huber, Regional Planner

Enclosure: Referral of RDOS BL2498-16

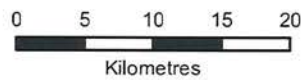
CC: Ministry of Agriculture – Attention: Alison Fox

46744m1



ALR Context Map

Map Scale: 1:525,000



ALC File #:	46744
Mapsheet #:	92H
Map Produced:	October 28, 2020
Regional District:	Okanagan-Similkameen

Note - Subject property location is approximate. Map for reference only. Accuracy not guaranteed.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.16, 2020

A Bylaw to amend the Electoral Area “H” Zoning Bylaw No. 2498, 2012

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “H” Zoning Amendment Bylaw No. 2498.16, 2020.”
2. The Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by:
 - i) adding the following definition of “scientific research facilities” under Section 4.0 (Definitions):

“**scientific research facilities**” means buildings or structures used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or retail sale of products;
 - ii) replacing sub-section 7.10.2 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:
 - .2 The maximum floor area of a secondary suite shall not exceed 125 m².
 - iii) replacing sub-section 7.12.3 under Section 7.12 (Accessory Buildings and Structures) in its entirety with:
 - .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities or other living facilities, with the exception of an accessory building or structure in the RA, AG3 and LH Zones where one (1) shower is permitted.
 - iv) replacing sub-section 11.1.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.1 (Resource Area Zone (RA)) in its entirety with the following:

11.1.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the 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

- c) Despite Section 11.1.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.1.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.
- v) replacing sub-section 11.1.8(d)(2) (Site Specific Resource Area (RA) Regulations) under Section 11.0 (Rural) in its entirety with the following:
 - .2 two (2) seasonal cabins, which may have a floor area not greater than 150 m².
- vi) adding a new sub-section 11.1.1(h) (Permitted Uses - Resource Area Zone) under Section 11.0 (Rural) to read as follows and renumbering all subsequent sub-sections:
 - h) scientific research facilities;
- vii) replacing sub-section 11.3.4(c) (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.3 (Agriculture Three (AG3) Zone) in its entirety with the following:
 - c) Despite Section 11.3.4 (b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.3.4 (b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

- viii) replacing sub-section 11.4.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.4 (Large Holdings One Zone (LH1)) in its entirety with the following:

11.4.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the 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
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12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- c) Despite Section 11.4.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.4.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

- ix) replacing sub-section 11.5.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.5 (Large Holdings Two Zone (LH2)) in its entirety with the following:

11.5.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the 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
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Greater than 16.0 ha	4	500 m ²
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- c) Despite Section 11.5.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.5.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

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

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

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

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "H" Zoning Amendment Bylaw No. 2498.16, 2020" as read a Third time by the Regional Board on this ____ day of ___, 2020.

Dated at Penticton, BC this ____ day of ___, 2020.

Corporate Officer

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

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of ___, 2020.

Board Chair



Your File #: H2019.002-
ZONE Area H
eDAS File #: 2019-00699
Date: Dec. 10, 2020

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

Attention: Planning Department

Re: Proposed Text Amendment Bylaw 2498.16, 2020 for Area "H"

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

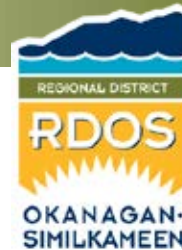
If you have any questions, please feel free to call Penticton Development Services at (250) 712-3660.

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

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: February 4, 2021

RE: Zoning Bylaw Amendment – Electoral Areas “A”, “C”, “D”, “E”, “F” & “I”
Regulation of Metal Storage Containers

Administrative Recommendation:

THAT Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw be read a third time.

Proposed Development:

The purpose of Amendment Bylaw No. 2895 is 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 February 20, 2020, the P&D Committee considered a Draft of the 2020 Corporate Action Plan. This Plan included, as an action, a “review the Area I Zoning Bylaw to establish controls for tiny homes, shipping containers and B&B at Apex Mountain Resort” to be completed by Q4 2020.

At its meeting March 5, 2020, the P&D Committee of the Board resolved that the Regional District of Okanagan-Similkameen Storage Container Regulations Zoning Amendment Bylaw No. 2895, be initiated.

As part of the initiation of Amendment Bylaw No. 2895, the following consultation was undertaken:

- referral to individual members of the Electoral Area Advisory Planning Commissions;
- notification of external agencies (April 15, 2020);
- documentation added to Regional District web-page (March 10, 2020);
- notification posted to the Regional District’s Facebook page (April 16, 2020); and
- notification on CivicReady to approximately 450 persons (June 9, 2020).

In response to this notification, approximately 50 representations were received from the public and approximately 20 representations were received from APC members.

At its meeting of October 1, 2020, the P&D Committee of the Board considered public feedback received in relation to Amendment Bylaw No. 2895 and resolved to make a number of amendments to the bylaw prior to consideration of 1st reading.

At its meeting of October 15, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaw and delegated the holding of a public hearing to Chair Kozakevich, or their delegate.

On November 19, 2020, an electronic public hearing was convened using the Webex software platform: <https://rdos.webex.com> and was attended by 10 members of the public.

Due to incorrect meeting details for the public hearing being released on CivicReady, a second public hearing was scheduled for December 15, 2020, using the Webex software platform: <https://rdos.webex.com> and was attended by 7 members of the public and 5 Directors.

At its meeting of January 7, 2021, the Board resolved to defer consideration of third reading of Amendment Bylaw No. 2895, 2020, "pending a discussion at a forthcoming meeting of the Planning and Development Committee of the 'Siting Permit' requirements for metal storage containers found in Building Bylaw No. 2805."

At its meeting of January 21, 2021, the P&D Committee of the Board resolved to not initiate an amendment to Building Bylaw No. 2805 in relation to "Siting Permits".

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. Highway 97 & 3).

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

Analysis:

Amendment Bylaw No. 2895 contains regulations to govern the placement of shipping containers within the Okanagan Electoral Areas in accordance with the direction previously provided by the Board at committee.

Alternatives:

1. THAT third reading of Bylaw No. 2895, 2020, Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw be deferred; or
2. 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

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2895, 2020

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

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

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020."
2. The "Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:
 - i) adding a new definition of "metal storage container" under Section 4.0 (Definitions) to read as follows:

"metal storage container" means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;
 - ii) adding a new sub-section 7.27 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.27 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.
3. The “Electoral Area “C” Zoning Bylaw No. 2453, 2008” is amended by:
- i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;
 - ii) adding a new sub-section 7.28 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.28 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) the 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 dwelling.
 - c) Despite sub-section 7.28.1(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.
- 4. The “Electoral Area “D” Zoning Bylaw No. 2455, 2008” is amended by:
 - i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;
 - ii) adding a new sub-section 7.28 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.28 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) the 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 dwelling.

- c) Despite sub-section 7.28.1(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.
5. The "Electoral Area "E" Zoning Bylaw No. 2459, 2008" is amended by:
- i) adding a new definition of "metal storage container" under Section 4.0 (Definitions) to read as follows:

"metal storage container" means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;
 - ii) adding a new sub-section 7.28 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.28 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) the 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 dwelling.
 - c) Despite sub-section 7.28.1(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.

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

- i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“metal storage container” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;

- ii) adding a new sub-section 7.29 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.29 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) the 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 dwelling.
 - c) Despite sub-section 7.29.1(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.

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

- i) adding a new definition of “metal storage container” under Section 4.0 (Definitions) to read as follows:

“**metal storage container**” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;

- ii) adding a new sub-section 7.31 (Metal Storage Containers) under Section 7.0 (General Regulations) to read as follows:

7.31 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) the 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 dwelling.
 - c) Despite sub-section 7.31.1(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.

READ A FIRST AND SECOND TIME this 15th day of October, 2020.

PUBLIC HEARING held on this 19th day of November, 2020.

A SECOND PUBLIC HEARING held on this 15th day of December, 2020.

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 Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020" 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



Your File #: X2020.006-
ZONE - Metal
Storage
"shipping"
container

eDAS File #: 2020-02038

Date: May 5, 2020

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

Attention: Lauri Feindell, Planning Secretary

**Re: Proposed Text Amendment Bylaw 2895, 2020 for:
Electoral Area "A", "C", "D", "E", "F" and "I"**

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

If you have any questions, please feel free to call Rob Bitte at (250) 490-2280.

Yours truly,

Rob Bitte
Development Officer

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

Decemeber 9, 2020

Dear Ms. Rendall,

I find interesting the proposed RDOS bylaw to restrict metal storage containers on rural properties.

There's a property in the Upper Carmi Area that far exceeds any bylaw that is currently in effect and would definitely be in breach of further bylaw amendments.

From what is actually visible from the road, the property owner has at least 6 containers, 3 dump trucks, a flatbed truck, a front end loader, a stacker, and 2 RV's (one of which is used for permanent habitation). No house, water, or septic, or power.

But, because he is related to one RDOS Board member, this is permitted??

I didn't know that this property is allowed to be used as an industrial/commercial storage lot.

RECEIVED
District

DEC 14 2020

Martin Street
Vernon BC V2A 5J9

From: [Carolyn Buzikievich](#)
To: [Christopher Garrish](#)
Cc: [Steve Buzikievich](#)
Subject: Metal storage bylaw
Date: December 15, 2020 9:59:26 AM

Good morning,

We are property owners at Apex Alpine in RDOS Area I. We are opposed to the use of metal storage containers at Apex. They are very unsightly and are not compatible with the look of the village and neighbourhood. We believe these metal containers decrease the property values in area I. It is our general understanding that these metal containers are not permitted as permanent fixtures in other jurisdictions. The lots at Apex are too small to have these metal containers on the properties in addition to them being unsightly. We are ok with a temporary use of a storage container for construction purposes but not for a permanent use. We are also ok with the use of a storage container/structure that is constructed of the same materials as the main property and is of a significant smaller size such as a wood shed. If you have any questions or comments, we can be reached at XXX-XXX-XXXX.

Kind Regards,

Carolyn and Steve Buzikievich

From: [Dawna Erland](#)
To: [Christopher Garrish](#)
Subject: Re: Metal Storage Container Bylaw Feedback. Area F
Date: November 16, 2020 6:19:26 PM

Please accept the following with corrections made.

Penticton, BC

> On Nov 16, 2020, at 6:16 PM, Dawna Erland wrote: >

> Having had the experience of seeing my neighbour denied the previous pastoral lot of any vegetation and replace vegetation with boulders along with one huge and 3 small accessory buildings around it all of varying types, I welcome this bylaw whole heartedly as a reasonable compromise between those who would like unlimited access to them and those like me, who think they aesthetics are industrial and don't belong in a residential neighbourhood.

>

> Thanks,
> Dawna Erland
> Penticton, BC

>



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

November 25, 2020

Reply to the attention of Sara Huber
ALC Planning Review: 46719
Local Government File: X2020.006-ZONE

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

Re: Regional District of Okanagan Similkameen Electoral Areas A, C, D, E, F, and I Zoning Amendment Bylaw No. 2895

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen Electoral Areas A, C, D, E, F, and I Zoning Amendment Bylaw No. 2896 (the "Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the *ALC Act* (ALC Act), the Agricultural Land Reserve (ALR) General Regulation, (the "ALR General Regulation"), the ALR Use Regulation (the "ALR Use Regulation"), and any decisions of the ALC.

Current Proposal:

The Bylaw proposes a series of textual amendments in order to introduce new regulations for the placement of metal storage ("shipping") containers on a parcel of land.

Specifically, in the Resource Area, Agriculture, Large Holdings and Industrial zones metal storage containers may only be stacked vertically to a maximum of two containers and subject to the prior issuance of a building permit.

In the Low Density and Small Holdings zones only one metal storage container may be used as an accessory building or structure on a parcel, and only if it is completely clad in a material consistent with the principal building; and covered by a roof with a pitch consistent with the principal building.

As well, one metal storage container may be used in any zone for temporary storage during construction, 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.

ALC Staff Comments:

ALC staff generally do not object to the Bylaw provisions, noting that shipping containers may be used by the agricultural industry for various uses, including farm equipment storage, agricultural production, or processing. ALC staff note that the Bylaw appears to require that the shipping by containers be placed on top of one another (i.e. stacked vertically), rather than side by side. While ALC staff support the concept, which would reduce the impact on the land base, ALC staff are uncertain as to how practical this would be for agricultural purposes. Despite this, ALC staff do not object to the Bylaw.

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

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



Sara Huber, Regional Planner

Enclosure: Referral of RDOS X2020.006-ZONE

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

46719m1

From: [Candy Anders](#)
To: [Christopher Garrish](#)
Subject: Fwd: PROPOSED BYLAW 2895 FEEDBACK (METAL Storage Containers)
Date: November 18, 2020 2:07:57 PM

Thank you for speaking with us this morning. Below please find our concerns and comments to be shared with the decision makers.

Re: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020

WE DO support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers, subject to the comments listed below:

1. Esthetics/Property Value/Care - when we purchased a 3 acre property in the former Regal Ridge development, we were attracted to the guidelines and former covenant along with the RDOS' good governance in general. It is our desire to live in an area uncluttered from unsightly premises and have an enjoyment of a good quality of life for all. Containers only benefit the owner and not the rest of the region. There should also be a focus on enjoyment of the area for future generations. We have counted as many as 7 structures on one property (including primary residence, sheds, RV's, containers, etc.).
2. Safety - As containers can attract theft, an increase in the number of containers risks an increase in theft and safety concerns for residents whose properties are invaded. Large heavy doors - is there a risk of someone getting locked inside?
3. Environmental - risk of disturbing land when delivered. We acknowledge and support that much of our and our neighbours' 3 acre lots were meant to be preserved in a natural state and to be used as wildlife corridors. We have additional concern with containers that may have non-regulated foundations, potential for run-off of chemicals, non-permitted use, sewage effluent etc.
4. Fire Department and Fire Risk - There is no regulation regarding storage of hazardous materials in air tight containers. For example, the incidents of Enderby 2011 and Saanich 2013 and WorkSafe BC come to mind. On the mountain, there has been a fire at a residence where oily rags were neglected. In addition, if containers are located on properties in an obscure location, it may make it difficult for the fire department to access, maneuver large vehicles around etc.
5. Location - it is noted that containers should not be located between the principal residence and the front of the property. What about the other property borders, sides and back? For example, a container placed near the property line of a neighbour, whereby it may not be visible by the owner however it affects the enjoyment of the adjacent property owner, if:
A/ there are no setbacks, and
B/ recognizing that the lots in the former Regal Ridge are irregular in shape and that the amount of vegetation varies even within a property. There is risk that a container owner could place the unit out of their sightline, but not that of another owner.
6. Grandfathering - recognizing that there is not much scope for a local government to deviate from to reduce the unsightliness, recommend that it be modified that existing units must

follow requirements of newly located units i.e. location of unit, cladding/colour to match primary residence, roof pitch and to remove any reference to advertising/former owners' name/business etc.

Thank you for considering the above as it relates to the proposed bylaw.

John Anders and
Candy Anders

From: [Brent Gilbey](#)
To: [Christopher Garrish](#)
Subject: Steel Shipping Container Amendment.
Date: November 19, 2020 1:54:59 PM

November 19, 2020

Dear Mr Garrish,

**RE: "Regional District of Okanagan-Similkameen
Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020."**

I realise the proposed amendment applies to the majority of the Electoral Areas around the Regional District, and I can not speak for those in other areas, but here are some of my views from Area 'A' regarding the siting of steel shipping containers [SSC], particularly on Anarchist mountain, on SH3-zoned [only] properties.

Aesthetics/unsightliness. Inconsistent with the now-defunct Regal Ridge covenant which strictly forbade [SSC]; many residents [me included] invested in a development [with an active covenant] they presumed would be free of [SSC]. Further, the siting of [SSC] are in direct conflict with registered building schemes [RBS] in the area. People have bought properties with a registered building scheme, followed the outlines of the restrictions; however, their neighbours [not encumbered by a RBS] have a [SSC]. Developers had a vision, and took pains to place a [RBS] on their development to attract purchasers and investors who could envision realising a fair reward for buying-in; [SSC] are in direct conflict with the essence of the the schemes undertaken by the developers as well as many of those who bought into the concept of building up here.

Affect on property values. Based on the number, placement, and appearance of [SSC], individual property owners' property values will likely be affected. Also, the number of [SSC] development-wide can reduce the appeal for prospective purchasers—further reducing the overall value in the area. Less value in the area leads to less tax dollars collected.

Currently no limit [as I understand] on the number of [SSC] a property can accommodate. Further, [SSC] are currently permitted to be stacked two-high. Multi-family ownership of properties, that are held as destination/camping sites, could become over-represented with

[SSC].

The repeal of the ESDP guidelines can lead to locating [SSC] near property lines [side, front and rear] out of view of the [SSC] owner, but in a view-alley of a neighbour.

Once a [SSC] is purchased and placed, only the owner benefits from its presence; passing motorists [potential property purchasers], the community and neighbours do not.

One 45' container [~382 sq.ft.] — which can be purchased for less than the capital-cost of \$5,000 — can replace [in utility] a similar-sized building that could be assessed in the neighbourhood of \$25,000. No BC Assessments on [SSC] so the community does not benefit from a tax contribution. Moreover, [as I understand] without further permits [or variance application, and approval], SH3-zoned properties are only permitted a primary residence and one outbuilding [garage, shop, etc.]. Adding [SSC] to the property encroaches on the essence [and likely intentions] of the existing bylaw by adding another structure to the premises that would not normally be approved [save a variance application].

No building-code implications. No regulations pertaining to the placement and use of a container; i.e., no regulations regarding foundations, run-off, placement near slope-face, etc. The placement of a [SSC] only has to observe published set-backs from a property line.

* There is one pair of containers on a property on my street [Sasquatch Trail] that have been converted to accommodation [composting toilet, solar power, potable water source]; however, there was no inspection carried out, and it's doubtful anything has been done to code; there is certainly no grey waste water management; all this across the street from two homes currently listed on [MLS.CA](https://www.mls.ca): one for 1.299 million, the other at 1.025 million.

Fire, safety, theft-target opportunities.

Unventilated [SSC] can present a combustion hazard. The presence of [SSC] creates an attractive target for thieves. Heavy metal doors, no windows, no plan-B to escape if the doors swing shut behind you.

Individuals vs. community: those who argue in favour of placing [SSC] on their properties are in-fact creating and imposing de facto rules [on the community] and are acting as individuals, *not as a community*. Forcing the community to suffer your own version of the rules without running it through due process is the primary reason rules are required in the first

place. And, while we are here, if you don't want more rules, stop creating opportunities around the need for them. Appears no one in the pro-[SSC] group speaks in terms of the community; they all appear to be speaking in terms of what suits and benefits them [as individuals, or as a group of like-minded individuals]; *not the community at-large*. They want cheap storage, but appear blissfully unaware of the externalities that are driving down the value in the neighbourhood—*cheap storage now [win], less money for your property later [(lose); i.e., lose more than the initial savings realised through purchasing a cheap container]*.

A final thought [food for thought...]. I toured the Gaspé Peninsula about 5 years ago—it's a long haul, and takes at least 3 days to take it all in. It struck me there were no containers, no junk cars, no blue ripped & torn tarps flapping in the wind—just the occasional clothesline with laundry drying [quaint]. Apparently, they recognised the value in attracting people to the area [residents, and tourists such as me], and have imposed restrictions; seems to be paying off for them, and they appear united and proud [because they *all* benefit], just as a community should.

Regards, Brent

From: [Melody L Walker](#)
To: [Christopher Garrish](#)
Cc: [Eleanor Walker](#)
Subject: RDOS proposed Bylaw No. 2895 ~ Metal Storage Containers
Date: November 18, 2020 3:00:09 PM
Importance: High

Hi, Chris.

RE:

Public Hearing for the proposed Metal Storage Containers - Zoning Regulations Amendment Bylaw No. 2895.:

"In response to these considerations, as well as the experience of the member municipalities (as evidenced through their zoning regulations), the Regional District is proposing, amongst other things, that metal storage containers only be permitted in the Rural Zones (i.e. Resource Area, Agriculture & Large Holdings – all of which have a minimum parcel for subdivision of 4.0 ha). In the Low Density Residential zones (i.e. RS1, RS2, RD1, etc.) the placement of a metal storage container would be limited to one (1) per parcel and the container must be clad in a similar material to the principal dwelling and be provided with a pitched roof."

With respect to the RDOS proposed Bylaw No. 2895, with regard to Metal Storage Containers:

Here is another PERFECT EXAMPLE of how the RDOS continues to negatively impact Landowners with "FORCED" zoning changes and forced land use changes to the landowners detriment.

We were Large Holdings zoning and paid taxes for same, for decades. You (the RDOS) forced a zoning change on us that we did not want or require, which directly, negatively impacts our property/land use.

We have a large metal storage container.

It is more secure than any built storage shed would be... ie: IT DETERS BREAK-INS!!

Our large shed was broken into in 2015 and over ten thousand dollars worth of goods were stolen... Insurance didn't solve anything... the insurance company promptly refused to provide insurance the following year and black-balled us with other insurance companies, so the result is we have to pay three times more, for three times less coverage... and all of our belongings are still at risk of break-in, in the big shed!!!

The metal storage container has remained "break-in" proof... up to and including a tire iron left unsuccessfully in the door of it, after thieves tried unsuccessfully to break into it the night of December 30th or early morning hours of December 31st, 2019. The truck and trailer beside it were broken into... the window was smashed out of the truck and tools stolen out of it. This was December last year (2019).

The OFID, the RDOS and Highways (MOTI) refuse to put a light on the Power Pole at Pumphouse Road, so we have incurred the cost of installing LED lights to light up our property, to deter more break-ins. Break-Ins are a reality in OK Falls (with no regular police presence) and now you want to deter residential zoned properties from effectively protecting belongings stored in metal storage containers, because of aesthetic considerations!!!

So short sighted and so unreasonable on the part of the RDOS!

With regard to: "the container must be clad in a similar material to the principal dwelling and be provided with a pitched roof" ... Our house has a type of "stucco" on it... which would be extremely inane to apply to a metal storage container!!! I could see a requirement to paint containers a neutral colour (if it were not a neutral colour already) ... but a requirement for the same finish as the house and a pitched roof is way overboard; it is onerous and expensive and a punitive requirement for residential zoned property owners.

This requirement completely negates "why" people want to buy and use metal storage containers... ie: they are affordable, for the top notch, exemplary, ideal security they provide.

We should not have to go to the cost of re-finishing a metal storage container and putting a pitched roof on it. It is already a neutral colour. It doesn't need an aesthetic "pitched roof" or a "stucco" finish!!!

This is just one more example of changes being made which unnecessarily burden residential landowners... in this case residential zoned landowners currently using Metal Storage Containers as the "best fit" for their needs/requirements.

For the record, your bylaw with regard to Metal Storage Containers for RM1 properties is onerous and unfair for residential zoned property owners in RDOS Area D.

The frequent use of metal storage containers is because they are affordable, more secure than anything else and the best fit for the use they are employed for.

The containers are the most secure way to store goods, in these times of rampant residential and commercial "property crime" break-ins, thefts and vandalism ... As you should be well aware, in rural areas like OK Falls our police presence and enforcement (as a deterrent) is non-existent!!! The Penticton Detachment RCMP presence is "response" only in OK Falls, if they aren't busy with something else more pressing in Penticton.

(I personally believe that OK Falls should be part of the Oliver, BC Detachment's policing area (Oliver polices to Oliver Ranch Road, just south of OK Falls already). If OK Falls were part of Oliver, that would give Oliver more Members (dealing with the Jail), but I 100% believe that OK Falls would receive better policing support than it currently receives now... Of course, the best solution would be for OK Falls to incorporate!!!)

My brother had some interesting thoughts as well, with regard to "what" is motivating this Bylaw and how it negatively impacts those rural and small town residential zoned property owners who want to have metal storage containers to meet their needs...

Complaints of those without storage containers: "I don't need a metal storage container, so they shouldn't either"... ie: how I do things is how everyone else should do things (and not have a metal storage container)...

We can all make judgments (for others) for different reasons, about how things should look, but this Bylaw is naive and shortsighted.

Metal Storage Containers are used as extensively as they are, for good (sound) reason.

Responsible leadership (by the RDOS) would be to consider practicality for homeowners and the cost(s) to live in a small town (rural) community, which currently has (residential zoned) property owners seeing burgeoning insurance rates, increasing property crime rates, while simultaneously realizing less and less police enforcement presence, to help keep property owner's possessions secure. The onus is on the property owner to fend for himself. Metal Storage Containers are the best way for a property owner to fend for himself. Onerous costs should not be an additional burden for the property owner(s).

There are many things that factors into the homeowner's choice to use a Metal Storage Container versus anything else: Secure containment of goods in an affordable metal storage container in these times of rampant property crime, break-ins and thefts SHOULD BE A MAJOR CONSIDERATION, with regard to permitting residential zoned landowners to continue to use (secure) metal storage containers. Costly aesthetic changes to the metal storage containers is punitive and onerous.

It may seem necessary for some to judge, because they believe they are being progressive. They may believe that there really are no safety issues, and the focus should be strictly about appearances.

I can tell you first hand that there are real safety issues and repeat break-ins, theft and ongoing vandalism is best addressed by a Metal Storage Container. Onerous costs for aesthetics (for Metal Storage Containers) are punitive and unnecessary. A neutral colour is sufficient.

We have chosen not to live in a strata because our needs are different; we prefer not to live as everyone else does and to not be dictated to by everyone else's sense of aesthetics AND THE RDOS SHOULD NOT FORCE THIS BYLAW UPON US...

THERE IS A REASON WHY METAL STORAGE CONTAINERS ARE AS POPULAR AS THEY ARE AND AS FREQUENTLY USED AS THEY ARE!!

CRIME IS RAMPANT... POLICE PRESENCE IS NEGLIGIBLE... REPEAT OFFENDERS HAVE A REVOLVING DOOR THROUGH THE COURTS AND REOFFEND REGULARLY IN THE SAME COMMUNITIES, PARTICULARLY IN RURAL COMMUNITIES...

RURAL COMMUNITIES WHERE POOR LIGHTING/INFRASTRUCTURE, POOR POLICE PRESENCE/RESPONSE AND NEGLIGIBLE DETERRENTS DIRECTLY NEGATIVELY IMPACT RESIDENTIAL PROPERTY OWNERS ARE MAJOR REASONS WHY SO MANY OF US HAVE TURNED TO METAL STORAGE CONTAINERS TO SECURE OUR GOODS.

Metal Storage Containers permit residential zoned property owners to afford to conveniently and securely store goods, in a manner that is the most efficient and most effectively deters (repeat) break-ins, thefts, damage and vandalism.

I completely oppose the restrictions that Bylaw No. 2895 seeks to impose upon residential zoned RDOS Area D' property owners.

We should continue to be able to use metal storage containers without costly and onerous regulations imposed. A neutral colour is all that should be required.

Regards, Mel

From: [Kyle McIntaggart](#)
To: [Christopher Garrish](#)
Subject: Westbench metal containers
Date: November 19, 2020 2:56:38 PM

Although I already sent in my opinion about metal containers I'm doing it again because it isn't clear if the original letters or emails are being considered.

I am totally against this, who wants to look out their window at a metal storage container or walk down the street to see metal containers in peoples yards. As a matter of fact I think this could end up being used to house people. There is one in Westbench already that has a small fence around the door and makes it look like someone lives in it. Besides that we live in a beautiful area where the views are wonderful why mar it with giant metal containers. As well I can see this being a real problem for accumulation of junk and storing other peoples property because there is space. How about people build a shed or a garage or whatever that fits in with the surrounding properties.

Gayle MCINTAGGART

Karl and Gudrun Harrin

NTRKMATR BC VOHINI

Nov. 16th 2020

RECEIVED
Regional District

NOV 18 2020

101 Martin Street

Penticton BC V2A 5J8

Amendment Bylaws 2895, 2020 Metal Storage Containers Regulation

R205 Similkameen

Public Hearing Nov. 19th 2020

A regulation regarding Metal Storage Containers, also

Shipping Containers or "seas" is very much needed.

Not only as an eyesore in the overall landscape

but in neighboring residential gardens as well.

Unfortunatly, naming or buying a container is cheap

and makes it easy to place it around the house.

Especially in rural areas where parcels are mostly

big, we would like to see the minimum parcel size

at least 1 ha.

No constant placements should be allowed in

- environmental sensitive

- riparian and

- watercourse area at all.

Sometimes containers are also used on working areas

or animal shelters, regulation here is also needed.

Containers come in different sizes. A 40 ft. one in a

long alleyway retention zoning is not desirable.

Would more regulation also include mandatory

removal of those containers during and idling for

years under no regulation no for 2

since containers are movable, they should never be

ground fastened in.

Setbacks and using height of usage should also be

considered.

It is most likely, when placement of containers are

regulated, they will be replaced with something

Page 2

like old travel trailers with non expiring plates,
tarpred structures, tents and so on.
This should also be considered and regulated.

personally, we would like to see a much stricter
vision and enforcement, what people are allowed
to place on their properties and not.

With regards,

Griffin Austin

From: [jentsch](#)
To: [Christopher Garrish](#)
Cc: [Rick Knodel](#)
Subject: container bylaw
Date: November 17, 2020 12:07:59 PM

Hello Chris ,

I hope things are well with you.

I am writing with reference to the upcoming container bylaw 2895 that is being proposed.

My understanding is that both Area C and A directors are opposed to it as am I . The need for the bylaw seems unnecessary and is yet another block in the wall of regulation and expense to the rural areas.

I would like to know who and why this bylaw is promoted. If it is staff or elected officials it is important know why it is on the agenda and for what end game.

In my sphere of the world I have yet to talk to anyone who is in support of any measures designed to regulate further the citizens of the rural area, especially for an issue like this one that is not a problem. I find it illogical that one of the arguments put forward is the presence of containers act as an enticement for thievery when in fact, in many cases they are used to protect their belongings from such activity.

I would like to register my views on this for the upcoming meeting and encourage all board members that will vote on it to abandon Bylaw 2895 it and not to fix something that is not broken.

Thank you for your time.

Sincerely,

Chris Jentsch

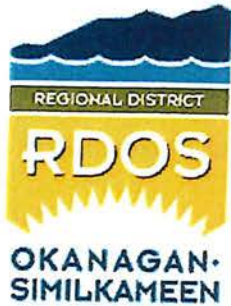
www.ccjentschcellars.com

Previously presented at
Planning & Development Committee
(October 1, 2020)

From: [dsvendse](#)
To: [Mark McKenney](#)
Cc: [Planning](#); [Christopher Garrish](#); [pbeckett](#); [Mark Pendergraft](#)
Subject: Re: Bylaw 2895 - 2020 - Shipping Containers
Date: June 20, 2020 11:14:36 AM

I totally agree with Mark on this.
Just too many unnecessary and costly 'hoops'!

Dwayne



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: ELECTORAL AREA:
Peter Beckett A
(please print)

DATE: 21 June 2020

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

Metal shipping containers are more secure than most outbuildings used on property for the purpose of storage. The concern of safety and security is less warranted for this structure than for a wooden shed. The real concern for most residents (i.e. neighbours) is the aesthetics of a neighbourhood. On smaller holdings in particular, the location of the unit is more important than whether or not it is made to look like the main building on the lot. Very small lots may not have adequate space for a shipping container. Other lots may be able to shield the shipping container from view with an existing structure (e.g. house or garage), or vegetation (hedge, woodlot or orchard). The requirement to finish the shipping container to look like the house in all cases is unnecessary.

From: Grant Montgomery

Sent: May 11, 2020 1:29 PM

To: Donna Sellin <dsellin@rdos.bc.ca>

Subject: RE: APC Memo - Review of Proposed Metal Storage Container Zoning Regulations (X2020.006-ZONE)

Donna,

Definition of a Metal Storage Container (max. length, width and height) - The quantity should be limited by overall length not units. 2 small ones could equal one large one, etc.

No Cladding or Roofs should be required to be added but a coat of paint to clean up and blend in. If you think they are that ugly then don't allow them in those zones. People trying to attach roofs to those things as the Home Handyman could be dangerous. Plus they would often end up looking worse. A nice wind gust could easily take them off if not done right. To make sure it is done right you will now have to inspect them – Building Permit, etc... pain in the butt.

The smaller parcels in AG zones (lots of them ½ acres, etc.) should be treated the same as RSI, RS2, etc.

Personally I don't think you should be allowed to have one on any property under an 0.4 ha, other than if you are moving

No stacking on any parcels smaller than 20ha. When they are stacked no one will hardly ever do anything with the one on top as they won't be crawling up a ladder all the time, etc. Easily become an eyesore. Stacking of containers must be the same setbacks as a principal residence then.

SH zones – 1

LH zones - 2

Same setback rules as Accessory Buildings.

During Construction – yes but a time limit. If you can't build a house in under a year you shouldn't be building. There is a lot of theft from job sites.

People should be allowed to park a Storage Container out front of their house when they are moving. 1 month is plenty of time. (size limit on container in the smaller zones <SH so they don't park a humungous one on their front long.

You should also look at how to incorporate the above ground "Swimming Pool" containers. They are very nice but sit quite high when not dug into the ground. Some aren't.

Regards,

Grant Montgomery,

Phone:

Osoyoos, BC Canada or

Prachuap Khiri Khan, Thailand



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: Sara BUNGE ELECTORAL AREA: Area C
(please print)

DATE: MAY 20, 2020

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

- I dont think a building permit is required prior to having a metal storage container
- I am okay with them in low density residential zones
- comply w setbacks
- small holdings large than 1 ha should be treated like large holdings
- I dont support requirement to clad container + put a matching roof over it for low density ~~residential~~ residential & small holdings.

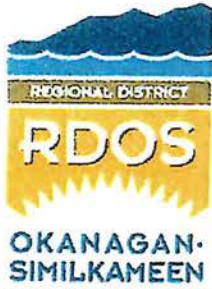
From: [Gurmeet Chahal](#)
To: [Rick Knodel](#)
Cc:

Subject: APC memo-Review of proposed Metal Storage Containers Zoning Regulations
Date: May 18, 2020 8:10:08 PM

Hi,

I donot think that there is any need for zoning Regulations for Metal storage Containers. In my views they are much safer and better than small sheds and temporary storage. RDOS can set a limit of containers that how many one property can have?

Beantjit chahal



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: ELECTORAL AREA:
DAVID JENSEN C
(please print)

DATE: May 10

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

- be allowed in Residential zoning with a limit of 1 size 8x10 ???

- do not agree with chaining and covered roof

- Building permit only if stacking 2

- Lots of contractors use these for storage while building wants them to be allowed

- NOT BE USED AS A SPREAD SHED

Christopher Garrish

From: Jack Bennest
Sent: May 7, 2020 3:09 PM
To: Donna Sellin
Cc:

Subject: Re: APC Memo - Review of Proposed Metal Storage Container Zoning Regulations (X2020.006-ZONE)

my only comment is on duration

I believe the Town of Oliver allows a metal bin/container/waste removal structure for a certain time limit.

Would be nice to see a recommendation from staff in the form of

1. one month
2. three months
3. six months

Action mandated by bylaw with no exceptions after six months. - A warning given one month prior to expiry of limit.

I pause to note that one home in Oliver received a building permit almost 20 years ago but the obligations not fulfilled and the corp now in the position not being able to act because it never acted when it should have.

Jack

From: [Jack Bennest](#)
To: [ED Machial](#); [Christopher Garrish](#)
Subject: Re: APC Memo - Review of Proposed Metal Storage Container Zoning Regulations (X2020.006-ZONE)
Date: May 13, 2020 11:47:43 AM
Attachments: |

a follow to ed's remark
some areas of the regional district have large lots, orchards, ranches etc - I think any regulation should have a relationship to the size of the lot and the placement of the steel structure that is convenient to the owner but not an eye sore. There are many RDOS built up areas near Okanagan Falls, Naramata, Westbench where steel containers should have a time limit placed on the use similar to Town of Oliver and other municipalities.

Jack

Christopher Garrish

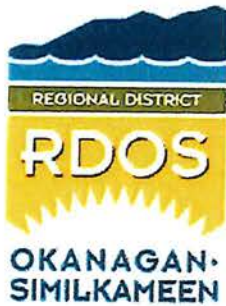
From: fairviewhouse
Sent: May 20, 2020 2:10 PM
To: Jack Bennest; Christopher Garrish
Cc: Sara Bunge; chahal 9188; David Janzen; Ed Machial; Louise Conant; Rick Knodel; Donna Sellin
Subject: Re: APC Memo - Review of Proposed Metal Storage Container Zoning Regulations (X2020.006-ZONE)

Hello Chris and members of the Area C APC: I could not make the response form work as I could not print it (out of ink) and the form was not subject to edit which would have allowed me to make my responses on it, then submit. Did no one think of that?

Anyway, I know people are going to erect really ugly structures on their properties, be they shipping containers or chicken coops. My suggestion is that the placement of any shipping containers should ensure that the main building-- commercial building, industrial plant, residence, whatever--must be situate directly between the shipping container and the main road access to that property. Pretty simple, but it would help contain the ugly.

Jessica Murpphy
Area C APC

I support the proposed bylaw subject to the above.



APC Member Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: APC Member Name: **ELECTORAL AREA:**
D.A. LYCHAK _____
(please print)

DATE: MAY 6, 2020 _____

RE: **Regional District Zoning Amendment Bylaw No. 2895, 2020**
Metal Storage Container Zoning Regulations

My comments / concerns are:

~~XXX~~ I do support the proposed regulation of metal storage containers.

I do support the proposed regulation of metal storage containers, subject to the comments listed below.

I do not support the proposed regulation of metal storage containers.

I support the proposed regulations because the result in residential zones (Low Density & Smallholdings) would be accessory buildings that architecturally match the principle residence with a steel box-inside (presumably for security). This, in fact, may be an improvement to the appearance of accessory structures in residential zones and I believe that the same design principles should be applied to ANY accessory building – steel containers or not.

Donna Sellin

From: JoAnn Peachey
Sent: May 6, 2020 3:38 PM
To: Christopher Garrish
Subject: FW: APC MEMBER FEEDBACK - DOUG LYCHAK

From: Susan Lychak
Sent: May 6, 2020 3:37 PM
To: JoAnn Peachey <jpeachey@rdos.bc.ca>
Subject: RE: APC MEMBER FEEDBACK - DOUG LYCHAK

Hi JoAnn,

I have just sent off my response regarding the Zoning Bylaw Amendment regarding metal containers and I wish to add another thought:

If the regulations outlined on Appendix #1 are not adopted as part of the Bylaw, I would totally oppose allowing metal containers in low density residential and smallholding zones – other than for construction and other related short-term purposes.

Thanks.

Regards,

Doug Lychak

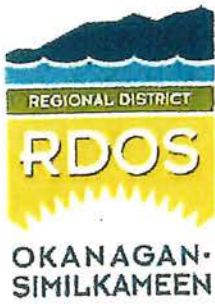
From: JoAnn Peachey <jpeachey@rdos.bc.ca>
Sent: May 6, 2020 2:32 PM
To: Doug Lychak
Subject: RE: APC MEMBER FEEDBACK - DOUG LYCHAK

Hi Doug,
Thanks for your providing your feedback. Your comments will be included in materials forwarded to the ALC for their consideration.

Regards,



JoAnn Peachey • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4384 • tf. 1.877.610.3737 • f. 250.492.0063
jpeachey@rdos.bc.ca • [RDOS](#)
[FACEBOOK](#) • [YOUTUBE](#) • Sign up for [REGIONAL CONNECTIONS](#)



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: ELECTORAL AREA:
Dianna Smith E
(please print)

DATE: May 9, 2020

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

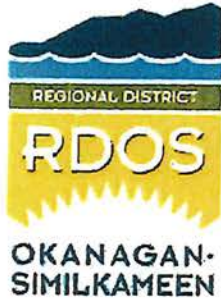
- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

- Need to address/reduce the visual impact to Neighbours when unsightly (damaged / peeling paint / rust / etc.) containers are placed on Agricultural or Large Holdings parcels.

(Painting them to better fit in surrounding?)
Within so many days of placement?

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

Storage containers



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: Donald Mancell ELECTORAL AREA: _____
(please print)

DATE: May 12 / 2020

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

I don't feel I know enough about this issue to make a recommendation one way or another

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

From:
To: [Christopher Garrish](#)
Subject: Re: Emailing: Response - Heather Fleck (2020-05-12)
Date: May 13, 2020 3:24:00 PM

So sorry I was trying to be organized but forgot to check the box .. I so support the proposed regulation of metal storage containers

----- Original Message -----

From: "Christopher Garrish" <cgarrish@rdos.bc.ca>
To:
Sent: Tuesday, May 12, 2020 4:44:47 PM
Subject: Emailing: Response - Heather Fleck (2020-05-12)

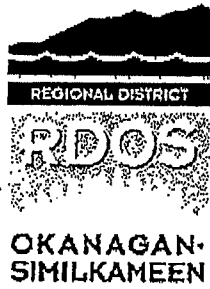
Hi Heather,

Thanks for submitting the attached feedback sheet on the proposed shipping containers zoning regulations.

I just wanted to confirm that it was intentionally left blank?

Sincerely,

Chris.



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.005-ZONE

FROM: APC Member Name: ELECTORAL AREA:
Heather Fleck E.
 (please print)

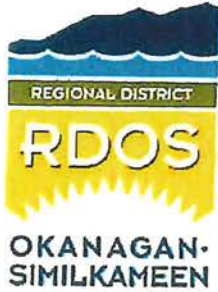
DATE: May 13 2020

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
 Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

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



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: ELECTORAL AREA:
BRUCE CHOUGH
(please print)

DATE: May 14 / 2020

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
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- I do not support the proposed regulation of metal storage containers.

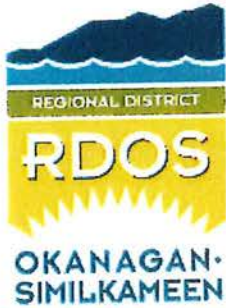
- storage containers prohibited in residential zones

- exception to prohibitions for construction purposes -
 conjunction with valid ^{building} permit could be allowed but ~~not~~ include

set timeline not just open-ended to completion of construction

- storage containers usage for industrial zones only and
 if for SA zones shouldn't be same as if large hold'g etc.

- not suitable in town center areas



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** F2020.008-ZONE

FROM: Electoral Area "F" APC Member Name:
Brad Hillis
(please print)

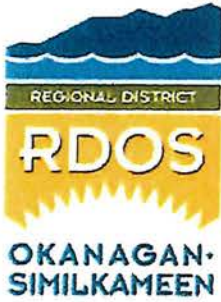
DATE: May 18, 2020

RE: Electoral Area "F" Zoning Amendment Bylaw No. 2461.14
8025 Princeton Summerland Road — Lot 10, Plan 27332, District Lot 2893, ODYD, Except
Plan KAP51912

My comments / concerns are:

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

A restrictive covenant is utilized to ensure the proposed mitigation measures for noise are kept to a high standard of sound dampening measures with a provision that outdoor storage of materials is prohibited to ensure no negative impacts to the streetscape and that all associated storage and business activities are fully contained. _____



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: APC Member Name: **ELECTORAL AREA:**

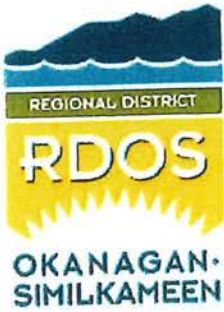
BRAD HILLIS F
 (please print)

DATE: MAY 9 2020

RE: **Regional District Zoning Amendment Bylaw No. 2895, 2020**
 Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.



APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: ELECTORAL AREA:
Chris Struthers I
(please print)

DATE: 18-May-2020

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

If containers are being utilized in a permanent arrangement, existing building bylaws should be sufficient.

Bylaws regarding unsightly properties may also be used to regulate excessive or obnoxious placement of containers.



APC Member Feedback Form

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SIMILKAMEEN

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: ELECTORAL AREA:
MIKE GANE I
(please print)

DATE: MAY 14 / 20

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

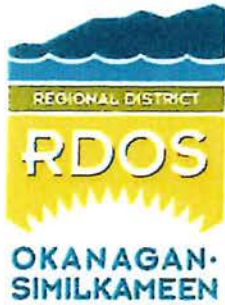
- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

1) - THE STIPULATION THAT THE SEACAN ~~IS~~ MUST BE CLADDED ~~AND~~ AND HAVE A ROOF IS NOT REQUIRED

REASON - IF ONE WISHES TO SELL THE SEACAN AFTER A FEW YEARS OF USE - IT IS NOT EASILY SALEABLE OR EASY TO MOVE IF IT HAS BEEN CLADDED AND ROOFED.

2) - MOST PEOPLE WANT A SEACAN TO STORE ITEMS THAT WOULD OTHERWISE BE AN EYEBALL IN THEIR YARD. I WOULD RATHER LOOK AT A SEACAN THAN JUNK! MAKE REGULATION OF SEACAN USE "FRIENDLY" PLEASE.

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APC Member Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: APC Member Name: Darlene Bailey (please print) ELECTORAL AREA: I

DATE: May 20, 2020

RE: Regional District Zoning Amendment Bylaw No. 2895, 2020
Metal Storage Container Zoning Regulations

My comments / concerns are:

- I do support the proposed regulation of metal storage containers.
- I do support the proposed regulation of metal storage containers, subject to the comments listed below.
- I do not support the proposed regulation of metal storage containers.

My concern is regarding the addition of more ventilation if flammable or explosive materials are stored.

As fire chief pre 2017 a resident of the community stored fire works as he sold them and stored in metal containers on his property. I had been doing this before I found out.

In 2011 a fire fighter from Enderby BC. was killed when a structure on fire next to storage containers caused the container to explode blowing doors off. Perhaps if large quantities are stored the containers should be marked.

Ref: to Office of Fire Commissioner - Shipping Containers Fire Safety.



Feedback Form

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Penticton BC V2A 5J9

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: Candace Anders
(please print)

Street Address: 388 Squatch Tr.

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers, subject to the comments listed below.
- I do not support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.

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environmental concerns when container located/sold/truck movement + potential product storage - non hazardous etc.

concern regarding other items on property ie- unused vehicles on front lawn/visible from road are not "Yart Art" they

We moved to this district because of the visual + community appeal + do not want it to become a Hodge Podge that is

Feedback Forms must be completed and returned to the Regional District

no later than July 3, 2020

seen in some other areas
Thank you for giving

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me an opportunity to share feedback.

From: [Candy Anders](#)
To: [Christopher Garrish](#)
Subject: PROPOSED BYLAW 2895 FEEDBACK (METAL Storage Containers)
Date: July 3, 2020 10:40:25 AM

Please accept this as 'Feedback Form'
Re: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020

WE DO support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers, subject to the comments listed below:

1. Esthetics/Property Value/Care - when we purchased a 3 acre property in the former Regal Ridge development, we were attracted to the guidelines and former covenant along with the RDOS' good governance in general. It is our desire to live in an area uncluttered from unsightly premises and have an enjoyment of a good quality of life for all. Containers only benefit the owner and not the rest of the region. There should also be a focus on enjoyment of the area for future generations. We have counted as many as 7 structures on one property (including primary residence, sheds, RV's, containers, etc.).
2. Safety - As containers can attract theft, an increase in the number of containers risks an increase in theft and safety concerns for residents whose properties are invaded. Large heavy doors - is there a risk of someone getting locked inside?
3. Environmental - risk of disturbing land when delivered. We acknowledge and support that much of our and our neighbours' 3 acre lots were meant to be preserved in a natural state and to be used as wildlife corridors. We have additional concern with containers that may have non-regulated foundations, potential for run-off of chemicals, non-permitted use, sewage effluent etc.
4. Fire Department and Fire Risk - There is no regulation regarding storage of hazardous materials in air tight containers. For example, the incidents of Enderby 2011 and Saanich 2013 and WorkSafe BC come to mind. On the mountain, there has been a fire at a residence where oily rags were neglected. In addition, if containers are located on properties in an obscure location, it may make it difficult for the fire department to access, maneuver large vehicles around etc.
5. Location - it is noted that containers should not be located between the principal residence and the front of the property. What about the other property borders, sides and back? For example, a container placed near the property line of a neighbour, whereby it may not be visible by the owner however it affects the enjoyment of the adjacent property owner, if:
A/ there are no setbacks, and
B/ recognizing that the lots in the former Regal Ridge are irregular in shape and that the amount of vegetation varies even within a property. There is risk that a container owner could place the unit out of their sightline, but not that of another owner.
6. Grandfathering - recognizing that there is not much scope for a local government to deviate from to reduce the unsightliness, recommend that it be modified that existing units must follow requirements of newly located units i.e. location of unit, cladding/colour to match primary residence, roof pitch and to remove any reference to advertising/former

owners' name/business etc.

Thank you for considering the above as it relates to the proposed bylaw.

John Anders and
Candy Anders

From: John Anders
To: Christopher Garrish
Subject: metal storage containers on small rural lots
Date: June 10, 2020 10:06:37 PM

Thank you for your initiative. My wife and I both support the limitation to one seaman on these types of lots and your proposed design requirements 9similar colouring to main residence and sloped roofs and restrictions on where they can be placed. We would also like to see restrictions on the amount and type of junk that can be placed on primarily residential lots.

Best Regards

John and Candy Anders

Osoyoos BC



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Brenda Anychuk
(please print)

Street Address: _____, Osoyoos, B.C. V0H 1V6

RE: **Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws**

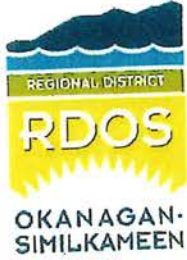
My comments / concerns are:

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Feedback Forms must be completed and returned to the Regional District
no later than **July 3, 2020**

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Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Michael J. Arychuk
(please print)

Street Address: Osogoway, BC, V0H-1V6

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: SCOTT AVERY + JACKIE DINGS
(please print)

Street Address: _____ : OSOYOOS V0H 1V6

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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Regional District of Okanagan Similkameen

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2020.006-ZONE

FROM: Name: Lori Barron
(please print)

Street Address: _____ Trail

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

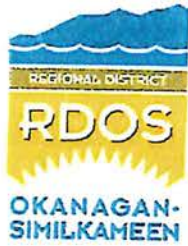
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Regional District of Okanagan Similkameen
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Tel: 250-492-0237 / Email: planning@rdos.bc.ca

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: Suzanne Beckman
(please print)

Street Address: Osoyoos, BC
VOH 1V6

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

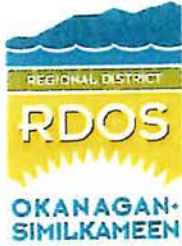
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Regional District

JUN 30 2020

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: Stefan Beckmann
(please print)

Street Address: Area A

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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There are several metal storage containers on Sarquatch Trail.
Some residences have one only, two properties have two each.
This diminishes the aesthetics of the area, reduces property values.

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020-006-ZONE

FROM: Name: IND BOOTHE
(please print)

Street Address: SASQUATCH TRAIL

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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Please → no grandfathering of existing containers please

We own "legacy" properties that our generations will be highly prized and valued. Lets build a beautiful community for our children and grandchildren to appreciate.

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Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen. **FILE NO.:** X2020.006-ZONE

FROM: Name: T. Carrochan
(please print)

Street Address: Sasquatch Trail

RE: **Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020**
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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Please see attached

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Feedback Form Addendum

Proposed Bylaw No. 2895, 2020

Comments:

Background Memo, May 6, 2020:

<https://www.rdos.bc.ca/assets/Uploads/APCMemo20200506.pdf>

Regarding the given reasons for the proposed change:

Okanagan Mountain Estates (twenty kilometres east of Osoyoos on Hwy. #3) is not a typical "residential neighbourhood" and has no "highway commercial developments". Almost all of the area consists of 3+ acre properties (**Small Holdings**) and is mostly covered in mature forest which generally hides any shipping containers.

Shipping containers, with good padlocks, are much more theft resistant than a wood shed, and are a less likely target as they have no windows to reveal whether or not the contents are worth stealing.

In addition, shipping containers are much more fire resistant than a wood structure, important in a high risk zone for wild fires.

Regarding the building code, all shipping containers meet the same high standard and pose no risk to humans as compared to stick-built structures.

Included in the Memo is the item:

"Conversely, it has also been suggested that the Regional District should be treating storage containers on larger parcels in the Small Holdings zones (i.e. with parcels greater than 1.0 ha in area) the same as those parcels zoned Large Holdings. Specifically, that there be no regulations on numbers of containers or how they are clad (NOTE: Amendment Bylaw 2886 currently proposes to regulate container numbers and cladding in all SH zones)."

I would like to suggest that this clause be included in the final draft.



Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: LIZ CRAIK
(please print)

Street Address: KALEDEN-VOH-1KO

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
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This bylaw is focusing incorrectly & unfairly on container ownership. If peoples properties are unsightly due to containers, old cars, junk being stored on properties then that issue should be addressed & amended accordingly. Blanketing all container owners under the new bylaw is unfair to those that have pride in their property. They should not be punished due to another bylaw not being enforced. We live in a rural area w/ over 2 acres. This new bylaw is →

Feedback Forms must be completed and returned to the Regional District
no later than May 29, 2020

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Feedback Form a/a - Storage Container Bylaw
CRAIK.L

(cont)

those that have done nothing
punishing. Amend the currently bylaw to
include unsightly objects such as
containers, old cars, old machinery, etc.

And deal with it on a case to case

basis as a complaint arises. Coming

from the 2nd largest city in British Columbia

there was no enforcement re containers, only

issues with unsightly properties. Moving

permanently to a rural area in 2017.

with over 20 acres we never thought we'd

have to worry about a container that was

acceptable in a major city. Paid for shipping.

it, placing it on an acceptable pad and

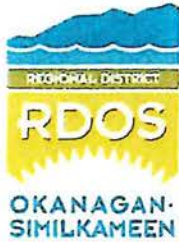
it not interfering with anything or anybody

Please reconsider this new bylaw. Amend

THE CURRENT PROPERTY BYLAWS that will

allow officers to investigate unsightly property
on a case by case issue.

Regards Liz Craik



Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: GARRY + ROSINA DEPAOLI
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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WE ARE NOT IN FAVOUR OF METAL STORAGE CONTAINERS. THEY WILL CREATE AN ENVIRONMENT OF CLUTTER UNKEPT PROPERTIES AND MORE OF A COMMERCIAL FEEL. THE WEST BENCH IS APPEALING BECAUSE IT IS A QUIET WELL KEPT RESIDENTIAL AREA. CERTAINLY ~~NOT~~ UGLY METAL CONTAINERS WOULD DO NOTHING TO ENHANCE PROPERTIES LOOK!

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Regional District

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MAY - 7 2020
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Penticton BC V2A 5J9



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Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: (please print)

Street Address:

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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Our metal storage container is not visible from the road. It is on a pad. It conforms to Fire Smart requirements. It is a secure place to keep our garbage away from bears and other critters.

Adding a roof would make it an eye sore.

This amendment makes no sense for this community.

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no later than **July 3, 2020**

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE
FROM: Name: MICHAEL DRUMMOND
(please print)
Street Address: 550400S, BC
RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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No Grandfathering

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2020.006-ZONE

FROM: Name: Sarah Drummond
(please print)

Street Address: Osoyoos BC

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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No grandfathering.

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

TO: Regional District of Okanagan Similkameen

FILE NO.: X2020.006-ZONE

FROM: Name:

Reg Forster
(please print)

Street Address:

Osby dos

RE:

**Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws**

My comments / concerns are:

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Thanking you in advance for this bylaw amendment !!

These containers are so ugly to look at and they devalue neighbouring properties. They are so ugly in their natural metal state.

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Nancy Forster
(please print)

Street Address: 2, Orayoor

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

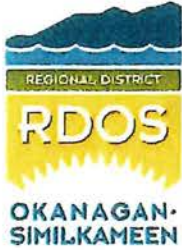
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Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Kim Gelinias & Bill Hughes
(please print)

Street Address: Osoyoos

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: BRENT GILBEY
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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NO GRAND FATHERING OF EXISTING
CONTAINERS PLEASE.

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Regional District of Okanagan Similkameen

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Deanna Greer
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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* Not to be double Stacked.

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Pat Greer
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

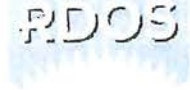
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Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: Tony & Maria Ianni
(please print)

Street Address: _____, Osoyoos, BC V0H 1V4

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

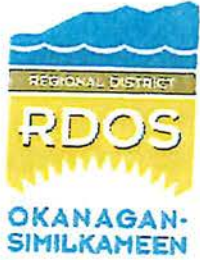
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One of the reasons we purchased up^{here} was because of having the space to adapt our property to our needs yet maintain the rural aspect - all of which was confirmed by our real estate agent. IF regulation change that is unfair and unreasonable - we are rural therefore our land isn't in the city centre we have 3⁺ acres and pay taxes - these changes are a travesty.

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JUL - 3 2020

101 Martin Street
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: BRYAN JUDS
(please print)

Street Address: 707005, B.C. V0H 1V6

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

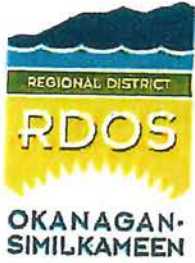
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JUN 30 2020

101 Martin Street
Penticton BC V2A 5J9
FILE NO: X2020.006-ZONE

TO: Regional District of Okanagan Similkameen

FROM: Name: Chris Kayes
(please print)

Street Address: 2504005

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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I Don't support the proposed bylaw -
Prior to purchasing my season I checked with the RDOS
and was informed it was allowed.
I am a small holding owner (3 1/2 acres) I use the
crans for storage of car parts & equipment on my property.
The loss of this existing storage would adversely affect
my use of the property.

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

OKANAGAN-SIMILKAMEEN

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: WAYNE KELLEY
(please print)

Street Address: OSOYOOS B.C.

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers, subject to the comments listed below.
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PLEASE SEE ATTACHMENT.

Feedback Forms must be completed and returned to the Regional District
no later than July 3, 2020

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Proposed Bylaw No. 2895, 2020

Comments:

Background Memo, May 6 2020

<https://www.rdos.bc.ca/assets/Uploads/APCMemo20200506.pdf>

Regarding the given reasons for the proposed change:

Okanagan Mountain Estates (twenty Kms east of Osoyoos on Hwy. #3) is not a typical "residential neighbourhood" and has no "highway commercial developments". Almost all of the area consists of 3 + acre properties (**Small Holdings**) and is mostly covered in mature forest which generally hides any shipping containers.

Shipping containers with good padlocks are much more secure and theft resistant than a wood shed and are a less likely target as they have no windows to reveal the contents and are made of metal.

In addition, shipping containers are much more fire resistant than a wood structure, important in a high risk zone for wild fires.

Regarding the building code, all shipping containers meet or exceed the same high standard and pose no risk to humans as compared to wood built structures.

I do not support the proposed bylaw that a metal storage container may be used as an accessory building: only if it is:

- i) completely clad in a material consistent with the principal building; and
- ii) covered by a roof with a pitch consistent with the principal building.

These two requirements are particularly onerous on the property owner, resulting in a considerable cost to the resident.

If RDOS is receiving "**occasional**" complaints as described in the staff report, the Region should develop some alternative solution to deal with **Those complaints individually** and not enact a blanket bylaw affecting all RDOS Areas.

Included in the Memo is the item:

"Conversely it has been suggested that the Regional District should be treating storage containers on larger parcels in the Small Holdings zone (i.e. with parcels greater than 1.0 ha in area) the same as those parcels zoned Large Holdings. Specially that there be no regulations on

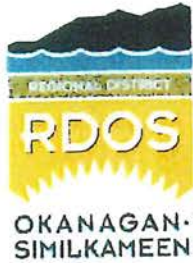
numbers of containers or how they are clad (NOTE: Amendment Bylaw 2886 currently proposes to regulate container numbers and cladding in all SH zones)."

I would like to suggest that this clause be included in the final draft.

The intent is to stop or amend the proposed bylaw before it reaches the First Reading with the RDOS.

Wayne Kelley

Osoyoos, BC
Canada, V0H 1V6



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Arnold Kettenacker
(please print)

Street Address: ---

RE: **Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020**
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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Please See Attached

Whereas some regulation for storage containers is necessary, I believe the current document and approach is too restrictive. Comments are attached.

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We currently reside in a small holding and would be subject to proposed amendment 7.27.1b).

Paragraph 7.27.1 b) (1) i) requires the metal storage container to be completely clad in a material consistent with the principal building. This is over kill and impossible for most shipping containers. The door hinges have pivot points that will prevent the door from opening if clad. Similarly, cladding the door itself will prevent access to the opening levers thereby preventing access to the container. If a roof is placed on the container and the exterior walls and doors are painted in a manner consistent with the principal building, the shipping container should look as good as, if not better than, most other compliant accessory buildings. As such, the text and requirements are NOT supported, but could be supported with the following:

Recommend that the text be changed from "*completely clad in a material consistent with the principal building*" to "*completely painted in a colour consistent with the principal building*"

Reading 7.27.1a) as it relates to multiple containers, indicates a permit is required. Sub paragraph b) doesn't indicate the same. If no permit is required, then I support 7.27.1b) with the changes mentioned above. I tried to seek clarity on the point of permits, but my call was not returned. If a permit is required, then the text is NOT supported for reasons listed below.

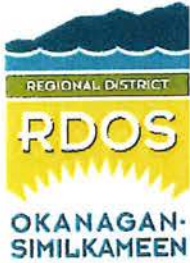
We completed our initial residential building under permit. After which and upon reviewing the applicable bylaw, we placed a metal container on the property in good faith. We submitted further permits for other projects where the inspector was onsite while the metal container remained in full sight. Arguably we have approval (albeit maybe tacit) for the container and should be under a grandfather clause for any metal container permit requirement. We should not be punished with a permit fee and/or potentially a very expensive environmental assessment because of ambiguity in the bylaw.

Finally and in general, given our current national and local economic environment and outlook, I believe it is inappropriate to initiate and implement NEW measures through a recent "interpretation" that will burden residents with potentially NEW taxes, fees, and potentially fines (where residents are simply unable to comply through no fault of their own). A grandfather clause or no cost grace period to register and retain the metal shipping container(s) should be implemented.

Thank you for considering my feedback.

Sincerely,

Arnold Kettenacker



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Kathleen Lausman & John Gagnon
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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Our neighborhood (Anarchist Mountain) properties are a minimum 3 acres in size. The building sites for the most part are set back from streets & sheltered by earth berms.

SeaCans are used predominantly as storage structures - a site requirement. They are structurally sound and need only be founded on a gravel pad. They are constructed of metal which conforms perfectly to the Provincial Fire Smart Program. They are very secure from both two & four legged intruders. (SeaCans do not constitute a safety/security concern.) There is NO logical rationale to cladding them with other materials or adding an unnecessary roof. A "lipstick" application would add unnecessary capital & O&M cost while diminishing value. As an unoccupied storage unit, they exceed the BC Building Code.
Should they be repurposed as a dwelling unit, they would need to comply with the Building Code.

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no later than **July 3, 2020**



Feedback Form

OKANAGAN-SIMILKAMEEN

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: NICHOLAS MARTY
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020.
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

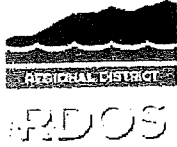
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Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Teresa Marty
(please print)

Street Address: Osageos, V0H 1V6

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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From: [Yvonne McAdam](#)
To: [Christopher Garrish](#)
Subject: Storage containers
Date: May 25, 2020 11:54:19 AM

I live on the West Bench, Area F.

I'm not sure if I am to express my feelings in this email. In any event, I am strongly opposed to any metal storage containers, unless being used temporarily during construction or renovations.

I find them to be aesthetically unpleasant.

Yvonne McAdam

Sent from my iPhone



Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: Branda Weidert
(please print)

Street Address: Drive, Osoyoos, BC

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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When we bought our property the rules were you had to build a min. 1800 sq Ft house. Mobile homes are not allowed and you can only live in your RV inside building. But now there are several Mobile homes here, people are living in there RV's year round. Some are building a little box and calling it a house which is in where near 1800 sq Ft this should also be stopped as well, it looks trashy!

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: GARY NEIDERT
(please print)

Street Address: DOYKOR, B.C.

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

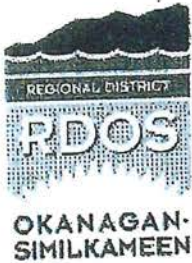
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C-CANS MUST BE 20' MAX. HEIGHT... THERE ARE PLENTY OF PLACES THAT HAVE BUILDING PERMITS FOR YEARS. IS A C-CAN ACCEPTABLE FOR YEARS?

NEXT - WHY DOES THE RDOS ALLOW BUILDING PERMITS FOR MOBILE HOMES, SMALL SQUARE BOX HOUSES & "CARRIAGES", ON ARCHIST MT? THESE "HOMES" ARE BEING BUILT NEXT TO EXPENSIVE HOMES! WHAT IS BEING DONE ABOUT PEOPLE LIVING IN RV'S WITH NO INTENTION OF BUILDING OR COMPLETING A HOME? SOME DON'T HAVE SEPTIC!

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Feedback Form

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: OSOYDOS MOUNTAIN ESTATES INC
(please print)

Street Address: OSOYDOS B.C.

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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REFER ATTACHED - 1 PAGE

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Osoyoos Mountain Estates
PO Box 327,
Osoyoos, BC V0H 1V0

June 29, 2020

Regional District of Okanagan Similkameen

101 Martin Street,

Penticton BC V2A 5J9

Reference: BYLAW NO. 2895,2020

We propose the following amendments to the proposed by law as it relates to Electoral Area A – Zoning Bylaw No. 2451, 2008:

7.27 (1) (b)

Low Density Residential and Small Holding Zones

1. Any shipping container cannot exceed 20 feet in length;
2. The exterior cladding must be consistent with the material used on the principal building and must match the **colour** of the principal building.
3. A building permit is required before placement however; this would not trigger the need for an environmental report.
4. There should be a mechanism that requires existing containers in the low density and small holding zones to come into compliance with the new bylaw in a reasonable time frame.

We agree that the number of storage containers be limited to one (1) and that any storage container be covered with a roof, with the roof pitch being consistent with the principal building.

Signed _____

Ronald N. Palmer

Managing Partner



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Diane Peller
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

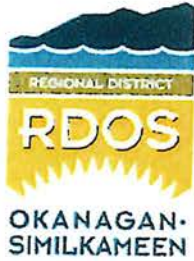
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TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: GERALD PELLE
(please print)

Street Address: 0507005 BC
VOH 116

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: BRIAN PERRY
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Gerry & Cynthia Pieters
(please print)

Street Address: _____

RE: **Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020**
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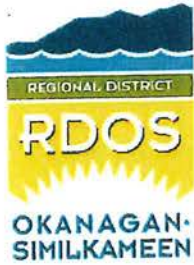
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I feel if I have a sea can on my property and then have to clad it (build walls around it and then put on a pitched roof I may as well put up a building because in essence that is what I am doing. Defeats the purpose of convenience of using the sea can. Also when you want to move it or are done with it you now have to dismantle the structure and get rid of the building material. More stuff to the landfill

Feedback Forms must be completed and returned to the Regional District
no later than **May 29, 2020**

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Ter esa Salamone
(please print)

Street Address: _____

RE: **Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020**
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 See attached comments.

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no later than **July 3, 2020**

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Metal Storage Container Zoning Review

Comments on draft Bylaw No. 2895 (Area A)
Submitted by Teresa B. Salamone (June 24, 2020).

Comment #1. Is a container as regulated in Bylaw 2895 to be defined solely as an "accessory building or structure"?

The draft container bylaw states: 7.27.1 The use of Metal Storage Containers as accessory buildings or structures is prohibited except in accordance with the following criteria". (Emphasis added.)

The language describes the requirements for a Metal Storage Container only when it is used "as accessory building or structures." Does that mean that there's another authorized use besides "accessory building or structure?" The definition states:

4.0 Definitions

"accessory building or structure" means a detached building or structure located on the same parcel as the principal building, the use of which is subordinate, customarily incidental, and exclusively devoted to that of the principal building; Electoral Area "A" Zoning Bylaw No. 2451, 2008

If 7.27 is intended to make containers an "accessory building or structure", why isn't that explicit? And if 7.27 doesn't mean to do that, under what other definition would the container fall? It seems pretty important that the container have a very specific definition under Bylaw 2451 since there are so many other provisions that are triggered by the definition of "accessory building or structure."

If this is what you meant, then the draft bylaw 7.27 could say

"Metal Storage Containers are defined as accessory buildings or structures. The use of Metal Storage Containers as accessory buildings or structures is prohibited except in accordance with the following criteria".

If you don't mean to say that a container is only an "accessory building or structure", then you need to be very clear and define all the various structural definitions that could apply to a container.

Comment #2. If a container is an "accessory building or structure," does that mean that a container is subject to all the other requirements under Bylaw 2451?

See for example,

7.13 Accessory Buildings and Structures cxviii

.5 No accessory building or structure shall be situated on a parcel unless:

- a) a principal building has already been erected on the same lot;
- b) a principal building will be erected simultaneously with the accessory building or structure on the same lot; or
- c) the accessory building or structure does not exceed 10.0 m² in area, one story in building height, and is limited to one (1) per parcel. (Emphasis added.)

However, Bylaw 2895 section 7.27 .1a) seems to allow two (2) containers in a LH area (for example):

- 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. (Emphasis added.)

If this is an unintended inconsistency, then one or the other provision should be revised to be consistent. If there is another reading of these two provisions that makes them simultaneously enforceable, the relationship between the two seemingly inconsistent requirements should be made clear.

Comment #3. Are there any other inconsistencies between the existing bylaw and the draft bylaw that would create confusion among the regulated community if not identified and addressed?

There are probably other inconsistencies between the existing bylaw and the draft bylaw, but it seems more like the job of the regulator to identify those when drafting a new bylaw than the job of the public to do so. My general comment is that the new bylaw and the existing bylaw should be able to read simultaneously and be consistently applied.

Other Comments:

Comment #4 – the language of the draft bylaw is not consistent when referring to the units that are to be regulated. Are you regulating Metal Shipping Containers or Metal Storage Containers? Or both? For example:

The "Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:

i) adding a new sub-section 7.27 (Metal Shipping Containers) under Section 7.0 (General Regulations) to read as follows:

7.27 Metal Storage Containers

.1 The use of Metal Storage Containers as accessory buildings or structures is prohibited except in accordance with the following criteria: (Emphasis added.)

Also suggest that if you suspect there is going to be ambiguity about what units you are trying to regulate, create a definition for whichever term you are going to use.

Comment #5. The draft Bylaw doesn't address requirements if you don't stack containers two (2) high. If they are not stacked does that mean you can have more than two (2) in LH for example? The curse of language is ambiguity. If you don't ever want containers stacked more than 2 high you can say that. For example:

"There can be no more than two (2) containers on a [to whatever zoning parcel you want this to apply] If there are two (2) containers, they must be stacked...

Comment #6. The draft Bylaw doesn't address requirements for existing containers. People should not have to guess how the rule applies to them. What if I am SH and already have five (5) unclad containers? What if I am LH and have five (5) unstacked containers? If I am an existing LH with five (5) unstacked containers, could I then add a sixth (6th) container if I stack it? Is there a general grandfathering rule somewhere in the Area A bylaws? If there is a grandfather rule, that should be referenced: "These provisions come into force on [whatever is that date] and apply except as set out in [the grandfather rule.]



Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: JUDGE ROSANNA SACCOMANI
(please print)

Street Address: [REDACTED] - SASQUATCH TRAIL

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

- I do not support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers, subject to the comments listed below.
- I do not support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2895, 2020.

Let's create Okanagan's finest
acreage development by doing
everything we can to enhance
the value of everyone's property

We are a community - not
separate "Electorates"

"No grandfathering of existing containers"

Feedback Forms must be completed and returned to the Regional District
no later than July 3, 2020

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Comment #7. The draft Bylaw calls for container on SH to be: "completely clad in a material consistent with the principal building ." What if the principal building is a log cabin? Can you really expect a home owner to pay to have a log cabin built around his storage container? These rules were clearly drafted without consideration for the real world implications but I suppose if the goals are to prevent the use of storage containers, and to ensure consistency among the Regional Areas no matter what, this is one way to do it.



Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE
FROM: Name: BILL & LYNN SERES
(please print)
Street Address: _____, 0504005

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers, subject to the comments listed below.
- I do not support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.

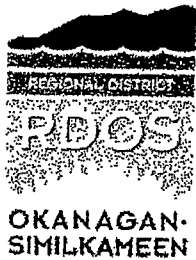
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2895, 2020.

GREAT IDEA MUCH OVERDUE

THANK YOU!

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no later than July 3, 2020

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Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: KHALID SHAH
(please print)

Street Address: ELECTORAL AREA "A", OSOYCOOS

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
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- Support bylaw subject to following modifications:

** 1(b) - (i) and (ii) - this is not necessary and is not feasible in some cases - it would be challenging to build a roof to match the home & homemade efforts could look more unsightly than simply painting the container*

- 1(c) - this is an excellent guideline but extra storage is often required for property maintenance equipment

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Feedback Form



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

TO: Regional District of Okanagan Similkameen
 FILE NO.: X2020.006-ZONE

FROM: Name: Gwendolyn Shah (please print)

Street Address: Electoral Area "A", 0504005

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
 Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

- My comments / concerns are:
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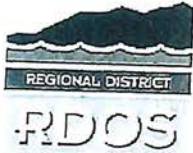
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2895, 2020.

- THE GOAL IS TO ENSURE THAT UNSIGHTLY STRUCTURES DO NOT AFFECT PROPERTY VALUES OF OUR "ESTATE" COMMUNITY
- I DO NOT AGREE WITH: 1) AN EXTRA FEE OR PERMIT FOR THE METAL CONTAINER 2) THE REQUIREMENT THAT THE CONTAINER MUST HAVE A PITCHED ROOF - (HAD IN SAME MATERIAL AS HOUSE)
- THE BYLAW SHOULD REQUIRE THAT THE CONTAINER IS PAINTED OR FINISHED TO COMPLEMENT THE PRIMARY RESIDENCE FOR PROPERTY AND LIMITED TO ONE CONTAINER
- REMOVAL ONCE HOME IS OCCUPIED IS IDEAL BUT NOT PRACTICAL FOR EVERYONE

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no later than July 3, 2020

Feedback Forms must be completed and returned to the Regional District



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Regional District of Okanagan Similkameen

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

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

OKANAGAN-SIMILKAMEEN

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: SIMPSON GAIL
(please print)

Street Address: _____ Kaladem

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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Grand father in existing containers.

RECEIVED
Regional District

JUN 22 2020

Feedback Forms must be completed and returned to the Regional District **101 Martin Street, Penticton BC V2A 5J9**
no later than **July 3, 2020**

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: Lee Sweeney
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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No grandfathering

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: JIM THORNTON

Street Address: _____, _____, _____ 04005

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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PLEASE SEE ATTACHED.

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Feedback Form Addendum

Proposed Bylaw No. 2895, 2020

Comments:

Background Memo, May 6, 2020:

<https://www.rdos.bc.ca/assets/Uploads/APCMemo20200506.pdf>

Regarding the given reasons for the proposed change:

Okanagan Mountain Estates (twenty kilometres east of Osoyoos on Hwy. #3) is not a typical "residential neighbourhood" and has no "highway commercial developments". Almost all of the area consists of 3+ acre properties (**Small Holdings**) and is mostly covered in mature forest which generally hides any shipping containers.

Shipping containers, with good padlocks, are much more theft resistant than a wood shed, and are a less likely target as they have no windows to reveal whether or not the contents are worth stealing.

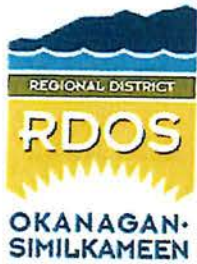
In addition, shipping containers are much more fire resistant than a wood structure, important in a high risk zone for wild fires.

Regarding the building code, all shipping containers meet the same high standard and pose no risk to humans as compared to stick-built structures.

Included in the Memo is the item:

"Conversely, it has also been suggested that the Regional District should be treating storage containers on larger parcels in the Small Holdings zones (i.e. with parcels greater than 1.0 ha in area) the same as those parcels zoned Large Holdings. Specifically, that there be no regulations on numbers of containers or how they are clad (NOTE: Amendment Bylaw 2886 currently proposes to regulate container numbers and cladding in all SH zones)."

I would like to suggest that this clause be included in the final draft.



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Bruce and Jennifer Turnbull
(please print)

Street Address: _____

**RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws**

My comments / concerns are:

- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
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~~We are against having storage containers in our neighbourhood. Lot sizes here are too small and so the containers will be an eyesore to neighbours and will reduce property values based on their unkept appearance. We also do not believe those that get containers will abide by the bylaw to clad them and change the roof design to match the home as the District does not enforce most bylaws that are existing. If someone wants a garden shed there are many in different sizes at local building supply businesses that are more appropriate for a yard than a steel and rusting storage container.~~

~~We have no confidence that this bylaw will be enforced or that residents will abide by the provisions within the bylaw so our answer to this is no shipping containers.~~

Feedback Forms must be completed and returned to the Regional District
no later than **May 29, 2020**

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From: [Bruce Turnbull](#)
To: [Planning](#)
Subject: Re: Bylaw No. 2895 (Metal Storage Container Zoning Regulations)
Date: June 10, 2020 5:19:27 AM

So despite the widespread rejection of shipping containers by residents you intend to go ahead with this. Show us the results of the polling of the residents in Area F. Answer my questions as to how the cladding and roofing of containers will be enforced and the penalty imposed if not? Answer my question as to the stacking of containers in residential areas? Will containers that are already in peoples yards be required to be clad and roofed as per the ruling? And finally why containers which are an enormous eye sore? Who is behind pushing this through?

Totally disagree with this as do most if not all of my neighbours.

Bruce Turnbull
Area F

On Tue, Jun 9, 2020 at 3:43 PM Planning Department <planning@rdos.bc.ca> wrote:

The Regional District is proposing the introduction of new zoning regulations to govern the placement of metal storage ("shipping") containers within various zones. This includes, amongst other things, the following:

- permitting the placement of containers in Resource Area, Agriculture, Large Holdings and Industrial Zones;
- permitting the placement of containers in Low Density Residential and Small Holdings zones subject to being clad and roofed in a material consistent with the principal; building on a parcel; and
- limit the stacking of containers to no more than two (2).

Additional information regarding these proposed amendments, including copies of the draft bylaw, supporting materials and feedback forms (which should be submitted to the RDOS by **July 3, 2020**) can be found at the Regional District's web site:

<https://www.rdos.bc.ca/development-services/planning/strategic-projects/metal-storage-review/>

You received this message because you are subscribed to the [[Regional District of Okanagan-Similkameen, BC-Land Use Changes: Applications F](#)] group.

Visit this topic here: <https://rdos.ca.reggroup.com/networks/rdos/groups/land-use-changes-applications-f/topics/bylaw-no-2895-metal-storage-container-zoning-regulations-20200609174341>

To unsubscribe from this group click here:

{<http://rdos.ca.reggroup.com/networks/rdos/groups/land-use-changes-applications-f/unsubscribe>}.



Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE
FROM: Name: DEBORAH & MARK WEBB
(please print) & / &
Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2895, 2020.

What will be done about any
EXISTING metal storage
containers to meet appearance
specifications - please do
what bylaws do then & remain
as is.

Feedback Forms must be completed and returned to the Regional District
no later than May 29, 2020

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Feedback Form

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: Suzy Williamson
(please print)

Street Address: _____

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

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No grandfathering please

Feedback Forms must be completed and returned to the Regional District
no later than July 3, 2020

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Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen FILE NO.: X2020.006-ZONE

FROM: Name: JAMIE & KEN WRIGHT
(please print)

Street Address: OSOYOOS, BC.
V0H1V6

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers, subject to the comments listed below.
- I do not support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2895, 2020.

WE UNDERSTAND THE AMENDMENT AS IT APPLIES TO HIGH-DENSITY RESIDENTIAL AREAS (PREX VILLAGE) FOR AESTHETIC REASONS. HOWEVER, ON LARGER LAND PARCELS (LOW DENSITY RESIDENTIAL & SMALL HOLDINGS), THE AESTHETIC ASPECT IS A MUCH SMALLER CONCERN AND THE AMENDMENT FEELS OVERLY REGULATORY

RECEIVED
Regional District

Feedback Forms must be completed and returned to the Regional District
no later than July 3, 2020

JUL - 3 2020

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

From: [Gary Zappone](#)
To: [Christopher Garrish](#)
Subject: Sea cans
Date: May 15, 2020 5:40:56 PM

As long as the sea can is set in off the road way an kept tidy I find no issue with this storage resource. The can itself will last many times longer than a wooden structure as well as more secure than a falling down shed that harbors rodents and a invitation to the two legged vermin that seems to be invading our local area as of late. Much expense by residents Have been incurred in purchase, and placing them on the property. I say restrict the number on each property, an leave the issue alone. Spend our money on more important issues that will benefit our local area. Lots can be done for all the seniors, as well as the new families with children moving in the district.
Sent from my iPhone

250-492-0063



Feedback Form

Regional District of Okanagan Similkameen

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

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

TO: Regional District of Okanagan Similkameen **FILE NO.:** X2020.006-ZONE

FROM: Name: Irish Zelena
(please print)

Street Address: Osoyoos BC

RE: Metal Storage Container Regulations Zoning Amendment Bylaw No. 2895, 2020
Electoral Area "A", "C", "D", "E", "F" & "I" Zoning Bylaws

My comments / concerns are:

- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.
- I do support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers, subject to the comments listed below.
- I do not support the proposed textual amendments to the Okanagan Valley Electoral Area Zoning Bylaws to regulate the placement of metal storage containers.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2895, 2020.

Feedback Forms must be completed and returned to the Regional District
no later than **July 3, 2020**

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May 15, 2020

File No: X2020.006-ZONE

Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Re: Bylaw Referral – File No. X2020.006-ZONE

Dear Christopher Garrish,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the proposed Bylaw No. 2895, regarding new regulations for the placement of metal storage “shipping” containers on properties in RDOS’s Electoral Areas A, C, D, E, F and I. I have reviewed the documentation you have provided. From an agricultural perspective I can offer the following comments:

- Ministry staff appreciate that the proposed bylaws do not prohibit these metal storage “shipping” containers in the identified Electoral Area agricultural zones. Metal shipping containers serve a variety of purposes for farmers including operating as greenhouses and storage of agricultural products.
- Ministry staff however suggest that the maximum limit of two (2) containers per parcel may place an unnecessary constraint for agricultural operators pursuing their business in the RDOS. If farmers are already using them as storage or greenhouses and wish to expand, there is a concern that these bylaw amendments may require them to search for less optimal alternatives. Ministry staff point to the RDOS’s June 1, 2017 Administration Report that states, “Administration also notes that the existing interpretation of metal storage containers as constituting an “accessory building or structure” has not resulted in serious complaint or objection from the community.”
- RDOS therefor may wish to consider revising these proposed bylaw provisions to make an exception to this limit for parcels in the Agricultural Land Reserve and lands zoned for Agriculture in an effort to support their rural agricultural sector.

If you have any questions, please contact me directly at christina.forbes@gov.bc.ca or 250-861-7201.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christina Forbes".

Christina Forbes, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
Office: (250) 861-7201
E-mail: christina.forbes@gov.bc.ca

Email copy: Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2895

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

Signature: Walter J. Hall

Signed By: Carol E. Hall

Agency: KALEDEEN IRRIGATION DISTRICT

Title: Finance / Sup. Admin.

Date: April 23, 2020.



Interior Health
Every person matters

April 16, 2020

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

planning@rdos.bc.ca

To Whom it May Concern:

RE: File #: X2020.006-ZONE
Our interests are unaffected

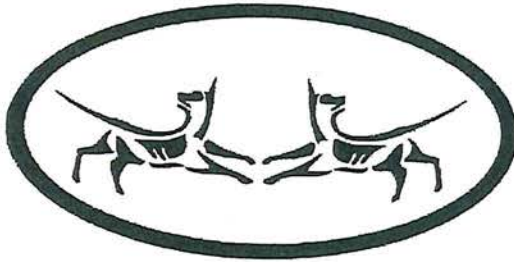
The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

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



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 No. 2895-Metal Storage Container Regulations

FN Consultation ID:

L-200415-2895

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Monday, April 20, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

April 20, 2020

Attention: Planning RDOS

File number: X2020.006-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was sent on April 15, 2020.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

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

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

I appreciate your co-operation.

limlɛmt,

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



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
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Project Name:

Bylaw No. 2895-Metal Storage Container Regulations

FN Consultation ID:

L-200415-2895

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Monday, April 20, 2020

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

April 20, 2020

Attention: Planning RDOS

File Number: X2020.006-ZONE

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

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

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

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

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

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

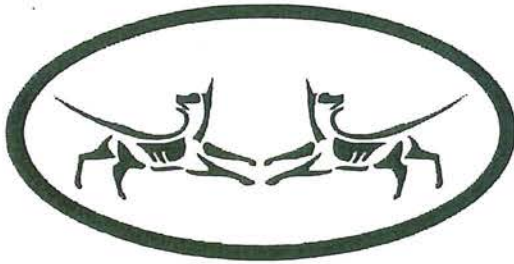
If you require further information or clarification, please do not hesitate to contact me.

limlmt,

Maryssa Bonneau
Referrals Administrator

P: 250-492-0411

Referrals@pib.ca



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Bylaw No. 2895-Metal Storage Container Regulations

FN Consultation ID:

L-200415-2895

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan-Similkameen](#)

Date Received:

Monday, April 20, 2020

Activity No Payment

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Please do not reply to this email message. Replies to this message will not be received as this is a no-reply email address

June 15, 2020

File number: X2020.006-ZONE

Attention: Planning RDOS

Re:Bylaw No. 2895-Metal Storage Container Regulations: 30 Day No Payment Activity

We write regarding your failure to pay invoice #L-200415-2895 to conduct a review to obtain additional information in the area of the above referral. To date, no payment has been received and we have therefore been unable to conduct a review of this referral; we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated April 15, 2020.

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

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

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

- Aboriginal title is not limited to intensively used sites; it extends to lands physically occupied and lands over which Indigenous peoples exercised control. Regular use of territories for hunting, fishing, trapping and foraging, with an intention and capacity to control the lands, grounds Aboriginal title.
- The Crown has no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in

Aboriginal title lands and resources; the beneficial interest is held by the Aboriginal title holding group. Allocations of Aboriginal title lands or resources to third parties are serious infringements of Aboriginal title.

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

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

limlæmt,

Please do not reply to this email message. Replies to this message will not be received as this is a no-reply email address. Please contact us at:

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

From: [Dawna Erland](#)
To: [Christopher Garrish](#)
Subject: Re: Metal Storage Container Bylaw Feedback. Area F
Date: November 16, 2020 6:19:26 PM

Please accept the following with corrections made.

Penticton, BC

> On Nov 16, 2020, at 6:16 PM, Dawna Erland wrote: >

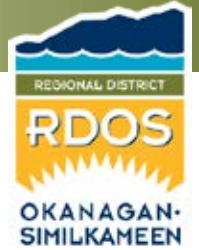
> Having had the experience of seeing my neighbour denied the previous pastoral lot of any vegetation and replace vegetation with boulders along with one huge and 3 small accessory buildings around it all of varying types, I welcome this bylaw whole heartedly as a reasonable compromise between those who would like unlimited access to them and those like me, who think they aesthetics are industrial and don't belong in a residential neighbourhood.

>

> Thanks,
> Dawna Erland
> Penticton, BC

>

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Zoning Bylaw Amendment – Electoral Area “D”

Administrative Recommendation:

THAT Bylaw No. 2455.43, 2020, Electoral Area “D” Zoning Amendment Bylaw be adopted.

Purpose: To allow for a 30 unit apartment building (Phase 2 of South Skaha Housing Society Project)

Owners: South Skaha Housing Society Agent: HDR Architecture Associates, Inc. Folio: D-00998.010

Legal: Lot 1, Plan 12558, District Lot 374, SDYD Civic: 5081 8th Avenue

Zone: Okanagan Falls Town Centre (OFTC) Proposed Zoning: Okanagan Falls Town Centre Site Specific (OFTCs)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to allow for the development of an additional 30 multi-dwelling units in the form of an apartment building.

Background:

At its meeting of December 3, 2020, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur at the Board meeting of January 7, 2021.

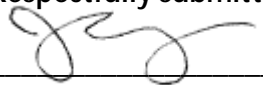
A Public Hearing was subsequently held electronically on January 7, 2021, where the total number of public members present was unknown, followed by Board approval of third reading of the amendment bylaw.

Approval from the Ministry of Transportation and Infrastructure (MoTI) due to the amendment applying to land within 800 metres of a controlled area, was obtained on January 18, 2021.

Alternatives:

1. THAT adoption of Bylaw No. 2455.43, 2020, Electoral Area “D” Zoning Amendment Bylaw be deferred; or
2. THAT first, second and third readings of Electoral Area “D” Zoning Amendment Bylaw No. 2455.43, 2020, be rescinded and the bylaws abandoned.

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo

Attachment No. 1 – Site Photo



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.43, 2020

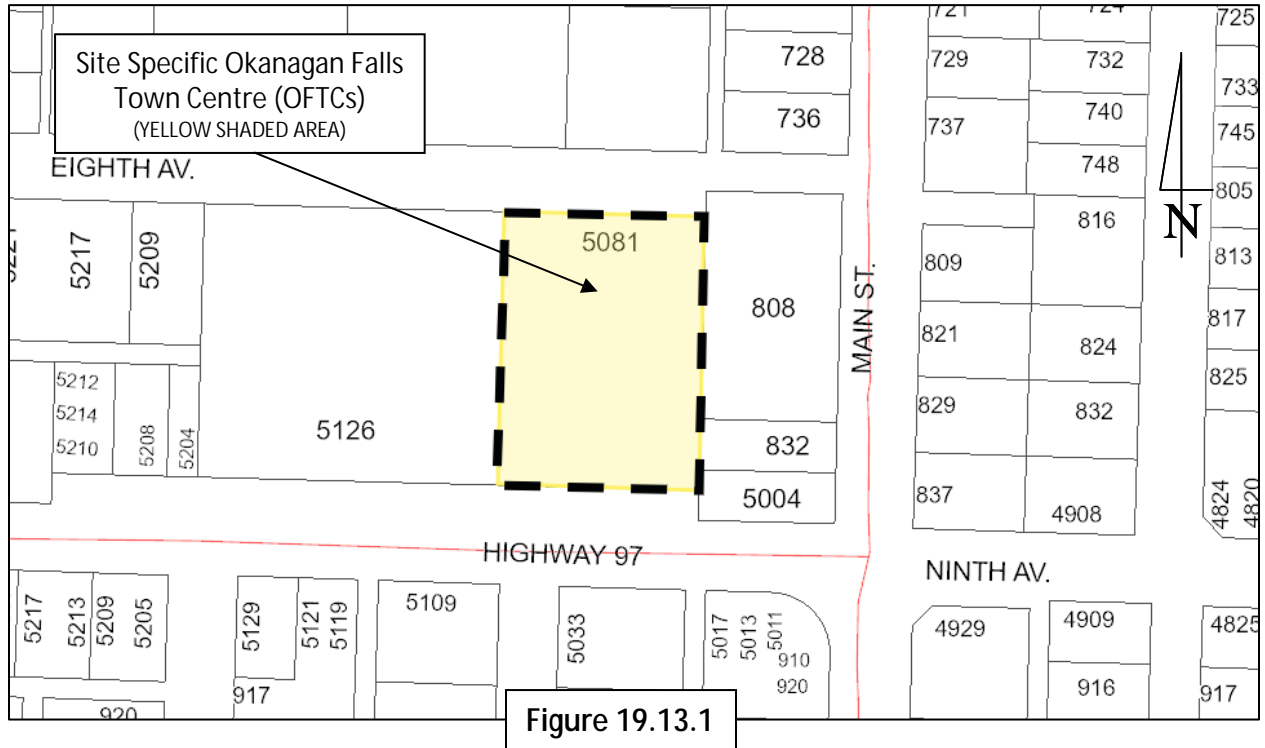
A Bylaw to amend the Electoral Area "D" Zoning Bylaw No. 2455, 2008

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" Zoning Amendment Bylaw No. 2455.43, 2020."
2. The "Electoral Area "D" Zoning Bylaw No. 2455, 2008" is amended by:
 - i) replacing Section 13.1.2(a) under Section 13.1 (Okanagan Falls Town Centre Zone) in its entirety with the following:
 - a) see Section 19.13
 - ii) replacing Section 19.13 under Section 19.0 Site Specific Designations in its entirety with the following:

19.13 Site Specific Okanagan Falls Town Centre (OFTCs) Provisions:

- .1 in the case of land described as Lot 1, Plan 12558, District Lot 374, SDYD, and shown shaded yellow on Figure 19.13.1:
 - i) despite Section 13.1.5, the maximum density shall be 112 dwelling units per hectare.
 - ii) despite Section 13.1.7(a)(v), the minimum setback for a parcel line adjacent to Highway 97 shall be 0.0 metres.
 - iii) despite Section 9.6 (Table 9.2), the required number of parking spaces for Residential (apartment building, townhouse) use shall be 1.0 space per dwelling unit.



3. The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:
- i) changing the land use designation on the land described Lot 1, Plan 12558, District Lot 374, SDYD, and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Okanagan Falls Town Centre Zone (OFTC) to Site Specific Okanagan Falls Town Centre Zone (OFTCs).

READ A FIRST AND SECOND TIME this 3rd day of December, 2020.

PUBLIC HEARING held on this 7th day of January, 2021.

READ A THIRD TIME this 7th day of January, 2021.

Approved pursuant to Section 52(3) of the *Transportation Act* this 18th day of January, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

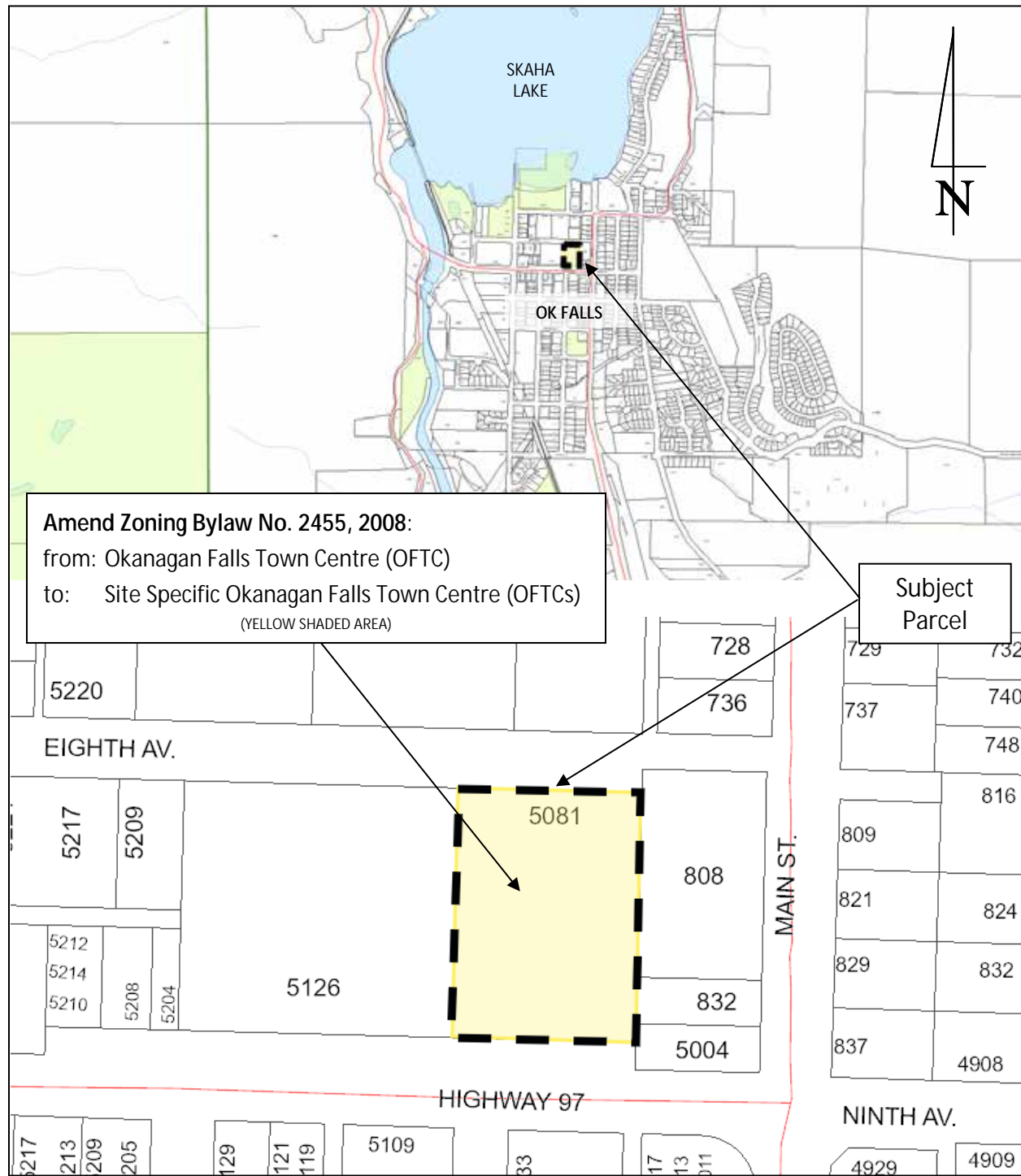
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



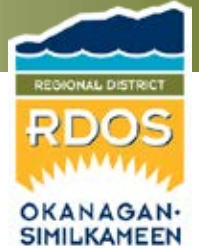
Amendment Bylaw No. 2455.43, 2020

File No. D2020.015-ZONE

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Zoning Bylaw Amendment – Electoral Area “I”

Administrative Recommendation:

THAT Bylaw No. 2457.35, 2020, Electoral Area “I” Zoning Amendment Bylaw be read a third time and adopted.

Purpose: To subdivide an existing duplex in order to create two bare land strata lots.

Owners: Carlos & Rafael Sola Agent: Sharon Sola Folio: I-02807.864

Legal: Strata Lot 8, Plan KAS3172, DL 395S, SDYD Civic: 165 Snow Mountain Place, Apex

Zone: Low Density Residential Duplex Apex (RD2) Proposed Zoning: Low Density Residential Duplex
Apex Site Specific (RD2s)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to subdivide existing duplex to create two bare land strata lots.

In order to accomplish this, the applicant is proposing to amend the zoning of the property under Electoral Area “I” Zoning Bylaw No. 2457, 2020, from Low Density Residential Duplex Apex (RD2) to Site Specific Low Density Residential Duplex Apex (RD2s). The site specific regulation will allow for the creation of two strata lots of sizes 236 m² and 281 m², whereas the minimum parcel size under existing RD2 zone requires 300 m².

In support of the rezoning, the applicant has stated “We are looking to create separate title for each duplex unit for mortgage purposes. We have paid snow removal including the driveways of each unit”

Site Context:

The subject property is approximately 518 m² in area and is situated on the south side of Snow Mountain Place. It is understood that the parcel is comprised of a recently built (2017) duplex dwelling.

The surrounding pattern of development is generally characterised by similarly sized low-density residential parcels that are currently vacant and area allowed duplex dwellings.

Background:

On December 16, 2020, a Public Information Meeting (PIM) was held electronically and was attended by approximately no members of the public.

At its meeting of December 16, 2020, the Electoral Area "I" Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

On January 7, 2021, the Regional District Board give Bylaw No 2457.35, 2020, first and second reading and allowed subject application to proceed to public hearing.

Subsequently, on February 4, 2021, public hearing was held electronically and was attended by xx members of the public, regional district staff and the applicant.

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

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97 & 3).

Analysis:

In considering this proposal, Administration notes that both the duplexes already exist, are serviced by community water and sewer system, and are within Apex Rural Growth Area – making it the type of location that the Regional District is seeking to encourage appropriate infill types of development.

The low-density residential designation includes number of land uses compatible with the low-density character of a neighbourhood and includes duplexes – making the subject proposal consistent with the OCP Bylaw.

Administration also notes that the subject proposal to create a bare land strata within a bare land strata is consistent with the policies contained in OCP Plan (Section 11.3.1) that directs development of new housing to previously approved residential subdivisions within identified Growth Area, and to consider residential infill development to maximize the land use and servicing efficiencies

While reviewing a zoning amendment, Administration will consider the proposed "use" and "density" and its impact on the neighbourhood. In this instance, the use (duplex) remains the same however, the proposal does not meet the minimum parcel size requirement (density provision) associated with RD2 and requires zoning amendment, to facilitate the subdivision.

Further, Administration does not anticipate that the existing duplexes upon subdivision will, in any way, generate non-conformity with other provisions of the zoning bylaw (i.e. parking provisions and parcel coverage).

Of note, there is a concern regarding the visual separation (setbacks) between individual duplexes. Currently, both duplexes share a common party wall. However, Administration acknowledges that the setback provisions of the Zoning Bylaw apply only to the parcel lines on the perimeter of the parcel and not to internal parcel lines for strata lots under a registered plan pursuant to Provincial regulations.

Conversely, Administration recognises that it is not generally considered good planning practice to allow "spot zoning". "Spot zoning" is a non-comprehensive approach to zoning that introduces discrepancies between permitted uses within a specific area and extends a benefit to one parcel that is not available to other parcels in the same zone.

Further, during the Apex Zone Review, the size of duplex parcels at Apex were increased to ensure additional land area was being provided for snow storage. There is a concern to reducing the size of the parcel and limiting the land availability for snow storage. However, the requirement for on-site snow storage provision is triggered under current conditions (i.e. when a parcel contains four or more outdoor parking spaces) and this requirement would nullify upon subdivision (as each parcel will contain only two parking spaces).

Summary:

In summary, Administration generally supports the proposed Zoning Bylaw amendment.

Alternatives:

1. THAT Bylaw No. 2457.35, 2020, Electoral Area "I" Zoning Amendment Bylaw be read a third time and adopted; or
2. THAT Bylaw No. 2457.35, 2020, Electoral Area "I" Zoning Amendment Bylaw be, be denied.

Respectfully submitted:

R. Gadoya

Rushi Gadoya, Planning Technician

Endorsed By:



C. Garrish, Planning Manager

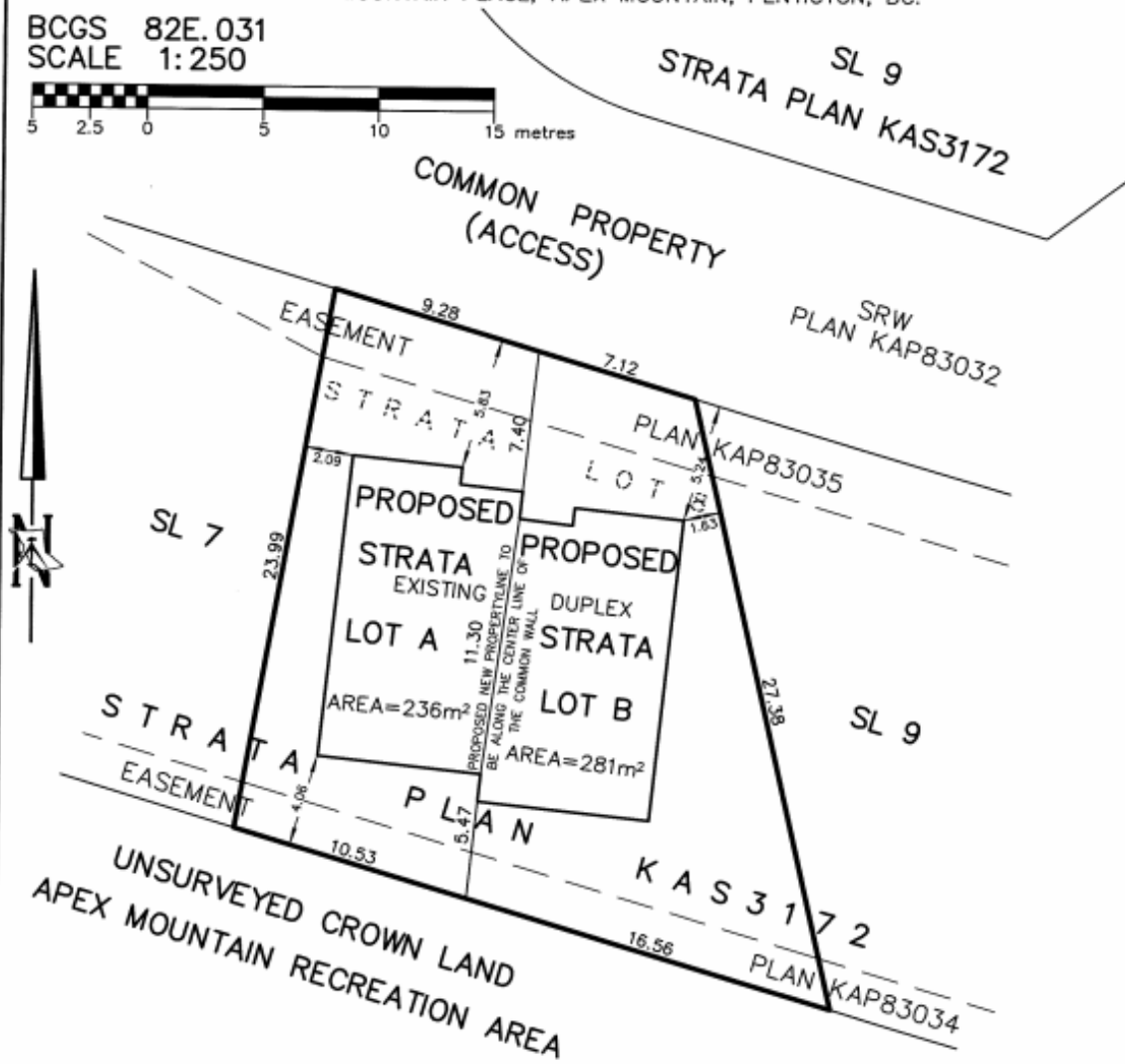
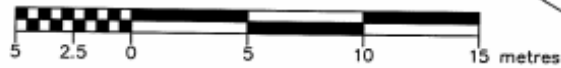
- Attachments: No. 1 – Applicant’s Site Plan
No. 2 – Applicant’s Floor Plans
No. 3 – Applicant’s Floor Plans
No. 4 – Site Photo
No. 5 – Site Photo

SKETCH PLAN TO ACCOMPANY A REZONING AND SUBDIVISION APPLICATION OF STRATA LOT 8, PLAN KAS3172, DL 395s, SDYD

CIVIC ADDRESS: 165 SNOW MOUNTAIN PLACE, APEX MOUNTAIN, PENTICTON, BC.

BCGS 82E.031

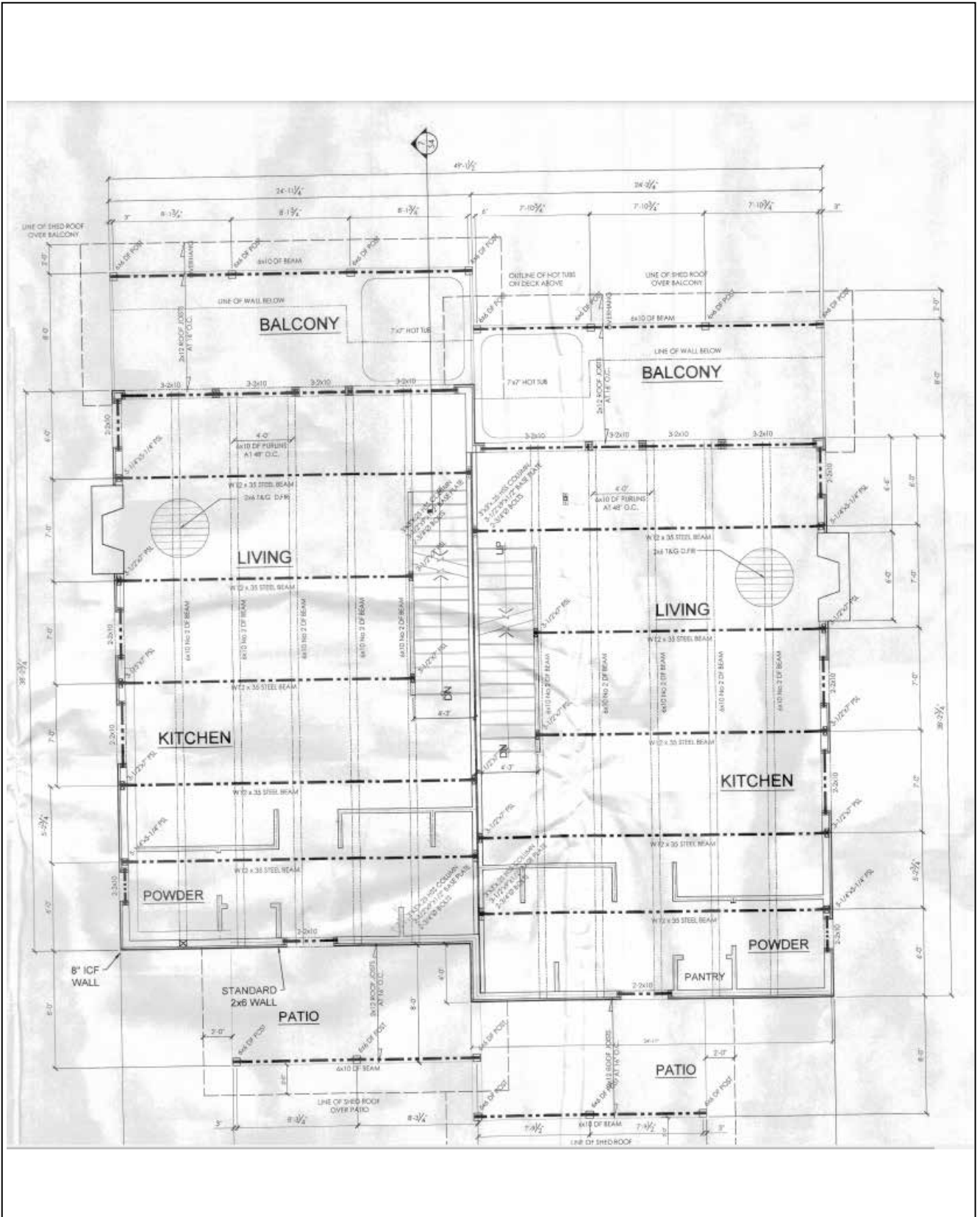
SCALE 1:250



PREPARED THIS 19th DAY OF NOVEMBER, 2020.

STEVEN J. BUZIKIEWICH
PROFESSIONAL LAND SURVEYOR
54 NANAIMO AVE. E.
PENTICTON, B.C. V2A 1L9
Phone: (250)492-0559 Fax: (250)492-9851
FILE 20-123
DWG. 20-123A

Attachment No. 2 – Applicant's Floor Plans



Attachment No. 4 – Site Photo



Attachment No. 5 – Site Photo



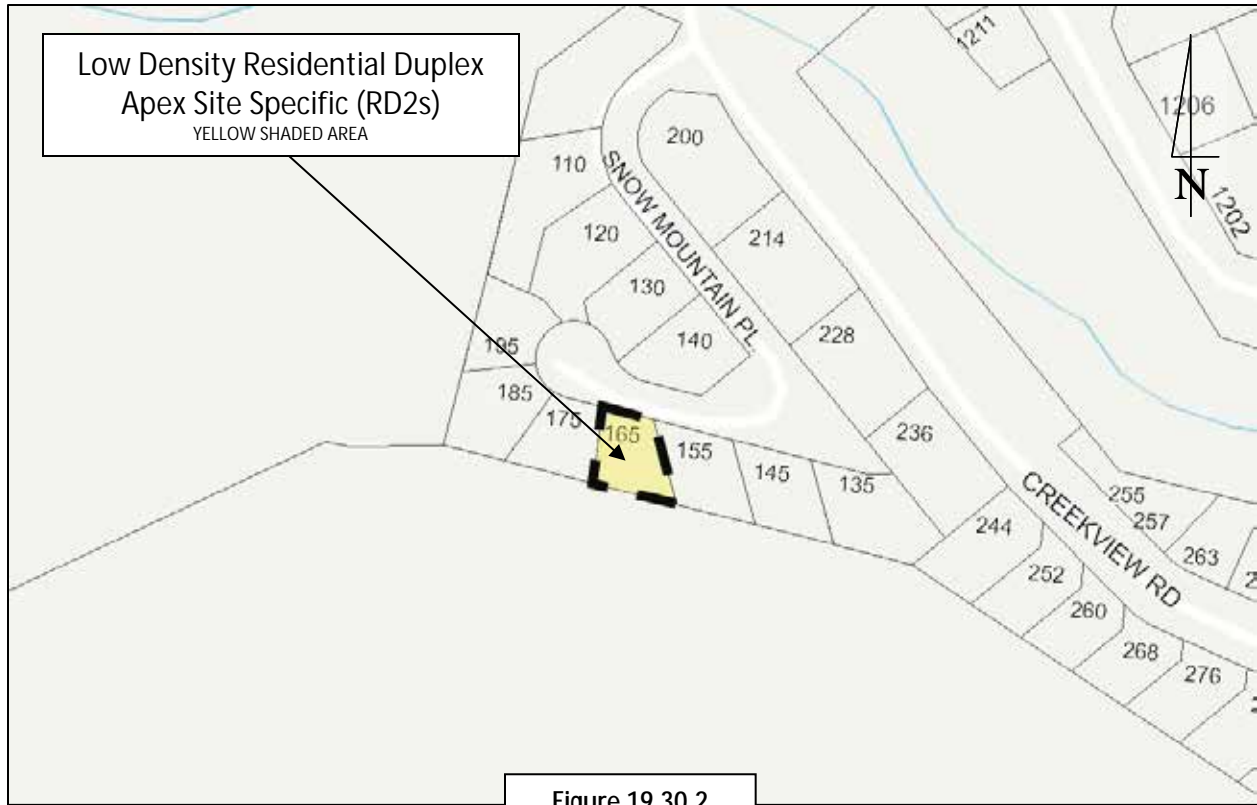
REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.35, 2021

A Bylaw to amend the Electoral Area "I" Zoning Bylaw No. 2457, 2008

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

1. This Bylaw may be cited for all purposes as the "Electoral Area "I" Zoning Amendment Bylaw No. 2457.35, 2021."
2. The "Electoral Area "I" Zoning Bylaw No. 2457, 2008" is amended by:
 - i) adding a new sub-section 2 under Section 19.30 (Site Specific Low Density Residential Duplex Apex (RD2s) Provisions to read as follows:
 - .2 in the case of land described as Strata Lot 8, Plan KAS3172, District Lot 395S, SDYD (165 Snow Mountain Place, Apex), and as shown shaded yellow on Figure 19.30.2:
 - a) despite Section 11.5.3(b), the minimum parcel size for the purpose of subdividing a duplex under the *Strata Property Act* shall be 236.0 m², subject to servicing requirements.



- The Official Zoning Map, being Schedule '2' of the Electoral Area "I" Zoning Bylaw No. 2457 2008, is amended by changing the land use designation on the land described Strata Lot 8, Plan KAS3172, DL 395S, SDYD and shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Low Density Residential Duplex Apex (RD2) to Low Density Residential Duplex Apex Site Specific (RD2s).

READ A FIRST AND SECOND TIME this 7th day of January, 2021.

PUBLIC HEARING held on this 4th day of February, 2021.

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

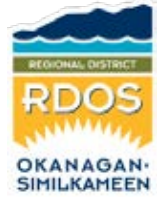
ADOPTED this _____ day of _____, 2021.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

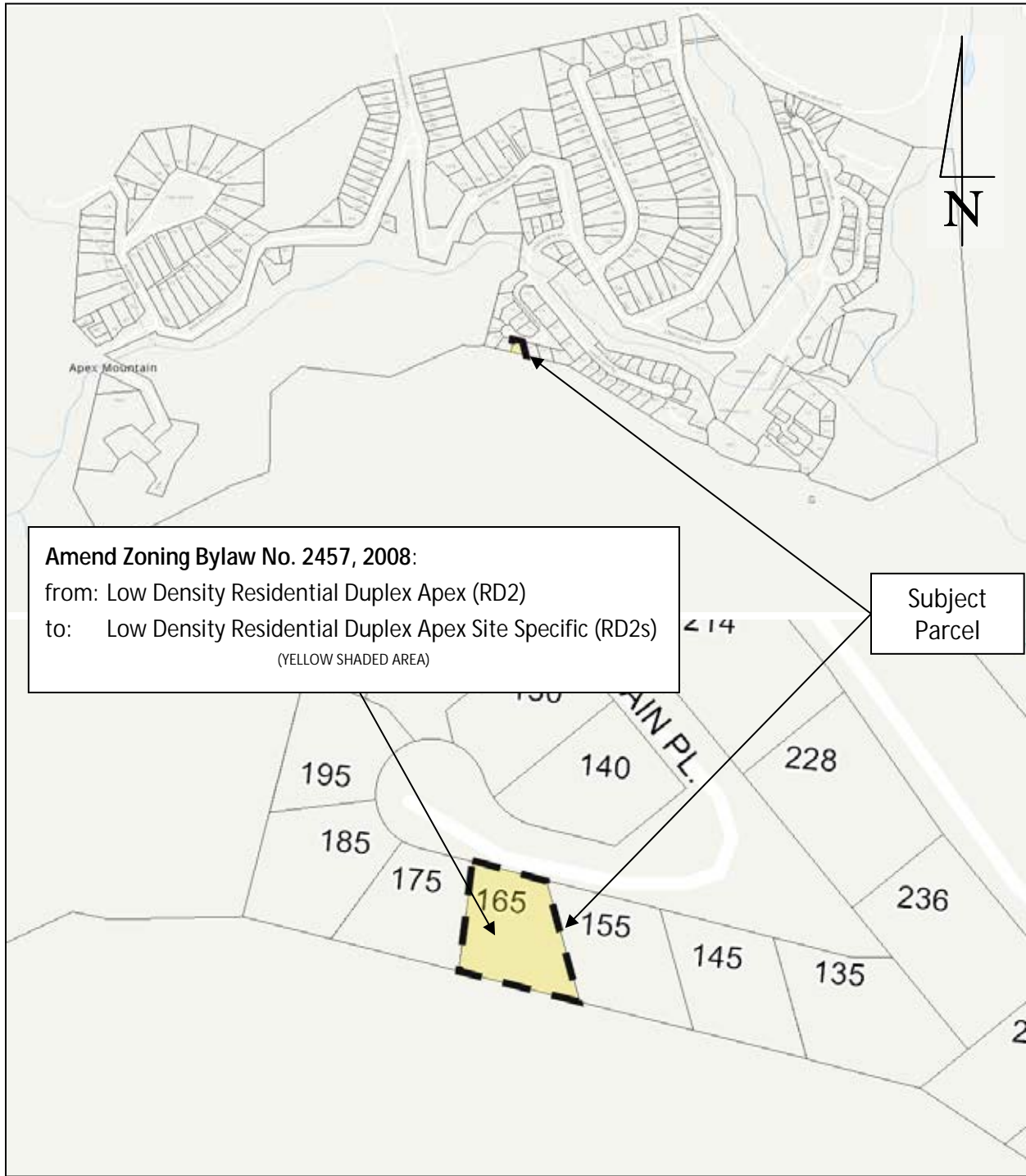
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



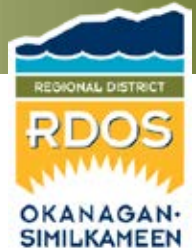
Amendment Bylaw No. 2457.35, 2021

File No. I2020.018-ZONE

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Petition to Enter Service Area – Electoral Area “C”

Administrative Recommendation:

THAT Bylaw No. 2709.01, 2021, Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Amendment Bylaw be read a first, second and third time.

Purpose: To extend the Willowbrook water service area to three parcels

Owners: Ricklend & Caroline Knodel; Donna Cooke; & Nicole Boyle Folios: C-01152.090/.220 & C-01131.000

Legal: Lot 5, Plan KAP1435, DL 28, SDYD; Lot 18, Plan KAP1435, DL 28, SDYD; DL 26, SDYD, Except Plan 23124

Civic: 1316 Greenlake Road; 289 and 299 Goldtau Road; and 525 Johnson Crescent

Purpose:

The purpose of the bylaw amendment is to include the properties at 1316 Greenlake Road (being Lot 5, Plan KAP1435, District Lot 28, SDYD) and 289 & 299 Goldtau Road (Lot 18, Plan KAP1435, District Lot 28, SDYD) in the Willowbrook Water Local Service Area.

It is further being proposed to correct a mapping error so that the Willowbrook Water Local Service Area boundary incorporated the whole of the parcel at 525 Johnson Crescent (NOTE: this property is only partially within the service area).

In order to facilitate the above, it is being proposed to amend Schedule ‘A’ of the Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Bylaw No. 2709, 2015, to include the subject properties.

Site Context:

The subject property at 1316 Greenlake Road is approximately 5.19 ha in area and is situated on the north side of Greenlake Road, west of the Willowbrook Water service area boundary. It is understood that the parcel is comprised of a single detached dwelling and accessory structures.

The subject property at 289 and 299 Goldtau Road is approximately 4.14 ha and is situated on south and east side of Gold Tau Road, south of the intersection of Johnson Crescent and Myers Road. It is west / south of the Willowbrook Water service area boundary. It is understood that the parcel is comprised of a single detached dwelling and accessory structures.

The subject property at 525 Johnson Crescent is approximately 5.18 ha and is situated south of Johnson Crescent and is accessed from a panhandle portion of the parcel. The panhandle portion of

the parcel is currently within the Willowbrook Water service area boundary and approximately 4.79 ha is outside of the service area. It is understood that the parcel is comprised of a single detached dwelling and accessory structures.

The surrounding pattern of development is generally characterised by rural residential and agriculture.

Background:

1316 Greenlake Road

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 17, 1914, while available Regional District records indicate that building permits for mobile alteration (2020), single family dwelling addition (2013), stove, shed (1974) and mobile home (1974) have previously been issued for this property.

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Agriculture (AG).

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One (AG1).

289 and 299 Goldtau Road

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 17, 1914, while available Regional District records indicate that a building permit for single detached dwelling (1975) has previously been issued for this property.

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Agriculture (AG).

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One (AG1).

525 Johnson Crescent

It is unknown when the current boundaries of the subject property were created by a Plan of Subdivision, while available Regional District records indicate that building permits for a storage shed (2001), single family dwelling (2001), mobile home (1994) and equipment building (1987) have previously been issued for this property.

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Large Holdings (LH), and is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation.

Under the Electoral Area "C" Zoning Bylaw No. 2453, 2008, the property is currently zoned Large Holdings One (LH1).

Analysis:

In considering this proposal, Administration notes that the proposal is considered a housekeeping item to correct mapping included in the original bylaw when taking over the Willowbrook Water service.

Each of the subject parcels currently receive Willowbrook water service and a bylaw amendment is required to ensure continuation of service, as Willowbrook water service is only to be provided within the service area boundary.

Each of the subject parcels directly abuts the existing service area (or, in the case of 525 Johnsen Crescent is partially included in the service area) and is considered contiguous.

Further, inclusion of these parcels do not require an extension of services.

In summary, Administration recommends first, second and third reading of the amendment bylaw to resolve historic mapping issues with the Willowbrook water service area.

Alternatives:

1. THAT Bylaw No. 2709.01, 2021, Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Amendment Bylaw be denied;
2. That consideration of Bylaw No. 2709.01, 2021, Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Amendment Bylaw be deferred pending:
 - a) *TBD*.

Respectfully submitted:



JoAnn Peachey, Planner I

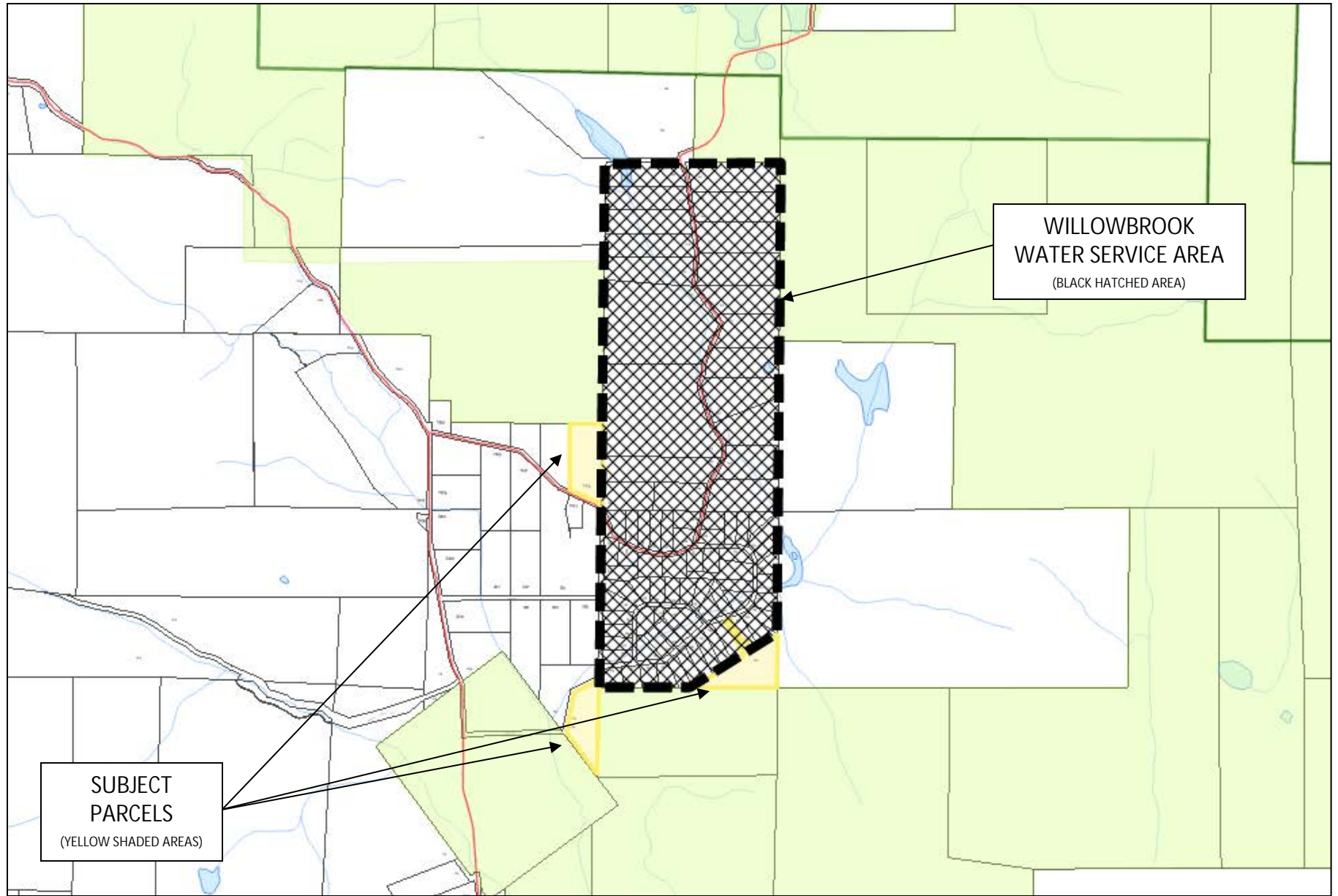
Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Willowbrook Water Service Area

Attachment No. 1 – Willowbrook Water Service Area



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2709.01, 2021

A Bylaw to amend the Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Bylaw No. 2709, 2015

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 Willowbrook Water Service Establishment Amendment Bylaw No. 2709.01, 2021."
2. The boundaries of the Willowbrook Water service area, being Schedule 'A' of the Regional District of Okanagan-Similkameen Willowbrook Water Service Establishment Bylaw No. 2709, 2015, are amended by incorporating the lands described as:
 - i) Lot 5, Plan KAP1435, District Lot 28, SDYD (1316 Green Lake Road), and shown shaded yellow on Schedule 'A', which forms part of this Bylaw;
 - ii) Lot 18, Plan KAP1435, District Lot 28, SDYD (289 and 299 Goldtau Road) and shown shaded yellow on Schedule 'B', which forms part of this Bylaw; and
 - iii) an approximately 4.8 ha part of District Lot 26, SDYD, Except Plan 23124 (525 Johnson Crescent), and shown shaded yellow on Schedule 'C', which forms part of this Bylaw.

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

APPROVED BY THE INSPTEOR OF MUNICIPALITIES this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

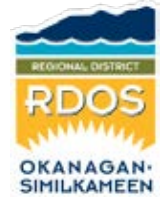
Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, 2021.

Regional District of Okanagan-Similkameen

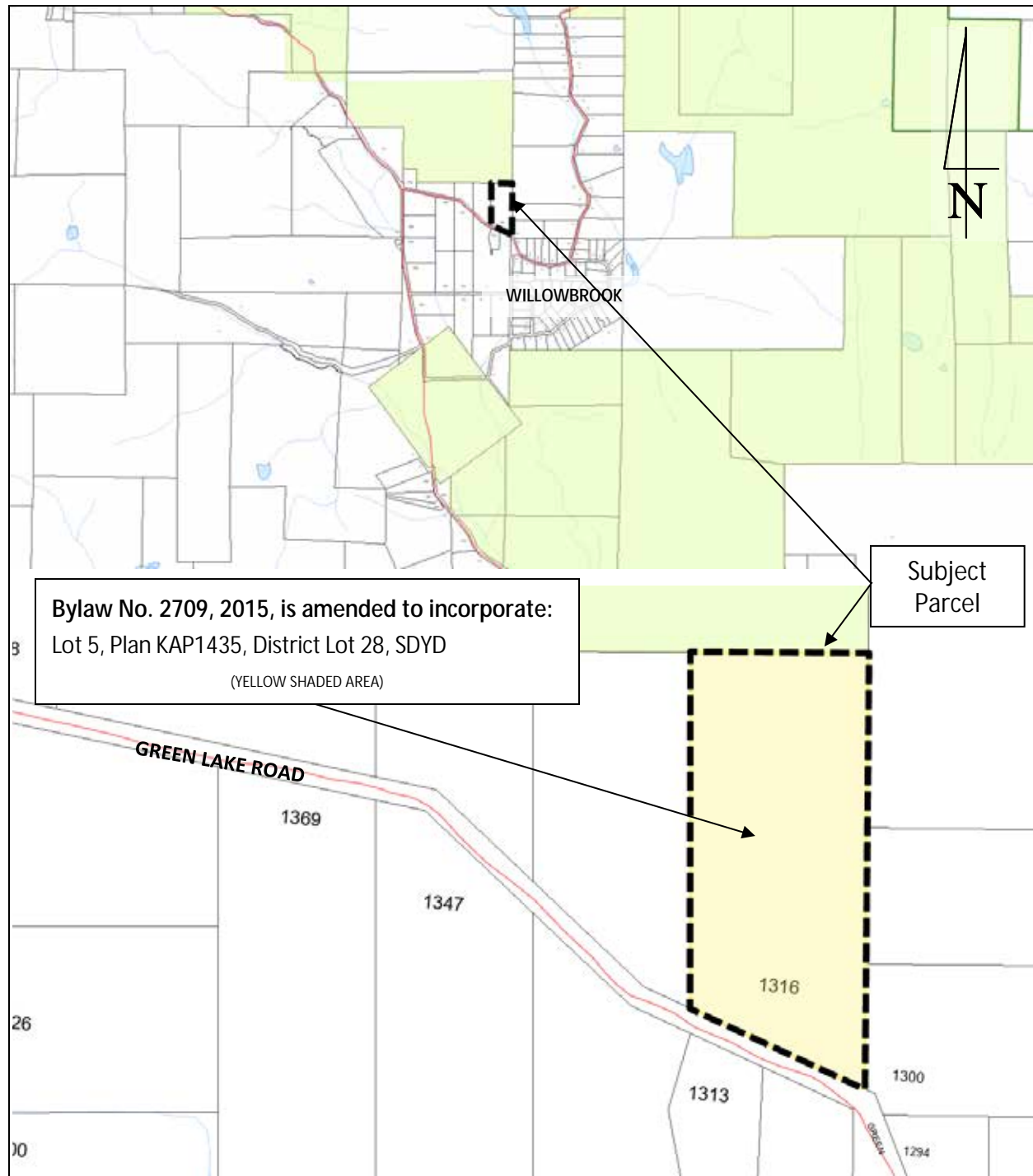
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2709.01, 2021

File No. C2020.003-SAP

Schedule 'A'



Regional District of Okanagan-Similkameen

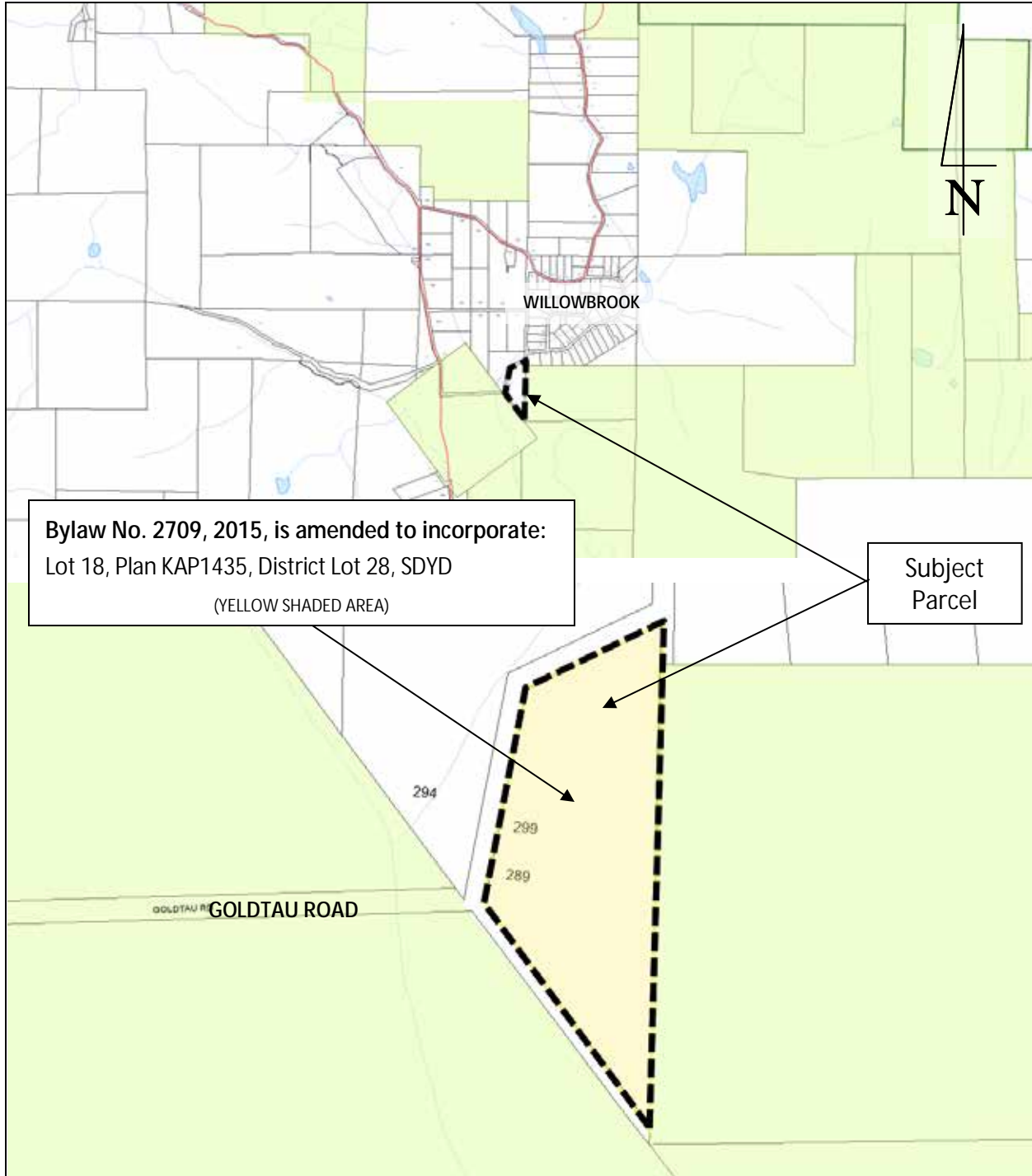
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2709.01, 2021

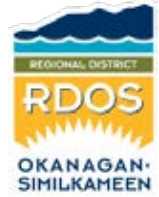
File No. C2020.003-SAP

Schedule 'B'



Regional District of Okanagan-Similkameen

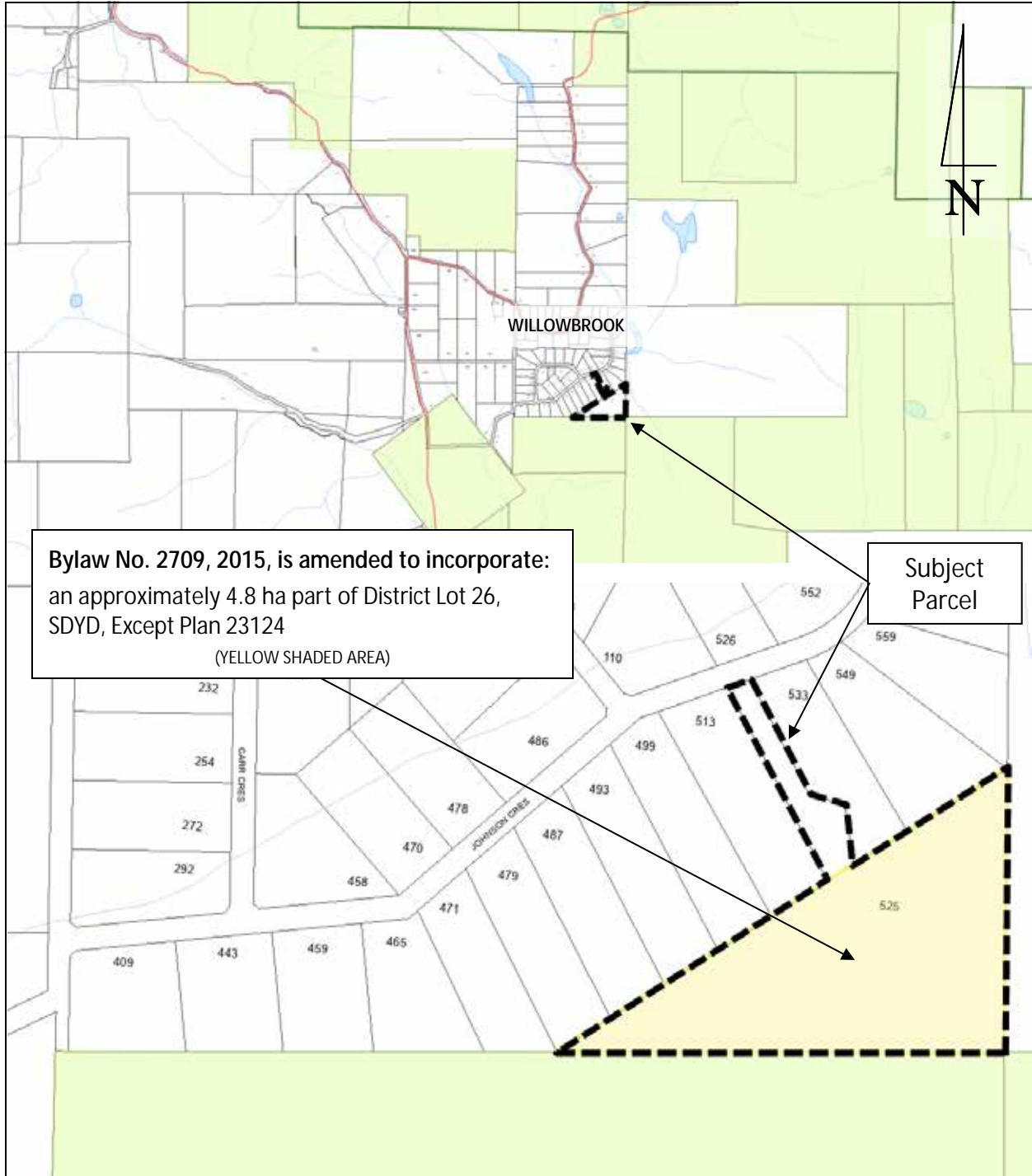
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



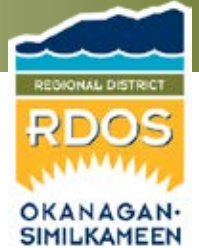
Amendment Bylaw No. 2709.01, 2021

File No. C2020.003-SAP

Schedule 'C'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Petitions to Amend Service Areas – Electoral Area “I” & “D”

Administrative Recommendation:

THAT Bylaw No. 1238.04, 2021, Kaleden Fire Department Fire Protection Local Service Establishment Amendment Bylaw be adopted; and

THAT Bylaw No. 1310.03, 2021, Okanagan Falls Fire Protection Service Establishment Amendment Bylaw be adopted.

Purpose: To adjust the local service area boundaries for the subject property from the Okanagan Falls Fire Protection local service area to the Kaleden Fire Department Fire Protection local service area

Owners: Maxwell Alexander/Annette Glover Agent: n/a Folio: I-08036.000

Legal: KAP4841B, Section 13, Township 88, SDYD, Portion NW ¼, Except Plan H101, & Except Plan EPP484B

Civic: 326 Highway 97

OCP: Agriculture (AG) Zone: Agriculture Three (AG3)

Purpose:

The property owners have submitted a petition request to the Regional District that seeks to include the property at 326 Highway 97 (being KAP4841B, Section 13, Township 88, SDYD, Portion NW ¼, Except Plan H101, & Except Plan EPP484B) in the Kaleden Fire Department Fire Protection Local Service Area and to be subsequently removed from the Okanagan Falls Fire Protection Local Service Area.

In order to facilitate this, it is being proposed to amend Schedule ‘A’ of the Kaleden Fire Department Fire Protection Local Service Establishment Bylaw No. 1238, 1991 to include the property, and to amend Schedule ‘A’ of the Okanagan Falls Fire Protection Service Establishment Bylaw No. 1310, 1992 to exclude the property.

This petition is in response to a request from the Fire Chiefs of the Okanagan Falls and Kaleden Volunteer Fire Departments.

Background:

At its meeting of January 21, 2021, the Board approved first, second and third reading of Amendment Bylaw Nos. 1238.04, 2021 and 1310.03, 2021.

Analysis:

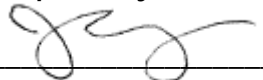
Administration supports the amendment bylaws which will simplify the division between local service area jurisdictions and is viewed by both Fire Departments as improving service response to the subject parcel.

Alternatives:

1. THAT first, second and third reading of Bylaw No. 1238.04, 2021, Kaleden Fire Department Fire Protection Local Service Establishment Amendment Bylaw be rescinded and the bylaw abandoned;

AND THAT Bylaw No. 1310.03, 2021, Okanagan Falls Fire Protection Service Establishment Amendment Bylaw be rescinded and the bylaw abandoned.
2. That adoption of Bylaw No. 1238.04, 2021, Kaleden Fire Department Fire Protection Local Service Establishment Amendment Bylaw and Bylaw No. 1310.03, 2021, Okanagan Falls Fire Protection Service Establishment Amendment Bylaw be deferred pending:
 - a) *TBD.*

Respectfully submitted:



JoAnn Peachey, Planner I

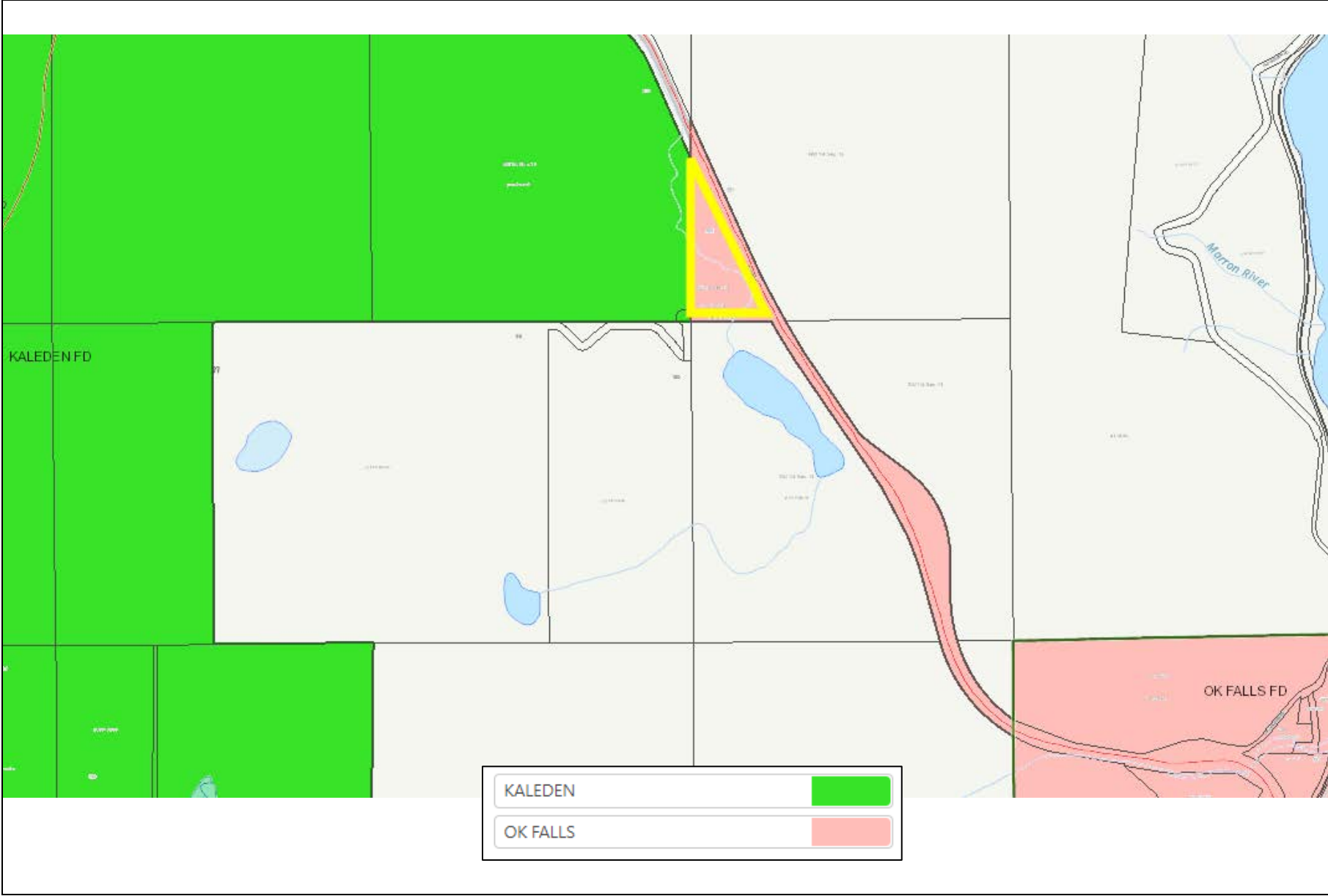
Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Existing Boundaries of Fire Districts

Attachment No. 1 – Existing Boundaries of Fire Districts



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1238.04, 2021

**A Bylaw to amend the Kaleden Fire Department Fire Protection Local Service Establishment
Bylaw No. 1238, 1991**

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 "Service Establishment Amendment Bylaw No. 1238.04, 2021."
2. The boundaries of the local service area, being Schedule 'A' of the Kaleden Fire Department Fire Protection Local Service Establishment Bylaw No. 1238, 1991, is amended by incorporating the land described as Plan KAP4841B, Section 13, Township 88, SDYD, Portion NW1/4, Except Plan H101 & Except Plan EPP84806 (326 Highway 97), and shown shaded yellow on Schedule 'A', which forms part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this 21st day of January, 2021.

ADOPTED this ____ day of _____, 2021.

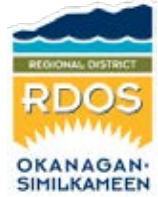
Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, 2021.

Regional District of Okanagan-Similkameen

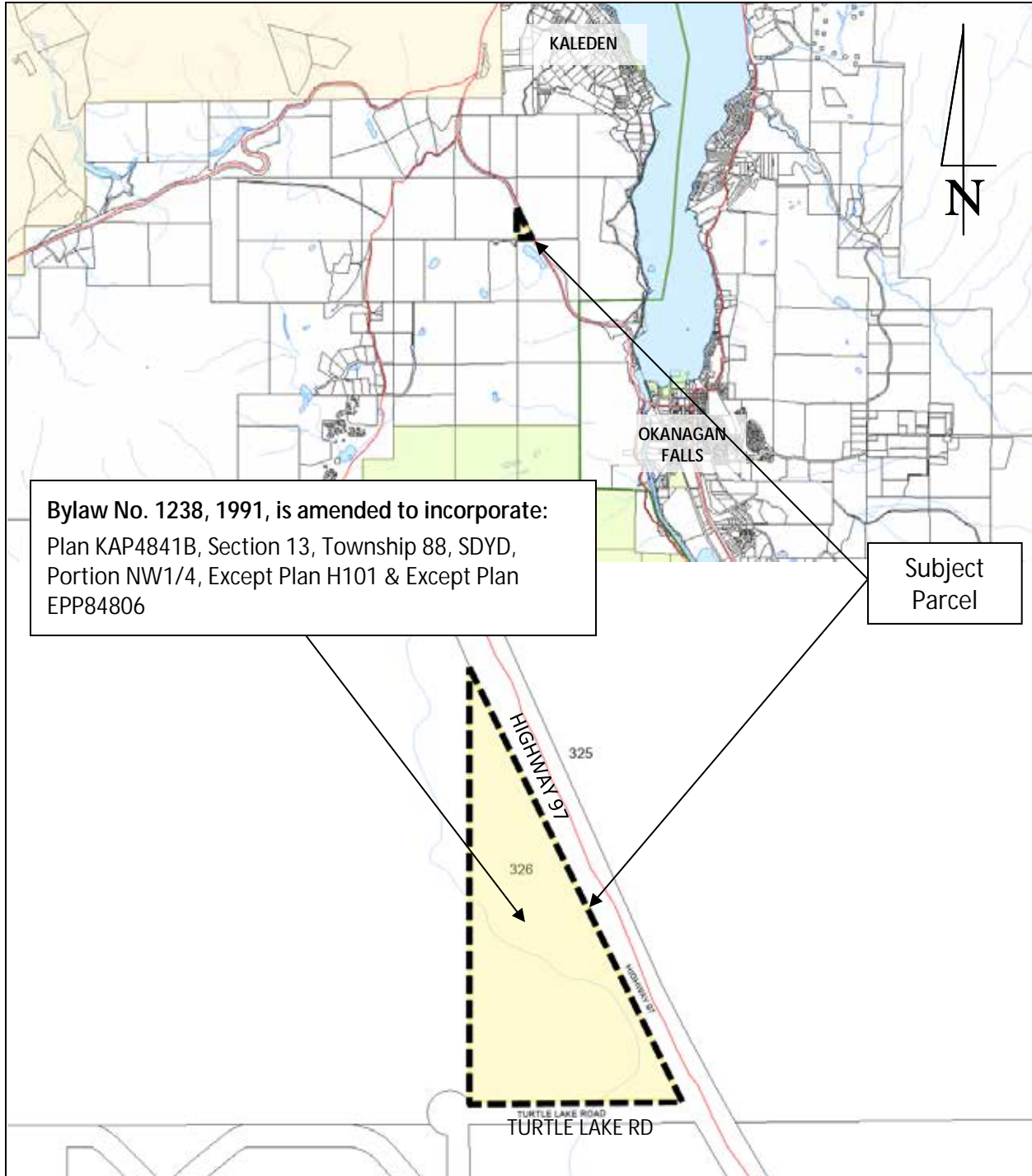
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 1238.04, 2021

File No. D2020.004-SAP

Schedule 'A'



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1310.03, 2021

A Bylaw to amend the Okanagan Falls Fire Protection Service Establishment Bylaw No. 1310, 1992

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 "Service Establishment Amendment Bylaw No. 1310.03, 2021."
2. The boundaries of the local service area, being Schedule 'A' of the Okanagan Falls Fire Protection Service Establishment Bylaw No. 1310, 1992, is amended by excluding the land described as Plan KAP4841B, Section 13, Township 88, SDYD, Portion NW1/4, Except Plan H101 & Except Plan EPP84806 (326 Highway 97), and shown shaded yellow on Schedule 'A', which forms part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME this 21st day of January, 2021.

APPROVED BY THE INSPTOR OF MUNICIPALITIES this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

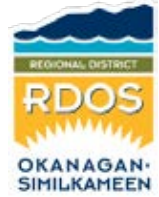
Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, 2021.

Regional District of Okanagan-Similkameen

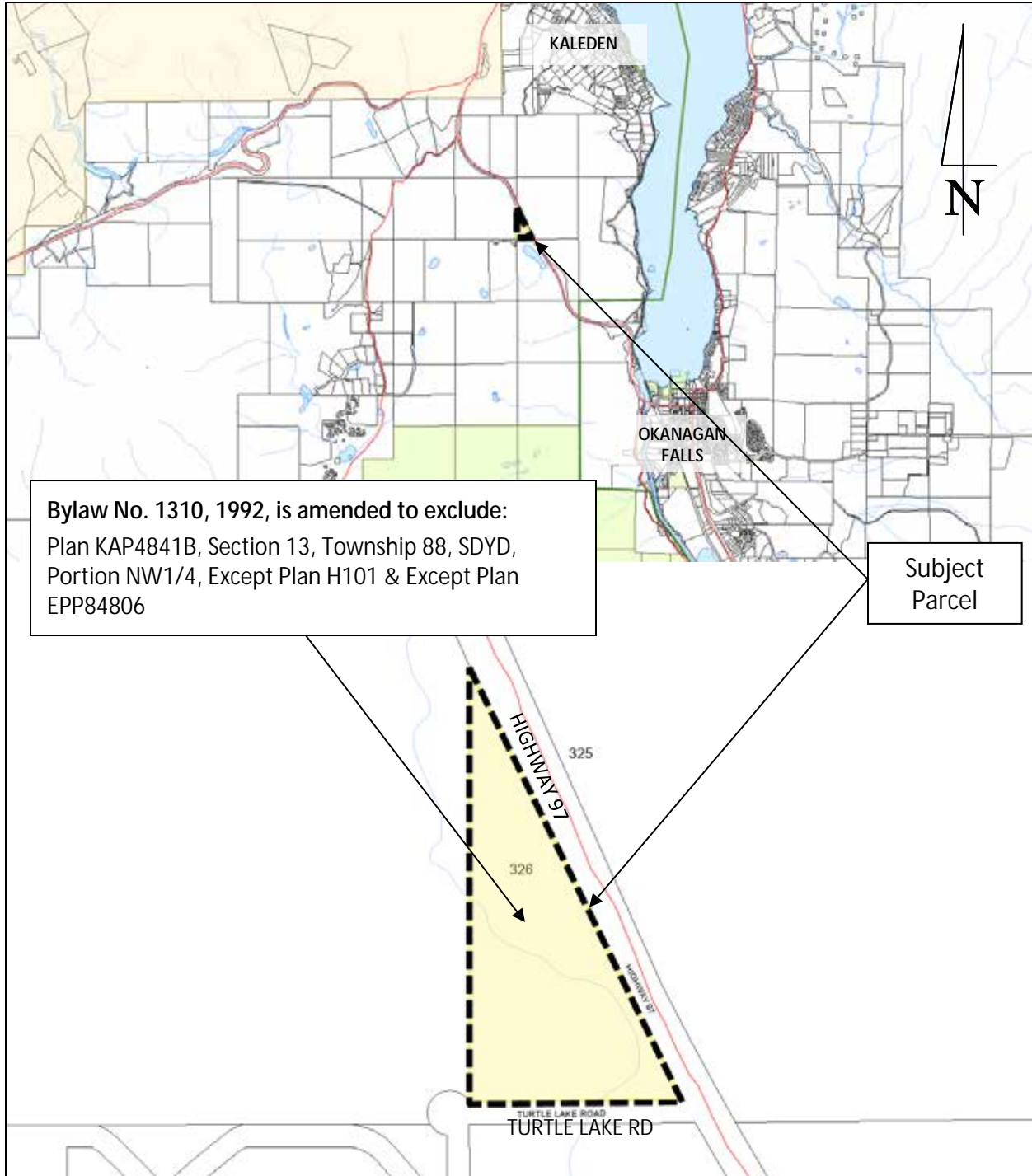
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Tel: 250-492-0237 Email: info@rdos.bc.ca



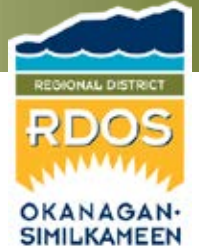
Amendment Bylaw No. 1310.03, 2021

File No. D2020.004-SAP

Schedule 'A'



ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 4, 2021
RE: Petition to Enter Service Area – Electoral Area “H”

Administrative Recommendation:

THAT Bylaw No. 2929, 2021 “Regional District of Okanagan-Similkameen Bylaw No. 1197, 1991 to establish and operate within a portion of Electoral Area ‘H’, a local service, being a fire prevention and suppression service” Amendment Bylaw be read a first, second and third time.

Purpose: To extend the fire prevention and suppression service area to the subject property

Owners: Jacqueline Mason / Stewart Biggan Agent: n/a Folio: H-00878.100

Legal: Lot A, Plan KAP71383, District Lot 1006, YDYD, Except Plan KAP75828 Civic: 280 Bonlin Road

OCP: Small Holdings (SH) Zone: Small Holdings Two (SH2)

Purpose:

The applicant has submitted a petition request to the Regional District that seeks to include the property at 280 Bonlin Road (being Lot A, Plan KAP71383, District Lot 1006, YDYD, Except Plan KAP75828) in the fire prevention and suppression local service Area.

In order to facilitate this, it is being proposed to amend Schedule ‘A’ of the “Regional District of Okanagan-Similkameen Bylaw No. 1197, 1991 to establish and operate within a portion of Electoral Area ‘H’, a local service, being a fire prevention and suppression service”, to include the property within the service area boundary.

Site Context:

The subject property is approximately 6.13 ha in area and is situated on the west side of Bonlin Road, with private driveway access to the property to the north of Bonlin Road. It is understood that the parcel is comprised of a single detached dwelling.

The surrounding pattern of development is generally characterised by rural residential with large, undeveloped parcels further to the west and north.

Background:

It is unknown when the current boundaries of the subject property were created by a Plan of Subdivision, while available Regional District records indicate that a building permit for a single detached dwelling with attached garage (2016) has previously been issued for this property.

Under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Small Holdings (SH), and is the subject of a Watercourse Development Permit (WDP) area.

Under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, the property is currently zoned Small Holdings Two (SH2).

The subject parcel is currently outside of the Electoral Area "H" Fire Protection Local Service Area.

In November 2020, the RDOS received a petition request to include the property at 280 Bonlin Road within the fire prevention and suppression service area.

To promote a contiguous service area, the abutting parcels 260 Bonlin Road and 242 Bonlin Road were invited to petition into the fire prevention and suppression service area and declined the invitation.

Analysis:

In considering this proposal, Administration notes that Town of Princeton Fire Department has confirmed that fire service can be provided at the same level as other addresses within the local service area and supported expanding the service area to include the subject parcel.

Although it would be preferred to include all parcels on Bonlin Road into the service area (i.e. to include 242 and 260 Bonlin Road), the subject parcel is considered adequately contiguous with the existing service area boundary, as it immediately abuts the existing service area boundary along its southern parcel line and the driveway access is in close proximity to the existing service area boundary.


Conversely, Administration recognises that the proposal creates a non-contiguous boundary as there are two parcels north of Bonlin Road that would not be within the service area boundary (242 Bonlin Road and 260 Bonlin Road) and the service area would "leapfrog" from 228 Bonlin Road (currently within the service area boundary) to the subject parcel.

In summary, the proposed bylaw are being put forward to expand the service area and this is seen as supporting fire protection measures to abutting parcels already within the service area.

Alternatives:

1. THAT Bylaw No. 2929, 2021 "Regional District of Okanagan-Similkameen Bylaw No. 1197, 1991 to establish and operate within a portion of Electoral Area 'H', a local service, being a fire prevention and suppression service" Amendment Bylaw be denied;
2. That consideration of Bylaw No. 2929, 2021 "Regional District of Okanagan-Similkameen Bylaw No. 1197, 1991 to establish and operate within a portion of Electoral Area 'H', a local service, being a fire prevention and suppression service" Amendment Bylaw be deferred pending:
 - a) *TBD.*

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:

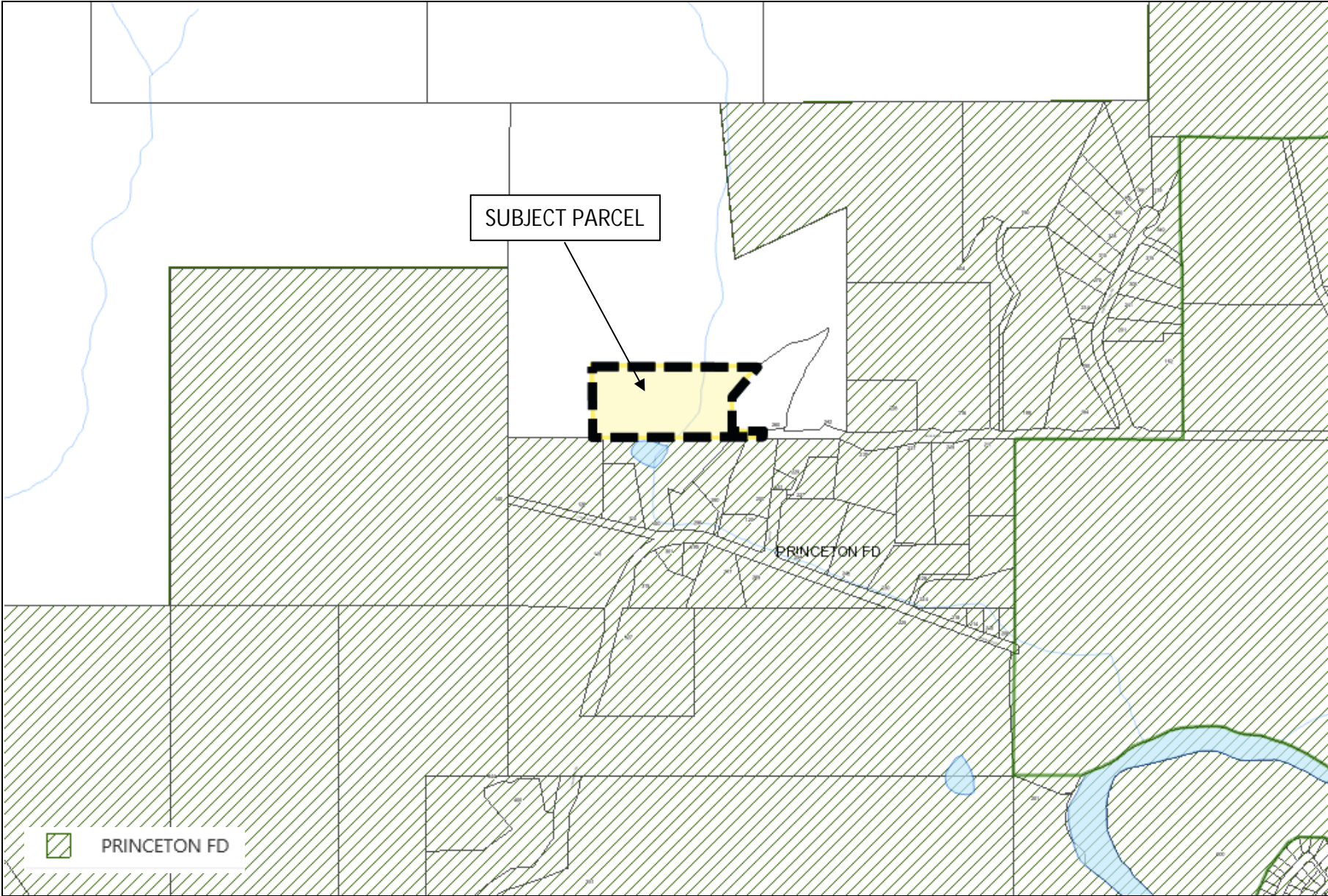


C. Garrish, Planning Manager

Attachments:

No. 1 – Existing Boundary of service area

Attachment No. 1 – Existing Boundary of service area



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2929, 2021

A Bylaw to amend "Regional District of Okanagan-Similkameen Bylaw No. 1197, 1991 to establish and operate within a portion of Electoral Area 'H', a local service, being a fire prevention and suppression service"

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 Bylaw No. 1197, 1991 to establish and operate within a portion of Electoral Area 'H', a local service, being a fire prevention and suppression service" Amendment Bylaw No. 2929, 2021."
2. The boundaries of the local service area, being Schedule 'A' of the "Regional District of Okanagan-Similkameen Bylaw No. 1197, 1991 to establish and operate within a portion of Electoral Area 'H', a local service, being a fire prevention and suppression service", is amended by incorporating the land described as Lot A, Plan KAP71383, District Lot 1006, YDYD, Except Plan KAP75828 (280 Bonlin Road), and shown shaded yellow on Schedule 'A', which forms part of this Bylaw.

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

APPROVED BY THE INSPTIOR OF MUNICIPALITIES this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ____ day of _____, 2021.

Regional District of Okanagan-Similkameen

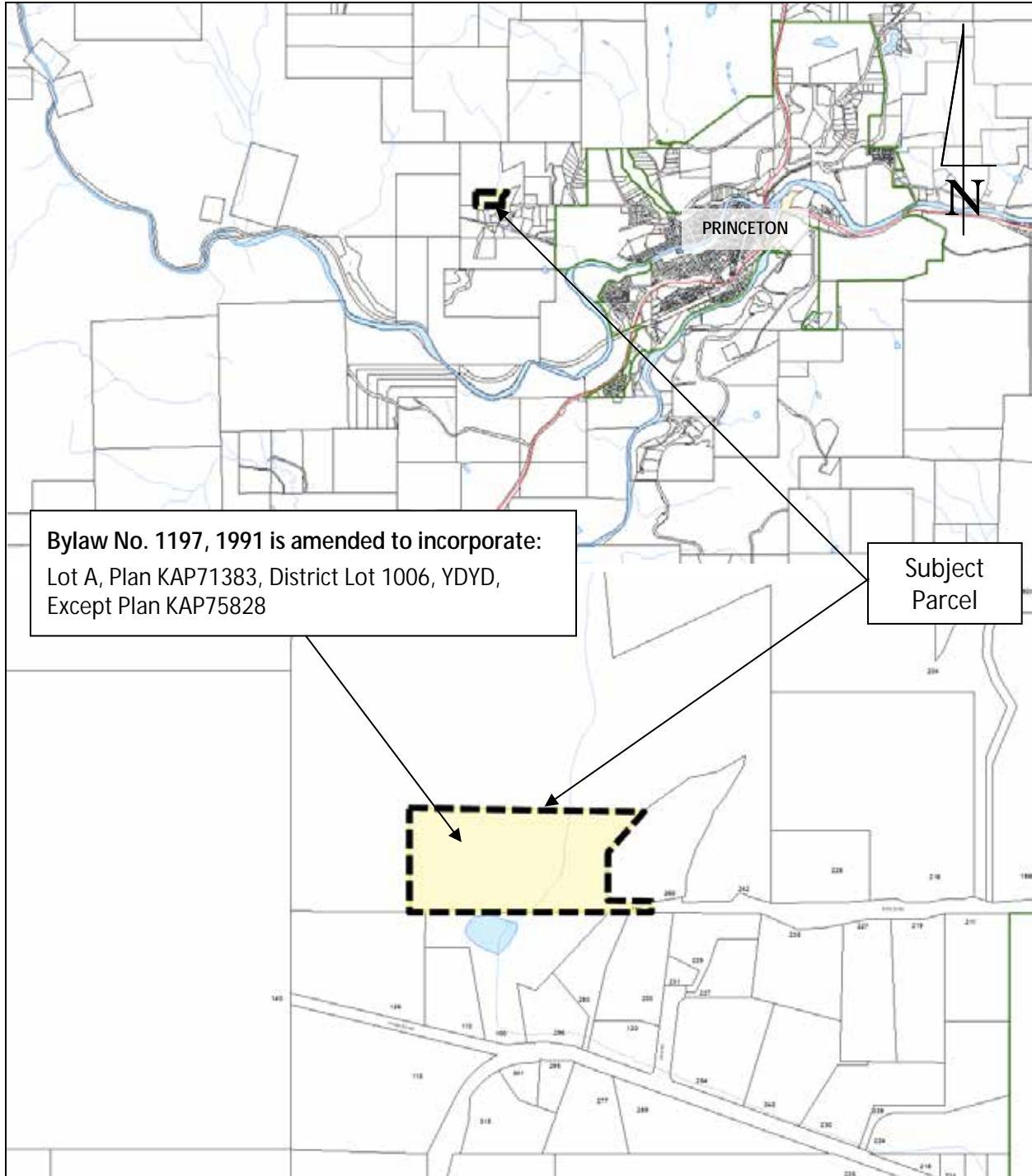
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2929, 2021

File No. H2020.002-SAP

Schedule 'A'



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: February 4, 2021

RE: Campbell Mountain Landfill MasterPlan and Design, Operations and Closure Plan Update Award

Administrative Recommendation:

THAT the Regional District award the “Campbell Mountain Landfill Master Plan and Design, Operations, and Closure Plan Update” project to Sperling Hansen Associates in the amount of \$82,264 excluding GST; and

THAT the Regional District approve a contingency for the project in the amount of \$20,000.

Reference:

In accordance with the Purchasing and Sales Policy, the Regional District Board of Directors shall approve all purchases over \$50,000.

Business Plan Objective:

Key Success Driver 3: Build a Sustainable Region
Goal 3.3: To Develop an environmentally sustainable region
Objective 3.3.2.2

Background:

The Campbell Mountain Landfill has many complex features that require an overall coordination to ensure that operations and required infrastructure are efficiently placed and sequenced. The Master Plan will evaluate the optimal locations for the projects already underway - the leachate extraction pipework and the new scale and scalehouse entrance.

The results of the Master Plan process will be included and aid in the update to the Design Operations and Closure planning (DOCP) document required by the Ministry of Environment every 5 years, with the previous document having been submitted in 2016.

Five (5) proposals were received before closing time.

Analysis:

The project evaluation team completed the evaluation based on qualifications, experience, past performance, resources, scope, methodology, scheduling, level of effort, clarity and pricing. The scoring was averaged to identify the rankings identified in the table of results seen below.

The Master plan and DOCP are included in the 2021 budget with available funding up to \$120,000. The project was thoroughly discussed and it was estimated that a minimum of 500 hours of consultant time would be necessary for a satisfactory level of effort. On-site visits, data collection and consolidation, coordination with ongoing consultant work and production of all filling stages with the evolution of different use locations on the site was expected. Specifically, some key aspects expected include detailing traffic flow for site personnel, commercial and residential customers as well as stockpile locations throughout the entire lifecycle of the landfill.

All of the five proposals came in under the anticipated budget. The proposals were evaluated for the various factors and two proposals stood out significantly above the others. These consultants prepared very thorough proposals that encompassed all requested tasks to the levels and detail most beneficial for the landfill. The level of effort proposed by these two consultants were as expected for a project of this complexity and interdependencies.

The methodologies presented by the top consultants were superior and were rated as the best value submissions. With the methodologies being relatively similar for the top two proposals, the proposed prices ranks the Sperling Hansen Associates proposal the highest. When scores were tabulated, including price, the final scores ranked the proposals in the order shown in the table below.

RFP Results Summary

Consultant	Rank	Upset Fee
Sperling Hansen Associates	1	\$82,264
AECOM Engineering	2	\$106,284
Tetra Tech Canada Inc.	3	\$64,810
WSP Canada Limited	4	\$47,618
Dillon Consulting Limited	5	\$39,866

The lower ranked proposals had lesser overall fees, however, the work plans were more generic and staff had less experience. Also, the methodology presented, specifically for the Master Plan component, did not fully investigate potential options for design and discussion. Some proposals did not include or adequately discuss the current issues and facts were incorrect, indicating that background reviews may have been minimal in preparation of the proposals.

Of concern with the lowest ranked proposals was the use of junior personnel with only a small amount of relevant experience for the majority of the work; for one proposal this was almost 2/3 of the total hours. Relevant experience is critical to fully understand the interdependencies of the

issues and develop innovative solutions as a holistic approach, so allocation of sufficient time to senior personnel is essential.

The proposed cost is within the available budget.

Funding:

The Campbell Mountain Landfill has \$120,000 approved in the 2021 Budget for the project.

Alternatives:

THAT the Board of Directors not approve the award to Sperling Hansen and cancel the project.

Respectfully submitted:

"Lisa Bloomfield"

L. Bloomfield, Engineering Manager

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: February 4th, 2021

RE: Award of RFP for Utility Crane Truck

Administrative Recommendation:

THAT the Board Award the purchase of a Ford 550 Diesel, 4WD truck to Orchard Ford for \$66,168 (plus applicable tax), for the purpose of building a Utility Crane Truck.

Purpose:

The truck will carry the crane and cabinetry currently being built by Brutus Truck Bodies.

Reference:

At the December 3, 2020 meeting the Board resolved:
THAT Brutus Truck Bodies be awarded the contract to construct and install the Utilities Truck Cabinetry and Crane for \$62,660 plus applicable tax.

Background:

The RDOS has budgeted \$150,000 in order to purchase a utilities truck. The truck will enable staff to safely lift hydrants, pumps and various equipment when undertaking routine maintenance and ensure that we meet Worksafe requirements.

The purchase of the crane has determined the frame and truck requirements on which the cabinetry and crane will be mounted. The proposed F550 Diesel truck will meet these frame, weight and power requirements.

A Request for Proposals was issued and advertised on B.C. Bids. The proposals were reviewed by a Utilities, and Parks staff committee.

Analysis:

The diesel engines were approximately \$9K more than the gas engines, but are more powerful and will last longer. Staff reviewed the options with the City of Penticton maintenance staff and believe that a diesel engine with a larger number of transmission gears will provide greater longevity and are a better value than the gas models. Staff believe Orchard Ford proposal is best value of the proposals received.

Respectfully submitted:

A. Reeder, Manager of Operations