

## Lauri Feindell

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**Subject:** FW: Public Hearing April 21,2021

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**From:** Steinar Johnsen  
**Sent:** April 20, 2021 1:42 PM  
**To:** JoAnn Peachey <[jpeachey@rdos.bc.ca](mailto:jpeachey@rdos.bc.ca)>  
**Cc:** Mark Pendergraft <[mpendergraft@rdos.bc.ca](mailto:mpendergraft@rdos.bc.ca)>  
**Subject:** RE: Public Hearing April 21,2021

Hi JoAnn,

Thank you for forwarding the link to the information.  
After reviewing the information I would like to forward my public submission and comments.

I did notice that the future projections were based on Census from 2016. Although this refers to historical population growth and development it does not consider unforeseen events such as the Covid pandemic. Of course the longer term affects are difficult to predict. According to recent information from a local realtor 56% of buyers in Osoyoos came from Kelowna and Penticton and 19% from the Lower Mainland. This seems to indicate and confirm general information from realtors that buyers are seeking to move away from the urban areas to rural areas with more space and preferably single detached dwellings. Add the fact that people and companies have discovered that working from home or perhaps a combination of home and office may well be the pattern going forward. So it would seem that our region is and will be coming more attractive for people to relocate to.

Based on the forwarded information, my understanding is that a future review or update of the Regional Growth Strategy will question the suitability of Anarchist Mountain and Willow Beach as Rural Growth Areas. This is based on the fact that these areas do not meet three of the criteria established for Rural Growth Areas. This could then potentially result in the fact that Electoral Area A will not have any Rural Growth Areas.

To compensate for this and not totally limit the future opportunities for land use and development in Electoral Area A, I believe that a more open approach to development proposals will be beneficial in many respects.

Based on this I would suggest the following changes to the draft under:

6.0 Growth Management  
6.1 Background

Proposed draft:

The South Okanagan Regional Growth Strategy recognizes that "Some infill development may occur" in areas not designated as Rural Growth Areas if development "does not significantly increase the number of units or the established density and respects the character of the communities."

I propose the following change to this:

The South Okanagan Regional Growth Strategy recognizes that "Some infill development may occur" in areas not designated as Rural Growth Areas if development maintains the rural character and natural environment of the plan area.

Thank you.

## Lauri Feindell

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**From:** Benke, Mitch TRAN:EX <Mitch.Benke@gov.bc.ca>  
**Sent:** July 22, 2020 4:56 PM  
**To:** Graham Farstad  
**Cc:** Christopher Garrish  
**Subject:** RE: Area A Official Community Plan for RDOS

Hello Graham,

This is in response to your request regarding Ministry comments on the draft RDOS OCP Bylaw for Area 'A'. As it has been my colleagues in the past who have responded to draft OCP Bylaw updates, I was somewhat unfamiliar with the formal referral and review process.

I have had the opportunity to review our past files, and have determined that the draft OCP Bylaw is required to come to the Ministry, as part of the RDOS formal Bylaw Referral process, to our Ministry and other RDOS referral agencies. This is the Ministry's assurance that the draft OCP Bylaw that is being referred to our Ministry, is the final draft, as determined by the RDOS, and also assurance that the Ministry's comments are forwarded directly to the RDOS, as per our policy.

Therefore, the Ministry is prepared to provide comments on the Area 'A' draft OCP Bylaw, however only in response to a formal Bylaw Referral from the RDOS.

My apologies for any confusion or delay that this may have caused.

Regards,

**Mitch Benke** | Development Officer  
Ministry of Transportation & Infrastructure | Okanagan Shuswap District  
102 Industrial Place, Penticton, BC V2A 7C8  
Tel: 250-490-2226 | Cell: 250-809-8555 | Fax: 250-490-2231  
Email: [Mitch.Benke@gov.bc.ca](mailto:Mitch.Benke@gov.bc.ca)  
Website: [Ministry Home](#) [Permit Application](#) [Subdivision Application](#)

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**From:** Graham Farstad <graham@arlingtongroup.ca>  
**Sent:** July 10, 2020 4:17 PM  
**To:** Penticton Development Approvals TRAN:EX <DA.Penticton@gov.bc.ca>  
**Cc:** 'John Ingram' <john@ecoplan.ca>  
**Subject:** Area A Official Community Plan for RDOS

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Attention Mitch Benke**  
Development Officer  
Ministry of Transportation & Infrastructure  
Okanagan Shuswap District

Attached is the draft Official Community Plan for Area "A". the rural area around the Town of Osoyoos. The RDOS has retained several consulting groups to undertake the OCP update working closely with planning staff at the regional district. Attached is the draft text. The transportation section is on pages 75-77.

Also attached are Schedule B Proposed Land Uses and Schedule G Transportation Network

Your Ministry's comments on the draft, particularly the Background, Objectives and Policies in the Transportation Section 18 and Schedule G map would be most appreciated. We would like confirmation that the Transportation Network is correct or if any modifications should be made. Also we would appreciate any comments on policies and objectives.

The formal referral will not take place until later this year, but we would like to address any issues at the draft stage.

**Graham Farstad, MCIP**

**Principal**

**the Arlington Group**

604-202-9177



**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 20, 2020

Reply to the attention of Sara Huber  
ALC Planning Review: 46716

Graham Farstad  
Principal, Arlington Group  
Graham@arlingtongroup.ca

**Delivered Electronically**

**Re: Regional District of Okanagan Similkameen Electoral Area “A” Rural Osoyoos Official Community Plan Update**

Thank you for forwarding a draft copy of the Regional District of Okanagan Similkameen (RDOS) Electoral Area “A” Rural Osoyoos Official Community Plan Bylaw No. 2905 (the “Bylaw”) to the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the OCP 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 Bylaws involves 313 km<sup>2</sup> of land within Rural Osoyoos, including such communities as Kilpoola, Willowbeach, Spotted Lake, and Anarchist Mountain, including 1858 residents. Based on previous population trends, the potential population could range between 1,637 and 2,175 by 2041.

**1.4.9 Development Approval Information** – this section outlines criterion that may be applied/considered when development is taking place within the Bylaw boundaries. One such policy outlines the requirement to ensure that buffers are in place to ensure that no negative impact is caused to adjoining farming and rural areas. While ensuring a buffer is in place is important reduce the potential for urban/rural conflicts, the RDOS may wish to expand this policy to consider a range of other options for reducing such conflicts and mitigating the impacts in addition to only buffering. For example, the policy may be reworded as follows:

*.9 How the proposed development **will mitigate the impact on** adjoining farming and rural areas, **including the provision of buffering** to ensure no negative impact is caused.*

**4.0 Official Community Plan Designations** – The Bylaw has a single designation for Agriculture (AG). ALC staff support a single agricultural designation.

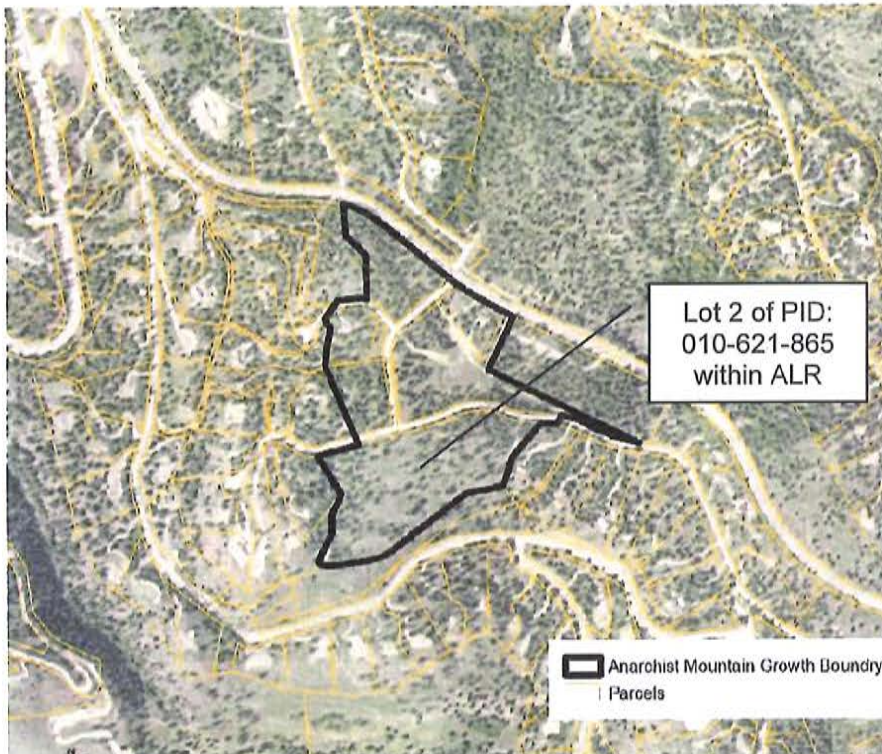
**5.2 Broad Goals** – The Bylaw identifies maintaining and encouraging new compatible agricultural activities in the ALR and limiting subdivision of agriculturally designated properties. ALC staff note that this goal does not indicate support for primary agricultural activities, but rather “compatible” agricultural activities. ALC staff recommends amending as follows:

**Agriculture.** *Maintain existing and encourage new, **primary agricultural and associated** compatible agricultural activities in the Agricultural Land Reserve, while limiting subdivision of designated agricultural properties.*

**6.2 Rural Growth Areas and Capacity** – The Bylaw estimates that the population within the Bylaw area could increase by 470 people by 2031, with an associated need for 205 new homes. This need can be accommodated within the two identified growth areas: Anarchist Mountain and Willow Creek. The ALC supports containing development within specific growth areas and infill development – and directing development away from lands within the ALR. However, ALC staff has specific notes for the growth areas in the following sections (6.3.1 and 6.3.2).

**6.3 Rural Growth Area Development Considerations and Constraints** – This section advises that in order to create a coherent growth containment boundary lands under provincial legislation, such as the ALR, are to be included within the boundary. However, this section notes that the Regional Board's intent is not to encourage development of land within the Agriculturally designated properties within the growth boundary and that such lands should be continued to be protected from development. It is the ALC's preference that lands in the ALR not be included within future growth boundaries, as it heightens expectations for future development. ALC staff recommends removing such areas from the growth boundary.

**6.3.1 Anarchist Mountain** – Anarchist Mount is designated as a Rural Growth Area and already has 314 undeveloped Small Holdings (SH) and Large Holdings (LH) designated properties. This area was generally excluded from the ALR in 2002 due to agricultural limitations (e.g. slope) and was intended to support a rural, cluster housing development in future (Application 19769; Resolution #563/2002). However, ALC staff note that Remainder Lot 2 of PID: 010-621-865 is still within the ALR. In moving forward with any future development proposal, the exclusion of the property from the ALR would be required.



**6.3.2 Willow Beach Rural Growth Area** – The Willow Beach Rural Growth Area, comprised generally of PID: 005-731-216, PID: 002-036-738 and some of PID: 002-036-967) is anticipated

to accommodate around 80 single detached units. The Growth Area is outside of the ALR but is adjacent to the ALR on its southwestern boundary (albeit separated by Highway 97). While the Bylaw states that the future development of this area is questionable, ALC staff recommends that any development on this property contemplate the potential impacts on, and mitigation of such impacts on surrounding agricultural lands.

**7.2 Northwest Osoyoos Lake** – This area includes 955 ha primarily within the ALR. This section includes a policy (Policy 7.2.1.1 – however ALC staff note the numbering may be in error and may be 7.2.1.2) to not support the exclusion, subdivision, non-farm use of properties designated Agriculture and as ALR. ALC staff support this objective but note that the protection could be expanded to lands designated Agriculture and/or the ALR, rather than requiring both. Staff also note that the RDOS could support agriculture further beyond stopping exclusion, subdivision, and non-farm use of agricultural lands by adding an objective to actively support primary and ancillary agriculture in this area. Policy 7.2.1.8 also indicates the Regional Board's desire to maintain the BC Tree Fruits packinghouse site at 12611 87 Street (PID: 023-949-511) for future processing, packing, and storage needs of the agricultural and food-processing industry in the South Okanagan. This property is currently within the ALR, thus any processing, packing or storage must be compliant with the ALC Act and its regulations.

**7.3 Okanagan Lake South** – This area includes 780 ha within the ALR, and includes Policy 7.2.1.1 to not support the exclusion, subdivision, non-farm use of properties designated Agriculture and as ALR. As mentioned above, ALC staff support this objective but note that the protection could be expanded to lands designated Agriculture and/or the ALR, rather than requiring both. Staff also note that the RDOS could support agriculture further beyond stopping exclusion, subdivision, and non-farm use of agricultural lands by adding an objective to actively support primary and ancillary agriculture in this area.

**9.0 Agriculture** – This section describes the policies associated with the agricultural designation. The Bylaw specifies that the plan area includes 3786 ha ALR land, making up 15% of the plan area.

Policy 9.3.2 states that the Regional Board will generally not support applications which propose subdivision which result in the fragmentation of farm, vineyard, or orchard units, or which seek to create homesite parcels, or other applications which introduce non-agricultural uses. ALC staff support this policy but note that Policy 9.3.11 states that the Regional Board may consider supporting subdivision applications on parcels 4 ha or less for homesite severance, boundary adjustments for the betterment of agriculture, or to support a public park or community facility. It appears that these two policies may be slightly contradictory to one another.

Policy 9.3.6 states that the Regional Board will generally consider requests to initiate an exclusion application to the ALC only within the context of a comprehensive review of the OCP. ALC staff have no objection to this policy and note that this is the ALC's preferred approach for exclusion applications following the implementation of Bill 15.

Policies 9.3.12 and 9.3.13 specify the regulations related to cannabis production, including the Regional Board's lack of support for indoor cannabis production, and the criteria for establishing a micro-cannabis production proposal through a site-specific zoning amendment. ALC staff note that while cannabis production in the ALR is permitted and may not be prohibited by local government if the production is consistent with s. 8 of the ALR Use Regulation (i.e. grown outdoors, grown inside of a structure with a base consisting entirely of soil, or grown within a

structure that existed or was under construction prior to July 13, 2018, for the purpose of growing crops), ALC staff do not find the criterion unreasonable.

**10.0 Rural Holdings** – The RH designation includes two categories: Large Holdings (LH) and Small Holdings (SH). This designation includes lands that are generally used for rural purposes, including agriculture. The Bylaw notes that this designation does not include ALR lands, but during staff's review of the Schedule B - OCP Map, it appears that some ALR properties fall within the SH designation, particularly around Anarchist Mountain. ALC staff generally do not object to this designation, noting that it supports agricultural use.

**Non-Agricultural Designations** – ALC staff note that there are several other non-agricultural designations which apply to ALR lands (described below in Schedule B - OCP Map). These designations are addressed by each property to which they apply.

**22.0 Temporary Use Permits** – Section 22.3.4 includes policies for the Regional Board's review of TUP applications. These criteria do not include a consideration of impact on agriculture. The RDOS may wish to incorporate into the criteria the requirement to consider impacts of the temporary use on agriculture.

**Schedule B - OCP Map** – ALC staff have summarized their comments in the following sections by the specific designations and associated properties which fall under the designation.

#### **Administrative, Cultural, and Institutional (AI)**

- **PID: 010-997-075:** The property is designated AI, but there is no previous application/approval from the ALC. Please clarify whether the use predates the ALR and/or any other rationale for its designation as AI.
- **PID: 001-868-144, PID: 010-379-975, PID: 010-745-360, and PID: 011-189-304:** These properties are designated AI and constitute the Canadian/American border uses. ALC staff recognize that these lands are under federal jurisdiction and thus supersede the ALC Act. ALC staff therefore have no objection to this designation.

#### **Conservation Area (CA)**

- **PID: 015-225-330:** The property is designated as CA, but there is no associated application/approval from the ALC. ALC staff lack the statutory authority to authorize a non-agricultural designation, but do not object to it, provided the use is consistent with the provisions in the ALR Use Regulation.
- **PIN: 90036294:** ALC staff note that there is no previous application/approval from the ALC. As mentioned above, ALC staff cannot authorize a non-farm designation, but do not object to this designation provided the property is used in accordance with the provisions within the ALR Use Regulation.

#### **Commercial (C)**

- **PID: 010-557-903:** In 2006, the ALC refused an application to exclude the property from the ALR (Application 42872; Resolution 252/2006). However, at this time, the ALC did note that the property contained a convenience store, seasonal fruit stand, garage, and cold storage use which predated the establishment of the ALR. Provided

the uses on the property meet s.23(2) of the ALC Act, ALC staff do not object to the designation, but lack the authority to formally endorse the designation.

- **Portion of PID: 010-621-865:** This area was generally excluded from the ALR in 2002 due to agricultural limitations (e.g. slope) and was intended to support a rural, cluster housing development in future (Application 19769; Resolution #563/2002). However, this property was not excluded at that time. The C designation may be premature in advance of excluding the land from the ALR.

#### Commercial Tourism (CT)

- **Portion of PID: 004-371-429:** There is an established campground on the CT designated portion of the property. An application is currently under review by the ALC for the exclusion of this land from the ALR (Application 59583).
- **PID: 009-904-131 and PID: 009-904-123:** The properties are designated CT, but there is no previous application/approval from the ALC. Further clarification may be needed as to the use of this property and rationale for its designation as CT.
- **PID: 007-094-540:** The property is designated CT, but there is no previous application/approval from the ALC. Further clarification may be needed as to the use of this property and rationale for its designation as CT.
- **PID: 001-624-768, PID: 026-761-688, and PID: 001-624-831:** The properties are designated CT, but there is no previous application/approval from the ALC. Further clarification may be needed as to the use of this property and rationale for its designation as CT.
- **PID: 017-557-895:** In 1980, ALC approved subdivision and use of this area for 10 cabins for five years (Application 38303; Resolution #1235/1990). Further clarification is needed to determine whether the approval for this use has been extended beyond 1995.
- **PID: 009-442-928:** The property is designated CT, but there is no previous application/approval from the ALC. Further clarification may be needed as to the use of this property and rationale for its designation as CT.

#### Industrial (I)

- **PID: 006-648-754, PID: 010-376-925 and PIN: 90056724:** ALC staff note that the landfill on these properties predates the ALR and that the ALC approved its expansion in 1978 (Application 32967; Resolution #9933/1978). In 2018, the ALC also clarified that the composting facility operated on the properties is within the footprint of the landfill and the ALC considers that it is consistent with the activities found at a 'landfill', thus did not require the minimum of 50% finished compost to be applied at the facility (Issue 51186). Given this, ALC staff do not object to the designation of these properties as Industrial.
- **PID: 011-046-155:** A portion of this property is designated Industrial. ALC staff note that in 2000, the ALC approved the use of an existing shop on the property within an 0.8 ha area to be used for the repair and maintenance of agricultural equipment



(Application 15557; Resolution #310/2000). This designation appears to be located within this same area. ALC staff therefore do not object.

**Low Density Residential (LR)**

- Several properties along the west side of Osoyoos Lake are designated as LR. These are generally small lots. ALC staff have no objection but lack the statutory authority to endorse this designation. ALC staff note that these properties remain within the ALR so uses must be consistent with ALC Act and its regulations.

**Parks and Recreation (PR)**

- Several different properties are designated as PR throughout the plan area. Generally, ALC staff has no objection to this designation, provided the park uses are consistent with the ALC Act and its regulations.

**Small Holdings (SH)**

- Several properties around Anarchist Mountain are designated as SH. Generally, ALC staff has no objection, noting that the designation supports agricultural use.

As noted above, there is further correspondence needed on several properties to confirm their status and consistency with the ALC Act and its regulations.

\*\*\*\*\*

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](mailto:Sara.Huber@gov.bc.ca)).

Yours truly,

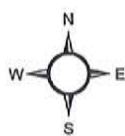
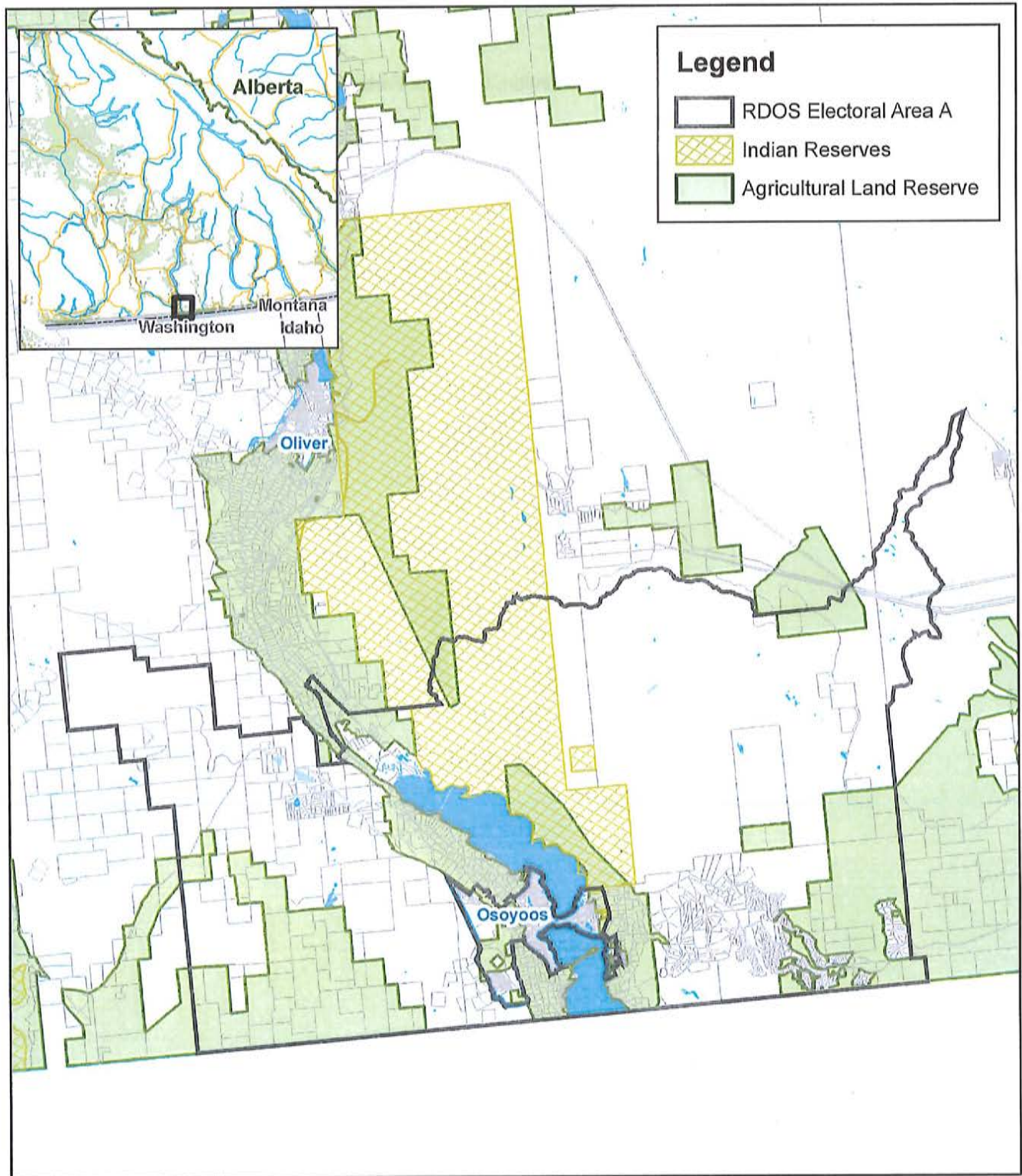
PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

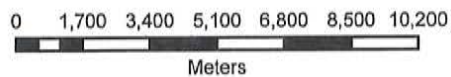
Enclosure: RDOS Electoral Area A Draft Bylaw No. 2905

CC: Ministry of Agriculture – Attention: Christina Forbes  
46716m2



### ALR Context Map

Map Scale: 1:175,000



ALC File #:	46716
Mapsheet #:	82E
Map Produced:	July 24, 2020
Regional District:	Okanagan-Similkameen

## RESPONSE SUMMARY

### ELECTORAL AREA "A" OCP BYLAW NO. 2905

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

The Canadian Wildlife Service (CWS) branch of Environment Climate Change Canada (ECCC), appreciates the opportunity to provide comment and would like to express concerns related to the proposed Official Community Plan (OCP) bylaw update.

The proposed land use designations within the OCP update designate the area commonly known as the "Osoyoos west bench" as 'Resource Area'. CWS is concerned that this designation fails to recognize the high conservation value of this area for wildlife in general, and in particular for a number of species protected under Canada's Species at Risk Act (SARA).

The Osoyoos west bench provides habitat for a high concentration of species listed under Schedule 1 of the Species at Risk Act, some of which occur nowhere else in Canada. As such, significant portions of the west bench currently designated as 'Resource Area' include Critical Habitat, designated under SARA, for highly endangered species. CWS is concerned that by failing to designate these lands as "Conservation Area" (or similar) under the OCP, the Regional District has not adequately evaluated or communicated the ecological importance of these lands.

Although these lands are primarily provincially-managed Crown lands, they are in close proximity to a rapidly growing population center. In this context a "Conservation Area" land use designation would more appropriately communicate the risks of any proposed expansion or development in this area. Actions that would lead to the destruction of critical habitat in this area could carry legal risk under SARA.

In conclusion, ECCC is concerned that the land use designations should adequately convey the importance of the Osoyoos west bench area for conservation of Species at Risk. ECCC would encourage the Regional District to consider re-evaluating the proposed designation within the OCP.

Signature: J. Todd Kemper

Signed By: Todd Kemper

Agency: Canadian Wildlife Service (ECCC)

Title: Conservation Biologist

Date: December 4, 2020

## Christopher Garrish

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**From:** Referrals <Referrals@fortisbc.com>  
**Sent:** October 21, 2020 2:20 PM  
**To:** Planning  
**Subject:** FW: [External Email] - Bylaw Referral - Draft Electoral Area "A" (Rural Osoyoos) OCP Bylaw No. 2905 (Project No. A2020.001-ZONE)  
**Attachments:** Bylaw Referral Sheet - Electoral Area 'A' OCP Bylaw No. 2905 (2020-10-20).docx

Hello,

FortisBC Energy Inc. has reviewed the subject proposal and has no objections or concerns.

Best regards,

Mai Farmer  
Property Services Assistant  
Property Services  
Phone 604-576-7010 x57010



**From:** Christopher Garrish <cgarrish@rdos.bc.ca>  
**Sent:** Tuesday, October 20, 2020 12:51 PM  
**To:** Huber, Sara ALC:EX <Sara.Huber@gov.bc.ca>; Forbes, Christina D AGRI:EX <Christina.Forbes@gov.bc.ca>; HBE@interiorhealth.ca; ReferralAppsREG8@gov.bc.ca; mmd-kamloops@gov.bc.ca; lisa.c@shaw.ca; Gina MacKay <GMacKay@osoyoos.ca>; jcvitko@sd53.bc.ca; info@obwb.ca; plandept@rdkb.com; archdataequest@gov.bc.ca; Baric, Keith J ENV:EX <Keith.Baric@gov.bc.ca>; Referrals <Referrals@fortisbc.com>; FBC Lands <FBCLands@fortisbc.com>; ken.brock@canada.ca; lucy.reiss@canada.ca; ReferralsPacific@dfo-mpo.gc.ca; fincity@telus.net  
**Cc:** John Ingram <john@ecoplan.ca>  
**Subject:** [External Email] - Bylaw Referral - Draft Electoral Area "A" (Rural Osoyoos) OCP Bylaw No. 2905 (Project No. A2020.001-ZONE)

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Friends,

The Regional District of Okanagan-Similkameen (RDOS) is seeking input from agencies whose interests may be affected by the introduction of a new Official Community Plan (OCP) Bylaw for Electoral Area "A" (being the Rural Osoyoos area, which includes lands around Osoyoos Lake, Anarchist Mountain and the Richter Pass area) and that comments on the draft bylaw be provided by **December 4, 2020**.

Attached to this email is the Bylaw Referral Sheet that can be used to provide comment to the Regional District, however, emails and/or formal letters are also gladly accepted and can be sent to [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca).

A copy of the Draft Bylaw and Map Schedules can be accessed at the following links:

**[Draft Electoral Area "A" Official Community Plan Bylaw No. 2905](#)** (version 2020-10-20)

## Christopher Garrish

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**From:** Danielson, Steven <Steven.Danielson@fortisbc.com>  
**Sent:** November 24, 2020 8:39 AM  
**To:** Planning  
**Subject:** Electoral A RDOS (A2020.001-ZONE)

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities within the RDOS along public roads and lanes servicing properties in the region. **In respect to the official community plan changes that encourage higher density growth in more rural locations, future applicants should be aware that significant FBC(E) infrastructure upgrades may be required to service these developments, the cost of which could be substantial. Furthermore, applicants are encouraged to seek design and servicing solutions early in their planning phase as longer timeframes may be required by FBC(E) designers to deliver solutions and guidance.**

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](mailto:FBCLands@fortisbc.com)



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Interior Health  
*Every person matters*

October 7, 2020

John Ingram  
Principal & Senior Planner  
Eco Plan International  
208 -131 Water Street  
Vancouver, BC V6B 4M3

**RE: Regional District of Okanagan Similkameen: Electoral Area A: Official Community Plan Review**

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Dear John Ingram,

Interior Health thanks you for the opportunity to comment on the Regional District of Okanagan Similkameen's Electoral Area A Draft Official Community Plan (OCP).

When updating OCPs, communities have the opportunity to improve the future health status of residents by promoting healthy built environment principles through their long range plans. Chronic diseases, such as diabetes, some cancers and cardiovascular disease are largely preventable and are influenced by citizen's levels of physical activity and food security – both which can be influenced by community planning. Considering how Area A is designed and connected, how readily accessible health food options are and how elements of the natural environment can be protected and incorporated into the community can all help to reduce chronic disease.

Governments historically have focused on providing equal services to all residents. Today some governments are starting to take on equity lens to their planning, which considers how services and resources can be distributed to those that need them the most. Planning for equity contributes to the development of sustainable, resilient and healthy communities by more effectively and systematically addressing community well-being<sup>1</sup>.

A healthy built environment (HBE) is planned and built in a way, which health evidence demonstrates, has a positive impact on people's physical, mental and social health. The [Healthy Built Environment Linkages Toolkit](#) is an evidence based resource which links planning principles to health outcomes. The HBE Linkages Toolkit focuses on five core features: Neighborhood Design, Transportation Networks, Natural Environments, Food Systems and Housing.

The Draft OCP has been reviewed with health, equity and the HBE in mind and the following suggestions/comments are for your consideration:

- Including an equity lens to your OCP; using explicit and actionable statements of equity can support the planning and development of healthy and equitable communities.
- Removal of hazardous land areas from Rural Growth Areas would protect the residents from the potential hardships of dealing with natural disasters, thus reducing stress levels.
- Design connected routes for active transportation and support multiple modalities increases residents' mental and physical health by allowing them to be more physically active. While connectivity is mentioned

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<sup>1</sup> Supporting Equity in Planning and Policy: Local Government Action Guides for Healthy Communities, Plan H, 2020. <https://planh.ca/resources/action-guides/supporting-equity-planning-and-policy-action-guide>

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- within section 15.0 (Parks, Recreation and Trails), there is no mention of connectivity of trails, pathways, etc. within section 17.0 (Transportation).
- Expansion of natural elements, such as trees, across the landscape will support energy conservation goals as well as have many health co-benefits;
    - Policy 16.3.2.9 should be encouraged in all sections of 16.0 Natural Environment and Conservation, as planting species appropriate to the site and environmental conditions maximizes the positive effects vegetation can have on air quality, which can greatly impact human health.
  - Planning as well as public education supports improve community resiliency to climate change (21.3.13);
    - Heat is also a natural hazard that can have grave impacts on people of any age. The development of a [Heat Alert and Response System \(HARS\)](#) would help reduce the health impact heat can have on residents. Interior Health has developed a [toolkit](#) to help communities with this type of planning.
  - Ensuring all spaces and places are universally accessible ensures equitable access for all residents and visitors within the community, which will improve community health outcomes (for example in policy 16.2.1.3 and 16.5.2.5)
  - Support and partner on efforts to prevent, reduce and alleviate local poverty, as appropriate;
    - Policy 11.3.4 is a very promising poverty mitigation statement; it could be strengthened by expanding upon the concept of “supports housing for a range of income levels” by integrating wording around supporting a mix of market and non-market rental units in all neighborhoods.
  - Promoting smoke free areas has multiple co-benefits; ensures healthy, smoke-free air for park users, reduces risk of fires – including wildfires (5.2.1), reduces toxins in the soil and water (5.2.4), and reduces smoking-related litter (5.2.5).
  - Prioritizing affordable housing options through diverse housing forms and tenure types for residents of all ages (11.5.4) increases quality of life, while decreasing financial and psychological stress.
  - It is great to see the many strong policy recommendations in the current OCP draft (2020-07-17) that support protection and efficiency of Agricultural land for agricultural uses and discourages activities that will compromise agriculture viability (6.5.7, 7.3.1.5, 9.3.1, 9.3.2, 9.3.5, 9.3.11, 9.3.12).
    - Farmland preservation helps to maintain a level of potential for food production that contributes to food self-sufficiency, which in turn supports healthy eating.
  - Consider including policy the specifically address food system infrastructure (production, processing, storage and distribution of food) to contribute to a food supply that is resilient to outside stressors.
  - When considering the impacts of applications requesting exclusion from ALR or development proposals on agriculture land, consider also the impacts on food system capacity and food security. Minimizing negative impacts supports the health of the community.
  - Promoting sufficient buffering (9.3.7, 10.3.8, 11.3.6, 11.3.7) when new developments are adjacent to agricultural areas can benefit residents by reducing noise, dust and odors. Requiring the buffers to be installed on the parcels being developed supports protection of adjacent agricultural land for agricultural activities. Potential conflict can best be addressed through planning that directs new development and densification away from agriculture land, close to serviced areas which is great to see supported in policy 6.5.7.
  - When evaluating new rural developments against the implications and impacts on agricultural uses in the area (10.3.3), consider the impacts on food system capacity and food security specifically. Minimizing negative impacts supports the health of the community.
  - In section 11.5, Medium Density Residential, consider policy to provide space and capacity for residents to grow food which contributes to healthy eating, physical activity and mental health of residents. Social connections are also enhanced in shared spaces.

- Indigenous foods, foodlands and waters contribute to healthy eating, physical health and are core parts of culture and identify for Indigenous populations. Interior Health recommends connecting with appropriate Indigenous organizations to inform policies that address their needs.
- Section 24.8 (Monitoring) lists several broad indicators; there are a wide range of different indicators that correlate with the Healthy Built Environment key planning principals that are not health specific indicators.
  - We would be happy to support identifying indicators that would support healthier living for Area A residents.

Below are some resources which we hope you will find useful. Thank you for the opportunity to comment on your DRAFT OCP. If you have any questions or concerns, please feel free to contact Tanya via phone 250-469-7070 x12287 or email [Tanya.Osborne@interiorhealth.ca](mailto:Tanya.Osborne@interiorhealth.ca) or Kristi at [Kristi.Estergaard@interiorhealth.ca](mailto:Kristi.Estergaard@interiorhealth.ca)

Sincerely,



Tanya Osborne, BAHS  
Community Health Facilitator  
Healthy Communities



Kristi Estergaard, RD  
Public Health Dietitian  
Healthy Communities

**Resource Documents/Links:**

Active Living, Children & Youth. Canadian Institute of Planners

Fact sheet about community design features associated with child and youth health outcomes

<http://cip-icu.ca/Files/Resources/FACTSHEETS-ChildrenYouth-FINALenglish.aspx>

Age-Friendly. Province of BC

Webpage about how to make a community more age-friendly

<https://www2.gov.bc.ca/gov/content/family-social-supports/seniors/about-seniorsbc/seniors-related-initiatives/age-friendly-bc>

Agriculture's Connection to Health. Provincial Health Service Authority (PHSA)

[http://www.bccdc.ca/pop-public-health/Documents/AgConnectiontoHealth\\_FullReport\\_April2016.pdf](http://www.bccdc.ca/pop-public-health/Documents/AgConnectiontoHealth_FullReport_April2016.pdf)

Healthy Built Environment (HBE) Linkages Toolkit. PHSA

Highlights key HBE factors that influence health with reliable summary of health evidence

<http://www.bccdc.ca/health-professionals/professional-resources/healthy-built-environment-linkages-toolkit>

Heat Alert and Response Toolkit. Interior Health

Provides practical information and resources to assist in the development and implementation of systems and strategies to respond to extreme heat, specifically in rural communities

[https://www.interiorhealth.ca/YourEnvironment/Emergency/ExtremeHeat/Documents/Heat\\_Alert\\_and\\_Response\\_Planning\\_Toolkit\\_for\\_Interior\\_BC\\_Communities.pdf](https://www.interiorhealth.ca/YourEnvironment/Emergency/ExtremeHeat/Documents/Heat_Alert_and_Response_Planning_Toolkit_for_Interior_BC_Communities.pdf)

Improving Travel Options in Small and Rural Communities. Transport Canada

Guide to improve travel options for residents in small and rural communities

[https://data.fcm.ca/documents/tools/GMF/Transport\\_Canada/ImprovingTravelSmallRural\\_EN.pdf](https://data.fcm.ca/documents/tools/GMF/Transport_Canada/ImprovingTravelSmallRural_EN.pdf)

Planning a healthy community starts here. Plan H

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

Supporting Equity in Planning and Policy Action Guide. Plan H

<https://planh.ca/resources/action-guides/supporting-equity-planning-and-policy-action-guide>

How do Local Governments Improve Health and Community Well-being? Plan H

Guide for local governments which highlights the important role local governments play in promoting health and supporting healthier communities

[https://planh.ca/sites/default/files/planh\\_local\\_government\\_guide-web\\_0.pdf](https://planh.ca/sites/default/files/planh_local_government_guide-web_0.pdf)

Resources for Rural and Small Communities. Plan H

<https://planh.ca/rural-resources>

Bus: 250-469-7070 x12287

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December 4, 2020

File: 0280-30

Local Government File: A2020.001-ZONE

Christopher Garrish  
Regional District Okanagan Similkameen  
101 Martin Street  
Penticton, B.C. V2A 5J9  
Via E-mail: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

Dear Christopher Garrish:

**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 draft Official Community Plan Bylaw for Electoral Area 'A'. Overall ministry staff consider the objectives and policies affecting agriculture to be positive given the emphasis on protecting agricultural land and minimizing conflict. We offer the following comments that may help to provide increased clarity and suggestions for wording or additional objectives or policies that may support agriculture in the Regional District:

5.2.3 Broad Goals – Agriculture – the goal to maintain and encourage agricultural activities in the Agricultural Land Reserve (ALR) is good, although it is unclear what 'compatible' means. The goal could also be made a bit stronger with the addition of "and maintaining and encouraging agricultural properties be of a size that will be viable for agriculture" after "limiting subdivision of designated agricultural properties".

5.2.4 Broad Goals – Residential development and housing – it is unclear what the reference to 'rural character' means as it could be taken to be encouraging more housing in the ALR or Agriculture designation. If this is not the case, we think this should be made clear.

6.2 Rural Growth Areas and Capacity – The plan to concentrate growth in rural growth areas is sound and will help to protect agricultural land. Where possible, the RDOS should incorporate edge planning as it appears that these areas abut agricultural areas and ALR lands. Some of these areas, such as Willow Beach appear to have a quite limited land base for both development and buffer areas; however, given the trend of intensification of production in agricultural areas, it would be wise to try to implement as many strategies as possible to minimize conflict. If the plan to not have some these areas develop to their build-out capacity is supported in the future by the RDOS Regional Board, we recommend that some thought be put toward how to buffer these areas from adjacent ALR and Agriculture designated lands.

6.3 Rural Growth Area Development Considerations and Constraints – We support the statement that Agricultural areas should continue to be protected from development.

6.5.4 – Willow Beach Rural Growth Area - Policies – As mentioned above, directing growth to those areas which have servicing may also allow for some buffering of the existing development in this area. North of the Willow Beach area is a significant amount of land designated Agriculture that is not in the ALR. Ministry staff would support inclusion of these lands into the ALR in order to solidify this direction from the Board and to give these parcels the best chance of being farmed into the future.

7.2.1.1 - Policies (may be a typographical error and perhaps should be .2?) – We generally support the statement that the Regional Board does not support exclusion, subdivision or non-farm use of parcels designated as Agriculture under this bylaw and as ALR, as this is quite a strong statement in support of agriculture. However, there may be some circumstances where non-farm uses may support a farm operation and this policy could be strengthened by acknowledging that there may be some limited circumstances where non-farm use could be supported if it would be to the benefit of a farm operation or agriculture in the area. In addition, there is no mention of non-adhering residential use applications. There may be some circumstances where non-adhering residential use applications could be supported, such as for temporary farm worker housing, which would be of benefit to agriculture, although additional housing not related to a farm business can be detrimental to agriculture.

7.2.1.8 –Policies - We support the statement to preserve the former BC Tree Fruits packinghouse site for future processing, packing and storage needs of the agricultural and food processing industry in the South Okanagan.

8.2 – Resource Area – Objectives – section 8.1 mentions that these lands are often used for grazing or rangelands. An objective to support the continued use of land for this purpose would be helpful in addition to the policy statement in 8.3.1.

8.3 – Resource Area – Policies – Ministry staff support the policies regarding the use of the lands for grazing or rangelands, large lot sizes, and noxious weed control. We note that some areas containing this designation are within the Okanagan-Keremeos Livestock District, and it may be worth having a policy encouraging owners who do not want livestock traversing their properties to fence them out.

9.3 – Agriculture – Policies – The policies in this section are generally quite strongly supportive of the objectives of the Agriculture designation to protect the agricultural land base and to minimize the impacts of agriculture and ranching on sensitive environmental resources. The policies in s.9.3.2 and 9.3.10 to discourage non-farm uses and fragmentation of farmland and to encourage new development adjacent to the agricultural areas to provide sufficient buffering will certainly help to minimize conflict. This section may also benefit from a statement that supports

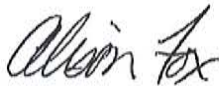
working with the Town of Osoyoos to ensure that adequate buffering occurs where lands within their jurisdiction are adjacent to agricultural areas within RDOS Electoral Area 'A'.

9.3.12 – While ministry staff support the statement that the Regional Board will support the agricultural and rural economy by encouraging secondary, value-added uses, it is unclear what is meant by 'secondary processing' and what might be considered compatible with surrounding land uses. Processing of agricultural products is a permitted use in the ALR provided that at least 50% of the products being processed come from the farm where the processing is occurring, and is a use that may not be prohibited by local government except through a farm bylaw under s.552 of the *Local Government Act*. This section could benefit from being clearer about this point and perhaps should refer just to "processing" rather than "secondary processing".

23.0 Development Permit Areas – The RDOS may wish to consider a development permit area for protection of farming for any areas planned for development that abut the ALR or the Agriculture designated areas. While the most intensive development is likely to happen in the Town of Osoyoos, rural residential areas can also not be overly compatible with agricultural areas. Establishing a development permit area is a stronger policy for protecting agricultural land that encouragement statements such as s. 9.3.10.

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  
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(778) 666-0566



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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

## Lauri Feindell

---

**From:** Benke, Mitch TRAN:EX <Mitch.Benke@gov.bc.ca>  
**Sent:** October 1, 2020 9:14 AM  
**To:** Graham Farstad  
**Cc:** Christopher Garrish  
**Subject:** RDOS Area "A" (Osoyoos Rural) OCP Review

Hello Graham,

Our office has received comments from our Regional Planning engineering group. The Ministry has reviewed the Transportation Section, and has cross-referenced it with the last OCP review, for which the Ministry provided comments (Area "F"). The following policies (Section 18.3) have been added from the previously reviewed OCP, and were the focus of this review. The Ministry's comments are in red.

- 18.3.1 The Regional District supports, where possible, the establishment of bicycle lanes adjacent to arterial roads, for transportation purposes in addition to recreation.  
**The Ministry supports active transportation improvements, where operationally feasible.**
- 18.3.3 Encourages MoTI and the Approving Officer to ensure that each new parcel of land to be created by subdivision has frontage on, and reasonable and practical access to, a public road.  
**This is the Ministry's typical practice, pursuant to Section 75 of the Land Title Act.**
- 18.3.4 Where existing highways and roads have deficient right-of-way widths, MoTI and or the Approving Officer should secure, where possible, additional land to remove all or part of the deficiency.  
**This is the Ministry's typical practice, where applicable. Areas where the Ministry is in encroachment or trespass, the Ministry actively works towards right-of-way acquisition to resolve the issue.**
- 18.3.6 Encourages the Province to require traffic impact studies as part of subdivision proposals which may impact safety and mobility on network roadways and, to ensure that:  
a) existing and future roads and alignments are designed with due consideration for watercourses and critical habitat areas;  
b) safety is maintained through access management and control;  
c) disruption to farming operations is minimized; and  
d) projected traffic volumes do not reduce the present service levels for the existing roadway.  
**The Ministry supports these items, and they align with Ministry Guidelines as well.**
- 18.3.7 Encourages MoTI to enforce the relevant provincial legislation regarding the control of roadside parking along provincial highways, local roads and on Crown land and implement more effective tools to manage illegal roadside parking, including improved ticketing processes and opportunities for permitted on-road parking areas.  
**The Ministry typically does not engage in enforcement or ticketing of vehicles, unless it involves commercial vehicles though the Ministry's Commercial Vehicle Safety and Enforcement (CVSE) Branch. The Ministry would be involved in regulatory signage in some cases.**
- 18.3.11 Supports the closure of unused, unconstructed road right of ways, where such closures result in traffic pattern improvements and are not detrimental to the use of adjoining lands.  
**The Ministry must consider many factors regarding the closure of public road, either constructed or unconstructed. Under Section 60(1) of the Transportation Act, the Ministry may close all or part of a provincial public highway, if that closure is in the public interest. In addition to considering access to adjacent properties, highway maintenance, stormwater drainage, utility infrastructure, and statutory requirements (such as access to lands beyond and access to water), the Ministry also may advertise the proposed closure to obtain comments from the public.**



18.3.12 Supports the creation of a pedestrian and other non-vehicular right-of-ways between established residential and park areas, and between tourist commercial developments within the plan area, and exploring this in cooperation with MoTI.

If this is a Regional District initiative, the Ministry would be involved as a reviewing agency, or to possibly cooperate to improve active transportation, where operationally feasible. If it is between Regional District residential areas and parks, the Ministry's right-of-way would not likely be impacted, but Development Services may be involved in reviewing these initiatives through the rural subdivision process.

With the exception of the item regarding parking/ticketing enforcement, as outlined above, the draft OCP Transportation Section and associated policies are generally in accordance with the Ministry's current policies and practices.

The Ministry does not have any major works planned in the Osoyoos area, either in planning or for capital construction. The Ministry expects there may be some preservation works (paving, bridge rehab or replacement) at some point in the future, as fiscal budgetary funds are allocated. In addition, the Ministry will continue to monitor safety on our highway system, and address issues as they arise. The Ministry is also not aware of any changes to our provincial road designation through the Osoyoos area.

Please contact me if you have any questions.

Regards,

**Mitch Benke** | Development Officer  
Ministry of Transportation & Infrastructure | Okanagan Shuswap District  
102 Industrial Place, Penticton, BC V2A 7C8  
Tel: 250-490-2226 | Cell: 250-809-8555 | Fax: 250-490-2231  
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Website: [Ministry Home](#) [Permit Application](#) [Subdivision Application](#)

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Your File #: A2020.001-  
ZONE

eDAS File #: 2020-05243

Date: Nov/27/2020

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

Attention: Christopher Garrish, Planning Manager

**Re: Proposed Official Community Plan for Area 'A':  
Electoral Area 'A' Osoyoos Rural**

The Ministry has no concerns or further comments with the proposed Electoral Area 'A' OCP Bylaw No. 2905, 2020.

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

Sincerely,

Mitch Benke  
Development Officer

Local District Address

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

Comments from Per Nilsen and Sarah Boyle

November 25, 2020./ Dec 4, 2020

**Pg 4 – Whereas clauses** – good opportunity to start to integrate the concept of the 2016 Green by-laws toolkit ([https://stewardshipcentrebc.ca/PDF\\_docs/GreenBylaws/GreenBylawsToolkit\\_2016.pdf](https://stewardshipcentrebc.ca/PDF_docs/GreenBylaws/GreenBylawsToolkit_2016.pdf))

**1.1 – Purpose** – good opportunity to broaden beyond greenhouse gas mgmt. requirements and begin to incorporate some green by-laws concepts (see link provided above).

**3.2 History** – no mention of the long-standing national park proposal which overlaps portion of the planning area. There is mention of the park proposal in chapter 16.

**3.4 Osoyoos Indian Band** – no mention of their involvement in national park proposal and ongoing support representing ONA.

**5.1 Vision** – broad and does include reference to preserving and stewardship of natural habitats and recreation areas

**Goals** – also quite broad and do include references to preservation and stewardship, working with OIB.

-

#### **7.5 Kilpoola Settlement Area (pg 33)**

- within the park proposal
- policies favourable to protection and conservation
- recognition of the cultural importance of Spotted Lake

Should cross reference section 14.4.1 for additional information on Objectives and policies

**8.0** – good place to refer to crown lands and OIB being involved in negotiations regarding a proposed national park reserve focused exclusively on provincial crown lands (as an example?)

**Schedule 'B' (Official Community Plan Map)- get copy of map and compare.** for grazing or rangelands – how were the AG (Agriculture lands) and PR 9(Parks and Recreation)lands mapped out and identified? Parks Canada has been looking at ALR and Productivity maps from AG BC, (attached), they don't seem to line up with what is identified in Schedule B. ? I'd appreciate knowing the source of other datasets being used to inform these layers?

#### **8.2 Resource Areas – Objectives**

- generally positive including recognition of importance of connectivity
- support low impact recreation activities but not defined

## **9. Agriculture – page 39**

Objectives and policies – positive and favourable to conservation

Policy 5.

“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.”

Is conservation an option as a non farm use?

The Agriculture (AG) designation within the Plan Area applies to land used or intended to be used for an agricultural operation or activity. This includes the production of livestock, poultry, farmed game, **fur bearing animals**, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, wood and fibre crops, grapes, and horticultural and aquaculture products, as well as activities associated with the production and processing of these items.

**9.3 Policies-** As an NPR is a non-agricultural use, unless one counts that grazing will be maintained on the landscape.

**Figure 19** – where is the ALR mapping based from? See the fine scale mapping attached... It doesn't appear to match up with the map in Schedule B.

## **14.4 Heritage and Cultural Resources**

Further reference to Spotted Lake and this time reference to OIB

### **14.4.1 Objectives and Policies**

There are several references to “Plan Area” but it is not clear what area is being referred to, is it just Spotted Lake which is the focus just above or are they referring to the whole of Election Area A?

Policy 14.4.2.11 Encourages the federal government to purchase additional undeveloped RA lands around Spotted Lake.

## **15. Parks, Recreation and Trails**

This section has a paragraph which refers to the national park proposal. On the next page there is Figure 22 – national park proposal but it is not referenced in the paragraph about the park proposal. I think this should appear much earlier in the plan as indicated earlier in my comments as it provides important context for the whole plan.

The Paragraph referencing the proposed NPR needs some sort of linkage/bridging to the following paragraph explaining how much of AREA A (Plan area) is actually within the proposed NPR area- the following paragraph makes it sound like it is all of Area A, which it is not. (i.e. ~35% of the proposed NPR

area is comprised of Plan Area A; only provincial crown lands would be included in the proposed NPR, no private lands. ) and then reference Figure 22.

**15.2 Objectives** – could add something about promoting conserving areas to promote connectivity between parks -

### **15.3 Policies**

5 Encourages the Province to undertake a backcountry recreation planning process. (and/or federal government? ).

16. "Seeks to review this Official Community Plan for consistency with any National Park Reserve proposal approved by the Federal Government and which affects lands within the Plan Area. "

17. "Supports local First Nations to continue traditional cultural practices and uses in any National Park Reserve that may be established in the Plan Area. "

## **16. Natural Environment and Conservation**

### **16.1 Background**

No mention of the national park proposal or its potential contribution to conservation.

Most of the park proposal is identified in the plan as an Important Ecosystem Area or Environmentally Sensitive Development Permit Area. See Schedule H.

#### **16.1.2 General policies**

Plan does mention incorporation of traditional ecological knowledge working with OIB and other bands

#### **16.3 Terrestrial areas and 16. 4 Conservation Areas**

Objectives and policies are all favourable to national park proposal.

### **19.4 Water Supply and Distribution**

No mention of the 2016 BC Water Sustainability Act and the requirements to register wells, and/or apply for a new well.

## **21. Climate Change**

Refers to relatively new report

The February 2020 report, termed Climate Change for the Okanagan Region, provided information on anticipated climate change for the medium-term future (2050s) and the long-term future (2080s).

Passing reference in policies to role of public education and improving climate resiliency. There could be additional recognition of the role of parks and protected areas in providing carbon storage, climate

refugia, buffers against flooding, watershed protection, contribution to water conservation etc. There is some mention of this in the later section on Development Permit Areas Background Section 23.2.4

#### **23.2.6 –**

Any farm use as defined in the Agriculture Land Commission Act on land located in the ALR; .

7 Any farm use that is subject to an approved Environmental Farm Plan (EFP) through the Canada-British Columbia Environmental Farm Plan Program; **Why have this? Wouldn't a farm already be subject to the ALR definition? What about riparian regs and SAR regs?**

### 24 Implementation and Monitoring

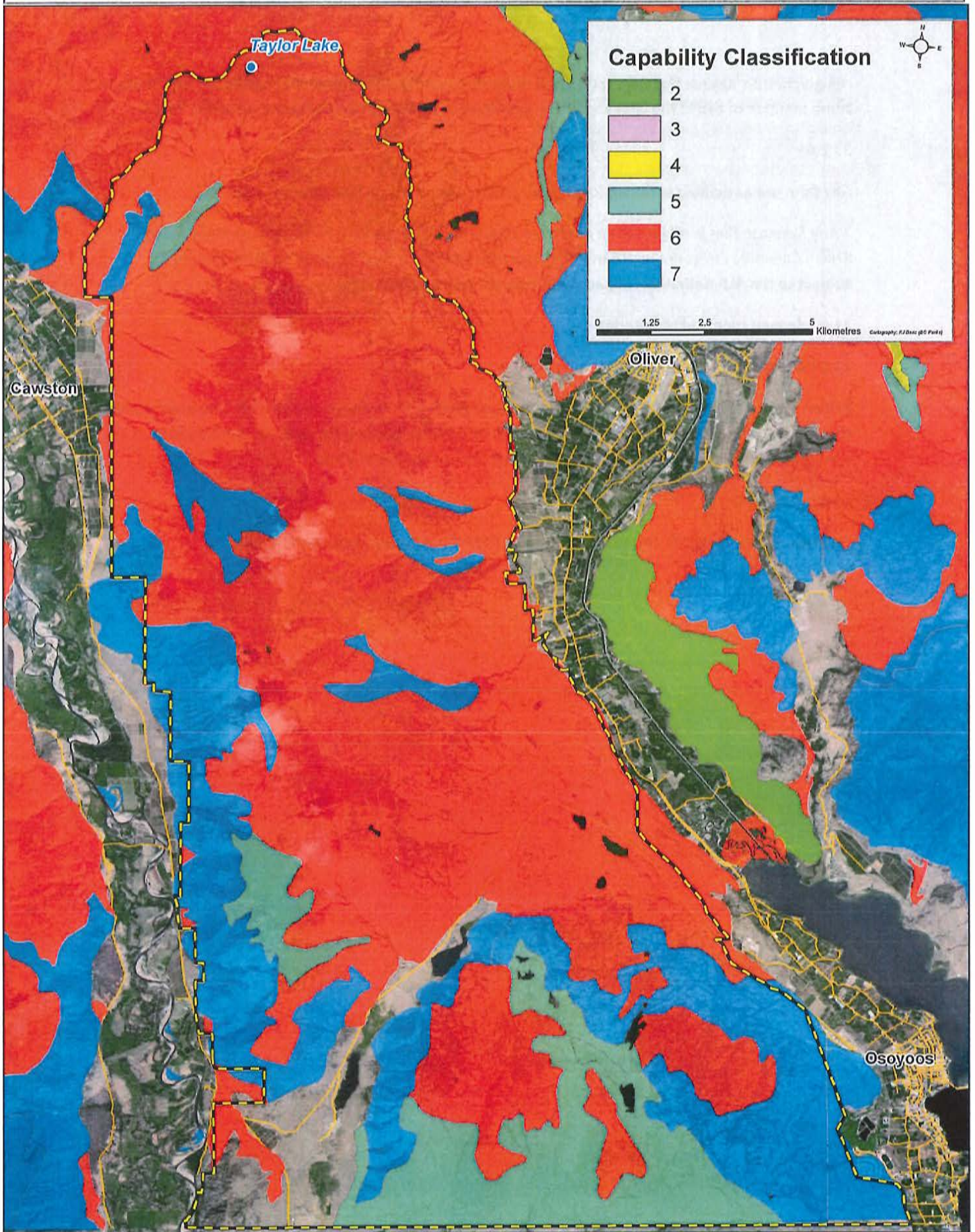
#### 24.2 Refinements and Amendments

Earlier in the plan Section 15.3 there is reference to seeking to reviewing the plan for consistency with the national park proposal, however, the national park proposal going ahead is not mentioned here in the list of reasons to consider refinements to be made to the official plan.

#### 24.8 Monitoring

Progress on national park proposal is something they should continue to monitor also.

# Agricultural Capability (South Okanagan Similkameen Proposed National Park Reserve)



Class 1 Land in Class 1 is level or nearly level. The soils are deep, well to imperfectly drained under natural conditions, or have good artificial water table control, and hold moisture well. They can be managed and cropped without difficulty. Productivity is easily maintained for a wide range of field crops

Class 2 Land in class 2 has limitations which constitute a continuous minor management problem or may cause lower crop yields compared to Class 1 land but which does not pose a threat of crop loss under good management. The soils in Class 2 are deep, hold moisture well and can be managed and cropped with little difficulty.

Class 3 The limitations are more severe than for Class 2 land and management practises are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practises: timing and ease of tillage, planting and harvesting, and methods of soil conservation

Class 4 Land in Class 4 has limitations which make it suitable for only a few crops, or the yield for a wide range of crops is low, or the risk of crop failure is high, or soil conditions are such that special development and management practises are required. The limitations may seriously affect one or more of the following practises: timing and ease of tillage, planting and harvesting, and methods of soil conservation

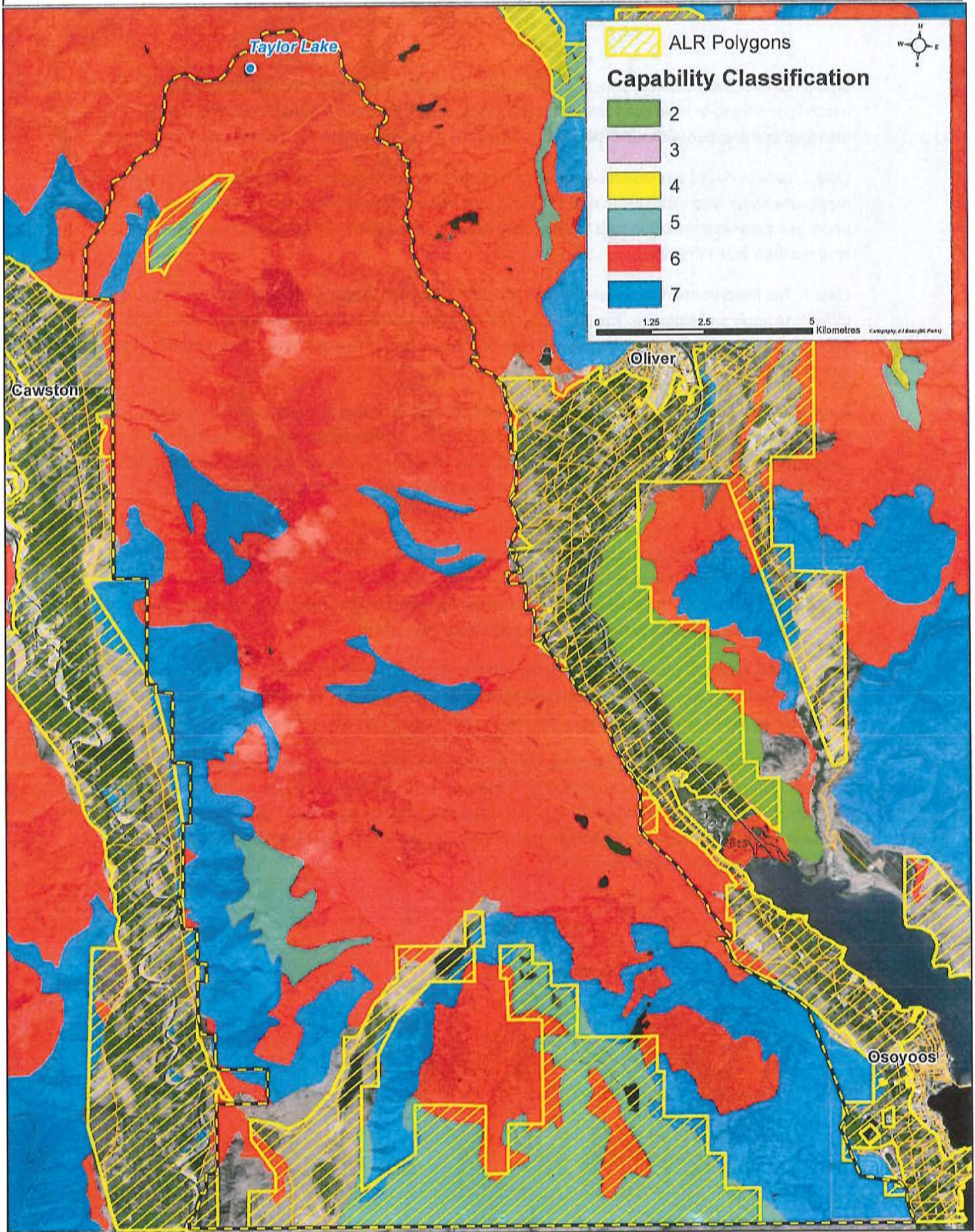
Class 5 Land in Class 5 is generally limited to the production of perennial crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands.

Class 6 Land in Class 6 provides sustained natural grazing for domestic livestock and is not arable in its present condition. Land is placed in this class because of severe climate, or the terrain is unsuitable for cultivation or use of farm machinery, or the soils do not respond to intensive improvement practises

Class 7 All classified areas not included in Classes 1 to 6 inclusive are placed in this class. Class 7 land may have limitations equivalent to Class 6 land but they do not provide natural sustained grazing by domestic livestock due to climate and resulting unsuitable natural vegetation. Also included are rockland, other nonsoil areas, and small water-bodies not shown on maps. Some unimproved Class 7 land can be improved by draining or diking



# Agricultural Capability (South Okanagan Similkameen Proposed National Park Reserve)



## RESPONSE SUMMARY

### ELECTORAL AREA "A" OCP BYLAW NO. 2905

- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reasons Outlined Below

Council considered this at the Dec 7th, 2020 Council Meeting with the following staff recommendations see below:

That the RDOS give further consideration to amending the draft Area "A" OCP - ESDP guidelines such that they would apply to all environmentally sensitive areas within Area "A" with a caveat regarding exemptions where land is being altered to adhere to fire smart practices and

That the RDOS give consideration to amending the draft Area "A" OCP to include policies regarding seasonal workers as it relates to the demands of the agriculture industry.

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

Signed By: \_\_\_\_\_

Agency: \_\_\_\_\_

Title: \_\_\_\_\_

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

TOWN OF ORCUTTS



# Bylaw Referral

Regional District of Okanagan-Similkameen

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

Tel: 250-492-0237 / email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

OFFICE USE ONLY	
Date:	October 20, 2020
Bylaw:	2905
File:	A2020.001-ZONE

You are requested to comment on the attached bylaw for potential effect on your agency's interests. We would appreciate your response **WITHIN 45 DAYS**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

Please email your reply to [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca) by **December 4, 2020**.

**PURPOSE OF THE BYLAW:** In October of 2019, the Regional District initiated a review and update of the Electoral Area "A" (Osoyoos Rural) OCP Bylaw. This Review was conducted in accordance with the requirements of the *Local Government Act* which specifies purpose, required content, and adoption procedures of an OCP Bylaw.

The current OCP was originally adopted in 2004 and subsequently repealed and replaced in 2008 as part of a larger review of Regional District land use bylaws (NOTE: this process did not result in any substantive changes to the original OCP).

The Draft Electoral Area "A" OCP Bylaw No. 2905 contains objectives, policies, and land use designations that will provide direction for land use and development consistent with community values and are intended to balance the demands placed on the land base in order to ensure an equitable, comprehensive and logical distribution of land uses.

**GENERAL LOCATION:** Electoral Area "A" is located in the Regional District of Okanagan-Similkameen (RDOS) at the south end of the Okanagan Valley on the international border of Canada with the United States of America. Electoral Area "A" is the smallest electoral area in the Regional District and makes up 2.8% of the total land area of the RDOS..

AREA OF PROPERTY AFFECTED:	ALR STATUS:	OCP DESIGNATION:	ZONING DISTRICT:
313 sq km (approx.)	Yes in part	various	various

**OTHER INFORMATION:**

Additional information, including the draft OCP bylaw and associated map schedules are available for viewing at the Electoral Area "A" project webpage at: <https://www.rdos.bc.ca/development-services/planning/strategic-projects/electoral-area-a-ocp-bylaw-review>

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected" no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this bylaw.

  
Christopher Garrish MCIP, RPP

AGENCY REFERRAL LIST		
<input checked="" type="checkbox"/> Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/> Town of Osoyoos	<input checked="" type="checkbox"/> Canadian Wildlife Services
<input checked="" type="checkbox"/> Interior Health Authority (IHA)	<input checked="" type="checkbox"/> School District #53	<input checked="" type="checkbox"/> Fisheries and Oceans Canada
<input checked="" type="checkbox"/> Ministry of Agriculture	<input checked="" type="checkbox"/> Okanagan Basin Water Board (OBWB)	<input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure (MoTI)
<input checked="" type="checkbox"/> Ministry of Forest, Lands, and Natural Resources Operation (Archaeology Branch)	<input checked="" type="checkbox"/> Ministry of Forest, Lands, and Natural Resources Operation (Ecosystem Section)	<input checked="" type="checkbox"/> Kootenay Boundary Regional District
<input checked="" type="checkbox"/> Osoyoos Indian Band (OIB)	<input checked="" type="checkbox"/> Lower Similkameen Indian Band (LISB)	<input checked="" type="checkbox"/> Okanagan Nation Alliance (ONA)
<input checked="" type="checkbox"/> Ministry of Energy, Mines & Petroleum Resources	<input checked="" type="checkbox"/> BC Parks	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Shaw Cable	<input checked="" type="checkbox"/> Fortis	<input checked="" type="checkbox"/> Telus

### 19.6.1 Objectives

- .1 Improve the management of stormwater quality and quantity within the Plan Area.
- .2 Ensure off-site surface runoff for new development does not exceed predevelopment flows.
- .3 Coordinate stormwater management with the Ministry of Transportation and Infrastructure where subdivision approval is involved.

Commented [AWS15]: I think we should all lobby the province to have MOTI no longer be the subdivision approval agency.

### 19.6.2 Policies

The Regional Board:

- .1 Encourages the Province to require master storm drainage plans for new residential subdivisions.
- .2 Encourages the Approving Officer to require that each parcel of land within a proposed subdivision address stormwater runoff and that it protect aquatic ecosystems (lakes, wetlands, rivers, streams).
- .3 Encourages the use of permeable surfaces on driveways, parking lots and access roads, as well as other measures such as xeriscaping, infiltration basins, swales and other sustainable design features to reduce overland runoff.
- .4 Encourages MoTI to involve the Regional District in developing terms of reference for community Storm Water Management Plans (SWMP).
- .5 Supports the sharing of all storm water reports between government agencies.
- .6 Encourages property owners to:
  - a) maintain private driveway culverts and watercourse crossings to ensure high flow capacity can be accommodated; and,
  - b) upgrade substandard driveway culverts to ensure that 1:200 year storm flows can be accommodated.

Commented [AWS16]: Is there a way to do more than "encourage"? I have understood that MOTI approving officers have to follow bylaws by the local jurisdiction. What kind of strictures can RDOS put in place that are more protective?

### 19.7 Solid Waste

The Regional District adopted a Solid Waste Management Plan (2012) that specifies how a waste diversion rate over 70% will be achieved.

At present, solid waste is collected and deposited at the Osoyoos & District Sanitary Landfill, which also serves the Town of Osoyoos and Osoyoos Indian Band. Since composting was started at the landfill in 2016, waste volume has decreased significantly and the landfill has an estimated usable life between 23 and 30 years, dependent on the waste generation rate.

OBWB (2020-07-21)

Individual on-site septic systems are not viewed as a long-term sustainable method of sewage disposal unless parcels are over 1.0 ha in size. This method of disposal also increases the probability of groundwater contamination and nutrient loading into watercourses and lakes, such as Osoyoos Lake.

#### 19.5.1 Objectives

- .1 Reduce levels of nutrients and effluent disposal into watercourses.
- .2 Encourage investigating options for septage receiving at the Town of Osoyoos' WWTP.
- .3 Maintain healthy aquatic and groundwater environments and protect human health from water contamination.
- .4 Establish long-term sustainable sewage collection and disposal methods for existing and proposed properties smaller than one hectare and adjacent to watercourses.

#### 19.5.2 Policies

The Regional Board:

- .1 Encourages the Province to educate residents about the requirements for properly maintaining a septic tank and tile fields.
- .2 In areas where there is no community sanitary sewer or water systems, requires all development to adhere to the best practices recommendations of the Regional District's Liquid Waste Management Plan as well as the Provincial Sewerage System Regulation administered by the Ministry of Health and the Interior Health Authority (IHA) for on-site sewage disposal and private groundwater wells.
- .3 Encourages the Ministry of Health to ensure that private septic tanks and ground disposal systems be sited to minimize pollution of surface and groundwater, and have appropriate setbacks from watercourses, lakes, and water wells.
- .4 Does not support the use of septic holding tanks for existing or new developments.
- .5 Strongly discourages the creation of new private community sanitary sewer utilities.

#### 19.6 Stormwater Management

Effective stormwater management will help protect the water quality of the various lakes and other water bodies found within the Plan Area. Currently, stormwater drainage in the Plan Area is the responsibility of MoTI, and their contractor, and predominantly comprises open ditches, natural drainage courses and absorption into the ground through dry wells. Osoyoos Lake and other surface waters and aquifers, which are the area's sources for drinking water, are the ultimate destination for much of the stormwater in the Plan Area.

#### 19.4.2 Policies

[The Regional Board]

Commented [AWS14]: These are good policies. Appreciated.

- .1 Will require new development to demonstrate a proven and adequate water supply and meet all current water quality regulations as well as the Interior Health Authority drinking water objective.
- .2 Work with and support the Town of Osoyoos to determine a long-term treatment plans for existing water systems.
- .3 Encourages all groundwater users within Electoral Area "A" to ensure that groundwater well infrastructure and maintenance is completed as required by the Groundwater Protection Regulation under the *Water Sustainability Act*, including the installation of sufficient surface seals.
- .4 Encourages well owners using water for domestic purposes to register their well in the provincial database in order to document water use and help ensure existing uses are considered in future water license applications.
- .5 Supports working work with water purveyors to establish water conservation programs.
- .6 Actively promotes, educates, coordinates and implements water conservation practices, and will work with water utilities to establish water conservation programs including pricing and metering.
- .7 Strongly discourages the creation of new private community water utilities.
- .8 Strives to ensure that new developments do not restrict or limit the availability of water supply for existing users and agricultural irrigation.
- .9 Supports working with other stakeholders on regional water management initiatives to protect, revitalize and restore watersheds within the Plan Area, including the identification and establishment of a Watershed Resource Area (WRA) zone in the Zoning Bylaw for designated community watersheds under the *Forest and Range Practices Act*.
- .10 Supports reviewing fire protection and fire suppression provisions throughout Electoral Area "A" and working with service providers to ensure an adequate level of fire protection is provided for new and existing developments.

#### 19.5 Wastewater and Sewage

The Town of Osoyoos' Northwest Sector Sanitary Sewer system services 137 properties located along Osoyoos Lake, north of the Town's boundary and up to an area known as "Willow Beach". The remaining properties in the RDOS are serviced with on-site septic. Liquid waste from users within the RDOS is not accepted at the Town of Osoyoos' treatment facility, and is instead landfilled at the Osoyoos landfill, also located within Electoral Area "A".

- Osoyoos Irrigation District (OID)
- Osoyoos Lake Park Water System
- Burrowing Owl Estates Winery Water System
- Idle-O Apartments Water System
- Brookvale Holiday Resort Water System
- Boundary Irrigation District
- Willow Beach Mobile Home Park Water System

The remainder of the Plan Area is serviced through individual groundwater wells or surface-water licenses.

The Town of Osoyoos provides water from six active groundwater wells. Water is currently treated with chlorine disinfection, which began in the fall of 2018. Water systems are required to comply with Interior Health's 4-3-2-1-0 objective.

The Town of Osoyoos is investigating the potential of switching to a surface water source. A water quality sampling plan is planned to determine if this is an option.

**Commented [AWS13]:** Any new surface water intake should be designed to inhibit attachment of zebra/quagga mussels (chlorine or other method).

The Osoyoos Irrigation District (OID) is located on the east bench of Osoyoos Lake, east of the Town of Osoyoos. The system was constructed in 1967 and consists of approximately 150 domestic connections and 40 agricultural connections, supplied by a submerged intake in Osoyoos Lake and treated with chlorination. This system was used to service both domestic and irrigation demands until a groundwater well was drilled to provide potable water to the area. The groundwater well is now used during the irrigation off season to supply water to the domestic connections in the area.

Surface water is a critical resource within the Plan Area for residential use, agriculture, and e. Protecting Osoyoos Lake water quality is highlighted in multiple OCP policy sections.

The capacity of all Electoral Area "A" water systems can be increased through water conservation measures, and the Regional District has actively encouraged water conservation and additional measures have been recommended to the RDOS, such as leak detection and water metering.

#### 19.4.1 Objectives

- .1 Continue cooperation and coordination between water purveyors (Town of Osoyoos, private and irrigation districts) and the Province to ensure sustainable water quantity and quality is provided to residents in the Plan Area.
- .2 Manage development to ensure that surface water sources and aquifers are not depleted, and their long-term sustainability is protected.
- .3 Manage and protect the Plan Area's groundwater resources on a sustainable basis and work to prevent irreversible or other adverse impacts to water resources.
- .4 Continue to work in conjunction with the Ministry of Environment, the Interior Health Authority, and residents to protect, manage and maintain high water quality and to ensure the sustainable use of the Plan Area's surface and groundwater resources.

## 19.0 INFRASTRUCTURE AND SERVICING

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### 19.1 Background

Infrastructure and services within the jurisdiction of the Regional District include water distribution, solid waste management, and community sanitary sewer systems. Roads, road right-of-ways and stormwater management are managed by the Province. As electrical, gas and communication utilities are also important to the community, the Regional District has an interest in helping guide the provision of these services.

### 19.2 Objectives

- .1 Implement a coordinated approach to infrastructure planning within the Plan Area.
- .2 Ensure that water, wastewater and drainage systems support good health and safety and meet recognized standards of service.
- .3 Maintain and foster relationships with provincial agencies, Improvement and Irrigation Districts, and other operators that influence the delivery and management of community infrastructure.
- .4 Discourage the development of private systems for the provision of water and sewer services.

Commented [AWS12]: Thank you! These are often very problematic!

### 19.3 Policies

The Regional Board:

- .1 May require that adequate infrastructure, including water, sewer, roads, and stormwater management be provided in new developments, at no cost to public agencies.
- .2 Requires that all new parcels to be created by subdivision with a land area of less than 1.0 ha connect to a community sewer system.
- .3 Encourages the implementation of sustainable development principles through consideration of renewable and alternative technologies for community infrastructure.

### 19.4 Water Supply and Distribution

Two major water systems exist within Electoral Area "A", Osoyoos Rural Water Systems No. 8 and No. 9. Both systems are owned and operated by the Town of Osoyoos to service rural residents north and south of the Town. A number of other water systems were identified within Electoral Area "A", including:



- .12 Supports the creation of a pedestrian and other non-vehicular right-of-ways between established residential and park areas, and between tourist commercial developments within the plan area, and exploring this in cooperation with MoTI.

DRAFT

- f) ensuring availability of water supply facilities adequate for fire suppression;
  - g) ensuring the provision of access to local water sources, lakes and watercourses as part of access requirements; and
  - h) implementing setbacks, interface fire protection standards, building material standards, and vegetation pursuant to Provincial FireSmart guidelines.
- .16 Using the FireSmart guide as a principal guidance document, strives to foster wildfire awareness and resiliency through public education materials, programs and events.
- .17 Strongly encourages that new developments with moderate or higher fire hazard ratings to incorporate best practice interface forest fire mitigation techniques for buildings and landscaping.
- .18 Should review and update wildfire protection approaches as often as necessary based on changing community circumstances, climate change driven ecosystem conditions, and mitigation techniques.
- .19 Encourages property owners to adhere to the relevant Provincial guidelines to protect properties and communities from wildfire risk through such measures as reducing fuel loads and regular maintenance of eaves. Such measures should be supportive of the natural environment and mimic the natural effects of localized ground fire such as thinning and spacing trees and vegetation, removal of debris and dead material from the ground, and removal of lower tree branches.
- .20 Supports pursuing provincial funding and resources to undertake wildfire risk reduction in the community/forest interface areas.
- .21 Supports the development of an inventory of accessible water sources by the province that could be enhanced to support water extraction by firefighting equipment.

## 17.5 Policies - Flood Hazard Management

The Regional Board:

- .1 Discourages development of land susceptible to flooding and encourages those lands to be used for parks, open space, habitat conservation, recreation or agricultural uses.
- .2 Requires that where land subject to flooding is to be developed and no alternative land is available, construction and siting of buildings and manufactured homes to be used for habitation, business, industry, or the storage of goods damageable by floodwaters shall comply with the floodplain regulation of the Zoning Bylaw with any relaxation subject to the recommendations of a report prepared by a qualified Professional Engineer or Geoscientist, where applicable.
- .3 Supports the use of Section 86 of the *Land Title Act* and Section 56 of the *Community Charter* to regulate development in a floodplain and provide for the safe use of the land for the intended purpose.
- .4 Supports minimizing exposure to future flood damage by avoiding development adjacent to the Osoyoos [Lake](#) and Okanagan River Channel or implementing flood mitigation measures.
- .5 Supports mitigating the impacts of potential flooding on buildings and properties in the floodplain area and affected by groundwater through design and site grading prior to construction as per the recommendations of a report prepared by a qualified Professional Engineer or Geoscientist.

**Commented [AWS11]:** This may need to be updated, considering that the "design flood", or 1-in-200 year flood probability for mid-century, provided in the new flood maps is 19 cm higher than the flood level from 1894.

## 17.6 Policies - Wildfire Hazard Mitigation

The Regional Board:

- .1 In reviewing a rezoning application submitted to the Regional District for development in those areas identified in the *Community Wildfire Protection Plan* (CWPP) and shown on Schedule 'F' (Hazard Lands – Wildfire), the Regional District may require a fire hazard risk assessment by a qualified professional with recommendations concerning but not limited to the following:
  - a) incorporating fuel breaks adjacent to, or on, residential subdivisions;
  - b) establishing zones around proposed building sites which are clear of debris and highly combustible materials;
  - c) utilizing fireproofing techniques and fireproof materials in building design;
  - d) designing roads that provide evacuation routes and facilitate movement of firefighting equipment;
  - e) ensuring all roads are named and signed;

- .3 Recognize that important habitat may also be found in natural areas that are considered hazardous, and that disruption of these areas should be minimized.
- .4 Minimize wildfire hazards to people and property in existing and proposed new development.
- .5 Minimize exposure to future flood damage by avoiding or minimizing development in the Osoyoos Lake and Okanagan River.

Commented [AWS10]: Is this a typo? Within the lake?

### 17.3 Policies - General

The Regional Board:

- .1 Encourages annual inspections, and as-needed inspections after large storms, runoff or flooding events, at the highest risk areas for impacts, such as steep slopes and major culverts outfalls.
- .2 Encourage the provincial Approving Officer to ensure that technical reports for hazard lands are prepared by appropriately qualified individuals and that any recommended conditions for safe use of the land area are registered as s. 219 covenants to inform future property owners.
- .3 Will not support the rezoning of development on lands with natural hazards or hazardous geotechnical conditions as identified by the Regional District or other agencies having jurisdiction, unless the applicant can provide a report by a Qualified Professional Engineer or Geoscientist that the land can be safely used for the use intended.
- .4 Encourages provincial and/or federal agencies to conduct further research on possible radon health risks in and around the Plan Area.
- .5 Encourages Plan Area residents to test their homes for radon exposure and to take appropriate mitigation measures where radon levels are found to be higher than recommended levels.
- .6 Supports providing information on radon and radon mitigation opportunities to Plan Area residents.

### 17.4 Policies – Steep Slopes

The Regional Board:

- .1 Discourages development on slopes with grades in excess of 30% to avoid geotechnical hazards.
- .2 Will recommend that the Approving Officer require a geotechnical report indicating the land can be safely used for the use intended for a subdivision where the new development is located on slopes greater than 30%, including those areas that may be regraded to slopes less than 30% after development, in order to address potential soil instability, hazardous conditions and environmental sensitivity.

## 17.0 HAZARD LANDS

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### 17.1 Background

Hazard lands include but are not limited to areas the Regional District has reason to believe are subject to natural hazards including flooding, mud flows, debris torrents, erosion, rockfall, landslip, sink holes and wildfire.

The information available for the entire Regional District can be variable and may lack detail, so hazards often need to be investigated on a site-by-site basis. Recognizing this, site planning for proposed developments should consider the potential hazards on any given site. Some hazards can be evaluated and mitigated at the time of development. Other hazards, such as wildfire, can not only impact new developments, but also threaten existing structures.

A *Community Wildfire Protection Plan* (CWPP) was completed for the Regional District in 2011. The plan assessed wildfire risk across the region and made recommendations to improve the community's risk profile through pre-planning and preparedness, policy, and fuel management.

As a predominantly rural area, the CWPP determined that development in the Plan Area generally consists of:

- low to moderately dense rural intermix areas (>1structure/ha) with more forested areas between structures and a less defined perimeter;
- a well-defined urban/interface complex where the interface perimeter is more clearly defined; and
- individual structures remotely scattered within the wildlands.

In the next few decades, climate change will likely have a significant change on fire hazard within Electoral Area "A" based on the decreases in precipitation and changes in forest fuel structure and composition (Associated Environmental, 2017).

See Schedule 'D' (Hazard Lands – Flood), Schedule 'E' (Hazard Lands – Steep Slopes), and Schedule 'F' (Hazard Lands – Wildfire) for maps of key hazard areas in the Plan Area. High risk wildfire interface areas are subject to a Wildfire Interface Development Permit Area (Section 23.4). See Schedule 'J' (Wildfire Development Permit Area) for the development permit area.

### 17.2 Objectives

- .1 Prevent injury and loss of life and to prevent or minimize property damage because of natural hazards.
- .2 Ensure development does not occur in areas subject to known hazardous conditions, unless the hazard has been sufficiently addressed and mitigated.

#### 11.4 Policies –Low Density Residential

The Regional Board:

- .1 Generally supports the use of lands designated Low Density Residential (LR) identified in Schedule 'B' (Official Community Plan Map) for single detached dwellings, duplexes, secondary suites, manufactured homes, small parks, small religious buildings and facilities, institutional buildings and other uses that fit with the low density residential character of the designation.
- .2 Establishes a maximum density for principal detached dwelling units on lands designated Low Density Residential (LR) to be 30 dwelling units per ha, subject to servicing requirements. The calculation of net density does not include secondary suites or accessory dwellings.
- .3 Establishes a maximum density for principal attached dwelling units (duplexes) on lands designated Low Density Residential (LR) to be 45 dwelling units per ha, subject to servicing requirements.
- .4 Supports home occupations and bed and breakfasts within a single detached dwelling provided the operation does not have an unacceptable negative impact on the surrounding homes and the quality of life of existing residents.

#### 11.5 Policies –Medium Density Residential

- .1 Generally supports the use of lands designated Medium Density Residential (MR) identified in Schedule 'B' (Official Community Plan Map) for multi-family developments, including triplexes, fourplexes, townhouses and apartment buildings that fit with the residential intent of the designation.
- .2 Establishes a maximum density on lands designated Medium Density Residential (MR) to be 60 dwelling units per ha, subject to servicing requirements.
- .3 Supports the re-designation of lands to Medium Density Residential (MR) only within designated Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts.
- .4 Encourages affordable, community care housing, seniors housing, and special needs housing in Medium Density Residential (MR) areas.
- .5 Requires a high standard of architectural building design and landscaping for medium density residential development by supporting the inclusion of lands designated as Medium Density Residential (MR) in a new Multi-Family Development Permit Area.

#### 11.6 Policies - Vacation Rentals

The Regional Board:

- .1 Directs the development of new housing to existing vacant lots (with servicing), or previously approved residential subdivisions, prior to considering more residential development on non-residential designations.
- .2 Encourages residential infill development to maximize land use and servicing efficiencies.
- .3 Supports a range of residential densities and parcel sizes for the existing residential areas in the Plan Area.
- .4 Supports housing for a range of income levels, lifestyles and ages including rental housing and secondary suites where appropriate and feasible.
- .5 Will assess proposed residential developments on the following development criteria:
- a) capability of accommodating on-site domestic water and sewage disposal, or the availability of community water or sewer;
  - b) ability of community water or sewer systems to be extended to existing neighbouring subdivisions which are presently un-serviced;
  - c) proximity to Environmentally Sensitive Development Permit Areas;
  - d) proximity to Watercourse Development Permit Areas;
  - e) impact on adjacent land uses and character of the existing area;
  - f) impact on adjacent lands designated as Agriculture (AG);
  - g) proximity to and impact on Osoyoos Lake;
  - h) proximity to existing roads and other community and essential services;
  - i) susceptibility to natural hazards including, but not limited to, flooding, soil instability, land slide, rockfall, moderate or higher forest fire;
  - j) parkland dedication; and
  - k) demonstration of housing need, and provision for a variety of housing types.
- .6 Encourages new developments that abut agricultural land or livestock grazing land to provide perimeter fencing.
- .7 Encourages residential development that abuts land designated Agriculture (AG) to provide buffers pursuant to Ministry of Agriculture guidelines.
- .8 Requires that new parcels to be created by subdivision that are less than 1.0 ha in area be connected to a community sanitary sewer system.
- .9 Requires that secondary suites on parcels less than 1.0 ha in area be connected to a community sanitary sewer system or the same septic system that serves the principal dwelling unit.

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Commented [AWS9]: Thank you!

## 11.0 RESIDENTIAL

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### 11.1 Background

Low-density single detached dwellings are the predominant housing form throughout the Plan Area including settlement areas. Other forms of low-density residential housing include semi-detached, and manufactured homes.

There are two residential land use designations recognized within this Plan; Low Density Residential (LR) and Medium Density Residential (MR). Rural Holdings (i.e., Large Holdings and Small Holdings) are not included as residential designations.

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

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

Medium Density Residential (MR) designated lands in the Plan Area are limited to areas at the north end of Osoyoos Lake (Willow Beach) near the Town of Osoyoos.

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

### 11.2 Objectives

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

Commented [AWSB]: Willow Beach should be evaluated as a potential hazard area.

### 11.3 Policies – General Residential

The Regional Board:



- .10 Will consider proposals for a micro cannabis production facility on a case-by-case basis through a site-specific zoning amendment process, and may use the following criteria to assess an application:
- a) the facility is approved by Health Canada under its micro cultivation license;
  - b) the parcel under application has an area not less than 2 hectares;
  - c) the maximum size of the plant surface cultivation area is 200 m<sup>2</sup>;
  - d) confirmation is provided that adequate water and servicing is available to the site; and
  - e) if the parcel of land that is the subject of an application adjoins a Low or Medium Density Residential zone, the micro cannabis production facility will be setback 60 metres from that zone boundary.

#### 10.4 Policies – Large Holdings

The Regional Board:

- .1 Supports the use of lands designated Large Holdings identified in Schedule 'B' (Official Community Plan Map) for ranching, grazing, equestrian centres, open space, limited residential use and other uses that will have minimal environmental impact and preserve the lands in a largely undeveloped state.
- .2 Will establish a range of densities and parcel sizes, to be no less than 4.0 ha in area, for land designated Large Holdings (LH) in the Plan area through the Zoning Bylaw.
- .3 Supports secondary suites or accessory dwellings and may consider additional accessory dwellings based on the size of parcel.
- .4 Discourages changes in land designation or zoning that will allow for incompatible land uses or the subdivision of Large Holdings (LH) parcels to less than 4.0 ha in size.

#### 10.5 Policies – Small Holdings

The Regional Board:

- .1 Supports a range of uses on the lands designated Small Holdings (SH) in Schedule 'B' (Official Community Plan Map), including rural residential, hobby farming, limited agriculture, and others uses that fit within the rural character of the surrounding area.
- .2 Will establish a range of densities and parcel sizes from 0.2 ha to 2.0 ha, for lands designated Small Holdings (SH) in the Plan Area through the Zoning Bylaw.
- .3 Supports a minimum parcel size of one hectare for lands without community sewer within the Small Holdings (SH) designation.
- .4 Supports secondary suites and accessory dwellings, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.

number of former oxbows and is within the floodplain associated with Osoyoos Lake and the Okanagan River and has a long history of flooding.



Figure 14: Willow Beach

### 7.2.1 Policies

The Regional Board:

- .1 Supports the Town of Osoyoos providing community sewer connections to existing parcels fronting Osoyoos Lake in order to improve water quality in the area but does not support increasing density on parcels connected to the North West Sewer as this is an agricultural area and the potential for conflict from new residential uses.
- .1 Does not support the exclusion, subdivision or non-farm use of parcels designated as Agriculture under this bylaw and as Agricultural Land Reserve (ALR) lands under the *Agricultural Land Commission Act*.
- .2 Encourages signage within provincial highway road dedications to comply with the Ministry of Transportation and Infrastructure's *Policy Manual for Supplemental Signs* (2005).
- .3 Encourages the establishment of a quality landscape and built form by limiting the amount of commercial signage and prohibiting the placement of commercial signage promoting third-party and off-site uses, particularly on important thoroughfares through the community such as Highway 97 and Highway 3.
- .4 Does not support the creation of new Commercial designations adjacent to Highway 97 and directs such uses to the Town of Osoyoos.
- .5 Will re-consider the suitability of Willow Beach as a Rural Growth Area when conducting a review of the RGS Bylaw.
- .6 Encourages the protection, stewardship and conservation of sensitive wetland, riparian, and lake habitats in the Willow Beach Rural Growth Area and surrounding land, including dedication of these lands to a conservation organisation.

Commented [AWS7]: I think this is very wise, given all the considerations about flooding as well as the environmental value of the wetlands.

## 7.0 LOCAL AREA POLICIES

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### 7.1 Background

Due to the development of the Electoral Area as an agricultural community under the *Land Settlement and Development Act* (1917) in the early part of the 20<sup>th</sup> Century, the emergence of distinct local areas is not as pronounced as in other parts of the Regional District as the community coalesced around the Town of Osoyoos. Consequently, there is no common name applied to the agricultural lands that predominate in the valley bottom to the north and south of the Town of Osoyoos, although specific place names such as “Reflection Point” and “Willow Beach” do exist.

With improved transportation routes into and out of the South Okanagan after 1960, additional communities outside of the valley bottom began to emerge, specifically at Anarchist Mountain (to the east) and at “Kilpoola” (to the west).

While each of these communities have things in common, including a strong desire to maintain and protect the larger Plan Area’s rural qualities and environmental values, each community is also unique. This section of the Plan outlines policies for each of the Plan Area’s communities.

### 7.2 North West Osoyoos Lake

The lands located north of the Town of Osoyoos and bounded by Osoyoos Lake to the east and Highway 3 to the west represents a land area of approximately 955 ha that is primarily within the Agricultural Land Reserve (ALR). There are approximately 95 parcels that are currently assessed as “farm” by BC Assessment and these further includes value added operations such as wineries, fruit stands, packing and cold storage facilities and greenhouses.

Residential clusters can be found adjacent to Osoyoos Lake at 81<sup>st</sup> Street, 120<sup>th</sup> Avenue (“Reflection Point”), 87<sup>th</sup> Street, 95<sup>th</sup> Street and at “Willow Beach” (at the head of the lake). In total, there are 210 parcels zoned for Low Density Residential and Small Holdings uses in this area (as of 2020).

This area is bisected by Highway 97, which the main thorough fare through the South Okanagan and also an important approach route to the Town of Osoyoos.

The Town of Osoyoos operates a community water system in this area after assuming the functions of the former South Okanagan Lands Irrigation District in 1990. With the completion of the North West Sewer Extension project in 2008, the Town provides some community sewer connections to households in the Plan Area adjacent to Osoyoos Lake.

As discussed at Section 6.4, the former “Willow Beach” campground property was designated as a Rural Growth under the South Okanagan Regional Growth Strategy (RGS) Bylaw adopted in 2010. The Willow Beach site is considered to be of a high ecological value due to the number of wetlands it contains. The site also includes a

DRAFT

## 6.5 Policies

The Regional Board:

- .1 Recognizes Willow Beach and Anarchist Mountain as a designated Rural Growth Areas and will direct growth to these locations.
- .2 Recognizes the Town of Osoyoos and Town of Oliver as designated Primary Growth Areas that have the community infrastructure, community services, economic and employment opportunities to sustain higher densities and residential growth than the Plan Area.
- .3 Will support Primary and Rural Growth Areas by discouraging the re-designation or re-zoning of land that permits increased residential densities outside of Growth Area containment boundaries.
- .4 Will review the suitability of Willow Beach and Anarchist Mountain as Rural Growth Areas when the Regional Growth Strategy is reviewed or updated.
- .5 Will ensure any new development in a designated Rural Growth Area provides community services pursuant to the Regional District's Subdivision and Development Servicing Bylaw.
- .6 Generally, does not support increasing densities or intensifying land uses within areas designated as an Environmentally Sensitive Development Permit Area or shown as an Important Ecosystem Area on Schedule 'C'. Increasing densities or intensifying land uses in areas previously zoned to allow such developments, however, will be considered if the development meets the policies and guidelines set out in this Plan.
- .7 Directs residential development away from designated Agricultural (AG) areas.
- .8 Supports water metering and other residential water conservation measures.
- .9 Requires new development on parcels less than 1.0 hectare in area to connect to a community sanitary sewer system.
- .10 Encourages residents to construct new dwellings that are energy efficient, low-impact buildings that include storm water management, water conservation, drought-resistant landscaping and minimal impervious surfaces.
- .11 Encourages residents to retrofit and construct energy efficient and low-carbon homes in accordance with the Regional District's *Building Climate Resilience in the Okanagan: A Homeowner's Resource Guide*.

Commented [AWS4]: I'm not a development planner, but this confuses me given the other statements in this document.

Commented [AWS5]: At a minimum, I'd recommend that if the RDOS is directing growth to Willow Beach (until it's reconsidered in the RGS update), it should change it's development servicing bylaw to require new flood construction levels.

Commented [AWS6]: Thank you!

developed) the suitability of maintaining its status as a Rural Growth Area is questionable. The Rural Growth Area boundary shown in Figure 13.

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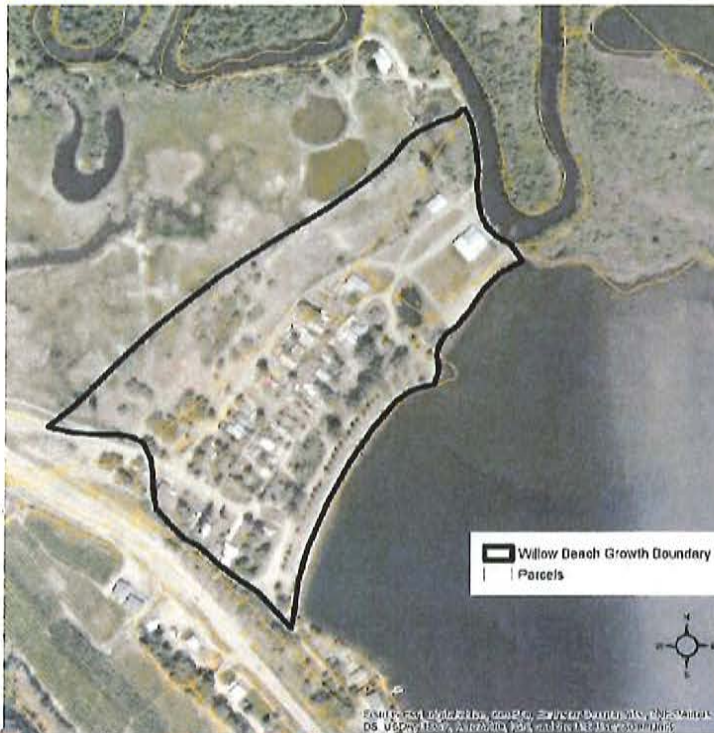


Figure 13: Willow Beach Rural Growth Area Containment Boundary

#### 6.4 Objectives

- .1 Manage growth within the Plan Area by directing residential development to the designated Rural Growth Areas subject to servicing (water and wastewater) requirements.
- .2 Accommodate anticipated growth while maintaining the rural character and conserving the natural environment of the Plan Area.
- .3 Consider limited new development in other existing settlement areas where appropriate and in keeping with this OCP's broad goals and policies.

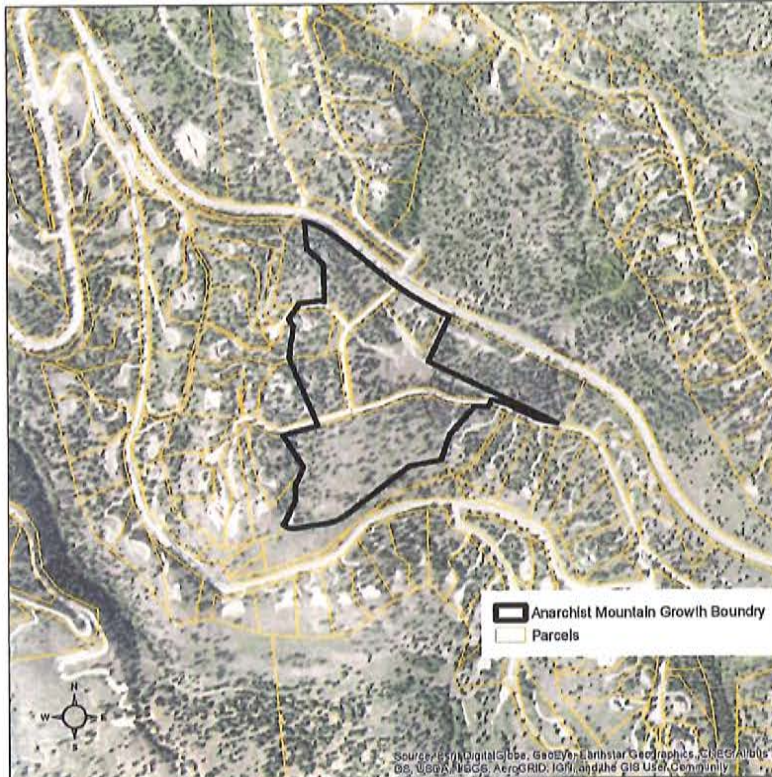


Figure 12: Anarchist Mountain Growth Area Boundary

### 6.3.2 Willow Beach Rural Growth Area

The Regional District's South Okanagan Regional Growth Strategy Bylaw has designated Willow Beach as a Rural Growth Area. Due to the location of the site within the floodplain associated with Osoyoos Lake as well as the Okanagan River channel and the limited infrastructure servicing available growth potential is seen to be limited.

In recognition that the Willow Beach site does not meet the criteria established for Rural Growth Areas (i.e. established rural settlement areas with a minimum of 200 lots and/or dwelling units; community water or community sewer services in place; existing commercial or industrial; and development pre-determined through zoning, but not yet

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Commented [AWS3]: And the flood risk will increase over the next 25 years due to climate change.

Together, the Anarchist Mountain and Willow Beach Rural Growth Areas have the capacity to add an additional 374 units. This exceeds the projected need for 212 new dwellings by 2031, which would be required to meet the upper-bound population growth scenario of 1.5%.

### **6.3 Rural Growth Area Development Considerations and Constraints**

Future growth and development in the two designated Rural Growth Areas will be influenced by a number of potential development constraints and considerations. These constraints and considerations are summarized by area on the following pages. Approximate Rural Growth containment boundaries are illustrated in accompanying figures.

The Regional Board recognizes that to create a continuous boundary to contain growth there are properties within the boundary that are protected from development by provincial legislation and Development Permit Area regulations. It is not the intention of the Regional Board to encourage development of land within designated Agricultural areas or land identified as environmentally sensitive or watercourse development permit areas and terrain hazards within the defined growth boundary. Land with these designations or characteristics should continue to be protected from development.

#### **6.3.1 Anarchist Mountain**

The Regional District's South Okanagan Regional Growth Strategy Bylaw has designated Anarchist Mountain as a Rural Growth Area. Due to the geographic extent and rural-residential character of this area (e.g. parcels are generally not less than 1.0 ha in area spread out over an area representing two thousand hectares), future higher residential density and mixed-use growth potential is seen to be limited.

In recognition that the Anarchist Mountain area does not meet three of the criteria established for Rural Growth Areas (i.e. established rural settlement areas with a minimum of 200 lots and/or dwelling units; community water or community sewer services in place; and existing commercial or industrial) the suitability of maintaining its status as a Rural Growth Area is questionable.

Feedback from area residents provided through community surveys further indicated that there is limited desire for increased development in the area (although there is a desire for improved services). The Rural Growth Area boundary shown in Figure 12 is based on the boundaries of the commercial area, which is seen to be the most likely location for the development of community infrastructure and mixed-uses in future.



## 6.2 Rural Growth Areas and Capacity

Based on a projected population increase of up to 1.5% per year (see Section 3.5), the Plan Area's population could increase by approximately 470 people by 2031. Based on 2.3 people per household (2016 Census Canada figures), this indicates a potential need for the Plan Area to accommodate 205 new homes over the next 15 years.

Additional population estimate (2031)	470
Persons per household	2.3
New dwellings	205

Figure 10: New Dwelling Unit Requirements Projections

There are significant undeveloped areas designated for residential uses (including residential and small and large holding designations) in the existing rural growth areas. The Anarchist Mountain area contains 314 undeveloped Small Holdings (SH) and Large Holdings (LH) designated parcels.

Development concepts for the Willow Beach area indicate a capacity for around 80 single detached units. Accounting for the existing development at the site that would be replaced by proposed development, the Willow Beach area has a capacity to supply around 50 net new dwelling units.

**Commented [AWS1]:** As development increases on Willow Beach, the RDOS should ensure that there is infrastructure (ramps, access etc.) for mulch harvesting/rototilling equipment.

**Commented [AWS2]:** The area where Willow Beach is located is in a high flood risk zone. Serious consideration should be given to flood construction levels and flood mitigation measures when approving development.

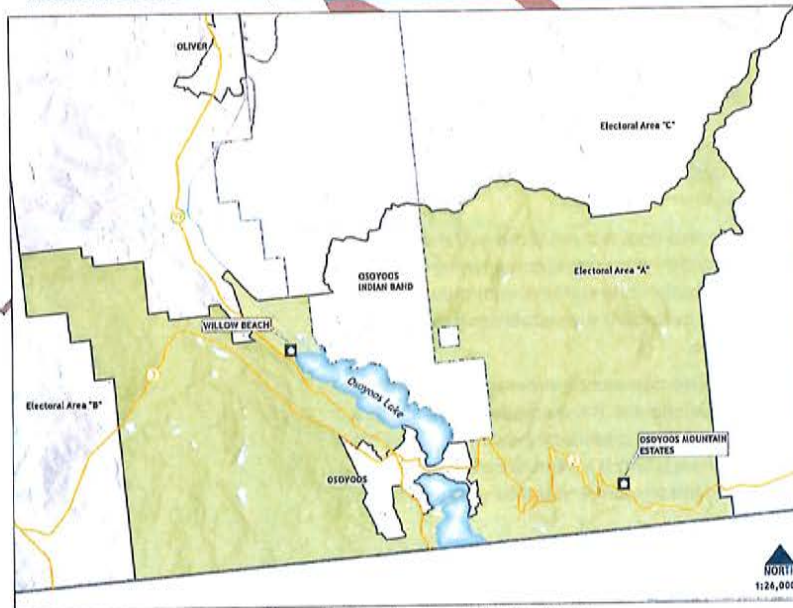


Figure 11: Plan Area Rural Growth Areas

September 29, 2020

To RDOS Board of Directors:

## OCP Concerns & Recommended Solutions – Anarchist Mountain

1. **Wildfire** is the **biggest threat and risk to the community**. As such, the Official Community Plan needs to address the following areas to mitigate the hazards from wildfires:
  - a. **Support the development of Community Wildfire Protection Plan (CWPP) specifically for our community**. We are identified as living in a high to very high risk of wildfire area. A CWPP requires funding to support the use of consultants to develop an understanding of fire behavior based on our specific area – unique topography, severe climatic conditions (high temperatures, low humidity, winds, dry lightning strikes), fire prone vegetation (coniferous trees, sage brush, tall dry grass), homes interspersed amongst empty lots/large tracks of vacant land. The plan would identify (based on science/history) how fires are likely to behave, where they will start, what path they will take, the severity, etc. We can then look at a few scenarios and compare them against what our current capabilities are on how well we are prepared to deal with them, and identify our gaps. Based on the gaps, we can provide specific recommendations for the AMFD, the community, and our FireSmart committee on how to better prepare our community against the threat of WildFires.
  - b. **Environmentally Sensitive Development Permit (ESDP) areas or “Pink Zone” on private lands contradicts Fire Smart principles and **limits a property owner’s ability to protect** their property and neighbouring properties from the impact of wildfire in the community. i.e. no raking of needles, no thinning of trees, no cutting brush/tall grasses, etc. A house that is FireSmarted has a much better chance of surviving both the initial fire storm and subsequent spot fires than a house that is not - that is a fact. Depending on how much warning is available and the type of wildfire, the fire department and Forestry will triage the emergency, determine which assets are defensible, and deploy their limited resources in a manner that provides the most benefit to the aggregate community - that may be a bitter pill to swallow but that too is a fact.**
  - c. **Building Code and/or building permit process** does not provide a fire smart audit/guidance at the design phase. The time to influence the use of fire resistant building materials and designs is when the property is being contemplated not after it has been built. Need to increase distance of propane tanks from the home, encourage use of fire resistant materials, incorporate use of external sprinklers, space outbuildings further from homes, etc. Our FireSmart committee members can assist in this process. We **DO NOT SUPPORT** the use of a Development Permit that creates added bureaucracy and cost by requiring the use of a "Qualified Professional," imposes a bond on the property to ensure compliance and makes use of bylaw enforcement officers and the threat of penalties to enforce compliance. For Anarchist Mountain, a much simpler approach, with no cost to government or homeowner would be to add a box (and required signature) on the permit process that requests that the new homeowner get in contact with the local FireSmart committee (chairperson) and/or local Fire Chief to have a discussion and/or complete a FireSmart audit, on what to consider in their home design and property to mitigate the dangers of wildfire in our area. This would all be based on education without enforcement. There could be a spot on the application whereby we provide a signature that the conversation took place as a condition of advancing the permit. I believe we have enough knowledge and expertise in our local area to educate the prospective owner of the hazards and advise on what to do to mitigate wildfire

impacts. We also understand that not everyone will listen to our advice and to that I say "fine," up to them, " but recognize that as part of the triage process, the local Fire Department will determine whether a structure is defensible and will likely skip past their home if it has been built largely of combustible materials and not FireSmarted". Our limited resources (water, equipment and firefighters) will be deployed where they can maximize the benefit to the community. Using this approach, we will open a dialogue that is collaborative, inclusive, welcoming, and encourage homeowners to work together harmoniously within our community AND by adopting this approach the vast majority will be supportive and comply.

d. **Infrastructure Limitations** (as they relate to fire fighting and wildfires).

- i. Many roads have only 1 point of access/egress to the principal road (Hwy 3). This not only jeopardizes the safety of our residents in the event of a wildfire, but also determines whether the AMFD can safely be deployed to fight a fire.
- ii. No fire hydrants and few open water storage ponds available to fight fires.
- iii. No natural gas lines. As such many residents have propane storage tanks in close proximity to their homes which create a severe risk in the event of a wild fire.

e. **Issues with some absentee land owners**

- i. Many empty lots, conservation lands, and crown lands are not FireSmarted which limit the effectiveness of those neighbouring properties that do FireSmart and limit the overall effectiveness of FireSmarting initiatives within the community.
- ii. Some temporary residents camp during weekends, light campfires during dry months and can pose a threat to others. A wildfire last year on Raven was a recent example initiated by an owner departing their site and not fully extinguishing their camp fire. Other issues - garbage is left behind on departure from "camped lands" attracting bears, disposal of sewage on ground where no sewage tanks exist.

2. **Community Wants to Maintain A Rural Lifestyle.** Most residents have chosen to live on Anarchist Mountain to enjoy the wildlife, space, peace, freedom, tranquility and environmental beauty of a rural lifestyle free of traffic, noise, pollution, etc. A place where neighbours help neighbours, the community works together to help each other. To support this lifestyle:

- i. **Limit any future development to large rural lots.** Currently they range from 5(?) to 160 acre parcels.
- ii. **No traffic lights** – some feel they are needed as Hwy 3 traffic increases, majority oppose.
- iii. **Street lights only at the intersection of where a road intersects Hwy 3.** This is also a safety requirement in the winter as we experience many foggy days that limit visibility. **Many in the community do not fully support this initiative as it creates light pollution. A more acceptable solution may be to add only amber lights at these critical intersections that are more effective in cutting through fog and to only operate during the winter months when fog is more prevalent.**
- iv. **Maintain our ability to house farm animals on larger parcels** - horses, livestock, chickens, sheep, goats, etc. Currently this is allowed based on parcel size and zoning, we do not want to lose or dilute this.
- v. **Maintain ability to be self-sufficient** - grow our own food, supply our own power through solar or wind. Recognize there needs to be a limit on size of structures to not obstruct others views, etc.
- vi. **Limit commercial developments to neighbouring towns.** Do not allow commercial cannabis growing operations. Support community markets.
- vii. **Ensure there are no arbitrarily government imposed rules, restrictions, and bylaws implemented without first consulting and gaining agreement from members of the community.** A process

including community engagement and agreement must be followed. Do not limit the ability of a property owner to use their land to support a rural lifestyle.

**3. Address Other Infrastructure Limitations**

- i. **Lack of high-speed internet.** Residents currently make use of either satellite or cellular service, both have limited bandwidth, are slow at times, and expensive relative to high speed fiber optic options available to urban centers.
- ii. **Ensure residents can continue to have access to good quality well water.** Anything that may jeopardize the current aquifers that supply good quality well drinking water needs to be addressed. Any new development must only be approved after an extensive hydrology study verifies ample well water exists to support the added development without impacting current users.
- iii. **Support the development of a Community Hall.** Although land has been put aside for a future community hall, the community lacks a structure that it can use for all of its community functions.

*Building community involvement in the preservation and enjoyment of Anarchist Mountain's natural and cultural environment.*

I hope this will offer a better insight into our fire and community preparedness priorities.

Thank you,

Jamie

Jamie V. Wright  
President, AMCS



## Christopher Garrish

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**From:** Candy Anders [REDACTED]  
**Sent:** October 17, 2020 5:08 PM  
**To:** Christopher Garrish  
**Subject:** OCP Area A

I am somewhat tardy in sending this email however I wanted to comment on some observations made at the OCP Open House at Sonora Centre in Osoyoos about a month ago that you and the consultants coordinated.

What I believe was new or forgotten information to many area residents is the background that was shared at the meeting regarding the early work that Adrian Erickson and Regal Ridge had done regarding the defining of properties in getting this development going in the first place. I think if this was known and appreciated by some residents, it may have saved you some of the frustration received regarding the pink zone issue.

Further to this, it gave me a better understanding of some possible background behind the question on the OCP Survey regarding Rural Growth Areas Anarchist and Willow Beach. I was confused by the survey question and if I had known the work done by RR including consideration for potential incorporation in the future, I and possibly others may have answered the question differently. Many things have happened since Regal Ridge was developed and many residents are relatively new to the area.

My 2 cents worth :-)

Residents enjoy living in the area and one of the reasons we chose to move here was the caring feeling of this being a good place to call home and that it did not have the hodge podge atmosphere we saw in some other parts of BC. Hopefully it remains this way with good stewardship, pride of ownership and enjoyment now and for future generations.

Thank you for the work you do on our behalf.

**Attention: Chris Garrish**

Candy Anders &lt;[REDACTED]&gt;

Thu 9/10/2020 3:46 PM

To: Planning E-Box &lt;planning@rdos.bc.ca&gt;

Email to: Chris Garrish

Mark Pendergraft

After time mulling over some things, I am writing to express my thoughts and concerns regarding a few current topics.

OCP - in general, I am in favour of it and very pleased with the cooperation and communication you have had with the FireSmarting team. I support FireSmarting principles including concern about vacant properties' responsibilities, use of proper building materials and concern about access on roads with no alternative access.

Defining the area as rural is a bit ambiguous. For example, on Anarchist Mountain in the former Regal Ridge development, we have a country lifestyle yet enjoy the benefits similar to towns with good roads and maintenance/service, garbage and recycling pickup etc. I recommend more support in the management of invasive weeds on both public and private lands, unsightly premises, temporary residents (i.e. weekenders, seasonal) where there is risk of fire, garbage/wildlife risk, sewage improperly disposed of etc. I am okay with RV's where the property owner is actively building their home as most are acting responsibly.

EDSP - although this is a separate initiative of RDOS and was recently cancelled at your board meeting, the concerns of the 'pink zone' in this area seemed to overshadow many things. It had some areas of merit and I am supportive of the concerns raised regarding Firesmarting, thank you for listening to that team. What does bother me is this pink zone thing (i.e. building permit infractions) seemed to overshadow other things in the community for a while and the initiative taken by some ticked off by fines encouraged others to oppose any other proposed bylaw (i.e. metal structures) based on a 'no more rules' philosophy. The July 29 letter on Anarchist Community Society website suggesting to residents what to complain about to the RDOS is not necessarily the opinion of all residents including newer residents who do not know the history.

For example, the letter spoke about a 'broad brush' complaint.....I am of the opinion that the RDOS does not go out of its way to make rules unless there is a concern/need for it. Highlighting the metal storage containers proposed bylaw is not necessarily the opinion of the whole community. Although I understand perhaps the issue started with concern in Apex, let's address it before it does become a problem in other parts of the district. Concerns include safety, environmental and property values, pride of ownership and living in the RDOS.

Thank you for the opportunity to voice my concerns and opinions. If you wish to contact me, my contact information is below.

Best regards,  
Candy Anders

9/15/2020

Mail - Planning E-Box - Outlook



The following pages of text comes unaltered from Encyclopædia Britannica (1911) as found on the internet, and I have only coloured the specific references to “**small holding(s)**”, “**agricultural**” and “**land**” and “**rural**”. The footnotes are mine, and the link between these ▲ words has been very strong through the centuries, which is one reason not to change the OCP Bylaw for Area “A”.

Please continue to have the Small Holdings that are within the Agricultural Lane Reserve with a Rural Land Use Designation. There is no comparison between the 14 ALR Small Holdings in the areas dubbed “North West Osoyoos Lake” (in the heading of Section 7.2), and the many non-ALR Small Holdings in the area dubbed “Anarchist Mountain” (in the heading of Section 7.4), and (in passing) there are NO Small Holdings AT ALL in the area dubbed “Osoyoos Lake South” (in the heading of Section 7.3). (And those in the Old Richter Pass Road area also seem to have been omitted from the OCP Bylaw Update.)

**ALLOTMENTS AND SMALL HOLDINGS.** As the meaning of these terms in **agricultural** tenure varies in different localities, it may be as well to say at once that for the present purpose they are definable as pieces of **land** detached from cottages, and hired or owned by labouring men to supplement their main income.<sup>1</sup> We do not include any farm, however small, from which the occupier derives his entire support by dairying, market-gardening, or other form of *la petite culture*. So, also, no account is taken of the tiny garden plot, used for growing vegetables for the table and simple flowers, which is properly an appurtenance of the cottage. Clearing away what is extraneous, the essential point round which much controversy has raged is the labourer's share in the **land**. The claim advanced depends upon tradition. In **agriculture**, the oldest of all industries, a cash payment is not even now regarded as discharging the obligations between master and servant. Mr Wilson Fox, in reporting to the Board of Trade on the earnings of **agricultural** labourers in Great Britain, gives, as a typical survival of an old custom, the case of a shepherd whose total income was calculated at £60 a year, but who got only £16 in money, the rest being made up by rights of grazing livestock, growing crops on his master's **land**, and kindred privileges. That is exactly in the spirit that used to pervade **agriculture**, and doubtless had its origin in the manorial system. If we turn back to the 13th century, from Walter of Henley's *Husbandry* it will be seen that practically there were only two classes engaged in **agriculture**, and corresponding with them were two kinds of **land**. There were, on the one hand, the employer, the lord, and his demesne **land**; on the other, the villeins and the **land** held in villeinage. Putting aside for the moment any discussion of the exact degree of servitude, it will be seen that the essence of the bargain was that the villein should be permitted to cultivate a virgate of **land** for his own use in return for service rendered on the home farm. This is not altered by the fact that the conditions approached those of slavery, that the villeins were *adscripti glebae*, that in some cases their wives and sons were bequeathed by deed to the service of religious houses, and that in many other respects their freedom was limited. Out of this, in the course of centuries, was developed the system prevailing today. Lammas **lands** are indeed a survival from it. There are in the valley of the Lea, and close to London, to take one example, **lands** allotted annually in little strips till the crops are carried, when, the day being fixed by a reeve, the **land** becomes a common pasture till the spring closing takes place once more. Perhaps the feature of this old system that bears most directly on the question of allotments was the treatment of the waste of the manor. The lord, like his tenants, was limited by custom as regards the number of beasts he could graze

<sup>1</sup> From Webster's New International Dictionary, Second Edition (1934), p. 2373: **Small holding**, (Eng. Law) – A piece of **land** detached from a cottage, and hired or owned by a laboring man and cultivated to supplement his main income; – so called with reference to statutes intended to promote the acquisition of such **holdings** (**Small Holdings and Allotment Acts, 1908, 1926**). In this sense the term does not include any farm, however small, from which the occupier derives his main support. See Allotment, 3.



on it. After the havoc of the Black Death in 1349, many changes were necessitated by the scarcity and dearness of labour. It became less unusual for **land** to be let and for money payment to be accepted instead of services. There was a great demand for wool, and to conduct sheep-farming on a large scale necessitated a rearrangement of the manor and the enclosure of many common fields under the statute of Merton and the statute of Westminster the Second.<sup>2</sup> Nevertheless, up to the 18th century, a vast proportion of **agricultural land** was technically waste, on which rights of common were exercised by yeomen, some of whom had acquired holdings by the ordinary methods of purchase or inheritance, while others had merely squatted and built a house on the waste. It is to this period that belongs a certain injustice to which the peasantry were subject. No reasonable doubt can be entertained of the necessity of enclosure. Husbandry, after long stagnation, was making great advance; and among others, Arthur Young raised his voice against the clumsy inconvenient common fields that were the first to be enclosed. Between 1709 and 1797 no fewer than 3110 acts, affecting, as far as can be calculated, about 3,000,000 acres, were put into operation. They seem mostly to have been directed to the common fields. In the first half of the 19th century the movement went on apace. In a single year, 1801, no fewer than 119 acts were passed; and between 1801 and 1842 close on 2000 acts were passed - many of them expressly directed to the enclosure of wastes and commons. The same thing continued till 1869. It touched the peasant directly and indirectly. The enclosure of the common fields proved most hurtful to the small farmer; the enclosure of the waste injured the labourer by depriving him, without adequate compensation, of such useful privileges as the right to graze a cow, a pig, geese or other small animals. It also discouraged him by tending to the extinction of **small tenancies** and freeholds that were no longer workable at a profit when common rights ceased to go with them. The industrious labourer could previously nourish a hope of bettering his condition by obtaining a **small holding**. Yet though the labourer suffered, impartial study does not show any intentional injustice. He held a very weak position when those interested in a common affixed to the church door a notice that they intended to petition. As Mr Cowper (afterwards Lord Mount Temple) said in the House of Commons on the 13th of March 1844, "the course adopted had been to compensate the owner of the cottage to whom the common right belonged, forgetting the claims of the occupier by whom they were enjoyed"; and in the same debate Sir Robert Peel pointed out that not only the rights of the tenant, but those of his successors ought to have been studied. The course adopted divorced the labourer from the soil.

Parliament, as a matter of fact, had from a very early period recognized the wisdom of contenting the peasant. In the 14th century the labourer lived in rude abundance. Next century a **rural** exodus began, owing to the practice of enclosing the **holdings** and turning them into sheep walks. In 1487 an act was passed enjoining landlords to "keep up houses of husbandry," and attach convenient **land** to them. Within the next hundred years a number of similar attempts were made to control what we may call the sheep fever of the time. Then we arrive at the reign of Elizabeth and the famous **Small Holdings Act passed in 1597** - an anticipation of the three-acres-and-a-cow policy advocated towards the end of the 19th century. It required that no person shall "build, convert or ordain any cottage for habitation or dwelling for persons engaged in husbandry" unless the owner "do assign or lay to the same cottage or building four acres of ground at the least." It also provided against any "inmate or under-sitter" being admitted to what was sacred to one family. This measure was not conceived in the spirit of modern political economy, but it had the effect of staying the **rural** exodus. It was repealed in 1775 on the ground that it restricted the building of cottages. By that time the modern feeling in favour of allotments had begun to ripen, and it was contended that some compensation should be made to the labourers for depriving them of the advantages of the waste. Up to then the English labouring rustic had been very well off. Food was abundant and cheap, so were clothes and boots; he could graze his cow or pig on the common, and also obtain fuel from it. Now he fell on evil days. Prices rose, wages fell, privileges were lost, and in many cases he had to sell the patch of **land** whose possession made all the difference between hardship and comfort. All this was seen plainly enough both by statesmen and private philanthropists. One of the first experiments was described by Sir John Sinclair in a note to the report of a select committee of the House of

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<sup>2</sup> The second statute (1285) of king Edward I has become known as *De donis conditionalibus*.

Commons on waste **lands** in 1795. About 1772 the lord of the manor of some common able **lands** near Tewkesbury had with great success set out 25 acres in allotments for the use of some of the poor. Sir John was very much struck with the result, and so heartily applauded the idea that the committee recommended that any general enclosure bill should have a clause in it providing for "the accommodation of **land**." Sir Thomas Bernard and W. Wilberforce took an active part in advocating the principle of allotments, on the ground, to summarize their argument in language employed later by a witness before the House of Commons, that "it keeps the cottagers buoyant and makes them industrious." In 1806, at the suggestion of the rector, a clause assigning an allotment of half an acre to every cottage was inserted in an enclosure bill then under consideration for the parish of Broad Somerford in Wiltshire. This was done, "and the example was followed by nearly every adjoining parish in that part of Wiltshire." Passing over several praiseworthy establishments of allotments by private persons, we come to 1819, when parliament passed an act akin in spirit to several that came into existence during the later portion of the Victorian era. It empowered the churchwardens and overseers of any parish, with the consent of the vestry, to purchase or hire **land** not exceeding 25 acres, and to let it in portions to "any poor and industrious inhabitant of the parish." This was amended in 1831 by an act extending the quantity of **land** to 50 acres, and also conveying an important new power to enable the same authorities to enclose from any waste or common, land not exceeding 50 acres to be devoted to the same purpose. This was followed next year by an act relating to fuel, and in 1834 the Poor Law Commissioners reported favourably on the principle of granting allotments. In 1843 an important inquiry into the subject was made by a committee of the House of Commons, which produced a number of valuable suggestions. One consequence was the bill of 1845, brought into parliament by Mr Cowper. It passed the House of Commons; and there Mr Bright made a remark that probably summarized a general opinion, since it never came to a third reading in the House of Lords. He said that "the voluntary system of arrangement would do all the good that was expected to accrue from the allotment system."

At this point in the history of the movement it may be as well to pause and ask what was the net result of so much legislation and benevolent action. Messrs Tremenheere and Tufnall, who prefixed an admirable epitome of what had been done to the report of the commission "appointed to inquire into the employment of women, young persons and children in **agriculture**" (1867), expressed considerable disappointment. Between 1710 and 1867, 7,660,413 statute acres were added to the cultivated area of England and Wales, or about one-third of the area in cultivation at the latter date; and of this total, 484,893 acres were enclosed between 1845 and 1867. Of the latter, only 2119 acres were assigned as public allotments for gardens to the labouring poor. It was found to be the case, as it is now, that **land** was taken up more readily when offered privately and voluntarily than when it came through official sources. Meanwhile competent and thoughtful men saw well that the sullen discontent of the peasantry continued, in Lord Bacon's phrase, to threaten "the might and manhood of the kingdom." It had existed since the beginning of the Napoleonic wars, and had become more articulate with the spread of education. We shall see a consciousness of its presence reflected in the minds of statesmen and politicians as we briefly examine the later phase of the movement. This found expression in the clauses against enclosure introduced by Lord Beaconsfield in 1876, and gave force to the three-acres-and-a-cow agitation, of which the more prominent leaders were Joseph Arch and Jesse Collings. In 1882 the Allotments Extension Act was passed, the object of which was to let the parishioners have charity **land** in allotments, provided it or the revenue from it was not used for apprenticeship, ecclesiastical or educational purposes. A committee of the House of Commons, appointed in 1885 to inquire into the housing of the working classes, reported strongly in favour of allotments, and this was followed in 1887 by the Allotments Act - the first measure in which the principle of compulsory acquisition was admitted in regard to other than charity lands. Its administration was first given to the sanitary authority, but passed to the district councils when these bodies were established in 1894. The local body is empowered to hire or purchase suitable **land**, and if they do not find any in the market they are to petition the county council, which after due inquiry may issue a provisional order compelling owners to sell **land**, and the Local Government Board may introduce a bill into parliament to confirm the order. It was found that the sanitary authority did not carry out the scheme, and in

1890 another act was passed for the purpose of allowing applicants for allotments, when the sanitary authority failed to provide **land**, to appeal to the county council. Judging from the evidence laid before the commission on **agricultural depression (1894)**, the act of **1887** was not a conspicuous success. Most of the witnesses reported in such terms as these - "the Allotments Act has been quite inoperative in Cornwall"; "the act has been a dead letter in the district (Wigtownshire)"; "the Allotments Act has not been in operation in Flintshire"; "nothing has been done in the district of Pembrokeshire under the act." No evidence whatever was adduced to show that in a single district a different state of things had to be recorded. From a return presented by the Local Government Board to parliament in **1896** we learn that eighty-three rural sanitary authorities had acquired **land** for allotment prior to the 28th of December **1894**, the date at which these authorities ceased to exist under the provisions of the Local Government Act **1894**. **Land** was acquired by compulsory purchase in only one parish; by purchase or agreement in eighteen parishes; by hire by agreement in 132 parishes. The total acreage dealt with was **1836** acres 1 rood 34 poles, and the total number of tenants 4711. The number of county councils that up to the same date had acquired **land** was twelve, and they had done so by compulsory purchase in one parish, by purchase or agreement in five parishes, by hire by agreement in twenty-four parishes. The total area dealt with was only 413 acres 1 rood 5 poles, and the total number of tenants 825. The complete totals affected at the date of the return (August 21, **1895**) by the acts, therefore, were 2249 acres 2 roods 29 poles, and 5536 tenants. A considerable extension has taken place since.

The **Small Holdings Act** introduced by Mr Henry Chaplin, and passed by parliament in **1892** was an attempt to appease the **rural** discontent that had been seething for some time past and was silently but most eloquently expressed in a steady migration from the villages. The object of this measure was to help the deserving labouring man to acquire a **small holding**, that is to say, a portion of land not less than one acre or more than fifty acres in extent and of an annual value not exceeding £50. It is not necessary here to describe the legal steps by which this was to be accomplished. The essence of the bargain was that a fifth of the purchase money should be paid down, and the remainder in half-yearly instalments spread over a period not exceeding fifty years. But if the local authority thought fit a portion of the purchase money, not exceeding one fourth, might remain unpaid, and be secured by a perpetual rent charge upon the holding. It cannot be said that this act has attained the object for which it was drawn up. From a return made to the House of Commons in **1895** it was shown that eight county councils had acquired **land** under the **Small Holdings Act**, which amounted in the aggregate to 483 acres. A further return was made in **1903**, which showed that the total quantity of **land** acquired from the commencement of the act up to the end of **1902** was only 652 acres.

It is, however, an English characteristic to prefer private to public arrangements, and probably a very great majority of the allotments and **small holdings** cultivated in **1907** were due to individual initiative. There are no means of arriving at the exact figures, but data exist whereby it is at least possible to form some rough idea of them. It is not the custom to give in the annual **agricultural** returns any statement of the manner in which **land** is held, and the information is to be found in the returns presented to parliament from time to time. From the following table, which includes both the **holdings** owned and tenanted, it will be seen that between **1895** and **1904** the tendency was for the **holdings** to decrease in number; while the **holdings** of from 50 to 300 acres slightly increased, those from 5 to 50 acres were almost stationary, and there was a decrease in those between 1 and 5 acres.

	1895.		1904.		These figures become doubly instructive when considered in connexion with the decline of the strictly <b>rural</b> population. It will, therefore, be useful to place beside them a summary published in a report on the decline of <b>rural</b> population in Great Britain issued by the ▼ Board of <b>Agriculture</b> and Fisheries in 1906.
	Number.	Per cent.	Number.	Per cent.	
1 to 5 acres	117,968	22.68	110,974	21.69	
5 to 50 "	235,481	45.28	32,476	45.44	
50 to 300 "	147,870	28.43	150,050	29.33	
Above 300 "	18,787	3.61	18,084	3.54	

<b>Total.</b>		520,106	100	511,584	100		
<b>Class.</b>	<b>1881.</b>	<b>1891.</b>	<b>1901.</b>	<b>Increase (+) or Decrease (-).</b>			These figures must of course be approximate. The effect of recent development in methods of travelling <sup>3</sup> and the growing custom for townsmen either to live wholly in the country or to take week-end cottages, has
				<b>1881 - 1891.</b>	<b>1891 - 1901.</b>		
	No.	No.	No.	No.	No.		
Farmers and Graziers	279,126	277,943	277,694	- 1,183	- 249		
Farm Bailiffs and Foremen	22,895	21,453	27,317	- 1,442	+ 5,864		
Shepherds	33,125	31,686	35,022	- 1,439	+ 3,336		
Agricultural Labourers	983,919	866,543	689,292	- 117,376	- 177,251		

made it impossible to draw a strict line of demarcation between **rural** and urban populations. Still they are near enough for practical purposes, and they amply justify the efforts of those who are trying to stay the **rural** exodus.

While legislation had not, up to 1908, achieved any noteworthy result in the creation of **small holdings**, and still left doubts as to the practicability of re-creating the English yeoman by act of parliament, many successful efforts have been made by individuals. One of the most interesting is that of the earl of Harrington at Sleaford in Lincolnshire. In this case the most noteworthy feature is that between the landlord and the tenants there is a body called the South Lincolnshire **Small Holdings** Association, which took 650 acres from Lord Harrington on a twenty years' lease. These acres used to be let to four or five tenants. They were in 1905 divided among one hundred and seventy tenants. The **Small Holders'** Association guaranteed the rent, which works out at about 33s. per acre, to Lord Harrington. They let the men on yearly tenancy have it at about 40s. an acre, the difference being used to meet the expenses of dividing the **lands** into **small holdings**, maintaining drains, fences and roads connected with them, and other unavoidable outlays. In this way the landlord is assured of his rent, and the association has lost nothing, as the men were very punctual in their payments. But very great care was bestowed in choosing the men for the holdings. They were in a sense picked men, but men must be picked to work the business satisfactorily. Lincolnshire is pre-eminently a county of **small holdings**, and the labouring residents in it have been accustomed to the management of them from their infancy onwards. Here as elsewhere the provision of suitable houses formed a difficulty, some of the tenants having to walk several miles to their holdings. Lord Harrington availed himself as much as possible of the buildings that existed, dividing the old farm houses so as to make them suitable for the small tenants. At Cowbit farm, many of the ordinary labourers cottages, which were put up at a cost of about £300 a pair, have by the addition of little dairies and other alterations been made suitable for the tenants. From facts collected on the spot we have come to the conclusion that on the **small holdings** a good tenant makes an average profit of about £4 an acre, but on an allotment cultivated by means of the spade it would probably be at the rate of over £6 an acre. Lord Harrington was also successful in establishing **small holdings** on the Humberston estate in North Lincolnshire and on his Buckinghamshire estate, near Aylesbury. At Newport Pagnell the attempt failed because the demand was artificial, the ground arable, and the men not capable of dealing with it.

Other examples of the establishment of **small holdings** can only receive brief reference. The Norfolk **Small Holdings** Association acquired three farms at Whissonsett, Watton and Swafilham, which are broken up into small lots and let mostly to the village tradespeople. Sir Pearce Edgecumbe established **small holdings** at Rew, some of which have been purchased by the occupiers, and Mr A. B. Markham created similar ownerships at Twyford (Leicestershire). At Cudworth in Surrey a group was formed, but the owners were actuated more by the desire to lead a simple life than to prove the remunerative value of **small holdings**. Mr W. J.

<sup>3</sup> The automobile, of course!

Harris created **small holdings** in Devon, each of which is let on a life tenancy. There the **rural** exodus has been more than arrested. Mr James Tomkinson established in Cheshire a number of graduated **holdings**, so contrived as to offer the successful holders a chance of stepping upwards.

The earl of Harrowby made an interesting experiment on his Sandon estate in Staffordshire in the midst of a pretty, broken and undulating country. The estate consists of about 6000 acres, one-third of which is laid out in **small holdings**. These fall naturally into three divisions. First, there are those which belong to men who have regular employment, and would therefore find it impossible to cultivate any great quantity of **land**. Many of that class are anxious to have a **holding** of some sort, as it lends a certain elasticity to their incomes and provides them with a never-failing interest. One who may be taken as typical hired six acres with a good cottage and a large garden, paying a rent of £20 a year. When this **holding** was created it had already a suitable cottage, but £100 was needed to provide outbuildings, and Lord Harrowby's custom is to charge 5% on outlay of this kind. This £5, however, is included in the total rent of £20 paid for cottage, **land** and garden. The man was not only content, but wished to get some more **land**. The next class consists of those who have not enough **land** to live on but eke out their livelihood by casual labour. Usually a man of this sort requires from 35 to 50 acres of land mostly pasture. He can attend to it and yet give a certain number of days to estate work. The third class is that of the small farmer who gains his entire livelihood from the **land**. The obstacle to breaking up large farms into small lies of course in the expense of providing the necessary equipment. It has been found here that a cottage suitable for a small farmer costs about £400 to build in a substantial manner, and the outbuildings about £200. This makes an addition therefore of about £30 to the rent of the **land**. The ardour with which these tenancies were sought when vacant formed the best testimony to the soundness of the principle applied by Lord Harrowby.

A nest of **small holdings** was created at Winterslow, near Salisbury, by Major R. M. Poore. The **holders** completed the purchase by 1906, and the work may be pronounced a complete success. Major Poore originally conceived the idea when **land** was cheap in 1892, owing to the depression in **agriculture**. He purchased an estate that came into the market at the time. The price came to an average of £10 an acre, and the men themselves made the average for selling it out again £15 on a principle of instalments. His object was not to make any profit from the transaction, and he formed what is termed a Landholders' Court, formed of the men themselves, every ten choosing one to represent them. This court was found to act well. It collected the instalments, which are paid in advance; and of course the members of it, down to the minutest detail, knew not only the circumstances but the character of every applicant for **land**. The result speaks for itself. The owners are, in the true sense of the word, peasants. They do not depend on the **land** for a living, but work in various callings - many being woodmen - for wages that average about 15s. a week. The **holdings** vary in size from less than an acre to ten acres, and are technically held on a lease of 999 years, practically freehold, though by the adoption of a leasehold form a saving was effected in the cost of transfer. On the **holdings** most of the men have erected houses, using for the purpose chalk dug up from their gardens, it lying only a few inches below the surface. It is not rock, but soft chalk, so that they are practically mud walls; but being as a rule at least 18 inches thick, the houses are very cool in summer and warm in winter. Major Poore calculated that in seven years these poor people - there are not thirty of them altogether - managed to produce for their houses and **land** a gross sum of not less than £5000. This he attributed to the loyal manner in which even distant members of the family have helped.

The class of **holding** which owes its existence to the act of 1892 may be illustrated by the history of the Worcestershire **small holdings**. The inception of the scheme was due to the decline of the nail-making business, which caused a number of the inhabitants to be without occupation. Two candidates for election to the county council looking out for a popular cry found it in the demand for **land**. They promised to do their best in this direction, and thanks to the energetic action of Mr Willis Bund, the chairman, the act was put in force. Woodrow Farm, adjoining the village of Catshill in the neighbourhood of Birmingham, was purchased on terms that

enabled the **land** to be sold to the peasant cultivator at £40 an acre. They were paying this back at the rate of 4% on the purchase money, a rate that included both interest and sinking fund, so that at the end of forty years they would own the **small** estates free from encumbrance. The huge population of Birmingham is close to the properties. The men turned their attention mostly to strawberries, to which many acres were devoted. Costermongers would come out from Birmingham and buy the fruit on the spot, selling part of it to the villas on the way back, and part in the Birmingham market. The experience gained in working the act enabled the committee on **small holdings** to make a number of practical suggestions for future legislation.

It remains to note the passing in 1907 of a new English **Small Holdings and Allotments Act**,<sup>4</sup> experience of which is too recent for its provisions to be more than indicated here. The act transferred to the Board of **Agriculture** the duties generally of the Local Government Board, and transferred to parish councils or parish meetings the powers and duties of **rural** district councils; it required county councils to ascertain the demand for **land** without previous representation to them, and gave power for its compulsory acquisition; and the maximum **holding** of an allotment was raised from one acre to five. Both compulsory purchase and compulsory hiring (for not less than 14 nor more than 35 years) were authorized, value and compensation being decided by a single arbitrator. A coercive authority was applied to the county councils in the form of commissioners appointed by the Board of **Agriculture**, who were to hold inquiries independently and to take action themselves in case of a defaulting county council. They were to ascertain the local demand for **small holdings**, and to report to the Board, who might then require a county council to prepare a scheme, which, when approved, it was to carry out, the commissioners being empowered to do so in the alternative.

Size of <b>Holding</b> .	Occupied by Owner.		Occupied by Tenant.		Total.	
	Whole.	More than half.	More than half.	Whole.		
	No.	No.	No.	No.	No.	
1¼ acres and under	109,169	8,759	34,779	305,413	458,120	<i>Foreign Countries.</i> - It remains to give a brief outline of what <b>small holdings</b> are like outside Great Britain. From the results of the Belgian <b>Agricultural</b> Inquiry of 1895 the following table has been compiled, assuming that one hectare = 2½ acres:-
1¼ acres > 5 acres	27,395	19,544	58,829	70,465	176,233	
5 acres > 10 acres	12,089	13,873	30,340	25,006	81,308	
10 acres > 50 acres	16,690	18,909	33,443	28,387	97,429	
50 to 100 acres	2,021	1,497	3,315	4,517	11,350	
Over 100 acres	903	470	1,417	2,395	5,185	
<b>Total.</b>	168,267	63,052	162,123	436,183	829,625	

It will be seen from this table that Belgium is pre-eminently a country of **small holdings**, more than half of the total number being under 50 acres in extent. Of course it is largely a country of market gardens; but as the **holdings** are most numerous in Brabant East and West Flanders and Hainault, the provinces showing the largest number of milch cows, it would seem that dairying and *la petite culture* go together.

There is a slight tendency for the **holdings** to decrease in number. In Germany<sup>5</sup> the number of **small holdings** is proportionately much larger than in Great Britain. The returns collected in 1895 showed that there were 3,235,169, or 58.22% of the total number of **holdings** under 5 acres in area; and of these no fewer than 11% are held by servants as part of their wages. The table below compiled for the *Journal of the Board of Agri-*

<sup>4</sup> This Act was passed in the House of Commons toward the end of 1907, and in the House of Lords in early 1908.

<sup>5</sup> It should be noted that Germany had been unified in 1870, and that practices in constituent states may have differed greatly. France, however, had been a unified country since the French Revolution, feudal rights were abolished in the Spanish Netherlands (the current Belgium) in 1795, and Denmark had been a unified country for many centuries. For the Netherlands, see the **Comments** on the next page. In all these countries, the link between "**rural**", "**agricultural**" and "**small holdings**" was strong.

*culture* enable us to compare the other **holdings** with those of Great Britain. Great Britain, it will be seen, has over 40% of large farms of between 50 and 500 acres as compared with Germany's 12.6, while the latter has 86.8 of **small holdings**, compared with England's 58.6.

France also has a far larger proportion of **small holdings** than Great Britain: its cultivated area of 85,759,000 acres being divided into 5,618,000 separate holdings, of which the size averages a little over 15 acres as against 63 in Great Britain. Of the whole number, 4,190,795 are farmed by the owners, 934,338 are in *métayage*, and 1,078,184 by tenants. The leading feature is the peasant proprietary. Half of the arable, more than half of the pasture, six-sevenths of the vineyards and two-thirds of the garden **lands** are farmed by their owners. Comparison with Great Britain is difficult; but it would appear that, whereas only 11% of British 520,000 **agricultural holdings** are farmed by the owners, the proportion in France is 75%. A further point to be noted is that the average **agricultural** tenancy in France is just one-fourth of what it is in Great Britain, and the average owner-farmed estate only one-sixth.

Size of Holdings.	Germany.		Great Britain.		In France the tendency is for the very <b>small holdings</b> to increase in number owing to subdivision, with a consequent decrease of the size of the average <b>holding</b> . Between the years 1882 and 1892 there was a decrease of 138,237 in the total number of proprietors, the larger properties moving towards consolidation and those of the peasant proprietors towards subdivision.
	Number.	Per cent.	Number.	Per cent.	
5 to 50 acres	2,014,940	86.8	235,481	58.6	
50 to 500 acres	292,982	12.6	161,438	40.1	
Over 500 acres	13,809	0.6	5,219	1.3	
<b>Total.</b>	<b>2,321,731</b>	<b>100</b>	<b>402,138</b>	<b>100</b>	

**Comment by JAdR:** Translating the word “**small holding**” into Netherlands gives yet another indication between the words in red in the title of this Appendix 1. Google translate renders: **small holding** – noun – “klein boerenbedrijf”, “boerderijtje”, (that in a literal reverse translation gives “**small farming holding**”, “farmlet” (the diminutive form of the word for “farm”).

**From Wikipedia:** (It appears that in the **Republic of the United Provinces**, farmers did not own the **land** but paid **feu-duty** and **tenurial rents**, so the system was entirely different from that in Great Britain.) and **Abolition (of the feudal system):** In the southern provinces (modern-day Belgium) *heerlijkheden* and the associated rights were abolished after the French invasion of 1795. In the northern provinces (modern-day Netherlands) they were declared abolished around the same time as part of the inauguration of the Batavian Republic.<sup>6</sup> This was formalised in the 1798 Batavian Constitution (Bataafsche Staatsregeling). A distinction was made between the feudal rights of appointment and patronage, which were completely abolished, and the income-related rights, which were more complicated. Some of these were feudal in nature and abolished. Others were similar to contractual or property rights and therefore their loss was compensable. Lordly claims for reparations flooded in. Some *heerlijkheid* rights were maintained or later restored as property rights and still exist today.

The overwhelming majority of the remaining rights disappeared in Belgium on the introduction of the 1830 constitution and in the Netherlands with the 1848 constitutional amendments. Most of the administrative

<sup>6</sup> This was a vassal state of France. In 1806 Napoleon made his brother Louis “King of Holland”, but in 1810 he fired him again and annexed the country to France. Why? To draft 25,000 young men for his attack on Russia. A direct ancestor of mine was one of them, and unlike many, he returned from there. Sergeant van Barreloo lost his right arm in the service of Prince Willem, during the Battle of Quatre Bras, prior to the Battle of Waterloo, just southwest of Brussel!

functions of a *heerlijkheid* were transferred to the municipality and fell under the new Municipality Act (*Gemeentewet*). Responsibility for the manor courts and judicial system were taken over by the national government.

After this, the use of the title "Lord of..." is based on the ownership of the remaining non-abolished rights. To this day there are people in the Netherlands who use the title "Lord of...". Unlike in the U.K., there is no trade today in 'lord of the manor' titles.

Those interested in the formation of **small holdings** in Great Britain will find much to interest them in the history of Danish legislation. British policy for many generations was to preserve demesne **land**, and there are many devices for insuring that a spendthrift life-owner shall not be able to scatter the family inheritance; but as long ago as 1769 the Danish legislators set an exactly opposite example. They enacted that peasant **land** should not be incorporated or worked with estate **land**; it must always remain in the ownership and occupation of peasants. In this spirit all subsequent legislation was conceived, and the allotment law that came into force in October 1899 bears some resemblance to the English **Small Holdings** Act of 1892. It provides that labourers able to satisfy certain conditions as to character may obtain from the state a loan equal to nine-tenths of the purchase money of the **land** they wish to acquire. This **land** should be from 5 to 7 acres in extent and of medium quality, but the limits are from  $2\frac{3}{4}$  to  $10\frac{3}{4}$  acres in the case of better or poorer **land**. The total value should not exceed 4000 kr. (£222). The interest payable on the loan received from the state is 3%. The loan itself is repayable after the first five years by annual instalments of 4% until half is paid off; the remainder by instalments of  $3\frac{1}{2}\%$ , including interest. Provision is, however, made for cases where the borrower desired to pay off the loan in larger sums. Regulations are laid down regarding the transfer of such properties and also their testamentary disposition. The Treasury was empowered to devote a sum of 2,000,000 kr. (£111,000) to this purpose for five years; after that the **land** is subject to revision.

*Number and Size of Holdings in Denmark in 1901.*

Groups.		Number.	Percentage of Number.	Acreage.	Percentage of Area.	Average size in Acres.
<b>Tøndeland</b> <sup>7</sup> .	Acres.					
Under 1	Under 1.36	68,380	27.3	23,455	.3	.34
1 — 3	1.36 — 4	18,777	7.5	58,553	.7	3.12
3 — 27	4 — 36.7	93,060	37.2	1,408,549	15.8	15.14
27 — 108	36.7 — 147	60,872	24.4	4,459,077	50.1	73.25
108 — 216	147 — 294	6,502	2.6	1,272,398	14.3	195.69
Over 216	Over 294	2,392	1.0	1,674,730	18.8	700.14
<b>Total.</b>		249,983	100.0	8,898,762	100.0	35.59

Even before this law was passed Denmark was a country of **small holdings**, the peasant farms amounting to 66% of the whole, and the number is bound to increase, since the incorporation of farms is illegal, while there is no obstacle to their division. Between 1835 and 1885, the number of **small holdings** of less than one

<sup>7</sup> **Adapted from Wikipedia:** The word "*tønde*" ("barrel" in Dansk) may originate from the area of fields one could seed with a barrel of grain seeds. The acre is the equivalent Anglo-Saxon unit. Because the official barrel size varied by country, the area unit does too. One barrel can be approximated as half a hectare. In Denmark the *tønde* was used as an official area unit until the introduction of the metric system in 1907. A *tønde* was divided in 8 *skæpper*, a *skæppe* was divided into 4 *fjerdingkar* and a *fjerdingkar* into 3 *album*. (My wife's maiden name is "Van Tonder" and yes, her family originated in the Town of Tønder, in Denmark. Tønder was granted port privileges by the Hanseatic League in 1243, making it Denmark's oldest privileged market town.



tøndekarthorn increased from 24,800 to 92,856. What gives point to these remarks is, that Denmark seems in the way to arrest its **rural** exodus, and was one of the first countries to escape from the **agricultural** depression due to the extraordinary fall in grain prices. The distribution of land in Denmark may be gathered from a glance at the preceding table for the compilation of which we are indebted to Major Craigie.

AUTHORITIES.—Walter of Henley's *Husbandry*; *The English Village Community*, by Frederic Seebohm; *Annals of Agriculture*, by Arthur Young; *The Agricultural Labourer*, by E. Kebbel; *Report on the Employment of Women and Children in Agriculture*, 1867 (historical sketch by Messrs Tremeneere and Tufnall); *A Study of Small Holdings*, by W. E. Bear; *The Law and the Labourer*, by C. W. Stubbs; "**Agricultural Holdings** in England and Abroad," by Major Craigie (*Statistical Society's Journal*, vol. i.); *The Return to the Land*, by Senator Jules Méline; *Land Reform*, by the Right Hon. Jesse Collings, M.P.; *Report on the Decline in the Agricultural Population of Great Britain*, issued by the Board of **Agriculture** and Fisheries; *Report of the Departmental Committee appointed by the Board of Agriculture and Fisheries to enquire into and report upon the subject of Small Holdings in Great Britain.* (P. A. G.)

(End of the entry under the term "Allotments and **Small Holdings**" in the 1911 Encyclopædia Britannica, which gives no reference at all to Canada or the United States of America.)

**Copy of the text of an e-mail sent on 2020-08-27 at 1:47 PM.**

**(The one sent to the PAAB was a draft, while the text above is the final Appendix 1.)**

Dear Members of the Property Assessment Appeal Board,

With your kind indulgence, we would like to submit an "Appendix 1" to our submission which is due by 4.30 p.m. today.

This is a copy of a draft, to be presented to the RDOS, about their DRAFT OCP Bylaw, to which our Response Letter refers on its Page 8 of 12.

This is a copy of the text about "**Small Holdings**" in Encl. Brit. (1911), with footnotes and e.g. a dictionary definition. The date 1594 should be 1597.

If the general belief is that English common law and statute law is valid in Canada unless repealed, might it be argued that **Small Holdings** is also a legal term?

In countries like e.g. Australia, Trinidad & Tobago and South Africa (the latter under codified Roman Dutch law), the word is used in legislation, always coupled with "**agricultural**" **land** use. I have asked a local Area "A" resident who happens to be a lawyer, for comments and possible emendations to the draft.

Due to this afternoon's deadline on Appeal 2020-17-00008, it would be appreciated for the record – as it seems to bear on the Response and Rebuttal Response.

Note its date – 2020-08-12 – which was before the Assessors two submissions were received.

Yours truly, Jacob and Lydia de Raadt, Osoyoos, B.C.

Jacob A. de Raadt

2020-08-31.

Mr. Christopher Garrish, MCIP,

Planning Manager, RDOS.

by e-mail.

**Comments on the DRAFT Area "A" OCP Bylaw Update Bylaw dated 2020-07-17.**

Dear Sir,

Please find attached my **initial comments** on the above document and its supporting documents, some of which are general and others are more specific, particularly as objections to how **"Small Holdings"** are dealt with in this OCP Update Bylaw, compared to the current OCP Bylaw. To explain this follows a comparison of the legends.

OCP	Designation	Schedule "B" of the existing Osoyoos Rural Official Community Plan Bylaw No 2450, 2008 (shown at <b>far left</b> )
<b>Rural Designations:</b>		counts as "Small Holdings" parcels with a "Rural Designation", (i.e. both <b>within</b> and those <b>excluded</b> from the Agricultural Land Reserve). The proposed "Schedule B" (DRAFT of 2020-06-01) (shown at <b>left</b> ) seems to extinguish the word "Rural" from the Legend. Does this mean that a Small Holding stands to lose its current Rural Designation? <b>That cannot be.</b>
 Resource Area (RA)	 BL - Okanagan Basin Lakes	
 Agriculture (AG)	 AG - Agriculture	
 Large Holdings (LH)	 RA - Resource Area	
 Small Holdings (SH)	 LH - Large Holdings	
	 SH - Small Holdings	
<b>Existing Schedule "B" Legend.</b>	<b>Proposed Schedule "B" Legend.</b>	

Why? The word "Small holding" has a **legal definition**. From **Webster's New International Dictionary**, Second Edition (1934), p. 2373: **Small holding, (Eng. Law) – A piece of land detached from a cottage, and hired or owned by a laboring man and cultivated to supplement his main income; - so called with reference to statutes intended to promote the acquisition of such holdings (Small Holdings and Allotment Acts, 1908, 1926). In this sense the term does not include any farm, however small, from which the occupier derives his main support.** And there is (according to Encyc. Britt. (1911 ed.) a history of about 650 years about **small holdings** always being in a **rural** or **agricultural** area, which was entrenched in law by Queen Elizabeth I's statute (1597). One might argue that, just like the Royal Proclamation of 1763, it is still **valid in Canada**, since no law has overruled or superseded it. If so, RDOS would have no right, duty or privilege to change an English term in Law. **See Appendix 1.**<sup>1</sup>

The <b>DRAFT OCP Update</b> of 2020-07-17 shows this in ► "Section 4.0 Official Community Plan Designations" on page 20 of 107: <b>(a)</b> Does this really mean that Small Holdings within the ALR are no longer to be considered as "Agricultural"? <b>(b)</b> Also, where has the " <u>Agricultural Protection Zone</u> " gone, which features so prominently in the current OCP, to protect lands designated as AG <b>and</b> SH?	<b>Agricultural Designations</b>	
	Agriculture	AG
	<b>Rural Holdings Designations</b>	
	Large Holdings	LH
	Small Holdings	SH

<sup>1</sup> This **Appendix 1** has also been submitted to the **Property Assessment Appeal Board**, as part of a 2020 assessment appeal rebuttal.

<p>Section 6.2 "Rural Growth Areas and Capacity" describes a <b>different type</b> of "Small Holdings" than those in Section 7.2. <b>NONE</b> of those at Anarchist Mountain are in the ALR.</p>	<p>There are significant undeveloped areas designated for residential uses (including residential and small and large holding designations) in the existing rural growth areas. The Anarchist Mountain area contains 314 undeveloped Small Holdings (SH) and Large Holdings (LH) designated parcels.</p>
<p>Section 7.1 on page 29 of 107 <b>should exclude the phrase "Reflection Point"</b> as it is not part of the "background" in</p>	<p>is no common name applied to the agricultural lands that predominate in the valley bottom to the north and south of the Town of Osoyoos, although specific place names such as "Reflection Point" and "Willow Beach" do exist.</p>
<p>the preceding or following background paragraphs, but a name that coined by a recent <b>re-developer</b> (Infinity). In fact, the original "Reflection Point" is <b>not the spit of illegal truckload attrition</b> into Osoyoos Lake in this area, but <b>the high ground</b> on the current Toor vineyard (Blue Sky), that reflected into the water of the cove of Osoyoos Lake, when seen from the north. This <b>cove pre-existed</b> the construction of the CP Railway in 1944 – and has now all been filled up and raised as Strata Lots 16 – 30 in Phase 2 of that disastrous development project. <b>It is a phrase (name) to be avoided.</b></p>	
<p>Section 7.2 on page 30 of 107: the number <b>210</b> should be broken down between Low Density Residential and Small Holdings. I believe that there are only <b>14</b> Small Holdings.</p>	<p>Residential clusters can be found adjacent to Osoyoos Lake at 81<sup>st</sup> Street, 120<sup>th</sup> Avenue ("Reflection Point"), 87<sup>th</sup> Street, 95<sup>th</sup> Street and at "Willow Beach" (at the head of the lake). In total, there are 210 parcels zoned for Low Density Residential and Small Holdings uses in this area (as of 2020).</p>

(If the name "Reflection Point" is really needed in this Section (as a cluster), please mention this is a strata development, **the only one in the area**. The original Developer (Horse Whisperer) did not even apply for or mention a strata development at all, not even at the Public Hearing for rezoning of the land in September 2007. How a strata development was subsequently approved without a second Public Hearing, is not a question I can answer, but perhaps the OCP Update Bylaw should address this kind of perceived former anomalies, and add a section on ways to avoid such abuses and things.)

<p>Section 7.3 on page 31 of 107 has contains an error on Low Density Residential and Small Holdings uses: Of the <b>241</b> that are mentioned, <b>NONE</b> are small Holdings. The words "and Small holdings" <b>can be deleted</b>.</p>	<p>There are significant low density residential developments in this area, including 85<sup>th</sup>, 87<sup>th</sup> &amp; 91<sup>st</sup> Streets on the west side of the lake and 33<sup>rd</sup>, 35<sup>th</sup> &amp; 39<sup>th</sup> Streets on the east side of the lake. In total, there are 241 parcels zoned for Low Density Residential and Small Holdings uses in this area (as of 2020).</p>
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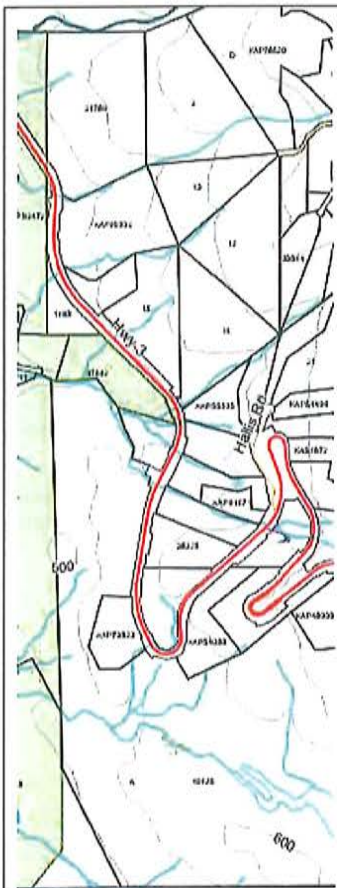
<p>Additionally, there are significant portions of ALR land in the Anarchist Mountain area designated as "Small Holdings" and an area along the northeast border of Electoral Area "A" that are ALR and designated as "Resource Areas."</p>	<p>Section 9.0 is <b>very confusing</b>. When comparing a 2014 ALR Map with the current OCP Bylaw's Schedule 'B', I noted that all the SH designated</p>
<p>parcels on Anarchist Mountain are <b>not</b> within the ALR. Where are these "significant portions of ALR land? The text in the DRAFT must be wrong! But if not, even these "Small Holdings" are <b>very different</b> to the <b>14 Small Holdings</b> in the area mentioned above in Section 7.2. <b>See the map on the next page</b>. If Small Holdings <u>uses</u> are no longer going to be linked Agricultural <u>uses</u>, (as they ought to be from 1597, and as still recognized or inferred in the current OCP Bylaw, by using the legal term), could this not cause confusion within the OCP Update Bylaw? Should there perhaps be two kinds of "Small Holdings" – <b>one in the ALR (14 of them) and one outside the ALR</b>? The latter should not even be defined as Small Holdings but by a name that is more separate from "agriculture" like "<b>Country Living</b>". I believe that the adjacent Thompson-Niocola Regional District has done that with their Zoning Bylaw No. 2400, creating an SH-1 zoning. (But I might be wrong, because I cannot see an SH-2 zoning, and as you know, a zoning bylaw is different than an OCP bylaw.)</p>	

<p>Section 9.1 also shows the following on page 37 of 107: <b>My comments:</b> I believe it is appropriate to start distinguishing between "<b>grapes</b>" that are eaten as a "food" like <b>most of</b> the other phrases in</p>	<p>The Agriculture (AG) designation within the Plan Area applies to land used or intended to be used for an agricultural operation or activity. This includes the production of livestock, poultry, farmed game, fur bearing animals, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, wood and fibre crops, grapes, and horticultural and aquaculture products, as well as activities associated with the production and processing of these items.</p>
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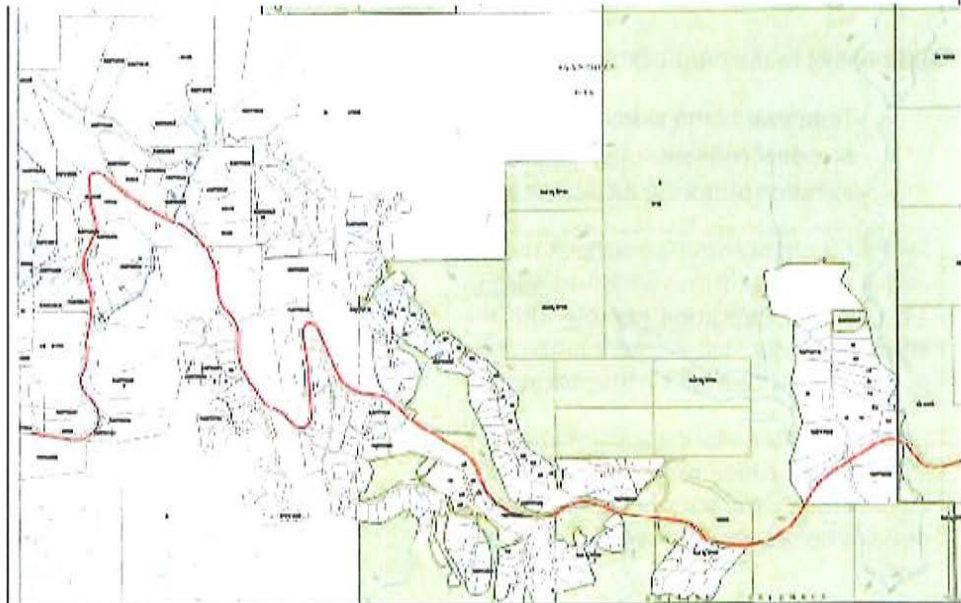
this paragraph ("livestock, poultry, farmed game, fur bearing animals, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, horticultural and aquaculture products") and "**grapes grown for liquor**" as it is "**no food**". I have yet to see "table grapes" grown in this former food-growing valley. Basically, **grapes to make wine are not fruit, nor agricultural**.

I believe that I am not the first or the only person to decry the very recent changes in what is supposed to be considered as "agricultural" because over the past 7 years, I have seen very many orchards around us disappear. This is extremely

sad and will become irreversible if no stop is put to supporting the liquor industry, whether local, national or global. How this can be addressed in an OCP Update Bylaw that has a limited time frame of effectiveness, while the harm to agriculture may already have been done (and is long-term and extremely hard to reverse), I do not know. I honestly wish I knew.



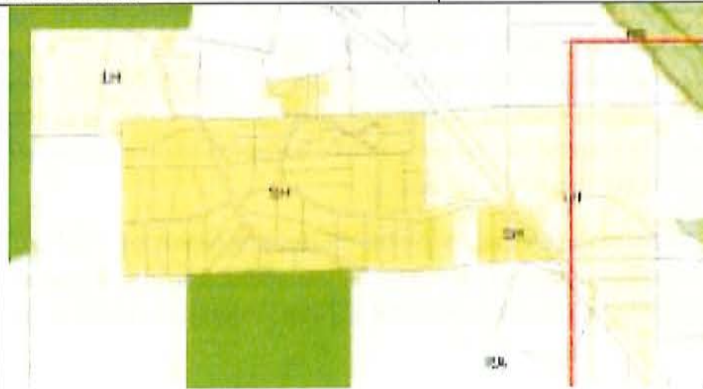
The "map collage" on this page was copied from ALR maps 82E.003 and 82E.004 and is not perfect. But I do not think to have missed more than a little bit of the many curves on Highway 3. So this is for illustrative purposes only. **See text on the previous page.** **None** of the SH (and LR) designated properties on Anarchist Mountain are in the ALR.



Now I must confess that I do not know the area well enough to state or deny that some **potential** exists for more Small Holdings (SH) or even Large Holdings (LH) designated properties on Anarchist Mountain, which might then be located in the ALR.

This sentence in Section 9.1 ignores the **14** parcels currently designated as "Small Holdings" within the ALR, zoned AG1.

Additionally, there are significant portions of ALR land in the Anarchist Mountain area designated as "Small Holdings" and an area along the northeast border of Electoral Area "A" that are ALR and designated as "Resource Areas."

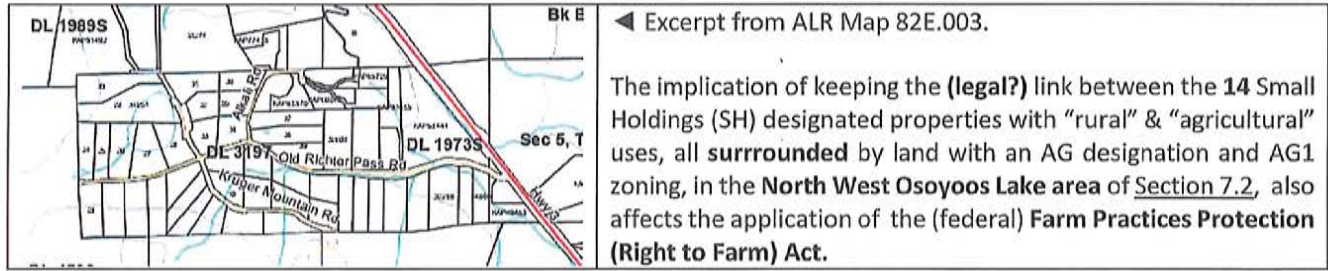


Excerpt of the existing Schedule "B", not shown in inserts.

**No currently Small Holding (SH) designated properties on Anarchist Mountain are zoned AG1.**

It is also noticed that the Map, Schedule "B" of the current OCP Bylaw clearly indicates about 54 Small Holdings (SH) designated properties in the area accessed off Highway 3 and Richter Pass Road, but that "Schedule "B" of the DRAFT OCP Bylaw seems to ignore or eliminate that area from the update. As these properties are (just like those on Anarchist Mountain) also outside the ALR, I would suggest designating that area "**Country Living**" as well. (This might not be easily done as the people have horses, unlike those at Anarchist Mountain.)

And the Richter Pass development is older, horse breeding is rural and agricultural but does not provide any food, may perhaps result in an additional challenge for you and your staff and the consultant, to be resolved with consultation.



◀ Excerpt from ALR Map 82E.003.

The implication of keeping the **(legal?)** link between the **14** Small Holdings (SH) designated properties with “rural” & “agricultural” uses, all **surrounded** by land with an AG designation and AG1 zoning, in the **North West Osoyoos Lake area** of **Section 7.2**, also affects the application of the (federal) **Farm Practices Protection (Right to Farm) Act**.

**Additionally** to the DRAFT OCP Bylaw, **Section 3.5** (Population and Demographics) says nothing about the following:

- **Temporary farm workers** – which are a numerical reality in Area “A” and also use of the housing in Area “A”.
- **Seasonal residents or vacation residents** – which may or may not have been included in the recent censuses.
- **Vacation visitors** in B&B and Airbnb operations, whether **authorized** or **unauthorized**.

I would therefore strongly suggest that an additional clause (f) be added to **Section 11.6 Policies - Vacation Rentals** with the **wording below**, as a criterion that the Board may use to assess TUP applications:

.2 (f) an assurance by the applicant that the short-term vacation rental applied for will only occur while part of the residence remains occupied by its owner or long term lessee.

This captions the **very essence of the idea** of a B&B: The owner provides breakfast.

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

This suggestion of a criterion .2 (f) may be seen by some as prohibiting or restricting B&B and particularly Airbnb uses, but the very recent denial of a Temporary Use Permit (on the East Bench) bears witness to the fact that temporary housing is being abused. Having lived for six years adjacent to Osoyoos’ most highly rated B&B (according to TripAdvisor), we have had no problems with this legitimate operation by our neighbours who sold the property and moved away. We have also no complaint about the current operator. But some brand-new houses (or completely renovated houses), in which nobody has ever lived after completion of the work, are currently openly advertised on-line as Airbnb’s. Now I ought to feel somewhat sorry for the builder in that he cannot sell his house after completion, but I am suspicious because it might be true that the non-resident owner (or builder) built this house with the main intent to make it available for short-term vacation rental, assuming appreciation of the property for some future year listing and sale. In doing this, the area’s (meaning Area “A” and the Town of Osoyoos) normal rental needs become skewed, and adds to the already acute shortage of affordable rental housing.

Further comments on a few other parts of the DRAFT OCP Bylaw, as well as on the DRAFT Housing Needs Report of 2020-12-19, will be provided to you in the very near future, as well as a completed Community Workbook & Survey document that was obtained at the Osoyoos Farmer’s and Artisan’s Market on Saturday 2020-08-15. But I wanted to send this today.

Yours truly,

Jacob A. de Raadt.

with Appendix 1.

c.c. Mr. Mark Pendergraft, Area “A”: Director, RDOS Board.

Jacob A. de Raadt, Esq.,

2020-10-07.

Mr. Christopher Garrish, MCIP,

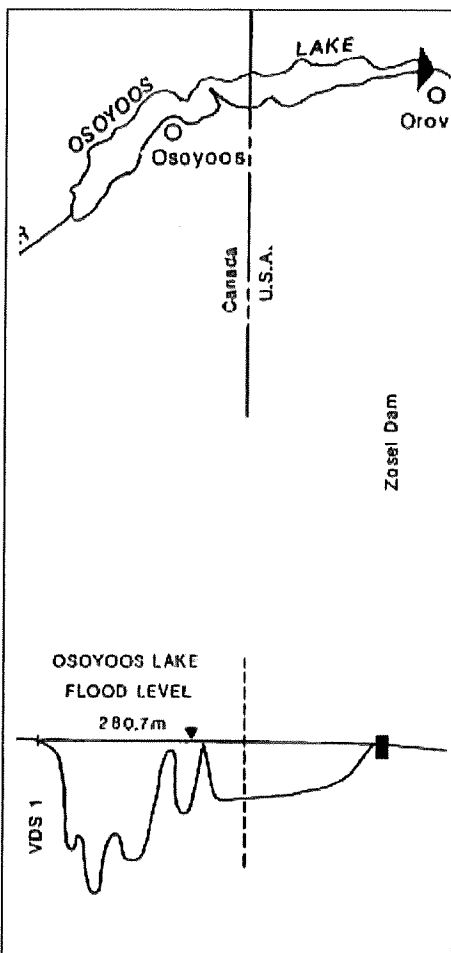
Planning Manager, RDOS.

by e-mail.

**Comments on the DRAFT Area "A" OCP Update Bylaw dated 2020-07-17.**

Dear Sir,

Please find in this letter my **third batch of comments** on the above document and its supporting documents, some of which are general and others more specific. My main concerns are about the **high-water level** of Osoyoos Lake that has been **assumed** throughout the OCP, as I have reason to believe that for many years, this has been considered as the "flood level" from Figure 2 of the document below ▼.



**A DESIGN BRIEF ON THE  
FLOODPLAIN MAPPING STUDY  
OKANAGAN RIVER**

An Overview of the Study Undertaken  
to Produce Floodplain Mapping for the  
Okanagan River from Osoyoos to Penticton

◀ Excerpt (plan and profile) from **Figure 2**. Note the Osoyoos Lake flood level elevation of **280.7 metres** for the whole distance between Zosel Dam (shown at right) to Lakehead Campground (shown at left.)

**A.** With all due respect to the author of the above 1992 Design Brief, it would appear that the hydraulic principle of a "backwater curve" has yet to be adequately investigated for the length of Osoyoos Lake, which can be calculated as  $\pm 18$  kilometres (as the crow flies) between Zosel Dam and Lakehead Campground. If this engineering principle had been considered, as it has been in use for many years in the United States and many other countries, a conclusion would likely have been reached that a "flood level" of 280.7m is only valid for the immediate area above Zosel Dam, but that it is somewhat higher to the north, following a parabolic curve (that can be calculated) and might be even a metre higher than 280.7m at the discharge end of the channel that replaced the oxbows of the Okanagan River many years ago. That reality needs to be faced, and ought also to be reflected in the RDOS's OCP Bylaw. If not, it is possible that errors are made with development projects and

the interpretation of the (newly revised) Watercourse Development Permit Area stipulations. I have previously expressed concerns to you with respect to some situations in Electoral Area "A" along Osoyoos Lake, north of the Town of Osoyoos. Some of these stem from "accretions" (**after 1992**) which should not have been allowed.

My personal observations of high-water levels at specific locations in my direct vicinity also lead me to believe that serious or less serious errors were already made in a few locations. Some property pins are below the "high-water level" for much of the year. As a result, SPEA calculations were based on erroneous assumptions.

Sec. B] GRADUALLY VARIED FLOW IN UNIFORM CHANNELS 609

of values reported by the various investigators. In the interest of safety, it is desirable to plan for any possibility within these limits.

B. GRADUALLY VARIED FLOW IN UNIFORM CHANNELS

5. Occurrence of Backwater Effects. Uniform flow at the normal depth, with the water surface parallel to the grade line of the channel bottom, represents a very special case among the possible water-surface profiles for steady flow in uniform channels. In general, steady flow in uniform channels varies gradually in depth from section to section. As discussed in the previous articles, flow at the normal depth is actually rare in nature, and great care must be taken, when conducting experiments with or making field measurements of supposedly uniform flow, to make sure that the flow profile is actually uniform within the limits of accuracy required. The types of water-surface profiles for steady flow, some of which may easily be mistaken for uniform flow, are often known as backwater curves.

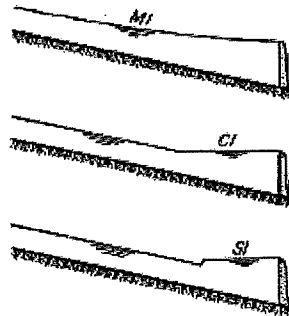


FIG. 2. Types of backwater profiles upstream from a dam.

Although the normal depth may be rare in actual occurrence, it is an abstraction of great utility, and its computed value is a parameter of importance in the prediction of water-surface profiles. Together with the critical depth, it forms the basis for the classification of all the possible types of water-surface curves in gradually varied steady flow.

The backwater curves take their name from the transition curve at the lower end of a stream flowing into a lake or pool. This curve has the three possible forms shown in Fig. 2. The form labeled C1 represents the layman's idea of backwater, consisting of a horizontal line level with the crest of the spillway. Actually, the C1 curve is very rare; it occurs only when conditions are precisely intermediate between those causing the very common M1 curve and those causing the less common S1 curve. Figure 2, it must also be noted, conceals a very important fact about backwater curves: the distorted scale makes the angle of divergence of the flow seem large, whereas it is very small. In fact, the vertical distances in the figure may be of the order of 20

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feet, whereas the horizontal distances may be as many miles. At the point where the level pool envisaged by the layman intersects the former stream profile, the additional height of the M1 curve is a maximum, and it may easily be several feet, with a gradually lessening effect extending miles up and downstream. The rate of change in depth is, in fact, so imperceptible that it cannot possibly be observed without the aid of precise instruments.

6. Classification of Surface Profiles. In addition to the foregoing backwater curves, there are nine other possible water-surface profiles. All twelve are shown schematically in Fig. 3. The diversity of shapes is accounted for by the different bottom slopes and relative values of normal and critical depths. Channels which slope downward in the direction of flow are divided into three classes, according to whether the normal depth is greater than the critical depth (mild slope), equal to the critical depth (critical slope), or less than the critical depth (steep slope). A mild slope is one so that that it will sustain uniform flow only at subcritical velocity; a critical slope has just enough inclination to sustain uniform flow at critical velocity; and a steep slope will sustain uniform flow at supercritical velocity. In addition, there are two cases in which the channel does not slope downward in the direction of flow: horizontal, and upward-sloping or adverse.

It has been noted that for steady, uniform flow the so-called friction slope  $S_f$  (i.e., the slope of the total-head line) is equal to the slope  $S_0$  of the channel bottom. If the flow is steady and non-uniform, on the other hand, the additional factors of changing depth and velocity head must be taken into account; that is,

$$S_0 = S_f + \frac{dy}{dx} + \frac{d}{dx} \frac{V^2}{2g} \quad (11)$$

Now

$$\frac{d}{dx} \left( \frac{V^2}{2g} \right) = \frac{d}{dx} \left( \frac{Q^2}{2gA^3} \right) = - \frac{Q^2}{gA^3} \frac{dA}{dx} = - \frac{Q^2}{gA^3} \frac{dA}{dy} \frac{dy}{dx}$$

and since  $dA = B dy$ , where  $B$  is the water-surface width,

$$\frac{d}{dx} \left( \frac{V^2}{2g} \right) = - \frac{Q^2 B}{gA^3} \frac{dy}{dx}$$

Substituting and rearranging,

$$\frac{dy}{dx} = \frac{S_0 - S_f}{1 - (Q^2 B / gA^3)} \quad (12)$$

which is the general differential equation of gradually varied flow.

The above pages 509 and 510 are copied from "Engineering Hydraulics", ed. Hunter Rouse, Wylie, 1950, the Proceedings of the Fourth Hydraulic Conference, Iowa Institute of Hydraulic Research, 1949. This was my textbook at the University of Pretoria (1965). The backwater curve principles were already known 70 years ago.

Fort Loudoun Dam—First Construction Stage Cofferdam

Backwater for  $Q=160,000$  cfs  
Manning formula with  $n=0.035$

$\frac{2g \times 0.035^2}{149^2} = 0.0355$        $S_f = 0.0355 \frac{V^2}{2g} + R^2$

1	2	3	4	5	6	7	8	9	10	11	12	13
Station	Water-surface elevation	Area	Velocity head	Elevation of total-head line	Hydraulic radius $R$	$R^2$	Friction slope $S_f$	Average $S_f$ thru reach	Length of reach	Friction loss	Eddy loss	Elevation of total-head line
0+00	768.0	19,700	1.03	767.03	30.7	961	0.00038					767.03
0+80	765.0	11,500	3.01	768.01	30.6	956	0.00110	0.00074	1080	0.80	0.17	768.00
bridge	765.0	9,600	4.31	769.31	14.4	35.0	0.0043	—	0	0.00	1.30	769.30
11+80	766.0	12,100	2.72	769.52	31.8	1010	0.00094	0.0027	100	0.27	0.09	769.57
11+80	766.9	12,150	2.70	769.60	31.8	1010	0.00094	0.0027	100	0.27	0.09	769.57
19+50	769.3	22,100	0.82	770.12	21.7	604	0.00048	0.00071	770	0.55	0.09	770.12
32+90	770.5	31,000	0.41	770.91	26.3	743	0.00044	0.00064	1330	0.45	0.09	770.57
32+80	770.2	30,700	0.42	770.62	25.0	730	0.00020	0.00034	1330	0.45	0.09	770.57
54+50	770.6	36,600	0.42	771.02	21.1	279	0.00015	0.00017	2170	0.37	0.09	770.94
54+50	770.5	30,500	0.43	770.93	31.0	975	0.00015	0.00017	2170	0.37	0.09	770.94

\* Effective area through bridge at 10+80 assumed to be 90% of actual area at constriction

FIG. 7. Typical backwater computation, standard step method.

Other pages in the book show that it was widely used for water reservoirs in the USA like Lake Mead (AZ / NV) and Fort Loudoun Dam (TN, 1943). My assumption is that a M1 curve would be applicable to Osoyoos Lake. The MOTI (2009) and the City of Surrey (1990's) (through the same consulting firm) have calculated backwater curves for the Nicomekl River and the Serpentine River.

Both these rivers have seawalls where they terminate in Boundary Bay. While in previous decades, an extremely arduous process of manual calculations<sup>1</sup> was needed for calculating backwater, the advent of digital terrain models and computers have made this work more than a few quantum leaps easier. In 1950, other methods like the “standard step method<sup>2</sup>” existed; one of them was “Grimm’s Method”, another was “Leach’s Diagram”.

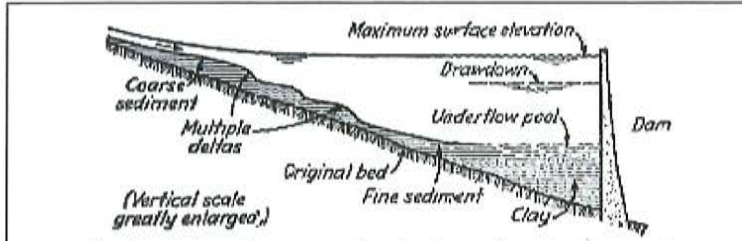


FIG. 23. Schematic representation of sediment deposition in reservoirs.

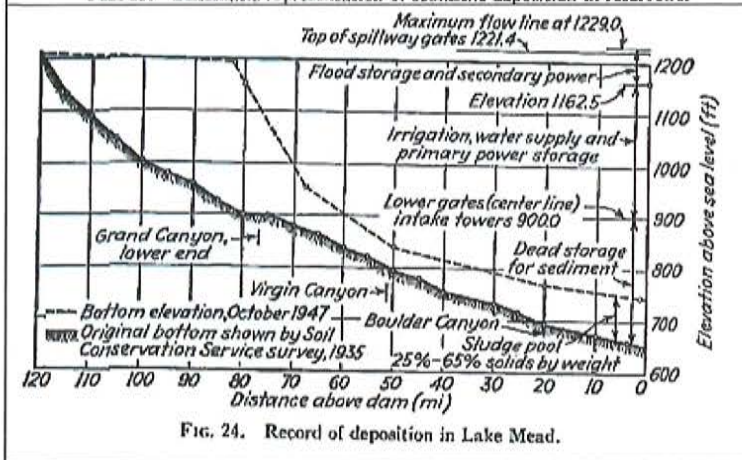


FIG. 24. Record of deposition in Lake Mead.

◀ From page 830 of my textbook, (about sedimentation in reservoirs) comes this Fig. 23 that schematically shows the backwater curve of the maximum surface elevation. From this, the Flood Level of **280.7m** would be appropriate at Zozel Dam but **not** at the Highway 3 (Main Street) bridge in the Town of Osoyoos, nor at the Lakehead Campground.

◀ From page 831 of my textbook, a section of Lake Mead that does not show the backwater curve based on the maximum flow line of **1229.0 feet**, but shows how much this major reservoir had already been silted up in **1947**<sup>3</sup>, so that at the west boundary of the Grand Canyon, there was no storage capacity left. The City of Las Vegas currently spends many millions of dollars to drill for potable water in the very bottom of Lake Mead, which is mostly empty with a wide white ring along the edges.

Many other large dams around the world exhibit the same problems of siltation, according to ICOLD.

I would assume that **IF** a parabolic “backwater curve” would be calculated for Osoyoos Lake, its resulting high-water level elevations along Osoyoos Lake (**meaning not 820.7m from one end to the other**) could easily be copied into the RDOS OCP Bylaw and also to **Schedule I**, the Watercourse Development Permit Area. (There seems to be room enough on Schedule I for a Table of Elevations.) That’s where the numbers ought to be, as a “plan” and valuable “tool” for all future development along Osoyoos Lake. **My suggestion is that RDOS retain a consulting firm to do this calculation, before proceeding with completion of the OCP Bylaw Update.**

**Concluding this “point A”**, it ought to be very evident that the impact on the actual “development potential” for the **Lakehead Campground** area might perhaps be dramatically **reduced** (or even completely **eliminated**) if the site would prove to be “below” a **flood level** of (say) **282.7 metres** instead of the **280.7 metres** that has been “assumed” to date. Added to this, a much welcomed serious approach to the determination of the Streamside Protection Environmental Area (now called the **Streamside Protected Area**) would be possible, through the recently “revamped” Watercourse Development Permit process, to avoid the errors made fairly recently along the shore of Osoyoos Lake, as it seems that in the past, not much more than lip service was given to due process.

<sup>1</sup> See at <https://ilorentz.org/history/zuiderzee/zuiderzee.html> for information on the “father of numerical hydraulics”, and also at <https://en.wikipedia.org/wiki/Zuiderzee> Works

<sup>2</sup> See <https://www.youtube.com/watch?v=Z12NubMUFak> and <https://www.youtube.com/watch?v=cAhbb8gJAyY> for lectures on this.

<sup>3</sup> Incredibly, this was only twelve years after its completion!





◀ The ALR Map seems to indicate that the land at **Lakehead Campground** is quite flat, and not much land exists above the normal water level. I am sure that the RDOS already has the **detailed information**. It should be stressed that a potential developer might be much inclined to raise the property with a **“soil depositing permit”**, in order to increase a currently undevelopable parcel, perhaps even by applying for an **“accretion”**, as had been done before at a minimum of three sites that I know of: **(1)** Osoyoos Lake Park, **(2)** the Horse Whisperer property (long ago, before permitting existed), and **(3)** the area around 13827 and 13829 - 81 Street, fairly recently.

The end result of this in **Phase 1** of the **“Reflection Point subdivision”** is shown on the photo at right ▼ below.

**C. Guidelines**

The following guidelines apply within the *Streamside Protection DR-4*.

- All development should be located outside the streamside protected area.

Example 1 - minimum lot area for each lot is met outside the protected area

DP Required - minimum lot area includes land in the protected area

**Excerpt from the District of North Vancouver's OCP called Bylaw 7900, as revised on 2020-10-29.**

**This is one of my many photos that shows the property pins are below “high water” level for much of the year.**

What is evidently allowed in North Vancouver (**the right-hand sketch of LOT B**) means that the **“lot area”** may extend within a streamside protected area, **but not within the body of water itself**. In Area “A”, a development was allowed with property pins **within the body of water**, likely “assuming” the **280.7 metres** high-water level.

The other strange situation with ▲ this development was that all the civil servicing (as well as asphalt paving) had already been completed **in the summer of 2016**, a few months before the RDOS Watercourse Development Permit was issued in early November 2016. (Due process?)

A general note before moving on. The text of the **DRAFT OCP** Bylaw mentions the word “protected” 12 times and the word “protection” 44 times. Not many of the latter actually deal with the **environmental protection**.

**B.** From the previous **Figures 23 and 24**, the matter of siltation into Osoyoos Lake ought to be reflected somewhere in the OCP Bylaw. During one of the annual meetings of the International Osoyoos Lake Board of Control, the US members presented quite detailed survey information about the outlet of Osoyoos Lake, near Veteran’s Park, Oroville, WA. No wonder; that is where the lake is at its shallowest and most vulnerable to siltation. South of that point, closer to Zozel Dam, water velocities would be higher due to an actual riverbed cross-section.



But we all know that the **Lower Basin** of Osoyoos Lake is shallow, particularly at Haines Point (where the sharp ^ shows on the profile) and that siltation **north** of Haines Point would be more likely than **south** of the sand bar that separates the park and Lakeshore Drive. The fact that opposite Haines Point, all the land is within the Town of Osoyoos, is somehow irrelevant. I am pretty sure (but have no data to prove it!) that when Zozel Dam was rebuilt (around 1993), **WA** and particularly **US** officials would have calculated the required backwater curves. On the other hand, if so, I would not be surprised to hear that they only did this for **the US portion** of Osoyoos Lake, south of the border; thence an (ongoing?) concern about siltation at Veteran's Park. The other concern south of us is the backwater curve of the Similkameen River, which results from blockage when both rivers would peak simultaneously (which almost happened two years ago).

As far as the **Upper Basin** of Osoyoos Lake is concerned, this is much deeper and as a result, likely much less vulnerable to siltation. The part of the Lower Basin between the "bar" at Haines Point and the bridge at Highway 3 (Main Street) seems to be shallow along the edges, with reeds and Eurasian Milfoil, and these areas need to be protected from siltation. (In the seven+ years that I have lived in Area "A", I have yet to see that fancy machine at work, which is used to combat Eurasian Milfoil on the Upper Basin.)

**C. Comments on the text of the OCP Draft Bylaw:**

<p><b>1.0 INTERPRETATION AND ADMINISTRATION</b></p> <p>The provisions of this Plan apply to all lands and water within Electoral Area "A" identified on Schedule 'B' Official Community Plan Map of this bylaw.</p>	<p><u>Section 1.0:</u> So the OCP Bylaw does not apply to all "water" (singular) that is within Provincial jurisdiction, like Osoyoos Lake itself. But if so, why does Schedule 'B' give this a <b>BL (Okanagan Basin Lakes)</b> Land Use Designation?</p>
<p>.5 The ability of the proposed development to provide on-site water and septic disposal or to connect to community services, if available.</p>	<p><u>Section 1.4.5:</u> I believe the term is "<b>on-site wastewater</b>" according to the Regulations.</p>
<p><b>7.2.1 Policies</b></p> <p>The Regional Board:</p> <p>.1 Supports the Town of Osoyoos providing community sewer connections to existing parcels fronting Osoyoos Lake in order to improve water quality in the area but does not support increasing density on parcels connected to the North West Sewer as this is an agricultural area and the potential for conflict from new residential uses.</p>	<p><u>Section 7.2.1.1:</u> Can sanitary sewer connections improve water quality? What water is meant but lake water? The community water system installed in 2018 (in part of the former System 8) is not from Well #6 (as was first intended) but a "blend" of town water. The high manganese content of this "blend" makes it actually "not fit for drinking" according to the Town's consulting firm in February 2019, based on new federal requirements for Mn content. Osoyoos Lake water in this area, still available to some (but not all) property owners during the summer months, is also chlorinated but has no manganese. It has a better quality and leaves no nasty pink stain. I am in support of the remainder of the sentence.</p>
<p>.4 Supports the eastward extension of the Town of Osoyoos boundary and community services such as water and sewer to include the residential and rural-residential parcels west of 33<sup>rd</sup> Street.</p>	<p><u>Section 7.3.1.4:</u> What is meant by the term "rural-residential"? It shows 4x in the document: 3x referring to Kilpoola or Anarchist Mountain and only 1x to the East Bench. There</p>

is no rural-residential parcel at all west of 33<sup>rd</sup> Street; only **Low Density Residential (LR)** with some **Agriculture (AG)** parcels to the north, on the Existing Schedule 'B'. I find it strange that the DRAFT OCP Update says almost nothing about the East Bench. That's suspicious, and it may have been part of the Terms of Reference given to the consultant (a theory I cannot prove) or might be explained by an uncomfortable feeling (that can also not be proven) that I've had for a while – that a future annexation of part of that area by the Town of Osoyoos is already a "given" or **fait accompli**.

Section 7.5 – first line – has a spelling error as it should be Old Richter Pass Road. To date, I have **never** heard the word Kilpoola referring to this area. Kilpoola Lake is actually **5 km south** of the LH and SH designated properties on Old Richter Pass Road. Perhaps it ought to be called the Old Richter Pass Road area, to increase clarity to local usage. The North arrow on all Maps (in this and all Schedules and in the text) are **wrong**, and show some direction about 4 degrees to the east of true North. (Perhaps this was done on purpose to distinguish it as a “draft”.)

<ul style="list-style-type: none"> <li>• <b>Low Density Residential (LR):</b> includes single detached dwellings, mobile homes, duplexes, and complementary secondary uses such as daycares, preschools, and small parks which are integral to a low-density residential neighbourhood.</li> <li>• <b>Medium Density Residential (MR):</b> includes townhouses, triplexes, fourplexes, and those complementary secondary uses such as daycares, preschools, and small parks, which are integral to a medium density area.</li> </ul>	<p><u>Section 11.1:</u> I do not see the need for a <b>Medium Density Residential (MR)</b> land use designation in Area “A”, as this land use and its density belong in a municipality and not in a Rural Plan. On the new Schedule ‘B’, I see this <b>colour</b> at Lakehead Campground (<b>is there already a proposal for it?</b>),</p>
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and at Country Squire Retirement Villa (**existing**). The latter does not need it as it is **pre-existing, non-conforming** anyway.

Figure 17 on page 35 is titled “Designated Community Watersheds” but it is clear that only one such watershed is proposed for Electoral Area “A” – so the identification of the other one (in Electoral Area “C”) does not seem to be needed.

<p>e) the Province is encouraged to permanently retain public ownership and to manage, for watershed protection purposes, all Crown land within designated community watersheds of existing major or minor domestic water sources.</p>	<p><u>Section 8.3.7.e:</u> Why would the Province be encouraged to manage “all Crown land” while some of it is under federal ownership and jurisdiction?</p>
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Is it not the Federal government’s duty to do manage federal land? Why would the Provincial government be prepared to take on this extra liability as if it is “downloaded”? Why would the RDOS make a **policy statement** about such “encouraging” (and others in this section)? **We have surely had enough downloading since it started in the 1980’s!**

<p>9.1 Background</p> <p>Approximately 15% of land in Electoral Area “A” is within the Agricultural Land Reserve (ALR). This land area is designated Agriculture (AG) and comprises a total area of 3,786 ha. Most of the land in Electoral Area “A” designated AG is within the ALR; however, there are also small portions of AG in the rural west area that lie outside of the ALR. Additionally, there are significant portions of ALR land in the Anarchist Mountain area designated as “Small Holdings” and an area along the northeast border of Electoral Area “A” that are ALR and designated as “Resource Areas.”</p>	<p><u>Section 9.1:</u> This paragraph ignores the truth that <b>fourteen properties</b> within the ALR are designated <b>Small Holdings (SH)</b>, and that this Update seems to change that by “creating” a new SH designation which no longer considers the “agricultural” and “rural” context. <b>See my objections to this trend in my initial comments, dated 2020-08-31.</b></p>
<p>.7 Encourages new development adjacent to agricultural areas to provide sufficient buffering in the form of setbacks, fencing and landscaping that is consistent with the <i>Ministry of Agriculture Guide to Edge Planning Promoting Compatibility Along Agricultural – Urban Edges.</i></p>	<p><u>Section 9.3.7:</u> This “encouragement” should also apply to the <b>fourteen Small Holdings (SH)</b> designated parcels within the ALR. Obviously,</p>

the Ministry of Agriculture’s Guide about “urban edges” **should and could not** to be used for these particular setbacks.

<p>e) if the parcel of land that is the subject of an application adjoins a Low or Medium Density Residential zone, the micro cannabis production facility will be setback 60.0 metres from that zone boundary.</p>	<p>A (minimum?) setback of 60.0 metres should be stated for <b>all Land Use Designations</b> and not only for RA (8.3.12.e) and AG (9.3.13.e)</p>
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This setback requirement for Small Holdings (SH) should be added in Section 10.4, while there are some strange “errors” in Section 10.3.10.e (under LH) where “Medium Density Residential” is obviously **wrong** and the 60 metres should be **60.0 metres** (as in the rest of the document). An acquaintance of us who lives on a small property on Canyon Road, close to the former sawmill west of Rock Creek, had a **lot of unwanted odour** from the cannabis operation that went into that site.

This seems to be the extent of my comments today. Thank you for your consideration to these concerns.

Yours truly,  Jacob A. de Raadt.

c.c. Mr. Mark Pendergraft, Area “A: Director, RDOS Board.

Jacob A. de Raadt, Esq.

2020-10-19.

Mr. Christopher Garrish, MCIP,

Planning Manager, RDOS.

by e-mail.

**Additional Comments on the DRAFT Area "A" OCP Update Bylaw dated 2020-07-17.**

Dear Sir,

Please find in this letter my **fourth batch of comments** on the above document and its supporting documents, some of which are general and others more specific. My main concern this time is **"transportation"** and in particular, **"transportation by road"**, which is (in my long held view and current regular experience of Highways 3 and 97 through Area "A") not getting its due amount of attention in the "Draft". I would be remiss in my life-long professionalism and ethics if not suggesting that **more needs to be said**, as many years ago I was a member of a team preparing formal Transportation Studies for Alberta towns with populations similar Osoyoos at present, (Lacombe and Stettler<sup>1</sup>) and those results were used in OCP Bylaw updates. I also prepared many transportation and traffic impact studies for annexation proposals and development projects around Calgary.

1. The current "Draft" mentions the word **"transportation"** only 21x, some of them in headings and titles that do not mean anything by themselves. The first paragraph of **Section 2.1 (Background) on page 10** states that **"An Official Community Plan (OCP) is a planning document that provides policies on a broad range of topics including land-use, transportation, housing, parks and infrastructure. OCPs designate land for specific purposes, such as commercial/retail, residential, park, and industrial. OCPs are developed through public consultation and the objectives and policy statements within them reflect the collective desires of the people within the planning area."** so whether this noble purpose is met, we need to proceed to **Section 5.2 (Broad Goals) on page 19** at point 5.2.7: **"Transportation. Maintain a safe and efficient transportation system for all road users."** That seems to narrow the purpose (or goal) down to the crux of the matter, but sadly makes an assumption that the current (transportation) system is already safe and efficient, (so that it can be maintained in that shape). That is where (in my humble opinion) the water starts to get murky, because this point 5.2.7. indicates absolutely no policy about what might RCOS be needed to have as a policy if the existing system is not "safe and efficient". That **"assumption"** may well be false, in which case Section 5.2.7 would be meaningless.

2. The second paragraph of **Section 7.1 (Background) on page 27** (under the Heading 7.0 LOCAL AREA POLICIES) does not give a policy: **"With improved transportation routes into and out of the South Okanagan after 1960, additional communities outside of the valley bottom began to emerge, specifically at Anarchist Mountain (to the east) and at "Kilpoola" (to the west)."** My concern with this is that the words are not really true. The land development projects on Anarchist Mountain did not occur as a result of the completion of the Hope-Princeton portion of Highway 3, and the words "tourism", "retirement", "vacation homes" and the like ought to be used in any rephrasing of that sentence to have it make sense and be truthful as well. My previous concern about a

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<sup>1</sup> And some years later, I was YTG's Project Manager for the Takhini Area Transportation Study in Whitehorse, Yukon.

community supposedly called “Kilpoola” are known to you; the reason for land development on Old Richter Pass Road was likely also independent of the completion of the highway through E.C. Manning Provincial Park.

3. In **Section 7.2.1 (Policies) on page 28**, (still under 7.0 LOCAL AREA POLICIES) the rubber hits the road with **“The Regional Board: “2 Encourages signage within provincial highway road dedications to comply with the Ministry of Transportation and Infrastructure’s Policy Manual for Supplemental Signs (2005).”** This only seems to mean **an RDOS policy of “encouraging” another legal entity (MOTI) to comply with its policy**. Why? Well, obviously because all “roads” (actually road “right-of-ways” or “dedications”) within Area “A”<sup>2</sup> are under the jurisdiction of the MOTI (= “Her Majesty the Queen in right of the Province of British Columbia”<sup>3</sup>) until QEII dies, and then it becomes “the King”. It appears that the only thing that RDOS may do, is to “classify” them (see ▼)

Now everybody would agree that only Highway 3 and Highway 97 run through Area “A” and that none of the arterial, collector or local roads (as shown on Schedule G of which the legend is shown at right) ought to be considered “provincial highways”, but then two questions arise:

(a) How can RDOS do **this encouraging of the MOTI**, if the MOTI seems to be unwilling and/or unable to enforce their policy?

(b) If (and how) RDOS can do anything about signage on these **other roads** that are located in Area “A” but under control of the MOTI? Obviously, the MOTI’s Policy Manual for Supplemental Signs (2005) can

ROAD CLASSIFICATION	
	Highway
	Arterial
	Collector
	Local Road

only apply to provincial highways and not to these arterial, collector and local roads. This is where **the draft’s RDOS policy seems to fall apart as a platitude**. Moreover, what about “private signage” along **all roadways**?

4. Well the very next **Section 7.2.1.3**, with the words **“Encourages the establishment of a quality landscape and built form by limiting the amount of commercial signage and prohibiting the placement of commercial signage promoting third-party and off-site uses, particularly on important thoroughfares through the community such as Highway 97 and Highway 3.”** **seems to cover that point and answer that question**. Once again, the word “encouraging” might be seen as a paper tiger, because it only deals with **proposed private signs and not with existing (authorized and unauthorized?) ones**, of which there are many, too many in fact, and not only on Highways 3 and 97. The words in Section 7.2.1.3. might be workable (and enforceable) for new (Building Permit) applications for yet one or two or three more fruits stands or wineries, but it does nothing for private signs on the highway right-of-way that popped up overnight without even an application, or for those that, (like the US signs for “Burma Shave”) clutter the highways on an annual or perennial basis, so that I cannot properly see approaching traffic from the north when in the driver seat of my Chevrolet Tracker close to home. An unparalleled proliferation of disarranging private signs (as if I really need to be reminded what an apricot or a cucumber looks like!) that is likely causing a lack of drivers’ attention to the job at hand, and initiating a fender bender crash (or worse) at many occasions. Even for **new private signs**, the existing policy (is there one?) through the Building Permit process, has not worked well, and has resulted in a **much too wide driveways and “landscaping” within a “local road right-of-way”** close to us. Not encouraging news for you, perhaps, but I question if Section 7.2.1.3. is good enough to be **workable and enforceable**, because the OCP is a “planning tool”. Now to whom does the attentive local resident (like me) complain about this situation: **The RDOS Bylaw Officer or the MOTI?** Note that both are 60 km away, and if the latter, the privatization of “highway main-

<sup>2</sup> Even the short 122<sup>nd</sup> Avenue in front of my house is under the complete control of the MOTI and not of the RDOS.

<sup>3</sup> Until the Community Charter of the ± turn-of-the century, this was also true in all but the four BC “Charter Cities”.

tenance functions” would likely in former days have caused a thick file with red tape before any preventative or corrective action were taken, or dozens of inter-office e-mails today. And I have yet to mention realtors’ signs bright and beautiful, big and small, that stay on for years, it seems. Compared with them, federal and provincial election signs are well regulated; perhaps RDOS ought to take a lesson or two from Returning Officers. (These comments also apply to **Sections 7.3.1.3 and 12.3.5.**)

**5. What is sadly lacking, and (in my opinion) needs to be added in this OCP Update Bylaw** is a certain level of recognition that since 2004, both Highway 3 (called the Crowsnest Highway) and Highway 97 (called the Okanagan Highway) – as they run through Electoral Area “A” – are part of **Canada’s National Highway System** (in the “feeder route” class to the Trans-Canada, which is in the “core route” class) which can be seen and well explained at the website with this link: [https://en.wikipedia.org/wiki/National\\_Highway\\_System\\_\(Canada\)](https://en.wikipedia.org/wiki/National_Highway_System_(Canada)) and note the words in the second paragraph about a possible funding source outside the provincial government coffers: **“However, the federal government provides some funding assistance for important maintenance and expansion projects on designated highways through cost sharing programs.”** The importance of this ought to trigger an **RDOS policy statement**, as “expansion” or even “upgrading” might well be included in “maintenance”. While the two sections of Highway 3 (both east and west) are not likely to be “upgraded” due to the two mountain passes, Highway 87 (in my opinion) is not quite “up to par” geometrically, particularly when compared to Highway US 97 south of the border with Washington State. **Let me explain: I believe that it does not meet current design criteria in a number of locations.**

**6.** While working for six years in Arizona, my job function was to prepare **“AASHTO Controlling Design Criteria Reports”** for about fifteen major highway maintenance projects called Pavement Preservation Projects (for which I also had to prepare **“Final Project Assessment Reports.”** These formal (legal?) documents had to be signed off by a senior manager at ADOT and by a senior manager at the Arizona Division of the Federal Highways Administration. The FPA’s dealt with **(a)** “what need to be done”, **(b)** “when will that work be done” and **(c)** “who pays for what part of the work.” Most costs were from one or multiple federal funding sources. Page 9 of <https://apps.azdot.gov/files/Roadway-Engineering/predesign/2009-aashto-guide.pdf> shows the 13 criteria:

<b>AASHTO CONTROLLING DESIGN CRITERIA REPORT</b>	
There are thirteen “AASHTO Criteria”:	
1. Design Speed	8. Grade
2. Lane Width	9. Stopping Sight Distance *
3. Shoulder Width	10. Cross Slope
4. Bridge Width	11. Vertical Clearance
5. Horizontal Alignment	12. Horizontal Clearance
6. Superelevation	13. Structural Capacity/Bridge Barrier
7. Vertical Alignment	
<p>* Note: There are three aspects of stopping sight distance that are reviewed:            Vertical curve stopping sight distance, horizontal curve stopping sight distance and intersection stopping sight distance.            AASHTO policies and guides provide values for these “AASHTO Criteria”. Design exceptions are required if these criteria do not conform to the values as set forth in the standards of the following publications:            1. A Policy on Geometric Design of Highways and Streets, 2004            2. A Policy on Design Standards – Interstate System, 2005</p>	

Clicking on the blue hyperlinks on that page 4 will lead to a description of the **“current design criteria.”** Most “maintenance projects” needed an AASHTO Controlling Design Criteria Report, and if any could not be met, a “Design Exception Letter” had to be written, together with a justification based on crash statistics, and this had to be approved by ADOT and the FHWA. (On one of my projects, the FHWA refused, so that a “non-conforming criterion” had to be “fixed” – **adding another few million dollars to the project cost!**)

Now please do not misunderstand me, as if I would suggest that provincial highways in our province and autonomous country should be upgraded to US requirements, as they are e.g. in the AASHTO Policy Green Book. By no means, every state in the USA has its own “highway design standards”, but they follow the general “Policies” of that Green Book. The BC MOTI also has its own “highway design standards” and so have Alberta and the other Canadian provinces<sup>4</sup>, while Canada has the **“Manual of geometric design standards for Canadian roads and streets”** from an organization first prefaced by the letters CGRA (Canadian Good Roads Association), then RTAC and then TAC. These documents are all **“updated”** occasionally (last in 2017), but not in their major principles or concepts, just like an OCP Bylaw, and the operating word in all of this is **“current”**. **My concern is that Highway 97 in Electoral “A” does not meet some current MOTI design criteria at some locations.**

The acronym AASHTO stands for the American Association of State Highway and Transportation Officials, of which **British Columbia’s MOTI** (as well as counterparts in **eight other Canadian provinces/territories**) are **International Associate Members**.<sup>5</sup> See at <https://meetings.transportation.org/overview-benefits/associate-members-application/#international> and the footnote ▼ below. I believe that the sections of the Okanagan Highway through Area “A” ought to be **“upgraded”, and not only “maintained”** to remain at what was designed **(in good faith, when vehicles were different in many ways, the traffic volume was much less and traffic safety was yet to be studied)** according to the design standards that existed when it was first built. Current road users, also including those visitors entering BC from US 97 south of us, deserve a proper Okanagan Highway – and the RDOS ought to **“promote”** or **“encourage”** that **“upgrading”** with a strong policy statement in the OCP Update Bylaw. **The first step ought to be made; if not now, will it ever be done?** The “status quo” is unacceptable, RDOS ought to be “proactive” instead of “reactive” in this OCP Bylaw Update.

Last fall, a resident of Area “A” whose former senior employment was with the BC Government Lands Branch, told me that the MOTI (in its former guise MoTH) studied the realignment of Highway 97 south of Cemetery Hill. In those days, that kind of work was done in Victoria through the Major Projects Section of the Ministry. It is unknown if any possible alignments were brought to the attention of the public, but **perhaps they were shown to the RDOS**. In those days, traffic volumes were much lower and design standards different, annual mileage traveled by local drivers and by tourists was less, and nobody had even envisaged a National Highway System, in which Highway 97 is a natural extension of US 97 that first started at Weed in California in **1926**. (Would an “upgrading” in Area “A” perhaps be possible, just in time for the **upcoming centennial** of the highway system?)

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<sup>4</sup> In 2008, I discovered that Mexico had adopted an almost verbatim translated version of the 1995 AASHTO Green Book.

<sup>5</sup> “International Associate Members are agencies in the Territorial Governments of the United States, adjoining provinces and other territories of Canada and States of Mexico in which the official highway responsibilities are lodged and their duly constituted heads and other chief directing officials engaged in the administration and technical work of such agencies. The Executive Committee may also approve as an International Associate Member any highway or transportation agency of any other nation, or State, Province, or Territory thereof and their duly constituted heads and other chief directing officials. **International Associate Members have the privilege of attending meetings and committee sessions and taking part in discussions but not of voting.**”

In fact, [https://en.wikipedia.org/wiki/U.S. Route 97](https://en.wikipedia.org/wiki/U.S._Route_97) states: "US 97 intersects SR 20 near Omak before US 97 crosses the Canada–US border north of Oroville, Washington and becomes British Columbia Highway 97 at Osoyoos, BC. **BC Highway 97 is the longest uninterrupted highway in the province** winding south-to-north, eventually becoming part of the Alaska Highway and passing into the Yukon Territory. However, the '97' designation ends at the BC/Yukon border." and later: "The Alaska Highway portion of Alaska Route 2 was once proposed to be part of US 97. This never came to pass, as the Yukon Territory declined to also renumber its portion of the highway to '97'. The Alaska International Rail and Highway Commission lobbied for the designation of US 97 from Fairbanks, Alaska to Mexico City in the late 1950s." (This just for historical context.)

Of course, I also recognize that **RDOS might be in a bind by being "proactive" in an OCP Update Bylaw**, as it is not an actual "government". Canada has a system of three levels of government (federal, provincial and local), and in this model, Electoral Area "A" is not a "local government entity", while a Regional District is not the "provincial government" itself. As is known from e.g. the Lower Mainland, a local government may participate in programs from an adjacent regional district, while formally being part of the Greater Vancouver Regional District (that currently calls itself Metro Vancouver, which name has been questioned in court). South of us, a county is the principal political and administrative subdivision of a state; Okanogan County is a political and administrative subdivision of the State of Washington. Comparing RDOS (or Electoral Area "A") to the country south of us is not really possible. In the US, the principle of **subsidiarity** is held (that decisions should be made at the lowest level possible). The **American federalist system** is based on all the states having power except for that which they, collectively, hand over to the federal government. **In Canada, it goes the other way.** The federal government has the power except for that which it relinquishes to the provinces. Perhaps that is how and why and how we have been overwhelmed with "downloading" for the past thirty-odd years, so that our highway system is now inadequately funded for anything but minor maintenance, e.g. **asphalt resurfacing** (just before provincial elections) to show "your tax dollars at work" for newly blackened and crack-less travel lanes and paint lines, **without addressing geometric, structural and traffic operational needs.** (Sorry for my sarcasm!)

7. From the gist thus far, you may gather that I am in complete agreement with the policy statement in **7.2.1.4.**

8. Traffic operationally, "**access management**" which was formerly called "**access control**" is considered a problem on Highway 97 (and on Highway 3 to a lesser extent). I believe that the OCP Update Bylaw should be stronger in **Section 12.3.1.4:** "May support future commercial development on locations away from Osoyoos Lake to reduce human impact on the lake and maintain and improve water quality and habitat, provided that the development: **e) can be accessed safely from local highways, Highway 97, or Highway 3.**" (and also Section 12.4.7(e), although that might contradict Section 12.4.6.). As stated above, the policy as it stands does nothing to **reduce the too many access locations that already exist** (whether by permit or not, whether supposedly grandfathered or not). I realize that by being "**proactive**", this RDOS OCP Update Bylaw may seem to intrude and step on the toes of the MOTI, **but so what?** A highway on the National Highway System ought to be treated as "more than a normal provincial highway that is not on the National Highway System". That was the intent, and if needed, the RDOS might take the MOTI to task to prove that they are fulfilling their mandate to the travelling public regarding traffic safety. The reduction of (mainly commercial) access locations ought to be "encouraged" in the OCP Update Bylaw. I believe that if you do not do it, the MOTI will never do it, as it has political implications. Moreover, in the whole Ministry (I recently heard from a reputable source) there is nobody with the designation Professional Traffic Operations Engineer® (PTOE). An improved text of these



sections (and others) is needed to conform to the first sentence of Section 18.1, where the term “Controlled Access Highways” is correctly stated.

9. Section 15.4.4.(d)(i) is a bit different, as it deals with new parkland development: “vehicular ingress and egress should meet Ministry of Transportation standards;” which is obviously a provincial function and does not specifically address provincial highways, only the “standards” of the MOTI, which is vague, because they might be differently interpreted by different people in different offices of different Ministries. As an example, (1) the picnic ground and (2) the parking lot for that picnic ground at the bottom of 120th Street come mind. There is **no “vehicular ingress and egress” to the picnic ground**, but the Approving Officer in the MOTI office in Kelowna approved the subdivision plans for both Phase I and Phase II, and engineering drawings show **no access**.

10. Regarding traffic volumes on Highway 3 and Highway 97, I googled this in and found the AADT (Average Annual Daily Traffic) volumes <https://www.th.gov.bc.ca/trafficData/legacy/TDP-97-03.html> on these highways through Area “A” (which renders a .zip file), from which the following has been copied:

Highway 3 West (159) <sup>6</sup>	Highway 3 East (161) <sup>7</sup>	Highway 97 South (496) <sup>8</sup>	Highway 97 North (497) <sup>9</sup>
1713 in 1995	1624 in 1994	2270 in 1994	6254 in 1994
1719 in 2000	1781 in 2000	1842 in 2000	7086 in 2000
1628 in 2006	1493 in 2006	1653 in 2004	7395 in 2005
1674 in 2009	1621 in 2007 (last count)	1637 in 2008	7216 in 2009
1929 in 2012		1771 in 2008	7448 in 2012
1813 in 2013 (last count)		1475 in 2015 (last count)	7214 in 2013 (last count)

11. Further to questioning the validity of these data (see e.g. in the footnotes below), much could be said about the appropriate interpretation of these **historic traffic counts**, and I want to tell about a project I handled in Arizona, where **SR 95** is the highway between **Quartzsite** and the intersection with US 93 within the **City of Parker**. A “political” request came for a set of passing lanes on this two-lane highway that runs straight north in the desert. The AADT of this stretch was in the order on **1600 vehicles per day**, and this clearly did not meet ADOT’s “warrant” or “standard” for passing lanes at all. However, due to the considerable winter traffic volumes generated by many thousands of snowbirds and annual “rock and gem” shows at Quartzsite (which fact was

<sup>6</sup> Segment: **Route 3 From Junction Route 3A To Junction Route 97** – but this is a **long stretch of highway**, and the location of the counting station is only given as **49.03948 degrees North and 119.6994 degrees West of Greenwich**, (**which point is near the Nighthawk cutoff, outside Area “A”, and therefore does not include any traffic from the development on Old Richter Pass Road.**)

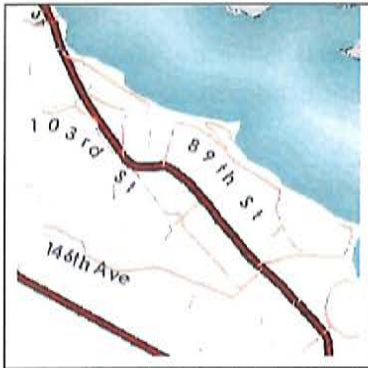
<sup>7</sup> Segment: **Route 3 From 82Nd Avenue Osoyoos To Rock Creek Cut-Off Road** – but this is a **long stretch of highway**, and the location of the counting station is only given as **49.01702 degrees North and 119.2017 degrees West of Greenwich**. (**which point is east of Ravenhill Road, likely outside Area “A” (= outside the Regional District) and therefore does not include any traffic from development on Anarchist Mountain.**)

<sup>8</sup> Segment: **Route 97 From Us Border To Junction Route 3 (Osoyoos)** – which is a **short stretch of highway**, with meaningful results.

<sup>9</sup> Segment: **Route 97 From Junction Route 3 (Osoyoos) To Road 2 (338 Th Avenue)** – but this is a **long stretch of highway** that runs in Electoral Areas “A” and “C”, and the location of the counting station is only given as **49.03788 degrees North and 119.4794 degrees West of Greenwich**. (**which point is close to “Cemetery Hill” within Area “A”, but does not include any of the local traffic between that point and the Town of Osoyoos, like garbage dump traffic, several fruit packing plants and a bottle washing plant. It also does not count any traffic from the Osoyoos Cottages development (outside Area “A”, on OIB land) that travels to Oliver.**)

generally known), I initiated a detailed one-week traffic count, to be done during February. This yielded an average daily traffic result of about **4500 vehicles per day**. My Project Assessment Report (and AASHTO Controlling Design Criteria Report) used this number, and the project was very successfully approved as needed. It was constructed south of the bridge over Bouse Wash. Only after returning to BC in 2008, my wife and I saw the completed project when “boondocking” free on BLM land near Bouse.

**12.** Some statements in **Section 18.1 Background** of the DRAFT OCP Update Bylaw are therefore to be taken **with a grain of salt**. I note that this is more extensive than Section 15 in the existing **OCP Bylaw No. 2450, 2008**. Not knowing which of the **objectives** of (more than) twelve years ago have been fulfilled and realized (because I did not live here then), I would commend you for starting something good, which you may want to make better by some of my comments. One particular concern is that of the lack of an emergency “detours” or “bypasses”.



(a) Between the north end of **87 Street** (that comes from the Town of Osoyoos) and the very awkward intersection(s?) at **146 Street** (that serves the Desert Centre and the Osoyoos Dump) there is absolutely no alternative north-south road link. In case of a major traffic mishap (which we called an accident years ago) there is no way for an ambulance, fire truck or police vehicle to detour or bypass the scene of the incident. North of **146 Street**, the long and structurally unsound **89 Street** loop could be used; only locals would do that.

(2) North of the north link of **89 Street** (a.k.a. 168 Avenue) a similar situation exists, to where **176 Avenue** intersects that accesses Lakeview Cemetery. This is an unacceptable transportation condition that doesn't warrant the verbiage

under the **first bullet** in **Section 18.1**: “**Highways (Highway 97, Highway 3), which allow for rapid, efficient movement of large volumes of through traffic to achieve regional continuity. To secure swift and safe traffic movement, direct access onto Controlled Access Highways will be limited, and more turning lanes and channelization may be required at major intersections;**” which is boilerplate with generalities and platitudes. The “**rapid**” is not there (due to some sharp horizontal curves)<sup>10</sup>, the “**large volumes**” is hyperbole, to the word “**regional**” should be added “**international**”; “**continuity**” is only “so-so” because of (a) and (b) and a few other deficiencies, like at Hiltop on Highway 97 South. That section has some more similar challenging situations, where an added inconvenienced party might be the Canada Customs Agency staff, who might want to barrel up the highway and meet an incident site without a convenient and known bypass or detour. (You might counter that this is also true for Highway 3 East and Highway 3 West, as it is for **Highway 37** that is closed north of **Dease Lake** today due to a crash, as I complete this submission. But Dease Lake or Watson Lake Yukon does not have a population of 7000 (like Osoyoos + Area “A”) that has no hospital for mostly senior residents. I argued this unsafe stretch of Highway 97 a few years ago when Osoyoos was threatened by school closures. I would therefore suggest that the OCP Update Bylaw **contain a challenge to the MOTI to reverse** the information that you must have received from them, as shown in the first paragraph of Section 18.1, which currently reads: “**As of 2020, no development of new major road systems by the Province is anticipated within the Plan Area.**”

Now I do not know if you or any of your staff wrote this, or if this was given as input from somebody from the MOTI, and in light of the foregoing, this Utopian view is just not valid. Please reconsider writing something more realistic, though it might only be a “policy statement or two” that after all belong in an Official Community Plan.

<sup>10</sup> “that do not comply with current design criteria” is the standard term. NEVER use the word “substandard”! ADOT was sued for it.

13. Under the **second** bullet of **Section 18.1 Background**, I suggest to add to the wording: **“Collector Roads (e.g., 87th Street) are mostly paved secondary roads linking rural communities.”** something that reflects the fact that **87 Street runs into the Town of Osoyoos**. It is a lifeline for some like ourselves, who can avoid Highway 97, and for many when there is a mishap on Highway 97 North. I believe that **87 Street** should actually be considered an **“Arterial Road”** instead of a **“Collector Road”** as it likely carries just as much traffic as the loop of **25 Street/82 Avenue** east of town. That leads me back to the first bullet, **because Highways 3 and 97 serve “local traffic” as well as “through traffic”**. And on Schedule ‘G’, would it perhaps be possible to change the colour scheme for the **road classifications**, (see page 2 above) as the existing differences are a bit difficult to see.

14. The text at the **third** bullet in **Section 18.1 Background** reads: **“Local Roads (e.g., Bullmoose Road, Old Richter Passage Road, 160th Avenue) are generally gravel roads providing access to smaller, secondary settlement areas.”** I believe that Old Richter Pass Road (not Passage) is actually not gravel, but **“chip-sealed”** as many of the local roads (and 87 Street, and 25 Street/82 Avenue) are. Very few local roads are “gravel roads”; one I can think of is the horrible one to Blue Lake and Kilpoola Lake (where there is no “smaller, secondary settlement area” at all, as mentioned before.

15. The last paragraph of **Section 18.1 Background** reads: **“BC Transit’s South Okanagan Transit Future Plan (2015), provides a vision for transportation in the region. Transit options in Electoral Area “A” are limited but the Plan Area has one of the highest levels of riders within the RDOS system. As of 2020, there is one bus service (Route 40 & 41) that runs twice a week between the Town of Osoyoos and City of Penticton. There are five bus stops within the Town of Osoyoos before heading north to Oliver, OK Falls, Kaleden and Penticton but no bus stops within Electoral Area “A” itself.”** This might sadly all be very true, particularly for aficionados of the public transport mode like me (by the way, “transportation” is a dirty Americanism; Canada and other English speaking countries have a Department of Transport, eh?), but it needs to be added to. What does **“one of the highest levels of riders”** actually mean, without giving any number? I know of **NOBODY** in the Osoyoos area (i.e. in ToO and Area “A”) that has **ever taken a bus** to Oliver or Penticton. I am confident that I am not alone, and I say this as someone who, for many years during his professional career, has taken a bus to work on the basis of **choice**, not **need**, who also was a member of the Whitehorse Transit Commission, ranked very high as a system during the 1980’s among systems of a similar size. Because it **served** the community; the local one **does not do so**. And by the way, Route 41 is called “Osoyoos Local” and **does not even run within Area “A” at all**. (The right-of-way of 92 Avenue is within the Town of Osoyoos.) **Please delete any reference to this route.**

16. **Section 18.2 Objectives** needs some attention. Further to what has already been noted, the following:

Ad points .1 and .2: No concern, except that **“international”** goods traffic might be added, prodding the MOTI.

Ad point .3: The only **“school”** in Area “A” is a non-certified independent school; it borders a street within the Town of Osoyoos and most likely serves Town of Osoyoos residents. Please reconsider this example of boiler-plate text. Area “A” has hardly any parks.

Ad points .4 and .5: No concern, although I note the word **“serves”** in point .5. In the late 1990’s, I served on the Township of Langley’s PTAT, (Public Transit Access Taskforce), to develop BC Transit’s mini-bus routes through the City of Langley, Fort Langley/Walnut Grove and Ferndale/Brookwood. That was quite challenging; these routes were initiated but have not really been successful financially. Within Area “A”, I do believe that the ridership does not exist (and it never will be there), and that any bus stop (on Highway 97 North) would need to be on the Provincial Highway. The alternative of a route along 87<sup>th</sup> Street is inconceivably unthinkable.

Ad point .6: The **wrong use of the phrase** “multi-model” in this text: “Provide a **multi-model** transportation system and secure road and trail networks for all forms of transport, including pedestrians and bicycles.” This might perhaps only be a typographical error, as is if it should be “**multi-modal**”, but there is more to it. The terms “multi-modal” (hyphenated and non-hyphenated) “intermodal” were buzzwords from the 1990’s; in Arizona there was (and still is) an **ADOT Multimodal Planning Division** (with a Priority Programming Group, responsible for developing the Five-Year Transportation Facilities Construction Program for highways and airports under the Priority Programming Law) while the Roadway Engineering Group fell under an **Intermodal Transportation Division**. I believe that the phrase “multi-modal” actually belongs to the realm of goods’ movement; moving containers at the Port of Vancouver onto trucks or trains is a multi-modal transport activity, as **different modes of transporting goods** is involved. However, reading part of the very recent paper at [https://www.vtpi.org/multimodal\\_planning.pdf](https://www.vtpi.org/multimodal_planning.pdf) , I may be wrong, as the meaning has changed. I do not deny that pedestrians and bicycles are modes of how people transport themselves, and that this is an important function in an OCP. Earlier in my career, I served as Senior Research Officer, with my stated field of investigation “the engineering aspects of pedestrian safety”.

On page 16 are the actual policies, where it starts in **Section 18.3** by “**The Regional Board**” .... My comments:

Ad point .1: It reads “**The Regional District supports, where possible, the establishment of bicycle lanes adjacent to arterial roads, for transportation purposes in addition to recreation.** I would suggest that this be improved and rewritten so that **highway shoulders not be used for bicycle lanes.** Now “highways” are already a separate classification than “arterials”, so this text seems to say: “Take the bicycles off the highway shoulders!” Does it. No. The text as written could very easily be interpreted to include them, particularly by the phrase “where possible”, and the statement might then become: “Well it is not possible anywhere else, so keep the highway shoulders available for cyclists.” Bicycle lanes should be on the **minor roads** (like **collector roads** and **local roads**) and **not even on the arterial roads**. This was already recognized by the City of Calgary in the mid-1970’s, when that city (of half a million) became Canada’s prime example of how cycle paths had to be planned and built. **It would be ever so nice to have bicycles banned from Highway 97 “where possible”**. Perhaps that ought to be an RDOS policy statement, and this inevitably leads me back to pointing out the **lack of road connect-ivity in certain section of Area “A”**.

Ad point .2: It reads: “**Supports and encourages the provision of safe pedestrian and cycling opportunities along all Plan Area local roads where feasible and appropriate as improvements are made to the roadways.**” See above, and I am in agreement with this. The problem is obviously that **the majority of local roads in Area “A” are cul-de-sacs**, and that the local roads should only connect to collector roads, that collector roads should only connect to local roads and arterial roads, and that arterial roads should only connect to collector roads and highways) according to the trusted model of roadway classification, shown in many textbooks, and ... that this is not possible in Area “A” where e.g. **122<sup>nd</sup> Avenue (a local road) connects to Highway 97**.

Ad point .3: It reads: “**Encourages MoTI and the Approving Officer to ensure that each new parcel of land to be created by subdivision has frontage on, and reasonable and practical access to, a public road.**” My questions are

- (a) Why it mentions “MOTI and the Approving Officer”, if there is only one Approving Officer, a MOTI employee?
- (b) I really thought that what is stated in this point has already been “**automatic**” and that for more than a century, all new parcels have frontage on and access to a public road. Why quote the obvious? In all my years

working in BC, I only encountered one **land-locked parcel**, on a hand-drawn legal plan from the **1890's**, east of Prest Road in Chilliwack. (Although I now realize that in Port Mann townsite (north Surrey) surveyed in **1911**, such anomalies also abounded. [https://en.wikipedia.org/wiki/Port\\_Mann](https://en.wikipedia.org/wiki/Port_Mann) ) My Chilliwack client used that land for a lot line adjustment subdivision, so **it no longer exists**, and for several clients, Grassroots Consulting Services handled planning & engineering for subdivision applications off Grosvenor Road in that part of the City of Surrey.

Ad point .4: It reads: **“Where existing highways and roads have deficient right-of-way widths, MoTI and or the Approving Officer should secure, where possible, additional land to remove all or part of the deficiency.”** My comments are similar to those on point .2 above, as I always thought this was “automatic”. The problem might be that it is not clear **WHO** decides **IF** particular “highways and roads” have a deficient right-of-way width. Currently, if this is already the MOTI, (as argued above on page 2), the whole point .4 might be a bit redundant. However, many (local, collector and arterial) road right-of-ways in Area “A” are currently as wide as when they were surveyed many years ago, which might be deficient by today’s MTI standards. (When our property was surveyed in 1970, the owner had to dedicate 13 feet for widening the existing 40 feet to 66 feet, expecting that owners on the other side of 122<sup>nd</sup> Avenue would do the same. This would prove that it already a requirement.

Ad point .5: It reads: **“Encourages the Province to widen and pave shoulders on designated cycle routes and improve safety signage for cyclists and drivers.”** My question is if “designated cycle routes” would include Highways 3 and 97 or not. As you are well aware, none of the arterial, collector or local road in Area “A” have any shoulders at all, and would it be somewhat presumptuous (?) of the RDOS to encourage and expect the MOTI toward “widening and paving 87 Street” (a local road, see above for arguing that it ought to be an arterial) which would or should or ought to become a “designated cycle route”?

Ad point .6: This text is well written and I have no comments on it, except that **“access management and control”** is tautological, the first word ‘management’ is modern and ‘control’ is the word used many years ago.

Ad point .7: It reads: **“Encourages MoTI to enforce the relevant provincial legislation regarding the control of roadside parking along provincial highways, local roads and on Crown land and implement more effective tools to manage illegal roadside parking, including improved ticketing processes and opportunities for permitted on-road parking areas.”** This kind of **“encouraging”** may not mean a lot in Area “A” where one can often see an (abandoned?) vehicle parked along the arterial, collector and local roads, and even on the highway-right-of way of Highways 3 and 97. (Mind you, I do not mean on the shoulders!) It seems that in this text, **“local” encompasses “arterial” and “collector”**, which is **inconsistent** with the remainder of the OCP Update Bylaw. It would also appear that this text (correctly!) tries to get the RDOS Bylaw off the complaints that may be raised by local citizens, putting the onus on the MOTI (which seems to have been delinquent in its duties), as who knows, they might well delegate the job of removals to their privatized highway maintenance contractor.

Ad points .8 and .9: See above on my view on the “future” of transit in Area “A”. One more thing: At an ITE Conference in Calgary, I once heard that Calgary Transit serves 90% of the City residents with a bus route within 400 metres from their homes. You would agree with me transit planning goes hand-in-hand with subdivision layout ideas and density and such parameters, which do not bear at all on Area “A” with its slightly shrinking and rapidly maturing (one year per year!) population. However, just imagine what might have happened if the CP railway right-of-way had not been abandoned and sold off many years ago. That right-of-way might have been utilized for building a **continuous north-south road** (as an arterial or provincial highway) with superb geometrical design criteria, and this might have made a tremendous impact on Area “A” and the ToO, which we

cannot in hindsight even think about. Even after abandoning the trains, the right-of-way might also have been kept for a hiking/biking trail, connecting further north to Okanagan Falls and Penticton. In that case also, this OCP Update Bylaw would have been totally different. Alas, errors from the past cannot be redone.

Ad point .10: It reads: **“Encourages the Province and the RCMP to improve traffic safety and enforcement on all Plan Area roads.”** I have no idea why the RCMP (a federal entity) has to play any role in traffic safety on roads that are by definition under provincial jurisdiction (see below). Let the Mounties stick to enforcement (and they already have enough on their plate, all over the country.) In 1989/90, I sat on Abbotsford/Matsqui’s joint Traffic Safety Committee, headed by the young **Mr. Mike de Jong** (pun intended) under the initiative of the young and active **Ms. Mavis Johnson of ICBC** [https://tirf.ca/wp-content/uploads/2016/08/bios\\_Mavis-4.pdf](https://tirf.ca/wp-content/uploads/2016/08/bios_Mavis-4.pdf) who came from North Vancouver every month. This was (I believe) the first time that ICBC got involved in such committees, and I met her later at several ITE meetings, after ICBC had been merged into the MOTI, when papers about a number of traffic safety issues were prepared under her name and/or oversight and/or funding approval. Traffic safety is a provincial jurisdiction and responsibility, of which the MOTI has unfortunately absconded itself. **The word “encourages” in this policy statement should be much stronger (but I do not know what it should be.)**

Ad point .11: I support this policy wholeheartedly. In the 1990’s, Grassroots Consulting Services’ “Project 2” was a **“road closure”** application gone sour (through a realtor enticing an older couple to subdivide their land in two). I took over, and the simple idea of closing an unconstructed lane became possible as a **“road exchange”** with a narrow strip of widening of 124<sup>th</sup> Street and 76<sup>th</sup> Avenue. Why? For a road closure, the Provincial Government was involved, while a road exchange could be handled by a City bylaw, not involving Victoria. I am not sure whether the same situation would apply where the MOTI actually “owns” the road right-of-way.

Ad point .12: The text reads: **“Supports the creation of a pedestrian and other non-vehicular right-of-ways between established residential and park areas, and between tourist commercial developments within the plan area, and exploring this in cooperation with MoTI.”** I am ambivalent about pedestrian walkways where they could result in a black servant girl who was raped at night, (I handled a lane closure next to the Australian Ambassador’s official residence in Pretoria 1968) and am aware of a very successful system of walkways around Jarvis Elementary School in North Delta, BC, where many pupils can walk to school through the playground. But society has changed, with more **psychopaths** on **cycle paths** (= a tongue twister from Mr. Kurt Alberts, planner and later mayor of the Township of Langley) **so that “exploring with MOTI” should be the operative phrase.**

**19.** On **Section 19.1 Background** that seems to need a correction. It reads: **“Infrastructure and services within the jurisdiction of the Regional District include water distribution, solid waste management, and community sanitary sewer systems. Roads, road right-of-ways and stormwater management are managed by the Province. As electrical, gas and communication utilities are also important to the community, the Regional District has an interest in helping guide the provision of these services.”** The **perceived error** is that **“communication services”** (like Telus, Rogers, Eastlink West and a host of others) are **not to be defined as “utilities”**.

**20.** In **Section 19.2 Objectives 4**, I sincerely hope that the text in point .4 **“Discourage the development of private systems for the provision of water and sewer services”** does not have an impact on the many properties in Area “A” that are served by a septic system, a.k.a. an on-site wastewater system. Does this verbiage make them all “pre-existing, non-conforming”?

**21.** In **Section 19.4. Water Supply and Distribution**, the last paragraph reads: **“The capacity of all Electoral Area “A” water systems can be increased through water conservation measures, and the Regional District has**

actively encouraged water conservation and additional measures have been recommended to the RDOS, such as leak detection and water metering.” My comments: The first sentence contains an **error**. One cannot increase the **capacity** of a water system through water conservation measures, just as little as one can increase the capacity of a teapot by pouring smaller cups of tea. The **capacity** is something fixed for the water system, ultimately it is the amount of water in the wells or Osoyoos Lake; the **capability** of the water system can be increased by installing more and larger facilities like pumps, treatment plants and reservoirs. This makes the system more **capable** to provide a service.

22. As far as **Section 19.4.2 Policies** goes, it reads: **“The Regional Board: .1 Will require new development to demonstrate a proven and adequate water supply and meet all current water quality regulations as well as the Interior Health Authority drinking water objective.”** You may not be aware that the Town of Osoyoos’ drinking water, currently purveyed to the southern 1/3 of the former SOLID’s System 8, is **“unfit for drinking”** due to too high manganese content. This was divulged at a Town of Osoyoos Council meeting during February 2019, and **ought to be reflected in the OCP Update Bylaw**. How, I do not know, but otherwise, not a single **“new development”** would be allowed under this policy, until the Town of Osoyoos completes a \$ 22 million demineralization plant.

23. Under **Section 19.5 Wastewater and Sewage**, paragraph two reads: **“Individual on-site septic systems are not viewed as a long-term sustainable method of sewage disposal unless parcels are over 1.0 ha in size. This method of disposal also increases the probability of groundwater contamination and nutrient loading into watercourses and lakes, such as Osoyoos Lake.”** I would like to **dispute this verbiage**, because in the late 1990’s, and again in 2009 to 2013, Grassroots Consulting Service was responsible for about 20 “innovative systems” in the Lower Mainland, using the BioGreen® technology, and some of these were on properties smaller than 1 hectare. These systems are currently classified as “Type 3” systems in the SEWERAGE SYSTEM REGULATION - B.C. Reg. 326/2004, available at [https://www.bclaws.ca/civix/document/id/crbc/crbc/326\\_2004](https://www.bclaws.ca/civix/document/id/crbc/crbc/326_2004)

24. In **Section 19.5.2, Policies**, I would like to **question** the verbiage about the **“Province”** and the **“Ministry of Health”**, because from my personal experience, d.b.a. Grassroots Consulting Services, their duties were all taken over by the Health Authorities in the late 1990’s, and after the adoption of the Community Charter, even more so as the municipalities got out of the picture. Maybe a clear picture would result from a meeting with IHA.

25. **Section 19.8 Other Utilities**, reads: **“Utility services, including electrical, gas, phone and Internet are vital services to a community. The Regional District is not the provider of these utility service and the Local Government Act does not allow for the Regional District to regulate these services by bylaw when subdivision is being undertaken. Nevertheless, these utilities play a vital role in the level of services to a community and, through the objectives and policies of this section, the community is encouraged to work with utility providers to ensure that Plan Area residents have access to the best possible services.**

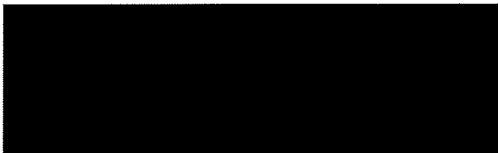
Being a predominately rural community, the Plan Area, particularly smaller settlement areas are not well serviced by **high-speed Internet or cellular phone service**. Residents support the improvement of **communication services in the community.**” On this, once again, my cautionary comment that **those in red above** are not to be construed as “utilities”. They are only service providers. Being on solar power and not a customer of FortisBC Electricity (which is a utility), this was forcefully brought to our attention in a conflict with Telus Mobility (which is not). This also would seem to affect the remainder in Sections 19.8.1 and Section 19.8.2, and I like bringing in solar power into this document (the growth industry of the century?) although I prefer to

live at 12V DC without bothering to consider selling to FortisBC Electricity, which somehow compelled me into my current status in 2015.

Sorry to day, due to time constraints, as today is the deadline for comments, I forego the opportunity to comment on the remaining sections. I trust that if my comments thus far would have an impact on the text in those sections, you would be able to consider mine at such locations, mutatis mutandis.

It has actually been a pleasure to write these comments, and I sincerely trust that you may receive them with a similar measure of pleasure, so as to make this Update Bylaw successful.

Yours very truly,

A large black rectangular redaction box covering the signature area.

Jacob A. de Raadt.

c.c. Mr. Mark Pendergraft, Area "A: Director, RDOS Board.



**From:** [Jacob de Raadt](#)  
**To:** [Christopher Garrish](#)  
**Cc:** [Mark Pendergraft](#)  
**Subject:** OCP Bylaw changes - comment 1.  
**Date:** February 11, 2021 2:06:11 PM

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**Dear Christopher,**

**Thank you for designating 87<sup>th</sup> Street as a “Collector Road” in the current Draft OCP Bylaw for Area ‘A’, in Section 18 – Transportation.**

**I am happy about this designation, but noted a few weeks ago that newly placed signage on 87<sup>th</sup> Street designates it as part of the “KVR Route” for bicycles (although the KVR never went as far south as Osoyoos, and you can check the book “McCullough’s Wonder” about that).**

**Now what does this mean for the brand new Policy in Section 18.3.5 – where (1) there are no shoulders at all, (2) sight distance is limited, and (3) some very steep sections, which may well cause the cyclists to curse the decision to “designate” this as a (long distance) cycle route?**

**.5 Encourages the Province to widen and pave shoulders on designated cycle routes and improve safety signage for cyclists and drivers.**

**Please do not get me wrong, bicycles should never have been allowed on the “Controlled Access highway” that is called Highway 97, and by the way also part of Canada’s “National Highway System” as I already commented to you earlier (and is not yet shown in Section 18.1, first sentence). This “encouraging” ought to be a bit stronger, and have teeth in it. Otherwise, the MOTI will completely ignore it.**

**The BBC News (on CBC very early in the morning) used the term “impoverished society” earlier this week, in a response to the question on how the economy is going to recuperate after this**

**pandemic. WHO will ever have money to build paved shoulders?  
The World Health Organization?**

**In this light, in retrospect, (with 20/20 vision of 2020!), the abandonment of the right-of-way of the CP railway north of Osoyoos could be seen as a huge mistake. Can you imagine if that whole right-of-way would have been kept for use as a hiking and cycling trail?**

**Jacob.**

**From:** [Alex Giovannelli](#)  
**To:** [Planning](#)  
**Cc:** [Christopher Garrish](#); [Kathleen Lausman](#); [Jim Thorton](#); [Mark Pendergraft](#)  
**Subject:** Area A OCP proposed changes - Land Designations  
**Date:** February 15, 2021 3:39:09 PM

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In looking at your latest draft, it appears there are quite a bit of changes proposed with respect to land designations which I suspect will affect future zoning permitted uses for private land owners. **I would expect that the larger the parcel, the less restrictive the uses and the more freedoms and permitted uses the land owner would possess.** However; this is not apparent in this document, in particular it appears proposed changes to Resource Area, RA (parcels 20 Ha and greater) have more restrictive uses than the smaller neighbouring Large and Small Holdings category. RA seems to now have been written exclusively for very large parcels of unoccupied remote crown lands but in reality there are many private land owners that own and reside on these properties and wish to maintain a rural lifestyle of ranching, hobby farming, raising livestock, establishing rural community businesses, etc. all uses that support the desire to maintain a rural lifestyle in our area. **RA should not have fewer permitted uses than neighbouring smaller land parcel designations.**

In particular section 5.3.8 of the existing OCP RA which states "Provides for property owners or occupiers to diversify and enhance uses secondary to Resource Area uses with home industry, home occupation, or bed and breakfast establishment business opportunities, provided that these developments are compatible with the rural character of the area." has been removed. Why was this excluded? Why is this document looking to restrict the current permitted uses?

Regards,  
Alex

**From:** [Alex Giovannelli](#)  
**To:** [Christopher Garrish](#)  
**Cc:** [Mark Pendergraft](#)  
**Subject:** Re: Area A OCP proposed changes - Land Designations  
**Date:** February 24, 2021 6:53:26 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Hi Chris,

Thanks for your response.

You are correct that the current Land Use Bylaw provides RA zoned parcels with greater permitted uses than LH zoned parcels.

However; If I understand correctly, according to clause 1.1.1 of the new OCP, one of the purposes of the OCP is "**The adoption or amendment of the Zoning Bylaw and other land use regulations**". As such, I understand the OCP is an overarching document that provides general guidance to other more specific documents such as the detailed Land Use Bylaw, and any changes made to the OCP may also result in changes to the land use bylaw.

If section 8.3.1 of the new OCP will be modified to include the general permitted uses that were formerly listed in section 5.3.8 of the old OCP, then I have no concerns. If not, then I believe there is a risk that RA in the Zoning Bylaw may be modified in the future based on the exclusion of clause 5.3.8 in the new OCP language resulting in a reduction of some of the existing permitted uses.

Regards,  
Alex

## VISION



The Draft Electoral Area "A" OCP includes a Vision that describes a preferred future for the Plan Area. It was developed based on feedback from the first Community Survey and goals included in the existing 2008 Electoral Area "A" OCP.

*Electoral Area "A" is a predominantly rural region made up of smaller settlement areas and neighbourhoods. Residents value its rural character and preserving and stewarding its important agricultural areas, natural habitats, and recreation areas. Residents are also committed to ensuring water resources are well-managed and protected and that community wildfire risks are reduced.*

**Are the values you consider important for Electoral Area "A" as a whole included in the vision statement above?**

Yes

No

Mostly

If you answered "Mostly" or "No", please briefly explain what you think is missing or should be changed.

PLEASE SEE MY SUGGESTION FOR A VISION AND GOALS TO ACCOMPLISH THIS VISION, ATTACHED AS A SEPARATE DOCUMENT. (ENCLOSURE NO. 1 - 2 PAGES)

DRAFT

**1A - Vision:**

"Electoral Area A shall be a Trailblazer in creating a vibrant, diverse, progressive and attractive community to live and work in."

**Goals:** (To achieve this vision)

Enhance the rural character and appeal by preserving and stewarding its important agricultural areas, natural habitats and recreation areas.

Ensure that water resources are well managed and protected

Focus on measures to reduce wildfire risks

Encourage and support our farmers to create "value added" activities to increase their economic security and to enhance our destination for agro tourism.

Establish a local College/University by finding a suitable site and partners such as Okanagan College and UBC Okanagan.

Offer local specialized education programs in agriculture, terroir/viticulture, culinary arts, agro tourism, entrepreneurship and other trades.

Support gender equality by establishing a STEAM (Science, Technology, Engineering, Arts and Math) program for girls both in High School and at our local College/University.

Attract companies involved in the Digital Economy, such as High Tech and other ICT sectors (Information and Communications Technology), who work in fields such as manufacturing, trade, culture and finance, to establish local operations as start-ups and subsidiaries by offering qualified female employees from the STEAM program. (One of the biggest challenges this sector is working to improve is the current gender gap where women represent ¼ of the high tech workforce in Canada. (The job growth in the tech industry is 4 times as fast as other businesses.

Search other business sectors to create more diversity and highlight the benefits of relocating here.

Consult with our existing businesses and farmers to identify which sectors are missing today.

Create more diversity in our housing sector to make our area a more attractive relocation destination and to meet the current and future needs that people are searching for.

Work with our local realtors to promote our area as an excellent location for resourceful people within all business sectors to consider as a relocation.

Encourage more Residential Cluster type developments that are consistent with our vision and goals. (As opposed to our current limitation of growth areas that restrict our future development, growth and attractiveness) Reconsider using the term and defining Rural Growth Areas and replace it with "Residential Clusters".

Work to provide appropriate daycare to meet current and future needs.

Initiate a process to find a suitable location, and search for partners, to establish a Primary Health Care Centre in our area.

Take appropriate measures to ensure that staff at the RDOS are helpful, supportive and encouraging to proponents with projects that are consistent with our vision and goals, as opposed to negative attitudes and discouragement. Working as a team, with the Board, Staff and Proponents on the same page, is the best way to accomplish the desired goals.

Support the development of a new recreational centre that includes a complete aquatic centre to improve our services for all citizens especially as attractive winter activities. (This would also create a very attractive activity for seniors and for younger children, teaching them swimming skills especially considering the fact that we are located on a lake community).

Approach the Osoyoos Indian Band to identify and implement projects that are mutually beneficial.









More goals can be added continuously to accomplish our vision.

## BROAD GOALS

1B

The following Broad Goals are meant to reflect the input and priorities of Electoral Area "A" residents and business owners. They will be the guiding principles of the updated Electoral Area "A" OCP. The goals were first developed and refined through two rounds of community surveys (including the ongoing survey) and other outreach.

*Please number the Broad Goals in order of importance to you from 1 to 8, with 1 being the most important Broad Goal to you and 8 being the least important Broad Goal to you.*

- |                          |   |                          |   |
|--------------------------|---|--------------------------|---|
| <input type="checkbox"/> |  <b>Community safety and health.</b> Manage and reduce community wildfire risks and promote community wellbeing for all generations  | <input type="checkbox"/> |  <b>Natural environment.</b> Steward and protect the area's natural features, including sensitive ecosystems and habitat.  |
| <input type="checkbox"/> |  <b>Agriculture.</b> Maintain existing and encourage new, compatible agricultural activities in the Agricultural Land Reserve, while limiting subdivision of designated agricultural properties.                 | <input type="checkbox"/> |  <b>Infrastructure and services.</b> Improve and support the development of new infrastructure, including community water and sanitary sewer systems and improved internet connectivity. |
| <input type="checkbox"/> |  <b>Residential development and housing.</b> Provide the opportunity for limited new growth and housing options for all age groups, while ensuring new housing development maintains the area's rural character. | <input type="checkbox"/> |  <b>Transportation.</b> Maintain a safe and efficient transportation system for all road users.  |
| <input type="checkbox"/> |  <b>Water resources.</b> Protect and manage water resources, including both surface and groundwater, for residential uses, agriculture, and ecosystem health.  | <input type="checkbox"/> |  <b>Osoyoos Indian Band engagement and collaboration.</b> Improve and expand communications, consultation and engagement with Osoyoos Indian Band.                                      |

*Are the values you consider important for Electoral Area "A" as a whole included in the Broad Goals summarized above?*

- Yes                       No                       Mostly

*If you answered "Mostly" or "No", please briefly explain what you think is missing or should be changed.*

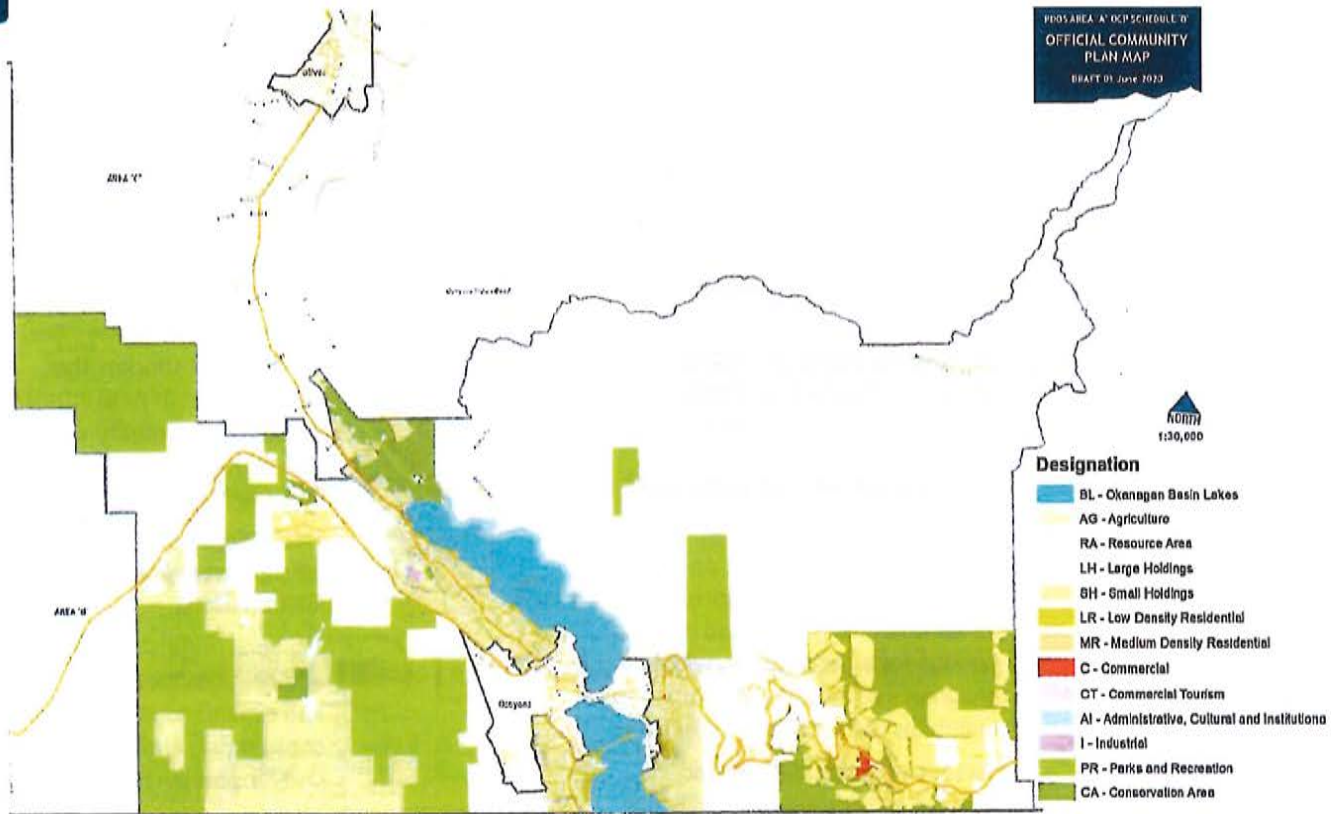
PLEASE SEE MY ATTACHED DOCUMENT.  
(ENCLOSURE NO. 1 - 2 PAGES)



## LAND USE DESIGNATIONS

2A

The map shows the proposed land use designations for Electoral Area "A". Changes from the existing Electoral Area "A" OCP are minimal.



*Do you have any questions or feedback on the land use designations?*

## LOCAL AREA POLICIES

2B

Please review the handout provided of the Draft Electoral Area "A" OCP Local Area Policies chapter. Which of the four Local Areas do you live in?

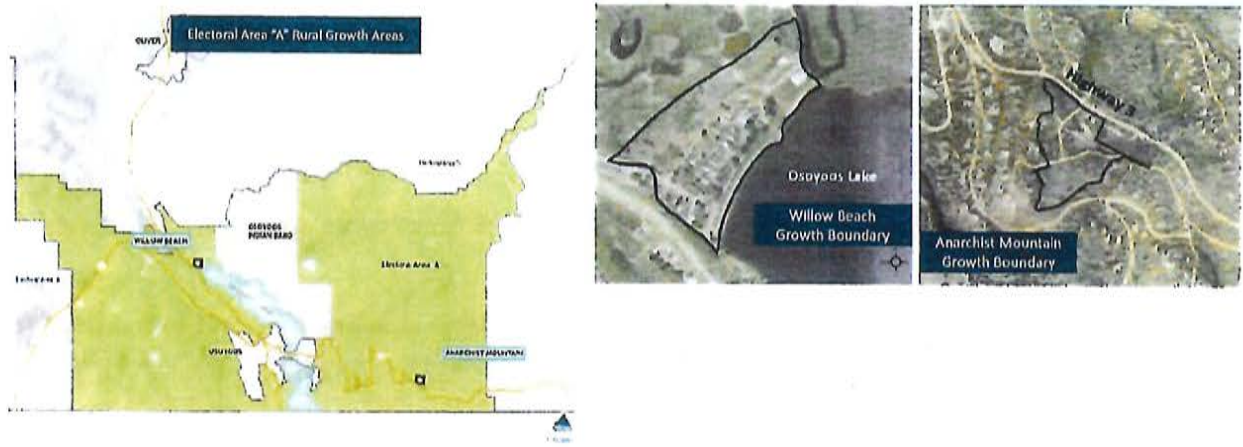
- |  |  |  |
|--|--|--|
| <input type="checkbox"/> North West Osoyoos Lake | <input checked="" type="checkbox"/> Anarchist Mountain | <input type="checkbox"/> Not Applicable. I do not live in Electoral Area "A" |
| <input type="checkbox"/> Osoyoos Lake South      | <input type="checkbox"/> Kilpoola                      |  |

*Do you have any comments or feedback on the Local Area policies for where you live?*

## OTHER PROJECTS

3A

Willow Beach and Anarchist Mountain are designated as "Rural Growth Areas" in the existing South Okanagan Regional Growth Strategy.



**Do you support reviewing the suitability of Willow Beach and Anarchist Mountain as Rural Growth Areas?**

- Yes
  No
  Don't know/  
 Need more information
- PLEASE SEE ATTACHED DOCUMENT. (ENCLOSURE NO. 2 - 2 PAGES)*

3B

**Would you support the creation of new permitting requirements for construction occurring in wildfire prone areas?**

- Yes
  No
  Don't know/  
 Need more information

3C

**Are you aware the Regional District is undertaking a separate review of the environmentally sensitive development permit areas in all South Okanagan Electoral Areas?**

- Yes
  No
  Don't know/  
 Need more information

*Is there anything you would like this review process to consider?*

3A – Other Projects

Reviewing the suitability of Willow Beach

Draft for Area A Official Community Plan:

7.2.1. Policies

The Regional Board:

**.5 Will re-consider the suitability of Willow Beach as a Rural Growth Area when conducting a review of the RGS Bylaw.**

I have very limited information regarding Willow Beach. As far as I know the area has been purchased by a professional development company. I do not know the name of the company nor do I know anyone connected to this firm.

The draft points out that the Willow Beach site is considered to be of high ecological value due to the number of wetlands it contains. The site includes a number of former oxbows and is within the floodplain associated with Osoyoos Lake and the Okanagan River and has a long history of flooding that is expected to increase over the next 25-years due to climate change.

As a professional developer I would assume that appropriate mitigation measures have been planned by this company to address current and future flood conditions. As far as I know Willow Beach is also connected to the town of Osoyoos sewer and water services.

I do not know any details regarding the scope of the plans for developing Willow Beach. However I believe that this is a very attractive location for people searching to relocate to our area.

When the Regional Board re-considers the suitability of Willow Beach as a Rural Growth Area, I would suggest that this is viewed thru a lens of a suitable Residential Cluster development for this particular location.

**.8 Supports preserving the former BC Tree Fruits packinghouse site at 12611 87<sup>th</sup> Street (Lot 1, Plan KAP60396, District Lot 24505, SDYD) for the future processing, packing and storage needs of the agricultural and food-processing industry in the South Okanagan.**

I have very little information regarding this issue other than what I recall reading in the local newspaper some time ago. From what I remember the cooperative for the Tree Fruit farmers made a decision to close down this facility based on the fact that 10 million plus dollars would have to be invested in order for this facility to comply with the standards that are required today. The cooperative also has a facility that meets all required standards located in Oliver. My understanding is that the farmers who formerly brought their crops to the packing house at 87<sup>th</sup> Street now have to go to the facility in Oliver. I would assume that this is somewhat inconvenient for these farmers.

ENCLOSURE NO. 2  
P 2/2

As one of the goals I pointed out regarding my suggestion to support a Vision for Electoral Area A, I mentioned finding a suitable location for a local College/University. In my opinion this could be a very interesting location for a College/University.

This could also provide our farmers with an opportunity to improve their education and skills in agriculture, terroir/viticulture, agro tourism, entrepreneurship and other related courses.

I also mentioned attracting companies involved in the Digital Economy to establish local operations as start-ups and subsidiaries. This would be an excellent location to create an Incubator to support these start-ups in my opinion.

Offering a STEAM program at this local College/University would also create local education and employment opportunities for our local farmer's family members and other locals.

If our local farmers are made aware of and are invited to participate in the process of creating a local College/University, perhaps they would see this as a much better investment for their future than preserving the current packing house for its previous use.

## Lauri Feindell

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**From:** kathleen lausman [REDACTED]  
**Sent:** August 9, 2020 4:24 PM  
**To:** john@ecoplan.ca  
**Cc:** Christopher Garrish  
**Subject:** Comments on the Draft OCP & Revisions

Good afternoon John,

Following are comments on the OCP revisions - latest version.

These comments are based on some extensive research (RDOS history of governance decisions on these issues, mapping standards, QEP reports, etc ) - given we are newer residents and lots of discussion with our neighbours both long standing residents and some new comers. There is general consensus on these issues. These comments are mostly process based and apply to a number of the OCP sections.

I'm not getting a strong sense that local governments measure achievement in terms of value for money. It would be grand to see some evidence of this. However, if the data is incorrect and the application of 'mitigation' measures are scattered, it would be difficult to set measurable goals.

It seems the RDOS has required an ESDPA at the land development stage then duplicated this requirement at the individual land owner building permit stage. For the most part, individual lots have already undergone considerable development to prepare them for building structures on & connecting to services (water, power, installing septic) during the development stage.

However:

Recognizing the limitations of the Local Government Act [regulation is the only/favourite tool] and [funding] limitations at the municipal level;

1. There remain large gaps in the land development and management plan at the RDOS. While the RDOS attempts constant regulation on private land for most everything - there is NO PLAN or regulation for the development/management of Crown land, Hwy right of ways, power corporation land, conservation areas, recreation areas etc. particularly with respect to protecting Environmentally Sensitive flora/fauna or Fire Smart - at least not something that's published. The ESDPA excludes these areas.

Of course this creates large gaps in the effectiveness of any effort - public or private - to address these environmental issues with any degree of success. Both flora/fauna growth and forest fires are opportunistic. They do not consider arbitrary land ownership boundaries or regulations.

2. The data and mapping the RDOS and other levels of Gov are using and perpetuating is incorrect. Whether used at the development permitting stage or the more micro building permitting stage, it is not useful. This applies to both the 'Environmental Protection' aspiration or Fire Smart risk capture. The 'Pink Zone' map is arbitrary and includes many acres of developed land. The map experts also strongly suggest - as mapping standards have changed since the mid 1990's - that scale of 1:20,000 or even smaller scales 1:5000 still require 'ground truthing' for accuracy and confirmation. Likewise the Green ByLaws Toolkit - 2016 strongly suggests decisions should be "evidence based". Without real verified data, there is little evidence on which to make Bylaw decisions.

Concerning as well is the lack of any reference to the history of land use on Anarchist Mountain - logging, cattle grazing, forest fires - and the impact that would have had on the flora/fauna over the past decades.

3. There is also obvious conflict between protecting the environment (Keeping Nature in our Future) and protecting against forest fires - (Fire Smart Guidelines). Forrest fires are destructive - to the environment flora/fauna, soils, waterways, bank stability and built assets which form the economic base for tourism and property tax. Conflicting Bylaw or Policy is never workable.

These issues are at the root of a lack of confidence in historic & current processes and consequently the desire to have some influence on change for more effective results. The RDOS governance approach needs to change or at least the use of some new and better 'tools'.

Collaboration with citizens would be a good step toward improving outcomes. There are a number of 'organized' neighbourhood groups/societies like the AMS that are both the local experts on the Fire Smart issues & risk level, and the level of Environmentally Sensitive data existing on their land. Setting goals based on actual data along side community organizations - would generate a clearer knowledge base on actual conditions, while drafting a more relevant approach and garnering more participation and achieving better results than punitive & costly Bylaws. [This is not a reference to the current 'public consultation' efforts.] This would instead be workshops to review local knowledge as input into an education & guidance document for use by landowners of every type. Our local Volunteer Fire Fighters are extremely knowledgable and already offer advice on how to protect the environment as a private landowner. A great example of the power of collaboration.

Advocating for this type of approach now could save loads of unproductive time in updating RDOS Policy/Bylaws using the same 'hammer' (regulation) and the same 'nails' (unverified information). Hopefully, the RDOS can set this new progressive standard of governance others could follow.

The residents on Anarchist Mountain chose to locate & build here for the quality of the environment and rural living and are less than enthusiastic with over-regulation, especially without merit.

These comments are an authentic reaction to an otherwise great place to live. I trust your process finds some value in this feedback.

Sincerely,  
Kathleen Lausman, BES, MBA

**From:** [Helen Malloy](#)  
**To:** [Christopher Garrish](#)  
**Cc:** [Mark Pendergraft](#)  
**Subject:** Thanks for the provisions of FireSmart in the Draft OCP  
**Date:** February 15, 2021 12:19:41 PM

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I wrote to you last year asking if there was some way of integrating FireSmart standards with those of the Official Community Plan.

Having just recently reviewed the current draft of the OCP, I see that that has been established, and I appreciate your efforts on achieving that realignment .

Sincerely,

Helen Malloy

August 12, 2020

Directors, RDOS  
101 Martin St.  
Penticton, BC  
V2A 5J9

Dear Sirs:

**Re: Imprecise EDPA Mapping**

As community, residents on Anarchist Mountain we are generally upset by the requirement of an Environmentally Sensitive Development Permit (ESDP) prior to receiving building permits. Until our (the Anarchist Mountain Community Society (AMCS)) recent activities to raise community awareness of the issue, we were not even aware of the ESDP process. The ESDP requirements were effectively a covenant placed on title after most people purchased the land and then not publicly disclosed to landowners with any credible effort.

Most fundamentally, restrictions on landowners imposed by the process are at odds with the guidelines of FireSmart – those being the removal of ground fuels surrounding homes. RDOS is aware of this issue and is perhaps already considering making competent changes to Environmental Development Permit Areas (EDPAs).

Our further complaint about the system is in its imprecise mapping at the local scale. We understand that local governments have the right to impose EDPAs to protect riparian and sensitive ecosystems, but also understand that EDPAs must be designated on reasonable evidence and with reasonably certain boundaries.

We would argue that the boundaries outlined by the RDOS in Area 'A' are not reasonably mapped. As an example, we submit our own property at 1 and 171 Longview Road, Osoyoos (below). Clearly very little attention went into the mapping of the EDPA on our property; 99% of which is in the "pink zone".

We, and all residents we have spoken to on the subject, feel that the environmental protection intent of the ESDP process would be adequately met if EDPAs were moved off personal holdings and pertained only to public and crown land within Area 'A'. Mark Pendergraft, Area 'A' Director, is reportedly in agreement with this proposed change. In any event a property owner who purchased their property prior to the ESDP covenant being place on title should be 'grandfathered' and left out of the pink zone IMMEDIATELY. We recommend that the RDOS Building Permit Department should be responsible for studying the plans of a new resident property owner to protect riparian and sensitive ecosystems, not the property owner, having to locate, contact and



schedule an appointment with him or her to walk the property in question and receive a substantial bill to do so.

We would also add that people who live in the rural environment do not need to be told that it is worth protecting. At the same time, they are generally averse to arbitrary and imprecise regulation.

Also, it seems there is no real value in getting an ESDP. In cases we are aware of, after paying fees to the RDOS and to the QEP, no difference has been made as to whether projects proceed; the only effect is that residents' lives have been made more difficult, more complicated and more expensive. This is not the purpose of local government.



kindest Regards,

John Middleton, Dianne Hughes and Jessica Middleton  
Resident Property Owners, Longview Road

Dear RDOS,

June 21, 2020

I am writing in regard to the letter/petition the Anarchist Mountain Community Society in Osoyoos is circulating regarding the Pink Zone.

I am pro Pink Zone.

We have so much wildlife on our property, I counted this winter/spring around 40 different bird species at our feeder and waterer. We had the endangered Lewis' woodpecker visiting.

Recently we found the threatened Great Basin Gopher snake in the yard, and I am sure the rattlers, bull snakes and rubber boas are still here as well and show up as soon as the weather warms up. The Western Skink lives here, and I am sure many unseen reptiles and even amphibians (sometimes we can hear a frog or toad) as well.

And mammals roam, from deer to bear to coyote....eating the mice, voles, chipmunks, marmots, packrats. A herd of bighorn sheep travels through every year.

Insects are bountiful, many important butterfly species.

Now is the time where lupines, brown eyed susans, yarrow and many other wildflowers bloom and I can't wait until the mariposa lilies show up.

And. Of course, nature has way more to offer than what I can mention here in a few words.

Now my concern:

AMCS wants to get rid of the Pink Zone.

Did you ever check properties in my neighborhood, which totally destroy the native land with their heavy equipment? Do this "empty-nesters", as they call them, most of them from the city, realize that even that cleaning up is disturbing the wildlife so that they do not nest or abandon rearing young?

I mention here, just as examples from our neighborhood, properties like 117 Maguire Road, where so much is turned over, making driveways, stone walls, a driveway to Hwy 3. Or look at 246 and 164 Chapman Road, where the excavator doesn't stop roaming around. And who was allowed at 112 Maguire Road to clear-cut all the trees?

These, for example, are no habitats for our precious wildlife and flora anymore.

Let us not take away more habitat from our wildlife and flora!

My petition is: KEEP THE PINK ZONE!

Thanks for listening,

Claudia Punter Zueger

**RECEIVED**  
Regional District

JUN 26 2020

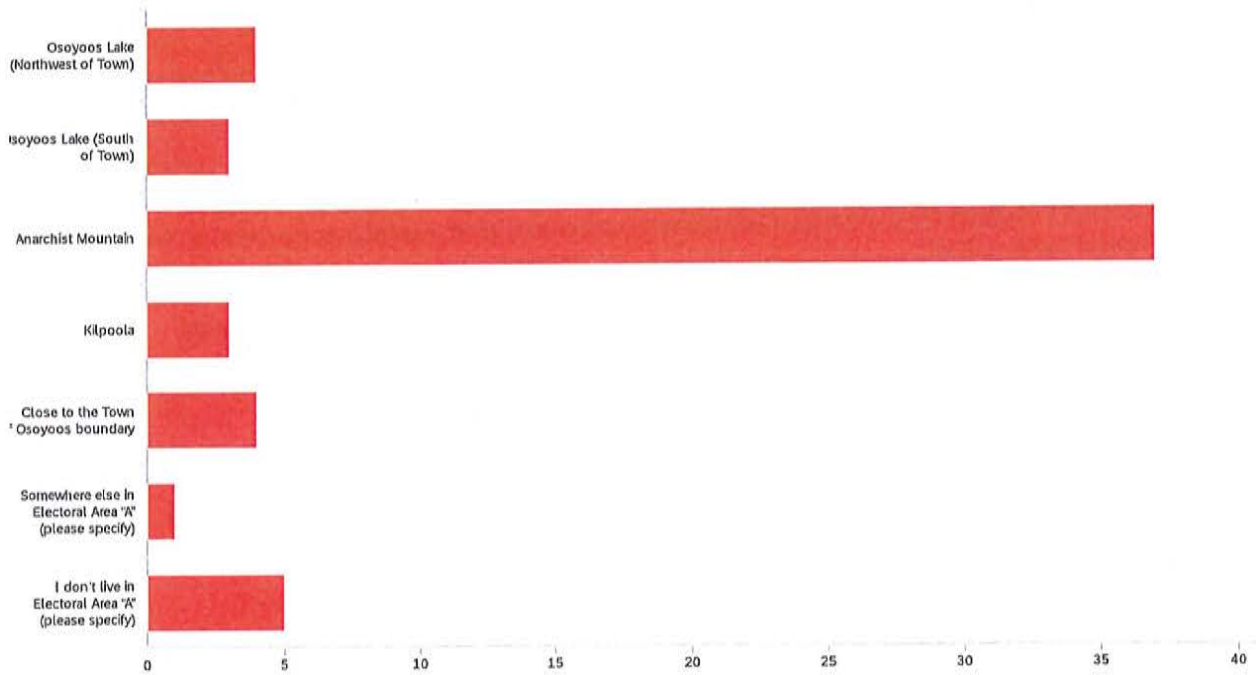
101 Martin Street  
Penticton BC V2A 5J9

# Default Report

Electoral Area "A" Official Community Plan Update

October 27, 2020 1:08 PM PDT

## Q2.2 - 1) Where do you live in Electoral Area "A"?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	1) Where do you live in Electoral Area "A"? - Selected Choice	1.00	7.00	3.40	1.44	2.07	57

#	Field	Choice Count
1	Osoyoos Lake (Northwest of Town)	7.02% 4
2	Osoyoos Lake (South of Town)	5.26% 3
3	Anarchist Mountain	64.91% 37
4	Kilpoola	5.26% 3
5	Close to the Town of Osoyoos boundary	7.02% 4
6	Somewhere else in Electoral Area "A" (please specify)	1.75% 1
7	I don't live in Electoral Area "A" (please specify)	8.77% 5

# Field

Choice  
Count

57

Showing rows 1 - 8 of 8

Q2.2\_5\_TEXT - Somewhere else in Electoral Area "A" (please specify)

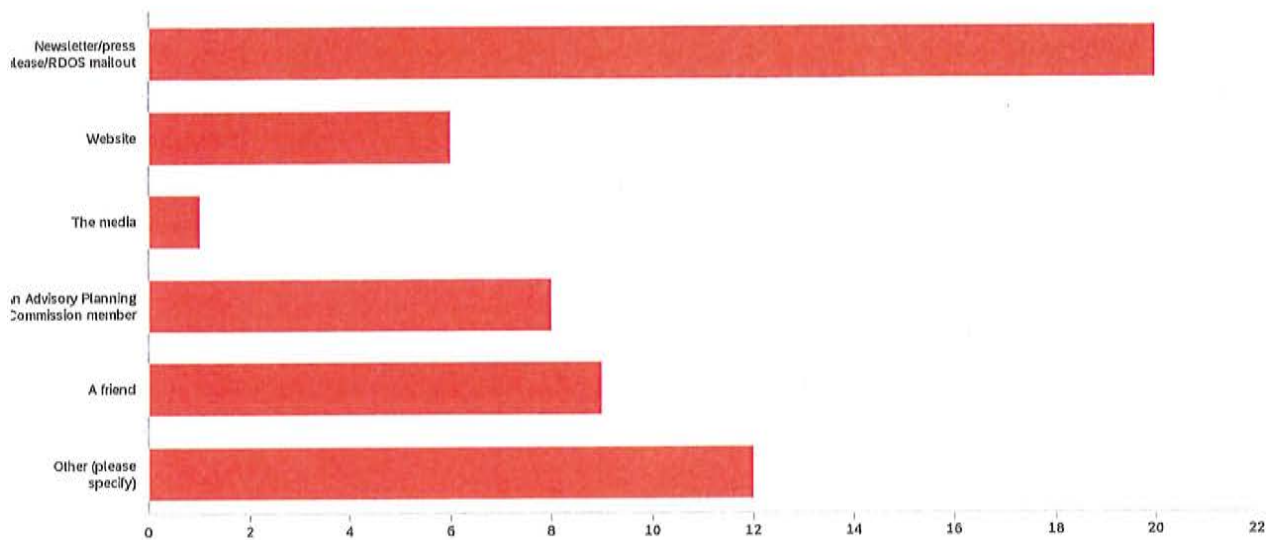
WIDGET\_ERROR.ERROR

Q2.2\_6\_TEXT - I don't live in Electoral Area "A" (please specify)

Somewhere else in Electoral Area "A" (please specify)

East Bench of Osoyoos

## Q2.3 - 2) How did you hear about the OCP Update project?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	2) How did you hear about the OCP Update project? - Selected Choice	1.00	6.00	3.29	2.04	4.17	56

#	Field	Choice Count
1	Newsletter/press release/RDOS mailout	35.71% 20
2	Website	10.71% 6
3	The media	1.79% 1
4	An Advisory Planning Commission member	14.29% 8
5	A friend	16.07% 9
6	Other (please specify)	21.43% 12
		56

Showing rows 1 - 7 of 7

### Q2.3\_6\_TEXT - Other (please specify)

Other (please specify)

Anarchist Mountain Community Society

Other (please specify)

Anarchist Mountain Community Society Website

Neighbour

Anarchist Mountain Community Society

Friends within the community

Anarchist Mountain Community Society

AMCS Website

Anarchist Mountain Society

Facebook

Facebook

My project

CivcReady

## Q2.4 - 3) What are your concerns with the current 2008 Official Community Plan for

### Electoral Area "A"?

3) What are your concerns with the current 2008 Official Community Plan for...

The document does not effectively consider wild fire risk or housing affordability.

OCP maps are not in sync with other RDOS maps reference ALR, ESDP, RA

Lacks Fire Smart, appropriate emergency evacuation plans, limited bylaws and enforcement for growing rural area / development (i.e. garbage and bears, unattended RVs on undeveloped acreages, seacans remaining on acreages beyond completion of building, fire hazards with contents of seacans which fire departments would be unaware of)

I don't see anything about minimizing risk of wildfire, flooding

More flexible building bylaws & rules

The "Pink Zone" areas need more definition leaving out resident owned properties.

Land development

Most residents in Area A don't even know there is an OCP. The media don't pay much attention to rural areas!

unsure

1. It is not clear what elements are enforceable vs guidance. The OCP notes Environmental Sensitive Development Permits (ESDPs) however the zoning bylaw which is enforceable is silent on ESDP requirements. 2. Unlike the Land Use Bylaws, there is no definition of terms section in the OCP 3. There is a current conflict of imposing ESDP on private lands with FireSmart principles.

Lip service going forward...a box checked

In general my concern is that like all OCP's the current and the draft plan for Area A does not have the teeth required to resist pressure for growth and development. I am concerned that although an OCP involves significant public engagement, when it comes to requests for variances and rezoning, the process is very short (the board can meet once or twice and vote for a rezoning with next to no public involvement), yet it is the zoning bylaws that development and land use are governed by not the OCP. This wording is a case in point Section 6.3 "It is not the intention of the Regional Board to encourage development of land within designated Agricultural areas or land identified as environmentally sensitive or watercourse development permit areas and terrain hazards within the defined growth boundary. Land with these designations or characteristics should continue to be protected from development." change 'should be protected' to 'will be protected' in this sentence and I would believe that the OCP can function as it is meant to, ie with some teeth. Otherwise, it is a nice exercise for the people to think they are having meaningful input but it seems to be just lip service. •Where development has been pre-determined through zoning, but not yet developed. Within Electoral Area "A", the South Okanagan RGS designates Willow Beach and Anarchist Mountain as Rural Growth Areas. Are areas ever rezoned in a direction that limits growth? There have been requests for proof that properties on Anarchist Mountain should not all be ESDP zoned ... what if proof were given that the entire mountain is ESDP worthy, as it is currently shown on the map? Recent changes of zoning from SH3 to SH2 for the undeveloped OME lands at the top of Raven Hill along an underground water course and along the banks of 9 mile creek ... are a direct illustration of arbitrary zoning change with 2 opportunities for public input ... how is input qualified? is it quantity or quality of information? In reading more on this rezoning, it was done to bring the area into some uniformity with other Areas? for whose convenience, I wonder? This rezoning is in direct conflict with ESDP, water course development, wildfire safety, water supply ...???

Immediate removal of Pink zone restrictions ESDP !

3) What are your concerns with the current 2008 Official Community Plan for...

One concern is the arbitrary Pink Zone that is a direct contradiction to Fire Smart practices. I am sure that if a fire came through our area it would be more devastating for the environment than the planned and careful removal of fire hazardous debris ( dead trees etc). It defies logic.

We are extremely concerned about the "pink zone" areas in our community which do not appear to be properly addressed or outlined in this report. Forcing home owners to pay for an environmental assessment on a development that already was in existence before this allocation is unwarranted and perceived as a money grab. When we found out about it it was very difficult to find. Was not listed on the title document when we did a search. This appears to be an arbitrary abuse of RDOS resources and a direct conflict to our fire safe model which was an important part of making the decision to purchase up here. We are also concerned about the potential to group different types of areas under one header with respect to handling different issues.

Over regulating affecting privately owned property.

No concerns, I like the OCP as it is now.

Unofficial camp sites with multiple RVs, trailers, tents. Bylaws not enforced.

The Environmental "Pink Zone" does not belong on private properties in our high risk wildfire community

Concur with the material collected in the first round of the community survey.

Water quality, garbage dump at Paul's Greenhouse, rules

The pink zone

Road conditions, the pink zone which wasn't there in 2008, no community center.

Pink zones

The pink zone is unconstitutional and should be removed

None

Growth areas are limited. Need to open up the west side to development.

The current OCP contains a provision for Environmentally Sensitive Development Permit Areas on private property. The requirement to get an ESDP is an onerous burden on property owners that does not tell them anything that do not already know, it does not provide a benefit to the landowner, to society or to the environment, and provides no value for the time and money spent on the process.

Lack of connection with the ESDP "problem .... too restrictive on Anarchist Mtn, and in direct conflict with Fire Smart policies and fire risk mitigation. Current fire risk assessment not realistic with actual fire risk on Anarchist Mtn

Planning undertaken without accurate data. Its problematic to make decisions based on poor data.

Do-an up to date flora and fauna identification residents to be able to fight invasive species and plant local species.

conflict between ESDP and Fire Smart recommendations

ESDP areas placed on private property

ESDP amendment # 2710



3) What are your concerns with the current 2008 Official Community Plan for...

Do not want high speed internet in the area. Aka 5G. No thank you. Our internet is fast enough here

It is guidance and not followed by the RDOS board. It includes enforceable and nonenforceable concepts that are not defined. It is subordinate to the RGS, which is out of date. The OCP relies on outdated and unsubstantiated/unscientific mapping in a draconian manner.

Spotted Lake / Growth Areas

## Q2.5 - 4) What would you like to see included in an updated Official Community Plan for

### Electoral Area "A"?

4) What would you like to see included in an updated Official Community Pla...

1. More emphasis on fire mitigation strategies through funding of fire smart activities in high risk areas. 2. This is a desirable place to live and people will continue to relocate here. Increased densification strategies need to be considered particularly in the valley bottom where single family zoning predominates. 3. Affordable housing strategies need to be considered to attract younger workers.

Less governmental intrusion into private property matters

Firesmart education and support, Garbage bylaws in rural areas (i.e. bear resistant containers and community options, clear bylaws on unattended RVs on undeveloped acreages along periodic enforcement, bylaw around seacans that promotes harmony with rural surroundings, protection of habitat areas where there are endangered species (i.e. Burrowing Owls, etc)

FireSmart information/ education to all; not just Anarchist Mountain Preservation of nature/ wildlife; garbage management and bylaws to decrease risk of animals being euthanized (i.e. bears) Ensuring bylaws for housing are maintained especially on empty lots (i.e. rural) so they don't become campgrounds or storage for derelict vehicles and buildings Sea cans are becoming a common thing for storage buildings and decreasing visual appeal in neighbourhoods; affect property values Better fire education/ management (i.e. burning, campfires by tourists, etc.); better air quality (i.e. less agricultural burning of yard/ farm waste)

less development on lower west-facing side of Anarchist Mountain.; ensured or enforced protection of sensitive ecology; ensured or enforced water source protection

More flexibility in building & environmental regulations

More infrastructure plans (i.e. improved internet), attention to firesmaring, invasive weed management including vacant properties, no commercial cannabis operations, bylaw enforcement, community centre support

An upgraded data base of the flora and fauna which can be accessed by home owners to use.

Ease of zone changing from r1 to med density for housing need

I'd like to see more publicity in Times-Chronicle about Area A.

more thought put into the implementation and evaluation portion of the plan

4) What would you like to see included in an updated Official Community Pla...

1. Wildfire is the greatest threat and risk to the community. The OCP needs to have language to address these threats. Specifically the OCP should a) require that Anarchist Mountain develop its own specific Community Wildfire Protection Plan (CWPP). This is a must to guide the community and the AMFD in what it can do to mitigate the impact from wildfires; b) remove the requirement of an ESDP for private lands, this is redundant to what was already previously completed by the developer (Regal Ridge) AND it directly contradicts FireSmart practices; (c) Building codes and/or the Building permit process needs to include a FireSmart Audit/Guidance at the building design phase. To reduce beauracracy and cost, the AM FireSmart committee members can complete this exercise at no expense to the homeowner; (d) Address Infrastructure Limitiations as they relate to fighting wildfires - (i) Subdivision Roads need to have more than one point of access/egress to Hwy 3, (ii) More water storage ponds or tanks are required to shuttle water to combat fires, (iii) Natural gas line Infrastructure required to reduce fire hazards associated with large propane tanks in close proximity to homes; (e) Absentee land owners who camp on empty lots need to FireSmart their properties and abide by campfire restrictions, and waste management. 2. Community wants to maintain a Rural Lifestyle. The following considerations to support this category include: a) Limit future development to large size rural lots, min 2.5 Ha, b) No traffic lights, c) Street lights only to mark entrance of roads off principal corridor (Hwy 3), and only lit during the foggy winter months to improve visibility and reduce chance of accidents, d) maintain ability to house farm animals on larger parcels as reflected in current zoning requirements, e) maintain ability to be self sufficient i.e. grow gardens, generate own power (solar, wind), etc. f) limit commercial developments to neighbouring towns of Osoyoos and Rock Creek and support community markets g) ensure no arbitrarily government imposed rules, restrictions, and bylaws implemented without first consulting and gaining agreement from members of the community. 3. Address Other Infrastructure Deficiencies. a) Lack of reliable high speed Internet, b) Ensure residents can continue to have access to good quality well water. Any new development must only be approved after an extensive hydrology study verifies sufficient ground water exists to support the added development without impacting current users. c) Support the development of a community hall

The concerns re the definition of Fire Smart and the ESDA Trying to make the OCP one size fits all Anarchist Mtn is not the same as the other Area A communities as they are not the same as us and they need to be listened to as well Planners need to consult with local residents and local Advisory planning commisions and actually go to the communities and not make decisions from afaf

further recreation opportunities, constructed and marked hiking trails, bike routes.

Fibre Optics on Anarchist, protected areas for wildlife (without cost to homeowners)

above concerns addressed in addition to removing Anarchist mountain as a Rural Growth Area. It is completely unsuitable. Updated Schedule F. Qualification of and Enforcement of Schedule H.

A reconsideration of the development of Willow Beach as a residential area.

Yes

I would like to see the Board and consultants actually listen to local concerns, step back and look at the needs of each community rather paint the entire Area A with one brush.

Much more clarity with respect to the environmental safe zones and how they are applied and how they got there. Where is the underlying support. Where is the map showing these designations.

Minimum standards for property conditions i.e. junk storage, etc.

I would like to see more conservation areas, such as the Willow Beach area. I would also hope that the lands in the Agriculture Land Reserve remain intact.

A very clear message on use of vacant land. Exactly what is allowed, how many mobile items can be parked there and emphasising that RDOS will take action to enforce bylaws.

An omission of the Environmental "Pink Zone" on private properties on Anarchist Mountain. We need to be able to Fire Smart our properties due to the risk of wildfires!

Nothing further to add.

Rules that deal with pets and unsightly properties

4) What would you like to see included in an updated Official Community Pla...

Off lake water

Removal of the pick zone

Plans for a community hall, no pink zone, road repairs.

Better Consultation with landowners prior to decision making!

Fire safety plan that is specific to Anachist mountain

No shipping containers on SH3-zoned properties.

Less regulations. We are over regulated now.

Emphasis on lake water quality. Improved / additional recreation sites Or parks

It would be preferable if the requirement for an ESDP on private property be excluded from the OCP.

Better fire risk mapping. Data to show ACTUAL environmental values on Anarchist Mtn versus perceived eco values not proven by competent independent study.

A commitment to data-based decision making & more serious involvement on potentially impacted residents.

Wild Fire Preparedness Plan, Assistance in getting a new Community Hall, 4G and Natural Gas.

exclusion of ESDP as this area has already been logged in the past and in it's place a realistic Wildfire Protection plan as wildfire will impact on us all (flora & fauna included)

Additional development permit exemptions for homeowners to install gardens and pathways etc. These are normal homeowner activities that should not require an environmental assessment for Anarchist Mountain properties.

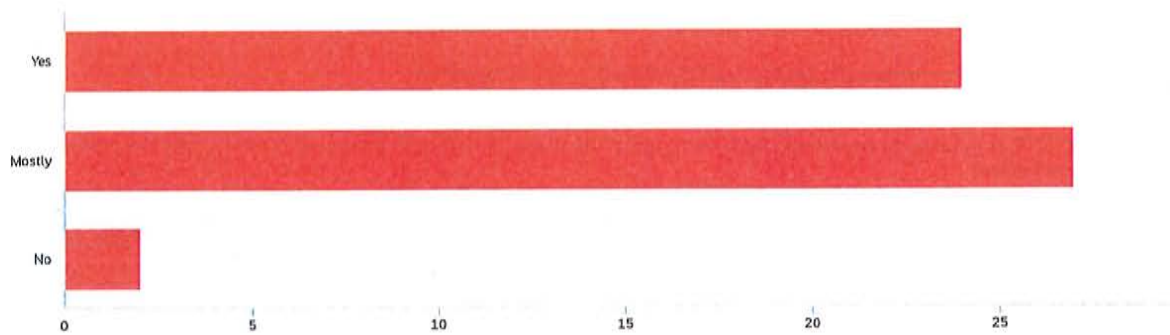
better enforcement re: invasive weeds especially absentee landowners and highway /street corridors, no permanent seacan style metal containers on small landholdings, encouragement for natural gas supply to residences, fibre optic service, ensure multiple egress routes for lengthy dead end streets, no further subdivision of designated lot areas,

Better water systems

More specific integration of Firesmart principles in the goals for each zoning category (LH, SH, etc.) As it stands, there is no goal of ensuring that future development is consistent with Firesmart principles.

Wildfire mapping

Q2.6 - 5) The Draft OCP includes a Vision that describes a preferred future for the Plan Area. It was developed based on feedback from the first Community Survey and goals included in the existing OCP. Electoral Area "A" is a predominantly rural region made up of smaller settlement areas and neighbourhoods. Residents value its rural character and preserving and stewarding its important agricultural areas, natural habitats, and recreation areas. Residents are also committed to ensuring water resources are well-managed and protected and that community wildfire risks are reduced. Are the values you consider important for Electoral Area "A" as a whole included in the vision statement above?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	5) The Draft OCP includes a Vision that describes a preferred future for the Plan Area. It was developed based on feedback from the first Community Survey and goals included in the existing OCP. Electoral Area "A" is a predominantly rural region made up of smaller settlement areas and neighbourhoods. Residents value its rural character and preserving and stewarding its important agricultural areas, natural habitats, and recreation areas. Residents are also committed to ensuring water resources are well-managed and protected and that community wildfire risks are reduced. Are the values you consider important for Electoral Area "A" as a whole included in the vision statement above?	1.00	4.00	1.62	0.68	0.46	53

#	Field	Choice	Count
1	Yes	45.28%	24
2	Mostly	50.94%	27
4	No	3.77%	2
			53

Showing rows 1 - 4 of 4

Q2.7 - If you answered "Mostly" or "No", please briefly explain what you think is missing or should be changed:

If you answered "Mostly" or "No", please briefly explain what you think is...

We need to address housing affordability if we are to attract the service and agricultural workers that we desperately need.

Not sure of the 'so what happens next' aspect of the statements 'Residents value...' and 'commitments'

Delete the requirement to have a Geo Tech. survey properties when applying for a building permit. This is a cash grab!

Need to ensure lot sizes remain large (greater than 2.5 Ha), No commercial development other than community markets, no high density housing, Residents maintain ability to house farm animals, grow their own food, and generate their own power to become self sufficient.

The ESDA for Anarchist Mtn is totally inconsistent and needs to be changed

That we have the right to be stewards of our own properties without dictated Pink Zones.

"While rural in nature, it also supports home-based businesses through low impact, wireless technology"

It sounds nice, as one would expect a vision to sound ... it is easy to have a vision .... quite another to actively engage and bring it into reality ... 1

Plans should include FireSmart principles

If we are to attract young families to the South Okanagan then affordable housing, including secondary suites, carriage houses and smaller homes on rural properties can be part of the solution. Not everyone wants to live in Osoyoos or Oliver. We can still maintain our rural character with some of these options. I do not think Area A should be trying to develop industries unless they operate as small businesses from homes.

The important value that is missing is that residents want to have the right to protect and manage their property through self-determination rather than more regulation.

I believe that what should be included in the values is respect for the values of the people who choose live in a predominantly rural area. Those values include mutual respect for privacy, not wanting to be caught up in political red tape and wanting to live their own lives without government interference.<sup>22</sup>

Policing is very important. We need active crime prevention. We pay high property taxes but see no good policing in return. We are just left to our own devices. There are enough people living on Anarchist mountain that we should have a dedicated police officer and admin base to deal with our break-ins, illegal campers and motor bike riders.

We should have the same rules as all the other areas like animal control, garbage on properties, immigrant workers should have proper facilities provided by the farmers that employ them

Remove the pink zone.

Preserving natural habitat and reducing wildfire risks are a contradiction some times.

I feel that environmental friendly words inhibit the ability to ensure that the properties are fire smart there is no mention of fire prevention.

If you answered "Mostly" or "No", please briefly explain what you think is...

SH3-zoned properties on Anarchist are suburban houses with space around. It's not really rural for people who golf during the morning and wash the SUV in the afternoon.

Preserving natural habitats - yes but get ride of the pink zones and focus on the real sensitive areas and not just paint everything pink.

Only regional/province rec/camp sites south of OK falls are Siwwis park and small acre on south east lake shore. This should be improved upon as a joint venture with Prov. B C

The residents of Area A have a very strong understanding of stewardship of the area. I, for one, would prefer if the RDOS could resist making life more complicated, more difficult and more expensive. I deeply resent having to spend time working toward preventing the RDOS from getting carried away with plans that do not make life better in Area A.

Rather "motherhood " statements .... the devil is in the details.

Residents can commit to the 'Vision' in principle, however a lack of actual data suggests implementation would be a guessing game without achieving the intended end goals & without any believable metrics to gauge progress.<sup>12</sup>

That description is at a very high level and its generality needs far more definition as defined by the residents.

very vague statement that could imply that we would want RDOS to have control over how the stewarding is handled - residents in our area are quite capable of their own ownership.

Noise by-laws would be good, including noise of boats and music on the lake.

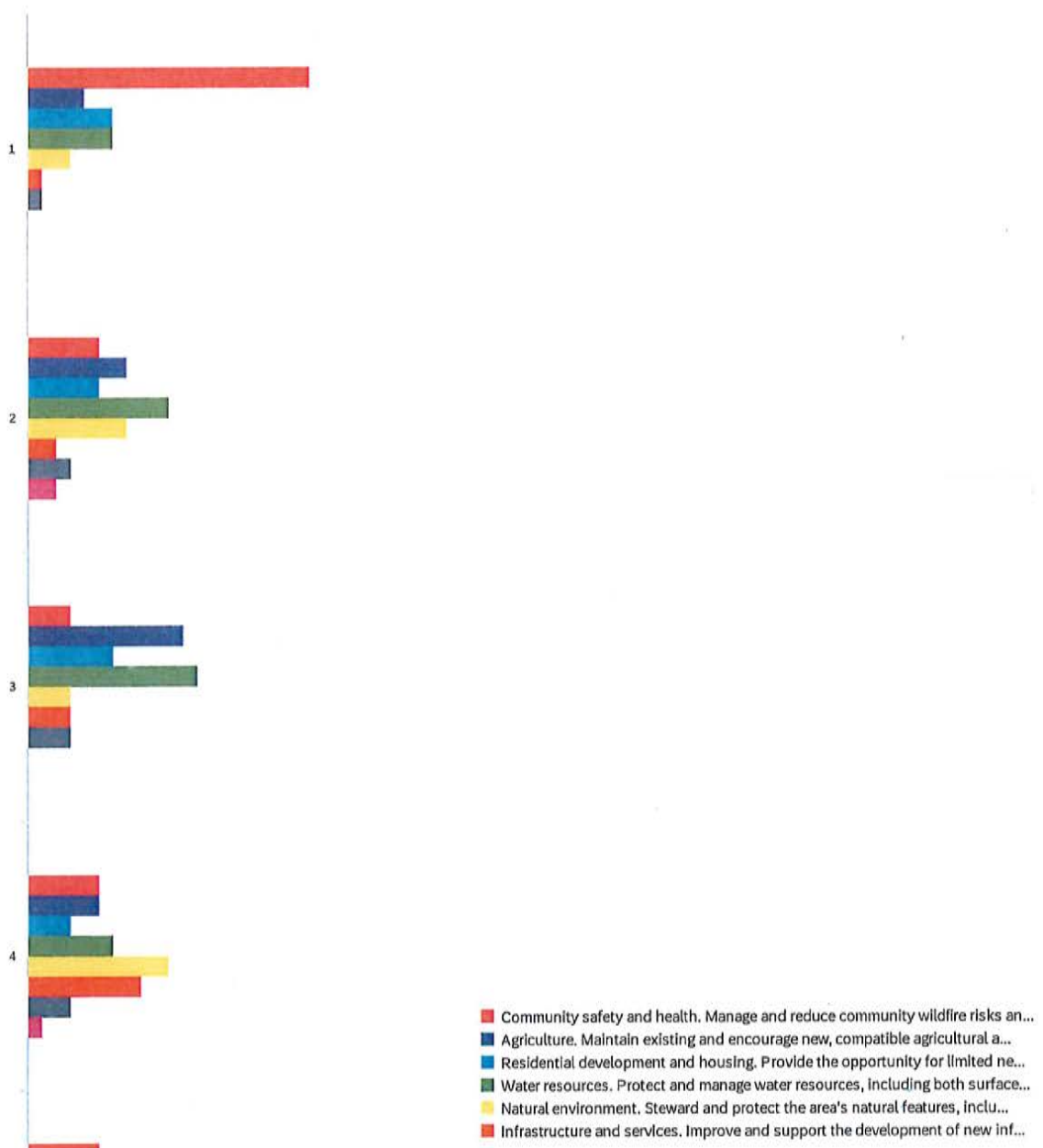
RDOS is overstepping their bounds on trying to control private properties!

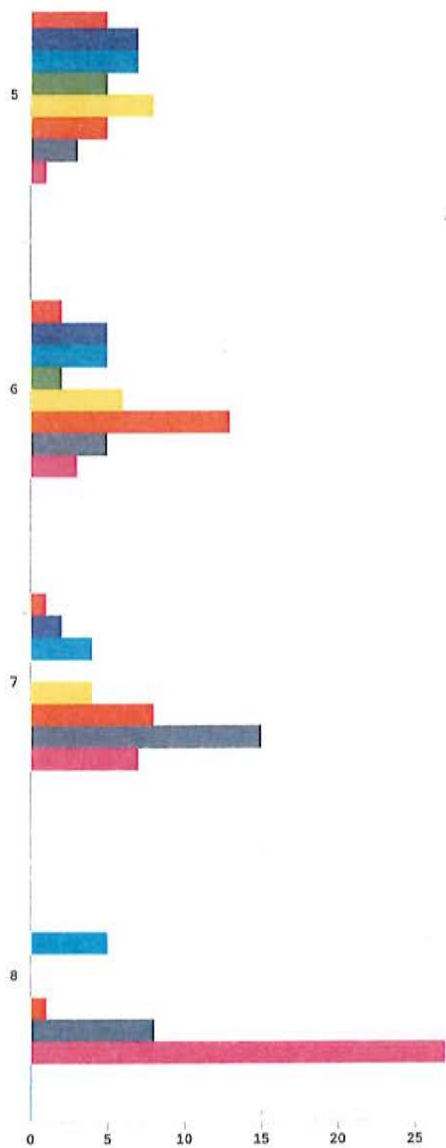
needs better definition of what preservation of "rural nature" means and what it specifically excludes or includes

I am concerned the climate change clauses will bring about higher taxes and or take away control from the people and put it in the hands of the government.



Q2.8 - 6) The Draft OCP includes refreshed Broad Goals that support the Vision and provide the foundation for the objectives and policies of the updated OCP. Please arrange the Broad Goals in order of importance to you by numbering them from 1 to 8, with 1 being the most important Broad Goal to you and 8 being the least important Broad Goal to you.





■ Transportation. Maintain a safe and efficient transportation system for all...  
■ Osoyoos Indian Band engagement and collaboration. Improve and expand commun...

#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Community safety and health. Manage and reduce community wildfire risks and promote community wellbeing for all generations.	1.00	7.00	2.51	1.81	3.27	41
2	Agriculture. Maintain existing and encourage new, compatible agricultural activities in the Agricultural Land Reserve, while limiting subdivision of designated agricultural properties.	1.00	7.00	3.66	1.68	2.81	41
3	Residential development and housing. Provide the opportunity for limited new growth and housing options for all age groups, while ensuring new housing development maintains the area's rural character.	1.00	8.00	4.37	2.30	5.31	41
4	Water resources. Protect and manage water resources, including both surface and groundwater, for residential, agricultural, and ecosystem health.	1.00	6.00	3.00	1.38	1.90	41

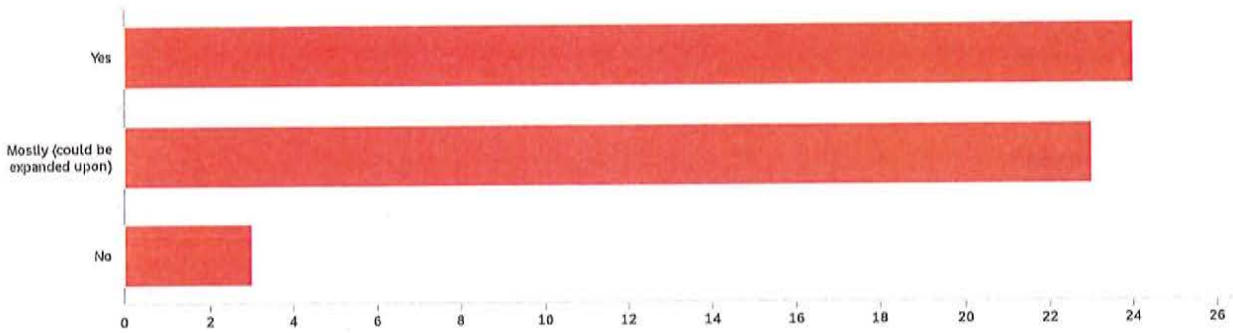
#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
5	Natural environment. Steward and protect the area's natural features, including sensitive ecosystems and habitat.	1.00	7.00	4.15	1.75	3.05	41
6	Infrastructure and services. Improve and support the development of new infrastructure, including community water and sewer and internet connectivity.	1.00	8.00	5.20	1.61	2.60	41
7	Transportation. Maintain a safe and efficient transportation system for all road users.	1.00	8.00	5.90	1.99	3.94	41
8	Osoyoos Indian Band engagement and collaboration. Improve and expand communications, consultation, and engagement with Osoyoos Indian Band.	2.00	8.00	7.22	1.49	2.22	41

#	Field	1	2	3	4	5	6	7	8
1	Community safety and health. Manage and reduce community wildfire risks and promote community wellbeing for all generations.	48.78% 20	12.20% 5	7.32% 3	12.20% 5	12.20% 5	4.88% 2	2.44% 1	0.00%
2	Agriculture. Maintain existing and encourage new, compatible agricultural activities in the Agricultural Land Reserve, while limiting subdivision of agricultural properties.	9.76% 4	17.07% 7	26.83% 11	12.20% 5	17.07% 7	12.20% 5	4.88% 2	0.00%
3	Residential development and housing. Provide the opportunity for limited new growth and housing options for all age groups, while ensuring new housing development maintains the area's rural character.	14.63% 6	12.20% 5	14.63% 6	7.32% 3	17.07% 7	12.20% 5	9.76% 4	12.20%
4	Water resources. Protect and manage water resources, including both surface and groundwater, for residential, agricultural, and ecosystem health.	14.63% 6	24.39% 10	29.27% 12	14.63% 6	12.20% 5	4.88% 2	0.00% 0	0.00%

#	Field	1	2	3	4	5	6	7	8
5	Natural environment. Steward and protect the area's natural features, including sensitive ecosystems and habitat.	7.32% 3	17.07% 7	7.32% 3	24.39% 10	19.51% 8	14.63% 6	9.76% 4	0.00%
6	Infrastructure and services. Improve and support the development of new infrastructure, including community water and sewer and internet connectivity.	2.44% 1	4.88% 2	7.32% 3	19.51% 8	12.20% 5	31.71% 13	19.51% 8	2.44%
7	Transportation. Maintain a safe and efficient transportation system for all road users.	2.44% 1	7.32% 3	7.32% 3	7.32% 3	7.32% 3	12.20% 5	36.59% 15	19.51%
8	Osoyoos Indian Band engagement and collaboration. Improve and expand communications, consultation, and engagement with Osoyoos Indian Band.	0.00% 0	4.88% 2	0.00% 0	2.44% 1	2.44% 1	7.32% 3	17.07% 7	65.85%

Showing rows 1 - 8 of 8

Q2.9 - 7) Are the values you consider important for Electoral Area "A" as a whole included in the Broad Goals summarized above?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	7) Are the values you consider important for Electoral Area "A" as a whole included in the Broad Goals summarized above?	1.00	3.00	1.58	0.60	0.36	50

#	Field	Choice Count
1	Yes	48.00% 24
2	Mostly (could be expanded upon)	46.00% 23
3	No	6.00% 3
		50

Showing rows 1 - 4 of 4

Q2.10 - If you answered "Mostly" or "No", please briefly explain what you think is missing or should be changed:

If you answered "Mostly" or "No", please briefly explain what you think is...

Affordable housing for service and agricultural workers needs to be specifically addressed.

Not stated is rural characteristic of the area, including less governmental interference

Natural environment - protect wild animals by better control of garbage and attractants; no bylaws are in place to enforce

To support and maintain a rural lifestyle future development needs to be limited to large lot sizes (min 2.5 Ha). Agricultural practices should not be limited to ALR lands, other homeowners should maintain ability to house farm animals, grow gardens, etc. Commercial developments should be restricted to neighbouring communities such as Osoyoos, and Rock Creek.

some of the goals could include the desire to educate residents about specific topics ie Natural Environment, Water Resources, Agriculture, OIB ... so they can make informed opinions and decisions.

'Natural environment' may conflict with FireSmart Principles.

the specifics of sensitive ecosystems - define and identify!!

As per previous comment

Control of tree cutting for commercial firewood sellers, especially on crown land. Our beautiful larches should not be cut down for fire wood. Trail use by ATVs should be limited so back country land is not eroded by motorised access.

Animal control, unsightly properties, farm workers getting proper accommodation and toilet facilities from the farmers that employ them

Again, remove the pick zone.

Don't need community water and sewer. Could use community hall

Natural environment should be restricted to conservation and crown land not private property. In the Agriculture we would eliminate the restriction of being able to subdivide large acreages. Osoyoos Indian band remove the restriction of having to consult on private land owners property.

No we need to have fire prevention and fire smarting of property a priority and elimination of the pink zone on private land .

I don't see why we have to consult with OIB when I've seen what they've just done to the large property on the lake. Bulldozing the waterfront and dumping sand to make a beach at their new RV Park. If we asked if we could do that they would be up in arms.

Engaging in making our area visitor / tourist friendly

The only item of value is to reduce wildfire risks. Internet connectivity is handled by private companies. What could the RDOS do? The rest of the items do not require intrusion or expense by the RDOS.

Generally OK

If you answered "Mostly" or "No", please briefly explain what you think is...

Your Goals could not be prioritized. The current numbering (1-8) is all this survey would accept & does not represent my input.

To clarify #1: I see this need for the Town of Osoyoos. No expansion of housing on Anarchist Mountain.

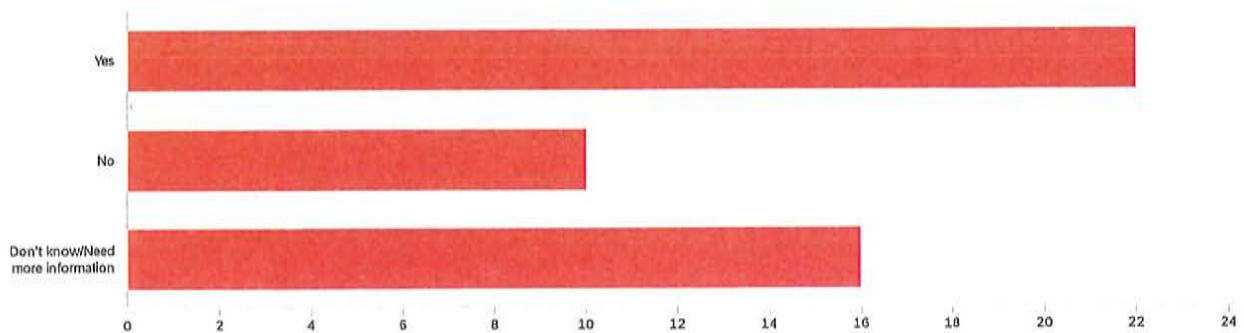
on Anarchist we do not require community water and/or sewer, rather natural gas would be great in addition to Optik from Telus.

the old Regal Ridge had a number of development covenants placed on its land titles. We have been led to believe these are not enforceable. The development was initially established as an estates area and we would like to see it maintain that nature.

Water systems yes. Improved internet no. Our internet is fast here. Stop trying to put 5G in our neighbourhood. We don't want it.

Does not include fire safety as a broad goal. Does not include policies to ensure that the integrity of the OCP is ensured when the RDOS board makes a decision. The OCP is guidance and currently ignored by the RDOS board with no explanation when they don't want to follow it. Makes this process and the OCP/RGS meaningless. There should be guidelines for the decision makers on how the RGS and OCP are to be applied in decisionmaking.

Q3.2 - 8) Both Willow Beach and Anarchist Mountain are currently designated as “Rural Growth Areas” under the South Okanagan Regional Growth Strategy. Do you support the REVIEW of the suitability of these areas as Rural Growth Areas when the Regional Growth Strategy is updated (expected 2020/2021)?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	8) Both Willow Beach and Anarchist Mountain are currently designated as "Rural Growth Areas" under the South Okanagan Regional Growth Strategy. Do you support the REVIEW of the suitability of these areas as Rural Growth Areas when the Regional Growth Strategy is updated (expected 2020/2021)?	1.00	4.00	2.22	1.31	1.73	49

#	Field	Choice Count
1	Yes	45.83% 22
2	No	20.83% 10
4	Don't know/Need more information	33.33% 16
		48

Showing rows 1 - 4 of 4



### Q3.3 - Why did you select the answer you did?

Why did you select the answer you did?

These are the two areas that have the capability of supporting growth.

As a high fire risk interface area Anarchist Mtn should remain low density with minimum lot sizes of 3 acres

Only growth that aligns with the COP priorities and values should be considered

Willow Beach is ideal for public use as a park and/or wild land interpretive centre; development as a provincial park would be ideal

Willow Beach does not appear to be a potential "Rural Growth Area"

Don't understand why these areas are special

I agree that the Anarchist Mountain communities are Rural and there is no need for this to change. We value the rural life style.

Need for expansion is imminent

Willow Beach is a mosquito infested swamp, not suitable for housing.

Both seem to be poor choices, as one is in a floodplain and the other is lacking community infrastructure.

Need to define "Rural Growth". I do not support increased density, and/or commercial development on Anarchist Mountain other than community markets.

Re Anarchist Mtn Need some kind of business growth (medical, convenience store, fuel station etc) and an area for Senior Housing

The OCP proposed recognizes the unique qualities to both areas.

I don't think any rural growth is required in the area. This outdated, (1952? come on) romanticized statement is pathetically inaccurate, offensive and needs to be updated with facts ... 7.4 Anarchist Mountain Anarchist Mountain is located approximately 15 km east of the Town of Osoyoos and, according to a 1952 description of the area, includes: "...some of the finest scenery that British Columbia has to offer. As travellers leave the valley floor, lush with orchards and ground crops, they glimpse from the benches desertlike country. A few miles farther, sand and sagebrush, cactus and greasewood are left behind, and green and shady ranges watered by springs and creeks are reached. Here and there are tall trees and a wealth of wild flowers, as well as abundant grass and wildlife. Parklike vistas open, and to the west the Cascades rise tier on tier ...

In our opinion Anarchist mountain is suitable for rural growth...

It is time to re-examine both of these areas.

I want to know exactly what that growth will be, how it will enhance our community.

If they are already designated as suitable then don't change it.

Willow Beach is entirely unsuitable as a growth area. Swampy, and mosquito infested. It should remain as a wildlife sanctuary.

Anarchist Mountain has no community water or sewer services. It does not have proven large water resources for intensive development. The environment is fragile, the road is dangerous. Development would destroy the natural habitat. It is unsuitable as a rural growth area.

Why did you select the answer you did?

I don't know what a Rural Growth Area is and where it is on Anarchist Mountain

Unfamiliar with the issue.

Sensitive area

There are several lots already created and ready for build.

Not sure why a review is needed.

We feel the density is at capacity already in Anarchist area.

The area is fine the way it is more growth is not needed

Willow Beach is a swamp. Very limited potential. Lots will be very expensive. Lots of acreage on the west side that can be developed much cheaper and with nice views. Regal Ridge is a different climate. They get way more snow up there. A lot of people buy up there and then realize they didn't move here from Edmonton (etc.) to live in all that snow. Many sell their houses after a couple years and move to the valley below. Driving on that windy (slow) road is a pain in the butt. Plus the carbon being spewed out for people commuting there a couple times a day mounts up.

You need to tell me what the implications of a Rural Growth Area are. I am in a rural area because I do not want "growth."

Willow Beach should not be in the RGS. That land floods regularly. It is unsuitable for development. Also the portion on Anarchist Mtn that is shown as RGS area should be removed....this is not ever likely to be developed, and now there are perhaps 100 vacant lots awaiting purchasers. Area in Kilpoola would be much better candidates for RGS consideration IF residents agree.,

The RDOS has approved this development years ago. Then enacted Bylaws which restrict development after the fact. Until the RDOS has a much more data driven Fire Smart commitment with resident involvement, the "Review" would be suspect in isolation of the bigger picture & would likely conflict as too many Bylaws/Policies all ready conflict.

I support NO New Growth for both of these areas.

due to the fact that there is no-where for the population of Osoyoos to expand out to... better up here on the mountain than to lose more orchards

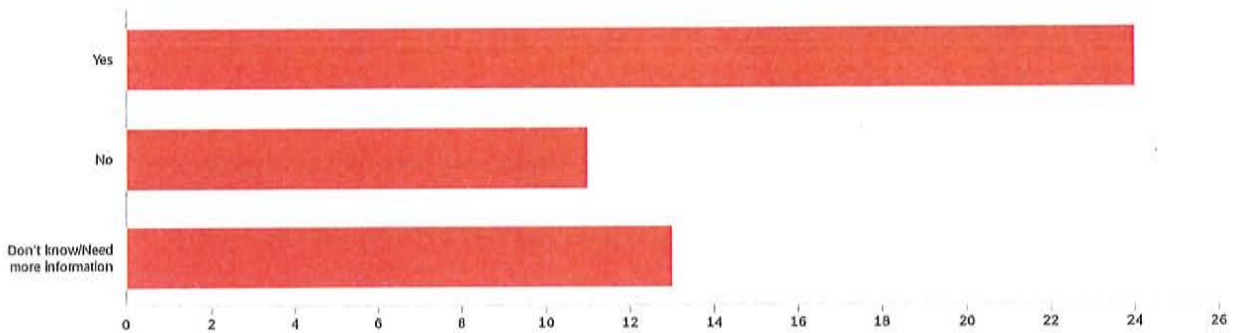
Willow beach is flood susceptible and very sensitive habitat, it should not be further developed and the 'trailers' removed. No comment on Anarchist, except do not remove land from ALR.

Anarchist Mountain needs its future village center to remain designated as a rural growth area

need better definition of what would be permitted/excluded

Agree that Willow Beach is unsuited for large development given its environmentally sensitive nature and the risk of flooding. Agree that Anarchist Mtn is a high risk area for fire, insufficient water resources, and sending people to the mountain encourages urban sprawl with all the transportation issues that invokes.

Q3.4 - 9) The Draft OCP places greater emphasis on working with Osoyoos Indian Band to recognize, protect and, where appropriate and feasible, interpret important Syilx heritage and cultural resources in the Plan Area including Spotted lake (klil'xw). Do you agree with this objective?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	9) The Draft OCP places greater emphasis on working with Osoyoos Indian Band to recognize, protect and, where appropriate and feasible, interpret important Syilx heritage and cultural resources in the Plan Area including Spotted lake (klil'xw). Do you agree with this objective?	1.00	5.00	2.31	1.69	2.84	48

#	Field	Choice Count
1	Yes	50.00% 24
2	No	22.92% 11
5	Don't know/Need more information	27.08% 13
		48

Showing rows 1 - 4 of 4

### Q3.5 - Why did you select the answer you did?

Why did you select the answer you did?

Each cultural group should protect its own culture and heritage. Nobody should have to value somebody else's culture more than their own

Involvement of all stakeholders, including OIB is very important

I don't have enough information on why this is important

cooperation and consultation are important to maintain social and working relationships and cultural understanding

Historical cultural sites are important in providing us all with a historical perspective of our area

I believe the native nations need to be our land stewards and promote any initiative for that change.

It makes good all around sense the more people looking after the land the better the health of our surroundings will be

Only a few Band members seem to be interested in their own destiny.

Important part of reconciliation

From my perspective the OIB continues to gain preferential treatment in the community, ie they do not pay the same level of taxes as others, they have more rights and privileges than others, their hunting and fishing privileges appear to be one of the reasons for reduced wildlife counts

Because we're on unceded traditional territories, it's the right thing to do (we'd be dinosaurs if we didn't and would continue the colonialist approach if we didn't)

We must stop ignoring native heritage and culture, and instead embrace it as part of our meaningful history.

with the proviso that it is meaningful, current and not just some plan to maximize tourist interest in ancient history

We need to hear what the Band has to say. We all live on the same Area A and our daily lives are interdependent.

I believe the current government structure already addresses those issues. I believe that the cultural resources and projects are moving in the right direction.

I think most band members don't give a damn, but at least we should be willing to listen to their concerns.

The Indian names are unusable. The OIB should be involved in improving environmental protection for everyone, not scoring cultural points.

Essential to incorporate the cultural values and historical contributions of the original population.

Should not matter

Not to sure how this affects us.

There is no enough information presented to make an informed decision .

Why did you select the answer you did?

Let the national parks people deal with that. That is Federal stuff not RDOS stuff.

I thought Spotted Lake was a done deal. If there are other off reserve areas they wish to be interested in for cultural reasons let's identify now was come to a consensus so that plans can proceed more quickly in future

The Indians comprise 4.9% of the population. The rest of us also like our heritage and culture.

Generally yes.... but my support is contingent on a case-by case basis depending upon issues/ projects

The devil is always in the details. The Draft OCP should commit to working more closely with ALL landowners.

While they continue to develop the reserve without regard for wetlands and sensitive habitat, putting in high density housing, they are not deserving of our assistance and cooperation.

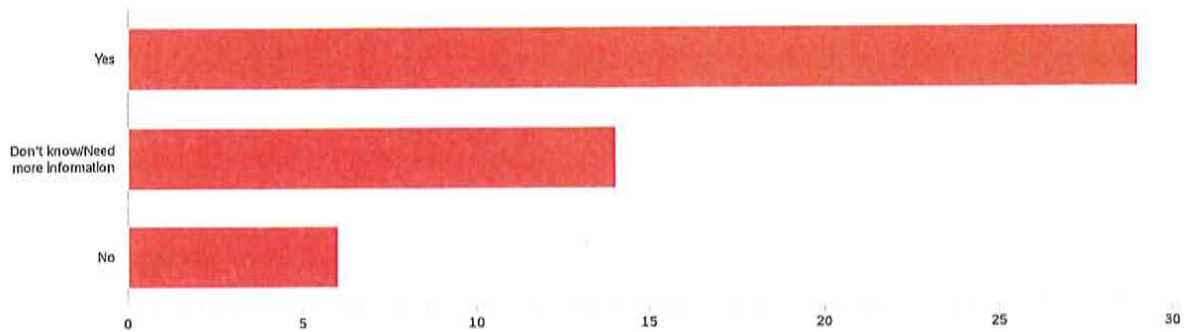
2 sets of rules does not work in any community!

Osoyoos Indian band are important and valued partners to the district

yes for Spotted Lake but do not know if there is anything beyond that

Have no idea what important heritage and cultural resources there might be in the Plan Area.

Q3.6 - 10) The RDOS supports ongoing public education to help residents understand growing risks posed by climate change (e.g., increased drought, heat waves, flooding, wildfire) and taking actions to address them to improve community resiliency. The Draft OCP includes an expanded climate change adaptation section with policies to improve community resiliency. Do you agree with this direction?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	10) The RDOS supports ongoing public education to help residents understand growing risks posed by climate change (e.g., increased drought, heat waves, flooding, wildfire) and taking actions to address them to improve community resiliency. The Draft OCP includes an expanded climate change adaptation section with policies to improve community resiliency. Do you agree with this direction?	1.00	6.00	2.76	2.13	4.55	49

#	Field	Choice Count
1	Yes	59.18% 29
5	Don't know/Need more information	28.57% 14
6	No	12.24% 6
		49

### Q3.7 - Why did you select the answer you did?

Why did you select the answer you did?

Wildfire Risk is the greatest risk to our community.

Need the implications of the statement

wildfire risk along with wise water use are of paramount importance

Wildfire and flooding require more community education and action/ accountability to minimize the risk of great loss of homes/ lives/ land

anything we can do to reduce human impact on climate change and global warming is a good thing

Climate change is a fact which we must all deal with if we expect to continue as a species

This is an important answer and deserves in depth understanding before agreeing with a government proposal.

Climate change seems to be here for at least the next few decades. People need to adapt.

However I feel it could still be improved upon (i.e. include FireSmart planning in implementatin section, include heat alert system planning, put in more environmental protection statements, etc.)

Agree with the statement in principle, I am all for education but wonder where the line is drawn between education and prescriptive bylaws forcing residents to comply with something which I do not support.

RE Anarchist Mtn agree re wildfire but he ESDA contradicts these efforts

We must face reality, and ultimately I believe it is the responsibility of residents to take active measures.

Because it is topically more relevant than anything else we are currently doing and should have the most direct and immediate impact on any plans made for future use and development

Nature is imposing climate change on the entire world. We need to be proactive if we are to survive. What will happen to our water quantity and quality as the earth warms? What are the consequences of increased seasonal temperatures throughout the Okanogan and especially for us in the south? I will changing temperatures influence our major economic drivers in area A: agriculture and tourism? These are only a few of the issues that need to be explored and anticipated in the near and distant future.

I don't think anyone has the power to influence climate change. I think we have also forgotten that climate does change and has cycles and that we need to be prepared for all extremes of our cycles based on recorded statistics.

Climate change seems to be a fact of life, so we have to learn to live with it in the future.

Climate change is happening and we need to move forward and start acting to address what may happen

Critically important and farsighted policy.

I think people have a good understanding already.

Not enough information.

Why did you select the answer you did?

There needs to be more information about this topic with experts presenting exactly what you are proposing. Covering ideas with the "climate change" belief is not scientific enough and may lead to agreeing changes that are just another way to add taxes to an already broken system.

Climate change is Federal and Provincial. Let them deal with it.

Is this a required function of RDOS. Some else surely is covering the same ground. Ie province

The earth has adapted to a changing climate for eons. There isn't much that the RDOS can do about it except jump on the moral panic bandwagon and spend more money. The tax load is going to be a bigger problem for our standard of living than climate change.

BUT -- fire risk and supporting Fire Smart activities IS important and RDOS is NOT supporting Fire Smart with public funding or coordinated planning with Area A communities (I.e Anarchist mtn)

Perhaps the RDOS should take an opportunity to listen & learn from the many residents that have 'on-the-ground' knowledge rather than take this patriarchal approach of "public education" Education is desired rather than dictates, however the RDOS needs to be encouraged to listen & learn.

The general description sounds good but government tends to define things in their own terms. Please clarify.

fires and flooding are an annual concern. I would like to see the campfire ban of the town of Osoyoos extended to the rural areas.

You can't control Mother Nature, if you think you can think again!

generally in favour but would appreciate more specificity

We live rurally because we can take care of ourselves. We don't need the government stepping in and doing things their way which often creates problems instead of helping.

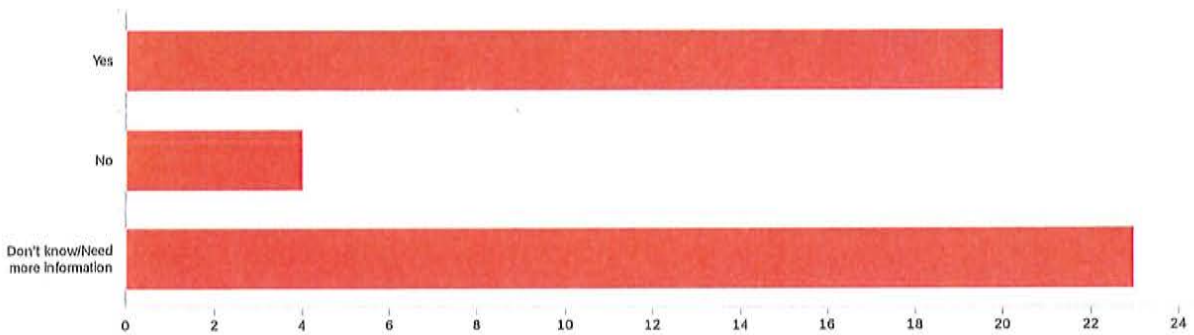
This is nice jargon but really isn't very helpful in understanding "ongoing public education" translates into "policy to improve community resiliency." Too much jargon, not enough specifics about what you actually intend to facilitate. Does this mean that the plan is to be used to guide individual behaviour relating to climate change?



Q3.8 - 11) The Draft OCP includes a policy to retain the former BC Tree Fruits

packinghouse on the west side of Osoyoos Lake for use by the agricultural industry. Do

you support this policy?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	11) The Draft OCP includes a policy to retain the former BC Tree Fruits packinghouse on the west side of Osoyoos Lake for use by the agricultural industry. Do you support this policy?	1.00	5.00	3.04	1.93	3.74	47

#	Field	Choice Count
1	Yes	42.55% 20
2	No	8.51% 4
5	Don't know/Need more information	48.94% 23

47

Showing rows 1 - 4 of 4

### Q3.9 - Why did you select the answer you did?

Why did you select the answer you did?

I know little about this issue.

Not in my area of influence or concern

Maintaining agriculture is important as it is diminishing. This supports the economy and food supply, especially when so much local/ nutritious fruit and vegetables are grown here

the packing house is an important resource for local fruit and vegetables; it supports the local economy

What are its proposed uses?

Important to have resources for agricultural industry in South Okanagan

The growers need space to store produce for distribution shipping and they need offices for managing those activities.

Its still a viable asset if used

If the land is good for agriculture, it should be used for agriculture. Otherwise, it might be useful for residential development.

Don't know enough about this. The decision should be based on market forces and economics. If it makes sense to keep it then keep it. No public funds should be used to subsidize its existence.

Not in the area I live Up to the residents on that area

I don't know the implications.

Are there plans to move it? Or?

NEED MORE INFO....

It is a large piece of land. Many uses are possible. No single response Y/N is appropriate without more information.

This decision should be based on sound financial information and fairness to local agricultural producers.

I don't know if the agricultural industry will ever need this property again. Small packinghouses and wineries seem to have made the facility obsolete.

It's an ugly building. Would be better to put something more attractive and useful in its place.

It is there, let the industry use it

Not familiar with potential use for the facility.

Too many fruit orchards are being converted to wineries.

Why did you select the answer you did?

Don't feel it is agricultural area.

No. Tear it down. Turn it back into farmland or make it a new area for growth. Would make a lovely subdivision.

Could be a great historical park/ recreation site

The area needs the jobs and tax revenue provided by agri-business.

Depends on what projects are proposed in that area..... If positive programs , then perhaps I'd support.

There is no background info for this aspirational policy. Merit? Industry support? Cost/Benefit? Purpose?

It seems that most of the farmers have sources in place to sort and store their own produce - to me it seems that this facility would be 'under utilized'  
- might be better to update and change the zoning of this to be mid to high density housing as there seems to be a shortage of such in this area

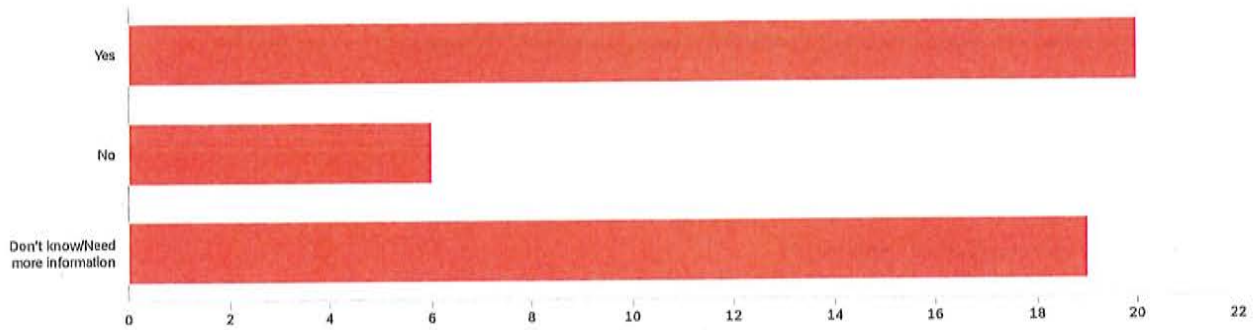
We don't need more development along the lake, the pressure is increasing as it is.

Need more information with pros and cons etc.

believe it is an advantage to Osoyoos region

Not sure why that would be singled out in this OCP. And what role the greater public has in the business decisions of whoever owns that packing house. Seems like the owner should get to make this decision, not the RDOS. Yes, there is a government policy of protecting agricultural activity but is this really an issue for the OCP or does it belong to the Agricultural Land commission?

Q3.10 - 12) The Draft OCP supports protecting water supply and quality along with also protecting rural lifestyle values in the Kipoola area by discouraging the rezoning and subdivision of properties. Do you agree with this direction?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	12) The Draft OCP supports protecting water supply and quality along with also protecting rural lifestyle values in the Kipoola area by discouraging the rezoning and subdivision of properties. Do you agree with this direction?	1.00	5.00	2.82	1.89	3.57	45

#	Field	Choice Count
1	Yes	44.44% 20
2	No	13.33% 6
5	Don't know/Need more information	42.22% 19
		45

Showing rows 1 - 4 of 4

### Q3.11 - Why did you select the answer you did?

Why did you select the answer you did?

I am not familiar with this area.

Not in my area of influence or concern

Water supply is key over any rezoning; this is for the greater good for humans, wildlife and nature, and plays a role in fire protection

It supports my values

A single inflexible policy is not the way a democratic society operates

That whole valley needs protection as a wildlife corridor.

Further subdivision would spoil that area for people, and for natural habitat.

water supply and quality protection is of huge importance

Although I agree with protecting water supply and quality in any community, I don't know enough about the Kipoola region. A hydrology study needs to be completed to ensure any new development can tap into the existing groundwater without affecting existing residents.

not in the area I live Up to residents in that are

Fragmentation of properties works against long-term rural lifestyles--once properties are fragmented, it is almost impossible to put them back together again..

Its time a line was drawn on subdivision and population growth in the desert.

My understanding is that there is Crown Land and range land in the area with limited or no agricultural value. If this is the case then future development might be possible as long as water is available.

I think discouraging is the wrong approach. Promote activity that enhances these directions.

Present residents chose the Kipoola area because of its rural character. Property owners should be informed that subdivision for profit will not be allowed, in perpetuity, no exceptions.

Water is limited in high areas. The aquifers can't support unlimited extraction. There should certainly be a study before any further extraction is allowed.

Protecting the water supply is good however telling property owners what they can or cannot do with their properties is not always the correct thing to do

Any further subdivision would severely impact the rural quality of the area.

I don't know about that area.

It's private property.

Why did you select the answer you did?

More development in that area would be a good thing.

We should be able to subdivide just the same as everyone else.

Is this a problem? Area is pretty much developed. Let residents decide

Water supply? We were concerned about flooding a moment ago. Why do you want to discourage subdivision in Kipoola but Anarchist Mountain is a "Rural Growth Area"?

That's up to Kipoola residents to decide. Make sure there is adequate public consultation with data to back up rezoning ideas.

Protecting water supply is always important. Buy - what is the current state? What is projected use by the AG industry? What's the state of the sources?

have not been following what is happening in the Kipoola area - isn't some of this included in the National Park proposal?

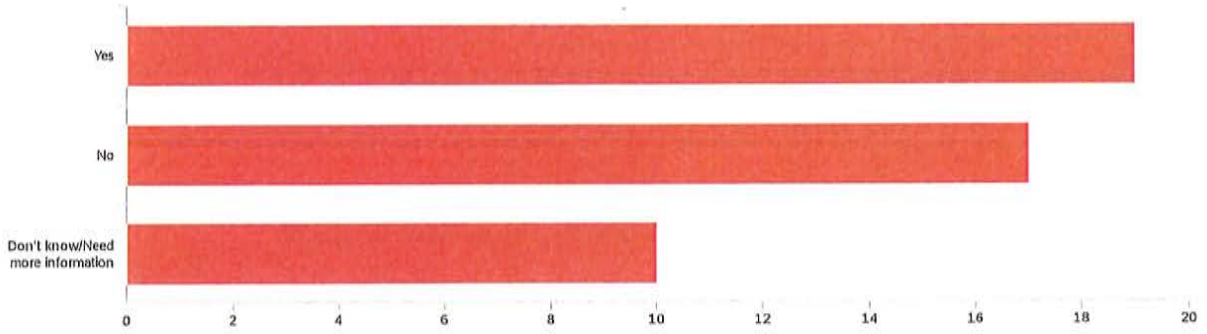
Turn it into National park rather than continued subdivision and development.

Again RDOS wants to have too much control on what we do with our private properties

believe water availability is an issue

I don't know anything about the water needs in Kipoola. Seems like this is a problem with the building or zoning or subdivision bylaws. If you want to protect water supply, require all new subdivisions to provide minimum water volumes (I think it already does that). If there is a risk that there is not sufficient water, then change that bylaw to make it more protective, the OCP isn't going to help since it's only guidance and not followed by the RDOS board unless it suits them.

Q3.12 - 13) The Draft OCP supports the development of different housing types to support affordability. Would you support removing the 90.0 square metre (967 square feet) floor area restriction on secondary suites in Electoral Area "A"?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	13) The Draft OCP supports the development of different housing types to support affordability. Would you support removing the 90.0 square metre (967 square feet) floor area restriction on secondary suites in Electoral Area "A"?	1.00	5.00	2.24	1.52	2.31	46

#	Field	Choice Count
1	Yes	41.30% 19
2	No	36.96% 17
5	Don't know/Need more information	21.74% 10
		46

Showing rows 1 - 4 of 4

### Q3.13 - Why did you select the answer you did?

Why did you select the answer you did?

We need more affordable housing.

The Regal Ridge subdivision plan of minimum standard of housing should remain to sustain current housing values

If a smaller space is desirable and affordable without decreasing the area property values, then why not?

967 sq ft is the size of a small house; it is quite adequate for a secondary suite

Approximately 1000sq ft is large enough for a secondary suite which is as large as former family houses

Housing is important however ensure right type of housing ie safety, environmental and fits in with community including aesthetic values

Higher density is not the answer. Living space is important for family health.

Smaller sq ft per unit allows us to house the people in an affordable manner without removing excess air lands . We need agriculture and we need housing in proper ratios

Some people like to live in less expensive small suites. Their choice, if small units are available.

a more diverse housing stock can foster good mental and physical health and improved quality of life.

Depends on where in Area A. I can support smaller footprints in existing larger communities in condo type buildings. I cannot support having single family homes smaller than 90 square metres as I believe it reduces property values of the neighbourhood.

Size could be smaller

What are the alternatives being considered?

What? Where? for Whom?

Need ability to house service workers in hotel, restaurant, etc industries.

This where I think the specific community needs to be addressed and not the whole of Area A

I have no objection to small secondary suites in residential neighbourhoods as long as the owner lives onsite. I would not support multiple suites in a house if the owner doesn't live there.

Over-developing would destroy the beautiful area we love and live in,

Housing needs to be of a size that does not look like some small cabin. We already have main homes on Anarchist Mountain that look like this.

I don't think enlarging the size of secondary suites would change the rural quality of the area.

It would reduce all home values.



Why did you select the answer you did?

I don't want a trailer park in the area.

Secondary suits on Anarchist mountain is not appropriate

Too small. The Provincial Gov't changed the building code to remove the size limitations on suites. In theory the suite can be the same size as the main residence. About 1,600sf would be a nice size.

New building architecture, new housing needs of low income workers, vacancy rates need to be considered

Municipal government are the cause of housing problems. Reduce the government restrictions and the expense associated with developing more housing. If there is a greater supply of housing, prices will drop and more people can afford housing.

a demographically diverse community is a healthier community. Housing options are critical to encourage diversity.

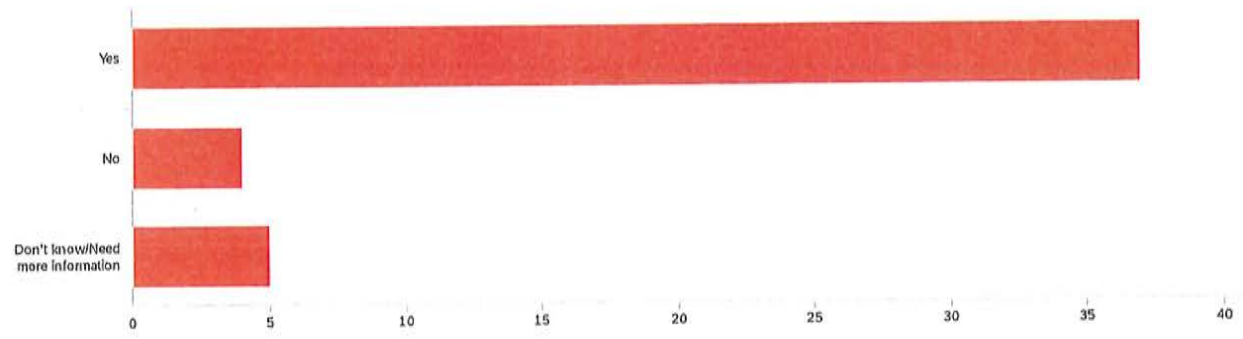
That kind of density doesn't help in the long term. Build low rise apartments specific to the needs of mid and low income working people.

Too much housing on orchards already, eroding the feasibility of farming. Size of affordable housing should be sufficient at 1000 square feet.

believe small living units should be limited to town of Osoyoos, not the rural areas

What is a secondary suite? Don't use jargon or a specifically defined term when asking a question unless you explain the meaning of that specific term. I might answer differently depending on what you mean by that term.

Q3.14 - 14) Should the RDOS be doing more to mitigate wildfire hazard risks in Electoral Area "A", such as supporting more use of provincial FireSmart development principles?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	14) Should the RDOS be doing more to mitigate wildfire hazard risks in Electoral Area "A", such as supporting more use of provincial FireSmart development principles?	1.00	5.00	1.52	1.25	1.55	46

#	Field	Choice Count
1	Yes	80.43% 37
2	No	8.70% 4
5	Don't know/Need more information	10.87% 5
		46

Showing rows 1 - 4 of 4

### Q3.15 - Why did you select the answer you did?

Why did you select the answer you did?

While I support the use of Fire Smart principles I do not support a prescriptive approach by RDOS.

Depends on intention of the statement. Do not support imposing provincial fire smart regulations on private property

As a firefighter I wholeheartedly support this. It is very much needed especially after seeing the lack of firesmarting in the Heritage Hills communities while on the line at that fire

Anarchist Mountain took it upon themselves to become FireSmart, and it has paid off with community engagement. After Heritage Hills fire in Penticton, it was evident (from being on scene) that the residents did not know about FireSmart. The firefighters were FireSmarting on site, very quickly, and homes were saved. This also has an economic benefit to the community and insurance rates.

self explanatory

comon sence and warnings of safety should be enough

Hot dry summers are here to stay. It makes sense to be prepared to avoid loss of houses due to wildfires.

The RDOS needs to support the development of Community Wildfire Protection Plans specific to unique topography and climatic conditions of a given area (i.e. Anarchist Mountain). Governments appear to have ample funds to fight wildfires but provide little to support prevention. Anarchist Mountain as an example has been a certified FireSmart Community since 2013, this has been through the hard work of many volunteers with little to no help from local governments. A small budget to manage community wildfire burn areas and promote continued education would go a long way to building our resiliency. We require funds to hire a consultant to create our own CWPP which is a must for developing a long range plan.

The recent history for forest fire answers that question More funding and action needs to be done before fires not after

Live in high risk area.

Individual homeowners need to be aware and responsible for their own homes.

Climate change extremes are a reality.

The pink zone on Anarchist Mountain appears to conflict with FireSmart principles. This is concerning.

Need more info...

Aside from seasonal flooding in the valley bottom wildfires are the greatest hazard we face in Area A.

This imperative for Anarchist Mt. and is exactly the reason the pink zone should not be implemented as it stands.

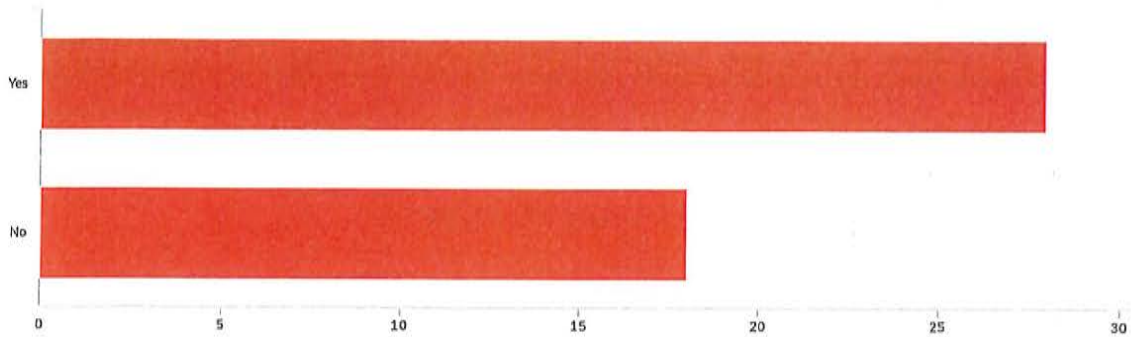
Current and proposed policies are in conflict. As outlined

No explanation necessary!

A mobile wood chipping machine would be a great service, so we don't have to resort to open fires.

FireSmart is a sensible, recognizable way to reduce the chance of homes being lost to wildfires

Q3.16 - 15) Are you aware the Regional District is undertaking a separate review of the environmentally sensitive development permit areas in all South Okanagan Electoral Areas?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	15) Are you aware the Regional District is undertaking a separate review of the environmentally sensitive development permit areas in all South Okanagan Electoral Areas?	1.00	2.00	1.39	0.49	0.24	46

#	Field	Choice Count
1	Yes	60.87% 28
2	No	39.13% 18
		46

Showing rows 1 - 3 of 3

Why did you select the answer you did?

Education is key to ensure that wildfire exposure is minimized,

The pink zone is in conflict with fire smarting.

I believe in firesmart.

This is urgently needed and should be done as a priority

Forest fires suck. I don't attribute it to climate change. It used to be hotter here than it has been the past several years but the fires were worse. We had two really bad years and this year isn't too bad yet. Too many of the fires are started by humans not nature. Throw them in Jail for a long time.

Leave this to the province

Anarchist Mountain already has a very well developed FireSmart program. It should be supported.

Absolutely. Anarchist Mtn is an approved Fire Smart Community (5 Or 6 yrs running) ..... one of only a few in BC. But NO fiancnail supprot is avaiabe from RDOS; RDOS should get grant funds from available sources and forward grants to Fire Smart programs through out RDOS.

PLEASE actively involve the resident Fire Department. They last "report" does not contain accurate data & therefore misstates Risk.

Training, equipment and a larger facility for both is needed in the mid to long term.

have been impacted by fire already

no brainer.

The ESPD contradicts what FireSmart goals

fire is the biggest risk we face

You can't ask a question like this without including information about the development principles. How can I say if I want the OCP to support principles that I know nothing about? At a minimum, tell me where to go to review those principles before I answer this question. You assume too much about what people know.

### Q3.17 - Is there anything you would like this review process to consider?

Is there anything you would like this review process to consider?

ESDP reviews should be done at the subdivision stage.

Must be sensible and not interfere with landowners' right to enjoy and protect their own property

Firesmarting best practices

Anarchist Mountain has sensitive areas that require protection from further development, especially since there is Burrowing Owl living on Mule Deer Drive/ Point. It is important also that recreation vehicles not be allowed in some areas as a result. Dumping in rural areas has become an issue as well, and this can affect nature/ wildlife/ sensitive areas

bylaws for all burning and empty lot management

Do NOT use a single blanket designation for all such areas. There are many specific variables applicable to various areas which have to be appreciated in the overall review.

Concern on management of invasive species, unsightly premises, temporary structures ie trailers....risk of fire, garbage/wildfire management, sewage improperly disposed of. Concern of metal structure impacts ....safety, environmental.

Redefine the "pink zone" leaving out residences. Review and upgrade plants and species identification for protection.

Active enforcement of Osoyoos Lake shoreline (SPEA).

consider the health implications of some of the policies. Include more emphasis on active transportation modes, such as connectivity between trails/pathways.

I would like to understand why the ESDP areas were added to land that was already subjected to an extensive environmental review process as part of gaining subdivision development approval for the Regal Ridge development. An unneeded, redundant, and costly process that limits a property owners ability to protect their property and neighbouring properties from the impact of wildfire in the community. The ESDP process should be completed only once during the land development process, any sensitive lands can be split off and deemed "Conservation Area" during that process if required.

Listen to the residents and actually go to the areas and make a proper review not just pictures from the sky. The current ESDA for Anarchist Mtn is completely inaccurate and out of date is so inaccur

Environmental sensitivity is often lost when private landowners consider it inconvenient to their own purposes. Unless care is taken, the ongoing pressures against recognizing environmental sensitivity will reduce the care of the land and its environment.

Please don't dilute it, instead give it teeth and scientific proof of importance. Perhaps put tax dollars towards doing the studies required. There are a lot of people who think they have carte blanche rights to do what they like because they pay taxes on a piece of land. The range lands have been all but abandoned to poor management, noxious weed control is nil, pink and spotted knapweed, four species of thistle grow very well along roadsides and within the range lands ( which is also part of the conservation area designated next to OME lands) yet in the OCP there is 'homage' paid to the desire to control them 13.1.2 I also question the overvaluing of only the at risk and sensitive species ... how do we think they got to be so? we need to value the entire system ... the Okanagan Valley is a major bird migration route, birds move up the mountainsides on their flight ... they ALL need food, safety and wild lands not just the ones that are currently at risk ... look at a broader description ie world science on species, to determine the long range plan for protection of wild lands and habitat

A review is appropriate if for no other reason than to educate residence about the criteria used to describe environmentally sensitive areas. Property owners need to be fully aware of their responsibilities with respect to these areas and the plants and animals within them. At the same time it is incumbent upon the RDOS to identify the species in the pink zones that render an area "environmentally sensitive". Shifting that responsibility to individual landowners is onerous and inappropriate.

Is there anything you would like this review process to consider?

The pink zone should not be a sweeping zone for the whole area; real on the ground data needs to be collected. Residents concerns need to be listened to. How can consultants from different geographical area provide the on the ground information needed to make Informed decisions about environmentally sensitive land.

Please ensure open interaction with the communities and areas affected. Do not turn this in to a money grab. Make sure that policy does not conflict with fire smart etc. Remove Pink Zone restrictions (ESDP) on privately owned lands as it was adopted after this area was developed. The Pink Zone restricts property owners with legal issues encroaching on rights to enjoy private property, potentially reduces land value, increases cost of development and contravenes FireSmart principles. Wildfire risk is of the utmost importance for private property owners in our area, thus, conflicts between the "pink zone" requirements and Fire Smarting need to be resolved. Under section 488(2) of the Local Government Act, in order for an EDPA to be valid, the Official Community Plan must: (a) Describe the special conditions or objectives that justify the designation, and (b) Specify guidelines respecting the manner by which the special conditions or objectives will be addressed There should be evidence of specific species at risk and the scientific basis for ESDP in our area. We question building the ESDP program on information not based on species location data and using information which can't be shared with the public (whom they are regulating). This is a lack of data efficacy and a lack of transparency. It remains unproven that everywhere on Anarchist Mtn is ecologically sensitive and that all properties should be subject to ESDP requirements. Unless there is documented proof of ecological values on all properties on Anarchist Mountain that are regulated, then the ESDP program appears to be arbitrary. Clarification on where the background for ESDP mapping came from is needed.

I would like to see more attention being shown to enforcement of lakeshore protected areas. At the present time, no enforcement seem to be done.

Water availability, motorised vehicle access and unofficial logging for firewood are all important.

Wildfires and FireSmart

Not to my knowledge. Very impressed by this well-deigned and well-executed project..

It conflicts with fire smart, infringes on my personal rights as a property owner and adds to the building costs.

We bought our property before the pink zone existed, and now we're told not to touch the land because of environmental sensitive areas. We would not have purchased this land if the restrictions were there before purchase. Also why are we taxed on land we are told is in a pink zone and shouldn't be disturbed.

More direct consultation with individual private landowners before policies are put in place.

The pink zone needs to be eliminated on private land holdings.

Yes. Get rid of it. There has been any mass raping of the lands. There might be the odd person that has cleared there land completely but the vast majority (proably over 98%) don't do it. We are being punished because of a few idiots. I'm so tired of laws being written because we have to protect the "stupid people" and/or "idiots". Common sense has gone by the wayside.

The ESDP requirement should be removed from rural properties in all areas.

ESPD program MUST be changed to coordinate seamlessly with Fire Smart activities. Currently due to ESDP rules - property owners are allowed to Fire Smart only within 10 M of their principled residence. This is not satisfactory. No data has been provided to prove to property owners that there are "eco sensitive" values on their propety that is within "ESDP " areas. The onus shoul dbe in the regulator to prove a need for this intrusive legislation rather than requiring property owners to prove there isn't an eco value issue.

Actual real, verified, on-the-ground data. Its extremely BAD practice to implement Policy/Bylaws using inaccurate data.

Consider the people, not the public coffers. Help with an updated environmental review paid for by tax money NOT permit money.

feet on the ground data

Protect potholes from infilling, and mandate control and therefore access to private lands for SIR, control of bullfrogs and other invasive species including weeds.

Is there anything you would like this review process to consider?

Existing private properties should be grandfathered and not included in the EDSP as these properties already have been disturbed. It is just a money grab for the RDOS and any assessments that are required by the RDOS!

There should be an exemption allowing Anarchist Mountain property owners to do minor landscaping changes anywhere on their property. The affect of minor improvements by a few owners will be negligible on the overall area but the development permit requirement seriously affects the ability of owners to enjoy their own property.

the current pink zone designation is not realistic insofar as it should allow reasonable development within larger proximity of primary residences if not impacting primary watercourses or significant wildlife corridors. Some of the existing pink zones make no sense whatsoever and appear to be very arbitrary zones outside of existing building plots

Scientific foundation of the permit program. The burden of proof should be first on the RDOS to prove that an area is environmentally sensitive and then shift to the landowner. But so far, all the RDOS has done is relied on outdated and insufficient information, making it the landowner's responsibility to prove the negative. Easy for the RDOS, hard for the landowner and that's not right. Also agree with the need for more consistency for reporting, QEP qualifications, and the scope of review for purposes of submitting the application.



## Q4.2 - Is there any specific information on the OCP update that you are interested in?

Is there any specific information on the OCP update that you are interested...

Anarchist Mountain area

FireSmart, Bylaws on garbage/ bear activity areas, Bylaws on RV's left on empty lots, Sensitive areas/ development

zoning for the lower west face of Anarchist Mountain

The proposed review of the environmentally sensitive area development permit rules

When is the next meeting to discuss in depth plans BEFORE and changes are made?

Zone change from r1: to med density and height allowance

Changes proposed, Future Community Consultations, Time Line,

When the meetings will be and that they are actually in person and not just by the internet so they scope will be limited

All of it.

all of it

all of it

Future lans for Willow Beach area.

No

Pink zone and how areas were chosen without consultation with private landowners.

Pink zone area discussions and policies.

In light of the current COVID crisis and the effect on the economy, I would like information made public on how the RDOS plans to significantly reduce its budget and significantly reduce the mill rate for 2021.

I woul dlike to know the source of fire risk mappping tha tis being proposed to be included in the revised. How do we know its accurate and who decides?

I'm interested in the OCP committing to using real, verified data as a decision tool & not conflicting between different Goals, Policies, Bylaws.

ESPD

primarily Anarchist Mountain but also anything with respect to the proposed National Park

Is there any specific information on the OCP update that you are interested...

How will public comments be integrated into the revisions? At what point in the process will comments be incorporated and what is the nature of comments that will make a difference to the integration? Who will make the decision about what comments are integrated? Will the RDOS explain why some comments are not incorporated? If the OCP is not the appropriate regulatory mechanism for achieving a public comment, will the RDOS explain what alternative mechanisms are available for achieving that public goal? Put another way, will the RDOS tell the public why it cannot incorporate a comment into the revised OCP and which other process might achieve that goal?