

## Lauri Feindell

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**From:** Danielson, Steven <Steven.Danielson@fortisbc.com>  
**Sent:** November 22, 2023 10:59 AM  
**To:** Planning  
**Subject:** Maple St, 1631, RDOS (D2023.010-ZONE)

With respect to the above noted file,

### Land Rights Comments

- There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric (“FBC(E)”) services, if required.

### Operational & Design Comments

- There are FortisBC Electric (“FBC(E)”) primary distribution facilities along Maple Street and Weyerhauser Road.
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

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

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

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

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

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

If you have any questions or comments, please contact us 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)



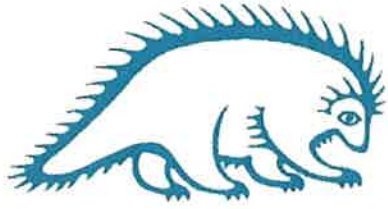
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## Okanagan Indian Band

12420 Westside Road • Vernon, BC, • V1H 2A4

Telephone: 250-542-4328 • Facsimile 250-542-4990

Email: [okibreferrals@okanagan.org](mailto:okibreferrals@okanagan.org)

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*"This correspondence will not be construed so as to prejudice, limit, or derogate from any rights, claims or interests in respect of any Aboriginal title, rights and interests of Okanagan or Syilx Nation recognized and affirmed under Section 35 of the Constitution Act, 1982 and nothing in this letter indicates acceptance by Okanagan of federal or provincial Crown jurisdiction over or ownership of land, water or other resources within the Territory."*

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**Project Name:**

D2023.010-ZONE

**FN Consultation ID:**

D2023.010-ZONE

**Consulting Org Contact:**

Chris Garrish

**Consulting Organization:**

[Regional District of Okanagan Similkameen](#)

**Date Received:**

Wednesday, November 1, 2023

Attention: Chris Garrish

The Territorial Stewardship Division would like to acknowledge receipt of the above referral. The Okanagan Indian Band ("OKIB") has conducted a desktop review of the project. The location of the project to which the referral relates is within Syilx (Okanagan Nation) territory, and may have impacts on Syilx Aboriginal Title and Rights, which OKIB holds as part of the Syilx. However, the project is located outside the OKIB's Area of Responsibility as a member of the Syilx. At this time, we defer to the Penticton Indian Band, Osoyoos Indian Band and Lower Similkameen Indian Band for a more in depth review. Please keep us informed of any updates or changes to the project as this may change our assessment and our view on the need for further consultation with OKIB.

liml?mt | Thank You

Julie Richard  
Referrals Management Clerk  
Territorial Stewardship Division  
Okanagan Indian Band  
12420 Westside Road  
Vernon BC, V1H 2A4  
Office: 250-542-7132  
Cell: 250-309-5217

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**Penticton Indian Band**  
Natural Resources Department  
841 Westhills Drive | Penticton, B.C.  
V2A 0E8  
Referrals@pib.ca | www.pib.ca  
Telephone: 250-492-0411  
Fax: 250-493-2882

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**Project Name:**

D2023.010-ZONE

**FN Consultation ID:**

L231102-D2023.010-ZONE

**Consulting Org Contact:**

Planning RDOS

**Consulting Organization:**

Regional District of Okanagan Similkameen

**Date Received:**

Wednesday, November 1, 2023

**File number:**

D2023.010-ZONE

November 2, 2023

WITHOUT PREJUDICE

Attention: Planning RDOS

We are in receipt of the above referral. This proposed activity is within the PIB Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

1. Invoice Number: L231102-D2023.010-ZONE

Referrals Processing Fee

Sub Total \$ 500.00

Tax \$ 0.00

Total \$ \$500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque or cash payable to Penticton Indian Band. re: P.C.132. Mail payment to ATTN: Maryssa Bonneau, Penticton Indian Band Natural Resources Department 841 Westhills Drive, Penticton, British Columbia, Canada V2A 0E8. Please include this letter when sending.

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, PIB will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

limlæmt,

Madison Terbasket  
Interim Referrals Coordinator  
Penticton Indian Band  
Natural Resources  
email: [mterbasket@pib.ca](mailto:mterbasket@pib.ca)  
office: 250-499-9866  
address: 841 Westhills Drive  
Penticton, British Columbia  
Canada V2A 0E8

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## Lauri Feindell

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**From:** ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>  
**Sent:** November 6, 2023 4:14 PM  
**To:** Fiona Titley  
**Cc:** Planning  
**Subject:** RE: ZONE Referral (Project No. D2023.010-ZONE)

Some people who received this message don't often get email from alc.referrals@gov.bc.ca. [Learn why this is important](#)

Fiona

This is to advise the ALC has no objection to the rezoning/bylaw amendment in order to facilitate the subdivision of the Property along the ALR boundary.

Regards



**Martin Collins,**  
Regional Planner | Agricultural Land Commission  
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6  
T 604-953-6673 |  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

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**From:** Fiona Titley <ftitley@rdos.bc.ca>  
**Sent:** Wednesday, November 1, 2023 11:04 AM  
**To:** HBE <HBE@interiorhealth.ca>; referrals@fortisbc.com; okfallschief@gmail.com; ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>; Gyug, Philip AF:EX <Philip.Gyug@gov.bc.ca>; FBCLands@FortisBC.com  
**Subject:** ZONE Referral (Project No. D2023.010-ZONE)

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Re: Project No. D2023.010-ZONE  
Official Community Plan and Zoning Bylaw Amendment

Please find attached a Referral sheet for the a rezoning application for the following property in the Regional District of Okanagan-Similkameen:  
1631 Maple Street

Electoral Area "D"

Please review and if you have any questions contact Fiona Titley, file manager.

Please forward your comments/concerns to [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca).

Kind Regards,



**Fiona Titley** • Planner II

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

p. 250-486-0182 • tf. 1-877-610-3737 • f. 250-492-0063

[www.rdos.bc.ca](http://www.rdos.bc.ca) • [ftitley@rdos.bc.ca](mailto:ftitley@rdos.bc.ca)



## Lauri Feindell

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**From:** Zone 5 Property Referrals <Zone5PropertyReferrals@fortisbc.com>  
**Sent:** November 10, 2023 9:06 AM  
**To:** Planning  
**Subject:** RE: ZONE Referral (Project No. D2023.010-ZONE) - Fortis Property Referral #2023-1432 - Due Dec 1 - Okanagan-Similkameen

Some people who received this message don't often get email from zone5propertyreferrals@fortisbc.com. [Learn why this is important](#)

Good day,

With respect to the above noted file, FortisBC Energy Inc. (Gas) has reviewed the subject proposal and has no objections or concerns. **Note that there is an existing gas service line to the current premise. If an abandonment or alteration is required due to demolition, renovation or building on the gas meter line location, please contact: 1-888-224-2710 or visit FortisBC.com(here) to guide an online application in order to initiate the planning process.**

If you have any questions or concerns, please do not hesitate to ask!

Thank you,

Kindest regards,

### Ryan Mohr

Planning and Design Technologist II  
Kelowna, BC  
Office: 250-868-4502 extension: 74502  
Email: [Ryan.Mohr@fortisbc.com](mailto:Ryan.Mohr@fortisbc.com)



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**From:** Referrals <Referrals@fortisbc.com>  
**Sent:** Wednesday, November 1, 2023 2:44 PM  
**To:** Zone 5 Property Referrals <Zone5PropertyReferrals@fortisbc.com>  
**Subject:** ZONE Referral (Project No. D2023.010-ZONE) - Fortis Property Referral #2023-1432 - Due Dec 1 - Okanagan-Similkameen

Fortis Property Referral #2023-1432

Please review the attached / below and provide your comments directly to [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca) by **Dec 1, 2023**.

If a Statutory Right of Way is required, please copy [referrals@fortisbc.com](mailto:referrals@fortisbc.com) in on your response so that we may update our records.

Thank you,

**Liz Dell**

Lands Department, Property Services Assistant  
16705 Fraser Highway | Surrey BC V4N 0E8  
P: 778-578-8038 / [property.services@fortisbc.com](mailto:property.services@fortisbc.com)

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**From:** Fiona Titley <[ftitley@rdos.bc.ca](mailto:ftitley@rdos.bc.ca)>  
**Sent:** Wednesday, November 1, 2023 11:04 AM  
**To:** HBE <[HBE@interiorhealth.ca](mailto:HBE@interiorhealth.ca)>; Referrals <[Referrals@fortisbc.com](mailto:Referrals@fortisbc.com)>; [okfallschief@gmail.com](mailto:okfallschief@gmail.com);  
[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca); [Philip.Gyug@gov.bc.ca](mailto:Philip.Gyug@gov.bc.ca); FBC Lands <[FBCLands@fortisbc.com](mailto:FBCLands@fortisbc.com)>  
**Subject:** [External Email] - ZONE Referral (Project No. D2023.010-ZONE)

**CAUTION: This is an external email.**  
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Re: Project No. D2023.010-ZONE  
Official Community Plan and Zoning Bylaw Amendment

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1631 Maple Street  
Electoral Area "D"

Please review and if you have any questions contact Fiona Titley, file manager.

Please forward your comments/concerns to [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca).

Kind Regards,



**Fiona Titley** • Planner II  
Regional District of Okanagan-Similkameen  
101 Martin Street, Penticton, BC V2A 5J9  
p. 250-486-0182 • tf. 1-877-610-3737 • f. 250-492-0063  
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