

July 31, 2023

Reply to the attention of Michael McBurnie
ALC Planning Review: 46842Evelyn Riechert
Planner, RDOS
planning@rdos.bc.ca**Re: RDOS Electoral Area E OCP Bylaw No. 3010**

Thank you for forwarding a draft copy of the Regional District of Okanagan-Similkameen Electoral Area E Official Community Plan update (the "OCP") for review and comment by the Agricultural Land Commission (the "ALC" or "Commission"). The 2023 OCP is an update to the current Official Community Plan, which was referred to the ALC for review and comments 2008.

[Section 46 of the ALCA](#) requires local governments to ensure their bylaws are consistent with the *Agricultural Land Commission Act* (the "ALCA"), Agricultural Land Reserve ("ALR") regulations, and any orders of the Commission. Inconsistent bylaws include (but are not limited to) those which allow a use of land in the ALR that is not permitted under the ALCA or contemplate a use of land that would impair or impede the intent of the ALCA. ALC staff provide the following comments to help ensure that the bylaw is consistent with the purposes of the ALCA, ALR regulations, and any previous decisions of the ALC. Please note that ALC staff cannot endorse any inconsistencies - that requires a resolution of the Commission.

ALC staff appreciate the broad recognition of and support for the ALR in the OCP. ALC staff particularly commend the recognition of Agriculture within the OCP's *Vision and Broad Goals* with the goal to "encourage farm-compatible uses on ALR land and discourage subdivision and over-development."

SECTION 9: AGRICULTURE**Policies**

ALC Staff commend the strong support for protecting and enabling agriculture in the Agriculture Policies (section 9.3). ALC staff specifically appreciate policies 9.3.2, 9.3.4, and 9.3.6 which touch on the RDOS's ability to decline to forward applications to the ALC if they do not support agriculture and do not align with the OCP. These policies state:

The Regional Board:

.2 Will generally not support applications to the Agricultural Land Commission (ALC) that seek to:

- a) subdivide land or adjust the boundaries between parcels that results in the fragmentation of farm, vineyard or orchard units, or seek to create homesite parcels; or*
- b) introduce non-agricultural uses.*

.4 Will consider requests for the Regional District to initiate an application to the Agricultural Land Commission to have lands excluded from the Agricultural Land Reserve only within the context of a comprehensive review of this Official Community Plan (OCP) Bylaw.

.6 Supports maintaining the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries.

ALC staff also appreciate policy 9.3.9:

.9 Encourages the consolidation of small parcels into larger farm units that increase efficiency and enhance the land base of the ALR.

ALC staff agree with the Ministry of Agriculture and Food staff's suggestion that policy 9.3.12 be modified to read:

.12 Supports the agricultural and rural economy by encouraging secondary, value-added uses such as agritourism, secondary processing of products, and home occupations/industry provided they are compatible with surrounding land uses and are in compliance with the Agricultural Land Commission Act and Regulations.

Buffering

ALC staff strongly support the inclusion of a buffering policy that references the best practices outlined in the Ministry of Agriculture's Guide to Edge Planning:

.10 Encourages new development adjacent to agricultural areas to provide sufficient buffering in the form of setbacks, fencing and landscaping that is consistent with the Ministry of Agriculture Guide to Edge Planning Promoting Compatibility Along Agricultural – Urban Edges.

Cannabis

Policies 9.3.15 and 9.3.16 speak to cannabis production. The ALR Use Regulation ([section 8](#)) states that local governments cannot prohibit cannabis production that is outdoors, is in a structure with a base entirely of soil, or is inside a structure that was constructed for growing crops prior to July 13, 2018. Local governments can regulate or prohibit indoor production of cannabis that does not meet one of these criteria.

While policy 9.3.15 is clear that it is referring to indoor cannabis production, policy 9.3.16 is not explicit. ALC staff recommend policy 9.3.16 be updated to clarify that this policy applies to indoor cannabis production.

LAND USE DESIGNATIONS

While ALR land within the OCP is primarily designated as Agriculture, there is some ALR land designated Resource, Rural Holdings, Low Density Residential, Commercial Tourist, Commercial, and Parks.

Generally, ALC prefers to see all ALR land within one Agricultural designation, that aligns with the ALR Use Regulation. The exception, of course, are non-agricultural land uses that predate the ALR, or non-farm uses that have been approved by the ALC through an application process. It is recommended that ALR lands designated Resource, Rural Holdings and Low Density Residential, be re-designated as "Agriculture" (see below for details).

ALC staff also note that any land designations in the ALR other than "agriculture" must not prohibit agriculture or permit uses that aren't permitted by the ALC Act and regulations.

Resource Area

The Resource Area designation permits resource extraction, recreation, and environmental conservation uses. These uses are restricted in the ALR. A land designation that appears to permit these activities could cause speculation, create landowner confusion, and increase the chances of non-compliant activities in the ALR. ALC staff recommend changing all ALR land designated Resource area to Agriculture.

Rural Holdings

ALC staff recommend changing all ALR land designated Rural Holdings to Agriculture to reflect their status in the ALR and priority for farm use, regardless of parcel size.

Commercial Tourist and Commercial

A portion of 7451 North Naramata Road (PID 005-931-479) is designated for Commercial Tourist. This parcel was conditionally approved for exclusion from the ALR in 2012 (Application 53022), however the conditions of approval for the exclusion have yet to be completed. As the exclusion is still in progress, ALC staff have no comments on this parcel's Commercial Tourist designation.

3005 Naramata Road (PID 005-105-307) is designated Commercial. In 2013, the Commission approved the use of this property for a micro distillery (Application 53523). As alcohol production is now a permitted use in the ALR, ALC staff recommend that the RDOS explore redesignating this property to Agriculture.

The adjacent property at 3015 Naramata Road (PID 005-105-277) is designated Commercial, however the ALC has no record of any non-farm uses approved on this property. ALC staff recommend designating it Agriculture.

Low Density Residential

ALC staff recommend that all ALR land be designated *Agriculture*, unless it has been approved for a non-farm use by the ALC, has a grandfathering exception under section 23(2) of the ALCA, or the ALC has confirmed an exception under section 23(1) of the ALCA.

Parks

Some Crown-owned ALR land in the northernmost portion of the OCP is designated for park use. ALC staff note that the ALR Use Regulation permits two types of parks:

1. *Section 16 permits parks established under an act of the Provincial Government:*
 - (a) *a park established or continued under the Park Act or the Protected Areas of British Columbia Act;*
 - (b) *an ecological reserve established or continued under the Ecological Reserve Act or the Protected Areas of British Columbia Act;*
 - (c) *a wildlife management area designated under the Wildlife Act;*
 - (d) *a reserve established under section 15 of the Land Act for recreational use;*

- (e) a recreation site established under section 56 of the Forest and Range Practices Act;*
 - (f) an area established by order under section 7 (1) of the Environment and Land Use Act to protect the environment or restrict land or resource use within the area.*
2. *Section 22 permits an open land park established by a local or first nation government for biodiversity conservation, passive recreation, heritage, wildlife or scenery viewing purposes as long as the area occupied by any associated structures does not exceed 100 m² for each parcel.*

As well, park uses that pre-date the ALR may be grandfathered.

Any park uses that do not meet the above criteria, including playing fields or constructed recreational trails, would require an application to the ALC.

OTHER SECTIONS

Section 6.5: Rural Growth Area

ALC staff appreciate that the Naramata Rural Growth Containment Area identified on page 26 does not include any ALR land.

Section 23: Development Permit Areas

ALC staff appreciate the exemption for farm uses and farm structures in the ALR from the Environmentally Sensitive Development Permit Area:

23.3.8 Exemptions

.5 The construction, alteration, addition, repair, demolition and maintenance of buildings and structures to be used in relation to a farm use as defined in the Agricultural Land Commission Act on land located in the ALR and classified as "farm" under the Assessment Act;

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

ALC staff recommend that an exemption for cultivation of farmland should also be added to section 23.4 Watercourse Development Permit (WDP) Area. While local governments can regulate farm buildings in the ALR (including requiring reasonable setbacks from water courses), the cultivation of ALR land for farm uses cannot be prohibited.

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

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

If you have any questions about the above comments, please contact the undersigned at 236-468-3246 or by e-mail (ALC.Referrals@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Michael McBurnie, Regional Planner

Enclosure: Referral of RDOS Electoral Area E OCP Bylaw No. 3010

CC: Ministry of Agriculture – Attention: Alison Fox

46842m1



July 13, 2023

File: 0280-30

Local Government File: E2020.027

Evelyn Riechert, Planner II
Regional District Okanagan Similkameen
101 Martin Street
Penticton, B.C. V2A 5J9
Via E-mail: planning@rdos.bc.ca

Dear Evelyn Riechert,

Re: Regional District of Okanagan-Similkameen Electoral Area E OCP Bylaw No. 3010

Thank you for providing B.C. Ministry of Agriculture and Food (ministry) staff the opportunity to comment on the Official Community Plan Bylaw Review for Electoral Area 'E'. 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:

Ministry name – We note that the document uses 'Ministry of Agriculture' throughout for the ministry name. It is currently the 'Ministry of Agriculture and Food', so we recommend updating this throughout the document.

5.1 – Vision and Broad Goals – Vision - The Regional District does not have the ability to restrict or regulate noise in ALR that results from normal farm practices as defined by the Farm Practices Protection (Right to Farm) Act, making it difficult to enforce the "quiet rural character" within or adjacent to the ALR. We suggest changing the wording to reflect the mix of rural and agricultural land uses in the area.

5.2.4 & .6 Broad Goals – Rural Character & Agriculture - the goal to prevent sprawl and preserve farmland is good, although it is unclear what "farm character" and "farm-compatible uses" mean. We suggest changing 5.2.6 to "Preserve the agricultural land base and farming functionality of the area, encourage farm uses on ALR land, discourage

subdivision and non-farm use, maintain and encourage properties of a size that will be viable for agriculture and prevent fragmentation of agricultural land”.

6.0 Growth Management

Ministry staff support the development of affordable housing outside of the ALR that meets the housing need of the community near the village and school in order to relieve the pressure for additional housing within the ALR and to prevent rural sprawl. Ministry staff also noticed the incorrect numbering sequence of the Growth Management Section: Section 6.4 Objectives should be numbered 6.6 and Section 6.5 Policies should be numbered 6.7.

9.2 – Agriculture – Objectives – The objectives in this section cover much of what is important to maintaining an agricultural industry. An additional benefit may be gained by including an objective such as ‘ensure agricultural land uses are consistent with provincial legislation’, and ‘encourage agriculture to occur on agricultural land through policies that support farming and discourage non-farm uses’, as these objectives would align with the policies below.

9.3 – Agriculture – Policies – The policies in this section are generally very strong and support the objectives of the Agriculture designation to protect the agricultural land base and to minimize conflicts. The policies in s.9.3.2 through 9.3.11 to discourage non-farm uses and fragmentation of farmland and to encourage new development adjacent to the agricultural areas to provide sufficient buffering should help to protect farming and minimize conflict.

9.3.1 – Agriculture – Policies – This is a strong policy in support of agriculture. Agriculture practices and activities can change rapidly in response to changing markets and available technologies. This policy could be made even stronger with the addition of ‘current and future’ between ‘for’ and ‘agricultural use’.

9.3.5 – Agriculture – Policies – While it is good to encourage property owners to seek alternatives to exclusion of land from the ALR, Ministry staff note that property owners can no longer apply for exclusion of ALR land directly to the ALC. The regional district may apply for exclusion of land from the ALR, but this should be part of an overall planning process. Policy 9.3.5 should make this explicit. Specifying that landowners considering non-adhering residential use and non-farm use applications on ALR land should only do so if they are beneficial to agriculture would also be consistent with ALC policy and regulations. Moreover, suggesting subdivision as an alternative may also be contradictory to Policy 9.3.2. and perhaps should also be excluded from the wording of this policy to prevent further confusion.

9.3.7 – Agriculture – Policies – Policy 9.3.7 seems well-intentioned to support the preservation of environmental qualities of agricultural lands. However, it could be made more specific by encouraging farmers to access the Ministry's voluntary, confidential and free Environmental Farm Plan, which is specifically designed to address environmental risks of farming operations and provides farmers funding and opportunities to implement an action plan for mitigation measures.

9.3.8 – Agriculture – Policies – It would be beneficial to clarify that when food system infrastructure is on ALR land, proponents should follow applicable ALC regulations.

9.3.9 – Agriculture – Policies – this is a very good policy to have to support agriculture in the ALR.

9.3.10 – Agriculture – Policies – Ministry staff appreciate the inclusion of the Ministry's Guide to Edge Planning publication in this policy as this is currently the best available information to guide efforts to minimize conflicts between agricultural and non-agricultural land uses.

9.3.12 – Agriculture – Policies – This is a good policy, but it would benefit from adding 'and are in compliance with the *Agricultural Land Commission Act* and Regulations' to the end of the sentence for clarity.

9.3.13 – Agriculture – Policies – 'including the Farm Practices Protection (Right to Farm) Act' reads a bit strange. Perhaps 'in accordance with the Farm Practices Protection (Right to Farm) Act' would be better phrasing.

9.3.14 – Agriculture – Policies – Policy 9.3.14 appears to be in conflict with Policy 9.3.2 with regard to subdivision in the ALR. However, this policy states that the Board will support homesite severances that are in accordance with the ALC's homesite severance policy. Given that a requirement under this policy is that the property must have been the principal residence of the applicant as an owner-occupant since December 21, 1972, it is likely that few landowners will be able to meet this requirement, and therefore the OCP policy may have little impact on the agricultural land base in Area E. If the main distinction between Policy 9.3.2 and 9.3.14 is being able to meet the ALC homesite severance policy, this could potentially be clarified in one or both of these policies to reduce confusion. To further reduce confusion, the stipulations of the ALC's homesite severance policy could be reiterated in this policy.

9.3.15 – Agriculture – Policies – Ministry staff acknowledges efforts of the Regional District to limit indoor cannabis production in Electoral Area "E". However, Policies 9.3.15-16 and 10.3.8-9 appear to be restricting cannabis production in the ALR to a level that could be considered prohibition of some agricultural activities which are permitted under

the ALC Act. Therefore, Ministry recommends the Regional District to specify that those policies apply only on non-ALR lands to ensure agriculture is prioritized on agricultural land.

10.0 – Rural Holdings – Ministry staff note that both Agricultural and Rural Holdings OCP designations encompass ALR lands. Ministry staff encourage the Regional District to designate all lands in the ALR as Agriculture and to include a policy to develop a single zone for ALR lands to reduce instances where local zoning conflicts with provincial legislation.

11.3.6 – Residential – Policies – Fencing should be required, not just encouraged, where new development is within a livestock district in order to reduce conflict between residents and livestock at large.

11.3.7 – Residential – Policies – This policy should reference the [Ministry's Guide to Edge Planning](#) as in the Agriculture Policy 9.3.10.

16.3.4 - Parks, Recreation and Trails – Policies - Ministry staff note that Policy 16.3.4 could benefit from referencing the [Ministry's Trail in Farm and Ranch Area guidance](#) posted on the Ministry of Agriculture and Food's website.

21.3.2 h) - Climate Change Mitigation and Adaptation – Policies –The policy would benefit from specifying what is meant by agricultural waste as many potential definitions may exist (i.e. manure, compost, crop and wood residues, etc....). The [Code of Practice for Agricultural Environmental Management](#) under the *Environmental Management Act* uses the term 'agricultural by-product' and this is quite specifically defined within that regulation. Ministry staff also notes that Policy 21.3.2 could benefit from an additional item that specifically addresses B.C.'s newly funded regenerative agriculture practices through the Beneficial Management Practices (BMP) Program managed by the Investment Agriculture Foundation that was brought in to help combat the effects of climate change on B.C.'s long-term food security. Specifically, this new funding is helping farmers and ranchers protect their operations by adopting regenerative agriculture practices, improving farms' drought resilience, and reducing greenhouse gas emissions. Farmers must have completed a voluntary and confidential Environmental Farm Plan to be eligible. This program supports farmers to make meaningful changes for improving the sustainability of their operation. For over 17 years the Environmental Farm Plan program has helped agricultural producers assess and take action with regenerative agriculture practices in areas such as:

- Promoting on-farm biodiversity
- Reducing greenhouse gas emissions

- Increasing water and nutrient use efficiency
- Protection of riparian areas
- Building healthy soil

Please visit the [Environmental Farm Plan Program](#) website and the [Beneficial Management Practices Program](#) website for more information.

23.3.8 - DPAs - (ESDP) Area - Exemptions - Ministry staff note that Policy 23.3.8.7 should be removed. Environmental Farm Plans are a voluntary and confidential risk management assessment and are not approved by any agency. This is an inappropriate requirement for an exemption to the requirement to obtain a development permit. A better exemption would be 'alteration of land that is done as part of a farm operation following normal farm practices as defined in the *Farm Practices Protection (Right to Farm) Act*'.

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 and Food
Alison.Fox@gov.bc.ca
(778) 666-0566

Email copy: Claire Buchanan, Regional Planner, Agricultural Land Commission
ALC.Referrals@gov.bc.ca

RESPONSE SUMMARY

ELECTORAL AREA "E" 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

RDOS Electoral Area E Plan Area directly abuts an area of the RDKB's Electoral Area E that has no Official Community Plan or Zoning Bylaw in effect.

Signature: 

Signed By: JoAnn Peachey

Agency: RDKB

Title: Current Planning Supervisor

Date: July 14, 2023



Bylaw Referral

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

OFFICE USE ONLY	
Date:	June 2, 2023
Bylaw:	3010
File:	E2020.027-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 by **July 17, 2023**.

PURPOSE OF THE BYLAW: In October of 2021, the Regional District initiated a review and update of the Electoral Area "E" (Naramata 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 2006 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 "E" OCP Bylaw No. 3010 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 "E" is located in the Regional District of Okanagan-Similkameen (RDOS) north of the City of Penticton and Electoral Area "D", along Okanagan Lake and up to and including the Okanagan Mountain Provincial Park. It includes the areas of Naramata, Chute Lake, Falcon Ridge, and Indian Rock. Electoral Area "E" covers 545 square kilometers.

AREA OF PROPERTY AFFECTED:	ALR STATUS:	OCP DESIGNATION:	ZONING DISTRICT:
545 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 "E" project webpage at: <https://www.rdos.bc.ca/development-services/planning/strategic-projects/electoral-area-e-ocp-bylaw-review>. As well further information on the project can be found on the Regional Connections Page: [Electoral Area "E" OCP Review | RDOS Regional Connections](#)

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.

ERiechert

Evelyn Riechert MCIP, RPP

AGENCY REFERRAL LIST		
<input checked="" type="checkbox"/> Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/> City of Penticton	<input checked="" type="checkbox"/> Canadian Wildlife Services
<input checked="" type="checkbox"/> Interior Health Authority (IHA)	<input checked="" type="checkbox"/> School District #67	<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, Fish, Wildlife Section)	<input checked="" type="checkbox"/> Kootenay Boundary Regional District
<input checked="" type="checkbox"/> Penticton Indian Band (PIB)	<input checked="" type="checkbox"/> Ministry of Forests, Lands, and Natural Resources Operation (Forests)	<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"/> Naramata Water System
<input checked="" type="checkbox"/> Shaw Cable	<input checked="" type="checkbox"/> Fortis	<input checked="" type="checkbox"/> Telus
<input checked="" type="checkbox"/> Naramata Fire Department	<input checked="" type="checkbox"/> Environment and Climate Change Strategy (BC Parks, Environmental protection & Recreation sites and Trails BC)	

Lauri Feindell

Subject:

FW: Bylaw Referral BL 3010 (E2020.027-ZONE) - Ministry of Forests Response

From: FOR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>

Sent: July 17, 2023 2:22 PM

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

Subject: Bylaw Referral BL 3010 (E2020.027-ZONE) - Ministry of Forests Response

Good day,

Ministry of Forests, Okanagan Shuswap Natural Resource District response as follows:

DOS Engineering Team

No concerns.

Paul.Blomberg@gov.bc.ca

Paul Blomberg, District Engineering Officer

778-943-6886.

DOS Lands Team

Review of chrome-

extension://efaidnbmnnnibpcajpcgclefindmkaj/https://www.rdos.bc.ca/assets/PLANNING/AreaE/2021/027-ZONE/3010Av20230601.pdf :

Section 17.2 wording in the final sentence “Other activities that are subject to regulation include dock construction and modification, mooring buoy installation, and shoreline modifications (including sand, soil, vegetation removal, disturbance and addition).

I respectfully suggest that the bylaw indicates all level of governments, local, regional, provincial and federal are involved in some or all of these. The Provincial Land Act does not allow unauthorized activities below the current Present Natural Boundary. The BC Water Sustainability Act requires all “works in and about a stream” (the lake and creeks) to have applications submitted and authorized.

17.5.1 Objective – “small-scale docks and swimming platforms” – are governed by the Province and Transport Canada. Seeing RDOS looking at dock size and I encourage your Planning to reach out to our office to advise us when you will need a development permit. Currently, we do not review applications to ensure they meet other government’s criteria.

17.5.2.1 Policies

“docks, boat launches, boatlifts ...” The BC Land Act Operational Policy – Private Moorage does not allow more than “one moorage” structure. Private upland owners must not have a “dock” and a “boat launch”. We see increasingly more “stand-alone boat lifts” in the RDOS region. These must have a Crown Land Tenure and a Water Sustainability Act applications.

17.5.2.5

“to be away from ... beach access points..” The Land Act Operational Policy – Private Moorage’s orientation for docks at “right angles to the general trend line” cannot be overridden by local governments. Required setback from the property

lines projected into the lake, at right angles, are required to have 5.0 m setbacks between private properties and 6.0 m setbacks to public access.

17.5.2.6

“non-moorage structures” – for docks and swimming platforms, the Province does not permit non-moorage structures.

I do not see reference to “erosion protection” of waterfront properties. It would be beneficial to provide some development permit details as this work requires a Water Sustainability Act, usually Change Approval, application. By having regional government provide this in the bylaws, will help to reduce the unauthorized fills below the Present Natural Boundary.

Please feel free to contact me for more details.

Regards,
Mary Ellen

Mary Ellen Grant
Land NR Specialist
MaryEllen.Grant@gov.bc.ca 250-558-6273

Regards,
Pat



Patricia Shatzko
DOS Referrals Coordinator

Okanagan Shuswap Natural Resource District
2501 – 14th Avenue, Vernon, BC V1T 8Z1
Referrals Email: FLNRDOSReferrals@gov.bc.ca
Direct Phone: VOIP: 778-943-6850

I acknowledge with gratitude that I carry out my work on the traditional territories of Indigenous Peoples. I will tread lightly and with respect while doing so.

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Thank You.

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

Sent: Thursday, June 1, 2023 4:26 PM

To: ALC Okanagan Land Use ALC:EX <ALC.Okanagan@gov.bc.ca>; Gyug, Philip AF:EX <Philip.Gyug@gov.bc.ca>; HBE <HBE@interiorhealth.ca>; Referral Apps REG8 FOR:EX <ReferralAppsREG8@gov.bc.ca>; Hyam, Ross EMLI:EX <Ross.Hyam@gov.bc.ca>; lisa.c@shaw.ca; Naramata Fire Chief <NaramataFC@rdos.bc.ca>; sd67@sd67.bc.ca; info@obwb.ca; FOR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>; FBCLands@fortisBC.com; referrals@fortisbc.com; McLellan, Ian ENV:EX <Ian.McLellan@gov.bc.ca>; Brock, Ken (EC) <ken.brock@canada.ca>; lucy.reiss@canada.ca; ReferralsPacific@dfo-mpo.gc.ca; plandept@rdkb.com; fincity@telus.net

Cc: Evelyn Riechert <eriechert@rdos.bc.ca>

Subject: Bylaw Referral BL 3010 (E2020.027-ZONE)

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

Bylaw Referral – Project No. E2020.027-ZONE

Bylaw 3010

Electoral Area "E" OCP Bylaw No. 3010

Attached you will find a Bylaw Referral from with links below to the webpages that include the proposed amendment Bylaw No. 3010

RDOS - Electoral Area "E" project webpage

[Electoral Area E OCP Bylaw Review | RDOS](#)

Regional Connections Page:

[Electoral Area "E" OCP Review | RDOS Regional Connections](#)

Please review and if you have any questions, do not hesitate to contact the file manager at eriechert@rdos.bc.ca. Please forward any comments you may have to planning@rdos.bc.ca by **July 17, 2023**.

Kind Regards,

Lauri Feindell



**Lauri Feindell, Administrative Assistant,
Planning Services**

Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • lfeindell@rdos.bc.ca

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Lauri Feindell

From: Lauri Feindell
Sent: June 27, 2023 11:15 AM
To: Evelyn Riechert
Subject: FW: Bylaw Referral BL 3010 (E2020.027-ZONE)

Received today

From: Naramata Fire Chief <NaramataFC@rdos.bc.ca>
Sent: June 27, 2023 10:58 AM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: RE: Bylaw Referral BL 3010 (E2020.027-ZONE)

Hi Lauri,

I've reviewed 18.6 Wildfire Hazard Mitigation.

It looks appropriate 😊

Thanks,

Dennis Smith * Fire Chief

Naramata Fire Department
ph.250 496-5319, cell. 250-462-5023
naramatafc@rdos.bc.ca

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: Thursday, June 1, 2023 4:26 PM
To: ALC Okanagan Land Use ALC:EX <ALC.Okanagan@gov.bc.ca>; Philip.Gyug@gov.bc.ca; HBE <HBE@interiorhealth.ca>; ReferralAppsREG8@gov.bc.ca; Ross.Hyam@gov.bc.ca; lisa.c@shaw.ca; Naramata Fire Chief <NaramataFC@rdos.bc.ca>; sd67@sd67.bc.ca; info@obwb.ca; FLNRDOSReferrals@gov.bc.ca; FBCLands@fortisBC.com; referrals@fortisbc.com; Ian.McLellan@gov.bc.ca; Brock, Ken (EC) <ken.brock@canada.ca>; lucy.reiss@canada.ca; ReferralsPacific@dfo-mpo.gc.ca; plandep@rdkb.com; fincity@telus.net
Cc: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: Bylaw Referral BL 3010 (E2020.027-ZONE)

Bylaw Referral – Project No. E2020.027-ZONE
Bylaw 3010
Electoral Area “E” OCP Bylaw No. 3010

Attached you will find a Bylaw Referral from with links below to the webpages that include the proposed amendment Bylaw No. 3010

RDOS - Electoral Area “E” project webpage
[Electoral Area E OCP Bylaw Review | RDOS](#)

Regional Connections Page:

Please review and if you have any questions, do not hesitate to contact the file manager at eriechert@rdos.bc.ca. Please forward any comments you may have to planning@rdos.bc.ca by **July 17, 2023**.

Kind Regards,

Lauri Feindell



**Lauri Feindell, Administrative Assistant,
Planning Services**

Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • lfeindell@rdos.bc.ca

[FACEBOOK](#) • [YOUTUBE](#) • Sign up for [REGIONAL CONNECTIONS](#)

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Lauri Feindell

From: Lauri Feindell
Sent: June 27, 2023 10:37 AM
To: Evelyn Riechert
Subject: FW: Bylaw Referral BL 3010 (E2020.027-ZONE)

Hi Evelyn, going through my emails from being off last week, and have come across this one – sent to me directly,

Lauri

From: McLellan, Ian ENV:EX <Ian.McLellan@gov.bc.ca>
Sent: June 20, 2023 1:56 PM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: RE: Bylaw Referral BL 3010 (E2020.027-ZONE)

Hi Lauri. A few comments from Recreation Sites and Trails BC, Ministry of Environment and Climate Change Strategy:

Page 60:

The Three Blind Mice area is popular mountain biking area leased to Penticton Area Cycling Association through Recreation Sites and Trails BC. This is not a correct statement. The Three Blind Mice Recreation Trails are not leased to PACA. RSTBC has a Partnership Agreement with PACA and PACA is responsible for the day to day maintenance of this trail network. RSTBC manages these trails and are responsible for them. There is no “lease”.

RSTBC also has a PA with the RDSO for the maintenance of KVR in the Naramata area, yet page 60 only mentions those designated as ‘park’. Maybe this should be reworded.

Thanks, Ian.

Ian McLellan
District Recreation Officer
Okanagan Recreation District
Recreation Sites and Trails BC
Ministry of Environment and Climate Change Strategy
2501 – 14th Avenue, Vernon, BC, V1T 8Z1
(778) 943-6945

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: Thursday, June 1, 2023 4:26 PM
To: ALC Okanagan Land Use ALC:EX <ALC.Okanagan@gov.bc.ca>; Gyug, Philip AF:EX <Philip.Gyug@gov.bc.ca>; HBE <HBE@interiorhealth.ca>; Referral Apps REG8 FOR:EX <ReferralAppsREG8@gov.bc.ca>; Hyam, Ross EMLI:EX <Ross.Hyam@gov.bc.ca>; lisa.c@shaw.ca; Naramata Fire Chief <NaramataFC@rdos.bc.ca>; sd67@sd67.bc.ca; info@obwb.ca; FOR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>; FBCLands@fortisBC.com; referrals@fortisbc.com; McLellan, Ian ENV:EX <Ian.McLellan@gov.bc.ca>; Brock, Ken (EC) <ken.brock@canada.ca>; lucy.reiss@canada.ca; ReferralsPacific@dfo-mpo.gc.ca; plandept@rdkb.com; fincity@telus.net
Cc: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: Bylaw Referral BL 3010 (E2020.027-ZONE)

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

Bylaw Referral – Project No. E2020.027-ZONE
Bylaw 3010
Electoral Area “E” OCP Bylaw No. 3010

Attached you will find a Bylaw Referral from with links below to the webpages that include the proposed amendment
Bylaw No. 3010

RDOS - Electoral Area “E” project webpage
[Electoral Area E OCP Bylaw Review | RDOS](#)

Regional Connections Page:
[Electoral Area "E" OCP Review | RDOS Regional Connections](#)

Please review and if you have any questions, do not hesitate to contact the file manager at eriechert@rdos.bc.ca. Please forward any comments you may have to planning@rdos.bc.ca by **July 17, 2023**.

Kind Regards,

Lauri Feindell



**Lauri Feindell, Administrative Assistant,
Planning Services**

Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
www.rdos.bc.ca • lfeindell@rdos.bc.ca

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Lauri Feindell

From: Lauri Feindell
Sent: July 13, 2023 9:34 AM
To: Evelyn Riechert
Subject: FW: Bylaw Referral BL 3010 (E2020.027-ZONE)
Attachments: 2023-07-12_Bylaw Referral Sheet - Electoral Area 'E' OCP Bylaw No. 3010_OBWB Response.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: James Littley <james.littley@obwb.ca>
Sent: July 13, 2023 8:49 AM
To: Planning <planning@rdos.bc.ca>
Cc: Anna Warwick Sears <anna.warwick.sears@obwb.ca>; Corinne Jackson <corinne.jackson@obwb.ca>
Subject: Bylaw Referral BL 3010 (E2020.027-ZONE)

Some people who received this message don't often get email from james.littley@obwb.ca. [Learn why this is important](#)

Good afternoon,

Please find attached the Bylaw Referral Sheet for Proposed OCP Bylaw 3010. I have also pasted the text from our response here for quick reference.

Please contact me with any questions.

Thank you for the opportunity to review and respond to the proposed Bylaw No. 3010 on behalf of the Okanagan Basin Water Board. The OBWB does not play a role in land use planning except as related to the Sewerage Facilities Assistance Grants program and the requisite "one-hectare policy," consistent with provincial requirements. Our review finds that the proposed bylaw is consistent with the current one hectare policy, which is currently under review.

In addition, a recent consultant's review (still in draft form) of current RDOS bylaws found that the definition of "Community Sewer System" in the Servicing Bylaw allows for strata corporations and incorporated companies to own and operate systems which are considered "Community Sewer Systems." The review also found that the term is not defined in the Zoning Bylaw. While the current one-hectare policy does not prohibit privately owned "community" sewer systems, they are contrary to the intent of the policy, and this gap is likely to be addressed during the ongoing program review.

We note that the new Bylaw No. 3010, section 19.3.2 (4) Policies: "Does not support the creation of new private community sanitary sewer utilities."

Therefore, we support the proposed Bylaw No. 3010 as written, and recommend that RDOS also consider updating the definition of "Community Sewer System" in the Servicing Bylaw for consistency with the new OCP, anticipating that similar policies will be adopted for other Electoral Areas.

We look forward to working with RDOS as the one-hectare policy and SFA program are updated.

Best,

James.

K. James Littley, C.D., M.A. — Deputy Administrator

Okanagan Basin Water Board

1450 KLO Road, Kelowna, B.C. V1W 3Z4

Office: 250-469-6270

www.obwb.ca

www.okwaterwise.ca

Stay connected! Follow us on  

RESPONSE SUMMARY

ELECTORAL AREA "E" OCP BYLAW NO. 3010

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

Thank you for the opportunity to review and respond to the proposed Bylaw No. 3010 on behalf of the Okanagan Basin Water Board. The OBWB does not play a role in land use planning except as related to the Sewerage Facilities Assistance Grants program and the requisite "one-hectare policy," consistent with provincial requirements. Our review finds that the proposed bylaw is consistent with the current one hectare policy, which is currently under review.

In addition, a recent consultant's review (still in draft form) of RDOS bylaws currently in place for all electoral areas found that the definition of "Community Sewer System" in the Servicing Bylaw allows for strata corporations and incorporated companies to own and operate systems which are considered "Community Sewer Systems." The review also found that the term is not defined in the Zoning Bylaw. While the current one-hectare policy does not prohibit privately owned "community" sewer systems, they are contrary to the intent of the policy, and this gap is likely to be addressed during the ongoing program review.

We note that the new Bylaw No. 3010, section 19.3.2 (4) Policies: "Does not support the creation of new private community sanitary sewer utilities."

Therefore, we support the proposed Bylaw No. 3010 as written, and recommend that RDOS also consider updating the definition of "Community Sewer System" in the Servicing Bylaw for consistency with the new OCP, anticipating that similar policies will be adopted for other Electoral Areas.

We look forward to working with RDOS as the one-hectare policy and SFA program are updated.

Signature: James Littley

Signed By: James Littley

Agency: Okanagan Basin Water Board

Title: Deputy Administrator

Date: 12 July, 2023



Bylaw Referral

Regional District of Okanagan-Similkameen

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

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

OFFICE USE ONLY	
Date:	June 2, 2023
Bylaw:	3010
File:	E2020.027-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 by **July 17, 2023**.

PURPOSE OF THE BYLAW: In October of 2021, the Regional District initiated a review and update of the Electoral Area "E" (Naramata 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 2006 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 "E" OCP Bylaw No. 3010 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 "E" is located in the Regional District of Okanagan-Similkameen (RDOS) north of the City of Penticton and Electoral Area "D", along Okanagan Lake and up to and including the Okanagan Mountain Provincial Park. It includes the areas of Naramata, Chute Lake, Falcon Ridge, and Indian Rock. Electoral Area "E" covers 545 square kilometers.

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

OTHER INFORMATION:

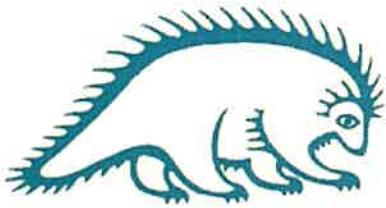
Additional information, including the draft OCP bylaw and associated map schedules are available for viewing at the Electoral Area "E" project webpage at: <https://www.rdos.bc.ca/development-services/planning/strategic-projects/electoral-area-e-ocp-bylaw-review>. As well further information on the project can be found on the Regional Connections Page: [Electoral Area "E" OCP Review | RDOS Regional Connections](#)

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.

ERiechert

Evelyn Riechert MCIP, RPP

AGENCY REFERRAL LIST		
<input checked="" type="checkbox"/> Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/> City of Penticton	<input checked="" type="checkbox"/> Canadian Wildlife Services
<input checked="" type="checkbox"/> Interior Health Authority (IHA)	<input checked="" type="checkbox"/> School District #67	<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, Fish, Wildlife Section)	<input checked="" type="checkbox"/> Kootenay Boundary Regional District
<input checked="" type="checkbox"/> Penticton Indian Band (PIB)	<input checked="" type="checkbox"/> Ministry of Forests, Lands, and Natural Resources Operation (Forests)	<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"/> Naramata Water System
<input checked="" type="checkbox"/> Shaw Cable	<input checked="" type="checkbox"/> Fortis	<input checked="" type="checkbox"/> Telus
<input checked="" type="checkbox"/> Naramata Fire Department	<input checked="" type="checkbox"/> Environment and Climate Change Strategy (BC Parks, Environmental protection & Recreation sites and Trails BC)	



Okanagan Indian Band

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

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

Email: okibreferrals@okanagan.org

"This correspondence will not be construed so as to 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."

Project Name:

E2020.027-ZONE: Electoral Area "E" OCP Review

FN Consultation ID:

Consulting Org Contact:

Chris Garrish

Consulting Organization:

[Regional District of Okanagan Similkameen](#)

Date Received:

Friday, June 2, 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 Westbank First Nation, Penticton 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



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

Project Name:

E2020.027-ZONE: Electoral Area "E" OCP Review

FN Consultation ID:

L-230622

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan Similkameen

Date Received:

Friday, June 2, 2023

File number:

L-230622

June 22, 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: L-230622

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.

lmlømt,

Madison Terbasket
Interim Referrals Coordinator
Penticton Indian Band
Natural Resources
email: mterbasket@piib.ca
office: (250) 492-0411
cell: 250-499-1340
address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8



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

Project Name:

E2020.027-ZONE: Electoral Area "E" OCP Review

FN Consultation ID:

L-230622

Consulting Org Contact:

Planning RDOS

Consulting Organization:

Regional District of Okanagan Similkameen

Date Received:

Friday, June 2, 2023

June 22, 2023

WITHOUT PREJUDICE

Attention: Planning RDOS

File number: L-230622

RE: 40 (forty) day extension

Thank you for the above application that was received on 2023-06-02T00:00:00.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

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

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

limlæmt,

Madison Terbasket
Interim Referrals Coordinator
Penticton Indian Band
Natural Resources
email: mterbasket@pib.ca
office: (250) 492-0411
cell: 250-499-1340

address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8

Approval Application

Approval Type: Official Community Plan 🔗 Status: Approved
File Number: [2023-02727](#) **MoT Office:** Penticton Area Office
Project Description: Review and Update of the Electoral area "E" OCP **Dev Tech:** Damian Kusiak
Applicant: Feindell, Lauri - Regional District Okanagan... **Approver:** Damian Kusiak
Applicant File #: E2020.027-ZONE (BL3010) Area "E" OCP **Road Name:**
Location: Electoral Area "E" Naramata
Date Received: Jun 8, 2023 **Confirmed Local Gov't:**
Flagged Category:

- [Tasks](#)
- [Application Details](#)
- [Parties](#)
- [Locations](#)
- [Fees](#)
- [Security](#)
- [Agencies](#)

[Documents](#)

Task	Assigned To	Outcome	Start Date	Completed Date
Notify Applicant Provided response to RDOS in eDAS, based upon comments from Regional Planning.	Damian Kusiak	Approved	Jul 10, 2023	Jul 10, 2023
Review Application MoTI Regional Planning - no comments	Damian Kusiak	Approved	Jun 13, 2023	Jul 10, 2023
Check Submission	Penticton Development Services	Begin Review	Jun 08, 2023	Jun 13, 2023
Enter Application	Lauri Feindell	Submit Application	Jun 08, 2023	Jun 08, 2023

[Provide Information](#)

Lauri Feindell

From: Klettke, Bobbi [IH] <Bobbi.Klettke@interiorhealth.ca>
Sent: August 11, 2023 4:08 PM
To: Planning
Cc: Ely, Anita [IH]; Osborne, Tanya [IH]; Evelyn Riechert
Subject: Interior Health - Review of June 2023 draft Electoral Area E OCP
Attachments: IH Response-RDOS-draft Area E OCP-11Aug2023.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Some people who received this message don't often get email from bobbi.klettke@interiorhealth.ca. [Learn why this is important](#)

Dear Evelyn,

Thank you for the chance to review the June 2023 draft Electoral Area E Official Community Plan (OCP), and for including Interior Health throughout the engagement process.

Attached, please find our input into this latest draft.

If you have any questions or concerns, don't hesitate to contact me.

Have a good weekend.

Bobbi

Bobbi Klettke (she/her/hers)

Community Health Facilitator
Healthy Community Development

Interior Health

3090 Skaha Lake Road
Penticton, BC V2A 7H2

c: 250-462-3915

e: bobbi.klettke@interiorhealth.ca

w: www.interiorhealth.ca



Interior Health

We recognize and acknowledge that we are collectively gathered on the traditional, ancestral, and unceded territories of the seven Interior Region First Nations, where we live, learn, collaborate and work together. This region is also home to 15 Chartered Métis Communities. It is with humility that we continue to strengthen our relationships with First Nation, Métis, and Inuit peoples across the Interior.



Interior Health

August 11, 2023

Evelyn Riechert, Planner
Regional District Okanagan–Similkameen
101 Martin Street
Penticton, BC V2A 5J9

Sent via email: eriechert@rdos.bc.ca

Dear Evelyn Riechert:

Re: June 2023 draft Electoral Area E Official Community Plan

Thank you for the chance to review the June 2023 draft Electoral Area E Official Community Plan (OCP), and for including Interior Health throughout the engagement process. We have appreciated the opportunity to present to the OCP Advisory Group on the health and equity implications of housing, short-term rentals, water and sewerage (March 2022) and comment on the March 2022 draft OCP from a healthy equity perspective (May 2022). Overall, we are pleased to see many policies contained in the draft OCP that will support the health of Area E community members, and recommend adopting this draft of the OCP.

Evidence shows that a healthy built environment (HBE) has a positive impact on people's physical, mental and social health. The [Healthy Built Environment \(HBE\) Linkages Toolkit](#) is an evidence-based resource that links planning principles to health outcomes. In a healthy community, people can easily connect with each other and a variety of day-to-day services. Residents can easily walk and/or cycle to daily amenities, and roads and pathways are perceived to be safe, accessible, aesthetically appealing and well connected. Local healthy foods are accessible to everyone and natural elements are protected and incorporated into the built environment. Including these principles in community planning has been shown, at a population level, to increase physical and social activity, as well as consumption of healthy foods, which decreases stress, body mass index and unintentional injury, and increases social cohesion and mental health.

Overall, the 2023 draft OCP comprises numerous policies that support HBE principles and the physical, mental and social health of the Electoral Area E population. These policies include: enhancing infill and densification, preventing sprawl, protecting agricultural areas and the natural environment, continuing to develop a connected system of parks, trails and pedestrian bridges, along with universal access to recreational amenities and opportunities, and continued development of a multi-modal transportation network. In addition, given the [projected growth of people aged 65 years and over](#) in the Penticton Local Health Region, which includes Electoral Area E, we welcome the policy that encourages development of seniors' housing, group homes and community care housing in the Naramata Village Centre.

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dākelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, Syilx, and Tsilhqot'in Nations where we live, learn, collaborate and work together.

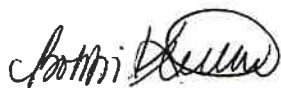
Further to this, we commend the OCP for including policies on radon research, testing and mitigation (18.3 and 18.7) to protect the health of Electoral Area E residents. We also appreciate policies to mitigate and adapt to climate change (Chapter 21), including those that encourage the retention of existing trees in building construction projects and provide community education on the health impacts of climate change and heat in collaboration with Interior Health.

As the Area E OCP is implemented, we recommend RDOS monitor the impact of short-term vacation rentals on housing affordability and availability, and implement stronger regulation, if needed. We recognize short-term vacation rentals can financially benefit property owners by off-setting housing costs and support the tourism sector; however, they can also contribute to the financialization of housing, pull a significant number of homes from the long-term rental market, and contribute to making housing more unaffordable ([Canadian Mortgage and Housing Corporation](#)). Short-term rentals can also diminish the social fabric of a neighbourhood or community, which can lead to poor health outcomes and social resiliency ([HBE Linkages Toolkit](#)).

Another consideration for implementation is creating Development Permit Area (DPA) criteria within an existing DPA or a new DPA that promotes/supports establishing “long-term sustainable sewage collection and disposal methods” (19.3.1) by providing additional protection to water bodies from contamination from onsite sewerage systems. The [Columbia Shuswap Regional District \(see page 82 of pdf\)](#) and [Kootenay Boundary Regional District \(see page 72 of pdf\)](#) are recent and current, respectively, onsite sewerage-related DPA examples. We would be pleased to discuss this further.

In summary, we recommend adopting this draft OCP because it contains many policies that will support the health of community members and we know, through participation, the community has had opportunity to provide input. We welcome the potential to expand our relationship with the Regional District of Okanagan–Similkameen by co-operatively working to determine and evaluate more opportunities for collaboration and planning. We can provide letters of support for funding opportunities, present additional HBE principles, participate in stakeholder working groups, and provide a health perspective on policy documents, including revised zoning bylaws and land development proposals.

Sincerely,



Bobbi Klettke
Community Health Facilitator



Tanya Osborne
Community Health Facilitator



Anita Ely
Specialist Environmental Health Officer

BK/to & ae

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dākelh Dené, Ktunaxa, Nlaka’pamux, Secwépemc, St’át’imc, Syilx, and Tšilhqot’in Nations where we live, learn, collaborate and work together.

Lauri Feindell

Subject: FW: Bylaw Referral BL 3010 (E2020.027-ZONE)
Attachments: Bylaw Referral Sheet - Electoral Area 'E' OCP Bylaw No. 3010.pdf

From: Lauri Feindell
Sent: June 2, 2023 11:40 AM
To: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: FW: Bylaw Referral BL 3010 (E2020.027-ZONE)

From: PAC FPP / PPP PAC (DFO/MPO) <DFO.PACFPP.PPPAC.MPO@dfo-mpo.gc.ca>
Sent: June 2, 2023 10:25 AM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Cc: PAC FPP Enquiries / PPP PAC Renseignements (DFO/MPO) <DFO.PACFPPEnquiries-PPPPACRenseignements.MPO@dfo-mpo.gc.ca>
Subject: FW: Bylaw Referral BL 3010 (E2020.027-ZONE)

Hi Lauri,

Thank you for contacting the Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) regarding the above headlined Bylaw Referral BL 3010 (E2020.027-ZONE).

The conservation and protection of Canada's marine and freshwater resources is a top priority for Fisheries and Oceans Canada (DFO). DFO's [Fish and Fish Habitat Protection Program](#) (FFHPP) helps conserve and protect fish and fish habitat and restore fish habitat for future generations. The FFHPP administers and ensures compliance for development projects taking place in and around fish habitat, under the *Fisheries Act* and relevant provisions of the *Species at Risk Act*.

DFO's FFHPP is not providing detailed comments on the referenced Bylaw Referral BL 3010 (E2020.027-ZONE). However, DFO recommends that land use planning processes consider establishing clear environmental conservation and protection objectives that are reflected in designation of environmentally sensitive areas, setback requirements, stormwater retention/detention requirements, land use restrictions and bylaws (e.g., tree removal). Protection of freshwater and marine resources provides long-term benefits to fish and fish habitat, as well as to the public, by regulating water quality and quantity, providing for stream channel and foreshore stability, and increasing resiliency to climate change impacts.

If you have any further questions about DFO's role in municipal planning processes, please feel free to direct future enquiries to EnquiriesPacific@DFO-mpo.gc.ca.

I hope that the information I have provided is helpful and thank you for the opportunity to provide input.

Kindly,

Stephen Tessoitch (he/him)
Referrals and Client Services Coordinator
Regional Operations Division
Fish & Fish Habitat Protection Program
Ecosystems Management Branch
Fisheries and Oceans Canada...><(((°>°
E-mail: Xpac.EnquiriesPacific@dfo-mpo.gc.ca

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: Thursday, June 1, 2023 4:26 PM
To: ALC Okanagan Land Use ALC:EX <ALC.Okanagan@gov.bc.ca>; Philip.Gyug@gov.bc.ca; HBE <HBE@interiorhealth.ca>;
ReferralAppsREG8@gov.bc.ca; Ross.Hyam@gov.bc.ca; lisa.c@shaw.ca; Naramata Fire Chief <NaramataFC@rdos.bc.ca>;
sd67@sd67.bc.ca; info@obwb.ca; FLNRDOSReferrals@gov.bc.ca; FBCLands@fortisBC.com; referrals@fortisbc.com;
Ian.McLellan@gov.bc.ca; Brock, Ken (EC) <ken.brock@canada.ca>; lucy.reiss@canada.ca; PAC FPP / PPP PAC
(DFO/MPO) <DFO.PACFPP.PPPAC.MPO@dfo-mpo.gc.ca>; plandept@rdkb.com; fincity@telus.net
Cc: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: Bylaw Referral BL 3010 (E2020.027-ZONE)

You don't often get email from lfeindell@rdos.bc.ca. [Learn why this is important](#)

Bylaw Referral – Project No. E2020.027-ZONE
Bylaw 3010
Electoral Area “E” OCP Bylaw No. 3010

Attached you will find a Bylaw Referral from with links below to the webpages that include the proposed amendment
Bylaw No. 3010

RDOS - Electoral Area “E” project webpage
[Electoral Area E OCP Bylaw Review | RDOS](#)

Regional Connections Page:
[Electoral Area "E" OCP Review | RDOS Regional Connections](#)

Please review and if you have any questions, do not hesitate to contact the file manager at
eriechert@rdos.bc.ca. Please forward any comments you may have to planning@rdos.bc.ca by **July 17, 2023**.

Kind Regards,

Lauri Feindell

Lauri Feindell

Subject: FW: [External Email] - Bylaw Referral BL 3010 (E2020.027-ZONE)

From: Referrals <Referrals@fortisbc.com>
Sent: June 6, 2023 12:15 PM
To: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: RE: [External Email] - Bylaw Referral BL 3010 (E2020.027-ZONE)

Fortis Property Referral #2023-760

Hello,

Please be advised FortisBC Energy Inc. has no concerns as we have no gas in this area.

Thank you,

From: Lauri Feindell <lfeindell@rdos.bc.ca>
Sent: Thursday, June 1, 2023 4:26 PM
To: ALC Okanagan Land Use ALC:EX <ALC.Okanagan@gov.bc.ca>; Philip.Gyug@gov.bc.ca; HBE <HBE@interiorhealth.ca>; ReferralAppsREG8@gov.bc.ca; Ross.Hyam@gov.bc.ca; lisa.c@shaw.ca; Naramata Fire Chief <NaramataFC@rdos.bc.ca>; sd67@sd67.bc.ca; info@obwb.ca; FLNRDOSReferrals@gov.bc.ca; FBC Lands <FBCLands@fortisbc.com>; Referrals <Referrals@fortisbc.com>; Ian.McLellan@gov.bc.ca; Brock, Ken (EC) <ken.brock@canada.ca>; lucy.reiss@canada.ca; referralspecific <referralspecific@dfo-mpo.gc.ca>; plandept@rdkb.com; fincity@telus.net
Cc: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: [External Email] - Bylaw Referral BL 3010 (E2020.027-ZONE)

CAUTION: This is an external email.
Do not respond, click on links or open attachments unless you recognize the sender.

Bylaw Referral – Project No. E2020.027-ZONE
Bylaw 3010
Electoral Area “E” OCP Bylaw No. 3010

Attached you will find a Bylaw Referral from with links below to the webpages that include the proposed amendment Bylaw No. 3010

RDOS - Electoral Area “E” project webpage
[Electoral Area E OCP Bylaw Review | RDOS](#)

Regional Connections Page:
[Electoral Area "E" OCP Review | RDOS Regional Connections](#)

Please review and if you have any questions, do not hesitate to contact the file manager at eriechert@rdos.bc.ca. Please forward any comments you may have to planning@rdos.bc.ca by **July 17, 2023**.

Kind Regards,

Lauri Feindell



**Lauri Feindell, Administrative Assistant,
Planning Services**

Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4107 • tf. 1.877.610.3737 • f. 250.492.0063
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Lauri Feindell

Subject: FW: Area 'E' OCP review - comments on draft
Attachments: E2021.027-ZONE_feedback_SvH.docx

From: Clean Face Vineyards <
Sent: June 30, 2023 1:46 PM
To: Evelyn Riechert <eriechert@rdos.bc.ca>
Subject: Area 'E' OCP review - comments on draft

█
Evelyn

As mentioned before, and reiterated at the meeting yesterday, this is quite an improvement on the former version! Congratulations, and thank you.

Attached a "comments" version, predominantly proposing changes of minor nature, such as syntax or punctuation. (This review only covered the first 100 pages.)

Contrary to your request, there unfortunately remained a couple of questions too.

In less than a handful cases, alternate or new wording were proposed. If necessary, those could be introduced as official feedback too. Please advise.

Nearly there...

Schalk

Lauri Feindell

Subject: FW: Area E draft OCP
Attachments: Draft OCP. may 30.23.E2021.027-ZONE. SK comments.pdf

From: Sue Kirschmann **Sent:** July 2, 2023 10:00 AM
To: Evelyn Riechert <eriechert@rdos.bc.ca>
Cc: adrienne.fedrig@gmail.com
Subject: Area E draft OCP

Hi Evelyn, I hope you are having a relaxing long weekend.

I used the pdf 'comment' function to make my suggestions directly onto the draft OCP (which makes for a large attachment, sorry). I had some trouble with the comment function and if you do too, let me know and I'll send my input as a word doc.

My comments are on page 13 (Section 3) and pages 96-98 (Section 21.0) and are highlighted in yellow.

Thanks again for all your work on the OCP!
Sue Kirschmann



Virus-free. www.avg.com

Lauri Feindell

Subject: FW: OCP Review - Final Submission from the Community/Cittaslow Working Group
Attachments: Cittaslow and Community - OCP Review Final Submission with References linked.pdf

From: Stefanie Gale <
Sent: July 25, 2023 12:03 PM
To: Evelyn Riechert <eriechert@rdos.bc.ca>

Subject: Fwd: OCP Review - Final Submission from the Community/Cittaslow Working Group

Hi Evelyn

Here is a submission regarding the vision and values of Cittaslow for inclusion in the OCP.

Here is a quick summary of the importance of Cittaslow to our community and why it must be included:

- Naramata is a Cittaslow Community and part of a global network of towns that collectively resist globalization and mainstream corporate-centred development through planning and urban design that prioritizes each town's local, unique and historic resources.
- The Cittaslow designation means that Naramata desire to provide a high quality of life for residents. The 'slow' in Cittaslow concerns the idea of taking the time for quality. It represents a higher quality of life and taking the time to achieve and appreciate this quality. It also means that Naramata strives to implement sustainable development practices that enshrine place-sustaining, localisation and identity-preserving values.
- Naramata was designated as a Cittaslow Community in 2006. To support and promote the principles of the Cittaslow designation, a not-for-profit society was formed. This group is known locally as the NaramataSlow Community Group.
- Incorporation of Cittaslow designation in the OCP is a requirement for our international designation.

Hi Stefanie and Anita,

Please find revised submission from our working group, based on the recommendations out of last weeks meeting.

We hope this provides sufficient substance that Evelyn can effectively and efficiently integrate it into the working draft.

Thanks,

THE OFFICIAL COMMUNITY PLAN FOR NARAMATA INFORMED BY THE CITTASLOW FRAMEWORK FOR COMMUNITY PLANNING

What is a Community?

A healthy local community is one where residents hold genuine, mutual respect for one another and have a strong commitment to where they live. It is based on the foundation of a willingness to help and support one another and a mutual interest in the local area.

What is a Cittaslow Community?

A Cittaslow Community is an Italian inspired and administered global network of towns that collectively resist globalization and mainstream corporate-centred development through planning and urban design that prioritizes each town's local, unique and historic resources.

The Cittaslow philosophy is built around the desire to provide a high quality of life for Cittaslow residents. The slow in Cittaslow concerns the idea of taking the time for quality. It represents a higher quality of life and taking the time to achieve and appreciate this quality.

Internationally, Cittaslows' regulation-for-action approach has helped more than 285 communities in 33 countries implement sustainable development practices that enshrine place-sustaining, localisation and identity preserving values. Naramata is one of only four communities in Canada to hold this designation.

Naramata x Cittaslow

Naramata was designated as a Cittaslow Community in 2006. To support and promote the principles of the Cittaslow designation, a not-for-profit society was formed. This group is known locally as the NaramataSlow Community Group.

How Can the Cittaslow Designation Support the Official Community Plan?

Given Naramata is governed as a 'Regional District' area (Area E), its Official Community Plan (OCP) is the vehicle that will enshrine the fundamental values and principles that will maintain our designation as a Cittaslow Community. The values and principles that must be addressed will make Naramata strong, resilient, welcoming and sustainable, both from a cultural, environmental and financial perspective.

Primary goals of the Cittaslow designation are to celebrate a unique sense of place and quality of life. The designation requires that focus for regional plans be based upon the primary asset of place based identity – preserving the threads of each urban area's own unique characteristics that collectively come together to promote and support community.

ACTIONABLE ITEMS for OCP REVISION:

1. The Cittaslow designation must be formally recognized within Section 5 of the existing OCP - Community Vision in the Mission Statement of the Official Community Plan. For example see [Cowichan Valley ELECTORAL AREA D – LOCAL AREA PLAN, Part 1, Section 1.1](#)

Suggested wording (*in green italics*):

Fundamental to this Community of Naramata and its Official Community Plan is Naramata's designation as a Cittaslow Community. One of 4 Communities in Canada and 250 in the world, this designation solidifies Naramata's commitment to values and initiatives that prioritize our Naramata-grown, unique cultural, environmental and historic resources. These resources extend to not only the people that call Naramata home, but to the plants and animals and to the collective environment that we share.

What does Naramata look like:

- *We look like Naramata! There is nowhere else in the world that looks the same. We are one-of-a-kind expression of people and place. We value, cherish and celebrate the aspects and intersection of people and places that make Naramata, Naramata.*
- *From a planning and urban design perspective Naramata will resist globalization and mainstream corporate-centred development (no chain stores here).*
- *Naramata brims with spaces that are alive with life and interaction. From parks, to trails, to laneways, to community gardens, to basketball converted to ice rinks, to pickleball and to tennis courts. We cherish and protect spaces, cultural and architectural elements that make Naramata unique and will ensure their sustainability;*
- *Through bylaws, committees and budgets Naramata will ensure and invest in full-time residents in the Community. Examples of this include a vacation rental bylaw that requires one long term resident to reside on any property that is being rented as a short term rental.*
- *Through bylaws, committees and budgets Naramata invests in spaces and initiatives that support diversity in our community from race, ethnicity, gender, age, religion, language, abilities/disabilities, sexual orientation, socioeconomic status, and country of origin. Similarly Naramata will support initiatives that are environmentally responsible and progressive. Examples of this being community composting and share libraries.*
- *Naramata will invest in ensuring an accessible, green village centre where it's pleasant to walk, cycle and access the locally produced goods, cultural opportunities, gastronomy and heritage. Using*

existing MoT right of ways, connectivity by trail between neighborhoods will be given a priority with the aim of reducing dependence on cars, strengthening community life and intergenerational and neighborhood connections.

- *The character of the village core will be maintained. Density in keeping with the existing village character will be accommodated through carriage house and secondary suites, with consideration to preserving site lines and scale of houses to lots.*
- *Naramata is Bear Aware. This designation speaks not just to bears but to our commitment to wildlife in general. We recognize we share this land with other animals and will minimize activities that create conflict.*
- *Naramata is dark at night. We recognize the importance of maintaining a night sky with limited impact from artificial light, using light in a targeted, focused and financially responsible manner to ensure safety.*
- *Naramata is a leader in sustainable regional district practices, protecting and enhancing the environmental features of the District. We will heighten foreshore protection practices, implement a formal science-based approach to development near sensitive ecosystems and the development of a comprehensive emissions reduction strategy to reduce local government and community-wide emissions.*
- *Naramata supports green technologies, the promotion of cultural heritage and the development of participatory democracy,*

2. The following six main **Cittaslow** categories of principles need to be strengthened in our OCP to nurture Naramata's unique sense of place, maintain the essence of Slowness and increase the quality of local life into the future:

a. Environmental Policies:

- 1.4.4,4.05.3, 6.3, 7.1, 7.2, 7.3, 7.3.14/15,18.3
Clearly define the area where development will be considered in Naramata. Do not allow for any densification of zoning above the KVR and hillsides. Check 8.3.10- wanting to build against pentiction zoned areas allowed?
- 18.1,18.3,Create policy to preserve biodiversity
- Create policy to preserve all Community held green spaces;
- 18.3, 24.0, 6.3.8(broad goals) Create policy to protect trees from removal in both the hillsides and village settlement and village core, and to preserve trees in all public areas and hillsides

- NEW - Create signage bylaws - see Lake Country OCP signage bylaws . targets to decrease visual pollution and noise pollution. Create signage guidelines with regards to size, materials, lighting, nature of the signs.
- NEW - create noise bylaws for noise pollution. EG. for the blasting and rock crushing in developments.
- NEW - create bylaws for protection from electromagnetic pollution
- NEW - Encourage industrial and domestic waste composting
- Include all hillsides above the KVR as well as all gullies and waterways as environmentally sensitive areas.
- 21.1.6 Support the certification of Naramata as a Dark Sky Community and create the bylaws to reduce future light pollution. There are significant benefits from the reduction of light pollution: A night sky without artificial light is vital to the proper functioning of natural ecosystems. Artificial lighting affects species migration patterns, predator-prey relationships, and the circadian rhythms of many organisms, including humans. Natural darkness is also essential to a full appreciation of our surroundings and the human condition within a universal context. As Dark Sky Communities become more rare, preserving this designation also enhances Naramata's tourism appeal without adding infrastructure and cost. Ensure street lighting meets the dark sky guidelines.
- Recognize, celebrate and inspire the local business community to be quantifiably NET 0 carbon emitters by offering lower commercial tax rates for qualifying businesses.
- add to 24.0 with - Be progressive and aggressive in lobbying UBCM and relevant regulatory authorities to provide carbon tax credits to property owners that preserve or plant tree canopies for parcels of 5 acres or larger
- 18.2.2 ,18.4 Support policy to create the conservation of air quality, water quality;
- 18.3.2.6 change 'strive for' to not allow development in sensitive ecosystems
- 18.1.2.3 - the professional to do the assessments should be paid for by the developer but chosen and hired by the RDOS(new addition)
- 24.0 improve the strength of statements in 24.0 comparable for example to Lake Country's policies. Support policy for greenhouse gas emission reduction and energy saving in the community and community buildings
- Support projects that produce public energy from renewable resources, e.g. a solar farm, wind trees, etc. The intermittent nature of solar and wind can be resolved by storage in batteries or thermal appliances and an inter-connected smart grid.

b. Infrastructure Policies:

- Include the valuation of the natural environment as a natural asset in the definition of infrastructure. Refer to the Municipal [Natural Asset Initiative](#).
- Consider roads as liabilities versus assets in assessing development: A community getting serious about solvency and more productive land use will soon find itself thinking differently about transportation. One example is with our network of roads and streets. If streets are liabilities rather than assets, then we need to be even more discriminating about if, when, where, and how we build or expand them. See [Strong Towns](#) Principle #2
- BROAD GOAL - Encourage and promote long term residents in the Community (see next comment)
- 11.6.1 , 11.6.2, 22.3.6, Eliminate commercial use of residential property for short term accommodation, except in cases where a long term resident also resides on property.
- Support housing initiatives and bylaws that promote affordability including cooperative, accessory dwelling units like above garage dwellings for family members and long term rental. This diversifies local housing stock without introducing large or potentially contentious or character transforming buildings to a single family neighborhood.
- Promote Walkability/Bikeability and connectivity between neighborhoods including Chute Lake, Glen Fir, Upper Arawana and, Penticton by creating public access trails. Make the Naramata road safe for cyclists by adding a cycle path to connect the neighborhoods, but also so that the school is bikeable and walkable from the uphill areas safely with increased shoulder or cycle paths. See [pedestrian unfriendly](#)
- Offer cycle parking areas
- Ensure any divestiture of MoT right of Ways or beach accesses are purchased for public use or opposed and maintained as public access areas. This would also support the development of walking trails on existing right of ways throughout the Village.
- 17.2.4 , 23.4.4, Create safe cycleways and walking routes in the village. Support increased shoulders or paths.
- Ensure that water and sewage treatment systems are adequate to support the life-cycle of residences.
- Create and support opportunities for residents to reuse, share and recycle: Examples can include the clothing library; community kitchens; community composting; share libraries, the seed library;
- CREATE -add to 13.0 Encourage the existence of locally accessible medical services. Promote having a local physician, nurse practitioner.

c. Urban life Quality Policies:

- Support use of fibre optics, wireless infrastructure (implemented in accordance with and respect to environmental and infrastructure values articulated above) to reduce amount of traffic, commuting and increase work from home options using telecommunication technology;
- support the creation of spaces for commercialization of local products
- Monitoring and reduction of pollutants-noise, light, electromagnetic, visual, chemical.
- planning for urban resilience
- recovery /creation of social green areas with productive plants/ fruit trees, community gardens, alleyways
- service desk or RDOS office for sustainable architecture
- promotion of Private sustainable urban planning- support the creation of bylaws that refer to the village center. See #5 [strong town rules](#). Density-allow the village to thicken up incrementally and have mixed homes, businesses and public spaces. Allow accessory dwelling units. Things like carriage houses, above garage dwellings for family members and rental. It diversifies a local housing stock without introducing large potentially contentious or character-transforming multifamily buildings to a single family neighborhood. This incremental infill further empowers homeowners by allowing them to increase the value of their property and receive an additional income stream. It offers renters more neighborhood options and cheaper rents.
- 13.3.5 eliminate [minimum parking requirements for commercial zonings](#). See Edmonton and Hartford examples. This allows small businesses to be able to afford space.
- promotion of public sustainable urban planning- new community buildings “will “ be green buildings.
- CREATE- 13.3 Support use of shared workspaces and work from home opportunities.
- encourage active transportation- walkability, bikeability and public transit. This allows community members to run into regulars, develops connections, and a sense of belonging. We need zoning that creates that. Converging paths that spontaneous encounters can happen.
- We need sufficient daily bus services and routes so that people could use transit instead of a car.

d. Safeguarding Autochthonous Production:

Create a statement about the type of Commercialization of local food, agricultural and artisan products being safeguarded, encouraged and given priority in commercial areas. Prohibit commercial chains or franchises.

'Support agriculture in Naramata by providing opportunities to market products'

- 12.3.3 promoting agriculture, artisan and touristic policies and local economic programs, encourage entrepreneurship.
- SEE LAKE Country OCP p160-161 - Licencing only independent businesses in Naramata. No chains or franchises. Agriculture markets supported.[Lake country OCP](#)
- CREATE IN 13.3 Policies that support businesses or spaces for creation and commercialization of local sourced and made products IE Commissary Kitchen; Incubator Workshop
- 9.0 support agroecology - new farming methods to increase yields while reducing environmental impacts
- CREATE - 9.1 , add to 9.2,create local food production policies. See Cumberland OCP 6.0 - [Food Production Policy](#). This incorporates strengthening Naramatas food system by increasing local food growing opportunities. By way of use of public spaces for markets, food events, growing food towards increasing our food security. Include edible greenways, innovative growing practices, Native and traditional knowledge for foraging and gathering. Eg. James Young 1 acre food farm
- CREATE 12.0 village center additional hotel capacity - so that local housing stock is not lost for tourism accommodation. Hospitality is a significant income generator in Naramata.

e. Awareness and Social Cohesion

- 12.3.5 - Support initiatives that celebrate elements of the Community that make Naramata unique:Harvest Supper, Earth Day, May Day, Christmas Markets, Remembrance Day, August Faire, the Garden Tour
- CREATE - Encourage and support the development of childcare centers by investing or subsidizing spacing to house both facilities and/or employees.
- 12.3.4 support affordable housing initiatives
- Encourage and support youth activity in both the natural environment and in public spaces
- 12.3.6 Encourage the existence and allow spaces for community associations and community gatherings. Support the creation of a multi use facility for community groups and to house community facilities like the library, OAP, NCA, Naramataslow, winter markets. House a gymnasium for sports activities. This could also be a third

space for socializing and meeting where there is no price for entry and people can meet. Especially for times of wet and cold weather.

- 12.3.6-support the existence of Third Places. See Rule #3 [Strong towns](#). Indoor or outdoor places where people in the community can serendipitously meet or intentionally gather to have interpersonal connections. Like coffee houses, bookshops, seating and picnic tables in Spirit Park, Center Beach, Benches along alleyways and beach accesses/right of ways.

f. Hospitality and Cultural Policies

- Educate visitors and residents alike on the values that Naramata holds dear. This can be accommodated through the support of events and institutions like the Harvest Supper, Earth Day, May Day, Christmas Markets, Remembrance Day, August Faire, the Garden Tour, Naramata Elementary School and the Naramata Child Development Centre, The Museum, Thrift Store, Old Age Pensioners Friendship Centre (OAP), the Library, the Garden Club, the Naramata Community Church, the Naramata Centre and the Naramata Farmers Market. The school and Community Garden, the Naramata Permaculture garden

3. IMPLEMENTATION PLAN

In order for the OCP to be effective in our Community the “Implementation Plan” needs to be reconfigured, enshrining the following:

1. Prioritize the making of bylaws,
2. Define actions required;
3. Establish a timeline to enact;
4. Assign responsibility;
5. Monitor, assess and evaluate effectiveness

An Implementation model exists in the [Cumberland OCP](#) as well as in the [Lake Country OCP](#) point 23.2, 23.3.

We recommend that Naramata establish an ongoing OCP working group to track progress on the OCP, spearhead projects as needed, and communicate with Area E residents. Ideally the working group would include members of other Naramata groups such as Naramata Slow, Naramata Citizens Association, etc and liaise with the RDOS via the Area E Advisory Planning Committee.