

Kerri-Lynn Grell

From: Pam Morphy
Sent: February 14, 2022 2:41 PM
To: Nikita Kheterpal
Subject: Folio: H-00885.000

We are long term residents(40 plus Years) of Tulameen on Lawless Creek Road adjacent to the land parcel that is currently under review for rezoning. District Lot 1020, YDYD.

We would like to know where the entrance to the planned subdivision is exactly.

Also, we are very concerned that if this subdivision were to be approved, that the current state of Lawless Creek Forest Service road is not up to heavy traffic use. Over the last decade we have seen a huge increase in all nature of vehicles on this gravel road and now that the floods of 2021 have taken out the use of Tulameen River Road and the KVR, it is very concerning to us that the traffic on this road will now increase once again for access to the backcountry, in our opinion, to dangerous and unhealthy levels.

We are not opposed to the subdivision per say, but we just want someone to be thinking about the condition of the road itself, in all four seasons. While we realize that the RDOS does not does not have jurisdiction over the road, they should be held somewhat accountable for the increased traffic if they plan to allow this subdivision and any future subdivisions on this road. There are many blind corners along this route, one of which approaches said planned subdivision. Some parts of the roads barely allow for two vehicles to pass, especially the winter. The dust on this road during the summer months is horrendous.

We wish to know if the RDOS will take this matter into consideration when allowing for this and future developments along the Lawless Creek Forest Service Road or consult with the Dept. of Transportation and Highways to improve the service along this route. Over the years most of the complaints about this road have fallen on deaf ears.

Should we be bringing our concerns to the Video meeting planned for Tuesday February 15th?

If we should be contacting someone else on this matter, please let us know.

Yours truly
Pam And Bruce Morphy

Kerri-Lynn Grell

From: FLNR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>
Sent: February 15, 2022 12:07 PM
To: Planning
Subject: H2021.024-ZONE - 240 Lawless Creek Rd - MFLNRORD District Okanagan Shuswap Comments

Good day,

MFLNRORD District Okanagan Shuswap Comments as follows:

DOS Lands Team

Our interests are unaffected.

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

Regards,

Patricia Shatzko
Authorizations Administrator
DOS Referrals Coordinator
Okanagan Shuswap Natural Resource District
Ministry of Forests, Lands, Natural Resource Operations and Rural Development
2501 14th Ave | Vernon, BC V1T 8Z1
Tel (VOIP): 778-943-6850 | Fax: 250-549-5485
FLNRDOSReferrals@gov.bc.ca



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From: Nikita Kheterpal <nkheterpal@rdos.bc.ca>
Sent: January 13, 2022 11:30 AM
To: FBCLands@FortisBC.com; HBE@interiorhealth.ca; Jody Woodford <tulfd@nethop.net>; bbross@sd58.bc.ca; FLNR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>
Subject: H2021.024-ZONE - 240 Lawless Creek Rd - Comments due Thurs Feb 10, 2022 by 4 pm

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

Good morning,

Please find attached an OCP and zoning amendment bylaw referral for the following property:

240 Lawless Creek Road
Electoral Area "H"

Kindly send your response to planning@rdos.bc.ca by **February 13, 2022**.

Please let me know if you have any questions.

Thank you.
Regards,



Nikita Kheterpal

Planner I

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC V2A 5J9

p. 250.490.4109 • tf. 1.877.610.3737 • f. 250.492.0063

www.rdos.bc.ca | nkheterpal@rdos.bc.ca

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Kerri-Lynn Grell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: February 9, 2022 10:07 AM
To: Planning
Subject: Lawless Creek Rd, 240, RDOS (H2021.024-ZONE)

With respect to the above noted file,

There are FortisBC Inc. (Electric) ("FBC(E)") primary distribution facilities along Lawless Creek Road. Bringing electrical service to the proposed lots will likely require significant extension work, which may be costly. Further extension work may be required depending on the building site locations on each of the respective proposed lots.

To date, arrangements have not been made to initiate the design process and complete the servicing requirements.

To proceed, the applicant should contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements. All costs and land right requirements associated with servicing the proposed lots are the responsibility of the applicant. Furthermore, 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.

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

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

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

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

Otherwise, FBC(E) has no concerns with this circulation.

It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

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

Best Regards,

Steve Danielson, AACI, SR/WA

Contract Land Agent | Property Services | FortisBC Inc.

2850 Benvoulin Rd

Kelowna, BC V1W 2E3

Mobile: 250.681.3365

Fax: 1.866.636.6171



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Interior Health

February 8, 2022
Nikita Kheterpal, Planner 1
Regional District of Okanagan-Similkameen
101 Martin Street
Penticton, BC, V2A-5J9

Sent via email: planning@rdos.bc.ca

RE: File No. H2021.024-ZONE

Dear Nikita:

Thank you for the opportunity to provide revised comments on this application. It is our understanding that the applicant is seeking to amend the OCP Future Land Use Designation from part Large Holdings (LH) to Small Holdings (SH) and to amend the zoning from Large Holdings Two (LH2) to Small Holdings Three (SH3) to allow for a 10 lot subdivision. This referral has been reviewed from a Healthy Community Development perspective. The following comments are for your consideration:

We discourage the creation of small water systems, anything less than 50 houses, as not sustainable for the long term. Small systems are difficult to manage and expensive to maintain. We would prefer to see 10 individual private water systems (i.e. well), and given that each lot is larger than 1ha, there should be ample space for onsite water and onsite septic – including a septic back up area.

Recognizing that part of this property is within an environmentally sensitive area with a 'high' fire rating, we would like to remind the Board that Area H Official Community Plan Policy 18.3.1 states The Regional Board "will direct development away from those lands that may have a potential natural hazard."

We would also like to encourage the Board to ensure that consultation occurs with the Upper Similkameen Indian Band prior to any decisions being made regarding this property, due to the fact that the property is shown as comprising "significant archaeological potential."

In summary, we recommend that individual private water systems be used as the main source of water for the subdivision and we strongly encourage the consultation with the local Indigenous partners regarding this development, prior to the development being approved.

Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health.

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

Sincerely,

Tanya Osborne
Community Health Facilitator
Healthy Communities Healthy Families

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Bylaw Referral

RDOS
OKANAGAN-SIMILKAMEEN

Regional District of Okanagan-Similkameen

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

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

OFFICE USE ONLY	
Date:	January 13, 2022
Bylaw:	2497.13 and 2498.24
File:	H2021.024-ZONE

You are requested to comment on the attached bylaw for potential effect on your agency's interests. We would appreciate your response WITHIN 30 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 **February 13, 2022**.

PURPOSE OF THE BYLAWS: The applicant is seeking to amend the zoning of their property in order to allow for a 10 lot subdivision. Specifically, it is being proposed to:

- amend the land use designation of the property under the Electoral Area 'H' Official Community Plan (OCP) Bylaw No. 2497, 2012, from Large Holdings (LH) to Small Holdings (SH); and
- amend the zoning of the property under the Electoral Area 'H' Zoning Bylaw No. 2498, 2012, from Large Holdings Two (LH2) to Small Holdings Three (SH3).

LEGAL DESCRIPTION: District Lot 1020, YDYG

CIVIC ADDRESS: 240 Lawless Creek Road

PID: 015-002-381

AREA OF PROPERTY AFFECTED:	ALR STATUS:	OCP DESIGNATION:	ZONING:
12.6 ha	Yes	Large Holdings (LH)	Large Holdings Two (LH2)

OTHER INFORMATION:

The applicant is proposing to redesignate and rezone the subject parcel in order to subdivide it into 10 lots measuring approximately 1 ha in area.

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

Under the Electoral Area "H" OCP, the property is designated as a "Growth Area" on the "Tulameen Local Area Map".

The property is also the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation along its eastern edge. Under Schedule 'E' (Hazard Lands Map) of the OCP, the property is shown as having a "High" fire rating. Under Schedule 'I' (Archaeologically Sensitive Areas) of the OCP, the property is shown as comprising "significant archaeological potential".

Additional information can be found at the following location:

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-h/h2021-024-zone>

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.

Nikita Kheterpal

Nikita Kheterpal, Planner I

Agency Referral List

- Interior Health Authority
- School District #58
- Tulameen Fire Department
- Ministry of Lands, Natural Resource Operations & Rural Development (Archaeology Branch)
- Fortis

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 2497.13 & 2498.24

Approval Recommended for Reasons Outlined Below

Interests Unaffected by Bylaw

Approval Recommended Subject to Conditions Below

Approval Not Recommended Due to Reasons Outlined Below

THIS PROJECT WILL PROVIDE MORE BUILDING LOTS FOR NEW RESIDENCES IN THE TULAMEEN AREA. THE COMMUNITY IS EXPANDING AND THIS WOULD BE AN ASSET.

Signature: _____

J. Woodford

Signed By: _____

JODY WOODFORD

Agency: _____

TULAMEEN DISTRICT FIRE DEPARTMENT

Title: _____

CHIEF

Date: _____

JAN. 15 / 2022

Lauri Feindell

From: Info E-Box
Sent: May 30, 2022 8:37 AM
To: Planning
Subject: FW: written submission
Attachments: Tulameen-amendment-letter.docx

Follow Up Flag: Follow up
Due By: May 29, 2022 7:00 AM
Flag Status: Flagged

Categories: URGENT

From: Leslie Battersby <
Sent: May 27, 2022 9:27 PM
To: Info E-Box <info@rdos.bc.ca>
Subject: written submission

To whom it may concern

Please accept the attached letter as written submission for the Notice of Hearing Amendment bylaw Nos. 2497.13,2022 and 2498.24, 2022 240 Lawless Creek Road.

If you have any questions please contact me. Also can you please respond that you received this submission and that it will be considered at the June 2, 2022 public hearing.

Thanks you

--

Leslie Battersby
DA, Dip DH, PID, BDDSc, MHS, DHP(C)
"Life is about making an impact, not making an income." — **Kevin Kruse**

May 25, 2022

Regional District of Okanagan Similkameen

101 Martin St

Penticton, BC

V2A-5J9

To whom it may concern,

RE: Written Comment for Public Hearing- Amendment Bylaw Nos. 2497.13, 2022 and 2498.24, 2022 240
Lawless Creek Rd

Please accept this letter as my written submission to be considered for the public hearing on June 2 2022. I am not opposed to the proposed amendment however, I do have some concerns that I would like addressed or considered.

It is my understanding that if the proposed 10 lot subdivision goes ahead these lots will need to be serviced with water. I have heard that this water may come from 2 wells at the most north east corner of the said property and then pumped up to a reservoir to service the new lots. My concern is that this will cause a lowering of the already reduced water table affecting the homes below. I am a resident at 180 Dover street in Tulameen which would be the closest property to these new wells. I already have issues with a lack of water at times and therefore am concerned about how this would affect my current water source.

I would like to propose the following options:

1. if these two wells are going to be drilled in close proximity to my property that I be given the opportunity to also tie into this new water source.
2. if these wells are going to be drilled but I am not able to tie into the new water source that I be compensated to drill my existing well deeper.
3. consideration for wells to be drilled on each of the new lots- just as every other property owner in Tulameen has had to do.
4. if no water is available to service these lots then perhaps a water delivery cistern system can be considered.

Respectfully

.....
Grace Smith (owner of property at 180 Dover St)

Lauri Feindell

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Grace Smith (owner of property at 180 Dover St)