



## OSOYOOS INDIAN BAND

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1155, SEN\*POK\*CHIN BOULEVARD, OLIVER BC, V0H 1T8  
PHONE: (250) 498-3444 ~ FAX: (250) 498-6577

March-05-18

Referral ID: A2018.021-ZONE Bylaw 2451.23  
RTS #: 1336  
Date: February-15-18  
**Reference#: R-77-001041**

Regional District of Okanagan-Similkameen  
101 Martin ST.  
Penticton, BC V2A 5J9

**RE: 60 (sixty) day extension**

Thank you for the above application that was received on February-15-18.

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 Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 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. Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses.

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

We appreciate your co-operation.

limlæmt,

Amanda Anderson  
Referrals Officer  
Osoyoos Indian Band  
cc:

## RESPONSE SUMMARY

### AMENDMENT BYLAW NO. 2451.23

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

Signature: Carly Rimell

Signed By: Carly Rimell

Agency: Regional District of Kootenay  
Boundary

Title: Senior Planner

2018-02-26



# Feedback Form

Regional District of Okanagan Similkameen  
101 Martin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: DAVID TULLIS  
(please print)

Street Address: [Redacted]

Tel/Email: [Redacted] sm

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

- I do support the proposed amendments to the zoning bylaw.
- I do support the proposed amendments to the zoning bylaw, subject to the comments listed below.
- I do not support the proposed amendments to the zoning bylaw.

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

(1) I was never informed of this proposal by the RDOS! Why?

(2) We purchased here for residential purposes not farming!

(3) Why do you (RDOS) continue to make our lives a misery? Electricity costs without support for years, lack of services, extra costs all the time.

Feedback Forms must be completed and returned to the Regional District  
no later than Friday March 16, 2018

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the Freedom of Information and Protection of Privacy Act (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.





# Feedback Form

Regional District of Okanagan Similkameen  
101 Martin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: JOSEPH & ELIZABETH DAHABIEH  
(please print)

Street Address: \_\_\_\_\_

Tel/Email: J \_\_\_\_\_

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

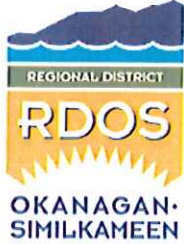
- I do support the proposed amendments to the zoning bylaw.
- I do support the proposed amendments to the zoning bylaw, subject to the comments listed below.
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- ① Equestrian Centre - this will increase traffic and create excessive noise pollution.
- ② Forestries - this may deforest the natural beauty of this area.
- ③ Mobile Home - this will result in decreased property value as existing residents have built higher standard homes.
- ④ Veteranary Establishment - this will increase traffic and create excessive noise pollution.
- ⑤ Home Industries - this will increase traffic and create excessive noise pollution.
- ⑥ Retail Businesses - this will increase traffic and create excessive noise pollution.
- ⑦ Kennels - this will increase traffic and create excessive noise pollution.
- ⑧ 75% greenhouse uses - an excessive use of property will result in light pollution and will strip the area of its natural beauty. many of us have telescopes for star gazing!

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# Feedback Form

**Regional District of Okanagan Similkameen**  
101 Martin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

**TO:** Regional District of Okanagan Similkameen **FILE NO.:** A2018.021-ZONE

**FROM:** Name: Michael and Linda Tumchewics  
(please print)

Street Address: 960 Eagle Place, Osoyoos BC

Tel/Email: \_\_\_\_\_

**RE:** Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

- I do support the proposed amendments to the zoning bylaw.
- I do support the proposed amendments to the zoning bylaw, subject to the comments listed below.
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Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

Please see attached document expressing our concerns

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no later than Friday March 16, 2018**

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Feedback Form RDOS  
File No: A2018.021-ZONE

To Whom It May Concern:

We strongly object to the deletion of the SH2s zoning and replacement with SH3 zone, specifically 'Keeping of Livestock'. As it stands now, limits are in place in Regal Ridge/Osoyoos Mountain Estates regarding livestock numbers. The number of livestock is restricted to 2 on any parcel greater than 2 ha despite Section 7.23.1.

It would appear that abolishing the SH2s in favor of SH3 would completely remove this livestock limit. This proposed change is not a duplication as described in your letter of February 15, 2018. In fact the wording of "Not Applicable" and "duplication" appear misleading and suspect.

According to the zoning bylaw this change actually means that any number of livestock can be kept on parcels exceeding 2 ha. Therefore, our neighbours, with about .02 ha over the threshold, could potentially have an unlimited number of pigs, horses, cattle, goats etc. in what is intended to be a rural residential section of the development.

Our decision to purchase our lot in the Regal Ridge development was predicated on the concepts put in place by the original developer. Wildlife corridors, conservation areas, and moderation in agricultural use in a rural residential setting are what attracted us to the area. Removing this site-specific bylaw will inevitably lead to decreased property values, increased conflicts between neighbours and abolishes the original intent and spirit of the developer's site specific conditions.

Sincerely,

Mike and Linda Tumchewics





# Feedback Form

**Regional District of Okanagan Similkameen**

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

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

**TO:** Regional District of Okanagan Similkameen **FILE NO.:** A2018.021-ZONE

**FROM:** Name: Arnold & Maureen Kettenacker  
(please print)

Street Address: \_\_\_\_\_

Tel/Email: \_\_\_\_\_

**RE:** Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

- I do support the proposed amendments to the zoning bylaw.
- I do support the proposed amendments to the zoning bylaw, subject to the comments listed below.
- I do not support the proposed amendments to the zoning bylaw.

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

The process has gotten off to a flawed start: - All resident property owners did not receive a personally addressed notification.

- The personally addressed notification received implies minimal changes in magnitude between SH2s and the proposed SH3. Some SH3 properties will be just over 2ha and others just under 2 ha. The cap for livestock is currently 2 for SH2s. Within a two minute walk between proposed SH3 properties, several would now be capped at 4 livestock while others will be unlimited! The notification glossed this over as "not applicable". This is not a minor change in magnitude and should be scaled proportionally. The matter could be rectified with an asterisk or exception in section 7.23 of the bylaw citing a max of 5 livestock for SH3 properties between 2 and 2.5 ha in the former Regal Ridge Development. The cap is needed. Do not rely on common sense; it is an invitation for someone to test the limits of unlimited. Neighbours will be unhappy to say the least.

-The proposed changes to the CAS undermine the initial developer's efforts to create an environment that many then property purchasers and now current residents may want to retain. We run adjacent to the CAS and see no need to change current bylaws.

- The personally addressed notification we received focuses only on the comparison between SH2s vs SH3 and imply changes are minimal. For some, that would be the end of the matter and the letter in the trash. However, no mention of changes to CAS and LH2S is provided in the letter. It is unclear if no response is considered neutral to all proposed changes.

- If one sends in the Feedback Form thinking they are only supporting what is addressed in the letter, it is unclear if that specific affirmative reply is accepted as blanket support to proposed CAS and LH2s changes as well.

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**From:** heather  
**To:** [Christopher Garrish](#)  
**Subject:** Concerns re: LH1s Zone Review  
**Date:** March 8, 2018 7:48:21 PM

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Hello Mr Garrish,

My husband and I live up on Raven Hill Rd that was part of Regal Ridge. We are not happy about some of the proposed changes being suggested for the LH1s zoned areas.

First off we do not wish to see changes allowing Mobile homes to be either principal, secondary or accessory dwellings. We also do not want to see forestry or kennels allowed. Veterinary establishment may be okay if no kenneling is allowed on the site. Definitely do not want to see any area where you could have 75% coverage in greenhouses. This would definitely be a major source of light pollution as well as other things which have already happened in other areas.

We moved away from the coast to get away from the coast to a quieter area where things were newer and looked after more. We do not want to see these beautiful lots with mobile homes on them or having to listen to a lot of noise from such things as forestry operations and dog kennels.

I hope you will take into consideration ours and others opinions and suggestions and not make these changes as we would be the people effected but these changes.

Thank-you for your time.

Heather Hayward



**From:** Alice Zinowki  
**To:** [Christopher Garrish](#)  
**Subject:** large holdings one site specific (LH1s) zone review  
**Date:** March 10, 2018 5:12:19 PM

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Dear Mr Garrish,

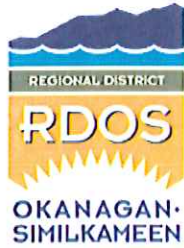
We have 2 objections to the proposed changes - kennels and mobile homes. The building code is very strict regarding insulation for stick built homes and this code would not be met in a mobile home. Having spent the winter in a mobile home on Anarchist Mtn we can attest to the fact that they are not suitable dwellings for our harsh winter climates.

We also feel that a kennel would not be an appropriate business for this area. The building sites on our side of Raven Hill Rd run parallel to the ridge and are not that far apart. Also most of the flat area that would be suitable for a kennel is close to the building site. We feel that it would be excessively noisy - we moved here to get away from noise.

Otherwise we have no other objections.

Thank you for taking our views into consideration,

Alice & Walter Zinowki



# Feedback Form

Regional District of Okanagan Similkameen  
101 Martin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: Glenn & Daljit Stewart

Street Address: 50 Blacktail Place, Osoyoos, BC V0H 1V6 \_\_\_\_\_

Tel/Email: \_\_\_\_\_

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

- I do support the proposed amendments to the zoning bylaw.
- I do support the proposed amendments to the zoning bylaw, subject to the comments listed below.
- I do not support the proposed amendments to the zoning bylaw.

Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

We would also support inclusion of accessory buildings such as carriage houses/small residential buildings to provide lodging/rentals to support provincial and regional housing policies as part of the amended bylaw.

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Feedback Forms must be completed and returned to the Regional District  
no later than Friday **March 16, 2018**

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# Feedback Form

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101 Martin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: HILDA REIMER  
(please print)

Street Address:

Tel/Email:

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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- I do support the proposed amendments to the zoning bylaw, subject to the comments listed below.
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Written submissions will be considered by the  
Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

Please refer to attached letter.

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no later than Friday **March 16, 2018**

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March 12, 2018

File No.: A2018.021-ZONE

Hello Mr Garrish,

My husband and I live up on Raven Hill Rd that was part of Regal Ridge. We are not happy about some of the proposed changes being suggested for the LH1s zoned areas.

In the following link to the RDOS website that lays out the A2018.021-ZONE changes:

<http://www.rdos.bc.ca/departments/development-services/planning/strategic-projects/regal-ridge-site-specific-zone-review/>

it states that:

*"As a result, many of the site specific zoning regulations that apply to parcels at "Regal Ridge" have now become redundant or are no longer seen to be reflective of current Regional District Board land use policies and objectives."*

This may be the policy of the Regional District Board, but those of us who purchased up here live here for the reasons reflected by the original zoning as set forth by Regal Ridge.

We are particularly opposed to:

1. "Permitted Uses: Principal Uses: ..... mobile home"  
*(OK with Modular Home as per Project No. X2016.057-ZONE but in my opinion allowing a mobile home as a principal use would encourage a seasonal, transient population to come up and thus devalue those homes that are up here and who built with the original Regal Ridge LH1s building codes – this then in turn would not only reduce our values but also the tax funds on the properties. Also, in doing some research about mobile homes CSA Z240 MH, I have read that Alberta does not accept these as homes and that they can not be sited in their province – there must be a good reason.....)*
2. "Permitted Uses: Principal Uses: ..... forestry" *(what about reducing the carbon foot print???)*
3. "Permitted Uses: Accessory Uses: ..... kennel" *(we already have enough barking back and forth to each other with all of the coyotes up here)*
4. "Maximum Parcel Coverage: c) for parcels greater than 2.0 ha in area ii) 75% for greenhouse uses" *(we moved up here because of the dark skies as we wanted to leave behind the light pollution of the FV)*

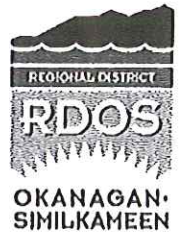
I would also like to state that I have spoken to some LH1s residents who have properties located as per the maps, that said they did not receive letters notifying them of the proposed changes .....

Sincerely,

v

RECEIVED  
Regional District

MAR 15 2018



# Feedback Form

Regional District of Okanagan Similkameen  
101 Martin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

101 Martin Street  
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: SIMONE PONNE  
(please print)

Street Address: \_

Tel/Email: \_

RE: Electoral Area "A" Zoning Amendment Bylaw NO. 2451.23  
"Regal Ridge" Site Specific Zone Review

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Regional District Board prior to 1<sup>st</sup> reading of Amendment Bylaw No. 2451.23.

objection to changes on L+H1  
 property values impacted by  
 kennels → These do not fit with original  
 vision of Regal Ridge  
 greenhouses → \* also building scheme is  
 mobile homes No longer enforceable, there is  
 no unsightly bylaw - these new allowances

Feedback Forms must be completed and returned to the Regional District  
no later than Friday March 16, 2018

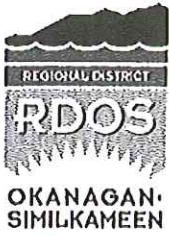
Further erode beauty  
of development.

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RECEIVED  
Regional District

MAR 15 2018



# Feedback Form

Regional District of Okanagan Similkameen  
101 Marlin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

101 Marlin Street  
Penticton BC V2A 5J9

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: Jan Ponne / Annie Ponne  
(please print)

Street Address: ;

Tel/Email:

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

My comments / concerns are:

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issue with LHI

Mobile homes / kennels / greenhouses do not fit  
with the community of Regal Ridge.  
Multi million \$ homes make up neighborhoods

Feedback Forms must be completed and returned to the Regional District  
no later than Friday March 16, 2018



To: Christopher Garrish, MCIP, RPP,  
Planning Supervisor, RDOS. Re A 2018.021-ZONE

March 22, 2018.

Fax 1-250-492-0063

From Susan and Terry Otto,

Re; Small Holdings Two Site Specific (SH2S) Zone Review, Regal Ridge area.

Dear Christopher Garrish,

My name is Susan Otto, and my husband Terry and I are the owners of 870 Eagle Place, Osoyoos, B.C. We were out of the country until March 20, 2018 and so did not receive your letter regarding rezoning until then. Please consider our response even though it is past your deadline of March 16<sup>th</sup>, as we were unable to respond by that date.

We are opposed to the rezoning from SH2S to SH3 for the following reason;  
Our lot at 870 Eagle Place is a size of 5 acres which is 2plus hectares. We purchased it in 2007 as a 5 acre parcel allowing up to 2 livestock. We have a horse farm in Ontario and in preparation for the future, purchased this lot and fenced it to allow for horses on the property. We had previously purchased a 10 acre parcel in Ravenhill, a Regal Ridge development further east along Hwy 3, but arranged the creation of the 5 acre 870 Eagle Place location as closer to Osoyoos and also to the community trails on the south side of Hwy 3.

To our understanding, the lot beside ours to the east is also a size of 5 acres and under the same zoning, allowing up to 2 livestock on the property. Both lots are bordered by conservation area. We believe the remaining lots on the same side (South) of Hwy 3 are all approximately 1 hectare in size, also with SH2S zoning.

This SH2S zoning is consistent with all the permitted uses etc, and the keeping of 2 livestock only applies to a parcel greater than 2 hectares in any case.

So please do not change the zoning from SH2S to SH3, as the current zoning does not create a problem for any of those parcels, and ours and our neighbors', at 5 acres in size still allow up to 2 livestock, which was the reason for our purchase in the first place.

Please let us know if further steps are required in order to protect our investment.

Sincerely,

Susan and Terry Otto,

**From:** Laura Haslett  
**To:** [Christopher Garrish](#)  
**Subject:** Draft Amendment ByLawNo.2431.23 - Regal Ridge  
**Date:** February 27, 2018 12:25:49 PM

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Hello Christopher,

I live at 751 Raven Hill Road and my husband and I are strongly opposed to allowing mobile homes to be placed on lots in my neighborhood. Could you please let me know why you are proposing these changes.

I followed the links as outlined in a recent letter I received from you, but could not locate the feedback form through your links.

Please advise me if I am required to do anything further to ensure my opposition to the proposed changes is noted in your upcoming Board Meeting.

Laura Haslett

**From:** Donna Ferguson  
**To:** [Christopher Garrish](#)  
**Subject:** Re: Large Holdings One Site Specific (LH1s) Zone Review  
**Date:** March 15, 2018 3:03:03 PM

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March 15, 2018

Regional District of Okanagan -Similkameen  
101 Martin Street  
Penticton, BC V2A 1V6

Re: Large Holdings One Site Specific Zone Review

Attention; Christopher Garrish, Planning Supervisor

Dear Sir,

We wish to address your proposed changes as outlined in your February 15, 2018 letter sent out by the RDOS. Please be advised that we, Rudy and Donna Ferguson DO NOT approve of these proposed changes.

We purchased 16 acres on Anarchist Mountain in 1988 and in 2000, retired and moved here to live the rest of our lives. Shortly after we came here, we sub-divided our land, sold 5 acres and now reside on the remaining 11. During that time we witnessed the development of Regal Ridge. Adrian Erickson had a vision to make this mountain a retirement "Dream come true" for anyone who purchased land and moved here. His vision was perfect and he made sure the rules and regulation set forth in this development were approved by everyone and should not be changed. We ALL now live in peace and find it hard to understand why you should want to "fix something which isn't broken" ...?...

We DO NOT agree with your proposed changes...to allow Mobile Homes, Greenhouses, Veterinary Establishments and Kennels on this mountain.

The noise, pollution, traffic, and negative aspects would take away the tranquility we now have come to appreciate living here.

Your proposals are too vague and open a wide range of questionable scenarios that anyone can apply for...definitely not acceptable.

Thank you,  
Rudy and Donna Ferguson



RECEIVED  
Regional District

MAR 15 2018



# Feedback Form

101 Martin Street  
Penticton BC V2A 5J9

**Regional District of Okanagan Similkameen**  
101 Martin Street, Penticton, BC, V2A-5J9  
Tel: 250-492-0237 / Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

TO: Regional District of Okanagan Similkameen FILE NO.: A2018.021-ZONE

FROM: Name: ADRIAN ERICKSON  
(please print)

Street Address: 1300 BULLMOOSE WAY, 0504005

Tel/Email:

RE: Electoral Area "A" Zoning Amendment Bylaw No. 2451.23  
"Regal Ridge" Site Specific Zone Review

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- I do support the proposed amendments to the zoning bylaw.
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I DO NOT SUPPORT - MOBILE HOMES ON LHM  
- GREENHOUSE COVERAGE 20%  
- KENNELS

WHEN I DEVELOPED REGAL RIDGE I HAD A VISION  
OF QUIET SERENITY, IMMERSIVE IN NATURE AND  
FREE OF NOISE (KENNELS) AND LIGHT POLLUTION  
(GREENHOUSES). SPECIAL ATTENTION ON BUILDING SCHEDULE  
ADDRESSING SOME OF THIS. MOST BUYERS PURCHASED FOR  
THESE REASONS.

Feedback Forms must be completed and returned to the Regional District  
no later than Friday March 16, 2018

**From:** Hilary Cargill  
**To:** [Christopher Garrish](#)  
**Subject:** Small Holdings Two Site Specific (SH2s) Zone Review Regal Ridge Area  
**Date:** March 12, 2018 10:34:38 AM

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Dear Mr. Garrish,

We are writing to strongly object to the proposed amendments to the zoning for properties on Regal Ridge specifically to the "Keeping of Livestock".

We have been homeowners at 955 Eagle Place, Osoyoos (Regal Ridge Area) for approx 8 months. One of the principal reasons we bought here was the generous sized lots and the fact the area is zoned residential.

The proposed changes to the zoning, while minimal overall, have caused us a lot of alarm with respect to the change proposed to the "Keeping of Livestock".

The fact that for those here with larger lots can have unlimited amounts of animals defeats the original purpose for all homeowners in Regal Ridge, suggesting now a more agricultural vs residential zone. We believe, and would support, a change proposing a maximum number of 6 livestock regardless of the size of each property.

Moreover we strongly object to the proposed change to opening up the protected areas around here. This will cause adverse affects on noise and environmental pollution, higher risk of fires, increased threat to wildlife and criminal behaviour...all of which is a detriment to our property values!

Clearly you need to re-assess your proposal with all the above in mind. We are a small community and very proud of what we have and what life here offers us. We want to maintain our current way of life without threat of damaging changes from those who do not know nor appreciate the distinctive and exceptional area which we cherish.

We are available to discuss should you choose to do so.

Sincerely,

Geoff and Hilary Cargill

Sent from my iPad