



Agricultural Land Commission

201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

November 3, 2020

Reply to the attention of Sara Huber
ALC Issue: 51960
Local Government File: A2020-010

JoAnn Peachey
Planner 1, RDOS
jpeachey@rdos.bc.ca

Delivered Electronically

Re: Regional District of Okanagan Similkameen Temporary Use Permit A2020-010

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Temporary Use Permit A2020-010 (the "TUP") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP is consistent with the purposes of the *ALC Act* (ALC Act), the Agricultural Land Reserve (ALR) General Regulation, (the "ALR General Regulation"), the ALR Use Regulation (the "ALR Use Regulation"), and any decisions of the ALC.

The TUP proposes to allow recreational vehicle (RV) and boat storage, i.e. "outdoor storage", which is defined as the storage of trailers and recreational vehicles (including campers) in the open air where such storage of equipment does not involve the erection of permanent structures on the property identified as 8705 Road 22, Oliver; PID: 018-557-279 (the "Property").

The Property is not within the ALR, nor is adjacent to the ALR. For this reason, ALC staff has no objection to the issuance of the TUP. However, ALC staff note that the Property is designated and zoned to support agriculture and given the limited supply of agricultural lands within the Province, the Property may be more appropriately used for agricultural endeavors.

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

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

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



November 12, 2020

File: 0280-30

Local Government File: A2020-019-TUP

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

Dear JoAnn Peachy,

Re: Temporary Use Permit Application for 8705/8715 Road 22, Oliver B.C.

Thank you for providing British Columbia Ministry of Agriculture staff the opportunity to comment on the above noted application to accommodate the continuation of commercial RV parking and storage. We note that the property is located outside of the Agricultural Land Reserve (ALR) and is not immediately adjacent to the ALR but is zoned A-1 and likely has good agricultural capability, based on provincial soils mapping.

Soils in this area are poorly drained silt loams which have good potential for forage, vegetable, and possibly strawberry production, with appropriate management. The soil compaction and placement of gravel fill for the RV parking and storage has the potential to compound drainage issues for surrounding properties. The use; therefore, may not be very compatible with keeping the area in agricultural production

In addition, given the A-1 zoning, the likelihood of good agricultural capability and to prevent further erosion of agricultural production due to non-farm uses into the future we suggest that the Regional District consider requesting the Agricultural Land Commission include properties along Road 22 into the ALR.

If you have any questions, please contact us directly at the numbers and email addresses below.

Sincerely,

Alison Fox, P.Ag.
Land Use Agrologist
B.C. Ministry of Agriculture
E-mail: Alison.Fox@gov.bc.ca
Office: (778) 666-0566

Christina Forbes, P.Ag.
Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
E-mail: Christina.Forbes@gov.bc.ca
Office: (250) 861-7201

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission

A handwritten signature in black ink, appearing to be 'Sara Huber', written in a cursive style.

Sara Huber, Regional Planner

Enclosure: Referral of RDOS TUP A2020-010

CC: Ministry of Agriculture – Attention: Alison Fox

51960m1

Lauri Feindell

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: November 17, 2020 2:05 PM
To: Planning
Cc: JoAnn Peachey
Subject: RE: Temporary Use Referral A2020.010-TUP

Follow Up Flag: Follow up
Flag Status: Flagged

Hello RDOS Planners,

Thank you for your referral A2020.010-TUP regarding a Temporary Use Permit for storage at 8715/8705 Road 22, PID 018557279, LOT 5 DISTRICT LOT 2450S SIMILKAMEEN DIVISION YALE DISTRICT PLAN KAP51250. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded on the subject property.

However, archaeological potential modelling for the area indicates there is high potential for previously unidentified archaeological sites to exist on the property, as indicated by the as indicated by the brown colour shown over everything in the second screenshot below. Archaeological potential modelling is compiled using existing knowledge about archaeological sites, past indigenous land use, and environmental variables. Models are a tool to help predict the presence of archaeological sites but their results may be refined through further assessment.

Archaeology Branch Advice

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned for the subject property, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

Rationale and Supplemental Information

- There is high potential for previously unidentified archaeological deposits to exist on the property.

- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.
- If a permit is required, be advised that the permit application and issuance process takes approximately 8-12 weeks; the permit application process includes referral to First Nations and subsequent engagement.
- The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.
- The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person's expense, in certain circumstances, as set out in the *Heritage Conservation Act*.
- **Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit.**

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories.

Questions?

For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Please let me know if you have any questions regarding this information.

Kind regards,







Please note that subject lot boundaries (yellow) and areas of archaeological potential (brown) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change.



Diana Cooper

Archaeologist/Archaeological Information Administrator

Archaeology Branch | [Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#)
Phone: (250) 953-3343 | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology

From: JoAnn Peachey <jpeachey@rdos.bc.ca>

Sent: October 21, 2020 1:27 PM

To: HBE@interiorhealth.ca; FBCLands@FortisBC.com; Forbes, Christina D AGRI:EX <Christina.Forbes@gov.bc.ca>; Huber, Sara ALC:EX <Sara.Huber@gov.bc.ca>; Referral Apps REG8 FLNR:EX <ReferralAppsREG8@gov.bc.ca>; Arch Data Request FLNR:EX <ArchDataRequest@gov.bc.ca>; b_harrison@ducks.ca; FLNRDOS.Referrals@gov.bc.ca; ken.brock@canada.ca

Subject: Temporary Use Referral A2020.010-TUP

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

Re: Temporary Use Permit (Outdoor storage)
3575 3rd Street, Naramata8715/8705 Road 22

<https://www.rdos.bc.ca/development-services/planning/current-applications-decisions/electoral-area-a/>

Please find a referral for a temporary use and a link to the application and related documents. Please review and if you have any questions, please do not hesitate to contact me, the file manager.

Once reviewed, if you have any comments/concerns, please forward to planning@rdos.bc.ca before November 20, 2020.

Kind Regards,



JoAnn Peachey • Planner I
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250.490.4384 • tf. 1.877.610.3737 • f. 250.492.0063
jpeachey@rdos.bc.ca • [RDOS](#)
[FACEBOOK](#) • [YOUTUBE](#) • Sign up for [REGIONAL CONNECTIONS](#)



November 19, 2020

File: 2020084
Your File:

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

Attention: JoAnn Peachey, Planner

Re: Temporary Use Permit for outdoor RV storage at 8705 & 8715, Road 22 in Oliver, BC

The Ecosystems Section of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development provides the following response to the above noted referral.

There are no concerns with the TUP as proposed, however please be advised that the province would not support rezoning of the property in future. We have spoken with Bruce Harrison of Ducks Unlimited Canada (DUC), who expressed that DUC would similarly not support future rezoning of the property. This is due to the ecologically sensitive nature of the property and environs, so zoning that allowed outdoor storage on other parts of the property would not be appropriate.

It is the proponent's responsibility to ensure his/her activities are in compliance with all relevant legislation, including the Water Sustainability Act and the Wildlife Act. If you have any other questions or require further information please feel free to contact the undersigned at 778-622-6834 or Jamie.Leathem@gmail.com.

Yours truly,

A handwritten signature in black ink, appearing to read "Jamie Leathem".

Jamie Leathem, M.Sc.
Ecosystems Biologist, on behalf of the Referral Committee

JL/jl

Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: November 19, 2020 1:06 PM
To: Planning
Subject: Road 22, 8705 & 8715 RDOS (A2020.010-TUP)

Follow Up Flag: Follow up
Flag Status: Flagged

With respect to the above noted file,

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Road 22. All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.

For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

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

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

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

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

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

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

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

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

Best Regards,

Steve Danielson, AACI, SR/WA

Contract Land Agent | Property Services | FortisBC Inc.

2850 Benvoulin Rd

Kelowna, BC V1W 2E3

Mobile: 250.681.3365

Fax: 1.866.636.6171

FBCLands@fortisbc.com

RESPONSE SUMMARY

TEMPORARY USE PERMIT NO. A2020.010-TUP


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

Interior Health – Healthy Communities thanks you for the opportunity to provide a health perspective to the proposed temporary use permit.

Healthy Community Development reviewed this temporary permit in 2008: Temporary Use Permit No. A2016.109-TUP. Our comments indicated that the owner of the parcel needed to provide documentation which would indicate whether the wastewater and the water supply system are in compliance with applicable legislation including but not limited to the Sewerage System Regulation, the Drinking Water Protection Act and the Drinking Water Protection Regulation.

This Temporary Use permit excludes the campsite however; it is for the storage of trailer units. The parcel is in an area of high groundwater therefore we would recommend that the owner demonstrate that it is capable of providing sustainable onsite sewerage disposal systems and drinking water systems prior to permitting additional uses that might impair these services for the existing development.

Please contact the undersigned if you have questions or concerns.

Signature:  Signed By: Clare Audet
Agency: Interior Health Title: Environmental Health Officer -HCD
Date: November 17, 2020