



**REGIONAL DISTRICT OF CENTRAL OKANAGAN
REGULAR BOARD MEETING
AGENDA**

Monday, April 29, 2019
7:00 p.m.
Woodhaven Board Room
1450 K.L.O. Road, Kelowna, BC

Pages

1. CALL TO ORDER

Chair Given acknowledged that this meeting is being held on the traditional territory of the Syilx/Okanagan Peoples.

2. ADDITION OF LATE ITEMS

3. ADOPTION OF THE AGENDA

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Recommended Motion:

THAT the agenda be adopted.

4. ADOPTION OF MINUTES

4.1 Regional Board Meeting Minutes - April 11, 2019

6 - 10

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Recommended Motion:

THAT the Regional Board meeting minutes of April 11, 2019 be adopted.

5. CORRESPONDENCE

5.1 Minister Robinson, Ministry of Municipal Affairs and Housing

11

Approval of a \$10,000 Okanagan Lake Protection Strategy - Phase 1 grant

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Recommended Motion:

THAT the April 5, 2019 letter from Minister Robinson, Ministry of Municipal Affairs and Housing confirming approval of a \$10,000 Okanagan Lakes Protection Strategy - Phase 1 grant be received for information.

6. COMMUNITY SERVICES

6.1 FrontCounter BC Referral Application (BC File No. 272596)

12 - 19

Ministry of Forests, Lands and Natural Resource Operations and Rural Development (Applicant)

For Crown land tenure to develop recreation facilities at the Dog House Cabin and Priest Creek Cabin (Central Okanagan East Electoral Area)

(All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1)

Recommended Motion:

THAT the Regional Board conditionally support FrontCounter BC referral application No. 272596 for the issuance of an indefinite license for Crown land tenure to construct, rehabilitate, and/or maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Dog House Cabin and Priest Creek Cabin recreation sites subject to the following being addressed prior to issuance of, or applied as conditions to, approval:

- A management plan and maintenance agreement should be developed for the area in association with the existing trails to address concerns regarding environmental impacts such as litter, fuel disposal, disturbance and noise to local wildlife, fire risk from campfires, and abuse of off-road vehicles on environmental features such as wetlands;
- Follow Best Management Practices to protect source water;
- Ensure that pit toilets comply with the *B.C. Sewerage System Regulation*;
- Post signage at the site to include information on Provincial best management practices and reminders to leave the area litter-free; and,
- Any proposed construction, repair, and/or maintenance of the recreation site(s) that falls within the scope of the B.C. Building Code requires a building permit from the Regional District of Central Okanagan.

6.2 FrontCounter BC Referral Application (BC File No. 271128)

20 - 28

Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Applicant)

For Crown land tenure to develop recreation facilities at the Graystokes Staging Area (Central Okanagan East Electoral Area)

(All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1)

Recommended Motion:

THAT the Regional Board conditionally support FrontCounter BC referral application No. 271128 for the issuance of an indefinite license for Crown land tenure to construct, rehabilitate, and/or maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Graystokes Staging Area subject to the following being addressed prior to issuance of, or applied as conditions to, approval:

- A management plan and maintenance agreement should be developed for the staging area in association with the existing trails to address concerns regarding environmental impacts associated with the staging area such as litter, fuel disposal, disturbance and noise to local wildlife, fire risk from campfires, and abuse of off-road vehicles on environmental features such as wetlands;
- Follow Best Management Practices to protect source water;
- Ensure that pit toilets comply with the *B.C. Sewerage System Regulation*;
- Post signage at the site to include information on Provincial Best Management Practices and reminders to leave the area litter-free; and,
- Any proposed construction, repair, and/or maintenance of the recreation site that falls within the scope of the B.C. Building Code requires a building permit from the Regional District of Central Okanagan.

6.3 Temporary Use Permit (TUP-19-01) - Gonzo Music Festival (at Sunset Ranch Golf Club - June 14, 2019)

29 - 45

Durali Properties Ltd. c/o J. Richard (agent), 5101 Upper Booth Road South
(Central Okanagan East Electoral Area)

(Custom Vote – Electoral Areas and Kelowna Fringe Areas – 1 Director, 1 Vote)

Recommended Motion:

THAT Temporary Use Permit TUP-19-01 for Durali Properties Ltd. to permit the June 14, 2019, Gonzo Music Festival (Special Event) to take place on part of Lot A, Plan KAP84569, Sec. 7, Twp. 24, ODYD - 5101 Upper Booth Road South be issued subject to the following conditions:

- Obtain Special Event Permit from Liquor and Cannabis Regulation Branch;
- Receive Royal Canadian Mounted Police sign-off on the Special Event;
- Obtain Temporary Food Service Permit from Interior Health Authority;
- The music festival to commence no earlier than 3:30pm and end no later than 10:30pm;
- No greater than 1000 people may reasonably be expected to attend;
- There be no changes to the proposed site plan or site footprint;
- All parking at Sunset Ranch Golf Club be contained on site;
- Receipt of a security deposit in the amount of \$5000.00 for the reimbursement of any costs which may be incurred by the Regional District, or other agencies (ie: RCMP) because of, and as a consequence of the Special Event; and
- Receipt of proof of \$5,000,000 full liability insurance (including a save harmless clause protecting the Regional District).

AND FURTHER THAT the Temporary Use Permit shall expire on June 14, 2019, at 11:00 pm and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.

6.4 One Year Extension Request for OCP Amendment Bylaw No. 1274-06 & Zoning Amendment Bylaw No. 871-246

46 - 56

C. Roy (owner) c/o Ken Macpherson (agent) 6972 Barcelona Drive East,
Central Okanagan West Electoral Area (Application File Z18/01)

(Custom Vote - Electoral Areas – 1 Director, 1 Vote)

Recommended Motion:

THAT the Regional Board approve a one-year extension for File No. Z18/01 (OCP Amendment Bylaw No. 1274-06, Zoning Amendment Bylaw No. 871-246).

7. NEW BUSINESS

8. DIRECTOR ITEMS

9. **ADJOURN TO IN CAMERA**

Recommended Motion:

THAT pursuant to Section 90 (k) of the Community Charter the Regional Board adjourn and convene to an 'In-Camera' session to discuss:

- Negotiations respecting the proposed provision of a municipal service that are at their preliminary stages

Minutes of the *REGIONAL BOARD MEETING* of the Regional District of Central Okanagan held at the Regional District offices, 1450 KLO Road, Kelowna, B.C. on Thursday, April 11, 2019

- Directors: J. Baker (District of Lake Country)
M. Bartyik (Central Okanagan East Electoral Area)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
C. Fortin (District of Peachland)
G. Given (City of Kelowna)
C. Hodge (City of Kelowna)
G. Milsom (City of West Kelowna)
L. Stack (City of Kelowna)
L. Wooldridge (City of Kelowna)
- Absent: M. DeHart (City of Kelowna)
S. Johnston (City of West Kelowna)
B. Sieben (City of Kelowna)
T. Konek (Westbank First Nation)
- Staff: B. Reardon, Chief Administrative Officer
T. Cashin, Director of Community Services
J. Foster, Manager of Communications
C. Griffiths, Director of Economic Development
D. Komaike, Director of Engineering Services
M. Kopp, Director of Parks Services
M. Drouin, Manager - Corporate Services (recording secretary)

1. CALL TO ORDER

Chair Given called the meeting to order at 11:27 a.m.

The meeting is being held on the traditional territory of the Syilx/Okanagan Peoples.

2. ADDITION OF LATE ITEMS

There were no late items for the agenda

3. ADOPTION OF THE AGENDA

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

#60/19 STACK/MILSOM

THAT the agenda be adopted.

CARRIED Unanimously

4. ADOPTION OF MINUTES

- 4.1 Regional Board Meeting Minutes - March 25, 2019 (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

#61/19 MILSOM/BAKER

THAT the Regional Board meeting minutes of March 25, 2019 be adopted.

CARRIED Unanimously

5. CORRESPONDENCE

- 5.1 Okanagan Basin Water Board Meeting Highlights – April 4, 2019 (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

#62/19 BAKER/STACK

THAT the Okanagan Basin Water Board meeting highlights of April 4, 2019 be received for information.

CARRIED unanimously

6. CORPORATE SERVICES

- 6.1 Memorandum of Understanding – SPCA (*All Directors - Weighted Vote - Simple Majority - LGA 210.2*)

Staff report dated March 27, 2019 outlined the renewal of the 3-Year Memorandum of Understanding between the RDCO and the SPCA (Kelowna Branch) for annual funding of \$92,000 (\$55K for a spay/neuter program; \$17K for adoption of dogs from the RDCO Dog Pound; and \$20K towards education programs).

#63/19 MILSOM/STACK

THAT the Regional Board approve the Memorandum of Understanding with the SPCA for a three-year period (2019-2021) at a cost of \$92,000 per year and authorize its' signing officers to sign the agreement.

CARRIED unanimously

7. COMMUNITY SERVICES

- 7.1 Zoning Amendment Bylaw No. 871-229 (One Year Extension Request) Owner/Applicant: B. & H. Khun Khun, 3370 Old Vernon Road, Central Okanagan East Electoral Area (File No. Z15/03) (*Custom Vote – Electoral Areas, Kelowna Fringe Areas – 1 Director, 1 Vote*)

Staff report dated April 11th outlined the request to consider a one-year extension for Zoning Amendment Bylaw No. 871-229.

#64/19 BASRAN/BARTYIK

THAT the Regional Board approve a one-year extension for Zoning Amendment Bylaw No. 871-229 (Application No. Z15/03).

CARRIED unanimously

- 7.2 Myra Canyon Adventure Park, consideration for continuation of an existing outdoor recreational ropes course/zip line business for a period of one year (File No: DI-10-28), owner: R. Schoenherr; Agent: Avalon Alliance Management Corp. - 4439 June Springs Road, Central Okanagan East Electoral Area (*Custom Vote – Electoral Areas, Kelowna Fringe Areas – 1 Director, 1 Vote*)

Staff report dated April 11th outlined the request for continuation of an existing outdoor recreational ropes course/zip line business (Myra Canyon Adventure Park) for a period of one year which will allow time for a permanent remedy via submission and approval of an OCP and zoning amendment.

#65/19 BARTYIK/BASRAN

THAT the Regional District not pursue active enforcement on the existing outdoor recreational ropes course/zip line business uses (Myra Canyon Adventure Park) on a portion of the South 1/2 of Section 36, Township 29, ODYD – 4429 June Springs Road for a period of one year subject to the owner/agent adhering to the following conditions:

- On or before May 1, 2019 the owner will enter into a lease agreement with RDCO Parks Services for the KLO Creek Trail for a two-year period, with renewal rights, through a lease in substantially the same form as attached to this report (Schedule A);
- Operate the business only between the months of May 2019 through to October 2019;
- Obtain a Business License on or before May 15, 2019;
- Provide confirmation from the Province that the Crown land access has been addressed on or before May 1, 2019;
- Adhere to the agreements and use permitted in the previous Temporary Use Permit (TUP-13-03) to allow an outdoor recreational ropes course/zip line business (Myra Canyon Adventure Park) (Schedule B);
- Adhere to all conditions contained within Development Permit Permit DP-13-10 (Schedule C);
- Provide confirmation from the Ministry of Transportation and Infrastructure that access has been addressed on or before May 1, 2019;
- Submit a summary to Planning staff of the Comprehensive Development Zone application process to date on or before July 1, 2019;

- Submit a summary to Planning staff of the Comprehensive Development Zone application process to date on or before September 1, 2019;
- Submit a summary to the Regional Board of the Comprehensive Development Zone application process to date on or before October 1, 2019 and present this information to the Regional Board for information at a subsequent meeting; and
- Submit a comprehensive Rezoning and OCP Amendment application with the intent of pursuing a Comprehensive Development Zone for the subject property on or before November 1, 2019.

CARRIED unanimously

8. PARKS SERVICES

- 8.1 Proposed RDCO/Clubhouse Child Care Centre Memorandum of Understanding and Lease Agreement – Woodhaven Nature Conservancy Regional Park (*All Directors - Weighted Vote - Simple Majority - LGA 210.2*)

Staff report dated April 11th outlined the request to enter into a 3-year MOU and Lease Agreement effective September 1, 2019 with the licensed Clubhouse Child Care Centre in Woodhaven Nature Conservancy Regional Park.

#66/19

STACK/BARTYIK

THAT the Regional Board approve the Memorandum of Understanding and Lease Agreement with Clubhouse Child Care Centre and authorize its signing officers to enter into these agreements for the delivery of an outdoor nature preschool over a portion of Woodhaven Nature Conservancy Regional Park located at 4711 Raymer Road as identified on Schedule 'A' of the Lease Agreement.

CARRIED unanimously

9. NEW BUSINESS

- 9.1 RDCO Ticket Information and Utilization Amendment Bylaw No. 1434, 2019, ***1st, 2nd and 3rd readings and Adoption, (All Directors - Unweighted Corporate Vote - LGA 208.1 [2/3 Majority for Adoption-LGA 214])***

Staff report dated April 1st outlined the changes to the ticket regulatory bylaw in relation to the Regional Parks and Community Parks regulatory bylaws.

#67/19 HODGE/CARSON

THAT the Regional District of Central Okanagan Ticket Information Utilization Bylaw No. 1434 be given first, second, third reading and adopted.

CARRIED unanimously

9.2 Rise & Report from the Governance & Services Committee Meeting - April 11, 2019

9.2.1 Secondary Suite Recommendation

#68/19 STACK/BARTYIK

THAT the Regional Board direct staff to proceed with preparing bylaws to implement the proposed secondary suite regulations.

CARRIED (Carson opposed)

10. DIRECTOR ITEMS

There were no items for Board consideration.

11. ADJOURN IN CAMERA

#69/19 BASRAN/STACK

THAT pursuant to Section 90 (k) of the Community Charter the Regional Board adjourn and convene to an 'In-Camera' session to discuss:

- Negotiations respecting the proposed provision of a municipal service that are at their preliminary stages

CARRIED Unanimously

There being no further business the meeting was adjourned at 11:55 a.m.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

B. Reardon (Chief Administrative Officer)



April 5, 2019

Ref: 244674

Ms. Gail Given, Chair
and Board Members
Central Okanagan Regional District
1450 KLO Road
Kelowna BC V1W 3Z4

Dear Chair Given and Members of the Board:

On behalf of the Province of British Columbia, I am pleased to advise you that your application under the *Local Government Grants Act* for an infrastructure planning grant has been approved for the following project:

Grant Description	Amount
Okanagan Lakes Protection Strategy - Phase 1	\$10,000

Details of the terms and conditions attached to this grant will be dealt with in an agreement that will be forwarded to you by Ministry of Municipal Affairs and Housing staff as soon as possible. This agreement must be signed and returned to the Ministry, indicating your acceptance of the terms and conditions.

The Province welcomes the opportunity to support planning in the Central Okanagan Regional District. We believe that early and ongoing planning is the best way to ensure that the environmental, social, and economic needs of your community will continue to be met in the years ahead.

Through your planning efforts, the Province encourages you to find ways to use new technology to promote environmental excellence and sustainable service delivery.

Congratulations on your successful application and my best wishes with your infrastructure study. Please direct follow-up inquiries to program staff by email at: infra@gov.bc.ca, or by telephone at: 250 387-4060.

Sincerely,

Selina Robinson
Minister

Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 29, 2019

SUBJECT: FrontCounter BC Referral Application
Our File: CL-19-02/FrontCounter BC File: No. 272596
Ministry of Forests, Lands, Natural Resource Operations, and Rural
Development – Applicant
Central Okanagan East Electoral Area

Voting Entitlement: *All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1*

Purpose: To consider a FrontCounter BC referral application for Crown land tenure to develop recreation facilities at the Dog House Cabin and Priest Creek Cabin.

Executive Summary:

The Recreation Site and Trails Branch of the Ministry of Forests is proposing to construct, rehabilitate and maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Dog House Cabin Recreation Site and the Priest Creek Cabin Recreation Site with Authorization under Sections 56 or 57 of the *Forest and Range Practices Act*. The recreation site will cover approximately 2.0 hectares (or 5 acres) in the vicinity of Myra-Bellevue Park and the McCulloch Snowmobile Trails.

Jurisdiction for approving the application lies with the Province of BC. There is no formal RDCO public notification process required for Crown land referral applications.

RECOMMENDATION:

THAT the Regional Board conditionally support FrontCounter BC referral application No. 272596 for the issuance of an indefinite license for Crown land tenure to construct, rehabilitate, and/or maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Dog House Cabin and Priest Creek Cabin recreation sites subject to the following being addressed prior to issuance of, or applied as conditions to, approval:

- A management plan and maintenance agreement should be developed for the area in association with the existing trails to address concerns regarding environmental impacts such as litter, fuel disposal, disturbance and noise to local wildlife, fire risk from campfires, and abuse of off-road vehicles on environmental features such as wetlands;
- Follow Best Management Practices to protect source water;
- Ensure that pit toilets comply with the *B.C. Sewerage System Regulation*;
- Post signage at the site to include information on Provincial best management practices and reminders to leave the area litter-free; and,

- Any proposed construction, repair, and/or maintenance of the recreation site(s) that falls within the scope of the B.C. Building Code requires a building permit from the Regional District of Central Okanagan.

Respectfully Submitted:



Todd Cashin
Director of Community Services

Approved for Board's Consideration



Brian Reardon, CAO

Prepared by: *Brittany Lange, Planner*

Implications of Recommendation:

Strategic Plan:	Conditionally supporting the referral application complies with 2015-2018 Strategic Priorities Plan, Strategic Priority 4: Promote responsible environmental protection.
Policy:	<p>Conditionally supporting the referral application complies with Regional Growth Strategy Bylaw No. 1336:</p> <ul style="list-style-type: none"> • Policy 3.2.4.5: "Promote community health and safety through investments in education, recreation, health, community development, social support, civic design, environmental design, maintenance and economic development"; • Policy 3.2.8: "The Region's natural ecosystems will continue to face development pressures and it will be important for the Region to manage growth to balance the human need for resources, recreation, enjoyment and aesthetics with the need to protect, conserve and restore natural areas and biodiversity"; and, • Policy 3.2.10.7: "Support the assessment of the social and economic benefits of arts, culture, tourism, and recreation amenities in decision on land use".

Background:

The Ministry of Forests, Lands, Natural Resource Operations, and Rural Development proposes to construct, rehabilitate, and/or maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Dog House Cabin Recreation Site (REC33097) and the Priest Creek Cabin Recreation Site (REC166352) with Authorization under Sections 56 or 57 of the *Forest and Range Practices Act*. A third recreation site included in this referral is proposed at Canyon Lakes Cabin, however, it is within the Regional District of Okanagan-Similkameen.

Each of the existing cabins contains outhouse facilities and is used for emergency shelter purposes within an extensive snowmobile trail network. Each of the cabins is located approximately 12-24km east of the City of Kelowna on the McCulloch Snowmobile Trail (REC16088).

Proposal

The purpose of this Crown land application is to designate the Dog House Cabin area (+/- 0.54 hectares) and the Priest Creek Cabin area (+/- 1.0 hectare) as Parks and Recreation Facilities to ensure proper maintenance of the existing use. There are no plans for further development or rehabilitation at this time, however, improvements may be made in the future.

Site Context:

The subject area is located outside of an Official Community Plan; therefore, Development Permit Area designations are not applicable.

Additional Information:

Applicant:	Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (Recreation Sites and Trails Branch)
Legal:	Portion of District Lot 2712, and adjacent unsurveyed Crown land, Similkameen Division of Yale District
Area Size:	+/- 2.02 hectares (5.0 acres)
Future Designation:	Resource and Crown Lands
Existing Use:	Existing recreational uses (i.e. snowmobile trails)
Surrounding Uses:	Crown Land
A.L.R.:	Not within the A.L.R.
Fire Protection:	Not within an established Fire Protection Area

RDCO TECHNICAL COMMENTS:

Planning Services staff recommends support of the referral application as the recreation site intends to bring current uses into compliance with Provincial regulations. The proposed recreation site is located outside of RDCO prescribed development permit areas, as such; activities associated with the use of the recreation site should be monitored to ensure there are no negative environmental impacts.

Inspections Services staff advises that the cabin structures are considered existing non-conforming until such time that the use of the structures change (i.e. upgrades are made). Any future proposed construction, repair, and/or maintenance that falls within the scope of the B.C. Building Code will require a building permit from the Regional District of Central Okanagan.

RDCO Environmental Advisory Commission recommends support of the proposed referral application as presented.

Anecdotal Comments:

- A management plan and maintenance agreement should be developed for the sites in association with the existing trails to address litter, fuel disposal, and outhouse maintenance;
- The site and surrounding area would benefit from an annual spring clean-up; and,
- Signage should be posted at the sites to include information on best management practices and reminders to leave the area litter-free.

AGENCY REFERRALS:

Interior Health Authority staff advises the use of pit toilets must comply with the *B.C. Sewerage System Regulation*. While an outhouse or pit privy is outside of IHA jurisdiction, it must be constructed in a manner which does not cause a health hazard. IHA staff further recommends that the activities within the watershed minimize impact to drinking water and ensure that the proposal is in compliance with the *Drinking Water Protection Act*.

Unaffected Agencies include the District of Lake Country, District of Peachland, City of Kelowna, City of West Kelowna, BC Hydro, Shaw Cable, Telus, Fortis B.C., Black Mountain Irrigation District, South-east Kelowna Irrigation District, and the Ministry of Transportation and Infrastructure.

Unaffected RDCO departments include Engineering Services, Parks Services, and Fire Services.

External Implications:

Jurisdiction for approving the application lies with the Province of BC. FrontCounter BC did not advertise this application; it is noted that no formal RDCO notification process is required for Crown land referrals.

Alternative Recommendation:

THAT the Regional Board not support FrontCounter BC referral application No. 272596.

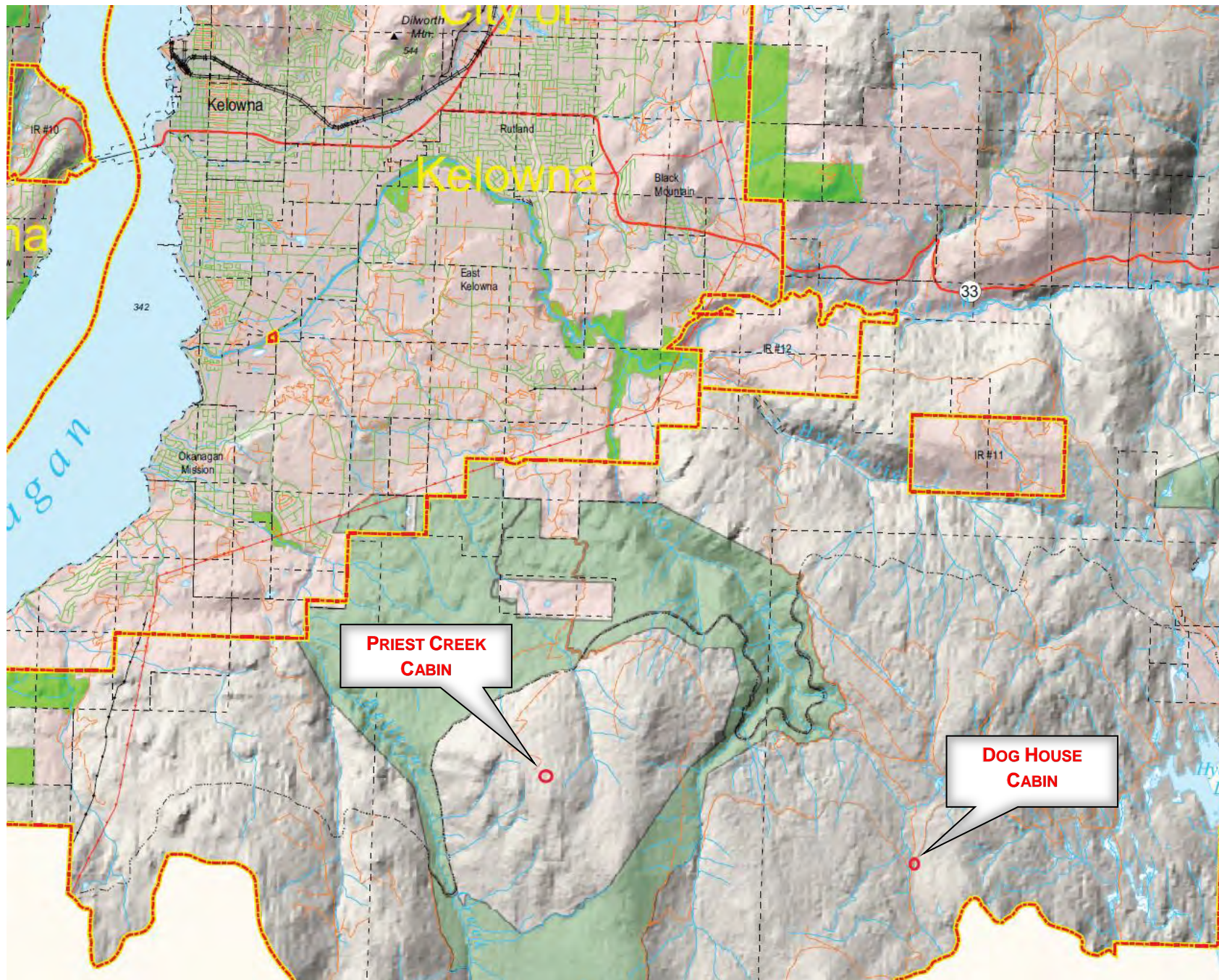
Considerations not applicable to this report:

- *General*
- *Organizational*
- *Financial*
- *Legal/Statutory Authority*

Attachment(s):

- Appendix 'A' – Subject Area & General Location Map
- Appendix 'B' – Dog House Cabin and Priest Creek Site photos

SUBJECT AREA






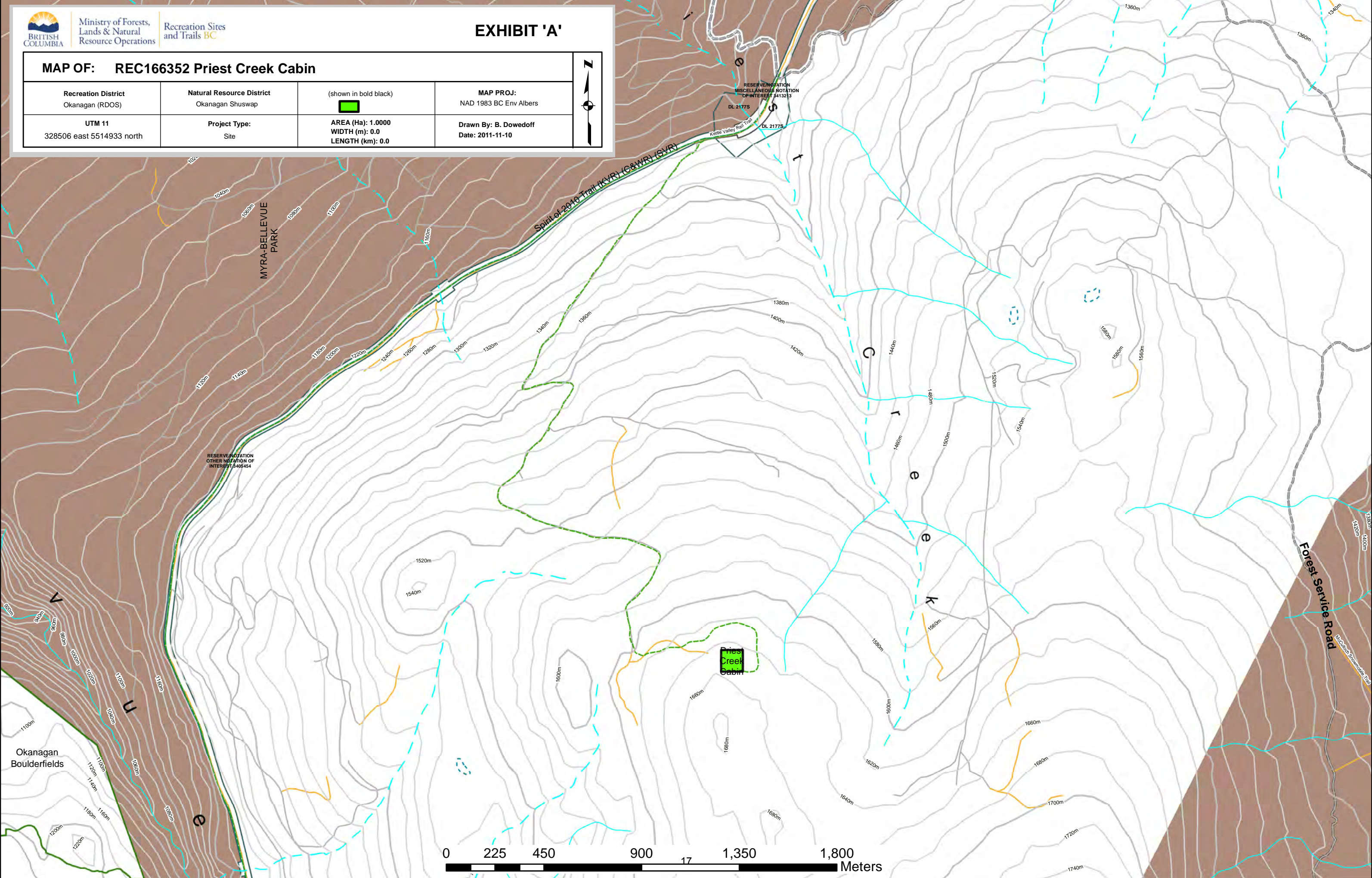
Ministry of Forests,
Lands & Natural
Resource Operations

Recreation Sites
and Trails BC

EXHIBIT 'A'

MAP OF: REC166352 Priest Creek Cabin

Recreation District Okanagan (RDOS)	Natural Resource District Okanagan Shuswap	(shown in bold black) 	MAP PROJ: NAD 1983 BC Env Albers
UTM 11 328506 east 5514933 north	Project Type: Site	AREA (Ha): 1.0000 WIDTH (m): 0.0 LENGTH (km): 0.0	Drawn By: B. Dowdoff Date: 2011-11-10






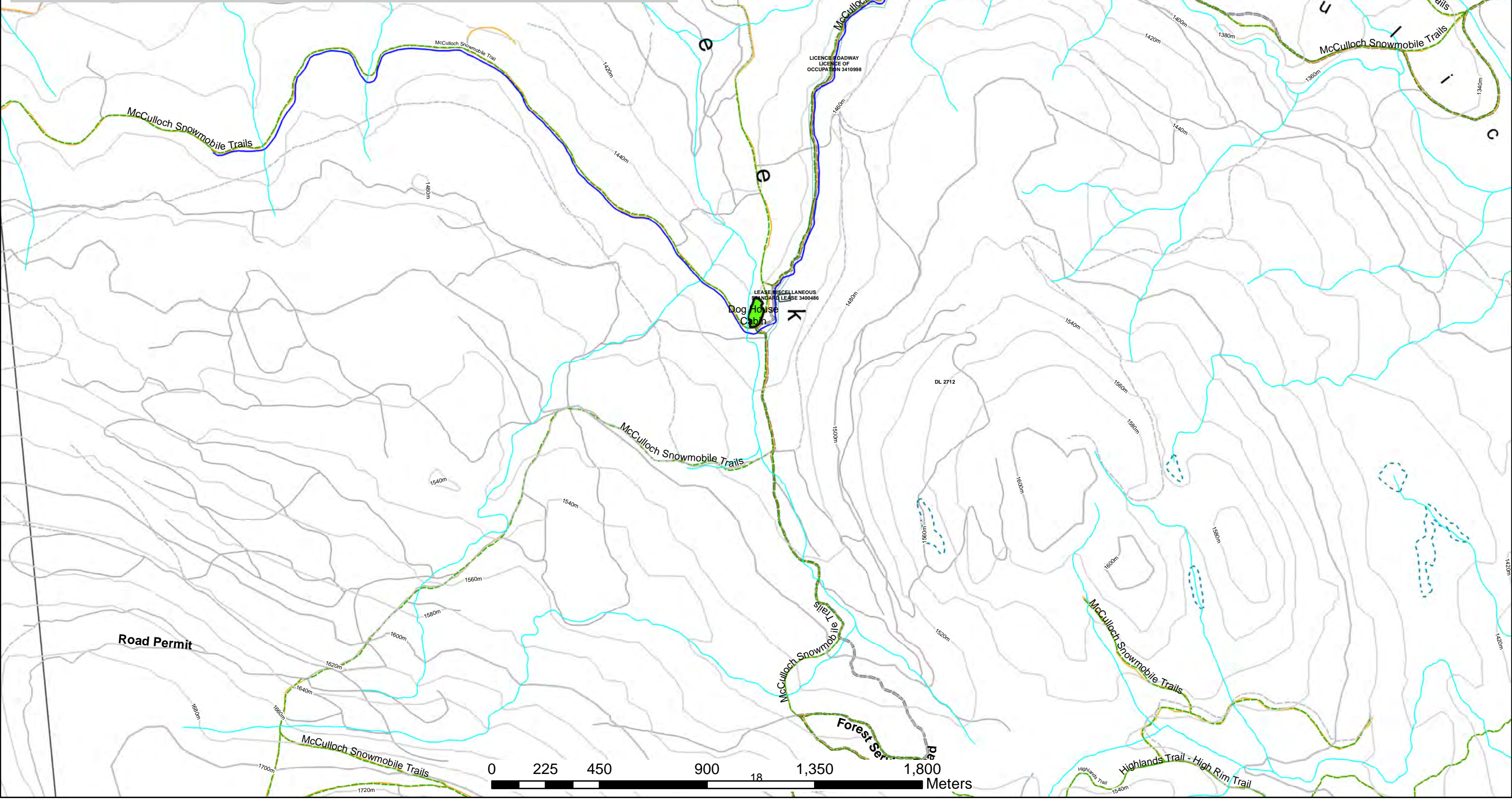
Ministry of Forests,
Lands & Natural
Resource Operations

Recreation Sites
and Trails BC

EXHIBIT 'A'

MAP OF: REC33097 Dog House Cabin

Recreation District Okanagan (RDOS)	Natural Resource District Okanagan Shuswap	(shown in bold black) 	MAP PROJ: NAD 1983 BC Env Albers
UTM 11 335988 east 5513267 north	Project Type: Site	AREA (Ha): 0.5370 WIDTH (m): 0.0 LENGTH (km): 0.0	Drawn By: B. Dowdoff Date: 2008-10-16



Priest Creek Cabin



Dog House Cabin



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 29, 2019

SUBJECT: FrontCounter BC Referral Application
Our File: CL-19-01/FrontCounter BC File: No. 271128
Ministry of Forests, Lands, Natural Resource Operations, and Rural
Development – Applicant
Central Okanagan East Electoral Area

Voting Entitlement: *All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1*

Purpose: To consider a FrontCounter BC referral application for Crown land tenure to develop recreation facilities at the Graystokes Staging Area.

Executive Summary:

The Recreation Sites and Trails Branch of the Ministry of Forests is proposing to construct, rehabilitate and maintain a recreation site and trails, and to legally designate Crown land as a recreation site at the Graystokes Staging Area with Authorization under the *Forest and Range Practices Act*. The recreation site will cover approximately 4.2 hectares (or approx. 10 acres) in the vicinity of Joe Rich, Three Forks Road and the Graystokes Forest Service Road.

Jurisdiction for approving the application lies with the Province of BC. There is no formal RDCO public notification process required for Crown land referral applications.

RECOMMENDATION:

THAT the Regional Board conditionally support FrontCounter BC referral application No. 271128 for the issuance of an indefinite license for Crown land tenure to construct, rehabilitate, and/or maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Graystokes Staging Area subject to the following being addressed prior to issuance of, or applied as conditions to, approval:

- A management plan and maintenance agreement should be developed for the staging area in association with the existing trails to address concerns regarding environmental impacts associated with the staging area such as litter, fuel disposal, disturbance and noise to local wildlife, fire risk from campfires, and abuse of off-road vehicles on environmental features such as wetlands;
- Follow Best Management Practices to protect source water;
- Ensure that pit toilets comply with the *B.C. Sewerage System Regulation*;
- Post signage at the site to include information on Provincial Best Management Practices and reminders to leave the area litter-free; and,

- Any proposed construction, repair, and/or maintenance of the recreation site that falls within the scope of the B.C. Building Code requires a building permit from the Regional District of Central Okanagan.

Respectfully Submitted:



Todd Cashin

Director of Community Services

Prepared by: Brittany Lange, Planner

Approved for Board's Consideration



Brian Reardon, CAO

Implications of Recommendation:

Strategic Plan: Conditionally supporting the referral application complies with 2015-2018 Strategic Priorities Plan, Strategic Priority 4: Promote responsible environmental protection.

Policy: Conditionally supporting the referral application complies with Regional Growth Strategy Bylaw No. 1336 and Joe Rich Rural Land Use Bylaw No. 1195 Section 4 – Part 10:

- Policy No. 10.2.8 “Encourage and support community groups and individuals seeking to establish trails or recreation facilities on Crown Lands apply for the appropriate tenure, consult with resource managers, and design for compatibility with varied resource development activities”; and,
- Policy No. 10.2.9 “Encourage and support provincial authorities to solicit the input and participation of local area residents in planning and decision making for activities on Crown Land that affect recreational access and opportunities”.

Background:

The Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (Recreation Sites and Trails Branch), proposes to construct, rehabilitate, and/or maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Graystokes Staging Area (REC257475) with Authorization under Sections 56 or 57 of the *Forest and Range Practices Act* (FRPA).

The Graystokes Staging Area was approved by the B.C. Forest Service in the mid 1980's to provide parking for the Graystokes Snowmobile Trails (REC32567) and has been acting as a staging area ever since. Additional constructed facilities include outhouses, signage, and a kiosk for trail users. The snowmobile trails are maintained through a partnership agreement with the Kelowna Snowmobile Club formally established under Section 56 of the FRPA on May 10, 2010.

Proposal

The purpose of this Crown land application is to designate the Graystokes Staging Area as a Parks and Recreation Facility to ensure proper maintenance and enforcement of regulations. No new activities or construction are planned for the area at this time.

The main watercourse adjacent to the proposed recreation site is Mission Creek within the Mission Creek watershed. The site will continue to be accessed off of Three Forks Road and Graystokes Forest Service Road via Highway 33.

Regional Growth Strategy Bylaw No. 1336

- Policy 3.2.4.5: “Promote community health and safety through investments in education, recreation, health, community development, social support, civic design, environmental design, maintenance and economic development”.
- 3.2.8: Our Ecosystems - Synopsis “The Region’s natural ecosystems will continue to face development pressures and it will be important for the Region to manage growth to balance the human need for resources, recreation, enjoyment and aesthetics with the need to protect, conserve and restore natural areas and biodiversity”.
- Policy 3.2.10.7: “Support the assessment of the social and economic benefits of arts, culture, tourism, and recreation amenities in decisions on land use”.

Site Context:

The subject Crown land is located within the Joe Rich Rural Land Use Bylaw No. 1195 and the proposed recreation site is not within any Development Permit areas.

Additional Information:

Applicant:	Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
Legal:	All that unsurveyed Crown land in the vicinity of District Lot 4086, Three Forks Road, and the Graystokes Forest Service Road, Osoyoos Division of Yale District
Area Size:	+/- 4.14 hectares (10.23 acres)
RLUB Designation:	Resource and Crown Lands
Existing Use:	Existing recreational uses (i.e. snowmobiling staging area)
Surrounding Uses:	Crown Land
A:L.R.:	Not within the A.L.R.
Fire Protection:	Not within an established Fire Protection Area

RDCO TECHNICAL COMMENTS:

Planning Services staff recommends support of the referral application as the recreation site intends to bring current uses into compliance with Provincial regulations. The proposed recreation site is located outside of RDCO prescribed development permit areas, as such; activities associated with the use of the recreation site should be monitored to ensure there are no negative environmental impacts.

Inspections Services staff advises that any future proposed construction, repair, and/or maintenance that falls within the scope of the B.C. Building Code requires a building permit from the Regional District of Central Okanagan.

RDCO Environmental Advisory Commission recommends support of the proposed referral application as presented.

Anecdotal Comments:

- Concerns regarding environmental impacts associated with the staging area such as litter, disturbance and noise to local wildlife in the area, fire risk from campfires, and abuse of off road vehicles on environmental features such as wetland destruction;
- A management plan and maintenance agreement should be developed for the staging area in association with the existing trails to address litter, and fuel disposal;
- The site and surrounding area would benefit from an annual spring clean-up; and,
- Signage should be posted at the site to include information on best management practices and reminders to leave the area litter-free.

AGENCY REFERRALS:

Black Mountain Irrigation District (BMID) recommends support of the proposed referral as the application intends to legalize and validate current land-use practice at the site that has been on-going for a number of years and brings the land use into compliance. BMID staff indicates no concerns with this referral application.

Interior Health Authority staff advises that there may be a significant output of sewage, including greywater, from the use of pit toilets and must comply with the *B.C. Sewerage System Regulation*. While an outhouse or pit privy is outside of IHA jurisdiction, it must be constructed in a manner which does not cause a health hazard. IHA staff further recommends that the activities within the watershed minimize impact to drinking water and ensure that the proposal is in compliance with the *Drinking Water Protection Act*.

Unaffected Agencies include the District of Lake Country, District of Peachland, City of Kelowna, City of West Kelowna, BC Hydro, Shaw Cable, Fortis B.C., Telus, and the Ministry of Transportation and Infrastructure.

Unaffected RDCO departments include Engineering Services, Inspection Services, Parks Services, and Fire Services.

External Implications:

Jurisdiction for approving the application lies with the Province of BC. FrontCounter BC did not advertise this application; it is noted that no formal RDCO notification process is required for Crown land referrals.

Alternative Recommendation:

THAT the Regional Board not support FrontCounter BC referral application No. 271128.

Considerations not applicable to this report:

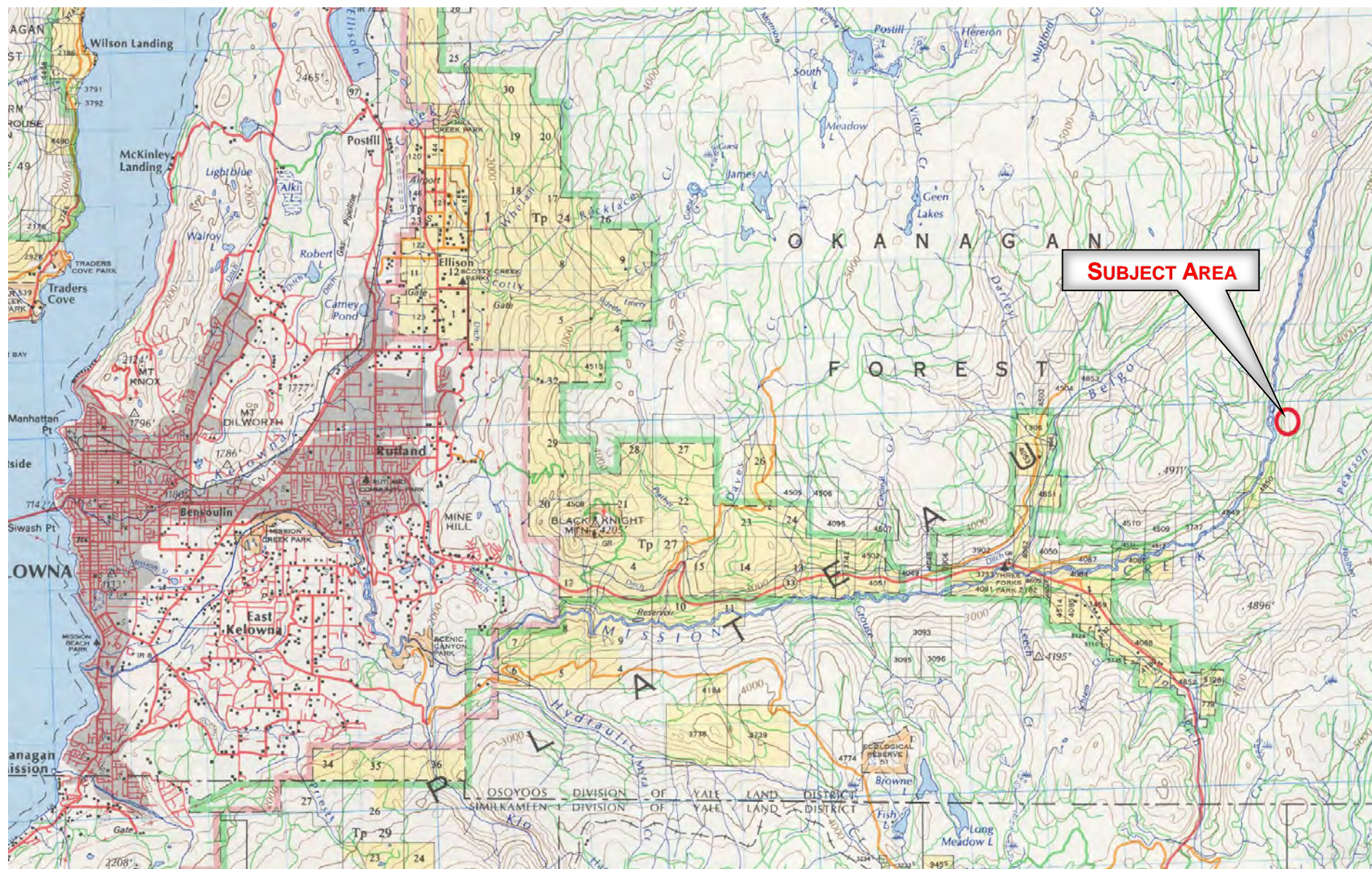
- *General*
- *Organizational*
- *Financial*

- *Legal/Statutory Authority*

Attachment(s):

- Appendix 'A' – Subject Area & General Location Map
- Appendix 'B' – Graystokes Staging Area Site photos

SUBJECT AREA






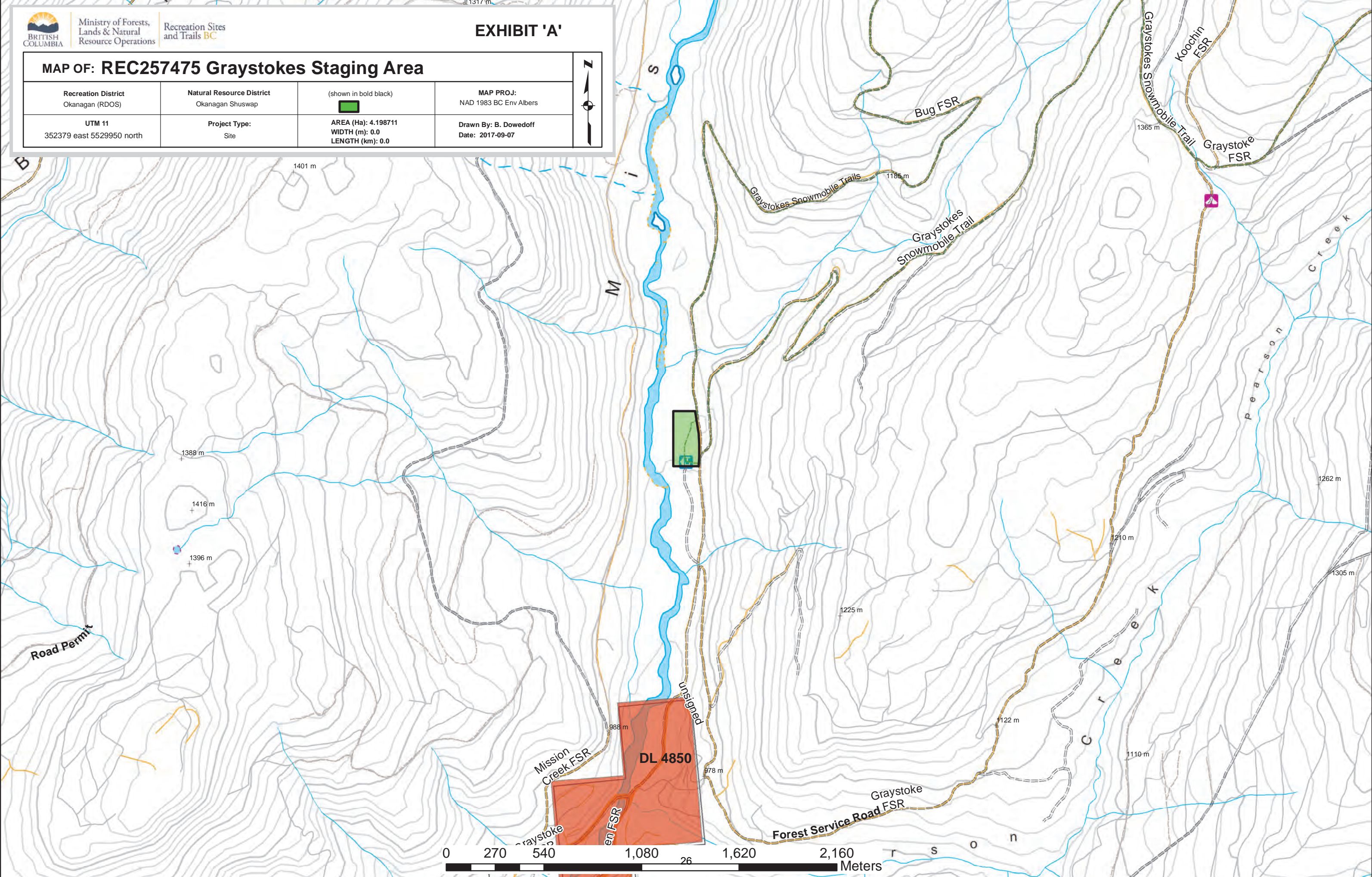
Ministry of Forests,
Lands & Natural
Resource Operations

Recreation Sites
and Trails BC

EXHIBIT 'A'

MAP OF: REC257475 Graystokes Staging Area

Recreation District Okanagan (RDOS)	Natural Resource District Okanagan Shuswap	(shown in bold black) 	MAP PROJ: NAD 1983 BC Env Albers
UTM 11 352379 east 5529950 north	Project Type: Site	AREA (Ha): 4.198711 WIDTH (m): 0.0 LENGTH (km): 0.0	Drawn By: B. Dowedoff Date: 2017-09-07







Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 29, 2019

SUBJECT: Temporary Use Permit (TUP-19-01)
Durali Properties Ltd. c/o J. Richard (agent)
5101 Upper Booth Road South
Central Okanagan East Electoral Area

Voting Entitlement: *Custom Vote – Electoral Areas and Kelowna Fringe Areas – 1 Director, 1 Vote*

Purpose: To consider issuance of a Temporary Use Permit to allow a Special Event, Gonzo Music Festival, to take place at Sunset Ranch Golf Club located at 5101 Upper Booth Road South on the evening of Friday, June 14, 2019.

Executive Summary:

A Temporary Use Permit has been requested to accommodate a music festival proposed to take place the evening of Friday, June 14, 2019. It is anticipated that up to 1,000 people may attend. In regards to land-use approvals, RDCO Control of Special Events Bylaw requires Regional Board approval for any Special Event anticipated to be attended by more than 500 people; therefore, a Temporary Use Permit is required. The Regional Board conditionally approved a similar Permit for the event organizers in 2018 (TUP-18-02); RDCO staff is not aware of any negative outcomes of that Permit.

The use is temporary in nature; the greatest potential for negative impacts to the surrounding area are noise and parking. Speakers will be placed away from major residential developments and nearby homes have been offered complimentary tickets. There is limited parking on site and the goal is to have most guests arrive via shuttle bus, taxi or transportation company. The music festival is expected to commence at 3:30 p.m. and conclude at 10:30 p.m.

At the time of writing this report, one letter of support has been received from a neighbouring property owner, and there are no agencies opposed to the proposal. The conditions listed in the Recommendation are based on comments received to date, as well as previous approvals granted by the Regional Board for similar events.

RECOMMENDATION:

THAT Temporary Use Permit TUP-19-01 for Durali Properties Ltd. to permit the June 14, 2019, Gonzo Music Festival (Special Event) to take place on part of Lot A, Plan KAP84569, Sec. 7, Twp. 24, ODYD - 5101 Upper Booth Road South be issued subject to the following conditions:

- Obtain Special Event Permit from Liquor and Cannabis Regulation Branch;
- Receive Royal Canadian Mounted Police sign-off on the Special Event;
- Obtain Temporary Food Service Permit from Interior Health Authority;
- The music festival to commence no earlier than 3:30pm and end no later than 10:30pm;
- No greater than 1000 people may reasonably be expected to attend;
- There be no changes to the proposed site plan or site footprint;
- All parking at Sunset Ranch Golf Club be contained on site;
- Receipt of a security deposit in the amount of \$5000.00 for the reimbursement of any costs which may be incurred by the Regional District, or other agencies (ie: RCMP) because of, and as a consequence of the Special Event; and
- Receipt of proof of \$5,000,000 full liability insurance (including a save harmless clause protecting the Regional District).

AND FURTHER THAT the Temporary Use Permit shall expire on June 14, 2019, at 11:00 pm and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.

Respectfully Submitted:



Todd Cashin
Director of Community Services

Approved for Board's Consideration



Brian Reardon, CAO

Prepared by: Janelle Taylor, Planner

Implications of Recommendation:

Strategic Plan:	Conditional Issuance of the Temporary Use Permit meets the 2015-2018 Strategic Priorities Plan <ul style="list-style-type: none"> • Strategic Priority #3: Nurture Responsible Growth and Development
Policy:	Conditional Issuance of the Temporary Use Permit complies with <ul style="list-style-type: none"> • Ellison Official Community Plan Bylaw No. 1124
Legal/Statutory Authority:	Part 14, Division 8 of the <i>Local Government Act</i> states that a local government may issue a temporary use permit which may allow a use not permitted by a zoning bylaw, specify conditions under which the temporary use may be carried on, and/or allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued. The permit may be issued for up to three years with the option of one renewal for an additional three years. Furthermore, a local government may require security to guarantee the performance of the terms of the permit.

Background:**Special Events History:**

There have been previous Temporary Use Permit (TUP) applications applied for to allow large concert events (in excess of 1,000 attendees) in the East Electoral Area. At time of considering these past TUP applications, the Board identified site constraints, concerns with access, emergency response services, and outstanding approvals/support required from all applicable agencies. Past applications have also required additional approval for non-farm use from the Agricultural Land Commission, as the land was within the Agricultural Land Reserve.

Project Description:

The applicant, in conjunction with Gonzo Okanagan, is requesting issuance of a TUP in order to hold a Special Event, Gonzo Music Festival and Golf Tournament, on Friday, June 14, 2019. Sunset Ranch Golf Club will be closed the day of the event to golfers and club patrons; only those attending the golf tournament and/or the subsequent music festival will be on site. The event is meant to raise funds for MusiCounts; a JUNO Awards associated charity which assists children to have access to music education.

First Phase

- Golf Tournament - 175 golfers.
- 10:00 a.m. to 3:30 p.m.

Second Phase

- Music Festival for those aged 19 years or older - 1000 people (including the tournament golfers).
- 3:30 p.m. to 10:30 p.m.
- Liquor (beer/wine) will be served from 3:30 p.m. to 9:30 p.m.
- Food and non-alcoholic beverages available for purchase.

In accordance with RDCO Control of Special Events Bylaw No. 80, the Temporary Use Permit is only required for the second phase (music festival) of the Gonzo Music Festival and Golf Tournament. Attached are the Description of Temporary Use Permit and two site plans.

The Regional Board conditionally approved a similar Permit for the event organizers in 2018 (TUP-18-02); just over 700 people attended the 2018 event and RDCO staff is not aware of any negative outcomes. Differences between the 2018 and 2019 events are minor in nature, such as a reduced number of attendees for 2019 (from 1200 to 1000), an earlier festival start time (from 5 p.m. to 3:30 p.m.), and a later festival end time (from 10:00 p.m. to 10:30 p.m.). The applicants rationalize that these changes are because

- The 2018 music festival had just over 700 people attend; therefore, 1000 people is a more reasonable expectation.
- The 2018 golf tournament took longer than expected and created a shorter than expected music festival; therefore, the 2019 golf tournament and music festival have both been adjusted to start earlier.
- Three local bands have been added to the music festival.
- The event is expected to wrap up at 10 p.m.; however, a 30 minute buffer has been scheduled in the case of technical problems.

Music Festival Noise

Speakers will be placed facing north, away from the major residential developments. Homes

located adjacent to the property and north of the event have been offered complimentary tickets to attend the festival.

Music Festival Security

The organizers are in the process of hiring licensed security guards; the RCMP will be involved in approving the security guard placement and duties through the Liquor and Cannabis Regulation Branch's Special Event Permit process. Furthermore, a minimum of 15 volunteer security/parking staff will be in attendance.

Parking/Transportation

There is limited parking on site; therefore, the event organizers' goal is to have almost every guest arrive via shuttle bus, taxi or transportation company. The plan is to advise guests to make alternative transportation arrangements instead of bringing a vehicle to Sunset Ranch.

The following are transportation options for attendees:

- Sunset Ranch Golf Course Parking (approximately 160 stalls).
- Shuttles between Sunset Ranch and OK Corral & Cabaret (a night club located within City of Kelowna at 1978 Kirschner Road - approximately 64 stalls).
 - A1 – 52 passenger buses will be used for shuttles. The number of buses will correspond with the number of anticipated passengers.
 - Golfers to leave OK Corral on the 8:30 a.m. and 9:00 a.m. shuttles to Sunset Ranch.
 - Music festival attendees to leave OK Corral on the 2:30 p.m. shuttle to Sunset Ranch.
 - Shuttles to leave Sunset Ranch at the end of the music festival to return to OK Corral.
- Taxi service, Your Driver, Let's Go Transportation, or personal drop off.
- Personal power carts (Sunset Ranch residents only) will have designated grass parking sites within the golf course.

To accomplish the organizers' goal, an option to purchase the shuttle service (\$10) at the same time as buying music festival tickets will be included on Gonzo Okanagan's website. In addition to communication regarding limited parking and the available shuttle service online, e-mails will be sent to all music festival guests who order tickets online about transportation options and limited parking, plus golfers will be encouraged to carpool to the OK Corral.

Ticket Sales

Tickets sales were launched on April 18 with a marketing campaign targeting the Ellison and Sunset Ranch developments. In recognition of the required approval from the Regional Board for the TUP, music festival organizers have only released 500 tickets for sale (the 175 golfers who will be attending the music festival are included within this number). Should the TUP be approved as requested, up to 1000 tickets in total will be made available.

Control of Special Events Bylaw:

The Regional District of Central Okanagan Control of Special Events Bylaw No. 80, as amended by Bylaw No. 100, requires Regional Board approval for any Special Event anticipated to be attended by more than 500 people.

Zoning Bylaw:

The subject property is zoned CD1(E) Comprehensive Development Zone (Sunset Ranch) – Golf Course. The principal permitted use is a golf course, with additional uses permitted in conjunction with the golf course.

Ellison Official Community Plan:

Section 17: Temporary Use Permits are permits to allow specific land uses to occur for a short period of time, and may be considered by the Regional Board in any Ellison Official Community Plan designations. Conditions may be applied to the permit, such as the buildings to be used, the area of use, the hours of use, and holding of security to ensure compliance.

Consideration of this permit is based upon the following general conditions:

- The use must be clearly temporary or seasonal in nature,
- The use should not create an unacceptable level of negative impact on surrounding permanent uses, and
- An outline provided of when and how the temporary use in that location will be concluded.

In this instance, the proposed use is clearly temporary in nature and the applicant has advised when the use will cease. The level of negative impact on surrounding permanent uses has been discussed within the following sections of this report: Project Description, Site Context, Agency Referral Comments, and External Implications.

Site Context:

The site is located in the vicinity of the Sunset Ranch Neighbourhood, within Central Okanagan East Electoral Area. There is potential for noise pollution and disturbance to adjacent property owners; according to RDCO GIS mapping, the area identified for the Music Festival's Main Stage is located approximately 110m to the nearest principal residence.

The subject property is +/- 48.10 ha (118.86 acres) in size; of this total, approximately 0.53 hectares (1.30 acres) are proposed for the Music Festival. The subject property is located within the Ellison OCP Bylaw No. 1124 and is affected by Aquatic Ecosystem and Multiple Unit and Intensive Residential Development Permit Areas. Scotty Creek runs through Sunset Ranch Golf Course; however, the Music Festival is proposed to be located north of the Creek. Development Permit provisions have not been triggered by this application.

Additional Information:

Owner:	Durali Properties Ltd.
Agent:	Jeff Richard
Address:	5101 Upper Booth Road South
Legal Description:	Lot A, Plan KAP84569, Sec. 7, Twp. 24, ODYD
Area of Land Affected for Music Festival:	+/- 0.53 hectares (1.30 acres)
Zoning:	CD1(E) Comprehensive Development Zone (Sunset Ranch) – Golf Course
OCP Designation:	Private Recreation
Event Sewage Disposal:	8 portable washrooms and 1 handicap washroom.
Event Water Supply:	Staff will be serving beverages, including water. Sunset Ranch is serviced by Sunset Ranch Utility.
Existing Use:	Sunset Ranch Golf Course
ALR:	Outside of the ALR
Fire Protection:	Within Ellison Fire Protection Area
Surrounding Uses:	
North	Sunset Ranch Residential Community/Agriculture
South	Sunset Ranch Golf Course / Residential
East	Sunset Ranch Residential Community
West	Agriculture/Elementary School/Residential (Scotty Creek Road Subdivision)

TECHNICAL COMMENTS:

RDCO Parks Services, Inspection Services, Environmental Services and Fire Services staff indicates that their interests are unaffected.

AGENCY REFERRAL COMMENTS:

City of Kelowna staff indicates that there are no major concerns regarding this application, provided that the applicant ensures that they comply with City of Kelowna parking and noise bylaws pertaining to activities occurring within Kelowna. Should this event become an annual occurrence, further planning may be warranted.

Ministry of Agriculture notes concern regarding the impact of traffic, parking and noise on neighbouring and adjacent Agricultural Land Reserve properties; however, continued successful promotion of the use of shuttles should help alleviate the traffic and parking concerns. The applicant is encouraged to continue to have dialogue with the neighbours and explore how negative impacts may be alleviated; providing notification to surrounding agricultural properties may assist them in planning their activities to minimize any potential conflicts.

Ministry of Transportation & Infrastructure advises that they have no concerns with the proposed event subject to all parking for the event being contained on site.

Liquor and Cannabis Regulation Branch notes that a Special Event Permit is required to provide liquor. At this time, the Branch does not have concerns regarding the event.

RCMP indicates that they are satisfied with the event planning; the 2018 security numbers were satisfactory and the event was well run with no issues. RCMP staff will be involved in approving the Liquor and Cannabis Regulation Branch's Special Event Permit for the event's liquor requests.

Interior Health Authority advises that their interests are unaffected from a healthy community development perspective; however, a Temporary Food Service Permit is required to offer food service for the event.

FortisBC indicates that there are primary distribution facilities along Upper Booth Road and west of the proposed Temporary Use Permit area as shown on the plans provided. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required. Otherwise, FBC(E) has no concerns with this circulation.

BC Hydro notes that their interests are unaffected.

External Implications:

In accord with provision of the *Local Government Act*, notice of the application was published in the local newspaper. Furthermore, Notice of Application signs were posted and notification forwarded to all property owners located within 100 metres of the subject property in accordance with the Development Applications Procedures Bylaw No 944.

At the time of writing this report, one letter of support has been received from a neighbouring property owner. RDCO Planning staff has not received telephone calls or counter inquiries regarding the event.

Alternative Recommendation:

Should the Board choose not to support the staff position, the following alternate recommendation is provided:

THAT Temporary Use Permit TUP-19-01 for Durali Properties Ltd. to permit the June 14, 2019, Music Festival (Special Event) NOT be issued.

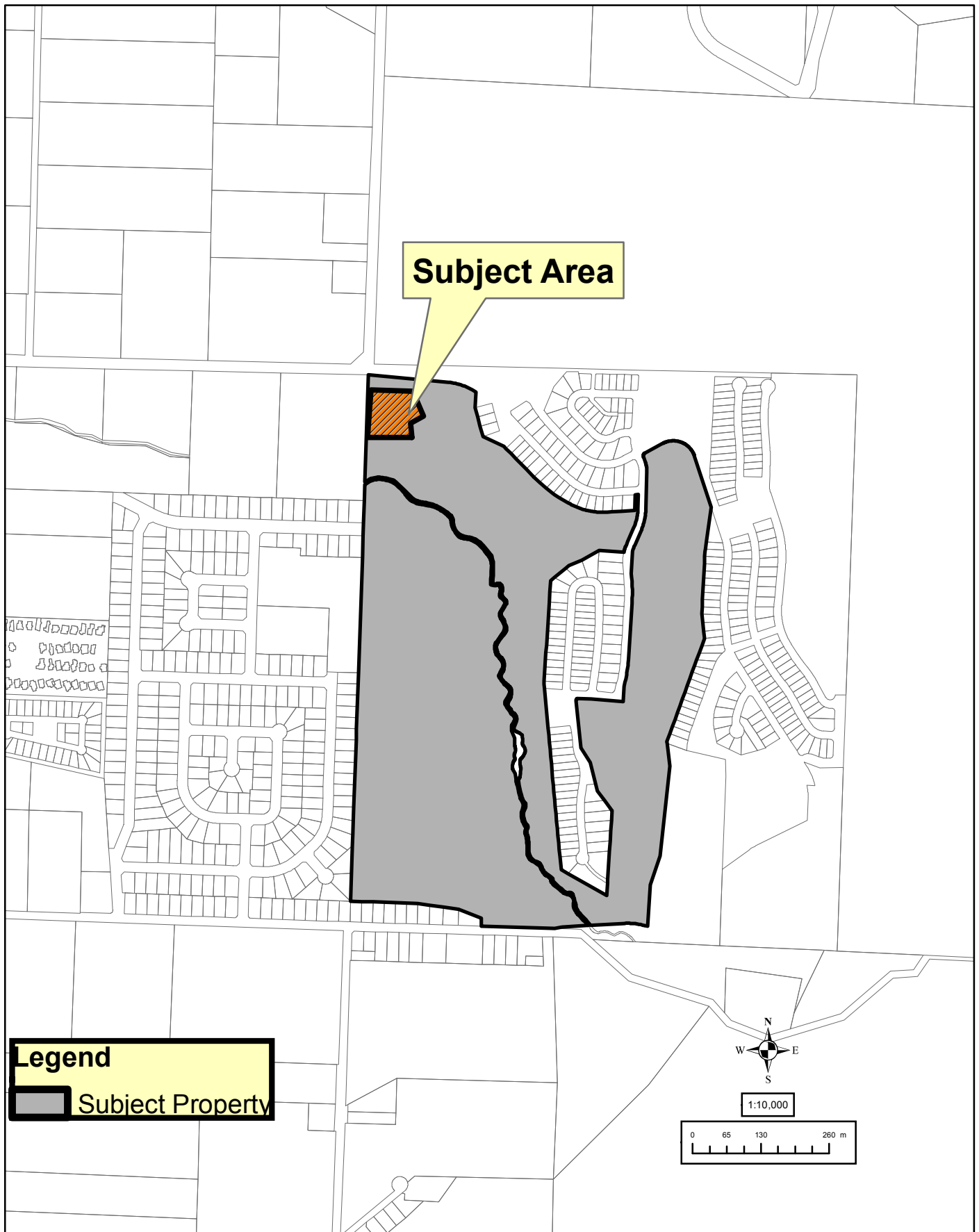
Considerations not applicable to this report:

- *General*
- *Financial Considerations*
- *Organizational Issues*

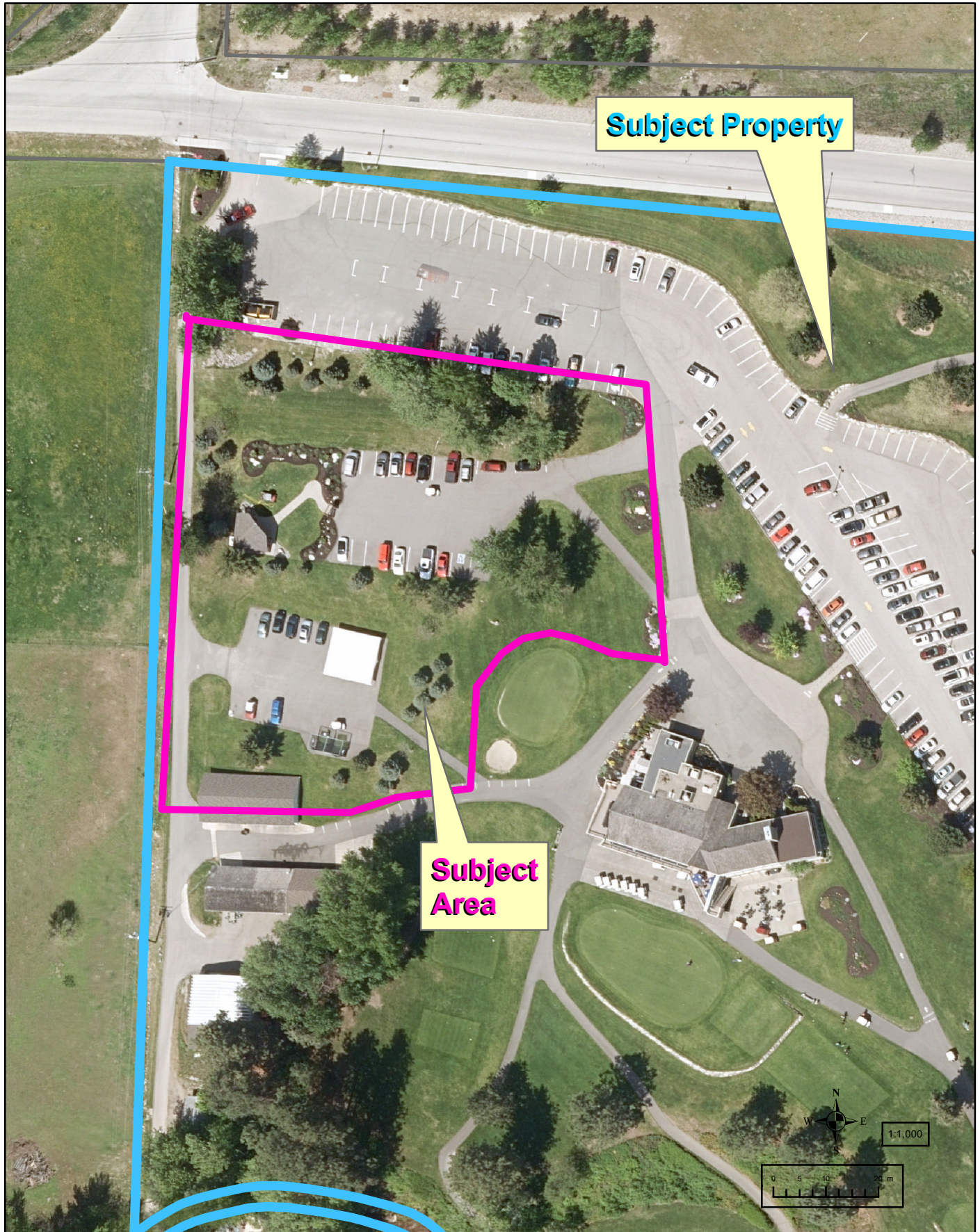
Attachment(s):

- RDCO Subject Property & Orthophoto Maps
- Site plans, received February 21, 2019
- Description of Temporary Use Permit, received February 21, 2019
- CD1(E) Comprehensive Development Zone (Sunset Ranch) – Golf Course, Zoning Bylaw No. 871
- Letter of Support

SUBJECT PROPERTY



ORTHOPHOTO







Conditions of Proposed Area:

Some conditions of the area include:

The site will measure 5250 square meters or approx. 61,000 square feet. The will allow roughly 61 square feet per person making the grounds very large to accommodate this size of group.

Outside the fenced festival grounds will be main clubhouse. The main clubhouse will be used for:

- Volunteer Staging Area
- Artist Dressing Room and Staging Rooms
- Security Staging Area
- Accountant and Cash Offices
- Intoxicated person rest area and safe ride home communication center
- Additional Medical Station will be available in the clubhouse should the need occur.

The 2 main parking lots at Sunset Ranch will be used for guest parking, however since shuttle buses are being supplied, we expect parking once again to not be an issue. We once again will be targeting a market within the Sunset Ranch and Ellison communities with walking to the festival preferred.

Inside the festival grounds, we will have Food and Beverage Sales Stations, our First Aid Station and BBQ Station. Pepsi will once again be on board as our designated driver program offering non-alcoholic drinks to drivers.

Once the last act, Sunset Ranch and security will ensure guests are safely getting on shuttles, taxis or have a DD to drive them home.

We have planned to shut liquor service down at 9:30pm with music ending at 10:30pm.



Description of Temporary Use Permit:

Similar to the permit drawn in 2018, Sunset Ranch Golf Course is applying for a Temporary Use Permit for the event hosted by Gonzo Okanagan and Sunset Ranch Golf Course. This one day Music Festival and Golf Tournament will be held on June 1th 2019 with proceeds going to benefit Children in need. Last year this event raised over \$10,000 in cash and gifts for the needy family.

There are 2 components to this event; the first is a golf tournament beginning at 10:00am with approx. 175 golfers and volunteers. The second portion of the event is a music festival on the proposed grounds indicated on map 1

The musical festival portion will have the 175 golfers and volunteers plus an additional 825 tickets for sale for a total of 1000 guests. We have reduced the number from 1200 to 1000 for this season. Last year we had just over 700 people attend. As we expect to see about 700 guests again this season, we would like to apply for up to 1000 guests incase ticket sales increase in the second year!

Our committee running the event is all in tact from 2018 and are excited to continue to make this fundraiser a first-class event once again.

With the proposed application we have confirmed the following details:

Date: Friday June 14th 2019

- Time: Golf Tournament 10am – 3:30pm
- Music Festival 3:30pm – 10:30pm
- Liquor Service in Festival 3:30pm to 9:30pm

Minors:

Once again there will be no minors permitted inside the grounds. Hired Security Staff will be checking ID's. No guests under the age of 19 will be permitted in the grounds

Fencing:

6Ft High Metal Fencing has once again been ordered from Super Save that will encompass the entire festival grounds except for our property line on the west side of the grounds where our chain link fence will be used.

Security

Sunset Ranch will retain the same number of hired security guards as 2018, and will wait for recommendations from the RCMP and BC Liquor regarding the amount of guards required.



Entrances and Exits

The festival will have one main entrance and exit for guests to enter the grounds and will be controlled by hired security guards. Staff, Volunteers and guests will use this as their main gate. No outside alcohol will be allowed in the main grounds. 2 additional manned emergency exits will be available for emergencies only. Musicians will have a separate access to backstage areas. Lawn chairs will be allowed, but no large backpacks will be allowed.

Good Neighbor Policy

Sunset Ranch has always had a good neighbor policy with the Ellison Community. We strive to keep the noise down and will continue to do so with this event. Many of the neighbors really enjoyed the festival last year and we never had any negative comments. We offered a few houses in the surrounding area some complimentary tickets to enjoy the show last year and we plan on doing the same this year. We also have positioned the stage and speakers away from any houses and more towards agricultural lands.

Medical:

Same as 2018, Sunset Ranch will have a medical tent staffed with Registered Nurse. In 2018 we had only 1 medical incident where a lady injured her wrist. Our Medical areas comes equipped with full first Aid Kits as well as an AED Machine.

Intoxicated Persons:

Sunset Ranch Management along with its volunteers and hired security personnel will be responsible for removing intoxicated persons from our facility. Intoxicated guests will be taken to a staging area in the main clubhouse to arrange safe transportation home. We will be working with local taxi services to have cars onsite to take guests home.

Responsible beverage service:

Once again for 2019 all serving staff will have serving it right responsible beverage certification. To be employed at Sunset Ranch as part of its Food and Beverage Team you must have Serving it Right.

Parking and Transportation:

In 2018 we thought parking and transportation was going to be a big issue. We were incredibly satisfied with the way our patrons took advantage of the Carpools, shuttles and being dropped off. We had over 700 guests and we were able to easily accommodate all vehicles in our grounds. As we will continue to push the no cars allowed theory at Sunset Ranch we hope more people will take advantage of Taxis, Shuttles and being dropped off at our facility.



Liquor Service:

Liquor service will commence at 3:30pm and will stop at 9:30pm – 1 hour prior to the conclusion of the event. Guests will have a choice of Canned Beer, Wine, Apple Cider and Mixed Spirits. No outside Alcohol will be permitted and alcohol will not be allowed to leave the grounds.

Food Service:

Once again Sunset Ranch will be supplying the food for the event. After working closely with IHA last season on a menu that will be suitable for a group of this size, we once again will be offering a simple menu of precooked products such as Burgers, Hot Dogs, Salads and Confectionary types of items like popcorn, licorice chips and snacks. We will be working with Sysco Kelowna and looking to highlight as many local products as possible this year.

We will also once again have BBQ's, and handwashing stations on site for the staff.

Washrooms:

We can confirm once again that we have reserved 6 portable washrooms to be on site at the same location as 2018. We had no shortages of bathroom in 2018.

Designated Driver Program:

Pepsi Co. has once again agreed to donate products to guests who want to act a driver. They will be offered complimentary soft drinks and water



CD-1 (E) Golf Course

1. Permitted Uses

Golf course

2. Additional Permitted Uses

(The following uses are only permitted in conjunction with an existing golf course):

Driving range

Clubhouse, including:

- a) Eating and drinking establishments
- b) Meeting rooms
- c) Pro Shop
- d) Offices for golf course
- e) Change rooms

Accessory uses that are ancillary to the above noted permitted uses

3. Development Regulations

All development will occur in conformance to the following regulations table:

REGULATIONS TABLE FOR CD-1(E) DESIGNATION	
Column 1	Column 2
Minimum front setback	4.5 m (14.8 ft.)
Minimum side setback	3.0 m (9.8 ft.)
Minimum corner side setback	4.5 m (14.8 ft.)
Minimum rear setback	3.0 m (9.8 ft.)
Minimum setbacks from A1 Zone	15.0 m (49.2 ft.) [see section 3.11]
Maximum parcel coverage	35% of the parcel area
Maximum building height:	9.0 m (29.5 ft.)

Janelle Taylor

From: Nancy Young <yougnancy17@gmail.com>
Sent: Tuesday, April 09, 2019 9:08 AM
To: RDCO Planning Services
Subject: File: TUP-19-01

Morning,

Regarding file number TUP-19-01, I am all for a music festival at Sunset Ranch Golf & Country Club, on one condition... if Jon Bon Jovi is performing, I MUST be in attendance. Make it happen people!!

Thanks & have a great day!

Nancy Young



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 29, 2019

SUBJECT: Extension Request for Application File No. Z18/01
OCP Amendment Bylaw No. 1274-06 & Zoning Amendment Bylaw No. 871-246
C. Roy (owner) c/o Kent-Macpherson (agent)
6972 Barcelona Drive East
Central Okanagan West Electoral Area

Voting Entitlement: *Custom Vote - Electoral Areas – 1 Director, 1 Vote*

Purpose: To consider a request for a one-year extension for an application proposing to amend the Official Community Plan and Zoning Bylaws.

Executive Summary:

The Regional Board has not yet considered the above noted application due to the absence of Ministry of Transportation and Infrastructure support for the intent of the associated bylaw amendments, which is to allow a six-lot subdivision. The development's proponents advise that they are working to satisfy Ministry of Transportation and Infrastructure's concerns; therefore, they have requested a one-year extension for Application Z18/01.

RECOMMENDATION:

THAT the Regional Board approve a one-year extension for File No. Z18/01 (OCP Amendment Bylaw No. 1274-06, Zoning Amendment Bylaw No. 871-246).

Respectfully Submitted:

Todd Cashin
Director of Community Services

Approved for Board's Consideration

Brian Reardon, CAO

Prepared by: Janelle Taylor, Planner

Implications of Recommendation:

Policy: Approval of the extension complies with Development Applications Procedures Bylaw No.944

Background:

To date, the amending bylaws have not been considered by the Regional Board due to the absence of Ministry of Transportation and Infrastructure (MOTI) support for the proposed subdivision. The development's proponents advise that they are working to satisfy the concerns outlined in MOTI's November 21, 2018 letter (see attached), and that they anticipate completing this work over the next few months (see attached Request for Extension).

Project Description:Current Land Use:

The property is developed with one single detached house and an accessory building (non-residential). Water is supplied via Okanagan Lake and is serviced by a septic tank. The future land use designation for the property is identified as Commercial Resort, which is the same OCP designation as the adjacent La Casa development. The property is bisected by Westside Road, which was recently updated as a part of MOTI's La Casa to Muir Road - Westside Road Improvement Project. The property's current land use is RU1 Rural 1, which does not allow for subdivision.

Proposal:

1. To amend the Official Community Plan future land use designation on the subject property from Commercial Resort to Large Holdings; and
2. To rezone the site from RU1 Rural 1 to RU2 Rural 2.

In accordance with the bylaw amendments, the applicant proposes a subdivision of six rural residential properties. Servicing methods would remain unchanged (e.g. Okanagan Lake and septic). The applicant has submitted a concurrent subdivision application to Ministry of Transportation and Infrastructure (File: 2018-02209).

Development Applications Procedures Bylaw:

Applications that have not been approved or rejected within twelve (12) months after the application date will be of no force and effect. Unless the Regional Board passes a resolution to extend the deadline up to one-year, a new application will be required in order to proceed.

Organizational/Financial Issues:

The extension request was submitted and processed in accordance with requirements of RDCO Development Application Procedures Bylaw No. 944, including payment of the required fee.

Conclusion:

In recognition that the application expires on May 1, 2019, and the proponent has advised that they are actively working with MOTI, Planning staff supports an extension of the OCP/Zoning amendment application. In the event that the extension request is not approved by the Regional Board, the RDCO application will be closed and the land use will continue as permitted under the RU1 Rural 1 zone.

Alternative Recommendation:

THAT the Regional Board not approve a one-year extension for Application File: Z18/01.

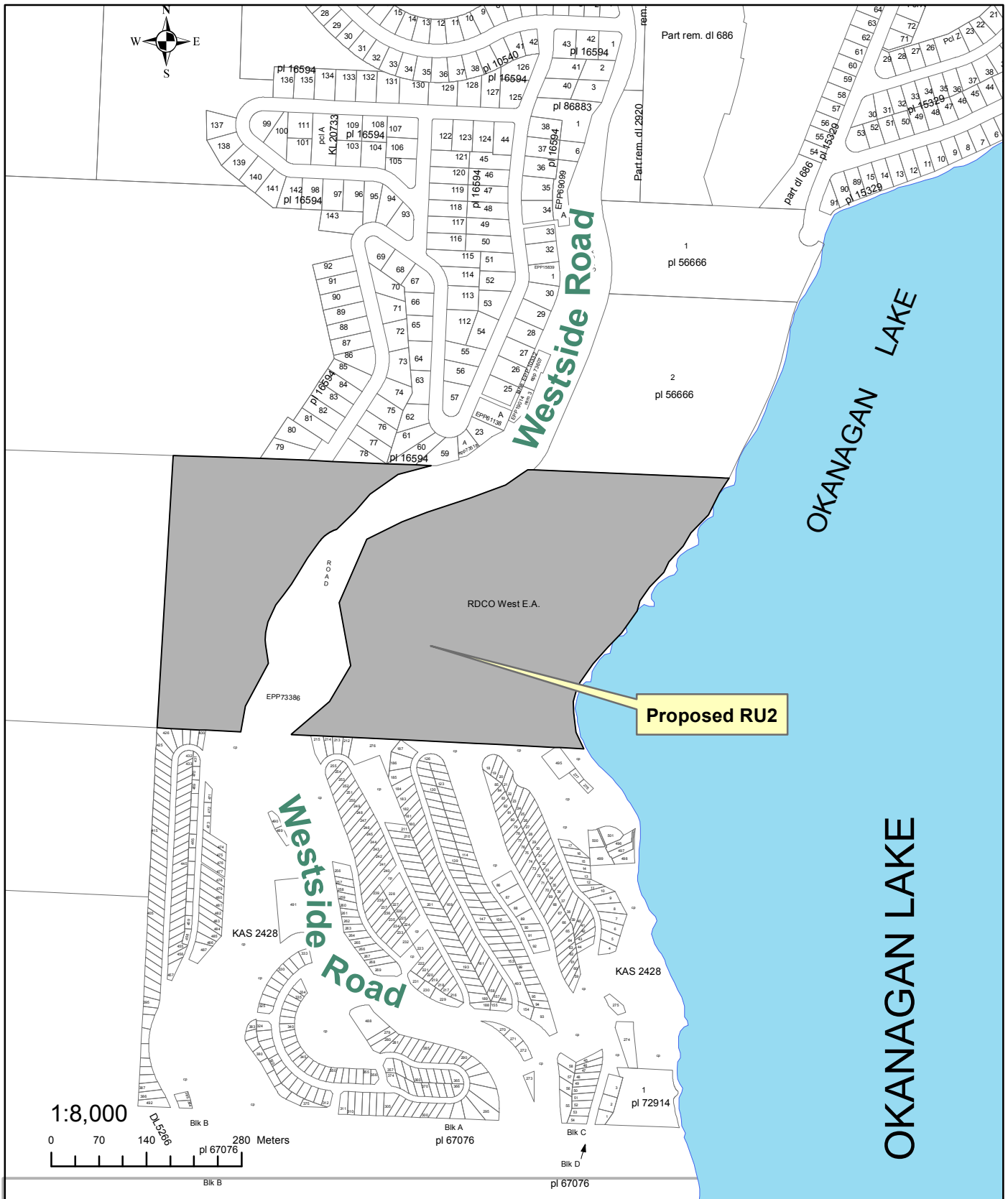
Considerations not applicable to this report:

- *Strategic Plan*
- *General*
- *Legal/Statutory Authority*
- *External Implications*

Attachment(s):

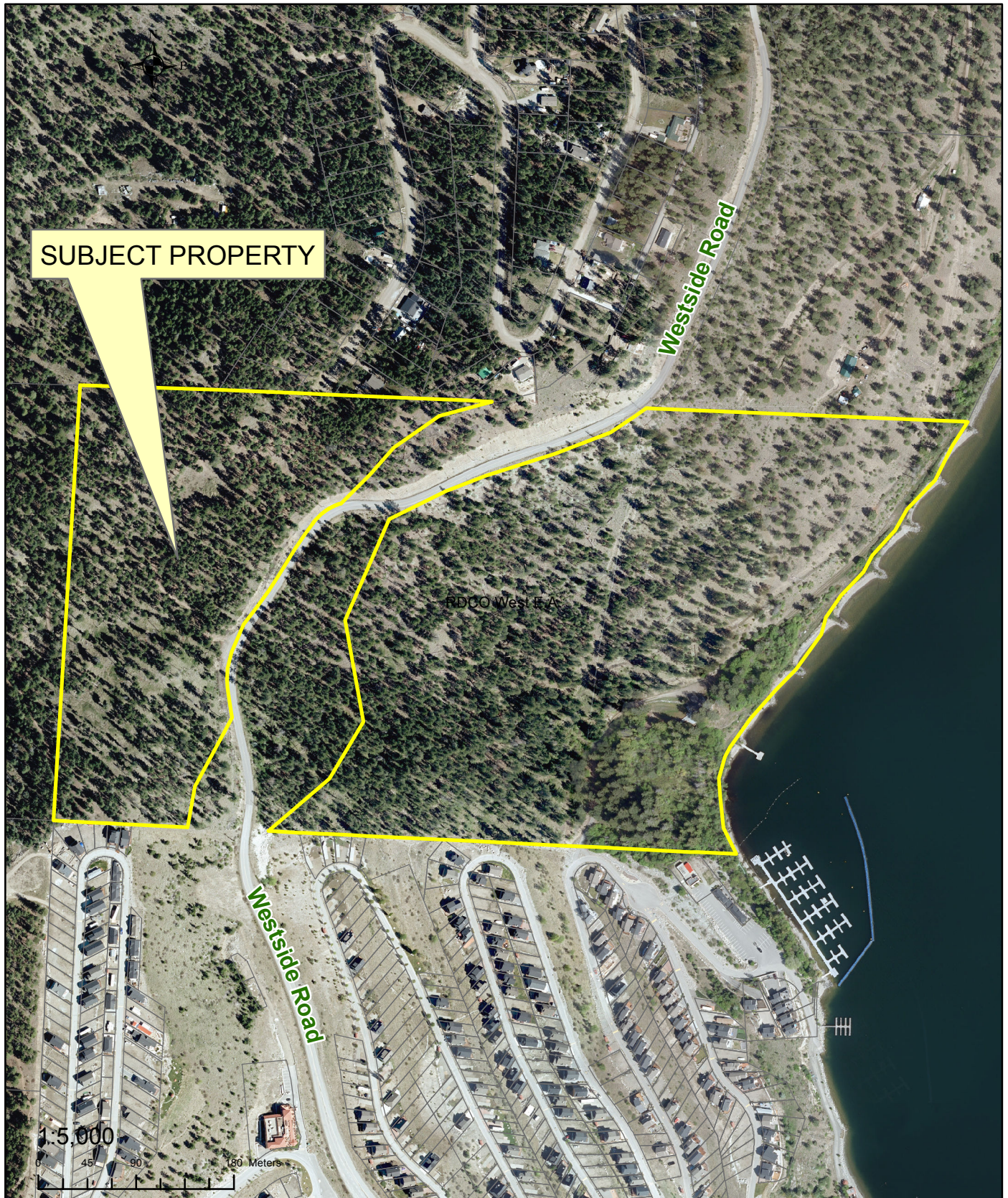
- Schedule 'A' & Orthophoto Maps
- Request for Extension - April 12, 2019
- Ministry of Transportation and Infrastructure Correspondence - November 21, 2018.

SCHEDULE 'A'



I hereby certify this to be a true and correct copy of Schedule 'A' as described in Bylaw No. 871-246 and read a third time by the Regional District of Central Okanagan on the _____ day of _____

ORTHOPHOTO



File: Z18/01

Drawn by: CB

Date: May 7, 2018

DL 3849, ODYD, Except that part lying South of a boundary parallel to and perpendicularly North 1300 feet from the South Boundary except plan EPP73386



Kent Macpherson

April 12, 2019

RDCO File: Z18/01

Regional District of Central Okanagan
1450 KLO Road
Kelowna, BC V1W 3Z4

Attention: Janelle Taylor, Planner, Regional District of Central Okanagan

**Re: Zoning Amendment Application – District Lot 3849, ODYD, except that part lying south of a boundary parallel to and perpendicularly north 1300 feet from the south boundary except plan EPP73386 – 6972 Barcelona Drive E.
Regional District of Central Okanagan, British Columbia**

Please accept this letter as our request for an extension for File Z18/01 regarding the rezoning of land from Rural 1 (RU1) to Rural 2 (RU2).

We are continuing to work with the Ministry of Transportation and Infrastructure with respect to comments made in the letter dated Wednesday, November 21, 2018. We have engaged CTQ engineering to help answer any engineering question as MOTI's PLNA is based on a technical access requirement.

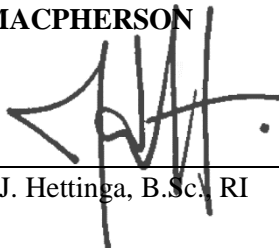
Having MOTI meet with our consultants has been more time consuming than anticipated, but we hope to have this completed in the next few months. As we continue to work on this file, we would request that we be granted an extension for 12 months.

If you have any questions pertaining to this file, please do not hesitate to contact us.

Sincerely,

KENT-MACPHERSON

Per:



J. Hettinga, B.Sc. RI



Chris Roy;
c/o Kent-Macpherson
Jordan Hettinga

eDAS File #: 2018-02209
Date: Nov/21/2018

Re: Proposed Subdivision of:

**PID: 011-419-431, DL 3849 ODYD EXCEPT THAT PART LYING SOUTH OF A
BOUNDARY PARALLEL TO AND PERPENDICULARLY NORTH 1300 FEET
FROM THE SOUTH BOUNDARY EXCEPT PLAN EPP73386**

6972 Barcelona Drive E, Kelowna

Your proposal for a 6 lot Conventional subdivision has not been given preliminary approval by the Provincial Approving Officer for the following reasons:

- a. The Approving Officer considers that the land within your proposal may be subject to natural hazard(s) such as, but not limited to, flooding, erosion, land slip or avalanche. If the risk to persons and/or property is too great your proposal could be refused. If you wish to explore this aspect further, you should engage a Qualified Professional, registered with the Engineers and Geoscientists of BC (EGBC), to advise you.

For assessing landslide hazards the professional shall follow the most recent version of the EGBC Guidelines for Legislated Landslide Assessments for Residential Developments in BC and include the Appendix D: Landslide Assessment Assurance Statement, duly executed, with any report. Please note that for the purposes of that Appendix D statement, the province of British Columbia does not have an adopted level of landslide safety. Also, the report must be provided for the approving officer to refer to and retain in the record of the approval decision.

For assessing flood hazards the professional shall follow the most recent version of the EGBC Guidelines for Legislated Flood Assessments in a Changing Climate in BC and include the Appendix J: Flood Hazard and Risk Assurance Statement, duly executed, with any report. Please note that for the purposes of that Appendix J statement, the province of British Columbia does

Local District Address
Vernon Area Office 4791 23rd Street Vernon, BC V1T 4K9 Canada Phone: (250) 503-3664 Fax: (250) 503-3631

not have an adopted level of flood hazard or flood risk tolerance. Also, the report must be provided for the approving officer to refer to and retain in the record of the approval decision.

The Approving Officer could consider a subdivision plan at risk from an event, based upon a specific probability of occurrence of that event. When quantifying the frequency of occurrence of natural hazards, the Qualified Professional must distinguish between two different types of events: damaging events and life-threatening events.

When considering damaging events only, unless otherwise specified, a probability of occurrence of 1 in 475 years (10% probability in 50 years) for individual landslide hazards should be used as a minimum standard. This value is the probability of the damaging event occurring. The qualified professional is to identify the run-out extent, or area of influence, of the event.

Where the damaging event is a flooding hazard, a probability of occurrence of 1 in 200 years should be used as a minimum standard.

Where the damaging event is a snow avalanche hazard, a probability of occurrence of 1 in 300 years should be used as a minimum standard.

Where life-threatening catastrophic events are known as a potential natural hazard to a building lot the Qualified Professional is to consider events having a probability of occurrence of 1 in 10,000 years and is to identify areas beyond the influence of these extreme events.

Large scale development must consider the same 1:10,000 year events and must also consider the total risk to the new development. When the total risk approach is used, international standards must be identified. The consultant should clearly identify the calculation procedures used.

If there are any questions regarding terms of reference, please ask your Qualified Professional to contact us. Please submit one digital and four paper copies of any report.

- b. The proposal does not offer compliance with Section 75 of the Land Title Act in regards to highway access to all parcels. Access to proposed lots 1 to 4 does not appear feasible from Westside Road due to the steep terrain.

The sketch plan of subdivision shows an access easement providing access to the proposed lots. Access by easement does not satisfy Section 75 of the Land Title Act. In addition, if the use of the Land Title Act Regulation 334/79 regarding alternate access is being contemplated, the proposal does not appear to fit the regulation.

If you submit engineered drawings showing feasible access to all lots (a building site) from Westside Road, the information would be considered. It must also be considered that Westside Road is a Controlled Access highway

and the Ministry does not support 4 individual direct access,

For further consideration, please submit a revised layout showing access to all new lots taking into consideration the two matters outlined above.

- c. Provincial records indicate that development associated with this application may be in conflict with archaeological sites protected under the Heritage Conservation Act. It should be noted that there are two sites identified as Borden Number: EaQv-12 and EaQv-7 within the subject property.

Therefore, the Provincial Approving Officer requires that as a condition of PLA, the applicant hire a qualified archaeologist to determine the need for an archaeological impact assessment of the subject property. The purpose of the archaeological impact assessment would be to accurately identify the location(s) of the known archaeological site(s), to record any additional sites that may be present, and to recommend any action that may be needed to manage archaeological values in conflict with future development. This might include the placement of covenants to ensure that such sites are not disturbed without proper authorization from the Archaeology and Registry Services Branch.

If the archaeologist determines that an archaeological impact assessment is not required, the archaeologist must forward a written statement to this office with a c.c. to the Archaeology and Registry Services Branch containing the reasons for eliminating this requirement.

If the archaeologist determines that an archaeological assessment is required, you should be aware that applications for Heritage Conservation Act permits take in the order of 6 weeks to process. This includes allowance for a 30 day comment period from local First Nation(s). Processing time can be shortened accordingly if, at the time of application, supporting letter(s) are received from local First Nations.

Information on archaeological consultants may be obtained by calling the B.C. Association of Professional Consulting Archaeologists at 250-478-4972 or by checking their web site (<http://www.bcapca.bc.ca/>). Archaeological consultants are also listed in the Yellow Pages.

- d. Compliance with Section 75 (1)(c) of the Land Title Act, regarding access to water being Okanagan Lake. It appears 2 lake accesses are required to be in compliance with the Act.
- e. Pursuant to Section 75 (1)(a) and (b) of the Land Title Act (access to lands beyond), applicant shall provide a 20 metre wide access to the Unsurveyed Crown Land to the West of the subject property, (dedication only). If relief is being sought from this requirement, applicant to submit written request with reasons to this office for consideration.

- f. The Ministry has not received written confirmation from the Regional District of Central Okanagan stating that this proposal can comply with all their subdivision servicing and zoning bylaws. Their letter dated May 8, 2018 confirms that the ongoing rezoning and OCP amendment process is a requirement of subdivision.

Should the above reason(s) be overcome additional conditions must be met before approval of the subdivision will be considered. These include but are not limited to:

1. Compliance with all applicable bylaws regulating the subdivision of land and zoning, of the Regional District of Central Okanagan. Their letter outlining their requirements is forthcoming. The applicant is encouraged to discuss applicable bylaw requirements with the regional district. The regional district will advise us when compliance is complete.
2. Provision of a suitably worded covenant, regarding the land which may be subject to flooding, registrable under Section 219 of the Land Title Act in favour of Her Majesty The Queen in right of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure and the Regional District of North Okanagan.. Covenant to be registered with priority over any financial charges.
3. Written confirmation from British Columbia Hydro stating compliance with their request to modify the existing Statutory Right-of-way agreements. See attached email.

Please note that addressing all of the above will not automatically bring approval. Also, at any time changes in acts, regulations, bylaws or policy may make this review invalid. Therefore, it's recommended that you obtain a preliminary layout approval before proceeding with your proposal. A new application may be required.

If you have any questions or wish to set up an appointment please do not hesitate to call Desiree Lantenhammer at (250) 503-8963.

Please quote file number 2018-02209 when contacting this office.

Signed on behalf of Provincial Approving Officer
by



Desiree Lantenhammer, BSc
Development Approvals Technician

cc: Regional District of Central Okanagan