



REGIONAL DISTRICT OF CENTRAL OKANAGAN  
REGULAR BOARD MEETING  
AGENDA

Monday, February 24, 2020  
7:00 p.m.  
Woodhaven Board Room  
1450 K.L.O. Road, Kelowna, BC

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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 - February 13, 2020**

4 - 9

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

Recommended Motion:

THAT the Regional Board meeting minutes of February 13, 2020 be adopted.

5. CORRESPONDENCE

5.1 **Sterile Insect Release Board - Appointment to the SIR Working Group on Apportionment**

10 - 15

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

Recommended Motion:

THAT the Sterile Insect Release letter of January 31, 2020 regarding appointments to the SIR Working Group on Apportionment be received.

## 6. COMMUNITY SERVICES

### 6.1 **Agricultural Advisory Commission Appointments** 16 - 18

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

Recommended Motion:

**THAT** the Regional Board approve the appointment of Megan Ludwig as a member of the Agricultural Advisory Commission for a three-year term (February 2020 – February 2023).

Recommended Motion:

**THAT** the Regional Board approve the re-appointment of Andreas Wins-Purdy and Leo Gebert to three-year terms as members of the Agricultural Advisory Commission (February 2020 – February 2023).

### 6.2 **Okanagan Basin Water Board - Water Conservation and Quality Improvement Grant** 19 - 29

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

Recommended Motion:

**THAT** the Regional Board endorse the following application for the Okanagan Basin Water Board - Water Conservation and Quality Improvement Grant Program:

- Regional District of Central Okanagan – Source Protection Plan Study on the septic impacts on Okanagan Lake water quality - \$16,020.00

### 6.3 **Development Variance Permit - 571 Mountain Drive (VP-19-09)** 30 - 52

Kelly Armstrong (owner), Lot 121, District Lot 3688, ODYD, Plan 26101, Central Okanagan West Electoral Area

*(Custom Vote - Electoral Area Directors - 1 Director, 1 Vote)*

Chair to invite anyone who deems their property affected by the variance to address the Board.

Recommended Motion:

**THAT** Development Variance Permit Application VP-19-09 for 571 Mountain Drive not be approved.

### 6.4 **Zoning Amendment Bylaw No. 871-257 - Adoption** 53 - 58

*(Custom Vote - All Directors - Simple Majority, 1 Director, 1 Vote)*

Recommended Motion:

**THAT** Zoning Amendment Bylaw No. 871-257 be adopted.

### 6.5 **Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 - Adoption** 59 - 64

*(Custom Vote - Electoral Areas and Kelowna Fringe - Simple Majority - 1 Director, 1 Vote)*

Recommended Motion:

**THAT** Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 be adopted.

7. NEW BUSINESS

7.1 **Community Emergency Preparedness Fund: Emergency Social Services Grant Application**

65 - 67

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

Recommended Motion:

**THAT** the Regional Board supports submitting a \$25,000 grant application under the Union of BC Municipalities – CEPF for the region’s Emergency Support Services program.

8. DIRECTOR ITEMS

9. ADJOURN

**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, February 13, 2020**

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- Directors: J. Baker (District of Lake Country)  
M. Bartyik (Central Okanagan East Electoral Area)  
W. Carson (Central Okanagan West Electoral Area)  
M. DeHart (City of Kelowna)  
G. Given (City of Kelowna)  
C. Hodge (City of Kelowna)  
S. Johnston (City of West Kelowna)  
G. Milsom (City of West Kelowna)  
B. Sieben (City of Kelowna)  
L. Stack (City of Kelowna)  
L. Wooldridge (City of Kelowna)  
J. Coble (Westbank First Nation)
- Absent: C. Basran (City of Kelowna)  
C. Fortin (District of Peachland)
- Staff: B. Reardon, Chief Administrative Officer  
T. Cashin, Director of Community Services  
W. Darlington, Parks Manager  
J. Foster, Director of Communication & Information Services  
C. Griffiths, Director of Economic Development & Bylaw Services  
B. Lange, Planner  
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 11:00 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)*

**#23/20 HODGE/BAKER**

THAT the agenda be adopted.

CARRIED Unanimously

**4. ADOPTION OF MINUTES**

- 4.1 Public Hearing Minutes – January 27, 2020 (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

**#24/20** HODGE/BAKER

THAT the Public Hearing minutes of January 27, 2020 be received.

CARRIED Unanimously

*The Board recessed at 11:01 a.m. The meeting was reconvened at 11:10 a.m.*

- 4.2 Regional Board Meeting Minutes – January 27, 2020 (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

**#25/20** BAKER/WOOLDRIDGE

THAT the Regional Board meeting minutes of January 27, 2020 be adopted.

CARRIED Unanimously

**5. CORRESPONDENCE**

- 5.1 City of Kelowna - RDCO Board Voting Unit (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

**#26/20** STACK/MILSOM

THAT the January 29, 2020 letter from the City of Kelowna regarding RDCO's Board Voting Unit for Kelowna Council members be received for information.

CARRIED Unanimously

- 5.2 Okanagan Basin Water Board Meeting Highlights - February 6, 2020 (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

**#27/20** BARTYIK/BAKER

THAT the Okanagan Basin Water Board meeting highlights of February 6, 2020 be received for information.

CARRIED Unanimously

**6. COMMUNITY SERVICES**

- 6.1 Central Okanagan Wellness & Poverty Reduction Strategy, Presenters: Reanne Holden-Amadio, Community Investment Manager - United Way and Sue Wheeler, Social Development Manager, City of Kelowna (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

Staff report dated February 5, 2020 outlined the Central Okanagan Wellness & Poverty Reduction Strategy project and request for submission of a grant application to UBCM.

R. Holden-Amadio provided an overview of the Central Okanagan Reduction Poverty Committee work to date. The Community Wellness Analysis has been completed and priorities identified. Phase 1A and 1B has been completed. Phase 2 is the strategy development and Phase 3 its implementation. Next steps highlighted.

Staff outlined how this fits within the Regional Board's strategic priorities and the regional growth strategy. Questions and answer period followed.

**#28/20 BAKER/WOOLDRIDGE**

THAT the Regional Board receives for information the Central Okanagan Community Wellness Analysis report;

AND FURTHER THAT the Regional Board supports the Regional District's on-going involvement in the development of a regional strategy as a member on the Regional Community Leadership Committee.

CARRIED unanimously

**#29/20 BAKER/HODGE**

THAT the Regional Board approves an application to the Union of B.C. Municipalities for a \$150,000 grant for the development of a Central Okanagan Wellness and Poverty Reduction Strategy.

CARRIED unanimously

- 6.2 Okanagan Basin Water Board Initiative Grants (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

Staff report outlined the application request to OBWB for the water conservation and quality improvement grants.

**#30/20**      SIEBEN/JOHNSTON

THAT the Regional Board endorse the following application for the Okanagan Basin Water Board Water Conservation and Quality Improvement Grant Program:

- Okanagan Collaborative Conservation Program and Okanagan Nation Alliance – Okanagan Lake Responsibility Planning Initiative for Water Source Protection - \$30,000

CARRIED unanimously

6.3      Vancouver Foundation Systems Change Grant Application (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

Staff report outlined the request for a grant application for work improving water source protection.

**#31/20**      HODGE/BAKER

THAT the Regional Board approve Regional District staff making application to the Vancouver Foundation Systems Change Development Grant Program:

- Regional District of Central Okanagan, Okanagan Collaborative Conservation Program, and Okanagan Nation Alliance – Okanagan Lake Responsibility Planning Initiative for Water Source Protection.

AND FURTHER THAT the Board resolution be forwarded to the Vancouver Foundation.

CARRIED unanimously

**7.      PARK SERVICES**

7.1      Mission Creek Greenway Regional Park Provincial Crown Tenure Renewal (*All Directors - Stakeholder Weighted Vote - Simple Majority - LGA 209.1*)

Staff report outlined a Crown tenure to the Province to renew a 30-year License of Occupation for the Mission Creek Greenway.

**#32/20**      BAKER/HODGE

THAT the Regional Board approves renewing the Mission Creek Greenway Regional Park Provincial Crown Land License of Occupation - Number 342858, provincial file number 3408741, for up to a 30-year term.

CARRIED unanimously

- 7.2 Mission Creek Greenway Operation and Maintenance Agreement Renewal - City of Kelowna (*All Directors - Weighted Vote - Simple Majority - LGA 210.2*)

Staff report dated February 3, 2020 outlined a 5-year operation and maintenance agreement with the City of Kelowna for the Mission Creek Greenway.

**#33/20** STACK/DEHART

THAT the Regional Board approve renewing the Mission Creek Greenway Regional Park Operation and Maintenance Agreement with the City of Kelowna for a 5-year term commencing April 1, 2019 and ending on March 31, 2024.

CARRIED unanimously

- 7.3 Black Mountain-sntsk'il'nten Regional Park License of Occupation Agreement - City of Kelowna (*All Directors - Weighted Vote - Simple Majority - LGA 210.2*)

Staff report dated February 3, 2020 outlined a Black Mountain-sntsk'il'nten Regional Park 5-year License of Occupation agreement with the City of Kelowna.

**#34/20** BARTYIK/DEHART

THAT the Regional Board approve entering into and completing a five (5) year License of Occupation agreement with the City of Kelowna that will support the development of parking facilities and trailheads at Swainson and Joe Rich Roads immediately adjacent to Black Mountain-sntsk'il'nten Regional Park.

CARRIED unanimously

- 7.4 Glen Canyon Regional Park Joint Management and Regulation Agreement Renewal - City of West Kelowna (*All Directors - Weighted Vote - Simple Majority - LGA 210.2*)

Staff report dated February 3, 2020 outlined a renewal 5-year Joint Management and Regulation Agreement with the City of West Kelowna for Glen Canyon Regional Park.

**#35/20** JOHNSTON/WOOLDRIDGE

THAT the Regional Board approve the renewal of the Glen Canyon Regional Park Joint Management and Regulation Agreement on Lot A, Plan EPP18628, District Lot 487, ODYD with the City of West Kelowna for a five (5) year term commencing upon the date of execution of the Agreement.

CARRIED unanimously



**8. NEW BUSINESS**

8.1 Rise & Report - Governance & Services Committee Meeting of February 13, 2020

8.1.1 Partner in the Development of a Biosolids Inventory for the Okanagan Valley (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

**#36/20 BAKER/BARTYIK**

THAT the Regional Board approve the Regional District partnering with the Okanagan Sustainability Leadership Council to complete a Biomass Inventory/Waste Composition Organics Study;

AND FURTHER THAT that the Regional District submit an application for funding under the Organics Infrastructure Program to assist with the completion of the Biomass Inventory/Waste Composition/Organics study.

CARRIED Unanimously

**9. DIRECTOR ITEMS**

- Director Carson and Director Bartyik attended the Electoral Area Forum and LGLA Leadership Forum last week in Richmond.

**10. ADJOURN TO IN CAMERA**

**#37/20 BARTYIK/WOOLDRIDGE**

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

- employee relations
- discussions respecting the proposed provision of a local government service

CARRIED Unanimously

**11. ADJOURN**

There being no further business the meeting was adjourned at 11:58 a.m.

**CERTIFIED TO BE TRUE AND CORRECT**

\_\_\_\_\_  
G. Given (Chair)

\_\_\_\_\_  
Brian Reardon (Chief Administrative Officer)



OKSIR Administration Office  
1450 KLO Road  
Kelowna, BC V1W 3Z4  
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Toll Free: 1-800-363-6684  
Website: www.oksir.org  
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January 31, 2020

Regional District of Central Okanagan  
1450 K.L.O. Road  
Kelowna, BC, V1W 3Z4

**ATTENTION: REGIONAL DISTRICT OF CENTRAL OKANAGAN  
BOARD OF DIRECTORS**

Dear Chair Given:

**REFERENCE: SIR WORKING GROUP ON APPORTIONMENT**

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In late 2019, Okanagan-Kootenay Sterile Insect Release (SIR) Program Directors, Alternate Directors, and Regional District Chief Administrative Officers (CAOs) met in a facilitated workshop to review the apportionment of SIR Program costs among the four regional districts that participate in the Program. The workshop was convened as part of the SIR Governance Review that is underway, and in anticipation of the 2020 SIR Program budget. The workshop was also held in response to concerns raised by the Regional District of North Okanagan (RDNO) regarding the fairness of the current cost apportionment method, as well as the degree of consistency between the current method and that which is prescribed in the 1990 *OXSIR Regulation*.

Based on consensus reached by workshop participants, the SIR Board of Directors has established a Working Group on Apportionment. The role of the Working Group is to identify and recommend to the Board a broadly-supported, preferred method of Program cost apportionment. The Group is structured with a membership of eight, which is to include:

- one SIR Director, or Alternate Director, from each of the four participating regional districts
- the CAO (or staff designate) from each regional district

The members representing each regional district are to be appointed by that regional district's Board of Directors. Accordingly, I am writing to you on behalf of the SIR Board to request your Regional District Board of Directors to appoint two representatives to the SIR Working Group. As noted, one representative should be your appointee, or alternate, to the SIR Board; the other should be your CAO (or staff designate).

Enclosed with this letter is the *Working Group on Apportionment Terms of Reference*. As identified in this document, the SIR Board would like the Working Group to begin its work in February, 2020.



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Your timely response to this request for representatives, therefore, would be appreciated. Also enclosed is a *Record of Workshop* document that provides additional background information on the history of cost apportionment in the SIR Program, and on the establishment of the Working Group. It is worth noting that the *Record of Workshop* highlights the consensus among participants to ask the SIR Board to consider reducing the RDNO's 2020 value tax requisition by \$20,000.00. The SIR Board has endorsed this request as a one-time, goodwill gesture in support of ongoing collaboration through the Working Group and the broader SIR Program.

Thank you for your attention to this matter. Please forward the names of your representatives to Melissa Tesche, SIR General Manager, at your earliest convenience. Ms. Tesche will contact all representatives in the coming weeks to arrange the first meeting of the Working Group.

Yours truly,

**OKANAGAN-KOOTENAY STERILE INSECT RELEASE PROGRAM**

Shirley Fowler  
Chair, Board of Directors

encl.



## Working Group on Apportionment Terms of Reference

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The Working Group on Apportionment is responsible for recommending to the Okanagan-Kootenay Sterile Insect Release (OKSIR) Board of Directors a method of cost apportionment that promotes fairness among the regional districts that participate in the Sterile Insect Release (SIR) Program.

### **Working Group Background**

The 1990 *OKSIR Regulation* prescribes that any value-tax burden generated by the SIR Program is to be allocated among participating regional districts on the basis of converted assessment (land). As a result of a review by the OKSIR Board in 2006, the participating regional districts agreed to change this prescribed cost-allocation method by fixing the proportion of costs assigned to each regional district on the basis of converted assessment (land) values recorded in 2006. The change to this fixed-proportion method was made to promote fairness among participants, given the assessment dynamic and other conditions in place in the SIR Program's service area at the time.

In 2018, one of the participating regional districts raised concerns regarding the fairness of the 2006 method. In view of these concerns, and in recognition that conditions throughout the service area have changed since 2006, the OKSIR Board, with the support of the participating regional districts, agreed to review cost apportionment for 2020 and beyond. The Working Group on Apportionment was established to assist the Board in this effort.

### **Working Group Responsibilities**

The Working Group on Apportionment has been established by the OKSIR Board to identify and study apportionment options, and to recommend to the Board a preferred approach. In all, the Working Group is responsible for:

- understanding, through a review of key data, the current conditions in place throughout the SIR service area, including the area's assessment bases, population levels, distribution of pome fruit orchards, degree of participation by local jurisdictions, and other factors
- identifying the potential bases on which to allocate the Program's value-tax burden among participating regional districts
- assessing the merits of each cost-sharing approach, and setting out the implications (financial and otherwise) for the participating regional districts associated with each approach
- presenting to the OKSIR Board a report on the Working Group's study, complete with a recommended cost-sharing approach

### **Working Group Membership**

The Working Group is comprised of a total of eight (8) members, including:

- one OKSIR Director, or Alternate Director, from each participating regional district
- the Chief Administrative Officer (CAO), or designate, from each participating regional district

The members representing each regional district are to be appointed by that regional district's Board of Directors. The Chair of the Working Group will be chosen from among the members, by the members, at the Working Group's inaugural meeting. Remuneration and the reimbursement of expenses for members Working Group members will be provided in accordance with SIR policy.

### **Working Group Meetings**

The Working Group is scheduled to hold two workshop meetings over a three-month period beginning February, 2020. Additional meetings, if required, will be scheduled at the call of the Working Group Chair and may be held by teleconference. The Working Group report is to be distributed in draft form for review by Working Group members after the Group's meetings. Approval of the report is by email or teleconference, at the call of the Chair.

Agenda packages, complete with briefing notes and/or background papers, will be distributed to all members one week before each meeting. A record of discussion will be provided to members and the OKSIR Board following each meeting.

In keeping with the collaborative nature of the OKSIR Program, decisions of the Working Group are to be made by consensus.

### **Working Group Support**

The Working Group will be supported in all of its efforts by the General Manager of the SIR Program, and an independent consultant retained by the General Manager. This support team is responsible for providing the Working Group all background information, data, and other agenda materials that are needed to enable the Group to fulfill its mandate. The support team is also responsible for providing a record of discussion after each meeting, and for drafting the Working Group's report. The support team, with the Working Group Chair or at the direction of the Chair, is responsible for presenting the Working Group report to the OKSIR Board.



Okanagan-Kootenay Sterile Insect Release Program  
Governance Review Workshop #2  
October 4, 2019

## RECORD OF WORKSHOP

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### BACKGROUND

On Friday, October 4, 2019, Sterile Insect Release (SIR) Program Directors, Alternate Directors, and Regional District Chief Administrative Officers met in a workshop to review cost apportionment in anticipation of the 2020 SIR Program budget. Time was also spent considering the potential for legislative reform.

The session on October 4 was the second of two workshops for the SIR Governance Review. The overall purpose of the Review is to examine legislative and structural changes that participants feel may be needed in order to position the Program for future success.

In advance of the October 4 session, workshop participants received two documents to guide discussion at the event:

- a briefing note titled *Cost Apportionment*
- a discussion paper titled *Potential for Legislative Reform*

This *Record of Workshop* summarizes the key points raised in the group discussion, and presents the major outcomes from the session.

### WORKSHOP INTRODUCTION

SIR Board Chair, Shirley Fowler, welcomed participants to the event and provided opening comments. SIR General Manager, Melissa Tesche, offered additional comments to set the stage for discussions, then reviewed the day's agenda with the group.

### COST APPORTIONMENT

The workshop facilitator introduced the issue of cost apportionment and the briefing note that was included in the agenda package. It was noted that the Regional District of North Okanagan (RDNO) had brought forward concerns in 2018 regarding the fairness of the current cost apportionment method, as well as the degree of consistency between the current method and that which is prescribed in the 1990 *OKSIR Regulation*.

Group discussion began with the RDNO's CAO outlining — at the request of the facilitator — the RDNO's concerns, including those related to fairness and consistency. The CAO for the Regional District Central Okanagan (RDCO) spoke to these concerns, including by putting forward a different interpretation of wording in the 1990 *Regulation*.

Considerable discussion followed involving representatives of the four participating regional districts and the Grower representatives on the Board. The group reached consensus on two key points:

- *Current Conditions Important* — The cost apportionment method determined by the province in 1990 (and set out in the *Regulation*) reflected the circumstances in place at time. Similarly, the 2006 change in cost apportionment determined by the participating regional districts reflected the prevailing conditions in that year. Neither approach necessarily reflects the conditions in place today in the SIR service area.

- *Service Participants Should Decide* — Regardless of the particular basis (or bases) used, participants felt that the method of cost apportionment should be determined by the participating regional districts, not by the province.

A number of the potential bases for cost-sharing that were identified in the briefing note were discussed by participants, including converted assessment (land), converted assessment (land and improvements), taxable acreage, and population. Participants debated the pros and cons of the different methods, emphasizing the importance of choosing a method that can be supported by all regional districts as fair and defensible.

### **Working Group**

Workshop participants agreed that further review of potential options for cost-sharing, and the implications associated with the options, is necessary. Participants agreed to ask the SIR Board to establish a Working Group on Apportionment to examine the options and identify a preferred apportionment method. The Working Group will present its preferred method for consideration to the SIR Board. The Working Group should include representation from each participating regional district, and provide its recommendations to the SIR Board within six months.

### **2020 Requisition**

Workshop participants felt that the RDNO's 2018 request to review the current apportionment method should not be set aside entirely, pending the conclusion of the Working Group's efforts. By consensus, participants asked that the SIR Board, in recognition of the RDNO's request, consider reducing RDNO's 2020 value tax requisition by \$20,000.00. This reduction, which would apply only to RDNO, and which would be funded using 2020 net revenues from project sales, would be provided as a goodwill gesture in support of ongoing collaboration.

### **Service Area**

During the discussion on apportionment, the issue of Program service area arose. It was noted that of all the participating regional districts, only RDCO includes its entire land base — and, thus, entire land assessment base — in the Program's service area. This matter, which has implications for cost-sharing, can be expected to arise during further discussions on apportionment.

### **LEGISLATIVE REFORM**

The paper on legislative reform outlines the SIR Program's existing MEVA-based legislative framework, examines the challenges faced by the Program under the framework, and identifies three potential legislative reform options for discussion. The facilitator briefly reviewed the paper, then invited workshop participants to share their perspectives on the matter.

Workshop participants spoke to possible changes to the legislation in the near term in order to introduce a new method of cost apportionment (to be identified by Working Group), and to enable the Program to address other invasive pests. Workshop participants agreed that these changes (and possibly others) would be best approached on a case-by-case basis through requests for Orders in Council (OICs), made pursuant to the authority provided to Cabinet in the MEVA.

Workshop participants acknowledged that more fundamental legislative reform aimed at removing the Program from the MEVA-based framework may be important to consider at some future point. Further study on the potential for broader reform by the SIR Board and participating regional districts may have value, particularly as a medium-term project. In the immediate term, however, the preference is to pursue necessary legislative change using OICs.



# Regional Board Report

**TO:** Regional Board

**FROM:** Todd Cashin  
Director of Community Services

**DATE:** February 24, 2020

**SUBJECT:** Advisory Commission Appointments – File: 0540-20

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

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**Purpose:** To consider the appointment of a member to the Agricultural Advisory Commission as well as the re-appointment of two existing members.

## Executive Summary:

The Agricultural Advisory Commission (AAC) functions as an Advisory Planning Commission to the Regional Board. All members are volunteers and appointed by the Regional Board.

In accord with the AAC Terms of Reference, membership shall consist of three to eight voting members. Appointing one new member and re-appointing two existing members would bring the total membership to seven, which is in accordance with the AAC Terms of Reference (as amended January 28, 2019). Furthermore, the re-appointment of existing AAC members would allow for continuity throughout the membership with an overlap of various terms.

## RECOMMENDATION #1:

**THAT** the Regional Board approve the appointment of Megan Ludwig as a member of the Agricultural Advisory Commission for a three-year term (February 2020 – February 2023).

## RECOMMENDATION #2:

**THAT** the Regional Board approve the re-appointment of Andreas Wins-Purdy and Leo Gebert to three-year terms as members of the Agricultural Advisory Commission (February 2020 – February 2023).

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin  
Director of Community Services

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

*Prepared by: Janelle Taylor, Planner*



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### Implications of Recommendation:

Strategic Plan:	Appointing a member to the AAC and reappointing two members meets the 2019-2022 Strategic Priorities Plan.
Policy:	Appointing a member to the AAC and reappointing two members complies with policies and objectives of: <ul style="list-style-type: none"> <li>• Official Community Plans and Joe Rich Rural Land Use Bylaw,</li> <li>• Agricultural Plan, and</li> <li>• Agricultural Advisory Commission Terms of Reference (as amended January 2019).</li> </ul>
Legal/Statutory Authority:	Appointing a member to the AAC and reappointing two members is in compliance with <i>Local Government Act</i> , Section 461.

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### Background:

The AAC is an Advisory Planning Commission of the Regional Board. The Commission was established in 1994 and provides advice to the Board and staff regarding agricultural issues and the potential impact of planning decisions on agriculture. The primary objective of the AAC is to provide local perspective and expertise to advise the Regional Board on the protection and enhancement of agricultural lands within the RDCO.

The Terms of Reference outlines that the AAC membership shall be comprised of not less than three or more than eight volunteer individuals who reside within the RDCO. The membership will reflect a diversity of agricultural professions, practices, sectors and commodity groups. Appointments are for a three-year term; a member may be re-appointed to serve a maximum of two consecutive three-year terms.

### Current:

There are currently eight volunteer members on the AAC; four members' first terms have either recently expired or are set to expire. Two existing members have requested to be considered for re-appointment and one new applicant is requesting to be considered for appointment.

To ensure the Commission remains in compliance with the membership criteria identified in the Terms of Reference, Planning staff is recommending that one person be appointed and two people be re-appointed as Commission members. These appointments will ensure that there is overlap of new and experienced members. The following proposed appointments will bring expertise and knowledge that will be of great value to the AAC:

- Leo Gebert, of Kelowna, owns and operates St. Hubertus Vineyard and possesses an in depth knowledge of how agriculture functions in the Okanagan. Leo has previously volunteered with the City of Kelowna's Agriculture Advisory Commission and the BC Wine and Grape Council.
- Andreas Wins-Purdy, of Kelowna, holds the position of Integrated Pest Management Section Head for the Ministry of Environment, is an Professional Agrologist and has a Master's of Science degree (entomology) from the University of Alberta. Andreas has worked on a number of files relating to agriculture, majority of which were precipitated by complaints from the public about pesticide spraying at the agriculture-urban interface.

- Megan Ludwig, of Kelowna, is a Water Resources Scientist for a local consulting firm. Some of her experience includes completing agricultural impact assessments, agricultural capability assessments, soil studies, and water quality monitoring. Her volunteer experience includes the Shuswap Water Council Advisory Committee and local mountain bike clubs.

Both Mr. Gebert and Mr. Wins-Purdy have been valuable assets to the AAC over the last few years and have expressed a desire to remain on the AAC for additional three-year terms. Ms. Ludwig has recently applied to become an AAC member and her contributions will benefit the Commission.

**Alternative Recommendation #1:**

**THAT** the Regional Board not appoint new Agricultural Advisory Commission members at this time.

**Alternative Recommendation #2:**

**THAT** the Regional Board not re-appoint Agricultural Advisory Commission members at this time.

***Considerations not applicable to this report:***

- *General*
- *Organizational*
- *Financial*
- *External Implications*

Attachment(s): N/A



# Regional Board Report

**TO:** Regional Board

**FROM:** Todd Cashin  
Director of Community Services

**DATE:** February 24, 2020

**SUBJECT:** Okanagan Water Basin Board (OBWB) Water Conservation and Quality Improvement Grants

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

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**Purpose:** To endorse, by resolution, one Water Conservation and Quality Improvement Grant application prior to consideration by OBWB.

## Executive Summary:

RDCO Community Services staff provides administrative assistance by collating the Water Conservation and Quality Improvement Grant applications that have requested local government support. The applications include those from the RDCO, as well as non-profit community organizations. All applications submitted to RDCO are consistent with water management objectives and reflect the values of the community as outlined in the Regional Growth Strategy. Local government support is required in order to be accepted as an eligible project by OBWB.

## RECOMMENDATION:

**THAT** the Regional Board endorse the following application for the Okanagan Basin Water Board Water Conservation and Quality Improvement Grant Program:

- Regional District of Central Okanagan – Source Protection Plan Study on the septic impacts on Okanagan Lake water quality - \$16,020.00

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin  
Director of Community Services

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

*Prepared by: Brittany Lange, Environmental Planner*

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**Implications of Recommendation:**

Strategic Plan:	Endorsement of the grant application for consideration by OBWB achieves the Regional Board's Strategic Priorities 2019-2022 as follows: <ul style="list-style-type: none"><li>• Values: Transparency, Resiliency, and Good Governance.</li><li>• Priorities: Environment.</li></ul>
Policy:	Endorsement of the grant application for consideration by OBWB meets several of the goals and objectives of the Regional Growth Strategy Bylaw No. 1336

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**Background:**

The OBWB Water Conservation and Quality Improvement Grants Program is intended to encourage innovative and collaborative projects that promote more uniform standards and best practices throughout the valley. Projects are to address water issues, increase knowledge sharing, and enhance the valley-wide sustainable use of water.

The OBWB will review the projects based on set criteria to determine eligibility for funding. The intent of obtaining a local government resolution prior to OBWB consideration is to ensure that the proposed project is consistent with water management objectives and reflects community values.

**Proposal:**

One application has requested Regional Board endorsement for the Okanagan Lake Periphyton Study for the RDCO Killiney-Westshore Intake Selection Project (as per the attached Cost Estimate Proposal) and is consistent with water-related objectives and community values as outlined in the Regional Growth Strategy.

**Regional Growth Strategy Bylaw No. 1336**

Endorsement of the grant application for consideration by OBWB complies with the following policies of the RGS:

Our Water

- Continue in partnership with the Okanagan Basin Water Board (OBWB) and regional partners to encourage valley wide cooperation and coordination regarding the conservation of water and protection of all water sources.

Our Economy

- Support effectively managing and protecting the integrity of the Region's critical assets such as the lakes, natural environment, and agricultural lands that promote attraction of employment and investment.

Our Ecosystems

- Explore funding mechanisms to support regionally significant natural areas, open space and parkland acquisitions.
- Support cooperation with regional partners on environmental matters, particularly where there are developments/issues located adjacent to political boundaries.

**Financial Considerations:**

Grants available for individual projects range from \$3,000.00 to \$30,000.00. A total of \$350,000 is made available annually by OBWB for this valley-wide program.

**Organizational Issues:**

Other applications from municipalities, regional districts, irrigation/improvement districts, and non-profit community organizations, will receive support or endorsement from that organization's local government for submission to OBWB. The applications noted are only a portion of the applications that OBWB will be considering for the Central Okanagan area. All applications submitted to RDCO have demonstrated how the project benefits the valley as a whole as required by the grant approval criteria.

**External Implications:**

Without Regional Board endorsement or support from the RDCO, the grant applications submitted will not be considered by OBWB.

**Alternative Recommendation:**

**THAT** the Regional Board the Regional Board not endorse the application for the Okanagan Basin Water Board Water Conservation and Quality Improvement Grant Program for a Source Protection Plan study on the septic impacts on Okanagan Lake water quality.

***Considerations not applicable to this report:***

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

## Attachment:

- Appendix 'A' - Killiney-Westshore Cost Estimate Proposal



Angela Lambrecht

Feb 14, 2020

At the request of RDCO, Larratt Aquatic is pleased to present this proposal for a study designed to determine the impact of septic fields on the foreshore of Okanagan Lake in the Killiney Beach and Westshore Estates area.

The study will include periphyton analysis and water chemistry with sampling occurring from June to October 2020. At the completion of the study period, LAC will prepare a final report that will be supplied in draft to RDCO in December 2020.

The project is designed to be cost scalable with a summer only and a summer + fall option for more rigorous statistical results. The expected cost of the full project is \$16,020 for the field work and reporting phase with lab costs of \$4,109 while the summer-only option has a price estimate of \$11,650 for field work and reporting with lab costs of \$2,054.52.

If you have any questions or comments on this proposal, please don't hesitate to contact us.

Proposal prepared by: Larratt Aquatic Consulting Ltd.

Jamie Self: BSc, R.P.Bio.  
Aquatic Biologist

Heather Larratt: BSc. R.P.Bio.  
Aquatic Biologist



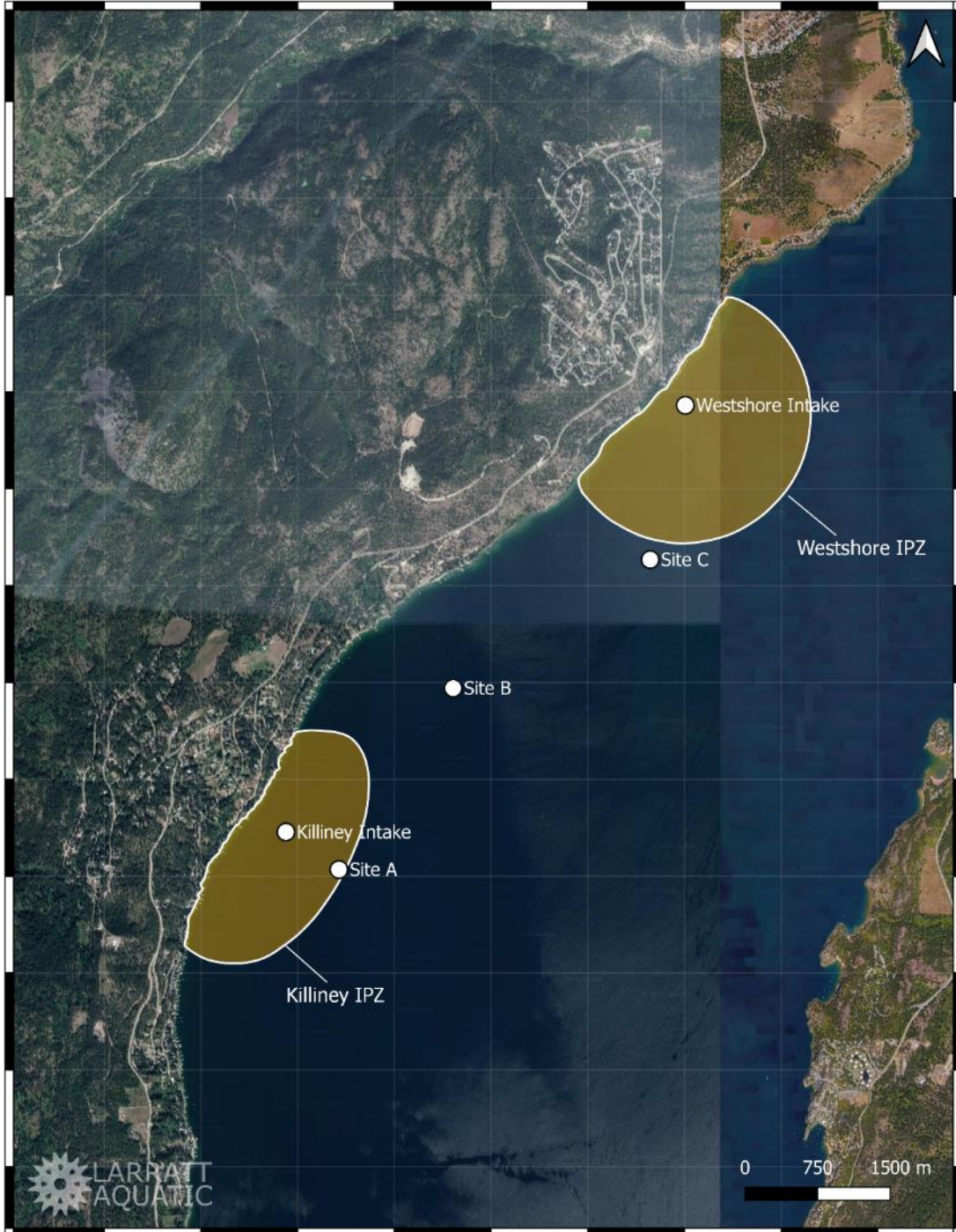
LARRATT  
AQUATIC

**Cost Estimate Proposal for  
Killiney and Westshore Source Protection Plan – Septic Impact to  
Okanagan Lake**

Prepared for: Regional District of Central Okanagan

**Study Background:**

Regional District of Central Okanagan is engaged in a site selection program to determine the most ideal location for a new intake that will replace two shallow intakes and serve Killiney Beach and Westshore Estates. The shoreline throughout much of the area is developed with residential and all residences are on septic systems.



**Figure 1: Overview map of study area with sample sites, intake locations, and intake protection zones indicated**



### Study Purpose:

The proposed study involves a water quality sampling program and a periphyton monitoring program in Okanagan Lake from Killiney Beach to Westshore Estates to determine if there is any influence or impact from septic systems in this area (Figure 2).

The proposed sampling would assess periphyton growth during the summer and fall periods (two deployments) and water chemistry collected three times during each deployment to enable statistical assessment of the data. Periphyton studies measure generalized cumulative nutrient impacts over weeks, while water samples measure instantaneous concentrations of specific septic-influenced parameters.

### Proposed Study Design:

LAC proposes to base the sampling methodology on the successful 2014-2015 Cosens Bay study for RDNO (report can be requested). Chemistry samples will go to Caro Labs, Kelowna and water chemistry parameters should include biologically available nutrients (Ns and Ps), chloride, and pathogen-indicating bacteria while periphyton will be assessed taxonomically and by chlorophyll-a as a second measure of algae density (full list of parameters in Table 4). Algae/microflora samples will be identified to species by LAC, along with cell density and biovolume calculations.

Sampling will focus on three zones in 1-2 m depth upslope of the proposed intake locations and one control zone along a stretch of undeveloped shoreline (Figure 2). Within each zone, five periphyton samplers (Figure 3) will be deployed as close to shore as possible; permission of homeowners is sought to ensure samplers are not disturbed. Composite water chemistry samples will be collected within each zone three times during the summer and three times during the fall deployment to measure septic impacts. Each sampler will be equipped with four honed stone tiles as a uniform substrate for periphyton samples, and with temperature + light sensors. The temperature and light data will allow us to statistically control for these drivers and allow statistical focus on nutrient impacts on periphyton growth.

We propose that the summer deployment begin in June and end in August to span the active cottage/high use season while the fall deployment begin in August and end in October to span the low-use season while Okanagan Lake is still stratified.

**Table 1: Schedule of Sampling**

Time	Periphyton Samples	Chemistry Samples
Early-June	Deploy	Summer 1
Early-July		Summer 2
Early-August	Collect	Summer 3
Late August	Deploy	Fall 1
Mid-September		Fall 2
Mid-October	Collect	Fall 3

**Table 2: Number of samples**

Time	Periphyton Samples	Chemistry Samples
Summer Deployment	5 x 4 = 20	4 x 3 = 12
Fall Deployment	5 x 4 = 20	4 x 3 = 12
Total Samples	40	24

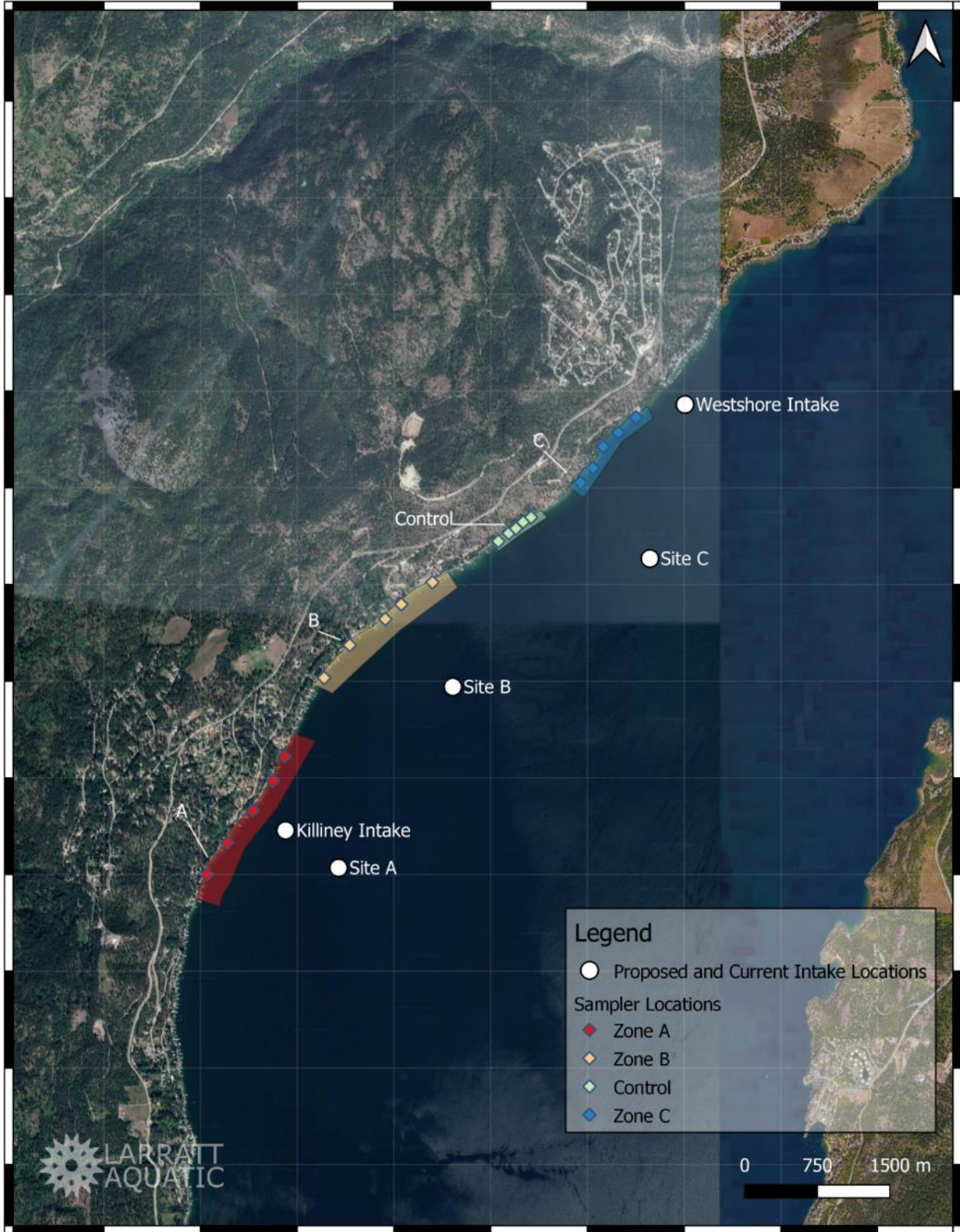


Figure 2: Map of proposed sampling program with locations of sampling zones



**Figure 3: Example of Periphyton sampler**

**Deliverables:**

At the completion of the sampling program, LAC will prepare a report detailing the findings. The expected completion date for the draft of the report is December 2020.

**Proposed Study Cost:**

A summary of expected costs is outlined in Table 3. The study has been designed with a summer and fall phase to provide more thorough analyses and rigorous results, but the program could be reduced to only a summer deployment if costs are restricted. The budget outline below breaks down the total cost and the cost if only a summer deployment is chosen. Lab estimates are included in the estimate but would be directly billed to RDCO by Caro (Table 4).

**Table 3: Proposed sampling program budget**


Lake Proposal	Task	60 85 45 40 100					Total Cost
		BL	JS	SK	FS	HL	
Admin	Project Admin	4					\$ - \$ 240 \$ -
	Periphyton deployment			16	16		\$ 1,360
	Periphyton retrieval			16	16		\$ 1,360
Field Work	Summer Chemistry*			6	6		\$ 510
	Fall Chemistry*			6	6		\$ 510
	Summer taxonomy					25	\$ 2,500
	Fall taxonomy					25	\$ 2,500
Reporting	Database Management		8				\$ 680
	Analyses		32				\$ 2,720
	Annual Report		24			16	\$ 3,640
	<b>Total</b>						<b>\$16,020.00</b>
<b>Summer Only Total</b>						<b>\$11,650.00</b>	

Estimated Caro Costs

Total	\$2,961.84
Summer Only Total	\$1,480.92

\*Trips additional to periphyton sampler deployment/retrievals for chemistry sampling

BL= Bruce Larratt, JS = Jamie Self, SK = Sara Knezevic, FS = Field Staff, HL = Heather Larratt

**Table 4: Caro Lab Estimate of Analyses**



Parameter	Lab Cost	Status
Ammonia	\$ 15.14	Req
Chloride	\$ 12.26	Req
<i>E. coli</i>	\$ 18.44	Req
TN, TKN, NO3, NO2	\$ 35.95	Req
TP	\$ 20.81	Req
TDP	\$ 20.81	Req
Chl-a	\$ 37.80	Optional

Req Cost: \$ 123.41 \$/sample

Optional Cost: \$ 161.21 \$/sample

Req Cost: \$ 2,961.84 2 deployment lab costs

\$ 1,480.92 1 deployment lab costs

Optional Cost: \$ 3,869.04 2 deployment lab costs

\$ 1,934.52 1 deployment lab costs

If you have any questions or comments on this proposal, please don't hesitate to call.

Proposal prepared by: Larratt Aquatic Consulting Ltd.

Jamie Self: BSc, R.P.Bio.  
Aquatic Biologist



Heather Larratt: BSc. R.P.Bio.  
Aquatic Biologist





# Regional Board Report

**TO:** Regional Board

**FROM:** Todd Cashin, Director of Community Services

**DATE:** February 24, 2020

**SUBJECT:** Development Variance Permit (VP-19-09)  
K. Armstrong (Owner), 571 Mountain Drive  
Lot 121, District Lot 3688, ODYD, Plan 26101  
Central Okanagan West Electoral Area

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

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**Purpose:** To consider the issuance of a Development Variance Permit to allow a reduction of the front setback from 4.5 m to 2.07 m to permit the siting of an existing single detached house and a proposed addition.

## Executive Summary:

The recently constructed single detached house on the subject property currently does not meet the front setback requirements of the R1 zone. Based on the submitted survey certificate, the existing single detached house is sited 4.2 m from the front property line. In addition to this variance, the owner wishes to construct an addition to the front of the home which will bring the structure variance to 2.07 m from the front property line. This additional request is to permit the construction of a front porch.

A number of objections have been received from the community regarding this application. Although not directly related to the variance, additional community concerns have been voiced relating to the visual impact of the structure, driveway safety and a possible secondary suite in the dwelling. The Central Okanagan West Advisory Planning Commission does not recommend support for the variance as proposed. The required permit to reduce building setback has been obtained from the Ministry of Transportation and Infrastructure.

## RECOMMENDATION:

**THAT** Development Variance Permit Application VP-19-09 for 571 Mountain Drive not be approved.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin  
Director of Community Services

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

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**Implications of Recommendation:**

Policy:	The application was submitted and processed in accordance with Requirements of RDCO Development Applications Procedures Bylaw No. 944.
Legal/Statutory Authority:	In accord with Section 498 of the <i>Local Government Act</i> , on application by an owner of land, a local government may, by resolution, issue a development variance permit that varies, in respect of the land covered in the permit, the provisions of a bylaw. A development variance permit must not vary the use or density of land from that specified in the bylaw and a local government may not delegate the Issuance of a Strategic Plan:

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**Site Context:**

The property is located in the community of Westshore Estates within the Rural Westside Official Community Plan Bylaw No. 1274. The area consists of a mix of developed and vacant (residential) lots with limited community services and infrastructure.

The parcel is located within the Rural Westside Official Community Plan (OCP) and is affected by Hillside and Wildfire Interface Development Permit Areas. A Wildfire Covenant has been issued and registered on the properties title (CA6657504). The property owner is responsible for complying with the conditions and terms of all restrictive covenants, statutory building schemes, easements, or right-of-ways registered on title.

Historically, front setback variances have been evaluated and assessed based on site specific conditions and on input received from affected neighbouring property owners. In 2009, 2017 and 2018, the Regional Board approved three Development Variance Permits to reduce the minimum front setback to permit the siting of a single detached house in the Central Okanagan West Electoral Area (Files: VP-18-02, VP-17-05, and VP-09-08).

**Background:**

In June of 2018, a building permit was issued for the subject property for the construction of a three-storey single detached house, double garage, a rooftop deck, and two additional decks. At time of building permit application for a single family dwelling, the building plans showed the structure meeting the front setback of 4.5 metres.

As staff understand it, a survey certificate was prepared by Russell Shortt Land Surveyors on July 20, 2018 but was not submitted to the RDCO until August 14, 2019. The survey plan identifies the single detached house encroaching into the required 4.5m minimum front setback and sited 4.20 m from the front property line. The owner has indicated to staff that after the foundation was poured there was a discrepancy between the approved siting of the single detached house and what was constructed. As such, a Development Variance Permit was triggered.

In addition to this encroachment, the applicant also wishes to construct the proposed front entrance addition to the house as per the original building plans. If approved, this would bring the building encroachment to 2.07 m from the front property line. Staff note that a notice to occupy has yet to be issued by the RDCO.

It is a requirement under the RDCO Building Bylaw, where a building is to be constructed within 2 meters of a setback requirement a survey certificate shall be completed. Given this, a certificate is to be submitted to the Building Inspector and the certificate shall show the location of all exterior foundation walls and columns with reference to the nearest property lines. The applicant was made aware of this requirement at the time of permit issuance and a number of times during the construction of the house.

A permit to Reduce Building Setback from 4.5 m to 2.07 m from a Provincial Public Highway has been obtained from the Ministry of Transportation and Infrastructure.

**Additional Information:**

<b>Owner/Applicant:</b>	K. Armstrong
<b>Legal Description:</b>	Lot 121, District Lot 3688, ODYD, Plan 26101
<b>Address:</b>	571 Mountain Drive
<b>Lot Size:</b>	+/- 0.22 acres (890m <sup>2</sup> )
<b>Zoning:</b>	R1 – Single Detached Housing
<b>OCP Designation:</b>	Residential – low density
<b>Sewage Disposal:</b>	Septic System
<b>Water Supply:</b>	Westshore Estates Water System
<b>Existing Use:</b>	Residential
<b>Surrounding Uses:</b>	<b>North:</b> Rural Residential <b>South:</b> Rural Residential <b>East:</b> Rural Residential <b>West:</b> Rural Residential
<b>Fire Protection:</b>	North Westside Fire Protection Area

**RDCO TECHNICAL COMMENTS:**

**Planning Services** staff note that Development Variance Permits provide options and solutions to address building location issues provided there are no negative impacts (visual, health, and safety) to neighbouring residents.

Furthermore, Planning staff advises that the provisions of the Wildfire Development Permit Area Guidelines of the Rural Westside OCP apply and the owners' are responsible for complying with the conditions outlined in the Wildfire Covenant.

**Inspection Services** staff advise that there is an outstanding permit for the existing single detached house (#7710/18) and occupancy has not been issued. Furthermore, a building permit amendment is required should the proposed addition receive approval.

**Bylaw Services** staff advise that they have received complaints regarding an illegal suite on the property.

**Central Okanagan West Advisory Planning Commission (APC)** supports the house as it sits currently built; however, the Commission recommends that the encroachment of the addition be no more than 4 ft. in size (width) from the front of the house.



**AGENCY REFERRAL COMMENTS:**

**Ministry of Transportation and Infrastructure** has issued a Permit to Reduce Building Setback less than 4.5m from the property line fronting a Provincial Public Highway (Permit No. 2019-06406).

**Unaffected Agencies** include Interior Health, Fortis B.C., B.C. Hydro, Telus, and Shaw Cable.

**Unaffected RDCO Departments** include Fire Services, Environmental Services, and Parks Services.

**External Implications:**

In accord with the *Local Government Act* and the Development Applications Procedures Bylaw No. 944, a Notice of Application sign was posted on the property and written notices were mailed to all registered property owners of land situated within 100 metres of the subject property. A total of 39 letters were mailed to neighbouring property owners.

Further to the notification process, at time of writing this report, five letters of non-support have been received as noted on the attached support/opposition map.

In consideration of the Development Variance Application, the Regional Board may approve the Development Variance Permit, not approve the Development Variance Permit or defer a decision pending more information or clarification. Should the Board choose not to support the staff position, the following alternate recommendation is provided.

**Alternative Recommendation:**

**THAT** the Regional Board approve Development Variance Permit Application VP-19-09 to vary the following provisions of Zoning Bylaw No. 871 based on the Land Surveyor's Certificate dated July 20, 2018 prepared by Russell Shortt Land Surveyors:

- Section 7.1.4 by allowing a reduction of the minimum front setback from 4.5 m (14.8 ft.) to 4.20 m (13.7 ft.).

**AND FURTHER THAT** the Regional Board not approve the proposed addition.

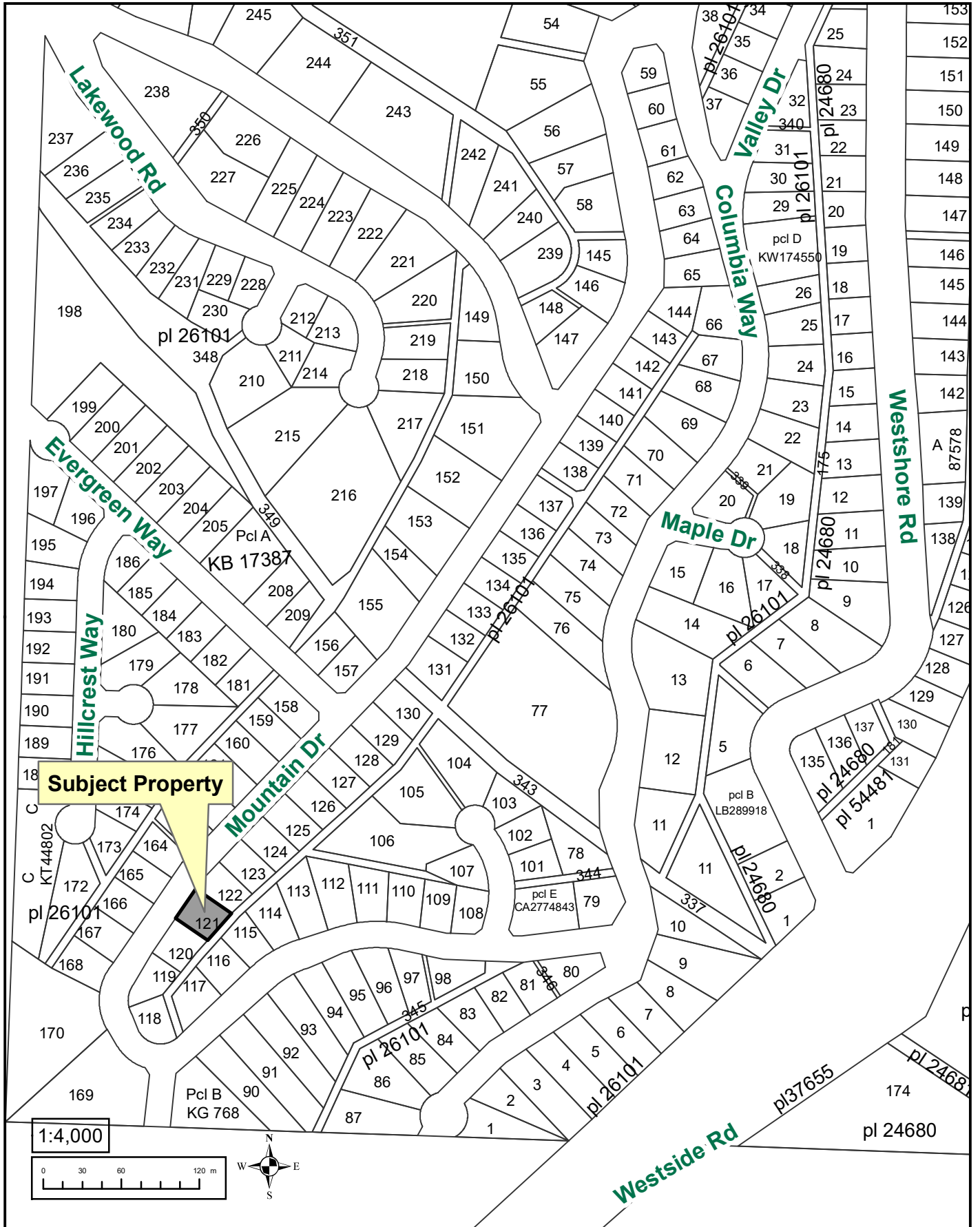
**Considerations not applicable to this report:**

- *Financial Considerations*
- *Organizational Issues*

## Attachment(s):

- Subject Property & Orthophoto Maps
- Images of Subject Property from Mountain Drive
- Building Permit No. 7710/18 Construction Plans
- July 20, 2018 Land Surveyors Certificate
- December 16, 2019 Revised Site Plan
- MOTI Permit
- Support / Opposition Map
- Letters of Opposition

# SUBJECT PROPERTY



File: VP-19-09  
Date: Dec. 17, 2019

Drawn By: JP  
Lot 121, Plan KAP26101, District Lot 3688, ODYD  
34

# ORTHOPHOTO



Images of Subject Property from Mountain Drive



russell shortt  
land SURVEYING

Jason Shortt, B.C.L.S., C.L.S.  
Devin Crombie, B.C.L.S.

PHONE 250-545-0511  
EMAIL:  
jasons@jrshortt.ca

2801 - 32<sup>nd</sup> Street  
Vernon, B.C. V1T 5L8

RDCO  
1450 KLW Road  
Kelowna BC V1W 3Z4

July 31 2019

Attention: John Hailstones  
Our File # 28809 - 571 Mountain Drive

RE: B.C. Land Surveyors Building Location Certificate showing building on Lot 121,  
DL 3688, ODYD, Plan 26101.

Please find enclosed the signed and sealed Survey Certificates for the above.

Yours truly,




Jason R. Shortt, BCLS, CLS

JRS/jr

Encl.

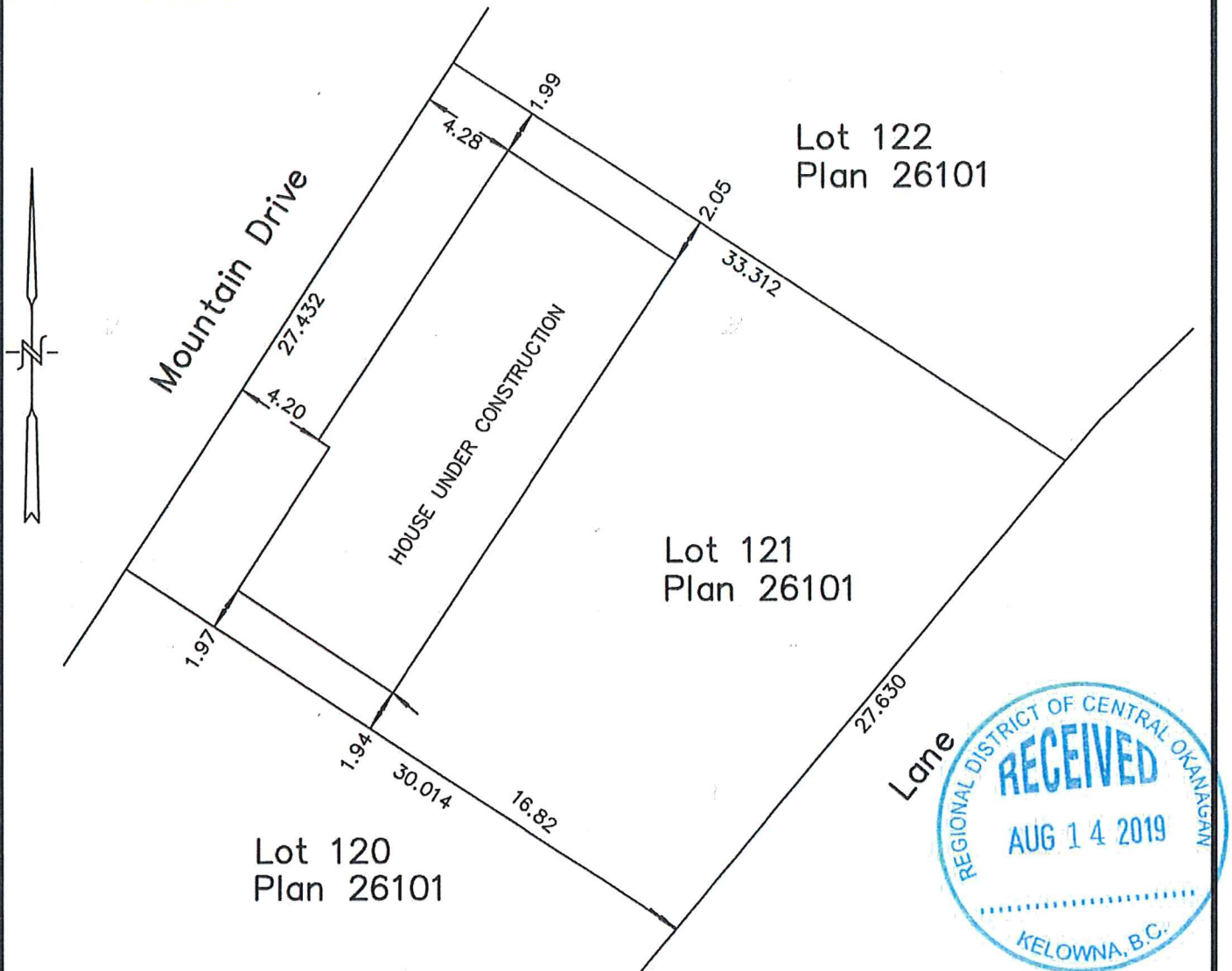


B.C. Land Surveyor's Building Location Certificate  
 PLAN SHOWING BUILDING ON  
**LOT 121, DL 3688, ODYD, PLAN 26101**

SCALE 1: 300 (ALL DISTANCES IN METRES) 

PID: 005-249-937  
 CIVIC ADDRESS: 571 MOUNTAIN DRIVE, WESTSHORE ESTATES, KELOWNA

TITLE IS SUBJECT TO THE FOLLOWING CHARGES:  
 Statutory Building Scheme - K48606



THIS PLAN IS PREPARED FOR THE USE OF ARMSTRONG ONLY AND SHOWS THE RELATIVE LOCATION OF SURVEYED FEATURES WITH RESPECT TO THE BOUNDARIES OF THE PARCEL DESCRIBED ABOVE. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.

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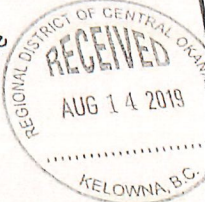
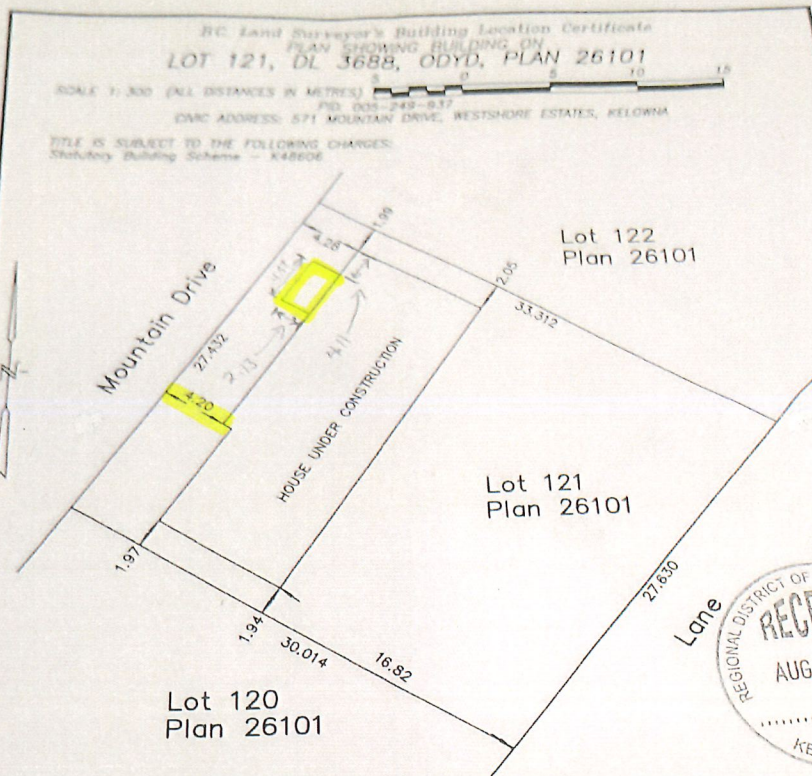
THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL STANDARD OF PRACTICE AND IS CERTIFIED CORRECT THIS 20th DAY OF JULY, 2018.

**russell shortt**

land SURVEYORS

2801-32nd Street, Vernon, B.C. Phone 545-0511  
 cll email: jasons@jrshortt.ca

  
 J.R. SHORTT B.C.L.S.  
 (INVALID IF NOT ORIGINALLY SIGNED AND SEALED)



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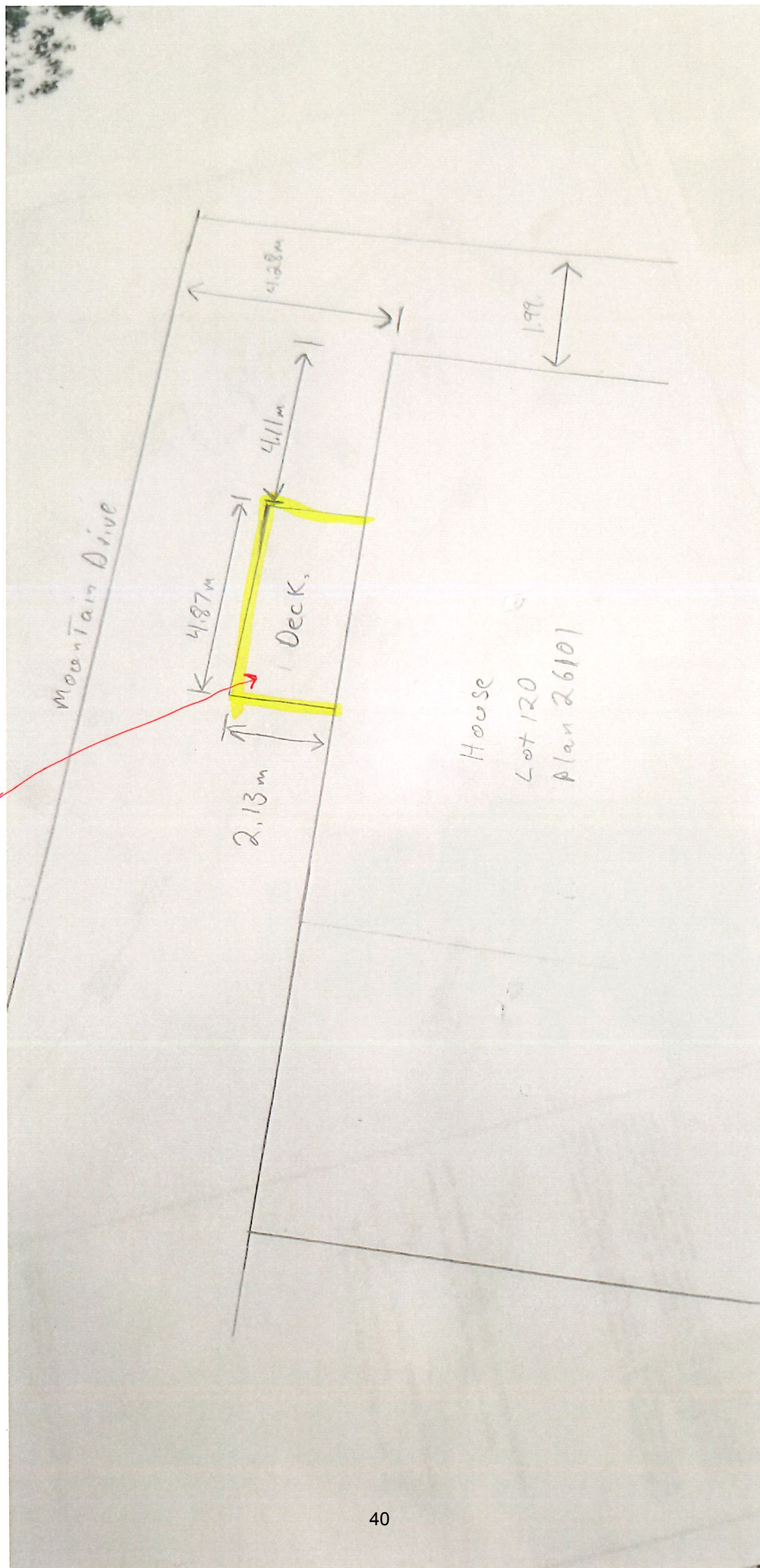
© JASON R SHORTT, BCLS, 2018  
 THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED  
 ACCORDANCE WITH THE MANUAL STANDARD OF PRACTICE  
 IS CERTIFIED CORRECT THIS 20th DAY OF JULY

**russell shortt**  
 land SURVEYORS  
 2801-32nd Street, Vernon, B.C. Phone 545-0511  
 cll email: jasons@jrshortt.ca

*J.R. Shortt*  
 J.R. SHORTT  
 (INVALID IF NOT ORIGINALLY SIGNED AND)

IS TO BE DETERMINED BY  
 R WITH OWNERS APPROVAL AND  
 RECENT ELECTRICAL CODE  
 ARMS TO BE INSTALLED.  
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 EXPANES IMMEDIATELY TO

Proposed  
Addition







# PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

**BETWEEN:**

The Minister of Transportation and Infrastructure  
Vernon Area Office  
4791 23rd Street  
Vernon, BC V1T 4K9  
Canada

("The Minister")

**AND:**

**Kelly Armstrong**  
**571 Mountain**  
**Vernon, British Columbia V1H 2B7**  
**Canada**

("The Permittee")

**WHEREAS:**

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

**The construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to Section 90 of the Transportation Act, S.B.C. 2004, namely; to allow a house and deck to built within the setback area of 4.5m from Mountain Dr, located at 571 Mountain Drive (PID 005-249-937), as shown on drawing from Russell Shortt Land Surveyors attached to the permit.**

- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

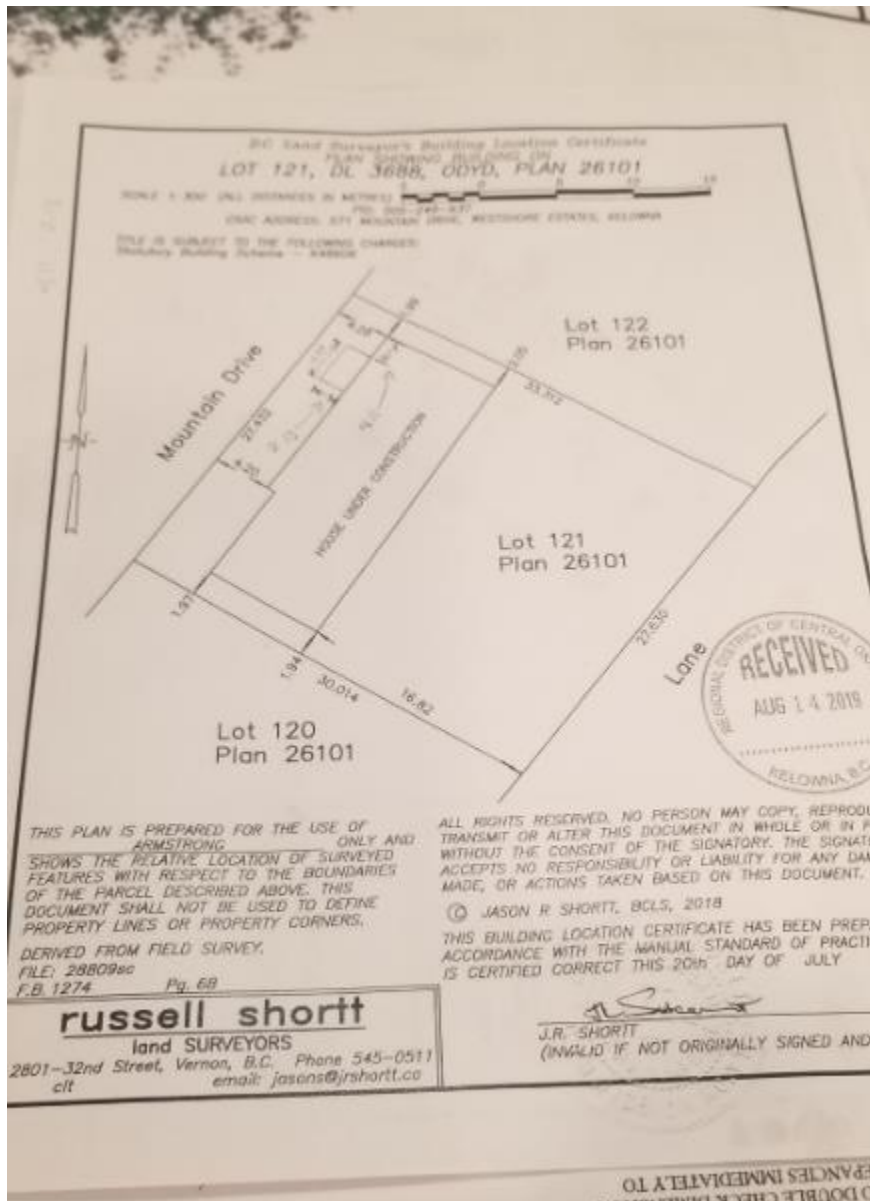
1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
2. **This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.**
3. The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or any of them at any time or times, whether before or after the expiration or termination of this permit, where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.



The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Vernon, British Columbia, this 18 day of December 2019

On Behalf of the Minister



---

Mountain Drive  
Vernon, BC,  
V1H2B7

February 12, 2020

Regional District of Central Okanagan  
1450 KLO Road  
Kelowna, BC  
V1W3Z4

Dear RDCO,

I am writing this letter in regards to a Public Meeting notice for a proposed addition located at 571 Mountain Drive. I have contacted RDCO and have been notified of the addition that my neighbour would like to make to their property.

At this time our household (Both Mark and Robyn Prosser) are not in agreement with this addition. The reason for our decision is because there is already no space for us to drive past their home. We have to drive past this property at least 2x each daily and traffic has been reduced to one lane.

This property has a double garage and more parking space in the area for the proposed addition. My concerns are the single lane for driving, which makes it even more difficult for winter as our plows can't clear enough of the snow; thus turning into ice buildup. The owner of this home and their renters park on the street causing this issue, reducing this space will cause ample issues.

We will be unable to attend the Public Meeting but hope this letter will suffice. Thank you for hearing our opinion!

Sincerely yours,



Robyn and Mark Prosser

**From:** [Ray Cotton](#)  
**To:** [RDCO Planning Services](#)  
**Subject:** File: VP-19-09  
**Date:** Tuesday, February 11, 2020 8:53:31 AM

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To whom it may concern,

In regards to the proposed addition which would require a reduction of the minimum front set back at 571 Mountain Drive, lot 121, District lot 3688, ODYD, Plan 26101. Please be advised I would **definitely object** to allowing this addition to be built. As it stands now, most of us neighbors feel this home should not have been approved as it is already way too big for the property it sits on. I understand it already intrudes on the minimum front set-back and further infringement is definitely not acceptable. To this day, this house has not been completely finished on the outside and as the driveway has never been completed the parking situation is overflowing onto the road causing difficulty for snow plows and the flow of neighboring traffic.

This house was built with no sensitivity for any of the neighbors and the owner has been less than neighborly to many residents who have lived in this neighborhood for many years. This house already has the appearance of an apartment building that would be better suited in a multi-resident zoned area. It is an eye-sore to all that are close and will definitely have a negative effect on the property values in close proximity. Any further enlargement to this already unsightly building would only make it more offensive and go against the building guidelines in place for good reasons.

There have been at least a couple sets of renters renting an upstairs rental unit which I understand should not be allowed. I was led to believe this was approved as a single family home. This also contributes to the parking issue. Due to unruly renters living there, the police have been called to this residence on multiply occasions. Historically this neighborhood is not used to this type of disruptive activity.

Thank you for allowing me the opportunity to voice my views on this application and I do expect to attend this public meeting on February 24th.

Sincerely,

Ray Cotton

■ Mountain Drive,  
Vernon, BC

**From:** [Joel Boulianne](#)  
**To:** [RDCO Planning Services](#)  
**Subject:** File: VP-19-09  
**Date:** Monday, February 17, 2020 3:55:08 PM

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Dear Planning Department;

Thank you for sending us a letter requesting our opinion about the proposed "reduction of the front setback" for the residence located at 571 Mountain Drive, Westshore Estates, Vernon, BC.

Our property is located kitty-corner to this address at 538 Mountain Drive (lot #163) and we are currently building a house there. Building permits have been issued.

Our opinion is this: The house in question has already been built to the limits in the front and side setbacks and it "dwarfs" the houses surrounding it.

If the request is to allow for an error in construction where some part of the existing building sticks out into the setback one or two feet, then we are not opposed to that.

If the request is for anything more than this, such as any enclosed spaces added to the front of the house, then we are opposed to that.

I would have liked to be able to attend the meeting (and still may if plans changed) but I am scheduled to be working out of town on the day of the meeting.

Please accept this email as our "proxy vote" on the subject for my wife Sylvie and I Joel. Please feel free to email me back or call me if any of the above is unclear.

Thank you!

Joel and Sylvie Boulianne



Regional District of Central Okanagan

To whom it may concern.

RE: Public Meeting Notice (File VP-19-09)

Subject Property: 571 Mountain Drive Vernon BC Lot 121, District 3688, ODYD, plan 26101.

I have been asked as a homeowner and direct next-door neighbor, I occupy lot #122, at [REDACTED] Mountain Drive to weigh in on a decision and voice my opinion as I understand it to grant the owner a variance due to the encroachment of the house relative to the setback laws for the front of the property. I also have been asked to voice my opinion on the owner asking for an addition to be built to the front of the property.

The short answer is I **do not agree** with allowing the variance to be granted or the addition to be built.

The subject property over powers both adjacent properties including mine, and properties across the street. It is a 3-story building that looks like an apartment building with no curb appeal. This design has devalued my property, as anyone who comes to visit me says what is that doing in the rural setting of the neighborhood. They say good luck selling your property next to "that". I had to spend extra money on a fence that is called solid fencing to block out the house as much as possible. I also had to spend an extra 25 K on a pergola which is currently approved and permitted with RDCO. I will be putting this up in the Spring to block out the house from my view in my back yard as the subject property over powers and towers my backyard and pool area, leaving me with no privacy without building a massive pergola.

The long answer or question who is accountable for allowing this to happen? Is it the builder, the home owner the planning and permit dept, the building inspection dept?

How could anyone think building a 3 story 4500+ square foot house on .22 acres of land a good idea. Fair enough if the owner has their own taste of what is beautiful but allowing a 3-story box that stretches the entire lot from corner to corner and no bump outs that could soften the overpowering presence of the house or even lowering the height would help. No one suggested this? Again, if all legal fine, but what is the job of the planning/permitting dept can't they suggest changes to ensure something like this doesn't happen?

Now for the real crux of the issue. Its fine the owner has an idea of what good looks, and the planning and permitting dept approves the plans if it meets the legal requirements and then the building begins.

**Answer me this how does the building inspection dept miss the fact the foundation was not poured, to the right setback clearances for the property for this huge house. Didnot someone pull out a tape measure?** You would think with such a large house this property would receive extra scrutiny because of its massive square footage on such a tiny lot.

Now I am being asked to forgive a mistake that the builder, owner and in my opinion the RDCO made and put myself at odds with the subject property owner. Any objective person would have to vote against the approval of the variance and the addition. Take a drive out there and see for yourself, you would be shocked like everybody else is when they pull up for the first time and see this property. Your left speechless.

Harvey Motowylo [REDACTED] Mountain Drive Vernon B.C.

**Subject: In Response to File VP-19-09**

To whom it may concern,

This letter is in response to File VP-19-09 regarding the property located at 571 Mountain Drive, West Shore Estates.

Our property is located immediately adjacent to the above mentioned property and we do not approve of the application to allow a reduction of the minimum setbacks for the existing residence and proposed addition of this property.

We would like to express our concern regarding the above mentioned property's setbacks and current proposal for an addition. The existing residence:

- was constructed against permitted setback allowance (it was constructed beyond the allowable frontage set back without approval from neighbouring properties);
- has renters currently residing in the suite, although it is not approved as a rental suite;
- is an apartment style building, completely out of spec with the appearance of the surrounding homes;
- nearly consumes the entire lot and we believe will/has negatively impacted the resale value of surrounding homes; and
- the sheer size of the current building has not only impacted the neighbours views but has left no room for parking which has caused and continues to cause congestion on the road (a potential safety concern on our narrow rural road).

We believe an addition to this already monstrous sized building will diminish neighbouring property values even further and could cause safety hazards on the road due to the buildings footprint on the lot currently consuming any available parking space. Photos attached for your review.

We do not approve of any relaxation of current setbacks. We hope you consider this rebuttal in your review of File VP-19-09.

Sincerely,

Bev and Udo Hennings  
■■■■ Mountain Dr Lot # 120







**From:** [Tony/Shirley](#)  
**To:** [RDCO Planning Services](#)  
**Subject:** Re: file: VP- 19- 09  
**Date:** February 18, 2020 5:12:55 PM

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CAUTION: This message was sent from outside the organization. Please do not click links, open attachments, or respond unless you recognize the source of this email and know the content is safe.

Address request for the attached email of objection is:

Alfred Luoma

██████████ Mountain Drive (directly across the street from 571 Mountain Drive)

Sent from my iPad

> On Feb 18, 2020, at 2:45 PM, RDCO Planning Services <planning@rdco.com> wrote:

>

> Good afternoon, Alfred:

> RDCO Planning Services will need to your property address to include your letter of opposition. Please submit so that we can include your letter to the file: VP-19-09.

>

> Thank you.

>

> Sincerely,

>

> Planning Services | Community Services

> Regional District of Central Okanagan

> 250-469-6227 | [planning@rdco.com](mailto:planning@rdco.com)

> Connect with us | [rdco.com](http://rdco.com) | [rdcogis.com](http://rdcogis.com)

>

>

> -----Original Message-----

> From: ██████████

> Sent: February 18, 2020 2:36 PM

> To: RDCO Planning Services <planning@rdco.com>

> Cc: ██████████

>

>

> To whom it may concern: File VP 19 -09 Iam not in favour of any proposed additions to this property. It will only make this place worse than it does now. Alfred Luoma

**From:** [Larry Sullivan](#)  
**To:** [RDCO Planning Services](#)  
**Subject:** File # VP1909  
**Date:** February 19, 2020 1:37:37 PM

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CAUTION: This message was sent from outside the organization. Please do not click links, open attachments, or respond unless you recognize the source of this email and know the content is safe.

I am responding to a notice of application that is posted at 571 Mountain Drive Vernon BC.

This notice of application indicates that an expansion is going to be built onto this existing structure at 571 Mountain Drive.

**This residential community know as Westshore Estates is suppose to consist of single family detached homes.**

The existing structure that is at 571 Mountain Drive is an apartment building and has 3 separate suites existing in it. Each suite has it own entrance. At least two of these suites are currently being occupied. The present owner of the building has not completed the front of the building and there is no place for the tennants to park but on the street which takes up one lane of traffic causing very unsafe conditions for all residents that live in the immediate area.

I am opposed to any construction on this apartment building that would encroach further into the street and create more vehicle traffic. I do not think that the laws should be relaxed to allow construction on a building that should not have been allowed to be constructed in the first place.

I would like to know who at RDCO signed off on the construction of this building. Does RDCO not have any home inspection requirements and regulations for new home builds. Did the builder pull the proper permits for this building? Was the builder registered to build such a structure? Did a building inspector inspect the building during the various building stages?

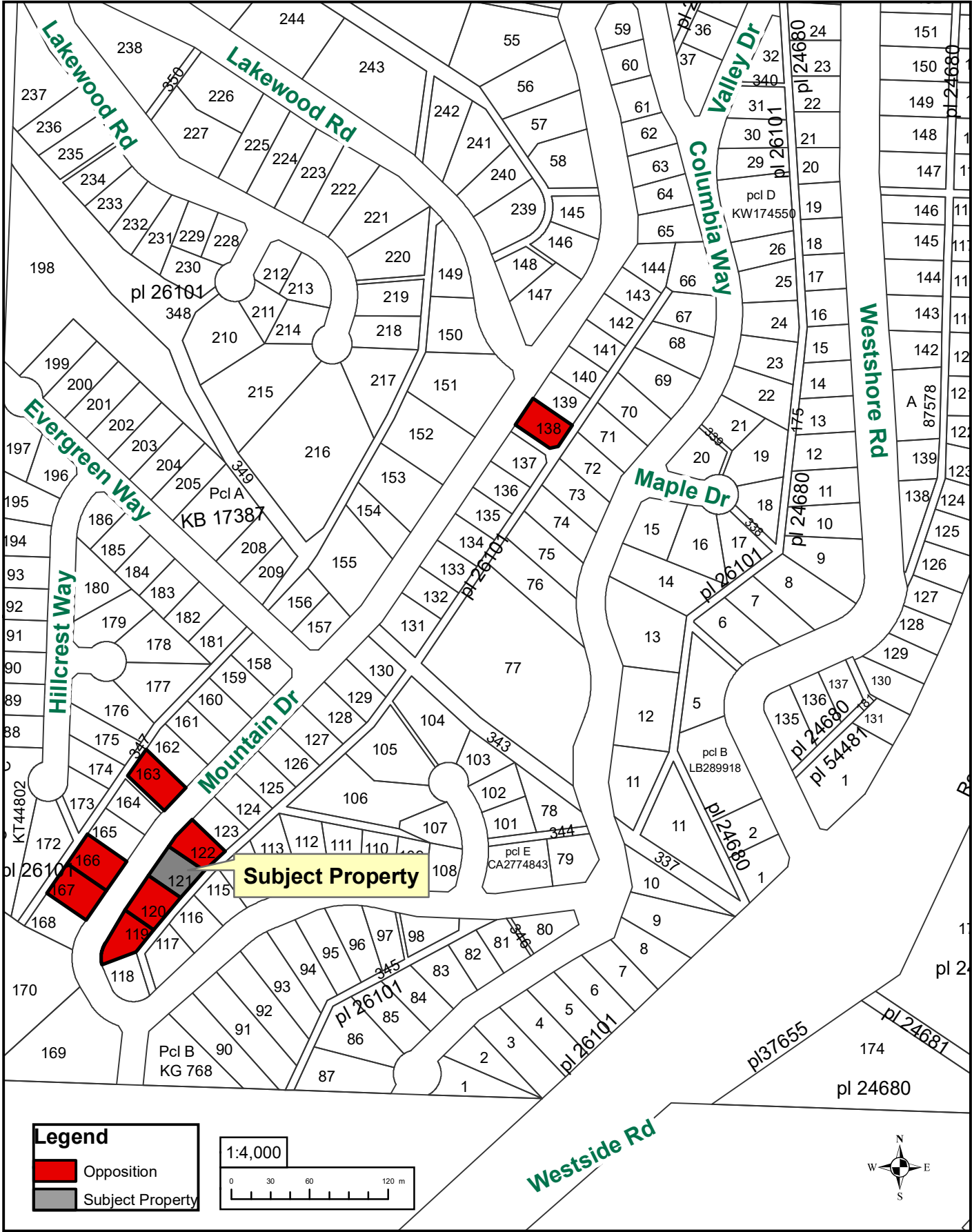
These are questions that all the residence in the area have been asking since this ugly apartment complex was built.

I would like answers to the above questions and it is my understanding that RDCO is where these answers must come from.

Please respond.

Larry Sullivan  
[REDACTED] Mountain Drive  
Vernon BC  
[REDACTED]

# OPPOSITION MAP





# Regional Board Report

**TO:** Regional Board

**FROM:** Todd Cashin  
Director of Community Services

**DATE:** February 24, 2020

**SUBJECT:** Zoning Amendment Bylaw No. 871-257 (Z17/05) – Adoption  
(Text Amendments to Zoning Bylaw No. 871, 2000)

*Voting Entitlement: Custom Vote - All Directors – Simple Majority, 1 Director, 1 Vote*

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**Purpose:** To amend secondary suite regulations in Zoning Bylaw No. 871.

## **Executive Summary:**

In 2017, staff began a policy review of secondary suite regulations in the Central Okanagan Electoral Areas. During the review process, it was identified that increasing density by permitting secondary suites in all residential zones may cause drainage and slope stability challenges, particularly in areas without access to community sewer and without proper drainage plans.

Following extensive analysis and review, Planning Services staff is recommending the current process of requiring a rezoning application remain in place which will have the Regional Board making informed decisions on a site-specific, case by case basis. Furthermore, several recommended changes to Zoning Bylaw No. 871 will reflect recent updates to the B.C. Building Code with respect to design and construction requirements for secondary suites. The proposal is in keeping with the Regional Growth Strategy and Official Community Plans.

Zoning Amendment Bylaw No. 871-257 received first reading on November 25, 2019. A public hearing was held on January 27, 2020, and second and third readings were granted the same evening. MOTI approved Zoning Amendment Bylaw No. 871-257 on February 5, 2020 and as such, it is now in order to bring Bylaw No. 871-257 back to the Board for final consideration and adoption.

## **RECOMMENDATION:**

**THAT** Zoning Amendment Bylaw No. 871-257 be adopted.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin  
Director of Community Services

*Prepared by: Brittany Lange, Environmental Planner*

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

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**Implications of Recommendation:**

Strategic Plan:	Approval of the amendment bylaw meets several of the priorities outlined in the Regional Board Strategic Priorities 2019-2022.
Policy:	Approval of the amendment bylaw is in compliance with several of the goals and policies of the Regional Growth Strategy Bylaw No. 1336 and Regional District Official Community Plans (OCPs).
Legal/Statutory Authority:	Approval of the amendment bylaw is in compliance with the <i>Local Government Act</i> , Section 479 and the <i>Transportation Act</i> , Section 52.

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**Background:**

Zoning Amendment Bylaw No. 871-257 received first reading on November 25, 2019. A public hearing was held on January 27, 2020, and second and third readings were granted the same evening.

Pursuant to Section 52(3)a of the *Transportation Act*, the amendment bylaw must be approved by the Ministry of Transportation and Infrastructure (MOTI) prior to final consideration and adoption. As such, the Regional Board directed that final consideration be withheld pending MOTI approval of the amendment bylaw.

MOTI approved Zoning Amendment Bylaw No. 871-257 on February 5, 2020.

**Conclusion:**

All the requirements identified by the Regional Board for final consideration of the bylaw amendment has been satisfied; therefore, Planning staff recommends that Zoning Amendment Bylaw No. 871-257 be adopted.

**Considerations not applicable to this report:**

- *Financial Considerations*
- *Organizational Issues*
- *External Implications*
- *Alternative Recommendation*

## Attachment(s):

- Zoning Amendment Bylaw No. 871-257

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REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 871-257

A Bylaw to Amend Regional District of Central Okanagan Zoning Bylaw 871, 2000

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WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. This bylaw shall be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-257.
2. That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby **AMENDED** by the following and forms a part of this bylaw:

2.2. Amending PART 3 – General Regulations

2.2.1. By **REMOVING** SECTION 3.26 Secondary Suites in its entirety, and **REPLACING** with the following:

"Section 3.26 Secondary Suites

A *secondary suite* is subject to the following regulations:

1. A *secondary suite* is added to the list of permitted uses in the A1, RU1, RU2, RU3, RU4, RU5, RU6, and R1 *zone* if the *zone* has an "s" notation shown on Schedule B, the Zoning Map, as part of the zone identification. The "s" notation shall be shown on Schedule B the Zoning Map as follows: A1s, RU1s, RU2s, RU3s, RU4s, RU5s, RU6s, and R1s. An "s" zoning classification on a *parcel* shall be established by rezoning the subject *parcel* to the "s" version of the *zone*. The regulations set out for the "s" version of the *zone* will be the same as the regulations for the version without the "s", except for the addition of *secondary suite* as a permitted use.
2. The *secondary suite* shall have its own separate cooking, sleeping, and bathing facilities.
3. The *secondary suite* shall have direct access to outside without passing through any part of the principal *dwelling unit*.
4. The *secondary suite* shall be located within a *single detached house*.
  - a) The *secondary suite* shall not be connected to a *single detached house* by a *breezeway* or *carport*.
5. No more than one *secondary suite* is permitted per *parcel*.

6. A *secondary suite* is not permitted in conjunction with *bed and breakfast accommodation*.
7. A *secondary suite* is not permitted if an *accessory home* exists.
8. A minor *home based business* is permitted within a *secondary suite*.
9. One *parking space* for the *secondary suite* is required in addition to those required for the principal dwelling.
10. A secondary suite shall meet all requirements of the British Columbia Building Code and amendments thereto.
11. The *secondary suite* must be serviced by a *community water system* or a *private water source*.
  - a) For a *community water system*, written authorization permitting the secondary suite from the service provider is required.
  - b) For a *private water source*, a copy of the Water License, if applicable under the Water Sustainability Act, is required.
12. The *secondary suite* must be connected to a *community sewer system* or serviced by an *on-site sewerage system*, subject to the following:
  - a) For *community sewer system*, written authorization permitting the secondary suite from the service provider is required.
  - b) For *on-site sewerage system*, written confirmation is required from an Authorized Person under the Public Health Act: Sewerage System Regulation which includes:
    1. For lots with an existing *on-site sewerage system*, a Compliance Inspection must indicate that the existing system is capable of processing the daily domestic sewerage flow for both *dwelling units* and demonstrates the existing system meets today's standards and can be expanded for the new Daily Design Flow and there is sufficient room on the property for a back-up type 1 trench system.
    2. For lots without an existing *on-site sewerage system*, a primary and reserve area for type 1 trench disposal for intended Daily Design Flow.

## 2.2. Amending PART 15 – Definitions

- 2.2.1. In the appropriate alphabetical order **ADDING** the new definition: "*Breezeway* means a connection between *buildings* that is not heated or insulated and is not restricted by intervening doors."
- 2.2.2. In the appropriate alphabetical order **ADDING** the new definition: "*Carport* means a roofed *structure* free standing or attached to the *principal building* which is not enclosed on the front and at least one side, used by the building occupants to shelter parked vehicles."
- 2.2.3. In the appropriate alphabetical order **ADDING** the new definition: "*On-site sewerage system* means a system for treating domestic sewage that uses one or more treatment methods and a discharge area, but does not include a holding tank or a privy, and is consistent with the British Columbia Ministry of Health (Health Protection Branch) Sewerage Standard Practices Manual."



2.2.4. In the appropriate alphabetical order **ADDING** the new definition: "*Private Water Source* means a water supply from a well or a surface water, not from a *community water system*, that serves a single *parcel* of land."

READ A FIRST TIME this 25th day of November 2019

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this 27th  
day of January 2020

READ A SECOND TIME this 27th day of January 2020

READ A THIRD TIME this 27th day of January 2020

Approved under the Transportation Act this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Ministry of Transportation & Infrastructure

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-257 as read a  
third time by the Regional District of Central Okanagan the 27th day of January 2020

Dated at Kelowna, this 29th day of January 2020

Approved pursuant to section 52(3)(a) of the *Transportation Act*

this 5 day of February, 2020

Audrie Henry  
for Minister of Transportation

Brian Reader  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-257 which was Adopted by the Regional District of Central Okanagan on the \_\_\_\_\_ day of

\_\_\_\_\_

Dated at Kelowna, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Director of Corporate Services

H:\Planning\3360-Zoning\20-Applications\2017\Z17-05 (Sec Suites)\Bylaw\ Zoning Amendment Bylaw 871-257.docx



# Regional Board Report

**TO:** Regional Board

**FROM:** Todd Cashin  
Director of Community Services

**DATE:** February 24, 2020

**SUBJECT:** Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 – Adoption  
(Text Amendments to Joe Rich Rural Land Use Bylaw No. 1195, 2007)

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

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**Purpose:** To amend secondary suite regulations in Joe Rich Rural Land Use Bylaw No. 1195.

## **Executive Summary:**

In 2017, staff began a policy review of secondary suite regulations in the Central Okanagan Electoral Areas. During the review process, it was identified that increasing density by permitting secondary suites in all residential land use designations may cause drainage and slope stability challenges, particularly in areas without access to community sewer and without proper drainage plans.

Following extensive analysis and review, Planning Services staff is recommending the current process of requiring a land use designation amendment remain in place which will have the Regional Board making informed decisions on a site-specific, case by case basis. Furthermore, several recommended changes to Joe Rich Rural Land Use Bylaw No. 1195 will reflect recent updates to the B.C. Building Code with respect to design and construction requirements for secondary suites. The proposal is in keeping with goals and policies of the Regional Growth Strategy and the Rural Land Use Bylaw.

Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 received first reading on November 25, 2019. A public hearing was held on January 27, 2020, and second and third readings were granted the same evening. Subsequently, the Ministry of Transportation and Infrastructure approved Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 on February 5, 2020. Accordingly, Bylaw No. 1195-22 is now being brought back to the Regional Board for final consideration and adoption.

## **RECOMMENDATION:**

**THAT** Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 be adopted.

Respectfully Submitted:



Todd Cashin  
Director of Community Services

Approved for Board's Consideration



Brian Reardon, CAO

*Prepared by: Brittany Lange, Environmental Planner*

### Implications of Recommendation:

Strategic Plan:	Approval of the amendment bylaw meets several of the priorities outlined in the Regional Board Strategic Priorities 2019-2022.
Policy:	Approval of the amendment bylaw is in compliance with several of the goals and policies of the Regional Growth Strategy Bylaw No. 1336 and the Joe Rich Rural Land Use Bylaw No. 1195.
Legal/Statutory Authority:	Approval of the amendment bylaw is in compliance with the <i>Local Government Act</i> , Section 457 and 479 and the <i>Transportation Act</i> , Section 52.

### Background:

Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 received first reading on November 25, 2019. A public hearing was held on January 27, 2020, and second and third readings were granted the same evening.

Pursuant to Section 52(3)a of the *Transportation Act*, the amendment bylaw must be approved by the Ministry of Transportation and Infrastructure (MOTI) prior to final consideration and adoption. As such, the Regional Board directed that final consideration be withheld pending MOTI approval of the amendment bylaw.

MOTI approved Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 on February 5, 2020.

### Conclusion:

All of the requirements identified by the Regional Board for final consideration of the bylaw amendment have been satisfied; therefore, Planning staff recommends that Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 be adopted.

### **Considerations not applicable to this report:**

- *Financial Considerations*
- *Organizational Issues*
- *External Implications*
- *Alternative Recommendation*

Attachment(s):

- Joe Rich Rural Land Use Amendment Bylaw No. 1195-22

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REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1195-22

A Bylaw to Amend Joe Rich Rural Land Use Bylaw 1195, 2007

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WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Joe Rich Rural Land Use Bylaw No. 1195 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. This bylaw shall be cited as Joe Rich Rural Land Use Bylaw No. 1195-22.
2. That the Regional District of Central Okanagan Joe Rich Rural Land Use Bylaw No. 1195, 2007 is hereby AMENDED by the following and forms a part of this bylaw:

2.1 Amending SECTION 2 – PART 1 – Definitions

- 2.1.1 In the appropriate alphabetical order **ADDING** the new definition: "Breezeway means a connection between buildings that is not heated or insulated and is not restricted by intervening doors."
- 2.1.2 In the appropriate alphabetical order **ADDING** the new definition: "Carport means a roofed structure free standing or attached to the principal building which is not enclosed on the front and at least one side, used by the building occupants to shelter parked vehicles."
- 2.1.3 In the appropriate alphabetical order **ADDING** the new definition: "Private Water Source means a water supply from a well or a surface water, not from a community water system, that serves a single parcel of land."
- 2.1.4 **REMOVING** the "On-Site Sewage Disposal" definition and **REPLACING** with the following new definition: "On-Site Sewage Disposal means a system for treating domestic sewage that uses one or more treatment methods and a discharge area, but does not include a holding tank or a privy, and is consistent with the British Columbia Ministry of Health (Health Protection Branch) Sewerage Standard Practices Manual."

2.2 Amending SECTION 2 – PART 3 – General Requirements

- 2.2.1 By **REMOVING** SECTION 3.16 Secondary Suites in its entirety, and **REPLACING** with the following:

"Section 3.16 Secondary Suites

A secondary suite is subject to the following regulations:

1. A secondary suite is added to the list of permitted uses in the LH, RA, SH-1, SH-2, and CR land use designations if the designation has an "s" notation shown on Schedule 'B' (Land Use Designation Maps) of the Joe Rich Rural Land Use Bylaw

No. 1195, 2007, as part of the land use identification. The "s" notation shall be shown on Schedule B the Land Use Designation Map as follows: LHs, RAs, SH1s, SH-2s, and CRs. An "s" classification on a parcel shall be established by redesignating the subject parcel to the "s" version of the land use designation. The regulations set out for the "s" version of the land use designation will be the same as the regulations for the version without the "s", except for the addition of secondary suite as a permitted use.

2. The secondary suite shall have its own separate cooking, sleeping and bathing facilities.
3. The secondary suite shall have direct access to outside without passing through any part of the single family dwelling.
4. The secondary suite shall be located within a single family dwelling.
  - a) The secondary suite shall not be connected to a single family dwelling by a breezeway or carport.
5. No more than one secondary suite is permitted per parcel.
6. A secondary suite is not permitted in conjunction with a bed and breakfast.
7. A secondary suite is not permitted if an additional dwelling unit exists.
8. A home occupation is permitted within a secondary suite.
9. One parking space for the secondary suite is required in addition to those required for the single family dwelling.
10. A secondary suite shall meet all requirements of the British Columbia Building Code and amendments thereto.
11. The secondary suite must be serviced by a community water system or a private water source.
  - a) For a community water system, written authorization permitting the secondary suite from the service provider is required.
  - b) For a private water source, a copy of the Water License, if applicable under the Water Sustainability Act, is required.
12. The secondary suite must be connected to a community sewer system or serviced by an on-site sewage disposal system, subject to the following:
  - a) For community sewer system, written authorization permitting the secondary suite from the service provider is required.
  - b) For on-site sewage disposal, written confirmation is required from an Authorized Person under the Public Health Act: Sewerage System Regulation which includes:
    1. For lots with an existing on-site sewage disposal system, a Compliance Inspection report must indicate that the existing system is capable of processing the daily domestic sewerage flow for both dwelling units and demonstrates the existing system meets today's standards and can be expanded for the new Daily Design Flow and room on the property for a back-up type 1 trench system.

- 2. For lots without an existing on-site sewage disposal system, a primary and reserve area for type 1 trench disposal for intended Daily Design Flow.

READ A FIRST TIME this 25th day of November 2019

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this 27th day of January 2020

READ A SECOND TIME this 27th day of January 2020

READ A THIRD TIME this 27th day of January 2020

Approved under the Transportation Act this \_\_\_\_\_ day of \_\_\_\_\_

Approved pursuant to section 52(3)(a) of the Transportation Act  
this 5 day of February, 2020  
Andrie Henry  
for Minister of Transportation

\_\_\_\_\_  
Ministry of Transportation & Infrastructure

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Joe Rich Rural Land Use Bylaw No. 1195-22 as read a third time by the Regional District of Central Okanagan the 27th day of January 2020

Dated at Kelowna, this 29th day of January 2020

Brian Reardon  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Joe Rich Rural Land Use Bylaw No. 1195-22 which was Adopted by the Regional District of Central Okanagan on the \_\_\_\_\_ day of \_\_\_\_\_

Dated at Kelowna, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Director of Corporate Services

H:\Planning\3360-Zoning\20-Applications\2017\Z17-05 (Sec Suites)\Bylaw\ Joe Rich Rural Land Use Bylaw 1195-22.docx





# Regional Board Report

**TO:** Regional Board

**FROM:** David Komaike  
Director of Engineering

**DATE:** February 18, 2020

**SUBJECT:** Community Emergency Preparedness Fund: Emergency Social Services  
(2020 Application)

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

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**Purpose:** To request Regional Board support for a UBCM – Community Emergency Preparedness Fund Application.

## Executive Summary:

The Union of British Columbia Municipalities (UBCM) Community Emergency Preparedness Fund offers grants to enhance the resiliency of local governments and their residents in responding to and recovering from emergencies.

Staff is requesting support for a grant application under the Emergency Support Services (ESS) stream of funding. The funds, if granted, will provide the ESS volunteers with further training and equipment to enhance communication and modernize processes.

A Regional Board resolution supporting this grant application is required as part of the grant application package. Accordingly, this matter is now before the Regional Board for consideration and approval.

## RECOMMENDATION:

**THAT** the Regional Board supports submitting a \$25,000 grant application under the Union of BC Municipalities – CEPF for the region’s Emergency Support Services program.

Respectfully Submitted:

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David Komaike  
Director of Engineering

Approved for Board’s Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon", is written over a light blue grid background.

Brian Reardon, CAO

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### Implications of Recommendation:

Strategic Plan:	Supports the Sustainable Communities Strategic Priority. “The RDCO will continue work to protect communities from harm through the highly-recognized Regional Emergency Management Program in collaboration with the member municipalities and Westbank First Nation”.
Financial:	Initial purchase, if granted, will have no impact on the taxpayer. On-going maintenance and renewal costs will apply to all assets purchased, and are not covered under this grant.
Legal/Statutory Authority:	‘Under the Emergency Program Act, municipalities and regional districts are responsible for responding to emergencies in their areas, including coordinating emergency support services.’ <sup>1</sup>

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### Background:

The Community Emergency Preparedness Fund (CEPF), administered by the Union of British Columbia Municipalities (UBCM), supports local governments with grant opportunities for disaster response and recovery. The intent of the CEPF is ‘to enhance the resiliency of local governments, First Nations and communities in responding to emergencies.’<sup>2</sup>

This application, if endorsed, will be made under the CEPF Emergency Support Services (ESS) stream. Local ESS team members plan and coordinate emergency activities including:

- Identifying locations for reception centres and group lodging;
- Finding other volunteers;
- Working with local businesses, service organizations and government agencies;
- Housing and feeding people forced from their homes; and
- Supporting other emergency responders

Each year about 5,000 British Columbians volunteer as ESS workers.<sup>1</sup>

This application for CEPF funding supports the modernization of local ESS activities through technology and training. The team wishes to purchase and participate in the following:

Equipment	<ul style="list-style-type: none"> <li>• 4 laptop computers</li> <li>• 1 HUB (WIFI access)</li> <li>• 1 wireless printer</li> </ul>
Training	<ul style="list-style-type: none"> <li>• Indigenous cultural awareness</li> <li>• Mental Health First Aid</li> <li>• First Aid</li> <li>• Food Safe</li> </ul>

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<sup>1</sup> Emergency Support Services (ESS). Government of British Columbia. <https://www2.gov.bc.ca/gov/content/safety/emergency-preparedness-response-recovery/volunteers/emergency-support-services> (accessed February 18, 2020)

<sup>2</sup> Community Emergency Preparedness Fund: Emergency Social Services. Union of BC Municipalities. <https://www.ubcm.ca/EN/main/funding/lgps/community-emergency-preparedness-fund/emergency-support-services.html> (accessed February 14, 2020)

All equipment and training requested will contribute to ESS activities, including: initiation, planning, execution, monitoring, and the eventual closure of each emergency event.

**Organizational Considerations:**

Past requests for CEPF funding were successful and helped to attain equipment, including: cots, a trailer, blankets, and IT equipment.

**Financial Considerations:**

Asset maintenance and renewal expenses are not covered by the CEPF grant.

**External Implications:**

Operation of the EOC is jointly funded by member communities.

**Alternative Recommendation:**

That the Regional Board receive the Community Emergency Preparedness Funding applications for information.