



REGIONAL DISTRICT OF CENTRAL OKANAGAN
REGULAR BOARD MEETING
AGENDA

Thursday, March 12, 2020
Woodhaven Board Room
1450 K.L.O. Road, Kelowna, BC

Pages

1. CALL TO ORDER

Chair to acknowledge 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 24, 2020**

1 - 5

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

Recommended Motion:

THAT the Regional Board meeting minutes of February 24, 2020 be adopted.

5. CORRESPONDENCE

5.1 **Municipal Finance Authority - 50 Anniversary**

6

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

Recommended Motion:

THAT the Municipal Finance Authority of BC (MFA) letter of February 26, 2020 acknowledging their 50th Anniversary be received;

AND FURTHER THAT a letter be forwarded to MFA acknowledging and congratulating the Authority on their anniversary.

5.2 **UBCM Resolution Process Update**

7

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

Recommended Motion:

THAT the UBCM resolution policy update letter of March 4, 2020 be received for information.

6. ENGINEERING SERVICES

6.1 RDCO Regional Westside Wastewater Treatment Plant Development Cost Charge Bylaw No. 1448

8 - 18

(Stakeholder Weighted Vote - West Kelowna & Peachland - Simple Majority - LGA 209)

Recommended Motion:

THAT Regional District of Central Okanagan Westside Regional Wastewater Treatment Plant Development Cost Charge Bylaw No. 1448, 2020 be given first, second and third readings and forwarded to the Inspector of Municipalities for approval.

7. PARK SERVICES

7.1 Mission Creek Greenway Regional Park Provincial Crown Tenure Renewal

19 - 24

(Stakeholder Weighted Vote - All Directors - Simple Majority - LGA 209)

Recommended Motion:

THAT the Regional Board approves acquiring the License for the term of 30 years from the Province over all that unsurveyed Crown foreshore being part of the bed of Mission Creek located within parts of District Lots 131 and 134 and within parts of Sections 6 and 16, Township 26, all of Osoyoos Division Yale District, containing 3.95 hectares, more or less, for park purposes.

8. NEW BUSINESS

8.1 Rise & Report From Governance & Services Committee Meeting - March 12, 2020

8.1.1 North Okanagan Regional District - Regional Growth Strategy Amendment Bylaw

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

8.1.2 911 Wireless Call Answer Levy

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

9. DIRECTOR ITEMS

10. 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 Monday, February 24, 2020

- Directors: J. Baker (District of Lake Country)
M. Bartyik (Central Okanagan East Electoral Area)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
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)
- Absent: C. Fortin (District of Peachland)
J. Coble (Westbank First Nation)
- Staff: B. Reardon, Chief Administrative Officer
T. Cashin, Director of Community Services
J. Foster, Director of Communication & Information Services
C. Griffiths, Director of Economic Development & Bylaw Services
D. Komaike, Director of Engineering Services
M. Kopp, Director of Parks Services
J. Taylor, Planner
M. Drouin, Manager-Corporate Services (recording secretary)

1. CALL TO ORDER

Chair Given called the meeting to order at 7:04 p.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)

#38/20 WOOLDRIDGE/STACK

THAT the agenda be adopted.

CARRIED Unanimously

4. ADOPTION OF MINUTES

- 4.1 Regional Board Meeting Minutes – February 13, 2020 (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

#39/20 BARTYIK/BAKER

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

CARRIED Unanimously

5. CORRESPONDENCE

- 5.1 Sterile Insect Release Board – Appointment to the SIR Working Group on Apportionment (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

SIR's letter of January 31, 2020 requested the Board appoint one director and the CAO from each regional district to the SIR Working Group on Apportionment.

#40/20 BAKER/MILSOM

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

AND FURTHER THAT the Regional District of Central Okanagan hereby appoints Director Sieben (as an alternate Chair Given) and CAO Brian Reardon to the SIR Working Group on Apportionment.

CARRIED Unanimously

6. COMMUNITY SERVICES

- 6.1 Agricultural Advisory Commission Appointments (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

Staff report outlined the members to be appointed and re-appointed to the Agricultural Advisory Commission for 3-year terms.

#41/20 BAKER/JOHNSTON

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).

CARRIED Unanimously

#42/20 **BAKER/JOHNSTON**

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).

CARRIED Unanimously

Director Basran arrived at 7:15 p.m.

- 6.2 Okanagan Basin Water Board - Water Conservation and Quality Improvement Grant *(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)*

Staff report outlined the grant application to OBWB by the Regional District for a source protection plan study.

#43/20 **HODGE/BAKER**

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

CARRIED Unanimously

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

Staff report outlined an application to allow a reduction of the front setback from 4.5m to 2.07m to permit the siting of an existing single detached house and a proposed addition.

Staff outlined the application and the reason for non-support of the variance to 2.07m. It was noted that:

- 8 letters of opposition have been received to date;
- The home has been built within the setback and a variance is required to correct this error.

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

- The Applicant, K. Armstrong, addressed the Board noting that she hired a contractor to construct the foundation and home. Applicant was not in the area during the foundation pouring. She believed the

survey certificate was provided to RDCO. Original builder removed from the build site in October 2018. Applicant was not made aware until after March 2019 when she took possession that the home was built within the setback.

- Bev Hennings, Mountain Drive (submitted letter of opposition). Opposed to the variance. Stated she believed the applicant was in attendance when foundation was poured.
- Tony Burton, Mountain Drive – read out a petition with 22 names. Opposed to the variance. Various residents expressed concern to the applicant regarding the location of the building. Opposed to a rental unit. The property is posted for sale and states there is a separate suite advertised. Parking concerns. Believes a stop work order should have been issued by RDCO during the construction.
- Wayne Nixon, Mountain Drive – Read aloud Bill Holtz, Mountain Drive resident letter of opposition. Rules should not be changed for specific buildings. Mr. Nixon expressed opposition to the variance. Believes the house was overbuilt for the property and it does not suit the area.
- Ray Cotton, Mountain Drive (submitted a letter of opposition). Opposed to the variance, however recognizes the building is there. Does not want to see anything else added to the home.
- The applicant readdressed the Board. Stated the house was built to the size of the plan. RDCO approved the plans for the property. States she was not there during foundation construction stage. RDCO staff passed inspection at the various building stages. No vacation home listing has ever been listed. There is no secondary suite

Questions from the Board to staff occurred on what communication occurred with the surveyor, review of the approved footprint and how the foundation received inspector approval.

Director Sieben left the meeting at 8:05 p.m.

The survey RDCO has on file today clearly shows the encroachment. Approval of a variance is required to legitimize the location of the house as it is built today, and a further variance would be required to allow any addition to the front of the home.

#44/20

CARSON/BARTYIK

THAT the Regional Board approve Development Variance Permit (application VP-19-09) to vary the following provisions of the 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 4.5m (14.8ft) to 4.20m (13.7ft).

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

CARRIED Unanimously

- 6.4 Zoning Amendment Bylaw No. 871-257 – Adoption (*Custom Vote - All Directors - Simple Majority, 1 Director, 1 Vote*)

#45/20 BAKER/STACK

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

CARRIED Unanimously

- 6.5 Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 – Adoption (*Custom Vote - Electoral Areas and Kelowna Fringe - Simple Majority - 1 Director, 1 Vote*)

#46/20 WOOLDRIDGE/BARTYIK

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

CARRIED Unanimously

7. NEW BUSINESS

- 7.1 Community Emergency Preparedness Fund: Emergency Social Services Grant Application (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

#47/20 HODGE/STACK

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.

CARRIED Unanimously

8. DIRECTOR ITEMS

No Board items requiring consideration.

9. ADJOURN

There being no further business the meeting was adjourned at 8:30 p.m.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

Brian Reardon (Chief Administrative Officer)



**Municipal Finance
Authority of BC**

February 26, 2020

Sent via Email

Attention : Financial Administration, Regional District

Re: Request for Acknowledgement: Municipal Finance Authority of British Columbia (MFA) – 50th Anniversary in 2020

We would like to respectfully request a letter of acknowledgement and congratulations to recognize our organization's 50th anniversary in 2020. We will celebrate this milestone at our Annual General Meeting event in Victoria, BC on March 25th and 26th, 2020.

In its 50th year, the MFA is proud of the strong growth it has exhibited in its service footprint and increasing impact on the financial health of local governments in BC. Our vision is to be recognized as a world-class financial institution for the benefit of taxpayers in British Columbia and to be our clients' preferred choice for financing and investing. We strive to increase our value each year. Our mission is to provide financial solutions for BC's Local Governments.

Over the past 50 years, the MFA has raised over \$40 billion dollars in the bond market to fund BC infrastructure and maintain a commercial paper program of \$700 million dollars in support of our short-term lending programs. Our securities are rated at the highest levels possible and are highly sought after by investors in Canada and around the world. This excellent rating and demand for our securities ensure that BC's local governments all borrow at the lowest rates available to municipalities in Canada, reducing taxpayer burden for these projects. All BC municipalities borrow from the MFA at this same low price, benefiting from the MFA's cooperative model which is unique in Canada and reflective of BC's collaborative spirit and ingenuity.

In partnership with our Board of Trustees, our highly-skilled team of 15 dedicated professionals is committed to providing financial solutions to serve the needs of all BC communities, regardless of size or location. We now not only provide access to stable and low-cost long- and short-term funding, but also competitive investment alternatives.

We would greatly appreciate your comments and your consideration of this request is gratefully appreciated.

Kind regards,

Shelley Hahn
Chief Services Officer, MFA

March 4, 2020



To: Chair and Board
Chief and Council
Mayor and Council

Re: UBCM Resolutions Process

In response to member feedback, the UBCM Executive is undertaking a review of the resolutions process. This will include consultation with members at Area Association spring conferences, and a subsequent report to the membership at the 2020 Annual Convention. While the review progresses, the Executive has committed to exercise their existing authority more fully, and apply greater rigour to the screening and vetting of resolutions submitted to UBCM for 2020.

With the understanding that a resolutions process review is already underway, the Resolutions Committee of the UBCM Executive has identified measures that UBCM can implement in the immediate term to streamline the process and address the number and repetitiveness of resolutions. In 2020, the Committee will seek to:

- Identify more directly the resolutions that address issues of priority to the membership, and ensure that debate of these priority issues takes place early on.
- Be more firm in sending resolutions back to the sponsor if resolutions do not meet UBCM criteria for format, clear writing, factual information, or relevance to local government administration or operations.
- Standardize language to be gender neutral and, where applicable, refer to local governments or First Nations rather than municipalities or regional districts. The goal is to avoid using debate time to make such amendments.
- Combine similar resolutions, without losing or changing their intent.
- Offer further education and support to members on writing clear, effective resolutions.
- Work more closely with Area Associations to improve the quality of resolutions debated at their spring conventions.

These streamlining measures could affect resolutions that your community submits to Area Associations or to UBCM this year.

Please feel free to contact Reiko Tagami, Policy Analyst (rtagami@ubcm.ca or 604 270 8226 ext. 115), with questions about resolutions streamlining, or the resolutions process review.

Sincerely,



Maja Tait
UBCM President



Claire Moglove
Chair, Resolutions Committee



Regional Board Report

TO: Regional Board

FROM: David Komaïke
Director of Engineering Services

DATE: March 3, 2020

SUBJECT: Westside Regional Wastewater Treatment Plant – Development Cost Charge Bylaw No. 1448

Voting Entitlement: Stakeholder Vote – West Kelowna & Peachland – Simple Majority – LGA 209

Purpose: To bring forward a recommendation from the Westside Regional Wastewater Treatment Plant Select Stakeholder Committee to adopt a new Development Cost Charge Bylaw for the Westside Regional Wastewater Treatment Plant.

Executive Summary:

The updating of the East Trunk Sanitary Sewer and Westside Regional Wastewater Treatment Plant - Development Cost Charge Bylaws began in 2017. Over the past two and half years, the Westside Regional Wastewater Treatment Plant Select Stakeholder Committee has worked with its consultants, stakeholders and administration to update the DDC Bylaws to reflect new populations forecasts, development densities, revised projects and construction costs.

The Stakeholder Committee is recommending that the Westside Regional Wastewater Treatment Plant DCC Bylaw now be brought forward for consideration by the Regional Board. The Committee wishes to continue consultation with its stakeholders regarding the most appropriate strategy to rollout the East Trunk DCC Bylaw. It is expected that the East Trunk DCC Bylaw will also be adopted within the next 2 months.

RECOMMENDATION:

THAT Regional District of Central Okanagan Westside Regional Wastewater Treatment Plant Development Cost Charge Bylaw No. 1448, 2020 be given first, second and third readings and forwarded to the Inspector of Municipalities for approval.

Respectfully Submitted:

A handwritten signature in dark ink, appearing to read "DK/K", is written over a light blue horizontal line.

David Komaïke
Director of Engineering Services

Approved for Board's Consideration

A handwritten signature in dark ink, appearing to read "Brian Reardon", is written over a light blue horizontal line.

Brian Reardon, CAO

Background:

The updating of the East Trunk Sanitary Sewer and Westside Wastewater Treatment Plant - Development Cost Charge Bylaws began in 2017. The Stakeholder Committee reviewed the completed Urban Systems reports in October 2018 and the final reports were then circulated to each municipality for final review and comment. Following minor adjustments to refined growth projections, the proposed DCC bylaws were circulated to the outside stakeholders, which included the development community, consulting engineers and the general public.

The new DCC bylaws reflect projects needed to accommodate growth; revised construction estimates; revised trunk sewer capacities; and projects needed to accommodate development for the next 20 years. The new rates have been determined by examining detailed information obtained from municipal growth projections, Official Community Plans, Zoning Bylaws and in-stream development applications from each development area. These estimates have been used to prepare revised DCCs for the East Trunk Sewer and Westside Wastewater Treatment Plant.

The Draft Bylaws were circulated to the various communities following the February WWTSSSC meeting and have been revised to reflect the most current development projections available to the consultant. The philosophy behind the development of the bylaws and the DCC's themselves has not changed, however the development density, timing and type have been adjusted. In addition, the cost estimates for the Westside Treatment Plant have been finalized to reflect the completed Outfall Project.

Consultation:

Administration has reached out to the general public, the development community and our member municipalities and solicited comments regarding the proposed new DCC Bylaws. As can be expected, the comments received vary considerably and sometimes express diametrically opposed viewpoints.

The consultation process has included:

- Presentations to both the District of Peachland and City of West Kelowna Councils;
- Detailed review/amendment based upon comments received from planning, development and engineering departments;
- Complete background reports have been posted on the Regional District of Central Okanagan website;
- Direct invitations and mail outs have been sent to the development community;
- Advertisements and notices were placed in local papers;
- A stakeholder meeting and public open house were held to invite open dialog on the proposed new bylaws. Comments were then received for an additional 3 week following the meeting.

A summary of the complete consultation package was previously circulated to the Regional Board in October/2019.

Implementation Options Review:

Throughout the consultation process, the City of West Kelowna had received concerns directly from the development community and UDI, regarding the magnitude of the DCC increases, especially those proposed for the East Trunk Sewer. West Kelowna staff met with RDCO Administration to review the bylaw development/implementation process and to discuss available options to reduce the impact upon the development community. The discussions included:

- Options to reduce the impact of increase by increasing the assist factor to promote more I/C/I development.
- The possibility of increasing the assist factor for the short-term to push developers to commit to getting projects built...i.e.: more taxes, sooner to offset the higher assist factor.
- The timing and phasing of projects, their need, and the size of the current reserves?
- The option of moving to Specified Areas rather than Region Wide DCCs.
- Reviewed the threshold value for DCCs - \$50,000 vs. \$75,000.
- Reviewed the definition of “In-Stream Applications” for subdivisions and building permits. options for the phasing in of the increases currently under consideration.

Select Stakeholder Committee Recommendations:

The Westside Wastewater Treatment Service Stakeholder Select Committee met on February 12th to review the implementation options for both the Westside Wastewater Treatment Plant and East Trunk Sanitary Sewer DCCs: In summary:

- The Committee supports the adoption of the Treatment Plant DCC in its current form; and
- The Committee felt that additional consultation was required for the East Trunk DCC prior to it being adopted.

Financial Considerations:

Moving forward with the adoption of the new Westside Regional Wastewater Treatment Plant DCC Bylaw will help to ensure the long-term viability of the facility. Over the next 20 years, the Plant will require more than \$30,000,000 in upgrades to accommodate the expected growth in the area, with most funded via DCCs payments. The new bylaw will ensure that adequate capacity exists to accommodate new development.

SCHEDULE 'A' REGIONAL DISTRICT OF CENTRAL OKANAGAN WESTSIDE REGIONAL WASTEWATER TREATMENT PLANT DEVELOPMENT COST CHARGE BYLAW XXXX, 2020		
Land Use	Existing Development Cost Charge	2020 Development Cost Charge
Single Detached Residential (per parcel created at subdivision)		
Mobile Home, Modular Home, Manufactured Home - where the units are not located on their own individual lots or bare land strata lots (per dwelling unit)	\$3,188	\$4,194
Duplex or Triplex (per unit permitted on the parcel at time of subdivision)		
	\$2,125	\$2,796
Multiple Housing Residential (per dwelling unit)		
Industrial (per 100 m2 gross floor area)	\$1,381	\$1,817
Commercial (per 100 m2 gross floor area)	\$1,381	\$1,817
Institutional (per 100 m2 gross floor area)	\$1,169	\$1,538

Alternative Recommendation:

THAT the Regional Board receives the Westside Regional Wastewater Treatment Plant – Development Cost Charge Bylaw report for information.

Attachment(s):

- Westside Regional Wastewater Treatment Plant – DCC Bylaw No. 1448

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW 1448, 2020

A Bylaw to impose Development Cost Charges for the Westside Regional Wastewater Treatment Plant pursuant to the provisions of the *Local Government Act*

WHEREAS pursuant to the *Local Government Act*, the Board of the Regional District of Central Okanagan may, by Bylaw, impose development cost charges to assist in sanitary sewer infrastructure;

AND WHEREAS the development cost charges may be imposed for the purpose of providing funds to assist the Regional District in paying the capital cost of providing, constructing, altering, or expanding sewer infrastructure in the District of Peachland, the City of West Kelowna, and Westbank First Nation (by service agreement), in order to serve directly or indirectly, the development in respect of which the charges are imposed;

AND WHEREAS the Board of the Regional District of Central Okanagan has taken the following into consideration:

- (a) future land use patterns and development;
- (b) the phasing of works and services;
- (c) how development designed to result in a low environmental impact may affect the capital costs of infrastructure;
- (d) whether the charges are excessive in relation to the capital cost of prevailing standards of service in all three jurisdictions;
- (e) whether the charges will, in all three jurisdictions:
 - (i) deter development,
 - (ii) discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land, or
 - (iii) discourage development designed to result in a low environmental impact.

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

1. **DEFINITIONS**

- 1.1 For the purpose of this bylaw, the definitions of words and phrases that are not included in this section shall have the meaning assigned to them in the *Local Government Act* or the *Community Charter*, as the case may be.

“Building Permit” means any permit required by the jurisdiction having authority that authorizes the construction, alteration or extension of a building or structure.

“Commercial” means a commercial development in a Commercial zone as defined in the Zoning Bylaw applicable within the jurisdiction, or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of a commercial nature.

“Construct” includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate or shore.

“Construction” includes building, erection, installation, repair, alteration, addition, enlargement, moving, locating, relocating, reconstruction, demolition, removal, excavation, or shoring.

“Development” means the construction, alteration, or extension of buildings and/or structures for any use authorized by the zoning bylaw that requires the issuance of a building permit, but does not include internal alterations of a building and/or structure where the principal use of the building and/or structure, or part thereof, is not changing.

“Duplex Unit” means a dwelling unit in a residential building containing two dwelling units, but does not include a secondary suite or carriage house.

“Dwelling Unit” means accommodation providing sleeping rooms, washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently for a household. This use does not include a room in a hotel or a motel, and does not include recreational vehicles.

“Floor Area, Gross” means the sum of the total horizontal area of all floors of a building or structure contained or partially contained within the exterior and basement walls including without limitation stairways, elevator shafts, storage rooms, mechanical rooms and basements, but excluding parking areas or parking structures that are provided as an accessory use to the building or structure.

“Industrial” means an industrial development in an Industrial zone as defined in the Zoning Bylaw applicable within the jurisdiction, or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of an industrial nature.

“Institutional” means an institutional development in an Institutional zone as defined in the Zoning Bylaw applicable within the jurisdiction, or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of an industrial nature.

“Lot” means the smallest unit into which land is subdivided as shown on the records of the Land Title Office.

“Manufactured Home” means a transportable single-family residential dwelling unit meeting minimum Canadian Standards Association CSA Z240-92MH Series Standard and which is designed to be transported on wheels or chassis to the manufactured home site.

“Mobile Home” means a transportable single-family residential dwelling unit meeting minimum Canadian Standards Association Z-240, suitable for long-term occupancy, and designed to be transported on wheels.

“Modular Home” means a factory built single-family residential dwelling unit meeting Canadian Standards Association A277, suitable for long-term occupancy, and designed to be placed on a permanent foundation.

“Multiple Housing Residential” means housing on a single lot that contains three or more dwelling units within a building.

“Regional District” means the Regional District of Central Okanagan.

“Residential” means a residential development in a Residential zone as defined in the Zoning Bylaw applicable within the jurisdiction, or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of a residential nature.

“Single Detached Residential” means the use of land for a single detached house.

“Structure” means any construction fixed to, supported by or sunk into land or water, excluding asphalt or concrete paving or similar surfacing of a lot.

“Subdivision” means a subdivision as defined in the *Land Title Act* or *Strata Property Act*.

“Triplex Unit” means a dwelling unit in a residential building containing three dwelling units, but does not include a secondary suite or carriage house.

2. DEVELOPMENT COST CHARGES

2.1 Those Development Cost Charges set out in Schedule ‘A’ attached hereto and forming part of this bylaw, are hereby imposed on every person who:

- (a) obtains approval of a subdivision; or
- (b) obtains a building permit authorizing the construction, alteration or extension of a building or structure.

2.2 As enabled under section 561 (6) of the *Local Government Act*, Development Cost Charges set out in Schedule ‘A’ attached hereto and forming part of this bylaw, are hereby imposed on every person who obtains a building permit authorizing the construction, alteration or extension of a building that will, after the construction, alteration or extension, contain fewer than 4 self-contained dwelling units and be put to no other use than the residential use in those dwelling units. *[note: this clause has been included in the bylaw to meet requirements of the Local Government Act in order to allow the Regional District to impose a development cost charge on building permits for buildings that contain 1, 2, or 3 residential dwelling units]*

2.3 Development cost charge rates shall be paid by all development within the boundaries of the District of Peachland, the City of West Kelowna, and Westbank First Nation IR#9 and IR#10.

3. EXEMPTIONS

- 3.1 A development cost charge is not payable if any of the following applies in relation to a development authorized by a Building Permit:
- (a) the permit authorizes the construction, alteration or extension of a building set apart for public worship or part of such a building that is, or will be, after the construction, alteration or extension, exempt from taxation under Section 220 (1) (h) or 224 (2) (f) of the Community Charter;
 - (b) the value of the work authorized by the permit does not exceed \$50,000; or
 - (c) the square footage of the Dwelling Unit is no larger than 29 m².

4. CALCULATION OF APPLICABLE CHARGES

- 4.1 The amount of development cost charges payable in relation to a particular application shall be calculated using the applicable charges set out in Schedule 'A' and depends upon:
- (a) the number of new lots being created by the application for a single detached residential subdivision;
 - (b) The number of Duplex Units or Triplex Units permitted at the time of subdivision or lots that permit Duplex Units or Triplex Units;
 - (c) the number of new Dwelling Units proposed when applying for a Building Permit for development of a Mobile Home, Modular Home, Manufactured Home, where the units are not located on their own individual lots or bare land strata lots;
 - (d) the number of dwelling units proposed when applying for a building permit for multiple unit residential;
 - (e) the gross floor area that will be constructed when applying for a building permit for commercial, industrial, or institutional development; and
 - (f) the number of new lots being created by the application for a subdivision creating lots for Multiple Housing Residential, Commercial, Industrial, or Institutional use.
- 4.2 For mixed use developments, the development cost charge payable shall be calculated separately for each portion of the development in accordance with the zones and land uses which are contained in the building permit, or subdivision application. The total payable will be the sum of the development cost charges for each portion of the development.
- 4.3 Where a type of development is not identified on Schedule 'A' the amount of development cost charges to be paid to the Regional District shall be equal to the development cost charges that would have been payable for the most comparable type of development.

5. TIMING OF PAYMENT

- 5.1 Development cost charges imposed by this Bylaw must be paid in full to the Regional District at the following times:
- (a) where an application is made for the subdivision of land, including the creation of a bare land strata, within zones where single detached residential uses are permitted, at the time of approval of such subdivision;
 - (b) where an application is made for the subdivision of land, including the creation of a bare land strata, within zones where duplex units or triplex units are permitted, at the time of approval of such subdivision;
 - (c) for development of a Multiple Housing Residential Building, at the time of approval of a building permit authorizing the development;
 - (d) for development of a Mobile Home, Modular Home, or Manufactured Home, where the units are not located on their own individual lots or bare land strata lots, at the time of approval of a building permit authorizing the development;
 - (e) for Commercial, Industrial, and Institutional development, at the time of approval of a building permit authorizing the development;
 - (f) a Development Cost Charge shall be paid for a new parcel created for Multiple Housing Residential, Commercial, Industrial, or Institutional use; the charge shall be the amount imposed for one Single Detached Residential unit. This amount shall be paid at the time of subdivision. This amount will be held as a credit against the Development Cost Charges imposed at the time of building permit.

6. REPEAL

- 6.1 The Westbank Sewage Specified Area Development Cost Charge Bylaw No. 401, 1989, is hereby repealed.

7. CITATION

- 7.1 This bylaw may be cited for all purposes as “Regional District of Central Okanagan Westside Regional Wastewater Treatment Plant Development Cost Charge Bylaw 1448, 2020”.

READ A FIRST TIME this 12th day of March 2020

READ A SECOND TIME this 12th day of March 2020

READ A THIRD TIME this 12th day of March 2020

APPROVED by the Inspector of Municipalities the day of 2020

ADOPTED this day of 2020

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1448 cited as the “Regional District of Central Okanagan Westside Regional Wastewater Treatment Plant Development Cost Charge Bylaw 1448, 2020” as read a third time by the Regional Board on the 12th day of March 2020.

Dated at Kelowna, B.C. this
12th day of March, 2020

DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1448 cited as the “Regional District of Central Okanagan Westside Regional Wastewater Treatment Plan Development Cost Charge Bylaw 1448, 2020” as adopted by the Regional Board on the day of 2020.

Dated at Kelowna, B.C. this
day of 2020

DIRECTOR OF CORPORATE SERVICES

SCHEDULE 'A'

REGIONAL DISTRICT OF CENTRAL OKANAGAN WESTSIDE REGIONAL WASTEWATER TREATMENT PLANT DEVELOPMENT COST CHARGE BYLAW 1448, 2020

Land Use	Rate
Single Detached Residential (per parcel created at subdivision) Mobile Home, Modular Home, Manufactured Home - where the units are not located on their own individual lots or bare land strata lots (per dwelling unit) Duplex or Triplex (per unit permitted on the parcel at time of subdivision)	\$4,194
Multiple Housing Residential (per dwelling unit)	\$2,796
Industrial (per 100 m ² gross floor area)	\$1,817
Commercial (per 100 m ² gross floor area)	\$1,817
Institutional (per 100 m ² gross floor area)	\$1,538



Regional Board Report

TO: Regional Board

FROM: Murray Kopp
Director – Parks Services

DATE: March 2, 2020

SUBJECT: Mission Creek Greenway Regional Park Provincial Crown Tenure Agreement
Renewal Report – Resolution Revision

Voting Entitlement: *All Directors - Stakeholder Weighted Vote - Simple Majority - LGA 209.1*

Purpose: Updated resolution required for replacement License tenure, towards the renewal of the provincial Crown land License of Occupation for the Mission Creek Greenway Regional Park for a 30-year term.

Executive Summary:

Further to the Board Report of February 13, 2020, the Province is issuing a replacement License of Occupation for the Mission Creek Greenway Regional Park and is requesting specific wording in the Board resolution that reflects the Crown lands which are to be included within the replacement License.

RECOMMENDATION:

THAT the Regional Board approves acquiring the License for the term of 30 years from the Province over all that unsurveyed Crown foreshore being part of the bed of Mission Creek located within parts of District Lots 131 and 134 and within parts of Sections 6 and 16, Township 26, all of Osoyoos Division Yale District, containing 3.95 hectares, more or less, for park purposes.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Murray Kopp", written over a light blue grid background.

Murray Kopp,
Director – Parks Services

Approved for Board's Consideration

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

Brian Reardon, CAO

Prepared by: Wayne Darlington, Manager – Park Planning & Capital Projects

Implications of Recommendation:

Strategic Plan:	The operation of these Crown lands as part of Mission Creek Greenway Regional Park assists in delivering critical park access to all residents of the Central Okanagan, and meets the strategic priorities of the Regional Board: Transportation and Mobility; Economic Development; and Environment.
Financial:	No additional financial requirement as this is the renewal of an existing provincial Crown tenure agreement. On-going operational and capital funding is considered through the development of annual financial plans.
Policy:	Bylaw #884 Official Regional Parks Plan and the Regional Parks and Greenways Plan for the Central Okanagan (2008-2020) provides the overall general guidance for the delivery of Regional Parks.
Legal/Statutory Authority:	Local Government Act Section 191; Regional Parks and Regional Trails Regulation (B.C. Reg. 361/2004, O.C. 772/2004).

Background:

Further to the Board Report of February 13, 2020 for the Crown Land Tenure Renewal for the Mission Creek Greenway, and due to changes in provincial processes, staff is requesting that the Regional Board consider approving a revised recommendation.

As a result of increasing the tenure term to a 30-year tenure for the renewal of the License of Occupation for the Mission Creek Greenway, the Province requires issuing a replacement license. The previous resolution approved by the Regional Board does not reflect this change as it referred to the original license. As a result, the Province has requested a Regional Board approve a revised resolution that reflects the Crown lands which are to be included within the replacement license.

The province's staff is working with RDCO staff on this and future resolutions for Crown land tenure renewals to ensure they reflect the requirements regarding provincial processes.

External Implications:

The revised resolution is required by the province to complete the issuance of the replacement license of occupation for the Mission Creek Greenway.

Alternative Recommendation:

No alternate recommendation provided.

Considerations not applicable to this report:

- *General*
- *Organizational*

Attachment(s):

- February 13, 2020 Crown Tenure Renewal Board Report for Mission Creek Greenway Regional Park



Regional Board Report

TO: Regional Board

FROM: Murray Kopp
Director – Parks Services Department

DATE: February 3, 2020

SUBJECT: Regional Park Provincial Crown Tenure Agreement Renewal Report

Voting Entitlement: *All Directors - Unweighted Vote - Simple Majority - LGA 208.2*

Purpose: To seek approval to renew the provincial Crown land License of Occupation for the Mission Creek Greenway Regional Park.

Executive Summary:

The Mission Creek Greenway Regional Park lands are comprised of a number of different tenures, permits, rights of ways, easements, and fee simple lands. In 2017, the License of Occupation for the Mission Creek Greenway expired and is currently on a month-to-month basis with the Province while they find the resources to renew the tenure for the Greenway and many other park tenures for the Regional District. As a result, in order to renew the provincial Crown land License of Occupation for the Mission Creek Greenway, the Province is requesting Regional Board approval to renew the tenure.

RECOMMENDATION:

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.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Murray Kopp".

Murray Kopp,
Director – Parks Services

Approved for Board's Consideration

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

Brian Reardon, CAO

Prepared by: Wayne Darlington, Manager – Park Planning & Capital Projects

Implications of Recommendation:

Strategic Plan:	The operation of the Regional Park Service and West Electoral Area Service over Crown lands assists in delivering critical park access to all residents of the Central Okanagan, and meets the strategic priorities of the Regional Board: Transportation and Mobility; Economic Development; and Environment.
Financial:	No additional financial requirement as this is the renewal of an existing provincial Crown tenure agreement. On-going operational and capital funding is considered through the development of annual financial plans.
Policy:	Bylaw #884 Official Regional Parks Plan and the Regional Parks and Greenways Plan for the Central Okanagan (2008-2020) provides the overall general guidance for the delivery of Regional Parks.
Legal/Statutory Authority:	Local Government Act Section 191; Regional Parks and Regional Trails Regulation (B.C. Reg. 361/2004, O.C. 772/2004).

Background:

The Regional District's Regional Parks Service, Electoral Area East and Electoral Area West Community Parks Services operate a number of parks wholly or partially under provincial Crown land tenures, either as a lease or license of occupation agreement for both foreshore and upland portions of the parks. In total the Regional District has 20 tenure agreements with the province of BC, located in 29 parks (21 Regional Parks, 6 West Electoral Area Community Parks and 2 East Electoral Area Community Parks).

Each provincial Crown tenure has a different term, however in the past a Province of BC Crown tenure term was typically 10 years. The Province is looking to extend these terms on the renewals of all the provincial Crown tenures to 30 years where possible. In 2020, we are expecting to see nine provincial Crown land tenures renewed. The Province has experienced a back log of renewals as a result of the two flood years of 2017 and 2018 where provincial staff and resources were temporarily reallocated in dealing with outcomes of the flood situation.

The Mission Creek Greenway Regional Park is a 16.5 kilometre linear greenway trail that goes from Lakeshore Road to Field Road and on to Phase 3a covering 16.5km. The greenway has key access points at McCulloch Road, Field Road, Hollywood Road South, Mission Creek Regional Park, KLO Road, Casorso Road, Mission Sportsfields, and Truswell Road. The park is arguably the busiest and most visited park in the Regional Park system; in 2018 we estimated that 140,000 residents accessed the greenway over that year. The park provides opportunities for walking, bicycling, horseback riding, and connecting to nature through its self-guided interpretation program. Mission Creek Greenway Regional Park has been strongly supported by our partners, the Friends of Mission Creek, since 1996.

The Crown land license of occupation for the Mission Creek Greenway Regional Park is ready for renewal, license number 342858. The Mission Creek Greenway Regional Park consists of a number of different land tenures, fee simple, Crown land license of occupation, right of ways, easements, permits and agreements. In order to maintain the integrity of Mission Creek Greenway Regional Park as a linear greenway park, this Province of BC License of Occupation requires consideration for renewal as per the terms of the tenure agreement.

In order to proceed forward with this and all future provincial Crown land tenure renewals, the Province requires that the Regional Board provide approval for renewing each agreement. Therefore, it is requested that the Regional Board provides approval to renew the Mission Creek Greenway Regional Park provincial Crown land license of occupation as identified in the recommendation.

External Implications:

Since the expiry date for each of these provincial Crown tenures, of October 27th, 2017, each tenure has been continued on a month to month basis as per the tenure agreements. It is critical to work with the province to renew each tenure as the province finds the time and resources to prepare each tenure for renewal, in order to ensure that the Regional Parks, Electoral Area East and Electoral Area West Community Parks Services are maintained.

Alternative Recommendation:

THAT the Regional Board does not approve 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.

Considerations not applicable to this report:

- *General*
- *Organizational*

Attachment(s):

- Map of Mission Creek Greenway Regional Park Provincial Crown Tenure Lands
- Provincial License 342858 Mission Creek Greenway to October 27 2017

