



REGIONAL DISTRICT OF CENTRAL OKANAGAN
REGULAR BOARD MEETING
AGENDA

Monday, April 26, 2021
7:00 p.m.
Woodhaven Board Room
1450 K.L.O. Road, Kelowna, BC

Pages

1. CALL TO ORDER

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

In accordance with the Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Board meetings in-person.

As an open meeting, a live audio-video feed is being broadcast and recorded on rdco.com.

Roll Call

2. ADDITION OF LATE ITEMS

3. ADOPTION OF THE AGENDA

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

Recommended Motion:

THAT the agenda be adopted.

4. ADOPTION OF MINUTES

4.1. Regional Board Meeting Minutes - April 8, 2021

6 - 8

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

Recommended Motion:

THAT the Regional Board meeting minutes of April 8, 2021 be adopted.

5. CORRESPONDENCE

5.1. Okanagan Basin Water Board Meeting Highlights - April 9, 2021 9

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

Recommended Motion:

THAT the Okanagan Basin Water Board meeting highlights of April 9, 2021 be received.

6. CORPORATE SERVICES

6.1. Regional Board Voting Unit Review Update 10 - 29

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

Recommended Motion:

THAT the Regional Board recommend a preferred Voting Unit value of 5,500 to the Ministry of Municipal Affairs for their consideration;

AND FURTHER THAT the Regional Board supports the implementation date of this change to the Voting Unit being the Inaugural Meeting of the next Board following the 2022 general local election.

6.1.1. PowerPoint 30 - 49

7. FINANCIAL SERVICES

7.1. Purchase Commitments over \$100,000 during 1Q 2021 50

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

Recommended Motion:

THAT the Regional Board, as per section 4.6 of the RDCO Purchasing Policy, receive for information the report dated April 6, 2021 on purchase commitments which exceeded \$100,000 made during the 1st quarter of 2021.

7.2. COVID Restart Grant Operating Reserve & Financial Plan Bylaw Amendments 51 - 87

7.2.1. COVID Restart Grant

(All Directors - Weighted Vote - Simple Majority - LGA 210.1)

Recommended Motion:

THAT the Regional Board approve the use of \$8,000 of the COVID Restart Grant Operating Reserve for 2021 for the electronic payroll tracking software as budgeted in the RDCO 2021 – 2025 Financial Plan Amendment Bylaw 1481.

7.2.2. 2020 - 2024 Financial Plan Amending Bylaw No, 1480, 2021

1st, 2nd and 3rd Readings and Adoption

(All Directors - Weighted Vote - Simple Majority - LGA 210.1)

Recommended Motion:

THAT Regional District of Central Okanagan 2020 – 2024 Financial Plan Amendment Bylaw No. 1480 be given first, second and third readings and adopted.

7.2.3. 2021 - 2025 Financial Plan Amending Bylaw No, 1481, 2021

1st, 2nd and 3rd Readings and Adoption

(All Directors - Weighted Vote - Simple Majority - LGA 210.1)

Recommended Motion:

THAT Regional District of Central Okanagan 2021 – 2025 Financial Plan Amendment Bylaw No. 1481 be given first, second and third readings and adopted

7.3. **PowerPoint**

88 - 98

8. **COMMUNITY SERVICES**

8.1. **Regional Growth Strategy Five-Year Review**

99 - 113

- Public comment received on the need for a review of the RGS

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

Recommended Motion:

THAT the Regional Board determine a review of Regional Growth Strategy Bylaw No. 1336 for possible amendment, as per Section 452 (2) of the *Local Government Act*, is not required

AND THAT the Regional Board support staff efforts to actively engage with member municipalities, First Nations, Interior Health Authority and other agencies regarding continued implementation of the Regional District of Central Okanagan Regional Growth Strategy.

8.1.1. **PowerPoint**

114 - 144

8.2. **UBCM Local Government Development Approvals Program Grant Application**

145 - 148

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

Recommended Motion:

THAT the Regional Board approves submitting a grant application under the Union of BC Municipalities – Local Government Development Approvals Program to complete a Development Approvals Process Improvement Strategy.

8.2.1. **PowerPoint**

149 - 158

8.3. **Development Application - Maloney Construction (owner)**

159 - 289

c/o Ecoscape Environmental Consultants

8.3.1.	<p>Floodplain Exemption Application (FEX-20-01)</p> <p>For Maloney Construction (owner) - To be exempt from the floodplain setback provisions of Zoning Bylaw No. 871 to permit the siting of a proposed single family dwelling adjacent to 2223 Westside Place and Okanagan Lake Central Okanagan West Electoral Area</p> <p><i>(Custom Vote: Electoral Areas, West Kelowna & Kelowna Fringe Areas)</i></p> <p><u>Recommended Motion:</u> THAT Floodplain Exemption Application FEX-20-01 for Maloney Construction (owner) not be approved.</p>	
8.3.2.	<p>Development Variance Permit Application (VP-20-03)</p> <p>For Maloney Construction (owner) - To vary Zoning Bylaw No. 871 by allowing a reduction of the minimum front setback. Located adjacent to 2223 Westside Road. Central Okanagan West Electoral Area</p> <ul style="list-style-type: none"> Public comment for those affected by the variance <p><i>(Custom Vote: Electoral Areas, West Kelowna & Kelowna Fringe Area)</i></p> <p><u>Recommended Motion:</u> THAT Development Variance Permit Application VP-20-03 for Maloney Construction (owner) located at 2223 Westside Road not be approved.</p>	
8.3.3.	<p>Development Permit Application (DP-20-08)</p> <p>For Maloney Construction (owner) Located adjacent to 2223 Westside Road, Central Okanagan West Electoral Area</p> <p><i>(Custom Vote: Electoral Areas, West Kelowna & Kelowna Fringe Area)</i></p> <p><u>Recommended Motion:</u> THAT Development Permit Application DP-20-08 for Maloney Construction (owner) located at 2223 Westside Road not be approved.</p>	
8.3.4.	PowerPoint	290 - 362
8.4.	<p>Zoning Amendment Bylaw No. 871-264 (Z20/06) - 2nd & 3rd Readings</p> <p>For M. Basra (owner) to rezone the subject property from A1 to A1s (Secondary Suite) to allow a secondary suite, located at 4379 Black Road, Central Okanagan East Electoral Area</p> <p><i>(Custom Vote: Electoral Areas and Kelowna Fringe Area - Simple Majority)</i></p>	363 - 367

Recommended Motion:

THAT Zoning Amendment Bylaw No. 871-264 be given second and third readings;

AND FURTHER THAT final adoption be withheld pending:

- receipt of a registered covenant on title recognizing the location of the subject property within an area that is actively farmed.

8.4.1. PowerPoint

368 - 377

8.5. Joe Rich Rural Land Use Amendment Bylaw No. 1195-24, (RLUB-20-02), 2nd and 3rd Readings

378 - 382

For P. & K. Bartha (owners) to amend the land use designation for the subject property from SH-2 Small Holdings to SH-2s Small Holdings (Secondary Suite) to allow a secondary suite. Located at 8991 Highway 33 E. Central Okanagan East Electoral Area

(Custom Vote: Electoral Areas and Kelowna Fringe Area - Simple Majority)

Recommended Motion:

THAT Joe Rich Rural Land Use Amendment Bylaw No. 1195-24 be given second and third readings;

AND FURTHER THAT final adoption be withheld pending:

- approval of the bylaw by the Ministry of Transportation and Infrastructure.

8.5.1. PowerPoint

383 - 389

9. NEW BUSINESS

10. DIRECTOR ITEMS

11. 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, April 8, 2021

Directors: J. Baker (District of Lake Country) *(attended electronically)*
M. Bartyik (Central Okanagan East Electoral Area) *(attended electronically)*
M. Singh, alternate for C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area) *(attended electronically)*
M. DeHart (City of Kelowna)
C. Fortin (District of Peachland) *(attended electronically)*
G. Given (City of Kelowna)
C. Hodge (City of Kelowna) *(attended electronically)*
S. Johnston (City of West Kelowna) *(attended electronically)*
J. Zilkie, alternate for G. Milsom (City of West Kelowna) *(attended electronically)*
L. Stack (City of Kelowna) *(attended electronically)*
L. Wooldridge (City of Kelowna) *(attended electronically)*

Absent: B. Sieben (City of Kelowna)

Staff: B. Reardon, Chief Administrative Officer
T. Cashin, Director of Community Services *(attended electronically)*
J. Foster, Director of Communications & Information Services
C. Griffiths, Director of Economic Development/Bylaw *(attended electronically)*
D. Komaie, Director of Engineering Services
M. Kopp, Director of Parks Services *(attended electronically)*
M. Rilko, Director of Financial Services *(attended electronically)*
M. Drouin, Manager-Corporate Services (recording secretary)

1. CALL TO ORDER

Chair Given called the meeting to order at 11:18 a.m.

It was acknowledged that the meeting is being held on the traditional territory of the syilx/Okanagan Peoples.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Board meetings in-person.

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)

#80/21 BARTYIK/BAKER

THAT the agenda be adopted.

CARRIED Unanimously

4. ADOPTION OF MINUTES

- 4.1. Regional Board Meeting Minutes - March 29, 2021 *(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)*

#81/21 DEHART/HODGE

THAT the Regional Board meeting minutes of March 29, 2021 be adopted.

CARRIED unanimously

5. ENGINEERING SERVICES

- 5.1. Utility Rate Update - Septage Disposal / RDCO Septic Tank Effluent Regulation Bylaw No. 1479, **1st, 2nd and 3rd Readings and Adoption**

Staff report provided the background review of the septage disposal service and the reasons for increasing rates.

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

#82/21 BAKER/SINGH

THAT the Regional Board receive for information the Utility Rate Update - Septage Disposal report.

CARRIED Unanimously

(All Directors - Weighted Vote - 2/3 Majority - LGA 209/214)

#83/21 BAKER/STACK

THAT Regional District of Central Okanagan Septic Tank Effluent and Regulation Bylaw No. 1479, 2021 be given first, second, and third readings and adopted.

CARRIED Unanimously

6. NEW BUSINESS

- 6.1. Rise and Report from the Governance & Services Committee Meeting - April 8, 2021

- 6.1.1. Solid Waste Management Plan Update

#84/21 SINGH/JOHNSTON

THAT the Board receive for information the Solid Waste Management Plan Initiatives (SWMP) Update report;

AND FURTHER THAT the initiatives and timelines as outlined in the Solid Waste Management Update Report of April 8, 2021 be supported.

CARRIED Unanimously

7. DIRECTOR ITEMS

No items.

8. ADJOURN IN CAMERA

#85/21

SINGH/HODGE

THAT pursuant to Section 90 (1)(e) of the Community Charter the Regional Board adjourn and convene to a closed to the public meeting - 'In Camera' session to discuss:

- the acquisition or disposition of land and that, in the view of the Regional Board, could reasonably be expected to harm the interests of the Regional District if they were held in public.

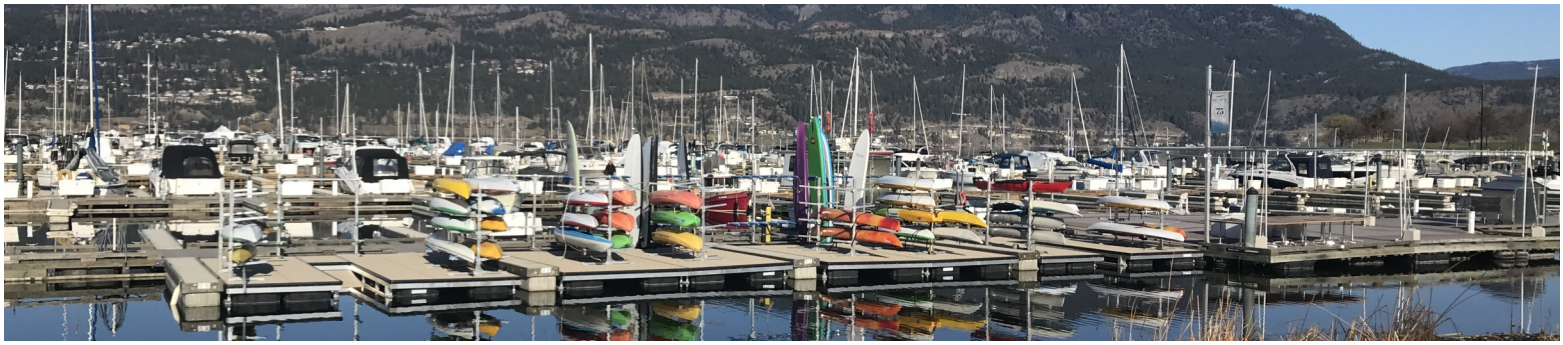
CARRIED Unanimously

There being no further business the meeting was adjourned at 11:25 a.m.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

B. Reardon (Chief Administrative Officer)



Okanagan Basin
WATER BOARD

BOARD REPORT: April 9, 2021

1450 KLO Road, Kelowna, BC V1W 3Z4
P 250.469.6271 F 250.762.7011
www.obwb.ca

OBWB Directors

Sue McKortoff - Chair,
Regional District of Okanagan-
Similkameen

Cindy Fortin - Vice-Chair,
Regional District of Central
Okanagan

Victor Cumming, Regional
District of North Okanagan

Rick Fairbairn, Regional
District of North Okanagan

Bob Fleming, Regional District
of North Okanagan

James Baker, Regional
District of Central Okanagan

Colin Basran, Regional District
of Central Okanagan

Doug Holmes, Regional
District of Okanagan-
Similkameen

Rick Knodel, Regional District
of Okanagan-Similkameen

Chris Derickson, Okanagan
Nation Alliance

Bob Hrasko, Water Supply
Association of B.C.

Denise Neilsen, Okanagan
Water Stewardship Council

The next meeting of the OBWB will be an abbreviated session May 4, 2021 at 9 a.m. online. This will be followed immediately by a joint Board – Water Stewardship Council meeting.

Okanagan Basin Water Board Meeting Highlights

Water Board receives Okanagan Source Water Protection paper: Renee Clark, a member of the OBWB's Okanagan Water Stewardship Council (and former Regional District of North Okanagan Water Quality Manager), presented a paper from the council's source protection committee with recommendations for action. Specifically, the report recommends the board ask the B.C. government to clarify the state of source protection in the province; acknowledge Indigenous values and commitments to the United Nations Declaration on the Rights of Indigenous People in source protection planning; advocate to the province for a lead water agency and dedicated resources to support source water protection planning in the Okanagan. Find the full paper at <http://bit.ly/source-protection>. The board also heard that the OBWB received \$50,000 through the province's Healthy Watersheds Initiative to advance work on its source protection toolkit for local governments.

OBWB delivers report on Okanagan lake level review to Province: Directors were briefed on the Water Board's submission to the B.C. government, with a gap analysis and recommendation of studies to update the Okanagan Lake Regulation System. The report was developed under contract to the province. As such, its release must come from Victoria. The report follows a package of letters sent by the OBWB and Okanagan local governments to the province, calling for an updated lake operating plan that considers climate change, managing for potential flooding and drought.

Update on invasive mussel-infested moss balls provided: The board was updated on zebra mussels that entered B.C. on infested moss balls, sold in pet stores and online. The moss balls, a species of green algae, are used to improve aquarium water quality. The infested product originated in Ukraine, known to be home to the mussels. However, as a precaution, B.C. Conservation Officers seized all moss balls from stores that sold the plant, regardless of origin. In all, 1,100 sellers were contacted, and 3,000 moss balls were surrendered. Testing found none of the mussel-contaminated balls were viable, however, jurisdictions in Eastern Canada and the U.S. have found live mussels on the product. Find safe disposal info. at <https://bit.ly/3fVkJLLV>. Learn more about the risk to Okanagan waters at www.DontMoveAMussel.ca.

Board celebrates 15 years of water grant program: The Water Board marked a milestone in Okanagan water protection this week with the awarding of its Water Conservation and Quality Improvement Grants. Since the program began in 2006, and with this week's award of 16 grants worth \$350,000, the board has now provided 300 grants to Okanagan non-profits, First Nations, local governments and irrigation districts, worth \$5.1 mill. Find our news release with more information at <http://bit.ly/WCQI-2021>.

"Our lakes" art show features Okanagan water: The water of the Okanagan, and the faces and the organizations behind some of the efforts to protect it, are featured in an art exhibit by Penticton's Lyse Desellier. The show, "Our lakes: Connecting the dots." runs Wed. - Sat. until April 24 at the Osoyoos Art Gallery. More information at <https://bit.ly/3dENfXw>.



Regional Board Report

TO: Regional Board

FROM: Brian Reardon
Chief Administrative Officer

DATE: April 12, 2021

SUBJECT: Regional Board – Voting Unit Review Follow-Up

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

Purpose: To seek support to submit a request to the Province (Ministry of Municipal Affairs) for a change to the Regional District's Voting Unit.

Executive Summary:

In November 2019, staff presented a Board report requesting direction to review the Regional District's Voting Unit (report attached). Various voting options were provided for consideration and after deliberations, adopted the following resolutions:

#213/19

THAT the Regional Board authorize the Chief Administrative Officer to enter discussions with the Ministry of Municipal Affairs & Housing to review and amend the Voting Unit assigned to the Regional District of Central Okanagan.

#214/19

THAT the Regional District pursue with the Province of BC a change in the Regional Board's voting unit from 4,000 to 6,000 and report back to the Board prior to any final decision of the Province.

Since that time staff have had ongoing discussions with the Ministry. During these discussions ministerial staff commented that the Board's resolutions were passed without the benefit of referring this matter to our member municipalities and requested that we initiate a consultation process seeking Council resolutions confirming their support for a voting unit review and if so, what population value they would support.

This consultation process was completed in February, 2021 and the results are summarized in the table below. It was noted that every jurisdiction was in favour of reviewing the voting unit value and there was strong support for implementing any changes at the inaugural Board Meeting following the next general local election in 2022.

Unfortunately, consensus was not reached on the actual voting unit value itself and without it the Province is reluctant to make a determination on what a new voting unit value should be.

Instead, the Province has asked the Regional Board to consider the results of the consultation process and provide its preferred voting unit value through an approved resolution.

RDCO Voting Unit Review – Consultation Summary		
Jurisdiction	In Favour of Review	Desired Voting Unit Value
City of Kelowna	Yes	5,000
City of West Kelowna	Yes	5,000
District of Lake Country	Yes	5,500
District of Peachland	Yes	6,500
Electoral Area East	Yes	5,500
Electoral Area West	Yes	6,000

It is noted, the Province is the decision maker on this matter. If the Province supports a change to the RDCO voting unit value, the legislative process of amending the Regional District of Central Okanagan's Letters Patent will be required to be amended.

RECOMMENDATION:

THAT the Regional Board recommend a preferred RDCO Voting Unit value of 5,500 to the Ministry of Municipal Affairs for their consideration;

AND FURTHER THAT the Regional Board supports the implementation date of this change to the Voting Unit being the Inaugural Meeting of the next Board following the 2022 general local election.

Respectfully Submitted:



Brian Reardon, CAO

Background:

At the January 16, 2019 Strategic Planning Workshop the Regional Board identified several issues it wished to address during its 2018 – 2022 term. One of those issues was the review of the Board composition and Voting Unit assigned to the Regional District of Central Okanagan (RDCO). Currently, the Voting Unit value for RDCO is a population of 4,000 with a divisor of 5.

The concern expressed by some Board members was the City of Kelowna has 7 of 13 representatives on the Board creating a situation where one jurisdiction in the RDCO carries the weighted and unweighted corporate vote on all matters, excluding services Kelowna does not participate in. This is less than optimal from a governance perspective and creates operational

challenges for City of Kelowna Council members. Based on current growth projections for our region, this disparity will worsen in the years ahead.

RDCO's current Director representation and voting strength is as follows:



Regional District of Central Okanagan

(incorporated August 24, 1967)

Voting Unit: 4,000 population

	2016 Census including subsequent population changes certified by the Minister ¹	Number of Directors (voting strength/5)	Voting Strength (population/ voting unit)
Cities:			
Kelowna	129,044	7	33
West Kelowna	32,655	2	9
Districts:			
Lake Country	12,922	1	4
Peachland	5,428	1	2
Electoral Areas:			
I - Central Okanagan East	3,824	1	1
J - Central Okanagan West	11,009	1	3
Totals:	194,882	13	52

Populations certified as necessary by the Minister of Municipal Affairs and Housing under sections 196 and 197 of the *Local Government Act* as per the definition in the Schedule to the Community Charter.

Effective November 1, 2017.

These population figures are to be used only in the determination of voting strength and Director representation.

1. Population includes people residing on Indian Reserves and boundary extensions to December 31, 2016.

The number of directors on a regional district board and the voting strength of each director are based on population, and the voting unit / divisor specified in the regional district's letters patent. Population is determined by the Minister of Municipal Affairs and Housing based on the most

recent Census data and adjusted in accordance with the *Local Government Act* and the *Community Charter*.

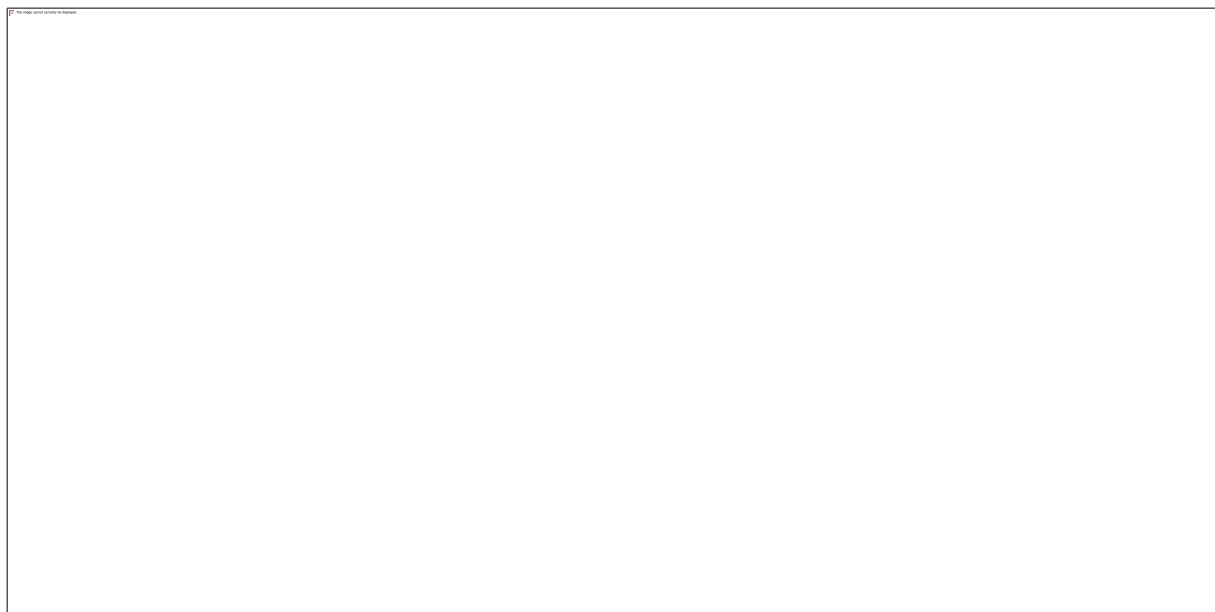
The Voting Unit is the number to which each municipality and each electoral area is entitled when deciding on matters requiring a weighted vote pursuant to the *Local Government Act*. The Voting Unit values vary significantly throughout the Province and range from 600 (Mt. Waddington RD) to 20,000 (Metro Vancouver). The Voting Unit value for the Regional District of Central Okanagan (RDCO) is 4,000. A divisor of 5 is used consistently throughout the Province.

The number of votes (voting strength) to which each municipality, electoral area or Treaty First Nation is entitled for the purposes of weighted voting is determined by dividing the population figure by the voting unit number. Weighted voting is used by regional district boards for financial decisions and decisions about the administration and operation of services. The purpose of voting strength in regional districts is to ensure balanced representation and voting that reflects the relative strength of interest that a jurisdiction has in the matter being voted on.

Analysis:

There are 27 regional districts in British Columbia. When regional districts were first created in the early to mid-1960's their composition was structured to achieve the balanced representation mentioned above. However, over the years, some jurisdictions have grown disproportionately faster than their neighbours. As a result, there are municipalities in 6 regional districts that have the majority vote on matters requiring a weighted corporate vote decision.

The table below illustrates who those 6 regional districts are and their respective composition:



The Regional District of Central Okanagan is the only regional district in British Columbia with their largest municipality having the ability to control matters requiring both a weighted and unweighted corporate vote. From a governance perspective, this is less than optimal.

The Central Okanagan Regional District and in particular the City of Kelowna has experienced rapid growth over the past 20 years and this growth has been reflected at the Regional Board with the addition of a seventh municipal Director at the Board in 2018. Based on the current Voting Unit value of 4,000 and conservative growth projection numbers, an eighth municipal Director from the City of Kelowna will be added in 2022 and a ninth municipal Director in 2031.

The comments from some of the Board members is understandable from an optics perspective. That said, the number of Directors and voting strength assigned to the City of Kelowna is consistent with Provincial legislation and reflects the number of residents they represent in their community. The same legislation applies to every jurisdiction in the Province.

In the fall of 2020 the Province asked our office to initiate a consultation process seeking Council resolutions confirming their support for a voting unit review and if so, what population value they would support.

This consultation process was completed in February, 2021 and the results are summarized in the table below. Anecdotally, it was noted that there was strong support for implementing any changes at the inaugural Board Meeting following the next general local election in 2022.

RDCO Voting Unit Review – Consultation Summary		
Jurisdiction	In Favour of Review	Desired Voting Unit Value
City of Kelowna	Yes	5,000
City of West Kelowna	Yes	5,000
District of Lake Country	Yes	5,500
District of Peachland	Yes	6,500
Electoral Area East	Yes	5,500
Electoral Area West	Yes	6,000

- All jurisdictions favour reviewing the RDCO Voting Unit;
- The two jurisdictions impacted the most by any change, favoured an incremental approach with a voting unit value of 5,000;
- Two jurisdictions noted a change to 5,000 would find the Board in the same situation in 4 years and instead opted for a value of 5,500 which would create balance at the Board for the next 20 years;
- One jurisdiction favoured a Voting Unit of 6,000;
- One jurisdiction favoured a Voting Unit of 6,500;

Observations:

- The majority of jurisdictions favour a Voting Unit value of less than 6,000;
- Based on growth projections for the region, the Board will likely repeat the same process in 4 years;
- A compromise worthy of consideration is a Voting Unit value of 5,500. This would result in the City of Kelowna having 6 of 12 Directors at the Board until the year 2041.

- From a governance perspective, if the Board could choose a solution that would avoid repeating this process again in 4 years, it would save time and resources as well as provide consistency at the Board table.

Optional Voting Unit of 5,500:

Voting Unit (population) -	5,500	Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	5	6	6	6	6	7
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	2	2
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,719	213,833	228,964	245,185	262,577	281,226

Would result in Kelowna reducing 2 Directors immediately but adding an additional Director following 2021 and 2041 Census. The number of Directors from the other jurisdictions remains unchanged from today.

Reasons/Rationale:

In our correspondence with the Ministry of Municipal Affairs on this matter, questions were asked about the reasons for changing our Voting Unit value. Apparently, this type of request doesn't happen very often and as such they want to understand what the Board wishes to address and why. A copy of an email from the Ministry and our responses to them is pasted below for your information:

Please answer the following questions in your proposal:

- Is there a consensus at the RDCO board table supporting this change? Has a vote been taken and what was the outcome? Did non-voting board members participate in the discussion?

At the regular Board Meeting held on November 25, 2019 the Board received a staff report from the CAO seeking direction confirming its wish to review the RDCO Voting Unit. The Board unanimously approved a resolution authorizing the CAO "to enter discussions" with the Province regarding this matter and further to indicate to the Province that it wished to increase our Voting Unit to 6,000 from 4,000. A link to the minutes for this meeting is provided below in this bullet point for your information. Based on these two resolutions I view our "discussions" to date to being preliminary in nature and are intended to gather more information from the Ministry that will form a further report back to our Board. Also, our non-voting Board member from Westbank First Nation was in

attendance and had opportunity to participate in the discussion. https://www.regionaldistrict.com/media/287792/19_11_25brdmin.pdf

- What issues are there for the RDCO board (as a whole) with respect to the current voting unit? What are the anticipated impacts for the RDCO board if there is a change in the voting unit?

The issues the Board wishes address through a review of the current Voting Unit are:

- **The RDCO is the only regional district in British Columbia that has their largest municipality assigned a majority of votes not only on weighted matters but also on regular corporate matters;**
 - **The RDCO Board (as a whole) is aware that should the City of Kelowna vote as a block they could make unilateral decisions affecting the entire region. It has been my experience that the City of Kelowna does not vote as a block, to the contrary, they are the most regional minded jurisdiction I have had the pleasure of working with;**
 - **The optics of one municipality having complete control over all matters at the Board is less than optimal from a governance perspective.**
- What operational challenges are there for the City of Kelowna under the current board composition? Please provide specific examples.

The operational challenges that face the City of Kelowna under the current board composition is that the majority of their council is appointed to the regional board and with one councillor having a conflict of interest that prevents him from being a board member they only have one qualifying “alternate director”. Over the past 2 years this has resulted in almost half of the Board Meetings where at least 1 director from the City of Kelowna is absent. Occasionally, there have been instances where up to 3 directors were absent from the City of Kelowna due to other commitments. 7 of their 9 council members are currently appointed. Based on growth rates for this region we anticipate yet another Kelowna councillor will be appointed following the next census.

- What impact will there be on the City of Kelowna’s voting strength? How is this proposed change viewed by the current City of Kelowna council? What consultation and outreach has been done with the City of Kelowna council?

The November 19th, 2019 RDCO staff report on this matter outlines the potential impact on the City of Kelowna’s voting strength based on a number of scenarios. <https://pub-rdco.escribemeetings.com/filestream.ashx?DocumentId=1836> I have spoken to Kelowna’s City Manager about this matter and he has had discussions with his Council. To my knowledge, the Kelowna City Council has not formed a position on this matter and are waiting for the subsequent RDCO staff report based on input from the Province. As an aside, the City Manager did express concern about this matter however he was non descript. Again, waiting for a further report from the RDCO.

- What would a future City of Kelowna council be giving up if there were a change to the voting unit?

That depends on the Voting Unit value. Presumably, they would give up the majority vote on all unweighted corporate matters. I don’t believe, under any reasonable circumstance would they lose the majority vote on weighted corporate matters. They would also give up, to a certain degree, the voting strength they are currently entitled to under the current voting scheme.

- What impact will there be on the voting strength of other RDCO members if there is an increase in the voting unit? Has there been any consultation with the other municipalities and what are their opinions on this change?

The potential impact on the voting strength of the other RDCO members under a variety of voting unit values has been calculated based on their respective growth rates over the next 20 years. A copy of this report is attached to this email for your reference. There has not been any formal consultation with the other municipalities so we do not know what their opinions are on this change. That said, this issue has been raised at the Regional CAO Level and there is interest on what the outcome will be. Based on the discussion by Board members when this report was tabled there was a general consensus supporting a change. A link to the audio recording of the November 25th, 2019 Board Meeting is attached for your

reference: https://www.regionaldistrict.com/media/276824/Audio_19_11_25brd.mp3

- Which specific kinds of votes / region-wide services the change would affect and how? Are there any examples where a specific service may be affected by a change in voting unit?

Based on the participation and composition of our regional, sub-regional and local services I would suggest there would not be a change on the weighted stakeholder vote on regional services such as economic development, parks, dog control, air quality, etc. and similarly on sub-regional services such as wastewater treatment service in West Kelowna of which the City of Kelowna does not participate. There wouldn't be any change to the weighted corporate vote either. Most of the change would be associated with unweighted corporate matters.

- Any other impacts this change may have that are important to identify?
- **I think the Board wants to take a pro-active approach to this matter. The City of Kelowna has operational challenges with fielding all of the Directors on a consistent basis. This is only going to get worse after the next census. The other municipalities are looking for more of a balance of voting strength/power at the Board. The Board is wanting to practice good governance and wishes to address the optics of having one municipality being able to control all decisions at the Board table.**

Please provide a summary of any consultation undertaken or votes taken on this issue with the RDCO board and each individual RDCO jurisdiction. This may include council minutes documenting the view of board or council or letters of support for the proposal.

Because we are in the preliminary discussion phase with the Province there has not been any consultation at the political level and therefore we have no letters of support.

As you are aware, regional district voting is a complex topic, so sharing this information with the public would need to be carefully communicated. A summary of how interested members of the public have had the opportunity to raise their concerns with the board and been informed of this potential change would also be helpful.

I see this happening after we (the RDCO and the Province) have some "discussions" about the process and the possibilities.

Options:

There are several options available for the Board to consider. They consist of:

- Do nothing and keep the Voting Unit value at 4,000;
- Respect the resolutions from the two largest jurisdictions who will be impacted the most by any change to the Voting Unit value and increase it to 5,000;
- Consider a compromise Voting Unit value of 5,500 that will have a longer lasting effect;
- Confirm the Board's previous resolution supporting a Voting Unit Value of 6,000;
- Increase the Voting Unit value to 6,500

Alternate Approach:

- Consider changing the "divisor". A divisor value of 5 is applied consistently throughout the province and is the value used as the maximum number of weighted votes a Director has. Consideration could be given to increasing this value which is another way of reaching the similar result.

Option #1:

		Current Voting Unit of (2021 Projected Population) 4000				
Member Jurisdiction	2021 Projected Population	# Directors	Voting Strength (# of Votes)	% Weighted Vote	% Corporate Vote	% of Population
Kelowna	140,714	8	36	62%	57%	66%
West Kelowna	36,539	2	10	17%	14%	17%
Lake Country	14,317	1	4	7%	7%	7%
Peachland	5,752	1	2	3%	7%	3%
Electoral Area East	4,176	1	2	3%	7%	2%
Electoral Area West	12,323	1	4	7%	7%	6%
Totals:	213,821	14	58	100%	100%	100%

Option #2

		Voting Unit of (2021 Projected Population) 5000							
Member Jurisdiction	2021 Projected Population	# Directors	Change in # of Directors	Voting Strength (# of Votes)	Change in # of votes	% Weighted Vote	% Change in Voting Strength	% Corporate Vote	% of Population
Kelowna	140,714	6	↓ 2	29	↓ 7	63%	1%	50%	66%
West Kelowna	36,539	2	No change	8	↓ 2	17%	0%	17%	17%
Lake Country	14,317	1	No change	3	↓ 1	7%	0%	8%	7%
Peachland	5,752	1	No change	2	No change	4%	1%	8%	3%
Electoral Area East	4,176	1	No change	1	↓ 1	2%	-1%	8%	2%
Electoral Area West	12,323	1	No change	3	↓ 1	7%	0%	8%	6%
Totals:	213,821	12		46		100%		100%	100%

Option #3

		Voting Unit of (2021 Projected Population) 5500							
Member Jurisdiction	2021 Projected Population	# Directors	Change in # of Directors	Voting Strength (# of Votes)	Change in # of votes	% Weighted Vote	% Change in Voting Strength	% Corporate Vote	% of Population
Kelowna	140,714	6	↓ 2	26	↓ 10	62%	0%	50%	66%
West Kelowna	36,539	2	No change	7	↓ 3	17%	-1%	17%	17%
Lake Country	14,317	1	No change	3	↓ 1	7%	0%	8%	7%
Peachland	5,752	1	No change	2	No change	5%	1%	8%	3%
Electoral Area East	4,176	1	No change	1	↓ 1	2%	-1%	8%	2%
Electoral Area West	12,323	1	No change	3	↓ 1	7%	0%	8%	6%
Totals:	213,821	12		42		100%		100%	100%

Option #4

		Proposed Voting Unit of (2021 Projected Population) 6000							
Member Jurisdiction	2021 Projected Population	# Directors	Change in # of Directors	Voting Strength (# of Votes)	Change in # of votes	% Weighted Vote	% Change in Voting Strength	% Corporate Vote	% of Population
Kelowna	140,714	5	↓ 3	24	↓ 12	62%	-1%	45%	66%
West Kelowna	36,539	2	No change	7	↓ 3	18%	1%	18%	17%
Lake Country	14,317	1	No change	3	↓ 1	8%	1%	9%	7%
Peachland	5,752	1	No change	1	↓ 1	3%	-1%	9%	3%
Electoral Area East	4,176	1	No change	1	↓ 1	3%	-1%	9%	2%
Electoral Area West	12,323	1	No change	3	↓ 1	8%	1%	9%	6%
Totals:	213,821	11		39		100%		100%	100%

Option #5

		Proposed Voting Unit of (2021 Projected Population) 6500							
Member Jurisdiction	2021 Projected Population	# Directors	Change in # of Directors	Voting Strength (# of Votes)	Change in # of Votes	% Weighted Vote	% Change in Voting Strength	% Corporate Vote	% of Population
Kelowna	140,714	5	↓ 3	22	↓ 14	63%	1%	45%	66%
West Kelowna	36,539	2	No change	6	↓ 4	17%	0%	18%	17%
Lake Country	14,317	1	No change	3	↓ 1	9%	2%	9%	7%
Peachland	5,752	1	No change	1	↓ 1	3%	-1%	9%	3%
Electoral Area East	4,176	1	No change	1	↓ 1	3%	-1%	9%	2%
Electoral Area West	12,323	1	No change	2	↓ 2	6%	-1%	9%	6%
Totals:	213,821	11		35		100%		100%	100%

Conclusions:

The results of the consultation process for the RDCO Voting Unit review are summarized in the table below:

RDCO Voting Unit Review – Consultation Summary		
Jurisdiction	In Favour of Review	Desired Voting Unit Value
City of Kelowna	Yes	5,000
City of West Kelowna	Yes	5,000
District of Lake Country	Yes	5,500
District of Peachland	Yes	6,500
Electoral Area East	Yes	5,500
Electoral Area West	Yes	6,000

Our office has shared these results with the Ministry for comment. We have been advised the Ministry will be reluctant to weigh in on the issue unless the Regional Board considers all of the information in this report and provides a formal resolution identifying a preferred Voting Unit value that would be implemented at the Inaugural Board Meeting in November, 2022.

The options available to the Board are:

- Do nothing and keep the Voting Unit value at 4,000;
- Respect the resolutions from the two largest jurisdictions who will be impacted the most by any change to the Voting Unit value and increase it to 5,000;
- Consider a compromise Voting Unit value of 5,500 that will have a longer lasting effect;
- Confirm the Board's previous resolution supporting a Voting Unit Value of 6,000;
- Increase the Voting Unit value to 6,500

This is a foundational issue rooted in Provincial Legislation that has a direct impact on how the Board advances the business of the corporation. It is a matter requiring a political response and a decision that the Board wishes to present to the Province.

Alternate Recommendation:

THAT the Regional Board recommend a preferred RDCO Voting Unit value of 5,000 to the Ministry of Municipal Affairs for their consideration;

AND FURTHER THAT the Regional Board supports the implementation date of this change to the Voting Unit being the Inaugural Meeting of the next Board following the 2022 general local election

Attachment(s):

- Board Report – November 19, 2019
- Current Voting Structure

REGIONAL DISTRICT OF CENTRAL OKANAGAN

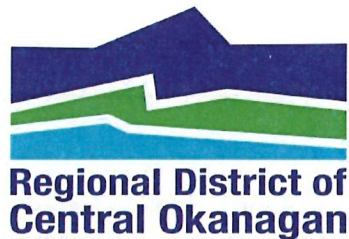
VOTING STRUCTURE – 2020-2021

	<u>Weighted</u>	<u>Unweighted</u>
Mark Bartyik (Central Okanagan East Electoral Area)	1	1
Wayne Carson (Central Okanagan West Electoral Area)	3	1
Mayor James Baker (Lake Country)	4	1
Mayor Cindy Fortin (Peachland)	2	1
Mayor Colin Basran (City of Kelowna)	5	1
Councillor Maxine DeHart (City of Kelowna)	5	1
Councillor Gail Given (City of Kelowna)	5	1
Councillor Brad Sieben (City of Kelowna)	5	1
Councillor Luke Stack (City of Kelowna)	5	1
Councillor Charlie Hodge (City of Kelowna)	4	1
Councillor Loyal Wooldridge (City of Kelowna)	4	1
Mayor Gord Milsom (City of West Kelowna)	5	1
Councillor Stephen Johnston (City of West Kelowna)	4	1
<hr/>		
TOTAL:	52	13
<hr/>		

Voting based on 2016 Canadian Census

Councillor J. Coble, Westbank First Nation – is a non-voting Board member

**Updated Jan. 27, 2020 due to City of Kelowna redistribution of votes*



Regional Board Report

TO: Regional Board

FROM: Brian Reardon
CAO

DATE: November 19, 2019

SUBJECT: Request for Direction—Regional District of Central Okanagan Voting Unit Review

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

Purpose: To seek Board direction confirming its wish to review the RDCO Voting Unit with a view of changing the composition of the Regional Board.

Executive Summary:

At the January 16, 2019 Strategic Planning Workshop the Regional Board identified several issues it wished to address during its 2018 – 2022 term. One of those issues was the review of the Board composition and Voting Unit assigned to the Regional District of Central Okanagan (RDCO). Currently, the Voting Unit value for RDCO is a population of 4,000 with a divisor of 5.

The concern expressed by some Board members was the City of Kelowna has 7 of 13 representatives on the Board creating a situation where one jurisdiction in the RDCO carries the weighted and unweighted corporate vote on all matters, excluding services Kelowna does not participate in. This is less than optimal from a governance perspective and creates operational challenges for City of Kelowna Council members. Based on current growth projections for our region, this disparity will worsen in the years ahead.

Should the Board wish to review the voting unit with a view of changing the composition of the Regional Board, a motion supporting the staff recommendation below would be in order.

RECOMMENDATION:

THAT the Regional Board authorize the Chief Administrative Officer to enter discussions with the Ministry of Municipal Affairs & Housing to review and amend the Voting Unit assigned to the Regional District of Central Okanagan.

Respectfully Submitted:

A handwritten signature in black ink that reads "Brian Reardon".

Brian Reardon, CAO

Background:

At the January 16th, 2019 Strategic Planning Workshop the Regional Board identified several issues it wished to address during its 2018 – 2022 term. One of those issues was the review of the Voting Unit assigned to the Regional District of Central Okanagan (RDCO) through Letters Patent.

RDCO's current Director representation and voting strength is as follows:



Regional District of Central Okanagan

(incorporated August 24, 1967)

Voting Unit: 4,000 population

	2016 Census including subsequent population changes certified by the Minister ¹	Number of Directors (voting strength/5)	Voting Strength (population/ voting unit)
Cities:			
Kelowna	129,044	7	33
West Kelowna	32,655	2	9
Districts:			
Lake Country	12,922	1	4
Peachland	5,428	1	2
Electoral Areas:			
I - Central Okanagan East	3,824	1	1
J - Central Okanagan West	11,009	1	3
Totals:	194,882	13	52

Populations certified as necessary by the Minister of Municipal Affairs and Housing under sections 196 and 197 of the *Local Government Act* as per the definition in the Schedule to the Community Charter.

Effective November 1, 2017.

These population figures are to be used only in the determination of voting strength and Director representation.

1. Population includes people residing on Indian Reserves and boundary extensions to December 31, 2016.

The number of directors on a regional district board and the voting strength of each director are based on population, and the voting unit / divisor specified in the regional district's letters patent. Population is determined by the Minister of Municipal Affairs and Housing based on the most recent Census data and adjusted in accordance with the *Local Government Act* and the *Community Charter*.

The Voting Unit is the number to which each municipality and each electoral area is entitled when deciding on matters requiring a weighted vote pursuant to the *Local Government Act*. The Voting Unit values vary significantly throughout the Province and range from 600 (Mt. Waddington RD) to 20,000 (Metro Vancouver). The Voting Unit value for the Regional District of Central Okanagan (RDCO) is 4,000. A divisor of 5 is used consistently throughout the Province.

The number of votes (voting strength) to which each municipality, electoral area or Treaty First Nation is entitled for the purposes of weighted voting is determined by dividing the population figure by the voting unit number. Weighted voting is used by regional district boards for financial decisions and decisions about the administration and operation of services. The purpose of voting strength in regional districts is to ensure balanced representation and voting that reflects the relative strength of interest that a jurisdiction has in the matter being voted on.

There are 27 regional districts in British Columbia. When regional districts were first created in the early to mid-1960's their composition was structured to achieve the balanced representation mentioned above. However, over the years, some jurisdictions have grown disproportionately faster than their neighbours. As a result, there are municipalities in 6 regional districts that have the majority vote on matters requiring a weighted corporate vote decision.

The table below illustrates who those 6 regional districts are and their respective composition:

Regional District	Largest Municipality	Population	Voting Unit	# of Directors	Voting Strength
Central Okanagan	City of Kelowna	129,044 / 194,882	4,000	* 7 of 13	33 of 52
Fraser Fort George	City of Prince George	74,003 / 94,506	4,000	4 of 14	19 of 30
Nanaimo	City of Nanaimo	90,504 / 155,698	2,500	8 of 19	37 of 68
qathet	City of Powell River	13,157 / 19,363	2,000	2 of 7	7 of 13
Strathcona	City of Campbell River	33,465 / 44,671	1,500	5 of 13	23 of 34
Thompson-Nicola	City of Kamloops	90,280 / 132,663	3,250	6 of 26	28 of 52

The Regional District of Central Okanagan is the only regional district in British Columbia with their largest municipality having the ability to control matters requiring both a weighted and unweighted corporate vote. From a governance perspective, this is less than optimal.

Should the Board wish to address this issue, it will need to have its Voting Unit increased. The following 5 tables illustrate the impact of increasing the Voting Unit in increments of 500.

Current Voting Unit of 4,000:

Voting Unit (population) -	4,000	Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	7	8	8	9	9	10
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	3	3	3
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,721	213,835	228,966	245,189	262,581	281,230

Kelowna will need an 8th Director following the next Census in 2021. Kelowna and West Kelowna will get an additional Director following the 2031 Census. The number of Directors from the other jurisdictions remains unchanged from today.

Optional Voting Unit of 4,500:

Voting Unit (population) -	4,500	Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	6	7	7	8	8	9
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	3	3
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,720	213,834	228,965	245,187	262,580	281,229

Would result in Kelowna reducing by 1 Director immediately but adding an additional Director following 2021, 2031, and 2041 Census. West Kelowna would add 1 Director following 2036 Census. The number of Directors from the other jurisdictions remains unchanged from today.

Optional Voting Unit of 6,000:

Voting Unit (population) -	6,000	Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	5	5	6	6	6	7
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	2	2
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,719	213,832	228,964	245,185	262,577	281,226

Would result in Kelowna reducing 2 Directors immediately but adding an additional Director following 2026 and 2041 Census. The number of Directors from the other jurisdictions remains unchanged from today.

Changes to the Voting Unit require an amendment to the Letters Patent that originally created the regional district and those amendments must be approved by the Province Governments' Lieutenant Governor in Council on the recommendation of the Minister of Municipal Affairs & Housing.

There are two key questions that staff are looking for direction on:

1. Does the Board wish to review the RDCO Voting Unit with a view of changing the composition of the Regional Board?
2. If the answer to question No. 1. is yes, then does the Board have a preferred Voting Unit value it wishes to have the Lieutenant Governor in Council approve?

The answers to these questions will provide the clear direction staff will need should the recommendation in this report be approved by the Board.

Optional Voting Unit of 5,000:

Voting Unit (population) -	5,000	Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	6	6	7	7	7	8
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	2	3
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,720	213,833	228,965	245,186	262,578	281,228

Would result in Kelowna reducing 1 Director immediately but adding an additional Director following 2026 and 2041 Census. West Kelowna would add 1 Director following 2041 Census. The number of Directors from the other jurisdictions remains unchanged from today.

Optional Voting Unit of 5,500:

Voting Unit (population) -	5,500	Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	5	6	6	6	6	7
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	2	2
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,719	213,833	228,964	245,185	262,577	281,226

Would result in Kelowna reducing 2 Directors immediately but adding an additional Director following 2021 and 2041 Census. The number of Directors from the other jurisdictions remains unchanged from today.



City of West Kelowna

2760 Cameron Road, West Kelowna, British Columbia V1Z 2T6
Tel (778) 797.1000 Fax (778) 797.1001

March 1, 2021

Brian Reardon, CAO
Regional District of Central Okanagan
1450 KLO Road
Kelowna, BC V1W 2K8

VIA email: brian.reardon@rdco.com

Dear Mr. Reardon,

Re: Regional District of Central Okanagan Voting

On Tuesday February 23, 2021, Regular Council Meeting, Council passed the following resolution (C091/21):

THAT Council support the change in voting composition of the Regional District of Central Okanagan to 1 vote per 5,000 population.

Council also suggested that the RDCO seek advice from the Province on considering a sunrise clause that would tie the per capita representation to population growth to avoid revisiting the same challenge at the next census.

Sincerely,

Paul Gipps
Chief Administrative Officer

cc: Mayor and Council
Regional District of Central Okanagan Chair

Request for Direction - RDCO Voting Unit Review

Regional Board Meeting

April 26, 2021

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Background

- Due to rapid population growth, the City of Kelowna had a seventh Director added to the Board in November 2017;
- The Regional Board Strategic Planning Workshop was held on January 16th, 2019;
- The composition of the Board and the RDCO Voting Unit was identified as an issue to review;
- Staff presented a report to the Board on this matter in November 2019 seeking direction.

Voting Unit Review

Regional District	Largest Municipality	Population	Voting Unit	# of Directors	Voting Strength
Central Okanagan	City of Kelowna	129,044 / 194,882	4,000	* 7 of 13	33 of 52
Fraser Fort George	City of Prince George	74,003 / 94,506	4,000	4 of 14	19 of 30
Nanaimo	City of Nanaimo	90,504 / 155,698	2,500	8 of 19	37 of 68
qathet	City of Powell River	13,157 / 19,363	2,000	2 of 7	7 of 13
Strathcona	City of Campbell River	33,465 / 44,671	1,500	5 of 13	23 of 34
Thompson-Nicola	City of Kamloops	90,280 / 132,663	3,250	6 of 26	28 of 52

Voting Unit (population) -	4,000	Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	7	8	8	9	9	10
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	3	3	3
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,721	213,835	228,966	245,189	262,581	281,230

Background

- Various voting options were provided for consideration and after deliberations, the Board adopted the following resolutions:
 - #213/19
 - *THAT the Regional Board authorize the Chief Administrative Officer to enter discussions with the Ministry of Municipal Affairs & Housing to review and amend the Voting Unit assigned to the Regional District of Central Okanagan.*
 - #214/19
 - *THAT the Regional District pursue with the Province of BC a change in the Regional Board's voting unit from 4,000 to 6,000 and report back to the Board prior to any final decision of the Province.*

Background

- The CAO contacted the Ministry of Municipal Affairs to present information and confirm the process by which the Province and the RDCO would review and possibly amend the Voting Unit value for the Central Okanagan;
- After reviewing our information, the Province requested we initiate a formal consultation process with all municipal Councils on this matter prior to the Province providing a response;
- Consultation process was completed in February, 2021.

RDCO Voting Unit Review – Consultation Summary

Jurisdiction	In Favour of Review	Desired Voting Unit Value
City of Kelowna	Yes	5,000
City of West Kelowna	Yes	5,000
District of Lake Country	Yes	5,500
District of Peachland	Yes	6,500
Electoral Area East	Yes	5,500
Electoral Area West	Yes	6,000

Background Continued

- Consensus was not reached on the Voting Unit value;
- However, consensus was reached on the need to review the voting unit and there was strong support for implementing any change at the inaugural meeting of the next Board;
- Without consensus on the Voting Unit value, the Province is looking to the Regional Board to consider the results of the consultation process and advise what new value it wishes to have as its Voting Unit;

		Current Voting Unit of (2021 Projected Population)				
		4000				
Member Jurisdiction	2021 Projected Population	# of Directors	Voting Strength (# of Votes)	% Weighted Vote	% Corporate Vote	% of Population
Kelowna	140,714	8	36	62%	57%	66%
West Kelowna	36,539	2	10	17%	14%	17%
Lake Country	14,317	1	4	7%	7%	7%
Peachland	5,752	1	2	3%	7%	3%
Electoral Area East	4,176	1	2	3%	7%	2%
Electoral Area West	12,323	1	4	7%	7%	6%
Totals:	213,821	14	58	100%	100%	100%

Voting Unit of (2021 Projected Population)

5000

Member Jurisdiction	2021 Projected Population	# of Directors	Change in # of Directors	Voting Strength (# of Votes)	Change in # of Votes	% Weighted Vote	% Change in Voting Strength	% Corporate Vote	% of Population
Kelowna	140,714	6	↓2	29	↓7	63%	1%	50%	66%
West Kelowna	36,539	2	No change	8	↓2	17%	0%	17%	17%
Lake Country	14,317	1	No change	3	↓1	7%	0%	8%	7%
Peachland	5,752	1	No change	2	No change	4%	1%	8%	3%
Electoral Area East	4,176	1	No change	1	↓1	2%	-1%	8%	2%
Electoral Area West	12,323	1	No change	3	↓1	7%	0%	8%	6%
Totals:	213,821	12		46		100%		100%	100%

Voting Unit of (2021 Projected Population)

5500

Member Jurisdiction	2021 Projected Population	# of Directors	Change in # of Directors	Voting Strength (# of Votes)	Change in # of Votes	% Weighted Vote	% Change in Voting Strength	% Corporate Vote	% of Population
Kelowna	140,714	6	↓2	26	↓10	62%	0%	50%	66%
West Kelowna	36,539	2	No change	7	↓3	17%	-1%	17%	17%
Lake Country	14,317	1	No change	3	↓1	7%	0%	8%	7%
Peachland	5,752	1	No change	2	No change	5%	1%	8%	3%
Electoral Area East	4,176	1	No change	1	↓1	2%	-1%	8%	2%
Electoral Area West	12,323	1	No change	3	↓1	7%	0%	8%	6%
Totals:	213,821	12		42		100%		100%	100%

Proposed Voting Unit of (2021 Projected Population)

6000

Member Jurisdiction	2021 Projected Population	# Directors	Change in # of Directors	Voting Strength (# of Votes)	Change in # of votes	% Weighted Vote	% Change in Voting Strength	% Corporate Vote	% of Population
Kelowna	140,714	5	↓3	24	↓12	62%	-1%	45%	66%
West Kelowna	36,539	2	No change	7	↓3	18%	1%	18%	17%
Lake Country	14,317	1	No change	3	↓1	8%	1%	9%	7%
Peachland	5,752	1	No change	1	↓1	3%	-1%	9%	3%
Electoral Area East	4,176	1	No change	1	↓1	3%	-1%	9%	2%
Electoral Area West	12,323	1	No change	3	↓1	8%	1%	9%	6%
Totals:	213,821	11		39		100%		100%	100%

Proposed Voting Unit of (2021 Projected Population)

6500

Member Jurisdiction	2021 Projected Population	# Directors	Change in # of Directors	Voting Strength (# of Votes)	Change in # of Votes	% Weighted Vote	% Change in Voting Strength	% Corporate Vote	% of Population
Kelowna	140,714	5	↓3	22	↓14	63%	1%	45%	66%
West Kelowna	36,539	2	No change	6	↓4	17%	0%	18%	17%
Lake Country	14,317	1	No change	3	↓1	9%	2%	9%	7%
Peachland	5,752	1	No change	1	↓1	3%	-1%	9%	3%
Electoral Area East	4,176	1	No change	1	↓1	3%	-1%	9%	2%
Electoral Area West	12,323	1	No change	2	↓2	6%	-1%	9%	6%
Totals:	213,821	11		35		100%		100%	100%

Analysis

- The Province is reluctant to weigh in on the issue without Board consideration of the municipal Council consultation results;
- Key considerations:
 - There is unanimous support for the review of the RDCO voting unit;
 - The two jurisdictions most impacted by a change to the voting unit value supported an incremental approach with a population value of 5,000;
 - Most jurisdictions favoured a voting unit value of less than 6,000;
 - Regional population modelling suggests a voting unit value of 5,000 will result in the same Board composition as we have today in 4 years time;
 - Regional population modelling suggests a voting unit of 5,500 will have a lasting effect for approximately 20 years (2041).

Voting Unit (population) - 5,000		Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	6	6	7	7	7	8
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	2	3
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,720	213,833	228,965	245,186	262,578	281,228

Voting Unit (population) - 5,500		Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	5	6	6	6	6	7
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	2	2
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,719	213,833	228,964	245,185	262,577	281,226

Voting Unit (population) -	6,000	Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	5	5	6	6	6	7
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	2	2
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,719	213,832	228,964	245,185	262,577	281,226

Voting Unit (population) - 6,500		Projected Census Year Population					
Jurisdiction	Growth Rate %	2016	2021	2026	2031	2036	2041
Kelowna	1.34%	131,654	140,714	150,398	160,749	171,811	183,635
	#Directors	5	5	5	5	6	6
West Kelowna	1.60%	33,751	36,539	39,557	42,824	46,362	50,191
	#Directors	2	2	2	2	2	2
Lake Country	1.40%	13,356	14,317	15,348	16,453	17,637	18,907
	#Directors	1	1	1	1	1	1
Peachland	0.50%	5,610	5,752	5,897	6,046	6,198	6,355
	#Directors	1	1	1	1	1	1
Electoral Area East	1.10%	3,954	4,176	4,411	4,659	4,921	5,198
	#Directors	1	1	1	1	1	1
Electoral Area West	1.60%	11,383	12,323	13,341	14,443	15,636	16,928
	#Directors	1	1	1	1	1	1
Total Regional Population:		199,719	213,832	228,963	245,184	262,577	281,225

Conclusions

- The Province has requested the Regional Board nominate a new voting unit value after giving consideration of the municipal Council consultation results;
- The key question facing the Regional Board is whether to:
 - Confirm its support for its original voting unit value of 6,000; Or
 - Support the two jurisdictions most impacted by a change to the voting unit value with an incremental approach and a voting unit value of 5,000; Or
 - Consider supporting a voting unit value of 5,500 that avoids having to revisit the same issue in 4 years and provides a balanced approach for the next 20 years.

Recommendation:

THAT the Regional Board recommend a preferred RDCO Voting Unit value of 5,500 to the Ministry of Municipal Affairs for their consideration;

AND FURTHER THAT the Regional Board supports the implementation date of this change to the Voting Unit being the Inaugural Meeting of the next Board following the 2022 general local election.



Regional Board Report

TO: Regional Board

FROM: Marilyn Rilkoff
Director of Financial Services, Deputy CAO

DATE: April 6, 2021

SUBJECT: Information Report – Purchase Commitments >\$100,000 during 1Q 2021

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

Purpose: To report all purchase commitments exceeding \$100,000 during 1Q 2021 in accordance with section 4.6 of the Board's Purchasing Policy.

Executive Summary:

Those purchase commitments exceeding \$100,000 made during 1Q 2021 were as follows:

Contract:	Contract Awarded To:	Contract Value (excluding taxes):	Competitive Process Followed:
Regional Floodplain Management Plan - Phase 3 (#R20-549)	Ebbwater Consulting Inc.	\$144,940	Public Request for Proposals
Mission Creek East Park Development Phase 1 (#R20-563)	Cabin Resource Management Ltd	\$389,885	Public Request for Proposals
Supply & Delivery of Self-Contained Breathing Apparatus (#R20-572)	Guillevin International	\$134,149	Public Request for Proposals
Mission Creek Greenway Cedars Bridge Streambank Erosion Repairs (#R21-608)	Flurry Earthworks Ltd	\$154,800	Public Request for Proposals

Note: details on all RDCO Purchasing public competitive processes are available publicly at our 'Bids & Tenders' purchasing portal: <http://rdco.bidsandtenders.ca>

RECOMMENDATION:

THAT the Regional Board, as per section 4.6 of the RDCO Purchasing Policy, receive for information the report dated April 6, 2021 on purchase commitments which exceeded \$100,000 made during the 1st quarter of 2021.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "M. Rilkoff".

Marilyn Rilkoff
Director of Financial Services

Approved for Board's Consideration

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

Brian Reardon, CAO

Prepared by: Andy Brennan, Purchasing Consultant – The Interior Purchasing Office Inc.



Regional Board Report

TO: Regional Board

FROM: Marilyn Rilkoff
Director of Financial Services

DATE: April 19, 2021

SUBJECT: RDCO 2020 – 2024 Financial Plan Amendment Bylaw No. 1480, 2021
RDCO 2021 – 2025 Financial Plan Amendment Bylaw No. 1481, 2021

Voting Entitlement: All Directors – Weighted Vote – Simple Majority - LGA 210.2

Purpose: To amend the RDCO 2020 – 2024 Financial Plan Bylaw No. 1449, 2020 and RDCO 2021 – 2025 Financial Plan Bylaw No. 1475, 2021.

Executive Summary:

The 2020 – 2024 Financial Plan is being amended to show the transfer to reserves for unused Community Works Funds (CWF) and the COVID Restart Grant received in 2020.

The 2021 – 2025 Financial Plan is being amended as follows:

- To transfer the additional \$357,000 of COVID Restart Grant received in 2021 to Operating Reserves until it can be allocated, and show the CWF transfer to reserves.
- To do a blanket change of wording – wherever “COVID Restart Grant” is stated in the revenue sections, it will now be referred to as the “COVID Restart Grant Operating Reserve”.
- 110 – Regional Planning: To reflect UBCM grant revenue of \$25k, and Vancouver Foundation Grant of \$100k annually for 3 years, and related expenses for both grants.
- 003 – Financial Services: Use \$8k of COVID Restart Grant Reserve for electronic payroll time sheet and time away tracking software.
- 006 – Information Systems: Change budgeted revenues from use of COVID Grant to COVID Grant Operating Reserve use, and transfer some funds to capital for computer purposes. No change to budget – accounting only.

RECOMMENDATIONS:

Recommendation #1:

THAT the Regional Board approve the use of \$8,000 of the COVID Restart Grant Operating Reserve for 2021 for the electronic payroll tracking software as budgeted in the RDCO 2021 – 2025 Financial Plan Amendment Bylaw 1481.

Recommendation #2

THAT Regional District of Central Okanagan 2020 – 2024 Financial Plan Amendment Bylaw No. 1480 be given first, second and third readings and adopted.

Recommendation #3:

THAT Regional District of Central Okanagan 2021 – 2025 Financial Plan Amendment Bylaw No. 1481 be given first, second and third readings and adopted

Respectfully Submitted:



Marilyn Rilkoff, CMA CPA
Director of Financial Services

Approved for Board's Consideration



Brian Reardon, CAO

Implications of Recommendation:

Strategic Plan:	Contribute to Sustainable Communities through: <ul style="list-style-type: none"> Financial Sustainability through Assets and Service Provision Nurturing Responsible Growth and Development Protect and Promote our Environment
Financial:	Budget amendments as noted in bylaw amendment
Legal/Statutory Authority:	2020 – 2024: Regional District of Central Okanagan 2020 – 2024 Financial Plan Bylaw 1449, 2020 Regional District of Central Okanagan 2020 – 2024 Financial Plan Amendment Bylaw No. 1460, 2020 Regional District of Central Okanagan 2020 – 2024 Financial Plan Amendment Bylaw No. 1461, 2020 Regional District of Central Okanagan 2020 – 2024 Financial Plan Amendment Bylaw No. 1470, 2020 Regional District of Central Okanagan 2020 – 2024 Financial Plan Amendment Bylaw No. 1472, 2021 Regional District of Central Okanagan 2020 – 2024 Financial Plan Amendment Bylaw No. 1474, 2021 2021 – 2025: Regional District of Central Okanagan 2020 – 2024 Financial Plan Bylaw 1475, 2021

Background:

2020 – 2024 Financial Plan Amendment Bylaw 1480:

A final amendment for 2020 is required as an accounting housekeeping item, to transfer unused 2020 revenues received, into reserves. For the COVID Restart Grant, this was previously reflected as deferred revenue and brought into income in 2021.

- Community Works Funds of \$749,847 into Capital Facilities Reserves
- COVID Restart Grant of \$625,800 into Operating Reserves.

2021 – 2025 Financial Plan Amendment Bylaw 1481:

- As a result of the above, all references to “COVID Restart Grant” revenue usage in the 2021 Budget should now read “Transfer from COVID Restart Operating Reserve”.
- Page 103: 502 – Capital Facilities Reserve Fund: Add page for housekeeping to show CWF transfer of \$749.8k to reserves of all funds received.
- Page 104: 503 – Operating Reserve Fund: Transfer additional \$357k received in 2021 for COVID Restart Grant to Operating Reserve until it can be allocated.
- Page 62: 110 – Regional Planning: Add revenue and contract expenses for grants:
 - 2021 - \$25k UBCM Evacuation Planning Grant
 - 2021 – 2023 \$100k annually for Vancouver Foundation Grant for Okanagan Lake Responsibility Planning Initiative.
- Page 86: 006 – Information Systems: Changing accounting for use of COVID Restart Grant. Pull total \$106k of funds from COVID Restart operating reserve as approved for this cost centre for 2021 in original budget. \$56k for operating projects. Then for capital project, transfer \$50k from operating budget to capital budget. This is the only budget where the funds are being used for capital purposes. Previously this was reflected as deferred revenue being utilized during the year.
- Page 88: 003 – Financial Services: Proposed use of \$8k of COVID Restart Operating Reserve for hosted Payroll Software for improved Electronic Timesheets and Time Away Management to improve remote location usage and better information provision to Managers.

Financial Considerations: Budget amendments as noted above.

Alternative Recommendation:

The Board could choose to approve only portions of the bylaw amendments and staff would amend accordingly.

Considerations not applicable to this report:

- General
- Organizational
- Policy
- Organizational Issues
- External Implications

Attachment(s):

- RDCO 2020-2024 Financial Plan Amendment Bylaw No. 1480
- RDCO 2021-2025 Financial Plan Amendment Bylaw No. 1481
- 2021 – 2025 Current Budget Bylaw Pages

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1480

A bylaw to amend the Regional District of Central Okanagan 2020-2024 Financial Plan

WHEREAS the Regional District of Central Okanagan adopted the “Regional District of Central Okanagan 2020-2024 Financial Plan Bylaw 1449, 2020” on March 23, 2020:

AND WHEREAS the Board may amend the Financial Plan at any time by bylaw:

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

1. Replace Contents and pages 1 to 8 to reflect revised totals as a result of budget changes.
2. Add Page 101 – “502 – Capital Facilities Reserve Fund” to reflect changes in the 2020 – 2024 General Revenue and Reserve Transfers.
3. Add Page 102 – “503 – Operating Reserve Fund” to reflect change in the 2020 – 2021 General Revenue and Reserve Transfers.

This bylaw may be cited as the Regional District of Central Okanagan 2020-2024 Financial Plan Amending Bylaw No. 1480.

READ A FIRST TIME THIS	26 th	DAY OF	April	2021
READ A SECOND TIME THIS	26 th	DAY OF	April	2021
READ A THIRD TIME THIS	26 th	DAY OF	April	2021
ADOPTED THIS	26 th	DAY OF	April	2021

CHAIRPERSON

DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 14XX cited as the “Regional District of Central Okanagan 2020-2024 Financial Plan Amending Bylaw No.1480” as adopted by the Regional Board on the 26th day of April, 2021.

Dated at Kelowna this
26th day of April 2021

DIRECTOR OF CORPORATE SERVICES

REGIONAL DISTRICT OF CENTRAL OKANAGAN 2020 BUDGET AND FINANCIAL PLAN 2020 - 2024

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REGIONAL DISTRICT OF CENTRAL OKANAGAN
2020 BUDGET AND FINANCIAL PLAN 2020 - 2024
GENERAL REVENUE FUND

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
REVENUE SUMMARY					
Conditional Transfers - Provincial					
Electoral Area CO West Requisitions	\$ (2,071,780)	(2,202,714)	(2,281,364)	(2,343,122)	(2,405,542)
Electoral Area CO East Requisitions	(2,043,840)	(2,144,181)	(2,244,671)	(2,331,226)	(2,253,870)
Parcel Taxes	(287,128)	(293,179)	(316,003)	(339,568)	(345,917)
Conditional Transfers - Kelowna					
Requisition	(12,749,092)	(13,291,201)	(13,809,823)	(14,095,871)	(14,428,675)
Parcel Taxes	(292,855)	(292,855)	(292,855)	(292,855)	(292,855)
MFA Debt	(10,914,661)	(9,708,752)	(9,684,881)	(9,468,270)	(9,465,968)
Conditional Transfers - Peachland					
Requisition	(537,042)	(561,302)	(584,215)	(596,483)	(610,711)
Parcel Taxes	(795)	(795)	(795)	(795)	(795)
MFA Debt	(343,307)	(343,307)	(343,307)	(298,258)	(159,054)
Conditional Transfers - Lake Country					
Requisition	(1,390,483)	(1,452,918)	(1,513,316)	(1,545,167)	(1,582,088)
Parcel Taxes	(91,311)	(91,311)	(91,311)	(91,311)	(91,311)
MFA Debt	(1,299,676)	(1,148,676)	(1,029,320)	(936,758)	(797,085)
Conditional Transfers - West Kelowna					
Requisition	(3,020,330)	(3,150,887)	(3,279,670)	(3,347,574)	(3,426,742)
Parcel Taxes	(10,339)	(10,339)	(10,339)	(10,339)	(10,339)
MFA Debt	(1,471,367)	(1,268,822)	(1,136,971)	(1,040,254)	(958,943)
Other Revenues	(12,741,854)	(12,067,279)	(11,149,626)	(11,242,365)	(11,547,570)
Prior Year Surplus	(2,184,557)	0	0	0	0
TOTAL REVENUES	(51,450,417)	(48,028,517)	(47,768,466)	(47,980,216)	(48,377,464)

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
EXPENDITURE SUMMARY					
General Government Services					
001-- Regional District Board	\$ 760,564	761,298	739,053	753,135	767,497
002 -- Administration	1,765,541	1,866,948	1,890,166	1,947,969	2,006,429
003 -- Finance	1,522,731	1,331,712	1,357,686	1,384,180	1,411,204
004 -- Engineering	380,049	387,490	395,080	402,821	410,718
005 -- Human Resources	345,767	340,442	347,251	354,196	361,280
006 -- Information Systems	1,103,650	1,147,196	1,167,000	1,189,160	1,207,803
007 -- Electoral Areas Only	63,090	57,412	108,000	60,068	61,410
008 -- Westside Regional Office	26,393	26,921	27,459	28,008	28,569
009 -- Electoral Area Ellison / Joe Rich	26,997	27,537	28,088	28,649	29,222
011 -- Regional Grants In Aid	27,171	0	0	0	0
012 -- Elect. Area Westside Grants in Aid	7,100	7,100	7,100	7,100	7,100
013 -- Elect. Area Ellison / Joe Rich Grants in Aid	4,000	3,000	3,000	3,000	3,000
502 --Capital Facilities Reserve	749,847	749,847	749,847	749,847	749,847
503 -- Operating Reserve	625,800	357,000	0	0	0
Total General Government	7,408,700	7,063,902	6,819,729	6,908,134	7,044,078
Protective Services					
017 -- Upper Ellison Fire Protection Boundary Ext	\$ 9,917	0	0	0	0
019 -- Electoral Area Fire Prevention	74,334	75,681	77,054	78,455	79,884
020 -- Lakeshore Road Fire Protection	23,571	23,328	23,795	24,270	24,756
021 -- Ellison Fire Department	540,819	533,735	556,810	580,046	593,447
022 -- Joe Rich Fire Department	486,270	473,108	489,970	506,970	524,109
023 -- North Westside Road Fire / Rescue	586,648	546,509	565,839	585,336	605,003
024 -- Wilson's Landing Fire Department	297,532	297,222	312,106	327,089	342,170
027 -- Ridgeview Fire	12,128	12,048	12,048	12,048	12,048
028 -- June Springs Fire Protection	14,849	15,001	15,301	15,607	15,919
029 -- Brent Road Fire Protection	30,468	31,013	31,570	32,137	32,716
030 -- Regional Rescue Service	2,593,976	2,351,174	2,399,957	2,450,617	2,496,169
031 -- 911 Emergency Telephone Service	1,305,815	1,206,431	1,257,070	1,321,415	1,377,606
040 -- Crime Stoppers	278,742	284,317	290,003	295,803	301,719

Protective Services Cont'd.

041 -- Victims / Witness Assistance	478,873	480,357	489,777	500,389	510,195
042 -- Regional Crime Prevention	394,018	393,577	401,286	409,150	417,171
043 -- Business Licenses	39,331	33,564	33,890	34,219	34,551
044 -- Building Inspection	577,416	431,947	440,585	449,397	458,385
046 -- Dog Control	1,514,845	1,526,602	1,553,894	1,596,732	1,610,126
047 -- Mosquito Control	196,781	200,717	204,731	208,826	213,002
118 -- Starling Control	20,264	20,264	20,264	20,264	20,264
049 -- Prohibited Animal Control	1,094	1,116	1,138	1,161	1,184
Total Protective Services	9,477,691	8,937,710	9,177,089	9,449,930	9,670,425

Transportation Services

050 -- Transportation Demand Management	\$ 415,902	14,280	14,566	14,857	15,154
051 -- Lakeshore Road Improvements	4,514	4,487	4,487	4,487	4,487
058 -- Scotty Heights Street Lights	17,989	16,307	16,633	16,966	17,305
085 -- Ellison Transit	26,950	27,489	28,039	28,600	29,172
Total Transportation Services	465,355	62,563	63,725	64,909	66,118

Environmental Health Services

091 -- Effluent Disposal	\$ 539,310	520,712	530,824	541,142	551,666
092 -- SWM: Westside Waste Disposal & Recycling	1,141,003	1,162,603	1,184,635	1,207,108	1,230,030
093 -- SWM: Westside Sanitary Landfill / Waste Disposal & Recycling Centre	74,275	59,000	53,000	53,500	54,000
094 -- SWM: Solid Waste Management	1,705,041	1,731,002	1,357,482	1,384,492	1,412,042
095 -- SWM: Solid Waste Collection	580,181	591,485	603,014	614,775	626,770
101 -- Okanagan Basin Water Board	2,158,147	2,201,310	2,245,336	2,290,243	2,336,048
102 -- Air Quality Monitoring	183,220	186,884	190,622	194,435	198,323
105 -- Noise Abatement	8,513	8,683	8,857	9,034	9,215
106 -- Untidy Premises	13,910	13,601	13,873	14,150	14,433
Total Environmental Health	6,403,600	6,475,280	6,187,643	6,308,878	6,432,527

Environmental Development Services

110 -- Regional Planning	\$ 918,770	356,789	358,615	363,537	368,558
111 -- Electoral Area Planning	463,211	447,475	456,425	465,553	474,864
115 -- Noxious Insect Control	17,983	18,343	18,710	19,584	19,965
116 -- Weed Control	145,196	138,930	141,609	144,341	147,128
117 -- Sterile Insect Release Program	1,448,002	1,448,002	1,448,002	1,448,002	1,448,002
120 -- Economic Development Commission	1,076,169	1,060,072	1,078,334	1,096,961	1,115,960
Total Environmental Development	4,069,331	3,469,611	3,501,694	3,537,977	3,574,477

Recreational and Cultural Services

121 -- Ellison Community Heritage Hall	\$ 147,578	149,257	150,969	152,715	154,497
123 -- Joe Rich Community Hall	55,349	57,124	60,487	60,794	62,617
124 -- Westside Municipal Recreation	36,326	37,053	37,794	38,549	39,320
125 -- Johnson Bentley Aquatic Centre	13,561	13,832	14,109	14,391	14,679
126 -- Killiney Community Hall	23,310	23,353	23,397	23,442	23,488
131 -- Winfield Recreation Centre	55,000	55,000	55,000	55,000	55,000
142 -- Regional Parks	8,340,805	8,274,427	8,528,902	8,655,377	8,879,222
143 -- Westside Community Parks	217,980	224,972	228,240	231,041	233,898
144 -- Eastside Community Parks	107,111	108,807	112,649	116,357	120,139
171 -- Okanagan Regional Library	318,091	324,453	330,942	337,561	344,312
188 -- OK Regional Library Borrowing - Admin Bldg	281,618	281,618	281,618	281,618	281,618
Total Recreational and Cultural	9,596,729	9,549,895	9,824,106	9,966,846	10,208,790

Municipal Finance Authority Debt

189 -- Member Municipalities	\$ 14,029,011	12,469,557	12,194,479	11,743,540	11,381,050
Total M.F.A. Debt	14,029,011	12,469,557	12,194,479	11,743,540	11,381,050

TOTAL EXPENDITURES	51,450,417	48,028,519	47,768,465	47,980,215	48,377,465
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REGIONAL DISTRICT OF CENTRAL OKANAGAN
2020 BUDGET AND FINANCIAL PLAN 2020 - 2024
GENERAL CAPITAL FUND

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
REVENUE					
Transfer from Equipment Reserves	\$ (1,029,197)	(322,981)	(530,458)	(524,341)	(127,369)
Tsfr from CWF Cap Fac Reserve	(681,982)	(196,825)	(122,465)	(194,710)	(99,930)
Transfer from Cap. Facility Reserve Fund	(3,122,965)	(1,912,078)	(2,915,063)	(2,939,123)	(2,062,301)
Grant / Fundraising / Donation	(458,781)	(382,484)	(169,161)	(183,325)	(365,282)
Internal Transfer / Sale of Asset	(6,000)	(7,000)	(34,000)	(7,000)	(7,000)
Transfer from Park Land Reserve	(1,213,257)	0	0	0	0
Transfer from General Revenue Fund	(71,200)	(65,000)	(65,000)	(65,000)	(65,000)
TOTAL REVENUE	<u><u>(6,583,382)</u></u>	<u><u>(2,886,368)</u></u>	<u><u>(3,836,147)</u></u>	<u><u>(3,913,499)</u></u>	<u><u>(2,726,882)</u></u>
EXPENDITURES					
001 -- Board	\$ 2,500	27,810	0	0	0
002 -- Administration	290,460	196,000	288,700	180,250	185,400
003 -- Finance	95,810	17,510	17,510	17,510	17,510
004 -- Engineering	12,875	49,260	10,300	5,150	5,150
005 -- Human Resources	2,500	0	0	0	0
006 -- Information Systems	136,096	94,096	74,096	311,056	74,096
007 -- Electoral Areas Only	0	82,400	0	85,000	0
019 -- Electoral Area Fire Prevention	3,090	0	0	0	0
021 -- Ellison Fire Department	183,178	54,096	338,973	553,284	35,866
022 -- Joe Rich Vol. Fire Dept & Hall	165,124	49,569	638,703	77,442	73,292
023 -- North Westside Vol Fire/ Rescue Dept	110,788	30,342	85,746	156,262	526,787
024 -- Wilson's Landing Fire	117,420	41,438	31,812	37,241	77,818
030 -- Regional Rescue Service	482,324	58,071	251,843	81,880	1,918
031 -- 911	19,190	19,190	19,190	19,190	19,190
041 -- Victims Services	3,700	0	0	0	0
042 -- Crime Prevention	2,500	0	0	0	0
044 - Building Inspections & General Bylaw Enf	4,000	0	0	0	0
046 -- Dog Control	40,960	20,600	133,625	24,720	26,780
091 -- Effluent/Water Disposal	0	50,000	0	0	0
092 -- SWM: Westside Waste Disposal & Recyclin	12,800	5,150	5,150	5,150	5,150
094 -- SWM: Waste Reduction Program	5,820	0	0	0	0
095 -- SWM: Solid Waste Collection (EA's)	25,476	113,026	12,601	12,601	12,601
110 -- Regional Planning	6,953	0	0	0	0
111 -- Electoral Area Planning	6,953	0	0	0	0
116 -- Noxious Weed Control Enforcement	0	0	0	37,740	0
120 -- Economic Development Commission	5,075	5,075	5,075	5,075	5,075
121 -- Ellison Heritage School Community Ctr	200,225	35,525	106,575	35,525	126,875
123 -- Joe Rich Community Hall	204,617	12,180	2,538	20,300	5,075
142 -- Regional Parks	4,026,461	1,855,380	1,706,535	2,106,023	1,507,999
143 -- Westside Community Parks	286,750	30,900	15,225	20,300	20,300
144 -- Eastside Community Parks	22,210	25,750	50,750	121,800	0
199 -- Vehicle Operations	107,527	13,000	41,200	0	0
TOTAL EXPENDITURES	<u><u>6,583,382</u></u>	<u><u>2,886,368</u></u>	<u><u>3,836,147</u></u>	<u><u>3,913,499</u></u>	<u><u>2,726,882</u></u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2020 BUDGET AND FINANCIAL PLAN 2020 - 2024
WATER REVENUE FUND

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
REVENUE					
User, Late Payment & Insp. Fees	\$ (701,723)	(695,194)	(711,095)	(727,318)	(743,867)
Maintenance/Asset Renewal Fees	(837,960)	(832,185)	(832,186)	(832,186)	(832,185)
Rental & Misc.	(3,140)	(600)	0	0	0
MOTI Parcel Tax Contribution	(6,536)	(6,536)	(6,536)	(6,536)	(6,536)
Property Owner Contributions	0	(228,000)	0	0	0
Grants	(16,020)	0	0	0	0
Debt / Parcel Tax	(220,605)	(220,605)	(300,067)	(540,017)	(540,017)
Prior Year (Surplus) / Deficit	(184,717)	1	(1)	(0)	1
Engineering Administration OH Recovery	22,187	22,630	23,084	23,545	24,016
Administration Overhead Recovery	97,488	99,436	101,426	103,455	105,521
TOTAL REVENUE	<u>(1,851,026)</u>	<u>(1,861,053)</u>	<u>(1,725,375)</u>	<u>(1,979,057)</u>	<u>(1,993,067)</u>
EXPENDITURES					
301 -- Killiney Beach Water	\$ 511,212	443,710	496,135	649,939	653,258
303 -- Falcon Ridge Water	74,445	295,194	68,034	68,889	69,761
305 -- Sunset Ranch Water	224,518	179,036	181,266	183,543	185,867
306 -- Trepanier Bench Water	30,623	27,663	27,434	27,814	28,202
307 -- Westshores Water	583,156	525,241	558,625	651,240	654,521
310 -- Fintry / Valley of the Sun Water	427,072	390,208	393,882	397,633	401,456
TOTAL EXPENDITURES	<u>1,851,026</u>	<u>1,861,052</u>	<u>1,725,375</u>	<u>1,979,058</u>	<u>1,993,066</u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2020 BUDGET AND FINANCIAL PLAN 2020 - 2024
WATER CAPITAL FUND

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
REVENUE					
Grants	\$ (58,154)	0	0	0	0
Capital Financing	0	0	(3,948,990)	0	0
Transfer from Gas Tax Cap Fac Reserve	(48,199)	0	0	0	0
Transfer from Cap Fac Reserve	(323,822)	(242,670)	(2,024,210)	(48,710)	(48,710)
Transfer from Equip Reserve Funds	(777,569)	(86,330)	(1,332,460)	(46,950)	(46,950)
TOTAL REVENUE	<u>(1,207,744)</u>	<u>(329,000)</u>	<u>(7,305,660)</u>	<u>(95,660)</u>	<u>(95,660)</u>
EXPENDITURES					
301 -- Killiney Beach	\$ 741,872	20,750	3,520,750	20,750	20,750
303 -- Falcon Ridge Water	27,054	235,300	5,150	5,150	5,150
305 -- Sunset Ranch Water System	33,050	26,050	26,050	26,050	26,050
306 -- Trepanier Bench Water	2,000	7,370	2,060	2,060	2,060
307 -- Westshore Water	368,368	18,630	3,730,750	20,750	20,750
310 -- Fintry / Valley of the Sun Water	35,400	20,900	20,900	20,900	20,900
TOTAL EXPENDITURES	<u>1,207,744</u>	<u>329,000</u>	<u>7,305,660</u>	<u>95,660</u>	<u>95,660</u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2020 BUDGET AND FINANCIAL PLAN 2020 - 2024
SEWER REVENUE FUND

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
REVENUE					
Sewer User Fees	\$ (150,289)	(155,847)	(162,144)	(168,755)	(175,698)
Services - Peachland	(568,709)	(624,603)	(632,972)	(643,864)	(654,973)
Services - West Kelowna	(3,678,829)	(3,946,995)	(4,158,602)	(4,222,354)	(4,350,378)
Services - WFN	(1,105,986)	(1,204,318)	(1,263,304)	(1,283,448)	(1,320,580)
Other Revenue	(2,400)	0	0	0	0
Parcel Tax	(37,359)	(30,804)	0	0	0
Grants	(25,310)	0	0	0	0
Transfer from Operating Reserve	(75,237)	0	0	0	0
Prior Year (Surplus) / Deficit	(169,691)	0	0	0	0
Engineering Admin OH Recovery	131,229	134,827	136,831	139,732	142,692
Administration Overhead Recovery	571,315	586,806	595,279	607,668	620,305
TOTAL REVENUE	<u>(5,111,267)</u>	<u>(5,240,933)</u>	<u>(5,484,911)</u>	<u>(5,571,020)</u>	<u>(5,738,631)</u>
EXPENDITURES					
401 -- Westside Sewer System	\$ 4,123,852	4,187,907	4,228,559	4,295,525	4,363,830
470 -- RDCO Collector Systems	462,087	528,210	750,250	756,939	843,343
471 -- WFN Collector Systems	135,298	138,004	140,764	143,579	146,451
472 -- Peachland Collector Systems	211,405	215,246	219,163	223,159	227,235
499 -- Ellison Sewer System	140,908	140,763	146,174	151,818	157,772
Sewer Debt Financing	37,717	30,804	0	0	0
TOTAL EXPENDITURES	<u>5,111,267</u>	<u>5,240,933</u>	<u>5,484,911</u>	<u>5,571,020</u>	<u>5,738,631</u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2020 BUDGET AND FINANCIAL PLAN 2020 - 2024
SEWER CAPITAL FUND

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
REVENUE					
Capital Financing	\$ 0	(3,915,915)	0	0	(3,915,450)
Internal Transfer or Sale of Asset	(4,000)	0	0	0	0
Grants	(690,000)	0	0	0	0
From Equipment Reserves	(398,000)	(62,600)	(31,000)	(10,600)	(10,600)
From Capital Facility Reserves	(1,598,240)	(117,000)	(338,900)	(615,410)	(43,460)
Transfer from DCC Reserve Fund	(2,256,667)	(1,525,995)	0	(201,000)	(100,000)
TOTAL REVENUE	<u>(4,946,907)</u>	<u>(5,621,510)</u>	<u>(369,900)</u>	<u>(827,010)</u>	<u>(4,069,510)</u>
EXPENDITURES					
401 -- Westside Sewer System	\$ 3,843,447	95,460	340,760	300,960	43,460
470 -- Westside Sewer System: RDCO	1,092,860	5,515,450	18,540	515,450	4,015,450
499 -- Ellison Sewer System	10,600	10,600	10,600	10,600	10,600
TOTAL EXPENDITURES	<u>4,946,907</u>	<u>5,621,510</u>	<u>369,900</u>	<u>827,010</u>	<u>4,069,510</u>

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
2020 - 2024 Five Year Program Budget Projections**

Program: 502 -- Capital Facilities Reserve

Department: Fiscal Services

Amended Apr 2021

General Revenue Fund Budgets

	2020 Budget	2021 Projected Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget
<u>Revenue:</u>					
CWF Gas Tax Revenue	(749,847)	(749,847)	(749,847)	(749,847)	(749,847)
Total Revenue	(749,847)	(749,847)	(749,847)	(749,847)	(749,847)
<u>Expenses:</u>					
Transfer to CWF Cap Fac Reserve	749,847	749,847	749,847	749,847	749,847
Total Expenses	749,847	749,847	749,847	749,847	749,847
(Surplus) / Deficit	0	0	0	0	0

Notes

The purpose of this budget is simply to show the transfer of current unused revenues into the reserve fund.

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
2020 - 2024 Five Year Program Budget Projections**

Program: 503 -- Operating Reserve

Department: Fiscal Services

Amended Apr 2021

General Revenue Fund Budgets

	2020 Budget	2021 Projected Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget
<u>Revenue:</u>					
COVID Restart Grant	(625,800)	(357,000)	0	0	0
Total Revenue	(625,800)	(357,000)	0	0	0
<u>Expenses:</u>					
Transfer to CWF Cap Fac Reserve	625,800	357,000	0	0	0
Total Expenses	625,800	357,000	0	0	0
(Surplus) / Deficit	0	0	0	0	0

Notes

The purpose of this budget is simply to show the transfer of current unused revenues into the reserve fund.

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1481

A bylaw to amend the Regional District of Central Okanagan 2021-2025 Financial Plan

WHEREAS the Regional District of Central Okanagan adopted the “Regional District of Central Okanagan 2021-2025 Financial Plan Bylaw 1475, 2021” on March 29, 2021:

AND WHEREAS the Board may amend the Financial Plan at any time by bylaw:

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

1. Replace Contents pages and pages 1 to 8 to reflect revised totals as a result of budget changes.
2. Replace the words “COVID Restart Grant” with “Transfer from COVID Restart Grant Operating Reserve” on the following pages:

13	15	16	18	20
31	38	45	46	51
52	53	54	68	70
76	77	86	88	

3. Page 62 – “110 – Regional Planning” is deleted in its entirety and replaced with the attached page 62 “Regional Planning Amended April 2021” to reflect changes in the 2021 – 2023 General Revenue Fund Budgets.
4. Page 86 – “006 – Information Systems” is deleted in its entirety and replaced with the attached page 86 “006 – Information Systems Amended April 2021” to reflect changes in the 2021 General Revenue and Capital Fund Budgets.
5. Page 88 – “003 – Finance” is deleted in its entirety and replaced with the attached page 88 “003 – Finance Amended April 2021” to reflect changes in the 2021 General Revenue Fund Budget.
6. Add Page 103 – “502 – Capital Facilities Reserve Amended April 2021” to reflect 2021 – 2025 changes to revenue and reserve transfers.
7. Add Page 104 – “503 – Operating Reserve Amended April 2021” to reflect 2021 changes to revenue and reserve transfers.

This bylaw may be cited as the Regional District of Central Okanagan 2021-2025 Financial Plan Amending Bylaw No. 1481.

READ A FIRST TIME THIS 26th DAY OF April 2021

READ A SECOND TIME THIS 26th DAY OF April 2021

READ A THIRD TIME THIS 26th DAY OF April 2021

ADOPTED THIS 26th DAY OF April 2021

CHAIRPERSON

DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1481 cited as the
"Regional District of Central Okanagan 2021-2025 Financial Plan Amending Bylaw No.1481" as
adopted by the Regional Board on the 26th day of April, 2021.

Dated at Kelowna this
26th day of April 2021

DIRECTOR OF CORPORATE SERVICES

REGIONAL DISTRICT OF CENTRAL OKANAGAN 2021 BUDGET AND FINANCIAL PLAN 2021 - 2025

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REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 BUDGET AND FINANCIAL PLAN 2021 - 2025
GENERAL REVENUE FUND

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
REVENUE SUMMARY					
Conditional Transfers - Provincial					
Electoral Area CO West Requisitions	\$ (2,129,345)	(2,350,683)	(2,432,779)	(2,494,555)	(2,557,046)
Electoral Area CO East Requisitions	(2,238,264)	(2,238,374)	(2,364,484)	(2,447,043)	(2,518,677)
Parcel Taxes	(249,182)	(265,776)	(288,319)	(303,907)	(309,606)
Conditional Transfers - Kelowna					
Requisition	(13,234,510)	(14,142,090)	(14,642,590)	(14,935,162)	(15,243,716)
Parcel Taxes	(274,229)	(274,229)	(274,229)	(274,229)	(274,229)
MFA Debt	(9,672,099)	(9,647,882)	(9,431,615)	(9,429,314)	(9,242,367)
Conditional Transfers - Peachland					
Requisition	(561,757)	(602,075)	(624,104)	(636,731)	(650,007)
Parcel Taxes	(795)	(795)	(795)	(795)	(795)
MFA Debt	(326,042)	(326,043)	(263,903)	(124,699)	(124,699)
Conditional Transfers - Lake Country					
Requisition	(1,509,640)	(1,619,852)	(1,680,353)	(1,714,449)	(1,750,281)
Parcel Taxes	(83,984)	(83,984)	(83,984)	(83,984)	(83,984)
MFA Debt	(1,148,676)	(1,029,319)	(936,761)	(797,088)	(465,303)
Conditional Transfers - West Kelowna					
Requisition	(3,187,346)	(3,411,100)	(3,539,152)	(3,607,071)	(3,681,579)
Parcel Taxes	(10,859)	(10,859)	(10,859)	(10,859)	(10,859)
MFA Debt	(1,349,653)	(1,217,801)	(1,121,084)	(1,039,773)	(986,391)
Other Revenues	(12,147,411)	(12,036,143)	(11,559,338)	(11,625,445)	(11,821,238)
Prior Year Surplus	(2,795,288)	0	0	0	0
TOTAL REVENUES	(50,919,079)	(49,257,005)	(49,254,348)	(49,525,104)	(49,720,776)

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
EXPENDITURE SUMMARY					
General Government Services					
001-- Regional District Board	\$ 856,932	774,431	789,219	804,304	819,690
002 -- Administration	1,958,302	2,056,195	1,975,129	2,034,131	2,093,814
003 -- Finance	1,417,134	1,441,757	1,469,932	1,498,670	1,527,984
004 -- Engineering	391,147	398,810	406,626	414,599	422,731
005 -- Human Resources	429,254	426,079	434,571	443,232	452,067
006 -- Information Systems	1,266,996	1,268,049	1,290,409	1,313,218	1,336,482
007 -- Electoral Areas Only	59,572	105,000	60,200	61,544	62,895
008 -- Westside Regional Office	35,405	26,988	27,528	28,079	28,640
009 -- Electoral Area Ellison / Joe Rich	37,736	28,529	29,100	29,682	30,276
011 -- Regional Grants In Aid	27,171	0	0	0	0
012 -- Elect. Area Westside Grants in Aid	5,400	8,500	8,500	8,500	8,500
013 -- Elect. Area Ellison / Joe Rich Grants in Aid	4,000	3,000	3,000	3,000	3,000
195 -- Feasibility Funds	100,000	0	0	0	0
502 -- Capital Facility Reserve	749,847	749,847	749,847	749,847	749,847
503 -- Operating Reserve	357,000	0	0	0	0
Total General Government	7,695,896	7,287,184	7,244,061	7,388,805	7,535,925
Protective Services					
017 -- Upper Ellison Fire Protection Boundary Ext	\$ 0	0	0	0	0
019 -- Electoral Area Fire Prevention	90,581	92,253	93,958	95,697	97,471
020 -- Lakeshore Road Fire Protection	23,988	24,468	24,957	25,456	25,965
021 -- Ellison Fire Department	590,217	563,091	586,123	597,816	606,172
022 -- Joe Rich Fire Department	486,212	505,836	525,603	545,515	565,575
023 -- North Westside Road Fire / Rescue	600,551	595,462	615,551	635,822	656,279
024 -- Wilson's Landing Fire Department	319,222	332,306	345,493	358,782	372,178
027 -- Ridgeview Fire	12,119	12,048	12,048	12,048	12,048
028 -- June Springs Fire Protection	15,018	15,318	15,625	15,937	16,256
029 -- Brent Road Fire Protection	29,395	29,919	30,453	30,998	31,554
030 -- Regional Rescue Service	2,577,007	2,710,007	2,683,967	2,743,907	2,799,845
031 -- 911 Emergency Telephone Service	1,368,195	1,258,859	1,336,702	1,398,637	1,449,372
040 -- Crime Stoppers	303,264	287,399	293,147	299,010	304,990

Protective Services Cont'd.

041 -- Victims / Witness Assistance	535,003	484,378	493,878	504,572	514,462
042 -- Regional Crime Prevention	378,825	370,430	377,676	385,068	392,607
043 -- Business Licenses	34,812	35,150	35,492	35,837	36,185
044 -- Building Inspection	476,153	482,361	492,008	501,848	511,885
046 -- Dog Control	1,598,882	1,649,040	1,678,780	1,709,116	1,740,058
047 -- Mosquito Control	206,614	210,625	214,717	218,891	223,147
118 -- Starling Control	20,209	20,209	20,209	20,209	20,209
049 -- Prohibited Animal Control	1,097	1,119	1,141	1,164	1,187
Total Protective Services	9,667,364	9,680,279	9,877,529	10,136,330	10,377,446

Transportation Services

050 -- Transportation Demand Management	\$ 114,352	0	0	0	0
051 -- Lakeshore Road Improvements	4,512	4,487	4,487	4,487	4,487
058 -- Scotty Heights Street Lights	18,521	18,891	19,269	19,655	20,048
085 -- Ellison Transit	28,074	28,635	29,208	29,792	30,388
Total Transportation Services	165,459	52,014	52,964	53,934	54,923

Environmental Health Services

091 -- Effluent Disposal	\$ 637,980	589,044	594,179	599,350	604,559
092 -- SWM: Westside Waste Disposal & Recycling	1,305,986	1,185,942	1,207,921	1,230,339	1,253,206
093 -- SWM: Westside Sanitary Landfill / Waste Disposal & Recycling Centre	72,029	55,000	50,000	51,000	52,000
094 -- SWM: Solid Waste Management	1,827,030	1,429,931	1,458,389	1,487,417	1,517,025
095 -- SWM: Solid Waste Collection	648,313	574,179	585,263	596,568	608,099
101 -- Okanagan Basin Water Board	2,263,718	2,308,992	2,355,172	2,402,276	2,450,321
102 -- Air Quality Monitoring	226,884	190,622	194,434	198,323	202,289
105 -- Noise Abatement	8,156	7,756	7,911	8,069	8,231
106 -- Untidy Premises	13,668	13,737	14,012	14,292	14,578
Total Environmental Health	7,003,764	6,355,203	6,467,281	6,587,634	6,710,309

Environmental Development Services

110 -- Regional Planning	\$ 838,183	610,342	618,505	540,178	548,672
111 -- Electoral Area Planning	505,328	489,935	499,733	509,728	519,922
115 -- Noxious Insect Control	18,297	18,663	19,036	19,917	20,305
116 -- Weed Control	144,364	141,031	143,752	146,527	149,357
117 -- Sterile Insect Release Program	1,402,314	1,402,314	1,402,314	1,402,314	1,402,314
120 -- Economic Development Commission	1,158,264	1,158,089	1,178,311	1,198,937	1,219,976
Total Environmental Development	4,066,750	3,820,374	3,861,651	3,817,601	3,860,547

Recreational and Cultural Services

121 -- Ellison Community Heritage Hall	\$ 157,673	149,720	151,441	153,197	154,988
123 -- Joe Rich Community Hall	58,182	60,186	62,209	64,254	66,319
124 -- Westside Municipal Recreation	36,060	36,781	37,517	38,267	39,033
125 -- Johnson Bentley Aquatic Centre	14,818	15,114	15,417	15,725	16,039
126 -- Killiney Community Hall	23,358	23,402	23,447	23,493	23,540
131 -- Winfield Recreation Centre	55,000	55,000	55,000	55,000	55,000
142 -- Regional Parks	8,543,692	8,552,282	8,689,282	8,822,336	9,015,599
143 -- Westside Community Parks	224,475	227,972	232,240	236,041	239,898
144 -- Eastside Community Parks	113,023	117,043	121,104	125,206	129,351
171 -- Okanagan Regional Library	315,478	321,788	328,223	334,788	341,484
188 -- OK Regional Library Borrowing - Admin Bldg	281,618	281,618	281,618	281,618	281,618
Total Recreational and Cultural	9,823,377	9,840,906	9,997,499	10,149,925	10,362,867

Municipal Finance Authority Debt

189 -- Member Municipalities	\$ 12,496,470	12,221,045	11,753,363	11,390,874	10,818,760
Total M.F.A. Debt	12,496,470	12,221,045	11,753,363	11,390,874	10,818,760

TOTAL EXPENDITURES	50,919,079	49,257,005	49,254,349	49,525,104	49,720,777
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REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 BUDGET AND FINANCIAL PLAN 2021 - 2025
GENERAL CAPITAL FUND

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
REVENUE					
Transfer from Equipment Reserves	\$ (1,089,235)	(856,659)	(362,945)	(260,720)	(284,581)
Tsfr from CWF Cap Fac Reserve	(528,032)	(145,000)	(185,000)	(150,000)	(210,000)
Transfer from Cap. Facility Reserve Fund	(9,420,288)	(4,308,994)	(4,138,412)	(3,329,394)	(2,987,473)
Grant / Fundraising / Donation	(611,664)	(119,161)	(183,325)	(365,282)	0
Internal Transfer / Sale of Asset	(459,500)	(9,000)	(7,000)	(7,000)	(7,000)
Transfer from Park Land Reserve	(1,205,895)	0	0	0	0
Transfer from Water Reserve	0	0	0	0	(33,000)
Transfer from General Revenue Fund	(115,000)	(70,000)	(70,000)	(70,000)	(70,000)
TOTAL REVENUE	<u>(13,429,614)</u>	<u>(5,508,814)</u>	<u>(4,946,682)</u>	<u>(4,182,396)</u>	<u>(3,592,054)</u>
EXPENDITURES					
002 -- Administration	302,245	262,650	262,650	159,650	159,650
003 -- Finance	50,900	15,450	17,510	15,450	17,510
004 -- Engineering	20,900	10,300	5,150	5,150	5,150
006 -- Information Systems	178,678	281,500	77,500	117,500	77,500
007 -- Electoral Areas Only	82,400	0	85,000	0	87,000
021 -- Ellison Fire Department	213,108	366,645	552,788	33,442	34,112
022 -- Joe Rich Vol. Fire Dept & Hall	113,312	648,703	77,442	78,691	278,201
023 -- North Westside Vol Fire/ Rescue Dept	137,002	30,342	85,746	156,262	526,787
024 -- Wilson's Landing Fire	203,921	40,486	31,066	80,720	32,355
030 -- Regional Rescue Service	478,529	316,000	77,017	50,000	50,000
031 -- 911	19,190	19,190	19,190	19,190	19,190
041 -- Victims Services	3,700	0	0	0	0
042 -- Crime Prevention & Alarm Control	0	0	39,100	0	0
046 -- Dog Control	102,400	121,265	10,300	10,300	27,250
091 -- Effluent/Water Disposal	50,000	0	0	200,000	0
092 -- SWM: Westside Waste Disposal & Recyclin	11,330	62,480	11,845	12,360	91,156
095 -- SWM: Solid Waste Collection (EA's)	216,026	14,646	14,646	15,147	15,147
110 -- Regional Planning	6,840	0	0	0	0
111 -- Electoral Area Planning	6,840	0	0	0	0
116 -- Noxious Weed Control Enforcement	0	0	37,740	0	0
120 -- Economic Development Commission	13,150	5,075	5,075	5,075	5,075
121 -- Ellison Heritage School Community Ctr	83,556	50,750	55,825	35,525	76,125
123 -- Joe Rich Community Hall	138,475	2,538	20,300	76,125	0
142 -- Regional Parks	10,769,216	3,123,169	3,349,142	3,070,984	1,952,821
143 -- Westside Community Parks	108,075	81,200	25,375	25,375	50,750
144 -- Eastside Community Parks	46,985	15,225	86,275	15,450	86,275
199 -- Vehicle Operations	72,836	41,200	0	0	0
TOTAL EXPENDITURES	<u>13,429,614</u>	<u>5,508,814</u>	<u>4,946,682</u>	<u>4,182,396</u>	<u>3,592,054</u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 BUDGET AND FINANCIAL PLAN 2021 - 2025
WATER REVENUE FUND

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
REVENUE					
User, Late Payment & Insp. Fees	\$ (714,960)	(734,239)	(751,425)	(768,961)	(786,846)
Maintenance/Asset Renewal Fees	(854,719)	(854,719)	(854,720)	(854,720)	(854,720)
Grant	(150,000)	0	0	0	0
Rental & Misc.	(600)	(600)	(600)	(600)	(600)
MOTI Parcel Tax Contribution	(6,536)	(6,536)	(6,536)	(6,536)	(6,536)
Debt / Parcel Tax	(220,605)	(220,605)	(281,355)	(512,980)	(512,980)
Prior Year (Surplus) / Deficit	(102,576)	0	(1)	(0)	(0)
Engineering Administration OH Recovery	27,055	27,286	27,833	28,389	28,957
Administration Overhead Recovery	109,647	110,582	112,794	115,051	117,349
TOTAL REVENUE	<u><u>(1,913,294)</u></u>	<u><u>(1,678,831)</u></u>	<u><u>(1,754,009)</u></u>	<u><u>(2,000,357)</u></u>	<u><u>(2,015,375)</u></u>
EXPENDITURES					
301 -- Killiney Beach Water	\$ 440,556	442,508	480,059	614,710	617,888
303 -- Falcon Ridge Water	226,060	75,167	76,542	77,945	79,377
305 -- Sunset Ranch Water	237,383	189,437	191,848	194,309	196,820
306 -- Trepanier Bench Water	28,497	28,882	29,276	29,677	30,087
307 -- Westshores Water	544,487	539,272	568,811	672,251	675,672
310 -- Fintry / Valley of the Sun Water	436,311	403,564	407,473	411,464	415,532
TOTAL EXPENDITURES	<u><u>1,913,294</u></u>	<u><u>1,678,831</u></u>	<u><u>1,754,009</u></u>	<u><u>2,000,357</u></u>	<u><u>2,015,375</u></u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 BUDGET AND FINANCIAL PLAN 2021 - 2025
WATER CAPITAL FUND

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
REVENUE					
Grants	\$ 0	0	0	0	0
Capital Financing	(1)	0	(3,926,063)	0	0
Transfer from CWF Gas Tax Cap Fac Reserve	(63,183)	0	0	0	0
Transfer from Cap Fac Reserve	(141,979)	(546,311)	(2,201,710)	(54,800)	(84,589)
Transfer from Equip Reserve Funds	(491,130)	(501,911)	(1,199,487)	(43,920)	(33,211)
TOTAL REVENUE	<u>(696,293)</u>	<u>(1,048,222)</u>	<u>(7,327,260)</u>	<u>(98,720)</u>	<u>(117,800)</u>
EXPENDITURES					
301 -- Killiney Beach	\$ 122,718	510,911	3,520,750	20,750	39,830
303 -- Falcon Ridge Water	38,851	9,650	9,650	9,650	9,650
305 -- Sunset Ranch Water System	60,670	23,020	31,260	23,020	23,020
306 -- Trepanier Bench Water	6,250	2,060	2,060	2,060	2,060
307 -- Westshore Water	435,104	481,681	3,732,340	22,340	22,340
310 -- Fintry / Valley of the Sun Water	32,700	20,900	31,200	20,900	20,900
TOTAL EXPENDITURES	<u>696,293</u>	<u>1,048,222</u>	<u>7,327,260</u>	<u>98,720</u>	<u>117,800</u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 BUDGET AND FINANCIAL PLAN 2021 - 2025
SEWER REVENUE FUND

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
REVENUE					
Sewer User Fees	\$ (157,226)	(163,245)	(169,565)	(176,201)	(183,168)
Services - Peachland	(560,147)	(625,441)	(656,782)	(676,653)	(696,738)
Services - West Kelowna	(3,654,903)	(3,947,155)	(4,194,099)	(4,341,531)	(4,553,809)
Services - WFN	(1,163,917)	(1,273,830)	(1,346,938)	(1,391,884)	(1,455,226)
Other Revenue	(2,400)	0	0	0	0
Grant	(4,500)	0	0	0	0
Parcel Tax	(30,480)	0	0	0	0
Transfer from Operating Reserve	0	(150,000)	0	0	0
Prior Year (Surplus) / Deficit	(455,150)	0	0	0	0
Engineering Admin OH Recovery	149,917	152,310	155,527	158,828	162,194
Administration Overhead Recovery	601,872	611,233	623,920	636,912	650,164
TOTAL REVENUE	<u>(5,276,934)</u>	<u>(5,396,127)</u>	<u>(5,587,937)</u>	<u>(5,790,529)</u>	<u>(6,076,584)</u>
EXPENDITURES					
401 -- Westside Sewer System	\$ 4,262,885	4,377,029	4,532,440	4,689,145	4,847,169
470 -- RDCO Collector Systems	507,749	530,177	552,740	584,438	697,842
471 -- WFN Collector Systems	127,440	129,989	132,589	135,240	137,945
472 -- Peachland Collector Systems	206,401	212,208	218,087	224,041	230,072
499 -- Ellison Sewer System	141,654	146,725	152,081	157,664	163,557
Sewer Debt Financing	30,804	0	0	0	0
TOTAL EXPENDITURES	<u>5,276,934</u>	<u>5,396,127</u>	<u>5,587,937</u>	<u>5,790,529</u>	<u>6,076,584</u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 BUDGET AND FINANCIAL PLAN 2021 - 2025
SEWER CAPITAL FUND

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
REVENUE					
Capital Financing	\$ 0	0	0	(600,000)	(3,750,000)
Grants	(18,405)	0	0	0	0
From Equipment Reserves	(265,660)	(56,750)	(36,350)	(36,350)	(36,350)
From Capital Facility Reserves	(1,411,485)	(384,500)	(566,410)	(579,510)	(220,240)
Transfer from DCC Reserve Fund	(2,879,610)	0	(250,000)	(100,000)	(100,000)
TOTAL REVENUE	<u>(4,575,160)</u>	<u>(441,250)</u>	<u>(852,760)</u>	<u>(1,315,860)</u>	<u>(4,106,590)</u>
EXPENDITURES					
401 -- Westside Sewer System	\$ 2,009,310	367,110	326,710	105,260	95,990
470 -- Westside Sewer System: RDCO	2,555,250	63,540	515,450	1,200,000	4,000,000
499 -- Ellison Sewer System	10,600	10,600	10,600	10,600	10,600
TOTAL EXPENDITURES	<u>4,575,160</u>	<u>441,250</u>	<u>852,760</u>	<u>1,315,860</u>	<u>4,106,590</u>

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 - 2025 Five Year Program Budget Projections

Program: 110 -- Regional Planning

Department: Community Services (Planning Services)

Amended April 2021

General Revenue Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue:					
Tax Requisition - Kelowna	(300,882)	(411,917)	(418,352)	(424,916)	(431,611)
Tax Requisition - Peachland	(13,034)	(17,844)	(18,123)	(18,407)	(18,697)
Tax Requisition - Lake Country	(35,044)	(47,977)	(48,726)	(49,491)	(50,270)
Tax Requisition - West Kelowna	(73,693)	(100,888)	(102,464)	(104,071)	(105,711)
Tax Req - EA Cent Ok. West	(9,340)	(12,787)	(12,986)	(13,190)	(13,398)
Tax Req - EA Cent Ok East	(8,539)	(11,690)	(11,872)	(12,058)	(12,248)
Grants	(349,500)	fhi (100,000)	gi (100,000)	gi 0	g 0
Previous Year's Surplus/Deficit	(156,749)	a 0	0	(0)	0
Administration OH	108,598	92,761	94,018	81,955	83,263
Total Revenue	(838,183)	(610,342)	(618,505)	(540,178)	(548,671)
Expenses:					
Operations	635,183	bdhi 494,842	gi 503,005	gi 424,678	433,172
Transfer to Cap Fac Reserves	8,000	e 8,000	8,000	8,000	8,000
Regional Growth Strategy	195,000	c 107,500	g 107,500	107,500	107,500
Total Expenses	838,183	610,342	618,505	540,178	548,672
(Surplus) / Deficit	0	0	(0)	0	0
FTE's	2.75	2.75	2.75	2.75	2.75
Tax Levy:					
Tax Requisition	(440,532)	(603,103)	(612,523)	(622,133)	(631,935)
Residential Tax Rate	0.0072	0.0098	0.0098	0.0099	0.0100
(per \$1000 of assessment)					

General Capital Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue					
Transfer From Cap Fac Reserves	(6,840)	0	0	0	0
Total Revenue	(6,840)	0	0	0	0
Expenses					
Computers & Equipment	3,090	0	0	0	0
Furniture	3,750	0	0	0	0
Total Expenses	6,840	0	0	0	0
(Surplus) / Deficit	0	0	0	0	0
Reserve Fund Balance at Y/E	(5,930)	e (13,989)	e (22,129)	e (30,350)	e (38,653)
Operating Reserve Balance at Y/E	(34,250)	(34,593)	(34,939)	(35,288)	(35,641)

Notes

- Surplus from lower than anticipated Collaboration/Consultation, RGS, payroll, contract services, legal, travel and training.
- Increases: Payroll \$8.6k, Insurance \$1.3k, Office & Drafting Supplies \$2.5k, Memberships \$1.9k, Biodiversity Conservation \$10k. Decreases: Travel \$0.2k, Training & Ed \$1k, Collaboration/Consultation \$169.5k, Contract Services \$78.6k.
- RGS Projects: RGS 5 Year Review \$25k, Regional Housing Strategy \$60k, Regional Citizen Survey \$25k, 5 Year Action Plan \$40k, West Kelowna Dam Inundation Study \$45k.
- Special Contracted projects: Central Okanagan Wellness & Poverty Strategy \$15k, Okanagan Lake Protection Responsibility Planning Initiative \$25k.
- Transfer funds to build reserves for minor capital needs.
- Central Okanagan Wellness Strategy \$74.5k carryforward, Regional Flood Plain Management Strategy \$150k carryforward.
- Remove estimated contract costs for grant related work.
- April Amendment #1: Add \$25k for UBCM Grant and related consulting contract expense for Evacuation Route Planning Project.
- April amendment #1: Add \$100k annually in 2021 - 2023 for Vancouver Foundation Grant and related consulting contract expenses for multi year grant for Field of Interest Systems Change Test Grant for effectively managing and protecting Okanagan Lake.

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 - 2025 Five Year Program Budget Projections**

Program: 006 -- Information Systems

Department: Corporate Services

Amended April 2021

General Revenue Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
<u>Revenue:</u>					
Transfer from Regional Parks	(44,000)	(44,000)	(44,000)	(44,000)	(44,000)
OBWB, SIR Services, Sundry					
Sales	(61,344)	(61,344)	(61,344)	(61,344)	(61,344)
Services - Peachland	(20,357)	(20,875)	(20,875)	(20,875)	(20,875)
COVID Restart Grant Op Reserve	(106,000) ch	0	0	0	0
Previous Year's Surplus/Deficit	(48,520) a	(0)	(0)	(0)	(0)
Administration OH Recovery	(921,163)	(1,046,712) g	(1,129,072)	(1,151,881)	(1,175,145)
Transfer from Operating Reserve	(30,000)	(60,000) g	0	0	0
Services - WFN	(35,612)	(35,118)	(35,118)	(35,118)	(35,118)
Total Revenue	(1,266,996)	(1,268,049)	(1,290,410)	(1,313,218)	(1,336,482)
<u>Expenses:</u>					
Operations	1,071,996 cd	1,118,049	1,140,409	1,163,218	1,186,482
Transfer to Equip Reserves	80,000	80,000	80,000	80,000	80,000
Transfer to Capital	115,000 h	70,000	70,000	70,000	70,000
Total Expenses	1,266,996	1,268,049	1,290,409	1,313,218	1,336,482
(Surplus) / Deficit	(0)	(0)	(0)	(0)	(0)
FTE's	6.88 d	6.88	6.88	6.88	6.88

General Capital Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
<u>Revenue</u>					
COVID Restart Grant	0 eh	0	0	0	0
Sale of Assets	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)
Transfer From Equip. Reserves	(58,678)	(206,500)	(2,500)	(42,500)	(2,500)
Transfer From Revenue Fund	(115,000) h	(70,000)	(70,000)	(70,000)	(70,000)
Total Revenue	(178,678)	(281,500)	(77,500)	(117,500)	(77,500)
<u>Expenses</u>					
Computers & Equipment	38,500 ef	19,500 f	19,500 f	19,500 f	19,500 f
Computer Wkstns (Purch & Repl)	108,178 ef	58,000 f	58,000 f	58,000 f	58,000 f
Servers, Infrastructure & Network	32,000 f	204,000 f	0	40,000 f	0
Total Expenses	178,678	281,500	77,500	117,500	77,500
(Surplus) / Deficit	0	0	0	0	0
Equip Reserve Fund Balance at Y/E	(302,708)	(177,970)	(258,025)	(298,480)	(379,740)
Operating Reserve Bal. at Y/E	(70,112) b	(10,213)	(10,315)	(10,419)	(10,523)

Notes

- Surplus resulting from grant and additional recoveries. Lower costs for licenses, contract services, security services, training, and equipment repairs offset increased payroll costs. COVID-19 Emergency plan and operations \$4.3k.
- Continue setting aside surplus funds into operating reserves when possible. Most software is becoming cloud based and therefore operating rather than capital. Budgeted Reserve transfer was not used in 2020.
- Increases: Payroll \$55k, Travel \$2.5k, Telephone \$1.5k, Insurance \$2.5k, COVID costs \$15k, GIS \$2.5k, Software Lic. \$18k, Transition GIS from Silverlight to other solution \$20k, Equip \$5k, Contract Services \$2k, Misc. \$2k. COVID Grant of \$56k (offsetting TV's & Webcams in meeting rooms \$5k, 50% of MS Teams Licensing \$36k, Jabber licensing \$15k).
- Supervisory and student reallocation.
- COVID Grant of \$50k for change over to laptops instead of desktops on refreshes other equipment.
- Four year refresh cycle for Network, Servers, SAN, Workstations.
- Smooth out Recovery increase with operating reserve.
- April Amendment #1: Show COVID Restart Grant funds coming from Operating Reserve, including \$50k for capital.

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 - 2025 Five Year Program Budget Projections**

Program: 003 -- Finance

Department: Financial Services

Amended April 2021

General Revenue Fund Budgets

	2021 Budget		2022 Projected Budget		2023 Projected Budget		2024 Projected Budget		2025 Projected Budget
<u>Revenue:</u>									
Interest	(45,000)		(45,000)		(45,000)		(45,000)		(45,000)
COVID Restart Grant/Op Reserve	(16,000)	cg	0		0		0		0
Previous Year's Surplus/Deficit	(244,694)	bf	(0)	f	0		0		0
Transfer from Operating Reserve	(22,216)	f	(100,000)	f	0		0		0
Administration OH Recovery	(918,824)		(1,126,356)		(1,254,532)		(1,283,270)		(1,312,584)
Services SIR & OBWB, Sundry Sales	(170,400)		(170,400)		(170,400)		(170,400)		(170,400)
Total Revenue	(1,417,134)		(1,441,757)		(1,469,932)		(1,498,670)		(1,527,984)
<u>Expenses:</u>									
Operations	1,389,134	deg	1,408,757	g	1,436,932		1,465,670		1,494,984
Debt Payments	18,000		18,000		18,000		18,000		18,000
Transfer to Equip. Reserves	10,000		15,000		15,000		15,000		15,000
Total Expenses	1,417,134		1,441,757		1,469,932		1,498,670		1,527,984
(Surplus) / Deficit	(0)		0		0		0		0
FTE's	8.45	e	8.45		8.45		8.45		8.45

General Capital Fund Budgets

	2021 Budget		2022 Projected Budget		2023 Projected Budget		2024 Projected Budget		2025 Projected Budget
<u>Revenue</u>									
Transfer From Reserves	(50,900)		(15,450)		(17,510)		(15,450)		(17,510)
Total Revenue	(50,900)		(15,450)		(17,510)		(15,450)		(17,510)
<u>Expenses</u>									
Computers & Equipment	5,150		0		2,060		0		2,060
Software & Vadim Server Migration	35,450		15,450		15,450		15,450		15,450
Office Renovation	10,300		0		0		0		0
Total Expenses	50,900		15,450		17,510		15,450		17,510
(Surplus) / Deficit	0		0		0		0		0
Equip. Reserve Fund Balance at Y/E	(191,079)		(192,385)		(191,624)		(192,936)		(192,180)
Operating Reserve Bal at Y/E	(317,235)	f	(219,407)	f	(221,601)		(223,817)		(226,056)

Notes

- Part of 2019 surplus transferred to operating reserve for future smoothing of recovery amounts and for funding cloud based software which is not capitalized.
- Surplus due to higher interest earned, capital project recoveries and grant received. Under expenditures for Equipment repairs, Travel, Training, Audit, Payroll and misc. items offsetting increased office supplies and licenses. 2020 surplus swing mainly due to interest rates and interest received.
- COVID Restart Grant to offset costs for payroll for COVID CERB requirements for T4's, additional reporting & tracking for costs & Grant.
- Increases: Payroll \$98k incl. addition of Supervisor position, Insurance \$1.3k, Collection Fees \$0.6k, Audit Fees \$9k, Software & Licenses \$8.75k, Memberships \$1k, Contract Services \$4.9k. Decreases: Travel \$2k, Telephone \$1.5k, COVID Emergency Plan & Oper. \$46.9k, Goods & Supplies \$1.5k, Data Processing \$3k, Equip & Repairs \$7.8k
- Added Supervisor position.
- Use Operating reserve to smooth surplus swing effects.
- April Amendment #1: Add \$8k or Payroll Software for Timesheets and time away tracking. Remove in 2022.

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 - 2025 Five Year Program Budget Projections**

Program: 502 Capital Facilities Reserve

Department: Fiscal Services

Amended April 2021

General Revenue Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
<u>Revenue:</u>					
CWF Gas Tax Revenue	(749,847)	(749,847)	(749,847)	(749,847)	(749,847)
Total Revenue	(749,847)	(749,847)	(749,847)	(749,847)	(749,847)
<u>Expenses:</u>					
Transfer to CWF Cap Fac Reserve	749,847	749,847	749,847	749,847	749,847
Total Expenses	749,847	749,847	749,847	749,847	749,847
(Surplus) / Deficit	0	0	0	0	0

Notes

The purpose of this budget is simply to show the transfer of current unused revenues into the reserve fund.

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 - 2025 Five Year Program Budget Projections**

Program: 503 -- Operating Reserve

Department: Fiscal Services

Amended April 2021

General Revenue Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
<u>Revenue:</u>					
COVID Restart Grant	(357,000)	0	0	0	0
Total Revenue	(357,000)	0	0	0	0
<u>Expenses:</u>					
Transfer to COVID Restart Op Reserve	357,000	0	0	0	0
Total Expenses	357,000	0	0	0	0
(Surplus) / Deficit	0	0	0	0	0

Notes

The purpose of this budget is simply to show the transfer of current unused revenues into the reserve fund.

ORIGINAL 2021 - 2025

Budget Pages

For Reference

REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 - 2025 Five Year Program Budget Projections

Program: 110 -- Regional Planning

Department: Community Services (Planning Services)

General Revenue Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue:					
Tax Requisition - Kelowna	(300,882)	(411,917)	(418,352)	(424,916)	(431,610)
Tax Requisition - Peachland	(13,034)	(17,844)	(18,123)	(18,407)	(18,697)
Tax Requisition - Lake Country	(35,044)	(47,977)	(48,726)	(49,491)	(50,270)
Tax Requisition - West Kelowna	(73,693)	(100,888)	(102,464)	(104,071)	(105,711)
Tax Req - EA Cent Ok. West	(9,340)	(12,787)	(12,986)	(13,190)	(13,398)
Tax Req - EA Cent Ok East	(8,539)	(11,690)	(11,872)	(12,058)	(12,248)
UBCM Grant	(224,500)	0	0	0	0
Previous Year's Surplus/Deficit	(156,749)	0	(0)	0	(0)
Administration OH	108,598	79,416	80,673	81,955	83,263
Total Revenue	(713,183)	(523,687)	(531,850)	(540,177)	(548,671)
Expenses:					
Operations	510,183	408,187	416,350	424,677	433,171
Transfer to Cap Fac Reserves	8,000	8,000	8,000	8,000	8,000
Regional Growth Strategy	195,000	107,500	107,500	107,500	107,500
Total Expenses	713,183	523,687	531,850	540,177	548,671
(Surplus) / Deficit	0	(0)	0	(0)	0
FTE's	2.75	2.75	2.75	2.75	2.75
Tax Levy:					
Tax Requisition	(440,532)	(603,103)	(612,523)	(622,133)	(631,934)
Residential Tax Rate	0.0072	0.0098	0.0098	0.0099	0.0100
(per \$1000 of assessment)					

General Capital Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue					
Transfer From Cap Fac Reserves	(6,840)	0	0	0	0
Total Revenue	(6,840)	0	0	0	0
Expenses					
Computers & Equipment	3,090	0	0	0	0
Furniture	3,750	0	0	0	0
Total Expenses	6,840	0	0	0	0
(Surplus) / Deficit	0	0	0	0	0
Reserve Fund Balance at Y/E	(5,930)	(13,989)	(22,129)	(30,350)	(38,653)
Operating Reserve Balance at Y/E	(34,250)	(34,593)	(34,939)	(35,288)	(35,641)

Notes

- Surplus from lower than anticipated Collaboration/Consultation, RGS, payroll, contract services, legal, travel and training.
- Increases: Payroll \$8.6k, Insurance \$1.3k, Office & Drafting Supplies \$2.5k, Memberships \$1.9k, Biodiversity Conservation \$10k. Decreases: Travel \$0.2k, Training & Ed \$1k, Collaboration/Consultation \$169.5k, Contract Services \$78.6k.
- RGS Projects: RGS 5 Year Review \$25k, Regional Housing Strategy \$60k, Regional Citizen Survey \$25k, 5 Year Action Plan \$40k, West Kelowna Dam Inundation Study \$45k.
- Special Contracted projects: Central Okanagan Wellness & Poverty Strategy \$15k, Okanagan Lake Protection Responsibility Planning Initiative \$25k.
- Transfer funds to build reserves for minor capital needs.
- Central Okanagan Wellness Strategy \$74.5k carryforward, Regional Flood Plain Management Strategy \$150k carryforward.
- Remove estimated contract costs for grant related work.

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 - 2025 Five Year Program Budget Projections**

Program: 006 -- Information Systems

Department: Corporate Services

General Revenue Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue:					
Transfer from Regional Parks	(44,000)	(44,000)	(44,000)	(44,000)	(44,000)
OBWB, SIR Services, Sundry					
Sales	(61,344)	(61,344)	(61,344)	(61,344)	(61,344)
Services - Peachland	(20,357)	(20,875)	(20,875)	(20,875)	(20,875)
COVID Restart Grant	(56,000) c	0	0	0	0
Previous Year's Surplus/Deficit	(48,520) a	(0)	(0)	(0)	(0)
Administration OH Recovery	(921,163)	(1,046,712) g	(1,129,072)	(1,151,881)	(1,175,145)
Transfer from Operating Reserve	(30,000)	(60,000) g	0	0	0
Services - WFN	(35,612)	(35,118)	(35,118)	(35,118)	(35,118)
Total Revenue	(1,216,996)	(1,268,049)	(1,290,410)	(1,313,218)	(1,336,482)
Expenses:					
Operations	1,071,996 cd	1,118,049	1,140,409	1,163,218	1,186,482
Transfer to Equip Reserves	80,000	80,000	80,000	80,000	80,000
Transfer to Capital	65,000	70,000	70,000	70,000	70,000
Total Expenses	1,216,996	1,268,049	1,290,409	1,313,218	1,336,482
(Surplus) / Deficit	(0)	(0)	(0)	(0)	(0)
FTE's	6.88 d	6.88	6.88	6.88	6.88

General Capital Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue					
COVID Restart Grant	(50,000) e	0	0	0	0
Sale of Assets	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)
Transfer From Equip. Reserves	(58,678)	(206,500)	(2,500)	(42,500)	(2,500)
Transfer From Revenue Fund	(65,000)	(70,000)	(70,000)	(70,000)	(70,000)
Total Revenue	(178,678)	(281,500)	(77,500)	(117,500)	(77,500)
Expenses					
Computers & Equipment	38,500 ef	19,500 f	19,500 f	19,500 f	19,500 f
Computer Wkstns (Purch & Repl)	108,178 ef	58,000 f	58,000 f	58,000 f	58,000 f
Servers, Infrastructure & Network	32,000 f	204,000 f	0	40,000 f	0
Total Expenses	178,678	281,500	77,500	117,500	77,500
(Surplus) / Deficit	0	0	0	0	0
Equip Reserve Fund Balance at Y/E	(302,708)	(177,970)	(258,025)	(298,480)	(379,740)
Operating Reserve Bal. at Y/E	(70,112) b	(10,213)	(10,315)	(10,419)	(10,523)

Notes

- Surplus resulting from grant and additional recoveries. Lower costs for licenses, contract services, security services, training, and equipment repairs offset increased payroll costs. COVID-19 Emergency plan and operations \$4.3k.
- Continue setting aside surplus funds into operating reserves when possible. Most software is becoming cloud based and therefore operating rather than capital. Budgeted Reserve transfer was not used in 2020.
- Increases: Payroll \$55k, Travel \$2.5k, Telephone \$1.5k, Insurance \$2.5k, COVID costs \$15k, GIS \$2.5k, Software Lic. \$18k, Transition GIS from Silverlight to other solution \$20k, Equip \$5k, Contract Services \$2k, Misc. \$2k. COVID Grant of \$56k (offsetting TV's & Webcams in meeting rooms \$5k, 50% of MS Teams Licensing \$36k, Jabber licensing \$15k).
- Supervisory and student reallocation.
- COVID Grant of \$50k for change over to laptops instead of desktops on refreshes other equipment.
- Four year refresh cycle for Network, Servers, SAN, Workstations.
- Smooth out Recovery increase with operating reserve.

**REGIONAL DISTRICT OF CENTRAL OKANAGAN
2021 - 2025 Five Year Program Budget Projections**

Program: 003 -- Finance

Department: Financial Services

General Revenue Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue:					
Interest	(45,000)	(45,000)	(45,000)	(45,000)	(45,000)
COVID Restart Grant	(8,000) c	0	0	0	0
Previous Year's Surplus/Deficit	(244,694) bf	(0) f	0	0	0
Transfer from Operating Reserve	(22,216) f	(100,000) f	0	0	0
Administration OH Recovery	(918,824)	(1,126,356)	(1,254,532)	(1,283,270)	(1,312,584)
Services SIR & OBWB, Sundry Sales	(170,400)	(170,400)	(170,400)	(170,400)	(170,400)
Total Revenue	(1,409,134)	(1,441,757)	(1,469,932)	(1,498,670)	(1,527,984)
Expenses:					
Operations	1,381,134 de	1,408,757	1,436,932	1,465,670	1,494,984
Debt Payments	18,000	18,000	18,000	18,000	18,000
Transfer to Equip. Reserves	10,000	15,000	15,000	15,000	15,000
Total Expenses	1,409,134	1,441,757	1,469,932	1,498,670	1,527,984
(Surplus) / Deficit	(0)	0	0	0	0
FTE's	8.45 e	8.45	8.45	8.45	8.45

General Capital Fund Budgets

	2021 Budget	2022 Projected Budget	2023 Projected Budget	2024 Projected Budget	2025 Projected Budget
Revenue					
Transfer From Reserves	(50,900)	(15,450)	(17,510)	(15,450)	(17,510)
Total Revenue	(50,900)	(15,450)	(17,510)	(15,450)	(17,510)
Expenses					
Computers & Equipment	5,150	0	2,060	0	2,060
Software & Vadim Server Migration	35,450	15,450	15,450	15,450	15,450
Office Renovation	10,300	0	0	0	0
Total Expenses	50,900	15,450	17,510	15,450	17,510
(Surplus) / Deficit	0	0	0	0	0
Equip. Reserve Fund Balance at Y/E	(191,079)	(192,385)	(191,624)	(192,936)	(192,180)
Operating Reserve Bal at Y/E	(317,235) f	(219,407) f	(221,601)	(223,817)	(226,056)

Notes

- Part of 2019 surplus transferred to operating reserve for future smoothing of recovery amounts and for funding cloud based software which is not capitalized.
- Surplus due to higher interest earned, capital project recoveries and grant received. Under expenditures for Equipment repairs, Travel, Training, Audit, Payroll and misc. items offsetting increased office supplies and licenses. 2020 surplus swing mainly due to interest rates and interest received.
- COVID Restart Grant to offset costs for payroll for COVID CERB requirements for T4's, additional reporting & tracking for costs & Grant.
- Increases: Payroll \$98k incl. addition of Supervisor position, Insurance \$1.3k, Collection Fees \$0.6k, Audit Fees \$9k, Software & Licenses \$8.75k, Memberships \$1k, Contract Services \$4.9k. Decreases: Travel \$2k, Telephone \$1.5k, COVID Emergency Plan & Oper. \$46.9k, Goods & Supplies \$1.5k, Data Processing \$3k, Equip & Repairs \$7.8k
- Added Supervisor position.
- Use Operating reserve to smooth surplus swing effects.

Financial Services

Regional District of Central Okanagan Board Meeting

April 26, 2021

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com

7.1 Purchase Commitments over \$100,000 during 1Q 2021

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com

7.2 COVID Restart Grant Operating Reserve & Financial Plan Bylaw Amendments

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



2020 – 2024 Financial Plan Amendment

- Show transfer to reserves of unused revenue amounts received during 2020 for:
 - Community Works Funds \$749,847 —————> Capital Facilities Reserve
 - Covid Restart Grant \$625,800 —————> Operating Reserve

2021 – 2025 Financial Plan Amendment

- Show transfer to reserves of unused revenue amounts received during 2021 for:
 - Community Works Funds \$749,847 —————> Capital Facilities Reserve
 - Covid Restart Grant \$357,000 —————> Operating Reserve
- All references to “COVID Restart Grant” revenue usage in 2021 changed to “Transfer from COVID Restart Operating Reserve”

2021 – 2025 Financial Plan Amendment

Cont'd

- 110 – Regional Planning: Add Grant Revenues and related contract expenses:
 - 2021 - \$25k UMCM Evacuation Planning Grant
 - 2021 – 2023 \$100k annually for Vancouver Foundation Grant for Okanagan Lake Responsibility Planning Initiative

2021 – 2025 Financial Plan Amendment

Cont'd

- 006 – Information Systems: Accounting Change re: COVID Restart Grant revenue to transfer from Operating reserve.
 - No change to projects
 - \$106k approved in original budget: \$56k operating & \$50k capital.

2021 – 2025 Financial Plan Amendment

Cont'd

■ 003 – Financial Services:

- Proposed use of \$8k of COVID Restart Operating Reserve for hosted Payroll Software

Recommendation 7.2.1

- THAT the Regional Board approve the use of \$8,000 of the Covid Restart Grant Operating Reserve for the electronic payroll tracking software budgeted in the RDCO 2021 – 2025 Financial Plan Amendment Bylaw 1481.

Recommendation 7.2.2:

- THAT Regional District of Central Okanagan 2020 – 2024 Financial Plan Amendment Bylaw No. 1480 be given first, second and third readings and adopted.

Recommendation 7.2.3:

- THAT Regional District of Central Okanagan 2021 – 2025 Financial Plan Amendment Bylaw No. 1481 be given first, second and third readings and adopted.



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 26, 2021

SUBJECT: Regional Growth Strategy Five-year Review (6430-40)

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

Purpose: To consider the need for a review of the Regional District of Central Okanagan Regional Growth Strategy: *Our Home, Our Future*.

Executive Summary:

The RDCO adopted Regional Growth Strategy (RGS) Bylaw No. 1336 in 2014. Being accountable for progress towards achieving the goals of the RGS requires a commitment to implementation. The Priority Projects Plan, a five-year action plan that outlines the priority initiatives, was endorsed by the Regional Board on July 24, 2017.

The Priority Projects Plan approved on November 20, 2020 identified the need for the consideration of a five-year review of the RGS in accordance with Section 452 [*Regular reports and review of regional growth strategy*] of the *Local Government Act* (LGA). Section 452 states the Board must consider whether or not a review of the RGS is warranted after providing an opportunity for stakeholder input. A consultation process has just been completed and to date, staff have not received any comments expressing an opinion regarding the need for a review from the public, member municipalities, First Nations or other government agencies.

Given the continued relevance of the current plan along with the stakeholder input received, staff are recommending the Board waive the need to review the RGS for possible amendment at this time. In accordance with the LGA, this matter must be considered again in five years.

RECOMMENDATION:

THAT the Regional Board determine a review of Regional Growth Strategy Bylaw No. 1336 for possible amendment, as per Section 452 (2) of the *Local Government Act*, is not required

AND THAT the Regional Board support staff efforts to actively engage with member municipalities, First Nations, Interior Health Authority and other agencies regarding continued implementation of the Regional District of Central Okanagan Regional Growth Strategy.

Respectfully Submitted:



Todd Cashin
Director of Community Services

Approved for Board's Consideration



Brian Reardon, CAO

Prepared by: Danika Dudzik, Senior Planner

Strategic Plan:	Considering the need for a review of the RGS is supported by RDCO's mission and enables the Board to evaluate the need for a review as it relates to the strategic priorities and actions identified in the Regional Board Strategic Priorities 2019-2022.
Policy:	Considering the need for a review of the RGS complies with Section 4 – Monitoring and Evaluation outlined in the Regional Growth Strategy Bylaw No. 1336.
Legal/Statutory Authority:	<p>Considering the need for a review of the RGS adheres to Local Government Act, Section 452(2) and (3)</p> <ul style="list-style-type: none"> • “At least once every 5 years, a regional district that has adopted a regional growth strategy must consider whether the regional growth strategy must be reviewed for possible amendment.” • For the purposes of subsection (2), the regional district must provide an opportunity for input on the need for review from the persons, organizations and authorities referred to in section 434(2) <i>[required consultations during development of regional growth strategy]</i>.

Background:

Local Government Act

The Regional District has a statutory obligation under Section 452(2) and (3) of the *Local Government Act* (LGA) to consider, at least once every five years, whether the RGS should be reviewed for possible amendment and to provide opportunity for public input into the need for review. This requirement provides an opportunity for the Regional District to periodically assess the RGS and gather feedback from stakeholders to determine if a review of the RGS is warranted. A review can range from a minor amendment to the existing strategy to a comprehensive review.

Regional Growth Strategy

The RDCO adopted Regional Growth Strategy (RGS) Bylaw No. 1336 on June 23, 2014. A regional growth strategy is a long-range planning tool governed by Part 13 of the *Local Government Act* that assists local governments to plan a coordinated future for their communities while dealing with regional issues and decisions that cross local political boundaries. The RGS is also a collective vision from the regional partners for the future in order to create a region that promotes growth that is economically, environmentally and socially healthy over a twenty (20) year time horizon.

Our Home, Our Future Implementation

Being accountable for progress towards achieving the goals of the RGS requires a commitment to implementation. In accordance with Section 4.1.2 of the RGS, through a collaborative process, RDCO staff, RGS Steering Committee and elected officials developed a 5 year action plan to outline the priority initiatives to implement the RGS. The 5 year action plan, endorsed by the Regional Board on July 24, 2017 contains projects regional in nature that propose to fulfil policies that remain outstanding or have the opportunity to be strengthened. The Regional Housing Needs Assessment completed in 2019 is an example of a project which resulted from the action plan. Consideration for a 5-Year Review of the RGS was also identified. A list of all of the projects identified and status updates for each project are attached.

The existing RGS framework provides flexibility for implementation. Subsequent to the conclusion of the current action plan, to ensure continued momentum of the RGS, it is anticipated that a new work plan will be developed which would provide opportunity to assess priorities within the existing framework.

RGS Legislation

RGS legislation was introduced in 1995 and has not been substantively updated since which has been known to present challenges as it relates to the review process, and led to costly and time consuming processes experienced by some regional districts that have taken on review and updates.

On March 4, 2018, the Capital Regional District (CRD) Board adopted a new RGS bylaw. The growth strategy review and update process took 8 years to complete. It was noted that the legislative requirements for preparing, adopting and implementing an RGS presented both process and content challenges to preparing the 2018 RGS document (see attached CRD Correspondence June 26, 2018). The CRD indicated that “without legislation changes, future RGS updates will likely face similar challenges.”

In 2015, the Regional District of North Okanagan (RDNO) decided to undertake a review of the growth strategy to ensure it still reflected the vision and goals of area residents. During the review process it was identified that new policies specific to: Housing; Active Transportation; Economic Development; Environment - Air quality and Climate Change were required to address new challenges facing the region. The Regional Growth Strategy Amendment Bylaw No. 2846, 2019 was adopted by the Board on May 20, 2020. Staff from RDNO provided an overview on March 12, 2020 to RDCO's Governance and Services Committee of their review and update process and some insight for consideration by RDCO such as the need for updates to the RGS legislation.

There have been two BC Supreme Court rulings in recent years that have raised questions as to the effect of a RGS in guiding decisions on regional matters which include the case of *Greater Vancouver (Regional District) v. Langley (Township) and Wall* and *Greater Vancouver (Regional District) v. Langley (Township) and Hendricks*. Since these rulings, no changes or clarification have been provided as it relates to the RGS legislation to address these matters.

At the 2018 Union of BC Municipalities (UBCM) Convention a motion was endorsed that UBCM request the Province to actively engage government including First Nations in a comprehensive review and update of Part 13 of the LGA and related regulations (see attached).

At this time, considering the above noted challenges in regards to existing RGS legislation, a review and update of the RGS may prove to be onerous.

Consultation:

On November 12, 2020 staff provided the Governance and Services (G&S) Committee with a summary of the ongoing legislative requirements under the LGA that requires regional districts that have adopted a RGS to periodically consider if a review is necessary. The G&S Committee was provided an overview of the proposed consultation plan for the consideration of a review. Subsequent to the G&S Committee meeting, the Regional Board endorsed the RGS 5-Year Review Consultation Plan (see attached).

Opportunities have been provided for input from the public, affected local governments, First Nations, provincial ministries and agencies, other levels of government, and stakeholder groups on the need for a review of the RGS. Each member municipality considered this matter at their respective Councils.

AGENCY REFERRAL COMMENTS

District of Peachland recommends the Regional District of the Central Okanagan not undertake a five-year review of the Regional Growth Strategy.

City of Kelowna recommends the Regional District of Central Okanagan not undertake a 5-year review of the Regional Growth Strategy Bylaw No. 1336.

City of West Kelowna recommends the Regional District of the Central Okanagan not undertake a 5-year review of the Regional Growth Strategy.

District of Lake Country did not recommend that the Regional Growth Strategy Bylaw No. 1336 be reviewed for possible amendment at this time.

Interior Health Authority staff advise that the current RGS aligns with healthy planning principles and highlighted a few items for consideration from a population health perspective should a review be warranted including the consideration of a poverty reduction approach, adding an equity and inclusion lens, updating “Our Housing” to reflect findings from recent projects and initiatives, climate change mitigation, adaptation and resilience, and additional policies to ensure long term sustainability in areas where servicing will not be provided.

Ministry of Agriculture, Food & Fisheries staff advises that the RGS contains policies, particularly within the sections of Our Land, Economy and Food that are supportive of both the agricultural land base and the agricultural industry concluding that these policies are still generally relevant and applicable. Staff also acknowledged that a Regional Agriculture Strategy is identified as a future project under the current action plan.

Items for future consideration include the upcoming 2021 Census of Agriculture which would be beneficial to inform a future update as well as a Regional Agriculture Strategy and mitigating long-term effects of COVID-19 upon the agricultural sector.

Ministry of Forests, Lands, Natural Resource Operations and Rural Development staff advise continued efforts are necessary through land use planning to ensure the goals of Our Land, Water Resources, and Ecosystems are adequately addressed.

Financial Considerations:

By not undertaking a review of the RGS, there would be no associated financial implications.

Should the Regional Board decide to proceed with a review of the RGS, this would require specific financial resources and allocated budget which will vary depending on the approach, as well as dedicated staff time or commitment for a consultant. Financial resources for a review may require the reallocation of funds from current RDCO actions identified in the Regional Board Strategic Priorities 2019-2022.

Legal/ Statutory Authority:

The provision for the review of a regional growth strategy is contained in Part 13 – Regional Growth Strategies and Section 452 of the *Local Government Act*.

Organizational Issues:

In accordance with the LGA, the RDCO must decide whether or not a review of the RGS is warranted again in five years. However, the Regional Board may pursue a review of the RGS at any time within the next five years should there be a desire to do so.

External Implications:

Subsequent to items identified in the consultation plan, up to and including this report, staff have not received any comments expressing an opinion regarding the need for a review from the public, member municipalities, First Nations or government agencies.

RGS Review and Update:

Should the Regional Board decide to proceed with a 5-Year Review, the Priority Projects Plan identified that this would be completed at a high-level with input from affected agencies, member municipalities, First Nations, the public, and other stakeholders as listed in the LGA.

The review process would include an assessment of the strengths and weaknesses of the growth strategy, performance and re-evaluate solutions to persistent region-wide issues and responses undertaken (e.g. containment boundaries to address growth management).

Other objectives may include:

- Responding to new provincial policies and legislation;
- Responding to initiatives, research, studies and plans developed responding to regional issues that will assist with the Region as a whole working toward the RGS vision;
- Assessing the Region's demographic data, census data, and assessment of the identified initiatives undertaken in RGS; and
- Analyzing land use, environmental, engineering, transportation and financial issues to allow the public and decision-makers to have a more complete understanding of growth impacts in the Region and forming short-term implementation strategies.

Alternative Recommendation:

THAT the Board direct staff to prepare a framework for the Board's consideration to initiate a review and update of Regional Growth Strategy Bylaw No. 1336.

Attachment(s):

- Consultation Plan – Consideration of a Review of *Our Home, Our Future*
- Five-Year Action Plan Summary and Status Update
- Capital Regional District Correspondence June 26, 2018
- 2018 UBCM Convention Minutes – Excerpt
- Provincial Response to the 2018 UBCM Resolutions

Consultation Plan – Consideration of a Review of *Our Home, Our future*

Consultation Items	Intent
Regional Board	Board to consider the scope of the engagement process and endorse the consultation plan
RGS Steering Committee	Provide an update on the consultation plan.
External Referral	To provide an opportunity for affected local governments, First Nations, provincial ministries and agencies and other levels of government to provide comments and express an opinion regarding the need / or not for a review of the RGS.
Regional District of Central Okanagan Website Advertisement	Notice of a Public Meeting and information on the opportunity for public comment will be advertised on the RDCO's main webpage.
Newspaper Advertisements – Notice of Public Meeting	Notice to be placed in 2 consecutive issues of Kelowna Capital News – Black Press, Vernon Morning Star, and Kelowna Daily Courier not less than 3 days and not more than 10 days before the public meeting noting the purpose, time / date, and location of the meeting. The advert will also provide contact information for Planning staff should there be any questions from the public. Written submissions from the public in advance of the meeting will be encouraged.
Public Meeting	Public meeting to provide a formal opportunity for public input to provide comments and express an opinion regarding the need / or not for a review of the RGS.
Regional Board	Provide a decision on the need for a review of <i>Our Home, Our Future</i> , the Regional Growth Strategy.

Five-Year Action Plan Summary and Timeline

#	Project	2017	2018	2019	2020	2021
1	Regional Flood Management Plan: Phases 2 and 3					
2	Regional Planning Lab					
3	Regional Housing Needs Assessment					
4	Regional Growth Strategy Monitoring Program					
5	Regional Citizen Survey					
6	Regional Housing Strategy					
7	Regional Growth Strategy Five-year Review					
8	Regional Agricultural Strategy					
9	Regional Employment Lands Inventory					

Dark green indicates one-time projects of limited duration; light green indicates projects that, once initiated, will be ongoing or recurring.

Five-Year Action Plan Summary - Status Update

#	Project	
1	Regional Flood Management Plan	Phase 2 Complete Phase 3 In progress
2	Regional Planning Lab	Ongoing
3	Regional Housing Needs Assessment	Complete
4	Regional Growth Strategy Monitoring Program	Complete
5	Regional Citizen Survey	2021
6	Regional Housing Strategy	2021
7	Regional Growth Strategy Five-year Review	Regional Board to decide whether or not to undertake this project - 2021
8	Regional Agricultural Strategy	TBD
9	Regional Employment Lands Inventory	TBD

Other

Central Okanagan Poverty and Wellness Strategy	In progress
Next Five-Year Action Plan	TBD

June 26, 2018

File: 0400-50

UBCM Members
(via email)

Dear Regional District Board Chairs:

RE: Request for Support regarding the Comprehensive Review of RGS Legislation by the Provincial Government

On behalf of the Capital Regional District (CRD) Board, I am writing to request your support for the Province to engage local governments in a comprehensive review of the Regional Growth Strategy (RGS) sections of the Local Government Act.

At its June 13, 2018 meeting, the CRD Board passed the following motion:

That a letter be sent to the Minister of Municipal Affairs and Housing requesting engagement of local governments in a comprehensive review and update of Part 13 of the Local Government Act and related regulations.

On March 14, 2018, the CRD Board adopted a new RGS bylaw (Bylaw No. 4017) following an extensive and costly eight year update process. Provincial legislation presented significant process and content challenges in preparing the RGS document (see Attachment for details). Without legislation changes, future RGS updates will likely face similar challenges. Engaging local governments in a comprehensive review and update of the 20 year old RGS legislation would help mitigate future time, cost and process risks. The decades since RGS legislation was initially introduced have seen significant shifts in provincial and local government issues and community contexts – shifts which warrant re-examining the legislation. An update is considered particularly critical in light of recent court rulings which have raised questions about the effect of RGSs. It is noted that other provinces have recently updated their growth strategy legislation.

As dated RGS legislation is a matter impacting not just the CRD, but also many other Regional Districts across the Province, the CRD has raised this matter with the Minister of Municipal Affairs and has also submitted a related resolution to be considered at this year's UBCM convention.

I encourage you to contact the Minister to indicate your support for local government engagement in a review of the RGS legislation and to submit a letter of support to UBCM for the CRD's resolution.

For further discussion on this matter, I can be reached at crdchair@crd.bc.ca or 250-360-3126.

Sincerely,



Steve Price,
Board Chair, Capital Regional District

Attachment: Summary of Legislative Challenges

cc: CRD Board Directors
Robert Lapham, Chief Administrative Officer, CRD
Kevin Lorette, General Manager, Planning and Protective Services, CRD
Signe Bagh, Senior Manager, Regional and Strategic Planning, CRD

SUMMARY OF LEGISLATIVE CHALLENGES

The legislative requirements for preparing, adopting and implementing an RGS presented both process and content challenges to preparing the 2018 RGS document. The challenges are summarized in the table below.

Legislative Requirements	Process Challenges	Content Challenges
Document Preparation	The Intergovernmental Advisory Committee (IAC) gives a disproportionate role to parties (i.e., provincial and federal ministries / agencies) not bound by the RGS. This role misalignment creates a challenging participation dynamic for parties (i.e., municipalities) who are most directly affected by the RGS.	The stated purpose of an RGS suggests a broad mandate while required content is limited to prescribed matters deemed regional in nature. The required content affects matters under municipal authority (e.g., housing and transportation). It is unclear, particularly given the <i>GVRD v. Langley (Township)</i> ruling, the extent to which an RGS can include actions and policies that will achieve the stated purpose(s) of an RGS.
	The role of electoral areas in the RGS process is unclear.	
Acceptance and Adoption	The requirements for unanimous municipal acceptance are inappropriate for the stated purpose and content requirements of an RGS. The high threshold for acceptance increases the likelihood of impasses. Even constitutional amendments do not require unanimity.	Given the requirements for unanimity and adoption by bylaw, it is extremely challenging to prepare RGS content to which all can agree.
	The requirements for adoption by bylaw are inappropriate for the stated purpose and content requirements of an RGS. Adoption as a bylaw seems of limited value as there are no enforcement powers associated with the bylaw.	
	The role of the facilitator is unclear. It is challenging to appoint a facilitator once the process is underway.	

Legislative Requirements	Process Challenges	Content Challenges
Acceptance and Adoption (cont'd)	The mandated dispute resolution processes require the regional district to both coordinate and participate in the process. From a procedural fairness perspective, it is challenging to be both a party to the dispute and responsible for administering the process to resolve the dispute.	
	The role of First Nations in the RGS process is unclear. There is a requirement to consult, but no formal approval authority. This creates a challenging participation dynamic.	Although an RGS does not apply to First Nations reserve land, RGS policies may impact future First Nations development aspirations. It is unclear how an RGS could or would apply to different land development scenarios involving First Nations pending treaty outcomes.
Implementation	The legislation is unclear as to the grounds under which a regional district can refuse to accept an RCS. The lack of clarity creates an implementation challenge.	The legislation does not clearly define what constitutes a "relationship" between an Official Community Plan (OCP) and an RGS. This lack of clarity makes it challenging to determine the appropriate content of Regional Context Statement (RCS).



Minutes 115th Convention

Whistler September 10 – 14, 2018



B135 Recreational Boating Access Infrastructure

North Saanich

Whereas recreational boating is part of the fabric of many BC communities, contributes to the quality of life and is an important economic and recreational activity;

And whereas there is an ongoing decline in boating access infrastructure, and marinas and public boat launches are being removed to make way for development and community amenities:

Therefore be it resolved that UBCM's coastal and lakeshore member communities incorporate existing boating access infrastructure into community planning and identify areas in which there may be potential to add boating infrastructure to their longer-term community plans.

On motion, was Not Endorsed

Results of Election for Small Community Representative & Director at Large

Councillor Murry Krause, Chair of the Nominating Committee, assumed the Chair and presented the election results for:

Small Community Representative:	Mayor Mitch Campsall, District of 100 Mile House
Director at Large:	Councillor Jen Ford, Resort Municipality of Whistler
	Director Travis Hall, Central Coast RD
	Mayor Deb Kozak, City of Nelson
	Councillor Laurey-Anne Roodenburg, City of Quesnel
	Mayor Gerry Taft, District of Invermere

A motion, duly moved and seconded, to destroy the ballots was endorsed.

Councillor Brian Frenkel assumed the Chair and continued consideration of resolutions in Section B – Part 2-b, resuming with resolution B136.

B136 Update of Regional Growth Strategy Legislation

Capital RD

Whereas Part 12 of the *Local Government Act* and related regulations governing the preparation and implementation of Regional Growth Strategies have not been reviewed in 20 years;

And whereas the decades since the legislation was passed have seen shifts in provincial and local government issues and community contexts;

And whereas the *Greater Vancouver Regional District v. Langley (Township) and Wall* Court ruling (2014) raised questions about the effect of Regional Growth Strategies;

And whereas outdated and ambiguous legislation is felt to have contributed to a prolonged and expensive Regional Growth Strategy update process in the Capital Regional District;

And whereas many regional districts and municipalities across the province will in coming years be involved in reviews and updates of Regional Growth Strategies;

And whereas other jurisdictions have more recently updated growth strategy legislation (e.g. Alberta and Ontario):

Therefore be it resolved that UBCM request the Province to actively engage local government including First Nations in a comprehensive review and update of Part 13 of the *Local Government Act* and related regulations.

On motion, was Endorsed



Ministry of Municipal Affairs and
Housing

PROVINCIAL RESPONSE

**to the Resolutions of the 2018
Union of British Columbia Municipalities**

February 2019

B136 UPDATE OF REGIONAL GROWTH STRATEGY LEGISLATION

Whereas Part 12 of the *Local Government Act* and related regulations governing the preparation and implementation of Regional Growth Strategies have not been reviewed in 20 years;

And whereas the decades since the legislation was passed have seen shifts in provincial and local government issues and community contexts;

And whereas the *Greater Vancouver Regional District v. Langley (Township) and Wall* Court ruling (2014) raised questions about the effect of Regional Growth Strategies;

And whereas outdated and ambiguous legislation is felt to have contributed to a prolonged and expensive Regional Growth Strategy update process in the Capital Regional District;

And whereas many regional districts and municipalities across the province will in coming years be involved in reviews and updates of Regional Growth Strategies;

And whereas other jurisdictions have more recently updated growth strategy legislation (e.g. Alberta and Ontario):

Therefore be it resolved that UBCM request the Province to actively engage local government including First Nations in a comprehensive review and update of Part 13 of the *Local Government Act* and related regulations.

RESPONSE: Ministry of Municipal Affairs and Housing

The Province provides support to regional districts that are in the process of developing, amending or implementing a Regional Growth Strategy (RGS). The experiences of regional districts with the RGS process, including the recent challenges of the 2014 Langley Township court case and the 2018 Capital Regional District RGS dispute resolution process, continue to inform the Province of areas in which the RGS legislation could be strengthened. A review of the RGS legislation could provide an opportunity to address RGS process elements, and take into consideration contemporary regional growth issues.

The Province is currently considering what a review of the legislation would entail and will be developing options for next steps. Should a review of the legislation be undertaken, the Province would engage in a comprehensive discussion with UBCM, local governments and First Nations to further understand any challenges and explore potential solutions.

RGS Five-Year Review

Regional District of Central Okanagan Board Meeting

April 26, 2021

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Purpose

- Summary of input received through the RGS 5-Year Review Consultation Plan
- Consider the need for a review of the Regional District of Central Okanagan Regional Growth Strategy; *Our Home, Our Future*.

Background

- *Local Government Act*
 - At least once every five years the Regional District must consider whether the RGS should be reviewed for possible amendment

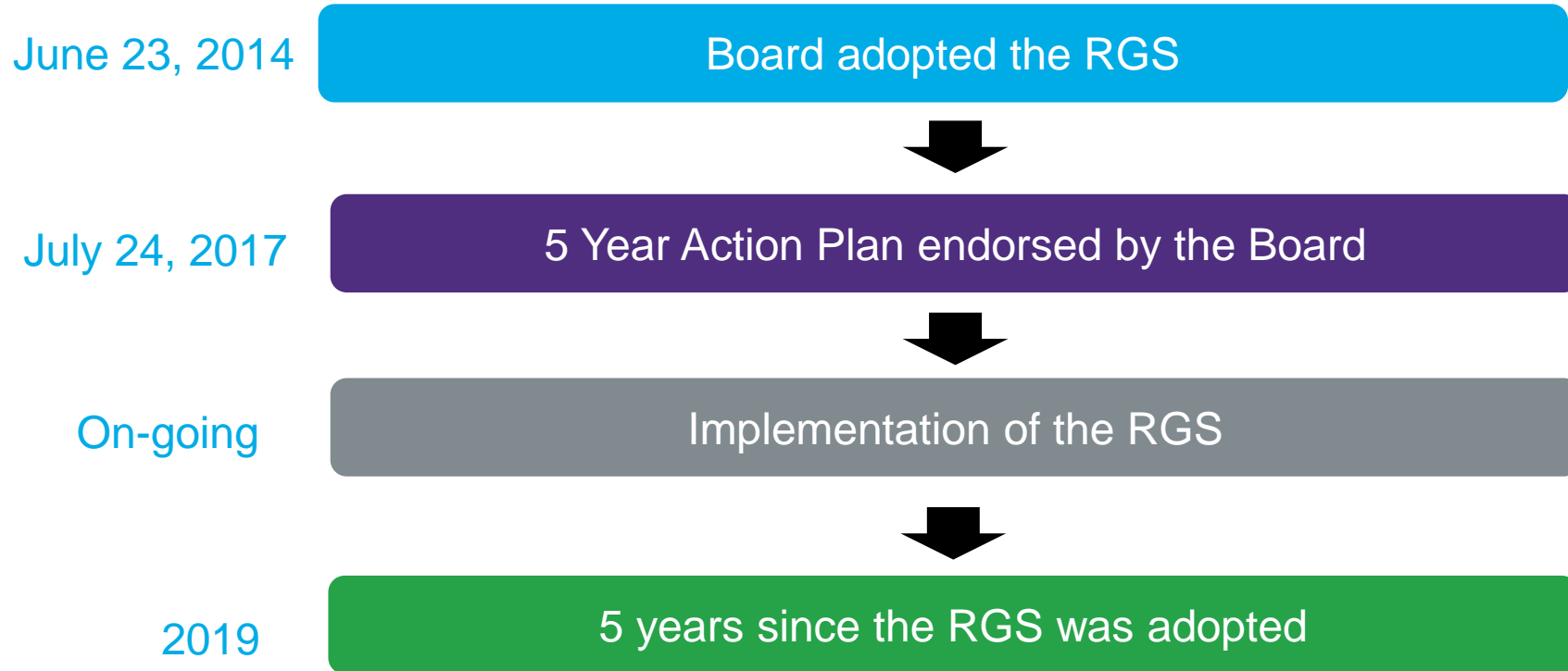
AND

- Provide opportunity for input on whether the RGS should be reviewed

Consultation Plan



RDCO Regional Growth Strategy



Regional Growth Strategy

- Agreed future vision by local governments
- Long range plan – 20 years
- Broad goals for a region
- Reflected in local government plans and policies
- Implementation & Monitoring

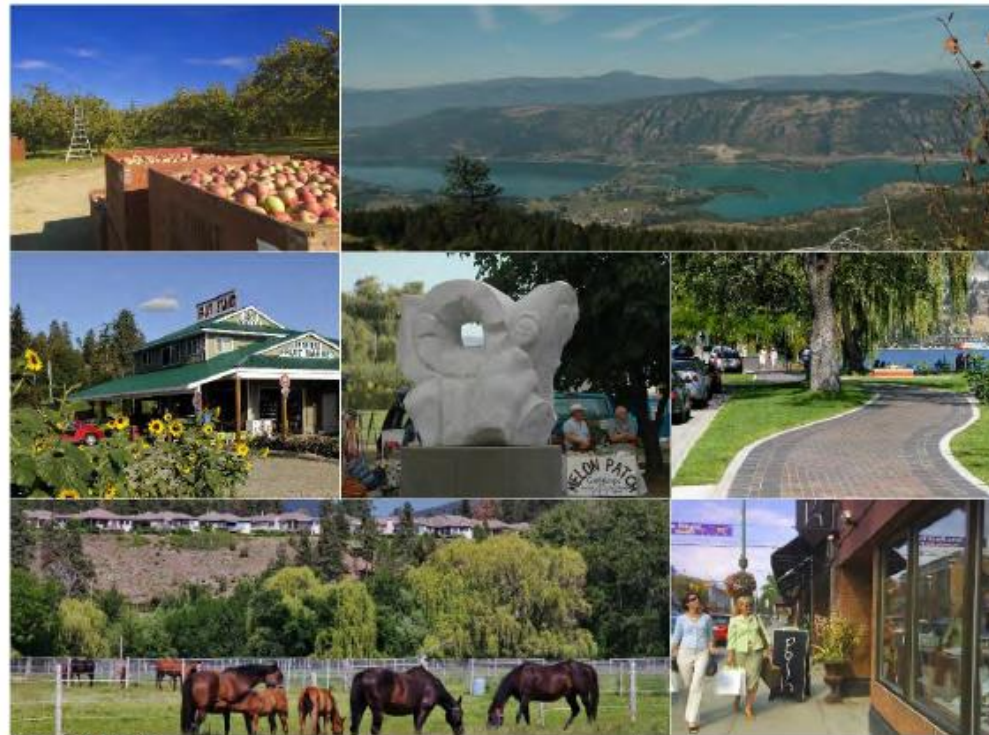


Regional District of Central Okanagan Regional Growth Strategy *"Our Home, Our Future"*



Schedule 'A'

Bylaw No.1336, 2013



Source: Pictures BC

Implementation

- Many projects completed, in progress, or planned across the region
- RGS Steering Committee
- 5 year action plan
 - projects supporting various RGS policies and Issue Areas
- Existing RGS framework provides flexibility for implementation

RGS Priority Projects Plan

- 5 year action plan which outlines the priority initiatives to implement *Our Home, Our Future*
 - 9 projects supporting various RGS policies and Issue Areas
 - consideration for a Five-year Review was identified as one of the projects

Five-Year Action Plan Summary – Status Update

#	Project	
1	Regional Flood Management Plan	Phase 2 Complete Phase 3 In progress
2	Regional Planning Lab	Ongoing
3	Regional Housing Needs Assessment	Complete
4	Regional Growth Strategy Monitoring Program	Complete
5	Regional Citizen Survey	2021
6	Regional Housing Strategy	2021
7	Regional Growth Strategy Five-year Review	Regional Board to decide whether or not to undertake this project - 2021
8	Regional Agricultural Strategy	TBD
9	Regional Employment Lands Inventory	TBD

Other

Central Okanagan Poverty and Wellness Strategy	In progress
Next Five-Year Action Plan	TBD

RGS Legislation

- Similar processes in other jurisdictions have highlighted issues with the RGS legislation
 - Costly and time consuming processes
 - Challenges with process and content
- Comprehensive review and update of RGS legislation is needed



Making a difference...together

Office of the Board Chair
625 Fisgard Street
Victoria, BC, V8W 2S6

T: 250.360.3126
F: 250.360.3076
www.crd.bc.ca

June 26, 2018

File: 0400-50

UBCM Members
(via email)

Dear Regional District Board Chairs:

RE: Request for Support regarding the Comprehensive Review of RGS Legislation by the Provincial Government

On behalf of the Capital Regional District (CRD) Board, I am writing to request your support for the Province to engage local governments in a comprehensive review of the Regional Growth Strategy (RGS) sections of the Local Government Act.

At its June 13, 2018 meeting, the CRD Board passed the following motion:

That a letter be sent to the Minister of Municipal Affairs and Housing requesting engagement of local governments in a comprehensive review and update of Part 13 of the Local Government Act and related regulations.

On March 14, 2018, the CRD Board adopted a new RGS bylaw (Bylaw No. 4017) following an extensive and costly eight year update process. Provincial legislation presented significant process and content challenges in preparing the RGS document (see Attachment for details). Without legislation changes, future RGS updates will likely face similar challenges. Engaging local governments in a comprehensive review and update of the 20 year old RGS legislation would help mitigate future time, cost and process risks. The decades since RGS legislation was initially introduced have seen significant shifts in provincial and local government issues and community contexts – shifts which warrant re-examining the legislation. An update is considered particularly critical in light of recent court rulings which have raised questions about the effect of RGSs. It is noted that other provinces have recently updated their growth strategy legislation.

As dated RGS legislation is a matter impacting not just the CRD, but also many other Regional Districts across the Province, the CRD has raised this matter with the Minister of Municipal Affairs and has also submitted a related resolution to be considered at this year's UBCM convention.

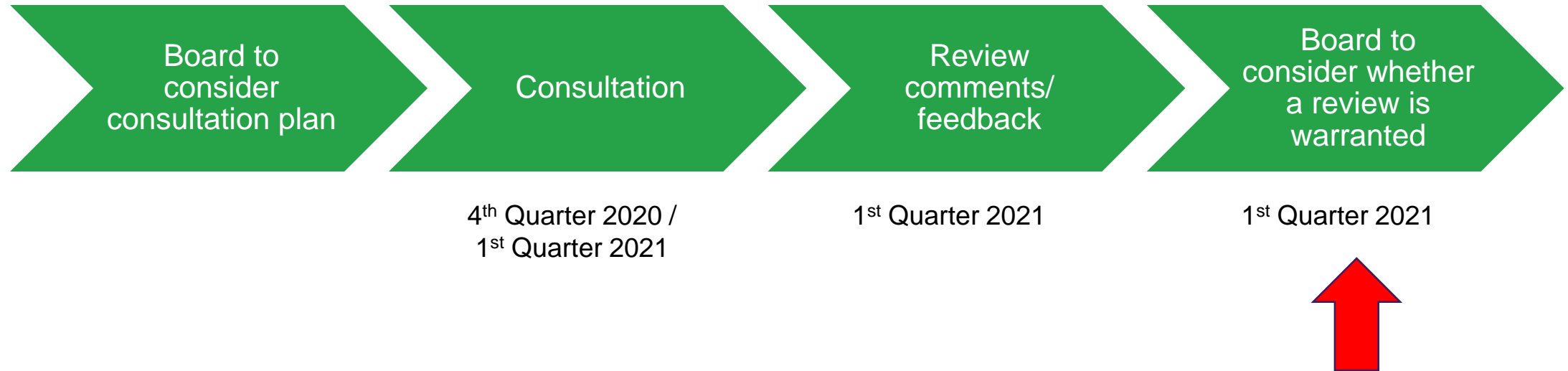
I encourage you to contact the Minister to indicate your support for local government engagement in a review of the RGS legislation and to submit a letter of support to UBCM for the CRD's resolution.

For further discussion on this matter, I can be reached at crdchair@crd.bc.ca or 250-360-3126.

Sincerely,

Steve Price,

Overview of Consideration Process



Consultation Plan

- Opportunity for input from
 - Public
 - Affected local governments
 - First Nations
 - Provincial ministries
 - Other government agencies
 - Stakeholder groups

District of Peachland

- Recommends the RDCO not undertake a five-year review of the Regional Growth Strategy

City of Kelowna

- Recommends the RDCO not undertake a 5-year review of the Regional Growth Strategy Bylaw No. 1336

City of West Kelowna

- Recommends the RDCO not undertake a 5-year review of the Regional Growth Strategy

District of Lake Country

- Did not recommend that the Regional Growth Strategy Bylaw No. 1336 be reviewed for possible amendment at this time

Interior Health Authority

- Current RGS aligns with healthy planning principles
- Items for future consideration include:
 - the incorporation of a poverty reduction approach
 - adding an equity and inclusion lens
 - updating “Our Housing” to reflect findings from recent projects and initiatives
 - climate change mitigation, adaptation and resilience

Ministry of Agriculture, Food & Fisheries

- Contains policies that are supportive of both the agricultural land base and the agricultural industry
- Policies are still generally relevant and applicable
- Items for future consideration include:
 - upcoming 2021 Census of Agriculture
 - Regional Agriculture Strategy
 - mitigating long-term effects of COVID-19

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

- Continued efforts are necessary through land use planning to ensure the goals of Our Land, Water Resources, and Ecosystems are adequately addressed

Public Notification

- Zero (0) comments received

Summary

- Numerous successful initiatives and projects have been completed
- Ongoing implementation of the Priority Project Plan
- Opportunity to assess priorities within the existing RGS framework to identify other projects to support continued implementation
- Challenges with existing RGS legislation
- A review and update of the RGS could become a multi-year initiative which would require designated resources

Recommendation

THAT the Regional Board determine a review of Regional Growth Strategy Bylaw No. 1336 for possible amendment, as per Section 452 (2) of the *Local Government Act*, is not required.

AND THAT the Regional Board support staff efforts to actively engage with member municipalities, First Nations, Interior Health Authority and other agencies regarding continued implementation of the Regional District of Central Okanagan Regional Growth Strategy.

REGIONAL GROWTH STRATEGY


 Your Home...
 Your Future

VISION

You are invited to help us
with a shared vision...

- COLLABORATION - SUSTAINABLE COMMUNITIES
- HEALTHY COMMUNITIES ENVIRONMENTAL STEWARDSHIP

Add 1 cup
Idiosyncrasy

AGREED ISSUES

the GOALS of the CONSULTATION PROCESS:

1. Raise the level of awareness
2. Obtain input for the future
3. Identify issues of concern
4. Present input and feedback to the current SRS

- EGS review, establish baseline and issues inventory.

PHASE 1 2010 REVIEW RGS, ESTABLISH BASELINE ISSUES AND INVENTORY

PHASE 2 2011 EXPLORE ISSUES AND DEVELOP STRATEGIES

PHASE 3 2012

PHASE 4 20
IMPLEMENTATION

Collaboration among P
Implementation Ag
Action in RIS
Preparation of R
Control Statements

Five-Year Action Plan Summary – Status Update

#	Project	
1	Regional Flood Management Plan	Phase 2 Complete Phase 3 In progress
2	Regional Planning Lab	Ongoing
3	Regional Housing Needs Assessment	Complete
4	Regional Growth Strategy Monitoring Program	Complete
5	Regional Citizen Survey	2021
6	Regional Housing Strategy	2021
7	Regional Growth Strategy Five-year Review	Regional Board to decide whether or not to undertake this project - 2021
8	Regional Agricultural Strategy	TBD
9	Regional Employment Lands Inventory	TBD

Other

Central Okanagan Poverty and Wellness Strategy	In progress
Next Five-Year Action Plan	TBD

#	Project	2017	2018	2019	2020	2021	Page
1	Regional Flood Management Plan: Phases 2 and 3						18
2	Regional Planning Lab						19
3	Regional Housing Needs Assessment						21
4	Regional Growth Strategy Monitoring Program						23
5	Regional Citizen Survey						25
6	Regional Housing Strategy						26
7	Regional Growth Strategy Five-year Review						28
8	Regional Agricultural Strategy						29
9	Regional Employment Lands Inventory						32

Consultation Items	Intent
Regional Board	Board to consider the scope of the engagement process and endorse the consultation plan
RGS Steering Committee	Provide an update on the consultation plan.
External Referral	To provide an opportunity for affected local governments, First Nations, provincial ministries and agencies and other levels of government to provide comments and express an opinion regarding the need / or not for a review of the RGS.
Regional District of Central Okanagan Website Advertisement	Notice of a Public Meeting and information on the opportunity for public comment will be advertised on the RDCO's main webpage.
Newspaper Advertisements – Notice of Public Meeting	Notice to be placed in 2 consecutive issues of Kelowna Capital News – Black Press, Vernon Morning Star, and Kelowna Daily Courier not less than 3 days and not more than 10 days before the public meeting noting the purpose, time / date, and location of the meeting. The advert will also provide contact information for Planning staff should there be any questions from the public. Written submissions from the public in advance of the meeting will be encouraged.
Public Meeting	Public meeting to provide a formal opportunity for public input to provide comments and express an opinion regarding the need / or not for a review of the RGS.
Regional Board	Provide a decision on the need for a review of <i>Our Home, Our Future</i> , the Regional Growth Strategy.

RGS Review and Update

- High-level review
- Input required to inform the review
- Assessment of strengths and weaknesses
- Re-evaluate solutions to persistent region-wide issues
- Responding to new legislation, initiatives, plans, research

Alternative Recommendation

THAT the Board direct staff to prepare a framework for the Board's consideration to initiate a review and update of Regional Growth Strategy Bylaw No. 1336.



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 26, 2021

SUBJECT: UBCM – Local Government Development Approvals Program (1855-20)

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

Purpose: To request Board support for a UBCM – Development Approvals Program Fund application.

Executive Summary:

The Province of British Columbia has made funding available through the Union of BC Municipalities (UBCM) intended to support the implementation of established best practices and to test innovative approaches to improve development approvals processes while meeting local government planning and policy objectives. Staff is preparing an application to request funding to complete a Development Approvals Process Improvement Strategy.

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

RECOMMENDATION:

THAT the Regional Board approves submitting a grant application under the Union of BC Municipalities – Local Government Development Approvals Program to complete a Development Approvals Process Improvement Strategy.

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

Implications of Recommendation:

Strategic Plan:	Supporting the grant application achieves the Regional Board Strategic Priorities 2019-2022 as follows: <ul style="list-style-type: none">• Values: Collaboration, Regional Perspective, Transparency, and Good Governance• Priorities: Sustainable Communities
Policy:	Supporting the grant application complies with the Regional Growth Strategy: <ul style="list-style-type: none">• Our Governance

Background:

In 2019, the Ministry of Municipal Affairs initiated the Development Approvals Process Review (DAPR). The Ministry engaged local governments and a broad range of stakeholders to discuss the challenges of current development approvals processes in B.C., to identify opportunities for addressing those challenges, and to develop an informed list of ideas about how to improve the efficiency and effectiveness of processes.

A summary report of engagement findings identified several key themes. The Ministry intends to move forward on initiatives that draw upon these, which may include work on development finance tools, public input processes, and provincial referrals in collaboration with local governments, the development sector, and other stakeholders.

The Local Government Development Approvals Program, a component of the Canada-BC Safe Restart Agreement, is one element in addressing the DAPR Report findings. All local governments (municipalities, regional districts, and the Islands Trust) in BC are eligible to apply.

Local Government Development Approvals Program:

The development approvals process refers to all operational steps and decision making in relation to a local government's consideration of approving development, from the pre-application phase to the issuance of the building permit. The local government's review process ensures that development applications conform to policies, plans, and regulations for building and development.

The intent of the Local Government Development Approvals Program is to support the implementation of established best practices and to test innovative approaches to improve development approvals processes while meeting local government planning and policy objectives.

Development Approvals Process Improvement Strategy:

Should the grant application be approved, the following activities are proposed to be completed under the RDCO Development Approvals Process Improvement Strategy:

- a) Conducting internal reviews of current development approvals processes to identify opportunities for greater efficiency and effectiveness. Examples include:
 - Conduct cross-jurisdictional research to ensure consistency in development approvals processes.

- Conduct a citizen survey for those who are using the development process for feedback on the existing system.
 - Develop list of recommendations for development process improvement.
- b) Updating or creating specific internal approvals procedures that will result in more effective and efficient development approvals processes. Examples include but are not limited to:
- Creating or updating a development approvals process guide for use by staff.
 - Updating the Development Applications Procedures Bylaw to clarify or improve the process for applicants to apply for amendments to a bylaw or request the issuance of a permit (for consideration by the Regional Board).
 - Amendments to the Zoning Bylaw or Rural Land Use Bylaw to reduce the need for commonly requested variances and streamlining processes.
 - Update Terms of Reference for Professional Reports.
 - Training Manual for Advisory Committees.
- c) Facilitating collaboration or coordination with external partners (e.g. development community, provincial Ministry, other local governments). Examples include but are not limited to:
- Developing guidelines that clarify to applicants the requirements that an application must meet to be accepted by staff and expectations of local government-applicant interaction throughout the application process.
- d) Improving information technology to facilitate development application processing. Examples include but are not limited to:
- Undertaking assessments to support future implementation of digital application platform or digital permitting software.
 - i. Digital Development Application Submission and Tracking Portal.
 - ii. Service Request System – Functional Area Point of Contact.
 - Purchasing and implementing new or upgraded digital platforms or software
 - Training staff on software or platform, or on process changes required to adopt software or platform.
- e) Training and capacity building for staff, elected officials (e.g. change management training), or external partners (e.g. application processes) in order to support the project.

Policy Considerations:

Regional Board Strategic Priorities 2019-2022

The Regional Board has identified and prioritized sustainable communities through various regional plans and actions, including:

- Outline innovative housing solutions and create best practices to inform local development policies and building standards.

Regional Growth Strategy (RGS) Bylaw No. 1336

The proposal is supported by the RGS as it relates to the need to respond to the needs of the region with an effective and efficient governance service model. Further, Central Okanagan regional partners have agreed to:

- Policy 3.2.10.2 “Encourage effective governance and service delivery by being transparent, accountable and accessible”.

- Policy 3.2.10.6 “Ensure the Region maintains effective services, which meets the present and future user demands”.

Financial Considerations:

The Program can contribute a maximum of 100% of the cost of eligible activities to a suggested maximum of \$500,000.

Organizational Issues:

Should the funding request be approved, RDCO will be responsible for completion of the project as approved and for meeting reporting requirements.

Alternative Recommendation:

THAT the Regional Board accepts the report regarding the UBCM – Community Emergency Preparedness Fund for information.

Considerations not applicable to this report:

- *Legal / Statutory Authority*
- *External Implications*

Attachment(s):

- n/a

UBCM Local Government Development Approvals Grant

Regional Board Meeting
April 26, 2021

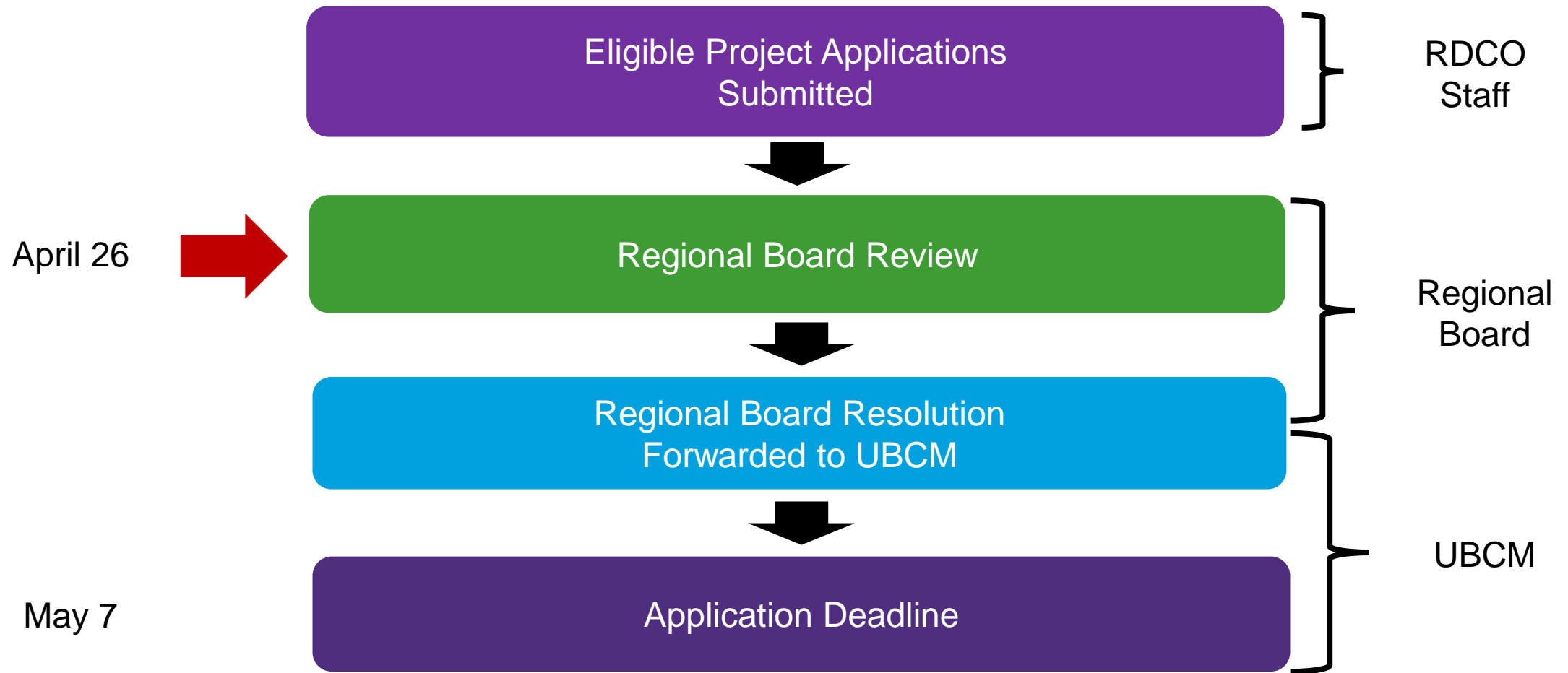
1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Proposal

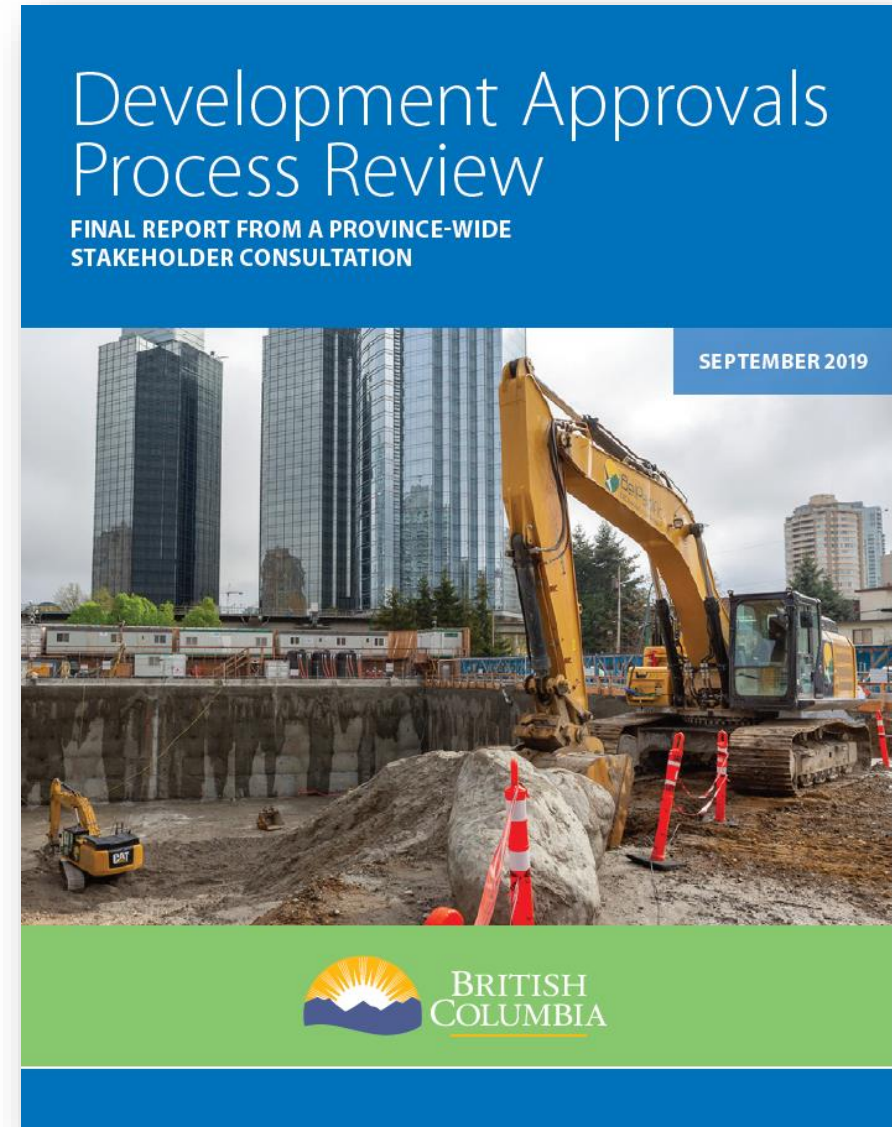
To request Board support for a UBCM –
Development Approvals Program Fund application

Grant Application Process



Background

- 2019 Ministry of Municipal Affairs initiated a review
- Engaged local governments and stakeholders, including RDCO
- Summary report and key findings



Background

- Province has made \$15 million in funding available
- Support the implementation of established best practices and to test innovative approaches
- Improve development approvals processes while meeting local government planning and policy objectives

Project Purpose

- Complete a Development Approvals Process Improvement Strategy

Project Proposal



UBCM Grant Approval Criteria

- Projects that include cross-departmental collaboration and/or external partners within the development community are more likely to receive funding

Financial Considerations

- UBCM covers 100% of project costs
- Suggested maximum of \$500,000
- Currently working to finalize budget

Recommendation

THAT the Regional Board approves submitting a grant application under the Union of BC Municipalities – Local Government Development Approvals Program to complete a Development Approvals Process Improvement Strategy.



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 26, 2021

SUBJECT: Floodplain Exemption Application (FEX-20-01),
Development Variance Permit Application (VP-20-03),
Development Permit Application (DP-20-08)
Maloney Construction Ltd. (Owner) c/o Ecoscape Environmental Consultants Ltd.
2223 Westside Road (Central Okanagan West Electoral Area)

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

Purpose: To consider a development proposal adjacent to Okanagan Lake and Westside Road requesting approval of a floodplain exemption, development variance permit, and development permit.

Executive Summary:

The owners of 2223 Westside Road have submitted a development proposal that includes a Floodplain Exemption request, a Development Variance Permit application to reduce the front setback, and a Development Permit application for the construction of a dwelling and associated servicing. The subject property is located adjacent to Okanagan Lake and is bisected by Westside Road. A number of technical reports prepared by qualified professionals have been submitted and the applicant has received the appropriate permits from Provincial agencies.

Since the initial application, Planning staff has communicated non-support of new development activities within the floodplain of Okanagan Lake. Flooding is a serious concern for the Central Okanagan and its developed areas and with the effects of climate change, more flooding is to be expected. Development within the floodplain can have negative impacts on fish and wildlife habitat, drinking water quality, and reduce the ability of natural areas to mitigate and protect against floods. Further, the current proposal is not supported by the Regional Board's Strategic Priorities, the Regional Growth Strategy, or the Rural Westside Official Community Plan.

A number of concerns have been raised regarding the proposal with respect to the request for a reduced setback for the development adjacent to Westside Road and proximity to the lake. At time of writing this report, Planning staff has received four letters of opposition from neighbouring properties.

RECOMMENDATIONS:

Recommendation #1

THAT Floodplain Exemption Application FEX-20-01 not be approved.

Recommendation #2

THAT Development Variance Permit Application VP-20-03 not be approved.

Recommendation #3

THAT Development Permit Application DP-20-08 not be approved.

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:	Not approving the Floodplain Exemption, Development Variance Permit, and Development Permit application complies with the strategic priority "Environment" and the Regional Board's action to reduce development activities within higher risk floodplain areas.
Policy/Plans:	<p>Not approving the Floodplain Exemption, Development Variance Permit, and Development Permit application complies with:</p> <ul style="list-style-type: none"> • Regional Growth Strategy Bylaw No. 1336 • Rural Westside Official Community Plan Bylaw No. 1274 • Central Okanagan Lake Foreshore Plan • Climate Projections Report for the Okanagan Region • Regional Floodplain Management Plan
Legal/Statutory Authority:	<p>The following Sections of the <i>Local Government Act</i> apply to this proposal:</p> <ul style="list-style-type: none"> • Part 14, Section 524 (7) (Requirements in relation to flood plain areas) provides the legislative authority for local governments to exempt a person from a flood plain bylaw provided the local government considers it advisable, the exemption is consistent with Provincial guidelines, and has received a report from a certified person that the land may be used safely for the use intended. • Part 14, Section 498 (Development variance permits) 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 permit.

- Part 14, Section 488 (Designation of development permit areas) provides the legislative authority for an OCP to designate development permit areas for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions. The OCP provides the direction and guidelines to be adhered to when considering a development permit.

The following Sections of the *Riparian Areas Protection Regulation* apply to this proposal:

- Section 11 (Undue hardship) provides the protocols for applications for undue hardship where the developable area of the site is less than the allowable footprint for the site due to legally restricted areas.
-

Site Context:

The subject property is located in the community of Wilsons Landing adjacent to Okanagan Lake. The area consists of rural residential lots with limited community services and infrastructure. The subject property is bisected by Westside Road with approximately 2.9 acres of the property above Westside Road being quite steep. The remaining approximate 0.3 acres is adjacent to Okanagan Lake and is sloped and narrow, with a width of approximately 29m at the north end and 8.7m at the south. The parcel is affected by Sensitive Aquatic, Sensitive Terrestrial, Hillside, and Wildfire Interface Development Permit Areas under the Rural Westside OCP.

Background:

Currently, the eastern portion of the property is developed with a wooden retaining wall, cement block retaining wall, cement pads, wooden patio/sundeck, and wooden shed. The wooden sundeck is considered an existing non-conforming use and a Notice of Bylaw Contravention (KJ89410) is registered against the properties title. In addition, a small outbuilding and storage of concrete blocks exists on the western portion of the property.

On March 6, 1989, the Regional Board issued a Development Variance Permit (RDCO File: DVP-89-375) for the subject property to reduce the side setback from 3.0m to 0.91m to permit an existing outbuilding (wooden shed).

Modifications along the foreshore of Okanagan Lake fronting the subject property include an existing dock structure, rock retaining wall, and wooden staircase. Further, a Section 11 *Water Sustainability Act* Notification has been approved to install a new four post boat lift for private moorage.

Proposal:

The owner intends to demolish the existing development in order to construct a two-storey dwelling, garage, and deck area (approximately 209m²), as well as a septic system (approximately 125m²). The proposed septic field will have an independent disposal area that will also service the adjacent lot to the north. The total development footprint will not exceed 334m² or approximately 0.08 acres of the 3.3 acre parcel.

In order to consider the proposal, the owners are requesting:

1. To exempt the subject property from Section 3.28 Floodplain Regulations of Zoning Bylaw No. 871 by allowing a reduction of the minimum setback from Okanagan Lake from 15.0 metres (49.2 ft.) to 10.0 metres (32.8 ft.).
2. To vary Section 6.3.4 of Zoning Bylaw No. 871 by allowing a reduction of the minimum front setback from 6.0 m (19.7 ft.) to 2.29 m (7.5 ft.).
3. To obtain a Development Permit for works associated with the construction of a single detached house and septic field as well as associated restoration and enhancement work.

Floodplain Exemptions:

On May 9, 2005, the Regional Board adopted an amendment to Zoning Bylaw No. 871, which increased the floodplain setback from 7.5 metres to 15.0 metres from the natural boundary of Okanagan Lake in accordance with Provincial floodplain regulations. Floodplain regulations have been established for the safety of people and property; the Zoning Bylaw outlines floodplain regulations to address required flood construction levels and floodplain setbacks for lakes, creeks, and other watercourses. For Okanagan Lake, the floodplain setback is a minimum of 15.0 m (49.2 ft) from the natural boundary of the Lake.

Occasionally, there are circumstances where a property owner determines that a building cannot be sited on a property in conformance with the floodplain regulations. An exemption application allows for the consideration of granting an exemption that would change those specific regulations for a given property. The Regional District may exempt types of development from the requirements if the Regional District considers it advisable and that the exemption is consistent with Provincial guidelines or has received a report from a certified person that the land may be used safely for the use intended. If an exemption is granted, a covenant stating the conditions for the exemption is placed on the title of the affected property.

Policy Considerations:

Regional Board Strategic Priorities 2019-2022

The Regional Board has identified and prioritized protection of the environment through various regional plans and actions, including:

- Prioritizing a reduction in new construction in higher risk floodplain areas; and,
- Supporting efforts to reduce our environmental footprint and adapt to climate change.

Regional Growth Strategy (RGS) Bylaw No. 1336

The proposal does not align with direction in the RGS as it relates to the need to respond to the impacts of climate change, manage water resources, and protect the natural environment. Further, Central Okanagan regional partners have agreed to:

- Policy No. 3.2.3.1 “Consider water resources in land use planning decisions”;
- Policy No. 3.2.3.3 “Work with local governments, provincial agencies to assess and mitigate the risks in floodplains”;
- Policy No. 3.2.7.8 “Encourage land use and transportation infrastructure that improves the ability to withstand climate change impacts and natural hazard risks”; and,
- Policy No. 3.2.8.3 “Manage growth to minimize disturbance to habitat, watershed and natural drainage areas and systems”.

Rural Westside Official Community Plan Bylaw No. 1274:

Various objectives and policies on the OCP address a core principle for this unique area which is to retain, protect, and enhance the current rural character. The current proposal does not achieve the following policies and guidelines of the OCP:

Chapter 3 Natural Environment

- Policy No. 3.2.1.2 “Provide and protect vegetated leave areas to water courses, control soil erosion and sediment in run-off water, control the rates of run-off to minimize impacts on the lake, prevent the discharge of deleterious substances into the lake”.

Chapter 13 – Development Permit Areas

- Policy No. 13.1.1 “Development within designated Development Permit Areas will be reviewed by the Regional District in consideration of the objectives and guidelines identified in this Section. Conditions or restrictions may be imposed on the development accordingly”.

Appendix 2 – Aquatic Ecosystem Development Permit Objectives and Design Guidelines

- A leavestrip for the protection and restoration of the riparian ecosystem is to remain undisturbed near watercourses. The intention is that the leavestrip will be untouched by development and left in its natural condition, or, if damaged by previous use or construction, the ecosystem restored or enhanced. Active floodplains require leavestrips that start at the outer edge of the feature.

Central Okanagan Lake Foreshore Plan

The Central Okanagan Lake Foreshore Plan outlines the objectives and policies laid out by the local community and water resource agencies for the management, development, and use of Okanagan Lake shoreline, including:

- When development is proposed adjacent to the foreshore and is situated within a designated floodplain, it shall adhere to Provincial floodplain regulations and to Regional District setbacks and flood elevations.
- Within development areas, shorelines shall be maintained in a predominantly natural state with natural riparian tree cover and ground vegetation.
- Surface drainage shall be managed so as to avoid direct discharge into Okanagan Lake and to maximize stormwater retention.
- Developments shall avoid the use of retaining walls at the water’s edge and introduce more natural treatment, including rocks and native riparian plantings set into a stable slope (2:1 maximum).

Environmental Considerations:**Okanagan Climate Projections Report**

The Regional Districts of the Okanagan Valley partnered with the Pacific Climate Impacts Consortium to develop a Climate Projections report for the Okanagan. This report provides the scientific foundation to make informed decisions that support community action and to better prepare for climate variations over the next 30 and 60 years. Wildfire, flooding, and drought have already tested local infrastructure, caused economic losses, and posed health risks to communities.

Based on these changes, there is a need to plan for a greater likelihood of more intense and hotter fires, increasing water shortages, and spring flooding. Findings indicate that the Okanagan can expect significant changes including:

- Warmer temperatures year-round;
- Summers will be considerably hotter;
- Increased duration of growing season;
- Warmer winter temperatures;
- Increased precipitation; and,
- Summer is expected to remain the driest season, and become drier.

The report indicates precipitation increases can be expected across all seasons, except summer. The largest increases in precipitation will take place during the spring and autumn months. This can lead to more frequent flooding and stress to ecosystems and infrastructure.

Regional Floodplain Management Plan

Flooding is a serious concern for the Central Okanagan and its developed areas and will only become more with the effects of climate change. In response to this risk, the three-phase Regional Floodplain Management Plan has been initiated with the purpose of reducing flood risk, improving emergency response, and increasing resiliency to climate change.

Okanagan communities are at increasing risks of damaging floods to properties and infrastructure along the lakeshores and river channels. Following the flood events of 2017 and 2018, these experiences demonstrate that the Central Okanagan is especially vulnerable to flood damage because of the density of population near flood prone creeks and lakeshores.

Riparian Areas Protection Regulation

The Riparian Areas Protection Regulation (RAPR) calls on local governments to protect riparian areas during residential, commercial, and industrial development by ensuring that a Qualified Environmental Professional (QEP) conducts a science-based assessment of proposed activities. The purpose of the regulation is to protect the many and varied features, functions, and conditions that are vital for maintaining stream health and productivity.

Under Section 10 of the RAPR, a proposed development meets the riparian protection standard if the development:

- a) will not occur in the streamside protection and enhancement area, and
- b) in the case of a detailed assessment, will not result in any harmful alteration, disruption or destruction of natural features, functions, and conditions in the streamside protection and enhancement area that support the life processes of protected fish.

The RAPR also provides variance provisions under Section 11 by claiming undue hardship due to legally restricted areas of the site.

Technical Considerations:

In accord with the Development Applications Procedures Bylaw No. 944, the applicant submitted technical reports in accordance with the OCP Development Permit Guidelines as well as the RDCO Terms of Reference for Professional Reports.

Flood Hazard Assessment

A Flood Hazard Assessment was completed by Clarke Geoscience Ltd. that provides comment on the suitability of the proposed building site with respect to the Okanagan Lake flood hazard and provides recommendations to minimize or mitigate flood hazards.

The report indicates that a shoreline rock wall exists at 344m elevation and protects most of the subject property from inundation by floodwaters. During the spring of 2017 still water levels did not reach the top of the shoreline rock wall, however, wave action likely overtopped the walls at times. In addition, portions of the south end of the shoreline are subject to inundation and erosion. Clarke Geoscience has indicated concerns over the long-term integrity of the wall and has provided a number of recommendations and mitigation measures to enhance its protective function including scour protection and planting deep rooted riparian shrubs and trees.

Based on the proposed development and a reduced floodplain setback, there is no requirement to vary the current legislated Flood Construction Level (FCL) at 343.66m as the underside of the floor system for the proposed residence will exceed the FCL. However, approximately 2.5m of fill placement may be required to bring up the grade around the building foundation. The report concludes by noting that, overall, the potential for risk of erosion by waves and storm surge to the toe of the building foundation fill slope is considered to be very low.

Geotechnical Hazard Assessment

A Geotechnical Hazard Assessment was conducted by Beacon Geotechnical Ltd. that identifies geotechnical hazards existing on the site that may impact the proposed development and provides recommendations for construction.

The eastern portion of the property encompasses approximately 0.12 hectares bounded by Okanagan Lake and Westside Road. A number of retaining walls exist on the site including the shoreline rock wall, a masonry wall, and a wooden retaining wall that appears to be failing by decay. Beacon Geotechnical indicates that there is little risk to the proposed house location from landslip, rock fall, or debris. However, it is noted that uncontrolled fill within the building footprint has the potential to cause excessive total and differential settlement and subsurface investigation must be carried out prior to construction.

The report notes the topography of the western portion of the property, approximately 1.18 hectares, slopes upwards at approximately 50% grade. A ravine exists through the middle of the parcel likely created as a drainage relic from the last glacial event in the valley. While no flows exist in the gully, it is likely the preferential drainage for groundwater in the area. No evidence of recent slope instability or rockfall was noted.

Based on the slope stability analysis, development of the western portion of the property will require a significant amount of disturbance to the natural slope through removal of vegetation, excavation, and retaining walls required to achieve a safe slope for construction. Beacon also reviewed the construction of the septic field and advised that construction of the proposed field area would not require a significant amount of grading and impacts to the existing topography would be negligible.

The report concludes that the western portion of the property is considered undevelopable as it has the potential to cause erosion, sloughing, alter natural groundwater flow, and increase the risk of a mass movement event to unacceptable levels. A no build covenant is recommended west of the proposed septic field infrastructure.

Environmental Impact Assessment

An Environmental Impact Assessment (EIA) was conducted by Ecoscape Environmental Consultants Ltd. that summarizes the environmental challenges of the site and considers the Sensitive Aquatic and Sensitive Terrestrial Development Permit guidelines of the OCP. The report also supports the applicant's submission to the Province for Undue Hardship under the Riparian Areas Protection Regulation.

The EIA notes that that eastern portion of the property has minimal developable area due to environmental constraints and proximity to Okanagan Lake. The shoreline adjacent to the subject property is classified as having moderate to high potential for juvenile fish rearing habitat. While development is proposed adjacent to Okanagan Lake, Ecoscape advises that it is generally contained within a previously disturbed area and a restoration plan has been prepared to help offset the reduced setback and mitigate impacts from the proposed development.

The report further notes that the western portion of the property is very steep and provides high value terrestrial and wildlife habitat. While a wildlife survey was not conducted, the area is within the Ungulate Winter Range established for the protection of mule deer. A Provincially red-listed ecosystem community dominates the west side of the subject property and includes ponderosa pine forest, interior Douglas-fir, bluebunch wheatgrass, and arrow-leaved balsam root.

It is Ecoscape's professional opinion that the risks to the terrestrial environment outweigh those to the aquatic environment provided that the proposed restoration plan is implemented. A no build / no disturb environmental covenant is recommended west of the proposed septic field infrastructure.

In association with the Development Permit, monitoring and security (bonding) is required as set out in Bylaw No. 944 (Procedures Bylaw). Ecoscape has estimated the costs associated with the current DP application for environmental monitoring and mitigation plantings (255 shrubs and 35 trees) in the amount of \$18,188.00.

Additional Information:

Owner/Applicant:	Maloney Construction Ltd. (Owner) c/o Ecoscape Environmental Consultants Ltd. (Agent)
Legal Description:	Lot 2, District Lot 3745, ODYD, Plan 14249 Except Plan KAP47451
Address:	2223 Westside Road
Lot Size:	+/- 3.3 acres (1.33 hectares)
Zoning:	RU3 – Rural 3
OCP Designation:	Residential – Low Density Rural Residential
Sewage Disposal:	Septic System
Water Supply:	Okanagan Lake
Existing Use:	Recreational / Vacant
Surrounding Uses:	North: Residential / Westside Place South: Residential East: Okanagan Lake West: Westside Road, Rural Residential
Fire Protection:	Wilsons Landing Fire Protection Area

RDCO Technical Comments:

Inspection Services staff advise that, should the Development applications receive approval from the Regional Board, a Building Permit application for the removal of the Notice of Bylaw Contravention on title would be required, including the \$300.00 application fee. Furthermore, a Building Permit would be required for the construction of the single detached house.

Environmental Advisory Commission (EAC) recommends conditional support for the development applications with the following conditions:

- That the proponent works with staff on options for stronger long term protection of the upland area prior to consideration by the Regional Board.

Anecdotal Comments:

- The upland habitat and riparian area are both high value areas. There is a trade-off between protecting the lakeshore and protecting the upland. The Commission noted Concerns over setting an unwanted precedent by recommending approval of floodplain exemptions.
- Concerns over the long term impacts of constraining the floodplain of Okanagan Lake with adjacent development. The Commission has seen similar applications in the past fail to protect remaining natural areas along the lakeshore.
- The Commission wanted assurance for long-term protection of the upland habitat.

Advisory Planning Commission (APC) recommends support for the application as presented.

Agency Referral Comments:**Ministry of Forests, Lands, Natural Resource Operations, and Rural Development:**

Riparian Areas Protection Regulation (RAPR) Branch indicated that the proposal meets the standards of the RAPR. The Registered Professional Engineer has certified that the western portion of the site is unsuitable for developing a dwelling due to safety concerns but that the proposed septic system can be accommodated. The Qualified Environmental Professional has also provided calculations demonstrating that the lot is subject to an undue hardship as a result of this undevelopable area, which satisfies the requirements of Section 11 (3) of the RAPR.

Furthermore, the proposed design anticipates siting of the building to minimize encroachment within the Streamside Protection and Enhancement Area per Section 10 (2) based on variances to the local government setbacks which have not yet been granted. If the design or siting of the building changes as a result of the variance application, an updated RAPR site plan will be required.

Okanagan Shuswap Lands Branch has advised this property has been identified as having a non-authorized foreshore retaining wall. Possible Crown land encroachments within the foreshore of the subject property are currently begin investigated. Ministry staff do not support strengthening of the shoreline rock wall unless all of the structure including the 'toe' is located behind the Present Natural Boundary (PNB). Shoreline erosion protection including shrub and tree planting is required to be located behind the PNB. This work would require a Section 11 *Water Sustainability Act* application for "works in and about a stream".

Ecosystems Branch indicated no concerns with the development as proposed, as long as it complies with the RAPR Assessment report (#6392B) and the terms of the Environmental Assessment prepared by Ecoscape Environmental Consultants Ltd. dated February 26, 2021.

Archaeology Branch note that according to Provincial records, there are no known archaeological sites recorded at the subject property. However, data is not currently available to the Province that describes the potential for previously unidentified archaeological sites to occur in the area. There is always a possibility for previously unidentified archaeological sites to exist on the property.

Ministry of Transportation and Infrastructure has issued a Controlled Access Highway Permit for the proposed access, Provincial Public Highway Setback Permit for the front setback variance, and Provincial Public Highway Construction and Maintenance Permit for the pipeline and sanitary sewer crossing. MOTI staff further indicated that the Floodplain Exemption and Development Permit applications do not fall under the jurisdiction of the Ministry.

Interior Health Authority staff reviewed this application and have no objections from the viewpoint of IHA policies and BC regulations. When a system is located less than 30m from a source of drinking water, IHA usually require a report from a hydrogeologist to support that the system will not cause a health hazard. While it appears to be a challenging system due to the location across Westside Road, this system is located greater than 30m from Okanagan Lake and the Authorized Person has designed it in accordance with standard practice including adequate area for a reserve field in the future.

Unaffected Agencies include City of West Kelowna, City of Kelowna, District of Lake Country, District of Peachland, Westbank First Nation, 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 11 letters were mailed to neighbouring property owners.

Further to the notification process, at time of writing this report, no letters of support and four (4) letters of opposition have been received regarding this application.

Alternative Recommendation:

In consideration of the development applications, the Regional Board may approve the applications with conditions, not approve the applications, 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:

THAT the Regional Board approve Floodplain Exemption Application FEX-20-01 to exempt the subject property from Section 3.28 Floodplain Regulations of Zoning Bylaw No. 871 by allowing a reduction of the minimum setback from Okanagan Lake from 15.0 metres (49.2 ft.) to 10.0 metres (32.8 ft.).

THAT the Regional Board approve Development Variance Permit Application VP-20-03 for Maloney Construction Ltd. (owner), located at 2223 Westside Road to vary Section 6.3.4 of Zoning Bylaw No. 871 by allowing a reduction of the minimum front setback from 6.0 m (19.7 ft.) to 2.29 m (7.5 ft.) to permit the construction of a single family dwelling based on the June 3, 2020 Design Drawings prepared by Mullins Design Group and the February 22, 2021 Site Plan (Figure 4) prepared by Ecoscape Environmental Consultants Ltd.

THAT the Regional Board conditionally approve DP-20-08 and that the DP be subject to the following conditions specified in 'Schedule A':

Schedule 'A'

Adherence to Development Plans:

- No further or variance in construction of, addition to or alteration of a building or structure; or alteration or clearing of land is to occur within the Development Permit Areas as outlined in the Rural Westside Official Community Plan Bylaw No. 1274 without prior notification and approval by RDCO; other than that recognized and approved in this Development Permit.
- No further buildings, structures or improvements of any kind shall be constructed nor located within the 15m setback from the High Water Mark of Okanagan Lake. Any works proposed within the 15m setback may require approvals from the Province in accordance with the *Riparian Areas Protection Regulation*. And further, there shall be no removal or disturbance of any soil, vegetation, or trees (with the exception of weeds) from within the 30 m setback area without first obtaining the written consent of the RDCO.
- Further modifications including changes in and about a stream, construction/alteration of retaining walls, groynes, and substrate modification must not occur at any time without further environmental assessment being conducted and appropriate approvals received from the Province in accordance with the BC *Water Sustainability Act* (Section 11).
- Development Permit (DP-20-08) has been issued exclusively for works associated with the demolition of the existing wooden retaining wall, cement block retaining wall, concrete pads, wooden patio/sundeck, and wooden shed; and construction of a single family dwelling, garage, covered deck, and septic field, as well as associated environmental monitoring and mitigation works.

Professional Reports:

- All construction, land clearing, mitigation, and restoration activities must be completed as per the July 1, 2020 Floodplain Exemption Application Report prepared by Clarke Geoscience Ltd., the January 30, 2021 Geotechnical Hazard Assessment conducted by Beacon Geotechnical Ltd., the February 26, 2021 Environmental Assessment conducted by Ecoscape Environmental Consultants, the June 3, 2020 Design Drawings prepared by Mullins Design Group, the September 17, 2020 Septic System Design Drawings prepared by Franklin Engineering Ltd., and the October 8, 2019 Topographical Site Survey prepared by Runnalls Denby.

Monitoring:

- The land owner shall obtain the services of an Environmental Monitor to ensure the recommendations of the Development Permit are implemented and in accordance with the following schedule and conditions:
 - Pre-construction meeting with the contractor, Engineer, and Environmental Monitor;
 - Submit monitoring reports to RDCO as indicated by the Environmental Monitor;
 - Prepare a substantial completion report and submit to RDCO upon completion of construction and restoration works indicating substantial completion of the conditions and requirements of the Development Permit have been carried out;
 - In the event that greater disturbance occurs due to unforeseen circumstances, the Environmental Monitor will recommend further measures to protect/restore the natural integrity of the site and report on these measures to the RDCO.

Security:

- The applicant shall post a letter of credit or bank draft in the amount of \$18,188.00 in order to ensure completion of works and associated remediation landscaping within 1 year of the issuance of the Development Permit.

- Ninety per cent (90%) of this amount is refundable upon completion of said works and receipt of a substantial completion report signed by a registered professional, and to the satisfaction of Regional District Community Services staff.
- The remainder of the bond shall be held for a minimum of two (2) years (growing seasons) to ensure that the required mitigation has been fully implemented and demonstrated to function (ecologically or as designed). The maintenance bond may be held for longer periods if, throughout the initial 2-year period the persistent failure of the works is documented.

Further Conditions or Restrictions:

- The landowner/applicant must apply for and receive a building permit for the proposed works as well as an application for the removal of the Notice of Bylaw Contravention on title to the satisfaction of the RDCO Building Inspection Services.
- A Registered Professional Engineer must be retained at time of site preparation and subsurface investigation, excavation, and subgrade works to ensure that the structural considerations of soil, including slope stability, site drainage, and erosion and sediment control will be supervised and approved by the Engineer.
- The building footprint and riparian setback area must be surveyed, staked, and clearly delineated to prevent encroachment.
- Prior to any disturbance on site, the contractor is required to install silt fencing around the development footprint adjacent to the 10m riparian setback area to prevent encroachment and to provide erosion and sediment control.
- Construction debris and materials must not be stored or deposited within the riparian setback and must be removed from the property on a regular basis.
- A Site Survey / Building Location Certificate is required to be submitted to the RDCO at time of footings and foundation.
- Best Management Practices are to be used as a means to protect the riparian area of Okanagan Lake.
- Registration of a restrictive (Floodplain) covenant under Section 219 of the Land Title Act identifying that there has been an indication of flood concern relating to the development of the lands as set forth in a report prepared by Clarke Geoscience Ltd., dated July 1, 2020.
- Registration of a restrictive no-build / no-disturb (Geotechnical) covenant under Section 219 of the Land Title Act identifying that there has been an indication of geotechnical concern relating to the development of the lands as set forth in a report prepared by Beacon Geotechnical Ltd., dated January 30, 2021 and February 23, 2021.
- Registration of a restrictive (Environmental) covenant under Section 219 of the Land Title Act identifying that there has been an indication of environmental concern relating to the development of the lands as set forth in a report prepared Ecoscape Environmental Consultants Ltd., dated February 2021. The development of the lands shall be in strict accordance with the recommendations contained within the environmental report.
- A detailed and formal landscape plan must be prepared by a qualified professional and submitted to and approved by the RDCO prior to commencement of any landscape works.
- Should clearing activities be required during the identified avian nesting period (March 31 – August 15), pre-clearing surveys must be conducted by the EM to identify active nests and other critical habitat features. Clearing and other construction activities must be conducted within 72 hours following the completion of the pre-clearing nest surveys. Additional buffers and no-disturbance zones may be required at this time.
- In accordance with the RDCO Noxious Weed Control Bylaw No. 179, the owner or occupier of the land shall prevent the infestation of noxious weeds and cut down or otherwise destroy

and mulch or remove all noxious weeds and plant with native grasses or other native vegetation.

Considerations not applicable to this report:

- *Financial*
- *Organizational*

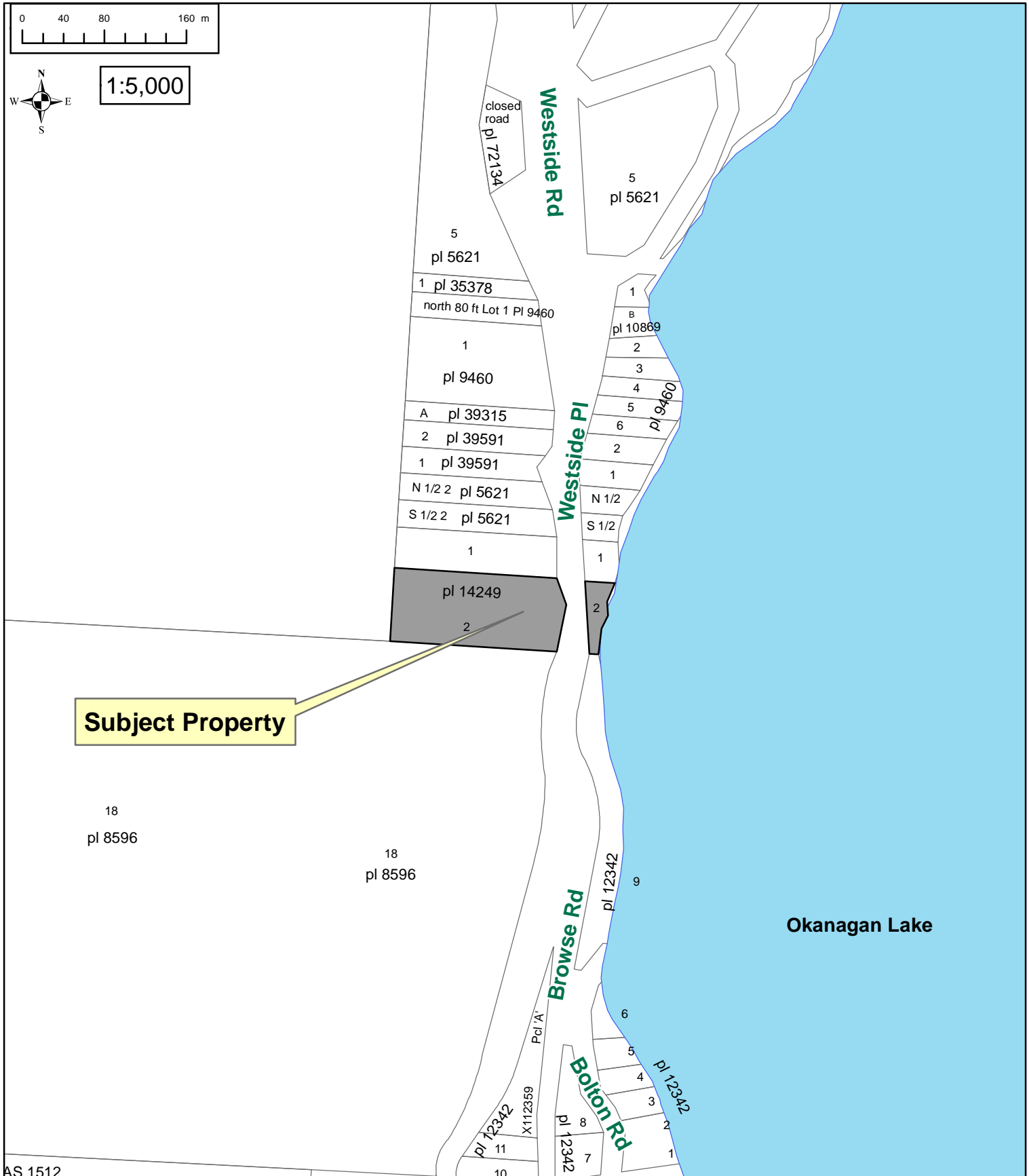
Attachment(s):

- Orthophoto & Subject Property Maps
- Site Images
- Site Plan
- Technical Reports
- Support / Opposition Map
- Letters of Opposition

ORTHOPHOTO



SUBJECT PROPERTY



File: FEX-20-01

Drawn By: JM

Date: Sept. 24, 2020 174

Lot 2, Plan KAP14249, DL 3745,
ODYD, Except Plan KAP47451

2016 Foreshore Inventory Imagery



2017 Flood Oblique Imagery



Upland (Western) Portion of Subject Property



Eastern Portion of Subject Property





FIGURE 4

Riparian Areas Regulation Assesment

Project:

Location:

Project No.:

Prepared for:

Prepared by:

Environmental Assessment

Regional District of Central Okanagan

19-3064

Maloney Construction Ltd.

Ecoscope Environmental Consultants Ltd.

Josh Castanier, GIS Technician

Coordinate System:

Imagery:

Map Date:

NAD83-UTM Zone 11

ESRI World Imagery

February 22, 2021

LEGEND

Subject Property

Cadastre

Streamside Protection and Enhancement Area (SPEA)

Buildable Area Outside Natural and Legal Restrictions Excluding SPEA

Development SPEA Encroachment

Proposed Building Footprint

Proposed Septic Tanks

Proposed Dispersal Bed

Developable Area

10 Meter Setback

Stream Boundary i.e. Surveyed High Water Level (343 m.a.s.l.)

30 m Riparian Areas Regulation Assessment Area

Zone of Sensitivity - Large Woody Debris (15 m)

Zone of Sensitivity - Litterfall (15 m)

Zone of Sensitivity - Shade (30 m due south)

Proposed Front Yard Setback (2.29m)

Proposed Septic Piping

Hardship Area Calculation (Greenfield)	
Total Property Area =	13057.4m ²
Total Buildable Area (Outside Municipal Setbacks + Geotech Approved area Western Lot) =	868.4m ²
Developable Area (Outside Natural/Legal Restrictions) =	232.2m ²
Total Proposed Development Area =	343.5m ²
Allowable Footprint (30% of Buildable Area) =	260.5m ²
Allowable Variance Area/Encroachment into SPEA =	28.3m ²

***Caveat**

Under this specific hardship case; a geotechnical assessment of the property has granted a specific area on the western lot safe to engineer for a septic field area. This area is included within the hardship calculations and is added to Buildable Area, Developable Area, and added to the Total Proposed Development Area.

DISCLAIMER

The data displayed is for conceptual purposes only and should not be interpreted as a legal survey or for legal purposes. If discrepancies are found between the data portrayed in this report and that of a legal survey, the legal survey will supersede any data presented herein.

ENVIRONMENTAL ASSESSMENT

2223 WESTSIDE ROAD, RDCO

Lot 2, Plan KAP14249
PID: 009-053-794

Regional District of Central Okanagan (RDCO)

Prepared For:

Maloney Construction Ltd.
2223 Westside Road North
Kelowna, BC, V1Z 3T5

Prepared By:

Ecoscape Environmental Consultants Ltd.
#102 – 450 Neave Court
Kelowna, B.C.
V1V 2M2



February 2021

File No. 19-3064.01



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APPENDIX

Appendix A.....	Design Documents Provided by Mullins Design Group
Appendix B.....	Geotechnical Hazard Assessment Report from Beacon Geotechnical Ltd
Appendix C.....	Floodplain Exemption Application Report from Clarke Geoscience Ltd
Appendix D.....	Site Survey
Appendix E.....	Cumulative Impacts Memo
Appendix F.....	Septic System Designs from Franklin Engineering Ltd.
Appendix G.....	No Build Memo from Beacon Geotechnical Ltd.

1.0 INTRODUCTION

Ecoscape Environmental Consultants Ltd. (Ecoscape) has been retained by Maloney Construction Ltd. (Maloney) to complete an environmental assessment of a proposed construction of a single-family dwelling at 2223 Westside Road, RDCO, BC (subject property) (**Appendix A**) (**Photos 1-3**). The subject property is legally described as Lot 2, Plan KAP14249, District Lot 3745, within the Regional District of Central Okanagan (RDCO) (**Figure 1**). The subject property is bounded by rural properties to the west, north and south, and Okanagan Lake to the east. Westside Road bisects the subject property, running north/south (**Figure 1**). The subject property is approximately 1.34 ha in size and is zoned as Rural Residential 3 (RU3) under the RDCO Official Community Plan (OCP) which is designated as Residential – Low Density / Rural Residential by RDCO. The subject property is located within a RDCO Sensitive Terrestrial Ecosystem and Aquatic Ecosystem Development Permit Areas (DPAs) and is within Hillside and Wildfire Interface DPAs.

This report has been prepared for the application of a Riparian Areas Protection Regulation (RAPR) hardship and floodplain regulation variance for the proposed works within the subject property. **On February 25, 2021, the RAPR hardship application for the proposed works within the subject property was approved.** A revised February 2021 (original created June 2020) Geotechnical Hazard Assessment report from Beacon Geotechnical Ltd. (**Appendix B**) and a Floodplain Exemption Application Report from Clarke Geoscience Ltd (**Appendix C**) have been attached to this report summarizing the challenges within the subject property and provide technical rationale for the RAPR hardship and floodplain regulation variance for the proposed development within the subject property.

If the floodplain regulation variance is approved, then this report will then be used to meet the requirements set out in the RDCO Terms of Reference (TOR) for Professional Reports for Planning Services (RDCO 2006) for a development permit within the Sensitive Terrestrial Ecosystem and Aquatic Ecosystem DPAs.

2.0 PROPOSED WORKS

The proposed works are limited to construction of a single-family dwelling, garage, deck area, and septic system within the subject property. The septic system is the only portion of the proposed works to occur within the western side of the subject property – where a no disturb covenant (i.e., protection and perpetuity area) is to be designated in areas west of the location for the septic system (**Appendix F**). The septic system has been designed to meet the requirements of Interior Health for onsite sewerage. The septic field for the subject property has been designed for a two-bedroom home with an average daily volume of effluent of 1,000 liters. The proposed septic field will have an independent disposal area – noting, that the field for a future proposed development from an adjacent Lot will also be included in this area. The adjacent Lot plans are currently being formalized, noting that geotechnical constraints (report in progress) do not allow home development on upland portions of the Lot either. Through

consolidation of dispersal fields, upland impacts to sensitive terrestrial development can be reduced. The septic field for the adjacent Lot has been designed for a five-bedroom home with an average daily effluent of 1,900 liters. Construction of the system will not require a significant amount of site grading and cuts into the existing topography within the western side of the subject property (**Appendix B**) (**Appendix F**).

The designs for the dwelling have been developed to ensure the proposed building footprint will be constructed as drawn. Drawings for building permit will be prepared if a variance is granted. Thus, the development areas outlined within the design documents are reflective of the final footprint as we understand. The site plan can be found in **Appendix A**. The final details for the building permit will not result in any change in building footprint and are largely aesthetic or may include other internal design alterations. The work related to the driveway is outside of the SPEA and is to be a part of the proposed construction within the subject property.

The subject property has many different constraints. West of Westside Rd. is very steep and provides high value terrestrial and wildlife habitat. East of the property, there is minimal developable area due to environmental constraints. A RAPR Hardship case was proposed because of the identified geotechnical constraints on the west side of the road combined with the high value terrestrial ecosystems that are present. While development is proposed adjacent to Okanagan Lake, it is generally contained within previously disturbed areas and a restoration plan has been prepared to help mitigate the proposed encroachment. If development were to occur to the west of Westside Rd, the terrestrial impacts to facilitate construction of a home using standard techniques would be large because of the steep grades and need to construct a level building platform (coupled with sewerage servicing, etc.).

As outlined within **Figure 4**, the allowable footprint under the RAPR (i.e., Greenfield Hardship Calculation) for the subject property was determined to be approximately **260.5 m²**. The proposed building footprint and septic will have a footprint of approximately **344 m²** (**209 m²** for proposed dwelling). (**Appendix A**) (**Figure 4**). No portion of the building is within 10 m of Okanagan Lake for both floodplain and environmental reasons. In this case, development on the property either presents risks to the aquatic environment via encroachment into identified setbacks, or to terrestrial areas to construct building platforms. When looked at holistically, it is our opinion that risks to the terrestrial environment outweigh those to the aquatic environment, assuming that the proposed setback restoration plan is implemented. Upon implementation of the plan, the riparian enhancements would create a more functional setback area and actual change from current condition would be relatively small. Further, the western areas of the property are proposed for protection in perpetuity.

3.0 ENVIRONMENTAL ASSESSMENT

A site assessment of the subject property was completed by Scott Layher, M.Sc., R.P.Bio and Carly Simpson, B.Sc, A.Ag, Natural Resource Biologists with Ecoscape, on October

30, 2019. Data collection and reporting standards are pursuant to the RDCO TOR. This report has been developed to address terrestrial environmental and riparian values present within the subject property. The following section describes the conditions of the subject property.

3.1 Terrestrial Resource Values

The subject property occurs within a low-density residential area along Westside Road in the RDCO. Private properties are present to the north and south, and rural properties are present to the west. The subject property meets Okanagan Lake to the east. The subject property is bisected by Westside Road, which runs north/south through the subject property. The portion of the subject property adjacent to Okanagan Lake has been developed, with foreshore modifications including an existing dock structure, rock retaining wall, and wooden staircase (**Photo 3**). Modifications within the subject property include a wooden retaining wall, cement block retaining wall, wooden patio area, campfire pit, and wooden shed (**Photos 4-5**). As per conversation between Jason Schleppe (Ecoscape) and Patrick Tobin (MOFLNRORD), the present natural boundary line - and possible Crown Land encroachments within the foreshore of the subject property, are currently being investigated. Neil Denby (Runnalls Denby) has been retained and will note any encroachment issues within the subject property if identified.

The south eastern portion of the subject property, adjacent to Okanagan Lake is relatively undisturbed, with a pebble beach present below rock outcrops and steep slopes leading to Westside Road. The western portion of the subject property is relatively undisturbed with steep slopes and a gully, with some minor disturbance from storage of large retaining wall blocks at the base of the slope (**Photo 6**). The proposed work area is located within the existing disturbance in the eastern side of the subject property adjacent to Okanagan Lake, and within a small section of the western side of the subject property for the septic system.

The eastern portion of the subject property was primarily a developed yard. Native vegetation observed included black cottonwood (*Populus trichocarpa*), trembling aspen (*Populus tremuloides*), ponderosa pine (*Pinus ponderosa*), juniper (*Juniperus* spp.), spruce (*Picea* spp.), tall-Oregon grape (*Mahonia aquifolium*), and varied grass species. Invasive vegetation observed included tree of heaven (*Ailanthus altissima*), knapweed (*Centaurea* spp.), white clover (*Trifolium repens*), and lambs' quarter (*Chenopodium album*).

Vegetation along the beach on the south end of the subject property, and along the embankment on Westside Road included rose (*Rosa* spp.), willow (*Salix* spp.), ponderosa pine, alder (*Betulaceae* spp.), tall-Oregon grape, common rabbitbrush (*Ericameria nauseosa* spp.), common snowberry (*Symphoricarpos albus*), hawksbeard (*Crepis tectorum*), red osier dogwood (*Cornus sericea*), scouring rush (*Equisetum hyemale*), black cottonwood, interior Douglas-fir, and yarrow (*Achillea millefolium*). Invasive vegetation observed included mustard (*Brassica* spp.), knapweed, alfalfa

(*Medicago sativa*), and dalmation toadflax (*Linaria dalmatica*), white clover, great mullein (*Verbascum thapsus*).

A detailed wildlife assessment was not conducted, and there were no incidental observations of wildlife during the site visit. Trees within the subject property potentially provide perching, foraging, and nesting habitat for a diversity of birds. No dense shrub cover was observed that could provide high value cover, forage, and nesting habitat for avian species and small mammals.

The subject property occurs within Ungulate Winter Range u-8-001, which has been established for the protection of mule deer (*Odocoileus hemionus*) winter habitat. Private properties are exempt from wildlife measures required within Ungulate Winter Ranges, but the site is considered important winter range habitat and the proposed covenant in non-buildable portions of the subject property will help maintain these values in perpetuity.

3.2 Aquatic Resource Values

The shoreline of the subject property occurs along Okanagan Lake Foreshore Inventory and Mapping (FIM) segments 219 and 220. Segment 219 is described as being of Single-Family use with a high level of impact (>40%), with approximately 95% of the 385 m segment is disturbed (Schleppe, 2016). The shoreline is classified as sand, and substrates observed to be 40% gravels and 60% sand. The current and potential Aquatic Habitat Index ratings are moderate, with juvenile rearing rated as moderate.

Segment 220 is described as being rural use, with a high level of impact (>40%), with approximately 85% of the 360 m segment disturbed. The shoreline is classified as rocky shore, and substrates observed were 100% gravels. The current and potential Aquatic Habitat Index ratings are rated as High, with juvenile rearing rated as moderate.

Historical and recent Kokanee (*Oncorhynchus nerka*) shore spawning data, Rocky Mountain Ridged Mussel (*Gonidea angulata*) (RMRM) occurrence data, and foreshore plant species-at-risk data from the BC Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (BC MoFLNRORD, 2018) were reviewed for the subject property. The subject property is located within a No Colour Zone Kokanee shore spawning and is adjacent to a Yellow Zone to the north and south of the subject property. A No Colour Zone for Kokanee shore spawning is an area where no recent or historic shore spawning is known to occur (BC MoFLNRORD, 2018). A Yellow Zone for Kokanee shore spawning is an area where aggregations of ≤50 spawning fish were observed and historical (pre-2001) data were aggregations of <1000 spawning fish were observed.

The subject property is located within a No Colour Zone for freshwater mussels and foreshore plants. No Colour Zones for freshwater mussels and foreshore plant species-at-risk are defined as habitats that have not been assessed for RMRM or foreshore plant SAR presence as of 2017 (BC MoFLNRORD 2018).

There were no shore spawning Kokanee, RMRM or other mollusks, or rare foreshore plants observed within the subject property during the site visit; however, lack of observation does not preclude presence as detailed surveys were not conducted during the site visit.

A *Water Sustainability Act* Notification (R8005520) was approved on July 9, 2020 for four new steel piles for a boat lift adjacent to the existing dock within the subject property.

A comprehensive list of fish and mussel species found in Okanagan Lake which have the potential to occur adjacent the subject property is noted in **Table 1**.

Table 1. Fish Species found in Okanagan Lake (BC MoE, accessed online on July 14, 2020)

Common Name	Scientific Name
Eastern Brook Trout	<i>Salvelinus fontinalis</i>
Bull Trout	<i>Salvelinus confluentus</i>
Burbot	<i>Lota lota</i>
Carp	<i>Cyprinus carpio</i>
Chiselmouth	<i>Acrocheilus alutaceus</i>
Cutthroat Trout	<i>Oncorhynchus clarkii</i>
Floater Mussel (General)	<i>Anodonta</i> spp.
Kokanee	<i>Oncorhynchus nerka</i>
Lake Trout	<i>Salvelinus namaycush</i>
Lake Whitefish	<i>Coregonus clupeaformis</i>
Largescale Sucker	<i>Catostomus macrocheilus</i>
Leopard Dace	<i>Rhinichthys falcatus</i>
Longnose Dace	<i>Rhinichthys cataractae</i>
Longnose Sucker	<i>Catostomus catostomus</i>
Mountain Whitefish	<i>Prosopium williamsoni</i>
Northern Pikeminnow	<i>Ptychocheilus oregonensis</i>
Peamouth Chub	<i>Mylocheilus caurinus</i>
Prickly Sculpin	<i>Cottus asper</i>
Pumpkinseed	<i>Lepomis gibbosus</i>
Pygmy Whitefish	<i>Prosopium coulterii</i>
Rainbow Trout	<i>Oncorhynchus mykiss</i>
Redside Shiner	<i>Richardsonius balteatus</i>
Slimy Sculpin	<i>Cottus cognatus</i>
Smallmouth Bass	<i>Micropterus dolomieu</i>
Yellow Perch	<i>Perca flavescens</i>
Rocky Mountain (Western) Ridged Mussel	<i>Gonidea angulata</i>
Western Floater Mussel	<i>Anodonta kennerlyi</i>
Winged Floater Mussel	<i>Anodonta nuttalliana</i>

The proposed building footprint is within 30 m of Okanagan Lake, and required a Riparian Area Protection Regulation (RAPR) Assessment, as outlined in the *Riparian Area Protection Regulations*. Setbacks had been determined based on the methodology outlined in the Riparian Areas Protection Technical Assessment Manual (MoFLNRORD, 2019). The proposed building footprint encroaches approximately 5 m within the 15 m SPEA setback from the high-water mark and would require a variance to the 15 m

SPEA setback, in turn, altering it to a 10 m SPEA setback. Significant restoration guidelines are proposed and are detailed within this report to account for the proposed change to the SPEA setback.

3.3 Species at Risk

The BC Conservation Data Centre (BC CDC) was queried for species-at-risk observed within close proximity (1km) to the subject property. The data that was queried included Critical Habitat for Federally-Listed Species-at-Risk, Species and Ecosystems at Risk (Publicly Available Occurrences), and Wildlife Species Inventory Survey and Incidental Observation Points.

- Incidental Observation ID 51962, Object ID 666666 representing a 2007 observation of a provincially Yellow-listed Common Poorwill (*Phalaenoptilus nuttallii*), approximately 890 m northwest of the subject property.
- Incidental Observation ID 52006, Object ID 32904258 representing a 2007 observation of a provincially Yellow-listed Great Horned Owl (*Bubo virginianus*), approximately 695 m northwest of the subject property.
- Incidental Observation ID 52005, Object ID 32904257 representing a 2007 observation of a Great Horned Owl, approximately 695 m northwest of the subject property.
- Incidental Observation ID 51956 Object ID 32903313 representing a 2007 observation of a Common Poorwill, approximately 725m north of the subject property.
- Incidental Observation ID 52004, Object ID 32904256 representing a 2007 observation of a Great Horned Owl, approximately 400m north of the subject property.
- Incidental Observation ID 51955, Object ID 32903297 representing a 2007 observation of a Common Poorwill, approximately 280 m north of the subject property.
- Incidental Observation ID 51954, Object ID 32903311 representing a 2007 observation of a Common Poorwill, approximately 700 m south of the subject property.
- Incidental Observation ID 52003, Object ID 32904255 representing a 2007 observation of a Great Horned Owl, approximately 850 m south of the subject property.
- Incidental Observation ID 150783, Object ID 3309520 representing a 2015 observation of a provincially Blue-listed Gopher Snake (*Pituophis catenifer deserticola*), approximately 435 m south of the subject property.
- Incidental Observation ID 151443, Object ID 33008324 representing a 2015 observation of a provincially Red-listed Desert Night Snake (*Hypsiglena chlorophaea*), approximately 880 m west of the subject property.

- Incidental Observation ID 166092, Object ID 33004435 representing a 2016 observation of a provincially Yellow-listed Northern Rubber Boa (*Charina bottae*), approximately 600 m north of the subject property.

The subject property occurs within a 10 km x 10 km grid square identified as critical habitat for Great Basin Gophersnake, provincially Blue-listed Western Rattlesnake, Desert Nightsnake by the recovery strategy recently developed from Environment and Climate Change Canada (ECCC 2019). Due to the similarity in habitat needs between the three species of snakes and the known sharing of hibernacula between the three species, the presence of rock outcrops, mammal burrows, and shrub and grassy cover within the western portion of the subject property provide value as potential snake habitat.

The BC Ministry of Environment's Species and Ecosystem Explorer was queried to identify wildlife species potentially present in the region; search terms used to query this database are provided in the footnotes of **Table 2**, below.

Table 2. Species at risk with the potential to occur within the subject property

Class	Common Name	Scientific Name	Provincial Status	COSEWIC Listing	Likelihood of Occurrence
Birds	Great Blue Heron	<i>Ardea herodias herodias</i>	Blue	-	Moderate
	Short-eared Owl	<i>Asio flammeus</i>	Blue	Special Concern	Low
	Burrowing Owl	<i>Athene cunicularia</i>	Blue	Endangered	Low
	American Bittern	<i>Botaurus lentiginosus</i>	Blue	-	Low
	Swainson's Hawk	<i>Buteo swainsoni</i>	Red	-	Moderate
	Canyon Wren	<i>Catherpes mexicanus</i>	Blue	Not at Risk	Low
	Common Nighthawk	<i>Chordeiles minor</i>	Yellow	Special Concern	Moderate
	Evening Grosbeak	<i>Coccothaustes vespertinus</i>	Yellow	Special Concern	Low
	Olive-sided Flycatcher	<i>Contopus cooperi</i>	Blue	Special Concern	Low
	Horned Lark, merrilli subspecies	<i>Eremophila alpestris merrilli</i>	Blue	-	Low
	Rusty Blackbird	<i>Euphagus carolinus</i>	Blue	Special Concern	Low
	Barn Swallow	<i>Hirundo rustica</i>	Blue	Threatened	Low
	California Gull	<i>Larus californicus</i>	Blue	-	Moderate
	Western Screech-Owl, <i>macfarlanei</i> subspecies	<i>Megascops kennicottii macfarlanei</i>	Blue	Threatened	Low
	Lewis's Woodpecker	<i>Melanerpes lewis</i>	Blue	Threatened	Moderate
Insects	Flammulated Owl	<i>Psiloscoptes flammeolus</i>	Blue	Special Concern	Low
	Monarch	<i>Danaus plexippus</i>	Blue	Endangered	Low
	Pale Jumping-slug	<i>Hemphillia camelus</i>	Blue	-	Moderate
	Nevada Skipper	<i>Hesperia Nevada</i>	Blue	-	Low

Table 2. Species at risk with the potential to occur within the subject property

Class	Common Name	Scientific Name	Provincial Status	COSEWIC Listing	Likelihood of Occurrence
	Lilac-bordered Copper	<i>Lycaena nivalis</i>	Blue	-	Low
	Common Sootywing	<i>Pholisora Catullus</i>	Blue	-	Moderate
Mammals	Townsend's Big-eared Bat	<i>Corynorhinus townsendii</i>	Blue	-	Low
	Spotted Bat	<i>Euderma maculatum</i>	Blue	Special concern	Moderate
	White-tailed Jackrabbit	<i>Lepus townsendii</i>	Red	-	Low
	Western Small-footed Myotis	<i>Myotis ciliolabrum</i>	Blue	-	Moderate
	Little Brown Myotis	<i>Myotis lucifugus</i>	Yellow	Endangered	Moderate
	Fringed Myotis	<i>Myotis thysanodes</i>	Blue	Data Deficient	Moderate
	Bighorn Sheep	<i>Ovis canadensis</i>	Blue	-	Low
	Fisher	<i>Pekania pennanti</i>	Blue	-	Low
	Western Harvest Mouse	<i>Reithrodontomys megalotis</i>	Blue	Special Concern	Low
	Merriam's Shrew	<i>Sorex merriami</i>	Red	-	Low
	Nuttall's Cottontail	<i>Sylvilagus nuttallii</i>	Blue	Special Concern	Low
	American Badger	<i>Taxidea taxus</i>	Red	Endangered	Low
Amphibians and Reptiles	Western Toad	<i>Bufo boreas</i>	Yellow	Special Concern	Moderate
	Northern Rubber Boa	<i>Charina bottae</i>	Yellow	Special Concern	Moderate
	Painted Turtle – Intermountain-Rocky Mountain Population	<i>Chrysemys picta</i>	Blue	Special Concern	Low
	North American Racer	<i>Coluber constrictor</i>	Blue	-	Low
	Western Rattlesnake	<i>Crotalus oreganus</i>	Blue	Threatened	Moderate
	Gopher Snake, <i>deserticola</i> subspecies	<i>Pituophis catenifer deserticola</i>	Blue	Threatened	Moderate
	Western Skink	<i>Plestiodon skiltonianus</i>	Blue	Special Concern	Moderate
	Great Basin Spadefoot	<i>Spea intermontana</i>	Blue	Threatened	Low
Plants	Slender hawksbeard	<i>Crepis atriobarba atriobarba</i>	Blue	-	Low

3.4 Ecosystem Communities

The subject property occurs within the Okanagan Very Dry Hot Ponderosa Pine (PPxh1) biogeoclimatic zone that is described by the Biogeoclimatic Ecosystem Classification (BEC) program (Lloyd et al. 1990). Areas of the PP zone are the driest forested ecosystems in B.C., with low snowfall and hot, dry, summers.

Terrestrial Ecosystem Mapping (TEM) was reviewed for the subject property; however, a formal categorization based on the site assessment was not complete for the subject property, and only the existing TEM completed for the central Okanagan (Iverson 2009) was referenced. **Table 3** below presents the ecosystem codes, their associated site modifiers, and provincial status.

Table 3. Ecosystem communities occurring within the project area

Ecosystem Code	Site Modifier	Ecosystem Name	Site Modifier Definition	Provincial Status ¹
PF	k6C	Idaho fescue – Bluebunch wheatgrass	Cool aspect, mature coniferous forest structural stage	Red
PW	s5C	Ponderosa pine/Douglas fir – Bluebunch wheatgrass – Pinegrass	Shallow soils, young forest coniferous forest structural stage	Blue
SP	k	Douglas-fir/Ponderosa Pine – Snowberry – Pinegrass	Cool aspect, mature forest structural stage	N/A
RW	N/A	Rural	N/A	N/A
ES	k1	Exposed soil	Cool aspect, sparse/bryoid structural stage	N/A
RZ	N/A	Road Surface	N/A	N/A

¹ Source: <http://www.env.gov.bc.ca/cdc/>

N/A: Non-listed Blue: Of special concern. Red: Endangered or threatened.

The provincially Red-listed PF ecosystem community is the dominating community throughout the primarily undisturbed west side of the subject property. PF ecosystems are categorized as cool aspect ponderosa pine forests with some interior Douglas-fir with mixed bluebunch wheatgrass (*Pseudoroegneria spicata*) and fescue (*Festuca* spp.) understory (at climax). Understory vegetation is primarily composed of bluebunch wheatgrass, arrow-leaved balsam root (*Balsamorhiza sagittate*), rough fescue (*Festuca scabrella*), Idaho fescue, hawksbeard, junegrass (*Koeleria macrantha*), and timber milk-vetch (*Astragalus canadensis*).

The provincially Blue-listed PW ecosystem community is present throughout the westside of the subject property. PW ecosystems are categorized as mesic and near-mesic ponderosa pine forests on medium-textured soils, on level or gently sloping sites. Understory vegetation is primarily composed of bluebunch wheatgrass, arrow-leaved balsam root (*Balsamorhiza sagittate*), Idaho fescue (*Festuca idahoensis*), timber milk-vetch (*Astragalus canadensis*) and yarrow.

The yet to be classified SP ecosystem community is present throughout the westside of the subject property. SP ecosystems are categorized as moist or sheltered sites with mixed interior Douglas-fir and ponderosa pine overstories and an understory with pinegrass and various shrubs. Understory vegetation is primarily composed of trembling aspen, saskatoon (*Amelanchier alnifolia*), common snowberry, nootka rose (*Rosa nutkana*), tall-Oregon grape, Douglas maple (*Acer glabrum*), and pinegrass (*Calamagrostis rubescens*).

An assortment of anthropogenic subzones had been designated adjacent to Westside Road and within the eastern side of the subject property, and includes RW (Rural), ES (Exposed Soil), and RZ (Road Surface). These subzones account for the rural development within the area of the exist within the eastern side of the subject property.

3.5 Environmentally Sensitive Areas (ESAs)

An Environmental Sensitivity Analysis was undertaken to categorize the defined ecosystem/habitat polygons in the project area based on the degree of environmental sensitivity. Evaluation criteria considered in the analysis include: provincial CDC status (i.e., Red or Blue listed), rare and endangered species occurrence potential, landscape condition (i.e., connectivity, fragmentation), successional stage, regional rarity, relative biodiversity, and level of disturbance.

The four categories of environmental sensitivity are described below based on ESA categories used in the Regional District of Central Okanagan (RDCO) Terms of Reference for Professional Reports for Planning Services (2006), along with relative retention expectations.

- **Very High (ESA-1):** These areas represent rare and/or significant physical features, plants and animals or include ecologically functioning natural systems. ESA-1 areas include vegetation and wildlife characteristics representing a diverse range of sensitive habitat. These features contribute significantly to the overall connectivity of the habitat and ecosystems. Various types of habitat will qualify as ESA-1 on the basis of sensitivity, vulnerability, connectivity and biodiversity. All wetlands, high value foreshore, locally/regionally rare plant communities, animals and habitats will be considered as Very High.
 - **80 – 100% retention:** Areas given an ESA-1 rating are considered the highest priority for protection of ecosystem function and values and therefore avoidance and conservation of ESA-1 designations should be the primary objective. If development is required and justified within these areas mitigation to reduce or eliminate environmental impacts shall be required as well as compensation to promote no net loss to the habitat (typically with a 3:1 replacement of equivalent functioning habitat). Only when residual, permanent loss of habitat is unavoidable and after it proves impossible or impractical to maintain the same level of ecological function, will compensation be considered.
- **High (ESA-2):** Polygons delineated as ESA-2 contain physical features, plants, animals and habitat characteristics which contribute to the overall diversity and contiguous nature of the surrounding natural features. ESA-2 may also include areas used to buffer ecological functions of ESA-1 areas.
 - **40 – 80% retention:** Some degree of development may be considered in ESA-2 areas as long as the development does not have any potential negative impact on ESA-1 areas. If development is pursued in ESA-2 areas, portions of the habitat should be retained (40-80%) and integrated to maintain the

contiguous nature of the landscape. Any loss to the ESA-2 areas shall be offset by habitat improvements to the remaining natural areas found on the property and must ensure habitat function is maintained or improved in the retention areas.

- **Moderate (ESA-3):** Polygons delineated as ESA-3 represent disturbed habitats or fragmented features that are not locally or regionally rare. However, these areas still contribute to the diversity and connectivity of the landscape and may contain natural habitats, and some features of interest (i.e. tree patches, rock outcroppings, drainages and corridors), although based on the condition and adjacency of each habitat the significant function within the landscape is limited. If development is pursued in these areas, the impacts should be offset by habitat improvements in other more sensitive natural areas found on the property. There may also be portions of the area that have significant ecological functions within the landscape (i.e. buffers to ESA 1 and/or ESA 2, or corridors) that should be retained.
 - **20 – 40% retention:** Important features or remnant stands/sites with intrinsic ecological value. Maintain important features within (e.g., tree patches, rock outcroppings, drainages and corridors). If development is pursued in these areas the impacts should be offset by habitat improvements in other more sensitive natural areas found on property.
- **Low (ESA-4):** Polygons delineated as ESA - 4 contribute little or no value to the overall diversity of vegetation, soils, terrain and wildlife characteristics of the area. These areas have generally experienced anthropogenic disturbances (i.e. a driveway or other approved land clearing but does not include land cleared for agriculture) with little or no possibility for recovery or rehabilitation. Development is therefore encouraged to be focused to these sites before consideration of using higher-rated sites within the planning area. These areas shall not be considered as areas for restoration and enhancement or as recruitment as higher value ESA to offset development in other areas.
 - **0 – 20% retention:** Development is encouraged to be focused in these areas.

The ESA composition of the subject property is summarized in **Table 4** and depicted on **Figure 3**.

Table 4. Area and percent composition of ESAs and disturbance within the study area.				
ESA Value	ESA Area (m ²)	Percentage of Study Area (%)	ESA Area Disturbed within study area (m ²)	Percentage of ESA Disturbed (%)
Very High (ESA 1)	0	0	0	0
High (ESA 2)	11,777	90	139	1
Moderate (ESA 3)	1,281	10	578	45
Low (ESA 4)	0	0	0	0
Total	13,058	100	717	5*

*total value is based on disturbance within each ESA area polygon

Based on the existing level of disturbance within the eastern side of the subject property, and if the floodplain regulation variance is approved, the proposed works would be built within predominantly within ESA 3 (Moderate) and a small portion of the ESA 2 (High) valued areas (Table 4). While both variances would allow for an approximate 5 m encroachment within the standard 15 m SPEA setback, significant restoration is proposed to account for this encroachment – and is detailed within Section 5.8 of this report. Approval of the floodplain regulation variance would allow for conservation of the mostly undisturbed ESA 2 (High) valued area within the western sloped area of the subject property (**Photos 7-9**). Thus, this plan would focus the proposed works for the dwelling within the disturbed eastern side of the subject property. Focusing the proposed dwelling within the existing disturbed area mitigates the expected disturbance resulting from slope stabilization structures or grades (i.e., retaining walls) that would be needed for development if the proposed works were to occur within western side of the property.

The extent of earthworks needed to stabilize the western slope would require “chasing” a stable grade up the hill until it “daylights” using a combination of retaining walls and/or grading. This would result in a large disturbance (i.e., of the subject property) of the western area of the subject property because of the retaining walls and grades needed to create a stable building platform. Further, final and temporary slope configurations required for construction of a home on the westside would require significant evacuation, slope re-construction, and construction of multiple retaining walls (**Appendix B**). Rationale for designating this area as undevelopable for geotechnical reasons can be found in **Appendix B**.

For the floodplain, a technical memo supporting the proposed development has also been prepared (**Appendix C**). Since the proposed building area is well above Okanagan Lake, flood risks can be mitigated. The flood variance requires some efforts to either reconstruct or provide flood relief for the old retaining wall on the subject property. At this time, the owners wish to obtain the necessary variances and then will prepare detailed plans for addressing the erosion control structure for submission of a Section 11 under the Water Sustainability Act. However, these works are proposed to occur after receipt of the variance to avoid unnecessary costs if the variance application does not proceed.

4.0 IMPACT ASSESSMENT

The proposed development includes the construction of a single-family dwelling, garage, septic system, and covered deck. Ecoscape anticipates that, provided mitigation measures are adhered to, impacts on terrestrial and aquatic resource values as a result of construction will be negligible. However, without appropriate mitigation measures, proposed works could result in the following impacts:

- Potential for release of fine sediments into Okanagan Lake. The release of fine sediments could result in temporary increases in turbidity and deterioration of water quality. *Due to the location of the proposed works in proximity to Okanagan*

Lake, silt fencing must be installed between the development footprint and Okanagan Lake.

- Potential for the release of deleterious substances (e.g., fuel, oil, hydraulic fluid) to the environment as a result of improper storage, equipment re-fueling, and/or poorly maintained equipment. *It is recommended that a spill kit be kept on site at all times during the proposed works and refueling will not take place within 30 m of Okanagan Lake.*
- Potential for encroachment into the wetted area below the HWL could cause impacts to Okanagan Lake and the potential spawning habitat adjacent to the project area. *All works must occur above the high-water mark (343 m above sea level).*
- Disturbance beyond the proposed clearing limits may create conditions favorable for colonization of invasive plant species.
- Potential to directly or indirectly impact wildlife during earthworks, roadworks and tree clearing, including disruption of migration, breeding, or other behavior as a result of noise, impacts to air quality, and alterations to existing wildlife habitat and cover.

Section 5.0 below provides specific recommendations to mitigate these potential impacts. As already indicated, adverse effects associated with construction activities will be negligible if the mitigation measures proposed are implemented.

5.0 MITIGATION MEASURES

Ecoscape provides the following mitigation measures to minimize the risks of impacts during proposed works to fish, wildlife and associated habitats. Best Management Practices (BMPs) have been adapted from BC Ministry of Environment Standards and Best Practices for Instream Works. This document will be made available to the contractor prior to initiating the works and it should be kept onsite during proposed works to demonstrate that the contractor is aware of the recommendations and that they are being followed. The most relevant best management practices that should be adhered to during the proposed works include:

- Standards and Best Management Practices for Instream Works (BC MoWLAP 2004a)
- Develop with Care Environmental Guidelines for Urban and Rural Land Development (BC MoE 2014).

The appropriate Development Permits and approvals must be obtained from the RDCO prior to construction activities within the subject property. The Development Permit must be kept onsite at all times.

5.1 General Recommendations for Construction

- No work can occur below the high-water mark / Present Natural Boundary of the Okanagan Lake without having a Provincial *Water Sustainability Act* Section 11 Notification or Approval application submitted, approved and in the possession of the property owner and contractor prior to any instream work.
- The operation or parking of equipment below the driplines of the trees must be avoided.
- The release of fine sediments, construction debris or other substances deleterious to the environment or aquatic habitat must be prevented at all times.
- Wherever possible, trees with high wildlife value, such as veteran trees and large snags, must be conserved. Hazardous trees with wildlife value within the vicinity of the construction works should be assessed by a certified wildlife/danger trees assessor to determine levels of risk.
- No equipment refueling or servicing is to be undertaken within 30 m of Okanagan Lake whenever possible.
- All road surfaces (i.e., Westside Road) must be kept clean and free of fine materials (i.e., swept or scraped) regularly to prevent the increase of airborne particulate matter.

5.2 Nesting Bird Work Window

Avian nesting timing windows should be considered to protect nesting birds within and adjacent to the proposed work area. The general nesting period of migratory birds in Canada within Zone A1a and A2 is March 31st to August 15th (BC MoFLNRORD 2019).

The following methods should be implemented in relation to nesting bird work windows.

- If vegetation or tree clearing is planned to occur during peak nesting season (March 31 to August 15), a nesting bird survey should be conducted by a qualified environmental professional (QEP) prior to initiating construction and specifically vegetation removal. This is a key mitigation strategy to avoid harm to nesting individuals or species at risk. It is an offence to harm a bird or its eggs during the nesting period, as per the provincial *Wildlife Act* and federal *Migratory Birds Convention Act*.
- If active nests are found within the construction limits, a buffer will be established around the nest until such time that the environmental monitor (EM) can determine that nest has become inactive. The size of the buffer will depend on the species and nature of the surrounding habitat. Buffer sizes will generally follow provincial BMP guidelines or other accepted protocol (e.g.,

Environment Canada). In general, a minimum 20 m buffer will be established around songbird nests or other non-sensitive (i.e., not at risk) species.

- Clearing and other construction activities must be conducted within 72 hours following the completion of any pre-clearing nest surveys. If works are not conducted in that time, the nest surveys are considered to have expired and a follow-up survey will be completed to ensure that no new nests have been constructed.
- Wherever possible, trees with high wildlife value, such as veteran trees and large snags, must be conserved. Hazardous trees with wildlife value within the vicinity of the construction works should be assessed by a certified wildlife/danger trees assessor to determine levels of risk.

5.3 Clearing and Grubbing

Clearing, stripping, and grubbing limits must be clearly marked in the field prior to construction and minimized wherever possible. Unnecessary impacts to native vegetation and soils must always be avoided. No important wildlife habitat, including veteran trees, snags, or other important features, were identified within the development footprint during the site visit, however, should additional workspace be required, the EM should confirm whether sensitive features are present in the amended footprint. Native vegetation, including trees, shrubs, and groundcover, should be retained to the extent possible to mitigate the establishment of invasive plants and to maintain the existing ecological value sustained within the project area.

- Prevention of the spread of non-native and invasive species can be achieved by limiting disturbance to soils and native vegetation where possible. Areas that have previously been disturbed should be restored with native plantings or grass seeding. Infestation areas must be controlled with regular manual removal of weeds (e.g., mowing, pulling).
- Flagging or snow fencing must be used to clearly delineate the construction disturbance limits prior to the commencement of works and must remain in place for the duration of works. Flagging or snow fencing will also be used to clearly identify setbacks and buffers associated with other identified environmentally sensitive areas (e.g., wildlife trees, nests).
- In the event that land and/or natural vegetation is disturbed or damaged beyond the development footprint area, these areas will be restored and/or replanted with plant material indigenous to the area under the direction of the EM.
- Exposed soils must be seeded immediately following any activities that result in disturbance to native vegetation and soils. Grass seed mixes must be comprised of native species, appropriate for the environmental conditions and certified as Canada #1 Grade by Agriculture Canada to minimize the weed seed count. A recommended seed mix can be found in **Table 5**.

Table 5. Restoration Grass Seed mix		
Seed Weight	Botanical Name	Common Name
40%	<i>Pseudoroegneria spicata</i>	bluebunch wheatgrass
25%	<i>Festuca campestris</i>	rough fescue
15%	<i>Festuca idahoensis</i>	Idaho fescue
10%	<i>Lolium perenne</i>	perennial ryegrass
5%	<i>Poa secunda</i>	Sandberg bluegrass
4%	<i>Koeleria macrantha</i>	Junegrass
1%	<i>Poa compressa</i>	Canada bluegrass

5.4 Erosion and Sediment Control

The mitigation strategies described below should be followed as required to provide erosion and sediment control associated with the environmentally sensitive habitats identified in the assessment.

- Stockpile locations, staging and equipment storage areas, concrete washouts, washroom locations and environmentally sensitive areas should be delineated at the start of construction.
- Works involving ground disturbance should not be conducted during heavy rains wherever feasible to reduce the potential for sediment and erosion issues. Exposed soils along slopes must be stabilized and covered where appropriate using erosion control blankets (ECB), poly sheeting, tarps, or other suitable materials to reduce the potential for erosion resulting from rainfall, seepage, or other unexpected causes.
- Silt fencing should be installed as directed by the EM in a field-fit manner. Silt fence must be staked into the ground and trenched a minimum of 15 cm to prevent erosion underneath the fence. Silt fencing will be monitored on a regular basis and any damages or areas where the integrity and function of the fencing has been compromised should be repaired or replaced promptly. Silt fence must remain in place where required until the completion of the project.
- If erosion becomes a problem during construction and there is a risk of siltation to the adjacent naturally vegetated areas and watercourses (i.e., during heavy rain events), silt fence must be installed immediately adjacent to the development footprint to mitigate for potential sediment transport and erosion downslope of the works. Silt fence must be staked into the ground and trenched to prevent flow underneath the fence.
- ESC recommendations by the EM or Engineer on Record must be implemented within 24 hours.

- It is the contractor's responsibility to inspect all mitigation measures daily and additional measures will be installed, maintained, and repaired or replaced as required using a field-fit, adaptive approach.
- The release of silt, sediment, sediment-laden water, or any other deleterious substance into any ditch, watercourse (creek, river, lake), ravine, or other drainage feature must be prevented at all times. Similarly, there is to be no sediment release into areas of vegetation growth or sensitive areas in levels that would adversely alter growing or hydraulic conditions.
- It is the contractor's responsibility to regularly monitor weather forecasts and adjust ESC measures or proposed construction activities as required based upon the existing conditions of the site.
- Adjacent roadways should be kept clean and free of fine materials. Sediment accumulation upon the road surfaces should be removed and disposed of appropriately.

5.5 Dirty Water Management

- If water is encountered during excavations dewatering may be required. Options for dirty water management include the following;
 - Discharging water in small quantities to well-vegetated areas of the site to allow for infiltration and reduction of runoff potential.
 - Discharging to local stormwater will only be an option if prior approval is obtained from the RDCO.
 - Discharge to Okanagan Lake may be an option provided that water discharged is within the allowable limits for turbidity under the ambient water quality guidelines for turbidity, suspended and benthic sediments; see below (BC MoE 2001). Any water discharged to Okanagan Lake must be approved by the EM prior to discharge and the EM would need to be onsite full time.
- Turbidity levels under the Ministry of Environment guidelines for fish and aquatic habitats (BC MoE 2001) are as follows;
 - During clear flow periods, induced turbidity should not exceed 8 NTU above background levels at any given time and no more than an average of 2 NTU above background levels over a 30 day period.
 - During turbid flow periods, induced turbidity should not exceed background levels by more than 5 NTU at any time when background turbidity is between 8 and 50 NTU. When background exceeds 50 NTU, turbidity should not be increased by more than 10% of the measured background level at any one time.

5.6 Emergency Spill Response Plan

Spills of deleterious substances can be prevented through awareness of the potential for negative impacts and with responsible housekeeping practices onsite. Maintenance of a clean site and the proper use, storage and disposal of deleterious liquids and their containers are important to mitigate the potentially harmful effects of spills and/or leaks. The following BMP are adapted from Chilibeck *et al.* (1992) to provide guidance in the control of deleterious substances.

- Ensure that onsite machinery is in good operating condition, clean, and free of leaks, excess oil or grease.
- Equipment and tools used for concrete works must be washed offsite away from any watercourses. Concrete wastewater must not be washed into any watercourse or the storm water system (i.e. must not be poured in a location that drains into municipal catch basins and subsequently into watercourses).
- Spills occurring on dry land will be contained, scraped and disposed of appropriately. Contaminated material will be stored on tarps and covered to prevent mobilization and will be disposed of in accordance with the *Environmental Management Act*.
- Copies of contact phone numbers for notification of all of the required authorities in the event of a spill/emergency response will be kept posted and clearly visible onsite.
- Spill containment kits should be kept readily available on-site during construction in case of the accidental release of a deleterious substance to the environment. Any spills of a reportable amount of a toxic substance must be immediately reported to Ecoscape at **250-491-7337**, as well as Emergency Management BC's 24-hour hotline at **1-800-663-3456**.

5.7 Invasive Species Management

- Ongoing invasive species control will be required within any areas with exposed/disturbed soils and restoration areas in the first few years until vegetation becomes established. Species that are aggressive have the potential to outcompete native species.
- Invasive plant species should be hand pulled or brushed/mowed using mechanical means. Mowing or brushing of invasive plant species should only occur before they have flowered or gone to seed. The use of chemical treatments is not recommended, particularly since herbicides can kill native species and due to plantings associated with stormwater runoff which enters watercourses (i.e., Okanagan Lake) untreated.
- The contractor will ensure that all equipment and vehicles are washed and free of weed seeds prior to mobilization and de-mobilization. Vehicles and equipment should not be stored, parked, or staged within weed infested areas if

possible. Contractor clothing should also be inspected daily for signs of weed seeds. If found, weed seeds should be disposed of in a contained refuse bin for offsite disposal.

- Care must be taken to ensure that invasive species removal does not impact existing or planted native tree and shrub species.
- Invasive plant species must be disposed of in a landfill; however, invasive species material must not be composted in the yard waste section of the landfill. Invasive plant species must not be transported to or deposited in other natural areas.
- Woody debris/wood fiber mulch spread around the base of plantings may help to deter establishment of and competition from invasive plant species.

5.8 Site Cleanup and Restoration

At this stage, it is understood that a formal landscape plan will not be prepared for the subject property. Due to the proposed encroachment within the 15 m SPEA setback for the proposed variances, Ecoscape has prepared a riparian restoration plan that outlines substantial plantings within the proposed 10 m SPEA setback.

The total area proposed for restoration within the SPEA – taking into account the proposed works footprint and space availability within the subject property, is **758 m²**. Due to the opportunity for enhancing the native species regime within the SPEA, a substantial planting list has been included below. If a formal landscape plan is prepared for the subject property (that encompasses the SPEA), it must be reviewed and approved by Ecoscape and reviewed by the RDCO, prior to implementation.

The following recommendations are to be adhered to with completion of riparian restoration activities:

Table 6. Riparian Restoration Plantings			
Common Name	Scientific Name	Size	Quantity
TREES			
Trembling aspen	<i>Populus tremuloides</i>	1-2 gal	
Interior Douglas-fir	<i>Pseudotsuga menziesii var. glauca</i>	1-2 gal	
Ponderosa pine	<i>Pinus Ponderosa</i>	1-2 gal	
Subtotal			35
SHRUBS			
Red-osier dogwood	<i>Cornus sericea</i>	1 gal	
Prickly rose	<i>Rosa acicularis</i>	1 gal	
Common snowberry	<i>Symphoricarpos albus</i>	1 gal	
Tall Oregon-grape	<i>Mahonia aquifolium</i>	1 gal	
Saskatoon	<i>Amelanchier alnifolia</i>	1 gal	
Nootka rose	<i>Rosa nutkana</i>	1 gal	
Common rabbit brush	<i>Chrysothamnus nauseosus</i>	1 gal	
Subtotal			255
Total			290

- With a density of 1 shrub per 2 m², and 1 tree per 7m², a total of **255 shrubs**, and **35 trees** are recommended for planting within the SPEA .
- Changes to the species list is permissible, but must be approved by the EM prior to substitution and plants must be native to the Okanagan. The proposed planting list and layout should be reviewed by the EM prior to planting and all plants should be flagged for review. Only native vegetation from local stock should be planted within the SPEA, unless approved by the EM.
- Upon the completion of the proposed works and installation of the restoration plantings, invasive plant species should be removed from any disturbed areas and the SPEA on a monthly basis, at minimum. Ongoing invasive weed management may continue to be required as necessary within the subject property. Chemical pesticides/herbicides and fertilizers must not be used within the enhancement area due to the close proximity to Okanagan Lake. Furthermore, it is recommended that invasive species are pulled by hand or by mechanical means.
- Watering should occur for the first two growing seasons, until plants are established. Spring and fall watering, if necessary, should be timed to water every 3 or 4 days. In summer, watering should be deep, but infrequent – occurring once per week. Irrigation should be timed to augment rainfall and a rainfall sensor would help to reduce water consumption. Hand watering and drip irrigation are both acceptable methods. Care should be taken during watering to ensure that overland flows do not result in sedimentation to surrounding watercourses.
- A target of 80% plant survival is recommended after two years. If the total number of plants drops below 80% of the original number planted, fill/replacement planting will be required. Replacement trees and shrubs can be 1-gallon size, although the property owners are welcome to use larger plant stock.
- Shrubs should be spaced at about 1.5 m on center and trees should be spaced about 3 m on center.
- Native plantings may need to be protected from beaver and/or deer with wire mesh or suitable fencing.
- While wood fiber or rock mulch may be used around plants, bark mulch in close proximity to Okanagan Lake should be avoided due to the potential for toxic leachates.
- Weed management and erosion control must occur in all areas disturbed during development.
- If additional disturbance occurs outside the development footprint, these areas will need to be addressed by the EM and restored with native plantings.

The following recommendations are to be adhered to with completion of site cleanup:

- Silt fencing and other temporary mitigation features must be removed upon substantial completion of construction works. All equipment, supplies, and non-biodegradable materials must be removed from the site.
- Weed management and erosion control must occur in all areas disturbed during development. At a minimum, hydro-seed or loose grass seed must be applied to re-vegetate areas that have been disturbed.
- Retention of some coarse woody debris within the project area is recommended for the wildlife habitat value and it provides.
- Ongoing weed control through hand removal is recommended to reduce the abundance of weeds already established within the subject property as well as mitigate the future spread of weeds as a result of construction activities as a result of the project. A QEP will follow up with site visits twice per year over 3 years post construction to ensure that weed control measures are effective, and recommend adapted weed management measures if required.

6.0 Environmental Monitoring

Ecoscape has been retained for environmental monitoring during construction activities. The EM will document compliance with BMPs, mitigation measures, and other recommendations and provide guidance for implementation of best practices (e.g., erosion and sediment control, restoration) during construction. In the event that greater disturbance occurs due to unforeseen circumstances, the EM will recommend measures to protect/restore the natural integrity of the site. If RDCO requires monitoring, the following schedule is recommended;

- A pre-construction meeting should be held between the EM and the contractor(s) undertaking the work onsite to ensure a common understanding of the mitigation measures and best practices required for the project. A copy of the development permit and this report must be kept readily available at the site for reference while the work is being conducted. Site delineation must be in place prior to project startup.
- The contractor will provide the EM with an up to date schedule of construction activities, and notify the EM if the schedule changes, or potentially high-risk work (e.g., site clearing) is planned that is not identified on the schedule.
- The EM will be an appropriately qualified environmental professional (QEP) authorized to halt construction activities should an incident arise that is causing undue harm (unforeseen or from lack of due care) to terrestrial resource values.
- Construction activities should be monitored on a monthly basis and more regularly during high risk activities (e.g. clearing and grubbing, concrete pours,

large material excavations) until the completion of the project. At a minimum, environmental monitoring of restoration is recommended to provide substantial completion for the project.

- Regular monitoring reports will be submitted to the primary contractor, client, and RDCO. Once construction and restoration are complete, a substantial completion site visit and report will be undertaken by the EM.

7.0 PERFORMANCE AND MAINTENANCE BONDING

Performance bonding is typically required by the RDCO to ensure that the recommended mitigation measures are adhered to and any restoration is completed as required. Bonding in the amount of 125% of the estimated value of the prescribed works (i.e. monitoring) and is generally required to ensure faithful performance and that all mitigation measures are completed and function as intended. Security deposits shall remain in effect until the RDCO has been notified, in writing by the EM that the objectives have been met and substantial completion of the restoration works has been achieved.

A cost estimate has been prepared to address the RDCO performance bonding requirements. Ecoscape estimates that the total cost for planting, associated environmental monitoring of compensation works and subsequent preparation of a substantial completion report will be approximately **\$14,550**, not including GST (Table 7). The 125% bond amount is therefore estimated to be **\$18,188**.

Table 7. Cost estimate for restoration planting and bonding.					
Item	Location	Quantity	Unit	Material Cost	Installed Cost*
Trees and shrubs	Within SPEA (refer to Figure 4)	290	1 gallon, but larger stock is acceptable	\$2,900 (based on \$15/plant)	\$13,050
Environmental monitoring of enhancement plantings (including substantial completion report)**					\$1,500
Grand Total					\$14,550
125% Bond					\$18,188

*Installed costs are assumed to be based upon 3 x the purchase price of materials. A landscaping company and distributor of native plant stock may be able to provide a more accurate estimate to complete the prescribed works.

**The estimate for environmental monitoring does not include monitoring of proposed works.

8.0 CONCLUSION

This environmental assessment report has been prepared to address the Development Permit requirements as outlined within the RDCO Rural Westside Official Community Plan (RWOCPP), and meet the Terms of Reference (TOR) for Professional Reports for Planning Services.

The proposed development will meet the objectives as outlined within the Appendices of the RWOCF for the RDCO Sensitive Terrestrial Ecosystem, Aquatic Ecosystem, Hillside, and Wildfire DPAs, with key points addressing the objectives of each DP, and is summarized below:

1.) Aquatic Ecosystems Development Permit Objectives:

- a) To protect the ecological attributes and socio-economic values that is common to all Aquatic Ecosystems.
- b) To protect, restore, and enhance Aquatic Ecosystems (water, wetland, riparian and broadleaf woodland).
- c) To protect Aquatic Ecosystems through use of buffers.
- d) To protect water quality and quantity.
- e) To protect vital wildlife functions such as (but not limited to) a travel corridor, a place of refuge, water source, fish habitat, and a breeding habitat to ensure future generations.

The objectives for the Aquatic Ecosystems Development Permit area will be met through compliance with the Provincial Riparian Areas Protection Regulation and the substantial restoration plan proposed for the development. The existing riparian vegetation is limited to a thin band of assorted trees and shrub species, with a high amount of disturbance to the understory. The proposed restoration plan will enhance the existing riparian area, increase bank stability through root regimes of plantings, and increase the ecological attributes within the riparian area by providing increased habitat values for various avian, terrestrial, and aquatic species. No instream works are proposed as part of the development within the subject property.

2.) Terrestrial Ecosystems Development Permit Objectives:

- a) To ensure that sensitive environments are identified and protected in areas that may be subject to future rural subdivision.
- b) To encourage and support the current rural and resort use of land in a way that best conserves important and vanishing environments. The Development Permit Area established to include coniferous woodland, broadleaf woodland, grassland, sparsely vegetated, and mature forest ecosystems identified in the sensitive ecosystem inventory of Central Okanagan.

The objectives for the Terrestrial Ecosystems Development Permit area will be met through establishment of a covenant (or other suitable mechanism determined by RDCO) for protection of the mostly undisturbed western area of the subject property. The only exception to this would-be placement of a septic field in the previously disturbed areas on the western portion. The western portion of the property contains

high habitat value. Conservation of this area will ensure feasible wildlife corridors are maintained including high value habitat for various avian and wildlife species, conservation of snags and standing dead trees (i.e., wildlife trees). Protection of this area will also reduce the potential for introduction of invasive plant species, maintain slope stability, and provide continued successional growth of the existing vegetation regime within the western side of the property.

The eastern side of the subject property will further be enhanced through restoration proposed as a part of this development and is further outlined within the previous section (i.e., 1. Aquatic Ecosystems Development Permit Objectives) of this report.

3.) Hillside Development Permit Area Objectives:

- a) To support rural subdivision, road building and construction on hillsides that protects and enhances the natural characteristics of the hillside which are a significant component of the OCP area.
- b) To support rural subdivision, road building and construction on hillsides in a manner that minimizes damage to property (both the property under application and neighboring property) from erosion, soil instability, rock fall, or other identified hazards.
- c) To support rural subdivision, road building and construction on hillsides in a manner that is sensitive to the natural topography and maximizes the retention of existing landscape vegetation and soils.
- d) To support rural subdivision, road building, and construction on hillsides in a manner that is responsive to the natural environment and drainage patterns.

The objectives for the Terrestrial Ecosystems Development Permit area will be met through retention of the high gradient sloped hillside within the western area of the property. Prevention of erosion, soil instability, rock fall, mass movements, and retention of natural drainage patterns through conservation will mitigate these types of hazards, while protecting the high-valued ecosystems within this area of the property. Rationale for designating this area as undevelopable for geotechnical reasons can be found in **Appendix B**.

4.) Wildfire Interface Construction Development Permit Objectives:

- a) The objective is to reduce the susceptibility to wildfire of new construction or large addition near the provincial forest interface, or the interface with large, forested parks.

As per correspondence between Ecoscape and Brittany Lange of the RDCO during the pre-application meeting completed for the proposed development, a wildfire assessment report was not needed for the Wildfire Interface Construction Development Permit (WICDP) application. At this time, only submission of the designs of the proposed home and registration of a covenant within the western side of the subject property were the only requirements needed to meet the permit guidelines.

The proposed development is not anticipated to have any long-term effects within the subject property, as long as the recommended restoration plan, mitigation measures, and best management practices are followed throughout the course of the construction period within the subject property.

9.0 CLOSURE

This report has been prepared for the exclusive use of Maloney Construction Ltd. Ecoscape has prepared this report with the understanding that all available information on the present and proposed use of the subject property has been disclosed. Maloney Construction Ltd. has acknowledged that in order for Ecoscape to properly provide the professional service, Ecoscape is relying upon full disclosure and accuracy of this information.

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

Respectfully Submitted
ECOSCAPE ENVIRONMENTAL
CONSULTANTS LTD.

Prepared By:



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Natural Resource Biologist
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Reviewed by:



Jason Schleppe, M.Sc., R.P.Bio.
Senior Natural Resource Biologist
Direct Line: (250) 491-7337 ext. 202

Attachments: Photographs
 Figures
 Appendix A: Design Documents Provided by Mullins Design Group

Appendix B: Geotechnical Hazard Assessment Report from Beacon Geotechnical Ltd.

Appendix C: Draft Floodplain Exemption Application Report from Clarke Geoscience Ltd.

Appendix D: Site Survey

Appendix E: Cumulative Impacts Memo Created by Ecoscape

Appendix F: Septic System Designs from Franklin Engineering Ltd.

Appendix G: No Build Memo from Beacon Geotechnical Ltd.

10.0 REFERENCES

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- Regional District of Central Okanagan. 2006. Terms of Reference: Professional Reports for Planning Services. Available at : <https://www.regionaldistrict.com/media/20329/Handout%20ToFR.pdf>. Accessed July 14, 2020.



Photo 1. View looking north west of the proposed build area and existing modifications within the subject property (All photos taken on October 30, 2019).



Photo 2. View looking north west of the existing deck proposed for removal within the subject property.



Photo 3. View looking north of the riparian area within the subject property.



Photo 4. View looking south west of foreshore modifications (retaining wall and stairs to foreshore) within the subject property.



Photo 5. View looking south west of the wooden retaining wall within the subject property.



Photo 6. View looking west of cement blocks and gully within the west slope adjacent to Westside Road.



Photo 7. View looking east and downslope within the western slope of the subject property.



Photo 8. View looking west and upslope within the western slope of the subject property.



Photo 9. View looking north east of the neighboring properties from the western slope.

FIGURES



FIGURE 1

Site Location and Fisheries Information

Project:

Environmental Assessment

Location:

Regional District of Central Okanagan

Project No.:

19-3064

Prepared for:

Maloney Construction Ltd.

Prepared by:

Ecoscape Environmental Consultants Ltd.
Josh Castanier, GIS Technician

Coordinate System:

NAD83-UTM Zone 11

Imagery:

ESRI World Imagery

Map Date:

July 21, 2020

LEGEND

Regional Location of Subject Property

Places

Subject Property

Cadastre

Municipal Boundary

Lakes

Parks and Protected Lands

Critical Habitat for Species-at-Risk

Okanagan Wetlands

BC Conservation Data Centre Polygons

Highway

Major Roads

Streams

WSI Survey Observations

WSI Incidental Observations

Segment Break

Foreshore Inventory and Mapping (FIM)

Okanagan Large Lakes Foreshore Protocol

Historical Kokanee Spawning Records

Kokanee Spawning Black Zone

Kokanee Spawning Red Zone

Kokanee Spawning Yellow Zone

Mussel Red Zone

Mussel Yellow Zone

Foreshore Plants Black Zone

Foreshore Plants Red Zone

Foreshore Plants Yellow Zone

Regional Location of Subject Properties

DISCLAIMER

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FIGURE 2

Ecosystem Polygons

Project: Environmental Assessment
Location: Regional District of Central Okanagan
Project No.: 19-3064
Prepared for: Maloney Construction Ltd.
Prepared by: Ecoscape Environmental Consultants Ltd.
Josh Castanier, GIS Technician

Coordinate System: NAD83-UTM Zone 11
Imagery: ESRI World Imagery
Map Date: December 4, 2020

LEGEND

- Subject Property
- Cadastre
- Ecosystem Polygons
- Streams and Rivers

Ecosystem Polygon Key

Polygon Number
↓
2402
Decile (60%) → **6PFks6C** ← Stand Modifier
Ecosystem Unit → **2PFks3** ← Structural Stage
Site Modifiers → **2FWwc6Ckc** ← Seral Stage

Ecosystem Units

RW	Rural
RZ	Road
PF	Ponderosa pine - Bluebunch wheatgrass - Rough fescue
PW	Ponderosa pine - Bluebunch wheatgrass - Idaho fescue
SP	Snowbrush - Pinegrass

Site Modifiers

c	coarse textured soils
k	cool aspect (slope >25%)
s	shallow soils (20-100 cm to bedrock)
v	very shallow (< 20 cm to bedrock)
w	warm aspect (slope > 25%)

Structural Stage

1	Sparse/bryoid
2b	Herb - Graminoid-dominated
3a	Shrub/Herb - Low Shrub
3b	Shrub/Herb - Tall Shrub
4	Pole Sapling
5	Young Forest
6	Mature Forest
7	Old Forest

Seral Stage/Weed Modifiers

kc	knapweed - cheatgrass
wk	bluebunch wheatgrass - knapweed

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FIGURE 3
Environmental Sensitivity Analysis

Project: Environmental Assessment
Location: Regional District of Central Okanagan
Project No.: 19-3064
Prepared for: Maloney Construction Ltd.
Prepared by: Ecoscape Environmental Consultants Ltd.
Josh Castanier, GIS Technician
Coordinate System: NAD83-UTM Zone 11
Imagery: ESRI World Imagery
Map Date: December 4, 2020

LEGEND

- "99"** Ecosystem Polygon Number
- Subject Property
 - Cadastre
 - Streams and Rivers
- Environmental Sensitivity Rating**
- Very High (ESA 1)
 - High (ESA 2)
 - Moderate (ESA 3)
 - Low (ESA 4)

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FIGURE 4
Riparian Areas Regulation Assesment

Project: Environmental Assessment
Location: Regional District of Central Okanagan
Project No.: 19-3064
Prepared for: Maloney Construction Ltd.
Prepared by: Ecoscape Environmental Consultants Ltd.
Josh Castanier, GIS Technician
Coordinate System: NAD83-UTM Zone 11
Imagery: ESRI World Imagery
Map Date: February 22, 2021

- LEGEND**
- Subject Property
 - Cadastre
 - Streamside Protection and Enhancement Area (SPEA)
 - Buildable Area Outside Natural and Legal Restrictions Excluding SPEA
 - Development SPEA Encroachment
 - Proposed Building Footprint
 - Proposed Septic Tanks
 - Proposed Dispersal Bed
 - Developable Area
 - 10 Meter Setback
 - Stream Boundary i.e. Surveyed High Water Level (343 m.a.s.l.)
 - 30 m Riparian Areas Regulation Assessment Area
 - Zone of Sensitivity - Large Woody Debris (15 m)
 - Zone of Sensitivity - Litterfall (15 m)
 - Zone of Sensitivity - Shade (30 m due south)
 - Proposed Front Yard Setback (2.29m)
 - Proposed Septic Piping

Hardship Area Calculation (Greenfield)	
Total Property Area =	13057.4m ²
Total Buildable Area (Outside Municipal Setbacks + Geotech Approved area Western Lot) =	868.4m ²
Developable Area (Outside Natural/Legal Restrictions) =	232.2m ²
Total Proposed Development Area =	343.5m ²
Allowable Footprint (30% of Buildable Area) =	260.5m ²
Allowable Variance Area/Encroachment into SPEA =	28.3m ²

***Caveat**
Under this specific hardship case; a geotechnical assessment of the property has granted a specific area on the western lot safe to engineer for a septic field area. This area is included within the hardship calculations and is added to Buildable Area, Developable Area, and added to the Total Proposed Development Area.

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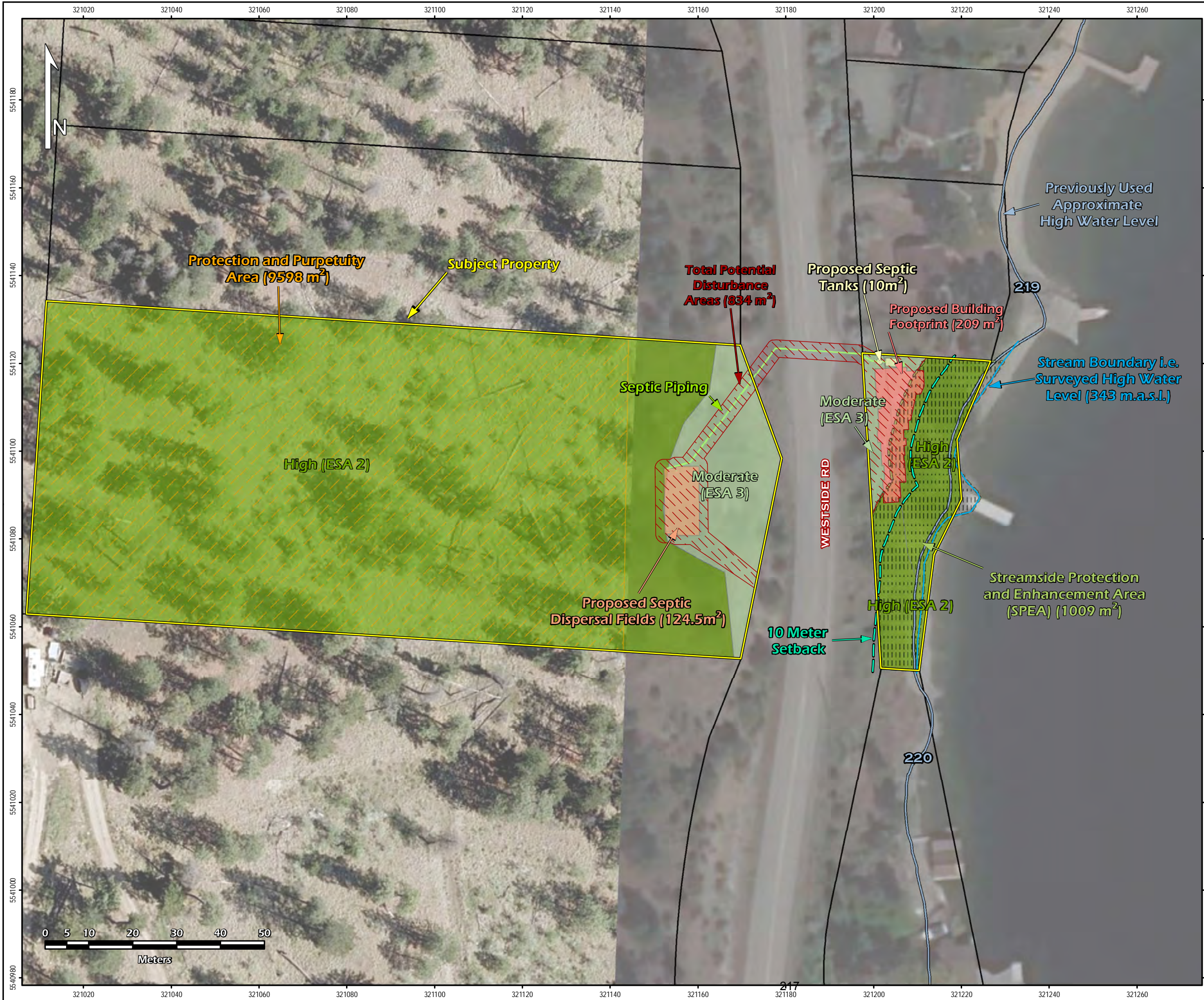


FIGURE 5

Impact Assessment

Project:	Environmental Assessment
Location:	Regional District of Central Okanagan
Project No.:	19-3064
Prepared for:	Maloney Construction Ltd.
Prepared by:	Ecoscope Environmental Consultants Ltd. Josh Castanier, GIS Technician
Coordinate System:	NAD83-UTM Zone 11
Imagery:	ESRI World Imagery
Map Date:	February 22, 2021

LEGEND

Development Disturbance Area

Protection and Purpetuity Area

Proposed Building Footprint

Proposed Septic Tanks

Proposed Dispersal Bed

Subject Property

Cadastre

Streamside Protection and Enhancement Area (SPEA)

Stream Boundary i.e. Surveyed High Water Level (343 m.a.s.l.)

10 Meter Setback

Proposed Septic Piping

Foreshore Inventory and Mapping (FIM)

Environmental Sensitivity Rating

Very High (ESA 1)

High (ESA 2)

Moderate (ESA 3)

Low (ESA 4)

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FIGURE 6

Restoration Plan

Project:	Environmental Assessment
Location:	Regional District of Central Okanagan
Project No.:	19-3064
Prepared for:	Maloney Construction Ltd.
Prepared by:	Ecoscope Environmental Consultants Ltd. Josh Castanier, GIS Technician
Coordinate System:	NAD83-UTM Zone 11
Imagery:	ESRI World Imagery
Map Date:	February 22, 2021

LEGEND

- Stream Boundary i.e. Surveyed High Water Level (343 m.a.s.l.)
- Streams and Rivers
- Subject Property
- Cadastre
- Streamside Protection and Enhancement Area (SPEA)
- Restoration Area
- New Coniferous 'NC'
- New Deciduous 'ND'
- Shrub 'A' Red-osier Dogwood
- Shrub 'B' Prickly Rose
- Shrub 'C' Common Snowberry
- Shrub 'D' Tall Oregon Grape
- Shrub 'E' Saskatoon
- Shrub 'F' Nootka Rose
- Shrub 'G' Common Rabbit Brush
- Proposed Building Footprint

**Note: A total of 255 shrubs and 35 trees for a total restoration area of 758 m² is required*

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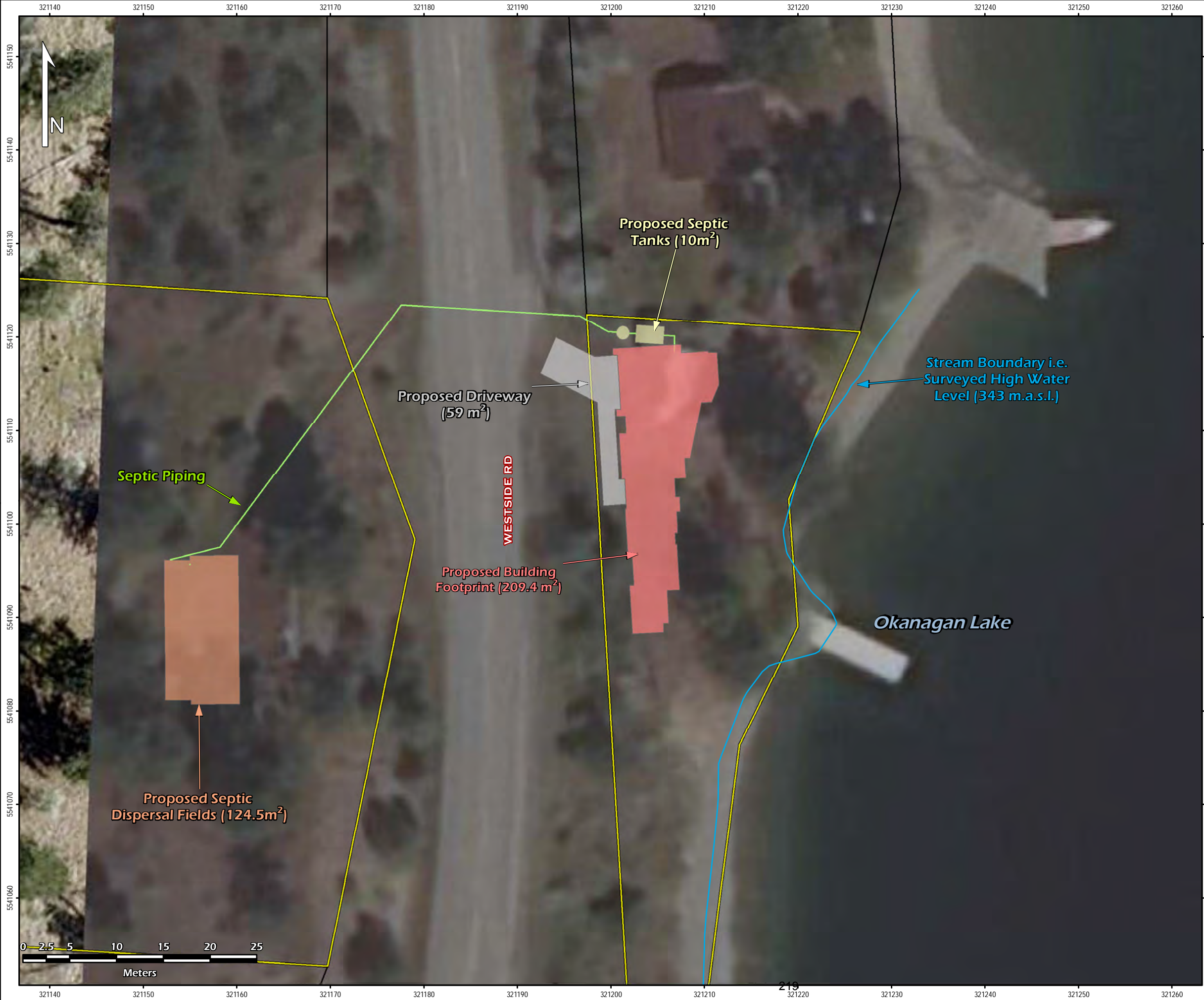


FIGURE 7

Access Road Assessment

Project:

Location:

Project No.:

Prepared for:

Prepared by:

Coordinate System:

Imagery:

Map Date:

Environmental Assessment

Regional District of Central Okanagan

19-3064

Katawa Construction Ltd.

Ecoscape Environmental Consultants Ltd.
Josh Castanier, GIS Technician

NAD83-UTM Zone 11

ESRI World Imagery

February 22, 2021

LEGEND

- Subject Property
- Cadastre
- Proposed Driveway
- Proposed Development
- Proposed Septic Tanks
- Proposed Dispersal Bed
- Proposed Septic Piping
- Stream Boundary i.e. Surveyed High Water Level (343 m.a.s.l.)

DISCLAIMER
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**APPENDIX A:
DESIGN DOCUMENTS PROVIDED BY MULLINS DESIGN
GROUP**



FRONT ELEVATION

SHEET NUMBER

1/5

SCALE: 1/4" = 1'

DATE : JUNE-03-2020

KATAWA CONSTRUCTION

PROPOSED PROJECT FOR

2223 WESTSIDE RD

ECOSCAPES BUILDABLE AREA

UNIT 203 - 1889 SPALL RD.

Kelowna BC V1Y 4R2

Bus: (250) 717-3415

Cell: (250) 258-7819

E-mail: mullinsdrafting@shaw.ca





UNIT 203 - 1889 SPALL RD.
Kelowna BC V1Y 4R2
Bus: (250) 717-3415
Cell: (250) 258-7819
E-mail: mullinsdrafting@shaw.ca

MULLINS
DESIGN GROUP

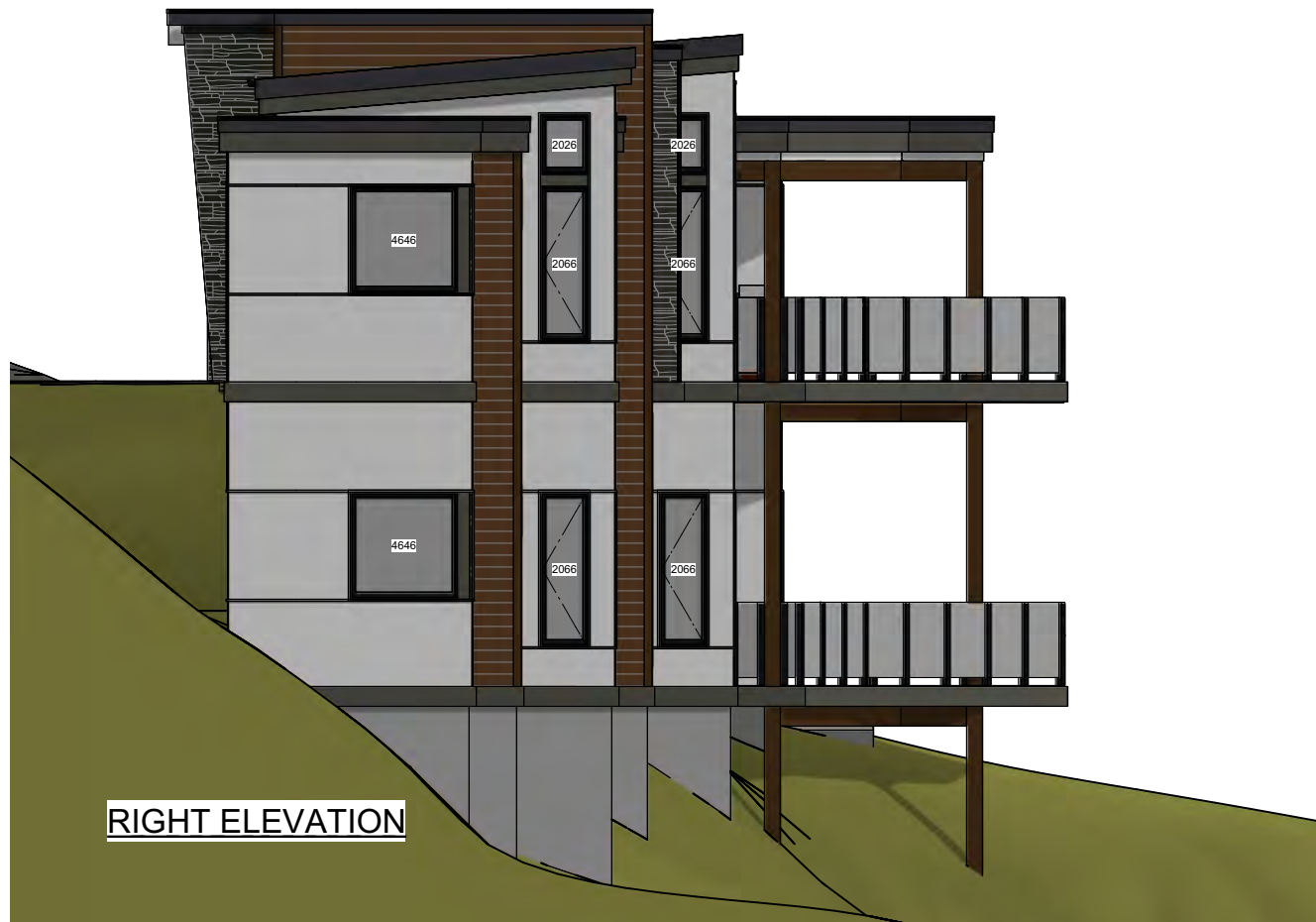
PROPOSED PROJECT FOR
2223 WESTSIDE RD
ECOSCAPES BUILDABLE AREA

KATAWA CONSTRUCTION

SCALE: 1/4" = 1'
DATE : JUNE-03-2020

SHEET NUMBER

2/5



SHEET NUMBER

3/5

SCALE: 1/4" = 1'

DATE : JUNE-03-2020

KATAWA CONSTRUCTION

PROPOSED PROJECT FOR

2223 WESTSIDE RD

ECOSCAPES BUILDABLE AREA

UNIT 203 - 1889 SPALL RD.

Kelowna BC V1Y 4R2

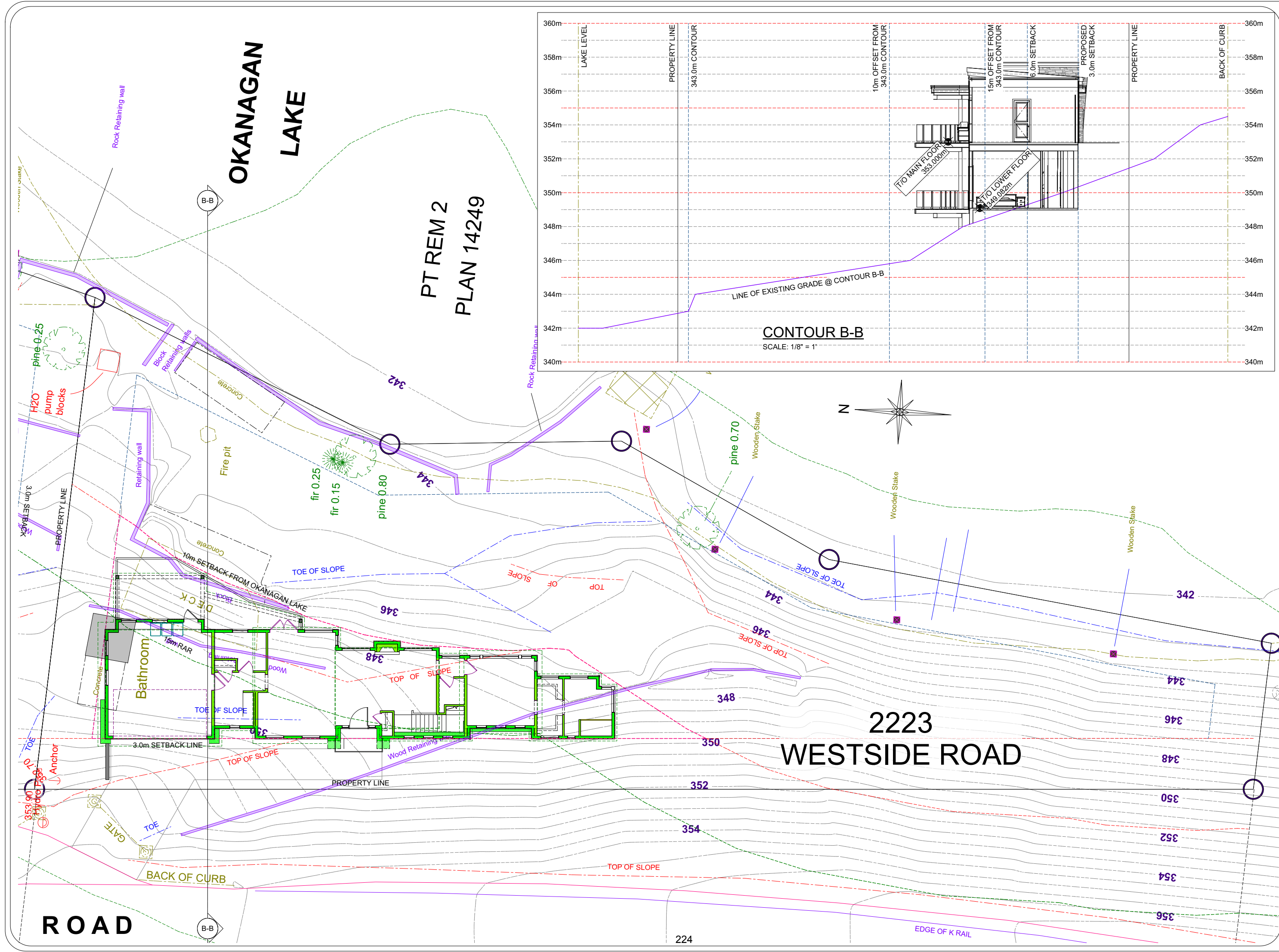
Bus: (250) 717-3415

Cell: (250) 258-7819

E-mail: mullinsdrafting@shaw.ca



MULLINS
DESIGN GROUP

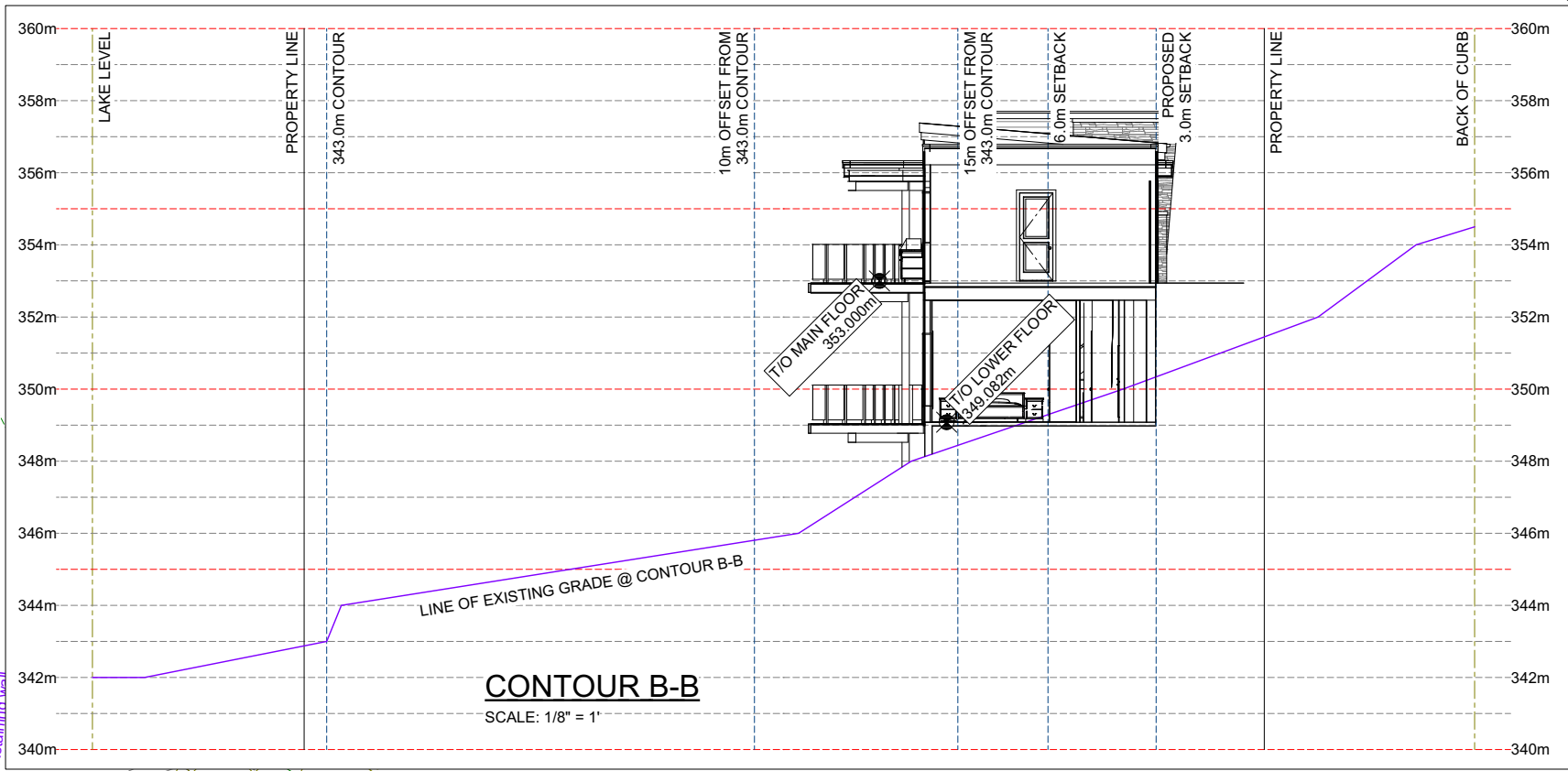


OKANAGAN LAKE

PT REM 2
PLAN 14249

2223
WESTSIDE ROAD

ROAD



CONTOUR B-B
SCALE: 1/8" = 1'

SHEET NUMBER

4/5

SCALE: 1/4" = 1'

DATE : JUNE-03-2020

KATAWA CONSTRUCTION

PROPOSED PROJECT FOR

2223 WESTSIDE RD

ECOSCAPES BUILDABLE AREA

UNIT 203 - 1889 SPALL RD.
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MULLINS
DESIGN GROUP

**APPENDIX B:
GEOTECHNICAL HAZARD ASSESSMENT REPORT FROM
BEACON GEOTECHNICAL LTD.**



BEACON GEOTECHNICAL LTD.

January 30, 2021

Beacon File No: 20-J2645

Maloney Construction Ltd.
c/o Ecoscape Environmental Consultants Ltd.
#102 – 450 Neave Court
Kelowna, B.C.
V1V 2M2

Attention: Mr. Kathy Maloney-Johnson

Re: Geotechnical Hazard Assessment – 2223 Westside Road, RDCO

1.0 Introduction

Beacon Geotechnical Ltd. (Beacon) understands that Maloney Construction Ltd. (Maloney) proposes to construct a single-family home on the property located at 2223 Westside Road, in the Regional District of Central Okanagan (RDCO). As part of the permitting process, Beacon has been retained by Maloney to carry out a geotechnical hazard assessment of the property. The purpose of the assessment was to identify geotechnical hazards that may exist on the site which would impact the proposed development and to provide recommendations for construction of the project. This letter summarizes our observation and presents our comments.

This letter is a revision to our original letter prepared for this project, dated September 8, 2020. This revision supersedes all comments and recommendations presented in the previous letter.

We understand that this letter will form part of an application to reduce the riparian setback on the lot from 15 metres to 10 metres to provide sufficient room to construct the proposed home. A floodplain assessment and a septic field design, prepared by others, will also form part of the application.

The property lies within the area governed by the Rural Westside Official Community Plan Bylaw No. 1274, adopted December 13, 2010 and revised April 28, 2014 (Bylaw). The property is identified in Map 5b (South) of the Bylaw as being within the Hillside Development Permit Area as a portion of the property exceeds a gradient of 30%. As such, a geotechnical hazard report is to form part of the development permit application. The purpose of the report is to ensure sensitive development on affected areas and to minimize risk to the development and to any adjacent properties and the environment. Appendix 4 of the Bylaw presents the Hillside Development Permit Area Objectives and Design Guidelines. Beacon has reviewed these guidelines and this report has been prepared such that the project follows its intent.

This report addresses geotechnical hazards such as mud flows, debris flows, debris torrents, erosion, land slip, rock falls or subsidence. The report does not address wildfires and flooding. It is important to note that the RDCO does not provide a definition for acceptable levels of safety. For this reason, Beacon has assumed the definition of safe as described by the City of Kelowna, an adjacent Municipality, of the probability of occurrence of less than 2% in 50 years or 1:2,475 of a hazard affecting the property.

2.0 Site Description

The property is legally described as Lot 2, Plan KAP14249. It is roughly rectangular in shape and encompasses approximately 1.3 hectares. It is bounded to the north, south and west by residential lots of similar dimensions and to the east by Okanagan Lake. The property is zoned as RU3. The current lot plan is shown as the attached Figure 1.

Westside Road bisects the property in a north-south direction and approximately 85% of the property lies to the west of the road. The topography on the west side of Westside Road slopes up to the west at approximately 50% (Photo 1) and continues to rise beyond the property line at a similar slope for a distance of approximately 1.5 kilometres. The total vertical grade difference on the western side of the lot is approximately 72 metres. A ravine traverses this side of the property in an east-west direction, through the middle of the lot (Photo 2). The ravine is approximately 15 to 20 metres across and up to 5 metres deep. No evidence of recent flow was noted in the ravine and it is likely that it was created as a drainage relic from the retreat of the last glacial event in the valley. However, it is likely that the area is a preferential drainage path for groundwater in the area.

The property on the west side of the road is vegetated with sparse, mature, coniferous trees and indigenous grasses and shrubs. Bedrock outcrops were noted at several locations on the slope (Photo 3), particularly near the ravine area. Isolated, shallow soil exposures were noted on the slope and indicated that the site is underlain by a thin veneer of forest litter overlying granular material (Photo 4).

The remaining 15% of the property, east of Westside Road, encompasses approximately 0.12 hectares. The area is roughly triangular-in-shape and is bounded to the east by Okanagan Lake, the west by Westside Road and to the north by 2235 Westside Road. From Westside Road, the property grades down towards Okanagan Lake a vertical distance of 14 metres. The area is benched, with three retaining walls used to maintain the horizontal spaces between the benched areas. The upper wall is constructed of mortared masonry blocks and is approximately 2 metres in height (Photo 5). The lower wall is constructed of mortared cobble sized rock and is approximately 1.5 metres in height (Photo 6). A third wall is constructed of railway ties and appears to be in the process of failing by decay of the wood. A narrow driveway provides access to the benched sites from Westside Road. A small deck and out-building are located on the benched area.

The property in the area is sparsely vegetated with both coniferous and deciduous trees, lawn and shrubs. Steep bedrock outcrops were observed immediately below the road on the southern end of the triangular area. In other areas, soil exposures were noted to consist of silty sand and gravel. It appears that the granular soils have been disturbed as part of the construction of the retaining walls and benched areas. Beach deposits of sand and gravel were noted to the east of the cobble retaining wall.

3.0 Project Description

We understand that it is proposed to construct a new, single-family residence on the lot at the location shown on Figure 2. The home will be a two-storey, wood -frame structure with a footprint of approximately 175 square metres. The proposed home is situated on the benched topography of the lot east of Westside Road. The building location has been designed to accommodate a 10 metre riparian setback. Preliminary designs indicate that the home will be founded on conventional, shallow strip and pad spread footings. It is intended to maintain the lower cobble retaining wall to provide flooding and erosion protection to the foundations. Recommendations for the erosion protection are provided by others. The home will pump lake water from the lake for domestic use and will pump the sanitary effluent to the septic field located on the west side of Westside Road. No storm service is provided.

It appears the proposed building footprint is situated over the disturbed soils and that some site grading work, including rock removal, may be required to achieve a suitable bearing surface for the foundation. Where required, un-suitable, random fill, placed previously will be removed and replaced with compacted granular structural fill. It is likely that the masonry wall and the timber crib wall will need to be demolished as part of the site grading and foundation works for the new home.

4.0 Desktop and Field Reviews

Beacon carried out a site reconnaissance of the property on March 11, 2020. At that time, photographs were taken, and observations and measurements of the soil, bedrock, general topography and vegetation were recorded. Beacon has also carried out a review of available aerial photographs of the general area. The purpose of the review was to identify geological hazards that may adversely affect development of the property or adjacent properties. Beacon has considered the proposed changes to the site required for the construction of the home as part of our review based on the probability of occurrence of less than 2% in 50 years or 1:2,475.

The following provides a description of the geotechnical hazards associated with the development and of the effect that the hazards may have on the development and recommendations to provide a safe buildable area for the proposed home.

5.0 Geological Hazard Description

East Side of Westside Road: Based on the results of our desktop and field review and our understanding of the project, we are of the opinion that there is little risk to the proposed house location from hazards such as landslip, rock fall or debris torrents on the east side of Westside Road, as shown on Figure 2. However, the uncontrolled fill within the proposed building footprint has the potential to cause excessive total and differential settlement. A detailed subsurface investigation of the existing soil conditions must be carried out prior to construction of the home to determine suitable recommendations for site preparation, including grading the site to support the home.

West Side of Westside Road: From the shoulder of Westside Road, the topography of the lot rises to the west to a plateau at a height of approximately 700 metres above Okanagan Lake at a relatively unbroken grade of approximately 2(H):1(V). Based on existing exposures, the soil profile consists of sand and gravel. The material is likely outwash deposits from the retreat of the last glacial period, 12,000 years ago. Based on published correlations, we estimate the natural sand and gravel to have the following strength parameters:

Angle of Internal Friction:	36°
Unit Weight:	21 kN/m ³
Cohesion:	0 kPa

The extent of the bedrock surface has not been investigated in this area of the site, however, bedrock outcrops were noted on the upper reaches of the property, near the ravine and bedrock is exposed on the east side of Westside Road, immediately south of the site. No evidence of recent slope instability was noted either during our reconnaissance or from on aerial photos of the lot. No evidence of rockfall, such as isolated boulders or talus slopes were noted and the bedrock exposures creating the source of a rockfall were limited in extent.

Beacon has prepared a cross section through the slope representing the natural, undisturbed topography. Using the cross section and the strength parameters above, we carried out a slope stability analysis. The analysis indicates that the slope, in the undisturbed condition, has a factor of safety of 1.52. The standard of practice requires a minimum factor of safety of 1.5 for global stability for residential development.

Development of the west side of the property will require a significant amount of disturbance to the natural slope. Construction of a home at the elevation of Westside Road would require a minimum of a 12-metre horizontal cut into the existing slope to allow for the home and a reasonable setback from the road. Assuming a two-storey walk-up building, a rear yard of 3 metres would require the construction of a 7-metre-tall retaining wall (Figure 4). A temporary slope required for construction of the project would extend up the natural topography a horizontal distance of approximately 58 metres. This is represented as Limit of Disturbance – Option 1 on Figure 1.

A second scenario may include the construction of a home on the level pad proposed for the septic field. The slab on grade would be at an elevation of approximately 360 metres or 4.5 metres above Westside Road. Similar to the first scenario, construction of a home at this elevation would require a minimum of a 9-metre horizontal cut into the existing slope. A similar home with no level front yard and a 3-metre rear yard will require the construction of a 4.2-metre-tall retaining wall (Figure 5). A temporary slope required for construction of the project would extend up the natural topography a horizontal distance of approximately 48 metres. This is represented as Limit of Disturbance – Option 2 on Figure 1. In addition to the disturbance created by the construction of the home, a driveway must also be constructed. According to RDCO bylaws, the driveway must be no steeper than 2% for the first 6 metres from the road and must be near perpendicular to centre line of Westside Road. To achieve the grade, the driveway can be no steeper than 12%. While there is sufficient lineal distance to achieve a driveway to the proposed home, additional retaining wall will be required along the upslope side and potentially on the down slope side. The temporary excavations will extend a similar distance up the slope as for the construction of the home.

It should be noted that the construction of both scenarios would require the removal of all trees in the area of disturbance, likely altering the groundwater flow in the area.

Based on our review of the project, geotechnical hazards associated on the west side of the property include slope instabilities created by disturbance of the natural topography. Final and temporary slope configurations required for construction of a home on the west side of the property require significant excavation and slope re-construction. Provided the retaining walls can be designed to achieve a factor of safety of 1.5, the final slope will be susceptible to erosion, sloughing and may alter the natural groundwater flow paths. The effect of the later may not be realized for many years.

Beacon has considered the construction of the septic disposal field designed by Franklin Engineering Ltd. The proposed field is located on the small bench above Westside Road, along the southern property line. The proposed field area is to be shared with the septic disposal area for the adjacent Lot 1 to the north. The field for Lot 2 has been designed for a two-bedroom home with an average daily volume of effluent of 1,000 litres. The field for Lot 1 has been designed for a five-bedroom home with an average daily effluent of 1,900 litres. The total area of the two fields is 8 metres by 15 metres. Construction of the field will not require a significant amount of site grading and cuts into the existing topography will be negligible.

6.0 Conclusions

Beacon Geotechnical identified the western side of the subject property as mostly undisturbed with the exception of some excavated areas adjacent to Westside Road. The geotechnical constraints on this western portion consist of steep slopes which make construction of a house within the western side of the subject property unsafe. Construction would involve excavation and movement of significant amounts of material, and construction of multiple retaining walls to enable the ability to construct a building pad for a home. An excavation of this magnitude has the potential to create an unstable soil mass within the western slope in the professional opinion of the geotechnical consultant. Thus, the western side of the subject property is “undevelopable”, and if development was to occur within the western side of the subject property, it has the potential to increase the risk of a mass movement event to unacceptable levels. The eastern side of the subject property contains minimal risk for a mass movement event, is mostly disturbed, and contains lower risks for potential geotechnical events (i.e., mass movements).

Based on our review of the project drawings and the site-specific information, it is our professional opinion that the risks from geotechnical hazards associated with construction of a home on the east side of Westside Road are significantly less than a home constructed on the west side of Westside Road for the reasons discussed above. In addition, the extent of the disturbance of the ground required for construction of a home on the west side of Westside Road is not in keeping with the objectives of the RDCO Hillside Development Guidelines presented in Bylaw 1274:

- To support rural subdivision, road building and construction on hillsides that protects and enhances the natural characteristics of the hillsides which are a significant component of the OCP area.
- To support rural subdivision, road building and construction on hillsides in a manner that minimizes damage to property (both the property under application and neighbouring property) from erosion, soil instability, rock fall, or other identified hazard.
- To support rural subdivision, road building and construction on hillsides in a manner that is sensitive to the natural topography and maximizes the retention of existing landscape, vegetation and soils.
- To support rural subdivision, road building and construction on hillsides in a manner that is responsive to the natural environment and drainage patterns

Provided the new home is constructed on the east side of the property, we recommend that a subsurface investigation be carried out within the building footprint to determine the extent of any uncontrolled fill on site and to identify a suitable bearing stratum for design and construction of the house foundation. Construction activities on site should use best practices to limit disturbances, and all disturbed areas should be revegetated or reinstated.

7.0 Closure

The recommendations presented in this report have been prepared for the construction of a single-family home as described above. Should the intended use for the property, at any time, vary from our understanding of the project, Beacon should be given the opportunity to review the project to ensure that our recommendations are both accurate and sufficient.

This report has been prepared for use by Midway Construction Ltd. and has been carried out in accordance with generally accepted engineering practice. Geotechnical engineering judgment has been applied in developing the recommendations in this report. No other warranty is made, either expressed or implied.

Use of this report is subject to the attached Geotechnical Report - General Conditions. The reader's attention is specifically drawn to these conditions as it is essential that they be followed for the proper use and interpretation of this report.

We trust that this report satisfies your present requirements. Should you have any further questions, please feel free to contact our office.

Yours truly,

Beacon Geotechnical Ltd.



Chris Wadell, P. Eng.
Geotechnical Engineer

Attachments:

- Figure 1 – Site Plan (1 page)
- Figure 2 – Proposed House Plan (1 page)
- Figure 3 – Cross Section Through Slope (1 page)
- Figure 4 – Section Through Option 1 (1 page)
- Figure 5 – Section Through Option 2 (1 page)
- Figure 6 – Photos (3 pages)
- Geotechnical Report – General Conditions (2 pages)

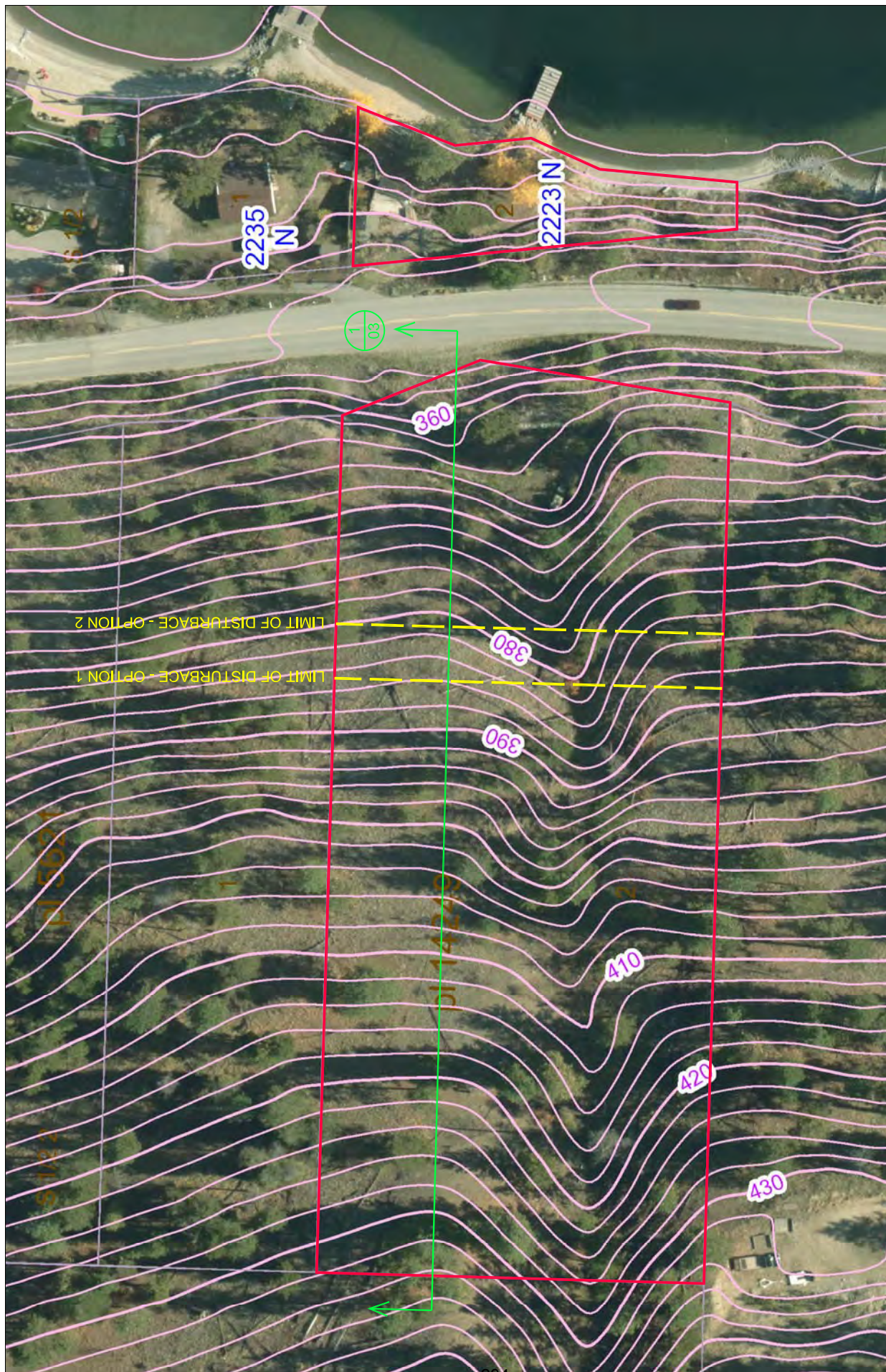


image from RDCO website

SITE PLAN

GEOTECHNICAL HAZARD ASSESSMENT

KATAWA CONSTRUCTION LTD.

2223 WESTSIDE ROAD
RDCO, BC

JUNE 2020

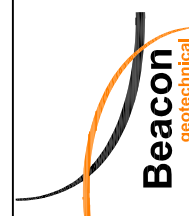
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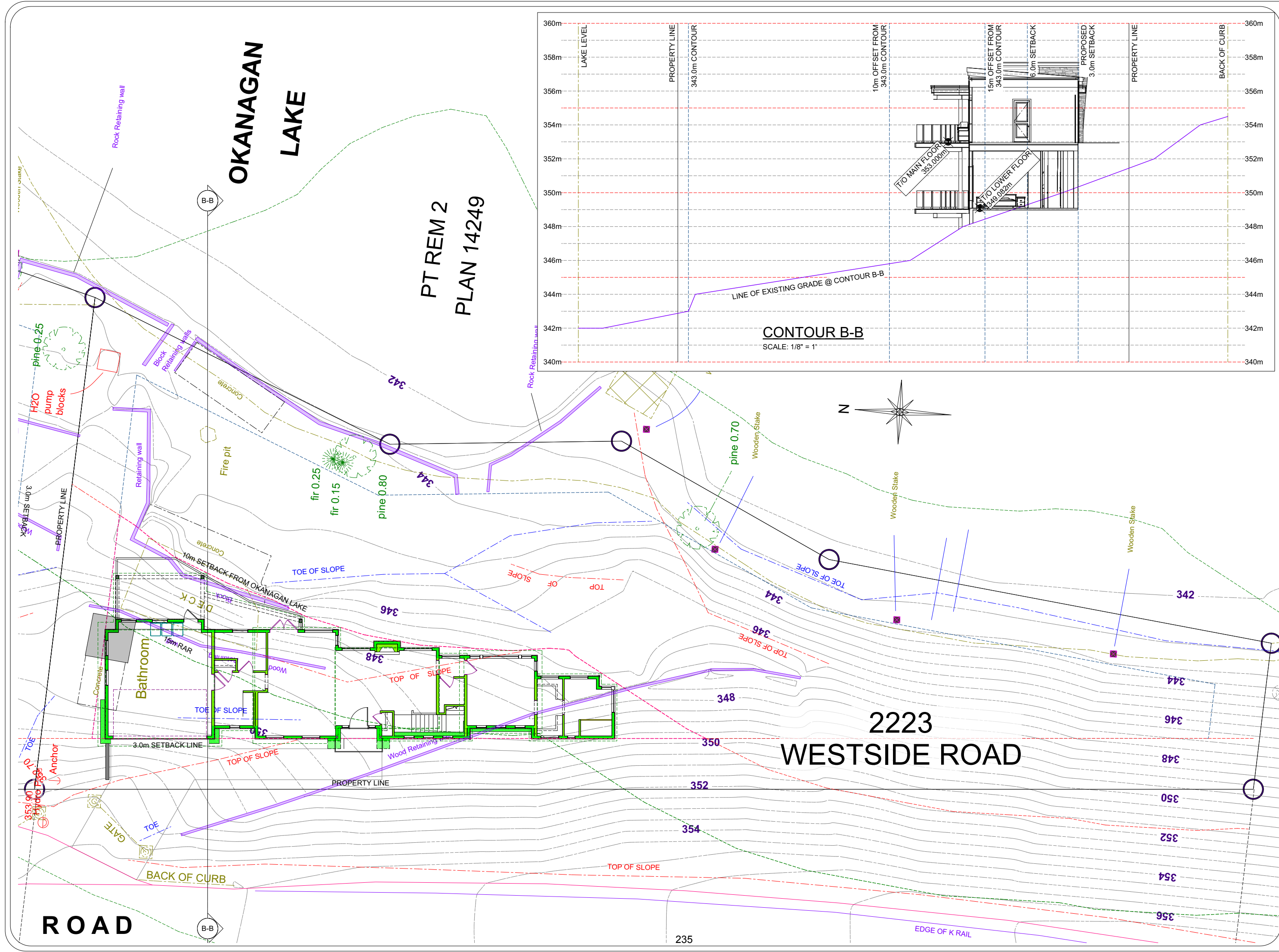
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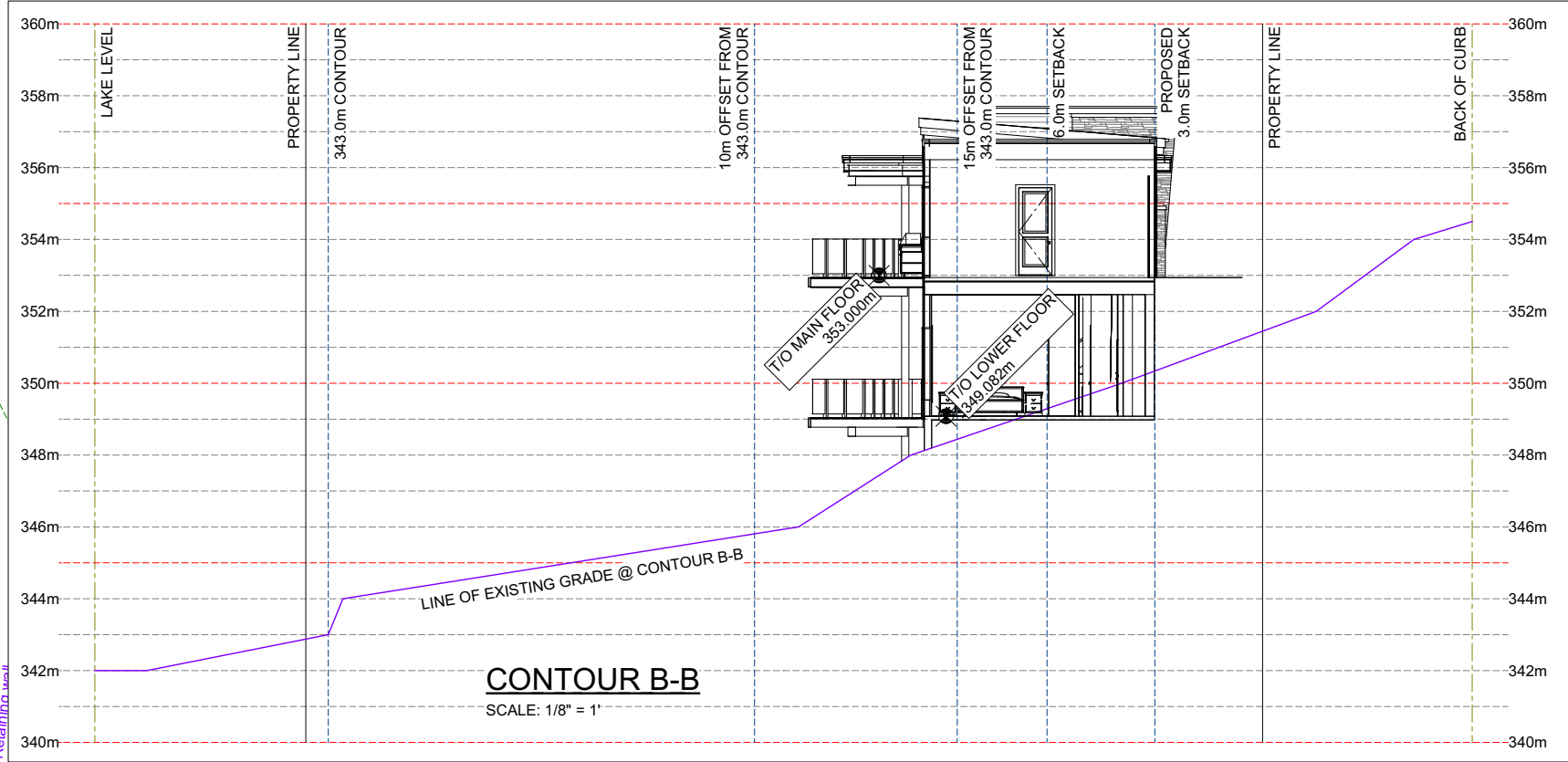


OKANAGAN
LAKE

PT REM 2
PLAN 14249

2223
WESTSIDE ROAD

ROAD



SHEET NUMBER

4/5

SCALE: 1/4" = 1'

DATE : JUNE-03-2020

KATAWA CONSTRUCTION

PROPOSED PROJECT FOR

2223 WESTSIDE RD

ECOSCAPES BUILDABLE AREA

UNIT 203 - 1889 SPALL RD.
Kelowna BC V1Y 4R2

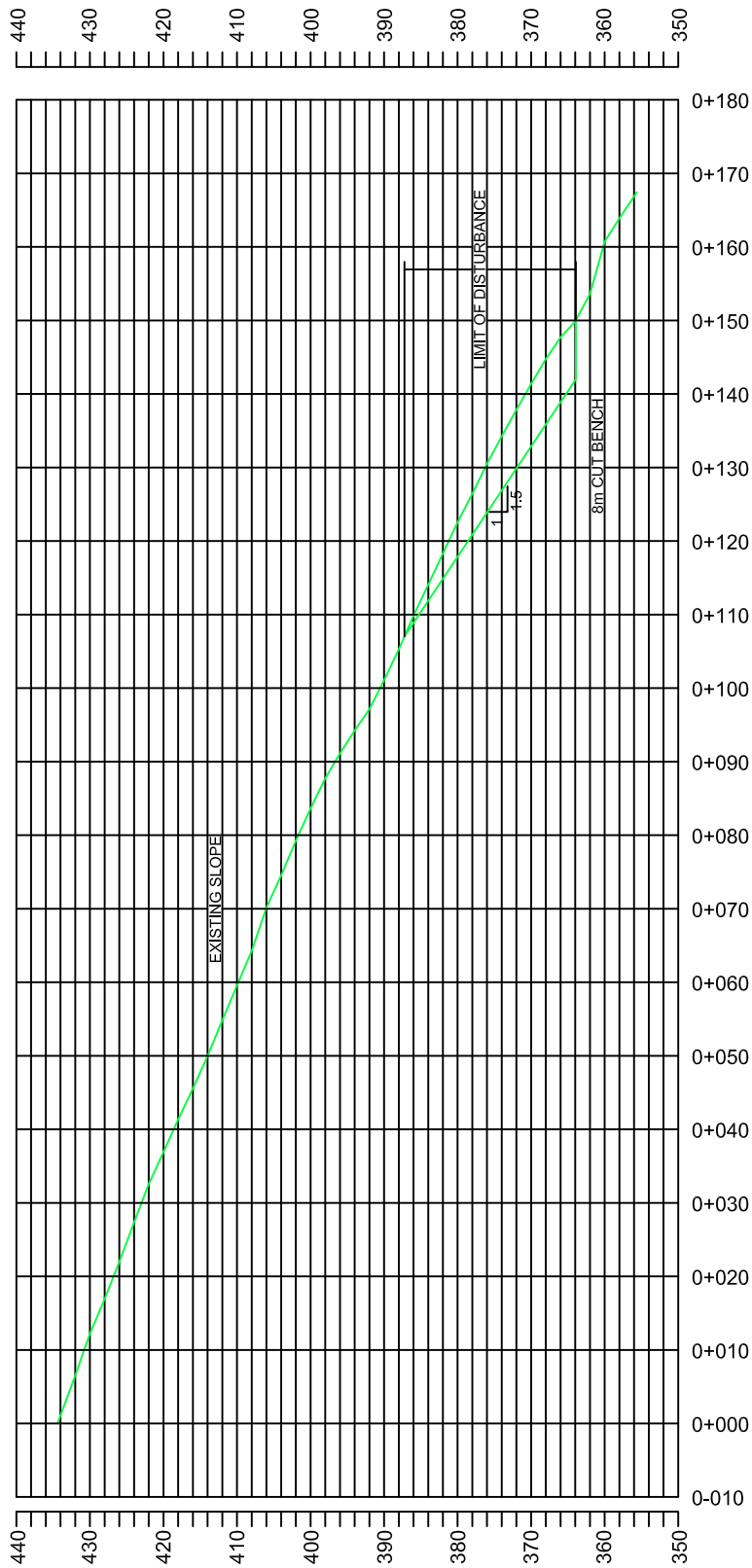
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MULLINS
DESIGN GROUP



data from RDCO website

CROSS SECTION

PROJECT: GEOTECHNICAL HAZARD ASSESSMENT

CLIENT: KATAWA CONSTRUCTION LTD.

LOCATION: 2223 WESTSIDE ROAD
RDCO, BC

DATE: JUNE 2020

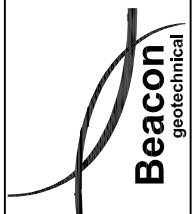
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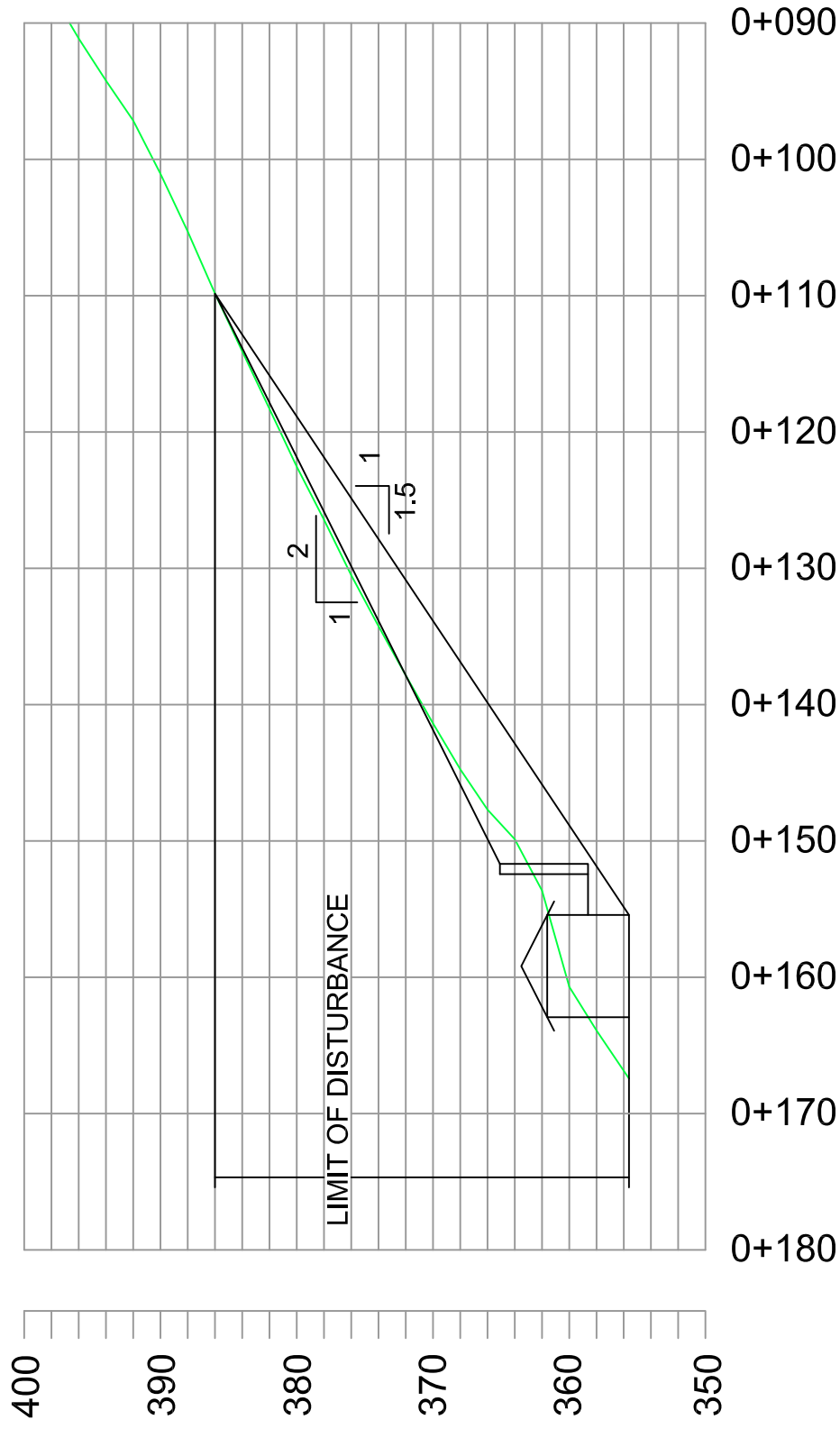
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FIGURE NO: 3





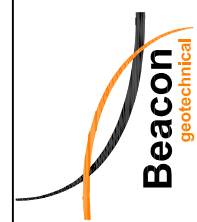
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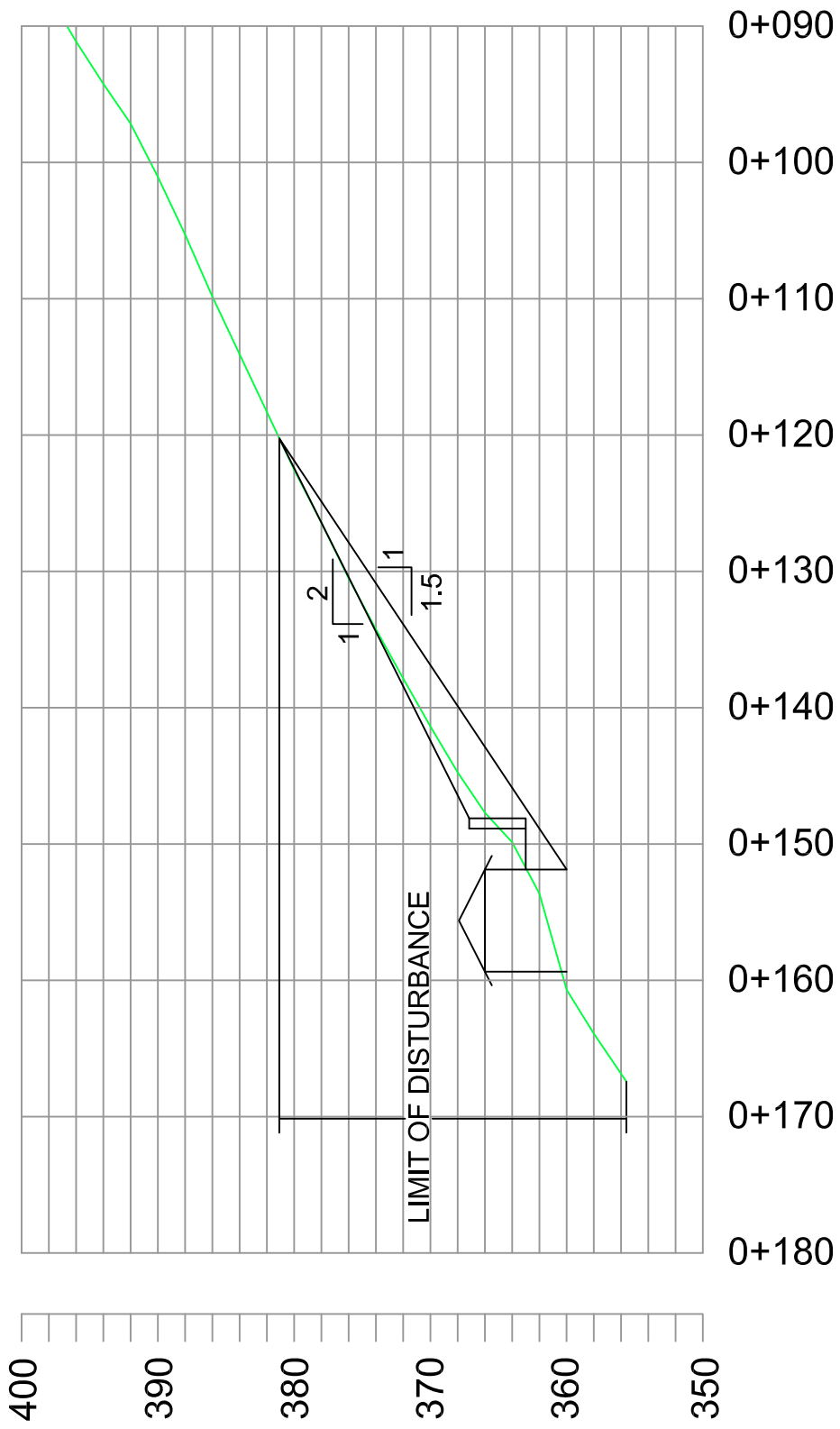
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DATE:	JUNE 2020	DRAWN BY:	CCW
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		FILE NO:	20-J2645
		FIGURE NO:	4

PROJECT: GEOTECHNICAL HAZARD ASSESSMENT

CLIENT: KATAWA CONSTRUCTION LTD.

LOCATION: 2223 WESTSIDE ROAD
RDCO, BC





data from RDCO website

SECTION THROUGH OPTION 2

DATE:	JUNE 2020	DRAWN BY:	CCW	FILE NO:	20-J2645
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GEOTECHNICAL HAZARD ASSESSMENT

CLIENT: KATAWA CONSTRUCTION LTD.
LOCATION: 2223 WESTSIDE ROAD
RDCO, BC

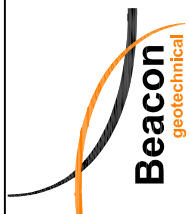




Photo 1 – Slope on West Side of Westside Road



Photo 2 – Ravine on West Side of Westside Road



Photo 3 – Bedrock Outcrop



Photo 4 – Soil Exposure



Photo 5 – Masonry Wall



Photo 6 – Rock Wall

This report incorporates and is subject to these “General Conditions”.

1. USE OF REPORT AND OWNERSHIP

This geotechnical report pertains to a specific site, a specific development and a specific scope of work. It is not applicable to any other sites nor should it be relied upon for types of development other than that to which it refers. Any variation from the site or development would necessitate a supplementary geotechnical assessment. This report and the recommendations contained in it are intended for the sole use of Beacon's client. Beacon does not accept any responsibility for the accuracy of any of the data, the analyses or the recommendations contained or referenced in the report when the report is used or relied upon by any party other than Beacon's client unless otherwise authorized in writing by Beacon. Any unauthorized use of the report is at the sole risk of the user. This report is subject to copyright and shall not be reproduced either wholly or in part without the prior, written permission of Beacon. Additional copies of the report, if required, may be obtained upon request.

2. NATURE AND EXACTNESS OF SOIL AND ROCK DESCRIPTIONS

Classification and identification of soils and rocks are based upon commonly accepted systems and methods employed in professional geotechnical practice. This report contains descriptions of the systems and methods used. Where deviations from the system or method prevail, they are specifically mentioned. Classification and identification of geological units are judgmental in nature as to both type and condition. Beacon does not warrant conditions represented herein as exact, but infers accuracy only to the extent that is common in practice. Where subsurface conditions encountered during development are different from those described in this report, qualified geotechnical personnel should revisit the site and review recommendations in light of the actual conditions encountered.

3. LOGS OF TEST HOLES

The test hole logs are a compilation of conditions and classification of soils and rocks as obtained from field observations and laboratory testing of selected samples. Soil and rock zones have been interpreted. Change from one geological zone to the other, indicated on the logs as a distinct line, can be, in fact, transitional. The extent of transition is interpretive. Any circumstance which requires precise definition of soil or rock zone transition elevations may require further investigation and review.

4. STRATIGRAPHIC AND GEOLOGICAL INFORMATION

The stratigraphic and geological information indicated on drawings contained in this report are inferred from logs of test holes and/or soil/rock exposures. Stratigraphy is known only at the locations of the test hole or exposure. Actual geology and stratigraphy between test holes and/or exposures may vary from that shown on these drawings. Natural variations in geological conditions are inherent and are a function of the historic environment. Beacon does not represent the conditions illustrated as exact but recognizes that variations will exist. Where knowledge of more precise locations of geological units is necessary, additional investigation and review may be necessary.

5. SURFACE WATER AND GROUNDWATER CONDITIONS

Surface and groundwater conditions mentioned in this report are those observed at the times recorded in the report. These conditions vary with geological detail between observation sites; annual, seasonal and special meteorologic conditions; and with development activity. Interpretation of water conditions from observations and records is judgmental and constitutes an evaluation of circumstances as influenced by geology, meteorology and development activity. Deviations from these observations may occur during the course of development activities.

6. PROTECTION OF EXPOSED GROUND

Excavation and construction operations expose geological materials to climatic elements (freeze/thaw, wet/dry) and/or mechanical disturbance which can cause severe deterioration. Unless otherwise specifically indicated in this report, the walls and floors of excavations must be protected from the elements, particularly moisture, desiccation, frost action and construction traffic.

7. SUPPORT OF ADJACENT GROUND AND STRUCTURES

Unless otherwise specifically advised, support of ground and structures adjacent to the anticipated construction and preservation of adjacent ground and structures from the adverse impact of construction activity is required.

8. INFLUENCE OF CONSTRUCTION ACTIVITY

There is a direct correlation between construction activity and structural performance of adjacent buildings and other installations. The influence of all anticipated construction activities should be considered by the contractor, owner, architect and prime engineer in consultation with a geotechnical engineer when the final design and construction techniques are known.

9. OBSERVATIONS DURING CONSTRUCTION

Because of the nature of geological deposits, the judgmental nature of geotechnical engineering, as well as the potential of adverse circumstances arising from construction activity, observations during site preparation, excavation and construction should be carried out by a geotechnical engineer. These observations may then serve as the basis for confirmation and/or alteration of geotechnical recommendations or design guidelines presented herein.

10. DRAINAGE SYSTEMS

Where temporary or permanent drainage systems are installed within or around a structure, the systems which will be installed must protect the structure from loss of ground due to internal erosion and must be designed so as to assure continued performance of the drains. Specific design detail of such systems should be developed or reviewed by the geotechnical engineer. Unless otherwise specified, it is a condition of this report that effective temporary and permanent drainage systems are required and that they must be considered in relation to project purpose and function.

11. BEARING CAPACITY

Design bearing capacities, loads and allowable stresses quoted in this report relate to a specific soil or rock type and condition. Construction activity and environmental circumstances can materially change the condition of soil or rock. The elevation at which a soil or rock type occurs is variable. It is a requirement of this report that structural elements be founded in and/or upon geological materials of the type and in the condition assumed. Sufficient observations should be made by qualified geotechnical personnel during construction to assure that the soil and/or rock conditions assumed in this report in fact exist at the site.

12. SAMPLES

Beacon will retain all soil and rock samples for 30 days after this report is issued. Further storage or transfer of samples can be made at the client's expense upon written request, otherwise samples will be discarded.

13. STANDARD OF CARE

Services performed by Beacon for this report have been conducted in a manner consistent with the level of skill ordinarily exercised by members of the profession currently practising under similar conditions in the jurisdiction in which the services are provided. Engineering judgement has been applied in developing the conclusions and/or recommendations provided in this report. No warranty or guarantee, express or implied, is made concerning the test results, comments, recommendations, or any other portion of this report.

14. ENVIRONMENTAL AND REGULATORY ISSUES

Unless stipulated in the report, Beacon has not been retained to investigate, address or consider and has not investigated, addressed or considered any environmental or regulatory issues associated with development on the subject site.

**APPENDIX C:
FLOODPLAIN EXEMPTION APPLICATION REPORT
FROM CLARKE GEOSCIENCE LTD.**

July 1, 2020

CGL Project No.: 19-0114

Wayne and Merina Maloney
c/o Kathy Maloney-Johnson
4049 Westside Road N
Kelowna, BC V1Z 3W8

Attention: Mr. and Mrs. Maloney

**RE: Floodplain Exemption (FEX) Application Report for Building Permit.
2223 Westside Road, Regional District of Central Okanagan, BC**

Clarke Geoscience Ltd. (“CGL”) was retained by Mr. and Mrs. Maloney (“owners”) to complete a floodplain exemption (FEX) application report for proposed residential development. The subject property is located at 2223 Westside Road, in the Regional District of Central Okanagan (“RDCO”), and is legally described as:

- Lot 2, Plan KAP14249, District Lot 3745, Osoyoos Division of Yale District, Except Plan KAP47451 (PID 009-053-794)

1.0 Introduction

The 1.3 ha property is zoned “RU3 (Residential-Low Density; Rural Residential)” within the RDCO. Only a small portion of the property (approx. 0.11 ha) is situated below Westside Road and is bounded on the east by Okanagan Lake (see Figure 1).

The study objectives and proposed approach are documented in a proposal, dated February 18, 2020. The study approach references the *BC Flood Hazard Area Land Use Management Guidelines* (2018) and the EGBC Professional Practice Guidelines for *Legislated Flood Assessments in a Changing Climate in BC* (2018).

The scope and objectives of this floodplain exemption assessment are to:

- comment on the suitability of a proposed building site with respect to the Okanagan Lake flood hazard;
- provide recommendations/strategies to minimize or mitigate flood hazard, if necessary; and,
- provide a signed and sealed Flood Assurance Statement (Appendix B).

2.0 Legal Context

It is understood that the owners wish to construct a single-family residence on the property and that development is subject to RDCO municipal requirements. The proposed dwelling occupies most of the buildable land below Westside Road. The lot also extends west of Westside Road. The scope of this report is to address the floodplain construction requirements as specified in RDCO Zoning By-law No. 871 (2018). The floodplain regulations (*Section 3.28*) relevant to the proposed development state the following:

- *The underside of any floor system, or the top of any pad supporting any space or room, including a manufactured home, that is used for dwelling purposes, business, or the storage of goods, which are susceptible to damage by floodwater must be above 343.66 metres (1,127.49 ft) Geodetic Survey of Canada datum for land adjacent to Okanagan Lake;*
- *Any landfill required to support a floor system or pad must not extend within the floodplain setback of 15.0 metres (49.2 ft.) from the natural boundary of Okanagan Lake¹; and,*
- *The Regional District may exempt types of development from the requirements of flood construction levels and floodplain setbacks in relation to a specific parcel of land or a permitted use, building or other structure on the parcel of land, if the Regional District considers it advisable; and has received a certified report that “the land may be used safely for the use intended”.*

The floodplain exemption report will address the owners request to vary the 15.0 m horizontal setback from the adjacent Okanagan Lake to a 10.0 m horizontal setback, and will confirm that there is no requirement to vary the current Flood Construction Level at 343.66 m.

Flood-related natural hazards are the focus of this investigation. However, other natural hazards such as shoreline erosion by wave action will also be considered. Natural hazards associated with processes occurring upslope, such as geotechnical or drainage hazards, are considered outside the scope of this investigation and are to be addressed by others.

To summarize:

The current legislated FCL @ 343.66 m GSC datum

3.0 New Information Regarding the Okanagan Lake Floodplain

Subsequent to the initiation of this floodplain exemption assessment, the Okanagan Basin Water Board released a report (Northwest Hydraulic Consultants Ltd. (NHC), 2020) and website, with updated floodplain mapping for Okanagan Lake (www.okanaganfloodstory.ca).

¹ The natural boundary, defined as the mean annual high water mark, is the elevation from which setbacks are determined and this is defined at an elevation of 343 m.

New floodplain maps show flood inundation extents, with and without freeboard. The maps also show a revised Flood Construction Level (FCL) that is based on the “design flood” plus freeboard and is based on mid-century climate (2041-2070) for long-term planning².

Updated FCLs use the 2017 peak lake level as the “design flood” and, where there are anticipated wave effects, the FCL is based on a combination of the mid-century water level, storm surge (wind set up), wave effects (wave runoff), and freeboard (0.6 m). The updated FCL for the study site as determined in the NHC (2020) study is 347.26 m and is shown on Figure 2.

To summarize:

The (not yet adopted) updated FCL, from NHC (2020) @ 347.26 m

The updated FCL is 3.6 m higher than previously legislated. Although not yet legislated in the RDCO bylaws, it is considered prudent to consider the updated FCL in the current floodplain exemption assessment, since it incorporates the best available information and considers both climate change and shoreline wave effects.

3.0 Proposed Development

A two-story single-family residence is proposed for the subject property. Design plans showing site elevations and proposed building elevations were obtained from Mullins Design Group (dated May 29, 2020) (see Figure 2). It is assumed that the hot water tank, furnace, and electric panel will be located on the lower floor.

The site plan indicates the following:

- *The lakeside edge of the residence and the landfill required to support the floor system of the residence is setback 10 m (horizontal distance) from the 343 m elevation. This will require a 5 m variance to the horizontal setback; and,*
- *the elevation of the top of the floor system of the lower story of the residence is 348.887 m. Therefore, the underside of the flood system will lie above the current, and the not-yet-adopted FCL.*

There are no details regarding post-construction site grades. Based on the drawings it appears that there may be a requirement for 2 to 2.5 m of fill placement to bring up the grade around the building foundation.

4.0 Site Conditions

A site inspection was completed by Jennifer Clarke, M.Sc., P.Geo. of Clarke Geoscience Ltd. on February 28, 2020. Okanagan Lake was seasonably low at the time of the field assessment (lake elevation measured to be ~341.7 m in Kelowna). Representative photographs taken during the site visit are included as Appendix A.

² Note that water levels on Okanagan Lake are regulated at the Penticton Dam, so FCLs assume that dam operations are able to accommodate higher and more frequent floods in the future (NHC, 2020)

It is understood that the property was originally developed in the late 1960s (Wayne Maloney, pers. comm., 2020). At the time of the assessment there was an unoccupied residence located on the property. It is located on a constructed bench accessed by a steep gravel driveway from Westside Road. To the south, the property narrows to approximately 10 m and lies adjacent to a residential lakefront property (2181 Westside Road). To the north, the property lies adjacent to a residential lakefront property (2225 Westside Road) that is also pursuing a development application.

The property below Westside Road is a steeply sloped and narrow site along Okanagan Lake with a width of ~8.7m at the south end and a width of ~29m at the north end. Existing retaining walls made of timber, concrete block, and mortared rock create a terraced slope profile across the property. These walls are shown on Figure 2. It appears that the terraced site was created from native site material, by recontouring the original slope, rather than from imported fill. However, this would need to be confirmed by the geotechnical investigation.

Along the Okanagan Lake shoreline, extending from the north property boundary to the north edge of a wooden dock, is a 2 m (approx.) high rock wall, comprised of cobbles in concrete mortar sitting on a poured concrete footing (see Photo 1). There are two staircase access points along the wall. The rock wall is in fair condition as it exhibits some cracking and displacement at the north staircase, occasional voids between the rocks, and some scour beneath the footing at the south end adjacent to the dock (see Photos 5 to 8). The footing appears to sit on native beach material and does not have riprap protection to prevent scour from waves.

The beach area in front of the wall is comprised of sand, but the foreshore area substrates are coarse gravels and small cobbles. Since the property lies parallel to the predominant north-south wind direction, the property is not in direct line of attack by waves. Longshore sediment transport is somewhat sheltered by points of land to the south and north of the subject property. It appears that the small rock groyne upon which the dock sits, creates a small area of scour as waves refract around the point. North of the dock is a sheltered zone of sandy deposition (see Photo 9).

The shoreline at the south end of the subject property has scattered rock along the toe of the slope, but is otherwise unprotected from wave action. Bedrock was observed along the toe of the slope at the shoreline. While subject to minor surface raveling down from the edge of Westside Road, the slope is unlikely to be destabilized and undercut by wave action along the toe. A short (est. 10 m long) section of unprotected fill material, and the base of a timber retaining wall, is vulnerable to erosion and instability (see Photos 2-4 and 10).

Above the shoreline rock wall there is a 9 to 11 m wide flat area, with several mature conifer trees, turf grass, areas of concrete patio, and bare soil (see Photos 11-14).

4.1 2017 Okanagan Lake Flood Effects

In the spring of 2017, lake levels on Okanagan Lake peaked at 343.25 m. Still water lake levels did not reach the top of the shoreline rock wall. However, wave action at high lake levels likely overtopped the wall at times.

5.0 Floodplain Hazard Assessment

The following sections provide a qualitative assessment of potential flood hazard to the subject property that is based on professional opinion and judgement. Flood hazard is expressed as the potential for inundation by Okanagan Lake, and the potential for loss of property by shoreline erosion.

Based on a review of historical imagery, recorded past flood events, and site conditions, it is judged that the subject property is exposed to flood hazard on Okanagan Lake. The lot is steep and narrow, and the only buildable area is located at the north end of the lot. The area south of the dock is not suitable for a dwelling due to the narrow lot width. Depending on which FCL is adopted for the site, the property is exposed to at least some degree of flood hazard.

Shoreline erosion protection is offered to the remainder of the property by a rock wall that has been in place since the late 1960s. The rock wall is, however, in fair condition and there is a concern for its long-term integrity. A short (est. 10 m long) section of shoreline at the south end of the property is exposed and subject to inundation and erosion.

Because the toe of the wall lies at the approximate High Water Mark (343 m elevation), should it fail, or be removed, then there is still sufficient width for the 10 m setback. Mature conifer trees behind the wall currently enhance the protective function to the property.

6.0 Conclusions and Recommendations

A flood hazard assessment has been prepared for the subject property, located at 2223 Westside Road in the RDCO. Based on the results the investigation, the following conclusions are made:

- the subject property is situated on steep, artificially terraced ground below Westside Road adjacent to Okanagan Lake;
- the top of a shoreline rock wall lies at 344 m elevation and protects most of the property from inundation by flood waters. If the wall were to fail then there is sufficient horizontal and vertical distance for the flood effects. The potential long-term risk of erosion by waves and storm surge to the toe of the building foundation fill slope is considered to be very low.

- If the wall were to be removed then the site would require regrading back (at min. 2H:1V slope) towards the residence, with the toe of the slope starting on the subject property from the surveyed Present Natural Boundary;
- the proposed two-story residence will require a 5 m variance to the legislated 15 m setback from the 343 m elevation of Okanagan Lake;
- the elevation of the underside of the floor system of the proposed residence will exceed the legislated 343.66 m Flood Construction Level;
- although the habitable area of the residence will also meet the recently revised, but not yet legislated, updated FCL of 347.26 m, the landfill supporting the building footings may require some scour protection at this higher level;
- there is no potential to transfer flood risk from the subject property, nor impact adjacent properties; and,
- measures to enhance the protective function of the shoreline rock wall are recommended below.

Recommended mitigation measures/strategies to enhance the protective function of the rock wall include the following:

- It is recommended that the shoreline rock wall be inspected and that measures to strengthen and enhance the long-term integrity and protective function of the wall against wave action are implemented;
- If the wall remains in place then scour protection in front of, and behind, the rock wall is recommended. In front of the wall, the footing should be protected with riprap rock³. Behind the rock wall, to prevent erosion from overtopping waves, we recommend embedding a ~2 m wide riprap blanket, the cover with soil and plantings. Alternatively, protective function behind the wall may be offered through use of a geosynthetic product. The choice and application of product should be reviewed by a Qualified Professional;
- Secondary flood protection measures between the wall and the residence may include planting deep-rooted riparian shrubs and trees. Experience shows that highly vegetated areas experience less erosion than areas with turf grass or constructed shorelines;
- Shoreline erosion protection is recommended for a 10 m long (est.) section on the south side of the dock. If the toe of the foundation fill slope does not encroach this area then erosion protection may be comprised of shrub and tree planting. Otherwise, rock armour may be required. Protection measures should be designed by a Qualified Professional;
- Scour protection is recommended at the base of the building footings, or the base of the future retaining wall (or fill material) that supports the residence. All scour protection must occur on the subject property, starting at the surveyed Present Natural Boundary. Scour protection shall be designed by a Qualified Professional, and all proposed

³ Work to construct the protective measures below the High Water Mark (343 m elevation) will require a Water Sustainability Act, Section 11 application. Involving the MFLNRORD will trigger a review of the status of the structure. If found to be encroaching on Crown land, it may be ordered to be removed.

6.0 Closure

The flood hazard assessment presents a qualitative assessment based on objective and subjective evidence. The assessment applies to the specific subject property and is based on the location, surveyed topography, and information available at the time of the assessment (spring 2020). The assessment results are not transferrable to other sites in the nearby area. In the event of any notable changes to conditions on site, it is recommended that the assessment be revisited.

This report has been prepared for use by the owner, and for the specific subject property legally known as: *Lot 2, Plan KAP14249, DL 3745, ODYD, Except Plan KAP47451 (PID 009-053-794)*. This includes distribution as required for purposes for which this assessment was commissioned. The assessment has been carried out in accordance with generally accepted practice and incorporates Clarke Geoscience Ltd. terms and conditions.

Conclusions and recommendations presented herein are based on a visual site inspection, and relies upon the topographic survey completed by others. No subsurface investigation has been carried out. Professional judgment has been applied in developing the recommendations of this report. No other warranty is made, either expressed or implied. Clarke Geoscience Ltd. does not in any way accept responsibility for the potential hazards identified above, the consequences of which shall be the sole responsibility of the property owner.

We trust that this report satisfies your present requirements. Should you have any questions or comments, please contact me at your convenience,

Prepared by:

Reviewed by:

CLARKE GEOSCIENCE LTD.

Jennifer Clarke

Jennifer Clarke, M.Sc., P. Geo.
Geomorphologist



Attachments:

Figure 1 – Subject Property Location

Figure 2 – Topographic Site Plan and Profile

Appendix A - Photos 1 to 14

Appendix B – Signed Flood Assurance Statement

References:

Attachments:

Figure 1 – Subject Property Location

Figure 2 – Topographic Site Plan and Profile

Appendix A - Photos 1 to 14

Appendix B – Signed Flood Assurance Statement

References:

Association of Professional Engineers and Geoscientists. 2010. Guidelines for Legislated Landslide Assessment for Proposed Residential Development. Revised May 2010. Vancouver, BC.

Northwest Hydraulic Consultants Ltd. 2020. Okanagan Mainstem Floodplain Mapping Project. Prepared for Okanagan Basin Water Board. File No 3004430. North Vancouver, BC.

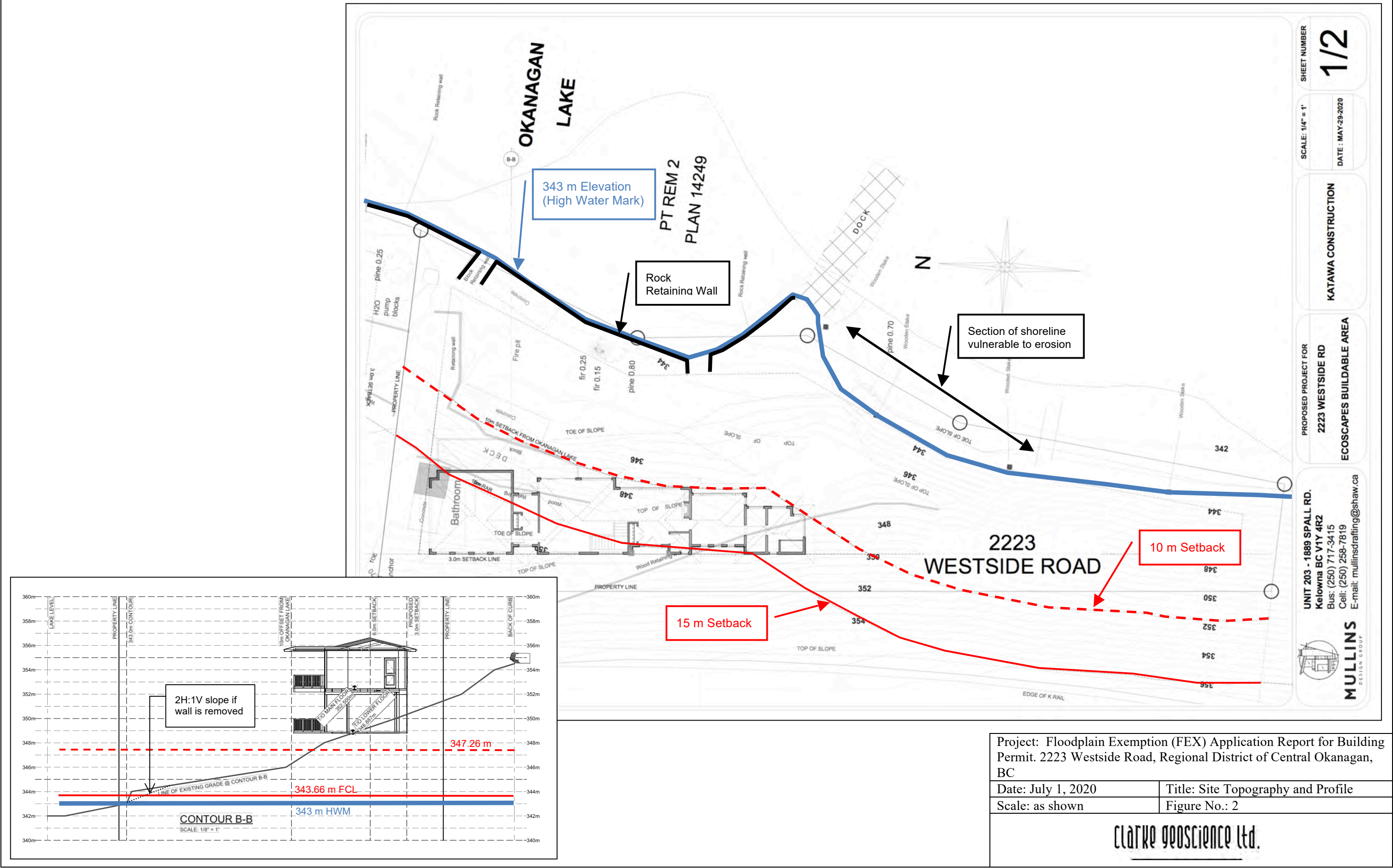
Pacific Climate Impacts Consortium (PCIC) Climate Summary for Thompson/Okanagan Region. Published on website URL: www.pacificclimate.org.

Regional District of Central Okanagan Online Mapping System. 2020.



Source orthophoto imagery (dated 2018) from RDCO (online GIS)

Project: Floodplain Exemption (FEX) Application Report for Building Permit. 2223 Westside Road, Regional District of Central Okanagan, BC	
Title: Subject Property Location	
Date: July1, 2020	Figure No.: 1
CLARKE GEOSCIENCE LTD.	



APPENDIX A – PHOTOS

APPENDIX A – PHOTOS



Photo 1: View of Lakeshore fronting 2223 Westside Road (Okanagan Lake) (line approximates 2017 high water level)



Photo 2: South side of subject property along the lake



Photo 3: South end of subject property along the lake, below Westside Road



Photo 4: Partially armoured section of shoreline at south end of subject property



Photo 5: View of scour along base of rock wall footing (poured concrete)



Photo 6: Rock wall fronting property (1.5-2 m high)



Photo 7: Concrete footing of rock wall



Photo 8: Noted voids in rock wall



Photo 9: View of north end of subject property



Photo 10: Timber retaining wall at south end of subject property below Westside Road



Photo 11: View of subject property from the south



Photo 12: View of existing retaining wall



Photo 13: View (to the north) of upland area between rock wall and retaining wall



Photo 14: View (to the south) of upland area between rock wall and retaining wall

APPENDIX B – FLOOD ASSURANCE STATEMENT

I certify that I am a Qualified Professional as defined below.

July 1, 2020

Date

Clarke Geoscience Ltd.

Prepared by

Jennifer Clarke, P.Geo.

Name (print)


Signature

5217 Benmore Court

Address

Kelowna, BC V1W 4Z3

250-826-4367

Telephone

jen@clarkegeoscience.com


Email

Dobson Engineering Ltd.

Reviewed by

Don Dobson, PEng

Name (print)


Signature



(Affix PROFESSIONAL SEAL here)

If the Qualified Professional is a member of a firm, complete the following:

I am a member of the firm **Clarke Geoscience Ltd.**
and I sign this letter on behalf of the firm.

(Name of firm)

APPENDIX D: SITE SURVEY



<p>LEGEND:</p> <p>Elevations are in metres are based on GNSS Observations.</p> <p>Contour interval – 0.5m</p>	<p>TITLE:</p> <p>SITE PLAN OF LOT 2, DISTRICT LOT 3745, OSOYOOS DIVISION</p> <p>YALE DISTRICT, PLAN 14249, EXCEPT PLAN KAP47451</p>	<p>DRAWN BY:</p> <p>RUNNALLS DENBY</p> <p><i>british columbia land surveyors</i></p> <p>259A Lawrence Avenue Kelowna, B.C. V1Y 6L2 Phone: (250)763-7322 Fax: (250)763-4413 Email: nel@runnallsdenby.com</p> <p>CLIENT:</p> <p>KATAWA CONSTRUCTION LTD.</p>	<p>SCALE:</p> <p>1:300 (22"x34")</p> <p>DATE:</p> <p>OCT. 8, 2019</p> <p>DWG:</p> <p>15567 SITE</p> <p>FILE No:</p> <p>15567</p> <p>REV.</p> <p>0</p>
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APPENDIX E: CUMULATIVE IMPACTS MEMO CREATED BY ECOSCAPE



Memorandum

Date: February 1, 2021
To: Brittany Lange, Regional District of Central Okanagan (RDCO)
From: Kris Mohoruk, B.Sc.
File: 19-3064
Subject: Memorandum regarding cumulative impacts at 2223 Westside Road, RDCO

The following memorandum relates to the proposed house construction at 2223 Westside Road (proposed works), within the Regional District of Central Okanagan (RDCO), legally described as Lot 2, Plan KAP14249, District Lot 3745 (subject property). In September 2020, an Environmental Assessment Report was created by Ecoscape Environmental Consultants Ltd. (Ecoscape) and submitted to the RDCO as apart of an application for a Development Permit (DP) for the proposed works within the property. This memorandum provides guidance to the RDCO regarding the existing cumulative impacts within the subject property, and acts as a further supplement to the EA Report created by Ecoscape.

1.0 SUMMARY OF CUMULATIVE IMPACTS WITHIN THE SUBJECT PROPERTY

To assess the existing impacts within the riparian and foreshore area of the subject property, Foreshore Inventory Mapping (FIM) was consulted. FIM is the protocol that is used to collect baseline information regarding the current conditions of a shoreline, and inventories information on shore type, substrates, land use, and habitat modifications along the shoreline (Schleppe 2016). This method is often used to describe the cumulative impacts observed along the foreshore of mapped lakes and is used by the Department of Fisheries & Oceans (DFO) in decision making processes in this sense. The eastern side of the subject property is divided between two FIM segments– 219 & 220. FIM data collected in 2016 for Segment 219 (i.e., the northern segment) indicates that the disturbance within the foreshore of the entire 385 m segment is 95% disturbed with only 5% remaining natural in residual patches. FIM Segment 220 (i.e., southern segment) is 85% disturbed and 15% natural, with most natural areas occurring below Westside Road outside of the subject property and most disturbances occurring on the subject property. This level of disturbance was reflective of what was observed during the October 30, 2019 site visit conducted by Ecoscape within the subject property. Existing impacts observed within the eastern side of the property included wooden and cement retaining walls, a wooden patio area and campfire pit, wooden shed, existing dock structure, rock retaining wall, and a wooden staircase.

The riparian values within the eastern side of the property include young to moderately aged coniferous and deciduous trees, and some shrub growth within a narrow band of various native and invasive grass species. In general, the understory has almost been

entirely disturbed from previous developments. A restoration plan with substantial plantings (290 total plantings) within the Streamside Protection and Enhancement Area (SPEA) is proposed and would aid in improving the riparian area within the subject property, helping to return it to a more natural condition, albeit still within a developed area.

The western slope of the subject property, where a no disturb covenant (i.e., long term protection for the area) is proposed, contains relatively undisturbed provincially Blue and Red-listed ponderosa pine (*Pinus ponderosa*) open pine woodland ecosystems. This area has been identified as a high value natural woodland area and is functionally connected with no barriers to Crown Lands above. Further, the western side of the property has many environmental constraints (i.e., steep grade, relatively undisturbed, high value terrestrial and wildlife habitat) making development not overly feasible. This area is relatively undisturbed beyond some cement blocks located adjacent to Westside Road and has minimal cumulative impacts in comparison to the eastern side of the property because most of the western side of Westside Rd has remained undisturbed in this general area.

The above summarizes how the proposed works will generally occur within previously disturbed areas and avoid high value terrestrial habitat in upland areas. When this is combined with the proposed restoration plan, the cumulative impacts of the proposed development will, at minimum, result in no net change in shoreline condition and impacts to the terrestrial areas will be minimal. Further, it is possible that small net gains in riparian condition will occur, *if the restoration plantings achieve maturity and are maintained appropriately*. By directing developments to the previously disturbed areas, and avoiding the higher value wildlife areas, impacts and particularly cumulative impacts would be hard to detect post construction. It should be noted that this cumulative summary has relied upon the FIM inventory and makes reach wide comparisons to consider cumulative impacts. A formalized cumulative impact assessment would require new data collection to better understand other recent changes to shoreline or terrestrial areas.

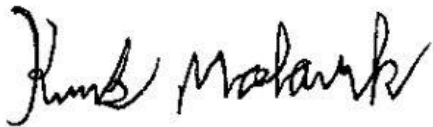
2.0 CONCLUSION

This memo has been prepared to address the cumulative impacts within the subject property. Due to the eastern side of the subject property being moderately disturbed, and risks to the terrestrial environment within the western side of the property outweighing those to the aquatic environment, any proposed development within the property should occur within the eastern side of the property. This assessment assumes that the proposed restoration plan will be implemented, and that all best management practices outlined within the EA Report created by Ecoscape will be followed.

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

Respectfully submitted,
ECOSCAPE ENVIRONMENTAL CONSULTANTS LTD.

Prepared by:



Kris Mohoruk, B.Sc.
Natural Resource Biologist
Direct Line: (250) 491-7337 ext. 207
kmohoruk@ecoscapeltd.com

Reviewed by:



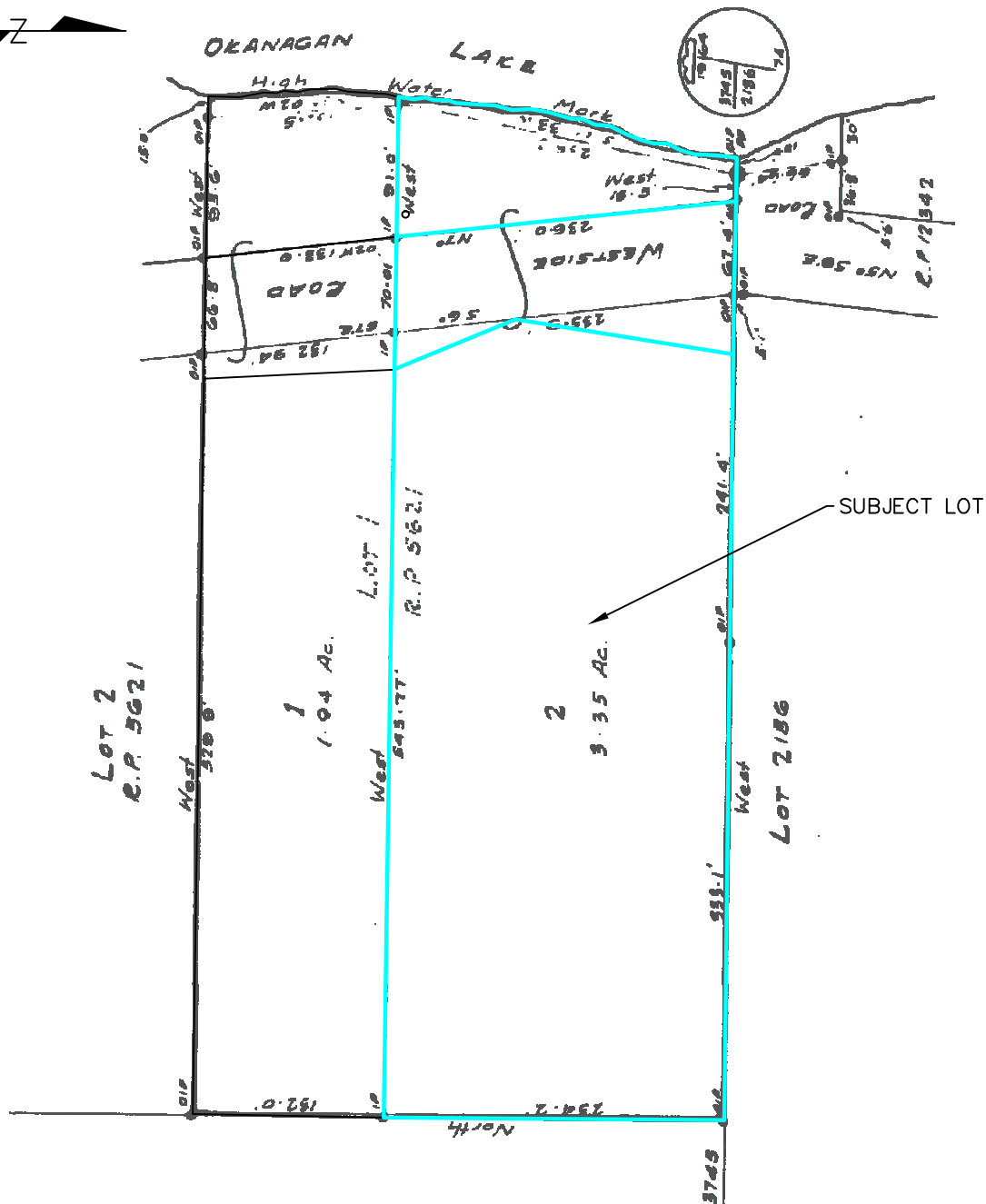
Jason Schleppe, M.Sc., R.P. Bio.
Senior Natural Resource Biologist
Direct Line: (250) 491-7337 ext. 202
jschleppe@ecoscapeltd.com

3.0 REFERENCES

Schleppe, J. 2016. Okanagan Lake Foreshore Inventory and Mapping. Prepared for: Okanagan Collaborative Conservation Program. Prepared by: Ecoscape Environmental Consultants Ltd. Project File:16-1880.

**APPENDIX F:
SEPTIC SYSTEM DESIGNS FROM FRANKLIN ENGINEERING
LTD.**

Z



Approved under the "Land Registry Act" this 3rd day of June 1964.

LEGAL PLAN
1:1500

NOTE:

THIS DRAWING IS PRELIMINARY AND NOT FOR CONSTRUCTION
UNLESS SO SEALED AND NOTATED BELOW.

BILL OF MATERIALS*			
	DESCRIPTION	MODEL	QTY
1	Leko Precast concrete dual chamber septic tank	1000 IGAL	1
2	Leko Precast concrete pump chamber assembly	48"	1
3	Eljen GSF Module	A42	16
4	Tuf-Tite Distribution Box, Plastic 7-Hole	7HD2	2
5	100mmØ (4") PVC Pipe	CSA Sewer Grade	12m (40')
6	50mmØ (2") PVC Pipe	CSA Sewer Grade	73m (240')
7	100mmØ (4") Perforated PVC Pipe	CSA Sewer Grade	20m (64')
8	Effluent-filter Assembly 1/16" - Polylok	EF-6	1
9	Valve Boxes (Optional)	6"	2
10	Aquaworx Control Panel	Simplex IPC	1
11	**Effluent pump	**	1
12	Transducer	TRN-XX	1
*	Materials List is a guide only. Actual material amounts may differ.		

**PUMP TO BE CONFIRMED - ELEVATION FROM PUMP CHAMBER TO INDEX VALVE
TO BE DETERMINED PRIOR TO PUMP SELECTION

NOTES:

PLEASE RECORD Z-BIAS NUMBER FROM TRANSDUCER ON
INSIDE OF CONTROL PANEL DOOR

SEWAGE DISPOSAL SYSTEM FOR:

L 2, PLAN KAPI4249, DISTRICT LOT 3745, ODYD, EXCEPT
PLAN KAP4745I

ASSESSMENT ROLL NUMBER:

20-723-14883.000

PID:

009-053-794

GENERAL NOTES:

- THE TANK SHALL BE LOCATED TO PROVIDE A MIN. OF 2 % FALL FOR ALL GRAVITY SEWER DRAINS.
- ROOF DRAINAGE SHALL BE DIVERTED AWAY FROM TREATMENT SYSTEM AND THE DISPOSAL AREA.
- THE DISPOSAL AREA SHALL BE COVERED TO PROVIDE SURFACE DRAINAGE AND BE PROPERLY SEEDDED OR SODDED TO PREVENT EROSION, AND PROPERLY MAINTAINED. HERBACEOUS PLANTS SUCH AS WILDFLOWERS AND GRASSES ARE GOOD CHOICES FOR PLANTING. GRASSES ARE ESPECIALLY DESIRABLE DUE TO THEIR FIBROUS ROOT SYSTEMS WHICH HOLD THE SOIL IN PLACE.
- SHALLOW ROOTED SHRUBS SUCH AS CEDARS MAY BE PLANTED ON THE SIDE SLOPE OR AT THE TOE OF THE DISPOSAL AREA.
- EFFLUENT FILTER TO BE CLEANED EVERY SIX MONTHS OF USE.
- TANKS TO BE PUMPED OUT EVERY 3-5 YEARS OR AS DEEMED NECESSARY BY SERVICE PROVIDER.
- DISTRIBUTION BOX TO BE INSPECTED ANNUALLY.
- WATER CONDITIONER, WATER SOFTENER, HOT TUB, OR SWIMMING POOL DISCHARGE CANNOT BE FLUSHED INTO THE SEWAGE TREATMENT SYSTEM.

DESIGN CALCULATIONS:

- PEAK DAILY DESIGN FLOW = 1000 L/D (220 IGPD) BASED ON A 2-BEDROOM RESIDENCE.
- DISPOSAL AREA CONSISTS OF 2 LATERALS SPACED 3' APART ON A SAND MOUND. EACH LATERAL CONSISTS OF 8 A42 ELJEN GSF MODULES = 32' (10M) TOTALING 80' (24M) FOR THE ENTIRE FIELD.
- BASAL AREA PEAK HYDRAULIC LOADING RATE = 65 L/M²

INSPECTION SCHEDULE:

- PRE-CONSTRUCTION MEETING.
- AFTER EXCAVATION OF DISPOSAL FIELD AREA- PRIOR TO PLACEMENT OF SAND.
- UPON PLACEMENT OF TANKS, PRIOR TO BACKFILLING.
- FIELD INSTALLATION COMPLETE - PIPE INSTALLED (PRIOR TO BACKFILL/LATERAL COVERAGE)

CLIENT:
MALONEY
LOT 2 2223 WESTSIDE RD

PROJECT:
20-102-S
SEWERAGE SYSTEM

TITLE:
PLOT PLAN & GENERAL NOTES

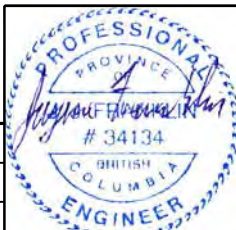
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CONSTRUCTION UNLESS SO SEALED.

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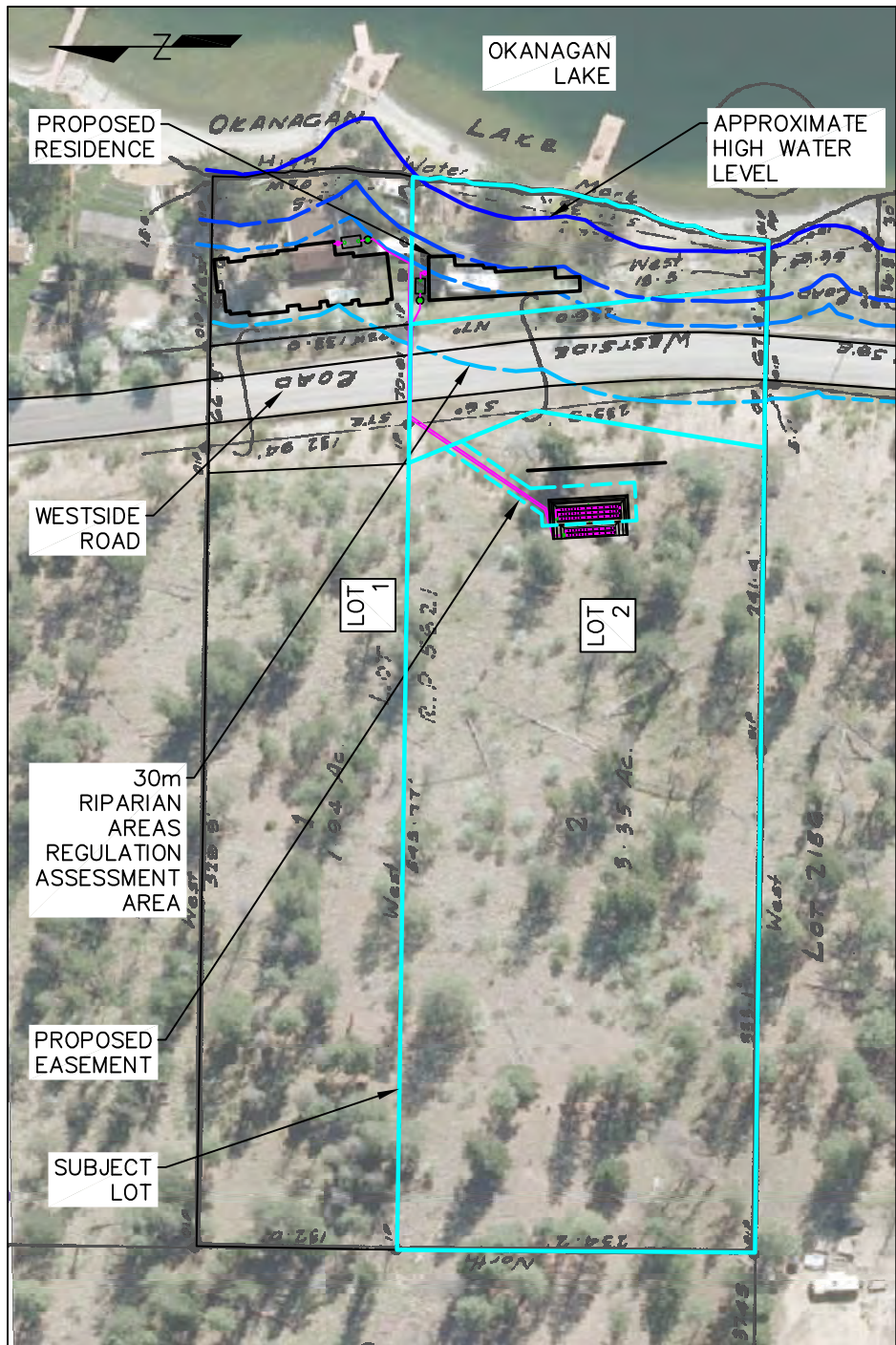
17/SEP/2020

ISSUED FOR INFORMATION

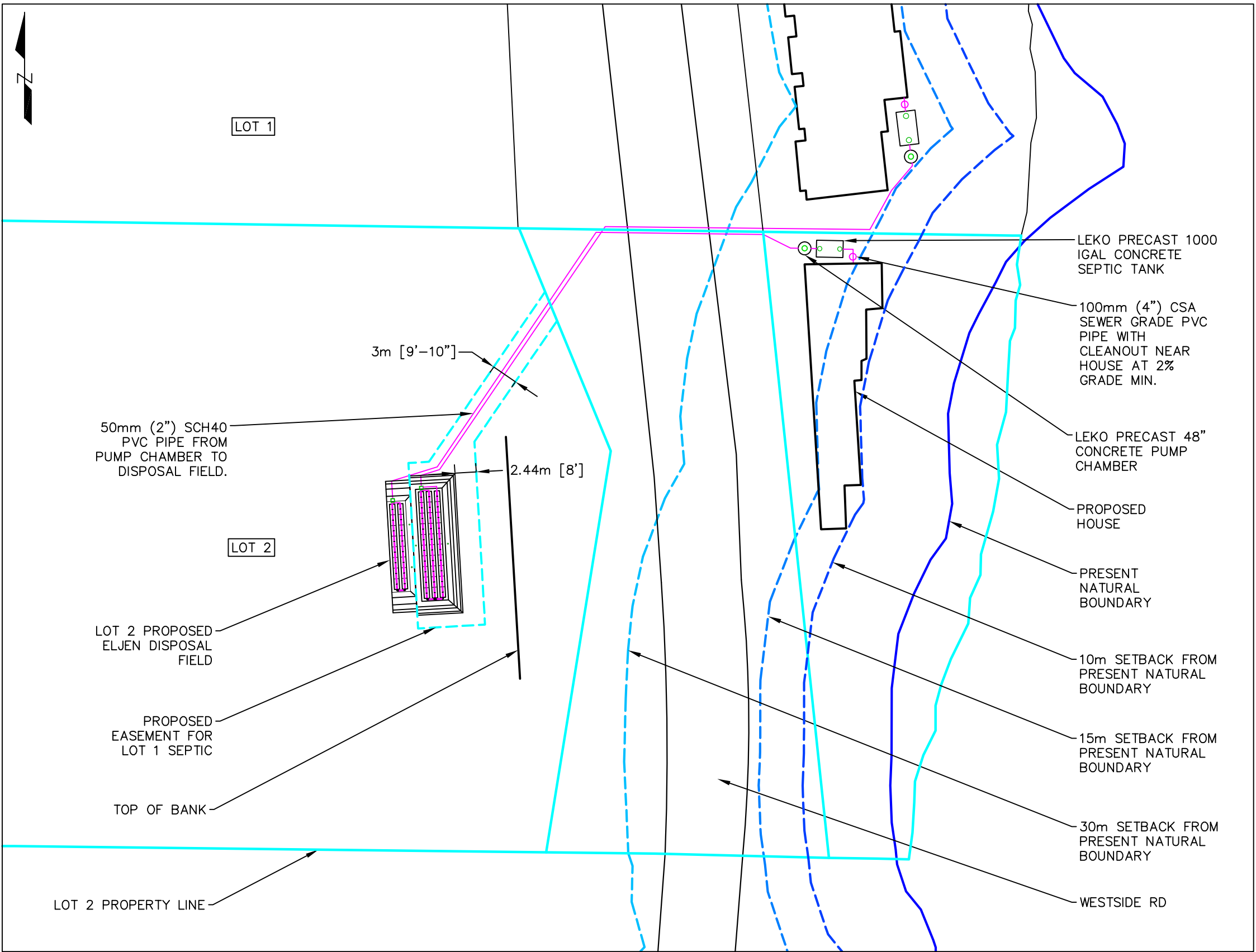


Jayme Franklin, P.Eng.
250.832.8380

DRAWING NO. 20-102-01-L2



SITE PLAN
SCALE: 1:1500



SYSTEM LOCATION
SCALE: 1:500

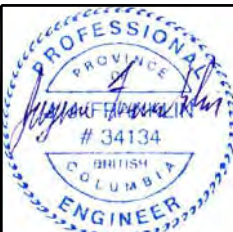
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Lot 2 2223 WESTSIDE RD

PROJECT: 20-102-S
SEWERAGE SYSTEM

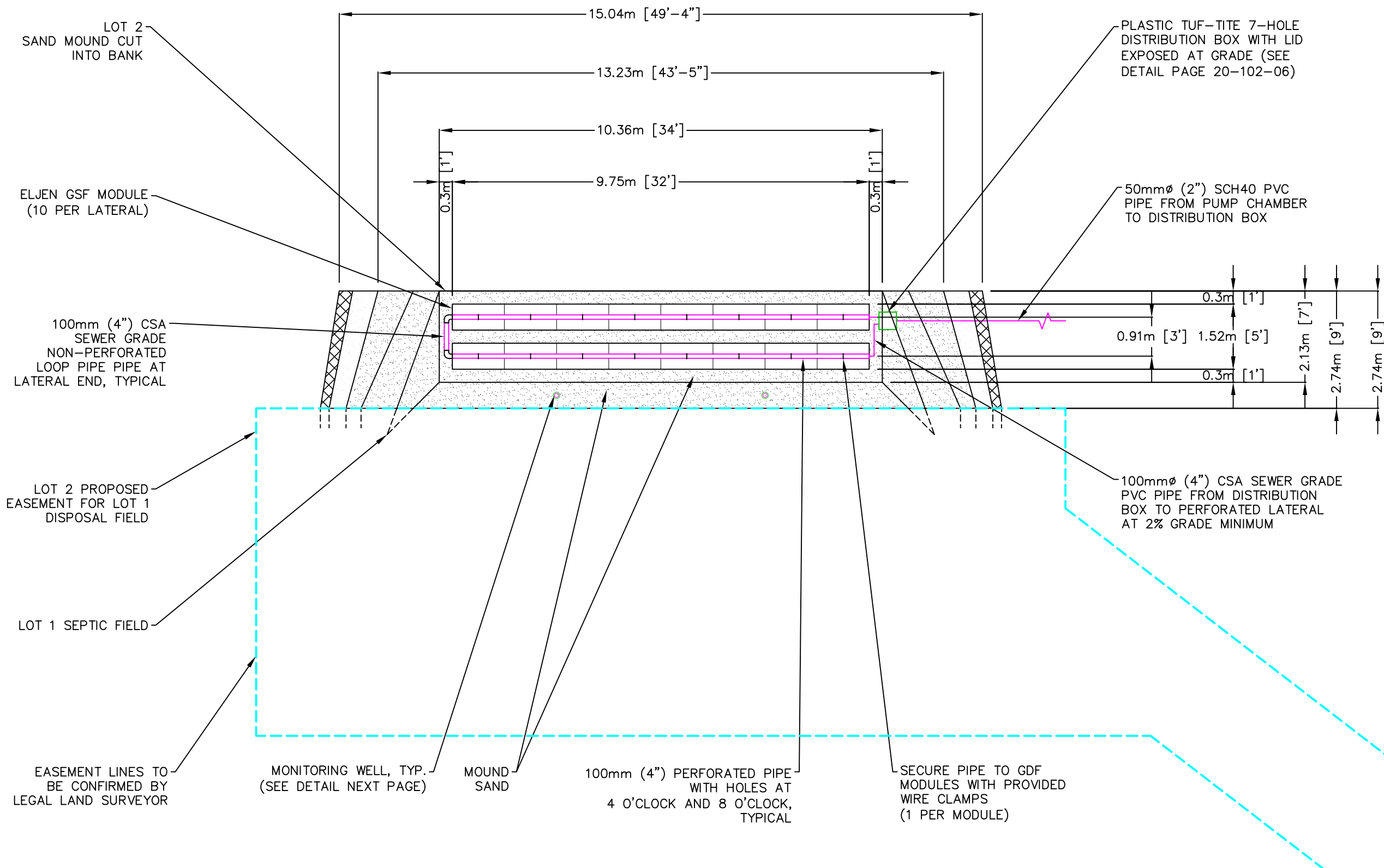
TITLE: SITE PLAN AND SYSTEM LOCATION

THIS DRAWING IS NOT FOR
CONSTRUCTION UNLESS SO SEALED.
© FRANKLIN ENGINEERING LTD.

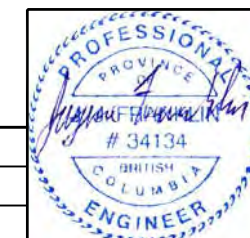
1	26/JAN/2021	ISSUED FOR UPDATE
0	17/SEP/2020	ISSUED FOR INFORMATION



FRANKLIN
ENGINEERING LTD.
Jayme Franklin, P.Eng.
250.832.8380
DRAWING NO. 20-102-02-L2

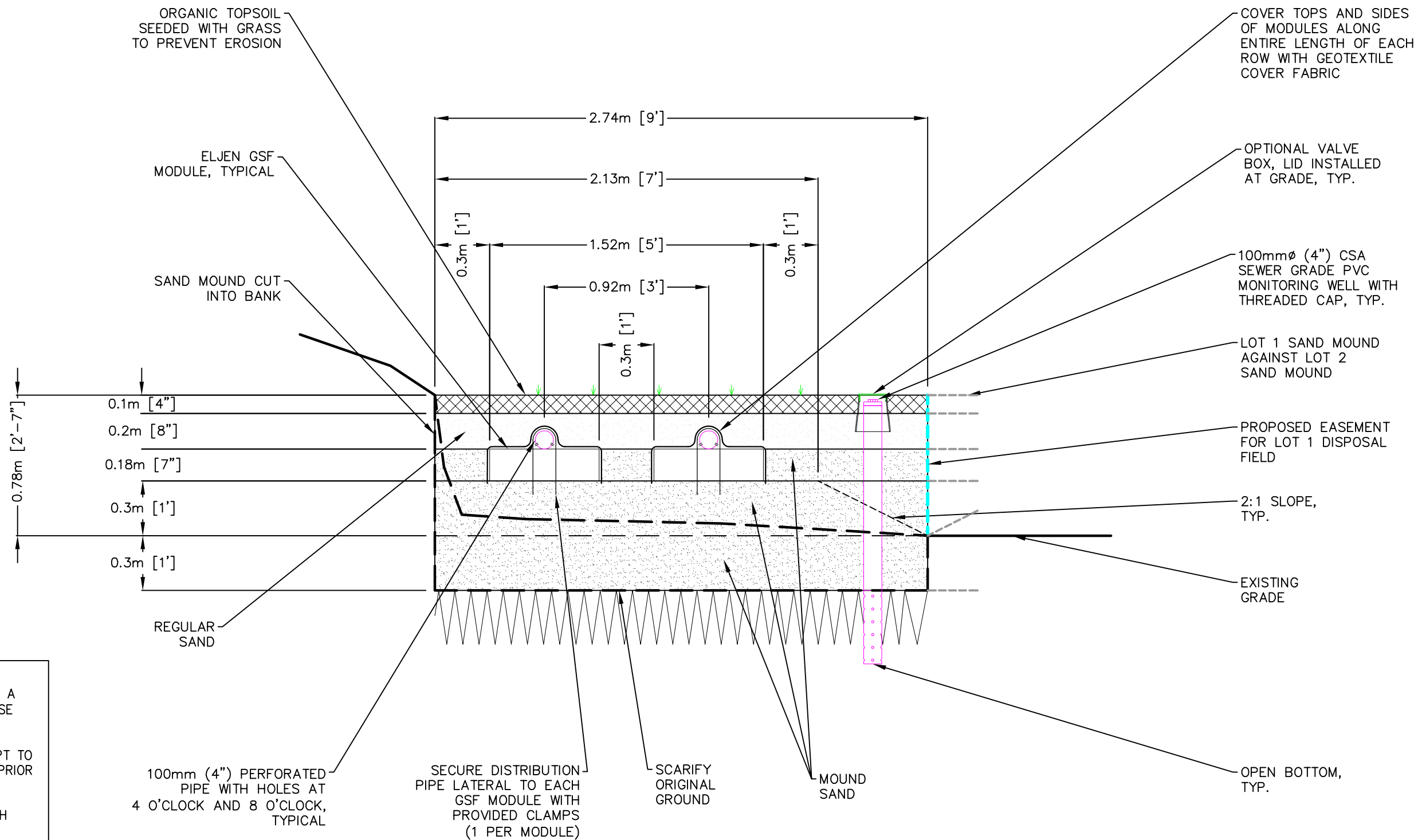


MOUND PLAN
SCALE 1:100



Jayme Franklin, P.Eng.
250.832.8380
DRAWING NO. 20-102-03-L2

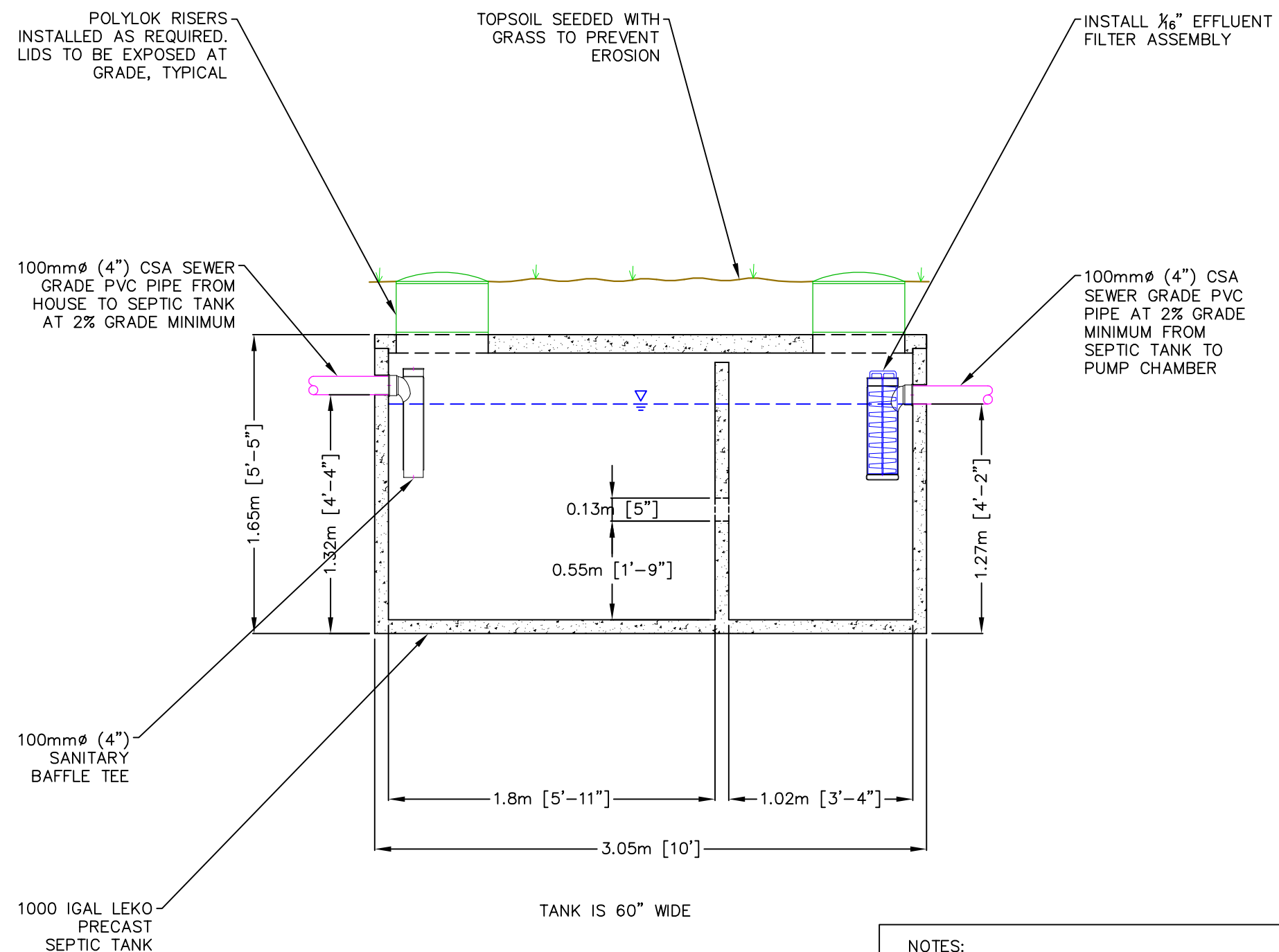
CLIENT: MALONEY LOT 2 2223 WESTSIDE RD	PROJECT: 20-102-S SEWERAGE SYSTEM	TITLE: DISPOSAL FIELD DETAILS	THIS DRAWING IS NOT FOR CONSTRUCTION UNLESS SO SEALED. © FRANKLIN ENGINEERING LTD.			
				I	26/JAN/2021	ISSUED FOR UPDATE
				0	17/SEP/2020	ISSUED FOR INFORMATION



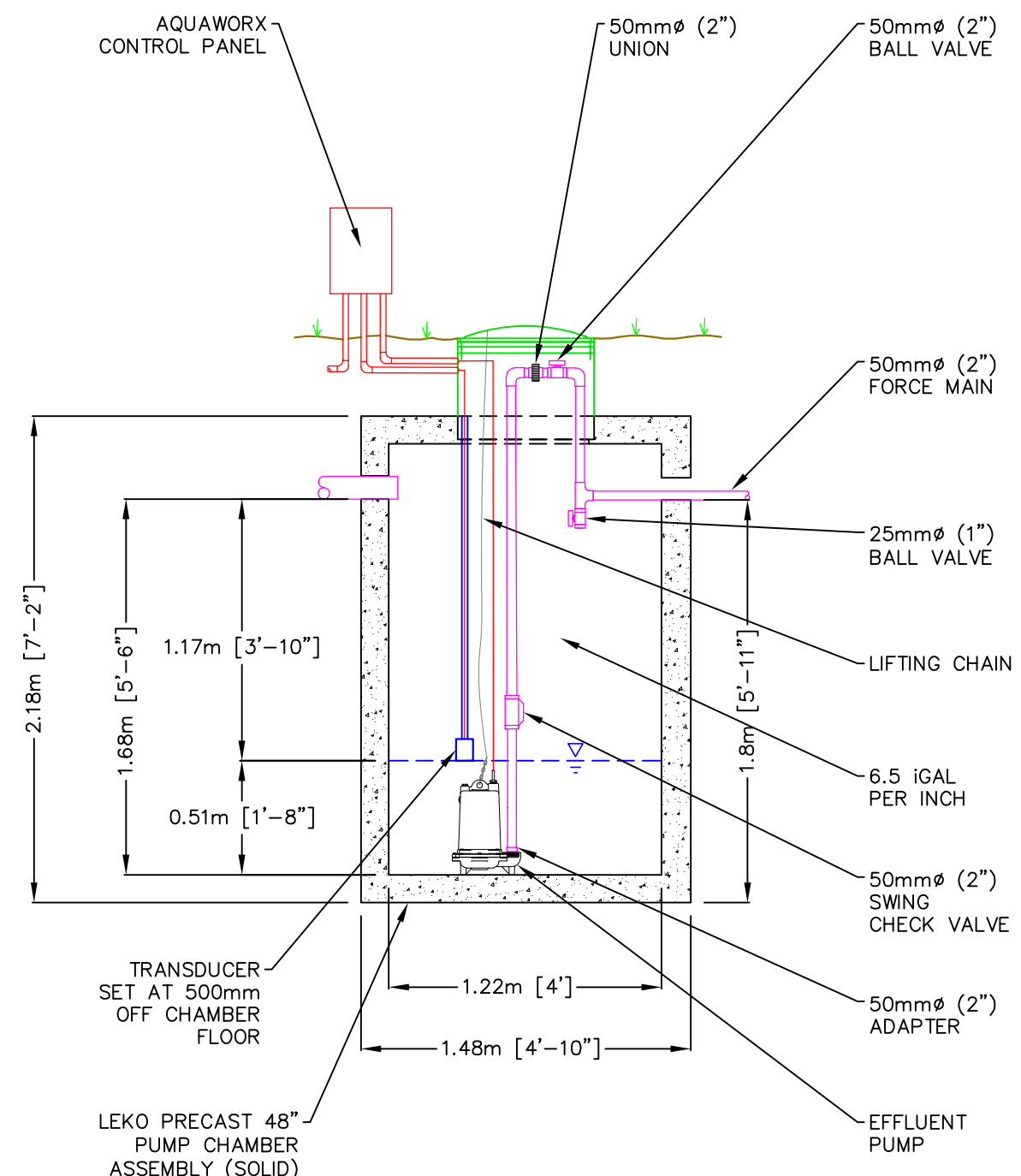
NOTES:
 1. SAND BED BASE TO BE SCARIFIED TO A MINIMUM DEPTH OF 0.3m (1') BELOW BASE OF EXCAVATION.
 2. CONSTRUCTION TRAFFIC MUST BE KEPT TO A MINIMUM WITHIN THE DISPOSAL AREA PRIOR AND DURING CONSTRUCTION.
 3. SAND BED TO BE CONSTRUCTED WITH BASE LEVEL ALONG LENGTH AND WIDTH BELOW INFILTRATORS.

MOUND SECTION
 SCALE 1:50

CLIENT: MALONEY LOT 2 2223 WESTSIDE RD	PROJECT: 20-102-S SEWERAGE SYSTEM	TITLE: DISPOSAL FIELD DETAILS	THIS DRAWING IS NOT FOR CONSTRUCTION UNLESS SO SEALED. © FRANKLIN ENGINEERING LTD.					Jayme Franklin, P.Eng. 250.832.8380
				I	26/JAN/2021	ISSUED FOR UPDATE		DRAWING NO. 20-102-04-L2
				0	17/SEP/2020	ISSUED FOR INFORMATION		



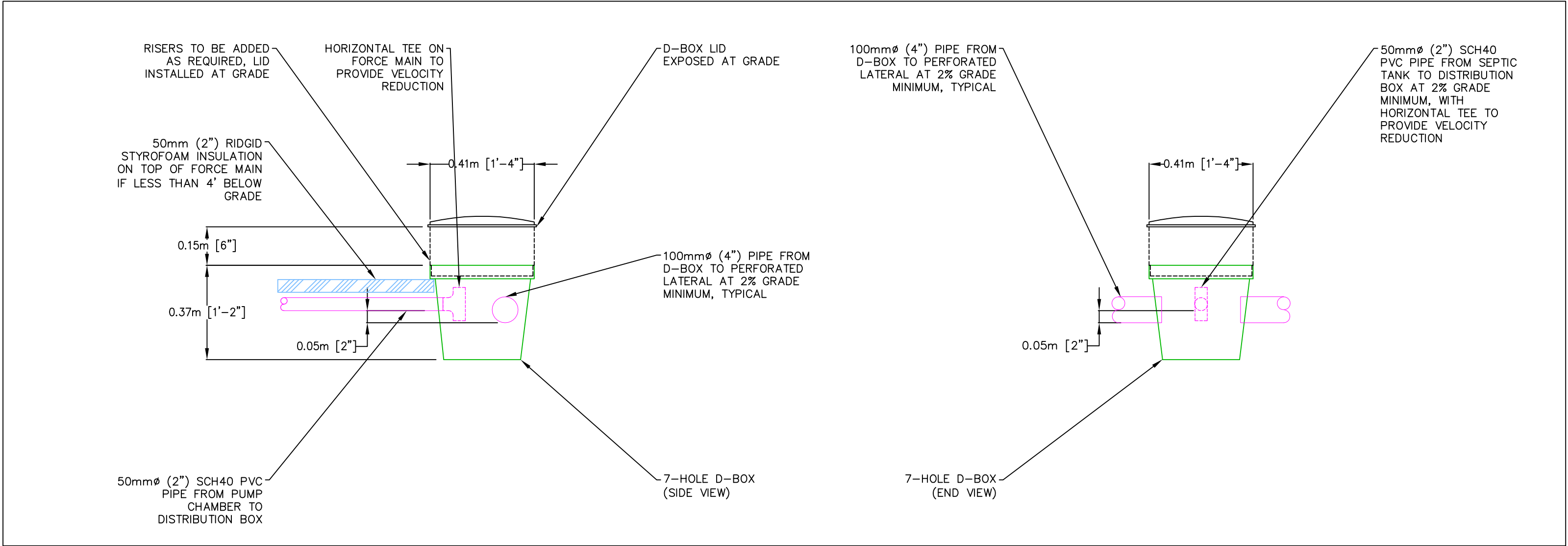
NOTES:
 1. TANK TO BE INSTALLED ON STABLE AND LEVEL FOUNDATION SUBGRADE.
 2. MANUFACTURERS BACKFILL SPECIFICATION MUST BE FOLLOWED.
 3. EFFLUENT FILTER TO BE INSTALLED.



SEPTIC TANK AND PUMP CHAMBER DETAILS
 SCALE: 1:25

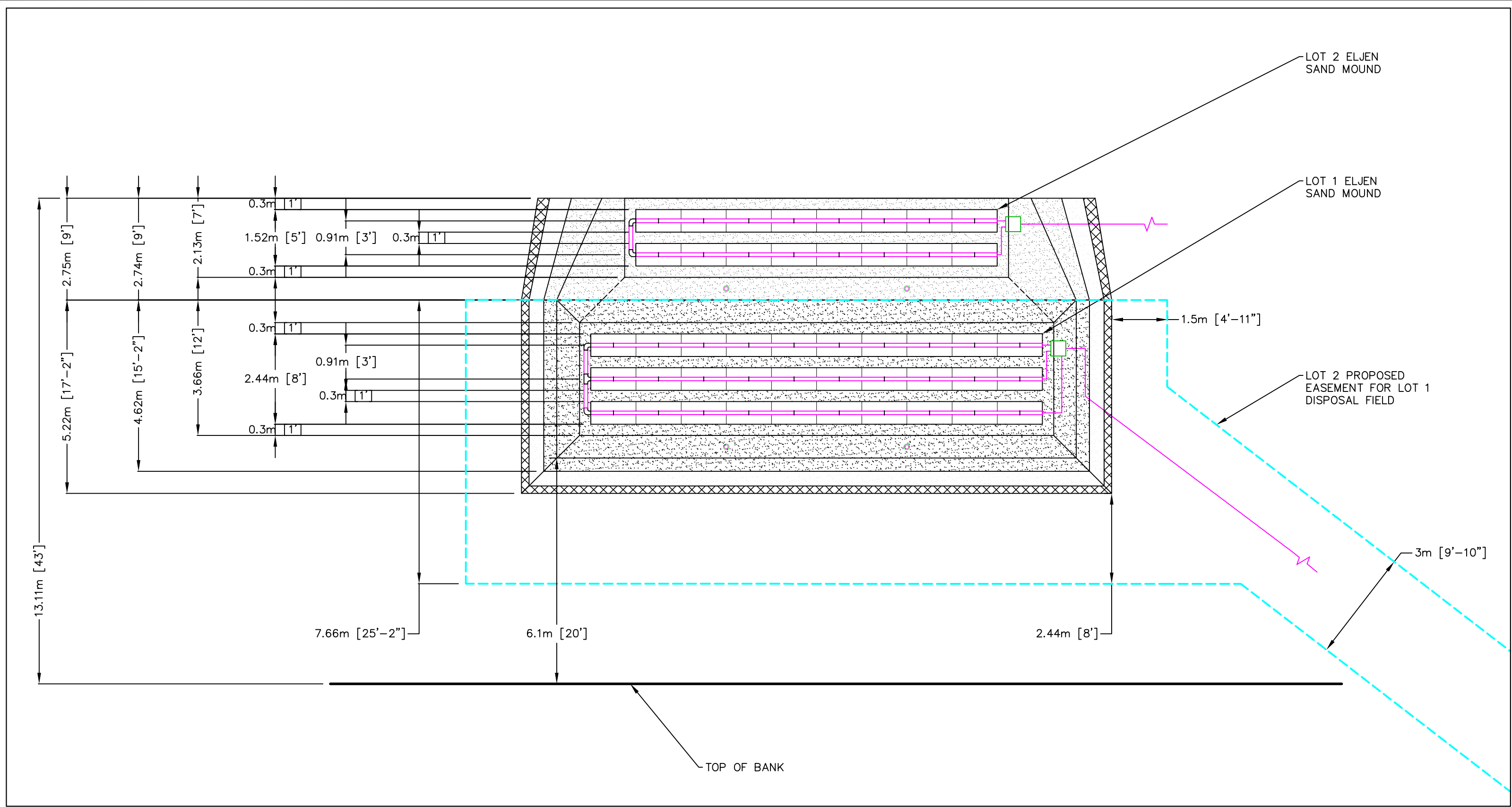
CLIENT: MALONEY LOT 2 2223 WESTSIDE RD	PROJECT: 20-102-S SEWERAGE SYSTEM	TITLE: DISPOSAL SYSTEM DETAILS	THIS DRAWING IS NOT FOR CONSTRUCTION UNLESS SO SEALED. © FRANKLIN ENGINEERING LTD.	273					
					1	26/JAN/2021	ISSUED FOR UPDATE		
					0	17/SEP/2020	ISSUED FOR INFORMATION		

Jayme Franklin, P.Eng.
 250.832.8380
 DRAWING NO. 20-102-05-L2



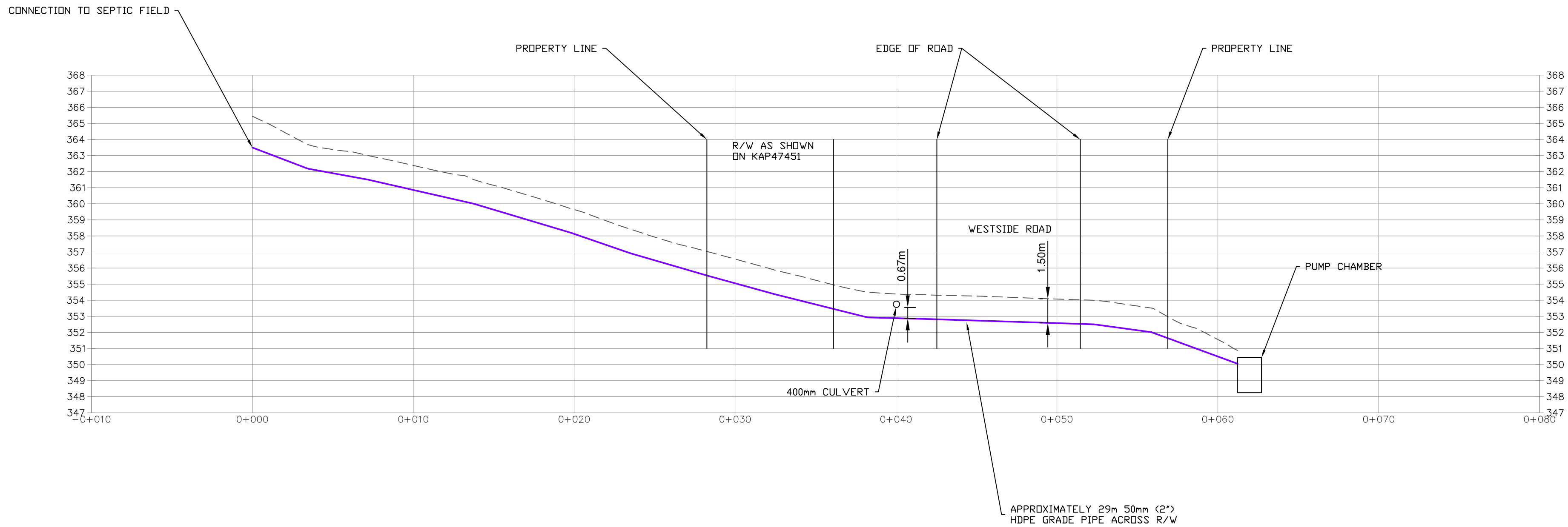
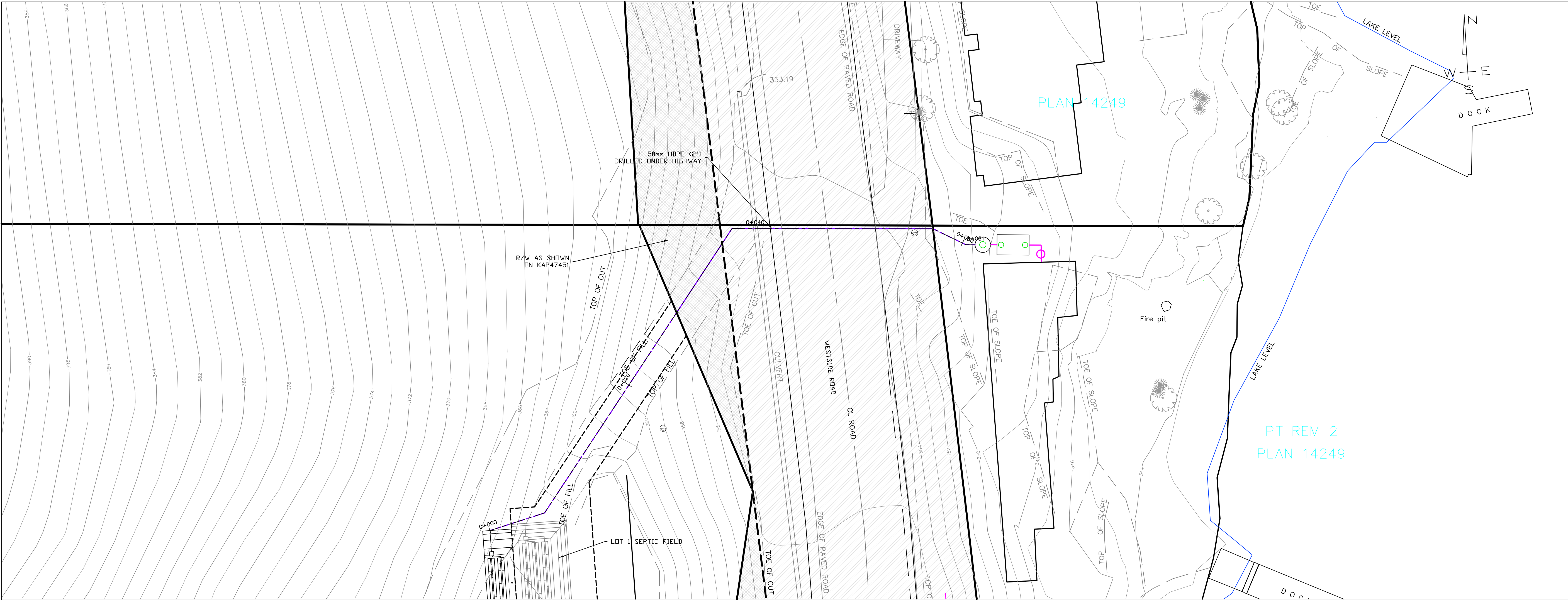
LATERAL END DETAILS
SCALE: 1:15

CLIENT: MALONEY LOT 2 2223 WESTSIDE RD	PROJECT: 20-102-S SEWERAGE SYSTEM	TITLE: DISPOSAL SYSTEM DETAILS	THIS DRAWING IS NOT FOR CONSTRUCTION UNLESS SO SEALED. © FRANKLIN ENGINEERING LTD.					 Jayme Franklin, P.Eng. 250.832.8380 DRAWING NO. 20-102-06-L2
				I	26/JAN/2021	ISSUED FOR UPDATE		
				0	17/SEP/2020	ISSUED FOR INFORMATION		



LOT 1 AND LOT 2 DISPOSAL FIELDS PLAN
SCALE 1:100

CLIENT: MALONEY LOT 2 2223 WESTSIDE RD	PROJECT: 20-102-S SEWERAGE SYSTEM	TITLE: DISPOSAL FIELD DETAILS	THIS DRAWING IS NOT FOR CONSTRUCTION UNLESS SO SEALED. © FRANKLIN ENGINEERING LTD.					 Jayme Franklin, P.Eng. 250.832.8380 DRAWING NO. 20-102-08
				I	26/JAN/2021	ISSUED FOR UPDATE		
				0	17/SEP/2020	ISSUED FOR INFORMATION		



LEGEND

EXISTING

HYDRO/TELEPHONE POLE

HYDRO/TELEPHONE POLE C/W DAVIT

TELEPHONE POLE

HYDRO POLE

HYDRO POLE C/W TRANS.

POST TOP STREET LIGHT

GUY

SANITARY MANHOLE

STORM MANHOLE

CATCHBASIN

FIRE HYDRANT

GATE VALVE

SANITARY SEWER

STORM MAIN

FORCE MAIN

WATER MAIN

GAS

UNDERGROUND TELEPHONE

FENCE

DECIDUOUS/EVERGREEN

HEDGE

INSTALLED
SANITARY MANHOLE

STORM MANHOLE

CATCHBASIN

GATE VALVE

FIRE HYDRANT

SEWER - PUMPED

SEWER - GRAVITY

1	01.26.21	FOR INFORMATION	JAW	JJF
-	12.16.20	FOR INFORMATION	JAW	JJF
NO.	DATE	DESCRIPTION	BY	APP'D
REVISIONS				
		DESIGN	JAW	
		DRAWN	JAW	
		DATE	JAN 26, 2021	
		CHECKED	JJF	
P.ENG		JAYME FRANKLIN		
SCALES		1:200		
 250.832.8380 • www.franklinengineering.ca				
Katawa Construction Ltd.				
WESTSIDE ROAD 2223 WESTSIDE ROAD				
CROSSING DETAILS LOT 2				
PROJECT No. 20-102				
SHEET 1 OF 1				
DWG. No. C-01				REV. No. 1

APPENDIX G:
NO BUILD MEMO FROM BEACON GEOTECHNICAL LTD.



BEACON GEOTECHNICAL LTD.

February 23, 2021

Beacon File No: 16-J1972

KATAWA Construction Ltd.
c/o Ecoscape Environmental Consultants Ltd.
#102 – 450 Neave Court
Kelowna, B.C.
V1V 2M2

Attention: Mr. Kathy Maloney-Johnson

Re: Review of Environmental No-Build Covenant - 2223 Westside Road, RDCO

At the request of Mr. Kris Mohoruk of Ecoscape Environmental Consultants Ltd. (Ecoscape), Beacon Geotechnical Ltd. (Beacon) has carried out a review of the proposed location of the “No Build” covenant line for the above-mentioned property. This letter summarizes our review and provides our comments.

Beacon has been involved with this property since the spring of 2020, completing a site reconnaissance and preparing a geotechnical hazard report for the site. We have reviewed work done on the file by Ecoscape and Clarke Geoscience Ltd. the foreshore erosion consultants on the project. It is proposed to construct a home on the eastern side of Westside Road, adjacent to Okanagan Lake and to construct a septic dispersal field on the western side of Westside Road.

Ecoscape has defined a proposed limit of disturbance on the on the western portion of the property, as shown on their drawing, Figure 4, “*Riparian Areas Regulation Assessment*”, File No. 19-J3064, dated February 22, 2021, shown as “*Environmentally Restricted No Build Limit*”. We understand that the land to the west of the line will not be disturbed and will be protected by covenant. The land between the No Build Line and Westside Road will only be used for the construction of the septic dispersal field. Figure 4 is attached.

Based on our understanding of the project and the existing site conditions, Beacon is satisfied that the proposed No Build Limit, as discussed above, is in general conformance with the recommendations presented in our geotechnical hazard report.

We thank you for your interest in our geotechnical services. Should you have any further questions, please feel free to contact our office.

Very truly,
Seacon Geotechnical Ltd.



Peter W. W. Wong
Chartered Engineer

Attachment:

Seacon Geotechnical Ltd. Figure 4 (1 page)



FIGURE 4
Riparian Areas Regulation Assesment

Project: Environmental Assessment
Location: Regional District of Central Okanagan
Project No.: 19-3064
Prepared for: Maloney Construction Ltd.
Prepared by: Ecoscape Environmental Consultants Ltd.
Josh Castanier, GIS Technician
Coordinate System: NAD83-UTM Zone 11
Imagery: ESRI World Imagery
Map Date: February 22, 2021

LEGEND

- Subject Property
- Cadastre
- Streamside Protection and Enhancement Area (SPEA)
- Buildable Area Outside Natural and Legal Restrictions Excluding SPEA
- Development SPEA Encroachment
- Proposed Building Footprint
- Proposed Septic Tanks
- Proposed Dispersal Bed
- Developable Area
- 10 Meter Setback
- Stream Boundary i.e. Surveyed High Water Level (343 m.a.s.l.)
- 30 m Riparian Areas Regulation Assessment Area
- Zone of Sensitivity - Large Woody Debris (15 m)
- Zone of Sensitivity - Litterfall (15 m)
- Zone of Sensitivity - Shade (30 m due south)
- Proposed Front Yard Setback (2.29m)
- Proposed Septic Piping

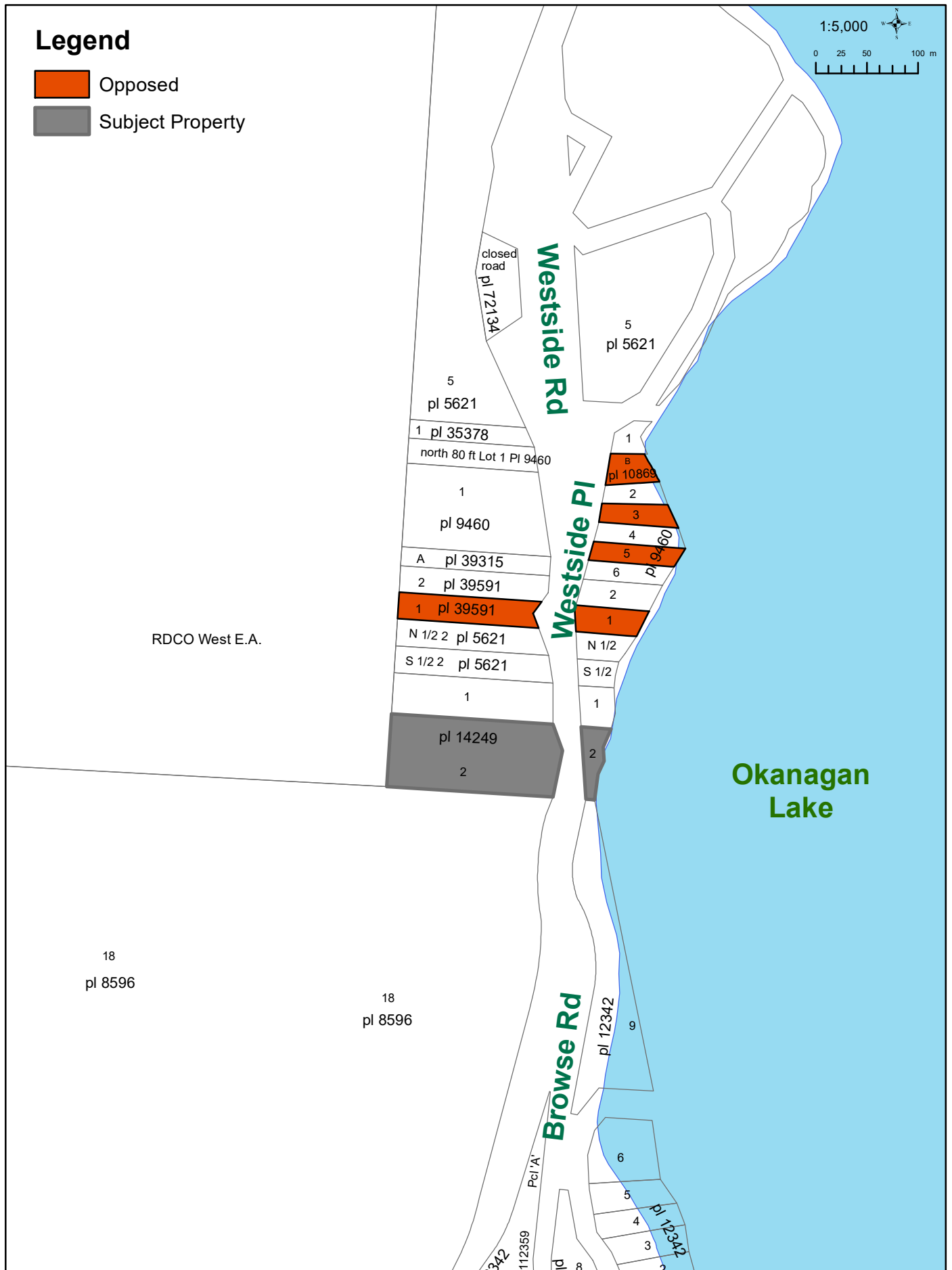
Hardship Area Calculation (Greenfield)	
Total Property Area =	13057.4m ²
Total Buildable Area (Outside Municipal Setbacks + Geotech Approved area Western Lot) =	868.4m ²
Developable Area (Outside Natural/Legal Restrictions) =	232.2m ²
Total Proposed Development Area =	343.5m ²
Allowable Footprint (30% of Buildable Area) =	260.5m ²
Allowable Variance Area/Encroachment into SPEA =	28.3m ²

***Caveat**
Under this specific hardship case; a geotechnical assessment of the property has granted a specific area on the western lot safe to engineer for a septic field area. This area is included within the hardship calculations and is added to Buildable Area, Developable Area, and added to the Total Proposed Development Area.

DISCLAIMER
The data displayed is for conceptual purposes only and should not be interpreted as a legal survey or for legal purposes. If discrepancies are found between the data portrayed in this report and that of a legal survey, the legal survey will supersede any data presented herein.



SUPPORT / OPPOSITION



From: [REDACTED]
Subject: [REDACTED] [Planning Services](#)
Date: Public Meeting
November 13, 2020 11:35:15 AM

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.

Hi

Regarding the Public Meeting scheduled for December 7, 2020 to consider a development proposal for Lot 2, District Lot 3745, ODYD, Plan 14249 except Plan KAP47451.

We are owners of Lot 1, Plan KAP39491, District Lot 3745, ODYD. When we built a new house on this lot, in 2009/2010 we were required to follow the floodplain exemption of 15.0 Meters and minimum setback regulations. We made sure we complied with the regulations. It is not right to allow anyone else to NOT comply with these regulations when we had to. If we knew we could get the regulations changed we would have applied as the original building on this lot (That got torn down) was under older regulations and was only a few meters from the high water mark. We wanted to have our house closer to the lake but were not allowed.

The owners of the lot in question would have been well aware of the regulations. No doubt the price and assessed value of the lot recognizes it is not big enough to build on, given these setback regulations.

Any questions, comments feel free to contact me any time.

Thanks

Doug

Doug Friend

[REDACTED]

[REDACTED] Westside Pl

Kelowna, BC [REDACTED]

M: 250 [REDACTED]

[REDACTED]

From: [REDACTED]
To: [RDCO Planning Services](#)
Subject: RE: 2223 Westside Road,
Date: November 22, 2020 1:09:08 AM

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.

Hello RDCO Planning,

It has been brought to my attention that there is a development proposal for Lot 2, District Lot 3745, ODYD, Plan14249 except Plan KAP47451, civic address: 2223 Westside Road, BC.

I have a problem with the floodplain exemption as it could set a precedent for future development along the foreshore, like some of the developments to the north known as The Cottages. There seems to be more pressure on our waterfront properties in the area, and the floodplain exemption just creates more pressure on the lakefront.

As to the Development setbacks, my main concern is the driveway access onto Westside Road, during building and after.

There is already an awkward driveway access for this property and other properties to the north and on Westside Place.

This variance would see a very awkward build access and future driveway access, with already difficult driveways and access to Westside Place driving from the north.

This development would also impact the safety of the already awkward intersection at Westside Road and Westside Place as these driveways already impact the intersection.

This development variance should not be allowed without further investigation and information

Thank you,
Cam Leslie
[REDACTED] Westside Place
Kelowna, BC
[REDACTED]

From: [Brittany Lange](#)
To: [Brittany Lange](#)
Subject: FW: Development Proposal Feedback - 2223 Westside Rd (FEX-20-01 & DVP-20-03)
Date: April 15, 2021 3:44:07 PM

From: Scott Greenwood <[REDACTED]>
Sent: November 29, 2020 9:12 AM
To: RDCO Planning Services <planning@rdco.com>
Subject: Development Proposal Feedback

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 writing in regards to feedback requested on a development proposal for:

Lot 2 District Lot 3745 ODYD Plan 14249 except Plan KAP47451

Address 2223 Westside Rd.

Application for a variance for a floodplain exemption and front setback exemption.

I am a resident in the Wilson's Landing neighborhood at 2323 Westside Place. I have the following concerns with the allowance for this development variance.

1)The density of a potential dwelling to property size should these variances be allowed. Wilson's Landing is a rural community and neighboring houses generally reflect both front and back yards of good size. A variance of this nature will materially impact that consistency of a rural look.

2)Proximity to Westside road. This particular property (and the adjacent lot which was bought at the same time) are at the fork of Westside road and Westside place. This portion of Westside road reflects one of the worst high speed areas on the whole westside (cars travel well in excess of the speed limit to get up/down the hill most of of the day). I am concerned that a dwelling only ten feet off the main road will add potential further distraction to drivers either turning on to Westside Place or travelling up the hill. This is particularly concerning should a driveway back out directly on to Westside road. As it is, we are having difficulties with our immediate neighbor's home who was granted a zero front setback. RV's and other vehicles have complained about literally having to get around the corner to camp Owaissi.

3)Inconsistency of rules and favorability on land value. I believe the two adjacent empty lots (including 2223 Westside Place) were sold in the last three years, at a discount to normal values per waterfront linear foot reflecting the limitations on building on the lots relative to neighboring properties. There is an available area on the west side of the main road to put a dwelling up. Additionally, when applying for building permits on our own home five years ago, we were informed by the RDCO that there was no chance of being granted a variance on the floodplain inside of 15 meters, despite our previous dwelling being inside of that area. It would appear to be inequitable to apply different standards to different neighboring lots, both in terms of the new owners potentially gaining value from an undervalued lot but also in maintaining consistency of the look of the

shoreline from the waterside along Wilson's Landing. If this precedent is allowed, we expect a similar request for the lot next door which would perpetuate the points above.

We are excited that the new owners are building on this lot and look forward to supporting them. I hope our concerns are taken in to account as the RDCO evaluates the file.

Regards

Scott Greenwood

Scott Greenwood



From: [REDACTED]
To: [RDCO Planning Services](#)
Subject: FEX-20-01 & VP-20-03
Date: November 26, 2020 6:43:36 PM

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.

Re:

FEX-20-01 & VP-20-03

2223 Westside Rd

While we are very much in favour of having more permanent homes in the neighbourhood, and welcome the development, we have some concerns regarding this application for variances in Setback from Okanagan Lake and the setback from Westside Rd.

Five new homes have been built along this section of Westside Rd and more specifically, Westside Place, within the last 16 years and all have had to abide by the existing setback rules. One received a variance for setback from the road allowance to build a garage and, as it turns out, it has caused some stress to Westside Place users.

The property asking for variances was purchase with the full knowledge that it was too narrow for a full-time home. The price paid reflected this. Changing the rules now does not seem fair especially when the bulk of the property is across the road. A home across the road with provisions to build a small summer-use shelter on the beach side would seem more appropriate.

The **biggest** concern, however, is safety on Westside Rd. This is a very busy section of Westside Rd used by cars, trucks, RVs, motorcycles, semis and construction vehicles. The speed limit is very often ignored as vehicles travelling north or south like to pass on the hill and use excessive speed to do so. Westside Place feeds onto Westside Rd just north of this site. It is currently difficult to see vehicles exiting the 3 driveways north of 2223. Adding another would add to the difficulty and make it even less safe.

Sincerely

Karen and Don Bennison

[REDACTED] Westside Place

[REDACTED]

[REDACTED] for Windows 10

From: [Brittany Lange](#)
To: [Brittany Lange](#)
Subject: FW: 2223 Westside Road
Date: April 15, 2021 3:43:52 PM

From: Karen Bennison <[k\[REDACTED\]](#)>
Sent: January 7, 2021 9:45 AM
To: RDCO Planning Services <planning@rdco.com>
Subject: 2223 Westside Road

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.

Re:
FEX-20-01 & VP-20-03
2223 Westside Rd

It is my understanding that the Advisory Board approved these variances. I was told that they decided in favour as it was put to them that it was the lesser of two evils, so to speak, as it was suggested that building across the road would significantly impact the environment of the slope. I also hear that they did not have access to the letters from the neighbours who had concerns. It seems, also, that the popular opinion is that the BC government will not give approval to the variances.

Here is my question. Why would building on the slope on the other side of the road ruin the ecosystem or whatever? Would not the home builder have to get approval for what he was going to build and if it was "too much of an impact" would he not have to scale back and adhere to local rules?

I certainly hope that the government does reject this proposal. My neighbours, who have jumped through all the hoops in building their homes, are very upset that someone else gets what seems like special treatment and can build practically in the lake! Cement pillars on the foreshore? I can't put a cement block in the water without fisheries coming down on me. I understand also that one of the members of the advisory committee had the wrong property in his mind when considering this proposal. I would have thought members would have done more homework and perhaps even visited the site if not had pictures of what it looks like now, not just a vision of what it will look like in the future. I also hope that in the future, letters from neighbours are shared with the advisory committee.

I would like to be informed on any future decisions or meetings regarding this variance so I can pass information on to concerned residents.

Thanks you

Karen Bennison

President WLCS



Sent from [Mail](#) for Windows 10

Development Applications 2223 Westside Road

FEX-20-01, VP-20-03, DP-20-08

Regional Board Meeting
April 26, 2021

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Proposal

- To consider a development proposal adjacent to Okanagan Lake and Westside Road requesting approval of a floodplain exemption, development variance permit, and development permit

Subject Property

2223 Westside Rd

Wilson Landing

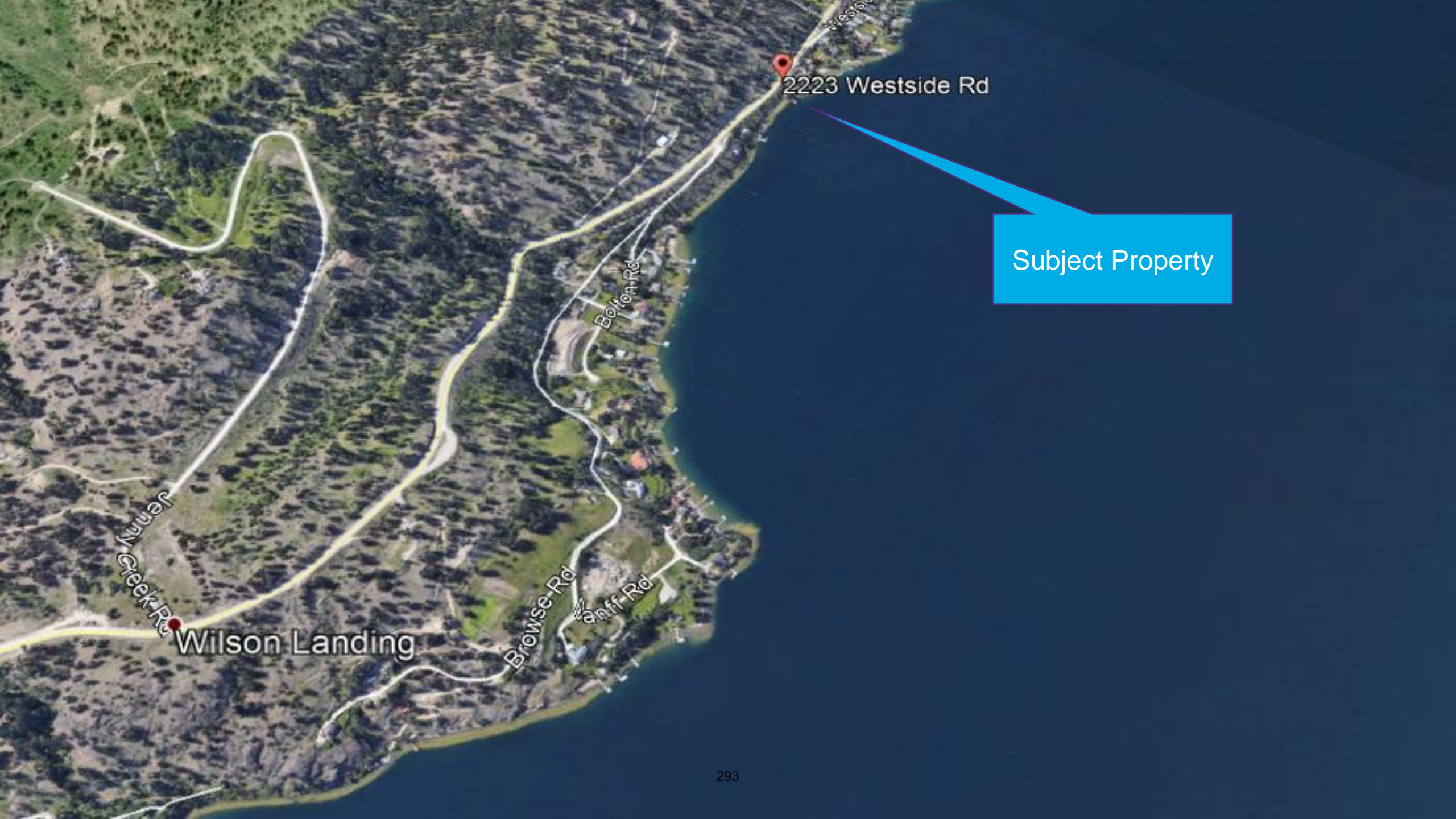
Westside Rd

Central Okanagan

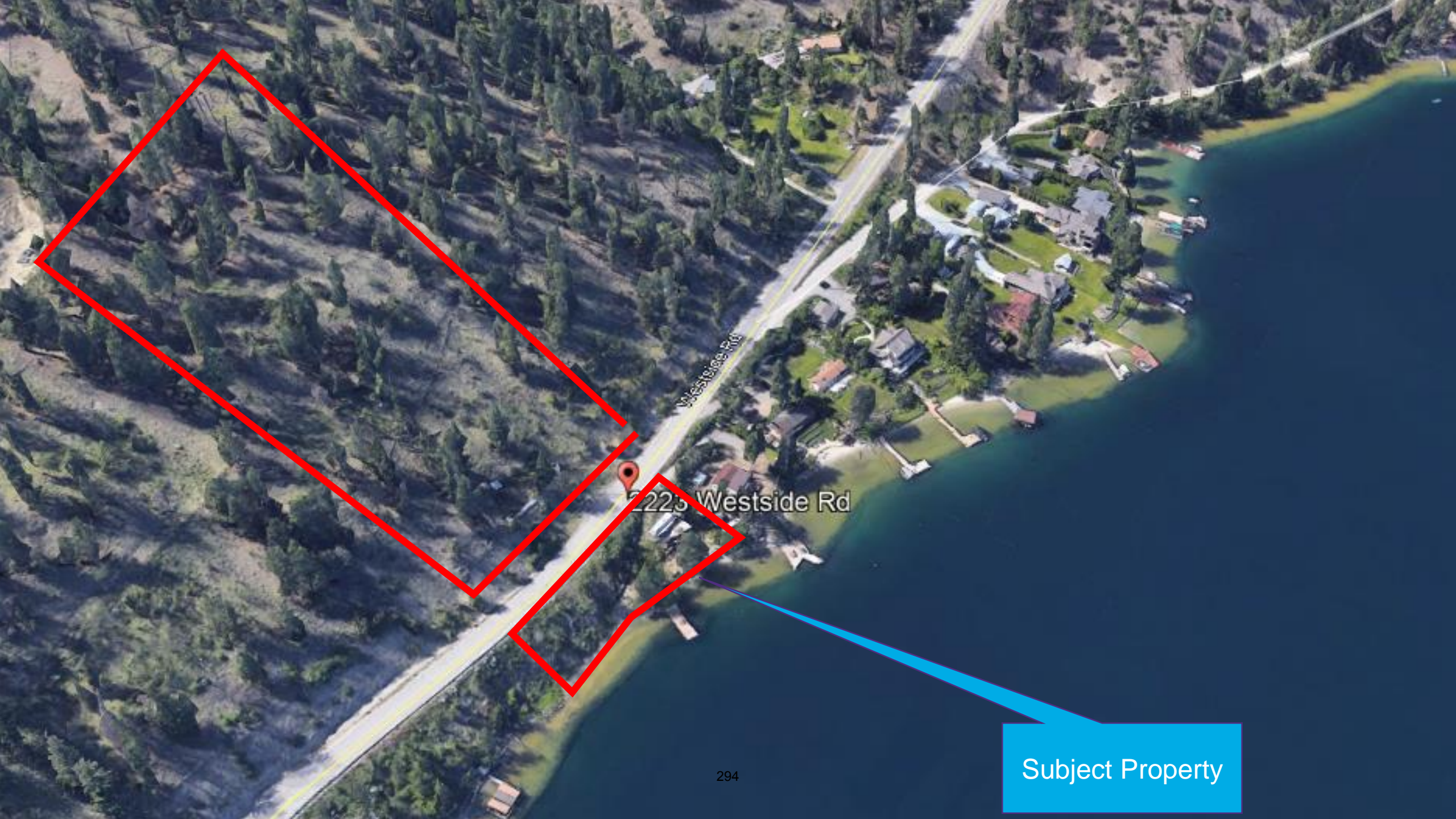
Traders Cove

Glenmore Rd N

97



Subject Property





RU1
(RDCO)

RU3
(RDCO)

RU4
(RDCO)

RU5
(RDCO)

pl 14249

pl 39591

pl 39591

pl 5621

pl 5621

2223 N

2181 N

2247

2263

2259

2271

2260 N

2274 N

Okanagan Lake

Westside Rd

Westside Pl

295

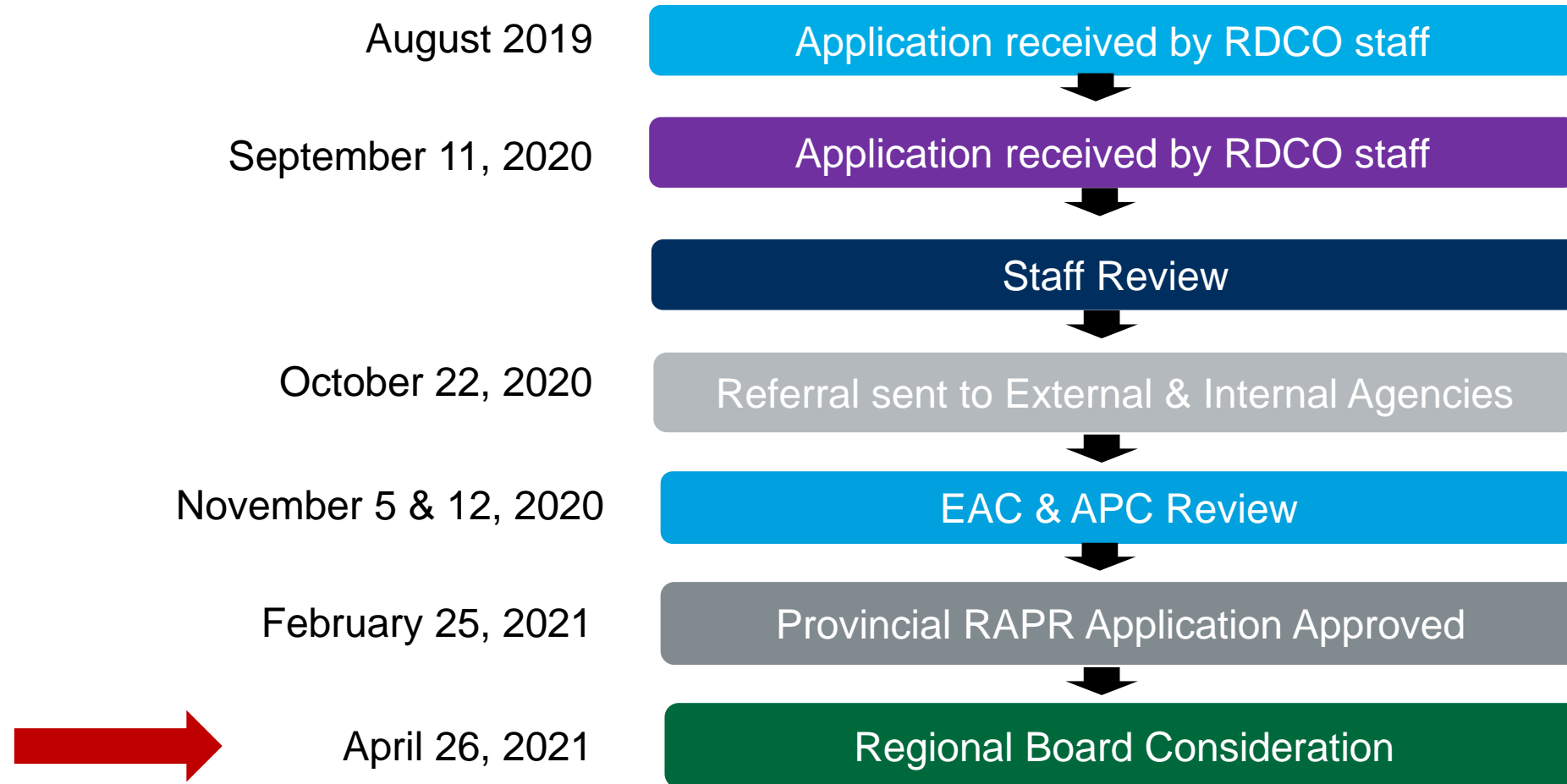
Subdivision Plan



- Subdivision approved by MOTI in June 1951

- Prior to incorporation of the RDCO in 1967

Application Process



Background

- Previously developed and used for recreation
- No dwelling currently exists

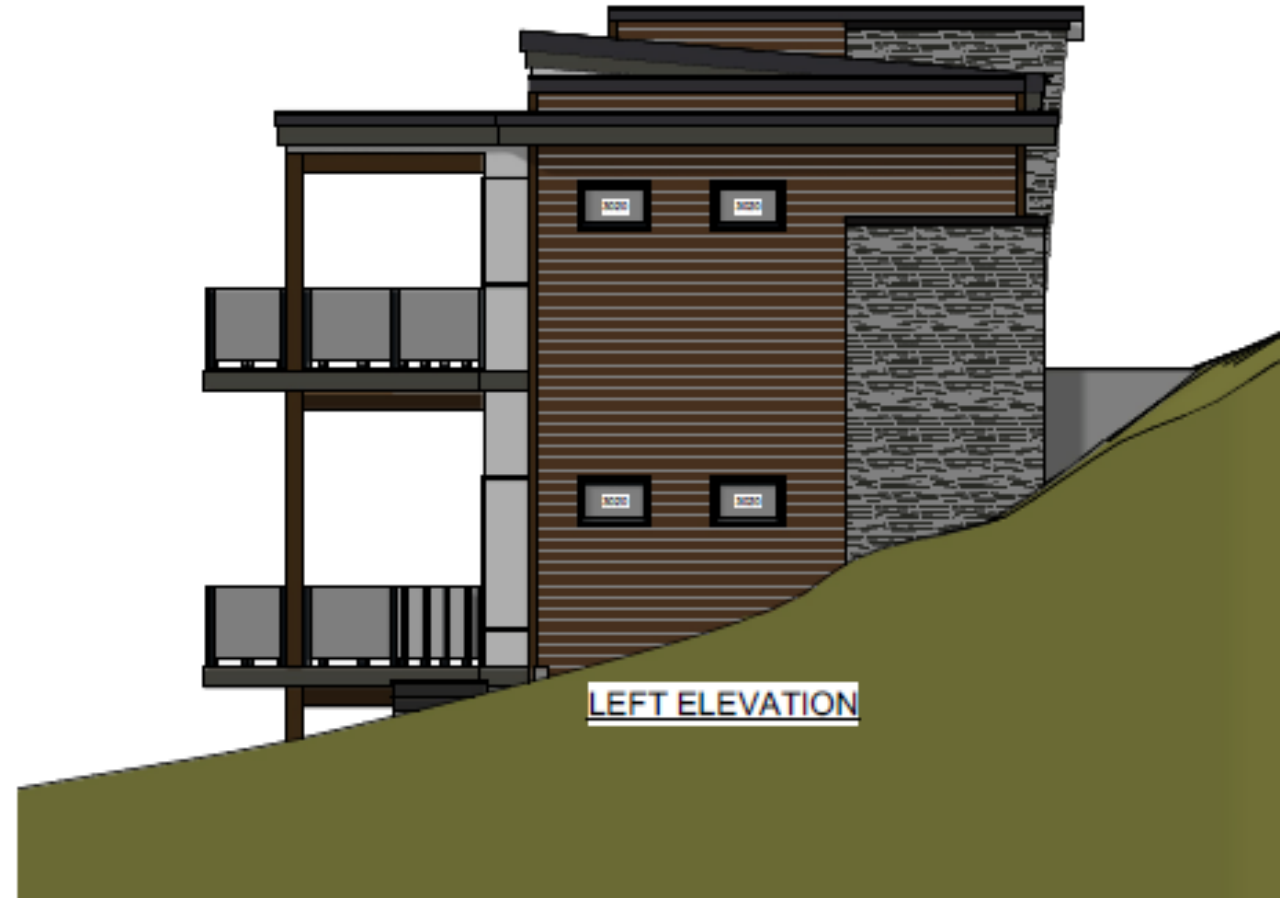
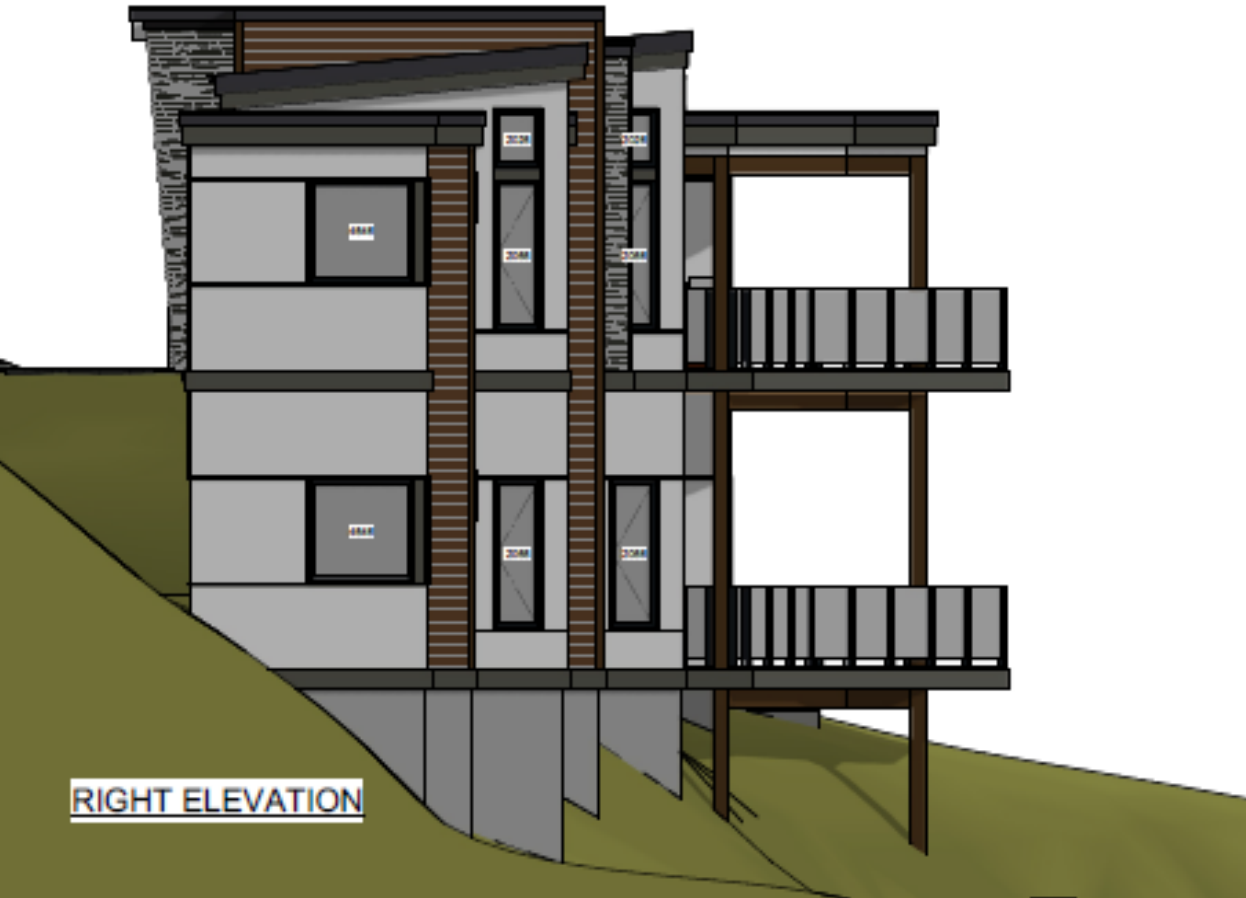












S 1/2 2

pl 5621

S 1/2

1

2235
N

pl 14249

2

2

2223 N

Okanagan Lake

Westside Rd



Proposal

1. Reduction of the minimum setback from Okanagan Lake from **15.0 m** (49.2 ft.) to **10.0 m** (32.8 ft.)
2. Reduction of the minimum front setback from **6.0 m** (19.7 ft.) to **2.29 m** (7.5 ft.)
3. To obtain a Development Permit

Floodplain Exemptions

- Established for the safety of people and property
- The Regional District may exempt types of development from the requirements if the Regional Board:
 - Considers it advisable;
 - The exemption is consistent with Provincial guidelines;
 - Has received a report from a certified person that the land may be used safely for the use intended.

Regional Board Strategic Priorities

- The Regional Board has identified and prioritized protection of the environment through various regional plans and actions:
 - Prioritizing a reduction in new construction in higher risk floodplain areas
 - Supporting efforts to reduce our environmental footprint and adapt to climate change

Rural Westside OCP

- **Natural Environment Policy:**

- Provide and protect vegetated leave areas to water courses, control soil erosion and sediment in run-off water, control the rates of run-off to minimize impacts on the lake, prevent the discharge of deleterious substances into the lake

- **Aquatic Ecosystem Development Permit Guidelines:**

- A leavestrip for the protection and restoration of the riparian ecosystem is to remain undisturbed near watercourses
- The intention is that the leavestrip will be untouched by development and left in its natural condition, or, if damaged by previous use or construction, the ecosystem restored or enhanced

Climate Projections

for the Okanagan Region

February 2020



14% less by 2050s
22% less by 2080s
(on average)



10% more by 2050s
20% more by 2080s
(on average)



In partnership with



Natural Resources
Canada

Ressources naturelles
Canada



Climate Projections – Impacts



INCREASED
**HEAT
STRESS**



INCREASED RISK OF
FLOODING



INCREASED
RISK
TO VULNERABLE
PEOPLE



INCREASED RISK OF
WILDFIRE



INCREASED RISK
OF MORE
**EXTREME
WEATHER**



SHIFTING
ECOSYSTEMS

Regional Floodplain Management Plan

- Purpose: reduce flood risk, improve emergency response, increase resiliency to climate change
- Central Okanagan is especially vulnerable to flood damage because of the density of population near flood prone creeks and lakeshores

Flood Hazard Assessment

- Land is exposed to flood hazard
- Concern over integrity of existing retaining wall



Flood Hazard Assessment

- Proposed residential building conforms to the required flood construction level (343.66 m)
- Approximately 2.5m of fill will be required
- Potential long-term risk of erosion from waves/storm surge to the toe of the building foundation is considered low
- A number of recommendations and mitigation strategies have been provided in order to reduce flood risk

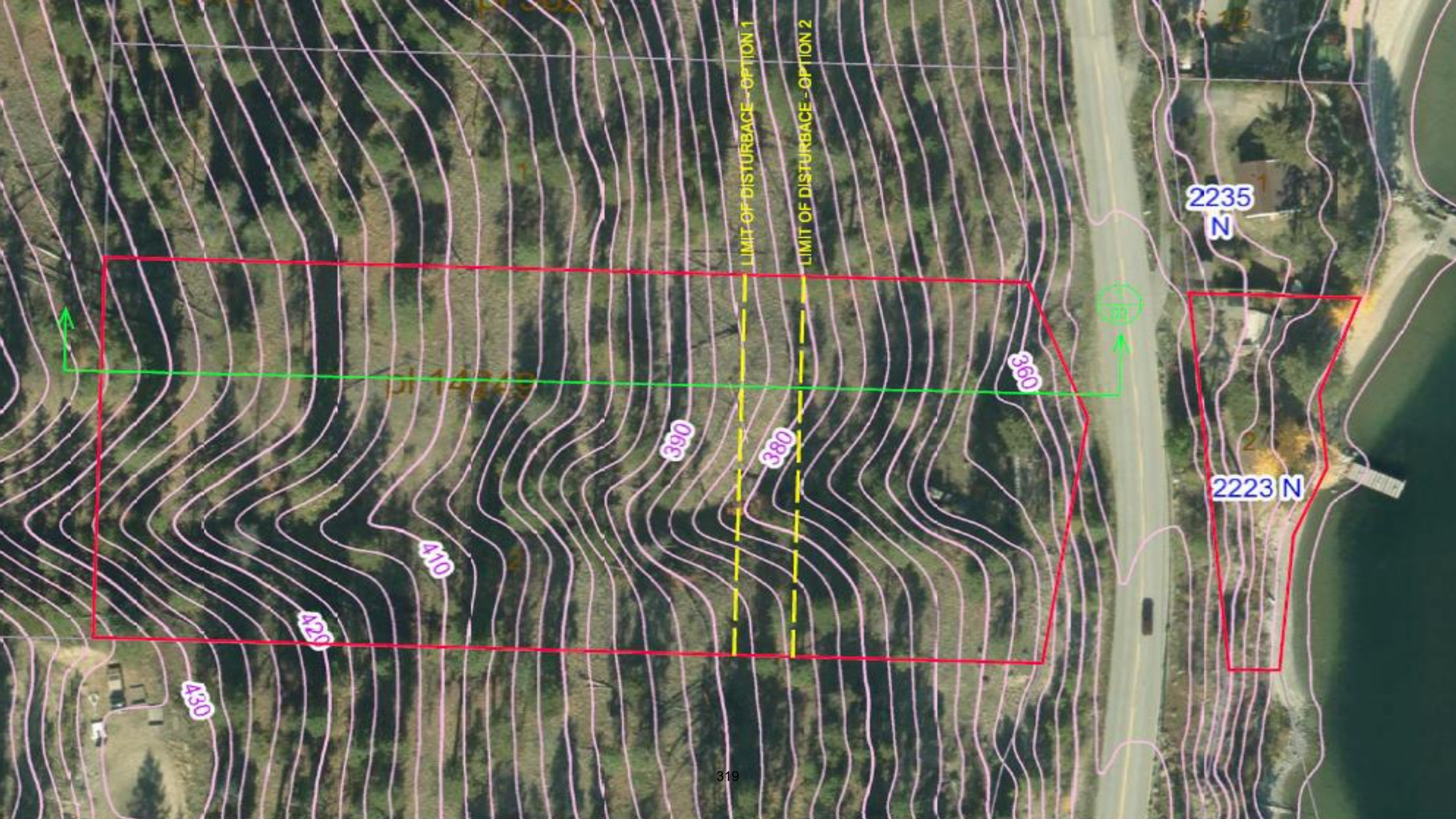
Geotechnical Hazard Assessment

Upland portion of the property:

- Contains steep slopes
- Drainage gully exists, no surface flows

Lakeside portion of property:

- Bounded by Okanagan Lake and Westside Road
- A number of retaining walls, some appear to be failing
- Uncontrolled fill within building footprint



PI 14243

Geotechnical Hazard Assessment

Conclusion:

- Engineer considers upland undevelopable
- Little risk to the proposed house location from landslip, rock fall, or debris
- Subsurface investigation must be carried out prior to construction
- No build covenant recommended west of septic field infrastructure

Environmental Impact Assessment

Lakeside portion of property:

- Moderate to high potential for juvenile fish rearing habitat

Upland portion of property:

- Provides high value terrestrial (species at risk) and wildlife habitat (mule deer)
- Proposed development is generally contained within a previously disturbed area



Environmental Impact Assessment

Conclusion

- Risks to the terrestrial environment outweigh those to the aquatic environment
- Recommends security bonding: \$18,188.00

Inspections Services

- Building Permit applications required
- \$300.00 for removal of the Title Notice

Environmental Advisory Commission:

Recommend the application be conditionally supported

Condition:

- That the proponent works with staff on options for stronger long term protection of the upland area

Environmental Advisory Commission (cont'd)

Anecdotal Comments:

- The upland habitat and riparian area are both high value areas.
- Concerns over setting an unwanted precedent by recommending approval of floodplain exemptions
- Similar approved floodplain exemption applications in the past have failed to protect remaining natural areas along the lakeshore

Advisory Planning Commission

- Recommend the application be supported

Riparian Areas Protection Branch (MoF)

- Lot is subject to undue hardship as a result of undevelopable areas demonstrated by the qualified professionals
- Proposal meets the standards of RAPR

Lands Branch (MoF)

- Unauthorized retaining wall on the foreshore
- Possible Crown land encroachments
- Shoreline erosion protection requires Section 11 approvals

Ministry of Transportation

- **Permits Issued:**

- Controlled Access Highway Permit (access)
- Highway Setback Permit (front setback)
- Highway Construction Permit (sanitary sewer crossing)

- **Floodplain Exemption and Development Permit applications do not fall under the jurisdiction of the Ministry**

Interior Health Authority

- No objections regarding the proposal
- Typically require a report from a hydrogeologist
- Sign off from authorized person

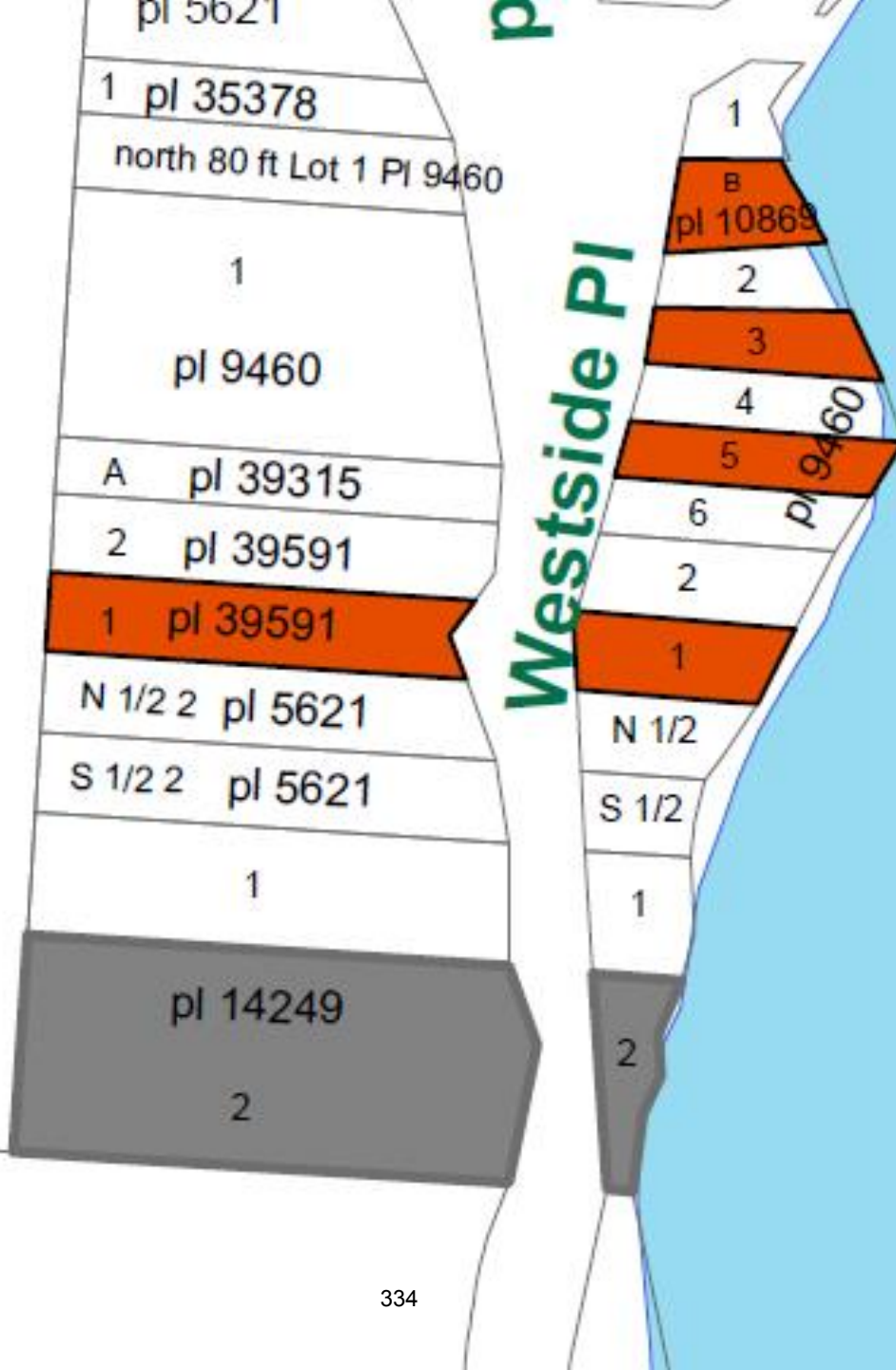
Public Notification

- Application sign posted on property
- 11 written notices mailed to neighbouring property owners

Public Notification

- Four (4) letters of opposition
- Zero (0) letters of support

RDCO West E.A.



Okanagan
Lake

Procedures Bylaw:

- Delegates the Director of Community to issue development permits only under the conditions noted below:
 - Meets the DP guidelines for protection of the natural environment or protection of development from hazardous conditions;
 - Must address the requirements of affected Provincial and/or Federal agencies;
 - Must address recommendations of RDCO staff and committees.

Summary:

- Subdivided prior to RDCO incorporation
- History of flooding on Okanagan Lake
- Increased precipitation and more flooding is to be expected
- New construction proposed in a high risk floodplain area

Summary (continued):

- Proposal does not meet OCP policies or DP Guidelines
- Large development footprint close to Westside Road and Okanagan Lake
- Concerns raised from neighbourhood

Recommendation:

THAT Floodplain Exemption Application FEX-20-01 not be approved.

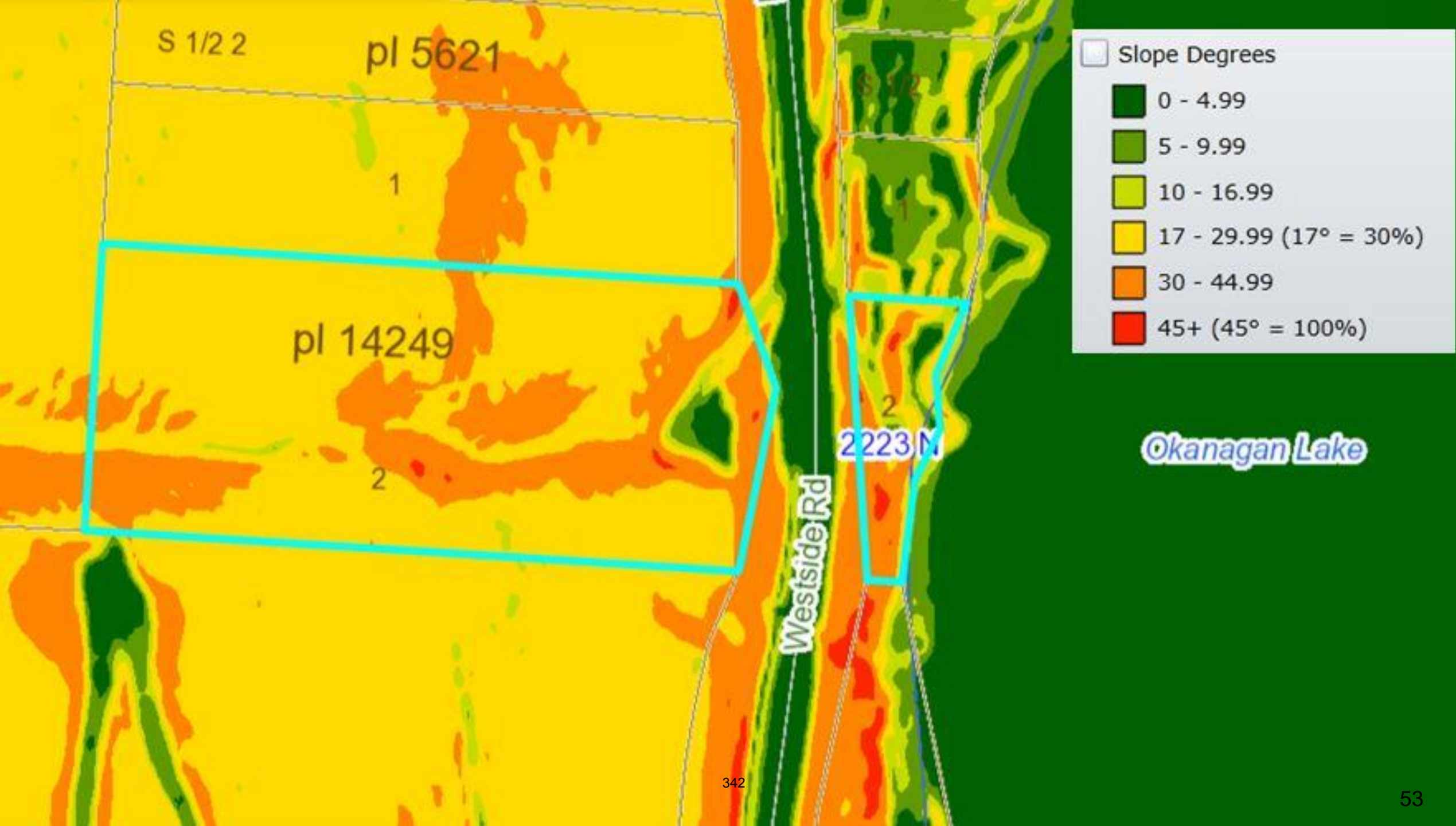
AND THAT Development Variance Permit Application VP-20-03 not be approved.

AND FURTHER THAT Development Permit Application DP-20-08 not be approved.











S 1/2 2

pl 5621

S 1/2

1

2235
N

pl 14249

2

2

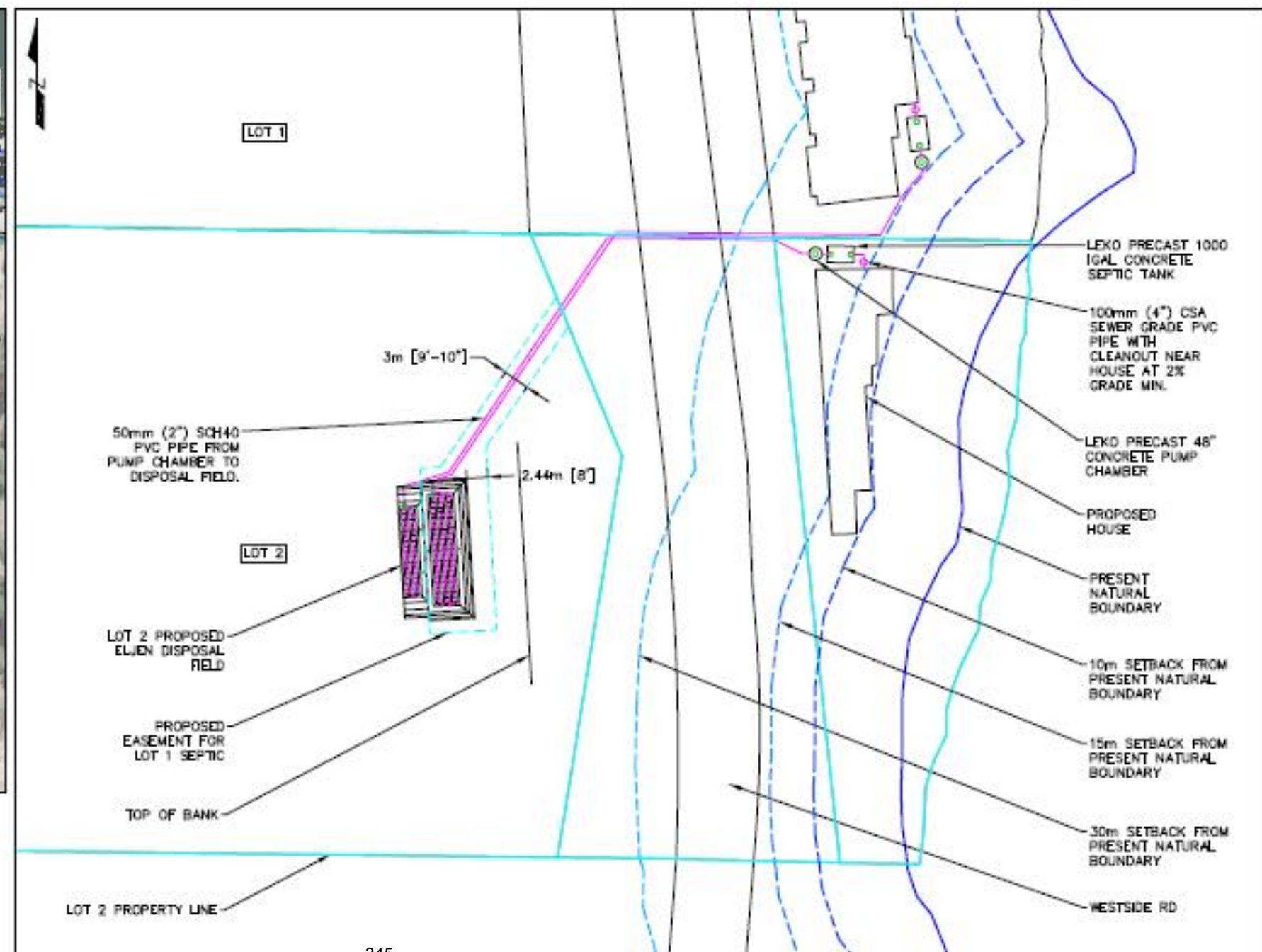
2223 N

Okanagan Lake

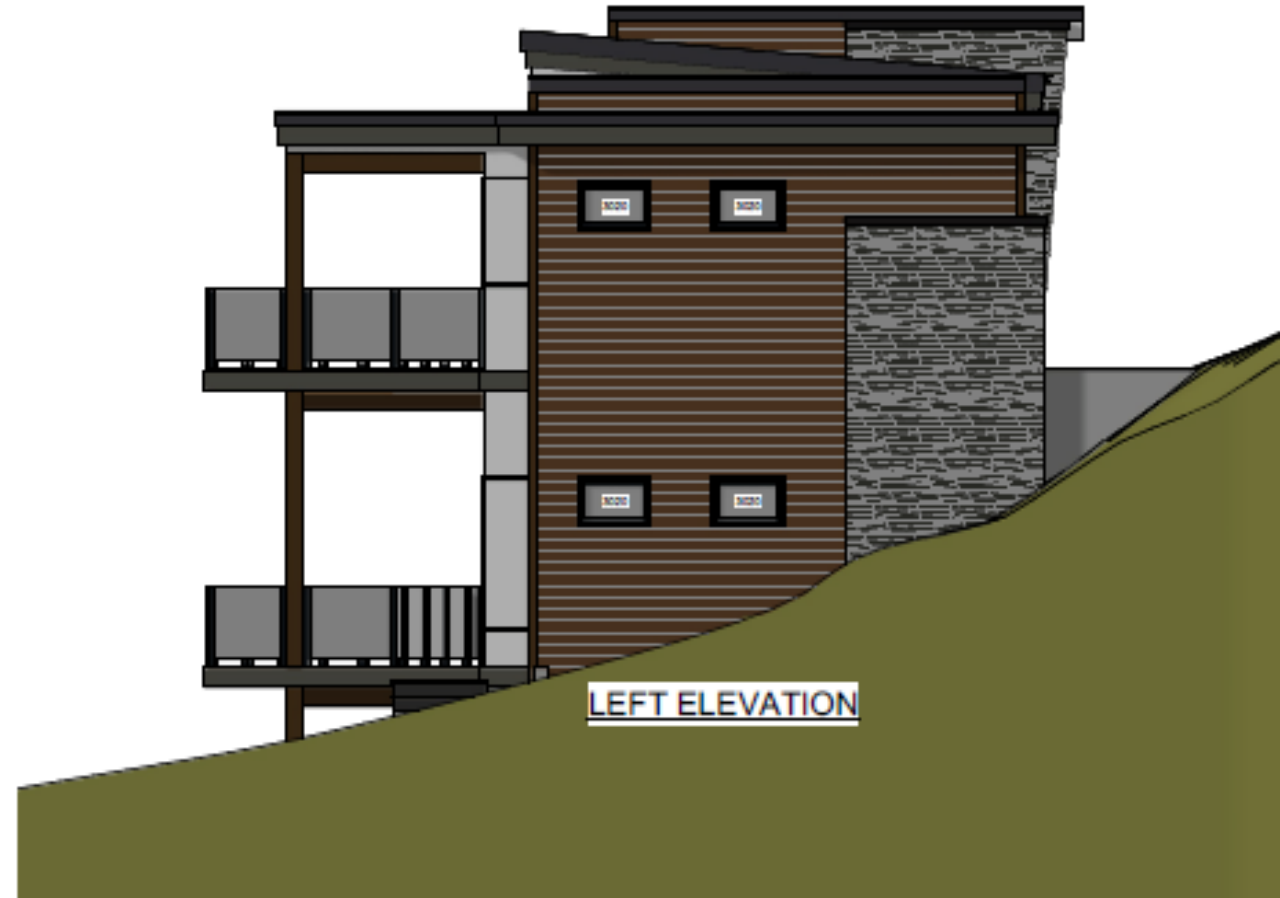
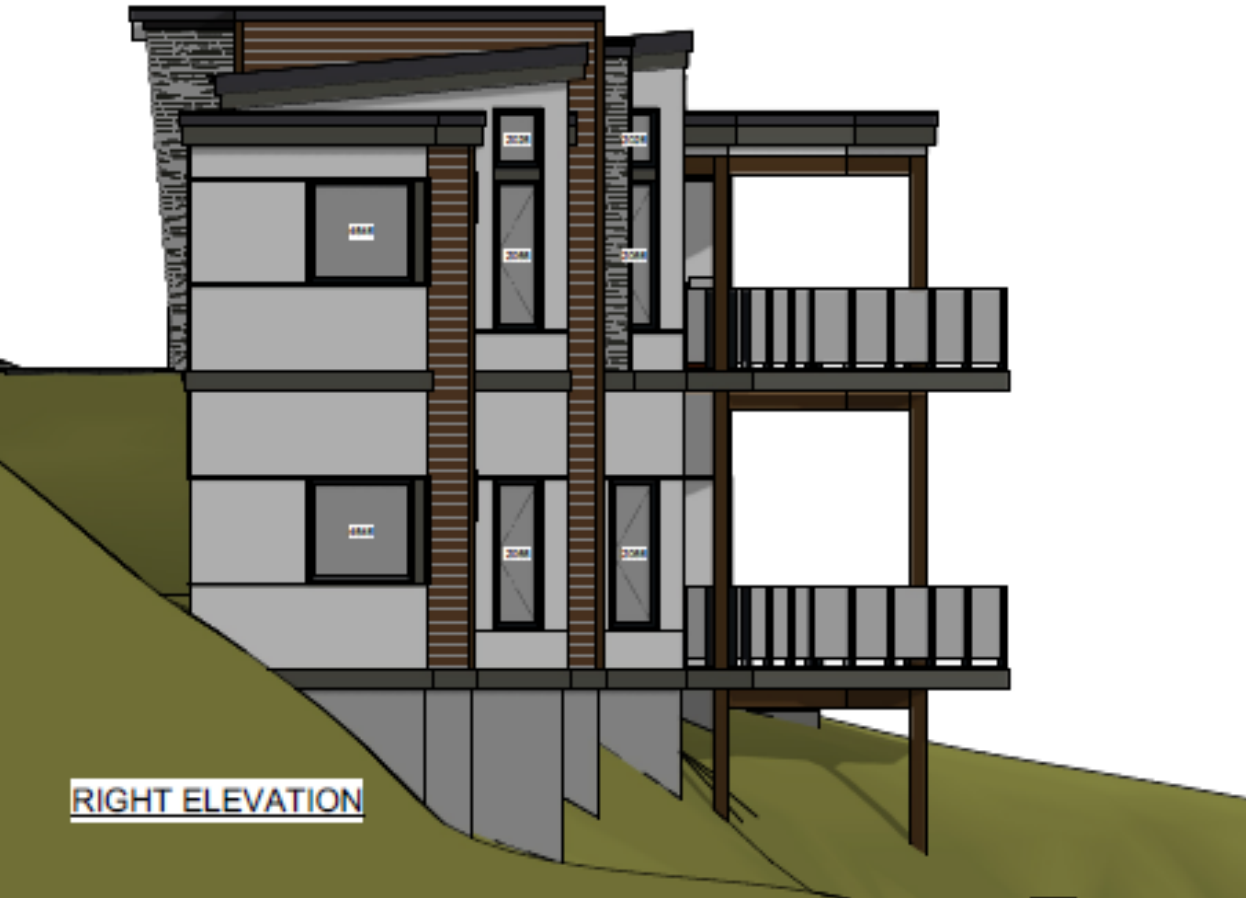
Westside Rd



SITE PLAN
SCALE: 1:1500



SYSTEM LOCATION
SCALE: 1:500

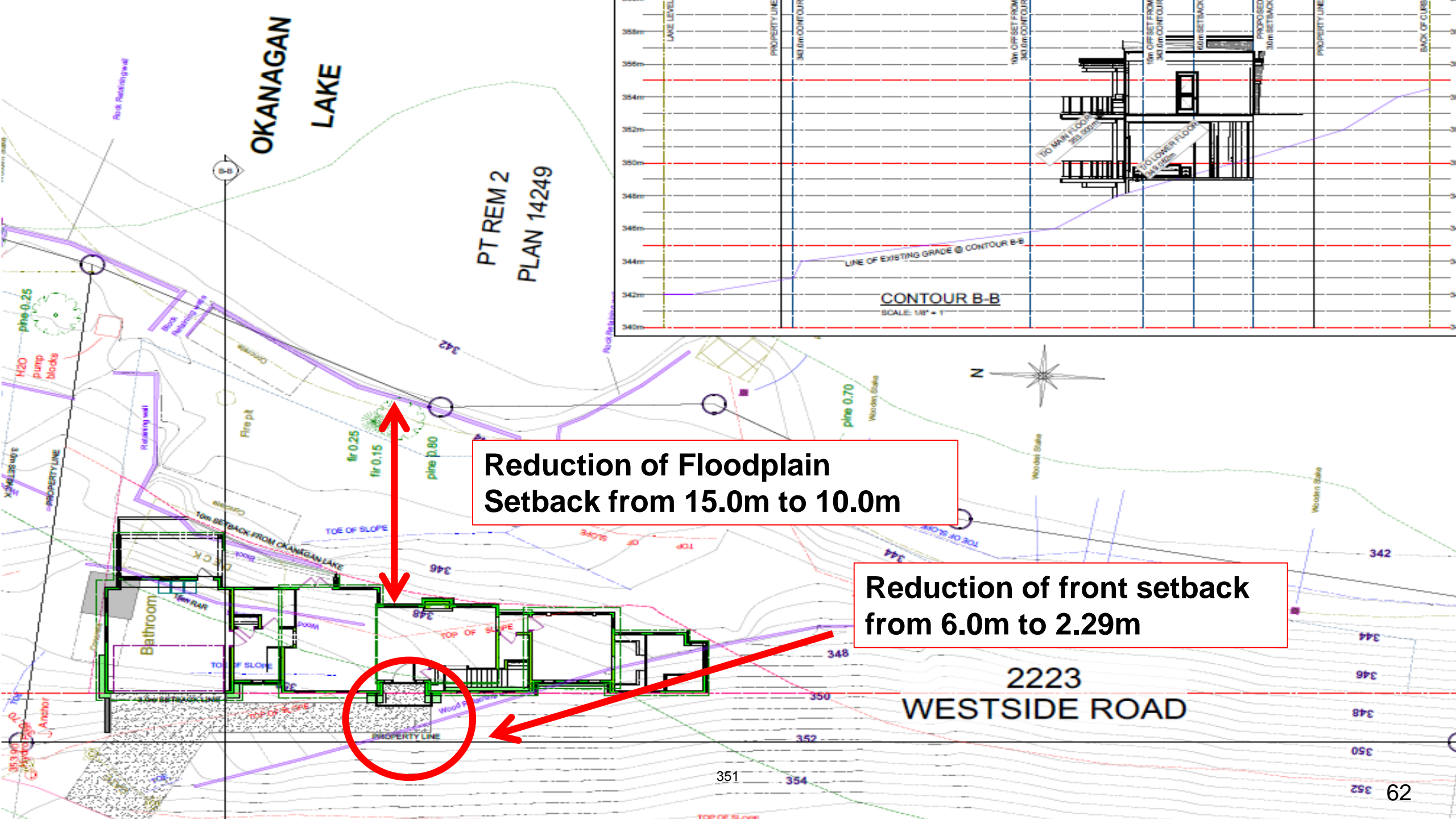


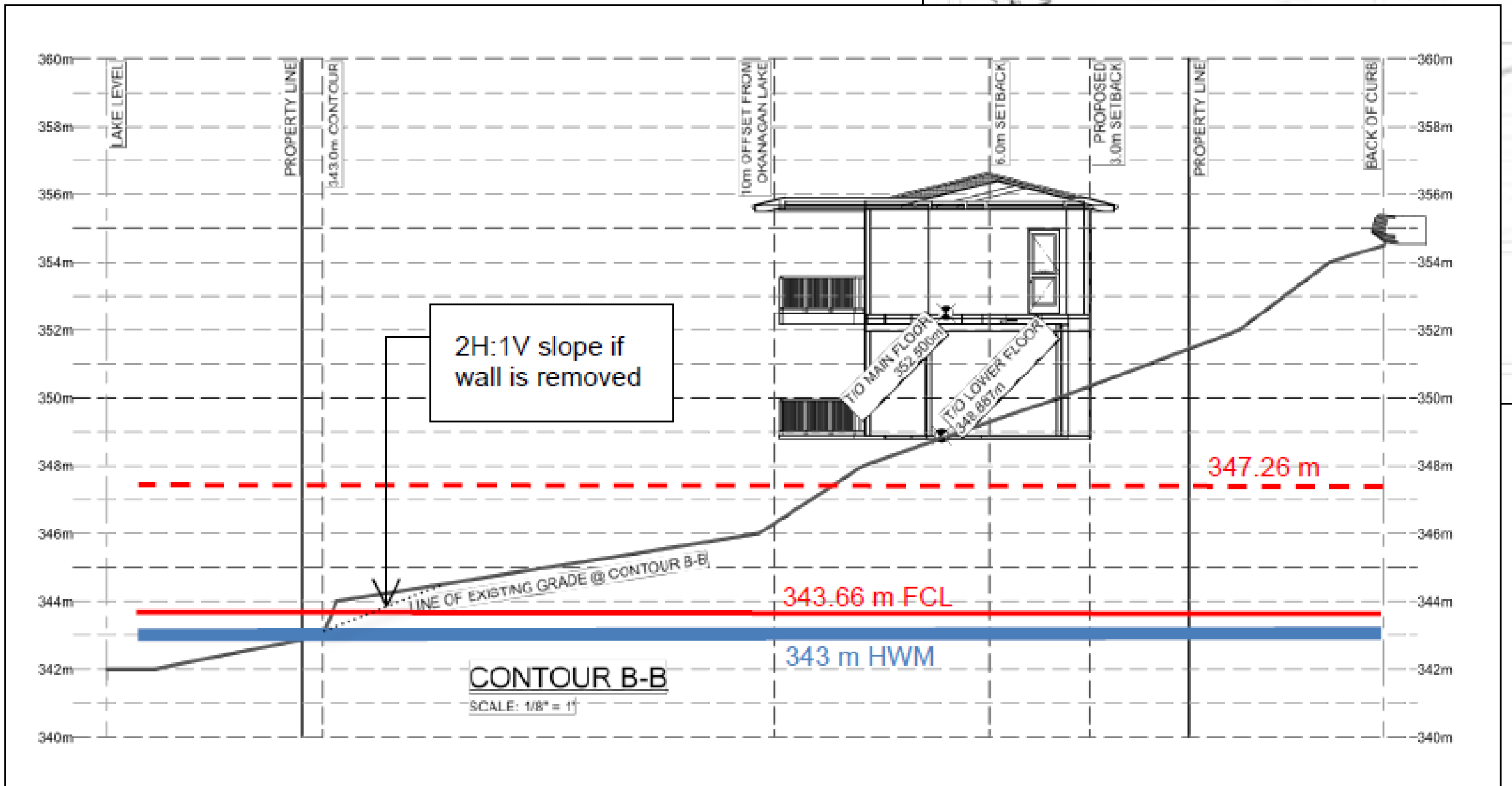


FRONT ELEVATION





[illegible][illegible]



Undue hardship

11 (1) In this section, "**variance**" means any of the following:

- (a) a variance that a board of variance may order to be permitted under section 542 [*board powers on application*] of the *Local Government Act*;
- (b) a variance that a local government may permit under section 498 [*development variance permits*] of the *Local Government Act*;
- (c) an amendment to a zoning bylaw.

(2) A site is subject to undue hardship for the purposes of this regulation if

- (a) the site was created by subdivision in accordance with the laws in force in British Columbia at the time the site was created,
- (b) the developer has sought and received a decision on every variance that would reduce the legally restricted area of the site, and
- (c) the developable area of the site is less than the allowable footprint for the site.

(3) The allowable footprint for a site subject to undue hardship is the following:

- (a) if the area of human disturbance on the site is less than or equal to 70% of the area of the site, the allowable footprint is 30% of the area of the site;
- (b) if the area of human disturbance on the site is greater than 70% of the area of the site, the allowable footprint is 40%.

Alternate Recommendation

THAT the Regional Board approve Floodplain Exemption Application FEX-20-01 to exempt the subject property from Section 3.28 Floodplain Regulations of Zoning Bylaw No. 871 by allowing a reduction of the minimum setback from Okanagan Lake from 15.0 metres (49.2 ft.) to 10.0 metres (32.8 ft.).

Alternate Recommendation

- **AND THAT** the Regional Board approve Development Variance Permit Application VP-20-03 for Maloney Construction Ltd. (owner), located at 2223 Westside Road to vary Section 6.3.4 of Zoning Bylaw No. 871 by allowing a reduction of the minimum front setback from 6.0 m (19.7 ft.) to 2.29 m (7.5 ft.) to permit the construction of a single family dwelling based on the June 3, 2020 Design Drawings prepared by Mullins Design Group.

Alternate Recommendation

AND FURTHER THAT the Regional Board conditionally approve DP-20-08 and that the DP be subject to the following conditions specified in 'Schedule A'

Schedule 'A' Conditions

Adherence to Development Plans:

- No further or variance in construction of, addition to or alteration of a building or structure; or alteration or clearing of land is to occur within the Development Permit Areas as outlined in the Rural Westside Official Community Plan Bylaw No. 1274 without prior notification and approval by RDCO; other than that recognized and approved in this Development Permit.
- No further buildings, structures or improvements of any kind shall be constructed nor located within the 15m setback from the High Water Mark of Okanagan Lake. Any works proposed within the 15m setback may require approvals from the Province in accordance with the *Riparian Areas Protection Regulation*. And further, there shall be no removal or disturbance of any soil, vegetation, or trees (with the exception of weeds) from within the 30 m setback area without first obtaining the written consent of the RDCO.
- Further modifications including changes in and about a stream, construction/alteration of retaining walls, groynes, and substrate modification must not occur at any time without further environmental assessment being conducted and appropriate approvals received from the Province in accordance with the BC *Water Sustainability Act* (Section 11).
- Development Permit (DP-20-08) has been issued exclusively for works associated with the demolition of the existing wooden retaining wall, cement block retaining wall, concrete pads, wooden patio/sundeck, and wooden shed; and construction of a single family dwelling, garage, covered deck, and septic field, as well as associated environmental monitoring and mitigation works.

Schedule 'A' Conditions

Professional Reports:

- All construction, land clearing, mitigation, and restoration activities must be completed as per the July 1, 2020 Floodplain Exemption Application Report prepared by Clarke Geoscience Ltd., the January 30, 2021 Geotechnical Hazard Assessment conducted by Beacon Geotechnical Ltd., the February 26, 2021 Environmental Assessment conducted by Ecoscape Environmental Consultants, the June 3, 2020 Design Drawings prepared by Mullins Design Group, the September 17, 2020 Septic System Design Drawings prepared by Franklin Engineering Ltd., and the October 8, 2019 Topographical Site Survey prepared by Runnalls Denby.

Monitoring:

- The land owner shall obtain the services of an Environmental Monitor to ensure the recommendations of the Development Permit are implemented and in accordance with the following schedule and conditions:
 - Pre-construction meeting with the contractor, Engineer, and Environmental Monitor;
 - Submit monitoring reports to RDCO as indicated by the Environmental Monitor;
 - Prepare a substantial completion report and submit to RDCO upon completion of construction and restoration works indicating substantial completion of the conditions and requirements of the Development Permit have been carried out;
 - In the event that greater disturbance occurs due to unforeseen circumstances, the Environmental Monitor will recommend further measures to protect/restore the natural integrity of the site and report on these measures to the RDCO.

Schedule 'A' Conditions

Security:

- The applicant shall post a letter of credit or bank draft in the amount of \$18,188.00 in order to ensure completion of works and associated remediation landscaping within 1 year of the issuance of the Development Permit.
- Ninety per cent (90%) of this amount is refundable upon completion of said works and receipt of a substantial completion report signed by a registered professional, and to the satisfaction of Regional District Community Services staff.
- The remainder of the bond shall be held for a minimum of two (2) years (growing seasons) to ensure that the required mitigation has been fully implemented and demonstrated to function (ecologically or as designed). The maintenance bond may be held for longer periods if, throughout the initial 2-year period the persistent failure of the works is documented.

Schedule 'A' Conditions

Further Conditions or Restrictions:

- The landowner/applicant must apply for and receive a building permit for the proposed works as well as an application for the removal of the Notice of Bylaw Contravention on title to the satisfaction of the RDCO Building Inspection Services.
- A Registered Professional Engineer must be retained at time of site preparation and subsurface investigation, excavation, and subgrade works to ensure that the structural considerations of soil, including slope stability, site drainage, and erosion and sediment control will be supervised and approved by the Engineer.
- The building footprint area must be surveyed, staked, and clearly delineated to prevent encroachment.
- The riparian setback area must be surveyed, staked, and clearly delineated to prevent encroachment.
- Prior to any disturbance on site, the contractor is required to install silt fencing around the development footprint adjacent to the 10m riparian setback area to prevent encroachment and to provide erosion and sediment control.
- Construction debris and materials must not be stored or deposited within the riparian setback and must be removed from the property on a regular basis.
- A Site Survey / Building Location Certificate is required to be submitted to the RDCO at time of footings and foundation.
- Best Management Practices are to be used as a means to protect the riparian area of Okanagan Lake.

Schedule 'A' Conditions

Further Conditions or Restrictions:

- Registration of a restrictive (Floodplain) covenant under Section 219 of the Land Title Act identifying that there has been an indication of flood concern relating to the development of the lands as set forth in a report prepared by Clarke Geoscience Ltd., dated July 1, 2020.
- Registration of a restrictive no-build / no-disturb (Geotechnical) covenant under Section 219 of the Land Title Act identifying that there has been an indication of geotechnical concern relating to the development of the lands as set forth in a report prepared by Beacon Geotechnical Ltd., dated January 30, 2021 and February 23, 2021.
- Registration of a restrictive (Environmental) covenant under Section 219 of the Land Title Act identifying that there has been an indication of environmental concern relating to the development of the lands as set forth in a report prepared Ecoscape Environmental Consultants Ltd., dated February 2021. The development of the lands shall be in strict accordance with the recommendations contained within the environmental report.
- A detailed and formal landscape plan must be prepared by a qualified professional and submitted to and approved by the RDCO prior to commencement of any landscape works.

Schedule 'A' Conditions

Further Conditions or Restrictions:

- Should clearing activities be required during the identified avian nesting period (March 31 – August 15), pre-clearing surveys must be conducted by the EM to identify active nests and other critical habitat features. Clearing and other construction activities must be conducted within 72 hours following the completion of the pre-clearing nest surveys. Additional buffers and no-disturbance zones may be required at this time.
- In accordance with the RDCO Noxious Weed Control Bylaw No. 179, the owner or occupier of the land shall prevent the infestation of noxious weeds and cut down or otherwise destroy and mulch or remove all noxious weeds and plant with native grasses or other native vegetation.



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 26, 2021

SUBJECT: Zoning Amendment Bylaw No. 871-264 (Z20/06)
M. Basra, 4379 Black Road
Central Okanagan East Electoral Area

Voting Entitlement: *Custom Vote—Electoral Areas & Kelowna Area—1 Director, 1 Vote – Simple Majority*

Purpose: To permit a secondary suite by rezoning the subject property from A1 Agricultural to A1s Agricultural (Secondary Suite).

Executive Summary:

The owner of Lot 1, District Lot 121, ODYD, Plan 15442 with a civic address of 4379 Black Road would like to add a secondary suite within the single detached house currently under construction. The parcel is currently zoned A1 Agricultural, which does not permit a secondary suite. Further, the property is within the Agricultural Land Reserve. Since first reading of Zoning Amendment Bylaw No. 871-264, a draft covenant has been prepared recognizing the location of the subject property within an area that is actively farmed and subject to various disturbances resulting from normal farm operations.

RECOMMENDATION:

THAT Zoning Amendment Bylaw No. 871-264 be given second and third readings;

AND FURTHER THAT final adoption be withheld pending:

- receipt of a registered covenant on title recognizing the location of the subject property within an area that is actively farmed.

Respectfully Submitted:

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

Todd Cashin
Director of Community Services

Prepared by: Danika Dudzik, Senior Planner

Approved for Board's Consideration

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

Brian Reardon, CAO

Implications of Recommendation:

Strategic Plan:	Granting further readings of the zoning bylaw amendment achieves the Regional Board Strategic Priorities 2019-2022 with respect to “Sustainable Communities”.
Policy:	Granting further readings of the zoning bylaw amendment complies with: <ul style="list-style-type: none">• Regional Growth Strategy Bylaw No. 1336• Ellison Official Community Plan Bylaw No. 1124
Legal/Statutory Authority:	Granting further readings of the zoning bylaw amendment is in compliance with <i>Local Government Act</i> , Section 479.

Background:

Zoning Amendment Bylaw No. 871-264 received first reading on January 25, 2021, and a Public Hearing was held on April 26, 2021, prior to the regular Board Meeting.

The property is within the Agricultural Land Reserve however, restrictions on the use of agricultural land contained within the *Agricultural Land Commission Act* and the Agricultural Land Reserve Use Regulation do not apply under s. 23(1) of the ALC Act. Further, Planning staff received the appropriate draft documentation for the required covenant to be registered on title.

Planning staff recommends that Zoning Amendment Bylaw No. 871-264 be given second and third readings.

Alternative Recommendation:

Based on staff’s analysis of the application and feedback received to date, staff does not propose an alternative recommendation.

Considerations not applicable to this report:

- *Financial Considerations*
- *Organizational Issues*
- *External*

Attachment:

- Zoning Amendment Bylaw No. 871-264

REGIONAL DISTRICT OF CENTRAL OKANAGAN
BYLAW NO. 871-264
A Bylaw to Amend Regional District of Central Okanagan Zoning Bylaw 871, 2000

WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871, 2000 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 may be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-264.**
2. **That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by changing the zoning on Lot 1, District Lot 121, ODYD, Plan 15442 as shown on Schedule 'A' attached to and forming part of this bylaw from A1 Agricultural to A1s Agricultural (Secondary Suite).**
3. **That the Regional District of Central Okanagan Zoning Bylaw map being Schedule 'B' of the bylaw be AMENDED to depict the change.**

READ A FIRST TIME this 25th day of January 2021

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this _____ day of _____

READ A SECOND TIME this _____ day of _____

READ A THIRD TIME this _____ day of _____

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. 871-264 as read a third time by the Regional District of Central Okanagan the _____ day of _____

Dated at Kelowna, this _____ day of _____

Director of Corporate Services

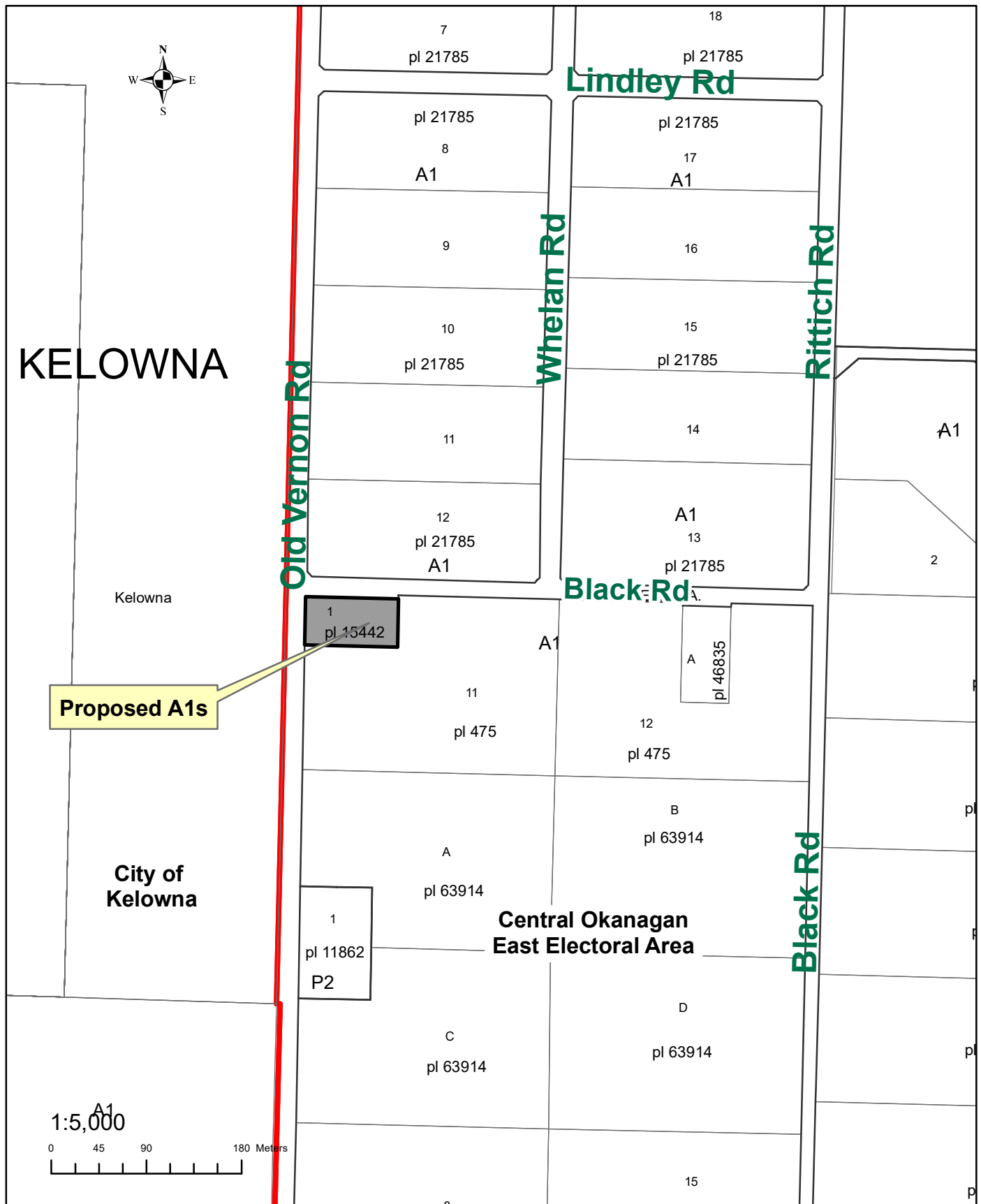
I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-264 which was Adopted by the Regional District of Central Okanagan on the _____ day of _____

Dated at Kelowna, this _____ day of _____

Director of Corporate Services

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SCHEDULE 'A'



I hereby certify this to be a true and correct copy of Schedule 'A' as described in
Bylaw No. 871-264 and read a third time by the Regional District of Central Okanagan
on the day of

Rezoning Application Z20/06

Regional District of Central Okanagan Board Meeting
April 26, 2021

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Purpose

- To permit a secondary suite by rezoning the subject property from A1 Agricultural to A1s Agricultural (Secondary Suite)

High Noon Park

Ellison Dog Park

Old Vernon Rd

Whelan Rd

Black Rd

Subject Property

4661

12

pl 21785

4379

pl 15442

4393

11

370

pl 475

3

70m



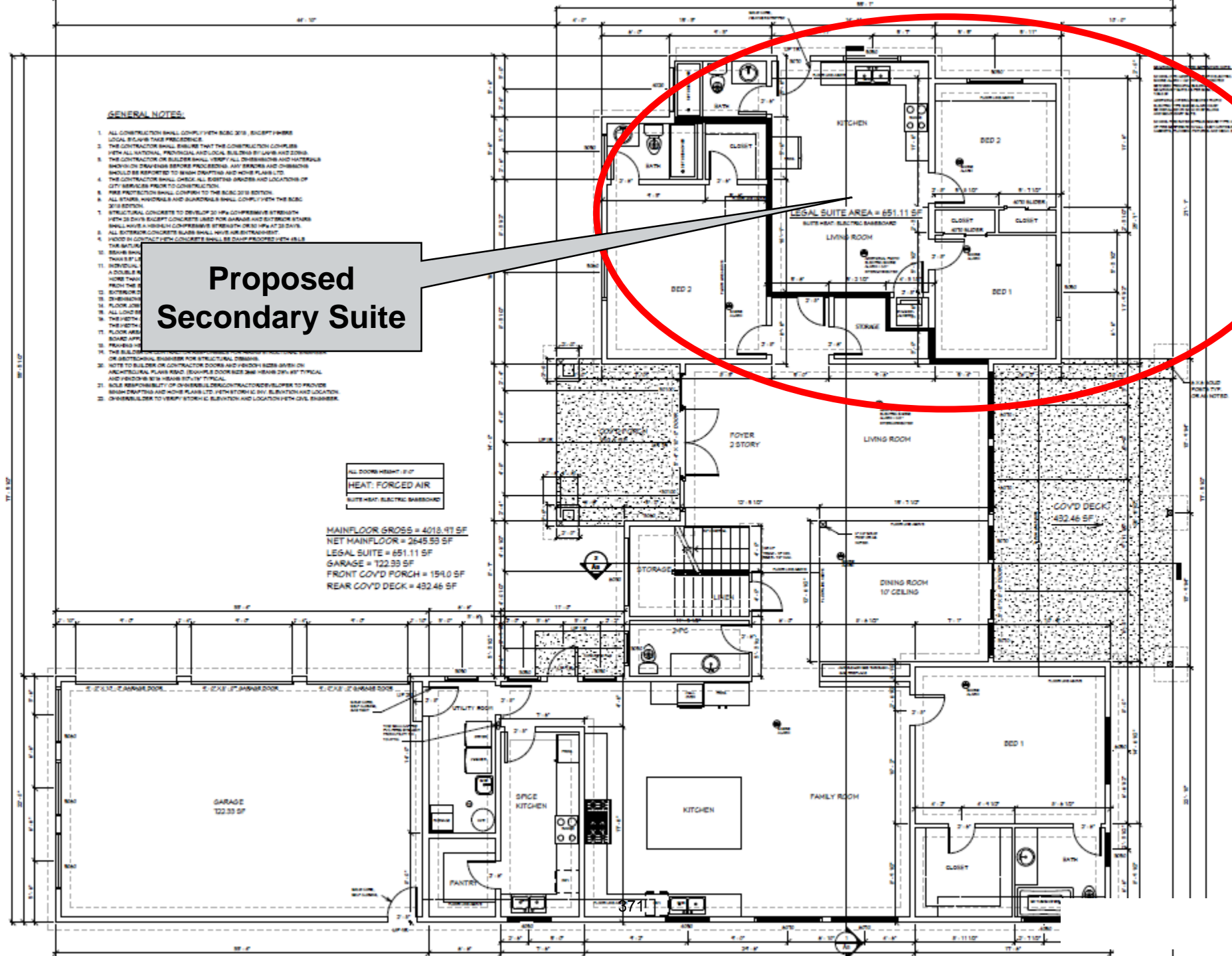
GENERAL NOTES:

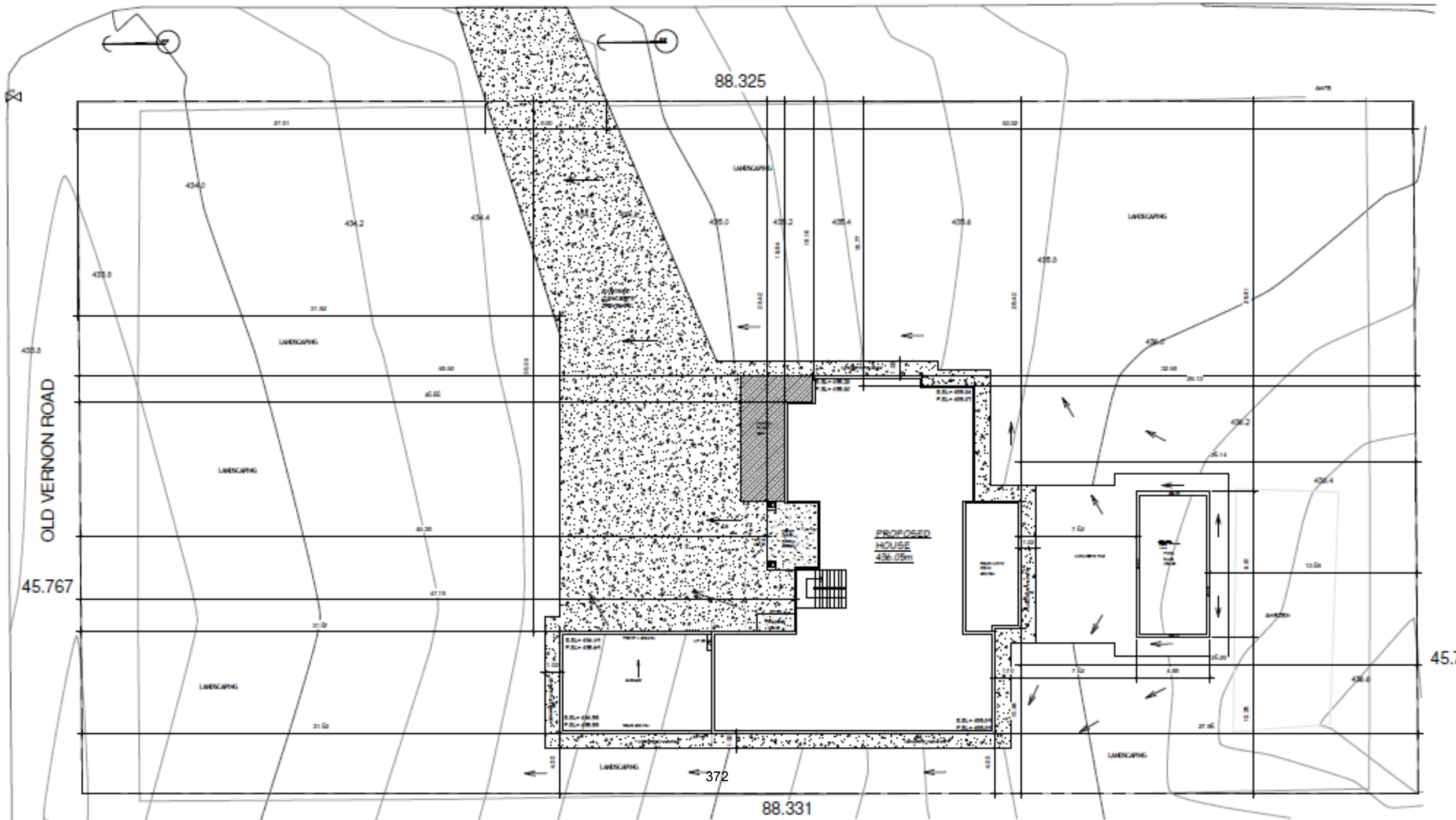
1. ALL CONSTRUCTION SHALL COMPLY WITH NBC 370, EXCEPT WHERE LOCAL BYLAWS TAKE PRECEDENCE.
2. THE CONTRACTOR SHALL ENSURE THAT THE CONSTRUCTION COMPLIES WITH ALL NATIONAL, PROVINCIAL AND LOCAL BUILDING BYLAWS AND ZONING.
3. THE CONTRACTOR OR BUILDER SHALL VERIFY ALL OVERSIGHTS AND VARIATIONS SHOWN ON DRAWINGS BEFORE PROCEEDING. ANY ERRORS AND OMISSIONS SHOULD BE REPORTED TO BISH DRAFTING AND HOME PLANS LTD.
4. THE CONTRACTOR SHALL CHECK ALL EXISTING SERVICES AND LOCATIONS OF CITY SERVICES PRIOR TO CONSTRUCTION.
5. FIRE PROTECTION SHALL COMPLY TO THE NBC 370 3RD EDITION.
6. ALL STAIRS, WINDERS AND GUARDRAILS SHALL COMPLY WITH THE NBC 370 3RD EDITION.
7. STRUCTURAL CONCRETE TO DEVELOP 30 MPa COMPRESSIVE STRENGTH WITH 28 DAYS EXCEPT CONCRETE USED FOR GARAGE AND EXTERIOR STAIRS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 30 MPa AT 28 DAYS.
8. ALL EXTERIOR CONCRETE SLABS SHALL HAVE AIR ENTRAINMENT.
9. FLOOD IN CONTACT WITH CONCRETE SHALL BE DAMP PROTECTED WITH GEL.
10. THE BATHING ROOM SHALL TAKE 5 FT x 6 FT.
11. INDIVIDUAL A DOUBLE RAMP FROM THE 1ST FLOOR TO THE 2ND FLOOR.
12. EXTERIOR DOOR TO THE 2ND FLOOR.
13. 2ND FLOOR DOOR TO THE 2ND FLOOR.
14. ALL LOFTS TO THE 2ND FLOOR.
15. THE 2ND FLOOR AREA SHALL BE 10' x 10'.
16. PROVIDE 10' x 10' FLOOR AREA.
17. THE BUILDING SHALL BE 10' x 10'.
18. OR STRUCTURAL ENGINEER FOR STRUCTURAL DESIGN.
19. NOTE TO BUILDER OR CONTRACTOR DOORS AND WINDOWS SHALL BE ON ARCHITECTURAL PLANS READ. DOUBLE DOOR SIZE SHALL BE 20' x 10' TYPICAL AND WINDOWS 20' x 10' TYPICAL.
20. SOLE RESPONSIBILITY OF OVERSEER/CONTRACTOR/BUILDER TO PROVIDE BISH DRAFTING AND HOME PLANS LTD. WITH EXISTING CIVIL, SURVEY AND LOCATION.
21. OVERSEER/BUILDER TO VERIFY EXISTING ELEVATION AND LOCATION WITH CIVIL ENGINEER.

**Proposed
Secondary Suite**

ALL DOORS HEIGHT: 8' 0"
HEAT: FORCED AIR
SPLIT-HEAT ELECTRIC WARMER

MAINFLOOR GROSS = 4018.91 SF
NET MAINFLOOR = 2645.53 SF
LEGAL SUITE = 651.11 SF
GARAGE = 122.33 SF
FRONT COVD PORCH = 154.0 SF
REAR COVD DECK = 432.46 SF





Background

- Received first reading on January 25, 2021
- Public Hearing held on April 26, 2021

Recommendation

THAT Zoning Amendment Bylaw No. 871-264 be given second and third readings;

AND FURTHER THAT final adoption be withheld pending receipt of a registered covenant on title recognizing the location of the subject property within an area that is actively farmed.

High Noon Park

Ellison Dog Park

Old Vernon Rd

Whelan Rd

Black Rd

Subject Property

4661

12

pl 21785

4379

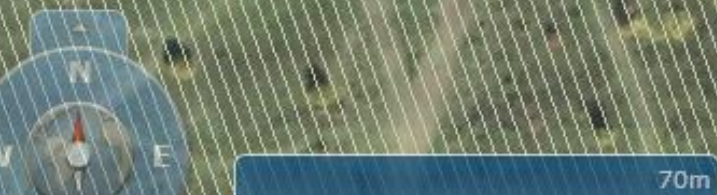
pl 15442

4393

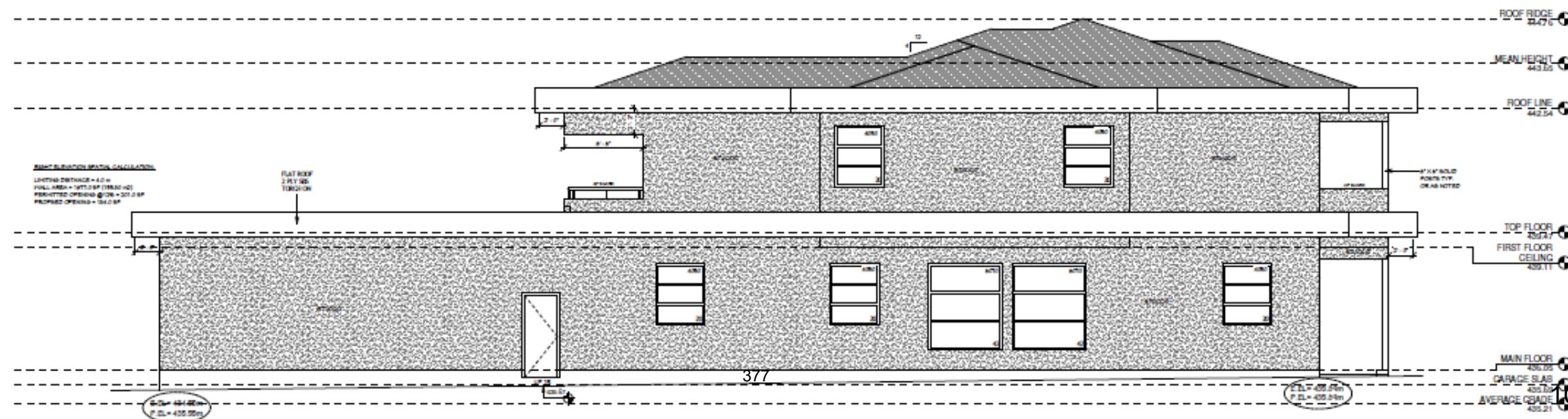
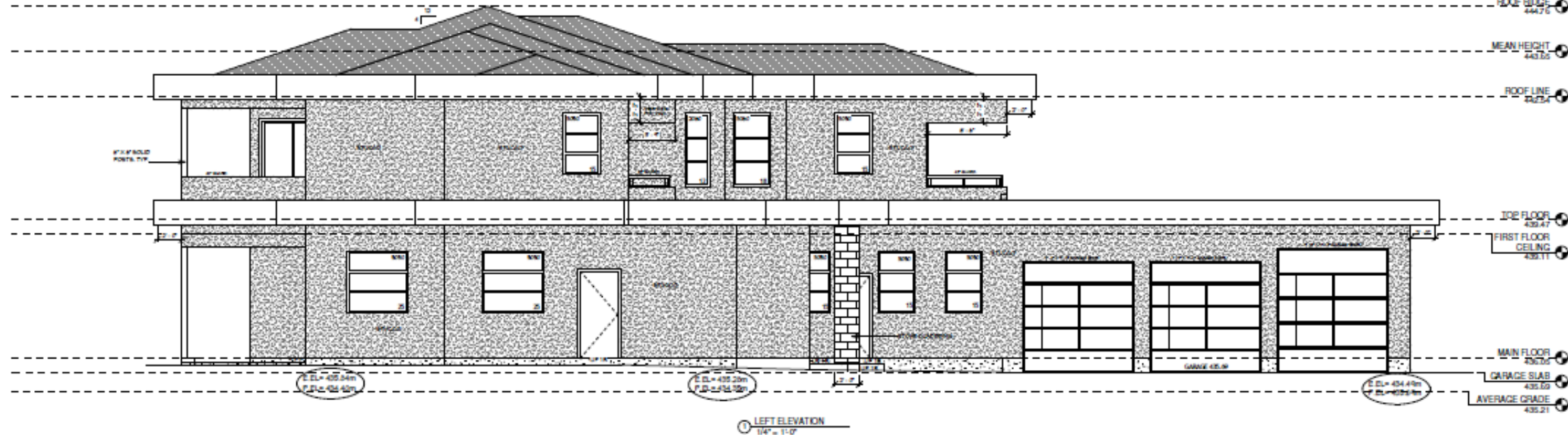
11

375

pl 475









Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 26, 2021

SUBJECT: Joe Rich Rural Land Use Amendment Bylaw No. 1195-24 (RLUB-20-02)
K. & P. Bartha, 8991 Highway 33 E
Central Okanagan East Electoral Area

Voting Entitlement: *Custom Vote—Electoral Areas & Kelowna Area—1 Director, 1 Vote – Simple Majority*

Purpose: To permit a secondary suite by re-designating the subject property from SH-2 Small Holdings 2 to SH-2s Small Holdings 2 (Secondary Suite).

Executive Summary:

The owners of 8991 Highway 33 E would like to add a secondary suite within their single detached house. The parcel is currently designated SH-2 Small Holdings 2, which does not permit a secondary suite. All technical requirements will be addressed in conjunction with the bylaw amendment and Building Permit process. Since first reading of Joe Rich Rural Land Use Bylaw No. 1195-24, the applicants have applied for and received approval of a Controlled Access Permit from the Ministry of Transportation and Infrastructure.

RECOMMENDATION:

THAT Joe Rich Rural Land Use Amendment Bylaw No. 1195-24 be given second and third readings;

AND FURTHER THAT final adoption be withheld pending:

- approval of the bylaw by the Ministry of Transportation and Infrastructure.

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: Danika Dudzik, Senior Planner

Implications of Recommendation:

Strategic Plan:	Granting further readings of the bylaw amendment achieves the Regional Board Strategic Priorities 2019-2022 with respect to “Sustainable Communities”.
Policy:	Granting further readings of the bylaw amendment complies with: <ul style="list-style-type: none">• Regional Growth Strategy Bylaw No. 1336• Joe Rich Rural Land Use Bylaw No. 1195
Legal/Statutory Authority:	Granting further readings of the bylaw amendment is in compliance with <i>Local Government Act</i> , Sections 457 and 479.

Background:

Joe Rich Rural Land Use Bylaw (RLUB) Amendment No. 1195-24 received first reading on January 25, 2021, and a Public Hearing was held on April 26, 2021, prior to the regular Board Meeting.

The property is located within 800 metres of a Controlled Access Highway. As such, the bylaw must be forwarded to the Ministry of Transportation and Infrastructure (MOTI) for signature after it has achieved 3rd reading. Since first reading, the applicants have applied for and received approval of a Controlled Access Permit from MOTI.

Planning staff recommends that Joe Rich RLUB Amendment No. 1195-24 be given second and third readings.

Alternative Recommendation:

Based on staff’s analysis of the application and feedback received to date, staff does not propose an alternative recommendation.

Considerations not applicable to this report:

- *Financial Considerations*
- *Organizational Issues*
- *External*

Attachment:

- Joe Rich RLUB Amendment No. 1195-24

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1195-24

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

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 may be cited as Joe Rich Rural Land Use Amendment Bylaw No. 1195-24.**
2. **That the Joe Rich Rural Land Use Bylaw No. 1195, 2007 is hereby AMENDED by designating Lot A, District Lot 4051, ODYD, Plan 34622 as shown on Schedule 'A' attached to and forming part of this bylaw from SH-2 Small Holdings 2 to SH-2s Small Holdings 2 (Secondary Suite).**
3. **That Schedule 'B' (Land Use Designation Map) of the Joe Rich Rural Land Use Bylaw No. 1195, 2007 is hereby AMENDED to depict the changes.**

READ A FIRST TIME this 25th day of January 2021

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this _____ day of _____

READ A SECOND TIME this _____ day of _____

READ A THIRD TIME this _____ day of _____

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 Joe Rich Rural Land Use
Amendment Bylaw No. 1195-24 as read a third time by the Regional District of Central
Okanagan on the _____ day of _____

Dated at Kelowna, this _____ day of _____

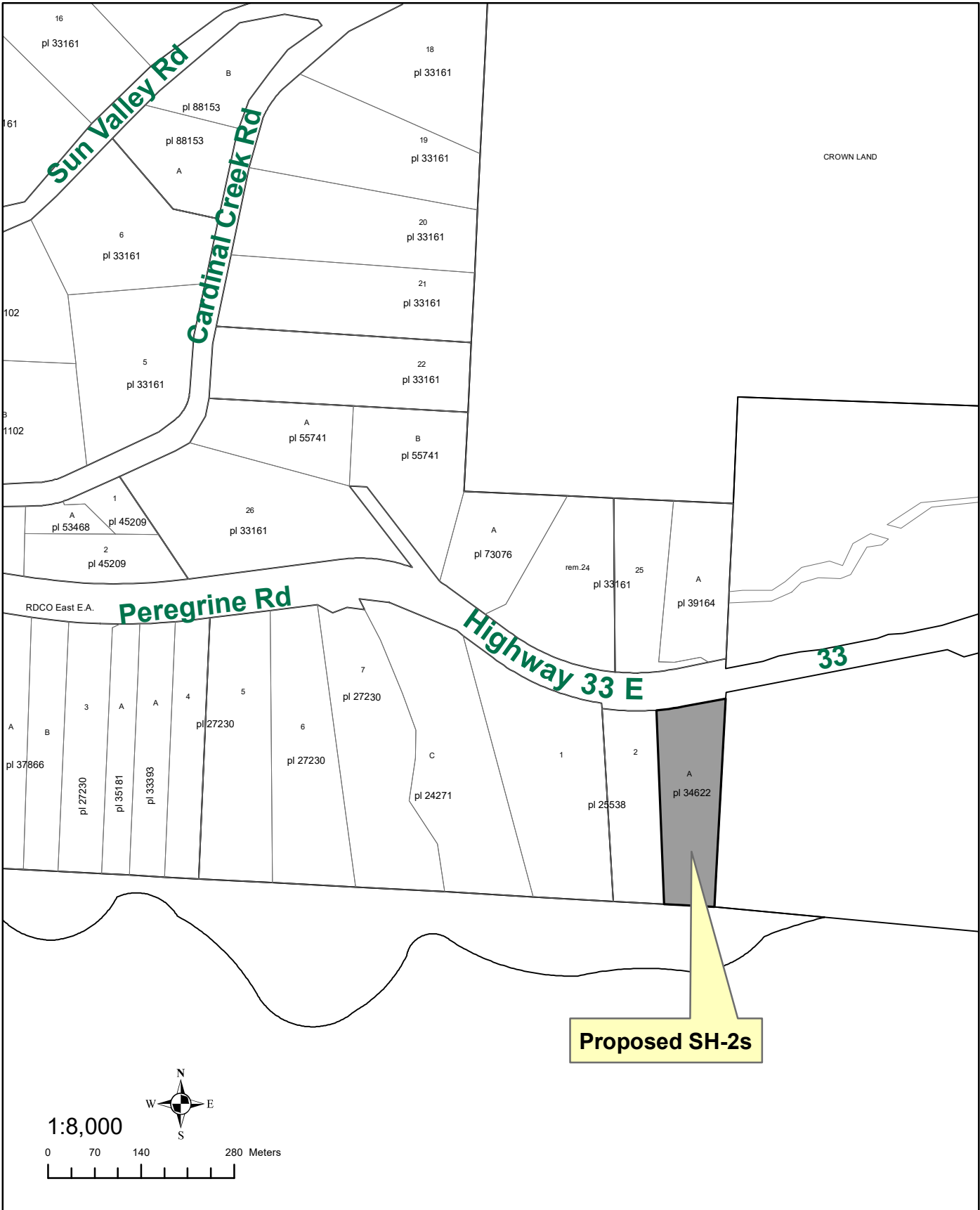
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Joe Rich Rural Land Use
Amendment Bylaw No. 1195-24 which was Adopted by the Regional District of Central
Okanagan on the _____ day of _____

Dated at Kelowna, this _____ day of _____

Director of Corporate Services

SCHEDULE 'A'



I hereby certify this to be a true and correct copy of Schedule 'A' as described in Bylaw No. 1195-24 and read a third time by the Regional District of Central Okanagan on the _____ day of _____

Re-designation Application RLUB-20-02 8991 Highway 33 E

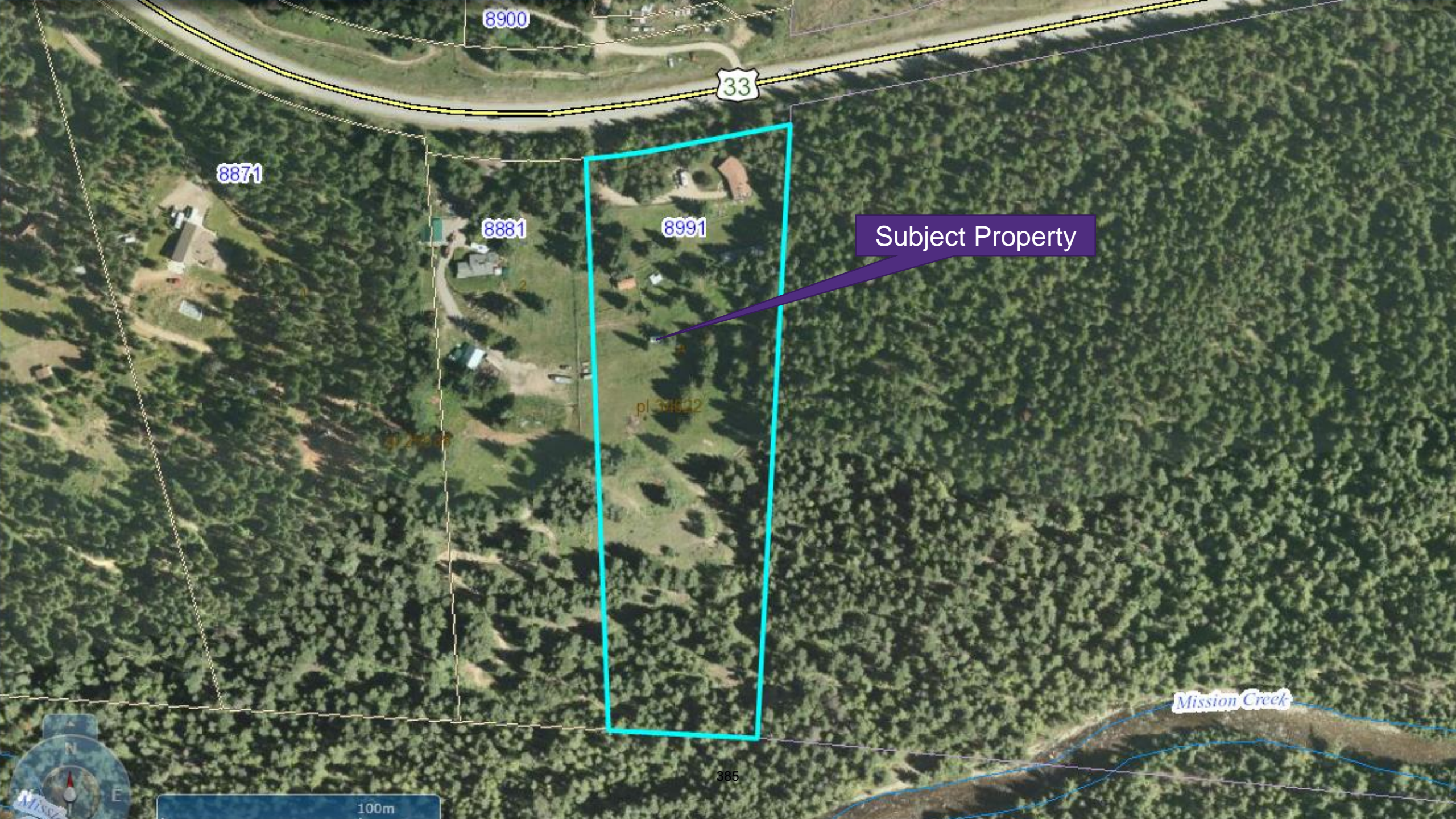
Regional District of Central Okanagan Board Meeting
April 26, 2021

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Purpose

- To permit a secondary suite by re-designating the subject property from SH-2 Small Holdings 2 to SH-2s Small Holdings 2 (Secondary Suite)



8900

33

8871

8881

8991

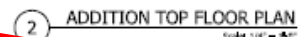
Subject Property

pl. 34622

Mission Creek

385

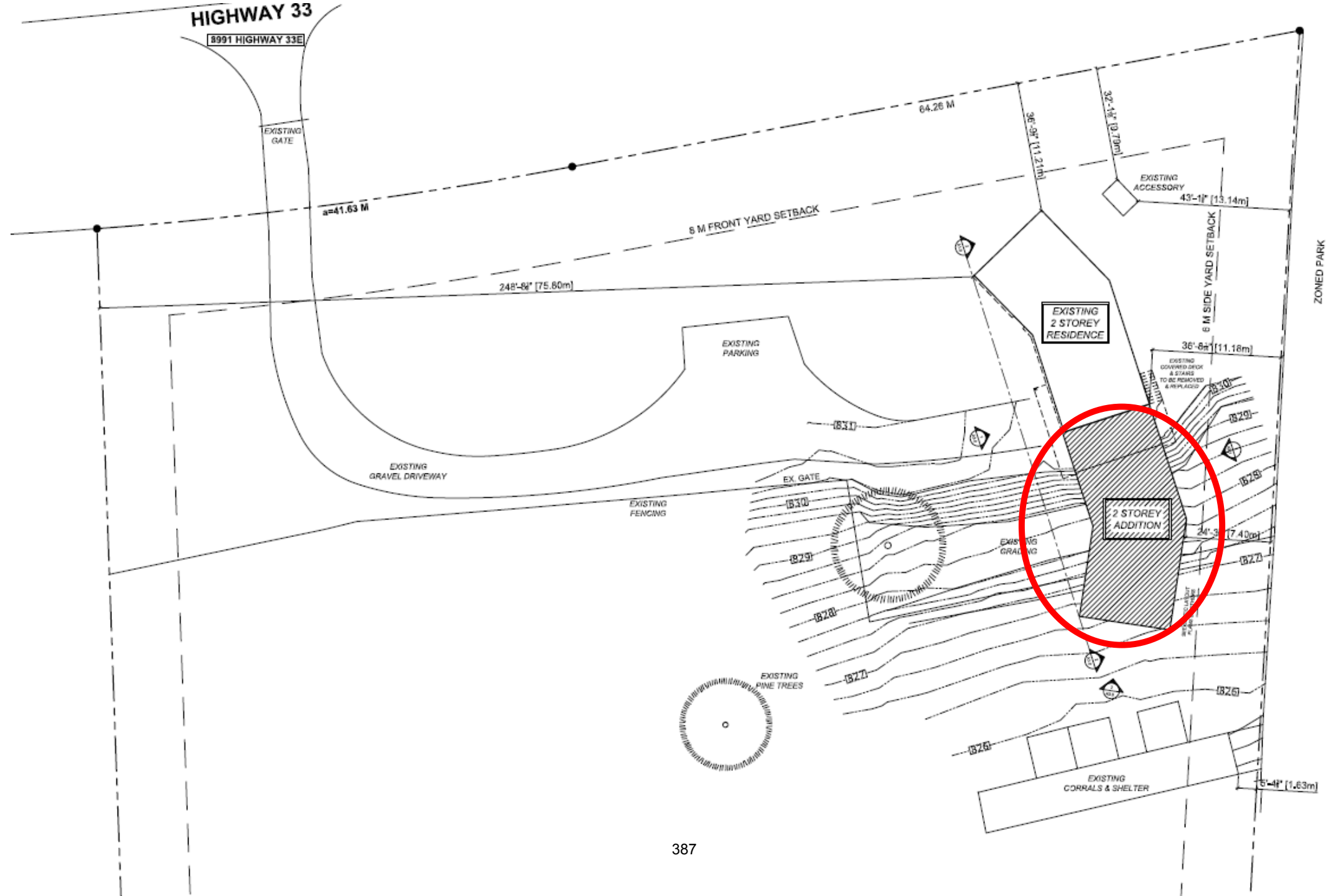
100m



EXISTING HOME



☒ DENOTES WALLS TO BE REMOVED
☒ DENOTES EXISTING WALLS TO BE MODIFIED
☐ DENOTES EXISTING WALLS TO REMAIN / NEW CONSTRUCTION



Background

- Received first reading on January 25, 2021
- Public Hearing held on April 26, 2021
- MOTI approval of bylaw required

Recommendation

THAT Joe Rich Rural Land Use Amendment Bylaw No. 1195-24 be given second and third readings;

AND FURTHER THAT final adoption be withheld pending approval of the bylaw by the Ministry of Transportation and Infrastructure.