REGIONAL DISTRICT OF CENTRAL OKANAGAN
REGULAR BOARD MEETING
AGENDA
8:30 am (following a Governance & Services Committee Meeting)
Thursday, April 14, 2016
Woodhaven Board Room
1450 K.L.O. Road, Kelowna, BC

1. CALL TO ORDER

2. ADDITION OF LATE ITEMS

3. ADOPTION OF THE AGENDA

  Recommended Motion:
  THAT the agenda be adopted.

4. ADOPTION OF MINUTES

  4.1 Regional Board Budget Meeting Minutes - March 31, 2016
      [All Directors - Unweighted Vote - LGA 208(1)]

      Recommended Motion:
      THAT the Regional Board meeting minutes of March 31, 2016 be adopted.

5. CORRESPONDENCE

  5.1 City of Kelowna - SILGA Resolution
      'Integrity Commissioner for Local Government' [All Directors - Unweighted Vote - LGA 208(1)]

      Recommended Motion:
      THAT the City of Kelowna's correspondence dated Feb. 15, 2016 regarding their SILGA resolution "Integrity Commissioner for Local Government" for consideration at the 2016 SILGA Convention be received for information.

  5.2 Ministry of Transportation and Infrastructure

      Approval of funding for Bellevue Creek Intake and Dike Improvements [All Directors - Unweighted Vote - 208(1)]
Recommended Motion:
THAT the March 30, 2016 letter from the Ministry of Transportation and Infrastructure confirming approval of $200,000 in funding for the Bellevue Creek Intake and Dike Improvements be received for information.

6. COMMUNITY SERVICES

6.1 New Building Canada Fund-Small Communities Fund

Falcon Ridge Water System [All Directors - Unweighted Vote - 207(5)]

Recommended Motion:
THAT the Regional Board approve committing up to $145,000 from the Falcon Ridge Water System Capital Reserve Fund to the Falcon Ridge Water System Improvement Project submission to the New Building Canada Fund - Small Communities Fund (NBCF-SCF) program.

6.2 City of Kelowna - Regional Context Statement

[All Directors - Unweighted Vote - 208(1)]

Recommended Motion:
THAT the Regional Board accept the City of Kelowna’s proposed Regional Context Statement in their Official Community Plan Amendment Bylaw No. 11205.

6.3 Planning Services - Permit

Temporary Use Permit For Reimund Schoenherr (owner), Rolf Von Andrian (applicant/agent) located at 4429 June Springs Road (TUP-13-03) Central Okanagan East Electoral Area [Custom Vote - Electoral Areas and Kelowna Fringe Area]

Recommended Motion:
THAT the Temporary Use Permit (Application TUP-13-03 – authorized April 22, 2013) for R. Schoenherr c/o R. von Andrian to permit an outdoor recreational ropes course/zip line business on a portion of the South 1/2 of Section 36, Township 29, ODYD - 4429 June Springs Road be renewed for an additional three years with the following conditions:

• The sublease with RDCO Parks Services for the KLO Creek Trail to remain in effect;
• Approval of a Development Permit is required prior to any further land alteration or disturbance;
• Obtain annual Business Licenses and Building Permits as required; and
  • Confirmation from the Ministry of Transportation and Infrastructure that the commercial access permit (File Number: 2016-01289) has been approved.
6.4 Fire Services - Regional Fire Service Review

Regional Fire Service Review - Implementation Strategy [All Directors - Unweighted Vote - 207(5)]

Recommended Motion:
THAT the Regional Board approve the Fire Service Implementation Plan dated March 31, 2016 pertaining to the recommendations outlined in the 2015 POMAX Fire Service Review Report.

7. NEW BUSINESS

7.1 Rise & Report from Governance & Services Meeting - April 14, 2016

7.1.1 Emergency Program Act Consultation

RDCO’s Submission of the 'Response to Prepared and Resilient EMBC Discussion Paper' [All Directors - Unweighted Vote - 208(1)]

8. DIRECTOR ITEMS

9. ADJOURN
Minutes of the REGIONAL BOARD BUDGET MEETING of the Regional District of Central Okanagan held at Regional District Offices, 1450 KLO Road, Kelowna, B.C. on Thursday, March 31, 2016

Directors:  
J. Baker (District of Lake Country)  
C. Hodge, alternate for C. Basran (City of Kelowna)  
W. Carson (Central Okanagan West Electoral Area)  
M. DeHart (City of Kelowna)  
D. Findlater (City of West Kelowna)  
C. Fortin (District of Peachland)  
G. Given (City of Kelowna)  
T. Gray (City of Kelowna)  
P. Hanson (Central Okanagan East Electoral Area)  
R. DeJong, alternate for D. Ophus (City of West Kelowna)  
B. Sieben (City of Kelowna)  
L. Stack (City of Kelowna)  

Absent:  
C. Derickson (Westbank First Nation)  

Staff:  
B. Reardon, Chief Administrative Officer  
M. Kopp, Director of Parks Services  
C. Radford, Director of Community Services  
M. Rilkoff, Director of Financial Services  
B. Smith, Communications  
M. Drouin, Manager - Corporate Services (recording secretary)  

1. CALL TO ORDER  
Chair Given called the meeting to order at 9:13 a.m.  

2. ADDITION OF LATE ITEMS  
No additional items  

3. ADOPTION OF THE AGENDA  
#77/16 BAKER/FINDLATIER  
THAT the agenda be adopted.  

CARRIED Unanimously  

4. ADOPTION OF MINUTES  
4.1 Regular Board Meeting – March 21, 2016 [All Directors – Unweighted Vote – LGA 208.1]
THAT the Regular Board Meeting minutes of March 21, 2016 be adopted.

CARRIED Unanimously

5. **FINANCIAL SERVICES**

5.1 **RDCO 2016 - 2020 Budget & Financial Plan**

M. Rilkoff, Director of Finance, reviewed the third draft of the 2016-2020 Budget and Financial Plan. The total is $63 million, broken down among various types of services as you see. The largest portion is the municipal debt financing done through the Municipal Finance Authority.

![Financial Services Diagram]

It was noted that three updates have been made to the financial plan since the last meeting: 047 Mosquito control – Peachland is now participating; 142 Regional Parks – add a capital project for $5,000 (funded by a grant), and 117 Sterile Insect Release parcel tax amounts have been included.

*Director Baker left at 9:28 a.m.*
General tax rates per area were highlighted.

<table>
<thead>
<tr>
<th>Area</th>
<th>2016 House Value</th>
<th>2015 Total Tax per House, Avg House Value $499,000</th>
<th>Mar 31 Draft</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2015</td>
<td>2016</td>
</tr>
<tr>
<td>Kelowna</td>
<td>$537,000</td>
<td>$175.23</td>
<td>$178.10</td>
</tr>
<tr>
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<td>517,000</td>
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<td>Lake Country</td>
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<td>201.09</td>
<td>$197.14</td>
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<tr>
<td>West Kelowna</td>
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<td>$192.18</td>
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<tr>
<td>C. O. West</td>
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</tr>
<tr>
<td>C. O. East</td>
<td>536,000</td>
<td>461.09</td>
<td>506.37</td>
</tr>
</tbody>
</table>

Director Baker returned at 9:33 a.m.

The CAO provided an overview of fringe area planning—land use matters where municipalities have the authority, regulated through agreement, to vote on land use matters in the electoral areas that impact their municipality. All municipalities have signed agreements for participation in electoral area planning—in 2015 each participated fully; in 2016 participation is partial.

The Electoral Area Planning tax requisitions was highlighted as follows:

<table>
<thead>
<tr>
<th>Electoral Area Planning Requisitions</th>
<th>2016</th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kelowna</td>
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<td>Peachland</td>
<td>2,875</td>
<td>12,008</td>
<td>1,060</td>
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<tr>
<td>Lake Country</td>
<td>4,378</td>
<td>27,135</td>
<td>2,422</td>
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<tr>
<td>West Kelowna</td>
<td>40,694</td>
<td>68,015</td>
<td>5,955</td>
</tr>
<tr>
<td>EA CO West</td>
<td>224,220</td>
<td>8,527</td>
<td>188,597</td>
</tr>
<tr>
<td>EA CO East</td>
<td>67,508</td>
<td>7,666</td>
<td>156,175</td>
</tr>
<tr>
<td></td>
<td>536,109</td>
<td>422,700</td>
<td>378,449</td>
</tr>
</tbody>
</table>
5.2 Public Comment on the RDCO 2016 - 2020 Budget and Financial Plan

Chair Given asked if there were any citizens in the gallery who wished to comment on the Financial Plan. Three formal public input opportunities (including today) have been provided.

The following comments were received:

- Sharon Schnurr, Central Okanagan West - North Westside Resident commented on the cost of dog control service and believes the gross operating costs per dog complaint has increased with no change in service.

- North Westside Ratepayers Association letter dated March 30 commented on increases to electoral area planning and budgeted 'study funds' for the electoral area.

There were no other comments from the public.

5.3 Regional District of Central Okanagan 2016-2020 Financial Plan Bylaw No. 1388, 2016 - *1st, 2nd and 3rd readings and Adoption* [All Directors – Weighted Vote - LGA 210(1)]

#79/16 BAKER/FINDLATER

THAT Regional District of Central Okanagan 2016-2020 Financial Plan Bylaw No. 1388, 2016 be given first, second and third readings and adopted.

CARRIED Unanimously

5.4 Regional District of Central Okanagan Temporary Borrowing Bylaw No. 1389, 2016 – *1st, 2nd and 3rd readings and Adoption* [All Directors – Weighted Vote - LGA 210(1)]

#80/16 FORTIN/BAKER

THAT Regional District of Central Okanagan Temporary Borrowing Bylaw No. 1389, 2016 be given first, second and third readings and adopted.

CARRIED Unanimously

6. BUSINESS ARISING

6.1 RDCO Code of Conduct [All Directors – Unweighted Vote – 208(1)]

#81/16 BAKER/FINDLATER

THAT the postponed motion #73 be brought to the table for consideration.

CARRIED Unanimously
Staff report dated March 23, 2016 outlined amendments to the draft policy including amendment to language in 11.5 to clarify political activity.

#82/16 BAKER/FINDLATER

THAT the Board approve the RDCO Code of Conduct Policy as amended.

CARRIED Unanimously

9. **ADJOURN**

There being no further business the meeting was adjourned at 9:50 a.m.

**CERTIFIED TO BE TRUE AND CORRECT**

_____________________________________
G. Given (Chair)

_____________________________________
B. Reardon (Director of Corporate Services)
Memo

Date: February 15, 2016
To: SILGA
From: City of Kelowna Council
Subject: Resolution: “Integrity Commissioner for Local Government”

At the Regular AM Meeting of Kelowna City Council on February 15, 2016, the following resolution was adopted:

THAT Council approve the “Integrity Commissioner for Local Government” resolution as presented to Council on February 15, 2016;

SILGA Resolution

WHEREAS the current legislative tools available to local government in British Columbia regarding matters of questionable conduct and breaches of code of conduct of elected officials result in expensive quasi-judicial processes, eroding public confidence, strained internal relationships, and produce limited viable outcomes;

AND WHEREAS elected officials in local government do not have access to independent advice regarding conflict of interest or other matters related to Codes of Conduct, nor an effective process to objectively resolve contraventions, accusations or public complaints;

THEREFORE, BE IT RESOLVED that UBCM lobby the Provincial Government to enact enabling legislation that would empower local governments with the ability to appoint local independent Integrity Commissioners who would serve the public and elected officials in an advisory, educational and investigative role in the application and enforcement of Codes of Conduct.

AND THAT Council directs staff to forward the “Integrity Commissioner for Local Government” resolution to SILGA for consideration at the upcoming Annual General Meeting to be held in Kelowna April 19-22, 2016.

Background

The Community Charter addresses ethical considerations for elected officials in Part 4, Division 6 and 7 with legislation related to conflict of interest. There is no legislation in British Columbia however that speaks to, or provides for the adoption of enforceable Codes of Conduct. Local Governments in British Columbia are increasingly aware of the impacts, both to public confidence in political processes and unnecessary legal costs, when the definitions of conflict, ethics and integrity for an elected local government official are not commonly shared, and/or are challenged.
Furthermore, the current legislated authority to enforce and/or impose restrictions or sanctions for elected officials distracts from good governance. The process relies on a local government to act in a quasi-judicial setting towards a member of their own board or council. When there are questions or challenges, the involved elected official is left without independent advice or is compelled to engage independent legal counsel of their own. These processes are divisive and costly, and distract from the priority business of the local government. When the process requires the involvement of a corporate lawyer to ensure procedural fairness, the costs and stakes escalate.

Within British Columbia the two recent court cases of Barnett v CRD and Skakun v Prince George have established the required procedure for local governments and also highlighted the need for a different and more effective process.

Local governments across Canada are developing Code of Conduct policies in order to help guide and inform elected officials, staff and the public with regards to expectations related to acceptable conduct while in office as well as clearly defining roles and responsibilities. The Provincial Governments in Alberta and Saskatchewan are amending current legislation related to the establishment of codes of conduct at the local government level. The City of Calgary, in early 2015, voted to create a part time Integrity Commissioner.

In Ontario, legislation provides a model for local governments with the option to adopt a Code of Conduct for members of Council and local boards through their own bylaws. This voluntary legislation also enables a Local Government to appoint an Integrity Commissioner to address the application of the Code and, if delegated, the procedural and policy decision-making authority related to the enforcement of Codes of Conduct. While investigation and regulation are part of the role, the Ontario experience in several municipalities demonstrates the positive role of an Integrity Commissioner in an advisory capacity to elected officials.

The proposed resolution to allow the option of appointing an Integrity Commissioner would serve to strengthen the foundation of good governance for local governments in BC. An Integrity Commissioner in an advisory role could further educate and inform elected officials and the public on acceptable conduct for political leaders as defined by a local government. Furthermore, an Integrity Commissioner could establish a process to conduct impartial investigations into informal or formal complaints from the public and/or elected officials that would serve as a supplement to existing statutes, documents and policies that govern the conduct of elected officials. It is further expected that the Integrity Commissioner could be empowered to recommend appropriate sanctions or dismiss unfounded claims all in a transparent public venue.

The Province is in a unique position to enact legislation to include the appointment of local independent Integrity Commissioners that would better meet the needs of local governments, their elected officials and the public in service to their community.
February 15, 2016

SILGA RESOLUTION

Re: Integrity Commissioner for Local Government

WHEREAS the current legislative tools available to local government in British Columbia regarding matters of questionable conduct and breaches of code of conduct of elected officials result in expensive quasi-judicial processes, eroding public confidence, strained internal relationships, and produce limited viable outcomes;

AND WHEREAS elected officials in local government do not have access to independent advice regarding conflict of interest or other matters related to Codes of Conduct, nor an effective process to objectively resolve contraventions, accusations or public complaints;

THEREFORE, BE IT RESOLVED that UBCM lobby the Provincial Government to enact enabling legislation that would empower local governments with the ability to appoint local independent Integrity Commissioners who would serve the public and elected officials in an advisory, educational and investigative role in the application and enforcement of Codes of Conduct.
Background:

The *Community Charter* addresses ethical considerations for elected officials in Part 4, Division 6 and 7 with legislation related to conflict of interest. There is no legislation in British Columbia however that speaks to, or provides for the adoption of enforceable Codes of Conduct. Local Governments in British Columbia are increasingly aware of the impacts, both to public confidence in political processes and unnecessary legal costs, when the definitions of conflict, ethics and integrity for an elected local government official are not commonly shared, and/or are challenged.

Furthermore, the current legislated authority to enforce and/or impose restrictions or sanctions for elected officials distracts from good governance. The process relies on a local government to act in a quasi-judicial setting towards a member of their own board or council. When there are questions or challenges, the involved elected official is left without independent advice or is compelled to engage independent legal counsel of their own. These processes are divisive and costly, and distract from the priority business of the local government. When the process requires the involvement of a corporate lawyer to ensure procedural fairness, the costs and stakes escalate.

Within British Columbia the two recent court cases of *Barnett v CRD* and *Skakun v Prince George* have established the required procedure for local governments and also highlighted the need for a different and more effective process.

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The Province is in a unique position to enact legislation to include the appointment of local independent Integrity Commissioners that would better meet the needs of local governments, their elected officials and the public in service to their community.
March 30, 2016

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

Dear Chair Given:

Re: Public Safety Preparedness and Community Hazard Mitigation Funding
Emergency Management BC
Project # - EMBCK38TA0004
Project Name – Bellevue Creek Intake and Dike Improvements

We are pleased to confirm that funding under a one-time Public Safety Preparedness and Community Hazard Mitigation Funding Initiative has been made available for the above project. A provincial contribution of $200,000 will be provided towards completion of the $300,000 project.

This funding approval is conditional pursuant upon the Local Authority and the Province entering into a written Contribution Agreement document. Two copies of the Agreement will be couriered to you immediately. We respectfully request that a representative in your organization sign both copies and return them to Emergency Management BC for execution as soon as possible. As the proponent of the project, it will be your responsibility to obtain and comply with all necessary authorizations and/or permits as an ongoing condition of funding.

Please note that the Province will be arranging a formal public announcement of this project. While initiation of the project can proceed, do not provide any public announcement of the project prior to the official announcement.

Please ensure all public information material related to calls and tenders for this project clearly indicates that funding is provided from Emergency Management BC, Province of British Columbia.

.../2
If you have any questions regarding the above, please do not hesitate to contact Sarah Duggan, Program Manager, Emergency Management BC, by telephone at 250 952-5065 or by e-mail at sarah.duggan@gov.bc.ca.

We wish you every success with your community project.

Sincerely,

Naomi Yamamoto
Minister of State

Copy to: Premier Christy Clark
MLA, Westside-Kelowna

Honourable Steve Thomson
Minister of Forests, Lands and Natural Resource Operations
MLA, Kelowna-Mission

Norm Letnick
MLA, Kelowna-Lake Country

Dan Ashton
MLA, Penticton

Brian Reardon, Chief Administrative Officer
Regional District of Central Okanagan

Wayne Darlington, Manager of Park Planning/Capital Projects/Visitor Services
Regional District of Central Okanagan
TO: Regional Board
FROM: Peter Rotheisler
Manager of Environmental Services
DATE: April 4, 2016
SUBJECT: Falcon Ridge Water System, New Building Canada Fund - Small Communities Fund

Purpose: To receive Board endorsement to commit up to $145,000 from the Falcon Ridge Water System capital reserves for the Falcon Ridge Water System improvement project.

Executive Summary:
The second intake of the Canada-British Columbia New Building Canada Fund – Small Communities Fund (NBCF-SCF) was announced in late 2015. Regional District staff prepared an application targeting a major water system improvement project on the Falcon Ridge Water System. This project is a high priority as current reservoir storage does not meet provincial or local government standards related to fire flows and volume. A requirement of the NBCF-SCF application is a Board resolution or bylaw, committing the proponent to contribute its share ($145,000) of the total eligible project costs ($441,000) and all of the ineligible costs.

RECOMMENDATION:

THAT the Regional Board approve committing up to $145,000 from the Falcon Ridge Water System Capital Reserve Fund to the Falcon Ridge Water System Improvement project submission to the New Building Canada Fund – Small Communities Fund (NBCF-SCF) program.

Respectfully Submitted:

Peter Rotheisler

Chris Radford
Director of Community Services

Prepared by: Michael Noga, Engineering Technologist II

Approved for Board’s Consideration:

Brian Reardon, CAO
Implications of Recommendation:

Strategic Priorities Plan: Ensure asset, service and financial sustainability

Background:

The second intake of the Canada-British Columbia New Building Canada Fund – Small Communities Fund (NBCF-SCF) was recently announced. Project categories eligible for this funding include:

- Drinking Water
- Green Energy
- Solid Waste Management
- Wastewater (includes Storm Water)
- Brownfield Redevelopment
- Connectivity and Broadband
- Disaster Mitigation Infrastructure
- Highway & Major Roads
- Innovation
- Local & Regional Airports
- Public Transit
- Short Sea Shipping
- Shortline Rail

Regional District staff prepared an application for NBCF-SCF funding targeting a major improvement project for the Falcon Ridge Water System. Currently, the Falcon Ridge Water System requires improvements related to Provincial and Regional District water quality objectives, storage volumes, water pressure and fire flows. The proposed project, planned in 2018, includes the following components which will address many of the current challenges within the water system.

- Construct a new 370 cubic metre concrete cell adjacent to the existing reservoir
- Construct a concrete vault for process piping and future UV disinfection

Regional Districts may submit one application per intake for each community in their area. The deadline for application is April 28, 2016. It is expected that the remaining $90 million in NBCF-SCF funds will be fully allocated this intake with funding announcements being made in the winter of 2016-17.

Financial Considerations:

The NBCF-SCF program offers funding up to a maximum of two-thirds of the total eligible project costs. One-third is contributed by the Government of Canada and one-third by the Province of British Columbia. The remaining eligible project costs, plus all ineligible project costs are the responsibility of the applicant. A requirement of the application is a council/board resolution or by-law, committing the proponent to contribute its share (one-third) of the eligible project costs and all the ineligible costs. If maximum grant funding is not received, the project will be scaled down based on the total funds available.
TO: Regional Board

FROM: Ron Fralick
Manager of Planning

DATE: April 5, 2016

SUBJECT: City of Kelowna – Regional Context Statement (RDCO File: 6430-02)
Official Community Plan Amendment Bylaw No. 11205

Purpose: To incorporate an updated Regional Context Statement in the City of Kelowna’s
Official Community Plan Bylaw No. 10500 to reflect the Regional District of
Central Okanagan Regional Growth Strategy Bylaw No. 1336, 2013.

Executive Summary:

All member municipalities are required to adopt a Regional Context Statement (RCS) in their
Official Community Plans (OCP) within two years of the adoption of the Regional District of
Central Okanagan Regional Growth Strategy Bylaw No. 1336, 2013 (RGS). Prior to a municipal
council adopting a RCS, the Regional Board must pass a resolution accepting the RCS. To
date, there are no concerns from member municipalities or affected Regional District
departments regarding City of Kelowna’s proposed RCS.

RECOMMENDATION:

THAT the Regional Board accept the City of Kelowna’s proposed Regional Context Statement
in their Official Community Plan Amendment Bylaw No. 11205.

Respectfully Submitted:

R. Fralick, MCIP, RPP
Manager of Planning

C. Radford
Director of Community Services

Prepared by: Janelle Taylor, Planner 1

Approved for Board’s Consideration

Brian Reardon, CAO
Implications of Recommendation:

Strategic Plan:  “Nurture Responsible Growth and Development” has been identified by the Board as the #3 Strategic Priority for the 2015-2018 Strategic Priorities Plan. A Strategic Initiative within this priority includes “Continue to implement the Regional Growth Strategy”.

Policy: Regional Growth Strategy Bylaw No. 1336, Section 4.1.1 Update OCP Regional Context Statements notes that “the RDCO and regional partners will work to ensure OCP policies are consistent with the goals, objectives and policies of the RGS. The process should lead to consistency over time, recognizing the economic, social and environmental benefits of healthy community development, preservation and connection of natural features, and ongoing land use planning cooperation, collaboration and harmonization with First Nations.”

Legal/Statutory Authority: Local Government Act, Section 448, requires that municipalities incorporate Regional Context Statements in their Official Community Plans within two years after RGS adoption. Regional Growth Strategy Bylaw No. 1336 was adopted on June 23, 2014.

Background:
Regional Context Statements link municipal OCPs to the RGS. Within two years after the RGS is adopted, all member municipalities are required to provide a RCS that shows how their OCP supports and aligns with the goals and strategies set out in the RGS.

A RCS must be consistent with the OCP and address the Regional Vision Statement, population and employment projections for the period covered by the RGS, as well as the Regional Issue Areas.

In accordance with the Local Government Act, the municipal council must submit a proposed RCS for acceptance by the Regional Board. The Board in turn must respond by resolution within 120 days after receipt of the RCS indicating whether or not it accepts the RCS. If the Board refuses to accept the RCS, the Board must indicate each provision to which it objects and the reasons for its objection. In the event that the Board fails to pass a resolution within the 120-day period, the Board is deemed to have accepted the RCS.

On February 29, 2016, City of Kelowna Council gave first reading of the proposed OCP Amendment Bylaw No. 11205 (attached), which amends the current RCS (attached). The purpose of the bylaw amendment is to incorporate an updated RCS in the City of Kelowna’s OCP to reflect the RGS.

Further to the adoption of the RGS on June 23, 2014, the City of Kelowna is the third of our member municipalities to bring forward a RCS for Regional Board consideration; the City of West Kelowna’s and District of Lake Country’s RCS were accepted by the Regional Board in 2015.
External Implications & Organizational Issues:

Upon receipt of the proposed OCP Amendment Bylaw No. 11205, Regional District staff forwarded a copy of the proposal to all member municipalities’ staff and affected Regional District departments for review and comment.

To date, all member municipalities and affected departments have indicated either that their interests are unaffected by the proposed RCS or that there are no concerns with the proposed RCS. RDCO Planning staff is of the opinion that the City of Kelowna RCS demonstrates that their OCP supports and aligns with the goals and strategies set out in the RGS.

Alternative Recommendation:

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

THAT the Regional Board refuses to accept the City of Kelowna’s proposed Regional Context Statement (Official Community Plan Amendment Bylaw No. 11205).

Considerations not applicable to this report:

- Financial Considerations

Attachment(s):
City of Kelowna OCP Amendment Bylaw No. 11205
City of Kelowna, Official Community Plan Bylaw No. 10500, Chapter 2 - Regional Context
The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Official Community Plan Bylaw No. 10500 be amended as follows:

1. **THAT Chapter 2 - Regional Context** be deleted as follows:

   The Regional Growth Strategy (RGS) Bylaw was adopted in June 2000 (currently under review) by the Regional Board. The City of Kelowna Official Community Plan (Bylaw 10500) reflects and implements the RGS as required in the Local Government Act (LGA) Section 850 (2) & (3) as related to population and employment projections, housing, transportation, regional district services, parks and natural areas, economic development and reduction of greenhouse gas emissions.

**Population and Employment Projections**

Population projections for the City of Kelowna to 2030 were derived from BC Stats data (PEOPLE 2008) for the Central Okanagan. Using BC Stats regional population numbers and projected growth rates plus the historical City of Kelowna share of RDCO population it is projected that the regional population of 243,579 and traditional City share of regional population of 66.5% would generate a Kelowna 2030 projected population of 161,701 at an average annual growth rate of 1.51%. The 2008 BC Stats data was used in order to establish a calibration date for the Regional Traffic Model. Therefore it has also been assumed that other municipalities, electoral areas and First Nations will need to provide growth projections that fit the 2008 BC Stats data at their historical share of regional population.

The City of Kelowna OCP developed a projected growth pattern, including housing units, commercial, industrial and institutional floor space projections (and associated employment projections) that were assigned in the Regional Traffic Model. That data was also used in sanitary sewer and water servicing models, which then became the base for the 20 Year Servicing Plan to establish servicing requirements (including transportation, sanitary sewer, sewer treatment, water and parks) to service the amount and distribution of that growth throughout Kelowna.

**Housing**

From a housing perspective the City of Kelowna projects the need for approximately 20,100 units by the year 2030 to accommodate the projected growth within the City. Those housing units encompass a range of housing options from low density traditional single detached neighbourhoods to secondary suites/carriage houses, attached homes, town housing as infill and apartments from traditional 4 storey walk-ups to high rise condominiums, including mixed use commercial - residential development in urban centres.
Kelowna 2030 includes policy direction that promotes higher density housing development in general, especially as infill or redevelopment in core areas. Approximately 57% of all new housing would be in the form of apartments and townhouses in support of compact urban form and complete communities objectives, as well as reduced servicing costs. Kelowna 2030 also includes policy direction in support of affordable and safe rental housing, non-market and/or special needs housing.

**Transportation**

City of Kelowna transportation objectives are focused on generating greater use of sustainable modes - active transportation (cycling / walking) and transit - as well as TDM programs that promote reduced car ownership, reduced vehicle trips, reduced peak hour trips and managing parking supply toward reduction of the need to expand the road network or capacity. Roadway planning will support sustainability goals.

Policy direction focuses on maximizing connectivity for pedestrians and cyclists and prioritizing funding on active transportation. Policy does not provide for roadway modifications that increase capacity until failure is imminent, unless there are safety issues.

**Regional District Services**

With respect to services, it is the City’s objective to ensure a high quality water supply, including groundwater protection, and minimize unnecessary water consumption. Urban development will be connected to the sanitary sewer system. The Regional landfill will be maintained in the long term through diversion of solid waste wherever possible through recycling programs.

**Parks and Natural Areas**

It is the City of Kelowna’s objective to protect and enhance natural areas and provide a variety of parks for people to pursue active, creative and healthy lifestyles. The objective includes creating an open space network that protects sensitive ecosystems and links important habitat areas.

Policy direction includes maintaining a standard of parks at 2.2 ha per 1000 new people, providing active and passive parks as well as a city-wide linear park and trail network, particularly along Okanagan Lake shoreline. The acquisition of regionally significant natural areas is also supported.

**Economic Development**

Economic development objectives are focussed on a sustainable prosperity that harnesses the skills and talents within the business community, maintains a positive business climate and ensures an adequate supply of serviced commercial and industrial land. Mixed use development and vibrant Urban Centres are the priority along with retention of the tourism industry. Maintaining and attracting a skilled and talented workforce that meets the needs of economic drivers is essential.
The need to ensure a range of housing options, particularly affordable housing, is key to attracting new employees to the community.

**Greenhouse Gas Emissions**

The City has adopted a GHG reduction target of 33% from 2007 levels by 2020. Achieving this target will involve community effort. From the City of Kelowna’s perspective the OCP objectives are focussed on compact urban form (mixed use neighbourhoods and higher density in core areas) that promotes travel by bus, foot or bicycle and other forms of active transportation. It is also the objective to encourage renewable energy supplies and work towards district energy systems and energy efficient technology in new and existing buildings.

In addition, the Kelowna 2030 OCP fulfills the following Regional Growth Strategy (2000) polices:

1. Containing urban growth and supporting growth and redevelopment in existing settlement areas with full urban services.
2. Residential development should include a range of housing types, densities and affordability options.
3. Provision of adequate and appropriate urban services before development is permitted to occur.
4. Impact assessments for major OCP amendments and infrastructure projects, including fiscal impacts to the community.
5. Require an environmental review of developments deemed to impact the land, watershed and other natural resources.
6. Urban development is to be directed away from hazardous areas, sensitive environmental areas, resource extraction areas, and farmland.
7. Maximize the efficiency of the transportation system.
9. Consideration for benefits of arts and culture, tourism, and recreation amenities in decision making.
10. Work co-operatively to establish regional governance.”

2. **AND THAT** all quotes in Chapter 2 - Regional Context be deleted in their entirety and replaced with the following:

"Both the City of Kelowna and the Regional District of Central Okanagan have traditionally experienced relatively high rates of growth compared to provincial and national averages.”

"Policies and objectives in both the RGS and the OCP are consistent with the provincial target to reduce greenhouse gas emissions by 33% by 2020...”

3. **AND THAT** Chapter 2 - Regional Context be amended by adding the following to the beginning of the Chapter:

"In accordance with Section 446 of the Local Government Act, an OCP must include a Regional Context Statement where a Regional Growth Strategy (RGS) applies to the same area as the OCP. Kelowna is within the jurisdictional boundary of the Regional District of Central Okanagan. The Regional District of Central Okanagan Regional Growth Strategy Bylaw No. 1336, 2013 was adopted on June 23, 2014."
The RGS establishes a vision for the region to grow in a manner that promotes economic, environmental and social health. The policy direction of the City of Kelowna OCP is consistent with the intent of the RGS. Table 2.1 below demonstrates the connection between the RGS issue areas and goals and relevant OCP objectives and policies.
<table>
<thead>
<tr>
<th>Regional Growth Strategy Issue Area &amp; Goal</th>
<th>Related OCP Section</th>
<th>Chapter</th>
<th>Objective</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Our Land</strong></td>
<td></td>
<td>5. Development Process</td>
<td>5.1 Ensure New Development is Consistent with OCP Goals</td>
<td>5.1.3 Rutland &amp; Downtown Revitalization Tax Exemption</td>
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<tr>
<td>To manage the land base effectively to protect natural resources and limit urban sprawl</td>
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<td>5.2 Develop Sustainably</td>
<td>5.2.3 Complete Suburbs 5.2.4 Complete Communities 5.2.5 Integrated Land Use</td>
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<td></td>
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<td>5.3 Focus Development to Designated Growth Areas</td>
<td>5.3.1 Permanent Growth Boundary 5.3.2 Compact Urban Form</td>
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<td></td>
<td></td>
<td>5.33 Protect and Enhance Local Agriculture</td>
<td>5.33.3 Urban Uses</td>
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<tr>
<td><strong>7. Infrastructure</strong></td>
<td></td>
<td>7.3 Invest Infrastructure Funds to Deliver on Community Goals</td>
<td>7.3.2 DCC Framework</td>
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<td>7.4 Ensure that Densification of Existing Neighbourhoods Happens in a Context of Directly Contributing to Enhanced Livability</td>
<td>7.4.1 Urban Centres and Densifying Neighbourhoods</td>
<td></td>
</tr>
<tr>
<td><strong>Our Economy</strong></td>
<td></td>
<td>5. Development Process</td>
<td>5.19 Ensure Development is Compatible with Surrounding Land Uses</td>
<td>5.19.6 North End Industrial (High Tech and Incubator)</td>
</tr>
<tr>
<td>To develop and enhance a positive business environment in the region to achieve a dynamic, resilient and sustainable economy</td>
<td></td>
<td>5.30 Ensure Adequate Industrial Land Supply</td>
<td>5.30.1 Industrial Supply Protection</td>
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<td>8. Economic Development</td>
<td>8.1 Focus on Economic Drivers that Generate New and Sustainable Wealth</td>
<td>8.1.1 Sustainable Prosperity 8.1.2 Economic Development Commission</td>
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<td></td>
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<td>8.4 Encourage a Positive Investment Climate</td>
<td>8.4.2 Communication 8.4.4 Business Improvement Areas 8.4.5 Entrepreneurial Initiatives</td>
</tr>
<tr>
<td></td>
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<td>8.5 Ensure Kelowna is Competitive Relative to Other Jurisdictions</td>
<td>8.5.1 Monitor Costs</td>
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<td>8.7 Provide a Physical Infrastructure that Connects Businesses to their Markets</td>
<td>8.7.1 Highway 97 8.7.2 Transportation Networks 8.7.3 Mobility and Servicing 8.7.4 Communications Infrastructure 8.7.5 Airport</td>
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<td>Regional Growth Strategy Issue Area &amp; Goal</td>
<td>Related OCP Section</td>
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<td><strong>Chapter</strong></td>
<td><strong>Objective</strong></td>
<td><strong>Policy</strong></td>
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<tr>
<td>8.9 Portray a Positive Image of Kelowna</td>
<td>8.9.1 Positive Image 8.9.2 Downtown</td>
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</tr>
<tr>
<td><strong>Our Water Resources</strong> To manage and protect water resources</td>
<td>5. Development Process</td>
<td>5.19 Ensure Development is Compatible with Surrounding Land Uses 5.36 Ensure Subdivisions are Consistent with Sustainability Goals</td>
<td></td>
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</tr>
<tr>
<td>7. Infrastructure</td>
<td>7.17 Minimize Environmental Impacts of Parks</td>
<td>7.17.2 Water Conservation</td>
<td></td>
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</tr>
<tr>
<td>5.20 Ensure an Adequate Supply of High Quality Water</td>
<td>7.20.1 Water Availability for Agriculture 7.20.2. Irrigation District Boundaries and Standards 7.20.3 Groundwater Protection</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>7.21 Minimize Unnecessary Water Consumption</td>
<td>7.23 Manage Stormwater and Run-off to Reduce Risk of Flooding and Erosion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.23.1 Run-off Volumes 7.23.2 Re-use of Stormwater 7.23.3 Urban Run-off Impacts 7.23.4 Surface Drainage / Detention Areas as Amenity Space</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>12. Natural Environment DP Guidelines</td>
<td>The objective of Natural Environment Development Permit Areas is to ensure that negative impacts (disturbance) on environmentally sensitive areas are minimized.</td>
<td>Guidelines 7.0 Erosion Control 8.0 Water and Drainage 9.0 Groundwater</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Our Health</strong> To contribute to the improvement of community health, safety and social well-being</td>
<td>5. Development Process</td>
<td>5.5 Ensure Appropriate and Context Sensitive Built Form</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.6 Promote Social Well-being and Quality of Life by Providing Facilities that Serve All Community Members</td>
<td>5.6.1 Accessibility Measures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.14 Provide Parks for a Diversity of People and a Variety of Uses</td>
<td>5.14.2 Dedication of Linear Parks 5.14.6 Beach Access Dedications</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.32 Ensure the Development of Institutional Facilities Meets the Needs of Residents</td>
<td>5.32.10 Health Care Facilities 5.32.13 Recreational Facilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.36 Ensure Subdivisions are Consistent with Sustainability Goals</td>
<td>5.36.3 Design for People and Nature</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Regional Growth Strategy Issue Area &amp; Goal</td>
<td>Related OCP Section</td>
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<td><strong>7. Infrastructure</strong></td>
<td><strong>Related OCP Section</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chapter</td>
<td>Objective</td>
<td>Policy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.2</td>
<td>7.2 Design Infrastructure to Deliver Maximum Benefit</td>
<td>7.2.4 Design Guidelines</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.8</td>
<td>7.8 Provide more Active Transportation Infrastructure to: Increase Resilience in the Face of Higher Energy Prices; Improve Community Health; and Reduce Greenhouse Gas Emissions</td>
<td>7.8.2 Active Transportation 7.8.6 Signal Length / Wait Time 7.8.7 Pathway Configuration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.16</td>
<td>7.16 Develop Parkland to Respond to User Needs</td>
<td>7.16.1 Design to Context 7.16.2 Park Accessibility</td>
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<td></td>
</tr>
<tr>
<td><strong>10. Social Sustainability</strong></td>
<td><strong>Related OCP Section</strong></td>
<td></td>
<td></td>
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<tr>
<td>Chapter</td>
<td>Objective</td>
<td>Policy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.1</td>
<td>10.1 Promote Social Well-being and Quality of Life by Providing Facilities and Services for all Community Members</td>
<td>10.1.1 Distribution of Community Resources</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Our Food</strong></td>
<td><strong>Related OCP Section</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Chapter</td>
<td>Objective</td>
<td>Policy</td>
<td></td>
<td></td>
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<tr>
<td>5.2</td>
<td>5.2 Develop Sustainably</td>
<td>5.2.5 Integrated Land Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.13</td>
<td>5.13 Increase Local Food Production</td>
<td>5.13.1 Farmer’s Markets 5.13.2 Edible Landscapes 5.13.3 Community Gardens 5.13.4 Multi-residential Shared Garden</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.33</td>
<td>5.33 Protect and Enhance Local Agriculture</td>
<td>5.33.1 Protect Agricultural Land 5.33.2 ALR Exclusions 5.33.7 Subdivision</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.34</td>
<td>5.34 Preserve Productive Agricultural Land</td>
<td>5.34.1 Secondary Suites 5.34.2 Farm Help Housing 5.34.3 Homeplating</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>7.5 Minimize Impacts on Agricultural Land</td>
<td>7.5.1 Service Corridors</td>
<td></td>
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</tr>
<tr>
<td>Regional Growth Strategy Issue Area &amp; Goal</td>
<td>Chapter</td>
<td>Objective</td>
<td>Related OCP Section</td>
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<tr>
<td><strong>Our Housing</strong> To improve the range of housing types and tenures to meet the social and economic needs of the region</td>
<td>5. Development Process</td>
<td>5.9 Support the Creation of Affordable and Safe Rental, Non-market and / or Special Needs Housing</td>
<td>5.9.1 Conversion of Rental Dwellings</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5.22 Ensure Context Sensitive Housing Development</td>
<td>5.22.7 Healthy Communities 5.22.8 Embracing Diversity 5.22.10 Adaptable Housing 5.22.11 Housing Mix 5.22.12 Carriage Houses &amp; Accessory Apartments 5.22.13 Family Housing</td>
<td></td>
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<tr>
<td></td>
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<td>5.23 Address the Needs of Families with Children through the Provision of Appropriate Family-oriented Housing</td>
<td>5.23.1 Ground-oriented Housing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Infrastructure</td>
<td>7.3 Invest Infrastructure Funds to Deliver on Community Goals</td>
<td>7.3.1 Housing Mix</td>
<td></td>
</tr>
<tr>
<td><strong>Our Climate</strong> To minimize regional greenhouse gas emissions and respond to the impacts of climate change</td>
<td>5. Development Process</td>
<td>5.2 Develop Sustainably</td>
<td>5.2.2 Sustainability Incentives</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5.16 Improve the Energy Efficiency and Environmental Performance of New Buildings</td>
<td>5.16.1 Heat Recovery 5.16.2 Eco-industrial Network 5.16.3 Variances for “Green” Features</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Infrastructure</td>
<td>7.1 Apply Sustainable Decision-making Approaches in Infrastructure Planning and Procurement</td>
<td>7.1.3 Greenhouse Gas Reduction Criteria</td>
<td></td>
</tr>
<tr>
<td>Regional Growth Strategy Issue Area &amp; Goal</td>
<td>Related OCP Section</td>
<td></td>
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<td>Chapter</td>
<td>Objective</td>
<td>Policy</td>
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<tr>
<td>7.8 Provide more Active Transportation Infrastructure to: Increase Resilience in the Face of Higher Energy Prices; Improve Community Health; and Reduce Greenhouse Gas Emissions</td>
<td>7.8.1 Sidewalk Funding</td>
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<td></td>
<td>7.8.2 Active Transportation</td>
<td></td>
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<td></td>
<td>7.8.5 Walkability</td>
<td></td>
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<tr>
<td></td>
<td>7.8.8 Bicycle Parking</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>7.8.9 Utility and ROW Corridors</td>
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<tr>
<td></td>
<td>7.19.3 Renewable Energy</td>
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<tr>
<td>Our Ecosystems</td>
<td>Be responsible stewards of natural ecosystems to protect, enhance and restore biodiversity in the region</td>
<td>5.2 Develop Sustainably</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Development Process</td>
<td>5.15 Ensure Environmentally Sustainable Development</td>
<td>5.15.1 No Net Loss of Aquatic Habitat Productivity</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>5.15.2 No Net Loss of Terrestrial Habitat</td>
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<tr>
<td></td>
<td></td>
<td>5.15.3 Environmentally Sensitive Area Linkages</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>5.15.7 Protection Measures</td>
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<tr>
<td></td>
<td></td>
<td>5.15.11 Habitat Protection</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>5.15.12 Steep Slopes</td>
<td></td>
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<tr>
<td>5.22 Ensure Context Sensitive Housing Development</td>
<td>5.22.1 Cluster Housing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.35 Maintain Biodiversity and Connectivity in Agricultural Environments</td>
<td>5.35.1 Biodiversity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Environment</td>
<td>6.1 Protect and Enhance Kelowna’s Biodiversity</td>
<td>6.1.1 Natural Ecosystem Management</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>6.1.2 Species at Risk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.3 Maintain and Enhance Kelowna’s Natural Resources</td>
<td>6.3.1 Tree Canopy Coverage</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>6.3.2 Preferred Plant Species</td>
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</tr>
<tr>
<td>7. Infrastructure</td>
<td>7.12 Provide Active and Passive Parks for a Diversity of People and a Variety of Uses</td>
<td>7.12.2 Natural Area Parks and Open Space</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>7.12.3 Regional Parks</td>
<td></td>
<td></td>
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<tr>
<td>Regional Growth Strategy Issue Area &amp; Goal</td>
<td>Chapter</td>
<td>Objective</td>
<td>Related OCP Section</td>
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<td>Natural Environment Development Permit Areas</td>
<td>12. Natural Environment Development Permit Guidelines</td>
<td>The objective of Natural Environment Development Permit Areas is to ensure that negative impacts (disturbance) on environmentally sensitive areas are minimized.</td>
<td><strong>Guidelines</strong> 1.0 Biodiversity 2.0 Habitat Protection 3.0 Buffers 4.0 Vegetation 8.0 Water and Drainage 11.0 Use of Environmentally Sensitive Areas 12.0 Riparian Management Areas</td>
<td></td>
</tr>
<tr>
<td>Our Transportation</td>
<td>5. Development Process</td>
<td>5.10 Ensure Opportunities are Available for Greater Use of Active Transportation and Transit to: Improve Community Health; Reduce Greenhouse Gas Emissions; and Increase Resilience in the Face of Higher Energy Prices</td>
<td>5.10.1 Maximize Pedestrian / Cycling Connectivity 5.10.2 Transit Infrastructure 5.11 Support Parking Management Programs that Promote Reduced Vehicle Ownerships, Reduced Vehicle Trips and Increased Use of Active Modes of Transportation</td>
<td>5.11.1 Parking Relaxations 5.11.3 Preferred Parking</td>
</tr>
<tr>
<td></td>
<td>7. Infrastructure</td>
<td>7.6 Place Increased Emphasis on Sustainable Modes of Transportation (Walking, Cycling, Transit) while Maintaining Automobile, Commercial Goods and Emergency Vehicle Mobility</td>
<td>7.6.1 Transportation Infrastructure Priority 7.6.2 Complete Streets</td>
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<td>7.7 Reduce Peak Hour Trips and the Percentage of Trips Undertaken by Single Occupant Vehicles, Particularly in Urban Centres, in order to Reduce or Eliminate the Expansion of the Transportation Network and Capacity</td>
<td>7.7.2 Ease of Movement</td>
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<td></td>
<td>7.9 Ensure Efficient and Effective Transit Infrastructure and Facilities</td>
<td>7.9.1 Transit Priority 7.9.2 Transit Expansions 7.9.3 Transit Service 7.9.4 Base Level Transit Service</td>
<td></td>
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<td>Regional Growth Strategy Issue Area &amp; Goal</td>
<td>Related OCP Section</td>
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<td>Chapter Objective Policy</td>
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<td>7.10 Ensure Roadway Planning Supports Sustainability Goals</td>
<td>7.10.1 Roadway Modifications</td>
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<td><strong>Our Governance</strong> To respond to the needs of the region with an effective and efficient governance service model</td>
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<tr>
<td>2. Regional Context 2.1 Deliver Sustainable Services 2.1.1 Inter-municipal Co-operation</td>
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<td>7. Infrastructure 7.15 Develop Park Partnerships 7.15.1 Partnerships</td>
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</tbody>
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Population Projections

Both the City of Kelowna and the Regional District of Central Okanagan have traditionally experienced relatively high rates of growth compared to provincial and national averages. From 2000 to 2011, the region’s population grew an average of 2.1% annually. The majority of this growth was driven by intra-provincial migration, with an increase in interprovincial migration in recent years. The RGS anticipates population growth to continue to 2036, although the average annual rate of growth is expected to slow to 1.8%. The region’s total population is projected to be 270,393 in 2036. These estimates are based on the 2011 Census and BC Stats data.

Chapter 3: Growth Projections of the OCP describes the expected population growth for the City of Kelowna until 2030. The OCP identifies an expected annual growth rate of 1.51% for the City of Kelowna with a total population of 161,701 by 2030. These estimates are based on 2008 BC Stats data; 2011 Census data was not available at the time the OCP was prepared and adopted.

The OCP growth projections are generally consistent with the RGS estimates given the available data. Other municipalities within the Regional District of Central Okanagan are expected to experience a somewhat higher rate of growth than the City of Kelowna.

Employment Projections

The RGS indicates that traditional employment generators will continue to be significant for the region’s economy. Growth in other sectors such as health care, education, research and development, tourism, aerospace and high tech are expected to diversify and strengthen the economy and to support job creation.

The OCP contains several policies that encourage diverse economic opportunities through support for new and existing businesses, specifically focusing on agricultural resources and the creative economy. Chapter 8: Economic Development also speaks to retaining and attracting a talented workforce that is innovative and entrepreneurial, supporting employment in the growing sectors identified in the RGS.

Other policies outline development processes and objectives for commercial and industrial land, supporting development that leads to job creation in well-positioned areas of the city. Commercial growth is expected to occur through new development on designated land as well as more intensive re-development of existing sites. There is a strong supply of designated industrial land to support development in that area.

The OCP is generally consistent with the direction of the RGS, promoting continued support for traditional employment sectors and encouraging growth in new sectors that create strong employment opportunities.

Greenhouse Gas Emissions

Policies and objectives in both the RGS and the OCP are consistent with the provincial target to reduce greenhouse gas emissions by 33% by 2020, and the RGS includes an additional target to reduce emissions by 80% by 2050 (from 2007 levels). OCP Policy 6.2.1: Greenhouse Gas Reduction Target and Actions identifies several means of reducing emissions, including forming strategic partnerships, supporting more mixed-use neighbourhoods, encouraging active transportation, promoting new building technologies, and incorporating corporate initiatives to reduce greenhouse gas emissions. Policies in Chapter 5: Development Process and Chapter 7: Infrastructure also support these goals as they relate to forms of development and transportation infrastructure.”
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

__________________________________________
Mayor

__________________________________________
City Clerk
Chapter 2: Regional Context
The Regional Growth Strategy (RGS) Bylaw was adopted in June 2000 (currently under review) by the Regional Board. The City of Kelowna Official Community Plan (Bylaw 10500) reflects and implements the RGS as required in the Local Government Act (LGA) Section 850 (2) & (3) as related to population and employment projections, housing, transportation, regional district services, parks and natural areas, economic development and reduction of greenhouse gas emissions.

**POPULATION AND EMPLOYMENT PROJECTIONS**

Population projections for the City of Kelowna to 2030 were derived from BC Stats data (PEOPLE 2008) for the Central Okanagan. Using BC Stats regional population numbers and projected growth rates plus the historical City of Kelowna share of RDCO population it is projected that the regional population of 243,579 and traditional City share of regional population of 66.5% would generate a Kelowna 2030 projected population of 161,701 at an average annual growth rate of 1.51%. The 2008 BC Stats data was used in order to establish a calibration date for the Regional Traffic Model. Therefore it has also been assumed that other municipalities, electoral areas and First Nations will need to provide growth projections that fit the 2008 BC Stats data at their historical share of regional population.

The City of Kelowna OCP developed a projected growth pattern, including housing units, commercial, industrial and institutional floor space projections (and associated employment projections) that were assigned in the Regional Traffic Model. That data was also used in sanitary sewer and water servicing models, which then became the base for the 20 Year Servicing Plan to establish servicing requirements (including transportation, sanitary sewer, sewer treatment, water and parks) to service the amount and distribution of that growth throughout Kelowna.

**HOUSING**

From a housing perspective the City of Kelowna projects the need for approximately 20,100 units by the year 2030 to accommodate the projected growth within the City. Those housing units encompass a range of housing options from low density traditional single detached neighbourhoods to secondary suites/carriage houses, attached homes, town housing as infill and apartments from traditional 4 storey walk-ups to high rise condominiums, including mixed use commercial – residential development in urban centres.

Kelowna 2030 includes policy direction that promotes higher density housing development in general, especially as infill or redevelopment in core areas. Approximately 57% of all new housing would be in the form of apartments and townhouses in support of compact urban form and complete communities objectives, as well as reduced servicing costs. Kelowna 2030 also includes policy direction in support of affordable and safe rental housing, non-market and/or special needs housing.
TRANSPORTATION
City of Kelowna transportation objectives are focused on generating greater use of sustainable modes - active transportation (cycling / walking) and transit - as well as TDM programs that promote reduced car ownership, reduced vehicle trips, reduced peak hour trips and managing parking supply toward reduction of the need to expand the road network or capacity. Roadway planning will support sustainability goals.

Policy direction focuses on maximizing connectivity for pedestrians and cyclists and prioritizing funding on active transportation. Policy does not provide for roadway modifications that increase capacity until failure is imminent, unless there are safety issues.

REGIONAL DISTRICT SERVICES
With respect to services, it is the City's objective to ensure a high quality water supply, including groundwater protection, and minimize unnecessary water consumption. Urban development will be connected to the sanitary sewer system. The Regional landfill will be maintained in the long term through diversion of solid waste wherever possible through recycling programs.

PARKS AND NATURAL AREAS
It is the City of Kelowna's objective to protect and enhance natural areas and provide a variety of parks for people to pursue active, creative and healthy lifestyles. The objective includes creating an open space network that protects sensitive ecosystems and links important habitat areas.

Policy direction includes maintaining a standard of parks at 2.2 ha per 1000 new people, providing active and passive parks as well as a city-wide linear park and trail network, particularly along Okanagan Lake shoreline. The acquisition of regionally significant natural areas is also supported.

ECONOMIC DEVELOPMENT
Economic development objectives are focussed on a sustainable prosperity that harnesses the skills and talents within the business community, maintains a positive business climate and ensures an adequate supply of serviced commercial and industrial land. Mixed use development and vibrant Urban Centres are the priority along with retention of the tourism industry. Maintaining and attracting a skilled and talented workforce that meets the needs of economic drivers is essential.

The need to ensure a range of housing options, particularly affordable housing, is key to attracting new employees to the community.
GREENHOUSE GAS EMISSIONS

The City has adopted a GHG reduction target of 33% from 2007 levels by 2020. Achieving this target will involve community effort. From the City of Kelowna’s perspective the OCP objectives are focused on compact urban form (mixed use neighbourhoods and higher density in core areas) that promotes travel by bus, foot or bicycle and other forms of active transportation. It is also the objective to encourage renewable energy supplies and work towards district energy systems and energy efficient technology in new and existing buildings.

In addition, the Kelowna 2030 OCP fulfills the following Regional Growth Strategy (2000) policies:

1. Containing urban growth and supporting growth and redevelopment in existing settlement areas with full urban services.
2. Residential development should include a range of housing types, densities and affordability options.
3. Provision of adequate and appropriate urban services before development is permitted to occur.
4. Impact assessments for major OCP amendments and infrastructure projects, including fiscal impacts to the community.
5. Require an environmental review of developments deemed to impact the land, watershed and other natural resources.
6. Urban development is to be directed away from hazardous areas, sensitive environmental areas, resource extraction areas, and farmland.
7. Maximize the efficiency of the transportation system.
9. Consideration for benefits of arts and culture, tourism, and recreation amenities in decision making.
10. Work co-operatively to establish regional governance.

THE CITY OF KELOWNA WILL:

Objective 2.1 Deliver sustainable services.
Policy 1 Inter-municipal Co-operation. Investigate opportunities and implement actions to efficiently plan and deliver programs and services with the Regional District of Central Okanagan and other neighbouring municipalities.
The City of Kelowna is part of the Regional District of Central Okanagan which encompasses Peachland, Lake Country, the District of West Kelowna and unincorporated communities on both sides of Okanagan Lake. The City of Kelowna is the largest community in the Regional District.
Regional Board
Report

TO: Regional Board

FROM: Ron Fralick
Manager of Planning

DATE: April 5, 2016

SUBJECT: Temporary Use Permit (Application TUP-13-03)
Owner: R. Schoenherr
Agent: R. von Andrian

Purpose: To consider renewal of Temporary Use Permit TUP-13-03 for a period of three years.

Executive Summary:
The owner and agent received Board approval for TUP-13-03 for a three-year term on April 22, 2013. A renewal of the TUP is requested to accommodate the continued operation of the business on a portion of the subject property. Should the business wish to continue to operate on the parcel upon expiry of the renewed TUP, staff recommends a permanent remedy be accomplished via submission and approval of an OCP amendment and rezoning application.

RECOMMENDATION:

THAT the Temporary Use Permit (Application TUP-13-03 – authorized April 22, 2013) for R. Schoenherr c/o R. von Andrian to permit an outdoor recreational ropes course/zip line business on a portion of the South 1/2 of Section 36, Township 29, ODYD - 4429 June Springs Road be renewed for an additional three years with the following conditions:

- The sublease with RDCO Parks Services for the KLO Creek Trail to remain in effect;
- Approval of a Development Permit is required prior to any further land alteration or disturbance;
- Obtain annual Business Licenses and Building Permits as required; and
- Confirmation from the Ministry of Transportation and Infrastructure that the commercial access permit (File Number: 2016-01289) has been approved.

Respectfully Submitted:

R. Fralick, MCIP, RPP
Manager of Planning

C. Radford
Director of Community

Prepared by: Janelle Taylor, Planner 1

Approved for Board’s Consideration

Brian Reardon, CAO
Implications of Recommendation:

Strategic Plan:
Approval of the permit renewal meets the 2015-2018 Strategic Priorities Plan, Strategic Priority #3: Nurture Responsible Growth and Development.

Policy:
Approval of the permit renewal complies with:
- Regional Growth Strategy Bylaw No. 1336, Policy No. 3.2.2.11 Promote land development patterns that support a diverse regional economy.
- South Slopes OCP Bylaw No. 1304 policies.

Legal/Statutory Authority:
In accordance with LGA Section 497, a TUP may be issued for up to three years with the option of one renewal for an additional three years.

Background:

History:
The Temporary Use Permit (TUP-13-03) to allow an outdoor recreational ropes course/zip line business (Myra Canyon Adventure Park) on a portion of the subject property for three years was conditionally approved by the Regional Board on April 22, 2013. A copy of the April 15, 2013, staff report and Board resolution is appended.

The application’s intent in 2013 was to obtain approval of the TUP and establish the business while continuing negotiations with the property owner for a long-term lease and/or purchase of the property. Unfortunately, during the summer of 2014 the Myra Canyon Adventure Park was unable to open on time for its first season as vandals damaged trees which were a key part of the adventure course. Subsequent to the vandalism, the damage was rectified and the business has been in operation.

At this time, the applicant is requesting a one-time renewal of the TUP for a period of three years to allow the continued operation of the Myra Canyon Adventure Park on a portion of the subject property. To pursue a permanent permitted-land-use remedy, the applicant intends to commence the RDCO Official Community Plan/zoning amendment process after this coming business season, during winter 2017.

South Slopes Official Community Plan Bylaw No. 1304:
Policies applicable to the proposal include:
- Support tourism and related businesses in South Slopes that complement the existing parks and their permitted low-impact (non-motorized uses).
- Support the Strategic Plan of the Economic Development Commission and its three key objectives of business retention, business attraction, and business facilitation.
- Provide for an overall connectivity of natural open space and parkland between the RDCO, City of Kelowna and Crown lands in the South Slopes area.

Agency Comments & Status of Temporary Use Permit Conditions:
In addition to the agency referral responses received in 2013, Planning staff directly contacted the agencies noted in the conditional approval of TUP-13-03 and inquired whether the agencies
- are of the opinion that their conditions, as outlined in the attached permit, have been met;
- have any additional conditions, given that three years has passed since the original Permit; and
- have any concerns regarding renewing TUP-13-03 for three more years.

Subsequent to this contact, none of the agencies voiced concerns nor did they provide additional conditions for the renewal. The following is an overview of the original conditions and their statuses:
Regional Board Report (TUP-13-03)  Page 3

<table>
<thead>
<tr>
<th>Condition</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Registration of a Statutory Right-of-Way for trail access</td>
<td>Parks Services obtained a Sublease Agreement for the KLO Creek Trail covering a 4 year term (June 12, 2014 to February 28, 2018). Parks Services is in favour of renewing TUP-13-03.</td>
</tr>
<tr>
<td>• Approval of a Development Permit is required prior to any land alteration or disturbance</td>
<td>Development Permit (DP-13-10) was conditionally approved.</td>
</tr>
<tr>
<td>• Applicant to obtain a Business license and Building Permits must be applied for and obtained from the RDCO for all proposed buildings and structures</td>
<td>Since 2013, Myra Canyon Adventure Park has obtained its annual Business Licence. Building Permits have been obtained where required.</td>
</tr>
<tr>
<td>• Confirmation from the Province that the Crown land access has been addressed (File: 3409943)</td>
<td>RDCO File: CL-14-05. Permanent remedy via easement CA4652729 registered to provide formal access via Crown land.</td>
</tr>
<tr>
<td>• Confirmation that all issues of the Ministry of Transportation and Infrastructure have been addressed including issuance of an access permit</td>
<td>Commercial Access has been applied for (MOTI File No. 2016-01289).</td>
</tr>
</tbody>
</table>

**External Implications:**

Further to approval of TUP-13-03, no opposition to the subject outdoor recreational ropes course/zipline business has been received by Planning staff from any affected agencies. In accordance with the Local Government Act (Section 497), no formal public notification is required for renewal of a TUP.

**Conclusion:**

The applicant has complied with all conditions of the TUP and is planning to commence the RDCO process to pursue a permanent permitted-land-use solution in early 2017. Planning staff has no concerns regarding renewing TUP-13-03 for an additional three years.

In the event that the TUP renewal is denied by the Regional Board, the outdoor recreational ropes course/zipline business uses on the subject property shall cease upon the expiry of the TUP (April 22, 2016).

**Alternative Recommendation:**

THAT the Temporary Use Permit (Application TUP-13-03) to allow an outdoor recreational ropes course/zip line business not be renewed.

**Considerations not applicable to this report:**

- Financial Considerations
- Organizational Issues

Attachment(s): Resolution #78/13
April 15, 2013, staff report and attachments
THAT Temporary Use Permit (Application TUP-13-03) for R. Schoenherr (owner) & R. Von Andrian (agent) located in the vicinity of June Springs Road, Myra-Bellevue Provincial Park be conditionally approved subject to the following:

- Registration of a Statutory Right-of-Way for trail access within six months from date of issuance of the temporary use permit, as per the comments from Parks staff;
- Approval of a Development Permit is required prior to any land alteration or disturbance which addresses Aquatic Ecosystem; Sensitive Terrestrial Ecosystem, Hillside and Wildfire Development Permit Area Guidelines of the South Slopes OCP, as per comments from the RDCO Environmental Planner and the EAC;
- Applicant to obtain a Business license and Building Permits must be applied for and obtained from the RDCO for all proposed buildings and structures;
- Confirmation from the Province that the Crown land access has been addressed (File: 3409943);
- Confirmation that all issues of the Ministry of Transportation and Infrastructure have been addressed including issuance of an access permit;

AND THAT the applicant provide an update in writing to the Community Services Department six months after issuance of the permit confirming that all of the conditions of the Temporary Use Permit have been addressed and are being adhered to;

AND FURTHER THAT the Temporary Use Permit shall expire in three years and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.

CARRIED
TO: Regional Board

FROM: Ron Fralick, Planning Manager

DATE: April 15, 2013

SUBJECT: Temporary Use Permit (Application TUP-13-03)
          (Reimund Schoenherr – owner/Rolf von Andrian - agent)

LOCATION: In the vicinity of June Springs Road, Myra-Bellevue Provincial Park and adjacent to the City of Kelowna (Central Okanagan East)

LEGAL: The South 1/2 of Section 36, Township 29, ODYD

RECOMMENDATION:

THAT Temporary Use Permit (Application TUP-13-03) for Reimund Schoenherr – owner and Rolf von Andrian - agent be conditionally approved subject to the following:

- Registration of a Statutory Right-of-Way for trail access within six months from date of issuance of the temporary use permit, as per the comments from Parks staff;
- Approval of a Development Permit is required prior to any land alteration or disturbance which addresses Aquatic Ecosystem; Sensitive Terrestrial Ecosystem, Hillside and Wildfire Development Permit Area Guidelines of the South Slopes OCP, as per comments from the RDCO Environmental Planner and the EAC;
- Applicant to obtain a Business license and Building Permits must be applied for and obtained from the RDCO for all proposed buildings and structures;
- Confirmation from the Province that the Crown land access has been addressed (File: 3409943);
- Confirmation that all issues of the Ministry of Transportation and Infrastructure have been addressed including issuance of an access permit;

THAT the applicant provide an update in writing to the Community Services Department six months after issuance of the permit confirming that all of the conditions of the Temporary Use Permit have been addressed and are being adhered to;

AND THAT the Temporary Use Permit shall expire in three years and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.
Purpose:

To consider issuance of a Temporary Use Permit in order to establish an outdoor recreational ropes course/zip line business on a portion of the subject property.

IMPLICATIONS OF RECOMMENDATION:

Legal/Statutory Authority:

In accord with Section 791 of the Local Government Act (Voting on Resolutions and Bylaws), all resolutions must be decided by a majority of the votes cast, and in accord with all applicable provisions. As consideration of Temporary Use Permits is consistent with the South Slopes OCP, and the property is located within a designated Fringe Planning Area, voting on the permit lies with the Electoral Area Directors and Kelowna Fringe.

Organizational:

The application was submitted and processed in accordance with requirements of RDCO Application Procedures Bylaw No. 944.

Strategic Plan:

The RDCO Strategic Plan Vision 2020 – Planning for the Future document articulates the need for the region to have a diverse economy and a region with strong cultural and recreational opportunities.

Policy:

Policies of the South Slopes OCP Bylaw No. 1304 applicable to the proposal include;

- Support tourism and related businesses in South Slopes that complement the existing parks and their permitted low-impact (non-motorized uses).
- Support the Strategic Plan of the Economic Development Commission and its three key objectives of business retention, business attraction, and business facilitation.
- Provide for an overall connectivity of natural open space and parkland between the RDCO, City of Kelowna and Crown lands in the South Slopes area.

BACKGROUND:

Project description:

The applicant is requesting issuance of a Temporary Use Permit in order to allow an outdoor recreational ropes course/zip line business on a portion of the subject property. The business will provide an outdoor based activity site for families with children of all ages as well as for leisure and corporate groups, including school classes.

The business will utilize an approximate 8 ha (20 acres) portion of the 129 ha (320 acre) property and will include a ropes course area (40 elements), two zip-lines, and a parking area. No permanent buildings are proposed at this time and portable toilets will be used for staff and customers. The park will operate with virtually no negative environmental impact. Existing trees on site are a valuable asset to the business and are protected. Extensive information regarding the proposal is provided in the attached document ‘Myra Canyon Ropes Course Kelowna’ submitted by the applicant.
Site Context:

The property is accessed via a Crown land parcel to the west (License of Occupation). The applicant is in process of securing the appropriate amendment and tenure from the Province for the access. In conjunction with the Temporary Use Permit, the applicant will also be required to address the Environmental Development Permit provisions of the South Slopes Official Community Plan, Bylaw No. 1304.

In accordance with the Local Government Act, the applicant is requesting issuance of a three-year permit. It is the intent of the applicant to obtain approval and establish the business while continuing negotiations with the property owner for a long term lease and/or purchase of the property. The proponent is aware that a permanent remedy must be accomplished via submission of, and approval of an OCP amendment and rezoning application.

Additional Information:

Owners:          Reimund Schoenherr
Applicant/Agent: Rolf von Andrian
Address:         4675 June Springs Road, Kelowna, B.C., V1W 4C8
Legal:           South 1/2 of Section 36, Township 29, ODYD
Lot Size:        129.5 ha (320 acres)
Zoning:          RU1 Rural 1
OCP:             Rural Resource
Existing Use:    Proposed ropes course/zip-line area is vacant
Sewage Disposal: Portable toilets
Water Supply:    Well
ALR:             Not within the ALR
Fire Protection: Kelowna Fire Protection Agreement Area
Surrounding Uses: North: City of Kelowna lands
                 South: Myra – Bellevue Provincial Park
                 East: Vacant Crown lands
                 West: June Springs Road/Rural residential

AGENCY REFERRALS:

Environmental Services staff indicate that their interests are unaffected by the application.

Parks Services has reviewed the referral (TUP-13-03) and have the following comments:

- Parks Services has had ongoing interests in the KLO Creek corridor for recreation purposes. We are interested in the KLO Creek corridor continuation through the subject property. The trail connection would provide important trail connectivity between Scenic Canyon Regional Park, KLO Creek Park and Myra-Bellevue Provincial Park.
- The KLO Creek trail corridor and trail connectivity to parks and greenways is supported in the South Slopes Official Community Plan, Bylaw No. 1304, 2012.
- The City of Kelowna 2030 Official Community Plan and the City of Kelowna Linear Park Master Plan identifies and supports the trail connectivity in the KLO Creek corridor with other trails and parks, such as Scenic Canyon Regional Park, Mission Creek Greenway, Powerline Linear Park and the SEKID Irrigation Flume Trail.
- Parks Services requests the Regional Board consider the recommendation to secure a trail connection through the subject property, via a registered statutory right of way, as a condition of the Temporary Use Permit application (TUP-13-03).

Parks staff would be in agreement to allow the applicant six months, from the time of TUP approval, to address the above noted SRW condition.
Environmental/Land Use Planner indicates approval of a Development Permit will be required prior to any land alteration or disturbance which addresses Aquatic Ecosystem; Sensitive Terrestrial Ecosystem, Hillside and Wildfire Development Permit Area Guidelines of the South Slopes OCP. The following is recommended;

- Required development approval information for the Development Permit which will include an Environmental Impact Assessment (EIA) and may include a wildfire hazard assessment and geotechnical study.
- Confirmation that approvals have been received for road access across Crown land for both the west and east sides of KLO Creek.
- Provision of adequate fire protection/suppression on site.
- Removal of the improvements if the business ceases to operate with the site restored to original condition.
- The EIA is to specifically address the provision of wildlife corridors and ecosystem connectivity with interfacing Crown lands and especially between parks (note – this is from the OCP and supports the parks recommendation).

Environmental Advisory Commission (EAC) reviewed the proposal at their April 4, 2013 meeting and the following resolution was passed; THAT the Environmental Advisory Commission sees the proposal as a low impact and complimentary land use of the property that fits well with the proximity to the parks and the KVR trestles. EAC supports the Temporary Use Permit application with the following conditions:

- Obtain appropriate road use permits;
- Demonstrate approved access to the east side of KLO Creek, in particular access to allow construction and include restrictions to recreational vehicles;
- Provision of the required Environmental Assessment and Geotechnical Report; and
- Removal of the improvements (i.e. the zipline) if the business ceases to operate with the site restored to original condition.

Inspections/Bylaw staff advises that the applicant will be required to obtain a Business License and that Building Permits must be applied for and obtained for all proposed buildings and structures.

Interior Health advises that their office has no objection to the issuance of a Temporary Use Permit however, IH notes the following;

- As the proposed activity will be near and crossing over KLO Creek which serves as a drinking water source for downstream water users, close regard should be given to following best practices in protecting the watershed and streams within it from activities which could impact water quality negatively;
- Proposed portable toilets for on-site washroom facilities will be acceptable provided they are well maintained and do not create a health hazard;
- Should the applicant wish to use any existing water system at the site or construct a water system to provide water for public use, they must contact IH regarding the necessary approvals and permits to ensure compliance with the Drinking Water Protection Act & Drinking Water Protection Regulation.

City of Kelowna indicates that the proposal will have minimal impact on their interests. Based on comment from their Engineering Traffic Technician, if the traffic volumes per day reflect what the applicant has indicated (approx. 35 vehicles per day), then there are no anticipated negative impacts to June Springs Road. June Springs Road has the capacity to deal with the anticipated volumes and is already used as an access to the Kettle Valley Railway (KVR).
Ministry of Forests, Lands, and Natural Resource Operations (Ecosystems Section) notes that the development is subject to the provincial Riparian Areas Regulation (RAR) as the proposed zip-lines traverses and includes structures in close proximity to KLO Creek, which provides habitat for rainbow trout.

The RAR assessment will define the required Streamside Protection and Enhancement Area (SPEA) setback for the property, which must be determined prior to development. RAR assessments must be completed by a qualified environmental professional (QEP) following the provincial RAR guidelines. Any works proposed within KLO Creek will require approval or notification under the provincial Water Act and may be subject to review or authorization under the federal Fisheries Act.

Ministry of Forests, Lands, and Natural Resource Operations (Crown Land Adjudication Section) has requested that the Regional District make approval of the TUP application subject to completion for the Crown land access (File: 3409943).

Ministry of Environment (BC Parks Planning Section) notes that the proposal is located on a lot that immediately borders Myra-Bellevue Provincial Park. The proponent should be advised that human activities in the vicinity of a provincial park can strongly affect its habitat and recreation values. The Ministry encourages the proponent to familiarize themselves with the values of Myra-Bellevue Provincial Park in order to limit impacts to the valuable resources of the park.

RDCO Planning staff believes that the concerns of the Ministry of Forests, Lands, and Natural Resource Operations and Ministry of Environment will be addressed in conjunction with the required Environmental Development Permit and associated environmental impact assessment that must be completed, in addition to the requirement for a trail connection identified by Parks staff.

Westbank First Nation (WFN) advises that they have reviewed the information provided. Based on this information, WFN has no objection to the proposal.

Ministry of Transportation and Infrastructure has not provided a formal response to date. Planning staff believe that the applicant may be required to obtain an access permit from the Ministry for the intended commercial use accessing onto June Springs Road.

South East Kelowna Irrigation District (SEKID) has indicated that their interests are unaffected by the proposal.

ALTERNATIVES:

Should the Board choose not to support the staff position, the following alternate recommendation is provided:
THAT Temporary Use Permit TUP-13-03 not be approved.

CONCLUSION:

The South Slopes Official Community Plan indicates that temporary use permits may be considered by the Board to allow specific land uses to occur for a short period of time (change in legislation subsequent to 2008 allows approval up to a maximum of 3 years). Policy of the OCP stipulates that the use must be temporary or seasonal in nature and the use must not create an unacceptable level of negative impact on surrounding permanent uses.
The temporary permit may include conditions such as, but not limited to; the buildings to be used, the area of use, the hours of use, appearance, site rehabilitation, and the holding of a security by the Regional District to ensure compliance.

Provided that all technical issues of affected agencies and the RDCO are addressed, the proposal represents a relatively low-impact recreational use that is compatible with other land uses in the South Slopes area. The parks recommendation for a statutory right-of-way would provide important trail connectivity between Scenic Canyon Regional Park, KLO Creek Park and Myra-Bellevue Provincial Park which is supported in the South Slopes Official Community Plan.

In accord with provision of the Local Government Act, notice of this application was published in the local newspaper. In addition, a Notice of Application sign was posted and notification forwarded to all property owners located within 100 metres of the subject property.

Further to the public notification process, one letter has been received from the owners of 4662 June Springs Road opposing the application. While they commend the von Andrian family for the initiative, they have concerns associated with the increase of traffic on June Springs Road, fire risk, and garbage/trespass that will result from the proposed business (copy attached).

Planning staff note that the applicant was made aware of potential issues that may be raised by area residents. As such, the applicant forwarded information letters to area residents and an open house was held prior to submission of their application. As noted in the application submission, the proponent has been working toward addressing all technical issues and areas of concern regarding the ropes course/zip-line business.

In recognition of the aforementioned comments, Planning staff recommends that the Temporary Use Permit be conditionally approved as per the ‘Recommendation’ at beginning of the report.

This is for your consideration.

Submitted by,

Ron Fralick, MCIP, RPP
Manager of Planning

Chris Radford
Director of Community Services

Considerations not applicable to this report:

General
Financial Consideration

Attachments: Subject property & ortho photograph map
Location, neighbour & site details maps
Myra Canyon Ropes Course submission
Abstract to Main Document
Letter of Opposition (D. & L. Dalgleish)

Approved for Board’s Consideration
Brian Reardon, CAO
Application for Temporary Commercial or Industrial Use Permit

Abstract to the Main Document

Find here the core points taken from the main document 3.–7.: 

1. The application for a commercial usage is for a ropes and challenge course with zip line add on. Focus of the course is team building and personal development.

2. The business concept is different to the competing ropes courses and zip lines.

3. The applicants are a German family with 4 children and immigration with the Provincial Nominee Program for entrepreneurs. They are obliged to invest money and create jobs within the first 2 years.

4. The business idea is pre–discussed with local stakeholders like the former Mayor and the CEO of Tourism Kelowna.

5. The property is at 4429 June Springs Rd. and has its “history” with Hells Angels, grow-op, shootings and fire. It is unused at present. It has 320 acre and spans over the lower part of the KLO creek. We are renting parts of the property.

6. The commercial use takes place at an area with about 20 acres at the northern border next to the canyon and in addition with 2 zip lines over the canyon.

7. There are no neighbours in sight or within a hearable distance.

8. No permanent buildings are necessary on the property. The existing ones won’t be used.

9. The traffic impact along the access way is about 10 cars per day Monday to Friday and 25 cars on Saturday and Sundays. Business months are from May to October.

10. We did an open house and information letter for all neighbours and the public to explain the project and hear possible concerns.

11. Relevant local officials have been met upfront before submitting this application.
Myra Canyon
Ropes Course
Kelowna

RDCO
Application for Temporary Use Permit

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CONTENT:

1. Executive Summary Business Plan .......................................................... 3
2. Relevant Excerpts From The Business Plan With Background Details ............ 6
   2.1. The Team ................................................................................. 6
   2.2. Business Environment And Products/Services ..................................... 7
   2.3. Marketing And Sales .................................................................. 11
3. Specific Location Of The Proposed Activities ............................................. 14
4. Frequency And Seasonal Timing Of The Proposed Activity ......................... 14
5. Location And Size Of Proposed Facilities/Structures ................................... 15
6. Access Route To The Site / Traffic .......................................................... 16
7. Pre Meetings with officials/Stake Holders .................................................. 17
8. List Of Experiences Qualifications And Special Training Of All Staff Involved; Security .......................................................... 17
PRELIMINARY NOTE

The following document contains under point 1 and 2 parts of the official business plan submitted to the Province of British Columbia in the process for business immigration with the Provincial Nominee Program. It got approved and signed in March 2012. Rolf von Andrian, the applicant, signed a so-called "Performance Agreement" with the Province of B.C. and agreed to create at least 3 full time jobs and to invest a certain amount of money within two years. If of any interest the full business plan can be provided at any time. Point 3 to 8 cover the requirements of the temporary use permit.

1. EXECUTIVE SUMMARY BUSINESS PLAN

PRODUCT, MARKET AND COMPETITION:

Myra Canyon Ropes Course (MCRG) is a start-up business and will render an additional activity venue to the tourism market in the Okanagan Valley. It provides an outdoor based activity site for families with children of all ages as well as for leisure and corporate groups. It will attract additional visitors to the Okanagan Valley. Ropes courses contain small platforms constructed at various levels in the trees. The platforms are connected by different types of bridges (that are to represent obstacles) and participants, using safety harnesses, maneuver from platform to platform. The parks operate with virtually no negative environmental impact and the trees (the most important assets) are well taken care of and protected.

Kelowna counts about 1.2 Mio visitors per year and roughly 1 Mio overnight stays. Tourism statistics show that the majority chooses Kelowna due to its climate and the many nature-based activities. Over two thirds (71%) of visitors to the Okanagan Valley were travelling for leisure and 60 % rate nature-based activities as primary interest. In total visitors to the area approximately spend $346 million per annum in the region. BC studies of 2001 showed that on average nature-based businesses generated $632 per client day.

Target market are individuals, families and visitor groups from packaged tour operators or companies. Our research showed a market demand for a nature-based activity which does not take too much time and is short distanced to the lake and the main lodging establishments. A ropes course is attractive as an alternative activity to golf, winery tours or water-based tourist offers.
MCRC offers a nature-based activity for customers of all ages at a prime location. In the first year it will start with a course with about 40 challenge elements running at medium and high level including 2–3 zip lines. Additionally it will offer a course with low elements for smaller children and more cautious customers thus being well-suited as entry level and to gain confidence. Next to this recreational part of the course we will offer an educational program to groups and companies/departments. Here the focus lays on team building and personal development. These groups will be supervised/attended/coached by dedicated trainers who will lead them through a set of special challenges with a high level of group interaction.

MCRC competes with the many activities in the valley like golf, biking, water-based etc. and first and foremost with two zip lines and another ropes course. Pure zip lines are more an allure to the thrill-seeking customer and offered at steep. Their prices are on a much higher level. This is an excluding factor for many visitors. We see our advantage in the fact that literally everyone is able to take part in a ropes course with zip lines as add-ons as it offers all possible challenge levels. The location both, close to the city/lake and to the Myra Canyon/Kettle Valley Railway Trail makes it attractive for visitors to combine it with other activities. From interviews with regional officials we learned that a ropes course would perfectly fit into Kelowna`s tourism portfolio not only for private users and families but also for companies and groups. The nearest comparable ropes course opened in July 2012 at Hwy. 33 on the way to the Big White Ski Arena. They follow a different concept, though.

LOCATION AND PROJECT EXPENDITURES:

A location should be within a 30 minutes’ drive to the lake and situated in a forest with a view over the valley. The necessary size of the land is 6–10 acre with healthy trees. We have been in discussions with the municipality of Kelowna and the Regional District of Central Okanagan (RDCO) about locations along the so called “South Slope”, a region Southeast of Kelowna. From the planner table of the city of Kelowna and also from the manager of district planning we got the signal that the concept is well received. The location at 4429 June Springs Rd. fulfills all requirements.

A Canadian ropes course/zip line constructor did the pre-planning and developed a quotation for constructing and building of the course. He has planned and build nearby zip lines and is familiar with the local requirements. Except the land this is the main expenditure and contains the many challenge elements and the two zip lines which get build into the forest.
OWNERSHIP, ROLES AND NEW JOBS:

The owner of MCRC will be Kathrin von Andrian, a sports teacher and trainer, and Rolf von Andrian, a lawyer and IT professional with lifelong outdoor sports background. For more than twenty years Kathrin has been working as a sports trainer and PE teacher at various schools and for associations and companies. Her profound and vast professional experience is one of the main assets for this business. Kathrin has given countless seminars and courses in many indoor/outdoor sports. For many years Rolf had been working for consulting companies such as the Boston Consulting Group and KPMG. In addition to his consulting job he worked as skiing instructor and mountain guide in the Alps in Europe. Rolf brings his consulting and economic experience into the business. Working as the managing team both owners can most perfectly combine their experience and skills in order to cover the different challenges of the business.

The legal structure will be a corporation with an allocation of 50% shares per owner. We both will actively work and manage the business. Rolf will have joint managing responsibility for daily operations and Rolf will take care for all legal, human resources, accounting and back office tasks and the inspection and maintenance of the course. A yet to be hired assistant manager will be key staff for daily operations and group trainings. MCRC will create at least five new jobs for outdoor/ropes course guides and trainers with educational background for team-building and personal development. The number of employees will increase in the following years.

SOURCES AND FINANCING:

A ropes course is a seasonal business from May to October depending on the weather. Both the owners will invest private funds of $300,000 (Rolf: $250,000, Kathrin: $50,000) in the construction and another $100,000 as cash flow capital for the first year.

BUSINESS OPPORTUNITY SOURCE:

Ropes courses have gained high popularity in Europe within the last years. In the vicinity of main tourist spots and bigger cities there are opening new ropes courses every year. Friends of ours are developing and constructing ropes courses and from them we learned about the industry and the market. We have met local officials to present our plans and got very positive feedback.

REFERENCES:

"I was pleased to meet with Kathrin and Rolf von Andrian recently in my office regarding their vision of a business venture they would like to bring to the Okanagan in British Columbia. They were very articulate, had researched the
project, and were very enthused about relocating to a new country. The high rope/challenge park is apparently a very accepted concept in Europe and would certain be a unique and exciting addition to our community. I understand that they are already pursuing a site and are doing their due diligence in what will be required to implement their plan. I wish them well and look forward to a positive outcome in their pursuit of this new business to our region.”

Sharon Shepherd, Mayor of Kelowna 2011

"The Kelowna destination brand revolves around healthy outdoor experiences and an attraction of this magnitude and quality would be a tremendous addition to our current tourism assets."

Nancy Cameron, CEO, Tourism Kelowna

“The high rope course/challenge park proposed by Kathrin and Rolf von Andrian will fit nicely into the business community of the Okanagan. This region is recognized as a year-round playground; and, this type of initiative fits well into this environment.”

Weldon LeBlanc, CEO, Chamber of Commerce Kelowna 2011

2. RELEVANT EXCERPTS FROM THE BUSINESS PLAN WITH BACKGROUND DETAILS

2.1. THE TEAM

MANAGEMENT TEAM PROFILE & OWNERSHIP STRUCTURE

Myra Canyon Ropes Course is a start-up business being incorporated in Kelowna, BC, Canada, with the business name Androka Hospitality & Activities Ltd.

1. Kathrin von Andrian, Owner/Operator, 50% shareholder.

Job Description: Responsible for ensuring that the business earns a profit and generates sufficient cash flow. Oversee all aspects of the business. Runs daily operation and organization. Kathrin is the primary contact for customers.

Qualifications: Diploma of Technical University of Munich, Germany as a sports trainer and teacher. 20 years of experience in teaching PE and as trainer of various kinds of sports with dedicated trainer qualifications.

2. Rolf von Andrian, Owner/Operator, 50% shareholder.
Job Description: Responsible for set-up and maintenance of the ropes course in all aspects. Takes care of legal, tax and accounting matters. Runs back office, general organization and recruiting/human resources. Runs daily operation.

Qualifications: Law degree of Ludwig-Maximilian University Munich, Bar exam. 15 years of practice as consultant in the IT business, law practice and forensics. Former employers are The Boston Consulting Group and KPMG. Outdoor and sports background as a skiing instructor and outdoor enthusiast. Kathrin and Rolf are the parents of four children, aged 13, 15, 18 and 20.

HUMAN RESOURCES REQUIREMENT

For the daily operation of the business there will be need of a constant presence of 3–5 people. Rolf von Andrian will manage the business and will be primarily present during the business hours. In addition to Kathrin von Andrian we will need three FTE on a permanent basis supporting Rolf von Andrian. This does not cover peak times at the weekends or during high season weeks in July/August, when we will need more staff on a freelance basis.

A ropes course is a seasonal business and annual working hours are calculated with a 10 hours working day per FTE in 26 weeks from May to October. At the beginning and at the end of season the course will be closed for one or two days each week. Depending on the weather some additional weekends in spring and late autumn will be offered. Considering the factors mentioned above the total amount of working hours per FTE ranges between 1800 – 2000 per year with a season break in winter time.

2.2. BUSINESS ENVIRONMENT AND PRODUCTS/SERVICES

BUSINESS SUMMARY & HISTORY

Myra Canyon Ropes Course will render an additional activity venue to the tourist attractions of the Okanagan Valley. It provides an outdoor based activity for families with children of all ages as well as for tourist and company groups. We brought the idea with us from the German tourism market, where this kind of business is strongly evolving in the vicinity of cities and tourist destinations. It offers fun, sport and educational experience with a “green” touch, which fits well in Kelowna’s tourism portfolio.
Our target region is called "South Slope" and is located along Kelowna's city border at the East side close the Myra-Bellevue Provincial Park. From the planner table of the city of Kelowna and also from the manager of district planning we got the signal that the concept is well received and supported. The ideal location is along the access roads to the Myra Bellevue Provincial Park. A Canadian ropes course/zip line constructor from Kelowna did pre-planning and a quotations for construction as well as erection of the course. An insurance broker already made us an offer for coverage.

**PRODUCTS IN THE INDUSTRY**

A ropes course or challenge course is a series of individual and group challenges, posing physical, social and emotional challenges that require a combination of teamwork, skills and individual commitment. Challenge courses are constructed outdoors using trees or utility poles and ropes, cables and wood. High elements require a person to climb higher than can be safely spotted from the ground and demand a belay system to protect the participant. Low elements are partly non-belayed activities below shoulder height, which focus on a set goal within a supportive group environment. Low elements can be removable. Initiative tasks challenge the group to make use of all its resources in order to solve a problem given (or set). Initiatives can use permanent or portable equipment either indoors or outdoors. Challenge courses are installed in wide variety of places - schools, camps, park districts, and outdoor education and corporate training centers. A ropes course exclusively in a forest is also known as aerial forest park and it has become a very popular experience for outdoor enthusiasts of all ages in Europe and the US.

Ropes courses are to be distinguished from so-called zip lines or canopy tours. Zipline/Canopy tours were originally an outgrowth of techniques developed by biologists seeking to study the ecosystems of the Tropical Rainforest. Observation posts and transportation routes through the canopy were established by several means, including Tyrolean traverses and zip lines, rope ascension devices, towers and cranes, suspension bridges, etc. zip line/Canopy tours now operate primarily as vehicles for recreation and amusement: the thrill of the ride is the principal attraction. Such courses typically feature an interconnected series of traverses and crossings over a route that runs above a sloping forest floor, valley, ravine, or canyon.

Ropes courses are either recreational or educational/developmental. For the most part a recreational facility is designed for a very high throughput of people with an emphasis placed on reducing the need for supervisory staff. Although a recreational ropes course can sometimes be used for developmental purposes, the reverse is less true because restricted throughput generally
makes recreational use commercially unviable. All together, a higher fee is charged for those on a developmental programme so a higher level of supervision and slower throughput is more acceptable. Recreational applications rely on a high volume of participation and will offer developmental programmes as separate and additional product.

TOURIST INDUSTRY OF CENTRAL OKANAGAN

Statistics Canada estimates that there was a total of 1.2 million non-local residential visitors to the Kelowna area in 2004, 1 million (83%) of which staying there overnight with the rest being day visitors. Each visitor to the Kelowna area spent an average of $425 during his/her stay on accommodation, retail, food and beverage, attractions, and other expenditures. In total, it was estimated that visitors to the area spend approximately $346 million per annum. The tourist sector in the Central Okanagan exhibits significant seasonality. Roughly two thirds of revenue is earned curing the seasons of spring, summer and fall. July and August are the key revenue months.

OUR PRODUCT/SERVICES

MCRC offers a nature-based activity for customers of all ages at a prime location. In the first year it will start with a course with about 40 challenge elements which are integrated as best as possible into the trees and running at medium and high level. In addition to that the course will offer low elements for smaller children and cautious customers in order to encourage them to build up more self-confidence. Climbing the course will give our customers the feeling of being part of the surrounding forest and offer an unforgettable top-view down into the valley. The focus lays on a nature-based activity for the complete family and also for groups with different skill levels. The rating of the course ranges from very easy up to really hard, so undoubtedly everyone is capable of climbing on his/her level. Timeframe for a standard customer climbing the course is about 2-3 hours, which makes it a good half-a-day excursion. In the second year of operations we will raise the amount of elements in an extended course.

Part of the ropes course will be 2-3 zip lines spanning over the KLO canyon. We see these zip lines as an extension of the course and not as dedicated zip line activity as our competitors offer. Therefore the zip lines will be integrated in the ropes course.

In addition to this recreational part of the course we will offer an educational product for groups and companies/departments. Here the focus lays on team-building and personal development. This product needs a dedicated guide or trainer with a high professional level of education and experience. This track is
specially set up for this type of clientele and separated from the recreational part the other visitors enjoy to use.

Driving distance from downtown Kelowna is about 20 min. The location nearby the Kettle Valley Railway Trail as one of Kelowna's tourist attractions makes it easy to combine a ropes course visit with other activities.

SECURITY

MCRC will be equipped with a so-called "permanent belay system" of a French industrial systems provider for security. This system uses a set of two carabiners running on a safety wire. It is absolutely impossible to unhook both carabiners at the same time. At least one safety hook is always firmly anchored. This system ensures a maximum security even for small children. We invest in this expensive technology to guarantee the maximum security. The overall security standards will be at the highest available level and will be certified by acknowledged standards by the Association for Challenge Course Technology (ACCT) and/or the European counterpart European Ropes Course Association (ERCA). Both organizations have developed accredited standards and guidelines for the installation, inspection and operation of ropes courses. Insurance companies offer coverage only for certified courses.

COMPETITORS

The nearest ropes course with a similar concept is located at Hwy. 33 about 30 minutes from downtown Kelowna and opened in July 2012. They are located at a RV park with a restaurant and a bar and seem to follow more the concept of an entertainment park. Their construction uses many poles and focuses on the recreational and fun element like a huge "King-Swing".

In contrast to that MCRC will focus on the experience of the forest and the quietness of the location. We want our clients to have the feeling of being part of nature and absorb nature from the perspective of a squirrel, so to speak. Our main client group are groups with team trainings and personal development.

In the Okanagan valley, within 30 minutes from Kelowna, there are two zip lines that started their operation in 2011. Zip lines like bungee jumping offer much "adrenaline-adventure" for thrill-seekers. Prices are about 2-3 times higher ($80–$100) than the ones for ropes courses ($30–$40). There is usually either an age limit or underage customers are only permitted with a guarding coach by their side. High prices and the requirement to be quite courageous are little attractive to larger families and groups or people with special needs because it is nothing that can be done easily by everyone. For that reason we concentrate the concept of the ropes course with a zip line extension in that niche: A nature-based adventure for everyone.
Considered to be competitors could count the numerous small ropes courses in youth camps and similar locations. They offer a very small set of elements and are rarely built in trees. Adults usually don’t visit these camps as they are for students and the primary focus is on team-building and education. This is why they are no immediate competitors. In the vicinity of Kelowna only one camp offers that kind of a ropes course with a few elements and built with poles. It is part of a scout and youth camping site and not accessible to the public.

2.3. MARKETING AND SALES

CUSTOMER GROUPS IN THE MARKET

Divided in segments there are the following customer groups as targets for MCRC:

1. Individuals, families with children of all ages and small travel groups wishing to enjoy a nearby nature-based activity, which can be done together and everybody finds his level of challenge.

2. Students, seniors or package tourists etc. who mostly travel in groups and seek a one-fits-all activity close to the touristic hot spots at the lake.

3. Company/institutions incentives and convention participant groups. These groups are also a target market for team-building and personal development services.

4. Casual visitors, partly as drop-by customer to the nearby Kettel Valley Railway Trail.

SERVICES/PRODUCTS

The following services and products will be part of our opening season:

1. Recreational: Medium and high courses with 40 - 50 challenge elements. They will have different combinations and alternative routes.

2. Recreational: A low course for small children and people with special needs.

3. Educational: Special team-building elements in small distance to the main courses.

4. Recreational and educational: Packaged services

5. Merchandising products: T-shirts with logo etc.
SALES PLAN

Primary sales channel is the awareness level in the regional tourism market. This will be established through participating in the local and regional tourism platforms. Although the location is near the Myra–Bellevue Provincial Park and on the way to the Kettle Valley Railway Trail official parking space, there are not many visitors driving along because the primary access to the trail comes via another road. MCRC makes this access more attractive with a combined excursion possibility.

DIRECT SALES

MCRC will be open for everyone dropping in without prior booking over the season from May to the end of October. The members of the visitor information center will have all necessary information to send interested visitors to the MCRC. Local hotels and convention centers will also act as promoters and will be equipped with information material. A preliminary website is already online: http://www.ropescourse.ca.

INDIRECT SALES

Group bookings and distribution will be done in cooperation with travel traders, meeting planners, and the local Tourism Kelowna office. Organized groups and conventions can choose from a vast variety of activities, with golf and water-based ones being the most popular. When planning for groups, often one or the other does not play golf, which leads to the demand for additional activities nearby. We learned from Nancy Cameron, CEO of Tourism Kelowna, that a ropes course visit will be a very good supplement to these activities and can be offered also in spring and autumn, when water-based activities have lost their attraction due to the change in weather. These group bookings will be served with an indirect sales channel using the visitor information center and meeting planners as distributors.

Indirect sales will be also established as environment for external trainers and companies HR development center, where the training should remain internally in the hands of a certain trainer. In these cases MCRC will act as training environment with all infrastructure components.
ADVERTISING AND PROMOTION PLAN

MCRC will be promoted with print advertising, extending the existing internet presence, usage of the regional tourist offices (website listing, Flyer etc.) and word of mouth. The aimed location close to the Myra Canyon Trestles and the closed by tourist destination will act as brand. Key promotional factors are:

- Team-Building and personal development, focus on companies
- Nature-based activity; "feel" the forest
- 100% security
- A challenge for everyone on her/his level
- Close to the Okanagan lake and Myra Canyon
- A two hours excursion for the complete family
- Can be combined with horseback riding/biking etc.
- Perfectly suited to groups
- A view to the forest from a totally different view

RESEARCH

We did thorough market research on site and also with help of advisors, friends and relatives in the valley. We got direct feedback on our business plans in meetings with Sharon Shepherd – Mayor of Kelowna, Robert Hobson – Regional District Board Chairman, Nancy Cameron – President and CEO of Tourism Kelowna, Weldon LeBlanc – CEO Chamber of Commerce Kelowna until April 2011 and John Perrot – Business Development Officer of the District of West Kelowna. We established contact and clearance of many relevant questions with officials of the city of Kelowna and the District. The Central Okanagan Economic Development Commission provided advice and statistic material about the tourism industry in the region.
3. Specific Location Of The Proposed Activities

The property we are applying for a commercial usage permit is located at June Springs Road at one of the access ways to the KVR. It has a local level of publicity due to the fact that the previous tenants have been a subdivision of the Hells Angels. The news from the last years are full with weird stories about that property. The owner contacted us after a park usage permit application and an article in a local newspaper about us. The park application got denied to our surprise after long pre-discussions and encouragement from the park administration to move forward with it. We live nearby at the end of June Springs Rd. We are planning to rent a part of the property on a long term basis.

The property enfolds over the the KLO creek, which crosses it in the middle. The eastern part can be accessed only via rough roads and is hardly accessible with standard cars. The western part has access via an access road from June Springs Road (see attached maps for details). The “famous” part of the property will not be used.

We are using only a small portion of the property at the north boundary near to the canyon. The location will not use the sensitive area along the canyon. The existing buildings and infrastructure will not be used because it is too far away for our guests. No permanent building is planned at the course location itself.

There are no direct neighbours in the vicinity of the planned location. The only direct neighbour adjacent to the property is at the south west corner, but without sight contact and to far away to hear anything. On the west side of the canyon there are no neighbours at all. This side of the canyon is used for one zip line platform.

We plan to open the property for the strong horse riding community along June Springs Rd and we got very good feedback from the neighbours that something “normal” will take place at that property.

4. Frequency And Seasonal Timing Of The Proposed Activity

Capacity Indicators and Season

Standard season for MCRC will be from May to end of October. Weather statistics for these months show not more than 15 rainy days with more than
5 mm per day. This enables an almost permanent opening time during the season. The daily opening time will be from 10:00 am to 8:00 pm with last entry at 5:30 pm.

Picturing a realistic scenario for our first year we see the basic amount of 5400 customers per season plus a volume of 600 from group bookings. The 5400 is based on the following calculation: Beginning in May and ending in October we count 26 weeks. Per week we expect an average minimum of 20 customers per weekday and 50 per day on Saturdays and Sundays, which sums up to 200 customers per week and up to 5400 for the complete season. From schools, companies and institutions etc. we see at least 30 bookings with 20 people over the season, which sums up to 600.

As a thumb rule for ropes courses a single challenge element can be accessed by two climbers at the same time. The little platforms in the trees can bear the space for three climbers at the same time. As a consequence the maximum capacity for a ropes course with 50-60 elements is 100 - 150 people at the same time.

5. LOCATION AND SIZE OF PROPOSED FACILITIES/STRUCTURES

1. Parking lot and welcome centre:
   a) A banner or flag shall show the entrance at June Springs Rd. The parking lot will be located in an area close to the course – see attached maps for details.

   b) Welcome centre: In an area with about 100 sqm close to the course, location we plan a shed as front desk with 10'x20' ft. It will be a fabric tent or a gipsy wagon. No electricity is needed except small solar panels for credit card readers etc.

   c) 4 portable toilets

2. Recreational area:
   a) Installation of ca. 40 challenge elements between trees and poles. The trees or poles will be used as fix points for small wooden platforms with about 5'x5' ft and for the connecting steel cables which hold the various challenge elements. The fixation of the platforms and cables will be done according to the ACCT standards in a way without disturbing the trees health and can be removed without leaving any traces.
Installation of 2-3 zip lines. Two of the zip lines will span over the canyon, one leads along the canyon (see attached maps). The landing platforms are in safe distance to the sensitive area along the canyon. Depending on the quality of the ground all platforms have to be constructed with ground anchors and/or concrete footings.

b) On the clearing in front of the location will be a 20‘x30’ ft wooden platform to put on the safety harnesses.

To prevent unauthorised access all course starting points will be locked with flat panels around the tree trunks. Trash cans and fire extinguisher all 50 meters. Ground clearing of larger logs of dead trees and brush.

3. Educational area:
   a) Installation of ca. 3 challenge elements between trees/poles in the same way as described above.

b) Construction of ca. 3 elements on poles for special team-building tasks. This is for instance a single pole where one individual stands on it and jumps down while all other team members do the belaying.

Trash cans and fire extinguisher are placed all 10 meters. Ground clearing of larger logs of dead trees and brush.

6. ACCESS ROUTE TO THE SITE / TRAFFIC

To access the area there is only one possible road: June Springs Rd as one of the access routes to the KVR. Our pre-discussions with the Ministry of Transportation and Infrastructure and the planners table of the city of Kelowna showed no concerns for the proposed usage.

The last 160 meters from June Springs Rd. to the entrance of the property is a road on crown land on a lease basis. The owner of the property did not prolong the contract in 2012. We will take care about the prolongation of the contract.

Based on our expected clients per day figures there would be ca. 10-15 cars (20 clients) more on weekdays and 25-35 (50 clients) more on weekends. Small busses can reach the area.

We did an open house in fall 2012 and invited all neighbours for information, especially about the increased traffic along June Springs
7. PRE MEETINGS WITH OFFICIALS/STAKE HOLDERS

After the initial meeting with RDCO we had meetings already with:

Lynda Lochhead, Ministry of Transportation and Infrastructure
Bryn Lord, Interior Health Authority
Birte Decloux, City of Kelowna Planning Department
Toby Pike, South East Kelowna Irrigation District
Margaret Bakelaar, RDCO Environmental / Land Use Planner
Patty Hanson, Central Okanagan East Electoral Area Director

From their side we heard no concerns about the proposed use. An environmental impact assessment has to be done.

8. LIST OF EXPERIENCES QUALIFICATIONS AND SPECIAL TRAINING OF ALL STAFF INVOLVED; SECURITY

From clients’ side no qualification or certification is required. From operators’ side there are requirements on the part of the ACCT/ECRA for both the ropes course constructor and the operator.

ROPE COURSE CONSTRUCTOR

With our support and guidance the course itself will be built by professional builders. We have two quotations, one from a Canadian and one from a German constructor. The Canadian company is the leading provider in the country and has a profound experience in planning and constructing large projects. They are Professional Vendor Member of ACCT and work on the North American construction standards. The German provider is one of the market leaders for our kind of ropes course with challenge elements in trees. They are members of ERCA, the European equivalent to ACCT and work according to their construction and security standards. The German provider is more creative at better prices, the Canadian is closer with more experience with the local market conditions. Price proposals for 40 elements + small zip lines range from
$220,000 to $250,000. We prefer to go with the Canadian vendor as the local one from Kelowna.

INSURANCE

From a Canadian Insurance Broker we got clearance for insurance coverage for construction and operation of a ropes course with both standards, ACCT and ERCA. The quotation for a coverage is attached.

CERTIFICATION AND COURSE SECURITY

Both owners register and fulfill the necessary courses and certifications of the ACCT. We will take part in a series of training which is necessary to fulfill the ACCT standard for operating a course. Staff training and certification for our own course in Canada will be done during the building phase and thereafter in regular intervals. Once certified both owners are in the position to give trainings. These trainings will take place on a regular basis and are mandatory for all employees. In addition the core security elements like harnesses, challenge elements and belay systems have to be controlled and partly or completely replaced according to their actual condition. The course itself including the trees needs constant controlling with the help of an arborist.

OPERATING KEY FACTORS

- The permanent presence of well trained MCRC-employees in the course as constant watching and surveying guides. It is important for customers to get prompt support and instructions if they are struggling with a challenge element. It is equally important to the customer to always be ready to stop and get safely rappelled at any time. Team–Building and personal development groups are even more dependent on a high professional and motivated trainer personality.

  Maximum security. Our customers get a course–briefing and short training session with the permanent belay system. Once hooked onto one of the main courses there is practically no chance to unhook both carabiners at the same time.

- Constant development and adaption of the course to our customers demands.

- To make it attractive for returning customers we will extend the course in every season with variations and new course elements.

FIRE AND FOREST HEALTH

Core element in a ropes course is the forest and its health. Trees are our main construction elements and will be constantly checked by an arborist. In addition
the surrounding ground is subject of the highest attention to ensure the health of the trees. Any compacting of the ground disturbs the eco-system of a tree. To avoid that we will block the direct access to the lower parts of the trees partly with rope-barriers. In BC the pine beetle is a constant threat and expected to increase until 2016. In our lot only a small portion of the trees are pines and we will avoid the usage of pines as construction base.

Concerning fire and fire prevention there is a constant risk with that many people in a forest. To eliminate the risk of fire we will cover the ground with bark mulch. In addition fire extinguishers will be placed everywhere within reachable distance. A strict no-smoking policy will be pursued.
TO: Regional Board

FROM: Chris Radford
Director of Community Services

DATE: April 5, 2016

SUBJECT: Regional Fire Service Review – Implementation Strategy

Purpose: To provide the Board with an Implementation Strategy for the twenty two recommendations contained in the POMAX Fire Service Review Report.

Executive Summary:

Following a third party review of the Regional District of Central Okanagan Fire Services by POMAX in 2015, a list of twenty two recommendations was developed for Board consideration and implementation. The majority of recommendations are currently being actioned and were in process prior to the review. The reviews’ overall conclusion and recommendation is that the Regional District Fire Services should continue on the current path with the support of the Regional Board.

Staff has developed a Fire Service Implementation Plan that includes action items and timelines for all 22 POMAX recommendations. This Implementation Plan has been presented to, discussed with and fully endorsed by the RDCO Fire Chiefs at a meeting held on March 31, 2016.

This report and the attached Fire Service Implementation Plan provides a proposed implementation strategy and timeline for moving forward.

RECOMMENDATION:

THAT the Regional Board approve the Fire Service Implementation Plan dated March 31, 2016 pertaining to the recommendations outlined in the 2015 Pomax Fire Service Review Report.

Respectfully Submitted:

[Signature]
Chris Radford
Director of Community Services

Approved for Board’s Consideration

[Signature]
Brian Reardon, CAO
Implications of Recommendation:

Strategic Priorities Plan: Provide proactive and responsible governance

General: Implementation of best practices

Organizational: Formalized and recognized organizational structure

Financial: Efficient and effective use of funds

Policy: Established training, purchasing and recruitment

Background:

During the 2015 Budget deliberations senior staff recommended the Board approve retaining an independent consultant to undertake a review of the Fire departments in Central Okanagan East and Central Okanagan West Electoral Areas. The Board approved this recommendation and subsequently approved the Terms of Reference for a public Request for Proposals (RFP) process at their regular Board meeting held on May 25th, 2015. The Terms of Reference focused on, but was not limited to the following:

- Finance, Bylaw and Policy
- Training, Recruitment, Retention and Records
- Recommendations on Best Practices and Long Term Strategy
- Organizational Structure

Following an extensive review of the proposals POMAX Consulting Inc. was awarded the contract and the subsequent report was provided to the Governance and Services Committee on November 12, 2015.

A Summary of Recommendations was provided by POMAX Consulting at the conclusion of their review. Those recommendations have now been incorporated into the Fire Service Implementation Plan as attached. A copy of the POMAX Fire Services Review report is also attached for reference.

The POMAX review confirms positive change within the Fire Departments in recent months. Staff can confirm to the Board that many of the recommendations have already been implemented, are well under way, or are being discussed further with fire department members to ensure they can be operationalized within a realistic timeframe and efficient manner.

Although there is reference to structure the four departments into four fire service districts, staff feels there is already a similar structure in place, acknowledging each distinct community and fire department. Duties and responsibilities for each department and RDCO management need to be clearly identified and agreed to in order for continued success.

Written agreements will be established to distinguish and document any transfer of assets from Societies to the RDCO raised through fundraising efforts or through donation.

Establishment of purchasing requirements, chain of command and authorization for each fire department will be discussed and agreed to. The end result will be improved budgetary control while each department has the ability to ensure continued smooth operation for critical service delivery to the community.
A method for pooled equipment purchases and service contracts is currently in process. Improved communication and willingness to support this initiative has already been established.

Formalized procedures and operational guidelines will continue to be drafted through ongoing discussion and participation from each department. The reference to contract a policy and procedure writer will be included in the 2017 work plan to address standardization of policy, procedure and update Bylaws.

Policy, procedure and bylaw updates will address all recommendations contained in the POMAX review but not limited to:

- Standardize apparatus and equipment
- Rewrite fire service operational guidelines
- Process for the hiring of chief officers
- Administrative duties and requirements
- Establish minimum firefighter response standards
- Established department officer structures for all departments
- Establish consistent reimbursement structures for all RDCO departments

The Manager of Fire and Inspection Services, with the advice and assistance of the fire chiefs, will:

- assess the capabilities of each department;
- determine the level of service each department can provide and under what circumstances (exterior, interior, or full);
- determine the apparatus and equipment requirements;
- determine training requirements, cost and duration of training;

At the conclusion of this assessment, staff will bring forward a report to the Regional Board with recommendations for appropriate Service Levels in each fire service area.

Attachment(s): RDCO Implementation Strategy- Fire Service
Fire Service
Implementation Plan

Status: (Draft)

Prepared by: Community Services
Fire & Inspection Services

Date Created: March 31, 2016
## Table of Contents

Glossary of Terms ................................................................. 3
Document Information ............................................................. 4
Project Information ................................................................. 4
Overall Approach ................................................................. 4
Scheduled Timeline ............................................................... 15
Success Factors ................................................................. 16
Approvals ............................................................................. 16
## Glossary of Terms

<table>
<thead>
<tr>
<th>Term/Acronym</th>
<th>Definition</th>
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<tr>
<td>RDCO</td>
<td>Regional District of Central Okanagan</td>
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<tr>
<td>Board</td>
<td>Regional District of Central Okanagan Board of Directors</td>
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<tr>
<td>Mgr Fire</td>
<td>Manager of Fire &amp; Inspection Services</td>
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<tr>
<td>Fire Service</td>
<td>Regional Fire Services</td>
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<tr>
<td>EFD</td>
<td>Ellison Fire Department</td>
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<tr>
<td>JRFD</td>
<td>Joe Rich Fire Department</td>
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<tr>
<td>NWFR</td>
<td>North Westside Fire Rescue</td>
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<tr>
<td>WLFD</td>
<td>Wilson’s Landing Fire Department</td>
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<tr>
<td>OFC</td>
<td>Office of the Fire Commissioner</td>
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<tr>
<td>OG</td>
<td>Operational Guideline</td>
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Purpose
The Fire Service Implementation Plan is used to identify activities and timelines associated with recommendations outlined in the 2015 POMAX Fire Service Review. The intent of this document is to ensure adequate preparation has taken place and adequate contingencies are in place. The major areas identified for change, formalization or continued support are:

- Finance, By-law and policy
- Training, recruitment, retention and records
- Long-term strategy, and
- Organizational structure.

The Regional District is responsible for fire protection and suppression services provided through four paid-on-call fire departments, in areas of the two unincorporated electoral areas (Central Okanagan Electoral Areas East and West). Each of the departments provides services specifically within its fire protection area which are funded by property owners living within those jurisdictions.

The departments are:
Ellison Fire Department, 4411 Old Vernon Rd., Ellison
Joe Rich Fire Department, 11481 East Highway 33, Joe Rich
North Westside Fire Rescue, 514 Udell Rd., Killiney Beach
Wilson’s Landing Fire Department, 2396 Westside Rd., Wilson’s Landing

Project Information
The Implementation Plan is a framework that has been drafted as a result of the Regional Board’s direction to staff from the January 14, 2016 Board Meeting. The direction resulted from twenty two recommendations contained in an Independent Fire Service Review conducted by POMAX INC. in 2015.

The plan provides a prioritized overview of the recommendations along with a proposed timeline for implementation. The high level goals of the plan are to address safety, training, establish service levels and provide efficiencies from an operational and financial perspective.

Overall Approach
The 22 recommendations as received have been reviewed by RDCO Administration, Director of Community Services, Manager of Fire and Inspection Services and the Fire Chiefs. Based on that review, the recommendations have been assembled and prioritized as detailed in the scheduled timeline included in this plan. It is also noted, that the status of those recommendations which supported a continuance of operational improvements in process has been updated accordingly in the timeline.
Summary of Recommendations -
Regional District of Central Okanagan Fire Service Review- POMAX Consulting Inc. November 2015

1) As a result of a review of the Regional District of Central Okanagan fire services, our overall conclusion and recommendation is that
   a) The Community Services Department and the Manager of Fire and Inspection Services should continue on their current path to increased effectiveness and efficiency.
   b) The Regional District of Central Okanagan Board of Directors should support this continuing initiative.
   c) The four fire services should be reorganized into one department headed by a fire chief rather than a manager of fire services, And,
   d) The four departments should become four fire service districts.

2) We concluded that the primary issue to be determined within this assignment is whether the Manager of Fire Services and regional administrators should have the unencumbered mandate to continue on the current path to resolve historic issues within the fire services. We recommend that they should.

3) We recommend that the Regional District of Central Okanagan Board of Directors support the CAO and his staff to continue the progress accomplished in the last 30 months or more.

4) We recommend that the RDCO should have a formal written agreement to transfer ownership of items that Societies, or other entities, purchase for the fire department, and for the acceptance of cash donations.

5) We concluded that the separation of entities between the regional district, fire service, Societies, or employee groups are not clearly understood. We recommend that all parties should endeavor to understand the differences between these bodies or organizations and recognize that they are not one and the same.

6) In some locations, Ellison being one example, numerous firefighters have purchasing authority up to $1,000, which compromises monetary control by the regional district, and increases the chances of over expending approved budgets. We recommend that the regional district constrains the number of firefighters with purchasing authority to the fire service chief and one other department member at each location. Requests for a number greater than two should be considered on an individual basis.

7) We recommend the Fire Services Manager and Purchasing Manager continues their efforts to standardize apparatus and equipment wherever possible, implement common service contracts, and pooled and coordinated purchase practices. We have found little, if any, evidence for the fire services to act independently in purchasing decisions.
8) We have found no evidence that the Ellison firefighters classroom is required at an annual cost of $29,749 (debt cost and lease), and recommend that the regional district takes steps as soon as possible to vacate the classroom, and fire chief’s office in the community hall, and relocate to the upper floor of the fire hall.

9) The Local Government Act of the Province of British Columbia, permits a Regional Board, through bylaw, to establish and make regulations for a fire department. Our conclusion is that the Regional District of Central Okanagan’s bylaws are not up to date and should be revised to reflect existing provincial legislation and other standards. We recommend that the regional district revisit and amend the existing bylaws to ensure they reflect the capabilities required by the regional district, and to ensure training and equipment, commensurate with the desired capabilities, are provided.

10) We recommend that operational and administrative guidelines should be the same for all fire services. Exceptions should be based on sound operational and administrative reasons.

11) We recommend that the regional district contracts a policy and procedure writer for six to twelve months to review and rewrite fire service operational guidelines. Representatives of each fire service can act as subject matter experts.

12) We recommend the Central Okanagan Regional District satisfies the requirements of the British Columbia Structure Firefighter Competency and Training Playbook by ensuring bylaws are updated and then following the steps outlined in Exhibit 2 – Playbook Training Preparation Flow Chart.

13) We also recommend that the Manager of Fire and Inspection Services, with the advice or assistance of the fire chiefs,

- assess the capabilities of each department;
- determine the level of service each department can provide and under what circumstances (exterior, interior, or full);
- determine the apparatus and equipment requirements;
- determine training requirements, cost and duration of training;
- bring forward a report to the regional board including recommendations for Service Levels
- upon approval from the board, proceed with Playbook training preparations as shown in Exhibit 2.

14) We recommend that the regional district moves to the Kelowna-based regional records management systems as soon as it is available.
15) We recommend that the Manager of Fire and Inspection Services apply a moratorium on administration hours at the fire departments and receive requests for administrative duties. In a very short period of time approved administration categories can be created and included in a Standard Operating Guideline. The guideline can be a live document. This practice will ensure that administrative duties would receive approval, or payment may be withheld. Recording approved administrative time at the fire departments should continue as it does now except forms should be filled out in a keyed or typed format with a full explanation, thereby avoiding illegible handwritten forms.

16) We recommend that the RDCO should develop a standardized process or succession planning for all departments that is founded on the principles of:
   - education;
   - skills; and
   - experience

17) The RDCO has a draft policy with respect to the hiring of paid on call chief officers including fire chiefs. We recommend that the draft policy should be formally adopted as the process for the hiring of chief officers.

18) We recommend that the RDCO should establish clearly defined policies and procedures to ensure that a guaranteed minimum level of service (response) will be achieved by all departments, at all times, to meet the approved service delivery standards within their fire protection area.

19) We recommend that the Regional District of Central Okanagan establish minimum firefighter response standards for fire calls as indicated in Section 10.2.

20) We recommend that the RDCO work with each fire service area to identify where known firefighter response challenges exist (adequate number of firefighters responding), and develop and implement a duty crew system to address those times. The implementation of duty crews will help ensure that fully trained and competent firefighters are available to respond without relying on junior members with minimal training and experience.

21) We recommend that the regional board restructures the fire service to include one fire chief, which is the role of the Manager of Fire and Inspection Services position, and a local fire service structure that could include a deputy fire chief(s), and - or divisional chiefs in each of the districts.
22) The current regional administration has taken significant strides to cause the local fire services to operate in a more business-like manner, but it is hampered by the organizational structure that still makes it appear that the fire services operate independently. Other regional districts in British Columbia have reorganized and consolidated fire services and we recommend that the
Regional District of Central Okanagan does the same. The manner in which retitling of roles, and change of function, takes place – whether via attrition or immediate change – is a decision best made by the regional administration. Nevertheless, we recommend that by the time reorganization takes place, that regional administration also rationalizes the number of officer positions, and corresponding stipends, to make them more consistent across the region. Officer positions should be created only where a strong business case exists for the role and function that each officer position should fulfill.

The following table identifies the twenty two recommendations contained in the POMAX report and the corresponding action and target dates for Board consideration as well as the scheduled timeline for implementation.

<table>
<thead>
<tr>
<th>POMAX RECOMMENDATIONS</th>
<th>ACTION</th>
<th>Target Date</th>
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<tr>
<td>1) As a result of a review of the Regional District of Central Okanagan fire services, our overall conclusion and recommendation is that, a) The Community Services Department and the Manager of Fire and Inspection Services should continue on their current path to increase effectiveness and efficiency. b) The Regional District of Central Okanagan Board of Directors should support this continuing initiative. c) The four fire services should be reorganized into one department headed by a fire chief rather than a manager of fire services, And, d) The four departments should become four fire service districts.</td>
<td>a) Fire Service continues on current path as stated in the report. b) The RDCO Board supports this continuing initiative through endorsement of the Implementation Plan. c) Four fire departments continue as has been, formalizing structure. Proposed chain of command; district chiefs report to Manager of Fire and Inspections. d) The recommendation would be a name change only. The command structure within the current departments would remain the same; district chief in charge of their respective department but accountable to the Mgr Fire and Inspections.</td>
<td>Ongoing April 2016 Sept 2016</td>
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<td>2) We concluded that the primary issue to be determined within this assignment is whether the Manager of Fire Services and regional administrators should have the unencumbered mandate to continue on the current path to resolve historic issues within the fire services. We recommend that they should.</td>
<td>• Recommend continuation of this path forward.</td>
<td>April 2016</td>
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<td>3) We recommend that the Regional District of Central Okanagan Board of Directors support the CAO and his staff to continue the progress accomplished in the last 30 months or more.</td>
<td>• Approve Implementation Strategy</td>
<td>April 2016</td>
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### Regional District of Central Okanagan Fire Service Implementation Strategy

#### Community Services

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| 4) | We recommend that the RDCO should have a formal written agreement to transfer ownership of items that Societies, or other entities, purchase for the fire department and for acceptance of cash donations. | • Item is currently in process.  
• Purchasing Manager is developing a formal process and policy. | Sept 2016 |
| 5) | We concluded that the separation of entities between the regional district, fire services, Societies or employee groups is not clearly understood. We recommend that all parties should endeavor to understand the differences between these bodies or organizations and recognize that they are not one and the same. | • Fire Service Review has clarified and identified these differences.  
• Fire Service will continue to identify any differences as they may arise. | FEB 2016 |
| 6) | In some locations, Ellison being one example, numerous firefighters have purchasing authority up to $1,000, which compromises monetary control by the regional district, and increases the chances of over expending approved budgets. We recommend that the regional district constrains the number of firefighters with purchasing authority to the fire service chief and one other department member at each location. Requests for a number greater than two should be considered on an individual basis. | • Consultation has occurred with four departments and current status aligns with recommendation. | FEB 2016 |
| 7) | We recommend the Fire Services Manager and Purchasing Manager continues their efforts to standardize apparatus and equipment wherever possible, implement common service contracts, and pooled and coordinated purchase practices. We have found little, if any evidence for the fire services to act independently in purchasing decisions. | • Allow Fire Service to continue down current path.  
• Fire departments in full agreement, process is working well. | FEB 2016 |
| 8) | We have found no evidence that the Ellison firefighters classroom is required at an annual cost of $29,749 (debt cost and lease), and recommend that the regional district takes steps as soon as possible to vacate the classroom, and fire chief’s office in the community hall, and relocate to the upper floor of the fire hall. | • Recommend relocation be deferred until debt repaid.  
• Item is low priority due to budget commitment to the Ellison Community Hall.  
• If new tenant can be found, relocation could be in advance of target date. | JAN 2018 |
9) The Local Government Act of the Province of British Columbia, permits a Regional Board, through bylaw, to establish and make regulations for a fire department. Our conclusion is that the Regional District of Central Okanagan’s bylaws are not up to date and should be revised to reflect existing provincial legislation and other standards. We recommend that the regional district revisit and amend the existing bylaws to ensure they reflect the capabilities required by the regional district, and to ensure training and equipment, commensurate with the desired capabilities, are provided.

- This is a requirement of the OFC Playbook and will be completed by the June 30, 2016 deadline. Consultation will occur with the EA Directors to support a service level Bylaw for adoption.

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10) We recommend that operational and administrative guidelines should be the same for all fire services. Exceptions should be based on sound operational and administrative reasons.

- Ongoing exercise in the OG updates process.
- Fire Service continues to implement guidelines as required.
- Guidelines are consistent within all four departments.

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11) We recommend that the regional district contracts a policy and procedure writer for six to twelve months to review and rewrite fire service operational guidelines. Representatives of each fire service can act as subject matter experts.

- The updating of operational guidelines remains in process.
- Operational guidelines will be reviewed and updated where required to ensure the safety of all members.
- Formal rewrites will be a future work plan subject to budget commitment and approval.

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12) We recommend the Central Okanagan Regional District satisfies the requirements of the British Columbia Structural Firefighter Competency and Training Playbook by ensuring bylaws are updated and then follow the steps outlined in exhibit 2 – Playbook Training Preparation Flow Chart.

- Fire Service currently working to meet requirements of the Playbook.
- Training matrix has been developed in consultation with the Fire Chiefs to clearly identify levels of training and certification held by each member.
- Matrix will also be used for succession planning and development of future officers to ensure ready leadership should vacancy occur.

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### Community Services

#### Fire Services Implementation Plan

**13) We also recommend that the Manager of Fire and Inspections Services, with the advice or assistance of the fire chiefs,**

- Assess the capabilities of each department;
- Determine the level of service each department can provide and under what circumstances (exterior, interior or full);
- Determine the apparatus and equipment requirements;
- Determine training requirements, cost and duration of training;
- Bring forward a report to the board including recommendations for service levels.
- Upon approval from the board, proceed with the Playbook training preparations as shown in Exhibit 2.

- Levels of service have been identified in consultation with the Fire Chiefs
- Service Level declaration requirement report in preparation.
- Declarations are required to be completed by June 30th 2016.

**JUN 2016**

**14) We recommend that the Regional District moves to the Kelowna-based regional records management system as soon as it is available.**

- Current work in progress. Fire Service has been collaborating with system providers for the past two years.
- Future plans include enabled access to the system at all fire halls.
- Recommendation initiated and in place.

**FEB 2016**

**15) We recommend that the Manager of Fire and Inspection Services apply a moratorium on administrative hours at the fire departments and receive requests for administrative duties. In a very short period of time approved administrative categories can be created and included in a Standard Operating Guideline. The guideline can be a live document. This practice will ensure that administrative duties would receive approval, or payment may be withheld. Recording approved administrative time at the fire departments should continue as it does now except forms should be filled out in a keyed or typed format with a full explanation, thereby avoiding illegible handwritten forms.**

- Item discussed at the Jan 13/16 RDCO Chiefs meeting.
- All departments in agreement for standardized guidelines and procedure.
- Required submission form in process; will provide tracking of hours, details of request and sign off approvals by department chiefs and Mgr Fire.

**JUN 2016**
### Regional District of Central Okanagan Fire Service

#### Implementation Strategy

<table>
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<th>Community Services</th>
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| **16)** We recommend that the RDCO should develop a standardized process or succession planning for all departments that is founded on principles of:  
  - education  
  - skills; and  
  - experience |  
| **DEC 2016** |
| **17)** The RDCO has a draft policy with the respect to the hiring of paid on call chief officers including fire chiefs. We recommend that the draft policy should be formally adopted as the process for the hiring of chief officers. |  
| **Sept 2016** |
| **18)** We recommend that the RDCO should establish clearly defined policies and procedures to ensure that a guaranteed minimum level of service (response) will be achieved by all departments, at all times, to meet the approved service delivery standards within their fire protection area. |  
| **SEPT 2016** |

- Initiated and in process.
- Requires formal process documentation.
- Playbook requirements will prepare members for succession planning.
- Implementation of the new training matrix will allow Fire Service to map out succession planning.
- Succession planning has been identified to be an issue over the past 30 months.
- Fire Service supports and will implement the change in consultation with Fire Chiefs.

- Draft policy in place. Document needs to be formalized.
- Current draft policy utilized and extremely effective with the two recent Chief appointments.
- Fire Service will continue to develop additional policies for all officer positions based on recommendations.
- POC Chief policy completed. Adoption required.

- It is acknowledged that POC departments have no guarantee of manpower, level of response and expectation that members forego personal commitments.
- In low turnout, mutual aid can be triggered by pre approved protocol.
- Fire Service will develop a duty schedule/sign up sheet to address times when a shortage of members may occur. i.e. long weekends etc. Schedule will confirm member availability, in fire protection area, to attend calls and provide guaranteed minimal response.
<table>
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<th>Recommendation</th>
<th>Details</th>
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| 19) **We recommend that the Regional District of Central Okanagan establish minimum firefighter response standards for the fire calls as indicated in Section 10.2** | • Fire Services will work with chiefs to establish response assignments specific to incident type. This will allow senior officers to evaluate calls and increase or decrease response as required.  
• All departments are moving to additional notification system, “I Am Responding”, which indicates in real time, members responding to hall, allowing lead officers to make informed decisions on response and equipment from a remote location or from the scene. |
| 20) **We recommend that the RDCO work with each fire service area to identify where known firefighter response challenges exist (adequate number of firefighters responding), and develop and implement a duty crew system to address those times. The implementation of duty crews will help ensure that fully trained and competent firefighters are available to respond without relying on junior members with minimal training and experience.** | • Duty crews or standby crews will be developed to ensure workforce is available in the event of an incident and to ensure qualified members are able to respond. i.e. FMR licenses to carry out patient care, officer training to be an incident commander etc. |
| 21) **We recommend that the regional board restructure the fire service to include one fire chief, which is the role of the Manager of Fire and Inspection Services position, and a local fire service structure that could include a deputy fire chief(s), and or divisional chiefs in each of the fire districts.** | • The changing of title to Fire Chief is addressed in 1c) above.  
• District chiefs should be established to clearly identify the chain of command within Fire Service and clearly identify overall responsibility of the individual departments. |
| 22) **The current regional administration has taken significant strides to cause the local fire services to operate in a more business-like manner, but it is hampered by the organizational structure that still makes it appear that the fire services operate independently. Other regional districts in British Columbia have reorganized and consolidated fire services and we recommend that the Regional District of Central Okanagan does the same. The** | • Wages and officer positions are currently under review.  
• All departments have agreed that stipends are no longer in affect.  
• Fire Service is working to establish job descriptions for each officer position which will clearly define expectations, qualifications, and responsibilities. |
manner in which retitling of roles, and change of function takes place - whether via attrition or immediate change – is a decision best made by the regional administration. Nevertheless, we recommend that by the time reorganization takes place, that regional administration also rationalize the number of officer positions, and corresponding stipends, to make them more consistent across the region. Officer positions should be created only where a strong business case exists for the role and function that each officer position should fulfill.

Summary Notes

Of the 22 noted recommendations:

- 5, 6, 7, 14, are already in place.
- 1, 2, 3, 17, 21, will immediately be in place subject to Board approval – April 2016 meeting.
- 15 initiated, formalization of procedure in process.
- 4 initiated, Purchasing Manager formalizing policy and process.
- 9, 12, 13 will be completed prior to the legal deadline of June 30th 2016, date that Fire Service Level bylaws must be approved.
- 20 will be implemented in conjunction with the Fire Service Bylaws and prior to Wildfire season.
- 18, 19, 22 will build on recommendation 20 but with greater detail.
- 16 & 10 will complement each other and are similar in process.
- 11 Fire Service will continue updating of Operational Guidelines and revise as time permits.
- 8 New tenant for Community Hall will accelerate may the move.
### Recommendations:

1. **Community Services Dept & Mgr Fire Services continue on current path**, RDCO Board support continuing initiative, Fire service reorganized to 1 department headed by fire chief, 4 departments become 4 fire service districts.

2. Mgr Fire Services and regional administrators to have unencumbered mandate to continue current path to resolve historic issues within the fire services.

3. Mgr Fire Services, Purchasing Manager continue efforts to standardize apparatus, equipment and implement common service contracts, pooled, coordinated purchases.

4. Mgr Fire Services, Fire Chiefs, to assess department capabilities, determine service level, apparatus, equipment, training requirements and report recommendations to the Board. Approved to proceed with Playbook training.

5. Mgr Fire Services, Fire Chiefs, to adviseadmins on administration of fire departments.

6. Mgr Fire Services, Fire Chiefs to assess department capabilities, determine service level, apparatus, equipment, training requirements and report recommendations to the Board. Approved to proceed with Playbook training.

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**FEB 2016**

- Community Services Dept & Mgr Fire Services continue on current path, RDCO Board support continuing initiative, fire service reorganized to 1 department

- Mgr Fire Services, Purchasing Manager continue efforts to standardize apparatus, equipment, and implement common service contracts, pooled, coordinated purchases.

- Mgr Fire Services, Fire Chiefs to assess department capabilities, determine service level, apparatus, equipment, training requirements and report recommendations to the Board. Approved to proceed with Playbook training.

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**MAR 2016**

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Regional District of Central Okanagan Fire Service
Implementation Strategy

Community Services

Success Factors

Continued support from the Board.

Approvals

- Regional Board
- Chief Administrative Officer
- Director of Community Services
- Manager, Fire and Inspection Services
  - Fire Chief North Westside FD
  - Fire Chief Ellison FD
  - Fire Chief Wilson's Landing FD
  - Fire Chief Joe Rich FD