1. CALL TO ORDER

2. ADDITION OF LATE ITEMS

3. ADOPTION OF THE AGENDA

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

   Recommended Motion:
   THAT the agenda be adopted.

4. ADOPTION OF MINUTES

   4.1 April 13, 2017 Regional Board Minutes

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

   Recommended Motion:
   THAT the Regional Board meeting minutes of April 13, 2017 be adopted.

5. DELEGATION

   5.1 Nancy Holmes & David Geen re: Keeping Resident Caretakers in Regional Parks

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

   Recommended Motion:
   THAT the delegation of David Geen regarding keeping resident caretakers in regional parks be received.
6. CORRESPONDENCE

6.1 District of Lake Country

Letter of March 8, 2017 regarding: Regional Parks Residential Caretaker Program

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

Recommended Motion:
THAT the March 8, 2017 letter from Mayor James Baker, District of Lake Country, regarding Council resolution regarding the Regional Parks Residential Caretaker Program be received.

6.2 Ministry of Community, Sport and Cultural Development - Funding Approval

Regional Floodplain Management Project - Phase 2 ($10,000)

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

Recommended Motion:
THAT the March 30, 2017 letter from Minister Fassbender, Ministry of Community, Sport and Cultural Development, confirming approval of $10,000 in funding for the Regional Floodplain Management Project-Phase 2 be received for information.

7. BUSINESS ARISING

7.1 Regional Parks Contracted Security Service Provision Review

(All Directors - Weighted Stakeholder Vote - Simple Majority - LGA 209.1)

Recommended Motion:
THAT the Regional Board affirms its support for the independent contracted services model currently in place for regional park security services versus the previous resident contractor model.

8. DEVELOPMENT SERVICES

8.1 FrontCounter BC Referral Application CL-17-01

Black Dragon Action Sports (Applicant) - Central Okanagan East Electoral Area

To consider a referral application to acquire Crown Land tenure (5-10 year lease) to permit a sports action field for paintball and airsoft activities

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)
Recommended Motion:
THAT the Regional Board conditionally support FrontCounter BC referral application No. 3413129 / 224420 for the issuance of a 5 to 10 year Crown Land Tenure to permit a sports action field for paintball and airsoft activities subject to the following being addressed prior to issuance of, or applied as conditions to, approval:

- Best Management Practices for protecting drinking water source watersheds be incorporated into the proposed operations;
- Consult with Black Mountain Irrigation District that use the watershed downstream of the subject property for their source water;
- Adherence to all fire safety measures and fire prevention outlined in the Front Counter referral application; and
- Obtain a Regional District Development Permit prior to any works occurring on site.

8.2 Zoning Amendment Bylaw No. 871-239 (2nd, 3rd Reading & Adoption) 58 - 62
L. & R. Archibald (owners), Lot 2, Plan 25075, Section 12, Township 23, ODYD, 3331 Marion Road, Application Z17/01 (Central Okanagan East Electoral Area)

(Custom Vote - Electoral Areas, Kelowna Fringe Area, 1 Director, 1 Vote)

Recommended Motion:
THAT Zoning Amendment Bylaw No. 871-239 be given second and third readings;
AND FURTHER THAT Zoning Amendment Bylaw No. 871-239 be adopted.

8.3 Zoning Amendment Bylaw No. 871-240 (2nd, 3rd Reading & Adoption) 63 - 67
S. Humphreys & S. Butterworth (owners) c/o Rafter 4K Contracting, Lot 1, Plan KAP50084, Section 19, Township 24, ODYD, 5774 Deadpine Drive, Central Okanagan East Electoral Area

(Custom Vote - Electoral Areas, Kelowna Fringe Area - 1 Director, 1 Vote)

Recommended Motion:
THAT Zoning Amendment Bylaw No. 871-240 be given second and third readings;
AND FURTHER THAT Zoning Amendment Bylaw No. 871-240 be adopted.

8.4 Zoning Amendment Bylaw No. 871-241 (2nd, 3rd Reading & Adoption) 68 - 72
W. & C. Bouwsema (owners), Lot 1, Plan EPP16574, District Lot 1, ODYD, 6105 Fathers Place, Central Okanagan East Electoral Area,

(Custom Vote - Electoral Areas, Kelowna Fringe Area - 1 Director, 1 Vote)

Recommended Motion:
THAT Zoning Amendment Bylaw No. 871-241 be given second and third readings;
AND FURTHER THAT Zoning Amendment Bylaw No. 871-241 be adopted.
9. **NEW BUSINESS**

10. **DIRECTOR ITEMS**

11. **ADJOURN**
Minutes of the REGIONAL BOARD MEETING of the Regional District of Central Okanagan held at Regional District Offices, 1450 KLO Road, Kelowna, B.C. on Thursday, April 13, 2017

Directors:
J. Baker (District of Lake Country)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
M. DeHart (City of Kelowna)
R. de Jong (City of West 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)
B. Sieben (City of Kelowna)
L. Stack (City of Kelowna)
T. Konek (Westbank First Nation)

Staff:
B. Reardon, Chief Administrative Officer
C. Griffiths, Director of Economic Development
R. Fralick, Manager of Development Services
M. Kopp, Director of Parks 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 8:40 a.m.

2. ADDITION OF LATE ITEMS

There were no late items for the agenda.

3. ADOPTION OF THE AGENDA

#53/17 FORTIN/DEHART

THAT the agenda be adopted.

CARRIED Unanimously

4. ADOPTION OF MINUTES

4.1 Regional Board Meeting Minutes – March 27, 2017 (All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)
#54/17  DE JONG/BAKER

THAT the Regional Board meeting minutes of March 27, 2017 be adopted.

CARRIED Unanimously

5. **CORRESPONDENCE**

5.1 Okanagan Basin Water Board Meeting Highlights – April 7, 2017 (All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

#55/17  GRAY/STACK

THAT the Okanagan Basin Water Board meeting highlights of April 7, 2017 be received for information.

CARRIED unanimously

6. **CORPORATE SERVICES**

6.1 North Westside Services and Community Issues Review – Terms of Reference (All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Staff report dated March 20, 2017 outlined the draft Terms of Reference for the North Westside Issues Review for Board consideration. Staff reviewed how the TOR was drafted noting the Ministry has been clear that this is not a governance study but a community issues review.

*Director Basran arrived at 8:57 a.m.*

The Board discussed the draft Terms of Reference, its scope, RFP process, timelines and amendments.

#56/17  BAKER/FINDLATER

THAT the Board approve the Terms of Reference attached as Appendix A to the April 4, 2017 CAO Report entitled “North Westside Services and Community Issues Review – Terms of Reference”.

Amendment #1:

DEJONG/BAKER

THAT the Ministry of Community, Sport and Cultural Development be requested to amend the Terms of Reference as follows:

3.0 The RDCO, through the CAO’s office will oversee the work of the Consultant and provide direction as needed. All actions and direction given by the RDCO CAO will be consistent with the requirements of this Terms of Reference.
be amended to read:

3.0 The RDCO, through the CAO’s office will act as a resource for the consultant, and provide input as needed. All actions and input given by the RDCO CAO will be consistent with the requirements of this Terms of Reference.

The amendment CARRIED

Amendment #2:
DEJONG/CARSON
THAT the Ministry of Community, Sport and Cultural Development be requested to amend the Terms of Reference as follows:

4.3 The RDCO, in partnership with the Consultant, will establish parameters for public participation so that residents and property owners understand the opportunities to participate in the Review process.

be amended to read:

4.3 The Consultant, in partnership with the RDCO, will establish parameters for public participation so that residents and property owners understand the opportunities to participate in the Review process.

The amendment CARRIED

The Main motion, as amended, CARRIED (opposed Basran, Gray, Stack)

The Board recessed at 10:20 a.m.

The Board reconvened at 10:27 a.m.

7. COMMUNITY SERVICES

7.1 FrontCounter BC Referral Application - CL-17-02 Westshore Road (A. & M, Putzer - applicant) (All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Staff report dated April 4, 2017 outlined the FrontCounter referral application to acquire a License of Occupation (10-30 year tenure) to permit an existing residential driveway adjacent to Westshore Road in Central Okanagan West Electoral Area. Staff reviewed the application.
#57/17 BAKER/CARSON

THAT the Board support FrontCounter BC referral application No. 3412775 / 220650 for the issuance of a 10 to 30 year Licence of Occupation to permit an existing residential driveway subject to the tenure applying only to the existing developed driveway access.

CARRIED unanimously

7.2 Extension Request Old Vernon Road - Zoning Amendment Bylaw No. 871-229, B. & H. Khun Khun, Lot 2, Section 12, Township 23, ODYD, Plan 19835, 3370 Old Vernon Road (Central Okanagan East Electoral Area) (Custom Vote - Electoral Areas, Kelowna Fringe Areas - 1 Director, 1 Vote)

Staff report dated April 4, 2017 outlined the request for a one-year extension for application file Z15/03.

#58/17 HANSON/STACK

THAT the Regional Board approve a one-year extension for Application File No. Z15/03.

CARRIED unanimously

8. PARK SERVICES

8.1 Community Works Fund Projects Final (All Directors - Weighted Corporate Vote - Simple Majority - LGA 210.1)

Staff report dated April 5, 2017 outlined the community works gas tax projects for Central Okanagan East and Central Okanagan West Electoral Areas.

#59/17 CARSON/HANSON

THAT the Regional Board authorize the use of $342,000 of Gas Tax – Community Works Funds to complete the proposed projects listed in the project plan (dated April 13, 2017) and as reflected in the RDCO 2017-2021 Five-Year Financial Plan;

AND FURTHER THAT the Regional Board authorizes the total reductions of $58,187 to the projects identified with funds returned to the CWF fund program.

CARRIED unanimously
9. **NEW BUSINESS**

9.1 Rise & Report - Governance & Services Committee Meeting – April 13, 2017

9.1.1 Rescind 28 Parks Board Policies (All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1)

#60/17 DE JONG/STACK

THAT the Board rescind the 28 Board park policies as follows:

- 4.1 Policies and Procedures
- 4.2 Policies and Procedures in Facilities
- 4.3 Specific Use of Public Parkland For Extended Period of Time
- 4.05 Public Access Along Crown Foreshore
- 4.07 Catering Vehicles in Regional Parks
- 4.08 Identification of Park Dedication at 1st Reading
- 4.09 Park Proposal - Proposed Subdivisions
- 4.11 Mt. Boucherie Area - Parkland Dedication Adjacent to Crown Land Reserve
- 4.12 Redeveloped Land on any Lake to be Preserved as R/W
- 4.13 Local Input re: Exchange of Park Space
- 4.14 Water Service to Park Dedication
- 4.16 Park Development Financing
- 4.17 Power Companies - R/W
- 4.18 Park Staff - View Each Park Dedication - Subdivision
- 4.19 Park Dedication - Conservation Area in Subdivision and Liability
- 4.20 Walkway Policy
- 4.22 Glenrosa Parks Preplan
- 4.23 Pre-harvest Silviculture
- 4.24 Environmentally Sensitive Area Management Plan
- 4.25 Director of Terms, Conditions, Rental Rates, Fees & Charges
- 4.26 Mount Boucherie Community Centre
- 4.27 Designated Driver Program - Parks & Facilities
- 4.28 Mount Boucherie Recreation Facility - Rate & Fee Schedule
- 4.29 No Smoking Policy
- 4.32 Capital/Operating Expenditures Policy
- 4.34 Donation Credits for Users of Sports Fields and Recreation Facilities
- 4.40 Fees and Charges Waiver
- 4.43 Ice Allotment Policy

CARRIED unanimously
10. **DIRECTOR ITEMS**

- Directors Carson and Hanson noted that they will not be in attendance at the April 24th Board meeting as they are attending the SILGA conference that week.

- Director Gray confirmed that the public event ‘Don’t Move a Mussel’ is April 25th hosted by the Okanagan and Similkameen Invasive Species Society (OASIS), in Penticton.

- Chair Given challenged the Board to bring in their emergency preparedness kit to the May 11th Board meeting in support of Emergency Preparedness Week which is May 7-13.

11. **ADJOURN**

There being no further business the meeting was adjourned at 10:52 a.m.

**CERTIFIED TO BE TRUE AND CORRECT**

____________________________________
G. Given (Chair)

____________________________________
B. Reardon (Director of Corporate Services)
Keep Resident Caretakers in the Regional Parks

A Petition to Reconsider the RDCO Park Department’s Decision to Dismantle the On-site Security Contractor Program in RDCO Parks
We support the preservation of on-site resident caretakers in the Central Okanagan regional parks. We have clean, safe, and beautiful regional parks; we believe this is largely due to the 24/7 oversight and monitoring of live-in contractors. As neighbours and park users, we know that on-site caretakers help keep crime down and help keep the parks safe. We also believe that there is invaluable cultural value in having long-term, living relationships at the heart of our parks. There is a wide gap between what the RDCO thinks the security contractors provide and what the community thinks they provide. We request that the RDCO reconsider its decision to remove on-site resident contractors.
The RDCO Strategic Plan says “Our focus for the future is on providing financially and socially sustainable services, ensuring we can maintain and grow the quality of life we currently enjoy.”

The petitioners are asking that the decision to dismantle the security contractor program be revisited with financial, environmental and cultural/ social values as equal parts of the assessment tool and with attention to the principles in the RDCO’s own strategic vision.

We ask that the RDCO consider community values, needs, and concerns through more public consultation and LISTENING to public voices.
FINANCES -- Given the long list of responsibilities of the current security contractors what will the cost be to maintain this level of service to the parks? How will dismantling the current program of resident caretakers maintain the same level of service at a supposedly lower cost? The public budget review process

- the actual cost of current services (including income and expenses, tangible and less tangible services, liabilities and benefits)
- an assessment of costs of increased policing, bylaw enforcement, clean-up services if contractors are dismissed and which costs will be downloaded to municipalities
- a list of services that will no longer be provided if contractors are dismissed and a cost assessment of the loss of these services
2. **Environmental**

The RDCO Parks department has expertise in this area, but many questions we have about the environment have not been answered:

- How will the parks maintain environmental integrity when there is no 24/7 oversight around illegal camping, dumping, vehicles, fires, vandalism?
- How will erosion, noise, endangered species, amphibian populations (e.g. at Woodhaven pond), large animals, water cleanliness, needles and garbage dangerous for children and wildlife, and many other concerns around potentially harmful activity be monitored and controlled?
- What are other identified risks to animals, plants, water, people? How will these risks be managed?
- **BERTRAM CREEK**

We ask to be informed about how dismantling the current program of resident caretakers will ensure the same level of service in managing the safety and health of the environment.
3. **Social and Cultural**

This is the area where we see the most deficit. The Parks department has not answered questions around how the security contractors’ current contributions to the social and cultural bottom line will be fulfilled in the future. These contributions include:

- Maintaining safety for children, park users and neighbours
- Ensuring quality of life (peace, cleanliness) for neighbours
- Engaging neighbours and park users in animal conservation and awareness (owls, big cats, bears, birds)
- Preserving cultural heritage and legacy for the region (e.g. Burbridge cabin, heritage values and sites)
- Educating park users through everyday interaction
- Modelling good relationships between nature and humans by having a human resident at heart of the park
We request a proper objective study about the financial, economic and cultural and social outcomes of the removal of the resident contractors from the parks.

The public and political expressions in support of the on-site residents program is just the beginning of a possible review. The RDCO can build on the comments provided through the petition and other avenues and engage with the community in understanding what has social and cultural value.

If there is a gap between what Parks values and what the community values, this gap should be explored and a decision made only after an assessment of the weight of these values in combination with the environmental and economic ones.
The Board should be aware of other concerns:

Cultural: There is no plan for the future of the buildings that will be left empty. While the RDCO strategic plan contains aspirations to improve and innovate parks, there is no plan for innovation and new ideas with this dismissal of the resident contractors- it is a step backwards.

Cultural: The RDCO is not following best practices for dismantling this program if that’s what should be done—See Vancouver Parks which is doing it through attrition and therefore respectfully honoring commitments made to current contractors.

Social: There is a transparency issue. We have been told that security contractors only open and close gates and yet this is clearly false. Why this misinformation? Several times the public has been given clearly inaccurate information, shut down, not answered.
The Petitioners ask that you accept our petition and that until a proper review is done considering all elements of this decision around this important legacy program and also considering the RDCO’s own mission statements, strategic plans, and principles of behaviour, that the security contractors remain in the parks.

Respectfully submitted on behalf of several hundred regional district residents.
March 8, 2017

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

Dear Mr. Reardon,

At the Regular Council Meeting of March 7, 2017, Lake Country Council passed the following resolution:

THAT, recognizing the diversity within the Central Okanagan Regional District, the District of Lake Country requests the Regional District to undertake consultations with affected stakeholder communities regarding how best to address the service delivery program which has been delivered by the residential caretaker program.

Please let me know if you have any questions.

Regards,

James Baker
Mayor

JB/wp
Ref: 205147

March 30, 2017

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

Dear Chair Given and Board Members:

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

**Grant Description**
Regional Floodplain Management Project - Phase 2

<table>
<thead>
<tr>
<th>Grant Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional Floodplain Management Project - Phase 2</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

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

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

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

Congratulations on your successful application and my best wishes with your infrastructure study.

Sincerely,

[Signature]

Peter Fassbender
Minister
TO: Regional Board
FROM: Murray Kopp
Director – Parks Services
DATE: April 18, 2017
SUBJECT: Regional Parks Contracted Security Service Provision Review
Voting Entitlement: All Directors – Weighted Stakeholder Vote – Simple Majority – LGA 209.1

Purpose: To provide information regarding the regional parks contracted security service delivery program evaluation completed in 2016.

Executive Summary:
At the request of the Regional Board staff has prepared this report outlining the reasons for changing the service delivery model for park security services in the fourth quarter of 2016. This matter has been brought forward to the Board previously and on February 23, 2017 the Board received a delegation and petition from concerned citizens.

The primary reasons for implementing the changes to the park security service delivery model are as follows:

- To ensure contracted services are operationalized in accordance with Regional Board priorities and its Purchasing Policy which supports engaging with suppliers that offer the best value and highest quality service delivery to the RDCO through an open, competitive process;
- To reduce future operational and administrative costs by $42,500 by standardizing park security services with a proven delivery model that was already in place in 13 other regional parks; AND
- To take immediate action to mitigate over $900,000 in future capital asset renewal costs associated with 8 privately occupied residential units in regional parks.

The recommendation below meets several objectives identified in the RDCO’s Strategic Priorities Plan including ensuring services are effective and efficient to maximize benefit/cost; and to operate in an accountable and fiscally responsible manner.

RECOMMENDATION:

THAT the Regional Board affirms its support for the independent contracted services model currently in place for regional park security services versus the previous resident contractor model.

Respectfully Submitted:

Murray Kopp, Director – Parks Services

Approved for Board’s Consideration

Brian Reardon, CAO
Implications of Recommendation:

Strategic Plan: The implementation of adjustments to regional park security service delivery supports Priority 1 – Provide Proactive and Responsive Governance AND Priority 2 - Ensure services are effective and efficient, to maximize benefit/cost.

Organizational: Adjustments to contracted security services delivery in regional parks will require resource support from both the Parks & Finance Departments.

Financial: The implementation of adjustments to the delivery of contracted security services in regional parks will support the reduction of financial risk exposure to the RDCO Parks service program in relation to projected future asset maintenance costs.

Background:
The Regional Parks where 2016 operational security service delivery changes have taken effect include:

- Woodhaven
- Bertram Creek
- Scenic Canyon
- Mission Creek Greenway
- Mission Creek
- Gellatly Heritage
- Reiswig
- Kopje

As of December 1, 2016 all previous resident security contactors had been offered & accepted fixed term residential tenancy agreements that will support their continued residency and housing transition needs until either the end of March, April or August 2017. Fixed term residential tenancy agreements were completed with all former resident security contractors based on the length of term requested by the individual needs to address their individual housing transition preferences.

Financial Considerations:
In 2015/2016 RDCO Parks staff conducted a review of all regional park independent resident security contracts and evaluated the following:

1. **A full cost accounting review associated with all resident security contracts** (assessed in relation to contractor service delivery residential tenancy market rental rates as RDCO revenue accrued offset by contractor operational expense costs)

2. **Projected operational costs associated with increased RDCO staff resources** assigned to seasonal parking lot gate opening/closing duties, limited park security patrols and maintenance duties.

3. **Implementation of a modified independent resident security service contractor model** with the predominant duties assigned focused on seasonal or year round parking lot gate opening/closing duties and limited security patrols.

4. **Projected capital asset renewal costs associated with all current resident security contactor residential units** if maintained for residential tenancy from 2016 – 2025.

5. **Contract service requirements** (assessed for consistency in services rendered and current/projected park needs).
Below is a summary outlining the results of the completed RDCO staff evaluation:

1. **Resident Security Contracts Full Cost Accounting Review**

RDCO Parks staff evaluated resident security services contract agreement 2015 expenses and revenues associated with eight park locations and determined that the net cost to the RDCO for the provision of both seasonal (6 parks) and year round (2 parks) resident security contractor services was $76,740. In addition the RDCO incurred capital asset maintenance expenses totalling $12,731 (2015) in association with the eight resident security contractor residence asset maintenance needs bringing the total operational costs to the RDCO for regional park security service and limited park user experience enhancement services to $89,471 (2015).

In concert with the above evaluation, the RDCO also completed a 2015/2016 capital asset condition assessment for the eight (8) residential units associated with the resident security contractor service agreements. The noted condition assessment review process determined that a total of $917,336 in building asset investments would be required to maintain the existing eight (8) residential assets in a state that each asset could be occupied year round beyond the year 2025. To provide adequate capital funding to support this maintenance standard, the RDCO would need to consider the allocation of an additional $91,733 annually to capital reserve funding. In concert with above noted annual operational contract costs of $76,740 (2015), the total operational and capital asset funding requirements were projected to require a minimum of $168,500 annually to continue with this service delivery model through to the year 2025.

Based on 2016 rates associated with the RDCO’s existing security service provider (Commissionaires under contract to deliver services in thirteen other regional parks) and applying these rates to the eight (8) regional parks (under contract with independent resident security contractors), the annual service delivery cost savings to adjust to a single service provider in a total of twenty one (21) regional parks was projected to exceed $42,500 annually.

2. **Projected Operational Costs Associated with Increased RDCO Staff Resourcing**

RDCO Parks staff evaluated cost options associated with increased RDCO staff resourcing to address the delivery of seasonal and year round park security services primarily focused on parking lot gate opening / closing requirements and “as needed” additional park site security patrols. The RDCO delivers a majority of public services in conjunction with a collective agreement with the Canadian Union of Public Employees (CUPE). In reviewing the terms and conditions associated with the current 2015 – 2019 RDCO – CUPE collective agreement, projected costs associated with increased RDCO staffing would require in excess of $300,000 in additional annual operational funding.

3. **Implementation of a Modified Independent Resident Security Service Contractor Model**

RDCO Parks staff evaluated 3rd party contractor options for the delivery of seasonal and year round park security services primarily focused on parking lot gate opening / closing requirements and “as needed” additional park site security patrols. In accordance with the current RDCO Purchasing Policy (7.20), contracting of the proposed services would need to adhere to Sections 3.2 and 3.3 of the RDCO Purchasing Policy:

3.2 **Where Third Party goods or services to be purchased are authorized in a current budget approved by the Board, the general practice with regard to competitive process and to the greatest extent possible as determined by the Purchasing Manager shall be:**
Regional Parks Contracted Security Service Provision Review

3.3 Preference shall be given to the supplier offering the best value to the Regional District or as per the evaluation criteria established during the competitive process.

RDCO staff estimated that the projected costs associated with the provision of park security services as described above would be within a range of $5000 - $75,000 and evaluated options to seek competitive quotes. A key factor that was considered by RDCO staff was the challenge of establishing a competitive service contract quotation process open to all residents and businesses that set out explicit park gate opening / closing & security service provision contract requirements and also associated a requirement for year round occupancy of the RDCO residential homes in each of the eight (8) park properties.

After considerable review, RDCO staff determined that although either Individual or multiple park service agreements could be readily prepared to outline the types and frequency of park security and added value services required by the RDCO, the inclusion of a service requirement provision for year round occupancy of the RDCO residential homes based on current market rates would have been problematic. RDCO staff determined that all services agreements would have been restricted to a relatively short “fixed term” of one (1) year in order for the RDCO to ensure that both service provision conditions were being consistently met as well as associated occupancy of the residential homes did not result in detrimental long term costs to the public.

For consistency and comparison purposes to the resident security contractor agreements that were in place at the time, RDCO staff identified that the 2016 market rental rates for the identified eight (8) park residential homes ranged from $1040 - $1326/month. RDCO staff also evaluated the British Columbia Residential Tenancies Act, SBC 2002, c 78 (the “RTA”) with careful consideration toward any risks and liabilities that might arise from entering into future contract agreements that combined park gate opening/closing and security services provision with year round occupancy requirements of a RDCO park asset. RDCO staff determined that the introduction of a future consideration of the potential application of the Residential Tenancies Act in conjunction with any future service delivery contracts resulted in unacceptable levels of risk in association with contract administration and service delivery performance compliance requirements.

4. Projected Capital Asset Renewal Costs Associated with All Residential Units

In concert with the above evaluation, the RDCO also completed a 2015/2016 capital asset condition assessment for the eight (8) residential units associated with the resident security contractor service agreements. The noted condition assessment review process determined that a total of $917,336 in building asset investments would be required to maintain the existing eight (8) residential assets in a state that each asset could be occupied year round beyond the year 2025 (see attachment). To provide adequate capital funding to support this maintenance standard, the RDCO would need to consider the allocation of an additional $91,733 annually to capital reserve funding between 2016 – 2025 totalling $917,336 over a ten year period.

Additional park visitor service enhancements associated with the disposition or repurposing of park residence assets are anticipated to provide significant benefits to the RDCO’s community of park patrons as well as NGO partners. Disposition of two (2) of the former residence assets and
repurposing of the remaining six (6) former residence assets has been scheduled for implementation in concert with the approved 2017 - 2021 Regional Parks service program five year budget. RDCO staff advise that the proposed repurposing of six (6) of the residential units will require additional capital investment over the next +10 years in order for these facilities to support either operational or NGO partnership services. The 2017 – 2021 Regional Parks program capital budget identifies an $47,705 (Bertram, Mission Creek, Scenic Canyon, Woodhaven) in capital funding in 2017 and $16,240 (Kopje, Mission Creek Greenway, Riesweg) in capital funding in the 2018 to help facilitate the repurposing or disposition of seven park residence assets based on the 2015/2016 building condition assessment report information, park management plan direction as well as forecast park system needs and/or park system partnership opportunities. RDCO staff have identified that future additional capital investment requirements in some of the repurposed facilities could be shared within 3rd party NGO relationships and / or augmented through facility rental fees for community use. Parks staff anticipate that the capital investment requirements in association with repurposing of six (6) former residential units will be less than the projected costs associated with maintaining the asset for residential occupancy as identified in the 2015/2016 condition assessment report.

5. Contract Service Requirements

There was a slight variation in contract service requirements, terms and conditions ranging between 10 – 13 contract requirements found in eight (8) contracts which included the following common services and responsibilities descriptions:

a. to maintain order and security in the Park so that as to prevent mischief, abuse of park facilities or hazardous conduct by persons using the Park;

b. to immediately advise the Parks Manager or their designated personnel of any vandalism, trespass, mischief, unsafe condition, by-law infraction or other extra-ordinary condition in the Park;

c. to open and close the Park gates, unlock and lock washrooms and other buildings at the times specified by the Parks manager, from time to time;

d. to allow at least ½ hour after closing time before locking the gates when there are vehicles left in the parking lot of the park;

e. to not summon a tow truck to tow the vehicles left in the parking lot of the Park until one-half (½) hour after closing time to arrange to have vehicles towed when necessary;

f. to log information daily in regards to these duties, including recording that all towing information signs were in place at time of towing;

g. to do all things reasonably necessary to protect the natural conditions of the Park and its enjoyment by the public;

h. to provide a replacement for the Security Contractor at no expense to the Regional District when the Contractor is not available to perform the services herein. The replacement person shall be subject to the prior approval of the Parks Manager of the Regional District prior to any absence of the Security Contractor. The Security Contractor may provide a suitable replacement for up to 21 days in each calendar year; and

i. to perform any other duties and comply with such other obligations as are reasonably advised by the Regional District, from time to time.

Based on historical park operations observations by RDCO staff, RDCO records of communications with the resident security contractors and service requests rendered by member of the public, Parks staff identified that in over 85% of the resident security service contracts the predominant service provided to the RDCO and community was the opening and closing of parking lot gates. In a majority of contracts which had ranged in duration from 3 – 10 years in contracted services length, the RDCO had historically received very little information regarding park safety and security issues such as vandalism, trespass, mischief, unsafe conditions, bylaw infractions or other extraordinary conditions
in any of the respective parks under review. The RDCO has not been in receipt of daily log information from any contractors as described in all the service contracts.

Organizational Issues:

RDCO Parks Services staff will continue to explore opportunities to repurpose and / or enter into mutually beneficial agreements with organizations that can assist in achieving the RDCO Board’s Strategic priorities such as:

**Priority 1 – Provide Proactive and Responsive Governance**
- Ensure services are effective and efficient, to maximize benefit/cost
- Continuously look for and implement productivity improvements
- Strengthen all partnership relationships (including Board, taxpayers, governments and agencies, media, non-profit organizations, employees, union, suppliers and contractors) to collaborate effectively
- Proactively anticipate needs and find innovative solutions
- Conduct actions with respect, integrity and accountability

**Priority 2 - Ensure services are effective and efficient, to maximize benefit/cost**
- Manage current funding and seek additional funding opportunities
- Operate in an accountable and fiscally responsible manner
- Provide safe and healthy services while delivering the best value
- Manage infrastructure to service growing population
- Maintain and improve community infrastructure
- Provide services in a safe manner

**Priority 4 - Protect and Promote Our Environment and Lifestyle**
- Shift focus from park acquisition to park development and operation

**Considerations not applicable to this report:**
- Policy Legal/Statutory Authority

Attachment(s):
1. Capital Renewal Planning by Asset (Years 2016 - 2025) for Parks Security Contractor Residences
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TO: Regional Board

FROM: Ron Fralick
Manager of Development Services

DATE: April 18, 2017

SUBJECT: FrontCounter BC Referral Application
Our File: CL-17-01/Front Counter BC File: 3413129 / 224420
Black Dragon Action Sports – Applicant (Central Okanagan East Electoral Area)

Voting Entitlement: All Directors – 1 Director, 1 Vote – Simple Majority – LGA 208.1

Purpose: To consider a FrontCounter BC referral application to acquire Crown Land tenure (5-10 year lease) to permit a sports action field for paintball and airsoft activities.

Executive Summary:
The applicant, Black Dragon Action Sports, proposes to host seasonal paintball & airsoft activities over approximately 17 ha of Crown land adjacent to Three Forks Road in the Joe Rich Area, which is surrounded by Crown land. The applicant anticipates utilizing the natural setting of the area and installing minimal infrastructure and facilities. One of the subject parcels (PID: 011-761-962) is intersected by an existing service road and contains a tributary of Mission Creek. In general, the referral application is in keeping with 2015-2018 Strategic Priorities Plan, Regional Growth Strategy Bylaw No. 1336 and Joe Rich Rural Land Use Bylaw No. 1195.

Jurisdiction for approving the application lies with the Province of BC; there is no formal RDCO public notification process required for Crown land referral applications. The Joe Rich Ratepayers and Tenants Society has submitted a letter of opposition.

RECOMMENDATION:

THAT the Regional Board conditionally support FrontCounter BC referral application No. 3413129 / 224420 for the issuance of a 5 to 10 year Crown Land Tenure to permit a sports action field for paintball and airsoft activities subject to the following being addressed prior to issuance of, or applied as conditions to, approval:

- Best Management Practices for protecting drinking water source watersheds be incorporated into the proposed operations;
- Consult with Black Mountain Irrigation District that use the watershed downstream of the subject property for their source water;
- Adherence to all fire safety measures and fire prevention outlined in the Front Counter referral application; and
- Obtain a Regional District Development Permit prior to any works occurring on site.

Respectfully Submitted:

R. Fralick, MCIP, RPP
Manager of Development Services

Prepared by: Janelle Taylor, Planner 1

Approved for Board’s Consideration

Brian Reardon, CAO
## Implications of Recommendation:

### Strategic Plan:
Conditionally supporting the referral application complies with 2015-2018 Strategic Priorities Plan, Strategic Priority 3: Promote and support economic opportunity.

### Policy:
Conditionally supporting the referral application complies with
- Regional Growth Strategy Bylaw No. 1336
- Joe Rich Rural Land Use Bylaw No. 1195

## Background:
The applicant, Black Dragon Action Sports, proposes to develop an Adventure Tourism Facility comprised of paintball & airsoft activities over approximately 17 ha of Crown land on the north side of Three Forks Road. Extensive information regarding the proposal is contained in the attached Black Dragon Action Sports Application.

## Proposal:
The gaming activities are proposed to take place seasonally, from March to October, with occasional special events held during the winter season. Parking is anticipated to occur in an area that is already established adjacent to Three Forks Road, with the intent of expanding the existing parking area and creating additional, secondary parking on another portion of the site.

## Picture 6
A portable storage container would be utilized as a site trailer for equipment storage and a location for accepting customers; in the future, the proponent will be considering a more permanent structure for this use. Portable toilets and bottled water would be available. Adjacent to the storage container, toilets and main parking lot, safety netting would be strung through the trees using cables to create a neutral zone area. For a portion of the gaming area, sandbag bunkers and temporary, portable structures to create a “town” are anticipated.

The proponent advises that there would be “minimal impact on any location other than marking off boundaries (yellow rope, flagging tape, and posted warning signs) a general ground cleanup of natural hazards . . . using deadfalls and broken limbs to enhance the playing field location as ‘bunkers’ and natural hiding places” (Application, page 7). Warning signs would be posted adjacent to the service road bisecting the Crown land, and boundary tape would be installed.
adjacent to the Mission Creek tributary area to ensure no encroachment; it is unclear whether signs, tape or rope would be posted elsewhere on the subject Crown land (ie. adjacent to Three Forks Road).

Regional Growth Strategy Bylaw No. 1336
- Policy 3.2.1.4: Encourage access to and opportunity for development of Crown resources and rural land that provide economic opportunities that contribute revenues to support community social, health, education and transportation services for the citizens of the Central Okanagan while having minimal impacts to the land, wildlife, and sensitive environmental areas.

Joe Rich Rural Land Use Bylaw No. 1195
- Section 4, Part 2, Policy No. 2.1.6: Accommodate and regulate commercial, business, agricultural, private recreation and resource development uses, which do not interfere with the use and enjoyment of adjoining properties, and which do not overtax services.

- Section 4, Part 10, Policy No. 10.2.2: Require rezoning approval for urban or intensive recreation uses on Crown land to allow for appropriate local opportunity to review impact, services and other evaluations. Urban or intensive land uses requiring a rezoning include those with impacts such as, but not limited to, public services, parking, sewage and waste disposal, environmental impact and community water. Examples of such uses are lodges, residences and commercial facilities.

Outdoor Paintball & Airsoft Gaming Referral Application History:
A similar application for an outdoor gaming field on approximately 1 ha of Crown land adjacent to Philpott Road was considered by the Regional Board in 2011 (File: CL-11-01). Staff’s report to the Regional Board outlined that the proposed use was not in keeping with the objectives and policies of the Joe Rich Rural Land Use Bylaw (ie: will conflict with existing recreational uses such as the Philpott Trail & Okanagan High Rim Trails), there was traffic and safety concerns posed by RDCO Fire Services, and a number of letters and calls of opposition had been received from the public. The Regional Board pass the following resolution, and the outdoor gaming field proposal was subsequently abandoned by the applicant:

#250/11
THAT FrontCounter BC referral application CL-11-01 for the purpose of General Commercial land use to permit an outdoor gaming business on 1 ha (2.5 acres) of Crown land adjacent to Philpott Road not be supported by the Regional District of Central Okanagan;
AND FURTHER THAT the Development Services Department report dated October 18, 2011 be forwarded to FrontCounter BC for their information and consideration.

CARRIED

Site Context:
The subject Crown lands are located within the Joe Rich Fire Protection Area. In accordance with Joe Rich Rural Land Use Bylaw No. 1195, the Aquatic & Sensitive Terrestrial, and Slope Stability and Rural Hillside Development Permit provisions affect the Crown lands. As per Planning Section comments below, a Development Permit is recommended as a requirement for conditional approval of the Crown land tenure.
**Additional Information:**

**Applicant:** Black Dragon Action Sports  
**Legal:** That part of East ½ of West ½ of DL 4087, & that part of West ½ of West ½ of DL 4087, ODYD  
**Area Size:** +/- 17.10 ha (42.25 acres)  
**RLUB Designation:** Large Holdings (LH)  
**Existing Use:** Vacant Crown Land / Service Road  
**Surrounding Uses:**  
  - **North:** Crown Land  
  - **South:** Three Forks Road / Crown Land  
  - **East:** Crown Land  
  - **West:** Crown Land  
**A.L.R.:** Not within the A.L.R.  
**Fire Protection:** Within the Joe Rich Fire Protection Area

**AGENCY REFERRALS/TECHNICAL COMMENTS:**

RDCO Environmental Section and Parks Services staff advises that their interests are unaffected.

City of Kelowna staff indicates that their interests are unaffected.

Fortis BC indicates that there are Fortis BC Inc. (Electric) (“FBC(E)”) primary distribution facilities along Three Forks Road. Due to the size of the proposed use area, extension work may be required to bring service to potential building sites; the cost of which may be significant.

The applicant is responsible for costs associated with any change to the subject property’s existing service, if any, as well as the provision of appropriate land rights where required. Should additional land rights issues arise from the design process they can be dealt with at that time, prior to construction.

Otherwise, FBC(E) has no concerns; Planning staff advises that the applicant has been informed of Fortis BC comments.

Shaw advises that their interests are unaffected.

Interior Health Authority staff notes that since no onsite sewerage dispersal systems or drinking water supply systems are proposed to be constructed on the subject property, IHA has no concerns regarding onsite sewage disposal or water supply provided that all liquid and solid waste generated on the property is hauled to an approved disposal/recycling facility permitted to receive the waste.

As the proposed operations would be within a watershed that provides source water for downstream drinking water supply systems it is recommended Best Management Practices for protecting drinking water source watersheds be incorporated into the proposed operations to mitigate any potential negative impacts on the source water. Depending on the degree of drainage watercourse connectivity these impacts may include but are not limited to sedimentation and runoff from the roads and parking areas servicing the operations causing increased turbidity in the source water for downstream drinking water supply systems. With increased turbidity disinfection will be less effective and possibly result in the presence of viable pathogens in finished drinking water.
In any drinking water system, protecting source water is a critical step towards avoiding drinking water contamination. It is also key to maintaining the quality of a drinking water source over time. Protected watersheds will improve the quality of the source water and impact the type of treatment technology needed to ensure safe drinking water. It is recommended that the Black Mountain Irrigation District and other water supply systems that use the watershed downstream of the subject property for their source water be consulted as their Source Water Protection Plans may have identified concerns that could be associated with the proposed activities in the watershed.

**RDCO Inspection staff** notes that RDCO Building Bylaw No. 835 applies, and the applicant will be required to obtain a Business Licence for the proposed Adventure Tourism Facility.

**RDCO Fire Services** staff advises that there is no opposition to the proposal should the applicant adhere to all proposed fire safety measures and fire prevention outlined in the Front Counter referral application, including the limited use during an “Extreme Fire Danger Rating”.

**RDCO Development Services Section** staff notes the following:

- The proposal is not in conflict with any existing recreational uses that RDCO staff is aware of.
- The lands immediately surrounding the subject area are Crown land; therefore, neighbouring private-property owners should not be negatively affected by the proposed paintball/airsoft facility (ie. noise).
- The area serves as an entrance to Crown land located beyond the subject parcels. As the gaming field is proposed on both sides of the existing service road, RDCO staff has concerns related to potential conflict between gamers and vehicular traffic, in addition to possible obstruction of the public to Crown land located beyond the subject area. The Application indicates that warning signs of activity would be posted along the service road, the roadside would be marked with designated crossing points for gamers, and referees would signal that there is traffic by using universal whistle blows (Application, Page 20).
- While the proposal is not in keeping with the Large Holdings permitted uses, Joe Rich Rural Land Use Bylaw No. 1195 Policy No. 10.2.2 recommends rezoning approval on Crown land only for urban or intensive recreational uses, as noted earlier. The referral application does not propose permanent facilities; therefore, Development Services staff does not recommend that a local government land use application be required at this time. Should a permanent structure be proposed in the future, such as a permanent storage and administration facility, a Temporary Use Permit or re-designation application to formally recognize the use would be required prior to RDCO issuing the building permit.
- Potential environmental impact should be addressed through a Regional District Development Permit, which is to be obtained from the RDCO prior to any works occurring on site. The DP will address the tributary to Mission Creek and sensitive environmental values. In addition, an Environmental Management Plan should be developed to assist in: determining the best location for proposed activities; means to protect sensitive environmental values; weed control; garbage on site; location and maintenance of the porta-potties; and wildfire.
- As the subject parcels contain a tributary of Mission Creek and are located within the Mission Creek Community Watershed, the applicant should ensure there are no impacts on water quality and must adhere to the Black Mountain Irrigation District's December 2016 Mission Creek Source Water Protection Plan. BMID has previously provided comments outlining concern regarding development applications that may affect water quality or their water treatment plant site in the Mission Creek valley; therefore, FrontCounter BC should receive comments from BMID prior to issuing tenure.
- The proposal outlines special events that would attract 200-300 players; in accordance with RDCO Control of Special Events Bylaw No. 80, a Temporary Use Permit must be issued for an event if 500 or more people might reasonably be expected to attend.
- Ministry of Transportation and Infrastructure may have requirements, such as a Commercial Access Permit; any concerns that the Ministry has should be resolved prior to the Province issuing tenure.

**Black Mountain Irrigation District** staff concurs with RDCO Planning staff’s above comment that the applicant should ensure there are no impacts on water quality and must adhere to the Black Mountain Irrigation District’s December 2016 Mission Creek Source Water Protection Plan. Furthermore, FrontCounter BC should receive comments from BMID prior to issuing tenure.

**External Implications:**

Jurisdiction for approving the application lies with the Province of BC. FrontCounter BC advertised the proposed Crown land lease in the December 13, 2016, edition of the Daily Courier; it is noted that no formal RDCO notification process is required for Crown land referrals.

The Joe Rich Ratepayers and Tenants Society has submitted a letter of opposition to FrontCounter BC regarding the proposal, of which RDCO was copied (attached).

**Alternative Recommendation:**

Based on staff’s analysis of the referral application and feedback received to date, staff proposes the following alternative recommendation:

THAT the Board not support Front Counter BC referral application No. 3413129 / 224420 for the issuance of a 5 to 10 year Crown Land Tenure to permit a sports action field for paintball and airsoft activities.

**Considerations not applicable to this report:**

- General
- Legal/Statutory Authority
- Financial Considerations
- Organizational Issues

Attachment(s):

- Subject Area & Proposed Lease Area Maps
- Letter of Opposition
- Application to Lease portions of P.I.D. parcels
SUBJECT AREA
JOE RICH RATEPAYERS AND TENANTS SOCIETY  
11481 Highway 33 East  
Kelowna, BC V1P 1K9

FrontCounter BC Kamloops  
441 Columbia Street  
Kamloops, BC V2C 2T3

December 12, 2016

Attn: Ben Sampogna, Land Officer

Dear Sir or Madam

Re: Application #3413129

Joe Rich is a community east of and adjacent to Kelowna, within the Regional District of Central Okanagan. Joe Rich is an outdoor wonderland and a popular venue for skidooing, quadding, skiing, hiking, hunting, snowshoeing, and many other outdoor sports and recreational pursuits. Residents are constantly vigilant about land use, with Block Watch and various other community groups whose function it is to safeguard the lands in and adjacent to Joe Rich.

It has come to the attention of our community that an application for Paintball and Airsoft activity is presently under review by the Ministry of Forests, Lands and Resource Operations.

In response to overwhelming opposition, and some little support, expressed by the residents of Joe Rich, our community advocacy group, JRRATS, appeal to you to postpone consideration until a less busy time. December does not leave time for meeting, and sharing ideas of this nature for we who are active in, and are vigilant stewards of, the outdoors of Joe Rich.

The property in question is accessed by a secondary road which many residents use to access their homes, who must already share the road with logging trucks. Congesting this narrower, more winding side road with tourism traffic, particularly
a population unfamiliar with rural side roads, would be grossly irresponsible and inevitably result in accidents and fatalities.

By its nature paintball attracts aggressive individuals, and I wonder what studies have shown regarding the effect on neighboring properties in existing installations in other areas. Has Mr. Hamel shown this in his application?

Mr. Hamel, who is not a resident of Joe Rich, has stated that he will be providing a benefit to our community. Has he conducted market research indicating an interest in this sport at that location? How could he conduct research into a sport in Joe Rich without discussion and survey of local sportsmen? Feedback from the community indicates that he has never discussed the idea with Joe Rich residents. Surely a proposal without adequate research of this nature would not be considered by any responsible ministry overseeing feasibility.

How does Mr. Hamel present this as benefitting our community? Normally that would mean tourists would be shopping, dining, or otherwise bringing tourist dollars into the community. The only person who would benefit financially from this proposal is Mr. Hamel himself. Did he ask anyone in Joe Rich if we want to attract tourists?

On behalf of the community of Joe Rich I am requesting that you do not consider a proposal that has not taken our community into consideration. I am also requesting that you do not approve a proposal with such evident shortcomings in preparation and research or addressing of potential harm.

On behalf of the residents of Joe Rich and executive of JRRATS, thank you for consideration of our objection to this proposal.

Best regards

Jess Hunt, President

Joe Rich Ratepayers and Tenants Society
250-491-3050
1927 Sports Inc. DBA Black Dragon Action Sports

Unit 106 – 2293 Leckie Road, Kelowna, BC V1X 6Y5
236-420-4480

Application to Lease portions of P.I.D. parcels
011-761-903 & 011-761-962
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1 - INTRODUCTION – WHO WE ARE

1A. Black Dragon Action Sports:

Is a company that has been in existence for 16 years, it was a sister company of Panther Paintball Ltd (a company that is a pioneer in British Columbia in Action Sports). Started as (Panther Action Sports) a separate brand to offer a retail outlet separate in ownership from the outdoor playing field of Panther Paintball Ltd, and with the Action Sports name, it offered more than just Paintball.

Airsoft and Paintball are action sports that have their roots in the mid 1980’s, before video games and first person shooter type games played indoors on a TV screen. These games have their roots in the outdoors, fresh air, and exercise. Paintball came first (technically) with a few friends in New Jersey taking old cattle marking air pistols out into the wilderness and playing an old fashioned game of capture the flag. Who knew that 30 years later this simple afternoon would be a huge sport played by 10’s of millions of people each year worldwide.

Paintball is a sport with virtually no environmental footprint, the paintballs are basically gelatin, sucrose, mineral oil, and vegetable dye. All natural and actually edible (but taste terrible), the propellant is either compressed air or Co2, Co2 is absorbed by vegetation and turned in oxygen, so again virtually no environmental impact.

Airsoft, BBs are made of a cornstarch type material that breaks down under outdoor conditions of oxygen and moisture, same as paintballs, again all natural, and environmentally friendly. The propellant used is either compressed air or powered by a simple battery.

The markers (or guns if you prefer) are air or battery powered, incorporating a safety switch, and when disconnected from their power source, are null and void of firing. All markers are safety standard checked to be firing in accordance with all federal and regulatory standards.

In actual fact an Airsoft marker, is really no different than today’s Braid Nail Guns you may use around the house, you attach a battery, press off the safety and a projectile is fired when you squeeze the trigger (mind you I’d prefer to be hit by a BB than a nail)

Play for both sports is best when in a natural environment, trees, rocks, hills all natural obstacles make for a more enjoyable experience. The games are varied and as different as the human imagination can make it. The impact on the environment and nature are almost zero when these two sports are run, maintained, and supervised by experienced professionals.

Kelowna is the 21st largest city in Canada, and yet it has not a single location to allow people the opportunity to enjoy two of the largest adrenalin sports in the world. (West Kelowna has a Tourist Attraction on a small land area where close quarter combat happens and is geared more for the non-experienced player) Black Dragon Action Sports would like to bring its combined ownership experience of over 40 years, to create an experience based location that, families, locals, tourists, and any member of the general public can enjoy a fun filled equal based athletic outdoor sports, that combines, strategy, movement, and fun for all ages 10 and up.
Black Dragon Action Sports will create an experience that will have people leaving, and raving about the fun they had, not counting their pennies and wondering where the money went.

Managing Director Christopher Hamel has been in the sport, and a forerunner in almost every aspect of the maturing and growth of Paintball and Airsoft in British Columbia since 1988. After an adrenalin pumped afternoon in August 1988 he was hooked and found a sport in its infancy that had great potential. Understanding the need for regulations and safety, he participated in many conferences, and meeting throughout North America, helping, designing safety rules, environmental strategies, as a Member of the I.P.P.A. (International Paintball Players Association), he sat in with lawyers in the sport offering suggestions, and insight, to help guide it through it’s infancy. As a Member (#211) of NAPRA (North American Paintball Referees Association) he helped over the years develop rules and regulations for the safety of the sport. He has also participated as an Ultimate Judge in British Columbia Associations and leagues, training referees and presiding over tournaments and league play.

In recent years with the development of Airsoft, he helped open up part of his Paintball location, to encourage players to play in a regulated, safe environment, rather than “outlaw” running around on Crown Land or neighbour’s backyards, where the play may be misunderstood, and even unsafe.

After selling his business on the coast to retire to a location he had fallen in love with, (Kelowna) he was shocked to find no store supplying equipment, or a field providing games, only “outlaw” unregulated, unsupervised games played on Crownland outside of town, players may be safe and display a love of the game by self-supervising, but 30 years in the Action Sports business has proven that when it falls down to one company, or one person being in charge, safety, environmental concerns, and responsibility are major factors in ensuring everything is dealt with professionally.

Airsoft and paintball are sports enjoyed by people of every age sex and ability, they are the only sports that negate all bias, where a 15 year old and a 55 year old male or female can be partners relying on each other for support an even guidance to win a game. Where a 12 year old’s opinion and experience may mean more than a 52 year olds, all planes are equaled in these sports, where the experience of a video game can be played in real life. Family get togethers, birthday parties, stags, sports team windups, all look to Paintball and Airsoft for the fun of the game. With 28 years of experience in operating Panther Paintball Ltd, speak volumes to this fact.

Black Dragon Action Sports would offer:

1. Airsoft; A game based on capture the flag, where players eliminate each other by tagging your opponent with 6mm (1/4 inch) BBs these do not shatter or leave a visible mark, and the game is one of honor, calling yourself out when hit and eliminated (this honor play is a major reason for the growing popularity of this sport)

2. Paintball; a similar game to the aforementioned where you are eliminated with a gelatin based sphere .68 caliber (¼ inch or so) that breaks on impact leaving a washable mark to signal elimination

3. Low Impact Paintball; The same games as mentioned above but played with .50 caliber (¼ inch, 30% less in size) paintballs causing less of an impact, and a slightly smaller mark when breaking on impact. This sport is more favorable to
our fairer and more reluctant warriors. Less impact on being hit, tends to make for a more fun experience for the less experienced.

4. Live Action Role Playing; Having experimented with Halloween “Zombie” hunting previously at Panther Paintball Ltd, as well as designing a few scenarios based on movies. Christopher Hamel has developed a totally new experience that relies on mental stimulation as opposed to superior firepower. The effect of hunting other players in the dark armed with only a limited amount of ammo, and a flashlight, but superior odds, against a single or pair of foes, trying to avoid you, makes for an experience that is more than any video game or movie will ever give you.

"Nothing in life is so exhilarating as to be shot at without result." - Winston Churchill

Currently Kelowna has a void for teens, and family collaborative sports. A few local places have been done to death and in canvassing the youth of the area we have found an overwhelming acceptance for a Paintball / Airsoft facility in the area. By making the sport available and affordable it will hopefully discourage the “outlaw” aspect locally and offer a location that all ages can enjoy. We also feel that Black Dragon Action Sports can help make a facility that will become a worldwide tourist “must experience” location, bringing in more tourist dollars to the community in hospitality, and general revenue, while serving the local populace with new and exciting experiences. We would be offering a sports facility that would be one stop for any and all ages and sexes, a truly family facility for all tastes, and experiences.

1B The Team / Game Plan:

1. Christopher Hamel 52% Shareholder, as noted, brings 28 years of experience at all levels of Paintball and Airsoft, a leader and instigator of many rules, regulations, and standards used by every field and organization in BC and Canada. He has trained many professional players, and is the most decorated Team Captain in the sport of Paintball in Canadian History.

2. Wendy Stebbings 24% shareholder, as well as being a 3 year administrator at Panther Paintball Ltd, has a background in Security having owned and run her own Security firm for a number of years in the Lower Mainland of BC. As well as being a member of the Walnut Grove Business Owners Association, and spending over 30 years in the Hospitality Industry, she brings a wealth of knowledge and community involvement to the company.

3. Crystal Hamel 12% shareholder, grew up in the industry as the daughter of Christopher Hamel, Paintball was in her blood and she began at the age of 11 helping out around the facility, cleaning and beginning her apprenticeship at the bottom of the ladder, as she aged she grew into the job of reception and booking manager, and then became Field Administration Manager, and eventually took over Wendy Stebbing’s role as Office Administrator upon Wendy moving to Kelowna.

4. Kent Stebbings 12% shareholder is the son of Wendy Stebbings, a longtime paintball player, an avid sports enthusiast, and scholar, working towards his eventual goal as a firefighter, he too has participated in many community charitable events, and is enthusiastic about working in this new venture.

5. The business would be run by the listed people with a staff of 5-10 depending on the season and time of year. Many part time and full time jobs will be created, but it also
tends to be a "transient" type job with people staying 2-3 years before moving on, this is usually due to graduation (a lot of student hires in the business) and the securing of long term employment. Many long term employers have thanked the administration of Panther Paintball Ltd for the training and work ethic they imparted on their employees to better prepare them for the working world.

6. Black Dragon Action Sports would be operational March to Late October, with occasional events during November, December, January, February. Mainly weekends, but offering weekday opportunities during the summer months.

Also with Christopher Hamel’s experience in running large scale scenario games, as well as "speedball" games, the future of a large scale event that would bring 200-300 players into the area for a 3-4 day activity is a possibility, possibly at a larger facility like the summer use of a Ski mountain? The scope of what can be accomplished is only limited by one’s imagination in the realm of Airsoft and Paintball. Build it and they will come.

Black Dragon Action Sports looks forward:

- To offering the best Paintball / Airsoft experience to local and non-resident customers.
- To bringing together an experienced and hardworking crew to ensure that the sports and the Okanagan area become synonymous with excellence in the product put forth by Black Dragon Action Sports.
- To ensuring that the beauty and nature of the area in the Central Okanagan, is preserved for the future.
- Providing an adventure for families as well as individuals, either looking for the adrenalin rush, or just looking for a way to spend some quality time together, offering both levels and all in between.
- Being accountable to the general public, offering package deals, and discounts to ensure the facility is affordable to everyone.
2 - LOCATION

2A. Location and Experience:

The Three Forks Road location in the Central Okanagan is the PERFECT location for Black Dragon Action Sports to incorporate its unique brand of Action Sports with a natural area offering the breathtaking beauty that is the Okanagan Valley. Black Dragon Action Sports would have minimal impact on any location other than marking off boundaries (yellow rope, flagging tape, and posted warning signs) a general ground cleanup of natural hazards (recent hazardous deadfalls not already degenerating into the earth, any unnatural objects,) using deadfalls and broken limbs to enhance the playing field location as “bunkers” and natural hiding places.

Christopher Hamel as the location/course designer brings an experience level unmatched in Canada, seeking a natural playing field, he hopes to bring out that “playing a child’s game of army, in the woods” feeling a lot of us grew up with. The sports are also a live version of so many video games played today, and a welcome live action exercise filled experience, as opposed to becoming a video couch potato (parents much prefer the former to the latter for their family)

Parking would be in already established areas with minimal impact, localized Port-o-potties (2-4) would be placed near the playing area for customers, and serviced as per seasonal required service times.

With a combined staff with over 40 years of experience it is without doubt that Black Dragon Action Sports, will be a successful venture, and bring economic growth to the region, while having minimal impact on the beautiful topography of the area.

The Location of this property is perfect in that it is fairly isolated (as exampled by the campfires and “shot” up targets along the logging road. It is a location close to Fire Service, should it be needed. Power is at the property line for electrical hookup, and although no water is available at present, not much is used in the business as the company has a location for equipment cleanup in Kelowna for it’s offices and retail business.

The games do not disturb the environment, and since they are based on stealth 90% of the time, very little is heard from the playing area other than the occasional firing of air guns. The minimal amount of noise that is heard barely leaves the silencing shroud of the trees.

2B. Tourism Industry of the Central Okanagan:

Statistics Canada estimates that there are a total of 1.2 million non-local residential visitors to the Kelowna area (2004 figures) and with about ½ the local population in the target age group for these two sports, a local regulated and supervised Paintball / Airsoft Facility would be a welcome addition to the region.
2C. Business Opportunity:

The Sport of Paintball is in its 32nd year of “play”, and Airsoft although a latecomer to the Action Sports community, it is well into it’s second decade. The local community is currently unavailable to partake in these two sports in a form that is structured, organized, safe and easy on the pocket book.

Local “outlaw” fields, play on forestry land, or family orchards, in many cases unsure of the safety rules or unprepared to implement them (Chrono graphing of equipment to ensure safety, proper eye protection etc.) And even the local group of Airsoft players although supposedly insured by a local company, cannot accept players younger than 18. Black Dragon Action Sports’ insurance would allow players as young as 10 to play airsoft, but Black Dragon Action Sports would restrict the age to 12 for safety reasons and maturity level.

Paintball (Regular) also may be as young as 10, but again 12 would be the minimum based on maturity level and “the impact” caused by a .68 caliber paintball. Although the standard worldwide, Black Dragon Action Sports prefers the LOW IMPACT .50 caliber paintball game, offering to the less “Ramboesque” public. It’s in Black Dragon Action Sports’ estimation to be the best play for the player. Although it does mean extra expenses for the company to stock 2 sets of gear and 2 sets of Paintball.

The Night Game experience would be a world first, as well as for the area, and something that could put Kelowna on the map, it’s a concept run through the trial stage at Panther Paintball Ltd, and the brainchild of Christopher Hamel, and it is a totally different concept in Paintball and Airsoft companies. It may become the template for the future of the sport on a commercial basis.

2D. Local Similar Establishments:

Paintball:

1) Commercial - Safari Ridge – (West Kelowna) mainly geared toward tourist traffic, offers close quarter paintball .68 caliber only, paintball / Laser tag.
2) Commercial - Bushwacker Paintball - (Vernon) .68 caliber only, paintball
3) Commercial - Kamloops Paintball –(Kamloops) .68 caliber only, paintball
4) “Outlaw” – (Postill Lake) Forestry Land, unrestricted, unsupervised, self-regulated, permitted by Forestry Service. (March 24, 2016 notice to clean up and vacate, was posted at this location, I do not believe Paintball has been played there since)

Airsoft:

1) Commercial establishments – NONE !
2) “Outlaw” – (Postill Lake) Mile 4 or 5 marker, Forestry Land age 18 restricted, self-regulated, permitted by Forestry Service
3) “Outlaw” – (Goudie Road) Mile 9 marker, Forestry Land, age unrestricted, self-regulated, permitted by Forestry Service,
2E. Agri Tourism:

The ingredients of Paintballs and Airsoft BBs are all bio degradable (Listed below) could almost have them listed as Agricultural products, and thus it “could” be listed as Agri Tourism, even though the ingredients are manufactured elsewhere it is possible some of the ingredients came from local farms, a gray area possibility again, but still a possibility.

Ingredients:

Paintball Ingredients:
The fill of paintballs is a combination of water, a substance called Sorbitol (a colored dye), and varying amounts of mineral oil. Sorbitol is a food sweetener used in candy and chewing gum for example. It is non-toxic, water soluble, and breaks down very quickly. The dyes themselves are actually commercial food coloring dyes, such as the ones you might find on a nutritional label of your favourite food (although the concentration is rather high in paintballs). Different amounts of mineral oil are added to some brands in order to thicken the fill. Wax also makes the paint fills more difficult to wipe. Paintball fills used to be iodine-based however those days have ended. The shells of paintballs are made of the same basic gelatine compound as found in Jell-O. Different paintball manufacturers use different recipes but really it’s all based off the same thing. It, too, is a heavily water-absorbent compound, and that is why paintballs swell up (they absorb the water around them). Both the shells and the fill within are both environmentally safe and completely edible, however they do not taste very good at all (as I’m sure you all know, one way or another).

BB Ingredients:

Bio BB’s have been around in Airsoft for a long time. Original Bio BB’s used powdered Starch and were powdery and exploded on impact, breaking apart the BB contents and showering the impact area with a fine powder. Bio BBs moved to being made with PLA. PLA is a bio-plastic, it’s primary ingredient is Polylactid Acid. PLA is similar to corn starch approach except instead of using a compression method to form the BB from powder, it’s been converted into a thermoplastic that is compatible with most injection molding process – the primary process for making BBs. Minute Glass fibres are added as a binder to make the BB stronger and less prone to breaking apart under torque forces when fired. Minute Glass fibres and PLA are biodegradable and non-toxic

Paintballs due to their makeup are dissolved and no longer visible within a week or two

BBs because of their compressed nature take a little longer to dissolve back to their natural ingredients. Approximately 3 months. Although considerably smaller in size (6mm)
3 – ZONING / PERMITS

3A. Permits:

The land parcels requested are part of a LH zoned designation (Large Holdings) in the Joe Rich area of the Central Okanagan. Uses currently permitted in this zoning are:

- Residential
- Agricultural
- Portable Saw Mill & Portable Shake Mill
- Service Kennels
- Hobby Kennels
- Home Occupation
- Bed and Breakfast
- Agri Tourism
- Agri Tourist Accommodation
- Land must be 30 Hectares in size for this designation (74.1 acres)

This means that as Paintball and Airsoft currently really are gray area fledgling sports, the ability to include such recreational activities in a commercial context, most likely have never been considered. More to ATV / Snowmobile / Hiking, Skiing, activities etc. are more well known for this type of land.

To that end, a Temporary Use Permit would have to be obtained from the Regional District of Central Okanagan, prior to the start-up of operations. This permit would fall under Recreational Tourism, as defined by the Joe Rich bylaws, or Adventure Tourism as defined by the Ministry of Forests, Lands, and Natural Resource Operations. Upon reading the bylaws, this would appear to be the most compatible pairing.

Since the majority of the “commercial” aspect of the company would be through the offices located on Leckie Road in Kelowna, the Three Forks Road area would be more of a playing area similar to a ski hill or golf course. A place where players could use their equipment in structured, organized games. The environmental impact compared to the highlighted activities is much, much, less. The land is basically used “as is” and not reformed as in a Golf Course, or any other large area sporting activity center. When comparing the minor carbon footprint of a Commercial Paintball / Airsoft operation to the other uses permitted in a Commercial Recreation Designation (C-101) of the Joe Rich bylaws, this would be what I believe the sports would fall under in their current classification:

- Agriculture
- Campground (Noise / garbage/vehicles at all hours and days)
- Rifle Range (Noise / Bullet casings left behind / Safety)
- Riding Stables / Horse Racing Tracks (Destruction of nature / Wildlife relocation)
- Residential Land must be 2 Hectares in size for this Designation (4.94 Acres)
4 — APPLICATION

4A. General Land:

The area that has been walked, measured and decided on, used portions of two (2) parcels of Crown Land. Located @ **11500? – Three Forks Road, Kelowna, BC, V1P 1J8**. Covering approximately 30 acres of Crown land. The Lease would be for Intensive Use and a length of 10 years.

The area pictured (Picture 2) eliminates the lower portion of the parcels south of Three Forks Road, and the upper portions that include the *Mission Creek Tributary stream* that cuts through the North East corner of PID **011-761-962**

**GPS Coordinates on Map**

- 1 - 49.871540 – 119.134169
- 2 – 49.868964 – 119.134491
- 3 – 49.870178 – 119.126555
- 4 – 49.871650 – 119.126618

These are plotted as close as possible using Google Maps, not being a land surveyor by trade, they may be off a few meters. The extension into PID **011-761-903** would be simply to insure available land in the case of the occasional “Big Game” as well as offering a larger buffer zone between neighbours.
4B. First Nations

The following is my interaction with the Westbank First Nations, in attempting to seek out possible information regarding Paintball and Airsoft locations. Safari Ridge; a Paintball / Laser Tag establishment on the West Side of Kelowna (West Kelowna) is located on Westbank First Nations land, so I assume there would be no denial of use there.

From: Christopher Hamel [mailto:info@blackdragonactionsports.com]
Sent: Monday, July 25, 2016 3:06 PM
To: Referrals
Subject: Land use and possible Tourism Attraction

Chief & Council:

I recently had a meeting with Corrie Griffiths at the COEDC, and she suggested I should contact you in regards to availability of land in the Central Okanagan area. I am looking for a small acreage parcel to lease long term for a recreational facility (10-20 Acres of outdoor woodland). The use would be minimal environmental impact and would be a very welcome facility in the area. With growth putting the area in the top 2 dozen city areas in Canada, the Central Okanagan is missing out on one of the fastest growing outdoor sports in the world today Airsoft and Paintball.

Recently we opened a retail store in the Kelowna area, and the reception has been incredible, never have I worked in a retail business where on average 2 people a day come in and thank you for opening your establishment, They then ask where is the playing field? Unfortunately, there aren’t any, and people are playing on Crown Land, Orchards and wherever they can. I would like to offer a safe, secure, playing location that the local playing populace as well as the many transient tourists could come to.

Attached is some background information on who I am and what I am looking to do. Any help or direction would be appreciated.

Chris Hamel
Black Dragon Action Sports

My received reply was:

From: Referrals
Sent: August 23, 2016 9:42 AM
To: 'Christopher Hamel'
Subject: RE: Land use and possible Tourism Attraction

Hi Christopher,

I would be speaking to FrontCounter BC regarding your application. You will need to go through them for tenure application for the land. I have attached the link to their web page.

http://www.frontcounterbc.gov.bc.ca/

Thank you / limlmt,

To which I replied:
From: Christopher Hamel [mailto:info@blackdragonactionsports.com]
Sent: Tuesday, August 23, 2016 2:56 PM
To: Referrals
Subject: RE: Land use and possible Tourism Attraction

I am working with Danalee Harvey at Front Counter BC currently, I was wondering if there was any First Nations Land available for such a venture.?

Chris Hamel
Black Dragon Action Sports

I then received in reply:

I don’t believe so. If there is lands to be considered, the process for such an application would have to go through community consultation.

STEPHANIE PAUL
Referrals Officer
Westbank First Nation
301-515 Highway 97 South
Kelowna, BC V1Z 3J2
T 250 769 2440 ext 1420
F 250 769-2036 www.wfn.ca
Community. Leadership. Pride.

I do not believe there will be any dissention toward my using the parcels of land in question, however, I am more than willing to also go before council and support my application in person, and answer any inquiries they may have.
4C. Joe Rich Fire Department / First Response

The Joe Rich Fire Department is 2.5 Kilometers away, although no fire hydrants are in the area, by instilling a NON-Smoking facility, and allowing no use of open flame in any manner, as well as a minimum 12 fire stations, consisting of Sand piles / Shovels as well as portable fire extinguishers at posted locations (Picture 1, Yellow squares.), we will endeavor to make the location as “fire retardant” as possible.

**Picture 1**

During an in person conversation with Joe Rich Fire Chief Ben Wasyliuk on September 9, 2016. I outlined my prospective plans as detailed here and found his views and questions very much reflected our plans. Removing “ladder fuel” (lower scrub branches on trees), as well as recent deadfall, scrubby dry underbrush, and branches, and allowing old decomposing wood to continue to rot. All coincided with removing the wildfire risk for the area. The Fire Chief expressed how he had seen wildfires reach a property cleaned up in the manner we propose, and simply die out with no fuel to continue. This would be welcome by local residents to know that an area that could potentially help a wild fire spread and endanger their homes, would be removed and the area more fire resistant.

Insuring access for emergency vehicles, as well as being fire conscious in all aspects of the operation, Black Dragon would also be willing to limit our use when the area fire rating reaches **EXTREME**, by local Fire Department standards. Black Dragon would also be open to possibly running emergency first responders training onsite, on an ongoing basis in conjunction with the Joe Rich or any other Fire Departments locally. As well upon opening our business, the Fire Chief would attend and make any further recommendations for safety at that time.
4D. Safety:

With over a ¼ century in the industry and no major injuries at any time, mainly due to diligent staff and an almost fanatical push for safety. The owners of Black Dragon will have full coverage with the land owner as a co-insured. This policy will be through Capri Insurance in Kelowna, and carry a minimum 2 million in liability. If at the time of insuring the broker (Capri) recommends and alteration in the coverage (more coverage) Black Dragon will comply. With a clean safety record, and due diligence, this location will be safe and well run to the highest standards in the industry.

Insured and safety conscious, Paintball and Airsoft are two of the safest sporting activities enjoyed by the general public today. Work hours lost to injury in these two highly active sports trail behind many sports not regularly thought of as injury inducing. (no reports on Airsoft available as yet. Below is a study of injuries incurred per 1,000 participants, compiled by NEISS - The National Injury Information Clearing house of the U.S. Consumer Product Safety Commission in Washington D.C.)

<table>
<thead>
<tr>
<th>US SPORT</th>
<th>Yearly injuries per 1000 Participants</th>
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</thead>
<tbody>
<tr>
<td>Boxing</td>
<td>5.2</td>
</tr>
<tr>
<td>Football-Tackle</td>
<td>3.8</td>
</tr>
<tr>
<td>Snowboarding</td>
<td>3.8</td>
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<tr>
<td>Ice Hockey</td>
<td>3.7</td>
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<tr>
<td>Snow Skiing</td>
<td>3.0</td>
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<tr>
<td>Soccer</td>
<td>2.4</td>
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<tr>
<td>Softball</td>
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<tr>
<td>Basketball</td>
<td>1.9</td>
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<tr>
<td>Football-Touch</td>
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<tr>
<td>Surfing</td>
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<td>Water Skiing</td>
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<td>Racquetball</td>
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<td>Martial Arts</td>
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<td>Wrestling</td>
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<tr>
<td>Baseball</td>
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<td>Volleyball</td>
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<td>Mountain Biking</td>
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<td>Tennis</td>
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<td>Hunting</td>
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<td>Bicycling-BMX</td>
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<tr>
<td>Running</td>
<td>0.6</td>
</tr>
<tr>
<td>Paintball</td>
<td>0.2</td>
</tr>
</tbody>
</table>
5A. **Land Use:**

The land requested is a perfect location for the Action Sports Field I am applying for, a natural location heavily treed and of a decent size. Some lower scrubby brush and away from all populated area, so as not to disturb the residents or non-playing personnel.

Both Airsoft and Paintball involve players wearing camouflage clothing for the most part, and employing projectile firing markers (Guns). This can be misconstrued by the unknowing general public, and “can” result in misunderstandings if the public is uneducated about what is happening. Thus with a regulated, safe, advertised as such, playing area, misinformed or unknowing people will not be calling 911 To report a “person with a gun”. If the occasional call does come in the local law enforcement will be aware of the location and respond in kind, if at all.

The area requested for lease and use, would not include the Mission Creek Tributary, despite the fact this area is dry most of the year we would not be encroaching on the area and would place a boundary tape (marking) inside our portion of the property warning to not trespass on that area. (this would be at a slightly lower height than our regular markings to insure compliance. Any boundary markings would be above 5-6.5 feet high so as not to interfere with natural movement of people and wildlife. This I believe would mean no need for an application for an Aquatic Development Permit, and although the area requested does have some Terrestrial Area as there would be no development on the area I feel no need for a DPA for that area either, as the area would be left in its natural state 90% (allowing for some removal of deadfall, and clearing of dead lower tree branches as “ladder fuel”) following the guidelines of the Joe Rich Rural Land Use bylaws, Amendment A-7 Sub section 3.5 If I am incorrect then I would apply to the District, for any permits as they require.

The proposed use for this parcel of land would be enriching the local community, bringing in tourists, and players from all over the Central Okanagan, as well as preserving a large parcel of natural land, by caring and looking after an up until now ignored piece of land.

The majority of operations would be seasonal, starting in late March and Running until mid-October, occasional special event days may be held for the diehards that like to play in the snow and winter cold. The area including redone parking lot area, and Port O Potties, would be maintained and allowed for general public use during the off season. With power on the property and security cameras and monitored alarm system. And vandalism would hopefully be minimal and captured on video.
5B. Alterations to Land:

All fields would be maintained in a “natural environment” type manner, the removal of “ladder fuel” in the case of wildfire, would be carried out on a regular basis. Any deadfall already decomposing would be left to continue the natural process, and only recently snapped off or deadfall wood would be used in the building of “natural” barricades, for players to hide behind. In Accordance with the Joe Rich Rural land use Appendix A-7 Subsection 3.5, these would also help house smaller creatures who would normally be easy prey under a simple branch. Twenty-six years running Paintball / Airsoft games located on an old growth forest location in South Surrey have educated the ownership in ecological protection, the hows and whys.

The possibility of a CQB (Close Quarters Battle) type field in the lower Central area (sparsely treed area) (Picture 3, yellow area) would be created by the building of portable, and removable, 4w x8h walled, open roof structures. A small “town” if you will, for players to enjoy an extended and slightly different game. (These “structures” would be simply made and easily movable, at any time, to change up the area and keep it fresh.) They would also afford a degree of shelter for natural wildlife inhabitants in the colder winter months.

Picture 3

Some sandbag bunkers would be employed, to enhance the playing experience, these would be filled from earth at the location, and upon lease end would be emptied and removed from the location, leaving the ground as it was.

Any and all alterations to the proposed area would be done with the ecological, and all environmental aspects in mind. Preserving the area for future use should it be turned back to bare hillside land.
5C. Land Non Use:

The land is of little use for agricultural purposes, it is a steep hillside covered in trees offering very little in grasslands usage. The trees let in very little sunlight and offer no real aspects for growing crops.

The only other use for the land under the current bylaw classification, I have discerned is a sawmill operation, and to log the land. This would weaken the slope and lead to future landslides in the area as it is near the bottom of the mountain. This would also destroy a very nicely wooded area that is part of a larger package of recreationally inviting land.

The public already seems to be doing this on a regular basis as during recent walk-throughs the property evidence of recently cut timber was evident, as well as watching a truck loaded with wood pull out at the bottom of the hill, many fresh cut branches where found left behind that could later fuel a wildfire, these would be cleaned up in the future.

5D. Neighbours:

Although the western border of PID 011-761-962 would suffice, by also including a portion of PID 011-761-903, Black Dragon can insure a large buffer zone to any neighbours, and any future expansion for the location in the instance of a one off large game.

As the location is 1.5 Kilometers off any main highway, and is on an unlined mountainous backroad, that turns to gravel at the 1.5 Kilometer mark. The disturbance of any neighbours or hindrance to any traffic would be so minimal, it would not even be noticeable.

During a study of the roads surrounding the area, we have found abandoned houses left to rot, and grounds covered in vehicles abandoned, as well as shot up metal targets, remains of campfires, and numerous trees hacked down and sawn up for wood. We feel having a more visible presence in this area will also hobble these activities and help preserve the area.

The nearest neighbour to the west measured from the extreme border nearest the neighbor, of the proposed land is a minimum 550 meters or more than 5 ½ Football field lengths away. To the East the distance measured is 700 meters. There are no neighbours to the north and the nearest to the south measured from the nearest point to them is more than 1/2 kilometer away. All through heavy treed land, and sloping hillside.

Having previously owned a much larger Paintball / Airsoft operation that would on any given weekend day have 150-200 players playing, my immediate neighbours on both sides rarely if ever heard any disturbance from the players, this is due to the majority of play happening in the central area of the property, and even as far as 50 feet away through the trees no real audible sound can be heard.
5E Accessibility:

For regular access to the “safety” check in area, an already well worn path way would be cleaned up and made more foot traffic friendly Pictures 4, and location in Picture 5.

**Picture 4**

![Picture 4](image)

**Picture 5**

![Picture 5](image)
5F Parking:

Parking for the General Public would be in the south east corner of the property, (Picture 6, Large Red area) with some shoring up and leveling of piled waste earth a 190 x 75 foot parking lot could be established, including room to back out without encroaching on the roadway, as well it could accommodate up to 50 vehicles, that’s more than triple estimated daily.

Regular customers and members would be asked to park up the service road on the side artery of “Slaney Lane”, more than tripling our estimated 20 vehicles per day. (Picture 6, Thin Red Area)

Picture 6

Maintaining a structured parking lot would also accommodate the many snowmobilers and cross country skiers that may use the area during the winter time, when Black Dragon would be running limited or occasional games.

The forestry service road that cuts through the properties, we would post warning signs of activity in the area, and the roadside would be marked with crossings at designated points in case of traffic as well, all referees would be equipped with FRS radios for communication, any traffic would be relayed to on field refs and they would control their games accordingly, using the universal signals of:

- 1 Blow on the whistler - freeze do not move or fire
- 2 blows of the whistle - resume play
- 3 blows of the whistle or more in a row - stop play, put down your equipment we have a possible emergency. (ie: someone fell and hurt themselves or removed goggles)

Possibly stopping games until the vehicle has passed, or in the case of smaller groups simply monitoring the situation.
5G Location Services:

At the point, above the parking designated area would be a Sea can Site Trailer used for “checking in” players, as well as offering some storage of equipment. (Location - Picture 7 Red)

No pad or heavy construction would be needed for this. Some cables would be strung through the trees (approximately 15 foot high, picture 7 yellow) to accommodate safety netting guarding against any possibility of a stray ball wandering into the “neutral zone area”.

Maintaining trails throughout the property, as well as looking after the proposed Parking lot (also a turn around for larger trucks in the area) would be on an ongoing basis.

Port O Potties for public use would be located in this area (Picture 7, Blue Squares) These would include a “Special Needs” Port o Pottie. Although not the types of sports played by “special Needs” people on a regular basis, we have had experience in this area in the past (Panther Paintball) groups come out to play, although The mountainside is less than wheelchair accessible, we would endeavor to do our best to accommodate all players. A safety fence would be constructed overlooking the parking lot as it is about a 20 foot sloped drop off.

![Picture 7](image)

With future success and possible expansion in players a need for more improvements possible a more permanent shelter made of cement blocks could be added in the neutral area (with all corresponding permits in place and applications approved) Again something that could be removed in the far future with no negative environmental result.
Power is available at the property edge (Picture 8 and Black Dragon would be responsible for all costs incurred in installing it to the property (Picture 8, yellow line = proposed power line, red dot = posts) This would involve the sinking of a power pole on the property to accept the Meter, Fortis is willing to speak more on the matter once a lease is in place.

**Picture 8**

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**5H Recycle / Waste Management:**

- Foodstuff and all garbage would be removed on a weekly basis and taken to the Glenmore landfill. To discourage wildlife relocating to the neutral area.
- Bottles, cans, cardboard etc. would be recycled.
- Drinking water would be brought in, bottled on a weekly basis.
- Port O Potties cleaned on a regular basis, as per recommendation of the leasing company
6 - CONCLUSION

6A The Future:

The Central Okanagan is missing out on a rare opportunity to bring these exciting and fast growing sports to the area. They are already here somewhat, but in a crude, undisciplined and unsupervised way. Black Dragon Action Sports staff have been involved in both Paintball and Airsoft for almost 4 decades in many aspects of both sports. As innovators, and pioneers in many groundbreaking changes to these sports they have helped make them safer and more enjoyable for the players.

Since the opening of the retail operation in June of 2016, there is rarely a day goes by without:

- A customer thanking the staff for opening a location here in Kelowna
- Customers asking when Black Dragon is opening a playing field so they can play an organized safe game, instead of chancing it, playing outlaw in orchards and forestry land.

Understandable the two sports are in the gray area of sports, you don’t whack something or kick something, but they are sports involving skill, thinking, exercise, and movement. The sports are not everybody’s cup of tea, but should that mean the ones who love and live to play these fun filled sports should have to suffer, with no place to engage in these activities? People are going to play Paintball & Airsoft, one way or another, this is the chance to have them played, safely, organized and make the experience all the more enjoyable for the players to want to continue playing. This is a hunting minded community, firearms are readily available, and here are two sports that do not use firearms, and yet teach safety and add knowledge of the proper use of firearms, while helping people exercise and enjoy the camaraderie of others.

To allow the location and use of this land to help grow these two sports, as well as draw in tourists, and give a place for active local players to play would be a boon for the area. The sports are basically video games outdoors, and live action versions of something most of the population enjoys on their phone, computer, or television.

This opportunity to use some land, that currently has no use, is not being used other than by firewood hunters and ATV 4x4s tearing it up, and put it to use, encouraging people to get out and run around the woods, in the breathtaking environment that is the Central Okanagan, to not allow this, would be a shame.

Christopher H Hamel
1927 Sports Inc DBA Black Dragon Action Sports
#106 – 2293 Leckie Road, Kelowna, BC, Canada
V1X 6Y5
C – 604-209-0890, W- 236-420-4480
TO:          Regional Board
FROM:        Ron Fralick
             Manager of Development Services
DATE:        April 18, 2017
SUBJECT:     Zoning Amendment Bylaw No. 871-239
             Application Z17/01 (L. & R. Archibald - owners)
             Lot 2, Plan 25075, Section 12, Township 23, ODYD
             3331 Marion Road (Central Okanagan East Electoral Area)
Voting Entitlement: Custom Vote – Electoral Areas, Kelowna Fringe Area – 1 Director, 1 Vote

Purpose:     To permit a secondary suite by rezoning the subject property from R1 Single
             Detached Housing to R1s Single Detached Housing (Secondary Suite).

Executive Summary:
The owners of Lot 2, Plan 25075, Section 12, Township 23, ODYD with a civic address of 3331
Marion Road wish to add a secondary suite attached by a breezeway to the existing single
detached house. The parcel is currently zoned R1 Single Detached Housing, which does not
permit a secondary suite. All technical requirements will be addressed in conjunction with the
zoning amendment and Building Permit process.

RECOMMENDATION:

THAT Zoning Amendment Bylaw No. 871-239 be given second and third readings;

AND FURTHER THAT Zoning Amendment Bylaw No. 871-239 be adopted.

Respectfully Submitted:

R. Fralick, MCIP, RPP
Manager of Development Services

Prepared by: Janelle Taylor, Planner 1

Approved for Board’s Consideration

Brian Reardon, CAO
Implications of Recommendation:

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

Policy: Approval of the zoning change complies with:
- Regional Growth Strategy Bylaw No. 1336, Policy No. 3.2.6.1 Preserve and enhance existing neighbourhoods through encouragement of a variety of housing types, densities, choices and affordability.
- Ellison Official Community Plan Bylaw No. 1124 policies.

Background:
Zoning Amendment Bylaw No. 871-239 received first reading March 9, 2017, and a Public Hearing was held on April 24, 2017, prior to the regular Board Meeting.

The property is not located within 800 metres of a Controlled Access Highway; therefore, Ministry of Transportation and Infrastructure approval of the bylaw after 3rd reading is not required under the Transportation Act.

Planning staff recommends that Zoning Amendment Bylaw No. 871-239 be given second and third readings and that the bylaw be adopted.

Alternative Recommendation:
Based on staff’s analysis of the application and feedback received to date, staff does not propose an alternative recommendation on this matter.

Considerations not applicable to this report:
- Legal/Statutory Authority
- Financial Considerations
- Organizational Issues

Attachment(s):
- Bylaw No. 871-239
WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871, 2000 under the provisions of the Local Government Act.

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

1. This bylaw may be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-239.

2. That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by changing the zoning on Lot 2, Section 12, Township, 23, ODYD, Plan 25075 as shown on Schedule ‘A’ attached to and forming part of this bylaw from R1 Single Detached Housing to R1s Single Detached Housing (Secondary Suite).

3. That the Regional District of Central Okanagan Zoning Bylaw map being Schedule ‘B’ of the bylaw be AMENDED to depict the change.

READ A FIRST TIME this 9th day of March 2017

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this day of ________________________________

READ A SECOND TIME this day of ________________________________

READ A THIRD TIME this day of ________________________________

ADOPTED this day of ________________________________

Chairperson Director of Corporate Services
I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-239 as read a third time by the Regional District of Central Okanagan the __________________ day of __________________

Dated at Kelowna, this _________ day of ________________________________

____________________________________________________________
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-239 which was Adopted by the Regional District of Central Okanagan on the ________ day of __________________

Dated at Kelowna, this _________ day of ________________________________

____________________________________________________________
Director of Corporate Services
I hereby certify this to be a true and correct copy of Schedule 'A' as described in Bylaw No. 871-239 and read a third time by the Regional District of Central Okanagan on the day of

Director of Corporate Services
TO: Regional Board  
FROM: Ron Fralick  
Manager of Development Services  
DATE: April 18, 2017  
SUBJECT: Zoning Amendment Bylaw No. 871-240  
Application Z17/02 (S. Humphreys & S. Butterworth c/o Rafter 4K Contracting)  
Lot 1, Plan KAP50084, Section 19, Township 24, ODYD  
5774 Deadpine Drive (Central Okanagan East Electoral Area)  
Voting Entitlement: Custom Vote – Electoral Areas, Kelowna Fringe Area – 1 Director, 1 Vote  

Purpose: To permit a secondary suite by rezoning the subject property from RU6 Small Holdings to RU6s Small Holdings (Secondary Suite).  

Executive Summary:  
The owners of Lot 1, Plan KAP50084, Section 19, Township 24, ODYD with a civic address of 5774 Deadpine Drive would like to add a secondary suite within an existing single detached house. The parcel is currently zoned RU6 Small Holdings, which does not permit a secondary suite. All technical requirements will be addressed in conjunction with the zoning amendment and Building Permit process.  

RECOMMENDATION:  
THAT Zoning Amendment Bylaw No. 871-240 be given second and third readings;  
AND FURTHER THAT Zoning Amendment Bylaw No. 871-240 be adopted.  

Respectfully Submitted:  
R. Fralick, MCIP, RPP  
Manager of Development Services  
Prepared by: Janelle Taylor, Planner 1  

Approved for Board’s Consideration  
Brian Reardon, CAO
Implications of Recommendation:

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

Policy: Approval of the zoning change complies with:
- Regional Growth Strategy Bylaw No. 1336, Policy No. 3.2.6.1 Preserve and enhance existing neighbourhoods through encouragement of a variety of housing types, densities, choices and affordability.
- Ellison Official Community Plan Bylaw No. 1124 policies.

Background:
Zoning Amendment Bylaw No. 871-240 received first reading March 9, 2017, and a Public Hearing was held on April 24, 2017, prior to the regular Board Meeting.

The property is not located within 800 metres of a Controlled Access Highway; therefore, Ministry of Transportation and Infrastructure approval of the bylaw after 3rd reading is not required under the Transportation Act.

Planning staff recommends that Zoning Amendment Bylaw No. 871-240 be given second and third readings and that the bylaw be adopted.

Alternative Recommendation:
Based on staff’s analysis of the application and feedback received to date, staff does not propose an alternative recommendation on this matter.

Considerations not applicable to this report:
- Legal/Statutory Authority
- Financial Considerations
- Organizational Issues

Attachment(s):
- Bylaw No. 871-240
WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871, 2000 under the provisions of the Local Government Act.

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

1. This bylaw may be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-240.

2. That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by changing the zoning on Lot 1, Section 19, Township, 24, ODYD, Plan KAP50084 as shown on Schedule ‘A’ attached to and forming part of this bylaw from RU6 Small Holdings to RU6s Small Holdings (Secondary Suite).

3. That the Regional District of Central Okanagan Zoning Bylaw map being Schedule ‘B’ of the bylaw be AMENDED to depict the change.

READ A FIRST TIME this 9th day of March 2017

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this day of __________________________

READ A SECOND TIME this day of __________________________

READ A THIRD TIME this day of __________________________

ADOPTED this day of __________________________

______________________________          ________________
Chairperson                     Director of Corporate Services
I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-240 as read a third time by the Regional District of Central Okanagan the _________________ day of _________________

Dated at Kelowna, this __________ day of _________________

___________________________________________
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-240 which was Adopted by the Regional District of Central Okanagan on the _________ day of _________________

Dated at Kelowna, this ___________ day of _________________

___________________________________________
Director of Corporate Services
I hereby certify this to be a true and correct copy of Schedule 'A' as described in Bylaw No. 871-240 and read a third time by the Regional District of Central Okanagan on the day of

Director of Corporate Services
TO: Regional Board

FROM: Ron Fralick
Manager of Development Services

DATE: April 18, 2017

SUBJECT: Zoning Amendment Bylaw No. 871-241
Application Z17/03 (W. & C. Bouwsema - owners)
Lot 1, Plan EPP16574, District Lot 1, ODYD
6105 Fathers Place (Central Okanagan East Electoral Area)

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

Purpose: To permit a secondary suite by rezoning the subject property from A1 Agricultural to A1s Agricultural (Secondary Suite).

Executive Summary:
The owners of Lot 1, Plan EPP16574, District Lot 1, ODYD with a civic address of 6105 Fathers Place wish to add a secondary suite within the existing single detached house. The parcel is currently zoned A1 Agricultural, which does not permit a secondary suite. All technical requirements will be addressed in conjunction with the zoning amendment and Building Permit process.

RECOMMENDATION:
THAT Zoning Amendment Bylaw No. 871-241 be given second and third readings;

AND FURTHER THAT Zoning Amendment Bylaw No. 871-241 be adopted.

Respectfully Submitted:
R. Fralick, MCIP, RPP
Manager of Development Services

Approved for Board’s Consideration

Brian Reardon, CAO
Implications of Recommendation:

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

Policy: Approval of the zoning change complies with:
- Regional Growth Strategy Bylaw No. 1336, Policy No. 3.2.6.1 Preserve and enhance existing neighbourhoods through encouragement of a variety of housing types, densities, choices and affordability.
- Ellison Official Community Plan Bylaw No. 1124 policies.

Background:

Zoning Amendment Bylaw No. 871-241 received first reading March 9, 2017, and a Public Hearing was held on April 24, 2017, prior to the regular Board Meeting.

The property is not located within 800 metres of a Controlled Access Highway; therefore, Ministry of Transportation and Infrastructure approval of the bylaw after 3rd reading is not required under the Transportation Act.

Planning staff recommends that Zoning Amendment Bylaw No. 871-241 be given second and third readings and that the bylaw be adopted.

Alternative Recommendation:

Based on staff's analysis of the application and feedback received to date, staff does not propose an alternative recommendation on this matter.

Considerations not applicable to this report:
- Legal/Statutory Authority
- Financial Considerations
- Organizational Issues

Attachment(s):
- Bylaw No. 871-241
WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871, 2000 under the provisions of the Local Government Act.

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

1. This bylaw may be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-241.

2. That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by changing the zoning on Lot 1, District Lot 1, ODYD, Plan EPP16574 as shown on Schedule ‘A’ attached to and forming part of this bylaw from A1 Agricultural to A1s Agricultural (Secondary Suite).

3. That the Regional District of Central Okanagan Zoning Bylaw map being Schedule ‘B’ of the bylaw be AMENDED to depict the change.

READ A FIRST TIME this 9th day of March 2017

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this day of

READ A SECOND TIME this day of

READ A THIRD TIME this day of

ADOPTED this day of

Chairperson

Director of Corporate Services
I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-241 as read a third time by the Regional District of Central Okanagan the _______________ day of _______________

Dated at Kelowna, this __________ day of _______________

________________________________________
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-241 which was Adopted by the Regional District of Central Okanagan on the __________ day of _______________

Dated at Kelowna, this __________ day of _______________

________________________________________
Director of Corporate Services
I hereby certify this to be a true and correct copy of Schedule 'A' as described in Bylaw No. 871-241 and read a third time by the Regional District of Central Okanagan on the day of

Director of Corporate Services