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**Okanagan Reservoir Lakes Lease Lots Steering Committee  
Results and Future Considerations  
October 16<sup>th</sup> 2007**

**1.0 Introduction**

This document summarizes the results and conclusions of the Okanagan Reservoir Lakes Lease Lots Steering Committee initiative. It includes a brief background on the Committee, including the highlights from its work, and the conditions developed through the committee's deliberations that the Integrated Land Management Bureau will apply to any future sales of lease lots on the relevant lakes. It also provides an outline of the process that is anticipated to be followed to implement the conditions. Additional information related to the steering committee, such as the consultant reports prepared for it and the minutes of its meetings can be obtained from ILMB in Kamloops (contact Caryn Stroh, caryn.stroh@gov.bc.ca).

**2.0 Background**

The Okanagan Reservoir Lakes Lease Lots Steering Committee was convened in March of 2006 to provide a forum for discussion between the Integrated Land Management Bureau and key interested parties with respect to the potential sale of recreational lease lots on high elevation reservoir lakes in the Okanagan. The committee included representation of the three Regional Districts (CORD, OSRD, NORD), the Water Supply Association of BC, the Interior Health Authority, the Cottage Lot Owners Association and the Integrated Land Management Bureau. The Steering Committee met 11 times between March of 2006 and October of 2007. In addition, the committee undertook multiple field trips to the different reservoir lakes to view the actual properties and the range of different physical circumstances they are situated within. A total of 20 reservoir lakes and 163 properties were considered by the committee (see attached list).

Highlights from the Steering Committees work include:

- Agreement on a Discussion Framework that set the context for the discussions and included:
  - a menu of options for how the risks to water quality and quantity associated with the use and occupancy and potential sale of the lots could be managed and
  - potential strategies to reduce water quality and quantity risks from other sources that could be linked to the sales if they were to occur. (Framework is attached)
- Agreement on a vision for the lakes that they remain in the semi-wilderness state that currently exists.
- Agreement on a draft Cottage Lot and Conservation Land bylaw for CORD that will (once it is passed) limit development activity, including building size, in keeping with the vision. This bylaw is relevant regardless of whether or not the leases are sold, as the existing leases can and are being developed leading possibly to development patterns that are inconsistent with the vision.
- Exploration of potential applications of the options in the Discussion Framework to specific lake complexes. For example, the committee has explored an option in the McCullough complex that includes:
  - establishment of a land reserve to limit further development around the lake;
  - establishment of a regional park to increase recreational management capacity on and around the lake;

- moving two lots that are close to the shore with ground water just beneath the surface during high water;
- construction of strategic fencing near the lake to reduce cattle access to the lakes; and,
- implementation of the proposed rural cottage lot and conservation land zoning bylaw.
- Completion of a study by Summit Environmental Consultants Ltd. (Vernon BC) of the range of risks associated with the use, occupancy and development of the recreational lots and potential mechanisms that can be used to manage and reduce those risks.
- Completion of an overview study by Oland Engineering Ltd. (Lake Country BC) of the potential to locate sustainable septic disposal systems on the lots (the majority have pit privies at the present time).
- Discussion of a practical set of conditions arising from all the work of the committee that ILMB will adhere to when it considers the sale of any of the lots. These conditions are set out below.

### **3.0 CONDITIONS/CONSIDERATIONS in the Sale of Lease Lots.**

The following conditions will apply to the consideration of sales of the lease lots on the high elevation reservoir lakes in the Okanagan. These conditions will apply over and above any conditions that may arise through the normal referral process which addresses the full scope of public interests and any potential implications for the interests of First Nations.

1. Lots may be relocated in the vicinity of the same lake and/or expanded as needed to reduce risk to water quality and to maintain options for future expansion of the reservoir lake capacity. Boundary adjustments or relocations will be developed through Conditions 2 or 4 (below) either by ILMB or as a proposal from the leaseholder.
2. Lots that limit realistic reservoir expansion options will not be sold unless the boundaries are adjusted to eliminate the limitation.
3. Lots that are sold will have a building site that complies with the Riparian Areas Regulation, applicable Building Code, and sewage regulations.
4. Lots will only be sold if:
  - a. there is a plan for sustainable type 1 septic disposal system certified by a qualified professional (including an alternate field location in the event of field failure) in keeping with the spirit and intent of the subdivision guidelines; or,
  - b. there is a plan certified by a qualified professional for a septic disposal system that will service multiple dwellings with a plan to develop and maintain the system that is acceptable to the Interior Health Authority; and
  - c. existing sources of potential contamination identified by the qualified professional used in Conditions 4a or 4b (above) (e.g. a pit privy located too close to the lake) are addressed (e.g. problem pit privy is moved).
5. ILMB will support local government zoning around the reservoir lakes in keeping with the results of the steering committee discussions (e.g. draft Cottage Lot & Conservation Land Bylaw) including communicating that support to the relevant provincial agency decision makers.



6. ILMB will place a Land Act Reserve (100m to 250m wide) around lakes to the foreshore where lots are sold to limit further development and enhance protection of the watershed area.
7. ILMB will support Local Government applications for management tenures and other management mechanisms to increase local government capacity to protect water quality (e.g. a works permit to undertake stewardship activities like clean up of debris or vegetation management, a watershed protection service area, or the provision of a lease/licence to establish a regional park).
8. ILMB will invest in, as an inventory development cost, practical strategies that will reduce risks to water quality from other users and sources, e.g. fencing to keep cows out of the reservoirs, recreation management.
9. ILMB will place a covenant on the title of lots to be sold in favour of the local water purveyor or relevant local government, to secure commitment to sustainable management as articulated in the draft Cottage Lots bylaw and to ensure sustainable sewage disposal. If the purveyor is ever privatized, the covenant will revert to the relevant regional district or municipality.
10. ILMB will include applicable water purveyors in the referral process for any lots considered for sale.

#### **4.0 Implementation Process STEPS**

The following steps are anticipated to be taken in considering lease lots sales in order to implement the conditions set out above.

1. Lease lot owners will be notified of the conditions for consideration of sale, be updated on the results of the process described above, and asked to indicate their interest in purchasing.
2. ILMB will initiate an assessment and the actions required of the property related to *Condition 2* (reservoir expansion), *Condition 3* (RAR) and *Condition 9* (covenants).
3. Subject to the results of *Step 1* (above), ILMB and/or the lot owners will initiate the assessment and the actions required as defined in *Condition 4* (Septic Disposal System).
4. ILMB will assemble a referral package that will include the information arising from *Steps 2 and 3* and circulate the referral package to relevant provincial agencies, local governments, First Nations, the Water Purveyors, and other relevant agencies as per the normal referral process.
5. Once the referral process is complete and obligations to First Nations have been met, ILMB will engage in negotiations with the lease holder on a price for the sale of the property.
6. In conjunction with the referral process, ILMB will coordinate meetings with local government, purveyors and other interested parties to determine how best to implement *Condition 6* (land reserve), *Condition 7* (local government tenure), and *Condition 8* (other risk strategies).
7. If the sale is going to proceed, ILMB will implement the results of discussions related to conditions 6, 7, and 8.

	<b>Cabin descriptions</b>
1. Bouleau	13 lease lots not including an institutional lease (church camp); one close to lake others setback to 20m, not a reservoir lake, Downstream licenses
2. Lambly/Bear	Commercial resort
3. Jackpine	Commercial resort 50 m from lake
4. Rous	1 lease lot, not a reservoir lake; considered only for zoning purposes
5. Petersen	3 lease lots, not a reservoir lake; considered only for zoning purposes
6. MacDonald	1 lease lot, not a reservoir lake; considered only for zoning purposes
7. Headwaters (3 lakes)	41 lease lots including 1 commercial lodge, majority of cabins are setback but some are close to shore some septic fields
8. Crescent	1 lease lot, setback 30m from lake, considered only for zoning purposes
9. Whitehead	1 lease lot, setback beyond road; considered only for zoning purposes
10. Glen Lake	4 lease lots, one close to lake others set back or down main road
11. Silver Lake	7 lease lots, various setbacks 20+m from lake, Commercial resort on private land
12. Minnow	3 lease lots, 20m+ from lake
13. Finlay Creek	1 or 2 recreational lease lots at Eneas Creek, not addressed or investigated; considered only for zoning purposes
14. Chute Lake	14 lease lots; most cabins set back beyond the KVR
15. Pear Lake	4 lease lots. Drains south, not a reservoir lake, used to be pumped into reservoir system
16. Haynes	2 lease lots setback 30m to 40m from lake with road between cabins and lake.
17. Hydraulic (McCulloch)	2 lease lots at the lakeshore. Commercial resort on private land.
18. Fish Lake	6 lease lots; 4 20+ ft setback, 2 cabins 120+ ft setback, large lots, all buildings setback from the lake
19. Browne	9 lease lots; setback more than 15m from lake with road between lake and lots
20. Postill	Commercial Resort with 15 cabins
21. Green (Twin)	1 cabin associated with Postill Lake Resort; considered only for zoning purposes
22. Beaver (Swalwell)	26 lease lots plus 1 commercial resort, 6 within 30 ft of lakeshore, most setback 100 to 300 ft. some septic fields, resort with septic field
23. Crooked	15 lease lots, most setback 100 to 150 ft., 1 septic field
24. Dee	49 acre Commercial resort with approx 30 cabins at the lakeshore; septic system
25. Oyama	14 lease lots including 1 commercial resort; most cabins setback 15m + from lake.
26. Loch Long	1 lease lot, not addressed or investigated in consultant studies; considered only for zoning purposes

OKANAGAN RESERVOIR LAKES PROJECT



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Legend  
 Regional Districts - Outlined  
 Indian Reserves  
 PROJECT LAKES



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**Discussion Framework  
Okanagan Reservoir Lakes Lease Lots  
September 5<sup>th</sup>, 2006  
Final**

This framework identifies potential strategies to reduce the risks to water quality on reservoir lakes in the Okanagan where there may be sales of recreational leases that could also pose a risk to water quality. Some of the strategies relate directly to the lots themselves while others address alternate risk sources. The purpose of the discussions and negotiations is to identify ways and means to reduce the risk to water quality now and in the future should any sales proceed. A number of the strategies can be implemented irrespective of any sales and the discussions are therefore also serving to help identify these as potential actions that can improve the prospects for maintaining water quality into the future. The identification of a set of strategies that would (in the opinion of the participants) be acceptable to mitigate against any future sales of lease lots does not constitute a decision by the Province to sell any lots, and it does not fulfill all the requirements for assessment and consultation that the Province would incorporate into the consideration of such sales (e.g. consultation with First Nations). An acceptable set of mitigating strategies for a particular lake and lot(s) would constitute the basis upon which the Province would consider sale of the lots and proceed with the necessary assessment and consultation.

**1. Lot Specific Strategies**

- a. Waste water management
  - i. Expand parcel size to 1 ha or greater or provide additional lands for the purposes of waste water disposal (septic fields) in the event that pressurized water is introduced to cabins which would necessitate waste water treatment.
  - ii. Limit use of septic fields by requiring composting toilets, or other low impact technologies.
  - iii. Integrate properties into strata's (or other arrangements) with single treatment systems.
- b. Relocate or realign the parcel boundaries to reduce risks to water quality and riparian area and to facilitate waste water treatment.
- c. Limit building size or use patterns to reduce demand for waste water treatment and maintain rustic/wilderness atmosphere at lakes (see Regional District Zoning below).
- d. Establish riparian management guidelines for waterfront properties.
- e. Keep houses within families or provide first right of refusal to irrigation districts to purchase properties.
- f. Ensure reservoir management and expansion options are maintained.
- g. Do not proceed with sales.
- h. Cancel leases with a long period of notice and provincial compensation to the tenants (e.g. free rent period)

**2. Regional District and Crown Land Zoning**

- a. Parcel and housing zoning to limit parcel size, frontage, setbacks, coverage, # and height of buildings etc.

- b. Conservation land zoning to limit further development outside of existing parcels and provide direction for recreation management including location of infrastructure.
  - c. Commercial recreation zoning to provide direction to the type and extent of commercial recreation development.
  - d. Regional Park establishment to enhance recreation management.
  - e. Land reserve zoning to eliminate further alienation of crown lands around lakes.
  - f. Amendments to the LRMP to provide further direction to other resource users – e.g. forestry and range to reduce potential impacts.
3. Recreation Management Strategies
- a. Limit types and location of water based recreation
  - b. Eliminating or reducing wilderness type camping in favor of designated sites with appropriate infrastructure.
  - c. Limiting the size and type of outboard motors (e.g. electric, 4 stroke).
4. Cattle Management Strategies
- a. Provision of funds for fencing in strategic locations to reduce impacts from cattle access to the lakes and direct tributary streams (note requires maintenance commitment)
  - b. Providing direction to grazing management plans to reduce cattle numbers around and in the lakes.
  - c. Provision of funds for construction of water sources removed from the lakes and or tributary streams as an alternative water source for cattle (note requires a water license).
  - d. Realigning range tenures to establish a buffer around the lakes.
  - e. Establish other arrangements with licensees to reduce potential impacts.
5. Forestry Management Strategies
- a. Providing planning direction (by way of LRMP amendment or other means) to reduce the potential impact of forest development on the lake.
  - b. Establish other arrangements with licensees to reduce potential impacts.
6. Mining Management Strategies
- a. Make application for a Mineral Claim Registration Reserve on the reservoir lakes including a buffer around them.
7. Water Quality Management and Protection Strategies
- a. Provision of resources to undertake risk assessments and management plans in support of source water protection from all potential risk factors
  - b. Provision of resources to develop treatment facilities and to separate domestic and agricultural water.