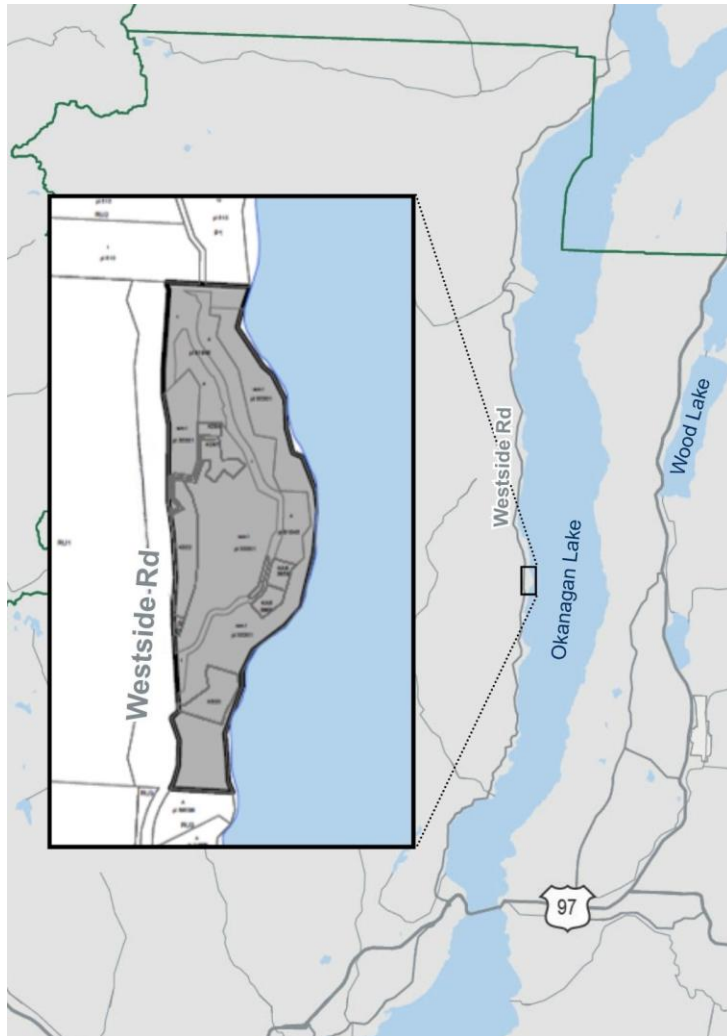


Lake Okanagan Resort information bulletin

The Regional District of Central Okanagan (RDCO) has received a significant number of inquiries about redeveloping lands at Lake Okanagan Resort (LOR), including legal parcels:



- Lot 1, DL 3547, ODYD, Plan 30301, Except Plans 32216, KAP61751 & KAP89299
- Lot 4 and an undivided 220/268 Share in Lot 1, DL 3547, ODYD, Plan KAP91945
- Lot A, DL 3547, ODYD Plan EPP141101, and an undivided 24/268 share in Lot 1, DL 3547, ODYD, KAP91945
- Common Property Strata Plan KAS3867 & Strata Lots 1-24, and an undivided 24/268 share in Lot 1, DL 3547, ODYD, Strata Plan KAS3867
- Common Property Strata Plan KAS294 & Strata Lots 1-12, DL 3547, ODYD, Strata Plan K294
- Common Property Strata Plan KAS287 & Strata Lots 1-18, DL 3547, ODYD, Strata Plan K287
- Common Property Strata Plan KAS520 & Strata Lots 1-99, DL 3547, ODYD, Strata Plan K520
- Common Property Strata Plan KAS322 & Strata Lots 1-22, DL 3547, ODYD, Strata Plan K322
- Common Property Strata Plan KAS316 & Strata Lots 1-18, DL 3547, ODYD, Strata Plan K316

Purpose and limitations of this bulletin

This bulletin is provided for general informational purposes only and summarizes certain RDCO development requirements and known considerations for the LOR site. It does not constitute approval, authorization, confirmation, representation, warranty, advice, or a commitment by the RDCO regarding any existing or future development proposal. This bulletin is not a substitute for legal, technical, engineering, environmental, surveying, or other professional advice, nor does it replace the requirements of external agencies or applicable legislation.

The information contained in this bulletin is not confirmation that any parcel, strata lot, common property area, building site, servicing corridor, access route, utility location, or other lands or infrastructure are legally, technically, environmentally, physically, or economically capable of redevelopment or development. Any person or entity proposing development is solely responsible for conducting its own due diligence and obtaining all necessary professional advice, approvals, permits, authorizations, and confirmations. The RDCO assumes no responsibility or liability for any reliance placed on the information contained in this bulletin, and nothing in this bulletin creates or gives rise to any obligation, duty of care, or reasonable expectation of reliance on the part of the RDCO in relation to any development or redevelopment of the site.



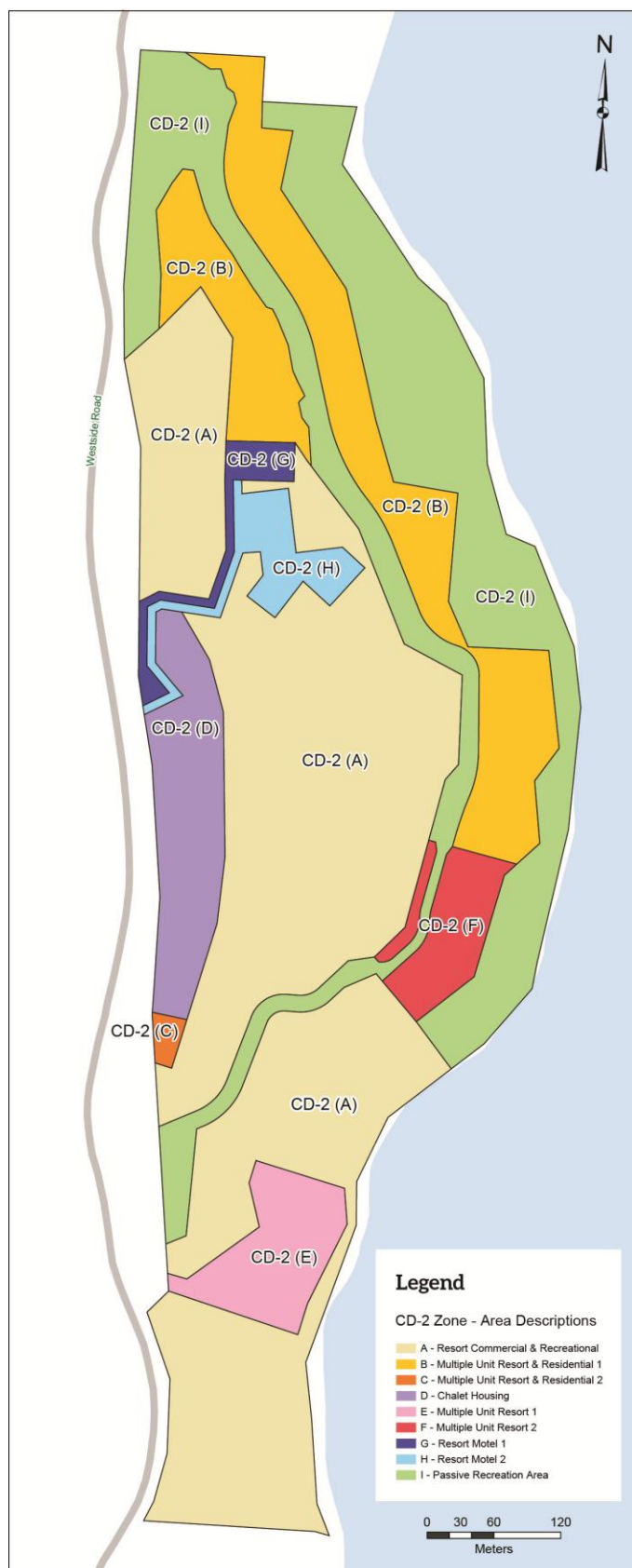
Background

In 2023, the McDougall Creek wildfire significantly damaged buildings and infrastructure at LOR. Since then, access has been restricted for public safety. The site is not considered suitable for occupancy or redevelopment until applicable servicing, access, life-safety, technical assessments, legal authority, hazard mitigation, environmental, archaeological and external agency approval requirements have been addressed.

LOR lands consist of multiple individual parcels, several strata corporations and a significant number of owners.

Key constraints

Known considerations include, but are not limited to: servicing such as water, wastewater and power, fire access and emergency response, legal encumbrances and development rights, BC Building Code and life-safety requirements, natural hazards and floodplain considerations, environmental protection and Development Permit Areas, and archaeological sites and heritage requirements.



Zoning

Future development must meet regulations of the CD-2 zone in [Zoning Bylaw No. 871](#). The purpose of the zone is to provide for the comprehensive development of a residential and commercial resort community.

The CD-2 zone is divided into nine area designations. Permitted uses and maximum densities vary by area. See CD-2 Zone map (left) for an overview.

Rural Westside Official Community Plan

The LOR site is identified in the [Rural Westside Official Community Plan | Bylaw No. 1274](#) as a resort development and within a Commercial Resort future land use area.

Development Permit Areas

Development Permit Areas (DPAs) protect development from hazardous conditions in the environment, protect the natural environment, its ecosystems and biodiversity, or establish objectives for form and character.

Several DPAs apply to LOR lands and development permits may be required before development or site disturbance can occur.

Environmental DPAs

LOR lands include environmental DPAs including:

- sensitive aquatic ecosystem
- sensitive terrestrial ecosystem
- hillside
- wildfire interface

Development permits may be required in these DPAs. Application requirements would include reports from qualified professionals to assess items such as floodplains, slope stability, post-wildfire debris flow, drainage, erosion, stormwater, geotechnical, hydrogeological and wildfire interface.

Form and Character DPAs

Resort Commercial Development Permit Area guidelines apply, which address site layout, building form, visual impacts and compatibility with the surrounding area. A Form and Character development permit will be required. Application requirements would include a detailed site plan, proposed utility locations, strata and encumbrance information, character sketches, building drawings and elevations, landscape context and a landscape plan.

Building bylaw

Future development must meet the BC Building Code in effect at the time of application as administered through [Building | Bylaw No. 1482](#). Larger or more complex buildings may require professional design, including architectural, fire protection and life-safety systems, depending on the proposed use and building design.

Infrastructure servicing

The RDCO understands that Lake Okanagan Resort (2013) Ltd./Lake Okanagan Resort Development Ltd. is responsible for the private community water and wastewater systems serving the site. These systems are not currently functioning and re-establishing infrastructure will require coordination among the private utility, owners and applicable regulatory agencies. There is no RDCO community water or wastewater system available as an alternative.

Before a building permit application can be accepted, applicants must provide the RDCO with written confirmation from the applicable authorities that adequate power, water and wastewater servicing has been authorized. This may require qualified professionals to identify regulatory requirements, design and commission infrastructure and obtain authorizations from the applicable authorities, which may include Interior Health, Ministry of Environment and Parks, Ministry of Water, Land and Resource Stewardship, BC Hydro and/or other applicable agencies.

Any proposed power, water and wastewater, fire protection or other servicing solution must be supported by appropriate technical design, legal authority, ownership or access rights and approvals from the applicable regulatory authority. Conceptual servicing options, preliminary discussions or non-binding agency comments do not constitute approval and are not acceptable confirmation that servicing is achievable, affordable, legally available or sufficient to support development or occupancy.

Permission to occupy a building would not be granted by the RDCO until all required services are constructed, installed, complete, tested and supported by final written approval from each applicable approving authority.

Fire access and emergency response

Future proposals must demonstrate adequate emergency access, fire department access routes, site grades, turning movements, minimum access widths, clearances and water supply for firefighting, as applicable to the proposed development and the BC Building Code in effect at the time of application.

BC Building Code and life safety

Proposed redevelopment will be considered new construction and must comply with the BC Building Code in effect at the time of application. Fire department capacity, response time, site access, water supply for firefighting, egress, accessibility, professional design requirements and site-specific hazard conditions may affect acceptable building design, including exit requirements for multi-storey development.

Private legal interests and encumbrances

All legal encumbrances and private interests affecting parcels, strata lots, common property, access routes, servicing corridors, utility locations, or adjacent lands must be identified and reviewed by the applicant and all relevant interest holders. This includes, but is not limited to, covenants, statutory rights of way, utility easements, access easements, restrictive covenants, building schemes, strata bylaws and governance documents, private agreements, utility rights, and any charges, interests, or encumbrances registered on title.

Where a proposed development, access arrangement, or servicing solution relies on lands, infrastructure, easements, rights of way, common property, utility corridors, or other interests that are not solely owned and controlled by the applicant, the RDCO requires written confirmation from a qualified registered professional, acting within their area of expertise, that all relevant private property rights, legal interests, ownership issues, authorizations, consents, agreements, easements, strata approvals, and other legal requirements necessary to implement the proposal have been identified and addressed. Where additional legal instruments, amendments, consents, discharges, agreements, or approvals are required, the confirmation must identify those requirements and confirm that they will be obtained and completed before the application proceeds or development occurs.

The issuance, consideration, or review of a Development Permit by the RDCO does not create, confer, interpret, validate, extinguish, override, or resolve private legal rights or interests. The RDCO does not determine ownership, adjudicate disputes between private parties, interpret contractual, easement, covenant, or strata governance rights and obligations, or confirm that a proposed access, servicing, utility, or development arrangement is legally available to, or authorized by, the applicant. Responsibility for obtaining and securing all necessary private rights, permissions, and legal interests rests solely with the applicant.

Natural hazards

The [Post-Wildfire Natural Hazards Risk Analysis of the 2023 McDougall Creek Wildfire](#) report identifies a high-risk area near LOR and includes mitigation recommendations. Where development is proposed within an identified hazard area, further professional assessment and risk mitigation may be required before approvals can proceed.

Archaeological sites

Archaeological sites are protected under the [Heritage Conservation Act](#) and must not be altered or damaged without a permit from the Province of British Columbia's Archaeology Branch. If an archaeological site is in or near a proposed development area, an archaeological impact assessment, exemption confirmation, heritage inspection permit or alteration permit may be required before work proceeds.

Application completeness and sequencing

A development permit application must provide sufficient information to assess the proposal. RDCO may require additional information, revised plans, professional reports, legal documentation, agency confirmation or other materials before an application can be considered complete and processed for consideration. Application submission does not guarantee approval. Depending on the proposed development, RDCO approvals may need to be sequenced with approvals from external agencies.

Due diligence responsibility

This bulletin is provided by the RDCO for general information purposes only and does not constitute legal, planning, surveying, engineering, real estate, or other professional advice. It is not a complete review of all requirements, restrictions, interests, rights, or conditions that may apply to any parcel, strata lot, common property, access route, servicing corridor, or proposed development within or associated with LOR.

The RDCO does not conduct due diligence on behalf of owners, applicants, realtors, prospective purchasers, or any other party. Any review, comment, acceptance, permit, approval, authorization, or acknowledgment issued by the RDCO is limited to the matters within the RDCO's jurisdiction and should not be relied upon as confirmation of the suitability, legality, accuracy, completeness, quality, or sufficiency of a property, development proposal, servicing arrangement, access right, title interest, strata authority, legal encumbrance, or any professional report, study, certification, opinion, or information prepared or supplied by others.

The RDCO makes no representation, warranty, or guarantee regarding the accuracy, completeness, reliability, availability, or sufficiency of any private servicing system, access right, utility corridor, title interest, strata authorization, legal encumbrance, professional report, third-party information, or approval issued by another authority having jurisdiction.

Each owner, applicant, realtor, prospective purchaser, and other interested party is solely responsible for conducting and relying upon their own independent due diligence and for obtaining such legal, technical, professional, and other advice as may be necessary in the circumstances.

Summary

Given the number of ownership interests, strata interests, private utility considerations, technical assessments, legal encumbrances and external agency approvals that may be involved, redevelopment will be complex and will require significant coordination before any RDCO permit can be issued.

Before contacting RDCO

Please have the specific civic address, PID, legal description, strata plan/lot number, owner authorization if acting on behalf of an owner or strata corporation and any available title, strata, servicing, access or professional information available.

All inquiries for Lake Okanagan Resort should be directed to:

RDCO Development and Engineering Services

Phone: 250-469-6227

Email: planning@rdco.com