



May 12, 2023

Carla Eaton, Senior Planner
City of West Kelowna
2760 Cameron Road
West Kelowna BC V1Z 2T6

Dear Carla,

Re: City of West Kelowna Draft Official Community Plan 2020-2040

Thank you for providing an opportunity for the Archaeology Branch to review the City of West Kelowna's draft OCP 2020-2040, dated January 30, 2023.

Archaeological site management is mentioned in Section 3.6.2 – Heritage and Archaeology. The Archaeology Branch recommends that OCPs include a short explanation of archaeological site protection and management to help property owners and developers understand their responsibilities and address archaeological issues as early as possible in the development planning process.

We recommend that the OCP address the following points as a discrete section or as a subsection within Section 3.6.2:

- Archaeological sites are protected under the [Heritage Conservation Act](#) (HCA).
- Protected archaeological sites cannot be altered or disturbed without a permit issued by the BC Archaeology Branch.
- The City of West Kelowna will review proposed developments to identify conflicts with protected archaeological sites by accessing the [Remote Access to Archaeological Data \(RAAD\)](#) system.
- If a conflict is identified, the City of West Kelowna will advise the proponent to seek the services of a professional consulting archaeologist to determine an appropriate course of action.
- Early identification of potential conflicts with protected archaeological sites can reduce unintended contraventions of the HCA, development delays, and negative impacts to cultural heritage resources of significance to the community.

For your reference, I have attached a document titled [Addressing Archaeology in an Official Community Plan](#), which provides more detailed guidance and suggested wording.

Item 4 in Section 3.6.2.2 outlines the goal of increasing public awareness of West Kelowna's history. Please note that archaeological site locations are considered confidential due to the risk of looting and disturbance to human remains and should not be shared publicly.

Finally, the City of West Kelowna may wish to consider undertaking an [Archaeological Overview Assessment](#) (AOA) study for your municipality if one does not currently exist. An AOA is a review of an area by a professional archaeologist to map out zones of archaeological potential based on existing knowledge of archaeological site locations, landforms, past land use, and other information. An AOA can provide a tool for identifying areas with the potential to contain archaeological sites that have not previously been recorded. Because they do not show the precise locations of known sites, archaeological potential maps can be shared in public documents, including OCPs, as a reference for property owners, developers, and local government staff.

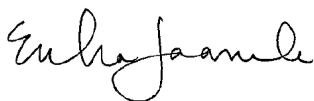
The Archaeology Branch website provides further [guidance and tools on archaeological resource management for local governments](#), including an Archaeological Resource Management Handbook for Local Governments; a template letter for notifying developers and landowners when archaeological concerns have been identified; and an information brochure for property owners.

Local government staff working in land use planning can request access to the Remote Access to Archaeological Data (RAAD) online GIS application for the purposes of reviewing development proposals. The process for accessing RAAD is explained [here](#).

Please note that this advice pertains to the management of archaeological sites. For guidance about incorporating management of other heritage places into the OCP and local government policies, please consult the information for local governments provided by the [provincial Heritage Branch](#) and [Heritage BC](#).

Thank you for the opportunity to review the City of West Kelowna's draft OCP. Please contact the Archaeology Branch at archpolicy.engagement@gov.bc.ca if you require further information.

Regards,



Erika Laanela
Policy and Engagement Advisor, Archaeology Branch



Addressing Archaeology in an Official Community Plan

Archaeology Branch, Province of B.C.

The BC Archaeology Branch (Archaeology Branch) recommends that Official Community Plans (OCPs) include archaeological site management to help land owners and developers understand their responsibilities surrounding provincially protected archaeological sites. By raising the profile of archaeological site management within OCPs, you can help alert people to archaeological issues at the earliest stages of development planning. Awareness helps to avoid or reduce damage to archaeological sites in the future. Early knowledge of archaeological issues also reduces the potential for increased development costs and delays, and conflict within the community. Finally, local governments may lessen legal risks when considering all available information.

The Archaeology Branch recommends that OCP content relating to archaeology be organized into three subsections: an introductory statement, objectives, and policies. Suggested wording for each of these subsections is included below. These are examples to aid local governments and advise proponents of their statutory requirements under the *Heritage Conservation Act* (HCA). The Archaeology Branch recommends that the local government seeks legal advice to ensure accuracy prior to the formal OCP referral stage.

A note about maps: local governments can obtain spatial data for archaeological sites and archaeological potential by submitting an [archaeological information request](#) to the Archaeology Branch, or by accessing the [Remote Access to Archaeological Data](#) (RAAD) application. However, ***archaeological site locations are not allowed in the public domain and must not be revealed in OCPs.*** To ensure that archaeological sites are discretely captured in OCP maps without revealing their sensitive locations, archaeological sites should be buffered by 50 m and included on maps along with areas of archaeological potential, so that there is no distinction between an archaeological site and an area of archaeological potential.

Please contact the Archaeology Branch at 250-953-3334 for more detailed guidance before including any archaeological data in OCP maps.

Introductory Statements

Many OCPs provide an introduction to a discrete section on heritage or archaeology. Below are some examples of concepts to include in the OCP introductory statement.

Table 1: Introduction

Recommendation	Suggested Wording
<i>All OCPs should contain a statement alerting the public to the existence of archaeological sites and the protection afforded under the Heritage Conservation Act.</i>	<p>Part of the plan area's heritage includes archaeological sites—the physical evidence of how and where people lived in the past. For 98% of the time people have lived in this area, no written records were made. Archaeological sites and oral tradition are the only vestiges of this rich history extending back many thousands of years.</p> <p>As of (date this was written), the OCP plan area contains more than XX recorded archaeological sites and has the potential to contain more. The Province protects these sites, whether known or as-yet unrecorded, through the <i>Heritage Conservation Act</i>. This protection applies to both private and Crown land and means that any person wishing to undertake any land-altering activities must have a provincial heritage permit to alter or develop within an archaeological site.</p> <p>Reference: Archeology Permits website, Archaeology Branch, Province of BC</p>
<i>If archaeological potential mapping is available, consider including it in the OCP.</i>	<p>Archaeological site locations are not identified in this plan due to their sensitive nature.</p> <p>However, archaeological potential mapping is included in Appendix XX. Areas that fall within the red zones have significant potential to contain unknown archaeological sites that are protected under the <i>Heritage Conservation Act</i>. Note that protected archaeological sites may exist outside of the modelled potential areas.</p>

Objectives

We recommend the OCP contains objectives that describe what the local government plans to accomplish by addressing archaeological issues related to development.

Table 2: Objectives

Recommendation	Suggested Wording
Consider including these general objectives in the OCP	<ul style="list-style-type: none">• To raise public awareness about the nature and value of archaeological sites and their protection under the provisions of the <i>Heritage Conservation Act</i>.• To ensure that property owners and developers are aware of their responsibilities under the <i>Heritage Conservation Act</i> when conducting land-altering activities.• To follow the intent of the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDRIP), federal, and provincial commitments, and enhance (local government)'s relationship with Indigenous populations, through sound land-use decisions.• To avoid unauthorized damage to protected archaeological sites in accordance with the <i>Heritage Conservation Act</i>.• To encourage protection of archaeological sites.

Policies

The policies of the OCP will depend on how archaeological issues have been incorporated into the planning and development approval processes. The Archaeology Branch recommends the following basic review process. Note that this process can be modified to suit existing development approval processes:

1. When a local government receives an application that involves land-altering activities, **check for overlaps with archaeological sites and areas of archaeological potential** using the [Remote Access to Archaeological Data](#) (RAAD) application. RAAD is not publicly accessible, but local governments are authorized and strongly encouraged to use it. Some Indigenous communities may also share areas of concern with local governments, to support land-use decisions.
2. If Step 1 identifies an overlap, **notify the applicant** using either the [notification letter](#) developed by the Archaeology Branch, or a type of notification developed by the local government. The Province's notification letter indicates whether the proponent needs to engage a professional consulting archaeologist to determine whether further archaeological studies or permitting are required prior to development. If developing a different notification method, the Archaeology Branch recommends the wording is consistent with archaeological resource management language and process and provincial legislation as per the Province's suggested notification letter.
3. The approval process depends upon the policies, procedures, and bylaws of each local government. Some local governments withhold development approval until the applicant provides assurance that all Provincial permitting requirements have been addressed; other local governments proceed with the development approval process with the expectation that the proponent will contact the Archaeology Branch as directed in the notification letter and will adhere to all Provincial requirements.

By describing the archaeological review process in the OCP, property owners and developers can know what to expect, anticipate timelines for obtaining archaeological information and appropriate authorizations, and can plan for archaeological issues as early as possible when planning the development.

Table 3: Policies

Recommendation	Suggested Wording
<i>Include procedures that describe how the local government will identify archaeological issues related to proposed development.</i>	<ul style="list-style-type: none"> Upon receipt of a development application, planning staff will review the proposed area for overlaps with known and protected archaeological sites. In addition to known archaeological sites, planning staff will use archaeological potential mapping to identify areas that have the potential for as-yet unrecorded, but protected archaeological sites. Archaeological potential mapping is included in Appendix XX.
<i>Include procedures that describe how applicants will be notified of archaeological issues.</i>	<ul style="list-style-type: none"> Development permit applicants will be notified if the subject property overlaps with an area of archaeological concern. The applicant will be directed to engage a professional consulting archaeologist. The archaeologist has the expertise to help determine if further archaeological studies are necessary to manage development-related impacts to an archaeological site. Altering a protected archaeological site will require a Provincial heritage alteration permit prior to any impacts.
<i>If a local government requires applicants to address archaeological concerns prior to application submission or approval, include those procedures in the OCP.</i>	<ul style="list-style-type: none"> In addition to notifying the applicant of provincial requirements, the local government / regional district may also require that an archaeological impact assessment be completed or alteration permit obtained prior to development approval. Notification of archaeological conflicts will include direction regarding further action that will need to be undertaken by the applicant prior to development approval. When the applicant is already aware of an archaeological site in the area of proposed development, the application should include written assurance from a professional consulting archaeologist that all archaeological requirements have been addressed.

Additional Links to Resources:

Local Govt information	Local Government section of the Archaeology Branch website
Archaeological Information Request form	https://www.archdatarequest.nrs.gov.bc.ca/
Report a possible Contravention	https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/report-a-con
Report Finding an Archaeological Artifact or Human Remains	https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/report-a-find
Archaeology Branch	General email: Archaeology@gov.bc.ca or General Tel: 250-953-3334.